



PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058  
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*Pioneering pathways to prosperity.*

# **WASCO COUNTY** **CITIZEN ADVISORY GROUP** **AGENDA PACKET**

**FOR**

Citizen Advisory Group Work Session Dated:  
October 9, 2018

Work Task #5, #6, #7 & #8

Meeting Time: 4:00 pm  
Meeting Location: Wasco County Public Works Building  
Conference Room  
2705 East Second St  
The Dalles, Oregon 97058





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Date: October 2, 2018

To: Wasco County Citizen's Advisory Group  
From: Wasco County Planning Office

Subject: Submittal for Hearing dated October 9, 2018 – Work Task #5, #6, #7 & #8

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**FOR**

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**FILE #:** 921-18-000098 (5)

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**REQUEST:** Legislative Request to Amend the Comprehensive Plan, Chapter 6  
**DECISION:**

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- Attachments:**
- A. Wasco County Comprehensive Plan Periodic Review Work Task 5 Overview
  - B. Annotated Draft of Proposed Chapters 6 of Wasco County 2040 (Comprehensive Plan) with notes
  - C. Clean Draft of Proposed Chapter 6

**File Number:** 921-18-000098

**Request:** Amend the Wasco County Comprehensive Plan

1. Change the format to align with Statewide Land Use Planning Goals
2. Develop Goal 6 into Wasco County 2040 format (Chapter 6), make any general amendments reflecting current planning practice and amend policy to reflect public input on water conservation. This is related to Periodic Review work task 5.

**Prepared by:** Kelly Howsley Glover, Long Range Planner

**Prepared for:** Wasco County Planning Commission

**Applicant:** Wasco County Planning Department

**Staff Recommendation:** Recommend the Wasco County Planning Commission recommend adoption of the proposed amendments of the Wasco County Comprehensive Plan to the Wasco County Board of Commissioners.

**Planning Commission**

**Hearing Date:** November 6, 2018

**Procedure Type:** Legislative

**Attachments:**

- Attachment A: Wasco County Comprehensive Plan Periodic Review Work Task 5 Overview
- Attachment B: Annotated Draft of Proposed Chapter 6 of Wasco County 2040 (Comprehensive Plan) with notes
- Attachment C: Clean Draft of Proposed Chapter 6

## **I. APPLICABLE CRITERIA**

### **A. Wasco County Comprehensive Plan Chapter 11: Revisions Process**

1. Section B: Form of Comprehensive Plan Amendment
2. Section C: Who May Apply for a Plan revision
3. Section D: Legislative Revisions
4. Section H: General Criteria
5. Section I: Transportation Planning Rule Compliance
6. Section J: Procedure for the Amendment process

### **B. Oregon Administrative Rules 660-025**

## **II. SUBMITTED COMMENTS**

As of the Wasco County Planning Department has received no comments about the proposed revisions.

## **III. PUBLIC INVOLVEMENT**

In addition to the public hearings required by this legislative process to allow for public testimony and the ability to provide written comment, Wasco County has included the following additional measures to ensure the process is open to the public:

### **A. Newspaper Notifications**

#### Citizen Advisory Group Work Session October 9, 2018:

Public notice for a Citizen Advisory Group meeting was published in The Dalles Chronicle on September 23, 2018, more than 20 days prior to the October 9<sup>th</sup> work session.

#### Planning Commission Hearing #1:

Public notice for Planning Commission Hearing #1 was published in The Dalles Chronicle on October 14, 2018 more than 20 days prior to the November 6, 2018 hearing date.

### **B. Information Available on Website**

The information regarding the proposed amendments was placed on the Wasco County Planning Department Website<sup>1</sup> on October 2, 2018. If updates are made following each hearing, the webpage will be updated to reflect such changes. At the time of publication of this document, the following information was made available:

- A listing of hearing dates, times and locations.
- Drafts of the proposed amendments
- Staff report describing the process and proposed changes
- A way to submit comments and concerns

<sup>1</sup> <http://co.wasco.or.us/departments/planning/index.php>

In addition, the Wasco County Comprehensive Plan website<sup>2</sup> has included several posts that have included the time and date of meetings and discussion of proposed topics. This website has 23 subscribers that receive notification of new content, and is also promoted on the Planning Department's social media channels.

**C. Notification to Partners**

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to the Periodic Review Assistance team and other Citizen Advisory Group identified stakeholders on October 2, 2018. The notification included links to the staff report, proposed amendments, and the opportunity to comment.

**D. Notification to Community Notification List**

During the Wasco County 2040 initial outreach phase, a public email notification list was assembled. Members of the public continue to have the opportunity to sign up for this list at any time on the project website<sup>3</sup> or in person at any of the public hearings, work sessions or other events. They can also request to be put on the list via email, telephone, or in the Planning Department Office. Currently this list includes 70 interested parties from the community.

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to this notification list on October 2, 2018. The notification included links to the staff report, proposed amendments, and information on how to provide comment.

**E. Other Public Outreach**

For work tasks 5-8, four community meetings in various parts of the County were held during May and June 2018 to solicit feedback about the work tasks. Staff and Citizen Advisory Group members talked to over thirty property owners, residents and business hearings during the meeting about how Wasco County 2040 could identify and utilize land use planning incentives to further support and propel our broader goals.

In addition to the public meetings, an online survey, social media content, and news media articles helped to promote engagement with the work tasks and solicit additional input. Any comments, survey results, or other feedback were compiled and analyzed by staff and used to inform the development of the new policy and implementation strategies.

**IV. FINDINGS**

**A. Wasco County Comprehensive Plan Criteria**

**1. Chapter 11 - Revisions Process**

**a. Section B – Form of Comp Plan Amendment**

***Amendments to the Comprehensive Plan include many forms and can either be legislative or quasi-judicial.***

<sup>2</sup> [www.Wasco2040.com](http://www.Wasco2040.com)

<sup>3</sup> <https://wasco2040.com/contact/>

**FINDING:** The request is for a legislative text amendment to policies and the format for Goal 6 (Chapter 6) of the Comprehensive Plan, as part of a broader Periodic Review work plan. Amendments include reformatting and edits to existing policy and implementation, as well as the addition of some new content including historical perspective, overview, and findings and references.

**b. Section C – Who May Apply for a Plan revision**  
***Amendments to the plan may be initiated by the Wasco County Governing Body***

**FINDING:** The Wasco County Board of Commissioners authorized the Wasco County Planning Department to pursue Voluntary Periodic Review (VPR) to update the Wasco County Comprehensive Plan. They sent a letter to the Land Conservation and Development Commission supporting VPR on September 29, 2016.

**c. Section D – Legislative Revisions**  
***Legislative revisions include land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or much different ownership. The Planning Commission and County Governing Body shall evaluate the plan as often as necessary to meet changes in the social, economic, or environmental character of Wasco County.***

**FINDING:** The proposed text amendments to policies and format of the Comprehensive Plan are applicable to all properties governed by the Wasco County Comprehensive Plan and therefore the proposal is a legislative revision. The proposed amendments are part of a larger Periodic Review process approved by the Planning Commission, Board of County Commissioners, Department of Land Conservation and Development and the Land Conservation and Development Commission. To be accepted for periodic review, staff prepared extensive justification demonstrating the need for amendments to the Comprehensive Plan as a result of changes in the social, economic and environmental character of Wasco County.

**d. Section H – General Criteria**  
***The following are general criteria which must be considered before approval of an amendment to the Comprehensive Plan is given:***

- 1). Compliance with the statewide land use goal as provided by Chapter 15 or further amended by the Land Conservation and Development Commission, where applicable.***
- 2). Substantial proof that such change shall not be detrimental to the spirit and intent of such goals.***
- 3). A mistake in the original comprehensive plan or change in the character of the neighborhood can be demonstrated.***

**4). Factors which relate to the public need for healthful, safe and aesthetic surroundings and conditions.**

**5). Proof of change in the inventories originally developed.**

**6). Revisions shall be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change must be established.**

**FINDING:** Amendments being proposed to Goal 6 with this work task are intended to add new context, findings and references to existing policies and implementation.

In addition, changes proposed specifically are cleaning up redundant information, incorrect or out of date references and processes, and correction of language that is inconsistent with state law. New strategies are written to be more actionable by the Wasco County land use planning program, and include new references to partner agencies that work with air, land and water quality. Proposed revisions to Goal 6 are consistent with statewide land use Goal 6, and are intended to ensure compliance and consistency with state law and current conditions in Wasco County.

The proposed text amendments to policies and format of the Comprehensive Plan are intended to make the current and future planning program consistent with changes to Wasco County, state law, and regulation and make more transparent to staff and the public. Although there are several new, recommended strategies most are designed to make long standing policies more actionable or consistent with contemporary conditions. As such, proposed amendments are meant to be consistent with the spirit and intent of Goal 6.

Wasco County has changed since 1983. The proposed amendments in this report do not reflect the correction of mistakes in the previous Comprehensive Plan language. Instead, they are an update that reflects the passage of time and change in conditions. Many of the references related to Goal 6 are out of date, and documents are difficult to locate or no longer relevant to the land use planning program. Amendments, intend to offer current references and guidance for research into the future on issues related to environmental quality. As such, issues of public health and safety were also evaluated and included, as appropriate.

Work task 5 is part of a broader periodic review work plan and maps to Goal 6 within the statewide Land Use Planning Program. The goal does not have an inventory as part of the goal, policies or implementation strategies. References have been cited where relevant in the proposed Chapter text.

Proposed revisions are based on updates to state law, changes to external partner policy, plans or research, and the express intent of offering clear context to community members and Planning staff. The revisions are also based on significant public outreach and input. The additional implementation strategies were crafted using public input and evidence as relevant.

***e. Section I- Transportation Planning Rule Compliance***

**1). Review of Applications for Effect on Transportation Facilities – A proposed zone change or land use regulation change, whether initiated by the County or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – “TPR”). “Significant” means the proposal would:**

- a). Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
- b). Change standards implementing a functional classification system; or**
- c). As measured at the end of the planning period identified in the adopted transportation system plan:**
  - i. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
  - ii. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or**
  - iii. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan.**

**FINDING:** Proposed revisions to Goal 6 do not have a direct or indirect impact on transportation facilities, the Transportation Systems Plan, or Transportation Planning rules.

#### **Oregon Administrative Rules 660-025-0130**

##### **Submission of Completed Work Task**

**1). A local government must submit completed work tasks as provided in the approved work program or a submittal pursuant to OAR 660-025-0175 to the department along with the notice required in OAR-660-025-0140 and any form required by the department. A local government must submit to the department a list of persons who participated orally or in writing in the local proceedings leading to the adoption of the work task or who requested notice of the local government’s final decision on a work task.**

**FINDING:** A notice was sent to DLCD on September 28 2018, consistent with requirements, to inform them of the proposed November 6, 2018 hearing and subsequent hearings to adopt Chapters related to Periodic Review work tasks 5-8. **To date, staff has not received any oral or written comment or request for notification from the public on Work Task 5.** At such a time when comment is received, that will be attached to the staff report and submitted to DLCD.

**3). For a periodic review tasks to be complete, a submittal must be a final decision containing all required elements identified for that task in the work program. The department may accept a portion of a task or subtask as a complete submittal if the work program identified that portion of**

***the task or subtasks as a separate item for adoption by the local government. All submittals required by section 1) of this rule are subject to the following requirements:***

- a). If the local record does not exceed 2,000 pages, a submittal must include the entire local record, including but not limited to adopted ordinances and orders, studies, inventories, findings, staff reports, correspondence, hearings minutes, written testimony and evidence, and any other items specifically listed in the work program.***
- b). If the local record exceeds 2,000 pages, a submittal must include adopted ordinances, resolutions, and orders; any amended comprehensive or regional framework plan provisions or land use regulations; findings, hearing minutes; materials from the record that the local government deems necessary to explain the submittal or cities in its findings; and a detailed index listing all items in the local record and indicating whether or not the item is included in the submittal. All items in the local record must be made available for public review during the period for submitting objections under OAR 660-025-0140. The director or commission may require a local government to submit any materials from the local record not included in the initial submittal;***
- c) A submittal of over 500 pages must include an index of all submitted materials. Each document must be separately indexed, in chronological order, with the last document on the top. Pages must be consecutively numbered at the bottom of the page.***

**FINDING:** The local record for Work Task 5 will not exceed 2,000 pages. Consistent with this requirement, submittal to DLCD will include the entire local record, including but not limited to the adopted ordinance and orders, studies, findings, staff reports, correspondence, hearing minutes, written testimony and evidence and any other relevant material.

A copy of the record, when complete, will also be available for inspection at the Planning Department.



## **Attachment A**

### **Chapter 6 Proposed Amendments**

**Documentation:** The following is a summarized overview of proposed amendments.

**State of the Comprehensive Plan:**

- A. **Purpose:** The main purpose of the Comprehensive Plan is to function as a visionary policy document with a 20 year horizon. The plan represents the desires of the citizens of Wasco County and provides generalized direction for development, preservation, the planning process, citizen involvement and numerous other elements related to land use planning. Due to frequent changes in circumstances, law, and the desires of the citizens of the county, the major components should be updated every five to ten years as needed. The land use and development ordinance includes the specific rules and regulations that are meant to implement this vision and amendments to it are required to be consistent with Comprehensive Plan language.
- B. **Prior Updates:** The Comprehensive Plan was acknowledged by the Land Conservation and Development Department in 1983. Major components of the document have not been updated since 1983, resulting in them now being out of date. Other portions have been updated but were done inconsistently and in some cases, the new language did not get inserted into the amended document. In several instances, updates to the ordinance are now out of compliance with the Comprehensive Plan because of the lack of comprehensive updates. A more comprehensive update was initiated in 2009, but ultimately not completed. Staff has used some of the past findings and information in drafting the proposed updates.
- C. **Format:** The Comprehensive Plan is currently organized in a way that puts unrelated information in the same chapter and separated related information into multiple chapters. This has created significant difficulty for staff and the public to find information and utilize as the plan was intended.
- D. **Reformatting:** After a careful case study of other Oregon county comprehensive plans, the Citizen Advisory Group held several work sessions in 2015 and 2016 to discuss, among other issues, reformatting the Comprehensive Plan for increased use, transparency and readability. Based on those work sessions, staff was directed to compile and organize information in a manner that better aligned the plan to the Statewide Land Use Planning Goals.
  - 1. **Oregon's Land Use Goals:** The vast majority of the Comprehensive Plan language is tied to one of the State of Oregon's Land Use Goals. Other than some introductory chapters, the entire Comprehensive Plan is being formatted so that each chapter corresponds to one of the applicable Land Use Goals. Each chapter will include all of the policies, findings, and inventories for the specific goal, in addition to any references and historical information.
  - 2. **Format of Goal Chapters:** Each Goal related chapter will be formatted according to the following conventions:

- a. Overview: A sentence to a paragraph on the outlining the purpose behind the Goal and Wasco County policies.
- b. Statement of Wasco County Goal and reference to Statewide Planning Goal
- c. Any cross-references to other Goals
- d. Policy Statements
- e. Implementation Statements for each policy
- f. Findings and reference section detailing any relevant findings and references.

#### **Chapter by Chapter Overview of Proposed Substantive Amendments:**

##### **A. Chapter 6- Goal 6 Air, Water and Land Resources Quality**

This new chapter maps to Goal 6 (Air, Water, and Land Resources Quality) and includes an overview of the natural environment, a brief overview of the goal's purpose in Wasco County, an excerpt of Oregon's Statewide Land Use Planning Goal 6, policies, implementation strategies for each policy, and a new findings and references section.

1. **Overview:** The overview briefly discusses environmental quality in Wasco County and includes a table which demonstrates the relationship between federal, state and local partners and the different resources.
2. **Supporting Agencies and Plans:** To ensure coordination with other agencies, departments and their corresponding plans, staff has created a short list of other, known plans that may have an impact on Wasco County goals, policies and regulations.
3. **Excerpt of Statewide Planning Goal:** Excerpt from the Oregon Administrative Rules on Goal 6 that outlines for staff and public the purpose of Goal 6.
4. **Wasco County's Goal:** This maps directly to the State's Goal 6, and is has not been modified from existing broad goal.
5. **Photo:** A staff photo of the Deschutes River was added.
6. **Cross Reference:** A list of other goals that relate to Goal 6 was included for easy reference.
7. **Policies:** The existing plan has four policies. The recommendation is to keep four policies but update them to more accurately reflect current policy and status.
  - a. Policy 1: Current language "Encourage land uses and land management practices which preserve both the quantity and quality of air, water and land resources."  
No change is recommended
    - (1) Implementation Strategy "a." No update is recommended at this time.
    - (2) Implementation Strategy "b." The former strategy was "*The adopted solid waste collection and disposal ordinance shall be enforced.*" In speaking to stakeholders, there was a recommendation to more clearly identify responsible authorities for

different aspects of solid waste disposal and other sanitary issues. The proposed amendment references public health's environmental quality department; *"New development must seek approval for sanitary systems from the local public health authority."*

- (3) Implementation Strategy "c." identifies the Code Compliance role in waste accumulation; *"Accumulation of materials and other nuisances posing a safety hazard may be enforced through the Code Compliance program."*
- (4) Implementation Strategy "d." references permitting procedures impacting water and water use: *"New development and uses, including agricultural activity, must obtain appropriate permits from the Oregon Water Resources Department for access to water and wells."*
- (5) Implementation Strategy "e." The strategy has been edited to clarify how setbacks are utilized in the Land Use and Development Ordinance (LUDO): *"Riparian vegetation on natural stream banks shall be preserved by the regulation of setback requirements."*
- (6) Implementation Strategy "f." has been added to clarify additional permitting or requirements from external agencies: *"Development near or impacting wetlands and waterways must obtain the appropriate permits from and comply with the requirements of partner agencies, including the Department of State Lands and Oregon Department of Fish and Wildlife."*
- (7) Implementation Strategy "g." references some of the analysis required by the LUDO during development permit review: *"The physical capacity of the land, water, and other resources to accommodate land uses shall be considered when planning for the location, type and density of rural development."*
- (8) Implementation Strategy "h." recommends the strategy to encourage low intensity recreational uses in sensitive areas: *"Low impact recreational uses may be allowed in areas with sensitive habitat or natural resources."*
- (9) Implementation Strategy "i." the recommended strategy is *"Residential alternative energy applications that reduce impact to land, water, and air quality will be encouraged through land use planning incentives."*
- (10) Implementation Strategy "j." Based on feedback during the 2018 roadshow, staff is recommending the strategy to focus on education for water conservation: *"Increase education and awareness about water conservation practices, in coordination with local, regional, state and federal partners."*
- (11) Implementation Strategy "k." In the previous strategies, there are vague references to the Environmental Protection Districts (EPDS). This strategy clearly references those most related to Goal 6: *"Environmental Protection Districts, including Flood*

and Geological Hazards, Natural Areas, Sensitive Wildlife Habitat, and Pond Turtles, shall support and value the preservation of habitat, land and water.”

- b. Policy 2: states *“Maintain air quality compliance with state and federal standards.”* No changes are recommended to this policy.
  - (1) Implementation Strategy “a.” states *“Encourage a more detailed study of air quality in Wasco County by the Department of Environmental Quality.”* Because the DEQ regularly monitors air quality statewide and this statement is not actionable, staff is recommending a new strategy: *“Evaluate the impact of development applications on air quality by using the best available data, including the Department of Environmental Quality’s (DEQ) Nuisance Odor strategies, Oregon State Air Toxics Program, and DEQ’s Air Quality Status and Planning Map.”* This strategy emphasizes current references and resources staff and the public can use in decision making.
  - (2) Implementation Strategy “b.” states: *“New industries must comply with the air quality standards set forth by the Department of Environmental Quality.”* Recommendation is to abbreviate to DEQ as the acronym was introduced in the previous strategy.
  - (3) Implementation Strategy “c.” Staff is recommending a removal of previous strategy *“Support effort to complete an air shed study in The Dalles and Dallesport area”* as it is no longer relevant and replacing it with a reference to burning practices and the impact on air quality: *“Support proper burning practices through education.”*
  - (4) Implementation Strategy “d.” recommends staff development review analysis consider vehicle travel as potential impact: *“Consider impact of increased vehicle miles travelled, and vehicle type, as a potential impact of development.”*
  - (5) Implementation Strategy “e.” includes reference to wildfire mitigation as a strategy for addressing air quality: *“Mitigation efforts to prevent wildfire are encouraged to preserve air quality.”*
- c. Policy 3: Current policy is *“Maintain quantity and quality of water in compliance with state and federal standards.”* Staff is not currently recommending any modification to this policy. The following changes are proposed for the implementation strategies for Policy 3:
  - (1) Implementation Strategy “a.” is recommending a modification to the strategy to remove references to older, no longer relevant documents. The new strategy reads: *“Support best management practices for identified problems to maintain and improve land and water resource qualities.”*
  - (2) Implementation Strategy “b.” recommended the inclusion of water quality information in the Comprehensive Plan. However, with infrequent updates, staff is

instead using the reference section to refer readers to more actively updates water quality references. The former "c." will now be "b."

- (3) Implementation Strategy "c." will now be the former "d." strategy.
  - (4) Implementation Strategy "d." will now be the former "e." Slight rewording is proposed: "The adequacy and quality of the ground water supplies shall be a major consideration of all development."
  - (5) Implementation Strategy "f." the former strategy references a no longer utilized plan. Staff is instead recommending a general strategy that supports water quality and quantity: *"Limit water dependent development in areas with known water deficiencies including areas adjacent to the watershed."*
  - (6) Implementation Strategy "g." is a new strategy that refers readers to external partners: *"Coordinate with state and federal agencies, including the Department of State Lands, the Army Corps of Engineers, and Oregon Water Resources Departments, on projects and applications as appropriate."*
  - (7) Implementation Strategy "h." reflects a policy for Goal 3: *"Promote the use of reservoirs, ponds and other water storage for fire suppression and agricultural needs."*
- d. Policy 4: Current policy is *"Cooperate with managing agencies to solve recreation use management on the John Day and Deschutes River Scenic Waterways."* Because both rivers have separate guiding plans and a variety of management strategies, staff is revising a new policy that more directly relates to the land use planning program: *"Consider the impact of noise on wildlife, residents and businesses as part of development analysis for conditional uses."* The following changes are proposed for the implementation strategies for Policy 4:
- (1) Implementation Strategy "a." No change is being recommended.
  - (2) Implementation Strategy "b." is recommending a slight alteration to the text, to read: "Consideration for the effects of noise on the surrounding environment, including residential densities, will be given when a new development of any kind is proposed."
  - (3) Implementation Strategy "c." is suggesting strengthening the current strategy by revising as more appropriate to the land use planning program: *"Environmental Protection Districts that seek to protect habitat should be considered noise sensitive areas and only compatible uses should be permitted."*
  - (4) Implementation Strategy "d." no change is proposed.

8. **Findings and References:** To help provide some information about each of the policies, as well as some history, findings and references are provided at the end of the chapter. These references cite sources from text. Findings provide additional context for some of the policies and implementation strategies. The references list a variety of external plans and reports that are useful, not only in giving context to the policies, but also for research or reference for current planning.

DRAFT

**Goal6**

**Air, Water, and Land**

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**Resources Quality**





# Goal6

## Air, Water, and Land Resources Quality

### Overview

Goal 6 of the statewide land use planning program requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater and air pollution. Wasco County has also used this goal to further support air, water and land quality and the impact of development on these resources.

Coordination with partner agencies and citizens is critical to protecting air, water and land resources. The policies in this chapter define the responsibility of the County to work in partnership with others to achieve the highest level of air, water and land resource quality.

Partner	Air	Water	Land
Bureau of Land Management		X	X
Oregon Department of Environmental Quality	X	X	
Oregon Department of State Lands		X	X
North Central Public Health			X
Oregon Water Resources Department		X	
US Department of Agriculture (Natural Resources Conservation Service)			X
Wasco County Soil and Water Conservation District		X	X
US Fish and Wildlife Service		X	X

Table 6.1 Goal 6 Agency Partners

### Key Facts:

Wasco County lies within three major drainages basins: the Hood, Deschutes River and John Day River Basins (Appendix with maps). Wasco County is bordered by three rivers, Columbia, Deschutes and the John Day. The White River, which source is near Mt. Hood, also runs west to southeast through Wasco County and feeds in to the Deschutes near Maupin. Many tributary streams and creeks feed into the rivers.

The county, by in large, has expansive flows of Columbia River Basalt underneath soil surfaces. The depth of top soil varies throughout the land, and accounts for some more difficult farming conditions in certain areas of the county.

Elevations vary from 5,700 ft at Flag Point (west Wasco County) to 150 ft on the Columbia River.

Climate is transitional zone between western and eastern Oregon, with Cascade Mountain Range serving as a barrier to reduce rainfall. Growing seasons, water availability and soil types vary greatly across the vast County and account for the large variety in crops, landscape and development.

The county is approximately 2,382 square miles of land and 14 square miles of water. Of a total 1,532,019 acres in the county, 44,736 are in the National Scenic Area (NSA). The remaining non-NSA and reservation lands total 1,121,859.63 acres with the following breakdown of total acres per zone:

Total Agriculture lands	851,207.01
Total Forest Lands	257,741.60
Total Rural Residential	12,344.05
Total Industrial	233.86
Total Commercial	102.16

## **Statewide Planning Goal 6**

**To maintain and improve the quality of the air, water and land resources of the state.**

All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or environmental quality statutes, rules and standards.

Excerpt from  
OAR 660-015-0000(6)

## **Cross-Reference**

Additional policies related to this goal: [Goal 2, Goal 3, Goal 4, Goal 5, Goal 7](#)

## **Wasco County Goal 6**

## **Air, Water, and Land Resources Quality**

**To maintain and improve the quality of the air, water, and land resources of the County.**





## Policies

# 6.1 Policies

- 6.1.1** Encourage land uses and land management practices which preserve both the quantity and quality of air, water and land resources.

### Implementation for Policy 6.1.1:

- a. Recognizing that the soil resource base is vital to maintain productivity, encourage agricultural conservation and management practices which minimize the adverse effects of wind and water erosion.
- ~~b. The adopted solid waste collection and disposal ordinance shall be enforced.<sup>1</sup>~~
- ~~e.b. New development must seek approval for sanitary systems from the local public health authority.<sup>2</sup>~~
- ~~c. Accumulation of materials and other nuisances posing a safety hazard may be enforced through the Code Compliance program.<sup>3</sup>~~
- ~~d. New development and uses, including agricultural activity, must obtain appropriate permits from the Oregon Water Resources Department<sup>4</sup> for access to water and wells.~~
- ~~e. Riparian vegetation on natural stream banks shall be preserved by the placement of an Environmental Protection District overlay zone or by the regulation of setback requirements.<sup>5</sup>~~
- ~~f. Development near or impacting wetlands and waterways must obtain the appropriate permits from and comply with the requirements of partner agencies, including the Department of State Lands and Oregon Department of Fish and Wildlife.~~
- ~~g. The physical capacity of the land, water, and other resources to accommodate land uses shall be considered when planning for the location, type and density of rural development.~~
- ~~h. Low impact recreational uses may be allowed in areas with~~

<sup>1</sup> Per former County sanitarian, this ordinance not strictly enforced

<sup>2</sup> This references current standards for compliance

<sup>3</sup> References Code Compliance Nuisance Ordinance

<sup>4</sup> References new process for water/wells

<sup>5</sup> Per current practice

sensitive habitat or natural resources.

i. Residential alternative energy applications that reduce impact to land, water, and air quality will be encouraged through land use planning incentives.

j. Increase education and awareness about water conservation practices, in coordination with local, regional, state and federal partners.

d-k. Environmental Protection Districts, including Flood and Geological Hazards, Natural Areas, Sensitive Wildlife Habitat, and Pond Turtles, shall support and value the preservation of habitat, land and water.

**6.1.2** Maintain air quality compliance with state and federal standards.

**Implementation for Policy 6.1.2:**

a. Evaluate the impact of development applications on air quality by using the best available data, including the Department of Environmental Quality's (DEQ) Nuisance Odor strategies, Oregon State Air Toxics Program, and DEQ's Air Quality Status and Planning Map.

~~a.~~ Encourage a more detailed study of air quality in Wasco County by the Department of Environmental Quality.

b. ~~New industries must comply with the air quality standards set forth by the Department of Environmental Quality.~~ DEQ.

c. Support proper burning practices through education.

~~b-d.~~ Consider impact of increased vehicle miles travelled, and vehicle type, as a potential impact of development.

~~e.~~ Support effort to complete an air shed study in The Dalles and Dallesport area.

~~d-e.~~ Mitigation efforts to prevent wildfire are encouraged to preserve air quality.

**6.1.3** - Maintain quantity and quality of water in compliance with state and federal standards.

**Implementation for Policy 6.1.3:**

a. Support best management practices for identified problems to maintain and improve land and water resource qualities. ~~as~~

~~adopted in "Sediment Reduction Project—208 Non-Point Source Pollution Control Program," prepared by the State Soil and Water Conservation Commission, August 1978.~~

~~b. Incorporate all future water quality information into the Wasco County Comprehensive Plan.~~

~~e.b.~~ Continue regulation of subsurface sewage disposal systems and other point source water pollution emissions.

~~d.c.~~ Evaporation ponds containing toxic chemicals should be sealed or lined, and monitored by the Department of Environmental Quality.

~~e.d.~~ The adequacy and quality of the gGround water supplies ~~and their quality~~ shall be a major consideration ~~in of~~ all development.

~~f. The Dalles Watershed shall be managed by the "Comprehensive Management Plan for The Dalles Municipal Watershed," 1972.~~

~~g. The Dalles, Dufur and Antelope Watersheds shall be primarily managed for their domestic water supplies.~~

e. Encourage the reduction of siltation in the Columbia River drainage by whatever means are found to be reasonable and effective.

f. Limit water dependent development in areas with known water deficiencies including areas adjacent to the watershed.

g. Coordinate with state and federal agencies, including the Department of State Lands, the Army Corps of Engineers, and Oregon Water Resource Departments, on projects and applications as appropriate.

h. Promote the use of reservoirs, ponds and other water storage for fire suppression and agricultural needs.

**6.1.4** ~~Cooperate with managing agencies to solve recreation use management on the John Day and Deschutes River Scenic Waterways. Consider the impact of noise on wildlife, residents and businesses as part of development analysis for conditional uses.~~

#### **Implementation for Policy 6.1.4:**

**a.** Noise levels for all new industries must be kept within standards set by state and federal agencies.

**b.** Consideration for the effects of noise on the surrounding environment, including residential densities, will be given when a new development of any kind is proposed.

~~b-c.~~ Encourage development or uses with greater noise impact in less populated areas or areas with topographic buffers.

~~d. Noise sensitive areas should be identified and only compatible uses permitted in their vicinity. Environmental Protection Districts that seek to protect habitat should be considered noise sensitive areas and only compatible uses should be permitted.~~

~~e.~~ When building new highways or making major improvements on existing highways, consideration shall be given to reducing the noise impact on surrounding land uses.

~~6.~~ \_\_\_\_\_

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# Goal 6

## Findings and References

**6.1.a** Best practices for agricultural activity are recommended by United States Department of Agriculture.

**6.1.b** New development with sanitary systems go through a permitting process with North Central Public Health in Wasco County.

**6.1.c** The Wasco County Land Use and Development Ordinance cites a 50 foot buffer between development and riparian areas, wetlands and waterways. Development impacting wetlands are also required to go through a permitting process with the Oregon Department of State Lands.

**6.1.d** Wasco County's Goal 2 has a policy to use incentives to encourage development activities like increasing energy self-sufficiency.

**6.1.e** During Wasco County 2040's visioning work, the majority of participants cited water quality and quantity concerns as one of the largest challenges facing Wasco County into the future. A series of public outreach methods, including public meetings, aimed at understanding whether the community preferred additional regulation, a separate water conservation plan, or other methods for conserving and preserving water quality and quantity. The overwhelming consensus was for a focus on education on water conservation methods, practices and potential and increased transparency of regulatory and other partners.

## References

Oregon Department of Land Conservation and Development. *Goal 6: Air, Water and Land Resources Quality*. Oregon's Statewide Planning Goals and Guidelines.

United States Department of Agriculture (2012). *Farming in the 21<sup>st</sup> Century: A Practical Approach to Improve Soil Health*.

United States Department of Agriculture (2018). *National Soil Survey Handbook*.

United States Department of Agriculture and Natural Resources Conservation Service (2018). *Oregon Basin Outlook Report*

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Oregon Department of Environmental Quality (Multi Year) [Water Quality Integrated Report](#).

Oregon Water Resources Department. (2017) *Integrated Water Resources Strategy*

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Oregon Health Authority (2014). [Wildfire Smoke and Your Health.](#)

# Goal 6

**Goal6**

**Air, Water, and Land**

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**Resources Quality**



# Goal6

## Air, Water, and Land Resources Quality

### Overview

Goal 6 of the statewide land use planning program requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater and air pollution. Wasco County has also used this goal to further support air, water and land quality and the impact of development on these resources.

Coordination with partner agencies and citizens is critical to protecting air, water and land resources. The policies in this chapter define the responsibility of the County to work in partnership with others to achieve the highest level of air, water and land resource quality.

Partner	Air	Water	Land
Bureau of Land Management		X	X
Oregon Department of Environmental Quality	X	X	
Oregon Department of State Lands		X	X
North Central Public Health			X
Oregon Water Resources Department		X	
US Department of Agriculture (Natural Resources Conservation Service)			X
Wasco County Soil and Water Conservation District		X	X
US Fish and Wildlife Service		X	X

Table 6.1 Goal 6 Agency Partners

### Key Facts:

Wasco County lies within three major drainages basins: the Hood, Deschutes River and John Day River Basins (Appendix with maps). Wasco County is bordered by three rivers, Columbia, Deschutes and the John Day. The White River, which source is near Mt. Hood, also runs west to southeast through Wasco County and feeds in to the Deschutes near Maupin. Many tributary streams and creeks feed into the rivers.

The county, by in large, has expansive flows of Columbia River Basalt underneath soil surfaces. The depth of top soil varies throughout the land, and accounts for some more difficult farming conditions in certain areas of the county.

Elevations vary from 5,700 ft at Flag Point (west Wasco County) to 150 ft on the Columbia River.

Climate is transitional zone between western and eastern Oregon, with Cascade Mountain Range serving as a barrier to reduce rainfall. Growing seasons, water availability and soil types vary greatly across the vast County and account for the large variety in crops, landscape and development.

The county is approximately 2,382 square miles of land and 14 square miles of water. Of a total 1,532,019 acres in the county, 44,736 are in the National Scenic Area (NSA). The remaining non-NSA and reservation lands total 1,121,859.63 acres with the following breakdown of total acres per zone:

Total Agriculture lands	851,207.01
Total Forest Lands	257,741.60
Total Rural Residential	12,344.05
Total Industrial	233.86
Total Commercial	102.16

## **Statewide Planning Goal 6**

**To maintain and improve the quality of the air, water and land resources of the state.**

All waste and process discharges from future development, when combined with such discharges from existing developments shall not threaten to violate, or violate applicable state or environmental quality statutes, rules and standards.

Excerpt from  
OAR 660-015-0000(6)

## **Cross-Reference**

Additional policies related to this goal: Goal 2, Goal 3, Goal 4, Goal 5, Goal 7

## **Wasco County Goal 6**

## **Air, Water, and Land Resources Quality**

**To maintain and improve the quality of the air, water, and land resources of the County.**





## Policies

# 6.1 Policies

- 6.1.1** Encourage land uses and land management practices which preserve both the quantity and quality of air, water and land resources.

### Implementation for Policy 6.1.1:

- a. Recognizing that the soil resource base is vital to maintain productivity, encourage agricultural conservation and management practices which minimize the adverse effects of wind and water erosion.
- b. New development must seek approval for sanitary systems from the local public health authority.
- c. Accumulation of materials and other nuisances posing a safety hazard may be enforced through the Code Compliance program.
- d. New development and uses, including agricultural activity, must obtain appropriate permits from the Oregon Water Resources Department for access to water and wells.
- e. Riparian vegetation on natural stream banks shall be preserved by the regulation of setback requirements.
- f. Development near or impacting wetlands and waterways must obtain the appropriate permits from and comply with the requirements of partner agencies, including the Department of State Lands and Oregon Department of Fish and Wildlife.
- g. The physical capacity of the land, water, and other resources to accommodate land uses shall be considered when planning for the location, type and density of rural development.
- h. Low impact recreational uses may be allowed in areas with sensitive habitat or natural resources.
- i. Residential alternative energy applications that reduce impact to land, water, and air quality will be encouraged through land use planning incentives.
- j. Increase education and awareness about water conservation practices, in coordination with local, regional, state and federal partners.



- k. Environmental Protection Districts, including Flood and Geological Hazards, Natural Areas, Sensitive Wildlife Habitat, and Pond Turtles, shall support and value the preservation of habitat, land and water.

**6.1.2** Maintain air quality compliance with state and federal standards.

**Implementation for Policy 6.1.2:**

- a. Evaluate the impact of development applications on air quality by using the best available data, including the Department of Environmental Quality's (DEQ) Nuisance Odor strategies, Oregon State Air Toxics Program, and DEQ's Air Quality Status and Planning Map.
- b. New industries must comply with the air quality standards set forth by the DEQ.
- c. Support proper burning practices through education.
- d. Consider impact of increased vehicle miles travelled, and vehicle type, as a potential impact of development.
- e. Mitigation efforts to prevent wildfire are encouraged to preserve air quality.

**6.1.3** Maintain quantity and quality of water in compliance with state and federal standards.

**Implementation for Policy 6.1.3:**

- a. Support best management practices for identified problems to maintain and improve land and water resource qualities.
- b. Continue regulation of subsurface sewage disposal systems and other point source water pollution emissions.
- c. Evaporation ponds containing toxic chemicals should be sealed or lined, and monitored by the Department of Environmental Quality.
- d. The adequacy and quality of the ground water supplies shall be a major consideration of all development.
- e. Limit water dependent development in areas with known water deficiencies including areas adjacent to the watershed.
- f. Coordinate with state and federal agencies, including the Department of State Lands, the Army Corps of Engineers, and

Oregon Water Resource Departments, on projects and applications as appropriate.

- g.** Promote the use of reservoirs, ponds and other water storage for fire suppression and agricultural needs.

**6.1.4** Consider the impact of noise on wildlife, residents and businesses as part of development analysis for conditional uses.

**Implementation for Policy 6.1.4:**

- a.** Noise levels for all new industries must be kept within standards set by state and federal agencies.
- b.** Consideration for the effects of noise on the surrounding environment, including residential densities, will be given when a new development of any kind is proposed.
- c.** Encourage development or uses with greater noise impact in less populated areas or areas with topographic buffers.
- d.** Environmental Protection Districts that seek to protect habitat should be considered noise sensitive areas and only compatible uses should be permitted.
- e.** When building new highways or making major improvements on existing highways, consideration shall be given to reducing the noise impact on surrounding land uses.

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# Goal 6

## Findings and References

**6.1.a** Best practices for agricultural activity are recommended by United States Department of Agriculture.

**6.1.b** New development with sanitary systems go through a permitting process with North Central Public Health in Wasco County.

**6.1.c** The Wasco County Land Use and Development Ordinance cites a 50 foot buffer between development and riparian areas, wetlands and waterways. Development impacting wetlands are also required to go through a permitting process with the Oregon Department of State Lands.

**6.1.d** Wasco County's Goal 2 has a policy to use incentives to encourage development activities like increasing energy self-sufficiency.

**6.1.e** During Wasco County 2040's visioning work, the majority of participants cited water quality and quantity concerns as one of the largest challenges facing Wasco County into the future. A series of public outreach methods, including public meetings, aimed at understanding whether the community preferred additional regulation, a separate water conservation plan, or other methods for conserving and preserving water quality and quantity. The overwhelming consensus was for a focus on education on water conservation methods, practices and potential and increased transparency of regulatory and other partners.

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# Goal 6



PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058  
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*Pioneering pathways to prosperity.*

# **WASCO COUNTY** **CITIZEN ADVISORY GROUP** **AGENDA PACKET**

**FOR**

Citizen Advisory Group Work Session Dated:  
October 9, 2018

Work Task #6

Meeting Time: 5:00 pm  
Meeting Location: Wasco County Public Works Building  
Conference Room  
2705 East Second St  
The Dalles, Oregon 97058







**PLANNING DEPARTMENT**

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***Pioneering pathways to prosperity.***

**MEMORANDUM TABLE OF CONTENTS**

Date: October 2, 2018

To: Wasco County Citizen's Advisory Group

From: Wasco County Planning Office

Subject: Submittal for Hearing dated October 9, 2018 – Work Task #6

<u>Item</u>	<u>Page</u>
Staff Report	CAG 1-43
Annotated Draft of Proposed Chapter 6 of the WC 2040 (Comprehensive Plan)	CAG 1-57
Clean Draft of Proposed Chapter 6 of the WC 2040 (Comprehensive Plan)	CAG 1-68





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**FILE #:** 921-18-000099 (6)

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**REQUEST:** Legislative Request to Amend the Comprehensive Plan, Chapter 9  
**DECISION:**

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- Attachments:**
- A. Wasco County Comprehensive Plan Periodic Review Work Task 6 Overview
  - B. Annotated Draft of Proposed Chapters 9 of Wasco County 2040 (Comprehensive Plan) with notes
  - C. Clean Draft of Proposed Chapter 9

**File Number:** 921-18-000099

**Request:** Amend the Wasco County Comprehensive Plan

1. Change the format to align with Statewide Land Use Planning Goals
2. Develop Goal 9 into Wasco County 2040 format (Chapter 9), make any general amendments reflecting current planning practice and amend policy to reflect public input economic development.

**Prepared by:** Kelly Howsley Glover, Long Range Planner

**Prepared for:** Wasco County Planning Commission

**Applicant:** Wasco County Planning Department

**Staff Recommendation:** Recommend the Wasco County Planning Commission recommend adoption of the proposed amendments of the Wasco County Comprehensive Plan to the Wasco County Board of Commissioners.

**Planning Commission**

**Hearing Date:** November 6, 2018

**Procedure Type:** Legislative

**Attachments:**

- Attachment A: Wasco County Comprehensive Plan Periodic Review Work Task 6 Overview
- Attachment B: Annotated Draft of Proposed Chapter 9 of Wasco County 2040 (Comprehensive Plan) with notes
- Attachment C: Clean Draft of Proposed Chapter 9

## **I. APPLICABLE CRITERIA**

- A. Wasco County Comprehensive Plan Chapter 11: Revisions Process
  - 1. Section B: Form of Comprehensive Plan Amendment
  - 2. Section C: Who May Apply for a Plan revision
  - 3. Section D: Legislative Revisions
  - 4. Section H: General Criteria
  - 5. Section I: Transportation Planning Rule Compliance
  - 6. Section J: Procedure for the Amendment process
- B. Oregon Administrative Rules 660-025

## **II. SUBMITTED COMMENTS**

As of the Wasco County Planning Department has received no comments about the proposed revisions.

## **III. PUBLIC INVOLVEMENT**

In addition to the public hearings required by this legislative process to allow for public testimony and the ability to provide written comment, Wasco County has included the following additional measures to ensure the process is open to the public:

### **A. Newspaper Notifications**

#### Citizen Advisory Group Work Session October 9, 2018:

Public notice for a Citizen Advisory Group meeting was published in The Dalles Chronicle on September 23, 2018, more than 20 days prior to the October 9<sup>th</sup> work session.

#### Planning Commission Hearing #1:

Public notice for Planning Commission Hearing #1 was published in The Dalles Chronicle on October 14, 2018 more than 20 days prior to the November 6, 2018 hearing date.

### **B. Information Available on Website**

The information regarding the proposed amendments was placed on the Wasco County Planning Department Website<sup>1</sup> on October 2, 2018. If updates are made following each hearing, the webpage will be updated to reflect such changes. At the time of publication of this document, the following information was made available:

- A listing of hearing dates, times and locations.
- Drafts of the proposed amendments
- Staff report describing the process and proposed changes
- A way to submit comments and concerns

<sup>1</sup> <http://co.wasco.or.us/departments/planning/index.php>

In addition, the Wasco County Comprehensive Plan website<sup>2</sup> has included several posts that have included the time and date of meetings and discussion of proposed topics. This website has 23 subscribers that receive notification of new content, and is also promoted on the Planning Department's social media channels.

**C. Notification to Partners**

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to the Periodic Review Assistance team and other Citizen Advisory Group identified stakeholders on October 2, 2018. The notification included links to the staff report, proposed amendments, and the opportunity to comment.

**D. Notification to Community Notification List**

During the Wasco County 2040 initial outreach phase, a public email notification list was assembled. Members of the public continue to have the opportunity to sign up for this list at any time on the project website<sup>3</sup> or in person at any of the public hearings, work sessions or other events. They can also request to be put on the list via email, telephone, or in the Planning Department Office. Currently this list includes 70 interested parties from the community.

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to this notification list on October 2, 2018. The notification included links to the staff report, proposed amendments, and information on how to provide comment.

**E. Other Public Outreach**

For work tasks 5-8, four community meetings in various parts of the County were held during May and June 2018 to solicit feedback about the work tasks. Staff and Citizen Advisory Group members talked to over thirty property owners, residents and business hearings during the meeting about how Wasco County 2040 could identify and utilize land use planning incentives to further support and propel our broader goals.

In addition to the public meetings, an online survey, social media content, and news media articles helped to promote engagement with the work tasks and solicit additional input. Any comments, survey results, or other feedback were compiled and analyzed by staff and used to inform the development of the new policy and implementation strategies.

**IV. FINDINGS**

**A. Wasco County Comprehensive Plan Criteria**

**1. Chapter 11 - Revisions Process**

**a. Section B – Form of Comp Plan Amendment**

***Amendments to the Comprehensive Plan include many forms and can either be legislative or quasi-judicial.***

<sup>2</sup> [www.Wasco2040.com](http://www.Wasco2040.com)

<sup>3</sup> <https://wasco2040.com/contact/>

**FINDING:** The request is for a legislative text amendment to policies and the format for Goal 9 (Chapter 9) of the Comprehensive Plan, as part of a broader Periodic Review work plan. Amendments include reformatting and edits to existing policy and implementation for both Goals, as well as the addition of some new content including historical perspective, overview, and findings and references.

Amendments include substantive additions or alterations that better reflect current conditions and future projections for Wasco County.

**b. Section C – Who May Apply for a Plan revision**  
***Amendments to the plan may be initiated by the Wasco County Governing Body***

**FINDING:** The Wasco County Board of Commissioners authorized the Wasco County Planning Department to pursue Voluntary Periodic Review (VPR) to update the Wasco County Comprehensive Plan. They sent a letter to the Land Conservation and Development Commission supporting VPR on September 29, 2016.

**c. Section D – Legislative Revisions**  
***Legislative revisions include land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or much different ownership. The Planning Commission and County Governing Body shall evaluate the plan as often as necessary to meet changes in the social, economic, or environmental character of Wasco County.***

**FINDING:** The proposed text amendments to policies and format of the Comprehensive Plan are applicable to all properties governed by the Wasco County Comprehensive Plan and therefore the proposal is a legislative revision. The proposed amendments are part of a larger Periodic Review process approved by the Planning Commission, Board of County Commissioners, Department of Land Conservation and Development and the Land Conservation and Development Commission. To be accepted for periodic review, staff prepared extensive justification demonstrating the need for amendments to the Comprehensive Plan as a result of changes in the social, economic and environmental character of Wasco County.

**d. Section H – General Criteria**  
***The following are general criteria which must be considered before approval of an amendment to the Comprehensive Plan is given:***

- 1). Compliance with the statewide land use goal as provided by Chapter 15 or further amended by the Land Conservation and Development Commission, where applicable.***
- 2). Substantial proof that such change shall not be detrimental to the spirit and intent of such goals.***

- 3). A mistake in the original comprehensive plan or change in the character of the neighborhood can be demonstrated.**
- 4). Factors which relate to the public need for healthful, safe and aesthetic surroundings and conditions.**
- 5). Proof of change in the inventories originally developed.**
- 6). Revisions shall be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change must be established.**

**FINDING:** Amendments being proposed to Goal 9 with this work task are intended to add new context, findings and references to existing policies and implementation. The intent is to clarify or update policies and implementation with current status and future projections. This includes accurate references to external partners, clarifying language about activities like tourism and policies that support uses, like home occupation, allowed by state law. These new policies and implementation strategies have been written to be consistent with state law and the Statewide Land Use Planning Goals. As such, the new text is compliant with state law.

None of the proposed changes will substantially alter the Wasco County Planning program or its application of Goal 9. The proposed text amendments to policies and format of the Comprehensive Plan are intended to reflect current conditions and practices. The intent of the amendments is to make the policies and implementation methods consistent with state law and input received by property owners and community members during the 2017 visioning work and 2018 outreach efforts. As evidenced in the “substantive change summary” section of this staff report, many proposed amendments will remove references to the 1983 Wasco County planning structure or old processes and replace it with language that clearly references best practices. New substantive text was generated with significant public involvement and is intended to help the community reach its 20 year vision for Wasco County. As such, amendments will not be detrimental to the spirit or intent of the Statewide Land Use Planning Goals or program.

Wasco County has changed since 1983. The proposed amendments in this report do not reflect the correction of mistakes in the previous Comprehensive Plan language. Instead, they are an update that reflects the passage of time and change in conditions. This includes decoupling agricultural and forestry activity as economic development industries because of the significant changes to the forestry industry in Wasco County since 1983.

Work task 6 is part of a broader periodic review work plan and maps to Goal 9 within the statewide Land Use Planning Program. The goal does not have an inventory as part of the goal, policies or implementation strategies. References have been cited where relevant in the proposed Chapter text.

Revisions are based on census data, population forecasts, external plans and resources, and other data that provide details to Wasco County’s economy. This data was presented online and at events to the public for their consideration in helping to guide staff and the Citizen Advisory Group in revising policy



and implementation to meet the 20 year vision identified during visioning process. Proposed amendments are necessary, according to public and stakeholder input, in order to achieve the community wide vision.

***e. Section I- Transportation Planning Rule Compliance***

***1). Review of Applications for Effect on Transportation Facilities – A proposed zone change or land use regulation change, whether initiated by the County or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – “TPR”). “Significant” means the proposal would:***

- a). Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);***
- b). Change standards implementing a functional classification system; or***
- c). As measured at the end of the planning period identified in the adopted transportation system plan:***
  - i. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;***
  - ii. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or***
  - iii. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan.***

**FINDING:** Proposed revisions to Goal 9 do not have a direct or indirect impact on transportation facilities, the Transportation Systems Plan, or Transportation Planning rules.

***Oregon Administrative Rules 660-025-0130***

***Submission of Completed Work Task***

***1). A local government must submit completed work tasks as provided in the approved work program or a submittal pursuant to OAR 660-025-0175 to the department along with the notice required in OAR-660-025-0140 and any form required by the department. A local government must submit to the department a list of persons who participated orally or in writing in the local proceedings leading to the adoption of the work task or who requested notice of the local government’s final decision on a work task.***

**FINDING:** A notice was sent to DLCD on September 28 2018, consistent with requirements, to inform them of the proposed November 6, 2018 hearing and subsequent hearings to adopt Chapters related to Periodic Review work tasks 5-8. To date, staff has not received any oral or written comment or request

for notification from the public on Work Task 6. At such a time when comment is received, that will be attached to the staff report and submitted to DLCD.

**3). For a periodic review tasks to be complete, a submittal must be a final decision containing all required elements identified for that task in the work program. The department may accept a portion of a task or subtask as a complete submittal if the work program identified that portion of the task or subtasks as a separate item for adoption by the local government. All submittals required by section 1) of this rule are subject to the following requirements:**

- a). If the local record does not exceed 2,000 pages, a submittal must include the entire local record, including but not limited to adopted ordinances and orders, studies, inventories, findings, staff reports, correspondence, hearings minutes, written testimony and evidence, and any other items specifically listed in the work program.**
- b). If the local record exceeds 2,000 pages, a submittal must include adopted ordinances, resolutions, and orders; any amended comprehensive or regional framework plan provisions or land use regulations; findings, hearing minutes; materials from the record that the local government deems necessary to explain the submittal or cities in its findings; and a detailed index listing all items in the local record and indicating whether or not the item is included in the submittal. All items in the local record must be made available for public review during the period for submitting objections under OAR 660-025-0140. The director or commission may require a local government to submit any materials from the local record not included in the initial submittal;**
- c) A submittal of over 500 pages must include an index of all submitted materials. Each document must be separately indexed, in chronological order, with the last document on the top. Pages must be consecutively numbered at the bottom of the page.**

**FINDING:** The local record for Work Task 6 will not exceed 2,000 pages. Consistent with this requirement, submittal to DLCD will include the entire local record, including but not limited to the adopted ordinance and orders, studies, findings, staff reports, correspondence, hearing minutes, written testimony and evidence and any other relevant material.

A copy of the record, when complete, will also be available for inspection at the Planning Department.

## **Attachment A**

### **Chapter 9 Proposed Amendments**

**Documentation:** The following is a summarized overview of proposed amendments.

**State of the Comprehensive Plan:**

- A. **Purpose:** The main purpose of the Comprehensive Plan is to function as a visionary policy document with a 20 year horizon. The plan represents the desires of the citizens of Wasco County and provides generalized direction for development, preservation, the planning process, citizen involvement and numerous other elements related to land use planning. Due to frequent changes in circumstances, law, and the desires of the citizens of the county, the major components should be updated every five to ten years as needed. The land use and development ordinance includes the specific rules and regulations that are meant to implement this vision and amendments to it are required to be consistent with Comprehensive Plan language.
- B. **Prior Updates:** The Comprehensive Plan was acknowledged by the Land Conservation and Development Department in 1983. Major components of the document have not been updated since 1983, resulting in them now being out of date. Other portions have been updated but were done inconsistently and in some cases, the new language did not get inserted into the amended document. In several instances, updates to the ordinance are now out of compliance with the Comprehensive Plan because of the lack of comprehensive updates. A more comprehensive update was initiated in 2009, but ultimately not completed. Staff has used some of the past findings and information in drafting the proposed updates.
- C. **Format:** The Comprehensive Plan is currently organized in a way that puts unrelated information in the same chapter and separated related information into multiple chapters. This has created significant difficulty for staff and the public to find information and utilize as the plan was intended.
- D. **Reformatting:** After a careful case study of other Oregon county comprehensive plans, the Citizen Advisory Group held several work sessions in 2015 and 2016 to discuss, among other issues, reformatting the Comprehensive Plan for increased use, transparency and readability. Based on those work sessions, staff was directed to compile and organize information in a manner that better aligned the plan to the Statewide Land Use Planning Goals.
  - 1. **Oregon's Land Use Goals:** The vast majority of the Comprehensive Plan language is tied to one of the State of Oregon's Land Use Goals. Other than some introductory chapters, the entire Comprehensive Plan is being formatted so that each chapter corresponds to one of the applicable Land Use Goals. Each chapter will include all of the policies, findings, and inventories for the specific goal, in addition to any references and historical information.
  - 2. **Format of Goal Chapters:** Each Goal related chapter will be formatted according to the following conventions:
    - a. **Overview:** A sentence to a paragraph on the outlining the purpose behind the Goal and Wasco County policies.

- b. Statement of Wasco County Goal and reference to Statewide Planning Goal
- c. Any cross-references to other Goals
- d. Policy Statements
- e. Implementation Statements for each policy
- f. Findings and reference section detailing any relevant findings and references.

## **Chapter Overview of Proposed Substantive Amendments:**

### **A. Chapter 9- Goal 9 Economic Development**

This new chapter maps to Goal 9 (Economic Development) and includes existing, historical information about economic development in Wasco County, a brief overview of Goal 9 in Wasco County, an excerpt of Oregon's Statewide Land Use Planning Goal 9, policies, implementation strategies for each policy, and a new findings and references section.

1. **Overview:** The overview briefly discusses Economic Development in Wasco County and includes an excerpt of the Oregon Revised Statutes which outlines the purpose of economic development as it relates to land use planning.
2. **Supporting Agencies and Plans:** To ensure coordination with other agencies, departments and their corresponding plans, staff has created a short list of other, known plans that may have an impact on Wasco County goals, policies and regulations.
3. **Excerpt of Statewide Planning Goal:** Excerpt from the Oregon Administrative Rules on Goal 9 that outlines for staff and public the purpose of Goal 9.
4. **Wasco County's Goal:** This maps directly to the State's Goal 9, and is has not been modified from existing broad goal.
5. **Photo:** A staff photo of orchards and vineyards has been inserted.
6. **Cross Reference:** A list of other goals that relate to Goal 9 was included for easy reference.
7. **Policies:** The existing plan has five policies. The recommendation is to keep these five policies but update them to more accurately reflect current policy and citizen input. Two additional policy and related implementation strategies are also proposed as a result of public input.
  - a. Policy 1: Current language "Maintain agriculture and forestry as a basis for the County's rural economy." Staff is recommending removing the words "and forestry" and placing forestry in a separate, additional policy. Forestry's significant change to the local economy since the original Comprehensive Plan requires new strategic policies and strategies. Agriculture, as the main industry in Wasco County, also deserves to have its own unique policy. The modified policy proposed is: "Maintain commercial agriculture as the basis for the County's rural economy." The following changes are proposed for the implementation strategies for Policy 1:

- (1) Implementation Strategy "a." proposed to remove "and forest" in keeping with modified policy.
  - (2) Implementation Strategy "b." No change is proposed for "b."
  - (3) Implementation Strategy "c." The strategy is proposed to be edited to read:  
"Orchards, wheat, other small grain farms, and grazing lands shall be protected from non-agriculture uses and encourage to continue as a major portion of the economy."
  - (4) Implementation Strategy "d." This strategy will be removed, as both mills have closed.
  - (5) Implementation Strategy "d." (formerly "e") "and forest" will be removed, in keeping with the modified policy and the language slightly revised to read:  
"Industries that process agricultural products may be allowed as a conditional use in the Exclusive Farm zone."
  - (6) Implementation Strategy "e." New strategy supporting value added agriculture, identified by MCEDD as an economic development priority, has been included:  
*"Value added agriculture businesses and uses will be encouraged."*
- b. Proposed is to slightly reword policy 2 to read: "Encourage commercial and industrial development compatible with the County's agricultural based economy."
- (1) Implementation Strategy "a" Recommendation is to reword slightly for clarity to:  
"Support and encourage non-agricultural commercial and industrial development with the Urban Growth Boundaries of incorporated cities, to discourage conversion of productive orchard and other agricultural lands and provide more year-round employment opportunities near urban services."
  - (2) Implementation Strategy "b" is proposed to be slightly modified for clarity, to read:  
"Commercial activities in conjunction with farm use, including storage of agricultural goods, may be allowed as conditional uses in agricultural areas of the County, to diversify the economy."
  - (3) Implementation Strategy "c" The recommendation is to remove this strategy as it is not relevant to current issues.
- c. Policy 3: Current policy is *"Wasco County will support the expansion and increased productivity of existing industries and firms as a means to strengthen local and regional economic development."* Proposed amendment is to change the word firms to businesses. The policy currently it does not have supporting implementation strategies. Three new strategies are proposed.
- (1) Implementation Strategy "a." Proposed first strategy is *"Wasco County will support new industrial and commercial uses as appropriate to maintain existing uses."*

- (2) Implementation Strategy “b.” Proposed second strategy is *“Industrial and commercial uses in or near resources lands which are accessory to a resource uses shall be located a near as is practical to that resource use.”*
- (3) Implementation Strategy “c.” Proposed third strategy is *“Consideration for impact to resources uses, infrastructure and public facilities and services shall be part of the review process for new industrial and commercial uses in Wasco County. This includes additional criteria and analysis required by EPDs.”*
- d. Policy 4: Currently, the policy reads: *“Wasco County will support the Mid-Columbia Economic Development District, the Wasco County Over all Economic development Plan (OEDP) and the Warm Springs Over all Economic Development Plan (OEDP).”* Because the final two mentioned plans no longer are current, staff is recommending the policy be simplified to: *“Wasco County will support the Mid-Columbia Economic Development District (MCEDD) through active participation and partnership.”* This policy currently has no implementation strategies. Staff is recommending the addition of three implementation points.
  - (1) Implementation Strategy “a.” Proposed first strategy is *“Wasco County Planning Department will participate in the MCEDD Columbia Gorge Economic Development Strategy process by sending representatives to public meetings and ensure coordination with local land use planning regulations.”*
  - (2) Implementation Strategy “b.” Proposed second strategy is *“Coordinate to receive, distribute, and share best available information about economic development and other related data.”*
  - (3) Implementation Strategy “c.” Proposed third strategy is *“Collaborate on infrastructure, housing and other grant opportunities that strengthen Wasco County’s economy and livability.”*
- e. Policy 5: Current policy is *“Tourism in Wasco County will be supported and encouraged.”* Based on public input, staff is recommending the policy be amended to read *“Support and encourage tourism through preservation and enhancement of cultural, historical, natural and recreational resources.”* Staff is recommending, based on public input, the addition of two new implementation strategies.
  - (1) Implementation Strategy “b” is proposed to be reworded to read: *“Historic and pre-historic sites should be preserved and maintained to support tourism in Wasco County.”*
  - (2) Implementation Strategy “d.” Proposed fourth strategy is *“Agri-tourism will be supported through the adoption of rules to permit agri-tourism uses and activities in the Exclusive Farm Use Zone.”* This policy directly relates to outreach and analysis for Periodic Review work task 8.

- (3) Implementation Strategy “e.” Proposed fifth strategy is *“The Wasco County Planning Department will work with local, regional and state transportation authorities to ensure appropriate access to tourism destinations.”*
- (4) Implementation Strategy “f.” The proposed strategy is *“Wasco County Planning will participate in local, regional and statewide tourism public meetings to ensure coordination with local land use planning regulations.”*
- (5) Implementation Strategy “g.” The proposed strategy is *“Wasco County will support public recreation providers in their efforts to offer public access and education.”*
- f. Policy 6: Staff is recommending that policy 1 be separated into separate policies about agriculture and forestry. The proposed fifth policy is *“Forest management will continue to be an economic development target for Wasco County.”* Staff is proposing three new implementation strategies that support forestry activity in management in Wasco County.
  - (1) Implementation Strategy “a.” Proposed first implementation is *“Industries and uses consistent with Goal 4 and the Forest Practices Act will continue to be promoted through the management of Wasco County’s forest zones.”* This strategy makes it clear what the nexus is of governing plans/goals and how they are implemented through the Wasco County planning program.
  - (2) Implementation Strategy “b.” Proposed second strategy is *“Recreation activities compatible with outright permitted forest uses shall be encouraged in the forest zones.”* This strategy emphasizes recreational uses that are permitted in forest lands in Oregon, something that came out of public and stakeholder input.
  - (3) Implementation Strategy “c.” Proposed third strategy is *“Activities or uses that conflict with forest management, logging, recreation and other economic development uses shall be discouraged in the Wasco County forest zones.”* This goal underscores many of the policies in Goal 4 as currently written, as well as the rules guiding the Land Use and Development Ordinance related to forest lands.
- g. Policy 7: As a result of input from stakeholders and the public, staff is suggesting the addition of a new policy related to home occupation. The proposed policy is *“Wasco County shall encourage home based businesses and provide standards that remove barriers and encourage neighborhood compatibility.”*
  - (1) Implementation Strategy “a.” Proposed first strategy is *“Minor home occupations shall be outright permitted in Residential Zones.”*
  - (2) Implementation Strategy “b.” Proposed second strategy is *“Create educational materials for major home occupations that provide clear neighborhood compatibility standards, process requirements and other considerations to encourage successful*

*permitting.*” The goal of this is to make the home business permitting process easier and more transparent for entrepreneurs.

8. **Findings and References:** To help provide some information about each of the policies, as well as some history, findings and references are provided at the end of the chapter. These references cite sources from text. Findings provide additional context for some of the policies and implementation strategies.

DRAFT



# Goal9 **Economic Development**

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# Goal9

## Economic Development

### Overview

Wasco County is a largely agricultural community. Outside of the National Scenic Area and incorporated communities, approximately 76% of land in Wasco County is zoned Exclusive Farm Use.

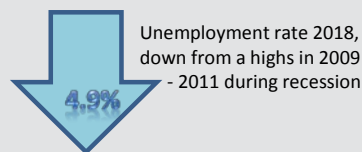
Wasco County's crop production and livestock are diverse and include cherry and other fruit orchards, dryland wheat and other grains, and wine grapes. Livestock primarily consists of cattle and calves, with smaller numbers of hog, sheep and lamb, and alpaca farms.

Beyond farming and ranching, other important rural industry sectors include forestry and recreation and tourism.

The state and local land use planning program supports the development and retention of these industry clusters through preserving land for resource uses, limiting high density development that may conflict with resource uses, ensuring appropriate infrastructure and public facilities for development, and offer incentives for economic development.

### Economy Snapshot

Jobs by Industry	% Change between 2015 and 2009	2015 Average Wage
Natural Resources	15.3%	\$20.83
Construction	-21.3%	\$45,899
Manufacturing	6.3%	\$34,749
Wholesale trade	-29.3%	\$30,547
Retail Trade	-14.6%	\$30,547
Transportation	-20.5%	\$30,547
Information	-23.1%	\$145,057
Finance	-10.7%	\$39,256
Professional, Scientific	-12.8%	\$41,615
Education, Healthcare	20.1%	\$44,997
Leisure, Hospitality	48%	\$16,531
Public Administration	-20.1%	\$21,756
Other Services	-8.9%	NA
<b>Total</b>	<b>-.1%</b>	



<b>2<sup>nd</sup> in State</b>	<b>6<sup>th</sup> in State</b>
Total acres of farm land	Average size of farms

**POVERTY**  
18.2%  
Between 2009 and 2013, 18.2% of Wasco County's population was in poverty, 2% above Oregon's rate, and 2.8% above the national rate.

**JOB PROJECTIONS**  
Projections for East Cascade region from 2014-2024 show job gains in service (hospitality and retail), health care and professional occupations.

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## **Statewide Planning Goal 9**

**To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.**

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state.

Excerpt from  
OAR 660-015-0000(9)

## **Cross-Reference**

Additional policies related to  
this goal: [Goal 3](#), [Goal 5](#),  
[Goal 6](#)

## **Wasco County Goal 6**

## **Economic Development**

**To diversify and improve the economy of  
Wasco County.**



## Policies

# 9.1 Policies

- 9.1.1 Maintain commercial agriculture ~~and forestry~~<sup>1</sup> as the basis for the County's rural economy.

### Implementation for Policy 9.1.1:

- a. Subdividing and partitioning of productive agricultural ~~and forest~~ lands shall be discouraged.
- b. Exclusive Farm Use zoning shall be maintained to allow special farm use assessment as an incentive for continued agricultural use.<sup>2</sup>
- c. Orchards, wheat, other small grain farms, and grazing lands shall be ~~continued-protected from non-agriculture uses and encouraged to continue~~ as a major portion of the economy.<sup>3</sup>
- ~~d. Wasco County will encourage secondary wood processing plants in Maupin and Tygh Valley in order to provide more local basic employment.<sup>4</sup>~~
- ~~e.d. Industries that which process agricultural and forest products may will be allowed, as a conditional use in the Exclusive Farm Use zone.<sup>5</sup>~~
- e. Value added agriculture businesses and uses are encouraged.
- f.

- 9.1.2 ~~Encourage~~ Commercial and industrial development compatible with the County's agricultural ~~and forestry~~-based economy. ~~will be encouraged.~~

### Implementation for Policy 9.1.2:

- a. ~~Wasco County will s~~Support and encourage non-agricultural commercial and industrial development within the Urban Growth Boundaries of incorporated cities, ~~which will help to~~ discourage conversion of productive orchard and other agricultural lands and provide more year-round employment opportunities near urban services.

<sup>1</sup> Community input generally favored separating policies on agriculture and forestry in order to better define implementation goals and strategies for each sector, given the diversity among each industry.

<sup>2</sup> Does this need to be reworded, or references included to be more clear?

<sup>3</sup> Is this limiting? Important to be stated? What land use planning rules or tools make this actionable?

<sup>4</sup> No longer relevant

<sup>5</sup> This may be redundant with Policy 9.1.2

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b. Commercial activities in conjunction with farm use, including storage of agricultural goods, ~~may be~~ are allowed as conditional uses in agricultural areas of the County, to diversify the economy.

~~e. Because The Dalles Auction Yard provides a unique general service that is economically beneficial to the entire County; its present location shall be protected from incompatible land use intrusion.~~

~~d.c.~~ Encourage increased commercial activity in the communities of Pine Grove and Tygh Valley rural service centers.

~~e.d.~~ Allow limited industrial growth in areas designated near Pine Grove and Tygh Valley.

~~f.e.~~ Protection and utilization of valuable rock and aggregate sources should be carried out as specified in Goal #5, A-E; and #2, A-F.

**9.1.3** Wasco County will support the expansion and increased productivity of existing industries and ~~businesses~~ firms as a means to strengthen local and regional economic development.

#### Implementation for Policy 9.1.3:

- a. Wasco County will support new industrial and commercial uses as appropriate to maintain existing uses.
- b. Industrial and commercial uses in or near resource lands which are accessory to a resource use shall be located as near as is practical to that resource use.
- c. Consideration for impact to resource uses, infrastructure and public facilities and services shall be part of the review process for new industrial and commercial uses in Wasco County. This includes additional criteria and analysis required by EPDs.

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**9.1.4** Wasco County will support the Mid-Columbia Economic Development District (MCEDD) through active participation and partnership. ~~the Wasco County Over-all Economic Development Plan (OEDP), and the Warm Springs Over-all Economic Development Plan (OEDP).~~

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#### Implementation for Policy 9.1.4:

- a. Wasco County Planning Department will participate in the MCEDD Columbia Gorge Economic Development Strategy process by sending representatives to public meetings and

ensure coordination with local land use planning regulations.

- b. Coordinate to receive, distribute, and share best available information about economic development and other related data.

- a-c. Collaborate on infrastructure, housing and other grant opportunities that strengthen Wasco County's economy and livability.

**9.1.5** Support and encourage t~~Tourism in Wasco County~~will be supported and encouraged through  
preservation and enhancement of cultural,  
historical, natural and recreational resources-

**Implementation for Policy 9.1.5:**

- a. Wildlife habitat and scenic waterways should be maintained for their scenic value to residents and tourists Wasco County.

- b. Historic and pre-historic sites should be preserved and maintained to support~~promote~~ tourism in Wasco County.

- c. Additional parks, overnight camping areas, and other recreational areas should be provided when needed to encourage tourism in the County.

- d. Agri-tourism will be supported through the adoption of rules to permit agri-tourism uses and activities in the Exclusive Farm Use zones.

- e. The Wasco County Planning Department will work with local, regional and state transportation authorities to ensure appropriate access to tourism destinations.

- f. Wasco County Planning will participate in local, regional and statewide tourism public meetings to ensure coordination with local land use planning regulations.

- g. Wasco County will support public recreation providers in their efforts to offer public access and education.

~~e-h.~~

~~9.1.6~~ Policy on forestry~~Forest management will continue to be an economic development target for Wasco County.~~

**Implementation for Policy 9.1.56:**

- i. Wildlife habitat and scenic waterways should be maintained

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~~for their scenic value to residents and tourists Wasco County. Industries and uses consistent with Goal 4 and the Forest Practices Act will continue to be promoted through management of Wasco County's forest zones.~~

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~~j. Recreation activities compatible with outright permitted forest uses shall be encouraged in the forest zones.~~

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~~d. Activities or uses that conflict with forest management, logging, recreation and other economic development uses shall be discouraged in the Wasco County forest zones.~~

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9.1.6 Wasco County shall encourage home based businesses and provide standards that remove barriers and ensure neighborhood compatibility

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**Implementation for Policy 9.1.7:**

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k. Minor home occupations shall be outright permitted in Residential Zones<sup>6</sup>

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l. Create educational materials for major home occupations that provide clear neighborhood compatibility standards, process requirements and other considerations to encourage successful permitting.

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<sup>6</sup>As LUDO and state law permits





# Goal 9

## Findings and References

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**9.1.a** During Wasco County 2040, public consensus was that as a result of current conditions, agriculture and forestry should be separated into distinct policies to ensure comprehensive strategies and accurate goals.

**9.1.b** State law's minimum parcel size in Exclusive Farm Use provides protection to productive farm lands from non-farm use.

**9.1.c** MCEDD is the regional economic development body that is responsible for a variety of economic development activities in Wasco County and five other regional counties.

**9.1.d** One of the recommendations from the public during Wasco County 2040 outreach was to expand the reach of tourism to cover a broad definition of tourism type activities that are significant to Wasco County's economy.

**9.1.e** Forest zones are regulated by OAR 660-06 and related ORS rules, as well as the Forest Practices Act. The purpose of Goal 4 is to conserve forest lands for future use. The Oregon Forest Practices Act sets standards for commercial forestry activities.

**9.1.d** Home businesses or working from home are increasingly popular and provide economically viable alternatives for business start-ups. Stakeholders and public input encouraged Wasco County to make home occupation permitting more transparent.

## References

Oregon Department of Land Conservation and Development. *Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources*. Oregon's Statewide Planning Goals and Guidelines.

Mid Columbia Economic Development District. *Columbia Gorge Economic Development Strategy 2017-2022*. [http://www.mcedd.org/wp-content/uploads/2018/04/CEDS\\_2018update\\_FullDoc.pdf](http://www.mcedd.org/wp-content/uploads/2018/04/CEDS_2018update_FullDoc.pdf)

State of Oregon Employment Department. May 1, 2018. *Wasco County Economic Update*. <https://www.qualityinfo.org/documents/10182/79531/050118++Wasco+County+Economic+Update?version=1.0>



**Goal9**

# **Economic Development**

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# Goal9

## Economic Development

### Overview

Wasco County is a largely agricultural community. Outside of the National Scenic Area and incorporated communities, approximately 76% of land in Wasco County is zoned Exclusive Farm Use.

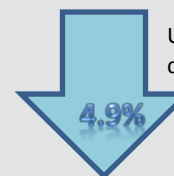
Wasco County's crop production and livestock are diverse and include cherry and other fruit orchards, dryland wheat and other grains, and wine grapes. Livestock primarily consists of cattle and calves, with smaller numbers of hog, sheep and lamb, and alpaca farms.

Beyond farming and ranching, other important rural industry sectors include forestry and recreation and tourism.

The state and local land use planning program supports the development and retention of these industry clusters through preserving land for resource uses, limiting high density development that may conflict with resource uses, ensuring appropriate infrastructure and public facilities for development, and offer incentives for economic development.

### Economy Snapshot

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Public Administration	-20.1%	\$21,756
Other Services	-8.9%	NA
<b>Total</b>	<b>-.1%</b>	



Unemployment rate 2018, down from a highs in 2009 - 2011 during recession

**2<sup>nd</sup> in State**

Total acres of farm land

**6<sup>th</sup> in State**

Average size of farms

**18.2%**

#### POVERTY

Between 2009 and 2013, 18.2% of Wasco County's population was in poverty, 2% above Oregon's rate, and 2.8% above the national rate.



#### JOB PROJECTIONS

Projections for East Cascade region from 2014-2024 show job gains in service (hospitality and retail), health care and professional occupants.

## **Statewide Planning Goal 9**

**To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.**

Comprehensive plans and policies shall contribute to a stable and healthy economy in all regions of the state.

Excerpt from  
OAR 660-015-0000(9)

## **Cross-Reference**

Additional policies related to  
this goal: Goal 3, Goal 5,  
Goal 6

## **Wasco County Goal 6**

## **Economic Development**

**To diversify and improve the economy of  
Wasco County.**



## Policies

# 9.1 Policies

**9.1.1** Maintain commercial agriculture as the basis for the County's rural economy.

**Implementation for Policy 9.1.1:**

- a. Subdividing and partitioning of productive agricultural lands shall be discouraged.
- b. Exclusive Farm Use zoning shall be maintained to allow special farm use assessment as an incentive for continued agricultural use.
- c. Orchards, wheat, other small grain farms, and grazing lands shall be protected from non-agriculture uses and encouraged to continue as a major portion of the economy.
- d. Industries that process agricultural products maybe allowed as a conditional use in the Exclusive Farm Use zone.
- e. Value added agriculture businesses and uses are encouraged.

**9.1.2** Encourage commercial and industrial development compatible with the County's agricultural based economy.

**Implementation for Policy 9.1.2:**

- a. Wasco County will support and encourage non-agricultural commercial and industrial development within the Urban Growth Boundaries of incorporated cities, to discourage conversion of productive orchard and other agricultural lands and provide more year-round employment opportunities near urban services.
- b. Commercial activities in conjunction with farm use, including storage of agricultural goods, may be allowed as conditional uses in agricultural areas of the County, to diversify the economy.
- c. Encourage increased commercial activity in the communities of Pine Grove and Tygh Valley rural service centers
- d. Allow limited industrial growth in areas designated near Pine Grove and Tygh Valley.



- e. Protection and utilization of valuable rock and aggregate sources should be carried out as specified in Goal #5, A-E; and #2, A-F.

**9.1.3** Wasco County will support the expansion and increased productivity of existing industries and businesses as a means to strengthen local and regional economic development.

**Implementation for Policy 9.1.3:**

- a. Wasco County will support new industrial and commercial uses as appropriate to maintain existing uses.
- b. Industrial and commercial uses in or near resource lands which are accessory to a resource use shall be located as near as is practical to that resource use.
- c. Consideration for impact to resource uses, infrastructure and public facilities and services shall be part of the review process for new industrial and commercial uses in Wasco County. This includes additional criteria and analysis required by EPDs.

**9.1.4** Wasco County will support the Mid-Columbia Economic Development District (MCEDD) through active participation and partnership.

**Implementation for Policy 9.1.4:**

- a. Wasco County Planning Department will participate in the MCEDD Columbia Gorge Economic Development Strategy process by sending representatives to public meetings and ensure coordination with local land use planning regulations.
- b. Coordinate to receive, distribute, and share best available information about economic development and other related data.
- c. Collaborate on infrastructure, housing and other grant opportunities that strengthen Wasco County's economy and livability.

**9.1.5** Support and encourage tourism through preservation and enhancement of cultural, historical, natural and recreational resources

**Implementation for Policy 9.1.5:**

- a. Wildlife habitat and scenic waterways should be maintained for their scenic value to residents and tourists Wasco County.

- b. Historic and pre-historic sites should be preserved and maintained to support-tourism in Wasco County.
- c. Additional parks, overnight camping areas, and other recreational areas should be provided when needed to encourage tourism in the County.
- d. Agri-tourism will be supported through the adoption of rules to permit agri-tourism uses and activities in the Exclusive Farm Use zones.
- e. The Wasco County Planning Department will work with local, regional and state transportation authorities to ensure appropriate access to tourism destinations.
- f. Wasco County Planning will participate in local, regional and statewide tourism public meetings to ensure coordination with local land use planning regulations.
- g. Wasco County will support public recreation providers in their efforts to offer public access and education.

**9.1.6** Forest management will continue to be an economic development target for Wasco County.

**Implementation for Policy 9.1.6:**

- a. Industries and uses consistent with Goal 4 and the Forest Practices Act will continue to be promoted through management of Wasco County's forest zones.
- b. Recreation activities compatible with outright permitted forest uses shall be encouraged in the forest zones.
- c. Activities or uses that conflict with forest management, logging, recreation and other economic development uses shall be discouraged in the Wasco County forest zones.

**9.1.7** Wasco County shall encourage home based businesses and provide standards that remove barriers and ensure neighborhood compatibility

**Implementation for Policy 9.1.7:**

- a. Minor home occupations shall be outright permitted in Residential Zones
- b. Create educational materials for major home occupations that provide clear neighborhood compatibility standards, process requirements and other considerations to encourage successful permitting.

# Goal 9

## Findings and References

**9.1.a** During Wasco County 2040, public consensus was that as a result of current conditions, agriculture and forestry should be separated into distinct policies to ensure comprehensive strategies and accurate goals.

**9.1.b** State law's minimum parcel size in Exclusive Farm Use provides protection to productive farm lands from non-farm use.

**9.1.c** MCEDD is the regional economic development body that is responsible for a variety of economic development activities in Wasco County and five other regional counties.

**9.1.d** One of the recommendations from the public during Wasco County 2040 outreach was to expand the reach of tourism to cover a broad definition of tourism type activities that are significant to Wasco County's economy.

**9.1.e** Forest zones are regulated by OAR 660-06 and related ORS rules, as well as the Forest Practices Act. The purpose of Goal 4 is to conserve forest lands for future use. The Oregon Forest Practices Act sets standards for commercial forestry activities.

**9.1.d** Home businesses or working from home are increasingly popular and provide economically viable alternatives for business start-ups. Stakeholders and public input encouraged Wasco County to make home occupation permitting more transparent.

## References

Oregon Department of Land Conservation and Development. *Goal 5: Open Spaces, Scenic and Historic Areas and Natural Resources*. Oregon's Statewide Planning Goals and Guidelines.

Mid Columbia Economic Development District. *Columbia Gorge Economic Development Strategy 2017-2022*. [http://www.mcedd.org/wp-content/uploads/2018/04/CEDS\\_2018update\\_FullDoc.pdf](http://www.mcedd.org/wp-content/uploads/2018/04/CEDS_2018update_FullDoc.pdf)

State of Oregon Employment Department. May 1, 2018. *Wasco County Economic Update*. <https://www.qualityinfo.org/documents/10182/79531/050118++Wasco+County+Economic+Update?version=1>.





PLANNING DEPARTMENT

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# **WASCO COUNTY**

## **CITIZEN ADVISORY GROUP**

### **AGENDA PACKET**

**FOR**

Citizen Advisory Group Work Session Dated:  
October 9, 2018

Work Task #7

Meeting Time: 4:00 pm  
Meeting Location: Wasco County Public Works Building  
Conference Room  
2705 East Second St  
The Dalles, Oregon 97058





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***Pioneering pathways to prosperity.***

**MEMORANDUM TABLE OF CONTENTS**

Date: October 2, 2018

To: Wasco County Citizen's Advisory Group

From: Wasco County Planning Office

Subject: Submittal for Hearing dated October 9, 2018 – Work Task #7

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Annotated Draft of Proposed Chapter 6 of the WC 2040 (Comprehensive Plan)	CAG 1-92
Clean Draft of Proposed Chapter 6 of the WC 2040 (Comprehensive Plan)	CAG 1-100







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**FILE #:** 921-18-000100 (7)

**DECISION DATE:**

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**REQUEST:** Legislative Request to Amend the Comprehensive Plan, Chapter 2  
**DECISION:**

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**Attachments:**

- A. Wasco County Comprehensive Plan Periodic Review Work Task 7
- B. Annotated Draft of Proposed Chapter 2 of Wasco County 2040 (Comprehensive Plan) with notes
- C. Clean Draft of Proposed Chapter 2

**File Number:** 921-18-000100

**Request:** Amend the Wasco County Comprehensive Plan  
1. Update Chapter 2 with incentive policy and implementation

**Prepared by:** Kelly Howsley Glover, Long Range Planner

**Prepared for:** Wasco County Planning Commission

**Applicant:** Wasco County Planning Department

**Staff Recommendation:** Recommend the Wasco County Planning Commission recommend adoption of the proposed amendments of the Wasco County Comprehensive Plan to the Wasco County Board of Commissioners.

**Planning Commission Hearing Date:** November 6, 2018

**Procedure Type:** Legislative

**Attachments:** Attachment A: Wasco County Comprehensive Plan Periodic Review Work Task 7 Overview  
Attachment B: Annotated Draft of Proposed Chapter 2 of Wasco County 2040 (Comprehensive Plan) with notes  
Attachment C: Clean Draft of Proposed Chapter 2

## **I. APPLICABLE CRITERIA**

### **A. Wasco County Comprehensive Plan Chapter 11: Revisions Process**

1. Section B: Form of Comprehensive Plan Amendment
2. Section C: Who May Apply for a Plan revision
3. Section D: Legislative Revisions
4. Section H: General Criteria
5. Section I: Transportation Planning Rule Compliance
6. Section J: Procedure for the Amendment process

### **B. Oregon Administrative Rules 660-025**

## **II. SUBMITTED COMMENTS**

As of the Wasco County Planning Department has received no comments about the proposed revisions.

## **III. PUBLIC INVOLVEMENT**

In addition to the public hearings required by this legislative process to allow for public testimony and the ability to provide written comment, Wasco County has included the following additional measures to ensure the process is open to the public:

### **A. Newspaper Notifications**

#### Citizen Advisory Group Work Session October 9, 2018:

Public notice for a Citizen Advisory Group meeting was published in The Dalles Chronicle on September 23, 2018, more than 20 days prior to the October 9<sup>th</sup> work session.

#### Planning Commission Hearing #1:

Public notice for Planning Commission Hearing #1 was published in The Dalles Chronicle on October 14, 2018 more than 20 days prior to the November 6, 2018 hearing date.

### **B. Information Available on Website**

The information regarding the proposed amendments was placed on the Wasco County Planning Department Website<sup>1</sup> on October 2, 2018. If updates are made following each hearing, the webpage will be updated to reflect such changes. At the time of publication of this document, the following information was made available:

- A listing of hearing dates, times and locations.
- Drafts of the proposed amendments
- Staff report describing the process and proposed changes
- A way to submit comments and concerns

<sup>1</sup> <http://co.wasco.or.us/departments/planning/index.php>

In addition, the Wasco County Comprehensive Plan website<sup>2</sup> has included several posts that have included the time and date of meetings and discussion of proposed topics. This website has 23 subscribers that receive notification of new content, and is also promoted on the Planning Department's social media channels.

**C. Notification to Partners**

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to the Periodic Review Assistance team and other Citizen Advisory Group identified stakeholders on October 2, 2018. The notification included links to the staff report, proposed amendments, and the opportunity to comment.

**D. Notification to Community Notification List**

During the Wasco County 2040 initial outreach phase, a public email notification list was assembled. Members of the public continue to have the opportunity to sign up for this list at any time on the project website<sup>3</sup> or in person at any of the public hearings, work sessions or other events. They can also request to be put on the list via email, telephone, or in the Planning Department Office. Currently this list includes 70 interested parties from the community.

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to this notification list on October 2, 2018. The notification included links to the staff report, proposed amendments, and information on how to provide comment.

**E. Other Public Outreach**

For work tasks 5-8, four community meetings in various parts of the County were held during May and June 2018 to solicit feedback about the work tasks. Staff and Citizen Advisory Group members talked to over thirty property owners, residents and business hearings during the meeting about how Wasco County 2040 could identify and utilize land use planning incentives to further support and propel our broader goals.

In addition to the public meetings, an online survey, social media content, and news media articles helped to promote engagement with the work tasks and solicit additional input. Any comments, survey results, or other feedback were compiled and analyzed by staff and used to inform the development of the new policy and implementation strategies.

**IV. FINDINGS**

**A. Wasco County Comprehensive Plan Criteria**

**1. Chapter 11 - Revisions Process**

**a. Section B – Form of Comp Plan Amendment**

***Amendments to the Comprehensive Plan include many forms and can either be legislative or quasi-judicial.***

<sup>2</sup> [www.Wasco2040.com](http://www.Wasco2040.com)

<sup>3</sup> <https://wasco2040.com/contact/>

**FINDING:** The request is for a legislative text amendment to policies and strategies for Chapter 2 of the Comprehensive Plan, as part of a broader Periodic Review work plan. Amendments include the addition of new policies and implementation strategies related to outreach for work task 7. Work task 7 specifically proposed to “explore incentives and creative solutions for land use planning program” including options for achieving some community goals.

**b. Section C – Who May Apply for a Plan revision**  
***Amendments to the plan may be initiated by the Wasco County Governing Body***

**FINDING:** The Wasco County Board of Commissioners authorized the Wasco County Planning Department to pursue Voluntary Periodic Review (VPR) to update the Wasco County Comprehensive Plan. They sent a letter to the Land Conservation and Development Commission supporting VPR on September 29, 2016.

**c. Section D – Legislative Revisions**  
***Legislative revisions include land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or much different ownership. The Planning Commission and County Governing Body shall evaluate the plan as often as necessary to meet changes in the social, economic, or environmental character of Wasco County.***

**FINDING:** The proposed text amendments to policies and format of the Comprehensive Plan are applicable to all properties governed by the Wasco County Comprehensive Plan and therefore the proposal is a legislative revision. The proposed amendments are part of a larger Periodic Review process approved by the Planning Commission, Board of County Commissioners, Department of Land Conservation and Development and the Land Conservation and Development Commission. To be accepted for periodic review, staff prepared extensive justification demonstrating the need for amendments to the Comprehensive Plan as a result of changes in the social, economic and environmental character of Wasco County.

**d. Section H – General Criteria**  
***The following are general criteria which must be considered before approval of an amendment to the Comprehensive Plan is given:***

- 1). Compliance with the statewide land use goal as provided by Chapter 15 or further amended by the Land Conservation and Development Commission, where applicable.***
- 2). Substantial proof that such change shall not be detrimental to the spirit and intent of such goals.***
- 3). A mistake in the original comprehensive plan or change in the character of the neighborhood can be demonstrated.***

**4). Factors which relate to the public need for healthful, safe and aesthetic surroundings and conditions.**

**5). Proof of change in the inventories originally developed.**

**6). Revisions shall be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change must be established.**

**FINDING:** Proposed amendments to Goal 2 include a policy and three implementation strategies to support an incentive approach to land use planning consistent with the Statewide Planning Goals. Specifically, the proposed addition promotes incentive programs that increase knowledge base of community or offer incentives to development applications that meet other Wasco County 2040 goals. This supports the overall Goal 2 “(t)o maintain a transparent land use planning process in which decisions are based on factual information”.

The proposed amendments do not propose to change any of the existing adopted policies and implementation strategies for Goal 2. The addition of incentive programs will not materially alter the general policies and provisions of the land use planning rules or regulations, but instead work to support process improvements for how the program is administered. As such, no detriment to the spirit or the intent of rules can be identified.

No mistake in the original comprehensive plan has been identified which necessitates the proposed change. The work plan task 7 was identified through outreach with stakeholders and community members as a way to improve the transparency, accessibility and ease of process for the Wasco County land use planning program. Participants expressed overwhelming support to add in more incentives, rather than increasing regulation or rules, to achieve community goals. Leveraging incentives to help achieve policy is a new strategy for Wasco County, that has in the past relied on additional restrictions or criteria, above and beyond state law, to achieve community goals. Community members were engaged through a variety of outreach methods over several months in 2018 to formulate a strategy for incentives that best met the community vision. No specific preference, aside from education, was recommended by participants; however there was a general demand to provide opportunity to be flexible in the approach to incentives. The new policy and implementation for Goal 2 have been written to approximate recommendations from participants.

Many of the goals being evaluated during the Periodic Review are in interest of public health, safety and general satisfaction with environmental and development conditions of Wasco County, and the proposed policy is one mechanism by which to achieve some of these goals.

No inventories are involved in the proposed amendment to Chapter 2.

Many of the residents who obtain a land use development permit have limited experience with the land use planning program and many of the rules which regulate land use uses, property development standards and other considerations. Wasco County Current Planning staff already answers hundreds of calls, emails and counter visits each month to support customers in successfully applying for

development. Because of the many criteria and conditions impacting each development application, however, there is not a one size approach to each case.

The Wasco County Land Use and Development Ordinance currently recommends a pre-application conference for conditional use permits. This involves a current planner reviewing a project proposal and preparing a staff report, in addition to holding an advisory meeting, to provide each customer with an analysis of possible issues, what is required to make a complete application, and other considerations. There is a fee attached to this work, by in large as a result of the staff time required to draft a report.

Policy 2.1.5 a is recommending an option for free or reduced cost pre application conferences for permit applications, less than a conditional use permit, that may require a scheduled meeting, but not necessarily a staff report. The purpose would be to guide the applicant in a more formalized way about considerations for possible issues and requirements for a complete application. The intent of this is to increase transparency of the land use planning program, improve efficiency of staff time and resources, and help ensure successful applications that meet or exceed goals of Wasco County 2040.

Policy implementation strategies 2.1.5 b and c promote flexibility for incentives to be used to achieve specific Wasco County 2040 goals. These strategies are meant to be complimentary to the existing rules and regulations that support both Wasco County and the State of Oregon land use planning goals.

***e. Section I- Transportation Planning Rule Compliance***

***1). Review of Applications for Effect on Transportation Facilities – A proposed zone change or land use regulation change, whether initiated by the County or by a private interest, shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – “TPR”). “Significant” means the proposal would:***

***a). Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);***

***b). Change standards implementing a functional classification system; or***

***c). As measured at the end of the planning period identified in the adopted transportation system plan:***

***i. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;***

***ii. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or***

***iii. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan.***

**FINDING:** Proposed revisions to Goal 2 do not have a direct or indirect impact on transportation facilities, the Transportation Systems Plan, or Transportation Planning rules.

***Oregon Administrative Rules 660-025-0130***

***Submission of Completed Work Task***

- 1). A local government must submit completed work tasks as provided in the approved work program or a submittal pursuant to OAR 660-025-0175 to the department along with the notice required in OAR-660-025-0140 and any form required by the department. A local government must submit to the department a list of persons who participated orally or in writing in the local proceedings leading to the adoption of the work task or who requested notice of the local government's final decision on a work task.***

**FINDING:** A notice was sent to DLCD on September 28, 2018, consistent with requirements, to inform them of the proposed November 6, 2018 hearing and subsequent hearings to adopt amendments to Chapters 2 consistent with work task 7. To date, staff has not received any oral or written comment or request for notification from the public on the work tasks. At such a time when comment is received, that will be attached to the staff report and submitted to DLCD.

- 3). For a periodic review tasks to be complete, a submittal must be a final decision containing all required elements identified for that task in the work program. The department may accept a portion of a task or subtask as a complete submittal if the work program identified that portion of the task or subtasks as a separate item for adoption by the local government. All submittals required by section 1) of this rule are subject to the following requirements:***
  - a). If the local record does not exceed 2,000 pages, a submittal must include the entire local record, including but not limited to adopted ordinances and orders, studies, inventories, findings, staff reports, correspondence, hearings minutes, written testimony and evidence, and any other items specifically listed in the work program.***
  - b). If the local record exceeds 2,000 pages, a submittal must include adopted ordinances, resolutions, and orders; any amended comprehensive or regional framework plan provisions or land use regulations; findings, hearing minutes; materials from the record that the local government deems necessary to explain the submittal or cities in its findings; and a detailed index listing all items in the local record and indicating whether or not the item is included in the submittal. All items in the local record must be made available for public review during the period for submitting objections under OAR 660-025-0140. The director or commission may require a local government to submit any materials from the local record not included in the initial submittal;***
  - c) A submittal of over 500 pages must include an index of all submitted materials. Each document must be separately indexed, in chronological order, with the last document on the top. Pages must be consecutively numbered at the bottom of the page.***



**FINDING:** The local record for Work Task 7 will not exceed 2,000 pages. Consistent with this requirement, submittal to DLCD will include the entire local record, including but not limited to the adopted ordinance and orders, studies, findings, staff reports, correspondence, hearing minutes, written testimony and evidence and any other relevant material.

A copy of the record, when complete, will also be available for inspection at the Planning Department.

DRAFT

## **Attachment A**

### **Chapter 2 Proposed Amendments**

**Documentation:** The following is a summarized overview of proposed amendments.

**State of the Comprehensive Plan:**

- A. **Purpose:** The main purpose of the Comprehensive Plan is to function as a visionary policy document with a 20 year horizon. The plan represents the desires of the citizens of Wasco County and provides generalized direction for development, preservation, the planning process, citizen involvement and numerous other elements related to land use planning. Due to frequent changes in circumstances, law, and the desires of the citizens of the county, the major components should be updated every five to ten years as needed. The land use and development ordinance includes the specific rules and regulations that are meant to implement this vision and amendments to it are required to be consistent with Comprehensive Plan language.
- B. **Prior Updates:** The Comprehensive Plan was acknowledged by the Land Conservation and Development Department in 1983. Major components of the document have not been updated since 1983, resulting in them now being out of date. Other portions have been updated but were done inconsistently and in some cases, the new language did not get inserted into the amended document. In several instances, updates to the ordinance are now out of compliance with the Comprehensive Plan because of the lack of comprehensive updates. A more comprehensive update was initiated in 2009, but ultimately not completed. Staff has used some of the past findings and information in drafting the proposed updates.
- C. **Format:** The Comprehensive Plan is currently organized in a way that puts unrelated information in the same chapter and separated related information into multiple chapters. This has created significant difficulty for staff and the public to find information and utilize as the plan was intended.
- D. **Reformatting:** After a careful case study of other Oregon county comprehensive plans, the Citizen Advisory Group held several work sessions in 2015 and 2016 to discuss, among other issues, reformatting the Comprehensive Plan for increased use, transparency and readability. Based on those work sessions, staff was directed to compile and organize information in a manner that better aligned the plan to the Statewide Land Use Planning Goals.
  - 1. **Oregon's Land Use Goals:** The vast majority of the Comprehensive Plan language is tied to one of the State of Oregon's Land Use Goals. Other than some introductory chapters, the entire Comprehensive Plan is being formatted so that each chapter corresponds to one of the applicable Land Use Goals. Each chapter will include all of the policies, findings, and inventories for the specific goal, in addition to any references and historical information.
  - 2. **Format of Goal Chapters:** Each Goal related chapter will be formatted according to the following conventions:

- a. Overview: A sentence to a paragraph on the outlining the purpose behind the Goal and Wasco County policies.
- b. Statement of Wasco County Goal and reference to Statewide Planning Goal
- c. Any cross-references to other Goals
- d. Policy Statements
- e. Implementation Statements for each policy
- f. Findings and reference section detailing any relevant findings and references.

## **Chapter by Chapter Overview of Proposed Substantive Amendments:**

### **A. Chapter 2- Goal 2 Land Use Planning**

Chapter 2/Goal 2 was modified in the beginning of 2018 and approved by DLCD in August 2018. Proposed amendments are to add an additional policy and related implementation strategies based on public input during outreach for work task 7.

1. **Policies:** Chapter 2/Goal 2 currently has 4 policies. The proposal is to add a fifth policy and corresponding implementation measures to develop incentives for land use planning actions and goals.
  - a. Policy 5: Proposed: *Offer incentives for land use planning actions that meet Wasco County 2040 goals and objectives.*
    - (1) Implementation Strategy "a.": *Free or low cost pre application conferences should be encouraged for complex projects that do not require a written report.*
    - (2) Implementation Strategy "b." *Develop incentive programs, including fee reductions, for applications that meet specific goals. Examples could include: defensible space, resource protections, and/or energy conservation.*
    - (3) Implementation Strategy "c." *Where applicable, transfer development rights, density bonuses, and setback variances should be implemented to support development and growth consistent with other Wasco County 2040 goals.*
2. **Findings and References:** To support the additional policy, a new finding (2.1.f) was added that refers to the results of outreach for work task 7.

## Goal 2

# Land Use Planning

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## Goal 2

# Land Use Planning

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### Overview

This chapter establishes the overall framework for the development and implementation of plans and policies for land use within the county. Statewide planning guidelines require each county to establish a land use planning process that is based on current issues, factual information and evaluation of alternatives. The policies in this chapter assure that the County's land use policies are current, fact-based, and responsive to change. They respond to the need for coordination between the cities and the county and provide for full public access to plan documents and the information upon which land use decisions are based.





## **Statewide Planning Goal 2**

**To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS Chapter 268.

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents. The plans, supporting documents and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

Excerpt from OAR 660-015-0000(2)

### **Cross-Reference:**

Additional policies related to this goal: Goal 1

## **Wasco County Goal**

### **Land Use Planning**

**To maintain a transparent land use planning process in which decisions are based on factual information.**



# Land Use Planning

## Policies

- 2.1.1** Citizen involvement shall be an integral part of the planning process and shall be accomplished through the County's Citizen Involvement Program.

## 2.1 Policies

### Implementation for Policy 2.1.1:

- a. The Citizen Involvement Program shall be maintained and updated periodically by the Wasco County Planning Department.
- b. The Citizen Involvement Program shall abide by the policies as set forth in Goal 1, Citizen Involvement.
- c. Copies of the Comprehensive Plan will be available for review at the Wasco County Planning Department and on the Wasco County's website.

- 2.1.2** Comprehensive plans and implementing ordinances shall be consistent with the statewide goals and guidelines as well as the needs and desires of citizens in the County.

### Implementation for Policy 2.1.2:

- a. The Comprehensive Plan shall include all elements identified by the Land Conservation and Development Commission which are applicable to the County.
- b. Inventories and other forms of data used in the development of the Comprehensive Plan shall be the most factual and current data available, to the extent practicable.
- c. The Comprehensive Plan shall be coordinated with all other plans and programs affected by, or having effect on, land use within the County.
- d. All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan.

- 2.1.3** The Comprehensive Plan shall be reviewed periodically for necessary revisions to keep pace with changes in the physical, environmental, social and economic character of the County.

page 2-4

**Implementation for Policy 2.1.3:**

- a. County Planning staff shall conduct periodic reviews and evaluations of the Comprehensive Plan.
- b. Plan review and amendment shall take place whenever significant changes in the social, economic, physical, or environmental character of the County are evident.
- c. Plan review, evaluation, and amendment shall be carried out utilizing the revisions process as set forth in the Comprehensive Plan.

**2.1.4** Increase public awareness of the planning process and plan implementation.

**Implementation for Policy 2.1.4:**

- a. Federal, State, County and City agencies should cooperate to simplify, combine and expedite permit applications. Staff shall work with partner agencies and organizations to ensure timely coordination.
- b. Allow for local public input into the planning process through Goal 1 policies and implementation.
- c. Hearing notice procedures shall be included in the Wasco County Land Use and Development Ordinance.

**2.1.5** Offer incentives for land use planning actions that meet Wasco County 2040 goals and objectives.

**Implementation for Policy 2.1.5:**

- a. Free or low cost pre application conferences should be encouraged for complex projects that do not require a written report.
- b. Develop incentive programs, including fee reductions, for applications that meet specific goals. Examples could include: defensible space, resource protections, and/or energy conservation.
- c. Where applicable, transfer development rights, density bonuses, and setback variances should be implemented to support development and growth consistent with -Wasco County 2040 goals.

## Findings and References

**2.1.a** Land use plans are required to be adopted by the governing body after public hearings and shall be reviewed and revised on a periodic cycle to take into account changing public policies and circumstances. OAR 660-015-0000(2)

**2.1.b** Comprehensive Plans are required to be filed in a public office or other location easily accessible to the public. OAR 660-015-0000(2)

**2.1.c** The County's Comprehensive Plan, all affected city plans, and agreements established between the County and the cities must all be consistent with one another. OAR 660-015-0000(2)

**2.1.d** All land use plans and implementation ordinances shall be adopted after public hearing and shall be reviewed, as needed, and revised on a periodic cycle to reflect changing public policies and circumstances. OAR 660-015-0000(2)

**2.1.e** Access to public records gives County citizens, staff, and public officials the ability to better understand the basis for policy direction and decisions.

**2.1.f** During Periodic Review, staff and the CAG discussed with members of the public possible land use planning incentives. The general consensus favored reduced fees and more education/assistance.

## References

Oregon. Department of Land Conservation and Development.  
*Goal 2: Land Use Planning.*  
Oregon's Statewide Planning Goals and Guidelines.

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# Goal 2

# Land Use Planning

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# Goal 2

## Land Use Planning

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### Overview

This chapter establishes the overall framework for the development and implementation of plans and policies for land use within the county. Statewide planning guidelines require each county to establish a land use planning process that is based on current issues, factual information and evaluation of alternatives. The policies in this chapter assure that the County's land use policies are current, fact-based, and responsive to change. They respond to the need for coordination between the cities and the county and provide for full public access to plan documents and the information upon which land use decisions are based.





## **Statewide Planning Goal 2**

**To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.**

City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS Chapter 268.

All land use plans shall include identification of issues and problems, inventories and other factual information for each applicable statewide planning goal, evaluation of alternative courses of action and ultimate policy choices, taking into consideration social, economic, energy and environmental needs. The required information shall be contained in the plan document or in supporting documents. The plans, supporting documents and implementation ordinances shall be filed in a public office or other place easily accessible to the public. The plans shall be the basis for specific implementation measures. These measures shall be consistent with and adequate to carry out the plans. Each plan and related implementation measure shall be coordinated with the plans of affected governmental units.

All land-use plans and implementation ordinances shall be adopted by the governing body after public hearing and shall be reviewed and, as needed, revised on a periodic cycle to take into account changing public policies and circumstances, in accord with a schedule set forth in the plan. Opportunities shall be provided for review and comment by citizens and affected governmental units during preparation, review and revision of plans and implementation ordinances.

Excerpt from OAR 660-015-0000(2)

### **Cross-Reference:**

Additional policies related to this goal: Goal 1

## **Wasco County Goal**

### **Land Use Planning**

**To maintain a transparent land use planning process in which decisions are based on factual information.**



# Land Use Planning

## Policies

- 2.1.1** Citizen involvement shall be an integral part of the planning process and shall be accomplished through the County's Citizen Involvement Program.

## 2.1 Policies

### Implementation for Policy 2.1.1:

- a. The Citizen Involvement Program shall be maintained and updated periodically by the Wasco County Planning Department.
- b. The Citizen Involvement Program shall abide by the policies as set forth in Goal 1, Citizen Involvement.
- c. Copies of the Comprehensive Plan will be available for review at the Wasco County Planning Department and on the Wasco County's website.

- 2.1.2** Comprehensive plans and implementing ordinances shall be consistent with the statewide goals and guidelines as well as the needs and desires of citizens in the County.

### Implementation for Policy 2.1.2:

- a. The Comprehensive Plan shall include all elements identified by the Land Conservation and Development Commission which are applicable to the County.
- b. Inventories and other forms of data used in the development of the Comprehensive Plan shall be the most factual and current data available, to the extent practicable.
- c. The Comprehensive Plan shall be coordinated with all other plans and programs affected by, or having effect on, land use within the County.
- d. All implementing ordinances applicable to the County shall be consistent with the Comprehensive Plan.

- 2.1.3** The Comprehensive Plan shall be reviewed periodically for necessary revisions to keep pace with changes in the physical, environmental, social and economic character of the County.

**Implementation for Policy 2.1.3:**

- a. County Planning staff shall conduct periodic reviews and evaluations of the Comprehensive Plan.
- b. Plan review and amendment shall take place whenever significant changes in the social, economic, physical, or environmental character of the County are evident.
- c. Plan review, evaluation, and amendment shall be carried out utilizing the revisions process as set forth in the Comprehensive Plan.

**2.1.4** Increase public awareness of the planning process and plan implementation.**Implementation for Policy 2.1.4:**

- a. Federal, State, County and City agencies should cooperate to simplify, combine and expedite permit applications. Staff shall work with partner agencies and organizations to ensure timely coordination.
- b. Allow for local public input into the planning process through Goal 1 policies and implementation.
- c. Hearing notice procedures shall be included in the Wasco County Land Use and Development Ordinance.

**2.1.5** Offer incentives for land use planning actions that meet Wasco County 2040 goals and objectives.**Implementation for Policy 2.1.5:**

- a. Free or low cost pre application conferences should be encouraged for complex projects that do not require a written report.
- b. Develop incentive programs, including fee reductions, for applications that meet specific goals. Examples could include: defensible space, resource protections, and/or energy conservation.
- c. Where applicable, transfer development rights, density bonuses, and setback variances should be implemented to support development and growth consistent with Wasco County 2040 goals.

## Findings and References

**2.1.a** Land use plans are required to be adopted by the governing body after public hearings and shall be reviewed and revised on a periodic cycle to take into account changing public policies and circumstances. OAR 660-015-0000(2)

**2.1.b** Comprehensive Plans are required to be filed in a public office or other location easily accessible to the public. OAR 660-015-0000(2)

**2.1.c** The County's Comprehensive Plan, all affected city plans, and agreements established between the County and the cities must all be consistent with one another. OAR 660-015-0000(2)

**2.1.d** All land use plans and implementation ordinances shall be adopted after public hearing and shall be reviewed, as needed, and revised on a periodic cycle to reflect changing public policies and circumstances. OAR 660-015-0000(2)

**2.1.e** Access to public records gives County citizens, staff, and public officials the ability to better understand the basis for policy direction and decisions.

**2.1.f** During Periodic Review, staff and the CAG discussed with members of the public possible land use planning incentives. The general consensus favored reduced fees and more education/assistance.

## References

Oregon. Department of Land Conservation and Development.  
*Goal 2: Land Use Planning.*  
Oregon's Statewide Planning Goals and Guidelines.



PLANNING DEPARTMENT

2705 East Second Street • The Dalles, OR 97058  
p: [541] 506-2560 • f: [541] 506-2561 • [www.co.wasco.or.us](http://www.co.wasco.or.us)

*Pioneering pathways to prosperity.*

# **WASCO COUNTY** **CITIZEN ADVISORY GROUP** **AGENDA PACKET**

**FOR**

Citizen Advisory Group Work Session Dated:  
October 9, 2018

Work Task #8

Meeting Time: 4:00 pm  
Meeting Location: Wasco County Public Works Building  
Conference Room  
2705 East Second St  
The Dalles, Oregon 97058





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***Pioneering pathways to prosperity.***

**MEMORANDUM TABLE OF CONTENTS**

Date: October 2, 2018

To: Wasco County Citizen's Advisory Group

From: Wasco County Planning Office

Subject: Submittal for Hearing dated October 9, 2018 – Work Task #8

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Staff Report	CAG 1-112
Annotated Draft of Proposed Chapter 6 of the WC 2040 (Comprehensive Plan)	CAG 1-122
Clean Draft of Proposed Chapter 6 of the WC 2040 (Comprehensive Plan)	CAG 1-133





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**FILE #:** 921-18-000108 (8)

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**REQUEST:** Legislative Request to Amend the Comprehensive Plan, Chapter 3  
**DECISION:**

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- Attachments:**
- A. Wasco County Comprehensive Plan Periodic Review Work Task 8 Overview
  - B. Annotated Draft of Proposed Chapter 3 of Wasco County 2040 (Comprehensive Plan) with notes
  - C. Clean Draft of Proposed Chapter 3



**File Number:** 921-18-000108

**Request:** Amend the Wasco County Comprehensive Plan  
1. Change the format to align with Statewide Land Use Planning Goals  
2. Update Chapter 3 to add policy and implementation strategies consistent with results of outreach related to work task 8.

**Prepared by:** Kelly Howsley Glover, Long Range Planner

**Prepared for:** Wasco County Planning Commission

**Applicant:** Wasco County Planning Department

**Staff Recommendation:** Recommend the Wasco County Planning Commission recommend adoption of the proposed amendments of the Wasco County Comprehensive Plan to the Wasco County Board of Commissioners.

**Planning Commission  
Hearing Date:** November 6, 2018

**Procedure Type:** Legislative

**Attachments:** Attachment A: Wasco County Comprehensive Plan Periodic Review  
Work Task 8 Overview  
Attachment B: Annotated Draft of Proposed Chapter 3 of Wasco County  
2040 (Comprehensive Plan) with notes  
Attachment C: Clean Draft of Proposed Chapter 3

## **I. APPLICABLE CRITERIA**

### **A. Wasco County Comprehensive Plan Chapter 11: Revisions Process**

1. Section B: Form of Comprehensive Plan Amendment
2. Section C: Who May Apply for a Plan revision
3. Section D: Legislative Revisions
4. Section H: General Criteria
5. Section I: Transportation Planning Rule Compliance
6. Section J: Procedure for the Amendment process

### **B. Oregon Administrative Rules 660-025**

## **II. SUBMITTED COMMENTS**

As of the Wasco County Planning Department has received no comments about the proposed revisions.

## **III. PUBLIC INVOLVEMENT**

In addition to the public hearings required by this legislative process to allow for public testimony and the ability to provide written comment, Wasco County has included the following additional measures to ensure the process is open to the public:

### **A. Newspaper Notifications**

#### Citizen Advisory Group Work Session October 9, 2018:

Public notice for a Citizen Advisory Group meeting was published in The Dalles Chronicle on September 23, 2018, more than 20 days prior to the October 9<sup>th</sup> work session.

#### Planning Commission Hearing #1:

Public notice for Planning Commission Hearing #1 was published in The Dalles Chronicle on October 14, 2018 more than 20 days prior to the November 6, 2018 hearing date.

### **B. Information Available on Website**

The information regarding the proposed amendments was placed on the Wasco County Planning Department Website<sup>1</sup> on October 2, 2018. If updates are made following each hearing, the webpage will be updated to reflect such changes. At the time of publication of this document, the following information was made available:

- A listing of hearing dates, times and locations.
- Drafts of the proposed amendments
- Staff report describing the process and proposed changes
- A way to submit comments and concerns

<sup>1</sup> <http://co.wasco.or.us/departments/planning/index.php>

In addition, the Wasco County Comprehensive Plan website<sup>2</sup> has included several posts that have included the time and date of meetings and discussion of proposed topics. This website has 23 subscribers that receive notification of new content, and is also promoted on the Planning Department's social media channels.

**C. Notification to Partners**

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to the Periodic Review Assistance team and other Citizen Advisory Group identified stakeholders on October 2, 2018. The notification included links to the staff report, proposed amendments, and the opportunity to comment.

**D. Notification to Community Notification List**

During the Wasco County 2040 initial outreach phase, a public email notification list was assembled. Members of the public continue to have the opportunity to sign up for this list at any time on the project website<sup>3</sup> or in person at any of the public hearings, work sessions or other events. They can also request to be put on the list via email, telephone, or in the Planning Department Office. Currently this list includes 70 interested parties from the community.

An email notification of proposed amendments, progress on Periodic Review, and the legislative hearing was sent to this notification list on October 2, 2018. The notification included links to the staff report, proposed amendments, and information on how to provide comment.

**E. Other Public Outreach**

For work tasks 5-8, four community meetings in various parts of the County were held during May and June 2018 to solicit feedback about the work tasks. Staff and Citizen Advisory Group members talked to over thirty property owners, residents and business hearings during the meeting about how Wasco County 2040 could identify and utilize land use planning incentives to further support and propel our broader goals.

In addition to the public meetings, an online survey, social media content, and news media articles helped to promote engagement with the work tasks and solicit additional input. Any comments, survey results, or other feedback were compiled and analyzed by staff and used to inform the development of the new policy and implementation strategies.

**IV. FINDINGS**

**A. Wasco County Comprehensive Plan Criteria**

**1. Chapter 11 - Revisions Process**

**a. Section B – Form of Comp Plan Amendment**

***Amendments to the Comprehensive Plan include many forms and can either be legislative or quasi-judicial.***

<sup>2</sup> [www.Wasco2040.com](http://www.Wasco2040.com)

<sup>3</sup> <https://wasco2040.com/contact/>

**FINDING:** The request is for a legislative text addition of policies and implementation for Goal 3 (Chapter 3) of the Comprehensive Plan, as part of a broader Periodic Review work plan. The additional policy and implementation strategies are related to agri-tourism and consistent with work task 8 of the Periodic Review work plan.

**b. Section C – Who May Apply for a Plan revision**  
***Amendments to the plan may be initiated by the Wasco County Governing Body***

**FINDING:** The Wasco County Board of Commissioners authorized the Wasco County Planning Department to pursue Voluntary Periodic Review (VPR) to update the Wasco County Comprehensive Plan. They sent a letter to the Land Conservation and Development Commission supporting VPR on September 29, 2016.

**c. Section D – Legislative Revisions**  
***Legislative revisions include land use changes that have widespread and significant impact beyond the immediate area such as quantitative changes producing large volumes of traffic; a qualitative change in the character of the land use itself, such as conversion of residential to industrial use; or a spatial change that affects large areas or much different ownership. The Planning Commission and County Governing Body shall evaluate the plan as often as necessary to meet changes in the social, economic, or environmental character of Wasco County.***

**FINDING:** The proposed text amendments to policies and format of the Comprehensive Plan are applicable to all properties governed by the Wasco County Comprehensive Plan and therefore the proposal is a legislative revision. The proposed amendments are part of a larger Periodic Review process approved by the Planning Commission, Board of County Commissioners, Department of Land Conservation and Development and the Land Conservation and Development Commission. To be accepted for periodic review, staff prepared extensive justification demonstrating the need for amendments to the Comprehensive Plan as a result of changes in the social, economic and environmental character of Wasco County.

**d. Section H – General Criteria**  
***The following are general criteria which must be considered before approval of an amendment to the Comprehensive Plan is given:***

- 1). Compliance with the statewide land use goal as provided by Chapter 15 or further amended by the Land Conservation and Development Commission, where applicable.***
- 2). Substantial proof that such change shall not be detrimental to the spirit and intent of such goals.***
- 3). A mistake in the original comprehensive plan or change in the character of the neighborhood can be demonstrated.***

**4). Factors which relate to the public need for healthful, safe and aesthetic surroundings and conditions.**

**5). Proof of change in the inventories originally developed.**

**6). Revisions shall be based on special studies or other information which will serve as the factual basis to support the change. The public need and justification for the particular change must be established.**

**FINDING:** Proposed amendments to Goal 3 include a policy and three implementation strategies to add agri-tourism provisions to the Land Use and Development Ordinance and also guide general practice related to agri-tourism. These proposed amendments are the result of public involvement, that demonstrated consensus for allowing all available agri-tourism activities and uses in the Exclusive Farm Use zones as defined by state law. Therefore, the proposed amendments are consistent with state law.

3.1.5 c. implementation recommends the evaluation and revision of agri-tourism regulations if they are found to be, in the future, inconsistent with pieces of Wasco County 2040 or detrimental to the spirit and intent of the land use planning program. Based on public input, research, and available data, there are no foreseen adverse impacts to allowing for agri-tourism activities and uses as consistent with state law.

No mistake in the original comprehensive plan has been identified which necessitates the proposed change. The work plan task 8 was identified through outreach with stakeholders and community members to allow for agri-tourism activities and uses, as permitted by updates to state law, that may be beneficial to Wasco County residents, business and property owners. The public was advised of various possible versions of the agri-tourism allowances that could be adopted by Wasco County, and the consensus was to allow for all possible activities and uses allowed by state law.

Many of the goals being evaluated during the Periodic Review are in interest of public health, safety and general satisfaction with environmental and development conditions of Wasco County, and the proposed policy is one mechanism by which to achieve some of these goals.

No inventories are involved in the proposed amendment to Chapter 3.

The public was presented information and data to help inform discussion and deliberation on adding agri-tourism provisions to Wasco County 2040 and the Land Use and Development Ordinance. The consensus was there is significant need for allowing agricultural operators the opportunity to diversify their income streams and bring new interest and visitors to Wasco County. Possible land use conflicts and adverse impacts were discussed with the public to provide clear context for the impact of new regulations. Overarching sentiment was that if the state has permitted the agri-tourism uses and activities in Exclusive Farm Use zones, than the impacts have already been vetted or are insignificant to the broader Wasco County community.

***e. Section I- Transportation Planning Rule Compliance***

***1). Review of Applications for Effect on Transportation Facilities – A proposed zone change or land use regulation change, whether initiated by the County or by a private interest, shall be reviewed to***

**determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060 (the Transportation Planning Rule – “TPR”). “Significant” means the proposal would:**

- a). Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);**
- b). Change standards implementing a functional classification system; or**
- c). As measured at the end of the planning period identified in the adopted transportation system plan:**
  - i. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;**
  - ii. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standard identified in the TSP; or**
  - iii. Worsen the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or Comprehensive Plan.**

**FINDING:** Proposed revisions to Goal 3 do not have a direct or indirect impact on transportation facilities, the Transportation Systems Plan, or Transportation Planning rules.

#### **Oregon Administrative Rules 660-025-0130**

##### **Submission of Completed Work Task**

- 1). A local government must submit completed work tasks as provided in the approved work program or a submittal pursuant to OAR 660-025-0175 to the department along with the notice required in OAR-660-025-0140 and any form required by the department. A local government must submit to the department a list of persons who participated orally or in writing in the local proceedings leading to the adoption of the work task or who requested notice of the local government’s final decision on a work task.**

**FINDING:** A notice was sent to DLCD on September 28 2018, consistent with requirements, to inform them of the proposed November 6, 2018 hearing and subsequent hearings to adopt Chapters related to Periodic Review work tasks 5-8. To date, staff has not received any oral or written comment or request for notification from the public on Work Task 8. At such a time when comment is received, that will be attached to the staff report and submitted to DLCD.

- 3). For a periodic review tasks to be complete, a submittal must be a final decision containing all required elements identified for that task in the work program. The department may accept a portion of a task or subtask as a complete submittal if the work program identified that portion of the task or subtasks as a separate item for adoption by the local government. All submittals required by section 1) of this rule are subject to the following requirements:**

- a). If the local record does not exceed 2,000 pages, a submittal must include the entire local record, including but not limited to adopted ordinances and orders, studies, inventories, findings, staff reports, correspondence, hearings minutes, written testimony and evidence, and any other items specifically listed in the work program.*
- b). If the local record exceeds 2,000 pages, a submittal must include adopted ordinances, resolutions, and orders; any amended comprehensive or regional framework plan provisions or land use regulations; findings, hearing minutes; materials from the record that the local government deems necessary to explain the submittal or cities in its findings; and a detailed index listing all items in the local record and indicating whether or not the item is included in the submittal. All items in the local record must be made available for public review during the period for submitting objections under OAR 660-025-0140. The director or commission may require a local government to submit any materials from the local record not included in the initial submittal;*
- c) A submittal of over 500 pages must include an index of all submitted materials. Each document must be separately indexed, in chronological order, with the last document on the top. Pages must be consecutively numbered at the bottom of the page.*

**FINDING:** The local record for Work Task 8 will not exceed 2,000 pages. Consistent with this requirement, submittal to DLCD will include the entire local record, including but not limited to the adopted ordinance and orders, studies, findings, staff reports, correspondence, hearing minutes, written testimony and evidence and any other relevant material.

A copy of the record, when complete, will also be available for inspection at the Planning Department.

## **Attachment A**

### **Chapter 3 Proposed Amendments**

**Documentation:** The following is a summarized overview of proposed amendments.

**State of the Comprehensive Plan:**

- A. **Purpose:** The main purpose of the Comprehensive Plan is to function as a visionary policy document with a 20 year horizon. The plan represents the desires of the citizens of Wasco County and provides generalized direction for development, preservation, the planning process, citizen involvement and numerous other elements related to land use planning. Due to frequent changes in circumstances, law, and the desires of the citizens of the county, the major components should be updated every five to ten years as needed. The land use and development ordinance includes the specific rules and regulations that are meant to implement this vision and amendments to it are required to be consistent with Comprehensive Plan language.
- B. **Prior Updates:** The Comprehensive Plan was acknowledged by the Land Conservation and Development Department in 1983. Major components of the document have not been updated since 1983, resulting in them now being out of date. Other portions have been updated but were done inconsistently and in some cases, the new language did not get inserted into the amended document. In several instances, updates to the ordinance are now out of compliance with the Comprehensive Plan because of the lack of comprehensive updates. A more comprehensive update was initiated in 2009, but ultimately not completed. Staff has used some of the past findings and information in drafting the proposed updates.
- C. **Format:** The Comprehensive Plan is currently organized in a way that puts unrelated information in the same chapter and separated related information into multiple chapters. This has created significant difficulty for staff and the public to find information and utilize as the plan was intended.
- D. **Reformatting:** After a careful case study of other Oregon county comprehensive plans, the Citizen Advisory Group held several work sessions in 2015 and 2016 to discuss, among other issues, reformatting the Comprehensive Plan for increased use, transparency and readability. Based on those work sessions, staff was directed to compile and organize information in a manner that better aligned the plan to the Statewide Land Use Planning Goals.
  - 1. **Oregon's Land Use Goals:** The vast majority of the Comprehensive Plan language is tied to one of the State of Oregon's Land Use Goals. Other than some introductory chapters, the entire Comprehensive Plan is being formatted so that each chapter corresponds to one of the applicable Land Use Goals. Each chapter will include all of the policies, findings, and inventories for the specific goal, in addition to any references and historical information.
  - 2. **Format of Goal Chapters:** Each Goal related chapter will be formatted according to the following conventions:



- a. Overview: A sentence to a paragraph on the outlining the purpose behind the Goal and Wasco County policies.
- b. Statement of Wasco County Goal and reference to Statewide Planning Goal
- c. Any cross-references to other Goals
- d. Policy Statements
- e. Implementation Statements for each policy
- f. Findings and reference section detailing any relevant findings and references.

## **Chapter Overview of Proposed Substantive Amendments:**

### **A. Chapter 3**

Format and other amendments to Chapter 3 were part of work task 3, sent to DLCD for acknowledgment in November 2018.

1. **Policies:** The existing plan has four policies. The recommendation is to add an additional, fifth policy and supporting implementation to allow for agri-tourism in the Exclusive Farm Use zones.
  - a. Policy 5: The proposed new language for policy 3.1.5 is “Encourage agri-tourism activities that support commercial agriculture in Wasco County.”
    - (1) Implementation Strategy “a.” proposed to be “Allow agri-tourism activities and uses allowed by state law in the Exclusive Farm Use zones.”
    - (2) Implementation Strategy “b.” is proposed to be “Provide education materials and information that promotes appropriate agri-tourism activities and uses.”
    - (3) Implementation Strategy “c.” proposed to be “Evaluate and amend provisions in the LUDO as needed and appropriate to ensure overall consistency with Wasco County 2040.”
2. **Finding 3.1.h:** To ensure future context to the added policy and implementation, an explanatory sentence was added in the findings.

## **Goal3**

# **Agricultural Lands**

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## Goal3

# Agricultural Lands

### Overview

Goal 3 is one of the most critical goals for Wasco County, as 76% of the land outside the incorporated areas and National Scenic Area is zoned Exclusive Farm Use. Wasco County has two EFU zones, A-1 (160) and A-1 (40) which reflect the different types of crop production including orchards, wheat, hay, alfalfa and livestock grazing.

Agricultural lands are one of two resource zones in Wasco County. Resource zones make up the foundation of the Oregon Statewide Land Use Planning program's goal to preserve farm and forest lands for future resource use.

Oregon Revised Statutes 215.243 defines the Oregon Agricultural land use policy:

*The Legislative Assembly finds and declares that:*

*(1) Open land used for agricultural use is an efficient means of conserving natural resources that constitute an important physical, social, aesthetic and economic asset to all of the people of this state, whether living in rural, urban or metropolitan areas of the state.*

*(2) The preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources and the preservation of such land in large blocks is necessary in maintaining the agricultural economy of the state and for the assurance of adequate, healthful and nutritious food for the people of this state and nation.*

*(3) Expansion of urban development into rural areas is a matter of public concern because of the unnecessary increases in costs of community services, conflicts between farm and urban activities and the loss of open space and natural beauty around urban centers occurring as the result of such expansion.*

### Historical Perspective

Wasco County has had agricultural land regulations since the inception of its planning program in the 1950s. In 1953, there was a county subdivision ordinance that required review of new plats by the planning commission. Portions of the County had a zoning ordinance as early as 1955, and in 1956 agricultural districts or zones were established to limit uses.

In the A-1 zone in 1956, there were nineteen permitted uses. Many of the permitted uses are similar to those still allowed outright or through permits in the agricultural zones today.

By 1963, the Oregon legislature codified the Exclusive Farm Use (EFU) zone and allowed uses (ORS 215). Coupled with the farm tax deferral program, started in 1961, the vision to conserve farmland for agricultural use was clearly established.

In 1970, Wasco County adopted two additional agricultural zones, A-2 and A-3, as well as two forest zones, F-1 and F-2. These new zones established conditional uses, above and beyond permitted uses, for resource zones.

Senate Bill 100, adopted in 1973, created the statewide land use planning program and its "priority consideration" over resource zones, including agricultural lands. This bill "reasserted state level authority over land use policy and zoning" (Sullivan and Eber, 8). This bill established the Land Conservation and Development Commission and the Statewide Planning Goals that directed further iterations of Wasco County's land use plans.

In 1983, the Comprehensive Plan identified 20 acre and 80 acre EFU zones. In 1996, Wasco County adopted new EFU provisions in response to 1993 HB 3661, which included rezoning all EFU lands to 160 acres.

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*(4) Exclusive farm use zoning as provided by law, substantially limits alternatives to the use of rural land and, with the importance of rural lands to the public, justifies incentives and privileges offered to encourage owners of rural lands to hold such lands in exclusive farm use zones. [1973 c.503 §1]*

In 1998, Wasco County was awarded a Go Below to zone orchard lands at a 40 acre minimum parcel size in keeping with their high value crops and ability to produce high returns on smaller parcels of land. This was also consistent with historic agricultural practice in the orchard areas.

Significant work was done in the 1990s and 2000s by a special advisory group called the Agricultural Resource Group. This group set many of the setbacks, allowances, and additional restrictions above and beyond state law present in the Land Use and Development Ordinance (LUDO) up until Wasco County 2040.

In 2016, Wasco County was awarded a grant from DLCD that produced an independent audit of the LUDO in comparison with the recently developed Model Code for resource zones. This audit will be used for future LUDO updates, to ensure compliance with state law.

## **Statewide Planning Goal 3**

### **To preserve and maintain agricultural lands.**

Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the state's agricultural land use policy expressed in ORS 215.243 and 215.700.

Excerpt from  
OAR 660-015-0000(3)

## **Cross-Reference**

Additional policies related to  
this goal: Goal 1, 2, and 14

## **Wasco County Goal 3**

## **Agricultural Lands**

### **To preserve and maintain agricultural lands.**





## Policies

# 3.1 Policies

**3.1.1** Maintain Exclusive Farm Use zoning consistent with state law for continued preservation of lands for resource uses.

### Implementation for Policy 3.1.1:

- a. Maintain Exclusive Farm Use zone consistent with ORS 215.203 to 215.327, 215.700 to 215.710, and 215.760 to 215.794 to qualify for special farm use assessment as set forth in ORS 308.370 to 308.406.
- b. Minimum lot sizes in agricultural zones shall be appropriate for the preservation of ground water resources, continued agricultural use and aesthetic qualities.
  - 1. Commercial activities in conjunction with farm use shall be allowed as conditional uses in the Exclusive Farm Use zone.
  - 2. Non-farm uses permitted within farm use zones adopted pursuant to ORS 215.283 should be minimized to allow for maximum agricultural productivity.
  - 3. Non-farm dwellings within the Exclusive Farm Use zone may be permitted with a conditional use permit in accordance with the provisions of ORS 215.283
  - 4. Subdivisions and Planned Unit Developments will not be permitted in the Exclusive Farm Use zone.

**3.1.2** Where rural agricultural land is to be converted to urban land, the conversion shall be completed in an orderly and efficient manner.

### Implementation for Policy 3.1.2:

- a. Conversion of rural agricultural land to urban land and shall be in accordance with Goal 14, Policy 1, A-E and the statewide land use planning program, which typically requires an exception to Goal 3.
- b. Extension of services, such as water supplies, shall be appropriate for proposed urban use.
- c. Pre-existing farm dwellings occupied on a rental or lease basis shall not justify the partitioning of good agricultural land or smaller acreage tracts in farm use zones.

page 3-5



- d. Encourage the development of conservation plans utilizing Best Management Practices (BMP's) as developed by Wasco County Soil and Water Conservation Districts as defined by its standards and specifications.
- e. The opportunity for review and comment shall be provided for citizen groups in the development of plans for the location of utilities such as power line and highways which may adversely impact agricultural lands.
- f. Normal agricultural practices (aerial pesticide applications, burning of pruning, dust and noise by machinery) shall not be restricted by non-agricultural interests within agricultural areas.

**3.1.3** Land division criteria and minimum lot sizes used in areas designated as agricultural by the Plan shall be appropriate for the continuation of existing commercial agricultural enterprise in the area.

**Implementation for Policy 3.1.3:**

- a. In order to promote the continuation of existing commercial agricultural enterprise in Wasco County, the zoning regulations shall provide for two classification of Exclusive Farm Use. The A-1 (160) Exclusive Farm Use zone shall have a minimum property size of one hundred and sixty (160) acres. The A-1 (40) Exclusive Farm Use zone shall have a minimum property size of forty (40) acres. Lands designated by the Comprehensive Plan as agricultural and containing acreages greater than or equal to the minimum property size of the appropriate zone classification shall be presumed to be commercial agricultural entities.
- b. Maintain EFU land division standards in the Land Use and Development Ordinance including:
  - 1. Divisions of agricultural lands for non-farm uses shall be consistent with all existing ordinances and the following criteria:
    - (a) Any residential use which might occur on a proposed parcel will not seriously interfere with usual farm practices on adjacent agricultural lands.
    - (b) The creation of any new parcels and subsequent development of any residential use upon them will not materially alter the stability of the area's land use pattern.
    - (c) The proposed division or use of the proposed parcels will not eliminate or substantially reduce the commercial agricultural potential of the area nor be inconsistent with the Goals and Policies of this Plan.

(d) Such divisions are consistent with the provisions of ORS 215.283 (2) and (3), ORS 215.243 and ORS 215.263 as applicable.

**3.1.4** Encourage multiple purpose storage reservoirs and land and water reclamation projects which enhance and benefit agricultural land.

**Implementation for Policy 3.1.4:**

- a. Encourage individual farmers to develop soil conservation plans for each farming unit by coordinating land use planning with the United States Department of Agriculture and Wasco County Soil and Water Conservation Districts.
- b. Allow agriculture-related uses such as multiple purpose storage reservoirs and water reclamation projects in the "A-1" Exclusive Farm Use zone.

**3.1.5** Encourage agri-tourism activities that support commercial agriculture in Wasco County.

**Implementation for Policy 3.1.5:**

- a. Allow agri-tourism activities and uses allowed by state law in the Exclusive Farm Use zones.
- b. Provide education materials and information that promotes appropriate agri-tourism activities and uses.
- c. Evaluate and amend provisions in the LUDO as needed and appropriate to ensure overall consistency with Wasco County 2040.

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## Findings and References

**3.1.a** Criteria and uses for EFU lands are defined through State law in Oregon Administrative Rules 660-33 and Oregon Revised Statutes 215.203-215.327, 215.700-215.710, 215.760-215.794.

**3.1.b** Minimum parcel size in EFU lands are identified in ORS 215.780 as 80 acres for non-rangeland EFU, and 160 acres for rangeland EFU. Minimum parcel size requirements for EFU can also be found in OAR-033-0100.

**3.1.c** Consistent with uses authorized on agricultural lands, OAR 660-033-0120.

**3.1.d** Consistent with minimum parcel size and division standards in state law.

**3.1.e** Goal 2 (OAR 660-015-0000(2)) requires a goal 3 exception be taken to remove land from resource zoning and rezoned for urban uses. Urban lands also need to be consistent with Goal 14. Goal 14 typically impacts lands within the UGB around urban communities.

**3.1.f** The Wasco County Soil and Water Conservation District prepares, typically in conjunction with research for NRCS and regional Universities, provides management strategies for different crops in a diversity of soil and water situations for agricultural production.

**3.1.g** In 1993 (updated in 1995 and 2001), the Oregon Right to Farm law was adopted which the express intent to protect “growers from court decisions based on customary noises, smells, dust or other nuisances associated with farming”. The law also prohibits Wasco county from creating rules that deem such practices a nuisance or trespass (ORS 30.930).

**3.1.h** Consensus among Wasco County 2040 participants indicated a wish to include all available provisions for agri-tourism, allowed by state law, in the LUDO, increase educational opportunities, and re-evaluate if problems or conflicts develop into the future

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## References

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**Goal 3**

# **Agricultural Lands**

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# Goal3

## Agricultural Lands

### Overview

Goal 3 is one of the most critical goals for Wasco County, as 76% of the land outside the incorporated areas and National Scenic Area is zoned Exclusive Farm Use. Wasco County has two EFU zones, A-1 (160) and A-1 (40) which reflect the different types of crop production including orchards, wheat, hay, alfalfa and livestock grazing.

Agricultural lands are one of two resource zones in Wasco County. Resource zones make up the foundation of the Oregon Statewide Land Use Planning program's goal to preserve farm and forest lands for future resource use.

Oregon Revised Statutes 215.243 defines the Oregon Agricultural land use policy:

*The Legislative Assembly finds and declares that:*

*(1) Open land used for agricultural use is an efficient means of conserving natural resources that constitute an important physical, social, aesthetic and economic asset to all of the people of this state, whether living in rural, urban or metropolitan areas of the state.*

*(2) The preservation of a maximum amount of the limited supply of agricultural land is necessary to the conservation of the state's economic resources and the preservation of such land in large blocks is necessary in maintaining the agricultural economy of the state and for the assurance of adequate, healthful and nutritious food for the people of this state and nation.*

*(3) Expansion of urban development into rural areas is a matter of public concern because of the unnecessary increases in costs of community services, conflicts between farm and urban activities and the loss of open space and natural beauty around urban centers occurring as the result of such expansion.*

### Historical Perspective

Wasco County has had agricultural land regulations since the inception of its planning program in the 1950s. In 1953, there was a county subdivision ordinance that required review of new plats by the planning commission. Portions of the County had a zoning ordinance as early as 1955, and in 1956 agricultural districts or zones were established to limit uses.

In the A-1 zone in 1956, there were nineteen permitted uses. Many of the permitted uses are similar to those still allowed outright or through permits in the agricultural zones today.

By 1963, the Oregon legislature codified the Exclusive Farm Use (EFU) zone and allowed uses (ORS 215). Coupled with the farm tax deferral program, started in 1961, the vision to conserve farmland for agricultural use was clearly established.

In 1970, Wasco County adopted two additional agricultural zones, A-2 and A-3, as well as two forest zones, F-1 and F-2. These new zones established conditional uses, above and beyond permitted uses, for resource zones.

Senate Bill 100, adopted in 1973, created the statewide land use planning program and its "priority consideration" over resource zones, including agricultural lands. This bill "reasserted state level authority over land use policy and zoning" (Sullivan and Eber, 8). This bill established the Land Conservation and Development Commission and the Statewide Planning Goals that directed further iterations of Wasco County's land use plans.

In 1983, the Comprehensive Plan identified 20 acre and 80 acre EFU zones. In 1996, Wasco County adopted new EFU provisions in response to 1993 HB 3661, which included rezoning all EFU lands to 160 acres.

*(4) Exclusive farm use zoning as provided by law, substantially limits alternatives to the use of rural land and, with the importance of rural lands to the public, justifies incentives and privileges offered to encourage owners of rural lands to hold such lands in exclusive farm use zones. [1973 c.503 §1]*

In 1998, Wasco County was awarded a Go Below to zone orchard lands at a 40 acre minimum parcel size in keeping with their high value crops and ability to produce high returns on smaller parcels of land. This was also consistent with historic agricultural practice in the orchard areas.

Significant work was done in the 1990s and 2000s by a special advisory group called the Agricultural Resource Group. This group set many of the setbacks, allowances, and additional restrictions above and beyond state law present in the Land Use and Development Ordinance (LUDO) up until Wasco County 2040.

In 2016, Wasco County was awarded a grant from DLCDC that produced an independent audit of the LUDO in comparison with the recently developed Model Code for resource zones. This audit will be used for future LUDO updates, to ensure compliance with state law.



## Wasco County Goal 3

### Statewide Planning Goal 3

#### **To preserve and maintain agricultural lands.**

Agricultural lands shall be preserved and maintained for farm use, consistent with existing and future needs for agricultural products, forest and open space and with the state's agricultural land use policy expressed in ORS 215.243 and 215.700.

Excerpt from  
OAR 660-015-0000(3)

### Agricultural Lands

#### **To preserve and maintain agricultural lands.**



### Cross-Reference

Additional policies related to  
this goal: Goal 1, 2, and 14



## Policies

# 3.1 Policies

**3.1.1** Maintain Exclusive Farm Use zoning consistent with state law for continued preservation of lands for resource uses.

### Implementation for Policy 3.1.1:

- a. Maintain Exclusive Farm Use zone consistent with ORS 215.203 to 215.327, 215.700 to 215.710, and 215.760 to 215.794 to qualify for special farm use assessment as set forth in ORS 308.370 to 308.406.
- b. Minimum lot sizes in agricultural zones shall be appropriate for the preservation of ground water resources, continued agricultural use and aesthetic qualities.
  - 1. Commercial activities in conjunction with farm use shall be allowed as conditional uses in the Exclusive Farm Use zone.
  - 2. Non-farm uses permitted within farm use zones adopted pursuant to ORS 215.283 should be minimized to allow for maximum agricultural productivity.
  - 3. Non-farm dwellings within the Exclusive Farm Use zone may be permitted with a conditional use permit in accordance with the provisions of ORS 215.283
  - 4. Subdivisions and Planned Unit Developments will not be permitted in the Exclusive Farm Use zone.

**3.1.2** Where rural agricultural land is to be converted to urban land, the conversion shall be completed in an orderly and efficient manner.

### Implementation for Policy 3.1.2:

- a. Conversion of rural agricultural land to urban land and shall be in accordance with Goal 14, Policy 1, A-E and the statewide land use planning program, which typically requires an exception to Goal 3.
- b. Extension of services, such as water supplies, shall be appropriate for proposed urban use.
- c. Pre-existing farm dwellings occupied on a rental or lease basis shall not justify the partitioning of good agricultural land or smaller acreage tracts in farm use zones.

- d. Encourage the development of conservation plans utilizing Best Management Practices (BMP's) as developed by Wasco County Soil and Water Conservation Districts as defined by its standards and specifications.
- e. The opportunity for review and comment shall be provided for citizen groups in the development of plans for the location of utilities such as power line and highways which may adversely impact agricultural lands.
- f. Normal agricultural practices (aerial pesticide applications, burning of pruning, dust and noise by machinery) shall not be restricted by non-agricultural interests within agricultural areas.

**3.1.3** Land division criteria and minimum lot sizes used in areas designated as agricultural by the Plan shall be appropriate for the continuation of existing commercial agricultural enterprise in the area.

**Implementation for Policy 3.1.3:**

- a. In order to promote the continuation of existing commercial agricultural enterprise in Wasco County, the zoning regulations shall provide for two classification of Exclusive Farm Use. The A-1 (160) Exclusive Farm Use zone shall have a minimum property size of one hundred and sixty (160) acres. The A-1 (40) Exclusive Farm Use zone shall have a minimum property size of forty (40) acres. Lands designated by the Comprehensive Plan as agricultural and containing acreages greater than or equal to the minimum property size of the appropriate zone classification shall be presumed to be commercial agricultural entities.
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