



Oregon

Theodore R. Kubongski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

6/15/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: Crook County Plan Amendment
DLCD File Number 004-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Thursday, July 01, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

***NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Heidi Bauer, Crook County
Jon Jinings, DLCD Community Services Specialist
Jon Jinings, DLCD Regional Representative

<paa> YA



FORM **2**

DLCD

Notice of Adoption

This Form 2 must be mailed to DLCD within **5-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

PRODUCT OF DLCD GRANT TA-T-11-160***

In person electronic mailed

DATE STAMP

DEPT OF

JUN 11 2010

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

Jurisdiction: **CROOK COUNTY**

Local file number: **AM-10-0028**

Date of Adoption: **JUNE 2, 2010**

Date Mailed: **3/17/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date:

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Revise the Zoning Ordinance and Subdivision Ordinance to correct clerical errors (e.g., spelling errors, language contradictions, missing language, etc.). Title 17 & 18 of Crook County Code.

Does the Adoption differ from proposal? Please select one

No

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes No

If no, do the statewide planning goals apply?

Yes No

If no, did Emergency Circumstances require immediate adoption?

Yes No

DLCD file No. 004-10 (18183) [16163]

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Crook County Assessor, Crook County Building Dept., Crook County Environmental Health Dept., Crook County GIS Dept., Crook County Road Dept.

Local Contact: **Heidi Bauer**

Phone: **(541) 447-8156** Extension:

Address: **300 NE Third Street Rm 11**

Fax Number: **(541) 416-3905**

City: **Prineville, OR**

Zip: **97754**

E-mail Address: **Heidi.Bauer@co.crook.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)
per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this **Form 2** on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

Updated December 22, 2009

STATE OF OREGON } SS 2010061
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 3rd DAY OF
June, 2010 AT 4:40 P.M.
AND RECORDED IN CJRN
RECORDS OF SAID COUNTY MF NO. 2010-061
DEANNA E. BERMAN, CROOK COUNTY CLERK
BY Justin Hammond DEPUTY N/C

RECORDING COVER SHEET

Any errors in this cover sheet DO NOT affect the transactions(s) contained in the instrument itself.

AFTER RECORDING RETURN TO:

CLERK'S VAULT

NAME OF TRANSACTION

Ordinance 231, An Ordinance amending Titles 17 and 18 of the Crook County code to make clerical and consistency changes and declaring an emergency

GRANTOR: CROOK COUNTY

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

AN ORDINANCE AMENDING TITLES
17 AND 18 OF THE CROOK COUNTY
CODE TO MAKE CLERICAL AND
CONSISTENCY CHANGES AND
DECLARING AN EMERGENCY

Ordinance No. 231

WHEREAS, the Crook County Planning Commission has recommended that the Crook County Code Title 17 and Title 18 be amended to make certain clerical changes to make Crook County Code provisions consistent internally and with State law.

WHEREAS, amendments to the code are authorized by Crook County Code Title 18 Chapter 18.168 and the Comprehensive Plan of Crook County;

NOW, THEREFORE, this 2nd day of June 2010 the Crook County Court ordains as follows:

SECTION ONE. *Amendment.* Titles 17 and 18

- 17.04 Introductory Provisions
- 17.08 Definitions
- 17.12 General Requirements and Subdivision Review Committee
- 17.16 Tentative Plans
- 17.20 Final Plat
- 17.24 Land Partitioning
- 17.28 Planned Unit Development
- 17.32 Dedication of Streets Not Part of a Subdivision
- 17.36 Design Standards
- 17.40 Improvements
- 17.44 Variances
- 17.48 Administration and Appeals
- 17.52 Series Partitioned Land
- 18.16 Exclusive Farm Use Zone, EFU-1 (Post-Paulina Area)
- 18.20 Exclusive Farm Use Zone, EFU-2 (Prineville Valley-Lone Pine Areas)
- 18.24 Exclusive Farm Use Zone, EFU-3 (Powell Butte Area)
- 18.68 Light Industrial Zone, L-M
- 18.72 Heavy Industrial Zone, H-M
- 18.144 Aggregate Resource Sites
- 18.172 Administration Provisions

are amended as set out in Exhibit A.

SECTION TWO. *Amendment.* Title 17 is amended to delete in its entirety:
Crook County Code Chapter 17.56 County Roads

SECTION THREE. *Findings.* The Crook County Court adopts the recommendation of
the Crook County Planning Commission as its findings in support of its Decision.

SECTION FOUR. *Emergency.* This Ordinance being necessary for the health, welfare
and safety of the people of Crook County, an emergency is hereby declared to exist and this
Ordinance shall become effective upon signing.

First Reading 2nd day of June 2010.

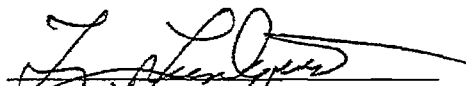
Second Reading 2nd day of June 2010.

Dated this 2nd day of June, 2010.

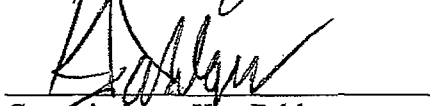
CROOK COUNTY COURT



Judge Mike McCabe



Commissioner Lynn Lundquist



Commissioner Ken Fahlgren

RECOMMENDATION

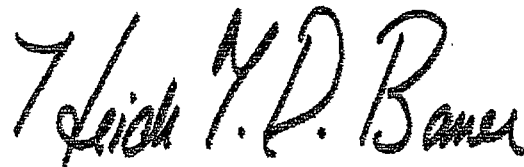
The Planning Commission recommends that the proposal be approved as follows:

- That the amendments outlined in Exhibit A be adopted as part of the Crook County Zoning Code.
- That the County Court adopt an ordinance implementing these changes.

Recommended this 13th day of May 2010.



WR Gowen, Commission Chair



Heidi Bauer
Assistant Planning Director &
Land Use Legal Counsel

Attachment
Exhibit A
Staff Report

CCC Title 17 Revisions

17.04.020 Interpretation.

The provisions of this title shall be constructed to effect the purposes set forth in CCC 17.04.010. These provisions are declared to be the minimum requirements fulfilling such objectives, and the county may impose additional requirements deemed necessary to promote health, safety, and general welfare, and to carry out the comprehensive plan of the county. Where conditions set forth herein are less restrictive than comparative conditions imposed by any other provision of this title, by provisions of any other local ordinance, resolution or regulation, or by provision of state statute or administrative regulation, the more restrictive shall govern. To the extent state law differs from the provisions of this title, State law shall be followed.

17.04.030 Repeal of ordinances as affecting existing liabilities.

The repeal of any ordinance by this title shall not release or extinguish any penalty, forfeiture, or liability incurred under such ordinance, unless a provision of this title shall so expressly provide, and such ordinance repealed shall be treated as still remaining in force for the purpose of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability, and for the purpose of authorizing the accusation, prosecution, conviction, and punishment of a person or persons who violated the repealed ordinance or a part thereof prior to the effective date of the ordinance codified in this title.

17.08.010 Definitions.

As used in this title, the following words and phrases shall mean:

- (1) "Access" means the right to cross between public and private property allowing pedestrians and vehicles to enter and leave the property.
- (2) "Advertising" means the publication or causing to be published of any material relating to disposition of interests in a land development which has been prepared for public distribution by any means of communication.
- (3) "Agent" means any person who represents, or acts for or on behalf of, a developer in disposing of interests in a land development and includes a real estate broker as defined in subsection (8) of ORS 695.010, but does not include an attorney at law whose representation of another person consists solely on rendering legal services.
- (4) "Alley" means a minor street primarily for service access to the back or side of properties abutting other streets.
- (5) "Blanket encumbrance" means a trust deed or mortgage or mechanic's lien or other lien reflecting a financial encumbrance, securing or evidencing money debt and affecting lands to be subdivided or affecting more than one lot, parcel, unit, or interest of subdividing land; or an agreement affecting more than one lot, parcel, unit or interest by which the developer holds the subdivision under an

option, contract to purchase or trust agreement, except a lien or other encumbrance arising as a result of the imposition of a tax assessment by a public authority so long as no portion thereof is past due.

(6) "Block" means an area of land within a subdivision which area may be entirely bounded on all sides by streets or highways (except alleys), railroad right-of-way, unsubdivided land or water courses.

(7) "Building line" means a line on a plat indicating the limit beyond which buildings or structures may not be erected. If no line is shown on the plat, the building line shall be constructed as defined or set forth in the county's zoning ordinance.

(8) "Community water supply system" means a domestic water supply source or distribution system which serves more than three single residences or other users for the purpose of supplying water for household uses, but is neither a municipal water supply system nor a public utility water supply system.

(9) "Comprehensive plan" means a plan adopted by the county pursuant to Chapter 197 ORS and in compliance with Statewide Planning Goals, a coordinated land use map and policy statement of the county that interrelates all functional and natural systems and activities relating to the use of lands, including but not limited to sewer and water systems, transportation systems, educational systems, recreational facilities and natural resources and air and water quality management programs. "Comprehensive" means all-inclusive, both in terms of the geographic area covered by the plan and functional and natural activities and systems occurring in the area covered by the plan. The "plan" is an expression of public policy in the form of goals, objectives and policy statements, maps and standards and guidelines, and is the basis for this title and other rules, regulations and ordinances which are intended to implement the policies expressed through the plan.

(10) "Contiguous land" means parcels of land under the same ownership which abut each other.

(11) "County engineer" means the individual appointed or designated by the county court to represent the engineering interests of the county.

(12) "Cross section" means a profile of the ground surface perpendicular to the center line of a street, stream, or valley bottom.

(13) "Curb lines" means the line dividing the roadway from the planting strip of a footway; meaning the inside (street side) of the curb.

(14) "Developer" means any person, corporation, partnership, or other legal entity that creates or proposes to create a land development, and includes any agent of a developer.

(15) "Disposition" includes sale, lease for more than one year, option assignment, award by lottery or as a prize or any offer or solicitation of an offer to do any of the foregoing concerning a land development or any part of a land development.

(16) "Easement" means a grant of the right to use a parcel of land for specific purposes, where ownership of the land is not transferred.

(17) "Fire break" means a break in the ground cover fuels as specified by the fire protection agency involved or commission.

Exhibit A

Ordinance

(18) "Flood" means an overflow of water onto lands not normally covered by water.

(19) "Flood hazard area" means the relatively flat area or lowlands adjoining the channel of a river, stream, or watercourse, or lake, or reservoir which has been or may be covered by a flood.

(20) "Frontage" means all property fronting on one side of a street and measured along the street line, between intersecting and intercepting streets or between a street and a right-of-way, waterway, end of a dead end, or city boundary.

(21) "Interest" includes a lot or parcel, and a share, undivided interest or membership which includes the right to occupy the land overnight, and a lessee's interest in land for more than three years or less than three years if the interest may be renewed under the terms of the lease for a total period more than three years. "Interest" does not include any interest in a condominium as that term is defined in ORS 91.505 or any security interest under a land sales contract, trust deed or mortgage.

(22) "Land development" means the subdividing or partitioning of land for any purpose into parcels or the creation of units or parcels for the purpose of sale or lease for a term of one year or more, and includes the creation of a condominium, a planned development, or any division of a similar nature. The term also includes the intent for disposition of any land, whether contiguous or not, including any land divided, lots, parcels, units or interests offered as a part of a common promotional plan of advertising and disposition where the land development is offered for disposition by a single developer or a group of developers acting in concert. If the land is contiguous or is known, designated or advertised as a common unit or by a common name, the land shall be presumed, without regard to the number of lots covered by each individual offering, to be offered for disposition as a part of a common promotional plan.

(23) "Lot" means a unit of land that is created by a subdivision of land.

(a) "Lot area" means the total horizontal net area within the lot lines of a lot; meaning the square footage of a lot that is free from public and private road rights-of-way or easements.

(b) "Lot, corner" means a lot abutting on two or more streets, other than alleys, where the intersection of the abutting streets does not exceed 135 degrees.

(c) "Lot depth" means the average horizontal distance between the front and rear lot lines.

(d) "Lot lines" means the property lines bounding a lot.

(e) "Lot line, front" means the lot line separating a lot from a street other than an alley, and in the case of a corner lot, the shortest lot lines along a street other than an alley.

(f) "Lot line, rear" means the lot line that is opposite and most distant from the front lot line. In the case of an irregular, triangular, or other odd-shaped lot, a line 10 feet in length within the lot, parallel to, and at a maximum distance from, the front lot line.

(g) "Lot line, side" means any lot line other than a front or rear lot line bounding a lot.

(h) "Lot, through or double frontage" means a lot having frontage on two parallel or approximately parallel streets other than alleys.

(i) "Lot width" means the average horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

(24) "Map" means a final diagram, drawing, or other writing concerning a partition.

(25) "Municipal water supply system" means a domestic water supply source and distribution system owned and operated by a city or a county; or owned and operated by a special district or other public corporation which has independent tax-levying powers to support the system and which supplies water to a total of 1,000 or more households.

(26) "Negotiate" means any activity preliminary to the execution of a binding agreement for the sale of land in a subdivision or partition, including but not limited to advertising, solicitation and promotion of the sale of such land.

(27) "Offer" includes every inducement, solicitation, or encouragement of a person to acquire a lot, unit, parcel, or interest in land.

(28) "Owner" means the owner of the title to the real property or the authorized agent thereof, or the contract purchaser of real property, of record as shown on the last available complete tax assessment roll or county clerk's record.

(29) "Parcel" means a unit of land that is created by a partitioning of land.

(30) "Partition" means an act of partitioning land or an area or tract of land partitioned as defined in subsection (31) of this section.

(31) "Partition land" means to divide land into two or three parcels of land within a calendar year, but does not include:

(a) A division of land resulting from lien foreclosure, foreclosure or recorded contract for the sale of real property, or the creation of cemetery lots;

(b) An adjustment of a property line by the relocation of a common boundary where an additional unit of land is not created, and where the existing unit of land reduced in size by the adjustment complies with the applicable zoning requirements including minimum lot size;

(c) The division of land resulting from the recording of a subdivision, PUD, or condominium plat;

(d) A sale or grant by a person to a public agency or public body for state highway, county road, city street or other right-of-way purposes; provided, that such road or right-of-way complies with the applicable comprehensive plan provisions or provisions of other land use approvals. Any property divided by the sale or grant of land for such a highway, road, street or other right-of-way shall continue to be considered a single unit of land until such time as the property is further subdivided.

(32) "Partition plat" means a final map and other writing containing all the descriptions, locations, specifications, provisions and information concerning a major or minor partition.

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(33) "Person" means a natural person, firm, partnership, association, social or fraternal organization, corporation, trust, estate, receiver, syndicate, branch of government, or any group or combination acting as a unit.

(34) "Planned unit development" means the development of an area of land as a single entity for a number of dwelling units or a number of uses, according to a plan which does not necessarily correspond in lot size, bulk or type of dwelling, density, lot coverage, or required open space to the standard regulations otherwise required by this title.

(35) "Plat" means a final subdivision plat, replat or partition plat.

(36) "Public utility water system" means a domestic water supply source and distribution system supplying water for household uses, owned and operated by a person subject to regulation by the Public Utility Commissioner of Oregon and supplying water to a total of 500 or more households.

(37) "Public water system" means a system for the provision to the public of piped water for human consumption, if such system has at least 15 service connections or regularly serves at least 25 individuals.

(38) "Replat" means a final map of the reconfiguration of lots and easements of a recorded subdivision or partition plat.

(39) "Right-of-way" means the area between the boundary lines of a street, road, or other easement.

(40) "Road" or "street" means a public or private way that is created to provide ingress or egress for persons to one or more lots, parcels, areas, or tracts of land, excluding a private way that is created to provide ingress to such land in conjunction with the use of such land for forestry, mining, or agricultural purposes.

(a) "Alley" means a narrow street through a block primarily for vehicular service access to the back or side of properties abutting another street.

(b) "Arterial" means a street of considerable continuity which is primarily a traffic artery for intercommunication among large areas, and so designated by the county's comprehensive plan or by the commission.

(c) "Bicycle route" means a right-of-way for bicycle traffic.

(d) "Collector" means a street supplementary to the arterial street system and a means of intercommunication between this system and small areas used to some extent for through traffic and to some extent for access to abutting properties, and so designated by the county's comprehensive plan or by the commission

(e) "Cul-de-sac" means dead end street. A short street having one end open to traffic and being terminated by a vehicle turnaround.

(f) "Half street" means a portion of the width of a street usually along the edge of a subdivision, where the remaining portion of the street could be provided in another subdivision.

(g) "Marginal access street" means a minor street parallel and adjacent to a major arterial street providing access to abutting properties.

(h) "Local street" means a street intended primarily for access to abutting properties.

(i) "Stubbed street" means a street having only one outlet for vehicular traffic and which is intended to be extended or continued to serve future subdivisions or developments on adjacent lands.

(41) "Roadway" means that portion of a street or road right-of-way developed for vehicular traffic.

(42) "Sale (or sell)" includes every disposition or transfer of land in a subdivision or partition or an interest or estate therein.

(43) "Series partition" means more than one partition of a parcel resulting in the creation of four or more parcels over a period of more than one year.

(44) "Sidewalk" means a pedestrian walkway with permanent surfacing.

(45) "Subdivide land" means to divide land into four or more lots within a calendar year.

(46) "Subdivision" means either an act of subdividing land or an area or a tract of land subdivided.

(47) "Subdivider" means any person who causes land to be subdivided into a subdivision for himself or for others, or who undertakes to develop a subdivision, but does not include a public agency or officer authorized by law to make subdivisions.

(48) "Use" means the purpose for which land or a structure is designed, arranged, or intended, or for which it is occupied or maintained.

17.12.030 Subdivision review committee.

There is hereby established a subdivision review committee to review all tentative subdivision plans and make recommendations to the planning commission. The committee shall consist of the following members:

- (1) County planning director (who will be chairman).
- (2) County engineer or designated representative.
- (3) County legal counsel.
- (4) County roadmaster.
- (5) County sheriff.
- (6) Fire chief.
- (7) County sanitarian.
- (8) County assessor.
- (9) City engineer, planner, and/or street superintendent.
- (10) State Forestry representative for fire protection.

(11) Other members or ex-officio members of the committee may be designated by the county planning commission and may include, among others, as follows:

- (a) Public utility representative(s).
- (b) Irrigation district representative(s).
- (c) School district representative.
- (d) Department of Environmental Quality.
- (e) Department of Transportation.
- (f) Postal department.
- (g) Other state or federal agencies.

17.12.040 Duties of committee.

It shall be the duty of the committee to examine and review all tentative subdivision plans and make recommendations to the planning commission prior to submittal thereto.

17.16.010 Application submission.

Any person proposing a subdivision, or their authorized agent or representative, shall include with an application for a subdivision either an outline development plan as described in CCC 17.16.030 or a tentative plan as set forth in CCC 17.16.040 through 17.16.080 for the proposed subdivision together with improvement plans and other supplementary material as may be required, and shall submit 15 copies of said plan together with all required accompanying material to the planning department at least 30 days prior to the planning commission meeting at which submittal of the plan is desired. The county shall take final action within 120 calendar days for land located within an urban growth boundary or 150 calendar days for all others as required by State Law upon receipt of a complete application. An outline development plan or a tentative plan for a subdivision shall be accompanied by an application for a subdivision as provided by the planning department, together with the appropriate filing fee. The date of filing shall be the date when the outline development plan or tentative plan is submitted in completed form, together with the appropriate filing fee, required supplemental material and subdivision application form, are actually received by the planning department.

17.16.030 Outline development plan.

If an outline development plan is prepared and submitted with the application for a subdivision, it shall include both maps and written statements as set forth in this section. The information shall deal with enough of the area surrounding the proposed subdivision to demonstrate the relationship of the subdivision to adjoining land uses, both existing and allowable under applicable zoning.

(1) The map(s) which are part of the outline development plan may be in general schematic form, but shall be to scale, and shall contain the following information:

- (a) The existing topographic character of the land.
- (b) Existing and proposed land uses and the approximate location of buildings and other structures on the project site and adjoining lands.
- (c) The character and approximate density of the proposed subdivision.
- (d) The approximate location of streets and roads within and adjacent to the subdivision.
- (e) Public uses including schools, parks, playgrounds, and other public open spaces or facilities.
- (f) Common open spaces and facilities and a description of the proposed use of these spaces or facilities.
- (g) Landscaping, irrigation and drainage plans.

(2) Written statements which are part of the outline development plan shall contain the following information:

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(a) An explanation of the character of the subdivision and the manner in which it has been planned and will be designed to be in compliance with the comprehensive plan, zoning and this title.

(b) A statement and description of all proposed on-site and off-site improvements proposed.

(c) A statement of the proposed financing for completion of the subdivision as proposed.

(d) A statement of the present ownership of all the land included within the subdivision.

(e) A general schedule of development and improvements.

(f) A statement setting forth expected types of housing and other uses to be accommodated, traffic generation, population and sectors thereof to be served, and any other information relative to demands on public services and facilities and public needs.

(g) A statement relative to compatibility with adjoining and area land uses, present and future.

(3) Planning commission review of an outline development plan is intended only as a review relative to applicable zoning provisions and therefore is intended more as a service to the developer than as a commitment of approval. Pursuant thereto, planning commission approval or general acceptance of an outline development plan for a subdivision shall constitute only a provisional and conceptual approval or acceptance of the proposed subdivision.

17.16.040 Tentative plan required.

Following submittal and approval of an outline development plan and subdivision application or an initial subdivision application, any person proposing a subdivision shall prepare and submit a tentative plan for the proposed subdivision in accordance with CCC 17.16.010. The tentative plan for a subdivision shall be prepared and submitted in compliance with the provisions of CCC 17.16.050 through 17.16.080.

17.16.060 Informational requirements.

The following information shall be shown on the tentative subdivision plan or provided in accompanying materials. No tentative plan submittal shall be considered "complete" unless all such information is provided:

(1) General Information Required.

(a) Proposed name of the subdivision.

(b) Names, addresses and phone numbers of the owner of record and subdivider, authorized agents or representatives, engineer or surveyor, and any assumed business names filed or to be filed with the corporation commissioner by the owner or subdivider, which will be used in connection with the subdivision.

(c) Date of preparation, north point, scale and gross area of the proposed subdivision.

(d) Appropriate identification of the drawing as a tentative plan for a subdivision.

(e) Location and tract designation sufficient to define its location and boundaries, and legal description of the tract boundaries in relation to existing plats and streets.

(2) Information Concerning Existing Conditions.

(a) Location, names and widths of existing improved and unimproved streets and roads within and adjacent to the proposed subdivision.

(b) Location of any existing features such as section lines, section corners, city and special district boundary lines, and survey monuments.

(c) Location of existing structures, irrigation canals and ditches, pipelines, waterways, and railroads, and any natural features such as rock outcroppings, marshes, wooded areas, and natural hazards.

(d) Location and direction of watercourses, and the location of areas subject to flooding and high water tables.

(e) Location, width and use or purpose of any existing easement or right-of-way within and adjacent to the proposed subdivision.

(f) Existing sewer lines, water mains, culverts, and other underground and overhead utilities within and adjacent to the proposed subdivision together with pipe sizes, grades and locations.

(g) Contour lines related to some established bench mark or other engineering acceptable datum and having minimum intervals of two feet for slopes of less than five percent, five feet for slopes of five to 15 percent, 10 feet for slopes of 15 to 20 percent, and 20 feet for slopes greater than 20 percent.

(h) Zoning classification of lands within and adjacent to the proposed subdivision.

(i) Names and addresses of all adjoining property owners.

(3) Information Concerning Proposed Subdivision.

(a) Location, names, width, typical improvements cross-sections, approximate grades, curve radii and lengths of all proposed streets, and the relationship to all existing and projected streets.

(b) Location, width and purpose of all proposed easements or rights-of-way and relationship to all existing easements and rights-of-way.

(c) Location of at least one temporary benchmark within the proposed subdivision boundary.

(d) Location, approximate area and dimensions of each lot, and proposed lot and block numbers.

(e) Location, approximate area and dimensions of any lot, or area proposed for public use, the use proposed, and plans for improvements or development thereof.

(f) Proposed use, location, approximate area and dimensions of any lot which is intended for nonresidential use.

(g) An outline of the area proposed for partial recording is contemplated or proposed.

(h) Source, method, and preliminary plans for domestic and other water supplies, sewage disposal, solid waste disposal, and all utilities.

(i) Description and location of any proposed community facility.

(j) Storm water and other drainage facility plans.

(k) legal access to proposed subdivision

17.16.070 Master development plan.

An overall "master development plan" shall be submitted for all developments of more than 25 lots or for all developments planning phases or unit development. The "master development plan" shall include, but not be limited to, the following elements:

- (1) Overall development plan, including phase or unit sequence.
- (2) Schedule of improvements, initiation and completion.
- (3) Overall transportation and traffic pattern plan.
- (4) Scales, program timetable projection.
- (5) Development plans of any common elements or facilities.
- (6) Financing plan for all improvements.
- (7) If the proposed subdivision has an unknown impact upon adjacent lands or lands within the general vicinity, the planning commission may require a potential street development pattern for adjoining lands to be submitted together with the tentative plan as part of the master development plan for the subject subdivision, so as to verify the nondetrimental impact of the subject subdivision upon adjacent lands.

17.16.080 Supplemental information required.

The following information shall be submitted with the tentative plan for subdivision. If such information cannot be shown practically on the tentative plan of a proposed subdivision, it shall be submitted in separate documents accompanying the plan at the time of filing.

(1) Proposed deed restrictions or protective covenants, if such are proposed to be utilized for the proposed subdivision.

(2) Two copies of a letter from a water purveyor providing a water supply system serving domestic water or a letter from a licensed well driller or registered engineer. The letter shall state the source, name of supplier, and known quantity and quality of water available, and that the system will be installed in accordance with all applicable regulations. In addition, the letter from a water purveyor providing a domestic water system shall state that they are able and willing to serve each and every lot within the proposed subdivision and that the conditions and estimated cost of providing such service be set forth. A letter from a water purveyor shall further indicate that the water supply system proposed for the subdivision is adequate to meet the fire protection needs set forth by the appropriate fire protection agency.

(3) Statement from each serving utility company proposed to serve the proposed subdivision stating that each such company is able and willing to serve the proposed subdivision as set forth in the tentative plan, and the conditions and estimated costs of such service shall be set forth.

(4) Proposed fire protection system for the proposed subdivision and written approval thereof by the appropriate serving fire protection agency.

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(5) Title or subdivision guarantee report from a licensed title company stating the record owner(s) of the land proposed to be subdivided and setting forth all encumbrances relative to the subject property.

(6) Reasons and justifications for any variances requested to the provisions of this title or any other applicable ordinance or regulation.

(7) Every application for division of property shall be accompanied by a water procurement plan approved by the county watermaster or their representative. Such plan shall explain in detail the proposed manner of providing domestic water. If irrigation water is to be provided, the water procurement plan shall also explain the manner of providing such irrigation water.

(8) Where a tract of land has water rights, an application for division of the tract shall be accompanied by a water rights division plan approved by the irrigation district or other water district holding the water rights, or when there is no such district, by the district watermaster or their representative serving the county area. Every plat and tentative plan shall indicate the water right that is to be transferred to each parcel or lot.

17.16.090 Approval of tentative subdivision plan.

(1) Tentative Plan Review. The planning commission shall, within 60 days from the first regular planning commission meeting following submission of a tentative subdivision plan to the planning commission, review the tentative plan and all reports and recommendations of appropriate officials and agencies. The planning commission may approve, modify, or disapprove the tentative plan for the proposed subdivision, and shall set forth findings for said decision.

(2) Tentative Plan Approval. Approval or disapproval of the tentative plan by the planning commission shall be final unless the decision is appealed to the county court. The county court may review the planning commission's decision on its own motion. County court review shall be conducted in accordance with CCC Chapter 17.48, and failure to do so within the required time limit shall be deemed to indicate acceptance of the planning commission's decision.

(3) Tentative Plan Approval Relative to Final Plat. Approval of the tentative plan shall not constitute final acceptance of the plat of the proposed subdivision for recording; however, approval of such tentative plan shall be binding upon the county for purposes of the preparation of the plat and the county may require only such changes in the plat as are necessary for compliance with the terms of its approval of the tentative plan for proposed subdivision.

(4) Planning commission report. The decision of the planning commission shall be set forth in writing in a formal report and, in the case of approval, be noted on three copies of the tentative plan, including references to any attached documents describing conditions. One copy of the planning commission report shall be sent to the subdivider, one copy sent to the county court, and the planning commission shall retain one copy. Such action shall be completed within five working days of the date of planning commission decision.

17.16.100 Specific approval requirements.

In addition to the requirements set forth by the provisions of this title and applicable local and state regulations, specific requirements for tentative plan approval are as follows:

(1) No tentative plan of a subdivision shall be approved which bears a name using a word which is the same as, similar to or pronounced the same as a word in the name of any other subdivision in the same county, except the words "town," "city," "place," "court," "addition," or similar words, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the subdivision bearing that name. All plats must continue the lot and block numbers of the plat of the same name, last filed. (2) No tentative plan for a proposed subdivision shall be approved unless:

(a) The streets and roads are laid out so as to conform to the plats of subdivisions and maps of partitions already approved for adjoining property as to width, improvements, general direction and in all other respects, unless the planning commission determines it is in the public interest to modify the street and road pattern.

(b) Streets and roads to be held for private use are approved by the planning commission and are clearly indicated on the tentative plan and all reservations or restrictions relating to such private streets and roads are set forth thereon, such as ownership and maintenance responsibilities.

(c) The tentative plan complies with the zoning ordinance.

(3) No tentative plan for a proposed subdivision or planned unit development located within the urban growth boundary, but outside the city, shall be approved unless the subject proposal has been submitted to the city planning commission for review and until such time that a written review and recommendation therefrom has been received and considered.

(4) Approval or denial shall take into consideration the subdivision review committee and city planning commission's (when applicable) recommendations and the factors listed in CCC 17.12.060.

17.24.020 Filing procedures and requirements for land partitioning

Any person proposing a land partitioning, or his authorized agent or representative, shall prepare and submit five copies of the tentative plan for the proposed partitioning together with an application for partitioning and the appropriate filing fee to the county planning department at least 30 days prior to the commission meeting at which consideration is desired, except as otherwise provided in this chapter.

The tentative plan for partitioning, when submitted, shall include the following:

(1) A vicinity map locating the proposed partitioning in relation to adjacent subdivisions, roadways and adjoining land use and ownership patterns.

(2) A plan of the proposed partitioning showing tract boundaries and dimensions, the area of each tract or parcel, and the names, right-of-way widths, and improvement standards of existing roads.

(3) Names and addresses of the land owner, the partitioner, a mortgagee if applicable, and the engineer or surveyor employed or to be employed to make necessary surveys and prepare the legal descriptions of each parcel to be created.

(4) A statement regarding contemplated water supply, sewage disposal, solid waste disposal, fire protection, access, etc.

(5) North point, scale and date of map, and property identification by tax lot, section, township and range.

(6) Statement regarding past, present and intended use of the parcel(s) to be created, or the use for which the parcel(s) are to be offered.

(7) Where a tract of land is within the boundaries of an irrigation district, an application for partitioning of the tract shall be accompanied by a water rights division plan approved by the irrigation district or other water district holding the water rights, or when there is no such district, by the district watermaster or his representative serving the Crook County area. (Ord. 19 § 5.020, 2003)

(8) Legal access to the proposed parcels.

17.24.080 Special partitioning and property line adjustment regulations.

(1) The partitioning of a tract of land in which not more than one parcel is created and said parcel is being transferred to a public or semipublic agency for the purpose of a road, railroad, or canal right-of-way may be approved by the planning department and a filing fee shall be required. No survey shall be required unless otherwise ordered by the county court.

(2) The property line adjustment of a parcel by the relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel and either parcel is not reduced below the minimum lot size established by the applicable zoning ordinance, and that there are no dwellings or other structures located within the area involved in the adjustment, may be approved by the planning department. On land zoned for exclusive farm use, forest use or mixed farm or forest use the requirements of ORS 92.192 (3) must also be met. A filing fee shall be required. A survey may not be required by the planning department and the County Surveyor for parcels that can be legally described by aliquot part. (3) The partitioning of a parcel by the adjustment of the lot line where the adjustment crosses the boundary of a legally platted subdivision may be allowed by the planning department; provided, that the applicant meets all requirements set forth in subsection (2) of this section and the applicant agrees to deed restrictions that will ban additional dwellings on the parcel. A filing fee shall be required. Proof of a deed restricting shall be required prior to approval. A survey may be required pursuant to ORS 92.050, 92.180 and 92.190.

17.24.110 Land partitioning for farm or forest use.

(1) An application shall be submitted to the planning department for a land partitioning creating not more than two parcels, none of which are less than 160

acres in EFU-1 and EFU-3 zones, or 80 acres in EFU-2 and F-1 zones; and are to be used exclusively for farm or forest use. Such applications shall be submitted to the planning department and may be approved or denied by the planning director pursuant to the provisions of this title, this chapter, and more specifically this section; or, at the discretion of the director, may be referred to the planning commission for approval or denial.

(2) An application for a land partitioning submitted pursuant to this section shall not be approved by the planning director unless the director finds that:

(a) The partitioning is in compliance with the comprehensive plan.

(b) The partitioning and intended parcel use is in compliance with the applicable zoning.

(c) The intended use of the parcel being created, present and future, is for farm or forest use only.

(d) The final map is prepared and submitted in compliance with CCC 17.24.060.

17.36.030 Subdivision Roads and Public Ways

(1) Right-of-Way. Road right-of-way shall be as established in Exhibit C (or with respect to EFU-2 and EFU-3 roads as established in Exhibit D-1) at the end of this section.

(2) Roadbed Width and Standards. The roadbed width shall be determined in accordance with Exhibit D at the end of this section. If a road located in an EFU-2 or EFU-3 zone will not serve more than four residences, the roadbed width and standards shall be determined in accordance with Exhibit D-1.

(3) *Repealed by Ord. 149 Amd. 1.*

(4) Modifications from Standards. Prior to submittal of a partitioning or subdivision application to the planning department, the planning director in consultation with the roadmaster and any other designated person by the county, may authorize modifications from the foregoing standards where it can be shown that owing to special and unusual circumstances related to a specific road that a lesser level of improvements will provide the same quality road as the standards contained within this title. This modification standard applies to planned unit developments in regard to which the planning commission recognizes the importance of design flexibility and therefore the planning commission may approve road specifications that meet the design requirements for such developments but differ from these standards.

(5) Grade. Maximum allowable grade shall be eight percent.

(6) Drainage. Adequate drainage for the main roadbed and all approach roads shall be provided by utilization of proper and necessary size culverts. Culvert size shall be a minimum of 15 inches. All culverts shall extend a minimum of three feet beyond the roadbed. Drainage plans shall comply with all applicable standards required by the State of Oregon Department of Environmental Quality Central Oregon Stormwater Plan or as specified by the Planning Department.

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(7) Other Specifications. Roadbed crown, slope shoulders, base rock, and HMAC shall be provided as specified in the applicable standards in Exhibit D at the end of this section.

(8) Inspections and Testing. Developer shall provide the planning department with testing of any and all materials used in developing roads. Such testing shall be performed by a state of Oregon certified laboratory and shall be at the developer's expense.

(9) Roadside Parking. In the event roadside parking is required or permitted, additional right-of-way and/or road surface may be required.

(10) The Developer. Prior to the start of construction (any earth moving) the developer shall supply the planning department with two copies of the subdivision and or road construction plan, including road profile, typical sections and shall indicate the location of school bus stops and mailboxes.

Developer shall provide proof of compliance with stormwater drainage and erosion control requirements as may be imposed by the State of Oregon Department of Environmental Quality, Central Oregon Stormwater Manual or the county

10) All roads shall comply with the requirements of "Fire Apparatus Access Roads" contained in the most current edition of the International Fire Code and, with respect to access in urban-wildland interface areas, the fire code official may be guided by the Urban-Wildland Interface Code. Developer shall obtain a written approval from the fire department to be submitted to the planning department

17.52.010 Applications.

Within 30 days of receiving an application for a partitioning, the planning staff shall: determine the completeness of the application; research the parcel involved; and determine whether the parcel is series partitioned land or whether the partition will create a series partition.

(1) If the staff determines that a partition will be a series partition, the staff shall: make a determination that the application is not complete and require the applicant to submit an application for a series partitioning.

(2) All applications for series partitioning shall require a public hearing in front of the planning commission or other county court designated hearings officers and series partition review under CCC Chapter 18.160.

CCC Title 18 Revisions

18.16.010 Uses permitted outright.

In an EFU-1 zone, the following uses and accessory uses thereof are permitted outright: all uses authorized under ORS 215.283(1), in conjunction with any other applicable provisions of this chapter

18.16.020 Conditional uses permitted.

In an EFU-1 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of CCC Chapter 18.160 and in conjunction with an other applicable provisions of this chapter: all uses authorized under ORS 215.283(2), (3).

18.16.080 Limitations on nonfarm residential uses.

The county may approve a nonfarm residential dwelling upon a finding that the proposed dwelling:

(1) Accepted Farm or Forest Practices. Will not seriously interfere with or force a significant change in accepted farm and forest practices, as defined in ORS 215.203(2)(C), on nearby or adjacent lands devoted to farm use or forest use, including but not limited to increasing the costs of accepted farm or forest practices on nearby land devoted to farm use.

(2) Land Use Pattern. The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the land use pattern in the area, the county shall consider the cumulative impacts of new nonfarm dwellings on other lots or parcels in the area. If the application involves the creation of a new parcel for the nonfarm dwelling, the county shall consider whether creation of the parcel will lead to the creation of other nonfarm parcels, to the detriment of agriculture in the area. To address this standard, the applicant shall:

(a) Identify a study area representative of the surrounding agricultural area including adjacent and nearby land zoned for exclusive farm use. Nearby land zoned for rural residential or other urban or nonresource uses shall not be included;

(b) Identify the types and sizes of all farm and nonfarm uses and the stability of the existing land use pattern within the identified study area; and

(c) Explain how the introduction of the proposed nonfarm dwelling will not materially alter the land use pattern within the identified study area.

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The applicant's evidence shall be sufficient to enable the county to make findings on these issues as well as other applicable requirements.

(3) Unsuitability for Agriculture.

(a) The dwelling is situated upon a lot or parcel, or a portion of a lot or parcel, that is generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract. A lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm use in conjunction with other land. A lot or parcel is not "generally unsuitable" simply because it is too small to be farmed profitably by itself. If a lot or parcel can be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch, it is not "generally unsuitable." A lot or parcel is presumed to be suitable if it is composed predominantly of Class I – VI soils. Just because a lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use.

(b) If the parcel is under forest assessment, the dwelling shall be situated upon generally unsuitable land for the production of merchantable tree species recognized by the forest practices rules, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the parcel. If a lot or parcel is under forest assessment, the area is not managed for forest production profitably by itself. If rented or otherwise managed as a part of a forestry operation, it is not "generally unsuitable." If a lot or parcel is under forest assessment, it is presumed suitable if it is producing 20 cubic feet of wood fiber per acre per year. If a lot or parcel is under forest assessment, to be found surrounding land it must not force a significant change in forest practices or significantly increase the cost of those practices on the surrounding land.

(4) Other Conditions Deemed Necessary. Complies with such other conditions, as the county considers necessary.

(5) Creation of Lot. The dwelling will be sited on a lot or parcel created before January 1, 1993, or on a lot or parcel created after January 1, 1993, pursuant to CCC 18.16.070(4).

(6) Disqualification from Farm Deferral. Prior to final approval of a building permit for a use governed by this section, the entire lot or parcel upon which the nonfarm dwelling will be located must be disqualified for farm assessments pursuant to ORS 215.236.

18.20.010 Uses permitted outright.

In an EFU-2 zone, the following uses and accessory uses thereof are permitted outright: any use authorized by ORS 215.283(1), in conjunction with any other applicable provisions in this chapter.

18.20.020 Conditional uses permitted.

In an EFU-2 zone, the following uses and their accessory uses are permitted when authorized in accordance with the requirements of CCC Chapter 18.160 and in conjunction with an other applicable provisions of this chapter: any use authorized by ORS 215.283(2), (3).

18.20.080 Limitations on nonfarm residential uses.

The county may approve a nonfarm residential dwelling upon a finding that the proposed dwelling:

(1) Accepted Farm or Forest Practices. Will not seriously interfere with or force a significant change in accepted farm or forest practices, as defined in ORS 215.203(2)(C), on nearby or adjacent lands devoted to farm or forest use, including but not limited to increasing the costs of accepted farm or forest practices on nearby lands devoted to farm use.

(2) Land Use Pattern. The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the land use pattern in the area, the county shall consider the cumulative impacts of new nonfarm dwellings on other lots or parcels in the area. If the application involves the creation of a new parcel for the nonfarm dwelling, the county shall consider whether creation of the parcel will lead to the creation of other nonfarm parcels, to the detriment of agriculture in the nonfarm parcels, to the detriment of agriculture in the area. To address this standard, the applicant shall:

(a) Identify a study area representative of the surrounding agricultural area including adjacent and nearby land zoned for exclusive farm use. Nearby lands zoned for rural residential or other urban or nonresource uses shall not be included;

(b) Identify the types and sizes of all farm and nonfarm uses and the stability of the existing land use pattern within the identified study area; and

(c) Explain how the introduction of the proposed nonfarm dwelling will not materially alter the stability of the land use pattern in the identified study area.

The applicant's evidence shall need to be sufficient to enable the county to make findings on these as well as other applicable requirements.

(3) Unsuitability for Agriculture.

(a) The dwelling is situated upon a lot or parcel, or a portion of a lot or parcel, that is generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract. A lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm use in conjunction with other land. A lot or parcel is not "generally unsuitable" simply because it is too small to be farmed profitably by itself. If a lot or parcel can be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch, it is not "generally unsuitable." A lot or parcel is presumed to be suitable if it is composed predominantly of Class I – VI soils. Just because a lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use.

(b) If the parcel is under forest assessment, the dwelling shall be situated upon generally unsuitable land for the production of merchantable tree species recognized by the forest practices rules, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the parcel. If a lot or parcel is under forest assessment, the area is not "generally unsuitable" simply because it is too small to be managed for forest production

profitably by itself. If a lot or parcel is under forest assessment, it is presumed suitable if it is composed predominantly of soils capable of producing 20 cubic feet of wood fiber per acre per year. If a lot or parcel is under forest assessment, to be found compatible and not seriously interfere with forest uses or surrounding land it must not force a significant change in forest practices or significantly increase the cost of those practices on the surrounding land.

(4) Other Conditions Deemed Necessary. Complies with such other conditions, as the county considers necessary.

(5) Creation of Lot. The dwelling will be sited on a lot or parcel created before January 1, 1993, or on a lot or parcel created after January 1, 1993, pursuant to CCC 18.24.070(4).

(6) Disqualification from Farm Deferral. Prior to final approval of a building permit for a use governed by this section, the entire lot or parcel upon which the nonfarm dwelling will be located must be disqualified for farm assessments pursuant to ORS 215.236.

18.24.010 Uses permitted outright.

In an EFU-3 zone, the following uses and accessory uses thereof are permitted outright: all uses authorized by ORS 215.283(1), in conjunction with any other applicable provisions in this chapter.

18.24.020 Conditional uses permitted.

In an EFU-3 zone, the following use and their accessory uses are permitted when authorized in accordance with the requirements of CCC Chapter 18.160 and in conjunction with an other applicable provisions of this chapter: all uses authorized by ORS 215.283(2), (3).

18.24.080 Limitations on nonfarm residential uses.

The county may approve a nonfarm residential dwelling upon a finding that the proposed dwelling:

(1) Accepted Farm or Forest Practices. Will not seriously interfere with or force a significant change in accepted farm or forest practices, as defined in ORS 215.203(2)(C), on nearby or adjacent lands devoted to farm or forest use, including but not limited to increasing the costs of accepted farm or forest practices on nearby lands devoted to farm use.

(2) Land Use Pattern. The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the land use pattern in the area, the county shall consider the cumulative impacts of new nonfarm dwellings on other lots or parcels in the area. If the application involves the creation of a new parcel for the nonfarm dwelling, the county shall consider whether creation of the parcel will lead to the creation of other nonfarm parcels, to the detriment of agriculture in the nonfarm parcels, to the detriment of agriculture in the area. To address this standard, the applicant shall:

(a) Identify a study area representative of the surrounding agricultural area including adjacent and nearby land zoned for exclusive farm use. Nearby

lands zoned for rural residential or other urban or nonresource uses shall not be included;

(b) Identify the types and sizes of all farm and nonfarm uses and the stability of the existing land use pattern within the identified study area; and

(c) Explain how the introduction of the proposed nonfarm dwelling will not materially alter the stability of the land use pattern in the identified study area.

The applicant's evidence shall be sufficient to enable the county to make findings on these as well as other applicable requirements.

(3) Unsuitability for Agriculture.

(a) The dwelling is situated upon a lot or parcel, or a portion of a lot or parcel, that is generally unsuitable land for the production of farm crops and livestock, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract. A lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm use in conjunction with other land. A lot or parcel is not "generally unsuitable" simply because it is too small to be farmed profitably by itself. If a lot or parcel can be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch, it is not "generally unsuitable." A lot or parcel is presumed to be suitable if it is composed predominantly of Class I – VI soils. Just because a lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use.

(b) If the parcel is under forest assessment, the dwelling shall be situated upon generally unsuitable land for the production of merchantable tree species recognized by the forest practices rules, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the parcel. If a lot or parcel is under forest assessment, the area is not "generally unsuitable" simply because it is too small to be managed for forest production profitably by itself. If a lot or parcel is under forest assessment, it is presumed suitable if it is composed predominantly of soils capable of producing 20 cubic feet of wood fiber per acre per year. If a lot or parcel is under forest assessment, to be found compatible and not seriously interfere with forest uses or surrounding land it must not force a significant change in forest practices or significantly increase the cost of those practices on the surrounding land.

(4) Other Conditions Deemed Necessary. Complies with such other conditions as the county considers necessary.

(5) Creation of Lot. The dwelling will be sited on a lot or parcel created before January 1, 1993, or on a lot or parcel created after January 1, 1993, pursuant to CCC 18.24.070(4).

(6) Disqualification from Farm Deferral. Prior to final approval of a building permit for a use governed by this section, the entire lot or parcel upon which the nonfarm dwelling will be located must be disqualified for farm assessments pursuant to ORS 215.236.

18.68.080 Design and use criteria.

In the consideration of an application for a proposed use in an L-M zone, the county shall take into account the impact of the proposed use on nearby

residential and commercial uses, on resource carrying capacities, on the capacity of transportation and other public facilities and services, and on the appearance of the proposal. In approving a proposed use, the county shall need to find that:

- (1) Proposal is in compliance with the comprehensive plan.
- (2) Proposal is in compliance with the intent and provisions of this title and more particularly with this chapter.
- (3) That economic and environmental considerations are in balance.
- (4) That any social, economical, physical or environmental impacts are minimized.

18.72.080 Design and use criteria.

In the consideration of an application for a proposed use in an H-M zone, the county shall take into account the impact of the proposed use on nearby residential and commercial uses, on resource-carrying capacities, on the capacity of transportation and other public facilities and services, and on the appearance of the proposal. In approving a proposed use, the county shall need to find that:

- (1) Proposal is in compliance with the comprehensive plan.
- (2) Proposal is in compliance with the intent and provisions of this title and more particularly with this chapter.
- (3) That economic and environmental considerations are in balance.
- (4) That any social, economical, physical or environmental impacts are minimized.

18.72.090 Additional requirements.

As a condition of approval of any use proposed within an H-M zone, the county may require:

- (1) An increase in required setbacks.
- (2) Additional off-street parking and loading facilities.
- (3) Limitations of signs or lighting, time of operations, and points of ingress and egress.
- (4) Additional landscaping, screening and other improvements.

18.144.020 Application.

The provisions of this chapter apply only to aggregate and mineral resource uses permitted subject to site plan review under the EFU-1, EFU-2, EFU-3 and F1 zones.

18.172.020 Application.

- (1) The applicant shall make application to the director upon forms provided by the director for a land use permit or other planning director decision that may be made under this section.
- (2) An application is deemed to be complete when in the judgment of the director all application issues have been adequately addressed in the application and all applicable fees have been paid to the county.

(3) If an application is incomplete, the director shall, within 30 days of receipt of the application, notify the applicant in writing of exactly what information is missing. The applicant may amend the original application or submit a new application supplying the missing information.

(4) The applicant shall have 180 days from the date of notice from the director to supply the missing information.

(5) If the applicant submits the missing information within the 180-day period specified in subsection (4) of this section, the application shall be deemed complete upon receipt of the missing information.

(6) For lands located within the urban growth boundary and for applications for mineral aggregate extraction, the hearing authority shall act upon a completed application within 120 calendar days of the filing of a completed application. For all other permit applications, the hearing authority shall act upon a completed application within 150 calendar days of filing of a completed application. Such time limitations can be extended with the consent of the applicant.

18.172.110 Appeals.

(1) Every land use decision relating to the provision of this title made by the planning commission, hearing officer or other official of Crook County is subject to review when appealed within 12 calendar days of the date the decision was final in accordance with state statutes and the following provisions:

(2) The filing of an appeal in accordance with the provisions of this section initiates the appeal process and stays the order of the decision appealed. The process shall include appropriate public notice, a public hearing, and the preparation of findings by that authority which either affirms, amends, or reverses the decision appealed.

(3) All hearings of appeal from an administrative determination shall be de novo.

(4) All hearings of appeal from a planning commission final decision shall be based on the record made before the planning commission.

(5) A final decision not to adopt a legislative matter is not appealable.

(6) Appeals may be filed only by parties adversely affected by a land use decision as defined in the ORS. For purposes of this section, an adversely affected party shall include any of the following:

(a) The applicant or the authorized agent of the applicant; or

(b) Any person or county official testifying at the public hearing or who provided written comments may appeal a planning commission decision.

(7) The appellate body may review a lower determination or decision upon its own motion by issuing a written order to that effect on the lower body within 10 working days of the date the determination or decision becomes final. The appellate body must cause notice to be given to the parties involved within three working days of the appellate body's order to review.

(8) Appellate Authority.

(a) The appellate body for appeals from administrative determinations of the director shall be the planning commission.

Ordinance

(b) The appellate body for appeals from final decisions of the planning commission shall be the county court, unless the county court orders the appeal be sent directly to the Oregon Land Use Board of Appeals as the final decision of the County.

(c) Appeals from decisions of the county court shall be in conformance with the applicable ORS provisions.

(9) Filing Requirements.

(a) Appeals shall be complete and the appellate body shall have jurisdiction to hear the matter appealed if all the following occur:

(i) The appeal shall be in writing and shall contain:

(A) Name and address of the appellant(s);

(B) Reference to the application title and case number, if any;

(ii) A statement of the nature of the decision;

(A) A statement of the specific grounds for the appeal, setting forth the error(s) and the basis of the error(s) sought to be reviewed; and

(B) A statement as to the appellant's standing to appeal as an affected party.

(iii) Proper filing fee in accordance with CCC 18.172.050.

(iv) Written notice of appeal must be filed within 12 calendar days of the decision with the appropriate person.

(A) To the planning commission from an administrative determination by the planning department;

(B) To the county court for appeals from final decisions by the planning commission.

(10) Notice and Hearing of the Appeal.

(a) Where practicable, the director shall place the appeal on the agenda for the next regularly scheduled appellate body's hearing in order to determine whether or not the appeal has been properly filed.

(i) If the appellate body determines to dismiss the appeal, it must state in writing the reasons the application has not met the requirements for an appeal. Upon dismissal, the appealed decision is final.

(ii) If the appellate body determines that the facts stated in the notice of appeal meet the requirement for a hearing, it shall set a time for such hearing to be held not later than 60 calendar days after receipt of the notice of appeal. If the appellate body is the county court, the county court may order the appeal sent directly to the Land Use Board of Appeals as the final decision of the County without an appeal hearing.

(c) At least 10 calendar days prior to the hearing, the hearing authority shall give notice of time, place and the particular nature of the appeal. Notice shall be published in the newspaper and be sent by mail to the appellant(s), to the applicant (if different) and those persons who testified at the subject hearing where a hearing was held and affected parties in accordance with this section.

(11) Transcript. The appellant shall provide a copy of the transcript of the relevant portions of the proceedings appealed from to the county planning department seven calendar days before the hearing date set by the county court.

(12) Scope and Standard of Review of Appeal.

(a) On the Record Review. The appeal is not a new hearing, it is a review of the decision below. Subject to the exception in subsection (12)(a)(vi) of this section, the review of the final decision shall be confined to the record of the proceedings below, which shall include, if applicable:

(i) All materials, pleadings, memoranda, stipulations and motions submitted by any party to the proceeding and received by the planning commission as evidence.

(ii) All materials submitted by Crook County staff with respect to the application.

(iii) The transcript of the relevant portions of the planning commission hearing.

(iv) The written final decision of the planning commission and the petition of appeal.

(v) Argument (without introduction of new or additional evidence) by the appellants or their legal representative.

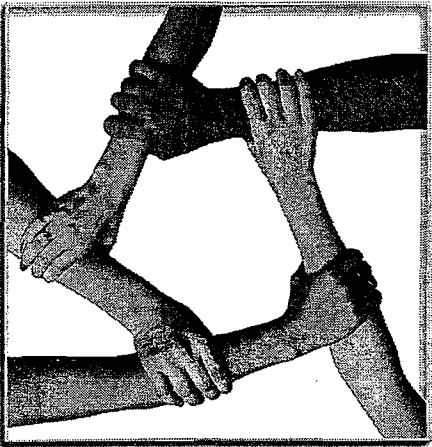
(vi) The appellate body may, at its option, admit additional testimony and other evidence from an interested party or party of record to supplement the record of prior proceedings. The record may be supplemented by order of the appellate body or upon written motion by a party. The written motion shall set forth with particularity the basis for such request and the nature of the evidence sought to be introduced. Prior to supplementing the record, the appellate body shall provide an opportunity for all parties to be heard on the matter. The appellate body may grant the motion upon a finding that the supplement is necessary to take into consideration the inconvenience of locating the evidence at the time of initial hearing, with such inconvenience not being the result of negligence or dilatory act by the moving party.

(b) Standard of Review on Appeal. The burden of proof in a hearing shall be as allocated by applicable law. The burden shall remain with the applicant to show that relevant criteria were met for an application throughout the local appeal process. For an appeal on the record, an appellant shall have the burden to articulate reasons why the initial decision is in error.

(13) Appellate Decisions. Following hearing the appeal, the appellate body may affirm, overrule or modify the decision and shall set forth findings showing compliance with applicable standards and criteria.

Crook County Connect

WHERE NEEDS MEET RESOURCES



Crook County Connect was formed out of a desire to match up people's needs with volunteered resources. Whether you have a need or you are one who is willing to volunteer your services, we provide you with the location and the opportunity.

Where: Crook County Middle School

When: Saturday, June 12, 2010

Time: 9:00am - 3:30pm

Services We Will Provide:

Haircuts
Food Box
Medical Services
Dental Care
Veterinary Services
Basic home repair (appt. scheduled same day)
Oil Changes (Limited availability)
Food and Gas Gift Card drawing
Employment Department
Veteran Services
Hearing and Vision Screening
Adult Immunizations
Financial Counseling

Resources who will be attending:

Health department
Mental Health
Employment Department
Senior & Disabled
Neighbor Impact/Head Start
St. Vincent DePaul
Prineville Vet Clinic
High Desert RV
Lion's Club
Central Oregon Veterans Outreach
Medical Teams International
...And many more!

To volunteer your services, or ask questions, contact Rich Will at the Oasis Soup Kitchen.
541-848-8300 or [oasis@calvarycrookcounty.com](mailto: oasis@calvarycrookcounty.com)

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Mental Health
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St. Vincent DePaul
Prineville Vet Clinic
High Desert RV
Lion's Club
Central Oregon Veterans Outreach
Medical Teams International
...And many more!

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CROOK COUNTY WORKSITE WELLNESS PROGRAM EMPLOYEE INTEREST SURVEY

Crook County Public Health is moving forward on developing an employee wellness program and would like to learn about your interests in health promotion and health related activities. Please take a few minutes to complete this anonymous survey to help us develop a program to meet your needs.

First Tell Us About Yourself:

Male Female

Age Group: Under 20 20-29 30-39 40-40 50-59 60+

Height _____ Weight _____ # of Days Missed Work – Past 30 Days _____

Your Current Health Habits:

Select circle one number for each question:

4=Very Likely 3=Somewhat Likely 2=Not Very Likely 1=Not At All Likely

- | | | | | | |
|-----|---|---|---|---|---|
| 1. | I buy healthy snacks when they are available.
(cereals, yogurt, fresh fruit, skim milk) | 4 | 3 | 2 | 1 |
| 2. | I would buy healthy snacks at the worksite if they were available. | 4 | 3 | 2 | 1 |
| 3. | If I had a ten minute break, I would use it for a personal activity like stretching, or walking if there were a place to do it. | 4 | 3 | 2 | 1 |
| 4. | I would eat fruit if it were available at staff meetings. | 4 | 3 | 2 | 1 |
| 5. | I would use resource guides for healthy eating or physical activity if they were available. | 4 | 3 | 2 | 1 |
| 6. | I am satisfied with my current state of health. | 4 | 3 | 2 | 1 |
| 7. | I make time for 30 or more minutes of physical activity most days of the week. | 4 | 3 | 2 | 1 |
| 8. | I don't think about health when deciding what to eat. | 4 | 3 | 2 | 1 |
| 9. | It is hard for me to get as much exercise as I should. | 4 | 3 | 2 | 1 |
| 10. | How likely are you to obtain the recommended 8 hours of sleep per night? | 4 | 3 | 2 | 1 |
| 11. | I try to look for healthier food, but usually eat whatever is available. | 4 | 3 | 2 | 1 |
| 12. | I regularly use tobacco products. | 4 | 3 | 2 | 1 |
| 13. | I eat breakfast every day. | 4 | 3 | 2 | 1 |
| 14. | I have had my blood pressure checked within the last year. | 4 | 3 | 2 | 1 |
| 15. | I have had my cholesterol checked within the last year. | 4 | 3 | 2 | 1 |
| 16. | I think that good nutrition and regular physical activity can contribute to better productivity at work. | 4 | 3 | 2 | 1 |
| 17. | Would you personally participate in a health promotion Program if we offered one? | 4 | 3 | 2 | 1 |
| 18. | I try to avoid exposure to secondhand smoke when possible. | 4 | 3 | 2 | 1 |

19. I agree that secondhand smoke is a health risk.

19. If you could receive written information for ten of the health topics listed below, which ten would you select?

- | | |
|--|---|
| <input type="radio"/> Tips for reducing cholesterol | <input type="radio"/> Controlling blood pressure |
| <input type="radio"/> Weight management techniques | <input type="radio"/> Starting a walking program |
| <input type="radio"/> Recipes with fruits and vegetables | <input type="radio"/> Vitamin facts |
| <input type="radio"/> Starting a physical activity program | <input type="radio"/> Women's health |
| <input type="radio"/> Nutritious cooking tips | <input type="radio"/> Second-hand smoke |
| <input type="radio"/> Medical self-care | <input type="radio"/> Tips for increasing physical activity |
| <input type="radio"/> Sleep disorders | <input type="radio"/> Recreational safety |
| <input type="radio"/> Stretching/strength tips | <input type="radio"/> Small steps to changing nutrition |
| <input type="radio"/> Low salt tips | <input type="radio"/> Heart disease prevention |
| <input type="radio"/> Cancer detection/prevention | <input type="radio"/> Diabetes |
| <input type="radio"/> Tobacco Cessation/Quit Line | <input type="radio"/> Men's health |
| <input type="radio"/> Coping with stress | <input type="radio"/> Information on alcohol/drug abuse |
| <input type="radio"/> Workplace/Personal safety | <input type="radio"/> Other _____ |

20. Would you participate in any of the follow activities on a regular basis if they were offered at work?

- | | |
|--|---|
| <input type="radio"/> Aerobic exercise class | <input type="radio"/> Tobacco cessation program |
| <input type="radio"/> Weight management program | <input type="radio"/> Blood pressure screening |
| <input type="radio"/> Confidential Health Screening | <input type="radio"/> Pot-luck for nutritious foods |
| <input type="radio"/> Starting a physical activity program | <input type="radio"/> Women's/Men's health |
| <input type="radio"/> Health Fair | <input type="radio"/> Fitness Challenge |
| <input type="radio"/> Walking event | <input type="radio"/> Stress management workshop |
| <input type="radio"/> Monthly wellness seminar | <input type="radio"/> Healthy cooking class |
| <input type="radio"/> Workshop on self esteem | <input type="radio"/> Relationship workshop |

21. If you were to receive information about activities, health topics, news or tips about healthy choices, what would be your preferred way to get that information?

- | | |
|---|--|
| <input type="radio"/> Dedicated bulletin boards | <input type="radio"/> Weekly e-mail tips |
| <input type="radio"/> Flyer with paychecks | <input type="radio"/> Discussion at staff meetings |
| <input type="radio"/> Other _____ | |

22. Would you be more likely to participate in a wellness program if there were incentives?

- More likely, yes Probably not

If yes, what incentives would motivate you? _____

Thank you so much for your valuable time. Please return completed surveys to Michelle, the HR Director and Health Department staff will tabulate the information for planning this next year.