Goal 11 Exception Process for Southern Deschutes County (File 247-15-000308-PA)

Deschutes County Planning Commission Work Session
June 25, 2015

Planning Commission Work Session for File 247-15-000308-PA

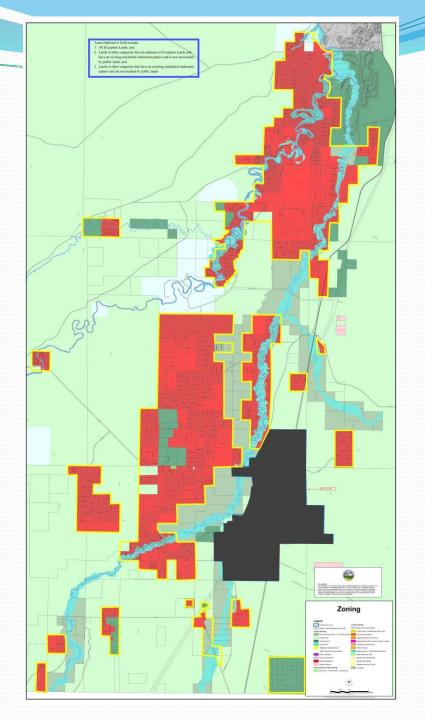
- Recap of groundwater issues in southern Deschutes County
- Goal 11 Exception Area Map
- Overview of Goal 11 Exception
- Public hearings in La Pine and Bend
- Questions of staff?

40 Years in 8 Bullet Points

- 1960s-1970s ~15,000 lots of 0.5 acre to 1 acre each platted in South County
- Early 1980s groundwater pollution from nitrates begins to be noticed
- 1996-1999 DLCD and DEQ study 12,000 lots for groundwater pollution
- 2008 Deschutes County passes local rule requiring septic systems be converted to alternate treatment technology within 14 years
- 2009 voters overturn local rule
- 2010 DEQ forms Steering Committee to study issue, which in 2013 unanimously recommends pursuing a Goal 11 exception
- April 2015 DLCD, DEQ, Deschutes County hold open houses in Sunriver and La Pine on Goal 11
- June 17,2015 DLCD, DEQ, Deschutes County apply for Goal 11 Exception in File 247-15-000308-PA

Goal 11 Exception Area Lands:

- RR-10
- RR-10/FP split-zoned
- Public lands abutting RR-10
- Lands in other zones with existing residential pattern



DLCD's Role and Responsibility

- Expert in Goal 11 Exception Process
- Wrote Burden of Proof Related to State Laws, Rules:
 - Statewide Planning Goal 11 Public Facilities
 - Oregon Administrative Rule Chapter 660, Division 11, Public Facilities Planning
 - OAR 660-011-0060, Goal 11 Exception Process

DEQ and public health protection

- Long history of involvement in the area
- Formation of a steering committee
 - Met for over 3 years; had 50+ meetings
- Focus on public health protection



DEQ Steering Committee Recommendation

- Goal 11 Exception (Unanimously Approved 1/9/13)
- Intent of allowing sewer extension and other community and neighborhood treatment options
- Acknowledgement that centralized systems would provide better treatment of contaminants
- Exception does not require multi-residence systems
- Exception area to include at-risk areas in South Deschutes County.

DEQ's Role and Involvement

 Supporting the recommendation and working with Deschutes County and other state agencies to move it forward

 Providing historical information on groundwater contamination to justify the application



Des. Co. Land Use Process

- Joint application, File 247-15-000308-PA, filed by DEQ/DLCD/Des. Co. on June 17, 2015
- 35-day notice sent to DLCD June 11, 2015
- ~10,000 flyers mailed to properties within Goal 11 Exception area around June 15, 2015
- Public hearings set and noticed:
 - La Pine, July 23, 2:00 and 5:30 p.m. at Community Center
 - Bend, August 13, 5:30 p.m. at Deschutes Services Center

Des. Co. Land Use Process (con't)

- Burden of proof must address
 - Statewide Planning Goal 11: Public Facilities and Services
 - Applicable Oregon Administrative Rules (OAR 660, Division
 11)
 - Deschutes County Comprehensive Plan
 - Amend for Exceptions Statement
 - Amend to add Legislative History
 - Newberry Country Plan
 - Amend Policy 9.1 to prevent upzoning due to Goal 11
 - Transportation Planning Rule (OAR 660, Division 12)
 - Traffic study of 1,823 red lots, based on 600 developing in 15 years

Next Steps

- Hold public hearings on July 23 and August 13, 2015
- Planning Commission deliberates and makes recommendation to Board of County Commissioners
- Board then holds public hearings on Ordinance 2015-007, which implements File 247-15-000308-PA

Questions of Staff?