



Minutes

**DESCHUTES COUNTY PLANNING COMMISSION
DESCHUTES SERVICES CENTER
1300 NW WALL STREET, BEND, OREGON, 97703
OCTOBER 23, 2025 – 5:30 P.M.**

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I. Call to Order

Chair Matt Cyrus called the meeting to order at 5:30 p.m. Planning Commissioners in attendance: Chair Matt Cyrus, Vice Chair Susan Altman (remote), Kelsey Kelley, Jessica Kieras, Nathan Hovekamp, Mark Stockamp (remote), Toni Williams. Staff present: Peter Gutowsky, Community Development Department (CDD) Director; Will Groves, Planning Manager; Haleigh King, Senior Planner, Stephanie Marshall, Senior Assistant Legal Counsel.

II. Approval of Minutes

The Planning Commission (PC) reviewed the minutes from the September 25, 2025, meeting.

Motion: Vice Chair Altman moved to approve the minutes. Commissioner Kieras seconded the motion.

Vote: The motion passed unanimously.

III. Public Comment

None.

IV. Action Items

1. Planning 101 Staff Presentation, Haleigh King, Senior Planner

Haleigh provided an overview of the PC's role and core planning procedures, including:

- Distinctions between quasi-judicial and legislative actions, with examples, e.g., site-specific permits vs. code amendments.
- Overview of procedural timelines, including the 150-day timeline for most quasi-judicial land use applications and how legislative matters are generally outside the statutory clock.
- The hearings process, burden of proof, substantial evidence standard, and the importance of raising issues during the proceeding to preserve them for potential appeal.
- *Ex parte* contact, bias and conflicts, and the role of findings.
- The Planning Director's discretion to elevate and/or hear certain applications and typical paths of appeal, including Land Use Board of Appeals (LUBA).

Commission and Staff Discussion:

Commissioners asked clarifying questions about the 150-day review timeline, scope of review on appeal, and the differences in evidentiary standards between quasi-judicial and legislative matters.

Staff emphasized the Commission's function to apply adopted criteria to facts in quasi-judicial cases and to provide policy guidance/recommendations in legislative matters.

Action: None, informational item only.

2. Request to Review Hearings Officer Decisions 247-23-000302-DR & 247-25-000093-A, Will Groves, Planning Manager.

Will outlined the process by which the PC may recommend that the Board of County Commissioners (BOCC) consider reviewing Hearings Office (HO) decisions. He noted that the Commission's role is non-binding and informational, and that any review by the BOCC focuses on identified policy or procedural concerns rather than re-adjudicating the underlying record. Timing and "clock" considerations were discussed.

Commissioners discussed the purpose and criteria for requesting BOCC review, including whether potential policy questions or procedural issues were presented by the referenced cases.

Concern was expressed about ensuring the request for review does not give the appearance of re-hearing the matter; the goal is to flag issues of broader significance for BOCC consideration.

Staff and Counsel addressed questions regarding notice, process, and how recommendations would be packaged for the BOCC.

Motion: Jessica Kieras moved to recommend to the BOCC a request for clarification either in the form of updates to the county code or in some other manner, to better define both bias and appearance of fairness. Not just for HO's but also for the PC and potentially for the BOCC.

Vote: Six in favor, one opposed, motion carries.

Motion: Toni Williams moved to ask the BOCC to consider updating the county ethics code to reflect that of the State of Oregon.

Vote: All in favor, motion carries.

V. Planning Commission and Staff Comments

Commissioners and staff noted potential future refinements to Planning 101 materials and expressed interest in receiving additional training modules, e.g., conflicts /ex parte, findings drafting.

Staff referenced integrating the evening's recommendations into the Commission's work plan items that advance to the BOCC.

VI. Adjourn

Chair Cyrus adjourned the meeting at 8:28 pm.

Respectfully submitted by Tracy Griffin

All materials including (but not limited to) video, presentations, written material and submittals are subject to the County Retention Policy. The meeting was conducted in a hybrid format, adhering to the guidelines set by the Deschutes County Planning Commission for public engagement and meeting conduct.