



Mailing Date:  
Tuesday, October 10, 2023

## COMMUNITY DEVELOPMENT

### **REVISED NOTICE OF PUBLIC HEARING**

*This REVISED NOTICE OF PUBLIC HEARING is being mailed as the applicant has requested a continuance pursuant to Deschutes County Code section 22.24.140(A)(1). A new hearing date is set for Tuesday, October 24, 2023 at 6:00pm. The hearing will continue to be a hybrid meeting (in-person and Zoom attendance) and be conducted in the Barnes and Sawyer Rooms as indicated below.*

### **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:** 247-22-000464-CU, 247-22-000466-SP

**OWNER:** Duane & Dina Fay Barker

**APPLICANT:** Lava Terrace Cellars

**PROPOSAL:** The applicant requests a Conditional Use Permit and Site Plan Review to establish a winery as a Commercial Activity in Conjunction with Farm Use in the Multiple Use Agricultural Zone (MUA10).

**LOCATION:** The subject property has an assigned address of 20520 Bowery Lane, Bend, OR 97703 and is identified on the County Assessor Tax Map 17-12-09B, as Tax Lot 1000.

**HEARING DATE:** Tuesday, October 24, 2023

**HEARING START:** 6:00 pm

**STAFF PLANNER:** Nathaniel Miller, Associate Planner  
Phone: 541-317-3164  
Email: Nathaniel.Miller@Deschutes.org

**RECORD:** Record items can be viewed and downloaded from:  
<https://www.deschutes.org/cd/page/247-22-000464-cu-247-22-000466-sp-lava-terrace-cellar-winery-vinyard>

**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 (DCC)

Title 18 of the Deschutes County Code, the County Zoning Ordinance:

- Chapter 18.04, Title, Purpose and Definitions
- Chapter 18.32, Multiple Use Agricultural Zone (MUA10)
- Chapter 18.116, Supplementary Provisions
- Chapter 18.124, Site Plan Review
- Chapter 18.128, Conditional Use

Title 22, Deschutes County Development Procedures Ordinance

**PUBLIC HEARING PARTICIPATION**

- If you wish to provide testimony during the public hearing, please contact the staff planner by 4 pm on Monday, October 23, 2023. 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/83847211331>. 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 1-253-215-8782. When prompted, enter the following Webinar ID: 838 4721 1331.
- 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, Nathaniel Miller  
P.O. Box 6005  
Bend, OR 97708-6005

#### **Email**

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

## Limitations

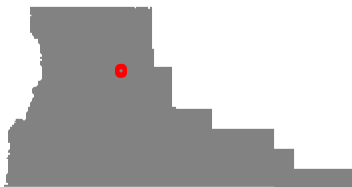
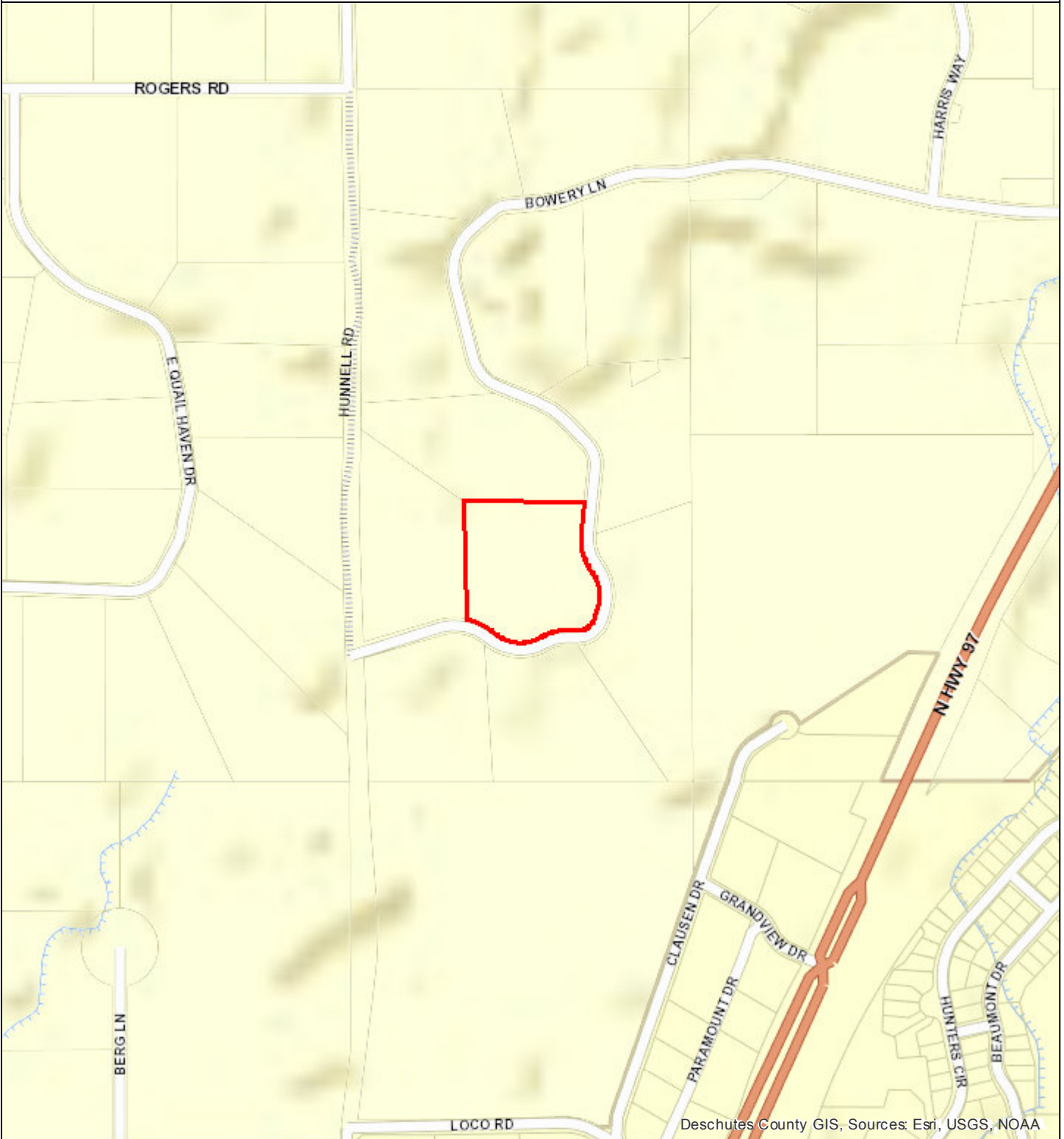
- Deschutes County does not take responsibility for retrieving information from a website link or a personal cloud storage service. It is the submitter's responsibility to provide the specific information they wish to enter into the record. We will print the email which includes the link(s), however, 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.

# File: 247-22-000464-CU, 466-SP

20520 Bowery Lane, Bend, OR 97703



Date: 9/7/2023

