

Community Development Department

Public Hearing – July 12, 2023

File No. 247-22-000835-TA

Request: Applicant-initiated Legislative Text Amendment to Deschutes County's Destination Resort (DR) Combining Zone to add language from Oregon Revised Statute (ORS) 197.455(1)(a), limiting residential uses on certain resort proposals.

Case Planner: Tarik Rawlings, Associate Planner
Email: Tarik.Rawlings@deschutes.org
Phone: (541) 317-3148



Hearing Procedure

The hearing will be conducted in the following order:

- 1. Staff will explain the hearing format and how to testify**
- 2. Staff report**
- 3. Testimony**
 - 1. The Applicant**
 - 2. Agencies**
 - 3. Persons in support**
 - 4. Persons in opposition**
- 4. Applicant rebuttal**
- 5. Staff closing comments**



Notices & Record Materials

Project Website and Full Record

<https://www.deschutescounty.gov/cd/page/247-22-000835-ta-destination-resort-text-amendment>



Testifying at Today's Hearing

- In-person and remote participation meeting format
- Before starting your testimony please provide:
 1. First and Last Name
 2. Mailing Address
- Time Limitations
 - Applicant = 30 minutes
 - Agencies/Government Bodies = 10 minutes
 - Other Participants = 3 minutes
 - Applicant Rebuttal = 10 minutes



In-Person Participants

- Please fill out a blue sign-up sheet and submit it to the Board's secretary
- Chair DeBone will call up each person to provide their testimony
- Please come up to the table at the front of the room to provide your testimony



Remote Participants

- To testify remotely you must attend using Zoom
- Chair DeBone will request that all Zoom participants use the “raise hand” feature to notify the Board that you would like to testify

- *Computer / Smart Device*

- ❖ *Press the Raise Hand button*



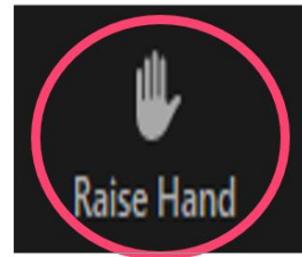
- *Raise Hand (Dial-in)*

- ❖ *Enter *9 on your keypad*



Hearing Procedures

- Written testimony can be submitted to staff
 - ❖ In-person - Hand to staff
 - ❖ Remote - Email to staff: Tarik.Rawlings@Deschutes.org
- Orderly & respectful hearing
- Commissioner disclosures
- Objections to hearing format



Staff Report

Proposal

- Changes to 18.113 – Destination Resort Zone (DR)
- Changes to 19.106 – Destination Resorts
- Add language from ORS 197.455(1)(a) limiting the types of destination resorts allowed within 24 air miles of Urban Growth Boundaries with populations of at least 100,000



Background

- ORS 197.455 outlines state requirements for siting destination resorts, including the following language:

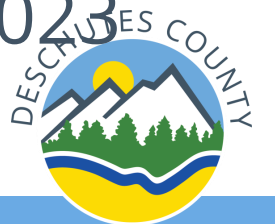
(1) A destination resort may be sited only on lands mapped as eligible for destination resort siting by the affected county. The county may not allow destination resorts approved pursuant to ORS 197.435 (Definitions for ORS 197.435 to 197.467) to 197.467 (Conservation easement to protect resource site) to be sited in any of the following areas:

(a) Within 24 air miles of an urban growth boundary with an existing population of 100,000 or more unless residential uses are limited to those necessary for the staff and management of the resort.



Background

- Applicant-initiated amendment (COLW)
- DLCD notification sent 1/11/23
- Notice sent to relevant agency partners 1/18/23
- Individual notice sent to all property owners affected by the DR Combining Zone 1/23/23
- Notice of Board Public Hearing published in Bend Bulletin 5/12/23
- Amended Notice of Public Hearing published 5/27/2023



Proposed Amendments

- Title 18, DCC Chapter 18.113 – Destination Resorts Zone
 - Sections 18.113.030, .060
- Title 19, DCC Chapter 19.106 – Destination Resorts
 - Sections 19.106.030, .060



Planning Commission Review

- Initial Planning Commission public hearing 2/23/23
- Continued Planning Commission public hearing 3/9/23
- Planning Commission Deliberations 3/23/23
- Planning Commission recommendation of approval
 - Three (3) Commissioners in favor, one (1) opposed
 - Two (2) Commissioners recused themselves
- Over 350 public comments received to date



Next Steps

Options to move forward:

- Continue the hearing to a date and time certain;
- Close the hearing and leave the written record open to a date certain;
- Close the hearing and set a date for deliberations; or
- Close the hearing and commence deliberations.



Open Record Period Deadlines

- New Evidence & Testimony –
- Rebuttal –
- Final Argument (Applicant Only) –

Electronic submittals **must be received by the County's server by 4pm**
on the date of the deadline



Open Record Period

- All submittals should be to sent to **Tarik Rawlings, Associate Planner**
- Electronic submittals should be:
 - Sent to Tarik.Rawlings@Deschutes.org
- Deschutes County does not take responsibility for retrieving information from a website link or a personal cloud storage service.
- Electronic submittals **must be received by the County's server by 4pm** on the date of the deadline



Questions?

Tarik Rawlings, Associate Planner

541-317-3148

Tarik.Rawlings@deschutes.org

