REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Order Denying Review of Hearings * Officer's Decision in File No. File No. 247-22- * ORDER NO. 2023-004 000678-MC

WHEREAS, on December 19, 2022 the Hearings Officer denied File No. 247-22-000678-MC; and

WHEREAS, on December 30, 2022, Central Land & Cattle Company, LLC, Kameron DaLashmutt, and Pinnacle Utilities, LLC ("Applicant"), appealed (Appeal No. 247-22-000984-A)) the Deschutes County Hearings Officer's Decision on File No. 247-22-000678-MC; and

WHEREAS, on January 3, 2023, Annunziata Gould ("Appellant"), appealed (Appeal No. 247-23-000003-A) the Deschutes County Hearings Officer's Decision on File No. 247-22-000678-MC; and

WHEREAS, Sections 22.32.027 and 22.32.035 of the Deschutes County Code ("DCC") allow the Deschutes County Board of County Commissioners ("Board") discretion on whether to hear appeals of Hearings Officers' decisions; and

WHEREAS, the Board has given due consideration as to whether to review this application on appeal; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, HEREBY ORDERS as follows:

<u>Section 1</u>. That it will not hear on appeal Appeal Nos. 247-22-000984-A and 247-23-000003-A pursuant to Title 22 of the DCC and/or other applicable provisions of the County land use ordinances.

Section 2. Pursuant to DCC 22.32.015, the County shall refund any portion of the appeal fees not yet spent processing the subject application. If the matter is further appealed to the Land Use Board of Appeals and the County is required to prepare a transcript of the hearing before the Hearings Officer, the refund shall be further reduced by an amount equal to the cost incurred by the County to prepare such a transcript.

<u>Section 3</u>. Pursuant to DCC 22.32.035(D), to date the only documents placed before and considered by the Board are the notice of appeals, recommendations of staff, and the record developed before the lower hearings body for File No. 247-22-000678-MC as presented at the following website:

https://www.deschutes.org/cd/page/247-22-000678-mc-thornburgh-destination-resortmodification-cmpfmpfwmp

DATED this _____ day of _____, 2023.

BOARD OF COUNTY COMMISSIONERS

ANTHONY DEBONE, Chair

ATTEST:

PATTI ADAIR, Vice Chair

Recording Secretary

PHIL CHANG, Commissioner