

Meeting Script –June 24, 2020

Before we start tonight's meeting, I would like to talk about our process tonight.

The meeting is being conducted with some planning commission members participating in person and others may be participating through a call-in service. The Applicant and interested parties (are in the meeting room) or (maybe participating by phone).

When we open the hearing, we will mute the phone lines so everyone will be able to hear clearly. We will conduct a roll call to determine who is on the line. Throughout the hearing, we will call on individual planning commissioners to make sure that everyone has a chance to be heard. We will conduct a similar process for comments from the public. Please wait until you are called on to offer comments and or testimony.

This continues to be a new process for us and we would like to thank you all for your understanding and patience.

Draft minutes will be available on the Planning Commission website and we are recording the audio of this meeting. The audio recording will be available on request from Planning Department staff.

The people joining me tonight are your Crook County Planning Commissioners. We are volunteers that have applied to County Court and make up a diverse cross-section of the community.

We will now do a roll call for the Planning Commissioners, Staff, and anyone else on the call.

- ☐ Linda Manning
- ☐ George Ponte
- ☐ Susan Hermreck
- ☐ Gary Bedortha
- ☐ Laquita Stec
- ☐ Bob Lundquist
- ☐ Mike Warren

Staff –

- ☐ Ann Beier
- ☐ Katie McDonald
- ☐ Hannah Elliott
- ☐ John Eisler

Agency representatives and members of the public – Please speak slowly and clearly and state your name – address – email address and whether you wish to testify. If you

have submitted written testimony, please let us know. We will check in later in the hearing to see if anyone else has joined the call or wants to testify.

Hannah will remind everyone to speak slowly so she can verify what caller number they are and if they would like to testify.

Staff did you get the information you need for those present on this call?

Hannah: Yes/no

Thank you; we will now mute the phone lines of those folks who are not staff or Commissioners.

CALL THE MEETING TO ORDER:

I call this Public Hearing of the Crook County Planning Commission to order. Today's date is June 24, 2020. My name is Michael Warren and I am the Chairperson of the Crook County Planning Commission. The Commission's job is to conduct Public Hearings for the purpose of making Land Use Decisions and/or Recommendations according to the Ordinances and Laws of Crook County and the State of Oregon. The Commission may not vary from the adopted Laws and Ordinances. If a Law or Ordinance is unfair or unworkable, there is a process to Amend the Ordinances. All County Land Use Ordinances must meet minimum standards of the enabling state statutes and administrative rules. The application being heard tonight is being weighed against the Law and Ordinance in effect at the time the application was filed.

A copy of the public hearing and order of proceedings, the Agenda for tonight's hearing, and copies of the proposed amendment are available online at Crook County Planning Commission webpage or you can request a copy from Planning Staff by sending an email to plan@co.crook.or.us.

If you wish to testify on the hearing item tonight, either in favor, in opposition, or neutral, you will have an opportunity to do so. We will explain how that process will go when we get to that point in the hearing.

Briefly each item will begin with the staff report and any additional comments since the staff report was written. All staff reports are available to the public 7 days prior to the hearing and are automatically made part of the record.

After staff, any other county, state, or federal agency comments will be presented.

Testimony from all concerned shall address the applicable law and criteria.

The applicant and those in support of the application will speak first, followed by those who are neutral, and/or have questions.

Those who are in opposition will testify after those in support or neutral.

The applicant is given a rebuttal opportunity to address anything that has come up during the hearing.

Prior to the close of the hearing, the applicant may choose to waive their right to a written final argument. If the applicant does not choose to waive the right, they have 7 days from the close of the hearing to submit final written argument.

A reminder for everyone that testimony needs to address the applicable law and criteria.

Failure to provide testimony at this hearing will preclude a person from participating on an appeal to the County Court and the land use board of appeals after that.

Please do not repeat testimony.

All persons testifying must be recognized by the chair and/or staff in this case. Please speak clearly and slow and state your name and address for the record. If you are speaking on behalf of someone else or a group please state who you are representing.

Notice of decision will be mailed to all those who have identified themselves with their name and address.

MINUTES

Planning Commissioners have the minutes from the June 10th hearing before them. Are there any comments on the minutes?

Linda Manning
George Ponte
Susan Hermreck
Gary Bedortha
Laquita Stec
Bob Lundquist
Mike Warren

PUBLIC HEARING ITEMS:

Tonight we will consider **Planning File Number 217-20-000453-PLNG** – This is a request for a conditional use approval to construct a personal use airstrip on the applicants' property. The Applicants received a denial from the Planning Commission on April 8, 2020 for the application number 217-20-000116-PLNG. After seeking direction from County Counsel and the Community Development Director the applicants are submitting a modification of their application in lieu of an appeal to County Court. The applicants have provided the County with an application, revised site plan, supplemental information, and burden of proof.

The Planning Commission will be evaluating the request against the following applicable criteria:

Crook County Code Chapter 18.08	Title 18 Zoning Definitions
Chapter 18.16	EXCLUSIVE FARM USE ZONES, EFU-1 (POST-PAULINA AREA), EFU-2 (PRINEVILLE VALLEY-LONE PINE AREAS), AND EFU-3 (POWELL BUTTE AREA)
18.16.015	Use Standards
18.16.020	Limitations on Conditional Uses
18.16.081	Wildlife policy applicability

Chapter 18.160 Conditional Uses

Crook County-Prineville Area Comprehensive Plan, Chapter III, Land Use, Agriculture, Pages 40-47, Policies for Agricultural Areas of Crook County. Wildlife Policy #2

Oregon Revised Statutes 215.283(2)(h) and 215.296(1)
Oregon Administrative Rules (OAR) 660-033-130(5) and (7)

The property is identified as Township 15 S, Range 17 E WM, tax lot 810; 9395 SE Paulina Hwy, Prineville, OR 97754

The Planning Commission will also ensure that the proposed use is consistent with the Crook County Comprehensive plan.

EXPARTE CONTACT , CONFLICT OF INTEREST, BIAS:

Do any of the Commission Members have a Conflict of Interest?

Has any Member of the Commission had any Exparte Contact with the Applicant or any Member of the Public? Commissioners will disclose if they have visited the site.

Are there members of the public on the phone who wish to challenge any member of the Commission on any of the items on the Agenda? Staff please unmute all the phone lines to hear any.

Hannah: lines are open.

If so, please speak up and state the Bias.

Hearing none – we will move on. Staff please mute the phone lines.

Hannah: Muted.

ORDER OF PROCEEDINGS –

Staff report

We will hear from staff first, then I will ask each commissioner for any questions of staff. Staff will provide an overview of the project and key criteria.

Planning Commission members will then be polled to see if they have any questions.

Linda Manning

George Ponte

Susan Hermreck

Gary Bedortha

Laquita Stec

Bob Lundquist

Mike Warren

Before opening up for testimony either in person or on the phone line, I want to remind everyone that all testimony must be directed to the applicable approval criteria.

Failure to raise an issue will preclude the opportunity to raise that issue on appeal to the Land Use Board of Appeals.

Also, prior to conclusion of this hearing, any participant may request an opportunity to present additional evidence or testimony. The Planning Commission must grant the request by continuing the public hearing or leaving the written record open.

We will now take testimony from any federal, state or local agencies. We will then offer an opportunity for the applicant to speak. Individuals in support of the proposal will be heard, then those neutral to the proposal. Next individuals opposed to the proposal. The applicant will then have the opportunity to respond or address any testimony.

After each person testifies, I will call on the individual planning commissioners to determine if they have questions.

AGENCY staff -

Staff, are there representatives of federal, state, or local government who have requested the opportunity to testify? If so, we will call on them individually.

Hannah will call on the people listed and open the phone line of each one at a time.

In addition, is there any agency representative on the phone who would like to offer testimony? If so, when you are called on could you state your name and affiliation for the record.

Hannah will call on the people listed and open the phone line of each one at a time.

After each testimony, request comments from individual commissioners:

Linda Manning

George Ponte

Susan Hermreck
Gary Bedortha
Laquita Stec
Bob Lundquist
Mike Warren

APPLICANT -may change if the applicant attends

Does the applicant want to testify?

*If the applicant is on the phone: Hannah, please open the applicant's phone line. If so, state your name and address for the record.

Hannah: Applicant's lines are now open.

After the applicant's testimony, request comments/questions from individual commissioners.

If no more comment from Applicant. Staff please mute the applicant's line.

Hannah: muted.

TESTIMONY IN SUPPORT

Staff, has anyone requested the opportunity to testify in support of the application?

If so, Hannah will call on you individually. Remember, if you did not indicate to staff that you would like to testify, we will reopen the phone lines at the end of those listed to check again. Once called on, please state your name and address for the record.

Hannah will call on those listed and open their line one at a time

After each testimony, requests comments/questions from the individual commissioners

We will now open the phone lines for all, to ask if there are other individuals on the phone who would like to testify in support of the proposal?

Hannah: the phone lines are now open.

After each testimony, requests comments/questions from the individual commissioners.

Linda Manning
George Ponte
Susan Hermreck
Gary Bedortha
Laquita Stec
Bob Lundquist
Mike Warren

After the seemingly last testimony ask for a last call

Please mute all the phone lines now.

Hannah: Muted.

NEUTRAL TESTIMONY

Staff, has anyone requested the opportunity to offer neutral testimony on the application? Hannah will call on you individually. Once called on please state your name and address for the record. **Hannah will call on those listed and open their line one at a time**

We will now open the lines for all, to ask if there are other individuals on the phone who would like to offer opposition testimony. Staff please open the lines.

Hannah: the lines are now open.

After each testimony, requests comments/questions from the individual commissioners.

Linda Manning

George Ponte

Susan Hermreck

Gary Bedortha

Laquita Stec

Bob Lundquist

Mike Warren

After the seemingly last testimony ask for a last call

Please mute all the phone lines now.

Hannah: Muted.

TESTIMONY IN OPPOSITION

Staff, has anyone requested the opportunity to testify in opposition to the application? If so, Hannah will call on you individually. Once called on please state your name and address for the record. **Hannah will call on those listed and open their line one at a time**

We will now open the phone lines for all, to ask if there are other individuals on the phone who would like to testify who are neutral to the proposal? Staff please open the lines.

Hannah: the lines are now open.

(After each testimony, request comments/questions from the individual commissioners.)

Linda Manning

George Ponte

Susan Hermreck

Gary Bedortha

Laquita Stec

Bob Lundquist

Mike Warren

After the seemingly last testimony ask for a last call

Please mute all the phone lines now.

Hannah: Muted.

APPLICANTS REBUTTAL – address anything already on the record – no new testimony

The Applicant has an opportunity to respond to any of the testimony. Does the Applicant have comments in response to the testimony heard or presented?

If Applicant is on the phone - Staff please unmute the applicant's line.

Hannah: Applicant's line is now open.

Does staff have any other comments in response to testimony or evidence offered?

Has there been a request to continue the hearing or to keep the record open?

Is the Applicant willing to waive their seven-day period for final argument?

The Commission must then determine if the hearing should be closed or continued to a time and date certain either for additional testimony, additional information from staff or for deliberation only. If the record is kept open, seven days for additional written testimony, seven days for response to new evidence and seven days for the applicant to respond.

The Chair will ask for a motion to close the hearing, continue the hearing to a time and date certain (with additional testimony or for deliberation only) or close the hearing but keep the record open,

If the hearing is closed; please ask staff to close the applicant and public phone lines, the planning commission may make a motion to start deliberation. The chair shall ask for a motion and second and then allow for deliberation.

Planning Commissioners will be polled on their perspectives. Questions to consider –

1. Does the use meet the requirements of Crook County Code?
2. Can impacts be mitigated? Are the conditions of approval appropriate?

Linda Manning
George Ponte
Susan Hermerck
Gary Bedortha
Laquita Stec
Bob Lundquist
Mike Warren

After deliberations – vote on motion before the commission.

If decision is reached – please direct staff to prepare the final decision and the Chair will sign within 10 days outside of a meeting

If not – keep record open or continue for deliberations only.