



## Community Development Department

Planning Division Building Safety Division Environmental Soils Division

P.O. Box 6005 117 NW Lafayette Avenue Bend, Oregon 97708-6005  
(541) 388-6575 Fax (541) 385-1764  
<http://www.deschutes.org/cd>

### MEMORANDUM

**TO:** Deschutes County Planning Commission

**FROM:** Nick Lelack, AICP, Director  
Peter Gutowsky, AICP, Planning Manager

**DATE:** May 5, 2016

**SUBJECT:** Consideration of Planning Division Work Plan for Fiscal Year (FY) 2015-16 / Public Hearing

The Planning Commission will hold public hearings on May 12 and 26 to gain public input, discuss, and make a recommendation to the Board of County Commissioners (BOCC), regarding the Planning Division annual work plan for FY 2016-17.<sup>1</sup>

#### I. BACKGROUND

Each spring, the Community Development Department (CDD) prepares an annual work plan describing proposed projects for the coming fiscal year. It is intended that a review of the draft work plan will provide the BOCC, Planning Commission, Historic Landmarks Commission, County Administration and CDD's customers and partner agencies the opportunity to provide input, including additions, modifications and possible re-prioritization. The work plan also serves as the context within which new projects that arise during the course of the year are prioritized and undertaken.

#### II. REQUESTED PLANNING COMMISSION ACTION

1. Conduct a public hearing on the Planning Division Work Plan.
2. Continue the public hearing to May 26.

#### III. WORK PLAN & MATRICES

The Planning Division draft Work Plan consistently generates public interest. It proposes to carry over projects from the current fiscal year into FY 2016-17 and utilize available resources to establish, maintain and/or improve several internal tracking systems for community and area wide plans, destination resorts and future text amendments. Below, **Table 1** lists the Planning Division's proposed long range planning projects for FY 16-17. **Table 2** is last year's Planning Commission recommendation, which of

---

<sup>1</sup> July 1, 2016 to June 30, 2017.

course, can be revised and **Table 3** captures citizen recommended work tasks. **Table 4** summarizes Comprehensive Plan policies. Each table indicates the general resources and timeframes required to complete each project. Staff uses a “minor,” “moderate,” and “significant” ratings to gauge a project’s anticipated required resources and timeframe.

- A minor rating equates to 2-4 months to complete and 0.25-0.75 full time equivalent (FTE) of long range planning staff.
- A moderate rating equates to 4-8 months to complete and 0.5-1.0 FTE or more.
- A significant rating spans 6-12 months or longer and requires 1.0-2.0 FTE with possible consultants. Some projects identified as “minor” can evolve and extend the amount of resources and projected timeframe significantly. The resources required for several projects therefore may change depending on different factors.

Projects listed in Tables 2, 3, and 4 are not currently proposed to be initiated in FY 16-17 due to limited resources. Capacity for projects from Tables 2 and 3 to move up to Table 1 will largely depend on:

- Completion of the process to develop and adopt reasonable regulations pertaining to medical and recreational marijuana (whether the Board or voters rescind opt out ordinance);
- Completion of Bend’s Urban Growth Boundary amendment and Bend Airport Master Plan update;
- Timing of applications to amend the Redmond Urban Growth Boundary for a regional large-lot industrial campus;
- Status and decisions regarding work tasks associated with Oregon spotted frog.

**Table 1 – Proposed Long Range Planning Projects (FY 2016-2017)**

<b>Projects</b>	<b>Brief Description</b>	<b>Resources/Timeframe *</b>
<i>Bend Airport Master Plan (BAMP)</i>	Coordinate with the City of Bend to adopt the Bend Airport Master Plan into the Comprehensive Plan and zoning code amendments into County Code	Phase 1 of this proposal is in process. Phase 2 will be Moderate to Significant
<i>Bend Urban Growth Boundary (UGB) Coordination</i>	Coordinate with the City of Bend to complete their UGB amendment	In process: Moderate to Significant
<i>Brownfield Grant</i>	Administer U.S. EPA Community-Wide Brownfield Assessment Grant. Grant ends September 2016.	In process: Minor
<i>Central Oregon Large-lot Industrial Project</i>	Coordinate with the City of Redmond to initiate a UGB amendment for a regional large-lot industrial campus	Minor to Moderate
<i>Certified Local Government Grant (CLG)</i>	Administer a CLG Grant from the State Historic Preservation Office. Grant ends August 2016. Reapply in February 2017 for the 2017-2018 period	Moderate
<i>Code Audit Work Program</i>	Develop a work program to audit County land use regulations to update review processes and standards to achieve County goals.	Minor to Moderate

**Table 1 – Proposed Long Range Planning Projects (FY 2016-2017)**

<b>Projects</b>	<b>Brief Description</b>	<b>Resources/Timeframe *</b>
<i>Community Plans</i>	Engage Tumalo and Terrebonne residents to determine if community goals and policies meet the current and future needs of the area.	<b>Moderate</b>
<i>DLCD Nonresource Lands Project</i>	Participate in Phase 1 of DLCD's nonresource lands project to evaluate conservation and development issues surrounding lands that do not require protection under Goals 3 (agriculture) or 4 (forest), and support LCDC rulemaking.	Minor
<i>Federal Emergency Management Coordination</i>	Monitor and participate in state-led process to address the effects of a lawsuit related to the federal Endangered Species Act (ESA) and floodplain development	Minor to Moderate
<i>Floodplain</i>	Amend Deschutes County Code to change the floodplain zone (DCC 18.96) into a combining zone	Moderate to Significant
<i>Harper Bridge</i>	Participate in the process to develop solutions for safe access to Deschutes River	In process: Minor to Moderate
<i>Housekeeping and Legislative Amendments</i>	Initiate housekeeping and legislative text amendments.	Minor to Moderate
<i>Marijuana Regulations</i>	Initiate a text amendment regulating recreational marijuana based on 2015 State legislation	TBD based on Board decisions in May
<i>Natural Hazards</i>	Coordinate with the Planning Commission and the BOCC to discuss implementing recommendations from the University of Oregon's Community Service Center's review of County codes and policies regarding natural hazards and mitigation	Moderate
<i>Population Forecast</i>	Coordinate with Assessor and Administration Office to complete Portland State University, Population Research Center, 2016 Housing Unit and Population Questionnaire.	Minor
<i>Spotted Frog</i>	Upon final rule designating critical habitat, CDD will schedule work sessions with the Planning Commission and BOCC and use a matrix to discuss options for responding to critical habitat from a land use standpoint.	Minor to Moderate
<i>Tracking System</i>	Maintain tracking system of Comprehensive Plan and Community/Area Plan implementation activities, updates, necessary revisions, and potential areas for new plans.	In process: Minor

**Table 2 – Projects Discussed by the Planning Commission for FY 15-16**

Projects	Resources/Timeframe
1. Initiate a text amendment that removes pharmacy as a use permitted outright in the Town Center District of Sunriver	Moderate (include it with housekeeping text amendments)
2. Initiate a text amendment that reduces setbacks in forestland related specifically to Haner Park	In Process
3. Initiate a text amendment allowing temporary medical hardship dwellings in the Conventional House Combining Zone	Considered by Planning Commission and Board; text amendment not initiated
4. Initiate a Comprehensive Plan amendment to clarify that resource land, EFU and Forest Use parcels, can be re-designated and rezoned to non-resource lands through a quasi-judicial application process, without taking an exception to Goal 3 or Goal 4	In Process

**Table 3 – Citizen Requests**

Citizen Requested Projects	Level of Complexity
1. Initiate text amendment to allow existing buildings to be used as hardship dwellings in the EFU zoning district.	Minor
2. Establish community/organization notification system of land use applications in specific areas.	Minor to Moderate
3. Review and consider amending the Landscape Management Zone to address review processes and applicability.	Minor to Moderate
4. Create a County ombudsman to facilitate resolutions to neighbor disputes and similar situations.	Minor to Moderate

**Table 4 – Comprehensive Plan Policies**

Comprehensive Plan Policies	Resources/Timeframe
1. Implement, as appropriate, recommendations in the Final Report from the Oregon Task Force on Land Use Planning dated January 2009 (Policy 1.3.8)	Significant. See Table 1 – DLCDC Nonresource Lands Project <sup>2</sup>
2. Support implementation of the Bend 2030 Plan and incorporate, as appropriate, elements from the Bend 2030 Plan into this Plan (Policy 1.3.13)	Moderate to Significant
3. Develop comprehensive policy criteria and code to provide clarity on when and how EFU parcels can be converted to other designations (Policy 2.2.3). See Table 1 – DLCDC Nonresource Lands Project	Moderate to Significant
4. Review County Code and revise as needed to permit alternative and supplemental farm activities that are compatible with farming, such as agri-tourism or commercial renewable energy projects (Policy 2.2.12)	Moderate
5. Explore new methods of identifying and classifying agricultural lands (Policy 2.2.13). See Table 1 – DLCDC Nonresource Lands Project	Significant
6. Address land use challenges in the Horse Ridge subzone (Policy 2.2.15)	Significant
7. Initiate a review of all Goal 5 inventories and protection programs (Policy 2.4.1)	Significant
8. Explore adopting new ordinances, such as a wellhead protection ordinance for public water systems, in accordance with applicable Federal and/or State requirements (Policy 2.5.21)	Significant
9. Explore an intergovernmental agreement with the irrigation districts for ensuring irrigated land partitions and lot line adjustments are not approved without notice to and comment by the affected district (Policy 2.5.26)	Significant
10. Explore incorporating appropriate stormwater management practices into Deschutes County Code (Policy 2.5.27)	Significant
11. Consider adopting regulations for dock construction based on recommendations of the Oregon Department of Fish and Wildlife and the Deschutes River Mitigation and Enhancement Program (Policy 2.5.30)	Moderate
12. Review County Code and revise as needed to protect open space and scenic views (Policy 2.7.6) * See Citizen Request #3.	Significant
13. Review County Code and revise as needed to ensure effective energy conservation regulations, such as revising County Code on solar energy to create flexibility and permit exceptions for small properties and sites with specific anomalies (Policy 2.8.5)	Significant
14. Review County Code and revise as needed to permit alternative energy systems for homes and businesses and mitigate impacts on neighboring properties and the natural environment. (Policy 2.8.6)	Significant

<sup>2</sup> This is on hold pending State Land Conservation and Development Commission Action in FY 2017-18

**Table 4 – Comprehensive Plan Policies**

Comprehensive Plan Policies	Resources/Timeframe
15. Review County Code and revise as needed to develop an efficient permitting process and effective siting standards for commercial renewable energy projects that address all project components as well as environmental and social impacts (Policy 2.8.8)	Significant
16. Review County Code and revise as needed to promote the use of resource-efficient building and landscaping techniques, materials and technologies for new construction and renovation projects (Policy 2.9.5)	Significant
17. Review surface mining codes and revise as needed to consider especially mitigation factors, imported material and reclamation (Policy 2.10.4)	Significant
18. Review surface mining site inventories as described in Section 2.4, including the associated Economic, Social, Environmental and Energy (ESEE) analyses (Policy 2.10.5)	Moderate
19. Update the policies for lands designated Rural Commercial as needed (Policy 3.4.8)	Minor to Moderate
20. Update the policies for lands designated Rural Industrial as needed. (Policy 3.4.22)	Minor to Moderate
21. Make the Floodplain Zone a combining zone and explore ways to minimize and mitigate floodplain impacts (Policy 3.5.11c) * See Table 1 - Floodplain	Significant
22. Require new subdivisions and destination resorts to achieve FireWise Standards from the beginning of the projects and maintain those standards in perpetuity (3.5.11(g)) <sup>3</sup> *See Table 1 – Natural Hazards	Minor to Significant
23. Support the creation of a landfill overlay zone (Policy 3.6.13)	Minor
24. Update County Code as needed to define rural recreational uses such as private parks (Policy 3.8.10)	Moderate
25. Support an overlay zone for property owned and/or utilized by the Oregon Military Department to protect the military site and neighboring properties from noise and land use conflicts (Policy 3.10.3)	Minor to Significant
26. Initiate Deschutes Junction Master Plan (Policies 3.10.5-3.10.8)	Significant
27. Develop a master plan to address the infrastructure challenges facing rural, undeveloped lots in southern Deschutes County (Newberry Country; Policy 3.4)	Significant
28. Develop a work plan with affected stakeholders to determine the future development and conservation potential of approximately 1,500 high groundwater lots (Newberry Country; Policy 5.1)	Significant

<sup>3</sup> Destination Resorts are required by Deschutes County Code to develop and implement wildfire prevention, control and evacuation plans (DCC 18.113.050(B)(14); 18.113070(H)). Caldera Spring is currently the only Goal 8 resort recognized as a Firewise Community.

**Table 4 – Comprehensive Plan Policies**

Comprehensive Plan Policies	Resources/Timeframe
29. Develop a work plan, in coordination with property owners, to update the Comprehensive Plan and Zoning designations to reflect the land use and development patterns in Section 36, Haner Park and other applicable areas with long-standing issues, while protecting ecologically significant natural areas or resources (Newberry Country; Policy 5.1)	Significant
30. Adopt zoning for small destination resorts, as defined in ORS 197.445 (Newberry Country; Policy 7.1)	Minor to Significant
31. Create a regional trail plan in coordination with the City of La Pine, Sunriver, Deschutes County Bicycle and Pedestrian Advisory Committee (BPAC), La Pine Park and Recreation District, U.S. Forest Service, special road districts, and homeowner associations (Newberry Country; Policy 10.3)	Significant
32. Prohibit livestock from being permanently stabled in the commercial districts (Tumalo Community Plan; Policy 14)	Minor to Significant

**IV. HISTORIC LANDMARKS COMMISSION REVIEW**

Each year, the Historic Landmarks Commission (HLC) discusses the Planning Division’s Work Plan related to historic preservation. On May 2, the HLC reviewed the draft Work Plan and recommended:

- Updating the Goal 5 historic landmarks inventory; and,
- Conducting an inventory of potential properties, over fifty years old, eligible for historic landmark designation