

PLANNING COMMISSION DECISION MATRIX

Deschutes County 2040 Comprehensive Plan Update

Land use File No. 247-23-000644-PA

	Issue Area	Applicable Plan Provision	Support / Opposition	Staff Comment	PC Decision Points
1	<p>Should goals, policies, or narrative in Chapter 1 be amended to address the following topics:</p> <ol style="list-style-type: none"> 1. Continue engaging community on planning related topics. 2. Seek out ways to engage with youth on planning related topics. 	<p>Chapter 1, Community Engagement</p> <p>Policy 1.1.7. Promote opportunities for community members to have civil dialogue around key community issues.</p> <p>Policy 1.1.8. Explore new and innovative ways to reach community members and promote participation in the planning process.</p> <p>Policy 1.2.2. Provide regular updates, speakers, panel discussions, and handouts on land use law and policy.</p> <p>Policy 1.2.6. Maintain open and civil discourse among Committee members and with the public.</p>	<ul style="list-style-type: none"> • Support: Public commenters expressed general support for targeted engagement to youth populations and generally more opportunities to be involved with planning related issues. • Opposition: N/A 	<p>Staff believes that the existing policy language addresses the desire for continued community engagement on planning topics, although does not specifically discuss youth engagement.</p>	<p>If yes, the Planning Commission may recommend Option A (new policy): Policy x.x.x Explore and implement methods to better involve youth in the community engagement process.</p> <p>If no, the Planning Commission may recommend retaining current language as drafted.</p>
2	<p>Should a policy be added to limit Planning Commission membership to residents of unincorporated areas?</p>	<p>Chapter 1, Community Engagement</p> <p>Policy 1.2.3. Appoint members through an open and public process to reflect the diverse geographic regions, demographics, and values of Deschutes County residents.</p>	<ul style="list-style-type: none"> • Support: Several public commenters expressed interest in limiting membership to unincorporated residents. • Opposition: N/A 	<p>The criteria for Planning Commission membership are included in the Deschutes County Code and Planning Commission Procedures Manual. The Board of County Commissioners explored revisiting these criteria in 2023, and ultimately expressed support for the current process and representation of area-specific and at-large seats.</p> <p>If the PC were to explore this, staff has concerns regarding the reduced number of eligible applicants that could apply for open positions and challenges in maintaining an adequate number of positions.</p> <p>Staff recommends the PC maintain the current language.</p>	<p>If yes, the Planning Commission may recommend Option A (new policy): Policy x.x.x Limit Planning Commission membership to representatives residing in unincorporated Deschutes County.</p> <p>If no, the Planning Commission may recommend retaining current language as drafted.</p>

3	Should area-specific policies for the Three Rivers area related to water quality and treatment, economic development, wildlife and growth be added to the Deschutes County 2040 Plan?	<p>Chapter 2, Land Use and Regional Coordination.</p> <p>Policy 2.2.9. Support updates to unincorporated community area plans.</p>	<ul style="list-style-type: none"> • Support: Three Rivers residents expressed concern that specific needs in the Newberry Country Plan and draft Deschutes 2040 plan did not address existing and emerging challenges from development. • Opposition: N/A 	<p>The Board of County Commissioners directed staff to update the Newberry Country Plan in 2024. This plan provides area-specific policies for the area south of Lava Butte to the southern county border. As the Comprehensive Plan is intended to provide more general policies for the entire county, staff believes the Newberry Country Plan is a more fitting avenue for this specific policy language. It also is consistent with the approach staff has taken in other unincorporated communities and specific areas in the County.</p> <p>As an alternative, staff could provide more detail on the issues in Three Rivers in the narrative for Chapter 5 or other chapters.</p> <p>Staff believes it may be premature to present policy options prior to more extensive engagement with the Three Rivers community and recommends the PC retain the current language.</p>	<p>If yes, the Planning Commission may recommend Option A (new policy): Policy x.x.x As part of the Newberry Country Plan, include area-specific analysis of Three Rivers to identify challenges related to ongoing natural resource, water, and development related issues.</p> <p>If yes, the Planning Commission may direct staff to incorporate additional detail on issues pertaining to Three Rivers in the document narrative.</p> <p>If no, staff recommends utilizing the existing draft language in Policy 2.2.9 to support updates to unincorporated community area plans, including policies specific to Three Rivers during the Newberry Country Plan update process, similar to the approach used in other unincorporated areas of the County.</p>
4	Should policy language prioritize use of incentives over regulations?	<p>Chapter 2, Land Use and Regional Coordination</p> <p>Policy 2.1.1. Balance the consideration of private property rights and the economic impacts of land use decisions on property owners with other community goals identified in the Comprehensive Plan.</p> <p>Goal 2.4. Minimize onerous barriers to land use application and development review processes.</p>	<ul style="list-style-type: none"> • Support: Commentors expressed support of policies that better address private property rights and limit delays and expenses associated with land use reviews. • Opposition: Central Oregon LandWatch (COLW) provided edits to 2.1.1. Other commentors did not directly weigh in on this topic but promoted additional opportunities for engagement and balancing of development with livability and impacts to natural resources. 	<p>Staff heard several concerns related to this topic during the initial engagement process and attempted to draft language to reduce onerous barriers to otherwise allowed development while still balancing other concerns such as impacts to natural resources. This resulted in draft Policy 2.1.1 and Goal 2.4. Staff and the PC had extensive discussions of these policies.</p> <p>Staff recommends the Planning Commission retain the current language as drafted.</p>	<p>If yes, the Planning Commission may recommend Option A (new policy): Policy x.x.x. Where possible, explore landowner incentives to mitigate impacts from development and achieve community goals.</p> <p>If no, the Planning Commission may recommend retaining current language as drafted.</p> <p>If no, the Planning Commission may recommend incorporating changes in COLWs letter: Balance the consideration of private property rights and the economic impacts of land use decisions on property owners with <u>the need to preserve agricultural and forest land, wildlife habitat, ground and surface water resources, wetlands, riparian areas, open areas and</u> other community goals identified in the Comprehensive Plan.</p>

5	Should additional policy language address enforcement of existing codes and laws?	Chapter 2, Land Use and Regional Coordination	<ul style="list-style-type: none"> • Support: Commentor expressed support for enforcement of existing regulations and laws prior to establishing new codes and laws. • Opposition: N/A 	<p>Deschutes County currently has three Code Compliance Specialists and an Administrative Manager who oversees the Code Compliance Program. The County continues to receive a large volume of code complaints and prioritizes complaints with a public health or safety component to address first. Funding and staffing for this division are under the purview of the Board of County Commissioners.</p> <p>Staff notes that new issues emerge, and regulations are often legally required to address changes in case law, state law, or new allowed use, therefore new codes must often be drafted. Additionally, staff notes that this item would be more fitting for an action plan.</p> <p>Staff recommends the PC maintain the current language as drafted.</p>	<p>If yes, the Planning Commission may recommend Option A (new policy): Policy x.x.x Analyze resources to enforce new regulations prior to adoption.</p> <p>If no, the Planning Commission may recommend retaining current language as drafted.</p>
6	Should the County integrate COLWs recommended edits to the agriculture and forestry Comprehensive Plan designation purpose statements in their December 14, 2023 letter?	Chapter 2, Land Use and Regional Coordination Page 2-3 – Table	<ul style="list-style-type: none"> • Support: COLW, commentors expressed general support for COLW recommendations. • Opposition: N/A 	<p>The existing Comprehensive Plan designation purpose statement comes directly from Oregon Planning Goal 3. The forestry purpose statement is a condensed version of the statement in Oregon Planning Goal 4. The purpose statements were edited to reflect the current language in 1993.</p> <p>Staff and legal counsel are also concerned that the language in COLW's recommendation will adversely affect the County's code due to unclear language that is not consistent with state statute or Oregon Administrative Rule. The language change could have the effect of requiring further limits on uses, which would best be done through a development code amendment process.</p> <p>Staff strongly recommends that the definition remains as drafted. If the PC were interested in changing this definition, staff recommends the purpose statements be amended to list the purpose statement from each state planning goal to reduce confusion to community members and applicants.</p>	<ul style="list-style-type: none"> • If yes, the Planning Commission may recommend Option A – definition from planning goals: Agriculture – To preserve and maintain agricultural lands. Forest - To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture. • If no, the Planning Commission may recommend retaining current language as drafted.

7	Should the County integrate COLWs recommended edits relating to coordination with federal agencies?	<p>Chapter 2, Land Use and Regional Coordination</p> <p>Policy 2.2.6. Collaborate with federal agencies on land management issues including homelessness, sustainable recreation expansion, and energy projects.</p>	<ul style="list-style-type: none"> • Support: COLW, commentors expressed general support for COLW recommendations. • Opposition: N/A 	<p>Policy 2.2.6 language was drafted in partnership with federal agencies. Staff has concerns about the phrase “excessive road networks” but otherwise does not see any major concerns with the proposed edits.</p>	<ul style="list-style-type: none"> • If yes, the Planning Commission may recommend Option A (amended language): <p>Policy 2.2.6. Collaborate with federal agencies on land management issues including homelessness, <u>wildlife habitat restoration, water quality, excessive road networks, energy projects, the impacts of recreation, and the expansion of sustainable recreation opportunities.</u></p> <ul style="list-style-type: none"> • If no, the Planning Commission may recommend retaining current language as drafted.
8	Should the Planning Commission incorporate changes to further limit rezoning of farm land?	<p>Chapter 3, Farm and Forest Resources</p> <p>Policy 3.3.6 Support the evaluation and potential redesignation of lands with a farm designation and poor soils and low productivity for protected open space, development of needed housing, or other uses that support community goals as follows.</p> <p>a. Allow comprehensive plan and zoning map amendments, including for those that qualify as non-resource land, for individual EFU parcels as allowed by State Statute, Oregon Administrative Rule, and this Comprehensive Plan.</p> <p>b. Explore creation of a new zoning classification intended to balance value of high desert environment while allowing for limited housing opportunities and applying this designation through coordination with interested and willing property owners.</p>	<ul style="list-style-type: none"> • Support: Community members cited concerns regarding loss of productive farm land, impacts of sprawl to wildlife, water availability, and open space. • Opposition: Community members noted the challenges of productively using land that is not viable for agricultural use and were supportive of allowing the current practice of rezoning on a case by case basis. 	<p>Staff notes this topic was one of the most discussed during development of the draft plan. Staff attempted to balance community member concerns from initial outreach regarding valuing farm land as a food source, economic driver, and de facto open space, while also recognizing challenges with miscategorized land unfit for farming, including use of water rights to preserve farm tax deferral.</p>	<ul style="list-style-type: none"> • If yes, the Planning Commission may recommend removing policy 3.3.6, which is in support of exploring new classifications and redesignation of farm zoned land. • If no, the Planning Commission could utilize the existing language in this policy to support retention of accurately designated agricultural lands while recognizing the state allows for rezonings if specific statutory criteria are met and expressing interest in exploring a new zoning classification.

9	Should policy language pertaining to flexibility for income-producing supplementary activities on farm land be strengthened?	<p>Chapter 3, Farm and Forestry</p> <p>Policy 3.2.6. Continue to review and revise County Code as needed and consistent with state rules and regulations to permit alternative and supplemental farm activities that are compatible with farming, such as agri- tourism or commercial renewable energy projects.</p>	<ul style="list-style-type: none"> • Support: Commentors cited support for income-producing activities. • Opposition: Commentors expressed concern regarding uses that could interfere or detract from the preservation and use of land for agricultural operations. 	<p>Staff notes this topic was widely discussed during development of the draft plan. Staff attempted to balance community member concerns from initial outreach regarding preservation of land for agricultural activities and concerns around encroachment of illegal uses while also balancing the need for additional income to support commercial agriculture operations.</p> <p>Staff notes these uses are heavily regulated by state law.</p> <p>Staff recommends retaining the current language.</p>	<ul style="list-style-type: none"> • If yes, the Planning Commission may recommend the language in Option A (new): Policy x.x.x. Support incoming producing supplemental activities on farm land. • If no, the Planning Commission may recommend retaining current language as drafted.
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