



Mailing Date:  
Thursday, September 14, 2023

## COMMUNITY DEVELOPMENT

### NOTICE OF PUBLIC HEARING

#### HEARING FORMAT

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:** 247-22-000464-CU, 247-22-000466-SP

**OWNER:** Duane & Dina Fay Barker

**APPLICANT:** Lava Terrace Cellars

**PROPOSAL:** The applicant requests a Conditional Use Permit and Site Plan Review to establish a winery as a Commercial Activity in Conjunction with Farm Use in the Multiple Use Agricultural Zone (MUA10).

**LOCATION:** The subject property has an assigned address of 20520 Bowery Lane, Bend, OR 97703 and is identified on the County Assessor Tax Map 17-12-09B, as Tax Lot 1000.

**HEARING DATE:** Tuesday, October 10, 2023

**HEARING START:** 6:00 pm

**STAFF PLANNER:** Nathaniel Miller, Associate Planner  
Phone: 541-317-3164  
Email: Nathaniel.Miller@Deschutes.org

**RECORD:** Record items can be viewed and downloaded from:  
<https://www.deschutes.org/cd/page/247-22-000464-cu-247-22-000466-sp-lava-terrace-cellars-winery-vinyard>

## **TIME LIMITS**

The Deschutes County Planning Division has set the following time limits for testimony at the hearing:

- Applicant: 30 minutes
- Public Agencies: 10 minutes
- General Public: 3 minutes
- Applicant Rebuttal: 10 minutes

Please note, the above time limits can be modified or eliminated by the Hearings Officer at their discretion.

## **STANDARDS AND APPLICABLE CRITERIA:**

Deschutes County Code (DCC)

Title 18 of the Deschutes County Code, the County Zoning Ordinance:

- Chapter 18.04, Title, Purpose and Definitions
- Chapter 18.32, Multiple Use Agricultural Zone (MUA10)
- Chapter 18.116, Supplementary Provisions
- Chapter 18.124, Site Plan Review
- Chapter 18.128, Conditional Use

Title 22, Deschutes County Development Procedures Ordinance

## **PUBLIC HEARING PARTICIPATION**

- If you wish to provide testimony during the public hearing, please contact the staff planner by 4 pm on Monday, October 9, 2023. 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/83847211331>. 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: 838 4721 1331.
- 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.

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 and on the websites listed above. 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, Nathaniel Miller  
P.O. Box 6005  
Bend, OR 97708-6005

#### **Email**

Email submittals should be directed to [Nathaniel.Miller@deschutes.org](mailto:Nathaniel.Miller@deschutes.org).

#### **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.

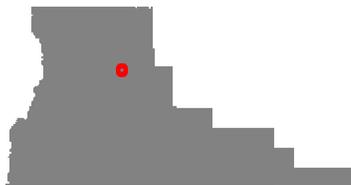
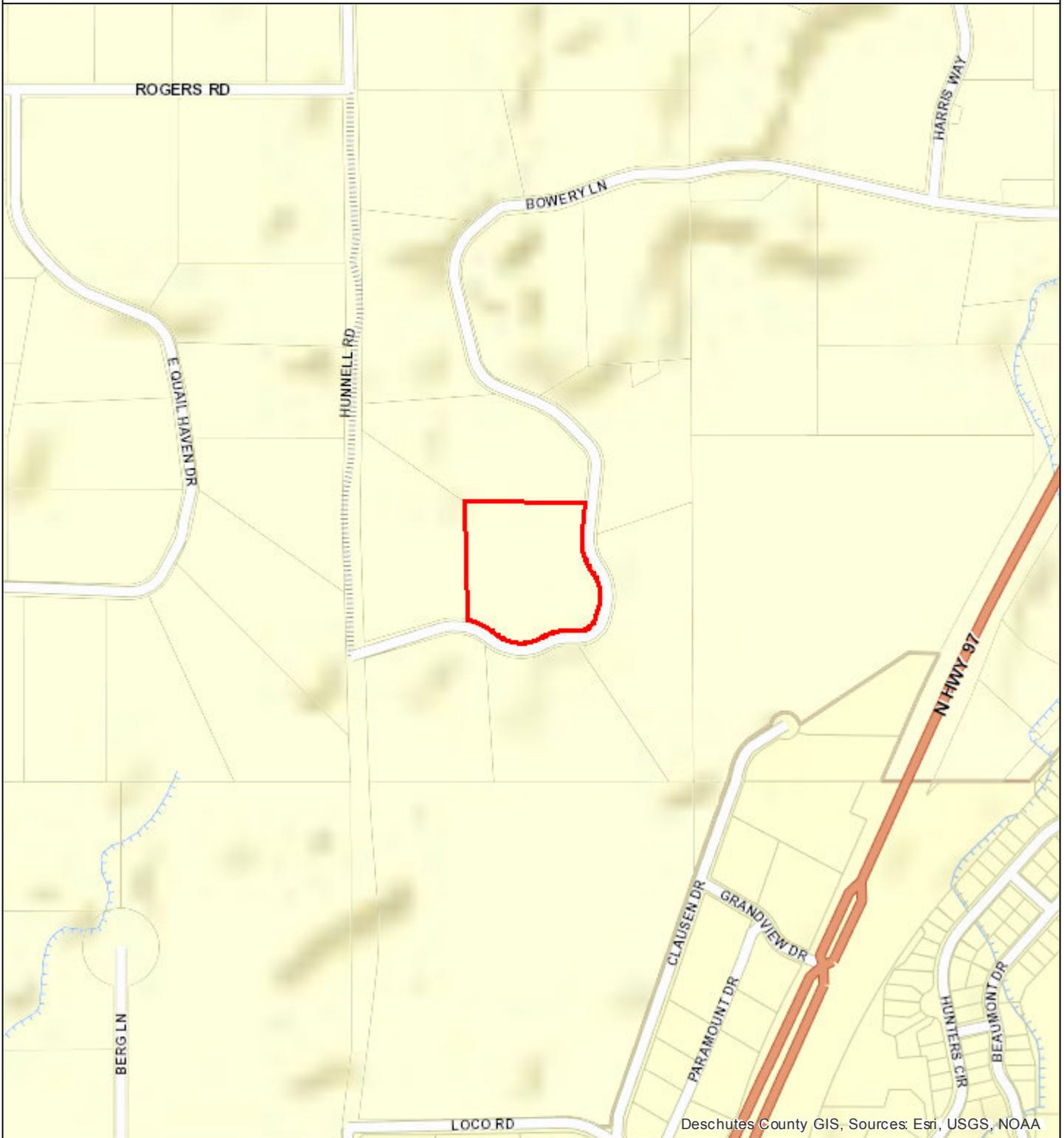
- Deschutes County makes an effort to scan all submittals as soon as possible. Recognizing staff availability and workload, there is often a delay between the submittal of a document to the record, and when it is scanned and uploaded to Accela Citizen Access (ACA) and Deschutes County Property Information (DIAL).
- 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.

**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.**

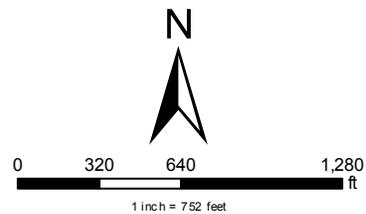
This Notice was mailed pursuant to Deschutes County Code Chapters 22.20 and 22.24.

# File: 247-22-000464-CU, 466-SP

20520 Bowery Lane, Bend, OR 97703



Date: 9/7/2023



owner	agent	inCareOf	address	cityStZip	type	cdd id	email
Deschutes Assessor			ELECTRONIC		NOPH	22-464-CU, 466-SP	
Deschutes Building Safety	randy.scheid@deschutes.org		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Deschutes Onsite Wastewater	todd.cleveland@deschutes.org		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Deschutes Road Department	cody.smith@deschutes.org		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Deschutes Transportation	tarik.rawlings@deschutes.org		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Oregon Department of Agriculture	jharrang@oda.state.or.us		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Bend Fire Department	jbond@bendoregon.gov		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Avion Water Company	tel@avionwater.com		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Bend Planning Department	planning@bendoregon.gov		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Deschutes Environmental Health	eric.mone@deschutes.org		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Don Morehouse	Donald.MOREHOUSE@odot.oregon.gov		ELECTRONIC		NOPH	22-464-CU, 466-SP	
Swalley Irrigation District			64672 COOK AVE.	BEND, OR 97701	NOPH	22-464-CU, 466-SP	
RILEY, KEVIN & CALLI			20545 BOWERY LN	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
JENSEN, STEPHEN V & LOEL R			20525 BOWERY LN	BEND, OR 97701	NOPH	22-464-CU, 466-SP	
CASCADIA ORGANICS LLC			20515 BOWERY LN	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
TRYON, MARK & SHARON L			20019 BEAVER LN	BEND, OR 97701	NOPH	22-464-CU, 466-SP	
VAIL RANCH TRUST			20510 BOWERY LN	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
BARKER, DUANE & DINA FAY			20520 BOWERY LN	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
DIXON, AARON B & MARCY			20530 BOWERY LN	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
TOBY BAYARD			20555 BOWERY LN	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
MICHEL BAYARD			20555 NOWERY LN	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
MAX AND JULIE ROBERTSON			64698 HUNNEL RD	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
TOM AND KAREN ANDRADE			64715 HUNNEL ROAD	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
LARRY AND NANCY GREEN			64727 HUNNELL ROAD	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
SUE VORENBERG			2671 NIAGRA CT	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
HILARY GARRETT			21663 PALOMA DR	BEND, OR 97701	NOPH	22-464-CU, 466-SP	
KEVIN RILEY			20545 BOWERY LN	BEND, OR 9703	NOPH	22-464-CU, 466-SP	
MAUREEN SCHLERF			60633 NEWCASTLE DR	BEND, OR 97702	NOPH	22-464-CU, 466-SP	
CHIP AND CLAUDIA ARTHUR			20545 POHAKU ROAD	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
BRAD COX			20580 BOWERY LANE	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
KRISTEN SABO			2843 NW LOLO DR #200	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
AARON DIXON			20530 BOWERY LN	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
GARY KRAMBEAL			20635 BOWERY LANE	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
DENNIS GANT			64636 HUNNEL ROAD	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
MARK AND SHARON TRYON			20505 BOWERY LANE	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
CRYSTAL DOLLHAUSEN			20510 BOWERY LANE	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
BRUCE LEVIN			20620 BOWERY LANE	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
VAN AND LOELL JENSEN			20525 BOWERY LANE	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
KREG AND JULY ROTH			63980 HUNNELL ROAD	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
CAROLE HANSEN			20550 BOWERY LANE	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
RICK LLOYD			20575 BOWERY LANE	BEND, OR 97703	NOPH	22-464-CU, 466-SP	
CHRIS FOOTE HYATT			200 W 34TH AVE #345	ANCHORAGE, AK 99503	NOPH	22-464-CU, 466-SP	
THOMAS HYATT			14988 W LOON CIRCLE	WASILLA, AK 99623	NOPH	22-464-CU, 466-SP	