



MEMORANDUM

TO: Deschutes County Board of Commissioners (Board)

FROM: Nathaniel Miller, Associate Planner

DATE: June 21, 2023

SUBJECT: Consideration of Second Reading of Ordinance 2023-010 – A Plan Amendment and Zone Change (file nos. 247-22-000313-ZC, 314-PA).

The Board of County Commissioners (Board) will conduct a second reading of Ordinance 2023-010 on June 21, 2023 to consider a request for a Plan Amendment and Zone Change (file nos. 247-22-000313-ZC, 314-PA) for two tax lots totaling approximately 93 acres, to the east of the City of Bend and north of Highway 20.

I. BACKGROUND

The applicant and property owner, Te Amo Despacio LLC and CTH Investments LLC, is requesting a Comprehensive Plan Amendment to re-designate the subject property from Agriculture to Rural Residential Exception Area and a Zoning Map Amendment to rezone the property from Exclusive Farm Use (EFU) to Multiple Use Agricultural (MUA-10). The applicant argues that the subject property does not meet the definition of “agricultural land” due to its poor soil quality. For this reason, it is the applicant’s position that a mistake was made when the property was originally zoned and MUA-10 zoning is more appropriate. The applicant provided a supplementary soil study that identifies non-high value (Class VII and VIII) soils on a majority (73%) of the subject properties.

A public hearing before a Hearings Officer was conducted on November 15, 2022 with the Hearings Officer’s recommendation of approval issued on December 15, 2022. The Board held a public hearing on April 5, 2023 and initiated a 14-day open record period, which concluded April 19, 2023. On May 10, the Board deliberated to approve the requests, with a unanimous vote in favor of the subject applications.

II. SECOND READING

The Board is scheduled to conduct the second reading of Ordinance 2023-010 on June 21, 2023, fourteen (14) days following the first reading.

ATTACHMENTS:

1. Draft Ordinance 2023-010 and Exhibits

Exhibit A: Legal Descriptions

Exhibit B: Proposed Plan Amendment Map

Exhibit C: Proposed Zone Change Map

Exhibit D: Comprehensive Plan Section 23.01.010, Introduction

Exhibit E: Comprehensive Plan Section 5.12, Legislative History

Exhibit F: Hearings Officer Recommendation