



MEMORANDUM

TO: Deschutes County Board of Commissioners (Board)
FROM: Tarik Rawlings, Senior Transportation Planner
DATE: July 19, 2023
SUBJECT: Deliberations – Destination Resort Text Amendments

On July 26, 2023, the Board of County Commissioners (Board) will conduct deliberations on an applicant-initiated legislative text amendment to Deschutes County's Destination Resort (DR) Combining Zone (file no. 247-22-000835-TA), following a public hearing that was held on July 12, 2023.

The record is available for inspection on the project website:

<https://www.deschutescounty.gov/cd/page/247-22-000835-ta-destination-resort-text-amendment>

I. BACKGROUND

In October 2022, the applicant Central Oregon LandWatch (COLW), applied for a legislative amendment to Deschutes County's Destination Resort (DR) Combining Zone. The proposed amendments would add language from Oregon Revised Statute (ORS) 197.455(1)(a), which would limit residential uses to those necessary for the staff and management of the resort at any new Destination Resort allowed within 24 air miles of an urban growth boundary population of at least 100,000. This proposed amendment would only apply to newly proposed Destination Resorts and would not apply to existing or approved Destination Resorts. The applicable language from ORS 197.455(1)(a) is provided below:

(1) A destination resort may be sited only on lands mapped as eligible for destination resort siting by the affected county. The county may not allow destination resorts approved pursuant to ORS 197.435 (Definitions for ORS 197.435 to 197.467) to 197.467 (Conservation easement to protect resource site) to be sited in any of the following areas:

(a) Within 24 air miles of an urban growth boundary with an existing population of 100,000 or more unless residential uses are limited to those necessary for the staff and management of the resort.

Staff submitted a 35-day Post-Acknowledgement Plan Amendment (PAPA) notice to the Department of Land Conservation and Development on January 11, 2023. Agency notice was sent to relevant

agency partners on January 18, 2023, and several agency comments were received. Notice of the proposal was sent to all property owners within Deschutes County who are within the DR Zone on January 23, 2023. The Notice explained the scope of the proposal, provided a project-specific website related to the application, and gave meeting information for the initial Planning Commission public hearing held on February 23, 2023¹. The Planning Commission held a continued public hearing on March 9, 2023² and deliberated on the matter on March 23, 2023³. The Planning Commission ultimately recommended approval of the proposal with three (3) Commissioners voting in favor and one (1) Commissioner voting against the proposal (two (2) Commissioners recused themselves from deliberations). Following a Board work session on July 10, 2023⁴ and public hearing on July 12, 2023⁵, the Board voted to keep the written record open until Friday July 14th at 5pm with deliberations scheduled for July 26, 2023.

II. BOARD DELIBERATIONS

On July 26, 2023, the Board will deliberate on the proposed legislative text amendment request. If the Board finds that additional deliberations are necessary, the Board may schedule a future date for continued deliberations. If the Board finds no additional deliberations are necessary, the Board may then vote on the proposal.

The record is available for inspection at the Planning Division and at the following link: <https://www.deschutescounty.gov/cd/page/247-22-000835-ta-destination-resort-text-amendment>

Board Decision Matrix

A more thorough review and discussion of the subject proposal's compliance with the applicable approval criteria and issues is provided in Attachment 1 - Board Decision Matrix, prepared in conjunction with this deliberation memorandum.

Appendix – Proposed Text Modifications

Staff has included the four (4) proposed text modifications submitted on behalf of Caldera Springs Real Estate, Juniper Preserve (formerly known as Pronghorn Resort), Kenneth Katzaroff, and Garrett Chrostek as Attachment 2 attached to this memorandum for the Board's review.

III. NEXT STEPS

If the Board determines that additional deliberations are necessary, staff will work with the Board to schedule a future meeting for continued deliberations. If the Board concludes their deliberations during the July 26, 2023 meeting, the Board may then vote on whether to approve the proposal. If the Board renders a vote during the July 26, 2023 meeting, staff will coordinate with the Board to

¹ <https://www.deschutescounty.gov/cd/page/247-22-000835-ta-destination-resort-text-amendment>

² <https://www.deschutes.org/bc-pc/page/planning-commission-24>

³ <https://www.deschutes.org/bc-pc/page/planning-commission-28>

⁴ <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-113>

⁵ <https://www.deschutes.org/bcc/page/board-county-commissioners-meeting-114>

return for a future meeting during which a draft ordinance and relevant exhibits will be presented and a first reading of the ordinance initiated.

ATTACHMENTS:

1. Board Decision Matrix
2. Appendix – Proposed Text Modifications