

REVIEWED _____
LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Deschutes County *
Code Title 23, the Deschutes County *
Comprehensive Plan, to Change the *
Comprehensive Plan Map Designation for *
Certain Property From Agriculture to Rural *
Residential Exception Area, and Amending *
Deschutes County Code Title 18, the Deschutes *
County Zoning Map, to Change the Zone *
Designation for Certain Property From *
Exclusive Farm Use to Rural Residential.

ORDINANCE NO. 2024-010

WHEREAS, 710 Properties, LLC, applied for changes to both the Deschutes County Comprehensive Plan Map (247-21-001043-PA) and the Deschutes County Zoning Map (247-21-001044-ZC), to change the comprehensive plan designation of the subject property from Agricultural (AG) to Rural Residential Exception Area (RREA), and a corresponding zone change from Exclusive Farm Use (EFU) to Rural Residential (RR-10); and

WHEREAS, the Board of County Commissioners issued a decision approving the subject application on December 14, 2022, and the decision was thereby appealed to the Oregon Land Use Board of Appeals ("Land Use Board of Appeals") and remanded back to the County for further review; and

WHEREAS, the applicant initiated review of the remand application on June 26, 2024 through file no. 247-24-000395-A; and

WHEREAS, pursuant to the Land Use Board of Appeals remand and after notice was given in accordance with applicable law, a public hearing was held on July 24, 2024; before the Deschutes County Board of County Commissioners ("Board"); and an open record period ending on August 21, 2024; and

WHEREAS, pursuant to DCC 22.28.030(C) and the LUBA remand, the Board reopened the record to take testimony on the applications to change the comprehensive plan designation of the subject property from Agricultural (AG) to Rural Residential Exception Area (RREA) and a corresponding zone change from Exclusive Farm Use (EFU) to Rural Residential (RR10); now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. AMENDMENT. DCC Title 23, Deschutes County Comprehensive Plan Map, is amended to change the plan designation for certain property described in Exhibit "A" and depicted on the map set forth as Exhibit "B" from AG to RREA, with both exhibits attached and incorporated by reference herein.

Section 2. AMENDMENT. DCC Title 18, Zoning Map, is amended to change the zone designation from EFU to RR10 for certain property described in Exhibit "A" and depicted on the map set forth as Exhibit "C", with both exhibits attached and incorporated by reference herein.

Section 3. AMENDMENT. DCC Section 23.01.010, Introduction, is amended to read as described in Exhibit "D" attached and incorporated by reference herein, with new language underlined.

Section 4. AMENDMENT. Deschutes County Comprehensive Plan Section 5.12, Legislative History, is amended to read as described in Exhibit "E" attached and incorporated by reference herein, with new language underlined.

Section 5. FINDINGS. The Board adopts as its findings in support of this Ordinance the Decision of the Board on remand as set forth in Exhibit "F" and incorporated by reference herein. These findings supplement and control over inconsistent findings in Ordinance No. 2022-013 as set forth in the original Decision of the Board, attached as Exhibit "G" and the Recommendation of the Hearings Officer, attached as Exhibit "H".

Section 6. EFFECTIVE DATE. This Ordinance takes effect on the 90th day after the date of adoption.

Dated this _____ of _____, 2024

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

PATTI ADAIR, Chair

ANTHONY DEBONE, Vice Chair

ATTEST:

Recording Secretary

PHIL CHANG, Commissioner

Date of 1st Reading: ____ day of _____, 2024.

Date of 2nd Reading: ____ day of _____, 2024.

Record of Adoption Vote:

| Commissioner | Yes | No | Abstained | Excused |
|----------------|-----|-----|-----------|---------|
| Patti Adair | ___ | ___ | ___ | ___ |
| Anthony DeBone | ___ | ___ | ___ | ___ |
| Phil Chang | ___ | ___ | ___ | ___ |

Effective date: ____ day of _____, 202_.

ATTEST

Recording Secretary