BOARD OF COMMISSIONERS

1300 NW Wall Street, Bend, Oregon
(541) 388-6570

FOR RECORDING STAMP ONLY

BOCC MEETING MINUTES

9:00 AM	**WEDNESDAY August 19, 2026**	Barnes Sawyer Rooms Live Streamed Video

Present were Commissioners Phil Chang, Anthony DeBone and Patti Adair. Also present were County Administrator Nick Lelack; Senior Assistant Legal Counsel Kim Riley; and BOCC Executive Assistant Brenda Fritsvold.

This meeting was audio and video recorded and can be accessed at the Deschutes County Meeting Portal website www.deschutes.org/meetings.

CALL TO ORDER: Chair Chang called the meeting to order at 9:00 am.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Chair Chang noted the addition of an Executive Session item following the initial publication of the agenda.

ADAIR: Move to approve the agenda as presented
DEBONE: Second

VOTE:	DEBONE:	Yes
	ADAIR:	Yes
	CHANG:	Chair votes yes. Motion Carried 3 – 0

CITIZEN INPUT: None

COMMISSIONER ANNOUNCEMENTS:

- Commissioner Chang announced a presentation from the Energy Trust of Oregon later that day regarding its Community Energy Resilience Program, including potential financial and technical assistance for facilities identified as resilience hubs during emergencies.
- Commissioner Adair cautioned pedestrians to take care when crossing streets and walking near moving vehicles, citing recent incidents involving pedestrians in Sisters and Bend.
- Commissioner DeBone announced an upcoming music event at East Lake featuring Hunter Lorrie.

CONSENT AGENDA: Before the Board was consideration of the Consent Agenda.

1. Approval of a lease with Rebecca Roach M.D. for the Medical Examiner's Office
2. Approval of Order No. 2026-031 appointing Health Services Director's Designees
3. Approval of an amendment to the contract for Hazardous Waste Transportation and Management Services
4. Approval of the BOCC meeting minutes of May 18 and 20, 2026

DEBONE: Move Board approval of the Consent Agenda as revised to correct the minutes of May 18, 2026
ADAIR: Second

VOTE:	DEBONE:	Yes
	ADAIR:	Yes
	CHANG:	Chair votes yes. Motion Carried 3 – 0

ACTION ITEMS:

5. **Consideration of first reading of Ordinance No. 2026-015: Deschutes 2040 Comprehensive Plan Limited Remand**

   Will Groves, Planning Manager, reminded that after the Board conducted a public hearing on proposed amendments to the 2040 Comprehensive Plan which had been drafted in response to the remand issued by LUBA, it directed staff to return with an ordinance implementing the amendments.

Commissioner DeBone expressed appreciation for the proposed revisions.

Commissioner Chang said the 2040 Comprehensive Plan does not sufficiently protect farm and forest lands, wildlife habitat, open space, water resources and other shared assets of concern to County residents.

DEBONE: Move approval of first reading of Ordinance No. 2026-015 by title only
ADAIR: Second

VOTE:		
	DEBONE:	Yes
	ADAIR:	Yes
	CHANG:	Chair votes no. Motion Carried 2 – 1

Chair Chang read the title of the ordinance into the record.

6. **Last Ranch Remand Deliberations involving an application to change the Comprehensive Plan designation of +/-20.36 acres at 65100 N Hwy 97, 64994 Deschutes Market Road, and 64975 Deschutes Pleasant Road and rezone the properties from Exclusive Farm Use to Rural Industrial**

Caroline House, Senior Planner, reviewed the two remand issues associated with the Last Ranch application. She explained that the first issue concerns whether allowing uses under the Rural Industrial zone would conflict with the designated Highway 97 scenic resource and if so, whether Landscape Management Combining Zone protections would adequately address any such conflicts. The second issue concerns the applicability of the County's 1992 Goal 5 program and related policies to the proposed plan amendment and zone change.

House reviewed the applicant's position that the updated site-specific Economic, Social, Energy and Environmental analysis (ESEE), together with Rural Industrial, Landscape Management and conditional use standards, would protect the inventoried scenic resource. She relayed Central Oregon LandWatch's position that Rural Industrial zoning would conflict with the existing scenic resource, adding that COLW urges the consideration of cumulative effects of rezones to Rural Industrial in the area.

Commissioner DeBone stated his support for the applicant's position, noting that future development would be subject to Landscape Management standards which address building height and setbacks and require screening vegetation and the use of earth-tone paint colors.

Commissioner Adair asked whether adoption of a site-specific analysis would establish a requirement for similar analyses in future applications. House responded that future applicants could determine how to address issues or challenges as those arise. Commissioner Adair stated her support for adoption of the updated ESEE.

Expressing his concerns about impacts to Goal 5 resources, the cumulative effects of multiple Rural Industrial rezone applications in the area, and the possible loss of the property's agricultural potential, Commissioner Chang said approving the application and other similar requests could substantially alter the scenic resource along Highway 97.

House noted that a majority of the Commissioners were in agreement that the modified ESEE adequately analyzes the potential consequences of adding new uses allowed in the RI zone and that the existing Landscape Management zone protections, coupled with the RI zone's development limitations, are adequate to address conflicts and achieve Goal 5, thereby protecting the inventoried scenic resource.

Commissioner DeBone added that mitigation could take the form of additional landscaping and other treatments, all of which would be addressed for compliance in a conditional use process.

Continuing, House noted that a majority of the Commissioners find that the 1992 ESEE and Policies 4 and 10 of Ordinance No. 92-033 are not applicable, and the County has since adopted specific design and zoning standards that would satisfy Policy 4 requirements. Further, no specific development requires review under Policy 10.

Commissioner DeBone referred to multiple storage buildings across town which consist of multi-story, brightly painted structures and noted that all development in areas with protected scenic resources must abide by the use of muted colors along with other specific design constraints.

DEBONE: Move approval of the application from Last Ranch, LLC, to change the Comprehensive Plan designation of +/-20.36 acres at 65100 N Hwy 97, 64994 Deschutes Market Road, and 64975 Deschutes Pleasant Road and rezone the properties from Exclusive Farm Use to Rural Industrial

ADAIR: Second

VOTE:	DEBONE:	Yes
	ADAIR:	Yes
	CHANG:	Chair votes no. Motion Carried 2 – 1

7. **Work Session in preparation for a Public Hearing: Dickey Road LLC rezone of 51.86 acres from Exclusive Farm Use (EFU) to Multiple Use Agricultural (MUA10)**

Dan DiMarzo, Associate Planner, presented information in advance of a public hearing before the Board on Wednesday regarding the proposed rezone of 51.86 acres located east of Bend's urban growth boundary and south of Butler Market Road. The request is for a Comprehensive Plan amendment from Agriculture to Rural Residential Exception Area and a zone change from Exclusive Farm Use to Multiple Use Agricultural. The applicant has not requested any exceptions to Statewide planning goals.

DiMarzo said the applicant's soil study found that approximately 69.6 percent of the site contains Class 7 and 8 soils. Commissioner Chang noted that Class 36A soils can be of higher agricultural quality when irrigated. DiMarzo confirmed that 7.7 acres of the site contain Class 36A soils.

In response to Commissioner Chang, DiMarzo said the property was purchased in 2025. Commissioner Chang noted that the property was purchased at a price consistent with EFU-zoned land and questioned the potential increase in value if the rezone were approved.

In response to Commissioner DeBone, DiMarzo confirmed that Avion Water Company has provided a service confirmation for domestic water. Responding to Commissioner Chang, DiMarzo said the transportation analysis assumed a ten-acre minimum parcel size. Commissioner Adair noted that only 6.4 of the 52 acres have irrigation rights. Commissioner Chang said soils can be irrigated to a farmable quality such as Class 3 or 4.

Noting that the Hearings Officer issued a recommendation of approval on June 24, 2026, before the Land Use Board of Appeals issued its June 26, 2026 remand decision in the BCL matter, DiMarzo said staff expects that the applicant will address relevant remand issues at the public hearing.

8. **Work session in preparation of BOCC presentation for County College on August 25th**

Kim Katchur, Public Information Officer, presented a draft slide deck for the Board's presentation at the upcoming 2026 County College opening session, explaining that the revised presentation would provide participants with more information about the role of County Commissioners and County government.

The Board reviewed the draft presentation and directed desired edits to be made.

OTHER ITEMS:

- Commissioner Chang reported that he would be unavailable during the latter part of August 20 and all of August 21.
- Commissioner Adair confirmed that she would participate remotely in the Redmond Managed Camp meeting scheduled for 1:30 pm on August 20.

EXECUTIVE SESSION:

At 10:16 am, the Board recessed into executive session under ORS 192.660 (2) (h) Litigation.

At 10:55 am, the executive session concluded and the Board directed staff to proceed as discussed.

ADJOURN:

Being no further items to come before the Board, the meeting was adjourned at 10:55 am.

DATED this 9th day of November 2026 for the Deschutes County Board of Commissioners.

PHIL CHANG, CHAIR

ATTEST:

ANTHONY DEBONE, VICE CHAIR

RECORDING SECRETARY

PATTI ADAIR, COMMISSIONER