PUBLIC HEARING

Non-Prime Resource Lands

Planning Commission
May 23 and June 13, 2019
Open Houses
What are Nonprime Resource Lands?

- Known as “Non-Resource” Lands under OAR 660-004-005(3).

- Exceedingly low capacity to be managed for commercial agriculture and/or forestry activities.

- Do not meet State agricultural land or forestlands definitions due to poor soil conditions, lack of irrigation, climate conditions and other factors, including past land use.
Legacy Issue in Deschutes County

- 1970 farm land designations limited by available soil maps.
- Non-urban, undeveloped and uncommitted lands zoned EFU or Forest Use.
- Since 2008, Deschutes County participated in processes to study and update land designations.
Two Proposals for NPR Lands

Proposal 1

Proposal 2
Proposal 1
Residential Committed Areas

- Skyline Subdivision and 1st Addition
- Meadow Crest Acres
- Haner Park
- Section 36
- Squaw Creek Canyon Rec Estates 1st Addition

237 lots
110 are vacant
Squaw Creek Canyon Rec Estates

42 lots. 18 are vacant
Average Lot Size: 2.5
None are tax deferred
Skyline Subdivision and 1st Addition

49 lots. 11 are vacant
Average Lot Size: 0.73
None are tax deferred
Meadow Crest Acres

33 lots. 14 are vacant
Average Lot Size: 1.07
None are tax deferred
Haner Park

59 lots. 23 are vacant
Average Lot Size: 1.19
No lots are tax deferred
Section 36

54 lots. 44 are vacant
Average Lot Size: 11.65
3 parcels are tax deferred

Legend
- Section 36
- F2 - Forest Use 2
- EFULA - La Pine Subzone
- FP - Flood Plain
- RSC - Rural Service Center
- RR10 - Rural Residential
- F1 - Forest Use 1
- SM - Surface Mining
Current situation...

• Inaccurate zoning designations → create financial hardships.
  - New dwelling, exterior alteration or addition requires a land use application ($523-$3,550).

• Deschutes County seeks to change the zoning designation for these six areas to allow residential uses outright.
Comprehensive Plan Direction

2.2.13 – Identify and retain accurately designated agricultural lands.
Proposal One: Draft Policies

• Not suitable for farm/forest uses.

• No impact to neighboring farm/forest uses.

• No impact to wildlife habitat.

• Only applies to 6 residentially committed areas.
Proposal One: Next Steps

If approved...

• Determine uses allowed in NPR-10 Zone.

• County to apply for Plan Amendment/Zone Change for the six specific areas.
Two Proposals for NPR Lands

Proposal 1

Proposal 2
Proposal 2
Non-Resource Land Process Exists Today

• Property owners redesignate Non-resource lands under State law.

• Six have occurred since 2007 – totaling 1,250 acres.

• 24 redesignations throughout state - 25 percent in Deschutes County.
Applicant-Initiated Redesignations

2007
17 acres
EFU to MUA-10
Applicant-Initiated Redesignations

2011
557 acres
EFU and Surface Mining to RR-10
Applicant-Initiated Redesignations

2017
35 acres
EFU to MUA-10

2019
60 acres
EFU to MUA-10

2013 and 2018
587 acres
EFU to UGB and MUA-10
Comprehensive Plan Direction

2.2.3 – **Allow** comprehensive plan and zoning map amendments, including for those that qualify as non-resource land, for individual EFU parcels.

2.2.4 – **Develop policies** to provide **clarity** on when and how EFU parcels can be converted to other designations.
State Criteria

The applicant must demonstrate the land is not “agricultural land” by:

• 51% of a property contains Class VII or VIII soils

• Cannot be used for grazing or in conjunction with adjoining or nearby agricultural or grazing operations
State Criteria Continued…

• No availability of water for farm irrigation
• Not intermingled with lands in Class I-VI soils
• Unnecessary to allow adjacent properties to continue to function as agricultural land
• Not significantly affect a County or State transportation system consistent with Goal 12
Establish Local Criteria

- Recognizes State law AND local conditions/values.
- Speaks to realistic conditions and local values.
Proposed Local Criteria

• Does not contain designated wildlife habitat.

• Located in a fire-protection district or can be annexed into one.

• If irrigation districts are impacted, identify conditions of approval that should be placed on the property.
Proposal Two: Next Steps

If approved...

• Draft NPR-20 Zone.
• Adopt new zone into development code.
• Future applicants required to use NPR-20 Zone.
Summary
Proposal One: Summary

- Updates inaccurate zoning designation.
- Exclusive to committed residential areas.
- Establishes framework for NPR-10 Zone.
- No new conflicting uses.
- Allows residential uses outright.
Proposal Two: Summary

• Adopt State and local criteria.

• Establishes framework for NPR-20 Zone.

• Public to inform what uses are allowed.

• Future applicants will be required to use this zone instead of MUA-10.
Public Hearings

Planning Commission’s next hearing:
• June 13

Board of County Commissioners’ hearing:
• TBD
More Info...

Project website: https://www.deschutes.org/npr

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