



MEMORANDUM

TO: Deschutes County Board of Commissioners (Board)

FROM: Haleigh King, Associate Planner

DATE: December 7, 2022

SUBJECT: Consideration of Second Reading of Ordinance 2022-013– Eden Properties Plan Amendment and Zone Change

The Board of County Commissioners (Board) will consider a second reading of Ordinance 2022-013 on December 14, 2022 to approve a request for a Plan Amendment and Zone Change (file nos. 247-21-001043-PA, 1044-ZC) for nine tax lots totaling approximately 710 acres to the west of Terrebonne and north of Highway 126.

I. BACKGROUND

The applicant, 710 Properties, LLC/Eden Central Properties, LLC, is 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 Rural Residential – 10 Acre Minimum (RR-10). The applicant argues the properties were mistakenly identified as farmland, do 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 applicant provided a supplementary soil study that identifies non-high value (Class VII and VIII) soils on a majority (~71%) of the subject properties. Additionally, the applicant’s burden of proof includes findings that demonstrate compliance with state and local requirements and policies.

A public hearing before a Hearings Officer was conducted on April 19, 2022 with the Hearings Officer’s recommendation of approval issued on June 2, 2022. The Board held a public hearing on August 17, 2022 and initiated a 21-day open record period, which concluded September 7, 2022 at 4:00pm. On September 28, 2022, the Board deliberated to approve the requests, with two of the three Commissioners in favor. The Board conducted the first reading of Ordinance 2022-013 on November 21, 2022 by title only.

II. SECOND READING

The Board is scheduled to conduct the second reading of Ordinance 2022-013 on December 14, 2022, twenty-three (23) days following the first reading.

ATTACHMENTS:

1. Draft Ordinance 2022-013 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: Board of County Commissioners Decision

Exhibit G: Hearings Officer Recommendation