



LAND USE REVIEW PROCESS

APPLICATION SUBMITTAL

The correct application, materials, and related fee must be submitted for your application to be deemed complete. Application materials include but may not be limited:

1. Completed application form.
2. A copy of the deed showing current ownership of the property.
3. Written statement and other documentation that shows how all of the applicable standards will be met.
4. Plot Plan:
 - Property boundaries
 - Road access
 - Setbacks
 - Location and size of existing and proposed buildings, septic system, well, exterior lighting and other improvements
 - Special topographic features, including rivers, streams, or rimrock
 - North arrow, scale

***PROPOSED LAND USE ACTION Sign**

The applicant will receive a letter informing the applicant of the responsibility post a "notice of proposed land use action" sign on the subject property identifying the proposed use. Once posted, the applicant will need to sign, notarize, and return the attached posting affidavit. A notary is typically available in our office free of charge.

***NOTICE OF APPLICATION**

Notice of application will be mailed to relevant local (e.g. fire department) and state agencies, as well as neighbors, for public comments. This period is typically open for two weeks following mailing of the notice.

*** Steps may or may not occur based on the complexity of the application**

COMPLETENESS CHECK

Staff has 30 days from the application submission to deem the application complete or incomplete. Staff will contact the applicant if there is additional information required.

DETERMINATION OF NEED FOR PUBLIC HEARING

In the first 30 days of the application submission, staff will decide if the application needs to go to a public hearing. A public hearing would be required if there are legal or fact-specific questions that could not be resolved or opposition came from public comments. If a public hearing is required, the applicant will receive a letter from staff requiring the Hearings Officer Deposit (\$5,000) and administrative fee (\$500) to conduct the public hearing. A neutral hearings officer will be assigned and a public hearing date set. The applicant is responsible for the actual cost of the hearing, so the remain balance from the deposit will be refunded or overruns will be billed to the applicant. The hearing process typically takes 3-4 months.

ADMINISTRATIVE DECISION

If a public hearing is not required, staff will issue an administrative decision 8-16 weeks from the date the application is determined to be complete. The decision will be mailed to the applicant and parties to the record. During an appeal period that lasts 12 days from mailing, the applicant or parties can appeal the decision for \$250. An appeal would send the matter to a Hearings Officer to resolve. Decisions can be appealed by the applicant or parties to the record to the Hearings Officer, Board of Commissioners, Land Use Board of Appeals, and Court of Appeals (in this order). Each additional appeal has costs and time associated with it. If the decision is not appealed it is final on the 13th day from mailing.

CONDITIONS OF APPROVAL

An administrative decision (or Hearing Officers Decision) may come with conditions of approval. This is a “punch-list” of things that must be completed prior to initiation the use and/or getting a building permit. These conditions may include ongoing obligations to ensure the use continues to follow the rules set out in the approval.

BUILDING PERMITS

Building permits are reviewed by the Deschutes County Building Division, which is a separated process. The last step in the building permit review is that the permit is sent to the planning division to review that it complies with the land use permit. Staff will check that the land use decision final and that the applicant has completed any conditions of approval required prior to building permit issuance.