

PLANNING COMMISSION MEETING

March 11, 2020

Crook County Planning Commission Chairperson Michael Warren II called the meeting to order at 6:00 p.m. Commissioners present in addition to Warren were Gary Bedortha, Susan Hermreck, George Ponte, Laquita Stec, and Linda Manning. Commissioner Bob Lundquist and Commissioner Pro Tem Lawrence Weberg were not present. Planner Katie McDonald of Crook County Planning Staff, and Crook County Attorney Eric Blaine were also present.

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

Warren asked the Commissioners present to identify themselves to the audience.

Warren presented the opening statements.

APPROVAL OF MINUTES

January 15, 2020 – Hermreck moved for approval of the minutes, with the audio recording as a supplement.

Bedortha seconded.

The Commissioners present approved the motion by a vote of 4-0. Stec and Manning abstained, as they had not been present at the January 15 meeting.

February 26, 2020 – Hermreck moved for approval of the minutes.

Stec seconded.

The Commissioners present approved the motion by a vote of 5-0. Warren abstained, as he had not been present at the February 26 meeting.

PUBLIC HEARING

Conditional Use – Personal Use Airstrip – Melvin (Russ) and Kristy Cooper (owners) – (Record Number 217-20-000116-PLNG) are requesting conditional use approval to construct a personal use airstrip. Personal use airstrips are defined in Crook County Code 18.16.015, and 18.16.020 (Exclusive Farm Use Zone, 18.160 (Conditional Uses), and ORS 215.283 (Oregon Revised Statutes) and OAR 660-033-130(5) and (7) (Oregon Administrative Rules). The property is identified as T 15 S R17 EWM Tax Lot 810 and is located at 9395 SE Paulina Highway, Prineville OR 97754.

Warren asked the Commissioners present if there were any conflicts of interest or ex parte contacts. He asked the members of the audience if they wished to challenge any of the Commissioners present.

Conflicts of Interest – none.

Ex Parte Contacts – none.

Challenges – none.

McDonald described the proposal.

Ponte questioned Paragraph F of the staff report describing limits on use of the airstrip.

McDonald said that the wording came from Oregon Department of Fish and Wildlife (ODFW) language.

Stec commented that, depending on the severity of the weather, private use of the airstrip could commence in early April.

Warren said that use is permitted between April and November.

The Commissioners discussed the issue with McDonald.

Bedortha commented that a waiver permitting use during other times could be issued.

Applicants Russ and Kristy Cooper presented testimony.

Kristy Cooper said that times of use of the airstrip would be dependent of the weather. She said that it is to measure 2100 feet long by 80 feet wide. She said that no air traffic from the airstrip will pass over Highway 320. She said that the airstrip will accommodate emergency use by aircraft which are unable to reach the nearby airport. She said that one pilot had stated that he would have used it for an emergency landing if it had been available at that time. She said that the airstrip will not be visible from Highway 380, or from nearby properties, due to a berm which has been erected to provide for privacy. She said that road access to the airstrip will be by the existing driveway on the property. She said that the airstrip has been used on a couple of occasions. She said that the applicants are clearing junipers on the property, which is used for seasonal cattle grazing. She said that twelve ranches in the County have airstrips, and use aircraft to locate and count cattle. She said that the airstrip will be planted with dryland grasses, and that up to 5000 gallons of water per day can be used to irrigate it. She said that there is a lot of dust in the area, which is produced by a nearby rock pit and motocross track. She said that there has been a lot of poaching in the area in the past, with discarded carcasses, but that aircraft use has seemed to discourage poaching. She said that the Prineville Airport is used by hundreds of Chinese student pilots, who are responsible for extensive air traffic in the area. She said the area is also frequented by curiosity seekers. She said that the airstrip is 500 feet from the highway. She said that the location is ideal – there is a 5000 gallon water tank, and a water wagon on the property. She said that these could be used by firefighters in an emergency. She said that the applicants have no issues with the proposed conditions.

Stec asked if the County Weedmaster had recommended planting of native grasses, and required that the airstrip be pretreated to prevent weeds.

Russ Cooper said that the property is to be inspected by the Weedmaster.

Hermreck asked about the estimate of thirty landings per month.

Russ Cooper said that the numbers had been put in to avoid having restrictive limits imposed.

Hermreck asked if there are to be multiple runways.

Russ Cooper said that there is to be only one. He said that the numbers Hermreck referred to are compass headings. He said they are almost identical to those of the Prineville Airport.

Hermreck asked about grazing on the property.

Kristy Cooper said that the property is open range, and there is seasonal grazing.

Ponte asked if the airstrip was already present.

Russ Cooper said that the space had only been cleared at present. He said more clearing is to be done.

Hermreck asked if the airstrip is to be inspected when it is completed.

Russ Cooper said that it will be.

Hermreck commented that the soil on the property is deep, and is not rocky.

Kristy Cooper said there are aquifers, with lots of water.

Russ Cooper said that native grasses are to be planted for a consistent landing surface. He said that bunch grasses are not suited for the purpose, and will not be used.

Bedortha asked if the airstrip is to be related to agricultural use.

Kristy Cooper said that it is not.

Manning asked why the applicants want a personal airstrip.

Kristy Cooper said that the Prineville Airport is ten miles from their property, and the applicants would have to rent a hangar if they kept their plane there. She said that the Prineville Airport is too crowded.

Russ Cooper said that no training is to be done at their proposed airstrip.

Warren asked if the applicants are to be the only users.

Russ Cooper said that it will be used by visiting friends.

Manning asked if wind direction matters in use of the airstrip.

Russ Cooper said that it does. He said that they have studied the prevailing winds on the property.

Bedortha said that he had only seen two applications for agricultural airstrips.

Warren asked if the airstrip is only for the applicants' use.

Kristy Cooper said that they cannot house other aircraft.

McDonald said that invited guests will be permitted to use it on an infrequent basis.

Kristy Cooper said that it may be used by others in emergencies.

The Commissioners and staff discussed the issue of use with the applicants.

Warren asked for additional proponent testimony.

There was none.

Warren asked for opposition testimony.

Mike Ervin offered opposition testimony. He said that he has been a resident of the area for 44 years. He said that he had submitted a letter. He said that grazing times on the property depend on the year, and cattle can be there for four to five months. He said cattle are present year-round. He said that he had submitted a flight log for the area. He said that the applicants will have multiple guests. He said that aircraft presently buzz the applicants' property. He said that the predominant wind is from the west. He said that there is only one way in and one way out of the property. He said there is already a road which can be used for emergency landings, and that two planes have landed there. He said that he is not a rancher. He said that planes can scare cattle. He said that the motocross track in the area is seldom used. He said that he has not seen poaching or carcasses in the area, and that rumors that he is a poacher are not true. He said there have been no fires at the rock pit. He said there will be other activity on the property.

Warren asked if the cattle on the property belong to Ervin.

Ervin said that they do not.

Stec asked if the runway is visible from the highway. She said that weeds can come up if the soil is disturbed.

Manning asked if there are herds of deer in the area.

Ervin said that there are not, but that there are herds of elk.

Warren commented that the flight log submitted by Ervin dates as far back as 2018.

Ponte asked if the airstrip will force a change in accepted farming practices in the area.

Ervin said that it will scare cattle off.

Brett Morgan offered opposition testimony. He said that he is concerned about air traffic in the area. He said that planes land and take off on a logging road in the area. He said that cattle are on the applicants' property year-round. He asked who will regulate use of the airstrip.

Russ Cooper offered rebuttal testimony. He said that the airstrip is to be 2100 feet from the property line. He said that aircraft will be at least 1000 feet high when they are not over the property.

Kristy Cooper said that Ervin had logged two planes per month passing over his house. She said the applicants have not heard of cattle being frightened by aircraft. She said the applicants have studied the prevailing winds. She said that she has found a lot of bones on the property.

Russ Cooper said that he had never seen planes landing or taking off on the logging road, and that only bush planes could do so. He said that the pilots in the area would not land there. He said that planes fly over cattle on other ranches with no problems.

Bedortha asked if the property is fenced.

Kristy Cooper said that they will fence it to keep cattle off.

Hermreck asked about other agricultural practices.

Kristy Cooper said that she grows a small amount of industrial hemp on the property.

Hermreck asked if the applicants are making an agricultural income.

Kristy Cooper said that they are registered growers, and are presently growing seed with which to produce their own crop, as seed is very expensive. She says that she intends to manufacture herb teas, and will produce teas with things other than hemp.

The Commissioners and staff discussed use of the airstrip by guests with County Attorney Eric Blaine. McDonald said that she would research the issue.

Warren asked if the applicants would waive the seven day final written argument.

Kristy Cooper indicated that they would not waive their final written argument if the record was being left open.

Hermreck moved to close the hearing and leave the record open for seven days.

Stec seconded the motion.

The Commissioners present approved the motion by a vote of 6-0.

Blaine said that there are two important questions: whether to prohibit use of the airstrip between December 1 and April 30, and whether to permit it to be used by guests.

Warren stated that testimony would only be received until March 18, 2020.

Warren adjourned the meeting at 7:47 p.m.