



MEMORANDUM

TO: Deschutes County Board of Commissioners (Board)

FROM: Tarik Rawlings, Associate Planner
Will Groves, Planning Manager

DATE: November 16, 2022

SUBJECT: Consideration of First Reading of Ordinance 2022-011 – LBNW LLC Plan Amendment and Zone Change

The Board of County Commissioners (Board) will consider a first reading of Ordinance 2022-011 on November 21, 2022 for a Plan Amendment and Zone Change (file nos. 247-21-000881-PA, 882-ZC) on a subject property consisting of three tax lots totaling approximately 19.12 acres.

I. BACKGROUND

The applicant, LBNW LLC, is requesting a Comprehensive Plan Amendment to re-designate the subject properties from Agriculture to Rural Industrial and a corresponding Zone Change to rezone the properties from Exclusive Farm Use (EFU) to Rural Industrial (RI). The applicant’s reasoning for the request is that 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 industrial use. The applicant has 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 has provided findings within the burden of proof that provide responses to relevant state and local requirements and policies. A public hearing before a Hearings Officer was conducted on April 26, 2022 with the Hearings Officer’s recommendation of approval issued on July 12, 2022. The Board held a public hearing on September 7, 2022 and closed the written record period. On September 28, 2022, the Board deliberated to approve the requests, with two of the three Commissioners in favor.

II. NEXT STEPS / SECOND READING

The Board is scheduled to conduct the second reading of Ordinance 2022-011 on December 5, 2022, fourteen (14) days following the first reading.

ATTACHMENTS:

1. Draft Ordinance 2022-011 and Exhibits
Exhibit A: Legal Description

Exhibit B: Plan Amendment Map

Exhibit C: Zone Change Map

Exhibit D: Comprehensive Plan Section 23.01.010, Introduction

Exhibit E: Comprehensive Plan Section 5.12, Legislative History

Exhibit F: Decision of the Board of County Commissioners

Exhibit G: Hearings Officer Recommendation