



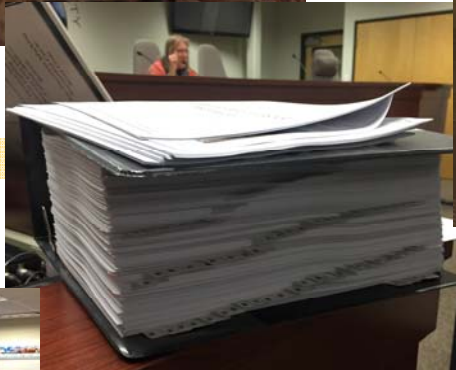
## Community Development Department

# UPDATE

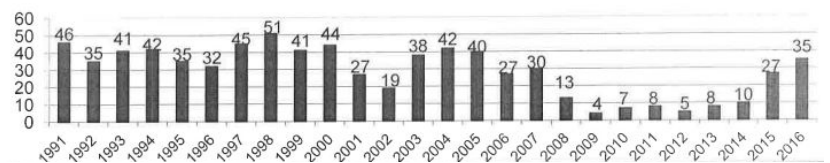
MARCH, 2016

### From the Director's Desk

*Sometimes pictures speak louder...*



February New Houses



### Coordinated Services and Code Enforcement

Welcome Laurie Worley! Laurie started working on February 1<sup>st</sup> as a Permit Technician. She has an extensive background in the building industry, including working for a local contractor and working as a project coordinator for a hotel that was constructed in Hawaii. We are very pleased to have Laurie join our team!

Code enforcement remains very busy this winter with over 80 new cases opened in January and February. Once the snow thaws, we generally see a significant increase in complaints submitted. A number of complex cases are still in progress,

which take a considerable amount of staff time to manage. Staff will present a code enforcement update to the Board of County Commissioners (BOCC) will conduct a work session in late March, including a request for additional resources.

The State of Oregon ePermitting team will be releasing the Android version of the Contractor Inspection Scheduling App to the Play Store in February. This app gives contractors a convenient way to schedule inspections and track results. The Apple version was released last year and is available at the App Store.

For current information on upcoming meetings, hearings, etc., please refer to the following link:

[www.deschutes.org/calendar](http://www.deschutes.org/calendar)



And so the season begins. Except for the limited snow-related reduction in inspection volume during December and January, we have not seen a real seasonal slowdown this year; and all indications from planning to septic approvals hint at another record-setting building season.

Cross training in all disciplines is key to our efficiency and today's building department reality. Three of our inspectors completed their Residential Structural Building Codes Division classes in February; two more started their Residential Electrical training this month; and one is obtaining a Specialized Electrical Certification.

As we approach full cross certification of staff in our department, we are continually adjusting our inspection

territories, taking into consideration inspector certifications, types of inspections, inspection counts, and geographic areas. These adjustments aid in increasing our efficiencies by reducing the amount of time any individual inspector has to drive between inspections, and they allow more time for inspections.

Due to increasing work volumes and permit activities, we are proposing two new full-time employees in the Building Safety Division for the next fiscal year. As a fee-supported division, we adjust our staffing levels according to our workloads. We cannot tell you where the S&P 500 will be next week or what will happen overseas next month; but we can tell you the word is out about Central Oregon, and people want to live here.

## **Current Planning**

**Bull Springs Ranch LLC, Partition (247-15-000668-MP):** A Minor Partition to divide an approximate 528 acre parcel into three parcels of 40, 246 and 242 acres. The property is zoned Forest Use (F1), Rural Residential (RR-10) and Surface Mining (SM). The subject property has an assigned address of 18500 Bull Springs Road, Bend. The matter will be before a Hearings Officer at a public hearing scheduled for April 12, 2016. Staff contact: Chris Schmoyer, Chris.Schmoyer@deschutes.org.

**Deschutes Junction Comprehensive Plan Amendment and Zone Change (247-14-000456-ZC / 457-PA):** On December 31, 2014, an application for a plan amendment and zone change from Exclusive Farm Use to Rural Industrial and a goal exception to Statewide Planning Goal 3, Agricultural Lands, were submitted for a 21.58-acre site, located at Deschutes Junction (Tax Map Nos. 16-12-26C, Tax Lot 201 and 16-12-27D, Tax Lot 104). A Hearings Officer approved the applicant's request for a developed and committed exception to Goal 14 on September 30. The BOCC held a hearing and adopted the plan amendment and zone change on January 4. The BOCC's decision was appealed to LUBA. Staff contact: Peter Gutowsky, Peter.Gutowsky@deschutes.org

**Dreifuss Dock and Deck (247-15-000113-CU / 114-CU / 115-NUV / 116-LM):** The applicant requested conditional use approval for a community dock and decks; verification of a non-conforming structure (bunkhouse) and approval to alter same; and landscape management review for the bunkhouse and an accessory structure (garage) on the subject property. A Hearings Officer held a public hearing on August 25, 2015; the application was denied and that denial has been appealed to the BOCC. A BOCC hearing date on this matter has been scheduled for March 30. Staff contact: William Groves, William.Groves@deschutes.org

**KC Development Group, LLC and Tumalo Irrigation District (247-15-000226-CU / 227-CU / 228-LM / 383-MA / 384-SP / 385-V):** The applicants applied for conditional use permits to create two reservoirs and establish a recreation facility (ski lake). The applicant subsequently applied to modify the application to allow up to 20 guests at the recreational facility, and applied for site plan review and a variance from the Rural Residential Zone (RR10) setback standards. After two public hearings, the Hearings Officer denied the applications. Appeals were filed by both the applicant and an opponent. The BOCC declined review of the appeals. This decision has been appealed to LUBA. Staff contact: Anthony Raguine, Anthony.Raguine@deschutes.org.

**KG Ranch (Alfalfa) CUP –** The applicant requested approval to complete the construction of an agricultural pond located in the Exclusive Farm Use and Flood Plain zones and in an area mapped as wetlands on the National Wetlands Inventory. A Hearings Officer denied this application and a timely appeal was accepted by the Board. A hearing date is to be determined. Staff contact: William Groves, William.Groves@deschutes.org

**Lower Bridge Road LLC (247-15-00194-CU and 195-TP):** The applicant requests approval of applications for a conditional use and tentative plan for a planned development (19 residential lots) in the Rural Residential (RR-10) and Flood Plain (FP) Zones, that is also within the Landscape Management Combining Zone. A Hearings Officer issued a decision on September 11, 2015, finding that the proposal does not comply with all applicable regulations. On September 23, 2015, Lower Bridge Road, LLC appealed the decision to the BOCC. The BOCC has agreed to hear this appeal and a public hearing occurred on January 6, 2016. Board deliberations will occur in late March. Staff contact: William Groves, William.Groves@deschutes.org



**Miller Tree Farm Subdivision and Conditional Use (247-14-000242-CU/243-TP; 247-14-000244-CU/245-TP; 247-14-000246-CU/247-TP; 247-14-000248-CU/249-TP; 247-14-000250-CU/251-TP):** The Planning Division received five conditional use permit and tentative plat applications to establish a planned unit/cluster development (subdivision). The applications propose a total of 50 two-acre residential lots and over 422 acres of permanently preserved open space, most of which will be publicly accessible via a comprehensive trail network. The Hearings Officer denied all five subdivision applications due to lack of detail with respect to the required wildfire and wildlife management plans. The denials were appealed to the BOCC. The BOCC approved all five subdivisions. Central Oregon Landwatch filed a Notice of Intent to Appeal all five BOCC approvals to the Land Use Board of Appeals (LUBA). A settlement was reached by the parties and the LUBA appeal was subsequently dismissed at the request of Landwatch. Staff contact: Anthony Raguine, Anthony.Raguine@deschutes.org

**Pine Forest Development, LLC, a/k/a Caldera Springs Destination Resort Expansion (247-15-000464-CU):** Caldera Springs applied for a conditional use permit to expand the existing Destination Resort by adding a 614-acre property to the resort. The proposal includes a maximum of 395 single-family residences, a maximum of 95 additional overnight lodging units, recreation facilities and additional resort core amenities within the 614-acre property. As part of this application, the applicant seeks to modify the Caldera Springs Conceptual Master Plan and ratio of single-family residences to overnight lodging units from 2:1 to 2.5:1. Additionally, the applicant proposes a new access to the resort from Vandevent Road. Two public hearings were conducted and the written record is closed. A decision by the Hearings Officer is expected in mid-March. Staff contact: Anthony Raguine, Anthony.Raguine@deschutes.org

**Shepherd Private Park (247-14-000 228-CU / 229-SP):** On February 3, 2015, staff issued an administrative approval of a conditional permit and site plan review (247-14-000228-CU/229-SP) to establish a private park on an EFU-zoned parcel east of Sisters for the purpose of hosting weddings, wedding receptions, special events, and recreational activities. The BOCC approved this application April 22, 2015. LUBA reversed this approval on August 17, 2015. The Court of Appeals affirmed LUBA's decision with additional findings. Staff contact: Will Groves, William.Groves@deschutes.org

**Thornburgh Destination Resort Appeal (247-15-000529):** Central Land and Cattle Co., LLC, requested a proceeding on remand of its approval of the Thornburgh Destination Resort Final Master Plan in application M-07-02/MA-08-6. A Hearings Officer denied the remand proceeding on November 30. The applicants appealed the Hearings Officers' denial to the BOCC. The BOCC denied to hear the

appeal on December 21. The applicants subsequently appealed the HO decision to LUBA. Staff contact: Peter Gutowsky, Peter.Gutowsky@deschutes.org

**Tumalo Irrigation District (247-15-000222-LR / 430-A):** Tumalo Irrigation District requested a Lot of Record Verification for property identified on Assessor's Map 16-11-00000, Tax Lot 7891 (historic Tumalo Reservoir site). The Hearings Officer issued a decision approving and affirming the applicant's Lot of Record Verification and staff decision. Central Oregon LandWatch appealed the decision to the BOCC. The BOCC heard the appeal on-the-record (no new evidence) and deliberated on February 29, 2016. The BOCC will issue a decision in late March or early April. Staff contact: Cynthia Smidt; Cynthia.Smidt@deschutes.org

**Widgi Creek (TP-14-1024, SP-14-8, LM-14-17):** Arrowood Development, LLC, submitted applications for a tentative plat for a 24-lot zero lot-line subdivision, and site plan and landscape management review for the dwelling units on the proposed lots. These applications were heard before a Hearings Officer, who approved them in a written decision dated September 29, 2014. The BOCC decided not to hear the appeal, under Order No.2014-036. Following an appeal to LUBA and a remand from LUBA, the Hearings Officer conducted hearings on this matter on February 16 and March 1, 2016. This matter is in post-hearing written submittal period. Staff contact: Will Groves, William.Groves@deschutes.org

**Widgi Creek (247-14-000391-TP / 393-SP / 394-LM):** A Hearings Officer held a public hearing on January 6, 2015 for a partial replat of the Elkai Woods Townhomes, Phase III subdivision to remove the common area notation on the subject property, together with tentative plan approval for an eight-lot zero lot-line subdivision, site plan and non-visible landscape management review. The Hearings Officer issued a decision on April 6, 2015, finding that the proposal does not comply with all applicable regulations. The BOCC agreed to hear this appeal on May 6, 2015. Following Board hearings on January 27 and February 29, 2016 this matter is in post-hearing written submittal period. Staff contact: Will Groves, William.Groves@deschutes.org

**Widgi Creek (247-14-000395-TP, 396-SP, and -397-LM):** A Hearings Officer held a public hearing on January 6, 2015 for a nine-lot, zero lot line subdivision, as well as site plan and landscape management review for the proposed dwellings on the subdivision lots, on property zoned Resort District and Landscape Management Combining Zone. The Hearings Officer issued a decision on April 6, 2015 finding that the proposal does not comply with all applicable regulations. The BOCC agreed to hear this appeal on May 6, 2015. Following Board hearings on January 27 and February 29, 2016 this matter is in post-hearing written submittal period. Staff contact: Will Groves, William.Groves@deschutes.org



**Resource/Non-Resource Lands:** Staff has initiated three amendments to County Code: 1) a text amendment to Comprehensive Plan, Chapter 2, Section 2.2 and Chapter 3, Section 3.3, recognizing non-resource lands process allowed under State law to change EFU zoning; 2) a text amendment to zoning code providing a definition of agricultural-exempt buildings; and, 3) reducing setbacks in the Forest Use (F-2) Zone, explicitly for the Haner Park Subdivision. The initial public hearing before the Planning Commission is scheduled for March 10, 2016. Following the public hearing, the Planning Commission will make a recommendation on the proposed changes to the BOCC for consideration. A subsequent hearing before the BOCC is required but has not yet been scheduled. Staff contact: Matt Martin, Matt.Martin@deschutes.org

**Bend Airport Master Plan Update:** The City of Bend applied on January 14 to amend the County's Comprehensive Plan and Transportation System Plan (TSP) to include the 2013 Bend Airport Master Plan (BAMP). A public hearing is scheduled for 6 p.m., March 29 in the Barnes and Sawyer Rooms, 1300 NW Wall Street, Bend. The BAMP would update references in the Comprehensive Plan and TSP, but does not propose any new land uses at the airport or existing uses in new locations. Staff contact: Peter Russell, Peter.Russell@deschutes.org.

**Goal 11 (Sewer) Exception for Southern Deschutes County:** The BOCC on February 10 approved Ordinance 2016-007, which authorizes a Goal 11 Exception to allow sewers in the rural portions of southern Deschutes County. The ordinance implemented File 247-15-000308-PA. The decision has been appealed to LUBA. Staff contacts: Nick Lelack,

Nick.Lelack@deschutes.org; Peter Gutowsky, Peter.Gutowsky@deschutes.org; Peter Russell, Peter.Russell@deschutes.org; Todd Cleveland, Todd.Cleveland@deschutes.org.

**Pilot Butte Canal Historic District:** The Pilot Butte Canal Historic District (Cooley Road - Yeoman Road Segment) was listed by the National Park Service (NPS) in the National Register of Historic Places on February 8, 2016, following a public process beginning in December 2014. The district will be protected by the provisions of the Deschutes County historic preservation code and development within the district may be subject to review by the Deschutes County Historic Landmarks Commission. Staff contact: Matt Martin, Matt.Martin@deschutes.org

**Marijuana Advisory Committee (MAC):** The MAC is a BOCC-appointed committee comprised of Deschutes County residents. The 13-member MAC is charged with developing and recommending reasonable time, place and manner land use regulations intended to mitigate the impacts of medical and recreational marijuana uses to the BOCC. These regulations could address sight, sound, smell, size/scale, location, security, and other impacts associated with marijuana land uses if the BOCC or voters rescind the opt-out ordinance in its entirety or in part. Non-voting representatives will also be invited to participate and will serve as resources to the committee throughout the process. For more information visit: [www.deschutes.org/marijuana](http://www.deschutes.org/marijuana). Staff contact: Matt Martin, Matt.Martin@deschutes.org



*Made it! Assistant Planner Caroline House (l) at the summit of Mt. Kilimanjaro, without oxygen! She can currently be found sleeping under her desk.*