

# Land Use

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## Application Requirements

The day-to-day processing of applications for development projects is performed by the Community Development Department's Current Planning Division. Current planning activities fall into two basic categories which are "land use permits" and "development permits".

Land use permits involve the exercise of judgment or discretion in applying approval criteria and includes such things as conditional use permits, subdivisions, variances and site plan review. Whenever judgment is exercised, the Planning Division is required to provide public notice. The planning staff must also prepare a written staff report and/or a document that explains the applicable criteria and how they were satisfied by the individual proposal. Decisions are called the "findings and decision" and always are put in writing. Land use permits may or may not require a public hearing. The Planning Director decides whether a land use permit may be approved or denied administratively (without a public hearing). When there are unresolved issues, or significant controversy, a public hearing is usually held. When the Planning Director determines a public hearing is necessary, the application is referred to the Deschutes County Hearings Officer. The Hearings Officer serves as a "judge" in determining whether or not the applicable criteria have been satisfied. The Hearings Officer issues a written decision that is then appealable to the Board of County Commissioners (Board). The Board has several choices on how or whether to hear appeals or allow them to go directly to the State Land Use Board of Appeals (LUBA). Decisions may also be reviewed by the Board, at their request. Approximately 80% of land use permits are handled administratively without a public hearing.

Development permits include the review of building setbacks, permitted uses, lot line adjustments and other types of review which can be performed without the exercise of significant discretion or interpretation of applicable regulations.