



County Administration

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Crook County Board of County Commissioners

Wednesday, January 21, 2026 at 9:00 AM

Crook County Annex | 320 NE Court St. | Prineville OR

Members of the public and media are welcome to attend in person or via Zoom: 1-253-215-8782; Meeting ID: 981 7361 2010; Passcode: 033745

Commissioners: Seth Crawford, Chair; Brian Barney; Susan Hermreck

Regular Session Agenda

Public Comment

Please note that each speaker is limited to a maximum of 5 minutes. This guideline helps ensure that everyone has an equal opportunity to speak.

Consent Agenda

Consent agenda items are routine matters - e.g. minutes, appropriations orders, contracts, agreements, completion of previously discussed matters and decisions requiring Board ratification - which are not expected to generate discussion. Any member of the Board may request removal of an item for separate discussion or vote. All remaining items are approved in a single motion.

1. **Approve Minutes**
2. **Order 2026-02 Acceptance of Ready to Read Grant Funds**

Discussion

3. **Swear in of Corrections Deputies Jeffrey Richards and Kyle McGrath**
Requester:
Stephanie Wilson, Administrative Division Manager
Presenter(s):
John Gautney, Sheriff
4. **Sheriff's Office Yearly Update**
Requester:

Bill Elliott, Undersheriff

5. Chamber of Commerce Quarterly Report

Requester:

Deb Shaw, Director of Commerce & Tourism
Andrea Weaver, Tourism Development Specialist

6. Fair Board Candidate Recommendation

Requester:

Casey Daly, Fairgrounds Manager

Presenter(s):

Gail Merrit, Fair Board Chairperson

7. Fairgrounds Indoor Arena Restrooms Project

Requester:

Susan Hermreck, County Commissioner

Presenter(s):

Susan Hermreck, County Commissioner

8. Public Records Request Update

Requester:

Seth Crawford, County Commissioner

Presenter(s):

Will Van Vactor, County Manager

9. Letter of Support for CMHP Funding

Requester:

Susan Hermreck, County Commissioner

Presenter(s):

Susan Hermreck, County Commissioner

10. Public Hearing: Second Reading of Ordinance 357 An Ordinance Amending Titles 1,17, and 18 of the Crook County Code, and Declaring an Emergency

Requester:

John Eisler, Community Development Director

Manager Report

Commissioner Updates

Public Comment

Please note that each speaker is limited to a maximum of 5 minutes. This guideline helps ensure that everyone has an equal opportunity to speak.

Executive Session

11. None scheduled.

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Additional Items

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Contact: Seth Crawford (Seth.Crawford@crookcountyor.gov (541) 447-6555) | Agenda published on January 16, 2026.



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:
Approve Minutes

Background and Policy Implications:

Budget/Fiscal Impacts:

Legal Review (only if requested):

Elected official sponsor (if applicable):

Crook County Board of County Commissioners Minutes of January 7, 2026, Regular Session

Be It Remembered that the Crook County Board of County Commissioners met in a Regular Session on January 7, 2026, at 9:00 AM in the Crook County Annex Meeting Room, located at 320 NE Court Street, Prineville, Oregon 97754.

Regular Session Agenda

Board Members Present: Susan Hermreck, Brian Barney

Board Members Absent: Seth Crawford

Others Present in Person or Via Zoom: County Counsel Eric Blaine; County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Finance Director Christina Haron; Natural Resources Manager Tim Deboodt; Legal Assistant Alex Solterbeck; Associate Planner Hannah Elliott; Budget Manager Jamie Berger; Senior Planner Katie McDonald; County Clerk Cheryl Seely; Fairgrounds Manager Casey Daly; IT Director Blaine Cheney; HR Director Meghan McKee; Assessment Technician Elsie Ray; Community Development Director John Eisler; Public Health Modernization Manager Stephanie O'Neal; Road Superintendent Brad Haynes; Code Compliance Officer Louis Seals; Triangle; Beth Peer; Mike Ervin; Ashley McCormick; Julie Thompson; Jessica Barnes; Mike Warren; Brad Wilson; John Heylin; and members of the public.

The meeting was called to order at 09:00 AM.

Details:

County Manager Will Van Vactor brought forth a housekeeping matter concerning the appointment of a chair for the day was addressed. Under Order Number 2024-13, the board of commissioners operates with a rotating chair structure requiring automatic changes unless the next commissioner in line declines. Within this framework, Commissioner Hermreck is identified as Commissioner 1, Commissioner Barney as Commissioner 2, and Commissioner Crawford as Commissioner 3. The previous year saw Commissioner Barney stepping in as chair after Commissioner Hermreck declined. Currently, Commissioner Crawford is next in line to serve as chair but is absent from today's meeting. As such, a temporary chair must be appointed for the day, without affecting Commissioner Crawford's future role unless he opts out upon his return. The board must take action to appoint this interim chair to ensure the meeting's smooth operation. This procedure highlights the importance of maintaining structured protocols, even in the absence of designated commissioners.

MOTION: Susan Hermreck moved to appoint Brian Barney as the chair of our January 7th, 2026, meeting. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

Public Comment

None

Consent Agenda

1. Approve Minutes

2. Order 2026-01 Designation of Newspapers of Record

MOTION: Susan Hermreck moved to approve the consent agenda as presented. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

Discussion

3. Chamber of Commerce Quarterly Report

Requester:

Deb Shaw, Director of Commerce & Tourism

Andrea Weaver, Tourism Development Specialist

Commissioner Barney noted a change in the agenda lineup. The Chamber of Commerce's quarterly meeting has been postponed at their request. Additionally, agenda item six, regarding the amendment to the service contract with the City of Prineville, is also postponed due to pending paperwork. Items seven and eight are rescheduled as the necessary documents from the state remain incomplete, requiring further time to address. This adjustment underscores the reliance on document readiness for proceeding with scheduled agenda items.

Details: This item has been removed from this agenda and will be provided as an update at the January 21st Regular Session.

4. Annual Review and Adoption of Crook County Investment Policy

Requester:

Christina Haron, Finance Director

Details:

Finance Director Christina Haron presented the investment policy in compliance with ORS 294-135A, which mandates that local governments invest in securities with maturities longer than 18 months adopt an annual investment policy. The last review occurred in February, and the policy has been evaluated by investment advisors in alignment with state regulations. Their assessment confirmed compliance, noting no substantive changes required other than updating the year from 2025 to 2026. Christina expressed readiness to answer any questions, though there appeared to be none from those in attendance.

MOTION: Susan Hermreck moved to accept the annual review and adoption of the Crook County Investment Policy. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

5. Annual review of recommended updates to Crook County Fiscal Policies from Finance Committee

Requester:

Christina Haron, Finance Director

Presenter(s):

Will Van Vactor, County Manager

Details:

County Manager Will Van Vactor presented revisions to the county's fiscal policies for FY27 after a review by the Finance Committee on December 17, 2025. The revisions focus on two main changes: an editorial correction adding a hyphen to "cost-effective" and an adjustment to the landfill fiscal policy, allowing for annual modifications based on inflation and post-closure liabilities, aligning with DEQ requirements. The committee also recommended creating a separate comprehensive debt policy to enhance fiscal discipline and manage debt effectively. Will seeks board approval for the fiscal policy amendments and direction on developing a draft debt policy framework.

MOTION: Susan Hermreck moved to adopt the revisions and modifications to the fiscal policies as outlined in the fiscal policy redline draft included in the packet for today's meeting. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

Commissioner Hermreck and Will Van Vactor discussed the proposed direction for developing a comprehensive debt policy. Commissioner Hermreck expressed trust in Will's approach and the finance team's capabilities, agreeing that the direction seemed appropriate. Will sought board confirmation before working with the finance director to draft a framework for future consideration. Commissioner Hermreck reiterated confidence in the finance department and agreed with proceeding without a formal motion. They planned to revisit the topic in a future work session, with both expressing gratitude towards the Finance Committee for their efforts in reviewing and suggesting the necessary policy recommendations.

6. Amendment Service Contract with City of Prineville

Requester:

Jacquie Davis, Landfill Director

Details: This item has been removed from this agenda and will be provided as an update at the January 14th Work Session.

7. 2026 County Financial Assistance Agreement for Behavioral Health Services

Requester:

Eric Blaine, County Counsel

Details: This item was removed from the agenda at the beginning of the regular session and will be scheduled for a future meeting.

8. Local Plan and Budget for Behavioral Health Services

Requester:

Eric Blaine, County Counsel

Details: This item was removed from the agenda at the beginning of the regular session and will be scheduled for a future meeting.

9. Public Hearing: First Reading of Ordinance 357 An Ordinance Amending Titles 1,17, and 18 of the Crook County Code, and Declaring an Emergency

Requester:

John Eisler, Community Development Director

Details:

The meeting proceeded with a public hearing for the first reading of Ordinance 357, amending Titles 17 and 18 of the Crook County Code and declaring an emergency. John Eisler, the Community Development Director, introduced the session. The Crook County Board of Commissioners convened on January 7, 2026, at 9:13 a.m. to conduct the first of two scheduled public hearings. The ordinance relates to Land Use Application Number 217, 25000323PLNG, marking a legislative amendment to the county code.

MOTION: Susan Hermreck moved to read by title only. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

Commissioner Barney read into the record the script for the first hearing of Ordinance 357, which amends Titles 1, 17, and 18 of the Crook County Code, declaring an emergency. The hearing aims to consider the Planning Commission's recommendation for code amendments. The full staff memo and amendments are available online or from the Planning Department. The Board may modify, uphold, or revise these recommendations, and a second hearing is scheduled for January 21, 2026. The de novo hearing follows standard legislative land use procedures, focusing on criteria from the Crook County Code, Comprehensive Plan, Oregon Administrative Rules, and Revised Statutes. Commissioner Barney conducted a check for ex parte communications and conflicts of interest, declaring none. The hearing procedure requires testimony and evidence to address applicable standards, with the record remaining open until the second hearing. Appeals are possible per ORS-197 and OAR661. Participants intending to testify must register their intent either in person or online, and all testimony must adhere to procedural requirements.

Community Development Director John Eisler provided a detailed review of proposed text amendments to the Crook County Code, aligning it with current State statutes and OAR rules. The amendments aim to improve compliance, offer clearer zoning ordinance criteria, allow for local flexibility, correct inaccuracies, and remove outdated

references. Key changes include updating ADU language, modifying exclusive farm use zones, adjusting planning commission roles, clarifying flood damage prevention, and enhancing definitions related to dwelling units. New provisions include allowing certain recreational uses, and refining manufactured dwelling standards. Language updates also replace "County Court" with "Board of County Commissioners," ensuring the code remains relevant and understandable.

Commissioner Hermreck questioned the removal of the requirement for a fire truck turnaround verification and notification to the fire and rescue district. Katie McDonald, Senior Planner, explained that the removal was due to redundant notifications causing confusion. Previously, applicants interacted with the fire department twice, which led to misunderstandings about the initial sign-off. The change consolidates the process to one point of contact after filing an application, simplifying coordination with the fire department. Susan acknowledged understanding the reasoning once Katie provided this context.

The discussion centered around proposed changes to the definition of a "dwelling unit" in the Crook County Code, focusing on clarifying ambiguous elements. The aim is to strike the prohibition on having more than one cooking facility to accommodate modern living preferences, like outdoor kitchens. A significant challenge identified is distinguishing between accessory structures and primary dwellings, especially with unauthorized conversions for habitation. The revised definition for "designed for occupancy" considers structures with comprehensive living facilities. The conversation also clarified the inclusion of kitchen elements and questioned the necessity of a dishwasher in defining a kitchen. The intent is to create clear standards while allowing flexibility, considering factors like public feedback and ongoing housing challenges.

Public Comment:

Julie Thompson inquired about the revised date for code updates and the definition of "reasonable space." John Eisler explained that code changes occur through ordinances, typically with a 90-day waiting period due to state statutes and appeal processes through the Land Use Board of Appeals (LUBA). Changes become effective afterwards, with no retroactive application. They are posted online with the ordinance date once updated in code publishing. Regarding "reasonable space," John noted that the term, like many in land use codes, remains undefined to avoid excessive code length. In case of disputes, the County Commissioners define such terms, and their definition carries deference if appealed, a complexity often utilized by attorneys due to its inherent ambiguity.

Mike Warren, speaking neutrally, expressed concern about potential legislative changes allowing more than one dwelling per parcel, requiring future code revision. He emphasized the need to consider this possibility while supporting current amendments due to compliance issues and public feedback. His comment aimed to ensure awareness of possible future impacts without opposing the current changes.

Brad Wilson expressed his opposition during the meeting, specifically addressing

concerns about Ordinance 357 and proposed amendments to sections 18.08.040, 18.08.110, and 17.12.060. He questioned the implications of defining independent living facilities and kitchens, arguing that stricter definitions could increase code violations and economic burdens on residents. Brad emphasized the unintended consequences of such regulatory decisions, drawing parallels with past issues like solar arrays lacking sufficient setbacks. He advocated for maintaining current standards, particularly concerning kitchen definitions, to support residents facing housing and economic challenges. Additionally, he criticized potential overreach in fire safety measures and urged the need for government decisions to respect property rights and freedoms. Brad called for more active communication with constituents to better educate them about proposed changes, asserting that words and decisions have significant impacts.

John Eisler responded to comments on proposed legislation for second dwellings, clarifying that the definitions being set provide a foundational framework and would not require changes if such legislation passes. These definitions help differentiate dwellings from accessory structures, supporting future changes without modification. He explained that all dwelling criteria need to be met for classification, and missing elements indicate an accessory structure. The changes aim to clarify state-granted property rights rather than infringe upon them.

Regarding ADUs, John discussed current restrictions to certain areas due to egress concerns, with plans in place to develop safe routes through the Transportation System Plan (TSP). He acknowledged the public's pressure for more housing and expressed support for expanded ADU use and potential legislative changes. He addressed fire safety concerns by explaining that fire sprinkler requirements are determined on a case-by-case basis by the subdivision review committee, which includes multiple county officials.

Compliance Officer Louis Seals highlighted that nearly half of the 2025 compliance cases involved unauthorized accessory structures lacking permits, raising significant fire and safety concerns. He emphasized that many structures were used unsafely, such as bedrooms without proper egress. John Eisler responded by stressing the need for clear definitions of dwellings versus accessory structures to prevent these issues. He supported allowing future conversions under controlled conditions, like periodic inspections, to ensure safety and compliance. Commissioners Hermreck and Commissioner Barney agreed on the importance of establishing clear, proactive regulations to prevent legal and financial issues for homeowners, emphasizing that the language used should prevent misconceptions about permitted uses. The discussion underscored the ongoing collaboration between county staff, officials, and the public to refine regulations as necessary, adapting to new challenges and community feedback.

John emphasized the need for clear definitions in housing regulations to ensure safety and compliance, highlighting efforts to address housing demands quickly while respecting public health and property rights. He encouraged public input and confirmed the Community Development Department's commitment to finding practical housing solutions aligned with state laws and community safety.

Manager Report

Details:

County Manager Will Van Vactor highlighted the opportunity for Crook County to appoint a commissioner to the legislative committee of the Association of Oregon Counties (AOC). Currently lacking a voting member, the county needs to act quickly to secure representation before the AOC board meets next week. Commissioner Hermreck expressed support for participating in this critical process, and following positive comments about her communication skills and dedication, she agreed to take on the role. The discussion clarified AOC's importance, mentioning affiliations with Eastern Oregon Counties and the National Association of Counties (NACO), emphasizing the significance of legislative coordination and lobbying efforts for initiatives like secure rural schools. A motion was required to make the appointment official.

MOTION: Brian Barney moved to appoint Commissioner Hermreck AOC legislative committee. Susan Hermreck seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

In addition to his closing remarks, County Manager Will Van Vactor reminded everyone about the upcoming series of public meetings. Mid-year presentations from all departments are scheduled for Monday and Tuesday mornings. Starting Wednesday afternoon, the board will engage in goal setting, which will influence the FY27 budget planning process. The meetings will wrap up Thursday afternoon with discussions between the Budget Committee and the board about guidelines and assumptions for the upcoming fiscal year. All sessions will take place at the Justice Center.

Commissioner Updates

Details:

Susan Hermreck clarified scheduling details, noting the AOC board meeting on Monday for confirming appointments to the legislative committee. She confirmed her roles as the Crook County Representative for the Central Oregon Intergovernmental Council (COIC), Central Oregon Health Council (COHC), and Central Oregon Area Commission on Transportation (COACT). She inquired about the need for a formal motion for reappointment, though these roles have typically been volunteer-based. She plans to attend meetings for COHC and COIC in Bend the following day. County Counsel Eric Blaine suggested that Commissioner Hermreck continue in her roles as the representative for COIC, COHC, and COACT until the Board of Commissioners decides otherwise. If a formal appointment becomes necessary, they can address it at that time.

Commissioner Hermreck also reported submitting Crook County's priority list to ODOT, highlighting the roundabout at Powell Butte per the Transportation System Plan (TSP).

This submission was well-received. She discussed the need to pressure senators to support delisting wolves after recent livestock attacks, including the holiday killing of a cow and similar incidents in California. She emphasized the value of such animals and advocated for state-controlled wolf management. She concluded her update with these points.

Brian Barney None

Public Comment

None

Executive Session

10. None scheduled.

MOTION: Susan Hermreck moved to Adjourn. Brian Barney seconded. No discussion. Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 2-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 10:26 AM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant

Crook County Board of County Commissioners Minutes of January 12, 2026, Special Session

Be It Remembered that the Crook County Board of County Commissioners met in a Special Session on January 12, 2026, at 8:15 AM in the Crook County Justice Center, Room 120, located at 260 NW 2nd Street, Prineville, Oregon 97754.

Special Session Agenda

Board Members Present: Seth Crawford, Susan Hermreck, Brian Barney

Board Members Absent:

Others Present in Person or Via Zoom: County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; County Counsel Eric Blaine; Administrative Division Manager Stephanie Wilson; Budget Manager Jamie Berger; Finance Director Christina Haron; Legal Assistant Alex Solterbeck; HR Director Meghan McKee; IT Director Blaine Cheney; Health and Human Services Director Katie Plumb; Erika Frickey; Facilities Director James Preuss; Undersheriff Bill Elliott; Fairgrounds Manager Casey Daly; Systems Engineer Chelsea Watson; District Attorney Kari Hathorn; Human Resources; Landfill Manager Jacquie Davis; Lieutenant Mitch Madden; Veteran Services Officer Tom Evans; Haley Morris; Jessica Barnes; Scott Tibbs; Steve Brown; Triangle; and members of the public.

The meeting was called to order at 08:15 AM.

Details:

County Manager Will Van Vactor opened the meeting and addressed the automatic appointment of Seth as the chair under Order 2024-13, following a temporary fill-in by Commissioner Barney. The meeting's primary focus was on mid-year presentations from various county departments, such as Administration, Juvenile Department, Sheriff's Office, among others. These presentations are critical for reviewing department progress, identifying challenges, and evaluating budget performance as the county prepares for FY27 planning. Will emphasized the importance of these presentations in setting up goal-setting discussions scheduled to start on Wednesday. The mid-year updates serve as a foundation for informed decision-making, ensuring that goals and budgets are grounded in real-time data from all areas of county government. As presentations unfold, board members are encouraged to consider how current goals align with realities and opportunities, and whether there are cross-departmental challenges or themes that require focus. Overall, these sessions are intended to enhance transparency and accountability by aligning resources, policies, and service expectations with the needs of county residents. The presentations intend to facilitate data-driven decisions crucial for the planning and budget cycles. Appreciation was extended to staff and coordinators for their efforts in preparing these updates. By thoroughly understanding and utilizing insights from these updates, the county can better align its strategic planning and resource allocation with its priorities and challenges.

Discussion

1. Mid-Year Department Presentations; Findings from Department Mid-Year Presentations & Summary of Goals and Progress, Goal-Setting and Long-Range Planning, and Discussion with Budget Committee on updated Goals and Assumptions for FY27 Budget Process

Details:

Administration & Board of Commissioners, Will Van Vactor provided the mid-year presentation and the focus for the Administration and Board of Commissioners revolved around progress and priorities for FY26, with an outlook to FY27. Key priorities included completing the core service description review to define and deliver outstanding services, contributing to the quality of life, and supporting key board of commissioner goals. Financial sustainability was highlighted as a priority, with a focus on aligning departmental needs with realistic long-term funding strategies to manage rising costs effectively. Long-range planning was also emphasized, incorporating communication and facilities planning to support transparency and stewardship of county resources. Achievements from the past year included implementing a new agenda building system to enhance efficiency and public engagement, supporting the Crook County College initiative, and participating in the AOC County College program. County Administration has been active in advocacy efforts for fair funding, notably during the 2025 legislative session. Ongoing projects involve developing a new county website and finalizing FY27 budget planning to improve sustainability. Upcoming tasks include adopting core service descriptions, updating public records request policies, and revising internal service fee structures. The focus for FY27 will shift towards the implementation of these projects to align with anticipated benefits and address challenges presented by population growth, rising costs, and service demands. The presentation concluded with a brief update on the admin budget, which is tracking well at 47% of expenditures, allowing staff to closely monitor trends as they plan for future fiscal years. Will invited questions from the board following the presentation.

Juvenile Services, Erika Frickey highlighted several key initiatives aimed at improving outcomes for youth in Crook County. A significant focus was on increasing diversion options to keep youth out of the formal court system, resulting in 82% of referrals managed through informal probation, surpassing the initial goal of 60%. Erika emphasized the importance of communication and collaboration with community partners, which have been crucial in reducing recidivism and keeping youth within the community. The department made strides in expanding diversion programs, purchasing the R1 curriculum for consistent skill-building, and increasing community service partnerships, enabling youth to gain valuable skills while contributing to the community. The restitution program allowed youth to pay victims through community service, significantly increasing compensation. Substance use remains a concern, and partnerships with Rimrock facilitated life skills groups to address this issue. The introduction of anger management and equine therapy programs, in collaboration with M3 Alliance, offered additional support. Monthly BestCare meetings improved

consistency in youth care, and a new process for automatic expunctions of misdemeanors was implemented to facilitate clean records for eligible youths. Erika highlighted ongoing projects, such as the implementation of R1 groups, regular meetings with DHS, and introduction of a mental health intern for crisis intervention. The transportation fleet is set for an upgrade to support essential youth transport needs. Challenges remain in securing adequate outside placement resources and addressing mental health crises. The fiscal aspect is significantly affected by these issues, as prolonged detention stays increase costs. Erika concluded by noting the importance of these initiatives and improvements in resource allocation to ensure effective and efficient service delivery for the community's youth.

In the discussion on Juvenile Services, Scott Tibbs sought clarification on statistics related to youth avoiding the court system and referral rates. Erika explained that the numbers represented individual youths counted by their most serious offenses, with a total of 73 youths involved. Steve Brown inquired about the sustainability of using the R1 curriculum and funding for the restitution program. Erika confirmed that the R1 curriculum is reusable without needing additional grants each year, while the restitution program depends on grant funding and may be included in the general fund if necessary. Erika assured that a new mental health intern would maintain services at no extra cost, thanks to a partnership with the M3 Alliance. Community service opportunities were highlighted, emphasizing partnerships that maintain youth confidentiality. Commissioner Hermreck praised the Juvenile Department's teamwork and advocated for local facilities like Canal House to prevent youth homelessness, stressing the need for consistent support and education for youth within the community. Challenges with external placements and maintaining youth education continuity were acknowledged. Erika noted that automatic expunctions are state-funded, while other fees might be waived based on individual circumstances. Scott Tibbs raised a query about community involvement in finding placement opportunities, to which Erika responded that this involves careful collaboration with formal agreements to ensure confidentiality. Overall, the discussion emphasized the importance of community partnerships, sustainable funding, and maintaining educational continuity to effectively support youth.

District Attorney, Kari Hathorn focused on key priorities and challenges in her mid-year presentation. Highlighting goals of increasing efficiency and managing a high turnover rate, she emphasized efforts to stabilize staffing and improve case handling. The office hired a new Deputy District Attorney, a Chief Deputy, and a District Attorney Investigator, enhancing their ability to manage cases more effectively. The implementation of a new hire checklist aimed to streamline onboarding and provide necessary resources quickly. Digital evidence management was a significant focus, with the adoption of Evidence.com to handle the rising volume of digital evidence and streamline storage costs through unlimited storage options. The office also dealt with challenges in billing and payment of discovery fees, advocating for legislative changes to address the financial burden on counties. Expungement processes remain labor-intensive, with increased demands due to expanded legislative requirements. Mental health and drug-related crimes pose ongoing challenges, exacerbated by limited

access to treatment facilities, contributing to rising caseloads and complicated case management. Budgetary updates included securing a \$50,000 child abuse grant, maximizing the justice reinvestment grant, and successfully obtaining full VOCA grant funding. Despite vacancies affecting budget expenditures, the use of grants helps offset costs. Overall, Kari expressed optimism about the progress made and the strategic direction despite ongoing challenges related to increased crime and resource allocation.

Sheriff's Department, Bill Elliott highlighted several critical priorities, focusing on maintaining staffing stability, managing public safety operations, and investing in ready-made equipment for long-term resilience. The department has successfully upfitted one of the patrol vehicles and installed mobile repeaters to enhance communication safety for officers in the field. In the jail, three new staff members were hired, and the department secured a two-year Criminal Justice Commission (CJC) MAT grant to aid in the Medical Assisted Treatment of inmates struggling with substance use disorders. Expanded in-house programming for low-level drug users is underway to help guide them into voluntary treatment programs. Emergency management saw significant advances with the updating of the Community Wildfire Protection Plan, Natural Hazard Mitigation Plan, and Emergency Operations Plan. These updates ensure the department's readiness for federal assistance if needed. Support staff transitioned warrant management to jail staff, aligning with state practices. The Axon camera program, a leading system for law enforcement, is being implemented to improve digital evidence management and reduce redaction workload. This move will simplify evidence handling and reduce manual efforts, thereby cutting costs and enhancing compliance with public records requests. Future initiatives include restoring patrol division supervision at the sergeant level, replacing outdated AEDs acquired from Delta Airlines, and enhancing less-lethal options with 40mm foam projectiles to improve response options. The department aims to expand its drone program with Avada drones for indoor operations, boosting officer safety. Filling vacancies remains a priority, with jail staffing targeted to reach teams of five to meet baseline needs. The enhancement of body camera availability for jail staff is planned to improve accountability and reduce liability. The department faces challenges with hiring delays, budget constraints, and staffing turnover. Patrol teams were occasionally reassigned to cover jail staffing shortfalls, impacting patrol capabilities. The department is addressing these by requesting increased FTEs to manage operations effectively across locations. In terms of performance metrics, the department saw a 4% increase in incident reports, a 33% reduction in arrests, and a decline in service calls by 5%, with a total of 15,840 calls handled in 2025. Justice Center foot traffic totaled 37,016 people for the year. The budget tracking shows expenditures at 45% for the Sheriff's office and 39% for PMP, reflecting careful financial management amid operational demands. Overall, the presentation detailed a strategic approach to enhancing public safety infrastructure and resource management, positioning the department to better address future challenges and community growth.

During the meeting, Scott Tibbs initiated a discussion on asset management, suggesting the potential benefits of a county-wide system to manage assets like fleet,

guns, and technology. He proposed that this could be coordinated through IT rather than individual departments. Will responded by indicating that the county is working on a policy management framework to create consistency across departments and expressed interest in exploring options in collaboration with the Sheriff's Office. Steve Brown followed up by asking about the potential to collaborate with neighboring jurisdictions, such as the City of Prineville, to streamline processes and leverage existing systems. Mitch Madden explained his evaluation of five asset management systems, emphasizing the need to consider the broader county's requirements. He noted that although many agencies rely on Excel, it is labor-intensive, and he is exploring cost-effective options like a \$3,000-per-year system already used by a city. The discussion underlined the importance of developing a comprehensive and cost-effective asset management strategy for the county, with an emphasis on collaboration and integration across departments.

Finance, Christina Haron highlighted key priorities for the finance department, focusing on ERP implementation and departmental training, marking it as a monumental task aided by IT. This initiative aligns with the department's goals of providing outstanding service, fostering a collaborative culture, ensuring financial sustainability, and improving communication. Additionally, the department is revising its monthly and quarterly reporting to enhance user experience and insight, and updating internal control policies to automate and simplify procedures, further supporting the county's safety and livability. Completed projects include a revamp of monthly budget reports, which received positive feedback for helping departments interpret their financial standing. The finance department also celebrated receiving the GFOA Distinguished Budget Award and updated the investment mix per county policy to optimize returns. In-progress initiatives include the phased ERP implementation with the core finance portion expected by late FY26 and the payroll portion by mid FY27, considering timing constraints. Reporting revamps are anticipated by mid-late FY26, while the FY25 audit, delayed due to single audit requirements, is projected for completion by January's end. Future compliance with new Governmental and County Standards procedures is also underway. Future plans entail conducting cash flow and revenue analysis for departments facing revenue uncertainties and expenditure increases, with a focus on efficiency and new revenue opportunities. New governmental accounting standards requiring changes in financial statements will also be implemented. Challenges faced include staffing shortages, budget constraints, and the need to produce machine-readable financial statements (XBRL), aligning with public entity standards. Despite this, the department's budget is on track, with 46% of expected revenue and 45% of expenditures achieved, including ERP costs. In summary, the department is striving to modernize its systems, improve reporting, and adapt to regulatory changes, while exploring ways to enhance efficiency and revenue generation amidst staffing and budget challenges.

During discussions about the Finance presentation, Steve Brown inquired about the implementation of the ERP system and the challenges of running dual systems. Christina Haron explained that there will be a three-month overlap of the old and new systems to ensure correct posting and allow for debugging, with no additional costs due

to vendor agreements. Training for other departments on the ERP system is set for FY27 with a focus on minimizing learning curves through user-friendly features and customizable reports using the Cognos system. The system offers around 140 built-in reports, with options for further customization to meet specific department needs. Commissioner Hermreck asked about property tax collection, and Christina Haron confirmed that it is on track with typical expectations through the year-end.

County Counsel, Eric Blaine highlighted the reactive nature of the county legal office, adapting to legal changes and emerging projects. Despite this reactive stance, the team strives for proactive project management. Recent accomplishments include finalizing labor bargaining for the road department union and completing public contracting training, aimed at helping departments navigate procurement efficiently. The Sheriff's Office towing rotation program and updates to real property tax foreclosure sales processes were other notable achievements. Ongoing tasks involve continuous file review for active projects and notable contracts, like the community mental health program and furniture transfer agreements. Future goals include adopting a unified project ticketing system for better efficiency, updating identity theft prevention processes, and conducting training for staff on using Word's track changes feature. Challenges such as a staff vacancy and difficulties finding third-party firms for projects are being managed by distributing work externally. Blaine also foresees upcoming legal inquiries related to election law and public meeting disputes, necessitating increased preparation. He concluded with a budget outlook, emphasizing frugality and expecting to double the expenditure by the fiscal year's end.

Steve Brown inquired about the review of a solar project decommissioning plan and a long-term rental agreement for the fairgrounds. Eric Blaine explained that the rental agreement relates to the Crooked River Roundup Rodeo and Horse Races. Crafting a satisfactory multi-year agreement may require considerable staff effort. The decommissioning plan is a county requirement for solar projects to ensure site remediation at the end of a project. The county prefers a bond for security to cover cleanup costs if a company fails, necessitating negotiation over terms with solar developers, consuming significant staff time. Scott Tibbs asked about public meeting disputes, and Eric described a law allowing complaints without proof of harm, triggering responses filed with the Oregon Government Ethics Commission. This change, from 2019, has led to a surge in complaints, requiring fast response times. This has affected how Crook County and other local bodies conduct public meetings, particularly impacting volunteer committees. These issues demand ongoing adaptability and resource allocation from the legal office.

Human Resource, Meghan McKee detailed the ongoing implementation of the new HRIS system, transitioning from paper to electronic timecards. Payroll will integrate with the system to enhance reporting. A new training schedule now begins each January, addressing low participation rates. Additional onboarding trainings are introduced, and the employee handbook is being rewritten for consistency and review by multiple stakeholders. An exit interview process has been established, and job descriptions are being centralized in the HRIS system for consistency in recruitment. Proposed changes

to job descriptions undergo review to ensure no impact on salaries unless necessary. The HRIS system features a self-service portal for employee access to personal and professional details, with benefits enrollment moving online. Full HRIS integration is expected to take another year, with ongoing consultation support ending soon. A streamlined performance review module is being developed for meaningful feedback and goal alignment. Budget constraints impact recruitment and retention, aligning with industry standards. With one HR position cut, the team focuses on supporting leadership training across departments within the available budget.

Commissioner Hermreck acknowledged the challenges Meghan McKee has faced in HR and encouraged her continued progress. Meghan expressed her enjoyment of the challenge. Steve Brown questioned the transition of HRIS system management to Meghan following the consultant's contract expiration. Meghan, supported by her team, felt confident despite added responsibilities, acknowledging the need for consultant support if overwhelmed. She addressed the potential impacts of removing an FTE, stating she would request reinstatement if necessary. The HRIS system now facilitates recruitment through governmentjobs.com and streamlines processes like offer letters and onboarding, which should free up time and maintain service levels.

Information Technology, Blaine Cheney outlined priorities for aligning IT services with Crook County's core objectives. Key projects include the Civic Plus Agenda Builder, website migration for an enhanced look, and transitioning from the PATS to PSO system for property management. Network redundancy and landfill network enhancements are underway, alongside evaluating direct internet access strategies. Completed initiatives featured AI chatbots for internal use, fiber mapping, network monitoring, and antivirus upgrades, achieving cost savings. Off-site disaster recovery services were also implemented to enhance data security. Upcoming tasks involve launching the website migration, implementing role-based access control, and upgrading landfill network equipment. Future plans include integrating water utilities data with spatial databases and updating public meetings recordings. Challenges include managing growing service desk needs and balancing AI and hardware requirements, with potential contract support needed for data center relocation. Staffing adjustments may involve adding roles to support IT functions. Current budgets reflect resource realignment to meet service needs effectively.

Steve Brown inquired about the Eagle View flyover update's scope. Blaine Cheney confirmed it would focus on county areas without federal agency involvement. Steve also raised questions about the county's PCI compliance status. Blaine explained that the IT and finance departments are evaluating credit card data security and the use of merchant and terminal IDs. Currently, there is no Report on Compliance (ROC) for PCI. Christina Haron elaborated that the county primarily uses Point and Pay for credit card processing, handling PCI compliance unless data is stored or payments are taken over the phone. However, the county has begun identifying the use of other payment processors like Square, Stripe, and ValPay, particularly in specialized areas like the landfill, and is working to define the full compliance scope.

Facilities, James Preuss focused on a comprehensive assessment of county-owned buildings and the implementation of preventative maintenance strategies. Key achievements included developing emergency evacuation plans, replacing unsafe sidewalks, and upgrading the camera systems at the jail. Significant improvements were made with LED lighting for energy efficiency and the installation of heat strips for snow removal. The department also established service vendors for ongoing operations and maintenance. A notable upgrade was the work order system, allowing mobile access and asset tagging for better efficiency. Future plans involve replacing the roof and HVAC system at the Finance building and developing training programs for facility staff. Challenges include maintaining aging buildings and managing staffing as a retirement approaches. Current expenditures are at 45%, reflecting careful budget management. Planning for the next fiscal year includes addressing ADA compliance, upgrading access control, and prioritizing building renovations with comprehensive cost estimates.

Veteran Services, Katie Plumb focused on increasing access and outreach effectiveness. The hiring of a new veteran services officer significantly doubled appointment availability, reducing wait times. The department met and exceeded its target for processed claims, reaching 430 by December, with a goal of 750 for the fiscal year. Efforts to expand reach included attending more community events and exploring staggered shifts to accommodate working veterans. The department noted an increase in complex claims from outside the county, highlighting the office's skill level. Katie emphasized the need to advocate for support within veterans' local jurisdictions to reduce travel burdens. A detailed analysis of office time management showed that the administrative assistant handled 50% of communications, increasing overall efficiency. However, budget constraints threaten this position's future. Staffing costs constitute the majority of the budget, and underspending was attributed to delays in onboarding the new officer. Katie underscored the importance of ensuring staff operate at the top of their certification level, focusing on complex case management and care coordination. The department is looking for creative ways to maintain capacity and improve outreach and service delivery within budget limitations.

Scott Tibbs noted the department's success and inquired about the impact of serving veterans from outside Crook County on budget allocations. Katie Plumb explained that while some veterans remain linked to their original veteran service officer, others are transitioned to Crook County without additional state funding. The department is vigilant about maintaining service quality and sustainability, given the high acuity of cases they manage, while actively seeking additional funding and advocating for veterans' care across jurisdictions. Commissioner Hermreck shared that he raised awareness of this issue with neighboring commissioners without complaint, emphasizing that cooperative efforts exist to ensure veterans receive the necessary support. Communication improvements are needed as referrals often come from various agencies across Central Oregon, leading to overlaps and misdirection. Both emphasized the importance of coordination and collaboration to address these complexities effectively.

Health and Human Services, Katie Plumb highlighted strategic goals such as staff retention, financial stability, and community engagement. The department continues to identify new funding sources, maximizing existing funds, and enhancing accessibility to public health services. Community engagement is vital, as many services are sought voluntarily by residents, and the department strives to meet both state and federal requirements while staying rooted in local needs. Staff participation in community meetings ensures stronger relationships and effective collaboration. A performance management system is being developed for regular feedback, moving beyond annual evaluations to monthly touchpoints, supported by a committed leadership team. Cross training is essential to manage workloads, especially during staff absences, ensuring roles like communicable disease response are covered. Communication improvements have been supported by a contractor handling media relations, allowing for focused messaging during times of increased public interest. The department faces staffing challenges due to specialized requirements and market competitiveness, yet it is creating pathways for career growth within the organization by recruiting based on attitude and training in necessary skills. Budgeting has remained stable despite initial uncertainties, with underspending largely due to staffing vacancies. Katie emphasized commitment to promoting staff growth and providing regular feedback to foster a robust team. The update on core services included maintaining clinical and family health service capacities, particularly through RN licensing and innovative staffing arrangements such as per diem work.

Commissioner Hermreck commented on the importance of community outreach, referencing a recent meeting on food insecurity involving various community stakeholders like churches and the library. Rita, who runs the WIC program under Katie Plumb's leadership, provided valuable insights into the needs and funding constraints of the program. This collaborative brainstorming aims to support mothers beyond the WIC program's duration, emphasizing the importance of maintaining strong community relationships. Commissioner Hermreck praised Katie for facilitating these connections, noting that such teamwork helps mitigate service gaps and directly benefits families.

County Manager Will Van Vactor concluded the meeting by thanking all department heads for their presentations. He reminded attendees of the following day's presentations, which would cover topics from the fairgrounds, community development, road department, museum, library, assessment clerk, weed control, airport, and landfill. The meeting will reconvene at 8:15 a.m. in the same location. He expressed gratitude to the board and all participants for their attendance.

MOTION: Seth Crawford moved to Adjourn. Brian Barney seconded. No discussion. Seth Crawford votes Aye, Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 3-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 11:18 AM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant

DRAFT

Crook County Board of County Commissioners Minutes of January 14, 2026, Work Session

Be It Remembered that the Crook County Board of County Commissioners met in a Work Session on January 14, 2026, at 9:00 AM in the Administration Conference Room, located at 203 NE Court Street, Prineville, Oregon 97754.

Work Session Agenda

Board Members Present: Seth Crawford, Susan Hermreck, Brian Barney

Board Members Absent:

Others Present in Person or Via Zoom: County Counsel Eric Blaine; County Manager Will Van Vactor; Executive Assistant Breyanna Cupp; Finance Director Christina Haron; Legal Assistant Alex Solterbeck; Librarian Kim Bales; HR Director Meghan McKee; Road Superintendent Brad Haynes; IT Director Blaine Cheney; Assessor Jon Soliz; Assessment Technician Elsie Ray; Undersheriff Bill Elliott; Melissa Thompson, Chief Behavioral Health Officer for BestCare Treatment Services; Angela Cumming, Program Director BestCare Crook County CMHP; Human Resources; Mike Ervin; and members of the public.

The meeting was called to order at 09:00 AM.

Public Comment

None

Discussion

1. Update on Current Contract Negotiations with PSCS

Requester:

Melissa Thompson, Chief Behavioral Health Officer for BestCare Treatment Services

Details:

Melissa Thompson, Chief Behavioral Health Officer for Best Care, outlined significant challenges during her presentation to the board. During the discussion, Commissioner Hermreck inquired about the on-the-ground implications for Crook County, specifically questioning the number of individuals in the Assertive Community Treatment (ACT) program. Melissa explained that vital programs like ACT and Wraparound services for multi-system-involved children face potential risks due to funding cuts. Ongoing contract negotiations with Pacific Source for the Community Mental Health Program (CMHP) propose a substantial 17% funding decrease, or approximately \$500,000 less. Seth Crawford asked about the 3% difference between Crook and Jefferson counties, highlighting that Jefferson experienced a 14% cut, while Crook County's cut is at 17%. Melissa clarified that Crook County would need to address this 17% shortfall. If

negotiations do not result in increased funding, Best Care will be out of compliance in providing necessary services. The funding cuts include a 60% reduction in fee-for-service rates and decreases in per-member-per-month (PMPM) payments, mirroring similar reductions in other regions. Initial counter proposals concerning rate cuts were swiftly rejected, and subsequent proposals on PMPM adjustments are awaiting a response.

Melissa emphasized the urgent need to bridge the anticipated 18-month gap before possible Certified Community Behavioral Health Programs (CCBHC) funding can be implemented, as Crook County applies for such funding. She highlighted the negotiation challenges, including the limited understanding from new negotiators and the shift to email communications, complicating discussions. State-wide equity language from Pacific Source fails to address specific needs in Crook County, exacerbating the issue.

Melissa recommended engaging the Central Oregon Health Council to apply pressure and support negotiations. Drafting letters to key stakeholders, such as Pacific Source and the Health Council, to outline community impacts and funding requirements is crucial. Continued strategic discussions and advocacy are vital to secure necessary funding, maintain compliance, and meet community needs.

2. Treasurer's Report for December 2025

Requester:

Christina Haron, Finance Director

Details:

Finance Director Christina Haron presented the Treasurer's report for December. She noted that the current bank balance is approximately \$600,000, reflecting seasonal spending patterns rather than increased revenue, with typically low spending during this time of year. Funds are well-allocated across various accounts, and there are no cash flow concerns at present. Recent investments were made using reserve funds from tax revenue to optimize returns amidst changing interest rates. However, the Local Government Investment Pool (LGIP) rates have decreased from 4.25% to 4.1%. The investment strategy aims to take advantage of previously higher rates, highlighting the importance of strategic financial management in maintaining the county's fiscal health.

3. Update to Library Service Hours

Requester:

Kim Bales, Librarian Team Lead

Details:

Librarian Team Lead Kim Bales discussed changes to operating hours with the commissioners. She highlighted the positive reception of the 8 to 9 AM self-service hours, valued by early risers for book and computer access. Enhanced safety measures, such as doorbells and extra security cameras, have been successfully implemented. On Saturdays, following a trial of reduced hours, Kim proposed extending open hours due to late morning patron traffic. The new schedule would maintain 8 to 10

AM self-service and provide full service from 10 AM to 4 PM, accommodating both early visitors and families arriving later. Commissioner Seth Crawford expressed a desire for consistency, avoiding back-and-forth changes. Kim agreed, confirming that this would be the standard schedule. Staffing levels would remain sufficient with at least two staff present at all times. The commissioners agreed to the proposed changes through consensus without requiring a formal motion, recognizing the benefit to the community.

4. Acceptance of Ready to Read Grant Funds

Requester:

Kim Bales, Librarian Team Lead

Details:

Librarian Team Lead Kim Bales announced that the library received the 2026 Ready to Read Grant from the State Library of Oregon. The grant, amounting to \$9,888, supports early literacy and the summer reading program. Although slightly less than the expected \$10,300, the funding is considered substantial compared to amounts received by other counties. The commissioners discussed formal acceptance of the grant. A motion to accept the grant was suggested but will be replaced on next week's consent agenda. There are no immediate deadlines, as the funds can be used from January 1 to December 31. The board expressed appreciation for the grant's impact on library programs.

5. Amendment Service Contract with City of Prineville

Requester:

Jacquie Davis, Landfill Director

Details:

County Manager Will Van Vactor discussed a proposed amendment to the wastewater disposal agreement with the City of Prineville. This amendment extends the current agreement for another year, ensuring continued disposal of septic material from the county landfill. The existing contract was either set to expire or had just expired.

The City Council signed the amendment at their recent meeting, and a signed copy is included in the packet. County review raised no concerns about the amendment, as it simply extends the duration without substantive changes. Will recommended signing the amendment immediately to ensure the agreement is in place without disruption to septic disposal services.

MOTION: Susan Hermreck moved to accept resolution number 1635, which approves an amendment to wastewater disposal with Crook County and City of Prineville. Brian Barney seconded. No discussion. Seth Crawford votes Aye, Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 3-0.

Manager Report

Details:

County Manager Will Van Vactor expressed gratitude to the board for their participation in recent presentations. For public awareness, he noted that goal-setting sessions continue that afternoon. A meeting with the Budget Committee is scheduled to discuss budget assumptions, emphasizing appreciation for everyone's effort in preparing for a solid budget planning process. He also thanked Christina and Jamie for their support in keeping operations on track.

Commissioner Updates

Details:

Seth Crawford provided an update regarding his upcoming trip to Washington, D.C. in February, along with Susan. Due to this trip, he suggested canceling the work session scheduled for February 25th. He emphasized the effectiveness of these trips in advancing initiatives such as Secure Rural Schools, Juniper Canyon Road legislation, and efforts to delist wolves. Meetings with Senators Wyden and Merkley are planned, and he mentioned the opportunity to be part of a group visiting the White House, possibly meeting President Trump.

Susan Hermerck provided an update on travel plans. Next Thursday, she, along with Seth and possibly Brian, will attend the Eastern Oregon Legislative Conference in LaGrande. They will depart in the morning as the conference begins at noon, making them unavailable that day. The conference, held at a local college, involves Eastern Oregon's legislators and representatives, including figures like Vicki and Todd Nash. The aim is to engage with lawmakers ahead of the upcoming short legislative session, despite uncertain outcomes.

Brian Barney None

Executive Session

6. None scheduled.

MOTION: Susan Hermreck moved to Adjourn. Brian Barney seconded. No discussion. Seth Crawford votes Aye, Susan Hermreck votes Aye, Brian Barney votes Aye. Motion Passed 3-0.

There being no further business before the Board of Commissioners, the meeting was **adjourned at 09:39 AM.**

Respectfully submitted,

Breyanna Cupp, Executive Assistant



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:

Order 2026-02 Acceptance of Ready to Read Grant Funds

Background and Policy Implications:

County staff submitted an application to the Oregon State Library for grant funding to support implementation of the Ready to Read program. The Ready to Read program is designed to encourage and promote reading and literacy among school-aged children, with the goal of improving educational outcomes. In response to the County's application, the Oregon State Library awarded grant funds in the amount of \$9,888.00.

Budget/Fiscal Impacts:

There is no impact on the County's General Fund. The Ready to Read grant provides \$9,888.00 in restricted funding from the Oregon State Library to support literacy programming for school-aged children.

Requester:

Kim Bales, Librarian Team Lead

Legal Review (only if requested):

Legal has reviewed and prepared the Order for acceptance

Elected official sponsor (if applicable):



Oregon

Tina Kotek, Governor



**State Library
of Oregon**
**Library Support and
Development
Services**

250 Winter St. NE

Salem, OR 97301

Phone: 503-378-2525

librarysupport@slo.oregon.gov

www.oregon.gov/library/libraries

December 13, 2025

Dear Library Directors,

Enclosed is your 2026 Ready to Read check. In 2026, Oregon public libraries will receive a total of \$812,836 from state general funds through the Ready to Read grant program. We appreciate all your work to meet the needs of kids and families in your communities through this grant program.

Key Points:

- 2026 Ready to Read funds must be spent anytime between January 1-December 31, 2026.
- This money must be spent on early literacy activities for children 0-6 years old and/or summer reading programs for youth 0-14 years old.
- Minor changes to your plans for these grant funds are reasonable. If you find major changes are necessary and need to spend 10% or more of your grant differently, please contact Greta.
- If you have had staff transitions and need access to your online account, please contact Greta.

Key 2026 Dates:

- July 1, 2026: Ready to Read 2027 Applications Available Online
- August 31, 2026: Ready to Read 2027 Applications Due Online
- December 1, 2026: Ready to Read 2026 Reports Due
- December 31, 2026: All 2026 grant funds must be spent.

Thank you for your patience, thoughtfulness, and time towards this project. Please don't hesitate to reach out with questions, ideas, or suggestions for this program.

Sincerely,

Greta Bergquist, Youth Services Consultant

971-375-3549

greta.bergquist@slo.oregon.gov

Ready to Read Grant Amounts 2026 (FINAL)

State Library of Oregon

Note: A library's service population and square mileage may not match what's used in the annual Public Library Statistics if the library is in a federated service or district (e.g. CCRLS, UCSLD, etc.).

Library	County	Population	Children	Sq. miles	Grant
Baker County Library District	Baker	16,746	2,484	3,088.3	\$8,607
Corvallis-Benton County Public Library	Benton	88,236	9,595	674.6	\$11,160
Canby Public Library	Clackamas	25,462	4,000	60.0	\$4,245
Clackamas County Library	Clackamas	31,871	5,007	7.0	\$5,170
Estacada Public Library	Clackamas	19,880	3,123	773.2	\$4,741
Gladstone Public Library	Clackamas	21,543	3,384	5.0	\$3,508
Happy Valley Public Library	Clackamas	62,066	9,750	38.0	\$10,076
Lake Oswego Public Library	Clackamas	45,502	7,093	15.1	\$7,317
Ledding Library	Clackamas	41,659	6,544	12.0	\$6,750
Molalla Public Library	Clackamas	25,497	4,005	404.1	\$4,922
Oregon City Public Library	Clackamas	61,065	9,593	110.0	\$10,056
Sandy Public Library	Clackamas	33,928	5,330	394.1	\$6,255
West Linn Public Library	Clackamas	29,742	4,672	18.0	\$4,850
Wilsonville Public Library	Clackamas	29,797	4,700	45.0	\$4,930
Astoria Public Library	Clatsop	10,131	1,326	10.2	\$1,415
Seaside Public Library	Clatsop	25,208	3,298	1,056.4	\$5,473
Warrenton Community Library	Clatsop	6,446	843	17.8	\$1,000
Clatskanie Library District	Columbia	6,302	963	118.0	\$1,255
Rainier City Library	Columbia	1,939	296	5.1	\$1,000
Scappoose Public Library	Columbia	12,667	1,935	46.0	\$2,108
St. Helens Public Library	Columbia	14,492	2,214	5.8	\$2,314
Vernonia Public Library	Columbia	2,433	372	1.7	\$1,000
Bandon Public Library	Coos	3,592	468	3.2	\$1,000
Coos Bay Public Library	Coos	16,093	2,097	16.1	\$2,215
Coos County Library Service District	Coos	25,039	3,263	1,531.8	\$6,365
Coquille Public Library	Coos	4,018	524	2.7	\$1,000
Dora Public Library	Coos	966	126	243.0	\$1,000
Flora M. Laird Memorial Library	Coos	2,490	324	1.6	\$1,000
Hazel M. Lewis Library	Coos	717	93	0.7	\$1,000
Lakeside Public Library	Coos	1,921	250	2.2	\$1,000
North Bend Public Library	Coos	10,434	1,360	5.1	\$1,440
Crook County Library	Crook	26,366	3,931	2,987.3	\$9,888
Agness Community Library District	Curry	150	16	324.0	\$1,000
Chetco Community Public Library	Curry	14,668	1,514	413.0	\$2,394
Curry Public Library District	Curry	5,133	530	237.0	\$1,045
Langlois Library District	Curry	753	78	136.0	\$1,000
Port Orford Public Library	Curry	2,527	261	148.0	\$1,000
Deschutes Public Library District	Deschutes	208,612	30,235	3,054.8	\$36,891

TO SIGN UP FOR DIRECT DEPOSIT PAYMENT SERVICE AND RECEIVE CONVENIENT, ELECTRONIC PAYMENTS, LOG IN TO [HTTPS://WWW.OREGON.GOV/DAS/FINANCIAL/ACCTGSYS/PAGES/INDEX.ASPX](https://www.oregon.gov/das/financial/acctgsys/pages/index.aspx) ON THE INTERNET. CLICK ON ACH- VENDOR/DIRECT DEPOSIT. THEN SELECT DIRECT DEPOSIT ENROLLMENT FORM.

(971) 900-9753

FOLD ON PERFORATION LINE BELOW BEFORE DETACHING.

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IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

**IN THE MATTER OF ACCEPTING A
GRANT OF \$9,888.00 FROM THE
OREGON STATE LIBRARY FOR THE
READY TO READ PROGRAM**

ORDER 2026-02

WHEREAS, County staff submitted an application for the Oregon State Library for grant funds to implement the Ready to Read program; and

WHEREAS, the Ready to Read program is meant to encourage and promote school-aged reading and literacy as a means of improving education outcomes; and

WHEREAS, the Oregon State Library awarded a grant of \$9,888.00 in response to the County's application.

NOW, THEREFORE, the Crook County Board of Commissioners adopts the recitals above, and **ORDERS** and **DIRECTS**, based upon the above recitals, that the County accept the grant funds and directs staff to implement the Ready to Read program in accordance with the submitted application.

DATED this 21st day of January 2026.

CROOK COUNTY BOARD OF
COMMISSIONERS

Brian Barney, Commissioner

Susan Hermreck, Commissioner

Seth Crawford, Commissioner



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:

Swear in of Corrections Deputies Jeffrey Richards and Kyle McGrath

Background and Policy Implications:

Swear in of Corrections Deputies Jeffrey Richards and Kyle McGrath

Budget/Fiscal Impacts:

Requester:

Stephanie Wilson, Administrative Division Manager

Presenter(s):

John Gautney, Sheriff

Legal Review (only if requested):

Elected official sponsor (if applicable):



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:
Sheriff's Office Yearly Update

Background and Policy Implications:
Briefly provide the background of the item and the policy implications.

Budget/Fiscal Impacts:
Please note what the budget and fiscal impacts of the item are, e.g., provide the budgeted amount for the item and the actual cost. Explain any potential budget adjustments, if the actual cost is greater than budget.

Requester:
Bill Elliott, Undersheriff

Presenter(s):
Bill Elliott, Undersheriff

Legal Review (only if requested):

Elected official sponsor (if applicable):

2025 Yearend Comp Stats

Call type	2025	2024	Number Change	Percent
Person Crimes	321	322	-1	-0.31%
Property Crimes	304	366	-62	-20.39%
Community Crimes/problems	1548	1422	126	8.14%
Sex Crimes	151	111	40	26.49%
Mental Health (POH)	39	40	-1	-2.56%
Totals	2363	2261	102	4.32%
Arrests for the Sheriff's Office	2025	2024	Number Change	Percent
Adult Felony Arrests	73	101	-28	-38.36%
Adult Misdemeanor Arrests	235	314	-79	-33.62%
Juvenile Felony Arrests	3	2	1	50.00%
Juvenile Misdemeanor Arrests	9	3	6	200.00%
All Other Arrests	8	17	-9	-53.00%
Totals	328	437	-109	-33.23%
Jail Stats	2025	2024	Number Change	Percent
Total Bookings	1088	1145	-57	-5.24%
Male	861	870	-9	-1.05%
Female	227	273	-46	-20.26%
DUII	225	212	13	5.78%
Assault	243	187	56	23.05%
Fail to Report as Sex Offender	12	17	-5	-41.67%
Jail Use of Force	36	37	-1	-2.78%
Suicide Attempts	1	4	-3	-300.00%
Suicide Watches	21	26	-5	-23.81%
Totals	1088	1145	-57	-5.24%
Calls For Service (CFS)	2025	2024	Number Change	Percent
Total CFS	15840	16764	-924	-5.83%
Self Initiated CFS	7259	8088	-829	-11.42%
Cases/Reports written	1163	1295	-132	-11.35%
Justice Center Stats	2025	2024	Number Change	Percent
People Scanned	37016	N/A	N/A	N/A
Knives	815	N/A	N/A	N/A
Pepper Spray	37	N/A	N/A	N/A
Taser	3	N/A	N/A	N/A
Gun	8	N/A	N/A	N/A
Flagged Security Cases	81	N/A	N/A	N/A
Incident Additional Deputy	94	N/A	N/A	N/A
Totals	37016	N/A	N/A	N/A

Call type = RMS-323 Monthly stats report

CFS = RMS-328 CAD Stat Report by Date Range

Case = RMS 152 Case number summary report



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:

Chamber of Commerce Quarterly Report

Background and Policy Implications:

Update to our community partners from Prineville Crook County Chamber of Commerce/Explore Prineville.

Budget/Fiscal Impacts:

Requester:

Deb Shaw, Director of Commerce & Tourism
Andrea Weaver, Tourism Development Specialist

Legal Review (only if requested):

Elected official sponsor (if applicable):

*Your First Choice for Living, Work,
Learning, and Play!!*

PRINEVILLE CROOK COUNTY CHAMBER OF COMMERCE



CONTENTS

- Who we are
- What we do
- Statistics
- What's New



Chamber STAFF

The Chamber is a nonprofit (501(c)(6)) organization made up of businesses, organizations, and individuals working together to strengthen our community. Guided by a volunteer board of directors, the Chamber supports local businesses, operates the Prineville Visitors Center, and serves as the community's Destination Marketing Organization (DMO).



DEB

DIRECTOR OF COMMERCE & TOURSIM



KELSEA

COMMUNITY RELATIONS COORDINATOR



SHERI

ADMINISTRATIVE & OPERATIONS SPECIALIST



Tourism is a division of the Chamber with an emphasis on growing recreational opportunities and events that benefit tourism and our local economy.



ANDREA

TOURISM DEVELOPMENT SPECIALIST

Our BOARD of Directors

The team that helps guide the chamber towards meeting goals that benefit our community.



John Hite | President
Hite Co & Coldwell Banker



Ali Heller | Treasurer
The Mailbox Store



Dave Fields | Secretary
US Forest Service



Brian Carmack | Board Member
Eastside Church



Janay Shores | Board Member
Click Boutique



Brooke Smith | Brooke Smith
Prineville Athletic Club



Les Williamson | Board Member
Planning Commission



Natalie Spry | Board Member
Mid Oregon Credit Union

Your CHAMBER 2026 VISION

VISION: TO BE A FINANCIALLY STRONG AND STABLE ORGANIZATION THAT IS THE FIRST CHOICE FOR LIVING, WORK LEARNING, AND PLAY IN CROOK COUNTY. WE WILL ACHIEVE THIS BY ENSURING SUFFICIENT LODGING, MEETING STAFFING NEEDS, AND FOCUSING ON AUTOMATION TO IMPROVE EFFICIENCY AND STREAMLINE OUR PROCESSES.



Our EVENTS

- CHAMBER PERKS EVERY FRIDAY
- RIBBON CUTTINGS
- AFTER HOURS EVENTS
- PROFESSIONAL BUSINESS & NON-PROFIT SOCIAL MEDIA TRAININGS
- ANNUAL MEMBERSHIP AWARDS BANQUET
- CANDY CRAWL
- SMALL BUSINESS SATURDAY
- BREAKFAST WITH SANTA - SERVING OVER 160 COMMUNITY MEMBERS, YEAR ONE
- LIGHTED CHRISTMAS PARADE
- STAMPEDE STREET PARTY
- ANNUAL GOLF TOURNAMENT



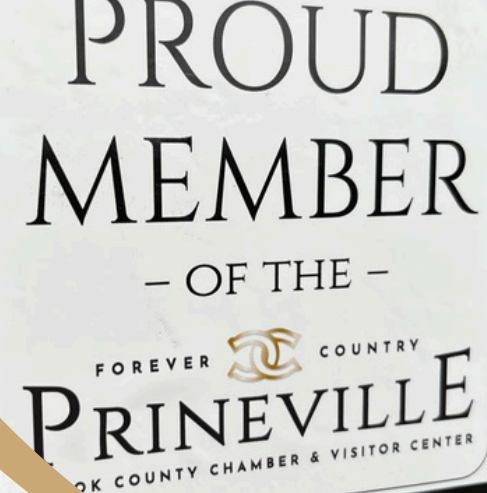
Our MEMBERSHIP

- 300 Total Members



Our **MEMBER BENEFITS**

- WEBSITE AND PRINT DIRECTORY LISTINGS
- MEMBER TO MEMBER NETWORKING
- HOST OF PERKS OR AFTER HOURS EVENTS
- GRAND OPENING, REOPENING AND RIBBON CUTTING EVENTS
- ACCESS TO BULK MAILING RATES, STAMP, MAILING LIST
- ADVERTISING IN MEMBERS ONLY NEWSLETTER
- SOCIAL MEDIA SHARING OF YOUR BUSINESS INFORMATION
THREE TIMES MONTHLY
- EVENT SHARING ACROSS SOCIAL MEDIA PLATFORMS
- POSTING TO PRINEVILLE JOB LISTING SITE
- ACCESS TO CHAMBER HEALTH INSURANCE PLANS
- CHAMBER COMMITTEE INVOLVEMENT OPPORTUNITIES
- ENROLLMENT IN OUR SHOP PRINEVILLE EGIFT CARD PROGRAM
- FLYER, BROCHURE AND FLYER PRINTING DISCOUNTS
- REFERRALS TO MEMBERS AND THE PUBLIC
- ADVERTISING ON LED SIGN AND CHAMBER TV
- SPONSORSHIP OPPORTUNITIES



Business ASSISTANCE

- GRANT SEEKING AND ASSISTANCE
- MARKETING AND SOCIAL MEDIA ASSISTANCE
- PARTNERING WITH LOCAL BUSINESSES, ORGANIZATIONS, AND ENTITIES ON PROJECTS
- META SOCIAL MEDIA BUSINESS WORKSHOP
- CAPITAL GRANTS PROGRAM 2026: BUSINESS BEAUTIFICATION, MARKETING WITH EDUCATION, COMMUNITY PROJECTS; APPLICATION TO DISTRIBUTED TO OUR MEMBER BUSINESSES IN FIRST QUARTER 2026



Marketing & **MEDIA**

- **CENTRAL OREGON VISITORS GUIDE**
- **1859 MAGAZINE**
- **CASCADE BUSINESS NEWS**
- **PAID INFLUENCER CAMPAIGNS**
- **RADIO AND NEWSPAPER MARKETING FOR EVENTS**
- **LOCAL LARGE EVENT ADVERTISING**



Explore PRINEVILLE

DMO: A DESTINATION MANAGEMENT ORGANIZATION PROMOTES AND DRIVES A COMMUNITY'S ECONOMIC DEVELOPMENT BY INCREASING TRAVEL AND TOURISM IN THE REGION.

WE MARKET CROOK COUNTY AS A RURAL, SMALL-TOWN RICH IN HISTORY AND CULTURE, WHILE ALSO SHOWCASING THE AREA'S OUTSTANDING RECREATION, RETAIL, RESTAURANTS, AND THE ABUNDANCE OF DISTINCTIVE LOCAL ACTIVITIES AND EVENTS. OUR ORGANIZATION IS DEDICATED TO PROMOTING THE PRINEVILLE-CROOK COUNTY COMMUNITY AS AN ATTRACTIVE TRAVEL DESTINATION, WORKING TO DRAW NEW VISITORS, BUSINESSES, AND CUSTOMERS TO THE AREA



Explore PRINEVILLE

GROWING OUR REACH

- ESTABLISHED PROGRAMS/EVENTS
- NETWORK AND FOSTER RELATIONSHIPS WITH LOCAL, REGIONAL AND STATE INDUSTRY PARTNERS
- USE INFLUENCERS AS A MARKETING RESOURCE TO PROMOTE EXPLORATION OF OUR AREA



Explore ACCOMPLISHMENTS

THE VERTACAT!

MADE POSSIBLE BY A GENEROUS GRANT FROM VISIT CENTRAL OREGON FUTURE FUND AND EXPLORE PRINEVILLE. MEADOW LAKES IS NOW OFFERING THE VERTACAT ADAPTIVE GOLF CART. THIS IS 1 OF 2 STATEWIDE!



Social MEDIA



7.8 K FACEBOOK FOLLOWERS



1430 INSTAGRAM FOLLOWERS



290 LINKEDIN FOLLOWERS



789 NEWSLETTER SUBSCRIBERS



Social MEDIA



EXPLORE
PRINEVILLE



4.2K FACEBOOK FOLLOWERS



525 INSTAGRAM FOLLOWERS



174 LINKEDIN FOLLOWERS



2,042 NEWSLETTER SUBSCRIBERS



Statistics IN TRAVEL

DATA COURTESY OF VISIT CENTRAL OREGON & DATAFY
FOR DATES JANUARY 1ST 2025 - SEPTEMBER 30TH 2025

- VISITOR DAYS 1,277,021 DAYS
- TOTAL TRIPS 365,290
- AVG LENGTH OF STAY 3.5 DAYS

VISITOR DAYS SPENT:

- 1 DAY TRIP VISITOR DAYS - 310,240 DAYS
- 2 DAY TRIP VISITOR DAYS - 178,368 DAYS
- 3 DAY TRIP VISITOR DAYS - 182,133 DAYS
- 4 DAY TRIP VISITOR DAYS - 153,716 DAYS

DEMOGRAPHICS:

- AVG AGE OF VISITORS 45 - 64 YEARS OLD
- AVG INCOME UNDER \$50K
- AVG HOUSEHOLD 1-2 MEMBERS



Tourism **FINANCIAL STATUS**

- **TOTAL TRT INCOME 2024/2025 - \$ 290,043 WHICH WAS A 3% INCREASE**
 - **TRT IS A TAX THAT CAN BE IMPOSED BY A CITY, TOWN, OR COUNTY ON TEMPORARY LODGING FOR STAYS LESS THAN 30 DAYS. THIS INCLUDES HOTELS, MOTELS, INNS, TRAILER COURTS, CAMPGROUNDS, AND TOURIST HOMES.**
- **TAXES MUST BE USED ACCORDING TO ORS 320.300: SHALL BE USED FOR: "PROMOTION TOURISM " OR "TOURISM-RELATED FACILITIES"**
- **"TOURISM PROMOTION " MEANS ANY OF THE FOLLOWING ACTIVITIES:**
 - **ADVERTISING, PUBLICIZING OR DISTRIBUTING INFORMATION OF ATTRACTING AND WELCOMING TOURISTS;**
 - **CONDUCTING STRATEGIC PLANNING AND RESEARCH FOR THE PURPOSE OF STIMULATING FUTURE TOURISM DEVELOPMENT**
 - **OPERATING TOURISM PROMOTION AGENCIES**
 - **MARKETING SPECIAL EVENTS AND FESTIVALS DESIGNED TO ATTRACT TOURISTS.**

What's NEW

STRATEGIC GOALS:

- **FOSTERING REGIONAL PROSPERITY: WE WILL WORK TO ENHANCE REGIONAL PROSPERITY THROUGH STRATEGIC PROMOTION OF BOTH COMMUNITY ENGAGEMENT AND TOURISM, WHILE PROVIDING SUPPORT TO LOCAL BUSINESSES.**
- **MARKETING AND BRANDING: WE WILL ADOPT THE MARKETING TAG, “BE YOUR FIRST CHOICE FOR LIVING, WORK, LEARNING, AND PLAY!” TO ATTRACT AND RETAIN RESIDENTS, BUSINESSES, AND VISITORS.**
- **COMPREHENSIVE DATA COLLECTION: WE WILL IMPLEMENT AND EXPAND DATA COLLECTION ACROSS ALL OUR ASSOCIATION'S ACTIVITIES TO INFORM STRATEGIC DECISIONS AND MEASURE OUR IMPACT.**





THANK *You*

CONTACT US

541.447.6304

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info@prinevillechamber.com



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:

Fair Board Candidate Recommendation

Background and Policy Implications:

This agenda item is requested to allow the Board of Commissioners to consider the recommendation of Mike Kasberger and Linda Smith.

Budget/Fiscal Impacts:

None

Requester:

Casey Daly, Farigrounds Manager

Presenter(s):

Gail Merrit, Fair Board Chairperson

Legal Review (only if requested):

Elected official sponsor (if applicable):

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

**IN THE MATTER OF THE
APPOINTMENT TO THE
CROOK COUNTY FAIR BOARD**

ORDER 2026-03

WHEREAS, volunteers are essential to the operation of the county government; and

WHEREAS, the Board of Commissioners has carefully considered the skills and talents of the applicants and the needs of the board which has vacancies requiring appointment, and based upon recommendation of Boards and Committees:

NOW, THEREFORE, it is hereby **ORDERED** that the Crook County Board of Commissioners makes the following appointments to the Crook County Fair Board:

Board	Appointee	Term	Oath required
Crook County Fair Board Position #2	Linda Smith	3 Year Term Expiring 12/31/2029	Yes
Crook County Fair Board Position #3	Mike Kasberger	3 Year Term Expiring 12/31/2029	Yes

DATED this 21st day of January, 2026.

Susan Hermreck
County Commissioner

Brian Barney
County Commissioner

Seth Crawford
County Commissioner

January 13, 2026

To: Crook County Board of Commissioners

From: Crook County Fair Board

Commissioner Barney
Commissioner Crawford
Commissioner Hermreck

The Crook County Fair Board met on January 12, 2026 and discussed the candidates for the board. The board voted unanimously to reappoint Mike Kasberger to position #3. Mike has been a dedicated board member, participating in the fair and the operations of the fairgrounds.

Please consider reappointing Mike to the Fair Board. He is an excellent member and would like to continue serving Crook County.

Respectfully submitted,

A handwritten signature in blue ink that reads "Gail Merritt". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gail Merritt
Chairperson

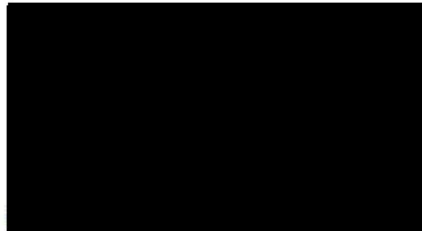
General Application to serve on the Crook County Fair board

Position applied for: Fair board Member

Name: Michael P. Kasberger

Phone:

Email:



List any relevant experience you may have that would make you effective in the position:

I have served on the Fair board for the last 6 years. During my tenure here, I have worked on many capital improvement projects. This has enabled me to learn how things operate around the Fairgrounds. My work in the engineering department at the City has taught me many lessons that have helped me here at the Fairgrounds. Previous work at the Irrigation District taught me to be able to talk to and communicate with people even in an elevated state of emotion.

Why do you wish to serve in this position:

I was a 4-H member all through my youth. I am ready to give back to the organization that was such a large part of my growing up. I feel that if everyone was to give a little of themselves we could all benefit from that.

Thank you for your consideration.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael P. Kasberger".

Michael P. Kasberger

January 13, 2026

To: Crook County Board of Commissioners

From: Crook County Fair Board

Commissioner Barney
Commissioner Crawford
Commissioner Hermreck

On January 2, 2026, three members of the Crook County Fair Board, individually interviewed two candidates for the board. At the January 12th board meeting, each interviewer presented their findings to the board. Following a discussion, Linda Smith was unanimously elected. Linda has past experience in fair planning, sponsorship and the operations of the fairgrounds.

Please consider appointing Linda to position #2 of the Crook County Fair Board.


Respectfully submitted,



Gail Merritt
Chairperson

Cook County Fair Board application

Linda Smith



Linda Smith, a native of Prineville, Oregon has deep roots Crook County. After moving away for 30 years with her husband, she returned to Prineville 12 years ago, bringing with her a wealth of professional and volunteer experience . Linda dedicated 17 years as a Judicial Assistant for Judge Nielson in the state court and then served as Office Manager for Stahancyk Kent & Hook, overseeing operations in Bend and Prineville for 20 years.

In her retirement, Linda has remained highly active in the community through numerous volunteer roles. She has served on the Crook County Parks and Recreation Board, the Christmas in The Pines Board, and Crook County Fair Board, Crooked River Roundup Board. Linda is currently an active member of the Crook County Historical Board. She also serves on the Pioneer Queen Committee. Additionally she is a dedicated member of the Kiwanis Club.

Linda brings valuable experience in fundraising and event planning to her volunteer work, having successfully raised funds for many local causes. Linda was on the Fair Board from 2016 Until the end fair end of 2024.I loved the time I sent on this board and would like to be part of it again!

Linda would be honored to serve on the Crook County Fair Board



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:
Fairgrounds Indoor Arena Restrooms Project

Background and Policy Implications:

Budget/Fiscal Impacts:

Legal Review (only if requested):

Elected official sponsor (if applicable):

IN THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

IN THE MATTER OF AUTHORIZING)	
THE EMERGENCY PROCUREMENT)	
OF REPAIR AND RENOVATION)	ORDER AND
SERVICES FOR THE FAIRGROUNDS)	RESOLUTION
RESTROOMS, PLUMBING, AND)	NO. 2026-04
RELATED FEATURES)	

WHEREAS, the Crook County Fairgrounds provides public recreation, venue hosting, and related services to the general public. The Fairgrounds' facilities are used for public events, weddings, the County Fair, livestock auctions, 4-H events, club meetings, and other activities which benefit the Crook County community; and

WHEREAS, in the event of natural disaster, the Fairgrounds may be used for emergency response staging, emergency housing, and related functions; and

WHEREAS, serious plumbing failures in the Indoor Arena have resulted in the presence of raw sewage on restroom floors, creating unsanitary conditions, biohazard exposure, and an increased risk of disease transmission and slip-and-fall injuries. If left untreated, these circumstances are likely to lead to significant degradation of existing infrastructure, and present a risk of serious public health contamination. These circumstances merit immediate repair and renovation; and

WHEREAS, other restroom features may be inadequate to comply with current ADA building standards, which likewise merit immediate repair and renovation; and

WHEREAS, the Board of Commissioners finds that these circumstances create a substantial risk of loss, damage, service interruption, or threat to public health and safety, which merits the execution of contract(s) with qualified professionals under the emergency procurement standards of applicable law. The Board also finds that ORS 279A.010 creates an exception to normal procurement standards, that the term “public improvement” does not include: “Emergency work, minor alteration, ordinary repair or maintenance necessary to preserve a public improvement.” The Board finds that the work necessary to repair the Fairgrounds Indoor Arena restrooms and plumbing infrastructure falls within this exception to the definition of “public improvement;” and

WHEREAS, following the normal process for procurement of repairs would increase the risks to public health and safety, and that therefore, the County will waive such normal processes to address an emergency.

NOW, THEREFORE, the Crook County Board of Commissioners adopts the recitals above as its Findings of Fact, and ORDERS and DIRECTS, based upon the above recitals, that:

Section One: An emergency is declared to exist, and the Board of Commissioners authorizes the County Fairgrounds Manager to execute a contract or contracts on behalf of the County with qualified contractor(s) to repair and remediate the Fairgrounds Indoor Arena restrooms and plumbing infrastructure, and to address any ADA-compliance issues related thereto, without the need for a competitive process. The Board authorizes the Fairgrounds Manager to determine whether to waive the requirement(s) for furnishing performance or payment bonds.

Section Two: The declaration of emergency is expected to continue for the next ninety (90) days after the adoption of this Order and Resolution, and may be extended by the Board of Commissioners.

Section Three: If any portion of this Order and Resolution is invalidated by a court of competent jurisdiction, the remaining portions of this Order and Resolution continue in full force and effect.

DATED this _____ day of _____, 2026.

CROOK COUNTY BOARD OF COMMISSIONERS

Commissioner Seth Crawford

Commissioner Susan Hermreck

Commissioner Brian Barney

<u>Vote:</u>	Aye	Nay	Abstain	Excused
Seth Crawford	_____	_____	_____	_____
Susan Hermreck	_____	_____	_____	_____
Brian Barney	_____	_____	_____	_____



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:

Public Records Request Update

Background and Policy Implications:

Budget/Fiscal Impacts:

Legal Review (only if requested):

Legal Review (only if requested):

Enter Text here.

Elected official sponsor (if applicable):



2017-084

I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Cheryl Seely - County Clerk



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

IN THE MATTER OF ADOPTING)
AN UPDATED POLICY FOR)
RESPONDING TO PUBLIC RECORDS) ORDER NO. 2017-80
REQUESTS)

WHEREAS, Crook County as a public body has the responsibility to manage its documents and records according to Oregon public records laws; and

WHEREAS, it is prudent to periodically reexamine the County's public records response practices to promote efficiency, consistency, and compliance with changing legal standards; and

WHEREAS, the attached Policy is based in part on similar policies established by other local Oregon jurisdictions.

NOW, THEREFORE, the Crook County Court adopts the recitals above, and ORDERS and DIRECTS, based upon the above recitals, that:

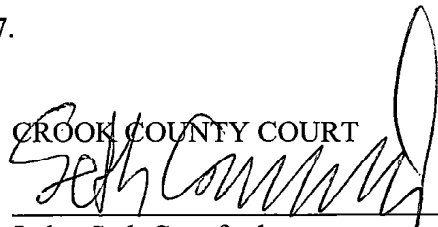
Section One: The attached "Crook County Public Record Request Policy" is adopted for Crook County effective January 1, 2018.

Section Two: County staff members are directed to implement the Policy as described herein and with the goal of furthering the Policy Statement: "It is the policy of Crook County that every person has the right to inspect any non-exempt public record in the custody of Crook County subject to reasonable procedures."

Section Three: The attached Policy is meant to supplement, but not contradict, the requirements of Oregon Public Records Laws, and County staff members are encouraged to suggest improvements or revisions as may be warranted.

DATED this 20 day of December, 2017.

CROOK COUNTY COURT


Judge Seth Crawford


Commissioner Jerry Brummer


Commissioner Brian Barney

<u>Vote:</u>	Aye	Nay	Abstain	Excused
Seth Crawford	___	___	___	___
Jerry Brummer	___	___	___	___
Brian Barney	___	___	___	___

Crook County Public Record Request Policy

I. Purpose

This policy is meant to establish a routine, efficient, and cost-effective procedure regarding access to public records that are in the legal custody of Crook County, consistent with the laws of Crook County and the State of Oregon.

This policy is not meant to include a recitation of laws or decisions regarding public records. Those may be found through a review of Oregon statutes and case law. The policy is meant to clarify those matters which the laws do not address.

II. Policy Statement

It is the policy of Crook County that every person has the right to inspect any non-exempt public record in the custody of Crook County subject to reasonable procedures.

III. Note

Public records laws do not impose on public bodies the duty to create new documents. Public bodies are not required to create a record in order to disclose the “reasoning” behind their actions, or other “knowledge” their staff might have. Public records laws do not require public bodies to explain or to provide comment or provide legal research or provide analysis about their records. Public records laws do not require the County to seek to obtain records in the custody of other legal entities in response to requests made to Crook County.

IV. Records Custodian

Except as otherwise required by law or as stated in this policy, the Crook County Counsel is designated Records Custodian for records within the legal custody of Crook County. This policy does not apply to the County Clerk’s Office, the Health Department, and the County Veterans’ department.

V. Access Procedure – Requests

1. Except for requests which are routine for the normal operation of a particular County department, such as those which may be addressed immediately in the regular course of business, requests for public records that are in the custody of Crook County, must be made in writing by submitting a completed Public Records Request Form unless exempted herein. The Public Records Request Form may be submitted in person, by mail, by fax, by email, or any other means which provides a legible copy. The Form must be provided to the County Administration office or County Counsel’s office.

2. At any time, an individual County department may request to either be added into this policy or to be exempted from this policy. The request will be made in writing and addressed to

the County Court of Crook County. The County Court will decide whether to acquiesce to the request, and if so, to establish certain additional policies. The County Court may establish public records policies regarding any individual department which is not covered by this policy.

3. From time to time a request may be made which will require a de minimis investment of staff time or other resources. County staff members are authorized to make the determination whether any individual request falls within this category. Upon receiving such a request, the County may choose to waive the compilation fee requirements and provide the records free of charge. Staff members have the sole authority to determine whether a request meets this criteria. However, there is no such staff member discretion to determine whether the record is exempt from disclosure or whether to release the record, the determination of which will be made according to this policy and applicable law.

4. If a County department besides Administration receives a Public Records Request Form, it may (but is not required to) forward the Form on to the County Administration office. If it chooses not to forward the Form on, the department receiving the Form will contact requester to direct him or her to the proper address (assuming that the department has adequate contact information for the requester). It is the responsibility of the requester to provide the form to the proper address.

5. The County's currently adopted Public Records Request Form is to be made available at the County Administration Office and the Crook County website. Other County departments are encouraged to maintain copies as well.

6. If the Public Records Request Form is submitted to the County Administration Office, the Administration Office will date-stamp the Form and forward it on to the County Legal Department.

7. The Legal Department will review the received form. A non-exclusive list of features to review includes:

- Whether the form is legible.
- Whether the requester has adequately provided contact information with which to respond to the request.
- Whether the County is likely to be the legal custodian of the records requested, and which individual County departments are likely to possess such records.
- Whether any particular requested record may be exempt from disclosure under the law.
- Any other feature which may warrant notice and comment.

8. The County Legal Department will respond to the requester, assuming the Legal Department has adequate contact information, within five (5) business days of receiving the Form. The response will acknowledge receipt of the Form. Responses may include but are not limited to:

- Stating that the Form is illegible, incomplete, or otherwise deficient.
- Requesting that the Form be clarified if it cannot be adequately determined what records are sought, whether the County is the custodian of the records, or other matter.

- Stating that the County is the custodian of the requested records and that a further response will follow.
- Providing an estimate of the amount of time required to provide further response if then known.
- Providing the requested records, as further described herein.
- Stating that the County is not the legal custodian of the records requested.
- Notifying the requester that the County is uncertain whether it is the custodian of the records requested.
- Citing applicable law which prevents further response to the request.
- Other response as may be appropriate.

9. If the County asks that the requester provide clarification, resubmission of an illegible form, or other similar matter, and the requester does not do so within sixty (60) days of the County's request, the County will deem the request abandoned or never having been made.

10. Upon receiving the completed Form, the Legal Department will contact those County departments which are likely to possess records which may be responsive to the request. Each subject department will examine what records it possesses and inform the Legal Department:

- Whether it has records which might be responsive to the request.
- If it may have responsive records, the estimated amount of time that would be required to compile the potentially responsive records.
- Whether the department believes that any portion of the potentially responsive records may be exempt from disclosure under applicable law, and the reason for such exemption.
- Whether another department or legal entity may have potentially responsive documents, or the documents are otherwise publicly available already.
- Other information as may be requested or which may otherwise be useful.

11. As soon as is practical and generally within ten business days after the date by which the County is required to acknowledge receipt of the request, the County will inform the requester (assuming a reliable and legible means of contact have been provided) that the request is completed or provide a written statement that the public body is still processing the request and a reasonable estimated date by which the public body expects to complete its response based on the information currently available.

If, however, compliance with any County time limits is impracticable due to staff or volunteers necessary to complete a response being unavailable, Compliance would demonstrably impede the public body's ability to perform other necessary services, or the volume of public records requests being simultaneously processed by the County, then the County may waive those time limits.

VI. Compilation Fee Procedure

1. Based upon the information provided by other County departments and all other available information, the Legal Department will send a second response to the requester as soon as is practicable and without unreasonable delay. If the County may possess records responsive to the request, the response will contain:

- An acknowledgement that the County may possess such records;
- An estimate of the amount of time required to compile the records, which will include time spent gathering, sorting, reviewing, researching, summarizing, tailoring, redacting or segregating material (as may be warranted), drafting correspondence, and other such time necessary and proper to respond to the individual request for all County departments (including the Legal Department);
- Costs for staff time will be billed in quarter-hour increments, or as otherwise required by the applicable County fee schedule;
- The compilation fee deposit required, regardless of the total costs;
- A statement that the fee deposit must be paid prior to further staff time being devoted to the request;
- A statement that if the amount of time estimated was too large, that the unused portion of the deposit will be refunded;
- A statement that if the amount of time estimated appears to be too low after compilation has begun, that the requester will be contacted promptly and informed that responding to the request will take longer than was anticipated; and/or
- Other information as may be useful.

2. If the requester has not responded within sixty (60) days after the County sends this response, the County may determine that the requester has elected not to proceed and may terminate any further activities regarding the request. The County is not required to provide notice of this decision to the requester. If the requester does respond after the sixty (60)-day period, the County may elect to require the requester complete a new Request Form.

3. Fees will be charged to reimburse the County for the actual cost of making the public records available unless otherwise provided by this policy. The fees will be based upon the County fee schedule(s) which are in effect at that time. In the event that the fees listed on the Form have been superseded by a subsequent fee schedule, it is in the discretion of the affected department(s) to decide whether the fees listed on the form or the fees listed on the fee schedule will apply. This decision will be relayed in writing to the requester as soon as practicable and without unreasonable delay.

4. If after the deposit is received and the records have been compiled the deposited amount was too large for the actual costs incurred, the Legal Department will inform the requester and a reimbursement for the unused portion of the compilation fee deposit will be issued in course of County's regular finance schedule.

5. Once the review is complete, the Legal Department will so inform the requester. No documents will be released until all fees have been paid. Once the required fees have been paid, the County will release the records which are not exempt from disclosure.

6. In the event that records, or portions of them, are not disclosed because they are exempt from disclosure under applicable law, or the County is prevented from making a disclosure under applicable law, the requester will be notified in writing, including citations to those laws.

7. If the requester owes money to the County for another request, the County may elect to refuse to process the request until all sums owed are paid.

8. In the event that the County determines that it should engage outside legal counsel to respond to a public records request, the County may require the requester to pay for legal expenses necessary for such response. The decision to engage outside legal counsel is within the discretion of the County Court, and there is no requirement to consult with the requester prior to engaging counsel, nor in deciding who to engage nor any other matter.

VII. Request Completion Procedure

Once the compilation fee deposit is received, if one was required, the County will complete its review of the potentially responsive records and respond to the requester as soon as is practicable and without unreasonable delay. The response will include one or more of the following:

- Copies of the responsive records, including records which may include redactions under applicable law;
- An invitation to inspect originals or copies of the responsive records, including records which may include redactions under applicable law;
- A statement that, upon individualized review of the records, that the records are exempt from disclosure under the law including citations to the specific provisions of law as may apply;
- A statement that after review the County has determined that it is not custodian of responsive records, and if known, which other entity might be the custodian;
- If federal or state law prohibits the County from acknowledging whether any requested record exists or that acknowledging a requested record exists would result in the loss of federal benefits or imposition of another sanction, the County provides a statement to that effect including a citation to the applicable law; or
- If the records or portions of them are exempt from disclosure under applicable law, a statement to that effect including citation to those laws, plus a statement that the requester may seek review of the determination pursuant to law.
- Other information as may be appropriate.

VIII. Inspection of Original Documents

1. A person may request to inspect an original (rather than a copy) of a record within the legal custody of Crook County. The completed request form must affirmatively state that the requester wishes to inspect an original, and must describe with reasonable specificity which particular original document is sought. In the absence of such an affirmative statement, it is presumed that copies of requested records will suffice for all purposes.

2. Inspection of original records will be conducted during the regular business hours of the affected department(s). The County may determine that a staff person must be present while any original documents are being inspected to insure protection of the documents. The time necessary for such staff person will be included in the required compilation fee.

3. Inspection of original documents does not include the right to examine materials exempt from disclosure, the right to rummage through file cabinets, file folders, desks, electronic files, or the right to disassemble, damage, or change the order of materials or documents files.
4. If the requested document contains information exempt from disclosure, a copy, in lieu of the original, may be provided with the exempt portion redacted in the County's sole discretion.
5. The department which normally retains possession of the original document may impose additional requirements upon the inspection as the department may determine are useful or prudent to insure the integrity and security of the record.
6. Original records which exist only in electronic form may be inspected only upon such terms and conditions that the department imposes, taking into consideration the nature of the record, the need to ensure integrity and security of the record, and other matters as appropriate.
7. A requester may inspect an original record, and/or may receive copies of the record, but no original record will be released from County custody except and unless a specific court order directs the County to provide the original record. This is to help insure the integrity of the County's public records and that it continues to meet its archiving requirements established by Oregon law.

IX. Fee Waiver/Reduction Procedure

1. The County may waive or reduce fees if it determines that the waiver or reduction is in the public interest because making the record available primarily benefits the general public. The decision to waive or reduce fees will be evaluated on a case-by-case basis in consideration of the totality of the circumstances.
2. A request to waive or reduce fees must be made in writing and must be addressed to the County Court of Crook County. The County Court will deliberate upon the request as soon as is practicable and without unreasonable delay. There is no requirement to provide notice of the date and time of the deliberation to the requester, except as may be required by Oregon public meeting laws and other applicable law.
3. Certain laws may prohibit waiving fees if the records were created through use of certain legally or constitutionally dedicated funds.

X. Exemption Review

The County will make an individualized determination for each record whether an exemption to disclosure applies, and if so, whether the record will nevertheless be disclosed.

XI. Special Circumstances

From time to time, circumstances may arise which present unusual or special concerns. In such circumstances, the affected County departments will consult with the County Court and Legal Department as necessary prior to taking any action regarding the request.

XII. Periodic Updates and All Other Matters

The County Legal Department is directed to periodically review Oregon public meeting laws and best practices, and to recommend changes as may be necessary or prudent to the County Court. The Legal Department is authorized to update statutory references or make ministerial changes as it deems necessary, but may not alter the substance, meaning, or effect of this Policy.

Any other matter that may arise regarding the processing and response to public records requests, which are not addressed by Oregon law or this policy, will be reviewed on a case-by-case basis by the County Court.



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:

Letter of Support for CMHP Funding

Background and Policy Implications:

CMHPs serve as a critical safety net for individuals with severe and persistent mental illness, serious suicide risk, severe substance use disorders, co-occurring disorders, and children and families at risk of out-of-home placement. These services are highly specialized, not available from other providers, and are more costly to deliver in small and rural counties due to economies of scale.

The requested letter would support funding methodologies that recognize the unique role of CMHPs, the inequities created by uniform rate structures across regions, and the need to sustain essential services in underserved communities.

Budget/Fiscal Impacts:

No direct budget impact. Adequate CMHP funding may help mitigate future county costs associated with emergency services, hospitalizations, law enforcement involvement, and out-of-home placements.

Requester:

Susan Hermreck, County Commissioner

Legal Review (only if requested):

Elected official sponsor (if applicable):



Crook County

Mailing: 300 NE 3rd Street • Prineville, Oregon 97754

Physical: 300 NE 3rd Street, 3rd Floor • Prineville, Oregon 97754

Phone (541) 447-6555

January 21, 2026

Pacific Source

Via email: Peter.McGarry@pacificsource.com, Sara.Ohrtman@pacificsource.com and natashya.bybee@pacificsource.com

Subject: Letter of Support for CHMP Funding

Dear Pacific Source,

Crook County Board of Commissioners writes in strong support of adequate and equitable funding for Community Mental Health Programs (CMHPs) serving our communities.

CMHPs function as a critical safety net, providing specialized services to individuals with the highest and most complex behavioral health needs are in jeopardy. These include people with severe and persistent mental illness, individuals at serious risk of suicide, children and families at risk of out-of-home placement, people with severe substance use disorders, and individuals with co-occurring mental health and substance use disorders. These populations often experience significant medical co-morbidities and high utilization of emergency departments and hospital services.

CMHPs provide a range of essential services that are not available from any other providers in our communities, including mobile crisis response; rapid access to psychiatric care and counseling; Assertive Community Treatment; intensive substance use disorder treatment; medication-assisted treatment; supportive housing services; hospital and emergency department outreach; civil commitment services; and Aid and Assist community restoration services.

In addition, CMHPs deliver culturally and linguistically specific services, including focused efforts to serve Native American and Latino populations through culturally responsive care, targeted workforce recruitment, and specialized staff training.

Uniform funding methodologies and fee-for-service rate structures do not adequately account for the realities of providing these services in small and rural counties. Due to economies of scale, the cost of delivering services in smaller counties is higher than in larger urban areas. Funding approaches that appear equitable across regions can, in practice, create significant inequities for rural communities.

We are concerned that reductions in CMHP funding would jeopardize access to essential behavioral health services in critically underserved areas. An increase to our Sheriff's

Department and St. Charles Emergency Room will be vastly impacted by this reduction, potentially affecting critical public safety and healthcare services. We encourage funding approaches that recognize the unique role of CMHPs, support financial sustainability, and ensure continued access to life-saving services for our most vulnerable residents.

Pacific Source has gotten a 10% rate increase from Oregon Health Authority and has largely balanced its financial performance in Central Oregon. The argument that severe rate cuts for the CMHPs in Crook County are necessary for the financial sustainability of the CCO is not supported by Pacific Source's own financial reports.

If Pacific Source is not willing to be flexible on the FFS rates, then Crook County Board of Commissioners requests a PMPM rate for Crook County of 28.61. Again, using statewide rates to determine a PMPM will strongly disadvantage small counties. This is a methodology that at first glance appears to be fair, but in practice is decidedly unfair. Our proposed rate keeps service levels flat, provides Pacific Source predictable and highly manageable expenses, while still supporting services in critically underserved areas.

Thank you for your consideration and continued partnership in supporting community-based behavioral health services.

Sincerely,

X

Brian Barney
County Commissioner

X

Susan Hermreck
County Commissioner

X

Seth Crawford
County Commissioner

cc:

Central Oregon Health Council, Tammy Baney
Crook County Sheriff, John Gautney
St. Charles Prineville, Todd Shields
Jefferson County Board of Commissioners



Agenda Item Request

Date of Meeting: January 21, 2026

Subject:

Public Hearing: Second Reading of Ordinance 357 An Ordinance Amending Titles 1,17, and 18 of the Crook County Code, and Declaring an Emergency

Background and Policy Implications:

Text Amendments to Crook County Code to bring sections into compliance with current State statutes and regulations, provide clear and objective criteria within the zoning ordinance to provide for greater understanding of requirements, allow for local flexibility in interpreting code language, edit code language that is incorrect, and remove references to outdated or removed sections.

- Title 17 -Chapter 17.12 General requirements and subdivision review committee
- 17.24 Land Partitioning – removing requirement of no structures in area of adjustment
- 18.124 Supplementary Provisions -Updating ADU language with CCFRD request along with removal of wildfire mapping requirements
- 18.16.045 Exclusive Farm Use Zone Uses - amends the code to reflect state statute requirements
- 18.172.080 Members of the planning commission – update to the geographical areas listed in the Comprehensive Plan for planning commissioners
- 18.16.020 Exclusive Farm Use – include farm impacts test from OAR 660-033-0130 (5)
- 18.85 Flood Damage Prevention – clarification of structural code compliance
- 18.12 Establishment of Zones, Boundaries – removal of Floodplain Combining zone
- 18.16.010 Exclusive Farm Use Zone Uses – addition of childcare facility to use table
- 1.04.010 General penalties – allowing the penalties to be changed
- 18.08 Definitions – Dwelling Unit, Designed for Occupancy and Kitchen
- 18.132.080 Recreational vehicle on an individual lot – addition of a 12 month cycle, clarification of black and grey water disposal, and must be road ready, not on a permanent foundation
- Addition of recreational use in recreational zones – RR1, RR5 & RR(M)5
- Update from County Court to Board of County Commissioners

Budget/Fiscal Impacts:

Requester:

John Eisler, Community Development Director

Presenter(s):

John Eisler, Community Development Director

Legal Review (only if requested):

Elected official sponsor (if applicable):

**BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK**

**AN ORDINANCE AMENDING TITLES 1,
17, AND 18 OF THE CROOK COUNTY CODE,
AND DECLARING AN EMERGENCY**

ORDINANCE 357

WHEREAS, from time to time it is helpful to review the County's land use planning code provisions, to identify areas where typos can be corrected, additional clarity for applicants can be provided, and efficiencies can be promoted in conduct of the County's land use responsibilities; and

WHEREAS, from time to time the County's land use planning code provisions require updates to conform to state law; and

WHEREAS, Crook County's form of governance has changed from a County Court to a Board of Commissioners; and

WHEREAS, the proposed changes described herein have been considered at a public hearing of the Crook County Planning Commission, which recommends that the Board of County Commissioners adopt such revisions.

NOW, THEREFORE, THE BOARD OF COUNTY COMMISSIONERS OF CROOK COUNTY, OREGON ORDAINS AS FOLLOWS:

Section One: The above recitals and the staff report are adopted into and made a part of this Ordinance No. 357 as the County's findings of fact.

Section Two: Crook County Code Chapters 1.04, 17.12, 17.24, 18.08, 18.12, 18.16, 18.85, and 18.172 are hereby amended to read on the attached Exhibit A, with additions *italicized* and deletions ~~struck through~~.

Section Three: The references to the "County Court" are hereby replaced throughout Titles 17 and 18 as depicted on the attached Exhibit A, with additions *italicized* and deletions ~~struck through~~.

Section Four: If any court of competent authority invalidates a portion of this Ordinance, the remaining portions will continue in full force and effect.

Section Five: *Emergency.* This Ordinance being necessary for the health, safety, and welfare of the people of Crook County, an emergency is declared to exist, and this Ordinance becomes effective immediately upon approval after the final reading.

First Reading: _____

Second Reading: _____

Dated this _____ day of _____, 2026

Commissioner Brian Barney

Commissioner Susan Hermreck

Commissioner Seth Crawford

Vote:	Aye	Nay	Excused
Brian Barney	_____	_____	_____
Susan Hermreck	_____	_____	_____
Seth Crawford	_____	_____	_____

EXHIBIT A

Title 1 – Chapter 1.04 General Penalties

Request: To provide flexibility in the receipt of fine payments, recognizing that the circuit court is no longer a participant in the majority of code compliance hearings, and thus there are no court costs.

Proposed Amendments:

1.04.010 General penalties.

- (1) Any violation of any county ordinance shall be punishable, upon conviction, by a fine not exceeding \$500.00 for a noncontinuing offense; and
- (2) When a violation is of a continuing nature, a separately punishable violation occurs on each calendar day the violation continues and shall be punishable, upon conviction, by a fine not exceeding \$500.00 per day; and
- (3) Fines recovered upon conviction for violation of any county ordinance ~~shall~~ *may* be paid to the clerk of the court in which recovery is had; after first deducting court costs in the proceedings, the clerk shall pay the remainder to the treasurer of Crook County for the general fund of Crook County *or such specific fund as designated for this purpose*; and
- (4) Notwithstanding any of the above, the county may seek any other relief including but not limited to equitable relief as the court in which the action is brought deems justified.

Title 17 -Chapter 17.12 General requirements and subdivision review committee

Request: To incorporate the subdivision review committee comments into the staff report and not make direct recommendations to the decision-making body. Additional edits are changes to job titles.

Proposed Amendments:

17.12.030 Subdivision review committee.

There is hereby established a subdivision review committee to review all tentative subdivision plans and ~~make recommendations~~ *provide comments to the planning commission be incorporated in the staff report*. 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~~ *Road superintendent*
- (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~~ *Community Development Director* 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 provide comments to the planning commission to be incorporated in the staff report prior to submittal thereto.~~ (Ord. 231 § 1 (Exh. A), 2010; Ord. 19 § 2.040, 2003)

17.12.050 Subdivision conference.

The director shall schedule a meeting with the subdivision review committee and the subdivider or his authorized agent and engineer or surveyor prior to submittal to the commission. (Ord. 19 § 2.050, 2003)

17.12.060 Committee review factors.

In review of proposed subdivisions, the committee shall consider the follow factors:

- (1) Preliminary plat requirements.
- (2) Conformance to the zoning ordinance.
- (3) Quantity and quality of existing or proposed water supply, adequacy of the existing or proposed sewage disposal system to support the projected population; or in the event that subsurface sewage disposal is proposed for any or all of the parcels of the development, the capability of the soil for the proper long-term support of such a system or systems.
- (4) Adequacy of public services, existing or committed and funded, in the area of the proposed development, such as schools, police and fire protection, health facilities, highway and arterial road networks, and other transportation facilities, parks and other recreational facilities, to serve the increase in population expected to be created by the development.
- (5) Effect of the development on the scenic or natural beauty of the area, historic sites or rare and irreplaceable natural areas.
- (6) Location of development in relation to industrial plants, livestock feedlots, solid waste disposal sites (existing and proposed), mining and quarrying operations and other possible conflicting land uses, particularly agricultural and forestry use.
- (7) Possible adverse effects on the development by natural hazards, such as floods, slides or faults, etc.
- (8) Possible adverse effects of the development on adjacent or area agricultural, grazing, forest or industrial lands and operations.
- (9) Design and development for retention of the maximum feasible amount of vegetation and other natural amenities.
- (10) Possible environmental damage to the area or possible effects on fish, wildlife or their habitat.
- (11) Possible conflicts with easements acquired by the public for access through or use of property within or adjacent to the proposed development.

(12) Unusual conditions of the property involved such as high water table, slope, bedrock, or other topographic or geologic conditions, which might limit the capability to build on the land using ordinary and reasonable construction techniques.

(13) Marketable title or other interest contracted for.

(14) Adequate financial arrangements for on-site and off-site improvements proposed or required.

(15) Evidence that each and every parcel can be used for the purpose for which they are intended and to be offered.

(16) Agreement or bylaws to provide for management, construction, maintenance, or other services pertaining to common facilities or elements in the development.

(17) Protective covenants or deed restrictions; *including but not limited to defensible space standards, fire sprinklers, or secondary access for fire standards.*

17.24 Land Partitioning

Request: To remove the prohibition on structures within area of adjustment.

Proposed Amendments:

17.24.080 Special partitioning and property line adjustment regulations.

(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. *All existing structures shall meet the dimensional standards and setback requirements of the zone.* 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.

18.124 Supplementary Provisions

Request: To align with state statute and remove the language regarding the fire map. To align driveway requirements with Oregon Fire Code, legislation, and County standards.

Proposed Amendments:

18.124.140 Accessory dwelling units.

[...]

(2) Accessory dwelling units, as defined in CCC 18.08.010, where permitted by zoning within rural residential zones, are subject to site plan review and the following standards:

(a) Definitions. For the purposes of this subsection (2), unless otherwise specifically provided, certain words, terms, and phrases are defined as follows:

(i) “Accessory dwelling unit” (ADU) means a residential structure that is used in connection with or that is auxiliary to a single-family dwelling.

(ii) “Area zoned for rural residential use” means land that is not located inside an urban growth boundary and that is subject to an acknowledged exception to a statewide land use planning goal relating to farmland or forestland and planned and zoned by the county to allow residential use as a primary use.

(iii) “Single-family dwelling” means a residential structure designated as a residence for one family and sharing no common wall with another residence of any type.

(iv) “Usable floor area” means the area included within the surrounding insulated exterior walls of a structure, exclusive of attached garages, carports, decks, stairs, porch covers, or similar appurtenances.

(v) “Vacation occupancy” means occupancy in a dwelling unit, not including transient occupancy in a hotel or motel, that has all of the following characteristics:

(A) The occupant rents the unit for vacation purposes only, not as a principal residence;

(B) The occupant has a principal residence other than at the unit; and

(C) The period of authorized occupancy does not exceed 45 days.

(b) Criteria for ADUs. In rural residential zones where an ADU is a permitted use, a lot or parcel may qualify for one ADU subject to site plan review and the following standards:

(i) The lot or parcel is at least five acres in size;

- (ii) At least one single-family dwelling is sited on the lot or parcel. For purposes of this section, “sited” means that a single-family dwelling exists on the lot or parcel, or a single-family dwelling has been approved by the planning department;
- (iii) The lot or parcel is not located within an urban reserve area, consistent with ORS 195.137;
- (iv) The ADU complies with all applicable laws and regulations relating to sanitation and wastewater disposal and treatment;
- (v) The ADU must comply with the property development standards of the applicable rural residential zone, except that any ADU that is proposed on a lot or parcel that is adjacent to land zoned primarily for farm (EFU) or forest use (F-1), the ADU shall be set back at least 100 feet from the boundary of the adjacent property that is zoned for farm or forest use;
- (vi) A subdivision, partition or other division of the lot or parcel so that the existing single-family dwelling is situated on a different lot or parcel than the ADU may not be approved;
- (vii) Only one ADU is allowed on a qualifying lot or parcel;
- (viii) The ADU will be located no farther than 100 feet from the existing single-family dwelling, measured from a wall of the single-family dwelling to the nearest part of the usable floor area of the ADU;
- (ix) The ADU will not include more than 900 square feet of usable floor area as defined by subsection (2)(a)(iv) of this section;
- (x) The existing single-family dwelling on the lot or parcel is not subject to an order declaring it a nuisance or subject to any pending action under ORS 105.550 to 105.600;
- (xi) The lot or parcel on which the ADU is located is served by a fire protection district that complies with ORS 181A.410;
- (xii) The ADU provides for the following:
 - (A) Adequate access connecting an accessory dwelling unit with a fire protection service provider with professionals who have received training or certification described in ORS 181A.410. Adequate access is met by demonstrating compliance with subsections (2)(b)(xii)(A)(1), ~~and~~ (2)(b)(xii)(A)(2), ~~or~~ and (2)(b)(xii)(A)(3) of this section:
 - 1. A continuous, minimum 20-foot width right(s)-of-way with unobstructed vertical clearance of not less than 13.5 feet.

2. A continuous, minimum 14-foot width driveway with unobstructed shoulders of three feet on each side, with an unobstructed vertical clearance of not less than 13.5 feet, with a minimum curve radius of 48 feet, designed and maintained to support minimum gross vehicle weight (GVW) of 75,000 lbs. and composed on all-weather surface including, but not limited to, asphalt, gravel or concrete. Prior to receipt of an occupancy permit for the ADU, the applicant shall provide a letter from a licensed Oregon engineer confirming that the driveway meets the above-described standard.

3. Driveways in excess of 200 feet shall provide a 20-foot wide, 40-foot long passage (turnout) at a distance of one-half the driveway length or 400 feet, whichever is less.

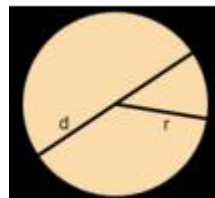
4. ~~Prior to submitting a land use application for an ADU, the applicant shall provide notice of its intent to construct an ADU to the applicable fire and rescue district, including the plans for access to the ADU.~~

(xiii) The applicant provides an evacuation plan that arranges for safe evacuation and identifies staged evacuation areas. As used in this section, “safe evacuation” means an identified route for evacuation from the ADU to the staged evacuation area. “Staged evacuation area” means a public or private location that occupants of the ADU may evacuate to.

(A) The applicant must provide written authorization from the owner of the staged evacuation area that the occupants of the ADU may evacuate to that location.

(B) The staged evacuation area that the occupants of the ADU may use must be at least one-quarter acre or 10,890 square feet, in size and kept clear of all flammable materials, including natural vegetation, excluding irrigated lawns. The evacuation area shall have a minimum distance from the outer boundary of 59 feet and a minimum distance across of 118 feet, as shown below.

$$\begin{aligned} r &= 58.88 \text{ ft} \\ d &= 117.75 \text{ ft} \\ \text{Area} &= 10,890 \text{ ft}^2 \end{aligned}$$



(C) A determination by the county that an evacuation plan meets the requirements of this subsection (2)(b)(xiii) is not a certification that the plan provides for safe evacuation and is not a certification of the safety of the identified staged evacuation areas. The county does not warrant or guarantee the effectiveness of any proposed

evacuation plan and cannot be held liable in the event of property damage, injury, or death that may occur when an evacuation plan is used or followed.

(xiv) No portion of the lot or parcel is within a designated area of critical state concern as defined in Chapter 660-043 OAR.

(xv) If the water supply source for the ADU or associated lands or gardens will be a well using water under ORS 537.545(1)(b) or (d), no portion of the lot or parcel is within an area in which new or existing ground water uses under ORS 537.545(1)(b) or (d) have been restricted by the water resources commission.

(xvi) If the ADU is served by a well, the construction of the ADU shall maintain all setbacks from the well required by the water resources commission or water resources department.

(xvii) If the ADU is served by a water source other than a well serving only the primary residence on the property, the applicant must provide a letter confirming that the supplier of water is “willing and able to serve” the ADU.

(xviii) The applicant signs and records a restrictive covenant with Crook County deeds and records stating that the ADU allowed under this section will not be used for vacation occupancy.

(xix) An existing single-family dwelling and an ADU allowed under this section are considered a single unit for the purposes of calculating exemptions under ORS 537.545(1).

~~(xx) The accessory dwelling unit complies with the construction provisions of Section R327 of the Oregon Residential Specialty Code, if:~~

~~(A) The lot or parcel is in an area identified as extreme or high wildfire risk on the statewide map of wildfire risk described in ORS 477.490; or~~

~~(B) No statewide map of wildfire risk has been adopted.~~

~~(xxi) If the lot or parcel is in an area identified on the statewide map of wildfire risk described in ORS 477.490 as within the wildland urban interface, the lot or parcel and ADU must comply with the defensible space requirements for wildfire risk reduction established by the state fire marshal under ORS 476.392 and any applicable local requirements for defensible space established by the local government pursuant to ORS 476.392.~~

18.16.045 Exclusive Farm Use Zone Uses

Request: To align County Code with State statute.

Proposed Amendments:

18.16.045 Alteration, restoration or replacement of a lawfully established dwelling.

(1) A lawfully established dwelling may be altered, restored or replaced if, when an application for a permit is submitted, the permitting authority finds to its satisfaction, based on substantial evidence, that:

(a) The dwelling to be altered, restored or replaced has, or formerly had:

(i) Intact exterior walls and roof structure;

(ii) Indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

(iii) Interior wiring for interior lights;

(iv) A heating system; and

~~(v) The dwelling was assessed as a dwelling for purposes of ad valorem taxation for the previous five property tax years, or, if the dwelling has existed for less than five years, from that time.~~

~~b) Notwithstanding subsection (1)(a)(v) of this section, if the value of the dwelling was eliminated as a result of either of the following circumstances, the dwelling was assessed as a dwelling until such time as the value of the dwelling was eliminated:~~

~~(i) The destruction (i.e., by fire or natural hazard), or demolition in the case of restoration, of the dwelling; or~~

~~(ii) The applicant establishes to the satisfaction of the permitting authority that the dwelling was improperly removed from the tax roll by a person other than the current owner. "Improperly removed" means that the dwelling has taxable value in its present state, or had taxable value when the dwelling was first removed from the tax roll or was destroyed by fire or natural hazard, and the county stopped assessing the dwelling even though the current or former owner did not request removal of the dwelling from the tax roll.~~

(b) Unless the value of the dwelling was eliminated as a result of destruction or demolition, was assessed as a dwelling for purposes of ad valorem taxation since the later of:

(i) Five years before the date of the application; or

(ii) The date that the dwelling was erected upon or fixed to the land and became subject to property tax assessment; or

(c) If the value of the dwelling was eliminated as a result of destruction or demolition, was assessed as a dwelling for purposes of ad valorem taxation prior to the destruction or demolition and since the later of:

(i) Five years before the date of the destruction or demolition; or

(ii) The date that the dwelling was erected upon or fixed to the land and became subject to property tax assessment.

(2) For replacement of a lawfully established dwelling under Use 2.7 in Table 1:

(a) The dwelling to be replaced must be removed, demolished or converted to an allowable nonresidential use *within three months after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055.*

~~(i) Within one year after the date the replacement dwelling is certified for occupancy pursuant to ORS 455.055; or~~

~~(ii) If the dwelling to be replaced is, in the discretion of the permitting authority, in such a state of disrepair that the structure is unsafe for occupancy or constitutes an attractive nuisance, on or before a date set by the permitting authority that is not less than 90 days after the replacement permit is issued; and~~

~~(iii) If a dwelling is removed by moving it off the subject parcel to another location, the applicant must obtain approval from the permitting authority for the new location.~~

~~(b) The applicant must cause to be recorded in the deed records of the county a statement that the dwelling to be replaced has been removed, demolished or converted.~~

(b) The replacement dwelling:

(i) May be sited on any part of the same lot or parcel.

(ii) Must comply with applicable siting standards. However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.

~~(iii) Must comply with the construction provisions of section R327 of the Oregon Residential Specialty Code, if:~~

~~(A) The dwelling is in an area identified as extreme or high wildfire risk on the statewide map of wildfire risk described in ORS 477.490; or~~

~~(B) No statewide map of wildfire risk has been adopted.~~

(c) As a condition of approval, if the dwelling to be replaced is located on a portion of the lot or parcel that is not zoned for exclusive farm use, the applicant shall execute and cause to be recorded in the deed records of the county in which the property is located a deed restriction prohibiting the siting of another dwelling on that portion of the lot or parcel. The restriction imposed is irrevocable unless the county planning director, or the director's designee, places a statement of release in the deed records of the county to the effect that the provisions of 2013 Oregon Laws, Chapter 462, Section 2 and ORS 215.283 regarding replacement dwellings have changed to allow the lawful siting of another dwelling.

(3) The county planning director, or the director's designee, shall maintain a record of the lots and parcels that do not qualify for the siting of a new dwelling under subsection (2) of this section, including a copy of the deed restrictions filed under subsection (2)(c) of this section.

~~(3) A replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction.~~

~~However, the standards may not be applied in a manner that prohibits the siting of the replacement dwelling.~~

~~(a) The siting standards of subsection (3)(b) of this section apply when a dwelling qualifies for replacement because the dwelling:~~

~~(i) Formerly had the features described in subsection (1)(a) of this section;~~

~~(ii) Was removed from the tax roll as described in subsection (1)(b) of this section; or~~

~~(iii) Had a permit that expired as described under subsection (4)(c) of this section.~~

~~(b) The replacement dwelling must be sited on the same lot or parcel:~~

~~(i) Using all or part of the footprint of the replaced dwelling or near a road, ditch, river, property line, forest boundary or another natural boundary of the lot or parcel; and~~

~~(ii) If possible, for the purpose of minimizing the adverse impacts on resource use of land in the area, within a concentration or cluster of structures or within 500 yards of another structure.~~

~~(c) Replacement dwellings that currently have the features described in subsection (1)(a) of this section and that have been on the tax roll as described in subsection (1)(b) of this section may be sited on any part of the same lot or parcel.~~

~~(4) A replacement dwelling permit that is issued under Use 2.7 in Table 1:~~

~~(a) Is a land use decision as defined in ORS 197.015 where the dwelling to be replaced:~~

~~(i) Formerly had the features described in subsection (1)(a) of this section; or~~

~~(ii) Was removed from the tax roll as described in subsection (1)(b) of this section;~~

~~(b) Is not subject to the time to act limits of ORS 215.417; and~~

~~(c) If expired before January 1, 2014, shall be deemed to be valid and effective if, before January 1, 2015, the holder of the permit:~~

~~(i) Removes, demolishes or converts to an allowable nonresidential use the dwelling to be replaced; and~~

~~(ii) Causes to be recorded in the deed records of the county a statement that the dwelling to be replaced has been removed, demolished or converted.~~

~~(4) If an applicant is granted a deferred replacement permit under this section:~~

~~(a) The deferred replacement permit:~~

~~(i) Does not expire but the permit becomes void unless the dwelling to be replaced is removed or demolished within three months after the deferred replacement permit is issued; and~~

~~(ii) May not be transferred, by sale or otherwise, except by the applicant to the spouse or a child of the applicant.~~

~~(b) The replacement dwelling must comply with applicable building codes, plumbing codes, sanitation codes and other requirements relating to health and safety or to siting at the time of construction.~~

~~(5) An application under this section must be filed within three years following the date that the dwelling last possessed all the features listed under subsection (1)(a) of this section.~~

~~(6) Construction of a replacement dwelling approved under this section must commence no later than four years after the approval of the application under this section becomes final.~~

18.172.080 Members of the planning commission

Request: To add language to the eligibility portion of the CCC 18.172.080(1) to further define the geographic representation for potential applicants.

Proposed Amendments:

18.172.080 Members of the planning commission.

(1) Members of the Planning Commission.

[...]

(d) Members of the planning commission shall be residents of the various geographic areas of the county. The various geographic areas are depicted in the map of citizen planning areas in the Crook County comprehensive plan (*Lone Pine, Powell Buttes, Urban Reserve Area, Prineville Reservoir, Ochoco Reservoir and Post-Paulina*). The county court may deviate from these areas to the extent practicable needed to obtain a full seven-member planning commission from the applicant pool available. An objection to an applicant by the majority of the county court may be the basis for deviating from the geographic areas in the citizen planning areas.

[...]

18.16.020 Exclusive Farm Use

Request: To include the adopted rule update in the Oregon Administrative Rule, which details the information needed to make a finding for sub 1 and 2 of the Farm Impacts test. This is from the Farm/Forest Rule Advisory Committee whose intent was to codify case law and provide clarification for jurisdictions across the state to apply a standard measure for these criteria.

Proposed Amendments:

18.16.020 Conditional use review criteria

An applicant for a use permitted as a conditional use “C” in Table 1 must demonstrate compliance with the following criteria and specific requirements for conditional uses in Chapter 18.160 CCC:

- (1) The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use;
- (2) The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use; and

(a) For purposes of subsection (1) and (2), a determination of forcing a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use or a determination of whether the use will significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use requires:

(A) Identification and description of the surrounding lands, the farm and forest operations on those lands, and the accepted farm practices on each farm operation and the accepted forest practices on each forest operation;

(B) An assessment of the individual impacts to each farm and forest practice, and whether the proposed use is likely to have an important influence or effect on any of those practices; and

(C) An assessment of whether all identified impacts of the proposed use when considered together could have a significant impact to any farm or forest operation in the surrounding area in a manner that is likely to have an important influence or effect on that operation.

(D) For purposes of this subsection, examples of potential impacts for consideration may include but are not limited to traffic, water availability and

delivery, introduction of weeds or pests, damage to crops or livestock, litter, trespass, reduction in crop yields, or flooding.

(E) For purposes of subsection (1) and (2), potential impacts to farm and forest practices or the cost of farm and forest practices, impacts relating to the construction or installation of the proposed use shall be deemed part of the use itself for the purpose of conducting a review under subsections (1) and (2).

(F) In the consideration of potentially mitigating conditions of approval under ORS 215.296(2), the governing body may not impose such a condition upon the owner of the affected farm or forest land or on such land itself, nor compel said owner to accept payment to compensate for the significant changes or significant increases in costs described in subsection (1) and (2).

(3) The proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this title and the following general criteria:

- (a) The use is consistent with those goals and policies of the comprehensive plan which apply to the proposed use;
- (b) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;
- (c) The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district;
- (d) The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and
- (e) The use is or can be made compatible with existing uses and other allowable uses in the area.

18.85 Flood Damage Prevention

Request: To update reference to building structural floodproofing regulations

Proposed Amendments:

18.85.060 General provisions.

~~(3) Coordination with State of Oregon Specialty Codes. Pursuant to the requirement established in Chapter 455 ORS, Crook County enforces the State of Oregon Specialty Codes. Crook County does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this chapter is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.~~

(3) Coordination with the Building Official or designee. Pursuant to requirements established in Title 15 of the Crook County Code for the Administration and Implementation of the NFIP, Crook County enforces the ASCE Standard 24, Flood and Resistant Design and Construction and the FEMA Technical Bulletin Requirements for Flood Openings in Foundation Walls and Walls of Enclosures. Crook County does hereby acknowledge that certain provisions outside the Oregon Specialty Codes apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this chapter is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

18.12 Establishment of Zones, Boundaries

Request: To remove Chapter 18.84, it was replaced by Chapter 18.85 which is not a zone.

Proposed Amendments:

18.12.010 Establishment of zones.

For the purpose of this title, the following zones are hereby established:

Chapter	Zones	Abbreviated
18.84	Flood Plain Combining	FP

18.16.010 Exclusive Farm Use Zone Uses

Request: To align with ORS 215.283(2)(aa) and include the use into the table for EFU zones.

Proposed Amendments:

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
7	Parks/Public/Quasi-Public Uses	C	Planning Commission Hearing	18.16.015 (28) 18.16.020

(28) Child care facilities, preschool recorded programs or school-age recorded programs that are:

(a) Authorized under ORS 329A.250 to 329A.450;

(b) Primarily for the children of residents and workers of the rural area in which the facility or program is located; and

(c) Colocated with a community center or a public or private school allowed under this subsection.

18.08 Definitions

Request: The heart of the issue is that accessory structures should not provide complete living facilities that are independent of the primary dwelling. Incorporating these two definitions into our Code will hopefully remove ambiguity and provide clarity to all parties.

Proposed Amendments:

18.08.040 D Definitions

“Designed for occupancy” means a structure or portion of a structure designed to include permanent independent living facilities:

- *with four or more interior plumbing fixtures;*
- *kitchen;*
- *full bathroom; and*
- *space which could be reasonably used as a bedroom.*

“Dwelling unit” means one or more rooms in a building designed for occupancy by one family ~~and having not more than one cooking facility.~~

18.08.110 K Definitions

“Kitchen” means an area designed to be used for the preparation of food.

Design elements that indicate an area may be used for the preparation of food include:

- *capabilities of a cooking facility (240-volt electrical outlet or gas piping);*
- *sink;*
- *countertop exceeding 6 lineal feet;*
- *dedicated space and electrical outlet capable of supporting a refrigerator exceeding 5.0 cubic feet; or*
- *space with access to electrical and drain hookups that could reasonably be used for a dishwasher.*

18.132.080 Recreational vehicle on an individual lot.

Request: Clarify recreational vehicle use for private property.

1. An RV may only be stored or placed on a lot or parcel, but not lived in or used as a dwelling, if there is also a permitted dwelling, as defined in Chapter 18.08 CCC, on the same parcel or lot, except:
 - (a) In the county's residential zones, excluding the SR-1 (suburban residential) zone, an individual may stay in a self-contained RV on a parcel or lot owned by the individual for up to 60 days in a 90-day period ~~but all wastewater must be properly disposed of in an approved septic system or dumping station;~~
 - (b) An RV may be placed on a lot for which a valid building permit is issued for a residence. The RV may be occupied for no more than one year; or
 - (c) In the county's residential zones, excluding the SR-1 (suburban residential) zone, an individual may stay in a self-contained RV on a parcel or lot owned by the individual for more than 60 days but less than six months over a 12 month period upon issuance of a temporary use permit by the Crook County community development department. ~~All necessary permits shall be obtained from the building, environmental health and planning departments. An RV used as a temporary dwelling shall meet setback requirements. This provision does not apply in subdivisions where the use of recreational vehicles as temporary or seasonal dwellings is limited by or prohibited by covenants, conditions and restrictions (CCRs) or other homeowner association agreements.~~
2. A Recreational Vehicle shall not be placed on a permanent foundation and must remain readily mobile at all times.
3. All wastewater must be properly disposed of in an approved septic system or dumping station.

Recreational use in recreational zones

Request: Addition of recreational use in recreational zones including RRM5, RR1 and RR5.

Proposed Amendments:

18.40.010 - Uses permitted outright, to add:

(10) Private Recreational Use, subject to the limitations set forth in CCC 18.132.080.

18.44.010 - Uses permitted outright, to add:

(7) Private Recreational Use, subject to the limitations set forth in CCC 18.132.080.

Update from County Court to Board of County Commissioners

Request: The County Court reformed as a Board of County Commissioners in 2024. The Crook County Code Titles 17 and 18 are shown below representing the update for this change.

Proposed Amendments:

18.04.090 Remedies.

In case a building or other structure is, or is proposed to be, located, constructed, maintained, repaired, altered or used, or any land is or is proposed to be used in violation of this title, the ~~board county court~~ or a person whose interest in real property in the county is or may be affected by the violation may, in addition to other remedies provided by law, institute injunction, mandamus, abatement or other appropriate proceedings to prevent, temporarily or permanently enjoin, abate or remove the unlawful location, construction, maintenance, repair, alteration or use. When a temporary restraining order is granted in a suit instituted by a person who is not exempt from furnishing bonds or undertakings under state law, the person shall furnish undertaking as provided in ORS 32.010 to 32.060. (Ord. 18 § 10.030, 2003)

18.08.080 H definitions.

“Habitable floor” means any floor usable for living purposes, which includes working, sleeping, eating, cooking or recreation, or a combination thereof. A floor used only for storage purposes is not a “habitable floor.”

“Hearing authority” means the ~~board county court~~, planning commission, or a hearings officer appointed by the ~~board court~~ under CCC 18.172.010(2).

“Height of building” means the vertical distance from the average of the finished grade adjacent to the building walls to the average height of the highest roof surface.

“Height of wind energy system” means the vertical distance from the grade to the tip of a wind generator blade when the tip is at its highest point.

“High-value farmland” means land in a tract composed predominantly of soils that are:

(a) Irrigated and classified prime, unique, Class I or II; or

(b) Not irrigated and classified prime, unique, Class I or II; and

(c) High-value farmland includes tracts growing specified perennials as demonstrated by the most recent aerial photography of the Agricultural Stabilization and Conservation Service of the U.S. Department of Agriculture taken prior to November 4, 1993. “Specified perennials” means perennials grown for market or research purposes including, but not limited to, nursery stock, berries, fruits, nuts, Christmas trees, or vineyards, but not including seed crops, hay, pasture or alfalfa.

“Historic area” means lands with sites, structures and objects that have local, regional, state-wide or national historical significance.

“Hog farm” means any premises where 25 or more hogs are maintained.

“Home occupation” means an occupation carried on within a dwelling and/or a residential accessory structure by a resident or employees depending on type pursuant to Chapter 18.160 CCC and is secondary to the residential use of the dwelling and/or the residential accessory structure. (Ord. 321 § 4, 2020; Ord. 309 § 1 (Exh. B), 2019)

18.08.270 Administrative terminology and construction.

(1) Terminology. The word “county” shall mean the county of Crook, Oregon. The words “*board of commissioners* ~~county court~~” and “*board* ~~court~~” shall mean the *Board of Commissioners* ~~county court~~ of the County of Crook. The words “planning commission” and “commission” shall mean the county planning commission of the county of Crook duly appointed by the *board* ~~county court~~. The words “planning director,” “building official,” “county roadmaster,” “county clerk,” “county sanitarian,” “county surveyor,” “tax collector” and “assessor” shall mean the planning director, building official, county roadmaster, county clerk, county sanitarian, county surveyor, tax collector, and assessor of the county of Crook. “Planning director” shall mean the planning director or his designated representative.

(2) Construction. Words used in the present tense include the future tense; words used in the singular include the plural and words used in the plural include the singular; the word “shall” is mandatory; the word “may” is permissive; the masculine shall include the feminine and neuter. (Ord. 309 § 1 (Exh. B), 2019)

18.12.030 Zoning map.

A zoning map or zoning map amendment adopted by CCC 18.12.020 or by an amendment thereto shall be prepared by authority of the planning commission or be a modification by the *board* ~~county court~~ of a map or map amendment so prepared. The map or map amendment shall be dated with the effective date of the ordinance that adopts the map or map amendment. A certified print of the adopted map or map amendment shall be maintained in the office of the county clerk as long as this title remains in effect. (Ord. 280 § 2 (Exh. B), 2015; Ord. 18 § 2.030, 2003)

18.16.010 Use table.

Table 1 identifies the uses permitted in the EFU zone. This table applies to all new uses, expansions of existing uses, and changes of use when the expanded or changed use would require review, unless otherwise specified on Table 1. All uses are subject to the general provisions, special conditions, additional restrictions and exceptions set forth in this chapter. Due to the limited amount of high-value farmland in Crook County, the uses for high-value farmland are not listed in this section. If a use permitted in Table 1 is located on high-value farmland, the requirements of this chapter and the requirements of OAR Division 33 shall be used for review.

As used in Table 1:

(1) Use Type.

(a) “A” means the use allowed.

(b) “STS” means the use is subject to site plan review and any other listed criteria.

(c) “C” means the use is a conditional use. Conditional uses are permitted subject to county review, any specific standards for the use set forth in CCC 18.16.015, the conditional use review criteria in CCC 18.16.020, the general standards for the zone, and specific requirements applicable to the use in Chapter 18.160 CCC.

(d) “X” means the use is not allowed.

(2) Review Procedures.

(a) “P” means the use is permitted outright; uses and activities and their accessory buildings and uses are permitted subject to the general provisions set forth by this chapter.

(b) “Administrative” are permitted by right, requiring only nondiscretionary staff review to demonstrate compliance with the standards in this chapter. Permits subject to administrative review are limited to actions that do not require interpretation or the exercise of policy or legal judgment.

(c) “Notice and opportunity for public hearing” involve permits for which the application of review criteria requires the exercise of limited discretion. Decisions are made by the planning director. These decisions require a notice of decision and opportunity for appeal and public hearing.

(d) “Planning commission hearing” uses require a public hearing. Decisions are made by the planning commission, usually with an opportunity to appeal to the board of commissioners. These decisions involve the exercise of discretion and judgment when applying applicable land use and development criteria but implement established policy. Uses that are subject to this review procedure may be allowed subject to findings of compliance with applicable approval criteria and development standards. These decisions require a public notice prior to, and after, a decision.

(3) The “Subject To” column identifies any specific provisions of CCC 18.16.015 and other local requirements to which the use is subject.

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
1	Farm, Forest, and Natural Resource Uses			
1.1	Farm use.	A	P	
1.2	Propagation or harvesting of a forest product.	A	P	

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
1.3	Composting limited to accepted farming practices in conjunction with and auxiliary to farm use on the subject tract.	A	P	
1.4	A facility for the processing of farm products with a processing area of less than 2,500 square feet.	A	P	
1.5	Agricultural buildings customarily provided in conjunction with farm use.	STS	Administrative	
1.6	Creation of, restoration of, or enhancement of wetlands.	STS	Administrative	
1.7	A facility for the processing of farm products with a processing area of at least 2,500 square feet but less than 10,000 square feet.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (1)
1.8	A facility for the primary processing of forest products.	C	Planning Commission Hearing	<u>18.16.015</u> (2)
2	Residential Uses			
2.1	Primary farm dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (25) 18.16.025
2.2	Relative farm help dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (3) 18.16.015(25)
2.3	Accessory farm dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (25) 18.16.030
2.4	Lot of record dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (25) 18.16.035

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
2.5	Nonfarm dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (25) 18.16.040
2.6	Replacement dwelling for historic property.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (25)
2.7	Replacement dwelling.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (25) 18.16.045
2.8	Temporary hardship dwelling.	C	Notice and Opportunity for Hearing	<u>18.16.015</u> (4) 18.16.015(25) 18.16.020(1) and (2)
2.9	Residential home as defined in ORS <u>197.660</u> , in existing dwellings (limited to the EFU-2 and EFU-3 zones only).	C	Planning Commission Hearing	<u>18.16.015</u> (25)
2.10	Room and board arrangements for a maximum of five unrelated persons in existing residences.	C	Notice and Opportunity for Hearing	<u>18.16.015</u> (25)
3	Commercial Uses			
3.1	Dog training classes or testing trials.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (5)
3.2	Farm stand.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (6)
3.3	Winery.	STS	Notice and Opportunity for Hearing	<u>18.16.050</u>

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
3.4	Cider business.	STS	Notice and Opportunity for Hearing	<u>18.16.050</u>
3.45	Farm brewery.	STS	Notice and Opportunity for Hearing	<u>18.16.052</u>
3.5	Agri-tourism and other commercial events or activities that are related to and supportive of agriculture.	STS	Notice and Opportunity for Hearing	<u>18.16.055</u>
3.6	Parking of up to seven log trucks.	C	Notice and Opportunity for Hearing	
3.7	Home occupations.	C	Notice and Opportunity for Hearing	<u>18.160.050</u>
3.8	Commercial dog boarding kennels or dog training classes or testing trials that cannot be established under Use 3.1.	C	Planning Commission Hearing	
3.9	A landscape contracting business, as defined in ORS <u>671.520</u> , or a business providing landscape architecture services, as described in ORS <u>671.318</u> , if the business is pursued in conjunction with the growing and marketing of nursery stock on the land that constitutes farm use.	C	Notice and Opportunity for Hearing	
3.10	Commercial activities in conjunction with farm use, including the processing of farm crops into biofuel not permitted under Use 1.6, but excluding activities in conjunction with a marijuana crop.	C	Planning Commission Hearing	<u>18.16.015(7)</u>

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
3.11	Equine and equine-affiliated therapeutic and counseling activities.	C	Planning Commission Hearing	<u>18.16.015</u> (9)
3.12	Guest ranch.	C	Planning Commission Hearing	<u>18.16.015</u> (8)
4	Mineral, Aggregate, Oil and Gas Uses			
4.1	Exploration for and production of geothermal, gas, oil and other associated hydrocarbons, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead.	STS	Administrative	
4.2	Operations for the exploration for minerals as defined by ORS <u>517.750</u> .	STS	Administrative	
4.3	Operations conducted for mining and processing of geothermal resources as defined by ORS <u>522.005</u> and oil and gas as defined by ORS <u>520.005</u> not otherwise permitted.	C	Planning Commission Hearing	
4.4	Operations conducted for mining, crushing or stockpiling of aggregate and other mineral and other subsurface resources.	C	Planning Commission Hearing	<u>18.16.015</u> (11) 18.144
4.5	Processing as defined by ORS <u>517.750</u> of aggregate into asphalt or Portland cement.	C	Planning Commission Hearing	<u>18.16.015</u> (10) 18.144
4.6	Processing of other mineral resources and other subsurface resources.	C	Planning Commission Hearing	
5	Transportation Uses			

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
5.1	Climbing and passing lanes within the right-of-way existing as of July 1, 1987.	STS	Administrative	
5.2	Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right-of-way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur or no new land parcels result.	STS	Administrative	
5.3	Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.	STS	Administrative	
5.4	Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right-of-way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.	STS	Administrative	
5.5	Construction of additional passing and travel lanes requiring the acquisition of right-of-way but not resulting in the creation of new land parcels.	C	Notice and Opportunity for Hearing	
5.6	Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels.	C	Notice and Opportunity for Hearing	
5.7	Improvement of public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, where additional property or right-of-way is required but not resulting in the creation of new land parcels.	C	Planning Commission Hearing	

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
5.8	Transportation improvements on rural lands allowed by and subject to the requirements of OAR <u>660-012-0065</u> .	C	Notice and Opportunity for Hearing	
5.9	Personal use airports for airplanes and helicopter pads, including associated hangar, maintenance and service facilities.	C	Planning Commission Hearing	<u>18.16.015</u> (12)
6	Utility/Solid Waste Disposal Facilities			
6.1	Irrigation reservoirs, canals, delivery lines and those structures and accessory operational facilities, not including parks or other recreational structures and facilities, associated with a district as defined in ORS <u>540.505</u> .	A	P	
6.2	Land application of reclaimed water, agricultural or industrial process water or biosolids, or the on-site treatment of septage prior to the land application of biosolids.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (13)
6.3	Utility facility service lines.	STS	Administrative	<u>18.16.015</u> (14)
6.4	Utility facilities necessary for public service, including associated transmission lines as defined in ORS <u>469.300</u> and wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (15)
6.5	Transmission towers over 200 feet in height.	C	Planning Commission Hearing	<u>18.124.110</u>
6.6	Commercial utility facilities for the purpose of generating power for public use by sale, not	C	Planning Commission Hearing	<u>18.16.060</u> (1)

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
	including wind power generation facilities or photovoltaic solar power generation facilities.			
6.7	Wind power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale.	C	Planning Commission Hearing	<u>18.16.060(2)</u> 18.161
6.8	Photovoltaic solar power generation facilities as commercial utility facilities for the purpose of generating power for public use by sale.	C	Planning Commission Hearing	<u>18.16.060(3)</u> 18.161
6.9	Disposal site for solid waste approved by the governing body and for which the Oregon Department of Environmental Quality has granted a permit under ORS <u>459.245</u> , together with equipment, facilities or buildings necessary for its operation.	C	Planning Commission Hearing	<u>18.16.015(17)</u> <u>18.16.015(26)</u>
6.10	Composting facilities on farms or for which a permit has been granted by the Department of Environmental Quality under ORS <u>459.245</u> and OAR <u>340-093-0050</u> and <u>340-096-0060</u> .	C	Planning Commission Hearing	<u>18.16.015(16)</u> <u>18.16.015(26)</u>
7	Parks/Public/Quasi-Public Uses			
7.1	Firearms training facility in existence on September 9, 1995.	STS	Notice and Opportunity for Hearing	
7.2	Fire service facilities providing rural fire protection services.	STS	Notice and Opportunity for Hearing	
7.3	On-site filming and activities accessory to on-site filming for 45 days or less as provided for in ORS <u>215.306</u> .	STS	Administrative	

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
7.4	A site for the takeoff and landing of model aircraft.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (18)
7.5	On-site filming and activities accessory to on-site filming for more than 45 days as provided for in ORS <u>215.306</u> .	C	Notice and Opportunity for Hearing	
7.6	Living history museum as defined in CCC <u>18.08.120</u> .	C	Planning Commission Hearing	<u>18.16.015</u> (19) <u>18.16.015</u> (24)
7.7	Community centers owned by a governmental agency or a nonprofit organization and operated primarily by and for residents of the local rural community.	C	Planning Commission Hearing	<u>18.16.015</u> (20) <u>18.16.015</u> (24)
7.8	Public parks and playgrounds.	C	Planning Commission Hearing	<u>18.16.015</u> (21) <u>18.16.015</u> (24)
7.9	Public parks or park uses in an adopted park master plan.	STS	Administrative	<u>18.16.015</u> (24)
7.10	Expansion of existing county fairgrounds and activities directly relating to county fairgrounds governed by county fair boards established pursuant to ORS <u>565.210</u> .	C	Notice and Opportunity for Hearing	
7.11	A county law enforcement facility that lawfully existed on August 20, 2002 and is used to provide rural law enforcement services primarily in rural areas, including parole and post-prison supervision, but not including a correctional facility as defined under ORS <u>162.135</u> as provided for in ORS <u>215.283</u> (1).	X	Notice and Opportunity for Hearing	<u>18.16.020</u>

Table 1. Use Table for Exclusive Farm Use (EFU) District

	Use	Use Type	Review Procedure	Subject To
7.12	Operations for the extraction of water.	C	Planning Commission Hearing	
7.13	Churches and cemeteries in conjunction with churches.	STS	Notice and Opportunity for Hearing	<u>18.16.015</u> (24) 18.16.015(26)
7.14	Public or private schools for kindergarten through grade 12, including all buildings essential to the operation of a school, primarily for residents of the rural area in which the school is located.	C	Planning Commission Hearing	<u>18.16.015</u> (22) 18.16.015(24) 18.16.015(26)
7.15	Private parks, playgrounds, hunting and fishing preserves, and campgrounds.	C	Planning Commission Hearing	<u>18.16.015</u> (23) 18.16.015(24) 18.16.015(26)
7.16	Golf courses.	C	Planning Commission Hearing	<u>18.16.015</u> (24) 18.16.015(26) 18.16.015(27)
8	Outdoor Gatherings			
8.1	An outdoor mass gathering of more than 3,000 persons that is expected to continue for more than 24 hours but less than 120 hours in any three-month period, as provided in ORS <u>433.735</u> .	STS	Public Hearing with <i>Board of Commissioners</i> Crook County Court	5.04
8.2	Any outdoor gathering of more than 3,000 persons that is anticipated to continue for more than 120 hours in any three-month period is subject to review by a county planning commission under ORS <u>433.763</u> .	STS	Planning Commission Hearing	
9	Destination Resort	C	Planning Commission Hearing	18.116

(Ord. 350 § 2 (Exh. A), 2025; Ord. 344 § 2 (Exh. A), 2024; Ord. 336 § 4 (Exh. C), 2023; Ord. 330 § 5 (Exh. D), 2022; Ord. 321 § 4, 2020; Ord. 317 § 1, 2020; Ord. 309 § 2 (Exh. C), 2019)

18.44.090 Limitations of conditional uses.

In addition to the standards and conditions that may be attached to the approval of conditional uses as provided by Chapter 18.160 CCC, the following limitations shall apply to conditional uses in an RR-1/RR-5 zone:

- (1) An application for a conditional use in an RR-1/RR-5 zone may be denied if, in the opinion of the planning commission, the proposed use is not related to or sufficiently dependent upon the recreational resource of the area.
- (2) An application for a conditional use in an RR-1/RR-5 zone may be denied if the applicant fails to demonstrate that a location in close proximity to the recreation resource to be served is essential to the public interest and to the full development of the recreation resource.
- (3) The planning commission may require establishment and maintenance of fire breaks, the use of fire-resistant materials in construction and landscaping, or may attach other similar conditions or limitations that will serve to reduce fire hazards or prevent the spread of fire to surrounding areas.
- (4) The planning commission may limit changes in the natural grade of land, or the alteration, removal or destruction of natural vegetation in order to prevent or minimize erosion or pollution.
- (5) Compliance with the comprehensive plan shall be required for the approval of any application for a conditional use in an RR-1/RR-5 zone.
- (6) An application for a mobile home pursuant to CCC 18.44.020(2) can only be approved by unanimous vote of the commission, or by the simple majority vote by the ~~board~~ *county court* on appeal in the event that 66-2/3 percent, or more, of the property owners within 250 feet of the property in question object in writing, before the close of the public hearing, to the granting of the conditional use. (Ord. 280 § 9 (Exh. I), 2015; Ord. 18 § 3.080(9), 2003)

18.112.005 Purpose.

The purpose of this zoning district is to ameliorate the consequences of the establishment of the Juniper Acres Partitioning in 1962 by permitting a level of residential development that would not ordinarily be permitted in an exclusive farm use zone given the large number of private owners of numerous legally created parcels, and to modulate the timing of the residential development. The Crook County court (*now the board*) had established a task force to investigate solutions to fire suppression, road construction and maintenance issues in the subdivision. These issues of public health and safety have not been addressed and the court's order stating that it is premature to issue additional building permits in the Juniper Acres subdivision remains in effect (Order 2007-80), excepting building permits may be issued for (1) an alteration, restoration, or replacement of a lawfully

established land use, (2) an accessory structure to an existing lawfully established land use, and (3) for a previously approved land use that has been determined by the county planning department to have been initiated (vested). Except as described above, the remaining sections of this chapter shall not apply until the ~~board~~ ~~court~~ determines that building permits can be issued. (Ord. 344 § 10 (Exh. I), 2024; Ord. 326 § 5 (Att. A), 2021; Ord. 18 § 3.230, 2003)

18.116.020 Applicability.

(1) The provisions of this chapter shall apply solely to development which meets the standards set forth in CCC 18.116.040 or 18.116.050. Development which meets the standards in CCC 18.116.040 shall be referred to hereafter as a “destination resort,” and development which meets the standards in CCC 18.116.050 shall be referred to hereafter as a “small destination resort.” Where special standards or criteria are not specifically called out for small destination resorts, the standards for destination resorts shall apply. For a destination resort application, the standards and procedures of this chapter shall govern in cases where they conflict with the standards or procedures of the underlying zone. Other provisions of this title, made applicable by specific map designations such as the flood plain combining zone (FP), airport obstruction overlay zone, riparian protection zone, and sensitive bird habitat combining zone (SBH), or otherwise applicable under the terms of the county zoning ordinance, shall remain in full force and effect, except as otherwise specified herein.

(2) Destination resorts shall be allowed only on tracts mapped by the county as eligible for destination resort siting and designated as such in the comprehensive plan. The eligibility map (also known as the destination resort overlay) shall be based on reasonably available information, and shall be the sole basis for determining whether tracts of land are eligible for destination resort siting pursuant to ORS 197.435 to 197.467 (i.e., without taking an exception to Goals 3, 4, 11 or 14).

(3) Effective July 1, 2008, the existing eligibility map may be amended through a legislative comprehensive plan amendment process. The amendment process shall occur no more than once every 36 months. Amendments of the eligibility map are subject to the criteria set out in ORS 197.455, Statewide Planning Goal 8, the Crook County Comprehensive Plan, this policy, and other criteria as may be established through subsequent amendments to the Crook County Comprehensive Plan and/or Crook County Code. An eligibility map amendment can be applied for as follows:

(a) The ~~board~~ ~~Crook County court~~ may initiate, without payment of a fee, a legislative comprehensive plan amendment process at any time following adoption of Ordinance 206. The provisions of Chapter 18.168 CCC shall apply to the amendment process;

(b) After the initial legislative comprehensive plan amendment, an individual may apply for a legislative comprehensive plan amendment by submitting an application form and the required supporting materials as prescribed by the planning director requesting properties be added or removed from the eligibility map. The county will consider applications for legislative plan amendments no sooner than 36 months after the initial legislative comprehensive plan amendment. The planning director shall retain any applications received until the expiration of the 36-month period and shall then schedule

the matter for concurrent processing by the planning commission. The planning director shall establish the required application content and form and may adjust the application form as needed;

(c) Submitting the filing fee for each application for a destination resort overlay map amendment as set by the ~~board county court~~;

(d) Multiple applications shall be consolidated for the legislative hearing process required for comprehensive plan amendments pursuant to Chapter 18.168 CCC; and

(e) Prior to the first public hearing, the county shall require a recommendation from either or both a technical advisory committee consisting of local, state, and federal agencies, and/or an approved appointed citizen advisory committee which meets the requirements of the county's comprehensive plan and Goal 1 of the Statewide Planning Goals. (Ord. 206 § 1, 2008; Ord. 18 § 12.020, 2003)

18.116.080 Application procedures and contents.

(1) Before submitting a development plan for approval, an applicant proposing a destination resort shall conduct a preapplication conference with the planning department to obtain general information, guidelines, procedural requirements, advisory opinions, and technical assistance for the project concept.

(2) Following a preapplication conference, the applicant shall submit a development plan for review by the planning commission. Fifteen copies of the development plan shall be submitted to the planning department along with a filing fee set by the ~~board Crook County court~~ to defray costs incidental to the review process.

(3) The development plan shall contain the following elements:

(a) Illustrations and graphics to scale, identifying:

(i) The location and total number of acres to be developed as a destination resort;

(ii) The subject area and all adjacent tax lots, with existing zoning;

(iii) Types and general location of proposed development and uses, including residential and commercial uses;

(iv) A general depiction of the characteristics of the site, including:

(A) Goal 5 resources on the county's comprehensive plan inventory;

(B) Riparian vegetation within 100 feet of natural lakes, rivers, streams, and designated significant wetlands;

(C) Water areas, including streams, lakes, ponds and designated significant wetlands;

(D) Boundaries of the 100-year flood plain, if present on the site;

(E) Slopes exceeding 25 percent;

(F) Existing topography.

(v) Proposed methods of access to the development, identifying the main vehicular circulation system within the resort and an indication of whether streets will be public or private;

(vi) Major trail systems;

(vii) The approximate location and number of acres proposed as open space, buffer area or common area. Areas proposed to be designated as “open space,” “buffer area” or “common area” should be conceptually illustrated and labeled as such;

(viii) List of proposed recreational amenities and approximate location.

(b) A conceptual water and sewer facilities master plan for the site, including a master plan study prepared by a professional engineer certified in the state of Oregon, describing:

(i) An estimate of water demands for the destination resort at maximum build-out;

(ii) Availability of water for estimated demands at the destination resort, including (1) identification of the proposed source; (2) identification of all available information on ground and surface waters relevant to the determination of adequacy of water supply for the destination resort; (3) a copy of any water right application or permit submitted to or issued by the Oregon Water Resources Department (OWRD), including a description of any mitigation measures proposed to satisfy OWRD standards or requirements;

(iii) A water conservation plan including an analysis of available measures, which are commonly used to reduce water consumption. This shall include a justification of the chosen water conservation plan. The water conservation plan shall analyze a wastewater disposal plan utilizing beneficial use of reclaimed water to the extent practicable. For the purposes of subsection (3)(b) of this section, beneficial uses may include, but are not limited to:

(A) Agricultural irrigation or irrigation of golf courses and greenways;

(B) Establishment of artificial wetlands for wildlife habitation;

(C) Groundwater recharge.

(c) A conceptual site drainage plan;

(d) A solid waste management plan;

(e) An open space management plan, including:

(i) An explanation of how the open space management plan will ensure that at least 50 percent of the resort is dedicated to open space at all times;

(ii) Proposed conservation easements to protect significant Goal 5 sites pursuant to CCC 18.116.040(8).

- (f) A description of measures intended to mitigate significant project impacts on fish and wildlife and other natural values present in the open space areas;
- (g) A traffic study which addresses: (1) impacts on affected county, city, and state road systems, and (2) transportation improvements necessary to mitigate any such impacts. The study shall be prepared by a licensed traffic engineer in coordination with the affected road authority (either the county department of public works or the Oregon Department of Transportation, or both);
- (h) A written statement addressing how the proposed destination resort satisfies the standards of CCC 18.116.040 or 18.116.050, and the approval criteria of CCC 18.116.100;
- (i) A description of any proposed development or design standards, together with an explanation of why the standards are adequate to minimize significant adverse impacts on adjacent land uses within 500 feet of the boundaries of the parcel on which the destination resort is to be developed;
- (j) A description of the proposed method of providing all utility systems, including the preliminary or schematic location and sizing of the utility systems;
- (k) A description of the proposed order and schedule for phasing (if any) of all development including an explanation of when facilities will be provided and how they will be secured, proportional to the level of development, if not completed prior to the closure of sale of individual lots or units;
- (l) A description of the proposed method for providing emergency medical facilities and services and public safety facilities and services, including fire and police protection. (Ord. 18 § 12.080, 2003)

18.116.090 Development plan review procedure.

- (1) Review of the development plan shall be in accordance with the provisions of the planning commission review procedure (Chapter 18.172 CCC).
- (2) The planning commission may attach any conditions (including requirements for improvement assurances) it deems necessary to the development plan approval when directly related to applicable standards and criteria and supported by substantial evidence in the whole record.
- (3) The planning commission shall issue a final order of its decision on the development plan. The planning commission's decision may be appealed to the ~~board county court~~. (Ord. 18 § 12.090, 2003)

18.116.100 Approval criteria.

The planning commission or ~~the board county court~~ shall approve a development plan for a destination resort if it determines that all of the following criteria are met:

- (1) The tract where the development is proposed is eligible for destination resort siting, as depicted on the acknowledged destination resort overlay map.
- (2) The development plan contains the elements required by CCC 18.116.080.

(3) The proposed development meets the standards established in CCC 18.116.040 or 18.116.050, qualifying as a destination resort or a small destination resort, respectively.

(4) The uses included in the destination resort are either permitted uses listed in CCC 18.116.060, or accessory uses listed in CCC 18.116.070 that are ancillary to the destination resort and consistent with the purposes of this chapter.

(5) The development will be reasonably compatible with surrounding land uses, particularly farming and forestry operations. The destination resort will not cause a significant change in farm or forest practices on surrounding lands or significantly increase the cost of accepted farm or forest practices.

(6) The development will not have a significant adverse impact on fish and wildlife, taking into account mitigation measures.

(7) The traffic study required by CCC 18.116.080(3)(g) illustrates that the proposed development will not significantly affect a transportation facility or will comply with subsection (7)(b) of this section.

(a) A resort development will significantly affect a transportation facility for purposes of this approval criterion if it would, at any point within a 20-year planning period:

(i) Change the functional classification of the transportation facility;

(ii) Result in levels of travel or access which are inconsistent with the functional classification of the transportation facility; or

(iii) Reduce the performance standards of the transportation facility below the minimum acceptable level identified in the applicable transportation system plan (TSP).

(b) If the traffic study required by CCC 18.116.080(3)(g) illustrates that the proposed development will significantly affect a transportation facility, the applicant for the destination resort shall assure that the development will be consistent with the identified function, capacity, and level of service of the facility through one or more of the following methods:

(i) Limiting the development to be consistent with the planned function, capacity and level of service of the transportation facility;

(ii) Providing transportation facilities adequate to support the proposed development consistent with Chapter 660 OAR, Division 12; or

(iii) Altering land use densities, design requirements or using other methods to reduce demand for automobile travel and to meet travel needs through other modes.

(c) Where the option of providing transportation facilities is chosen in accordance with subsection (7)(b)(ii) of this section, the applicant shall be required to provide the transportation facilities to the full standards of the affected authority as a condition of approval. Timing of such improvements shall be based upon the timing of the impacts created by the development, as determined by the traffic study or the recommendations of the affected road authority.

(8) The water and sewer facilities master plan required by CCC 18.116.080(3)(b) illustrates that proposed water and sewer facilities can reasonably serve the destination resort.

(9) The development complies with other applicable standards of the county zoning ordinance. (Ord. 336 § 9 (Exh. H), 2023; Ord. 18 § 12.100, 2003)

18.132.010 Minimum standards for manufactured dwellings.

(1) Generally.

(a) A manufactured dwelling permitted as a single-family dwelling on an individual lot shall be in compliance with the following standards and regulations as a minimum.

(b) A manufactured dwelling is defined as a residential trailer, mobile home, or manufactured home as listed in CCC 18.08.130.

(c) The manufactured dwelling shall meet the state and/or federal construction requirements in effect at the time of construction.

(2) Standards for Manufactured Dwelling Siting.

(a) The manufactured dwelling shall be installed according to Chapter 15.04 CCC.

(b) The manufactured dwelling shall have all wheels, axles, hitch mechanisms, and transient lights removed.

(c) The manufactured dwelling shall have continuous perimeter skirting of finished wood, vinyl, metal, masonry, concrete, or masonry block. Skirting will provide access in accordance with Chapter 15.04 CCC.

(d) All plumbing, electric and gas service connections shall be made according to the manufacturer's instructions and Chapter 15.04 CCC.

(e) The manufactured dwelling shall meet all Federal Emergency Management Agency (FEMA) standards if placed in a designated flood plain.

(f) Off-street parking shall meet the requirements of CCC 18.128.010(1)(a). Construction of the off-street parking facilities shall be completed within 90 days following placement of the unit upon the site.

(g) Before a manufactured dwelling is occupied it shall pass the building department's final building inspection and shall be connected to a sanitary sewage disposal system approved by the environmental health department or State Division of Environmental Quality.

(h) The manufactured dwelling shall be used solely for the purpose of a residential dwelling. Use of a manufactured dwelling for storage is prohibited.

(i) Upon removal of the manufactured dwelling, the owner of the property shall remove the foundation and all accessory structures and additions to the manufactured dwelling and shall disconnect sewer, water and other utilities. A demolition/removal permit from the Crook County community development department will be required.

(ii) This condition shall not apply in the event the owner applies to the community development department to have the manufactured dwelling replaced on the original foundation site by another approved dwelling unit within one year of the original unit's removal.

(iii) In the event the owner fails to file an application with the community development department for a replacement dwelling and fails to accomplish said work within one year from the date on which the manufactured dwelling is moved from its foundation, the county may perform such work and place a lien against the property for the cost of such work. Said lien may be initiated by the ~~board~~ **county court**.

(3) Manufactured Dwellings Accessory Structures.

(a) Accessory structures, including porches, steps, awnings, cabanas, carports, or any other structure or addition that depends in part on the manufactured dwelling for support, or in any manner is immediately adjacent to or attached to the manufactured dwelling, are allowed subject to Chapter 15.04 CCC. Ramadas (over-home shelters against sun or rain) shall not be allowed on new applications.

(b) Additions may be attached to a manufactured dwelling, providing that such additions are structurally compatible with the manufactured dwelling, comply with other applicable requirements, and Chapter 15.04 CCC.

(c) Additions of habitable space shall not exceed 30 percent of the total living space of a manufactured dwelling.

(4) Placement Standards for Manufactured Dwellings.

(a) Manufactured dwellings constructed no more than 15 years prior to the date of application are permitted as a dwelling where a dwelling is allowed.

Manufactured dwellings constructed more than 15 years prior to the date of application shall not be allowed for placement in Crook County except as allowed under subsection (4)(b) of this section or by exception by the Crook County community development director.

This provision applies to new site plan applications submitted after the date of the ordinance codified in this chapter (November 13, 2019).

(b) All manufactured dwellings, which were manufactured in accordance with the laws in effect at the time of construction, are allowed in all permitted mobile home parks.

(c) Manufactured dwellings are prohibited in any historic district or on any historic site.

(d) Manufactured dwellings are allowed as a replacement to an existing nonconforming dwelling destroyed by fire or other natural act, or as an upgrade of an existing manufactured dwelling in accordance with this chapter (see CCC 18.156.010). (Ord. 314 § 1 (Att. A), 2019; Ord. 280 § 16 (Exh. P), 2015; Ord. 18 § 4.100, 2003)

18.136.010 Historic buildings and sites protection.

(1) Alteration/Demolition Permits. A permit is required for alteration or demolition of any structure listed in the county's plan inventory of historic resources as a "significant" historic resource.

(a) Alteration means any addition to, removal of, or change in the exterior part of a structure, and shall include modification of the surface texture, material, or architectural detail of the exterior part of the structure, but shall not include paint color.

(b) Nothing in this subsection shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature on any property covered herein that does not involve a change in design, material, or external appearance thereof.

(c) Nor does this subsection prevent the construction, reconstruction, alteration, restoration, demolition, or removal of any such feature when a building official determines that such emergency action is required for public safety due to an unsafe or dangerous condition.

(2) Review Procedure.

(a) Application. A property owner or his authorized agent may initiate a request for a permit for alteration or demolition of an historic structure by filing an application with both the appropriate building official and the county's designated planning official.

(b) Public Review Process. The county's designated planning official shall initiate a public review process on the subject permit request within 10 days of receipt thereof as follows:

(i) Provide individual written notice of such application to the following:

(A) Property owners within 250 feet.

(B) Planning commission members.

(C) County historical review committee and/or county historical society as such may be applicable.

(D) State Historic Preservation Office.

(E) Other identifiable potentially affected person or parties.

(ii) Such notice shall provide for a minimum of 10, but not more than 20 days for all persons or parties to respond relative to the subject application.

(iii) If no objection is received within said response period, the county's planning official may take action on the subject application for approval, approval with amendments or conditions, denial, or

referral to the county planning commission or county historical review committee as applicable for public hearing.

(iv) If one or more objections are received, referral for public hearing shall be mandatory.

(c) Decision. If not referred for public hearing, the county's planning official shall render a decision on an application within 10 days of closure of the public response period. A copy of such decision shall be mailed to the applicant, the owners of the affected property, the county planning commission, the State Historic Preservation Office, and other persons specifically requesting such notification. Said mailing shall be within five working days following the date of the decision.

(d) Planning Official Action.

(i) Alteration. In the case of an application for alteration of an historic structure, the planning official shall:

(A) Approve the request as submitted;

(B) Approve the request with modifications or conditions; or

(C) Deny the request;

(D) As may be applicable, the planning official shall refer the application to the county historical review committee or county historical society, or both, and to the State Historical Preservation Office for review and written recommendation prior to taking action thereon.

(ii) Demolition. In the case of an application for demolition of an historic structure, the planning official shall authorize either:

(A) Immediate issuance of the permit; or

(B) Delay issuance of the permit for a period up to 90 days. During this period, the planning official, in conjunction with the ~~board~~ county court, the county historical committee, the county historical society and SHPO, shall attempt to determine if public or private acquisition and preservation is feasible or if other alternatives are possible which could be carried out to prevent demolition of the structure;

(C) The planning official shall authorize immediate issuance of a demolition permit if it is found that all of the following is evident:

1. Structure cannot be economically rehabilitated;

2. A program or project does not exist which may reasonably result in preservation of the structure;

3. Delay of the permit would result in unnecessary and substantial hardship to the applicant and/or property owner; and

4. Issuance will not act to the substantial detriment of the public interest and welfare considering the significance of the structure and the economic, cultural and energy consequences of demolition.

(iii) Criteria – Exterior Alteration. The county planning official shall approve an application for exterior alteration if the proposed alteration is determined to be harmonious and compatible with the appearance and character of the historical building and shall disapprove any application if found detrimental as being unsightly, grotesque, or adversely affecting the architectural significance, the integrity or historical appearance, the educational or historical value of the building. The following guidelines apply to exterior alterations to historical buildings:

(A) Retention of original construction so far as practicable, and the preservation of original exterior materials and details.

(B) Height. Additional stories may be added to historical buildings; provided, that:

1. Zoning height limitations are met.
2. Does not exceed that which was traditional for the style of the building.
3. Added height does not alter the traditional scale and proportions of the building style.
4. Added height is visually compatible with adjacent historic buildings.

(C) Bulk. Horizontal additions may be added to historical buildings; provided, that:

1. The bulk of the addition does not exceed that which was traditional for the building style.
2. The addition maintains the traditional scale and proportion of the building style.
3. The addition is visually compatible with adjacent historic buildings.

4. Visual Integrity of Structure. The lines of columns, piers, spandrels, and other primary structural elements shall be maintained so far as practicable.

5. Scale and Proportion. The scale and proportion of altered or added building elements, the relationships of voids to solids (windows to walls) shall be visually compatible with the traditional architectural character of the historic buildings in the area.

6. Materials, Color and Texture. The materials, colors and textures used in the alteration or addition shall be visually compatible with the traditional architectural character of the historic buildings of the area.

7. Signs, Lighting and Other Appurtenances. Signs, exterior lighting, and other appurtenances such as walls, fences, awnings and landscaping shall be visually compatible with the traditional architectural character of the historic buildings of the area. (Ord. 18 § 4.200, 2003)

18.144.070 Enforcement procedures.

(1) In addition to any other remedy available by law, the county may establish a violation of this chapter or of any condition imposed on a permit issued under this chapter in the following manner:

(a) Upon determining that a violation has occurred, the planning director shall issue a notice of violation and assessment of fine to the permittee. The notice of violation shall be sent to the permittee and to the owner of record of the affected property by certified mail, return receipt requested. The notice of violation shall explain the nature of the violation and the process for contesting the violation. The planning director shall consider the factors set out in subsection (1)(d) of this section in assessing a fine.

(b) Within 10 days of receipt of the notice of violation, the permittee may contest the violation by filing an answer with the planning department and requesting a hearing on the violation. Without requesting a hearing, a permittee may admit the violation and offer argument and evidence on mitigation of the proposed fine. In the event an answer is not filed within 10 days, the violation shall be established and a fine may be imposed. The fine shall not exceed the amount assessed in the notice of violation.

(c) A hearing on any contested notice of violation shall be held before the planning commission. The planning commission shall conduct the hearing in the manner provided for in ORS 215.402 to 215.438.

(d) The county has the burden of proof in establishing the existence of a violation. If the planning commission determines that a violation occurred, it shall impose a fine. The planning commission may order suspension of the mining activity if the suspension is warranted under ORS 215.296(7). The maximum amount of the fine shall be \$500.00 for each violation. In determining the amount of the fine, the planning commission shall consider:

(i) The past history of the person incurring the penalty in taking all feasible steps or procedures necessary or appropriate to correct any violation;

(ii) Any prior violations of ordinances or permits applicable to the site;

(iii) The economic and financial conditions of the person incurring the penalty;

(iv) The gravity and magnitude of the violation;

(v) Whether the violation was repeated or continuous;

(vi) Whether the cause of the violation was an unavoidable accident, negligence or an intentional act;

(vii) The permittee's cooperativeness and efforts to correct the violation.

(e) Any party to the planning commission proceedings may appeal the decision of the planning commission to the ~~board county court~~ by filing a notice of appeal within 10 days of issuance of the final decision of the planning commission. The appeal shall be on a planning department form and shall state specifically how the planning commission failed to make a decision consistent with the required criteria. The decision of the ~~board county court~~ on the appeal shall be final.

(2) Any permit issued under this title may be revoked by the planning director if it has been established (by uncontested notices of violations or by decisions on contested violations or both) that the

permittee has committed, within any three-year period, more than two violations of a condition imposed by the permit for the protection of accepted farm or forest practices on surrounding lands or more than three violations of any other condition or if the permittee fails to pay a fine levied for violation of this chapter or conditions imposed on a mining permit within 15 days after the decision to levy the fine became final.

(3) Any permit issued under this title may be revoked by the planning commission after hearing if the planning commission finds that:

(a) The permittee provided false or misleading material information, or omitted disclosure of a material fact, in the permit application or materials submitted in support of the application; or

(b) The permittee is intentionally conducting mining operations in violation of federal, state or county laws or regulations applicable to mining operations which results in a substantial injury to persons or interests protected by the law or regulation. An intentional violation shall not exist if the permittee disputes the violation and continues the alleged unlawful conduct while litigating the existence of the purported violation.

(4) The planning commission shall conduct a revocation hearing using the procedures set out in ORS 197.763. The county shall bear the burden of proof in any such proceeding that sufficient grounds for revocation exist. An appeal of the planning commission action may be taken in the manner provided for in subsection (1)(e) of this section. (Ord. 18 § 11.070, 2003)

18.148.030 Definitions.

As used in this chapter:

(1) “Facility” means any real or personal property, including appurtenances thereto and fixtures thereon, associated with a given use.

(2) “Farming practice” means the cultivation, growing, harvesting, processing or selling of plants or animals of any kind, which lawfully may be grown, processed and sold, including, but not limited to, fish, livestock, poultry, grapes, Christmas trees and nursery stock.

(3) “Forest practice” has the meaning given that term by ORS 527.620.

(4) “Nonresource use” means any facility, activity or other use of land which does not constitute a resource use, including but not limited to residential use, and also including any aggregate mining use which is not conducted in accordance with a program complying with Goal 5.

(5) “Resource use” means any current or future generally accepted aggregate mining, farming, ranching or forest practice or facility conducted in compliance with applicable Crook County ordinances.

(6) “Generally accepted” means either:

(a) A practice or facility which is conducted or used in compliance with applicable federal and state laws and county ordinances; or

(b) If there is no applicable federal or state law, a practice or facility which an average person in Crook County who is regularly involved in the same type of resource use would reasonably expect to occur or exist in a truly rural setting. The Crook County *Board of Commissioners* ~~court~~ may, as it deems necessary, establish resource user peer review boards consisting of five persons each, three of whom regularly are involved in a resource use within the county, to advise the board as to generally accepted practices or facilities with respect to that resource use.

(7) "Resource use" does not include:

(a) The willful growing of unlawful, infested, infected or diseased plants or animals.

(b) Trespass which involves actual physical intrusion onto the property of another by a person or by a person's animals. (Ord. 76 § 3, 1993)

18.160.050 Standards governing conditional uses.

A conditional use shall comply with the standards of the zones in which it is located and with the standards and conditions set forth in this section.

(1) Airports, Aircraft Landing Fields, Aircraft Charter, Rental, Service and Maintenance Facilities Not Located in an Aircraft Approach Zone. The planning director or planning commission shall find that the location and site design of the proposed facility will not be hazardous to the safety and general welfare of surrounding properties, and that the location will not unnecessarily restrict existing and future development of surrounding lands as designated by the comprehensive plan.

(2) Automobile Wrecking Yard or Junkyard. In considering a conditional use application for an automobile wrecking yard or junkyard, the planning director or planning commission shall require that it be enclosed and screened from public view by a sight-obscuring fence not less than six feet in height. If applicable, the planning director or planning commission shall be assured that the proposal is in conformance with applicable state regulations.

(3) Cemeteries. The planning director or planning commission shall require evidence and shall find that the terrain and soil types of a proposed location are suitable for interment, and that the nature of the subsoil and drainage will not have a detrimental effect on ground water sources or domestic water supplies in the area of the proposed use.

(4) Church, Hospital, Nursing Home, Convalescent Home, Retirement Home.

(a) Such uses may be authorized as a conditional use only after consideration of the following factors:

(i) Sufficient area provided for the building, required yards and off-street parking (related structures and uses such as a manse, parochial school or parish house are considered separate principal uses and additional lot area shall be required therefor).

- (ii) Location of the site relative to the service area.
 - (iii) Probable growth and needs therefor.
 - (iv) Site location relative to land uses in the vicinity.
 - (v) Adequacy of access to and from principal streets together with the probable effect on the traffic volumes of abutting and nearby streets.
- (b) Such uses or related buildings shall be at least 30 feet from a side or rear lot line.
- (c) Such uses may be built to exceed the height limitations of the zone in which they are located to a maximum height of 50 feet if the total floor area of the building does not exceed the area of the parcel or lot and if the yard dimensions in each case are equal to at least two-thirds of the height of the principal structure.
- (5) Clinics, Clubs, Lodges, Fraternal Organizations, Community Centers and Grange Halls, Golf Courses, Grounds and Buildings for Games or Sports, Country Clubs, Swimming, Boating, Tennis Clubs, and Similar Activities, Governmental Structures and Land Use, Parks, Playgrounds. In considering the above, the planning director or planning commission may authorize the conditional use after assurance that the following is to be provided:
- (a) Adequate access from principal streets.
 - (b) Adequate off-street parking.
 - (c) Adequate building and site design provisions to minimize noise and glare from the building and site.
- (6) Dog Pounds and Kennels. The planning director or planning commission may allow dog pounds or kennels as a conditional use based upon:
- (a) Noise requiring sound proofing insulation of the structure.
 - (b) Smell or odor.
 - (c) Number of animals for the area and the distance from the nearest neighbor and structure.
 - (d) Adequate facilities for the number of animals, square feet per animal including exercise area.
 - (e) Access road and parking.
 - (f) Shall comply with any additional conditions of approval established by the approval authority under CCC 18.160.030.
- (7) Home occupations, when permitted as a conditional use and conducted as an accessory use, shall be subject to the following limitations:
- (a) In all nonexclusive farm use zones and in the county's EFU 1 and 2 (exclusive farm use) zones on parcels 20 acres or less:

- (i) The home occupation is to be secondary to the main use of the property as a residence and shall be conducted only by the residents of such dwelling within the same dwelling or in an accessory building on the same property.
- (ii) Structural alterations shall be allowed to accommodate the home occupation when required by law or only after the plans for such alterations have been reviewed and approved by the planning director or planning commission. Such structural alterations shall not detract from the outward appearance of the building or change the appearance of the building from a dwelling or otherwise permitted accessory building.
- (iii) One nonilluminated sign not to exceed six square feet and bearing only the name and occupation of the resident shall be permitted.
- (iv) No materials or mechanical equipment shall be allowed which are detrimental to residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception or other factors.
- (v) No materials or commodities shall be delivered to or from the property, which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer not including a licensed parcel service (such as, but not limited to, UPS, Systems 99 and FedEx) or the United States Mail. All parking of allowed delivery vehicles or customer vehicles shall be in a manner and frequency as to cause no disturbance or inconvenience to nearby residents. The proposed home occupation should allow for on-site parking.
- (vi) Home occupations shall not include freight depots, building materials business, ice or cold storage plants, machine shop or related activities, veterinary clinics, kennels, laboratories, storage of hazardous chemicals, any processes requiring the rendering of fats or oils, animal slaughtering, concrete or redi-mix manufacture or distribution plants, wrecking yards, quarries, gravel pits, subsurface or surface mining, commercial feed lot, stock yards, railroad facilities, lumber and other wood products manufacturing, agricultural product storage and processing plants, bulk petroleum products storage and distribution or any other manufacturing process which would violate subsection (7)(a)(v) of this section.
- (vii) Only one person may be employed other than members of the immediate family.
- (viii) The home occupation shall be limited to 30 percent of the dwelling or 400 square feet, whichever is less.
- (ix) For any use permitted by this section on a lot adjacent to or across the street from a residential use or lot in a residential zone, there shall not be any odor, dust, fumes, glare, flashing lights, noise, or other similar types of possible nuisances which are perceptible (without instruments) more than 200 feet in the direction of the affected residential use or lot in a residential zone.
- (x) Shall comply with any additional condition of approval established by the approval authority under CCC 18.160.030.

(xi) A bed and breakfast facility that is operated in association with a winery or cider business and is sited as a home occupation on the same tract as a winery or cider business established pursuant to CCC 18.16.050 is permitted to:

(A) Serve meals at the bed and breakfast facility or at the winery or cider business; and

(B) Prepare and serve up to two meals per day to the registered guests of the bed and breakfast facility.

(b) In the county's EFU 1 and 2 zones on parcels greater than 20 acres:

(i) The home occupation is to be secondary to the main use of the property as a residence and shall be conducted only by the residents of such dwelling within the same dwelling or in an accessory building on the same property.

(ii) Structural alterations shall be allowed to accommodate the home occupation when required by law or only after the plans for such alterations have been reviewed and approved by the planning commission. Such structural alterations shall not detract from the outward appearance of the building or change the appearance of the building from a dwelling or otherwise permitted accessory building.

(iii) One nonilluminated sign not to exceed six square feet and bearing only the name and occupation of the resident shall be permitted.

(iv) No materials or mechanical equipment shall be allowed which are detrimental to residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception or other factors.

(v) All parking of allowed delivery vehicles or customer vehicles shall be in a manner and frequency as to cause no disturbance or inconvenience to nearby residents. The proposed home occupation should allow for on-site parking.

(vi) No more than five full-time or part-time persons may be employed.

(vii) Shall not unreasonably interfere with residential uses permitted in the zone in which the property is located.

(viii) For any use permitted by this section on a lot adjacent to or across the street from a residential use or lot in a residential zone, there shall not be any odor, dust, fumes, glare, flashing lights, noise, or other similar types of possible nuisances which are perceptible (without instruments) more than 200 feet in the direction of the affected residential use or lot in a residential zone.

(ix) Shall comply with any additional conditions or approval established by the approval authority under CCC 18.160.030.

(x) A bed and breakfast facility that is operated in association with a winery or cider business and is sited as a home occupation on the same tract as a winery or cider business established pursuant to CCC 18.16.050 is permitted to:

- (A) Serve meals at the bed and breakfast facility or at the winery or cider business; and
- (B) Prepare and serve up to two meals per day to the registered guests of the bed and breakfast facility.
- (c) In the county's EFU-3 zone, a home occupation shall:
 - (i) Be operated by a resident or employee of a resident of the property on which the business is located.
 - (ii) Employ on the site no more than five full-time or part-time persons at any given time.
 - (iii) Be operated substantially in:
 - (A) The dwelling; or
 - (B) Other buildings normally associated with uses permitted in the zone in which the property is located, except that such other buildings may not be utilized as bed and breakfast facilities or rental units unless they are legal residences.
 - (iv) Not unreasonably interfere with other uses permitted in the zone in which the property is located.
 - (v) When a bed and breakfast facility is sited as a home occupation on the same tract as a winery or cidery established pursuant to CCC 18.16.050 and is operated in association with the winery:
 - (A) The bed and breakfast facility may prepare and serve two meals per day to the registered guests of the bed and breakfast facility; and
 - (B) The meals may be served at the bed and breakfast facility or at the winery or cidery.
 - (vi) The home occupation shall be accessory to an existing, permanent dwelling on the same parcel.
 - (vii) No materials or mechanical equipment shall be used which will be detrimental to the residential use of the property or adjoining residences because of vibration, noise, dust, smoke, odor, interference with radio or television reception, or other factors.
 - (viii) All off-street parking must be provided on the subject parcel where the home occupation is operated.
 - (ix) Employees must use an approved off-street parking area. (ii) Customers visiting the home occupation must use an approved off-street parking area. No more than [2-5] vehicles from customers/visitors of the home occupation can be present at any given time on the subject parcel.
 - (x) Retail sales shall be limited or accessory to a service.
 - (xi) One nonilluminated sign not to exceed six square feet and bearing only the name and occupation of the resident shall be permitted.

(xii) No materials or commodities shall be delivered to or from the property, which are of such bulk or quantity as to require delivery by a commercial vehicle or trailer not including a licensed parcel service (such as, but not limited to, UPS, Systems 99 and FedEx) or the United States Mail. All parking of allowed delivery vehicles or customer vehicles shall be in a manner and frequency as to cause no disturbance or inconvenience to nearby residents.

(xiii) Prohibited Home Occupations.

(A) Retail sales or professional services, other than by appointment only.

(B) Auto or vehicle oriented activities (repair, painting, detailing, wrecking, transportation services, or similar activities).

(8) Landfill, Solid Waste Disposal Site. The planning director or planning commission may authorize a landfill or other solid waste disposal site as a conditional use, subject to the following standards:

(a) The proposed site shall not create a fire hazard, litter, insect or rodent nuisance, or air or water pollution in the area.

(b) The proposed site shall be located in or as near as possible to the area being served.

(c) The proposed site shall be located at least one-fourth mile from any existing dwelling, home or public road (except the access road).

(d) The proposed site shall be provided with a maintained access road (all weather).

(9) Mining, Quarrying or Other Extraction Activity.

(a) Plans and specifications submitted to the planning director or planning commission for approval must contain sufficient information to allow the planning director or planning commission to consider and set standards pertaining to the following:

(i) The most appropriate use of the land.

(ii) Setback from the property line.

(iii) The protection of pedestrians and vehicles through the use of fencing and screening.

(iv) The protection of fish and wildlife habitat and ecological systems through control of potential air and water pollutants.

(v) The prevention of the collection and the stagnation of water of all stages of the operation.

(vi) The rehabilitation of the land upon termination of the operation.

(b) Surface mining equipment and necessary access roads shall be constructed, maintained and operated in such a manner as to eliminate, as far as is practicable, noise, vibration or dust which may be injurious or annoying to persons or other uses in the vicinity.

(c) The comments and recommendations of all appropriate natural resource agencies of the state and federal government shall be sought.

(d) A rock crusher, washer or sorter shall not be located closer than 500 feet from a residential or commercial use.

(10) Commercial Use or Accessory Use Not Wholly Enclosed Within a Building, Retail Establishment, Office, Service Commercial Establishment, Financial Institution or Personal or Business Service Establishment on a Lot Abutting or Across the Street from a Lot in a Residential Zone. In any zone, a commercial use or accessory use not wholly enclosed within a building or a retail establishment, office, service commercial establishment, financial institution, or personal or business service establishment on a lot abutting or across the street from a lot in a residential zone may be permitted as a conditional use subject to the following standards:

(a) A sight-obscurer fence of evergreen hedge may be required by the planning director or planning commission when, in the director's or its judgment, such a fence or hedge or combination thereof is necessary to preserve the values of nearby properties or to protect the aesthetic character of the neighborhood or vicinity.

(b) In addition to the requirements of the applicable zone, the planning director or planning commission may further regulate the placement and design of signs and lights in order to preserve the values of nearby properties; to protect them from glare, noise or other distractions; or to protect the aesthetic character of the neighborhood or vicinity.

(c) In order to avoid unnecessary traffic congestion and hazards, the planning director or planning commission may limit access to the property.

(11) Commercial Amusement Establishment. A commercial amusement establishment may be authorized after consideration of the following factors:

(a) Adequacy of access from principal streets together with the probable effect of traffic volumes of abutting and nearby streets.

(b) Adequacy of off-street parking.

(c) Adequacy of building and site design provisions to maintain a reasonable minimum of noise and glare from the building and site.

(12) Mobile Home Park. A mobile home park shall be built to state standards in effect at the time of construction, the following provisions, and any additional conditions set forth in the planning director or planning commission's approval prior to occupancy:

(a) Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by state law.

(b) The space provided for each mobile home shall be provided with piped potable water and electrical and sewerage connections.

(c) The number of spaces for mobile homes shall not exceed 12 for each acre of the total area in the mobile home park; except that the planning director or planning commission may vary this density as follows:

(i) If dedicated open space equals 50 percent or more of the total area of the park, a maximum 10 percent increase in units per acre may be granted.

(ii) If in addition to subsection (12)(c)(i) of this section a maintained playground area with approved equipment, such as goal posts, swings, slides, etc., is provided, the maximum increase in units per acre may be increased an additional five percent.

(iii) If in addition to subsections (12)(c)(i) and (ii) of this section an approved recreation/community building is provided, an additional 10 percent increase of units/acre may be allowed (maximum total increase possible equals 25 percent).

(d) A mobile home shall occupy not more than 40 percent of the contiguous space provided for the exclusive use of the occupants of the mobile homes and exclusive of space provided for the common use of tenants, such as roadways, general use structures, parking spaces, walkways, and area for recreation and landscaping.

(e) No mobile home in the park shall be located closer than 15 feet from another mobile home or from a general use building in the park. No mobile home accessory building or other building or structure on a mobile home space shall be closer than 10 feet from a mobile home accessory building or other building or structure on another mobile home space. No mobile home or other building or structure shall be within 25 feet of a public street property boundary or 10 feet of another property boundary.

(f) A mobile home permitted in the park shall meet the following standards as determined by an inspection by the building official:

(i) It shall have a state insignia indicating compliance with all rules of any relevant agency in effect at the time of manufacture and including compliance for reconstruction or equipment installation made after manufacture.

(ii) Notwithstanding deterioration, which may have occurred due to misuse, neglect, accident or other cause, the mobile home shall meet the state standards for mobile home construction evidenced by the insignia.

(iii) It shall contain not less than 225 square feet of space as determined by measurement of the exterior of the unit exclusive of any trailer hitch device.

(iv) It shall contain a water closet, lavatory, shower or tub, and a sink in a kitchen or other food preparation space.

- (g) A mobile home permitted in the park shall be provided with a continuous skirting, and if a singlewide unit, shall be tied down with devices that meet state standards for tie-down devices.
- (h) The land which is used for park purposes shall be surrounded, except at entry and exit places, by a sight-obscuring fence or hedge not less than six feet in height. The fence or hedge shall be maintained in a neat appearance.
- (i) If the park provides spaces for 50 or more mobile home units, each vehicular way in the park shall be named and marked with signs, which are similar in appearance to those used to identify public streets. A map of the named vehicular ways shall be provided to the fire department.
- (j) If a mobile home space or permanent structure in a park within the urban growth boundary is more than 500 feet from a public fire hydrant, the park shall have water supply mains designed to serve fire hydrants and hydrants shall be provided within 500 feet of such space or structure. Each hydrant within the park shall be located on a vehicular way and shall conform in design and capacity to the public hydrants in the city.
- (k) Open Space. A minimum of at least 2,500 square feet plus 100 square feet per mobile home space shall be provided for a recreational play area group or community activities. (No play area is required if the individual mobile home spaces contain in excess of 4,000 square feet.) The planning director or planning commission may require this area to be protected from streets, parking areas or the like, by a fence or the equivalent. Unless otherwise approved, no required open space area shall contain less than 2,500 square feet. Recreation areas shall be improved with grass, plantings, surfacings or buildings suitable for recreational use. No recreation facility created within a mobile home park wholly to satisfy the requirements of this section shall be open to, or offered in itself to, the general public.
- (l) Parking Space Requirement. A parking space shall be provided for each mobile home space on the site. In addition, guest parking spaces shall also be provided in every mobile home park within 200 feet of the mobile home spaces served and at a ratio of one parking space for each two mobile home spaces. Parking spaces shall have durable and dustless surfaces adequately maintained for all weather use and shall be properly drained.
- (m) All mobile home parks over 10 acres in size shall be located so as to have access on a street designated as a collector street.
- (n) All trailer parks containing a total site area of 20 acres or more shall provide a secondary access to the trailer park. Such secondary access shall enter the public street system at least 150 feet from the primary access.
- (o) Lighting shall be installed along the access ways of the trailer park and the recreation area with lights of 100 watts or better not over 100 feet apart. Wires for service to light poles and trailer spaces shall be underground.
- (p) Roadways within the park shall be improved with an all weather dustless surface and shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or less than 20 feet in

width if parking is not permitted on the edge of the roadway and an adequate designated area is provided and improved for guest parking and tenant recreational vehicles (such area shall be designed and improved to provide not less than one parking space per each two spaces in the park).

(q) No mobile home park shall be created on a site less than one acre.

(13) Multifamily Dwelling Complex. A multifamily dwelling complex shall comply with the following provisions, and any additional conditions set forth in the planning director or planning commission's approval, and shall be constructed pursuant thereto prior to occupancy:

(a) The number of units permitted by the applicable zone per gross square footage of a site may be increased as follows:

(i) If dedicated open space, which is developed and landscaped, equals 50 percent or more of the total area of the site, a maximum 10 percent increase in the number of units may be granted.

(ii) If in addition to subsection (13)(a)(i) of this section a maintained playground area with approved equipment, such as goal posts, swings, slides, etc., is provided, the number of units permitted may be increased five percent.

(iii) If in addition to subsections (13)(a)(i) and (ii) of this section an approved recreation community building is provided, an additional 10 percent increase of units may be granted. (Maximum total increase possible is 25 percent.)

(b) There shall be no outdoor storage of furniture, tools, equipment, building materials or supplies belonging to the occupants or management of the complex.

(c) If such a complex or any unit thereof is more than 500 feet from a public fire hydrant, such shall be provided at appropriate locations on a vehicular way and shall conform in design and capacity to the public hydrants in the city.

(d) A minimum of at least 2,500 square feet plus 100 square feet per dwelling unit shall be provided for a recreation play area, group or community activities. Such area shall be improved with grass, plantings, surfacings, equipment or buildings suitable for recreational use. The planning director or planning commission may require this area to be protected from streets, parking areas, or the like, by a fence or the equivalent. (No play area is required if more than 70 percent of the area is preserved as open space and is sufficiently developed and landscaped.)

(e) All such complexes with more than 20 dwelling units shall be located so as to have access on a street designated as a collector unless otherwise approved by the planning director or planning commission.

(f) All such complexes shall provide at least two accesses.

(g) All roadways and parking areas shall be paved, and roadways shall not be less than 20 feet in width, except as approved by the planning director or planning commission.

(h) A sight-obscuring fence or evergreen hedge may be required by the planning director or planning commission when, in the director's or its judgment, such screening is necessary to preserve the values of nearby properties, protect the aesthetic character of the neighborhood or vicinity, and to provide security for occupants of the subject complex.

(i) All accessory structures associated with such a complex shall be set back 50 feet from the property line of an abutting single-family residential lot or use.

(14) Recreation Vehicle Park. A recreation vehicle park shall be built to state standards in effect at the time of construction, with the following provisions and any additional conditions set forth in the planning director or planning commission's approval prior to occupancy:

(a) The space provided for each recreation vehicle shall be not less than 700 square feet exclusive of any space used for common areas, such as roadways, general use structures, walkways, parking spaces for vehicles other than recreation vehicles and landscaped areas.

(b) Roadways shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or less than 20 feet in width if parking is not permitted on the edge of the roadway, shall be paved with asphalt, concrete or similar impervious surface and designed to permit easy access to each recreation vehicle space.

(c) A space provided for a recreation vehicle shall be covered with crushed gravel or paved with asphalt, concrete, or similar material and be designed to provide runoff of surface water. The part of the space which is not occupied by the recreation vehicle, not intended as an accessway to the recreation vehicle or part of an outdoor patio, need not be paved or covered with gravel provided the area is landscaped or otherwise treated to prevent dust or mud.

(d) A recreation vehicle space shall be provided with piped potable water and sewage disposal service. A recreation vehicle staying in the park shall be connected to the water and sewage service provided by the park if the vehicle has equipment needing such service.

(e) A recreation vehicle space shall be provided with electrical service.

(f) Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations for the use of guests of the park and located in such number and be of such capacity that there is no uncovered accumulation of trash at any time.

(g) Repealed by Ord. 297.

(h) The total number of parking spaces in the park, exclusive of parking provided for the exclusive use of the manager or employees of the park, shall be equal to one space per recreation vehicle space. Parking spaces shall be covered with crushed gravel or paved with asphalt, concrete or similar material.

(i) The park shall provide toilets, lavatories and showers for each sex in the following ratios: for each 15 recreation vehicle spaces or any fraction thereof: one toilet, one urinal, one lavatory and one shower for men; and two toilets, one lavatory and one shower for women. The toilets and showers shall afford

privacy and the showers shall be provided with private dressing rooms. Facilities for each sex shall be located in separate buildings, or if in the same building, shall be separated by a soundproof wall.

(j) The park shall provide one utility building or room containing one clothes washing machine, one clothes drying machine and 15 square feet of space for clothes drying lines for each 10 recreation vehicle spaces or any fraction thereof, unless such facilities are available within a distance of three miles and are adequate pursuant to these standards.

(k) Building spaces required by subsections (14)(i) and (j) of this section shall be lighted at all times of night and day, shall be ventilated, shall be provided with heating facilities which shall maintain a room temperature of 68 degrees Fahrenheit, shall have floors of waterproof material, shall have sanitary ceiling, floor and wall surfaces and shall be provided with adequate floor drains to permit easy cleaning.

(l) Except for the access roadway into the park, shall be screened on all sides by a sight-obscuring hedge or fence not less than six feet in height, unless otherwise approved by the planning director or planning commission.

(m) The park shall be maintained in a neat appearance at all times. Except for vehicles, there shall be no outside storage of materials or equipment belonging to the park or to any guest of the park.

(n) Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by state law.

(15) Radio, Television Tower, Utility Station or Substation.

(a) In a residential zone, all equipment storage on the site may be required to be within an enclosed building.

(b) The use may be required to be fenced and provided with landscaping.

(c) The minimum lot size for a public utility facility may be waived on finding that the waiver will not result in noise or other detrimental effect to adjacent property.

(d) Transmission towers, poles, overhead wires, pumping stations, and similar gear shall be so located, designed and installed as to minimize their conflict with scenic values.

(16) Schools.

(a) Nursery schools shall have at least 100 square feet of outdoor play area per child. A sight-obscuring fence at least four feet but not more than six feet high shall separate the play area from abutting lots.

(b) Elementary schools shall provide a basic site area of five acres plus one additional acre for each 100 pupils of predicted ultimate enrollment.

(c) Secondary schools shall provide a basic site area of 10 acres plus one additional acre for each 100 pupils of predicted ultimate enrollment.

(17) Transmission Towers. An application for a wireless telecommunications facility will be approved upon findings that:

(a) The facility will not be located on land that at the time of application has irrigation water rights available;

(b) The applicant has considered other sites in its search area that would have less visual impact as viewed from nearby residences than the site proposed and has determined that any less intrusive sites are either unavailable or do not provide the communications coverage necessary. To meet this criterion, the applicant must demonstrate that there has been a good faith effort to colocate his or her antennas on existing monopoles in the area served. The applicant can demonstrate this by submitting a statement from a qualified engineer that indicates the necessary service cannot be provided by colocation within the area to be served. County reserves the right to have a qualified engineer of its own choosing review and endorse the findings of applicant's engineer. In such cases, the concurrence of county's engineer shall be necessary to establish the required findings. The term "search area" refers to a geographic area within which the applicant seeks to establish a facility;

(c) The facility, including support structures, is sited using trees, vegetation, and topography to the maximum extent practicable to screen the facility from view of nearby residences;

(d) No antenna arrays will be allowed to be installed to exceed the height of the tower or monopole. Towers or monopoles shall not be sited in locations where there is no vegetative (including native high desert sagebrush or juniper stands), structural or topographic screening available;

(e) In all cases, the applicant shall site the facility in a manner to minimize its impact on scenic views and shall site the facility using trees, vegetation, and topography in order to screen it to the maximum extent practicable from view from protected roadways. Towers or monopoles shall not be sited in locations where there is no vegetative (including native high desert sagebrush or juniper stands), structural or topographic screening available. All ground-based equipment, including any equipment shelters or cabinets and security fencing, shall be screened from view from residences on abutting properties and from properties on the opposite side of a public road. The applicant can accomplish this by screening the perimeter of a lease area with plant materials appropriate for the location. The lessee shall be required as a condition of an approval to continuously maintain all introduced and preexisting landscape material;

(f) Telecommunication towers or monopoles shall be finished with a nonreflective surface in color which will blend with the surroundings and minimize visual impact, as approved by the planning director or planning commission;

(g) Any required aviation lighting is shielded from surrounding buildings to the maximum extent allowed by FAA and/or ODOT – Aeronautics regulations;

(h) The form of lease for the site does not prevent the possibility of colocation of additional carriers on the same facility;

- (i) Any tower or monopole over 50 feet in height shall be designed in a manner that it can carry the antennas of at least one additional wireless carrier. This criterion may be satisfied by submitting the statement of a licensed structural engineer licensed in Oregon that the monopole or tower has been designed with sufficient strength to carry such an additional antenna array and by elevation drawings of the proposed tower or monopole that identify an area designed to provide the required spacing between antenna arrays of different carriers;
- (j) Any approval of a wireless telecommunications facility shall include a condition that if the facility is left unused or is abandoned by all wireless providers located on the facility for more than one year the facility shall be removed by the permittee;
- (k) An application for a conditional use permit for only a support structure such as a tower or monopole may only be approved with the condition that the county will not issue any building permits for the support structure or any ground-based equipment buildings until the applicant provides the planning department with a copy of a signed lease agreement between the owner of the support structure and a personal wireless service provider;
- (l) The planning director or planning commission, or in the event of an appeal, the ~~board~~ ~~county court~~ may attach additional conditions of approval;
- (m) The applicant shall provide an agreement and security, in accordance with CCC 17.40.080 and 17.40.090, sufficient to pay for the removal of the tower;
- (n) The planning director or planning commission may retain a technical consultant(s) for the purpose of evaluating the application;
- (o) The telecommunication tower shall be to the maximum extent designed to resemble natural features (e.g., trees and vegetation);
- (p) A telecommunication tower shall be not located or designed in such a manner as to significantly impact scenic values;
- (q) The approval of a wireless telecommunication facility shall not include any covenant, promise, or agreement that prohibits or restricts any person or entity from engaging in direct or indirect competition with providers of cellular service, specialized mobile radio (SMR) service, personal communication service (PCS) service, paging service, or any other form of telecommunication service provided to the public.
- (18) Eating and Drinking Establishments. The planning director or planning commission may authorize an eating and drinking establishment as a conditional use based upon the following criteria:
- (a) Hours of operation may be regulated based on an establishment's proximity to residential neighborhoods or schools, the concentration of establishments in an area serving alcoholic beverages or for other reasons that may arise based on the location of the establishment.

(b) Modification of the conditional use permit may be required whenever the use is intensified or is expanded in square footage.

(c) Alcoholic beverage service in approved outdoor seating areas may be permitted as allowed by the OLCC. The separation shall clearly suggest that alcohol is not allowed outside the seating area. Outdoor seating areas adjacent to residential uses may be limited or restricted by the planning director or planning commission. The additional criteria will also apply to outdoor seating areas:

(i) Size Limitations. Outdoor seating areas shall not exceed the indoor seating area or seating capacity of the restaurant or tavern.

(ii) Parking Required. Parking in compliance with CCC 18.128.010(6)(e) shall be provided for all outdoor seating areas.

(iii) Music. No outdoor music or entertainment shall be provided after 11:00 p.m., or such earlier time as the planning director or planning commission may establish.

(iv) Trash. All trash located within the outdoor dining area, on the restaurant or tavern property, and adjacent streets, sidewalks, and properties shall be picked up and properly disposed of immediately after closing.

(d) License approval by OLCC.

(e) Adequate access from principal streets.

(f) Adequate off-street parking.

(g) Adequate building and site design provisions to minimize noise and glare from the building and site.

(19) Commercial Power Generating Facilities. A commercial power generating facility that is a conditional use in the applicable zone is governed by the general criteria and conditions in CCC 18.160.020 and 18.160.030 and the provisions of Chapter 18.161 CCC.

(20) Noncommercial Energy Systems. A noncommercial energy system that is a conditional use in the applicable zone is governed by the general conditional use criteria and conditions in CCC 18.160.020 and 18.160.030 and the provisions of Chapter 18.162 CCC. (Ord. 317 §§ 3 – 5, 2020; Ord. 309 § 2 (Exh. C), 2019; Ord. 297 § 2, 2016; Ord. 296 § 11 (Exh. I), 2016; Ord. 245 § 1, 2011; Ord. 236 § 3 (Exh. C), 2010; Ord. 229 § 1 (Exh. A), 2010; Ord. 222 § 1 (Exh. A), 2010; Ord. 201 § 1, 2008; Ord. 18 Amd. 61 §§ 4, 5, 6, 2003; Ord. 18 § 6.050, 2003)

18.168.010 Legislative hearings.

(1) When the ~~board court~~ or an agency of the ~~board court~~ is required by state statute or this title to conduct a hearing on legislative matters, it shall hold the hearing in accordance with the applicable procedures of this chapter.

(2) "Legislative matters" generally involve a broad public policy decision that applies to other than an individual property owner. These include, without limitation, amendments to the text of the comprehensive plan, zoning ordinance, or the subdivision ordinance and changes to the comprehensive plan map and/or zoning maps not directly affecting individual property owners. (Ord. 236 § 4 (Exh. D), 2010; Ord. 18 § 8.010, 2003)

18.168.020 Authorization to initiate amendments.

The application for a hearing on any legislative matter may be initiated by any of the following:

- (1) Property owners by written application on forms provided by the director and upon payment of the required fee;
- (2) Planning commission on its own motion; or
- (3) The ~~board county court~~ on its own motion and order. (Ord. 236 § 4 (Exh. D), 2010; Ord. 18 § 8.020, 2003)

18.168.050 Number and manner of hearings.

- (1) Subject to subsection (4) of this section, the planning commission shall conduct no less than one public hearing on the proposed legislative matter.
- (2) The planning commission shall, within 20 working days after the last hearing, issue a written recommendation to the ~~board court~~ for approval, approval as modified, or disapproval. The written recommendation shall also contain a statement of findings of fact and conclusion, which supports the recommendation.
- (3) The ~~board county court~~, after receiving the written recommendation from the planning commission, shall schedule and conduct a public hearing on the proposed legislative matter. The public hearing may be conducted as described in CCC 18.172.081.
- (4) If an ordinance is initiated by the governing body, it shall, unless waived by a majority vote of the ~~board county court~~, prior to enactment, request a report and recommendation regarding the ordinance from the planning commission. The planning commission shall submit the report and recommendation by the date and time stated in the request. Such date and time shall be reasonable. (Ord. 236 § 4 (Exh. D), 2010; Ord. 18 § 8.050, 2003)

18.172.005 Definitions.

For the purpose of this chapter, unless the context requires otherwise, the following words and phrases mean:

- (1) Acceptance. Received and considered by the director to contain sufficient information and materials to begin processing in accordance with the procedures of this chapter.

- (2) Appearance. Submission of testimony or evidence in the proceeding, either oral or written. A person's name appearing on a petition filed as a general statement of support or opposition to an application without additional substantive content does not constitute an appearance. A petition or letter containing substantive content directed at the applicable approval criteria and that explains why the signers support or oppose an application shall be considered an appearance for each signer of the petition.
- (3) Appellant. A person who submits to the department a timely appeal of a decision issued by the county.
- (4) Applicant. A person who applies to the department for a decision under this chapter. An applicant must be an owner of the property, or someone authorized in writing by the property owner to make application.
- (5) Approval Authority. A person or a group of persons, given authority by Crook County Code to review and make decisions upon certain applications in accordance with the procedures of this chapter. The approval authority may either be the director, the planning commission, hearings officer, or Crook County *Board of Commissioners* ~~court~~ as specified for application types by this chapter or otherwise specified in this chapter.
- (6) Argument. The assertions and analysis regarding the satisfaction or violation of legal standards or policy believed relevant by a party to a decision. Argument does not include facts.
- (7) De Novo. A hearing by the approval authority as if the action had not previously been heard and as if no decision had been rendered, except that all testimony, evidence and other material from the record of the previous proceeding will be considered a part of the review on the record.
- (8) Department. The Crook County community development department.
- (9) Director. The Crook County community development director or the director's designated representative.
- (10) End of Business. The end of the business day is 4:00 p.m. Pacific Time.
- (11) Evidence. The facts, documents, data, or other information offered to demonstrate compliance or noncompliance with the standards believed by the proponent to be relevant to the decision.
- (12) Hearing Authority. The ~~board county court~~, planning commission, or a hearings officer appointed by the ~~board county court~~ under CCC 18.172.010(2).
- (13) Land Use Decision. A final decision or determination made by a Crook County approval authority that concerns the adoption, amendment, or application of the statewide planning goals, a comprehensive plan provision, a land use regulation, or a new land use regulation where the decision requires the interpretation or exercise of policy or legal judgment.

(14) Land Use Regulation. Any Crook County zoning ordinance, land division ordinance adopted under ORS 92.044 to 92.046, or similar general ordinance establishing standards for implementing the Crook County comprehensive plan.

(15) Legislative. An action or decision involving the creation, adoption, or amendment of a law, rule, or a map when a large amount of properties are involved, as opposed to the application of an existing law or rule to a particular use or property.

(16) Owner. A person on the title to real property as shown on the latest assessment records in the office of the Crook County tax assessor. "Owner" also includes a person whose name does not appear in the latest tax assessment records, but who presents to the county a recorded copy of a deed or contract of sale signed by the owner of record as shown in the Crook County tax assessor's records.

(17) Party. With respect to actions under this chapter, the following persons or entities are defined as parties:

(a) The applicant;

(b) Any owner of the subject property that is the subject of the decision under consideration in accordance with this chapter; and

(c) A person who makes an appearance before the approval authority or hearing authority.

(18) Permit. A discretionary approval of a proposed development of land under chapter 215 ORS or county legislation or regulation adopted in accordance with chapter 215 ORS.

(19) Planning Commission. The planning commission of Crook County, Oregon.

(20) Quasi-Judicial. A land use action or decision that requires discretion or judgment in applying the standards or criteria of this code to an application for approval of a development or land use proposal. (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020)

18.172.010 Quasi-judicial hearing authority.

(1) The ~~board county court~~ hereby designates that the hearing authority to conduct hearings in a quasi-judicial capacity in order to make land use decisions is the planning commission.

(2) Whenever the ~~board county court~~ determines it necessary, the ~~board court~~ may appoint a hearings officer to have the same authority and powers as the planning commission.

(3) The ~~board county court~~ may appoint agents to issue permits and to otherwise assist the director in the processing of applications.

(4) "Quasi-judicial" zone changes or plan amendments generally refer to a plan amendment or zone change directly affecting individual property owners and involve the application of existing policy to a specific factual setting. (The distinction between legislative and quasi-judicial actions must ultimately

be made on a case-by-case basis with reference to case law on the subject.) (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020; Ord. 18 § 9.010, 2003)

18.172.050 Filing fees.

All fees described in this section shall hereafter be set annually as determined by the ~~board county court~~.

(1) All fees for permits, variances, zone map amendments, comprehensive plan amendments, zone text amendments, appeals, and any other necessary review or permits pursuant to this title shall be set annually as determined by the ~~board county court~~.

(2) Acceptance and filing of an application is not considered complete until all applicable fee(s) are paid to the county.

(3) Refunds.

(a) If the applicant withdraws a land use application prior to the mailing of the notice on the matter, the applicant may apply to the department for a refund of a fee paid for that action.

(b) If the applicant withdraws a land use application before the seventh working day prior to the commencement of the first hearing on the matter or prior to the action of the director, the applicant may apply to the department for a partial refund of a fee paid for that action.

(c) No refunds or partial refunds shall be granted by the director if the applicant withdraws a land use application on or after the seventh working day prior to the commencement of the first public hearing on the matter or after action of the director.

(d) The director shall within five working days of receiving an application for a refund or a partial refund make a determination whether to grant the refund or partial refund. If the director makes a determination to grant a refund or a partial refund, the director shall make the appropriate refund or partial refund of that fee to the applicant within 30 days.

(e) The applicant may file with the ~~board county court~~ an appeal of a determination by the director to deny a refund or a partial refund of a land use application fee. The ~~board county court~~ may grant a refund or a partial refund of a land use application fee upon good cause shown by the applicant.

(f) For purposes of this subsection, “partial refund” shall mean the filing fee less notice and reasonable staff costs.

(4) Fees charged for processing permits shall be no more than the actual or average cost of providing that service. (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020; Ord. 236 § 5 (Exh. E), 2010; Ord. 155 § 1, 2005; Ord. 18 § 9.050, 2003)

18.172.070 Notice of public hearing.

(1) A hearing shall be held only after notice to the applicant and any other person required by law to be given notice.

(2) Notice of the hearing to approve any quasi-judicial land use matter shall be provided:

(a) To the applicant; and

(b) To the owners of record of property on the most recent tax assessment roll of property located:

(i) Within 100 feet of the property which is the subject of the notice where the subject property is wholly or in part within an urban growth boundary;

(ii) Within 250 feet of the property which is the subject of the notice where the subject property is outside an urban growth boundary and not within a farm or forest zone; or

(iii) Within 750 feet of the property which is the subject of the notice where the subject property is within a farm or forest zone.

(3) Notice shall also be given to the following persons or agencies:

(a) Any person, agency, or organization that may be designated by this title;

(b) Any other person, agency, or organization that may be designated by the ~~board county court~~ or its agencies;

(c) An owner of a "public use airport" as defined by state law;

(d) The tenants of a mobile home or manufactured dwelling park when the application is for rezoning all or part of such park;

(e) Transportation agencies whose facilities are impacted by the proposed action or jurisdictions affected by the transportation impacts of future development resulting from the proposal.

(4) Notice of any quasi-judicial matter shall be mailed at least:

(a) Twenty calendar days before the evidentiary hearing; or

(b) If two or more hearings are allowed, 10 calendar days before the first evidentiary hearing.

(5) The notice shall:

(a) Explain the nature of the application and the proposed use or uses which could be authorized;

(b) List the applicable criteria from this title and the comprehensive plan that apply to the application at issue;

(c) Set forth the street address or other easily understood geographical reference to the subject property;

(d) State the date, time and location of the hearing;

- (e) State that the failure to raise an issue in a hearing, in person or by letter, or failure to provide sufficient specificity to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue;
 - (f) Include the name of the director or assigned representative to contact and the telephone number where additional information may be obtained;
 - (g) State that a copy of the application, all documents and evidence relied upon by the applicant and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
 - (h) State that a copy of the staff report will be available for inspection at no cost at least seven calendar days prior to the hearing and will be provided at reasonable cost; and
 - (i) Include a general explanation of the requirements for submission of testimony and the procedures for conduct of hearings.
- (6) The failure of a property owner, airport owner or tenant of a mobile home or manufactured dwelling park to receive notice shall not invalidate such proceedings if the director, commission or ~~board court~~ can demonstrate by affidavit that such notice was given.
- (7) For the purpose of personal notification, the records of the county assessor's office shall be used.
- (8) These notice requirements by mail shall not restrict the giving of notice by other means, including posting, newspaper publication, radio, television, electronic mail or the county website.
- (9) Notice may be posted in a conspicuous manner in any of the following three locations:
- (a) Crook County Courthouse;
 - (b) City of Prineville City Hall; and
 - (c) The United States Post Office located in Prineville, Oregon. (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020; Ord. 303 § 1 (Exh. C), 2017; Ord. 236 § 5 (Exh. E), 2010; Ord. 18 § 9.070, 2003)

18.172.080 Members of the planning commission.

- (1) Members of the Planning Commission.
- (a) The planning commission shall consist of seven members appointed by the ~~board county court~~ for four-year terms, or until their respective successors are appointed and qualified.
 - (b) Any vacancy on the planning commission shall be appointed by the ~~board county court~~ for the unexpired term.
 - (c) Members of the planning commission shall serve without compensation. However, the director may authorize mileage reimbursement at the standard county rate for planning commission members who must travel from outlying areas of the county to attend planning commission meetings.

- (d) Members of the planning commission shall be residents of the various geographic areas of the county. The various geographic areas are depicted in the map of citizen planning areas in the Crook County comprehensive plan. The ~~board county court~~ may deviate from these areas to the extent practicable needed to obtain a full seven-member planning commission from the applicant pool available. An objection to an applicant by the majority of the ~~board county court~~ may be the basis for deviating from the geographic areas in the citizen planning areas.
- (e) No more than two members shall be engaged principally in buying, selling or developing real estate for profit as individuals or be members of any partnership, or officers or employees of any corporation, that is engaged principally in buying, selling or developing real estate for profit.
- (f) No more than two voting members shall be engaged in the same kind of business, trade or profession.
- (g) A member may have his or her term of appointment terminated by the ~~board county court~~ if a change in occupation results in more than two members being engaged in the same kind of business, trade or profession.
- (h) A member's term of appointment shall be terminated by the ~~board county court~~, after a determination that the member has unexcused absences from 20 percent or more of the scheduled commission meetings or if they exhibit personal or business conduct which raises questions concerning their bias or objectivity in fulfilling the duties of a commissioner.
- (i) During the temporary absence or disability of a member of the planning commission, the chair shall select a commissioner pro tem to serve during the absence or disability of the absent member. At the chair's request, a commissioner pro tem shall be selected from a list of one or more commissioners pro tem and be appointed by the ~~board county court~~.
- (2) Chairperson and Vice-Chairperson. The planning commission shall elect a chairperson and a vice-chairperson. The election shall be held annually at the first regularly scheduled meeting in January of each year, or at a later regularly scheduled meeting if necessary.
- (3) The department shall keep an accurate record of all commission proceedings.
- (4) Procedures.
- (a) The planning commission shall meet at least once a month, at such time and place as may be fixed by the planning commission or the department.
- (b) A member of the planning commission shall not participate in any proceeding or action in which any of the following has a direct or substantial financial interest: the member or his or her spouse, sibling, child, parent, parent-in-law, partner, or any business in which he or she has a financial interest, or by which he or she is employed or has been employed within the previous two years, or any business with which he or she is negotiating for or has an arrangement or understanding concerning prospective partnership or employment. Any actual or potential interest shall be disclosed at the meeting of the commission where the action is being taken.

(c) A quorum of the planning commission shall be a majority of the planning commission members. A majority of the quorum voting in favor of a motion shall be sufficient to adopt that motion.

(5) Recommendation to *Board of Commissioners* ~~County Court~~. All recommendations and suggestions made to the ~~board county court~~ by the planning commission shall be in writing.

(6) Advisory Committees.

(a) The planning commission will serve as the county's citizen involvement committee for land use issues. For the purpose of obtaining citizen participation in, and to assist in coordinating, land use planning for all lands situated within the county, the planning commission may establish advisory committees on land use planning for each geographic area considered to be a reasonable land use planning unit. Each such committee shall be composed of residents of the area concerned.

(b) The planning commission may also establish advisory committees on specific planning issues such as economics, housing, transportation, solid waste, natural resource management, open space, and recreation.

(c) The planning commission shall consult with each advisory committee established under subsections (6)(a) and (b) of this section in the preparation, adoption, revision, and implementation of a comprehensive plan and other plans for the county. The commission shall furnish each such committee with technical and other assistance.

(7) Finances. The planning commission may employ consultants to advise on county problems, and pay for their services, and for such other expenses as the commission may lawfully incur, including the necessary disbursements incurred by its members in the performances of their duties as members of the commission, out of funds at the disposal of the commission as authorized by the ~~board county court~~.

(8) Powers. The planning commission shall have all of the powers which are now or hereafter granted to it by the ordinances of this county or by the general laws of the state of Oregon. The commission shall make recommendations regarding subdivisions of land and land use to the ~~board county court~~, to public officials, and to individuals, and may make recommendations regarding location of thoroughfares, public buildings, parks, and other public facilities, and regarding any other matter related to the planning and development of the county. The commission may make studies, hold hearings, and prepare reports and recommendations on its own initiative or at the request of the ~~board county court~~.

(9) Expenditures. The planning commission shall have no authority to make expenditures on behalf of the county, or to obligate the county for the payment of any sums of money, except as herein provided, and then only after the ~~board county court~~ shall have first authorized such expenditures by appropriate resolution, which resolution shall provide administrative method by which such funds shall be drawn and expended. (Ord. 330 § 10 (Exh. I), 2022; Ord. 321 § 4, 2020; Ord. 317 § 6, 2020; Ord. 298 § 1 (Exh. A), 2016; Ord. 266 § 2, 2013; Ord. 236 § 5 (Exh. E), 2010; Ord. 212 § 2, 2009; Ord. 18 § 9.080, 2003)

18.172.081 Public hearings and order of proceedings.

(1) Staff Report. At least seven days prior to a public hearing, the director will provide a staff report to the hearing authority and parties to the application, and make it available to the public upon request. If the report is not provided by such time, the hearing will be held as scheduled, but any party may at the hearing or in writing prior to the hearing request a continuance of the hearing to a date certain that is at least seven days after the date the staff report is provided. The granting of a continuance under these circumstances will be at the discretion of the hearing authority.

(2) Personal Conduct.

(a) No person may be disorderly, abusive, or disruptive of the orderly conduct of the hearing.

(b) No person may testify without first receiving recognition from the hearing authority and stating their full name and address.

(c) No person may present irrelevant, immaterial, or unduly repetitious testimony or evidence.

(d) Audience demonstrations such as applause, cheering, and display of signs, or other conduct disruptive of the hearing are not permitted. Any such conduct may be cause for immediate suspension of the hearing or removal of the offender from the hearing.

(3) Limitations on Oral Presentations. The hearing authority may set reasonable time limits on oral testimony.

(4) Appearing. Any interested person may appear either orally before the close of a public hearing or in writing before the close of the written record, except that for an on-the-record hearing, persons who may appear are limited to those described at CCC 18.172.110(6). Any person who has appeared in the manner prescribed in CCC 18.172.110(6) will be considered a party to the proceeding.

(5) Disclosure of Ex Parte Contacts.

(a) Any member of a hearing authority for a quasi-judicial application must reasonably attempt to avoid ex parte contact. As used in this section, ex parte contact is communication directly or indirectly with any party or their representative outside of the hearing in connection with any issue involved in a pending hearing except upon notice and opportunity for all parties to participate. Should a hearing authority member engage in ex parte contact, that member must:

(i) Publicly announce for the record at the hearing the substance, circumstances, and parties to such communication;

(ii) Announce that other parties are entitled to rebut the substance of the ex parte communication during the hearing; and

(iii) State whether they are capable of rendering a fair and impartial decision.

(b) If the hearing authority or member thereof is unable to render a fair and impartial decision, or recommendation in the case of the planning commission, they must recuse themselves from the proceedings.

(c) Communication between the director and the hearing authority or a member thereof is not considered an ex parte contact.

(6) Disclosure of Personal Knowledge. If any member of a hearing authority uses personal knowledge acquired outside of the hearing process in rendering a decision, they must state the substance of the knowledge on the record.

(7) Site Visit. For the purposes of this section, a site visit by any member of a hearing authority will be deemed to be personal knowledge. If a site visit has been conducted, the hearing authority member must disclose their observations gained from the site visit.

(8) Challenge for Bias, Prejudgment, or Personal Interest. Prior to or at the commencement of a hearing, any party may challenge the qualification of any member of the hearing authority for bias, prejudice, or personal interest. The challenge must be made on the record and be documented with specific reasons supported by facts. Should qualifications be challenged, that member must either recuse themselves from the proceedings or make a statement on the record that they can make a fair and impartial decision and will hear and rule on the matter.

(9) Potential Conflicts of Interest. No member of the hearing authority may participate in a hearing or a decision upon an application when the effect of the decision would be to the private pecuniary benefit or detriment of the member or the member's relative or any business in which the member or a relative of the member is associated unless the pecuniary benefit arises out of:

(a) An interest or membership in a particular business, industry occupation or other class required by law as a prerequisite to the holding by the member of the office or position;

(b) The decision, or recommendation in the case of the planning commission, would affect to the same degree a class consisting of an industry, occupation or other group in which the member or the member's relative or business with which the member or the member's relative is associated, is a member or is engaged.

(10) Qualification of a Member Absent at a Prior Hearing. If a member of the hearing authority was absent from a prior public hearing on the same matter which is under consideration, that member will be qualified to vote on the matter if the member has reviewed the record of the matter in its entirety and announces prior to participation that this has been done. If the member does not review the record in its entirety, that member must not vote and must abstain from the proceedings.

(11) Hearing Authority's Jurisdiction. In the conduct of a public hearing, the hearing authority will have the jurisdiction to:

(a) Regulate the course, sequence and decorum of the hearing.

- (b) Decide procedural requirements or similar matters consistent with this chapter.
- (c) Rule on offers of proof and relevancy of evidence and testimony and exclude repetitious, immaterial, or cumulative evidence.
- (d) Impose reasonable limitations on the number of witnesses heard and set reasonable time limits for oral presentation and rebuttal testimony.
- (e) Take such other action appropriate for conduct of the hearing.
- (f) Grant, deny, or, in appropriate cases, attach such conditions to the matter being heard to the extent allowed by applicable law and that may be necessary to comply with the applicable approval criteria or, in appropriate cases, formulate a recommendation for the *board* ~~court~~.
- (g) Continue the hearing to a date certain as provided at subsection (16) of this section.
- (h) Allow the applicant to withdraw and cancel the application. Subsequent to the cancellation of the application, if the applicant wishes to proceed with the same or different proposal requiring a land use application, a new application may be submitted and the new application must be processed in compliance with all the provisions of this chapter.

(12) Hearing Procedures. At the commencement of a hearing, the hearing authority must state to those in attendance the following information and instructions:

- (a) Date of the hearing;
- (b) Department file number;
- (c) Nature, purpose, and type of the hearing;
- (d) When applicable, the parties that may participate in the hearing and/or issues to which the hearing is limited;
- (e) Identification of the address and assessor's map and tax lot number of, or other easily understood geographical reference to, the subject property, if applicable;
- (f) Order of the proceedings, including reasonable time limits on oral presentations by parties;
- (g) For a quasi-judicial application, a statement disclosing any pre-hearing ex parte contacts;
- (h) A statement disclosing any personal knowledge, bias, prejudgment, or personal interest on the part of the hearing authority;
- (i) Call for any challenges to the hearing authority's qualifications to hear the matter. Any such challenges must be stated at the commencement of the hearing, and the hearing authority must decide whether they can proceed with the hearing as provided in subsection (9) of this section;
- (j) List of the applicable approval standards and criteria for the application;

- (k) Statement that testimony, arguments, and evidence must be directed toward applicable approval standards and criteria, or other standards and criteria in the Crook County land use regulations or comprehensive plan that the person testifying believes to apply to the decision;
- (l) Statement that failure to raise an issue accompanied by statements or evidence with sufficient detail to give the hearing authority and the parties an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals on that issue;
- (m) Statement that the failure of the applicant to raise constitutional or other issues relating to proposed conditions of approval with sufficient specificity to allow the hearing authority to respond to the issue precludes an action for damages in circuit court;
- (n) Statement that prior to the conclusion of the initial evidentiary hearing, any participant may request an opportunity to present additional evidence, arguments, or testimony regarding the application. The hearing authority must grant the request by either continuing the public hearing or leaving the record open for additional written evidence, arguments, or testimony in accordance with subsection (16) of this section; and
- (o) Statement that the decision of the approval authority may be appealed in accordance with CCC 18.172.110.
- (13) Order of Proceeding. In the conduct of a public hearing other than an on-the-record hearing, the following order of procedure will generally be followed. However, the hearing authority may modify the order of proceeding.
- (a) The director will present the staff report;
- (b) Allow agency comments;
- (c) The applicant will be heard first;
- (d) Allow persons in favor of the proposal to be heard;
- (e) Allow persons neutral to the proposal to be heard;
- (f) Allow persons opposed to the proposal to be heard;
- (g) Allow applicant opportunity to respond or address any presented material;
- (h) Allow the director to present any further comments or information in response to the testimony and evidence;
- (i) Allow applicant to waive or maintain their seven-day final argument;
- (j) Conclude or continue the public hearing;
- (k) Present motion for deliberations or set time and date certain.

(14) Questions. The hearing authority at any point during the hearing may ask questions of the director or parties.

Questions by parties, interested persons, or the director may be allowed by the hearing authority at their discretion.

Questions must be directed to the hearing authority; questions posed directly to the director or any party are not allowed.

The hearing authority may allow questions to be answered by the director or a party if a question pertains to them. They will be given a reasonable amount of time to respond solely to the question.

(15) Presenting and Receiving Evidence. No oral testimony will be accepted after the close of the hearing. Written testimony may be received after the close of the hearing only in accordance with subsections (16) and (18) of this section.

(16) Continuances and Leaving the Record Open.

(a) Grounds.

(i) Prior to the date set for an initial hearing, an applicant shall receive a continuance upon any request. If a continuance request is made after the published or mailed notice has been provided by the county, the hearing authority shall take evidence at that scheduled hearing date from any party wishing to testify at that time after notifying those present of the continuance.

(ii) Any party is entitled to a continuance of the initial evidentiary hearing or to have the record left open in such a proceeding in the following instances:

(A) Where additional documents or evidence are submitted by any party; or

(B) Upon a party's request made prior to the close of the hearing for time to present additional evidence or testimony.

For the purposes of subsection (16)(a)(ii)(A) of this section, "additional documents or evidence" shall mean documents or evidence containing new facts or analysis that are submitted after notice of the hearing.

(iii) The grant of a continuance or record extension in any other circumstance shall be at the discretion of the hearing authority.

(b) Except for continuance requests made under subsection (16)(a)(i) of this section, the choice between granting a continuance or leaving the record open shall be at the discretion of the hearing authority. After a choice has been made between leaving the record open and granting a continuance, the hearing shall be governed thereafter by the provisions that relate to the path chosen.

(c) Continuances.

(i) If the hearing authority grants a continuance of the initial hearing, the hearing shall be continued to a date, time, and place certain at least seven days from the date of the initial hearing.

(ii) An opportunity shall be provided at the continued hearing for persons to rebut new evidence and testimony received at the continued hearing.

(iii) If new written evidence is submitted at the continued initial hearing, any person may request prior to the conclusion of the continued hearing that the record be left open for at least seven days to allow submittal of additional written evidence or testimony. Such additional written evidence or testimony shall be limited to evidence or testimony that rebuts the new written evidence or testimony.

(iv) If the hearing is other than initial hearing, any continuances are at the discretion of the hearing authority.

(d) Leaving the Record Open.

(i) If at the conclusion of the initial hearing the hearings body leaves the record open for additional written evidence or testimony, the record shall be left open for at least 14 additional days, allowing at least the first seven days for submittal of new written evidence or testimony and at least seven additional days for response to the evidence received while the record was held open. Written evidence or testimony submitted during the period the record is held open shall be limited to evidence or testimony that rebuts previously submitted evidence or testimony.

(e) A continuance or leaving the record open that is granted under this section shall be subject to the 150-day time limit unless the continuance or extension is requested or otherwise agreed to by the applicant. When the record is left open or a continuance is granted after a request by an applicant, the time period during which the 150-day clock is suspended shall include the time period made available to the applicant and any time period given to parties to respond to the applicant's submittal.

(17) Rescheduling. In the event that a noticed public hearing must be rescheduled due to an emergency situation, the rescheduling of the meeting will constitute sufficient notice of a public hearing provided the following minimum procedures are observed:

(a) Notice is posted on the door of the building in which the hearing is scheduled advising of the cancellation and the date, time, and place for the rescheduled meeting or that new notice will be sent indicating that new date, time, and place.

(b) Reasonable attempts are made prior to the scheduled hearing to announce the cancellation and rescheduling by direct communication to applicants and known interested parties and through available news media to the general public.

(18) Reopening the Record. When the hearing authority reopens the record to admit new evidence, arguments, or testimony, the hearing authority must allow people who previously participated in the hearing to request the hearing record be reopened, as necessary, to present evidence concerning the newly presented facts. Upon announcement by the hearing authority of their intention to take notice

of such facts in its deliberations, any person may raise new issues which relate to the new evidence, arguments, testimony, or standards and criteria which apply to the matter at issue.

(19) Conclusion of Hearing.

(a) After the close of the hearing record, the hearing authority may either make a decision and state findings which may incorporate findings proposed by any party or the director, or take the matter under advisement for a decision to be made at a later date.

(b) The hearing authority may request proposed findings and conclusions from any party at the hearing. The hearing authority, before adopting findings and conclusions, may circulate them in draft form to parties for written comment.

(c) The decision and findings must be completed in writing and signed by the hearing authority within 30 days of the closing of the record for the last hearing. A longer period of time may be taken to complete the findings and decision if the applicant provides written consent to an extension to any applicable timelines in which the county must process the application for an amount of time that is equal to the amount of additional time it takes to prepare the findings.

(20) Record of the Hearing. The hearing authority will consider only facts and arguments in the hearing record; except that it may consider laws and legal rulings not in the hearing record (e.g., local, state, or federal regulations; previous department decisions; or case law).

(a) The hearing record will include all of the following information:

(i) All oral and written evidence submitted to the hearing authority;

(ii) All materials submitted by the director to the hearing authority regarding the application;

(iii) A recording of the hearing;

(iv) The final written decision; and

(v) Copies of all notices given as required by this chapter and correspondence regarding the application that the director mailed or received.

(b) All exhibits presented will be kept as part of the record and marked to show the identity of the person offering the exhibit. Exhibits will be numbered in the order presented and will be dated.

(21) Decision and Findings Mailing. Upon a written decision adopting findings being signed by the approval authority, the director will mail/email to the applicant and all parties a copy of the decision and findings, or, if the decision and findings exceed five pages, the director will mail/email notice of the decision. (Ord. 330 § 10 (Exh. I), 2022; Ord. 323 § 6 (Att. A), 2021; Ord. 317 § 6, 2020; Ord. 236 § 5 (Exh. E), 2010; Ord. 18 § 9.081, 2003)

18.172.110 Appeals.

- (1) Every land use decision relating to the provisions of this title made by the director, planning commission, or hearing officer is subject to review when appealed within 12 calendar days of the date the decision was mailed 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 the following parties:
 - (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 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 Body.
 - (a) The appellate body for appeals from administrative determinations of the director shall be the planning commission.
 - (b) The appellate body for appeals from final decisions of the planning commission shall be the *Board of Commissioners* ~~county court~~, unless the *board* ~~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 *board* ~~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 on the form prescribed by the director 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) The written notice of appeal and proper filing fee must be received at the office of the Crook County community development department within 12 calendar days of the decision, no later than 4:00 p.m. on the twelfth day.

(10) Notice and Hearing of the Appeal.

(a) If the director determines that the facts stated in the notice of appeal meet the requirement for a hearing, a time and date shall be set for such hearing.

(b) If the appeal is dismissed, the reasons will be provided in writing how the application has not met the requirements for an appeal. Upon dismissal, the appealed decision is final.

(c) If the appellate body is the ~~board county court~~, the ~~board 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.

(d) For an appeal of a planning commission decision to the ~~board county court~~, at least 10 calendar days prior to the appeal 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.

(e) For an appeal of an administrative decision to the planning commission, the notice requirements of CCC 18.172.070 shall apply.

(11) Transcript. The appellant shall provide a copy of the transcript of the relevant portions of the planning commission proceedings appealed from to the department seven calendar days before the hearing date set by the ~~board county court~~. The ~~board county court~~, in its sole discretion, may waive the requirement that the appellant provide a transcript for the appeal hearing. A request to waive the transcript requirement shall be made in writing to the community development department no later than 14 days after filing appeal is filed. Nothing herein prevents the ~~board county court~~ from waiving the transcript requirement on its own motion.

(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) Written argument (without introduction of new or additional evidence) may be submitted prior to the close of the appeal hearing by the applicant, appellant, and other parties of record. At the appellate body's discretion, they can elect to allow oral argument at the appeal hearing.

(vi) The appellate body may, at its option, admit additional testimony and other evidence from a 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. The appellate body may also remand the decision with instructions to the planning commission, hearing officer or director who made the original decision to consider additional facts, issues or criteria not previously addressed.

(14) A decision made on remand is a new decision and may be appealed as described in subsections (1) through (13) of this section. (Ord. 336 § 8 (Exh. G), 2023; Ord. 330 § 10 (Exh. I), 2022; Ord. 321 § 4, 2020; Ord. 317 § 6, 2020; Ord. 236 § 5 (Exh. E), 2010; Ord. 231 § 1 (Exh. A), 2010; Ord. 18 § 9.110, 2003)

18.172.120 Remand by the *Board of Commissioners* ~~county court~~.

When a decision is remanded by the appellate body pursuant to CCC 18.172.110(13), the following procedures shall apply:

(1) Notice of the hearing shall be provided in accordance with CCC 18.172.110(10)(d).

(2) Participants at the remand hearing shall be limited to Crook County staff, the applicant and the appellant(s) from the prior appeal. The hearings body may elect, in its discretion, to expand those who may participate in the remand hearing upon its own motion.

(3) The remand hearing shall be limited solely to the issues identified in the remand order from the appellate body.

(4) The remand hearing shall be limited to new evidence and testimony regarding the issues in subsection (3) of this section. (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020)

18.172.130 Remand by the Land Use Board of Appeals.

When a final decision of the ~~board county court~~ or other land use decision is remanded by the Land Use Board of Appeals:

(1) A remand hearing shall be held when:

(a) Requested by the applicant or appellant in writing, and upon payment of the applicable fee, if any, in accordance with ORS 215.435.

(b) The ~~board county court~~ on its own motion initiates a remand hearing.

(2) Remand Procedures.

(a) Notice of a remand hearing shall be as provided by CCC 18.172.110(10)(d).

(b) The remand hearing shall be limited to staff, the applicant and appellants from the prior LUBA appeal. However, the ~~board county court~~ may expand those who may participate in the remand hearing upon the ~~board's county court's~~ own motion.

(c) The remand hearing shall be limited solely to issues remanded in the final decision of the Land Use Board of Appeals unless the ~~board county court~~ expands the issues on remand upon the ~~board's county court's~~ own motion.

(d) The remand hearing shall be limited to new evidence and testimony regarding the issues in subsection (2)(c) of this section. (Ord. 330 § 10 (Exh. I), 2022; Ord. 317 § 6, 2020; Ord. 236 § 5 (Exh. E), 2010)



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**PLANNING COMMISSION RECOMMENDATION
TO THE BOARD OF COUNTY COMMISSIONERS
PROPOSED ZONING CODE AMENDMENTS**

December 31, 2025

Ordinance 357

Planning file number: 217-25-000323-PLNG

Applicant: Crook County Community Development Department

Recommendation: After conducting a duly noticed public hearing on December 10, 2025, and considering the staff report, oral and written testimony, and the evidence in the record, the Crook County Planning Commission voted Unanimously to recommend that the Board of County Commissioners adopt the proposed legislative amendments to the Crook County Code.

Background: The Planning Commission held multiple work sessions and held a public hearing to discuss the proposed changes. Staff were directed to prepare a recommendation of the proposed text amendments as discussed to present to the Board of County Commissioners.

Timeline

Work Session	March 12, 2025
Work Session	August 27, 2025
Work Session	October 29, 2025
PAPA DLCD Notice	August 15, 2025
Website	November 13, 2025
Newspaper	November 18, 2025
Public Hearing PC	December 10, 2025
Public Hearings BOCC	January 7 and 21, 2026

Discussions

The Planning Commission specifically discussed multiple items. There was significant discussion regarding the proposed changes in CCC 18.132.010 and why 2017 was selected as a cut-off date, energy standards, and testing. For multiple reasons, I am going to recommend the revision to CCC 18.132.010 be withdrawn from this ordinance. There was discussion regarding the change to CCC 17.24 regarding boundary line adjustments and requiring updated legal descriptions. Such a

requirement is already part of the County's process. There was discussion regarding the new definition of "kitchen" and its application. Staff explained that the definition of "kitchen" is a subpart to the new definition of "designed for occupancy" and the focus is on if the area is designed for preparation of food, which is informed by the elements in the definition and the structure as a whole. The intent of both new definitions is to provide flexibility and clarity to applicants while ensuring the accessory structure remains dependent on the main dwelling for some aspect of occupancy so as to stay in compliance with state law.

I. FINDINGS

Oregon Revised Statutes

Chapter 197 Comprehensive Land Use Planning

197.610 Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development; rules.

(1) Before a local government adopts a change, including additions and deletions, to an acknowledged comprehensive plan or a land use regulation, the local government shall submit the proposed change to the Director of the Department of Land Conservation and Development. The Land Conservation and Development Commission shall specify, by rule, the deadline for submitting proposed changes, but in all cases the proposed change must be submitted at least 20 days before the local government holds the first evidentiary hearing on adoption of the proposed change. The commission may not require a local government to submit the proposed change more than 35 days before the first evidentiary hearing.

FINDING: The County submitted notice of the proposed code amendments to Department of Land Conservation and Development (DLCD) via the online Post-Acknowledgment Plan Amendment (PAPA) portal on August 15, 2025. The first evidentiary hearing before the Planning Commission took place on December 10, 2025. Because the notice was submitted 117 days prior to the first evidentiary hearing, the County has exceeded the minimum statutory requirement of 35 days. Therefore, the proposal is in compliance with ORS 197.610(1) and the notification rules established by the Land Conservation and Development Commission.

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review, the local government shall submit the proposed changes as soon as practicable, but may submit the proposed changes after the applicable deadline.

FINDING: The county has not determined that emergency circumstances require an expedited review, and the applicable deadlines will be met. The criterion does not apply.

(3) Submission of the proposed change must include all of the following materials:

(a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan;

(b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the map that is created or altered;

(c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the proposed change;

(d) The date set for the first evidentiary hearing;

(e) The form of notice or a draft of the notice to be provided under ORS 197.763, if applicable; and

(f) Any staff report on the proposed change or information describing when the staff report will be available, and how a copy of the staff report can be obtained.

FINDING: The submission to DLCD included a brief narrative summarizing the proposed changes, work session materials, the date for the first evidentiary hearing, and a draft public notice including information regarding the availability of a final staff report.

(4) The director shall cause notice of the proposed change to the acknowledged comprehensive plan or the land use regulation to be provided to:

(a) Persons that have requested notice of changes to the acknowledged comprehensive plan of the particular local government, using electronic mail, electronic bulletin board, electronic mailing list server or similar electronic method; and

(b) Persons that are generally interested in changes to acknowledged comprehensive plans, by posting notices periodically on a public website using the Internet or a similar electronic method.

FINDING: The proposed legislative amendments followed a robust public involvement process consistent with the County's acknowledged Comprehensive Plan and Citizen Involvement Program.

The Planning Commission held three work sessions (March 12, August 27, and October 29, 2025) to discuss the proposed changes in an open public forum.

Notice of the proposal was posted to the County website on November 13, 2025, and a notice was published in the local newspaper on November 18, 2025, providing the public with information on how to participate and testify.

The Planning Commission held a formal evidentiary hearing on December 10, 2025. These actions ensured that citizens had multiple opportunities to review the draft language, ask questions, and provide testimony before a final decision was made.

(5) When a local government determines that the land use statutes, statewide land use planning goals and administrative rules of the commission that implement either the statutes or the goals do not apply to a proposed change to the acknowledged comprehensive plan and the land use regulations, submission of the proposed change under this section is not required.

FINDING: The proposed amendments include changes to land use regulations within Title 18, including provisions related to Exclusive Farm Use and Flood Damage Prevention. These changes implicate Statewide Planning Goals (Goals 3 and 7). Therefore, the County determined that the exception under ORS 197.610(5) does not apply, and notice was therefore submitted to DLCD as described in the previous finding.

The proposed code changes are shown in Attachment A to the draft ordinance.

Respectfully,



John Eisler

Crook County Community Development Department



Michael Warren II (Jan 7, 2026 09:12:32 PST)

Michael Warren II, Chair

Crook County Planning Commission






BOCC Staff Report_ Recommendation

Final Audit Report

2026-01-07

Created:	2026-01-07
By:	Hannah Elliott (hannah.elliott@crookcountyor.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAALc4NBq62ewPxOn1coqDH25qAiEMI1eXO

"BOCC Staff Report_ Recommendation" History

-  Document created by Hannah Elliott (hannah.elliott@crookcountyor.gov)
2026-01-07 - 4:24:13 PM GMT
-  Document emailed to Michael Warren II (michael.ccp@outlook.com) for signature
2026-01-07 - 4:24:17 PM GMT
-  Email viewed by Michael Warren II (michael.ccp@outlook.com)
2026-01-07 - 5:11:02 PM GMT
-  Document e-signed by Michael Warren II (michael.ccp@outlook.com)
Signature Date: 2026-01-07 - 5:12:32 PM GMT - Time Source: server
-  Agreement completed.
2026-01-07 - 5:12:32 PM GMT