



PLANNING DEPARTMENT

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Pioneering pathways to prosperity.

January 25, 2018

Jim Rue
Director, Land Conservation and Development Commission (LCDC)
635 Capitol Street NE, Suite 150
Salem, OR 97301

Re: January 25, 2018 Public Meeting – Remarks from Wasco County

Dear Mr. Rue,

We appreciate LCDC's visit to the region to hold their public meetings for January 25 and 26th and invitation to participate in the roundtable discussion. We view this as an opportunity to further our conversation with the Commission and Department of Land Conservation and Development (DLCD) staff about the unique opportunities and challenges facing Wasco County.

Wasco County prides itself on our pioneering spirit, our strong foundation of agricultural production, and the many world-class scenic and recreational opportunities available in our vast and diverse County. Many of these activities and development types are actively managed by our Planning Department and other regional partners.

As you know, we are officially entering Voluntary Periodic Review for our Comprehensive Plan. This effort has included extensive outreach to our residents and partners, which has helped us to identify some of the key challenges and opportunities facing Wasco County.

It's important that we first acknowledge how many of our residents and partners have expressed the positive impact Oregon Statewide Planning rules have had on their lives and businesses. During our Wasco County 2040 visioning work, staff heard regularly from people who felt many of the regulations helped to sustain a rural way of life, including maintaining agricultural lands for agricultural purposes.

Equally, we heard from residents that the current rules are too restrictive and limit potential to help families rise out of poverty, build homes, or create jobs. This is particularly true for those property owners and residents on less productive lands.

Over the next several years, we will be working hard to develop a Comprehensive Plan that addresses many of our challenges and opportunities and supports both continued regulation where appropriate, and hopefully more flexibility where needed.

We have also identified some additional issues we will be working to address in the future:

National Scenic Area (NSA) Urban Area Boundary & UGB

Wasco County contains two incorporated cities within the NSA. There are significant constraints in developing these cities beyond their current boundaries, which has a direct impact on the future of housing and industrial lands where the bulk of our population resides. Beyond topography, the NSA is a federal land use program that pre-empts Oregon's Statewide Planning Program in a way that further complicates expansion.

We need support and flexibility in Oregon rules to expand UGBs, understanding that we also must grapple with the expansion of the NSA Urban Area boundaries. In addition, the limited sites for expansion may impact some of our highest valued farm land; we also need your support for strategizing ways to reduce any adverse impacts.

National Scenic Area Plan Update Process

The Columbia River Gorge Commission and U.S. Forest Service Columbia River Gorge National Scenic Area Office are in the process of updating the regional comprehensive plan for the NSA. Wasco County urges LCDC and DLCD to emphasize the importance of economic development, housing and infrastructure in land use planning during the update process to support the needs of Gorge counties and cities.

National Scenic Area Costs & DLCD NSA Grant

Administering and enforcing the NSA Land Use and Development Ordinance is one of our department's core functions. Our implementation of the NSA program includes disseminating public information on applicable land use and development regulations, counter responses, pre-application conferences, problem solving on land use applications and procedures required to comply with the Columbia River Gorge National Scenic Area Act. It is worth noting that we have made many of the NSALUDO rules consistent, where appropriate, with the Oregon Statewide Planning Program.

As we work to protect the scenic, natural, cultural and recreation resources, the NSA's complex set of rules have resulted in a disproportionate amount of staff time devoted to helping residents and businesses navigate the rules for just a small part of our county. Critical to our ability to provide local implementation has been the DLCD NSA Technical Assistance Grant, which provides \$45,000 annually to Wasco County for NSA program implementation.

It is worth noting however, the grant supports but does not cover the cost of the NSA program needs, which vary from year to year from approximately \$60,000 to \$85,000. On occasion, a large project occurs in the NSA that accrues extensive implementation costs. We recently endured a long and complicated application and appeal process with the Union Pacific Railroad for expansion of a track through the NSA. The costs for this one application were over \$138,000.

Without this grant it would be difficult to maintain the level of service and consistency in land use planning that our citizens rely upon. We hope that LCDC and DLCD continue to identify the NSA as a key state and national resource and support Wasco County in implementing the federal rules. Additionally, your participation in the Gorge plan update process to streamline NSA requirements and procedures where possible may result in implementation cost reductions.

Rural Service Area Needs for Water and Septic

Many of our rural service areas are beginning to face the deterioration of existing septic and water systems. We have been working with agency partners to help find solutions that will allow for development in these key hubs for housing, employment and services across our county.

The costs for municipal systems are often prohibitive to many of these communities, yet they represent the most ideal locations for denser development for employment and housing particularly if we hope to continue to maintain our resource lands for future use.

We will continue to explore potential public private partnerships to address these needs, and hope for support from the State as we identify creative solutions.

Strategic Planning for Cascadia Event Response and Impact

Wasco County is completing its update to our Natural Hazards Mitigation Plan. Our steering committee members expressed concern for direction in how jurisdictions that have been identified as potential sites for evacuation will plan for both temporary and long term development and public safety and health impacts. Given our location and access to major transportation corridors, Wasco County has been unofficially designated a location for refugees after an event like Cascadia. We would like guidance and resources devoted to planning for a large scale hazard. Specifically, we need direction on how to identify housing sites, how to permit temporary housing, which land use rules become flexible in case of disaster, and how to manage long term the impacts.

Affordable Housing that Works for Rural Places

Accessory Dwelling Units (ADUs) were a popular theme for last year's legislative session, and while many were proposed bills not enrolled we are currently waiting to see what the final result of Senate Bill 1051 will be. The bootstrap portion that requires counties to permit at least one accessory dwelling unit for each detached single-family dwelling (regardless of zoning) has serious potential ramifications for our rural communities in a way that could present health and safety hazards, as well as significant costs financially and to the resources we protect.

Beyond site specific impacts and limitations of water, septic, and other sensitive resources, thoughtlessly increasing densities also creates greater impact on our infrastructure and public services and facilities. This increases maintenance costs for things like roads, and demand for services like emergency services and fire protection - which already struggling volunteer programs. It also increases our risk for hazards like wildfires and landslides.

In short, ADUs are not an appropriate housing solution for rural jurisdictions. Instead, we would like to see more opportunities for transfer development rights, temporary housing facilities, or lands designated for flexible parcel sizes that could meet long term housing needs.

\$250 Appeal Fee

Appeals often take significant staff time and resources to process; the maximum \$250 appeal does little to address those costs. Wasco County must actively maintain a fee schedule, which is calculated judiciously to reflect staff time while ensuring affordability. While we recognize the importance of

appeals, the limitation of fees unnecessarily burdens our taxpayers with added costs for individual disputes. We recommend a modification to ORS 215.416(11)(b) to allow for more flexibility in appeal fees.

Provide for More Flexibility

Many of our residents have expressed the desire for more flexibility in the current rules and regulations, particularly as it relates to Agricultural lands and minimum parcel size. Communities have been vocal in expressing the desire to pursue experimental or niche farming on lands with challenging soils and topography. Current restrictions prohibit this type of innovation, particularly for those start-up farmers who also need to live on site.

One way to address both economic development and affordable housing would be to put in place, particularly around incorporated or rural service areas, a buffer of flexible resource zoning that would allow for temporary housing and infrastructure to support startups. We would like to work with the Commission and DLCD staff in exploring opportunities to include some flexibility into the rules in a way that meaningful and strategically supports the vision of the Oregon Statewide Planning program.

Thank you for your continued support and investment in making Wasco County and Oregon productive, prosperous, and pioneering!

Sincerely,



Angie Brewer, AICP
Planning Director

CC: Wasco County Board of Commissioners (by email)
Wasco County Planning Commission (by email)
Scott Edelman, Central Oregon Regional Representative, DLCD (scott.edelman@state.or.us)