



# Community Development Department

Planning Division Building Safety Division Environmental Soils Division

117 NW Lafayette Avenue Bend Oregon 97701-1925  
(541)388-6575 FAX (541)385-1764  
<http://www.co.deschutes.or.us/cdd/>

## MEMORANDUM

**TO:** Board of County Commissioners  
**FROM:** Nick Lelack, Director  
**DATE:** September 14, 2015  
**RE:** Blanket Fee Waiver Request – Central Oregon Veterans Outreach

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### Summary

The purpose of this work session is to consider a Fee Waiver Request from the Central Oregon Veterans Ranch. The request, submitted by Alison Perry, is to waive land use planning fees (Conditional Use Permit and Landscape Management Review) up to \$3,355 to convert an existing “home into an Adult Foster Home to provide end of life care and supportive housing to veterans who are terminally ill or near end of life.”

The applicable Fee Waiver Policies are:

4 (B). The request is from a non-profit organization that has encountered an extraordinary hardship that could not have been anticipated in planning for and funding the project, and the fee waiver will benefit the community.

8. The Board of County Commissioners may waive fees in any other case where the public benefit is served and other remedies have been exhausted.”

In addition, the applicant has received a grant from Home Depot, the Oregon Community Foundation, and Meyer Memorial Trust to support the project; is seeking grant funding from state (Oregon Housing and Community Services) to remodel the home to comply with the Americans with Disabilities Act (ADA); and receiving donations and volunteers from several other non-profit organizations for operations.

The applicant states the “fee for the CUP would put a significant dent in funds necessary to open the Adult Foster home, including a set-aside for two months operating costs...”

### Requested Board Action

Staff seeks a Board decision to:

- (1) Approve the blanket fee waiver in the amount of \$3,355 and find that the action is in the public benefit; or
- (2) Approve a partial fee waiver and find that the action is in the public benefit; or
- (3) Deny the fee waiver request; or
- (4) Conduct another work session on this request.



*A working ranch that restores purpose and spirit in Veterans of all ages*

RECEIVED  
BY: Paul B.

SEP 1 1 2015

DELIVERED BY:  
Joseph

01 September 2015

Dear Mr. Lelack,

Central Oregon Veterans Ranch (COVR) is a federal 501(c)3 nonprofit organization currently leasing a 19-acre property between Bend and Redmond off of 61<sup>st</sup> Street. The property is designated EFU and has 12 acres of irrigation, a 4 bedroom home, a barn, and two small greenhouses. The property address is 65920 61<sup>st</sup> St. Bend, OR 97703.

Pursuant to section B, p. 7 (*The request is from a nonprofit organization that has encountered an extraordinary hardship which could not have been anticipated in planning for and funding of the project; and the fee waiver will benefit the community*) of the Fee Waiver Policy we are requesting a waiver of the \$2, 485.00 CUP fee (and potentially the \$870.00 in the event that a Landscape Management Review is necessary) for the following project(s). Please note that the property owner Tom Kemper is fully in support of these changes for the duration of the 2 year lease, at which time (April 2017) the nonprofit COVR will have purchased the property outright or assumed the loan.

1. COVR is seeking to convert the existing 4-bedroom home into an Adult Foster Home to provide end of life care and supportive housing to veterans who are terminally ill or near end of life. We are currently working with the state to ensure compliance for ADA standards for AFH.
2. Our plan is to widen the doors in the home to make them ADA compliant and accessible to wheelchairs, as well as to expand the hallway bathroom. We will be moving the washer/dryer and furnace to accommodate the larger bathroom.
3. We are requesting funding from the state (OHCS) and would also like to add a bedroom to the home. The addition would be 12 by 14 feet and require one opening from the existing structure.

Organization:

COVR's mission is "*A working ranch that restores purpose and spirit to veterans of all ages.*" The ranch will serve as a sanctuary and hub for veterans of all ages, offering supportive housing for up to 5 veterans who are terminally ill or aged, while utilizing the surrounding 19-acres for education and service projects for veterans from the broader community. The ranch will foster camaraderie among veterans with a specific outreach to returning veterans to engage them in finding a renewed sense of purpose, peace, and new vocational paths through group

projects and education in sustainable agriculture. The ranch will fill a gap in services for aging or terminally ill veterans through the Adult Foster Home where staff and volunteers will be trained to address the unique needs of veterans. There are currently no elder or senior care facilities in Central Oregon that cater to veterans. The ranch will partner with other veteran organizations and services in the area to ensure that veterans have awareness and access to all resources in the region. Central Oregon is home to approximately 20,000 veterans (Deschutes 15,343, Crook 2,604, Jefferson 2,212).

COVR has received overwhelming support through various community organizations who have donated or are completing or seeking to complete volunteer projects at the ranch, including Redmond Rotary, Vietnam Veterans of America Chapter 820, Oregon Veterans Motorcycle Association, Straw Propeller Gourmet Foods, Hilton Garden Inn Bend, Oregon Youth Challenge, Boy Scouts, etc. The ranch currently engages local veterans through a Veterans Volunteer Workday on Thursdays, and is a resource for veterans going through the court system to complete community service in a rehabilitative setting.

We have received grant funding from Home Depot, Oregon Community Foundation, and Meyer Memorial Trust. COVR has applied for a grant through Oregon Housing & Community Services for Capital & Acquisition, which would provide funding for capital and for the addition of a room to the ranch home. The addition of the room would allow COVR to house two below AMI or Medicaid-covered veterans.

COVR is a new nonprofit continuing to raise funds for startup and operations, which includes both ranch/farm and housing operations. The fee for the CUP would put a significant dent in funds necessary to open the Adult Foster Home, including a set aside for two months operating costs necessary for state licensure.

We appreciate the County's willingness to consider a waiver of the fees for the Conditional Use Permit and potentially Landscape Management Review. Please do not hesitate to contact me, Alison Perry, at 503-789-0911, [aperry@centraloregonveteransranch.org](mailto:aperry@centraloregonveteransranch.org), or COVR Board member Joe Florio at 818-378-5382, [jflorio@pacbell.net](mailto:jflorio@pacbell.net)

Sincerely,

Alison Perry



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**FEE WAIVER REQUEST FORM**

Name of Individual/Organization: Central Oregon Veterans Ranch  
Address: 65920 1st St. City/State/Zip: Bend OR 97701 Phone: (541) 706-9062

Type of Permit and Fees:

Building \$ 2,485.00 [ ] Planning \$ \_\_\_\_\_

[ ] Restaurant \$ \_\_\_\_\_ [ ] Subsurface Sewage \$ \_\_\_\_\_

Other: \$ Non-Visible Landscape Management (maybe) \$870.00

Total amount of fee(s) requested to be waived: \$ 3,355

The applicant shall provide a written explanation of the request and explain why one or more of the criteria below are satisfied. The request will be reviewed by the Community Development Director and a response will be provided within ten (10) business days.

Criteria that must be met to qualify for a Fee Waiver:

- A. The applicant meets the criteria for indigency and at least one of the following conditions. Indigence shall be established by the financial hardship process attached (refer to **Affidavit of Indigence and Request for Fee Waiver form**).
1. There is an immediate need of the Community Development Department's services to protect the applicant's or public's health or safety.
  2. Granting the fee waiver will create a long-term efficiency for a Code Enforcement issue.
- B. The request is from a nonprofit organization that has encountered an extraordinary hardship which could not have been anticipated in planning for and funding of the project; and the fee waiver will benefit the community.

(NOTE: The Community Development Director may require performance of community services for some or all of the waived fees.)



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### **FEE WAIVER POLICY**

Effective January 4, 2006, the Deschutes County Board of Commissioners approved Ordinance Nos. 2006-001, 2006-002 and 2006-003, delegating authority to administer and approve septic permit, building permit, and land use permit fee waiver requests to the Community Development Director and County Administrator (DDC 13.08, 15.04.160 and 22.08.010).

The Board of County Commissioners of Deschutes County has delegated full authority to the Community Development Department (CDD) Director to administer this policy, with the exception of Items #7 and #8.

#### **POLICY GUIDELINES:**

1. Fee waivers under this policy provide a public benefit.
  2. With the adoption of this policy and continuing with each budget, an amount not to exceed \$5,000 shall be set aside into a hardship account within the CDD budget from any savings of budgeted expenses or excess revenue.
  3. When money is available in the hardship account of CDD, the CDD Director may authorize fee waivers in amounts not to exceed the fee waiver budget each year.
  4. The CDD Director shall find an applicant meets one of the following criteria in granting fee waivers:
    - A. The applicant meets the criteria for indigency and at least one of the following conditions. Indigence shall be established by the financial hardship process attached as Exhibit "A."
      1. There is an immediate need of the services of the Community Development Department to protect the applicant's or the public's health or safety.
      2. Granting the waiver will create a long-term efficiency of a Code Enforcement issue.
    - B. The request is from a nonprofit organization that has encountered an extraordinary hardship that could not have been anticipated in planning for and funding of the project, and the fee waiver will benefit the community.
- (NOTE: Community Service may be required by the CDD Director for some or all of the waived fees.)
5. Fee Waiver requests covered above shall be submitted on a form provided by CDD. Applicant shall provide a written explanation of the request and explain why one or more of the above criteria are satisfied. The request will be delivered to the CDD Director for review and decision.

6. The applicant may appeal the CDD Director's decision to the Deschutes County Administrator. The applicant may appeal the Deschutes County Administrator's decision to the Board of County Commissioners.
7. The Board of County Commissioners may issue blanket fee waivers, subject to the above criterion, for classes of hardship such as catastrophic fire.
8. The Board of County Commissioners may waive fees in any other case where the public benefit is served and other remedies have been exhausted.

## **FINANCIAL HARDSHIP**

Some property owners or other responsible persons who lack the financial ability to obtain permits and approvals to pay fees established by the County for Community Development Services may receive relief. The procedure for establishing financial hardships is set forth below:

### *Procedure:*

In cases where the applicant appears to have insufficient resources to pay fees, the applicant may apply to qualify for financial or other assistance within available resources and under the following procedures.

1. **Criteria for Indigency**

To qualify for assistance under this section, the applicant or other responsible person must demonstrate a substantial financial hardship that makes paying the required fees impractical.

2. **Fee Reduction/Waiver**

An applicant may apply for a reduction or waiver of CDD development fees for permits. The decision to reduce or waive development fees will be made by the CDD Director, considering the following factors:

- A. The degree of the applicant's indigency;
- B. The cost of the development permit(s) or approval(s) required;
- C. Funds available for fee reductions/waivers in CDD's budget or in any other available funds;  
and
- D. Other assistance available in the community.

3. **Community Service in Lieu of Fees**

Upon a finding of indigency, the CDD Director may order community service at the rate of \$10.00 per hour in lieu of some or all waived fees. A period of time shall be established in which the community service shall be completed.



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**RELEASE TO OBTAIN INFORMATION FOR VERIFICATION  
(CONFIDENTIAL)**

APPLICANT'S NAME: Central Oregon Veterans Ranch

I understand that the County may verify my employment and financial situation to determine my eligibility for a fee waiver. I understand that some of the information necessary for this verification is contained in records that are protected under federal and state laws. I have therefore signed this release which allows public and private organizations and individuals to provide the County or its designee with requested information. I understand that organizations and individuals which may be contacted include but are not limited to:

- Social Security Administration
- State Department of Revenue
- Mortgage Holder
- Department of Motor Vehicles
- Employment Division(s)
- Utility Companies
- Worker's Compensation Disability Provider
- Adult and Family Services Division
- Landlords
- Private Disability Insurance Provider
- Private Life Insurance Provider
- Past Employers
- Release Assistance Office
- Credit Card Holders
- Credit Bureaus
- Schools and Colleges
- Banks, Savings & Loans, Credit Unions (requesting savings, stocks, bonds, checking, loan and credit information including copies of applications)
- Other: \_\_\_\_\_

By signing this release, I specifically authorize the County or its designee to directly contact my current employer by telephone or in writing, and to release and utilize my address as needed by the Board of County Commissioners or its designee.

Alison Fry  
Applicant Signature

31 AUG 2015  
Date