COMMUNITY DEVELOPMENT

DESCHUTES COUNTY HISTORIC LANDMARKS COMMISSION

5:30 PM, MONDAY, MARCH 07, 2022
Barnes Sawyer Rooms - Deschutes Services Bldg - 1300 NW Wall St – Bend
(541) 388-6575|www.deschutes.org

AGENDA

MEETING FORMAT

The Historic Landmarks Commission will conduct this meeting electronically, by phone, in person, and using Zoom.

Members of the public may view this 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/86822880371?pwd=eXJ5UnQ1bUl3WHg3bk1NUkR0OU5CQT09

Passcode: 979766
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: 868 2288 0371 and Passcode: 979766. Written comments can also be provided for the public comment section to planning@deschutes.org by 5:00 p.m. on March 7. They will be entered into the record.

I. CALL TO ORDER

II. APPROVAL OF MINUTES - November 1, 2021

III. ELECTION OF OFFICERS - CHAIR/VICE CHAIR/SECRETARY

IV. PUBLIC COMMENT

V. ACTION ITEMS

1. Meeting Overview
2. Reappointments of Commissioners Leighty and Ellingson
3. Updates from Bend and Redmond HLCs

4. Adoption of Final HLC Policies and Procedures Manual

5. Strategic Plan Kickoff

VI. HISTORIC LANDMARKS COMMISSION AND STAFF COMMENTS

VII. 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.

COMMUNITY DEVELOPMENT

MEMORANDUM

DATE: February 28, 2022

TO: Deschutes County Historic Landmarks Commission

FROM: Tanya Saltzman, AICP, Senior Planner

RE: March 7 / Historic Landmarks Meeting Overview

The Historic Landmarks Commission (HLC) will conduct a meeting on March 7, 2022 at 5:30 p.m. in the Deschutes Services Center, Barnes and Sawyer rooms, in-person, electronically and by phone. This memorandum will serve as an outline of all agenda items.

Please note: the Deschutes County Meeting Portal is located at the below link. All meeting materials as well as live video may be found there:
https://www.deschutes.org/meetings

I. Approval of Minutes – November 1, 2021 Meeting

The HLC will review and approve the November 1, 2021 meeting minutes. Draft minutes were distributed electronically on December 21.

II. Election of Officers (Chair/Vice Chair/Secretary)

III. Reappointments of Commissioners Leighty and Ellingson

The terms for Commissioners Leighty and Ellingson are due to expire on March 31, 2022. Both commissioners have expressed interest in reappointment for an additional four-year term. The HLC shall conduct a vote on these reappointments. If those reappointments are supported by a vote, staff will then bring the reappointment to the consent agenda of the Board of County Commissioners.

IV. Updates from Bend and Redmond HLCs

County staff has reached out to the Bend and Redmond HLCs and will convey their updates.

V. Adoption of Final HLC Policies and Procedures Manual

As noted in previous meetings, one of the tasks of the CLG grant is to create the HLC Policies and Procedures Manual. This manual is intended to provide context and background for HLC commissioners with respect to the Oregon land use system, Deschutes County structure, and general procedures, as well as provide a summary of HLC responsibilities.

Staff provided a revised draft for additional edits at the last meeting, and distributed an editable shared electronic version via Google Docs, with a request for comments by January 5, 2021. No additional edits/comments were received. Staff completed minor additional edits and formatting, including a new cover photo per the previous HLC discussion, and presents the final version to the HLC for this meeting. If the HLC is in support, it can vote to approve and adopt the manual, which will then be posted on the Historic Landmarks Commission website and provided to all new commissioners.

VI. Strategic Plan Kickoff

The HLC's next significant undertaking will be an update to the 5-year Strategic Plan, which is the other main internal/in-kind project that comprises the CLG grant. The previous Plan (Attachment 2) was adopted in 2015, covering the years 2015-2020. This process will run roughly from March to August, encompassing interviews with stakeholders and two virtual open houses in April to give the public a chance to weigh in on their desired goals and initiatives.

Background

Developing a Strategic Plan enables staff and HLC to reach out to our municipal partners, SHPO, historic landmark property owners, stakeholders, and the public to prioritize preservation programs that build upon existing projects and promote collaboration. While some of the content of the Plan document provides an overview of the HLC, Goal 5 resources, and other elements that are also described in the Policies and Procedures Manual, the Plan will help connect the HLC to the communities it serves and will help form a foundation for future CLG grant tasks through a series of Goals, Objectives, and Actions. Once the below details are shared with the HLC, staff will share Strategic Plan information and relevant dates via press release, social media, and the County website to try and achieve maximum public involvement.

Timeline

A project timeline is provided as Attachment 3. Much of the project will involve outreach to gather information about historic preservation priorities and potential projects; the majority of this work will be performed by staff via interviews as well as an online survey. In addition, staff anticipates holding two virtual open houses to follow up on the themes of the survey and gather additional information. HLC members would be invited to attend and help facilitate these virtual open houses, though commissioners would not be required to participate at both meetings.

Following the outreach initiatives, staff will compile the information received and present these to the HLC at its next meeting, at which time the Commission will discuss refining the Goals, Objectives, and Actions of the Plan. From there, staff will create a draft Plan. Staff anticipates holding an extra HLC meeting, likely in July, to share and discuss this draft, before anticipated adoption in August.

Potential Survey Questions

The following questions were utilized for the survey for the 2015 Plan. Staff seeks input from the HLC on any potential changes or additions to the questions, which would be utilized in the online survey as well as provide a starting point for in-person interviews and the open houses.

1. **Which of the following categories best describes your role in historic preservation?**
   - Architect
   - Government official or staff
   - Interested citizen
   - Owner of historic property
   - Preservation or archaeology professional
   - Preservation volunteer
   - Other

2. **Which best represents the community where you live?**
   - Bend
   - La Pine
   - Redmond
   - Sisters
   - Rural Deschutes County
   - Other

3. **Rank the top 5 (1 being the most important) historic preservation goals you feel should be addressed in the 5-year historic preservation strategic plan.**
   - Promoting heritage tourism
   - Historic preservation training and workshops
   - Funding programs (i.e. heritage grants, Certified Local Government grants)
   - Making the inventory of historic properties more easily accessible to the public
   - Strengthening network of preservation partners
   - Increasing public awareness of the benefits of historic properties
   - Other

4. **Rate the importance of each of the following issues or challenges historic preservation is facing in rural Deschutes County and the City of Sisters (5 choices ranging from Not Important to Very Important).**
   - Lack of local support for historic preservation
   - A need for historic preservation education or training
   - Lack of visibility in the community

- Property redevelopment
- Lack of communication or partnership between preservation organizations
- Other

5. **What issues should be the top priorities for the County and City of Sisters' historic preservation community, including both private and public preservation organizations, over the next five years? Please check all that apply.**
   - Continue surveying and documenting historic properties
   - Increase public awareness of the benefits of historic properties
   - Increase access to historic property information
   - Protecting archaeological sites
   - Other

6. **Select the top 5 most effective methods that Deschutes County and the City of Sisters can use for providing historic preservation information to the public.**
   - Exhibits
   - Lectures and presentations
   - Newspaper articles
   - Publications (brochures, etc.)
   - Training workshops
   - Tours
   - Website
   - Other

7. **Why is the preservation of Deschutes County and the City of Sisters' heritage important to you?**

8. **Please include any other comments, concerns, or recommendations related to historic preservation in rural Deschutes County and the City of Sisters.**

Potential Interviewees

Below is a draft list of potential interviewees for individual outreach. Staff welcomes suggestions or changes to the list.

- Deschutes County Historical Society – Kelly Cannon-Miller
- Cities of Bend and Redmond HLCs
- City of Sisters – Scott Woodford / Matt Martin
- City of La Pine
- Central Oregon Archeology Society
- Consultants – Pat Kliewer, Michael Hall, others?
- SHPO – Kuri Gill
- BLM – Theresa Holtzapple
- Sisters Ranger District – Mathew Mawhirter

- Fort Rock Ranger District - Penni Borghi
- Sisters Country Historical Society
- Central Oregon Visitors Association
- Old St. Francis History Pub

Next Steps

Staff welcomes discussion on any of the above elements of the strategic planning process and will begin to engage interviewees, prepare press releases, and schedule virtual open houses shortly. Staff will communicate these dates to the HLC as soon as they are confirmed.

Attachments

1. Final HLC Policies and Procedures Manual
2. 2015 Strategic Plan
3. 2022 Strategic Plan Timeline

Historic Landmarks Commission

Policies and Procedures Manual

Photo: Independent Order of Odd Fellows (IOOF) Cabin, Paulina Lake

Prepared by:
Deschutes County
Community Development Department
www.deschutes.org/cd

ACKNOWLEDGMENTS

Historic Landmarks Commission

Dan Ellingson—Pioneer Association
Christine Horting-Jones—Ex-Officio
Sharon Leighty— Unincorporated Area
Kelly Madden— Unincorporated Area
Dennis Schmidling— City of Sisters
Rachel Stemach— Bend Area

Deschutes County Community Development Department

Peter Gutowsky, AICP, Community Development Director
Will Groves, Planning Manager
Tanya Saltzman, AICP, Senior Planner

City of Sisters Community Development Department

Scott Woodford, Community Development Director
Emelia Shoup, Assistant Planner

The Historic Landmarks Commission is responsible for taking the lead in promoting historic and cultural resource preservation in unincorporated Deschutes County and the City of Sisters.

This manual was developed by the Deschutes County Community Development Department, with significant input from the Historic Landmarks Commission to provide guidance and helpful references, especially for newly appointed commissioners. It is intended to be an active document that is regularly revisited and updated. The project was funded by a 2021-22 Certified Local Government (CLG) Grant.

This publication has been funded with the assistance of a matching grant-in-aid from the Oregon State Historic Preservation Office and the Historic Preservation Fund, National Park Service, Department of the Interior. Any opinion, findings, and conclusions or recommendations expressed in this material do not necessarily reflect the views of the Department of the Interior. Regulations of the U.S. Department of the Interior strictly prohibit unlawful discrimination on the basis of race, color, national origin, age or handicap. Any person who believes he or she has been discriminated against in any program, activity, or facility operated by a recipient of Federal assistance should write to: Office of Equal Opportunity, National Park Service, 1201 Eye Street, NW (2740) Washington, DC 20005.

The activity that is the subject of this manual has been financed in part with Federal funds from the National Park Service, U.S. Department of the Interior. However, the contents and opinions do not necessarily reflect the views or policies of the Department of the Interior, nor does the mention of trade names or commercial products constitute endorsement or recommendation by the Department of the Interior.

Table of Contents

PURPOSE

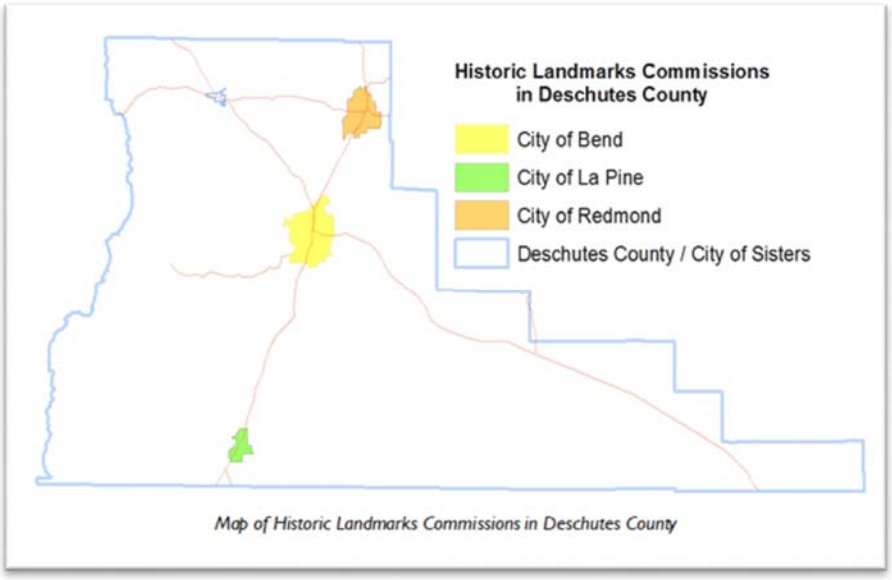
The purpose of this policy and procedures manual is to put into one document a list of the current responsibilities, activities, procedures and basic policies of the Deschutes County Historic Landmarks Commission (HLC). In addition to excerpts from Deschutes County Code and the Comprehensive Plan that expressly describe the HLC's priorities, this manual provides background on the County's historic preservation program, information on currently-recognized historic resources, and the procedures that govern the Commission's activities. It also provides larger context in the form of an overview of the Oregon land use system and the procedures by which land use decisions are made in Deschutes County. The HLC, along with other advisory committees, provides a vital link between County government and its citizenry.

SECTION 1: HLC OVERVIEW, PROCEDURES, AND RESPONSIBILITIES

Historic Preservation Program History

In 1979, Deschutes County inventoried potential historic and cultural sites in the Resource Element of the Comprehensive Plan. The 1979 Comprehensive Plan included goals and policies to protect historic resources as well as provisions that the County establish an HLC and adopt an ordinance to protect designated historic sites. One year later, the Board of County Commissioners (BOCC) adopted Ordinance PL-21, which established an HLC and created a process to evaluate, designate and regulate historic structures. The HLC subsequently, and over time, evaluated proposed historic sites and cultural resources, including Locally Significant Historic Resources, National Register historic properties, Archaeological Sites and Objects. The resulting list of historically designated sites can be found in the Comprehensive Plans of Deschutes County and the City of Sisters (see Section 2 for more on the designation process for locally significant sites).

Since 2011, Deschutes County and Sisters reorganized and created their own program as a result of the Cities of Bend, La Pine and Redmond wanting autonomy and becoming independent Certified Local Governments (CLG). The jurisdictions of various historic landmarks commissions are illustrated in the map below.



Map of Historic Landmarks Commissions in Deschutes County

Purpose of the Historic Landmarks Commission

The HLC serves as an advisory body for issues concerning historic and cultural resources for unincorporated Deschutes County and the City of Sisters and reviews development applications for alterations to designated historic sites. In addition and specific to Sisters, it reviews the exterior treatments of buildings applying the Western Frontier Architectural Design Theme.

The Deschutes County Comprehensive Plan Section 2.11 Cultural and Historic Resources and Deschutes County Code (DCC) Chapter 2.28, Historic Preservation and Historic Landmarks Commission, establish the legal basis for the HLC.

Formal Responsibilities of the Historic Landmarks Commission

The formal duties and responsibilities of the HLC are described in the guiding documents of Deschutes County: Deschutes County Code, the Deschutes County Comprehensive Plan, and the City of Sisters Comprehensive Plan, excerpted below.

Deschutes County Code

Per DCC 2.28.040, Administration, the HLC has the following duties:

- Submit an annual report to the BOCC.
- Serve as a hearings body for matters concerning Significant Historic Resources within the County and the City of Sisters.

- Serve as the initial hearings body for matters concerning applications to designate a historic resource as a Locally Significant Historic Resource. The BOCC shall consider the decision of the Landmarks Commission and serve as the final hearings body.

- Review nominations to the National Register of Historic Places at the direction of the State Historic Preservation Office.

- May act upon requests by any community member, by owners of structures, objects, districts, or sites, or on its own motion concerning the designation of particular districts, objects, or sites.

- Inspect or investigate any district, structure, object or site in the County which it is requested to designate, or which it has reason to believe is an architectural and/or historical landmark.

- Review all information which it has and shall hold hearings as prescribed in DCC 22.24.050 through 22.24.190.

- Coordinate historical preservation programs of the county, state and federal governments, as they relate to property within the County.

- May recommend to the BOCC or the State Legislature any changes of law which it finds appropriate.

- Compile and maintain a current Resource List, also known as the Deschutes County Goal 5 Inventory of Historic and Cultural Resources, that includes the applicable tax lots and addresses, the date of designation, and a brief description of the resource and reasons for inclusion.

- Take such steps as it finds appropriate or necessary to make available to the public information concerning its activities and various Historic Resources to be designated pursuant to DCC 2.28.

- Perform such other duties relating to historical matters as the BOCC may request.

- Serve without compensation.

- Support the enforcement of all federal and state laws relating to the protection of National Register historic properties, Archaeological Sites, and Archaeological Objects regardless if they are designated to the Resource List.

The duties mentioned above enable the HLC to concentrate on historic preservation policy and entitlements. A summary of recent HLC accomplishments can be found in the annual Community Development Department (CDD) Citizen Involvement Report.

Deschutes County Comprehensive Plan

Deschutes County Comprehensive Plan Section 2.11 Cultural and Historic Resources recognizes the HLC:

Goal and Policies

Goal 1 **Promote the preservation of designated historic and cultural resources through education, incentives and voluntary programs.**

Policy 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.

City of Sisters Comprehensive Plan

City of Sisters Comprehensive Plan recognizes the HLC:

Goal and Policies

5.1 Goal **To protect natural resources and conserve scenic and historic areas and open spaces.**

5.4 Policies

…

2. The City shall identify and protect historical sites within the Urban Growth Boundary.

Task –

a. The Sisters City Council has entered into an agreement with the Deschutes County Landmarks Commission to periodically investigate and identify historic sites within the City Limits and study various means of interpreting local history.

HLC STANDARD OPERATING PROCEDURES

The following Standard Operating Procedures both reference DCC Chapter 2.28 and supplemental best practices adopted by the HLC to guide its meeting management and decision

making processes. Frequently Asked Questions and a Reference Guide are provided in Appendices A and B respectively.

Jurisdiction

The Deschutes County HLC is the Landmarks Commission for the City of Sisters and unincorporated area of the County outside of the Urban Growth Boundaries (UGBs) of Bend, La Pine, Redmond, and Sisters.

Membership

The HLC is composed of five voting members residing in Deschutes County and an undetermined number of ex-officio members. The Mayor of Sisters may appoint one Commissioner to represent the City of Sisters or delegate it to Deschutes County. The BOCC appoints at least four Landmarks Commissioners. Upon recommendation of the Deschutes County Pioneer Association, the BOCC appoints one representative from the Deschutes County Pioneer Association as one of the four Landmarks Commissioners. Landmarks Commissioners serve four-year terms. Any vacancy occurring in a position for any reason other than expiration of a term shall be filled by appointment for the remainder of the term. There are no term limits. To the extent they are available, at least some of the commission members should meet professional qualifications in the disciplines of history, architecture, architectural history, archaeology, or related fields.

Ex officio members are not entitled to vote and are not required to reside within Deschutes County. These persons shall be representative of organizations including, but not limited to, the United States Forest Service (USFS), United States Bureau of Land Management (BLM), the County building division, the American Institute of Architects, the Confederated Tribes of Warm Springs, Burns Paiute Tribe, and Klamath Tribes.

It is important to acknowledge that failure to achieve such geographic representation does not affect the validity of any action taken by the HLC. The County strives to stagger Landmarks Commissioner terms with not more than three commissioner terms expiring in any one year. Membership, to the extent possible, is representative of the various geographic areas of Deschutes County.

Removal from Office

A member of the HLC may be removed by the BOCC for findings of misconduct or nonperformance of duty.

Vacancy Filing

Vacancies on the HLC are filled by the BOCC for the unexpired term of the predecessor in office. Vacancies created by the expiration of a member's term are filled by the BOCC for a term of four years. The terms of office start on July 1.

Chair and Vice-Chair Responsibilities

At its first meeting of each year, the HLC elects from among its membership a chair and a vice-chair. Chair responsibilities include:

- Conducts meetings per the current edition of Roberts Rules of Order.
- Encourages relevant testimony by making the criteria for decisions clear.
- Ensures that time limits are met.
- Keeps Commission discussion on track and germane to the subject.
- Summarizes as needed.
- Diffuses hostility.
- Asks for ideas and opinions from each Landmarks Commissioner.
- Check-in with staff to ensure minutes are being properly recorded, speakers have identified themselves and can be heard.

Meeting Schedule and Logistics

The HLC typically holds four meetings a year in February, May, August and November. Meetings are held the first Monday at 5:30 p.m. at the Deschutes Services Center, 1300 Wall Street, Barnes and Sawyer rooms, Bend. The HLC can conduct additional meetings as necessary. In the past additional meetings were necessary to address a nomination to the National Register of Historic Places and local entitlement for a historic landmark. The HLC may also conduct joint meetings with the BOCC to expedite legislative processes, such as an amendments to DCC Chapter 2.28. Both may also consider a liaison to better connect the two bodies. Examples of other purposes to conduct a joint meeting include, but are not limited to:

1. Facilitate an understanding of the responsibilities and authority of the HLC and BOCC.
2. Clarify the BOCC's policies, actions, or legislative proposals.
3. Information sharing and/or educational opportunities.
4. Coordinate on future or pending legislative proposals to establish a mutual understanding.
5. Discussing the scope of a strategic project.
6. Identify and discuss what is working and what needs improvement in the relationship, processes and procedures, resources, staffing, etc.

HLC subcommittees may be established for special projects.

HLC meeting packets are made available at least six (6) days prior to each meeting on the County's website (https://www.deschutes.org/meetings). Commissioners may request a hard copy of the meeting packet, which will be available for pick-up at CDD in Bend. Occasionally

supplemental materials are submitted after the meeting packet is published. Commissioners generally will not be expected to make decisions at the meeting when new materials submitted after the meeting packet are published or new materials are submitted at the meeting.

Meeting preparation requires approximately to 1-3 hours, depending on the agenda, meeting materials, and the complexity of issues. Commissioners are encouraged to contact staff with questions or concerns about the meeting agenda, meeting materials, or request additional information prior to the meeting to maximize productivity. Staff fulfills additional information requests based on available resources, direct relevance to the meeting agenda item, and applicability to the entire HLC, at the discretion of the Planning Director.

Annual Statement of Economic Interest

State law, ORS 244.050 requires each Landmarks Commissioner as a public official to submit an annual Statement of Economic Interest in order to serve on the commission by April 15. More information is available at the Oregon Government Ethics Commission website.

Quorum, Rules and Procedures

A majority of the members of the HLC constitutes a quorum. The HLC may establish rules, regulations and procedures for its operation consistent with applicable laws of the State and the County. While not specified in County Code, the current edition of Roberts Rules of Order govern parliamentary procedure in HLC meetings.

Conflicts of Interest

A member of the HLC is a public official pursuant to ORS 244.020(15), and thereby must be mindful of actual and potential conflicts of interest. Generally, a member of the HLC should not participate in any proceeding or action in which any of the following have a pecuniary benefit or detriment: the member, the member's spouse, parent, stepparent, child, sibling, stepsibling, son-in-law, or daughter-in-law; the member's spouse's parent, stepparent, child, sibling, stepsibling, son-in-law or daughter-in-law; any individual for whom the member has a legal support obligation or otherwise receives benefits arising from the member's employment; any business which the member or the aforementioned-listed relatives is associated. Any potential conflict of interest must be disclosed at the meeting of the HLC where the matter is being considered. The rules governing conflicts of interest are at times complicated, and any questions should be raised prior to any proceeding with staff or directly with County Legal.

Powers and Duties

The HLC handles legislative and quasi-judicial land use matters (discussed on Page 16).

Staff Services

County planning staff is responsible for setting agendas, preparing reports and submitting them to the HLC. Other duties include preparing public notices and agendas and maintaining minutes, findings and reports as public records.

SECTION 2: HLC TASKS AND INITIATIVES

The following sections provide an overview of the primary tasks and initiatives the HLC undertakes each year. In addition to these tasks, the HLC often provides additional activities for its members, including educational experiences, lectures, conference attendance, field trips, and regional coordination.

GOAL 5 HISTORIC RESOURCES

What Is a Goal 5 Historic Resource?

The structure for protecting Oregon's lands is provided by five of the 19 Statewide Planning Goals and the associated Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). Statewide Goal 5, Natural Resources, Scenic and Historic Areas and Open Spaces, establishes a process for inventorying and evaluating more than a dozen natural and cultural resources. The process is defined in OAR 660-016 and OAR 660-023. If a resource is found to be significant, local government can protect it, allow uses that conflict with it, or find a balance. These are often referred as Goal 5 resources.

The Statewide Goal and OAR require basic demolition and relocation review of historic properties on the National Register of Historic Places and recommend the County to inventory and protect other local historic and cultural sites. Deschutes County Code Chapter 2.28 – Historic Preservation and Historic Landmarks Commission implements OAR 660-023-200 as required by the State of Oregon. Starting in 1997, all historic and cultural designations were initiated at the request of property owners through the Comprehensive Plan text amendment process.

The list of Deschutes County's Goal 5 Historic Resources as acknowledged in the 2011 Comprehensive Plan is provided in Appendix C.

Goal 5 Historic Resource Nomination Process

The process of nominating a resource for Goal 5 nomination is delineated in Deschutes County Code 2.28.060 Procedures as follows:

2.28.060 Procedures

A. Locally Significant Resource Designation Procedures:
    1. Upon receipt of a request from the Landmarks Commission to designate a particular structure, object, site or district as a Locally Significant Historic Resource or upon direction by the Board

or on its own motion, the Planning Division shall fix a date and time for a public hearing before the Board.

2. Upon acceptance of a complete application, the owner of the subject structure, object, site, or district must be notified in writing of the designation process and their right to support or object to the designation of the Historic Resource to the Resource List under the provisions of ORS 197.772.
    a. An owner may object to the designation of the Historic Resource to the Resource List. Such a refusal to consent shall be submitted on the public record and must remove the Historic Resource from any consideration for designation to the Resource List.
3. Any request for Locally Significant Historic Resource designation must be filed with the County Planning Division before the date of application for any building permit, or any other application or permit which might be affected by such historical designation.
4. The Planning Division shall notify, in writing, the property owner(s), the County Planning Commission and Landmarks Commission, of the public hearing before the Board at least 10 days prior to the public hearing.
5. The Landmarks Commission shall submit its recommendation to the Board at least 10 days prior to the public hearing.
6. At such public hearing, the owner(s) of the property involved, a representative of the Landmarks Commission and all other interested parties shall be entitled to be heard.
7. If the Board determines that a property or properties proposed for designation has significance based upon the criteria in "Appendix A", the Board may designate such districts, sites, structures or objects as a Locally Significant Historic Resource.
8. At the time of annexation to a city, all Locally Significant Historic Resources within the annexation area shall retain their resource designations within city jurisdiction unless a public hearing by the applicable City Council is held to remove the resource designation.
9. An area may be designated a historic district even if all sites or structures within a district are not of historical or architectural significance, provided that the district as a whole is of such significance.
10. A permit to demolish or modify a structure, object, or site under consideration for a Locally Significant Historic Resource designation must not be issued for 120 days from the date of the owner's refusal to consent to designation or the application to alter, relocate, or demolish the structure, object, or site, whichever occurs first.
11. The Landmarks Commission may recommend additional protections to supplement the regulations in Chapter 2.28 to the Board as part of the designation process necessary for the protection of a Significant Historic Resource.

Alteration of a Goal 5 Historic Resource

The following process applies to Locally Significant Historic Resources and National Register Historic Properties listed before February 23, 2017:

1. Except as provided in DCC 2.28.090(11), no person may demolish, relocate or alter any Significant Historic Resource in such a manner as to affect its exterior appearance or integrity, nor may any new structure be constructed in an historic district, unless a certificate of approval has been issued by the Landmarks Commission and the County.

2. Application for a certificate of approval for exterior demolition, relocation, alteration or new construction under DCC 2.28.090 shall be made to the Planning Division and shall be referred to the Landmarks Commission for review and/or hearing. Quasi-judicial applications shall follow DCC Chapter 22.
3. All applications for alteration or new construction shall be accompanied by appropriate plans and/or specifications.
4. Any request for a certificate of approval for demolition, exterior alteration or new construction must be filed prior to or in conjunction with an application for any building or land use permit.
5. Upon approval by the Chair of the Landmarks Commission, applications for minor alterations may be processed administratively.
6. Applications for major alterations shall be forwarded to the Landmarks Commission.
7. Applications for certificates of approval for exterior alterations to structures in an historic district or to a Significant Historic Resource shall be evaluated by the Landmarks Commission under the following criteria:
    a. Applicable provisions of the County Comprehensive Plan;
    b. Applicable sections of the Secretary of the Interior's Standards and Guidelines for Rehabilitation;
    c. The reasonableness of the proposed alteration and its relationship to the public interest in the resource's preservation or renovation;
    d. The design review guidelines set out in Appendix B of DCC 2.28;
    e. The physical condition of the resource;
    f. The general compatibility of proposed exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used on the existing resource;
    g. Whether the alteration is required to remedy an unsafe or dangerous condition;
    h. Other pertinent aesthetic factors, as appropriate.

CERTIFIED LOCAL GOVERNMENT

What Is a Certified Local Government?

The Certified Local Government (CLG) program is designed to promote historic preservation at the local level. It is a federal program (National Park Service) that is administered by the Oregon State Historic Preservation Office (SHPO). Local governments must meet certain qualifications to become "certified" and thereby qualify to receive federal grants through SHPO and additional technical assistance. These requirements include:

- Establish a historic preservation commission
- Pass a preservation ordinance that outlines how the local government will address historic preservation issues
- Agree to participate in updating and expanding the state's historic building inventory program

- Agree to review and comment on any National Register of Historic Places nominations of properties within the local government boundaries[1]

CLG Grants

CLGs are eligible for non-competitive grants that fund work that supports the promotion of historic preservation including survey, nominations to the National Register of Historic Places, public education, training, etc. The grants, which require a 50/50 match, have typically been in the $5,000-$20,000 range in recent years. Deschutes County has applied for and received CLG grants since 2009. Recent CLG grants have funded guest lectures, attendance at conferences, development of a walking tour app, and update to a historic resource StoryMap, to name a few.

HISTORIC PRESERVATION MONTH

Every year in May, local preservation groups, historical societies, businesses and other organizations across the country celebrate Historic Preservation Month. The month of May is set aside for events that promote historic places and heritage tourism. The events are also a way to demonstrate the social and economic benefits of historic preservation.

Historic Preservation Month began as National Preservation week in 1973. In 2005 the National Trust extended the celebration to the entire month of May and declared it "Preservation Month." This provides an even greater opportunity to celebrate the diverse and unique heritage in our state.

The Deschutes County Historic Landmarks Commission is part of a nationwide network of groups that are dedicated to the preservation and celebration of our cultural heritage. As noted above, the HLC is part of the Certified Local Government Grant Funding program. The Deschutes County Historical Society, City of Bend Landmarks Commission, City of Redmond Landmarks Commission, Deschutes Public Library, the Bowman Museum, the Deschutes Land Trust, Redmond Parks and Recreation, and other interested groups partner with the Landmarks Commissions to demonstrate how historic preservation enhances the quality of life in Deschutes County. Each year the month of May has a full schedule of events that celebrate the unique and exciting history of Deschutes County.

Typically, the month of May begins with a kickoff event. Then, throughout the month there are outings and lectures and workshops and all sorts of fun and informative events to participate in and learn about.

[1] https://www.oregon.gov/oprd/OH/pages/clg.aspx

SECTION 3: LAND USE PLANNING IN DESCHUTES COUNTY AND THE STATE OF OREGON

The following sections provide an overview of the Oregon land use system as well as the procedures that are used in land use decisions, including those performed by the Historic Landmarks Commission, in Deschutes County.

MAKING LAND USE RECOMMENDATIONS

This section outlines the classification of land use decisions, how to make a decision correctly, and the essential steps in conducting a public hearing.

Types of Land Use Decisions

The first step in making a decision is determining what type of decision the request involves. The statutory definition of a "land use decision" is long, detailed, and legalistic (see ORS 197.015(10)). To summarize, a land use decision is a final decision that concerns the adoption, amendment or application of Oregon's Statewide Planning Goals, a Comprehensive Plan provision, a land use regulation, or a new land use regulation that requires the use of discretion. Land use decisions are either "legislative" or "quasi-judicial." Approval of a use based on clear and objective standards (i.e., one that does not require discretion) is "ministerial" and is not a land use decision.

Quasi-judicial Versus Legislative Land Use Decisions

The Deschutes County HLC focuses on legislative land use and quasi-judicial matters. What are the differences between a quasi-judicial and a legislative decision? The Oregon Supreme Court in *Strawberry Hill 4 Wheelers v. Board of Comm'rs*, 287 Or 591, 601 P2d 769 (1979) established three factors generally distinguishing a quasi-judicial decision:

1. Is the process bound to result in a decision?
2. Is the decision bound to apply pre-existing criteria to concrete facts?
3. Is the action directed at a closely circumscribed factual situation involving a relatively small number of persons?

Following *Strawberry Hill 4 Wheelers*, the Land Use Board of Appeals ("LUBA") further opined that the more definitively the above factors are answered in the negative, the more likely the decision is legislative. *Valerio v. Union County*, 33 Or LUBA 604 (1997). Otherwise, the decision is more likely to be quasi-judicial. No single answer controls. The second factor – whether the decision is bound to apply pre-existing criteria – is present to some extent in most land use

decisions and is thereby often given less weight. *Andrews v. City of Brookings*, 27 Or LUBA 39 (1994). Generally, if the first and third factors are answered negatively, it is a legislative decision.

Legislative Land Use Decisions

Legislative proceedings relate to policy issues or matters that affect a broad area, or both. An amendment to the text of the Comprehensive Plan or Zoning code is nearly always a legislative matter. A Plan or Zoning map amendment may be legislative depending on its scope and whether it is initiated by an applicant or the local government. The procedures for hearing a legislative matter are different from those for a quasi-judicial proceeding; the laws are less detailed and the hearings less structured.

Notice of Legislative Decisions

Individual mailed notices must be sent to all property owners whose property would be rezoned by a legislative action. This includes a change to the base zoning designation and a change to text "in a manner that limits or prohibits land uses previously allowed in the affected zone." This is commonly referred to as "Measure 56 notice." According to State law, the individual notice specifically must inform the owner that a rezoning, "may reduce the value of your property." If no property is to be rezoned, local legislative hearing notice requirements need to be followed. Counties may exceed state notice requirements. Deschutes County is increasingly exceeding state notice requirements in land use processes to maximize public involvement in their local government's decisions.

Legislative Hearings

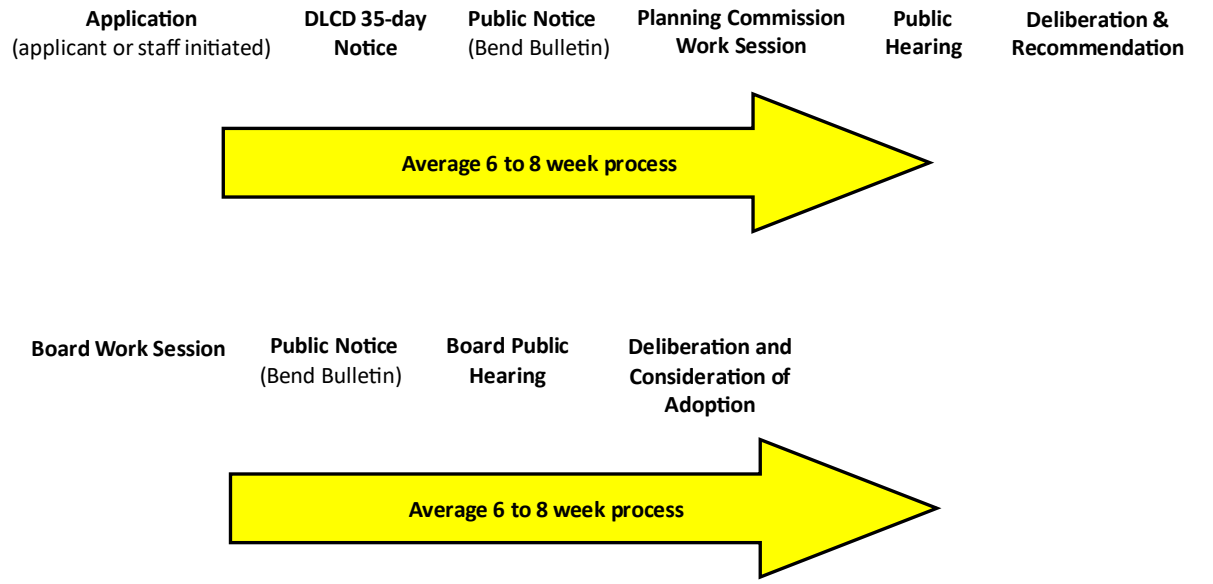
In a quasi-judicial setting, there are always proponents and often opponents to the proposal. In a policy matter, an individual may support part of the proposal and object to others. Parties may support the objective but disagree with some of the wording. Therefore, testimony at a legislative hearing is more open. Segmenting testimony into "proponents" and "opponents" is inappropriate.

Since legislative matters affect policy or a broad area, an individual's rights are handled differently from a quasi-judicial process. There are no limits on ex parte contact so there is no time set aside for ex parte declarations at the commencement of the hearing. While the Statewide Planning Goals and perhaps statutes apply to many legislative matters, criteria are not as central to these hearings as they are in quasi-judicial matters. The correct policy is what matters, not whether a criterion is satisfied. Decision-maker opinions in this arena are acceptable – even expected. Formal statutes governing conflicts of interest as well as general principles discouraging members of the HLC to be influenced by biases, still matter, however.

The HLC does not decide a legislative matter, but rather makes a recommendation to the BOCC. However, as a dedicated planning body for Deschutes County, the elected County Commissioners depend on the HLC to fully consider land use matters relating to historic

preservation, listen to and evaluate public testimony or the topic under consideration and forward thoroughly evaluated, reasoned recommendations. Landmarks Commissioners actively listen and read all public testimony related to the topic being discussed. **Figure 2** illustrates the legislative land use amendment process.

Legislative Land Use Amendments



Outline for Conducting a Legislative Public Hearing

The following is an outline for conducting a public hearing. It is important to acknowledge that the HLC ensures a civil proceeding by directing all public questions to the chair. The chair (or vice-chair when the chair is absent) facilitates the public meeting and interactions among Landmarks Commissioners and staff. Even in contested land use proceedings, HLC's recommendation reflects the advisory body as a whole. Members of the HLC, in their individual capacity and not as a representative of the Landmarks Commission, maintain their ability to testify at subsequent BOCC proceedings.

1. Chair opens hearing.
2. Chair describes procedures for testimony and outcome of the hearing.
3. Staff report is summarized.
4. HLC asks technical or clarifying questions to staff of the proposal.
5. Testimony from citizens, interest groups, state agencies, and other units of government are entered into the record.

Requests to continue the hearing do not need to be observed, but the HLC may continue a legislative hearing as needed. If the continuance is to a date, time, and place certain, no new notice is required.

6. Close the hearing.
7. Discussion. Note: Questions to staff may be asked during discussion (or all through the process) even after the close of the hearing.
8. Motion and second.
9. Deliberation, amendments to motion (if any).
10. Vote on a recommendation.

Work Sessions: Purpose and Conduct

The Planning Director may schedule a work session to prepare the HLC for an upcoming public hearing or following a hearing and prior to deliberations, for informational or educational purposes, or to address other relevant topics applicable to rural land use planning.

Work session conduct is generally informal:

1. Chair opens the work session.
2. Staff presents or introduces an issue, topic, invited speakers (if any), etc.
3. Chair facilitates the discussion among the work session participants.
4. Staff presents next steps pertaining the topic (if any).

Public comments are generally not be permitted at any work session which pertains to a pending application before the HLC to avoid due process issues since the public hearing either usually has not have been opened or has been closed as the HLC prepares for deliberations, or has not otherwise been noticed as a public hearing on a pending application.

Public comments on other matters is at the discretion of the chair. However, work sessions are generally understood to be discussions between the HLC and staff and/or other specifically invited persons. Please note, if the chair permits public comments on non-public hearing agenda items, then other people who do not attend may legitimately raise concerns regarding the adequacy of the notice.

Applicable Standards and Criteria

Statutes require a land use decision to be based on approval criteria. The decision must apply the approval criteria to the facts. The decision-maker must apply the adopted criteria for approval that are contained in the zoning code. If the applicant demonstrates compliance with these criteria, the application must be approved even if the decision-maker disagrees with the criteria, or believes that additional, un-adopted criteria should be applied. Conversely, if the applicant fails to demonstrate compliance with the applicable criteria, the decision-maker must deny the application even if it believes that the applicable criteria are unreasonable.

Regarding interpretation of criteria, if the wording is clear and unambiguous, it must be followed. A hearing body may not insert what has been omitted or omit what has been inserted. If two provisions conflict, the more specific provision usually controls. For example, if

a property is located in a zone that allows certain uses, but is subject to an overlay zone that restricts several of those uses, the overlay zone restrictions will control.

Findings

Findings are statements of the relevant facts as understood by the decision-maker and a statement of how each approval criterion is satisfied by the facts. A brief statement that explains the criteria accompanies approval or denial and standards considered relevant to the decision, states the facts relied upon and explains the justification for the decision.

The purposes of findings are to:

- Ensure that the hearings body applied the criteria prescribed by statute, administrative rule, and its own regulations and did not act arbitrarily or on an ad hoc basis.
- Establish what evidence the reviewing body relied on in making the decision to inform the parties why the hearings body acted as it did and explain how the conclusions are supported by substantial evidence.
- Demonstrate that the reviewing body followed proper procedures.
- Aid careful consideration of criteria by the reviewing body.
- Keep agencies within their jurisdictions.

Statutes require:

- An explanation of the standards considered relevant to the decision.
- A statement of the facts supporting the decision.
- An explanation of how the standards and the facts dictate the decision.

Findings need not be exhaustive, but rather should contain a summary of the relevant facts. No particular form is required, and no magic words need to be employed.

Generally, the best way to prepare findings is to:

1. Identify all of the applicable criteria.

2. Start with the first criterion and deal with each element separately; for example, “The criterion is that the property is not subject to landslides, floods, or erosion.”

3. State the criterion as a conclusion; e.g., “The property is not subject to landslides because…”

4. State the fact that leads to the conclusion the property is not subject to landslides; e.g., “…because the topography on the property has a 0% grade and the property is located on a lava bed.”

5. Repeat the process for each element of every applicable criterion.

6. Where there is a criterion or element of a criterion that is not applicable, state why it is not applicable.

7. Where there is conflicting evidence, the safest course is to state there was conflicting evidence, but the hearings body believed certain evidence for certain reasons. This however, is not required.

Common problems with findings include:

- Failure to identify all applicable standards and criteria.
- Failure to address each standard and criterion.
- Deferring a necessary finding to a condition of approval.
- Generalizing or making a conclusion without sufficient facts.
- A mere statement that the criteria have been met, without further explanation.
- Simple restatement of the criterion.
- Failure to establish a causal relationship (direct observation, reports from other people), between facts and ultimate conclusions.

Evidence

The applicant has the burden of proof to introduce evidence that shows that all of the approval criteria are satisfied. Opponents, on the other hand, have the duty to show that the applicant's facts are incorrect or that the applicant has not introduced all of the facts necessary to satisfy the burden of proof. The questions that arise are:

- What is relevant evidence in the record?
- How much evidence is required to support a finding; that is, what does substantial evidence mean?
- How does the reviewing body address conflicting evidence in the findings?

The decision must be based on relevant evidence in the record. Evidence in the record is evidence submitted to the reviewing body. The reason for limiting the basis for the decision to evidence in the record is to assure that all interested persons have an opportunity to review the evidence and to rebut it.

A reviewing body may support an application in concept or members may have personal knowledge of facts that would satisfy the approval criteria, but it cannot approve the application on that alone. There must be substantial evidence in the record. Personal knowledge is not evidence in the record. In reality, such applications are approved but they will be remanded if appealed to LUBA. It is also important to note that an application cannot be denied on the basis of facts not in the record.

Relevant evidence is evidence in the record that shows an approval criterion is or is not satisfied. Testimony about effects on real estate values is not relevant unless the approval criteria require a finding on the effect on real estate values.

A statute provides that LUBA may reverse or remand a local government decision when the local government has "made a decision not supported by **substantial evidence** in the records as whole." The term "substantial evidence" does not go to the volume of evidence. Substantial evidence consists of evidence that a reasonable person could accept as adequate to support the conclusion.

Where the evidence is such that reasonable persons may fairly differ as to whether it establishes a fact, there is substantial evidence to support the decision. In other words, what is required is enough evidence to show that an approval criterion is satisfied. If two people agree that there is not substantial evidence, there is not enough evidence.

When the applicant's evidence is countered by the opponents, there is **conflicting evidence**. Where there is conflicting testimony based on different data, but any of the data is such that a reasonable person might accept it, a conclusion based on any of the data is supported by reasonable evidence. That is, the hearings body may select any of the information for its decision provided it is reasonable that a person would accept the data as correct. The best course of action is for the hearings body to state what evidence it believes and why when it prepares its findings of fact.

Decision

The job of the reviewing body is to ascertain the facts and apply the approval criteria to the facts. A quasi-judicial decision will take one of three forms:

1. Approval. The reviewing body found that the facts in evidence indicate the criteria are satisfied.

2. Approval with conditions. The reviewing body has found that the facts in evidence to not demonstrate the criteria are fully satisfied, but, through the application of conditions, the criteria can be satisfied. This assumes the ordinance authorizes the application of conditions for approval.

3. Denial. The reviewing body has found that the facts in evidence have not demonstrated that the criteria are satisfied and the application cannot be made to comply with conditions attached to it.

Whereas a quasi-judicial land use decision is required to take no longer than 150 days after the application is deemed complete, a legislative amendment does not have a State mandated timeline for issuing a decision. Nevertheless, the HLC needs to be cognizant of making timely recommendations, taking into account staff time, Commission meeting schedule, and other factors that might contribute to the decision-making process.

Appeals and Timing

The "150-Day Rule"

A county's final quasi-judicial land use decision must be made within 150 days from acceptance of a complete application including time needed for appeal. Legislative proposals are not subject to this requirement. Deschutes County procedures allow staff 30 days to determine if the submittal is complete and then to send written notice to the applicant. Date of that notice starts the 150-day clock. If a decision cannot be made within the time limits, the local government can ask the applicant if they will extend the rule. Often that is agreeable since the alternative may be denial of the application. If the clock runs out and the deadline has not been extended, the applicant may ask the court to grant a writ of mandamus. If granted, the writ allows the application to proceed without local government approval.

Appeals

The final consideration in a legislative or quasi-judicial decision is the potential of an appeal – from a staff decision to the Planning Commission, HLC or hearings officer, from the Planning Commission or HLC to the BOCC or from the BOCC to LUBA. Timeframes for these actions are set out in State law and local ordinances.

ROOTS OF LAND USE PLANNING IN OREGON

Land use planning in Oregon began in the cities. Urban settings created urban needs for coordinated approaches to particular uses of the land. Recognizing this, the 1919 Oregon Legislature passed enabling legislation allowing cities in Oregon to plan in an orderly way for the challenges that resulted from steady growth. This legislation enabled cities to establish Planning Commissions and required Planning Commission approval for subdivision plats. After World War II, Oregon counties were similarly authorized to establish Planning Commissions, at a time when rapid growth created increasing urban problems in many unincorporated areas.

Through most of the 20th century, Oregon state government's role in planning was limited. The state legislature authorized local planning to occur and provided for coordination with the federal government when the need arose (during depression-era dam building projects, for example), but did not preempt or control local guidance of development and growth. However, as Oregon grew dramatically in population and income during and after World War II, it became increasingly evident that the system of permissive, local-option planning was not adequate to accommodate complex regional and statewide pressures and trends that crossed many jurisdictional boundaries.

State government during this period began slowly, but with growing speed spurred by popular concern, to respond to the challenges resulting from rapid growth and development. A Department of Environmental Quality was established, backed by clean air and water laws as well as pollution bonds; landmark Oregon legislation created significant laws on beaches, bottle

deposits, bike paths, and billboard removal. It was apparent that land use difficulties were at the root of many of the problems resulting from growth. Oregon's most productive farmland, the 100-mile-long Willamette Valley, was also home to 80 percent of the state's population.

Oregon's population increased by nearly 40 percent between 1950 and 1970, and 80 percent of that occurred in the Willamette Valley. The result was significant growth in cities of the Valley, with the subsequent loss of prime farmland. Spurred by the losses of farmland and prodded by first-term Governor Tom McCall, the 1969 Oregon Legislature passed Senate Bill (SB) 10, which required all cities and counties to adopt comprehensive land use plans and zoning regulations. SB 10 ended the view that selective local option planning alone would suffice to meet regional and area-wide land use challenges, which could significantly affect the economic and environmental bases of this state. Not only were zoning and subdivision regulations required of every jurisdiction in the state, but statewide goals were set out which addressed conservation of prime farm and forest lands and other vital state concerns, including air and water quality, open space, natural scenic resources, timely development of public facilities, well-considered transportation systems and orderly transition from rural to urban uses with a careful view to protecting the basic character of Oregon.

Unfortunately, the 1969 legislation contained no assistance to meet the cost of compliance, and its enforcement provisions proved inappropriate. This led to a strong effort on the part of Governor McCall and key state legislators to work together to develop an acceptable proposal that would make statewide land use planning a reality, rather than a platitude, in every jurisdiction in the state.

The Oregon Land Use Act of 1973

The 1973 Legislature convened with bipartisan support for strengthening state oversight of local planning. The result of its effort, the Oregon Land Use Act of 1973 (Senate Bill 100), established the framework that in major part governs and guides land use planning in Oregon today. The Act was passed by substantial margins in both chambers of the legislature. It remains a controversial piece of legislation but has withstood numerous challenges in the legislature, in courts, and at the polls. It also represents the concerns, and has received the support of various groups representing agriculture, business, homebuilders, local governments, and environmental organizations.

Developing the Statewide Planning Goals

Once the Land Use Act was on the books, the work of implementation began. The first task for the Land Conservation and Development Commission (LCDC) was creation of the Statewide Planning Goals against which each local comprehensive plan would be measured. After more than a year of public workshops and hearings in 20 locations around the state involving over 3,000 Oregonians, LCDC adopted 14 statewide land use-planning goals in 1974. Later, coastal goals and a Willamette River Greenway goal were added to bring the total to 19 goals.

LCDC'S Responsibilities

LCDC itself acts mainly through the acknowledgement (initial approval), periodic review, and post-acknowledgement review processes. It may issue enforcement orders, which specify areas of noncompliance in local planning decisions, and specific corrective actions required. LCDC conducts studies through its staff (the Department of Land Conservation and Development, or DLCD) and writes administrative rules refining the provisions of the goals. Often it is in this forum where discussion and consensus building can take place that best works to define Oregon's planning program.

All city and county comprehensive plans and implementing regulations were "acknowledged" by LCDC as complying with the Statewide Planning Goals. Acknowledgment was needed before the local government could rely on its plan for making land use decisions without showing goal compliance for every land use decision. Once a comprehensive plan (including the implementing ordinances and regulations) gains acknowledgment, the plan – not the statewide goals –controls land use decision-making for the local government. Any amendment to an acknowledged plan must be shown to comply with the goals so that the whole plan maintains acknowledgment. It is important to note that LCDC's enforcement powers relate primarily to city and county compliance with the land use statutes and the goals. Cities and counties themselves remain responsible for assuring that individual land use actions comply with their local comprehensive plan. Local government is the primary enforcement entity, and appeals of final local decisions go to LUBA, not LCDC.

Purpose of the Goals: Development and Preservation

Taken as a whole, the goals are best understood as devoted to creating and maintaining sustainable, livable, and equitable communities. First, they seek to protect the natural resources on which much of Oregon's economy depends (in particular, farm and forest land) and our environmental quality. Second, the goals promote efficient urban development and an orderly transition from rural to urban use. Implicit in both purposes of the goals is the encouragement of economic development through orderly growth. That change must occur in a manner that does not threaten the long-term economic foundations of Oregon. The twin concerns – development and preservation – meet in Goal 14. This urbanization goal requires that a city, in consultation with the county, local special districts, and neighboring jurisdictions, draw a boundary around itself to establish the projected limits of urban growth for 20 years. Data to support the boundary is required, including 20-year growth forecasts. All land within the boundary – called an urban growth boundary (or UGB) – will be considered either urban or potentially urban, while land outside the UGB must remain predominantly rural in character. The 19 Statewide Planning Goals can be generally grouped into three categories:

1. **Process Goals**, which ensure citizen participation and set forth basic requirements and procedures for local planning and development regulations (Goals 1 and 2).

2. **Development Goals**, which address the interrelated factors of economy, housing, public facilities, transportation, energy, and urbanization (Goals 9-14).

3. **Conservation Goals**, which address the preservation of natural resources of various types:

    - Land resources – agricultural and forest (Goals 2 and 4).
    - Coastal resources – estuaries, shorelines and dunes, and the ocean (Goals 16-19).
    - Managing resources – environmental quality; recreational and resort areas; scenic, historic, and natural resource areas; and natural hazards (Goals 5-8).
    - Willamette River – special regulations relating to particular concerns and values of this major waterway (Goal 15).

Deschutes County Comprehensive Plan

The Deschutes County Comprehensive Plan provides 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 covers a 20-year period from 2010-2030. To remain useful over that time, the Plan must provide clear policy direction yet remain flexible. As Deschutes County conditions change, legislative amendments will ensure the Plan remains relevant and timely. The unincorporated areas of the County are covered by this Plan. The cities of Bend, La Pine, Redmond and Sisters each maintain their own comprehensive plans within their respective UGBs. The cities and County use intergovernmental agreements to coordinate land use within UGBs. The Plan complies 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.

Deschutes County encompasses a total of 3,054 square miles. The County was created in 1916 from a portion of Crook County and was named after the Deschutes River. Approximately 80 percent of the land in the County is publicly owned by the federal, state or local governments. Deschutes County's first Comprehensive Plan*, Comprehensive Plan to 1990*, was adopted in 1970. To comply with newly adopted statewide planning regulations a new plan was adopted in 1979, *Deschutes County Year 2000 Comprehensive Plan* (1979 Plan). In 1981, the 1979 Plan was acknowledged as being in compliance with the Statewide Goals. Along with the 1979 Plan, the County adopted a background document and map. The *Deschutes County Comprehensive Plan Resource Element* (*Resource Element*) contained valuable information pertaining to resources and demographics. The map depicted the long-term general land use categories for all lands in

the County. Over time, the County amended the 1979 Plan to comply with changes initiated by the State, the BOCC or property owners. Periodic Review, a plan update process once required by the state, started in 1988 and was completed in 2003. Periodic Review included major additions and amendments to the 1979 Plan to keep the Plan and its policies consistent with evolving State planning regulations and local conditions. The 1979 Plan was codified as Title 23 in the Deschutes County Code.

Deschutes County Comprehensive Plan 2030 is organized into five chapters:

- Chapter 1 Comprehensive Planning
- Chapter 2 Resource Management
- Chapter 3 Rural Growth Management
- Chapter 4 Urban Growth Management
- Chapter 5 Supplemental Sections

Chapters 1-4 contain the following:

- Background: Information providing context for the reason and process for including the goals and policies.

- Goals: A general description of what Deschutes County wants to achieve. The County will direct resources and/or support partner agencies and organizations to implement the goals over the 20-year Plan timeframe.

- Policies: Statements of principles and guidelines to aid decision making by clarifying and providing direction on meeting the Goals.

- References: A list of resources used in the preparation of each chapter is included at the end of each chapter.

The Plan's land use goals and policies are anticipated to be completed over a 20 year period.

Types of Regulations

As noted above, the Deschutes County Comprehensive Plan contains a map and general policy statements. Implementing ordinances establish particular criteria, standards, and procedures through which the Plan will be carried out. These ordinances prescribe laws governing the way in which rural land may be used and divided. The most common types of regulation are subdivision and zoning regulations. Subdivision regulations control the particular ways in which parcels of land are divided. Provisions address design and layout of sites, roads, utility easements, public areas, etc.

Zoning is the placement of various land use "labels" (such as residential, commercial, or exclusive farm use) on a particular geographic. Zoning describes the uses permitted and generally establishes criteria and standards for each use (such as lot size, setbacks, and

parking). In designating these areas and establishing the conditions, the zoning ordinance will usually allow for flexibility and accommodation of special concerns. Provisions for variances, nonconforming uses, conditional uses, and other special provisions are incorporated into the zoning ordinances. Table 1 lists existing Comprehensive Plan designations and related Zoning districts. Some Plan designations apply County-wide and while others apply to designated areas of existing development. The Destination Resort designation recognizes a combining zone that supplements the underlying zoning. Most of the area-specific designations fall under the State rules for Unincorporated Communities.

Table 1 - Comprehensive Plan and Zoning Code Designations

Comprehensive Plan Designation	***Associated Deschutes County Zoning Code***
County-wide designations	
Agriculture	Title 18 - All EFU subzones
Airport Development	Title 18 - AD, AS
Destination Resort Combining Zone	Title 18 - DR
Forest	Title 18 - F-1, F-2
Open Space and Conservation	Title 18 - OS&C
Rural Residential Exception Area	Title 18 - RR-10 and MUA-10
Surface Mining	Title 18 - SM
Area specific designations	
Resort Community	Title 18 - All Black Butte Ranch and Inn of the 7th Mountain/Widgi Creek subzones
Rural Community	Title 18 - All Tumalo and Terrebonne subzones
Rural Service Center	Title 18 - All RSC zones
Urban Unincorporated Community	Title 18 - All Sunriver subzones
Rural Commercial	Title 18 - Rural Commercial
Rural Industrial	Title 18 - Rural Industrial
Bend Urban Growth Area	Title 19 - UAR-10, SM, SR 2 ½, RS, IL, FP, WTZ
Redmond Urban Growth Area	Title 20 - UH-10
Sisters Urban Growth Area	Title 21 - UAR-10, OA, FP
Redmond Urban Reserve Area	Title 18 - RURA

Source: County Geographical Information System and Deschutes County Code

Deschutes County also recognizes the importance of working closely and cooperatively with the cities of Bend, La Pine, Redmond and Sisters, as well as special districts and state and federal agencies, to ensure a coordinated approach to future growth and conservation. Deschutes County has the responsibility for negotiating urban service agreements with representatives of all cities and special districts that provide, or declare an interest in providing, urban services inside a UGB. Urban service means:

- Sanitary sewers
- Water
- Fire protection
- Parks
- Open space
- Recreation

- Streets, roads and mass transit
- Special Districts

Deschutes County is responsible for coordinating other planning activities affecting land uses within the County. This includes:

- Coordinating with special districts, including irrigation districts, park districts, school districts, sewer districts, and water districts.
- Establishing Cooperation Agreements with special districts that provide an urban service in a UGB.
- Coordinating with the U.S. Forest Service and Bureau of Land Management.
- Joint Management Agreements with municipalities for managing urban growth areas (areas outside city limits, but inside a UGB).
- Establishing Urban Reserve Areas.

Post-Acknowledgement Review

Post-acknowledgement review allows Deschutes County (and other cities and counties) to prepare amendments to comprehensive plans and associated inventories, studies, and implementing codes (i.e., zoning, subdivision, etc.) and then consider the amendment in a public process. Adoption of a post-acknowledgment plan amendment can be completed only by the Board at a public hearing. Deschutes County is required to submit changes to plans and codes to DLCD 35-days prior to the first evidentiary hearing. DLCD provides notice of all plan amendments throughout the state and publishes them on its web site. DLCD may review and evaluate the amendment for compliance with the goals. Changes not involving the topics within the Statewide Planning Goals do not have to be submitted to DLCD.

If a party (such as a citizen, an advocacy group, or DLCD) believes the plan amendment does not comply with applicable goals, administrative rules, or land use statutes, the recourse is to appeal the amendment to LUBA.

Land Use Board of Appeals

LUBA, is a panel of administrative hearings officers appointed by the governor charged with deciding appeals of local government land use decisions, including plan amendments and zone changes. LUBA was created to simplify the appeal process, speed resolution of land use disputes, and provide consistent interpretation of state and local land use laws.

Prior to LUBA's creation, land use appeals were heard by LCDC and the circuit courts. The tribunal is the first of its kind in the United States. The governor appoints the three-member board to serve four-year terms. The appointments are confirmed by the Oregon Senate. The board members must be members of the Oregon State Bar.

RELATIONSHIP TO STAFF

The Community Development Department consists of Administrative Services and five divisions which provide coordinated planning and development. The five divisions are:

- Building and Safety – provides construction plan reviews, consultation and inspections to assure compliance with federal and state building codes in the rural County and cities of La Pine and Sisters.

- Code Enforcement – investigates investigating code violation complaints to ensure compliance with each of the codes and statutes administered by CDD, and provides direct service on contract to the City of La Pine for solid waste violations.

- Coordinated Services – provides coordination of permitting and "front line" direct services to customers at the main office in Bend and at the La Pine and Sisters city halls.

- Environmental Soils – regulates on-site wastewater treatments systems (septic) and monitors environmental factors for public health and resource protection.

- Planning – consists of two operational areas, Current and Long Range Planning.

Current Planning is responsible for reviewing land use applications for compliance with Deschutes County Code and State law, including zoning, subdivision and development regulations, and facilitating public hearings with Hearings Officers and the BOCC. Staff is also responsible for verifying compliance with land use rules for building permit applications and septic permits; coordinating with Code Enforcement to respond to complaints and monitor conditions of approval for land use permits; and providing assistance at the public information counter, over the telephone and via email.

Long Range Planning is responsible for planning for the future of Deschutes County, including developing and implementing land use policy with the BOCC, Planning Commission, HLC, community and partner organizations. It is in charge of updating the Comprehensive Plan and zoning regulations, and coordinating with cities and agencies on various planning projects taking place in the region. Staff also monitors and participates in annual legislative sessions, and serves on numerous local, regional and statewide committees primarily focusing on transportation, natural resources, growth management and economic development.

To understand the roles and responsibilities of staff, the HLC, and Board of County Commissioners, please see the Resources section of this document.

ETHICS

According to the Oregon Ethics Guide for Public Officials, "a public office is a public trust." Planning issues commonly involve a conflict of values, and often there are significant private interests at stake. These accentuate the necessity for the highest standards of fairness and honesty among all participants. See Oregon Government Ethics Law: A Guide for Public Officials. HLC members, if interested, can attend an in-person training conducted by Deschutes County Legal Counsel. As questions arise, Commissioners can contact County Legal Counsel. Additionally, as mentioned earlier, Landmarks Commissioners must complete an Annual Statement of Economic Interest.

OREGON'S OPEN MEETING LAW

Oregon's open meeting law (ORS 192.610–192.690) requires that decisions of any "governing body" be arrived at openly so that the public can be aware and informed of the body's deliberations and decisions. A governing body is one with two or more members that decides for or recommends to a public body. The law applies to the state, cities and counties, and advisory bodies to those jurisdictions. Not only must meetings of city councils and boards of county commissioners be "open" – the meetings of HLCs, design review boards and other appointed boards or commissions with the authority to make decisions or recommendations are also subject to the requirements.

With a few exceptions, a meeting exists any time a quorum of the body's membership is present. "Closed meetings" (or executive sessions) are allowed to discuss, for example employment, discipline or labor relations but decisions on these issues must be made at a public (open) meeting. HLCs will rarely conduct business in an executive session. Notice of public meetings is required, and the notice must include the time and place and principle subject to be discussed. Notice should be timed to give "reasonable" advance notice to the public. For "emergency" or special meetings, the law calls for 24 hours advance notice.

Emails

Landmarks Commissioners need to be cognizant that sending emails to fellow Commissioners constitutes a public meeting when it is sent to a majority of members. When staff coordinates with the HLC electronically, the email often reminds Commissioners to respond to staff individually to ensure an accidental public meeting does not take place.

Meeting Requirements

Any public body must provide for the sound, video or digital recording or the taking of written minutes of all its meetings. Neither a full transcript nor a full recording of the meeting is required, but the written minutes or recording must give a true reflection of the matters discussed at the meeting and the views of the participants. All minutes or recordings must be

available to the public within a reasonable time after the meeting, and shall include at least the following information:

- All members of the body present;
- All motions, proposals, resolutions, orders, ordinances, and measures proposed and their disposition;
- The results of all votes and the vote of each member by name;
- The substance of any discussion on any matter; and
- A reference to any document discussed at the meeting.

Because a meeting is open to the public, it means that anyone can attend. But "open" does not mean that anyone has the right to speak. HLCs and governing bodies may hold work sessions and other meetings without allowing public comment.

Site Visits

Oregon's open meeting law exempts "site inspections" from the meeting requirements. That means that technically the HLC or governing body could go as a group, as a quorum, to visit a site. However, site visits often introduce numerous other considerations. Notably, site visits are considered *ex parte* contact and should be disclosed at the first public hearing. A second consideration is the assumptions, which may be made by the public when they realize that a majority of the decision-making body visited the site without everyone else who might be interested in having an opportunity to be there. What did they see? What was discussed? What did they decide? As such, site visits rarely occur. When needed, it is usually best for the members of the HLC to refrain from discussing the proposal with one another or, for example, a property owner conducting the tour. Those conversations are best held during the public hearing with the public being able to fully participate.

Resolving Land Use Conflicts

Land use issues can generate conflicts. It is important to recognize issues that may produce conflicts, anticipate opportunities to deal with the problems and use techniques that encourage "win-win" solutions.

Elements in Every Conflict

- Issues. The "what" of a dispute (e.g. the wetland impact of proposed development).

- Positions. The "how" – a specific proposal about how to solve the dispute ("This wetland permit cannot be issued").

- Interests. The "why" – the expression of needs that drive a person's behavior (Why do you want…? Why is that important?).

Interests may be:

- Procedural. Do people feel they are being treated fairly?
- Psychological. Do people feel they are listened to and their ideas respected?
- Substantive. Do people feel they will benefit from the result?

Only by identifying the interest(s) underlying the issues and positions and recognizing the different levels of importance each party gives to these interests can the disputing parties create mutually satisfying, durable solutions to conflicts.

Potential Conflicts in Legislative Decisions

Local jurisdictions generally set the schedule for legislative land use decisions. There is no 150-day rule. By identifying stakeholders, clearly presenting facts and alternatives, and really listening and responding to the ideas and suggestions from all of the interested parties, decisions will be made that people see as fair. Even when people disagree with the results, it is difficult to generate a conflict over a “fair” decision.

PUBLIC INVOLVEMENT

Encouraging Effective Citizen Involvement

How, and if, citizens become involved in your land use decisions can significantly affect results. The best road to success is to provide opportunities for meaningful public involvement throughout the process. Recognition of that fact may be the reason that the people of Oregon decided to make citizen involvement the first of the statewide land use planning goals.

Effective citizen involvement requires public awareness of:

- What is proposed?
- Who will be affected and how?
- Criteria for decisions.
- Who makes decisions, when and where, and with what time line?

How to Get Feedback

The type of land use decision influences the approach to public participation. For legislative decisions, be creative! Get outside the box. Choices are available when considering an amendment to the comprehensive plan or zoning code, adoption of a sign ordinance, and the like. The local elected and appointed officials need a broad range of ideas. There are no questions of ex parte contacts and there is no requirement that a decision be reached. (For example, if people don’t like the idea of a new or revised ordinance, the idea can be dropped). Questionnaires, surveys, or focus groups can help identify the level of interest in an issue of proposal. Town hall meetings, forums, and open houses (with staff available to answer

questions), as well as printed material, can attract interest prior to a public hearing. Feedback will let citizens know that their opinions were heard and considered. Provide a summary or "feedback report" that lists major comments and impact, if any, on decisions.

People need to know what is proposed, why, and what alternatives exist. Describe how a decision may be reached and list timeframes. Provide this information several times in several ways. Notice of legislative hearings should be provided to those who have an interest, including residents, businesses, interest groups, neighborhood associations, state and federal agencies, and other local governments. Since passage of Ballot Measure 56, property owners who may be affected receive direct, mailed notice.

For quasi-judicial decisions, follow the rules! Procedures for making these decisions are proscribed by law and local ordinances and limit involvement choices. For example, when an applicant requests approval for a permit or a zone change for a specific area, criteria dictate the basis for a decision and a decision – approve, deny, or approve with condition – must be made. Minimum hearing opportunities must be offered, but these are minimums, not maximums! A local government can encourage or even require an applicant to provide public-involvement opportunities in the form of neighborhood meetings or open pre-application conferences, or through social media or direct mail. Public involvement in quasi-judicial decisions is ultimately at the public hearing(s).

Help Citizens Help You

Goal 1 requires opportunities for public involvement in land use planning. There are benefits beyond complying with that legal requirement:

- Citizens know their neighborhoods and community best.
- Residents and property owners can offer ideas on what is needed, what works and what doesn't.
- Members of the public who participate in development of a plan or ordinance take pride in their work and support the results
- Public involvement increases understanding of, and potentially support for, local government.

Explain the System

Citizens can make their greatest contributions to the planning process when they understand the system. How staff handles questions at the planning department and how Landmarks Commissioners conduct meetings can contribute to public understanding. Several local jurisdictions go beyond that and make special efforts to educate people on planning.

Stress Criteria for Decisions

A citizen whose testimony does not connect to the applicable criteria then sees the testimony dismissed and becomes frustrated, angry and distrustful of both local officials and local land use planning. The public needs to know that decisions are based on criteria in local ordinances. Make criteria stand out in the staff written report, the oral presentation and in comments by the chair. Additionally, it is important to note that staff are trained “experts.” The HLC can engage staff for additional feedback recognizing for example, that they can provide context on procedural issues, criteria, floodplains, transportation, etc.

RESOURCES

The following resources can assist the HLC:

- Deschutes County Code
  https://www.deschutes.org/administration/page/deschutes-county-code
- Deschutes County Community Development Department
  https://www.deschutes.org/cd
- Deschutes County Meetings and Hearings Information
  https://www.deschutes.org/bcc/page/meetings-and-hearings-information
- Deschutes County Historic Landmarks Commission
  https://www.deschutes.org/cd/page/historic-landmarks-commission
- Deschutes County Property Information
  https://dial.deschutes.org/
- Oregon Administrative Rules
  https://sos.oregon.gov/archives/Pages/oregon_administrative_rules.aspx
- Oregon Department of Land Conservation and Development
  https://www.oregon.gov/lcd/Pages/index.aspx
- Oregon Ethics Guide for Public Officials
  https://www.oregon.gov/ogec/Documents/2010-10_PO_Guide_October_Final_Adopted.pdf
- Oregon Government Ethics Commission
  https://www.oregon.gov/ogec/Pages/index.aspx
- Oregon State Historic Preservation Office
  https://www.oregon.gov/oprd/OH/
- Oregon Revised Statutes
  https://www.oregonlegislature.gov/bills_laws/pages/ors.aspx

APPENDIX A

FREQUENTLY ASKED QUESTIONS

1. **How much time will I need to spend doing Historic Landmarks Commission business?**

   The HLC typically holds four meetings a year in February, May, August and November. Mondays at 5:30 p.m. at the Deschutes Services Center, 1300 Wall Street, Barnes and Sawyer rooms, Bend.

   Meeting preparation requires upwards to 1-3 hours, depending on the agenda, meeting materials, and the complexity of issues. Commissioners are encouraged to contact staff with questions or concerns about the meeting agenda or meeting materials, or request additional information prior to the meeting to maximize productivity. Staff fulfills additional information requests based on available resources, direct relevance to the meeting agenda item, and applicability to the entire HLC, at the discretion of the Planning Director.

2. **How do the Historic Landmarks Commission and the Board of County Commissioners interface?**

   A HLC Commission does not decide a legislative matter, but rather makes a recommendation to the Board of County Commissioners. However, as a dedicated planning body for Deschutes County, the elected County Commissioners depend on the HLC to fully consider land use matters relating to historic preservation and forward thoroughly evaluated, reasoned recommendations.

3. **Who runs Historic Landmarks Commission meetings?**

   The chair (or vice-chair when the chair is absent) is responsible for facilitating public meetings and discussions among Landmarks Commissioners and staff. Chair responsibilities include:

   - Conducts meetings and maintains order.
   - Encourages relevant testimony by making the criteria for decisions clear.
   - Ensures that time limits are met.
   - Keeps Commission discussion on track and germane to the subject.
   - Summarizes as needed.
   - Diffuses hostility.
   - Asks for ideas and opinions from each Landmarks Commissioner.

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4. Who establishes the Commission's agenda?

County planning staff is responsible for setting agendas, preparing staff reports and submitting them to the HLC. Other duties include preparing public notices and agendas and maintaining minutes, findings and reports as public records.

5. Can you provide an example of conflict of interest?

In Oregon, conflict of interest involve pecuniary matters. Nonetheless, the American Planning Association offers the following circumstances that may involve a conflict of Interest (Source: PAC QuickNotes4. January 1, 2006):

A conflict of interest is a contradiction between an individual's personal interest and his or her public duty. Such conflicts can exist whether or not money is involved, and whether the conflict is actual or only perceived. Questions about conflicts of interest are part of larger due process considerations concerning the impartiality of the planning board or commission. Such conflicts threaten the right of applicants to receive a fair hearing and decision. To avoid conflicts, a planning commissioner must maintain independence, neutrality, and objectivity in an environment of often competing interests.

Scenarios. Circumstances that may involve a conflict of interest include:

- *A personal bias or prejudice concerning any interested party or representative of a party in a matter before the commission;*
- *A personal or financial relationship with any party or party representative; or*
- *An action on a matter that may substantially affect the personal or financial interests (either directly or indirectly) of the Planning Commissioner or the Commissioner's family, such as owning nearby property.*

Familial Contacts. What is reasonable in terms of familial contacts may vary from community to community; for example, in some small jurisdictions, extended families have been around for generations and interrelationships between applicants and commission members are common. Such contacts may be so pervasive that a commission member could not regularly be excused from participation; if that were the case, the commission might not ever achieve a quorum. However, a commission member can publicly declare the relationship and make an affirmative statement that the relationship, although it exists, will not impair his or her judgment. Again, if the conflict of interest is financial, even if it might be common practice to vote on matters of direct financial gain, the ethical planning commissioner should not do so.

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QUICK REFERENCE GUIDE: MEETINGS

1. Prior to each Historic Landmarks Commission Meeting:

a. Contact staff if you are not able to access the information online at least six (6) days prior to the meeting date.

b. Prepare for the meeting by reading the meeting agenda and packet. Good preparation results in a good meeting. Based on the agenda and topics:

   i. Determine whether you have a conflict of interest or need to disclose any information pertaining to the proposal.

   ii. Identify the different types of agenda items (i.e., public hearing, work session), the requested actions or recommendations for each agenda item, time of the actions or recommendations, and options (i.e., recommend approval, recommend approval with amendments/revisions/conditions, recommend denial, or no recommendation).

   iii. Contact staff with questions or information requests regarding the proposed application or supporting documents, staff report, findings, and other applicable information necessary to prepare for the meeting.

c. Refer to this Manual regarding the outline for conducting a Legislative Public Hearing or Work Session to understand the appropriate process for each agenda item. In addition, review Roberts Rules of Order if necessary to participate effectively in the meeting.

d. Conduct site visit(s) individually or with staff, if applicable.

e. Inform staff if you will not attend or arrive late to the meeting.

2. At the Historic Landmarks Commission Meeting:

a. Keep an open mind. Always be respectful of fellow Commissioners, the public and staff. Act in a fair, ethical, and consistent manner.

b. Be patient with public comments. Listen and do not pre-judge before testimony is taken. Avoid jargon and explain terms. Be mindful of body language.

c. Participate and ask questions.

d. Follow the applicable meeting procedures based on the type of agenda time (i.e., public hearing, work session), and Roberts of Rules of Order.

e. Consider proposals to amend the Comprehensive Plan or Deschutes County Code based on:

   i. Consistency with federal law, the Oregon Planning Program, and the Comprehensive Plan.

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ii. The application and evidence submitted supporting the proposal.

iii. All public, expert, applicant, and agency testimony, as well as staff comments.

f. Ask questions to gain a thorough understanding of the proposal; the reasons, basis, legal foundation for the proposal; and all perspectives of the proposal and potential impacts.

g. State the reasons of your recommendation so the actions are clear to the HLC, the applicant, the public, and staff.

h. The Chair's primary responsibilities are to:

i. Conduct and run an orderly meeting in a fair and timely manner, per the agenda, and in compliance with Roberts Rules of Order.

ii. Maintain order and facilitate a civil, safe, and respectful meeting, dialogue and behavior by all parties. Diffuse hostility. Intervene when:

1. Speakers are interrupting one another.
2. Speakers make personal attacks or ask personal questions.
3. Speakers ramble or get away from the issue.
4. Testimony, discussion, clapping, or cheering is out of order (intimidates people not sharing the same views and discourages public participation).

iii. Keep the Commission on track by managing the discussion or deliberations:

1. Ensure participation among all Commissioners, especially newer members;
2. Elicit relevant testimony, meaning that testimony should pertain to the matter under consideration. Refocus the discussion that has wandered off the point;
3. Highlight or summarizes important points;
4. Clarify misunderstanding;
5. Enforce time limits equally, if applicable;
6. Keep the evidence phase separate from the deliberation phase;
7. Deliberate the proposal's facts and standards.
8. Ensure motions are clearly stated before a vote is taken.
9. Verify the administrative assistant has accurately recorded the vote and the reasons for the recommendation.

iv. Seek guidance or advice from staff when necessary.

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LIST OF GOAL 5 HISTORIC RESOURCES

The following list of Goal 5 Cultural and Historic Resources in rural Deschutes County appear in the County's current Comprehensive Plan. These inventories are acknowledged by the Department of Land Conservation and Development. In 2020, Deschutes County's inventories were updated to comply with Oregon Administrative Rule (OAR) 660-023-0200, the historic resources rule, which includes procedural requirements for surveying sites, evaluating integrity, and considering whether and how to protect historic and cultural resources. The State amended the historic resources rule in February 2017 to require a base level of protection for National Register historic properties and provide a more usable and clear list of standards for local governments to follow if they have an established historic preservation ordinance. This rule change is reflected in the separation of National Register sites into pre- and post-2017 listings below. Protection standards for resources listed on the National Register of Historic Places are required for local governments to comply with regardless of what the local ordinance provides.

Locally Significant Historic Resources

1. Alfalfa Grange: Grange building and community center, built in 1930, located on Willard Road, Alfalfa. 17-14-26 TL 400.
2. Allen Ranch Cemetery: Oldest cemetery in Deschutes County. 30' by 40' fenced cemetery plot. Situated 100 yards west of South Century Drive, one-half mile south of Road 42. Two marble gravestones, two wooden markers. 20-11-7 TL 1700.
3. Fall River Fish Hatchery "Ice House": The hatchery "Ice House" dates from the beginning of fishery management in Oregon, circa 1920. It is an 18 foot by 18 foot improvement, the only original building remaining on the property, and the only significant building or structure on the site. Located at 15055 S. Century Drive, E½; NE¼; Section 32, Township 20S, Range 10 E, Tax Lot 100. (Ordinance 94-006 §1, 1994).
4. Long Hollow Ranch – Black Butte: Headquarters complex of historic ranch, located on Holmes Road in Lower Bridge area, including headquarters house, ranch commissary, equipment shed, barn and bunkhouse. 14-11-1 TL 101.
5. Swamp Ranch – Black Butte: The present day site of the Black Butte Ranch was part of the vast holdings of the Black Butte Land and Livestock Company in 1904. No buildings from the period exist. 14-9-10A, 10B, 15B, 15C, 16A, 21A, 21B, 21C, 22A, 22B.
6. Brothers School: Only one-room schoolhouse currently in use in Deschutes County, located on Highway 20 in Brothers. 20-18-00 TL 3200.
7. Bull Creek Dam: The Bull Creek Dam, a component of the Tumalo Irrigation Project was constructed in 1914 to form a water storage reservoir to increase the amount of irrigated acreage at Tumalo. It is a gravity type of overflow dam. Two cut off walls are extended into solid formation, one at the upper toe and the other at the lower toes of the concrete dam. The dam proper is about 17 feet high from the foundation, although the completed

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structure is about 25 feet. Located on Tumalo Reservoir-Market Road. 16-11-33 TL 2700 SW-¼; SW-¼.

8. Bull Creek Dam Bridge (Tumalo Irrigation Ditch Bridge): Built in 1914, the bridge, which spans the dam, consists of five continuous filled spandrel, barrel-type concrete deck arch spans, each 25 feet long. The concrete piers are keyed into notches in the arch structure. The structure is the oldest bridge in Deschutes County. On Tumalo Reserve-market Road. 16-11-33 TL 2700/ SW-¼; SW-¼.
9. Camp Abbot Site, Officers' Club: Officers' Club for former military camp, currently identified as Great Hall in Sunriver and used as a meeting hall. 20-11-5B TL 112.
10. Camp Polk Cemetery: One of the last remaining pioneer cemeteries, located off Camp Polk Road near Sisters. The site is composed of a tract of land, including gravestones and memorials, containing 2.112 acres in the Southwest Quarter of the Southeast Quarter of Section 27, Township 14 South, Range 10 E.W.M., TL 2100, described as follows: Beginning at a point North 20 degrees 06' 20" West 751 feet from the corner common to Sections 26, 27, 34 and 35 in Township 14 South Range 10 E.W.M. and running thence South 88 degrees 30' West 460 feet; thence North 1 degree 30' East 460 feet; thence South 1 degree 30' 200 feet to the point of beginning.
11. Camp Polk Military Post Site: One of the oldest military sites in Deschutes County. Located on Camp Polk Cemetery Road. Site includes entire tax lots, listed as follows 14-10-00 TL 2805 & 14-10-34 TL 100, 300.
12. Cloverdale School: School building in Cloverdale, located near 68515 George Cyrus Road. First building built in Cloverdale. 15-11-7 TL 600.
13. Eastern Star Grange: Grange hall for earliest grange organized in Deschutes County, located at 62850 Powell Butte Road. 17-13-19 TL 1900.
14. Enoch Cyrus Homestead Hay Station and Blacksmith Shop: The Enoch Cyrus Homestead was the original homestead of Oscar Maxwell, built in 1892 and purchased in 1900 by Enoch Cyrus. Important stage/store stop for early travelers. The homestead house, including a back porch and cistern, and the Blacksmith Shop are designated. 15-11-10 TL 700.
15. Fremont Meadow: A small natural meadow on Tumalo Creek in Section 34, Township 17 South, Range 11 East, lying within Shevlin Park. TL 5900. Campsite for 1843 Fremont expedition. 17-11-34 TL 5900.
16. Harper School: One-room schoolhouse, located west of South Century Drive, south of Sunriver, moved halfway between the Allen Ranch and the Vandevert Ranch from the former townsite of Harper. 20-11-17 TL 1200.
17. Improved Order of Redmond Cemetery: Historic cemetery used by residents of La Pine/Rosland area. Located on Forest Road 4270, east of Highway 97. A 40-acre parcel described as: The Southwest one-quarter of the Southeast one-quarter (SW-¼; SE-¼) Section 7, Township 22 south, Range 11, East of the Willamette Meridian, Deschutes County, Oregon.

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18. Laidlaw Bank and Trust: One of the few remaining commercial buildings from the community of Laidlaw, located at 64697 Cook Avenue, Tumalo. 16-12-31A TL 2900.
19. La Pine Commercial Club: Building was built in 1912 as a community center, serving as a regular meeting place for civic organizations and occasionally served as a church. One of the oldest and continuously used buildings in La Pine. Located at 51518 Morrison Street, La Pine. 22-10-15AA TL 4600.
20. Lynch and Roberts Store Advertisement: Ad advertising sign painted on a soft volcanic ash surface. Only area example of early advertising on natural material. Lynch and Roberts established mercantile in Redmond in 1913. Roberts Field near Redmond was named for J. R. Roberts. Site includes the bluff. 14-12-00 TL 1501.
21. Maston Cemetery: One of the oldest cemeteries in County. Oldest grave marker is 1901. About one-half mile from site of Maston Sawmill and Homestead. Site includes the gravestones and memorials and the entire tax lot, identified as 22-09-00 TL 1800.
22. George Millican Ranch and Mill Site: Ranch established in 1886. Well dug at or near that date. Remains of vast cattle ranching empire. 19-15-33 TLs 100, 300.
23. George Millican Townsite: Town established 1913. Site includes store and garage buildings, which retain none of the architectural integrity from era. 19-15-33 TL 500.
24. Petersen Rock Gardens: The Petersen Rock Gardens consist of stone replicas and structures erected by Rasmus Petersen. A residence house and museum are part of the site. The site has been a tourist attraction for over 60 years. Located at 7930 SW 77th, Redmond. Site includes entire tax lot. 16-12-11 TL 400.
25. Pickett's Island: After originally settling in Crook County, Marsh Awbrey moved to Bend and then homesteaded on this island in the Deschutes River south of Tumalo. The site was an early ford for pioneers. Located in Deschutes River near Tumalo State Park. 17-12-6 NE-¼ TL 100. Portion between Deschutes River and Old Bend Road is designated.
26. Rease (Paulina Prairie) Cemetery: Historic cemetery on Elizabeth Victoria Castle Rease and Denison Rease's homestead. Earliest known grave is of their son, George Guy Rease, born in 1879, who was also a homesteader on Paulina Prairie. George Guy Rease died of smallpox on the Caldwell Ranch on May 2, 1903. Other known burials are William Henry Caldwell, 1841-October 15, 1910, died on the Caldwell Ranch of injuries sustained on a cattle drive; Melvin Raper, 1892-1914, died in a tent of tuberculosis; Addie Laura Caldwell, 1909-November 16, 1918, died of the Spanish influenza epidemic; and Emma Nimtz Deedon, 1886-April 15, 1915, died of complications from a pregnancy. There are several unmarked graves. The cemetery is a county-owned one-acre parcel on the north edge of Paulina Prairie, two miles east of Highway 97. 210-11-29, SE-¼; NW-¼ TL 99.
27. Terrebonne Ladies Pioneer Club: The Club was organized in 1910. The building has been a community-meeting place since 1911. Located at 8334 11th Street, Terrebonne. 14-13-16DC TL 700.
28. Tetherow House and Crossing: Site is an excellent example of an early Deschutes River crossing. Major route from Santiam Wagon Road to Prineville. Tetherow House was built

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in 1878. The Tetherows operated a toll bridge, store and livery stable for travelers. Oldest house in County. Site includes house and entire tax lot. 14-12-36A TL 4500.

29. Tumalo Creek – Diversion Dam The original headgate and diversion dam for the feed canal was constructed in 1914. The feed canal's purpose was to convey water from Tumalo Creek to the reservoir. The original headworks were replaced and the original 94.2 ft low overflow weir dam was partially removed in 2009/2010 to accommodate a new fish screen and fish ladder. The remaining original structure is a 90 foot (crest length) section of dam of reinforced concrete. Tax Map 17-11-23, Tax Lot 800 & 1600.
30. Tumalo Community Church: The building is the oldest church in the County, built in 1905. It stands in the former town of Laidlaw, laid out in 1904. Located at 64671 Bruce Avenue, Tumalo. 16-12-31A TL 3900.
31. Tumalo Project Dam: Concrete core, earth-filled dam 75 feet high. First project by State of Oregon to use State monies for reclamation project. On Tumalo Creek. 16-11-29.
32. William P. Vandevert Ranch Homestead House: The Vandevert Ranch House stands on the east bank of the Little Deschutes River at 17600 Vandevert Road near Sunriver. The homestead was established in 1892, and has been recently relocated and renovated. Vandevert family history in the area spans 100 years. 20-11-18D TL 13800.
33. Kathryn Grace Clark Vandevert Grave: Kathryn Grace Vandevert, daughter of William P. Vandevert, died of influenza during the epidemic of 1918. Her grave is located across a pasture due south of the Vandevert House, 50 feet east of the Little Deschutes River. Site includes gravestone and fenced gravesite measuring is approximately 15 feet by 25 feet. 20-11-00 TL 1900.
34. Young School: Built in 1928, it is an excellent example of a rural "one-room" school which served homesteaders of the 1920s. Located on Butler Market Road. 17-13-19 TL 400.
35. Agnes Mae Allen Sottong and Henry J. Sottong House and Barn: House and barn are constructed with lumber milled on the property in a portable sawmill run by the Pine Forest Lumber Company in 1911. Henry was awarded homestead patent 7364 issued at The Dalles on Dec 1, 1904. Henry was president of the Mountain States Fox Farm. A flume on the Arnold Irrigation District is named the Sottong Flume. The structures are also associated with William Kuhn, a president of the Arnold Irrigation District; Edward and Margaret Uffelman, who were part of the group that privatized and developed the Hoo Doo Ski Resort; and Frank Rust Gilchrist, son of the founder of the town of Gilchrist and Gilchrist Mill and president of the Gilchrist Timber Company from the time of his father's death in 1956 to 1988. Frank R. Gilchrist served on the Oregon Board of Forestry under four governors and was appointed by the governors to serve as a member of the Oregon Parks and Recreation Advisory Committee. He served on the Oregon State University's Forest Products Research Lab and was a director and president of the National Forest Products Association. T18 R12 Section 22, 00 Tax lot 01600.

Inventory note: Unless otherwise indicated the inventoried site includes only the designated structure. No impact areas have been designated for any inventoried site or structure.

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National Register Historic Properties listed before February 23, 2017

36. Pilot Butte Canal: A gravity-flow irrigation canal constructed in 1904 that diverts 400 cubic feet of Deschutes River water per second. The canal conveys water through a 225-miles-long distribution system of successively narrower and shallower laterals and ditches on its way to those who hold water rights, serving about 20,711 acres by 1922. The canal was built in an area that had a population of 81 people when it was constructed. The historic district measures 7,435 feet long and encompasses 50 feet on either side of the canal centerline to create a 100-foot corridor. The district has a character-defining rocky, uneven bed, and highly irregular slopes, angles, cuts, and embankments.
37. Elk Lake Guard Station: A wagon road built in 1920 between Elk Lake and Bend sparked a wave of tourism around the scenic waterfront. To protect natural resources of the Deschutes National Forest and provide visitor information to guests, the Elk Lake Guard Station was constructed in 1929 to house a forest guard.
38. Deedon (Ed and Genvieve) Homestead: The homestead is located between the Deschutes River and the Little Deschutes River. All of the buildings were constructed between 1914 and 1915.
39. Gerking, Jonathan N.B. Homestead: Jonathan N.8. Gerking, "Father of the Tumalo Irrigation Project," played a crucial role in getting the project recognized and funded.
40. McKenzie Highway: The McKenzie Salt Springs and Deschutes Wagon Road, a predecessor to the modern McKenzie Highway, was constructed in the 1860s and 1870s.
41. Paulina Lake Guard Station: The station typifies the construction projects undertaken by the Civilian Conservation Corps and signifies the aid to the local community provided by the emergency work-relief program through employment of youth and experienced craftsmen, purchase of building materials and camp supplies, and personal expenditures of enrollees.
42. Paulina Lake I.O.O.F Organization Camp: The Paulina Lake I.O.O.F. Organization camp was constructed during the depression era and are the result of cooperative efforts by nonprofessional builders. Such camp buildings are important in Oregon's recreational history as an unusual expression of both its rustic style and its vernacular traditions.
43. Petersen Rock Gardens: The Petersen Rock Gardens consist of stone replicas and structures erected by Rasmus Petersen. The site has been a tourist attraction for over 60 years.
44. Rock O’ the Range Bridge: Rock O' The Range is the only covered span east of the Cascades in Oregon. To gain access to his property, William Bowen instructed Maurice Olson – a local contractor – to build a bridge inspired by Lane County's Goodpasture Bridge.
45. Skyliners Lodge: The Skyliners are a Bend-based mountaineering club organized in 1927. In 1935, the group started building the Skyliners Lodge with help from the Deschutes National Forest, the Economic Recovery Act and the City of Bend.

APPENDIX C

46. Santiam Wagon Road: The Santiam Wagon Road went from Sweet Home to Cache Creek Toll Station. The road was conceived of in 1859 to create a route across the Cascades. By the 1890s, the road had become a major trade route.
47. Wilson, William T.E. Homestead: This homestead house was built in 1903 and has an "American Foursquare" architectural style.

National Register Resources listed on / after February 23, 2017

Central Oregon Canal: A gravity-flow irrigation canal constructed in 1905 and enlarged in 1907 and 1913. The canal retains its impressive historic open, trapezoidal shape, dimensions and characteristics. It is characterized by the volcanic rock flows, native materials, rocky bed and sides, and its hurried hand-hewn workmanship. The historic district is 3.4 miles long, crossing rural land between the Ward Road Bridge on the western edge and the Gosney Road Bridge on the eastern edge. In the historic district, the canal ranges in width from 34' to 78', averaging around 50', and its depth varies from 1' to 9', averaging around 4' deep, depending on the amount of volcanic lava flows encountered, the terrain, and slope. The canal through the historic district carries nearly the full amount of water diverted from the Deschutes River, 530 cubic feet per second during the irrigation season, April through October. The historic district encompasses 50' on either side of the canal centerline to create a 100' corridor that includes the whole of the easement held by COID, and all the contributing resources. (Date listed: 03/18/2019)

Deschutes County & City of Sisters
Historic Preservation Program
2015-2020 Strategic Plan

Community Development Department
117 NW Lafayette Avenue
Bend, Oregon 97701
Main Line: 541-388-6575 Fax: 541-385-1764
www.deschutes.org/cdd

February 12, 2015

Acknowledgements

Preparation of the Deschutes County and City of Sisters Historic Preservation Strategic Plan was made possible through the cooperative efforts of many public and private residents and stakeholders. Deschutes County and the City of Sisters extend their appreciation to all those that participated and contributed to this process.

Board of County Commissioners
Anthony DeBone, Chair
Alan Unger, Vice Chair
Tammy Baney

Sisters City Council
Chris Frye, Mayor
McKibben Womack, President
David Asson
Wendy Holzman
Nancy Connolly

Historic Landmarks Commission
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Sharon Leighty, Vice Chair
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EXECUTIVE SUMMARY

The *Deschutes County and City of Sisters Historic Preservation Strategic Plan 2015-2020* provides a framework for shaping the county and City of Sisters' preservation programs and services over the next five years and creates a blueprint for allocating Certified Local Government (CLG) grant funding. Currently, Deschutes County and its Historic Landmarks Commission (HLC), which also serves the City of Sisters, rely on CLG grants administered through the Oregon State Historic Preservation Office (SHPO). They are awarded to eligible local governments in the spring of every odd numbered year. The grant period lasts approximately sixteen to eighteen months. The grants, which require a 50/50 match are typically in the $10,000 to $14,000 range and used for a broad range of preservation activities.

HLC Site Visit to Lynch and Roberts Store Advertisement

Developing a Strategic Plan enables staff and HLC to reach out to our municipal partners, SHPO, historic landmark property owners, stakeholders, and the public to prioritize preservation programs that build upon existing projects and promote collaboration. This effort also takes into account finite in-kind resources from Deschutes County and Sisters. Both rely on their Community Development Department (CDD) to manage the CLG program and the HLC as outlined in the annual CDD work plan.

To prepare this plan, Deschutes County staff solicited the guidance of a broad spectrum of people and organizations: community meetings provided opportunity for public input; stakeholder interviews were held to understand their unique and qualified opinions; and an on-line survey was established to provide additional feedback. The HLC finalized and supports the entire plan and its priorities and will review it annually to evaluate new implementation opportunities and provide direction.

The mission of the HLC is to preserve the City of Sisters and Deschutes County's significant historic and archaeological resources and to encourage greater public understanding and appreciation.

The plan identifies three goals, with associated objectives and actions, which are intended to guide and measure the success of the program:

1. **Collaborate**: Strengthen the network of historic preservation and community partners through collaboration.

2. **Coordinate**: Facilitate program administration and special projects that provide opportunities to expand the scope and benefits of the historic preservation.

3. **Educate**: Promote educational opportunities highlighting the value, benefits, responsibilities, and requirements of historic preservation.

OVERVIEW

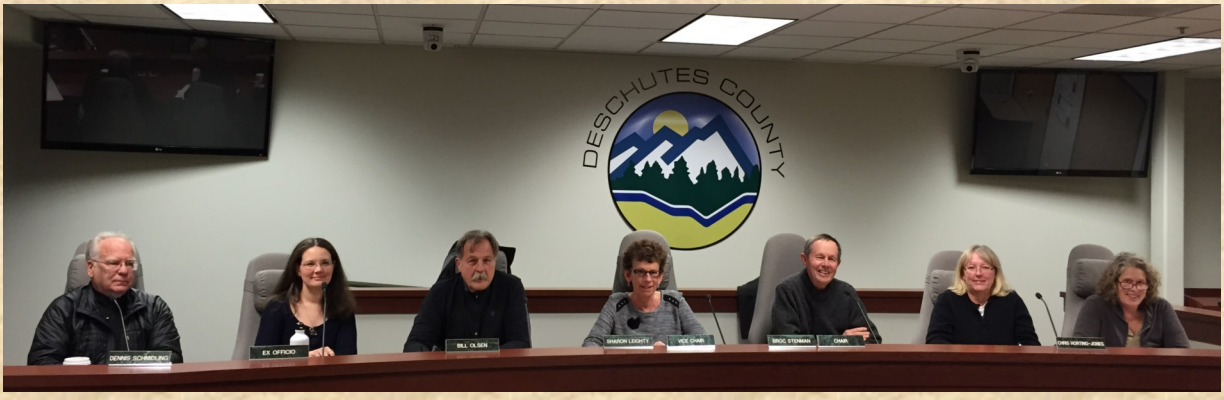
Historic resources are recognized by Statewide Planning Goal 5, Natural Resources, Scenic Views and Historic Areas and Open Spaces, and Oregon Administrative Rule (OAR) 660-023. The Statewide Goal and OAR recommend cites and counties inventory and protect historic and cultural sites. Recognizing the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

What is a Historic Resource?

Historic landmarks connect us to the past and teach us how people in different eras worked and interacted within their surroundings. Historic resources are the buildings, structures, sites, districts, and large objects that have survived to the present. Examples include houses, cemeteries, bridges, camps, canals, and archaeological sites. They are important because of their association with significant local, state or national themes, events, individuals or eras in history. They also include traditional cultural places which are not obvious constructions because they are no longer present but continue to have significant meaning such as traditional Native Americans meeting places. These landmarks enrich the community by providing tangible evidence of our heritage.

Why Preserve the Past?

As described by the National Trust for Historic Preservation, historic preservation means saving the story of us—the communities we cherish, the parks we love, the buildings we admire, the little stories we always share with visitors. From ancient cultures through the growth of our current communities, it is about saving the places, buildings, artifacts, stories and memories that preserve and enhance our human experience.



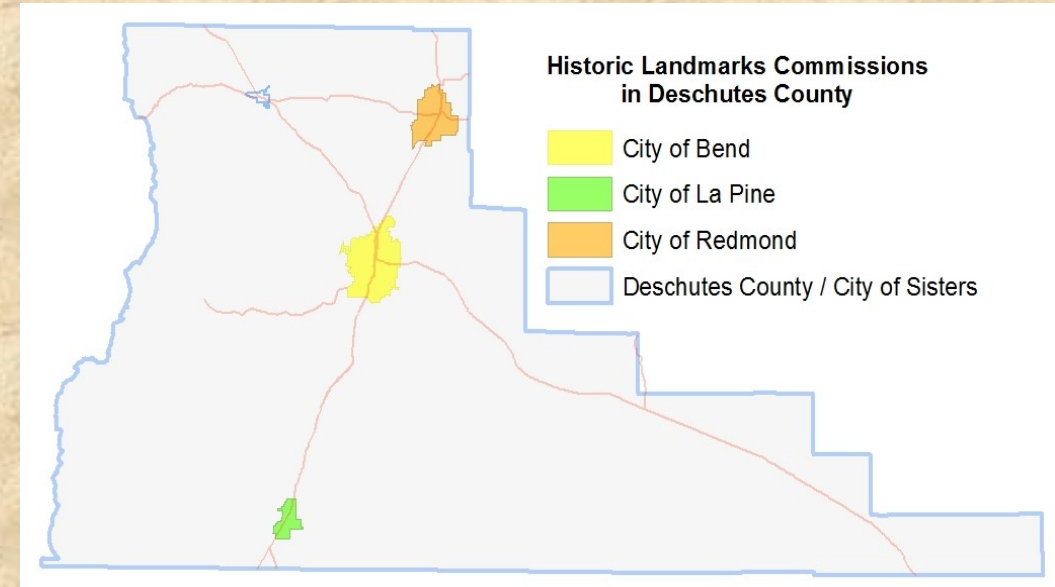
2014 Historic Landmarks Commission (L-R Dennis Smidling, Rachel Stemach, Bill Olsen, Sharon Leighty, Broc Stenman, Christine Horting-Jones, Kelly Madden (not pictured: Ray Solley))

Historic Preservation Program History

In 1979, Deschutes County inventoried potential historic and cultural sites in the Resource Element of the Comprehensive Plan. The 1979 Comprehensive Plan included goals and policies to protect historic resources as well as provisions that the County establish a HLC and adopt an ordinance to protect designated historic sites.

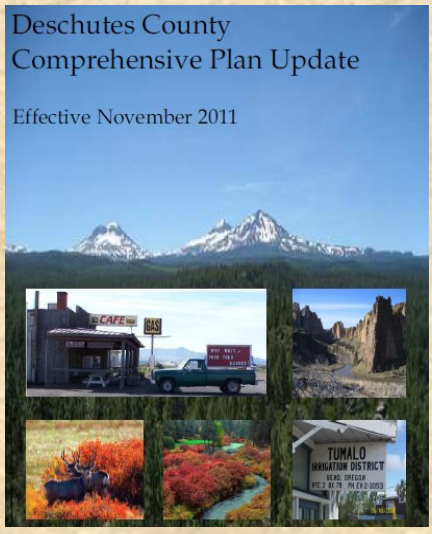
On September 17, 1980 the Board of County Commissioners (BOCC) adopted Ordinance PL-21, which established an HLC and created a process to evaluate, designate and regulate historic structures. The HLC subsequently, and over time, evaluated proposed historic sites. The resulting list of historically designated sites can be found in the Comprehensive Plans of Deschutes County and the City of Sisters and on pages 7 and 8 of this plan. Starting in 1997, all historic and cultural designations were initiated at the request of property owners through the Comprehensive Plan text amendment process. The HLC serves as an advisory body for issues concerning historic and cultural resources for unincorporated Deschutes County and the City of Sisters and reviews development applications for alterations to designated historic sites. In addition and specific to Sisters, it reviews the exterior treatments of buildings applying the Western Frontier Architectural Design Theme.

Since 2011, Deschutes County and Sisters reorganized and created their own program as a result of the Cities of Bend, La Pine and Redmond wanting autonomy as an independent CLG.



Map of Historic Landmarks Commissions in Deschutes County

Deschutes County Comprehensive Plan



In 2011, Deschutes County updated its Comprehensive Plan, a policy document that provides a framework for addressing resource protection, rural growth and development over a 20 year period (2010-2030). The update was performed to ensure a consistent policy framework for land use planning and development that reflects current conditions and trends, recent population projections, state law, and community values. The Comprehensive Plan goals and policies addressing cultural and historic resources are summarized below.

Section 2.11 Cultural and Historic Resources Goal and Policies

Goal 1 - Promote the preservation of designated historic and cultural resources through education, incentives and voluntary programs.

Policy 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.

Policy 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.

Policy 2.11.3 Encourage the preservation of lands with significant historic or cultural resources.

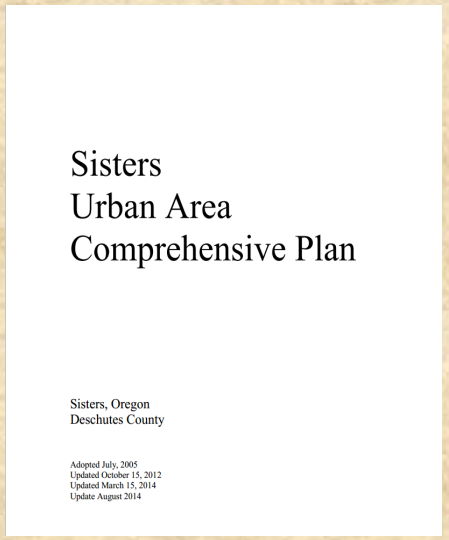
a. Develop and maintain a comprehensive list of sites on the National Register of Historic Places.

b. Review County Code and revise as needed to provide incentives and adequate regulations to preserve sites listed on the Statewide Goal 5 historic and cultural inventory.

Policy 2.11.4 Goal 5 historic inventories, ESEEs and programs are retained and not repealed, except for the amendment noted in Ordinance 2011-003.

City of Sisters Comprehensive Plan

The Sisters Urban Area Comprehensive Plan includes the city of Sisters and an area surrounding the city which is expected to become urbanized by the year 2025. The basic purpose of the Comprehensive Plan is to guide future development of the area within a framework of goals and policies which are consistent with the physical characteristics, attitudes, and resources of the Sisters community and to organize and coordinate complex interrelationships between people, land, resources and facilities in a manner which will protect the health, safety, welfare and convenience of its citizens. Sisters' Comprehensive Plan goals and policies addressing cultural and historic resources are summarized below.



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

5.1 Goal - "To protect natural resources and conserve scenic and historic areas and open spaces."

5.4 Policies

...

2. The City shall identify and protect historical sites within the Urban Growth Boundary.

   Tasks –

   a. The Sisters City Council has entered into an agreement with the Deschutes County Landmarks Commission to periodically investigate and identify historic sites within the City Limits and study various means of interpreting local history.

   b. The Sisters City Council should review the policy relating to historical signs and plaques per City Council action of October 9, 1980 (ORD. 138)

   c. The City should encourage the placement of heritage markers on historical buildings for identification through the Development Code.

   d. Residential renovations and/or historic building designations (National Register of Historic Places) should be promoted and encouraged by the City to help upgrade and preserve older housing stock.

Historic Photo of Cascade Avenue, Sisters

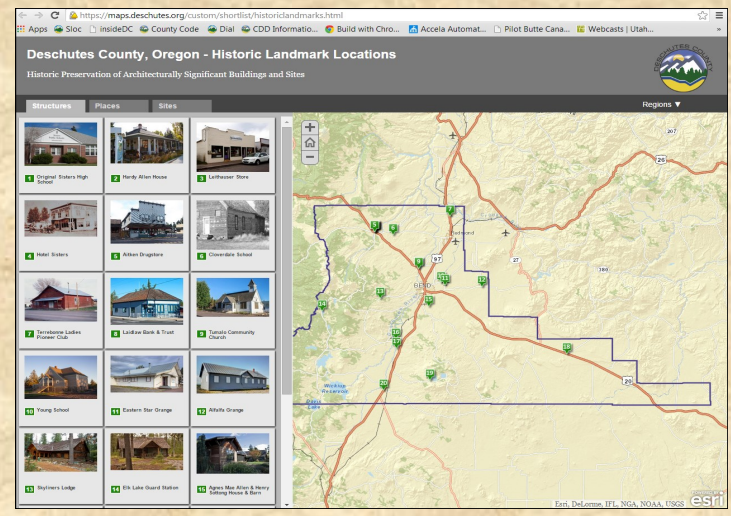
Historic Resource Designation

The Deschutes County HLC is part of a nation-wide network of groups dedicated to the preservation and celebration of our heritage. The HLC is responsible for reviewing and maintaining the Goal 5 list of designated historic resources. The resulting inventory of historically designated sites is formally adopted in the Comprehensive Plans of Deschutes County and the City of Sisters. In addition, the National Register of Historic Places catalogs and protects properties worthy of preservation because of their significance to our nation's history, architecture, landscape, archeology, engineering, and/or culture. As a CLG, the Deschutes County HLC is responsible for oversight of both the locally and nationally designated resources. Both are detailed on pages 10-14 of this plan.

Deschutes Landmarks Story Map

An ongoing goal of the preservation program has been to make historic resources more accessible and engaging to interested parties. As technologies evolve, new opportunities are available to further this goal. One such technology is the ESRI Story Map. With assistance from a CLG grant, volunteer photographers from the Central Oregon Photography Club photographed all the listed historic landmarks located in rural Deschutes County and the city of Sisters. These photographs are incorporated into an interactive Story Map managed by the Community Development Department enabling viewers to learn more about the historic and cultural heritage of each property. The website address is: deschutes.maps.arcgis.com/home. The mapping program allows the user to zoom in and out on the map pane to identify historic landmarks. Another option is to toggle between the photo list of structures, places, and sites. A click on the photo or the mapped marker provides historic information and additional photographs of each site.

The flexibility of the program allows ongoing refinement and evolution to incorporate additional photos and expanded resource descriptions. The ESRI Story Map can also include adding archeological sites or historic resources of other local jurisdictions to provide a comprehensive resource throughout Deschutes County.



Historic Landmarks Story Map

Deschutes County Goal 5 - Cultural and Historic Resources

Alfalfa Grange: Grange building and community center, built in 1930.

Alfalfa Grange

Allen Ranch Cemetery: Oldest cemetery in Deschutes County.

Fall River Fish Hatchery "Ice House": The hatchery "Ice House" dates from the beginning of fishery management in Oregon, circa 1920.

Long Hollow Ranch – Black Butte: Headquarters complex of historic ranch including headquarters house, ranch commissary, equipment shed, barn and bunkhouse.

Swamp Ranch – Black Butte: The present day site of the Black Butte Ranch was part of the vast holdings of the Black Butte Land and Livestock Company in 1904.

Brothers School

Brothers School: Only one-room schoolhouse currently in use in Deschutes County.

Bull Creek Dam: The Bull Creek Dam, a component of the Tumalo Irrigation Project was constructed in 1914 to form a water storage reservoir to increase the amount of irrigated acreage at Tumalo.

Bull Creek Dam Bridge (Tumalo Irrigation Ditch Bridge): Built in 1914, the bridge spans the Bull Creek dam. The structure is the oldest bridge in Deschutes County.

Camp Abbot Site, Officers' Club: Officers' Club for former military camp, currently identified as Great Hall in Sunriver.

Camp Polk Cemetery: One of the last remaining pioneer cemeteries.

Camp Polk Cemetery

Camp Polk Military Post Site: One of the oldest military sites in Deschutes County.

Cline Falls Power Plant: Early hydropower site on the Deschutes River including dam, penstock and powerhouse.

Cloverdale School: One-room school building in Cloverdale. First building built in Cloverdale.

Eastern Star Grange: Grange hall for earliest grange organized in Deschutes County.

Deschutes County Goal 5 - Cultural and Historic Resources *Continued*

Enoch Cyrus Homestead

Enoch Cyrus Homestead Hay Station and Blacksmith Shop: The original homestead of Oscar Maxwell, built in 1892 and purchased in 1900 by Enoch Cyrus. Important stage/store stop for early travelers.

Fremont Meadow: A small natural meadow on Tumalo Creek used as campsite for 1843 Fremont expedition.

Harper School: One-room schoolhouse.

Improved Order of Redmond Cemetery: Historic cemetery used by residents of La Pine/Rosland area.

Laidlaw Bank and Trust: One of the few remaining commercial buildings from the community of Laidlaw.

Laidlaw Bank and Trust

La Pine Commercial Club: Building was built in 1912 as a community center, serving as a regular meeting place for civic organizations and occasionally served as a church. One of the oldest and continuously used buildings in La Pine.

Lynch and Roberts Store Advertisement: Ad advertising sign painted on a soft volcanic ash surface. Only area example of early advertising on natural material. Lynch and Roberts established mercantile in Redmond in 1913.

Maston Cemetery: One of the oldest cemeteries in County. Oldest grave marker is 1901.

George Millican Ranch and Mill Site

George Millican Ranch and Mill Site: Ranch established in 1886.

George Millican Townsite: Town established 1913. Site includes store and garage buildings, which retain none of the architectural integrity from era.

Petersen Rock Gardens: The Petersen Rock Gardens consist of stone replicas and structures erected by Rasmus Petersen. The site has been a tourist attraction for over 60 years. (also on National Register of Historic Places)

Pickett's Island: After originally settling in Crook County, Marsh Awbrey moved to Bend and then homesteaded on this island in the Deschutes River south of Tumalo. The site was an early ford for pioneers.

Rease (Paulina Prairie) Cemetery: Historic cemetery on Elizabeth Victoria Castle Rease and Denison Rease's homestead.

Pickett's Island

Deschutes County Goal 5 - Cultural and Historic Resources *Continued*

Terrebonne Ladies Pioneer Club

Terrebonne Ladies Pioneer Club: The Club was organized in 1910 and the building has been a community-meeting place since 1911.

Tetherow House and Crossing: Tetherow House was built in 1878 and is the oldest house in the County. The Tetherows operated a toll bridge, store and livery stable for travelers.

Tumalo Creek – Diversion Dam: The original headgate and diversion dam for the feed canal was constructed in 1914.

Tumalo Community Church: The building is the oldest church in the County, built in 1905.

Tumalo Community Church

Tumalo Project Dam: Concrete core, earth-filled dam was first project by State of Oregon to use State monies for reclamation project.

William P. Vandevert Ranch Homestead House: The homestead was established in 1892. Vandevert family history in the area spans 100 years.

Kathryn Grace Clark Vandevert Grave: Kathryn Grace Vandevert, daughter of William P. Vandevert, died of influenza during the epidemic of 1918.

Young School

Young School: Built in 1928, it is an excellent example of a rural one-room school which served homesteaders of the 1920s.

Agnes Mae Allen Sottong and Henry J. Sottong House and Barn: House and barn are constructed with lumber milled on the property in a portable sawmill run by the Pine Forest Lumber Company in 1911.

City of Sisters Inventory of Historic Sites

Aitken Drugstore: One of the few business buildings remaining from Sisters' disastrous fires in the early 1920s.

Hotel Sisters: Built in 1912 and had 19 rooms with amenities uncommon in the area at that time.

Hardy Allen House: Early settlers of Central Oregon, the Allens built this house in 1908.

Leithauser Store: The Leithauser Store was built in 1925 by Peter Leithauser and operated as his store until 1950.

Historic Photo of Hotel Sisters

Historic Photo of Aitken Drugstore

Recent Photo of Hotel Sisters

Recent Photo of Aitken Drugstore

National Register of Historic Places

Elk Lake Guard Station: A wagon road built in 1920 between Elk Lake and Bend sparked a wave of tourism around the scenic waterfront. To protect natural resources of the Deschutes National Forest and provide visitor information to guests, the Elk Lake Guard Station was constructed in 1929 to house a forest guard.

Paulina Lake Guard Station: The station typifies the construction projects undertaken by the Civilian Conservation Corps and signifies the aid to the local community provided by the emergency work-relief program through employment of youth and experienced craftsmen, purchase of building materials and camp supplies, and personal expenditures of enrollees.

Skyliners Lodge

Skyliners Lodge: The Skyliners are a Bend-based mountaineering club organized in 1927. In 1935, the group started building the Skyliners Lodge with help from the Deschutes National Forest, the Economic Recovery Act and the City of Bend.

McKenzie Highway: The McKenzie Salt Springs and Deschutes Wagon Road, a predecessor to the modern McKenzie Highway, was constructed in the 1860s and 1870s.

Rock O' The Range Bridge: Rock O' The Range is the only covered span east of the Cascades in Oregon. To gain access to his property, William Bowen instructed Maurice Olson—a local contractor—to build a bridge inspired by Lane County's Goodpasture Bridge.

Santiam Wagon Road: The Santiam Wagon Road went from Sweet Home to Cache Creek Toll Station. The road was conceived of in 1859 to create a route across the Cascades. By the 1890s the road had become a major trade route.

Santiam Wagon Road

Deedon, Ed and Genvieve Homestead: The homestead is located between the Deschutes River and the Little Deschutes River. All of the buildings were constructed between 1914 and 1915.

Gerking, Jonathan N.B. Homestead: Jonathan N.B. Gerking, "Father of the Tumalo Irrigation Project," played a crucial role in getting the project recognized and funded.

Paulina Lake I.O.O.F. Organization Camp: The Paulina Lake Independent Order of Odd Fellows (I.O.O.F.) Organization camp was constructed during the depression era and are the result of cooperative efforts by nonprofessional builders. Such camp buildings are important in Oregon's recreational history as an unusual expression of both its rustic style and its vernacular traditions.

Peterson Rock Gardens

Petersen Rock Gardens: The Petersen Rock Gardens consist of stone replicas and structures erected by Rasmus Petersen. The site has been a tourist attraction for over 60 years.

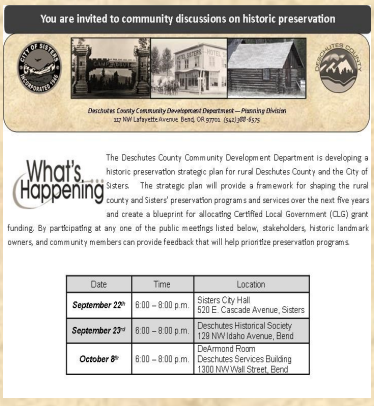
Wilson, William T.E. Homestead: This homestead house was built in 1903 and has an "American Foursquare" architectural style.

Original Sisters High School: In 1939, the construction of the Sisters High School was constructed in 1939 and was financed with a Public Works Administration (PWA) grant. Its style, Colonial Revival, was one of the most common architectural styles used for PWA schools.

Community Involvement

Deschutes County values public involvement, recognizing it is a critical part of evaluating public policy and land use planning processes. Understanding the perspective, goals, interests, and concerns of the community allows decision makers to make informed decisions. Recognizing this, the Planning Division conducted an outreach campaign focused on historic preservation. In the fall of 2014, staff held three (3) community conversations in Bend and Sisters.

- *Meeting announcements were provided in a variety of formats to reach the largest population of interested parties.*
  - * Press release to the media
  - * Targeted mailings to listed Historic Property Owners
  - * E-mail distribution to 15 stakeholders, several of which further distributed the information to their network of members and partners
  - * CDD bi-monthly newsletter emailed to interested citizens and organizations
  - * CDD website, with links meeting and background information


You are invited to community discussions on historic preservation

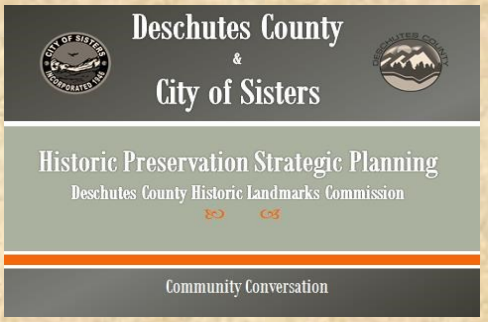
Deschutes County Community Development Department — Planning Division
117 NW Lafayette Avenue, Bend, OR 97703 (541) 388-6575

What's Happening

The Deschutes County Community Development Department is developing a historic preservation strategic plan for rural Deschutes County and the City of Sisters. The strategic plan will provide a framework for shaping the rural county and Sisters' preservation programs and services over the next five years and create a blueprint for allocating Certified Local Government (CLG) grant funding. By participating at any one of the public meetings listed below, stakeholders, historic landmark owners, and community members can provide feedback that will help prioritize preservation programs.

Date	Time	Location
September 22th	6:00 – 8:00 p.m.	Sisters City Hall 520 E. Cascade Avenue, Sisters
September 23rd	6:00 – 8:00 p.m.	Deschutes Historical Society 129 NW Idaho Avenue, Bend
October 8th	6:00 – 8:00 p.m.	DeArmond Room Deschutes Services Building 1300 NW Wall Street, Bend

Meeting Announcement



Community Conversation Power Point Slide

- *Community conversations used the same general format.*
  - * A PowerPoint presentation introduced the history of historic preservation in Deschutes County, project background, and purpose of the meeting.
  - * Open Forum providing attendees opportunity to share ideas for future of historic preservation program.

- *Questionnaires and an informal survey were also utilized.*
  - * In addition to the open forum, all participants were provided an opportunity to complete a questionnaire. This enabled participants to convey their thoughts privately.
  - * Similar to the questionnaire, an on-line survey was created using the website www.surveymonkey.com to provide another opportunity to participate. A link to the survey was created on the County webpage directing and encouraging interested parties to provide feedback. A total of 25 surveys were completed.

- *Stakeholder Interviews*
  - * Stakeholder Interviews were held with individuals and interest groups to gather their opinions and perspectives on Deschutes County's historic preservation program. Staff contacted 15 stakeholders and invited them to participate in a stakeholder meeting independent of the community conversations. Staff met with the City of Bend HLC, City of Redmond HLC, Deschutes Historical Society, State Historic Preservation Office, Pat Kliewer, and Michael Hall.

Goals, Objectives, and Actions

The following goals, objectives and actions reflect a general consensus of those who participated and the priorities of the Deschutes County Historic Landmarks Commission.

Goals

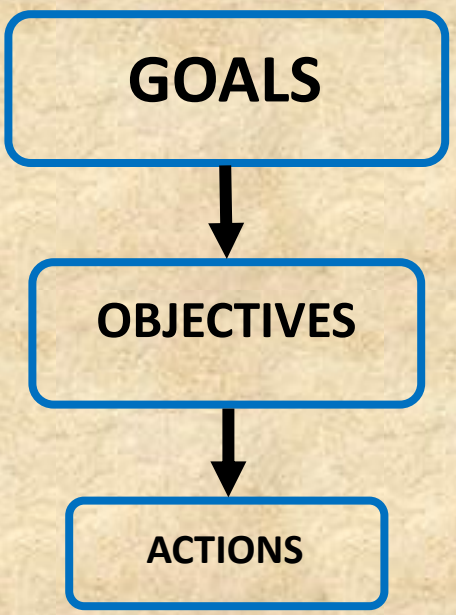
The goals are directly linked to the priorities expressed by the public, the HLC, the Sisters City Council, and the BOCC.

Objectives

The plan's objectives describe elements of how the historic preservation program will approach the goals. Several of the objectives serve multiple goals but each is listed with its most relevant goal. Objectives are listed in rough priority order. Each has associated actions to implement.

Actions

The plan's actions detail how the objectives will be accomplished over a 3 to 5 year time frame. Actions are listed as priorities and may apply to multiple objectives but are described in relation to their primary objective.



Goal 1 - Collaborate: Strengthen the network of historic preservation and community partners through collaboration.

Objective: Improve facilitation of Historic Preservation in the region to increase the visibility of and participation in historic preservation efforts throughout the county.

Actions:

- Establish the Des Chutes Historical Society as the hub of historic preservation programs.
- Support and engage in Historic Preservation Month activities.

Objective: Work with other HLCs and stakeholder groups to maximize impact and value to owners and general community.

Actions:

- Schedule annual meetings and/or presentations with other HLCs in the region.
- Create and maintain a calendar of historic related events throughout the county.
- Improve the management and access of historic property records in partnership with other agencies and local museum resources through support for technology upgrades.

Goal 2 - Coordinate: Facilitate program administration and special projects that provide opportunities to expand the scope and benefits of the historic preservation.

Objective: Expand and Improve Historic Preservation Program Administration.

Actions:

- Provide dedicated staff to facilitate and manage historic preservation program.
- Conduct an inventory of potential properties eligible for landmark designation.
- Enhance the Sisters/County focus in demonstrating best historic preservation practices.
- Enhance focus on archeological sites in Deschutes County.
- Build oral history collection.
- Review and update relevant county codes for consistency with state laws and policies.

Objective: Improve access to historic resource information.

Actions:

- Regularly hold HLC meetings in Sisters and other regions of the county.
- Provide more content to the "Story Map" descriptions.
- Incorporate federal historic sites into "Story Map" content.
- Support technology upgrades at Des Chutes Historical Society.
- Complete scanning of historic property files located at the Des Chutes Historical Society.
- Create driving tour mobile application similar to Bend Heritage Walking Tour.

Objective: Improve relationships with historic resource owners.

Actions:

- Maintain regular contact with historic property owners such as scheduled mailers, phone calls, and visits to highlight benefits and responsibilities of designation.
- Assign historic sites to landmarks commissioners to establish stronger relationships.
- Support annual BBQ as thank you for historic property owners.

Goal 3 - Educate: Promote educational opportunities highlighting the value, benefits, responsibilities, and requirements of historic preservation.

Objective: Expand historic preservation education.

Actions:

- Conduct presentations throughout the county to various groups including community organizations and schools.
- Increase visibility through published articles in various media outlets and formats.
- Annual presentations to Board of County Commissioners and Sisters City Council.
- Attend, present, and provide materials at History Pub at Old St. Francis School.
- Preserve and/or replacement of historic site signage.

Objective: Increase the attention paid to, and protection of, the historic rural county setting.

Actions:

- Fieldtrips that promote both public and other HLC participation.
- Highlight importance and relevance of historic resources other that buildings and structures such as thee Santiam Wagon Road, tree blazes, and cemeteries.

Historic Preservation Organizations - Local

Archeological Society of Central Oregon
www.ascoinfo.org
ascomail@bendbroadband.com

Bend Historic Landmarks Commission
www.bend.or.us/index.aspx?page=673
541-388-5505
hkennedy@ci.bend.or.us

Des Chutes Historical Society
www.deschuteshistory.org
541-389-1813

Deschutes County & Sisters Historic Landmarks Commission
www.deschutes.org/Community-Development/Historic-Landmarks.aspx
541-388-6575
matt.martin@deschutes.org

Deschutes Land Trust
www.deschuteslandtrust.org
541-330-0017
info@deschuteslandtrust.org

Deschutes Pioneers' Association
www.deschutespioneers.org
membership@deschutespioneers.org

Greater Redmond Historical Society
www.redmondmuseum.org
541-316-1777
redmondmuseum@bendbroadband.com

La Pine Historic Landmarks Commission
www.ci.la-pine.or.us
541-536-1432
info@ci.la-pine.or.us

Redmond Historic Landmarks Commission
www.redmond.or.us/government/commissions-committees/historic-landmarks-commission
541-923-7710

Sisters County Historical Society
www.sisterscountryhistoricalsociety.org
historian@sisterscountryhistoricalsociety.org

Historic Preservation Organizations - State & Federal

National Parks Service-National Register of Historic Places
www.nps.gov/nr/preservation_links.htm
202-354-2225

Oregon Cultural Trust
www.culturaltrust.org
503-986-0088
cultural.trust@oregon.gov

Oregon Heritage
www.oregonheritage.org
503-986-0690
Heritage.Programs@oregon.gov

Oregon Historical Society
www.ohs.org
503-306-5198
orhist@ohs.org

Oregon State Historic Preservation Office
www.oregon.gov/oprd/HCD/SHPO/Pages/index.aspx
503-986-0690

Restore Oregon
www.restoreoregon.org
503-243-1923
info@restoreoregon.org

Deschutes County encourages persons with disabilities to participate in all programs and activities. If you need to request this information in an alternate format please contact Anna Johnson.

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timeline

HISTORIC PRESERVATION STRATEGIC PLAN