

Sign-In Sheet

Date: 4/13/17

Meeting Location:

JONES

Please write legibly and include complete contact information.

File No(s):

Name/Names Mailing Address and Email Phone

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Deschutes County Commissioners
PO Box 6005
Attn: BoCC
Bend Oregon 97708-6005

Subject: Conditional Use permits for Marijuana Retailing, Production (Growing), and Processing, Deschutes County Code Section 18.166.330: Suggested Separation Distance wording change for RC zoned lands for Marijuana Retailing.

Dear County Commissioners,

Please take into consideration an administrative wording change to the Separation Distances currently defined for Marijuana Retailing for RC zoning that allow for a Conditional Use permit to be issued.

The Rural Commercial (RC), by nature of the Conditional Use permit, includes the entire surrounding zoned property acreage not just a building or associated buildings. The land areas for RC can be quite large, 2 acres to several acres or larger. RC zonings are not just for a building in an urban setting on an urban sized lot as is the case for the other listed zone categories. Further, there can be only one marijuana retail store on a single RC zoned parcel.

Separation Distances, as currently defined state that, the measurements be made from " ...closest point of the buildings space occupied by the retailer..." from the affected properties closest point. Conceivably, on a large acreage property applying the existing Separation Distances criteria, a new small building could be built and placed on the property's acreage in such a manner that the **minimum of 1000 feet** buffer developed to provide protection for adjacent existing zoned uses from this new activity is circumvented.

Current Separation Distances, as defined, that allow for a Conditional Use permit being issued do not take into account that the focused building and facilities Conditional Use permit activities, both allowed and prohibited, will take place away from these facilities and impact the acreage present within RC zoned lands. These allowed and prohibited activities will then also impact the surrounding existing zoned land parcels that are meant to be protected by the **minimum of 1000** foot buffer.

The suggested proposed administrative change to Marijuana Retailing Separation Distances could read something like this:

All distances shall be measured from the closest lot line of the affected properties to the closest RC zoned lot line occupied by the Retailing operation.

Distances between retailers, other than RC, will be measured from the closest point of the building space occupied by one marijuana retailer to the closest point of the building space occupied by the other marijuana retailer.

This would improve the ability of the **minimum of 1000 feet** buffer for RC zoned lands to protect existing adjacent zoned land, facilities, activities, and health and safety of the Public, as seems to be the intent of the Deschutes County Code.

Thank you for your time on this issue.

Henry S. Keesling
Henry S. Keesling
65595 93rd Street
Bend OR 97703

10 April 2017



21131 Clairaway Ave.

Bend, OR 97702

April 13, 2017

Re: City of Bend Council Meeting:

The three minutes are never long enough for me. My primary purpose is Flashback "CRUZ", the biggest car show in Central Oregon, and held right here in Bend annually going on it's 33rd year this year. The benefit is free to the Public, and we help a lot of local Charity's as well. I did want to hit on some of the other's comments, so here goes and will end with my Flashback Cruz, and I need help.

1. The lady that talked about why we need a bus service in Bend. I voted for our current bus system support, as I grew up blocks from City Hall at Wall & Georgia in the 50's, and Bend did not have any Public Transportation at that time, OR a School bus service. I came from a poor Family, with only 1 car, and Dad needing to get to the mill to work every day. So, we walked across the Drake Park old foot bridge, to Kenwood School every day – even in the coldest days of winter. Then, a longer journey, to the new Bend High School at the time, until, in my senior year, friends of my younger siblings had access to a car to take us to school. Then, I played sports after school, and it was a long journey home, especially when it was dark. My college started at the Bend High School at night, as we had no college in town at the time. Proud to have our two children graduated from my Altamonte!! Yeh!!
2. Our Street: I guess, we started building Bend by the seat of our pants, as we had no idea what a beautiful place we had. We called the Council, our City Fathers at the time, who did not have the vision to see what we have become, at this time. For High School work, we had no big box fast foods or corporations to get jobs, so that meant babysitting for me.
3. Glass Ceiling: Yes, I did unfortunately see most of this for my working life, the men earning more than the women, being treated better than the women, and I hope our daughter can get through all of it because she is dealing with this issue on a daily basis, as I write this letter. I was one of the lucky ones to beat out most of the other managers from Seattle/Montana and to SF. I left the house before 7am and back at 7 pm, thanks to a wonderful husband who did the planning-preparation and thought to our evening meals and that shopping as well. My ethics belief, is to work hard and you can beat out others, it should not be about the fact that you're a man.
4. Flashback "CRUZ" is truly my baby, for over the 24 years that I have invested my blood, sweat and tears into it. It is what I strive to make happen and go smoothly because I KNOW how many people come just for their love of the classic vehicles. But, with all the Government regulations and Cities needs to charge these high fees, Flashback just might not see 2018. We only idle during the "Closed CRUZ", but must pay out over \$2,500 to comply with the City! For the last over 14 years, we have used our wooden handmade barricades just fine for over 13 years, and without incident. Yes, the bicycle race in Downtown goes much faster than do our lovely treasured Classics. I am in Idle, and overheated again, as I was last year, when others had a

similar problem. The people who come to enjoy the show and the cars, are suffering, by these added fees, taxes, etc. The majority of, the people, who come to the show come to see the cars, not even to enter. My point is that we should be able to use these wooden barricades in the inner portion of the "CRUZ" like at the alleys. I have "Blackballed 2 vehicle persons from entering and paying the fee to enjoy this event because they did a dangerous thing. The participants also know if they miss-behave especially around me, they are out, period.

5. This is a Class-act Car Show and we have participants That come from Riverside, Texas, Montana, all over the United States. I have asked, and I hope you can provide, what dollar amount is given out to other events during the year from Visit Bend for example, for hotel/motel room tax, and especially during August. I am sure you can get those figures. The Visitor Motel/Hotel tax has been a big discussion from you and the City.
6. The following, was delivered to each of you during the March 15th, 2017 Council meeting. I have just reviewed it again, as it has some good ideas for the City of Bend, and because I want to make Bend even better. I made some improvement to my prior City of Bend letter from March council meeting to the following matter from that meeting.

Flashback "CRUZ" permit cost: We have gone into the red the last two year and may not be able to afford 2018. Our annual event that I have overseen since 1994, is now losing money, with a lot of our cost going to the city fees and those required barricades. We hope you can again work with our Club, to put on this event which is FREE to the public, by revising the fees and being able to use our wooden barricades in some areas of the "CRUZ". As our permit and maps will be identical to last year, and the only change to last year is to improve our movement into Drake Park on Saturday morning.

The City does need improvement, improvement for the City of Bend E-PLAN online system, as, there are some of us who are not computer savy. Yes, I could turn Flashback over to , "For Profit", but all my small sponsors will be forced out because it will cost these little guys more than they can afford. And to them, it will no longer be worth it. I do not want to see this happen, as, to me, as well as a lot of others, this is a love affair for classic vehicles,- not just a contest, or event, etc. It is something that keeps the nostalgia of the "good ol' days" around. I use to "CRUZ" the Downtown Street in High School in my friends cars.

We also made our own signs for the neighborhood signs near Drake Park to attempt to save money.

1. Revenue from the Hotel Tax: We bring in A LOT of revenue to the city, but see no benefit to our Classic event and should be in the Grandfather stage. I would hope you can find out what events, get what money. These vehicles cannot travel during the winter months so we cannot move our event to later in the year.
2. Bend growth: As a longtime resident of Bend, almost to death, many faults could go back to the early days when the City Fathers as they were called, did not allow any big box companies into Bend. I earned my money babysitting as we had no other choice until I was old enough to work at the two local pharmacies in Bend at the time. Now, people who did not even grow up here, put their blood, sweat and tears into this city, and come from larger cities, come and run these corporations and industries without any regard for the long standing community of Bend.

3. We are growing so fast as everyone loves Bend. I would suggest the City look at a real by-pass that would go further East of Bend to ease the traffic. Redding CA, did this several years ago, so you can go past Redding or decide to go into the City. We seem to have a vibrant Downtown where I did work for 21 years of my adult life when many stores were empty. A lot of us Bend- it's do not like seeing newbies think they know what is best for our Bend. Such is the case when many of the new city staff comes from out of town, that I see happening these days.
4. Encourage more citizens to take control of their neighborhood to help keep Bend the greatest place! I love Bend and my neighborhood. My neighbors came to my rescue to clean off ½ of my very large driveway this winter, during my recent hospital stay and recovery. I did all the landscaping on Clairaway and intersections of Pettigrew and 27th Street. I have been working with the construction on 27th which has been good. As in 2015 I, came back home to find all my work at the corner of Pettigrew a real mess. I do have a Pfeifer & Assoc. men's home near me who have been very helpful in the last two years when they moved in. At first I felt oh, no, but these and the women home's must also do community service so I suggest getting in touch as the Pfeifer program is wonderful. They get to keep their children with them in these homes and I did help integrate the kids into my neighborhood.
I also spend over \$500+ of my own money to keep both ends weeds free and add flower and transplant from my own Beautiful yard.
Which brings up another point is to get all these new developments, to get better off the ground. I did manage 27 of such corporation in the 70 and did budgets for the Department of Real Estate. I don't want to see slums in Bend and the East Side has been left behind for many years. I would love to have a work session with you or any group to improve this area. By enforcing the Developers to form the Association, it will have a better possibility to get off the ground and would reduce more police and other services to, such neighborhoods. I just want my Bend to be the Best and better for all.
5. One more*hope last is that the city seems to use the same consulting companies, it should not be that way. I was on the Parking Garage committee on that early development and could see them leading us in their direction. Also, Parking by employees has always been a problem in Downtown and still is. Also, you could make a couple of visit days and you will see it. Oh, I must move my car statement or just see the bad habits.

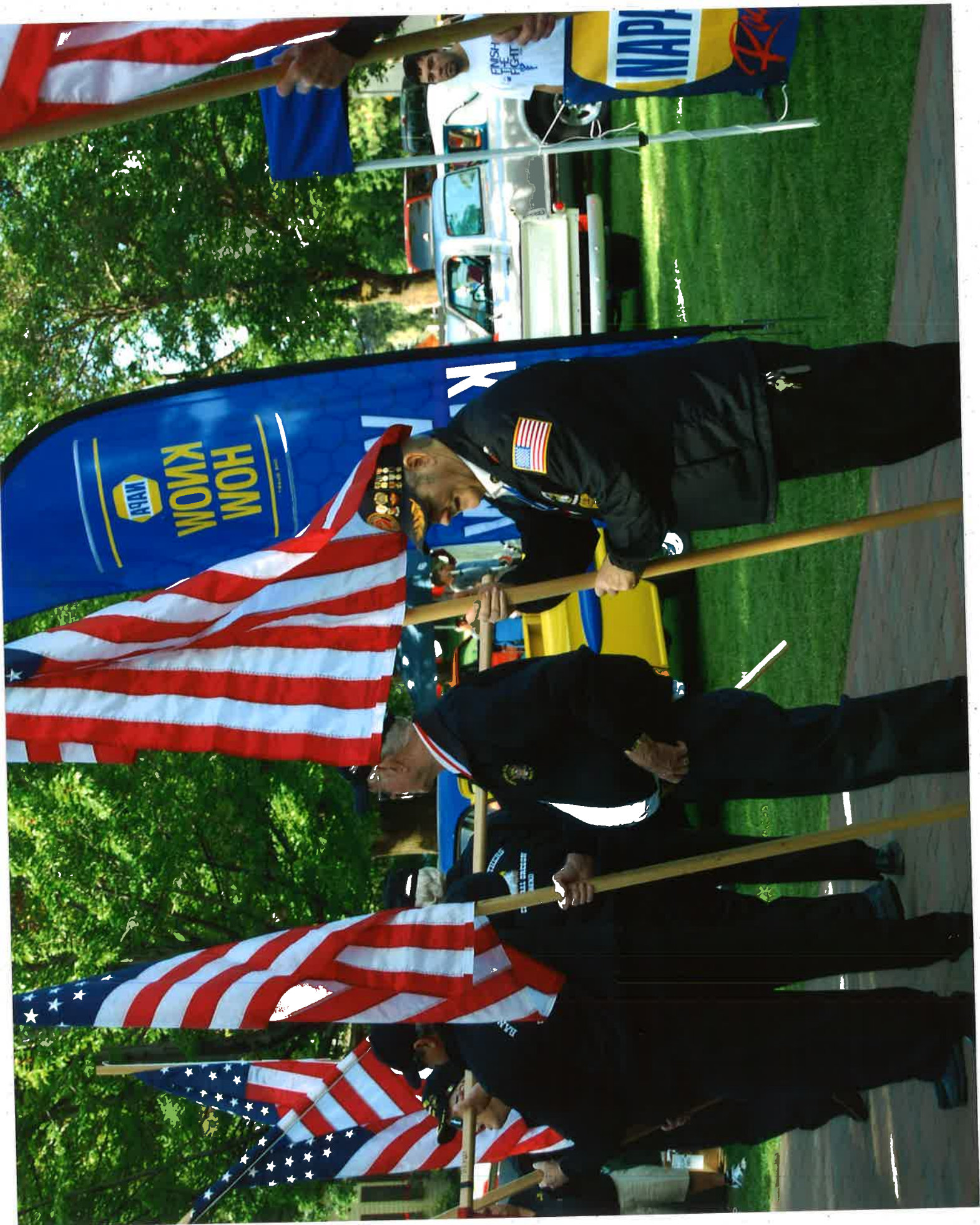
I respect all the many hours and time that you all put into your being a City Counselor!

Joan Spongberg

541-480-5560









Stanley Kuperstein

9:46 AM (9 hours ago)

to me

My wife and I will be attending a political town hall meeting at the the of the scheduled Deschutes County Planners Commissioners annual meeting. Therefore, we will not be attending the annual meeting. However, we want the Commission to know that my wife and I fully support the County Planners looking at developing a grading ordinance for RR10 properties and add this to their official 2017 work plan.

Stanley and Joan Kuperstein

60003 Minnetonka Lane

DRW

Bend, Or 97702

On Wed, Apr 12, 2017 at 6:53 AM, Julie Kisic <jkisic@gmail.com> wrote:

Good morning,

I am sending out just one last reminder about tomorrow nights County Planners meeting (Thursday April 13th at 5:30 pm at 1300 NW Wall Street in Bend), Thank you to all those that have confirmed their attendance and thank you to those who cant attend but emailed endorsement letters.

If you wont be able to make it or even believe there is a chance you cant attend, a quick endorsement email would be very helpful. Just reply (no need to "reply all") and I will print these off and bring them with me.

Best Regards,

Julie Kisic

Pam Moritz

Apr 10 (2 days ago)

To Whom It May Concern

We am asking that the Deschutes County Planners Commissioners develop a grading ordinance for RR10 properties and that they add this to the official 2017 work plan. A grading ordinance will help to close loopholes that could potentially affect our property and it's value in Deschutes River Woods.

Thank you for your time and consideration.

Sincerely,

Pamela and Joseph Moritz

59930 Navajo Rd

Bend, Oregon 97702

April 11, 2017

Deschutes County Planning Commission

To Whom it may concern:

I wish to express my concern that there is currently no grading ordinance in Deschutes County. With the extensive environmental regulations in Oregon and especially Deschutes county, the lack of a grading ordinance is a huge loophole. Just think, for example, if someone bought the 90 acres of lava currently offered for sale by Arnold Irrigation, they could build roads, housing pads, septic probes, etc., and basically level the lava to oblivion with no permit, approval, planning, etc. This would decimate and forever scar the natural wonder of the lava flow that is part of the flow from Lava Butte National Monument.

I respectfully request that a Grading Ordinance be implemented in Deschutes County no later than Summer of 2017.

Best regards, Thomas Powell

19402 Comanche Circle

Bend, OR 97702

541-409-3324

tkparchery@msn.com

To the Deschutes County Planning Commission:

We are residents of Deschutes River Woods and strongly support the request to place the formation of a grading ordinance for RR10-zoned properties in Deschutes County on the 2017-18 work plan of the County Community Development Department. The clarity to be gained with such an ordinance in place would benefit property owners, developers, real estate professionals and the County itself by avoiding misunderstanding, heartache and unnecessary financial stresses. Please support the request to develop a grading ordinance for Deschutes County in the coming year.

Thank you,

Helen Seidler & Owen Mitz

59645 Mohawk Circle

Bend, OR 97702

2017 04 13

Deschutes County Planning Commission
1300 NW Wall Street,
Bend, OR

I am unable to attend this meeting, but because I am vitally concerned about this topic, I am submitting a letter with my testimony.

I care about the entire county, but I will be focusing my comments on Deschutes River Woods, my neighborhood. This area is abundantly blessed with natural resources - the river, lava flows, forested acres, wildlife. DRW has changed substantially the last few years, and we invite you to come visit and see for yourself. Neighbors care about each other as well as the natural elements.

Last year we were made aware of a potential scenario in which the natural resources could have been exploited and destroyed beyond repair - I hope you remember our 'Save The Lava' movement.

If County Planners adopted a grading ordinance, as is common in a lot of cities, many of our ongoing concerns would be addressed and put to rest. I'm sure you realize the county does not have currently have a grading ordinance - there are no guidelines on how much material can be removed and or excavated during the development of a residential property. Unfortunately this could result in serious damage to any neighborhood, something YOU can prevent.

It is time for the Deschutes County Office of Planning and Development to adopt a grading ordinance to protect my - and all - neighborhoods. It will assist in maintaining property values, protecting soils and private wells from accidental contamination, as well as protecting the aesthetic value of our natural resources such as the lava field.

Please take to heart our request to put protections in place - be proactive instead of needing to respond to a serious threat of damage.

Thank you,

Susan Gregory
18734 Choctaw Rd
Bend OR 97702
SincereSusan@gmail.com

Nathan Hovekamp, Wildlife Program Director, Central Oregon LandWatch

For more than 30 years, LandWatch has worked to protect what people love most about Central Oregon: our forests and high desert, our rivers and springs, our fish and wildlife, and well-designed communities.

Our Mission: LandWatch plays a vital role in achieving a responsible, balanced approach to planning for and conserving Central Oregon's land and water resources, while recognizing the needs of future generations. We work to protect and conserve the region's ecosystems and wildlife habitats, to foster thriving, sustainable communities and to spread the costs and benefits of growth equitably across the community as a whole.

Central Oregon LandWatch believes most Oregonians support Oregon's landmark statewide land use planning goals and system, and oppose attempts to regionalize or weaken these protections or to expedite sprawl. While every community in the state has its own unique or distinguishing characteristics and challenges, there are manifest benefits common to all communities in Oregon from citizen involvement in land use decisions, orderly land use planning and development, preservation of farm & forest lands, and protection of natural resources. Our *statewide* system of land use planning has largely resulted in our *statewide* appeal that we Oregonians hold dear.

"Local control" as a phrase may have a nice ring to it. We often feel, thank you Garrison Keillor, that our own hometown is where all the women are strong, all the men are good looking, and all the children are above average. But the ramifications of weakening our land use protections in an effort to accommodate supposedly unique local constraints may end up exacerbating many of the very problems we are seeking to alleviate. Brings to mind H.L. Mencken's aphorism that to every complex problem there is a simple answer that is wrong. The methodical and systematic processes of lands inventory, needs analysis, and examination of alternatives continues to wisely guide the orderly development of our communities while protecting surrounding rural lands.

LandWatch supports efforts to alleviate our current challenges to affordable housing but not at the expense of rural land and natural resource protections – these are false choices. Haphazard or expedited development on rural and agricultural lands has expensive impacts on infrastructure and services in communities already struggling financially to catch up with past growth and keep up with new growth. We believe the place for affordable housing, ADUs, upzoning, creative mixed use, complete neighborhoods, etc. is inside cities and towns, and we subscribe to the broader notion of affordable *living*, which includes the proximity to employment, schools, healthcare, and other necessities and amenities better provided within urban growth boundaries.

LandWatch supports the full array of housing options and healthy, sustainable economic activity but believes it is a false choice to do so at the expense of statewide land use goals. Indeed, we believe that the cumulative effects of Oregon's prescient protections of rural and agricultural lands are a primary reason for our long-term attractiveness to individuals and businesses and a lead contributing factor to our standard of living.