



**MEMORANDUM**

**TO:** Deschutes County Board of Commissioners

**FROM:** Rachel Vickers, Associate Planner

**DATE:** May 31, 2023

**SUBJECT:** Griffin/Renfro Comprehensive Plan Amendment and Zone Change – Public Hearing

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The Board of County Commissioners (“Board”) is conducting a public hearing on May 31, 2023, to consider a request for a Comprehensive Plan Amendment and Zone Change (file nos. 247-22-000792-PA, 793-ZC) for one tax lot totaling approximately 40 acres one mile to the east of the City of Bend. This will be the second of two required public hearings.

**I. BACKGROUND**

The applicants, Kevin Griffin and Libby Renfro, are requesting a Comprehensive Plan Amendment to re-designate the subject properties from Agriculture to Rural Residential Exception Area and a Zoning Map Amendment to rezone the properties from Exclusive Farm Use (EFU) to Multiple Use Agricultural (MUA10). The applicant argues the property was mistakenly identified as farmland, does not contain high-value soils or other characteristics of high value farmland, and therefore should be re-designated and rezoned for rural residential use. The applicants provided a supplementary soil study that identifies non-high value (Class VII and VIII) soils on a majority of the subject properties. Additionally, the applicant’s burden of proof includes findings that demonstrates compliance with state and local requirements and policies.

**II. PUBLIC COMMENTS**

Staff received four (4) public comments from neighbors and local interest groups related to the February 28, 2023 Hearing’s Officer hearing and proceedings. All four comments opposed the application, however staff notes that one of the comments from a nearby neighbor related to using the property as a drug treatment facility which is unrelated to this proposal. Comments received in opposition expressed concern related to potential loss of agricultural land, credibility of the submitted soils report, and the applications ability to meet all relevant local and state regulations.

**III. HEARINGS OFFICER RECOMMENDATION**

The Deschutes County Hearings Officer held a public hearing on February 28, 2023. One individual, not including the applicant's team, provided testimony during the hearing in support of the application.

On March 24, 2023, the Hearings Officer issued a recommendation of approval for the proposed Plan Amendment and Zone Change evaluating compliance with all applicable review criteria.

#### **IV. BOARD CONSIDERATION**

As the property includes lands designated for agricultural use, Deschutes County Code 22.28.030(C) requires the application to be heard *de novo* before the Board, regardless of the determination of the Hearings Officer. Per DCC Section 22.20.040(D), the review of the proposed quasi-judicial Plan Amendment and Zone Change is not subject to the 150-day review period typically associated with land use decisions. The record is available for inspection at the Planning Division and at the following website:

<https://www.deschutes.org/cd/page/247-22-000792-pa-793-zc-%E2%80%93-comprehensive-plan-amendment-and-zone-change>.

#### **V. NEXT STEPS**

At the conclusion of the public hearing, the Board can choose one of the following options:

- Continue the hearing to a date and time certain;
- Close the oral portion of the hearing and leave the written record open to a date and time certain;
- Close the hearing and commence deliberations; or
- Close the hearing and schedule deliberations for a date and time to be determined.

#### **ATTACHMENT(S):**

1. Area Map
2. Hearings Officer Recommendation