



## NOTICE OF PUBLIC HEARING

### MEETING FORMAT

In response to the COVID-19 public health emergency, Oregon Governor Kate Brown issued Executive Order 20-16 (later enacted as part of HB 4212) directing government entities to utilize virtual meetings whenever possible and to take necessary measures to facilitate public participation in these virtual meetings. Since May 4, 2020, Deschutes County public hearings have been conducted primarily in a virtual format. Additionally, on August 13, 2021, the Public Health Division of the Oregon Health Authority adopted into Administrative Rule requirements that all persons 5 years of age or older must wear face coverings and/or masks in indoor spaces (OAR 333-019-1025).

The Deschutes County Hearings Officer will conduct the public hearing described below by video and telephone. If participation by video and telephone is not possible, in-person testimony is available. Options for participating in the public hearing are detailed in the Public Hearing Participation section.

### PROJECT DESCRIPTION

**FILE NUMBERS:** 247-21-000616-PA, 617-ZC

**OWNER/  
APPLICANT:** Dave Swisher

**ATTORNEY  
FOR APPLICANT:** Liz Fancher  
2465 NW Sacagawea Lane  
Bend, OR 97703

**PROPOSAL:** The applicant requests approval of a Comprehensive Plan Amendment to change the designation of the two subject properties from Agricultural (AG) to Rural Residential Exception Area (RREA). The applicant also requests approval of a corresponding Zone Change to rezone the properties from Exclusive Farm Use (EFU) to Multiple Use Agricultural (MUA-10).

- LOCATION:** The subject properties are described as follows:
- Property 1:
    - o Assigned address: 63350 Abbey Road, Bend, OR 97701
    - o Assessor Tax Map: 17-13-18C as Tax Lot 100
  - Property 2:
    - o Assigned address: No Situs Address
    - o Assessor Tax Map: 17-13-18 as Tax Lot 600

**HEARING DATE:** Tuesday, September 21, 2021

**HEARING START:** 6:00 pm

**STAFF PLANNER:** Kyle Collins, Associate Planner  
Kyle.Collins@deschutes.org, 541-383-4427

**DOCUMENTS:** Can be viewed and downloaded from:  
[www.buildingpermits.oregon.gov](http://www.buildingpermits.oregon.gov) and <http://dial.deschutes.org>

**STANDARDS AND APPLICABLE CRITERIA:**

Title 18 of the Deschutes County Code, the County Zoning Ordinance:  
Chapter 18.04, Title, Purpose, and Definitions  
Chapter 18.16, Exclusive Farm Use Zones (EFU)  
Chapter 18.32, Multiple Use Agricultural Zone (MUA10)  
Chapter 18.80, Airport Safety Combining Zone (AS)  
Chapter 18.113, Destination Resorts Zone (DR)  
Chapter 18.136, Amendments

Title 22, Deschutes County Development Procedures Ordinance

Deschutes County Comprehensive Plan  
Chapter 2, Resource Management  
Chapter 3, Rural Growth Management  
Appendix C, Transportation System Plan

Oregon Administrative Rules (OAR), Chapter 660  
Division 6, Forest Lands  
Division 12, Transportation Planning  
Division 15, Statewide Planning Goals and Guidelines  
Division 33, Agricultural Land

Oregon Revised Statutes (ORS)  
Chapter 215.211, Agricultural Land, Detailed Soils Assessment

## **PUBLIC HEARING PARTICIPATION**

- If you wish to provide testimony during the public hearing, please contact the staff planner by 5 pm on September 20, 2021. Testimony can be provided as described below.
- Members of the public may listen, view, and/or participate in this hearing using Zoom. Using Zoom is free of charge. To login to the electronic meeting online using your computer, copy this link:  
<https://us02web.zoom.us/j/82107828033?pwd=eHROVW53aGRYUFh2b1pMdU4wMnFmZz09>  
Using this option may require you to download the Zoom app to your device.
- Members of the public can access the meeting via telephone, dial 1-253-215-8782. When prompted, enter the following: Webinar ID: 821-0782-8033 and Password: 439097.
- Written comments can also be submitted to the record. Please see the Document Submission section below for details regarding written submittals.
- If participation during the hearing by video and telephone is not possible, the public can provide testimony in person at 6 pm in the Barnes and Sawyer Rooms of the Deschutes Services Center, 1300 NW Wall Street, Bend. Please be aware County staff will enforce the 6-foot social distancing standard in the hearing room. Additionally, all participants attending in person must wear a face covering at all times.

All documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at no cost at the Deschutes County Community Development Department (CDD) at 117 NW Lafayette Avenue. Seven (7) days prior to the public hearing, a copy of the staff report will be available for inspection at no cost at CDD. Copies of all documents, evidence and the staff report can be purchased at CDD for (25) cents a page.

**ALL INTERESTED PERSONS MAY APPEAR, BE HEARD, BE REPRESENTED BY COUNSEL, OR SEND WRITTEN SIGNED TESTIMONY. ANY PARTY TO THE APPLICATION IS ENTITLED TO A CONTINUANCE OF THE INITIAL EVIDENTIARY HEARING OR TO HAVE THE RECORD LEFT OPEN IN ACCORDANCE WITH SECTION 22.24.140 OF THE DESCHUTES COUNTY CODE.**

Failure to raise an issue in person at a hearing or in writing precludes appeal by that person to the Land Use Board of Appeals (LUBA), and that failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to LUBA based on that issue.

Deschutes County encourages persons with disabilities to participate in all programs and activities. This event/location is accessible to people with disabilities. If you need accommodations to make participation possible, please contact the staff planner identified above.

## **DOCUMENT SUBMISSION**

Any person may submit written comments on a proposed land use action. Documents may be submitted to our office in person, U.S. mail, or email.

### **In Person**

We accept all printed documents.

### **U.S. Mail**

Deschutes County Community Development  
Planning Division, Kyle Collins  
P.O. Box 6005  
Bend, OR 97708-6005

### **Email**

Email submittals should be directed to [Kyle.Collins@deschutes.org](mailto:Kyle.Collins@deschutes.org) and must comply with the following guidelines:

- Submission is 20 pages or less
- Documents can be printed in black and white only
- Documents can be printed on 8.5" x 11" paper

Any email submittal which exceeds the guidelines provided above must be submitted as a paper copy.

### **Limitations**

- Deschutes County does not take responsibility for retrieving information from a website link or a personal cloud storage service. It is the submitter's responsibility to provide the specific information they wish to enter into the record. We will print the email which includes the link(s), however, we will not retrieve any information on behalf of the submitter.
- Deschutes County makes an effort to scan all submittals as soon as possible. Recognizing staff availability and workload, there is often a delay between the submittal of a document to the record, and when it is scanned and uploaded to Accela Citizen Access (ACA) and Deschutes County Property Information (DIAL). For this reason, the official record is the file that resides in the Community Development office. The electronic record in ACA and DIAL is not a substitute for the official record.
- To ensure your submission is entered into the correct land use record, please specify the land use file number(s).

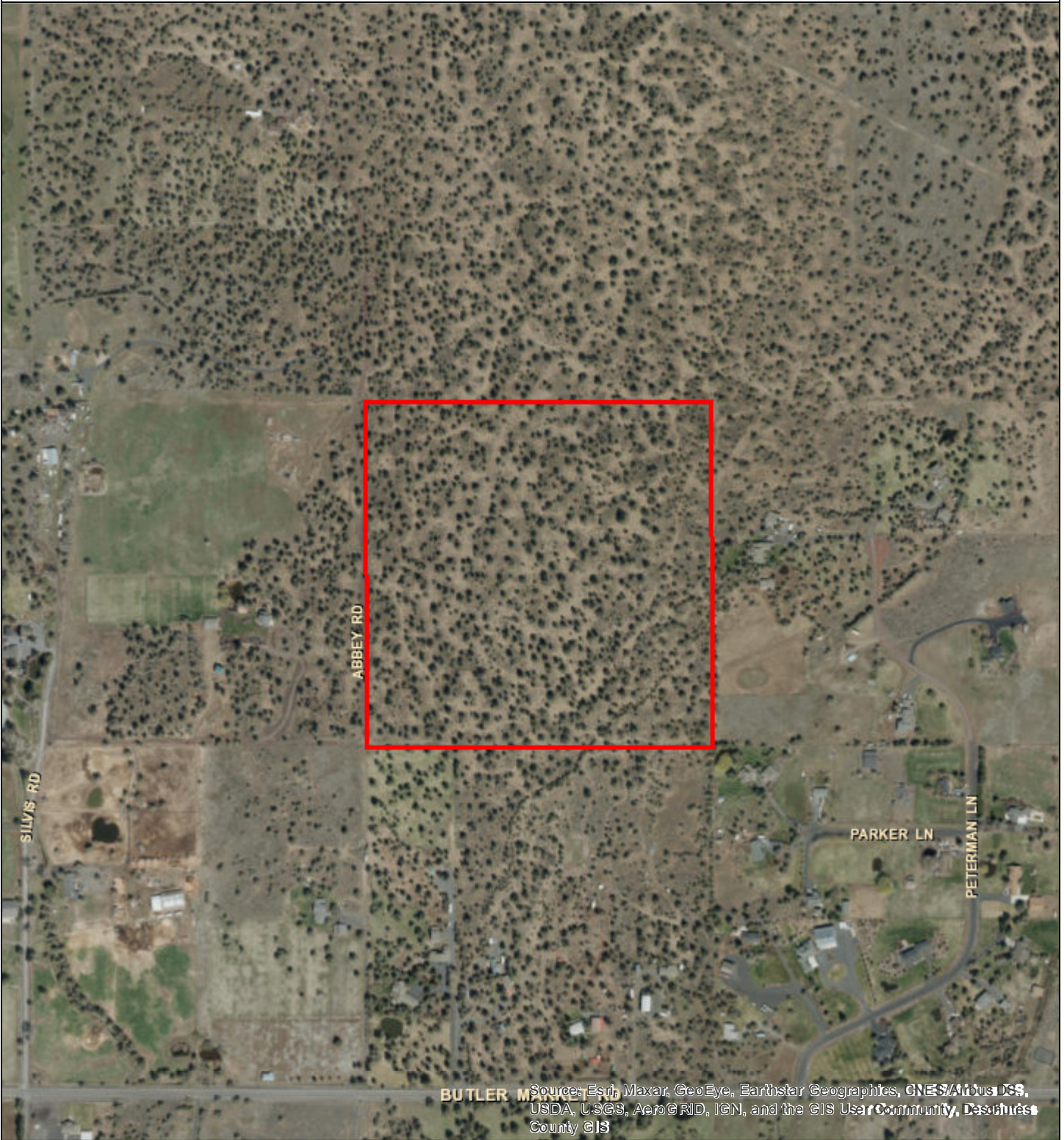
- For the open record period after a public hearing, electronic submittals are valid **if received by the County's server** by the deadline established for the land use action.
- IF YOU WISH TO BE NOTIFIED OF ANY DECISION RELATED TO THIS APPLICATION, YOU MUST PROVIDE A MAILING ADDRESS.

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

This Notice was mailed pursuant to Deschutes County Code Chapters 22.20 and 22.24.

# Property 1: 63350 Abbey Road, Bend, OR 97701

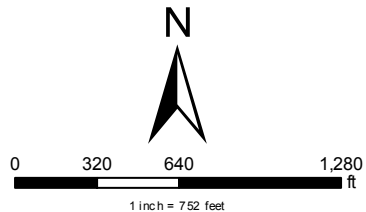
File Nos. 247-21-000616-PA, 21-617-ZC



Source: Esri, Maxar, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Deschutes County GIS

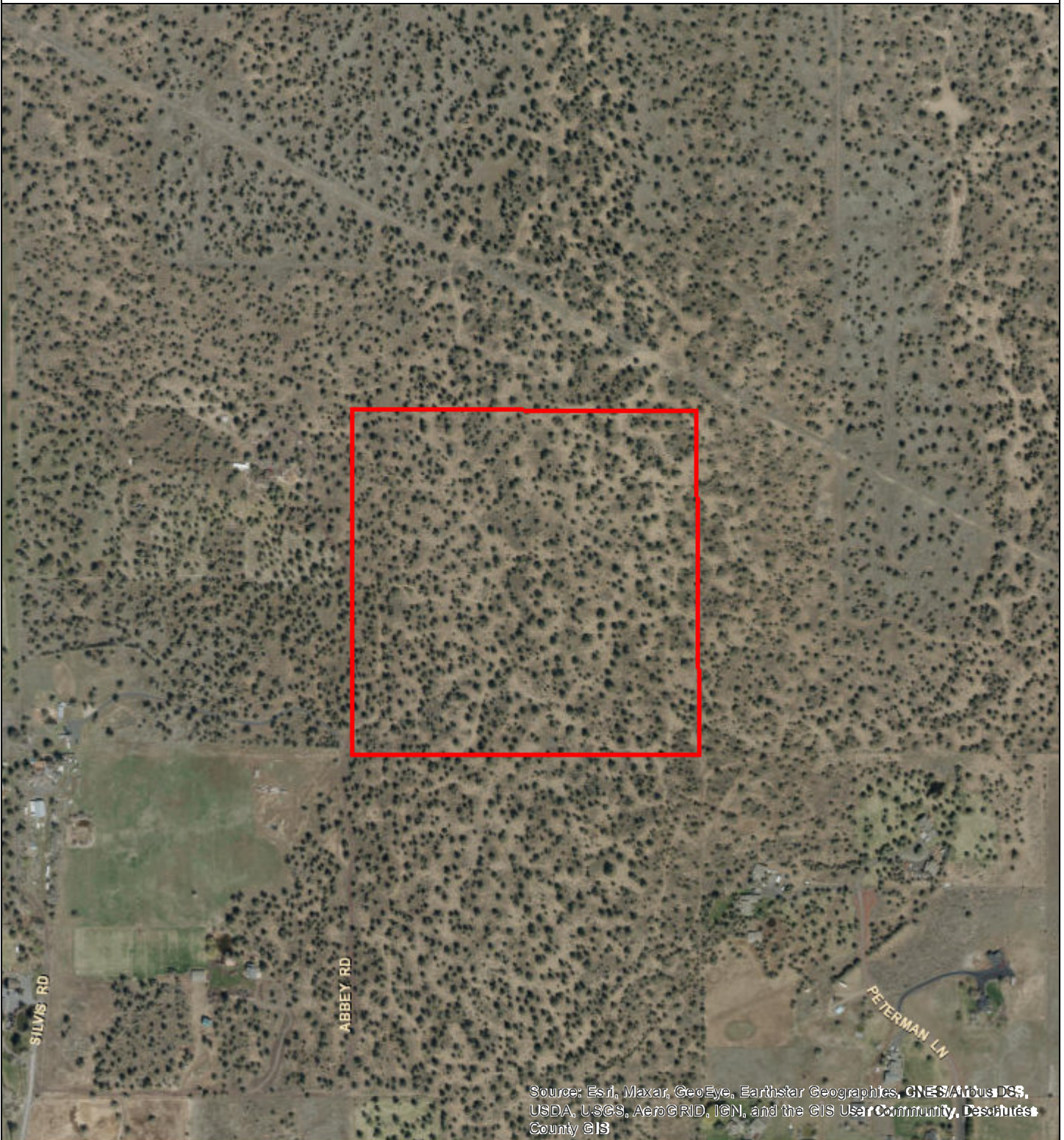


Date: 6/22/2021



# Property 2: No Situs Address (Map and Taxlot: 1713180000600)

File Nos. 247-21-000616-PA, 21-617-ZC



Date: 6/22/2021

