



MEMORANDUM

DATE: August 3, 2023

TO: Deschutes County Planning Commission

FROM: Peter Russell, Senior Transportation Planner

RE: August 10, 2023, public hearing on Tumalo Community Plan update, File 247-23-000509-PA/510-TA

The Planning Division is updating the 2010-2030 Tumalo Community Plan (TCP) to 2020-2040 due to changes in the community and passage of time. Additionally, the County received a \$75,000 Transportation Grant Management (TGM) from the State, of which \$50,000 was dedicated to update the bike/ped/transit, aka Active Transportation, element of the TCP. The County hired Kittelson and Associates (KAI) to do the work for the TGM grant.

The purpose of this memo is to summarize the public comments received regarding the TCP either in person or online, provide a recap of the June 8, 2022, walking tour done as part of the TGM grant, and summarize the County's continuing public outreach. The memo also references comments from the Planning Commission (PC) at its July 27, 2023, work session on the TCP.

I. BACKGROUND

Tumalo is an Unincorporated Community under Oregon Administrative Rule (OAR) 660-022, meaning the land use pattern is quasi-urban in terms of density and land uses and predated the Oregon's land use system, which began in 1973. The state classifies Tumalo as a Rural Unincorporated Community¹ and the County administers it under Deschutes County Code (DCC) 18.67. The Tumalo Community Plan is Section 4.7 of the Comprehensive Plan and appears as Appendix B of the Comprehensive Plan. Of the \$75,000 TGM grant, \$50,000 was earmarked for the bike/ped/transit segment of the TCP.

¹ OAR 660-020-010(7) "Rural Community is an unincorporated community which consists primarily of permanent residential dwellings but also has at least two other land uses that provide commercial, industrial, or public uses (including but not limited to schools, churches, grange halls, post offices) to the community, the surrounding area, or to persons traveling through the area."

Staff prepared a website, www.deschutes.org/tumaloplan, which featured a StoryMap that provided a narrative of the project, the community's history, the purpose of the TCP, occasional surveys, and an opportunity to leave a contact email.

Staff provided numerous methods for the public to provide input on what they wanted in the TCP, the community vision statement, and specific draft goals and policies. These methods ranged from traditional meetings in the Tumalo School Gym to face-to-face meetings at a local coffeehouse to Zoom meetings. Public outreach included mailers to Tumalo residents initially then emails via Constant Contact based on information from attendance sheets, contact info left at the website, or phone calls and/or emails to Planning staff. Outreach for specific events included:

- Tumalo StoryMap #1, April 27-May 25, 2022
- Tumalo Community Plan Open House #1, May 11, 2022 (Kick Off meeting)
- Meet A Planner, Tumalo Coffeehouse, Zoom, or phone, June 13-24, 2022
- Tumalo StoryMap #2, June 29-July 27, 2022
- Tumalo Community Plan Open House, #2, August 22, 2022 (Draft TCP, 1st version)
- Meet A Planner, Tumalo Coffeehouse, Zoom, or phone, May 2-9, 2023
- Tumalo StoryMap #3, April 23, 2023, to present
- Tumalo Open House #3, May 17, 2023, (Draft TCP, 2nd version)

II. KEY ASPECTS OF THE 2020-2040 TCP

The prevailing sentiment of the public who attended or commented was they wanted to preserve Tumalo’s feel of being a small town. There were also concerns about the possibility of a private sewer, which serves the higher density residential neighborhood on the south side of U.S. 20, extending across the highway into Tumalo. Other concerns included balancing economic development with Tumalo’s historically rural nature, the side effects of tourism, protecting the Deschutes River, and concerns about rising traffic volumes and the speed of traffic. Below is a summary of the differences between the current TCP and the draft update.

Differences Between Draft 2020 TCP and 2010 TCP

SECTION TITLE	GOALS			POLICIES			
	Same	Changed	New	Same	Changed	New	Deleted
Land Use		X		2	2		2
Natural Resources, Open Space, Rec			X	1	9	6	
Residential Area			X	2		2	4
Econ Development			X	2	3	1	1
Public Facilities		X			6	5	2
Transportation		X		NA	NA	NA	NA
Road Network	NA	NA	NA		3	1	1
Roads & sidewalks	NA	NA	NA	2	3	2	
Totals		3	3	9	26	17	10

The attached TCP is color-coded to show how various goals and policies address these and other issues. Additionally, the attached spreadsheet compares and contrasts the 2020-2040 TCP goals and policies to the 2010-2030 TCP and provides a summary of why the text remained the same, was changed, or new language was added.

III. KEY ASPECTS OF THE TGM GRANT FOR BIKE/PED/TRANSIT IN TUMALO

The Tumalo portion of the TGM grant had an overlap with the TCP, including having consultant staff at the May 11, 2022, Kick Off meeting. Other public outreach occurred via:

- Walking downtown tour of Tumalo, focusing on bike/ped/transit, June 8, 2022
- Interactive StoryMap, June 8-July 13, 2022
- Virtual Open House, October 5-24, 2022

The dominant themes were safety and improvements to lower speeds; pedestrian connectivity; location of future transit stop; and potential amendments to bike standards in Deschutes County Code (DCC) at 17.48, Table A (Road Standards) and Table B (Bikeway Standards). The specific recommendations are found in two memos, Final Concept Plan (December 7, 2022) and TCP Active Transportation Update and SCVAP Trails Expansion Outreach – Implementation Measures Deschutes County Code (January 31, 2023).

IV. RELATIONSHIP TO TUMALO SEWER FEASIBILITY STUDY

While the TCP and sewer feasibility unfolded at roughly the same time, they have no regulatory relationship. The sewer feasibility study was an economic analysis of various alternatives to bring sewer to Tumalo via either extension of Tumalo Property Owners Association (TPOA) existing private system; a new local and collector system; or having a pipeline connect to the City of Bend system. The study's assumption and conclusions can be found at this link:

[full_report_and_appendices.pdf \(deschutes.org\)](#)

While the sewer feasibility study was a separate process, staff repeatedly heard from the community about its concerns regarding cost, effect of development, and fees. Staff crafted policies in response to these concerns that appear in the TCP Public Facilities section.

V. PLANNING COMMISSION OBSERVATIONS, SUGGESTIONS AT JULY 27 WORK SESSION

During the July 27th work session, the PC focused much of its discussion upon the Tumalo Sewer Feasibility Study and how the TCP relates to that document. The PC expressed a desire to help the public understand a) what is a land use document and b) how the TCP addresses the sewer feasibility study. To aid in that discussion, staff first has provided a bullet list of how a recent sewer district was formed. Relevant laws are Oregon Revised Statute (ORS) 198, Special Districts, especially ORS 198.795-840. Additionally, ORS 450 deals specifically with sanitary districts, aka sewer districts,

with formation and board covered at ORS 450.0009-045. The PC also discussed whether there were grant opportunities to defray the costs of hooking up to a sewer system.

Staff notes a sewer district formation is a community-organized and community-led process. Planning does not have an active role in the process. Additionally, the Laidlaw Water District, an existing irrigation district, has expressed interest in the sewer issue in Tumalo and potential district formation. Below is a generalized bullet list of how a sewer district originated in Terrebonne, which is also an Unincorporated Community.

Steps used for the creation of the sewer district in Terrebonne were as follows:

- Community organizers formed a boundary for the sewer district. They then drafted a petition which was signed and sent to the Board of County Commissioners (BOCC).
- Because there were sufficient signatures submitted by registered voters in the affected area to send it to an election, an election was required. It passed and the Terrebonne Sewer District was formed; during the same election the Sewer Board members were elected.
- Terrebonne Sewer District Board has started meeting and is trying to obtain funding for the design, permitting and construction of the initial infrastructure and connection to the Redmond sewer system.
- The District Board is also working on annexation policies, sewer system development charges (SDCs) and monthly rates based on dwelling units or their equivalents. As an example, a commercial use such as restaurant may produce as much effluent as X-number of single-family homes. The District Board is also determining connection fees.

In the absence of an impending sewer district, let alone an existing one, the TCP nevertheless included policies regarding sewers, based on the community's widespread concerns and input.²

The PC also asked about what constitutes a land use action. Broadly, planning falls into two categories: current planning and long range. Current planning is when a property owner or his/her agent applies to do something on the subject property. The activity could be the building of a home or a structure for a commercial or industrial business or running a business from home. Staff then reviews the land use against DCC 18.67 and determines if it is permitted outright or conditionally; often a site plan accompanies the application. Staff then applies the relevant criteria regarding setbacks, landscaping, height, access, etc., and any required mitigations. As part of the land use, staff notifies relevant agencies and entities for comment as well as the property owners within a certain distance. Notified utilities provide letters of whether they will serve the property with electricity, water, or irrigation, etc.

Long-range planning can be a proposed change in the Comprehensive Plan designation for the property (plan amendment) or a zone change of the property. Changes to the language in the zoning code (text amendment) to allow a new use or modify an element of the zoning are also long-range planning activities. Finally, long range includes 20-year plans which are more policy documents such as the Comprehensive Plan, Community Plans (Terrebonne, Tumalo, Newberry

² See TCP Public Facilities Policies 1, 2, 8, 9, and 10.

Country) or the Transportation System Plan (TSP), which also analyzes operations of roadway segments, intersections, functional classifications, and lists potential road improvement projects.

A sewer feasibility study is simply a cost estimate based on a potential service area and what the sewer might cost. The estimate includes construction costs, operation and maintenance costs, hook-up costs, and monthly bills. A sewer study does not change any Comprehensive Plan designations or zoning designations. Instead, a sewer feasibility study is an assessment of how a sewer system can serve properties based on the existing land use for developed properties or potential uses on vacant properties that are allowed per the zoning code. In other words, the land use remains the same, regardless if the wastewater goes into a septic tank or a sewer pipe. Sewer districts, like irrigation districts or utility districts, have their own internal plans and do not require County land use review and approval.

During site plan review, the Planning Division coordinates with the Onsite Wastewater Division to determine the presence/absence of a septic system, its location, whether the location conflicts with the proposed primary use or an ancillary use (example, a commercial building and its parking lot), and similar elements. If there were a sewer district, the County would determine if the sewer district has submitted a will serve letter or not.

VI. NEXT STEPS

The Planning Commission will open the hearing on August 10. Staff will provide a brief review of the TCP process; the PC can then ask if there are any public agencies present that may wish to provide comment, then request comments from the public. This can include those present and those on Zoom or the telephone. The Planning Commission has several options at the conclusion of the public comments. The PC can ask if staff has any responses to the comments from agencies or the public. The Planning Commission then may:

- Hold the oral and written record open and continue the hearing to a date certain
- Close the oral record and hold the written record open to a date certain
- Close both the oral and written record and set a date certain for deliberations
- Close both the oral and written record and begin deliberations

VII. CONCLUSION

Staff is prepared to answer any questions.

ATTACHMENTS:

1. Findings for 247-23-000509-PA/510-PA
2. Draft Tumalo Community Plan (2020-2040)
3. Color-coded version of goals and policies
4. Spreadsheet of 2020 and 2010 TCP text with notes
5. Final memos for Tumalo bike/ped/transit portion of TGM grant

- Final Concept Plan (December 7, 2022)
- TCP Active Transportation Update and SCVAP Trails Expansion Outreach - Implementation Measures Deschutes County Code (January 31, 2023)