



**MEMORANDUM**

**TO:** Deschutes County Board of Commissioners (Board)

**FROM:** Haleigh King, Associate Planner

**DATE:** October 9, 2024

**SUBJECT:** Consideration of Second Reading of Ordinance 2024-010: Remand of Eden Properties Plan Amendment and Zone Change – 247-24-000395-A (247-21-001043-PA, 1044-ZC)

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The Board of County Commissioners (Board) will consider a second reading of Ordinance No. 2024-010 on October 16, 2024 approving file nos. 247-24-000395-A (247-21-001043-PA, 1044-ZC). The applicant is requesting approval of Plan Amendment and Zone Change applications remanded by the Oregon Land Use Board of Appeals.

**I. BACKGROUND**

The applicant, 710 Properties, LLC/Eden Central Properties, LLC, is requesting a Comprehensive Plan Amendment to re-designate the subject properties from Agriculture to Rural Residential Exception Area and a Zoning Map Amendment to rezone the properties from Exclusive Farm Use (EFU) to Rural Residential (RR-10). The subject property totals ±710 acres in size.

The application was originally approved by a Board majority on December 14, 2022 following a public hearing held on August 17, 2022, and a subsequent open record period. Following Board approval, the application was appealed to the Oregon Land Use Board of Appeals (LUBA) and the Court of Appeals and was remanded back to the County for additional review on a number of specific issue areas discussed below. The remand was then initiated by the applicant for County review on June 26, 2024. The final day in which the County must issue a final decision is October 24, 2024.

The Board held a public hearing on July 24, 2024 and the written record period closed on August 21, 2024. On September 4, 2024 the Board deliberated on the applications and a majority voted to approve the requests.

The Board conducted the first reading of Ordinance 2024-010 on October 2, 2024 by title only. Staff has incorporated the edits discussed at the first reading into the attached Ordinance and supporting documents.

## **II. SECOND READING**

The Board is scheduled to conduct the second reading of Ordinance 2024-010 on October 16, 2024, fourteen (14) days following the first reading.

### **ATTACHMENTS:**

#### 1. Draft Ordinance 2024-010 and Exhibits

Exhibit A: Legal Description

Exhibit B: Proposed Comprehensive Plan Amendment Map

Exhibit C: Proposed 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 on Remand

Exhibit G: Decision of the Board of County Commissioners on Original Application

Exhibit H: Hearing's Officer Recommendation