



DOUGLAS COUNTY COMMISSIONER TOM KRESS

Douglas County Courthouse, Room 217
1036 SE Douglas Avenue, Roseburg, Oregon 97470

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Rural Open Space, A Local and Statewide Priority

Oregon is a big and diverse place. Within its borders, the landscape of Oregon ranges from verdant mountains to harsh, arid desert. The Willamette Valley, for example, features some of the highest quality agricultural soils in the world. The rocky hillsides of Douglas County produce some of the finest wines in the world. The Umpqua River passes through two densely forested mountain ranges on its way to the Pacific Ocean – the Coastal Range and the Cascades. These are resource lands, by any definition – lands on which one can harvest timber, raise livestock, and cultivate agricultural products.

Oregon also includes land where farming, ranching and growing trees can be extremely challenging due to unfavorable conditions such as poor soils and steep slopes. Central Douglas County, as far north as Drain, is part of the Klamath Mountain geomorphic province which features very different soils and growing conditions than elsewhere in Oregon.

Oregon law essentially imposes a single definition of farm or forest land to these unique and extreme environments. With its Rural Open Space (ROS) program, Douglas County set out to correct this shortcoming.

The ROS program builds upon work accomplished with the Southern Oregon Regional Pilot Project (SORRP). The SORRP was initiated by Executive Order of Governor John Kitzhaber in 2012, who directed Douglas, Jackson and Josephine counties to work with state agencies to develop an “appropriate regional variation” on the state’s definitions of farm and forest land, and establish specific parameters and measures to determine what is and is not “non-resource land.”

The County’s proposed ROS amendments would not change the classification of any land in the County. Rather, they would allow landowners to apply to re-designate their land to a Rural Open Space (ROS) comprehensive plan designation and Rural Transitional-20 (RT-20) zoning designation from its current farm or forest zone, if it can be demonstrated that the land cannot feasibly be employed for such use. An RT-20 designation would allow 20 acres to be divided from a larger parcel. Each newly created 20-acre parcel would be eligible for a dwelling as an outright permitted use.

The ROS methodology sets thresholds for grazing, agricultural, and woodland productivity, under which a property cannot be reasonably (or economically) managed for farm or forest use. Coastal resource lands and lands located more than two miles from an urban growth boundary, urban unincorporated area (such as Green) or designated rural community (such as Tenmile) would also not be eligible. Landowners proposing a change to RT-20 would have to account for the availability of fire, water and sanitary services.

Additional development opportunities in rural areas will contribute to a more diverse housing mix across Douglas County and accommodate a rural lifestyle desired by current and future residents. Rural development will increase affordable housing in the County by opening up existing housing stock to residents currently being priced out of the market. In addition to providing more housing options, the ROS lands will provide needed open space and wildlife habitat, and buffer urban uses from commercial agricultural and forestry activities. This can be accomplished with little impact to those lands that are appropriately zoned and employed for farm or forest use.

The Douglas County Board of Commissioners adopted amendments to the County land use ordinance and Comprehensive plan in the fall of 2018, which established the ROS program. This decision was appealed to the Land Use Board of Appeals (LUBA) by Friends of Douglas County, 1000 Friends of Oregon, and the Oregon Departments of Land Conservation and Development and Fish and Wildlife.

In August 2019, LUBA ruled that Douglas County’s adopted Rural Open Space program was not consistent with Statewide Planning Goals and the decision was remanded back to the County. The Board of Commissioners strongly, and fundamentally, disagrees with this conclusion. Douglas County is in the process of addressing LUBA’s assignments of error and re-adopting the ROS amendments.

At the same time, Douglas County will continue to advocate for a local and statewide non-resource class of lands and pressure state agencies and the legislature for changes to Oregon Revised Statute and Administrative Rule. The County will maintain a strong presence in future legislative and rule making efforts towards this end.

In conclusion, Douglas County is committed to the creation of a local, regional or statewide solution to address non-resource lands, diverse rural housing opportunities, and adapting the Statewide Planning Program to achieve that commitment.

Sincerely,

Tom Kress
Douglas County Commissioner