



MEMORANDUM

TO: Deschutes County Board of County Commissioners (“Board”)

FROM: Nicole Mardell, AICP, Senior Planner
Will Groves, Planning Manager

DATE: July 17, 2024

SUBJECT: Deliberation #1: Deschutes County 2040 Comprehensive Plan Update – Chapter 3, Farm and Forest Resources

On July 22, 2024, the Board will deliberate Chapter 3 of the Deschutes County 2040 Comprehensive Plan (2040 Plan), pertaining to Farm and Forest Resources (Attachment A). Staff provides a brief background on the process, items recommended to remain in a “parking lot” that will ultimately inform an action plan, and notable testimony. During this meeting, the Board will be asked to provide recommended text, goal, and policy revisions for incorporating in the final document.

I. PROPOSAL

This is a legislative text amendment to repeal and replace the 2030 Comprehensive Plan, adopted in 2011, with the 2040 Plan. No zoning or comprehensive plan map amendments are being considered, nor are any changes to the County’s adopted Goal 5 inventories pertaining to significant natural resources, scenic views, open spaces, mineral and aggregate sites, and historic and cultural resources.

The full record is included on the project hearing page: <https://www.deschutes.org/cd/page/247-23-000644-pa-deschutes-county-2040-comprehensive-plan-update-hearing-page>.

II. BACKGROUND

The 2040 Plan provides background information, a summary of community considerations, and overarching goal and policy guidance pertaining to key issues facing the county. The Board held public hearings to gather testimony for the 2040 Plan on April 10, 2024, in Bend¹;

¹ <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-162>

April 23 in Sunriver²; April 30 in Sisters³; and May 8 in Bend⁴. At the conclusion of the May 8 hearing, the Board voted to close the oral record, leave the written record open until May 30, and commence deliberations at a subsequent meeting.

The Board conducted a work session on June 10⁵ to discuss the process for deliberating the 2040 Plan, ultimately determining to perform an extensive review of the following four chapters:

- July 22: Chapter 3, Farm and Forest Resources
- July 24: Chapter 5, Natural Resources
- July 29: Chapter 7, Natural Hazards
- August 5: Chapter 11, Unincorporated Communities and Destination Resorts.

The Board may choose to conduct additional deliberations if needed. At each one, commissioners will discuss preferred edits to chapter narratives, goals, and policies.⁶ Staff will be seeking consensus from the Board. Some issues may warrant a vote.

Parking Lot

During the June work session, staff introduced the concept of a “parking lot” for items that may be outside the scope of the 2040 Plan. This includes items that are one-time actions more fitting for a subsequent action plan or those that are potentially precluded by state law. They are listed in Attachment B. Staff recommends the Board table them during deliberations, and instead include the list as an attachment to the adopted 2040 Plan. The Board can then discuss them in greater detail through the development of an action plan.

III. KEY ISSUES FOR CONSIDERATION

Chapter 3, Farm and Forest Resources was selected due to numerous public and agency comments. To aid the Board’s discussion, a high-level summary of topics raised in the record are listed below⁷.

² <https://www.deschutes.org/bcc/page/public-hearing-2020-2040-comprehensive-plan-update>

³ <https://www.deschutes.org/bcc/page/public-hearing-2020-2040-comprehensive-plan-update-0>

⁴ <https://www.deschutes.org/bcc/page/2020-2040-comprehensive-plan-update-public-hearing>

⁵ <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-175>

⁶ Scrivener’s errors and technical edits do not need to be discussed as part of the deliberations process. Staff will compile a list to update in the final draft of the document.

⁷ This list does not include items that are considered to be one-time actions, outside the scope of the plan, or potentially precluded by state law. Those items are listed separately in Attachment A “Parking Lot”.

Farm Resources

- Uses on Farm Land:
 - Limit non-farm uses on and adjacent to Exclusive Farm Use (EFU) zoned land.
 - Revise County Code to require only minimum standards prescribed by state law for uses in the EFU zone.
 - Avoid use of farm zoned land for de facto open space.
 - Support income-producing supplemental activities on farms.
 - Limit expansion of trails, paths, and other human activities not compatible with farming practices.
 - Allow small scale energy facilities on farm land.
 - Support ancillary businesses related to agriculture such as equipment sales and repairs, feed stores, market, etc.
 - Add reference to use of lands for dryland grazing.
 - Revisit accessory farm dwelling requirements to remove parcel size restrictions

- Rezoning of Farm Land:
 - Clearly recognize that lands not meeting the definition of agricultural land under state law should be redesignated for other purposes.
 - Amend policies to clearly reference statutory citation for rezoning.
 - Preserve farmland and limit rezoning.
 - Allow for rezoning of farm land on a case by case basis.
 - Explore large scale rezoning of non-high value farmland to Multiple Use Agriculture or Rural Residential zones.
 - Revisit criteria for designation of EFU zoned land, including subzones.
 - Consider exploring a new zone for farm land adjacent to the City of Bend, to preserve land for efficient future urban development.

- Miscellaneous Items:
 - Ensure adequate water availability for farming⁸.
 - Limit use of irrigation water for uses outside of farming and water waste associated with agriculture⁹.
 - Note the need for conservation measures and investment in infrastructure to promote improvements to irrigation water supply.
 - Remove or add qualifying statements to “Changes in Climate Conditions” section.
 - Support concept of “Working Lands Conservation Easements” to voluntarily conserve land for farming in perpetuity.
 - Support increased education and incentives to promote biodynamic farming.

⁸ Staff recommends discussing these topics as part of the Chapter 5, Natural Resources Deliberations Meeting

⁹ Ibid.

- Add policy to utilize compost from the County landfill on farm land to increase soil productivity.
- Strengthen language pertaining to removal of noxious weeds on County owned land.

Forest Resources

- Retain significant trees for carbon sequestration.
- Limit development on forest zoned lands.
- Limit development in wildland urban interface.
- Allow limited, environmentally sustainable recreation activities.
- Limit expansion of trails, paths, and other human activities not compatible with forest practices.
- Limit rezoning of forest land.
- Preserve property owner rights to develop property with uses allowed by state law.
- Note the role of unsustainable harvesting practices in timber industry decline.
- Note the decline of logging as a contributing factor to wildfire.
- Add information related to management of forest lands for wildfire protection.
- Explore opportunities to rezone historically developed areas.

IV. NEXT STEPS

Staff seeks direction from the Board on preferred edits to this chapter. Following the discussion, staff will integrate them into a final version of the 2040 Plan for adoption. The Board's next deliberation is scheduled for Wednesday, July 24 to discuss Chapter 5, Natural Resources.

Attachments:

- A. Chapter 3, Farm and Forest Land
- B. "Parking Lot" Issues