



MEMORANDUM

TO: Deschutes County Board of Commissioners

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

DATE: January 11, 2023

SUBJECT: Planning Division Work Plan Update / Long Range Planning / FY 2022-2023

I. WORK PLAN DIRECTION

The adopted Community Development Department (CDD) FY 2022-23 Work Plan contains several discretionary long range planning projects varying in complexity and anticipated staff effort.¹ 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 following completion of prior projects, implements the Board's priorities within staff's available resources.²

In October 2022, the Board identified priorities for Long Range projects from the Work Plan for late 2022. Tables 1-3, starting on page 2, summarize projects that are completed, ongoing, and yet to be initiated. Staff is requesting the Board assign priority to Work Plan projects for early 2023.

Staff seeks Board direction on prioritizing the following projects:

- Non-initiated Long Range Planning Projects listed in Table 3, below
- Wildlife inventory Updates (paused in 2022 for Psilocybin regulations)

* The Board has indicated it will accept public input as part of this agenda item. Given the level of interest in the work plan, the Board may decide to provide direction to CDD at a subsequent meeting in January.

II. BACKGROUND

Each spring, CDD prepares an annual work plan describing proposed projects for the coming fiscal year. A review of the draft work plan provides the Planning Commission, Historic Landmarks Commission,

¹ https://www.deschutes.org/sites/default/files/fileattachments/community_development/page/110/2022-23_work_plan_annual_report_-_final.pdf. Pages 35-38.

² The Long Range Planning Section consists of two Senior Planners, a Senior Transportation Planner (FTE allocated across transportation, current and long range planning duties), and two Associate Planners.

County Administration, CDD’s customers and partner agencies, and the Board the opportunity to provide input, including additions, modifications and possible re-prioritization. The work plan describes the most important objectives and proposed projects in each CDD division based on:

1. Board annual goals and policies;
2. Carry-over projects from current or prior years;
3. Changes in state law;
4. Grants/funding sources; and
5. Public comments.

It also serves as the context within which new projects that arise during the course of the year are prioritized and undertaken. The Planning Division Work Plan consistently generates public interest.

III. COMPLETED PLANNING PROJECTS

Table 1 lists completed projects identified in the FY 2022-23 work plan.

Table 1 – Completed Planning Projects

Project	Summary	Status
<i>HB 4079 / Affordable Housing Pilot Project</i>	Amendments to the Deschutes County Comprehensive Plan and Zoning Map to change the designation of a property to Bend Urban Growth Area and Urbanizable Area (UA) District, respectively. Amendment allows the City of Bend to annex, rezone and approve urban development of the future Parkside Place affordable housing development.	<u>Completed.</u> Board adopted City of Bend Urban Growth Boundary (UGB) amendment in June. City Council adopted similar amendments in July 2022.
<i>Historic Preservation (CLG Grant)</i>	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 will apply for the next round of grants (2023-2024) in February, which includes coordinating with the Historic Landmarks Commission and City of Sisters.	<u>Completed/Ongoing.</u> Grant applications are due February 24, 2023.
<i>Historic Policy and Procedures Manual</i>	Staff prepared a <i>Historic Landmarks Commission Policies and Procedures Manual</i> . It is a reference guide describing the Commission’s purpose, authorities, roles, decision making process, applicable laws/regulations and public meeting requirements.	<u>Completed.</u> Board reviewed and approved the manual in September.
<i>Historic Preservation Strategic Plan</i>	Staff prepared a <i>Deschutes County and City of Sisters Historic Preservation Strategic Plan 2022-2027</i> . It provides a framework for shaping the county and City of Sisters’ preservation programs over the next five years and creates a blueprint for allocating CLG grant funding	<u>Completed.</u> Board reviewed and approved the strategic plan in September.
<i>Psilocybin Time, Place, and Manner (TPM) Amendments</i>	Measure 109, the Oregon Psilocybin Services Act, was passed by the voters of Oregon, allowing manufacture, delivery, and administration of psilocybin at supervised, licensed facilities beginning on January 2, 2023. Pursuant to Measure 109, the county adopted ordinances that impose reasonable TPM regulations on the location of and operation of psilocybin businesses.	<u>Completed.</u> Board completed second reading of TPM amendment on January 4, 2023. These ordinances will be effective in April 2023

IV. ONGOING PLANNING PROJECTS

Staff is currently processing or coordinating several land use projects.

Table 2 - Ongoing Planning Projects

Project	Summary	Comments
<i>Amateur Radio Code Updates</i>	Based on Board direction and in coordination with the Deschutes County Building Division, Oregon Department of Aviation, and amateur radio operators, staff has initiated legislative updates to the amateur radio facilities.	<u>Ongoing</u> . Planning Commission will conduct a public hearing to consider legislative amendments to streamline and clarify the review process for Amateur Radio facilities on January 12.
<i>Applicant-initiated Nonresource Land Amendments</i>	Staff is processing four applicant-initiated Plan Amendment and Zone Change applications to change Exclusive Farm Use (EFU) zoning. One is set for Board hearing in January 2023. One has received Hearings Officer review and will be brought to the Board in early 2023. The other two are in incomplete status and are anticipated for hearings in 2023.	<u>Ongoing</u> . Deschutes County has a long-standing policy 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.
<i>City of Bend Coordination</i>	Coordinate with City of Bend on growth management issues, including technical analyses related to housing and employment needs.	<u>Ongoing</u> . Staff is coordinating with city staff regarding HB 3318, Stevens Road Tract. In 2023, the City of Bend will initiate an application to expand its urban growth boundary to include this property.
<i>City of La Pine Coordination</i>	Participate with Property Management and the City of La Pine to update and amend the County owned Newberry Neighborhood comprehensive plan designations, master plan and implementing regulation.	<u>Ongoing</u> . Staff is coordinating with the Property Manager and Strategic Initiatives Manager.
<i>City of Redmond Coordination</i>	Coordinate with City of Redmond to implement their Comprehensive Plan update.	<u>Ongoing</u> . Staff is coordinating with the City of Redmond regarding their plans to relocate and expand their wastewater treatment plant.
<i>City of Sisters</i>	Participate in the implementation of Sisters Country Vision Plan and City of Sisters Comprehensive Plan Update.	<u>Ongoing</u> . Staff participates in regular coordination meetings with the Sisters Vision Implementation Team.
<i>Comprehensive Plan Update</i>	As directed by the Board, an updated Comprehensive Plan needs to incorporate community input to craft new and updated goals and policies regarding agriculture, forestry, housing, recreation, natural resources, natural hazards, economic development, and transportation. This updated community vision is an opportunity to carefully discuss and balance community values in the face of upcoming opportunities and challenges.	<u>Ongoing</u> . Staff, in coordination with the consultant, is conducting community conversations, stakeholder meetings, and open houses throughout Deschutes County. The focus in early 2023 is to work with the Planning Commission to consolidate community feedback into updated draft goals and policies.

Project	Summary	Comments
Coordination Projects	<ul style="list-style-type: none"> ○ Destination Resort Overnight Lodging Unit Annual Reporting ○ Marijuana Annual Reporting / Inspections ○ Portland State University (PSU) Annual Population Estimate 	<u>Ongoing.</u> Staff coordinates with relevant stakeholders for these tasks and reports news, updates, and results to the Board annually.
Dark Skies	The Work Plan identifies updating the Outdoor Lighting Control Ordinance (aka Dark Skies Ordinance). As both the Planning Commission and Board have expressed support for revisiting the County's existing Outdoor Lighting ordinance, staff is preparing a report outlining opportunities and challenges.	<u>Ongoing.</u> This report will be presented to the Board in early 2023.
Growth Management Committees	Coordinate and/or participate on Deschutes County Bicycle and Pedestrian Committee (BPAC), Project Wildfire, and Deschutes County Mitigation and Enhancement Committee. BPAC is involved in the County's Transportation System (TSP) Plan Update, and Sisters Country Expansion Concept Plan.	<u>Ongoing.</u> These meetings occur monthly with the exception of the Mitigation and Enhancement Committee, which is an annual meeting.
Housekeeping Amendments - Early 2023	Initiate housekeeping amendments to ensure County Code complies with State law.	<u>Ongoing.</u> A Public Hearing will be conducted before the Planning Commission in January 2023, prior to a hearing before the Board
Road Naming	Process Road Naming requests associated with certain types of development on a semi-annual basis.	<u>Ongoing.</u>
Rural Accessory Dwelling Units (SB 391)	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.	<u>Ongoing.</u> Based on Board direction, Staff is monitoring the State 2023 Legislative session for changes to ADU or associated fire hardening requirements, prior to proceeding with local implementation.
Sage Grouse Coordination	Participate as a cooperating agency with the Bureau of Land Management (BLM) to evaluate alternative management approaches to contribute to the conservation of the Greater Sage-grouse and sagebrush habitats on federal lands.	<u>Ongoing.</u> Staff will continue to represent the County at multi-agency coordination meetings as part of the BLM's Greater Sage Grouse planning process.
Short Term Rentals	Based on Board direction, Staff is producing a summary of opportunities and challenges associated with residential short term residential rentals.	<u>Ongoing.</u> This summary will be presented to the Board in early 2023.
Transportation Growth Management (TGM) Grant	<p>CDD received a \$75,000 TGM grant to:</p> <ul style="list-style-type: none"> ○ Update the Tumalo Community Plan's bike, pedestrian, and transit elements; and ○ Implement the rural trails portion of the Sisters Country Vision Action Plan. 	<u>Ongoing.</u> The consultant has prepared draft concepts for both items and shared them with the respective stakeholder advisory committees. Staff will then begin the process to adopt the TGM Tumalo bike/ped/transit elements into the Tumalo Community Plan (TCP) and the process to add the proposed rural trails to the County TSP map of bike routes.

Project	Summary	Comments
<p>Transportation System Plan (TSP) 2020-2040</p>	<p>Road Department is funding a \$250,000 update to the TSP.</p>	<p><u>Ongoing</u>. Consultant has posted an online story map and draft list of projects with short description of project, planning level cost estimate, and prioritization. The online site was accepting public comments received until Dec. 31, 2022. Planning and Road Department will then review the comments and determine if any revisions are needed. Formal adoption of the TSP, including policies and the project list, is expected to begin in early 2023.</p>
<p>Tumalo Community Plan</p>	<p>CDD is preparing a 2020-2040 update to the Tumalo Community Plan (TCP)</p> <ul style="list-style-type: none"> o Review Community Vision o Update tables on basic information for population, developed lots, and traffic volumes o Review and revise policy language as needed based on community input 	<p><u>Ongoing</u>. Staff has held several open houses and online presentations on the TCP. Staff brought forth draft policies at the most recent open house on August 22, 2022. Based on public feedback, staff is revising several policies. Staff intends to hold more public outreach and at least one more open house in Tumalo prior to beginning Planning Commission hearings in early 2023.</p>
<p>Wildfire Mitigation (SB 762)</p>	<p>In 2021, the Oregon Legislature passed SB 762, which has significant impacts on wildfire mitigation efforts across all jurisdictions in Oregon. The initial risk map was made available on June 30, 2022. However, based on significant concern from citizens and interest groups through the state, ODF withdrew the initial risk map to provide more time for additional public outreach and refinement of risk classification methodologies. ODF anticipates new risk maps will be finalized by late fall or early winter 2023.</p>	<p><u>Ongoing</u>. Staff is monitoring SB 762 and will provide regular updates relating to forthcoming revisions and process related to the Oregon Department of Forestry's wildfire risk map.</p>
<p>Wildlife Inventory Update</p>	<p>In fall 2021, the Board directed staff to initiate a pilot project add a new mule deer winter range inventory from the Oregon Department of Fish and Wildlife (ODFW) to the county's Goal 5 protected resources. The County's existing mule deer winter range covers approximately 315,947 acres. ODFW's new inventory proposes an additional area of 188,132 acres, resulting in total of 503,979 acres. Incorporating the new inventory into DCC would require:</p> <ul style="list-style-type: none"> o Amending the Comprehensive Plan and zoning code o Drafting parcel-specific maps showing properties affected by the existing and proposed winter range o Writing extensive findings o Creating interactive website o Scheduling public open houses and hearing 	<p><u>Ongoing</u>. This project was delayed until 2023, at Board direction, to prioritize TPM regulations for psilocybin.</p> <p>Staff is seeking Board prioritization of this work plan item as part of this update.</p>

V. PROJECTS NOT YET INITIATED

Table 3 lists long range planning projects that have not been initiated. It recognizes staffing resource requirements for each project. They range from “minor” to “significant” as noted below:

- A “minor” rating (2 to 6 months)
- A “moderate” rating (4 to 8 months)
- A “significant” rating (6 to 12 months)

Table 3 – Non-initiated Long Range Planning Projects

Project	Summary	County Resources
<i>Bend Airport</i>	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. Initial coordination meetings with City of Bend were held in late 2022.	Minor to Moderate
<i>Community Plans</i>	Engage Terrebonne and Newberry Country residents to determine if community plans should be updated.	Significant
<i>Legislative Session</i>	Participate in legislative or rulemaking work groups to shape state laws to benefit Deschutes County.	Minor
<i>Zoning Amendments³</i>	<ul style="list-style-type: none"> • Minor variance 10% lot area rule for farm and forest zoned properties. (Attachment A) 	Minor
	<ul style="list-style-type: none"> • Outdoor Mass Gatherings update. (Attachment B) 	Moderate
	<ul style="list-style-type: none"> • Lot Line Adjustments and Re-platting. (Attachment C) 	Moderate
	<ul style="list-style-type: none"> • Sign code to become consistent with federal law. (Attachment D) 	Moderate
	<ul style="list-style-type: none"> • Accessory structure amendments clarifying they must be built concurrent with or after the establishment of a primary residence. Specify allowed facilities (baths, cook tops, wet bar) in residential accessory structures. (Attachment E) 	Moderate
	<ul style="list-style-type: none"> • Section 6409(a) of the Spectrum Act (Attachment F) 	Minor
	<ul style="list-style-type: none"> • In conduit hydroelectric generation code amendments (Attachment G) 	Significant
	<ul style="list-style-type: none"> • Repeal Conventional Housing Combining Zone (Attachment H) 	Minor
	<ul style="list-style-type: none"> • Define family for unrelated persons HB 2538, Non-familial Individuals (Attachment I) 	Moderate
	<ul style="list-style-type: none"> • Temporary use of recreational vehicles as dwellings (Attachment J) 	Moderate

VI. BOARD DIRECTION

Staff seeks Board direction on the priority of the following projects:

- Non-initiated Long Range Planning Projects listed in Table 3
- Wildlife inventory Updates

Given the level of interest in the work plan, the Board may decide to provide direction to CDD at a subsequent meeting in January.

³ Detailed descriptions of Zoning Amendment projects are provided as attachments to this memo, as noted.

Attachments

- A. Minor Variance /10% Lot Area Rule
- B. Outdoor Mass Gathering Update
- C. Lot Line Adjustment and Replatting
- D. Sign Code
- E. Accessory Structures
- F. Spectrum Act / Section 6409(a)
- G. In Conduit Hydroelectric Generation
- H. Conventional Housing Combining Zone
- I. Family Definition for Unrelated Persons (HB 2538)
- J. Temporary Use of Recreational Vehicles