



Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

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Salem, OR 97301-2540

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## NOTICE OF ADOPTED AMENDMENT

12/08/2010

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Deschutes County Plan Amendment  
DLCD File Number 009-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Wednesday, December 22, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

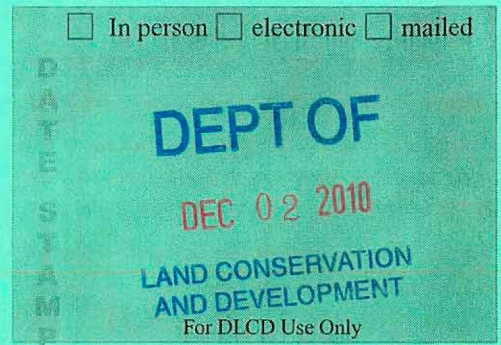
\*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Peter Gutowsky, Deschutes County  
Jon Jinings, DLCD Community Services Specialist  
Karen Swirsky, DLCD Regional Representative

<paa> YA

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: Deschutes County

Local file number: PA 10-4 / Ord. 2010-027

Date of Adoption: November 29, 2010

Electronic / Date Mailed: 11/30/10; 12/01/10

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Date: July 6, 2010

- Comprehensive Plan Text Amendment, Land Use Regulation Amendment, New Land Use Regulation, Comprehensive Plan Map Amendment, Zoning Map Amendment, Other

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Initiated by County staff, PA-10-4 (Ordinance 2010-027) amends the Deschutes County Comprehensive Plan, DCC Chapter 23.40.30, Tumalo Rural Community to establish a Community Plan for Tumalo.

The Community Plan's goals and policies maintain Tumalo's existing boundary, comprehensive plan designations and zoning districts.

Does the Adoption differ from proposal?

Not substantively. Grammatical errors and sentence structure were rectified.

Plan Map Changed from: to:

Zone Map Changed from: to:

Location: Acres Involved:

Specify Density: Previous: New:

Applicable statewide planning goals:

- Goals 1-19 with checkboxes, 1 and 2 are checked, 14 is marked with an X.

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

- 45-days prior to first evidentiary hearing? Yes No
If no, do the statewide planning goals apply? Yes No
If no, did Emergency Circumstances require immediate adoption? Yes No

DLCD file No. 009-10 (18393) [16438]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

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Local Contact: **Peter Gutowsky**

Phone: **(541) 385-1709** Extension:

Address: **117 NW Lafayette**

Fax Number: **541-385-1764**

City: **Bend**

Zip: **97701**

E-mail Address: **peterg@co.deschutes.or.us**

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## **ADOPTION SUBMITTAL REQUIREMENTS**

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and **TWO Complete Copies** (documents and maps) of the Adopted Amendment to:  

**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, or by emailing **[larry.french@state.or.us](mailto:larry.french@state.or.us)**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **twenty-one (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **<http://www.lcd.state.or.us/>**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **[larry.french@state.or.us](mailto:larry.french@state.or.us)** - **Attention: Plan Amendment Specialist**.

Updated March 17, 2009

REVIEWED  
  
LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Deschutes County Code  
23.40.030 Adopting a Tumalo Community Plan.

\*  
\*

ORDINANCE NO. 2010-027

WHEREAS, in 2008, the Board of County Commissioners ("Board") directed Deschutes County Planning staff to initiate a Comprehensive Plan amendment to Deschutes County Code ("DCC") 23.40.030, Tumalo Rural Community, to update the information, goals and policies in the County Comprehensive Plan for the Tumalo community; and

WHEREAS, after notice was given in accordance with applicable law, public hearings were held on August 26, 2010, and on October 14, 2010 before the Deschutes County Planning Commission and, on October 14, 2010, the Planning Commission recommended approval of the Community Plan; and

WHEREAS, the Board held a duly noticed public hearing on November 10, 2010; and

WHEREAS, the Board finds it in the public interest to adopt the Tumalo Community Plan; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS  
as follows:

Section 1. AMENDMENT. DCC 23.40.030, Tumalo Rural Community, is amended to read as described in Exhibit "A," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 2. ADOPTION. The Board hereby adopts the Tumalo Community Plan, attached as Exhibit "B" and incorporated by reference here.

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Section 3. FINDINGS. The Board adopts as its findings Exhibit "C," attached and incorporated by reference herein.

Dated this 29<sup>th</sup> of November, 2010

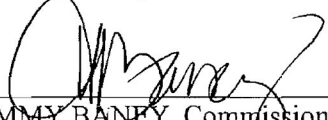
BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

  
DENNIS R. LUKE, Chair

  
ALAN UNGER, Vice Chair

ATTEST:

  
Recording Secretary

  
TAMMY BANEY, Commissioner

Date of 1<sup>st</sup> Reading: 10<sup>th</sup> day of November, 2010.

Date of 2<sup>nd</sup> Reading: 29<sup>th</sup> day of November, 2010.

Commissioner	Record of Adoption Vote:			
	Yes	No	Abstained	Excused
Dennis R. Luke	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Alan Unger	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Tammy Baney	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Effective date: 28<sup>th</sup> day of February, 2010  
2011

“\*\*\*\*” Denotes provisions in this section not amended by Ordinance 2010-017.

## Chapter 23.40. UNINCORPORATED COMMUNITIES

### 23.40.030. Rural Communities – Terrebonne

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#### Rural Communities – Tumalo.

The Tumalo Community Plan, adopted by the Board in Ordinance 2010-027, is incorporated by reference herein.

(Ord. 2010-027 §1, 2010)

#### **Tumalo Rural Community.**

##### A. General.

##### 1. ~~Background—Historical.~~

~~—Tumalo is located in the north central portion of Deschutes County, less than 3 miles northwest of the city limits of Bend. Situated at an altitude of approximately 3,200 feet, the community of Tumalo lies in the middle portion of the Upper Deschutes River Basin (river mile 157). The commercial core of Tumalo lies on the alluvial bowl bounded by the Laidlaw Butte on the west and the bluff of the Deschutes River canyon on the east. The Deschutes River bisects the community.~~

~~—Originally named Laidlaw, Tumalo was platted by the Laidlaw Townsite Company in 1904. The development of Tumalo began in 1899 with incorporation of the Three Sisters Irrigation Company. Under the Carey Act, they made plans to divert water from Tumalo Creek and the Deschutes River in order to irrigate 60,000 plus acres of desert land. Town founder, A.W. Laidlaw of Portland, and his investors believed that Tumalo would become the heart of Central Oregon. There was reason to be optimistic due to the fact the railroad was coming north up the Deschutes River Canyon, which would undoubtedly follow the river into their newly platted town, and the proposed railroad to be built up the North Santiam River and across the mountains would surely guarantee the town’s success. Neither of these projects came to fruition.~~

~~—Out of nearly 900 lots platted, a third were sold by 1907. In those early days, Tumalo had a weekly newspaper, a barbershop, a two-story hotel, two lawyer offices, a wallpaper company, a bakery, two feed stores and a bank, for example. As the town grew, it became its own voting precinct with 65 registered voters to Bend’s 66 voters in 1906. By 1909, Laidlaw, being called Tumalo on occasion, still had hopes of being the junction of the two railroads, the new “metropolis” of Central Oregon. However, at the time the Columbia Southern Railroad still ended in Shaniko, and the Corvallis and Eastern rails were still stalled at the foothills on the western side of the Cascades, where they had been for approximately 15 years. With the announcement that the railroad was coming to Bend not Laidlaw, Bend had moved ahead in population by 1910. As a result, the population in Laidlaw decreased to 250 people and many businesses moved to Bend. The small town was known as Laidlaw for only six years when the Laidlaw post office was closed in 1913. The post office eventually reopened in 1923 as the Tumalo post office and thus the name of the town was forever changed.~~

##### 2. ~~Background—Population and growth.~~

~~—The population for Tumalo has been extrapolated from four sources: the 1990 Census, the Deschutes County Unincorporated Land Use Inventory (October 1995), and the~~

~~Residential/Vacant Lands map generated by the Deschutes County GIS data. The fourth source is a refinement of the 1995 Land Use Inventory projection for Tumalo contained in the Deschutes County Non-Urban Population Capacity Projection (November 8, 1996).~~

~~In review of the 1990 US Census for Tumalo area totaled approximately 325 persons. Historical population data for Tumalo have not been collected. However, the Tumalo Elementary School has experienced an influx of younger couples with children replacing retirees who have moved out of the area. The Tumalo elementary school has approximately 301 students at the present time with a capacity of approximately 400 serving grades K through 5th. According to the Deschutes County Land Use Inventory (October 1995) Tumalo had 155 developed lots. Using 1990 Census data of 2.54 persons per household, the population figure would be 393. Again, this does not take into account percentages of retirement population and second homes in the Tumalo area. According to the GIS Parcel basemap (Assessors data) the developed lots in Tumalo equal 172. Using the 1990 Census figure of 2.54 persons per household, this population figure is approximately 436.~~

~~The rate of future population growth in Tumalo is difficult to estimate because growth is limited due to the substandard platted lots of the Laidlaw Platt as well as the difficulty in extrapolating data for the specific boundary of Tumalo. Deschutes County projects a countywide growth rate of 4.5 percent until the year 2000. Recent estimates for all unincorporated areas of Deschutes County (excluding unincorporated urban growth boundary lands of Sisters, Redmond and Bend) indicate a growth rate of 4.8% annual growth between 1990-1995.~~

~~3. Background - Periodic review.~~

~~In the fall of 1994, the Land Conservation and Development Commission adopted a new administrative rule, OAR 660.22, Unincorporated Communities. As part of 1996-97 periodic review, the County updated the Comprehensive Plan and implementing regulations for Tumalo to comply with the rule.~~

~~4. Rural Community.~~

~~Tumalo meets the definition of a Rural Community because it is primarily a residential community, which also has a school, church, and a handful of local businesses that serve the community, the surrounding rural area or persons traveling through the area. The comprehensive plan designates Tumalo as a Rural Community and provides for its growth and development accordingly.~~

~~5. Tumalo Rural Community boundary.~~

~~The 1979 Deschutes County Comprehensive Plan designated Tumalo a Rural Service Center, a Goal 3 and 4 exception area, consisting of 491 acres and 288 tax lots. The 1979 Tumalo Rural Service Center boundary included the Laidlaw Plat, the southeast flank of Laidlaw Butte north of Bailey Road, the area east of the Deschutes River on the north and south sides of Tumalo Road, six lots of the Winston Ranch subdivision on the east bluff of the Deschutes River canyon and seven parcels located north of Putnam Lane.~~

~~During the 1997 update, the Tumalo Rural Community boundary was amended in the following ways to include 504.11 acres and 321 tax lots (See Map A).~~

~~a. A parcel comprising ten acres was the subject of a zone change, plan amendment and minor partition in 1980, File #ZC-PA/80-1. This parcel is located approximately ¼ mile north of the existing boundary on the between Cline Falls Highway and the west bank of the Deschutes River. The plan designation for this area was changed from Rural Service Center to Rural Residential Exception Area.~~

~~b. An area consisting of 33 lots of the Deschutes River Homesites subdivision was changed from a plan designation of Rural Residential Exception Area to Rural Community Residential 5 acre. In addition, the strip of land that is located between Cline Falls Highway and the Deschutes River that links the previous Tumalo Rural~~

Community boundary to the lots adjacent to Beaver Lane was included within the boundary and designated Residential 5 acre.

- e. One tax lot north of Putnam Lane on the west side of Hopper Road which comprises the northern lot of the Rockwood Subdivision not included with the other seven lots that are located within the boundary. The plan designation for this area was changed from Rural Residential Exception Area to Residential 5 acre.
- d. The community boundary was refined to coincide with parcel lines along the east rim of the Deschutes River canyon and along the east channel of the Deschutes River. The plan designations for these adjustments were changed from "Residential 5 acre" to Rural Residential Exception Area and Agriculture. The south boundary of the community was refined to coincide with the southern extension of the TuR5 and TuR zoning designations in the area of designated Floodplain.

In 1999, the boundary of the community was revised to exclude tax lots 2301, 2300 and 2600 that were inadvertently excluded from the mining processing operations conducted by Bend Aggregate and Paving for many years. These parcels were mistakenly included in the community boundary in 1997. The community boundary now without these tax lots includes a total of 318 tax lots. Each of the community maps in the comprehensive plan was revised in 1999 to reflect this boundary change.

**B. Land use planning:**

**1. Existing land uses:**

The predominant land use in Tumalo is single family residences. Commercial land uses include a market, restaurants, real estate offices, a small commercial/retail complex, and various other small scale retail businesses located in the core of the community along Cook Avenue. There is a fire station, an irrigation district office, a church and an elementary school.

Land bordering Tumalo is zoned Exclusive Farm Use (EFUTRB) Tumalo/Redmond/Bend Subzone, Multiple Use Agriculture (MUA10 - 10 acre minimum lot size), Floodplain (FP) and Surface Mine (SM). The Deschutes County Comprehensive Plan designates EFU land for Agriculture uses and MUA10 and RR10 land for Rural Residential uses. The EFU land surrounding Tumalo is employed in large lot, irrigated agricultural uses, whereas the MUA10 land is parcelized and developed with rural residences and small scale agricultural uses.

A land use inventory using the County Assessor's data (GIS parcel basemap) is shown in Table B.

**Table B: Land Use Inventory - Tumalo Rural Community**

Assessors Property Class	Total Tax Lots	Developed Tax Lots	Vacant Tax Lots
Miscellaneous	15	2	13
Commercial	63	26	37
Industrial	1	1	0
Tract	181	138	43
Exempt	28	5	23
<b>Total Tax Lots</b>	<b>288</b>	<b>172</b>	<b>116</b>

Zoning District	Total Tax	Developed Tax Lots	Vacant Tax Lots
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	Lots		
<b>RD</b>	2	1	1
<b>RSC</b>	48	32	16
<b>RSRM</b>	190	113	77
<b>RSR5</b>	48	26	22
<b>Total Tax Lots</b>	288	172	116

Source: Deschutes County Assessors Database, March 19, 1997 & Deschutes County PW GIS Parcel Basemap, March 19, 1996

2. Comprehensive Plan designations.

— The Deschutes County Comprehensive Plan for the Tumalo Rural Community has the following six comprehensive plan designations (See Map B).

a. Residential District. At the time of adoption, the boundary of the Residential district coincided with the boundary of the old Laidlaw Plat including the Deschutes River Homesites plats between Riverview Avenue and the Deschutes River. It also includes the area surrounding the Bend Aggregate site south of Highway 20. It is intended to accommodate higher density residential uses

b. Residential 5-Acre District. The lands designated Residential 5 acre minimum included the larger parcels of land to the east across the Deschutes River and to the west on the slope of Laidlaw Butte. This plan designation is intended to remain in large parcels to maintain the rural character of the community.

c. Commercial District. In general, the Commercial plan designation extends north from the intersection of Cook Avenue and Highway 20 to 3rd Street between Wood and Wharton Avenues. The Commercial lands also comprises a portion of land west of Highway 20 between 5th and 8th Streets. The commercial plan designation was intended to accommodate a mixture of small-scale commercial and limited industrial uses that serve the rural community of Tumalo. The core commercial area was intended to focus on the area adjacent to Cook Avenue north of Highway 20.

— The Commercial Land designation was expanded to accommodate a section of land between Cook Avenue and Wharton Avenue that extends south to Highway 20. This area includes the “Tumalo Mall”, an existing commercial/retail complex. The use of this building has been authorized as a noneconforming use (1986), and subsequent site plan alteration in 1987/88. The purpose of the commercial lands expanding to include this parcel is to bring the uses specified in the previous land use decisions into compliance with the uses allowed in the commercial zone. This complex contains one existing business which occupies 2/3 of the building.

d. Research Development District (RD). This plan designation contains two parcels in one ownership located on the southeast slope of Laidlaw Butte to the west of Tumalo. This plan designation was originally created to accommodate a research and development site and its associated uses that predated the county 1979 zoning ordinance that would be compatible with the rural character of the area.

e. Floodplain District (FP). This plan designation contains the previous Floodplain designation that follows the channel of the Deschutes River that bisects the Tumalo Rural Community. The Floodplain Zone is identified by the Federal Insurance Administration as areas of special flood hazard in the report entitled “The Flood Insurance Study for Deschutes County, Oregon and Incorporated Areas,” dated August 16, 1988.

- f. ~~Industrial District (TuI). The TuI plan designation was established to recognize noneconforming industrial uses related to surface mining activities located outside of the Surface Mining zone in the Tumalo Rural Community.~~
3. ~~Land use policies:~~
- a. ~~General land use policies:~~
    - 1) ~~Land use regulations shall conform to the requirements of OAR 660 Division 22 or any successor.~~
    - 2) ~~County plans and land use regulations shall ensure that new uses authorized within the Tumalo Rural Community do not adversely affect agricultural uses in the surrounding exclusive farm use zones. Zoning regulations shall require any new structure on land contiguous to EFU-zoned land which is receiving special assessment for farm use to be set back 100 feet from the common property line.~~
    - 3) ~~To protect scenic views visible from the community, adequate setbacks shall be required for homes built along the rim forming the Deschutes River Canyon and Laidlaw Butte.~~
    - 4) ~~Uses such as parks and open space shall be encouraged, and where feasible, the County should acquire those lands as open space.~~
    - 5) ~~Public access to the river shall be preserved.~~
    - 6) ~~Publicly owned lands along the river should remain as open space.~~
    - 7) ~~The County shall encourage the preservation of historical structures such as the Laidlaw Bank and Trust (1910), and the Tumalo Community Church (1907).~~
  - b. ~~Residential District policies:~~
    - 1) ~~Areas designated residential on the comprehensive plan map shall be designated a corresponding residential district on the zoning map.~~
    - 2) ~~Lands designated Residential shall be in proximity to the commercial area, while the lands designated Residential 5 acre will be on the perimeter of the community. The higher density lands designated Residential shall remain in the bowl formed by the Deschutes River canyon.~~
    - 3) ~~Livestock shall be permitted in the residential districts subject to use limitations.~~
    - 4) ~~The County shall plan and zone for a diversity of housing types and densities suited to the capacity of the land to accommodate water and sewage requirements.~~
  - c. ~~Commercial District policies:~~
    - 1) ~~Allow small scale commercial uses in conformance with the requirements of OAR Chapter 660, Division 22, and larger more intense commercial uses if they are intended to serve the community, the surrounding rural area and the travel needs of people passing through the area.~~
    - 2) ~~Allow small scale industrial uses in conformance with the requirements of OAR Chapter 660, Division 22.~~
    - 3) ~~Where there is a choice to use a road other than Highway 20 for access, access shall not be taken from Highway 20.~~
    - 4) ~~Design standards in the commercial district should encourage new development that is compatible with the rural character of the community and to reduce negative impacts on adjacent residential districts.~~
    - 5) ~~Livestock shall not be permitted in the commercial districts.~~
    - 6) ~~No additional lands shall be designated Commercial until the next periodic review.~~
    - 7) ~~Residential uses or residences in conjunction with uses listed in the commercial districts shall be allowed, but they are not intended to predominate or set development standards for other uses in the commercial district.~~
    - 8) ~~Approval standards for conditional uses in the commercial district shall take into account the impact of the proposed use on the nearby residential and commercial~~

~~uses and on the capacity of the transportation and other public facilities and services to serve the proposed use.~~

~~9) Replatting for residential purposes shall not be allowed in the commercial district.~~

~~d. Industrial District policies:~~

~~1) Only the following new or expanded industrial uses shall be allowed in unincorporated communities:~~

~~\_\_\_\_\_ (a) Uses authorized under Goals 3 and 4; [Farm and forest uses]~~

~~\_\_\_\_\_ (b) Expansion of a use existing on the date of this rule;~~

~~\_\_\_\_\_ (c) Small-scale, low-impact uses;~~

~~\_\_\_\_\_ (d) Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a);~~

~~\_\_\_\_\_ (e) New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule, or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;~~

~~\_\_\_\_\_ (f) New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the comprehensive plan demonstrates, and land-use regulations ensure:~~

~~(1) That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;~~

~~(2) That such uses would not rely upon a work force employed by uses within urban growth boundaries; and~~

~~(3) That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.~~

~~C. Public facility planning:~~

~~1. Special Districts: Tumalo Rural Community is served by the following special districts: (1) Laidlaw Water District; (2) Deschutes County Rural Fire Protection District #2; (3) Redmond School District #2J; (4) Tumalo Irrigation District; and (5) Tumalo Town Ditch.~~

~~a. Water:~~

~~\_\_\_\_\_ The area previously identified as the Tumalo Rural Service Center (RSC) has two water sources:~~

~~\_\_\_\_\_ The Laidlaw Water District serving the area identified as the old Laidlaw Plat, and the area described as T16S R12E section 29 (W1/2 SW1/4), section 30 (E1/2 SW 1/4), (SW 1/4 SE 1/4), section 31 (NE1/4, N1/2 SE1/4).~~

~~\_\_\_\_\_ The Tumalo Town Ditch is the original source of water which has water rights dating back to 1924 and 1938. The system consists of 3 miles of ditch that begins near the bridge at Tumalo State Park, and runs along the river as a ditch crossing Bailey Road at the Tumalo Feed Company Restaurant, continues under Highway 20 to the commercial district of the Tumalo community. The Tumalo Town ditch is used for irrigation purposes only, serving approximately 35 customers.~~

~~\_\_\_\_\_ During the 1997 plan update, the Oregon Department of Water Resources commented that there is an abundant supply of potable water in multiple water-bearing zones based upon a report prepared by a geologist for the Oregon Department of Geology and Mineral Industries, "Geology and Mineral Resources Map of the Tumalo Dam Quadrangle". Limitations are imposed by the lack of capacity of domestic pumps and not the capacity of the aquifer. The department has not identified Tumalo Rural Community as a groundwater limited or groundwater critical area. The Laidlaw Domestic Water District currently depends on two groundwater wells. The District's groundwater source does not exceed current EPA maximum contaminant limits. No~~

treatment is performed; none has been required by the state Health Division. A proposed EPA groundwater disinfection rule would require continuous disinfection of the water supply. The area in the Tumalo Rural Community that is outside the District's boundary relies on individual wells for drinking water. The Water Resources Department routinely approves new groundwater wells in this area of the Tumalo Rural Community.

b. Sewer.

Tumalo does not have a community sewer system or a sewer facility plan. Land uses in the Tumalo Rural Community rely on on-site sewage disposal systems of all ages and descriptions, ranging from newer sand-filter systems to old drainfields. In some cases on-site systems are insufficient for current needs. According to the Environmental Health Division, past experience has indicated most of the soils in the area would fall under the category of rapidly draining soils. Based upon the most restrictive parameter onsite administrative rules would require a minimum lot size of one-half acre per single-family dwelling. This standard is based upon a projected sewage rate not to exceed 450 gallons per day. This is termed the loading rate pursuant to OAR 340-71-290(3)(c) and 340-71-275(3). Because of the alluvial soil profile (rapidly draining soils) a standard septic system is not feasible on smaller lots. It is often necessary to install a relatively expensive sand-filter system in order to obtain development permits for new development or for alterations to existing development. There are a few tax lots that cannot be developed or redeveloped; because they are too small to accommodate any approved on-site sewage disposal system.

The County plan and zoning regulations restrict the type and intensity of allowed uses to those which can be served by a DEQ approved on-site sewage disposal systems. The County does not allow uses or densities that cannot obtain approval for a DEQ approved on-site system. In addition, County zoning regulations set minimum lot sizes to ensure the on-site systems do not exceed the capacity of the land. Accordingly, the Environmental Health Division has stated that the minimum loading rates are addressed in the DEQ on-site rules and the minimum lot size requirements in the zoning ordinance. Due to these provisions, a public facility plan is not necessary.

e. Other.

During the 1997 update, the community expressed strong support for retaining the existing fire station in the rural community of Tumalo. The Planning Commission recommended a policy encouraging the continued presence of a fire station in Tumalo. However, the Board of County Commissioners understands that such a specific policy would be beyond its jurisdiction and control. The Board has addressed the community's concerns about fire protection in Tumalo by adopting a more general policy statement. Inclusion of this policy statement in the county's comprehensive plan should not be misconstrued as an endorsement for or against a fire station in the community but a mere finding that at this point in time, a large number of Tumalo residents believe that a fire station presence is necessary.

2. General public facility planning policies:

a. Residential minimum lot sizes shall be determined by the capacity of the land to accommodate available water and sewer facilities, in order to protect and promote public health and safety and to provide the efficient public facilities and services.

b. The County shall encourage quality fire protection in the rural community of Tumalo.

c. The County shall encourage early planning and acquisition of sites needed for public facilities (e.g. school, roads, water supply facility).

d. The County shall encourage all development within the Laidlaw Water District to connect to the system.

- e. ~~The County shall support replatting of lots in the area comprising the Laidlaw Plat and outside the lands designated commercial to create lots large enough to accommodate a DEQ approved on-site sewage disposal system.~~
- f. ~~The County shall support the protection of the Tumalo Town Ditch easement and its distribution system.~~
- g. ~~The County shall support the development and management of the domestic water system for the Tumalo community so that cumulative development will not result in public health hazards of adverse environmental impacts that violate state or federal water quality regulations.~~

~~D. Transportation planning.~~

~~1. Background Transportation in Tumalo.~~

~~—The Transportation plan addresses the transportation concerns of the Tumalo community. The plan meets the requirements of the state Transportation Planning Rule – OAR Chapter 660, Division 12, by designating a network of local roads, sidewalks and bikeways with associated road development standards.~~

~~a. Community transportation goals.~~

~~—The livability of the Tumalo community depends on the ability of the transportation network to provide safe and convenient access in the residential and commercial areas and to the Tumalo elementary school. The community reached consensus on the following transportation goals:~~

- ~~1) Improve the access from Cook Avenue to and across Highway 20~~
- ~~2) Reduce truck traffic through the community~~
- ~~3) Provide safe pedestrian walkways in the commercial core and to the school~~
- ~~4) Provide road standards that are practical and cost effective to construct and maintain~~
- ~~5) Provide shoulders on county roads~~

~~b. Community profile.~~

~~—Tumalo is a rural community near Bend with a mix of residential, commercial, and nearby employment, including gravel quarries and a high-tech research company. It functions as a bedroom community for Bend. Historical population data have not been compiled. The 1990 US Census for the Tumalo area totals approximately 325 persons. County Assessor's data show 172 dwellings within the Tumalo community boundary. According to the Deschutes County Land Use Inventory (October 1995) Tumalo had 155 lots. Using the 1990 Census data of 2.54 persons per household, the population figure ranges from approximately 393 to 436. According to the Redmond School District, the Tumalo Elementary School has experienced an influx of younger children in recent years. Although figures indicating the demographic mix for the Tumalo area are not available, the population appears to be a mix of families and retirees, with an average or above number of children (non drivers).~~

~~c. Collision data.~~

~~—There were 38 reported collisions on Highway 20 near Tumalo during the 10-year period from 1986 to 1995. There were 42 injuries and 1 fatality. Of the 38 crashes, 17 occurred at intersections, with seven at Cook Avenue and eight at 7th Street. The majority of crashes (27) were during daylight. Eight incidents involved a wet surface and 10 involved trucks; no pedestrians or bicyclists were involved. These numbers place this segment of Highway 20 below the state average for accident rate.~~

~~d. Constraints on the transportation system.~~

- ~~1) Topographic Features: Tumalo is located on the valley floor of the Deschutes River canyon, bounded by rimrock on the west and east. Laidlaw Butte forms the other significant topographic feature to the west of Tumalo. The rimrock and river limit the opportunities for a network of continuous streets.~~

2) Transportation Features: Highway 20 runs north-northwest through Tumalo and limits east-west street connections. There are 3 accesses to the highway: 5th Street, 7th Street/Bailey Road, and Cook Avenue/O.B. Riley Road.

— Pavement runoff is handled by direct absorption into the soil since there is no community storm drain or sewer system. This affects street design especially the use of curbs, paved surfaces, and landscaping. Special attention must be given to drainage needs and runoff into the Deschutes River.

2. Inventory of existing transportation facilities.

— This section contains an inventory of the existing public roads and pedestrian and bicycle facilities in Tumalo. These data were gathered primarily from the County Department of Public Works database supplemented by site visits and aerial photographs.

a. Roads:

— The essential component of the region's transportation system is U.S. Highway 20 which runs diagonally through the community. Highway 20 has three lanes, a travel lane in each direction and a continuous two-way center left-turn lane. The traffic count at the intersection of Highway 20 and Cook Avenue in 1996 was 7600 average daily traffic (ADT). The posted speed on Highway 20 through Tumalo is 55 mph. Intrastate truck traffic and local truck traffic serving nearby mining operations comprise a significant percentage of the traffic mix.

— O.B. Riley Road, which is outside the community boundary, is a rural arterial which intersects Highway 20 from the south directly across from Cook Avenue. This road bisects the gravel-mining operation that abuts Highway 20.

— County collector roads include Bailey, Cline Falls, Cook, and Tumalo which all intersect Highway 20 in the central portion of Tumalo. Cline Falls feeds into Tumalo from the north, Tumalo Road from the east, and Bailey Road feeds into the community from the south. There are approximately 4.7 miles of roads in Tumalo.

— Table D1 (Inventory of Existing Roads), is organized by functional classification, road name and alphabetical order. The available (ADT) counts provided by the county and state are listed.

— The public roads in Tumalo (see Map D1) range in pavement width from 20 feet to 24 feet. Some streets (e.g., Riverview Ave.) are in poor condition (i.e. cracking and pot holes). Most unpaved roads need grading and a fresh layer of gravel.

b. Pedestrian facilities:

— There are no sidewalks or trails in Tumalo. The bridge on Tumalo Road has a walkway on its north side. There are two designated crosswalks, one on Cline Falls Road on the north side of the Tumalo Road intersection and the other on Cook Avenue on the north side of the 4th Street intersection. Cline Falls Road is signed for 20 mph if children are present because of the nearby elementary school (the normal speed limit is 35 mph). All other pedestrian travel is on roadways with narrow or no shoulders.

— Except for the school grounds, Tumalo lacks public space such as a park, square or commons to which pedestrians could be attracted. There is undeveloped public access to the river from Tumalo Road. The primary trip attractors are the school, a church and the small commercial area (gas station, market, and restaurant). There is also a restaurant on the west side of Highway 20.

e. Bicycle facilities:

— Highway 20 has a four foot paved shoulder bikeway. All other bicycle travel is on shared roadways. Cline Falls Road and Cook Avenue are popular recreational routes. There are bicycle racks at the school.

3. Future transportation needs:

— A rural community such as Tumalo, located on a major highway, requires a transportation network that can accommodate local, commuter, regional, and interstate traffic without

detracting from the community's livability and rural character. Accomplishing this goal requires integrated street, bicycle and pedestrian networks, appropriate street standards, and safe access to the Highway 20 corridor.

The Tumalo transportation plan is based on conventional road functional classifications; or: arterial, collector and local roads. It establishes the roles and development standards appropriate to each type of road. The design of arterial and collector roads gives priority to through traffic over access to adjacent land uses. On local roads the emphasis is on access to adjacent land uses.

a. Transportation network plan.

The transportation network plan for Tumalo identifies where the roads need to be improved and where pedestrian and bicycle facilities are warranted. The network plan has three components: roads, sidewalks and bikeways.

1) Roads. Central Tumalo is a relatively compact area without need for additional public streets; infill will access existing streets. For the roads depicted on Map D2, planned improvements take advantage of existing public right-of-way, where it exists. Lands in the low density areas are served by existing public right-of-way which are unpaved, non-maintained public roads (Beaver Lane, Putnam Lane and Hopper Road) and private drives (Research Road, Winston Loop Road). Map D2 also depicts the roads that need improvement to serve the local road network and through traffic corridors.

2) Sidewalks.

Map D2 shows where sidewalks are needed for safety and identifies a potential opportunity for a trail extending south along the west side of Deschutes River. In Tumalo, a sidewalk network is needed along Cook Avenue, 4th, 5th, 7th and 8th streets to access the school and provide safe places for people to walk in the commercial area as it develops.

Sidewalks are usually separated from the road by a curb and gutter, which function as part of the storm drain system. Tumalo does not have a storm drain system. As an alternative, sidewalks in Tumalo shall be constructed without curbs and gutters and set back from the road surface behind a drainage swale. This type of sidewalk design is adequate, less costly and is consistent with the rural character of Tumalo.

A drainage swale is a broad, manmade depression running parallel to the right of way between the roadway and the sidewalk, where water can drain into the ground. The swale also provides room for signs, mailboxes, and snow storage, leaving the sidewalk free of obstructions. Street trees should not be planted in drainage swales where they will conflict with existing or planned utility lines, whereby the tree roots may damage pipes and conduits complicating repair work.

3) Bikeways.

Two types of bikeways are appropriate in rural areas. A shared roadway for local roads with low traffic volumes and speeds, and a paved shoulder bikeway for collectors and arterials with higher volumes and speeds or significant truck traffic. In Tumalo, paved shoulder bikeways are needed on Cline Falls Highway/Cook Avenue, Tumalo Road and Bailey Road which are County collector roads, including a bicycle connection from O.B. Riley south to Tumalo State Park (see Map D2).

4) Highway 20.

The intersection of the Highway 20 and Cook Avenue has been identified by the community as a traffic safety hazard. The Oregon Department of Transportation (ODOT) will have the lead authority to develop a solution to the realignment of this intersection. Preliminary designs have been presented to the Tumalo

community. The County will work with ODOT to provide a solution to this intersection and to the connecting network of County roads which includes the realignment of O.B. Riley Road through the existing mining operation on the south side of Highway 20.

Projects to complete the transportation network plan are listed in Table D2. The tables list the type of improvement and the associated cost. The priorities are based upon perceived need while being flexible to grant funding or development opportunities.

b. Road development standards.

In recent years, urban street development standards were required in unincorporated communities within the county. The urban standards required 36 feet of pavement, with curb-tight sidewalks, curbs and gutters. It became evident that this standard was not practical or necessary in Tumalo. None of the existing roads in Tumalo meet this standard. The cost to build to this standard prohibited local residents from forming Local Improvement Districts (LIDs). In addition, people resisted the urban street profile because it did not fit with the community's preference for a rural appearance. The road standards are intended to decrease the cost of road improvements and to remove barriers to the formation of LIDs, for improving local roads.

There are sound traffic engineering principles that support reduced street standards. The State Transportation Planning Rule (OAR 660.12.045(7)) directs local governments to establish standards for local streets that minimize pavement width and total right-of-way consistent with the operational needs of the facility.

Excessive standards increase the costs of construction, use up valuable land, encourage inappropriate traffic volumes and speeds and create a problem channeling storm water runoff. In Tumalo, full urban road standards are not needed because the traffic volumes and speeds on roads in the community are low compared to city streets. Many roads serve only a few residences. However, existing County rural road standards are not adequate to serve the densities and variety of uses found in Tumalo. Local businesses and the elementary school generate more local trips than normally found in the rural county.

The Tumalo Rural Community road development standards were developed in coordination with the community planning process, the Oregon Department of Transportation (ODOT) Region 4, the state Bicycle and Pedestrian Program and with the County Planning Division and Public Works Department. These road standards are consistent with ODOT and the American Association of State Highway Traffic Officials (AASHTO) standards for rural communities. They apply to public rights-of-way other than the state highway which is under state jurisdiction.

4. Transportation policies.

a. Road Network Policies

- 1) The County shall adopt a Transportation System Plan for Deschutes County that incorporates adopted policies and standards for the Tumalo Rural Community.
- 2) The County shall explore the potential for alternate truck routes to reduce the impacts of traffic through the Tumalo Rural Community.

b. Road and sidewalk development policies.

- 1) The County shall implement road development standards for the Tumalo Community that minimize pavement width and are consistent with the rural character of the community.
- 2) Specific street segments in the Tumalo Rural Community have been identified as priorities for improvement projects listed in Table D2. These priorities shall be flexible in order to take advantage of land development and grant funding opportunities.



- ~~3) Provide functional, cost effective sidewalks that are consistent with the rural character of the community.~~
- ~~4) Provide sidewalks where they are needed for safety, as set forth in Map D2.~~
- ~~5) Where sidewalks are specified on community roads, they shall be constructed without curbs and gutters, set back from the road surface behind a drainage swale at a distance from property lines to allow room for utilities.~~

~~e. Highway 20 policies:~~

- ~~1) The County shall support the Oregon Department of Transportation efforts to implement both short and long term improvements to solve the Cook Avenue/Highway 20 intersection safety and access problems.~~
- ~~2) The County shall consider the realignment of O.B. Rilcy Road through the Bend Aggregate site and coordinate with the Oregon Department of Transportation at its intersection with Highway 20.~~

~~(Ord. 2005-017, § 1, Ord. 2000-017 § 1, 2000; Ord. 97-031, 1997)~~

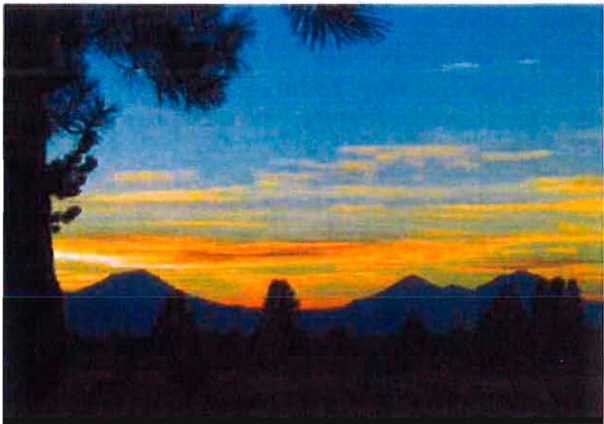
**Table D1: Existing Roads by Functional Classification (source: Deschutes County Public Works, Traffic County Summary 1980 – 1996, June 1996)**

Road Names	From (speed)	To	Length	Classification	Width (feet)	ADT
US Hwy 20	North URC 55 mph	south URC	1.04	Highway	48	7600
Bailey Rd.	west URC 35 mph	Hwy 20	.352	Collector	22	1239
Cook Ave.	Cline Falls Hwy	Hwy 20	.373	Collector	24	4774
Cline Falls Hwy	north URC 35 mph	Cook Ave.	.160	Collector	24	3478
Tumalo Road	Cline Falls Hwy	URC	1.13	Collector	24	2250
2nd St.	Wood Ave. 25 mph	Cline Falls Hwy	.151	Local	20	---
4th St.	Wood Ave. 25 mph	Cline Falls Hwy	.100	Local	---	---
4th St.	Cline Falls Hwy 25 mph	Wharton Rd.	.066	Local	24	---
5th St.	Hwy 20 — 25 mph	Wood Ave.	.023	Local	20	---
5th St.	Wood Ave. 25 mph	Wharton Rd.	.180	Local	24	---
7th St	Hwy 20 25 mph	Wharton Rd.	.140	Local	21	---
7th St.	Wharton Rd. 25 mph	Riverview Ave.	.023	Local	---	---
8th St.	Cook Ave. 25 mph	Riverview Ave.	.088	Local	24	---
Bruce Ave.	4th St. 25 mph	7th St.	.210	Local	22	---
Cook Ave	north end 35 mph	2nd St.	.070	Local	---	---
Cook Ave.	2nd St. 35 mph	Cline Falls Hwy	.095	Local	20	---
Riverview Ave.	north end — 25 mph	8th St.	.110	Local	---	---
Riverview Ave	8th St — 25 mph	south end	.150	Local	18	---



Tumalo

Community



Plan

2010-2030





Tumalo  
Community Plan  
2010-2030

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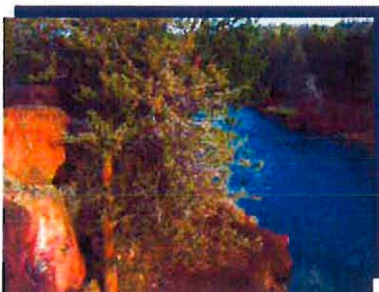
# Introduction

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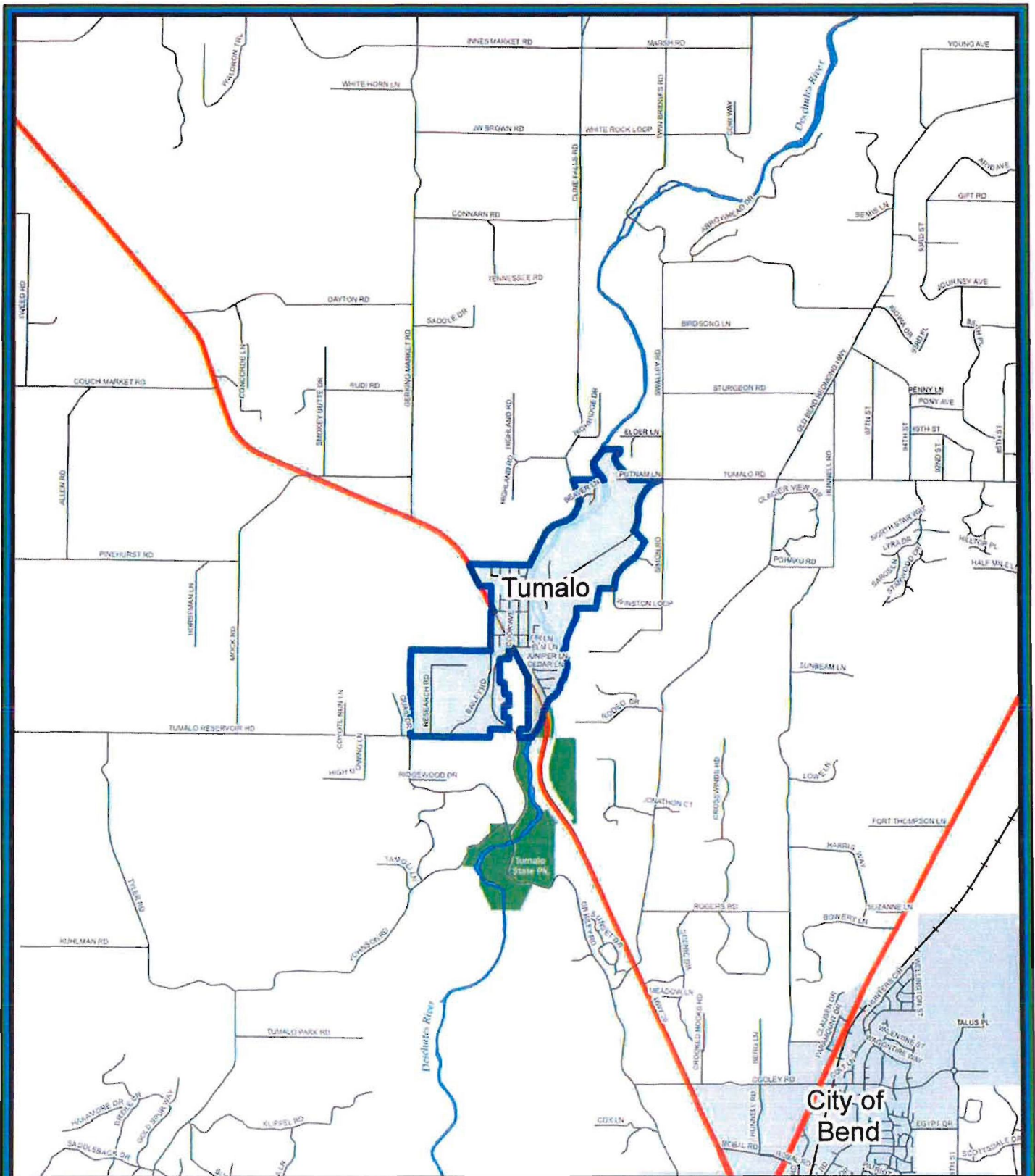
The Tumalo Community Plan (Community Plan) is an integral part of the Deschutes County Comprehensive Plan and, upon adoption by the Board of County Commissioners, constitutes an official chapter. It can only be changed if the Community Plan goes through an official legislative plan amendment process. The Community Plan's goals and policies provide a guide to decision making for land use planning, capital improvements, and physical development during the next 20 years (2010 – 2030). It is anticipated that Deschutes County, Oregon Department of Transportation (ODOT), special districts, residents, and community leaders will consult the Community Plan when preparing land use or transportation projects in Tumalo.

Tumalo is a small rural community located approximately three miles northwest of Bend in the center of Deschutes County. Oregon Administrative Rules recognize areas in Deschutes County like Tumalo as a "Rural Unincorporated Community." Deschutes County plans and regulates land uses in Tumalo under this legal definition because it is recognized as a longstanding rural service center. The Deschutes River and U.S. 20 bisect Tumalo. Residential neighborhoods, a small commercial node, as well as Tumalo Community School all lie north of the highway and west of the river. Additional commercial and industrial properties are located on the south side of the highway. Although this Community Plan only addresses lands within the Tumalo boundary, access to U.S. 20, local businesses, district offices, Tumalo Community School, and Tumalo State Park create a hub that attracts nearby residents and visitors.

Tumalo Community School, which is within the Redmond School District, draws 407 students spanning kindergarten through 8<sup>th</sup> grade. The school's geographic area in addition to Tumalo extends to the outlying areas of Bend.



Just one mile away, Tumalo State Park encompasses 115 acres. The park offers camping, picnicking, fishing, hiking, and wildlife viewing and hosts approximately 200,000 visitors per year. Its location provides an excellent place to camp while enjoying Central Oregon's surrounding amenities and year-round recreation.



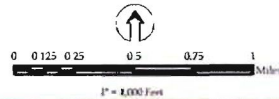
# Tumalo Vicinity Map

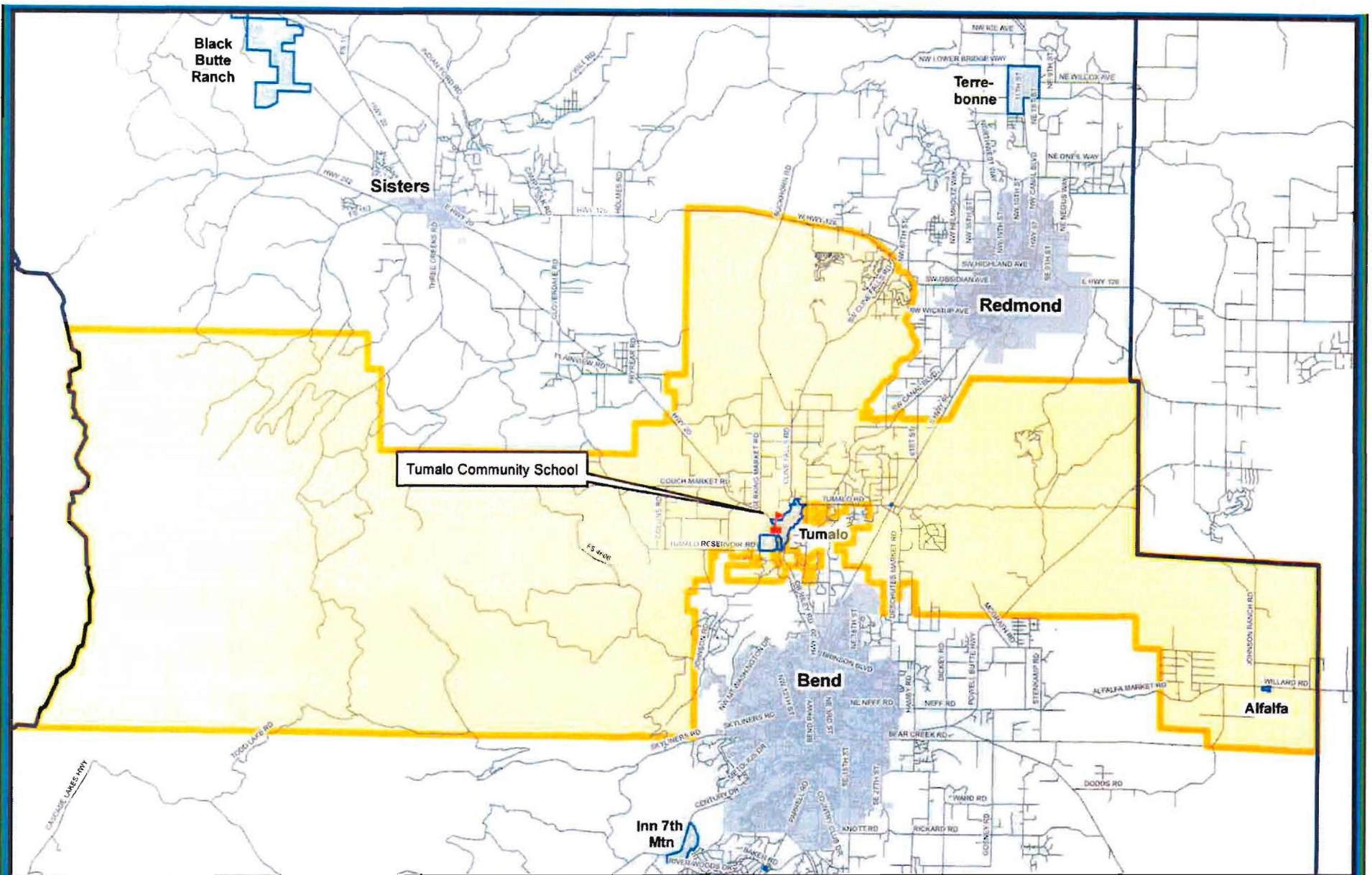
For More Information Contact:  
 Deschutes County Community Development Department  
 117 NW Lafayette Bend, OR 97701  
 541-388-6575 www.co.deschutes.or.us/cdd







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- +— Railroad
- State Highway
- Tumalo Unincorporated Community
- Tumalo State Park
- City of Bend





## Tumalo Community School Attendance Area

-  Tumalo Community School
-  Tumalo School Attendance Area
-  Unincorporated Community
-  County Boundary



For More Information Contact  
 Deschutes County Community Development Department  
 117 NW Lafayette, Ste. Bend, OR 97701  
 541-386-6575 [www.co.deschutes.or.us/rdd](http://www.co.deschutes.or.us/rdd)



OWN LAYER  
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# Community Vision Statement

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Tumalo residents craft this community vision for the next 20 years. It is their intent that the Community Plan, developed in cooperation with Deschutes County, will serve as a framework to realize this vision.

*Retain the livability of Tumalo as a rural small-town, by ensuring safe and efficient public services and collaborating with the surrounding rural community.*

This vision statement is created to ensure that with vigilance and foresight, the unique rural character of Tumalo will be maintained and enjoyed by present and future generations.



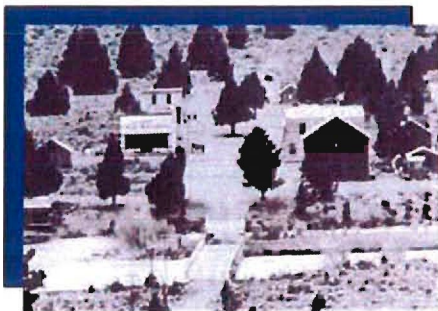
# History

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Situated at an altitude of approximately 3,200 feet, Tumalo lies in the middle of the Upper Deschutes River Basin (river miles 157 and 158). The commercial core of Tumalo lies on an alluvial bowl bounded by the Laidlaw Butte and the bluff of the Deschutes River canyon. The Deschutes River bisects the community. Originally named Laidlaw, Tumalo was platted by the Laidlaw Townsite Company in 1904. However, development actually began in 1899 when the Three Sisters Irrigation Company incorporated. Under the Carey Act, they made plans for diverting water from Tumalo Creek and the Deschutes River to irrigate approximately 60,000 acres of arid land. As the town grew, it became a voting precinct in 1906, with 65 registered voters compared to Bend's 66. Out of nearly 900 platted lots, a third were sold by 1907.

Town founder A.W. Laidlaw of Portland and his investors believed that Tumalo would become the heart of Central Oregon. By 1909, the Laidlaw community aspired to establish the junction of two railroads, and thereby creating a new "metropolis" in Central Oregon. There were reasons for optimism. Railroad magnates James Hill and E. H. Harriman, were competing to finish a rail line from the mouth of the Deschutes River to Central Oregon. Mr. Laidlaw assumed the rail line would come south, up the Deschutes River canyon right into the newly platted town. Assertions were also made that the Laidlaw community would benefit from another rail line, one that followed the North Santiam River and crossed over the Cascades.

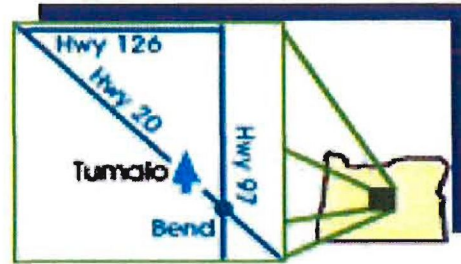
Ultimately, neither of these two projects came to fruition. The Columbia Southern Railroad at the end of 1909 still ended in Shaniko, and the Corvallis and Eastern rail lines remained stalled at the foothills, west of the Cascades, where both languished for approximately 15 years. Following the announcement in 1910 that the Columbia Southern Railroad was coming to Bend instead of Laidlaw, Bend began moving ahead in population. As a result, Laidlaw's population decreased to 250 people, with many businesses relocating to Bend. The small town remained as Laidlaw until the Laidlaw Post Office closed in 1913. It eventually reopened in 1923 as the Tumalo Post Office, and the name of the town changed forever.



In those early days, Laidlaw had a weekly newspaper, a barbershop, two-story hotel, lawyers' offices, wallpaper company, bakery, feed stores and bank. Today, legacy buildings include the Laidlaw Bank and Trust Property and Tumalo Community Church.

# Land Use

The 1979 Deschutes County Comprehensive Plan designated Tumalo as a Rural Service Center because it contained a concentration of residential and commercial properties. A 1979 inventory showed Tumalo consisting of 491 acres and 288 tax lots. In 1994, the Oregon Land Conservation and Development Commission adopted a new Oregon Administrative Rule for unincorporated communities, instituting new land use requirements for Tumalo (OAR 660, Division 22). As part of periodic review, in 1997 Deschutes County updated its Comprehensive Plan and implemented zoning regulations to comply with these state requirements. Based on public input, Tumalo's boundary was amended to accommodate 504.11 acres and 321 tax lots. A 1999 amendment removed three tax lots that were accidentally included, leaving Tumalo with 318 tax lots.



## Population

Single-family residences are the predominant land use in Tumalo. Tables 1, 2 and 3 cite Deschutes County Assessor data and an adopted twenty year population forecast to estimate Tumalo's 2009, future build out, and 2030 population.

**Table 1 - 2009 Tumalo Population Estimate**

Developed Residential Tax Lots *	2000 Census for Unincorporated County (Persons per Household)	2009 Population Estimate
<b>196</b>	<b>1.9</b>	<b>372</b>
* Assessor's Data 2009		

**Table 2 - Tumalo Projected Build Out**

2009 Population Estimate	Potential Dwelling Units *	2000 Census for Unincorporated County (Persons per Household)	Future Population Based on Undeveloped Lots	Build Out Population
<b>372</b>	<b>122</b>	<b>1.9</b>	<b>232</b>	<b>604</b>
* Assessor's Data 2009 / Based on land divisions and the number of units per acre allowed in each zone				

**Table 3 - Tumalo Population Forecast**

Year	2.2% Forecast	Average Annual Growth Rate *
2010	372	2.2%
2011	380	2.2%
2012	389	2.2%
2013	397	2.2%
2014	406	2.2%
2015	415	2.2%
2016	424	2.2%
2017	433	2.2%
2018	443	2.2%
2019	452	2.2%
2020	462	2.2%
2021	473	2.2%
2022	483	2.2%
2023	494	2.2%
2024	504	2.2%
2025	516	2.2%
2026	527	2.2%
2027	539	2.2%
2028	550	2.2%
2029	562	2.2%
2030	575	2.2%
2031	588	2.2%
2032	600	2.2%
2033	614	2.2%
County Population Forecast (Ordinance 2004-012)		

Tumalo’s population projection for 2030 is 575. As Table 2 illustrates, a vacant lands inventory performed in 2009 identified 122 undeveloped residential lots. If all 122 undeveloped lots become developed and average household size remains at 1.9 persons per household, Tumalo’s population would increase by 232 people, bringing its total to 604. Under this scenario, Table 3 shows that full build out would occur in 2033.

## Land Use Designations and Inventory

Deschutes County Comprehensive Plan designations identify general land uses for Tumalo and provide the legal framework for establishing zoning districts. Zoning regulates land uses that are allowed in each respective district. Table 4 lists Tumalo comprehensive plan designations and corresponding zoning districts. Table 5 summarizes existing property inventories within those zoning districts. Tumalo Comprehensive Plan designations are then described in greater detail.

**Table 4 - Tumalo Land Use Designations**

Comprehensive Plan Designations	Zoning Districts
Commercial (TUC)	Commercial District (TUC)
Floodplain (FP)	Floodplain (FP)
Research and Development (TURE)	Industrial District (TUI)
Residential (TUR)	Research and Development District (TURE)
Residential 5 Acre Minimum (TUR5)	Residential District (TUR)
	Residential Five Acre Minimum District (TUR5)

**Table 5 - Tumalo Land Use Inventory \***

Zone	Residential Units	Commercial / Industrial Developments	Undeveloped Parcels	Total Number of Parcels
TUC	28	17	57	102
TUR	93	0	37	127
TUR5	75	0	28	100
TURE	0	2	1	3
TUI	0	2	0	2
<b>Total</b>	<b>196</b>	<b>21</b>	<b>123</b>	<b>334</b>

\* Assessor's Data 2009

**Commercial (TUC).** A “Commercial” designation allows a range of limited commercial and industrial uses to serve Tumalo and the surrounding area. In general, the designation extends north from the intersection of Cook Avenue and U.S. 20 to 3<sup>rd</sup> Street between Wood and Wharton Avenues. Commercial lands also comprise an area west of U.S. 20 between 5<sup>th</sup> and 8<sup>th</sup> Streets.



This designation was originally intended to accommodate a mixture of small-scale commercial and limited industrial uses. The core commercial area initially encompassed lands adjacent to Cook Avenue, north of U.S. 20. The designation was ultimately expanded between Cook and Wharton Avenues that extends south to U.S. 20. This area includes the “Tumalo Mall,” an

existing commercial and retail complex. The use of this building received authorization as a nonconforming use in 1986 and site plan alterations in 1987 and 1988. These land use actions brought the uses into compliance with the commercial zone.

Floodplain (FP). A “Floodplain” designation protects the public and private property from hazards associated with floodplains; conserves important riparian areas along rivers and streams for fish and wildlife resources; and preserves significant scenic and natural resources. This designation follows the channel of the Deschutes River that bisects Tumalo. The areas of special flood hazard are identified by the Federal Insurance Administration in a report titled *Flood Insurance Study for Deschutes County, Oregon and Incorporated Areas*. This report was revised in September 2007, and includes accompanying Flood Insurance Rate Maps. The Flood Insurance Study is on file at the Deschutes County Community Development Department.



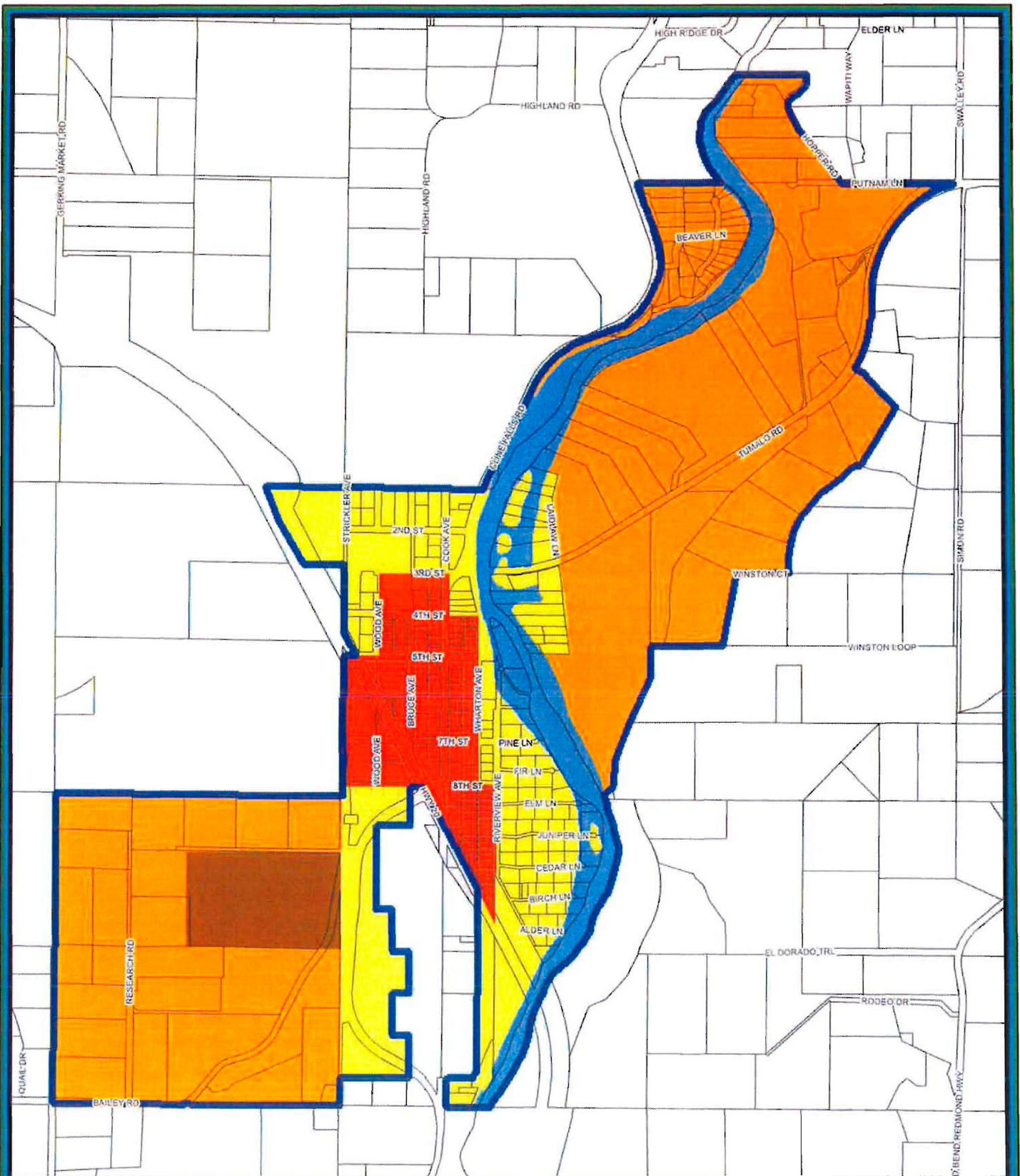
Industrial (TUI). An “Industrial” designation allows a limited range of industrial uses to serve Tumalo and the surrounding area. The designation recognizes nonconforming industrial uses related to surface mining activities located outside of Tumalo in a Surface Mining zone. It applies to the Knife River operation that fronts O’B Riley Road and U.S. 20.

Research and Development (TURE). A “Research and Development” designation allows research and development facilities requiring a more rural, non-industrial location to be sited in Tumalo. This designation contains two parcels in one ownership located on the southeast slope of Laidlaw Butte. It was originally created to accommodate a research and development site and associated uses predating Deschutes County’s 1979 zoning ordinance.

Residential (TUR). A “Residential” designation allows a mixture of housing types and densities suited to the level of available water and wastewater facilities. The purpose of this district is to allow new residential development that is compatible with the rural character of the area. Originally, the residential district boundary coincided with the boundary of the old Laidlaw Plat including the Deschutes River Homesites plats between Riverview Avenue and the Deschutes River. Today, it also includes the area surrounding the Knife River aggregate site south of U.S. 20.

Residential 5-Acre (TUR-5). A “Residential 5 Acre Minimum” designation retains large rural residential lots. The lands designated Residential-5 acre minimum include the larger parcels east of the Deschutes River and the west slope of Laidlaw Butte.





**Legend**

- FP - Flood Plain
- TUC - Commercial
- TUR - Residential
- TUR5 - Residential 5 Acre Minimum
- TURE - Research & Development

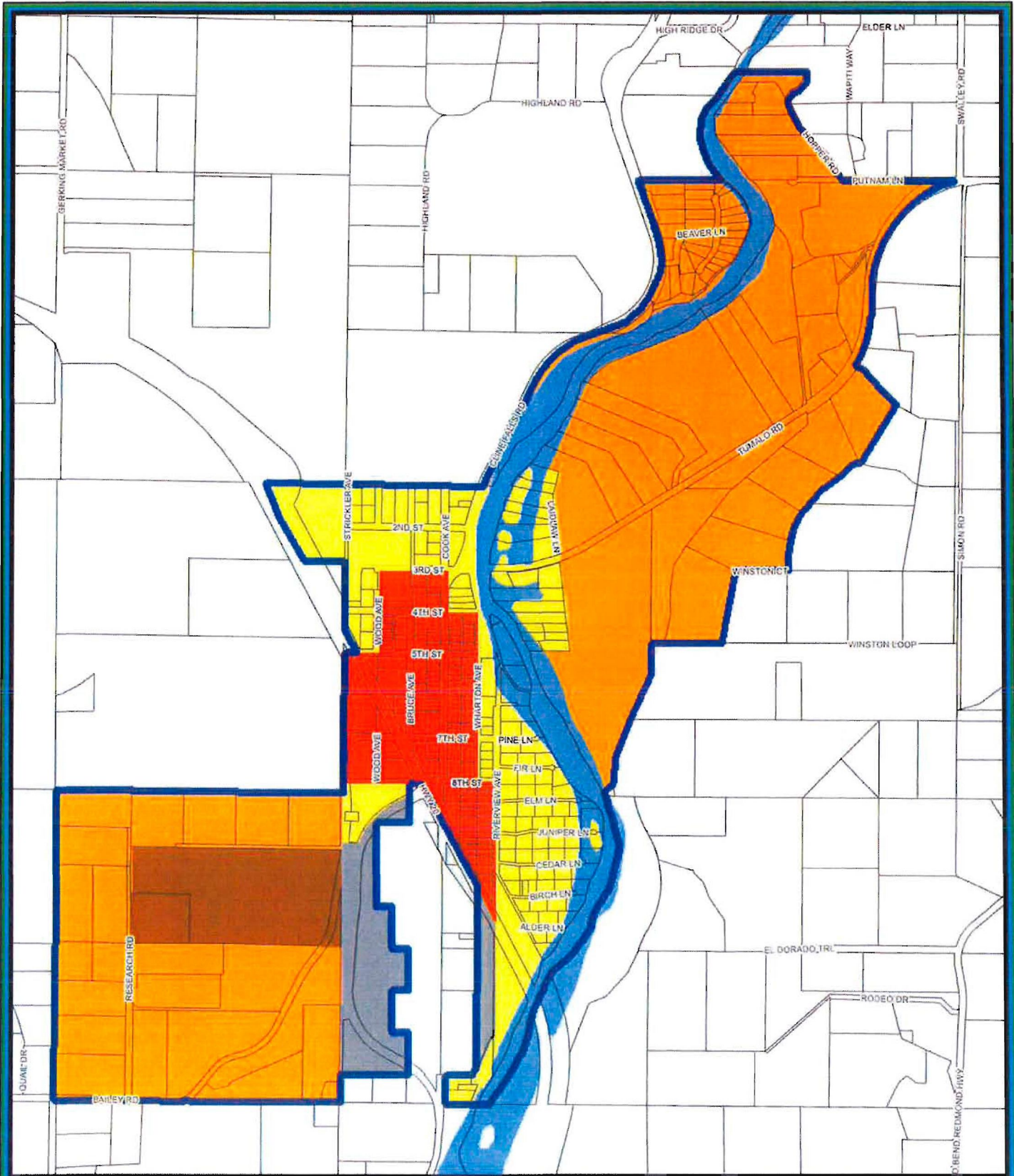
# Tumalo Comprehensive Plan

For More Information Contact  
 Deschutes County Community Development Department  
 117 NW Lafayette Bend, OR 97701  
 541-388-6575 [www.co.deschutes.or.us/cdd](http://www.co.deschutes.or.us/cdd)



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Deschutes County Community Development Department  
 November 12, 2009



**Legend**

- TUC - Commercial
- TUR - Residential
- TUR5 - Residential 5 Acre Minimum
- TURE - Research & Development
- TUI - Industrial
- FP - Flood Plain

# Tumalo Zoning

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 In: Custom County 2008 Planning/Comp/Plan/Update 2008/Plan/Map  
 November 13, 2008



# Public Facilities and Services

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Tumalo is served by four special districts: Laidlaw Water District; Deschutes County Rural Fire Protection District #2; Redmond School District; and, Tumalo Town Ditch Company. Tumalo's public facilities and services are described below in greater detail.

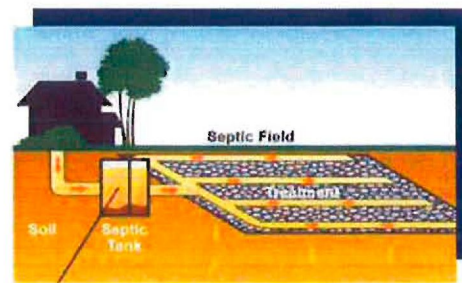
## Domestic Water

The Laidlaw Water District serves the area identified as the old Laidlaw Plat, and the area described as T16S R12E section 29 (W1/2 SW1/4), section 30 (E1/2 SW 1/4), (SW 1/4 SE 1/4), and section 31 (NE1/4, N1/2 SE1/4). The power and authority given to Laidlaw Water Supply District as a government entity is vested and exercised by a board of five commissioners, each of whom is an elector of the district. These commissioners have the authority under ORS Chapter 264 to determine rates and the type and extent of water supply facilities. Deschutes County coordinates with the Laidlaw Water Supply District when a property owner initiates a land use application within their district. During the land use process, Laidlaw Water Supply District identifies conditions they will impose on the development proposal. The Laidlaw Domestic Water District currently depends on three groundwater wells. The District's groundwater source does not exceed current EPA maximum contaminant limits. No treatment is performed and none has been required by the Oregon Health Division. However, a proposed U.S. Environmental Protection Agency groundwater disinfection rule would require continuous disinfection of the water supply. Properties in Tumalo but located outside District boundaries rely on private domestic wells for drinking water. State law, Oregon Revised Statute 537.54 exempts private wells as long as domestic consumption is less than 15,000 gallons per day and irrigation of a lawn or noncommercial garden is less than one-half acre.

The Oregon Department of Water Resources (WRD) has stated that there is an abundant supply of potable water in multiple water bearing zones based upon a report prepared by a geologist for the Oregon Department of Geology and Mineral Industries, *Geology and Mineral Resources Map of the Tumalo Dam Quadrangle*. Limitations are imposed by the lack of capacity of domestic pumps, not the aquifer. The WRD has not identified Tumalo as a groundwater limited or groundwater critical area.

## Wastewater

Tumalo does not have a community wastewater facility. Instead, land uses in Tumalo rely on onsite wastewater systems, ranging from newer alternative treatment technologies (ATT) and filter systems, to old drainfields. Onsite systems in some cases, are insufficient and improper for a development site. According to the Deschutes County Environmental Health Division, most of Tumalo's soils are rapidly draining, with rapid or very rapid permeability. Given these soil characteristics, standard septic systems can only be sited on lots greater than an acre. Smaller lots, between a half acre and an acre are obligated to site more expensive onsite systems such as sand filters and ATTs. Additionally, there are



circumstances in Tumalo where certain lots cannot be developed or redeveloped because they are too small or lack sufficient area to meet setback requirements for septic system drainfields. Deschutes County zoning regulations restrict the type and intensity of allowed uses to those which can be served by an Oregon Department of Environmental Quality (DEQ) approved on-site wastewater disposal system. The County does not allow uses or densities that are unable to obtain a permit for a DEQ approved onsite system. In addition, County zoning regulations set minimum lot sizes to ensure the onsite systems do not exceed soil capacity of treating wastewater effluent. These circumstances have prompted residents and business owners to express support for exploring funding opportunities to establish a community wastewater facility to maintain surface and groundwater quality.

### **Emergency Services**

The Deschutes County Rural Fire Protection District #2 was established in 1952 to provide fire prevention, protection, and suppression services to residents living outside municipalities and areas not already served by established fire protection districts. In 1991, the district added emergency medical services. Today, District #2 covers approximately 220 square miles of suburban and forested land surrounding Bend, and serves approximately 20,000 constituents. The average population of the district greatly increases seasonally due to tourism.



The actual delivery of fire and emergency medical services to district constituents is provided through a contract with the City of Bend Fire Department. Station 302 is located on 4<sup>th</sup> Street in Tumalo. The station was built in the early 1970s and is staffed with an advance life support equipped fire engine, brush/interface pumper, and ambulance. It is staffed with two personnel. All personnel respond from their assigned station based on calls for their specific response areas.

### **Irrigation Water**

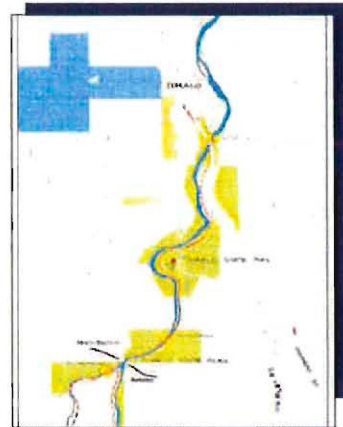
The Tumalo Town Ditch Company draws irrigation water based on three water right certificates with priority dates of 1904, 1905, 1938, 1950 and 1952. The system consists of a three mile ditch that begins near the bridge at Tumalo State Park, parallels the river, crossing Bailey Road at the Tumalo Feed Company Restaurant, then continuing under U.S. 20 to the commercial district. The ditch serves approximately 35 customers and is used for irrigating lawns and gardens.

### **Recreational Trail**

The Bend Metro Park and Recreation District (Park District) provides parks, trails and recreation programming for residents encompassing the Bend Urban Area. Tumalo is located outside the district boundary by approximately 2 miles. However, the Park District does have recreational interests that extend outside its current boundary. In 2002, the Park District and the City of



Bend collaborated on the development of the Deschutes River Trail Action Plan. This plan identified the desire to complete the Deschutes River Trail through Bend and connect it on both ends to destinations outside the urban area. The northern extent of the planned trail follows the Deschutes River from the Bend Urban Growth Boundary to Tumalo State Park and onto Tumalo. The Park District continues to work with private property owners and the Oregon State Parks and Recreation Department in an ongoing effort to assemble a continuous publicly-owned corridor for the trail. Fortunately, the portions of the trail corridor closest to Tumalo are already in public ownership. The Park District supports the development of this trail corridor between Tumalo and Tumalo State Park as a hard-surfaced shared-use path that utilizes the current grade-separated crossing underneath the U.S. 20 bridge on the west side of the Deschutes River.



### Transportation



Tumalo requires a transportation network that provides safe and efficient through movements for traffic traveling on U.S. 20. Equally important is maintaining local access to residential and commercial areas, as well as the Tumalo Community School. U.S. 20 runs diagonally east-west through Tumalo and contains two travel lanes and a center turn lane. Its volumes and speed make north-south street connections challenging.

There are three access points to U.S. 20: 5<sup>th</sup> Street; 7<sup>th</sup> Street/Bailey Road; and Cook Avenue/O'B Riley Road. The posted speed on U.S. 20 through Tumalo is 45 mph. Within Tumalo, there are several paved and unpaved streets, totaling approximately 4.7 miles.

Average daily traffic (ADT) counts measured the following vehicles:

#### 2008

- 5<sup>th</sup> Street recorded 2,007 ADT
- U.S. 20, 9,700 ADT

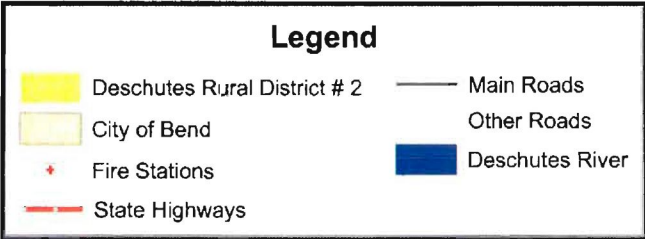
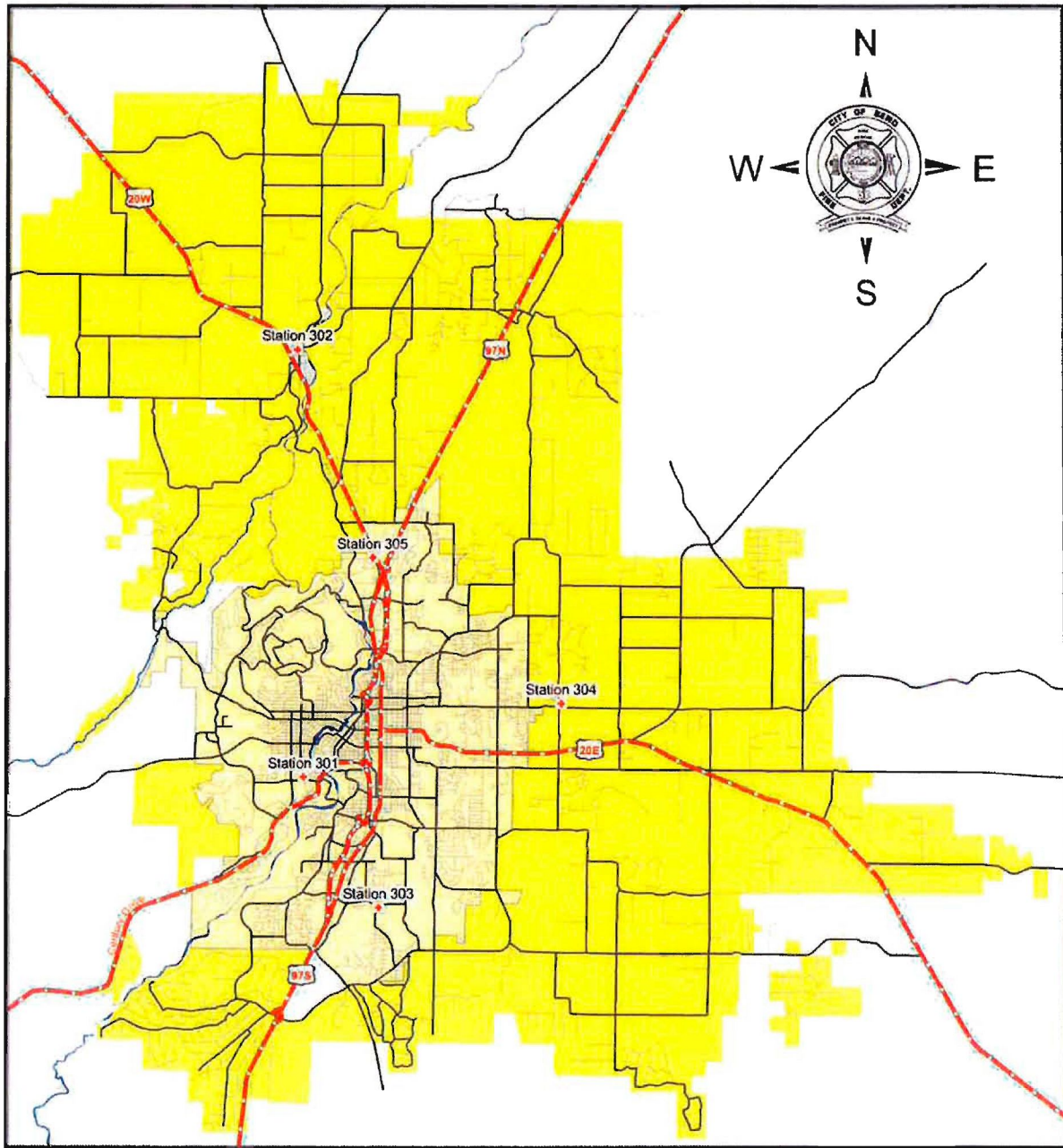
#### 2009

- Cline Falls Highway recorded 2,104 ADT
- Cook Avenue, 5,130 ADT
- O'B Riley Road, 1,182 ADT



To protect the function of a highway, it is often necessary to limit access and control turning movements, Deschutes County and ODOT are strategizing an access control solution for U.S. 20. Access control, which normally limits the number of driveways or public streets to a state highway like U.S. 20, reduces the conflict points. A conflict point is a location where vehicles turning or passing through can collide. By redirecting property access to side streets or alleys, the number of crashes on the highway can be lowered. Implementing additional measures such as traffic calming, improved pedestrian crossings, or reducing the travel speed on the highway can benefit an entire community.

# Deschutes Rural Fire Protection District #2



## Surrounding Land Uses

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Residents outside Tumalo identify with the area because it is where many buy certain goods and services, send their children to Tumalo Community School, or attend church. The following Comprehensive Plan designations and related zoning districts are within a mile of Tumalo.

### Agriculture

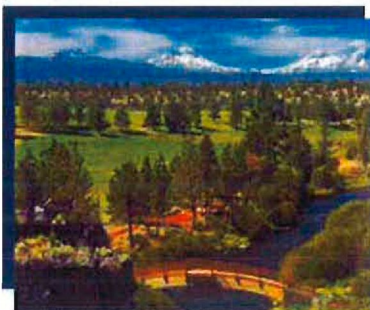
An “Agricultural” designation and Exclusive Farm Use (EFU) zone protect farm lands in Deschutes County pursuant to Statewide Planning Goal 3 (Agricultural Lands). As discussed in the Agricultural Lands Section of the Comprehensive Plan, protecting farmlands is one of the primary goals of Oregon’s land use system. When the Comprehensive Plan was first adopted in 1979, there was general consensus for an agricultural goal:



*“To preserve agricultural land in Deschutes County for the production of farm and forestry products, as well as the public need for open space.”*

In 1992, Deschutes County completed a farm study report. The purpose of the study was to ensure that EFU zoning and standards for farm divisions and dwellings were consistent with Goal 3 and relevant administrative rules. The study found that farms in Deschutes County usually contain irrigated and non-irrigated land, as well as soils of different classes. The study identified 7 agricultural subzones. For each subzone, standards determine minimum parcel sizes for farm divisions to protect the commercial agricultural land base. The subzone that is immediately adjacent to Tumalo is the Tumalo/Redmond/Bend subzone (EFUTRB). The minimum acreage for this subzone is 23 acres of irrigated land. About a half-mile farther east, there are approximately six Alfalfa area subzone parcels (EFUAL) that allow a minimum of 35 acres of irrigated land intermixed with the EFUTRB subzone. Refer to the Agricultural Lands section of the Comprehensive Plan for more details about agricultural land in Deschutes County.

### Rural Residential



A “Rural Residential Exception Area” designation and corresponding Multiple Use Agriculture (MUA-10) zone apply to lands for which Deschutes County justified an “exception” to Statewide Planning Goal 3. Multiple Use Agriculture applies to agricultural lands that have been demonstrated to be unsuitable for commercial farming but retain enough agricultural practices that are compatible with rural development. The minimum lot size for new subdivisions in this zoning district is ten acres. There are several MUA-10 subdivisions within a mile of Tumalo.

## Surface Mining

Located just outside Tumalo, a "Surface Mining" designation and corresponding Surface Mining (SM) zone authorize surface mining activities. This district allows development and use of mineral and aggregate resources consistent with Statewide Planning Goal 5 (Natural Resources, Scenic and Historic Areas, and Open Spaces). It applies to two properties, one at the north end of Tumalo, west of the Deschutes River and the other, adjacent to U.S. 20 and bisected by O'B. Riley Road, known as the Knife River operation. The Knife River properties are allowed through a limited combining zone to store, crush, process, sell and distribute aggregate minerals.



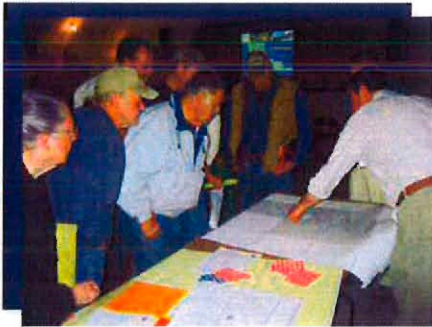
# Community Input

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## Community Planning Process

At the request of the Deschutes County Board of Commissioners, the Community Development Department in 2008 engaged Tumalo residents in the Comprehensive Plan Update process. Staff began that process in the fall, with the first of four community meetings in Tumalo. These meetings provided opportunities to meet with residents and stakeholders, answer questions, and explain Oregon land use planning and Deschutes County's existing Comprehensive Plan. In February 2009 at the second meeting, staff asked Tumalo residents if they supported the creation of a Community Plan and if so, to describe their land use values and expectations for the area. Residents and stakeholders introduced the following issues:

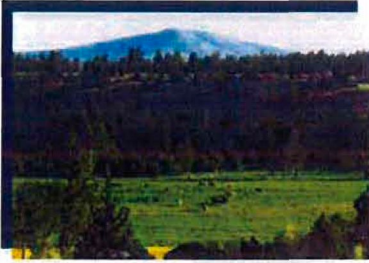
- Tumalo's influence is greater than its rural community boundary;
- Maintain Tumalo's rural character, using long-term planning to address future growth;
- Create Tumalo's first park;
- Consider several transportation alternatives for U.S. 20; and,
- Water and sewer limitations affect the community's ability to accommodate growth.



A stakeholder group of Tumalo residents was subsequently established in Spring 2009 to discuss with staff a Community Plan that would address land use opportunities over the next twenty years. This group met three times. The purpose was to strategize the format of future community meetings by discussing existing conditions, alternatives for the area and community sentiment. These meetings were beneficial to staff for ultimately presenting growth related options to Tumalo residents and business owners.

The issues highlighted above were discussed in small groups during a Fall 2009 community meeting, using several different planning stations. Each station allowed area residents and business owners to ask questions and share ideas or insights. Participants could place a dot on a board showing their preferred land use option, and fill out a questionnaire that most reflected their values for Tumalo over the next 20 years. The outcome of these public involvement techniques revealed, qualitatively, an overwhelming desire for little or no change, with one exception. Tumalo residents emphasized the importance of pursuing funding opportunities to establish a community wastewater facility to maintain surface and groundwater quality.

The basis for developing the goals and policies cited in this Community Plan are now described below in greater detail. Planning for growth and preparing for its impact represents the best course of action to maintain Tumalo's unique rural character.

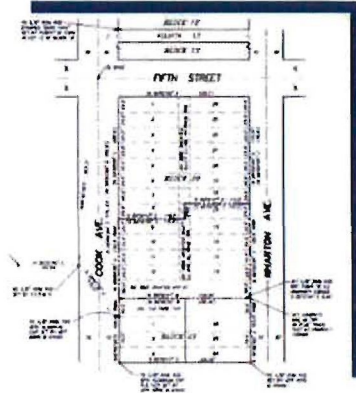


## Community Character and Features

Agricultural activity and rural open spaces help define Tumalo. Residents clearly stated the importance of maintaining the area's agricultural land base. The Community Plan emphasizes the importance of protecting natural features such as ridgelines and the Deschutes River, while supporting opportunities for rural development.

## Residential Development

Residential development is likely to increase in Tumalo over the next 20 years due to Central Oregon's reputation as a desirable place to live and conduct business. While residents expressed concerns that new development could change the rural character of Tumalo, planning for housing and infrastructure will enable the community to understand their costs and respond proactively to changing circumstances. Land use planning implemented through Deschutes County policies and zoning will enable residents, stakeholders, and property owners to integrate the large number of vacant residential lots into the community.



## Commercial Development



Tumalo residents support locally owned businesses and share a common value that future commercial development be modest in scale and incorporate facade designs used by newer businesses adjoining U.S. 20 and Cook Avenue. Located in the core of the community along Cook Avenue, commercial businesses include a market, restaurants, real estate offices, small commercial/retail complex, irrigation district offices and various other small-scale retail businesses. Based on a 2009 buildable land inventory, at the present time, there is an adequate supply of commercial and light industrial

land. Of the 102 commercially zoned properties in Tumalo, just 45 are developed with 28 of the 45 containing single family dwellings.

## Recreational Development



Tumalo residents support public spaces that accommodate recreational programs for all age groups, including seniors and school-aged children. Creating Tumalo's first community park including ball fields and play structures would be an extraordinary asset. While some have expressed a desire to rezone commercial lands along Cook Avenue, others support creating a park along the Deschutes River. There

exists undeveloped public access to the Deschutes River from Tumalo Road. However,



residents, businesses, the Oregon Parks and Recreation Department and the Bend Metro Park and Recreation District support a complete trail system that accommodates non-motorized access for bicyclists and pedestrians along the Deschutes River between Tumalo and Tumalo State Park. Access improvements could also assist recreational river users with a safe, convenient take-out location after they run the middle section of the Deschutes River from Bend's Robert W. Sawyer Park.

### **Traffic and Circulation**

As noted earlier, the transportation system in Tumalo is dominated by U.S. 20, a state highway that bisects the community. Traffic is a major issue for Tumalo residents because the highway traffic volume creates unsafe crossings and long delays for motorized and non-motorized users entering U.S. 20 from 5th Street, 7th Street, Cook Avenue, and O'B Riley Road. Deschutes County and ODOT are currently working on a long-term plan to address the needs of Tumalo and the state highway. The goal is to maintain safe and convenient uses of U.S. 20.

In summer 2010, ODOT constructed a raised median at the intersection of 7th-Bailey and U.S. 20. The raised median limited 7th Street to right-in, right-out turns only and limited Bailey to right-in, right-out, and left-in turns. The raised median has a Z-shaped opening to enable bicyclists and pedestrians to cross U.S. 20 one lane at a time while simultaneously providing a refuge.

### **Health Impact Assessment**

Health Impact Assessment (HIA) is an emerging practice in the United States, widely promoted by the Centers for Disease Control and Prevention as a tool to influence policy, projects and programs that have short and long-term health consequences. With funding support, training and technical assistance from the Oregon Department of Environmental Health and Deschutes County Health Services, a team of community partners in 2010 chose to implement a HIA through the Community Plan. The HIA evaluated and refined the Community Plan by evaluating the policies contained within it.

County Health Services formed an advisory committee consisting of representatives from the Community Development Department, healthcare sectors, Tumalo area residents and community advocates. The committee organized community listening sessions and focused the HIA around three policy areas: safety and accessibility of U.S. 20; access to parks and recreational amenities; and the development of a multi-modal trail system. Figure I encapsulates how residents and members of the advisory committee envision the area



at the end of the Community Plan timeline (2030). The committee presented residents, with varying perspectives of rural livability, at listening sessions in April 2010.

Figure 1 - Visioning Exercise



©1996 The Grove Consultants International

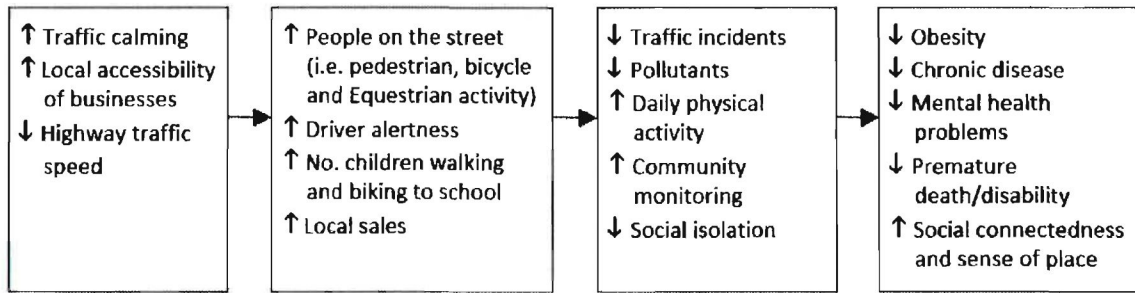
An inherent challenge in addressing growth related issues such as traffic congestion is the need to balance land-use and transportation strategies with public interest – which in Tumalo’s case is maintaining rural character. Health however, is not always at the forefront of decision making processes. The intent of the advisory committee was to bring health considerations to light as an influencing factor when discussing Tumalo’s land-use and economic sector development policies.

Improving public health is linked directly to encouraging physical activity, which is of particular concern to populations with few transportation options, such as the elderly, disabled and children. Well designed, integrated transportation infrastructure, including the adoption of complete street policies and multi-modal trail systems, can positively impact the economic and environmental health of a community. It can reduce vehicle use and health care costs, promote tourism, conserve natural landscapes and support the characteristics and values of rural living.

### Principal Findings and Recommendations

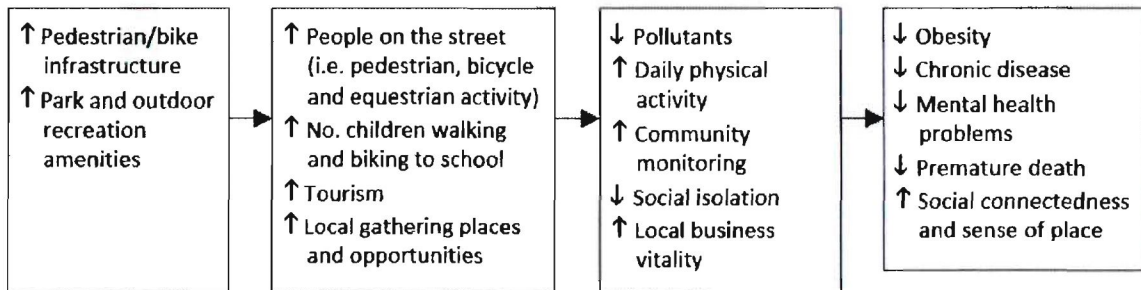
The HIA’s principal findings and policy recommendations, illustrated in Figures 2 and 3, focus on three areas to promote positive outcomes: improving traffic safety on U.S. 20; establishing a multi-modal trail system; and maximizing nearby recreational assets.

**Figure 2 - Pathway Between Improving Safety and Accessibility of U.S. 20 and Community Health**



Improving Traffic Safety on U.S. 20: U.S. 20 accessibility for all transportation modes is an important issue in Tumalo. Though the speed limit through Tumalo on the highway is reduced at 45 MPH, there are few measures in place to enforce it. Related to this, traffic safety continues to be a barrier to rural livability and optimal community health. The County and ODOT have developed a short-term strategy to reduce traffic hazards by constructing a raised median near 7<sup>th</sup> and Bailey Streets which will improve conditions greatly. Ultimately however, broader measures such as grade separated crossings across U.S. 20 could provide Tumalo with a myriad of benefits, including improved public safety, greater access to local destinations, new opportunities for physical activity and increases in private investment.

**Figure 3 - Pathway Between Multi-modal Trail Systems, Recreation and Community Health**



Establishing a Multi-modal Trail System and Maximizing Nearby Recreational Assets: Many Tumalo residents are concerned about user groups degrading the Deschutes River due to inadequate public facilities. Overcrowded parking and congestion along rural roads, vandalism, littering, loss of sensitive wetland and riparian areas, and public trespassing on private lands warrant investments for a multi-modal trail system. Linking local destinations like Tumalo State Park, with a sufficient transportation network including a multi-modal trail system that ties into the one managed by the Bend Metro Park and Recreation District, can generate immediate benefits for the entire community. Tumalo residents could access miles of trails along the Deschutes River, while local businesses could experience increased economic activity based on a new regional recreational asset.



# Goals and Policies

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The following goals and policies were developed from community and stakeholder meetings, and input from ODOT and the Oregon Department of Land Conservation and Development. Staff also revisited Deschutes County's existing Comprehensive and Transportation System Plans, as well as applicable state law and administrative rules.

## **Land Use Goal**

Protect and enhance the rural small-town character of Tumalo by supporting public services, healthy active lifestyles and social connections among residents and stakeholders.

## **Community Policies**

1. Consider adding Tumalo State Park to the Tumalo Rural Community boundary.
2. Coordinate with community groups and organizations that are working to improve the livability, economy and access to Tumalo.
3. Support economic development initiatives and tourism in the Tumalo area.
4. Review the Tumalo community goals and policies every five years to determine if they meet the current and future needs of the area.
5. Support the school district in improving opportunities to use Tumalo Community School facilities for education, recreation and enrichment programs for students, parents and area residents.

## **Open Space and Recreation Policies**

6. Establish Tumalo as a regional bicycle destination through land use, transportation and recreation policies and programs.
7. Encourage parks and open space, and where feasible, acquire land for open space.
8. Preserve public access to the river.
9. Preserve publically owned lands along the Deschutes River by designating them as open space.
10. Support infrastructure improvements including formal river access points, public signage, lighting, sanitary facilities and improved parking conditions.
11. Establish a multi-use trail system from Tumalo State Park to Tumalo.
12. Support community efforts to create and maintain local parks.
13. Coordinate implementation of bikeways with signs and best maintenance practices on County arterials and collectors.
14. Support community efforts to designate the segment of the Deschutes River through Tumalo as an Oregon Scenic Waterway for its recreational values.

15. Support the development of a trails and recreation master plan.
16. Explore the future expansion of the Bend Metro Park and Recreation District to include the Tumalo area.

### **Land Use Policies**

1. Conform land use regulations to the requirements of Unincorporated Communities as defined in OAR 660 Division 22 or any successor.
2. Ensure County plans and land use regulations require that new uses authorized within Tumalo do not adversely affect agricultural uses in the surrounding exclusive farm use zones.
3. Apply setbacks for homes built along the rim forming the Deschutes River Canyon and Laidlaw Butte to protect scenic views visible from the community.
4. Coordinate with Tumalo Community Association, Tumalo Business Association and similar local organizations on land use issues, where appropriate.
5. Encourage the preservation of historical structures such as the Tumalo Community Church (1905) and the Laidlaw Bank and Trust (1910).

### **Residential Area Policies**

6. Designate residential lands on the comprehensive plan map with a corresponding residential district on the zoning map.
7. Designate residential lands so they are proximate to the commercial area.
8. Designate Residential 5 acre lands on the perimeter of the community.
9. Designate higher density residential lands in the bowl formed by the Deschutes River canyon.
10. Permit livestock in the residential districts subject to use limitations.
11. Plan and zone for a diversity of housing types and densities suited to the capacity of the land to accommodate water and sewage requirements.

### **Commercial Area Policies**

12. Limit access from U.S. 20 so it is safe and economically viable.
13. Encourage design standards in the commercial district so new development is compatible with the rural character of the community and reduces negative impacts on adjacent residential districts.
14. Prohibit livestock from being permanently stabled in the commercial districts.
15. Prohibit additional lands from being designated commercial until an economic analysis review is completed.

16. Allow residential uses and mixed residential/commercial uses, while preventing residential uses from dominating or setting development standards in the commercial district.
17. Utilize approval standards for conditional uses in the commercial district to consider the impact on nearby residential and commercial uses and the capacity of public facilities and services.
18. Prohibit replatting for exclusively residential purposes in the commercial district.

### **Industrial Area Policies**

19. Allow only the following new or expanded industrial uses in the Tumalo rural community boundary:
  - a. Uses authorized under Goals 3 and 4 (farm and forest uses);
  - b. Expansion of a use existing on the date of this rule;
  - c. Small-scale, low impact uses;
  - d. Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a);
  - e. New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule; or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;
  - f. New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the Comprehensive Plan demonstrates, and land use regulations ensure:
    - i. That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;
    - ii. That such uses would not rely upon a work force employed by uses within urban growth boundaries; and
    - iii. That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.

## **Public Facilities Goal**

Ensure water and sewage treatment systems encompass the appropriate scale and cost.

## **Public Facility Policies**

1. Determine residential minimum lot sizes by the capacity of the land to accommodate available water and wastewater facilities.
2. Encourage high quality fire protection in Tumalo and the surrounding area.
3. Encourage early planning and acquisition of sites needed for public facilities (e.g. school, roads, water supply facility, parks).
4. Coordinate development within the Laidlaw Water District to determine if connection to its water system is required.
5. Support replatting of lots in the area comprising the Laidlaw Plat and other lands designated commercial to create lots large enough to accommodate a DEQ approved on-site sewage disposal system.
6. Support the protection of the Tumalo Town Ditch easement and its distribution system.
7. Support the development and management of the domestic water system for Tumalo so that cumulative development will not result in public health hazards or adverse environmental impacts that violate state or federal water quality regulations.
8. Coordinate with the Tumalo residents and business owners on the creation of a sewer district, if the community initiates district formation.

## **Transportation Goal**

Provide a safe and efficient system for all modes of transportation, including active modes, to support local economic development, recreational uses, and community health.

### **Road Network Policies**

1. Review the existing Transportation System Plan policies and standards for Tumalo.
2. Review existing roadway design requirements to ensure complete streets which accommodate all modes of travel.

### **Road and Sidewalk Policies**

3. Implement road development standards for Tumalo that minimize pavement width and are consistent with the small-scale character of the community.
4. Utilize land development and grant funding opportunities to improve street segments identified for improvement in the Transportation System Plan.
5. Provide functional, cost effective sidewalks that are consistent with the rural character of the community.
6. Provide sidewalks or multi-use paths where they are needed for safety, as set forth in the Transportation System Plan.
7. Construct sidewalks specified on community roads without curbs and gutters, distant from property lines, to allow room for utilities.

### **U.S. 20 Policies**

8. Coordinate with the Tumalo community and Oregon Department of Transportation to implement both short and long-term improvements to solve transportation problems, including at the Cook Avenue and U.S. 20 intersection.
9. Enhance the roadside environment, through tree planting, signage or other means.
10. Promote safe access and slower speeds on U.S. 20 through Tumalo.
11. Retain and enhance access across U.S. 20 using above, below, or at grade crossings to support pedestrian, bicycle and equestrian access to recreation and community services.



## FINDINGS

The Deschutes County Planning Commission (Planning Commission) held public hearings on August 26 and October 14, 2010 on Ordinance 2010-027 to consider legislative plan amendments to Deschutes County Code (DCC) Chapter 23.40.030, Tumalo Rural Community.<sup>1</sup> The Planning Commission closed the hearing on October 14 and forwarded a recommendation of adoption to the Board of County Commissioners.

### BACKGROUND

At the request of the Deschutes County Board of County Commissioners, the Community Development Department was asked in 2008 to engage Tumalo residents in the Comprehensive Plan Update process. Staff began that process in the fall, with the first of four community meetings in Tumalo. These meetings provided opportunities to meet with residents and stakeholders, answer questions, and explain Oregon land use planning and Deschutes County's existing Comprehensive Plan. In February 2009, at the second meeting, staff asked Tumalo residents if they supported the creation of a Community Plan and if so, to describe their land use values and expectations for the area. The community response was that the residents did want a community plan.

A stakeholder group of Tumalo residents was subsequently established in Spring 2009 to discuss with staff a Tumalo Community Plan (Community Plan) that would encompass land use challenges and opportunities for the future of Tumalo. This group met three times. The purpose was to strategize the format of future community meetings by discussing existing conditions, alternatives for the area and understanding community sentiment. These meetings were beneficial to staff for ultimately presenting growth related options to area residents and business owners.

Growth management concepts were discussed in small groups during a Fall 2009 community meeting, using planning stations around a meeting hall. Each station allowed area residents and business owners to ask questions and share with planners any ideas or insights. Participants could also place a dot on a board showing their preferred land use option, and fill out a questionnaire that most reflected their values for the next 20 years in Tumalo. The outcome of these public involvement techniques revealed, qualitatively, an overwhelming desire for little or no change in Tumalo.

### PROPOSED PLAN AMENDMENT

Staff proposed plan amendments that create a Tumalo Community Plan (Community Plan). The proposed amendments are described in the attached exhibits. Deleted language is shown as ~~strikethrough~~.

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<sup>1</sup> A public notice was published in the *Bulletin* on August 8, 2010.

## REVIEW CRITERIA

Ordinance 2010-027 is the result of the community meetings and Planning Commission recommendation. It codifies a Community Plan that represents an integral part of the Deschutes County Comprehensive Plan. The Community Plan constitutes an official chapter of the County Comprehensive plan. Its goals and policies provide a planning guide to decision making in regard to land use, capital improvements and physical development during the next 20 years (2010 – 2030). It is anticipated that Deschutes County, Oregon Department of Transportation, special districts, residents and community leaders will consult the Community Plan when preparing land use projects in Tumalo. The Community Plan will only be changed if it goes through an official legislative plan amendment process.

Deschutes County lacks specific criteria in DCC Titles 18, 22, or 23 for reviewing a legislative plan amendment. Nonetheless, because this is a Deschutes County initiated plan amendment, the County bears the responsibility for justifying that the amendments are consistent with the statewide planning goals and Deschutes County's Comprehensive Plan.

## FINDINGS

### 1. Statewide Planning Goals

The parameters for evaluating these specific amendments are based on an adequate factual base and supportive evidence demonstrating consistency with Statewide Planning Goals. The following findings demonstrate that Ordinance 2010-027 complies with applicable statewide planning goals and state law.

- **Goal 1, Citizen Involvement** is met through this adoption process because these amendments will receive two public hearings, one before the County Planning Commission (County's citizen review board for land use matters) and one before the Board.
- **Goal 2, Land Use Planning** is met because ORS 197.610 allows local governments to initiate post acknowledgments amendments. An Oregon Land Conservation and Development Department 45-day notice was initiated on June 6.<sup>2</sup> This FINDINGS document provides the adequate factual basis and documented analysis for this plan update.
- **Goal 3, Agricultural Lands and Goal 4, Forest Lands.** In 1997 during periodic review, Deschutes County updated its Comprehensive Plan and implemented regulations for Tumalo to comply with Oregon Administrative Rules 660, Division 22, Unincorporated Communities. Tumalo's unincorporated boundary and comprehensive plan designations remain intact. There are no agricultural or forest designated lands within the community boundary. Furthermore, changes to the

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<sup>2</sup> Deschutes County completed period review on January 23, 2003.

policies are minor and do not increase any densities, types of uses or traffic in and to the community. Additionally, because nothing within the community plan proposes any new density in uses, these uses will not affect surrounding farm or forest land.

- **Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces**

Historic Resources

The historic resources preservation goal is met through existing County policy and regulations. There are two designated historic sites, whose historic status remain intact.<sup>3</sup> None of the policies and zoning regulations relating to these historic resources are proposed to be changed with this plan amendment.

- I. *Laidlaw Bank and Trust*, located at 64697 Cook Avenue, Tumalo (16-12-31A TL 2900).
- II. *Tumalo Community Church*, located at 64671 Bruce Avenue, Tumalo (20-11-00 TL 1900).

None of the policies and zoning regulations relating to these historic resources are proposed to be changed with this plan amendment and none of the other new policies proposed are expected to affect any historic resources.

The following policy is carried over from the existing Comprehensive Plan:

“Encourage the preservation of historical structures in Tumalo: Laidlaw Bank and Trust (1910) and Tumalo Community Church (1907).”<sup>4</sup>

Open Space / Scenic Views

Open space is met through the following updated policies.<sup>5</sup>

- I. Establish Tumalo as a regional bicycle destination through land use, transportation and recreation policies and programs.
- II. Encourage parks and open space, and where feasible, acquire land for open space.
- III. Preserve public access to the river.
- IV. Preserve publically owned lands along the Deschutes River by designating them as open space.
- V. Support infrastructure improvements including formal river access points, public signage, lighting, sanitary facilities and improved parking conditions.
- VI. Establish a multi-use trail system from Tumalo State Park to Tumalo.

<sup>3</sup> <http://www.co.deschutes.or.us/dccode/title23/docs/chapter%2023.108.doc> See Inventory #14 and 31.

<sup>4</sup> DCC 23.40.030 (B)(3)(a)(7) <http://www.co.deschutes.or.us/dccode/Title23/docs/Chapter%2023.40.doc>

<sup>5</sup> Tumalo Community Plan, Pages 23-24

- VII. Support community efforts to create and maintain local parks.
- VIII. Coordinate implementation of bikeways with signs and best maintenance practices on County arterials and collectors.
- IX. Support community efforts to designate the segment of the Deschutes River through Tumalo as an Oregon Scenic Waterway for its recreational values.
- X. Support the development of a trails and recreation master plan.
- XI. Explore the future expansion of the Bend Metro Park and Recreation District to include the Tumalo area.

**Goal 6, Air, Water and Land Resources Quality** is met because these plan amendments continue to contain policies that subscribe to protecting water and land quality as noted below:<sup>6</sup>

- I. Determine residential minimum lot sizes by the capacity of the land to accommodate available water and sewer facilities.
  - II. Encourage quality fire protection in the rural community of Tumalo.
  - III. Encourage early planning and acquisition of sites needed for public facilities (e.g. school, roads, water supply facility, parks).
  - IV. Coordinate development within the Laidlaw Water District to determine if connection to its water system is required.
  - V. Support replatting of lots in the area comprising the Laidlaw Plat and other lands designated commercial to create lots large enough to accommodate a DEQ approved on-site sewage disposal system.
  - VI. Support the protection of the Tumalo Town Ditch easement and its distribution system.
  - VII. Support the development and management of the domestic water system for the Tumalo community so that cumulative development will not result in public health hazards of adverse environmental impacts that violate state or federal water quality regulations.
  - VIII. Coordinate with the Tumalo community on the creation of a sewer district, if the community initiates district formation.
- **Goal 7, Natural Hazards** is met. In 2005, all of Deschutes County was declared a Wildfire Hazard Area. As a result, development in the county is subject to various state standards, such as shake roofs no longer are allowed in the county. Additionally, it is important to note that the Deschutes County Rural Fire Protection District #2 provides fire prevention, protection, and suppression services to Tumalo residents and the commercial area. As for flood hazards, the areas in Tumalo that

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<sup>6</sup> Ibid. Page 26.

adjoin the Deschutes River are subject to Deschutes County's Flood Plain Zone, DCC 18.96 and no policy seeks to alter the applicability of those provisions.

- **Goal 8, Recreational Needs** is met because these plan amendments continue to contain policies that subscribe to providing recreational opportunities. See policy listings above pertaining to open space and scenic views.
- **Goal 9, Economic Development** is met because these plan amendments continue to contain policies that subscribe to economic development opportunities.<sup>7</sup> They provide for commercial and industrial uses within the community while still maintaining the rural nature of the community. They do this by allowing residential uses near or with commercial uses to make it attractive for residents to live near where they work and, thereby, resulting in starting up and running a new, small business being less expensive. Yet, the policy of not allowing residential uses to dominate the community and not allowing livestock to be permanently stabled in commercial areas helps to assure that space is available for commercial and industrial uses. The policies also allow for the expansion of existing commercial and industrial uses but limit the scope of new uses.
  - I. Support economic development initiatives and tourism in the Tumalo area.
  - II. Conform land use regulations to the requirements of Unincorporated Communities as defined in OAR 660 Division 22 or any successor.
  - III. Ensure County plans and land use regulations require that new uses authorized within the Tumalo Rural Community do not adversely affect agricultural uses in the surrounding exclusive farm use zones.
  - IV. Designate residential lands on the comprehensive plan map with a corresponding residential district on the zoning map.
  - V. Designate residential lands so they are in proximity to the commercial area.
  - VI. Designate Residential 5 acre lands on the perimeter of the community.
  - VII. Designate higher density residential lands in the bowl formed by the Deschutes River canyon.
  - VIII. Permit livestock in the residential districts subject to use limitations.
  - IX. Plan and zone for a diversity of housing types and densities suited to the capacity of the land to accommodate water and sewage requirements.
  - X. Encourage design standards in the commercial district so new development is compatible with the rural character of the community and reduces negative impacts on adjacent residential districts.
  - XI. Prohibit livestock from being permanently stabled in the commercial districts.
  - XII. Prohibit additional lands from being designated commercial until an economic analysis review is completed.

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<sup>7</sup> Id. Pages 23-25

- XIII. Allow residential uses and mixed residential/commercial uses, while preventing residential uses to dominate or set development standards in the commercial district.
- XIV. Allow only the following new or expanded industrial uses in the Tumalo rural community boundary:
- a. Uses authorized under Goals 3 and 4 (farm and forest uses);
  - b. Expansion of a use existing on the date of this rule;
  - c. Small-scale, low impact uses;
  - d. Uses that require proximity to rural resource, as defined in OAR 660-004-0022(3)(a);
  - e. New uses that will not exceed the capacity of water and sewer service available to the site on the effective date of this rule; or, if such services are not available to the site, the capacity of the site itself to provide water and absorb sewage;
  - f. New uses more intensive than those allowed under subsection (a) through (e) of this section, provided an analysis set forth in the Comprehensive Plan demonstrates, and land use regulations ensure:
    1. That such uses are necessary to provide employment that does not exceed the total projected work force within the community and the surrounding rural area;
    2. That such uses would not rely upon a work force employed by uses within urban growth boundaries; and
    3. That the determination of the work force of the community and surrounding rural area considers the total industrial and commercial employment in the community and is coordinated with employment projections for nearby urban growth boundaries.

- **Goal 10, Housing** is not applicable because, unlike municipalities, unincorporated areas are not obligated to fulfill certain housing requirements.
- **Goal 11, Public Facilities** is met because these plan amendments continue to contain policies that subscribe to providing adequate public facilities. See policy listings above pertaining to water and land resources quality. Although Goal 11 generally does not allow the establishment or extension of sewer systems in the rural areas, it does allow sewer systems within an unincorporated community boundaries. Also, because the response to Goal 14 demonstrates that the policies in the Tumalo Community Plan maintain the rural nature of this community, no exception to Goal 11 is necessary for the property owners to connect to that sewer system. Furthermore, nothing in the proposed policies encourages any expansion of the sewer system outside the boundaries of the Tumalo unincorporated community.

- **Goal 12, Transportation** is met because these policies will not result in a change to the traffic patterns within the boundaries or affect transportation facilities outside it.<sup>8</sup>
  - I. Review the existing Transportation System Plan policies and standards for Tumalo.
  - II. Review existing roadway design requirements to ensure complete streets which accommodate all modes of travel
  - III. Implement road development standards for the Tumalo Community that minimize pavement width and are consistent with the small-scale character of the community.
  - IV. Utilize land development and grant funding opportunities to improve street segments identified for improvement in the Transportation System Plan.
  - V. Provide functional, cost-effective sidewalks that are consistent with the rural character of the community.
  - VI. Provide sidewalks or multi-use paths where they are needed for safety, as set forth in the Transportation System Plan.
  - VII. Construct sidewalks specified on community roads without curbs and gutters, distant from property lines, to allow room for utilities.
  - VIII. Coordinate with the Tumalo community and Oregon Department of Transportation to implement both short and long-term improvements to solve transportation problems, including the Cook Avenue and U.S. 20 intersection.
  - IX. Enhance the roadside environment, through tree planting, signage or other means.
  - X. Promote safe access and slower speeds on U.S. 20 through Tumalo.
  - XI. Retain and enhance access across U.S. 20 using above, below, or at grade crossings to support pedestrian, bicycle and equestrian access to recreation and community services.
- **Goal 13, Energy Conservation** is met because the plan amendment does not affect this goal. The policy of encouraging residential uses near commercial promotes energy conservation because that will make it easier for the commercial owners to live near their work and consume less energy. Encouraging more recreation, including parks, in the area means that area residents won't have to travel so far to recreate.
- **Goal 14, Urbanization** is met because policies within the Tumalo unincorporated community's boundaries are not promoting any increase in intensity in residential or commercial growth to a urban level. Thus, no additional plan amendment will be needed to change the designation of the community from rural to urban. As stated above, sewer is allowed within an unincorporated community's boundaries. Thus,

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<sup>8</sup> Id. Page 27

the mere presence of a sewer system will not promote more urbanization. Also, the stated purpose of the plan is to assure the more rural appearance of the community. Policies such as sidewalks with no curbs or gutters promote that rural appearance. This is supported by the policy to allow livestock in residential areas and to not allow residential uses dominate the development pattern in the community and by limiting the types and locations of the commercial and industrial uses.

- **Goals 15 through 19** are not applicable to any amendments to the County's comprehensive plan because the county has none of those types of lands.

## **2. Deschutes County Tumalo Rural Community Chapter**

The 1979 Deschutes County Comprehensive Plan designated Tumalo a Rural Service Center (RSC). Comprising 491 acres and 229 tax lots, the 1979 Tumalo RSC boundary included the Laidlaw Plat, southeast flank of Laidlaw Butte north of Bailey Road, an area east of the Deschutes River on the north and south side of Tumalo Road, six lots of the Winston Ranch subdivision on the east bluff of the Deschutes River canyon and seven parcels located north of Putnam Lane. In 1994, the Oregon Land Conservation and Development Commission adopted Oregon Administrative Rule (OAR) 660, Division 22, Unincorporated Communities. This OAR instituted new land use requirement for Tumalo. OAR 660-22-020(3)(a) states that land which has been acknowledged as an exception area and historically considered part of the community may be included in an unincorporated community boundary. In 1997 as part of periodic review, Deschutes County updated its Comprehensive Plan and implemented regulations for Tumalo to comply with OAR 660, Division 22. These new policies still comply with the OARs. During the 1997 update, the Tumalo Rural Community boundary was amended to include 504.11 acres and 321 tax lots.

OAR 660-022-0030(3 & 11), Planning and Zoning for of Unincorporated Communities is met because the County's existing policies continue to limit new or expanded industrial uses.

OAR 660-022-0030(4), Planning and Zoning for of Unincorporated Communities is met because the County's existing policies continue to limit new or expanded commercial uses.

OAR 660-022-0030(5), Planning and Zoning for of Unincorporated Communities is met because to date, the community hasn't established a sewer system that would serve hotels or motels.

OAR 660-022-0030(6), Planning and Zoning for of Unincorporated Communities is met because the County's existing policies and corresponding land uses do not adversely affect agricultural or forestry uses.

OAR 660-022-0030(7), Planning and Zoning for of Unincorporated Communities is met because the County's existing policies will not result in a change to the traffic patterns within the boundaries or affect transportation facilities outside it.



OAR 660-022-0030(8), Planning and Zoning for of Unincorporated Communities is met because the County's existing policies still address the cumulative impacts associated with environmental impacts and the carrying capacity of soil, water resources and sewer services.

OAR 660-022-0030(9), Planning and Zoning for of Unincorporated Communities is met because Deschutes County is not part of a Metropolitan Service District.

### **3. Ordinance 2010-027 / Tumalo Community Plan**

Ordinance 2010-027 amends the Comprehensive Plan, DCC Chapter 23.40.30 to establish a Community Plan. The updated goals and policies provide a planning guide to decision making in regard to land use, capital improvements and physical development in Tumalo during the next 20 years (2010 – 2030). It is anticipated that Deschutes County, Oregon Department of Transportation (ODOT), special districts, residents and community leaders will consult the Community Plan when preparing land use projects in Tumalo.

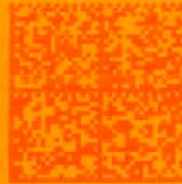
Tumalo residents crafted this vision for their community for the next 20 years. It is their intent that the Community Plan, developed in cooperation with Deschutes County, shall serve as a framework to realize this vision.

*“Retain the livability of Tumalo as rural small-town with community character, by ensuring safe and efficient public services and collaborating with the surrounding rural community.”*

This vision statement is created to ensure that with vigilance and foresight, the unique rural character of Tumalo will be maintained and enjoyed by present and future generations.

### **4. Consistency with Deschutes County Comprehensive Plan**

Land use planning implemented through Deschutes County policies and zoning will enable residents, stakeholders, and property owners in Tumalo to incorporate development into the community. DCC 23.40.30, the existing chapter pertaining to Tumalo, is being updated and reformatted to become a Community Plan. The Community Plan completely reformats DCC 23.40.30 to maximize readability. It contains updated demographics, pictures, maps, goals and policies. As discussed earlier, there is an overwhelming support for little or no change in Tumalo. The Community Plan's goals and policies reflect this sentiment by maintaining Tumalo's existing boundary, comprehensive plan designations and zoning districts. Furthermore, given the community sentiment, it is unnecessary to propose changes to DCC Chapter 18.66, Tumalo Rural Community Zoning Districts. In 2003, this chapter was found to be in compliance with the County's comprehensive plan and, continues to implement land use policies pertaining specifically to Tumalo.



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US POSTAGE

***Deschutes County Community Development Department***

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BEND, OREGON 97701-1925  
(541) 388-6575

Attention: Plan Amendment Specialist  
Department of Land Conservation and Development  
635 Capitol Street NE, Suite 150  
Salem, Oregon 97301-2540