



MEMORANDUM

TO: Board of County Commissioners

FROM: Audrey Stuart, Associate Planner

DATE: May 9, 2023

SUBJECT: May 17th Consent Agenda item for consideration of Board Signature on Order number 2023-019 for the proposed Road Name Assignment of Juniper Preserve Drive (CDD File No. 247-23-000110-RN)

Background

A representative of an abutting property owner, Pronghorn Holdings LLC, initiated this road naming request as a land use application for a road naming change. No new development is proposed as part of this road naming application.

The existing private road extends for approximately 4.1 miles to the North of Powell Butte Highway and terminates at 65765 Pronghorn Club Drive. Thirteen properties have frontage on the subject road and these properties include undeveloped residential lots, common areas for Pronghorn Destination Resort, and roads segments that were platted as separate lots.

Staff Decision

The Community Development Department (CDD) reviewed the requested road name assignment under file no. 247-23-000110-RN. In consultation with the Deschutes County Property Address Coordinator, staff reviewed the proposed name of Juniper Preserve Drive. Staff found this proposed name complied with the standards of DCC 16.16.030(E)(1) and (2).

Under DCC 16.16.030(B), public comments on the proposed road name are limited to those parties owning property abutting the affected road or having an address on the affected road. Staff mailed notice of the application to these parties on February 24, 2023, and a notice of the staff decision was mailed on May 3, 2023.

The staff decision became final on May 15, 2023. Staff has scheduled a May 17, 2023 meeting with the Board to consider signature of Board Order 2023-019, which implements approval of Juniper Preserve Drive under file 247-23-000110-RN.

Enclosures: CDD Staff Findings and Decision (247-23-000110-RN)
Board Order 2021-030
Road Location Map



FINDINGS AND DECISION

FILE NUMBER: 247-23-00110-RN

APPLICANT: Ralph Giffin

REQUEST: The applicant requests to rename an existing local access road from Pronghorn Club Drive to Juniper Preserve Drive.

STAFF CONTACT: Audrey Stuart, Associate Planner

I. APPLICABLE CRITERIA:

Deschutes County Code (DCC)

Title 16, Addresses and Road Names

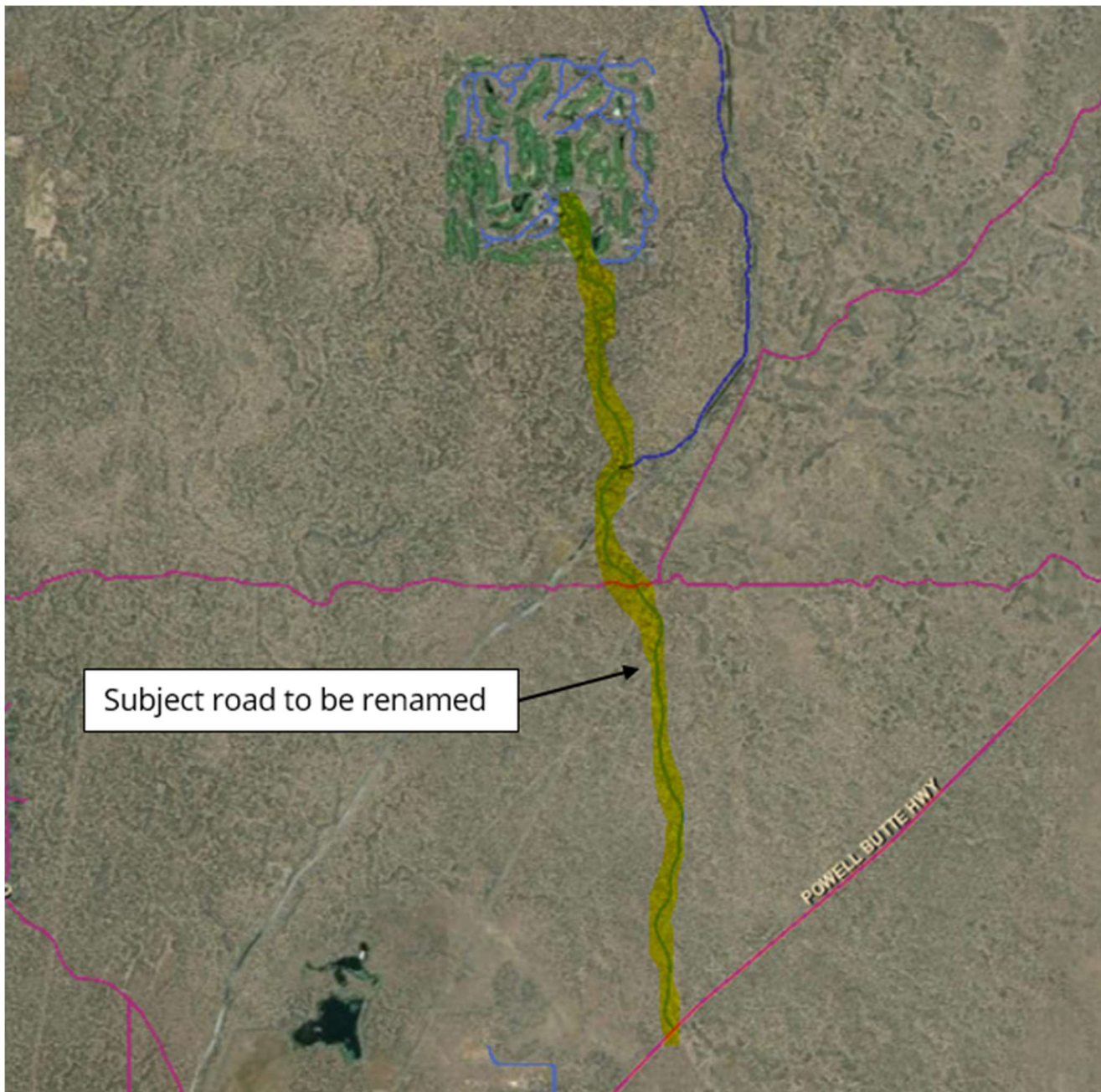
Chapter 16.16, Road Naming

Title 22, Deschutes County Development Procedures Ordinance

II. BASIC FINDINGS:

LOCATION: The subject area is a local access road which extends north from Powell Butte Highway, and is approximately four miles long. The subject local access road passes through public land owned by Bureau of Land Management (BLM) for approximately 3.5 miles before terminating within the core area of Pronghorn Destination Resort. The properties with frontage along the subject road are all either owned by BLM or located within Pronghorn Destination Resort. The road is further described as being located on Tax Maps 16-13-00, 16-13-16, and 17-13-00.

Figure 1: Map of Subject Area



Pursuant to Deschutes County Code (DCC) 16.16.030, the applicant, Ralph Giffin, initiated the application to establish the new name for the local access road on February 17, 2023.

AFFECTED PROPERTIES: The following properties have frontage on, and take access from, this road¹.

| ADDRESS | LEGAL DESCRIPTION |
|---------|-------------------|
|---------|-------------------|

¹ Staff notes that within Pronghorn Destination Resort, the road right-of-way for Pronghorn Club Drive is platted as separate parcels, including Tax Lot 600 on Assessor's Map 16-13-16D and Tax Lot 200 on Assessor's Map 16-13-16C.

| | |
|-------------------------|---------------------------|
| No assigned address | 17-13-00, Tax Lot 100 |
| No assigned address | 16-13-00, Tax Lot 100 |
| No assigned address | 16-13-16D, Tax Lot 101 |
| 65595 Pronghorn Club Dr | 16-13-16D, Tax Lot 300 |
| No assigned address | 16-13-16DC, Tax Lot 100 |
| 65700 Pronghorn Club Dr | 16-13-16D, Tax Lot 800 |
| No assigned address | 16-13-16DC, Tax Lot 2400 |
| No assigned address | 16-13-16DC, Tax Lot 2600 |
| 65651 Pronghorn Club Dr | 16-13-16DC, Tax Lot 2700 |
| 65661 Pronghorn Club Dr | 16-13-16DC, Tax Lot 2800 |
| 65671 Pronghorn Club Dr | 16-13-16CD, Tax Lot 2800 |
| 65681 Pronghorn Club Dr | 16-13-16CD, Tax Lot 2900 |
| 23000 Ghost Tree Ln | 16-13-16CA, Tax Lot 90000 |

REVIEW PERIOD: The subject application was submitted on February 17, 2023, and remaining application materials were submitted on March 2, 2023. This application will be reviewed in accordance with DCC 16.16 and requires final approval by the Board of County Commissioners (BOCC) per DCC 16.16.030(I).

PUBLIC AGENCY COMMENTS: The Planning Division mailed notice on February 24, 2023 to several public agencies and received the following comments:

Deschutes County Address Coordinator, Tracy Griffin

9-1-1 has no concern for confusion for this road name change proposal to change Pronghorn Club Drive to Juniper Preserve Drive. There are two structures, the clubhouse and the pool complex; four undeveloped residential properties and the Jack Nicklaus Signature Golf Course (including structures) with addresses that will need to be changed. Once the road dedication is complete I will determine new addresses and submit address change letters to the property owners.

Deschutes County Senior Transportation Planner, Peter Russell:

I have reviewed the transmittal materials for 247-23-000110-RN to rename Pronghorn Club Drive to Juniper Preserve Drive; this private road is found on County Assessor's Tax Map 16-13-00, 16-13-16, and 17-13-00. This private road extends approximately four miles between Powell Butte Highway and the former Pronghorn destination resort which has since been renamed Juniper Preserve. Staff is agnostic on the renaming of this existing private road, but notes in the Road Department database there are already seven roads containing the name Juniper and only three with Pronghorn. Staff will defer to the Property Address Coordinator if this may proposed renaming may cause confusion to 9-1-1 or other first responders.

The following agencies did not respond to the notice: 911, Deschutes County Road Department, Deschutes County Sheriff's Office, Deschutes County Surveyor, Redmond Area Parks and Recreation

District, Redmond Fire and Rescue, Redmond School District 2J, State Wastewater's Office, Pronghorn Estates LLC, and Bureau of Land Management.

PUBLIC COMMENTS: Notice was mailed to the affected properties on February 24, 2023, per DCC 16.16.030(B). The affected properties are all owned by four property owners, which include BLM and three organizations affiliated with Pronghorn. The applicant also posted a proposed road name sign. No public comments were received.

III. **CONCLUSIONARY FINDINGS:**

CHAPTER 16.16, ROAD NAMING

Section 16.16.010, Road Naming Authority.

- A. *Deschutes County, through the Community Development Department, shall have the authority to and shall assign road names to roads requiring names as provided in DCC 16.16.***

FINDING: The subject road naming application is being reviewed by the Deschutes County Community Development Department. This criterion is met.

Section 16.16.020, Unnamed Roads.

All unnamed public and private roads and other roadways which provide access to three or more tax lots, or which are more than 1,320 feet in length, shall be assigned a name in accordance with the procedures in DCC 16.16.030.

FINDING: The subject local access road provides access to 13 tax lots. The name Pronghorn Club Drive was previously assigned to this road and the original name was assigned in accordance with the procedures in DCC 16.16.030. Based on the length of the subject road and the number of lots served, staff finds the subject access road is required to be assigned a name. This criterion will be met.

Section 16.16.030, Procedures for Naming New Roads.

- A. *Application.***
- 1. The naming of a road may be initiated by the Community Development Department, Planning Commission, the Board, or by application of adjacent property owners, developers, or public agencies which may be affected by road names.***

FINDING: Staff notes the subject local access road was previously assigned the name Pronghorn Club Drive and is therefore not a new road. However, pursuant to DCC 16.16.040(C), road name changes are subject to the standards and procedures in DCC 16.16.030. Therefore, staff addresses applicable standards below even though the subject road is an existing road to be renamed.

This application was initiated by Ralph Giffin on behalf of Pronghorn Holdings LLC, the property owner of Tax Lot 101 on Assessor's Map 16-13-16D. A Road Naming application was filed with Deschutes County on February 17, 2023. This criterion is met.

2. ***An application to name a road shall be submitted to the Community Development Department and shall include, at a minimum, the following:***
 - a. ***Name of applicant;***
 - b. ***Location of road by description and or map;***
 - c. ***Legal status of road, if known;***
 - d. ***Proposed road name, with two alternate proposed names;***
 - e. ***Reason for name request;***
 - f. ***Petition(s) attached, if any, and***
 - g. ***Fee, if any, as established by the Board.***

FINDING: The applicant submitted application materials and the required fee on February 17, 2023. The application materials indicated the preferred road name of Juniper Preserve Drive. Staff requested two alternative names per DCC 16.16.030(2)(D), as well as clarification of the extent and location of the road to be renamed. The applicant responded in an email dated March 2, 2023, and all other information was provided or gathered through staff research. Staff therefore finds these criteria are met.

- B. ***Notice of a proposed name assignment shall be sent to all persons owning property abutting the affected road or having an address on the affected road. Such notices shall be sent within 10 days of the receipt of an application, if any, or other action initiating the proposed road name assignment.***
- C. ***Persons receiving notice under DCC 16.16.030(B) shall promptly notify any tenants or other occupants of the affected property of the proposed road name assignment.***
- D. ***Any person receiving notice under DCC 16.16.030(B) above may comment in writing on the proposed name within 10 days from the date of notice.***

FINDING: On February 24, 2023, staff mailed notice of this pending application to all property owners abutting the subject road to be named. The mailed notice included a statement requiring the recipient to notify any tenants or other occupants of the affected properties of the proposed road name assignment. No public comments were received. These criteria are met.

- E. ***Standards***
 1. ***General. The proposed road name shall:***
 - a. ***Be limited to a maximum of two words.***
 - b. ***Not duplicate existing road names, except for continuations of existing roads.***
 - c. ***Not sound so similar to other roads as to be confusing.***
 - d. ***Not use compass directions such as North, East, South, etc., as part of the road name.***
 - e. ***Not use designations such as Loop, Way, Place, etc., as part of the road***

- name.*
- f. Improve or clarify the identification of the area.*
- g. Use historical names, when possible.*
- h. Reflect a consensus of sentiment of affected property owners and occupants, when possible, subject to the other standards contained in DCC 16.16.030.*

FINDING: The applicant submitted three proposed names and indicated that Juniper Preserve Drive was the preferred name. The two alternative names that were provided are Huntington Drive and Troon Drive.

There is currently one road in Deschutes County with an assigned name of Huntington Road. Staff finds this alternative name does not meet the criteria of DCC 16.16.030(E)(1)(b) and is therefore not a valid option. Despite the slight difference between *Huntington Road* and *Huntington Drive*, staff finds this proposed road name to be a duplicate.

Similarly, there is currently a road in Deschutes County with an assigned name of Troon Avenue. Staff therefore finds the proposed alternative name of Troon Drive duplicates an existing road name, and does not comply with DCC 16.16.030(E)(1)(b).

Juniper Preserve Drive does not duplicate an existing road name in Deschutes County and nor does it sound similar enough to other road names to be confusing. Staff notes the word 'juniper' is used in other road names within Deschutes County, but Juniper Preserve is distinct enough that staff finds it complies with DCC 16.16.030(E)(1)(c). Staff finds this proposed road name does not use compass directions, or use designations as part of the road name.

The application form indicates the reason for the proposed name change is that the name of the resort is changing. The subject local access road provides the only point of access into Pronghorn Destination Resort, and staff finds updating the road name to match the future name of the destination resort will aid in navigation. As noted above, staff mailed notice of the proposed road name change to impacted property owners on February 24, 2023, and no comments were received in opposition.

- 2. Particular Roads. The proposed road name shall also conform to the following standards:**
 - a. North/South roads shall be called "roads" or "streets."*
 - b. East/West roads shall be called "avenues."*
 - c. Roads dead-ending in a turnaround 1,000 feet or less from their beginning points shall be called "courts."*
 - d. Roads of reduced right-of-way or curving roads of less than 1,000 feet shall be called "lanes" or "terraces."*
 - e. Curving roads longer than 1,000 feet shall be called "drives" or "trails."*
 - f. Roads that deviate slightly from the main course of a road with the same name, are less than 1,000 feet in length, shall be called "places."*
 - g. Roads that are four lanes or more shall be called "boulevards."*

- h. Historical roads shall be called "market roads."*
- i. Roads running at oblique angles to the four points of the compass, less than 1,000 feet in length, shall be called "ways." (See Appendix "D," attached hereto.)*
- j. Roads that begin at and circle back onto the same road, or that are circular or semicircular, shall be called "circles" or "loops."*

FINDING: The subject local access road runs roughly from north to south, but follows a meandering path with a significant number of curves. Within Pronghorn Destination Resort, the subject road curves around a golf course and several common space lots. The road extends for approximately 21,000 feet, and is therefore greater than 1,000 feet in length. Staff finds the description under DCC 16.16.030(E)(2)(e), above, best matches the subject road. Therefore, the proposed suffix of "drive" is appropriate for the proposal.

F. Staff Review and Road Name Assignment: The Community Development Department shall review road name applications and shall assign road names under the following procedure:

- 1. Verify legal status of road with the County Clerk's office and Road Department.**

FINDING: The subject road is a private road and therefore was not created through a deed of dedication. Comments provided by Deschutes County Senior Transportation Planner dated April 3, 2023, verify the legal status of the road based on available records from the Deschutes County Road Department. Staff finds the legal status of the road has been verified and this criterion is met.

- 2. Check proposed road name(s) to avoid duplication or confusing similarity with other existing road names, with those on approved preliminary land divisions and with those approved for future use.**

FINDING: Staff has verified that the proposed name does not duplicate or sound confusingly similar to an existing road name. Comments from the Deschutes County Property Address Coordinator did not identify any issues with the proposed road name, including any conflicts with existing or proposed road names. Staff finds this criterion is met.

- 3. Perform a field check, when necessary.**
- 4. Assist the applicant or other affected person(s) to find alternate names when required.**

FINDING: Staff determined a field check was not necessary, based on the availability of Deschutes County records and information provided by the applicant. The application materials submitted on February 17, 2023, only included one proposed road name. The applicant then provided two alternate road names in an email dated March 2, 2023. Therefore, no assistance was required to help the applicant or other affected persons identify alternate names.

- 5. Notify appropriate persons, departments and agencies of the road name**

application, and request comments.

6. *Review and consider all comments submitted.*
7. *Assign a road name in accordance with the standards set forth in DCC 16.16.030(E) above.*

FINDING: A Notice of Application was sent to impacted property owners, and all appropriate departments and agencies. This Notice of Application requested that interested parties submit comments to the record, and no public comments were received. Comments from agency staff were reviewed and considered, and those comments are included in the Basic Findings, above. The assigned name, Juniper Preserve Drive, meets the standards of DCC 16.16.030(E). These criteria are met.

- G. *Notice of Staff Decision. Following assignment of a road name by the Community Development Department, notice of the road name assignment shall be sent to all persons entitled to notice under DCC 16.16.030(B).*
- H. *Appeal. Affected property owners and occupants shall have the right to appeal the assignment of a road name by the Community Development Department. Such appeals shall be conducted in accordance with the provisions of the Deschutes County Development Procedures Ordinance, except where the provisions of DCC 16.16.030 conflict with the procedures ordinance, in which case the provisions of DCC 16.16.030 shall apply. Affected property owners and occupants shall have 10 days from the date of the staff decision in which to file an appeal. Issues on appeal shall be limited to whether the Community Development Department correctly applied the criteria set forth herein.*

FINDING: A Notice of Staff Decision will be mailed in accordance with the requirements of DCC 16.16.030(B). Affected property owners and occupants shall have 10 days from the date of the staff decision to file an appeal. These criteria will be met.

- I. *A road name assignment becomes final when no further right of appeal established herein is possible. Within 10 days of the road name assignment becoming final, the Board shall sign an order establishing the road name as assigned by the Community Development Department.*

FINDING: Within ten (10) days of this decision becoming final and absent an appeal, the proposed road name assignment of Juniper Preserve Drive will become final under Board Order 2023-019. This criterion will be met.

- J. *The affected property owners and occupants shall have 180 days from the date of the Board order of road name assignment to begin using the road name.*

FINDING: To ensure compliance, a condition of approval has been added. This criterion will be met.

- K. *Notice of Decision. Following the order of the Board naming a road, the Community Development Department shall:*

1. ***Notify the applicant requesting the road name of the action***
2. ***Send copies of the order naming the road to the following:***
 - a. ***Road Department***
 - b. ***Assessor's Office and Tax Office***
 - c. ***Postmaster***
 - d. ***Planning Department***
 - e. ***County Clerk's office***
 - f. ***Affected telephone and other utilities***
 - g. ***Affected fire department(s)***
 - h. ***Local school district(s)***
 - i. ***Emergency services, i.e., police, fire, 911, etc.***
3. ***File the original order naming a new road with County Clerk***
4. ***On a monthly basis, the Community Development Department shall publish a list of changed road names in a newspaper of general circulation designated for the purpose of the Board.***

FINDING: A Notice of Decision will be sent out following action by the Board to approve the assigned road name. Notice will be sent to the applicant as well as the agencies listed in DCC 16.16.030(K)(2)(a-i). The original order by the Board will be recorded with the County Clerk. Within one month of final approval by the Board, the road name change will be published in a newspaper of general circulation. These criteria will be met.

Section 16.16.040, Procedures And Standards For Changing Existing Road Names

The following procedures and standards shall apply to the changing of existing road names:

- A. ***An existing road name may be changed by the Community Development Department if the existing name:***
 1. ***Duplicates a pre-existing road name within the same postal zip code or geographic area;***
 2. ***Sounds like or is spelled so similarly to a pre-existing road name in the same postal zip code or geographic area as to cause confusion between the two roads;***
 3. ***Is known by more than one name;***
 4. ***Is different than the name of the road of which it is a continuation; or***
 5. ***Is not consistent with County road naming standards set forth in DCC 16.16.***

FINDING: The application materials indicate the name of the resort is changing and staff finds the name of the resort is closely related to the name of the subject road. The subject road extends off of Powell Butte Highway and provides the only access point to the resort. All of the properties served by the subject road are either located within the resort or are vacant, publically-owned surrounding parcels. Staff finds the subject road meets the standard of DCC 16.16.040(A)(3), above, because directional signage is already utilizing the new resort name, and the road is therefore known by both Pronghorn and Juniper Preserve.

B. *In choosing which road name to change as between two or more roads with the same or similar names (affected roads), the department shall consider the following factors:*

- 1. *The number of properties, developed and undeveloped, abutting each affected road;***
- 2. *The length of time a name has been in use to designate each affected road and whether the name used to designate each road has any historic significance;***
- 3. *Whether one affected road as named is relatively better known by the general public than the other affected road or roads as named;***
- 4. *Any showing that a proposed road name change would be relatively more burdensome to abutting property owners than if another affected road name were changed.***

FINDING: The subject road is not being renamed on the basis that two or more roads have the same or similar names. Staff therefore finds the criteria above do not apply to the subject application.

C. *Proposed name changes shall proceed under the process specified under DCC 16.16.030.*

FINDING: The subject application is being processed pursuant to the process specified under DCC 16.16.030. The standards of DCC 16.16.030 are addressed above, and staff finds this criterion is met.

IV. CONCLUSION:

Based on the foregoing findings, staff concludes that the proposed road name can comply with the applicable standards and criteria of the Deschutes County Road Naming Ordinance if conditions of approval are met.

Other permits may be required. The applicants are responsible for obtaining any necessary permits from the Deschutes Road Department as well as any required state and federal permits.

The Deschutes County Road Department will coordinate the posting of a new road sign with the Property Address Coordinator. Please coordinate with the Deschutes County Road Department regarding fees related to the creation and installation of the new road sign.

V. DECISION:

APPROVAL, subject to the following conditions of approval.

VI. CONDITIONS OF APPROVAL:

- A.** The affected property owners and occupants shall have 180 days from the date of the Board Order of road name assignment to begin using the road name.
- B.** Applicant shall cause for the installation of new road name signage in accordance with applicable Deschutes County Road Department standards. Applicant may either engage a contractor to furnish and install new road name signage, which will be subject to the applicant or their contractor obtaining a right of way activity permit from the Road Department, or pay the applicable fee to have the Road Department furnish and install new road name signage.

VII. DURATION OF APPROVAL:

This decision becomes final ten (10) days after the date mailed, unless appealed by a party of interest. Issues on appeal shall be limited to whether the Community Development Department correctly applied the criteria set forth herein. To appeal, it is necessary to submit a Notice of Appeal, the appeal fee of \$250.00 and a statement raising any issue relied upon for appeal with sufficient specificity to afford the Hearings Body an adequate opportunity to respond to and resolve each issue.

Within ten (10) days of this decision becoming final and absent an appeal, the Board of County Commissioners shall approve the subject road name assignment pursuant to Board Order 2021-030.

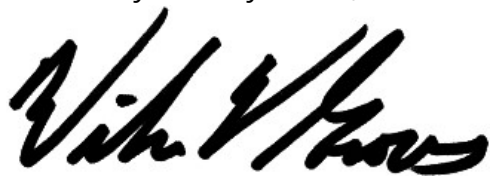
Copies of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost. Copies can be purchased for 25 cents per page.

NOTICE TO MORTGAGEE, LIEN HOLDER, VENDOR OR SELLER: ORS CHAPTER 215 REQUIRES THAT IF YOU RECEIVE THIS NOTICE, IT MUST BE PROMPTLY FORWARDED TO THE PURCHASER.

DESCHUTES COUNTY PLANNING DIVISION

A handwritten signature in black ink that reads "Audrey Stuart". The signature is written in a cursive, flowing style.

Written by: Audrey Stuart, Assistant Planner

A handwritten signature in black ink, appearing to read "Will Groves". The signature is stylized with large, sweeping letters and a prominent flourish at the end.

Reviewed by: Will Groves, Planning Manager