



**Attachment A  
"Parking Lot"**

Issues identified by staff that are:

- **Potentially precluded by state law or land use goals; or**
- **Action items that may be more fitting for an action plan and subsequent separate project.**

Issue Area	Comprehensive Plan Chapter	Category	Comments
Revise code to have clear and objective standards for all uses	Ch. 2 – Land Use Planning	Action Item	This could be considered through an action plan and subsequent text amendment process.
Conduct area-specific studies for the Three Rivers area	Ch. 2 – Land Use Planning	Action Item	This project is already listed for action in CDD's 2024-2025 work plan.
Require appellants to pay appeal costs	Ch. 2 – Land Use Planning	Precluded by State Law	The procedures and costs associated with appeals are determined by state law.
Limit standing for appeals to adjacent landowners	Ch. 2 – Land Use Planning	Precluded by State Law	The procedures and costs associated with appeals are determined by state law.
Place a moratorium on development to limit future growth	Ch. 2 – Land Use Planning	Precluded by State Law	The process to enact a moratorium on development requires a specific need associated with the moratorium, such as a public health hazard, and can only be for a specified period of time to address that need.
Create a County strategic plan	Ch. 2 – Land Use Planning	Action Item	This could be considered through an action plan item and subsequent process.

Retain agricultural lands zoning for property deemed commercially viable	Ch. 3 – Farm Land	Precluded by State law	DLCD expressed concern regarding this statement, as there are specific criteria in state law to define “agricultural land” relating to soil classification, existing farm uses, and supporting nearby lands. Integrating this language may put the County as risk for appeal.
Ensure regulations do not exceed requirements of ORS or LCDC rule.	Ch. 3 – Farm Land	Action Item	DLCD noted that counties have ability to be stricter, but not less strict on farm related uses. This topic could be explored through the action plan and subsequent text amendment process.
Eliminate or revisit EFU Sub-zones	Ch. 3 – Farm Land	Action Item	This item is more fitting for an action plan. Statute sets a minimum lot size, generally at 80 acres, and allows smaller parcel sizes under a farm study. Elimination of subzones would likely result in larger minimum parcel sizes.
Regulate development through water availability	Ch. 5 – Water Resources	Action Item	This would be more fitting for an action item and would require extensive coordination with DLCD and OWRD.
Require approval of water permits prior to processing applications	Ch. 5 – Water Resources	Action Item	Same comment as above.
Re-evaluate use of water rights	Ch. 5 – Water Resources	Precluded by State Law	The County does not have jurisdiction to regulate water rights.
Require water budgets and monitoring for public lands	Ch. 5 – Water Resources	Precluded by State Law	The County does not have jurisdiction to impose additional water regulations on public landowners.
Require consideration of water availability during UGB expansion processes	Ch. 5 – Water Resources	Precluded by State Law	The County has limitations in authority as UGB expansion processes are regulated by state OAR and ORS. Additionally, any policies related to

			UGBs should include extensive discussions with the County's four cities.
Construct infrastructure to manage or limit water waste	Ch. 5 – Water Resources	Action Item	This topic could be explored through an action plan and subsequent text amendment process.
Replace all wildlife regulations with incentives	Ch. 5 – Wildlife Resources	Action Item	This topic could be explored through an action plan and subsequent text amendment process.
Remove regulations associated with Goal 5 wildlife resources	Ch. 5 – Wildlife Resources	Precluded by State Law	DLCD has noted this item is precluded by state law without an extensive Goal 5 review process and would put the County at risk for appeal.
Remove Floodplain zoning from irrigation districts and canals	Ch. 7 – Natural Hazards	Action Item	This topic could be explored through an action plan and subsequent text amendment process.
Advocate for legislation to enable transitional housing outside UGBs	Ch. 10 – Housing	Action Item	This topic could be explored through an action plan and coordination with the County's lobbyist.
Make the Three Rivers census designated place an unincorporated community	Ch. 11 – Unincorporated Communities	Precluded by State Law	A county cannot designate new unincorporated communities, state rule notes that only those communities existing as of 1994 can have this status. This language could put the County at risk of appeal.
Restrict development of destination resorts	Ch. 11 – Destination Resorts	Action Item	This topic received many public comments, both in favor and against. Staff recommends this topic be further explored through an action plan item and subsequent text amendment process.
Clarify that no restrictions can be imposed that limit, make unfeasible or prevent development of destination resorts	Ch. 11 – Destination Resorts	Precluded by state law	DLCD noted in their comment letter that eligibility of a site does not guarantee compliance with applicable regulations or secure land use approval. This language could put the County at risk of appeal.