



Mailing Date:  
Friday, January 19, 2024

## COMMUNITY DEVELOPMENT

### NOTICE OF PUBLIC HEARING

#### HEARING FORMAT

The Deschutes County Hearings Officer will conduct the public hearing described below by video and telephone. If participation by video and telephone is not possible, in-person testimony is available. 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

**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 has 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.*

**HEARINGS OFFICER:** Gregory Frank

**HEARING DATE & TIME:** Tuesday, February 27, 2024 at 6:00pm

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

**STAFF PLANNER:** Caroline House, Senior Planner  
[Caroline.House@deschutes.org](mailto:Caroline.House@deschutes.org) / 541-388-6667

**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 Deschutes County Planning Division has set the following time limits for testimony at the hearing:

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

Please note, the above time limits can be modified or eliminated by the Hearings Officer at their discretion.

**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)  
Chapter 215-211, Agricultural Land, Detailed Soils Assessment

### **PUBLIC HEARING PARTICIPATION**

- If you wish to provide testimony during the public hearing, please contact the staff planner by 4 pm on Monday, February 26, 2024. 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: <https://us02web.zoom.us/j/82962230882>. Using this option may require you to download the Zoom app to your device.
- Members of the public can access the meeting via telephone, dial 1-669-900-9128. When prompted, enter the following Webinar ID: 829-6223-0882.
- 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 at 6 pm 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, Caroline House  
P.O. Box 6005  
Bend, OR 97708-6005

### **Email**

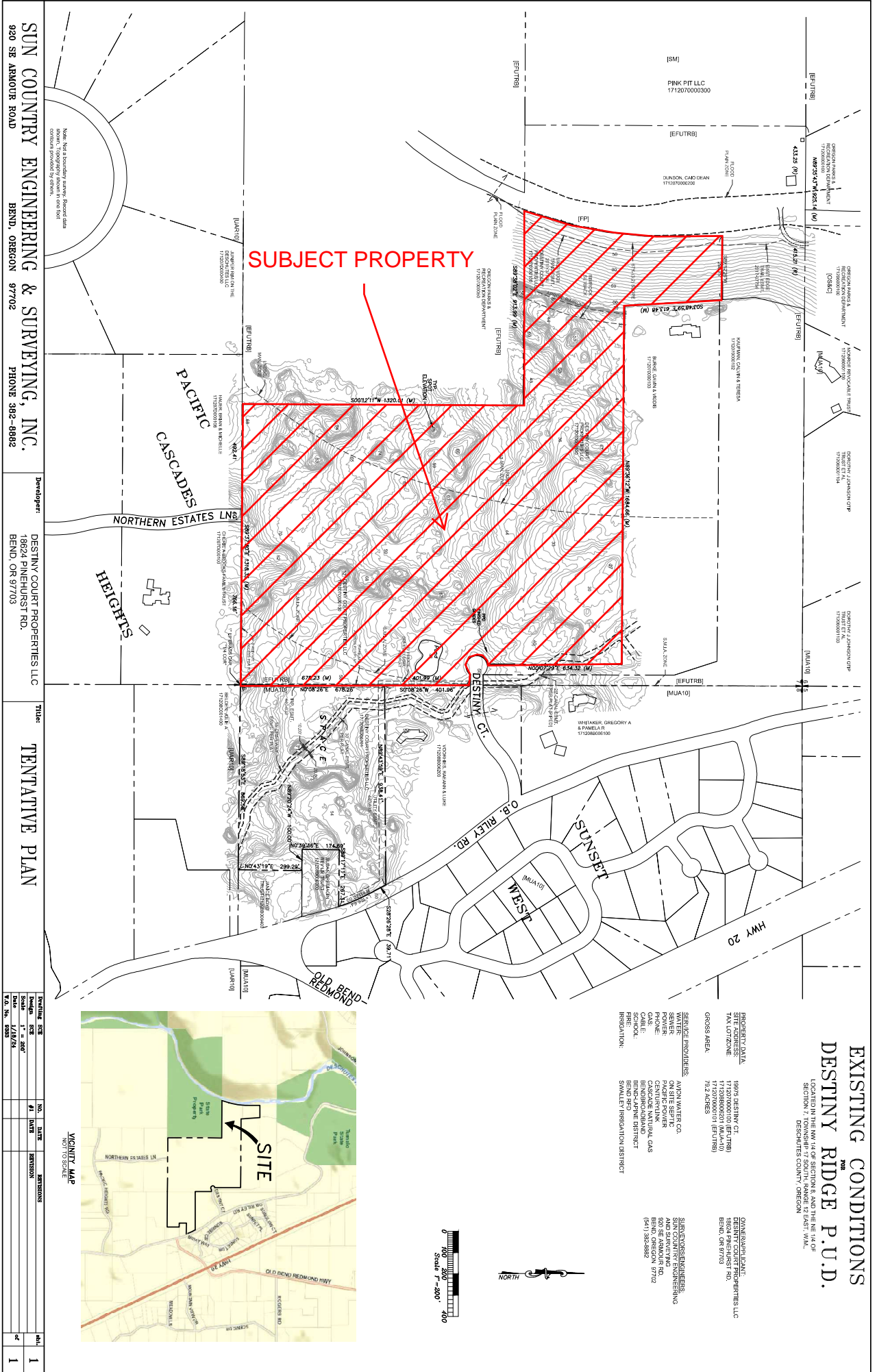
Email submittals should be directed to [Caroline.House@deschutes.org](mailto:Caroline.House@deschutes.org).

### **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.

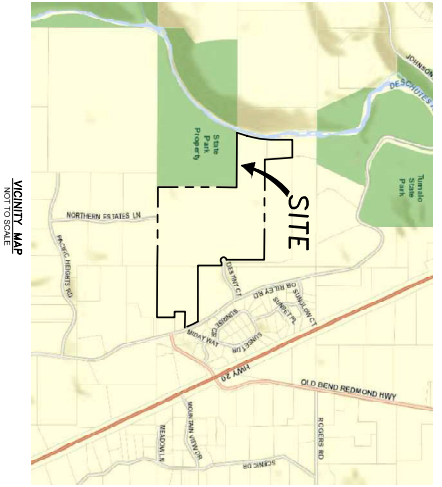


**SUN COUNTRY ENGINEERING & SURVEYING, INC.**  
 920 SE ARMOUR ROAD  
 BEND, OREGON 97702  
 PHONE 382-8882

Developer: **DESTINY COURT PROPERTIES LLC**  
 18224 PINEHURST RD.  
 BEND, OR 97703

Title: **TENTATIVE PLAN**

DATE	BY	REVISIONS	APP.
1/18/24			1
1/18/24			1



**EXISTING CONDITIONS**  
**DESTINY RIDGE P.U.D.**  
 LOCATED IN THE NW 1/4 OF SECTION 8, AND THE NE 1/4 OF SECTION 7, TOWNSHIP 9 SOUTH, RANGE 16 EAST, W.M., BEND-HILL COUNTY, OREGON

**PROPERTY DATA:**  
 18224 DESTINY CT  
 171200000100 (EFTUB)  
 TAX LOT ZONE: 171200000101 (EFTUB)  
 GROSS AREA: 732 ACRES

**OWNER/SELLER:**  
 DESTINY COURT PROPERTIES LLC  
 18224 PINEHURST RD.  
 BEND, OR 97703

**DESIGNER/ENGINEER:**  
 SUN COUNTRY ENGINEERS  
 AND SURVEYING  
 920 SE ARMOUR RD  
 BEND, OREGON 97702  
 (503) 382-8882

**SEWER PRODUCERS:**  
 ANTON WATER CO.  
 ON-SITE SEPTIC  
 CENTURIFUGAL  
 CASCO NATURAL GAS  
 BEND-ADRIAN DISTRICT  
 BEND BFD  
 S.W.A.L.E.T. FIRE/RESCUE DISTRICT

owner	agent	address	cityStZip	type	cdd id	email
911	Evan Clark	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Evan.Clark@deschutes.org
BEND FIRE DEPT.	Jeff Bond / Jason Bolen	1212 SW SIMPSON, SUITE B	Bend, OR 97702	NOPH	22-436-ZC 22-443-PA	jbond@bendoregon.gov; jbolen@bendoregon.gov
BEND METRO PARKS & REC.	Kelsey Schwart, Sara Anselmet	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	kelseys@bendparksandrec.org; saraa@bendparksandrec.org
DESCHUTES CO. ASSESSOR	Gregg Rossi	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	gregg.rossi@deschutes.org
DESCHUTES CO. PROPERTY ADDRESS COORDINATOR	Tracy Griffin	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Tracy.Griffin@deschutes.org
DESCHUTES CO. BUILDING SAFETY	Randy Scheid	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Randy.Scheid@deschutes.org
DESCHUTES CO. ONSITE WASTEWATER	Todd Cleveland	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Todd.Cleveland@deschutes.org
DESCHUTES CO. ROAD DEPT.	Cody Smith	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Cody.Smith@deschutes.org
DESCHUTES CO. SR. TRANS. PLANNER	Tarik Rawlings	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Tarik.Rawlings@deschutes.org
DESCHUTES CO. SURVEYOR	KEVIN SAMUEL/JOHN MC COY	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Kevin.Samuel@deschutes.org; John.McCoy@deschutes.org
DEPT. ENV. QUALITY (DEQ)	Carl Makepeace, Sean Rochette	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Carl.MAKEPEACE@deq.oregon.gov; sean.ROCHETTE@deq.oregon.gov
DEPT. OF LAND CONSERV. & DEVEL.		1011 SW EMKAY DR., SUITE 108	Bend, OR 97702	NOPH	22-436-ZC 22-443-PA	
DEPT. OF LAND CONSERV. & DEVEL.		635 CAPITOL ST. NE, #150	Salem, OR 97301-2540	NOPH	22-436-ZC 22-443-PA	
OR DEPT. OF AG LAND USE PLANING COORD.	JIM JOHNSON	635 CAPITOL ST NE	SALEM, OR 97301	NOPH	22-436-ZC 22-443-PA	
OREGON DEPT OF FISH & WILDLIFE	Jessica Clark/ Andrew Walch	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Jessica.S.CLARK@odfw.oregon.gov; Andrew.J.Walch@odfw.oregon.gov
OREGON PARKS & REC, REG. 4	Fiona Noonan	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	Fiona.NOONAN@oprd.oregon.gov
SWALLEY IRRIGATION DISTRICT		64672 COOK AVE.	BEND, OR 97701	NOPH	22-436-ZC 22-443-PA	
WATERMASTER - DISTRICT 11	Sam VanLingham	ELECTRONIC		NOPH	22-436-ZC 22-443-PA	sam.vanlingham@oregon.gov
Destiny County Properties, LLC		18624 Pinehurst Rd	Bend, OR 97703	NOPH	22-436-ZC 22-443-PA	
Dickson Hatfield LLP	Liz Dickson	400 SW Bluff Dr, Ste. 240	Bend, OR 97702	NOPH	22-436-ZC 22-443-PA	eadickson@dicksonhatfield.com
Sun Country Engineering & Surveying, Inc	Tim Weishaupt	920 SE Armour Rd	Bend, OR 97702	NOPH	22-436-ZC 22-443-PA	
Transight Consulting, LLC	Joe Bessman	61271 SE Splendor Ln.	Bend, OR 97702	NOPH	22-436-ZC 22-443-PA	
Bill and Lisa Scannell		20085 Pacific Heights Rd	Bend, OR 97703	NOPH	22-436-ZC 22-443-PA	
Brooke Warner		63911 Sunrise Circle	Bend, OR 97703	NOPH	22-436-ZC 22-443-PA	wpjscannell@gmail.com
Lyle Warner				NOPH	22-436-ZC 22-443-PA	brookeferry@yahoo.com
Central Oregon Landwatch	Carol Macbeth	2843 NW Lolo Dr Ste. 200	Bend, OR 97703	NOPH	22-436-ZC 22-443-PA	lwarner03@yahoo.com
Cherie Brooks		63760 Northern Estates Lane	Bend, OR 97703	NOPH	22-436-ZC 22-443-PA	carol@colw.org
David J. Petersen	Tonkon Torp LLP	888 SW Fifth Ave., Suite 1600	Portland OR 97204	NOPH	22-436-ZC 22-443-PA	cherie.a.brooks@gmail.com
Doug and Abbie Knopper		19935 Pacific Heights Rd	Bend, OR 97703	NOPH	22-436-ZC 22-443-PA	david.petersen@tonkon.com
Matt Tobolski		19407 SE View Crest Ter	Camas, WA 98607	NOPH	22-436-ZC 22-443-PA	dknopper@gmail.com
Pacific Cascades Heights Homeowners Association		PO Box 6026	Bend, OR 97708	NOPH	22-436-ZC 22-443-PA	matt@gotobolski.com
Harry and Caron Arnold		63695 Northern Estates Lane	Bend, OR 97703	NOPH	22-436-ZC 22-443-PA	
LEMOINE COHN LIVING TRUST	LEMOINE, GANO DOMINIC III TTEE ET AL	60447 SNAP SHOT LOOP	BEND, OR 97702	NOPH	22-436-ZC 22-443-PA	htyrte@gmail.com
HAGGERTY, NOELLE J		PO BOX 6473	BEND, OR 97708	NOPH	22-436-ZC 22-443-PA	
KIMBERLY & RUSSELL LAUSTSEN TRUST	LAUSTSEN, KIMBERLY A & RUSSELL M JR TTEES	63973 SUNSET DR	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
JOHNSON, RICK C		63987 SUNSET DR	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
DESTINY COURT PROPERTIES LLC		18624 PINEHURST RD	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
PERRY, JAMES D & JULIE		63887 SUNRISE CIR	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
BRADLEY, MELISSA & HODNETT, ROBERT		63899 SUNRISE CIR	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
ALLEN, KOHLER VAN		19872 ROBINWOOD PL	BEND, OR 97702	NOPH	22-436-ZC 22-443-PA	
JAQUES, JENNIFER TERESE ET AL		5435 SW VERMONT ST	PORTLAND, OR 97219	NOPH	22-436-ZC 22-443-PA	
WALL, JOHN V		63919 SUNRISE CIR	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
ALEXANDER, SAVANNAH		63990 OB RILEY RD	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
WHITAKER, GREGORY A & PAMELA R		63945 OB RILEY RD	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
VOORHIES, RAEANN & LUKE		20025 DESTINY CT	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
BELDEN, JULIE A		63795 OB RILEY RD	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
HENKLE, MARK D		63939 SUNSET DR	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
WARNER, LYLE R & BROOKE A		63911 SUNRISE CIR	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
LAMMERS, HAROLD E & MINDA L		63929 SUNSET DR	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
KAUFMAN, CALVIN & TERESA		1819 NW WILD RYE CIR	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
BURKE, GAVIN & VIGDIS		19980 DESTINY CT	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
DUNSON, CAIO DEAN		64682 COOK AVE #98	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
FRAZIER FAMILY TRUST	FRAZIER, BRIAN E & BUFFI L TTEES	63740 NORTHERN ESTATES LN	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
JEFF & LAURA BREIT JOINT TRUST	BREIT, JEFFREY F & LAURA J TTEES	63747 OB RILEY RD	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
HAUER, BRIAN & MICHELLE		61350 SE PRESTON ST	BEND, OR 97702	NOPH	22-436-ZC 22-443-PA	
CHERIE A BROOKS FAMILY TRUST	BROOKS, CHERIE A TTEE	PO BOX 1108	BEND, OR 97709	NOPH	22-436-ZC 22-443-PA	
PINK PIT LLC		84 SE 5TH ST #100	BEND, OR 97702	NOPH	22-436-ZC 22-443-PA	
JUNIPER RIM ON THE DESCHUTES LLC		1601 31ST NW	WASHINGTON, DC 20007	NOPH	22-436-ZC 22-443-PA	
OREGON PARKS & RECREATION DEPARTMENT		725 SUMMER ST #SUITE C	SALEM, OR 97301	NOPH	22-436-ZC 22-443-PA	
MULLIGAN LIVING TRUST	MULLIGAN, ERIC M & VIRGINIA R TTEES	1324 S CORBETT HILL CIR	PORTLAND, OR 97219	NOPH	22-436-ZC 22-443-PA	
DOROTHY J JOHNSON QTIP TRUST ET AL	JOHNSON, DOROTHY J TTEE ET AL	64011 O B RILEY RD	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
MONROE REVOCABLE TRUST	MONROE, JOSEPH M & MONA L TTEES	64005 OB RILEY RD	BEND, OR 97703	NOPH	22-436-ZC 22-443-PA	
EYEMABLUÉ LLC		8335 GLEN RD	CORONA, CA 92883	NOPH	22-436-ZC 22-443-PA	