



Crook County Community Development

Planning Division

300 NE 3rd Street, Room

12, Prineville Oregon

97754

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**BEFORE THE CROOK COUNTY PLANNING COMMISSION
STAFF REPORT for ZONE MAP AMENDMENT
217-25-000250-PLNG**

October 1, 2025

Applicant: Bishara Revocable Trust, Edwar Bishara, Trustee
61563 Range Place
Bend, OR 97702

Agent: Kilpatrick Consulting LLC
Craig Kilpatrick
13790 NW O'Neil Hwy
Redmond, OR 97756

Subject Property: Tax Lot: 1614110001200

I. PROPOSAL

The Applicant proposes to amend the Crook County Zone Map to rezone approximately 20 acres from Exclusive Farm Use Zone, EFU-3 (Powell Butte area) to Rural Residential, R10.

II. BASIC FINDINGS

A. Location

The subject property is located on SW Reif Rd in Powell Butte, approximately 3 miles south of Highway 126. It is identified on the County Assessor's maps as map tax lot number 1614110001200. The entirety of the property is proposed to be rezoned to R10.

B. Site Characteristics

The subject property is listed as 20 acres with the Crook County Assessor's office. There are no structures on the property. The property is not in farm use and not located within an irrigation district. The property is covered in native grasses, brush and Juniper trees.

C. Access

The property is adjacent to SW Reif Road, there is existing easement MF 79405. Any development of the property will be subject to access standards.

D. Other Information

The property is not in a mapped special flood hazard area. The application is for a zone map change only.

III. Applicable Criteria:

Crook County Code:

Title 18, Chapter 18.12 Establishment of zones, Boundaries

Section 18.12.020 Location of Zones, lists zones established in Crook County

Section 18.12.030 Zoning Map. Map is amended by authority of the Planning Commission

Title 18, Chapter 18.92 Rural Residential Zone, R-10, describes zone requirements

Title 18, Chapter 18.170 Quasi-Judicial Amendments

Section 18.170.010 Quasi-Judicial amendment standards

Title 18, Chapter 18.172 Administration Provisions

Section 18.172.010 Quasi-judicial hearing authority

Section 18.172.010 Application

Section 18.172.010 Notice of Public Hearing

Crook County Comprehensive Plan

Crook County Ordinance 127, Amendment 1

IV. FINDINGS

Title 18, Chapter 18.12 Establishment of zones, Boundaries

18.12.020 Location of Zones

The boundaries of the zones listed in this title are indicated on the Crook County zoning map, which is hereby adopted by reference. The boundaries shall be modified in accordance with zoning map amendments, which shall be adopted by reference.

Proposed Finding: The Applicant is requesting a rezoning (zone map amendment) to an established zone indicated on the Crook County zoning map, which is Rural Residential, R-10. Crook County Code Title 18, Chapter 18.92.

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 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.

Proposed Finding: Map is amended by authority of the Planning Commission. The subsequent Ordinance shall be recorded with an attachment of the amended zone and maintained in the office of the County Clerk.

Title 18, Chapter 18.170 Quasi-Judicial Amendments

18.170.010 Quasi-judicial amendment standards.

An applicant requesting a quasi-judicial amendment must satisfy the following factors for quasi-judicial amendments:

(2) Zone Map Change.

(a) That the zone change conforms with the Crook County comprehensive plan, and the change is consistent with the plan's statement and goals.

(b) That the change in classification for the subject property is consistent with the purpose and intent of the proposed amendment.

Proposed Finding: The subject property is currently zoned Exclusive Farm Use Zone, EFU-3 and has been designated as Irrevocably Committed to use other than exclusive farm use, through the adoption of the Powell Butte Study Policies into the County's Comprehensive Plan.

The area of Powell Butte is addressed in the Comprehensive Plan as referenced and explored through the Powell Butte Study. There were multiple adopted ordinances, amendments, and policies associated with this area. The requested zone change conforms with the policies (as have been enacted) established by the study as well as consistent with the intent of the proposed amendment to have the property rezoned as it was included in Area 2-4 recorded in Ordinance 127, Amendment 1.

(c) That the amendment will presently serve the public health, safety and welfare considering the following factors:

(i) The availability and efficiency of providing necessary public services and facilities.

Proposed Finding: The availability and efficiency of public services and facilities will be addressed at the time the property is divided and/or subsequently developed. The subject property is currently served with access easements and power is available to the property. Wells are the subject of Oregon Water Resources, and the property has an approved onsite system for septic.

(ii) The impacts on surrounding land use will be consistent with the specific goals and policies contained within the Crook County comprehensive plan.

Proposed Finding: The area surrounding the subject property was included in the Powell Butte Study as area 2-4. Attachment C is a map showing the 2-4 area as it was designated in Ordinance 219, Amendment 1. Staff has reviewed properties surrounding the subject property, four of which are zoned EFU3; two have approved nonfarm dwellings. The other parcels have already been rezoned either Powell Butte Residential, PBR20 or Rural Residential, R10. Figure 1 (below)ⁱ is a visual representation of the surrounding area. The green coloring is zoned Exclusive Farm Use Zone, EFU-3, the yellow is Powell Butte Residential 20, PBR20, and the red is zoned Rural Residential, R10. The small green circles are residential addresses.

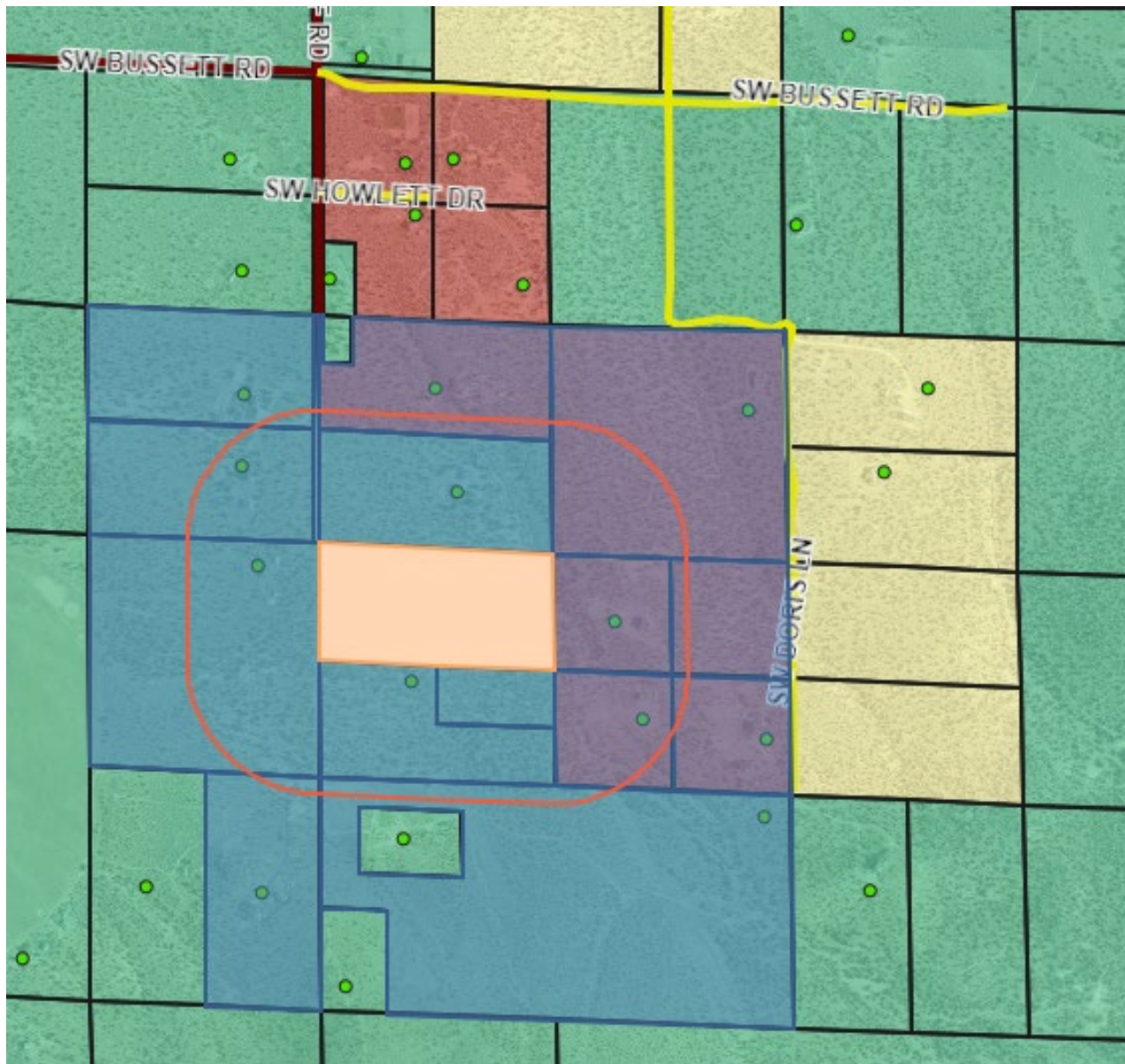


Figure 1

(d) That there has been a change in circumstances since the property was last zoned, or a mistake was made in the zoning of the property in question.

Proposed Finding: The request is to rezone the property to a R10 designation as was recorded in Ordinance 127, Amendment 1. The rezoning is optional for property owners. The property was included in the adopted area 2-4 for rezoning through the Powell Butte study as Irrevocably Committed to uses other than exclusive farm use which was the previous zoning of EFU3.

V. PROCEDURAL STATUS

The Applicant submitted an application for this map amendment on July 15, 2025. The Planning Commission is tasked with making a decision of approval or denial for the proposed Zone Map Amendment as outlined in CCC18.172.010.

The required Post Acknowledgement Plan Amendment notice was sent to the Department of Land Conservation and Development on August 29, 2025 (DLCD File No. 004-25). Newspaper notice of the first evidentiary hearing was published in the Central Oregonian on September 16, 2025. Neighbor notice of the first evidentiary hearing was mailed on September 18, 2025.

Comprehensive Plan/Powell Butte Study

A. Powell Butte Study, Crook County Comprehensive Plan

The Comprehensive Plan includes a summary of the Powell Butte Study which identified lands in the Powell Butte area that were approved through the exceptions process. There were a number of policies that were adopted into the Comprehensive Plan, however as the mandate for periodic review of County Comprehensive Plan stopped, the implementation for some of the adopted policies did not happen. Language from the Comprehensive Plan is below.

“In 1997 and 1998, the County commissioned a general study of the Powell Butte area in southwestern Crook County. The result of that study was the adoption of a series of amendments to the Comprehensive Plan in Ordinances No. 126, 127, 128, 130, 131, 132, 133, and 134, as individual sections of the Powell Butte area were redesignated from Exclusive Farm Use to other land uses through the exceptions process. These amendments were challenged in the Land Use Board of Appeals by interested parties and the Land Use Board of Appeals remanded a number of the ordinances back to the County for further work. This resulted in a number of minor amendments, including Ordinance No. 127, Amendment #1; Ordinance No. 131, Amendment #1; Ordinance No. 132, Amendment No. 1; Ordinance No. 133, Amendment #1, which resulted in the outright appeal of Ordinances No. 131, 133, and 134, and some modified policies governing the Powell Butte area which are reproduced below.

The following policies are adopted as a part of the Crook County Comprehensive Plan. These policies supplement and amend the Powell Butte Study to the extent that the Study is inconsistent with these policies and the Agreement. To the extent that there is any conflict between the Study and these policies or the Agreement, the Study shall automatically be modified to the extent necessary to conform the Study with these policies and the Agreement.

1.The Comprehensive Plan as amended provides that rural residential and nonresource development shall occur south of Highway 126 and generally north of Powell Buttes, and west of Stillman Road and east of Study Area 2-2. [Subject property meets this policy]

The specific areas to be reclassified and rezoned are those areas designated as Areas 1-2, 2-1 (as amended), 2-2 (as amended), 2-3 (as amended), and 2-4 (as amended). These areas are specifically described in Ordinances 126 (Area 2-3); 127 (Area 2-4); 128 (Area 2-1); 130 (Area 1-2); and 132 (Area 2-2). The land contained within these areas is hereinafter referred to as “the Area to be rezoned.” **[Subject property meets this policy]**

Except of uses permitted outright and by conditional use in the EFU-3 Zone, other lands shall be maintained as exclusive farm uses consistent with Policy 2 below. Rezoning of land other than “the Area to be rezoned” are inconsistent with the Comprehensive Plan. In this regard, Ordinances 131 (Area 1-1) and Ordinance 133 (Area 3-1) are repealed by separate ordinances because the rezoning of that land is inconsistent with this provision of the Comprehensive Plan. Ordinance No. 134 which pertains to Area 3-2 is being repealed as that area is being reserved for the City of Prineville’s future industrial growth. **[NA]**

2. The County will not initiate additional exceptions or nonresource designations within the Powell Butte Study Area until the next periodic review. The foregoing does not create an expectation that rezonings will necessarily occur at the next periodic plan review and does not create an obligation on the part of the County to rezone any EFU land at any time. The County may, however, consider a proposal(s) to expand the urban growth boundary of the City of Prineville in conjunction with an annexation into Area 3-2 for the purpose of providing an adequate supply of industrial land prior to the next periodic review. **[NA]**

3. The land north of Highway 126 shall be retained as exclusive farm use as that land is composed of large parcels and contains less rural residential development than the area south of the highway. For the purpose of this policy, all of Area 1-2 is deemed to be located south of the Highway 126, notwithstanding that a small portion of Area 1-2 is physically located to the north of that Highway. **[NA]**

4. The County shall adopt a new rural residential zoning district for Area 2-3 which imposes a minimum lot size and density consistent with Section Two of this Ordinance. **[NA]**

5. The zoning ordinance for Area 2-3 shall contain a 250-foot setback requirement from adjacent exclusive farm use zoned land. **[NA]**

This setback shall not apply when the adjacent land is owned by a governmental entity, e.g. the Bureau of Land Management, or is adjacent to land already approved for non-farm use. **[NA]**

In those cases, the minimum setback shall be the setback already established for dwellings in an EFU zone or if no such setback has been established, then the setback shall be and hereby is established as one hundred (100) feet. **[NA]**

The 250 foot setback shall be adopted simultaneously with adopting the new zoning ordinance. If the imposition of this setback makes land undevelopable, then Crook County shall require the maximum achievable setback. [NA]

The County shall investigate declaring an ordinance violation to be a “nuisance” thereby allowing a private party to bring suit enforcing the county’s ordinance provisions. [NA]

6. The County shall require, as a condition of development approval, that all new rural residential development in the Powell Butte area pay system development charges (SDC’s) necessitated by Powell Butte rural residential development. The County currently funds road improvements from the earnings it receives from invested timber receipts. Prior to using property tax receipts for road improvements, the County shall adopt SDC’s sufficient to cover one hundred percent (100%) of the applicable road capital improvements required to support new rural residential development in Powell Butte.

In this regard, the County shall promptly adopt a system development charge ordinance to assess a road system development charge on new development. The amount of this system development charge shall be sufficient to recover a significant portion of the capital costs of road improvements required as a result of rural residential development in Powell Butte. Nothing in this ordinance shall preclude the County from applying system development charges to other classes of property or in other areas of Crook County. In the event that a developer desires to proceed with development prior to the adoption of the system development charge ordinance, he or she shall pay the sum of \$2,000 per single family dwelling at the time of building permit issuance. In the event that the adopted system development charge is less than \$2,000, the difference shall be refunded to the developer without interest. In the event that the adopted system development charge exceeds \$2,000, the developer shall be obligated to pay the difference. [policy not implemented]

7. The County shall comply with the transportation planning rule when it adopts the zoning ordinances. [The adopted Transportation System Plan adheres to the transportation planning rule]

8. The zoning ordinances shall require developers to execute covenants of nonremonstrance in respect to all farm operations in favor of adjacent EFU land. These covenants shall be in the form of equitable servitudes and shall be binding on all heirs, devisees, legatees, vendees, and successors in interest of the developers. The County shall require such covenants to be executed and recorded at the time the building permit is issued. [This will be a condition of approval for any subdivision of the parcel and upon development]

9. The County will develop its zoning and land development ordinances utilizing the Gannet Study (“Groundwater Availability In The Powell Buttes Area, Central Oregon” Groundwater Report No. 32) recommendations on accessibility of groundwater in the Powell Butte Areas, and will require access to the regional water supply as a condition of

development, or use of water from a district or public utility. Private exempt wells in existence prior to March 1, 2000 shall be exempt from the requirements contained in the zoning and land development ordinances pertaining to wells.” (pages 66-69) [This provision is currently codified in the PBR20 zone only.]

VI. CONCLUSION

Staff requests the Planning Commission determine if the Applicant has met the burden of proof necessary to approve the request to change the zoning of the subject property from Exclusive Farm Use to Rural Residential, R10, through effectively demonstrating compliance with the applicable criteria.

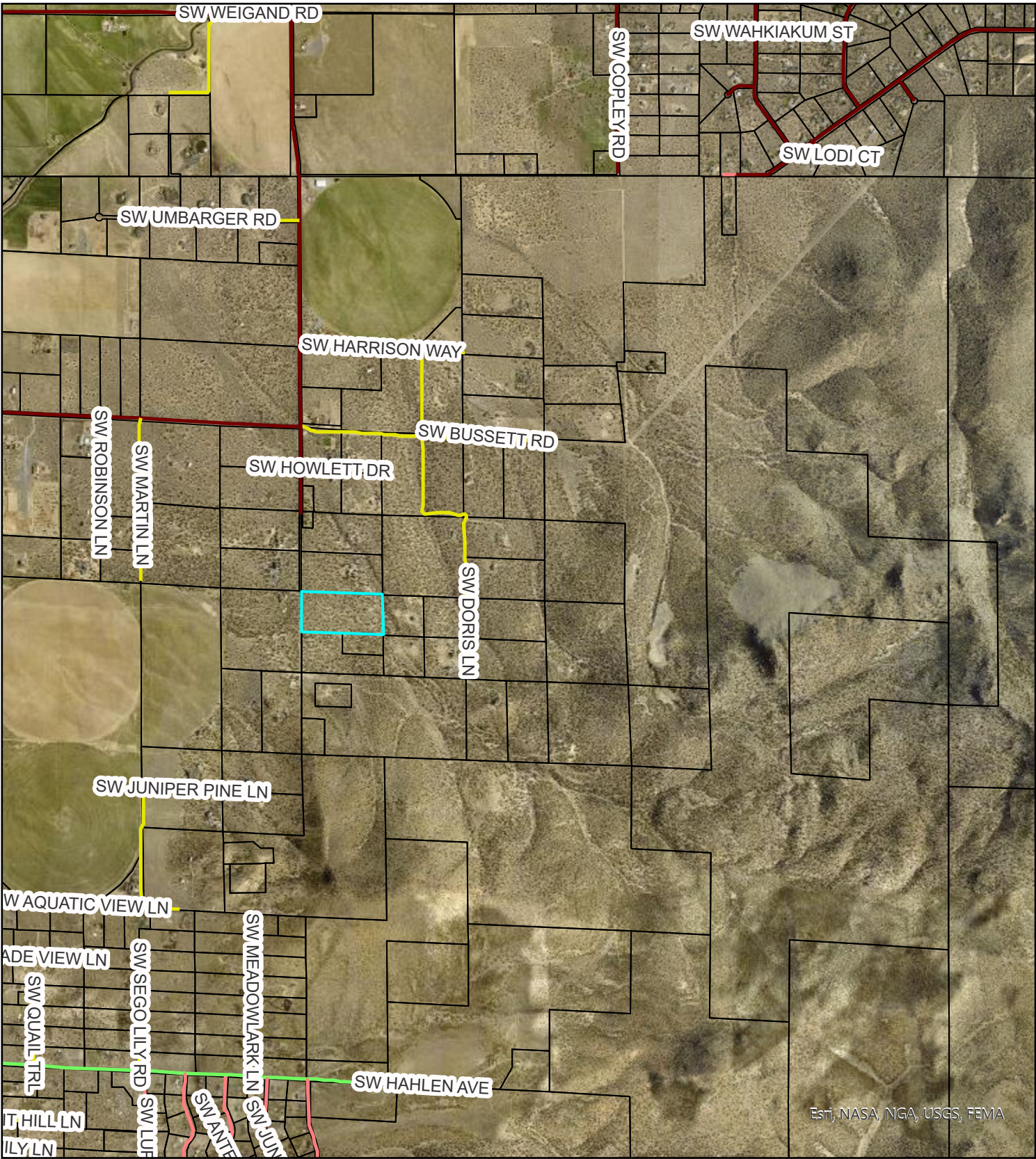
Respectfully submitted:

Katie McDonald, Sr. Planner

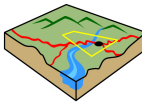
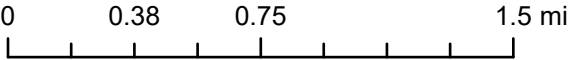
Attachments

- A. Vicinity Map
- B. Crook County Ordinance No. 127 and Amendment No. 1
- C. Powell Butte Study of Area 2-4

ⁱ Figure 1 prepared via Crook County GIS.



Disclaimer: CROOK COUNTY MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ANY OTHER MATTER. THE COUNTY IS NOT RESPONSIBLE FOR POSSIBLE ERRORS, OMISSIONS, MISUSE, OR MISINTERPRETATION. COUNTY DIGITAL INFORMATION IS PREPARED FOR REFERENCE PURPOSES ONLY AND SHOULD NOT BE USED, AND IS NOT INTENDED FOR, SURVEY OR ENGINEERING PURPOSES OR THE AUTHORITATIVE AND/OR PRECISE LOCATION OF BOUNDARIES, FIXED HUMAN WORKS, AND/OR THE SHAPE AND CONTOUR OF THE EARTH. NO REPRESENTATION IS MADE CONCERNING THE LEGAL STATUS OF ANY APPARENT ROUTE OF ACCESS IDENTIFIED IN DIGITAL OR HARDCOPY MAPPING OF GEOSPATIAL INFORMATION OR DATA. DATA FROM THE CROOK COUNTY ASSESSOR'S OFFICE MAY NOT BE CURRENT. DATA IS UPDATED AS SCHEDULES AND RESOURCES PERMIT. PLEASE NOTIFY CROOK COUNTY GIS OF ANY ERRORS (541) 416-3930.



Crook County GIS
GEOGRAPHIC INFORMATION SYSTEMS

Attachment B

ORDINANCE NO. 127 Amend. No. 1

AN ORDINANCE OF THE CROOK COUNTY COURT TO ADOPT AMENDMENTS TO THE COUNTY'S COMPREHENSIVE PLAN CONCERNING POWELL BUTTE AND TO AMEND ORDINANCE NO. 127 IN ACCORDANCE WITH THE FINAL DECISION BY THE LAND USE BOARD OF APPEALS REMANDING ORDINANCE NO. 127, AND DECLARING AN EMERGENCY.

WHEREAS, over a period of years, Crook County has conducted a comprehensive study of proper land use classifications for lands in Powell Butte; and

WHEREAS, in December 1998 and February 1999, the County Court adopted eight ordinances reclassifying different areas of Powell Butte from exclusive farm use to either a nonresource or rural residential classification. One of those ordinances was Ordinance No. 127 which provided for the redesignation of Area 2-4 from exclusive farm use to rural residential zoning;

WHEREAS, all eight ordinances were appealed to LUBA separately and by multiple parties. The appeals of Ordinance No. 127 were given Case Nos. 98-221 and 98-224;

WHEREAS, all of the appeals were submitted to mediation pursuant to ORS 197.860 among the parties to the appeal;

WHEREAS, as a result of the mediation process, the parties have reached an agreement as to all the appeals, ("the Agreement"), and have thereby agreed that Ordinance No. 127 should be amended in the manner set forth in this ordinance and LUBA has adopted the parties' agreement remanding Ordinance No. 127 with instructions to adopt the below amendments;

NOW, THEREFORE, this 26TH day of JULY, 2000, the Crook County Court ordains as follows:

Section One. The Agreement including all its exhibits is hereby adopted by reference and is included herein as if fully set forth.

The Crook County Comprehensive Plan is amended to designate the land within Area 2-4 as an exception to Statewide Planning Goal 3. Area 2-4 consists of the land as depicted on the map attached to this Ordinance as Exhibit "1" and as more specifically described as follows:

Legal Description "B" -- Zone NR-20

Lands located in Sections 2, 3 and 10, Township 16 South, Range 14 East, W.M., Crook County, Oregon, more particularly described as follows: Beginning at the ¼ corner common to Sections 2 and 3, thence South along the East line of said Section 3 to the Northwest corner of the South one-half of the Southwest one-quarter (S½ SW¼) of said Section 2; thence East along the North line of said S½ SW¼ to the Northeast corner thereof; thence South along the East line of said S½ SW¼ to the ¼ corner common to Sections 2 and 11; thence West along the South line of said Section 2 to the corner common to Sections 2, 3 10 and 11; thence South along the East line of said Section 10 to the Southeast corner of the Northeast one-

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(5pgs)

quarter of the Southeast one-quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$); thence West along the South line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Southwest corner thereof; thence North along the West line of said NE $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northwest corner thereof; thence West along the South line of the North one-half (N $\frac{1}{2}$) of said Section 10 to the Southwest corner of the East one-half of the Northwest one-quarter (E $\frac{1}{2}$ NW $\frac{1}{4}$); thence North along the West line of said E $\frac{1}{2}$ NW $\frac{1}{4}$ to the Northwest corner thereof; thence North on the West line of the East one-half of the Southwest one-quarter (E $\frac{1}{2}$ SW $\frac{1}{4}$) of said Section 3 to the Northwest corner thereof; thence East along the North line of the South one-half (S $\frac{1}{2}$) of said Section 3 to the Point of Beginning.

Legal Description "C" - Zone NR-20

Lands located in Section 11, Township 16 south, Range 14 East, W.M., Crook County, Oregon, more particularly described as follows: Beginning at the Southwest corner of the Southwest one-quarter of the Northeast one-quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$) of said Section 11, thence North along the West line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the Northwest corner thereof; thence East along the North line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$ to the Northeast corner thereof; thence south along the East line thereof to the Southeast corner thereof; thence South along the East line of the Northwest one-quarter of the Southeast one-quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$) to the Southeast corner thereof; thence West along the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the Southwest corner thereof; thence North along the West line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the Point of Beginning.

Legal Description "I" - Zone NR-10

Lands located in Section 3, Township 16 South, Range 14 East, W.M., Crook County, Oregon, more particularly described as follows: Beginning at the North section corner common to Sections 2 and 3, thence South along the East line of said Section 3 to the Southeast corner of Government Lot 1; thence West along the South line of Government Lots 1, 2 and 3 to the Southwest corner of Government Lot 3; thence North along the West line of said Government Lot 3 to the Northwest Corner of said Government Lot 3; thence East along the North line of said Section 3 to the Point of Beginning.

Legal Description "J" - Zone NR-10

Lands located in Section 11, Township 16 South, Range 14 East, W.M., Crook County, Oregon, more particularly described as follows: Beginning at the corner common to Sections 2, 3 10 and 11, thence East along the North line of said Section 11 to the Northeast corner of the West one-half (W $\frac{1}{2}$) of said Section 11; thence South along the East line of said W $\frac{1}{2}$ to the Southeast corner of the North one-half of the South one-half (N $\frac{1}{2}$ S $\frac{1}{2}$) of said Section 11; thence West along the South line of said N $\frac{1}{2}$ S $\frac{1}{2}$ to the Southwest corner thereof; thence North along the West line of Section 11 to the Point of Beginning.

Section Two. The residential density and minimum lot size for Area 2-4 shall be one (1) single family dwelling per twenty (20) gross acres in legal descriptions B and C and shall be one (1) single family dwelling per ten (10) gross acres in legal description I and J.

Section Three. The following policies are adopted as a part of the Crook County Comprehensive Plan. These policies supplement and amend the Powell Butte Study to the extent that the Study is inconsistent with these policies and the Agreement. To the extent that there is any conflict between the Study and these policies or the Agreement, the Study shall automatically be modified to the extent necessary to conform the Study with these policies and the Agreement.

1. The Comprehensive Plan as amended provides that rural residential and nonresource development shall occur south of Highway 126 and generally north of Powell Buttes, and west of Stillman Road and east of Study Area 2-2.

The specific areas to be reclassified and rezoned are those areas designated as Areas 1-2, 2-1 (as amended), 2-2 (as amended), 2-3 (as amended), and 2-4 (as amended). These areas are specifically described in Ordinances 126 (Area 2-3); 127 (Area 2-4); 128 (Area 2-1); 130 (Area 1-2); and 132 (Area 2-2). The land contained within these areas is hereinafter referred to as "the Area to be rezoned."

Except for uses permitted outright and by conditional use in the EFU-3 Zone, other lands shall be maintained as exclusive farm use consistent with Policy 2 below. Rezoning of land other than "the Area to be rezoned" are inconsistent with the Comprehensive Plan. In this regard, Ordinances 131 (Area 1-1) and Ordinance 133 (Area 3-1) are repealed by separate ordinances because the rezoning of that land is inconsistent with this provision of the Comprehensive Plan. Ordinance No. 134 which pertains to Area 3-2 is being repealed as that area is being reserved for the City of Prineville's future industrial growth.

2. The County will not initiate additional exceptions or nonresource designations within the Powell Butte Study Area until the next periodic review. The foregoing does not create an expectation that rezonings will necessarily occur at the next periodic plan review and does not create an obligation on the part of the County to rezone any EFU land at any time. The County may, however, consider a proposal(s) to expand the urban growth boundary of the City of Prineville in conjunction with an annexation into Area 3-2 for the purpose of providing an adequate supply of industrial land prior to the next periodic review.

3. The land north of Highway 126 shall be retained as exclusive farm use as that land is composed of large parcels and contains less rural residential development than the area south of the highway. For the purpose of this policy, all of Area 1-2 is deemed to be located south of the Highway 126, notwithstanding that a small portion of Area 1-2 is physically located to the north of that Highway.

4. The County shall adopt a new rural residential zoning district for Area 2-4 which imposes a density and minimum lot size consistent with Section Two of this Ordinance.

5. The zoning ordinance for Area 2-4 shall contain a 250-foot setback requirement from adjacent exclusive farm use zoned land.

This setback shall not apply when the adjacent land is owned by a governmental entity, e.g. the Bureau of Land Management, or is adjacent to land already approved for non-farm use.

In those cases, the minimum setback shall be the setback already established for dwellings in an EFU zone or if no such setback has been established, then the setback shall be and hereby is established as one hundred (100) feet.

The 250 foot setback shall be adopted simultaneously with adopting the new zoning ordinance. If the imposition of this setback makes land undevelopable, then Crook County shall require the maximum achievable setback.

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In this regard, the County shall promptly adopt a system development charge ordinance to assess a road system development charge on new development. The amount of this system development charge shall be sufficient to recover a significant portion of the capital costs of road improvements required as a result of rural residential development in Powell Butte. Nothing in this ordinance shall preclude the County from applying system development charges to other classes of property or in other areas of Crook County. In the event that a developer desires to proceed with development prior to the adoption of the system development charge ordinance, he or she shall pay the sum of \$2,000 per single family dwelling at the time of building permit issuance. In the event that the adopted system development charge is less than \$2,000, the difference shall be refunded to the developer without interest. In the event that the adopted system development charge exceeds \$2,000, the developer shall be obligated to pay the difference.

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9. The County will develop its zoning and land development ordinances utilizing the Gannett Study ("Groundwater Availability In The Powell Buttes Area, Central Oregon" Groundwater Report No. 32) recommendations on accessibility of groundwater in the Powell Butte Areas, and will require access to the regional water supply as a condition of development, or use of water from a water district or public utility. Private exempt wells in existence prior to March 1, 2000 shall be exempt from the requirements contained in the zoning and land development ordinances pertaining to wells.

Section Four. This ordinance shall serve as the County's decision on remand from LUBA Case Nos. 98-221 and 98-224.

Section Five. This ordinance shall become effective immediately as an emergency exists.

CROOK COUNTY

Fred W. Rodgers
Judge Fred Rodgers

Mike McCabe
Commissioner Mike McCabe

Jerry Crafton
Commissioner Jerry Crafton



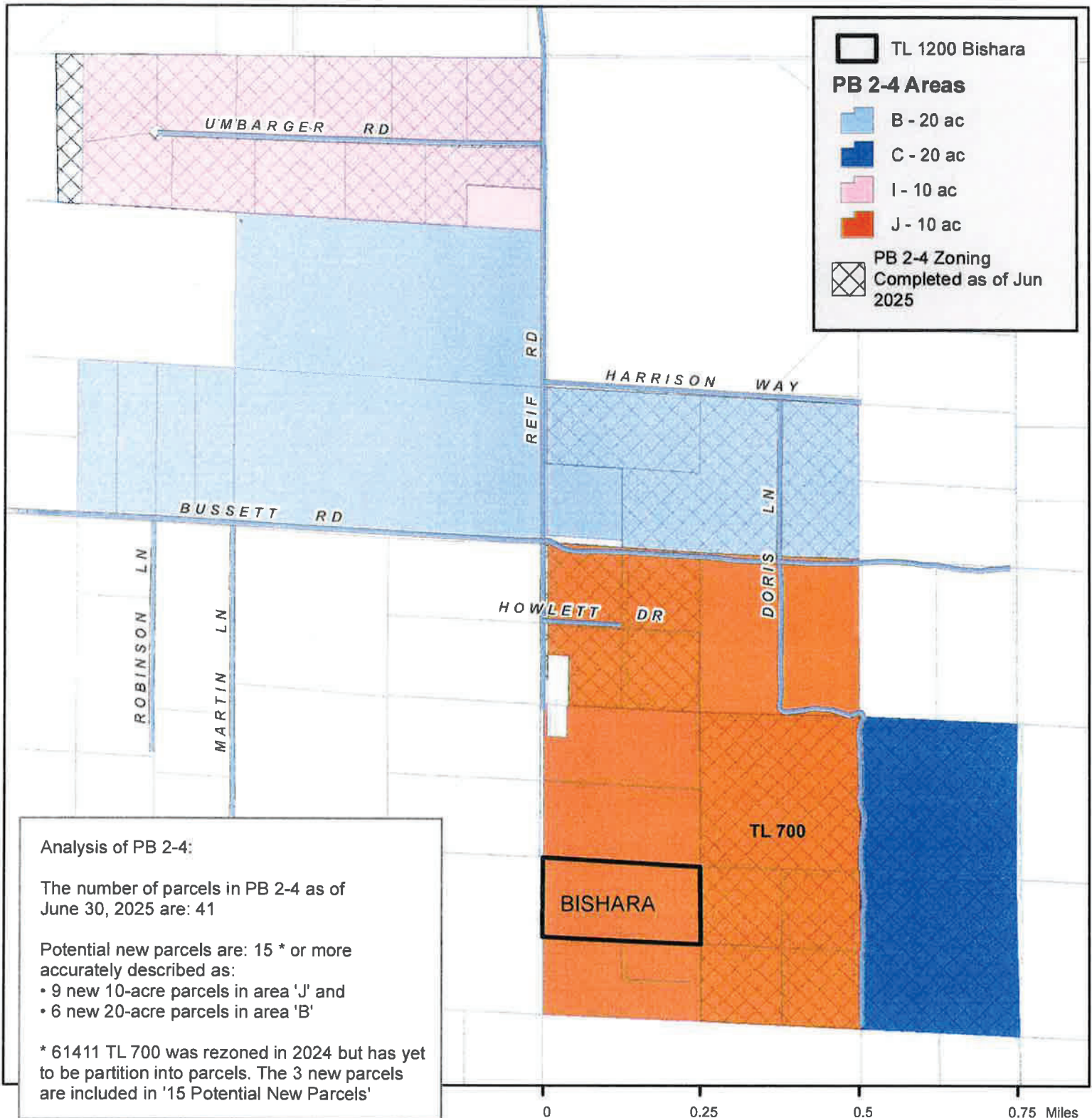
KEY PUNCHED

JUL 31 2000

STATE OF OREGON } ss 156817
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 27th DAY OF
July, 2000 AT 9:00 A M.
AND RECORDED IN CJRNL
RECORDS OF SAID COUNTY MF NO. 156817
DEANNA E. BERMAN, CROOK COUNTY CLERK
BY *Deanna E. Berman* DEPUTY

N/C

EXHIBIT C - POWELL BUTTE 2-4 w/ INVENTORY



Note: This information is prepared for reference purposes only and should not be used, and is not intended for, survey or engineering purposes. Kilpatrick Consulting LLC is not responsible for outsourced data accuracy. This exhibit by Kilpatrick Consulting and does not represent any legal opinion.



BISHARA EDWAR TRUSTEE

161411 TL 1200 - 20.00 ac.
Located West of Powell Buttes
in Crook County, Oregon

Kilpatrick
CONSULTING, LLC

LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES

6/30/2025

OFFICE:
541.447.2724