

Crook County Community Development
Crook County Planning Commission
300 NE 3rd Street, Rm 12
Prineville, OR 97754

January 28, 2020



Crook County

JAN 29 2020

Re: Remington Ranch Resort – Neighbor concerns:

Community Development

Planning Commissioners,

Based upon a review of the available files at the courthouse I have found at least five major concerns about the new Remington Ranch Resort project.

1) Remington Ranch's proposed new site locations for commercial and residential activities will conflict with my mining operation. The new plans are very different than the originally approved development plans. The former owner of my property wrote a letter of support for the project based upon an agreement to keep open space near my approved basalt mine. The location of the proposed conference center, equestrian cabin facilities and residential development to the north are all now located on areas that had previously been designated as either open space or for future developments. Future developments that would most likely occur after the mining is completed in twenty years or so. The conflicts here could force me to limit a successful rock operation that represents a significant amount of my annual income. For some time now we have been preparing to ramp up that operation for the coming years. We are now completing work on a large contract for rock product that will make this a very busy place. Should we choose to increase the permitted area of the resource, the Resort folks would most certainly oppose it. Where is the Goal 5 protection for us against complaints and probable harassments in the future?

2) My mining operation permit carries very strict restrictions for seasonal use based on the existing eagle nests. In addition, there are other raptor perches that are increasing in number further up and down the canyon. The Dry River Canyon is a unique place with valuable wildlife resources. There are very few large properties left in this area that have the needed privacy, and the natural habitat that can support these the golden and bald eagles. When the eagles are active, we are required to stop all mining activity from February 1st to June 30th and have done this for five out of the last six years that we have owned this property. Only last year when the snows were around too late for nesting were we

able to start work when the weather was good. Both myself and members of my family have been careful to honor and protect these nesting areas. We are required to provide written notice to neighbors when we do our blasting. How many neighbors will we need to notify now? Now the developers want to make major changes to the original resort plan and to place a conference center with very public activities and a tract of homes immediately next to these sensitive nests and right on top of our mining operation and cattle operations. That is not what I would consider a minor change from the original plan. I think the term used in the county code is "materially different." I believe that original approval plans and agreements to respect these resources need to be better understood and respected. It appears that the applicants are not paying much attention to the past life of their project.

3) The setbacks for buildings are less than those in the EFU zone and this resort is located in the EFU zone. Farmers are required to build their homes at least 100 feet from those boundaries they share with a neighbor. It appears that only 25 feet is now allowed in the resort. I understand that this is how the code was written but this creates a potential for easily avoidable conflicts with livestock, crop production and another allowable farm uses. This could be changed by simply adding a condition of approval for at least a 100 foot setback, 250 feet would be better for the residential areas that are next to active farms. I would like to remind you that negative significant impacts to farming operations are not allowed by any conditional use. Please see the Crook County Code.

4) My examination of the available new documents, that were only made public a short time ago, indicates that that are a number of other big changes involving road access, and others. This application process needs to have a lot more public participation. There are a number of underlying agreements and plans like the Wildlife Mitigation Plan that appear to be out of date. The project managers need to recognize some of the agreements, promises and protections that were made with neighbors in 2006-07. They need to address the new conflicting uses that are a result of these changes. Tonight, I am asking you for a "time-out" to try to resolve these conflicts that will negatively impact the farm and ranch neighbors.

5) There is a phrase used on page 2 of the Decision on the Final Development Plan and in the Crook County Code about changes to the project. The project plan cannot be "materially different" from the original or the applicant will need to amend the application. It appears that they are trying to avoid that

process and push these changes past the neighbors and the public. I am not an expert in the practices of gaining approval for projects like this one, but I recognize when something is "materially different" and think that the applicants could work this out better. I would suggest that they either go back to the drawing board or stick to something a lot closer the original plan. The original plan has fewer adverse effects upon the neighboring farms and ranches.

Those effects will increase the costs of our doing business. It would be helpful if the applicants would pay better attention to the efforts made 2006 and 2007 with respect their neighbors. That project had a lot of local support.

I would suggest a short delay of this process in which I would be willing to work with the Remington Ranch planners to attempt some resolution, but I cannot sit back silently and endorse this new plan. I have no interest in trying to appeal to stop this project but we need some time to resolve these serious issues.

Your help is appreciated, thank you.

Christian Radabaugh
Radabaugh Ranch

Crook County Code Chapter 18.16.020 Conditional use review criteria.

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
- (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;
 - (b) The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features;
 - (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;
 - (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
 - (e) The use is or can be made compatible with existing uses and other allowable uses in the area.