

# CROOK COUNTY PLANNING COMMISSION

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## **February 6, 2019**

Crook County Planning Commission Chairperson Michael Warren II called the hearing to order at 6:00 p.m. Commissioners present in addition to Warren were George Ponte, Gary Bedortha, Susan Hermreck, and Bob Lundquist. Commissioner Laquita Stec and Commissioner Pro Tem Lawrence Weberg were not present.

Crook County Planning staff present were Planning Director Ann Beier and Planner Katie McDonald.

Warren led all persons present in saying the Pledge of Allegiance.

Opening statements were omitted because a public hearing was not being held.

### **APPROVAL OF MINUTES**

The Commissioners present reviewed the draft minutes for the meeting of January 23, 2019.

Bedortha moved for approval of the minutes.

Lundquist seconded.

The Commissioners present approved the motion by a vote of 4-0. Hermreck abstained, as she had not been present at the January 23 meeting.

### **WORK SESSION**

Beier said that she had forwarded the questions raised at the previous meeting to the consultants. She said that the Fire Safety section would be reviewed at the next meeting, and that Fire Marshal Russ DeBoodt would be present.

McDonald said that she was looking at the Farm Use Table, and at the current definitions, and the Model Farm and Model Forest sections.

Beier said that the Commission and staff should get through the Farm Use section at the present meeting. She said that public hearings would be scheduled for the end of March. She said that she would make sure that the appropriate agencies were noticed. She said that the different EFU zones have different characteristics, and that different uses may be appropriate in different zones.

Warren asked if any new applications had been received.

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Beier said that an application for a solar power facility had been received. She said that it would probably be heard at the first meeting in April, as there was insufficient time to provide notice for an earlier hearing.

Hermreck asked if the hearing would be advertised in the newspaper.

Beier said that it would be. She said that notice is not sent to everyone in the County.

McDonald said that the Table includes mandatory and discretionary uses, in accordance with state regulations. She addressed activities potentially permitted in the Farm zones, and asked the Commissioners present whether they should be permitted, and whether they should be dealt with administratively or brought to the Commission.

The first use addressed was facilities for primary processing of forest products.

Beier said that a wood processing facility had been approved in Powell Butte. She said that it was fairly noisy, and complaints had been received.

Bedortha said that whether a use was to be approved administratively or brought to the Commission should be specified in the table.

McDonald said that would be done. She said that an additional column would be required.

Warren commented that whether complaints are received depends on the area.

Hermreck said that the Commission should consider how a use changes the neighborhood where it is located. She said that livability is important in all zones.

Warren proposed that forest product processing be permitted in all three EFU zones, and that applications be heard by the Commission.

Raising of aquatic species other than game fish was the second use addressed.

Beier said that no such uses had been proposed in the County. She advised the Commissioners to consider whether they would fit into the area.

Hermreck commented that as more people settle in the County, different kinds of uses will be proposed.

Beier said that this use was not currently addressed by the Code. She said that an applicant for such a use could request a Code change. She said that she did not think it is an appropriate use for the area, in view of the amount of water that would be used. She said it is a more appropriate use in urban areas. She said that facilities for raising game fish species are regulated by the Oregon Department of Fish and Wildlife (ODFW).

Bedortha proposed that a goal should be set to reconsider this use in ten years.

The next use considered was exploration for and extraction of oil and gas, and exploration for and use of geothermal resources.

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Beier said that Deschutes County had dealt with geothermal power facilities. She said that Crook County has no oil or gas, and she would check to see if there are any identified geothermal resources.

Lundquist commented that drilling had established that the groundwater temperature at a depth of 900 feet is only 104 degrees in Powell Butte.

Mining and aggregate extraction was then addressed. She said that these uses are currently permitted with Planning Commission approval. She said that no changes are needed.

The next issue addressed was transportation facilities. Beier said that there are not many discretionary uses in this category. She said construction of new highway lanes which result in creation of new parcels or displacement of buildings is a discretionary use. She said that residents may be concerned about this, and the County may want to weigh in.

Bedortha said that placement of weigh stations and rest areas should be conditional uses.

Beier said that notice should be provided.

The next use considered was personal use airports. Beier said that these presently require a Commission hearing. She said that there are none in Powell Butte.

Gordon Moore commented that at least one had been proposed in the past in Powell Butte, but had not been approved.

Utilities and waste disposal facilities were considered. Beier said that conditional use approval is required for transmission towers over 200 feet tall.

Bedortha said that cell towers and broadcast equipment should require conditional use approval.

Beier said that all such uses presently come to the Commission.

Commercial power generation facilities other than wind or solar facilities were considered. Beier said that these presently come to the Commission.

Solid waste facilities and associated equipment and structures were considered.

Beier asked if landfills were an appropriate use in EFU zones. She said that there may be a demand for them in ten years.

Bedortha said they should be left out of the Code. He said they may be more appropriate in industrial zones.

Beier said there may be proposals for transfer stations.

Ponte said that they should be reviewed by the Commission.

Warren concurred.

Beier said that DEQ permits are required. She said that transfer stations, but not landfills, could be permitted with Planning Commission approval.

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The Commissioners concurred.

Beier said that a definition is needed for transfer stations. She said that they should not include onsite disposal.

Hermreck commented that composting facilities could affect area crops.

Beier said that odor is a problem with composting facilities in urban areas. She said they require permits from the Department of Agriculture.

Bedortha said they should not be a permitted use. He said that applicants could request a Code change. He said they are prohibited by the state on high value farmland.

Beier said that composting facilities might be an appropriate use on large, non-farmable parcels which are distant from residences. She said the issue could be reconsidered in five to ten years. She said that silage is not considered to be composting. She said that vermiculture is a form of composting.

Hermreck said that composting of materials produced on the property should be permitted.

Lundquist said that composting should require a minimum acreage.

Beier said that she would do more research on the subject.

McDonald stated that living history museums are a discretionary use, and are presently permitted in the County, subject to Planning Commission review.

The Commissioners concurred that this should not be changed.

Community centers owned by governments or nonprofits were considered. Beier said that they are presently permitted with Planning Commission review.

Public parks and playgrounds were considered. Beier said that none have been proposed to date. She said that they could be permitted with Planning Commission review.

Hermreck said that extraction and bottling of drinking water is a possible use, which has permitted farmers to stay in business.

Bedortha said this ~~would require water rights~~ may affect other water rights in the area and require approval from the Water Resources Department.

Beier said that bottling facilities are not appropriate in EFU zones due to the number of workers involved. She said that it would require transfer of water rights.

Hermreck said that extraction of water for bottling elsewhere might be permitted. She said that the issue needs clarification.

Public and private swimming pools for K-12 schools were considered. Beier commented that there will be demand for more schools.

Moore commented that a private facility for swimming instruction had been approved.

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The Commissioners concurred that school swimming pools should be permitted with Commission review.

Private parks, playgrounds, and hunting and fishing preserves not including private accommodations were considered.

Beier said that these uses have been considered in the past. She said that wedding facilities have been approved, but have been appealed, and are not considered an appropriate use in EFU zones.

Golf courses were considered. Beier said that they have been permitted in connection with destination resorts, but that the County Court has adopted a policy that no more destination resorts will be approved.

Bedortha said that these have been approved in destination resort overlay zones, rather than in EFU zones. The Commissioners concurred that golf courses should not be a permitted use in EFU zones.

Commercial uses, including agro-tourism subordinate to working farms, and farm stands were considered.

Beier said that these are currently permitted, but farm stands are restricted by state law from stocking more than 25 percent of merchandise from outside the area. She said there has been pushback from planning directors on this, because it is impossible to enforce. She said that this provision should be left as is.

Beier said that destination resorts are not considered under EFU zoning regulations, and should be left out.

Home occupations were considered. Beier said these have been reviewed administratively, and the process has worked well and should be kept as is.

Commercial dog kennels were considered. It was decided that these should be subject to Commission review, due to noise impacts.

Aerial fireworks stands were considered. It was agreed that these should be eliminated as a permitted use.

Guest ranches were considered. Beier said that there is a bill in the Legislature permitting them which is supposed to sunset. She said they are a discretionary use.

Landscape businesses were considered. Beier said that none have been proposed in EFU zones, but they should be reviewed administratively.

Commercial activities in connection with farm use were considered. Beier said that a church sponsored rodeo ground had been approved under this provision. She said that these uses are very individual, and should be reviewed by the Commission.

Residential uses, including temporary hardship dwellings and residential facilities for up to five residents were considered.

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Ponte said they could continue to be permitted.

Hermreck said that residential facilities could place an undue burden on volunteer emergency responders in small communities in the EFU-1 zone. It was decided that they should continue to be permitted in the EFU-2 and EFU-3 zones, but not in the EFU-1 zone.

Bed and breakfast facilities were considered. McDonald said that they are presently permitted, but proprietors must live in the facilities.

Beier said that there is Code language concerning residential facilities for farm workers. She said that boarding houses are not permitted. She said that bed and breakfast facilities should be approved administratively.

Bedortha said that Page 7 of the Code concerning irrigated lands should be removed.

The Commissioners and staff discussed DOGAMI language and ODFW density standards. Implementation was also discussed.

### **OTHER BUSINESS**

McDonald informed the Commissioners that meetings were to be held on February 13 and 20. It was decided that those meetings were to begin at 4:00 p.m.

The Commissioners and staff discussed meeting procedures.

Beier informed the Commissioners that the Woodward decision had been appealed to the County Court by three individuals, on procedural issues. She said that the Court hearing would be on February 27.

Beier said that the Hegele decision had also been appealed, and would be heard in April.

Bedortha said that positive comments had been made by an individual who had testified at the Woodward hearing by the Planning Decision.

Hermreck moved to adjourn the meeting, and Bedortha seconded.

Warren adjourned the meeting at 8:29 p.m.

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