



Wasco County Planning Department

"Service, Sustainability & Solutions"

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September x, 2016

Land Conservation and Development Commission
c/o Oregon Department of Land Conservation and Development
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

Re: Request to Enter Voluntary Periodic Review

Dear Commissioners;

Per Oregon Administrative Rule 660-025-0035, Wasco County Planning Department is requesting to enter voluntary periodic review.

In 2015, the Wasco County Planning Department initiated a conversation with the County Planning Commission and Board of Commissioners regarding the status and relevance of the *Wasco County Comprehensive Plan* and *Wasco County Land Use and Development Ordinance*. The conversation began as a response to internal and external concerns regarding the following issues: existing plans are difficult for staff and commissioners to interpret and implement consistently; applicable rules are not easily understood by applicants and their value is not understood or embraced by the community; existing rules are a patchwork of new and old information that has not been updated consistently or comprehensively; and rules that are intentionally more restrictive than the State requires may no longer reflect the County's current goals and needs.

Through this conversation, County leadership has identified the following needs for a comprehensive review and update: revise the plans to more closely reflect the current needs and trends; reduce liability concerns and risks; capture *all* legislative updates; transition from a reactionary program to a proactive program; improve education and outreach about the value and benefit of good land use planning; improve procedures to streamline permitting and other current planning processes; and incorporate updates to farther reaching County initiatives for strategic planning purposes.

In support for this effort, County leadership approved an increased budget to rebuild the pre-recession planning staff and bring back a previously lost long-range planning position to specifically address the needs identified above. In the winter of 2015, a full-time dedicated long-range planner, a third associate planner, and an assistant planner were added to the team to provide the necessary staff support for long-range planning projects, an existing backlog of current planning needs, and succession planning. In addition, funds were allocated for anticipated outreach costs and training. Upon joining the team in December, long-range planner Kelly Howsley-Glover has been working with Planning Department staff and the Planning Commission to achieve the goal of revising Wasco County's comprehensive plan and ordinances.

Wasco County is aware of the criteria that must be met to qualify for Voluntary Periodic Review. The following summarizes several ways in which we feel the criteria are satisfied. While not an exhaustive

list, these examples demonstrate our concerns about the continued use of a plan that is more than 30 years old, is no longer accurate, effective, proactive or in any sense an intentional way to ensure compliance with state wide planning goals or achieve the vision of local planning goals. We believe strongly that all four categories of need are directly related to our request.

(a) There has been a substantial change in circumstances including but not limited to the conditions, findings, or assumptions upon which the comprehensive plan or land use regulations were based, so that the comprehensive plan or land use regulations do not comply with the statewide planning goals relating to economic development, needed housing, transportation, public facilities and services and urbanization;

Since the adoption of the Comprehensive Plan in 1983, Wasco County has experienced significant changes in conditions, including:

- Public and private forestry harvests peaked in the 1980's in Wasco Countyⁱ and have since declined. The decline has resulted in the closure of several timber mills, subsequent job losses, and a high level of disinvestment in several rural communities. Many of the current restrictions in Wasco County forest zones and the zoning of our rural communities are directly tied to the assumption of a robust forestry economy. More than twenty five years after peak timber harvestⁱⁱ, Wasco County needs to evaluate whether restrictions and zoning predicated on commercial scale logging will support economic growth and prosperity for the future.
- In 2007, federal timber receipts reduced from 2 million to \$100,000, effectively eliminating the primary funding stream for Wasco County Public Worksⁱⁱⁱ. Many of the zoning decisions, policies and strategies in the Comprehensive Plan were predicated on a stable, well-funded public roads system that can support agricultural, forestry and residential transportation. With 98.6% of our non-National Scenic Area lands in resource zones, and much of that land in a tax deferral program, Wasco County general fund is currently unable to subsidize transportation funding gaps. While the road fund continues to be an area of concern, added pressures from statewide initiatives like emergency response and resiliency planning needs, agriculture tourism, recreation tourism, scenic bikeway designations, special events on public lands and roads, and improved transportation technology further compound need to maintain and upgrade ageing infrastructure.
- When the Comprehensive Plan was adopted, Wasco County had several different agricultural zones that permitted 20 and 80 acre minimum parcel sizes. The Wasco County Comprehensive Plan Zoning Map and Land Use and Development Ordinance have subsequently been updated to reflect changes to state law in minimum parcel size. In addition, Wasco County adopted a Go Below Exclusive Farm Use (EFU) zone in 1998 to support intense orchard agricultural operations in lands south of The Dalles. Although significant changes to minimum parcel size have transformed current planning regulation, the Comprehensive Plan has not been updated to support a strategic vision for EFU lands. As a result of this incongruence, there is a lack of clarity for property owners seeking land divisions; more significantly, and to the detriment of the whole county, there is a lack of actionable policies and implementation tools that speak to our specific challenges and opportunities.
- Demands on water resources and the impact of climate change^{iv} have resulted in crisis^v or near crisis^{vi} for many parts of the county. This includes the reduction of forage for grazing, reductions

in irrigation^{vii}, development and use restrictions in incorporated communities due to shortages or low aquifer levels, an increased risk of wildfire, and concerns from emergency response providers who rely on large quantities of water for combating a variety of incident needs.

- Since 1983, many state regulations outside of the land use planning system have changed processes, notification requirements, and permits for external agencies that may be tied or related to our review process. The Wasco County Comprehensive Plan does not reference all of the appropriate inventories or regulatory agencies, which has resulted in inconsistent reviews or public notices and a lack of transparency to our community.

(b) Decisions based on acknowledged comprehensive plan and land use regulations are inconsistent with the goals relating to economic development, needed housing, transportation, public facilities and services and urbanization;

- An ageing population has increased demand for assisted living housing arrangements, increasing the density of dwellings on our agricultural land. With average age of farmers in Wasco County and residents in South Wasco County on the rise, we anticipate additional demand for alternative housing - which will impact public facilities, emergency services and infrastructure. Our current regulations encourage abuse of loopholes and force a lower standard of living.
- Technological improvements to things like transportation services has increased ability for more traditional industrial and commercial activities to take place directly onsite of agricultural operations. For instance, semi-trucks can now load orchard products directly onsite, eliminating the need for distribution facilities and increasing the impact to roads and adjacent uses.
- Forest zoning restrictions were based on a more robust timber harvest economy. As a result, regulations are rigid and have not encouraged active management of forest resources or allowed for potentially appropriate residential development, at a time of regional housing crisis. Without regular forest management, beetle infestations and drought conditions have increased fire risks, creating an exceptional hazard for rural communities and rural residents.
- Intermittent alterations to the Comprehensive Plan have created conflicting policies and implementation strategies that have resulted in confusion and legal problems when making policy statements and interpretations of the Land Use and Development Ordinance.

(c) There are issues of regional or statewide significance, intergovernmental coordination, or state agency plans or programs affecting land use which must be addressed in order to bring comprehensive plans and land use regulations into compliance with the goals relating to economic development, needed housing, transportation, public facilities and services and urbanization; or

Strategic planning for ageing farmer populations, gaps for entry level farming

According to the 2012 Census of Agriculture, the average age of farmers in Wasco County is 58. This average age has increased steadily over the last fifteen years and is slightly above the national average^{viii}. Ageing farmers not only reflects the broader trend of an ageing workforce, but also that significant barriers to entry exist for new farmers.

Anecdotally, we hear that new farmers are experiencing difficulty purchasing or leasing land at an affordable, entry level cost. Conversely, not all current farmers are able to or have succession plans. In many cases, these farms get absorbed by larger operations^{ix} or get sold for residential development. In 2012, the average size of Wasco County farms was 2,130 acres.

To ensure Wasco County is continuing to preserve agricultural land for farm use, and that agricultural remains a sustainable and significant part of our economy, it is critical that we evaluate alternative strategies to reducing barriers to entry for new farmers. While we continue to explore strategies outside of the land use planning framework, we also recognize that limitations on use and minimum parcel size may continue to function as significant hurdles.

Address housing issues including uneven supply and demand

Since the development of the 1983 Comprehensive Plan, adequate housing supply has been a concern for Wasco County. A recent housing needs assessment^x indicates a growing disparity between income and housing prices, ageing housing stock, and continued pressures on the region as a whole to create uneven demand for housing. Data confirms a concerning trend that as our population continues to grow^{xi}, largely as a result of in-migration, pressures on existing housing and the gap between price and incomes will only intensify.

Demographic shifts and demonstrated interest in alternative housing types, including accessory dwelling units, assisted living arrangements for an aging population, and short term rental pressures, necessitate Wasco County evaluate its current housing strategy to ensure it is accommodating projected growth (and projected decline in some incorporated areas) in a way that makes sense for the County.

Additionally, our temporary agricultural labor housing is also ageing. With additional requirements from OSHA, this also warrants reevaluation. We have heard from farmers there may be interest in building denser labor housing in urban areas, closer to community services and facilities. To the benefit of our farmers, farm laborers, and rural and urban residents, it is worth exploring ways to incentivize density in the urban areas rather than in resource lands.

Reduce potential future conflict between commercial agriculture and tourism/recreation

Economic indicators^{xii} demonstrate that the Columbia Gorge and Wasco County^{xiii} have continued growth in tourism and tourism related employment, including the hospitality industry. State supported initiatives, including the push for culinary and agritourism^{xiv}, add to the region's attraction and popularity as a recreation and scenic destination.

While recreation and tourism have helped to support some economic growth in our region, Wasco County is still a predominantly agricultural community. Approximately 75% of non-National Scenic Area lands in Wasco County are zoned EFU. By comparison, Wasco County ranks second in the state for the total acres of land in farm, with over 1.4 million acres and approximately 670 farms^{xv}.

Tourists add additional impact to our infrastructure and public facilities and present potential conflict with resources like air, water, land, and transportation. Much of our emergency services, including fire and medical, are operated by volunteers, and are already underfunded. Increased tourism demands a capacity for these services and adds increased risk we do not currently have resources to meet. It is

imperative that we be able to strategically plan for tourist activities that take advantage of existing facilities and services and mitigate potential conflict.

(d) The local government, commission or department determines that the existing comprehensive plan and land use regulations are not achieving the statewide planning goals relating to economic development, needed housing, transportation, public facilities and services and urbanization.

Direct feedback from the community have prompted Wasco County leadership to initiate the Comprehensive Plan Update, directing staff to begin work on it with the Planning Commission, and recruit a dedicated long-range planner to create a more relevant and proactive planning program. Input from County residents, partners, and employers has been resounding in that current regulations do not meet the needs or goals of Wasco County, and often serve as a hurdle to investment and economic development. For many of the reasons outlined above, we find our current Comprehensive Plan, based on old data and references, is insufficient and presents a barrier in realizing statewide planning goals.

Wasco County is pursuing the framework of Voluntary Periodic Review to provide us with strong parameters and a process by which we can focus on doing the innovative, creative, and important work to identify a path forward for our community. Leadership has specifically recommended pursuit of Voluntary Periodic Review because it was believed to be the most efficient way to tackle the large project of updating our Comprehensive Plan. Wasco County Board of Commissioners has supported the update not only through recommendation, but also allocated resources for a full-time staff member and necessary staff support to manage the project for the next three to five years.

It is our belief that through this update process we will develop tools, techniques and strategies that can be shared with and used by other counties in Oregon with similar needs. We believe these counties will benefit from having some “off the shelf” materials like proposed policies, broad analysis of regional issues, and presentation materials that we develop over the course of our update.

We realize that we are competing against cities that are required to complete periodic review, and that compared with urban issues, our need may not seem as great. However, we believe we also represent a unique opportunity for the State to be directly involved in helping to ensure Oregon counties are able to meet the pressures, challenges and opportunities of the future with all the careful strategic consideration that developed our great land use planning system in Oregon.

ⁱ Oregon Department of Forestry <https://data.oregon.gov/Natural-Resources/Timber-Harvest-Data-1942-2015/xgf5-eqeq>

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ⁱⁱⁱ Wasco County Good Roads (2014) <http://www.co.wasco.or.us/county/documents/FeasibilityReport-FundingWascoCountyRoads.pdf>

^{iv} Executive Order No. 15-09 (2015) http://www.oregon.gov/gov/Documents/executive_orders/eo_15-09.pdf

^v County to declare drought emergency (May 9, 2015) <http://www.thedalleschronicle.com/news/2015/may/09/county-declare-drought-emergency/>

^{vi} Mosier situation points to critical water issues (March 27, 2014)

<http://www.thedalleschronicle.com/news/2014/mar/27/mosier-situation-points-critical-water-issues/>

^{vii} Wasco County Irrigators Deal With Worst Water Year In Memory (June 24, 2015) <http://gorgeradio.com/wasco-county-irrigators-deal-worst-water-year-memory/>

^{viii} The Rapidly Aging US Farmer (February 24, 2014) <http://www.usnews.com/news/blogs/data-mine/2014/02/24/us-farmers-are-old-and-getting-much-older>

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- ^{ix} American farmers Are Growing Old, With Spiraling Costs Keeping Out Young (September 19, 2014)
<http://news.nationalgeographic.com/news/2014/09/140919-aging-american-farmers-agriculture-photos-ngfood/>
- ^x Housing Needs Assessment (2012)
http://www.mcedd.org/reports/documents/MCHA_Housing_Needs_Assessment2012.pdf
- ^{xi} Wasco County Final Forecast Report (June 2016)
http://www.pdx.edu/prc/sites/www.pdx.edu.prc/files/Wasco_County_Final_Forecast_Report_201606.pdf
- ^{xii} Columbia Gorge Economic Indicators (July 2016)
<https://www.qualityinfo.org/documents/10182/96541//Columbia+Gorge+Economic+Indicators?cn=August2016&cm=email&cs=publication&cc=Columbia%20Gorge%20Economic%20Indicators>
- ^{xiii} Columbia River Gorge Visitor Opportunities Study (2015)
<http://industry.traveloregon.com/content/uploads/2015/08/ORAT-VISITOR-DATA.pptx>
- ^{xiv} Travel Oregon Workshop (February 2016) http://industry.traveloregon.com/content/uploads/2015/08/Module_CulAg-Final-PDF.pdf
- ^{xv} US Census of Agriculture (2012)
https://www.agcensus.usda.gov/Publications/2012/Full_Report/Volume_1,_Chapter_2_County_Level/Oregon/st41_2_001_001.pdf