



Mailing Date:
Tuesday, October 10, 2023

COMMUNITY DEVELOPMENT

NOTICE OF PUBLIC HEARING

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: 247-23-000547-PA, 247-23-000548-ZC

OWNER: MILLER PIT LLC

APPLICANT: Caldera Land, LLC

PROPOSAL: The applicant requests approval of a Comprehensive Plan Amendment to change the designation of the subject property from Surface Mine (SM) to Rural Residential Exception Area (RREA). The applicant also requests a corresponding Zone Change to rezone the subject property from Surface Mining (SM) to Multiple Use Agricultural (MUA10).

LOCATION: Tax Lot 200 on Assessor's Map 18-12-21, no assigned address

HEARING DATE: Monday, November 13, 2023

HEARING START: 6:00 pm

STAFF PLANNER: Audrey Stuart, Associate Planner
Audrey.Stuart@deschutes.org, 541-388-6679

RECORD: Record items can be viewed and downloaded from:
<https://www.deschutes.org/cd/page/247-23-000547-pa-247-23-000548-zc-miller-pit-llc-comprehensive-plan-amendment-and-zone>

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:

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

- Chapter 18.04, Title, Purpose, and Definitions
- Chapter 18.32, Multiple Use Agricultural (MUA10).
- Chapter 18.52, Surface Mining (SM)
- Chapter 18.136, Amendments

Title 22, Deschutes County Development Procedures Ordinance

Deschutes County Comprehensive Plan

- Chapter 2, Resource Management
- Chapter 3, Rural Growth Management
- Appendix C, Transportation System Plan

Oregon Administrative Rules (OAR), Chapter 660

- Division 12, Transportation Planning
- Division 15, Statewide Planning Goals and Guidelines
- Division 23, Procedures and Requirements for Complying with Goal 5

PUBLIC HEARING PARTICIPATION

- If you wish to provide testimony during the public hearing, please contact the staff planner by 4 pm on November 12, 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/89984675116>. 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 1-312-626-6799. When prompted, enter the following Webinar ID: 899 8467 5116.
- 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, Audrey Stuart
P.O. Box 6005
Bend, OR 97708-6005

Email

Email submittals should be directed to Audrey.Stuart@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.

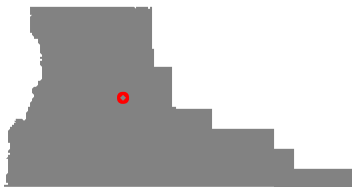
This Notice was mailed pursuant to Deschutes County Code Chapters 22.20 and 22.24.

Land Use File #247-23-000547-PA, 548-ZC

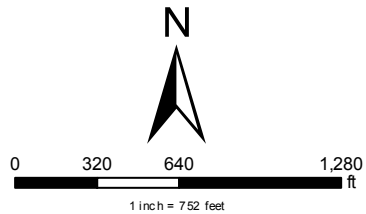
Miller Pit LLC



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community
Deschutes County GIS



Date: 7/5/2023



owner	agent	inCareof	address	cityStZip	type	cdd id	email
ARNOLD IRRIGATION DISTRICT			ELECTRONIC		NOPH	23-547-PA, 548-ZC	office@arnoldid.com
AVION WATER COMPANY	Tanner Lemon		ELECTRONIC		NOPH	23-547-PA, 548-ZC	tel@avionwater.com
BEND FIRE DEPT.	Jeff Bond / Jason Bolen		ELECTRONIC		NOPH	23-547-PA, 548-ZC	jbond@bendoregon.gov; jbolen@bendoregon.gov
BEND GROWTH MANAGEMENT DEPT.			709 NW WALL ST., STE. 102	Bend, OR 97701	NOPH	23-547-PA, 548-ZC	
BEND PLANNING DEPT.			P.O. BOX 431	Bend, OR 97709	NOPH	23-547-PA, 548-ZC	
DEPT. OF GEOLOGY & MINERAL IND.	Becky Johnson		ELECTRONIC		NOPH	23-547-PA, 548-ZC	mlrr.info@dogami.oregon.gov
DEPT. OF LAND CONSERV. & DEVEL.			1011 SW EMKAY DR., SUITE 108	Bend, OR 97702	NOPH	23-547-PA, 548-ZC	
DEPT. OF LAND CONSERV. & DEVEL.			635 CAPITOL ST. NE, #150	Salem, OR 97301-2540	NOPH	23-547-PA, 548-ZC	
DESCHUTES CO. ASSESSOR			ELECTRONIC		NOPH	23-547-PA, 548-ZC	
DESCHUTES CO. ROAD DEPT.	Cody Smith		ELECTRONIC		NOPH	23-547-PA, 548-ZC	Cody.Smith@deschutes.org
DESCHUTES CO. SR. TRANS. PLANNER	Tarik Rawlings		ELECTRONIC		NOPH	23-547-PA, 548-ZC	Tarik.Rawlings@deschutes.org
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Becky Breeze Wurzel			ELECTRONIC		NOPH	23-547-PA, 548-ZC	beckybreeze24@gmail.com
Terri Holm			60685 Tekampe Rd	Bend, OR 97702	NOPH	23-547-PA, 548-ZC	terrimholm@gmail.com
Kimberly Peterman and Phil Whitehead			60645 Tekampe Rd	Bend, OR 97702	NOPH	23-547-PA, 548-ZC	
Rex Urich			60615 Tekampe Rd	Bend, OR 97702	NOPH	23-547-PA, 548-ZC	
	Joey Shearer		ELECTRONIC		NOPH	23-547-PA, 548-ZC	shearerj@aks-eng.com
MILLER PIT LLC			61560 GOSNEY RD	BEND, OR 97702	NOPH	23-547-PA, 548-ZC	
Caldera Land, LLC			PO Box 7695	Bend, OR 97708	NOPH	23-547-PA, 548-ZC	