



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: December 17, 2025

SUBJECT: Consideration of Document 2025-1097, an Agreement Creating a Land Use Restrictive Covenant involving property at 62150 Hamby Road, Bend

RECOMMENDED MOTION:

Move approval of County Administrator signature on Document 2025-1097, an Agreement Creating a Land Use Restrictive Covenant (Gales' Project).

BACKGROUND AND POLICY IMPLICATIONS:

The Gales family, which owns property located at 62150 Hamby Road, is interested to provide services for people who are homeless on their property.

The property is currently zoned Exclusive Farm Use (EFU) and will require a zone change to provide the proposed services. The Gales had a pre-application meeting with the County's Community Development Department (CDD) to discuss their plans and are working on the application for a zone change.

The Coordinated Homeless Response Office (CHRO) Board voted to provide up to \$25,000 from the CHRO budget to help cover part of the cost for the CDD land use fees associated with the forthcoming rezone application. The CHRO Board also discussed the need for legal safeguards to ensure that public funds spent on a rezone application for private property would result in the public good.

To provide safeguards, staff drafted Document 2025-1096, a Grant Agreement Between Deschutes County and Craig and Lori Gales Living Trust. Staff also drafted Document 2025-1097, an Agreement Creating a Land Use Restrictive Covenant. The Restrictive Covenant has the following general terms:

1. The Gales will submit a land use application for their property located at 62150 Hamby Road in order to allow the property to be used for indoor/outdoor shelter, services incidental to shelter, and/or safe parking.
2. Deschutes County will use up to \$25,000 from the CHRO budget to help offset the

cost of the associated land use fees.

3. In exchange for the grant funds, the Gales shall sign Document 2025-1097, an Agreement Creating a Land Use Restrictive Covenant. The restrictive covenant shall be recorded on the property only if the property is successfully rezoned to Multiple Use Agricultural – 10 or Rural Residential – 10.
4. Upon a successful application to rezone the property, the Restrictive Covenant limits the use of the property to provide services to the County's homeless population which include indoor/outdoor shelter, related services, and/or safe parking.
5. The restrictive covenant shall be recorded through December 31, 2040.

BUDGET IMPACTS:

None

ATTENDANCE:

Erik Kropp, Deputy County Administrator
Criag Gales, property owner