



Mailing Date:  
Monday, April 11, 2022

## 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:** 247-22-000123-PA, 247-22-000124-ZC

**OWNER:** Porter Kelly Burns Landholdings, LLC

**APPLICANT:** Hayden Homes

**PROPOSAL:** Amendment to the Comprehensive Plan designation and Zone of the 35.32 subject property from Rural Residential Exception Area (RREA) and Multiple Use Agricultural (MUA10) Zone to Bend Urban Growth Boundary (UGB) Area and Urbanizable Area (UA), respectively. The subject proposal is in conjunction with House Bill (HB) 4079, which designates a City of Bend Affordable Housing Pilot Program

**LOCATION:** Situs Address: 21455 HWY 20, BEND, OR 97701  
Map and Taxlot: 1712350001500  
Account: 119047

**HEARING DATE:** May 10, 2022

**HEARING START:** 6:00 pm

**STAFF PLANNER:** Kyle Collins, Associate Planner  
[Kyle.Collins@deschutes.org](mailto:Kyle.Collins@deschutes.org), 541-383-4427

**RECORD:** Record items can be viewed and downloaded from:  
<https://www.deschutes.org/cd/page/247-22-000123-pa124-zc-applicant-initiated-plan-amendment-zone-change-and-bend-urban-growth>

## **STANDARDS AND APPLICABLE CRITERIA:**

Title 18 of the Deschutes County Code, the County Zoning Ordinance:  
Chapter 18.32, Multiple Use Agricultural Zone (MUA10)  
Chapter 18.84, Landscape Management Combining Zone (LM)  
Chapter 18.136, Amendments

Title 19A of the Deschutes County Code, Bend Urbanizable Area (UA) District

Title 22, Deschutes County Development Procedures Ordinance

Title 23, Deschutes County Comprehensive Plan:  
Chapter 1, Comprehensive Planning  
Chapter 2, Resource Management  
Chapter 4, Urban Growth Management  
Chapter 5, Supplemental Sections  
Appendix C – Transportation System Plan

Statewide Planning Goals:

- Goal 1: Citizen Involvement
- Goal 2: Land Use Planning
- Goal 5: Natural Resources, Scenic and Historic Areas, and Open Spaces
- Goal 7: Areas Subject to Natural Hazards
- Goal 11: Public Facilities and Services
- Goal 14: Urbanization

Oregon Administrative Rules (OAR), Chapter 660:

- OAR 660-039 - Affordable Housing Pilot Program
- OAR 660-024-0070 - UGB Adjustments
- OAR 660-015 - Statewide Planning Goals and Guidelines
- OAR 660-012 - Transportation Planning

Oregon Revised Statutes (ORS):

- ORS 197.298, Priority of Land to be Included within Urban Growth Boundary

## **PUBLIC HEARING PARTICIPATION**

- If you wish to provide testimony during the public hearing, please contact the staff planner by 4 pm on May 9, 2022. 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/82016699070> 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 1-253-215-8782. When prompted, enter the following Webinar ID: 820-1669-9070.
- 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, Kyle Collins  
P.O. Box 6005  
Bend, OR 97708-6005

## Email

Email submittals should be directed to [Kyle.Collins@deschutes.org](mailto:Kyle.Collins@deschutes.org) and must comply with the following guidelines:

- Submission is 20 pages or less
- Documents can be printed in black and white only
- Documents can be printed on 8.5" x 11" paper

Any email submittal which exceeds the guidelines provided above must be submitted as a paper copy.

## 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). For this reason, the official record is the file that resides in the Community Development office. The electronic record in ACA and DIAL is not a substitute for the official record.
- 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.
- IF YOU WISH TO BE NOTIFIED OF ANY DECISION RELATED TO THIS APPLICATION, YOU MUST PROVIDE A MAILING ADDRESS.

**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.

Owner	Agent	InCareOf	Address	CityStZip	Type	cdd id
CTH INVESTMENTS LLC ET AL			14787 SW MILLIKAN WAY	BEAVERTON, OR 97003	NOPH	22-123-PA, 22-124-ZC
DOGFISH INVESTMENTS LLC			27770 SE CURRIN RD	ESTACADA, OR 97023	NOPH	22-123-PA, 22-124-ZC
TE AMO DESPACIO LLC ET AL			2464 SW GLACIER PL #110	REDMOND, OR 97756	NOPH	22-123-PA, 22-124-ZC
CLEAVENGER, DOUGLAS CLARK & JANE MARIE			21450 HWY 20	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
BABCOCK, DENNIS & BABCOCK, KENNETH			20260 MOONLIGHT CT	BEND, OR 97702	NOPH	22-123-PA, 22-124-ZC
EASTSIDE BEND LLC		ATTN: GARY G MILLER	721 BREA CANYON #7	DIAMOND BAR, CA 91789	NOPH	22-123-PA, 22-124-ZC
ENGLISH,GARY S			21336 E HWY 20	BEND, OR 97702	NOPH	22-123-PA, 22-124-ZC
MARIA FIDELIA MARCOULIER TRUST	MARCOULIER, MARIA FIDELIA TTEE		21390 BEAR CREEK RD	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
DELAMARTER, TWYLA J & GARTH S			277 NE CONIFER #123	CORVALLIS, OR 97330	NOPH	22-123-PA, 22-124-ZC
ROSSO LIVING TRUST 1997	ROSSO, JOHN M & LORNA C TTEES		21391 LIVINGSTON DR	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
NICHOLLS, MEREDITH J			21395 LIVINGSTON DR	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
WALKER, KIRK W & TERRI H			62048 WITHERSPOON PL	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
JANET K HILDRETH REVOCABLE LIVING TRUST	HILDRETH, JANET K TRUSTEE		62044 WITHERSPOON PL	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
BRUSH, MELISSA J			62040 WITHERSPOON PL	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
HEPP, GAVIN M & EMILY A			21380 BARTLETT LN	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
ROBSON, DANIEL & HABLE, KRISTINE			21379 BARTLETT LN #UNIT 1	BEND, OR 97701-7800	NOPH	22-123-PA, 22-124-ZC
PRASEK, ELIZABETH & LARRY JAMES			1617 MYRTLEWOOD LN	NICEVILLE, FL 32578	NOPH	22-123-PA, 22-124-ZC
LEWIS, BEAU J & ELISA M			21372 BARTLETT LN	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
ROBSON, CLIFFORD P & VICKY			21120 MERRITT CT	BEND, OR 97702	NOPH	22-123-PA, 22-124-ZC
BRISTOW, JAMES C & PIREZ, EYLENE			62018 DANTILI RD	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
MOSTEK, LAWRENCE J & DEBRA J			62014 DANTILI RD	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
LOWERY, THOMAS ARTHUR & BARBARA ANN			62010 DANTILI RD	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
FUERSTENAU,JUSTIN TYLER & MCKENZIE LEIGH			62006 DANTILI RD	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
WARREN, MEREDITH A			21378 BEAR CREEK RD	BEND, OR 97702	NOPH	22-123-PA, 22-124-ZC
KRAMER, KIMBERLY & CHRISTIFER			21380 BEAR CREEK RD	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
SNOW, WILLIAM P & SANDRA R S			21517 BEAR CREEK RD	BEND, OR 97702	NOPH	22-123-PA, 22-124-ZC
DOROTHY R SULLIVAN TRUST	SULLIVAN, DOROTHY R TTEE		21405 BEAR CREEK RD	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
HAROLD K MARKEN REV TRUST ETAL	MARKEN,HAROLD K CO-TTEE ETAL		21495 BEAR CREEK RD	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
BRUGGEMAN, SUSAN A ET AL			21425 BEAR CREEK RD	BEND, OR 97701	NOPH	22-123-PA, 22-124-ZC
LELAND & SHIRLEY LANDERS TRUST	LANDERS, SHIRLEY J TRUSTEE		1460 NW LEXINGTON	BEND, OR 97703	NOPH	22-123-PA, 22-124-ZC
CRAIG A CHRISTIANSEN REV TRUST ET AL	CHRISTIANSEN, CRAIG A & CHRISTY L TTEES		PO BOX 5651	BEND, OR 97708	NOPH	22-123-PA, 22-124-ZC
PORTER KELLY BURNS LANDHOLDINGS LLC			5691 MIRAMAR DR	FRISCO, TX 75034	NOPH	22-123-PA, 22-124-ZC
AVION WATER COMPANY	Tanner Lemon (tel@avionwater.com)		60813 PARRELL RD.	Bend, OR 97702	NOPH	22-123-PA, 22-124-ZC
BEND / LA PINE SCHOOL DIST.			520 NW WALL ST.	Bend, OR 97701	NOPH	22-123-PA, 22-124-ZC
BEND FIRE DEPT.	LARRY MEDINA		1212 SW SIMPSON, SUITE B	Bend, OR 97702	NOPH	22-123-PA, 22-124-ZC
BEND METRO PARKS & REC.	Kelsey Schwartz (kelseys@bendparksandrec.org)		ELECTRONIC		NOPH	22-123-PA, 22-124-ZC
BEND PLANNING DEPT.			P.O. BOX 431	Bend, OR 97709	NOPH	22-123-PA, 22-124-ZC
BEND PUBLIC WORKS DEPT.			575 NE 15TH ST.	Bend, OR 97701	NOPH	22-123-PA, 22-124-ZC
BEND GROWTH MANAGEMENT DEPT.			709 NW WALL ST., STE. 102	Bend, OR 97701	NOPH	22-123-PA, 22-124-ZC
CENTRAL OREGON IRRIGATION DIST.	KELLY O'ROURKE - LANDUSE@COID.ORG	CRAIG HORRELL - CHORRELL@COID.ORG	ELECTRONIC		NOPH	22-123-PA, 22-124-ZC
DESCHUTES CO. ROAD DEPT.	CODY SMITH		ELECTRONIC		NOPH	22-123-PA, 22-124-ZC
ODOT REGION 4 PLANNING	ODOTR4PLANMGR@odot.state.or.us		ELECTRONIC		NOPH	22-123-PA, 22-124-ZC
OREGON DEPT OF FISH & WILDLIFE	ANDREW WALCH (Andrew.J.Walch@odfw.oregon.gov)		ELECTRONIC		NOPH	22-123-PA, 22-124-ZC
WATERMASTER - DISTRICT 11	Sam VanLingham (sam.j.vanlingham@oregon.gov)		ELECTRONIC		NOPH	22-123-PA, 22-124-ZC