



MEMORANDUM

TO: Deschutes County Board of Commissioners

FROM: Tanya Saltzman, AICP, Senior Planner
Will Groves, Planning Manager

DATE: August 7, 2024

SUBJECT: Continued Deliberations – RVs as Rental Dwellings

On August 14, 2024, staff will continue discussion with the Deschutes County Board of Commissioners (Board) concerning deliberations for a legislative text amendment to consider allowing recreational vehicles (RV) as rental dwellings (File No. 247-23-000700-TA) under Senate Bill 1013. The purpose of this memorandum is to report progress since staff last met with the Board on June 10, and to seek direction on next steps, which are outlined at the end of this memorandum.

I. PROCEDURAL BACKGROUND

Staff submitted a Post-Acknowledgement Plan Amendment notice to the Department of Land Conservation and Development on October 4, 2023. Staff presented information on the proposed amendments at a Planning Commission work session on October 12, 2023.¹ The Planning Commission held an initial public hearing on November 9, 2023,² which was continued to December 14, 2023.³ At that time, the hearing was closed, and the written record was held open until December 28 at 4:00 p.m. The Planning Commission began deliberating on January 11, 2024⁴ and elected to continue the discussion to January 23 to form a complete recommendation to forward to the Board. After deliberating, the Planning Commission voted 4-3 to **not** recommend adoption by the Board. In addition, the Planning Commission chose to provide recommendations concerning the draft amendments if the Board chooses to move forward with adoption.

Staff provided a summary of the amendments and the process thus far at a February 28 work session⁵ to the Board and followed up with additional information on several topics on March 27,⁶ at which time the Board directed staff to proceed with a public hearing. A public hearing was held before the Board on

¹ <https://www.deschutes.org/bc-pc/page/planning-commission-41>
² <https://www.deschutes.org/bc-pc/page/planning-commission-40>
³ <https://www.deschutes.org/bc-pc/page/planning-commission-43>
⁴ <https://www.deschutes.org/bc-pc/page/planning-commission-44>
⁵ <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-157>
⁶ <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-161>

May 8, 2024. At that time, the public hearing was closed, and the written record was held open until 4 p.m. on May 29.⁷

Staff met with the Board on June 10⁸ to begin the deliberative process, orient the Board to issues raised in the record, and receive feedback on areas of Board interest or concern. During that meeting, the Board directed staff to further research issues relating to fire protection and associated resources, and to gather information about the status of other counties regarding SB 1013 before proceeding with further deliberations.

II. FOLLOW UP TOPICS

It is important to note that the public record for the proposed amendments closed on May 29. Therefore, staff is providing limited general observations in this memorandum that are intended to assist the Board with the logistics of the deliberative process. If directed by the Board, staff will reopen the public record to allow for staff to conduct additional coordination, and during which time staff will enter a memorandum into the record that specifically summarizes information concerning the topics below; the open record period will also provide time for public comment on these materials. Only the information submitted to the record would be utilized in the decision-making process.

Fire Protection Districts

As discussed previously, RVs as rental dwellings are not taxed as real property; improvements to the property for the parking pad and pedestal for essential services could trigger a nominal increase in property tax collected, but is not anticipated to be significant, or compare to the property tax revenue that could come with other types of dwellings/additions. Therefore, the proposed amendments would potentially place more demands on rural fire districts without a commensurate increase in revenue to pay for it. The Board directed staff to further explore this issue.

Staff was able to coordinate with a representative from one fire district, who provided insight regarding funding and resources, as well as potential regulatory strategies to incorporate into the amendments. Given that Central Oregon is in the middle of an intense wildfire season, other districts were not available. However, staff may be given the opportunity to participate in a meeting of the Central Oregon Fire Chiefs Association (COFCA), tentatively scheduled for August 14, or a future meeting at a date to be determined and anticipates additional input could be provided during that meeting that will help inform this process.

All input concerning fire issues would be consolidated into a staff memo to be entered into the record if and when it is re-opened.

Other Oregon counties

As noted previously, Deschutes County is often one of the first—if not the first—counties to adopt legislative changes based on changes to state law. SB 1013 is no different. The Board expressed interest

⁷ The record, which contains all memoranda, notices, and written testimony received, is available at the following website: www.deschutes.org/rvamendments

⁸ <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-175>

in learning which counties have proceeded with amendments codifying SB 1013 and any relevant details. To date, staff is aware of one county, Clackamas, that had adopted amendments to allow RVs as rental dwellings, which will go into effect on September 3. More details about those amendments can be provided in a staff memorandum to be entered into the record if/when it is re-opened.

III. OPTIONS FOR NEXT STEPS

Given the factors outlined in this memo, the Board can choose to:

- Proceed to deliberations with the existing record.
- Re-open the record for a period of time to receive new information on potential approaches to fire issues, as well as update efforts made to date by other counties, with deliberation to follow after the closing of the record. Staff recommends an open record period of three months and has provided a Board order as an attachment if this option is selected.
- Pause this legislative process without reopening the record for a specified time for staff to observe the approaches to and impacts from SB 1013 implementation in other counties.

Attachment

1. Board Order No. 2024-029