

REVIEWED  

---

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Superseding Ordinance 2024-007 and \*  
Amending Title 23, the Deschutes County \*  
Comprehensive Plan, to incorporate revisions \*  
resulting from the Deschutes County 2040 Update \*  
Process  
ORDINANCE NO. 2025-007

WHEREAS, on October 2, 2024, the Board of County Commissioners (“Board”) adopted Ordinance 2024-007, repealing and replacing the Deschutes County Comprehensive Plan with the Deschutes County 2040 Plan (File No. 247-23-000644-TA), and

WHEREAS, Central Oregon Landwatch appealed Ordinance 2024-007 to the Land Use Board of Appeals (“LUBA”) on October 28, 2024; and

WHEREAS, on March 23, LUBA issued Order No. 2024-080, initiating a *limited de novo* hearing process to allow the county to gather additional testimony on items related to the *Petitioner’s Brief* submitted by Central Oregon Landwatch; and

WHEREAS, after notice was given in accordance with applicable law, public hearings were held before the Board on April 23 and May 21, 2025, with the written record closing on May 28, 2025; and

WHEREAS, following first reading of this Ordinance No. 2025-007 on June 25, 2025, the Board decided to allow additional written testimony to address LUBA’s recent ruling in *Central Oregon Landwatch v Deschutes County* (“*Destiny Court*”), rural residential minimum lot size, and cluster and planned unit developments; and

WHEREAS, through Order 2025-030, the Board reopened the written record in this matter from July 21, 2025, to August 1, 2025, and staff proposed revisions to this Ordinance to reflect new information received in the open record period; and

WHEREAS, the Board concluded the proposed amendments to this Ordinance are of benefit to the public and finds it in the public interest to supersede Ordinance 2024-007 and to adopt the following Comprehensive Plan amendments; and

WHEREAS, the Goal Post rule set forth in ORS 227.178(3)(a) prescribes the newly adopted amendments apply to applications submitted after the effective date; now, therefore,

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

Section 1. AMENDING. DCC 23.010.010 is amended as described in Exhibit “A”, attached and incorporated by reference herein with repealed language set forth in ~~strike through~~ and underlined.

Section 2. AMENDING The 2010 Deschutes County Comprehensive Plan, adopted by Ordinance 2011-003, is amended to read as described in Exhibit “B”, attached and incorporated by reference herein.

Section 3. AMENDING. Deschutes County Comprehensive Plan Section 5.12, Legislative History, is amended to read as described in Exhibit “C”, attached and incorporated by reference herein, with new language underlined.

Section 4. FINDINGS. The Board adopts as its findings Exhibit “D,” attached and incorporated by reference herein.

Section 5. EFFECTIVE DATE. This Ordinance takes effect on the 90<sup>th</sup> day after the date of adoption or, if appealed, the date the ordinance is no longer subject to appeal.

Dated this \_\_\_\_\_ of \_\_\_\_\_, 2025

BOARD OF COUNTY COMMISSIONERS  
OF DESCHUTES COUNTY, OREGON

\_\_\_\_\_  
ANTHONY DeBONE, Chair

\_\_\_\_\_  
PATTI ADAIR, Vice Chair

ATTEST:

\_\_\_\_\_  
Recording Secretary

\_\_\_\_\_  
PHILIP CHANG, Commissioner

Date of 1<sup>st</sup> Reading: \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Date of 2<sup>nd</sup> Reading: \_\_\_\_\_ day of \_\_\_\_\_, 2025.

Record of Adoption Vote:

Commissioner	Yes	No	Abstained	Excused
Anthony DeBone	_____	_____	_____	_____
Patti Adair	_____	_____	_____	_____
Philip Chang	_____	_____	_____	_____

Effective date: \_\_\_\_\_ day of \_\_\_\_\_, 2025.