



MEMORANDUM

**DATE:** August 5, 2021  
**TO:** Deschutes County Board of Commissioners  
**FROM:** Nick Lelack, AICP, Director  
Peter Gutowsky, AICP, Planning Manager  
**RE:** Planning Division Work Plan Update / Long Range Planning / FY 2021-22

**I. WORK PLAN DIRECTION**

This memorandum presents a draft approach to implementing the Community Development Department’s (CDD) Long Range Planning FY 2021-22 Work Plan. Staff seeks Board of County Commissioners (Board) comments and revisions. The purpose is to ensure that long-range staff implements the Board’s priorities within its available capacity and resources.<sup>1</sup> The following tables summarize projects that are highest priority, ongoing, and to be initiated for Board consideration.

Starting in September, staff will initiate long range planning projects identified in the work plan.<sup>2</sup> Table 1 lists projects, based on prior Board direction, that staff recognizes as the highest priorities. As discussed in the development and adoption of the work plan during the 2021 Legislative Session, the potential impact of Senate Bill (SB) 391 (rural ADU legislation) becoming law would impact the implementation schedule. The adoption of SB 391, House Bill (HB) 3295 (requiring the County establish a Cannabis Advisory Panel) and SB 762 (comprehensive wildfire legislation requiring staff to monitor and engage in the rulemaking processes) further impact the implementation schedule as shown in the subsequent tables. The most significant is delaying initiation of the Comprehensive Plan Update until spring 2022.

**Table 1 – Highest Priority Long Range Planning Projects**

Project	Summary	Comments
<b>SB 391</b>	The Oregon Legislature adopted Senate Bill (SB) 391 into law on June 23, 2021. It authorizes a county to allow an owner of a lot or parcel within a rural residential zone to construct one ADU subject to certain restrictions and limitations.	Starting in September, staff will begin regularly coordinating with the Board to clarify several elements of SB 391, including but not limited to: minimum lot sizes, distance requirements, setbacks, and adequate access. The goal is to receive Board direction so amendments can be drafted and ready to initiate in Summer 2022 once statewide wildfire risk maps are approved by the Department of Forestry.
<b>SB 762</b>	On June 26, 2021, the Oregon Legislature passed SB 762, which has significant impacts on wildfire mitigation efforts across all jurisdictions in Oregon including Deschutes County.	Staff, in coordination with the County Forester, is monitoring SB 762 and will provide regular updates relating to statewide wildfire risk mapping, defensible space standards, and building code guidelines, among others.

<sup>1</sup> The Long Range Planning Section consists of a Senior Planner, Senior Transportation Planner (FTE allocated across transportation, current and long range planning duties), and two Associate Planners.

<sup>2</sup> [https://www.deschutes.org/sites/default/files/fileattachments/community\\_development/page/110/2021-22\\_deschutes\\_county\\_community\\_development\\_work\\_plan\\_annual\\_report.pdf](https://www.deschutes.org/sites/default/files/fileattachments/community_development/page/110/2021-22_deschutes_county_community_development_work_plan_annual_report.pdf). Pages 34-36.

Project	Summary	Comments
<b>Cannabis Advisory Panel (CAP)</b>	House Bill (HB) 3295 ensures that counties that participate in Oregon marijuana economy receive a share of marijuana revenue. On July 14, 2021, the Board agreed to convene a CAP starting in October.	To receive marijuana tax revenue, the Board must appoint a CAP that meets at least quarterly. <b>Coordinating the CAP is not recognized in CDD's FY 2021-22 work plan and therefore is an unfunded project.</b>
<b>Housekeeping and Legislative Amendments</b>	CDD regularly amends Deschutes County Code and the Comprehensive Plan to correct minor errors identified by staff. This process also incorporates updates from rulemaking at the state level through amendments to Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR).	Completing housekeeping and legislative amendments ensures County Code complies with state law. Two recent changes to state law, HB 2809 and OAR 660, Divisions 4, 6, 11, 14, 22 and 23 pertain to temporary housing associated with dwellings destroyed by natural hazards.
<b>Transportation Growth Management (TGM) Grant</b>	CDD received a \$75,000 TGM grant in 2020 to: <ul style="list-style-type: none"> <li>Update the Tumalo Community Plan; and</li> <li>Implement the rural trails portion of the Sisters Country Vision Action Plan.</li> </ul>	Staff recently finalized a scope of work and grant contract with the Oregon Department of Transportation (ODOT). ODOT is currently finalizing a consultant contract. Project kick-off is expected this fall. The grant expires in June 2023.
<b>Wildlife Inventory Update</b>	CDD recently completed an 18-month Technical Assistant (TA) Grant from the Department of Land Conservation and Development (DLCD) to identify three new/updated wildlife inventories relating to mule deer winter range, sensitive bird habitat (bald and golden eagles) and elk winter range.	Staff will debrief the Board in late August or early September with a Goal 5 Wildlife Inventory Update Report and a request to return at a subsequent meeting with a list of options for updating the three inventories into the Comprehensive Plan.
<b>Comprehensive Plan Update</b>	Deschutes County last updated its Comprehensive Plan in 2011. Since then, Deschutes County's growth has outpaced the state of Oregon, growing more than twice the rate at 21.7 percent this decade. Recent projections from the Portland State University, Oregon Population Forecast Project, estimate Deschutes County's population will be 301,999 by 2043.	Staff is in the process of developing a scope, schedule and budget for a consultant team to initiate a multi-year process to update the Comprehensive Plan. <b>Given the projects listed above and in Table 2, staff intends to initiate the Comp Plan Update in spring 2022.</b>

## II. ONGOING PROJECTS

Staff is currently processing or coordinating a number of land use projects.

**Table 2 – Ongoing Long Range Planning Projects**

Project	Summary	Status
<b>Applicant-initiated Nonresource Land Amendments</b>	Staff is processing two applicant-initiated Plan Amendment and Zone Change applications to change the designation from Exclusive Farm Use (EFU) to Multiple Use Agricultural 10 (MUA-10).  247-21-000400-PA and 401-ZC is scheduled for a public hearing before a hearings officer on August 31. 247-21-000616-PA and 617-ZC is scheduled with a hearings officer on September 21. Public hearings with the Board will be scheduled later in the fall.	<u>Ongoing</u> . Deschutes County has a long-standing policy (for decades) to timely process applicant-initiated plan amendment, zone changes, and/or text amendments. These plan amendments and zone changes require significant resources and are becoming increasingly common.
<b>Campgrounds, RVs, Manufactured Home Parks</b>	The Board requested information regarding the land use entitlement process for siting campgrounds, RV parks, and manufactured home parks in rural Deschutes County on non-federal land.	<u>Ongoing</u> . Staff debriefed the Board on July 7. Staff will meet individually with commissioners to discuss options for next steps, if any, in early September.

Project	Summary	Status
<b>City of Bend</b>	Coordinate with the City of Bend to: <ul style="list-style-type: none"> <li>○ Amend the City of Bend UGB to implement HB 4079.</li> </ul>	<u>Ongoing</u> . The City of Bend is convening monthly coordination meetings. The Board will receive an update at their joint meeting with Bend City Council on September 2.
<b>City of La Pine Coordination</b>	Participate with Property Management and the City of La Pine process to update and amend the County-owned New Neighborhood comprehensive plan designations, master plan and implementing regulation, if initiated by the city.	<u>Ongoing</u> . City submitted a TGM grant application in July to pay for consultant services to complete these tasks. The state will notify the County in September of this grant application decision. The Property Manager and CDD will meet with the Board in late September or early October to discuss next steps based on the TGM grant application outcome.
<b>City of Redmond Coordination</b>	Coordinate with the City of Redmond to: <ul style="list-style-type: none"> <li>○ Continue participating in the implementation of their Comprehensive Plan Update.</li> </ul>	<u>Ongoing</u> .
<b>City of Sisters Coordination</b>	Continue participating in the implementation of: <ul style="list-style-type: none"> <li>○ Sisters Country Vision Plan;</li> <li>○ City of Sisters Comprehensive Plan update.</li> </ul>	<u>Ongoing</u> .
<b>Growth Management Committees</b>	Coordinate and/or participate on Deschutes County Bicycle and Pedestrian Committee (BPAC), Project Wildfire, and Deschutes County Mitigation and Enhancement Committee. Involve BPAC in the County's Transportation System (TSP) Plan Update, and Sisters Country Vision Plan implementation of trails strategies.	<u>Ongoing</u> . These meetings occur monthly with the exception of the Mitigation and Enhancement Committee which is annually.
<b>Hemp / Land Use Issues</b>	Last spring, the Board directed the Planning Commission to gain a better understanding of growing and processing hemp to determine if regulations should be considered.	<u>Ongoing</u> . The Planning Commission convened a panel on June 24, 2021. A follow-up work session is scheduled for August 12. A Board work session is anticipated in early September.
<b>Historic Preservation (Certified Local Government Grant)</b>	Every 24 months, the State Historic Preservation Office (SHPO) offers matching grants to counties that have been "certified" as historic preservation partners with both the state and federal governments. Deschutes County is a Certified Local Government (CLG). Staff is administering a \$12,000 CLG grant, which includes coordinating with the Historic Landmarks Commission and City of Sisters. The grant was awarded in May 2021.	<u>Ongoing</u> . Administering CLG Grant through August 2022.
<b>Marijuana Retail Hours &amp; Annual Inspection Amendments</b>	The Board directed staff to initiate legislative amendments to 1) extend the permitted hours for marijuana retail businesses and 2) modify marijuana annual reporting requirements.	<u>Ongoing</u> . The Planning Commission conducted a public hearing on July 22, deliberated, and recommended approval subject to certain revisions. The Board is conducting a work session on August 16 and a public hearing on August 25.
<b>Natural Resource Stewardship Position</b>	Consider scoping for further consideration, a natural resource stewardship position on services to inventory assets and uses/trails, wildlife, rare Oregon plants on County owned lands, oversee conservation easements, etc.	<u>Ongoing</u> . Staff debriefed the Board on June 23. Staff will meet individually with commissioners to discuss options for next steps, if any, in early September.

Project	Summary	Status
<b>Ongoing Coordination Projects</b>	<ul style="list-style-type: none"> <li>Portland State University (PSU) Annual Population Estimate</li> <li>Marijuana Annual Reporting and Inspections</li> <li>Destination Resort Overnight Lodging Unit Annual Reporting</li> </ul>	<p><u>Ongoing</u>. Staff is coordinating with PSU this month to complete its annual population estimate, which is released preliminarily in November and certified in December.</p> <p>Annual reporting and inspections for marijuana related land uses will be completed by late September. Staff will provide a summary of the inspections to the Board in early October.</p> <p>Monitoring destination overnight lodging units will be initiated in January 2022.</p>
<b>Rural Economic Development</b>	The Board asked staff to prepare a white paper on rural economic development opportunities in Deschutes County.	<u>Ongoing</u> . Staff debriefed the Board on June 28. The Planning Commission will be convening a panel of experts on October 14. A follow-up meeting with the Board will occur later in October or in November.
<b>Transportation System Plan (TSP) Update</b>	Coordinate the County TSP update with the Road Department and ODOT.	<u>Ongoing</u> . Senior Transportation Planner is assisting the Road Department which is leading the TSP update. The Planning Commission is serving as the citizen advisory committee (CAC) for this project. CDD/Road Department staff will jointly engage the Planning Commission in serving as the CAC for this Update.

### III. PROJECTS NOT YET INITIATED

Table 3 lists long range planning projects that have not been initiated. Projects are organized by theme.

**Table 3 – Non-initiated Long Range Planning Projects**

Project	Summary
<b>Bend Airport</b>	Update and adopt the Bend Airport Master Plan and amend the Comprehensive Plan and Development Code to incorporate implementation measures to allow new airport-related businesses.
<b>Community Plans</b>	Engage Tumalo, Terrebonne, and Newberry Country residents to determine if community plans should be updated. (Note: The Tumalo Community Plan is referenced above in Table 1.)
<b>Comprehensive Plan Update</b>	The FY 2021-22 County Budget appropriated \$150,000 for consultant services to assist with the Comprehensive Plan Update. Staff intends to initiate a Request for Proposal (RFP) in fall 2021 to hire a consultant and initiate the Update in spring 2022.
<b>Legislative Session</b>	Participate in legislative or rulemaking work groups to shape state laws to benefit Deschutes County. (Note: CDD and the County Forester will be engaged in the SB 762 rulemaking work groups.)
<b>Zoning Text Amendments</b>	Amend DCC to allow or address: <ul style="list-style-type: none"> <li>Limiting hemp production in Rural Residential Zones (Note: Addressed above in Table 2).</li> <li>Minor variance 10% lot area rule for farm and forest zoned properties</li> <li>Nonfarm dwelling code to be consistent with State law</li> <li>Outdoor and Greenhouse Lighting Control Ordinance to comply with new technologies and Dark Skies best practices</li> <li>Outdoor Mass Gatherings to be addressed more thoroughly</li> <li>Replatting</li> <li>Sign code to become consistent with federal law</li> <li>DCC 17.48, Design and Construction Specifications</li> <li>In conduit hydroelectric generation</li> </ul>