



Mailing Date:  
Tuesday, January 06, 2026

0204100

## COMMUNITY DEVELOPMENT

### NOTICE OF PUBLIC HEARING

#### HEARING FORMAT

The Deschutes County Board of County Commissioners will conduct the public hearing as described below in-person and by video and telephone. Options for participating in the public hearing are detailed in the Public Hearing Participation section.

#### PROJECT DESCRIPTION

**REMAND FILE NUMBER:** 247-25-000759-A

**FILE NUMBERS:** 247-22-000436-ZC / 247-22-000443-PA / 247-23-000651-MA

#### **LUBA FINAL**

**OPINION & ORDER:** *Central Oregon LandWatch v. Deschutes County, \_\_ Or LUBA \_\_ (LUBA No. 2025-015, June 26, 2025)*

**SUBJECT PROPERTY:** Address: 19975 DESTINY CT, BEND, OR 97703  
Map and Taxlot: 1712070000100

**APPLICANT/OWNER:** Destiny Court Properties, LLC ("Applicant")

**APPLICANT'S ATTORNEY:** Kenneth Katzaroff – Schwabe, Williamson, & Wyatt, P.C.

**REQUEST:** The Applicant has initiated a remand request to address two (2) discrete issues remanded by the Land Use Board of Appeals ("LUBA") in LUBA No. 2025-015:

**Issue 1:** Alleged Inconsistency with Comprehensive Plan Policy

**Issue 2:** Complete Analysis Regarding Proposed Farm Uses on the Property

**HEARING LOCATION:** Deschutes Services Building – First Floor – Barnes & Sawyer Rooms (1300 NW Wall Street, Bend, OR 97703) & Zoom

**HEARING DATE/TIME:** January 28, 2026 – Meeting starts at 9:00 am - Refer to the meeting agenda for exact time – [www.deschutes.org/meetings](http://www.deschutes.org/meetings)

**STAFF PLANNER:** Caroline House, Senior Planner  
[Caroline.House@deschutes.org](mailto:Caroline.House@deschutes.org) / 541-388-6667

**RECORD:** Record items can be viewed and downloaded from:  
<https://bit.ly/DestinyCourtRemand>

**STANDARDS AND APPLICABLE CRITERIA:**

Deschutes County Code ("DCC")

    Title 18, Deschutes County Zoning Ordinance

        Chapter 18.04, Title, Purpose, and Definitions

        Chapter 18.16, Exclusive Farm Use Zones (EFU)

        Chapter 18.32, Multiple Use Agricultural (MUA10)

        Chapter 18.56, Surface Mining Impact Area Combining Zone (SMIA)

        Chapter 18.84, Landscape Management Combining Zone (LM)

        Chapter 18.136, Amendments

    Title 22, Deschutes County Development Procedures Ordinance

Deschutes County Comprehensive Plan ("DCCP")

    Chapter 2, Resource Management

    Chapter 3, Rural Growth Management

        Appendix C, Transportation System Plan

Oregon Administrative Rules (OAR) Chapter 660

    Division 12, Transportation Planning

    Division 15, Statewide Planning Goals

    Division 33, Agricultural Land

Oregon Revised Statutes (ORS)

    Chapter 215-211, Agricultural Land, Detailed Soils Assessment

**PUBLIC HEARING PARTICIPATION**

Per DCC 22.34.030(A), only those persons who were parties to the proceedings before the County as part of the File Numbers listed above are entitled to notice and participation in this remand hearing.

- The scope of the remand hearing is limited to those issues that LUBA required to be addressed.
- The Hearings Body has the discretion to reopen the record in instances in which they deem it to be appropriate. On January 5, 2026, the BOCC voted 2 to 1 to reopen the record to accept new evidence related only to Issue 2 of LUBA No. 2025-015 (ref. Board Order No. 2026-002).

- Those parties who wish to participate at the public hearing are requested to contact the staff planner by 4 pm on Tuesday, January 27, 2026.
- Parties to this proceeding can participate in-person at the Barnes and Sawyer Rooms of the Deschutes Services Center located at 1300 NW Wall Street, Bend.
- Parties to this proceeding can participate remotely by using Zoom. To join the meeting via Zoom from a computer, use this link: <http://bit.ly/3h3oqdD>. Using this option may require you to download the Zoom app to your device.
- Parties to this proceeding can participate remotely by telephone by dialing 1- 253-215-8782. When prompted, enter the following Webinar ID: 899-4635-9970.
- Parties to this proceeding can submit *arguments and/or proposed findings* to the record for Issue 1 and/or *new evidence, arguments, and/or proposed findings* for Issue 2. Please see the Document Submission section below for details on how to submit written materials.
- The Deschutes County Planning Division has set the following time limits for participants at the hearing:
  - Applicant: 30 minutes
  - Appellant(s): 10 minutes
  - Other Parties: 3 minutes
  - Applicant Rebuttal: 10 minutes

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

- Any interested persons may *listen/watch* the hearing by going to the following website: <https://www.deschutes.org/meetings> or join the in-person participants in the Barnes and Sawyer Rooms of the Deschutes Services Center located at 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. Copies of all documents, evidence and the staff report can be purchased at CDD for (25) cents a page.

Failure to raise an issue in person at a hearing or in writing precludes appeal by that person to 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**

Parties to this proceeding may submit written comments as described under the Public Hearing Participation section above. 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, Caroline House  
P.O. Box 6005  
Bend, OR 97708-6005

### **Email**

Email submittals should be directed to [Caroline.House@deschutes.org](mailto:Caroline.House@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.
- 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, 22.24, and 22.34.

