



Crook County Planning Division
300 NE 3rd Street, Room 12, Prineville, OR 97754
(541)447-3211
plan@co.crook.or.us
www.co.crook.or.us

Staff Report: 217-20-000371-PLNG

June 3, 2020

Proposal: The submitted proposal is for a 40,000 square foot building in conjunction with the existing farm use (hemp). A 6,000 square foot area, internal to the proposed building is designated for the processing of farm product (hemp), to include food, beverage, and topical products and packaging of those products. The conditional use proposal is for that commercial use in conjunction with farm use related to the 6,000 square feet of space. The remaining 32,000 square feet of the building's use is for cold storage and warehouse in support of the farm use.

Owner: Lazarus, Michael R
5205 SW Parrish LN
Powell Butte, OR 97753

Agent: Blackmore Planning and Development Services, LLC
19454 Sunshine Way
Bend, OR 97702

Property: 15S 15E, Section19 Tax Lot 400; 5205 SW Parrish Lane, Powell Butte OR

Application Received:	April 8, 2020
Application Deemed Complete:	May 4, 2020
Property Owner Notice:	May 7, 2020 original hearing scheduled May 27, 2020 May 21, 2020 rescheduled meeting notice
Newspaper Notice:	May 5, 2020
Site Visit Notice:	June 3, 2020
Site Visit:	June 10, 2020
Public Hearing:	June 10, 2020

PROJECT BACKGROUND

Project Summary: Lazarus Naturals have been in business since 2014 and purchased the property on Parrish Lane in 2018. There has been development on the property, to utilize it for hemp farm operations. They currently have 10 year round employees and anticipate 10 seasonal employees (May through October). This proposal includes 3-4 additional employees and be the next step for their farm operations. This proposal is for a 40,000 square foot building to be used for agricultural purposes, in conjunction with existing farm use. Cold storage and warehousing of agricultural product and supply chain make up 32,000 square feet of the building. The remaining 6,000 square feet is proposed to be the commercial use in conjunction with agriculture: space being used for processing of farm product (hemp) in food, beverage, and topical product with packaging. The Oregon Department of Agriculture

is the governing body for the agricultural crop grown on the property (hemp) including food and beverage products. In OAR 603-048-0100; “(1) Industrial Hemp is an agricultural product subject to regulation by the Department.”

Location: 5205 SW Parrish Lane, Powell Butte, OR 97753; identified on the Crook County Assessor’s map as 1515190000400.

Zoning: Exclusive Farm Use Zone 3- EFU3, Powell Butte Area

Access: There are two approved road approaches for the property, an existing driveway on the north side of the property along Parrish (permit number 217-C-RP-719-07) and an approved second access (217-19-001163-PLNG) located approximately 500 feet to south the of the north property border. The second access has not been built yet, it is shown on the site plan. (See Attachment B)

Property Characteristics: The property measures approximately 79.4 acres and is developed as a hemp farm, with approximately 73 acres of irrigated farmland. The non-irrigated portion has multiple structures in support of the farm operation, including a primary farm dwelling and an accessory structure (originally an accessory farm dwelling). The structures on the property include four greenhouses for crop cultivation, extraction building, and office space.

Surrounding Land Uses: The surrounding properties are zoned Exclusive Farm Use Zone3 – EFU3, Powell Butte Area and are in active farm use.

- To the north and west of the subject property are tax lots 1515190000101, 79.82 acres (with a dwelling); 1515190000100, 79.84 acres; 1515190000201, 76.50 acres (with a dwelling); 1515190000301, 76.90 acres; and 1515190000300, 76.90 acres (with a dwelling) which are owned by Mark and/or Ann Malott and are currently in farm use
- To the south of the subject parcel are two tax lots; 1515190000401, 39.01 acres and 1515190000402, 38.50 acres which are owned by Snowline Ranch LLC and currently in farm use
- To the east of the subject parcel is tax lot 1515200000400, 47.35 acres owned by Rolland and Toni Holeman, the property is in farm use and has a dwelling.
- To the north east is tax lot 1515200000201, 79.40 acres owned by Steve and Margaret Riney, Trustees, the property is in farm use with no dwelling.

Septic: There are existing septic systems on the property, two existing tanks, and a third tank and pump system is proposed with this application, (217-20-000416-PRMT).

Domestic Well: There are two wells on the property supplying domestic water.

Water Rights: Central Oregon Irrigation District has provided comments regarding the proposal (see Attachment E). They are requesting that all development affecting irrigation facilities be in-line with COID’s Development Handbook. Comments include irrigation conveyance needing written approval, no structures of any kind within COID’s property/easement/right-of-way, and no development or improvements made to those lands possessing water right without those rights being removed via a permanent water right transfer done through COID.

Fire Protection: The property is in the Crook County Fire District. Comments received from Crook County Fire and Rescue include a fire department access road to be within 150 feet of the farthest portion of a building or facility (see Attachment D).

Signs: No signs are being proposed as a part of this application.

APPLICABLE CRITERIA:

18.08.060 F Definitions

18.04 General Provisions

18.16 Exclusive Farm Use

18.160 Conditional Use Standards

18.180.010 Transportation Impact Analysis

Crook County Code (CCC) 18.16.060 F definitions:

“Farm use” means the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, furbearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. “Farm use” includes the preparation and storage of the products raised on such land for human use and animal use and disposal by marketing or otherwise. “Farm use” also includes the current employment of land for the primary purpose of obtaining a profit in money by stabling or training equines including but not limited to providing riding lessons, training clinics, and schooling shows. “Farm use” also includes the propagation, cultivation, maintenance and harvesting of aquatic species, and bird and animal species that are under the jurisdiction of the State Fish and Wildlife Commission, to the extent allowed by the rules adopted by the Commission. “Farm use” includes the on-site construction and maintenance of equipment and facilities used for the activities described in this definition. It does not include the use of land subject to the provisions of Chapter 321 ORS, except land used exclusively for growing cultured Christmas trees as defined in ORS 215.203(3) or land described in ORS 321.267(1)(e).

FINDING: The subject property meets the definition of farm use in that the current use of the land is for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops (hemp). The proposal also meets the definition, in that the definition includes “the preparation and storage of the products raised on such land for human use and animal use and disposal by marketing or otherwise”

The Oregon Department of Agriculture is the governing body for the agricultural crop grown on the property (hemp), in OAR 603-048-0100; “(1) Industrial Hemp is an agricultural product subject to regulation by the Department”.

Crook County Code (CCC) 18.16.015 Use standards (1) and (7) may be approved when:

(1) A farm on which a processing facility is located must provide at least one-quarter of the farm crops processed at the facility. A farm may also be used for an establishment for the slaughter, processing or selling of poultry or poultry products pursuant to ORS 603.038. If a building is established or used for the processing facility or establishment, the farm operator may not devote more than 10,000 square feet of floor area to the processing facility or establishment, exclusive of the

floor area designated for preparation, storage or other farm use. A processing facility or establishment must comply with all applicable siting standards, but the standards may not be applied in a manner that prohibits the siting of the processing facility or establishment. A county may not approve any division of a lot or parcel that separates a processing facility or establishment from the farm operation on which it is located.

FINDING: This proposal is for a 40,000 square foot building with 6,000 square feet for commercial use in conjunction with agricultural use. The building is divided up for use including storage, processing, and packaging. The processing component to this application is proposed to be 6,000 square feet and includes packaging of food, beverage, and topical products. Food and beverage are regulated by the Oregon Department of Agriculture. No extraction is proposed as a part of the application. The proposed square footage is less than the allowed 10,000 square feet for processing. The property has an existing site plan approval for a processing facility of 3,456 square feet. The addition of the 6,000 square feet does not exceed the square feet maximum of 10,000 square feet.

The owner/operator shall submit to the Community Development Department documentation that at least 25% of material processed on site will be from the subject's farm (see Condition of Approval 1) and (see Attachments B, C1, and C2).

No division of land or partitioning is proposed with this application.

(7) Commercial activities in conjunction with farm use

(a) The commercial activity is either exclusively or primarily a customer or supplier of farm products;

(b) The commercial activity is limited to providing products and services essential to the practice of agriculture by surrounding agricultural operations that are sufficiently important to justify the resulting loss of agricultural land to the commercial activity; or

(c) The commercial activity significantly enhances the farming enterprises of the local agricultural community, of which the land housing the commercial activity is a part. Retail sales of products or services to the general public that take place on a parcel or tract that is different from the parcel or tract on which agricultural product is processed, such as a tasting room with no on-site winery, are not commercial activities in conjunction with farm use.

FINDING: The existing farm operations do supply a farm product grown on site in hemp. The Burden of Proof states that the current farm operations require transport of farm material grown on this site to other sites for storage, processing and packaging.

The commercial use for processing and packaging proposed is located within the building; no loss of agricultural land is associated with the commercial activity.

The Burden of Proof states that by keeping the specified components of commercial farm operations in house it will enhance the local area farming and economy because of local sourcing and in-house efficiency.

No on-site retail sales of product are proposed with this application.

CCC 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;

FINDING: This proposal is for the continued agricultural use of the property and commercial use in conjunction with the current agricultural use (hemp). There are nine parcels that surround the

subject parcel, five are owned by Mark and/or Ann Malott, two are owned by Snowline Ranch LLC, one 47 acre parcel is owned by Holeman, and one 79 acre parcel is owned by Steve and Margaret Riney (trustees). All parcels have irrigation water and are currently in farm use, four parcels have dwellings and five parcels do not have dwellings.

The proposed commercial use will be conducted interior to the building and “not generate any significant noise, dust, fumes, or odors, and therefore will not force a significant change to farm practice on the site or surrounding properties.”

The Burden of Proof states that the commercial uses will include storage and packaging of hemp and that the same amount of product will be leaving the site as currently does it will just be leaving in a finished form rather than raw product. No extraction is associated with this proposal. (see Conditions of Approval 2 and 3).

Included is proposed operational hours of 7am to 5pm, which they say are similar to current operations and those on neighboring properties (see Conditions of Approval 4).

Lighting shall be limited, any new lighting shall be directed downward, shielded, and if applicable be motion detected if not necessary for safety (see Conditions of Approval 5).

Screening will not be needed as all activities will be located within the proposed building.

(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

FINDING: The proposed building will not significantly increase the cost of accepted farm practices on surrounding lands because the proposal is designed to expand the existing farm operations interior to the building, which houses additional support of the existing agricultural use. The Burden of Proof states that “Overall, the design will reduce cost, improve certainty, and will allow the owner to extract additional yields from the land.”

The interior commercial use will reduce noise, odor, and fumes not significantly increasing cost on surrounding farm uses.

The location of the second access is on the south side of the buildings, interior to the property (not along a property boundary) and not adjacent to a driveway on the east side of Parrish. Employee and commercial vehicles shall use the southern driveway access (see Condition of Approval 6).

The increase in traffic 2-4 trips per day would be minimal and again not significantly increasing the cost of surrounding farm practices, which is addressed in the Transportation Assessment Letter (see Attachment F).

(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;

FINDING: The Crook County Comprehensive Plan Objectives include: “To maintain a viable agricultural base, preserve agricultural lands for agriculture, and to protect agriculture as a commercial enterprise.” and “To provide maximum opportunity for optimum management and operational practices and provide adequately efficient supportive resources and services.” In the Agriculture section number 10 speaks to supporting uses in conjunction with farm use: “The provisions of ORS 215 also recognize and set forth certain non-farm uses which may be conditionally carried out with little or no conflict with area agricultural uses. Such uses may be established separately or in conjunction with farm use, are primarily commercially, industrially, or recreationally oriented, and in many cases may provide a means for secondary economic benefits

to an agricultural enterprise. ORS 215.213.” Oregon Revised Statute 215 is implemented through the Crook County Zoning Code and addressed in this staff report.

This proposal seeks approval for expanding the existing agricultural use on the property with expansion of a commercial use in conjunction with and to further integrate agricultural operations in house which have been designed to streamline the production and delivery of farm products to markets.

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

FINDING: The existing property is 79.4 acres in size. The proposed building is approximately 1% of the total site. There are no natural features, but the site has been developed with improvements, including driveways and parking areas, as shown on the site plan (see Attachment B).

(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;

FINDING: The surrounding properties are all zoned Exclusive Farm Use Zone 3 (Powell Butte Area) and are in agricultural use. Alteration of character often involves the introduction of new uses, such as residential development. This proposal does not introduce a new use to the area, but is an expansion of the farm use (hemp), occurring on the site.

(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

FINDING: The Burden of Proof state “Furthermore, when considering indirect impacts the size, scale, traffic impacts and available capacity on the existing system, will not result in any substantial impact to the abutting roadway system and or surrounding properties”. This is supported in the Transportation Analysis Letter that public facilities in the area (Parrish Lane) are adequate for the additional trips that would be generated with this proposal (see Attachment F).

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

FINDING: The Burden of Proof states that the commercial use is compatible with the existing agricultural use, as it is in conjunction with the existing hemp operation (farm use) and will occupy a limited space internal to an agricultural building. The use will not produce any additional odor, noise, or fumes to affect surrounding properties and is not affected by odors, noises or fumes from neighboring agricultural activities.

Hours of Operation for Commercial Use are Monday – Friday 7am to 5pm. (see Condition of Approval 4).

A condition has been added that commercial vehicles shall use the southern driveway and be directed away from neighboring properties (see Condition of Approval 6).

CCC 18.16.075 Development Standards

All dwellings and structures approved pursuant Table 1 shall be sited in accordance with this section.

(1) Lot Size Standards. Lot size shall be consistent with the requirements of CCC 18.16.070.

FINDING: The existing lot is 79.40 acres and is in current agricultural use. There is no new partitioning as a portion with this proposal.

(2) In an EFU zone, the minimum setback of a residence or habitable structure shall be 100 feet from a property line. If a parcel in the EFU zone is nonbuildable as a result of the habitable structure setback requirements, the commission may consider a conditional use application from the land owner to adjust the setback requirements to make the parcel buildable.

FINDING: Not Applicable

(3) The minimum setbacks for all accessory structures are:

(a) Front yard setback shall be 20 feet for property fronting on a local minor collector or marginal access street, 30 feet from a property line fronting on a major collector ROW, and 80 feet from an arterial ROW unless other provisions for combining accesses are provided and approved by the county.

(b) Each side yard shall be a minimum of 20 feet, except corner lots where the side yard on the street side shall be a minimum of 30 feet.

(c) Rear yards shall be a minimum of 25 feet.

FINDING: The setbacks for the Accessory Structure are met as shown on the Site Plan (see Attachment B) and (Condition of Approval 7).

CCC 18.128.010 Off Street parking requirements

The Burden of Proof included findings for this section of code. Crook County has not applied this section to Agricultural Uses in Exclusive Farm Use Zones. The proposed building is internal to the site with no direct on street parking or loading.

CCC 18.160 CONDITIONAL USE STANDARDS

CCC 18.160.020 General criteria establish general criteria for conditional uses.

In judging whether or not a conditional use proposal shall be approved or denied, the 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.

FINDING: The Crook County Comprehensive Plan supports agricultural activities and supports commercial agricultural operations (as stated in the finding for 18.16.020(3)(a)). The property is zoned Exclusive Farm Use (EFU) and the property is being and will continue to be used for agricultural crop (hemp) production. The proposal is also consistent with the setbacks for accessory structures as shown on the site plan and subject to building codes including fire, life safety.

The development shall significantly conform to the site plan submitted with the proposal. Minor variations are permitted upon review and approval of the Community Development Director. Any significant variation from the proposal or change in footprint from tentative plan shown shall trigger a Modification application. The owner/operator shall acquire all necessary permits from the Community Development Department. The owner/operator shall submit to Crook County Community Development an approval from Crook County Fire and Rescue regarding the new 40,000 square foot building, prior to submitting for building permits (Conditions of Approval 7, 9, and 10).

(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.

FINDING: Development on surrounding area and properties is limited due to the zoning of Exclusive Farm Use Zone 3 (Powell Butte area) and existing characteristics (soil type, irrigation agricultural use). The proposed building has been designed with size and location to optimize the existing farm operation and provide a more integrated agricultural operation (as detailed in the Burden of Proof).

The proposal of operating hours which they state is common for surrounding farm uses, has been suggested to have minimal adverse impact.

Additionally utilization of the southern access will further limit impact (see Conditions of Approval 4 and 6).

(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 warrants.

FINDING: The proposed structure shall have similar finishes and colors to match existing structures on site (see Condition of Approval 8).

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

FINDING: Crook County assets include the preservation of agriculture in the areas that have been designated as such through Exclusive Farm Use zoning. This application supports the preservation of agriculture with the integrated approach to the active farm use and operation existing on the site.

(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.

FINDING: The property was purchased in 2018 by the current owner and this proposal is consistent with the development of the site for an agricultural operation (see Attachment G).

18.160.030 General conditions. In addition to the standards and conditions set forth in a specific zone (i.e., the EFU-3 zone), conditional use standards, 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.

(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.

FINDING: This proposal includes hours of operation, access, and lighting restrictions, due to the internal nature of the conditional use, no further limitations are deemed necessary (see Conditions of Approval 4, 5, and 6).

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

FINDING: Criteria not applicable.

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

FINDING: The proposed structure is designed to meet the needs of the agricultural operation and is subject to acquiring all required approvals from Crook County (see Condition of Approval 9).

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

FINDING: Employee and commercial vehicles shall use the southern driveway access (see Condition of Approval 6).

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

FINDING: Not Applicable

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

**FINDING: The proposal includes improvements to the existing gravel area for parking and loading (see Attachment B).
No screening is needed.**

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

FINDING: The proposal does not include any signs.

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

FINDING: Lighting shall be limited, any new lighting shall be directed downward, shielded, and if applicable be motion detected if not necessary for safety (see Condition of Approval 5).

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

FINDING: Not Applicable as the use is proposed to be wholly enclosed within a building.

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

FINDING: Not Applicable as the use is proposed to be wholly enclosed within a building.

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

FINDING: Oregon Department of Fish and Wildlife has provided an email indicating no concerns.

(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. (Ord. 236 § 3 (Exh. C), 2010; Ord. 18 § 6.030, 2003)

FINDING: The owner/operator shall notify Crook County Community Development in writing of a change in ownership of the facility, including, but not limited to, a transfer of title or lease for a term of years (see Condition of Approval 2).

CCC 18.180.010 Transportation impact analysis

(3) When a Transportation Assessment Letter (TAL) Is Required. If the provisions of subsections (2)(a) through (f) of this section do not apply, the applicant's traffic engineer shall submit a transportation assessment letter to Crook County planning department demonstrating that the

proposed land use action is exempt from TIA requirements. This letter shall outline the trip-generating characteristics of the proposed land use and verify that the site-access driveways or roadways meet Crook County’s sight-distance requirements and roadway design standards.

FINDING: A Transportation Assessment Letter (TAL) was submitted, which concludes that the proposal does not meet any of the triggers for a Traffic Impact Analysis.

The TAL addresses the trip generation characteristics for an agricultural use in conjunction with farm use, using warehousing standards. The conclusion is that even with a higher metric a Traffic Impact Analysis would not be required. The proposal would increase traffic through the 3-4 employees, with a total of 10 during peak harvest (September and October).

The TAL also reviewed the crash data for Parrish Lane, of which they found none for the area adjacent to the property as well as the intersection of Parrish Lane and Hwy 126. The data did not support additional analysis needed.

Finally the TAL also addressed that access points existing and proposed (approved) for driveways and onsite parking with clear way finding signs internal to the site (see Attachment F).



If approved Planning Staff recommends the following conditions of approval are applied.

Proposed Conditions of Approval:

1. The owner/operator shall submit to the Community Development Department documentation that at least 25% of material processed on site will be from the subject’s farm.
2. The owner shall notify Crook County Community Development in writing of a change in ownership of the facility, including, but not limited to, a transfer of title or lease for a term of years.
3. The owner/operator shall provide a copy of the Approved Land Use Compatibility Statement (LUCS) form from Oregon Department of Agriculture.
4. Hours of Operation for Commercial Use are Monday – Friday 7am to 5pm.
5. Lighting shall be limited, any new lighting shall be directed downward, shielded, and if applicable be motion detected if not necessary for safety.
6. Employee and commercial vehicles shall use the southern driveway access.
7. The development shall significantly conform to the site plan submitted with the proposal. Minor variations are permitted upon review and approval of the Community Development Director. Any significant variation of use from the proposal or change in footprint of the processing area from tentative plan shown shall trigger a Modification application.
8. The proposed structure shall have similar finishes and colors to match existing structures on site.

9. The owner/operator shall acquire all necessary permits from the Community Development Department.
10. The owner/operator shall submit to Crook County Community Development an approval from Crook County Fire and Rescue regarding the new 40,000 square foot building, prior to submitting for building permits.

Respectfully submitted

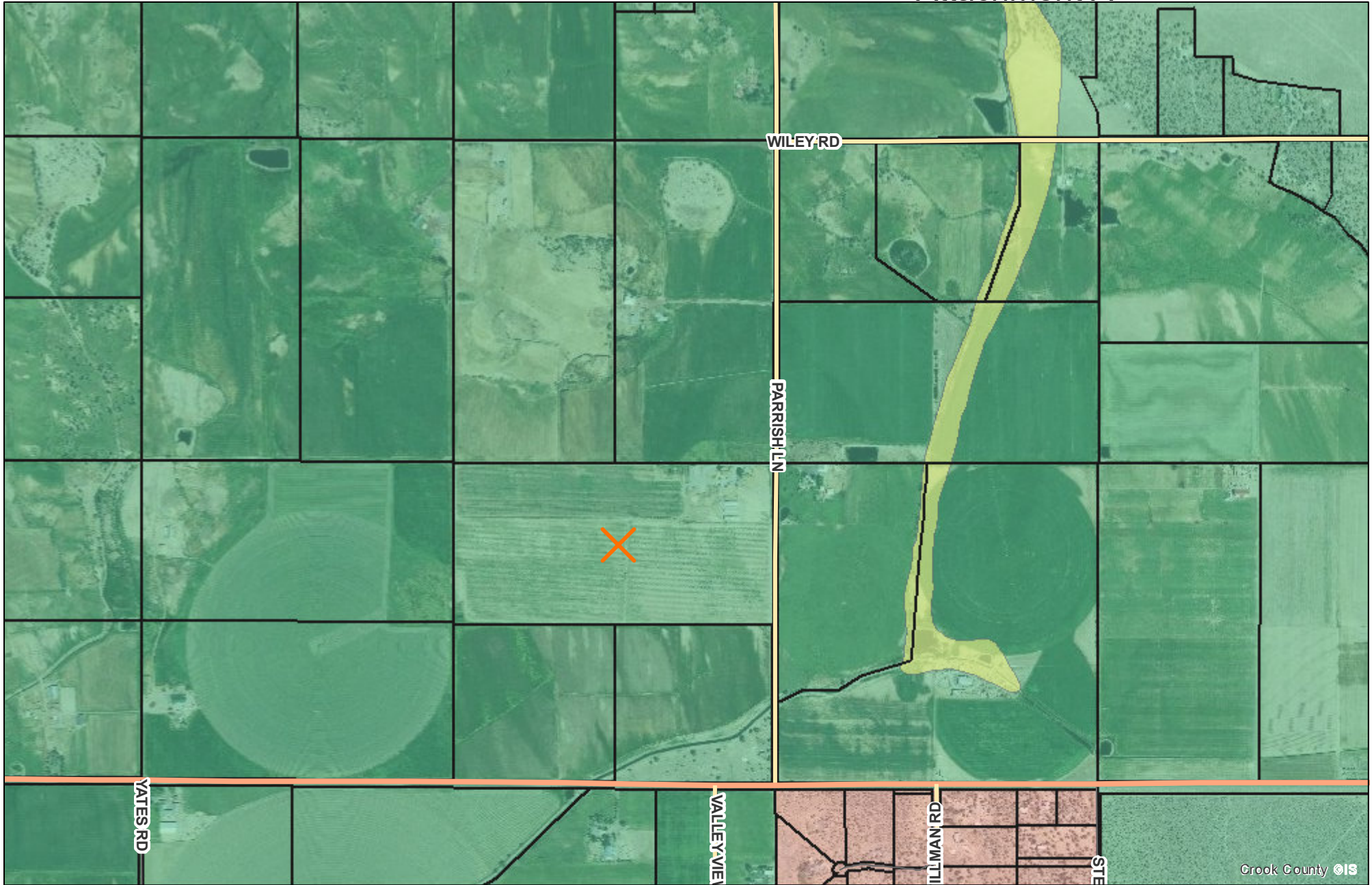


Katie McDonald, Planner
Crook County Community Development

Attachment A – Vicinity Map
Attachment B - Site Plan (dated 5-28-2020)
Attachment C1 –Building Elevations
Attachment C2 –Interior Layout
Attachment D – Crook County Fire Comments
Attachment E - Central Oregon Irrigation District Comments
Attachment F – Transportation Analysis Letter
Attachment G – Crook County Permit History

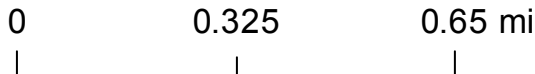
Cc: Crook County Fire and Rescue
County Departments
Central Oregon Irrigation District
Oregon Department of Agriculture

Attachment A



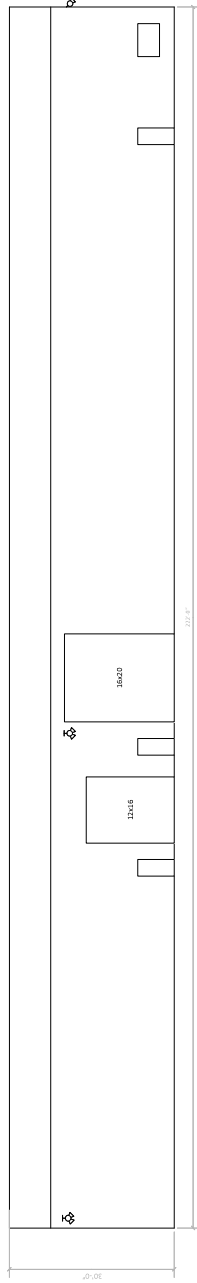
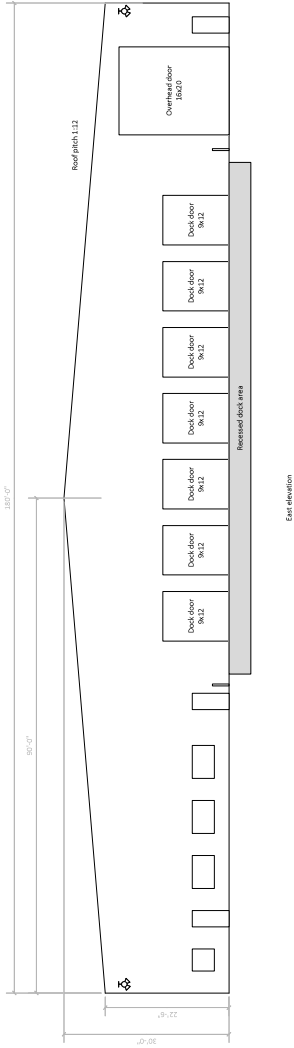
Crook County GIS

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COMMUNITY DEVELOPMENT
PLANNING
BUILDING
ON-SITE

Attachment C1



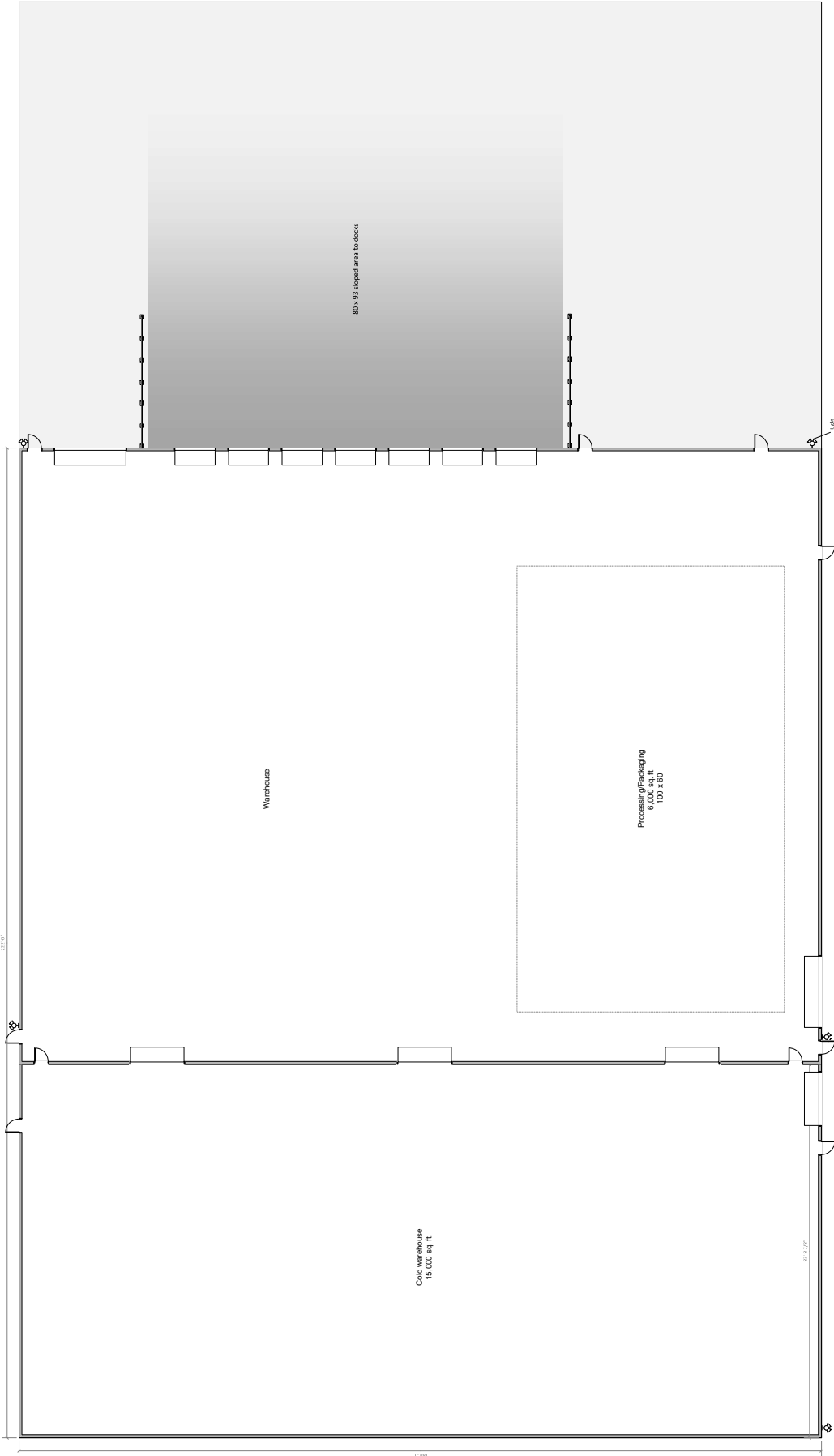
**Lazarus
Naturals**
5205 SW Paragish Ln.
Powell Butte, OR 97153

**Proposed Warehouse
Elevation**

DATE: 11/6/2020
SCALE: 1/8" = 1'-0"
DRAWN BY: [Signature]

PROJECT: Lazarus Naturals
CLIENT: Lazarus Naturals

Attachment C2



**Lazarus
Naturals**
5205 SW Parrell Ln
Powell Butte, OR 971753

**Proposed Warehouse
Building Envelope**

DATE:	4/6/2020	SCALE:	3/32" = 1'-0"	PROJECT:	5205 SW Parrell Ln Powell Butte, OR 971753
DRAWN BY:	3/16/20	CHECKED BY:	3/16/20	DATE:	3/16/20
DESIGNED BY:	3/16/20	APPROVED BY:	3/16/20	DATE:	3/16/20

Katie McDonald

From: Russ Deboodt <rdeboodt@ccf-r.com>
Sent: Tuesday, June 2, 2020 8:47 AM
To: Katie McDonald
Subject: RE: Commercial in Conjunction with Agriculture

That sounds excellent!

Thank you Kaite.

Russell Deboodt
Division Chief – Fire and Life Safety
Crook County Fire and Rescue
W-541-447-5011
C-541-280-0911
F-541-447-2705
rdeboodt@ccf-r.com

From: Katie McDonald [<mailto:Katie.McDonald@co.crook.or.us>]
Sent: Tuesday, June 2, 2020 7:45 AM
To: Russ Deboodt <rdeboodt@ccf-r.com>
Subject: RE: Commercial in Conjunction with Agriculture

Thanks Russ,

I will add your comments. I do remember you stating that the road on the south side needed to extend so it would meet the 150' of the farthest portion of a building or facility. I can add your comments to the staff report and condition that the applicant work with CCFR regarding access prior to submitting for building permits. That way if anything on the site plan shifts it can get addressed before they are building.

Sound good?

Best,
Katie

Katie McDonald
Planner~Community Development
541-447-3211
300 NE 3rd Street
Prineville, OR 97754
www.co.crook.or.us

In an effort to stop the spread of COVID-19, Community Development is restricting face-to-face assistance and will be accessed by **appointment ONLY**.

Please call or email for assistance: (541) 447-3211

plan@co.crook.or.us (planning related)

bld@co.crook.or.us (building related)

onsite@co.crook.or.us (septic related)

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From: Russ Deboodt [<mailto:rdeboodt@ccf-r.com>]
Sent: Tuesday, June 2, 2020 7:40 AM
To: Katie McDonald
Subject: RE: Commercial in Conjunction with Agriculture

Katie,

My apologies, I thought I had sent something back but obviously never hit send.

I have worked with Lazarus on their fire pond and fire department connection and believe it has been completed. They are installing the 20' wide loop fire access road currently that is shown on the site plan. My only additional requirement, and I have mentioned it to them already but would be good to codify in your staff report, is that the access for their new proposed large building needs to have the road extended along the south side of the building. Essentially the code says that the fire department access road must be within 150' of the farthest portion of a building or facility.

I can show this on the site plan you sent me and bring it by your office so you can see what I mean if that helps clarify it?

Russell Deboodt
Division Chief – Fire and Life Safety
Crook County Fire and Rescue
W-541-447-5011
C-541-280-0911
F-541-447-2705
rdeboodt@ccf-r.com

From: Katie McDonald [<mailto:Katie.McDonald@co.crook.or.us>]
Sent: Tuesday, June 2, 2020 7:25 AM
To: Russ Deboodt <rdeboodt@ccf-r.com>
Subject: RE: Commercial in Conjunction with Agriculture

Hi Russ,

I haven't heard back and I am writing the staff report. They have submitted an updated site plan (attached). Do you have any comments?

Thanks,
Katie

From: Russ Deboodt [<mailto:rdeboodt@ccf-r.com>]
Sent: Wednesday, April 15, 2020 1:36 PM
To: Katie McDonald
Subject: RE: Commercial in Conjunction with Agriculture

Thank you Katie!

I will take a look and get back to you.

Russell Deboodt
Division Chief – Fire and Life Safety
Crook County Fire and Rescue
W-541-447-5011
C-541-280-0911
F-541-447-2705
rdeboodt@ccf-r.com

From: Katie McDonald [<mailto:Katie.McDonald@co.crook.or.us>]
Sent: Wednesday, April 15, 2020 11:00 AM
To: Russ Deboodt <rdeboodt@ccf-r.com>
Subject: Commercial in Conjunction with Agriculture

Hi Russ,

Lazarus has applied for a Conditional Use Application for their property on Parrish. I will try to attach the documents, if they are too big I can reach out to their agent and ask him to send them to you via drop box. We have this on the PC tentatively for May 27.

Best,
Katie

Katie McDonald
Planner~ Crook County Community Development
www.co.crook.or.us

In an effort to stop the spread of COVID-19, Community Development is restricting face-to-face assistance and will be accessed by **appointment ONLY**.

Please call or email for assistance: (541) 447-3211

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From: Land Use
Sent: Tuesday, February 12, 2019 1:53 PM
To: evan@lazarusnaturals.com
Subject: 5205 SW Parrish Lane, Powell Butte Oregon
Attachments: 5205 SW Parrish Lane _COID_Map 02.12.09.pdf

Sent Via Email Only

Attn: Evan Skandalis

Re: 5205 SW Parrish Lane, Powell Butte Oregon

Please be advised that Central Oregon Irrigation District (COID) has reviewed the provided preliminary Site Plan received via email for the above referenced project as part of your Crook County Community Development Department Site Plan – Administrative Review application. The property address is 5205 SW Parrish Lane, Powell Butte Oregon.

According to our records, the subject property has 73.8 acres of COID water rights. Please see the attached map for details. COID's COC-59 delivery ditch runs through the referenced property and along the eastern boundary and has a 20' canal right-of-way.

Listed below are COIDs initial comments to the provided preliminary Site Plan. All development affecting irrigation facilities shall be in accordance with COID's Development Handbook and/or as otherwise approved by the District.

- Any irrigation conveyance, District or private, which passes through the subject property shall not be encroached upon without written permission from COID.
- No structures of any kind, including fences, are permitted within COID's property/easement/right of way.
- According to our records the subject property has 73.8 acres of COID water rights.
 - There shall be no development or improvements made to those lands possessing a water right without those rights first being removed via a permanent water rights transfer done through COID.

Our comments are based on the information provided, which we understand to be preliminary in nature at this time. Our comments are subject to change. Additional requirements may be made as site planning progresses or additional information becomes available. Please provide updated documents to COID for review as they become available.

Irrigation infrastructure and right-of-way are required to be identified on all maps and plans. Policies, standards and requirements set forth in the COID Developer Handbook must be complied with.

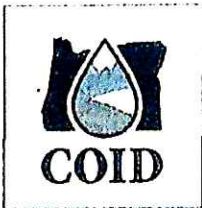
If you have any questions, please contact me at 541-548-6047.

Sincerely,
Kelley O'Rourke

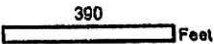
Central Oregon Irrigation District
1055 SW Lake Court
Redmond OR 97756
Phone: 541-548-6047

For current start up, shut down and stock run dates [click here](#).

WATER RIGHTS TRANSFER: Lazarus, Michael



Date: 02/11/2018



0.60 Temp OFF/ON

Legend	
	OFF
	ON
	INSTREAM
	IL
	PETITIONED_ON
	TAXLOTS



Date: April 8, 2020
 To: Rhonda Ahern, Lazarus Naturals
 From: Joe Bessman, PE
 Project Reference No.: 1435
 Project Name: Lazarus Naturals Hemp Commercial Use and Processing Transportation Assessment Letter



This letter provides a Transportation Assessment Letter for proposed commercial and agricultural processing uses located at 5205 SW Parrish Lane, Powell Butte, on Crook County assessor's map 15-15-1900, tax lot 400, pursuant to Crook County Code requirements within section 18.180.010. The site is located approximately ½ mile north of OR 126 as shown in Figure 1.



Figure 1. Site Vicinity Map. (Source: google.com/maps)

SITE DESCRIPTION

The site of the proposed additional uses is within an approximately 79.4-acre parcel within the unincorporated Powell Butte Community. The parcel is zoned Exclusive Farm Use (EFU-3), which per CCC 18.16.015 allows commercial uses in conjunction with a farm use as a conditional use and processing associated with farming as an outright allowable use, subject to site plan review. The site currently contains farmland, shops, greenhouses, buildings, a processing building and other agricultural structures. The new building will be located in the immediate vicinity of these existing buildings.

The property is accessed via a private gravel driveway off SW Parrish Lane, which was approved within C-RP-719-07. A second access was also approved near the southern edge of the property under Crook County permit number 217-19-001163-PLNG.

The proposed use of the new 40,000 square-foot building includes agricultural uses, processing, and commercial activities in conjunction with the farm use. The building will be used to store, process, and package products involving hemp. The proposed interior building plan is provided in Figure 2. This includes 15,000 square-feet for material storage, 19,000 square-feet cold-storage, and 6,000 square-feet of processing/packaging space.

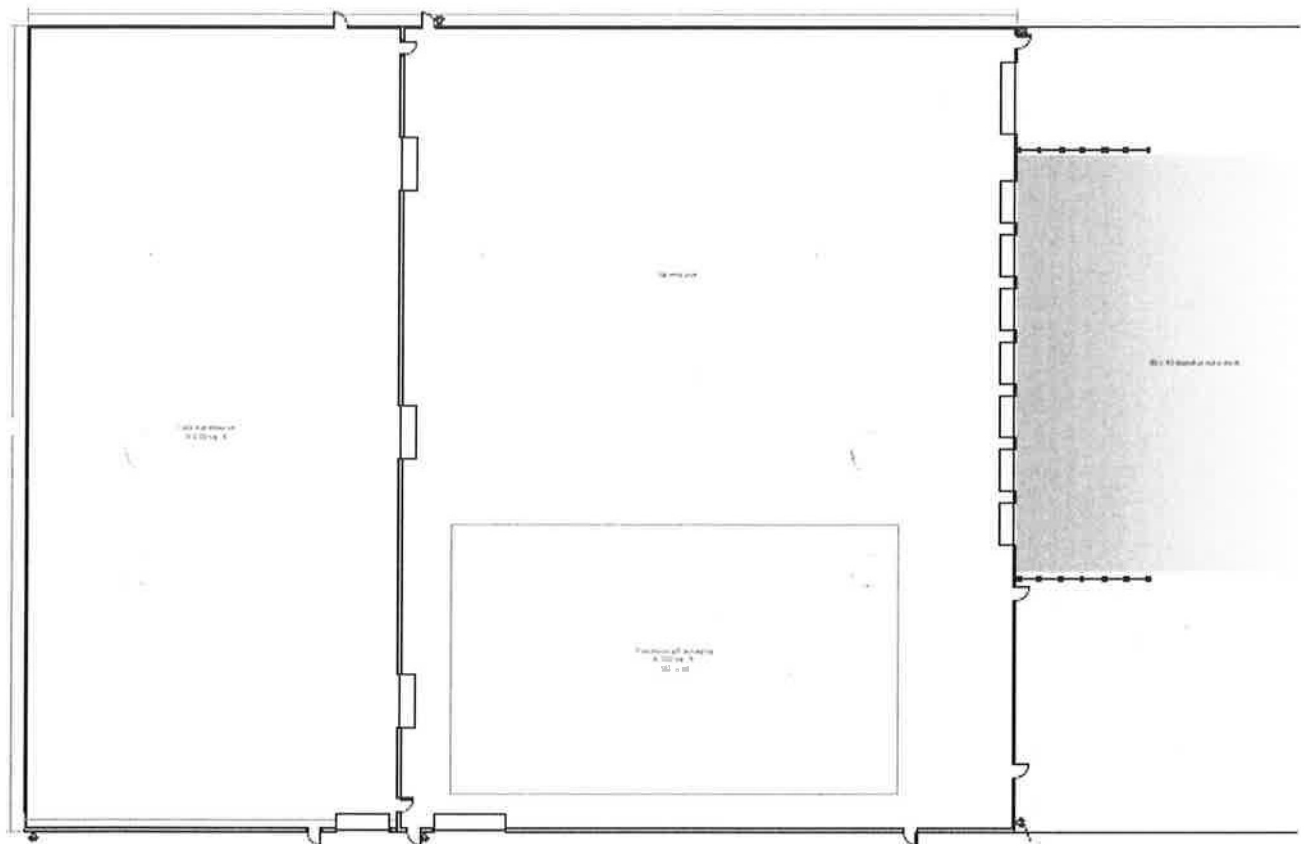


Figure 2. Interior Building Layout.

TRIP GENERATION

Trip generation estimates are typically prepared using the standard reference Trip Generation, 10th Edition, published by the Institute of Transportation Engineers (ITE). However, this manual generally contains information applicable only in suburban and urban areas. Trip generation data for rural agricultural processing facilities is not available, and so in most jurisdictions is based on estimates of employee and delivery/maintenance trips when the facility is fully built-out.

While Crook County does not have a specific adopted methodology for hemp processing and commercial activities in conjunction with farm use, Deschutes County prepared their own methodology for marijuana processing facilities that is based on ITE's *Manufacturing* land use. Within these projects Deschutes County separated "storage" areas from the actual "production" areas within buildings. The ITE definitions of both uses are below.

"Warehouses are primarily devoted to the storage of materials, but they may also include office and maintenance areas."

This definition would be applicable to the storage areas within the new building. These are less intense areas with lower employee counts than manufacturing/processing areas. Hemp operations differ from those of marijuana as the crops are allowed to be produced outdoors. This subjects the crops to typical harvest cycles rather than the year-round operations of an indoor greenhouse crop. Accordingly, the site will vary in terms of intensity throughout the year, with the early fall harvest reflecting peak conditions on the site, and with more limited operations throughout the remainder of the year.

The definition of ITE's Manufacturing land use is as follows:

"Manufacturing facilities are areas where the primary activity is the conversion of raw materials or parts into finished products. Size and type of activity may vary substantially from one facility to another. In addition to the production of goods, manufacturing facilities generally also have office, warehouse, research, and other associated functions."

As shown, the generalized definitions within each of these land use classifications could be broadly applied to a wide range of uses. However, the characteristics of these uses are typically of shift-work that remains steady throughout the year (unlike this operation that will be seasonal with the outdoor crops), and reflects approximately two employees per 1,000 square-feet of building space. Warehousing describes lower intensity uses with approximately one employee for every 2,000 square-feet of warehouse space. Information from the project team indicates that the site would include 3-4 employees during typical daytime hours, with up to 10 employees during peak fall months (September/October), which even at peak times reflects a lower intensity than is assumed in the trip rates shown which is typical for rural/agricultural uses. The standard (suburban) ITE trip generation estimates with this approach are summarized in Table 1.

Table 1. Trip Generation Summary (ITE 10th Edition)

Land Use	ITE Code	Metric	Weekday Daily Trips	Weekday PM Peak Hour		
				Total	In	Out
Manufacturing	140	6,000 SF	24 <i>3.93/KSF</i>	4 <i>0.67/KSF</i>	1 <i>31%</i>	3 <i>69%</i>
Warehousing	150	36,000 SF	63 <i>1.74/KSF</i>	7 <i>0.19/KSF</i>	2 <i>27%</i>	5 <i>73%</i>
Total Trips		40,000 SF	87	11	3	8

Crook County Code 18.180 identifies the thresholds for when a formal Transportation Impact Analysis is required. This identifies the following conditions:

- The development generates 25 or more peak hour trips (or more than 250 daily trips)
- An access spacing exception is required for the site access driveway and the development generates 10 or more peak hour trips (or 100 or more daily trips)
- 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.
- 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)
- A change in zoning or a plan amendment designation.
- ODOT requirements.

The proposed facility generates less trips than the County trip thresholds, will conform with County access requirements as it relies on existing and previously approved site entrances. Further review of nearby crashes at OR 126/Parrish Lane is presented below and shows that this is not a high-crash location. None of the County thresholds are met to require a Transportation Impact Analysis, and with the limited trip generation of the site conduct of a study would not identify any capacity needs. Accordingly, only the County’s Transportation Assessment Letter (TAL) should be required.

CRASH HISTORY REVIEW

Intersection crash records were obtained from the ODOT crash database for all of Crook County for the period between January 1, 2013 and December 31, 2017. This reflects the most recent five-year period available. Crashes that are required to be reported to ODOT during this period includes any collision that involves one or more motor vehicle, results in more than \$1,500 in property damage, or results in any level of personal injury.

During this time period there were no reported crashes along the property frontage on Parrish Lane or within 1,000 feet of the frontage. At the nearby connection of Parrish Lane with OR 126 there were four reported crashes during this time period, with three of these resulting in some level of personal injury. Each of these is described below.

- A rear-end collision was reported around 9:00 a.m. on Wednesday, April 3, 2013 west of the Parrish Lane/OR 126 intersection. The crash was caused by a following driver “following too closely” and not paying attention to the stopped traffic waiting to turn left at Parrish Lane. No injuries occurred with this collision.

- A similar rear-end crash occurred on Friday, August 14, 2015 around 3:00 p.m. A driver traveling eastbound cited as “Careless and Inattentive” rear-ended a stopped vehicle waiting to turn left onto Parrish Lane. The crash resulted in injuries.
- A third rear-end collision occurred at the intersection at 7:00 a.m. on Thursday, December 7, 2017 during foggy and icy conditions. This collision was reported as related to a separate collision with the vehicles swerving and sliding on the icy roadway.
- A fixed-object crash occurred at 9:00 a.m. on Monday, September 25, 2017 east of the intersection. The crash cause was cited as driving in excess of the posted speed prior to hitting a tree.

As previously identified in the OR 126 Corridor Plan, the crash patterns are indicative of a general need to widen OR 126 to a three-lane cross-section throughout its entire length. The number of crashes continue to reflect a relatively low crash frequency at Parrish Lane. The number of crashes is similar to other low-volume approaches to OR 126 in the vicinity.

INTERSECTION SIGHT DISTANCE

Intersection sight distance was field reviewed to ensure an adequate view of conflicting traffic was provided to drivers at the existing approaches onto Parrish Lane. Crook County applies the minimum recommended sight distance criteria based on the standard reference *A Policy on Geometric Design of Highways and Streets, 6th Edition* published by the American Association of State Highway and Transportation Officials (AASHTO) in 2011 (commonly referred to as the *Green Book*). This reference provides the recommended sight distances as measured from a height of 3.5 feet 14.5 feet from the edge of travel way at the access point serving the proposed development, based on the speed of the roadway. The AASHTO reference is based on conflicts between motorists traveling along the roadway and motorists completing movements at the intersection.

Figure 3 illustrates the recommended minimum sight distance dimensions for the driveway connections. It is assumed that a statutory speed of 55 miles per hour is present along Parrish Lane.

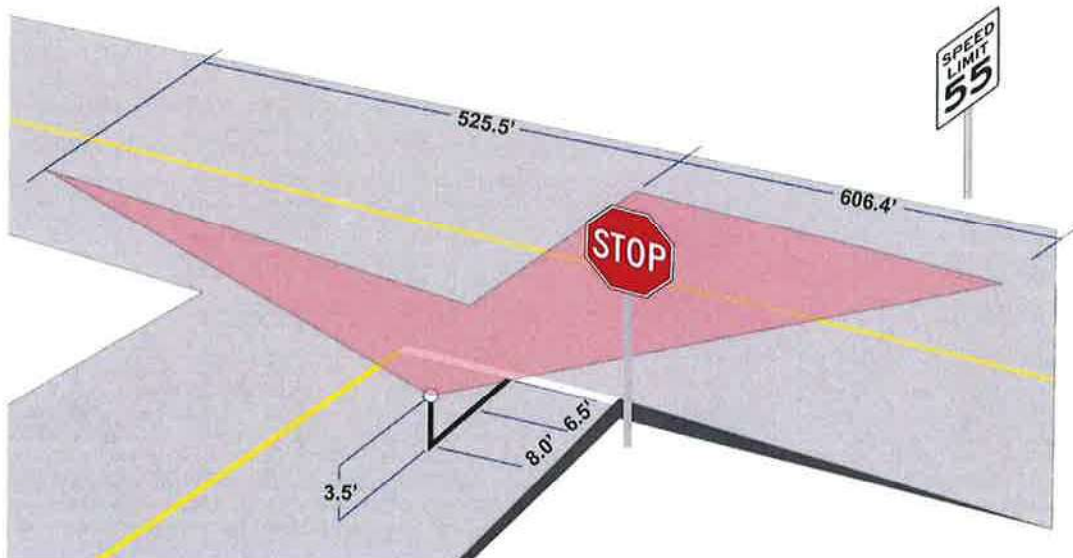


Figure 3. AASHTO minimum recommended intersection sight distance dimensions at the private Parrish Lane driveways.

The site visited and inventoried in March 2020 to obtain sight distance measurements. Figures 4 through 8 illustrate the current views available for motorists and show that clear sight lines are available at both approaches well in excess of these minimum recommended distances.



Figure 4. Northern Parrish Lane access facing north.



Figure 5. Northern Parrish Lane access facing east.

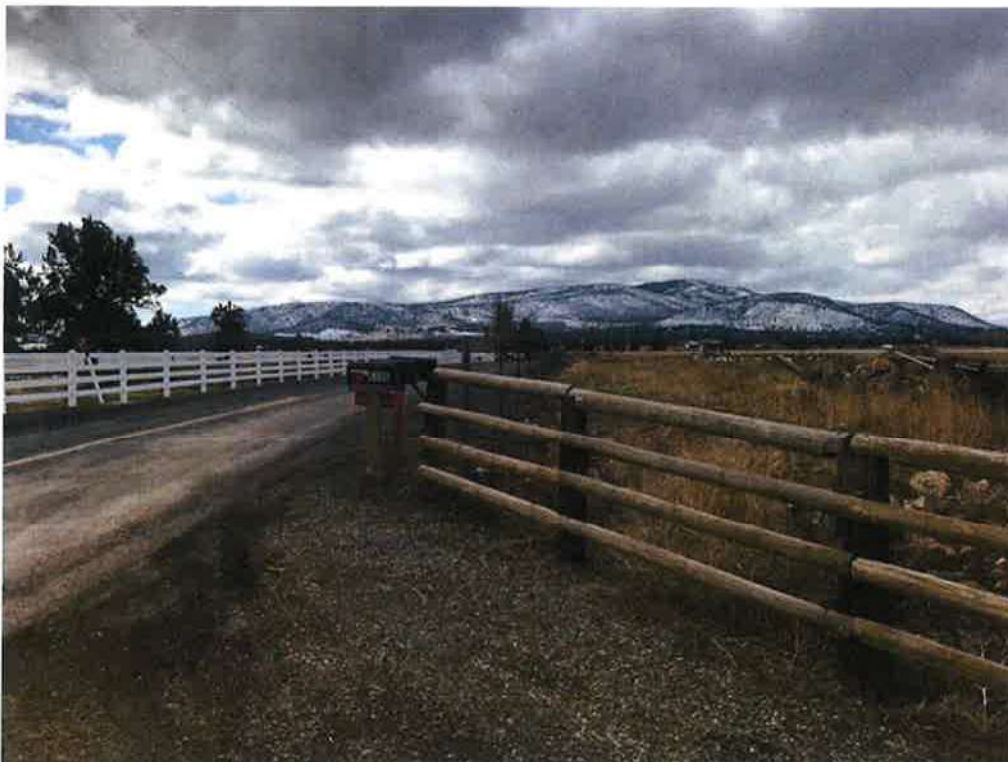


Figure 6. Northern Parrish Lane access facing south.



Figure 7. Southern Parrish Lane access facing north.



Figure 8. Southern Parrish Lane access facing south.

INTERNAL CIRCULATION AND PARKING

The site was reviewed in March 2020 to assess the adequacy of on-site parking. The site review showed clear signage was available from the main entrance into the office, with visitor/guest parking clearly marked. In addition, a large gravel parking area was provided west of the planned building that could easily accommodate the additional employees. Figure 9 illustrates entry wayfinding signage, Figure 10 shows signage for visitor parking, and Figure 11 illustrates the available gravel on-site parking area.



Figure 9. Entry wayfinding signage.



Figure 10. Available on-site visitor parking.



Figure 11. Available gravel parking area adjacent to the planned building.

FINDINGS AND RECOMMENDATIONS

The proposed commercial hemp storage and processing building will generate less than 250 daily trips and will not meet any of the County's more formal Transportation Impact Analysis requirements. The site will rely on its previously permitted accesses to the County roadway system. With the level and types of travel a formal Transportation Impact Analysis should not be required.

We trust this letter provides a general understanding of the transportation impacts of the proposed hemp processing facility. If you have any questions or need any additional information on this traffic letter please contact me at (503) 997-4473 or via email at joe@transightconsulting.com.

ATTACHMENT G

Crook County Land Use Permit History

File Number	Application	Status	Description
C-RP-719-07	Road Approach	Approved	Existing
C-SR-2487-07	Site Plan	Approved	Accessory Farm Dwelling
217-EQ13-0254	Existing Equine Exempt	Approved	
217-18-000085-PLNG	Agricultural Exempt	Approved	3 Greenhouses
217-18-000327-PLNG	Site Plan	Approved	Accessory Structure - Plant Nutrient storage, water conditioning tanks, office & restroom
217-18-000355-PLNG	Site Plan Modification	Approved	Convert Accessory Farm Dwelling to Accessory Structure
217-18-000420-PLNG	Agricultural Exempt	Withdrawn	Withdrawn
217-19-000046-PLNG	Site Plan	Approved	Extraction Building
217-19-001012-PLNG	Agricultural Exempt	Approved	Equipment Storage
217-19-001011-PLNG	Agricultural Exempt	Approved	Greenhouse
217-19-001163-PLNG	Road Approach	Approved	Agricultural Access - Extension Request Approved
217-20-000371-PLNG	Site Plan and Conditional Use	Pending	40,000 sf bldg and Commercial Use in Conjunction with Agriculture
217-20-000504-PLNG	Site Plan Modification	Pending	Relocation of Equipment Storage Building, Boiler Structure, Cargo Container, 2 additional Accessory Structures