



Mailing Date:
Tuesday, July 2, 2024

COMMUNITY DEVELOPMENT

NOTICE OF PUBLIC HEARING

HEARING FORMAT

The Deschutes County Board of County Commissioners (Board) will conduct the public hearing as described below by video, telephone and in person. Options for participating in the public hearing are detailed in the Public Hearing Participation section.

PROJECT DESCRIPTION

FILE NUMBERS: 247-22-000436-ZC / 247-22-000443-PA / 247-23-000651-MA

SUBJECT PROPERTY & APPLICANT/OWNER:

Mailing Name: DESTINY COURT PROPERTIES LLC
Maps and Taxlots: 1712070000100 & 1712070000101
Accounts: 113037 & 192556
Situs Address: 19975 DESTINY CT, BEND, OR 97703

Note: The subject property has been reconfigured as part of a property line adjustment and the tax maps/accounts have not been updated yet.

APPLICANT'S ATTORNEY: Elizabeth Dickson, Dickson & Hatfield LLP

REQUEST: The Applicant requests a Comprehensive Plan Amendment to change the designation of the subject property from Agricultural (AG) to Rural Residential Exception Area (RREA); and a Zone Change to rezone the subject property from Exclusive Farm Use – Tumalo/Redmond/Bend Subzone (EFU-TRB) to Multiple Use Agricultural (MUA-10).

Note: The Applicant also applied for conditional use and tentative plan approval for a 14-lot residential Planned Unit Development (PUD). This request is not a part of this review.

HEARING DATE & TIME: Wednesday, July 24, 2024. The Board's meeting will start at 8 am. Please check the Board's Public Meeting Calendar to see the anticipated start time for this agenda item: <https://www.deschutes.org/meetings>.

HEARING LOCATION: Barnes and Sawyer Rooms of the Deschutes Services Center, 1300 NW Wall Street, Bend and Zoom

STAFF PLANNER: Anthony Raguine, Principal Planner
anthony.raguine@deschutes.org
(541) 617-4739

RECORD: Record items can be viewed and downloaded from:
<https://www.deschutes.org/cd/page/247-22-000436-zc-247-22-000443-pa-destiny-court-properties-llc-comprehensive-plan-amendment>



Scan this code using a smartphone camera app and a direct link to the website listed above will load.

TIME LIMITS

The Board has set the following time limits for testimony at the hearing:

- Applicant: 30 minutes
- General Public: 3 minutes
- Applicant Rebuttal: 10 minutes

STANDARDS AND APPLICABLE CRITERIA:

Deschutes County Code

- Title 18, Deschutes County Zoning Ordinance
 - Chapter 18.04, Title, Purpose, and Definitions
 - Chapter 18.16, Exclusive Farm Use Zones (EFU)
 - Chapter 18.32, Multiple Use Agricultural (MUA10)
 - Chapter 18.56, Surface Mining Impact Area Combining Zone (SMIA)
 - Chapter 18.84, Landscape Management Combining Zone (LM)
 - Chapter 18.136, Amendments
- Title 22, Deschutes County Development Procedures Ordinance

Deschutes County Comprehensive Plan

- Chapter 2, Resource Management
- Chapter 3, Rural Growth Management
 - Appendix C, Transportation System Plan

Oregon Administrative Rules (OAR) Chapter 660

- Division 12, Transportation Planning
- Division 15, Statewide Planning Goals
- Division 33, Agricultural Land

Oregon Revised Statutes (ORS)

247-22-000436-ZC / 247-22-000443-PA / 247-23-000651-MA

PUBLIC HEARING PARTICIPATION

- If you wish to provide testimony during the public hearing, please contact the staff planner by 4 pm on July 23rd. Testimony can be provided as described below.
- Members of the public may listen, view, and/or participate in this hearing using Zoom. Using Zoom is free of charge. To login to the electronic meeting online using your computer, copy this link: <http://bit.ly/3h3oqdd>. Using this option may require you to download the Zoom app to your device.
- Members of the public can access the meeting via telephone by dialing 253-215-8782. When prompted, enter the following: Webinar ID: 899 4635 9970 and Password: 013510.
- Written comments can also be submitted to the record. Please see the Document Submission section below for details regarding written submittals.
- If participation during the hearing by video and telephone is not possible, the public can provide testimony in person in the Barnes and Sawyer Rooms of the Deschutes Services Center, 1300 NW Wall Street, Bend.

All documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost at the Deschutes County Community Development Department (CDD) at 117 NW Lafayette Avenue. Seven (7) days prior to the public hearing, a copy of the staff report will be available for inspection at no cost at CDD and on the websites listed above. Copies of all documents, evidence and the staff report can be purchased at CDD for (25) cents a page.

ALL INTERESTED PERSONS MAY APPEAR, BE HEARD, BE REPRESENTED BY COUNSEL, OR SEND WRITTEN SIGNED TESTIMONY. ANY PARTY TO THE APPLICATION IS ENTITLED TO A CONTINUANCE OF THE INITIAL EVIDENTIARY HEARING OR TO HAVE THE RECORD LEFT OPEN IN ACCORDANCE WITH SECTION 22.24.140 OF THE DESCHUTES COUNTY CODE.

Failure to raise an issue in person at a hearing or in writing precludes appeal by that person to the Land Use Board of Appeals (LUBA), and that failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Deschutes County encourages persons with disabilities to participate in all programs and activities. This event/location is accessible to people with disabilities. If you need accommodations to make participation possible, please contact the staff planner identified above.

DOCUMENT SUBMISSION

Any person may submit written comments on a proposed land use action. Documents may be submitted to our office in person, U.S. mail, or email.

In Person

We accept all printed documents.

U.S. Mail

Deschutes County Community Development
Planning Division, Anthony Raguine, Principal Planner
P.O. Box 6005
Bend, OR 97708-6005

Email

Email submittals should be directed to anthony.raguine@deschutes.org.

Limitations

- Deschutes County does not take responsibility for retrieving information from a website link or a personal cloud storage service. It is the submitter's responsibility to provide the specific information they wish to enter into the record. We will print the email which includes the link(s), however, we will not retrieve any information on behalf of the submitter.
- Deschutes County makes an effort to scan all submittals as soon as possible. Recognizing staff availability and workload, there is often a delay between the submittal of a document to the record, and when it is scanned and uploaded to Accela Citizen Access (ACA) and Deschutes County Property Information (DIAL).
- To ensure your submission is entered into the correct land use record, please specify the land use file number(s).
- For the open record period after a public hearing, electronic submittals are valid **if received by the County's server** by the deadline established for the land use action.

NOTICE TO MORTGAGEE, LIENHOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST PROMPTLY BE FORWARDED TO THE PURCHASER.

This Notice was mailed pursuant to Deschutes County Code Chapters 22.20 and 22.24.