

Recorded in Deschutes County
Steve Dennison, County Clerk
Commissioners' Journal

CJ2025-44

02/11/2025 9:27:34 AM



BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending the Greater-Sage Grouse
Combining Zone to Comply with Changes to Oregon
Administrative Rule and Declaring an Emergency.

ORDINANCE NO. 2025-001

WHEREAS, on January 23, 2025, the Oregon Department of Land Conservation and Development Commission adopted an updated Greater-Sage Grouse habitat map as Exhibit B, Oregon Administrative Rule 660-23-0115; and

WHEREAS, amendments to the County's Comprehensive Plan and Combining Zone Map are necessary to comply with ORS 197.646(3) and OAR 660-23-0115(4); and

WHEREAS, the Board considered this matter after a duly noticed public hearing on February 5, 2025, and concluded that the public will benefit from these changes; and

WHEREAS, the Board finds it in the public interest to adopt the following Plan and Zoning Map amendments presented in file no. 247-24-000710-PA and 247-24-000737-ZC; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. AMENDING. DCC 23.010.010, Introduction, is amended as described in Exhibit "A" attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~striketrough~~.

Section 2. AMENDING. Deschutes County Comprehensive Plan Map, Greater Sage Grouse Habitat Area Inventory Map is adopted to describe properties affected by the designation as shown in Exhibit "B", attached and incorporated by reference herein.

Section 3. AMENDING. Deschutes County Comprehensive Plan Section 5.12, Legislative History, is amended to read as described in Exhibit "C", attached and incorporated by reference herein, with new language underlined.

Section 4. FINDINGS. The Board adopts as its findings Exhibit "D," attached and incorporated by reference herein.

Section 5. EMERGENCY. This Ordinance being necessary for the public peace, health, and safety, an emergency is declared to exist, and this Ordinance becomes effective upon adoption by the Board.

Dated this 5th of Feb., 2025


BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON


ANTHONY DeBONE, Chair


PATTI ADAIR, Vice Chair

ATTEST:


Recording Secretary


PHILIP CHANG, Commissioner

Date of 1st Reading: 5th day of Feb., 2025.

Date of 2nd Reading: 5th day of Feb., 2025.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Anthony DeBone	<u>X</u>	—	—	—
Patti Adair	<u>X</u>	—	—	—
Philip Chang	<u>X</u>	—	—	—

Effective date: 5th day of Feb., 2025.

Exhibit “A” to Ordinance 2025-001

TITLE 23 COMPREHENSIVE PLAN

CHAPTER 23.01 COMPREHENSIVE PLAN

- A. [Repealed by Ordinance 2024-007]
- B. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2011-027, are incorporated by reference herein.
- C. [Repealed by Ordinance 2013-001, §1]
- D. [Repealed by Ordinance 2023-017]
- E. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-012, are incorporated by reference herein.
- F. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-016, are incorporated by reference herein.
- G. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-002, are incorporated by reference herein.
- H. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-009, are incorporated by reference herein.
- I. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-012, are incorporated by reference herein.
- J. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-007, are incorporated by reference herein.
- K. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-005, are incorporated by reference herein.
- L. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-006, are incorporated by reference herein.
- M. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-012, are incorporated by reference herein.
- N. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-021, are incorporated by reference herein.
- O. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-027, are incorporated by reference herein.
- P. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2015-021, are incorporated by reference herein.
- Q. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2015-029, are incorporated by reference herein.

- R. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2015-018, are incorporated by reference herein.
- S. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2015-010, are incorporated by reference herein.
- T. [Repealed by Ordinance 2016-027 §1]
- U. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-022, are incorporated by reference herein.
- V. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-005, are incorporated by reference herein.
- W. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-027, are incorporated by reference herein.
- X. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-029, are incorporated by reference herein.
- Y. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2017-007, are incorporated by reference herein.
- Z. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2018-002, are incorporated by reference herein.
- AA. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2018-006, are incorporated by reference herein.
- AB. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2018-011, are incorporated by reference herein.
- AC. [repealed by Ord. 2019-010 §1, 2019]
- AD. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2018-008, are incorporated by reference herein.
- AE. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-002, are incorporated by reference herein.
- AF. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-001, are incorporated by reference herein.
- AG. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-003, are incorporated by reference herein.
- AH. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-004, are incorporated by reference herein.
- AI. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-011, are incorporated by reference herein.

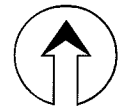
- AJ. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-006, are incorporated by reference herein.
- AK. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-019, are incorporated by reference herein.
- AL. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2019-016, are incorporated by reference herein.
- AM. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-001, are incorporated by reference herein.
- AN. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-002, are incorporated by reference herein.
- AO. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-003, are incorporated by reference herein.
- AP. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-008, are incorporated by reference herein.
- AQ. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-007, are incorporated by reference herein.
- AR. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-006, are incorporated by reference herein.
- AS. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-009, are incorporated by reference herein.
- AT. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2020-013, are incorporated by reference herein.
- AU. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2021-002, are incorporated by reference herein.
- AV. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2021-005, are incorporated by reference herein.
- AW. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2021-008, are incorporated by reference herein.
- AX. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-001, are incorporated by reference herein.
- AY. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-003, are incorporated by reference herein.
- AZ. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-006, are incorporated by reference herein.

- BA. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-010, are incorporated by reference herein.
- BB. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-011, are incorporated by reference herein. (superseded by Ord. 2023-015)
- BC. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2022-013, are incorporated by reference herein. (supplemented and controlled by Ord. 2024-010)
- BD. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-001, are incorporated by reference herein.
- BE. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-007, are incorporated by reference herein.
- BF. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-010 are incorporated by reference herein.
- BG. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-018, are incorporated by reference herein.
- BH. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-015, are incorporated by reference herein.
- BI. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-025, are incorporated by reference herein.
- BJ. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2024-001, are incorporated by reference herein.
- BK. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2024-003, are incorporated by reference herein.
- BL. The Deschutes County Comprehensive Plan, adopted by the Board in Ordinance 2024-007 and found on the Deschutes County Community Development Department website, is incorporated by reference herein.
- BM. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2024-010, are incorporated by reference herein.
- BN. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-017, are incorporated by reference herein.
- BO. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2023-016, are incorporated by reference herein.
- BP. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2024-011, are incorporated by reference herein.

BQ. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2024-012, are incorporated by reference herein.

BR. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2025-001, are incorporated by reference herein.

Click here to be directed to the Comprehensive Plan (<http://www.deschutes.org/compplan>)

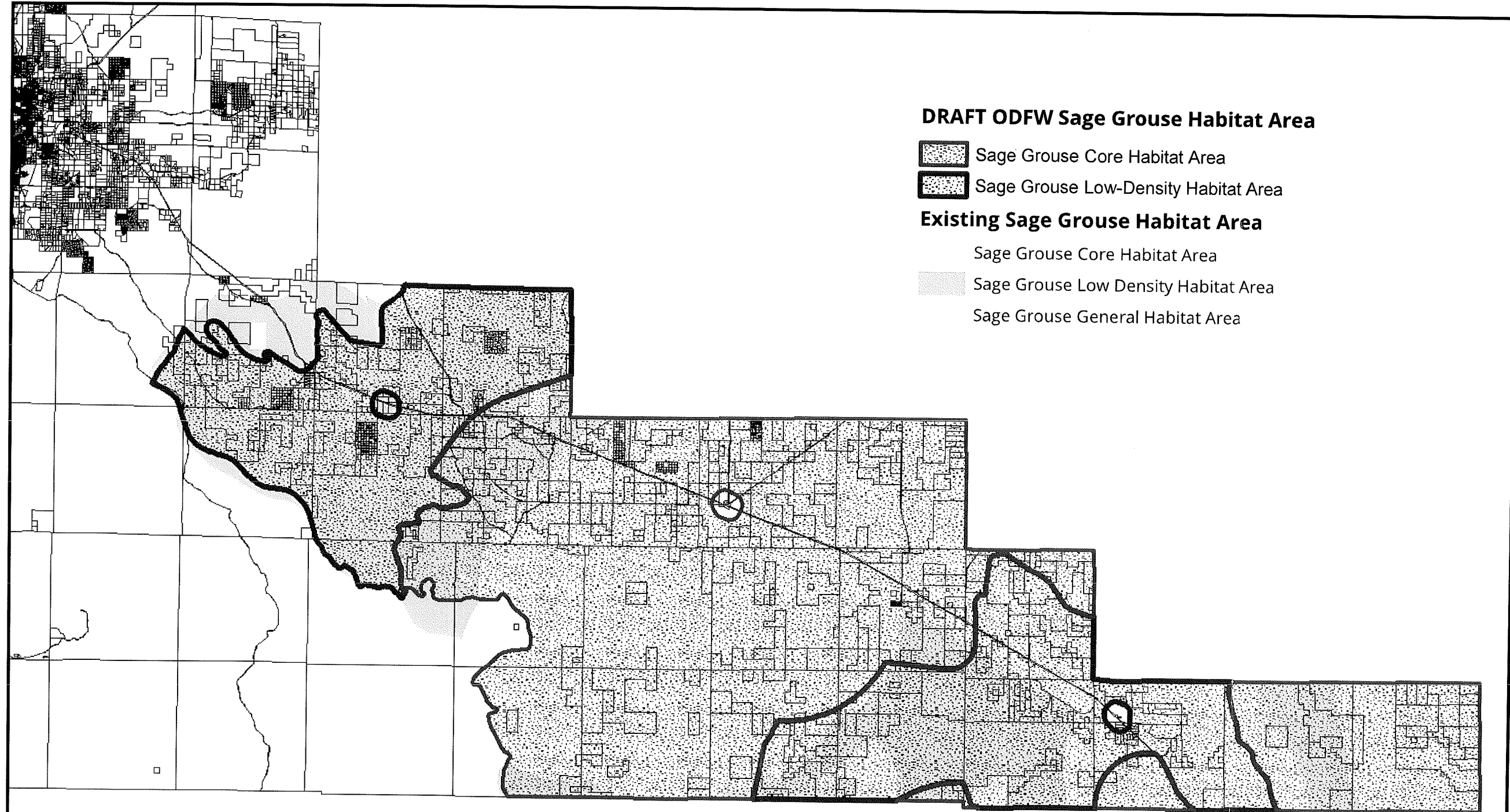


1" = 4.25 Mi.

DRAFT

2024 ODFW Sage Grouse Habitat Area

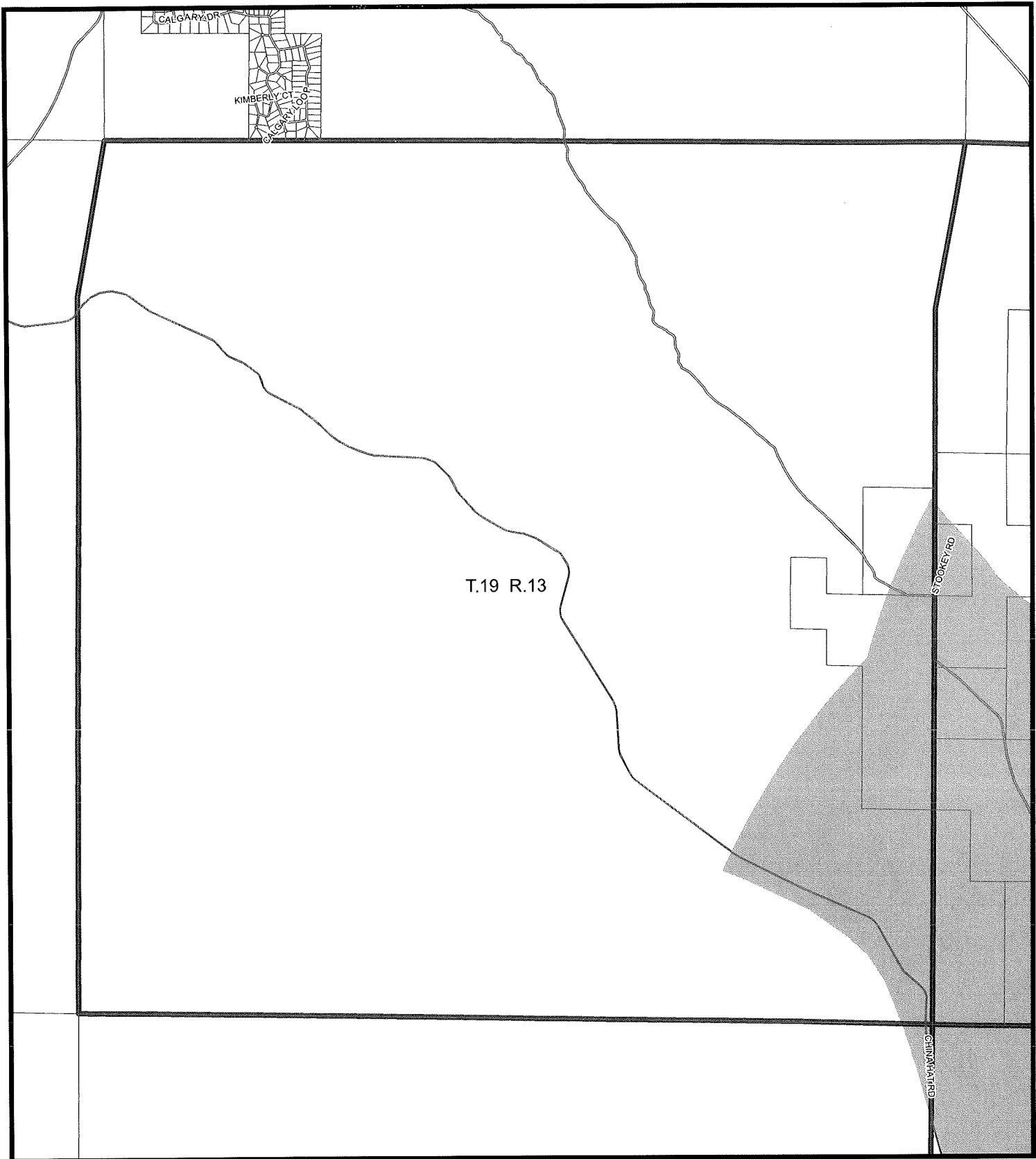
Exhibit "B" Ordinance 2025-001



Note: Areas not included in the 2024 Draft ODFW Sage Grouse boundary will no longer be defined as Sage Grouse habitat areas.

N:\Custom\County\CDD\Planning\PeterG\ODFW\SageGrouse\2023Update...

November 26, 2024



Sage Grouse Greater Habitat Area

Exhibit B - Map 1 of 24
Ordinance 2025-001



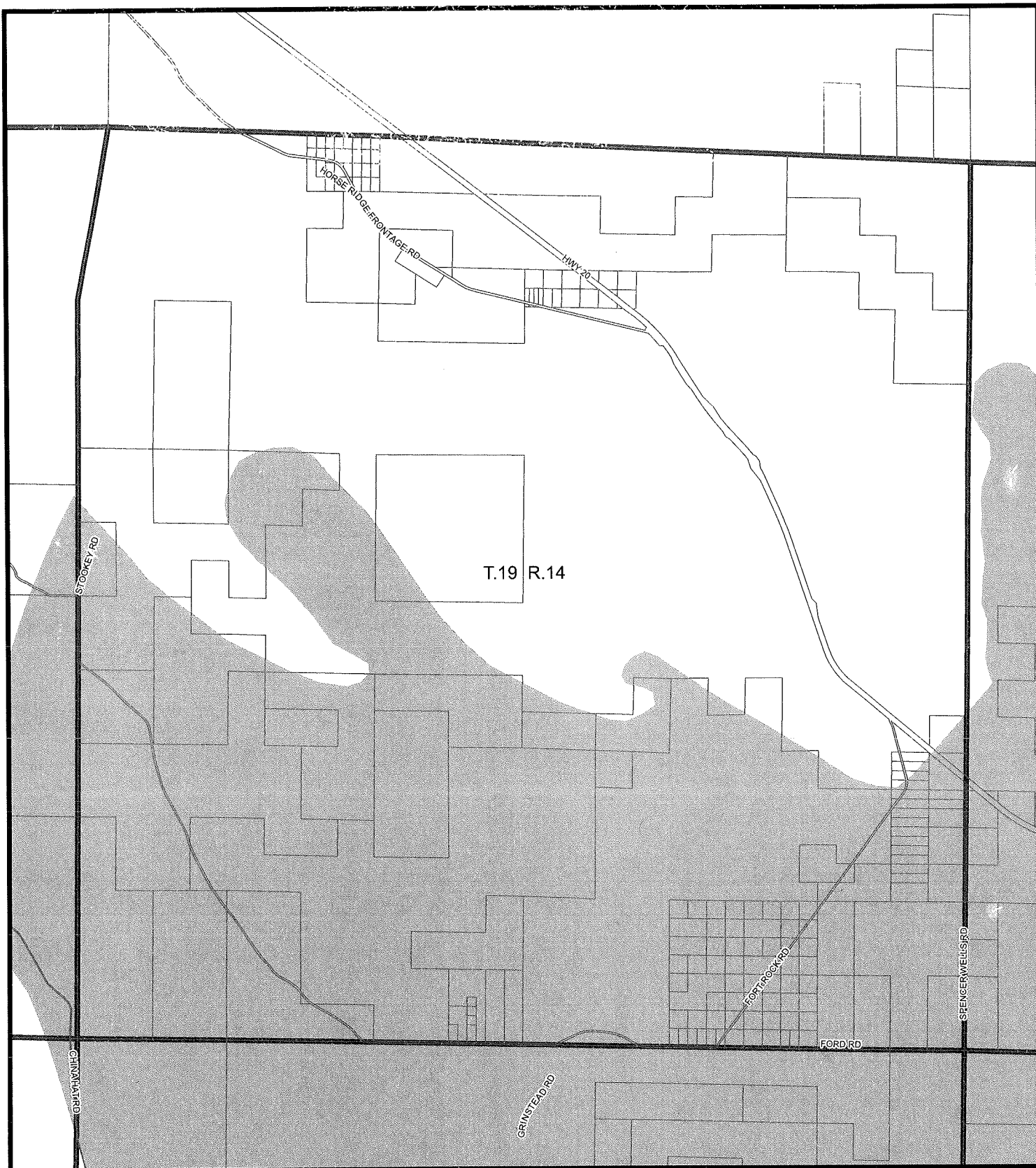
Legend

- Unincorporated Community
- Sage Grouse Map Index
- Core
- Low-Density



January 29, 2025





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Sage Grouse Greater Habitat Area

Exhibit B - Map 2 of 24
Ordinance 2025-001

Legend

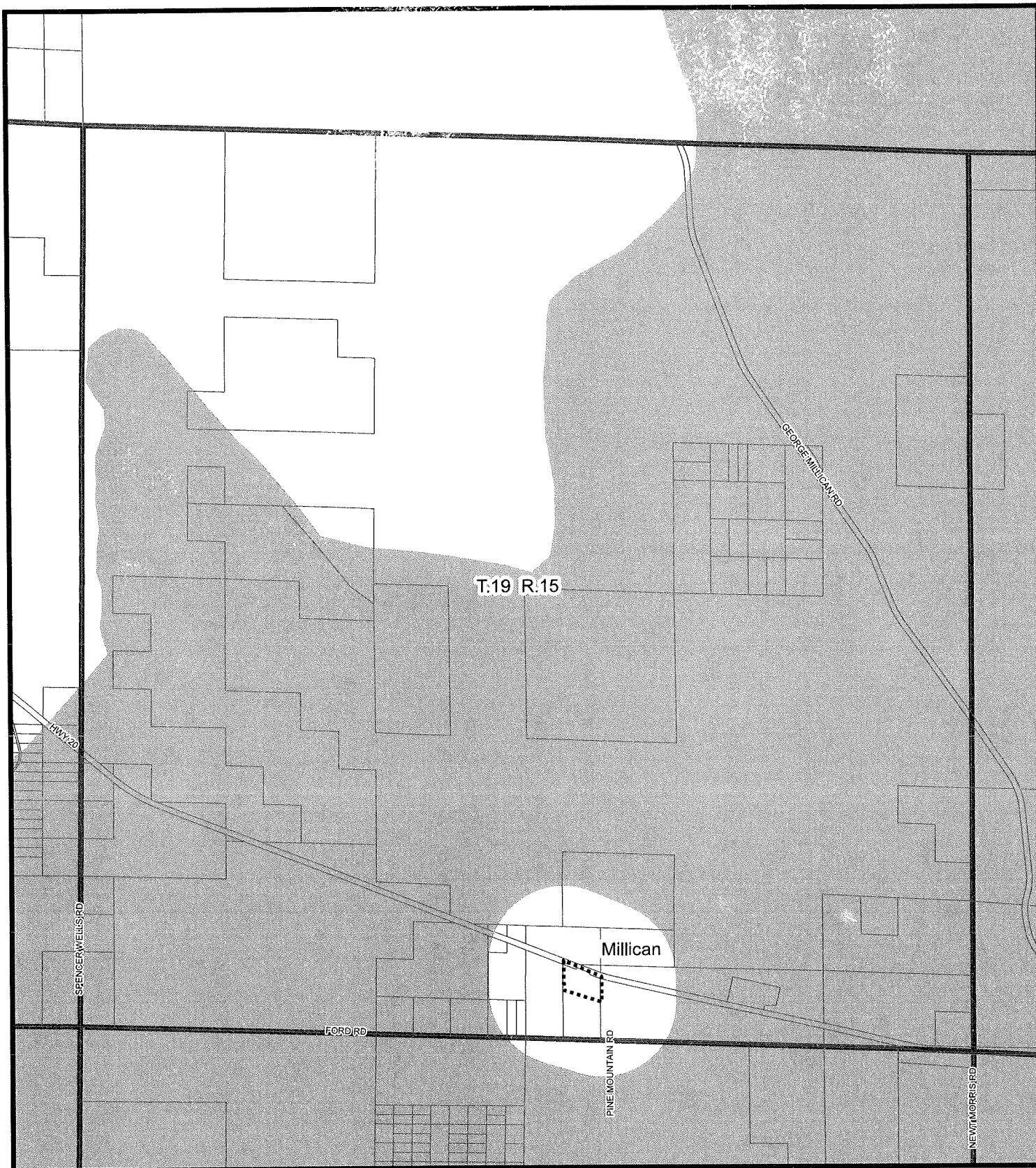
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025







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Sage Grouse Greater Habitat Area

Exhibit B - Map 3 of 24
Ordinance 2025-001

Legend

-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density

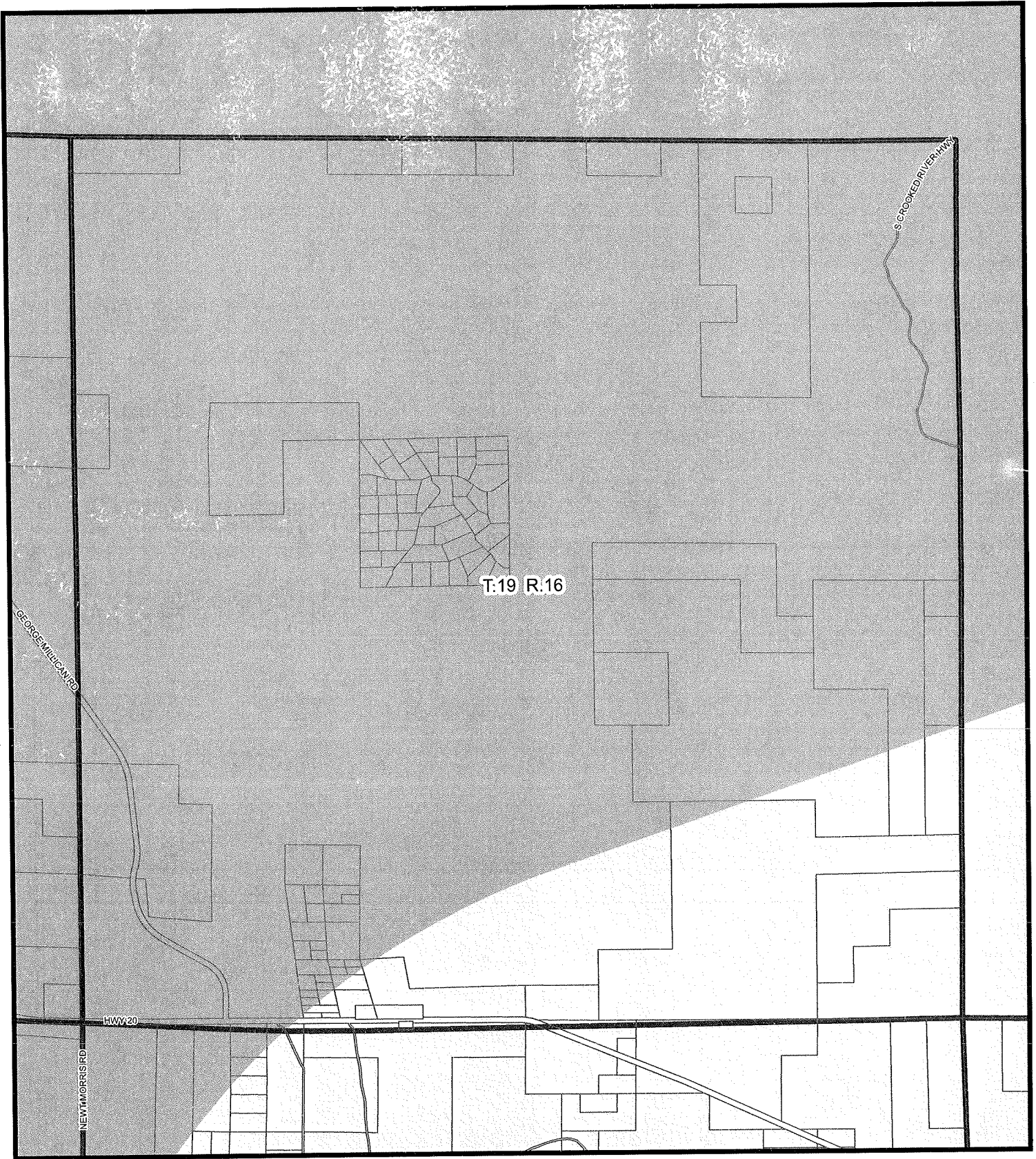


0 0.25 0.5 1 1.5 Miles

January 29, 2025



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Sage Grouse Greater Habitat Area

Exhibit B - Map 4 of 24
Ordinance 2025-001



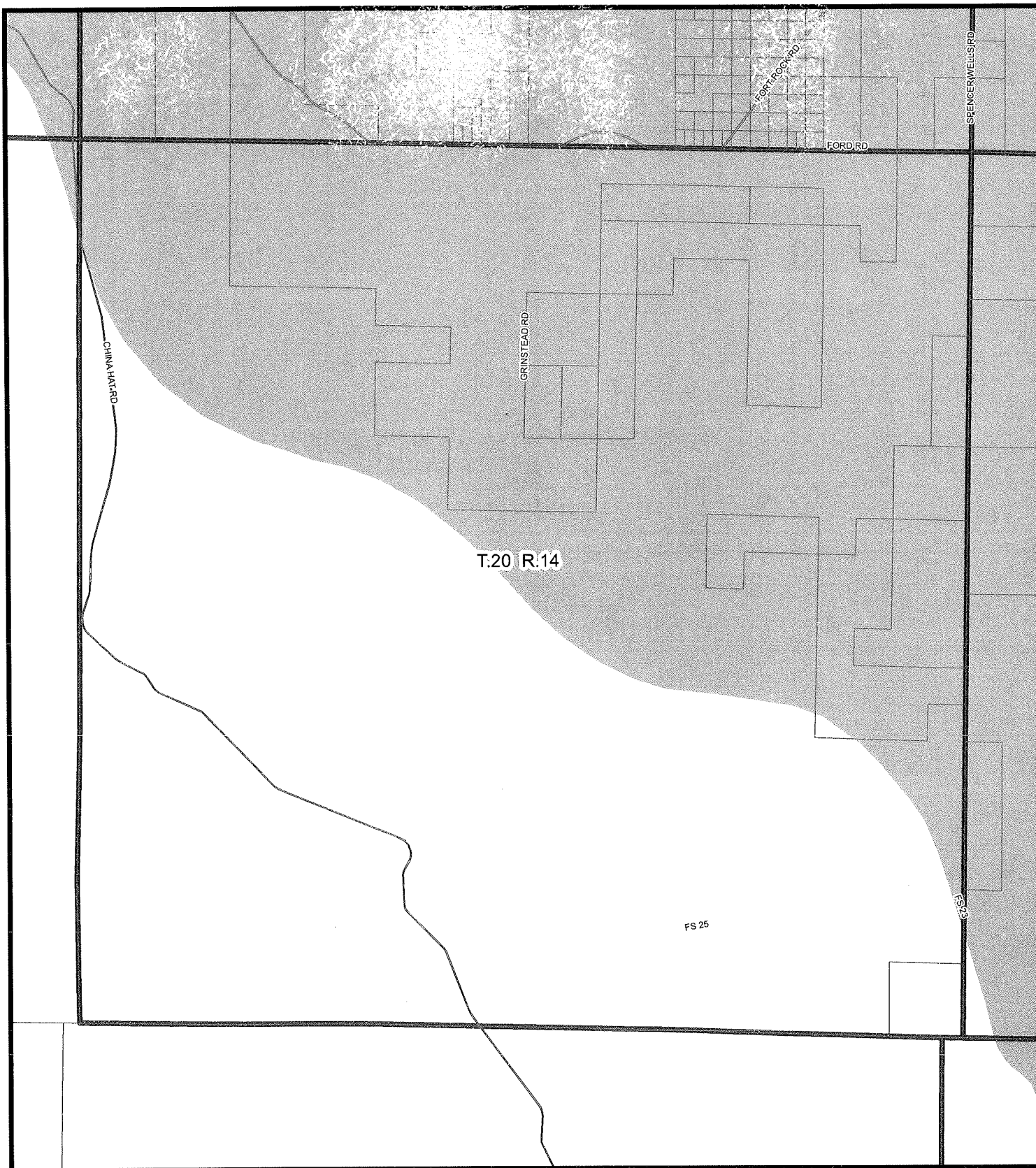
Legend

-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025





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Sage Grouse Greater Habitat Area

Exhibit B - Map 5 of 24
Ordinance 2025-001

Legend

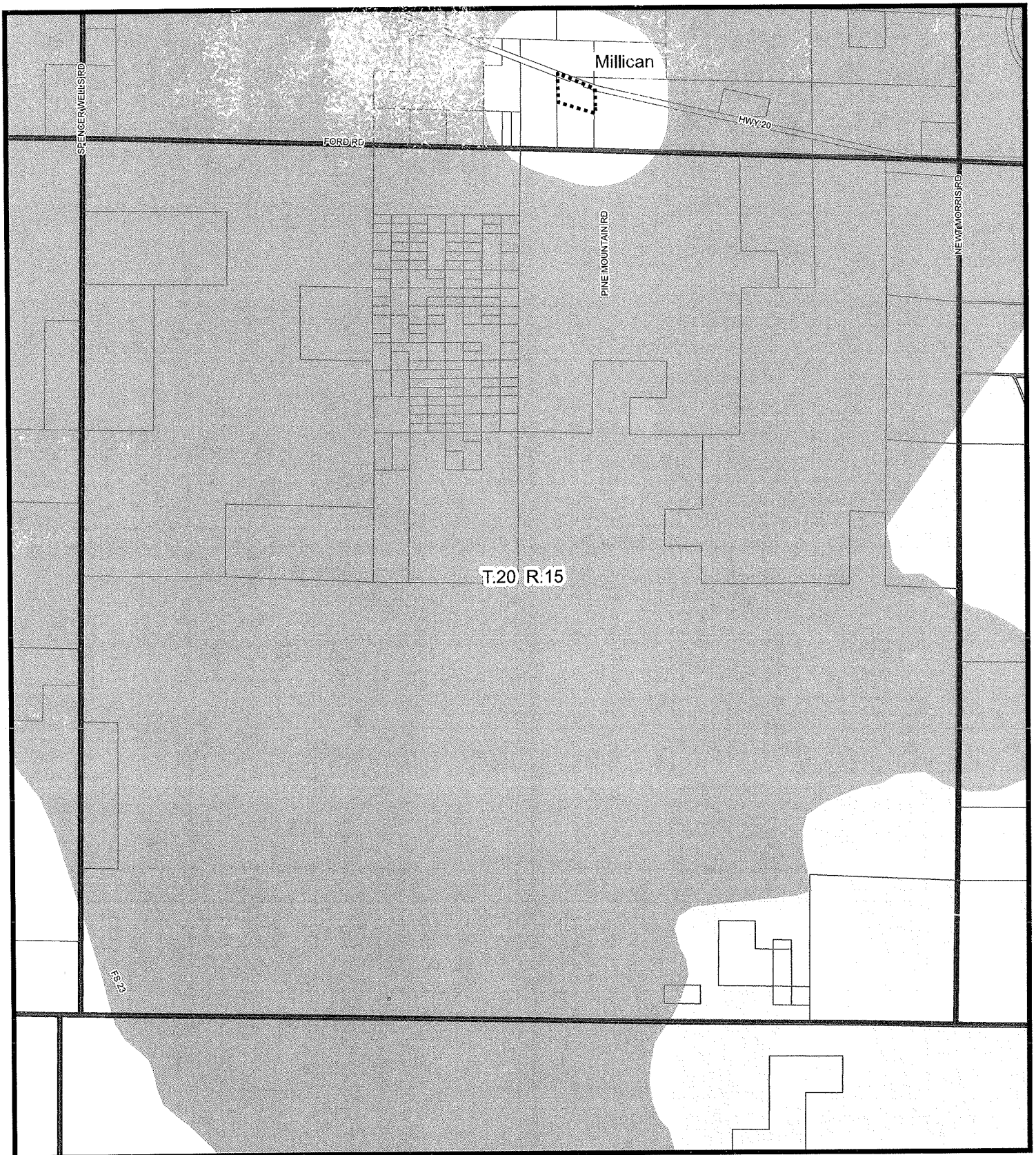
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025



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Sage Grouse Greater Habitat Area

Exhibit B - Map 6 of 24
Ordinance 2025-001



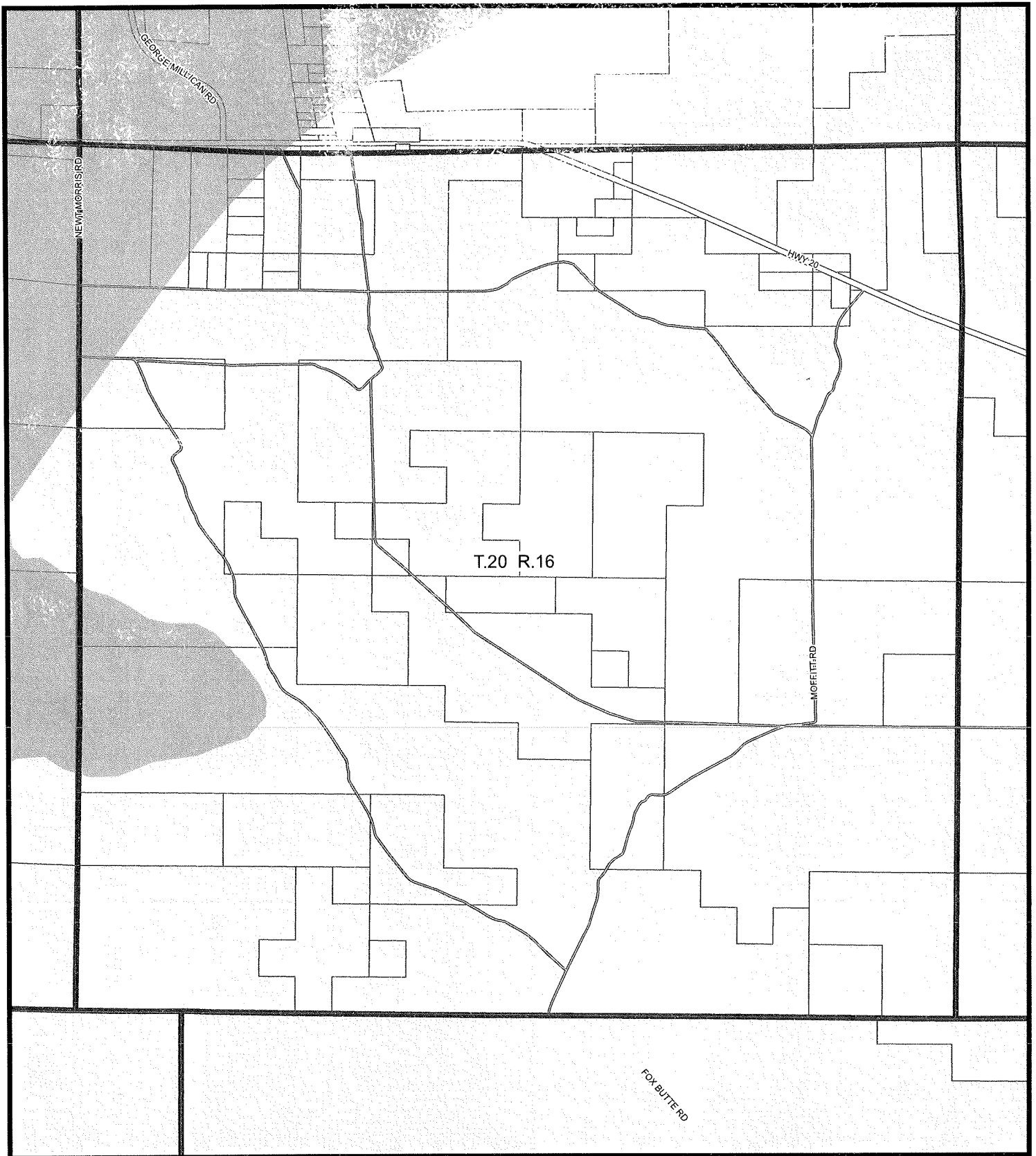
Legend

-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025





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Sage Grouse Greater Habitat Area

Exhibit B - Map 7 of 24
Ordinance 2025-001

Legend

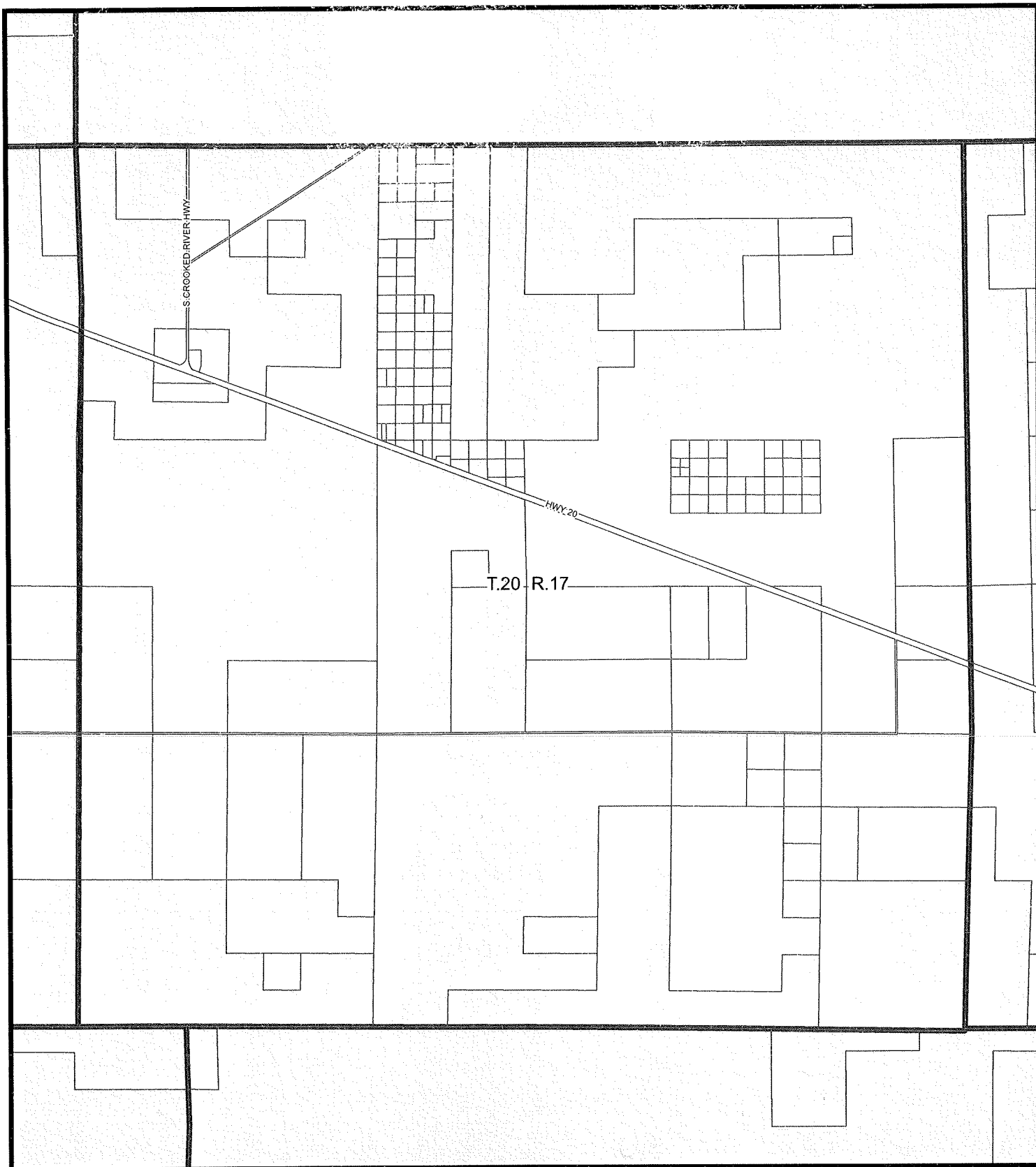
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025







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Sage Grouse Greater Habitat Area

Exhibit B - Map 8 of 24
Ordinance 2025-001

Legend

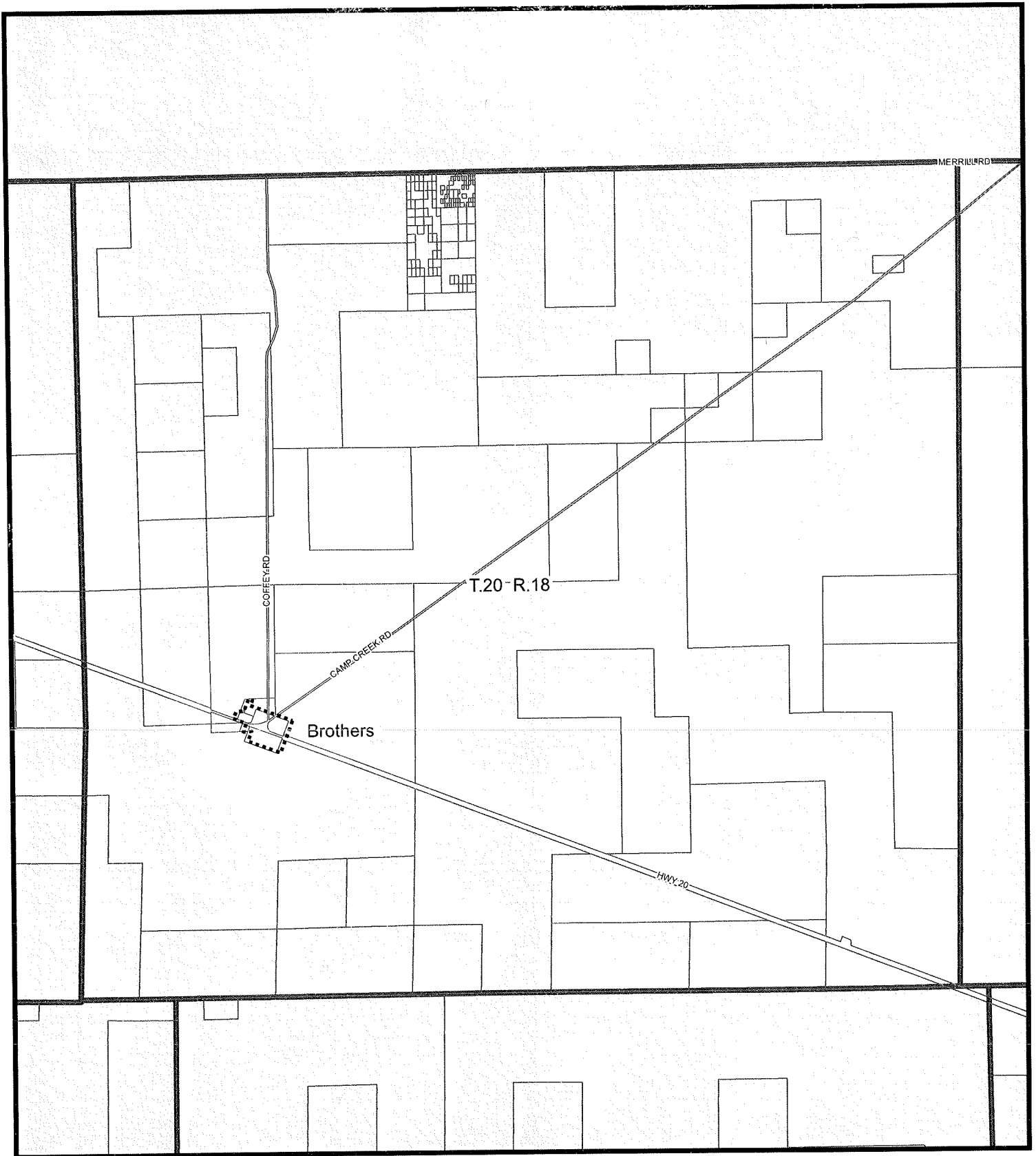
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025



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Sage Grouse Greater Habitat Area

Exhibit B - Map 9 of 24
Ordinance 2025-001



Legend

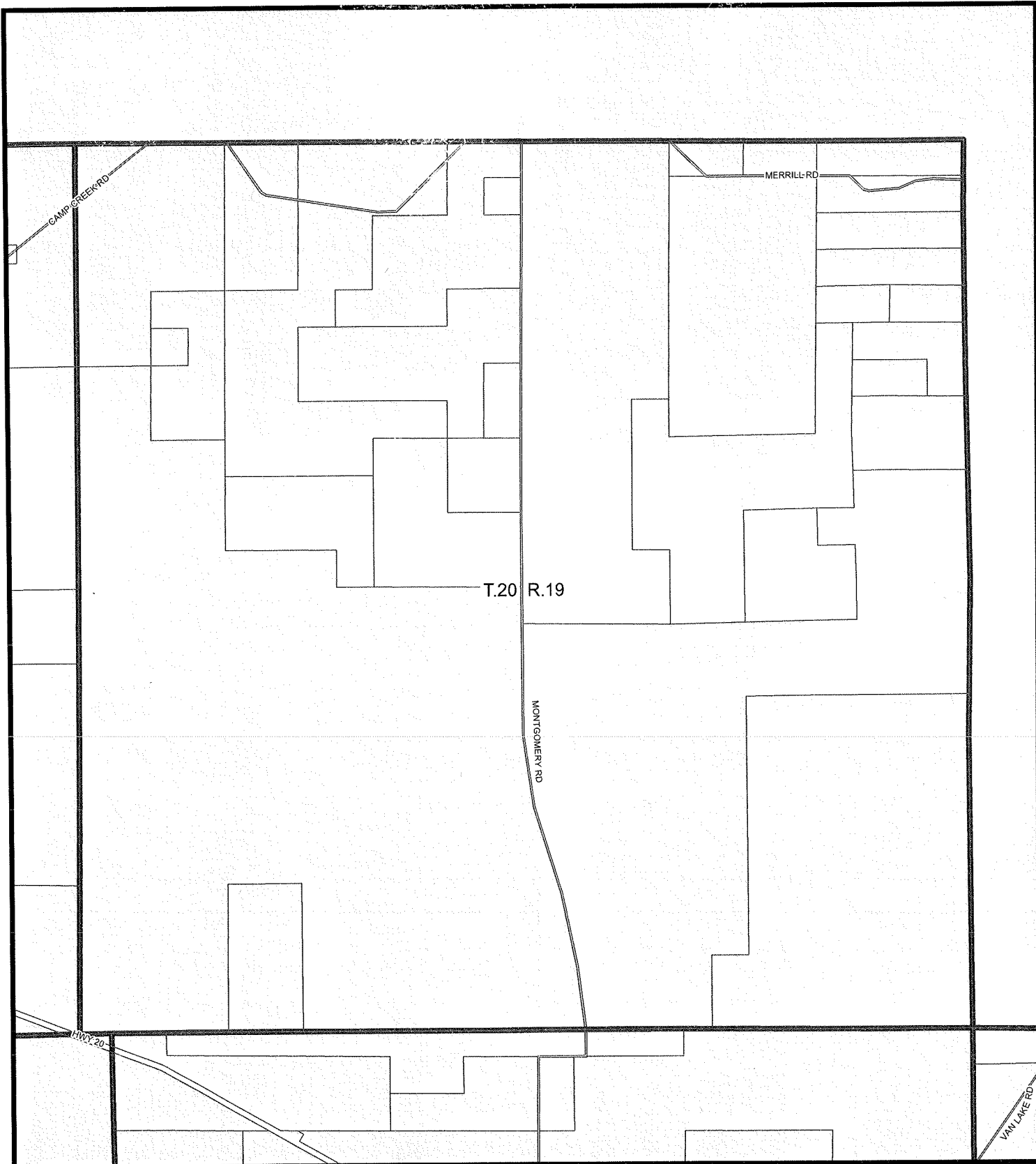
- Unincorporated Community
- Sage Grouse Map Index
- Core
- Low-Density



0 0.25 0.5 1 1.5
Miles

January 29, 2025





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Sage Grouse Greater Habitat Area

Exhibit B - Map 10 of 24
Ordinance 2025-001

Legend

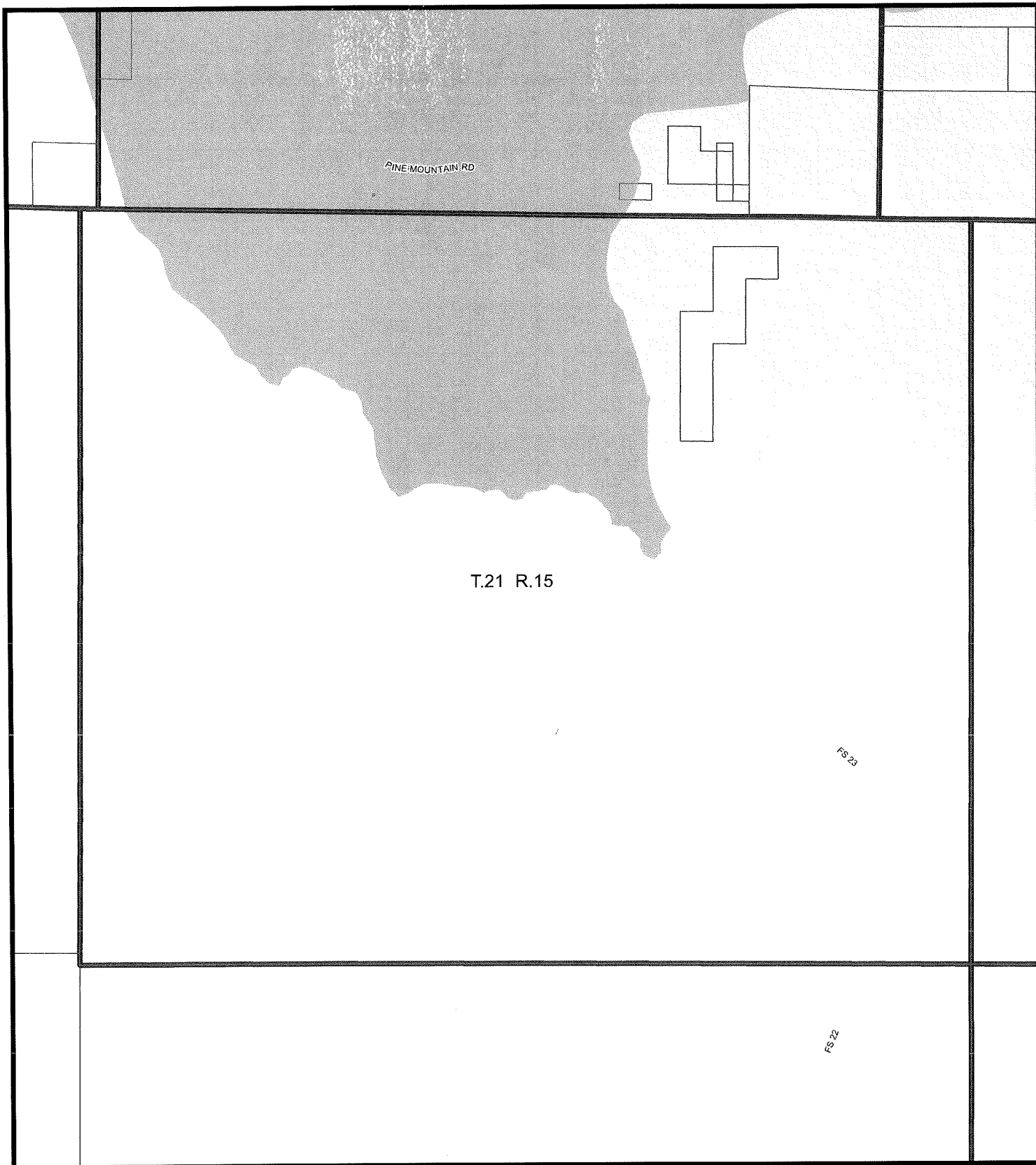
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025







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Sage Grouse Greater Habitat Area

Exhibit B - Map 11 of 24
Ordinance 2025-001

Legend

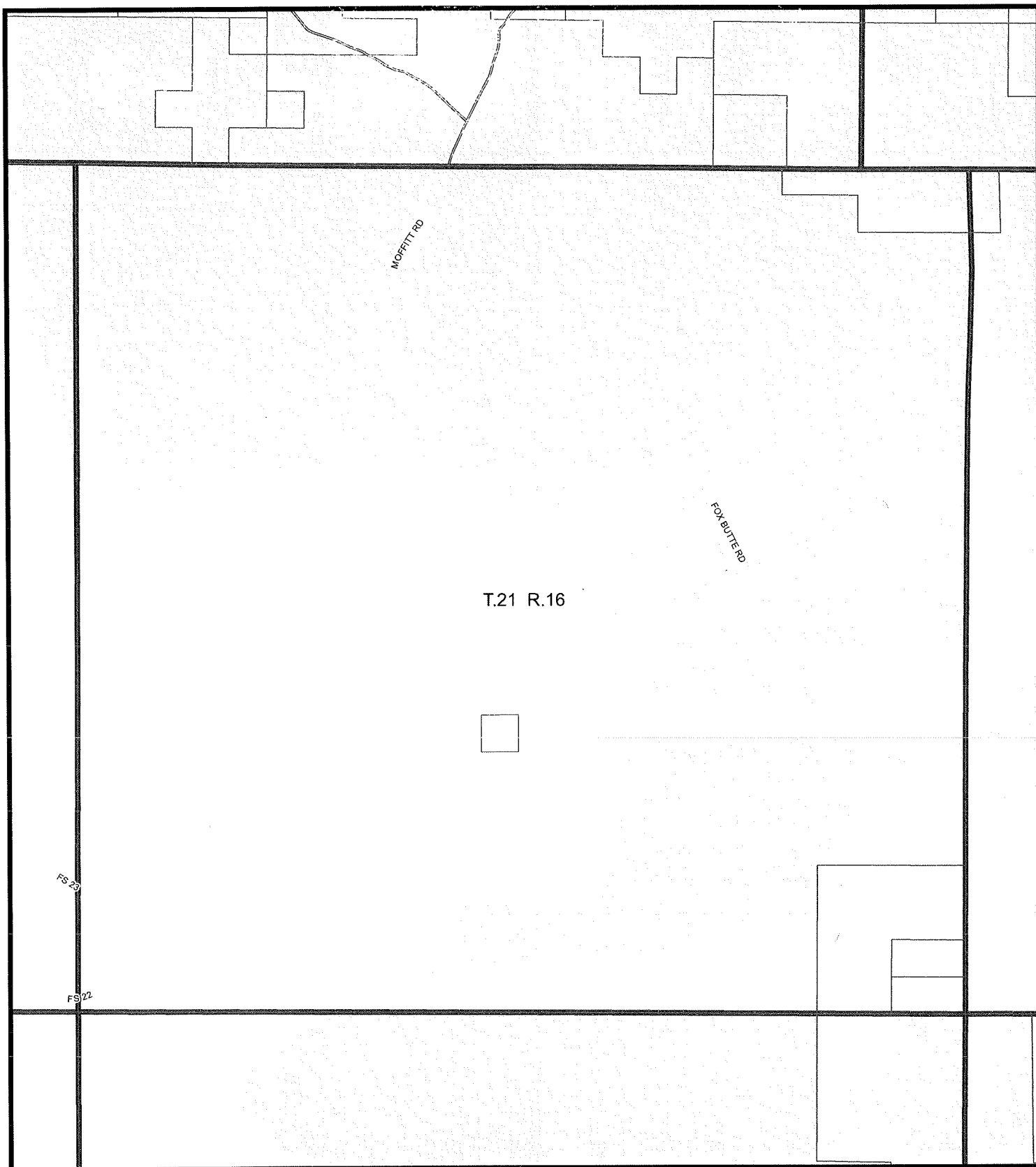
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025



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Sage Grouse Greater Habitat Area

Exhibit B - Map 12 of 24
Ordinance 2025-001



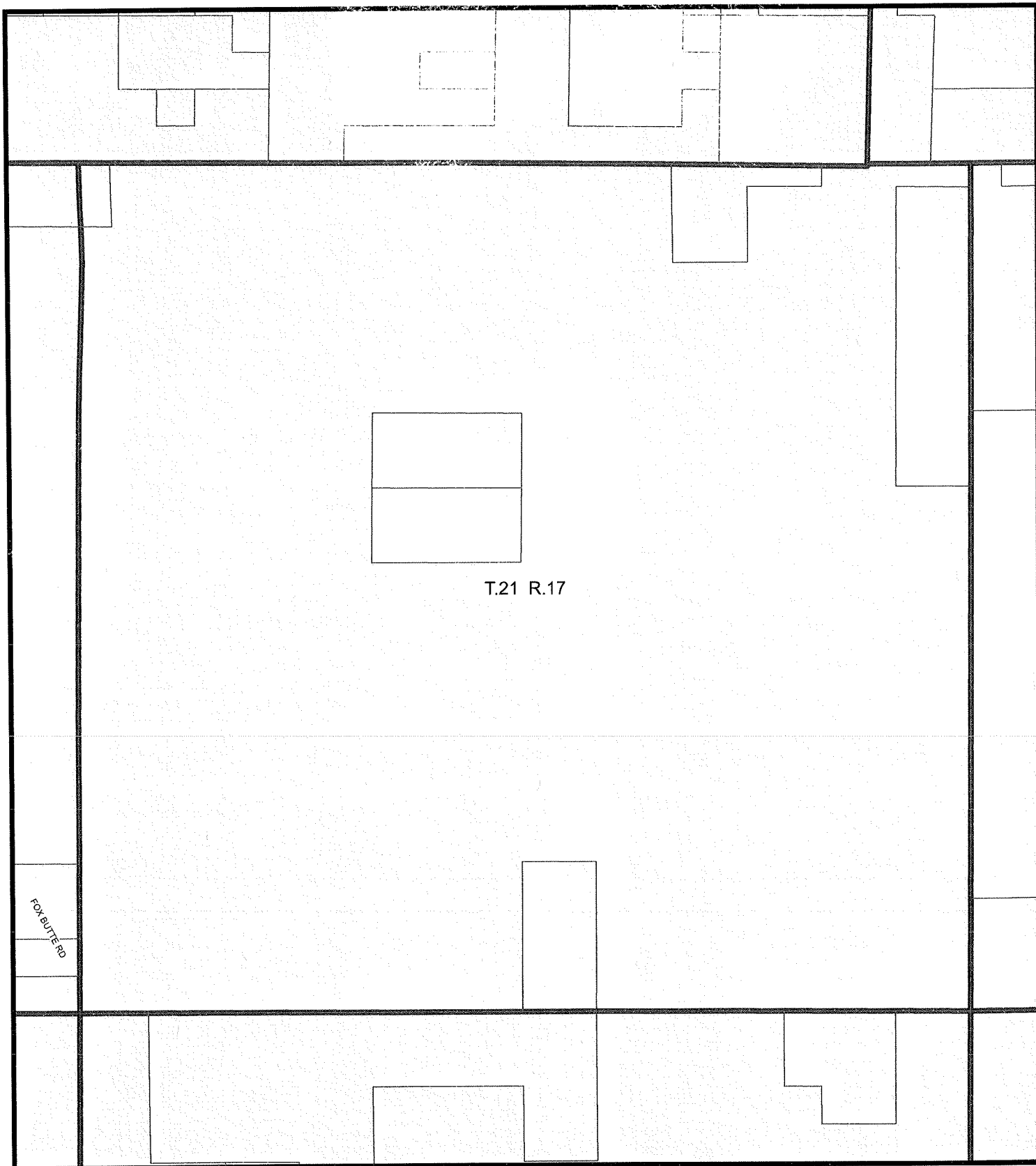
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-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025

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Sage Grouse Greater Habitat Area

Exhibit B - Map 13 of 24
Ordinance 2025-001



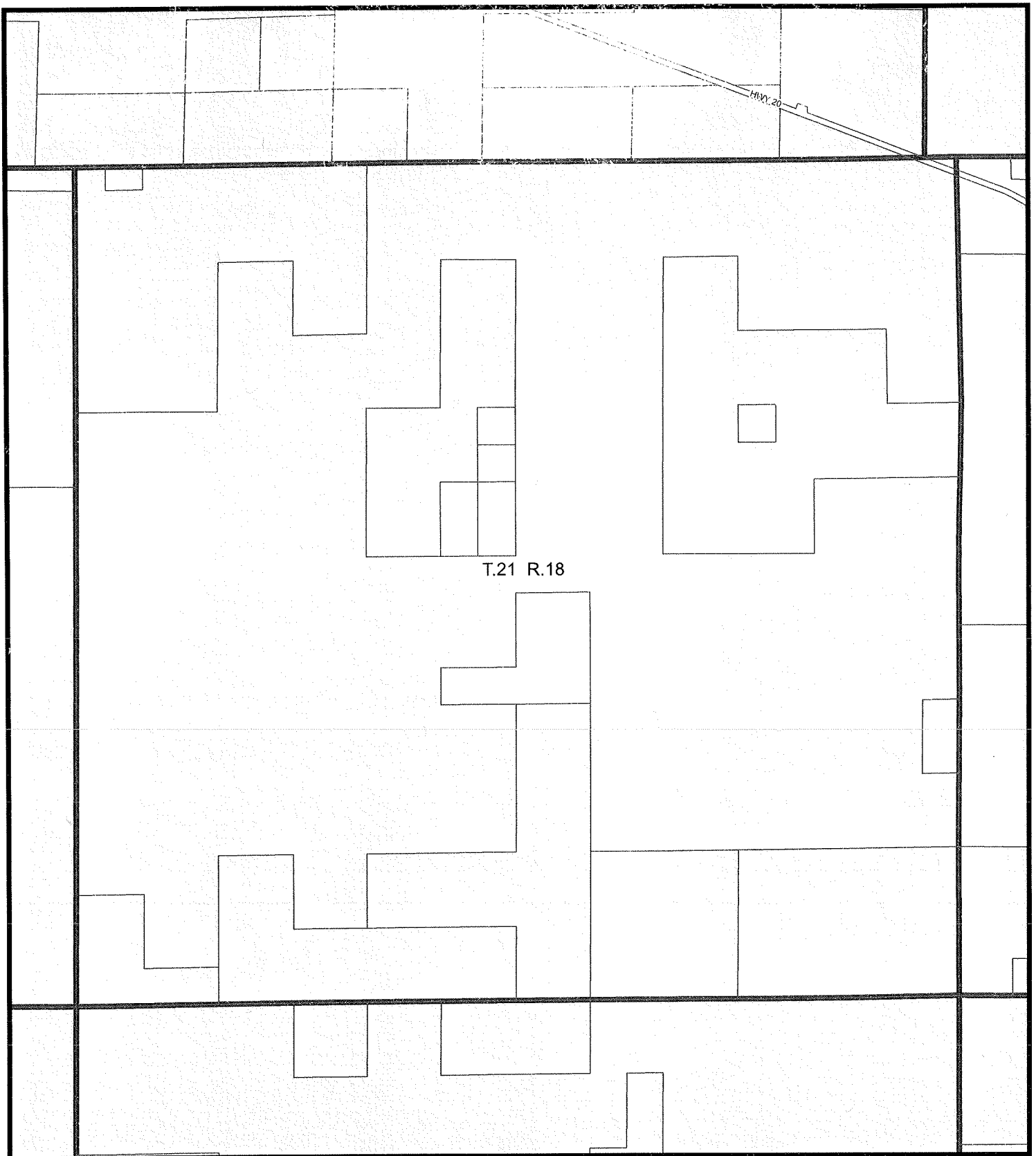
Legend

- Unincorporated Community
- Sage Grouse Map Index
- Core
- Low-Density



January 29, 2025

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Sage Grouse Greater Habitat Area

Exhibit B - Map 14 of 24
Ordinance 2025-001



Legend

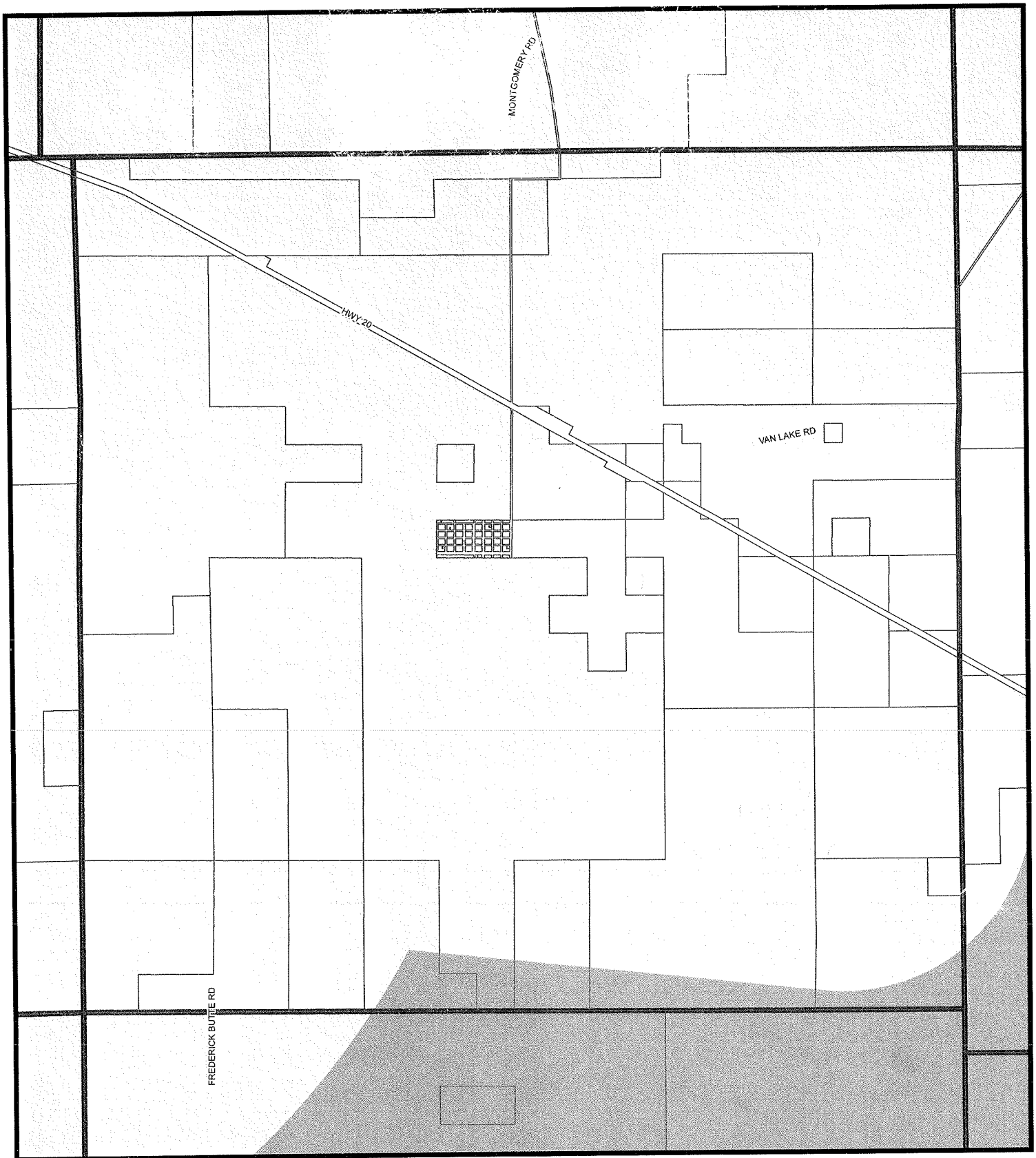
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



0 0.25 0.5 1 1.5 Miles

January 29, 2025





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Sage Grouse Greater Habitat Area

Exhibit B - Map 15 of 24
Ordinance 2025-001

Legend

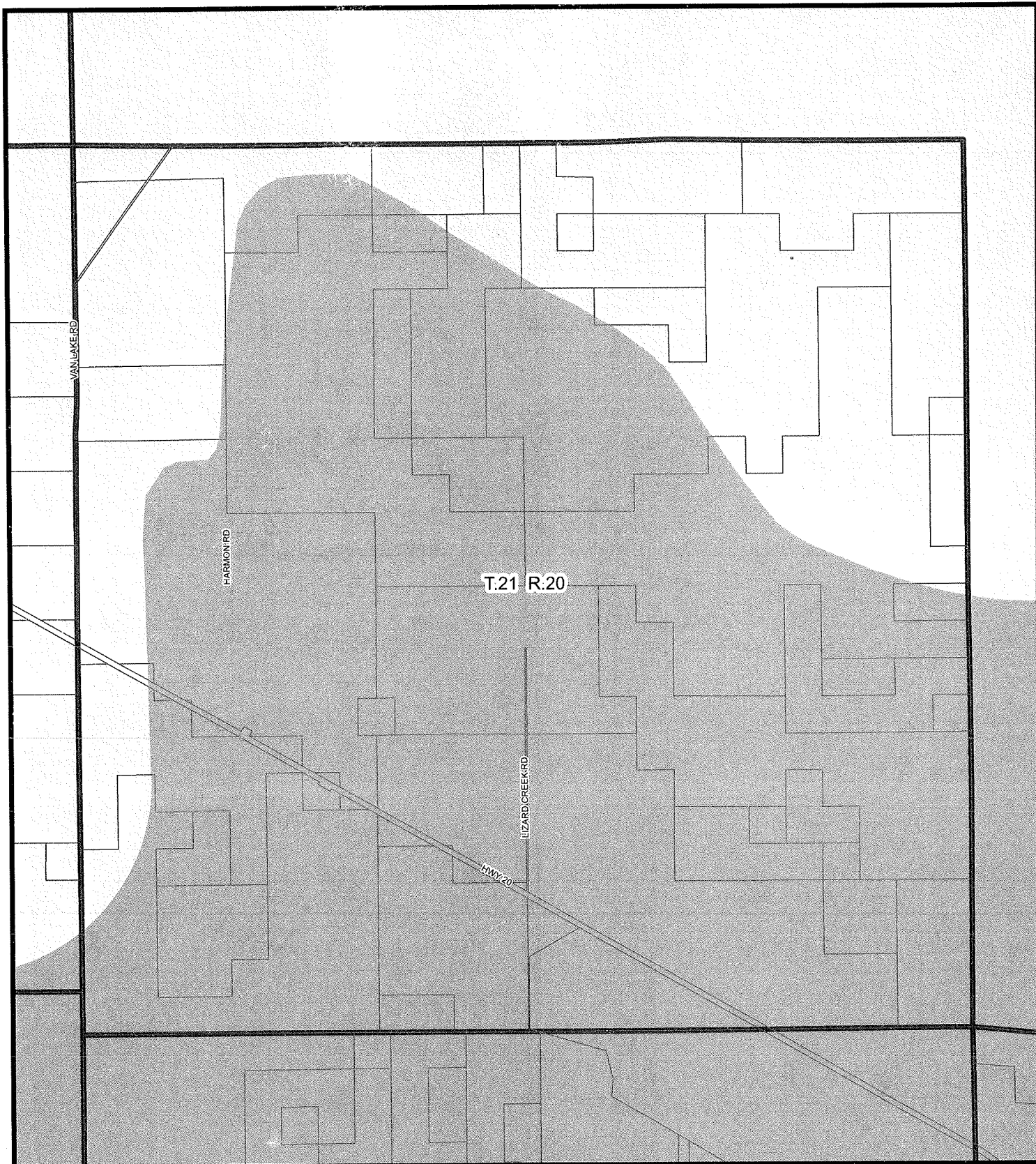
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025







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Sage Grouse Greater Habitat Area

Exhibit B - Map 16 of 24
Ordinance 2025-001

Legend

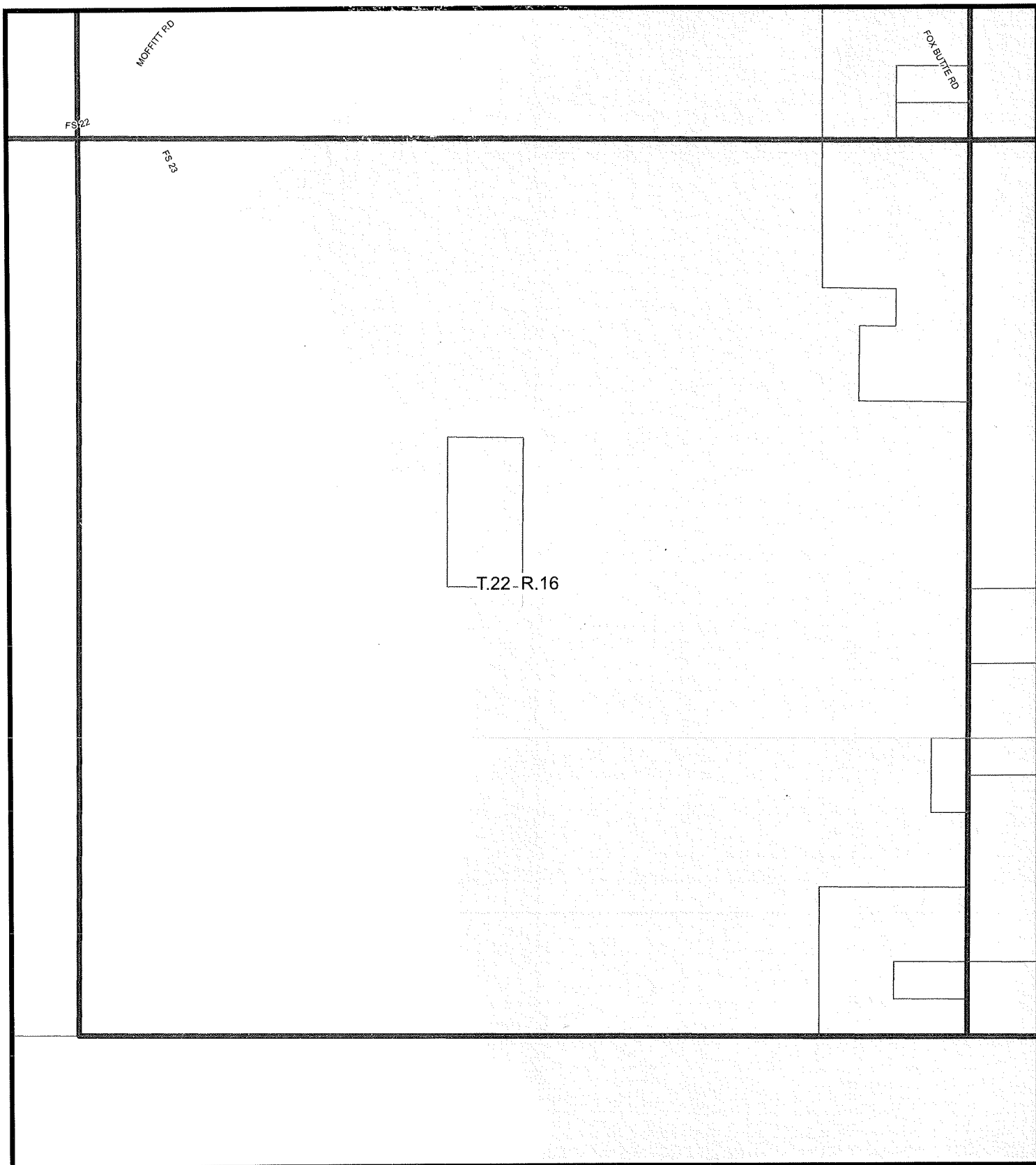
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025







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Sage Grouse Greater Habitat Area

Exhibit B - Map 17 of 24
Ordinance 2025-001

Legend

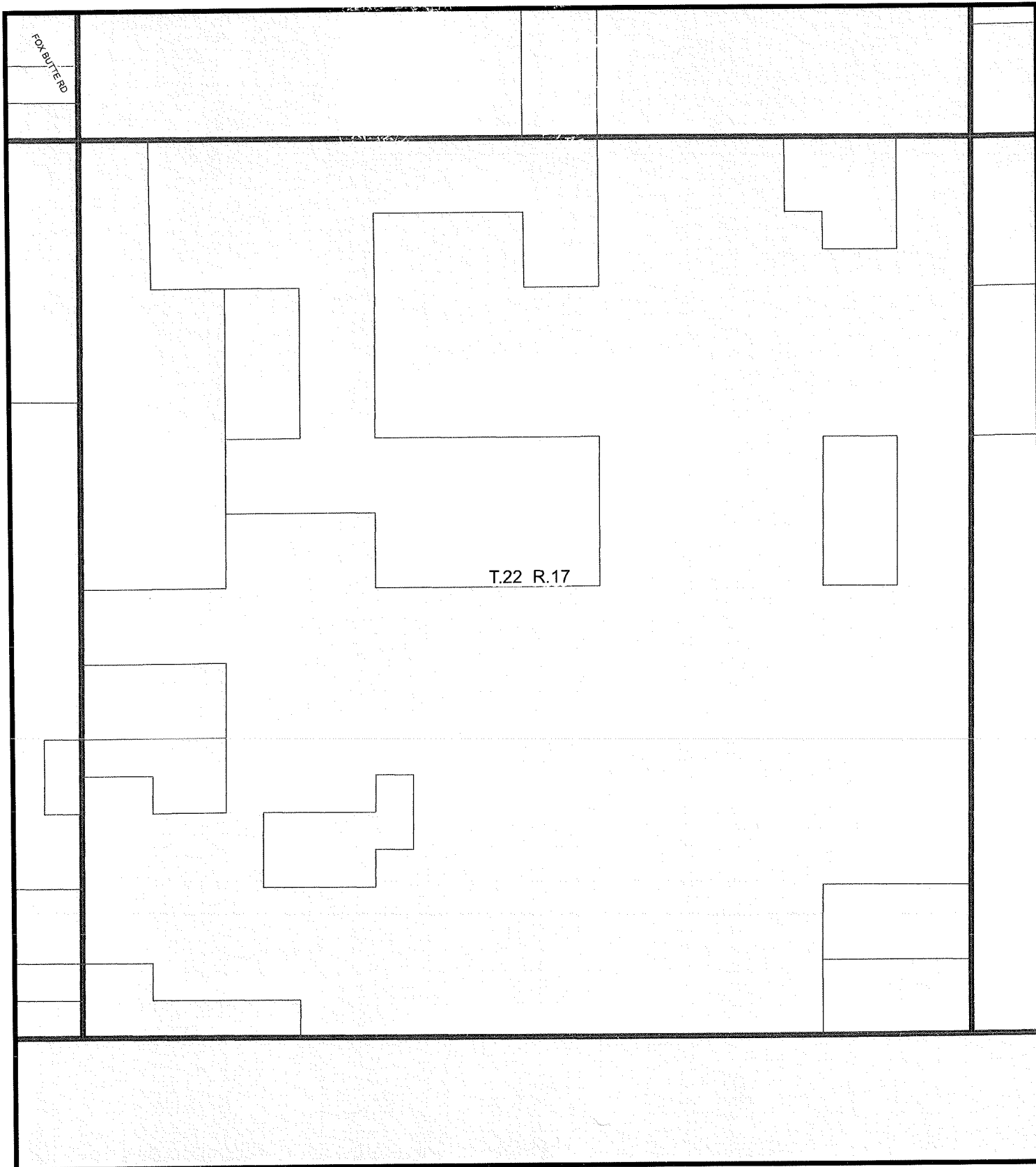
-  Unincorporated Community
-  Sage Grouse Map Index
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January 29, 2025



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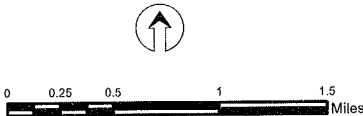
Sage Grouse Greater Habitat Area

Exhibit B - Map 18 of 24
Ordinance 2025-001



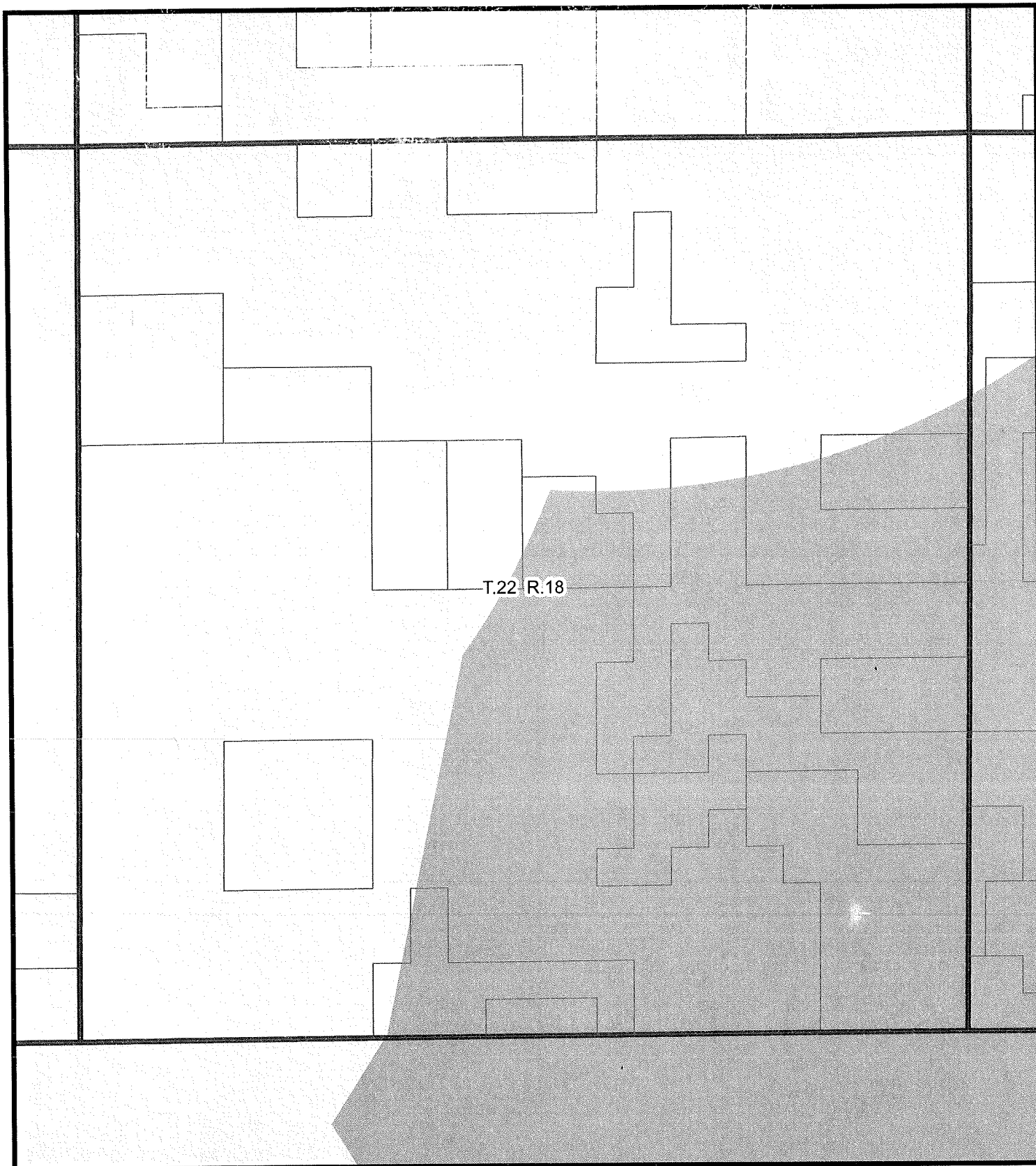
Legend

-  Unincorporated Community
-  Sage Grouse Map Index
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-  Low-Density



January 29, 2025





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Sage Grouse Greater Habitat Area

Exhibit B - Map 19 of 24
Ordinance 2025-001

Legend

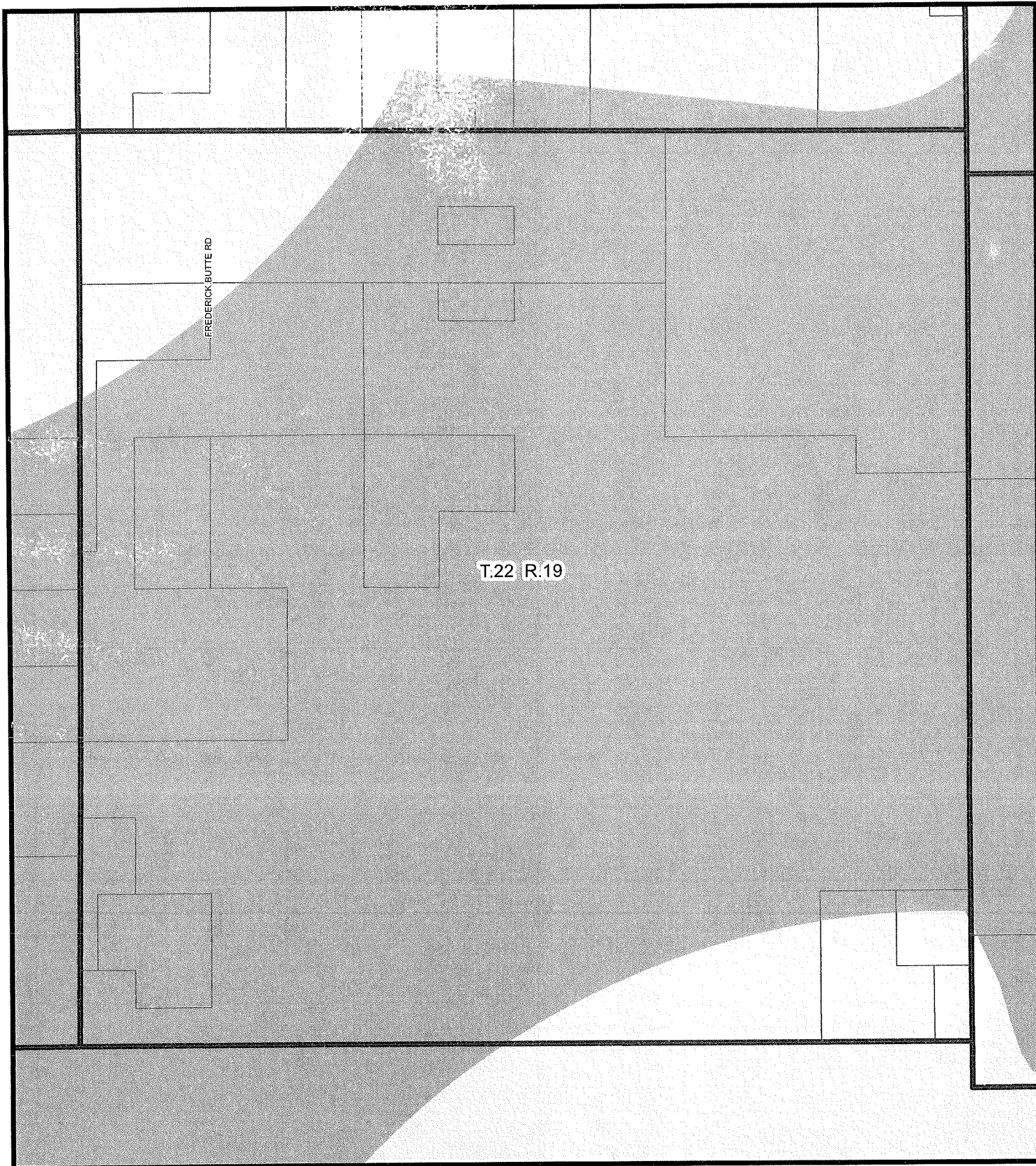
-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025







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Sage Grouse Greater Habitat Area

Exhibit B - Map 20 of 24
Ordinance 2025-001

Legend

-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density

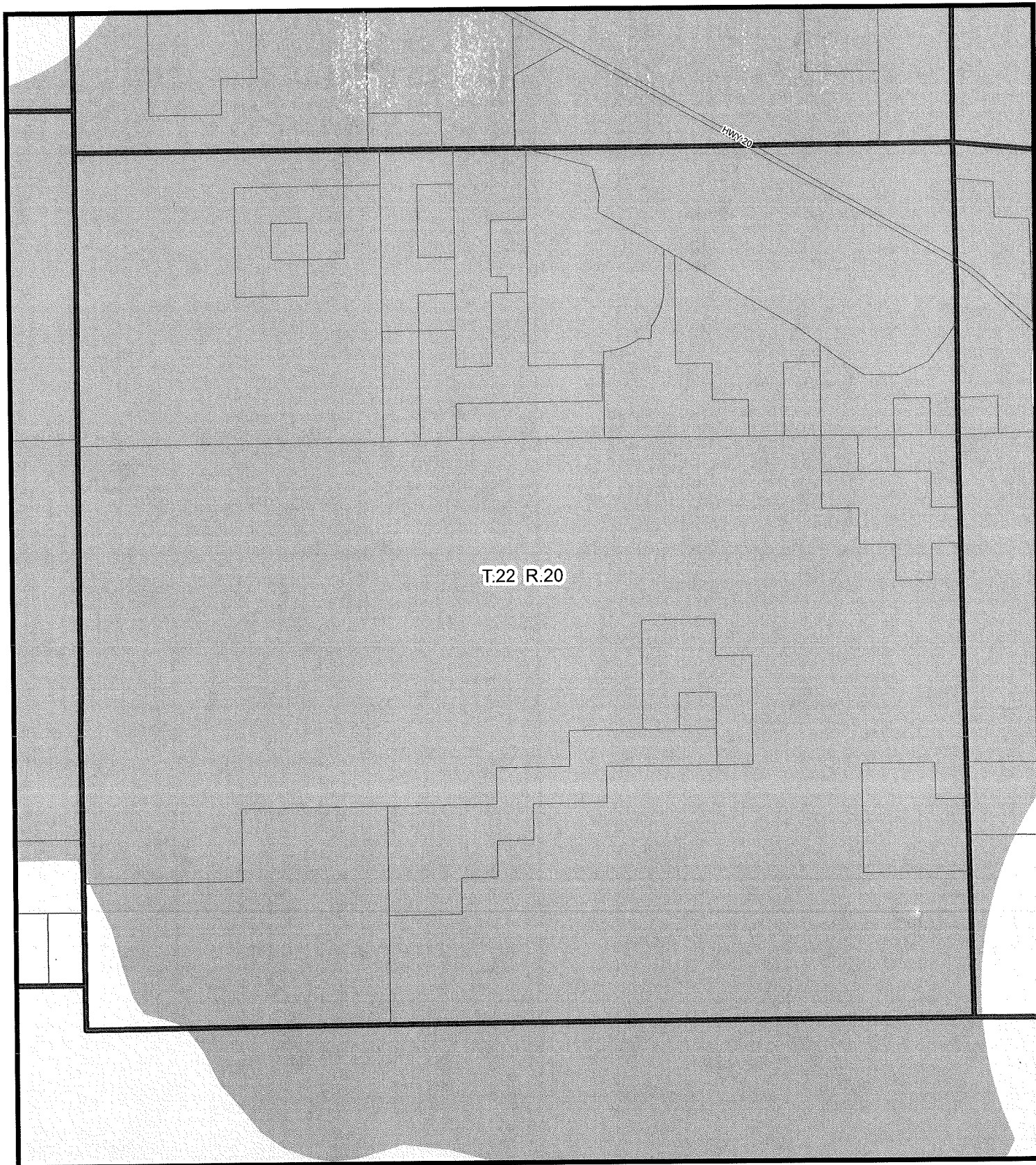


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January 29, 2025







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Sage Grouse Greater Habitat Area

Exhibit B - Map 21 of 24
Ordinance 2025-001

Legend

-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density

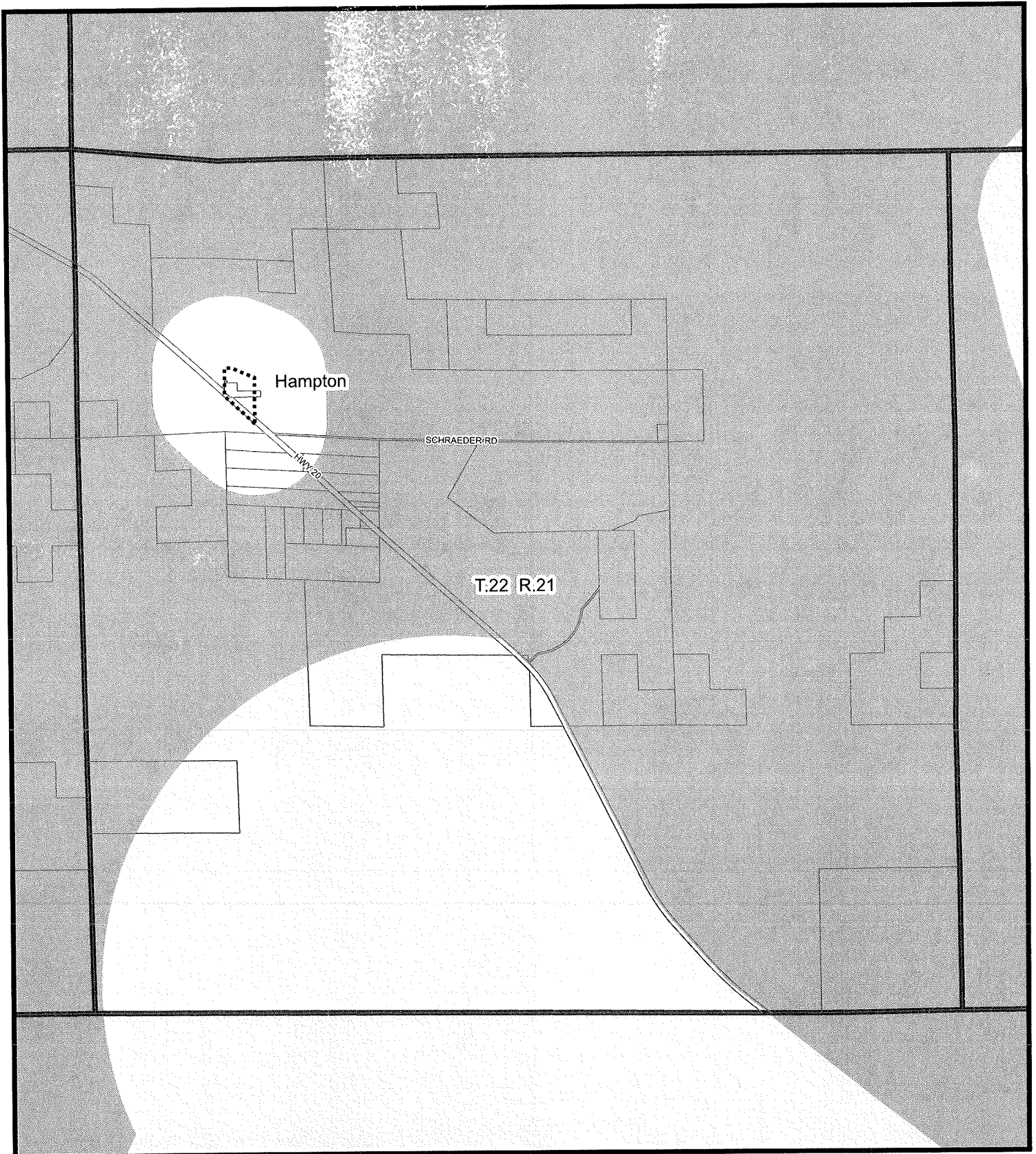


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January 29, 2025



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Sage Grouse Greater Habitat Area

Exhibit B - Map 22 of 24
Ordinance 2025-001



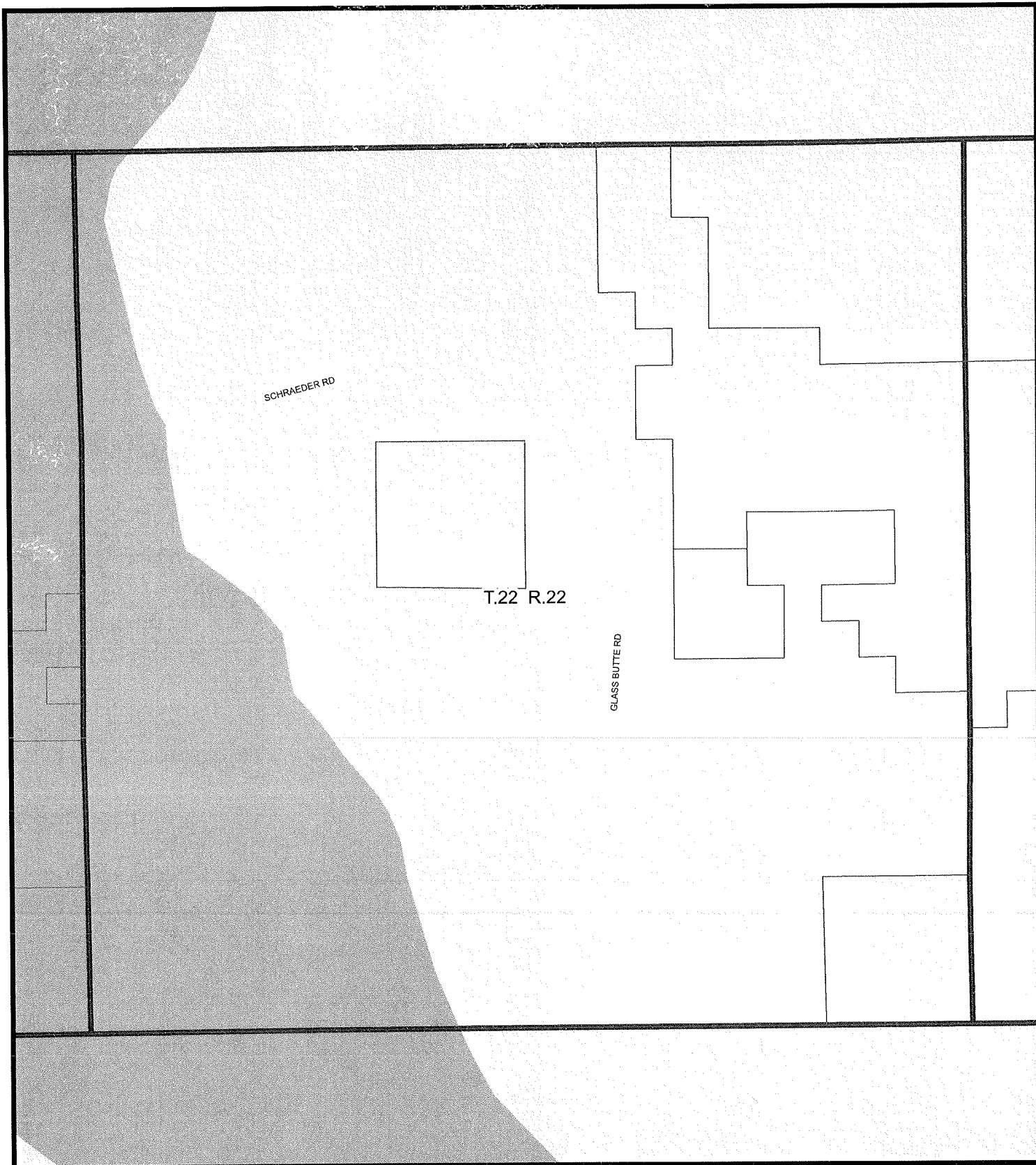
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-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025





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Sage Grouse Greater Habitat Area

Exhibit B - Map 23 of 24
Ordinance 2025-001

Legend

-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density

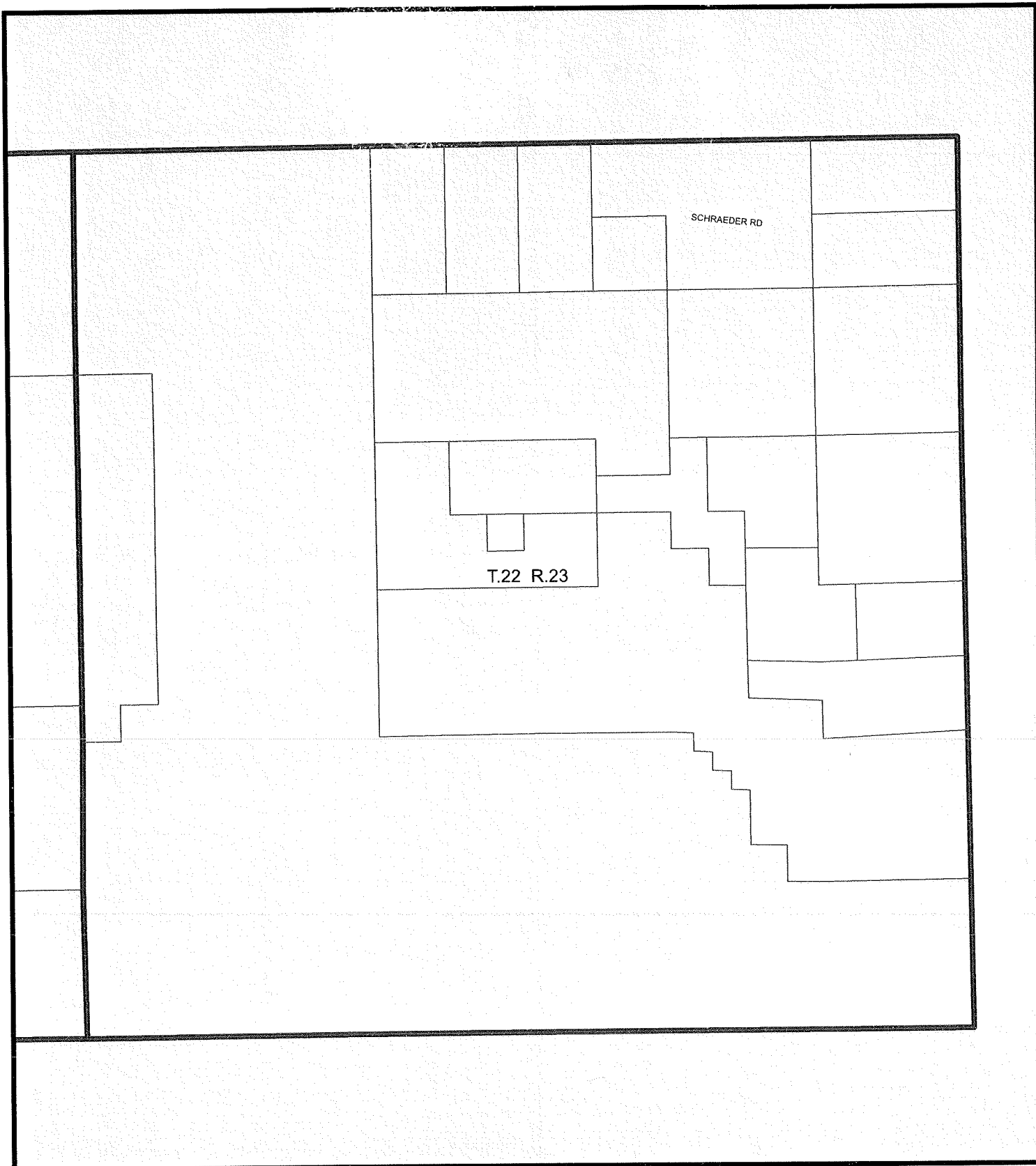


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January 29, 2025







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Sage Grouse Greater Habitat Area

Exhibit B - Map 24 of 24
Ordinance 2025-001

Legend

-  Unincorporated Community
-  Sage Grouse Map Index
-  Core
-  Low-Density



January 29, 2025



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Appendix E - Goal 5 Supplemental Sections

Exhibit "C" to Ordinance 2025-001

Section 5.12 - Legislative History

Background

This section contains the legislative history of this Comprehensive Plan.

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2011-003	8-10-11/11-9-11	All, except Transportation, Tumalo and Terrebonne Community Plans, Deschutes Junction, Destination Resorts and ordinances adopted in 2011	Comprehensive Plan update
2011-027	10-31-11/11-9-11	2.5, 2.6, 3.4, 3.10, 3.5, 4.6, 5.3, 5.8, 5.11, 23.40A, 23.40B, 23.40.065, 23.01.010	Housekeeping amendments to ensure a smooth transition to the updated Plan
2012-005	8-20-12/11-19-12	23.60, 23.64 (repealed), 3.7 (revised), Appendix C (added)	Updated Transportation System Plan
2012-012	8-20-12/8-20-12	4.1, 4.2	La Pine Urban Growth Boundary
2012-016	12-3-12/3-4-13	3.9	Housekeeping amendments to Destination Resort Chapter
2013-002	1-7-13/1-7-13	4.2	Central Oregon Regional Large-lot Employment Land Need Analysis
2013-009	2-6-13/5-8-13	1.3	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2013-012	5-8-13/8-6-13	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary
2013-007	5-29-13/8-27-13	3.10, 3.11	Newberry Country: A Plan for Southern Deschutes County
2013-016	10-21-13/10-21-13	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Sisters Urban Growth Boundary
2014-005	2-26-14/2-26-14	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary
2014-012	4-2-14/7-1-14	3.10, 3.11	Housekeeping amendments to Title 23.
2014-021	8-27-14/11-25-14	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Sunriver Urban Unincorporated Community Forest to Sunriver Urban Unincorporated Community Utility

Appendix E - Goal 5 Supplemental Sections

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2014-021	8-27-14/11-25-14	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Sunriver Urban Unincorporated Community Forest to Sunriver Urban Unincorporated Community Utility
2014-027	12-15-14/3-31-15	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Industrial
2015-021	11-9-15/2-22-16	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Surface Mining.
2015-029	11-23-15/11-30-15	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Tumalo Residential 5-Acre Minimum to Tumalo Industrial
2015-018	12-9-15/3-27-16	23.01.010, 2.2, 4.3	Housekeeping Amendments to Title 23.
2015-010	12-2-15/12-2-15	2.6	Comprehensive Plan Text and Map Amendment recognizing Greater Sage-Grouse Habitat Inventories
2016-001	12-21-15/04-5-16	23.01.010; 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from, Agriculture to Rural Industrial (exception area)
2016-007	2-10-16/5-10-16	23.01.010; 5.10	Comprehensive Plan Amendment to add an exception to Statewide Planning Goal 11 to allow sewers in unincorporated lands in Southern Deschutes County
2016-005	11-28-16/2-16-17	23.01.010, 2.2, 3.3	Comprehensive Plan Amendment recognizing non- resource lands process allowed under State law to change EFU zoning
2016-022	9-28-16/11-14-16	23.01.010, 1.3, 4.2	Comprehensive plan Amendment, including certain property within City of Bend Urban Growth Boundary
2016-029	12-14-16/12/28/16	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from, Agriculture to Rural Industrial
2017-007	10-30-17/10-30-17	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2018-002	1-3-18; 1-25-18	23.01, 2.6	Comprehensive Plan Amendment permitting churches in the Wildlife Area Combining Zone
2018-006	7-23-18/7-23-18	23.01.010, 5.8, 5.9	Housekeeping Amendments correcting tax lot numbers in Non-Significant Mining Mineral and Aggregate Inventory; modifying Goal 5 Inventory of Cultural and Historic Resources

Appendix E - Goal 5 Supplemental Sections

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2018-011	9-12-18/12-11-18	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2018-005	9-19-18/10-10-18	23.01.010, 2.5, Tumalo Community Plan, Newberry Country Plan	Comprehensive Plan Map Amendment, removing Flood Plain Comprehensive Plan Designation; Comprehensive Plan Amendment adding Flood Plain Combining Zone purpose statement.
2018-008	9-26-18/10-26-18	23.01.010, 3.4	Comprehensive Plan Amendment allowing for the potential of new properties to be designated as Rural Commercial or Rural Industrial
2019-002	1-2-19/4-2-19	23.01.010, 5.8	Comprehensive Plan Map Amendment changing designation of certain property from Surface Mining to Rural Residential Exception Area; Modifying Goal 5 Mineral and Aggregate Inventory; Modifying Non-Significant Mining Mineral and Aggregate Inventory
2019-001	1-16-19/4-16-19	1.3, 3.3, 4.2, 5.10, 23.01	Comprehensive Plan and Text Amendment to add a new zone to Title 19: Westside Transect Zone.
2019-003	02-12-19/03-12-19	23.01.010, 4.2	Comprehensive Plan Map Amendment changing designation of certain property from Agriculture to Redmond Urban Growth Area for the Large Lot Industrial Program
2019-004	02-12-19/03-12-19	23.01.010, 4.2	Comprehensive Plan Map Amendment changing designation of certain property from Agriculture to Redmond Urban Growth Area for the expansion of the Deschutes County Fairgrounds and relocation of Oregon Military Department National Guard Armory.
2019-011	05-01-19/05-16-19	23.01.010, 4.2	Comprehensive Plan Map Amendment to adjust the Bend Urban Growth Boundary to accommodate the refinement of the Skyline Ranch Road alignment and the refinement of the West Area Master Plan Area 1 boundary. The ordinance also amends the Comprehensive Plan designation of Urban Area Reserve for those lands leaving the UGB.
2019-006	03-13-19/06-11-19	23.01.010,	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area

Appendix E - Goal 5 Supplemental Sections

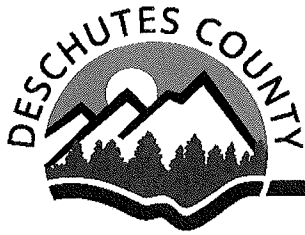
Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2019-016	11-25-19/02-24-20	23.01.01, 2.5	Comprehensive Plan and Text amendments incorporating language from DLCD's 2014 Model Flood Ordinance and Establishing a purpose statement for the Flood Plain Zone.
2019-019	12-11-19/12-11-19	23.01.01, 2.5	Comprehensive Plan and Text amendments to provide procedures related to the division of certain split zoned properties containing Flood Plain zoning and involving a former or piped irrigation canal.
2020-001	1-8-20/4-20-20	23.01.01, 2.6, 3.5, 5.2	Comprehensive Plan and Text amendments relating to Religious Institutions to ensure compliance with RLUIPA.
2020-002	2-26-20/5-26-20	23.01.01, 4.2, 5.2	Comprehensive Plan Map Amendment to adjust the Redmond Urban Growth Boundary through an equal exchange of land to/from the Redmond UGB. The exchange property is being offered to better achieve land needs that were detailed in the 2012 SB 1544 by providing more development ready land within the Redmond UGB. The ordinance also amends the Comprehensive Plan designation of Urban Area Reserve for those lands leaving the UGB.
2020-003	02-26-20/05-26-20	23.01.01, 5.10	Comprehensive Plan Amendment with exception to Statewide Planning Goal 11 (Public Facilities and Services) to allow sewer on rural lands to serve the City of Bend Outback Water Facility.
2020-008	06-24-20/09-22-20	23.01.010, Appendix C	Comprehensive Plan Transportation System Plan Amendment to add roundabouts at US 20/Cook-O.B. Riley and US 20/Old Bend-Redmond Hwy intersections; amend Tables 5.3.T1 and 5.3.T2 and amend TSP text.
2020-007	07-29-20/10-27-20	23.01.010, 2.6	Housekeeping Amendments correcting references to two Sage Grouse ordinances.
2020-006	08-12-20/11-10-20	23.01.01, 2.11, 5.9	Comprehensive Plan and Text amendments to update the County's Resource List and Historic Preservation Ordinance to comply with the State Historic Preservation Rule.
2020-009	08-19-20/11-17-20	23.01.010, Appendix C	Comprehensive Plan Transportation System Plan Amendment to add reference to J turns on US 97 raised median between Bend and Redmond; delete language about disconnecting Vandevent Road from US 97.

Appendix E - Goal 5 Supplemental Sections

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2020-013	08-26-20/11/24/20	23.01.01, 5.8	Comprehensive Plan Text And Map Designation for Certain Properties from Surface Mine (SM) and Agriculture (AG) To Rural Residential Exception Area (RREA) and Remove Surface Mining Site 461 from the County's Goal 5 Inventory of Significant Mineral and Aggregate Resource Sites.
2021-002	01-27-21/04-27-21	23.01.01	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) To Rural Industrial (RI)
2021-005	06-16-21/06-16-21	23.01.01, 4.2	Comprehensive Plan Map Amendment Designation for Certain Property from Agriculture (AG) To Redmond Urban
2021-008	06-30-21/09-28-21	23.01.01	Comprehensive Plan Map Amendment Designation for Certain Property Adding Redmond Urban Growth Area (RUGA) and
2022-001	04-13-22/07-12-22	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture (AG) to Rural Residential
2022-003	04-20-22/07-19-22	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture (AG) to Rural Residential
2022-006	06-22-22/08-19-22	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Rural Residential Exception Area
2022-011	07-27-22/10-25-22 (superseded by Ord. 2023-015)	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) To Rural Industrial (RI)
2023-001	03-01-23/05-30-23	23.01.010, 5.9	Housekeeping Amendments correcting the location for the Lynch and Roberts Store Advertisement, a designated
2023-007	04-26-23/6-25-23	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Residential Exception Area (RREA)
2023-010	06-21-23/9-17-23	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Residential Exception Area (RREA)
2023-018	08-30-23/11-28-23	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Residential Exception Area (RREA)
2023-015	9-13-23/12-12-23	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Industrial (RI)
2023-025	11-29-23/2-27-24	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Rural Residential Exception Area
2024-001	01-31-24/4-30-24	23.01.010	Comprehensive Plan Map Amendment, changing designation of certain property from Rural Residential Exception Area

Appendix E - Goal 5 Supplemental Sections

Ordinance	Date Adopted/ Effective	Chapter/Section	Amendment
2023-016	5-8-24/8-6-24	23.01(BM) (added), 4.7 (amended), Appendix B (replaced)	Updated Tumalo Community Plan
2023-017	3-20-24/6-20-24	23.01(D) (repealed), 23.01(BJ) (added), 3.7 (amended), Appendix C (replaced)	Updated Transportation System Plan
2024-003	2-21-24/5-21-24	23.01.010, 5.8	Comprehensive Plan Map Amendment, changing designation of certain property from Surface Mining (SM) to Rural
2024-007	10-02-24/12-31-24	23.01(A)(repealed) 23.01(BK) (added)	Repeal and Replacement of 2030 Comprehensive Plan with 2040 Comprehensive Plan
2024-010	10-16-24/01-14-25	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Residential Exception Area (RREA)
2024-011	11-18-24/02-17-25	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Redmond Urban Growth Area (RUGA)
2024-012	1-8-25/4-8-25	23.01.010	Comprehensive Plan Map Designation for Certain Property from Agriculture (AG) to Rural Residential Exception Area (RREA)
<u>2025-001</u>	<u>2-5-25/5-6-25</u>	<u>23.01.010</u>	<u>Comprehensive Plan Text and Map Amendment updating Greater Sage-Grouse Habitat Inventories</u>



ATTACHMENT A - DRAFT STAFF FINDINGS

FILE NUMBER(S): 247-24-000710-PA, 737-ZC

APPLICANT: Deschutes County Planning Division

REQUEST: Amend Greater Sage-Grouse Area Combining Zone Map to comply with OAR 660-23-0115

STAFF CONTACT: Nicole Mardell, AICP, Senior Planner
Phone: 541-317-3157
Email: nicole.mardell@deschutes.org

RECORD: Record items can be viewed and downloaded from:
[Bit.ly/2024sagegrouse](https://bit.ly/2024sagegrouse)

I. APPLICABLE CRITERIA

Deschutes County Code (DCC)

Title 22, Deschutes County Development Procedures Ordinance

Chapter 22.012, Legislative Procedures

Oregon Administrative Rule (OAR)

OAR 660-015, Statewide Planning Goals and Guidelines

OAR 660-023-0115, Procedures and Requirements for Complying with Goal 5, Greater Sage-Grouse

II. BASIC FINDINGS

PROPOSAL

This is a legislative plan and text amendment to amend Deschutes County's Greater Sage-Grouse Area Combining Zone Map to comply with state law.

BACKGROUND

In 2015, the Land Conservation and Development Commission (LCDC) adopted OAR 660-023-0115. This rule requires seven eastern Oregon counties, including Deschutes County, to regulate large-scale development in Greater Sage-Grouse habitat. The Oregon Department of Fish and Wildlife (ODFW) produced a map of these habitat areas included as Exhibit B of the rule, which has been

incorporated into the County's zoning map as the Greater Sage-Grouse Area Combining Zone (GSGA).

On January 23, 2025, LCDC voted to approve an updated map of Greater Sage-Grouse habitat to replace Exhibit B, OAR 660-023-0115. This new map provides updated guidance on general, low density, and core habitat areas through collaring data and ODFW's enhanced habitat modeling. As the rule has been amended, Deschutes County is required to update the GSGA to incorporate this new information.

LCDC only adopted an update to the map, no other changes to OAR 660-023-0115 were considered. No changes to the County's development code are required.

REVIEW CRITERIA

There are no specific criteria in DCC Titles 18, 22, or 23 for legislative plan and text amendment reviews. Nonetheless, since Deschutes County is initiating one, the County bears the responsibility for justifying that the amendments are consistent with Statewide Planning Goals and the County's Comprehensive Plan.

III. FINDINGS & CONCLUSIONS

CHAPTER 22.12, LEGISLATIVE PROCEDURES

Section 22.12.010.

Hearing Required

FINDING: This criterion is met. A public hearing will be held before the Board of County Commissioners on February 5, 2025, allowing for an opportunity for public testimony to be gathered.

Section 22.12.020, Notice

Notice

A. Published Notice

- 1. Notice of a legislative change shall be published in a newspaper of general circulation in the county at least 10 days prior to each public hearing.***
- 2. The notice shall state the time and place of the hearing and contain a statement describing the general subject matter of the ordinance under consideration.***

FINDING: This criterion is met as notice will be published in the Bend Bulletin newspaper on January 21, 2025, for the Board of County Commissioners' initial public hearing.

B. Posted Notice. Notice shall be posted at the discretion of the Planning Director and where necessary to comply with ORS 203.045.

FINDING: The Planning Director determined that posted notice was not necessary.

- C. Individual notice. Individual notice to property owners, as defined in DCC 22.08.010(A), shall be provided at the discretion of the Planning Director, except as required by ORS 215.503.**

FINDING: LCDC required the County to send Measure 56 notice to affected properties 45 days prior to LCDC hearing to adopt the new maps into OAR 660-023-0115. The notice was mailed on December 4, 2024.

- D. Media notice. Copies of the notice of hearing shall be transmitted to other newspapers published in Deschutes County.**

FINDING: Notice was provided to the County public information officer for wider media distribution.

Section 22.12.030 Initiation of Legislative Changes.

A legislative change may be initiated by application of individuals upon payment of required fees as well as by the Board of County Commissioners.

FINDING: The application was initiated by the Deschutes County Planning Division at the direction of the Board of County Commissioners and has received a fee waiver. This criterion is met.

Section 22.12.040. Hearings Body

- A. The following shall serve as hearings or review body for legislative changes in this order:**
- 1. The Planning Commission.**
 - 2. The Board of County Commissioners.**
- B. Any legislative change initiated by the Board of County Commissioners shall be reviewed by the Planning Commission prior to action being taken by the Board of Commissioners.**

FINDING: The Planning Commission held a work session on this matter on January 23, 2025. Due to the limited scope of the amendment, focused solely on compliance with state law, a hearing before the Planning Commission was deemed unnecessary. The Board of County Commissioners will hold a public hearing on February 5, 2025.

Section 22.12.050 Final Decision

All legislative changes shall be adopted by ordinance.

FINDING: The proposed legislative changes will be implemented by Ordinance 2025-001, upon approval and adoption by the Board of County Commissioners. This criterion will be met.

OAR 660-015, Statewide Planning Goals and Guidelines

Goal 1: Citizen Involvement:

FINDING: The amendments do not propose to change the structure of the County's citizen involvement program. Notice of the proposed amendments was provided to the *Bulletin* for the Board public hearing.

Goal 2: Land Use Planning:

FINDING: The purpose of the amendment is to update the County's GSGA Combining Zone to comply with changes to state law. This criterion is met.

Goal 3: Agricultural Lands:

FINDING: No changes related to agricultural lands are proposed as part of the text amendments. This goal does not apply.

Goal 4: Forest Lands:

FINDING: No changes related to forest lands are proposed as part of the text amendments. This goal does not apply.

Goal 5: Open Spaces, Scenic and Historic Areas, and Natural Resources:

FINDING: Statewide Planning Goal 5 addresses natural resources, historic and cultural resources, and mineral and aggregate resources. The purpose of the amendment is to update County zoning maps to be consistent with OAR 660-023-0115, relating to the protection of Greater Sage-Grouse. This amendment is consistent with Goal 5.

Goal 6: Air, Water and Land Resources Quality:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 6. This goal does not apply.

Goal 7: Areas Subject to Natural Disasters and Hazards:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 7. This goal does not apply.

Goal 8: Recreational Needs:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 8. This goal does not apply.

Goal 9: Economic Development:

FINDING The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 9. This goal does not apply.

Goal 10: Housing:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 10. This goal does not apply.

Goal 11: Public Facilities and Services:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 11. This goal does not apply.

Goal 12: Transportation:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 12. This goal does not apply.

Goal 13: Energy Conservation:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 13. This goal does not apply.

Goal 14: Urbanization:

FINDING: The proposed amendments do not include changes to the County's Comprehensive Plan policies or implementing regulations for compliance with Goal 14. This goal does not apply.

Goals 15 through 19

FINDING: These goals are not applicable to the proposed plan and text amendments because the County does not contain these types of lands.

OAR 660, Division 23

Procedures and Requirements for Complying with Goal 5

660-023-0115 Greater Sage-Grouse

- (5) ***Quality, Quantity and Location. For purposes of this rule, sage-grouse habitat is only present in Baker, Crook, Deschutes, Harney, Lake, Malheur and Union Counties. The location of sage-grouse habitat within these counties shall be determined by following the map produced by ODFW included as Exhibit B.***

FINDING: Exhibit B has been adopted through the County's GSGA Combining Zone. LCDC voted to adopt an updated Exhibit B habitat map on January 23, 2025. The purpose of the amendments is to modify the County's GSGA Combining Zone to incorporate this updated map information. Therefore, this criterion is met.

IV. CONCLUSION

Based on the information provided herein, the staff recommends the Board of County Commissioners approve the proposed map amendment as drafted.



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: February 5, 2025

SUBJECT: Public Hearing: Greater Sage-Grouse Habitat Map Update

RECOMMENDED MOTION:

At the conclusion of the hearing, the Board may choose one of the following options:

- Continue the hearing to a date and time certain;
- Close the oral portion of the hearing and leave the written record open to a date and time certain;
- Close the hearing and commence deliberations;
- Close the hearing and schedule deliberations for a date and time to be determined;
- or
- Close the hearing, commence deliberations, and conduct first and second reading to adopt Ordinance No. 2025-001 by emergency.

BACKGROUND AND POLICY IMPLICATIONS:

On February 5, 2025, the Board will hold a public hearing to consider a zoning map amendment to the Greater Sage-Grouse Area Combining Zone (247-24-000710-TA/737-ZC). All record materials can be found on the project website: <https://bit.ly/2024sagegrouse>.

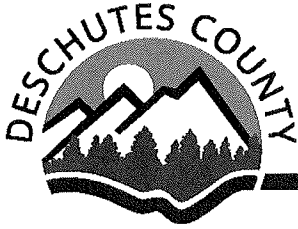
As the purpose of the map amendment is to comply with State law, staff has provided a draft ordinance in the event the Board would like to deliberate and conduct emergency adoption of Ordinance No. 2025-001 following the public hearing.

BUDGET IMPACTS:

None

ATTENDANCE:

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



MEMORANDUM

TO: Deschutes County Board of Commissioners ("Board")

FROM: Nicole Mardell, AICP, Senior Planner

DATE: January 29, 2025

SUBJECT: Public Hearing: Greater Sage-Grouse Habitat Map Update

The Board will conduct a public hearing to gather testimony on Deschutes County file no. 247-24-000710-PA/737-ZC during the Board's regularly scheduled meeting on February 5, 2025. The hearing will take place in the Barnes and Sawyer Rooms, 1300 NW Wall Street, Bend and virtually via Zoom. The proposal is to consider an update to the County's Greater Sage-Grouse Area Combining Zone to be consistent with state administrative rule.

All record materials can be found on the project website: <https://bit.ly/2024sagegrouse>

I. BACKGROUND

In 2015, the Oregon Land Conservation and Development Commission (LCDC) adopted new rules¹ addressing potential conflicts between large-scale development and sage-grouse habitat. The rules applied to seven eastern Oregon counties with significant sage-grouse habitat, based on data and maps approved by the Oregon Fish and Wildlife Commission (OFWC) in 2011.

Shortly after this rulemaking, the Board of County Commissioners adopted Ordinance Nos. 2015-010 and 2015-011, incorporating sage-grouse habitat maps and regulations into the Deschutes County Code and Comprehensive Plan. This is implemented through Chapter 18.89, Greater Sage-Grouse Area Combining Zone (GSGA) of the Deschutes County Code.

The GSGA currently includes three habitat areas:

- Core Area, also known as Priority Areas for Conservation (PACs): mapped sagebrush types or other habitats that support sage-grouse annual life history requirements including leks². This area has

¹ OAR 660-23-0015

² "Lek" means an area where male sage-grouse display during the breeding season to attract females (also referred to as strutting-ground).

the greatest limitations and mitigation requirements for large-scale³ development.

- Low Density Habitat: mapped sagebrush types or other habitats that support sage-grouse. This area has limitations and mitigation requirements for large-scale development, although at a lesser tier than in core areas.
- General habitat: occupied (seasonal or year-round) habitat outside core and low-density habitats.

The GSGA Zone only applies to areas that are within 3.1 miles of a lek. Privately owned property in the Alfalfa, Horse Ridge East, and Bend-Tumalo-Redmond Exclusive Farm Use (EFU subzones) are included in these areas, as well as one property that is split-zoned and includes land zoned for Forest Use (F-1). Federal lands are exempt from County land use requirements, although several federally owned properties are included within the boundary of this zone.

The combining zone regulates activities potentially harmful to sage grouse habitats. Development projects within specified areas near occupied sage-grouse breeding sites, or leks, require County and ODFW review to ascertain if they pose a conflict. There are two main types: large-scale and smaller developments.

- Large-scale developments are subject to a two-step analysis, evaluating their size, potential impact area, traffic generation, height, and noise levels. Examples include solar projects and aggregate quarries.
- Smaller-scale developments in mapped sage-grouse habitat areas, like a two-acre guest ranch, would require evaluation from the Oregon Department of Fish and Wildlife (ODFW) for potential threats to the habitat.

The regulation and mitigation guidelines differ based on the area type - Core Area, Low Density Area, or General Habitat. These regulations detail allowable disturbances, mitigation measures, and consultations required with ODFW, ensuring the protection and conservation of the sage grouse habitat.

II. 2022-2025 UPDATE PROCESS

ODFW staff initiated the process to update the Sage-Grouse Conservation Assessment and Strategy for Oregon (CAAS) and statewide Sage-Grouse habitat maps in March 2022, utilizing new collaring data and

³ "Large-scale development" means uses that are: over 50 feet in height; have a direct impact in excess of five acres; generate more than 50 vehicle trips per day; or create noise levels of at least 70 dB at zero meters for sustained periods of time. Uses that constitute large-scale development also require review by county decision makers and are listed in one of the following categories identified in the table attached to OAR 660-033-0120.

- A. Commercial Uses.
- B. Mineral, Aggregate, Oil and Gas Uses.
- C. Transportation Uses.
- D. Utility/Solid Waste Disposal Facilities.
- E. Parks/Public/Quasi-Public.

advanced modeling. In December 2023, the OFWC adopted the new maps and began coordinating with DLCD to integrate the new information into OAR 660-023-0115.

In October 2024, CDD staff received notice of an LCDC public hearing to consider the new maps and minor definition changes. LCDC was required to send Measure 56 notice to all properties impacted by the map changes. The County mailed these notices on LCDC's behalf on December 4, 2024. Following a public hearing on January 23, 2025, LCDC voted to adopt the updated habitat maps, although tabled adoption of the minor definition changes to a later date. Now that LCDC has adopted the maps, the land use requirements above apply to the updated habitat boundary.

To be consistent with state law, staff has initiated a post-acknowledgment plan amendment (PAPA) to update the local GSGA maps to be consistent with state law. These maps are included as Exhibit B of the attached Ordinance 2025-001. The County does not have discretion on amending or altering these maps in any way. Due to the mandatory nature of the text amendment, staff proposes the Board conduct the public hearing, deliberate, and consider emergency adoption of the proposed map amendments at the February 5, 2025, meeting.

III. NOTABLE MAP CHANGES

Staff presented an overview of the notable map changes to the Board during their November 18, 2024, meeting⁴.

Existing Total Area (Acres)	Draft Total Area (Acres)	Change
493,641	466,288	-27,353
Existing Non-Federal Taxlots	Draft Non-Federal Taxlots	Change
1,114	934	-180
Existing Non-Federal Acres	Draft Non-Federal Acres	Change
133,382	144,506	11,124

Overall, the updated maps result in minor changes to the mapped Sage-Grouse habitat in Deschutes County for non-federal properties (owned by County, State, or private parties). Approximately 180 taxlots (11,124 acres) will be removed from the habitat area entirely, while 188 taxlots will be newly added to the habitat area. Seventy (70) taxlots (13,604 acres) will be remapped from Low Density to Core Habitat and subject to additional regulations, while thirty-two (32) taxlots (3,626 acres) will be remapped from Core to Low Density and will be subject to lesser regulations.

IV. PUBLIC COMMENTS

Staff received two public comments following initiation of the post-acknowledgement plan amendment.

⁴ <https://mccmeetingspublic.blob.core.usgovcloudapi.net/deschutes-meet-c81edba0cd0b407eb50db16b6468ce92/ITEM-Attachment-001-09d9e7175e11419cb3443b6746820a9b.pdf>

The first requested information on the LCDC public hearing and information on the definition of "large scale development. The second expressed opposition to the map changes.

V. NEXT STEPS

At the conclusion of the public hearing, the Board can choose one of the following options:

- Continue the hearing to a date and time certain;
- Close the oral portion of the hearing and leave the written record open to a date and time certain;
- Close the hearing and commence deliberations;
- Close the hearing and schedule deliberations for a date and time to be determined; or
- Close the hearing, commence deliberations, and conduct first and second reading to adopt the ordinance by emergency.

ATTACHMENTS

Draft Ordinance No. 2025-001

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| Exhibit A. | Title 23.01 |
| Exhibit B. | Zoning Maps |
| Exhibit C. | Chapter 5.12 Legislative History |
| Exhibit D. | Staff Findings |