

BOCC DECISION MATRIX

CENTRAL OREGON IRRIGATION DISTRICT (COID) PLAN AMENDMENT / ZONE CHANGE Land Use File Nos. 247-21-000400-PA, 401-ZC

	Issue Area	Applicable Approval Criterion	Applicant and Oppositional Responses	Hearings Officer	Staff Comment
1	Recreational Use and Open Space: The application may result in a lack of recreational opportunities on the subject property for neighboring residents	The opposition does not point to specific approval criteria associated with this issue area.	The applicant asserts that the subject property is not a public property, open space, or other publicly available property for recreational purposes. The applicant states that the subject property is privately owned and is not available for such public recreational or open space uses. <u>Oppositional comments</u> focus on perceived open space values from neighboring property owners who have recreated on the subject property.	The Hearings Officer found that the subject property does not include any scenic and historic areas and is not inventoried as an "open space" area protected by State Planning Goal 5 related to Natural Resources, Scenic and Historic Areas, and Open Space (HO Decision p. 54).	Staff agrees with the applicant and Hearings Officer on this issue area.
2	Traffic Impacts: The project may exacerbate existing traffic issues in the area.	The opposition does not point to specific approval criteria associated with this issue area, although staff notes that OAR 660-012-0060(1)(a-c) are criteria that may relate to this particular issue area.	The applicant's revised site traffic study indicates: 1) The project will not cause the project to generate traffic that exceeds the capacity of local roads; 2) There are no documented safety needs within the project vicinity; and 3) The change in trips does not meet County, ODOT, or City of Bend thresholds of significance at nearby locations. <u>Oppositional comments</u> focus on current traffic trends, road design, and the difficulty of some neighboring property owners to navigate 27 th Street and other residential streets near the subject property.	The Hearings Officer found the project will not significantly affect transportation facilities, will not change standards associated with a functional transportation classification system, and will not produce significant degradation of existing or planned transportation facilities or be inconsistent with the functional classification of an existing or proposed transportation facility.	Staff agrees with the applicant, the applicant's transportation engineer, and Hearings Officer on this issue area.
3	Wildlife Impacts: The project may impact wildlife habitat and wildlife populations.	The opposition does not point to specific approval criteria associated with this issue area.	The applicant asserts that their submitted burden of proof addresses County Comprehensive Plan Goals for rural development, economy, transportation, public facilities, recreation, energy, natural hazards, destination resorts, open spaces, fish and <i>wildlife</i> , and forest lands. <u>Oppositional comments</u> focus on preserving the subject property for perceived wildlife habitat value based on past wildlife sightings from neighboring property owners.	The Hearings Officer found the subject property is not located within a Wildlife Area (WA) Combining Zone and no development is proposed at this time. Rezoning will not, in and of itself, impact wildlife on the subject property (HO Decision p. 27, 55).	Staff agrees with the applicant and Hearings Officer on this issue area.

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4	Farming: The project may prevent or preclude hobby-farming activities taking place on the subject property.	The opposition does not point to specific approval criteria associated with this issue area. However, staff notes that OAR 660-033-0020(1)(a)(B) is the criterion under which the applicant's soil study was reviewed.	<u>The applicant</u> asserts the subject property is not suited to full-time commercial farming and that the proposed MUA10 zone will allow property owners to engage in hobby farming. <u>Oppositional comments</u> focus on a concern that the subject application(s) may result in a loss of hobby farm potential on the subject and surrounding properties.	The Hearings Officer found the proposed MUA10 Zone designation for the subject property would continue to allow for hobby farming activities under the existing MUA10 code provisions.	Staff agrees with the applicant and Hearings Officer on this issue area. The Board may uphold the Hearings Officer's decision (including DLCD-approved soil study) or overturn based on a finding that the subject property is suitable for farm use, counter to OAR 660-033-0020(1)(a)(B)
5	Growth Management: The proposal could bring development that may impact quality of life for neighboring residents	The opposition does not point to specific approval criteria associated with this issue area.	<u>The applicant</u> asserts the County's Comprehensive Plan provisions anticipate the need for additional rural residential lots as the region continues to grow. This includes providing a mechanism to rezone farmlands with poor soils to a rural residential zoning designation. While the rezone application does not include the creation of new residential lots, the applicant has demonstrated the subject property is comprised of poor soils that are adjacent to rural residential MUA-10 zone uses to the east and south as well as urban residential zones within the Bend city limits to the west. The applicant further asserts that rezoning the subject property to MUA-10 is consistent with this criterion, as it will provide for an orderly and efficient transition from the Bend Urban Growth Boundary to rural and agricultural lands. <u>Oppositional comments</u> focus on whether the subject property is appropriate to serve future residential development and whether there are other areas in the county that are more appropriate to absorb population and housing growth in the county, city, and regional area.	The Hearings Officer finds that rezoning the subject property to MUA-10 is consistent with Section 3.2, Chapter 3 of the Deschutes County Comprehensive Plan as it will provide for an orderly and efficient transition from the Bend UGB to rural and agricultural lands (HO Decision p.32). Further, the Hearings Officer states they do not have authority to deny the requested applications on the basis of concerns about growth as the proposal otherwise complies with applicable criteria.	Staff agrees with the applicant and Hearings Officer on this issue area. Additionally, no comments or other concerns were received from City of Bend Growth Management. The Board may uphold the Hearings Officer's decision or overturn based on potential impacts generally stemming from growth management.