



BOARD OF COMMISSIONERS

AGENDA REQUEST & STAFF REPORT

MEETING DATE: September 13, 2023

SUBJECT: Board Decision on Land Use File No. 247-23-000125-DR, Initiation of Use

RECOMMENDED MOTION:

Move approval of Board Signature of Document No. 2023-849, revising the Hearings Officer's decision approving a Declaratory Ruling and initiation of use application for a marijuana production facility at 26295 Willard Road, Bend.

BACKGROUND AND POLICY IMPLICATIONS:

In order to demonstrate that a use has been initiated, the developer in most cases must show that substantial construction toward completion of the development has taken place. Typically, expenditures made toward completion of the development must occur prior to securing land use approval. In this case, the Board finds that because the marijuana production use is no longer allowed in the Exclusive Farm Use Zone, it is appropriate to consider those expenditures made prior to land use approval. As detailed in the Board's decision, the Board finds that the developer's expenditures demonstrate substantial construction toward completion of the project and approves the initiation of use application.

BUDGET IMPACTS:

None.

ATTENDANCE:

Avery Johnson, Assistant Planner
Anthony Raguine, Principal Planner