



**MEMORANDUM**

**TO:** Deschutes County Board of Commissioners (Board)

**FROM:** Nathaniel Miller, Associate Planner

**DATE:** June 7, 2023

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

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The Board of County Commissioners (Board) will consider a first reading of Ordinance 2023-010 on June 7, 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 14, 2023. On May 10, the Board deliberated to approve the requests, with a unanimous vote in favor of the subject applications.

**II. NEXT STEPS / SECOND READING**

The Board is tentatively 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