



Deschutes County Board of Commissioners  
1300 NW Wall St., Suite 200, Bend, OR 97701-1960  
(541) 388-6570 - Fax (541) 385-3202 - [www.deschutes.org](http://www.deschutes.org)

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## **AGENDA REQUEST & STAFF REPORT**

**For Board Business Meeting of 10:00 AM, Wednesday, June 22, 2016**

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*Please see directions for completing this document on the next page.*

**DATE:** June 15, 2016

**FROM:** Nick Lelack, Director                      Community Development                      Phone # 385-1708

**TITLE OF AGENDA ITEM:**

Public Hearing and Consideration of Approval of the Community Development Department Annual Report & Work Plan for Fiscal Year (FY) 2016-17.

**PUBLIC HEARING ON THIS DATE?** Yes.

**BACKGROUND AND POLICY IMPLICATIONS:**

Each year the Community Development Department presents its Fiscal Year (FY) Annual Report and Work Plan to the public and Board of Commissioners for discussion and approval at a public hearing. Prior to the public hearing, CDD managers and staff work to develop a draft, which is presented and/or provided to the Planning Commission, Historic Landmarks Commission (HLC), cities, stakeholder organizations, citizens, and others for review and comment. The Planning Commission and HLC have reviewed and recommended approval of the draft CDD Annual Report and Work Plan FY 16-17. The Board reviews and updates CDD Work Plan projects throughout the fiscal year.

**FISCAL IMPLICATIONS:**

Most projects proposed in the draft Annual Report & Work Plan can be initiated based on CDD's adopted budget for FY 2016-17. Some projects may require additional technical expertise or financial resources for public outreach (e.g., mailings). Staff will coordinate with the Board regarding such requirements if necessary.

**RECOMMENDATION & ACTION REQUESTED:**

Approval subject to Board revisions.

**ATTENDANCE:** Nick Lelack, CDD Managers

**DISTRIBUTION OF DOCUMENTS:**

Draft CDD Annual Report and Work Plan 2016-17.



# Community Development Department

Planning, Building Safety, Environmental Soils, Code Enforcement  
PO Box 6005, Bend, Oregon 97708-6005  
117 NW Lafayette Avenue  
[www.deschutes.org/cd](http://www.deschutes.org/cd)

## MEMORANDUM

**TO:** Board of County Commissioners

**FROM:** Nick Lelack, AICP, Director

**DATE:** June 15, 2016

**SUBJECT:** Draft CDD Annual Report and Work Plan for Fiscal Year (FY) 2016-17 / Public Hearing

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The purpose of this agenda item is to conduct a public hearing and consider approval of the draft Community Development Department (CDD) Annual Report and Work Plan for Fiscal Year (FY) 2016-17 (July 1, 2016 to June 30, 2017). The draft FY 2016-17 Work Plan contains projects and ongoing duties CDD expects to initiate next fiscal year based on budgeted resources.

### **BACKGROUND**

Each spring, CDD prepares an Annual Report and Work Plan describing annual accomplishments and a proposed work plan for the coming fiscal year. The work plan describes the most important objectives and projects in each CDD division based on:

1. The Board of County Commissioners' (BOCC) annual goals and policies;
2. Carry-over projects from the current or prior years;
3. Changes in state law;
4. Public comments; and
5. Grants/funding sources.

The work plan is presented in draft form to our major customer groups, including the Central Oregon Builders Association (COBA) and the Central Oregon Association of Realtors (COAR), the Planning Commission, the Historic Landmarks Commission, interest groups, and is distributed with a request for comments to cities and the general public.

The memorandum summarizes the department's accomplishments over the past year, Planning Commission and Historic Landmarks Commission (HLC) recommendations, and the draft work plan for next fiscal year.

### **DRAFT WORK PLAN**

CDD's FY 2016-17 Annual Report and Work Plan improved over the 2015-16 document. Specifically, the new Work Plan includes an executive summary, CDD's 2016-17 Performance Measures, and incorporates elements from the

CDD Budget Document to provide a complete report of the department for internal and external customers, and staff. The 2017-18 Work Plan will further expand to include reports on the performance measures and more.

CDD’s Work Plan highlights for FY 16-17 include:

- Implementing the BOCC’s annual goals and objectives for FY 16-17;
- Improving turnaround times for processing permit applications;
- Creating one-stop shops with the Cities of Sisters and Redmond in their respective city halls similar to our successful model with the City of La Pine;
- Coordinating with the Cities of Bend and Redmond on successful Urban Growth Boundary (UGB) amendments;
- Protecting groundwater in Southern Deschutes County; and
- Implementing amendments to County Code to regulate medical and recreational marijuana.

**PLANNING COMMISSION**

The Planning Commission held a work session on April 28 and two public hearings on May 12 and 26 to gain public input, discuss, and make a recommendation to the BOCC, regarding the Planning Division FY 2016-17 Work Plan. The Commission unanimously recommended approval of the draft Work Plan to the BOCC, including adding a recommendation from a member of the public, John McIntyre, to initiate the first project listed in the table below pertaining to a text amendment to allow buildings to be used as hardship dwellings in the EFU zone consistent with state law (County Code is currently more restrictive and only allows manufactured homes and RVs). The Commission forwarded the other citizen requested to projects to the BOCC for consideration but without a recommendation.

**Table 1 – Citizen Requests**

| Citizen Requested Projects  | Level of Complexity |
|---|---------------------|
| 1. Initiate text amendment to allow existing buildings to be used as hardship dwellings in the EFU zoning district. | Minor               |
| 2. Establish community/organization notification system of land use applications in specific areas.                 | Minor to Moderate   |
| 3. Review and consider amending the Landscape Management Zone to address review processes and applicability.        | Minor to Moderate   |
| 4. Create a County ombudsman to facilitate resolutions to neighbor disputes and similar situations.                 | Minor to Moderate   |

The Commission also recommended the BOCC consider additional long range planning staff in the FY 2017-18 budget to increase capacity for long range planning projects.

In developing its recommendations, the Commission reviewed the projects listed in Table 2 below that are either (1) in process or (2) carried over from FY 2015-16 and likely to be initiated in FY 2016-17. The Commission supports these projects remaining in the Work Plan and recognizes that they, together with new projects identified in the draft Work Plan, consume all available planning resources pending the following:

- Implementation of (and potential amendments to) regulations pertaining to medical and recreational marijuana;

- Completion of Bend’s Urban Growth Boundary amendment and Bend Airport Master Plan update;
- Timing of applications to amend the Redmond UGB for a regional large-lot industrial campus;
- Status and decisions regarding work tasks associated with Oregon spotted frog.

The following describes resource requirements for projects listed in Table 2.

- A minor rating equates to 2-4 months to complete and 0.25-0.75 full time equivalent (FTE) of long range planning staff.
- A moderate rating equates to 4-8 months to complete and 0.5-1.0 FTE or more.
- A significant rating spans 6-12 months or longer and requires 1.0-2.0 FTE with possible consultants. Some projects identified as “minor” can evolve and extend the amount of resources and projected timeframe significantly. The resources required for several projects therefore may change depending on different factors.

**Table 2 – Proposed Long Range Planning Projects (FY 2016-2017)**

| <b>Projects</b>                                      | <b>Brief Description</b>  | <b>Resources/Timeframe<br/>*</b>  |
|--|---|---|
| <i>Bend Airport Master Plan (BAMP)</i>               | Coordinate with the City of Bend to adopt the Bend Airport Master Plan into the Comprehensive Plan and zoning code amendments into County Code  | Phase 1 of this proposal is in process. Phase 2 will be Moderate to Significant |
| <i>Bend Urban Growth Boundary (UGB) Coordination</i> | Coordinate with the City of Bend to complete their UGB amendment  | In process: Moderate to Significant   |
| <i>Brownfield Grant</i>                              | Administer U.S. EPA Community-Wide Brownfield Assessment Grant. Grant ends September 2016.  | In process: Minor   |
| <i>Central Oregon Large-lot Industrial Project</i>   | Coordinate with the City of Redmond to initiate a UGB amendment for a regional large-lot industrial campus  | Minor to Moderate   |
| <i>Certified Local Government Grant (CLG)</i>        | Administer a CLG Grant from the State Historic Preservation Office. Grant ends August 2016. Reapply in February 2017 for the 2017-2018 period   | Moderate  |
| <i>Code Audit Work Program</i>                       | Develop a work program to audit County land use regulations to update review processes and standards to achieve County goals.   | Minor to Moderate   |
| <i>Community Plans</i>                               | Engage Tumalo and Terrebonne residents to determine if community goals and policies meet the current and future needs of the area.  | Moderate  |
| <i>DLCD Nonresource Lands Project</i>                | Participate in Phase 1 of DLCD’s nonresource lands project to evaluate conservation and development issues surrounding lands that do not require protection under Goals 3 (agriculture) or 4 (forest), and support LCDC rulemaking. | Minor   |

**Table 2 – Proposed Long Range Planning Projects (FY 2016-2017)**

| <b>Projects</b>                                  | <b>Brief Description</b>  | <b>Resources/Timeframe *</b>   |
|--|---|--|
| <i>Federal Emergency Management Coordination</i> | Monitor and participate in state-led process to address the effects of a lawsuit related to the federal Endangered Species Act (ESA) and floodplain development   | Minor to Moderate  |
| <i>Floodplain</i>                                | Amend Deschutes County Code to change the floodplain zone (DCC 18.96) into a combining zone   | Moderate to Significant  |
| <i>Harper Bridge</i>                             | Participate in the process to develop solutions for safe access to Deschutes River  | In process: Minor to Moderate  |
| <i>Housekeeping and Legislative Amendments</i>   | Initiate housekeeping and legislative text amendments.  | Minor to Moderate  |
| <i>Marijuana Regulations</i>                     | Initiate a text amendment regulating recreational marijuana based on 2015 State legislation (Note: This project is completed pending an appeal. A follow-up project in FY 16-17 or beyond will be to initiate a review/evaluation of the marijuana regulations, and propose text amendments based on the results of the review/evaluation.) | Completed unless appealed; Regulation Review/Evaluation<br><br>Resources/Timeframe are TBD |
| <i>Natural Hazards</i>                           | Coordinate with the Planning Commission and the BOCC to discuss implementing recommendations from the University of Oregon’s Community Service Center’s review of County codes and policies regarding natural hazards and mitigation  | Moderate   |
| <i>Population Forecast</i>                       | Coordinate with Assessor and Administration Office to complete Portland State University, Population Research Center, 2016 Housing Unit and Population Questionnaire.   | Minor  |
| <i>Spotted Frog</i>                              | Upon final rule designating critical habitat, CDD will schedule work sessions with the Planning Commission and BOCC and use a matrix to discuss options for responding to critical habitat from a land use standpoint.  | Minor to Moderate  |
| <i>Tracking System</i>                           | Maintain tracking system of Comprehensive Plan and Community/Area Plan implementation activities, updates, necessary revisions, and potential areas for new plans.  | In process: Minor  |

**HISTORIC LANDMARKS COMMISSION REVIEW**

Each year, the Historic Landmarks Commission (HLC) discusses the Planning Division’s Work Plan related to historic preservation. On May 2, the HLC reviewed the draft Work Plan, and generally endorsed it, which consists primarily of administering the Certified Local Governments (CLG) grant-funded projects, and recommended:

- Updating the Goal 5 historic landmarks inventory, including adding structures and sites on the National Register of Historic Places to the County’s Goal 5 Inventory;
- Conducting an inventory of potential properties, over fifty years old, eligible for historic landmark designation; and

- Additional staffing resources dedicated to the County’s historic preservation program to initiate the projects above and engage in additional public outreach and education on historic preservation in general and specifically historic property designation.

**REQUESTED BOCC ACTION**

1. Conduct a public hearing on the CDD Annual Report and Work Plan.
2. Continue or close the public hearing.
3. If the hearing is closed:
  - a. Discuss the CDD Annual Report and Work Plan FY 16-17 and:
    - i. Approve the document as proposed or as modified by the BOCC at this meeting, including whether to include the Planning Commission and/or Historic Landmarks Commission’s recommendations; or
    - ii. Continue the discussion to June 29, 2016.
4. Continue the hearing to June 29, 2016.

*LIZ FANCHER, ATTORNEY*

RECEIVED

APR 15 2016

Liz Fancher  
Sue Stinson, Paralegal

Deschutes County CDD

April 11, 2016

NICK LELACK, DIRECTOR  
DESCHUTES COUNTY COMMUNITY  
DEVELOPMENT DEPARTMENT  
P.O. BOX 6005  
BEND, OR 97708-6005

Re: Zoning Code Amendment Re: Hardship Dwellings

Dear Nick:

I am writing on behalf of John McIntire regarding Hardship Dwellings. Mr. McIntire asks that Deschutes County amend its zoning code to allow existing buildings to be used as hardship dwellings in the EFU zoning district. ORS 215.283(2)(L) allows temporary residential use of an existing building as a hardship dwelling in EFU zones.

Deschutes County currently requires that hardship dwellings in any zone be manufactured dwellings and recreational vehicles only. We believe that the County should be consistent with State law and allow existing dwellings in the EFU zone to be used as hardship dwellings for the following reasons:

- A. Existing buildings, by and large, are more attractive than the manufactured homes and RVs used as hardship dwellings.
- B. The use of an existing building creates no new visual impact on surrounding properties whereas the addition of a manufactured home and RV changes the appearance of existing neighborhoods.
- C. When the County first required that manufactured homes and recreational vehicles be used as hardship dwellings, manufactured home regulations prevented manufactured homes from being converted to a nonresidential use. Manufactured home rules have changed and manufactured homes may be "decommissioned" and remain after a hardship condition has ended.
- D. The code enforcement issues for manufactured homes and existing buildings are the same. In either case, a residence will exist on a property when the hardship condition no longer exists and the residence must be removed or converted to an allowed use.

April 11, 2016

- E. The cost of purchasing and siting a quality manufactured home is very expensive and creates a significant financial hardship for senior citizens, like the McIntires, who are retired and living on retirement savings. The use of an existing structure for a hardship dwelling can be far less costly.

Thank you for your willingness to discuss this matter with the Planning Commission. I hope it receives their support.

Sincerely,



Liz Fancher  
Attorney at Law

LF/ss

cc: John McIntire

## Nick Lelack

---

**From:** Kenna Sneed <kennasneed@yahoo.com>  
**Sent:** Wednesday, May 11, 2016 6:00 PM  
**To:** Nick Lelack  
**Cc:** Tony DeBone  
**Subject:** PLANNING COMMISSION SUBMISSION

Nick Thank you,

Here is my update for the planning commissioners and Commissioners

My name is Kenna Sneed,  
I came before you last year when we organized a outreach for the Tumalo RUC.  
"Rural Unincorporated Community" to keep residence informed of issues related to Tumalo.  
We thank you for helping us to generate an email for residence of our boundary by providing maps last year.  
We passed out around 200 packets and went door to door to distribute them.  
We now have an email list of over 70 residence who want to stay informed about Tumalo issues.  
We are in the midst of going door to door again to generate more involvement from within our boundary.

**OUR GOAL:** We want to be on the front end of changes and not the back end. We want to give feedback before the decisions are made and be involved in the process.

**Susan Tunno stated last year that we did not need to reinvent the wheel and through senate bill 100 the state planning goal #1 is for greater public involvement and engagement. She pointed me to look into the land and conservation & development commission to find other counties who have created CPO"S.**

**Clackamas County has already established a program.**

**See email below explaining how they are handling it.**

**We would like to be part of a discussion on**

Establish community/organization notification system of land use applications in specific areas.

WE believe this could be simplified and Volunteer organized and operated. Please let us know what the next steps would be to move forward.

Thank you for your time  
Kenna Sneed  
Tumalo RUC committee  
541-420-3462

**EMAIL BELOW**

Kenna,

Thank you for your patience in waiting for me to get back to you on this. I had a good conversation with Barbara Smallock who is the planner assigned to manage public involvement for Clackamas County. She was very helpful and I'm sure she would be glad to answer any follow up questions you might have – her number is 503-655-8552.

Community Planning Organizations (CPOs) are not specifically authorized under SB 100; however, two counties in the state (Clackamas and Washington) utilize CPOs to meet their State Planning Goal 1 obligations. She said that Clackamas has 30 active CPOs and 6-7 that haven't been active in a couple years. Activity level ranges from meeting the basic requirement of having two meetings a year to highly active CPOs that go beyond land use planning and do things like hosting events, bringing in speakers, etc.

CPOs do not replace a planning commission and have no official recommendation or decision powers. When a land use application comes to the planning department, the CPO for the area receives a notice. The CPO can then discuss the proposal at their meeting and submit comments to the Planning Department, either to be considered in an administrative decision or in a planning commission decision. Basically, the CPO has the same rights as a neighboring property owner to participate in a public process.

The state does not have a direct role in CPOs. They are established by the county, which has the ability to set standards for CPOs. There are three basic standards for a CPO in Clackamas County to be recognized:

1. Hold at least two meetings per year and submit meeting minutes to the county
2. Elect officers
3. Establish bylaws

The Clackamas County website might be a good resource for you – here is the link to their CPO page where you can find a boundary map as well as bylaws and minutes from individual CPOs.

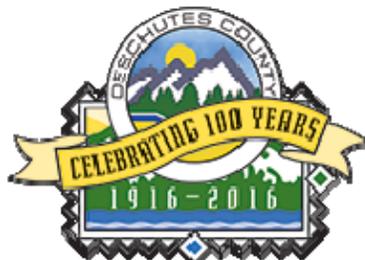
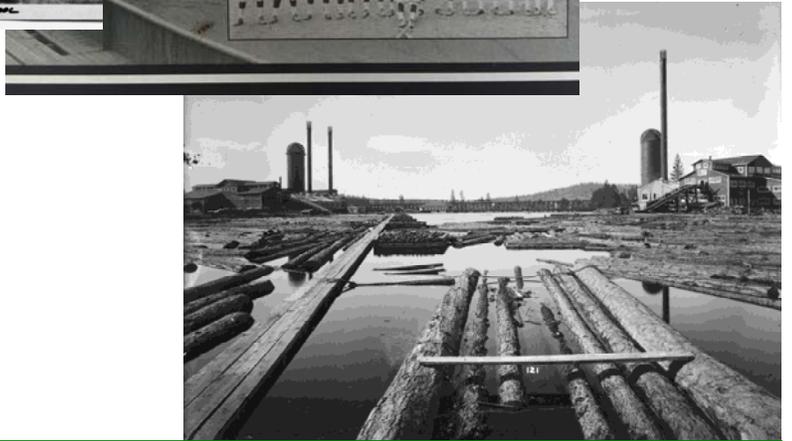
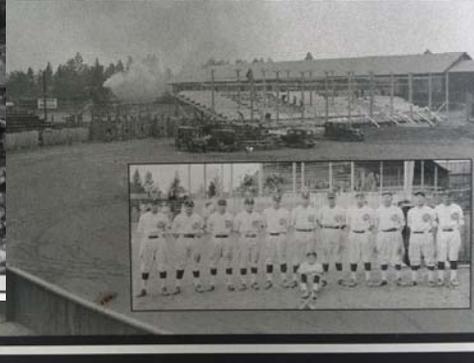
<http://www.clackamas.us/citizenin/cpo.html>

I hope this information is helpful.

Scott

**Scott Edelman** | Central Oregon Regional Representative  
Community Services Division  
Oregon Dept. of Land Conservation and Development  
Central Regional Solution Center  
1011 SW Emkay Drive, Suite 108 | Bend, OR 97702  
Cell: (541) 306-8530 | Main: (541) 318-7921  
[scott.edelman@state.or.us](mailto:scott.edelman@state.or.us) | [www.oregon.gov/LCD](http://www.oregon.gov/LCD)

# Community Development Department Annual Report and Work Plan



Draft—June 1, 2016

Main Line: 541-388-6575  
 Fax: 541-385-1764  
 Website: [www.deschutes.org/cd](http://www.deschutes.org/cd)

117 NW Lafayette Avenue  
 Bend, Oregon

## COMMISSIONS, COMMITTEES AND HEARINGS OFFICERS

### BOARD OF COUNTY COMMISSIONERS

Alan Unger Chair  
 Tammy Baney, Vice Chair  
 Tony DeBone, Commissioner

### ADMINISTRATION

Tom Anderson, County Administrator  
 Erik Kropp, Deputy County Administrator

### COMMUNITY DEVELOPMENT DEPARTMENT STAFF

Nick Lelack, AICP, Director  
 Sherri Pinner, Management Analyst  
 Kathleen Stockton, Administrative Assistant

### BUILDING SAFETY

Randy Scheid, Building Safety Director  
 Chris Gracia, Assistant Building Safety Official  
 Rainer Doerge, Building Inspector III  
 Scott Farm, Building Inspector III  
 Owen Gilstrap, Electrical Inspector  
 Dave Imel, Building Inspector III  
 Steve Jensen, Plumbing Inspector  
 Brian Moore, Building Inspector I  
 Dan Swarthout, Building Inspector III  
 Steve Wills, Building Inspector III  
 Richard Wright, Building Inspector III

### COORDINATED SERVICES

Lori Furlong, Administrative Manager  
 Tracy Griffin, Permit Technician  
 Judy Hackett, Lead Permit Technician  
 Angie Havniear, Permit Technician  
 Jennifer Lawrence, Permit Technician  
 Lisa Petersen, Permit Technician  
 Martha Shields, Permit Technician  
 Laurie Worley, Permit Technician  
 John Griley, Code Enforcement Technician  
 Tony Laemmle, Code Enforcement Technician

### ENVIRONMENTAL SOILS

Todd Cleveland, Environmental Health Supervisor  
 Larry Howard, Environmental Health Specialist II

### PLANNING

Peter Gutowsky, AICP, Planning Manager  
 Sher Buckner, Administrative Secretary  
 Will Groves, Senior Planner  
 Zech Heck, Assistant Planner  
 Caroline House, Assistant Planner  
 Matt Martin, Associate Planner  
 Anthony Raguine, Senior Planner  
 Peter Russell, Senior Transportation Planner  
 Chris Schmoyer, Associate Planner  
 Cynthia Smidt, Associate Planner  
 Tim Berg, GIS Analyst/Programmer

# COMMISSIONS, COMMITTEES AND HEARINGS OFFICERS

## DESCHUTES COUNTY PLANNING COMMISSIONERS

Steve Swisher — Sisters (Chair)  
Dale Crawford — Redmond (Vice Chair)  
Maggie Kirby — Bend  
Hugh Palcic — South County  
James Powell — Bend  
Susan Tunno — Redmond  
Vacant — At Large

## DESCHUTES COUNTY HISTORIC LANDMARKS COMMISSIONERS

Chris Horting-Jones, Chair — Unincorporated  
Sharon Leighty, Vice Chair — Unincorporated  
Kelly Madden — Ex-Officio  
Bill Olsen — Pioneer Association  
Dennis Schmidling, Secretary — City of Sisters  
Rachel Stemach — Ex-Officio  
Broc Stenman — Unincorporated

## DESCHUTES COUNTY HEARINGS OFFICERS

Ken Helm  
Stephanie Hicks  
Dan Olsen

## DESCHUTES COUNTY BICYCLE & PEDESTRIAN ADVISORY COMMITTEE

Cheryl Howard — Chair  
Bill Braly — Vice Chair  
Greg Svelund Secretary  
Mary Barron  
Chris Cassard  
Michelle DeSilva  
Scott Ferguson  
Wendy Holzman  
Scott Morgan  
David Olsen  
Rick Root  
Mark Smith



# TABLE OF CONTENTS

|   |   |    |
|---|---|----|
| <b>COMMUNITY DEVELOPMENT<br/>DEPARTMENT</b> | CDD Mission Statement.....                    | 5  |
|   | CDD Introduction .....                        | 6  |
|   | Overview .....                                | 7  |
|   | Deschutes County Mission Statement.....       | 8  |
|   | CDD Performance Measures 2016-17 .....        | 11 |
| <b>COORDINATED SERVICES</b>                 | Accomplishments .....                         | 13 |
|   | Work Plan.....                                | 14 |
| <b>CODE ENFORCEMENT</b>                     | Accomplishments .....                         | 15 |
|   | Work Plan .....                               | 16 |
| <b>INFORMATION SERVICES</b>                 | Accomplishments .....                         | 17 |
|   | Work Plan .....                               | 18 |
| <b>BUILDING SAFETY</b>                      | Accomplishments .....                         | 19 |
|   | Work Plan .....                               | 19 |
| <b>ENVIRONMENTAL SOILS</b>                  | Accomplishments .....                         | 21 |
|   | Work Plan .....                               | 22 |
| <b>PLANNING</b>                             | Accomplishments .....                         | 24 |
|   | Work Plan .....                               | 29 |
|   | 2015 Annual Community Involvement Report..... | 31 |
| <b>STAFF DIRECTORY</b>                      | Directory .....                               | 34 |



# INTRODUCTION

## *CDD Mission Statement*

*The Community Development Department facilitates orderly growth and development in Deschutes County through coordinated programs of Planning, Environmental Soils, Building Safety, Code Enforcement education and services to the public.*

This Annual Report highlights the Community Development Department's 2015-16 accomplishments, the work plan for Fiscal Year 2016-17, and implements the Board's goals and objectives. CDD provides satellite office coverage in Redmond, La Pine and Sisters, as well as services at the main office in Bend. The Department consists of divisions and programs as listed below which provide coordinated planning and development services.

### Coordinated Services

### Building Safety

### Environmental Soils

### Planning Division

### Code Enforcement

### Information Services



**Main Office**  
117 NW Lafayette Ave.  
Bend, OR 97701  
Mon., Tues., Thurs., Fri. 8-5  
Wed. 9-5



**La Pine City Hall**  
16345 Sixth Street  
La Pine, OR 97739  
Tuesday 8:00-4:00



**Deschutes County Fair & Expo**  
3800 SW Airport Way  
Redmond, OR 97756  
Thursday 8:00-4:30  
(Note: This location will change to  
Redmond City Hall at Evergreen in mid 2016-17)



**Sisters City Hall**  
520 East Cascade Ave.  
Sisters, OR 97759  
(Hours to be determined)

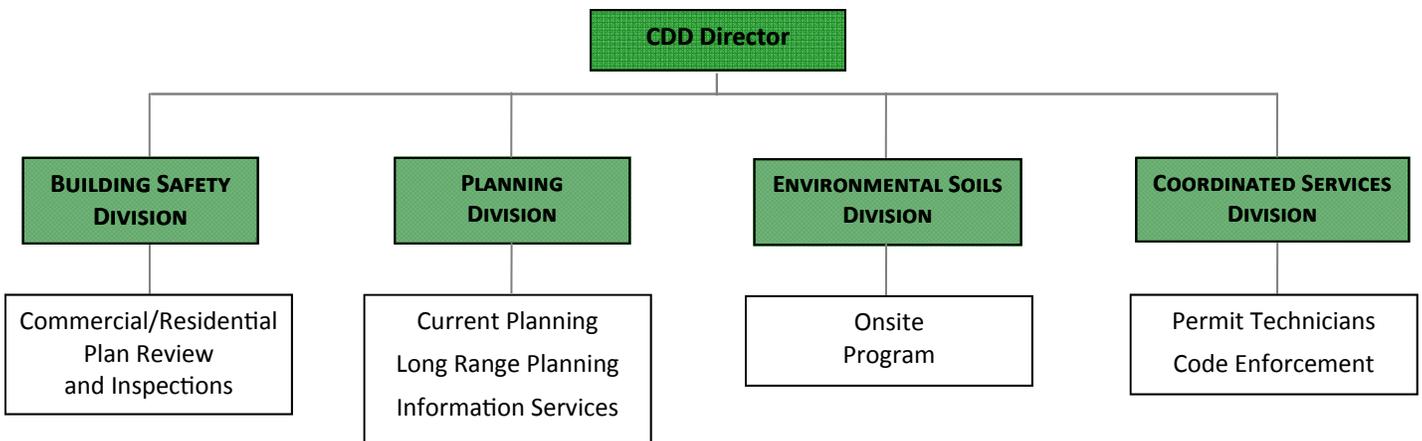
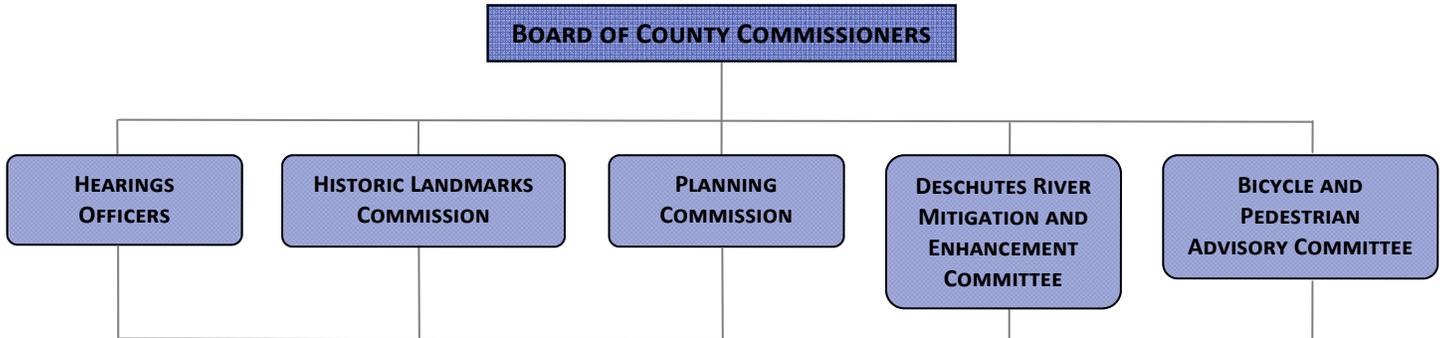
## COMMUNITY DEVELOPMENT DEPARTMENT INTRODUCTION

The Community Development Department (CDD) consists of four divisions, as well as code enforcement and information support services and programs, which provide coordinated planning and development services. The divisions include the following:

- ◆ **Administrative and Coordinated Services Division** provides “front line” services at the satellite offices in Redmond and La Pine, and the main office in Bend.
- ◆ **Building Safety Division** provides construction plan reviews, consultation and inspections to assure compliance with federal and state building codes in the rural County and cities of Sisters, La Pine, and Redmond.
- ◆ **Environmental Soils Division** regulates on-site wastewater treatment systems (septic) and monitors environmental factors for public health and resource protection.
- ◆ **Planning Division** is separated into two operational areas, Current Planning and Long Range Planning. Current Planning processes individual land use applications and provides information to the public on all land use related issues. Long Range Planning addresses the future needs of the community through updates to the comprehensive plan, changes to County Code and other special projects.
- ◆ **Code Enforcement** is responsible for investigating code violation complaints to ensure compliance with each of the codes and statutes administered by CDD, and provides direct service on contract to the City of La Pine for solid waste violations.
- ◆ **Information Services** establishes the integration of technology across all CDD divisions. Coordinates with the cities as well as provides direct service to the public via application training and support, web-based mapping, reporting services and data distribution.



# OVERVIEW



| Budget Summary | FY 2013   | FY 2014   | FY 2015   | FY 2016 <sup>1</sup> | FY 2017 <sup>2</sup> (proposed) |
|----------------|-----------|-----------|-----------|----------------------|---------------------------------|
| Resources      | 4,457,366 | 4,914,977 | 6,230,219 | 7,213,683            | 8,420,357                       |
| Requirements   | 4,457,366 | 4,914,977 | 6,230,219 | 7,213,683            | 8,420,357                       |

<sup>1</sup>FY 16 Reserves: \$1,037,652

<sup>2</sup>FY 17 Reserves: \$1,375,000

| Full Time Equivalents | FY 2013 | FY 2014 | FY 2015 | FY 2016 | FY 2017 |
|-----------------------|---------|---------|---------|---------|---------|
| Community Development | 28.60   | 29.00   | 33.00   | 36.00   | 41.00   |

# DESCHUTES COUNTY MISSION STATEMENT

*Enhancing the lives of citizens by delivering quality services in a cost-effective manner*

## BOARD OF COUNTY COMMISSIONERS' 2016-2017 GOALS AND OBJECTIVES:

### **Safe Communities**

*Protect the community through planning, preparedness and delivery of coordinated services*

- ◆ Collaborate with County and community partners in preparing for and responding to natural and man-made disasters.
- ◆ Promote public safety programs to reduce crime and repair harm.
- ◆ Respond to, investigate, and prosecute criminal activity to ensure the guilty are held accountable, the innocent are protected, and the rights of all citizens are respected.
- ◆ Expand and enhance public safety communication systems in coordination with all stakeholders.
- ◆ Enforce County regulations to preserve rural quality of life.

### **Healthy People**

*Enhance and protect the health and well being of the community through advocacy, prevention, education, and delivery of coordinated services*

- ◆ Consider population health, wellness and multi-modal connectivity in the design and implementation of infrastructure and land use policies.
- ◆ Adjust to changing health system reforms, assess and address gaps in service, and strategize regional approaches.
- ◆ Provide timely and convenient access to quality health services.
- ◆ Promote health and prevent disease using strategies that align with the Central Oregon Regional Health Improvement Plan.
- ◆ Support the development of collaborative solutions related to transit options, homelessness, affordable housing, and veterans' needs.

### **Resilient Economy**

*Promote policies and actions that sustain and simulate economic vitality*

- ◆ Continue strategic capital planning and projects that strengthen the region's economy.
- ◆ Partner with organizations that stimulate economic vitality.
- ◆ Support land use programs and initiatives that promote economic growth and diversity, livability, and sustainability.
- ◆ Support beneficial management and access policies of publicly owned facilities and natural resources to promote tourism and recreational activities.

### **Natural Resource Stewardship**

*Promote environmental stewardship through assessment, advocacy and collaboration*

- ◆ Enhance and protect air, land and water resources.
- ◆ Educate the public and enforce policies regarding noxious weed control and eradication.
- ◆ Support healthy and sustainable forest, habitat, and land management practices and oversight.
- ◆ Restore and maintain landscapes across all jurisdictions that are resilient to fire-related disturbances in accordance with management objectives.

## DESCHUTES COUNTY MISSION STATEMENT, CONTINUED

### **Quality Service Delivery**

*Provide internal and external services that are innovative and efficient*

- ◆ Encourage and expand opportunities for public engagement with Deschutes County government.
- ◆ Provide internal support to County operations to ensure cost-effective and efficient delivery of services to the public.
- ◆ Support employee wellness, development, productivity and job satisfaction.
- ◆ Support and promote Deschutes County Customer Service “Every Time” standards.
- ◆ Pursue cooperative opportunities to enhance service delivery and the cost-effectiveness of public services.

### **Effective Asset Management**

*Preserve and enhance capital and fiscal assets*

- ◆ Use best management practices to sustain the quality of County assets and infrastructure.
- ◆ Upgrade information management systems to streamline business processes.
- ◆ Maintain strategies for major funds to ensure long-term financial stability.
- ◆ Address long-term building and facility capital needs including major maintenance and replacement strategies.



# COMMUNITY DEVELOPMENT DEPARTMENT EXECUTIVE SUMMARY

## FY 2016-17 WORK PLAN

The most significant issue for the fourth consecutive year will be to maintain high customer service levels with sustained increased levels of development activity in the rural county and in the cities of La Pine, Sisters, and Redmond, while maintaining appropriate staffing levels across all divisions and programs to meet business demands. High priority CDD goals are reflected in the department's Goals and Performance Measures section of this work plan.

CDD has historically been a fee-supported department with the exception of the Great Recession. Permit volumes have increased across all divisions and programs and, combined with new and expanded building services contracts, are resulting in revenue stabilization. CDD began restoring its reserve funds in FY 2015, continued into FY 2016, and reserve funds are projected to increase in FY 2017. Reserve funds allow CDD to provide a consistent level of high quality customer services during various economic cycles and seasons. Fee adjustments are proposed for FY 2017 based on the FY 2015-16 Comprehensive User Fee Study prepared by a consultant to ensure full cost recovery, the accurate cost of services (some fees are proposed to be increased and others reduced), and to build reserve funds.

CDD's fees are proposed to increase to cover inflationary adjustments, with a few fees increasing or decreasing by larger percentages to cover the actual cost of service. In addition, the code compliance fee on building permits is proposed to increase for the first time in over a decade to cover the actual costs to administer this program.

The FY 2017 budget assumes permit volumes and revenue will continue to increase across all divisions. The FY 2017 staffing increases are to add two Building Inspector III positions, one Code Enforcement Technician (limited duration), one Associate Planner (limited duration), and one Administrative Secretary position. CDD continues to reposition itself for strong long-term financial health, continuously operating more efficiently, carrying no debt, all while maintaining a tremendously positive culture and providing outstanding customer service.



## COMMUNITY DEVELOPMENT DEPARTMENT PERFORMANCE MEASURES 2016-17

The Community Development Department's 2016-17 goals are reflected in the performance measures below. These performance measures strategically and comprehensively align all of CDD's operations with the Board of County Commissioners' (Board) 2016-17 Goals and Objectives and the County's Customer Service Standards.

The performance measures address service delivery expectations from the perspective of CDD's customers; ensure the department fulfills its regulatory compliance requirements; effectively manage the organization's assets, capacities, and finances; and preserve and enhance the County as a safe, sustainable, and desirable place to live, visit, work, learn, recreate and more.

1. Achieve 85% voluntary compliance in Code Enforcement cases.
2. Resolve 75% of Code Enforcement cases within 12 months.
3. Facilitate County adoption of Bend, Redmond and Sisters UGB amendments.
4. Coordinate with the City of Bend to adopt the Bend Airport Master Plan into the County's Comprehensive Plan and amend zoning ordinance to promote economic growth and sustainability at the Airport.
5. Coordinate with the City of Redmond to amend its UGB for a large lot industrial site and future Fairgrounds expansion.
6. Complete the 3-year US EPA Brownfield Assessment grant with the City of Redmond, private property owners, and Bend Parks and Recreation District to identify contaminated commercial sites and plan for redevelopment.
7. Support and participate in the Land Conservation and Development Commission rulemaking process to address non-resource lands, if initiated. Upon rule adoption, coordinate with DLCD to develop a work plan to implement the new rules and accurately designate resource and non-resource lands in rural Deschutes County.
8. Develop a work program to audit County land use regulations to update review processes and standards to achieve County goals.
9. Coordinate with the Sunriver Owners Association (SROA) and stakeholders on a solution to conflicts between traffic on Spring River Road and those seeking to launch boats or float on the Deschutes River from Harper Bridge.
10. Coordinate with the U.S. Fish and Wildlife Service (USFWS) to protect critical habitat for the Oregon Spotted Frog, and pursue balanced land use approaches that benefit both the species and private property owners.



## COMMUNITY DEVELOPMENT DEPARTMENT PERFORMANCE MEASURES, CONTINUED

11. Convene the South County Groundwater Partnership Financial Advisory Committee to discuss funding solutions to protect groundwater quality.
12. Evaluate the University of Oregon's Community Service Center's recommendations to update the County's natural hazards and mitigation standards.
13. Expand online subscription services beyond the CDD *Update* to include Planning Commission and Historic Landmarks Commission agendas, Monthly CDD Statistics and Performance Measure Reports, and Hearings Officers' decisions.
14. Achieve an average of 6-10 stops at different construction job sites per day for each Building Inspector. Each stop may consist of multiple inspections.
15. Achieve an average turnaround time on building plan reviews of 8-10 days.
16. Achieve an average of 2-4 residential plan reviews per building plans examiner per day.
17. Issue all planning administrative (staff) decisions for land use actions requiring prior notice within 45 days of determination of complete application and for those that do not require prior notice, within 21 days of determination of complete application.
18. Issue new onsite septic system permits within 15 days of receiving a complete application.
19. Maintain one-stop development services shops in the La Pine and Sisters' city halls, and coordinate with the City of Redmond to establish a one-stop development services shop at Evergreen City Hall in 2017.
20. Partner with NeighborImpact to provide financial assistance to property owners needing to upgrade their onsite wastewater treatment systems, and coordinate with DEQ to issue protective onsite wastewater treatment system permits and water quality risks and monitoring.
21. Develop and adopt reserve fund policies and targets to enable CDD to sustain consistent levels of service during various economic cycles and to inform annual fee adjustments.



# COORDINATED SERVICES

## OVERVIEW

The Coordinated Services Division provides service to customers at the main office in Bend, as well as at satellite offices in Redmond, La Pine and Sisters. The Division consists of seven permit technicians and two code enforcement technicians. The goals of the Division are to ensure minimal wait times, provide accurate information to the public, and ensure the efficient operation of the front counter and coordination among all divisions. Staff also performs basic building plan reviews and addressing in the rural county and City of Redmond under contract.

## ACCOMPLISHMENTS

1. Customer service is the top priority for Coordinated Services staff and they have maintained that high level of service during the increase in activity and while training new staff.
2. In coordination with Information Services (IS) and Information Technology (IT), Coordinated Services continued to assess equipment used by all CDD staff to ensure that operational needs were met. The team developed project lists that will enhance service, staff efficiency and communications. Projects included:
  - a. Providing tablets to building and environmental health inspectors and code enforcement technicians in the field to provide real-time inspection results; making data available to inspectors in the field; and improving communication, photography and printing tools;
  - b. Providing linkages to historical documents where parcel numbers have changed;
  - c. Creating new types of online permit applications; and
  - d. Reviewing business processes and procedures and making several adjustments to accommodate and fully utilize Accela.
3. Accela
  - a. Continued to create efficiencies using the Accela permitting software. As the software evolves and new tools become available, Deschutes County continues to be a statewide leader in offering training opportunities to our customers and regional agency partners using the software.
  - b. Deschutes County has created an Accela ePermitting Advisory Group that will be looking at the future of State ePermitting systems and how it can best fit the needs of the jurisdictions statewide. This is both an opportunity to discuss system issues and to offer suggestions for improvements to meet Deschutes County's needs. The State has been supportive of this group and its suggestions.

## COORDINATED SERVICES, CONTINUED

### WORK PLAN

- c. As part of the transition to Accela, a custom program that Coordinated Services has been using for operation and maintenance of septic systems, did not fit under the umbrella of the new system. The Information Technology Department (IT) has created a new custom program for staff to use. This will enable staff to send out timely monthly billing statements to maintenance providers, track reports that have been submitted and keep better track of those septic systems that are out of compliance.
1. Coordinate and lead training for the new Accela user interface that will be introduced during the summer of 2016 for County, Sisters and Redmond staff. This new interface will be a significant change from the current interface. Deschutes County is proposed to be an early user of this new interface by the State, so this training will be critical for all staff.
2. Plan for the opening of a 2017 one-stop development services shop with the City of Redmond, and the transfer of the Sisters Building Program back to the County.
3. Continue to coordinate and conduct public outreach and education on Accela and all related elements to increase customer use of ePermitting, and encourage submittal of applications for all participating jurisdictions at any participating Community Development Department.
4. Serve on statewide ePermitting committee, participate in national Accela conference, and pursue other actions to ensure Accela meets Deschutes County's needs.
5. Perform addressing duties in rural Deschutes County and for the City of Redmond.
6. Continue to cross train permit technicians to perform simple plan reviews, and participate in statewide permit technician training programs and Central Oregon Planners Network Training.
7. Achieve 25% of all permits being submitted electronically, with the exception of Planning applications (the capability does not yet exist).



# CODE ENFORCEMENT

## OVERVIEW

The Code Enforcement program consists of three Code Enforcement technicians (3 FTE in 2016-2017) plus volunteers, supported by a law enforcement technician from the Sheriff's Department, management and the operating divisions. Code Enforcement is responsible for investigating code violation complaints associated with building, land use, onsite wastewater disposal and solid waste codes, with the overriding goal of achieving voluntary compliance. If necessary, Code Enforcement may issue citations for prosecution in circuit court or before a Code Enforcement hearings officer.

## ACCOMPLISHMENTS

Code Enforcement staff successfully resolved 389 cases in 2015.

### Case Initiation Summary

|      | New Complaint Cases | Total Cases Initiated | Percentage Change (from previous year) |
|------|---------------------|-----------------------|--|
| 2013 | 241                 | 254                   | (8%)                                   |
| 2014 | 284                 | 290*                  | 14%                                    |
| 2015 | 366                 | 366                   | 26%                                    |

### Compliance

|      | Voluntary | Warning | Citation | Injunction |
|------|-----------|---------|----------|------------|
| 2013 | 84%       | 13%     | 3%       | <1%        |
| 2014 | 85%       | 10%     | 5%       | 0          |
| 2015 | 88%       | 6%      | 4%       | <1%        |

\*317 total investigations (27 complaints were unfounded or resolved prior to case initiation)

### Case Turnaround

|      | Total Cases Closed | 30 Days | 60 Days | 180 Days | 360 Days |
|------|--------------------|---------|---------|----------|----------|
| 2013 | 264                | 8%      | 21%     | 64%      | 86%      |
| 2014 | 253                | 10%     | 22%     | 56%      | 75%      |
| 2015 | 322                | 17%     | 29%     | 58%      | 80%      |

- ◆ The number of new Code Enforcement cases increased 52% in 2015 from 2014. Staff continued to achieve an 85% voluntary compliance rate with the additional case load.
- ◆ Utilization of volunteers in the proactive code enforcement program was very successful. Work performed by volunteers directly enhanced productivity and efficiency. Volunteers review Temporary Use Permits for compliance with conditional use decisions, including the annual update of doctors' letters for medical hardships, removal of manufactured homes for storage permits and for living in RVs.
- ◆ Coordinating with the County Weeds Program Specialist, staff extended proactive enforcement program focus to include identification of noxious weed-infested properties.

## CODE ENFORCEMENT, CONTINUED

- ◆ Code Enforcement staff has successfully coordinated with the inmate work crew on a few cases in order to resolve some solid waste enforcement issues. This has been a great partnership between two County departments to resolve some difficult cases and help the homeowner to come into compliance. The County Road Department was also involved in helping to abate a property with a hazardous structure.
- ◆ Developed and approved contract with the City of La Pine to provide Code Enforcement services for solid waste within City limits.

### WORK PLAN

- ◆ Continue to utilize the inmate work crew to resolve solid waste cases where the property's owner is unable to comply with County Code due to medical issues.
- ◆ Continue proactive efforts in investigation of illegal second dwellings, review temporary use permits, and follow up on replacement dwellings.
- ◆ Continue to establish a relationship between CDD Code Enforcement and rural subdivision homeowners' associations. Code Enforcement technicians make themselves available to speak at stakeholder meetings to share Deschutes County Code Enforcement information and operating procedures.
- ◆ Participate in land use text amendment processes by providing information and insight to ensure code enforceability.
- ◆ Survey other code enforcement jurisdictions and incorporate innovative practices where appropriate. This effort includes direct involvement with the Oregon Code Enforcement Association (OCEA) conference participation and networking.
- ◆ Administer the Code Enforcement Volunteer Program, focusing on proactive, non-threatening case review.
- ◆ With the use of new technology, Code Enforcement will strive to become a more paperless environment.
- ◆ In cooperation with the Building Safety Division, participate in the development of a text amendment on the County Outdoor Lighting Ordinance. The amendment will update tables to include compact florescent lighting options.
- ◆ Explore the feasibility of conducting proactive enforcement of certain types of land use permits which have conditions of approval associated with them.
- ◆ Evaluate updated Code Enforcement Policy and Procedures Manual, and initiate amendments per direction from the Board.



# INFORMATION SERVICES

## OVERVIEW

Information Services (IS) is responsible for the development and maintenance of digital spatial databases and for providing state-of-the-art mapping and data services to local governments, citizens, and businesses. In addition, IS staff supports customer service applications, reporting services, technical support and application development. IS establishes methods for deriving statistics, evaluating efficiency, and assisting in measuring departmental performance. IS is staffed by one GIS analyst/programmer.

## ACCOMPLISHMENTS

- ◆ Worked with the County's database administrator to implement the use of genealogy within Accela and DIAL, allowing reverse chronological research of parcel changes.
- ◆ Established meaningful performance measures using database programming and custom report writing to measure volume and capacity of department.
- ◆ Performed statistical analysis and designed custom databases in support of CDD's User Fee Study conducted by Capital Accounting Partners.
- ◆ Developed web-based building permit and land use application query program for customers to use on the department's public internet site.
- ◆ Assisted department staff with custom maps and exhibits.
- ◆ Provided software support and training for department's electronic plan view process.
- ◆ Developed automated scripts to upload current address, parcel, owner, zoning and jurisdiction –based attribute data into Accela on a weekly basis.
- ◆ Enabled document template management through Laserfiche. Enabled editing of historic document templates to relate directly with the tax lot displayed in DIAL.
- ◆ Provided data and GIS mapping to the general public.
- ◆ Updated and maintained the CDD website.
- ◆ Provided technical support, including mapping and analysis to the cities of Bend, La Pine, Sisters and Redmond for future Urban Growth Boundary (UGB)/ Urban Reserve Area (URA) expansions.



## INFORMATION SERVICES

### WORK PLAN

- ◆ Manage the administration of department's permitting software, resolve system software problems.
- ◆ Establish and maintain the department's information technology strategic plan.
- ◆ Analyze application performance to ensure it is meeting availability and performance objectives.
- ◆ Establish, design and maintain databases and related files. Ensure database quality, integrity and performance.
- ◆ Perform database programming and custom report writing to measure volume and capacity of department.
- ◆ Assist department with strategic planning, system analysis and improvement as well as reporting and forecasting.
- ◆ Monitor departmental performance measures.
- ◆ Perform statistical analysis and technical support for dissemination to the public.
- ◆ Assist the CDD Director in evaluating, assessing and implementing appropriate technologies. Work closely with the County's IT department on system business and technology.
- ◆ Design information flows, develop automated scripting routines to enhance and support core department software applications as well as support of other County applications (DIAL).
- ◆ Work with end users to translate functional needs into technical specifications.
- ◆ Perform advanced spatial analysis using geographic information systems software to create maps, statistics, reports and databases.
- ◆ Provide assistance, support and guidance to other GIS staff members and users.
- ◆ Maintain and update the department's Microsoft Sharepoint Intranet.
- ◆ Maintain and update web content for department.
- ◆ Expand on-line subscription services beyond the CDD *Update* to include Planning Commission and Historic Landmarks Commission agendas, Monthly CDD Statistics and Performance Measure Reports, and Hearings Officers' decisions
- ◆ Provide support, training and oversight for other department users of web content management system.
- ◆ Provide technical support and training to staff for all computer systems and peripherals.
- ◆ Perform remote support of department's desktop computers.
- ◆ Develop and maintain GIS/web applications deployed using ArcGIS online.



# BUILDING SAFETY

## OVERVIEW

The Building Safety Division provides construction plan reviews, consultation and inspections to assure compliance with state statutes, state building codes and national standards. The Building Safety Division interprets and enforces the state-mandated building codes through a process of education and a clear and fair application of the specialty codes. The Division provides all of these services throughout the rural county, the Cities of La Pine and Sisters, to the City of Redmond through an Intergovernmental Agreement, and various services to Lake, Jefferson, Klamath and Crook counties, the City of Bend and the State of Oregon Building Codes Division on an as-needed basis.

The Division consists of the Building Safety Official, Assistant Building Safety Official, and ten building inspectors (eight existing, two new).

## ACCOMPLISHMENTS

- ◆ Issued 415 single family dwelling permits in 2015 for Deschutes County.
- ◆ Enhanced Accela capabilities for inspection scheduling and recording, such as using thermal printers for iPads in the field to greatly improve and streamline inspection reporting functions. The Division has also implemented the use of Accela in the City of Sisters.
- ◆ Reconsolidated all inspectors back into the Bend office for greater communication and consistency.
- ◆ Provided building services to the City of Sisters for the third year of a three-year contract, and continued to provide building services to the City of Redmond.
- ◆ Exceeded the state-mandated turnaround time on plan reviews during a notable increase in permit activity.
- ◆ Continued to coordinate pre-construction/pre-design meetings to facilitate an improved plan review process for both Deschutes County and the City of Sisters.
- ◆ Participated in state-mandated classes for the continuing education of certified inspectors and local design professionals, and continued to cross train staff to perform multiple inspections on each site visit. The majority of inspectors now have all four residential certifications. The two remaining inspectors are in the process of completing their cross training certifications.

## WORK PLAN

- ◆ The Division will continue to provide full service to all of its customers through the plan review and inspection process, including in the Cities of Sisters and La Pine.
- ◆ Finalize the Sisters building services contact. Staff will continue to work with City staff, emphasizing educational opportunities for owners and builders and developing a streamlined and efficient permitting system. Contacts and communication channels that have been developed with Sisters' divisions will continue to be strengthened and engaged as the County provides building permit services.



## BUILDING SAFETY, CONTINUED

- ◆ Two inspectors will complete state-provided classes for specialized electrical inspector certification, and one inspector will also complete specialized plumbing inspector certification training. Completion of the program and successful testing will allow these inspectors to perform limited commercial electrical inspections and limited commercial plumbing inspections.
- ◆ Continue monthly meetings with Central Oregon Builders Association and Central Oregon Association of Realtors. These meetings benefit both the builders and our staff - feedback from the builders is valuable to CDD as inspection processes are continuously improved.
- ◆ Implement state codes as they are adopted.
- ◆ Staff will participate in the development of training opportunities for the inspectors and plan reviewers. These functions typically also involve local design professionals and contractors.
- ◆ Continue to review and refine the process for determining agricultural and equine exemptions with the goal of all exemptions meeting the requirements of ORS 455.315.
- ◆ Achieve an average of 6-10 stops at different construction job sites per day for each Building Inspector. Each stop may consist of multiple inspections.
- ◆ Achieve an average turnaround time on building plan reviews of 8-10 days.
- ◆ Achieve an average of 2-4 residential plan reviews per building plans examiner per day.



# ENVIRONMENTAL SOILS

## OVERVIEW

The Environmental Soils Division provides site evaluations, design review and inspection of on-site wastewater treatment and dispersal systems as an agent of Oregon Department of Environmental Quality. Staff inspects sewage pumper trucks, reports on condition of existing wastewater systems, maintains an operations and maintenance tracking system, provides the public with information on wastewater treatment systems and regulations, and investigates sewage hazards. Staff are also engaged in the proactive pursuit of protection of the groundwater in southern Deschutes County and other sensitive areas.

The Division is staffed by one Environmental Health Supervisor, one Environmental Health Specialist, one half FTE permit technician and one on-call inspector.

In 2015, the Division:

## ACCOMPLISHMENTS

- ◆ Assessed 172 sites for onsite wastewater treatment and dispersal systems, up approximately 20% from 2014, and issued 996 permits and authorizations for new and existing onsite treatment and dispersal systems, up 6% from 2014. Applications included more complex and technical procedures compared to recent previous years.
- ◆ Regularly coordinated with Department of Environmental Quality (DEQ), including the hydrologist in the Western Region office, to determine the circumstances in South County requiring protective onsite wastewater systems. Staff continued to support and work with DEQ staff on South Deschutes/Northern Klamath Groundwater Protection Steering Committee recommendations.
- ◆ Continued coordination with the Deschutes County/NeighborImpact Loan Partnership program that provides financial assistance to South County property owners when a nitrogen-reducing ATT system is required to repair a failing onsite system.
- ◆ Provided nine property owners in South County with rebates of \$3,750 per property for upgrading conventional onsite systems to nitrogen reducing pollution reduction systems.
- ◆ Coordinated with the City of Bend to assess sites eligible for onsite wastewater treatment and dispersal systems due to their distances from a sewer collection facility.
- ◆ Hired and trained a new Environmental Health Specialist working on the onsite program.



## ENVIRONMENTAL SOILS, CONTINUED

### WORK PLAN

- ◆ The Environmental Soils Division will continue to maintain or exceed service level goals and permit application processing time for site evaluations, design review and inspection of onsite wastewater treatment and dispersal systems.
- ◆ Issue new onsite septic system permits within 15 days of receiving a complete application.
- ◆ Staff will prioritize addressing sewage health hazards and protecting public health and the environment.
- ◆ Staff will continue working with the DEQ on permitting protective onsite wastewater systems in South Deschutes County.
- ◆ Participate in a possible Goal 11 pilot project for community sewer in the rural area of South Deschutes County.
- ◆ Provide financial assistance opportunities where needed and appropriate to assist South Deschutes County property owners who do not qualify for conventional loans to upgrade conventional onsite systems to nitrogen reducing pollution reduction systems (Nitrogen Reducing System Rebates and the NeighborImpact Non-Conforming Loan partnership).
- ◆ Consider convening the South County Groundwater Partnership Financial Advisory Committee to discuss funding solutions to protect groundwater quality.
- ◆ Participate on the City of Bend stormwater public advisory technical committee.
- ◆ Maintain and update the South Deschutes County Groundwater Protection Annual Report.
- ◆ Assess staffing needs to maintain service levels based on workloads.
- ◆ Update Operation and Maintenance reporting, tracking, and electronic invoicing system as required by DEQ. Diversify and train additional staff to work the operation and maintenance program.
- ◆ Update County Code Chapter 13.08 to be consistent with contemporary rules and requirements.
- ◆ Update the DEQ contract for the Onsite Wastewater Treatment System Program to be more consistent with current rules and requirements (current contract dates from 1981).
- ◆ Update County Code Chapter 13.08 to be consistent with contemporary rules and requirements.
- ◆ Update the DEQ contract for the Onsite Wastewater Treatment System Program to be more consistent with current rules and requirements (current contract dates from 1981).



# PLANNING

## OVERVIEW

The Planning Division is divided into two operational areas: Current Planning and Long Range Planning. The Division consists of 12 employees: a Community Development/Planning Director, one Planning Manager, two Senior Planners, one Senior Transportation Planner, an Information Systems programmer/analyst, three Associate Planners, two Assistant Planners, and an Administrative Secretary.

**Development Services** is responsible for reviewing land use applications for compliance with Deschutes County Code (DCC) and state law, including zoning, subdivision and development regulations, and facilitating public hearings with hearings officers and the BOCC. Staff is also responsible for verifying compliance with land use rules for building permit applications and septic permits; coordinating with Code Enforcement to respond to complaints and monitor conditions of approval for land use permits; performing road naming duties and assisting with addressing; and providing assistance at the public information counter, over the telephone and via email.

**Long-Range Planning** is responsible for planning for the future of Deschutes County, including developing and implementing land use policy with the BOCC, Planning Commission, community and partner organizations. It is in charge of updating the County Comprehensive Plan and zoning regulations, coordinating with cities and agencies on various planning projects taking place in the region, including population forecasts with Portland State University and cities. Staff also monitors and participates in annual legislative sessions, and serves on numerous local, regional and statewide committees primarily focusing on transportation, natural resources, growth management and economic development.

Three specific disciplines support both Current and Long-Range planning, including transportation, wetlands/floodplains, and Information Systems, covered separately in this Work Plan.

**Transportation Planning** provides comments and expertise on land use applications, calculates System Development Charges (SDC's) as part of land use application review process or upon request; provides comments to the County's Risk Management Department regarding traffic issues for permitted events; participates in the annual County Capital Improvement Plan (CIP) process with the Road Department; applies for grants for enhanced bicycle and pedestrian facilities in coordination with the Bicycle and Pedestrian Advisory Committee (BPAC); participates in Oregon Department of Transportation (ODOT) funded refinement planning; coordinates road issues with Bureau of Land Management (BLM) and the United States Forest Service (USFS) for urban interface plans; and serves on several local and regional transportation committees, most notably BPAC, the Bend Metropolitan Planning Organization Technical Advisory Committee, and Central Oregon Area Commission on Transportation (COACT) Technical Advisory Committee.



## PLANNING, CONTINUED

### ACCOMPLISHMENTS



**Floodplain and Wetlands Planning** is responsible for providing comments and expertise on land use applications, code enforcement, and general property inquiries that require development, fill, or removal in mapped floodplain and wetlands. Staff maintains certification as an Association of State Floodplain Managers (ASFPM) Certified Floodplain Manager to provide customers with up-to-date and accurate information regarding FEMA regulations, surveying requirements, and construction requirements. Coordination is frequently required with external agencies including FEMA, US Army Corps of Engineers, Oregon Department of State Lands, Oregon Department of Fish and Wildlife, and the US Forest Service.

### Applications

- ◆ Received 663 land use applications in 2015, compared with 517 applications for 2014 (28% increase). Nineteen were reviewed by hearings officers in 2015, compared to 9 in 2014.
- ◆ The highest volume applications were landscape management reviews (136), conditional use permits (95), property line adjustments (60), temporary uses (50), permit sign-offs (43), and site plans (36).

### Land Use Board of Appeals

- ◆ There were eight appeals filed with the Land Use Board of Appeals in 2015. This compares with four appeals in 2014.

### Applicant-Initiated Comprehensive Plan and Zoning Text Amendments

- ◆ Text amendment addressing Eagle Crest's overnight lodging requirements;
- ◆ Plan amendment, zone change, and Goal 14 exception changing Exclusive Farm Use zoning to Rural Industrial for property at Deschutes Junction;
- ◆ Plan amendment to designate a one-mile segment of the Pilot Butte Canal as a historic resource;
- ◆ Plan amendment and zone change in Tumalo changing Tumalo Residential 5-Acre Minimum to Tumalo Industrial; and,
- ◆ LUBA remand to initiate a plan amendment for property near Millican adding to the Goal 5 surface mining inventory of mineral and aggregate resources and a zone change from Exclusive Farm Use to Surface Mining.

### Non-Farm Dwellings

- ◆ Processed 28 nonfarm dwelling applications in 2015, compared with 19 for 2014, a 47% increase.

## PLANNING, CONTINUED

### ACCOMPLISHMENTS, CONTINUED

#### Prominent Applications

- ◆ Noteworthy land use applications in 2015 included three solar photovoltaic systems, a cluster development at Lower Bridge, private park for weddings, an irrigation reservoir and water ski lake west of Shevlin Park, Caldera Springs destination resort expansion, Riley Ranch Nature Preserve, Cascade Academy expansion, Thornburgh Resort's Final Master Plan remand, and an event and wedding pavilion at Tetherow Resort.

#### Subdivision Plats

- ◆ Five tentative subdivision plats creating a total of 105 residential lots were submitted in 2015. Eleven plats were recorded. In 2014, 11 tentative subdivision plats were submitted creating a total 166 residential lots. Six plats were recorded.

#### Certified Local Government Grant

- ◆ Staff is administering an 18-month \$13,000 Certified Local Government (CLG) Grant from the State Historic Preservation Office to assist with implementing historic preservation programs. The grant period runs from March 2015 to August 2016.

#### U.S. EPA Brownfield Community-Wide Assessment Grant

- ◆ The Planning Division is in the final year of administering a 3-year \$400,000 U.S. Environmental Protection Agency (US EPA) Community-wide Brownfield Assessment Grant. The grant ends in September 2016. Proceeds from the grant enabled the County to complete five Phase I and three Phase II Environmental Site Assessments (ESAs). A fourth Phase II ESA is currently being performed for the Bend Park and Recreation District to examine Mirror Pond sedimentation.

The Brownfield grant also dedicated \$90,000 for Area Wide Planning (AWP) for the City of Redmond. The Mid-Town area of Redmond's downtown was the beneficiary of research, technical assistance and training to revitalize key brownfield sites. The timing and readiness to utilize AWP funding offered extraordinary advantages for the City of Redmond. It dovetailed with their existing efforts to revitalize the area, including an urban renewal district, market analysis, and recently completed housing study.

#### Code Enforcement Task Force and Text Amendments

- ◆ Planning staff convened a group of stakeholders to explore whether consensus could be achieved on a conceptual text amendment to prohibit the issuance of permits for properties in violation of County Code or a prior land use decision. Staff initiated amendment and after public hearings before the Planning Commission and the Board, County Commissioners adopted them in December.



## PLANNING, CONTINUED

### ACCOMPLISHMENTS, CONTINUED

#### Sage Grouse

- ◆ On September 22, 2015, the U.S. Fish and Wildlife Service determined federal land management plans and partnerships with states, ranchers, and NGO's avert an endangered species listing for sage grouse. On the same day, the Bureau of Land Management (BLM) and the U.S. Forest Service (USFS) issued Records of Decisions finalizing land use plans that will conserve key sagebrush habitat and address identified threats to the greater sage-grouse on federal land.

The Oregon Land Conservation and Development Commission (LCDC) adopted new rules last summer addressing potential conflicts between "large-scale development" and sage grouse habitat. Their rules became effective in August. State law, ORS 197.646(3) requires Deschutes County to implement them. After public hearings before the Planning Commission and the Board, County Commissioners adopted comprehensive plan and zoning text amendments in December to protect sage-grouse habitat on non-federal lands near Millican, Brothers, and Hampton. They are consistent with LCDC's new rules.

#### Statewide Planning Goal 11 Exception

- ◆ The Planning Division, in coordination with the Oregon Department of Environmental Quality (DEQ) and Department of Land Conservation and Development (DLCD) initiated a Goal 11 Exception in June that would allow sewers in rural Southern Deschutes County to address nitrates in shallow groundwater. The Planning Commission and Board held public hearings from August 2015 to January 2016.

#### Medical Marijuana Dispensaries

- ◆ In January 2015, the Board directed staff to draft a text amendment regulating medical marijuana dispensaries, prior to the statewide ban expiring on May 1. After public hearings before the Planning Commission and the Board, County Commissioners adopted amendments in April 2015.

#### Medical & Recreational Marijuana Regulations

- ◆ From August through September, the Planning Commission and Board held work sessions and public hearings to consider opting out or preparing regulations addressing where and how marijuana businesses may operate in the unincorporated areas of Deschutes County. On December 21, the Board voted unanimously to temporarily ban marijuana businesses, including medical marijuana dispensaries. A citizen advisory committee was formed in January to provide further input to the Board.



## PLANNING, CONTINUED

### ACCOMPLISHMENTS, CONTINUED

#### Harper Bridge

- ◆ Planning staff continues to coordinate with the Sunriver Owners Association (SROA) and Oregon Marine Board (OMB) on a solution to conflicts between traffic on Spring River Road and those seeking to launch boats or float on the Deschutes River from Harper Bridge.

#### Housekeeping Amendments

Planning staff initiated a package of text amendments to incorporate changes in state law into the zoning code. In addition, “housekeeping” amendments were also adopted to correct scrivener errors and provide additional clarification to existing regulations and the Comprehensive Plan. After public hearings before the Planning Commission and the Board, County Commissioners adopted them in December.

#### Natural Hazards Goal 7 Plan

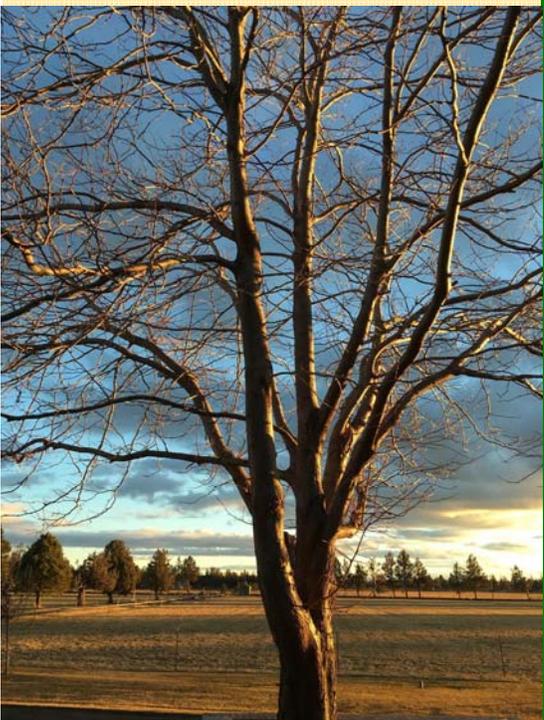
The University of Oregon’s Community Service Center (CSC) reviewed County codes and policies regarding natural hazards and mitigation and conducted a national review of other jurisdictions’ codes and policies to gauge whether some may be suitable for the County to adopt as well as identifying best practices and model ordinances. CSC’s work concluded in May with a report to the Board. The presentation concentrated on wildfires and floods. CSC issued its report in June with final recommendations for how County land use codes, policies, and processes could be modified to lessen the risks of wildfires and flooding during the land use development process.

#### No Shooting Zone

- ◆ Planning staff coordinated with City of Redmond, and Redmond Parks and Recreation Department to propose a No Shooting District on lands the three entities own or control north of OR 126 between Redmond and Bureau of Land Management (BLM) property. The proposed no shooting district is intended to lessen the risks to persons and property recreating on the Redmond Park and Rec trail system on the County’s land and to those customers of the Negus Transfer Station. After holding a public hearing, the Board adopted the East Redmond Firearms Discharge Restricted Area in August.

#### City of Bend Airport Master Plan

- ◆ Planning staff continues to coordinate with the City regarding a land use application to amend the County’s Comprehensive Plan, Transportation System Plan, and Title 18 of the Airport Development Zone to implement the Bend Airport Master Plan.



## PLANNING, CONTINUED

### ACCOMPLISHMENTS, CONTINUED

#### City of Bend Urban Growth Boundary Expansion

- ◆ Planning staff continues to coordinate with City regarding UGB expansion and amendments to the County's Comprehensive Plan, Transportation System Plan, and Title 19, Bend Urban Area Ordinance.

#### Oregon Spotted Frog

- ◆ Planning staff continues to coordinate with the U.S. Fish and Wildlife Service (USFWS). In 2014, USFWS extended protection to the Oregon spotted frog as a threatened species under the federal Endangered Species Act. The final rule designating critical habitat is forthcoming.



## PLANNING, CONTINUED

### WORK PLAN

#### Development Review

- ◆ Issue all planning administrative (staff) decisions for land use actions requiring prior notice within 45 days of determination of complete application and for those that do not require prior notice, within 21 days of determination of complete application.
- ◆ Maintain tracking systems on destination resort reporting requirements and obligations, such as improvement agreements and residential-to-overnight accommodation ratios.
- ◆ Assist GIS staff regarding the Local Update of Census Addressing and annual annexation updates.

#### CLG Grant

- ◆ Administer a CLG Grant from the State Historic Preservation Office. Grant ends August, 2016. Reapply in February, 2017 for the 2017-18 period and implement new projects.

#### U.S. EPA Brownfield Grant

- ◆ Complete the administration of the U.S. EPA Community-Wide Brownfield Assessment Grant. Grant ends September, 2016.

#### Community Plans

- ◆ Engage Tumalo and Terrebonne residents to determine if community goals and policies meet the current and future needs of the area.

#### Floodplain

- ◆ Monitor and participate in state-led process to address the effects of the U.S. District Court decisions related to the ESA and floodplain development. Initiate legislative amendments changing the floodplain zone to a combining zone.

#### Housekeeping and Legislative Amendments

- ◆ Initiate housekeeping and legislative text amendments.

#### Natural Hazards

- ◆ Coordinate with the Planning Commission and the Board to discuss implementing recommendations from the University of Oregon's Community Service Center's review of County codes and policies regarding natural hazards and mitigation.

#### Marijuana Regulations

- ◆ TBD based on Board actions in May 2016.

#### Tracking System

- ◆ Maintain tracking system of Comprehensive Plan and Community/Area Plan implementation activities, updates, necessary revisions, and potential areas for new plans.



## PLANNING, CONTINUED

### WORK PLAN, CONTINUED



#### Bend Airport Master Plan

- ◆ Coordinate with the City of Bend to adopt the Bend Airport Master Plan (BAMP) Update into the Comprehensive Plan and if necessary, the zoning code.

#### City of Bend Growth Management

- ◆ Coordinate with the City of Bend to complete the UGB amendment.

#### Central Oregon Large-Lot Industrial Project

- ◆ Coordinate with the City of Redmond and Oregon Department of State Lands to initiate a UGB amendment for a regional large-lot industrial campus.

#### Harper Bridge

- ◆ Continue to participate with the Sunriver Homeowners Association to develop solutions for safe access to the Deschutes River at or near Harper Bridge.

#### Oregon Spotted Frog

- ◆ Coordinate with the U.S. Fish and Wildlife Service (USFWS). The final rule designating critical habitat from a land use standpoint.

#### DLCD Nonresource Lands Project

- ◆ Participate in Phase 1 of DLCD's nonresource lands project to evaluate conservation and development issues surrounding lands that do not require protection under Goals 3 (agriculture) or 4 (forest), and support LCDC rulemaking.

#### Code Audit Work Program

- ◆ Develop a work program to audit land use regulations to update review processes and standards to achieve County goals.

#### Public Engagement

- ◆ Expand on-line subscription services beyond the CDD Update to include Planning Commission and Historic Landmarks Commission agendas, Monthly CDD Statistics and Performance Measure Reports, and Hearings Officer decisions.

#### Population Forecast

- ◆ Coordinate with Assessor and Administration Office to complete Portland State University, Population Research Center, 2016 Housing Unit and Population Questionnaire.

#### Legislative Session

- ◆ Participate in and monitor the 2017 legislative session, committee and work groups regarding Board planning priorities.

# 2015 DESCHUTES COUNTY COMMUNITY INVOLVEMENT REPORT

## BACKGROUND

Statewide Planning Goal 1, Citizen Involvement, requires cities and counties to create a citizen involvement program that provides opportunities for community participation in land use planning processes and decisions. Land use legislation, policies and implementation measures made by Oregonians over 40 years ago helped shape Oregon's urban and rural environments. Likewise, choices made today will ultimately shape these areas in the future. Successful land use planning occurs through an open and public process that provides room for information gathering, analysis and vigorous debate. Deschutes County's Community Involvement program is defined in Section 1.2 of the Comprehensive Plan. This chapter identifies the County Planning Commission as the committee for citizen involvement. It also contains the County's Community Involvement goal and corresponding five policies that comply with Goal 1.

This report briefly discusses the noteworthy community involvement actions undertaken by the Planning Division in 2015. The report is intended to provide county residents and stakeholders with a tool to assess its effectiveness and offer additional suggestions the County can utilize to ensure that its diverse communities remain actively involved in land use planning discussions.

## 2015 COMMUNITY INVOLVEMENT ACCOMPLISHMENTS

### CURRENT PLANNING



Administering the zoning code requires the Current Planning Section to process individual land use applications, zoning review and sign-off for building and septic permits. Current planners maintain legally prescribed turnaround times on land use applications (150-days) and provide customer service through assistance at the front counter, phone conversations, and appointments. Phone messages are returned within 24 hours.

### Monthly Update

In 2014, CDD utilized the County's website as a primary tool of public communication and information for public meetings; pending land use applications; long-range planning projects; posting the CDD Update; and providing links to current and past BOCC and Planning Commission meetings. In addition, CDD coordinated with the County's Communications Director to publish press releases and announce new documents, etc. on the County's Facebook page. CDD also coordinates with the Information Technology Department to create a one-stop shop in DIAL 2 for all County property, development/permits, assessor records, and interactive mapping. DIAL 2 increases access, simplifies, and consolidates information in one place for the benefit of the general public.

# 2015 DESCHUTES COUNTY COMMUNITY INVOLVEMENT REPORT, CONTINUED



## Website, Facebook and DIAL 2

In 2014, CDD utilized the County's website as a primary tool of public communication and information for public meetings; pending land use applications; long-range planning projects; posting the CDD Update; and providing links to current and past BOCC and Planning Commission meetings. In addition, CDD coordinated with the County's Communications Director to publish press releases and announce new documents, etc. on the County's Facebook page. CDD also coordinates with the Information Technology Department to create a one-stop shop in DIAL 2 for all County property, development/permits, assessor records, and interactive mapping. DIAL 2 increases access, simplifies, and consolidates information in one place for the benefit of the general public.

## Marijuana Regulations

On March 17, 2014, the BOCC adopted Ordinance No. 2014-008 establishing a moratorium on the operation of any marijuana dispensary in any area subject to the jurisdiction of Deschutes County. This ordinance included a sunset clause resulting in the repeal of the ordinance on May 1, 2015. In anticipation of this repeal, CDD initiated amendments to the Deschutes County Code (DCC) to define, permit, and establish standards for medical marijuana dispensaries. A public hearing before the Planning Commission was held on March 12, with recommendations forwarded to the BOCC. The BOCC approved the proposed amendments in May with changes that include not permitting dispensaries in the Exclusive Farm Use zone, limiting the hours of operation to 10am-7pm, and requiring dispensaries converting to recreational marijuana sales to receive site plan review approval.

On August 12 the BOCC held a public hearing to receive testimony regarding whether or not to "opt out" of marijuana land uses, as permitted by HB 3400, by establishing a temporary moratorium. The BOCC deliberated on August 17 and chose not to opt out of any uses at that time in favor of exploring regulations of marijuana land uses. The Planning Commission conducted public hearings on November 5 and 12 to take testimony on amendments to DCC to regulate marijuana businesses in unincorporated areas.

## Planning Commission

The Deschutes County Planning Commission held 17 meetings in 2015 discussing an assortment of issues, including:

- ◆ Agricultural Lands
- ◆ Code Enforcement Amendments
- ◆ Eagle Crest Text Amendments (overnight lodging)
- ◆ Goal 11 Exception for Southern Deschutes County
- ◆ HB 2229 (Big Look Bill)
- ◆ Housekeeping Amendments



## 2015 DESCHUTES COUNTY COMMUNITY INVOLVEMENT REPORT, CONTINUED

- ◆ LCDC Rule Making for Sage-Grouse
- ◆ Marijuana Regulations
- ◆ Medical Marijuana Dispensaries
- ◆ Natural Hazards (Wildfire and Flooding)
- ◆ Planning Commission Training (public meetings and records)
- ◆ Riley Ranch Reserve Conditional Use / Site Plan Approval
- ◆ Sage Grouse Amendments



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