

## CROOK COUNTY PLANNING COMMISSION MEETING

June 23, 2021

Meeting minutes are not a complete representation of discussions at the meeting. An audio recording is available from Crook County Community Development at [plan@co.crook.or.us](mailto:plan@co.crook.or.us) or (541) 447-3211.

Crook County Planning Commission Chair Michael Warren II called the meeting to order at 6:00 p.m. The meeting was conducted by WebEx, a call-in service and at the Crook County meeting room. Commissioners attending the meeting in person were Chair Michael Warren, Linda Manning, Laquita Stec, and Gary Bedortha. Commissioners Susan Hermreck and George Ponte were absent. Commissioner Bob Lundquist joined by phone. The following County staff was present at the meeting: Community Development Director, Ann Beier and Senior Planning Tech, Hannah Elliott. Planner, Katie McDonald participated via WebEx.

### Parties in Attendance:

Alan Cornelius, Brasada Ranch

Adam Conway, DOWL

### Participating via phone WebEx:

None

### **ITEMS NOT ON THE AGENDA**

- NA

### **OTHER BUSINESS**

Chair Warren read the opening statements and the Commission would go ahead in the agenda to review the Brasada Phase 14 Final Plat.

Ann Beier, Community Development Director stated that review of a Final Plat is not a public hearing. Chair Warren then clarified for the Commission that they should each have a copy to review.

Beier stated that Brasada is requesting the Commission review the Phase 14 plat, knowing that the County Surveyor has not done a final sign off at this time. She added that the applicants had intended to have the improvements completed, but have not been able to complete them and will be bonding. Brasada has requested that the County enter into an improvement agreement with them to complete the required infrastructure and is asking Chair Warren to sign the final plat outside of session, because the next meeting is not until the 28<sup>th</sup> of July. She reminded the Commission that the Planning Commission is one of the last to sign a plat, before it goes to County Court. There is a couple of things that will be reviewed by planning staff prior to Chair Warren signing the plat (confirming that all other signatures are there and a signed improvement agreement).

Beier stated that she had invited the applicants to the meeting tonight to talk about trails, as this came up in the previous meeting regarding Phase 5. One of the conditions of approval is that they will meet the conditions in the Tentative Plan Approval. She asked that they speak to which trails serve Phase 14, even if they do not show up on the plat.

Commissioner Stec clarified that the plat is okay to sign as long as the other signatures are received and improvement agreement is signed, prior to Chair Warren signing.

Alan Cornelius showed a satellite image and spoke about the trails in relation to Phase 14. He stated that they were going to be improving trails and creating a new trail in the area and working on connectivity. Timing wise, he stated that the gravel is being crushed with the current development but the development of the trails will take place in the fall or winter when costs may not be as high.

Chair Warren asked if the trails were existing or if they were proposed.

Cornelius said that the trails were mostly there and just a small segment would be added for connectivity.

Commissioner Manning asked for clarification regarding if the road was a part of the trail.

Cornelius responded that it would not be part of the trail system.

Commissioner Bedortha asked if the HOA meeting had taken place.

Cornelius said a virtual meeting is scheduled for Saturday at 9am. He then gave an overview of what they would be talking about including the costs of various improvements over time. He spoke about the overall development of the resort and the benefit to homeowners and marketing of the amenities.

Commissioner Lundquist joined the meeting via WebEx.

Chair Warren asked if the trails from the Tentative Plan were in place in some form.

Cornelius stated the trails were there in some form and went on to talk about the Tentative Plan from a previous owner. A Tentative Plan has numerous disclaimers that state it is not a guarantee of those particular trails, in those locations as things can change a bit once development occurs and market conditions.

Chair Warren said that his question was answered.

Commissioner Bedortha stated that the Commission could only hold the Developer to the original conditions of approval.

Discussion continued around the trail system and how to show it at the time of application with each new phase.

Beier thanked the Applicants for coming in and stated for the record that Phase 14 does have trails, not shown on the final plat as they would go through lots, but that it is served by a trail system.

Adam Conway stated that once the County Surveyor signs then the other's fall into place. There are signature lines for Fire Marshal and others.

Commissioner Stec moved to authorize the Chair to sign the plat out of a meeting subject to other signatures and signed improvement agreement.

Commissioner Bedortha seconded.

Commissioner Lundquist had no questions.

Commissioner Stec -aye

Commissioner Lundquist -aye

Commissioner Manning -aye

Commissioner Bedortha -aye

Commissioner Warren -aye

Motion passes 5-0-0

### **PUBLIC HEARING**

Chair Warren called the Public Hearing to order at 6:24pm.

Chair Warren read the opening statements and introduced the item for consideration: **Crook County Planning File Number 217-21-000414-PLNG**. This is a request from the County Planning Department to amend the

Crook County Code to bring zoning ordinances into compliance with current State statutes and regulations and to:

- 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;
- Delete references to outdated or removed sections.

The Planning Commission will be evaluating the request against the following applicable criteria:

Crook County Code, Title 18 - Zoning, Chapter 18.168 – Legislative Amendments

Chair Warren asked if any of the Planning Commission members had a conflict of interest or had any ex-parte contact and bias with the Applicant or any member of the public.

Commissioner Bedortha - no

Commissioner Stec – no

Commissioner Manning – no

Commissioner Lundquist – no

Chair Warren - no

Chair Warren stated that the Planning Commission and staff had a work session on May 26<sup>th</sup>, 2021, regarding the upcoming code changes.

The Chair then asked if any member of the public, including those participating by phone, wished to challenge any member of the Commission. No members of the public stated a challenge.

Chair Warren then asked to hear from staff.

Beier stated the changes that were discussed at the work session on May 26<sup>th</sup>, had been incorporated. She reviewed the intent of the code update. There has been timely notice was provided to DLCD regarding the upcoming code changes. Beier then walked through the proposed changes.

Chair Warren stated that when there is a modification of an approval, it really is a brand new decision and would go through the process again.

Beier responded with an example of a destination resort coming in for a modification with new information (e.g. traffic report) and that would give the Commission another chance to reevaluate the decision considering the material.

Commissioner Stec asked if there is anything in code that says what a modification is.

Beier responded that modifications of a site plan are handled administratively. If someone comes in with a modification that would change the conditions of approval that would trigger going through the decision and going to Planning Commission which would give the opportunity to review all the conditions.

Commissioner Bedortha then added that the Commission has conditioned decisions to include times when a modification could be handled administratively.

Beier stated that if the condition explicitly states that it can be modified administratively then that is what we would but otherwise the request would come back to the Commission.

Commissioner Stec offered a definition of modification.

Hannah Elliott, Senior Planning Tech, said there was not a definition for modification in the code.

Beier offered an example of different modification processes.

Beier added that an exhibit has been entered into the record by COLW and she has asked Assistant County Counsel was comfortable with the language as it is in the staff report.

Chair Warren then clarified a modification process, depending on what the request was.

Beier agreed with his statement.

Commissioners and staff discussed the difference between an extension and a modification.

Manning asked how long an extension is good for.

Discussion concluded with extensions for Conditional Uses are 4 years with additional 2 years.

Commissioner Bedortha then asked if staff had heard from DLCD.

Beier responded no.

Commissioner Bedortha then asked about land divisions in the Forest zone.

Beier responded that his read is correct.

Chair Warren asked for any questions from the commissioners

Commissioner Bedortha - no

Commissioner Stec – no

Commissioner Manning asked if there should be a modification definition. Discussion among Commissioners and staff concluded that the variants were too great for a general definition.

Commissioner Lundquist – no

Chair Warren - no

Chair Warren then called a motion.

Commissioner Steq moved to recommend approval to the County Court for code changes to text as presented to update our County with state laws that provide clarification for our Comp plan and County Policies, proposal amendment 217-21-000414-PLNG.

Commissioner Manning seconded

No Discussion

Chair Warren then called for the vote.

Commission Bedortha - Aye

Commissioner Stec – Aye

Commissioner Manning - Aye

Commissioner Lundquist - Aye

Chair Warren - Aye  
Motion Passes 5-0-0

Beier stated next steps would be for the public hearing process with County Court.

### **APPROVAL OF MINUTES**

- April 14, 2021  
Commissioner Stec moved to approve the April 14, minutes as presented  
Commissioner Manning seconded  
Commission Bedortha - Aye  
Commissioner Stec – Aye  
Commissioner Manning - Aye  
Commissioner Lundquist - Aye  
Chair Warren - Aye  
Motion Passes 5-0-0 – Minutes Approved
- June 9<sup>th</sup>, 2021 minutes will be held over

Next meeting is July 28<sup>th</sup> at 4pm and then staff talked about upcoming hearings and other news.

Commissioner Steq moved to close the meeting.  
Commissioner Bedortha seconded motion.  
Commission Bedortha - Aye  
Commissioner Stec – Aye  
Commissioner Manning - Aye  
Commissioner Lundquist - Aye  
Chair Warren - Aye  
Motion Passes 5-0-0

Chair Warren closed the meeting @ 7:00 p.m.