



Crook County Community Development  
**Planning Division**  
300 NE 3<sup>rd</sup> Street, Room 12, Prineville Oregon 97754  
541-447-3211  
[plan@crookcountyor.gov](mailto:plan@crookcountyor.gov)  
[www.co.crook.or.us](http://www.co.crook.or.us)

STAFF REPORT –  
Powell Butte Community Child Care Center  
File: 217-25-000151-PLNG

October 1, 2025

**OWNER:** Powell Butte Farmer's Club  
PO Box 87  
Powell Butte, OR 97753

**AGENT:** Monique Vanden'Aklie  
Same as above

**LOCATION:** The subject property is addressed as 8404 SW Reif Rd in Powell Butte. The property is identified by the Crook County Tax Assessor as: 1514350000400.

**REQUEST:** Approval of a childcare facility on a 1.5 - 2-acre portion of the same parcel as the existing Powell Butte Community Center.

**ZONING:** Exclusive Farm Use, EFU-3 (Powell Butte area)

**I. FINDINGS OF FACT**

- **LOCATION:** The subject property is the current location of the Powell Butte Community Center. It is located on the east side of SW Reif Rd., approximately 1.5 miles south of Hwy 126 and north of the Powell Butte Fire Station.
- **WATER RIGHT:** There are no water rights on the subject property.
- **BIG GAME HABITAT:** The subject property is not within the County's identified deer winter range.
- **LAND USE HISTORY:** C-LP-151-99 – nonfarm partition approval to create a 117-acre parcel and a 40-acre parcel. C-CU-2019-99 – conditional use approval for a community center on the 40-acre parcel.
- **ONSITE:** There is an active sanitation evaluation permit number 217-25-000228-EVAL.

## **II. APPLICABLE CRITERIA**

*Title 18, Zoning*

*Chapter 18.16 Exclusive Farm Use -*

*18.16.020 Conditional use review criteria.*

*Chapter 18.160 Conditional Uses*

*18.160.010 Authorization to grant or deny conditional uses.*

*18.160.020 General criteria*

*18.160.030 General conditions*

*18.16.050 Standards governing conditional uses.*

*Chapter 18.180 Transportation Impact Analysis*

*18.180.010 Transportation impact analysis.*

*County-Prineville Area Comprehensive Plan*

*Oregon Revised Statutes 215.283(2)(dd) and 215.296(1)*

*Oregon Administrative Rules (OAR) 660-033-130(5) and (7)*

## **III. Applicable Criteria and Proposed Findings:**

*Oregon Revised Statute:*

*215.283 Uses permitted in exclusive farm use zones in nonmarginal lands counties; rules.*

*(2) The following nonfarm uses may be established, subject to the approval of the governing body or its designee in any area zoned for exclusive farm use subject to ORS 215.296:*

*(dd) 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.*

**Proposed Finding:** The Crook County code has not been updated to reflect a child care facility to be located on lands zoned exclusive farm use. Childcare facilities are allowed as conditional uses in exclusive farm use zones under ORS 215.283(2)(dd). The Applicant has stated in the Narrative that they meet the definitions outlined in the ORS 329A.250 to 329A.450 as they are a licensed child care facility. The proposal is for “a full-service childcare facility to serve families in the local community.”

The Applicant’s use will be colocated with a community center, as the property is the location of the Powell Butte Community Center, which was approved in March 1999.

## Title 18, Zoning

### Chapter 18.16 Exclusive Farm Use:

*18.16.020 Conditional use review criteria. (Crook County Code language mirrors that of Oregon Revised Statute (ORS) 215.296 (1) and Oregon Administrative Rules (OAR) 660-033-0130 Minimum Standards Applicable to the Schedule of Permitted and Conditional Uses.)*

*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*

*\* OAR 660-033-0130(5) was updated January 1, 2025, to include specific information which must be considered by a farm impacts test (FIT).*

#### *OAR 660-033-0130*

*(5) Approval requires review by the governing body or its designate under ORS 215.296. Uses may be approved only where such uses:*

*(a) Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and*

*(b) Will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.*

*(c) For purposes of subsection (a) and (b), 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 (a) and (b), 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 (a) and (b).*

*(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 (a) and (b).*

**Proposed Finding:** The following table is from the narrative identifying the surrounding property information.

Property No.	Tax Lot No.	Owner	Acreage	Zone	Irrigated	Farm Use
1	1514340000602	Lyster Properties LLC	78.2	EFU-3	y	y
2	1514340000500	Buchanon, Elizabeth A.	67.72	EFU-3	y	y
3	1514340000100	Lyster Properties LLC	128.49	EFU-3	y	y
4	1514350000200	Riggs Reif LLC	116.84	EFU-3	N	N
5	1514350000500	Crook County	109.59	EFU-3	N	N
6	1614020000200	Lyster Properties LLC	155.86	EFU-3	y	y
7	1614030000300	Teater, Cameron J.	5.01	EFU-3	N	N
8	1614030000200	Obermiller, Craig W., Trustee	10	R10	N	N
9	1614030000400	Granger, Scott & Cecelia, Trustees	10	R10	N	N
10	1614030000504	Calcote, Robert & Judy	10.8	R10	N	N
11	1614030000100	Borgaard, Norman & Joyce, Trustees	10.04	R10	N	N
12	1614030000502	Likens, Garry & Kathryn, Trustees	10	R10	N	N
13	1614030000501	Roskowyk, Kathleen & Huwa, Gary	10	R10	N	N

14	1614030000503	Looney, Gayland & Patricia	10	R10	N	N
15	1514340000604	Siegmann, Adrian & Caroline, Trustees	10	EFU-3	y	y
16	1514340000603	Seufert, Edward III	10	EFU-3	N	N
17	1514340000606	Englert, Jordan & Lindsay	10.4	EFU-3	N	N
18	1514340000605	Hassenger, Michael & Jean	9.48	EFU-3	N	N

The Applicant identified the surrounding properties and farming practices. There are 11 properties zoned for Exclusive Farm Use, of those properties 5 have identified farm use, and none have active forest use. Additionally, the Applicant conducted a survey with neighboring farming operators in the area (Exhibit 1), to identify farming practices and identify impacts from the proposed childcare facility. Exhibit 1 states, "Interviews and surveys with 14 surrounding farm owners revealed broad consensus that the daycare will not interfere with or impose costs on local agricultural operations." The report identifies several potential impacts: traffic, noise, lighting, trespass, weeds, pests, and water usage. The survey provided the opportunity for farmers to identify individual impacts to each farm practice, and whether the proposed use is likely to have an important influence or effect on any of those practices. Exhibit 1 concluded there would be no significant change to or increase in cost to farming operations in the area:

All neighboring farm operators can continue their normal accepted practices unchanged with the daycare in place. No farming schedules (planting, spraying, irrigating, harvesting, or herd management) will need to be modified, and no farm will have to adopt new practices as a result of the childcare facility. The daycare is designed to coexist with ongoing agriculture, and the Applicant has agreed to adjust the childcare operations as needed (e.g. staying indoors during nearby spraying) so that farmers do not have to alter anything. Normal agricultural activities – from crop cultivation to livestock raising – will carry on as usual, with the farmers themselves affirming that they foresee no changes in their practices due to the daycare.

The presence of the daycare will not impose any new financial burdens on neighboring farms. Farmers have confirmed that they will incur no additional costs – such as special fencing, extra road maintenance, different chemicals, or altered equipment use – because of the childcare center. Traffic impacts are minimal, avoiding any cost impacts (like delays or new infrastructure needs) for farm product transportation. Likewise, the daycare's independent utilities and containment of runoff mean farmers do not have to spend resources on protecting their water or land. There is no evidence of any scenario in which a farm's operation would become more expensive (for example, needing quieter equipment or different farming techniques) as a result of the proposed use. On the contrary, by providing local childcare, the project could indirectly benefit farm families by reducing their childcare costs and travel time. But in terms of farming practices, costs remain status quo – the daycare does not trigger any regulatory compliance costs or require any mitigation measures by the farmers.

The Planning Commission has reviewed the material in the record and will need to find if the use will or will not significantly change or increase the cost of accepted farming practices in the area.

*(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;*

**Proposed Finding:** The Narrative states that the childcare facility aligns “with the goals of the Crook County Comprehensive Plan, particularly those related to family well-being, education access, economic resilience and the protection of agricultural lands.”

Staff identified the Agricultural policies from the Comprehensive plan below to apply:

It shall be the policy of Crook County, Oregon, to preserve agricultural lands, to protect agriculture as an economic enterprise, to balance economic and environmental considerations, to limit non-agricultural development, to maintain a “low” population density, and to maintain a high level of livability in the county.

It shall further be the policy of the county that nonagricultural development in the rural areas shall be based, whenever possible, upon a demonstrated public need; and in all cases, such development shall avoid conflicts with the agricultural community.

Identified through the FIT analysis and as stated in the Burden of Proof, “The Applicant requests this conditional use in direct response to a state-identified ‘childcare desert’ in Crook County. According to a study published by Oregon State University’s College of Public Health in 2022, only 14% of children aged 0-5 had access to a regulated childcare slot in Crook County, among the lowest in Oregon-with more than three children for every available regulated childcare slot.”

The Planning Commission will need to make a finding that the childcare facility is or isn’t consistent with the goals and policies of the comprehensive plan.

*(b) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;*

**Proposed Finding:** The parcel does not have any natural features, topography, or existing improvements that would deem the proposed use unsuitable.

*(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;*

**Proposed Finding:** The Burden of Proof and Exhibit 1 provide evidence that the agricultural use for surrounding properties would not be substantially changed or increase the costs thereof. The character of the surrounding area is a mix of residential, agricultural, and nonfarm parcels. The property to the south is the location of the Crook County Fire Department. There is a Community Center on the same parcel. Permitted uses in the Exclusive Farm Use zone are mainly agricultural in nature and others are subject to standards or conditionally allowed. The Applicant has provided material in the record that takes into consideration the further use of surrounding properties to continue the allowed uses. The materials also include massing and height compatibility for the proposed structure in the area.

The Planning Commission shall determine if the record adequately addresses the proposed use’s impact on the surrounding area and if that would alter the character.

*(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*

**Proposed Finding:** There are existing services in the area for power, the Crook County Fire district has submitted comments (see Attachment A), a site evaluation has been approved for an onsite septic system, and a private well is being proposed. The only comments received were from Crook County Fire and Rescue.

*(e) The use is or can be made compatible with existing uses and other allowable uses in the area.*

**Proposed Finding:** The Burden of Proof includes a demonstrated need for child care from a 2022 Oregon State study, specifically in Powell Butte. The State of Oregon has added child care facilities to conditionally allowed uses on resource ground in conjunction with a community center, which is present on the parcel. The Applicant has conducted a FIT, and submitted it as Exhibit 1. The Burden of Proof also provided a mass and height compatibility analysis for the structure and development. The identified impacts of traffic, noise, trespass, weeds, and pests are acknowledged by the Applicant, and stated in Exhibit 1:

Overall, the Beginning Steps Childcare project has been carefully planned to respect and integrate with the surrounding farm community. The findings of this Farm Impact Report support approval of the childcare center in the EFU zone, as it poses no significant adverse impact on adjacent farm/forest practices or costs. Both the quantitative analysis and qualitative feedback indicate a high degree of compatibility between the daycare and the agricultural uses. The daycare will maintain open lines of communication with neighbors and continue to coordinate around farming seasons to ensure this harmony is upheld.

#### Chapter 18.160 Conditional Uses

##### *18.160.020 Conditional Uses - General criteria.*

*In judging whether or not a conditional use proposal shall be approved or denied, the planning director or planning commission shall weigh the proposal's appropriateness and desirability or the public convenience or necessity to be served against any adverse conditions that would result from authorizing the particular development at the location proposed and, to approve such use, shall find that the following criteria are either met, can be met by observance of conditions, or are not applicable:*

*(1) The proposal will be consistent with the comprehensive plan and the objectives of the zoning ordinance and other applicable policies and regulations of the county.*

**Proposed Finding:** The above standard was previously addressed see 18.16.020(3).

*(2) Taking into account location, size, design and operation characteristics, the proposal will have minimal adverse impact on the (a) livability, (b) value and (c) appropriate development of abutting properties and the surrounding area compared to the impact of development that is permitted outright.*

**Proposed Finding:** Operational Characteristics: The Burden of Proof and Exhibit 1 include different hours of operation: 5am – 9pm and 7am – 6pm, Monday through Friday. The Applicant also provided other operating details including the number of potential employees, anticipated children and trash addressed two times per week.

“Livability” does not have a quantifiable definition, but can be determined by many factors. The term is not defined in the Crook County Code but is referenced in the County’s Comprehensive Plan:

Growth is not to be discouraged, but managed in such manner that detrimental physical, social, economical and environmental factors are minimized. Implementing regulations have a measure of flexibility as commonly set forth in performance standard type regulations with the intent to provide maximum opportunity for efficient development. (pg 2 & 3)

“Value” is a subjective term. In this case, the proposed conditional use must have minimal adverse impact on value compared to development permitted outright (18.16). Permitted uses include continued agricultural practices; the applicant addressed this aspect through the FIT and Exhibit 1. The property is a nonfarm parcel as designated in 1999. The Planning Commission might consider whether the proposed use will have a different impact on value of surrounding properties than the existing permitted use on the subject property.

“Appropriate development of abutting properties and the surrounding area” is another subjective phrase. In this case, the proposed use must have minimal adverse impact on appropriate development of abutting properties and the surrounding area compared to outright permitted uses. The term “appropriate development” is not defined, but presumably it is in regard to outright and conditionally permitted uses in the Exclusive Farm Use zone. Demonstrated through the FIT analysis, the Applicant states the proposed development will not have significant impact to current agricultural practices, through this analysis the Planning Commission will need to determine if future development would be impacted by the proposal.

*(3) The location and design of the site and structures for the proposal will be as attractive as the nature of the use and its setting warrant.*

**Proposed Finding:** The narrative includes a description of the facility as “modest, modern farmhouse-style building will reflect the rural character of Powell Butte.” All structures will apply for and receive permits and/or approvals from the Crook County Community Development Department. All outdoor lighting will meet the county outdoor lighting standards. A planning review of the site, including the structure, will occur concurrently with building department plan review to ensure the submission is consistent with the plans in Attachment B.

*(4) The proposal will preserve assets of particular interest to the county.*

**Proposed Finding:** The Applicant has not identified assets of particular interest to the county. The request is to provide child care for a geographical area that has been included in a study which shows a lack of rural services. The Applicant has engaged the neighboring property owners and community to support the rural and agricultural uses. The Planning Commission will need to determine if the applicant has met their burden of proof.

*(5) The applicant has a bona fide intent and capability to develop and use the land as proposed and has some appropriate purpose for submitting the proposal, and is not motivated solely by such purposes as the alteration of property values for speculative purposes.*

**Proposed Finding:** The Burden of Proof states that the intent of the application is to develop and use the land for a child care facility. The Applicant has applied to receive grants for development of a child care facility in Powell Butte to address the lack of child care options in the area. The Applicant is a current child care provider, with accreditation and certification from the State of Oregon. The Applicant has the intent and capability to



develop the property as requested. The existing property owner, Powell Butte Farmer's Club, has offered a letter of support for the proposed use and not utilize the request for alteration of property value.

*18.160.030 General conditions.*

*In addition to the standards and conditions set forth in a specific zone, this chapter, and other applicable regulations, in permitting a new conditional use or the alteration of an existing conditional use, the planning director or planning commission may impose conditions which it finds necessary to avoid a detrimental impact and to otherwise protect the best interests of the surrounding area or the county as a whole. These conditions may include the following:*

- (1) Limiting the manner in which the use is conducted including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor.*

**Proposed Finding:** The Planning Commission shall decide if limiting the manner in which the use is conducted, including restricting the time an activity may take place and restraints to minimize such environmental effects as noise, vibration, air pollution, glare and odor is necessary to avoid a detrimental impact and to otherwise protect the best interests of the surrounding area or the county as a whole. All lighting and signage shall comply with the Crook County Code and be reviewed at the time of building plan review.

- (2) Establishing a special yard or other open space or lot area or dimension.*

**Proposed Finding:** The Planning Commission shall decide if special yard or other open space is needed based on the evidence in the record. The facility meets current setbacks for the zone with a front setback of 30ft, side setback of 20 feet and a rear setback of 25 feet. There are no residences directly adjacent to the area (1.5 -2 acres).

- (3) Limiting the height, size or location of a building or other structure.*

**Proposed Finding:** The Planning Commission shall decide if limiting the building or other structures are warranted based on the evidence in the record. The Burden of Proof includes discussion and maps of other structures in the area with similar height and size. All structures will be required to acquire any necessary permits and/or approvals from the Crook County Community Development Department.

- (4) Designating the size, number, location and nature of vehicle access points.*

**Proposed Finding:** The Planning Commission shall decide if the vehicle access point is adequate based on the material in the record. The applicant has provided a traffic impact analysis.

- (5) Increasing the amount of street dedication, roadway width or improvements within the street right-of-way.*

**Proposed Finding:** The Planning Commission shall decide if increasing the amount of street dedication, roadway width or improvements within the street right-of-way would be warranted based on the evidence in the record.

- (6) Designating the size, location, screening, drainage, surfacing or other improvement of a parking area or loading area.*

**Proposed Finding:** The Planning Commission may condition the parking and loading area for the proposal to include screening, surfacing or other improvements.

*(7) Limiting or otherwise designating the number, size, location, height and lighting of signs.*

**Proposed Finding:** The Applicant has stated that all lighting will be downcast, shielded and meet dark sky standards. No signage has been proposed; signage will be reviewed at the time of site plan and building application.

*(8) Limiting the location and intensity of outdoor lighting and requiring its shielding.*

**Proposed Finding:** The Applicant has stated that all lighting will be downcast, shielded and meet dark sky standards. All outdoor lighting shall comply with the Crook County Code and reviewed at the time of site plan and building application.

*(9) Requiring diking, screening, landscaping or another facility to protect adjacent or nearby property and designating standards for its installation and maintenance.*

**Proposed Finding:** The Planning Commission may require additional screening including but not limited to landscaping and designated installation and maintenance.

*(10) Designating the size, height, location and materials for a fence.*

**Proposed Finding:** The Burden of Proof and Exhibit 1 mention a fence, however no further information was included. The Planning Commission can designate the size, height, location and materials for the fence. This could be reviewed at time of site plan and building application

*(11) Protecting and preserving existing trees, vegetation, water resources, wildlife habitat or other significant natural resources.*

**Proposed Finding:** There are no significant natural resources on the site.

*(12) Other conditions necessary to permit the development of the county in conformity with the intent and purpose of this title and the policies of the comprehensive plan.*

**Proposed Finding:** The Applicant shall record a non-remonstrance to area farming operations, which comply with the requirements of ORS 215 and is binding to future owner/operator.

*18.160.040 Permit and improvements assurance.*

*The commission may require an applicant to furnish the county with an agreement and security in accordance with CCC 17.40.080 and 17.40.090 that the planning director or planning commission deems necessary to guarantee development in accordance with the standards established and the conditions attached in granting a conditional use permit.*

**Proposed Finding:** The applicant will need to demonstrate that they have met the requirements of the Oregon Department of Education prior to issuance of any permits and prior to operation of the child care facility.

*18.160.060 Procedure for taking action on conditional use application.*

*See Chapter 18.172 CCC for the procedure for taking action on a conditional use application.*

**Proposed Finding:** The process for taking action on this conditional use application will be in accordance with Chapter 18.172.

*18.160.070 Permit expiration dates.*

*Permit expiration dates and permit extensions for conditional uses are as stated in CCC 18.172.060.*

**Proposed Finding:** Permit expiration dates and permit extensions for conditional uses are as stated in CCC 18.172.060.

*18.160.080 Occupancy permit.*

*The planning director or planning commission may require an occupancy permit for any conditional use permitted and approved pursuant to the provisions of this title. The planning director or planning commission shall consider such a requirement for any use authorized by a conditional use permit for which this title requires on-site or off-site improvements or where such conditions have been established by the planning director or planning commission upon approval of such use. The requirement of an occupancy permit shall be for the purpose of ensuring permit compliance and an occupancy permit shall not be issued except as set forth by the planning director or planning commission. The authority to issue an occupancy permit upon compliance with the requirements and conditions of a conditional use permit may be delegated by the planning director or planning commission at the time of approval of a specific conditional use permit to the planning director and/or the building official.*

**Proposed Finding:** The development shall require an occupancy permit, issued and signed by the Planning Director and Building Official prior to the beginning of operations.

*18.180 Transportation impact analysis.*

*18.180.010 Transportation impact analysis.*

*(1) Purpose. The purpose of this section is to coordinate the review of land use applications with roadway authorities and to implement Section 660-012-0045(2) of the state Transportation Planning Rule, which requires the county to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts, when a transportation impact analysis or transportation assessment letter must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities, the required contents of a transportation impact analysis and transportation assessment letter, and who is qualified to prepare the analysis.*

*(2) When a Transportation Impact Analysis Is Required. The county or other road authority with jurisdiction may require a transportation impact analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:*

*(a) The development generates 25 or more peak-hour trips or 250 or more daily trips.*

**Proposed Finding:** The calculations from the traffic engineer found that the proposed childcare facility would generate 24 peak-hour trips, therefore not requiring a TIA under the above standard. The calculation in Table 1 of the TIA is based on a student size of 55 students. The application materials state in numerous places that the student population is projected to be 60. The Planning Commission may confirm with the Applicant regarding the number of students and the projected traffic impact.

*(b) An access spacing exception is required for the site access driveway(s) and the development generates 10 or more peak-hour trips or 100 or more daily trips.*

**Proposed Finding:** The TIA describes the proposed access location being in the middle of 700 feet (350 feet to the fire department's access and 350 feet from the community center's access). The Transportation System Plan requires that from driveway edge to driveway edge the minimum spacing is 500 feet; as the proposed location does not meet the standard, an exception is required and thus a full Traffic Impact Analysis is required.

*(c) The development is expected to impact intersections that are currently operating at the upper limits of the acceptable range of level of service during the peak operating hour.*

*(d) The development is expected to significantly impact adjacent roadways and intersections that have previously been identified as high crash locations or areas that contain a high concentration of pedestrians or bicyclists such as school zones.*

*(e) A change in zoning or a plan amendment designation.*

*(f) A TIA is required by ODOT.*

**Proposed Finding:** The TIA was not required due to the above standards.

*(4) Preparation of a TIA or TAL. A professional engineer registered by the state of Oregon, in accordance with the requirements of the road authority, shall prepare the TIA or TAL. If preparing a TIA, the content and methodologies of the analysis shall conform to the requirements of subsections (5) to (13) of this section.*

**Proposed Finding:** The TIA was prepared and stamped by Joe Bessman, PE a registered engineer Oregon stamp 70661PE. Subsections (5) to (13) are discussed below.

*(5) Contents of a Transportation Impact Analysis. As a guide in the preparation of a transportation impact analysis, Crook County recommends the following format be used to document the analysis:*

*(a) Table of Contents. Listing of all sections, figures, and tables included in the report.*

*(b) Executive Summary. Summary of the findings and recommendations contained within the report.*

*(c) Introduction. Proposed land use action, including site location, building square footage, and project scope. Map showing the proposed site, building footprint, access*

*driveways, and parking facilities. Map of the study area, which shows site location and surrounding roadway facilities.*

*(d) Existing Conditions. Existing site conditions and adjacent land uses. Roadway characteristics (all transportation facilities and modal opportunities located within the study area, including roadway functional classifications, street cross section descriptions, posted speeds, bicycle and pedestrian facilities, on-street parking, and transit facilities). Existing lane configurations and traffic control devices at the study area intersections. Existing traffic volumes and operational analysis of the study area roadways and intersections. Roadway and intersection crash history analysis.*

*(e) Background Conditions (without the proposed land use action). Approved developments and funded transportation improvements in the study area. Traffic growth assumptions. Addition of traffic from other planned developments. Background traffic volumes and operational analysis.*

*(f) Full Build-Out Traffic Conditions (with the proposed land use action). Description of the proposed development plans. Trip-generation characteristics of the proposed development (including trip reduction documentation). Trip distribution assumptions. Full build-out traffic volumes and intersection operational analysis. Intersection and site-access driveway queuing analysis. Expected safety impacts. Recommended roadway and intersection mitigations (if necessary).*

*(g) Site Circulation Review. Evaluate internal site access and circulation. Review pedestrian paths between parking lots and buildings. Ensure adequate throat depth is available at the driveways and that vehicles entering the site do not block the public facilities. Review truck paths for the design vehicle.*

*(h) Turn Lane Warrant Evaluation. Evaluate the need to provide turn lanes at the site driveways.*

*(i) Conclusions and Recommendations. Bullet summary of key conclusions and recommendations from the transportation impact analysis.*

*(j) Appendix. Traffic counts summary sheets, crash analysis summary sheets, and existing/background/full build-out traffic operational analysis worksheets. Other analysis summary sheets such as queuing and signal warrant analyses.*

*(k) Figures. The following list of figures should be included in the transportation impact analysis: site vicinity map; existing lane configurations and traffic control devices; existing traffic volumes and levels of service (all peak hours evaluated); future year background traffic volumes and levels of service (all peak hours evaluated); proposed site plan; future year assumed lane configurations and traffic control devices; estimated trip distribution pattern; site-generated traffic volumes (all peak hours evaluated); full build-out traffic volumes and levels of service (all peak hours evaluated).*

**Proposed Finding:** The TIA includes the above documentation of analysis and formatting with the exception of a table of contents.

*(6) Study Area. The study area shall include, at a minimum, all site-access points and intersections (signalized and unsignalized) adjacent to the proposed site. If the proposed site fronts an arterial or collector street, the study shall include all intersections along the site frontage and within the access spacing distances extending out from the boundary of the site frontage. Beyond the minimum study area, the transportation impact analysis shall evaluate all intersections that receive site-generated trips that comprise at least 10 percent or more of the total intersection volume. In addition to these requirements, the county roadmaster (or designee) shall determine any additional intersections or roadway links that might be adversely affected as a result of the proposed development. The applicant and the county roadmaster (or designee) will agree on these intersections prior to the start of the transportation impact analysis.*

**Proposed Finding:** Page 6 of the TIA identifies the study area as, “Based on these criteria, only the site access onto SW Reif Road is required for inclusion within the Transportation Impact Analysis.”

*(7) Study Years to Be Analyzed in the Transportation Impact Analysis. A level-of-service analysis shall be performed for all study roadways and intersections for the following horizon years:*

*(a) Existing Year. Evaluate all existing study roadways and intersections under existing conditions.*

*(b) Background Year. Evaluate the study roadways and intersections in the year the proposed land use is expected to be fully built out, without traffic from the proposed land use. This analysis should include traffic from all approved developments that impact the study intersections, or planned developments that are expected to be fully built out in the horizon year.*

*(c) Full Build-Out Year. Evaluate the expected roadway, intersection, and land use conditions resulting from the background growth and the proposed land use action assuming full build-out and occupancy. For phased developments, an analysis shall be performed during each year a phase is expected to be completed.*

**Proposed Finding:** The TIA includes the above standards; Table 2 and Figure 9 show the level of service with the study years used for analysis.

*(d) Twenty-Year Analysis. For all land use actions requesting a comprehensive plan amendment and/or a zone change, a long-term level-of-service analysis shall be performed for all study intersections assuming build-out of the proposed site with and without the comprehensive plan designation and/or zoning designation in place. The analysis should be performed using the future year traffic volumes identified in the transportation system plan (TSP). If the applicant’s traffic engineer proposes to use different future year traffic volumes, justification for not using the TSP volumes must be provided along with documentation of the forecasting methodology.*

**Proposed Finding:** The above criteria is not applicable to this proposal as it does not include a zone change or comprehensive plan amendment.

*(8) Study Time Periods to Be Analyzed in the Transportation Impact Analysis. Within each horizon year, a level-of-service analysis shall be performed for the time period(s) that experience the highest degree of network travel. These periods typically occur during the midweek (Tuesday through Thursday) morning (7:00 a.m. to 9:00 a.m.), midweek evening (4:00 p.m. to 6:00 p.m.), and Saturday afternoon (12:00 p.m. to 3:00 p.m.) periods. The transportation impact analysis should always address the weekday a.m. and p.m. peak hours when the proposed lane use action is expected to generate 25 trips or more during the peak time periods. If the applicant can demonstrate that the peak-hour trip generation of the proposed land use action is negligible during one of the two peak study periods and the peak trip generation of the land use action corresponds to the roadway system peak, then only the worst-case study period need be analyzed. Depending on the proposed land use action and the expected trip-generating characteristics of that development, consideration of non-peak travel periods may be appropriate. Examples of land uses that have nontypical trip-generating characteristics include schools, movie theaters, and churches. The roadmaster (or his/her designee) and applicant should discuss the potential for additional study periods prior to the start of the transportation impact analysis.*

**Proposed Finding:** The projected trip generation did not rise to 25 peak trips. The TIA includes Table 1, which details trip distribution for the AM peak hour and PM peak hour. No additional study periods were included.

*(9) Traffic Count Requirements. Once the study periods have been determined, turning movement counts should be collected at all study area intersections to determine the base traffic conditions. These turning movement counts should typically be conducted during the weekday (Tuesday through Thursday) between 7:00 and 9:00 a.m. and between 4:00 and 6:00 p.m., depending on the proposed land use. Historical turning movement counts may be used if the data are less than 12 months old, but must be factored to meet the existing traffic conditions.*

**Proposed Finding:** The TIA includes details of the traffic count performed detailed on page 8.

Traffic counts were collected on Reif Road on Tuesday, April 22, 2025 to assess the current traffic volume on the road. During the peak 4:00 p.m. to 5:00 p.m. hour the traffic count recorded a total of 40 vehicles, with the volume nearly evenly split between northbound and southbound travel. There were several vehicles with trailers, but no semi-trucks, no bicycles, and no pedestrians.

Operationally, there is no access connection to the site today and traffic flows unimpeded along Reif Road as they pass the proposed access location. With a bi-directional volume of 40 vehicles during the 4:00 to 5:00 p.m. peak hour there is between one- and two-minutes between vehicles along this rural road. This provides very limited conflicts.

*(10) Trip Generation for the Proposed Development. To determine the impacts of a proposed development on the surrounding transportation network, the trip-generating characteristics of that development must be estimated. Trip-generating characteristics should be obtained from one of the following acceptable sources:*

*(a) Institute of Transportation Engineers (ITE) Trip Generation Manual (latest edition).*

*(b) Specific trip generation studies that have been conducted for the particular land use action for the purposes of estimating peak-hour trip-generating characteristics. The roadmaster (or his/her designee) should approve the use of these studies prior to their inclusion in the transportation impact analysis.*

*(c) In addition to new site-generated trips, several land uses typically generate additional trips that are not added to the adjacent traffic network. These trips include pass-by trips and internal trips and are considered to be separate from the total number of new trips generated by the proposed development. The procedures listed in the most recent version of the Trip Generation Handbook (ITE) should be used to account for pass-by and internal trips.*

**Proposed Finding:** The TIA addressed the above criteria on page 4: "Each of the surveyed sites within the ITE manual was located within a suburban area. With the lower population within the Powell Butte community, trip rates were prepared on a "per-student" basis to account for the rural setting. The trip generation estimates for the site are summarized in Table 1." The table showed that the Weekday PM peak-hour trips would be 24. To address (c) above the TIA states:

Based on the general travel times, jobs/population, and current travel patterns, it was estimated that distribution patterns will be fairly balanced to and from the north and south, with a slight bias toward the north. Pass-by trips within this rural area are more likely to occur as rerouted/diverted trips as the current volume of traffic on Reif Road would not reasonably provide the level of pass-by trips that the urban trip rates indicate. For purposes of this study, these trips were all considered "new" within the study area. The assignment of pass-by and net new trips is shown in Figure 3.

*(11) Trip Distribution. Estimated site-generated traffic from the proposed development should be distributed and assigned on the existing or proposed arterial/collector street network. Trip distribution methods should be based on a reasonable assumption of local travel patterns and the locations of off-site origin/destination points within the site vicinity. Acceptable trip distribution methods should be based on one of the following procedures:*

*(a) An analysis of local traffic patterns and intersection turning movement counts gathered within the previous 12 months.*

*(b) A detailed market study specific to the proposed development and surrounding land uses.*

**Proposed Finding:** Joe Bessman, PE (Transight Consulting), provided the following review of the TIA and ITE regarding trip distribution:

Trip distribution patterns for the site were prepared based on the current SW Reif Road traffic volumes. The counts showed a fairly balanced volume of traffic headed north and south. Travel to Prineville is more direct by traveling due north, travel toward Redmond is more direct toward the north via OR 126 (or through SW Weigand Road or SW Riggs Road to the Powell Butte Highway), and travel patterns from the site to Bend are fairly equivalent either through Redmond or south through the Powell Butte Highway. Based on the general travel times, jobs/population, and current travel patterns, it was



estimated that distribution patterns will be fairly balanced to and from the north and south, with a slight bias toward the north.

Pass-by trips within this rural area are more likely to occur as rerouted/diverted trips as the current volume of traffic on Reif Road would not reasonably provide the level of pass-by trips that the urban trip rates indicate. For purposes of this study, these trips were all considered "new" within the study area. The assignment of pass-by and net new trips is shown in Figure 3.

*(12) Intersection Operation Standards. Crook County evaluates intersection operational performance based on levels of service and "volume-to-capacity" (v/c) ratio. When evaluating the volume-to-capacity ratio, the total traffic demand shall be considered.*

*(a) Intersection Volume-to-Capacity Analysis. A capacity analysis should be performed at all intersections within the identified study area. The methods identified in the latest edition of the Highway Capacity Manual, published by the Transportation Research Board, are to be used for all intersection capacity calculations. Crook County requires that all intersections within the study area must maintain a v/c ratio of 0.95 or less. It should be noted that the mobility standards in the Oregon Highway Plan apply to Oregon Department of Transportation facilities.*

*(b) Intersection Levels of Service. Crook County requires all intersections within the study area to maintain an acceptable level of service (LOS) upon full build-out of the proposed land use action. LOS calculations for signalized intersections are based on the average control delay per vehicle, while LOS calculations for unsignalized intersections are based on the average control delay and volume-to-capacity ratio for the worst or critical movement. All LOS calculations should be made using the methods identified in the most recent version of the Highway Capacity Manual (or by field studies), published by the Transportation Research Board. The minimum acceptable level of service for signalized intersections is LOS "D." The minimum acceptable level of service for all-way stop controlled intersections and roundabouts is LOS "D." The minimum acceptable level of service for unsignalized two-way stop controlled intersections is LOS "E" or LOS "F" with a v/c ratio of 0.95 or less for the critical movement. Any intersections not operating at these standards will be considered to be unacceptable.*

**Proposed Finding:** The TIA study area is the intersection of SW Reif Rd. and the proposed site. Figure 6 provides an illustration of the recommended site distance. Table 2 (below) summarizes the intersection operation at the intersection with Reif Rd.

**Table 2. Summary of Site Access Intersection Operations, Weekday PM Peak Hour**

Scenario	Level of Service	Delay (s/veh)	v/c Ratio	95 <sup>th</sup> Percentile Queue	Acceptable?
Existing Conditions					Yes
Future "Without Project" Conditions					Yes
Future "With Project" Conditions	WB: LOS A	WB: 8.8 s	WB: 0.03	WB: 25 feet	Yes

*(13) Review Policy and Procedure. The following criteria should be used in reviewing a transportation impact analysis as part of a subdivision or site plan review:*

- (a) The road system is designed to meet the projected traffic demand at full build-out.*
- (b) Adequate intersection and stopping sight distance is available at all driveways.*
- (c) Proposed driveways meet the county's access spacing standards in Chapter 18.176 CCC, Access Management Standards, or sufficient justification is provided to allow a deviation from the spacing standard.*
- (d) Opportunities for providing joint or crossover access have been pursued.*
- (e) The site does not rely upon the surrounding roadway network for internal circulation.*
- (f) The road system provides adequate access to buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection.*
- (g) A pedestrian path system is provided that links buildings with parking areas, entrances to the development, open space, recreational facilities, and other community facilities consistent with the requirements of CCC 18.184.010, Pedestrian access and circulation.*

**Proposed Finding:** The Applicant has provided information regarding (a) above in the TIA. The Applicant shall submit additional information addressing the above criteria at the time of site plan review.

*(14) Conditions of Approval. In approving an action that requires a traffic impact study, the county may condition approval to ensure that the proposed application will meet operations and safety standards and provide the necessary right-of-way and improvements to develop the future planned transportation system. Conditions of approval may include, but are not limited to:*

- (a) Crossover easement agreements for all adjoining parcels to facilitate future access between parcels.*
- (b) Conditional access permits for new developments which have proposed access points that do not meet the designated access spacing policy and/or have the ability to align with opposing access driveways.*
- (c) Right-of-way dedications for future planned roadway improvements.*
- (d) Half-street improvements along site frontages that do not have full build-out improvements in place at the time of development.*

**Proposed Finding:** The Planning Commission may condition the approval to ensure the application will meet operation and safety standards. The TIA did not identify any needed improvements.

#### **IV. CONCLUSIONS**

Based on the information provided by the applicant and other information in the record, and on a review of the applicable state and county requirements, the planning commission may find:

- A. The proposed child care facility will not force a significant change in accepted farm and forest uses and will not increase the costs of accepted farm or forest practices on nearby land devoted to farm use.
- B. The proposed child care facility will force a significant change in accepted farm and forest uses and will not increase the costs of accepted farm or forest practices on nearby land devoted to farm use.
- C. Request additional information and/or materials and continue the hearing to a date and time certain.

#### **V. Proposed Conditions of Approval**

1. A site plan review and approval shall be submitted prior to submission of building permits.
2. All permits and approvals shall be acquired from the Building and Onsite Departments.
3. All lighting will be reviewed at the time of site plan application.
4. The Applicant shall sign, record and provide the Planning Department with a copy of a nonremonstrance prior to submission of a site plan or building review.
5. The development shall require an occupancy permit, issued and signed by the Planning Director and Building Official prior to the beginning of operations
6. The road approach application will be reviewed and approved through the application process with the County Roads Department.

Attachment A – CCFRD Comments  
Attachment B – Preliminary Site Plan

Respectfully submitted:



Katie McDonald, Senior Planner  
Crook County Planning Department

CC: County Departments  
Crook County Fire



---

**RE: Agency Comment Period - Conditional Use Application**

---

**From** Russ Deboodt <rdeboodt@ccf-r.com>  
**Date** Thu 5/8/2025 12:59 PM  
**To** Katie McDonald <Katie.McDonald@crookcountyor.gov>

Thank you Katie,

The fire district will require a Fire Code compliant site plan, indicating how the project will meet all the access and water supply requirements found in the 2022 Oregon Fire Code. The applicant will need an approved stamped plan, prior to submitting for building permits.

Regards,

Russell Deboodt  
Division Chief - Fire and Life Safety  
W-541-447-5011  
C-541-280-0911  
F-541-447-2705  
[rdeboodt@ccf-r.com](mailto:rdeboodt@ccf-r.com)

---

**From:** Katie McDonald <Katie.McDonald@crookcountyor.gov>  
**Sent:** Tuesday, May 6, 2025 9:45 AM  
**To:** Russ Deboodt <rdeboodt@ccf-r.com>; Katrina Weitman <Katrina.Weitman@CrookCountyOR.gov>; Terry Weitman <Terry.Weitman@crookcountyor.gov>; Brad Haynes <Brad.Haynes@crookcountyor.gov>; Randy Davis <Randy.Davis@crookcountyor.gov>; Jon Soliz <Jon.Soliz@crookcountyor.gov>; Thomas Laird <Thomas.Laird@crookcountyor.gov>; Max Hamblin <Max.Hamblin@crookcountyor.gov>; Christopher Haindel <Christopher.Haindel@crookcountyor.gov>  
**Cc:** Plan <plan@crookcountyor.gov>  
**Subject:** Agency Comment Period - Conditional Use Application

Good morning,

Crook County has received the application described below. **Please provide any comments within the notice period (by end of day May 19, 2025).**

If your agency has already provided comment or signature with the application, or does not have comment on this proposal, you may disregard.

Application Number: 217-25-000151-PLNG

Zoning: Exclusive Farm Use, EFU3

Applicant: Monique Vanden'Aklie

Owner: Powell Butte Farmers Club

Proposal: Child Care Facility

Map Number & Tax Lot: **1514350000400**

Comment Period: May 6, 2025 – May 19, 2025

*Katie McDonald*

Katie McDonald



Sr. Planner, Community Development

300 NE 3rd Street Prineville, Crook County, OR 97754

My hours: Monday – Friday 8:00am – 4:00pm

Office: (541) 447-3211 Ext. 1 Planning

E-mail: [Katie.McDonald@crookcountyor.gov](mailto:Katie.McDonald@crookcountyor.gov) / [plan@crookcountyor.gov](mailto:plan@crookcountyor.gov)

Disclaimer: Please note that the information in this email is an informal statement and shall not be deemed to constitute final County action effecting a change in the status of a person's property or conferring any rights, including any reliance rights, on any person.

---

CONFIDENTIALITY NOTICE - This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

[CAUTION: This email originated from outside of the organization. DO NOT CLICK LINKS or open attachments unless you recognize the sender and know the content is safe]

c. Site Plan

