



**MEMORANDUM**

**TO:** Deschutes County Board of Commissioners

**FROM:** Will Groves, Planning Manager  
Peter Gutowsky, AICP, Director

**DATE:** June 28, 2023

**SUBJECT:** Planning Division Work Plan Update / Long Range Planning / FY 2023-24

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**I. WORK PLAN DIRECTION**

The adopted Community Development Department (CDD) FY 2023-24 Work Plan contains several discretionary long range planning projects varying in complexity and anticipated staff effort.<sup>1</sup> This memorandum is intended to update the Board of County Commissioners (Board) on upcoming work plan projects and solicit any comments and revisions. The purpose is to ensure that long-range staff, which has emerging capacity due to the withdrawal of the Mule Deer Wildlife Inventory Project, implements the Board's priorities within its available resources.<sup>2</sup>

*Mule Deer Steering Committee*

On June 26, the Board discussed convening a mule deer steering committee as recommended by the Planning Commission. If the Board supports initiating this recommendation, staff offers the following perspectives. The Board would need to define the purpose of the steering committee and its intended outcomes. The Oregon Department of Fish and Wildlife (ODFW) is currently updating its Mule Deer Management Plan and is taking public feedback.<sup>3</sup> This is a better process than a county-initiated committee because it will address issues and concerns that will direct future management of mule deer. It is also ODFW's preferred method for further engagement. Lastly, throughout the Mule Deer Wildlife Inventory Project, besides habitat fragmentation, ODFW identified other threats including predation, disease, poaching, automobile collisions, and wildlife crossings. CDD does not regulate or have any oversight of these issues. Given our lack of expertise and the divergent opinions about mule deer,

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<sup>1</sup> [https://www.deschutes.org/sites/default/files/fileattachments/community\\_development/page/18781/draft\\_2023-24\\_work\\_plan\\_annual\\_report.pdf](https://www.deschutes.org/sites/default/files/fileattachments/community_development/page/18781/draft_2023-24_work_plan_annual_report.pdf). Pages 35-38.

<sup>2</sup> Compared to FY 2022-23, the Long Range Section is down one FTE. The Long Range Planning Section now consists of four FTEs: two Senior Planners, a Senior Transportation Planner (FTE allocated across transportation, current and long range planning duties), and one Associate Planner. An Associate Long Range Planner promoted to fill a Senior Transportation Planner retirement is not being backfilled due to budgetary considerations.

<sup>3</sup> [https://www.dfw.state.or.us/wildlife/management\\_plans/mule\\_deer/index.asp](https://www.dfw.state.or.us/wildlife/management_plans/mule_deer/index.asp)

professional facilitation would be required. CDD does not have this expense listed in our FY 2023-24 budget.

**Staff seeks Board support to initiate one of the following projects:**

*2023 Legislative Session*

- HB 3197 / Clear and Objective Standards (Bill language included as attachment to this memo)

The Oregon Legislature recently enacted HB 3197 into law. It requires counties to adopt and apply clear and objective standards, conditions, and procedures regulating housing in unincorporated communities, Rural Residential Exception Areas, and nonresource lands. It has a two year effective date of July 1, 2025.

CDD needs to develop a multi-phased and likely multi-year work program to comply. This law requires amending definitions, land division code, five rural residential zones, Sunriver Urban Unincorporated Community zones, Tumalo and Terrebonne Rural Community zones, Flood Plain Zone, and Landscape Management, Sensitive Bird and Mammal, and Wildlife Area Combining Zones, with detailed findings, including those relating to Goal 5.

- SB 1013 / Recreation Vehicles / Housing Option (Bill language included as attachment to this memo)

The Oregon Legislature recently enacted SB 1013 into law. It allows counties to amend rural residential zones to site one recreational vehicle with an existing dwelling subject to certain siting standards.

The legislation requires that the recreational vehicle is:

- Located in an area zoned for rural residential use
- Used for residential purposes
- Co-located with an existing residence, which is occupied by the property owner
- Not used for vacation occupancy
- Owned or leased by the tenant
- Provided "essential services", including sewage disposal, water supply, electrical supply

The legislation allows counties to include other limitations and specifications.

*Area and Community Plans*

- Terrebonne Community and Newberry Country Plans

CDD has received requests to engage Terrebonne and/or Newberry Country residents to determine if community and/or area plans require updates. If so, staff can develop detailed work plans for the Board's consideration.

*Legislative / Housekeeping Amendments*

- Zoning Code Amendments

It is important to initiate zoning text amendments to keep Deschutes County Code up to date. Staff can coordinate with the Board to prioritize them prior to initiation. Potential Project identified in the adopted 2023-24 Work Plan are included as attachment to this memo, with relevant zoning text amendments on Page 37.