



Oregon

Theodore R. Kulongoski, 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

April 7, 2008

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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: Crook County Plan Amendment
DLCD File Number 003-07



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: April 21, 2008

This amendment was submitted to DLCD for review 45 days prior to adoption. 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 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.**

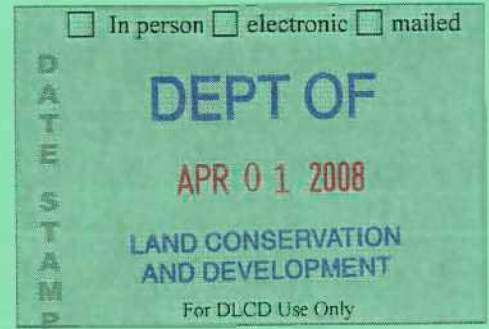
Cc: Doug White, DLCD Community Services Specialist
Jon Jinings, DLCD Regional Representative
Bill Zelenka, Crook County
Heidi Bauen, Crook County

<paa> yal

DLCD

Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: CROOK COUNTY

Local file number: C-CPA-12-074
C-CMA-016-07

Date of Adoption: 3/5/2008

Date Mailed:

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Select one** Date:

- Comprehensive Plan Text Amendment
- Land Use Regulation Amendment
- New Land Use Regulation

- Comprehensive Plan Map Amendment
- Zoning Map Amendment
- Other:

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

COMPREHENSIVE PLAN AMENDMENT & ZONING MAP
AMENDMENT TO CHANGE APPROX 168 ACRES
FROM RESOURCE / EFM TO NONRESOURCE / R10

Does the Adoption differ from proposal? Please select one

No.

Plan Map Changed from: RESOURCE

to: NONRESOURCE

Zone Map Changed from: EFU-3

to: R10

Location: T14 S R14 E SEC 29 TL 101, 103, 104, 105 Acres Involved: 168

Specify Density: Previous: 80 ACRE MIN

New: 10 ACRE MIN

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 checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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. 003-07 (16218)

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

BLM, COID, CROOK COUNTY IMPROVEMENT DIST#1

Local Contact: BILL ZERENKA/Heidi, Phone: (541) 447-8500 Extension:
Address: 300 NE 3RD ST BAKER Fax Number: 541-416-3905
City: PRINEVILLE Zip: 97754 E-mail Address: heidi.baker@co-crook.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This form must be mailed to DLCD within 5 working days after the final decision
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) 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

2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: webserver.lcd.state.or.us. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing mara.ulloa@state.or.us.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to mara.ulloa@state.or.us - ATTENTION: PLAN AMENDMENT SPECIALIST.

RECORDING COVER SHEET

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

STATE OF OREGON } ss 2008033
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS RECEIVED FOR RECORD ON THE 5th DAY OF March, 20 2008 AT 3:15 P. M. AND RECORDED IN CTRNT. RECORDS OF SAID COUNTY MF NO. 2008-033
DEANNA E. BERMAN, CROOK COUNTY CLERK
BY Glenn Brumner DEPUTY

N/C

AFTER RECORDING RETURN TO:

CLERK'S VAULT



NAME OF TRANSACTION

Ordinance No. 200 (Goss Nonresource Rezone)
An ordinance approving a comprehensive plan amendment from resource to nonresource and a zone change from EFU-3 to RR-10 for approximately 168 acres in Section 29, TWP 14S, Range 14E (TLS 101, 103, 104 & ~~105~~ 105)

GRANTOR: CROOK COUNTY

(11 pgs)

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

AN ORDINANCE APPROVING A
COMPREHENSIVE PLAN AMENDMENT
FROM RESOURCE TO NONRESOURCE AND
A ZONE CHANGE FROM EFU-3 TO RR-10
FOR APPROXIMATELY 168 ACRES IN
SECTION 29, TWP 14S, RANGE 14E (TLs
101, 103, 104 & 105).

Ordinance No. 200

(Goss Nonresource Rezone)

County file nos. C-CPA-012-07
 & C-MA-016-07

Whereas, Tax Lots 101, 103, 104 and 105 in Section 29, Twp 14S, Range 14E were originally planned by Crook County as Goal 3 (Agricultural) resource land as part of the County's initial zoning and were therefore zoned EFU-3 for exclusive farm use; and

Whereas, as Goal 3 resource land, these parcels are subject to the state law limitations on allowable uses and lot sizes on EFU land which preclude lots smaller than 40 acres and non-farm dwellings; and

Whereas, the current owners have applied for a comprehensive plan amendment to nonresource and a zone change to RR-10 (10-acre rural residential) zoning for these parcels; and

Whereas, in support of their proposal, the current owners submitted a detailed First Order soil study prepared by a suitably qualified soil scientist using NRCS soil classification methods, a forage production study for the property, a 2-mile area analysis of surrounding lot sizes and land uses, and a detailed analysis of whether these parcels qualify as "agricultural land" or generally suitable for farm use under Goal 3 and the Goal 3 Administrative Rule; and

Whereas, the Planning Commission duly noticed and held a public hearing on the request on October 10, 2007, took public testimony and other evidence on the request, and eventually recommended denial of the request; and

Whereas, the County Court duly noticed and held a de novo public hearing on the request on January 16, 2008 and took public testimony and other evidence on the request; and

Whereas, the County Court continued the matter to February 20, 2008, at which time the County Court accepted public testimony and other evidence on a draft proposed ordinance that would approve the comprehensive plan amendment and zone change request.

NOW THEREFORE, based on the forgoing findings, the evidence and testimony received during the course of the public hearings and the entire record of this matter, the Crook County Court **ORDAINS** as follows:

1. The preponderance of the evidence in the record demonstrates that the subject properties (Tax Lots 101, 103, 104 and 105 in Section 29, Twp 14S, Range 14E) are not "agricultural land" as defined by Goal 3 or the Goal 3 Administrative Rule, and that they are generally unsuitable for farm uses, including grazing. Therefore, this land is not subject to Goal 3's protections or limitations for resource land.
2. The Crook County Comprehensive Plan Map designation for these properties is hereby amended from resource to non-resource.
3. The County Planning Director shall execute a written statement that the subject property is no longer subject to Goal 3 and shall invalidate in the County records any recorded limitation on dwellings or partitions for this land as anticipated by ORS 215.780(6).
4. The Crook County Zoning Map designation for these properties is hereby changed from EFU-3 to RR-10 (Rural Residential, 10-acre minimum lot size). Zoning that provides a minimum lot size of 10 acres or more is rural.
5. This decision is based upon the Findings of Fact, Conclusions of Law and Final Order attached to this Ordinance as Exhibit A, which is incorporated herein by this reference.

First Reading: February 20, 2008.

Second Reading: MARCH 5, 2008.

DATED this 5th day of March, 2008.

CROOK COUNTY COURT:



Scott Cooper, Judge



Mike McCabe, Commissioner



Lynn Lundquist, Commissioner

BEFORE THE COUNTY COURT
FOR CROOK COUNTY, OREGON

In the matter of an application for a Comprehensive Plan amendment from Resource to Non-resource and a Zoning Map change from EFU-3 to Rural Residential R-10 for four parcels (168 acres) in unincorporated Crook County.

FINDINGS OF FACT,
CONCLUSIONS OF LAW
AND FINAL ORDER

(Goss Non-resource Rezone)

County file nos. C-CPA-012-07
& C-MA-016-07

Decision Date:

Applicants: Goss Trust, Larry and Barbara Goss
Lyle Cordray
Chris and Beth Lindsey
Carl Cavallo, Marian Martinez, Jerome and Michelle Schmitt

Agent: Barbara Goss
18300 O'Neil Highway
Redmond, OR 97205

Property: Twp 14S, Range 14E WM, Section 29, TLs 101, 103, 104 & 105 (168 acres)

Request: Comprehensive Plan Amendment from resource to non-resource and a Zoning Map change from EFU-3 to Rural Residential R-10 for four lots, totaling approximately 168 acres.

I. Summary:

This Opinion is the decision of the Crook County Court approving the property owners' request for a Comprehensive Plan Amendment from resource to non-resource and a Zoning Map change from EFU-3 to Rural Residential R-10 for four lots, totaling approximately 168 acres. This decision is based on the Findings of Fact and Conclusions of Law set forth below.

II. The Property, Proposal and Procedural Overview:

A. The Property: The subject property is approximately 168 acres, consisting of four tax lots (TLs 101, 103, 104 & 105) located south of the O'Neil Junction, within one mile of the Crooked River, but up on the rim above the River. The land has been designated as resource (agricultural) land since the County's first Comprehensive Plan adopted pursuant to State-wide Planning Goal 3. None of the parcels has any water rights. These four parcels were the subject of two partitions approved by the Planning Commission in 2002 pursuant to HB 3326 (creating four ~40-acre parcels out of two ~80-acre parcels). Those applications and

approvals, however, assumed that all of this land was properly "agricultural land" subject to Goal 3 based on the predominance of Class VI soils shown in the general Soil Survey for Crook County – an assumption that is challenged in the present application.

B. The Proposal: The property owners and applicants are the Goss Trust (Larry and Barbara Goss), Lyle Cordray, Chris and Beth Lindsey and Carl Cavallo, Marian Martinez, Jerome and Michelle Schmitt. Goal 3 applies only to "agricultural land" as defined in Goal 3 and the Goal 3 Administrative Rule (OAR 660, div 33). The general Soil Survey for Crook County shows these parcels to be predominantly composed of Class VI soils and therefore "agricultural land." However, where, as in this case, land has been classified as agricultural, state law allows property owners to submit site-specific soil studies conducted by suitably qualified experts to prove that the land.

C. Procedural Overview: This application was first submitted on June 4, 2007 and supplemented on October 5, 2007 with a site-specific soil survey. The request was duly noticed and heard by the Planning Commission in a public hearing on October 10, 2007. The initial hearing was continued to October 31, 2007, then to November 19, 2007 for a site visit, and finally to November 28, 2007 for final deliberation and formulation of a recommendation. At the end of this process, a majority of the Planning Commission voted to deny the request, but for a variety of reasons reflected in two separate motions.

The County Court duly noticed and heard the proposal in a de novo public hearing on January 16, 2008, at which time the Court received the Planning Commission's recommendation and public testimony. At the conclusion of the hearing, the County Court directed staff to prepare a draft proposed ordinance, with findings of fact and conclusions of law, in support of approval. The County Court reconvened in a public hearing on February 20, 2008 to consider the draft proposed ordinance and to take public testimony.

III. Findings of Fact and Conclusions of Law:

Being fully apprised of the evidence, exhibits, memoranda and testimony in the whole record, including testimony received during public hearings and other proceedings in this matter, the Crook County Court finds as follows:

A. Definition of "Agricultural Land" under Goal 3: Crook County has not adopted a chapter or set of procedures or criteria governing the identification of non-resource land. Accordingly, state law, statewide planning goals, and particularly criteria in Goal 3 and the Goal 3 Rule provide the substantive criteria, along with the corresponding (Goal 3) provisions of the Crook County Comprehensive Plan. The County's standard procedures for comprehensive plan amendments and zone changes provide the applicable procedures. Essentially, if the evidence is sufficient to convince the County Court that this land is not "agricultural land," then it is not subject to Goal 3 or the farmland protections of state law. Because this land is outside an urban growth boundary, it is rural, not urban, and state law governing allowable uses on rural land, *e.g.*, Goal 14, still control and must be complied with. The applicants have not requested an exception to Goal 14.

The Goal 3 Rule, in OAR 660-033-0020(1), defines "agricultural land" as including:

(A) Lands classified by the U.S. Natural Resources Conservation Service (NRCS) as predominantly Class I-IV soils in Western Oregon and I-VI soils in Eastern Oregon;

(B) Land in other soil classes that is suitable for farm use as defined in ORS 215.203(2)(a), taking into consideration soil fertility; suitability for grazing; climatic conditions; existing and future availability of water for farm irrigation purposes; existing land use patterns; technological and energy inputs required; and accepted farming practices; and

(C) Land that is necessary to permit farm practices to be undertaken on adjacent or nearby agricultural lands.

(b) Land in capability classes other than I-IV/I-VI that is adjacent to or intermingled with lands in capability classes I-IV/I-VI within a farm unit, shall be inventoried as agricultural lands even though this land may not be cropped or grazed;

(c) "Agricultural Land" does not include land within acknowledged urban growth boundaries or land within acknowledged exception areas for Goal 3 or 4.

Under this definition, the Court first looks to soil type, *i.e.* are the soils on this land predominantly Class I through VI, or are they Class VII and above? If the soils are predominantly Class I through VI, that ends our inquiry, and state law requires that the land be subject to the protections and limitations of Goal 3. If the soils are predominantly Class VII and above the inquiry moves to the next step to determine if the land is "generally suitable for farm use as defined in ORS 215.203(2)(a), taking into consideration soil fertility; suitability for grazing; climatic conditions; existing and future availability of water for farm irrigation purposes; existing land use patterns; technological and energy inputs required; and accepted farming practices." In that case, the Court also determines if the land is necessary to permit farm practices to be undertaken on adjacent or nearby agricultural lands. Only if the evidence in the record demonstrates under this sequence of questions shows that this land is not "agricultural land" can the Court find that it is not subject to Goal 3.

B. Agricultural land – Predominant Soil Type:

Predominant soil type is the first and primary criterion for identifying "agricultural land" under Goal 3. The NRCS Soil Survey for Crook County, which is reported in the applicant's initial submission, shows that these four parcels are predominantly composed of Class VI soils. As Jon Jinings, the local DLCD field representative, points out in his August 6, 2007 letter, this makes these parcels presumptively "agricultural land." Absent any additional evidence or detail to refute or augment the County-wide soil survey, that would end the matter. However, Mr. Jinings suggested that the applicant could submit additional site-specific soil information. This suggestion is consistent with OAR 660-033-0030(6), which states that "more detailed data on soil capability than is contained in the U.S. Natural Resources Conservation Service (NRCS) soil maps and soil surveys may be used to define agricultural land." The Goal 3 Rule requires, however, that any such additional data be related to the U.S. Natural Resources Conservation Service (NRCS) land capability classification system.

The land use pattern in the area surrounding this land shows that 10-acre lots will not be out of place and that the proposed zoning is generally consistent with the existing lotting pattern and lot sizes. The Court notes from the map depicting the two mile study area that there are large-lot agricultural parcels north of this land below the rimrock along the Crooked River. The land is also unique from many others in the County in that there is a distinct topographical separation between the lower agricultural property (to the north) and the property at issue. Additionally while there are adjacent properties currently being used for agriculture, they are an atypical combination of different uses (a gravel pit, BLM property and a destination resort) nearby the property. Outside of these established agricultural areas, such as the land in question here, lots range from 5-acres to 20-acres in size. The Remington Ranch destination resort within a quarter mile south of this land will eventually develop residential uses, with golf course and other amenities. The Court finds that the 10-acre zoning proposed for these four parcels would be consistent and compatible with the current and future lotting pattern. 10-acre rural residential lots would also serve as a buffer between the development that will eventually occur on the Remington Ranch resort south of this site and the high value agricultural lands along the Crooked River to the north. The Court finds it significant that the 10-acre zoning proposed here cannot be converted into smaller lot zoning or more intensive uses without an exception to Goal 14. In this context, the Court finds that 10-acre rural residential zoning is a suitable rural designation for this land but that smaller lot sizes would not be suitable nor would they qualify as rural.

D. Land necessary to permit farm practices to be undertaken on adjacent or nearby agricultural lands

The Court finds that there is no evidence in the record to indicate that the land is necessary to permit farm practices

E. Land intermingled in a farm unit even though the land may not be cropped or grazed.

The Court finds that there is no evidence in the record to indicate that the land is adjacent to or intermingled in a farm unit.

F Applicable Provisions of the Crook County Comprehensive Plan: The County's Goal 3 agricultural policies require the preservation of agricultural lands, the protection of agricultural and economic enterprise, limiting non-agricultural development and maintaining a high level livability. The Plan also requires the concentration of population growth within urban growth boundaries and allowing development outside of UGBs only where conflicts with productive agricultural areas are minimal. Subdivisions shall be directed to non-productive agricultural land and those conversions shall be based on the factors set forth in Goal 3. In all cases, nonagricultural development in rural areas shall avoid conflicts with the agricultural community.

The Court finds these policies to be relevant to this proposal, but also that they are met in this situation. As a starting point, in approving the HB 3326 partitions that created these lots in 2002, the Planning Commission found in pertinent part that:

The property is predominantly surrounded by lands which are not in intensive

cases, nonagricultural development in rural areas shall avoid conflicts with the agricultural community.

The Court finds these policies to be relevant to this proposal, but also that they are met in this situation. As a starting point, in approving the HB 3326 partitions that created these lots in 2002, the Planning Commission found in pertinent part that:

The property is predominantly surrounded by lands which are not in intensive farm use, and is separated by the rimrocks from land immediately to the north which is in intensive farm use. On the basis of the above, the Commission finds that the proposed nonfarm residence is compatible with farm uses in the area of the property, and will not interfere with accepted farming practices.

The Court finds that the land in question here is not agricultural land protected or limited by Goal 3. As such, rezoning the land to RR-10, and the resulting addition of 12 additional residences, will not remove farmland from production. There is no evidence of any history of farm use of this land, and the history of adjacent similar land such as the BLM land shows limited farm use. Consequently, the Court finds that redesignation of this land to nonresource and rezoning it to 10-acre lots will have not have a negative impact on farm uses in the area. The potential addition 12 new non-farm dwellings will generate a modest volume of new vehicle trips (~120 new vehicle trips per day), which the Court finds will have no effect on farm traffic – because the trip generation is small, farm uses in the area are scarce and limited to land below the rimrock of the Crooked River on legitimate farm soils, and because of the O’Neil Highway’s capacity to handle large volumes of traffic. This leads us to find that this proposal is compatible and will not conflict with the surrounding farm uses, such as they are. For all of these reasons, the Court finds that this proposal meets the above-referenced agricultural policies.

G. Statewide Planning Goals

In addition to Goal 3, the applicant has addressed Goal 1, 2, 4, 5, 6, 7, 8, 9, 10, 11 and 12 in the Supplemental (Burden of Proof) Information. Based on this information, the Court finds that the applicant’s proposal is in compliance with the Statewide Planning Goals.

H. **HB 3326 Partitions:** The question came up at the January 16, 2008 meeting as to whether the 2002 partitions, approved pursuant to HB 3326, precludes this rezone or subsequent land divisions. After due consideration, the Court concludes that the partitions approved in 2002 do not preclude approval of this plan amendment and zone change. HB 3326 was codified as ORS 215.780, which provides for partitions of resource land (*i.e.*, land subject to Goals 3, 4 or both) down to 40 acres and provides that no further partitions shall be allowed. This prohibition against further partitions under ORS 215.780 is required to be recorded with the County and can only be changed or removed when “a statement of release is signed by the county planning director of the county where the property is located indicating that the comprehensive plan or land use regulations applicable to the property have been changed in such a manner that the parcel is no longer subject to statewide planning goals pertaining to agricultural land or forestland.” ORS 215.780(6)(b). Presumably the County’s approval of the partitions on this land in 2002 resulted in the recordation of such a restriction, and that restriction can only be removed if the County approves a plan amendment from a

resource to a non-resource designation for this land. The current proposal seeks such a plan amendment. Therefore, the applicants' current proposal is consistent with state law and the County's approval of the HB 3326 partitions in 2002 and shall also include the release of the restriction on subsequent partitions anticipated by ORS 215.780(6)(b).

IV. Conclusion and Decision:

Based on the foregoing findings and conclusions, the Crook County Court hereby orders that:

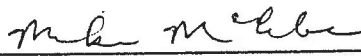
- (1) The subject property (TLs 101, 103, 104 & 105) is not agricultural land, as defined by Goal 3 and the Goal 3 Rule, and the subject property is generally unsuitable for farm uses, therefore, this land is not subject to Goal 3's protections or limitations for resource land.
- (2) The request to amend the Comprehensive Plan and change the Plan designation of this land from resource to non-resource is approved.
- (3) The County Planning Director shall execute a written statement that the subject property is no longer subject to Goal 3 and shall invalidate in the County records any recorded limitation on dwellings or partitions for this land as anticipated by ORS 215.780(6).
- (4) The request to change the Zoning Map designation from EFU-3 to RR-10 (Rural Residential, 10-acre minimum lot size) is approved.

Date of Decision: *March 5th*, 2008.

CROOK COUNTY COURT:



Scott Cooper, Judge



Mike McCabe, Commissioner



Lynn Lundquist, Commissioner



Crook County
300 N.E. 3rd Street
Prineville, Oregon 97754

**Plan Amendment Specialist
Department of Land Conservation
and Development
635 Capitol St. NE, Suite 150
Salem, OR 97301-2540**

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