



COMMUNITY DEVELOPMENT

DESCHUTES COUNTY PLANNING COMMISSION

5:30 PM, THURSDAY, DECEMBER 14, 2023

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

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

AGENDA

MEETING FORMAT

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

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

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

<https://us02web.zoom.us/j/82369046254?pwd=MFVLEg0d0NGTjQwWE40M1ROZi95Zz09>

Passcode: 009954

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

Members of the public can access the meeting via telephone, dial: 1-312-626-6799. When prompted, enter the following Webinar ID: 823 6904 6254 and Passcode: 009954. Written comments can also be provided for the public comment section to planningcommission@deschutes.org by 5:00 p.m. on December 14. They will be entered into the record.

I. CALL TO ORDER

II. APPROVAL OF MINUTES - November 9

III. PUBLIC COMMENT

IV. ACTION ITEMS

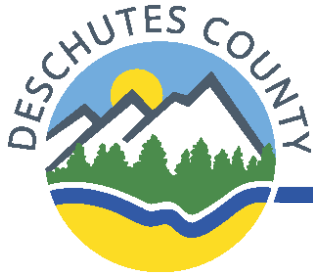
- [1.](#) Continued Public Hearing: Deschutes County 2040 Comprehensive Plan Update (Nicole Mardell, Senior Planner)
- [2.](#) Continued Public Hearing: RVs as Rental Dwellings / SB 1013 (*Tanya Saltzman, Senior Planner*)

V. PLANNING COMMISSION AND STAFF COMMENTS

VI. ADJOURN



Deschutes County encourages persons with disabilities to participate in all programs and activities. This event/location is accessible to people with disabilities. If you need accommodations to make participation possible, please call (541) 617-4747.



MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Nicole Mardell, AICP, Senior Planner
Will Groves, Planning Manager

DATE: December 7, 2023

SUBJECT: Continued Public Hearing: Deschutes County 2040 Comprehensive Plan Update

The Deschutes County Planning Commission will conduct a continued public hearing on December 14, 2023, to consider amendments to repeal and replace the 2030 Comprehensive Plan with the Deschutes County 2040 Comprehensive Plan (file no. 247-23-000644-TA). The hearing will be held in the Barnes and Sawyer Room, Deschutes Service Center, 1300 Wall Street, Bend beginning at 5:30 p.m. The public hearing will be conducted in-person, electronically, and by phone.

This will be a continuation of the initial hearing held on October 26, 2023¹ and November 9, 2023².

Staff submitted a 35-day Post-Acknowledgement Plan Amendment (PAPA) notice to the Department of Land Conservation and Development on August 30, 2023. The project website contains all record materials – visit www.deschutes.org/2040 and click on the “hearings page” to view the official hearing record, from August 30, 2023, onward. The “process page” provides information from the iterative process leading up to the creation of the document.

I. BACKGROUND

The Comprehensive Plan is Deschutes County’s policy document for guiding growth and development within the county over a 20-year planning period. The plan’s purpose is to

¹ <https://www.deschutes.org/bc-pc/page/planning-commission-42>

² <https://www.deschutes.org/bc-pc/page/planning-commission-40>

provide a policy framework for zoning and land use regulations, demonstrate consistency with statewide goals, rules, and laws, and serve as a cohesive vision for future planning activities.

The project was initiated in April 2022 and progressed through four phases:

- Phase 1 - Project Initiation: Hiring of Consultant (MIG, Inc), review of background documents, creation of Community Engagement Plan, project website, and branding materials.
- Phase 2 - Initial round of community engagement - visioning, review of existing policies with Planning Commission, review of policy best practices in drafting new text.
- Phase 3 - Second round of community engagement - policy approaches, finalizations of goal and policies, update of maps.
- Phase 4 - Compilation of final Comprehensive Plan document, creation of action plan and findings package.

The project has now entered Phase 4, which is focused on the adoption of the updated document. Extensive information from the previous phases, including open house summaries, outreach materials, and iterative versions of policies can be found on the project website process page: www.deschutes.org/2040.



II. PROPOSAL

This is a legislative text amendment to repeal and replace the 2030 Comprehensive Plan, adopted in 2011, with the Deschutes County 2040 Plan. Staff notes that no zoning or comprehensive plan map amendments are being considered, nor are any changes to the County’s adopted Goal 5 inventory pertaining to significant natural resources, scenic views, open spaces, mineral and aggregate sites, and historic and cultural resource sites. The Tumalo Community Plan and Transportation System Plan are being updated separately from this process. Updates to the Terrebonne Community Plan and Newberry Country Plan are not included within the scope of this project.

III. PUBLIC AND AGENCY COMMENTS RECEIVED

- Ten individuals have provided oral testimony at the October 26 and November 9 hearings. Topics referenced during this testimony included:

- Water conservation
- Residential uses in new or expanded Destination Resorts
- Balancing natural resources with development
- Rezoning of farmland
- Dark skies lighting
- Issues relating to homelessness
- Trails
- Irrigation district corrections
- Continued community engagement
- Causes of deer mortality

As of 8 a.m. on the date of this memo, 124 public comments have been received. Generally, these comments fell under the following themes.

- A County strategic plan.
- Area-specific analysis for the Three Rivers census designated place related to water quality, economic development, wildlife, and growth-related issues.
- Evaluation of farm land and allowed uses.
- Wildlife protections and inventories.
- Private property rights, incentives, and regulations.
- Limitations on development related to water and wildfire risk.
- Greater attention to water conservation and management generally.
- Additional requirements for septic inspections.
- Creation of an amnesty program to remedy violations related to docks.
- Strengthening and enforcement of dark skies lighting.
- Support for a footbridge near the southern edge of Bend's Urban Growth Boundary.
- Limitation on trails.
- Strategies to address homelessness.
- Community engagement and planning commission membership.
- Regional approach to growth, housing, and recreation planning.
- Revisitation of policy for appeal related expenses
- Cultural resource inventories, education, and protection.
- Renewable energy development.
- Destination resort siting.

Agency comments were received from Central Oregon Irrigation District and U.S. Fish and Wildlife Service. These comments primarily provide recommendations to narrative, goal, and policy language to reflect correct terminology and consistency with other plans.

The public hearing record is found on the project website www.deschutes.org/2040 under the "Hearing Page" link.

IV. NEXT STEPS

At the conclusion of the public hearing, the Planning Commission may:

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

Attachments:

1. Proposed Findings
2. Draft Deschutes County 2040 Comprehensive Plan
3. Policy Tracker – Comparison of Key Changes



STAFF FINDINGS

FILE NUMBER(S): 247-23-000644-PA

APPLICANT: Deschutes County Planning Division

REQUEST: Repeal and Replace 2030 Comprehensive Plan with Deschutes 2040 Comprehensive Plan.

STAFF CONTACT: Nicole Mardell, AICP, Senior Planner
Phone: 541-317-3157
Email: nicole.mardell@deschutes.org

RECORD: Record items can be viewed and downloaded from:
www.deschutes.org/2040 by clicking on the "Hearing Page" link

I. APPLICABLE CRITERIA

Deschutes County Code (DCC)
Title 22, Deschutes County Development Procedures Ordinance
Chapter 22.012, Legislative Procedures
Oregon Administrative Rule (OAR)
OAR 660-015, Statewide Planning Goals and Guidelines

II. BASIC FINDINGS

PROPOSAL

This is a legislative plan and text amendment to replace the 2030 Deschutes County Comprehensive Plan with the Deschutes 2040 Comprehensive Plan. The proposal does not seek to replace the Tumalo Community Plan, Terrebonne Community Plan, Newberry Country Plan, nor the Transportation System Plan. This proposal does not include any amendments to the County's Goal 5 Inventory. The proposal does not include any Comprehensive Plan or Zoning Map amendments.

BACKGROUND

The Board of County Commissioners initiated the process to update the County's Comprehensive Plan in November 2021. Staff worked extensively with the project consultant MIG, on creating the project scope and budget for this process. Over the last 18 months, staff has conducted widespread community engagement and analysis of existing conditions and projected trends. This in turn, has

informed updates to chapter narrative, goal, and policy language to provide an up-to-date approach to managing growth and development in rural Deschutes County.

REVIEW CRITERIA

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

III. FINDINGS & CONCLUSIONS

CHAPTER 22.12, LEGISLATIVE PROCEDURES

Section 22.12.010.

Hearing Required

FINDING: This criterion will be met because a public hearing will be held before the Deschutes County Planning Commission on October 26, 2023, and 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 October 13th, 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. Staff provided additional notice beyond the legal requirements. This was done through the project's constant contact mailing list, including 530 contacts, through press releases, and coordination with community organizations. This criterion is met.

Section 22.12.030 Initiation of Legislative Changes.

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

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

Section 22.12.040. Hearings Body

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

FINDING: The Deschutes County Planning Commission will hold the initial public hearing on October 26, 2023. The Board will hold a public hearing on 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 20xx-xxx, upon approval and adoption by the Board of County Commissioners. This criterion will be met.

OAR 660-015, Statewide Planning Goals and Guidelines

Goal 1: Citizen Involvement:

FINDING: The development of the Deschutes County 2040 Comprehensive Plan document was a multi-year process with significant public outreach and community member involvement.

The following is a short summary of engagement leading up to the initial public hearing:

- Established a project email list with over 500 contacts.
- Provided 7 project update emails.

- Established a new, user-friendly website.
- Received over 29,000 social media impressions.
- Coordinated with media on 13 news stories.
- Held 66 small group meetings with over 400 participants.
- Held 8 open houses with 296 attendees.
- Held an online open house with 361 survey responses.
- Hosted a virtual and interactive forum with over 100 responses.
- Held 11 planning commission meetings.
- Provided incentives through a raffle, prizes, and food and beverages.

Community member input was essential to the development of the resulting Deschutes County 2040 document and staff utilized several novel and innovative techniques to reach rural residents. Chapter 1 of the plan, Community Engagement, outlines numerous policies that reduce barriers to and support community involvement throughout planning processes.

Key Policy Changes

Comprehensive Plan - 2030: Chapter 1, Section 1.2

Deschutes County 2040 Plan: Chapter 1 - Community Engagement

Amendments: Citizen involvement (now Community Engagement) was completely rewritten.

The section listed above and this Plan as a whole, complies with Goal 1, Citizen Involvement, as described:

- The adoption process for these amendments included public hearings before the Planning Commission (Committee for Citizen Involvement) and before the Board of County Commissioners.
- The updated goal and policies were created through an extensive two-year public/Planning Commission process that generated considerable public input which was incorporated throughout this Plan.
- The new policies recognize the Planning Commission as the required Committee for Community Involvement.
- This section complies with the following six components of Statewide Goal 1:
 - Policies 1.1.1-1.1.8 promote opportunities to involve community members at all stages of planning processes by providing adequate opportunities for input, promoting two-way communication, and continuously improving on outreach activities.
 - Policies 1.2.1-1.2.6 support the activities and funding of the Committee for Community Involvement.
 - Policies 1.1.2 and 1.1.4 ensure technical information is available in an understandable form

Consistency with Goal 1 is thereby met.

Goal 2: Land Use Planning:

FINDING: The purpose of the chapter is to ensure the Comprehensive Plan was built with a factual base and will be followed when making future land use decisions. In updating this plan document, information was gained from numerous studies, technical documents, and subject matter experts. ORS 197.610 prescribes the process for local governments to initiate post-acknowledgement plan

amendments. 45-day notice was provided to the Oregon Department of Land Conservation (DLCD) and Development on August 30, 2023 – no comments have been received from DLCD.

The draft Plan contains detailed, factual background information in each chapter narrative to provide context for the goals and policies. The Deschutes County 2040 plan update does propose any changes to Comprehensive Plan designations or zoning designations, nor the County's Goal 5 inventories or community plans as part of this update.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 1, Section 1.3 and Chapter 5, Section 5.10

Deschutes County 2040 Plan: Chapter 2 Land Use and Regional Coordination

Amendments: Land use (previously Section 1.3) was completely rewritten.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 2 as described:

- Policies 2.1.1 and 2.1.5 recognize that when making land use regulations, private property rights, economic impacts, sustainability and carrying capacity all need to be considered.
- Policy 2.1.2 and 2.1.4 recognize the importance of implementing the plans recommendations through the annual department work plan process and updating the document to incorporate new information.
- Policy 2.1.3 clarifies the official Comprehensive Plan map is retained as an electronic layer with the Deschutes County GIS system.
- Goal 2.2 and its associated policies support regional coordination and partnership on regional issues and are further discussed under Goal 14 – Urbanization.
- Policies 2.3.1-2.3.2 speaks to coordinate and management of County owned land use for park purposes.
- Policies 2.4.1-2.4.2 recognize the importance of reducing onerous barriers to land use and planning applications.
- There are no amendments to Comprehensive Plan map designations incorporated into this Plan update, although definitions of existing designations are provided.

Consistency with Goal 2 is thereby met.

Goal 3: Agricultural Lands:

FINDING: Goal 3 seeks to preserve and maintain agricultural lands. Deschutes County inventoried agricultural lands as required by Goal 3 in 1979 and refined the agricultural land designations as a result of a farm study in 1992. This plan update does not propose to rezone or redesignate any agricultural lands. Staff finds that the goals and policies within the document are supportive of retaining productive and valuable lands for agricultural uses within Deschutes County and reducing barriers to a healthy agricultural economy.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 2, Section 2.2

Deschutes County 2040 Plan: Chapter 3 - Farm and Forest Resources

247-23-000644-PA

(Deschutes County 2040)

Amendments: Chapter 2, Section 2.2 Agricultural Lands and Section 2.3 Forest Lands were combined and rewritten, although existing designations and regulations were retained.

The section listed above, and this Plan update as a whole, complies with Statewide Planning Goal 3 as described:

- Policies 3.1.1-3.1.2 retain the existing Exclusive Farm Use Zoning and subzones. No map changes are proposed as part of this Plan update.
- Policy 3.1.4 ensures the County's farm policies and codes remain compliant with State regulations.
- Policies 3.2.1-3.2.9 support the business of agriculture and review of county regulations to reduce common issues that impact farming operations and activities.
- Policies 3.1.3, 3.3.1, 3.3.2, and 3.3.6 support the accurate designation of agricultural lands in compliance with State rules, while responding to local concerns that there are Deschutes County farmlands that are incorrectly designated.
- Policy 3.3.4 addresses the newly allowed state allowance for rural accessory dwelling units.
- Policy 3.3.5 encourages coordination between farmers and fish/wildlife managers.

Consistency with Goal 3 is thereby met.

Goal 4: Forest Lands:

FINDING: Goal 4 seeks to conserve forest lands. Deschutes County inventoried forest lands as required by Goal 4 in 1979 and refined the forest land designations to conform to OAR 660-006. Deschutes County is not proposing to rezone or redesignate any forest lands as part of this update process. Staff consolidated the goals that were previously in Section 2.3 Forest Lands into *Chapter 3 – Farm and Forest Resources*.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 2, Section 2.3

Deschutes County 2040 Plan: Chapter 3 - Farm and Forest Lands

Amendments: Forest Lands (previously Section 2.3) was rewritten and combined into the same chapter as agricultural lands, although existing designations and regulations were retained.

The section listed above, and this Plan update as a whole, comply with Statewide Planning Goal 4 as described:

- Goal 3.4 and Policies 3.4.1-3.4.4 provide the characteristics and criteria for the County's Forest Zones. These policies remain unchanged from the previous 2010 plan.
- Policy 3.4.5 ensures forest codes are compliant with State regulations.
- Policies 3.4.6-3.4.7, 3.4.9, and 3.4.10 recognize the need for coordination with federal agencies and tribal government in forest management.
- Policy 3.4.8 supports economic opportunities within forest zoned lands while meeting other community goals.
- Policy 3.4.11 recognizes the need to review and revisit county code to reduce impacts from development on forest health and dependent species.

Consistency with Goal 4 is thereby met.

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

FINDING: Statewide Planning Goal 5 addresses natural resources, historic and cultural resources, and mineral and aggregate resources. In this update, these topics were divided into three chapters to ensure adequate depth and policy response to each particular topic.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 2, Sections 2.4-2.7 and 2.10-2.11 and Chapter 5, Sections 5.3-5.9, 5.11

Deschutes County 2040 Plan: Chapter 4 - Mineral and Aggregate Resources, Chapter 5 - Natural Resources, Chapter 6 - Historic Resources

Amendments: The narratives for each topic were rewritten. The Goal 5 inventories for these resources (as well as ESEEs and programs) were retained and remained unchanged in Appendix A.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 5 as described:

Chapter 5 – Natural Resources

- Water Goals and Policies
 - Policies 5.1.1 directs the county to participate in statewide regional and water planning efforts including implementation of the Upper Deschutes Basin Study, Habitat Conservation Plan, and Biological Opinion.
 - Policy 5.1.2 supports grants for improvements, upgrades, or expansions to water systems.
 - Policies 5.1.3-5.1.4 promote increased consideration of water quality, water availability, and treaty rights of Confederated Tribes of Warm Springs in the land use review process.
 - Policies 5.2.1-5.2.3 support water conservation efforts through a mixture of incentives, educational opportunities and partnerships with local and regional organizations and agencies.
 - Policies 5.3.1-5.3.4 seek to maintain a healthy ecosystem in the Deschutes River Basin including partnerships with agencies, implementation of study recommendation, and education.
 - Policies 5.4.1-5.4.11 seek to maintain and enhance fish and riparian dependent wildlife habitat. These policies address coordination with agencies and organizations during land use review process, implementation of Habitat Conservation Plans and other scientific studies, and additional regulations and educational programs to limit impacts to riparian areas.
 - Policies 5.5.1-5.5.7 aspire to coordinate land use and water policies to address water allocation and management. These policies address coordination, support to revisit Oregon Water Resources Departments Groundwater Allocation and Mitigation Rules, improvement of stormwater and wastewater facilities, and consideration of hydrology during land use review process.
- Open Spaces and Scenic Views
 - Policies 5.6.1-5.6.4 recognize the importance of working with stakeholders to establish and maintain connected open spaces and scenic view areas.
 - Policies 5.6.5-5.6.6 support protection for visually significant areas.

- Wildlife Habitat
 - Policy 5.7.1 promotes stewardship of wildlife habitat.
 - Policy 5.7.2 is directed at updating wildlife habitat inventories and protections through future public processes, informed by public process, expert sources, and current or recently updated plans.
 - Policy 5.7.3 and 5.7.4 seek to incentive or require greater compatibility between development and habitat areas, including clustering of development.
 - Policy 5.7.5 directs the County to coordinate with Confederate Tribes of Warm Springs on co-management on wildlife resources.
 - Policies 5.8.-5.8.3 seek to balance the economic and recreation benefits of wildlife with the protection of these resources.
 - Policies 5.9.1-5.9.3 address federal and state protected species.

Chapter 4 - Mineral and Aggregate Resources

- Policies 4.1.1-4.1.3 seek to implement the Goal 5 program for mineral and aggregate sites.
- Policy 4.1.4 supports reclamation of sites following exhaustion of mineral or aggregate resources.

Chapter 6 - Historic and Cultural Resources

- Policies 6.1.1- 6.1.3 define roles of the County in promoting a historic landmarks program, including coordination with the State Historic Preservation office and the Confederated Tribes of Warm Springs.

Consistency with Goal 5 is thereby met.

Goal 6: Air, Water and Land Resources Quality:

FINDING: Goal 6 instructs local governments to consider protection of air, water, and land resources from pollution and pollutants when developing Comprehensive Plans. This chapter supports maintaining and improving air, water and land quality, which goes beyond the requirements of Goal 6 to comply with State and Federal regulations. Staff notes that there are no comprehensive map or zoning changes associated with this amendment, nor are any amendments to the County's Goal 5 inventory proposed.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 2, Section 2.5 and 2.9

Deschutes County 2040 Plan: Chapter 5 - Natural Resources

Amendments: This section was entirely rewritten, the policies pertaining to Air, Water, and Land Resources Quality have been integrated into an “Environmental Quality” section of the larger natural resources chapter.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 6 as described:

- Policies 5.10.1 and 5.11.2 promote use of environmentally friendly building practices in County operations and on public property.
- Policy 5.10.2 supports implementation of a dark skies program to impacts of light pollution.
- Policies 5.10.3-5.10.4, and Policy 5.11.2 promote public education regarding controlled burning, noxious weeds, and reuse and recycling.
- Policies 5.11.3-5.11.4 support the process for siting new waste management facilities and implementing best practices in solid waste management.
- Policy 5.11.5 seeks to develop and implement a Climate Action Plan to mitigate impacts of climate change in Deschutes County.
- Policy 5.11.6 promotes green infrastructure to improve stormwater.

Consistency with Goal 6 is thereby met.

Goal 7: Areas Subject to Natural Disasters and Hazards:

FINDING: Goal 7 requires comprehensive plans to address Oregon’s natural hazards. Deschutes County has been proactive in addressing natural hazards, through periodic updates to the County’s Natural Hazards Mitigation Plan (NHMP). That Plan provides extensive information on natural hazards in Deschutes County and detailed recommendations to protect people and property.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 3, Section 3.5

Deschutes County 2040 Plan: Chapter 7 - Natural Hazards

Amendments: Natural hazards (now Chapter 7) was completely rewritten.

The section listed above, and this Plan update as a whole, comply with Statewide Planning Goal 7 as described:

- Policies 7.1.1-7.1.3, and 7.2.4 promote coordination agency partners to regularly update the NHMP, update hazard risk maps, review land use applications, and clarify responsibilities pertaining to natural hazard events.
- Policy 7.1.4 seeks to utilize development code provisions to manage development in hazard prone areas.
- Policies 7.1.5 – 7.1.10 aspires to address wildfire risk and mitigate impacts to wildlife and people.
- Policy 7.1.11 provides recommendations to review and revise County code to address common hazard risk issues.
- Policies 7.2.1-7.2.2 mitigate risk to essential infrastructure following natural hazard events.
- Policy 7.2.3 supports the siting of a regional emergency services training facility.
- Policy 7.2.5-7.2.7 provides required and incentivized standards to mitigate risk for new development in hazard prone areas.
- Policy 7.2.8 provides compliance with the FEMA flood insurance program.
- Policies 7.3.1-7.3.5 promote development of programs to inform the public of increased risk of natural hazards.

Consistency with Goal 7 is hereby met.

Goal 8: Recreational Needs:

FINDING: Goal 8 requires local governments to plan for the recreation needs of their residents and visitors. Unlike cities, the County is not required to adopt a parks master plan, but instead coordinate recreational activities among government and private agencies in the rural portions of the County.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 3, Section 3.8

Deschutes County 2040 Plan: Chapter 8 - Recreation

Amendments: This section was completely rewritten.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 8 as described below.

- Goal 8.1 and policies 8.1.1-8.1.6 address the need for cooperation in recreation planning.
- Policy 8.1.7 discusses working with Unincorporated Communities that express interest in parks.
- Policy 8.1.8 refers to integrating trail designs from other agencies within the Transportation System Plan where appropriate.
- Policy 8.1.9 explores an increased role of the County in parks and recreation to serve rural areas not already within a parks and recreation district.
- Policy 8.1.10 supports the community effort to acquire and manage Skyline Forest as a community asset.
- Policy 8.1.11 speaks to balancing new recreational opportunities with the integrity of the natural environment.

Consistency with Goal 8 has been met.

Goal 9: Economic Development:

FINDING: Goal 9 seeks to provide adequate opportunities for economic development throughout the state. Goal 9 primarily applies to urban development within acknowledged growth boundaries. The County is not required to provide an economic feasibility study or designate land to fulfill employment needs. Rather, these policies are intended to provide guidance for regional economic development activities and rural economic activities allowed under state law.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 3, Section 3.4

Deschutes County 2040 Plan: Chapter 9 - Economic Development

Amendments: The economy chapter was completely rewritten.

The section listed above, and this Plan update as a whole, comply with Statewide Planning Goal 9 as described:

- Policy 9.1.1 speaks to promote rural economic initiatives, while balancing impacts to rural livability and natural resources.

- Policy 9.1.2 supports Economic Development for Central Oregon as the regional coordinator for economic development.
- Policy 9.1.3 supports growth and expansion of higher education in Central Oregon to support the regional workforce.
- Policy 9.1.4 supports renewable energy generation as an economic tool, with consideration for community concerns or goals such as livability and impact on natural resources.
- Policy 9.1.5 promotes master planning for airport facilities to reduce noise and safety concerns as the region grows.
- Policy 9.1.6 speaks to allowing local oriented rural commercial uses as state law allows.
- Policy 9.1.7-9.1.10 addresses planning for economic development lands, including large lot industrial lands, supporting childcare, and expansion of internet infrastructures.
- Policies 9.2.1-9.3.15 are retained from the 2011/1979 Plan. These policies govern existing Rural Commercial and Rural Industrial designated properties. These properties were previously evaluated under OAR 660-023 and determined to have pre-existing commercial or industrial uses that do not fit into any of the unincorporated community categories.

Consistency with Goal 9 is met.

Goal 10: Housing:

FINDING: Goal 10 directs cities to provide an adequate supply of housing for their residents. Unlike cities, Counties are not required to comply with the requirements of Goal 10 to provide a 20-year supply of housing for its community members, nor undertake any analysis pertaining to housing demand and supply. The County does not have any statutory obligations in providing findings to Goal 10. Instead, staff and community members identified important emerging issues that pertain to rural housing and drafted aspirational policies to address these issues.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 3, Section 3.3

Deschutes County 2040 Plan: Chapter 10 - Housing

Amendments: Housing (now Chapter 10) was completely rewritten.

The policies below and this section as a whole complies with statewide land use Goal 10 as described:

- Goal 10.1 was refined from the previous Comprehensive Plan and speaks to balancing housing choice for rural residents with health, safety, environmental, and resource land impacts.
- Policy 10.1.1 speaks to establishing a tracking system for cumulative impacts associated with rural housing development.
- Policy 10.1.2 addresses health and safety issues associated with housing.
- Policy 10.1.3 encourages subdivisions alternative development patterns for subdivisions (such as clustering) to mitigate community and environmental impacts.
- Policies 10.1.4-10.2.2 speak to providing affordable housing options and alternatives in Deschutes County and exploring programs to support housing where allowed by state law in rural areas.
- Policies 10.3.1-10.3.7 provide guidance for development in the Westside Transect Zone.
- Policies 10.4.1-10.4.6 support coordination with cities on affordable housing.

Consistency with Goal 10 is thereby met.

Goal 11: Public Facilities and Services:

FINDING: Goal 11 directs local governments to plan and develop a timely, orderly, and efficient arrangement of public facilities and services to serve as a framework for rural development. The County does not provide any water or sewer services. The primary services provided by Deschutes County, aside from Transportation which is addressed in the County's Transportation System Plan) pertains to waste management. The County may also serve as a conduit for other resources and may support other local governments in siting of regional facilities.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 3, Section 3.6

Deschutes County 2040 Plan: Chapter 12 - Public Facilities

Amendments: Public facilities and services (now Chapter 12) was completely rewritten.

The section listed above, and this Plan update as a whole, comply with Statewide Planning Goal 11 as described:

- Goal 12.1 and policies 12.1.1-12.1.13 supports orderly, efficient and cost-effective siting of rural public facilities and services including natural hazard preparedness, intergovernmental coordination, and reduction of impact to natural and community resources.
- Goal 12.2 and policies 12.2.1-12.2.4 promote sustainable, innovative, and cost-effective waste management practices.
- Goal 12.3 and Policy 12.3.1 encourages the County to be a conduit for resources.

Consistency with Goal 11 is met.

Goal 12: Transportation:

FINDING: The Deschutes County 2040 plan does not directly address transportation, but rather refers directly to an appendix for the County's Transportation System Plan. The adoption of the 2020-2040 Transportation System Plan is still under review and is required to comply with this goal and applicable statute and implementing rule.

Goal 13: Energy Conservation:

FINDING: Goal 13 aspires to conserve energy, by maximizing land and uses to maximize conservation of all forms of energy. This section primarily provides guidance for conservation and alternative energy production in the rural county, as allowed by state law.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 2, Section 2.8

Deschutes County 2040 Plan: Chapter 13 - Energy

Amendments: Energy (now Chapter 13) was completely rewritten as a standalone chapter.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 13 as described:

- Goal 14.1 promotes energy conservation and alternative energy production.
- Policies 14.1.1-14.1.3 aspire to reduce energy usage in County operations and support working with energy suppliers to promote energy efficiency in all economic sectors.
- Policies 14.1.4-14.1.10 seek to promote development of renewable energy projects at a commercial and personal scale, including development of vehicle charging stations, while balancing environmental and community resources.

Consistency with Goal 13 is thereby met.

Goal 14: Urbanization:

FINDING: Two chapters within the 2040 Plan touch on the topic of urbanization - Land Use and Regional Coordination, and Unincorporated Communities and Destination Resorts. Staff notes the key policies pertaining to urbanization below. Staff notes that the unincorporated community policies pertain to those designated under OAR 660-022. Rural industrial and rural commercial policies are noted in review of Goal 9 above. More specific policies for the unincorporated communities of Tumalo and Terrebonne are included in the small area plans included as appendices to this document. The community plans are not updated or amended through the Deschutes County 2040 update process.

Key Policy Changes

Comprehensive Plan – 2030: Chapter 4, Sections 4.2-4.4 and 4.57-4.8

Deschutes County 2040: Chapter 2 - Land Use and Regional Coordination, Chapter 11 - Unincorporated Communities and Destination Resorts

Amendments: Urbanization (now retitled and reorganized into the two chapters above) was completely rewritten. Urban Unincorporated Communities, Resort Communities and Rural Service Centers (previously Sections 4.4, 4.7, 4.8) have been moved to Chapter 11.

The sections listed above, and this Plan update as a whole, comply with Statewide Planning Goal 14 as described below.

Chapter 2 - Land Use and Regional Coordination

- Goal 2.2 seeks to coordinate regional planning efforts between the local, regional, and state governments.
- Policies 2.2.1-2.2.4, 2.2.10 and 2.2.11 encourage periodic review of intergovernmental and urban management agreements, coordination on land use actions, and support the use of land for public purposes as needed.
- Policy 2.2.5 encourages cities to conduct urban reserve planning in partnership with the County.
- Policies 2.2.6 and 2.2.7 encourage collaboration with federal agencies and tribal governments on key land management issues.
- Policy 2.2.8 seeks to support regional infrastructure projects with community benefit, while mitigating negative impacts.
- Policy 2.2.9 supports updates to unincorporated community area plans.

Chapter 11- Unincorporated Communities and Destination Resorts

- Policies 11.1.1 -11.1.5 are general resort community policies and remain unchanged through this update.
- Policies 11.2.1-11.3.6 govern the Black Butte Ranch resort community and remain unchanged.
- Policies 11.4.1-11.5.7 pertain to Inn of 7th Mountain and Widgi Creek. These polices are unchanged.
- Destination Resort Goal 11.6, 11.7 and Policies 11.6.1-11.7.1, 11.7.4-11.7.5 remain unchanged. The goals and policies were moved from the rural recreation element of the 2011 Comprehensive Plan to Chapter 11 – Unincorporated Communities and Destination Resorts and reorganized for consistency.
- Policy 11.7.2 was created with Planning Commission and community feedback and seeks to add additional requirements to consider water quality, recreational resources, and community values during Destination Resort siting.
- Policy 11.7.3 seeks to integrate affordable housing for workers within or near destination resorts.
- Policies 11.8.1-11.20.4 provide guidance for the unincorporated community of Sunriver and are unchanged through this proposal.

Consistency with Goal 14 is thereby met.

Goals 15 through 19

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

IV. CONCLUSION

The proposed Deschutes County 2040 Comprehensive Plan complies with all relevant Deschutes County and OAR requirements.

Deschutes County Comprehensive Plan



DESCHUTES
COUNTY
2040



Draft - Revised August 25, 2023

Acknowledgements

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Introduction





The purpose of the Deschutes County Comprehensive Plan is to provide a blueprint for land use conservation and development. This is accomplished through goals and policies that tell a cohesive story of where and how development should occur and what places should remain undeveloped. The Plan provides a legal framework for establishing more specific land use actions and regulations such as zoning. The goals and policies are based on existing conditions and trends, community values and the statewide planning system. The Plan must provide clear policy direction yet remain flexible.

The County's most recent Comprehensive Plan was adopted in 2011. Since then, the County has grown substantially and experienced many demographic and economic shifts. Between April 2010 and July 2020, the County's population grew from 157,730 residents to 198,253 residents. This growth - 25.7% over ten years - is over twice the 10.6% increase that the State of Oregon experienced as a whole. The latest projections from Portland State University's Population Research Center suggest strong continued growth throughout Deschutes County.

An updated Comprehensive Plan is necessary to address current needs of the communities in the County, as well as to guide the anticipated growth and development of Deschutes County over the next twenty years. Although many of the goals and policies of the 2011 Plan still hold value, fundamental data, trends, and land use issues have become outdated. The updated Comprehensive Plan needs to incorporate community input to craft new and updated goals and policies regarding agriculture, forestry, housing, recreation, natural resources, natural hazards, economic development, and transportation.

In Oregon, comprehensive plans must comply with the statewide planning system, which was adopted in 1973 to ensure consistent land use policies across the State. While compliance with the statewide system is required, it is also important for a comprehensive plan to reflect local needs and interests. This Plan balances statewide requirements and local land use values.

The Comprehensive Plan is the County’s long-range plan for how it will grow and serve its community members in the future. Oregon state law requires all counties and cities to adopt and regularly update Comprehensive Plans that are consistent with state and regional goals, laws, administrative rules and other requirements and guidelines. The Comprehensive Plan addresses topics such as land use, housing, economic development, transportation, parks and recreation, and natural

resources, with a strong emphasis on how land is used, developed, and/or conserved. Other topics in the plan include citizen involvement, natural hazards, and public infrastructure and facilities, and more. The Plan describes conditions related to each element of the community and provides overarching guidance for future County decisions in the form of a set of goals, objectives, and policies. These policies will drive future decisions and actions undertaken by County staff, advisory groups, and elected decision-makers.

Oregon Statewide Land Use Planning Program

Establishes a consistent, statewide approach to planning and development. Development encouraged to be concentrated into cities while farm, forest, and natural resource areas are encouraged to be protected from development.

Implementing Oregon Revised Statute and Rule

Provides very specific criteria for development outside of city limits, including permitted uses and development types on farm and forest lands. Counties are required to abide by these regulations when reviewing development proposals.

County Plans and Development Codes

Integrates statewide planning program goals, statute, and rule at the county level. Where the statewide planning program goals allow local discretion, implements locally developed plans and regulations.

Deschutes County Timeline



1859

Oregon Statehood



1905

City of Bend incorporated



1916

Deschutes County created from a portion of Crook County



1937

County Courthouse and most early records destroyed by fire



1941

Roberts Airfield completed allowing flights to Central Oregon for the first time



1970

"Deschutes County to 1990" Comprehensive Plan



1973

SB100 and Oregon Land Use Planning System Enacted



1979

"Deschutes County Year 2000" Comprehensive Plan



1988 to 2003

Periodic Review and updates to Comprehensive Plan



2010

"Deschutes County 2030" Comprehensive Plan Update



2023

"Deschutes 2040" Comprehensive Plan Update

City of Bend photo courtesy of DowntownBend.org

WHAT ARE THE TOP 3 ISSUES FACING DESCHUTES COUNTY TODAY



Community Engagement

WATER

NATURAL RESOURCE AND OPEN SPACE PROTECTION

ECONOMIC DEVELOPMENT OPPORTUNITIES (JOBS)

HOUSING AFFORDABILITY

FARMS AND LOCAL FOOD SUPPLY

MANAGING GROWTH

TRANSPORTATION

MAINTAINING QUALITY OF LIFE

DROUGHT AND WATER SUPPLY



DESCHUTES COUNTY 2040

JOB/ COST OF LIVING CORRECTION

GARBAGE

Promising

Take a sticker and vote on your top 3 issues. Don't see your priority listed? Write it down on a post-it and stick it to the board.



Opportunities, Challenges, and Considerations

Public engagement is the touchstone of planning in Oregon. As Deschutes County grows and its population changes over the course of the next 20 years, the County must be prepared to find innovative ways to keep community members involved in the planning process and provide ample and accessible ways to find and digest information. Challenges including funding, resources, and ongoing state appeals might pose barriers to this work. The County has an opportunity to plan for adequate resources and staffing to support this work.

2023 Comprehensive Plan Update

A far-reaching community conversation was a vital part of updating the Deschutes County Comprehensive Plan. This effort included:

- Two phases of engagement – one focusing on long-range vision, opportunities, and challenges; and another phase focusing on important and controversial topics.
- Outreach events in all parts of the County.
- A deliberate audit of engagement activities to learn and build on successes.

Context

Involving the public in planning is a critical part of Oregon’s land use system. Statewide Planning Goal 1 - Citizen Involvement, is intended to ensure that the public has the opportunity to be meaningfully involved in all phases of the land use planning process. Creating these opportunities requires time and energy on the part of County staff, as well as systems to incorporate that input in a meaningful way.

To participate in planning actions, the public needs to be notified of the proposal or project, understand the legal framework for the decision and understand the implications of the decision. Local governments need to be aware of changing technologies and best practices to involve the community and share project information. Community engagement can take many forms, such as focus groups for a larger planning project, email notification lists for department activities, or mailed notices of public hearings.

Summary of Engagement for the 2023 Update



Regulatory Framework

Statewide Planning Goal 1 – Citizen Involvement lays the groundwork for the County’s public involvement program. Jurisdictions are required to establish a Citizen Involvement Program that provides widespread community involvement, two-way communication with appropriate feedback mechanisms, opportunities for engagement in all phases of the planning process, technical information available in an intelligible form, and is adequately funded.

Statewide Planning Goal 1

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

Deschutes County’s Community Involvement Program

Statewide Planning Goal 1 is implemented by Deschutes County’s Community Involvement Program, as described in the following section.

DESCHUTES COUNTY PLANNING COMMISSION

The Deschutes County Planning Commission serves as the County’s Committee for Community Involvement (CCI). The Planning Commission is composed of seven volunteer members appointed to four-year terms by the Board of County Commissioners (Board).

Membership of the commission is representative of the various geographic areas of the County. Members are selected through an open process that aims to balance the diverse views of Deschutes County residents.

The purpose of the CCI is to create a direct and transparent connection between County decision-making and the public by providing regular updates, speakers, panel discussions, and handouts on land use law and policy. The CCI aims to make materials intelligible and convenient for the public and to provide a venue for civil discourse on important issues for the County.

HISTORIC LANDMARKS COMMISSION

The Historic Landmarks Commission serves as a hearings body for matters concerning historical districts, structures and sites within unincorporated Deschutes County as well as the city of Sisters. The Landmarks Commission is composed of nine voting and several non-voting ex-officio members who have demonstrated expertise in historic preservation related disciplines. Commissioners serve four-year terms.



OTHER LAND USE RELATED ADVISORY GROUPS

Project Wildfire is a committee formed to coordinate, develop and implement strategies to mitigate the effects of losses due to natural disasters that strike Deschutes County. Project Wildfire is composed of 15 to 27 members who reside or represent agencies within Deschutes County. All members are appointed by the Board and serve four years (see also Chapter X, Natural Hazards).

The Deschutes River Mitigation and Enhancement Program helps achieve Oregon Department of Fish and Wildlife (ODFW) habitat and management goals and objectives within the Upper Deschutes River sub-basin, consistent with an agreement between the Central Oregon Irrigation District (COID) and ODFW. As part of that agreement COID provides ODFW with funds to develop and implement a fish and wildlife habitat mitigation and enhancement program for the Upper Deschutes River Basin. The Deschutes River Mitigation and Enhancement Committee has seven voting

members appointed to three-year terms by the Board (see also Section 2.5).

In addition to convening these groups, Deschutes County engages with the public through numerous methods, including:

- Conducting regular work sessions and hearings
- Providing timely public notice of important items
- Maintaining the County Website, including the department's "Community Engagement Center" page.
- Advertising events and engaging with constituents through social media channels
- Coordinating with media organizations, such as local newspapers.
- Meeting with individuals and small groups to get feedback on important issues.

These activities were part of the most recent update of this Comprehensive Plan.





Key Community Issues

Deschutes County is changing and community members are seeking new ways to share their ideas on key issues. To provide ample opportunities to engage, new tools and technologies will be needed to involve new groups. Issues that the policies in this section address include:

- Continuing to simplify materials to use plain language and be accessible to a variety of audiences
- Continuing to maintain a presence throughout the County, including holding meetings and events throughout the County
- Supporting engagement activities that allow community members to participate virtually and at the time of their choosing.

With these issues in mind, Deschutes County has adopted the following goals and policies:

Goals and Policies

Goal 1.1: Provide for a robust community involvement program that includes all members of the community, including those who are commonly under-represented, by ensuring access to information, encouraging community collaboration, identifying and addressing barriers to involvement, and promoting efficient and transparent planning processes.

Policy 1.1.1. Convene the Deschutes County Planning Commission as the County's Committee for Community Involvement in order to provide a direct and transparent connection between County decision-making and the public.

Policy 1.1.2. Write all County planning documents to be understandable, intuitive, and easily available to the general public, using simplified language where possible, with acronyms spelled out and technical language explained.

Policy 1.1.3. Hold area-specific comprehensive plan and zoning text amendment public hearings in locations and at times convenient and accessible to area residents, as appropriate.

Policy 1.1.4. Provide property information to the public in an intuitive and easy-to-use manner.

Policy 1.1.5. Consult and coordinate with developers before submitting applications as required or recommended by the County Development Code to identify and discuss project requirements and impacts.

Policy 1.1.6. Invest in and support land use educational resources for community members including information related to rural living, agricultural practices, natural resources, and natural hazards.

Policy 1.1.7. Promote opportunities for community members to have civil dialogue around key community issues.

Policy 1.1.8. Explore new and innovative ways to reach community members and promote participation in the planning process.

Goal 1.2: Support the activities of the Committee for Community Involvement

Policy 1.2.1. Maintain adequate funding and staffing support for the Committee.

Policy 1.2.2. Provide regular updates, speakers, panel discussions, and handouts on land use law and policy.

Policy 1.2.3. Appoint members through an open and public process to reflect the diverse geographic regions, demographics, and values of Deschutes County residents.

Policy 1.2.4. Meet with the Board of County Commissioners at least once a year to coordinate planning policies and activities.

Policy 1.2.5. Complete periodic reports on community involvement implementation for the State Citizen Involvement Advisory Committee, the Board of County Commissioners, and the public.

Policy 1.2.6. Maintain open and civil discourse among Committee members and with the public.



2

Land Use and Regional Coordination





Opportunities, Challenges, and Considerations

Deschutes County has been one of the most rapidly growing parts of Oregon for many years. This growth can cause tension and highlight trade-offs between community priorities, such as the need for housing, preservation of natural resources, adequate infrastructure, and intergovernmental collaboration. To manage this growth, the County partners with its cities, special districts, and state and federal agencies to ensure a collaborative approach to development activities. As the County continues to navigate emerging issues, intergovernmental agreements and new partnerships will be key.



One purpose of the Deschutes County Comprehensive Plan is to provide a blueprint for land use throughout the County. This is accomplished through goals and policies that tell a cohesive story of where and how development should occur and what places are expected to remain undeveloped. The Plan provides a legal framework for establishing more specific land use actions and regulations.

Deschutes County regulates and manages the use of land in the unincorporated parts of the County. This is accomplished by:

- Implementing state policy and laws and furthering local planning goals by maintaining, updating and applying County land use policies, standards and regulations in its zoning codes and this Comprehensive Plan.
- Reviewing development and land use proposals and help applicants to navigate the application process.

- Coordinating with other local jurisdictions on issues of regional growth management, infrastructure, and public services.
- Coordinating land use and transportation planning efforts in rural areas including planning for farm and forest lands and natural resource management and protection.
- Administering land use regulations for unincorporated communities in the County.

The policies contained in this chapter, as well as all chapters in this Plan, establish the legislative policy basis for the County’s land use planning program. The program is implemented primarily through application of the County’s Zoning Code, regulatory maps, and development permitting application and approval procedures. In addition, these policies establish important criteria to be used when initiating regulatory changes or reviewing and developing code, map, and policy amendments.

Comprehensive Plan Designation	Purpose Statement
County-wide Designations	
Agriculture	To preserve and maintain agricultural lands for farm use.
Airport Development	To allow development compatible with airport use while mitigating impacts on surrounding lands.
Forest	To conserve forest lands for multiple forest uses.
Open Space & Conservation	To protect natural and scenic open spaces, including areas with fragile, unusual or unique qualities.
Rural Residential Exception Area	To provide opportunities for rural residential living outside urban growth boundaries and unincorporated communities, consistent with efficient planning of public services.
Surface Mining	To protect surface mining resources from development impacts while protecting development from mining impacts.
Resort Community	To define rural areas with existing resort development that are not classified as a destination resort.
Rural Community	To define rural areas with limited existing urban-style development.
Rural Service Center	To define rural areas with minimal commercial development as well as some residential uses, based on Oregon Administrative Rule 660-22 or its successor.
Urban Unincorporated Community	To define rural areas with existing urban development, based on Oregon Administrative Rule 660-22 or its successor.
Urban Designations	
Deschutes County coordinates with cities to adopt comprehensive plan designations for areas within Urban Growth Boundaries or as part of Urban Reserves Areas in the City of Redmond area. These designations are reflected in the Deschutes County GIS database.	
Area Specific Designations	
Parts of Deschutes County (Sunriver for example) have area-specific Comprehensive Plan designations. These are detailed in Chapter 11, Unincorporated Communities.	

Context

Comprehensive Plan Designations

Comprehensive Plan designations provide a high-level policy basis for more detailed zoning regulations – each Comprehensive Plan designation may be implemented by one or more specific zones.

Comprehensive plan designations in Deschutes County are shown in Map 2-1 and described in the preceding table. Comprehensive Plan designations within the Bend, Redmond, Sisters, and La Pine Urban Growth Boundaries are excluded – local jurisdictions have responsibility for comprehensive planning within their Urban Growth Boundaries.



Land Use Planning in Oregon

The foundation of statewide program for land use planning in Oregon is a set of 19 Statewide Land Use Planning Goals. The goals express the state’s policies on land use and related topics, like citizen involvement, housing, and natural resources.

Oregon’s statewide goals are achieved through local comprehensive planning. State law requires each city and county to adopt a comprehensive plan and the zoning and land-division ordinances needed to put the plan into effect.

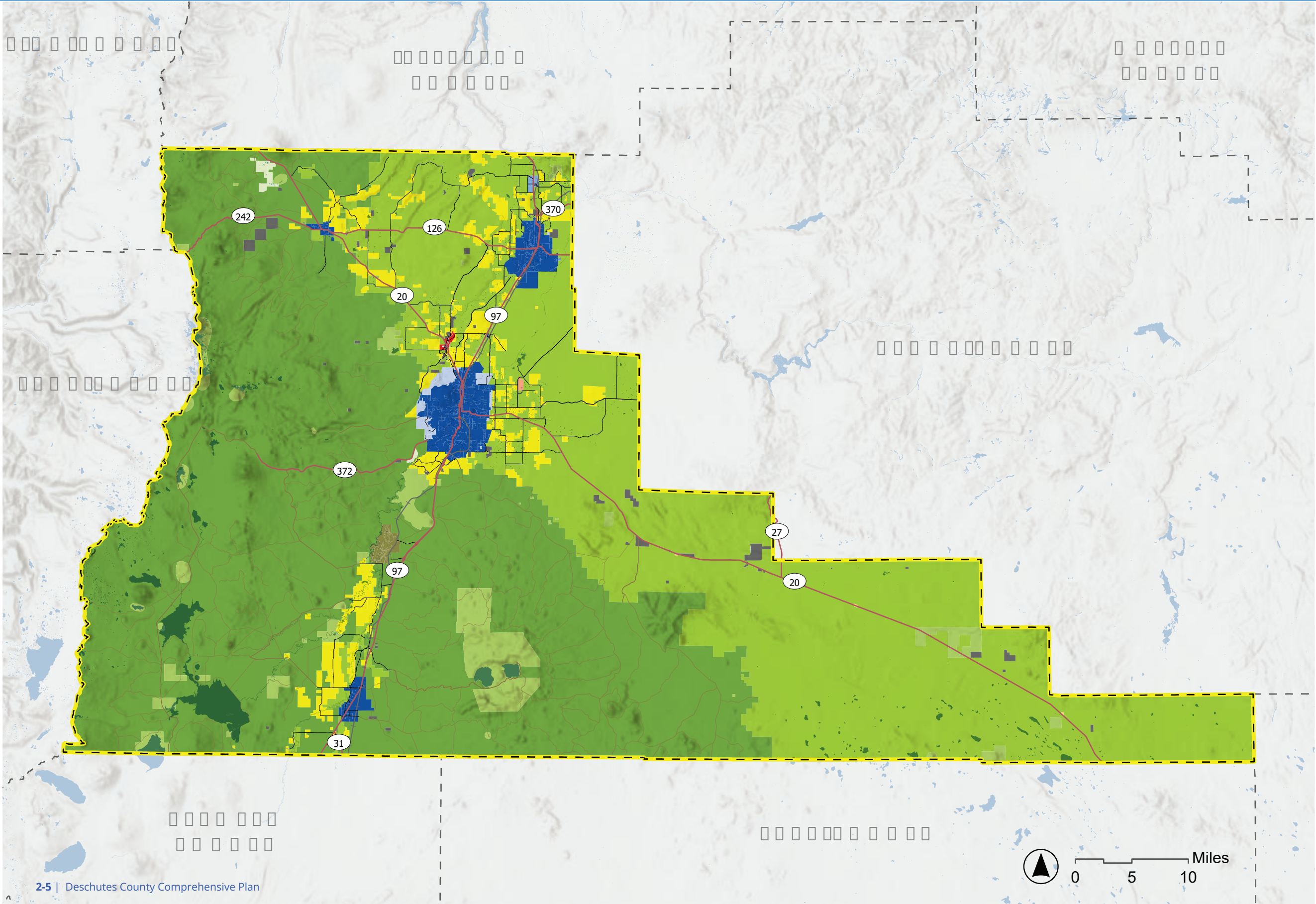
Local comprehensive plans must be consistent with the Statewide Planning Goals. Plans are reviewed for such consistency by the state’s Land Conservation and Development Commission (LCDC). When LCDC officially approves a local government’s plan, the plan is said to be acknowledged. It then becomes the controlling document for land use in the area covered by that plan.

The goals relevant to Deschutes County are:

- **Goal 1 Citizen Involvement**
- **Goal 2 Land Use Planning**
- **Goal 3 Agricultural Lands**
- **Goal 4 Forest Lands**
- **Goal 5 Natural Resources, Scenic and Historic Areas, and Open Spaces**
- **Goal 6 Air, Water and Land Resources Quality**
- **Goal 7 Areas Subject to Natural Hazards**
- **Goal 8 Recreational Needs**
- **Goal 9 Economic Development**
- **Goal 10 Housing**
- **Goal 11 Public Facilities and Services**
- **Goal 12 Transportation**
- **Goal 13 Energy Conservation**
- **Goal 14 Urbanization**

COMPREHENSIVE PLAN DESIGNATION

Map 2-1



A PLAN FOR THE FUTURE

- Water Bodies
- County Boundary

Transportation

- State Routes
- Railroad
- County Lines
- Arterial
- Collector
- Forest Highway

Comprehensive Plan Designation

- Airport
- Agriculture
- Forest
- Flood Plain
- Open Space & Conservation
- Rural Commercial
- Resort
- Rural Industrial
- Rural Residential Exception Area
- Surface Mining
- Terrabone Districts
- Tumalo Districts
- Unincorporated Community
- Mixed Use / Commercial
- Mixed Use / Commercial Future Expansion Area

Other

- Urban Growth Boundary
- Urban Reserve
- Urban Unincorporated Community



This map is for information purposes only. The County's official zoning and comprehensive plan maps can be accessed through the Deschutes County Dial Property Information System. Please note that these maps do not represent all of the County's combining and overlay zones.

Zoning Designations

Zoning designations in Deschutes County are shown in Map 2-2. Zones within the Bend, Redmond, Sisters, and La Pine Urban Growth Boundaries are excluded - local jurisdictions have responsibility for zoning within Urban Growth Boundaries.

OVERLAY ZONES

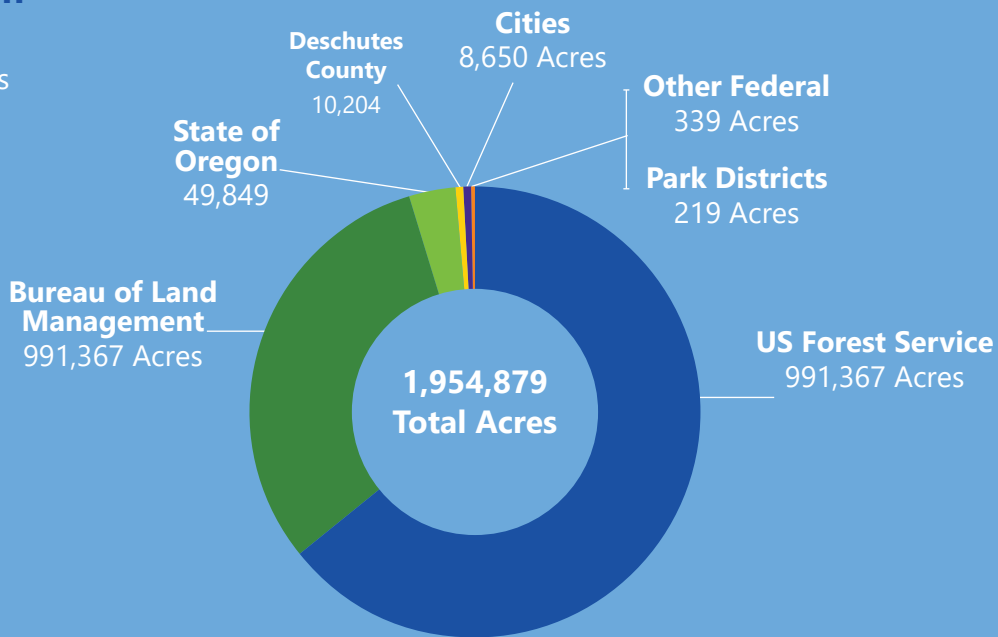
Deschutes County has the following overlay zones, which apply in addition to the base zone of a given property.

- **Airport Safety:** The purpose of the AS Zone is to restrict incompatible land uses and airspace obstructions around airports in an effort to maintain an airport’s maximum benefit.
- **Destination Resort:** The purpose of the Destination Resort Combining Zone is to identify lands eligible for siting a Destination Resort and establish procedures and standards for establishing this type of development.

- **Landscape Management:** The purposes of the Landscape Management Combining Zone are to maintain scenic and natural resources of the designated areas and to maintain and enhance scenic vistas and natural landscapes as seen from designated roads, rivers, or streams.
- **Greater Sage-Grouse Combining Zone.** The purpose of the Greater Sage-Grouse Combining Zone is to fulfill obligations of OAR 660-23-0115. This state rule requires seven Oregon counties to mitigate impacts of large-scale development on sage-grouse habitat.
- **Sensitive Bird and Mammal Habitat:** The purpose of the Sensitive Bird and Mammal Combining Zone is to insure that sensitive habitat areas identified in the County’s Goal 5 sensitive bird and mammal inventory as critical for the survival of the northern bald eagle, great blue heron, golden eagle, prairie falcon, osprey, great grey owl, and the Townsend’s big-eared bat are protected from the effects of conflicting uses or activities which are not subject to the Forest Practices Act.

Public Land Ownership in Deschutes County

Approximately 79% of Deschutes County is public land.



- **Surface Mining Impact Area:** The purpose of the SMIA zone is to protect the surface mining resources of Deschutes County from new development which conflicts with the removal and processing of a mineral and aggregate resource while allowing owners of property near a surface mining site reasonable use of their property.
- **Wildlife Area:** The purpose of the Wildlife Area Combining Zone is to conserve important wildlife areas in Deschutes County; to protect an important environmental, social and economic element of the area; and to permit development compatible with the protection of the wildlife resource.

CITY COORDINATION

Deschutes County includes the following jurisdictions, each with their own authority and needs. The role of the County is largely one of coordination across these multiple communities.

Deschutes County contains four incorporated cities. The County, per statute, is responsible for coordinating with cities on growth related issues including urban growth boundary and urban reserve planning. The County maintains intergovernmental agreements with each city to define land use authority for lands outside of city limits and within urban growth boundaries.

City of Bend

Bend is the largest incorporated area in Deschutes County. It is centrally located in the county, with Highways 20 and 97 crossing paths through the center of the city. Bend has experienced rapid growth in the last few years, accelerated by the COVID-19 pandemic and “Zoom Town” remote working trends. The 2022 estimated population of the Bend UGB is 103,976. The Bend UGB accounts for most of the population share among all UGBs in Deschutes County with a population of 225,619 (57.4% of the population) by 2072.

City of La Pine

The City of La Pine is located close to the southern edge of the county along Hwy. 97. The current (2022) estimated population of the La Pine UGB is 2,736. The population of the La Pine UGB is projected to increase by 87% to 5,129 in 2047. By 2072, the population is projected to be 8,336.

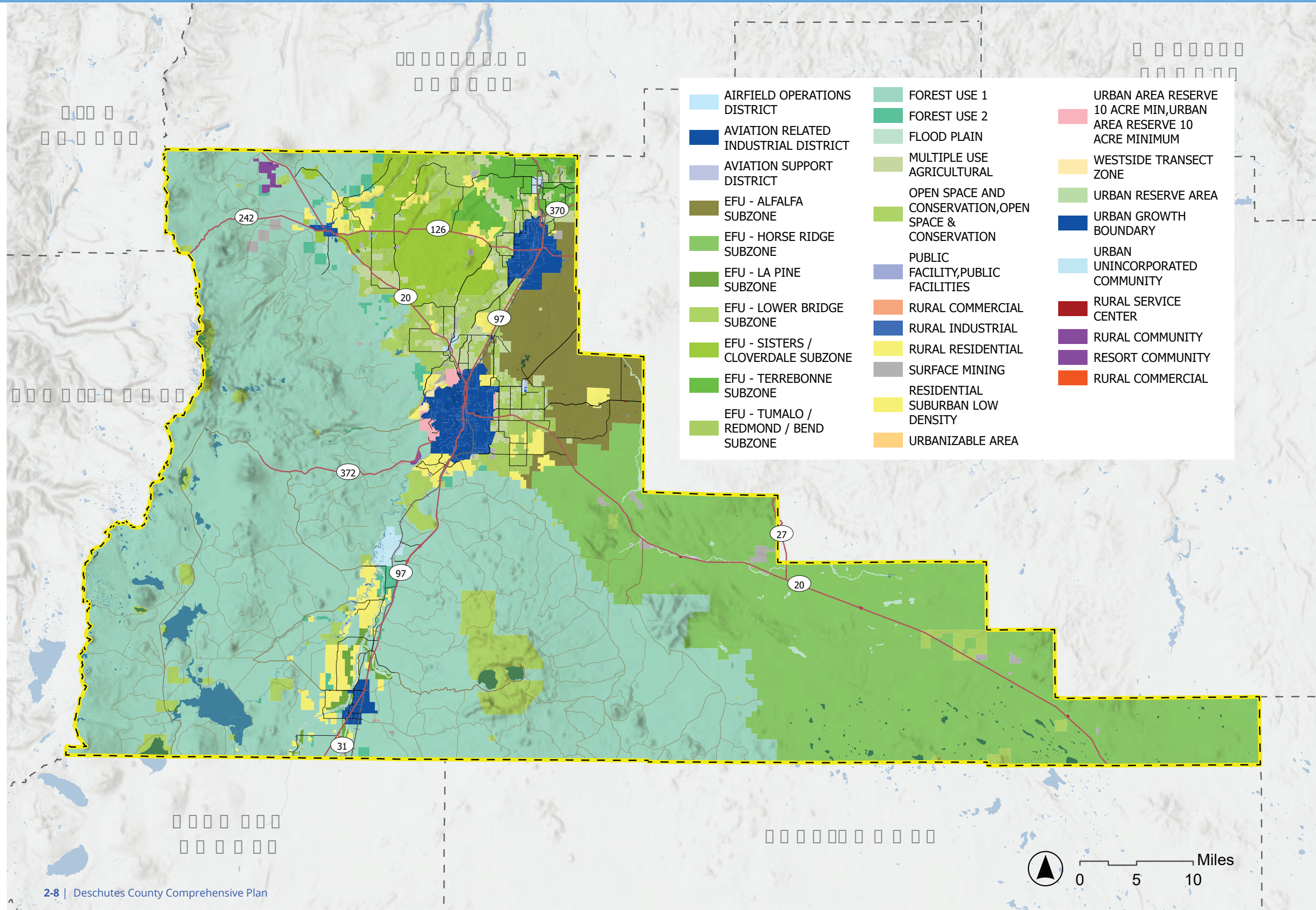
City of Redmond

Redmond is located northeast of Bend with Hwy. 97 running through the center of town. The current (2022) estimated population of the Redmond UGB is 37,342. The population of the Redmond UGB is projected to increase by 121% to 82,601 in the next 50 years. By 2047 it is estimated that the population of the Redmond UGB will increase to 60,060.



ZONING DESIGNATIONS

Map 2-2



	AIRFIELD OPERATIONS DISTRICT		FOREST USE 1		URBAN AREA RESERVE 10 ACRE MIN, URBAN AREA RESERVE 10 ACRE MINIMUM
	AVIATION RELATED INDUSTRIAL DISTRICT		FOREST USE 2		WESTSIDE TRANSECT ZONE
	AVIATION SUPPORT DISTRICT		FLOOD PLAIN		URBAN RESERVE AREA
	EFU - ALFALFA SUBZONE		MULTIPLE USE AGRICULTURAL		URBAN GROWTH BOUNDARY
	EFU - HORSE RIDGE SUBZONE		OPEN SPACE AND CONSERVATION, OPEN SPACE & CONSERVATION		URBAN UNINCORPORATED COMMUNITY
	EFU - LA PINE SUBZONE		PUBLIC FACILITY, PUBLIC FACILITIES		RURAL SERVICE CENTER
	EFU - LOWER BRIDGE SUBZONE		RURAL COMMERCIAL		RURAL COMMUNITY
	EFU - SISTERS / CLOVERDALE SUBZONE		RURAL INDUSTRIAL		RESORT COMMUNITY
	EFU - TERREBONNE SUBZONE		RURAL RESIDENTIAL		RURAL COMMERCIAL
	EFU - TUMALO / REDMOND / BEND SUBZONE		SURFACE MINING		RESIDENTIAL SUBURBAN LOW DENSITY
			URBANIZABLE AREA		

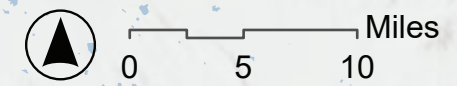


A PLAN FOR THE FUTURE

- Water Bodies
- County Boundary

Transportation

- State Routes
- Railroad
- County Lines



This map is for information purposes only. The County's official zoning and comprehensive plan maps can be accessed through the Deschutes County Dial Property Information System. Please note that these maps do not represent all of the County's combining and overlay zones.

City of Sisters

Sisters is located on the eastern edge of the Willamette National Forest and Cascade Mountains. The current (2022) estimated population of the Sisters UGB is 3,437. The Sisters UGB is projected to increase by 130%, to 7,911 in 2047, and to 14,881 by 2072.

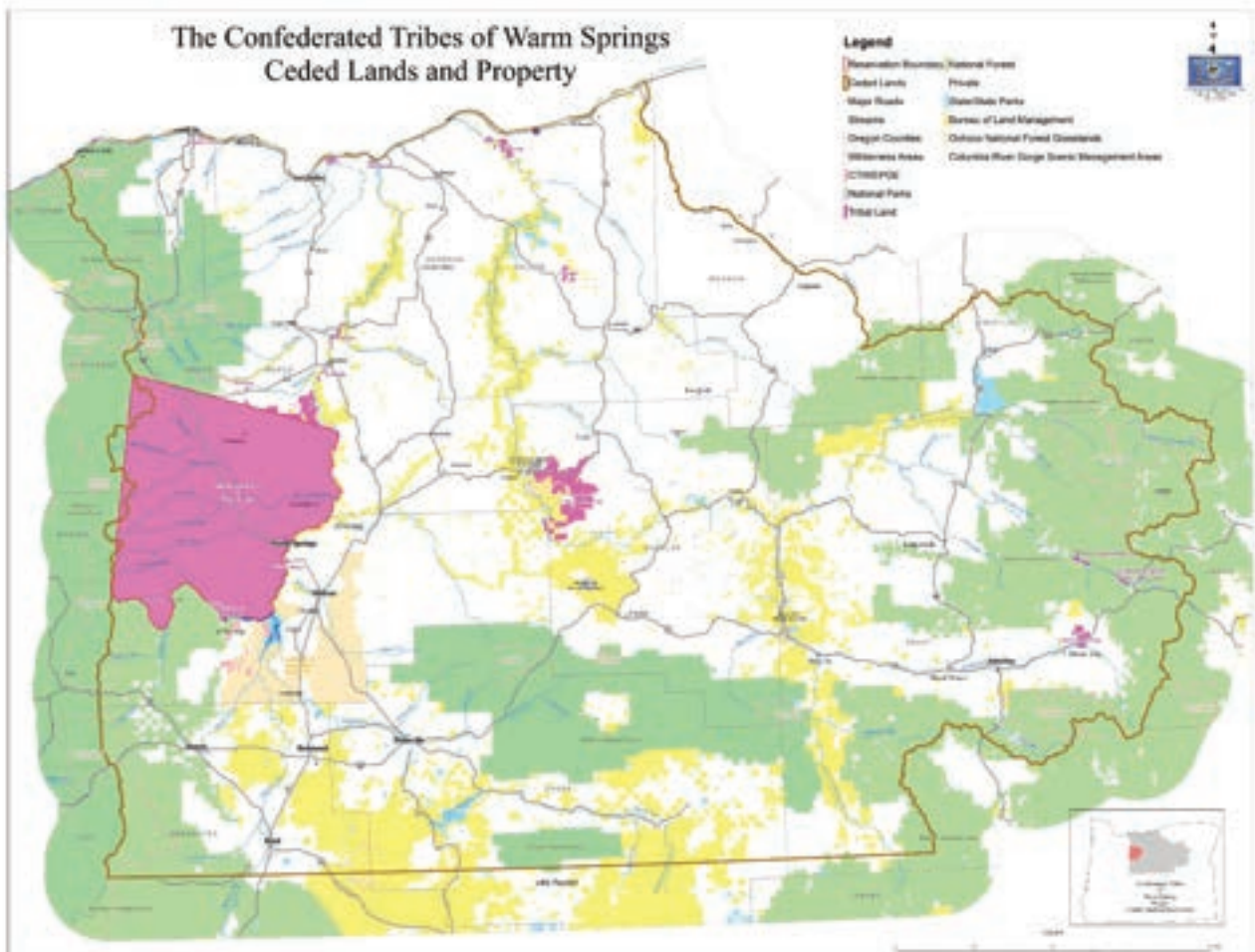
TRIBAL COORDINATION

In the Treaty of 1855, the Confederated Tribes of Warm Springs ceded approximately 10.2 million acres to the United States Government in exchange for creation of the Warm Springs Reservation. As part of this agreement, the Tribes maintained rights to hunt, fish, gather, and graze on these ceded lands. The map below identifies the location of these ceded areas in Deschutes County, which primarily intersect with publicly owned lands. Coordination with the Confederated Tribes of Warm Springs on growth and development related issues is important to ensure consistency with these treaty rights.

Key Community Considerations

The rapid pace of growth in Deschutes County and its impacts on urban, rural, natural, and recreational areas has been one of the most significant – and at times the most controversial – topics of discussion among the community. Some topics and comments include:

- Strong desire by some for greater densities in urban areas, in order to accommodate growth while preserving open space and resource land in rural areas.
- A similarly strong feeling by some that the cities in Deschutes County are becoming too urban already.
- Concern about the amount and distribution of benefits and burdens created by destination resorts and tourism-related activities in rural areas.



- Strong desire for interagency collaboration to manage growth in a coordinated manner.

With these ongoing conversations in mind, Deschutes County drafted and refined the following goals and policies to guide the growth of our community for the next 20 years.

Goals and Policies

Goal 2.1: Maintain an open and public land use process in which decisions are based on substantial evidence and a balancing of community needs.

Policy 2.1.1. Balance the consideration of private property rights and the economic impacts of land use decisions on property owners with other community goals identified in the Comprehensive Plan.

Policy 2.1.2. Review the Comprehensive Plan periodically in order to address current conditions, issues, and opportunities.

Policy 2.1.3. The Deschutes County Comprehensive Plan Map will be retained in official replica form as an electronic map layer within the County Geographic Information System and is adopted as part of this Plan.

Policy 2.1.4. Implement Comprehensive Plan policies through the Community Development Department’s annual work plan and other actions by the Department and the Board of County Commissioners.

Policy 2.1.5. Explore methods to integrate carrying capacity into County land use decision making.

Goal 2.2: Coordinate and support regional planning efforts relating to growth, natural resources, recreation, and major infrastructure investments.

Policy 2.2.1. Periodically review and update intergovernmental and urban management agreements to coordinate land use review on land inside urban growth boundaries and outside city limits.

Policy 2.2.2. Help coordinate regional planning efforts with other agencies on land use policies and actions that impact their jurisdictions.

Policy 2.2.3. Support the use of high value natural resource and recreational lands for public purposes, whether through acquisition, easements, or other means.

Policy 2.2.4. Support the implementation of long-range plans of Deschutes County jurisdictions, incorporating elements of those plans into the County’s Comprehensive Plan as appropriate.

Policy 2.2.5. Encourage cities to conduct, in collaboration with Deschutes County, urban reserve planning to facilitate orderly and thoughtful management of growth and infrastructure needs.

Policy 2.2.6. Collaborate with federal agencies on land management issues including homelessness, sustainable recreation expansion, and energy projects.

Policy 2.2.7. Collaborate with tribal governments on regional issues, particularly those that impact ceded lands or shared natural resources.

Policy 2.2.8. Support efforts to reduce barriers to regional infrastructure projects with community benefit while mitigating negative impacts.

Policy 2.2.9. Support updates to unincorporated community area plans.

Policy 2.2.10. In accordance with OAR 660-024-004 and 0045, Deschutes County, fulfilling coordination duties specified in ORS 195.025, shall approve and update its comprehensive plan when participating cities within their jurisdiction legislatively or through a quasi-judicial process designate regionally significant sites.

Policy 2.2.11. The County and City shall periodically review the agreement associated with the Redmond Urban Reserve Area (RURA). The following land use policies guide zoning in the RURA.

- a. Plan and zone RURA lands for rural uses, in a manner that ensures the orderly, economic and efficient provision of urban services as these lands are brought into the urban growth boundary.
- b. Parcels shall be a minimum of ten acres.
- c. Until lands in the RURA are brought into the urban growth boundary, zone changes or plan amendments shall not allow more intensive uses or uses that generate more traffic, than were allowed prior to the establishment of the RURA.
- d. For Exclusive Farm Use zones, partitions shall be allowed based on state law and the County Zoning Ordinance.
- e. New arterial and collector rights-of-way in the RURA shall meet the right-of-way standards of Deschutes County or the City of Redmond, whichever is greater, but be physically constructed to Deschutes County standards.
- f. Existing and future arterial and collector rights-of-way, as designated on the County's Transportation System Plan, shall be protected from development.
- g. A single-family dwelling on a legal parcel is permitted if that use was permitted before the RURA designation.

Additionally, the County will coordinate planning efforts and development goals with the City of Redmond prior to bringing County-owned property into Redmond's urban growth boundary.

Goal 2.3: Manage county-owned lands to balance the needs of the community as articulated in the goals and policies of this Plan and other supporting planning documents.

Policy 2.3.1. Manage lands with a park designation consistent with the goals and policies in Chapter 5 Natural Resources.

Policy 2.3.2. Support the efforts of park districts, state and/or federal agencies to identify additional properties along rivers, streams, or creeks, or containing significant wildlife, scenic resources, or open space resources to designate as park land.

Goal 2.4: Minimize onerous barriers to land use application and development review processes.

Policy 2.4.1. Explore opportunities to build or obtain specialty planning knowledge and experience among staff within CDD in related fields such as wildlife, natural resources, and/or agricultural practices.

Policy 2.4.2. Explore measures to reduce development costs for projects related to agriculture and addressing houselessness, including fee reductions and expedited land use applications.

3 Farm and Forest Resources



Opportunities, Challenges, and Considerations

Farm and forestry resources and operations continue to play an important role in the character and economy of Deschutes County. However, a variety of ongoing and forecasted trends will impact the viability and vitality of these industries and the people who contribute to them. A number of these trends and challenges are described below and more information about some issues is found in the Water Resources section of this Plan (see Chapter 5: Natural Resources).

PREVALENCE OF SMALL FARMING OPERATIONS AND HOBBY FARMS

The 2017 Census of Agriculture profiles Deschutes County as primarily consisting of small acreage, hobby farms and other relatively small agricultural operations. As of 2017, there were approximately 1,484 farms, an increase of 16% from 2012. Although the average size of a farm in Deschutes County is 91 acres, the majority of acreage (about 85%) is in farms of 10 acres or less in size.

MARGINAL OR LOW PRODUCTIVITY SOILS

While a large proportion of the County is zoned for exclusive farm use, much of the land in these areas has marginal soils which provide limited productivity, particularly for higher value crops. Limited access to water rights and irrigation can further hamper productivity in some areas. Deschutes County attempted to reclassify certain agricultural lands through a nonresource lands program. This approach was rejected at the state level. Since that time, some landowners have successfully redesignated property, primarily to residential zones, through an applicant-initiated process.

FINANCIAL CHALLENGES

According to the 2017 Agricultural Census, agricultural producers in Deschutes County are often operating in the red. The per-farm average of market value of products sold was \$19,386, a 21% increase from 2012, and average production expenses of \$34,748. This results in a deficit of approximately \$12,866 per farm per year. Government payments help cover a portion of this deficit, with the average farm receiving \$7,477 in assistance. The costs of operating continue to be a major challenge from small family operations, resulting in approximately 46% of farms in Deschutes County reporting under \$2,500 in sales.

DECLINING FOREST PRODUCTS INDUSTRY

Approximately 1,032,436 acres of Deschutes County area are zoned for Forest Use. Historically, forestry on public and private land was a primary industry in Central Oregon with key mill sites along the Deschutes River in Bend. Over time, species protections, international competition, and new technologies have reduced the overall footprint of the timber industry in Central Oregon. Recently, land uses are shifting toward recreation and residential development in these natural resource areas.



WATER SUPPLY AND IRRIGATION

Much of Deschutes County is served by six irrigation districts (Map 3-1) – these are special entities created for the purpose of delivering water to their patrons. These districts are effectively non-profit water user associations. In addition to irrigation, these districts also supply other services including municipal, industrial, and pond maintenance. The total water available for irrigation and other human uses in Deschutes County is fixed under the current water regime. No additional water rights can be issued without the decommissioning of a previous claim. Therefore, there is little opportunity to expand irrigated farming in the County. Existing farms with senior water rights in general have relatively generous irrigation rights, which have rarely been fully utilized, and are expected to have sufficient water to cope with increasing temperatures and drought conditions in the future. Junior water right holders, associated with Arnold Irrigation District and North Unit Irrigation District, have recently seen challenges with water delivery due to limited availability and drought.

CHANGES IN CLIMATE CONDITIONS

A number of forecasted trends may impact agriculture and forestry resources and production either positively or negatively by the middle of this century, including the following:

- Drought conditions. Increasing temperatures will lead to an increase in the length of the growing season and a slight change in the

cold hardiness zones throughout the County. The ongoing patterns of drought and lack of sufficient water for irrigation in some districts is likely to be exacerbated by increasing temperatures.

- Growing season. Projected increases in average temperature will have the effect of drastically increasing the length of the growing season. For example, currently the region around Bend has a growing season of just under 100 days a year, but that will increase by more than a month to between 133 to 143 days a year. The eastern part of the county will likely see an even more marked increase from a brief 35 days to between 85 and 100 days. This may increase potential agricultural productivity in parts of the County.
- Water demand and availability. Water demand is likely to increase due to increased temperatures. Warmer days and warmer nights will increase evaporation and transpiration, requiring an increase in irrigation. Because the total volume of water available for agricultural and human use is fixed, strategies to decrease water usage (capping irrigation channels, irrigation timing strategies, water conservation) will become more crucial.

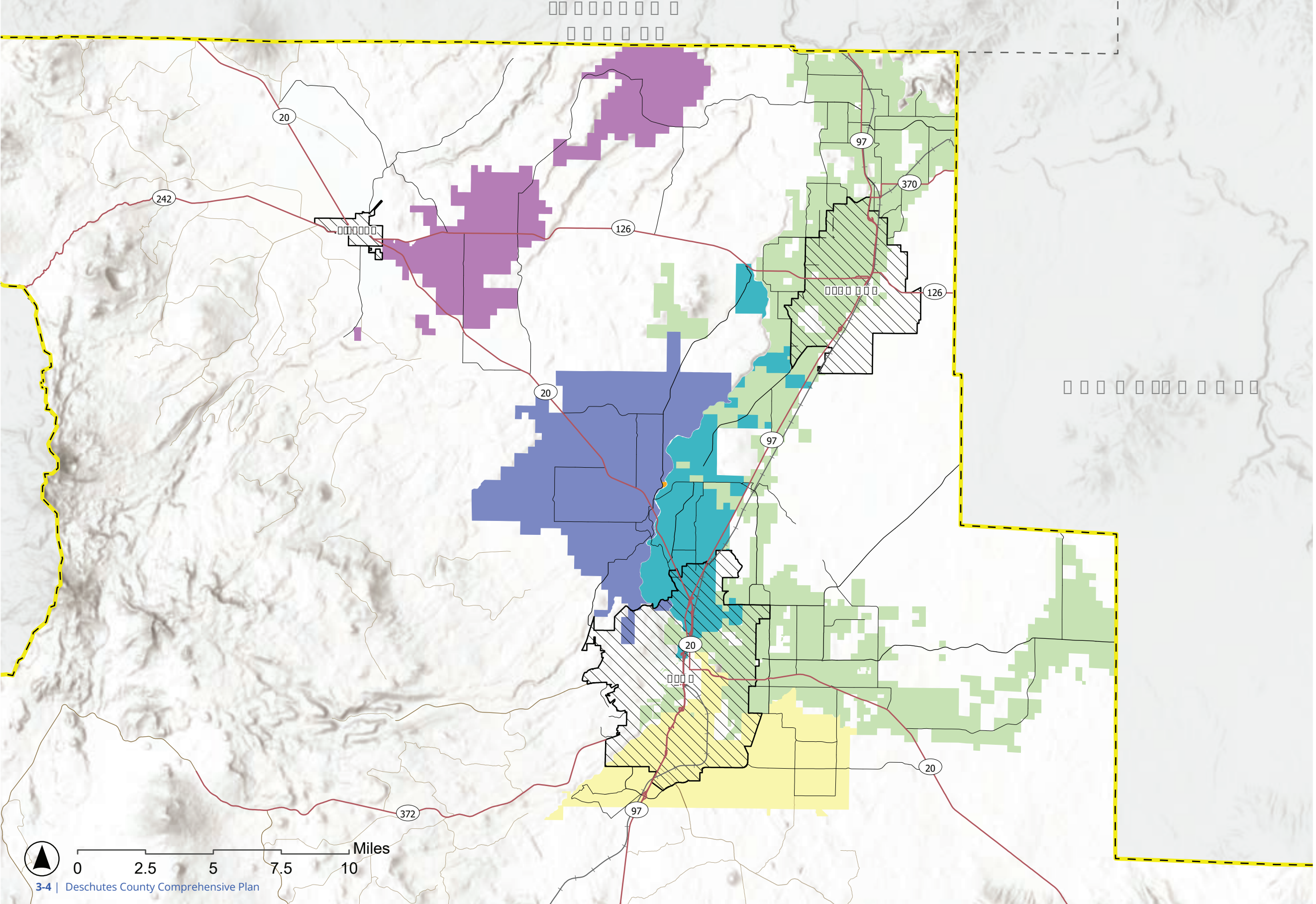
CONFLICTS WITH OTHER USES

Agricultural uses continue to be affected by conflicts with adjacent or surrounding non-farm uses (primarily new rural homes). In some cases, new residents object to impacts of common farming practices, such as noise, dust, and odors related to farm activity.

Days Above 90 Degrees in Brothers



Map 3-1



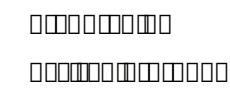
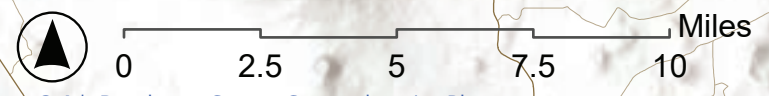
A PLAN FOR THE FUTURE

Irrigation Districts

- Arnold Irrigation District
- Central Oregon Irrigation District
- Rimrock Water Improvement District
- Swalley Irrigation Dist (DRIC)
- Three Sisters Irrigation District
- Tumalo Irrigation District
- State Routes

Transportation

- Arterial
- Collector
- Forest Highway
- Railroad
- Urban Growth Boundaries
- County Boundary



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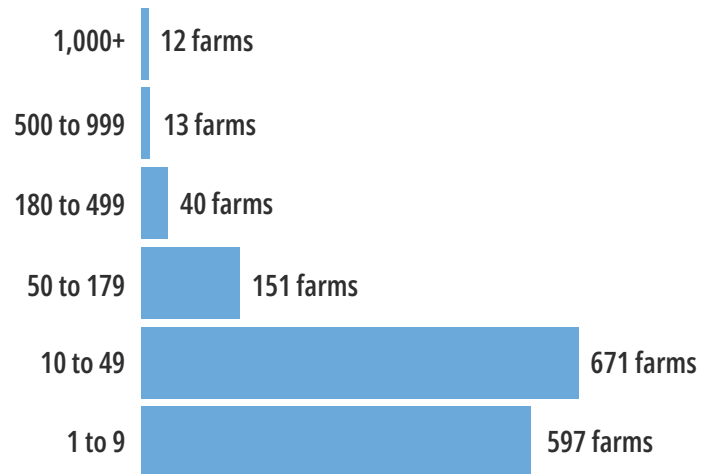
Context

Agriculture

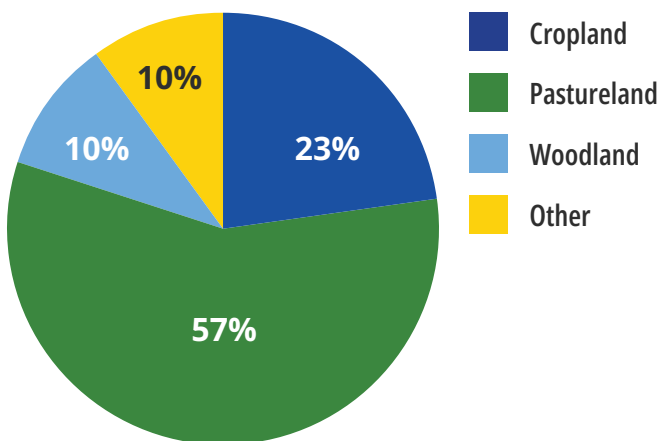
Agriculture and ranching operations in Deschutes County vary widely based on water availability, soil, and microclimate. The following subzones were created through a commercial farm study conducted in 1992. This study concluded that irrigation is a key factor to viability of operations, which enabled the County to establish smaller acreages than allowed by state law to provide additional flexibility.

Additional information about farm and forest resources is provided in the tables and charts below.

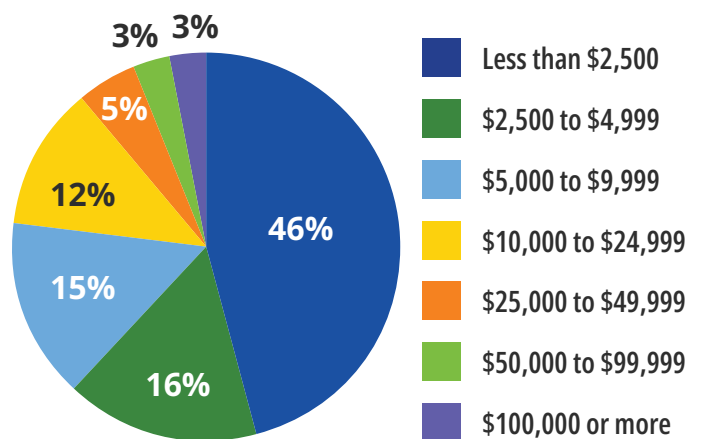
Farms By Size (acres)



Land in Farms by Use



Farms By Value of Sales



Subzone Name	Minimum Parcel Size <i>(for farm divisions and farm-related dwellings)</i>	Profile
Lower Bridge	130	Irrigated field crops, hay pastures
Sisters/Cloverdale	63	Irrigated alfalfa, hay and pastures, wooded grazing and some field crops
Terrebonne	35	Irrigated hay and pasture
Tumalo/Redmond/Bend	23	Irrigated pasture and some hay
Alfalfa	36	Irrigated hay and pasture
La Pine	37	Riparian meadows, grazing and meadow hay
Horse Ridge East	320	Rangeland grazing

Forest Lands

Deschutes County classifies Forest land in one of two zones. Forest 1 zoning is intended for land that is primarily used for forest management or commercial forestry, with a lot size over 160 acres, and not developed with residential or non-forest uses. Forest 2 zoning is intended for land that does have residential or non-forest uses, is less than 160 acres, and may contain roads or other public facilities that serve the property.

State regulations limit residential and non-forestry related development on forest lands and the County sees only a few applications for development in these areas each year. Even with this limitation on development, forest managers and service providers continue to express concern with wildfire risk associated with residential development in heavily wooded areas.

Most lands in either of these classifications within Deschutes County are federally owned and managed by the US Forest Service. Historically, forest lands were used for timber production. As timber harvesting decreases, other uses for forest lands are emerging. State regulations permit five general types of uses, including forest operations; environmental, agricultural or recreational uses; two types of dwellings and locally dependent uses. Permitted uses are defined and clarified in OAR 660-006. The following uses are major forest uses in Deschutes County:

- **Secondary forest products (forest operations):** There is an increasing use of secondary forest products, such as hog fuel (chipped wood) or wood slash. This type of product is generally seen as providing dual benefit, by providing economic opportunity while also reducing wildfire risk through thinning projects.
- **Alternative Energy:** Biomass is an emerging technology for renewable energy and can also be integrated with these products. The first biomass facility in the County is currently

under development through a partnership with Mt. Bachelor Ski Resort and the US Forest Service.

- **Recreation (environmental, agricultural and recreation uses):** The proximity of federal forests for hiking, mountain biking, skiing, hunting, fishing, wildlife viewing and other outdoor recreation draws tourists and residents alike. Skyline Forest, a 33,000-acre privately owned property in the Forest 1 zone has been identified as a potential community asset, with several groups and nonprofits seeking to acquire and utilize the property as a community forest. In 2022, Deschutes Land Trust facilitated a community visioning process to identify preferred community uses if land were to be purchased as a privately held recreational asset.



Key Community Considerations

Given the range of issues and conditions discussed above and, this plan includes a variety of policies to support farm and forest operations in Deschutes County. Additional related policies also are found in Chapter 2: Land Use and Regional Coordination, Chapter 5: Natural Resources, and Chapter 9: Economic Development. These strategies are underpinned by the following results of Comprehensive Plan outreach efforts.

- Community members opposed rezoning low productivity farmland with poor soil to allow greater opportunities for housing, while supporting rezoning of this land to preserve open space.
- There is strong support for conduct educational outreach to encourage water conservation and on-farm efficiency measures.
- Community members also strongly support allowing greater flexibility for income-producing supplemental activities on farms such as farm-to-table dinner, farm stands, weddings, or similar events.
- Outreach participants expressed support for investment in the agricultural economy through grants or exploring a farmland conservation program.



Goals and Policies

Goal 3.1: Preserve and maintain agricultural lands, operations, and uses to support Deschutes County's agricultural economy

Policy 3.1.1. Retain agricultural lands through Exclusive Farm Use zoning.

Policy 3.1.2. Continue to apply Exclusive Farm Use sub- consistent with the County's most up-to-date adopted studies of agricultural land and as implemented through the County Development Code.

Policy 3.1.3. Develop comprehensive plan policy criteria and code to provide clarity on when and how EFU parcels can be converted to other designations.

Policy 3.1.4. Regularly review farm regulations to ensure compliance with changes to State Statute, Oregon Administrative Rules and case law.

Goal 3.2: Promote a diverse, sustainable, and thriving agricultural sector.

Policy 3.2.1. Encourage farming by promoting the raising and selling of crops, livestock and/or poultry.

Policy 3.2.2. Support agriculture through the use of grant funds, research, and other resources dedicated to agricultural community members and stakeholders, including but not limited to farmers, agricultural researchers, farm bureaus, and other organizations in studying and promoting economically viable agricultural opportunities and practices.

Policy 3.2.3. Support and encourage small farming enterprises through a variety of related strategies and programs, including, but not limited to, niche markets, organic farming, food council, buy local, farmers markets, farm-to-table activities, farm stands or value-added products, or other programs or strategies.

Policy 3.2.4. Work cooperatively with irrigation districts, public agencies and representatives, and landowners to promote and support agricultural uses and operations, including through use of rural reserves, conservation easements, transfer of development rights programs, land acquisition, and other preservation strategies.

Policy 3.2.5. Support efforts to control noxious weeds and invasive species.

Policy 3.2.6. Continue to review and revise County Code as needed and consistent with state rules and regulations to permit alternative and supplemental farm activities that are compatible with farming, such as agri- tourism or commercial renewable energy projects.

Policy 3.2.7. Work with the State to review and revise their regulations when a desired alternative or supplemental use identified by the County is not permitted by State regulations.

Policy 3.2.8. Use land use policy and development code requirements, including right-to-farm provisions, as well as coordination with other jurisdictions to minimize conflicts between residential uses and agricultural uses and continue to promote the viable operation of agricultural uses.

Policy 3.2.9. Provide resources such as technical assistance and access to grants to support on-site efficiency upgrades relating to agriculture.

Goal 3.3: Ensure Exclusive Farm Use policies, classifications, and codes are consistent with local and emerging agricultural conditions and markets.

Policy 3.3.1. Identify and retain accurately designated agricultural lands.

Policy 3.3.2. Continue to explore new methods of identifying and classifying agricultural lands.

a. Apply for grants to review and, if needed, update farmland designations.

b. Study County agricultural designations considering elements such as water availability, farm viability and economics, climatic conditions, land use patterns, accepted farm practices, and impacts on public services.

c. Lobby for changes to State Statute regarding agricultural definitions specific to Deschutes County that would allow some reclassification of agricultural lands.

Policy 3.3.3. Address land use challenges in the Horse Ridge subzone, specifically:

a. The large number of platted lots not meeting the minimum acreage;

b. The need for non-farm dwellings and location requirements for farm dwellings;

c. Concerns over the impact on private property from off-road vehicles, facilities, and trails located on adjacent public lands.

Policy 3.3.4. Continue to work with the State to review and revise accessory farm dwelling requirements to address the needs of local farmers.

Policy 3.3.5. Encourage coordination between agricultural interests and fish and wildlife management organizations, including public agencies, non-governmental organizations and others.

Policy 3.3.6. Explore the evaluation and potential redesignation of lands with a farm designation and poor soils and low productivity for protected open space, development of needed housing, or other uses that support community goals as follows.

a. Allow comprehensive plan and zoning map amendments, including for those that qualify as non-resource land, for individual EFU parcels as allowed by State Statute, Oregon Administrative Rules and this Comprehensive Plan.

- b. Explore creation of a new zoning classification intended to balance value of high desert environment while allowing for limited housing opportunities and applying this designation through coordination with interested and willing property owners.

Goal 3.4: Protect and maintain forest lands for multiple uses and objectives, including forest products, watershed protection, conservation, recreation, wildlife habitat protection, carbon sequestration, forest health, and wildfire resilience.

Policy 3.4.1. Retain forest lands through Forest 1 and Forest 2 zoning.

Policy 3.4.2. To conserve and maintain unimpacted forest lands, retain Forest 1 zoning for those lands with the following characteristics:

- a. Consist predominantly of ownerships not developed by residences or non- forest uses;
- b. Consist predominantly of contiguous ownerships of 160 acres or larger;
- c. Consist predominantly of ownerships contiguous to other lands utilized for commercial forest or commercial farm uses;
- d. Are accessed by roads intended primarily for forest management; and
- e. Are primarily under forest management.

Policy 3.4.3. To conserve and maintain impacted forest lands, retain Forest 2 zoning for those lands with the following characteristics:

- a. Consist predominantly of ownerships developed for residential or non-forest uses;
- b. Consist predominantly of ownerships less than 160 acres;
- c. Consist of ownerships generally contiguous to tracts containing less than 160 acres and residences, or adjacent to acknowledged exception areas; and

- d. Provide a level of public facilities and services, including roads, intended primarily for direct services to rural residences.”

Policy 3.4.4. Notwithstanding any other quasi-judicial plan or zone change criteria, lands designated as Forest under this Plan and zoned Forest 2 may upon application be redesignated and rezoned from Forest 2 to Exclusive Farm Use if such lands:

- a. Do not qualify under State Statute for forestland tax deferral,
- b. Are not necessary to permit forest operations or practices on adjoining lands and do not constitute forested lands that maintain soil, air, water and fish and wildlife resources,
- c. Have soils on the property that fall within the definition of agricultural lands as set forth in Goal 3,
- d. Are a tract of land 40 acres or less in size,
- e. Do not qualify under State Statute and the terms of the Forest 2 zone for a dwelling, and;
- f. Were purchased by the property owner after January 1, 1985 but before November 4, 1993.

Such changes may be made regardless of the size of the resulting EFU zoning district. Such changes shall be processed in the same manner as other quasi- judicial plan or zoning map changes.

Policy 3.4.5. Ensure that criteria for and designation of Forest Lands are consistent with state administrative rules and statutes.

Policy 3.4.6. Coordinate and cooperate with the U.S. Forest Service, the Bureau of Land Management and other public agencies to promote sustainable forest uses, including recreation and biomass facilities, on public

forest land, including currently adopted Forest and Land Management Plans prepared by the US Forest Service (USFS) and US Bureau of Land Management (BLM).

- a. Using the Deschutes National Forest Land and Resource Management Plan, or its successor, as the basis for mutual coordination and cooperation with the U.S. Forest Service;
- b. Using the Prineville Bureau of Land Management Upper Deschutes Resource Management Plan, or its successor, as the basis for mutual coordination and cooperation with the Bureau of Land Management.

Policy 3.4.7. Notify affected agencies and tribal governments when reviewing land use applications and proposals for development that could impact Federal or State forest lands.

Policy 3.4.8. Support economic development opportunities that promote forest health, create opportunities for local production of related forest products, and reduce the prevalence of invasive plant species that adversely affect forest health and soil quality.

Policy 3.4.9. Provide input on public forest plans that impact Deschutes County.

Policy 3.4.10. Coordinate with community stakeholders to support forest management plans and projects that are consistent with the policies of this chapter and with local community forest management and wildfire protection plans.

- a. Promote forest health and resilience to wildfire.
- b. Contribute to public safety by treating wildland hazardous fuels particularly in the designated Wildland Urban Interface as identified in the Community Wildfire Protection Plans described in Chapter 13, Natural Hazards, of this Plan.
- c. Retain fish and wildlife habitat.

Policy 3.4.11. Continue to review and revise the County Code as needed to ensure development in forest zones minimizes and/or mitigates impacts on fish and wildlife habitat, forest health, and wildfire resiliency.



4 Mineral and Aggregate Resources





Opportunities, Challenges, and Considerations

Surface mining provides non-renewable resources, such as pumice, cinders, building stone, sand, gravel and crushed rock. The extraction of these materials provides employment as well as products important to local economic development. However, mining of mineral and aggregate resources creates noise, dust and traffic and potential pollution that can conflict with neighboring land uses, particularly residential uses.

The Oregon Department of Geology and Mineral Industries (DOGAMI) regulates surface mining sites in Deschutes County. The last available published analysis of mineral resources in Deschutes County was completed by DOGAMI in 1976. No updates have been completed during that time due to limited staff. A continued challenge is monitoring the availability of these resources. However, it is likely that Deschutes County has enough mineral resources to meet demand for the next 20 years.

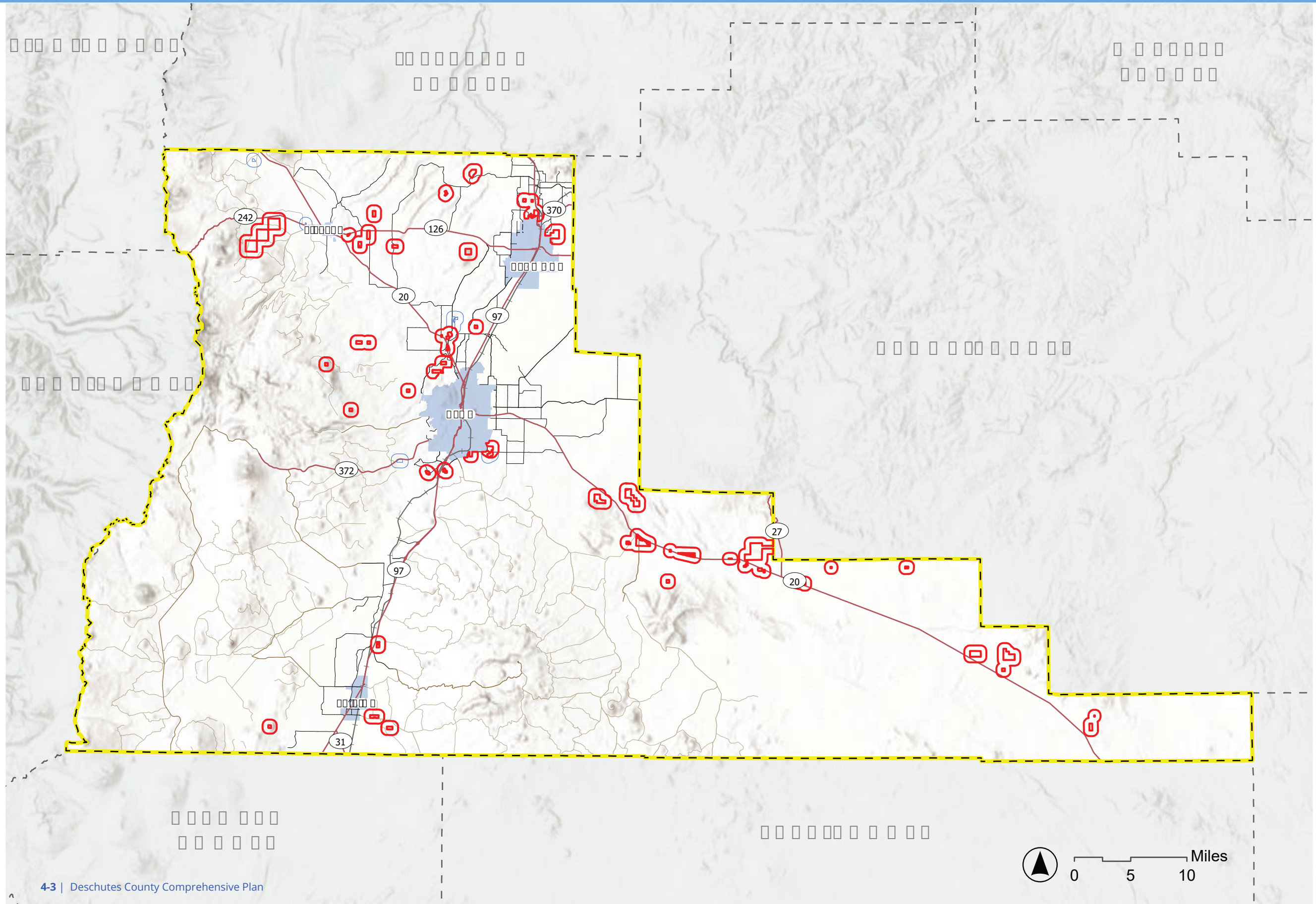
When a mineral resource is exhausted, the site is required to submit a reclamation plan to Deschutes County and DOGAMI. This plan identifies how the site will be closed for mineral operations, environmental impacts will be mitigated, and steps to be taking to return the site to a new use. As mineral and aggregate resources are exhausted, property owners often rezone the site from the "Surface Mine" designation to a new zone (often a residential zone), to allow for new development to occur. Coordination with DOGAMI and property owners is imperative to ensure this reclamation process occurs in an efficient and environmentally focused manner.

Context

Surface mining is protected through Statewide Planning Goal 5, Natural Resources, Scenic and Historic Areas and Open Spaces and the associated Oregon Administrative Rule (OAR) 660-023 (this rule replaced 660-016 in 1996). Mineral and aggregate resources are included on the list of Statewide Goal 5 resources that the County must inventory and protect.

The County maintains an inventory of surface mining sites as part of its Goal 5 program, shown in Map 4-1. There are currently 59 mining sites identified in the Deschutes County GIS data, and 8 sites that have been reclaimed.

Mining sites are subject to a Surface Mining Impact Area Combining Zone that applies within ½ mile of the mining site boundary. This combining zone limits new uses and expansion of existing uses that may be impacted by mining activities and are not in compliance with the site-specific Economic, Social, Environmental, and Energy (ESEE) analysis for nearby mining sites. In certain cases, a waiver of nonremonstrance may also be required in this zone.



A PLAN FOR THE FUTURE

- County Boundary
- Urban Growth Boundaries

Zoning Surface Mining Impact Area

- Surface Mining Impact Area
- Reclaimed - Surface Mining Impact Area

Transportation

- State Routes
- Railroad
- County Lines

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Key Community Considerations

Transportation agencies expressed concern regarding the impact of depleting mineral resources on road operations, including the use of cinder for winter maintenance and other resources for use in new road projects. The topic of mineral and aggregate resources was not a focus of community discussion as part of this Comprehensive Plan update, though the priorities of a diverse economy and protected natural areas for habitat and open space are interrelated with this subject. The following goals and policies represent a balance of these community interests.

Goals and Policies

Goal 4.1: Protect and utilize mineral and aggregate resources while minimizing adverse impacts of extraction, processing and transporting the resource.

Policy 4.1.1. Implement adopted Goal 5 Surface Mining inventories.

Policy 4.1.2. Coordinate with the Oregon Department of Geology and Mineral Industries (DOGAMI) on mining regulations and studies.

Policy 4.1.3. Balance protection of mineral and aggregate resources with conflicting resources and uses.

Policy 4.1.4. Support the required reclamation of mining sites following mineral extraction.

Surface Mining in 2023

Source: Deschutes County GIS information

59

Active Mining Sites

8

Reclaimed Sites

9,235

Acres in Surface Mining Zone

including Black Butte Ranch Surface Mine/Limited Use Zone

58,881

Acres in the Surface Mining Impact Area Combining Zone (SMIA)

5 Natural Resources



Opportunities, Challenges, and Considerations

Natural resources in Deschutes County are abundant. Wildlife, scenic views of forests and peaks, and open spaces to preserve habitat and native vegetation are among the County's top assets.

Oregon Statewide Planning Goal 5 governs Natural Resources, Scenic and Historic Areas, and Open Spaces. Through this goal, the County maintains inventories and regulatory protections to preserve these many resources. These regulations are created by weighing Economic, Social, Environmental, and Energy (ESEE) consequences associated with protection of a resources.

Topics covered in this chapter include:

- Protected Wildlife Resources
- Open Space and Scenic Views
- Water Resources

PROTECTED WILDLIFE RESOURCES

Deschutes County has some of the broadest and most robust wildlife protections in the state, covering a variety of species. The County has development protections within and surrounding numerous wildlife habitats. Some of these habitats have mapped geographic boundaries such as Deer Winter Range, Deer Migration Range, Antelope Habitat, Golden Eagle – Sensitive Bird Habitat, and Elk Habitat.

Other species are commonly found in protected riparian areas, such as wetlands and floodplains. Deschutes County contains general habitats for fish, fur-bearing animals, waterfowl, and upland game birds.

A continued challenge to wildlife resources is rural development and impacts on habitat. Mule deer are seeing steady declines, approximately 10% each year per Oregon Department of Fish and Wildlife biologists. These declines in population are due to a variety of factors, including but not limited to loss of habitat, predation, and disease.

SCENIC VIEWS AND OPEN SPACE

The 2010 Greenprint for Deschutes County listed protection of scenic viewsheds as one of the top five community priorities for conservation in the rural County, and the protection of open space has been one of the key topics of discussion during the most recent update of this Comprehensive Plan. The County has several designated scenic corridors,

including several scenic bikeways, highways, and wild and scenic river sections.

With close to 80% of the County under public ownership, many community members enjoy access to natural resources on public lands. A perennial issue among community members is preserving scenic views and open spaces closer to home on undeveloped private properties.

WATER RESOURCES

The high desert climate of Central Oregon poses many challenges with water supply and allocation. Water laws are seen as antiquated by many and issues related water levels in private residential wells, irrigation allocation to farmers, and protection of habitat areas for dependent species arise frequently.

A 2021 report by the Oregon Department of Water Resources found that groundwater levels through Deschutes County are declining, by as much as 50 feet of total decline in the central part of the basin. This decline is considered “excessively declined” per state statute and is attributed toward a shift in overall drier conditions since the late 1990s, a warming trend in the basin, and decreased snowpack. Ongoing development and piping of canals (which limits artificial groundwater recharge while conserving canal water) also exacerbate the issue.

Deschutes County has limited jurisdiction of water use, instead playing a coordination role with irrigation districts, water users, and owners of private wells.



Statewide Planning Goal 5

Oregon land use planning protects wildlife with Statewide Planning Goal 5 and the associated Oregon Administrative Rule (OAR) 660-023. Goal 5 includes a list of resources which each local government must inventory, including wildlife habitat.

The Goal 5 process requires local governments to inventory wildlife habitat and determine which items on the inventory are significant. For sites identified as significant, an Economic, Social, Environmental and Energy (ESEE) analysis is required. The analysis leads to one of three choices: preserve the resource, allow proposed uses that conflict with the resource or strike a balance between the resource and the conflicting uses. A program must be provided to protect the resources as determined by the ESEE analysis.

Appendix A of the Comprehensive Plan contains the full ESEE ordinances for the County’s protected Goal 5 resources.

Context

Protected Wildlife Resources

Wildlife diversity is a major attraction of Deschutes County. The key to protecting wildlife is protecting the habitats each species needs for food, water, shelter, and reproduction. Also important is retaining or enhancing connectivity between habitats to protect migration routes and avoid isolated populations.

In considering wildlife habitat, counties rely on the expertise of the Oregon Department of Fish and Wildlife (ODFW) and U.S. Fish and Wildlife Service (USFWS). Those agencies provide

information for the required wildlife inventory and recommendations on how to protect wildlife habitat on private lands.

A summary of Deschutes County's wildlife protection programs follows:

MULE DEER

Migration corridors and winter range are essential habitats needed to support mule deer in Deschutes County. The Bend/La Pine migration corridor is approximately 56 miles long and 3 to 4 miles wide and parallels the Deschutes and Little Deschutes Rivers. The corridor is used by deer migrating from summer range in the forest along the east slope of the Cascades to the North Paulina deer winter range. Deschutes County adopted a "Deer Migration Priority Area" based on a 1999 ODFW map submitted to the South County Regional Problem Solving Group. This specific sub-area is precluded from destination resorts.

The ODFW identified the Metolius, Tumalo and North Paulina deer winter ranges during Deschutes County's initial comprehensive plan creation. The boundaries of these winter ranges are shown on the Big Game Sensitive Area map in the 1978 Comprehensive Plan and have been zoned with the Wildlife Combining Zone since 1979. The winter ranges support a population of approximately 15,000 deer. In 1992, ODFW recommended deer winter range in the northeast corner of the county, in the Smith Rock State Park area, be included in the Deschutes County inventory and protected with the same measures applied to other deer winter range. This area was officially included and mapped on the Wildlife Combining Map when Ordinance 92-040 was adopted by the Board of County Commissioners.

SENSITIVE BIRDS

Nest sites for the northern bald eagle, osprey, golden eagle, prairie falcon, great grey owl, greater sage-grouse, and great blue heron rookeries are inventoried by the County. The area required for each nest site varies between species. The minimum area required for protection of nest sites has been

identified by the ODFW in their management guidelines for protecting colony nesting birds, osprey, eagles, and raptor nests.

ELK

The Land and Resource Management Plan for the Deschutes National Forest identifies 6 key elk habitat areas in Deschutes County. The ODFW also recognizes these areas as critical elk habitat for calving, winter or summer range. The following areas are mapped on the Big Game Habitat Area map and in the Deschutes National Forest Land and Resource Management Plan:

- Tumalo Mountain
- Kiwa
- Ryan
- Crane Prairie
- Fall River
- Clover Meadow

ANTELOPE

The Bend and Ochoco District offices of the ODFW provided maps of the antelope range and winter range. The available information is adequate to indicate that the resource is significant. The antelope habitat is mapped on Deschutes County's Big Game Habitat-Wildlife Area Combining Zone Map.



Scenic Views and Open Space

Deschutes County has a rich abundance of open space. Open spaces are generally undeveloped areas that are being maintained for some other purpose, such as farms, parks, forests, or wildlife habitat. Besides the value that stems from the primary use of the land, open spaces provide aesthetically pleasing undeveloped landscapes. Because these areas are undeveloped, they also provide additional benefits such as water recharge, buffers from habitat, and safety zones from natural hazards such as flooding.

Open spaces and scenic views are an important draw for visitors and are often mentioned as important to the area's quality of life. The backdrop of the Cascade Mountains, with its vast forest and sagebrush landscapes and riparian and wetland habitats, all provide an inspirational setting for visitors and residents alike. Statewide Planning Goal 5 recommends, but does not require, creating an inventory and protections for open spaces, scenic views and sites. Oregon Administrative Rule (OAR) 660-023 defines open space designations as parks, forests, wildlife preserves, nature sanctuaries, and golf courses.

Open spaces are protected through an Open Space and Conservation map designation and zoning district. Scenic view protection is implemented through the Landscape Management Combining Zone regulations.

Water Resources

Deschutes County's Role in Water Management is described below.

REGULATORY AGENCIES

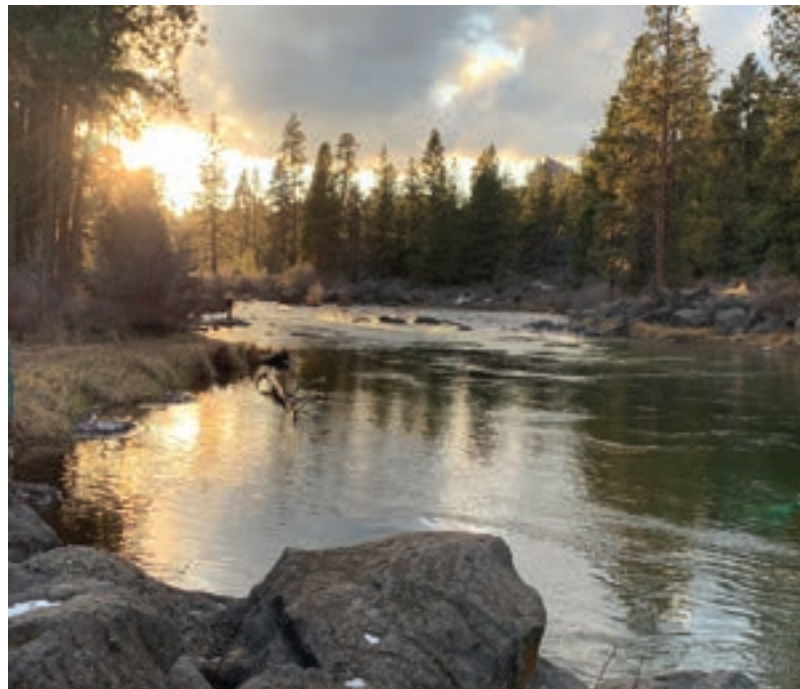
The primary state regulator of water availability is the Oregon Water Resources Department (OWRD). The Oregon Department of Environmental Quality (DEQ) leads the monitoring and enforcement of water quality standards. The Oregon DEQ is required to comply with the Federal Environmental Protection Agency.

STATEWIDE PLANNING GOALS

There are two Statewide Planning Goals relating to the protection of water resources. Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces) requires an inventory and protection of the following water resources. In Deschutes County, these inventories have been completed and acknowledged by the Land Conservation and Development Commission (See Appendix A for Goal 5 Inventories). Goal 6 (Air, Land, and Water Resources Quality) requires comprehensive plans to be consistent with state and federal pollution regulations.

The policies in this section relating to water provide the framework for evaluating land use actions and define the responsibility of the County to work in partnership with cities, agencies, non-profits and others to achieve efficient use of water resources and effective management of water quality in the Upper Deschutes Basin.

It is important to underscore that the primary water resource management process occurs outside of the state land use planning system. Oregon land use and water management are not integrated; there are no overarching administrative rules that consider statewide water management in conjunction with land use planning.



WATER USE

The Deschutes aquifer has a recharge rate of roughly 3 million acre feet per year. The current water usage comes to roughly 720 thousand acre feet per year. Roughly 40 to 50 thousand acre feet of that water goes toward municipal and non-agricultural use, while the remaining goes toward crop and pasture irrigation. The majority of that municipal water use goes towards outdoor watering (gardens, sports fields, etc.). As an example: the City of Bend uses 5 times as much water in the summer as in the winter.

SNOWPACK

Although there is expected to be a slight increase in winter precipitation by the middle of the century, snowpack is expected to decline throughout the Cascades. The decline in snowpack (which has already been observed, see figure below)¹ is due largely to increasing temperatures causing some precipitation to fall as rain rather than snow. This has the double effect of decreasing snowfall and melting the previously fallen snow. At the Mt Bachelor Ski Resort, April snowpack is expected to decline between 11% and 18% by the middle of the century and between 18% and 43% by the end of

LAVA SPONGE

Deschutes county is fortunate to be underlain on the Western side by relatively young volcanic lava sponge. This sponge is highly porous and is able to absorb large quantities of water during the wet season and gradually release it via abundant springs along the eastern slope. The great advantage this provides is that the resulting summer flows into the Deschutes basin are not as dependent on overground flow of snowmelt, and therefore are expected to maintain a relatively stable water supply even as snowpack decreases into the next century.

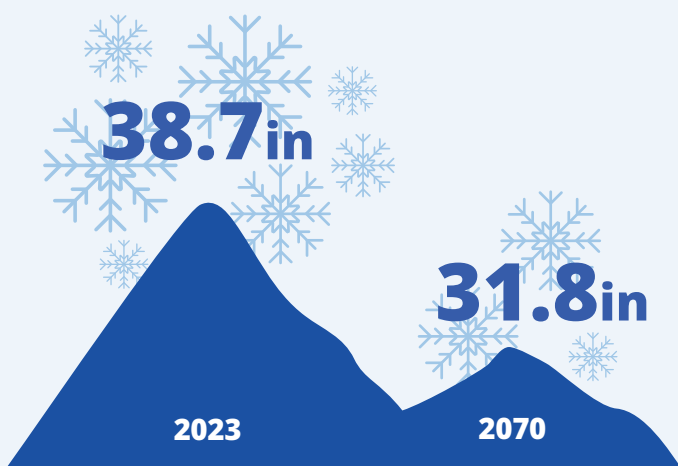
GROUNDWATER

The groundwater aquifer is roughly 1000 feet thick and is replenished yearly by the Cascades' precipitation. Recent years of "exceptional drought" have lowered the aquifer level by roughly 30 feet, resulting in a small percentage of wells running dry, and raising concerns about available groundwater for new developments. Although it is likely that some wells will need to be deepened to cope with increasing temperatures and drought frequency, there is likely to remain ample sustainable groundwater supply.

Because the groundwater in the Deschutes Basin is directly connected to the flow of the Deschutes River, all additional groundwater use must be mitigated by decreased use of groundwater elsewhere through the Oregon Water Resources Department's Deschutes Groundwater Mitigation program. This can include retiring of other water rights, or the release of water into the waterway. A mitigation permit must be obtained before a new groundwater right can be accessed.²

Generally, groundwater quality in Deschutes County is generally classified as being 'good,' providing high quality drinking water to most of its residents. However, several productive aquifers lie in shallow alluvial sediments that are vulnerable to contamination from human activities and development.

Average Snowpack near Mt. Bachelor Base Village on April 1



the century.

¹ Adapted from Mote, P.W., Li, S., Lettenmaier, D.P. et al. Dramatic declines in snowpack in the western US. *npj Clim Atmos Sci* 1, 2 (2018). <https://doi.org/10.1038/s41612-018-0012-1>

² Information from the Oregon Water Resources Board Mitigation Program.

The Department of Environmental Quality (DEQ) Laboratory and Water Quality Divisions' Groundwater Quality Report for the Deschutes Basin (March 2006) identifies areas of concern for groundwater contamination based on various sources of data and groundwater quality studies. Based on collected data, development patterns and the geology of the underlying aquifer, the report makes recommendations for a couple of areas in the County. The report notes the groundwater aquifer in the Redmond area is vulnerable to contamination from human activities and recommends further study by the DEQ. The La Pine aquifer in the southern portion of the county from the Sunriver area to the Klamath County line between Newberry Caldera and the Cascades is an area of particular concern because of data collected through several studies and the high level of development in the area. The report also identifies underground injection systems that could contaminate the aquifer with pollutants from stormwater drywells or sewage drillholes.

In South Deschutes County, the concern for groundwater quality arises from nitrate contamination associated with on-site wastewater treatment (septic) systems discharging to the shallow unconfined aquifer. The issue is small lots with highly permeable rapidly draining soils and a high groundwater table with relatively cold water temperatures. Combined with the fact that the majority of lots are served by on-site wastewater treatment systems and individual wells, concern arose that nitrates from the septic systems could contaminate local wells and the river system.

Considerable work has gone into studying the groundwater in South County. In 1999 Deschutes County and the Department of Environmental Quality (DEQ) identified the need for a better understanding of the processes that affect the movement and chemistry of nitrogen in the aquifer underlying the La Pine area. In response, the U.S. Geological Service (USGS), in cooperation with Deschutes County and DEQ, began a study to examine the hydrologic and

Deschutes Basin Hydrogeology

The Deschutes River Basin, from its headwaters to the Columbia River, encompasses 10,400 square miles of the north central part of the State. Nearly 91% of Deschutes County lies within the Deschutes Basin. The upper Deschutes River Basin is characterized by recent volcanic activity and strong and rapid groundwater flows. The geologic conditions lead to a strong connection between surface and ground water (see also Section 3.10).

Groundwater flows eastward from the Cascade Range through permeable volcanic rocks out into the basin and then generally northward. Groundwater recharge comes from precipitation in the Cascade Range, inter-basin flow and leaking irrigation canals. No long-term water-level declines attributable to groundwater pumping were found in the upper Deschutes Basin. Approximately one-half of the ground water flowing from the Cascade Range discharges to spring-fed streams along the margins of the range. The remaining groundwater flows through the subsurface, and eventually discharges to streams near the confluence of the Deschutes, Crooked, and Metolius Rivers.

The large amount of groundwater discharge in the confluence area is primarily caused by geologic factors. The Deschutes River flows north through permeable rock until it hits a region of low-permeable rock near the confluence area. There the permeable rock strata terminates, forcing water to the surface. Virtually all of the regional groundwater in the upper Deschutes Basin discharges to streams south of the area where the Deschutes River enters this low- permeability terrain, at roughly the location of Pelton Dam.

chemical processes that affect the movement and chemical transformation of nitrogen within the aquifer. A primary objective was to provide tools for evaluating the effects of existing and future residential development on water quality and to develop strategies for managing groundwater quality.

Field research from the USGS study shows that in a 250-square-mile study area near La Pine the groundwater underlying the La Pine sub-basin is highly vulnerable and being polluted by continued reliance on traditional onsite systems. Environmental impacts from residential development include higher nitrate concentrations in groundwater that is tapped for domestic water supply and discharges to rivers. Nitrates are regulated by the federal Environmental Protection Agency and DEQ as a human health concern. Vulnerability of the shallow aquifer to contamination led to concern that wastewater from septic systems poses a threat to the primary drinking water supply and local river systems. The Upper Deschutes and Little Deschutes Sub-basins have abundant, natural sources of phosphorus from volcanic soils and rocks so the rivers are naturally nitrogen limited. Nitrogen-limited rivers are sensitive to low concentrations of available nitrogen until some other component becomes limiting, and that may lead to ecological impacts.

In 2008 the County used the research on nitrates to adopt a 'local rule' that required South County residents to convert their septic systems over a period of 14 years to alternative sewage system technology designed to reduce nitrates. New septic systems were also required to use alternative technologies. The County created a process to assist residents in funding the conversions.

Many South County residents expressed concern over the costs involved with converting their septic systems and disputed the science behind the rule. Placed on the ballot by petition, the local rule was rescinded by voters in March 2009.

As of 2010 the DEQ is leading the effort to address nitrates in South County, with the full cooperation of the County. One solution being considered is creating a sewer system or extending Sunriver's to serve some of the nearby areas. Sewer systems are tightly restricted on rural lands by Statewide Planning Goal 11 and OAR 660-11, so the Department of Land Conservation and Development is also involved in these efforts.

RESERVOIRS

The majority of the irrigation in Deschutes County comes from reservoirs which are mostly spring fed from the Cascades. Reservoirs serve the dual purpose of supplying water for irrigation and ensuring sufficient streamflow in the lower Deschutes River. The water levels in these lakes have been low in recent years due to drought in the region. When water is limited, the supply rate is determined by the age of water rights, with the more senior water permits having priority over the youngest. The Swalley and Central Irrigations are the most senior in the county, while the North Union Irrigation District is the most junior.

ALGAL BLOOMS

Algal blooms have been a problem for recreational lakes in the cascade mountains in recent years. Since 2007, the Wickiup Reservoir, Crane Prairie Reservoir, and Paulina Lake have experienced algal or bacteria blooms that required a health advisory.³

Although not all algal blooms are toxic, they interfere with recreation and aesthetic enjoyment. In general, algal blooms are caused by elevated nutrients, elevated temperature, and still water. Algal blooms in other parts of the state have led to drinking water concerns, but Deschutes County cities are supplied by groundwater and so the risk in algal blooms is mainly to recreation.

³ <https://www.oregon.gov/oha/PH/HEALTHYENVIRONMENTS/RECREATION/HARMFULALGAE/BLOOMS/Pages/archive.aspx>

Key Community Considerations

Natural resources for recreation, passive enjoyment, habitat protection, and economic production are a fundamental part of life in Deschutes County, and as such were a key part of the community conversation in this Comprehensive Plan update.

Highlights of this conversation include:

- Concern about the ability of the County's water supply to accommodate more residents, visitors, and water-intensive jobs in the future
- Interest in a re-evaluation of water rights for urban, agricultural, and "hobby farm" uses.
- A robust discussion around wildlife inventories, habitat conservation, open space regulations, and impacts on private property owners.

The topic of habitat conservation came up frequently, with most respondents saying that further protections are needed. However, there was some push back related to the burden these protections may put on property owners.



Goals and Policies

Water Goals and Policies

Goal 5.1: Develop regional, comprehensive water management policies that balance the diverse needs of water users and recognize Oregon water law.

Policy 5.1.1. Participate in Statewide and regional water planning including, but not limited to:

- a. Work cooperatively with appropriate federal, state, tribal and local agency resource managers, such as The Confederated Tribes of the Warm Springs Reservation of Oregon, the Oregon Water Resources Department (OWRD), and other stakeholders and non-profit water organizations, such as the Deschutes Basin Water Collaborative, the County Soil and Water Conservation District;
- b. Support the development and implementation of Upper Deschutes Basin Study, Habitat Conservation Plan, and Biological Opinion from National Marine Fisheries Service for the middle and lower Deschutes Rivers.

Policy 5.1.2. Support grants for water system infrastructure improvements, upgrades, or expansions.

Policy 5.1.3. Consider potential impacts on water quality and availability in surrounding areas as part of the siting, planning, and approval processes for Destination Resorts and other large-scale developments.

Policy 5.1.4. Develop better understanding of The Confederated Tribes of the Warm Springs Reservation of Oregon's treaty-protected rights to co-manage the water resources of the Deschutes Basin.

Goal 5.2: Increase water conservation efforts.

Policy 5.2.1. Support efficient water use through targeted conservation, educational and, as needed, regulatory or incentive programs.

- a. Encourage new development incorporates efficient water use practices for all water uses.
- b. Encourage the reuse of grey water for landscaping.
- c. Encourage and educate the community about the relative impacts of thinning or reduction of plant species that adversely impact forest health, water availability, and soil quality.
- d. Encourage and educate the community about on-farm efficiency measures, including upgrades to equipment.
- e. Encourage and educate the community about use of voluntary metering of water use to monitor seasonal impacts on water use.
- f. Provide access to educational materials and tools related to water conservation including publications, information about grant opportunities, and/or partner with organizations on educational events.
- g. Encourage and educate community members on stewardship of wetlands and waterways.
- h. Provide access to educational materials about water-wise gardening and xeriscaping.

Policy 5.2.2. Promote coordinated regional water conservation efforts and implementation by regional, tribal, and local organizations and agencies, including increasing public awareness of and implementing water conservation tools, incentives, and best practices.

Policy 5.2.3. Support conservation efforts by irrigation districts, property owners and other water users, including programs to provide incentives for water conservation, such as

piping of canals and laterals, water banking, exchanges of water rights, voluntary transfers of in-stream flows, onsite efficiency measures, and other means.

Goal 5.3: Maintain and enhance a healthy ecosystem in the Deschutes River Basin.

Policy 5.3.1. Notify the Oregon Department of State Lands, The Confederated Tribes of the Warm Springs Reservation of Oregon, and other state and federal agencies as appropriate-of any development applications for land within a wetland identified on the statewide wetland inventory maps.

Policy 5.3.2. Work with The Confederated Tribes of Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers to restore, maintain and/or enhance healthy river and riparian ecosystems and wetlands, including the following:

- a. Cooperate to improve surface waters, especially those designated water quality impaired under the federal Clean Water Act;
- b. Support research on methods to restore, maintain and enhance river and riparian ecosystems and wetlands;
- c. Support restoration efforts for river and riparian ecosystems and wetlands;
- d. Inventory and consider protections for cold water springs;
- e. Evaluate waterways in coordination with OPRD for possible designation under the Scenic Waterways program;
- f. In collaboration with appropriate federal, state, tribal and local agency resource managers stakeholders, map channel migration zones and identify effective protections;

- g. Develop comprehensive riparian management or mitigation practices that enhance ecosystems, such as criteria for removal of vegetation that adversely impacts water availability and soil health.

Policy 5.3.3. Support studies of the Deschutes River ecosystem and incorporate strategies from current watershed studies that provide new scientific information and indigenous knowledge about the Deschutes River ecosystem.

Policy 5.3.4. Support educational efforts and identify areas where the County could provide information on the Deschutes River ecosystem, including rivers, riparian areas, floodplains and wetlands.

- a. Support efforts to educate property owners to understand regulations pertaining to rivers, riparian areas, floodplains and wetlands.

Goal 5.4: Maintain and enhance fish and riparian-dependent wildlife habitat.

Policy 5.4.1. Coordinate with The Confederated Tribes of Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers and stakeholders to protect and enhance fish and wildlife habitat in river and riparian habitats and wetlands.

Policy 5.4.2. Promote healthy fish populations through incentives and education.

Policy 5.4.3. Support healthy native salmonid fish populations through coordination with stakeholders, including, but not limited to, The Confederated Tribes of the Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers who provide fish habitat management and restoration.

- a. Review, and apply where appropriate, strategies for protecting fish and fish habitat for native salmonid species.

- b. Promote native salmonid species recovery through voluntary incentives and encouraging appropriate species management and associated habitat conservation and restoration.

Policy 5.4.4. Update and implement policies to support federally approved Habitat Conservation Plans for species listed under the Endangered Species Act

- a. Spawning and rearing areas for salmonid species should be considered significant habitat and should be protected in rivers and streams.
- b. Cooperate with covered parties in restoring or enhancing spawning and rearing areas for salmonid species, where feasible.
- c. Support efforts to address riparian restoration associated with streamflow management under approved plans.

Policy 5.4.5. Use a combination of incentives and/or regulations to avoid, minimize, and mitigate development impacts on river and riparian ecosystems and wetlands.

Policy 5.4.6. Support plans, cooperative agreements, education, water quality monitoring and other tools that protect watersheds, reduce erosion and runoff, enhance riparian vegetation, and protect other natural or engineered water systems/processes that filter and/or clean water and improve and/or and preserve water quality.

Policy 5.4.7. Coordinate with the Oregon Department of Environmental Quality and other stakeholders on regional water quality maintenance and improvement efforts such as identifying and abating point (single-source) and non-point (unidentified or multiple-source) pollution or developing and implementing Total Maximum Daily Load and Water Quality Management Plans.

Policy 5.4.8. Coordinate with The Confederated Tribes of Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers to address water-related public health issues.

- a. Support amendments to State regulations to permit centralized sewer systems in areas with high levels of existing or potential development or identified water quality concerns.
- b. If a public health hazard is declared in rural Deschutes County, expedite actions such as legislative amendments allowing sewers or similar infrastructure.

Policy 5.4.9. Continue to evaluate and/or implement regulations, such as a wellhead protection ordinance for public water systems, in accordance with applicable Federal and/or State requirements.

Policy 5.4.10. Coordinate and work with the Oregon Department of Agriculture, agricultural uses, and available voluntary programs to support and implement proven new technologies and best practices to maintain and enhance water quality, such as minimizing nitrate contamination, maintaining streamside vegetation, reducing streambank soil erosion and runoff, reducing fish passage barriers, managing return flows, limiting livestock access to riparian areas, and minimizing weeds and bare patches in grazing areas.

Policy 5.4.11. Support regulations, education programs, and cleaning procedures at public and private boat landings.

Goal 5.5: Coordinate land use and water policies to address management and allocation of water in Deschutes County.

Policy 5.5.1. Coordinate with other affected agencies when a land use or development application may impact rivers or riparian ecosystems or wetlands.

Policy 5.5.2. Regulate land use patterns and promote best practices to preserve the integrity of the natural hydrologic system, recognize the relationship between ground and surface water, recognize basin-wide impacts, and address water impacts of new land uses and developments, including water-intensive uses.

Policy 5.5.3. Support OWRD's efforts to update and modernize Oregon's groundwater allocation rules and policies to protect existing surface water and groundwater users and to maintain sustainable groundwater resources.

Policy 5.5.4. Support efforts by the OWRD in collaboration with Central Oregon Cities Organization, The Confederated Tribes of the Warm Springs Reservation of Oregon, and non-governmental organizations to revisit the Deschutes Basin Groundwater Mitigation Program.

Policy 5.5.5. Coordinate with the irrigation districts to ensure irrigated land partitions and lot line adjustments are not approved without notice to the affected district.

Policy 5.5.6. Utilize Central Oregon Stormwater Manual to apply appropriate stormwater management practices land use decisions.

Policy 5.5.7. Allow for development of wastewater facilities and improvements where needed or required to address water quality issues and maintain water quality, consistent with state and local wastewater system requirements.

Open Space and Scenic Views Goals & Policies

Goal 5.6: Coordinate with property owners to protect open spaces, scenic views, and scenic areas and corridors through a combination of incentives and/or educational programs.

Policy 5.6.1. Work with stakeholders to create and maintain a system of connected open spaces while balancing private property rights with community benefits.

Policy 5.6.2. Work to maintain the visual character and rural appearance of open spaces such as the area along Highway 97 that separates the communities of Bend and Redmond or lands that are visually prominent.-

Policy 5.6.3. Work to maintain and protect the visual character and rural appearance of visually prominent open spaces within the County, particularly those that are identified in the Goal 5 inventory.

Policy 5.6.4. Seek to protect the cultural identity of rural communities, such as the Highway 97 area/corridor between Bend and Redmond, and others.

Policy 5.6.5. Protect significant open spaces, scenic views, and scenic sites by encouraging new development to be sensitive to these resources.

Policy 5.6.6. Incentivize the placement of structures in a way that is sensitive of view corridors to maintain the visual character of the area.

Wildlife Goals and Policies

Goal 5.7: Maintain and enhance a diversity of wildlife and habitats.

Policy 5.7.1. Promote stewardship of wildlife habitats through incentives, public education, and development regulations.

Policy 5.7.2. Ensure Goal 5 wildlife inventories and habitat protection programs are up-to-date through public processes, expert sources, and current or recently adopted plans and studies.

Policy 5.7.3. Provide incentives for new development to be compatible with and to enhance wildlife habitat.

Policy 5.7.4. Require, incentivize, or encourage clustering of development in inventoried wildlife areas to reduce impacts to wildlife populations.

Policy 5.7.5. Develop better understanding of The Confederated Tribes of the Warm Springs Reservation of Oregon's treaty-protected rights to co-manage the wildlife resources of the Deschutes Basin.

Goal 5.8: Balance protection of wildlife and habitat with the economic and recreational benefits of wildlife and habitat.

Policy 5.8.1. Encourage responsible and sustainable wildlife related tourism and recreation.

Policy 5.8.2. Coordinate with stakeholders to ensure access to appropriate recreational opportunities within significant wildlife and riparian habitat through public or non-profit ownership.

Policy 5.8.3. Coordinate with Confederated Tribes of the Warm Springs Reservation of Oregon and State agencies to develop strategies to support sound wildlife management science and principals for the benefit of the wildlife resource.

Goal 5.9: Comply with federal and state regulations related to sensitive, threatened, and endangered species, including the Endangered Species Act, the Bald and Golden Eagle Protection Act, the Migratory Bird Treaty Act, and others as applicable.

Policy 5.9.1. Coordinate with Federal and State agencies to develop strategies to protect Federal or State Threatened or Endangered Species, or Species of Concern.

Policy 5.9.2. Mitigate conflicts between large-scale development and sage grouse habitat.

Policy 5.9.3. Consider adopting recommendations from Oregon Department of Fish and Wildlife, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Deschutes River Mitigation and Enhancement Program in dock construction.

Environmental Quality Goals and Policies

Goal 5.10: Maintain and improve upon the quality of air and land in Deschutes County.

Policy 5.10.1. Use building techniques, materials, and technologies in existing and future County operations and capital facilities that help maintain and improve environmental quality.

Policy 5.10.2. Implement a dark skies educational and or incentive program and periodically update the Dark Skies ordinance to reduce the impacts of light pollution and reduce lighting impacts on adjacent properties.

Policy 5.10.3. Coordinate with agency partners to educate residents about controlled burning projects and air quality concerns.

Policy 5.10.4. Use public education, education for County departments, and regulations to control noxious weeds and invasive species.

Goal 5.11: Promote sustainable building practices that minimize the impacts of development on the natural environment.

Policy 5.11.1. Use the County Code and educational materials to promote the use of resource-efficient building and landscaping techniques, materials, and technologies that minimize impacts to environmental quality.

Policy 5.11.2. Encourage and support reuse and recycling of consumer goods, green waste, construction waste, hazardous waste, and e-waste through education and enhanced recycling opportunities through the Recycling Program.

Policy 5.11.3. Support the process for siting new County solid waste management facilities in rural Deschutes County, consistent with facility needs and County standards for the location and approval of such facilities.

Policy 5.11.4. Implement best practices in solid waste management throughout the County.

Policy 5.11.5. Develop and implement a Climate Action Plan to address the potential future impacts of climate change on Deschutes County.

Policy 5.11.6. Promote and incentivize green infrastructure in new development to improve stormwater management.

6

Historic and Cultural Resources





Opportunities, Challenges, and Considerations

Deschutes County is a certified local government (CLG), as designated by the State of Oregon Historic Preservation Office. This certification recognizes the County's commitment to implementing and maintaining a formal historic resources program. Deschutes County has 13 nationally registered historic and cultural sites and 35 locally significant historic sites. The County currently administers grant programs and zoning requirements to preserve and restore these sites.

Historic resources are recognized by Statewide Planning Goal 5, Natural Resources, Scenic Views and Historic Areas and Open Spaces, and Oregon Administrative Rule (OAR) 660-023. The Statewide Goal and OAR recommend cities and counties inventory and protect historic and cultural sites. Recognizing the value and importance of having a connection to our past, Deschutes County chose to implement and maintain a historic preservation program and Historic Preservation Strategic Plan (Adopted 2022).

The 2022 Historic Preservation Strategic Plan identified three overarching goals to guide historic and cultural resource preservation in Deschutes County: collaborate, coordinate, and educate. The plan identifies opportunities to strengthen relationships between historic preservation and community partners, and to involve community members in historical and cultural preservation efforts. Improving access to historic resource information and providing content in an easily accessible format will be paramount to preservation efforts and increase community appreciation for resources. Along with improved educational resources, more outreach and education opportunities could be explored.

Context

Deschutes County has several notable historical and cultural sites. These sites receive special protections to avoid land use or development activity that may disturb the historical or educational resources existing on site.

LOCALLY SIGNIFICANT HISTORIC SITES

Deschutes County has 35 locally significant sites including cemeteries, ranches, dams, bridges, schools, and granges among numerous historic homesteads and homesites.



NATIONALLY REGISTERED SITES

Deschutes County has 13 sites that have completed the national register process, including highways, bridges, lodges, and rock gardens.

One of the primary sites of historic and cultural learning in the county is the nationally acclaimed High Desert Museum. The museum is dedicated to broadening the understanding of the High Desert’s wildlife, culture, art, and natural resources. In doing so, it strives to promote thoughtful decision making to sustain the region’s natural and cultural heritage.

Key Community Considerations

As part of the 2023 Comprehensive Plan update, community members shared their vision for the protection of historic and cultural resources. Comments included:

- The importance of county-wide coordination on cultural and historic, as well as increased representation of the indigenous history of Central Oregon.
- Acknowledging previous landowners and preserving the County’s historical and cultural resources are both important.
- A county-wide historic and cultural resource signage program was also suggested.
- The community shared an interest in capitalizing on the High Desert Museum to continue to support indigenous culture and Central Oregon’s history.

Goals and Policies

Goal 6.1: Promote the preservation of designated historic and cultural resources through education, incentives, and voluntary programs.

Policy 6.1.1. The Historic Landmarks Commission shall take the lead in promoting historic and cultural resource preservation as defined in DCC 2.28.

- a. Support incentives from the State Historic Preservation Office (SHPO), The Confederated Tribes of the Warm Springs Reservation of Oregon Tribal Historic Preservation Office (THPO), or other agencies for private landowners to protect and restore historic resources.
- b. Support the Historic Landmarks Commission to promote educational programs to inform the public of the values of historic preservation.
- c. Support improved training for the Historic Landmarks Commission.
- d. Support the goals, objectives, and actions of the Historic Preservation Strategic Plan.

Policy 6.1.2. Coordinate cultural and historic preservation with the Oregon State Historic Preservation Office Office and The Confederated Tribes of the Warm Springs Reservation of Oregon Tribal Historic Preservation Office.

- a. Maintain Deschutes County as a Certified Local Government, which includes the City of Sisters.
- b. Encourage private property owners to coordinate with the State Historic Preservation Office and The Confederated Tribes of the Warm Springs Reservation of Oregon Tribal Historic Preservation Office.

Policy 6.1.3.Coordinate with The Confederated Tribes of the Warm Springs Reservation of Oregon and SHPO to adopt a program to identify and protect archaeological and cultural resources, as appropriate, and prevent conflicting uses from disrupting the value of known sites.

7 Natural Hazards



Opportunities, Challenges, and Considerations

Central Oregon is a dynamic region formed and shaped by the powerful forces of nature. Deschutes County residents and visitors rely on the County and its partners to plan for hazardous events and limit harm to people and property.

Continued rapid population growth, development in wildfire-prone areas, and an increased frequency of natural hazard events make planning for and mitigating risks ever more important. As temperatures rise globally, Central Oregon will face challenges due to drought, wildfire, heat events, and storms. The impacts a major Cascadia Subduction Zone earthquake would have on Deschutes County would be substantial as well.



In order to plan for and address natural hazards, Deschutes County has partnered with local jurisdictions to create its Natural Hazards Mitigation Plan (NHMP). Additional opportunities exist to create greater defensible spaces, encourage fire hardening, utilize grant programs, and pursue education measures to reduce these impacts over time.

According to the NHMP, the hazards with greatest risk in Deschutes County are:

- **Winter Storm.** Destructive storms producing heavy snow, ice and cold temperatures occurred throughout the County's history. Increases in population and tourism make potential impacts to shelter, access to medical services, transportation, utilities, fuel sources, and telecommunication systems more acute. The relative frequency of these events combined with their widespread impacts make winter storms the highest-ranked hazard in the NHMP.

Statewide Planning Goal 7 requires local comprehensive plans to address Oregon’s natural hazards. Protecting people and property from natural hazards requires knowledge, planning, coordination, and education. Good planning does not put buildings or people in harm’s way. Planning, especially for the location of essential services like schools, hospitals, fire and police stations, is done with sensitivity to the potential impact of nearby hazards.

- **Wildfire.** Historically, wildland fires have shaped the forests and wildlands valued by residents and visitors. These landscapes, however, are now significantly altered due to increased rural development and a general lack of large-scale treatments, resulting in overgrown forests with dense fuels that burn more intensely than in the past.
- **Windstorm.** A windstorm is generally a short duration event involving straight-line winds and/or gusts in excess of 50 mph. Although windstorms can affect the entirety of Deschutes County, they are especially dangerous in developed areas with significant tree stands and major infrastructure, especially above ground utility lines.
- **Drought.** Periods of drought can have significant impacts on public health, agriculture, and industry. Many counties in eastern Oregon are experiencing more frequent and severe droughts than is historically the norm, and many climate predictions see this trend continuing into the future.
- **Earthquake.** The Pacific Northwest is located at a convergent plate boundary, called the Cascadia Subduction Zone, where the Juan de Fuca and North American tectonic plates meet. This fault line is subject to rare but potentially very large earthquakes. Such

an event would impact Deschutes County communities both directly through damage to infrastructure and property, as well as economically and socially as the broader region recovers from the disaster.

Context

Informed by an understanding of natural hazards, Deschutes County can reduce the risks to property, environmental quality, and human safety through land use planning and review of specific development proposals. The County’s policies provide the framework for the County’s natural hazards review program. This includes: identification of areas subject to natural hazards, regulations for evaluating land use actions for how they may result in exposure to potential harm from natural hazards, and programmatic elements including partnerships and funding opportunities to support natural hazard risk reduction.

Deschutes County has taken on a number of proactive projects, including:

- 2021 Natural Hazards Mitigation Plan (NHMP)
- 2019 Wildfire Mitigation Advisory Committee
- Project Wildfire, a County-led wildfire education and mitigation program has been in operation since 2012 and has been very successful in changing attitudes towards wildfire and prevention.
- Community Wildfire Protection Plans (CWPP) for many communities, including:
 - » Greater Bend CWPP (2016, expected revision 2021)
 - » Greater La Pine CWPP (2020, expected revision 2025)
 - » Greater Redmond CWPP (2018, expected revision 2023)
 - » Greater Sisters Country CWPP (2019, expected revision 2024)
 - » Sunriver CWPP (2020, expected revision 2025)

- » East and West Deschutes County CWPP (2018, expected revision 2023)
- » Upper Deschutes River Coalition CWPP (2018, expected revision 2023)

In addition, dozens of neighborhoods are pursuing or have received FireWise certification through the National Fire Protection Association. The County also supports the Heart of Oregon and Youth Conservation Corps crews in fuels reduction work and other mitigation efforts, with financial assistance from other entities.

Wildfire

According to the Natural Hazards Mitigation Plan, wildfire is the second most significant hazard to the county (after winter storms) and was the most discussed natural hazard discussed during outreach events. Throughout the 20th century, the years with warm and dry conditions corresponded with larger fires that have burned greater areas. Overall increases in heat will also lengthen growing seasons - building greater fuel loads and decreasing soil and fuel moisture, thereby increasing the likelihood of larger fires. By mid-century, the annual potential for very large fires is projected to increase by at least 350% over the 20th century average.¹



1 Halofsky, J. Peterson, D, Harvey, B. "Changing Wildfire, changing forests: the effects of climate change on fire regimes and vegetation in the Pacific Northwest, USA. Fire Ecology. 2020.

The annual frequency of very high and extreme fire danger days is expected to increase by 10-15 additional days per year by mid-century⁴ (up from 36 currently). These trends are due to exacerbated conditions with a combination of high air temperatures and very low fuel moisture, which increases the likelihood of fire starts that can spread. As Deschutes County communities have experienced, increased fire activity - even at quite a distance - will impact air quality, increasing public health risks and impacting aspects of everyday life.

Research indicates that in regions where fire has moved through the landscape with increased severity, regrowth is changing the species composition of the forests, which are likely to be more resilient to future fires.² Other compounding factors, like drought and pest outbreaks, will continue to build fuel loads in the forests and change the forest's composition. Post-fire landscapes in Deschutes County will likely see increases in the prevalence of invasive and pioneer tree species, and a reduction in fire-susceptible species such as western hemlock, subalpine fir, and some spruce. Fire resistant species like mature Douglas fir and western larch will have greater survival capacity to fire,³ but perhaps not to other stressors. Larger fires that occur over shorter intervals will negatively impact seed dispersion capacity, and reduced moisture available in ponderosa forest regions will be vulnerable to reforestation failures, leading to conversion to other ecosystem types. In the mountain forests, the average yearly area burned is expected to nearly double by mid-century, while the area burned in the grass/shrub plateau areas is likely to decrease slightly by mid-century. This is partly due to extended drought decreasing plant growth and therefore available fuel. The risk of unusually severe fires is expected to increase across large swaths of Oregon, including Deschutes County.⁴

2 Sebastian U. Busby, Kevan B. Moffett, Andrés Holz. High severity and short interval wildfires limit forest recovery in the Central Cascade Range. *Ecosphere*, 2020; 11 (9) DOI: 10.1002/ecs2.3247

3 6 Halofsky et al. 2020.

4 Oregon Forest Resources Institute Fact Sheet

WILDFIRE AND HEAT

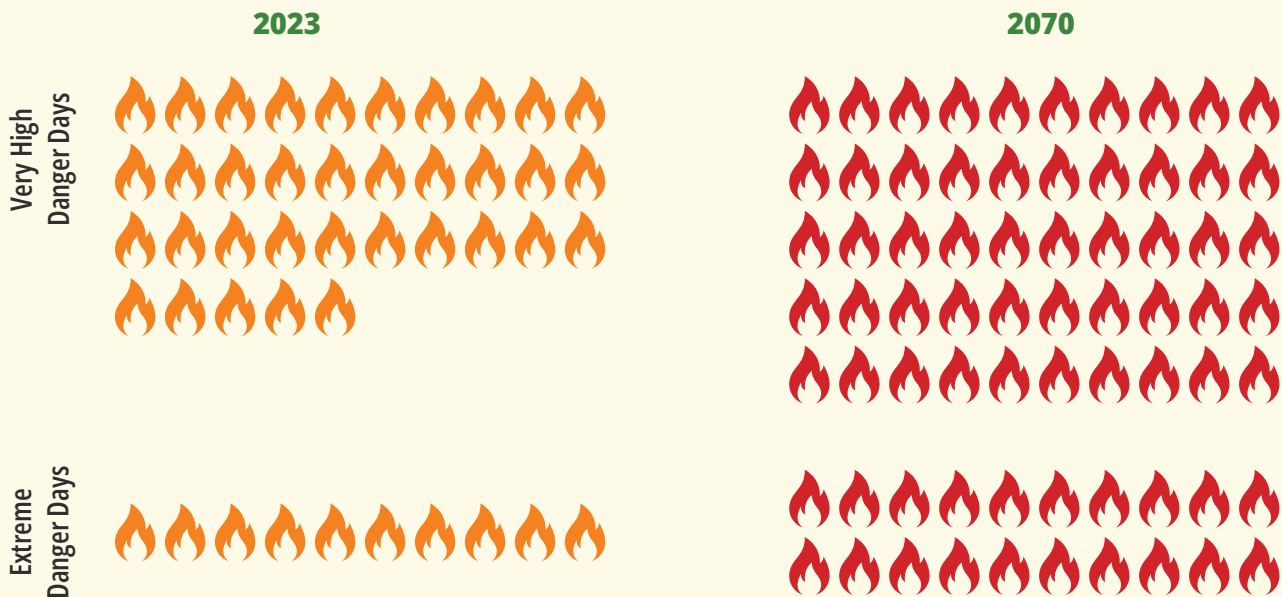
By the middle of this century, increasing temperatures are expected to drive increasing wildfire risk, especially in the Cascades. The yearly percentage of area burned is likely to increase in the mountains and the interval of return (years between fires) is expected to decrease across the county. Both the highest and lowest summer temperatures will increase, leading to more extreme heat days and reducing the historical nighttime cooling effect of the high desert.

Under all change projections, there will be an increase in the number of days with a heat index above both 90° and 100°F by mid-century.⁸ By 2100, Deschutes County can expect summer maximum temperatures to be 12°F hotter than current highs. Overall, extreme heat is not considered a human health risk in Deschutes County because of low night temperatures and the low humidity in the region. However, the Redmond airport, which sees the hottest temperatures in the county, will likely start to see occasional temperatures above 105° every few years by mid-century, and at least once a year by 2100. In addition, summer night lows are likely to increase by up to 5° degrees by mid-century, reducing the cooling effect of the high desert climate.

Vulnerable Populations

The socio-demographic qualities of the community population such as language, race and ethnicity, age, income, and educational attainment are significant factors that can influence the community's ability to cope, adapt to and recover from natural disasters. A disproportionate burden is placed upon special needs groups, particularly children, the elderly, the disabled, minorities, and low-income persons. Population vulnerabilities can be reduced or eliminated with proper outreach and community mitigation planning. For planning purposes, it is essential that Deschutes County and the cities of Bend, La Pine, Redmond, and Sisters consider both immediate and long-term socio-demographic implications of hazard resilience.

Fire Danger near Mt. Bachelor Village



Key Community Considerations

Community conversations related to natural hazards have centered around the following topics:

- **Impacts of Climate Change.** Throughout the community engagement process, community members spoke to the importance of recognizing and addressing the impacts of climate change in Deschutes County and its relationship with natural hazard events.
- **Education and Communication.** Providing information about potential risks to residents and visitors can help the community as a whole be more prepared for natural hazards.
- **Development Code Regulations and Incentives.** Some community members expressed a desire for stricter regulations and additional incentives about “fire-wise” construction and defensible space practices.
- **Limiting Development in hazard-prone areas.** Increased development in remote areas of the County, where life-saving services may be scarce and human impacts may exacerbate risks, was a concern for some.



Goals and Policies

Goal 7.1: Develop policies, partnerships, and programs to increase resilience and response capacity in order to protect people, property, infrastructure, the economy, natural resources, and the environment from natural hazards.

Policy 7.1.1. Partner with county, state, and regional partners to regularly update and implement the Deschutes County Natural Hazards Mitigation Plan.

Policy 7.1.2. Collaborate with federal, state, and local partners to maintain updated mapping of high wildfire risk areas, floodplains, and other natural hazard areas within the county.

Policy 7.1.3. Communicate and cooperate with federal, state, and local entities to clarify responsibilities regarding wildfire mitigation and suppression to improve fire protection services.

Policy 7.1.4. Use the development code to provide incentives and regulations to manage development in areas prone to natural hazards.

Policy 7.1.5. Work with agency partners to address and respond to increased episodes of poor air quality resulting from wildfires in the region.

Policy 7.1.6. Protect wildlife with wildland fire mitigation measures on private lands.

Policy 7.1.7. Address wildfire risk, particularly in the wildland urban interface.

Policy 7.1.8. Identify all areas not protected by structural fire protection agencies and promote discussions to address fire protection in unprotected lands in the County.

Policy 7.1.9. Support forest management practices that reduce wildfire risk.

Policy 7.1.10. Support local fire protection districts and departments in providing and improving fire protection services.

Policy 7.1.11. Continue to review and revise County Code as needed to:

- a. Ensure that land use activities do not aggravate, accelerate or increase the level of risk from natural hazards.
- b. Require development proposals to include an impact evaluation that reviews the ability of the affected fire agency to maintain an appropriate level of service to existing development and the proposed development.
- c. Minimize erosion from development and ensure disturbed or exposed areas are promptly restored to a stable, natural and/or vegetated condition using natural materials or native plants.
- d. Ensure drainage from development or alterations to historic drainage patterns do not increase erosion on-site or on adjacent properties.
- e. Reduce problems associated with administration of the Floodplain Zone.
- f. Require new subdivisions and destination resorts to achieve FireWise Standards or other currently accepted fire mitigation standards from the beginning of the projects and maintain those standards in perpetuity.

Goal 7.2: Ensure the County’s built environment and infrastructure are adequately prepared for natural disasters.

Policy 7.2.1. Increase the quality, resiliency, diversity, and redundancy of utility and transportation infrastructure to increase chances of continued service following a natural disaster.

Policy 7.2.2. Prohibit the development of new essential public facilities and uses that serve vulnerable populations from being located within areas at high risk of flooding and wildfire, and aim to relocate existing uses in these areas.

Policy 7.2.3. Support siting of Central Oregon Ready, Responsive, Resilient (CORE3) regional coordinated emergency services training facility.

Policy 7.2.4. Coordinate with emergency service providers when new development is proposed to ensure that response capacity can meet the needs of the new development.

Policy 7.2.5. Require new development to follow home hardening, defensible space, and other resilient design strategies in areas prone to wildfires and other natural hazards.

Policy 7.2.6. Encourage and incentivize development that exceeds minimum building code standards and promote retrofitting of existing development for better natural disaster resiliency.

Policy 7.2.7. Require development to be designed to minimize alteration of the natural landform in areas subject to slope instability, drainage issues or erosion.

Policy 7.2.8. Regulate development in designated floodplains identified on the Deschutes County Zoning Map based on Federal Emergency Management Act regulations.

- a. Continue evaluation of participation in and implementation of the Community Rating System as part of the National Flood Insurance Program.
- b. Cooperate with other stakeholders to identify alternatives for acquiring and/or relocating existing structures prone to flooding.
- c. Continue to coordinate with stakeholders and agency staff to correct mapping errors.

Goal 7.3: Develop programs that inform the public about the increased risks from natural hazards.

Policy 7.3.1. Identify high risk, high need populations and ensure equitable access to emergency preparedness and recovery services.

Policy 7.3.2. Increase outreach and education for hazard awareness and natural disaster preparedness, especially for low-income, elderly, non-English speaking, and other vulnerable populations.

Policy 7.3.3. Expand partnerships with government agencies, utilities, and other groups that can help Deschutes County residents prepare for natural disasters.

Policy 7.3.4. Work with regional partners to establish and maintain adequate support for a Deschutes County Community Emergency Response Team (CERT) to aid in responding to natural hazard events.

Policy 7.3.5. Promote and support business resilience planning.





8 Recreation



Opportunities, Challenges, and Considerations

Recreation is an important quality of life issue for Deschutes County and recreational tourism is a key part of the local economy. Both residents and visitors are drawn by the County's extensive public lands, seasonal climate, and wide variety of activities and settings. Recreational opportunities include places set aside for specific activities such as campgrounds or sports fields as well as passive spaces such as natural areas.

The primary focus of recreation in rural Deschutes County is outdoor recreation. Outdoor activities promote healthy communities by encouraging people to enjoy an active lifestyle and by providing opportunities to reconnect with the natural world.

Deschutes County does not have a parks department; instead, it coordinates with the federal and state agencies, local park districts, and private entities that provide park and recreational opportunities. Coordination assures that resources are used efficiently, and duplication is avoided. With a holistic view of recreation in Deschutes County, the County can also provide other agencies and jurisdictions with guidance for service gaps to fill.

Statewide Planning Goal 8, Recreation and Oregon Administrative Rule (OAR) 660-034 address recreation, but do not require local governments to provide park and recreation services. Several agencies and special districts already provide recreation services in Deschutes County. These include Bend Parks and Recreation District, La Pine Parks and Recreation District, Sunriver Parks and Recreation District, and Oregon Parks and Recreation Department.

The health of the County's recreational assets and industry is inexorably tied to the health of the land, forests, and waterways of Central Oregon. The effects of human activity - from development pressures and overuse of recreational facilities to resource extraction and climate change - will have a significant impact on recreation in Deschutes County. Some of these impacts include:

- Changes in precipitation affecting the timing and conditions for winter sports
- Loss of habitat
- Wildfire and risk of wildfire limiting recreational access
- Increased number of dangerously warm days

Future Challenges to Recreation

The health of the County’s recreational assets and industry is inexorably tied to the health of the land, forests, and waterways of Central Oregon. The effects of human activity - from development pressures and overuse of recreational facilities to resource extraction and climate change – will have a significant impact on recreation in Deschutes County.

There are several environmental concerns that may affect parks and recreation in Deschutes County in the future. Activities such as hiking, hunting, fishing, swimming, and foraging are an important part of recreation in Deschutes County - these activities are likely to be impacted by future changes to the climate.

Fishing may be impacted by drought as water bodies warm and seasonally drop. Foraging animals, like deer and elk, may express changing behavior like earlier-season high elevation foraging and increased interactions with agricultural communities due to drought. Drought also severely reduces the prominence of fruiting fungi for annual mushroom hunters, and may increase pressure on the remaining harvest areas. Fungi are crucial to the health of the forest ecosystem, adapting and responding to changing conditions and disease.

These conditions may also lead to greater frequency and severity of algal and bacterial

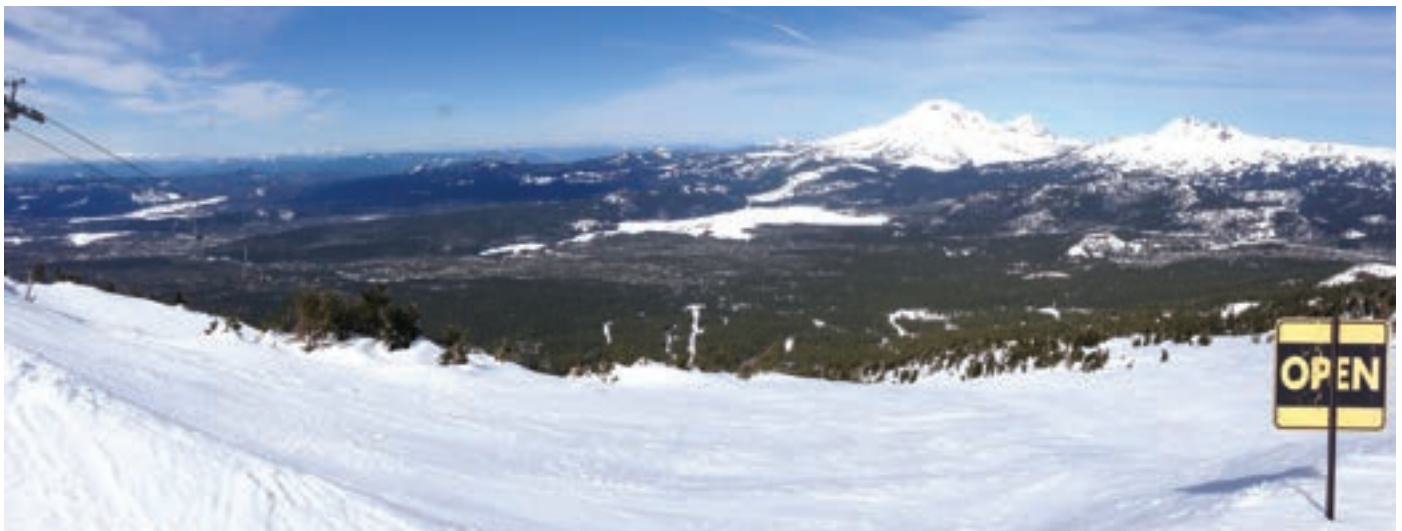
blooms in fresh water. Algal blooms in other parts of the state have led to drinking water concerns, but Deschutes County cities are supplied by groundwater and so the risk in algal blooms is mainly to recreation – boaters, swimmers, anglers, and campers may be less motivated to visit.

Winter Sports

Snow sports are a significant component of recreation in Deschutes County. Overall decline in snow pack is expected in the coming decades, which will heavily impact winter sports that rely on snowpack in the Cascades. At the Mt. Bachelor Ski Resort, April Snowpack is expected to decline between 11% and 18% by the middle of the century and between 18% and 43% by the end of the century. Additionally, inconsistent snowpack buildup will increase due to more precipitation falling as rain instead of snow throughout the season, making winter sports seasons less predictable.

Summer Recreation

The summer outdoor season has additional risks from degraded to severely degraded air quality due to wildfire throughout the west coast. With degraded air quality, outdoor recreators may avoid the region, impacting regional income and generally degrading the perception of the county as a retreat to the natural world. Additionally, an



increase in the frequency of very high temperature days may impact the safety and desirability of outdoor recreation.

Context

Deschutes County does not directly provide parks and recreation services. The only public parks the County maintains are a section of the County Fairgrounds and the Worrell Wayside in downtown Bend. Although there is no County parks department, there are County-owned properties which are designated as park lands. Parks and recreation services are provided by the following entities.

OREGON PARKS AND RECREATION DEPARTMENT

OPRD owns and manages several key parks and scenic areas in the County. These include state parks such as line Falls State Scenic Viewpoint, La Pine State Park, Pilot Butte State Scenic Viewpoint, Smith Rock State Park, and Tumalo State Park. In addition, they also manage the Upper and Middle Deschutes River Scenic Waterway segments, and Cascade Lakes and McKenzie Pass-Santiam Pass Scenic Byways.



Photo Credit: Visit Bend (www.visitbend.com)

THE BEND PARKS AND RECREATION SPECIAL DISTRICT (BPRD)

BPRD owns and maintains approximately 3,035 acres of parkland including 81 parks and 70 miles of trails. The largest park district in the County, the taxing district follows the City of Bend Urban Growth Boundary closely, although extends past the UGB to the west and east to include several properties outside of city limits.

THE LA PINE PARKS AND RECREATION SPECIAL DISTRICT

This district operates in 85 square miles and 11 parks and recreation facilities in southern Deschutes County including the City of La Pine.

THE REDMOND AREA PARKS AND RECREATION SPECIAL DISTRICT

The District operates five recreational facilities including the Cascade Swim Center and extends beyond city limits to Tetherow Crossing. In 2022, the district received voter approval for a general obligation bond to build a new community center with a variety of recreational, fitness, and therapeutic activities.

THE SISTERS PARK AND RECREATION SPECIAL DISTRICT

Operates approximately 15 acres of land within City of Sisters city limits, including Bike Park 242, Hyzer Pines Disc Golf Course, a playground, a skatepark, and Coffield Community Center. The district boundary extends far past city limits, serving approximately 14,000 residents through programming and activities.

THE U.S. FOREST SERVICE, BUREAU OF LAND MANAGEMENT

Approximately 76% of the County's total land area is owned by the federal government, primarily these two agencies. Community members seek out extensive recreation activities in these areas, including skiing, mountain biking, hiking, backpacking, fishing, hunting, kayaking, and off-road vehicle riding.

COUNTY-OWNED OPEN SPACE

Starting in 1994 the County received donation of several properties along rivers, creeks, or streams or with wildlife, wetlands, or other value as park lands. The intent of this donation was not to develop these lands for park use but rather to preserve lands with valuable resources, which were protected through deed restrictions. The park designation means that the lands would be retained in public ownership unless there was a public hearing and the Board of County Commissioners determined that selling was in the best interest of the public.

ORS 275.330 governs the disposal of these lands, stating that if they are sold the proceeds must be dedicated to park or recreation purposes. As of 2009, there were approximately 70 properties designated as park lands.

COUNTY FAIRGROUND AND EXPO CENTER

The 132-acre County Fairground and Expo Center site is located southwest of the Redmond airport, and it is placed strategically at the hub of the tri-county area (Deschutes, Jefferson, Crook Counties). The facility is used for a variety of public and private events. Each of its lawn areas can be rented exclusively by groups for different events, which range from weddings, picnics, reunions, car shows, RV / motorcycle rallies, animal shows, and outdoor trade shows, among others.

Key Community Considerations

Recreation and access to nature is a key component of life in Deschutes County and a primary attraction for both residents and visitors. As part of this Comprehensive Plan update, community members noted concerns about increasing recreational use or overuse, conflicts among different users, and the need for permitting or other strategies to manage use, particularly in popular locations.

Because the county does not have a parks and recreation department, community members have identified service gaps and lack of continuity of trail networks, habitat and species preservation, and land access policies. Residents are concerned with private recreation development and use of natural resources such as land and water.

The tension between resource use of forest land and water, recreational use of these areas, and natural resource protection is evident among members of the community

Community members also noted that it is imperative for all special districts and agencies providing park services to coordinate on integrated services. These partnerships will be key to ensure sustainable recreation and land stewardship as the County continues to grow.



Goals and Policies

Goal 8.1: Increase affordable, sustainable, and diverse recreation opportunities through partnerships with government and private entities.

Policy 8.1.1. Reduce barriers to regional parks and recreation projects in Deschutes County, including acknowledgement or adoption of federal, state and local parks district trail and facility plans.

Policy 8.1.2. Collaborate with partners to develop a regional system of trails and open spaces, prioritizing recommendations from local parks districts, County,-state, and federal recreational plans and studies.

Policy 8.1.3. Encourage coordination between the U.S. Forest Service, the Bureau of Land Management and recreational use interest groups to minimize environmental degradation, agricultural fragmentation and user conflicts on public and private land.

Policy 8.1.4. Support the creation and improvement of accessible park and recreation opportunities in compliance with the Americans with Disabilities Act.

Policy 8.1.5. Support efforts to coordinate recreation planning between the County, park and recreation districts, school districts, irrigation districts, unincorporated communities, and cities.

Policy 8.1.6. Support the development of parks and trails identified in locally-adopted plans.

Policy 8.1.7. Coordinate with unincorporated communities to identify opportunities for parks, trails, open spaces, and community centers.

Policy 8.1.8. Establish trail design standards and identify specific funding sources for trails as part of future transportation system planning efforts to ensure development of identified priority rural trail segments and bicycle routes.

Policy 8.1.9. Explore creation of a County Parks and Recreation Department to increase the County's role in recreation and natural resource management and implement if deemed appropriate.

Policy 8.1.10. Support community efforts for acquisition and management of Skyline Forest as a community amenity.

Policy 8.1.11. Work with stakeholders to promote new recreational and tourist initiatives that maintain the integrity of the natural environment.



9

Economic Development



Opportunities, Challenges, and Considerations

Statewide Planning Goal 9 provides guidance on economic development for Oregon jurisdictions. This goal is intended to “provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon’s citizens.” For Deschutes County, implementing Goal 9 is focused on ensuring opportunities for economic development, while protecting rural land uses.

In Deschutes County, several areas are designated for rural industrial and rural commercial activities to allow for activities such as manufacturing or resource processing. Additionally, unincorporated communities and rural service centers allow for limited commercial opportunities, including restaurants, services, and retail stores.


Economic development agencies in Central Oregon cite the tremendous natural resource access and amenities to be essential for drawing in new businesses and workers. As the County grows, childcare will continue to be challenge for rural residents along with access to high speed and reliable internet services.

A continued challenge for Deschutes County will be to balance adequate economic opportunity for rural residents, with protection of natural resource lands. Community members have expressed interest in providing for new and emerging economic opportunities through renewable energy development, including potential for biomass, solar, geothermal, and wind projects that may be compatible with rural uses.


Context

Deschutes County’s economy was initially built around farming and logging. As those sectors declined in the 20th century, recreation and tourism increased as people were drawn to the beauty and opportunities to recreate on public lands. Deschutes County’s high quality of life became a draw for employers and employees alike. In the 2000’s, the building sector boomed as new housing was built to meet both increased housing demand and the real estate speculation that followed. Housing prices rose so high that workforce housing became a limiting factor in economic growth. The period of strong growth ended with the national recession that began in late 2007, leading to falling housing prices and rising unemployment. The 2010’s and early 2020’s have proven to be another period of booming economic growth for Deschutes County, exacerbated by the COVID-19 pandemic and the dramatic increase in remote work.


Deschutes County's economy remains strong compared to Oregon as a whole, as shown in the statistics below.



\$74,082
Median Household Income
(\$70,084 in Oregon)

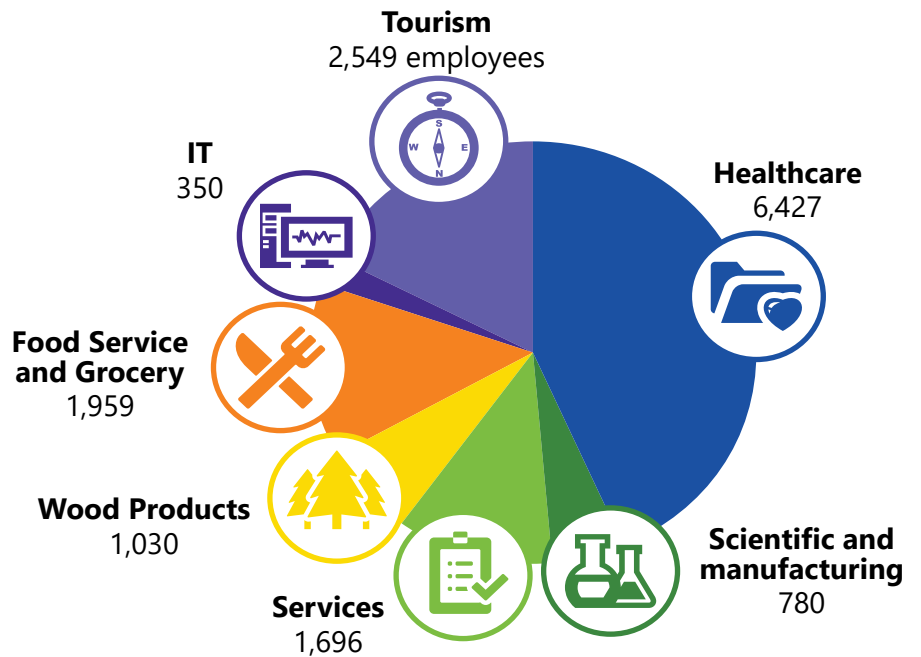


9.4%
of county population experiencing poverty
(12.1% in Oregon)



63.3%
of population in civilian workforce
(62.6% in Oregon)

2022 Central Oregon Largest Private Employers by Industry



2022 Central Oregon Largest Private Employers

Rank	Employees	Employer
1	4,509	St. Charles Health System regional
2	1,030	Bright Wood Corporation regional
3	1,000	Sunriver Resort 1,000 1,000 940
4	916	Les Schwab Headquarters & Tire Centers regional
5	894	Mt. Bachelor
6	714	Safeway regional
7	640	NC Fred Meyer regional
8	628	Summit Medical Group regional
9	605	McDonald's regional
10	440	Lonza, formerly Bend Research
11	415	Rosendin Electric
12	391	Mosaic Medical regional
13	375	Black Butte Ranch
14	365	ibex
15	350	Meta Platforms, Inc. - Facebook Data Center
16	340	BasX
17	336	PacificSource
18	296	High Lakes Health Care regional
19	280	Brasada Ranch
20	267	Medline ReNewal

Primary Industries

Deschutes County is known for its abundant natural resources, though the County continues to balance its economy through a variety of industries. The top 10 industries overall in Deschutes County (including those within urban areas) are:

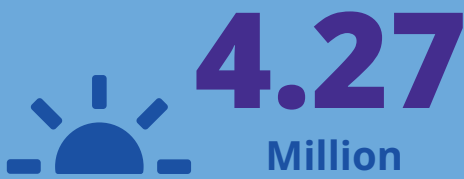
1. Trade, transportation, utilities (15,742 jobs)
2. Education/Health Services (13,479 jobs)
3. Goods-producing (13,169 jobs)
4. Leisure and hospitality (12,990 jobs)
5. Health care and social assistance (12,541 jobs)
6. Retail trade (11,714 jobs)
7. Accommodation and food services (10,718 jobs)
8. Professional/business services (10,067 jobs)
9. Food services/drinking places (8,304 jobs)
10. Local government (7,396 jobs)

Tourism

Tourism continues to be a major facet of Central Oregon’s economy, with approximately 4.5 million visitors entering Central Oregon each year. The majority of those visitors travel to Bend and Deschutes County in particular but other communities in the County also are popular destinations, including Sisters, Redmond and Terrebonne, as well as destination resort such as Sunriver, Eagle Crest, Pronghorn and others. In addition, recreational opportunities throughout the County also attract a multitude of visitors, from skiing on Mt. Bachelor, hiking in the Three Sisters Wilderness, and rafting the Deschutes River, to fishing, hunting and camping at dispersed sites on National Forest and BLM land throughout the County.



Tourism Impacts



Annual overnight visitors in Central Oregon (comprised of Deschutes, Crook, Jefferson, and south Wasco counties)



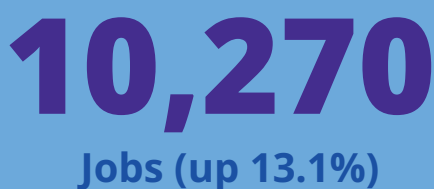
Transient Tax Revenues in 2022
Central Oregon as a whole



Deschutes County alone



In 2022, employment directly generated by travel spending in Central Oregon was



Average trip spend, per person, from an overnight visitor

Source: Oregon Travel Impacts, 2022 by Dean Runyan Associates for the Oregon Tourism Commission

Resource Land

While much of the County's economic activity occurs in urban areas, County administration of farmland, forest land, and natural resources plays a vital role in protecting and enhancing the economic development potential of the area.

Coordination

A key partner for the County in promoting a healthy economy is Economic Development for Central Oregon (EDCO). This private non-profit organization is dedicated to diversifying the tri-county regional economy by attracting new investment and jobs. This organization also tracks the local economy.

Between 2010 and 2013, Deschutes, Crook, and Jefferson counties, and their respective cities established a regional large lot industrial land need analysis, ultimately leading to changes to state law, OAR 660-024-0040 and 45. This rule provides that that the large lot industrial land need analysis agreed upon by all of the parties, once adopted by each of the participating governmental entities, would be sufficient to demonstrate a need for up to nine large industrial sites in Central Oregon. Six of the sites will be made available initially. Three more sites may be added under the rule as the original sites are occupied. Intergovernmental agreements were formed with the regions jurisdictions and Central Oregon Intergovernmental Council in 2013 to provide oversight of this new regional large lot industrial lands program. Participating local governments will review the program after all nine sites have been occupied, or after ten years, whichever comes first.

Connections to Other Comprehensive Plan Chapters

Much of the County's economic development activity is directly related to farmland (Chapter 3), forest land (Chapter 3), mineral and aggregate resources (Chapter 4), and natural resources (Chapter 5). Additional information can be found in these sections.

Key Community Considerations

As part of this comprehensive plan update, community members expressed the following:

- A recognition that tourism is an important industry in the County, but some concern that the interests of tourism-related activity play an outsized role in the County.
- Desire for a strong and diverse economy that benefits local residents.
- Strong interest in expanding access to childcare for rural residents, especially those who travel into incorporated cities for employment.
- Interest in exploring new economic opportunities including renewable energy development.
- Desire for additional educational and job training opportunities, including expansion of colleges and universities.



Economic Development Goals and Policies

Goal 9.1: Maintain a stable, and sustainable, and thriving rural economy, compatible with rural lifestyles and a healthy environment.

Policy 9.1.1. Promote rural economic initiatives, including home-based businesses, that maintain the integrity of the rural character and natural environment.

Policy 9.1.2. Support a regional approach to economic development in concert with Economic Development for Central Oregon or and similar organizations.

Policy 9.1.3. Support growth and expansion of colleges and universities, regional educational facilities, and workforce training programs.

Policy 9.1.4. Support renewable energy generation as an important economic development initiative, while taking other community goals and concerns into consideration.

Policy 9.1.5. Support and participate in master planning for airports in Deschutes County, including expansion of noise impact boundaries and upgrades to facilities as airports continue to grow.

Policy 9.1.6. Within the parameters of State land use regulations, permit limited local-serving commercial uses in higher-density rural communities. Support limited and locally-serving commercial uses in appropriate locations.

Policy 9.1.7. Support expansion of high-speed internet in rural areas and integrate infrastructure such as fiber-optic cables into new development and road projects.

Policy 9.1.8. Support funding and development of childcare locations across the County to support families in the workforce.

Policy 9.1.9. Explore need for master planning for rural economic development lands, including Deschutes Junction.

Policy 9.1.10. Recognize the importance of maintaining a large-lot industrial land supply that is readily developable in Central Oregon, and support a multi-jurisdictional cooperative effort to designate these sites.

Goal 9.2: Support creation and continuation of rural commercial areas that support rural communities while not adversely affecting nearby agricultural and forest uses.

Policy 9.2.1. Allow for new Rural Commercial zoning designations if otherwise allowed by Oregon Revised Statute, Administrative Rule, and this Comprehensive Plan.

Policy 9.2.2. In Spring River there shall be a Limited Use Combining Zone.

Policy 9.2.3. Ensure new uses permitted on Rural Commercial lands do not adversely affect nearby agricultural and forest uses.

Policy 9.2.4. Ensure new commercial uses on Rural Commercial lands are limited to those intended to serve the surrounding rural area and/or the needs of the traveling public.

Policy 9.2.5. New commercial uses shall be limited in size to 2,500 square feet or if for an agricultural or forest-related use, 3,500 square feet.

Policy 9.2.6. A lawful use existing on or before November 5, 2002 that is not otherwise allowed in a Rural Commercial zone, may continue to exist subject to the county's nonconforming use regulations.

Policy 9.2.7. An existing lawful use may expand up to 25 percent of the total floor area existing on November 5, 2002.

Policy 9.2.8. The Rural Commercial zoning regulations shall allow a mixed use of residential or rural commercial uses.

Policy 9.2.9. Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems.

Policy 9.2.10. Residential and commercial uses shall be served by on-site wells or public water systems.

Policy 9.2.11. Community sewer systems, motels, hotels and industrial uses shall not be allowed.

Policy 9.2.12. Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.

Goal 9.3: Support the creation and continuation of rural industrial areas that support rural communities while not adversely affecting nearby agricultural and forest uses.

Policy 9.3.1. Update the policies for lands designated Rural Industrial as needed to limit and control industrial uses through the use of the Rural Industrial designation and development standards.

Policy 9.3.2. To assure that urban uses are not permitted on rural industrial lands, land use regulations in the Rural Industrial zones shall ensure that the uses allowed are less intensive than those allowed for unincorporated communities in OAR 660-22 or any successor.

Policy 9.3.3. Limited Use Combining zones shall be applied to the Redmond Military (Tax lot 1513000000116), Deschutes Junction (Tax lot 161226C000301, Tax lot 161226C000300, Tax lot 161226C000111 and Tax lot 161226A000203) to ensure permitted uses are compatible with surrounding farm and forest lands.

Policy 9.3.4. To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial

zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals.

Policy 9.3.5. To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals

Policy 9.3.6. To ensure that the uses in the Rural Industrial Zone on Tax Lot 300 on Assessor's Map 16-12-26C-300 and Tax Lot 203 on Assessor's Map 16-12-26A-300 and portions of Tax Lot 111 on Assessor's Map 16-12-26C-111 as described in Exhibit 'D' and depicted in Exhibit 'E' attached to Ordinance 2010-030 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on the subject parcel shall be subject to a Limited Use Combining Zone, which will limit the uses to storage, crushing, processing, sale and distribution of minerals, subject to conditional use and site plan approval

Policy 9.3.7. Ensure new uses on Rural Industrial lands do not adversely affect nearby agricultural and forest uses.

Policy 9.3.8. A lawfully established use that existed on or before February 2, 2003 not otherwise allowed in a Rural Industrial zone may continue to exist subject to the county's non-conforming use regulations.

Policy 9.3.9. A lawfully established use that existed on or before February 2, 2003 may be expanded to occupy a maximum of 10,000 square feet of floor area or an additional 25 percent of the floor area currently occupied by the existing use, whichever is greater.

Policy 9.3.10. Ensure new uses on Rural Industrial lands are served by on-site sewage disposal systems approved by the Department of Environmental Quality (DEQ).

Policy 9.3.11. Residential and industrial uses shall be served by on-site wells or public water systems.

Policy 9.3.12. Community sewer systems shall not be allowed in Rural Industrial zones.

Policy 9.3.13. A 2009 exception (Ordinance 2009-007) included an irrevocably committed exception to Goal 3 and a reasons exception to Goal 14 to allow rural industrial use with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.

Policy 9.3.14. A 2010 exception (Ordinance 2010-030) took a reasons exception to Goal 14 with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.

Policy 9.3.15. Properties for which a property owner has demonstrated that Goals 3 and 4 do not apply may be considered for Rural Industrial designation as allowed by State Statute, Oregon Administrative rules and this Comprehensive Plan. Rural Industrial zoning shall be applied to a new property that is approved for the Rural Industrial Plan designation.

Rural Service Center Policies

Goal 9.4: Support the creation and continuation of rural service centers that support rural communities while not adversely affecting nearby agricultural and forest uses.

Policy 9.4.1. Rural Service Centers in Alfalfa, Brothers, Hampton, Wilstlestop, and Wildhunt are identified on the Comprehensive Plan Map and shall have zoning consistent with Comprehensive Plan designations.

Policy 9.4.2. In Alfalfa, the remaining 20 acres of the Rural Service Center will continue to be zoned Rural Service Center – Residential District, with a 5-acre minimum lot size. A zone change to mixed use commercial can be considered only for a specific use and upon findings that the existing commercial area is fully developed.

Policy 9.4.3. Ensure that land uses at Rural Service Centers do not adversely affect agricultural and forest uses in the surrounding areas.

Policy 9.4.4. Zoning in rural service areas shall promote the maintenance of the area's rural character. New commercial uses shall be limited to small-scale, low impact uses that are intended to serve the community and surrounding rural area or the travel needs of people passing through the area. The commercial/mixed use zoning regulations shall allow a mixed use of residential or small-scale commercial uses such as health and retail services.

Policy 9.4.5. Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems.

Policy 9.4.6. Residential and commercial uses shall be served by onsite wells or public water systems.

Policy 9.4.7. Community water systems, motels, hotels and industrial uses shall not be allowed.

Policy 9.4.8. Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.

10

Housing





Opportunities, Challenges, and Considerations

Deschutes County faces a variety of housing demands, issues, and challenges. The County continues to be a desirable and attractive place to live, with access to jobs, recreation, beautiful natural landscapes, and a variety of other amenities. The County’s population is projected to continue to grow in the coming decades. At the same time, there are several challenges to the development of housing in the County. Some of the key issues the County faces today include increased demand for rural housing; housing affordability; state planning requirements related to Urban Growth Boundaries, farm and forest land, destination resorts, and others; water availability; and issues related to homelessness.

Context

PROJECTED POPULATION GROWTH IN UNINCORPORATED DESCHUTES COUNTY

Deschutes County is one of the fastest growing counties in Oregon, and that trend is expected to continue. Significant growth is expected to occur in Deschutes County in the coming years (over 90,000 new residents in the next 25 years). However, the majority of this growth is forecasted to happen in urban areas with a more modest amount occurring in unincorporated parts of the County (about 5,000 additional people during the same period). *(Source: Portland State University Population Research Center)*



Historical and Forecasted Population and Average Annual Growth Rate in Deschutes County and its Sub-Areas



INCREASED DEMAND FOR RURAL HOUSING

Between 2010 and 2022, Deschutes County processed seven applications to rezone approximately 1,200 acres of property from a non-residential zone to a residential zone, with several more applications recently submitted and under review. Most of these applicants requested rezonings of farmland due to poor soil quality for farming. This trend is likely to continue.

HOUSING AFFORDABILITY

The median value of owner-occupied housing units in Deschutes County (including cities), is significantly higher than that of the State of Oregon (\$435,600 compared to \$362,200 according to 2017-2021 Census figures), and consistently increasing. In July 2023, Becon Appraisal Group reported an all-time high median home value for Bend area homes, in the amount of \$785,000. The same report estimated a median home price as \$694,000 for Sisters area homes, \$473,000 for Redmond area homes, and \$401,000 for La Pine

area homes. Given that median income is generally on par with the state as a whole, high housing prices are likely an indicator of an inadequate supply of housing affordable to many residents of the Deschutes County, particularly those with low to moderate incomes.

STATE PLANNING REQUIREMENTS

Although Deschutes County has numerous prospects to expand residential development, some of these opportunities face challenges with respect to state rules and regulations. The Oregon land use system is designed to concentrate most growth within Urban Growth Boundaries. A variety of statewide planning goals, laws, and administrative rules designed to protect farm and forest land, regulate destination resorts, and ensure cost-effective provision of infrastructure limit where and how housing can be built outside of urban areas.

Vacant Lots in Resort Areas

Resort Area	Number of Vacant Lots
Destination Resorts	
Caldera Springs	101
Eagle Crest	139
Pronghorn	285
Tetherow	200
Resort Communities	
Black Butte	27
In of the 7th Mountain/Widgi Creek	12
Urban Unincorporated Area	
Sunriver	118
Total Vacancies, Resort Areas	887

Vacant Lots in Rural Residential Areas

Rural Residential Areas	Number of Vacant Lots
Rural Residential Zones	
Rural Residential	2,139
Multiple use Agriculture	518
Suburban Low Density Rural Residential	32
Urban Area Reserve	292
Rural Communities	
Tumalo (TUR/TUR5)	32
Terrebonne (TER/TER5)	134
Total Vacancies, Rural Residential Areas	3,447

Future Opportunities for Rural Residential Lots

Rural Residential Areas	Count
Thornburgh Destination Resort	950
Caldera Springs Destination Resort Phase 2	340
West Side Transect	187
Tumalo Irrigation District Rezoned Parcel	72
Gopher Gulch (North of Bend)	10
Total Vacancies, Rural Residential Areas	1,559

WATER AVAILABILITY AND CONSUMPTION

A growing demand for water for residential, business, recreation, and agricultural uses; changes in water table depth; allocation of water rights; and potential future changes in water supply related to climate change all may impact the availability of water to support new housing. Water resources are discussed in Chapter 5 in more detail.

HOMELESSNESS

The incidence and impacts of homelessness have been rising in Deschutes County, as well as across the state and nation in recent years. A variety of factors have contributed to this trend, including rising housing costs, increasing income disparities, and limited transitional housing and supportive resources. As a result, impacts on both urban areas and natural resources have increased, with elevated levels of community concern and support for more action by the County and its partners to address these issues.

BALANCING DEVELOPMENT OPPORTUNITIES WITH VISITOR ACCOMMODATIONS

Although population growth in unincorporated Deschutes County is forecasted to be relatively limited, rural parts of the County, including several destination resorts, include significant capacity for new residential development. Community members have expressed concern regarding the use of these homes as primary residences, second homes, or vacation rentals.

RECENT CHANGES IN COUNTY HOUSING RULES

The County has recently adopted and/or is currently considering new rules related to development and regulation of different types of housing. These include:

- Changes to where accessory dwelling units are allowed.
- Repeal of the County’s “Conventional Housing Combining Zone” which prohibited manufactured homes in three large unincorporated areas east and west of Tumalo and east of Bend.

What type of housing is allowed in unincorporated Deschutes County?

Residential development in Deschutes County is less dense than the Cities of Bend, La Pine, Redmond and Sisters due to state land use rules. Single family homes are most common type of housing throughout the county in all zones. Recreational vehicles are allowed to be placed on property for temporary living situations or as medical hardship dwellings for family members but are not intended to be permanent living situations. Accessory Dwelling Units or ADUs, also known as “granny flats” or “carriage houses” are smaller secondary residences on a property. In 2021, the Oregon legislature passed Senate Bill 391 which allows for rural ADUs with certain parameters, and Deschutes County is currently in the process of implementing this legislation.

Key Community Considerations

Given the range of issues and conditions discussed related to this important topic, the Comprehensive Plan includes a variety of policies to guide future development of housing and address impacts to residents in rural areas. Additional related policies are found in Chapter 2 (Land Use) and Chapter 13 (Transportation). These strategies are underpinned by community sentiment, as described below.

- Some community members expressed support for allowing or encouraging growth in rural areas, particularly to alleviate housing pressure and provide larger-lot options. However, engagement showed greater opposition to residential development outside of Urban Growth Boundaries.
- Overall support for allowing a wider range of types of housing (e.g., accessory dwelling units, manufactured homes, recreational vehicles, etc.), but concerns about the quality of this housing and additional rural residential development in general.
- Concern about homelessness and its impacts, coupled with strong support for a proactive approach by the County to work with partner agencies and groups to address this issue.
- Relatively strong opposition for rezoning low productivity farmland with poor soil to allow greater opportunities for housing, due to negative impact on open space, habitat, transportation, and active farm practices.



Goals and Policies

Goal 10.1: Support housing opportunities and choices for rural County residents in unincorporated Deschutes County, while meeting health and safety concerns, minimizing environmental and resource land impacts.

Policy 10.1.1. Incorporate annual farm and forest housing reports into a wider system for tracking the cumulative impacts of rural housing development.

Policy 10.1.2. Continue to update the County zoning ordinance and work with partnering organizations to address health and safety issues associated with housing.

Policy 10.1.3. Encourage and/or require, where consistent with County policies and requirements, new subdivisions to incorporate alternative development patterns, such as cluster development, that mitigate community and environmental impacts.

Policy 10.1.4. Implement legislation allowing accessory dwelling units in rural areas to expand housing choices.

Policy 10.1.5. Create and encourage opportunities for flexibility in rural housing including development of manufactured home parks, safe parking sites, and RV parking areas.

Policy 10.1.6. Reduce barriers to housing development and supporting services (such as locally serving medical offices or similar uses) in unincorporated communities.

Policy 10.1.7. Explore grants and funding opportunities for ongoing maintenance and rehabilitation of existing housing stock.

Policy 10.1.8. Evaluate the impacts of short-term rentals and consider regulations to mitigate impacts, as appropriate.

Goal 10.2: Support agencies and non-profits that provide affordable housing.

Policy 10.2.1. Support Central Oregon Regional Housing Authority and other stakeholders to meet the housing needs of all Deschutes County residents by assisting, as needed, in coordinating and implementing housing assistance programs.

Policy 10.2.2. Utilize block grants and other funding to assist in providing and maintaining low- and moderate-income housing in partnership with Housing Works and other housing agencies and providers in Deschutes County.

Goal 10.3: Regulate the location and density of housing in the area located between the Bend UGB and Shevlin Park through Westside Transect policies

Policy 10.3.1. Protect the sensitive eco-systems and interrelationships of the urban/rural interface on the west side of Bend between the urban area and Shevlin Park and the public and forestlands to the west.

Policy 10.3.2. Protect natural resources and environmentally sensitive areas and provide special setbacks between development and Shevlin Park, Tumalo Creek, and forestlands.

Policy 10.3.3. Development patterns shall reflect the protection of land with environmental significance and fire-wise and other fire prevention community design best practices.

Policy 10.3.4. Limit residential development to 200 single-family residential lots.

Policy 10.3.5. Manage all areas outside of the structural building envelopes on residential lots for wildfire mitigation and wildlife habitat in accordance with coordinated plans prepared by professionals, reviewed annually with reports submitted to the County every three years. The wildfire mitigation and wildlife habitat

plans shall be funded through homeowner assessments and administered and enforced by a homeowners association established at the time of creation of any residential lots.

Policy 10.3.6. Reduce the impact of construction by using best management practices to minimize site disturbance during construction and construction impacts (i.e., erosion) on Shevlin Park, Tumalo Creek, and forestlands.

Policy 10.3.7. Coordinate with the City of Bend for mitigation of impacts to City infrastructure from development within the Transect.

Goal 10.4: Participate in regional efforts to plan for housing.

Policy 10.4.1. Collaborate with cities and private sector partners on innovative housing developments to meet the region’s housing needs.

Policy 10.4.2. Partner with cities to incentivize development within urban growth boundaries and reduce infrastructure costs for workforce and affordable housing.

Policy 10.4.3. Partner with local, state, and federal agencies to address and limit nuisance and public health issues related to homelessness.

Policy 10.4.4. Utilize County owned land in city limits for affordable and workforce housing, where appropriate.

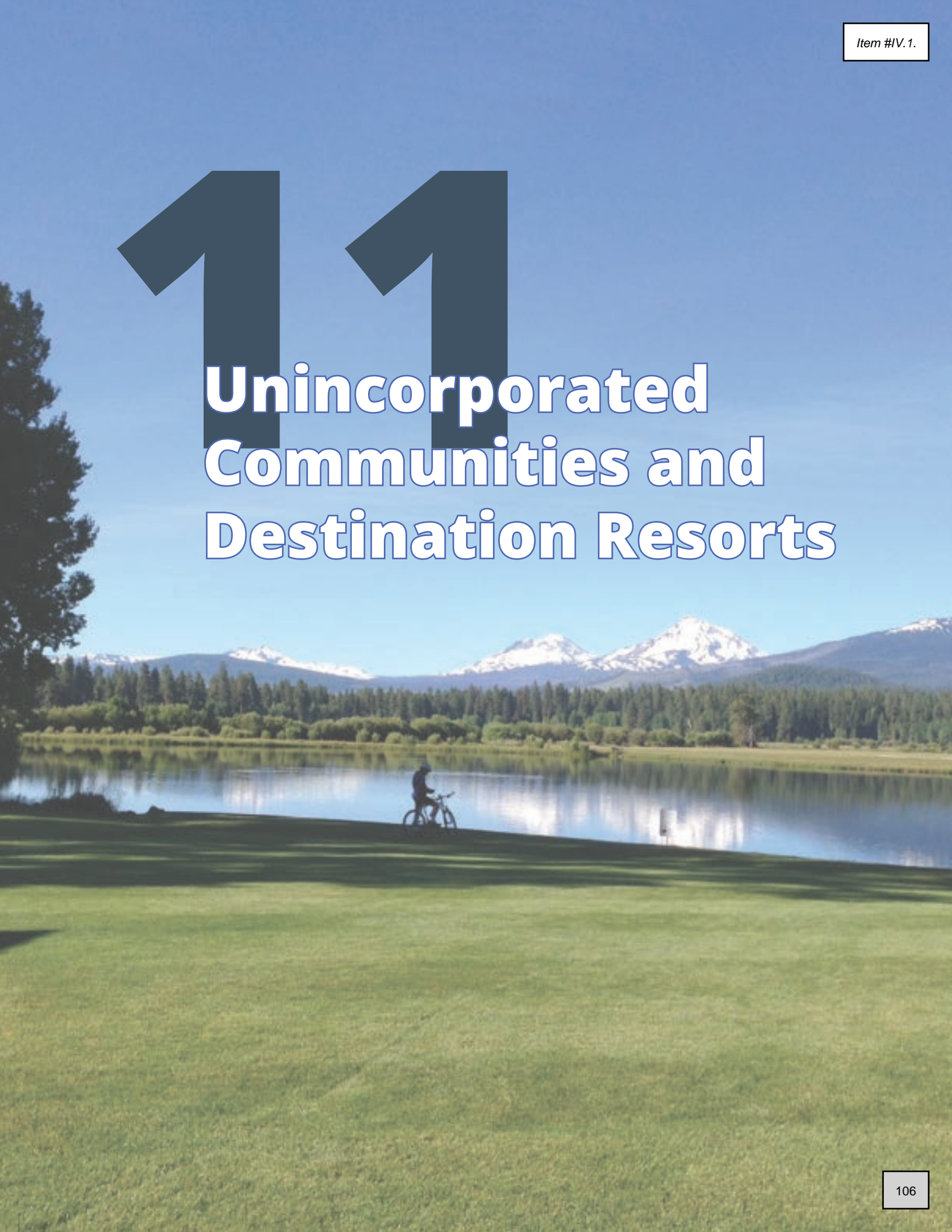
Policy 10.4.5. Promote regional housing planning, including urban reserve planning for cities, to allow for longer term and multi-jurisdictional housing strategies.

Policy 10.4.6. Limit parcelization and development adjacent to cities or in conflict with planned and/or known road/utility corridors to preserve land for future urban development.



11

Unincorporated Communities and Destination Resorts



Opportunities, Challenges, and Considerations

Deschutes County is home to numerous unincorporated communities, which contain urban levels of development outside of city limits. Many of these communities provide services and amenities to rural residents. As the county continues to grow, many residents are concerned about increasingly dense development in these unincorporated areas which may feel out of scale with the surrounding rural uses. However, many residents also see the need for more opportunities for small-scale rural services and retail opportunities to serve existing and future community members. Deschutes County will need to continue to refine the vision and guidelines for development in these areas while balancing infrastructure needs, protection of natural resources and rural land uses, and community desires.

In addition to these unincorporated communities, Destination Resorts are another form of development outside of urban areas. In recent years, community members have expressed concern about the creation of new resorts for a variety of reasons. While Destination Resorts are an opportunity for economic development and housing in the rural County, many residents have expressed opposition to additional development of this type.

Context

Unincorporated Communities

Deschutes County's unincorporated communities generally pre-date Oregon's statewide land use system and have more urban-scale uses in outlying rural areas, within a defined geographic boundary.

In 1994, Oregon Administrative Rules (OARs) were amended to define unincorporated communities and the types of uses that could be allowed in these areas. The OARs established four types of unincorporated communities, all of which were required to be in existence at the time of the change - the Rule did not allow for new rural communities to be established. These community types are described below.

URBAN UNINCORPORATED COMMUNITY

This is a community which contains at least 150 permanent dwelling units, a mixture of land uses, and contains a community water and sewer system. Sunriver is an Urban Unincorporated community. One parcel just outside of the City of La Pine was mistakenly left outside of the City's urban growth boundary, and is technically under this classification as well.

RURAL COMMUNITY

This is a community which consists of permanent residential dwellings and at least two other types of land uses – such as commercial, industrial, or public uses provided to the community or travelers. Terrebonne and Tumalo are Rural Communities.

RESORT COMMUNITY

This type of community was established for a recreation-related use on private land prior to 1989 when the state adopted its Destination Resort rules. Black Butte Ranch and Inn of the 7th Mountain/Widgi Creek are Resort Communities. It's important to note that there are several other resort style developments in the County on private lands called "Destination Resorts." See the next section for more information.

RURAL SERVICE CENTER

This is an unincorporated community that has primarily commercial or industrial uses that provide goods and services to the surrounding rural area and travelers. These are the most common type of unincorporated community in Deschutes County and include Alfalfa, Brothers, Hampton, Millican, Whistlestop, and Wildhunt.

Destination Resorts

Since 1979 destination resorts have increased in importance to the economy of Deschutes County. In 1989, recognizing the importance of tourism to the economy of the State of Oregon, the state legislature and the Land Conservation and Development Commission (LCDC) took steps to make it easier to establish destination resorts on rural lands in the state. Statewide Planning Goal 8, the recreation goal, was amended to specify a process for locating destination resorts on rural land without taking an exception to Goals 3, 4, 11 and 14, which govern development in rural resource lands. Under these changes, destination resorts may be sited in EFU zones where they weren't previously allowed. In 1990, LCDC amended the rule for siting destination resorts on forest lands as well.

Eagle Crest Resort, although it had existed prior to these changes, applied for legislative changes to comply with these new rules and expand onto adjacent lands.

In 2010, Deschutes County completed an amendment to its destination resort mapping process, adding "clear and objective" requirements for eligible and ineligible sites, and the process for amending the destination resort map based on changes in state law. Since that time, Pronghorn, Caldera Springs, and Tetherow resorts have gone through the siting process. Resorts existing prior to the legislative change, such as Black Butte, Sunriver, and the Inn of the Seventh Mountain have also expanded and been rezoned to Urban Unincorporated Community and Resort Community, respectively. Thornburgh Resort has received preliminary approvals, but has not yet broken ground.



Key Community Considerations

Unincorporated Communities are limited in their development potential due to their specific geographic footprint. Protecting open space and natural resources while providing economic opportunities in these unincorporated areas continues to be a balancing act.

As additional rural development occurs, so does the demand for services and goods that can be reached without having to drive to an incorporated city. Aging residents have expressed a desire for additional medical care and offices in rural areas to support aging in place. On the other hand, many residents would prefer limiting development in unincorporated communities in order to preserve the rural of the area.

Destination Resort development continues to be a contentious issue. Community members have expressed concern regarding the water use of large-scale development – specifically the effects to groundwater for neighboring property owners. Many community members have expressed a desire to further limit destination resorts, golf courses, and visitor accommodations in order to preserve water access and availability for year-round residents.



Goals and Policies

Resort Community Policies

General Resort Community Policies

Policy 11.1.1. Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.

Policy 11.1.2. Designated open space and common area, unless otherwise zoned for development, shall remain undeveloped except for community amenities such as bike and pedestrian paths, park and picnic areas. Areas developed as golf courses shall remain available for that purpose or for open space/recreation uses.

Policy 11.1.3. The provisions of the Landscape Management Overlay Zone shall apply in Resort Communities where the zone exists along Century Drive, Highway 26 and the Deschutes River.

Policy 11.1.4. Residential minimum lot sizes and densities shall be determined by the capacity of the water and sewer facilities to accommodate existing and future development and growth.

Policy 11.1.5. The resort facility and resort recreation uses permitted in the zoning for Black Butte Ranch and the Inn of the Seventh Mountain/Widgi Creek shall serve the resort community.

Black Butte Ranch General Policies

Policy 11.2.1. County comprehensive plan policies and land use regulations shall ensure that new uses authorized within the Black Butte Ranch Resort Community do not adversely affect forest uses in the surrounding Forest Use Zones.

Policy 11.2.2. The County supports the design review standards administered by the Architectural Review Committee.

Policy 11.2.3. Residential, resort and utility uses shall continue to be developed in accordance with the Master Design for Black Butte Ranch and the respective Section Declarations.

Policy 11.2.4. Industrial activities, including surface mining, shall only occur in the area zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU) located in the northwest corner of Black Butte Ranch.

Policy 11.2.5. Employee housing shall be located in the area zoned Black Butte Ranch-Utility/Limited Use Combining District (Black Butte Ranch-U/LU).

Policy 11.2.6. Any amendment to the allowable use(s) in either the Resort Community District or the Limited Use Combining District shall require an exception in accordance with applicable statewide planning goal(s), OAR 660-04-018/022 and DCC 18.112 or any successor.

Policy 11.2.7. The westerly 38-acres zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU) shall be used for the mining and storage of aggregate resources. Uses that do not prevent the future mining of these resources, such as disposal of reclaimed effluent and woody debris disposal from thinning and other forest practices may be allowed concurrently. Other resort maintenance, operational and utility uses, such as a solid waste transfer station, maintenance facility or equipment storage may be allowed only after mining and reclamation have occurred.

Policy 11.2.8. The 18.5 acres zoned Black Butte Ranch-Utility/Limited Use Combining District (Black Butte Ranch-U/LU) may be used for the disposal of reclaimed sludge.

Policy 11.2.9. The area west of McCallister Road and east of the area zoned Black Butte Ranch may be used for large equipment storage, general storage, maintenance uses, RV storage, telephone communications, administration offices, housekeeping facilities and employee housing.

Policy 11.2.10. Employee housing shall be set back at least 250 feet from the eastern boundary of the area zoned Black Butte Ranch Surface Mining, Limited Use Combining District (Black Butte Ranch SM/LU).

Policy 11.2.11. Surface mining within the Black Butte Ranch community boundary shall adhere to the following Goal 5 ESEE "Program to Meet Goal" requirements:

- a. Only the western most 38 acres of the site shall continue to be mined.
- b. Setbacks shall be required for potential conflicting residential and other development. A minimum 50-foot setback shall be maintained from the perimeter of tax lot 202 for all surface mining activity.
- c. Noise impact shall be mitigated by buffering and screening.
- d. Hours of operation shall be limited to between 7:00 a.m. and 6:00 p.m. weekdays. No operations shall be allowed on weekends and holidays.
- e. Processing shall be limited to 45 days in any one year, to be negotiated with Deschutes County in the site plan process in consultation with the Oregon Department of Fish and Wildlife (ODFW).
- f. The conditions set forth in the August 10, 1989, letter of ODFW shall be adhered to.
- g. Extraction at the site shall be limited to five acres at a time with on-going incremental reclamation (subject to DOGAMI review and approval).

- h. Mining operations, siting of equipment, and trucking of product shall be conducted in such a manner that applicable DEQ standards are met and minimizes noise and dust.
- i. DOGAMI requirements for a permit once mining affects more than five acres outside the 8.6-acre exemption area shall be met.
- j. A conditional use permit shall be obtained from Deschutes County, under the provisions of section 18.128.280. Surface mining of resources exclusively for on-site personal, farm or forest use or maintenance of irrigation canals, before mining activity affects more than five acres outside the 8.6-acre exempt area.

Black Butte Ranch Public Facility Policies

Policy 11.3.1. Police protection services shall be provided by the Black Butte Ranch Police Services District.

Policy 11.3.2. The Black Butte Ranch Water Distribution Company and the Black Butte Ranch Corporation shall confirm the water and sewer service, respectively, can be provided for new uses or expansion of existing uses that require land use approval.

Policy 11.3.3. The Black Butte Ranch Water Distribution Company shall provide water service for the Black Butte Ranch Resort Community.

Policy 11.3.4. The Black Butte Ranch Corporation shall provide sewer service for Black Butte Ranch.

Policy 11.3.5. The Black Butte Ranch Fire Protection District shall provide fire protection services for Black Butte Ranch.

Policy 11.3.6. The roads and the bicycle/pedestrian path system within the Black Butte Ranch Resort Community boundary shall be maintained by the Black Butte Ranch Owners Association.

Inn of the 7th Mountain Widgi Creek General Policies

Policy 11.4.1. Any amendment to the allowable uses in either the Resort Community District or the Widgi Creek Residential District shall require an exception in accordance with applicable statewide planning goal(s), OAR 660-04-018/022 or any successor, and DCC 18.112 or any successor.

Policy 11.4.2. The County shall encourage and support land exchanges efforts by and between private property owners, public agencies, and public trusts for the purpose of fostering public access to and protection of natural resources, such as rivers, streams, caves, areas/features of historical importance and other natural features.

Inn of the 7th Mountain/Widgi Creek Public Facility Policies

Policy 11.5.1. Police protection services shall be provided under contract with the Deschutes County Sheriff.

Policy 11.5.2. Water service shall be supplied by on-site wells for the Inn/Widgi Resort Community.

Policy 11.5.3. New uses or expansion of existing uses that require land use approval shall be approved only upon confirmation from the City of Bend that sewer service can be provided.

Policy 11.5.4. Fire protection services for the Inn/Widgi shall be provided through a contract with the City of Bend until such time as Inn/Widgi develops another plan to provide adequate fire protection.

Policy 11.5.5. The Resort Community, not Deschutes County, shall maintain roads in the community.

Policy 11.5.6. The bicycle/pedestrian path system shall be maintained by the Inn/Widgi Owners Association.

Policy 11.5.7. Emergency access between Widgi Creek and the Inn of the Seventh Mountain shall be provided in accordance with the approved development plan for the Elkai Woods town homes. The respective resort property owners shall maintain emergency access between the Inn and Widgi Creek

Policy 11.7.3. Ensure that destination resort developments support and implement strategies to provide workers with affordable housing options within or in close proximity to the resorts.

Policy 11.7.4. Mapping for destination resort siting.

Destination Resorts Policies

Goal 11.6: Provide for development of destination resorts in the County in a manner that will be compatible with farm and forest uses, existing rural development, and in a manner that will maintain important natural features including habitat of threatened or endangered species, streams, rivers, and significant wetlands.

Policy 11.6.1. Provide a process for the siting of destination resorts facilities that enhance and diversify the recreational opportunities and economy of Deschutes County, on lands that have been mapped by Deschutes County as eligible for this purpose.

Goal 11.7: Provide for development of destination resorts consistent with Statewide Planning Goal 12 in a manner that will ensure the resorts are supported by adequate transportation facilities.

Policy 11.7.1. Destination resorts shall only be allowed within areas shown on the “Deschutes County Destination Resort Map” and when the resort complies with the requirements of Goal 8, ORS 197.435 to 197.467, and Deschutes County Code 18.113.

Policy 11.7.2. Create and implement additional limitations on the siting and development of destination resorts that go beyond current state regulations to ensure protection of water quality, recreational resources, and other County resources and values.

a. To assure that resort development does not conflict with the objectives of other Statewide Planning Goals, destination resorts shall pursuant to Goal 8 not be sited in Deschutes County in the following areas:

- 1) Within 24 air miles of an urban growth boundary with an existing population of 100,000 or more unless residential uses are limited to those necessary for the staff and management of the resort;
- 2) On a site with 50 or more contiguous acres of unique or prime farm land identified and mapped by the Soil Conservation Service or within three miles of farm land within a High-Value Crop Area;
- 3) On predominantly Cubic Foot Site Class 1 or 2 forest lands which are not subject to an approved Goal exception;
- 4) On areas protected as Goal 5 resources in an acknowledged comprehensive plan where all conflicting uses have been prohibited to protect the Goal 5 resource;
- 5) Especially sensitive big game habitat, and as listed below, as generally mapped by the Oregon Department of Fish and Wildlife in July 1984 and as further refined through development of comprehensive plan provisions implementing this requirement.
 - i. Tumalo deer winter range;
 - ii. Portion of the Metolius deer winter range;

- iii. Antelope winter range east of Bend near Horse Ridge and Millican;
 - 6) Sites less than 160 acres.
- b. To assure that resort development does not conflict with Oregon Revised Statute, destination resorts shall not be sited in Deschutes County in Areas of Critical State Concern.
- c. To assure that resort development does not conflict with the objectives of Deschutes County, destination resorts shall also not be located in the following areas:
 - 1) Sites listed below that are inventoried Goal 5 resources, shown on the Wildlife Combining Zone, that the County has chosen to protect:
 - i. Antelope Range near Horse Ridge and Millican;
 - ii. Elk Habitat Area; and
 - iii. Deer Winter Range;
 - 2) Wildlife Priority Area, identified on the 1999 ODFW map submitted to the South County Regional Problem Solving Group;
 - 3) Lands zoned Open Space and Conservation (OS&C);
 - 4) Lands zoned Forest Use 1 (F-1);
 - 5) Irrigated lands zoned Exclusive Farm Use (EFU) having 40 or greater contiguous acres in irrigation;
 - 6) 6. Non-contiguous EFU acres in the same ownership having 60 or greater irrigated acres;
 - 7) Farm or forest land within one mile outside of urban growth boundaries;
 - 8) Lands designated Urban Reserve Area under ORS 195.145;
 - 9) Platted subdivisions;
- d. For those lands not located in any of the areas designated in Policy 3.9.5(a) though (c), destination resorts may, pursuant to Goal 8, Oregon Revised Statute and Deschutes County zoning code, be sited in the following areas:
 - 1) Forest Use 2 (F-2), Multiple Use Agriculture (MUA-10), and Rural Residential (RR-10) zones;
 - 2) Unirrigated Exclusive Farm Use (EFU) land;
 - 3) Irrigated lands zoned EFU having less than 40 contiguous acres in irrigation;
 - 4) Non-contiguous irrigated EFU acres in the same ownership having less than 60 irrigated acres;
 - 5) All property within a subdivision for which cluster development approval was obtained prior to 1990, for which the original cluster development approval designated at least 50 percent of the development as open space and which was within the destination resort zone prior to the effective date of Ordinance 2010-024 shall remain on the eligibility map;
 - 6) Minimum site of 160 contiguous acres or greater under one or multiple ownerships;
- e. The County shall adopt a map showing where destination resorts can be located in the County. Such map shall become part of the Comprehensive Plan and Zoning Ordinance and shall be an overlay zone designated Destination Resort (DR).

Policy 11.7.5. Ordinance Provisions

- a. The County shall ensure that destination resorts are compatible with the site and adjacent land uses through enactment of land use regulations that, at a minimum, provide for the following:

- 1) Maintenance of important natural features, including habitat of threatened or endangered species, streams, rivers, and significant wetlands; maintenance of riparian vegetation within 100 feet of streams, rivers and significant wetlands; and
 - 2) Location and design of improvements and activities in a manner that will avoid or minimize adverse effects of the resort on uses on surrounding lands, particularly effects on intensive farming operations in the area and on the rural transportation system. In order to adequately assess the effect on the transportation system, notice and the opportunity for comment shall be provided to the relevant road authority.
 - 3) Such regulations may allow for alterations to important natural features, including placement of structures, provided that the overall values of the feature are maintained.
- b. Minimum measures to assure that design and placement of improvements and activities will avoid or minimize the adverse effects noted in Policy 3.9.4(a) shall include:
- 1) The establishment and maintenance of buffers between the resort and adjacent land uses, including natural vegetation and where appropriate, fenced, berms, landscaped areas, and other similar types of buffers.
 - 2) Setbacks of structures and other improvements from adjacent land uses.
- c. The County may adopt additional land use restrictions to ensure that proposed destination resorts are compatible with the environmental capabilities of the site and surrounding land uses.
- d. Uses in destination resorts shall be limited to visitor- oriented accommodations, overnight lodgings, developed recreational facilities, commercial uses limited to types and levels necessary to meet the needs of visitors to the resort, and uses consistent with preservation and maintenance of open space.
 - e. The zoning ordinance shall include measures that assure that developed recreational facilities, visitor-oriented accommodations and key facilities intended to serve the entire development are physically provided or are guaranteed through surety bonding or substantially equivalent financial assurances prior to closure of sale of individual lots or units. In phased developments, developed recreational facilities and other key facilitated intended to serve a particular phase shall be constructed prior to sales in that phase or guaranteed through surety bonding.

SUNRIVER POLICIES

General Sunriver Policies

Policy 11.8.1. Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.

Policy 11.8.2. County comprehensive plan policies and land use regulations shall ensure that new uses authorized within the Sunriver Urban Unincorporated Community do not adversely affect forest uses in the surrounding Forest Use Zones.

Policy 11.8.3. To protect scenic views and riparian habitat within the community, appropriate setbacks shall be required for all structures built on properties with frontage along the Deschutes River.

Policy 11.8.4. Open space and common area, unless otherwise zoned for development, shall remain undeveloped except for community amenities such as bike and pedestrian paths, and parks and picnic areas.

Policy 11.8.5. Public access to the Deschutes River shall be preserved.

Policy 11.8.6. The County supports the design review standards administered by the Sunriver Owners Association.

Sunriver Residential District Policies

Policy 11.9.1. Areas designated residential on the comprehensive plan map shall be developed with single family or multiple family residential housing.

Sunriver Commercial District Policies

Policy 11.10.1. Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.

Policy 11.10.2. No additional land shall be designated Commercial until the next periodic review.

Policy 11.10.3. Multiple-family residences and residential units in commercial buildings shall be permitted in the commercial area for the purpose of providing housing which is adjacent to places of employment. Single-family residences shall not be permitted in commercial areas.

Policy 11.10.4. Approval standards for conditional uses in the commercial district shall take into consideration the impact of the proposed use on the nearby residential and commercial uses and the capacity of the transportation system and public facilities and services to serve the proposed use.

Sunriver Town Center District Policies

Policy 11.11.1. Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area or the travel needs of people passing through the area.

Policy 11.11.2. Development standards in the town center district should encourage new development that is compatible with a town center style of development that serves as the commercial core of the Sunriver Urban Unincorporated Community. The following policies should guide development in the Town Center District in Sunriver:

- a. Combine a mixture of land uses that may include retail, offices, commercial services, residential housing and civic uses to create economic and social vitality and encourage pedestrian use through mixed use and stand alone residential buildings.
- b. Develop a commercial mixed-use area that is safe, comfortable and attractive to pedestrians.
- c. Encourage efficient land use by facilitating compact, high-density development that minimizes the amount of land that is needed for development.
- d. Provide both formal and informal community gathering places.
- e. Provide visitor accommodations and tourism amenities appropriate to Sunriver.
- f. Provide design flexibility to anticipate changes in the marketplace.
- g. Provide access and public places that encourage pedestrian and bicycle travel.
- h. Provide road and pedestrian connections to residential areas.

- i. Facilitate development (land use mix, density and design) that supports public transit where applicable.
- j. Develop a distinct character and quality design appropriate to Sunriver that will identify the Town Center as the centerpiece/ focal point of the community.

Policy 11.11.3. Development within the Town Center (TC) District will be substantially more dense than development elsewhere in Sunriver. This increased density will require changes to existing topography and vegetation in the TC District to allow for screened, underground parking. The requirements of the County's site plan ordinance shall be interpreted to reflect this fact.

Sunriver Resort District Policies

Policy 11.12.1. Areas designated resort on the comprehensive plan map shall be designated resort, resort marina, resort golf course, resort equestrian or resort nature center district on the zoning map to reflect a development pattern which is consistent with resort uses and activities.

Sunriver Business Park District Policies

Policy 11.13.1. A variety of commercial uses which support the needs of the community and surrounding rural area, and not uses solely intended to attract resort visitors, should be encouraged.

Policy 11.13.2. Allow small-scale, low-impact commercial uses in conformance with the requirements of OAR Chapter 660, Division 22. Larger more intense commercial uses shall be permitted if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.

Policy 11.13.3. Small-scale, low-impact industrial uses should be allowed in conformance with the requirements of OAR Chapter 660, Division 22.

Sunriver Community District Policies

Policy 11.14.1. Areas designated community on the comprehensive plan map shall be designated community general, community recreation, community limited or community neighborhood district on the zoning map to reflect a development pattern which is consistent community uses and activities.

Policy 11.14.2.Policy 11.9.2. Lands designated community shall be developed with uses which support all facets of community needs, be they those of year-round residents or part-time residents and tourists.

Policy 11.14.3.Policy 11.9.3. Development shall take into consideration the unique physical features of the community and be sensitive to the residential development within which the community areas are interspersed.



Sunriver Airport District Policies

Policy 11.15.1. Future development shall not result in structures or uses which, due to extreme height or attraction of birds, would pose a hazard to the operation of aircraft.

Policy 11.15.2. Future development should not allow uses which would result in large concentrations or gatherings of people in a single location.

Sunriver Utility District Policies

Policy 11.15.3. Lands designated utility shall allow for development of administrative offices, substations, storage/repair yards, distribution lines and similar amenities for services such as water, sewer, telephone, cable television and wireless telecommunications.

Sunriver Forest District Policies

Policy 11.16.1. Uses and development on property designated forest that are within the Sunriver Urban Unincorporated Community boundary shall be consistent with uses and development of other lands outside of the community boundary which are also designated forest on the Deschutes County comprehensive plan map.

Policy 11.16.2. Forest district property shall be used primarily for effluent storage ponds, spray irrigation of effluent, biosolids application and ancillary facilities necessary to meet Oregon Department of Environmental Quality sewage disposal regulations.

Policy 11.16.3. The development of resort, residential or non-forest commercial activities on Forest district lands shall be prohibited unless an exception to Goal 14 is taken.

Sunriver General Public Facility Policies

Policy 11.17.1. Residential minimum lot sizes and densities shall be determined by the capacity of the water and sewer facilities to accommodate existing and future development and growth.

Policy 11.17.2. New uses or expansion of existing uses within the Sunriver Urban Unincorporated Community which require land use approval shall be approved only upon confirmation from the Sunriver Utility Company that water and sewer service for such uses can be provided.

Policy 11.17.3. Expansion of the Sunriver Water LLC/Environmental/LLC Water and Sewer District outside of the historic Sunriver boundaries shall adequately address the impacts to services provided to existing property owners.

Sunriver Water Facility Policies

Policy 11.18.1. Water service shall continue to be provided by the Sunriver Utilities Company.

Sunriver Sewer Facility Policies

Policy 11.19.1. Sewer service shall continue to be provided by the Sunriver Utilities Company.

Sunriver Transportation System Maintenance Policies

Policy 11.20.1. Privately-maintained roads within the Sunriver Urban Unincorporated Community boundary shall continue to be maintained by the Sunriver Owners Association.

Policy 11.20.2. The bicycle/pedestrian path system in Sunriver shall continue to be maintained by the Sunriver Owners Association or as otherwise provided by a maintenance agreement.

Policy 11.20.3. The County will encourage the future expansion of bicycle/pedestrian paths within the Sunriver Urban Unincorporated Community boundary in an effort to provide an alternative to vehicular travel.

Policy 11.20.4. All public roads maintained by the County shall continue to be maintained by the County. Improvements to County maintained public roads shall occur as described the County Transportation System Plan.

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Public Facilities





Opportunities, Challenges, and Considerations

Public facilities and services provide the basic infrastructure for urban and rural development. These systems include water and sewer systems, police and fire protection, health and social services, schools, and libraries. The transportation system is also a public facility – the County has developed and maintains a Transportation System Plan that is included as Appendix B.

These public services are provided by a variety of entities, each with their own jurisdiction, funding sources, and regulatory requirements. Overall, the provision of facilities and services is more efficient and cost-effective in urban areas than in rural development, where ratepayers may be few and far between. In some areas of the County, particularly east County, available services are limited due to lower population density and distance from urban centers. Many of the people who choose to reside there consider the limited availability of services and facilities as an acceptable tradeoff for a rural lifestyle.

Statewide Planning Goal 11, Public Facilities and Services and the associated Oregon Administrative Rule 660-011 specify that facilities and services should be appropriate for, but limited to, the needs and requirements of rural areas to be served. Public facility plans are not required (with some exceptions); in fact, Goal 11 and the associated rule set limits to the provision of sewers and water systems in rural areas, in order to limit rural growth.

There are several important issues relating to the provision of public facilities and services that this Comprehensive Plan addresses, including:

- Meeting the needs of county residents while supporting the protection of resource lands;
- Maintaining health, safety, and security throughout the county; and
- Cooperation among the various providers of public services.

Context

Deschutes County plays a role in ensuring that public facilities and services are planned for, however the facilities and services are often not provided by county government directly. The discussion below highlights who provides the services listed and how the County will manage development impacts on existing facilities and services.

County Facilities and Services

LAW ENFORCEMENT

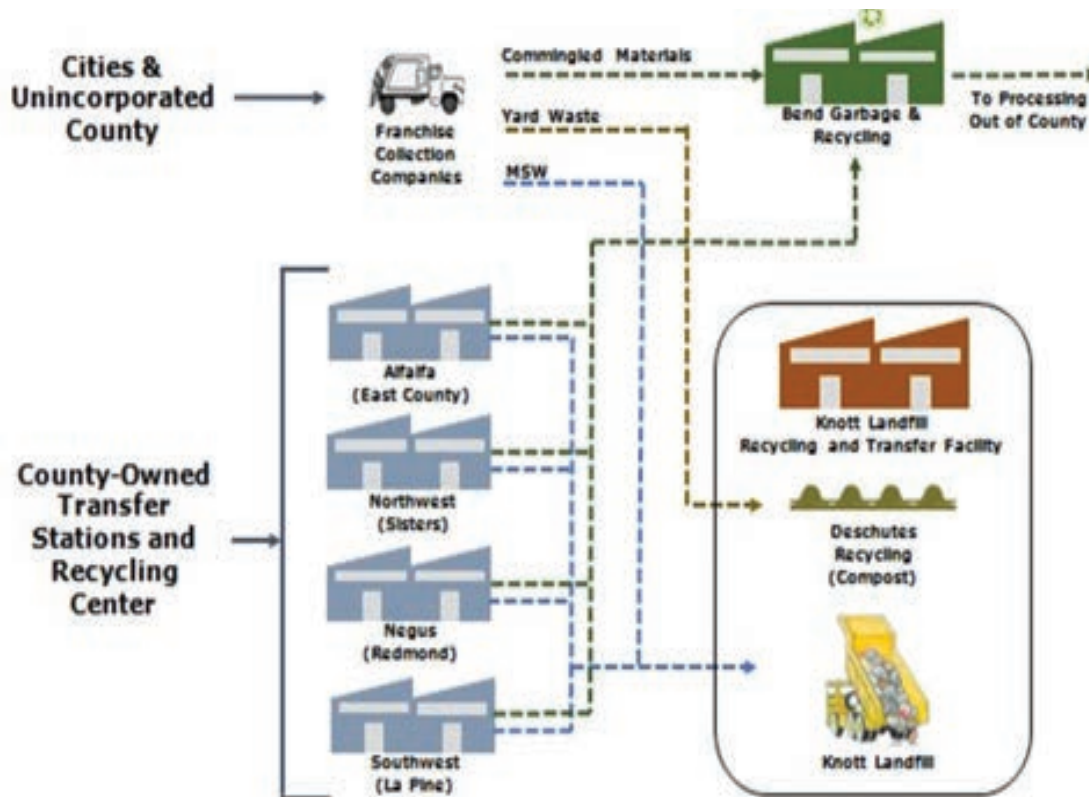
The Deschutes County Sheriff's Office is a full service organization providing patrol, traffic team, criminal investigations, corrections, civil and search and rescue. Special operations include a Marine Patrol, K-9 units, and Forest Patrol. The Sheriff is an elected public official who serves a four-year term. Housed within the Sheriff's office is the County's Emergency Management Unit, which coordinates the countywide response to natural hazards events.

SOLID WASTE

The County manages Knott Landfill Recycling and Transfer Station, which is the only landfill in Deschutes County. In addition to this, the department manages four additional transfer stations throughout the County which gather waste in convenient locations, before transferring to the Knott Landfill facility. Operations at the landfill include recycling, hazardous waste disposal, and composting. This landfill site is anticipated to remain open until 2029 at which time it is projected to reach maximum capacity.

The Deschutes County Solid Waste Department is currently undertaking a new landfill siting process, which is anticipated to be completed in 2024. In the future, the County will likely need to site addition facilities to support composting, recycling, and waste stream diversion facilities.

Deschutes County Solid Waste System, Source: Solid Waste Management Plan, 2019



COUNTY HEALTH DEPARTMENT

Deschutes County Health Services has a primary responsibility to help address the basic health and wellness of Deschutes County residents. The department offers services at more than 40 locations in Deschutes County including public schools; health clinics in Bend, La Pine, Redmond and Sisters; five school-based health clinics; agencies such as the KIDS Center and the State of Oregon Department of Human Services; area hospitals; care facilities and homes.

FAIRGROUNDS

The County maintains the County Fairgrounds and Expo Center. With panoramic views of the snow-capped Cascade range, the Deschutes County Fair and Expo Center is situated on the outskirts of Redmond just off of Hwy 97 and adjacent to the Redmond Municipal Airport. Due to its central location, the fairgrounds also serves as an emergency center. The fairgrounds hosts the annual County Fair and numerous other events throughout the year.

Other Agency Facilities and Services

Where other agencies provide facilities and services, the County coordinates with numerous other providers of facilities and services for the benefit of County residents. Where there are gaps in the coverage for specific areas, the County can work with providers to fill them. A selection of other agencies and entities are noted below.

CENTRAL OREGON INTERGOVERNMENTAL COUNCIL (COIC)

COIC began serving the residents and communities of Central Oregon in 1972 as a Council of Governments organized under ORS 190 by Crook, Deschutes and Jefferson Counties and Bend, Culver, Madras, Metolius, Prineville, Redmond and Sisters. COIC provides a wide variety of educational and economic development services such as workforce training, alternative high school education, business loans and public transportation. COIC continues to evolve to meet the needs of Central Oregon.

COIC is governed by a 15-member board made up of elected officials who are appointed by each of the member governments as well as appointed representatives of key economic sectors – business and industry, tourism and recreation, agribusiness and agriculture, timber and wood products, and the unemployed/underemployed.

SCHOOL DISTRICTS

There are three school districts in Deschutes County:

- Bend-La Pine (SD 1),
- Redmond (SD 2J) and
- Sisters (SD 6).

Additionally, the Brothers Community School is owned and operated by Crook County School District (SD 15). The High Desert Education Service District (ESD) partners with the districts to provide support services such as special education, school improvement, administrative and legal services.

FIRE DISTRICTS

The following fire districts support rural residents: Bend Fire Department, Black Butte Ranch Rural Fire Protection District, Cloverdale Rural Fire Protection District, Crooked River Ranch Rural Fire Protection District, Deschutes County Rural Fire Protection District #1 and #2, La Pine Rural Fire Protection District, Sisters-Camp Sherman Rural Fire Protection District, and Sunriver Service District. Public lands are protected by federal agencies. There are some areas in Deschutes County that are not covered by a fire district. (See Chapter 7 for more on fire protection.)

IRRIGATION DISTRICTS

Irrigation districts in Oregon are organized as Special Districts under ORS Chapter 545. Six irrigation districts operate in Deschutes County: Arnold, Central Oregon, North Unit, Swalley, Tumalo, Three Sisters Irrigation Districts. They are public corporations under Oregon Law, with prescribed rules for purpose, boards, elections, staffing, charges, etc. The districts are created for

the purpose of delivering water to their patrons. As such they are effectively non-profit water user associations. In addition to irrigation uses, these districts also supply a number of other services, including municipal, industrial, and pond maintenance, warranting coordination with municipalities.

LIBRARIES

Deschutes Public Library has branches in Bend, Redmond, Sisters, La Pine and Sunriver. They also operate a bookmobile program that focuses on children and parenting books and a program for supplying books to homebound residents.

HIGHER EDUCATION

Deschutes County is home to Oregon State University Cascades Campus (Bend) and Central Oregon Community College (Bend and Redmond). These campuses are expected to grow significantly in the future.

SOIL AND WATER CONSERVATION DISTRICT

Soil and Water Conservation Districts are authorized by the State of Oregon to provide for the conservation of its soil and water resources. Working in cooperation with stakeholders, the districts address issues such as control and prevention of soil erosion, conservation and development of water resources, water quality, and wildlife preservation. The Deschutes Soil and Water Conservation District is a legally defined subdivision of the state government, but, like all soil and conservation districts, functions as a local unity led by a locally elected board of directors who serve without pay.

PUBLIC WATER SYSTEMS

Public Water Systems are defined as those that have more than three connections, supply water at least 60 days/year and are used by at least 10 persons/day. All water systems are regulated under the federal 1974 Safe Drinking Water Act and 1981 Oregon Drinking Water Quality Act. Public Water Systems serving over 3,300 people are overseen by the Oregon Department of Human Services

Drinking Water Program. The County acts as a contractor for the Department of Human Services to monitor approximately 180 Public Water Systems. Some privately owned systems are, for various reasons, regulated by the Public Utility Commission, which sets rates and rules for public utilities.

Privately Owned Facilities and Services

UTILITIES

Electric

Electricity is provided by Pacific Power around Bend and Redmond. Central Electric Cooperative and Midstate Electric provide service in the rest of the County. Phone service is provided by Qwest and numerous cell phone providers. Cable is provided by Bend Cable and satellite providers. Internet access is provided by a variety of entities.

Hospitals

Cascade Healthcare Community manages two hospitals: St. Charles Bend and St. Charles Redmond. Additionally there are numerous health providers and clinics in the County.

Sewer Districts

Creating or expanding existing sewer systems outside an urban growth boundary or unincorporated community is governed by Statewide Goal 11 and OAR 660-011-0060. In order to protect rural areas from urban-style development, the rules regulate where and when rural sewers are appropriate. Some sewer districts, such as Oregon Water Wonderland Unit 2, have used the Statewide Goal 2 exception process to create or expand a sewer system.

INDIVIDUAL FACILITIES AND SERVICES

Private wells

Most rural properties are served by private wells that are approved and managed by the Oregon Water Resources Department. The County currently does not track the number of wells.

Individual septic systems

Most rural properties are served by septic systems that are approved by the Onsite Wastewater Division.

Key Community Considerations

The role that Deschutes County plays in the provision of public facilities and services was part of the community discussion during the update of this Comprehensive Plan. Highlights included:

- City governments currently own property outside of urban growth boundaries and within County jurisdiction. In some instances, these lands are used for water and wastewater treatment facilities. As the County continues to grow, additional facilities are likely to be needed, and coordination among jurisdictions regarding placement of these facilities will be key.
- Significant population growth will lead to an increase in solid waste, requiring at minimum the siting of a new landfill. Community members expressed a desire for consideration of livability among other factors when considering the placement of key public facilities.



Goals and Policies

Goal 12.1: Support the orderly, efficient, and cost-effective siting of rural public facilities and services.

Policy 12.1.1. Encourage and support the formation of special service districts to serve the need for public facilities in rural areas.

Policy 12.1.2. Encourage and support planning for and acquisition of sites needed for public facilities, such as transportation, water, and wastewater facilities.

Policy 12.1.3. Support the siting of community health clinics, hospitals, and private medical practices to serve rural residents throughout the County.

Policy 12.1.4. Continue to support the County Fairgrounds as a community gathering place, event facility and home to the annual County Fair.

Policy 12.1.5. Maintain the County Fairgrounds as an emergency readiness location and staging area in the event of a Cascadia Subduction Zone earthquake or other large disaster.

Policy 12.1.6. Prior to disposing of County-owned property, consider whether the land is appropriate for needed public projects such as schools, health clinics, fire stations, senior centers, or affordable housing.

Policy 12.1.7. Coordinate with rural service districts and providers to review development proposals.

Policy 12.1.8. Use the land use entitlement process to ensure new development addresses and mitigates impacts on existing and planned public facilities.

Policy 12.1.9. Support education districts, library districts and recreation districts in meeting community needs, such as meeting spaces.

Policy 12.1.10. Where practicable, locate utility lines and facilities within or adjacent to existing rights-of-way to avoid dividing farm or forest lands.

Policy 12.1.11. Use the development code to mitigate visual and other impacts of public facilities and cell towers.

Policy 12.1.12. Use the Comprehensive Plan and Development Code to guide rural development in a manner that supports the orderly and cost-efficient provision of public facilities and services.

Policy 12.1.13. Support siting and development of city owned water and wastewater facilities on rural lands, including innovative facilities that include additional community amenities.

Goal 12.2: Pursue sustainable, innovative, and cost-effective waste management practices

Policy 12.2.1. Allow for siting of waste management facilities on rural lands, including but not limited to landfill facilities, transfer stations, organics management facilities, material recovery facilities, and recycling modernization facilities, in a manner that is sensitive to environmental and community concerns.

Policy 12.2.2. Provide incentives, education, and resources to promote reuse and recycling of construction waste.

Policy 12.2.3. Encourage waste reduction through community education and partnerships with community groups such as the Environmental Center

Policy 12.2.4. Support the creation of a landfill overlay zone.

Goal 12.3: Serve as a conduit for countywide resources.

Policy 12.3.1. Provide resources to connect community members with a variety of housing and health related issues in Deschutes County

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Transportation





The Deschutes County transportation system includes roadways, bicycle facilities, pedestrian facilities, and transit facilities, as well as rail, air, marine, and pipeline systems. In general, the County only owns, manages, and maintains facilities in the unincorporated portions of the County. Facilities within the Urban Growth Boundaries of the incorporated cities of Bend, Redmond, Sisters, and La Pine are managed and maintained by those cities. In addition, the Oregon Department of Transportation (ODOT) owns and maintains a number of state highways throughout the County.

Information about existing conditions, planned investments, and policies related to transportation are contained in the Deschutes County Transportation System Plan (TSP), which is adopted as Appendix B of this Comprehensive Plan.

14 Energy





Opportunities, Challenges, and Considerations

The amount, source, and distribution of energy used in Deschutes County is a fundamental component of how we live our lives, and it is influenced by land use and other decisions made at the County level. The State of Oregon requires land uses to be managed with an eye to their energy impacts.

Statewide Planning Goal 13

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.



In Deschutes County, the key energy issues include:

- Community design in more urban areas to limit the need for large vehicles (generally powered with fossil fuel) for everyday tasks.
- Generating, transporting, and storing energy locally from a variety of sources, and managing the impacts of these facilities.
- Conservation of energy through building design and orientation, the use of energy-efficient technologies, and incentives/regulations/education to encourage others to do so.

Deschutes County coordinates with utility providers that serve the area, including:

- Central Electric Cooperative
- Midstate Electric Cooperative
- Pacific Power (PacifiCorps)
- Cascades Natural Gas

Context

The role of Deschutes County in planning for energy is addressed in more detail below.

SOLAR ORIENTATION

The solar orientation of structures can create significant energy savings and allows for photovoltaic energy generation. The County has long promoted energy conservation through a passive solar code that requires new structures to be sited so that they do not block the sun from falling on adjacent properties.

SITING LARGE-SCALE ENERGY FACILITIES

In general, cities and counties have siting authority over energy projects below a certain size or generating capacity. This includes individual projects powering or supplementing homes and businesses or small commercial projects which produce energy for sale. Larger facilities are regulated by the Oregon Energy Facility Siting Council. The thresholds for Siting Council jurisdiction are determined by the Legislature and are defined in Oregon Revised Statutes (ORS) 469.300. The Siting Council does not regulate hydroelectric development. Instead, the Oregon Water Resources Commission has the authority to issue licenses for hydroelectric development.

Deschutes County currently has five developed large-scale energy facilities, primarily located on the eastern side of the County, approved between 2015-2017. In 2018, the Department of Land Conservation and Development altered statewide rules related to these types of large-scale energy facilities on high value farmland, limiting development opportunities in parts of the County. Community members have expressed concern regarding impacts of these facilities on wildlife habitat and aesthetics.

In addition to solar, several irrigation districts have developed in conduit hydroelectric facilities in which existing canals are upgraded with equipment for power generation. Three of these facilities currently exist, two of which are owned

and operated by Central Oregon Irrigation District, and the third owned and operated by Three Sisters Irrigation District.

SMALL-SCALE RESIDENTIAL, BUSINESS, AND COMMERCIAL ENERGY GENERATION

The State oversees construction and approval of large commercial energy facilities, as noted above. However, there is a role for local governments to oversee smaller commercial projects. Commercial energy generation is considerably more complex than permitting small projects for homes and businesses. From a land use perspective, the scale, extended time frame, investment required and required off-site components all complicate the approval process. For example, to move the electricity generated at an alternative energy facility to market there is often a need for approval of roads, transmission lines or substations. The accessory facilities may or may not be in place at the same site as the main facility, but are an integral part of the project and are currently reviewed separately, based on State regulations.

Wind Energy Generation

As shown in the following figure, wind energy is most abundant in the eastern portion of Deschutes County.

Potential impacts of this type of facility include temporary construction impacts, habitat loss and animal fatalities due to collision with turbines, visual impacts from towers and accessory structures, and noise. Deschutes County regulates small scale wind energy development generating less than 100 kilowatts of power. This allowance was added to the Deschutes County Code in 2010, although since that time no applications have been received to establish this type of facility.

Solar Energy Generation

The following figure gives a broad sense of where in the US solar irradiance is highest, and therefore where solar generation will be most efficient. Deschutes County is generally favorable to solar generation.

Potential impacts of this type of facility include temporary construction impacts, habitat loss, animal fatalities due to reflected sunlight (for some solar facilities), and visual impacts. As noted previously, the Department of Land Conservation and Development amended its rules in 2018 to limit solar development on high value farmland. Typically, solar developments require large acreage and relatively flat terrain for their operations. This requirement is a limiting factor in Deschutes County, as many of the properties that would meet large acreage and terrain requirements are actively used for farming purposes. The Bureau of Land Management is exploring an amendment to its rules to allow for greater opportunity for solar development in the western United States. The County anticipates limited solar development on private land going forward and an increase of leased BLM land for this type of development in the future.

Commercial Biomass

Commercial biomass uses organic material such as wood, agricultural waste or crop residues to power boilers to generate heat. According to the Oregon Forest Resources Institute an estimated 4.25 million acres (about 15% of Oregon's forestland) have the potential to provide useful woody biomass through thinning to reduce the risk of uncharacteristic forest fires.

Potential impacts include temporary construction impacts, transportation impacts (as materials need to be transported to a central location), visual impacts, and air quality and climate impacts due to combustion of biofuels.

The County's first biomass facility is under construction through a partnership with the Deschutes National Forest and Mt. Bachelor Ski Resort. The project is located on federal land and outside of the purview of Deschutes County regulations.

Geothermal Energy Generation

Geothermal energy is a form of renewable energy derived from heat in the earth. This heat is transferred to water through various means and the steam produced is used to produce

electricity. Geothermal energy is dependent on the location of geothermal resources; central Oregon may contain some of the best prospects for geothermal exploration in the continental United States.

Potential impacts include construction and visual impacts of geothermal facilities.

Deschutes County regulates geothermal energy in accordance with state law, although no geothermal development projects have been proposed to date.

Hydroelectric Energy Generation

Several water districts in Deschutes County have implemented hydropower projects to harness the energy of moving water. These projects may have impacts on wildlife habitat and migration, as well as construction, visual, and noise impacts.

Currently, Deschutes County has three approved "in conduit" hydroelectric facilities that are owned and operated by irrigation districts within existing irrigation district canals. Approval of these facilities have previously been contentious with many community members expressing concern about wildlife and impacts to other basin users. Irrigation districts have expressed interest in reducing barriers to permitting these types of developments to promote renewable energy development using man-made waterways.

Key Community Considerations

Community discussions related to energy have revolved around the following topics:

- Interest in planning for and adapting to climate change, including using more renewable energy sources.
- Concern about the design and location of energy facilities and their impacts on environmental resources and scenic views.
- Preparation for more use of electric vehicles in the future, which often require specialized charging infrastructure.

Goals and Policies

Goal 14.1: Promote Energy Conservation and Alternative Energy Production

Policy 14.1.1. Continue to incorporate energy conservation into the building and management of all County operations and capital projects using regular energy audits to refine the results.

Policy 14.1.2. Reduce energy demand by supporting energy efficiency in all sectors of the economy.

Policy 14.1.3. Encourage energy suppliers to explore innovative alternative energy conservation technologies and provide energy audits and incentives to patrons.

Policy 14.1.4. Provide flexibility and exemptions for small properties and anomalous sites in the development code to promote energy conservation. Promote affordable, efficient, reliable, and environmentally sound commercial energy systems for individual homes, and business consumers.

Policy 14.1.5. Promote development of solar, hydropower, wind, geothermal, biomass and other alternative energy systems while mitigating impacts on neighboring properties and the natural environment.

Policy 14.1.6. Provide incentives for homes and businesses to install small-scale on-site alternative energy systems consistent with adopted County financing programs.

Policy 14.1.7. Support development of electric vehicle charging stations and facilities to help promote use of electric vehicles.

Policy 14.1.8. Use the development code to promote commercial renewable energy projects while addressing and mitigating impacts on the community and natural environment.

Policy 14.1.9. Use Oregon's Rural Renewable Energy Development Zones to support the creation of renewable energy projects.

Policy 14.1.10. Identify, protect, and support the development of significant renewable energy sites and resources.



2010 Comp Plan Policy Number	2010 Comp Plan Language	Staff/Consultant Team Recommended Revisions	Agency Comments	Source of Changes	2023 Updated Comp Plan Policy Number	2023 Comp Plan Update Language
Section 1.2 Community Involvement Policies						
Goal 1	Maintain an active and open community involvement program that is accessible to all members of the community and engages the community during development and implementation of land use policies and codes.	Promote equitable community involvement that includes all members of the community, particularly those who are commonly under-represented, by ensuring access to information, encouraging community collaboration, and promoting efficient and transparent planning processes.		Project team, with additional refinements by PC.		Provide for a robust community involvement program that includes all members of the community, including those who are commonly under-represented, by ensuring access to information, encouraging community collaboration, identifying and addressing barriers to involvement, and promoting efficient and transparent planning processes.
1.2.2				Project team; most language retained and moved into separate new policies under new Goal 1.2.	Policy 1.1.1	Convene the Deschutes County Planning Commission as the County's Committee for Community Involvement in order to provide a direct and transparent connection between County decision-making and the public.
1.2.1	This section serves as the Community Involvement Program.	Write all County planning documents to be accessible, intuitive, and understandable to the general public, using simplified language where possible, with acronyms spelled out and technical language explained.		New policy language drafted by project team.	Policy 1.1.2	Write all County planning documents to be understandable, intuitive, and easily available to the general public, using simplified language where possible, with acronyms spelled out and technical language explained.
1.2.2	The Planning Commission will be the Committee for Community Involvement, with County support. a. Maintain funding and staffing. b. Provide regular updates, speakers, panel discussions and handouts on land use law and policy. c. Appoint members through an open and public process to reflect the geographic	Hold area-specific comprehensive plan and zoning text amendment public hearings in locations and at times convenient to area residents, as appropriate.		Retained language from policy 1.2.3 and moved into new separate policy.	Policy 1.1.3	Hold area-specific comprehensive plan and zoning text amendment public hearings in locations and at times convenient and accessible to area residents, as appropriate.
New Policy				New policy language drafted by project team.	Policy 1.1.4	Provide property information to the public in an intuitive and easy-to-use manner.
1.2.3	Encourage community participation in planning through a variety of tools and techniques, including: a. Post all planning applications, decisions, projects and plans on the County website; b. Provide staff reports for comprehensive plan and zoning text amendments to the public in a timely manner; c. Write all County planning documents to be accessible and understandable to the general public, with acronyms spelled out and technical language explained; d. Hold area-specific comprehensive plan and zoning text amendment public hearings in locations and at times convenient to area residents, as appropriate; e. Require pre-application meetings for comprehensive plan and zoning text amendments; and for major or potentially contentious projects encourage the applicants to hold an informal community meeting before submitting an application.	Encourage community participation in planning through a variety of tools and techniques, including: a. Post all planning applications, decisions, projects and plans on the County website; b. Provide staff reports for comprehensive plan and zoning text amendments to the public in a timely manner; c. Write all County planning documents to be accessible and understandable to the general public, with acronyms spelled out and technical language explained; d. Hold area-specific comprehensive plan and zoning text amendment public hearings in locations and at times convenient to area residents, as appropriate; e. Require pre-application meetings for comprehensive plan and zoning text amendments; and for major or potentially contentious projects encourage the applicants to hold an informal community meeting before submitting an application. <u>Consult and coordinate with developers before submitting applications as required or recommended by the County Development Code to identify and discuss project requirements and impacts.</u> Consult and coordinate with developers before submitting applications as required or recommended by the County Development Code to identify and discuss project requirements and impacts.		Project team; most language retained and moved into separate new policies under this Goal and new Goal 1.2; some items deleted per project team recommendations.	Policy 1.1.5	Consult and coordinate with developers before submitting applications as required or recommended by the County Development Code to identify and discuss project requirements and impacts.
New Policy				New policy language recommended by project team with refinements by PC.	Policy 1.1.6	Invest in and support land use educational resources for community members including information related to rural living, agricultural practices, Promote opportunities for community members to have civil dialogue
New Policy				Recommended by PC.	Policy 1.1.7	Explore new and innovative ways to reach community members and
New Policy				New policy language recommended by project team.	Policy 1.1.8	
New Policy					Policy 1.1.9	
Goal 2	Support the activities of the Committee for Community Involvement			No change.	Goal 1.2	Support the activities of the Committee for Community Involvement
1.2.4	Reach out to the community to discuss and respond to land use concerns in a timely	Maintain adequate funding and staffing support for the Committee.		No change.	Policy 1.2.1	Maintain adequate funding and staffing support for the Committee.
1.2.5	Ensure effective, efficient planning procedures.	Provide regular updates, speakers, panel discussions, and handouts on land use law and policy.		No change.	Policy 1.2.2	Provide regular updates, speakers, panel discussions, and handouts on land use law and policy.
New Policy		Appoint members through an open and public process to reflect the diverse geographic regions, demographics, and values of Deschutes County residents.		Language moved from policy 1.2.2; no change to language.	Policy 1.2.3	Appoint members through an open and public process to reflect the diverse geographic regions, demographics, and values of Deschutes County
New Policy		Meet with the Board of County Commissioners at least once a year to coordinate planning policies and activities.		Language moved from policy 1.2.2; no change to language.	Policy 1.2.4	Meet with the Board of County Commissioners at least once a year to coordinate planning policies and activities.
New Policy		Complete periodic reports on community involvement implementation for the State Citizen Involvement Advisory Committee, the Board of County Commissioners, and the public.		Language moved from policy 1.2.2; no change to language.	Policy 1.2.5	Complete periodic reports on community involvement implementation for the State Citizen Involvement Advisory Committee, the Board of County Commissioners, and the public.
New Policy				Recommended by PC.	Policy 1.2.6	Maintain open and civil discourse among Committee members and with
Section 1.3 Land Use Policies						
Goal 1	Maintain an open and public land use process in which decisions are based on the objective evaluation of facts.			Changes recommended by project team and PC.	Goal 2.1	Maintain an open and public land use process in which decisions are based on substantial evidence and a balancing of community needs.
1.3.1	Protect the limited amount of privately-owned land in Deschutes County through consideration of private property rights and economic impacts to property owners and the community when creating and revising land use policies and regulations. a. Evaluate tools such as transfer of development rights programs that can be used to protect private property.			New policy language recommended by project team with refinements by PC.	Policy 2.1.1	Balance the consideration of private property rights and the economic impacts of land use decisions on property owners with other community goals identified in the Comprehensive Plan.
1.3.2	Consider sustainability and cumulative impacts when creating and revising land use policies and regulations.			Recommended for removal by project team; addressed in other policies.	Removed	
1.3.3	Involve the public when amending County Code.			Recommended for removal by project team; addressed in other policies.	Removed	

1.3.4	Maintain public records which support the Comprehensive Plan and other land use decisions.		Recommended for removal by project team; addressed in other policies and more appropriate as an action item and standard practice than a policy.	Removed	
1.3.5	Review the Comprehensive Plan every five years and update as needed, in order to ensure it responds to current conditions, issues and opportunities, as well as amended State Statute, Oregon Administrative Rules and case law.		Changes recommended by project team.	Policy 2.1.2	Review the Comprehensive Plan periodically in order to address current conditions, issues, and opportunities.
1.3.6	Maintain and enhance web-based property-specific information.		Changes recommended by project team; replaced with more specific policy 1.3.7.	Policy 2.1.3	The Deschutes County Comprehensive Plan Map will be retained in official replica form as an electronic map layer within the County Geographic Information System and is adopted as part of this Plan.
1.3.7	The Deschutes County Comprehensive Plan Map will be retained in official replica form as an electronic map layer within the County Geographic Information System and is adopted as part of this Plan.		Replaced by other existing policy with minor rewording; previous policy moved to another policy number.	Policy 2.1.4	Implement Comprehensive Plan policies through the Community Development Department's annual work plan and other actions by the Department and the Board of County Commissioners.
1.3.8	Implement, as appropriate, recommendations in the Final Report from the Oregon		Removed by project team; already accomplished.	Removed	
1.3.9	A list of actions to implement this Comprehensive Plan shall be created, maintained and reviewed yearly by the Community Development Department and the Board of County Commissioners.		Old policy moved to new policy number with minor changes by project team; new policy drafted by project team with minor refinements by PC.	Policy 2.1.5	Explore methods to integrate carrying capacity into County land use decision making.
Goal 2	Promote regional cooperation and partnerships on planning issues.		Changes recommended by project team and PC.	Goal 2.2	Coordinate and support regional planning efforts relating to growth, natural resources, recreation, and major infrastructure investments.
1.3.10	Regularly review intergovernmental and urban management agreements, and update as needed.	Periodically review and update intergovernmental and urban joint management agreements at least every 5-10 years to coordinate land use review on land inside urban growth boundaries and outside city limits. For example, assist city with modernizing and updating the UH-10 zone and provide more clarity on specific authority regarding jurisdictional enforcement.	City of Redmond; more specific/action-oriented language not incorporated.	Policy 2.2.1	Periodically review and update intergovernmental and urban management agreements to coordinate land use review on land inside urban growth boundaries and outside city limits.
1.3.11	Participate in and, where appropriate, coordinate regional planning efforts. a. Provide affected agencies, including irrigation districts, an opportunity to comment and coordinate on land use policies or actions that would impact their jurisdictions.		Changes recommended by project team.	Policy 2.2.2	Help coordinate regional planning efforts with other agencies on land use policies and actions that impact their jurisdictions.
1.3.12	Support non-profit or public acquisition of lands determined through an extensive public process to have significant value to the community.		Changes recommended by project team, with refinements by PC.	Policy 2.2.3	Support the use of high value natural resource and recreational lands for public purposes, whether through acquisition, easements, or other means.
1.3.13	Support implementation of the Bend 2030 Plan and incorporate, as appropriate, elements from the Bend 2030 Plan into this Plan.		Changes recommended by project team to make more general and applicable to multiple processes.	Policy 2.2.4	Support the implementation of long-range plans of Deschutes County jurisdictions, incorporating elements of those plans into the County's Comprehensive Plan as appropriate.
New Policy			Changes recommended by project team.	Policy 2.2.5	Encourage cities to conduct, in collaboration with Deschutes County, urban reserve planning to facilitate orderly and thoughtful management of
New Policy			Changes recommended by project team to make more general and applicable to multiple processes.	Policy 2.2.6	Collaborate with federal agencies on land management issues including homelessness, sustainable recreation expansion, and energy projects.
New Policy			Changes recommended by project team.	Policy 2.2.7	Collaborate with tribal governments on regional issues, particularly those that impact ceded lands or shared natural resources.
New Policy			Changes recommended by project team to make more general and applicable to multiple processes.	Policy 2.2.8	Support efforts to reduce barriers to regional infrastructure projects with community benefit while mitigating negative impacts.
New Policy			Changes recommended by project team.	Policy 2.2.9	Support updates to unincorporated community area plans.
New Policy			Changes recommended by project team.	Policy 2.2.10	In accordance with OAR 660-024-004 and 0045, Deschutes County, fulfilling coordination duties specified in ORS 195.025, shall approve and update its comprehensive plan when participating cities within their jurisdiction legislatively or through a quasi-judicial process designate regionally significant sites.
New Policy			City of Redmond	Policy 2.2.11	The County and City shall periodically review the agreement associated with the Redmond Urban Reserve Area. The following land use policies guide zoning in the RURA a. Plan and zone RURA lands for rural uses, in a manner that ensures the orderly, economic and efficient provision of urban services as these lands are brought into the urban growth boundary. b. New parcels shall be a minimum of ten acres. c. Until lands in the RURA are brought into the urban growth boundary, zone changes or plan amendments shall not allow more intensive uses or uses that generate more traffic, than were allowed prior to the establishment of the RURA. d. For Exclusive Farm Use zones, partitions shall be allowed based on state law and the County Zoning Ordinance. e. New arterial and collector rights-of-way in the RURA shall meet the right-of-way standards of Deschutes County or the City of Redmond, whichever is greater, but be physically constructed to Deschutes County standards. f. Protect from development existing and future arterial and collector rights-of-way, as designated on the County's Transportation System Plan. g. A single family dwelling on a legal parcel is permitted if that use was permitted before the RURA designation. Additionally, the County-owned 1,800 acres in the RURA must be master planned before it is incorporated into Redmond's urban growth boundary.
Goal 3	Manage County owned lands efficiently, effectively, flexibly and in a manner that balances the needs of County residents.		Changes recommended by project team, with refinements by PC.	Goal 2.3	Manage county-owned lands to balance the needs of the community as articulated in the goals and policies of this Plan and other supporting planning documents.
1.3.14	Where feasible, maintain and manage County owned properties as follows: a. Manage designated park lands to preserve the values defined in the park designation; b. Permit public access to County owned lands designated as parks unless posted otherwise; c. Encourage properties located along rivers, streams or creeks or containing significant wildlife, scenic or open space values to be designated as park land.		Changes recommended by project team; split original policy into multiple individual policies and made minor edits.	Policy 2.3.1	Manage lands with a park designation consistent with the goals and policies in Chapter 5 Natural Resources.
New Policy			New policy language recommended by project team.	Policy 2.3.2	Support the efforts of park districts, state and/or federal agencies to identify additional properties along rivers, streams, or creeks, or containing significant wildlife, scenic resources, or open space resources to designate
New Goal			Changes recommended by project team, with refinements by PC.	Goal 2.4	Minimize onerous barriers to land use application and development review processes.

New Policy			New language recommended by project team, with refinements by PC.	Policy 2.4.1	Explore opportunities to build or obtain specialty planning knowledge and experience among staff within CDD in related fields such as wildlife, natural
New Policy			New policy language recommended by project team.	Policy 2.4.2	Explore measures to reduce development costs for projects related to agriculture and addressing houselessness, including fee reductions and expedited land use applications.
Section 2.2 Agricultural Lands Policies			Chapter 3: Farm and Forest Resources		
Goal 1	Preserve and maintain agricultural lands and the agricultural industry.	Preserve and maintain agricultural lands and uses.	New language recommended by project team, with refinements by PC.	Goal 3.1	Preserve and maintain agricultural lands, operations, and uses to support Deschutes County's agricultural economy
2.2.1	Retain agricultural lands through Exclusive Farm Use zoning.		No change.	Policy 3.1.1	Retain agricultural lands through Exclusive Farm Use zoning.
2.2.2	Exclusive Farm Use sub-zones shall remain as described in the 1992 Farm Study and shown in the table below, unless adequate legal findings for amending the sub-zones are adopted or an individual parcel is rezoned as allowed by Policy 2.2.3. Exclusive Farm Use Subzones •Subzone Name , Minimum Acres , Profile •Lower Bridge , 130 , Irrigated field crops, hay and pasture •Sisters/Cloverdale , 63 , Irrigated alfalfa, hay and pasture, wooded grazing and some field crops •Terrebonne , 35 , Irrigated hay and pasture •Tumalo/Redmond/Bend , 23 , Irrigated pasture and some hay •Alfalfa , 36 , Irrigated hay and pasture •La Pine , 37 , Riparian meadows, grazing and meadow hay •Horse Ridge East , 320 , Rangeland grazing	Continue to apply Exclusive Farm Use subzones consistent with the County's most up-to-date adopted studies of agricultural land and as implemented through the County Development Code.	Changes recommended by project team.	Policy 3.1.2	Continue to apply Exclusive Farm Use sub- consistent with the County's most up-to-date adopted studies of agricultural land and as implemented through the County Development Code.
2.2.3	Allow comprehensive plan and zoning map amendments, including for those that qualify as non-resource land, for individual EFU parcels as allowed by State Statute, Oregon Administrative Rules and this Comprehensive Plan.	Continue to apply EFU designations to agricultural lands consistent with and as required by state law and administrative rules.	New language recommended by project team, with refinements by PC; most of initial updated language shown here incorporated in new policy 3.3.6.	Policy 3.1.3	Develop comprehensive plan policy criteria and code to provide clarity on when and how EFU parcels can be converted to other designations.
2.2.4	Develop comprehensive policy criteria and code to provide clarity on when and how EFU parcels can be converted to other designations.	Continue to apply consistent standards, consistent with state rules and regulations, that define how EFU parcels can be converted to other planning designations.	Removal recommended by project team; already addressed in Development Code.	Removed	
2.2.5	Uses allowed in Exclusive Farm Use zones shall comply with State Statute and Oregon Administrative Rule.	Remove	Removal recommended by project team; already addressed in Development Code.	Removed	
2.2.6	Regularly review farm regulations to ensure compliance with changes to State Statute, Oregon Administrative Rules and case law.	Regularly review farm regulations to ensure compliance with changes to State Statute, Oregon Administrative Rules and case law.	Changes recommended by project team.	Policy 3.1.4	Regularly review farm regulations to ensure compliance with changes to State Statute, Oregon Administrative Rules and case law.
2.2.7	Encourage water projects that benefit agriculture.	Remove	Changes recommended by project team; updated policy language included in new water policies.	Removed	
2.2.8	Support a variety of methods to preserve agricultural lands, such as: a.Support the use of grant funds and other resources to assist local farmers; b.Work cooperatively with irrigation districts, public agencies and representatives and land owners; c.Encourage conservation easements, or purchase or transfer of development rights programs;	Remove (key language incorporated in Goal 2 policies).	Removal recommended by project team; addressed in Chapter 2 policies.	Removed	
Goal 2	Promote a diverse, sustainable, revenue-generating agricultural sector.		New language recommended by project team, with refinements by PC.	Goal 3.2	Promote a diverse, sustainable, and thriving agricultural sector.
2.2.9	Encourage farming by promoting the raising and selling of crops, livestock and/or poultry.	Encourage farming by promoting the raising and selling of crops, livestock and/or poultry.	No change.	Policy 3.2.1	Encourage farming by promoting the raising and selling of crops, livestock and/or poultry.
2.2.10	Support stakeholders in studying and promoting economically viable agricultural opportunities and practices.	Support agriculture through the use of grant funds, research, and other resources dedicated to agricultural community members and stakeholders, including but not limited to farmers, agricultural researchers, farm bureaus, and other organizations in studying and promoting economically viable agricultural opportunities and practices.	New language recommended by project team, with refinements by PC.	Policy 3.2.2	Support agriculture through the use of grant funds, research, and other resources dedicated to agricultural community members and stakeholders, including but not limited to farmers, agricultural researchers, farm bureaus, and other organizations in studying and promoting economically viable agricultural opportunities and practices.
2.2.11	Encourage small farming enterprises, including, but not limited to, niche markets, organic farming, farm stands or value added products.	Support and encourage small farming enterprises through a variety of related strategies and programs, including, but not limited to, niche markets, organic farming, food council, buy local, farmers markets, farm-to-table activities, farm stands, value added products or other programs or strategies.	New language recommended by project team, with refinements by PC.	Policy 3.2.3	Support and encourage small farming enterprises through a variety of related strategies and programs, including, but not limited to, niche markets, organic farming, food council, buy local, farmers markets, farm-to-table activities, farm stands or value-added products, or other programs or
New Policy		Work cooperatively with irrigation districts, public agencies and representatives and land owners to promote and support agricultural uses and operations, including through use of conservation easements, transfer of development rights programs, and other preservation strategies.	New language recommended by project team, with refinements by PC.	Policy 3.2.4	Work cooperatively with irrigation districts, public agencies and representatives, and landowners to promote and support agricultural uses and operations, including through use of rural reserves, conservation easements, transfer of development rights programs, land acquisition, and
New Policy		Support efforts to control noxious weeds and invasive species.	New policy language recommended by project team.	Policy 3.2.5	Support efforts to control noxious weeds and invasive species
2.2.12	Review County Code and revise as needed to permit alternative and supplemental farm activities that are compatible with farming, such as agri- tourism or commercial renewable energy projects. When a preferred alternative or supplemental use identified through a public process is not permitted by State regulations work with the State to review and revise their regulations.	Continue to review and revise County Code provisions as needed and consistent with state rules and regulations to permit alternative and supplemental farm activities that are compatible with farming, such as agri- tourism or commercial renewable energy projects.	Changes recommended by project team; split original policy into two separate policies.	Policy 3.2.6	Continue to review and revise County Code as needed and consistent with state rules and regulations to permit alternative and supplemental farm activities that are compatible with farming, such as agri- tourism or commercial renewable energy projects.
2.2.12	Review County Code and revise as needed to permit alternative and supplemental farm activities that are compatible with farming, such as agri- tourism or commercial renewable energy projects. When a preferred alternative or supplemental use	Work with the State to review and revise their regulations when a desired alternative or supplemental use identified by the County is not permitted by State regulations.	Changes recommended by project team.	Policy 3.2.7	Work with the State to review and revise their regulations when a desired alternative or supplemental use identified by the County is not permitted by State regulations.
New Policy			New policy language recommended by PC, with refinements by project team.	Policy 3.2.8	Use land use policy and development code requirements, including right-to-farm provisions, as well as coordination with other jurisdictions to minimize
Goal 3	Ensure Exclusive Farm Use policies, classifications and codes are consistent with local		New policy language recommended by project team.	Policy 3.2.9	Provide resources such as technical assistance and access to grants to
2.2.13	Identify and retain accurately designated agricultural lands.		No change. Policy renumbered; no other changes.	Goal 3.3 Policy 3.3.1	Ensure Exclusive Farm Use policies, classifications, and codes are consistent Identify and retain accurately designated agricultural lands.

2.2.14	Explore new methods of identifying and classifying agricultural lands. a.Apply for grants to review and, if needed, update farmland designations. b.Study County agricultural designations considering elements such as water availability, farm viability and economics, climatic conditions, land use patterns, accepted farm practices, and impacts on public services. c.Lobby for changes to State Statute regarding agricultural definitions specific to Deschutes County that would allow some reclassification of agricultural lands.	Explore new methods of identifying and classifying agricultural lands. a.Apply for grants to review and, if needed, update farmland designations. b.Study County agricultural designations considering elements such as water availability, farm viability and economics, climatic conditions, land use patterns, accepted farm practices, and impacts on public services. c.Lobby for changes to State Statute regarding agricultural definitions specific to Deschutes County that would allow some reclassification of agricultural lands.	Policy renumbered; no other changes.	Policy 3.3.2	Continue to explore new methods of identifying and classifying agricultural lands. a.Apply for grants to review and, if needed, update farmland designations. b.Study County agricultural designations considering elements such as water availability, farm viability and economics, climatic conditions, land use patterns, accepted farm practices, and impacts on public services. c.Lobby for changes to State Statute regarding agricultural definitions
2.2.15	Address land use challenges in the Horse Ridge subzone, specifically: a.The large number of platted lots not meeting the minimum acreage; b.The need for non-farm dwellings and location requirements for farm dwellings; c.Concerns over the impact on private property from off-road vehicles, facilities, and trails located on adjacent public lands.	Address land use challenges in the Horse Ridge subzone, specifically: a.The large number of platted lots not meeting the minimum acreage; b.The need for non-farm dwellings and location requirements for farm dwellings; c.Concerns over the impact on private property from off-road vehicles, facilities, and trails located on adjacent public lands.	Policy renumbered; no other changes.	Policy 3.3.3	Address land use challenges in the Horse Ridge subzone, specifically: a.The large number of platted lots not meeting the minimum acreage; b.The need for non-farm dwellings and location requirements for farm dwellings; c.Concerns over the impact on private property from off-road vehicles, facilities, and trails located on adjacent public lands.
2.2.16	Work with the State to review and revise accessory farm dwelling requirements to	Encourage coordination between agricultural interests and fish and wildlife management organizations, including public agencies, non-governmental organizations and others.	Minor changes recommended by project team.	Policy 3.3.4	Continue to work with the State to review and revise accessory farm
2.2.17	Encourage coordination between fish/wildlife management organizations and agricultural interests.	Encourage coordination between agricultural interests and fish and wildlife management organizations, including public agencies, non-governmental organizations and others.	Minor changes recommended by project team.	Policy 3.3.5	Encourage coordination between agricultural interests and fish and wildlife management organizations, including public agencies, non-governmental organizations and others.
			New language recommended by project team, with refinements by PC.	Policy 3.3.6	Explore the evaluation and potential redesignation of lands with a farm designation and poor soils and low productivity for protected open space, development of needed housing, or other uses that support community
Section 2.3 Forest Lands Policies					
Goal 1	Protect and maintain forest lands for multiple uses, including forest products, Retain forest lands through Forest 1 and Forest 2 zoning		New language recommended by project team, with refinements by PC.	Goal 3.4	Protect and maintain forest lands for multiple uses and objectives, Retain forest lands through Forest 1 and Forest 2 zoning.
2.3.1	To conserve and maintain unimpacted forest lands, retain Forest 1 zoning for those lands with the following characteristics:	To conserve and maintain unimpacted forest lands, retain Forest 1 zoning for those lands with the following characteristics:	No changes.	Policy 3.4.1	To conserve and maintain unimpacted forest lands, retain Forest 1 zoning for those lands with the following characteristics:
2.3.2	a.Consist predominantly of ownerships not developed by residences or non-forest uses; b.Consist predominantly of contiguous ownerships of 160 acres or larger; c.Consist predominantly of ownerships contiguous to other lands utilized for commercial forest or commercial farm uses; d.Are accessed by roads intended primarily for forest management; and e.Are primarily under forest management.	a.Consist predominantly of ownerships not developed by residences or non-forest uses; b.Consist predominantly of contiguous ownerships of 160 acres or larger; c.Consist predominantly of ownerships contiguous to other lands utilized for commercial forest or commercial farm uses; d.Are accessed by roads intended primarily for forest management; and e.Are primarily under forest management.	No changes.	Policy 3.4.2	a.Consist predominantly of ownerships not developed by residences or non-forest uses; b.Consist predominantly of contiguous ownerships of 160 acres or larger; c.Consist predominantly of ownerships contiguous to other lands utilized for commercial forest or commercial farm uses; d.Are accessed by roads intended primarily for forest management; and e.Are primarily under forest management.
2.3.3	To conserve and maintain impacted forest lands, retain Forest 2 zoning for those lands with the following characteristics:	To conserve and maintain impacted forest lands, retain Forest 2 zoning for those lands with the following characteristics:	No changes.	Policy 3.4.3	To conserve and maintain impacted forest lands, retain Forest 2 zoning for those lands with the following characteristics:
	a.Consist predominantly of ownerships developed for residential or non-forest uses; b.Consist predominantly of ownerships less than 160 acres; c.Consist of ownerships generally contiguous to tracts containing less than 160 acres and residences, or adjacent to acknowledged exception areas; and d.Provide a level of public facilities and services, including roads, intended primarily for direct services to rural residences.	a.Consist predominantly of ownerships developed for residential or non-forest uses; b.Consist predominantly of ownerships less than 160 acres; c.Consist of ownerships generally contiguous to tracts containing less than 160 acres and residences, or adjacent to acknowledged exception areas; and d.Provide a level of public facilities and services, including roads, intended primarily for direct services to rural residences.			a.Consist predominantly of ownerships developed for residential or non-forest uses; b.Consist predominantly of ownerships less than 160 acres; c.Consist of ownerships generally contiguous to tracts containing less than 160 acres and residences, or adjacent to acknowledged exception areas; and
2.3.4	Notwithstanding any other quasi-judicial plan or zone change criteria, lands designated as Forest under this Plan and zoned Forest 2 may upon application be redesignated and rezoned from Forest 2 to Exclusive Farm Use if such lands: a.Do not qualify under State Statute for forestland tax deferral, b.Are not necessary to permit forest operations or practices on adjoining lands and do not constitute forested lands that maintain soil, air, water and fish and wildlife resources, c.Have soils on the property that fall within the definition of agricultural lands as set forth in Goal 3,		No changes.	Policy 3.4.4	Notwithstanding any other quasi-judicial plan or zone change criteria, lands designated as Forest under this Plan and zoned Forest 2 may upon application be redesignated and rezoned from Forest 2 to Exclusive Farm Use if such lands: a.Do not qualify under State Statute for forestland tax deferral, b.Are not necessary to permit forest operations or practices on adjoining lands and do not constitute forested lands that maintain soil, air, water and fish and wildlife resources, c.Have soils on the property that fall within the definition of agricultural
2.3.5	Uses allowed in Forest zones shall comply with State Statute and Oregon	Remove	New language recommended by project team.	Policy 3.4.5	Ensure that criteria for and designation of Forest Lands are consistent with
2.3.6	Coordinate and cooperate with the U.S. Forest Service, the Bureau of Land Management and other public agencies to promote sustainable forest uses, including recreation, on public forest land, including: a.Using the Deschutes National Forest Land and Resource Management Plan, or its successor, as the basis for mutual coordination and cooperation with the Notify affected agencies when approving development that could impact Federal or Support the maintenance of the Skyline Forest as a Community Forest.		Minor changes recommended by project team and agency commentors. "Coordinate and cooperate with the U.S. Forest Service, the Bureau of Land Management and other public agencies to..." It is our assumption that we, while not called out directly, would be included as "other public agencies."	Policy 3.4.6	Coordinate and cooperate with the U.S. Forest Service, the Bureau of Land Management and other public agencies to promote sustainable forest uses, including recreation and biomass facilities, on public forest land, including currently adopted Forest and Land Management Plans prepared by the US Forest Service (USFS) and US Bureau of Land Management (BLM).
2.3.7			Minor changes recommended by project team and agency commentors.	Policy 3.4.7	Notify affected agencies and tribal governments when reviewing land use
2.3.8		Remove	Removal recommended by project team.		
2.3.9	Support economic development opportunities that promote forest health.	Support economic development opportunities that promote forest health, create opportunities for local production of related forest products, and reduce species that adversely affect forest health and soil quality.	New language recommended by project team, with refinements by PC.	Policy 3.4.8	Support economic development opportunities that promote forest health, create opportunities for local production of related forest products, and reduce the prevalence of invasive plant species that adversely affect forest
2.3.10	Provide input on public forest plans that impact Deschutes County.		No changes.	Policy 3.4.9	Provide input on public forest plans that impact Deschutes County.
2.3.11	Apply for grants to review forest lands based on ORS 215.788-215.794 (2009 HB 2229).	Remove	Removal recommended by project team (will move into Action Plan).		
2.3.12	Coordinate with stakeholders to support forest management projects that: a.Contribute to public safety by treating wildland hazardous fuels particularly in the designated Wildland Urban Interface as identified in the Community Wildfire Protection Plans described in Section 3.5 of this Plan; b.Retain fish and wildlife habitat.	Coordinate with community stakeholders to support forest management plans and projects that are consistent with the policies of this chapter and with local community forest management and wildfire protection plans. a. Promote forest health and resilience to wildfire. b. Contribute to public safety by treating wildland hazardous fuels particularly in the designated Wildland Urban Interface as identified in the Community Wildfire Protection Plans described in Section 3.5 of this Plan; c. Retain fish and wildlife habitat.	New language recommended by project team.	Policy 3.4.10	Coordinate with community stakeholders to support forest management plans and projects that are consistent with the policies of this chapter and with local community forest management and wildfire protection plans. a.Promote forest health and resilience to wildfire. b.Contribute to public safety by treating wildland hazardous fuels particularly in the designated Wildland Urban Interface as identified in the Community Wildfire Protection Plans described in Chapter 13, Natural Hazards, of this Plan.
Goal 2	Adequately address impacts to public safety and wildlife when allowing development	Remove	Language incorporated in other policies by project team.		
2.3.13	Review County Code and revise as needed to ensure development in forest zones		Minor changes recommended by project team.	Policy 3.4.11	Continue to review and revise the County Code as needed to ensure
Section 2.10 Surface Mining Policies					
Goal 1	Protect and utilize mineral and aggregate resources while minimizing adverse impacts of extraction, processing and transporting the resource.	Promote the preservation of designated historic and cultural resources through education, incentives and voluntary programs.	No changes.	Chapter 4: Mineral and Aggregate Resources	Protect and utilize mineral and aggregate resources while minimizing
2.10.1	Goal 5 mining inventories, ESEEs and programs are retained and not repealed.	remove	Removed by project team as duplicative.	Policy 4.1.1	adverse impacts of extraction, processing and transporting the resource.
2.10.2	Cooperate and coordinate mining regulations with the Oregon Department of Geology and Mineral Industries.	Cooperate and Coordinate with the Oregon Department of Geology and Mineral Industries (DOGAMI) on mining regulations and studies.	Minor changes recommended by project team.	Policy 4.1.2	Implement adopted Goal 5 Surface Mining inventories.
2.10.3	Balance protection of mineral and aggregate resources with conflicting resources and uses.	Balance protection of mineral and aggregate resources with conflicting resources and uses.	Renumbered policy.		Coordinate with the Oregon Department of Geology and Mineral Industries (DOGAMI) on mining regulations and studies.
2.10.4	Review surface mining codes and revise as needed to consider especially mitigation factors, imported material and reclamation.	Use the development code to address mitigation, aggregate transportation, and aggregate site reclamation.	Removed by project team and replaced with policy above.	Policy 4.1.3	Balance protection of mineral and aggregate resources with conflicting resources and uses.
2.10.5	Review surface mining site inventories as described in Section 2.4, including the	Remove	Removed by project team; will add to Action Plan.		
2.10.6	Support efforts by private property owners and appropriate regulatory agencies to address reclamation of Goal 5 mine sites approved under 660-016 following mineral extraction.	Support by private property owners and appropriate regulatory agencies to address the required reclamation of mining sites following approved under 660-016 mineral extraction.	Minor changes recommended by project team.	Policy 4.1.4	Support the required reclamation of mining sites following mineral extraction.
Natural Resources					
Chapter 5: Natural Resources					
Section 2.5 Water Resources Policies					
Water Goals and Policies					
Goal 1	Develop regional, comprehensive water management policies that balance the diverse		No changes.	Goal 5.1	Develop regional, comprehensive water management policies that balance

2.5.1	Participate in Statewide and regional water planning including: a.Work cooperatively with stakeholders, such as the Oregon Water Resources Department, the Deschutes Water Alliance and other non-profit water organizations; b.Support the creation and continual updating of a regional water management plan.		USFW: We strongly encourage Deschutes County to move forward with a way to implement a process to consider new information for incorporation into the County's Goal 5 resource inventory. This language, "...as County staff resources allow," may put constraints on the County's ability to incorporate new information. If possible, we suggest the new process consider ways to make updates to the inventories in an adaptive manner, which may help alleviate issues with Goal 5 updates. CTWS: Management agencies have responsibilities beyond "stakeholders." The "Water Alliance" is not a permanent or formalized entity.	Revisions recommended by project team and agency commentors.	Policy 5.1.1	Participate in Statewide and regional water planning including, but not limited to: a.Work cooperatively with appropriate federal, state, tribal and local agency resource managers, such as The Confederated Tribes of the Warm Springs Reservation of Oregon, the Oregon Water Resources Department (OWRD), and other stakeholders and non-profit water organizations, such as the Deschutes Basin Water Collaborative, the County Soil and Water Conservation District; b.Support the development and implementation of Upper Deschutes Basin Study, Habitat Conservation Plan, and Biological Opinion from
2.5.2	Support grants for water system infrastructure improvements, upgrades or expansions			No changes.	Policy 5.1.2	Support grants for water system infrastructure improvements, upgrades, or
2.5.3	Goal 5 inventories, ESEEs and programs are retained and not repealed. Increase water	Remove		Removed by project team as duplicative.	Policy 5.1.3	Consider potential impacts on water quality and availability in surrounding
New Policy			New suggestion from CTWS.	Revisions recommended by agency commentors.	Policy 5.1.4	Develop better understanding of The Confederated Tribes of the Warm
Goal 2	Increase water conservation efforts.				Goal 5.2	Increase water conservation efforts.
2.5.4	Promote efficient water use through targeted conservation, educational and, as needed, regulatory or incentive programs. a.Review County Code and revise as needed to ensure new development incorporates recognized efficient water use practices for all water uses. b.Encourage the reuse of grey water for landscaping.	Promote <u>and support</u> efficient water use through targeted conservation, educational and, as needed, regulatory or incentive programs. a.Review County Code and revise as needed to ensure new development incorporates recognized efficient water use practices for all water uses. b.Encourage the reuse of grey water for landscaping. <u>c. Encourage thinning or reduction of plant species (e.g., juniper) that adversely impact forest health, water availability, and soil quality.</u>	CTWS - recommend including information in narrative about efficient water usage. Juniper is a native species and its removal is not always associated with efficient water. Focus on water-efficient native species selection for gardens. Recommendation for new water-wise gardening/xeriscaping policy.	Revised language recommended by project team, with refinements by PC.	Policy 5.2.1	Support efficient water use through targeted conservation, educational and, as needed, regulatory or incentive programs. a.Encourage new development incorporates efficient water use practices for all water uses. b.Encourage the reuse of grey water for landscaping. c.Encourage and educate the community about the relative impacts of thinning or reduction of plant species that adversely impact forest health, water availability, and soil quality. d.Encourage and educate the community about on-farm efficiency
2.5.5	Promote a coordinated regional water conservation effort that includes increasing public awareness of water conservation tools and practices.		CTWS: Recommend adding Tribal to list. Recommend narrative about these tools in the comp plan.	Revised language recommended by project team, with refinements by PC.	Policy 5.2.2	Promote coordinated regional water conservation efforts and implementation by regional and local organizations and agencies, including
2.5.6	Support conservation efforts by irrigation districts, including programs to provide incentives for water conservation.		CTWS: Add mention of other large water users.	Revised language recommended by project team, with refinements by PC.	Policy 5.2.3	Support conservation efforts by irrigation districts and property owners, including programs to provide incentives for water conservation, such as
Goal 3	Maintain and enhance a healthy ecosystem in the Deschutes River Basin.			No changes.	Goal 5.3	Maintain and enhance a healthy ecosystem in the Deschutes River Basin.
2.5.7	The County shall notify the Oregon Division of State Lands and the Oregon Department of Fish and Wildlife of any development applications for land within a wetland		CTWS: rewording, mention CTWS by name.	Minor changes recommended by project team and agency comments.	Policy 5.3.1	Notify the Oregon Department of State Lands, The Confederated Tribes of the Warm Springs Reservation of Oregon, and other state and federal
2.5.8	Work with stakeholders to restore, maintain and/or enhance healthy river and riparian ecosystems and wetlands, including the following: a.Encourage efforts to address fluctuating water levels in the Deschutes River system; b.Cooperate to improve surface waters, especially those designated water quality impaired under the federal Clean Water Act; c.Support research on methods to restore, maintain and enhance river and riparian ecosystems and wetlands; d.Support restoration efforts for river and riparian ecosystems and wetlands; e.Inventory and consider protections for cold water springs; f.Evaluate waterways for possible designation under the Scenic Waterways program; g.In collaboration with stakeholders, map channel migration zones and identify effective protections; h.Develop comprehensive riparian management or mitigation practices that enhance ecosystems, such as vegetation removal criteria.	Work with stakeholders to restore, maintain and/or enhance healthy river and riparian ecosystems and wetlands, including the following: a.Encourage efforts to address fluctuating water levels in the Deschutes River system; b.Cooperate to improve surface waters, especially those designated water quality impaired under the federal Clean Water Act; c.Support research on methods to restore, maintain and enhance river and riparian ecosystems and wetlands; d.Support restoration efforts for river and riparian ecosystems and wetlands; e.Inventory and consider protections for cold water springs; f.Evaluate waterways <u>in coordination with OPRD</u> for possible designation under the Scenic Waterways program; g.In collaboration with stakeholders, map channel migration zones and identify effective protections; h.Develop comprehensive riparian management or mitigation practices that enhance ecosystems, such as criteria for removal of vegetation <u>that adversely impacts water availability and soil health.</u>	CTWS: rewording, mention CTWS by name. Remove "Encourage efforts to address fluctuating water levels..." - this should be addressed in the HCP context.	Minor changes recommended by project team and agency commentors, with refinements by PC.	Policy 5.3.2	Work with The Confederated Tribes of Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers to restore, maintain and/or enhance healthy river and riparian ecosystems and wetlands, including the following: a.Cooperate to improve surface waters, especially those designated water quality impaired under the federal Clean Water Act; b.Support research on methods to restore, maintain and enhance river and riparian ecosystems and wetlands; c.Support restoration efforts for river and riparian ecosystems and wetlands; d.Inventory and consider protections for cold water springs; e.Evaluate waterways in coordination with OPRD for possible designation under the Scenic Waterways program; f.In collaboration with appropriate federal, state, tribal and local agency resource managers stakeholders, map channel migration zones and identify effective protections; g.Develop comprehensive riparian management or mitigation practices
2.5.9	Support studies on the Deschutes River ecosystem and incorporate watershed studies that provide new scientific information on the Deschutes River ecosystem, such as the 2010 Local Wetland Inventory adopted in Ordinance 2011-008.	Support studies of the Deschutes River ecosystem and incorporate <u>strategies from current watershed studies that provide new scientific information on about the Deschutes River ecosystem, such as the 2010 Local Wetland Inventory adopted in Ordinance 2011-008.</u>	CTWS: Add mention of indigenous knowledge.	Minor changes recommended by project team.	Policy 5.3.3	Support studies of the Deschutes River ecosystem and incorporate strategies from current watershed studies that provide new scientific information and indigenous knowledge about the Deschutes River ecosystem.
2.5.10	Support educational efforts and identify areas where the County could provide information on the Deschutes River ecosystem, including rivers, riparian areas, floodplains and wetlands. a.Explore methods of ensuring property owners know and understand regulations for rivers, riparian areas, floodplains and wetlands.	Support educational efforts and identify areas where the County could provide information on the Deschutes River ecosystem, including rivers, riparian areas, floodplains and wetlands. a. <u>Explore methods of ensuring support efforts to educate</u> property owners <u>know and to understand regulations for pertaining to</u> rivers, riparian areas, floodplains and wetlands.		Minor changes recommended by project team.	Policy 5.3.4	Support educational efforts and identify areas where the County could provide information on the Deschutes River ecosystem, including rivers, riparian areas, floodplains and wetlands. a.Support efforts to educate property owners to understand regulations pertaining to rivers, riparian areas, floodplains and wetlands.
2.5.11	Support the high priority actions from the Deschutes River Mitigation and Enhancement Committee's 2008 Upper Deschutes River Restoration Strategy.	Support the <u>current</u> high priority actions <u>and strategies developed by the OWRD and Deschutes Basin Water Collective</u> for the Deschutes River Mitigation and Enhancement <u>program Committee's 2008 Upper Deschutes River Restoration Strategy.</u>		Removal recommended by agency commentors as outdated	Removed	
Goal 4	Maintain and enhance fish populations and riparian habitat.			Minor changes recommended by project team.	Goal 5.4	Maintain and enhance fish and riparian- dependent wildlife habitat.
2.5.12	Coordinate with stakeholders to protect and enhance fish and wildlife habitat in river		CTWS: mention CTWS by name	Changes recommended by agency commentors.	Policy 5.4.1	Coordinate with The Confederated Tribes of Warm Springs Reservation of
2.5.13	Promote healthy fish populations through incentives and education.			No changes.	Policy 5.4.2	Promote healthy fish populations through incentives and education.
2.5.14	Support healthy native fish populations through coordination with stakeholders who provide fish habitat management and restoration. a.Review, and apply where appropriate, strategies for protecting fish and fish habitat. b.Promote salmon recovery through voluntary incentives and encouraging appropriate species management and habitat restoration.		CTWS: rewording to use standardized language.	Changes recommended by agency commentors.	Policy 5.4.3	Support healthy native salmonid fish populations through coordination with stakeholders, including, but not limited to, The Confederated Tribes of the Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers who provide fish habitat management and restoration.
2.5.15	Review Habitat Conservation Plans for species listed under the Endangered Species Act, to identify appropriate new policies or codes. a.Spawning areas for trout should be considered significant habitat and should be protected in rivers and streams. b.Cooperate with irrigation districts in preserving spawning areas for trout, where		The Service is in the implementation phase of the Deschutes Basin Habitat Conservation Plan (HCP) and has a biological opinion that covers the entirety of the action area for the HCP. Please include the Service one of the agencies involved with water resources and the Deschutes Basin HCP. CTWS: Rewording to mention federally approved HCP.	Changes recommended by agency commentors.	Policy 5.4.4	Update and implement policies to support federally approved Habitat Conservation Plans for species listed under the Endangered Species Act a.Spawning and rearing areas for salmonid species should be considered significant habitat and should be protected in rivers and streams. b.Cooperate with covered parties in restoring or enhancing spawning and
2.5.16	Use a combination of incentives and/or regulations to mitigate development impacts		CTWS: Add "avoid," "minimize" before mitigate.	Changes recommended by agency commentors.	Policy 5.4.5	Use a combination of incentives and/or regulations to avoid, minimize, and
Renumbered Policy			CTWS: add mention of engineered systems, and allow for improvement above preservation.	Moved from policy 2.5.17; no substantive changes.	Policy 5.4.6	Support plans, cooperative agreements, education, water quality monitoring and other tools that protect watersheds, reduce erosion and
New Policy				New language recommended by project team based on ODWR plans and policies.	Policy 5.4.7	Coordinate with the Oregon Department of Environmental Quality and other stakeholders on regional water quality maintenance and
Renumbered Policy			CTWS: mention CTWS by name	Moved from policy 2.5.18; changes recommended by agency commentors.	Policy 5.4.8	Coordinate with The Confederated Tribes of Warm Springs Reservation of Oregon and other federal, state, and local agency resource managers to address water-related public health issues.
Renumbered and expanded policy				Moved from policy 2.5.21; minor changes recommended by project team.	Policy 5.4.9	Continue to evaluate and/or implement regulations, such as a wellhead protection ordinance for public water systems, in accordance with
Renumbered and expanded policy			CTWS: Add mention of voluntary programs, reducing fish passage barriers, managing return flows.	Moved from policy 2.5.20; changes recommended by project team per ODWR policies. Moved from policy 2.5.29.	Policy 5.4.10	Coordinate and work with the Oregon Department of Agriculture, agricultural uses, and available voluntary programs to support and
Renumbered Policy					Policy 5.4.11	Support regulations, education programs, and cleaning procedures at public
Goal 5	Protect and improve water quality in the Deschutes River Basin.	Moved to different goal.			Goal 5.5	Coordinate land use and water policies to address management and
2.5.17	Support plans, cooperative agreements, education, water quality monitoring and other				Policy 5.5.1	Coordinate with other affected agencies when a land use or development
2.5.18	Coordinate with stakeholders to address water-related public health issues. a.Support amendments to State regulations to permit centralized sewer systems in areas with high levels of existing or potential development or identified water quality concerns.	Coordinate with the Oregon Department of Environmental Quality and other stakeholders on regional water quality maintenance and improvement efforts such as identifying and abating point and non-point pollution or developing and implementing Total Maximum Daily Load and Water Quality Management Plans.	CTWS: Add "recognize basin-wide impacts"	Changes recommended by project team and agency commentors.	Policy 5.5.2	Regulate land use patterns and promote best practices to preserve the integrity of the natural hydrologic system, recognize the relationship between ground and surface water, recognize basin-wide impacts, and address water impacts of new land uses and developments, including water

2.5.20	Work with the community to expand the range of tools available to protect groundwater quality by reviewing new technologies, including tools to improve the quality and reduce the quantity of rural and agricultural stormwater runoff.	Work with the community to expand the range of tools available to protect groundwater quality by reviewing new technologies, including tools to improve the quality and reduce the quantity of rural and agricultural stormwater runoff.	CTWS: This update is important and will be based on updated groundwater analyses and climate change effect studies.	Changes recommended by project team and agency commentors.	Policy 5.5.3	Support OWRD's efforts to update and modernize Oregon's groundwater allocation rules and policies to protect existing surface water and groundwater users and to maintain sustainable groundwater resources.
2.5.21	Explore adopting new ordinances, such as a wellhead protection ordinance for public water systems, in accordance with applicable Federal and/or State requirements.	Explore Continue to evaluate and/or implement adoption of new ordinances, such as a wellhead protection ordinance for public water systems, in accordance with applicable Federal and/or State requirements.	CTWS: mention CTWS by name	Changes recommended by project team and agency commentors.	Policy 5.5.4	Support efforts by the OWRD in collaboration with Central Oregon Cities Organization, The Confederated Tribes of the Warm Springs Reservation of Oregon, and non-governmental organizations to revisit the Deschutes Basin
2.5.22		<u>Coordinate and work with the Oregon Department of Agriculture and agricultural uses to support and implement proven new technologies and best practices to maintain and enhance water quality, such as minimizing nitrate contamination, maintaining streamside vegetation, reducing streambank soil erosion and runoff, limiting livestock access to riparian areas, and minimizing weeds and bare patches in grazing areas.</u>		Changes recommended by project team.	Policy 5.5.5	Coordinate with the irrigation districts to ensure irrigated land partitions and lot line adjustments are not approved without notice to the affected district.
2.5.29	Support regulations, education programs and cleaning procedures at public and private boat landings.			Moved old policy to different policy section; new policy language recommended by project team.	Policy 5.5.6	Utilize Central Oregon Stormwater Manual to apply appropriate stormwater management practices land use. decisions.
2.5.22		<u>Coordinate and work with the Oregon Department of Agriculture and agricultural uses to support and implement proven new technologies and best practices to maintain and enhance water quality, such as minimizing nitrate contamination, maintaining streamside vegetation, reducing streambank soil erosion and runoff, limiting livestock access to riparian areas, and minimizing weeds and bare patches in grazing areas.</u>		Revised language recommended by project team, with refinements by PC.	Policy 5.5.7	Allow for development of wastewater facilities and improvements where needed or required to address water quality issues and maintain water quality, consistent with state and local wastewater system requirements.
2.5.29	Support regulations, education programs and cleaning procedures at public and private boat landings.	Support regulations, education programs and cleaning procedures at public and private boat landings.		Moved to new policy number.		
Goal 6	Coordinate land use and water policies to address management and allocation of					
2.5.22	Coordinate with other affected agencies when a land use or development application may impact river or riparian ecosystems or wetlands.	Coordinate with other affected agencies when a land use or development application may impact river or riparian ecosystems or wetlands.		See 5.5.1	See 5.5.1	
2.5.23	Encourage land use patterns and practices that preserve the integrity of the natural hydrologic system and recognize the relationship between ground and surface water.	Encourage <u>Regulate</u> land use patterns and <u>promote best</u> practices to preserve the integrity of the natural hydrologic system, <u>and</u> recognize the relationship between ground and surface water, <u>and address water impacts of new land uses and developments, including water-intensive uses.</u>		See 5.5.2	See 5.5.2	
2.5.24	Ensure water impacts are reviewed and, if necessary, addressed for significant land uses or developments.	Ensure water impacts are reviewed and, if necessary, addressed for significant land uses or developments.		Project team recommendation	Removed	
2.5.25	Evaluate methods of modeling the cumulative impacts of new land uses or developments on water quality and quantity .	Evaluate methods of modeling the cumulative impacts of new land uses or developments on water quality and quantity.		See 5.5.4	See 5.5.4	
2.5.26	Explore an intergovernmental agreement with the irrigation districts for ensuring			Project team recommendation	See 5.5.5	
2.5.27	Explore incorporating appropriate stormwater management practices into Deschutes County Code.	Explore <u>Continue to</u> incorporate appropriate stormwater management practices into Deschutes County Code.		Project team recommendation	Removed	
2.5.28	Support wastewater facilities and improvements where warranted.	Support <u>Allow for development of</u> wastewater facilities and improvements where <u>warranted-needed or required to address water quality issues and maintain water quality, consistent with state and local wastewater system requirements.</u>			Moved to Wildlife Section	
2.5.29	Support regulations, education programs and cleaning procedures at public and private boat landings.	Support regulations, education programs and cleaning procedures at public and private boat landings.		Project team recommendation	Removed	
2.5.30	Consider adopting regulations for dock construction based on recommendations of the			Project team and agency commentors	See 5.9.3	
Section 2.7 Open Spaces, Scenic Views and					Open Space and Scenic Views	
Goal 1	Coordinate with property owners to ensure protection of significant open spaces and scenic views and sites.	Coordinate with property owners to protect open spaces, scenic views, and scenic sites <u>areas and corridors.</u>			Goal 5.6	Coordinate with property owners to protect open spaces, scenic views, and scenic areas and corridors through a combination of incentives and/or
2.7.1	Goal 5 open spaces, scenic views and sites inventories, ESEEs and programs are	Remove		Project team recommendation	Policy 5.6.1	Work with stakeholders to create and maintain a system of connected open
2.7.2	Cooperate with stakeholders to establish a comprehensive system of connected open spaces.	Work with stakeholders to create and maintain a system of connected open spaces in Deschutes County.	Work to maintain the visual character and rural appearance of open spaces, such as the area along Highway 97 that separates the communities of Bend and Redmond or lands that are visually prominent.	City of Redmond	Policy 5.6.2	Work to maintain the visual character and rural appearance of open spaces such as the area along Highway 97 that separates the communities of Bend and Redmond or lands that are visually prominent
			Policy 1: Work to maintain and protect the visual character and rural appearance of visually prominent open spaces within the County, particularly those that are identified in the Goal 5 inventory.			
			Policy 2: Seek to protect the cultural identity of micro-communities, such as the Highway 97 area/corridor between Bend and Redmond, and others.			
2.7.3	Support efforts to identify and protect significant open spaces and visually important areas including those that provide a visual separation between communities such as the open spaces between Bend and Redmond or lands that are visually prominent.	Support efforts to identify and protect significant open spaces and visually important areas including those that provide a visual separation between communities such as <u>Work to maintain the visual character of</u> open spaces that separate the communities of Bend and Redmond or lands that are visually prominent.		Project team recommendation	Policy 5.6.3	Work to maintain and protect the visual character and rural appearance of visually prominent open spaces within the County, particularly those that are identified in the Goal 5 inventory.
2.7.4	Encourage a variety of approaches that protect significant open spaces and scenic views and sites.	Encourage a variety of approaches that <u>Protect significant open spaces, scenic views, and scenic sites by encouraging new development to be sensitive to these resources.</u>		City of Redmond	Policy 5.6.4	Seek to protect the cultural identity of rural communities, such as the Highway 97 area/corridor between Bend and Redmond, and others.
2.7.5	Encourage new development to be sensitive to scenic views and sites.			Project team recommendation	Policy 5.6.5	Protect significant open spaces, scenic views, and scenic sites by
2.7.6	Review County Code and revise as needed to protect open space and scenic views and sites, including: a. Provide incentives to locate structures in forests or view corridors so as to maintain the visual character of the area; b. Work with private property owners to provide incentives and mitigations for protecting visually important areas from development impacts;			Project team recommendation	Policy 5.6.6	Incentivize the placement of structures in a way that is sensitive of view corridors to maintain the visual character of the area.
Section 2.6 Wildlife Policies					Wildlife	
Goal 1	Maintain and enhance a diversity of wildlife and habitats.	Maintain and enhance a diversity of wildlife habitats in Deschutes County.			Goal 5.7	Maintain and enhance a diversity of wildlife and habitats.
2.6.1	Goal 5 wildlife inventories, ESEEs and programs are retained and not repealed.	remove		Project team recommendation	Policy 5.7.1	Promote stewardship of wildlife habitats through incentives, public
2.6.2	Promote stewardship of wildlife habitats and corridors, particularly those with significant biological, ecological, aesthetic and recreational value.	Promote stewardship of wildlife habitats and corridors, particularly those with significant biological, ecological, aesthetic and recreational value through incentives, public education, and development regulations.		Project team recommendation	Policy 5.7.2	Ensure Goal 5 wildlife inventories and habitat protection programs are up-to-date through public processes, expert sources, and current or recently adopted plans and studies.
2.6.3	Ensure Goal 5 wildlife inventories and habitat protection programs are up-to-date through public processes and expert sources, such as the 2009 Interagency Report .	Ensure Goal 5 wildlife inventories and habitat protection programs are up-to-date through public processes, expert sources, <u>and current or recently adopted plans and studies, such as the 2009 Interagency Report.</u>		Project team recommendation	Policy 5.7.3	Provide incentives for new development to be compatible with and to enhance wildlife habitat.
2.6.4	Support incentives for restoring and/or preserving significant wildlife habitat by traditional means such as zoning or innovative means, including land swaps, conservation easements, transfer of development rights, tax incentives or purchase by public or non-profit agencies	Support <u>Provide incentives for new development to be compatible with and to enhance wildlife habitat for restoring and/or preserving significant wildlife habitat by traditional means such as zoning or innovative means, including land swaps, conservation easements, transfer of development rights, tax incentives or purchase by public or non-profit agencies.</u>		Project team recommendation	Policy 5.7.4	Require, incentivize, or encourage clustering of development in inventoried wildlife areas to reduce impacts to wildlife populations.
2.6.5	Assist in providing information and education on wildlife and habitat protection.	remove	CTWS: Consider including this new poplcy to provide an opportunity for the County to develop a deeper understanding of the Tribe's sovereign interests in the wildlife resources of Deschutes Basin.	Agency commentors	Policy 5.7.5	Develop better understanding of The Confederated Tribes of the Warm Springs Reservation of Oregon's treaty-protected rights to co-manage the wildlife resources of the Deschutes Basin.
2.6.6	Review the Oregon Conservation Strategy when amending the Wildlife section of this	Remove				

2.6.7	Use a combination of incentives, regulations and education to promote stewardship of wildlife habitat and address the impacts of development.	Use a combination of Promote stewardship of wildlife habitat through incentives, public education, and development regulations.				
2.6.8	Balance protection of wildlife with wildland fire mitigation on private lands in the designated Wildland Urban Interface.	Balance protection of wildlife with wildland fire mitigation on private lands in the designated Wildland Urban Interface.		See Policy 7.1.6		
Goal 2	Promote the economic and recreational benefits of wildlife and habitat.	Balance protection of wildlife and habitat with the economic and recreational benefits of wildlife and habitat.			Goal 5.8	Balance protection of wildlife and habitat with the economic and recreational benefits of wildlife and habitat.
2.6.9	Encourage wildlife related tourism.	Encourage responsible wildlife related tourism and recreation.		Project team recommendation	Policy 5.8.1	Encourage responsible and sustainable wildlife related tourism and
2.6.10	Coordinate with stakeholders to ensure access to significant wildlife and riparian	Coordinate with stakeholders to provide access to recreational opportunities.		Project team recommendation with PC refinement	Policy 5.8.2	Coordinate with stakeholders to ensure access to appropriate recreational
New Policy			CTWS: Supports 2018 MOA between the Tribe and State to support the Tribe's ongoing off-reservation treaty hunting rights.	Agency commentors	Policy 5.8.3	Coordinate with Confederated Tribes of the Warm Springs Reservation of Oregon and State agencies to develop strategies to support sound wildlife
Goal 3	Support retaining populations of Federal and State protected endangered species.	Support retaining populations of Federal and State protected and endangered species.			Goal 5.9	Comply with federal and state regulations related to sensitive, threatened, and endangered species, including the Endangered Species Act, the Bald
2.6.11	Develop local approaches, in coordination with Federal and State agencies, for protecting Federal or State Threatened or Endangered Species or Species of Concern.	Coordinate with Federal and State agencies to develop local approaches in coordination with Federal and State agencies strategies to protect Federal or State Threatened or Endangered Species, or Species of Concern.		Project team recommendation	Policy 5.9.1	Coordinate with Federal and State agencies to develop strategies to protect Federal or State Threatened or Endangered Species, or Species of Concern.
2.6.12	Address potential conflicts between large-scale development and sage grouse habitat using Ordinances Nos. 2015-010 and 2015-011, which are consistent with OAR 660-023-0115.	Address potential conflicts between large-scale development and sage grouse habitat using Ordinances Nos. 2015-010 and 2015-011, which are consistent with OAR 660-023-0115.		Project team recommendation, agency comments, PC refinement	Policy 5.9.2	Mitigate conflicts between large-scale development and sage grouse habitat.
New Policy			CTWS staff suggests adding the Tribe as it will be consulted on dock construction as a resource co-manager.	Agency commentors, PC refinement	Policy 5.9.3	Consider adopting recommendations from Oregon Department of Fish and Wildlife, the Confederated Tribes of the Warm Springs Reservation of
Section 2.9 Environmental Quality Policies						Environmental Quality
Goal 1	Maintain and improve the quality of the air, water and land.	Maintain and improve upon the the quality of air and land water in Deschutes County.			Goal 5.10	Maintain and improve upon the quality of air and land in Deschutes County.
2.9.1	Support environmental stewardship in County operations and capital projects, including where feasible, using resource-efficient building techniques, materials and technologies in County building projects.	Use building techniques, materials, and technologies in existing and future County operations and capital facilities that help maintain and improve environmental quality.		Minor changes by project team.	Policy 5.10.1	Use building techniques, materials, and technologies in existing and future County operations and capital facilities that help maintain and improve environmental quality.
2.9.2	Maintain County noise and outdoor lighting codes and revise as needed.	Use the County code to limit the impacts of noise and light pollution.		Minor changes by project team.	Policy 5.10.2	Implement a dark skies educational and or incentive program and
2.9.3	Where research identifies environmentally sensitive areas, work with agencies and	Remove			Policy 5.10.3	Coordinate with agency partners to educate residents about controlled
2.9.4	Be a leader in the control of noxious weeds and invasive species through education and regulations.	Use use public education, education for County departments, and regulations to control noxious weeds and invasive species.		Simplification by project team.	Policy 5.10.4	Use public education, education for County departments, and regulations to control noxious weeds and invasive species.
Goal 2	Promote sustainable building practices that minimize the impacts on the natural enviro	Promote sustainable building practices that minimize the impacts of development on the natural environment.		Minor changes by project team.	Goal 5.11	Promote sustainable building practices that minimize the impacts of development on the natural environment.
2.9.5	Review County Code and revise as needed to promote the use of resource-efficient building and landscaping techniques, materials and technologies for new construction and renovation projects.	Review-Use the County Code to promote the use of resource-efficient building and landscaping techniques, materials, and technologies that minimize impacts to environmental quality.		Minor changes by project team.	Policy 5.11.1	Use the County Code and educational materials to promote the use of resource-efficient building and landscaping techniques, materials, and technologies that minimize impacts to environmental quality.
2.9.6	Encourage and support reuse through education and recycling through the Recycling Program. a. Provide convenient recycling at all County events and in all County facilities. b. Provide convenient opportunities to recycle materials and compost green waste in locations at transfer stations and through home pick up. c. Provide convenient opportunities for disposal of hazardous waste and e-waste. d. Aim for 80% recycling of construction waste in all County building projects.	Encourage and support reuse and recycling of consumer goods, green waste, construction waste, hazardous waste, and e-waste through education and the County's Recycling Program.		Restructured policy by project team.	Policy 5.11.2	Encourage and support reuse and recycling of consumer goods, green waste, construction waste, hazardous waste, and e-waste through education and enhanced recycling opportunities through the Recycling Program.
2.9.7		Support the process for siting new County solid waste management facilities, consistent with facility needs and County standards for the location and approval of such facilities.		Project team recommendation with PC refinement	Policy 5.11.3	Support the process for siting new County solid waste management facilities in rural Deschutes County, consistent with facility needs and County standards for the location and approval of such facilities.
New Policy				New policy from project team.	Policy 5.11.4	Implement best practices in solid waste management throughout the
New Policy				New policy from project team.	Policy 5.11.5	Develop and implement a Climate Action Plan to address the potential
New Policy				New policy from project team.	Policy 5.11.6	Promote and incentivize green infrastructure in new development to
Section 2.11 Cultural and Historic Resources Policies						Chapter 6: Historic and Cultural Resources
Goal 1	Promote the preservation of designated historic and cultural resources through educati	Promote the preservation of designated historic and cultural resources through education, incentives and voluntary programs.	CTWS: add "meaningful consultation"		Goal 6.1	Promote the preservation of designated historic and cultural resources through education, incentives, and voluntary programs.
2.11.1	The Historic Landmarks Commission shall take the lead in promoting historic and cultural resource preservation as defined in DCC 2.28. a. Support incentives for private landowners to protect and restore historic resources. b. Support the Historic Landmarks Commission to promote educational programs to inform the public of the values of historic preservation. c. Support improved training for the Historic Landmarks Commission.	The Historic Landmarks Commission shall take the lead in promoting historic and cultural resource preservation as defined in DCC 2.28. a. Support incentives for private landowners to protect and restore historic resources. b. Support the Historic Landmarks Commission to promote educational programs to inform the public of the values of historic preservation. c. Support improved training for the Historic Landmarks Commission.	CTWS: Add CTWS and Tribal Historic Preservation Office	Agency comments, project team recommendations.	Policy 6.1.1	The Historic Landmarks Commission shall take the lead in promoting historic and cultural resource preservation as defined in DCC 2.28. Historic and Cultural Resources a. Support incentives from the State Historic Preservation Office (SHPO), The Confederated Tribes of the Warm Springs Reservation of Oregon Tribal Historic Preservation Office (THPO), or other agencies for private landowners to protect and restore historic resources.
2.11.2	Coordinate cultural and historic preservation with the Oregon State Historic Preservation Office. a. Maintain Deschutes County as a Certified Local Government. b. Encourage private property owners to coordinate with the State Historic Preservation Office.	Coordinate cultural and historic preservation with the Oregon State Historic Preservation Office. a. Maintain Deschutes County as a Certified Local Government. b. Encourage private property owners to coordinate with the State Historic Preservation Office.	CTWS: Add CTWS and Tribal Historic Preservation Office	Agency comments, project team recommendations.	Policy 6.1.2	Coordinate cultural and historic preservation with the Oregon State Historic Preservation Office Office and The Confederated Tribes of the Warm Springs Reservation of Oregon Tribal Historic Preservation Office. a. Maintain Deschutes County as a Certified Local Government, which includes the City of Sisters.
2.11.3	Goal 5 historic inventories, ESEEs and programs are retained and not repealed, except for the amendment noted in Ordinance 2011-003.	remove	CTWS: Cultural resource value are established by the affected tribe based on a shared community identity, not by outside scientific prescriptions.	Agency comments, project team recommendations.	Policy 6.1.3	Coordinate with The Confederated Tribes of the Warm Springs Reservation of Oregon and SHPO to adopt a program to identify and protect
2.11.4		Coordinate with Native American tribes and the Oregon State Historic Preservation Office (SHPO) to adopt a program to inventory, recover, and protect archaeological and cultural resources and prevent conflicting uses from disrupting the scientific value of known sites.				
Section 3.5 Natural Hazards Policies						Chapter 7: Natural Hazards
Goal 1	Protect people, property, infrastructure, the economy and the environment from natural hazards.	Develop policies, partnerships, and programs to increase resilience and response capacity in order to protect people, property, infrastructure, the economy, natural resources, and the environment from natural hazards.		No changes.	Goal 7.1	Develop policies, partnerships, and programs to increase resilience and response capacity in order to protect people, property, infrastructure, the economy, natural resources, and the environment from natural hazards.
3.5.1	Adopt by reference the most recent Deschutes County Natural Hazards Mitigation Plan into this Plan. a. Review and evaluate this Section of the Comprehensive Plan every five years.	Collaborate with federal, state, and local partners to maintain updated mapping of high wildfire risk areas, floodplains, and other high risk natural hazard areas within the county per SB 762.		No change (renumbering)	Policy 7.1.1	Partner with county, state, and regional partners to regularly update and implement the Deschutes County Natural Hazards Mitigation Plan.
3.5.2	Cooperate and coordinate with stakeholders to: a. Analyze and address natural hazards; b. Raise public awareness of natural hazards; c. Support research or studies on natural hazard issues and solutions.	Communicate and cooperate with stakeholders-federal, state, and local entities to clarify responsibilities regarding wildfire mitigation and suppression to improve fire protection services. a. Analyze and address natural hazards; b. Raise public awareness of natural hazards; c. Support research or studies on natural hazard issues and solutions.		Project team recommendation	Policy 7.1.2	Collaborate with federal, state, and local partners to maintain updated mapping of high wildfire risk areas, floodplains, and other natural hazard areas within the county.
3.5.3	Coordinate with emergency service providers when new development is proposed.	Partner with county, state, and regional partners to regularly update, adopt, and implement the Deschutes County Natural Hazards Mitigation Plan.		Project team recommendation	Policy 7.1.3	Communicate and cooperate with federal, state, and local entities to clarify responsibilities regarding wildfire mitigation and suppression to improve
3.5.4	Provide incentives and, if needed, regulations, to manage development in areas prone to natural hazards.	Work with agency partners to address and respond to increased episodes of poor air quality resulting from wildfires in the region.		New policy from project team.	Policy 7.1.4	Use the development code to provide incentives and regulations to manage development in areas prone to natural hazards.
3.5.5	Development should be designed to minimize alteration of the natural land form in areas subject to slope instability, drainage issues or erosion.	Goal 2: Ensure the County's built environment and infrastructure are adequately prepared for natural disasters.		New policy from project team.	Policy 7.1.5	Work with agency partners to address and respond to increased episodes of poor air quality resulting from wildfires in the region.

3.5.6	Critical facilities (schools, churches, hospitals and other facilities as defined by the Federal Emergency Management Agency) should be located outside high risk natural hazard areas, where possible.	Increase the quality, resiliency, diversity, and redundancy of utility and transportation infrastructure to increase chances of continued service following a natural disaster.		Project team recommendations with PC refinement	Policy 7.1.6	Protect wildlife with wildland fire mitigation measures on private lands.
3.5.7	Address wildfire danger particularly in the wildland urban interface. a. Survey and map wildfire hazard at risk areas using the Wildfire Hazard Identification and Mitigation System.	Prohibit the development of new essential public facilities and uses that serve vulnerable populations from being located within areas at high risk of flooding, landslides, liquefaction, and fire, and aim to relocate existing uses in these areas.		Project team recommendation.	Policy 7.1.7	Address wildfire risk, particularly in the wildland urban interface.
3.5.8	Support forest management practices that reduce severe wildfire hazard areas, as identified by the Wildfire Hazard Identification and Mitigation System, to a low or moderate rating, particularly in areas with development.	Coordinate with emergency service providers when new development is proposed to ensure that disaster response capacity can meet the needs of the new development.		Project team recommendation.	Policy 7.1.8	Identify all areas not protected by structural fire protection agencies and promote discussions to address fire protection in unprotected lands in the County.
3.5.9	Support local fire protection districts and departments in providing and improving fire protection services.	Increase requirements for new development to follow home hardening, defensible space, and other resilient design strategies in areas prone to natural hazards. Encourage/Incentivize development that exceeds minimum building code standards and promote retrofitting of existing development for better natural disaster resiliency.		Project team recommendation with PC refinement	Policy 7.1.9	Support forest management practices that reduce wildfire risk.
3.5.10	Regulate development in designated floodplains identified on the Deschutes County Zoning Map based on Federal Emergency Management Act regulations.	Promote and incentivize green infrastructure in new development to improve stormwater management.		No change	Policy 7.1.10	Support local fire protection districts and departments in providing and improving fire protection services.
3.5.11	a. Participate in and implement the Community Rating System as part of the National Review and revise County Code as needed to: a. Ensure that land use activities do not aggravate, accelerate or increase the level of risk from natural hazards. b. Address wildfire concerns to and from development, through consideration of site location, building construction and design, landscaping, defensible space, fuel management, access and water availability. c. Require development proposals to include an impact evaluation that reviews the ability of the affected fire agency to maintain an appropriate level of service to existing	Require development to be designed to minimize alteration of the natural landform in areas subject to slope instability, drainage issues or erosion.		Project team recommendation.	Policy 7.1.11	Continue to review and revise County Code as needed to: a. Ensure that land use activities do not aggravate, accelerate or increase the level of risk from natural hazards. b. Require development proposals to include an impact evaluation that reviews the ability of the affected fire agency to maintain an appropriate level of service to existing development and the proposed development. c. Minimize erosion from development and ensure disturbed or exposed areas are promptly restored to a stable, natural and/or vegetated condition
New Goal				New language, project team recommendation.	Goal 7.2	Ensure the County's built environment and infrastructure are adequately
New Policy				New language, project team recommendation.	Policy 7.2.1	Increase the quality, resiliency, diversity, and redundancy of utility and
New Policy				Project team recommendation, update of 3.5.6	Policy 7.2.2	Prohibit the development of new essential public facilities and uses that
New Policy				Project team recommendation, PC refinement.	Policy 7.2.3	Support siting of Central Oregon Ready, Responsive, Resilient (CORE3)
New Policy				Project team recommendation, previously 3.5.3	Policy 7.2.4	Coordinate with emergency service providers when new development is
New Policy				Project team recommendation, previously part of 3.5.11	Policy 7.2.5	Require new development to follow home hardening, defensible space, and
New Policy				New language, project team recommendation.	Policy 7.2.6	Encourage and incentivize development that exceeds minimum building
New Policy				Project team recommendation, previously 3.5.5	Policy 7.2.7	Require development to be designed to minimize alteration of the natural
New Policy				Project team recommendation, previously 3.5.10	Policy 7.2.8	Regulate development in designated floodplains identified on the Deschutes County Zoning Map based on Federal Emergency Management Act regulations.
New Goal				New goal, project team recommendation.	Goal 7.3	Develop programs that inform the public about the increased risks from
New Policy				New language, project team recommendation and PC Refinement	Policy 7.3.1	Identify high risk, high need populations and ensure equitable access to
New Policy				New language, project team recommendation and PC Refinement	Policy 7.3.2	Increase outreach and education for hazard awareness and natural disaster
New Policy				New language, project team recommendation.	Policy 7.3.3	Expand partnerships with government agencies, utilities, and other groups
New Policy				New language, project team recommendation.	Policy 7.3.4	Work with regional partners to establish and maintain adequate support
New Policy				New language, project team recommendation.	Policy 7.3.5	Promote and support business resilience planning.
Section 3.8 Rural Recreation Policies						Chapter 8: Recreation
Goal 1	Promote a variety of passive and active park and recreation opportunities through a			Project team recommendation, based on community feedback.	Goal 8.1	Increase affordable, sustainable, and diverse recreation opportunities
3.8.1	Cooperate with public agencies and local park districts to provide park and recreation lands, facilities and opportunities. a. The Statewide Comprehensive Outdoor Recreation Plan and State Park Master Plans shall serve as a basis for coordination on County-wide park and recreation issues. b. Support exceptions to Statewide Planning Goals for urban fringe areas owned or acquired and operated by park and recreation districts.	Coordinate with public agencies and local park districts to provide park and recreation lands, facilities, and access.	Suggestion to remove "regional". BPRD's community and regional parks are both larger than neighborhood parks so may require land outside of the UGB. Pine Nursery is an example of a community park originally outside of UGB.	Simplified language per Project Team	Policy 8.1.1	Reduce barriers to regional parks and recreation projects in Deschutes County, including acknowledgement or adoption of federal, state and local parks district trail and facility plans.
3.8.2	Work cooperatively with public agencies to promote standards for consolidation of public land access and to ensure recreational entry to those lands, especially along rivers and streams	Simplify language	Will it be acknowledgment of adopted plans? Or will the county adopt other agency's plans? If exactions could be involved the plan may not be able to only be incorporated by reference. Can you include local park and recreation districts in the list of partners? BPRD has trails in it's Comp Plan that are outside of the district.	Simplified language per Project Team, agency comments	Policy 8.1.2	Collaborate with partners to develop a regional system of trails and open spaces, prioritizing recommendations from local parks districts, County, state, and federal recreational plans and studies.
3.8.3	Encourage coordination between the U.S. Forest Service, the Bureau of Land Management and off-road vehicle organizations to regulate use of motorized vehicles, including motorbikes, ATVs and snowmobiles in order to minimize environmental degradation, agricultural fragmentation, and user conflicts on public lands.	Encourage coordination between the U.S. Forest Service, the Bureau of Land Management, and recreational use interest groups to minimize environmental degradation, agricultural fragmentation, and user conflicts on public lands.		Simplified language per Project Team	Policy 8.1.3	Encourage coordination between the U.S. Forest Service, the Bureau of Land Management and recreational use interest groups to minimize environmental degradation, agricultural fragmentation and user conflicts
3.8.4	Participate in federal recreation planning on federal lands and state park planning on	remove		Project Team and PC refinement	Policy 8.1.4	Support the creation and improvement of accessible park and recreation
3.8.5	Support accessible park and recreation opportunities in compliance with the Americans with Disabilities Act.	Prioritize accessible park and recreation opportunities in compliance with the Americans with Disabilities Act.		Project Team and PC refinement	Policy 8.1.5	Support efforts to coordinate recreation planning between the County, park and recreation districts, school districts, irrigation districts,
3.8.6	Support efforts to coordinate recreation planning between park and recreation districts, school districts, irrigation districts and cities.	Support efforts to coordinate recreation planning between park and recreation districts, school districts, irrigation districts, and unincorporated communities, and cities.	BPRD suggest either an additional policy, or including in another, that the County will support the development parks and trails identified in locally adopted plans. This may lead to further action plan items, particularly related to trails.	Agency comments, project team recommendations.	Policy 8.1.6	Support the development of parks and trails identified in locally-adopted plans.
3.8.7	Work with Unincorporated Communities that express an interest in parks, open spaces and community centers.	Coordinate with unincorporated communities to identify opportunities for parks, trails, open spaces, and community centers.			Policy 8.1.7	Coordinate with unincorporated communities to identify opportunities for parks, trails, open spaces, and community centers.
3.8.8	Coordinate trail design and funding with transportation system plans and support efforts to provide and manage rural trail segments and bicycle routes.	remove	We know what you mean, but this reads like you'll identify funding for the trail standards.	Agency comments	Policy 8.1.8	Establish trail design standards and identify specific funding sources for trails as part of future transportation system planning efforts to ensure development of identified priority rural trail segments and bicycle routes.
3.8.9	Support the Committee on Recreational Assets in identifying priority recreational projects, including incorporating as appropriate, elements of the Committee on	Coordinate with other County planning efforts that support parks and recreation throughout the County.		Removed 3.8.9, added new language shown in 8.1.9. New policy based on community input.	Policy 8.1.9	Explore creation of a County Parks and Recreation Department to increase the County's role in recreation and natural resource management and
3.8.10	Update County Code as needed to define rural recreational uses such as private parks.	remove		New policy based on community input.	Policy 8.1.10	Support community efforts for acquisition and management of Skyline Forest as a community amenity.
New Policy				Moved from Economic Development section, no other changes.	Policy 8.1.11	Work with stakeholders to promote new recreational and tourist initiatives
Economic Development						Chapter 9: Economic Development
Goal 1	Maintain a stable and sustainable rural economy, compatible with rural lifestyles and a			No changes.	Goal 9.1	Maintain a stable, and sustainable, and thriving rural economy, compatible
3.4.1	Promote rural economic initiatives, including home-based businesses, that maintain the integrity of the rural character and natural environment.	Promote rural economic initiatives, including home-based businesses, that maintain the integrity of the rural character and natural environment. A. Review land use regulations to identify legal and appropriate rural economic development opportunities.		Project Team and PC refinement	Policy 9.1.1	Promote rural economic initiatives, including home-based businesses, that maintain the integrity of the rural character and natural environment.
3.4.2	Work with stakeholders to promote new recreational and tourist initiatives that			Removed by project team; included in Action Plan.		
3.4.3	Support a regional approach to economic development in concert with Economic Development for Central Oregon or similar organizations.	Support a regional approach to economic development in concert with Economic Development for Central Oregon or similar organizations.		Minor changes by project team.	Policy 9.1.2	Support a regional approach to economic development in concert with Economic Development for Central Oregon or similar organizations.
3.4.4	Support regional educational facilities and workforce training programs.			Minor changes by project team.	Policy 9.1.3	Support growth and expansion of colleges and universities, regional
3.4.5	Support renewable energy generation as an important economic development			Project Team and PC refinement	Policy 9.1.4	Support renewable energy generation as an important economic

3.4.6	Support and participate in master planning for airports in Deschutes County.		Project team	Policy 9.1.5	Support and participate in master planning for airports in Deschutes
3.4.7	Within the parameters of State land use regulations, permit limited local-serving commercial uses in higher-density rural communities.	Within the parameters of State land use regulations, permit limited local-serving commercial uses in higher-density rural communities. Support limited and locally-serving commercial uses in appropriate locations.	Project team	Policy 9.1.6	Within the parameters of State land use regulations, permit limited local-serving commercial uses in higher-density rural communities. Support limited and locally-serving commercial uses in appropriate locations.
New Policy			Project team	Policy 9.1.7	Support expansion of high-speed internet in rural areas and integrate
New Policy			Project team	Policy 9.1.8	Support funding and development of childcare locations across the County
New Policy			Project team	Policy 9.1.9	Explore need for master planning for rural economic development lands,
New Policy			Project team	Policy 9.1.10	Recognize the importance of maintaining a large-lot industrial land supply
Section X.X 3Lands Designated and Zoned					
Goal 1	Support the creation and continuation of rural commercial areas that support rural communities while not adversely affecting nearby agricultural and forest uses.	<u>Goal 2: Support creation and continuation of rural commercial areas that support rural communities while not adversely affecting nearby agricultural and forest uses.</u>	No changes.	Goal 9.2	Support creation and continuation of rural commercial areas that support rural communities while not adversely affecting nearby agricultural and forest uses.
3.4.8	Update the policies for lands designated Rural Commercial as needed.	Rural Commercial designated lands located outside of urban growth boundaries shall allow uses less intense than those allowed in unincorporated communities as defined by Oregon Administrative Rule 660-22 or its successor. Rural Commercial zoning shall be applied to any new properties that are approved for Rural Commercial designation as allowed by State Statute, Oregon Administrative Rules and this Comprehensive Plan. Apply Rural Commercial zoning designations to new properties that are approved for Rural Commercial	Removed by project team.		
3.4.9	Rural Commercial designated lands located outside of urban growth boundaries shall allow uses less intense than those allowed in unincorporated communities as defined by Oregon Administrative Rule 660-22 or its successor. Rural Commercial zoning shall be applied to any new properties that are approved for Rural Commercial designation as allowed by State Statute, Oregon Administrative Rules and this Comprehensive Plan.	Rural Commercial designated lands located outside of urban growth boundaries shall allow uses less intense than those allowed in unincorporated communities as defined by Oregon Administrative Rule 660-22 or its successor. Rural Commercial zoning shall be applied to any new properties that are approved for Rural Commercial designation as allowed by State Statute, Oregon Administrative Rules and this Comprehensive Plan. Apply Rural Commercial zoning designations to new properties that are approved for Rural Commercial	Simplified language per Project Team	Policy 9.2.1	Allow for new Rural Commercial zoning designations if otherwise allowed by Oregon Revised Statute, Administrative Rule, and this Comprehensive Plan.
3.4.10	Rural Commercial zoning shall be applied to Deschutes Junction, Deschutes River		Removed by project team; already addressed in development code.		
3.4.11	In Spring River there shall be a Limited Use Combining Zone.		Renumbered policy; no other changes.	Policy 9.2.2	In Spring River there shall be a Limited Use Combining Zone.
3.4.12	County Comprehensive Plan policies and land use regulations shall ensure that new uses authorized on Rural Commercial designated lands do not adversely affect agricultural and forest uses in the surrounding areas.	County Comprehensive Plan policies and land use regulations shall ensure that new uses authorized on Rural Commercial designated lands do not adversely affect agricultural and forest uses in the surrounding areas. Ensure new uses permitted on Rural Commercial lands do not adversely affect nearby agricultural and forest uses.	Simplified language per Project Team	Policy 9.2.3	Ensure new uses permitted on Rural Commercial lands do not adversely affect nearby agricultural and forest uses.
3.4.13	Zoning in the area shall ensure that the uses allowed are rural as required by Goal 14, Urbanization, and less intense than those allowed for unincorporated communities as defined in OAR 660-22. New commercial uses shall be limited to those that are	<u>Ensure new commercial uses on Rural Commercial lands are limited to those intended to serve the surrounding rural area and/or the needs of the traveling public.</u>	Simplified language per Project Team	Policy 9.2.4	Ensure new commercial uses on Rural Commercial lands are limited to those intended to serve the surrounding rural area and/or the needs of the traveling public.
3.4.14	New commercial uses shall be limited in size to 2,500 square feet or if for an		Renumbered policy; no other changes.	Policy 9.2.5	New commercial uses shall be limited in size to 2,500 square feet or if for
3.4.15	A lawful use existing on or before November 5, 2002 that is not otherwise allowed in a		Renumbered policy; no other changes.	Policy 9.2.6	A lawful use existing on or before November 5, 2002 that is not otherwise
3.4.16	An existing lawful use may expand up to 25 percent of the total floor area existing on		Renumbered policy; no other changes.	Policy 9.2.7	An existing lawful use may expand up to 25 percent of the total floor area
3.4.17	The Rural Commercial zoning regulations shall allow a mixed use of residential or rural		Renumbered policy; no other changes.	Policy 9.2.8	The Rural Commercial zoning regulations shall allow a mixed use of
3.4.18	Residential and commercial uses shall be served by DEQ approved on-site sewage		Renumbered policy; no other changes.	Policy 9.2.9	Residential and commercial uses shall be served by DEQ approved on-site
3.4.19	Residential and commercial uses shall be served by on-site wells or public water		Renumbered policy; no other changes.	Policy 9.2.10	Residential and commercial uses shall be served by on-site wells or public
3.4.20	Community sewer systems, motels, hotels and industrial uses shall not be allowed.		Renumbered policy; no other changes.	Policy 9.2.11	Community sewer systems, motels, hotels and industrial uses shall not be
3.4.21	Recreational vehicle or trailer parks and other uses catering to travelers shall be		Renumbered policy; no other changes.	Policy 9.2.12	Recreational vehicle or trailer parks and other uses catering to travelers
Lands Designated and Zoned Rural					
Goal 1		<u>Support the creation and continuation of rural industrial areas that support rural communities while not adversely affecting nearby agricultural and forest uses.</u>	Renumbered policy; no other changes.	Goal 9.3	Support the creation and continuation of rural industrial areas that support rural communities while not adversely affecting nearby agricultural and forest uses.
3.4.21	Update the policies for lands designated Rural Industrial as needed.	Update the policies for lands designated Rural Industrial as needed.	Combined policies by project team.	Policy 9.3.1	Update the policies for lands designated Rural Industrial as needed to limit
3.4.22	To assure that urban uses are not permitted on rural industrial lands, land use regulations in the Rural Industrial zones shall ensure that the uses allowed are less intensive than those allowed for unincorporated communities in OAR 660-22 or any successor.	To assure that urban uses are not permitted on rural industrial lands, land use regulations in the Rural Industrial zones shall ensure that the uses allowed are less intensive than those allowed for unincorporated communities in OAR 660-22 or any successor. Limit and control industrial uses through the use of the Rural Industrial designation and a Limited Use Combining Zone as shown on (Map citation)	Simplified policy language by project team.	Policy 9.3.2	To assure that urban uses are not permitted on rural industrial lands, land use regulations in the Rural Industrial zones shall ensure that the uses allowed are less
3.4.23	Limited Use Combining zones shall be applied to the Redmond Military (Tax lot 151300000116), Deschutes Junction (Tax lot 161226C000301, Tax lot 161226C000300, Tax lot 161226C000111 and Tax lot 161226A000203) to ensure permitted uses are compatible with surrounding farm and forest lands.	Limited Use Combining zones shall be applied to the Redmond Military (Tax lot 151300000116), Deschutes Junction (Tax lot 161226C000301, Tax lot 161226C000300, Tax lot 161226C000111 and Tax lot 161226A000203) to ensure permitted uses are compatible with surrounding farm and forest lands.	Renumbered policy; no other changes.	Policy 9.3.3	Limited Use Combining zones shall be applied to the Redmond Military (Tax lot 151300000116), Deschutes Junction (Tax lot 161226C000301, Tax lot 161226C000300, Tax lot 161226C000111 and Tax lot 161226A000203) to ensure permitted uses are compatible with surrounding farm and forest
3.4.24	To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals.	To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals.	Renumbered policy; no other changes.	Policy 9.3.4	To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals.
3.4.25	To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals.	To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals.	Renumbered policy; no other changes.	Policy 9.3.5	To ensure that the uses in Rural Industrial zone on tax lot 16-12-26C-301, as described in Exhibit "C" and depicted on Exhibit "D" attached to Ordinance 2009-007 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on that site shall be subject to a Limited Use Combining Zone which will limit the uses to storage, crushing, processing, sale and distribution of minerals
3.4.26	To ensure that the uses in the Rural Industrial Zone on Tax Lot 300 on Assessor's Map 16-12-26C-300 and Tax Lot 203 on Assessor's Map 16-12-26A-300 and portions of Tax Lot 111 on Assessor's Map 16-12-26C-111 as described in Exhibit 'D' and depicted in Exhibit 'E' attached to Ordinance 2010-030 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on the subject parcel shall be subject to a Limited Use Combining Zone, which will limit the uses to storage, crushing, processing, sale and distribution of minerals, subject to conditional use and site plan approval.	To ensure that the uses in the Rural Industrial Zone on Tax Lot 300 on Assessor's Map 16-12-26C-300 and Tax Lot 203 on Assessor's Map 16-12-26A-300 and portions of Tax Lot 111 on Assessor's Map 16-12-26C-111 as described in Exhibit 'D' and depicted in Exhibit 'E' attached to Ordinance 2010-030 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on the subject parcel shall be subject to a Limited Use Combining Zone, which will limit the uses to storage, crushing, processing, sale and distribution of minerals, subject to conditional use and site plan approval.	Renumbered policy; no other changes.	Policy 9.3.6	To ensure that the uses in the Rural Industrial Zone on Tax Lot 300 on Assessor's Map 16-12-26C-300 and Tax Lot 203 on Assessor's Map 16-12-26A-300 and portions of Tax Lot 111 on Assessor's Map 16-12-26C-111 as described in Exhibit 'D' and depicted in Exhibit 'E' attached to Ordinance 2010-030 and incorporated by reference herein, are limited in nature and scope, the Rural Industrial zoning on the subject parcel shall be subject to a Limited Use Combining Zone, which will limit the uses to storage, crushing, processing, sale and distribution of minerals, subject to conditional use and site plan approval.
3.4.27	Land use regulations shall ensure that new uses authorized within the Rural Industrial sites do not adversely affect agricultural and forest uses in the surrounding area.	Land use regulations shall ensure that new uses authorized within the Rural Industrial sites do not adversely affect agricultural and forest uses in the surrounding area.	Simplified policy language by project team.	Policy 9.3.7	Ensure new uses on Rural Industrial lands do not adversely affect nearby agricultural and forest uses.
3.4.28	New industrial uses shall be limited in size to a maximum floor area of 7,500 square feet per use within a building, except for the primary processing of raw materials produced in rural areas, for which there is no floor area per use limitation.	New industrial uses shall be limited in size to a maximum floor area of 7,500 square feet per use within a building, except for the primary processing of raw materials produced in rural areas, for which there is no floor area per use limitation.	Removed by project team; already addressed in development code.		
3.4.29	A lawfully established use that existed on or before February 2, 2003 not otherwise allowed in a Rural Industrial zone may continue to exist subject to the county's non-conforming use regulations.	A lawfully established use that existed on or before February 2, 2003 not otherwise allowed in a Rural Industrial zone may continue to exist subject to the county's non-conforming use regulations	Renumbered policy; no other changes.	Policy 9.3.8	A lawfully established use that existed on or before February 2, 2003 not otherwise allowed in a Rural Industrial zone may continue to exist subject to the county's non-conforming use regulations.
3.4.30	A lawfully established use that existed on or before February 2, 2003 may be expanded to occupy a maximum of 10,000 square feet of floor area or an additional 25 percent of the floor area currently occupied by the existing use, whichever is greater.	A lawfully established use that existed on or before February 2, 2003 may be expanded to occupy a maximum of 10,000 square feet of floor area or an additional 25 percent of the floor area currently occupied by the existing use, whichever is greater.	Renumbered policy; no other changes.	Policy 9.3.9	A lawfully established use that existed on or before February 2, 2003 may be expanded to occupy a maximum of 10,000 square feet of floor area or an additional 25 percent of the floor area currently occupied by the existing use, whichever is greater.
3.4.31	Residential and industrial uses shall be served by DEQ approved on-site sewage disposal systems.	Residential and industrial uses shall be served by DEQ approved on-site sewage disposal systems.	Minor changes by project team.	Policy 9.3.10	Ensure new uses on Rural Industrial lands are served by on-site sewage disposal systems approved by the Department of Environmental Quality (DEQ).
		<u>Ensure new uses on Rural Industrial lands are served by on-site sewage disposal systems approved by the Department of Environmental Quality (DEQ).</u>			

3.4.32	Residential and industrial uses shall be served by on-site wells or public water systems.	Residential and industrial uses shall be served by on-site wells or public water systems. <u>Ensure new uses on Rural Industrial lands are served by on-site wells or public water systems.</u>	Minor changes by project team.	Policy 9.3.11	Residential and industrial uses shall be served by on-site wells or public water systems.	
3.4.33	Community sewer systems shall not be allowed in Rural Industrial zones.	Community sewer systems shall not be allowed in Rural Industrial zones.	Renumbered policy; no other changes.	Policy 9.3.12	Community sewer systems shall not be allowed in Rural Industrial zones.	
3.4.34	A 2009 exception (Ordinance 2009-007) included an irrevocably committed exception to Goal 3 and a reasons exception to Goal 14 to allow rural industrial use with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.	A 2009 exception (Ordinance 2009-007) included an irrevocably committed exception to Goal 3 and a reasons exception to Goal 14 to allow rural industrial use with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.	Renumbered policy; no other changes.	Policy 9.3.13	A 2009 exception (Ordinance 2009-007) included an irrevocably committed exception to Goal 3 and a reasons exception to Goal 14 to allow rural industrial use with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.	
3.4.35	A 2010 exception (Ordinance 2010-030) took a reasons exception to Goal 14 with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.	A 2010 exception (Ordinance 2010-030) took a reasons exception to Goal 14 with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.	Renumbered policy; no other changes.	Policy 9.3.14	A 2010 exception (Ordinance 2010-030) took a reasons exception to Goal 14 with a Limited Use Combining Zone for storage, crushing, processing, sale and distribution of minerals.	
3.4.36	Properties for which a property owner has demonstrated that Goals 3 and 4 do not apply may be considered for Rural Industrial designation as allowed by State Statute, Oregon Administrative rules and this Comprehensive Plan. Rural Industrial zoning shall be applied to a new property that is approved for the Rural Industrial Plan designation.	Properties for which a property owner has demonstrated that Goals 3 and 4 do not apply may be considered for Rural Industrial designation as allowed by State Statute, Oregon Administrative rules and this Comprehensive Plan. Rural Industrial zoning shall be applied to a new property that is approved for the Rural Industrial Plan designation.	Renumbered policy; no other changes.	Policy 9.3.15	Properties for which a property owner has demonstrated that Goals 3 and 4 do not apply may be considered for Rural Industrial designation as allowed by State Statute, Oregon Administrative rules and this Comprehensive Plan. Rural Industrial zoning shall be applied to a new property that is approved for the Rural Industrial Plan designation.	
Rural Service Centers						
	No goals have been defined for the Rural Service Centers.	<u>Support the creation and continuation of rural service centers that support rural communities while not adversely affecting nearby agricultural and forest uses.</u>	Project team.	Goal 9.4	Support the creation and continuation of rural service centers that support rural communities while not adversely affecting nearby agricultural and forest uses.	
Policy 4.9.1	Land use regulations shall conform to the requirements of OAR 660, Division 22 or any successor.	Land use regulations shall conform to the requirements of OAR 660, Division 22 or any successor.	Project team eliminated old language as unnecessary; replaced with other existing policy.	Policy 9.4.1	Rural Service Centers in Alfalfa, Brothers, Hampton, Wilstlestop, and Wildhunt are identified on the Comprehensive Plan Map and shall have In Alfalfa, he remaining 20 acres of the Rural Service Center will continue to be zoned Rural Service Center – Residential District, with a 5-acre minimum lot size. A zone change to mixed use commercial can be considered only for a specific use and upon findings that the existing commercial area is fully developed	
Policy 4.9.2	Rural Service Center zoning shall be applied to Alfalfa and Brothers and shall consist of three districts: Commercial/Mixed Use; Residential; and Open Space.	Rural Service Centers zoning shall be applied to Alfalfa and Brothers and shall consist of three districts: Commercial/Mixed Use; Residential; and Open Space in Alfalfa, Brothers, Hampton, Wilstlestop, and Wildhunt are identified on the Comprehensive Plan Map and shall have zoning consistent with Comprehensive Plan designations.	Removed by project team as already addressed in development code; replaced with more general language.	Policy 9.4.2	Ensure that land uses at Rural Service Centers do not adversely affect agricultural and forest uses in the surrounding areas.	
Policy 4.9.3	Rural Service Center zoning shall be applied to Hampton, Whistlestop and Wildhunt and shall consist of a single Commercial/Mixed Use District.	Rural Service Center zoning shall be applied to Hampton, Whistlestop and Wildhunt and shall consist of a single Commercial/Mixed Use District.	Removed by project team as already addressed in development code; replaced with more general language.	Policy 9.4.3	Zoning in rural service areas shall promote the maintenance of the area's rural character. New commercial uses shall be limited to small-scale, low impact uses that are intended to serve the community and surrounding Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems.	
Policy 4.9.4	The area in the Brothers Rural Service Center Boundary that is north of Highway 20 and east of Camp Creek Road shall be zoned as Rural Service Center - Open Space District (RSC-OS).	The area in the Brothers Rural Service Center Boundary that is north of Highway 20 and east of Camp Creek Road shall be zoned as Rural Service Center - Open Space District (RSC-OS).	Removed by project team as already addressed in development code; replaced with language from old policy 4.9.7.	Policy 9.4.4		
Policy 4.9.5	In April 2002, Alfalfa area residents expressed a desire to keep the community "the way it is" and to limit commercial activity to 2-acres south of Willard Road that is the site of the Alfalfa Community Store and the community water system. These two acres are designated as a mixed used commercial district in the Comprehensive Plan and shall be zoned mixed use commercial. The remaining 20 acres of the Rural Service Center will continue to be zoned Rural Service Center – Residential District, with a 5-acre minimum lot size. Since the Board of County Commissioners finds it may be necessary to accommodate the need for future commercial expansion 2 acres north of Willard Road are being designated on the Comprehensive Plan for future commercial uses. A zone change to mixed use commercial can be considered only for a specific use and upon findings that the existing commercial area is fully developed.	In April 2002, Alfalfa area residents expressed a desire to keep the community "the way it is" and to limit commercial activity to 2-acres south of Willard Road that is the site of the Alfalfa Community Store and the community water system. These two acres are designated as a mixed used commercial district in the Comprehensive Plan and shall be zoned mixed use commercial. The remaining 20 acres of the Rural Service Center will continue to be zoned Rural Service Center – Residential District, with a 5-acre minimum lot size. Since the Board of County Commissioners finds it may be necessary to accommodate the need for future commercial expansion 2 acres north of Willard Road are being designated on the Comprehensive Plan for future commercial uses. A zone change to mixed use commercial can be considered only for a specific use and upon findings that the existing commercial area is fully developed.	Removed by project team as already addressed in development code; replaced with language from old policy 4.9.8.	Policy 9.4.5		
Policy 4.9.6	County Comprehensive Plan policies and land use regulations shall ensure that new uses authorized within the Alfalfa, Brothers, Hampton, Millican, Whistlestop and Wildhunt Rural Service Centers do not adversely affect agricultural and forest uses in the surrounding areas.	County Comprehensive Plan policies and land use regulations shall ensure that new uses authorized within the Alfalfa, Brothers, Hampton, Millican, Whistlestop and Wildhunt Rural Service Centers do not adversely affect agricultural and forest uses in the surrounding areas.	Removed by project team as already addressed in development code; replaced with language from old policy 4.9.9.	Policy 9.4.6	Residential and commercial uses shall be served by onsite wells or public water systems.	
Policy 4.9.7	Zoning in the area shall promote the maintenance of the area's rural character. New commercial uses shall be limited to small-scale, low impact uses that are intended to serve the community and surrounding rural area or the travel needs of people passing through the area. The commercial/mixed use zoning regulations shall allow a mixed use of residential or small-scale commercial uses.	Maintain the rural character of Rural Service Centers through appropriate land use regulations. Zoning in the area shall promote the maintenance of the area's rural character. New commercial uses shall be limited to small-scale, low impact uses that are intended to serve the community and surrounding rural area or the travel needs of people passing through the area. The commercial/mixed use zoning regulations shall allow a mixed use of residential or small-scale commercial uses.	Simplified by project team; separated into separate policies.	Policy 9.4.7	Community water systems, motels, hotels and industrial uses shall not be allowed.	
Policy 4.9.8	Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems.	Residential and commercial uses shall be served by DEQ approved on-site sewage disposal systems. Ensure residential and commercial uses in Rural Service Centers are served by on-site sewage disposal systems approved by the Department of Environmental Quality (DEQ).	Renumbered and replaced with old policy 4.9.11.	Policy 9.4.8	Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.	
Policy 4.9.9	Residential and commercial uses shall be served by onsite wells or public water systems.	Residential and commercial uses shall be served by onsite wells or public water systems. Ensure residential and commercial uses in Rural Service Center areas are served by on-site wells or public water systems.	Moved to new policy number.			
Policy 4.9.10	Community water systems, motels, hotels and industrial uses shall not be allowed.	Community water systems, motels, hotels and industrial uses shall not be allowed.	Moved to new policy number.			
Policy 4.9.11	Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.	Recreational vehicle or trailer parks and other uses catering to travelers shall be permitted.	Moved to new policy number.			
Policy 4.9.12	The County shall consider ways to improve services in the area consistent with the level of population to be served.	The County shall consider ways to improve services in the area consistent with the level of population to be served.	Removed by project team as redundant.			
Section 3.3 Rural Housing Policies						
Goal 1	Maintain the rural character and safety of housing in unincorporated Deschutes County.	Support housing opportunities and choices for rural County residents in unincorporated Deschutes County, while meeting health and safety concerns, minimizing environmental and resource land impacts, and complying with state land use requirements.	Project team, with refinements by PC.	Chapter 10: Housing	Goal 10.1	Support housing opportunities and choices for rural County residents in unincorporated Deschutes County, while meeting health and safety concerns, minimizing environmental and resource land impacts.
3.3.1	Except for parcels in the Westside Transect Zone, the minimum parcel size for new		Removed by project team as already addressed in development code.			
3.3.2	Incorporate annual farm and forest housing reports into a wider system for tracking		No changes.	Policy 10.1.1		
3.3.3	Address housing health and safety issues raised by the public, such as: a. The number of large animals that should be permitted on rural residential parcels; or b. The properties south of La Pine, in Township 22S, Range 10E, Section 36, many of which are not in compliance with planning and building codes.	Continue to update the County zoning ordinance and work with partnering organizations to address housing health and safety issues raised by the public, such as including but not limited to water quality, wildfire, safe building construction practices, homeless encampments, and other issues. a. The number of large animals that should be permitted on rural residential parcels; or b. The properties south of La Pine, in Township 22S, Range 10E, Section 36, many of which are not in compliance with planning and building codes.	New language recommended by project team, with refinements by PC; removed language addressed in development code.	Policy 10.1.2	Incorporate annual farm and forest housing reports into a wider system for Continue to update the County zoning ordinance and work with partnering organizations to address health and safety issues associated with housing.	
3.3.4	Encourage new subdivisions to incorporate alternative development patterns, such as cluster development, that mitigate community and environmental impacts.	Encourage and/or require, where consistent with County policies and requirements, new subdivisions to incorporate alternative development patterns, such as cluster development, that mitigate community and environmental impacts.	Project team, with refinements by PC.	Policy 10.1.3	Encourage and/or require, where consistent with County policies and requirements, new subdivisions to incorporate alternative development patterns, such as cluster development, that mitigate community and environmental impacts.	
3.3.5	Maintain the rural character of the County while ensuring a diversity of housing opportunities, including initiating discussions to amend State Statute and/or Oregon Administrative Rules to permit accessory dwelling units in Exclusive Farm Use, Forest and Rural Residential zones.	Maintain the rural character of the County while ensuring a diversity of housing opportunities, including initiating discussions to amend State Statute and/or Oregon Administrative Rules to permit accessory dwelling units in Exclusive Farm Use, Forest and Rural Residential zones. Implement legislation allowing accessory dwelling units in rural areas to expand housing choices.	Project team.	Policy 10.1.4	Implement legislation allowing accessory dwelling units in rural areas to expand housing choices.	
New policy			New policy language by project team.	Policy 10.1.5	Create and encourage opportunities for flexibility in rural housing including	

4.8.18	The Black Butte Ranch Water Distribution Company and the Black Butte Ranch		No changes.	Policy 11.3.2	The Black Butte Ranch Water Distribution Company and the Black Butte
4.8.19	The Black Butte Ranch Water Distribution Company shall provide water service for the		No changes.	Policy 11.3.3	The Black Butte Ranch Water Distribution Company shall provide water
4.8.20	The Black Butte Ranch Corporation shall provide sewer service for Black Butte Ranch.		No changes.	Policy 11.3.4	The Black Butte Ranch Corporation shall provide sewer service for Black
4.8.21	The Black Butte Ranch Fire Protection District shall provide fire protection services for		No changes.	Policy 11.3.5	The Black Butte Ranch Fire Protection District shall provide fire protection
4.8.22	The roads and the bicycle/ pedestrian path system within the Black Butte Ranch Resort		No changes.	Policy 11.3.6	The roads and the bicycle/ pedestrian path system within the Black Butte
Inn of the 7th Mountain Widgi Creek General Policies					
4.8.23	Any amendment to the allowable uses in either the Resort Community District or the		No changes.	Policy 11.4.1	Any amendment to the allowable uses in either the Resort Community
4.8.24	The County shall encourage and support land exchanges efforts by and between private property owners, public agencies, and public trusts for the purpose of fostering		No changes.	Policy 11.4.2	The County shall encourage and support land exchanges efforts by and between private property owners, public agencies, and public trusts for the
Inn of the 7th Mountain/Widgi Creek Public Facility Policies					
4.8.25	Police protection services shall be provided under contract with the Deschutes County		No changes.	Policy 11.5.1	Police protection services shall be provided under contract with the
4.8.26	Water service shall be supplied by on-site wells for the Inn/Widgi Resort Community.		No changes.	Policy 11.5.2	Water service shall be supplied by on-site wells for the Inn/Widgi Resort
4.8.27	New uses or expansion of existing uses that require land use approval shall be		No changes.	Policy 11.5.3	New uses or expansion of existing uses that require land use approval shall
4.8.28	Fire protection services for the Inn/Widgi shall be provided through a contract with the		No changes.	Policy 11.5.4	Fire protection services for the Inn/Widgi shall be provided through a
4.8.29	The Resort Community, not Deschutes County, shall maintain roads in the community.		No changes.	Policy 11.5.5	The Resort Community, not Deschutes County, shall maintain roads in the
4.8.30	The bicycle/pedestrian path system shall be maintained by the Inn/Widgi Owners		No changes.	Policy 11.5.6	The bicycle/pedestrian path system shall be maintained by the Inn/Widgi
4.8.31	Emergency access between Widgi Creek and the Inn of the Seventh Mountain shall be provided in accordance with the approved development plan for the Elkai Woods town		No changes.	Policy 11.5.7	Emergency access between Widgi Creek and the Inn of the Seventh Mountain shall be provided in accordance with the approved development
Terrebonne and Tumalo Policies					
Section 4.6	Background The Terrebonne Community Plan was adopted in Ordinance 2010-012 is hereby	The Terrebonne and Tumalo Community Plans are incorporated as appendices. These sections are not needed.	Removed per project team recommendation		
Section 4.7	Background The Tumalo Community Plan was adopted in Ordinance 2010-027 and is hereby		Removed per project team recommendation		
Destination Resort Policies					
Goal 1	To provide for development of destination resorts in the County consistent with Statewide Planning Goal 8 in a manner that will be compatible with farm and forest		Project team recommendation	Goal 11.6	Provide for development of destination resorts in the County in a manner that will be compatible with farm and forest uses, existing rural
Goal 2	To provide a process for the siting of destination resorts on rural lands that have been		Project team recommendation	Policy 11.6.1	Provide a process for the siting of destination resorts facilities that enhance
Goal 3	To provide for the siting of destination resort facilities that enhances and diversifies		Removed per project team recommendation		
Goal 4	To provide for development of destination resorts consistent with Statewide Planning		No substantive change	Goal 11.7	Provide for development of destination resorts consistent with Statewide
3.9.1	Destination resorts shall only be allowed within areas shown on the "Deschutes County		Project team recommendations, PC refinement.	Policy 11.7.1	Destination resorts shall only be allowed within areas shown on the
3.9.2	Applications to amend the map will be collected and will be processed concurrently no		Removed per project team recommendation		
New Policy			Planning commission recommendation.	Policy 11.7.2	Create and implement additional limitations on the siting and development
New Policy			Planning commission recommendation.	Policy 11.7.3	Ensure that destination resort developments support and implement
3.9.3	Mapping for destination resort siting. a. To assure that resort development does not conflict with the objectives of other Statewide Planning Goals, destination resorts shall pursuant to Goal 8 not be sited in Deschutes County in the following areas: 1. Within 24 air miles of an urban growth boundary with an existing population of 100,000 or more unless residential uses are limited to those necessary for the staff and management of the resort; 2. On a site with 50 or more contiguous acres of unique or prime farm land identified and mapped by the Soil Conservation Service or within three miles of farm land within a High-Value Crop Area; 3. On predominantly Cubic Foot Site Class 1 or 2 forest lands which are not subject to an approved Goal exception; 4. On areas protected as Goal 5 resources in an acknowledged comprehensive plan where all conflicting uses have been prohibited to protect the Goal 5 resource; 5. Especially sensitive big game habitat, and as listed below, as generally mapped by the Oregon Department of Fish and Wildlife in July 1984 as further refined through development of comprehensive plan provisions implementing this requirement. i. Tumalo deer winter range; ii. Portion of the Metolius deer winter range; iii. Antelope winter range east of Bend near Horse Ridge and Millican; 6. Sites less than 160 acres. b. To assure that resort development does not conflict with Oregon Revised Statute, destination resorts shall not be sited in Deschutes County in Areas of Critical State Concern. c. To assure that resort development does not conflict with the objectives of Deschutes County, destination resorts shall also not be located in the following areas: 1. Sites listed below that are inventoried Goal 5 resources, shown on the Wildlife Combining Zone, that the County has chosen to protect: i. Antelope Range near Horse Ridge and Millican; ii. Elk Habitat Area; and iii. Deer Winter Range; 2. Wildlife Priority Area, identified on the 1999 ODFW map submitted to the South County Regional Problem Solving Group; 3. Lands zoned Open Space and Conservation (OS&C);		No changes.	Policy 11.7.4	Mapping for destination resort siting. a. To assure that resort development does not conflict with the objectives of other Statewide Planning Goals, destination resorts shall pursuant to Goal 8 not be sited in Deschutes County in the following areas: 1. Within 24 air miles of an urban growth boundary with an existing population of 100,000 or more unless residential uses are limited to those necessary for the staff and management of the resort; 2. On a site with 50 or more contiguous acres of unique or prime farm land identified and mapped by the Soil Conservation Service or within three miles of farm land within a High-Value Crop Area; 3. On predominantly Cubic Foot Site Class 1 or 2 forest lands which are not subject to an approved Goal exception; 4. On areas protected as Goal 5 resources in an acknowledged comprehensive plan where all conflicting uses have been prohibited to protect the Goal 5 resource; 5. Especially sensitive big game habitat, and as listed below, as generally mapped by the Oregon Department of Fish and Wildlife in July 1984 as further refined through development of comprehensive plan provisions implementing this requirement. i. Tumalo deer winter range; ii. Portion of the Metolius deer winter range; iii. Antelope winter range east of Bend near Horse Ridge and Millican; 6. Sites less than 160 acres. b. To assure that resort development does not conflict with Oregon Revised Statute, destination resorts shall not be sited in Deschutes County in Areas of Critical State Concern. c. To assure that resort development does not conflict with the objectives of Deschutes County, destination resorts shall also not be located in the following areas: 1. Sites listed below that are inventoried Goal 5 resources, shown on the Wildlife Combining Zone, that the County has chosen to protect: i. Antelope Range near Horse Ridge and Millican; ii. Elk Habitat Area; and iii. Deer Winter Range; 2. Wildlife Priority Area, identified on the 1999 ODFW map submitted to the South County Regional Problem Solving Group; 3. Lands zoned Open Space and Conservation (OS&C);
3.9.4	Ordinance provisions. a. The County shall ensure that destination resorts are compatible with the site and adjacent land uses through enactment of land use regulations that, at a minimum, provide for the following: 1. Maintenance of important natural features, including habitat of threatened or endangered species, streams, rivers, and significant wetlands; maintenance of riparian vegetation within 100 feet of streams, rivers and significant wetlands; and 2. Location and design of improvements and activities in a manner that will avoid or minimize adverse effects of the resort on uses on surrounding lands, particularly effects on intensive farming operations in the area and on the rural transportation system. In order to adequately assess the effect on the transportation system, notice and the opportunity for comment shall be provided to the relevant road authority. 3. Such regulations may allow for alterations to important natural features, including placement of structures, provided that the overall values of the feature are maintained.	Policy 3.9.5 – Prior to the final Comprehensive Plan, the Service strongly recommends obtaining an updated inventory for sensitive big game habitat given the last update was in 1984. Why are sensitive birds not included in the destination resort siting?	No changes.	Policy 11.7.5	Ordinance provisions. a. The County shall ensure that destination resorts are compatible with the site and adjacent land uses through enactment of land use regulations that, at a minimum, provide for the following: 1. Maintenance of important natural features, including habitat of threatened or endangered species, streams, rivers, and significant wetlands; maintenance of riparian vegetation within 100 feet of streams, rivers and significant wetlands; and 2. Location and design of improvements and activities in a manner that will avoid or minimize adverse effects of the resort on uses on surrounding lands, particularly effects on intensive farming operations in the area and on the rural transportation system. In order to adequately assess the effect on the transportation system, notice and the opportunity for comment shall be provided to the relevant road authority. 3. Such regulations may allow for alterations to important natural features,
Section 4.5 Sunriver Policies					
4.5.1	Land use regulations shall conform to the requirements of OAR 660 Division 22 or any		No changes.	Policy 11.8.1	Land use regulations shall conform to the requirements of OAR 660 Division
4.5.2	County comprehensive plan policies and land use regulations shall ensure that new		No changes.	Policy 11.8.2	County comprehensive plan policies and land use regulations shall ensure
4.5.3	To protect scenic views and riparian habitat within the community, appropriate		No changes.	Policy 11.8.3	To protect scenic views and riparian habitat within the community,
4.5.4	Open space and common area, unless otherwise zoned for development, shall remain		No changes.	Policy 11.8.4	Open space and common area, unless otherwise zoned for development,
4.5.5	Public access to the Deschutes River shall be preserved.		No changes.	Policy 11.8.5	Public access to the Deschutes River shall be preserved.
4.5.6	The County supports the design review standards administered by the Sunriver Owners		No changes.	Policy 11.8.6	The County supports the design review standards administered by the
Residential District Policies					
4.5.7	Areas designated residential on the comprehensive plan map shall be developed with		No changes.	Policy 11.9.1	Areas designated residential on the comprehensive plan map shall be
Commercial District Policies					

4.5.8	Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses		No changes.	Policy 11.10.1	Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22.
4.5.9	No additional land shall be designated Commercial until the next periodic review.		No changes.	Policy 11.10.2	No additional land shall be designated Commercial until the next periodic
4.5.10	Multiple-family residences and residential units in commercial buildings shall be		No changes.	Policy 11.10.3	Multiple-family residences and residential units in commercial buildings
4.5.11	Approval standards for conditional uses in the commercial district shall take into consideration the impact of the proposed use on the nearby residential and		No changes.	Policy 11.10.4	Approval standards for conditional uses in the commercial district shall take into consideration the impact of the proposed use on the nearby residential
Town Center District Policies					
4.5.12	Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22. Larger, more intense commercial uses		No changes.	Policy 11.11.1	Small-scale, low-impact commercial uses shall be developed in conformance with the requirements of OAR Chapter 660, Division 22.
4.5.13	Development standards in the town center district should encourage new development that is compatible with a town center style of development that serves as the commercial core of the Sunriver Urban Unincorporated Community. The following policies should guide development in the Town Center District in Sunriver: a. Combine a mixture of land uses that may include retail, offices, commercial services, residential housing and civic uses to create economic and social vitality and encourage pedestrian use through mixed use and stand alone residential buildings. b. Develop a commercial mixed-use area that is safe, comfortable and attractive to pedestrians. c. Encourage efficient land use by facilitating compact, high-density development that minimizes the amount of land that is needed for development. d. Provide both formal and informal community gathering places.		No changes.	Policy 11.11.2	Development standards in the town center district should encourage new development that is compatible with a town center style of development that serves as the commercial core of the Sunriver Urban Unincorporated Community. The following policies should guide development in the Town Center District in Sunriver: a. Combine a mixture of land uses that may include retail, offices, commercial services, residential housing and civic uses to create economic and social vitality and encourage pedestrian use through mixed use and stand alone residential buildings. b. Develop a commercial mixed-use area that is safe, comfortable and attractive to pedestrians. c. Encourage efficient land use by facilitating compact, high-density
4.5.14	Development within the Town Center (TC) District will be substantially more dense than development elsewhere in Sunriver. This increased density will require changes to		No changes.	Policy 11.11.3	Development within the Town Center (TC) District will be substantially more dense than development elsewhere in Sunriver. This increased
Resort District Policies					
4.5.15	Areas designated resort on the comprehensive plan map shall be designated resort,		No changes.	Policy 11.12.1	Areas designated resort on the comprehensive plan map shall be
Business Park District Policies					
4.5.16	A variety of commercial uses which support the needs of the community and		No changes.	Policy 11.13.1	A variety of commercial uses which support the needs of the community
4.5.17	Allow small-scale, low-impact commercial uses in conformance with the requirements of OAR Chapter 660, Division 22. Larger more intense commercial uses shall be		No changes.	Policy 11.13.2	Allow small-scale, low-impact commercial uses in conformance with the requirements of OAR Chapter 660, Division 22. Larger more intense
4.5.18	Small-scale, low-impact industrial uses should be allowed in conformance with the		No changes.	Policy 11.13.3	Small-scale, low-impact industrial uses should be allowed in conformance
Community District Policies					
4.5.19	Areas designated community on the comprehensive plan map shall be designated community general, community recreation, community limited or community		No changes.	Policy 11.14.1	Areas designated community on the comprehensive plan map shall be designated community general, community recreation, community limited
4.5.20	Lands designated community shall be developed with uses which support all facets of		No changes.	Policy 11.14.2	Lands designated community shall be developed with uses which support
4.5.21	Development shall take into consideration the unique physical features of the		No changes.	Policy 11.14.3	Development shall take into consideration the unique physical features of
Airport District					
4.5.22	Future development shall not result in structures or uses which, due to extreme height		No changes.	Policy 11.15.1	Future development shall not result in structures or uses which, due to
4.5.23	Future development should not allow uses which would result in large concentrations		No changes.	Policy 11.15.2	Future development should not allow uses which would result in large
Utility District Policies					
4.5.24	Lands designated utility shall allow for development of administrative offices,		No changes.	Policy 11.15.3	Lands designated utility shall allow for development of administrative
Forest District Policies					
4.5.25	Uses and development on property designated forest that are within the Sunriver Urban Unincorporated Community boundary shall be consistent with uses and		No changes.	Policy 11.16.1	Uses and development on property designated forest that are within the Sunriver Urban Unincorporated Community boundary shall be consistent
4.5.26	Forest district property shall be used primarily for effluent storage ponds, spray		No changes.	Policy 11.16.2	Forest district property shall be used primarily for effluent storage ponds,
4.5.27	The development of resort, residential or non-forest commercial activities on Forest		No changes.	Policy 11.16.3	The development of resort, residential or non-forest commercial activities
General Public Facility Policies					
4.5.28	Residential minimum lot sizes and densities shall be determined by the capacity of the		No changes.	Policy 11.17.1	Residential minimum lot sizes and densities shall be determined by the
4.5.29	New uses or expansion of existing uses within the Sunriver Urban Unincorporated		No changes.	Policy 11.17.2	New uses or expansion of existing uses within the Sunriver Urban
4.5.30	Expansion of the Sunriver Water LLC/Environmental/LLC Water and Sewer District		No changes.	Policy 11.17.3	Expansion of the Sunriver Water LLC/Environmental/LLC Water and Sewer
Water Facility Policies					
4.5.31	Water service shall continue to be provided by the Sunriver Utilities Company.		No changes.	Policy 11.18.1	Water service shall continue to be provided by the Sunriver Utilities
Sewer Facility Policies					
4.5.32	Sewer service shall continue to be provided by the Sunriver Utilities Company.		No changes.	Policy 11.19.1	Sewer service shall continue to be provided by the Sunriver Utilities
Transportation System Maintenance					
4.5.33	Privately-maintained roads within the Sunriver Urban Unincorporated Community		No changes.	Policy 11.20.1	Privately-maintained roads within the Sunriver Urban Unincorporated
4.5.34	The bicycle/pedestrian path system in Sunriver shall continue to be maintained by the		No changes.	Policy 11.20.2	The bicycle/pedestrian path system in Sunriver shall continue to be
4.5.35	The County will encourage the future expansion of bicycle/pedestrian paths within the		No changes.	Policy 11.20.3	The County will encourage the future expansion of bicycle/pedestrian paths
4.5.36	All public roads maintained by the County shall continue to be maintained by the		No changes.	Policy 11.20.4	All public roads maintained by the County shall continue to be maintained
Section 3.6 Public Facilities and Services				Chapter 12: Public Facilities	
Goal 1	Support the orderly, efficient and cost-effective siting of rural public facilities and services.	Support the orderly, efficient, and cost-effective siting of rural public facilities and services.	Minor changes from project team.	Goal 12.1	Support the orderly, efficient, and cost-effective siting of rural public facilities and services.
3.6.1	Encourage the formation of special service districts to serve rural needs rather than have the County serve those needs.	Encourage the formation of special service districts to serve rural needs rather than have the County serve those needs. Encourage and support the formation of special service districts to serve the need for public facilities in rural areas.	Minor changes from project team.	Policy 12.1.1	Encourage and support the formation of special service districts to serve the need for public facilities in rural areas.
3.6.2	Encourage early planning and acquisition of sites needed for public facilities, such as roads, water and wastewater facilities.	Encourage early planning and acquisition of sites needed for public facilities, such as roads, water and wastewater facilities. Encourage and support planning for and acquisition of sites needed for public facilities, such as transportation, water, and wastewater facilities.	Minor changes from project team.	Policy 12.1.2	Encourage and support planning for and acquisition of sites needed for public facilities, such as transportation, water, and wastewater facilities.
3.6.3	Support community health clinics.	Remove policy	Project team and PC refinement.	Policy 12.1.3	Support the siting of community health clinics, hospitals, and private
3.6.4	Where possible, maintain County offices in locations convenient to all areas of the	Removed per project team recommendation			
3.6.5	Support the County Fairgrounds as a community gathering place, event facility and home to the annual County Fair.	Minor changes from project team.		Policy 12.1.4	Continue to support the County Fairgrounds as a community gathering place, event facility and home to the annual County Fair.
3.6.6	Maintain the County Fairgrounds as an emergency readiness location .	Maintain the County Fairgrounds as an emergency readiness location and staging area in the event of a Cascadia Subduction Zone earthquake or other large disaster.	Project team	Policy 12.1.5	Maintain the County Fairgrounds as an emergency readiness location and staging area in the event of a Cascadia Subduction Zone earthquake or other large disaster.
3.6.7	Before disposing of County-owned property review whether the land is appropriate for needed public projects such as schools, health clinics, fire stations or senior centers.	Before Prior to disposing of County-owned property, consider review whether the land is appropriate for needed public projects such as schools, health clinics, fire stations, or senior centers, or affordable housing.	Project team	Policy 12.1.6	Prior to disposing of County-owned property, consider whether the land is appropriate for needed public projects such as schools, health clinics, fire stations, senior centers, or affordable housing.
3.6.8	Coordinate with rural service districts and providers to ensure new development is reviewed with consideration of service districts and providers needs and capabilities.	Coordinate with rural service districts and providers to ensure new development is reviewed with consideration of service districts and providers needs and capabilities. review development proposals.	Project team	Policy 12.1.7	Coordinate with rural service districts and providers to review development proposals.
3.6.9	New development shall address impacts on existing facilities and plans through the land use entitlement process.	New development shall address impacts on existing facilities and plans through the land use entitlement process. Use the land use entitlement process to ensure new development addresses and mitigates impacts on existing and planned public facilities.	Project team	Policy 12.1.8	Use the land use entitlement process to ensure new development addresses and mitigates impacts on existing and planned public facilities.
3.6.10	Support education districts, library districts and recreation districts in meeting		No changes.	Policy 12.1.9	Support education districts, library districts and recreation districts in
3.6.11	Where possible, locate utility lines and facilities on or adjacent to existing public or private right-of-ways and to avoid dividing farm or forest lands.	Where practicable possible, locate utility lines and facilities on within or adjacent to existing public or private right-of-ways- rights-of-way and to avoid dividing farm or forest lands.	Minor changes from project team.	Policy 12.1.10	Where practicable, locate utility lines and facilities within or adjacent to existing rights-of-way to avoid dividing farm or forest lands.

3.6.12	Review public facilities and services to minimize impacts of the facilities on the larger community. a. Review and revise as needed County Code to require screening of public facilities including power generating facilities and sewage treatment plants, and to address impacts from cell towers.	Review public facilities and services to minimize impacts of the facilities on the larger community. a. Review and revise as needed County Code to require screening of public facilities including power generating facilities and sewage treatment plants, and to address impacts from cell towers. Use the development code to mitigate visual and other impacts of public facilities.	Project team, PC refinement	Policy 12.1.11	Use the development code to mitigate visual and other impacts of public facilities and cell towers.
3.6.13	Support the creation of a landfill overlay zone.	Support the creation of a landfill overlay zone.	Moved to Policy 12.2.4		
3.6.14	Guide the location and design of rural development so as to minimize the public costs of facilities and services.	Guide the location and design of rural development so as to minimize the public costs of facilities and services. Use the Comprehensive Plan and Development Code to guide rural development in a manner that supports the orderly and cost-efficient provision of public facilities and services.	Project team	Policy 12.1.12	Use the Comprehensive Plan and Development Code to guide rural development in a manner that supports the orderly and cost-efficient provision of public facilities and services.
3.6.15	New policy		Project team	Policy 12.1.13	Support siting and development of city owned water and wastewater
New Goal			New goal based on community feedback	Goal 12.2	Pursue sustainable, innovative, and cost-effective waste management
New Policy			New policy based on community feedback	Policy 12.2.1	Allow for siting of waste management facilities on rural lands, including but not limited to landfill facilities, transfer stations, organics management
New Policy			New policy based on community feedback, PC refinement	Policy 12.2.2	Provide incentives, education, and resources to promote reuse and
New Policy			Project team	Policy 12.2.3	Encourage waste reduction through community education and partnerships
New Policy			Changed order.	Policy 12.2.4	Support the creation of a landfill overlay zone.
New Goal			New goal based on community feedback	Goal 12.3	Serve as a conduit for countywide resources.
New Goal			New policy based on community feedback	Policy 12.3.1	Provide resources to connect community members with a variety of
Transportation				Chapter 13: Transportation	
					Transportation related policies are included in the TSP.
Section 2.8 Energy Policies				Chapter 14: Energy	
Goal 1	Promote energy conservation.		Project team recommendation	Goal 14.1	Promote Energy Conservation and Alternative Energy Production
2.8.1	Incorporate energy conservation into the building and management of all County		Minor changes from project team.	Policy 14.1.1	Continue to incorporate energy conservation into the building and
2.8.2	Reduce energy demand by supporting energy efficiency in all sectors of the economy.		No changes.	Policy 14.1.2	Reduce energy demand by supporting energy efficiency in all sectors of the
2.8.3	Encourage energy suppliers to explore innovative alternative energy conservation		Minor changes from project team.	Policy 14.1.3	Encourage energy suppliers to explore innovative alternative energy
2.8.4	Support stakeholders that promote energy conservation.	Remove policy	Project team		
2.8.5	Review County Code and revise as needed to ensure effective energy conservation regulations, such as revising County Code on solar energy to create flexibility and	"Provide flexibility and exemptions for small properties and anomalous sites in the development code to promote energy conservation."	Project team with refinements from PC.	Policy 14.1.4	Provide flexibility and exemptions for small properties and anomalous sites in the development code to promote energy conservation. Promote
Goal 2	Promote affordable, efficient, reliable and environmentally sound energy systems for		Project team recommendation, PC refinement	Policy 14.1.5	Promote development of solar, hydropower, wind, geothermal, biomass
2.8.6	Review County Code and revise as needed to permit alternative energy systems for		Project team recommendation, PC refinement	Policy 14.1.6	Provide incentives for homes and businesses to install small-scale on-site
2.8.7	Support incentives for homes and businesses to install alternative energy systems.		Project team recommendation	Policy 14.1.7	Support development of electric vehicle charging stations and facilities to
Goal 3	Promote affordable, efficient, reliable and environmentally sound commercial energy		Project team recommendation	Policy 14.1.8	Use the development code to promote commercial renewable energy
2.8.8	Review County Code and revise as needed to develop an efficient permitting process		Project team recommendation	Policy 14.1.9	Use Oregon's Rural Renewable Energy Development Zones to support the
2.8.9	Support commercial renewable energy projects, including the following a. Review the concept of Rural Renewable Energy Development Zones ; b. Support studies that identify and inventory potential significant commercial energy resource sites; c. Examine alternatives to protect identified significant commercial energy resource	Combined with other policies	Project team recommendation	Policy 14.1.10	Identify, protect, and support the development of significant renewable
2.8.10	Encourage commercial renewable energy providers to supply local power.		Removed per project team recommendation		
2.8.11	Goal 5 energy inventories, ESEEs and programs are retained and not repealed.		Removed per project team recommendation		



MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Tanya Saltzman, AICP, Senior Planner

DATE: December 7, 2023

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

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

This hearing is a continuation of the initial public hearing before the Planning Commission held on November 9.¹ Staff submitted a Post-Acknowledgement Plan Amendment (PAPA) notice to the Department of Land Conservation and Development (DLCD) on October 4, 2023 and established a project website. Staff presented information on the proposed amendments at a Planning Commission work session on October 12, 2023.² The proposed text amendments and findings as well as the full text of SB 1013 are provided as attachments to this memorandum. The project website, which contains the record, is available at www.deschutes.org/rvamendments.

I. Background

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

¹ <https://www.deschutes.org/bc-pc/page/planning-commission-40>

² <https://www.deschutes.org/bc-pc/page/planning-commission-41>

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

II. Deschutes County Residential RV Amendments

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

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

Table 1 – SB 1013 Requirements

Topic	SB 1013 Requirements	Comment
Single Family Dwelling	SB 1013 Section 2(2)(b) requires one single-family dwelling that is occupied as the primary residence to be located on the lot or parcel.	DCC 18.116.095(D)(5) and DCC 19.92.170(A)(3) are consistent with SB 1013.
Urban Reserve Area	SB 1013 Section 2(2)(a) requires that the lot or parcel is not located within an area designated as an urban reserve as defined in ORS 195.137.	DCC 18.116.095(D)(3) and DCC 19.92.170(A)(1) are consistent with SB 1013.
Vacation Occupancy	SB 1013 Section 2(2)(d) prevents an RV allowed in this law from being used for vacation occupancy as defined in ORS 90.100 or other short-term uses.	DCC 18.116.095(E) and DCC 19.92.170(A)(11) are consistent with SB 1013. Both require a restrictive covenant be recorded to ensure compliance.
Other Dwelling Units	SB 1013 Section 2(2)(c) requires that there are no other dwelling units on the property and no portion of the single-family dwelling is rented as a residential tenancy.	DCC 18.116.095(D)(6) and DCC 19.92.170(A)(4) are consistent with SB 1013.

Topic	SB 1013 Requirements	Comment
RV Ownership	SB 1013 Section 2(2)(e) requires the RV to be owned or leased by the tenant.	DCC 18.116.095(D)(7) and DCC 19.92.170(A)(5) are consistent with SB 1013.
Essential Services	<p>SB 1013 Section 2(2)(f) requires that the property owner provides essential services to the RV space, as defined in ORS 90.100(13)(b).</p> <p>ORS 90.100(13)(b) defines “essential services” as: “For a tenancy consisting of rental space for a manufactured dwelling, floating home or recreational vehicle owned by the tenant or that is otherwise subject to ORS 90.505 (Definitions for ORS 90.505 to 90.850) to 90.850 (Owner affidavit certifying compliance with requirements for sale of facility):</p> <p>(A) Sewage disposal, water supply, electrical supply and, if required by applicable law, any drainage system; and</p> <p>(B) Any other service or habitability obligation imposed by the rental agreement or ORS 90.730 (Landlord duty to maintain rented space, vacant spaces and common areas in habitable condition), the lack or violation of which creates a serious threat to the tenant’s health, safety or property or makes the rented space unfit for occupancy.”</p>	<p>DCC 18.116.095(D)(11) and DCC 19.92.170(A)(9) are consistent with SB 1013.</p> <p>In addition, these sections require the water supply to be frost protected and for a “Will Serve” letter to be provided if the recreational vehicle is to be served by any water source other than an onsite domestic well.</p>

Topic	SB 1013 Requirements	Comment
<p>Reasonable appearance, repair, inspection, or siting standards</p>	<p>SB 1013 Section 2(3)(d) allows counties to require that the RV complies with any reasonable appearance, repair, inspection, or siting standards adopted by the county.</p>	<p>DCC 18.116.095(D) and DCC 19.92.170(A) contain the following appearance, repair, inspection, or siting standards:</p> <p>DCC 18.116.095(D)(4) and DCC 19.92.170(A)(2) require the lot area to be at least one acre in size.</p> <p>DCC 18.116.095(D)(8) and DCC 19.92.170(A)(6) require that the recreational vehicle include an operable toilet and sink.</p> <p>DCC 18.116.095(D)(9) and DCC 19.92.170(A)(7) require that if the recreational vehicle is located within a structure, the structure must be entirely open on two or more sides.</p> <p>DCC 18.116.095(D)(10) and DCC 19.92.170(A)(8) require that the recreational vehicle maintains a setback of at least 10 feet from the primary residence.</p> <p>DCC 18.116.095(D)(12) and DCC 19.92.170(A)(10) require that the property owner provide a parking pad for the recreational vehicle.</p> <p>DCC 18.116.095(D)(13) requires that for properties located within the Wildlife Area Combining Zone, recreational vehicles are considered a structure and therefore must comply with the siting standards in 18.88.060(B).</p>

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

Additional Options for Consideration

Recognizing that the purpose of these amendments and of SB 1013 is to provide a new housing alternative that would potentially help ease housing pressures in the rural County, the proposed amendments aim to avoid creating extraneous criteria that could present barriers to achieving this goal.

In their current state, the amendments address the requirements in SB 1013 plus several others (listed in the last row of Table 1) deemed necessary by Community Development staff for basic health and safety needs.

Staff offers several additional options for consideration below. The first group consists of options provided directly in SB 1013; the second group consists of options developed by staff when considering what RVs as rental dwellings might look like in Deschutes County. The latter group of options have evolved through internal discussion amongst Community Development Department staff during the development of the draft amendments. For example, staff initially considered requiring construction of a ramada over the RV to address snow load, but this is no longer a requirement in the proposed draft amendments and instead would be a consideration for the landlord to address in an individual rental agreement. Testimony received during the public process will help determine if any of these options—or others—should be added to the amendments.

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

- Register the use with the county.
- Enter into a written residential rental agreement with the tenant of the recreational vehicle.
- Limit the amount of payments that the property owner may accept from the tenant under ORS 90.140 to those reasonably necessary to cover the owner’s costs or losses.

Additional criteria for consideration not included in SB 1013:

- Should the property owner be required to provide storage for the tenant?
- What should the application/permit process look like? Under consideration is a two-part permit: the first part for the space itself (zoning, parking pad area, setbacks, etc.), and the second part for the RV itself. Staff continues to explore options.
- Should alternative bathroom/toilet options be considered?
- Should the RV have to be screened from neighboring properties?
 - Example: “Fence, sight-obscuring” means a continuous fence, wall, evergreen planting or combination thereof constructed and/or planted to effectively screen a particular use from view.”

IV. Public Comments

As of the date of submittal of this memorandum, (December 7), 19 comments have been received from members of the public. These—as well as comments received from public agencies—will be summarized and presented to the Planning Commission at a future meeting.

V. Departmental Comments and Coordination

Planning staff continues to coordinate with divisions across the Community Development Department to make sure that the proposed amendments include necessary criteria to address life safety issues and

set the stage for smooth implementation and clear expectations, both for staff and for applicants. To that end, several departments have provided additional recommendations for the amendments. Thus far, these include:

- Addressing: amendments to Title 16 may be necessary to allow for RVs as rental dwellings to receive an address (for emergency services as well as mail delivery purposes). See record for details.
- Essential services: Managers from Building Safety and Onsite Wastewater Divisions reiterated the importance of living, sleeping, eating, cooking, and sanitation being available to the tenant if this is to be a meaningful form of permanent housing (see record for details).

VI. Next Steps

At the conclusion of the public hearing, the Planning Commission may:

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

Attachments:

1. Draft Amendments
2. Draft Findings
3. Eligibility Map
4. SB 1013

CHAPTER 18.04 TITLE, PURPOSE AND DEFINITIONS

18.04.030 Definitions

18.04.030 Definitions

* * *

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

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

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

HISTORY

Adopted by Ord. [PL-15](#) on 11/1/1979

Amended by Ord. [82-013](#) §1 on 5/25/1982

Amended by Ord. [83-037](#) §2 on 6/1/1983

Amended by Ord. [83-033](#) §1 on 6/15/1983

Amended by Ord. [84-023](#) §1 on 8/1/1984

Amended by Ord. [85-002](#) §2 on 2/13/1985

Amended by Ord. [86-032](#) §1 on 4/2/1986

Amended by Ord. [86-018](#) §1 on 6/30/1986

Amended by Ord. [86-054](#) §1 on 6/30/1986

Amended by Ord. [86-056](#) §2 on 6/30/1986

Amended by Ord. [87-015](#) §1 on 6/10/1987

Amended by Ord. [88-009](#) §1 on 3/30/1988

Amended by Ord. [88-030](#) §3 on 8/17/1988

Amended by Ord. [88-030](#) §4 on 8/17/1988

Amended by Ord. [89-004](#) §1 on 3/24/1989

Amended by Ord. [89-009](#) §2 on 11/29/1989

Amended by Ord. [90-014](#) §2 on 7/12/1990

Amended by Ord. [91-002](#) §11 on 2/6/1991

Amended by Ord. [91-005](#) §1 on 3/4/1991

Amended by Ord. [92-025](#) §1 on 4/15/1991

Amended by Ord. [91-020](#) §1 on 5/29/1991

Amended by Ord. [91-038](#) §§3 and 4 on 9/30/1991

Amended by Ord. [92-004](#) §§1 and 2 on 2/7/1992

Amended by Ord. [92-034](#) §1 on 4/8/1992

Amended by Ord. [92-065](#) §§1 and 2 on 11/25/1992

Amended by Ord. [92-066](#) §1 on 11/25/1992

Amended by Ord. [93-002](#) §§1, 2 and 3 on 2/3/1993
Amended by Ord. [93-005](#) §§1 and 2 on 4/21/1993
Amended by Ord. [93-038](#) §1 on 7/28/1993
Amended by Ord. [93-043](#) §§1, 1A and 1B on 8/25/1993
Amended by Ord. [94-001](#) §§1, 2, and 3 on 3/16/1994
Amended by Ord. [94-008](#) §§1, 2, 3, 4, 5, 6, 7 and 8 on 6/8/1994
Amended by Ord. [94-041](#) §§2 and 3 on 9/14/1994
Amended by Ord. [94-038](#) §3 on 10/5/1994
Amended by Ord. [94-053](#) §1 on 12/7/1994
Amended by Ord. [95-007](#) §1 on 3/1/1995
Amended by Ord. [95-001](#) §1 on 3/29/1995
Amended by Ord. [95-075](#) §1 on 11/29/1995
Amended by Ord. [95-077](#) §2 on 12/20/1995
Amended by Ord. [96-003](#) §2 on 3/27/1996
Amended by Ord. [96-082](#) §1 on 11/13/1996
Amended by Ord. [97-017](#) §1 on 3/12/1997
Amended by Ord. [97-003](#) §1 on 6/4/1997
Amended by Ord. [97-078](#) §5 on 12/31/1997
Amended by Ord. [2001-037](#) §1 on 9/26/2001
Amended by Ord. [2001-044](#) §2 on 10/10/2001
Amended by Ord. [2001-033](#) §2 on 10/10/2001
Amended by Ord. [2001-048](#) §1 on 12/10/2001
Amended by Ord. [2003-028](#) §1 on 9/24/2003
Amended by Ord. [2004-001](#) §1 on 7/14/2004
Amended by Ord. [2004-024](#) §1 on 12/20/2004
Amended by Ord. [2005-041](#) §1 on 8/24/2005
Amended by Ord. [2006-008](#) §1 on 8/29/2006
Amended by Ord. [2007-019](#) §1 on 9/28/2007
Amended by Ord. [2007-020](#) §1 on 2/6/2008
Amended by Ord. [2007-005](#) §1 on 2/28/2008
Amended by Ord. [2008-015](#) §1 on 6/30/2008
Amended by Ord. [2008-007](#) §1 on 8/18/2008
Amended by Ord. [2010-018](#) §3 on 6/28/2010
Amended by Ord. [2010-022](#) §1 on 7/19/2010
Amended by Ord. [2011-009](#) §1 on 10/17/2011
Amended by Ord. [2012-004](#) §1 on 4/16/2012
Amended by Ord. [2012-007](#) §1 on 5/2/2012
Amended by Ord. [2013-008](#) §1 on 7/5/2013
Amended by Ord. [2014-009](#) §1 on 8/6/2014
Amended by Ord. [2015-004](#) §1 on 4/22/2015
Amended by Ord. [2016-015](#) §1 on 7/1/2016
Amended by Ord. [2016-026](#) §1 on 11/9/2016
Amended by Ord. [2016-006](#) §1 on 2/27/2017
Amended by Ord. [2017-015](#) §1 on 11/1/2017

Repealed by Ord. [2018-005](#) §8 on 10/10/2018
Amended by Ord. [2018-006](#) §4 on 11/20/2018
Amended by Ord. [2019-010](#) §1 on 5/8/2019
Amended by Ord. [2019-016](#) §1 on 2/24/2020
Amended by Ord. [2020-001](#) §1 on 4/21/2020
Amended by Ord. [2020-010](#) §1 on 7/3/2020
Amended by Ord. [2020-007](#) §7 on 10/27/2020
Amended by Ord. [2021-013](#) §3 on 4/5/2022
Amended by Ord. [2023-001](#) §2 on X/XX/2023
Amended by Ord. [2023-xxx](#) §x on X/XX/2023

CHAPTER 18.32 MULTIPLE USE AGRICULTURAL ZONE; MUA

18.32.020 Uses Permitted Outright

* * *

18.32.020 Uses Permitted Outright

The following uses and their accessory uses are permitted outright:

- A. Agricultural uses as defined in DCC Title 18.
- B. A single family dwelling, or a manufactured home subject to DCC 18.116.070.
- C. Propagation or harvesting of a forest product.
- D. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
- E. Class III road or street project.
- F. Noncommercial horse stables, excluding horse events.
- G. Horse events, including associated structures, involving:
 - 1. Fewer than 10 riders;
 - 2. Ten to 25 riders, no more than two times per month on nonconsecutive days; or
 - 3. More than 25 riders, no more than two times per year on nonconsecutive days. Incidental musical programs are not included in this definition. Overnight stays by participants, trainers or spectators in RVs on the premises is not an incident of such horse events.
- H. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- I. Type 1 Home Occupation, subject to DCC 18.116.280.
- J. Historic Accessory Dwelling Units, subject to DCC 18.116.350.
- K. Residential Accessory Dwelling Units, subject to DCC 18.116.355.
- L. Recreational vehicles as rental dwellings, subject to DCC 18.116.095.

HISTORY

Adopted by Ord. PL-15 on 11/1/1979

Amended by Ord. 91-002 §6 on 2/6/1991

Amended by Ord. 91-005 §18 on 3/4/1991

Amended by Ord. 91-020 §1 on 5/29/1991

Amended by Ord. 91-038 §1 on 9/30/1991

Amended by Ord. 93-001 §1 on 1/27/1993

Amended by Ord. 93-043 §4 on 8/25/1993

Amended by Ord. 94-008 §10 on 6/8/1994

Amended by Ord. 2001-016 §2 on 3/28/2001

Amended by Ord. 2001-039 §2 on 12/12/2001

Amended by Ord. 2004-002 §3 on 4/28/2004

Amended by Ord. 2019-009 §1 on 9/3/2019

Recorded by Ord. 2019-009 §1 on 9/3/2019

Amended by Ord. 2023-00x §x on [date] – pending ADU ordinance

Amended by Ord. 2023-00x §x on [date]

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CHAPTER 18.60 RURAL RESIDENTIAL ZONE; RR-10

18.60.020 Uses Permitted Outright

* * *

18.60.020 Uses Permitted Outright

The following uses and their accessory uses are permitted outright.

- A. A single-family dwelling, or a manufactured home subject to DCC 18.116.070.
- B. Utility facilities necessary to serve the area including energy facilities, water supply and treatment and sewage disposal and treatment.
- C. Community center, if shown and approved on the original plan or plat of the development.
- D. Agricultural use as defined in DCC Title 18.
- E. Class I and II road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by DCC 18.116.230.
- F. Class III road or street project.
- G. Noncommercial horse stables as defined in DCC Title 18, excluding horse events.
- H. Horse events, including associated structures, involving:
 - 1. Fewer than 10 riders;
 - 2. Ten to 25 riders, no more than two times per month on nonconsecutive days; or
 - 3. More than 25 riders, no more than two times per year on nonconsecutive days. Incidental musical programs are not included in this definition. Overnight stays by participants, trainers or spectators in RVs on the premises is not an incident of such horse events.
- I. Operation, maintenance, and piping of existing irrigation systems operated by an Irrigation District except as provided in DCC 18.120.050.
- J. Type 1 Home Occupation, subject to DCC 18.116.280.
- K. Historic Accessory Dwelling Units, subject to DCC 18.116.350.
- L. Residential Accessory Dwelling Units, subject to DCC 18.116.355.
- M. Recreational vehicles as rental dwellings, subject to DCC 18.116.095.

HISTORY

Adopted by Ord. PL-15 on 11/1/1979

Amended by Ord. 91-005 §§30 & 31 on 3/4/1991

Amended by Ord. 91-020 §1 on 5/29/1991

Amended by Ord. 93-043 §8 on 8/25/1993

Amended by Ord. 94-008 §12 on 6/8/1994

Amended by Ord. 2001-016 §2 on 3/28/2001

Amended by Ord. 2001-039 §5 on 12/12/2001

Amended by Ord. 2004-002 §7 on 4/28/2004

Amended by Ord. 2019-009 §2 on 9/3/2019

Recorded by Ord. 2019-009 §2 on 9/3/2019

Amended by Ord. 2023-00x §x on [date] – pending rural ADU ordinance

Amended by Ord. 2023-00x §x on [date]

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CHAPTER 18.116 SUPPLEMENTARY PROVISIONS

18.116.095 Recreational Vehicle As A Residence On An Individual Lot

* * *

18.116.095 Recreational Vehicle As A Residence On An Individual Lot

- A. A single recreational vehicle, as defined in DCC Title 18, may be located on a lot or parcel in a manufactured dwelling park, mobile home park or recreational vehicle park, consistent with ORS 197.493(1), provided that:
1. The recreational vehicle is occupied as a residential dwelling; and
 2. The recreational vehicle is lawfully connected to water and electrical supply systems and a sewage disposal system.
- B. A single recreational vehicle, as defined in DCC Title 18, may be located on a lot or parcel not containing a dwelling unit and not within in a manufactured dwelling park, mobile home park or recreational vehicle park and used as a temporary dwelling unit:
1. For a period totaling not more than 30 days in any consecutive 60-day period without obtaining a land use permit from the Deschutes County Planning Division; or
 2. For a total period not to exceed six months in a calendar year by obtaining a temporary use permit under the terms of DCC 18.116.095 from the Deschutes County Planning Division. A temporary use permit may be renewed annually for use of a recreational vehicle under the terms of DCC 18.116.095 on the same lot or parcel.
- C. A single recreational vehicle, as defined in DCC Title 18, may be located on a lot or parcel containing a manufactured dwelling or single-family dwelling, where such dwelling is uninhabitable due to damages from natural disasters, including wildfires, earthquakes, flooding or storms, until no later than the date:
1. The dwelling has been repaired or replaced and an occupancy permit has been issued;
 2. The local government makes a determination that the owner of the dwelling is unreasonably delaying in completing repairs or replacing the dwelling; or
 3. Twenty-four months after the date the dwelling first became uninhabitable.
- D. In the RR-10 and MUA-10 Zones, a rental dwelling may be established in a single recreational vehicle, as defined in DCC Title 18, provided the following requirements are met:
1. The subject lot or parcel contains a manufactured dwelling or single-family dwelling;
 2. The rental dwelling is subject to a written residential rental agreement as defined in ORS 90.100(39);
 3. The property is not within an area designated as an urban reserve in the Deschutes County Comprehensive Plan;

4. The lot area is at least one acre in size;
5. A manufactured dwelling or a single-family dwelling that is occupied as the primary residence of the property owner is sited on the lot or parcel:
 - a. As used in this section, "sited" means established onsite or applied for prior to issuance of any land use permits for a residential recreational vehicle.
 - b. As used in this section, "primary residence" means a dwelling occupied by the property owner on a long-term or permanent basis.
6. There are no other dwelling units, guest houses, or occupied recreational vehicles on the property and no portion of the manufactured dwelling or single-family dwelling is rented as a dwelling. This prohibition does not apply to RVs under 18.116.095(C).
7. The recreational vehicle is owned or leased by the tenant;
8. The recreational vehicle shall include an operable toilet and sink;
9. If the recreational vehicle will be located within a structure, the structure shall be entirely open on two or more sides;
10. The recreational vehicle shall maintain a setback of at least 10 feet from other structures; and
11. The property owner will provide essential services to the recreational vehicle space including:
 - a. Sewage disposal, frost protected water supply, electrical supply and, if required by applicable law, any drainage system, all installed with permits and to applicable codes; and
 - b. Any other service or habitability obligation imposed by the rental agreement or ORS 90.730 (Landlord duty to maintain rented space, vacant spaces and common areas in habitable condition), the lack or violation of which creates a serious threat to the tenant's health, safety or property or makes the rented space unfit for occupancy.
 - c. A letter confirming that the supplier of water is "Willing and Able to Serve" the recreational vehicle shall be provided if the recreational vehicle is to be served by any water source other than an onsite domestic well.
12. The property owner shall provide a parking pad for the recreational vehicle with a surface material of compacted gravel with a minimum thickness of 4", concrete with a minimum thickness of 3.5", or asphalt with a minimum thickness of 3".
13. For properties located in the Wildlife Area Combining Zone, a recreational vehicle approved under this section is subject to DCC 18.88.060(B) and is considered a new dwelling.

E. The applicant shall sign and record with the County Clerk, prior to the issuance of a building permit, a restrictive covenant stating a recreational vehicle unit allowed under this section cannot be used for vacation occupancy, as defined in DCC 18.116.095(E)(1) and consistent with ORS 90.100, or other short-term uses.

1. “Vacation occupancy” means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:

- a. The occupant rents the unit for vacation purposes only, not as a principal residence; and
- b. The occupant has a principal residence other than at the unit; and
- c. The period of authorized occupancy does not exceed 45 days.

~~D.F.~~ All necessary permits shall be obtained from the Deschutes County Building Safety Division before connecting a recreational vehicle to sewer, water and/or electric utility services.

~~E.G.~~ A permit shall be obtained from the Deschutes County Onsite Wastewater Environmental Health Division before disposing any wastewater or sewage on-site.

~~F.H.~~ A recreational vehicle ~~used as a residential dwelling unit or temporary dwelling unit~~ shall meet the same setbacks required of a manufactured dwelling or single-family dwelling on the subject lot.

~~G.I.~~ A recreational vehicle shall be fully licensed and ready for highway use, on its wheels or jacking system, shall be attached to the site only by quick disconnect type utilities and security devices, and shall have no permanently attached additions.

~~H.J.~~ As identified in this section, a ~~single~~-recreational vehicle located within a special flood hazard area is subject to the standards and criteria established by DCC 18.96.

HISTORY

Amended by Ord. [91-038](#) §3 on 9/30/1991

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

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

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

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

Amended by Ord. [2023-0XX](#) §XX on X/XX/2023

CHAPTER 19.04 TITLE, COMPLIANCE, APPLICABILITY AND DEFINITIONS

19.04.040 Definitions

19.04.040 Definitions

* * *

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

HISTORY

Adopted by Ord. [80-217](#) §1 Exhibit A on 12/18/1980
 Amended by Ord. [82-011](#) on 8/9/1982
 Amended by Ord. [83-041](#) §2 on 6/1/1983
 Amended by Ord. [86-032](#) §1 on 4/2/1986
 Amended by Ord. [86-033](#) §1 on 4/2/1986
 Amended by Ord. [86-017](#) §1 Exhibit a on 6/30/1986
 Amended by Ord. [86-055](#) §1 on 6/30/1986
 Amended by Ord. [86-058](#) §1 on 6/30/1986
 Amended by Ord. [88-042](#) §3 on 12/19/1988
 Amended by Ord. [90-038](#) §1 on 10/3/1990
 Repealed & Reenacted by Ord. [90-007](#) §1 on 12/7/1990
 Amended by Ord. [91-001](#) §1 on 1/28/1991
 Amended by Ord. [91-029](#) §§1, 8, 9 and 10 on 8/7/1991
 Amended by Ord. [92-043](#) §1 on 5/20/1992
 Amended by Ord. [93-018](#) §1 on 5/19/1993
 Amended by Ord. [94-005](#) §§1 & 2 on 6/15/1994
 Amended by Ord. [95-045](#) §15 on 6/28/1995
 Amended by Ord. [96-071](#) §1D on 12/30/1996
 Amended by Ord. [97-017](#) §1 on 3/12/1997
 Amended by Ord. [97-038](#) §1 on 8/27/1997
 Amended by Ord. [99-001](#) §§2-4 on 1/13/1999
 Repealed & Reenacted by Ord. [2009-002](#) §1,2 on 2/11/2009
 Amended by Ord. [2013-013](#) §1 on 7/25/2013
 Amended by Ord. [2014-016](#) §1 on 12/29/2014
 Amended by Ord. [2016-016](#) §1 on 6/1/2016
 Amended by Ord. [2017-009](#) §7 on 7/21/2017
 Amended by Ord. [2020-001](#) §17 on 4/21/2020
 Amended by Ord. [2020-010](#) §8 on 7/3/2020
 Amended by Ord. [2021-009](#) §2 on 6/18/2021
 Amended by Ord. [2023-xxx](#) §2 on x/x/2023

CHAPTER 19.12 URBAN AREA RESERVE ZONE UAR-10

19.12.020 Permitted Uses

* * *

19.12.020 Permitted Uses

The following uses are permitted:

- A. Farm uses as defined in DCC Title 19.
- B. Single-family dwelling.
- C. Home occupation subject to DCC 19.88.140.
- D. Other accessory uses and accessory buildings and structures customarily appurtenant to a permitted use subject to DCC 19.92.020.
- E. Day care center facilities subject to site review, DCC 19.76 and DCC 19.88.160.
- F. Farm stands subject to DCC 19.76 and DCC 19.88.290.
- G. Historic Accessory Dwelling Units, subject to DCC 19.92.150.
- H. Residential Accessory Dwelling Units, subject to DCC 19.92.160
- I. Recreational vehicles as rental dwellings, subject to DCC 19.92.170.

HISTORY

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

Amended by Ord. 88-042 §4 on 12/19/1988

Repealed & Reenacted by Ord. 90-038 §1,2 on 10/3/1990

Amended by Ord. 91-001 §2 on 1/28/1991

Amended by Ord. 2008-014 §3 on 3/31/2008

Repealed & Reenacted by Ord. 2009-002 §1,2 on 2/11/2009

Amended by Ord. 2019-009 §4 on 9/3/2019

Recorded by Ord. 2019-009 §4 on 9/3/2019

Amended by Ord. 2023-00x §x on [date] – pending ADU ordinance

Amended by Ord. 2023-00x §x on [date]

CHAPTER 19.20 SUBURBAN LOW DENSITY RESIDENTIAL ZONE; SR 2 1/2

19.20.020 Permitted Uses

* * *

19.20.020 Permitted Uses

The following uses are permitted:

- A. Single-family dwelling.
- B. Agriculture, excluding the keeping of livestock.
- C. Home occupations subject to DCC 19.88.140.
- D. Other accessory uses and accessory buildings and structures customarily appurtenant to a permitted use subject to DCC 19.92.020.
- E. Historic Accessory Dwelling Units, subject to DCC 19.92.150.
- F. Child care facility and/or preschool.
- G. Residential Accessory Dwelling Units, subject to DCC 19.92.160.
- H. Recreational vehicles as rental dwellings, subject to DCC 19.92.170.

HISTORY

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

Amended by Ord. 88-042 §6 on 12/19/1988

Repealed & Reenacted by Ord. 90-038 §1,2 on 10/3/1990

Amended by Ord. 91-001 §4 on 1/28/1991

Amended by Ord. 93-018 §3 on 5/19/1993

Repealed & Reenacted by Ord. 2009-002 §1,2 on 2/11/2009

Amended by Ord. 2019-009 §5 on 9/3/2019

Recorded by Ord. 2019-009 §5 on 9/3/2019

Amended by Ord. 2020-001 §20 on 4/21/2020

Amended by Ord. 2020-010 §9 on 7/3/2020

Amended by Ord. 2023-00x §x on [date] – Pending ADU ordinance

Amended by Ord. 2023-00x §x on [date]

CHAPTER 19.22 WESTSIDE TRANSECT ZONE; WTZ

19.22.020 Permitted Uses

* * *

19.22.020 Permitted Uses

The following uses and their accessory uses are permitted outright:

- A. Single-family dwelling.
- B. Home occupation subject to DCC 19.88.140.
- C. Other accessory uses and accessory buildings and structures customarily appurtenant to a permitted use subject to DCC 19.92.020.
- D. Residential Accessory Dwelling Units, subject to DCC 19.92.160.
- E. Recreational vehicles as rental dwellings, subject to DCC 19.92.170.

HISTORY

Adopted by Ord. 2019-001 §8 on 4/16/2019

Amended by Ord. 2023-00x §x on [date] – pending ADU ordinance

Amended by Ord. 2023-00x §x on [date]

CHAPTER 19.76 SITE PLAN REVIEW

19.76.020 Site Plan Requirements

19.76.020 Site Plan Requirements

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

HISTORY

Adopted by Ord. [PL-11](#) on 7/11/1979

Repealed & Reenacted by Ord. [90-038](#) §1 on 10/3/1990

[Amended by Ord. 2023-0XX §XX on X/XX/2023](#)

CHAPTER 19.92 INTERPRETATIONS AND EXCEPTIONS

* * *

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

- A. In the UAR-10, SR 2 ½, and WTZ Zones, a single recreational vehicle, as defined in DCC 19.04, may be located on a lot or parcel containing a manufactured dwelling or single-family dwelling, subject to a residential rental agreement and provided the following are met:
1. The property is not within an area designated as an urban reserve in the Deschutes County Comprehensive Plan;
 2. The lot area is at least one acre in size;
 3. A manufactured dwelling or a single-family dwelling that is occupied as the primary residence of the property owner is sited on the lot or parcel:
 - a. As used in this section, “sited” means established onsite or applied for prior to issuance of any land use permits for a residential recreational vehicle.
 - b. As used in this section, “primary residence” means a dwelling occupied by the property owner on a long-term or permanent basis.
 4. There are no other dwelling units, guest houses, or occupied recreational vehicles permitted by the DCC on the property and no portion of the manufactured dwelling or single-family dwelling is rented as a residential tenancy.
 5. The recreational vehicle is owned or leased by the tenant;
 6. The recreational vehicle shall include an operable toilet and sink;
 7. If the recreational vehicle will be located within a structure, the structure shall be entirely open on two or more sides;
 8. The recreational vehicle shall maintain a setback of at least 10 feet from other structures; and
 9. The property owner will provide essential services to the recreational vehicle space including:
 - a. Sewage disposal, frost protected water supply, electrical supply and, if required by applicable law, any drainage system, all installed with permits and to applicable codes; and
 - b. Any other service or habitability obligation imposed by the rental agreement or ORS 90.730 (Landlord duty to maintain rented space, vacant spaces and common areas in habitable condition), the lack or violation of which creates a

serious threat to the tenant's health, safety or property or makes the rented space unfit for occupancy.

- c. A letter confirming that the supplier of water is "Willing and Able to Serve" the recreational vehicle shall be provided if the recreational vehicle is to be served by any water source other than an onsite domestic well.

10. The property owner shall provide a parking pad for the recreational vehicle with a surface material of compacted gravel with a minimum thickness of 4", concrete with a minimum thickness of 3.5", or asphalt with a minimum thickness of 3".

11. The applicant shall sign and record with the County Clerk, prior to the issuance of a building permit, a restrictive covenant stating a recreational vehicle unit allowed under this section cannot be used for vacation occupancy, as defined in DCC 19.92.170(A)(11)(a) and consistent with ORS 90.100, or other short-term uses.

- a. "Vacation occupancy" means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:

- i. The occupant rents the unit for vacation purposes only, not as a principal residence; and
- ii. The occupant has a principal residence other than at the unit; and
- iii. The period of authorized occupancy does not exceed 45 days.

12. All necessary permits shall be obtained from the Deschutes County Building Safety Division before connecting a recreational vehicle to sewer, water and/or electric utility services.

13. A permit shall be obtained from the Deschutes County Onsite Wastewater Division before disposing any wastewater or sewage on-site.

14. A recreational vehicle shall meet the same setbacks required of a manufactured dwelling or single-family dwelling on the subject lot.

15. A recreational vehicle shall be fully licensed and ready for highway use, on its wheels or jacking system, shall be attached to the site only by quick disconnect type utilities and security devices, and shall have no permanently attached additions.

16. As identified in this section, a recreational vehicle located within a special flood hazard area is subject to the standards and criteria established by DCC 19.72.

HISTORY

Adopted by Ord. 2023-00x §x on [date]



FINDINGS

I. PROPOSAL

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

II. BACKGROUND

A. Senate Bill 1013

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

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

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

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

B. Deschutes County Residential RV Amendments

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

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

Table 1 – SB 1013 Requirements

Topic	SB 1013 Requirements	Comment
Single Family Dwelling	SB 1013 Section 2(2)(b) requires one single-family dwelling that is occupied as the primary residence to be located on the lot or parcel.	DCC 18.116.095(D)(5) and DCC 19.92.170(A)(3) are consistent with SB 1013.
Urban Reserve Area	SB 1013 Section 2(2)(a) requires that the lot or parcel is not located within an area designated as an urban reserve as defined in ORS 195.137.	DCC 18.116.095(D)(3) and DCC 19.92.170(A)(1) are consistent with SB 1013.
Vacation Occupancy	SB 1013 Section 2(2)(d) prevents an RV allowed in this law from being used for vacation occupancy as defined in ORS 90.100 or other short-term uses.	DCC 18.116.095(E) and DCC 19.92.170(A)(11) are consistent with SB 1013. Both require a restrictive covenant be recorded to ensure compliance.
Other Dwelling Units	SB 1013 Section 2(2)(c) requires that there are no other dwelling units on the property and no portion of the single-family dwelling is rented as a residential tenancy.	DCC 18.116.095(D)(6) and DCC 19.92.170(A)(4) are consistent with SB 1013.
RV Ownership	SB 1013 Section 2(2)(e) requires the RV to be owned or leased by the tenant.	DCC 18.116.095(D)(7) and DCC 19.92.170(A)(5) are consistent with SB 1013.

Topic	SB 1013 Requirements	Comment
<p>Essential Services</p>	<p>SB 1013 Section 2(2)(f) requires that the property owner provides essential services to the RV space, as defined in ORS 90.100(13)(b).</p> <p>ORS 90.100(13)(b) defines “essential services” as: “For a tenancy consisting of rental space for a manufactured dwelling, floating home or recreational vehicle owned by the tenant or that is otherwise subject to ORS 90.505 (Definitions for ORS 90.505 to 90.850) to 90.850 (Owner affidavit certifying compliance with requirements for sale of facility):</p> <p>(A) Sewage disposal, water supply, electrical supply and, if required by applicable law, any drainage system; and</p> <p>(B) Any other service or habitability obligation imposed by the rental agreement or ORS 90.730 (Landlord duty to maintain rented space, vacant spaces and common areas in habitable condition), the lack or violation of which creates a serious threat to the tenant’s health, safety or property or makes the rented space unfit for occupancy.”</p>	<p>DCC 18.116.095(D)(11) and DCC 19.92.170(A)(9) are consistent with SB 1013.</p> <p>In addition, these sections require the water supply to be frost protected and for a “Will Serve” letter to be provided if the recreational vehicle is to be served by any water source other than an onsite domestic well.</p>
<p>Reasonable appearance, repair, inspection, or siting standards</p>	<p>SB 1013 Section 2(3)(d) allows counties to require that the RV complies with any reasonable appearance, repair, inspection, or siting standards adopted by the county.</p>	<p>DCC 18.116.095(D) and DCC 19.92.170(A) contain the following appearance, repair, inspection, or siting standards:</p> <p>DCC 18.116.095(D)(4) and DCC 19.92.170(A)(2) require the lot area to be at least one acre in size.</p> <p>DCC 18.116.095(D)(8) and DCC 19.92.170(A)(6) require that the recreational vehicle include an operable toilet and sink.</p> <p>DCC 18.116.095(D)(9) and DCC 19.92.170(A)(7) require that if the recreational vehicle is located within a structure, the structure must be entirely open on two or more sides.</p> <p>DCC 18.116.095(D)(10) and DCC 19.92.170(A)(8) require that the recreational vehicle maintains a setback of at least 10 feet from the primary residence.</p> <p>DCC 18.116.095(D)(12) and DCC 19.92.170(A)(10) require that the</p>

Topic	SB 1013 Requirements	Comment
		<p>property owner provide a parking pad for the recreational vehicle.</p> <p>DCC 18.116.095(D)(13) requires that for properties located within the Wildlife Area Combining Zone, recreational vehicles are considered a structure and therefore must comply with the siting standards in 18.88.060(B).</p>

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

III. REVIEW CRITERIA

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

IV. FINDINGS

CHAPTER 22.12, LEGISLATIVE PROCEDURES

Section 22.12.010.

Hearing Required

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

Section 22.12.020, Notice

Notice

A. Published Notice

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

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

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

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

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

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

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

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

Section 22.12.030 Initiation of Legislative Changes.

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

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

Section 22.12.040. Hearings Body

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

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

Section 22.12.050 Final Decision

All legislative changes shall be adopted by ordinance

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

B. Statewide Planning Goals and Guidelines

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

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

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

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

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

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

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

applicants must receive a permit from Deschutes County Onsite Wastewater Division before disposing any wastewater or sewage on-site.

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

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

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

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

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

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

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

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

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

C. Deschutes County Comprehensive Plan

Chapter 3, Rural Growth

Section 3.3, Rural Housing

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

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

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

V. CONCLUSION:

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

Recreational Vehicles as Rental Dwellings Text Amendment

Appendix A: ESEE Analysis Document to

File No. 247-23-000700-TA

Deschutes County Community Development

October 4, 2023

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- Attachment 2 – Inventory Site Maps

Chapter 1: Overview of Goal 5 and ESEE Analyses

Introduction

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

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

Deschutes County Goal 5 Program

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

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

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

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

Required Steps and Discretionary Review

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

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

Table 2: Zones Containing Goal 5 Resources

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

¹ OAR 660-023-0250(3)(b)

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

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

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

² OAR 660-023-0040(1)

Chapter 2: Deschutes County Goal 5 Inventory and Methodology

660-23-0030 – Inventory Goal 5 Resources

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

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

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

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

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

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

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

Chapter 3: Conflicting Use Analysis

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

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

Table 3: Allowed Uses

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

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

General Impacts of Conflicting Uses

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

- *Noise and Light*

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

- *Habitat Removal*

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

⁴ OAR 660-023-0040(4)

- *Introduction of Invasive, Nonnative Plants*

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

- *Habitat Fragmentation*

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

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

Chapter 4: Impact Areas

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

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

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

Impact Area Methodology

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

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

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

Chapter 5: ESEE Analysis

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

Background

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

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

- *Noise and Light*

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

- *Habitat Removal*

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

- *Introduction of Invasive, Nonnative Plants*

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

- *Habitat Fragmentation*

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

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

ESEE Scenario Descriptions

Scenario (A) – Allow the Conflicting Use

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

Scenario (B) – Prohibit the Conflicting Use

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

Scenario (C) – Limit the Conflicting Use

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

RVs as Rental Dwellings ESEE Analysis

Scenario (A) Allow the Conflicting Use

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

Economic Consequences:

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

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

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

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

Social Consequences:

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

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

Environmental Consequences:

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

Developing an appropriate site for an RV may require removal of upland vegetation, grading, and soil compaction that could alter drainage and runoff patterns. This could increase peak runoff, cause bank erosion, flooding, or increase the flow of sediment into water bodies. The removal of upland vegetation could also reduce tree canopy and understory vegetation which could be utilized by wildlife, outside of their primary habitat. Given the relatively small footprint of RVs, however, these impacts may be minor compared to other development types. Permitting RVs could create negative impacts to designated habitat for Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat. Based on previous testimony from ODFW, mule deer populations have declined up to 70% since 2000. Their testimony identified other elements contributing to reductions

in mule deer populations tied to human caused habitat reduction, fragmentation, and disturbance on winter range.

As previously stated, the following Goal 5 protections established during the creation of the initial inventory would remain in place:

1. Setback Protections: 100-foot structural setback from the ordinary high water mark of rivers or streams.
2. Scenic Protections: Development near rivers in the Landscape Management Combining Zone must be reviewed for aesthetic compatibility.
3. Wetland Protections: Prohibition of fill or removal of any material or wetland vegetation, regardless of the amount, within the bed and banks of any stream or river or in any wetland unless approved as a conditional use.
4. Mitigation Protections: Impacts to any wetland or riverbank impacts to be fully mitigated, as evaluated by ODFW.
5. Flood Plain Protections: All new construction, expansion or substantial improvement of an existing dwelling, an agricultural related structure, a commercial, industrial or other non-residential structure, or an accessory building in a designated Flood Plain shall obtain a conditional use permit.
6. Combining Zone Requirements: Deer Migration Corridor, Deer Winter Range, Significant Elk Habitat and Sensitive Bird and Mammal Habitat have site specific requirements including development setbacks and seasonal construction requirements to prevent impact to sensitive species and habitat.

Existing protections would prevent riparian areas from being developed with ADUs established near them. As the existing Goal 5 measures in place today protect riparian areas and the fish and wildlife within that habitat area, the addition of ADUs near these areas will be neutral.

Energy Consequences:

RVs as rental dwellings are unlikely to cause any major energy consequences. Per SB 1013, the property owner must provide essential services, which includes electricity and wastewater disposal, to the RV site. It can also rely on an existing domestic well.

A potential negative consequence of the proposed amendments could be additional development in rural Deschutes County. Depending on the location of the RV, it could lead to additional Vehicle Miles Traveled and greater congestion on county-owned roads for employment, education, and basic services.

Scenario (B) Prohibit the Conflicting Use

In this scenario, Deschutes County would not allow RVs as rental dwellings in the MUA-10 and RR-10 zones associated with the WA Combining Zone and Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat.

Economic Consequences:

Prohibiting RVs could have negative economic consequences, as it prevents certain property owners from using their land and having a secondary dwelling unit. This could contribute to workforce housing deficiencies in the region and compel residents to commute from adjoining areas in Crook, Jefferson, and Klamath Counties.

It could also have neutral consequences based on previous testimony from ODFW. Prohibiting RVs could contribute to stabilizing mule deer populations, thereby maintaining economic benefits from wildlife viewing or hunting. Wildlife viewing, hunting, and fishing experiences in Deschutes County are major economic assets to the region. Prohibiting RVs could minimize further habitat fragmentation and help maintain wildlife viewing, hunting, and fishing revenues in Deschutes County.

Social Consequences:

Prohibiting ADUs could have negative social consequences. Many residents and multi-generational families in Deschutes County need affordable housing and are rent-burdened. Limiting the potential supply of a unique housing type could exacerbate Central Oregon's housing crisis by forcing some residents to pay higher rents, commute longer distances for basic services, or relocate. Those circumstances could lead to further mental and physical stress.

It could also have positive consequences. Many residents express their appreciation for undisturbed landscapes because they contribute to Deschutes County's rural character and quality of life. Prohibiting RVs, which generate noise and light would continue to limit disturbance to existing fish and wildlife habitats.

Environmental Consequences:

There are 404 RR-10 tax lots, one acre or larger with a single-family dwelling and 247 that are vacant that abut the Little Deschutes River or Deschutes River. There are 479 tax lots one acre or larger that are split-zoned RR-10 or MUA-10 with the Flood Plain Zone that contain a single-family dwelling and 291 that are vacant. These properties contain a Goal 5 Riparian Area which is also the habitat for Goal 5 inventoried waterfowl, upland game bird, furbearers, and fish. The WA Combining Zone contains Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat. By prohibiting RVs and maintaining the status quo, these species will continue to be protected against habitat fragmentation and distress from second dwellings. The environmental consequences are therefore neutral.

Energy Consequences:

Energy consumption would have neutral consequences as this scenario maintains the status quo. Development associated with RVs may be displaced to other areas of rural Deschutes County, which could still have demands on utilities.

Scenario (C) Limit the Conflicting Use

In this scenario, Deschutes County would allow RVs as rental dwellings in the MUA-10 and RR-10 zones, with additional limitations to protect the inventoried resources, outside of existing protections. For example, a limitation could require the RV to be within a certain distance of the existing dwelling.

Economic Consequences:

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

Compared to scenario (a) where there is no required area in relation to the primary residence in which the RV must be sited, the addition of limitations could lessen the impact by minimizing the buildable footprint and ultimately, the number of eligible properties, recognizing that some may not have enough area to accommodate an RV depending on site constraints. This could positively impact the hunting and wildlife viewing economy in Central Oregon, valued at \$50 million annually. While such measures could lessen impacts, the overall burden caused by allowing RVs nevertheless may still overall impact wildlife and thereby impact revenue generated from the recreation economy.

In comparison to scenario (a), which would allow the use outright, Deschutes County finds that this scenario would provide a limitation to reduce the amount of impacts, even if those impacts still exist.

Social Consequences:

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

Adding a limitation requiring the RV to be within a certain distance of the existing dwelling (or other limitation) could establish a negative consequence, depending on siting, of RVs in rural areas with inadequate access to employment, schools, food markets, medical facilities and parks. This could lead to higher automobile dependence and vehicle emissions caused by more people driving to and from rural areas. Based on previous testimony from ODFW, there could also be negative impacts due to the potential loss of wildlife habitat stemming from the possible removal of habitat areas and construction of structures and their associated human presence. Many residents, advocacy

organizations, and wildlife agencies continue to express concerns regarding the loss of fish and wildlife habitat due to the region's rapid growth and development. There is a recognition that increases in human activity, especially in rural areas, displace habitat and diminish, incrementally, Deschutes County's rural character and quality of life. The proposed amendments could have negative consequences due to increased human presence and infrastructure near or within the inventoried Goal 5 resources, which could lead to a reduced level of access and enjoyment for recreationalists.

Environmental Consequences:

RVs as rental dwellings could present negative consequences as they have the potential to increase activity, noise, and light near fish and wildlife habitats, and in turn cause distress to inventoried Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat.

Siting of an RV may require removal of upland vegetation, grading, and soil compaction that could alter drainage and runoff patterns. This could increase peak runoff, cause bank erosion, flooding, or increase the flow of sediment into water bodies. The removal of upland vegetation could also reduce tree canopy and understory vegetation which could be utilized by fish and wildlife species, outside of their primary habitat. Given the relatively small footprint of RVs, however, these impacts may be minor compared to other development types. Permitting RVs could result in further negative impacts to the Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat. Based on recent testimony from ODFW, mule deer populations have declined up to 70% since 2000. Their testimony identified other elements contributing to reductions in mule deer populations tied to human caused habitat reduction, fragmentation, and disturbance on winter range.

Existing protections in place today (discussed above) would prevent Goal 5 riparian areas from being developed when RVs are nearby. The establishment of RVs in these areas would likely be neutral.

By limiting the RV to within a certain distance of the existing dwelling, the negative environmental consequences associated with RVs could be mitigated to a certain extent.

Energy Consequences:

The energy consequences in this scenario are the same as in scenario (a). Limiting the RV to within a certain distance of the existing dwelling could decrease the amount of energy used to operate the RV, considering the essential services that are required to be provided.

Chapter 6: ESEE Decision

660-023-0040(5): Develop a program to achieve Goal 5. Local governments shall determine whether to allow, limit, or prohibit identified conflicting uses for significant resource sites. This decision shall be based upon and supported by the ESEE analysis. A decision to prohibit or limit conflicting uses protects a resource site. A decision to allow some or all conflicting uses for a particular site may also be consistent with Goal 5, provided it is supported by the ESEE analysis. One of the following determinations shall be reached with regard to conflicting uses for a significant resource site:

(c) A local government may decide that the conflicting use should be allowed fully, notwithstanding the possible impacts on the resource site. The ESEE analysis must demonstrate that the conflicting use is of sufficient importance relative to the resource site, and must indicate why measures to protect the resource to some extent should not be provided, as per subsection (b) of this section.

The graphic below is meant to be a simplified representation to balance each of the ESEE factors. As stated in the ESEE analysis, there are a variety of positive, negative, and neutral consequences associated with each scenario. Deschutes County finds that the issue of allowing an RV as rental dwellings in MUA-10 and RR-10 zones are both a social and economic issue that outweighs the other ESEE consequences. The County considered allowing the use with limitations by limiting the siting of the RV to within a certain distance of the existing dwelling, but this practice could limit the number of affordable housing opportunities. Therefore, the County is choosing scenario (a), which will allow the use fully, notwithstanding the possible impacts on the resource sites.

Table 5: ESEE Factors

ESEE Factors	Support habitat functions (Environmental, economic, social)	Support Affordable Housing (Social, economic)	Support Recreational Economy (Economic, Social)	Preserves Rural Character (Social, economic)	Transportation (Energy)
Prohibit conflicting use (No code change)	0	-	0	0	0
Allow conflicting use Allow RVs with no additional requirements	-	+	-	-	-
Limit conflicting use Allow RVs with additional limitation	-	+	-	-	-

Chapter 7: Program to Achieve Goal 5

660-023-0050(1): *For each resource site, local governments shall adopt comprehensive plan provisions and land use regulations to implement the decisions made pursuant to OAR 660-023-0040(5). The plan shall describe the degree of protection intended for each significant resource site. The plan and implementing ordinances shall clearly identify those conflicting uses that are allowed and the specific standards or limitations that apply to the allowed uses. A program to achieve Goal 5 may include zoning measures that partially or fully allow conflicting uses (see OAR 660-023-0040(5)(b) and (c)).*

660-023-0050(2): *When a local government has decided to protect a resource site under OAR 660-023-0040(5)(b), implementing measures applied to conflicting uses on the resource site and within its impact area shall contain clear and objective standards. For purposes of this division, a standard shall be considered clear and objective if it meets any one of the following criteria:*

- (a) It is a fixed numerical standard, such as a height limitation of 35 feet or a setback of 50 feet;*
- (b) It is a nondiscretionary requirement, such as a requirement that grading not occur beneath the dripline of a protected tree; or ...*

Deschutes County has determined that allowing RVs as rental dwellings within the MUA-10 and RR-10 zones and within the Deer Migration Corridor, Deer Winter Range, and Significant Elk Habitat should be allowed fully, notwithstanding the possible impacts on the inventoried resources. The implementing measures do not include alternative, discretionary procedures for compliance.

Attachment 1 - Deschutes County Significant Goal 5 Resources

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
Fish Habitat (Inventory – Ord. No. 92-041, page 18; creeks, rivers and lakes)	Yes	Major conflicts are removal of riparian vegetation, fill and removal activities within the bed and banks of streams or wetlands, hydroelectric, rural residential development and water regulation	Floodplain zone recognized as program to achieve the goal to conserve fish habitat (Ordinance Nos. 88-030, 88-031, 89-009). Others include: fill and removal permits, wetland removal regulations, hydro prohibitions, rimrock setbacks, 100' setback from OHW, conservation easements and restrictions on boats and docks.	Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041
Deer Winter Range (Inventory – Ord. No. 92-041, page 22; Metolius, Tumalo, North Paulina, and Grizzly ranges identified by ODFW)	Yes	Major conflicts are dwellings, roads, and dogs. Activities which cause deterioration of forage quality and quantity or cover are conflicting uses. Fences which impede safe passage are also a conflicting use.	Floodplain zone recognized as a program to achieve the goal to protect deer winter range (Ordinance Nos. 88-030, 88-031, 89-009). Others include Wildlife Area Combining Zone. Requires 40-acre minimum lot size for all new residential land divisions. Underlying zoning in most of the deer winter range is: EFU, Forest, and Floodplain. These zones provide for large lot sizes and limit uses that are not compatible with farm or forest zones.	Ordinance Nos. 88-030, 88-031, 89-009, 92-040, 92-041, 92-042, 92-046
Deer Migration Corridor (Inventory – Ord. No. 92-041, page 26; Bend-La Pine migration corridor identified by ODFW)	Yes	Major conflicts are dwellings, roads, and dogs. Fences which impede safe passage are also a conflicting use.	Wildlife Area Combining Zone was recognized as the only program to achieve the goal to protect the deer migration corridor. Underlying zoning is RR-10. It was amended to require cluster development for all land divisions in the RR-10 zone in the Bend/La Pine migration corridor (92-042). A 20-acre parcel is the minimum size required for a cluster development. Siting and fencing standards also apply in the deer migration corridor. Migration corridor includes some EFU, Forest, and Floodplain zoned land. These resource zones provide for large lot sizes and limit uses that are not compatible with farm or forest zones.	Ordinance Nos. 92-040, 92-041, 92-042, 92-046

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p>Elk Habitat (Inventory – Ord. No. 92-041 – page 32; identified by USFS and ODFW)</p>	<p>Yes</p>	<p>Major conflict is the loss of habitat due to increased residential densities in the habitat areas. Increased human disturbance can cause conflict with elk. The use of land which necessitates the removal of large amounts of vegetative cover can also alter the quality of elk habitat.</p>	<p>Wildlife Area Combining Zone was recognized as the only program to achieve the goal to protect the elk habitat.</p> <p>It was amended to require a 160-acre minimum lot size for areas identified as significant elk habitat. Siting standards are required to minimize conflicts of residences with habitat protection.</p> <p>Underlying zoning in the elk habitat areas is either Floodplain, Forest, or Open Space and Conservation. These resource zones restrict high density residential development and prohibit industrial and commercial uses.</p> <p>* Some lands are zoned RR10, including lots that are split zoned with flood plain. They are already parcelized, preventing future land divisions.</p>	<p>Ordinance Nos. 88-030, 88-031, 89-009, 92-040, 92-041, 92-042, 92-046</p>
<p>Antelope Habitat (Inventory – Ord. No. 92-041 – page 38; identified by ODFW)</p>	<p>No</p>	<p>Land use or development activities which would result in the loss of habitat, and animal harassment and disturbance associated with human activity.</p>	<p>To achieve the goal to conserve antelope habitat, uses conflicting with antelope habitat are limited to the Wildlife Area Combining Zone. In antelope range, the minimum lot size is 320 acres. Except for rural service centers, the antelope habitat is zoned EFU or F1.</p>	<p>Ordinance Nos. 92-040, 92-041, 92-042, 92-046</p>
<p>Habitat for Sensitive Birds (Inventory – Ord. No. 92-041 – page 41 and Table 5; identified by ODFW, ODF, OSU, Oregon Natural Heritage Data Bases).</p> <p>The area required for each nest site varies between species.</p>	<p>No</p>	<p>Nest sites are found in Forest, EFU and Open Space and Conservation zones. Uses that could conflict with the habitat site are surface mining, residential use, recreation facilities, roads, logging, and air strips.</p> <p>Any activity which would disturb the nesting birds, including intensive recreational use or removal of trees or</p>	<p>The Sensitive Bird and Mammal Combining Zone achieves the goal to protect sensitive bird sites.</p>	<p>Ordinance Nos. 92-040, 92-041, 92-042, 92-046</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
		vegetation could conflict with the habitat site.		
(UPDATE - Inventory – Ord. No. 94-004 –pages 3 to 140 Site specific ESEE analysis and decisions follow each site.	No	See above.	Habitat areas for sensitive birds of the Fish and Wildlife Element, adopted in No. 92-041 is repealed and replaced by inventories in Exhibit 1. Area required around each nest site needed to protect the nest from conflict varies between species. It's called "sensitive habitat area." Note: Northern bald eagle, osprey, golden eagle, prairie falcon, and great blue heron rookeries are located on federal land. Classified as "2A" Goal 5 Resources. Great Grey owl site no longer exists. Some bald eagle, golden eagle sites are controlled by the Sensitive Bird and Mammal Combining Zone.	Ordinance Nos. 94-004, 94-005 and 94-021
Waterfowl Habitat (Inventory – Ord. No. 92-041 – page 56; includes all rivers, streams, lakes and perennial wetlands and ponds identified on the 1990 US Fish and Wildlife Wetland Inventory Maps; ODFW provided lists of all bird species; Co/City of Bend River Study provides additional information)	Yes	Future resort and vacation home development, human activity associated with recreation along rivers and lakes, timber-cutting around sensitive habitats, fill and removal of material in wetlands and within the bed and banks of rivers and streams, and removal of riparian vegetation are conflicting uses.	Floodplain zone recognized as program to achieve the goal to conserve waterfowl habitat (Ordinance Nos. 88-030, 88-031, 89-009). Others include: fill and removal permits, wetland removal regulations, rimrock setbacks, 100' setback from OHW, conservation easements, restrictions on boats and docks, landscape management, state and federal scenic water regulations. In addition, the Forest and EFU zones require large minimum lot size which limits the potential density of development in the areas adjacent to many of the rivers, streams, wetlands, and ponds used for waterfowl habitat.	Ordinance Nos. 86-018, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041, 92-042- 92-045, 92-046

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p>Upland Game Bird Habitat (Inventory – Ord. No. 92-041 – page 60; ODFW did not identify critical habitat for any of the upland game species except for the sage grouse; habitat for upland game birds is dispersed throughout the county in riparian, forest, agricultural, and rangeland areas)</p>	<p>Yes</p>	<p>Pheasant and quail are affected whenever agricultural land is taken out of production through urban sprawl, road construction, industrial development and other land clearing activities.</p> <p>Farming practices on existing agricultural lands also have an impact. Fence row, woodlots, and riparian vegetation are constantly being removed at the expense of upland bird use.</p> <p>Chapter 6 of County/City of Bend River Study identifies conflicting uses with upland bird habitat.</p>	<p>For all of the upland game birds except sage grouse, the habitat is adequately protected by the existing EFU and Forest zoning and the provisions to protect wetlands and riparian areas to achieve the goal of protecting upland game birds.</p> <p>County provisions to protect riparian areas and wetlands protect one of the most significant components of upland game habitat.</p> <p>Note: conflicts with sage grouse are limited by EFU zoning with a 320 acre minimum parcel size. Sensitive Bird and Mammal Combining Zone pertaining to sage grouse and leks have been repealed due to LCDC enacted rules in OAR 660, Division 23.</p>	<p>Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041, 92-042, 92-046</p>
<p>UPDATE - Inventory – Ord. No. 94-004 – pages 156-201.</p>	<p>Yes</p>	<p>See above.</p>	<p>Habitat areas for Upland Game Bird Habitat, adopted in No. 92-041 is repealed and replaced and further amended in Exhibit 4 with the ESEE Analysis and inventory for upland game bird habitat.</p> <p>Conflicts with sage grouse are reduced by the limitations on uses in the EFU and Floodplain zone, by the 320 acre minimum lot size and predominance of BLM lands.</p> <p>Note: conflicts with sage grouse are limited by EFU zoning with a 320 acre minimum parcel size. Sensitive Bird and Mammal Combining Zone pertaining to sage grouse and leks have been repealed due to LCDC enacted rules in OAR 660, Division 23.</p>	<p>Ordinance Nos. 94-004 and 94-021</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
Furbearer Habitat (Inventory – Ord. No. 92-041 – page 65; ODFW has not identified any specific habitat sites other than riparian and wetland areas that are critical for the listed species.	Yes	The conflicting uses are those activities or development which would degrade or destroy habitat, or disturb the animals causing them to relocate. Conflicts between furbearers and other land uses are minimal in the county.	Furbearer habitat is adequately protected by the existing EFU and Forest zoning and the provisions to protect farm use and forest zoning, and the provisions to protect wetlands and riparian areas to achieve the goal to protect furbearers. The farm and forest zones require large minimum lot sizes and many uses are permitted only as conditional uses. The measures to protect riparian and wetland habitat are detailed in this plan in the Riparian and Wetland Habitat section.	Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041
Habitat Areas for Townsend’s Big-Eared Bats (Inventory – Ord. No. 92-041 – page 69; identified by ODFW, ODF, OSU, Oregon Natural Heritage Data Bases)	No	Caves located in EFU zones. Uses permitted in those zones that could conflict with the habitat site are surface mining, recreation facilities including golf courses and destination resorts, roads, logging, and air strips.	Program to achieve the goal is Sensitive Bird and Mammal Combining Zone	Ordinance No. 92-041 and 042
UPDATE - Inventory – Ord. No. 94-004 – pages 140 to 155 Site specific ESEE analysis and decisions follow each site.	No	See above.	Habitat areas for Townsend Bats, adopted in No. 92-041 is repealed and replaced and further amended in Exhibit 2. The ESEE for Townsend’s big-eared bats is amended for additional bat sites in Exhibit 3.	Ordinance Nos. 94-004 and 94-021

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p>Wetlands and Riparian Areas (Inventory – Ord. No. 92-041 – page 73; identified on USFWS NWI)</p>	<p>Yes</p>	<p>Conflicting uses include fill and removal of material, including vegetation which could cause a reduction in the size or quality or function of a wetland, or cause destruction or degradation of the riparian habitat and vegetation.</p> <p>Structural development in wetlands or riparian areas would reduce the habitat and the use of the structure could cause conflicts such as harassment or disturbance or wildlife dependent on the habitat. Cutting of riparian vegetation can remove important shade for streams, eliminate habitat for various waterfowl, furbearers, and nongame bird species, and can increase the potential for erosion or bank instability in riparian areas.</p>	<p>Floodplain zone recognized as program to achieve the goal to conserve wetland and riparian habitat (Ordinance Nos. 88-030, 88-031, 89-009).</p> <p>Others include: fill and removal permits, wetland removal regulations, hydro prohibitions, 100' setback from OHW, conservation easements, restrictions on boats and docks, and landscape management.</p>	<p>Ordinance Nos. 86-018, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041, 92-045</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p>UPDATE – Riparian inventory – Ord. No. 94-007; Significant riparian habitat is located in three areas:</p> <p>Area within 100' of OHW of an inventoried stream or river;</p> <p>Area adjacent to an inventoried river or stream and located within a flood plain mapped by FEMA and zoned Floodplain by the county (Deschutes River, Little Deschutes River, Paulina Creek, Fall River, Indian Ford Creek, Tumalo Creek, Squaw (Whychus) Creek, and Crooked River</p> <p>Area adjacent to a river or stream and inventoried as a wetland on the NWI</p>	<p>Yes</p>	<p>Conflicting uses:</p> <p>Locating septic systems in riparian area could cause pollution of ground and surface water systems. The potential for this conflict depends on the characteristics of the soil.</p> <p>Locating structural development in riparian areas can reduce the habitat and the use of structures could cause conflicts such as harassment or disturbance of wildlife dependent on habitat.</p> <p>Recreational use of the riparian area including boat landing areas, formal and informal trails, and camping areas can alter soil composition and cause destruction of vegetation.</p> <p>Increase in density of residential lots in or adjacent to riparian areas could result in a decrease of habitat effectiveness because of disturbance to wildlife.</p>	<p>Riparian Areas inventory and ESEE analysis adopted by Ordinance No. 92-041 is deleted and replaced by an inventory and ESEE contained in Exhibit A.</p> <p>New parcels meeting the minimum lot size in the resource zones (EFU, Forest, non-exception flood plain) will not cause an increase in residential density that would conflict with riparian habitat values.</p> <p>In RR10, MUA-10, and Floodplain zones found adjacent to inventoried riparian areas, the creation of new 10 acre parcels would not significantly increase the overall density of residential use adjacent to riparian areas because the areas where new parcels could be created, with the exception of Tumalo Creek, are already divided into lots considerably smaller than 10 acres.</p> <p>Program to achieve Goal 5 for Riparian Habitat: fill and removal regulations to protect wetlands, 100' setback from OHW, Floodplain zone (regulates docks too), Landscape Management zone, Conservation easements, State Scenic Waterway</p>	<p>Ordinance Nos. 94-007</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p>UPDATE – Wetland Inventory – Ord. No. 94-007, Exhibit B – inventory is NWI (Ord. No. 92-045)</p>	<p>Yes</p>	<p>Conflicting uses include fill and removal of material, including vegetation, which could cause reduction in the size, quality or function of a wetland.</p> <p>Locating structural development in wetlands could reduce the habitat and the use of the structure could cause conflicts such as harassment or disturbance of wildlife dependent on the habitat.</p> <p>Draining wetlands for agriculture or other development purposes destroys the hydrological function of the wetland and alters the habitat qualities that certain wildlife depend on.</p> <p>Cutting wetland vegetation adjacent to streams can remove important shade for streams, eliminate habitat for various waterfowl, furbearers, and nongame bird species, and can also increase the potential for erosion or bank instability in riparian areas.</p>	<p>Wetlands Inventory and ESEE analysis adopted by Ordinance No. 92-041 is deleted and replaced by an inventory and ESEE contained in Exhibit B, Wetlands.</p> <p>Program to achieve Goal 5 for Wetland Habitat:</p> <ul style="list-style-type: none"> • Fill and removal regulations to protect wetlands • 100’ setback from OHW • Flood plain zone (regulates docks too) • DSL Removal / Fill law 	<p>Ordinance Nos. 94-007</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
<p>Ecologically and Scientifically Significant Natural Areas * Little Deschutes River / Deschutes River Confluence (Inventory – Ord. No. 92-052, Exhibit B, Page 1; identified by Oregon Natural Heritage Program); Analysis of Pringle Falls and Horse Ridge Research Areas, West Hampton Butte and Davis Lakes excluded b/c they're on federal land and/or not related to flood plains.</p>	<p>Yes</p>	<p>Resort and vacation home development, recreational uses, livestock grazing, and fill and removal in wetlands are conflicting uses.</p>	<p>Programs for resource protection include the zoning of the property, the provisions of the flood plain, wetlands and the river corridor.</p> <p>The implementing measures which protect and regulate development in the confluence area are: EFU zoning, Floodplain zoning, conservation easements, and fill and removal permits.</p> <p>The confluence area is located in the undeveloped open space area of the Sunriver development (Crosswater). 80% of the property is retained as open space.</p> <p>Today, zoning is Floodplain and Forest Use.</p>	<p>Ordinance Nos. 86-018, 86-054, 86-056, 88-030, 88-031, 89-009, 92-040, 92-041, 92-045</p>
<p>Landscape Management Rivers and Streams (Inventory – Ord. No. 92-052, Exhibit C, Page 3; identified by state and federal wild and scenic corridors; and within 660' of OHW of portions of Deschutes River, Little Deschutes River, Paulina Creek, Fall River, Spring river, Tumalo Creek, Squaw (Whychus) Creek, and Crooked River not on the state or federal scenic designations)</p>	<p>Yes</p>	<p>Uses conflicting with open space and scenic resources along the designated Landscape Management rivers and streams include land management activities that result in habitat loss or development within river or stream corridors which would excessively interfere with the scenic or natural appearance of the landscape as seen from the river or stream or alteration of existing natural landscape by removal of vegetative cover.</p>	<p>Program for resource protection includes: Floodplain zone and restrictions, fill and removal permits, wetland removal regulations, hydro prohibitions, rimrock setbacks, conservation easements, restrictions on boats and docks, and landscape management.</p>	<p>Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-033, 93-034</p>

Inventoried Resource	Flood Plain Relationship	Conflicts	Comments	Relevant Ordinances
Lakes and Reservoirs (Inventory – Ord. No. 92-052, Exhibit C, Page 10; includes Upper Tumalo Reservoir; remaining are on federal land	No	Conflicting uses with the open space and scenic values of the land adjacent to the inventoried lakes include development which would cause a loss of open space or a decrease in the aesthetic and scenic resources, and land management activities resulting in the removal of natural vegetation which provides wildlife habitat and scenic value.	Conflicting uses around Tumalo Reservoir are specifically limited by Title 18.48, Open Space Conservation Zone and a 100’ setback for any structure from OHW.	Ordinance No. 91-020
State Scenic Waterways and Federal Wild and Scenic Rivers (Inventory – Ord. No. 92-052, Exhibit E, Page 1;	Yes	See County / City of Bend River Study and 1986 River Study Staff Report. Both referenced in Ord. 92-005, Exhibit E.	Program for resource protection includes: Floodplain zone and restrictions, fill and removal permits, wetland removal regulations, hydro prohibitions, rimrock setbacks, conservation easements, restrictions on boats and docks, and landscape management.	Ordinance Nos. 86-018, 86-053, 86-054, 86-056, 88-030, 88-031, 89-009, 92-033, 93-034
Wilderness Areas, Areas of Special Concern, Energy Sources (Ord. No 92-052), and Groundwater Resources (Ord. No. 94-003) not analyzed because they’re on federal land or don’t relate to flood plains.	No	N/A	N/A	N/A

Attachment 2 - Inventory Site Maps







1" = 10,000'

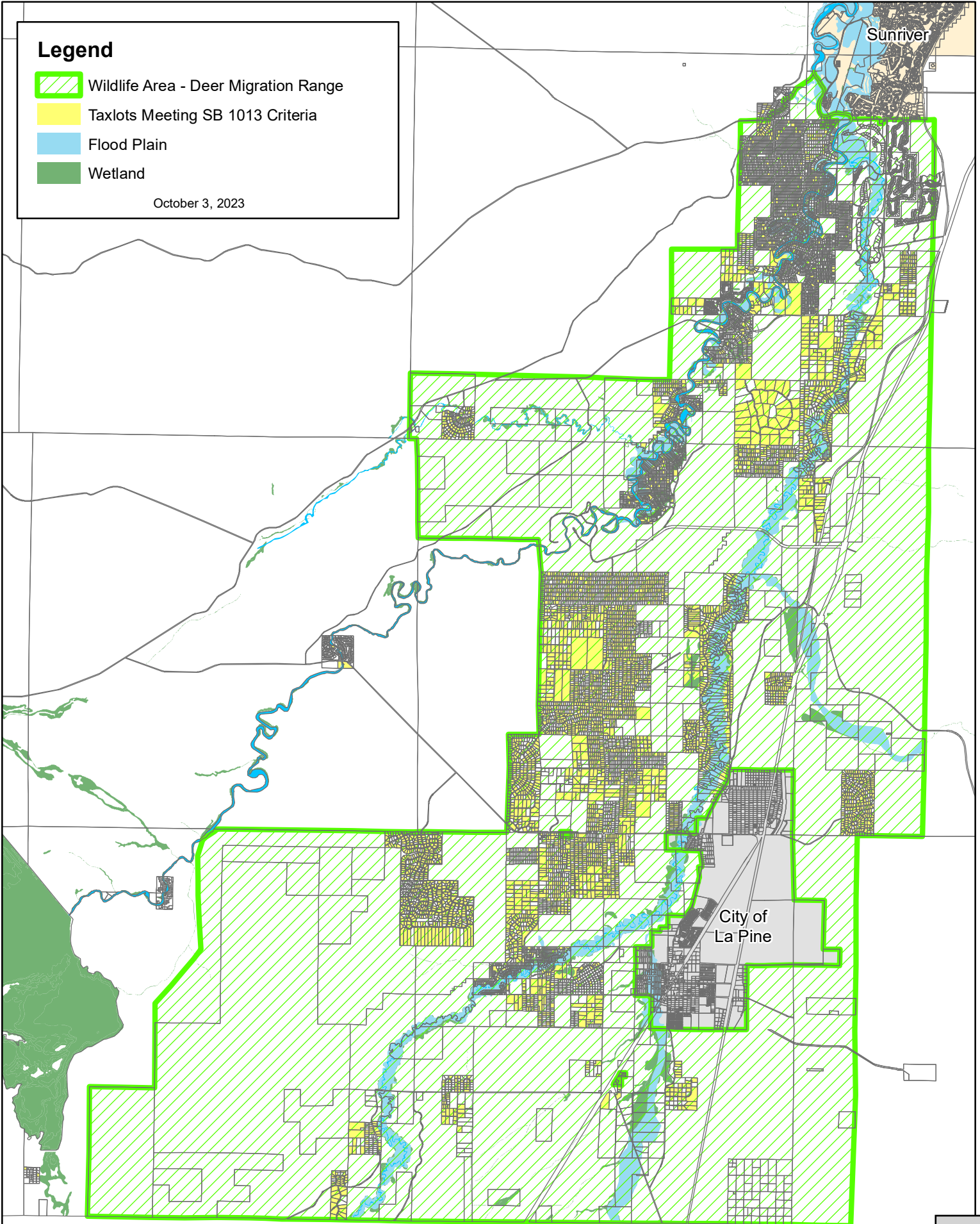
Taxlots Meeting SB 1013 Criteria - Deer Migration Range

Item #IV.2.

Legend

-  Wildlife Area - Deer Migration Range
-  Taxlots Meeting SB 1013 Criteria
-  Flood Plain
-  Wetland

October 3, 2023

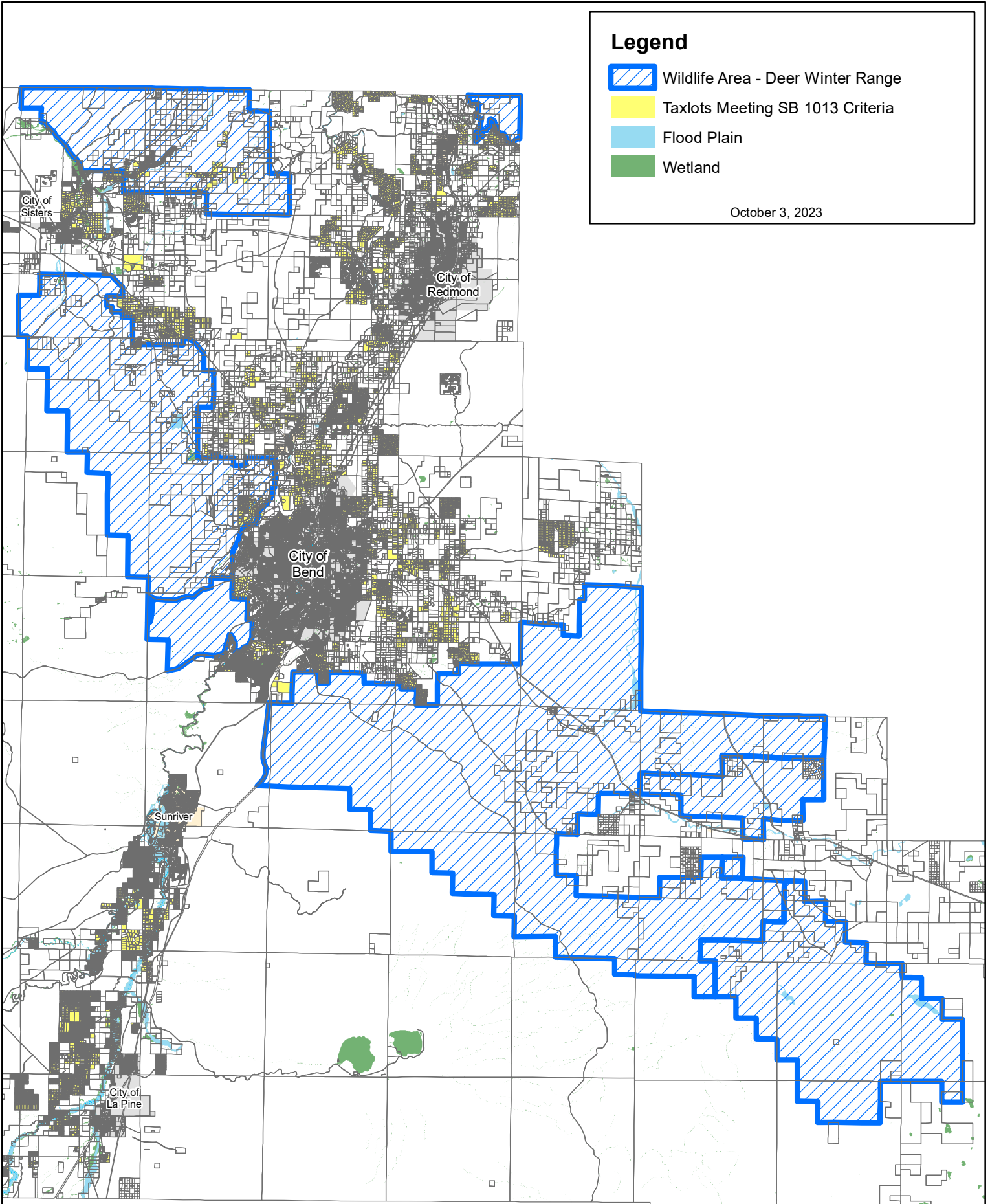




Taxlots Meeting SB 1013 Criteria - Deer Winter Range

Item #IV.2.

1" = 6 mi.

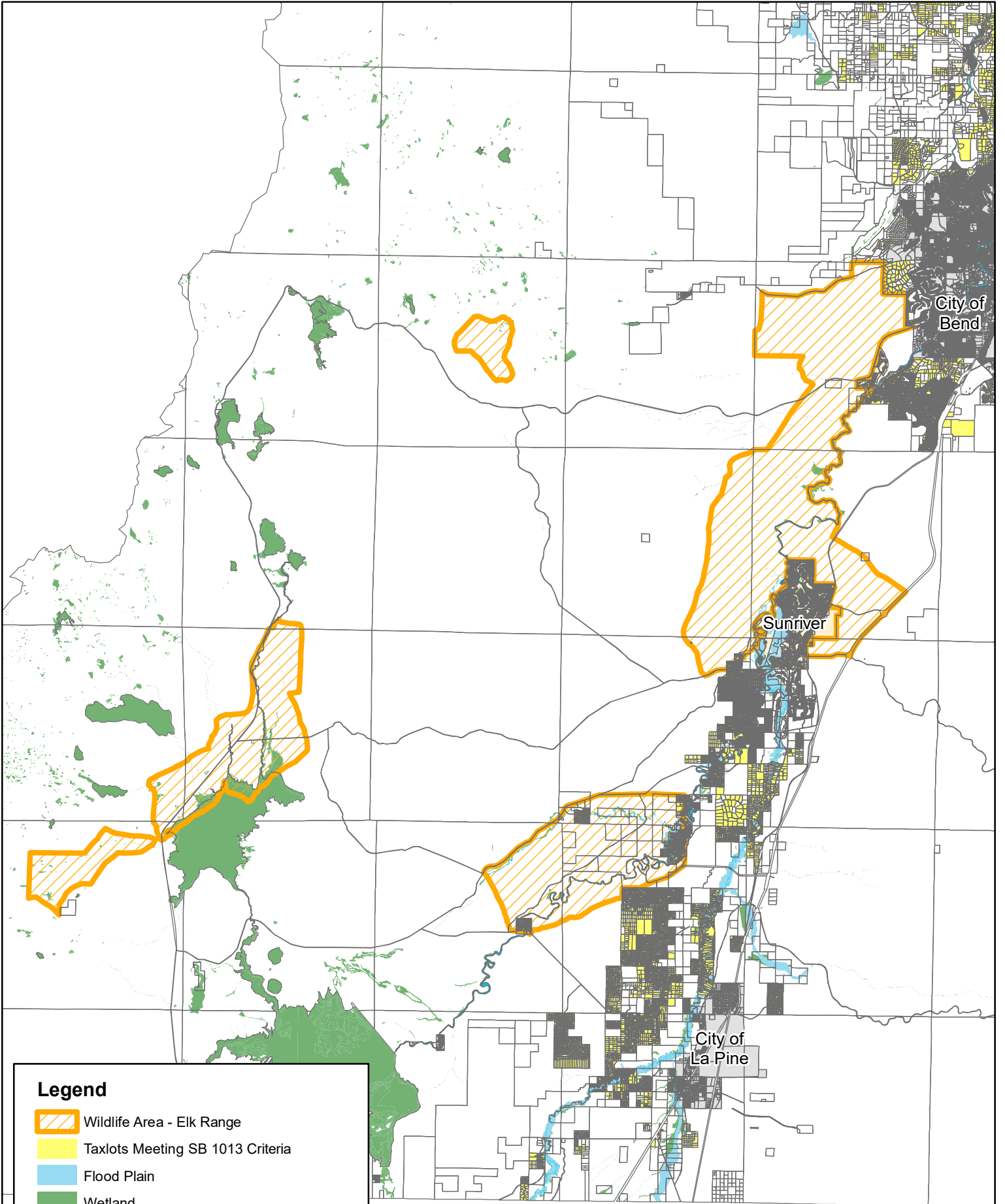




1" = 4 mi.

Taxlots Meeting SB 1013 Criteria - Elk Range

Item #IV.2.



Legend

-  Wildlife Area - Elk Range
-  Taxlots Meeting SB 1013 Criteria
-  Flood Plain
-  Wetland

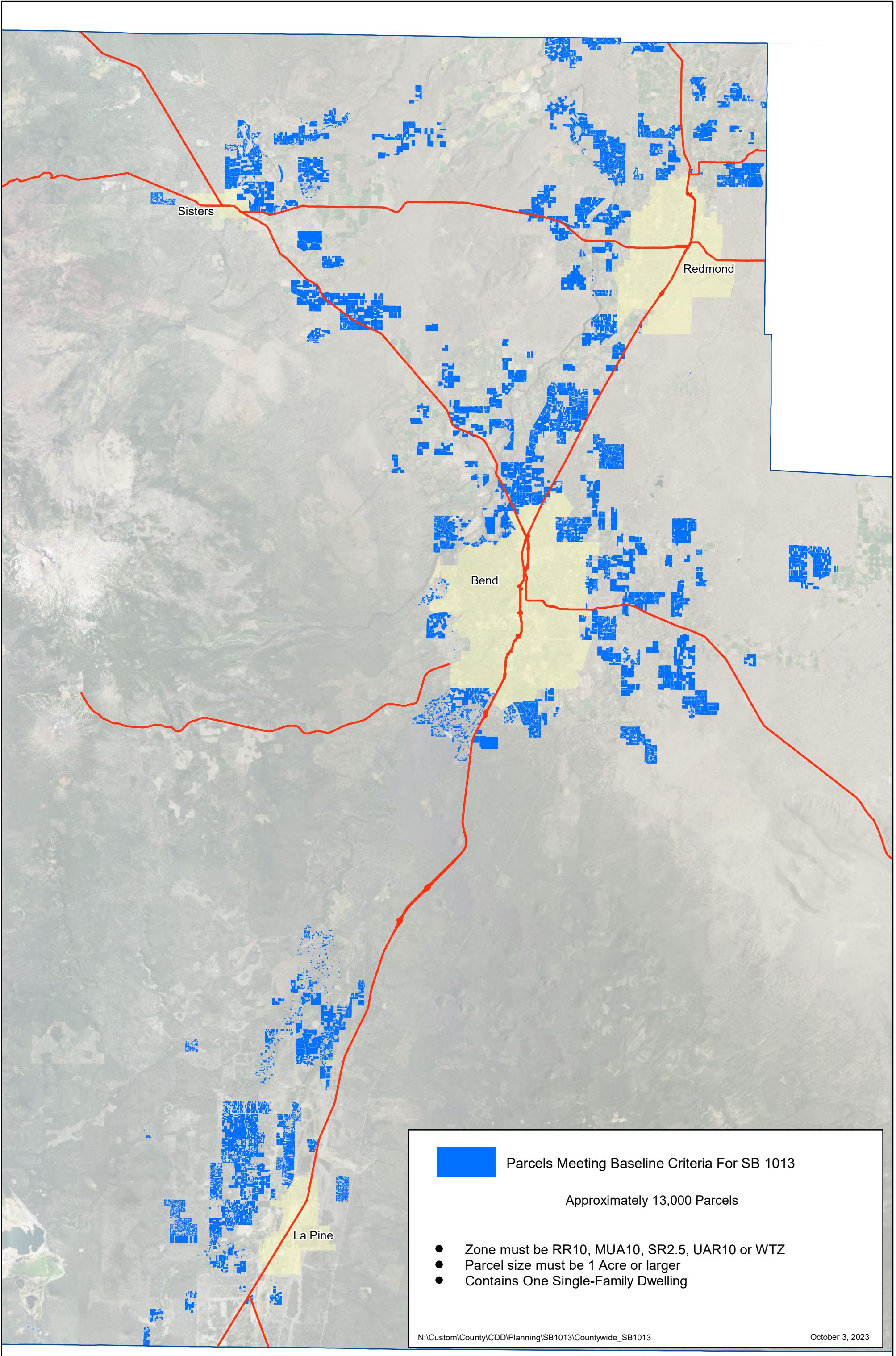
October 3, 2023

N:\Custom\County\CDD\Planning\SB1013\ProjectFiles\SB1013_ElkRange



1" = 3.5 Miles

Parcels Meeting Baseline Criteria for RVs as Residential Tenancies per SB 1013



Enrolled Senate Bill 1013

Sponsored by Senators HAYDEN, LINTHICUM, SMITH DB; Representatives BOICE, DIEHL, GAMBA, HELFRICH, LEVY B, MORGAN (at the request of Clackamas County Chair Tootie Smith)

CHAPTER

AN ACT

Relating to residential tenancies in recreational vehicles; creating new provisions; and amending ORS 197.493.

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

SECTION 1. Section 2 of this 2023 Act is added to and made a part of ORS chapter 215.

SECTION 2. (1) As used in this section:

(a) "Recreational vehicle" means a recreational vehicle that has not been rendered structurally immobile and is titled with the Department of Transportation.

(b) "Rural area" means an area zoned for rural residential use as defined in ORS 215.501 or land that is within the urban growth boundary of a metropolitan service district, but not within the jurisdiction of any city, and zoned for residential use.

(2) A county may allow an owner of a lot or parcel in a rural area to site on the property one recreational vehicle that is used for residential purposes and is subject to a residential rental agreement, provided:

(a) The property is not within an area designated as an urban reserve as defined in ORS 195.137;

(b) A single-family dwelling that is occupied as the primary residence of the property owner is sited on the property;

(c) There are no other dwelling units on the property and no portion of the single-family dwelling is rented as a residential tenancy;

(d) The property owner will not allow the use of the recreational vehicle space or recreational vehicle for vacation occupancy, as defined in ORS 90.100, or other short-term uses;

(e) The recreational vehicle is owned or leased by the tenant; and

(f) The property owner will provide essential services to the recreational vehicle space, as described in ORS 90.100 (13)(b).

(3) A county may require that an owner of a lot or parcel who sites a recreational vehicle under this section:

(a) Register the use with the county.

(b) Enter into a written residential rental agreement with the tenant of the recreational vehicle.

(c) Limit the amount of payments that the property owner may accept from the tenant under ORS 90.140 to those reasonably necessary to cover the owner's costs or losses.

(d) Require that the recreational vehicle comply with any reasonable appearance, repair, inspection or siting standards adopted by the county.

(4) Notwithstanding ORS 455.405, a recreational vehicle sited under this section is not subject to the state building code.

SECTION 3. ORS 197.493 is amended to read:

197.493. (1) A state agency or local government may not prohibit the placement or occupancy of a recreational vehicle, or impose any limit on the length of occupancy of a recreational vehicle as a residential dwelling, solely on the grounds that the occupancy is in a recreational vehicle, if the recreational vehicle is:

(a) Allowed under section 2 of this 2023 Act;

[(a)(A)] (b)(A) Located in a manufactured dwelling park, mobile home park or recreational vehicle park;

(B) Occupied as a residential dwelling; and

(C) Lawfully connected to water and electrical supply systems and a sewage disposal system;

or

[(b)] (c) On a lot or parcel with a manufactured dwelling or single-family dwelling that is uninhabitable due to damages from a natural [disasters] disaster, including wildfires, earthquakes, flooding or storms, until no later than the date:

(A) The dwelling has been repaired or replaced and an occupancy permit has been issued;

(B) The local government makes a determination that the owner of the dwelling is unreasonably delaying in completing repairs or replacing the dwelling; or

(C) Twenty-four months after the date the dwelling first became uninhabitable.

(2) Subsection (1) of this section does not limit the authority of a state agency or local government to impose other special conditions on the placement or occupancy of a recreational vehicle.

Passed by Senate April 5, 2023

Received by Governor:

Repassed by Senate June 15, 2023

.....M.,....., 2023

Approved:

.....
Lori L. Brocker, Secretary of Senate

.....M.,....., 2023

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Rob Wagner, President of Senate

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Tina Kotek, Governor

Passed by House May 31, 2023

Filed in Office of Secretary of State:

.....M.,....., 2023

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Dan Rayfield, Speaker of House

.....
Secretary of State