Community Development Department
Planning Divison
300 NE 3rd Street, Room 12
Prineville, OR 97754
(541) 447-3211
plan@crookcountyor.gov

Crook County
Planning Commission

Wednesday, December 17, 2025 at 4:00 PM

Crook County Meeting Room | 320 NE Court St | Prineville OR

Join Zoom Meeting:
https://crookcountyor.zoom.us/j/95416976405?pwd=3q7D6mJ6t746rOBy4KnT3OYXROShji.1
Meeting ID: 954 1697 6405 Passcode: 504415
Join the meeting by phone:
Dial the following number (1-253-215-8782) Meeting Number: 954 1697 6405 Passcode: 504415

Commissioners: Michael Warren II, Chair; Marlo Dill; Kirk Giovanini; Hunter Neuharth; George Ponte; Laquita Stec; Les Williamson; Frank Hook, Pro-Tem; Monty Kurtz, Pro-Tem

Agenda

Public Comment

Please note that each speaker is limited to a maximum of 5 minutes. This guideline helps ensure that everyone has an equal opportunity to speak.

Continuation for Deliberations Only

1. **Record Number 217-25-000233-PLNG (original) and 217-25-000233-PLNG-01 (appeal)**
   Central Oregon LandWatch submitted an appeal to the administrative approval of a nonfarm dwelling submitted by Kilpatrick Consulting LLC (agent) on behalf of Duke and Dana Settle (owner). The subject property is addressed as 2901 SE Myrtlewood Lane and map tax lot number 1816040005300.

Public Hearing

2. **Record Number 217-25-000293-PLNG**
   Thomas Alexander (owner) and Acom Consulting Inc (agent) are proposing a telecommunication facility. The subject property is located on SW Williams Rd, north of Hwy 126 and is identified as map tax lot number 1514140000100.

Other Business

3. Community Development Updates

Notice and Disclaimer

Documents are available on the Planning Commission Website, by calling 541-447-3211 or emailing plan@crookcountyor.gov.

For questions, contact Crook County Planning at (541) 447-3211 Opt. 1 or email plan@crookcountyor.gov.

As part of its efforts to keep the public apprised of its activities, the Crook County Planning Commission has published this PDF file. This file contains the material to be presented before the Planning Commission for its next scheduled regular meeting.

Please note that while County staff members make a dedicated effort to keep this file up to date, documents and content may be added, removed, or changed between when this file is posted online and when the Planning Commission meeting is held. The material contained herein may be changed at any time, with or without notice.

Crook County makes no warranty of any kind, express or implied, including any warranty of merchantability, accuracy, fitness for a particular purpose, or for any other matter. The County is not responsible for possible errors, omissions, misuse, or misinterpretation.

Please also note that this file does not contain any material scheduled to be discussed at an executive session, or material the access to which may be restricted under the terms of Oregon law.

If you are interested in obtaining additional copies of any of the documents contained herein, they may be obtained by completing a Crook County Public Records Request form. Request forms are available on the County's website or at the County Administration office.

Additional Items

Crook County encourages persons with disabilities to participate in all programs and activities. This event/location is accessible to people with disabilities. If you need accommodation to make participation possible, please call (541) 447-3211.

Agenda published on December 10, 2025.

Settle Nonfarm Dwelling Application: 062325
Tax Lot 1816(04)0005300

❑ 1) Table of Contents	Y
❑ 2) CC Land Use Application – Non-farm dwelling	Y
❑ 2a) Signatures Page, by CK	Y
❑ 2b) Signatures WRD	Y
❑ 2c) Signatures ODF&W	Sent 050825
❑ 3) Owner Letter of Authorization, signed DS, DS, CK	Y
❑ 4) Letter of Explanation	Y
❑ 5) CC Property Summary TL 5300 Account # 5999	Y
❑ 6) CC Assessor's Land and Structures Report	Y
❑ 7) Applicant's Summary	Y
❑ 8a) Tax Lot Card 1816000005300	Y
❑ 8b) Tax Lot Card 1816040000424 Cancelled & renamed TL 5300	Y
❑ 8c) Tax Lot Card 1816000005300	Y
❑ 9a) Original Deed, book 98, page 217	Y
❑ 9b) Warranty Deed MF# 2018-287513	Y
❑ 10) Vicinity Map	Y
❑ 11) Map Exhibit A, Assessors Map	Y
❑ 12) Map Exhibit B, Existing Parcel - Aerial	Y
❑ 13) Map Exhibit C, Site Plan - Proposed Non-farm Dwelling	Y
❑ 14) Map Exhibit D, Wildlife Ranges	Y
❑ 15) Map Exhibit E, Soils Revised 0407	Y
❑ 16) Map Exhibit F, Potential Development Density Equation (PDDE)	Y
❑ 17) PDDE Text	Y
❑ 18) Septic Site Application 217-25-000168-PLNG	Y
❑ 19) Road Easement MF#2024-329244	Y
❑ 20a) Soils Capability Unit 075 NRCS	Y
❑ 20b) Soils Capability Unit 204 NRCS	Y
❑ 21) Burden of Proof and Conclusion	Y
❑ 22) One Mile Study Data -Excel	Y
❑ 23) Map Exhibit G-1, One Mile Study Map	Y
❑ 24) Map Exhibit G-2, One Mile Study Map with Aerial	Y
❑ 25) Soils Matrix	Y

❑ For Submittal on: June 24, 2025

RECORD No. 217 25 - 000233 - PLNG *For Office Use Only*

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

NON- FARM DWELLING APPLICATION

Crook County
JUN 24 2025
Community Development

PROPERTY OWNER

Last Name: Settle First Name: Duke and Dana

Address: 29020 SE Currin Road

City: Estacada State: OR Zip: 97023-8836

Day-time phone: (503) 504-4578 Cell Phone: (503) 504-6946

Email: N/A

AGENT / REPRESENTATIVE

Name: Kilpatrick Consulting LLC Attn: Craig Kilpatrick

Mailing Address: 13790 NW O'Neil Highway City: Redmond State: OR Zip: 97756

Day-time phone: (541) 447-2724 Cell Phone: (541) 420-0260

Email: On File

PROPERTY LOCATION

Township 18 South, Range 16 East WM, Section 04 Tax lot 5300

Size of Property: 10.0- Acres Zoning: EFU-1

Physical address: 2901 SE Myrtlewood Lane

Subdivision name, if applicable: N/A

1.) Is the property on farm tax deferral? Yes____ No _X_
2.) Is the property currently or previously a farm use? Yes ____ No X
   a. Acreage & types of crops grown: None
   b. Acreage and type of livestock: None
3.) Is the property located within a flood plain? Yes____No _X_
4.) Physical (Situs) address of subject property; to be determined

REQUEST

The proposed dwelling is: Site Built __X__ or Manufactured Dwelling_____

Height of Structure: 30 Feet# of Stories: 2 Size: 2,400 Square Feet

*If a Manufactured Dwelling: N/A (Year)

Will an "RV" be used as a "TEMPORARY" dwelling during the construction: Yes ____ No __X__

ACCESSORY STRUCTURES

*Existing Accessory Structure: 672 Square Feet Number of Stories: 1

Use of Structure: Pole building provides shop space, detached garage,

Personal Use: Yes X No_____ Commercial Use: Yes_____No X

*Existing Accessory Structure 712 Square Feet Number of Stories: X

Use of structure: Single wide manufactured structure to be repurposed to a craft studio.

Is this an addition to an existing structure Yes_____No X

Personal Use: Yes X No_____ Commercial Use: Yes_____No X

ACCESS / ROADS

Is there existing access to the property? Yes X No ____

If no, will the proposed access be from: County _____Public_____Private ___X___State(ODOT) _____

*Please provide recorded easement or ODOT approval

Note: Enclosed is an easement granted across the neighboring property. An existing driveway serves the subject property.

ENVIRONMENTAL HEALTH – SEPTIC DISPOSAL

Soil/Site Evaluation Crook County File: Yes, 217-25-000168 -EVAL

On-Site Authorization: _____

FLOOD ZONE

Is the property located within a Flood Zone? Yes_____No X

If yes, submit a "Special Flood Hazard Area Development Permit"

DOMESTIC WATER

Water will be supplied by:

__X__ An existing or proposed individual well

_____ 4 to 14 dwellings on one well State regulated system

_____ Shared well (Number of dwellings_____)

_____ Other: Please explain _____

_____ Community Water System: Name _____

Community Water System Authorization

Print Name:_____Daytime phone: _____

Authorization Signature:_____Date: _____

IRRIGATION WATER

Does the property have irrigation water right? Yes_____No ___X___

If the property has irrigation water rights, who is the supplier:

_____Central Oregon Irrigation District - 541-548-6047

_____Ochoco Irrigation District - 541-447-6449

__X__Water Resources Department - 541-306-6885

_____People's Irrigation District - 541-447-7797

_____Other: _____

Watermaster Signature: Sam VanLaningham Date: 6/23/2025

Print Name Clearly: Sam VanLaningham Phone: 541-306-3487

Irrigation District Signature:_____Date:_____

Print Name Clearly:_____Phone:_____

COMMENTS:_____

WILDLIFE

ODF&W, Prineville Field Office, 2042 SE Paulina Hwy Phone: (541) 447-5111

Is the subject property located within a "Winter Wildlife" overlay zone? Yes ___X___ No _____

General Winter Deer Range, See PDDE

Is the subject property located within a "Sensitive Bird Habitat" zone? Yes_____ No ___X_____

COMMENTS:

_____

_____

ODF&W Signature:_____ Date:_____

Print Name: _____

FIRE PROTECTION

Describe how Fire Protection will be provided to the property. If the subject property is located outside of the Crook County Fire Protection District, indicate how protection is provided, including water source and fire prevention methods. (Use Separate paper if necessary) The subject property is outside of the Crook County Fire Protection District. The applicant will be responsible for adhering to the County adopted "Fire Free" program.

_____

_____

_____

_____

_____

_____

_____

_____

_____

NOTICE TO ALL APPLICANTS

IMPORTANT NOTICE: The Crook County Planning Department is required to review all applications for accuracy and to determine whether the staff and/or the Planning Commission have the information needed to make a decision. The County has 30 days to determine whether the application is complete. Within that 30-day period, the Planning Department will request additional information, if necessary. A decision on your application will be postponed until the information is received.

Please make sure your application is complete. The burden of proof lies with the applicant.

SIGNATURES

I agree to meet the standards governing the laws as outlined in the State of Oregon's OAR, ORS, Crook County Code, and Crook County – Prineville Comprehensive Plan. I agree that all the information contained in this application is true to the best of my knowledge.

Property Owner Signature:_____ Date_____

Print name: _____

Property Owner Signature:_____ Date_____

Print name: _____

Agent/Representative Signature:_____ Date 11/10/2025

Print name: Craig Kilpatrick for Kilpatrick Consulting LLC

Letter of Authorization

Let it be known that Kilpatrick Consulting LLC – Craig Kilpatrick has been retained to act as my authorized agent to perform all acts for development on the property noted below: These acts include: Pre-application conference, application negotiations, filing applications and/or other required documents relative to all Land Use applications.

Physical address of property: 2920 SE Myrtlewood Lane
It is described in the records of CROOK COUNTY as:

Township 18 South, Range 16 East WM Section (04) Tax Lot 5300

The costs of the above actions, which are not satisfied by the agent are the responsibility of the undersigned property owner.

PROPERTY OWNER

Signature: _____ Date: 1/29/25.
Duke Settle

Signature: Dana Settle Date: 1/29/25.
Dana Settle

Mailing Address: 29020 SE Currin Road
City: Prineville State: OR Zip: 97754

AGENT

Signature: _____ Date: 01/31/25.
Craig Kilpatrick for Kilpatrick Consulting LLC

Mailing Address: 13790 NW ONeil Highway
City: Redmond State: OR Zip: 97756

Kilpatrick
CONSULTING, LLC

LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES

Crook County Community Development Department
Attn: Katie McDonald
300 NE 3rd Street, Room 12
Prineville, Oregon 97754

June 18, 2025

Re: Site Plan Review – Non-farm Dwelling Application (existing parcel)

Dear Katie,

Enclosed is the Site Plan Review application for a Non-farm Dwelling on an existing parcel in the EFU-1 zone. As the present owners of the subject property, Duke and Dana Settle wish to place a new dwelling on their 10-acre parcel in a portion of the county where many of the properties consist of unsuitable Class 7 soils. The enclosed application addresses the required criteria for a non-farm dwelling as demonstrated in the burden of proof statement and other exhibits.

As county staff is aware, there are presently two unpermitted accessory structures on the property. Both were placed by a prior owner. This application includes the two structures as accessory buildings for proper siting. The owners of the property acknowledge that building permits will be required for the accessory buildings should they remain, A septic site evaluation for a new septic system has been conducted and is attached herein to assure the County that an adequate on-site system can be constructed at this location.

Thank you for your consideration in this matter.

Best regards,

Craig Kilpatrick
Land Use Consultant

13790 Northwest O'Neil Highway • Redmond, Oregon • 97756

Crook County Property Summary Report

Report Date: 12/12/2024 5:59:48 AM

Disclaimer

The information and maps presented in this report are provided for your convenience. Every reasonable effort has been made to assure the accuracy of the data and associated maps. Crook County makes no warranty, representation or guarantee as to the content, sequence, accuracy, timeliness or completeness of any of the data provided herein. Crook County explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. Crook County shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. Crook County assumes no liability for any decisions made or actions taken or not taken by the user of this information or data furnished hereunder.

Account Summary

Account Information

Mailing Name: SETTLE DUKE & DANA
Map and Taxlot: 18160400-05300-5999
Account: 5999
Tax Status: Taxable
Situs Address: 2901 SE MYRTLEWOOD LN, PRINEVILLE OR 97754

Property Taxes

Current Tax Year: 2024
Tax Code Area: 0001

Assessment

Subdivision:
Lot:
Block:
Assessor Acres: 10.00
Property Class: 809

Ownership

Mailing Address:
SETTLE DUKE & DANA
29020 SE CURRIN RD
ESTACADA, OR 97023-8836

Valuation

Real Market Values as of Jan. 1, 2025

Land	$64,050
Structures	$26,100
Total	$90,150

Current Assessed Values:

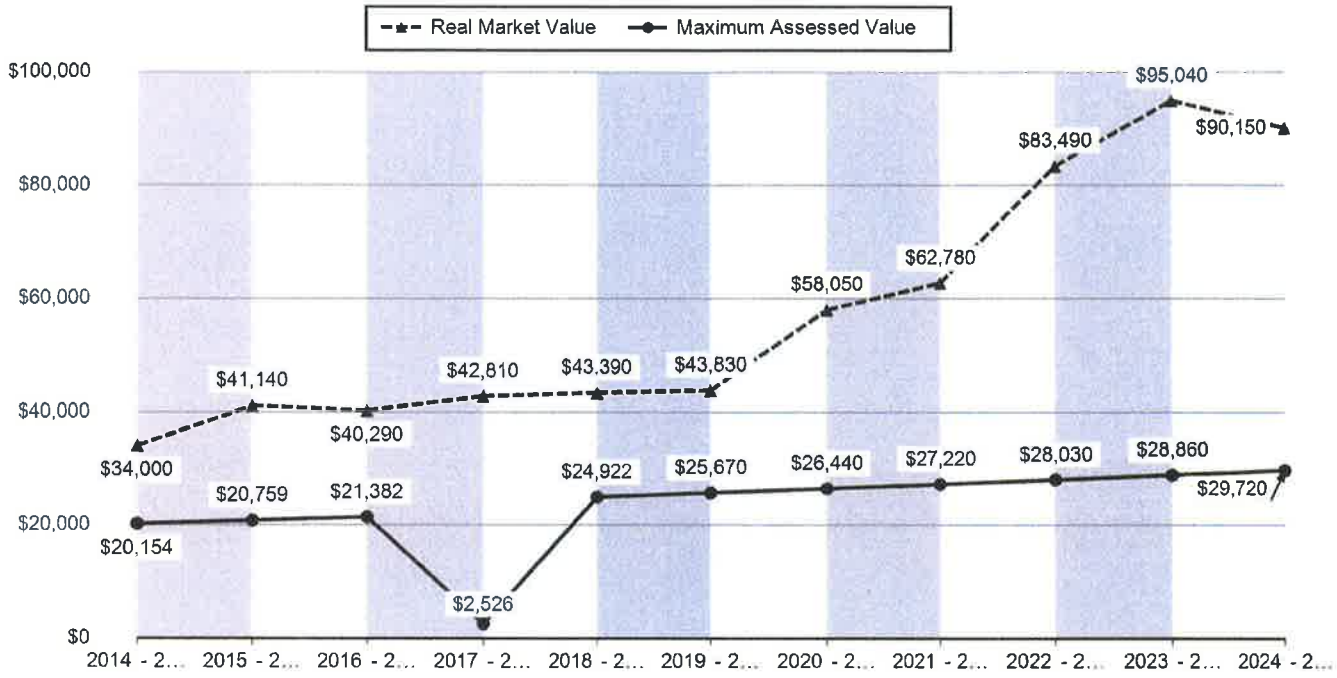
Maximum Assessed	$29,720
Assessed Value	$29,720
Veterans Exemption	

Warnings, Notations, and Special Assessments

Valuation History *All values are as of January 1 of each year. Tax year is July 1st through June 30th of each year.*

	2014 - 2015	2015 - 2016	2016 - 2017	2017 - 2018	2018 - 2019
Real Market Value - Land	$29,600	$35,900	$35,900	$37,900	$37,900
Real Market Value - Structures	$4,400	$5,240	$4,390	$4,910	$5,490
Total Real Market Value	$34,000	$41,140	$40,290	$42,810	$43,390
Maximum Assessed Value	$20,154	$20,759	$21,382	$2,526	$24,922
Total Assessed Value	$20,154	$20,759	$21,382	$22,023	$24,922
Exemption Value	$0	$0	$0	$0	$0

2019 - 2020	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025
$37,900	$45,100	$48,270	$64,050	$64,050	$64,050
$5,930	$12,950	$14,510	$19,440	$30,990	$26,100
$43,830	$58,050	$62,780	$83,490	$95,040	$90,150
$25,670	$26,440	$27,220	$28,030	$28,860	$29,720
$25,670	$26,440	$27,220	$28,030	$28,860	$29,720
$0	$0	$0	$0	$0	$0



Error: Subreport could not be shown.

Sales History

Sale Date	Seller	Buyer	Sale Amount	Sale Type	Recording
08/28/2013	SALISBURY-COLDWELL JEANEEN R	MARTIN AUSTEN	$8,000		2013-259732
01/14/2014	MARTIN AUSTEN	HARRINGTON RHONNA	$27,000	WARRANTY DEED	2014-261535
04/30/1997	CROOK COUNTY		$2,750		1999-136972
06/08/2018	HARRINGTON RHONNA	SETTLE DUKE & DANA	$27,000	WARRANTY DEED	2018-287513

Structures

Stat Class/Description	Improvement Description	Code Area	Year Built	Eff Year Built	Total Sq Ft
FARM BLDG - : GP BUILDING	GP BUILDING	0001	2000	2000	672

Stat Class/Description	Improvement Description	Code Area	Year Built	Eff Year Built	Total Sq Ft
MANF STRCT - : MS Single wide	MS Single wide	0001	1963	1963	712

Land Characteristics

Land Description	Acres	Land Classification
Market	10.00	Mrkt
OSD	0.00	1ST OSD

Related Accounts

Related accounts apply to a property that may be on one map and tax lot but due to billing have more than one account. This occurs when a property is in multiple tax code areas. In other cases there may be business personal property or a manufactured home on this property that is not in the same ownership as the land.

No Related Accounts found.

Error: Subreport could not be shown.

Land and Structures for account # 5999

The Crook County Assessor's Office is responsible for the appraisal and assessment of all taxable property within the County. Contact this department if you need additional information or if you have questions.

Account Information

Mailing Name: SETTLE DUKE & DANA
Map and Taxlot: 18160400-05300-5999
Account: 5999
Situs Address: 2901 SE MYRTLEWOOD LN, PRINEVILLE OR 97754
Tax Status: Taxable

Structures Located on this Property

Description	Stat Class	Year Built	SQFT		Sketch
GP BUILDING	FARM BLDG	2000	672.0	View Improvement Report (PDF)	
MS Single wide	MANF STRCT	1963	712.0	View Improvement Report (PDF)	View Sketch

Land Characteristics for this Property

Land Description	Acres	Land Classification
OSD	0.00	1ST OSD
Market	10.00	Mrkt

Applicant's Summary
Duke and Dana Settle
June 2025

I. Basic Findings:

A. Location: The subject property is located at 2901 SE Myrtlewood Lane, Prineville. Myrtlewood Lane is an unimproved road to the east of Juniper Acres 1 to the south of Reservoir Road. This single tax lot measuring 10.0 acres is identified on the Crook County Assessor's maps as T18S., R16E., Section 04, Tax Lot 5300. The proposed non-farm dwelling will be located near the existing 1963 manufactured home on the property.

B. Zoning: The property is zoned Exclusive Farm Use –1 –Post-Paulina Areas. This property is designated Agricultural in the Crook County Comprehensive Plan.

C. Proposal: The applicants propose to remove or demolish a "pre-land use" 1963 manufactured home and replace it with a non-farm dwelling. The subject parcel was created in 1968.

D. Site Description: The existing non-farm parcel is in the southwestern portion of the county and to the south of Prineville Reservoir. The existing 10.0-acre non-farm parcel is in an area of non-farm parcel to the east of Juniper Acres 1. The property generally slopes downward from the east to the west with a drainage along the west side. There are few mature juniper trees and limited native brush with very little herbaceous forage.

E. Surrounding Land Uses: All neighboring parcel are zoned EFU-1 and non are irrigated.

To the **north** of the subject property is a 10.0- acre unimproved, vacant non-farm parcel (Peterson, 1816040005000).

To the **northeast** of the subject property is a 10.0-acre improved parcel with a non-farm dwelling in construction (DeWolfe and Andrews, 1816040005100).

To the **east** is a vacant 10.0-acre non-parcel (Settle, 1816040002500).

To the **southeast, south, and southeast** is an 80.0-acre non-farm parcel. It is presently vacant. (Stager, 1816040005400).

To the **west and northwest** is a 40.0-acre non-farm parcel with a 2006 manufactured home. (Hendrix 1816040004500).

F. Soils: According to the Natural Resources Conservation Service (NRCS) draft maps of the area, there are two soil units are mapped on the subject property.

Subject Parcel: 10.0-acres:

Soil Types & Percent	Class Irrigated	Non-irrigated
075 – Ayres very cobbly loam, dry, 0 to 8% slopes, 77.4%	None	7s
204 – Ayres cobbly ashy loam, moist, 3 to 8 percent slopes. 22.6%	None	7s

The subject property consists of 100 percent Class 7 soils, the predominant soils in the area.

G. Big game habitat: The subject property lies within crucial (or critical) deer range. Crook County Wildlife Policy 2 states "Density with a Crucial Wintering Area for deer shall not be greater than one residence per 160 acres and for the General Winter Range not more than one residence per 80 acres." The subject property lies within General Winter Deer Range therefore the one residence per 80 acres standard applies. See attached Potential Development Density Study (PDDE) which describes how this proposal is consistent with Wildlife Policy 2.

H. Origin/Ownership History: The subject property was created by Bargain and Sale Deed at Book 98, Page 217 dated April 4, 1968. It was purchased by the applicants on June 8, 2018. The present vesting deed is Warranty Deed MF # 2018-287513.

Thank you for your consideration

Craig Kilpatrick
Land Use Consultant

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR CROOK COUNTY, OREGON

424

CODE NO. 1

MAP NO.	TAX LOT NO.	SECTION	TOWNSHIP	RANGE	AERIAL PHOTO
18 16	4-3-1-1.2-		18 S.	16 E.W.M.	
ACCOUNT NUMBER					

LOT NO.	BLOCK NO.	ADDITION	CITY

INDENT EACH NEW COURSE TO THIS POINT

5999

LEGAL DESCRIPTION	DATE OF ENTRY	DEED RECORD VOLUME	DEED RECORD PAGE	ACRES REMAINING
Formerly part of TL 4-3-1-1 ~~1~~ 3				
SW¼NE¼SE¼ Sec 4 T18S R16E WM				
Bush, Clifford V (V 13960) B&S	6-19-68	98	217	10.00
EXC: PARCEL 402m1 JV58729 min.deed	10-9-91	MF97610		
Exc: Parcel 402M2 JV62404	3-18-92	MF95451		
Exc: Parcel 402M3 JV62405	3-18-92	Letter 3-30-90		
Exc: PArcel 402M4 JV62689	3-31-93	Letter 4-30-93		
Bush, Maria T. SMALL ESTATE	07-29-94	C-2270		
Crook County D/FORECLO	01-30-96	MF#125027		
CROOK COUNTY %SALISBURY, Patrick CT	4-22-98	MF136972		

Cancelled & Transferred
to Map # 18 16 4 - 5300
10-14-98

TRIBUNE PUBLISHING CO., PRINEVILLE

CANCELLED

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTIES

OFFICE OF COUNTY ASSESSOR, CROOK COUNTY, OREGON

MAP No. 18 16 | TAX LOT NO. 4-5-1-8 | SECTION | TOWNSHIP | RANGE 16 E.W.M. | ASSESSOR'S MAP

LOT NO. | BLOCK NO. | ADDITION | NEW

INDEX CARD NEW COPIED TO THIS VOLUME | 5999 | LEGAL DESCRIPTION Form 1 | DATE OF ENTRY | RECORD VOLUME | RECORD PAGE | ACRES REMAINING

Formerly part of TL 4-5-1-1 "C"

SW¼SW¼ Sec 4 T16S R16E WM

Bush, Clifford V (V 13960) 1963 4-19-66 98 217 19.70

Exc: PARCEL 402M1 JV58729 unrecorded 6-8-91 MF97810

Exc: Parcel 402M2 JV62634 6-15-92 MF95453

Exc: Parcel 402M3 JV62 6-30-92 Letter 3 30-90

Exc: Parcel 402M JV62689 3-31-93 Letter 4-30-97

CANCELLED AND TRANSFERRED TO MAP 18 16 4-5300

10-14-98

FORM No. 724—BARGAIN AND SALE DEED—Corporation. STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

1967

KNOW ALL MEN BY THESE PRESENTS, that C. M. S. INVESTMENT COMPANY, INC. a corporation duly organized and existing under the laws of the State of CALIFORNIA, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto CLIFFORD V. BUSH, AN UNMARRIED MAN, hereinafter called grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Crook, and State of Oregon, described as follows, to-wit:

THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 4, TOWNSHIP 18 SOUTH, RANGE 16 EAST, WILLAMETTE MERIDIAN.

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ 10.00.

①However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole consideration (indicate which).①

In construing this deed the singular includes the plural as the circumstances may require.

Done by order of the grantor's board of directors with its corporate seal affixed, this 4TH day of APRIL, 19 68

C. M. S. INVESTMENT COMPANY, INC.

(CORPORATE SEAL)

By Patricia E. Lynch President

By Edward J. Kisla Secretary

STATE OF ~~OREGON~~ CALIFORNIA, County of LOS ANGELES) ss: APRIL 8, 1968

Personally appeared EDWARD J. KISLA and PATRICIA E. Lynch who, being duly sworn, each for himself and not one for the other, did say that the former is the ACTING vice president and that the latter is the ACTING secretary of C.M.S. INVESTMENT CO. INC., a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Frederic W Ernst

(OFFICIAL SEAL) OFFICIAL SEAL FREDERIC W. ERNST NOTARY PUBLIC - CALIFORNIA PRINCIPAL OFFICE IN LOS ANGELES COUNTY

Notary Public for ~~Oregon~~ STATE OF CALIFORNIA

My commission expires: FREDERIC W. ERNST My Commission Expires Nov. 11, 1969

NOTE—The sentence between the symbols ① and ① not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

Bargain and Sale Deed
Corporation

TO

WHEN RECORDED RETURN TO
C.M.S. INVESTMENT CO., INC.
2269 - 32ND ST.
SANTA MONICA, CALIFORNIA

FILED No. 4503

STATE OF OREGON, County of Crook } ss.

I certify that the within instrument was received for record on the 12 day of April, 1968, at 1:25 o'clock P.M., and recorded in book 98 on page 217 Record of Deeds of said County.

Witness my hand and seal of County affixed.

(DON'T USE THIS SPACE; RESERVED FOR RECORDING LABEL IN COUNTIES WHERE USED.)

Hazel A. Powell
County Clerk Title

By Esther Johnson Deputy

BOOK 98 PAGE 217

724

FORM No. 633 – WARRANTY DEED (Indivi Corporate). © 1998-2006 STEVENS-NESS L SHING CO., PORTLAND, OR www.stevensness.com

ESC NO PART OF ANY STEVENS-NESS FORM MAY BE REPRODUCED IN ANY FORM OR BY ANY ELECTRONIC OR MECHANICAL MEANS.

Rhonna Harrington
345 Helena Flats Rd
Kalispell, MT 59901
Grantor's Name and Address

Duke and Dana Settle
28921 SE Currin Road
Estacada OR 97023
Grantee's Name and Address

After recording, return to (Name, Address, Zip):
Duke and Dana Settle
28921 SE Currin Road
Estacada OR 97023

Until requested otherwise, send all tax statements to (Name, Address, Zip):
Duke and Dana Settle
28921 SE Currin Road
Estacada OR 97023

STATE OF OREGON, County of ____ } ss.

I certify that the within instrument was received for recording on ____, ____ d in ____ otion

SPACE RESERVE FOR RECORDER'S US

Crook County Official Records
DEED-D
Pgs=1
$5.00 $11.00 $61.00 $2.00
$5.00 $10.00

2018-287513
06/08/18 11:41 AM
Total:$94.00

01123100201802875130010014

I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.

Cheryl Seely - County Clerk

ted.

uty.

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that Rhonna Harrington now known as Rhonna Leonard hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by Duke and Dana Settle hereinafter called grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Crook County, State of Oregon, described as follows, to-wit:

In township 18 South, Range 16 East of the Willamette Meridian, Crook County, Oregon: Section 4: SW1/4 NE1/4SE 1/4

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except (if no exceptions, so state): -NONE-

, and that grantor will warrant and forever defend the premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ 27,000. ① However, the actual consideration consists of or includes other property or value given or promised which is ☑ the whole ☐ part of the (indicate which) consideration.① (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In witness whereof, the grantor has executed this instrument on 6/08/2018; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Rhonna Harrington

Rhonna Leonard

STATE OF OREGON, County of Crook } ss.

This instrument was acknowledged before me on 06/08/2018,

by Rhonna Leonard.

This instrument was acknowledged before me on ____,

by ____

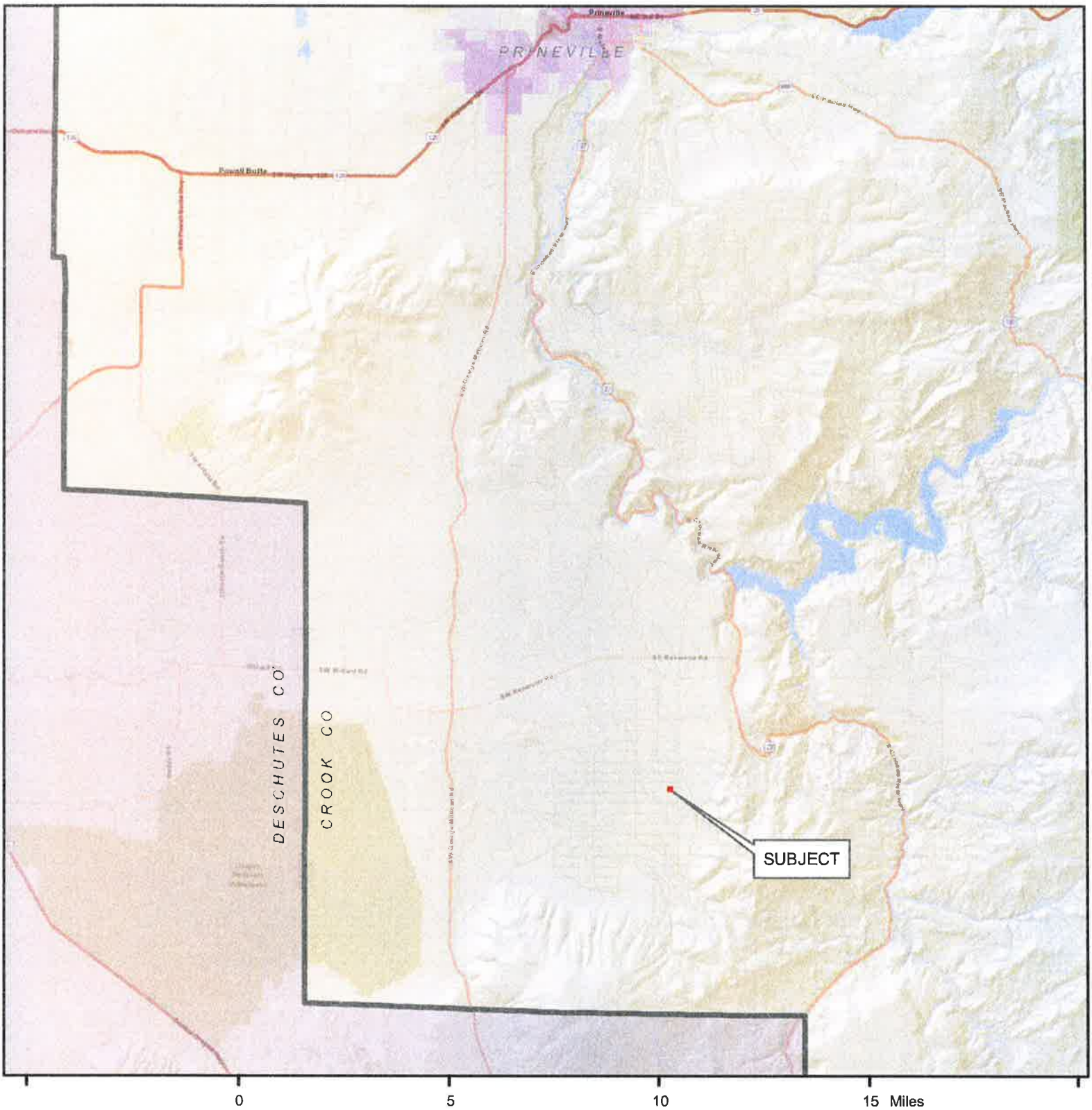
as ____

of ____.

OFFICIAL STAMP
JOLENE ELLEN WILLIAMS
NOTARY PUBLIC-OREGON
COMMISSION NO. 952437
MY COMMISSION EXPIRES JULY 21, 2020

Jolene Williams
Notary Public for Oregon
My commission expires 07/21/2020

VICINITY MAP



5/7/2025

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.

N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick
CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE:

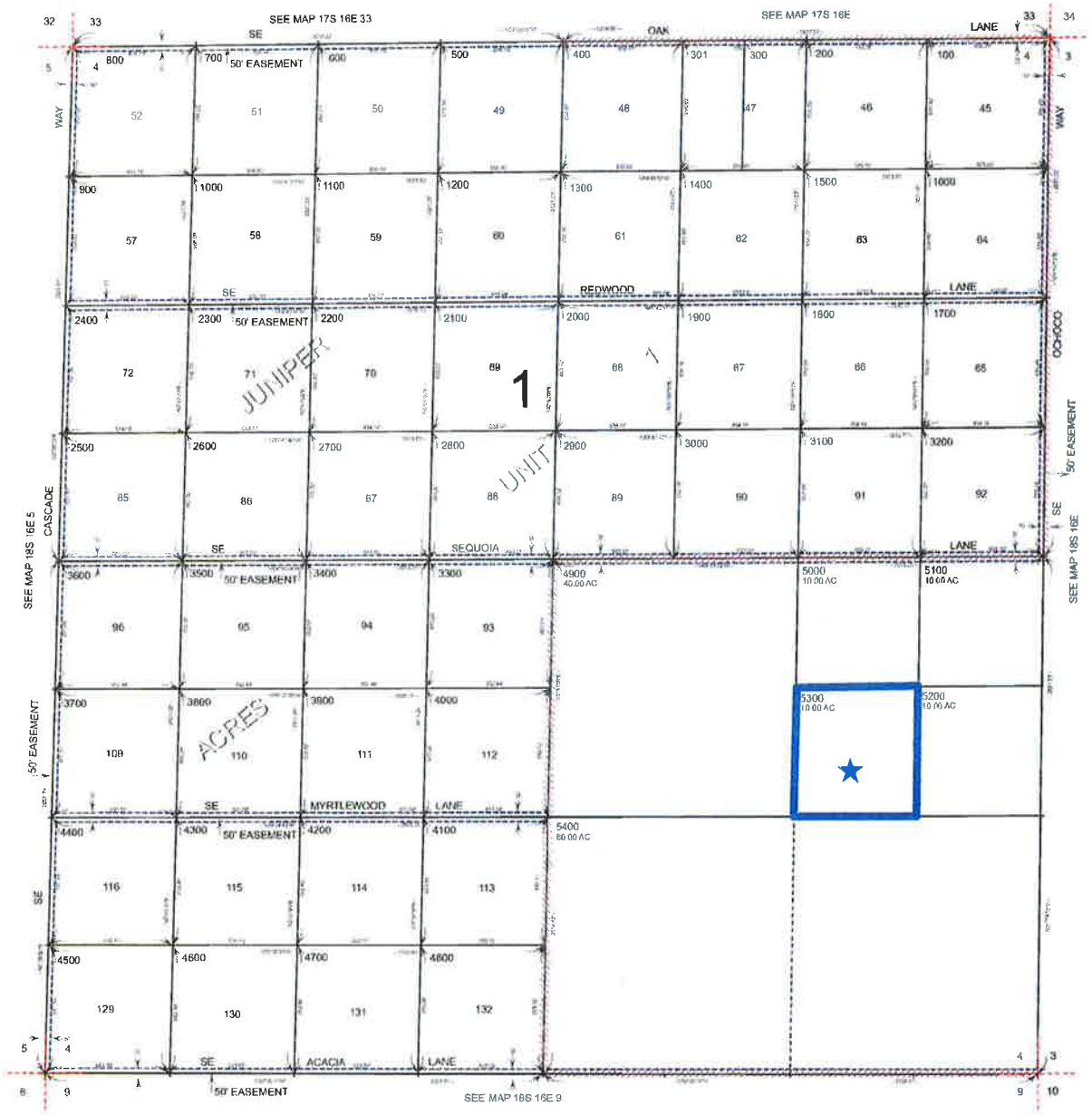
EXHIBIT A - ASSESSOR'S MAP

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

0 200 400 600 800 Feet

SECTION 4 T.18S. R.16E. W.M.
CROOK COUNTY
1" = 400'

18S16E04



Revised: BC
2/3/2004

18S16E04

Data Source: ORMAP Website

5/7/2025

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.

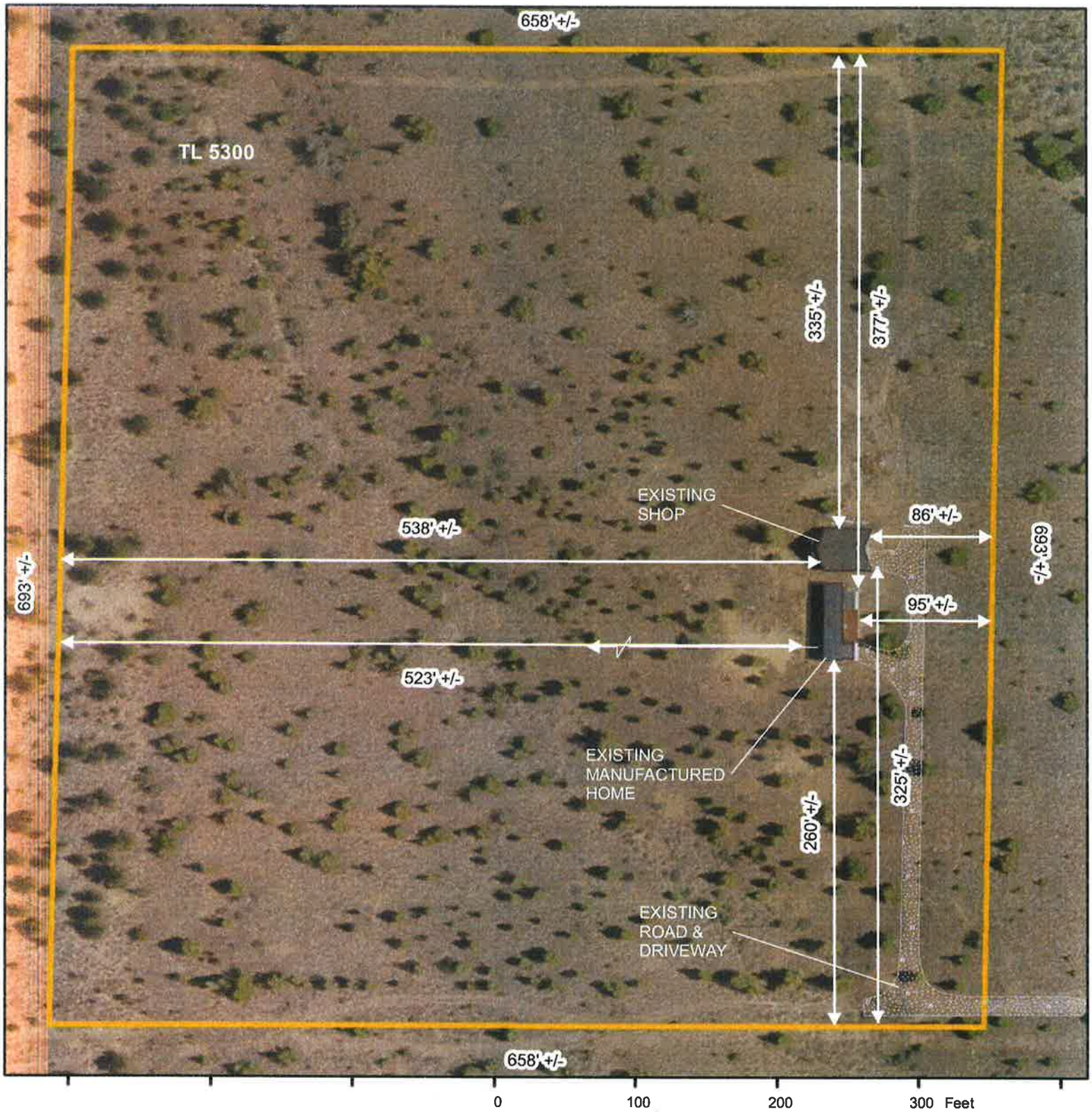
N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541.480.2724

EXHIBIT B - EXISTING PROPERTY



6/19/2025

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.

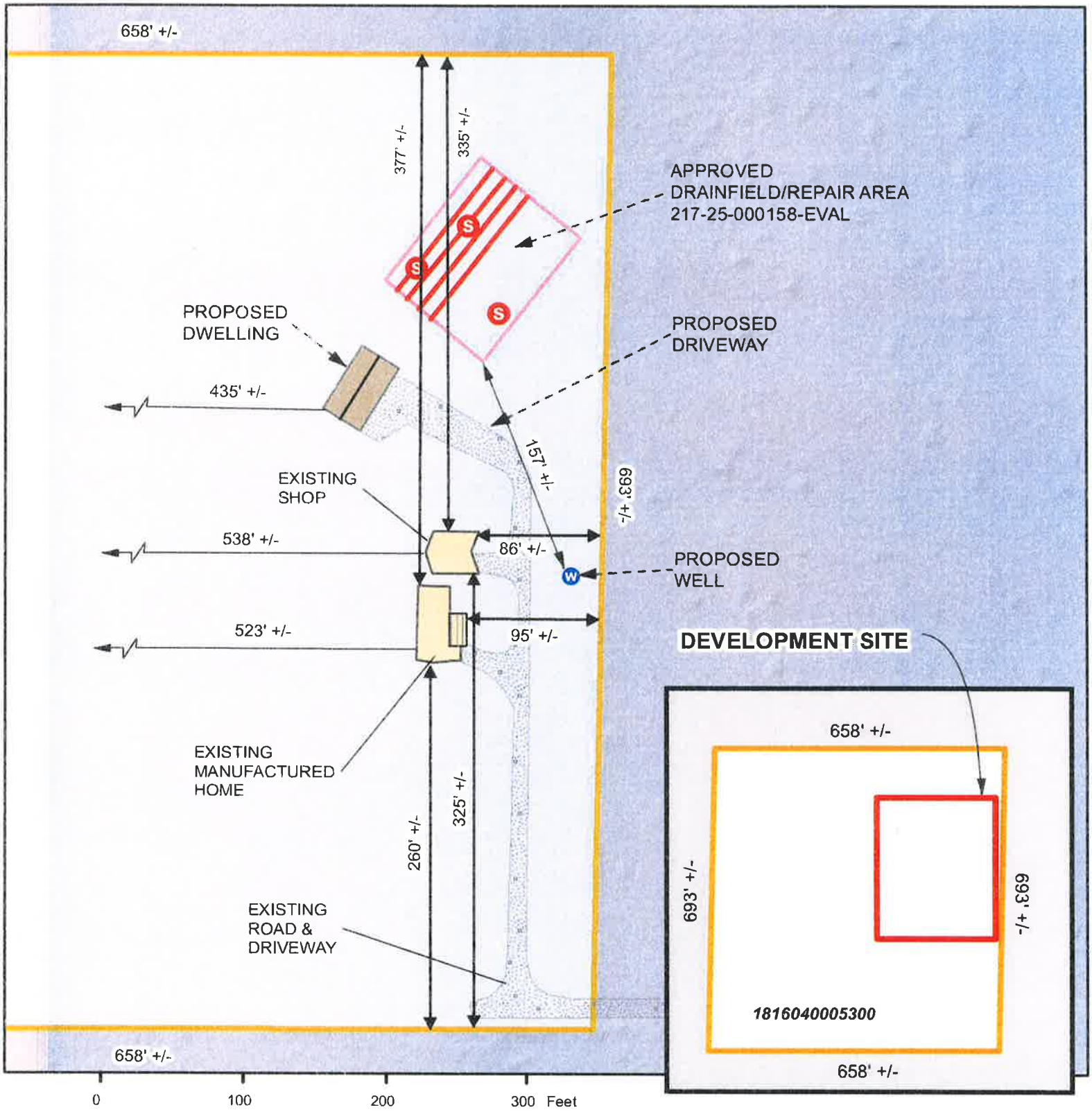
N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541.382.2724

EXHIBIT C - PROPOSED SITE PLAN



6/19/2025

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.

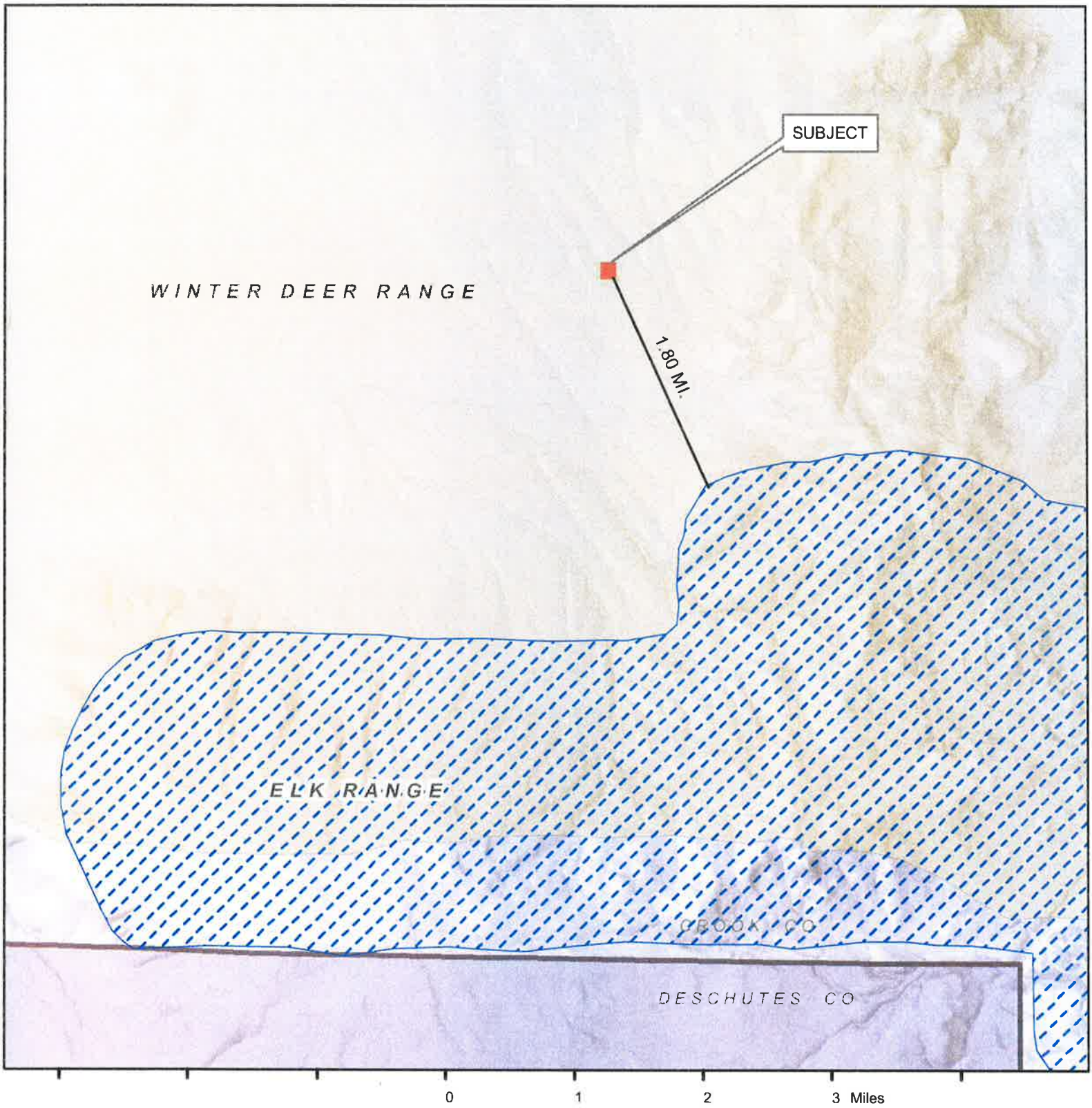
N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick
CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541-390-2724

EXHIBIT D - WILDLIFE RANGES



5/7/2025

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.

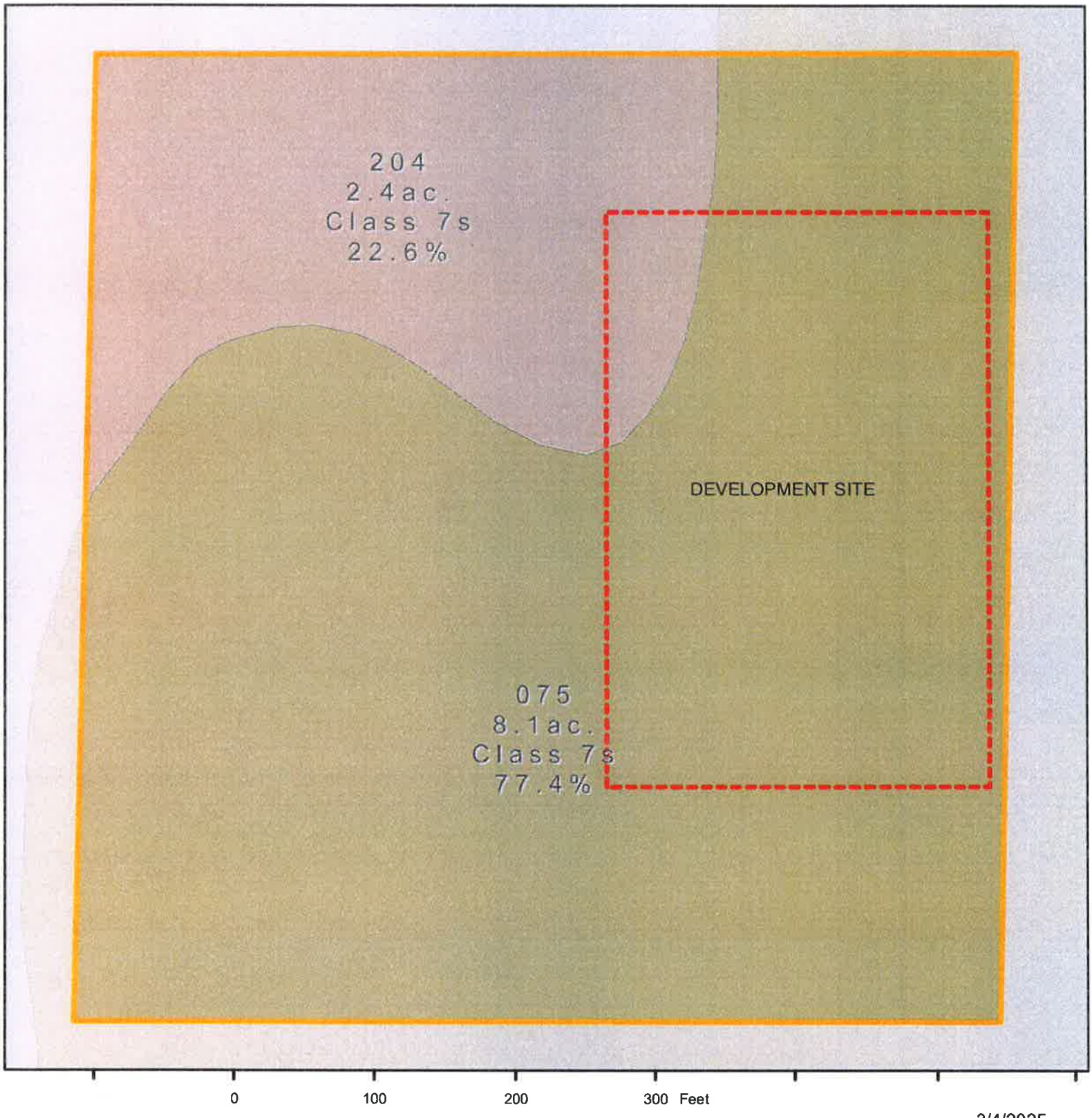
N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick
CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE:

EXHIBIT E - SOILS



3/4/2025

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.

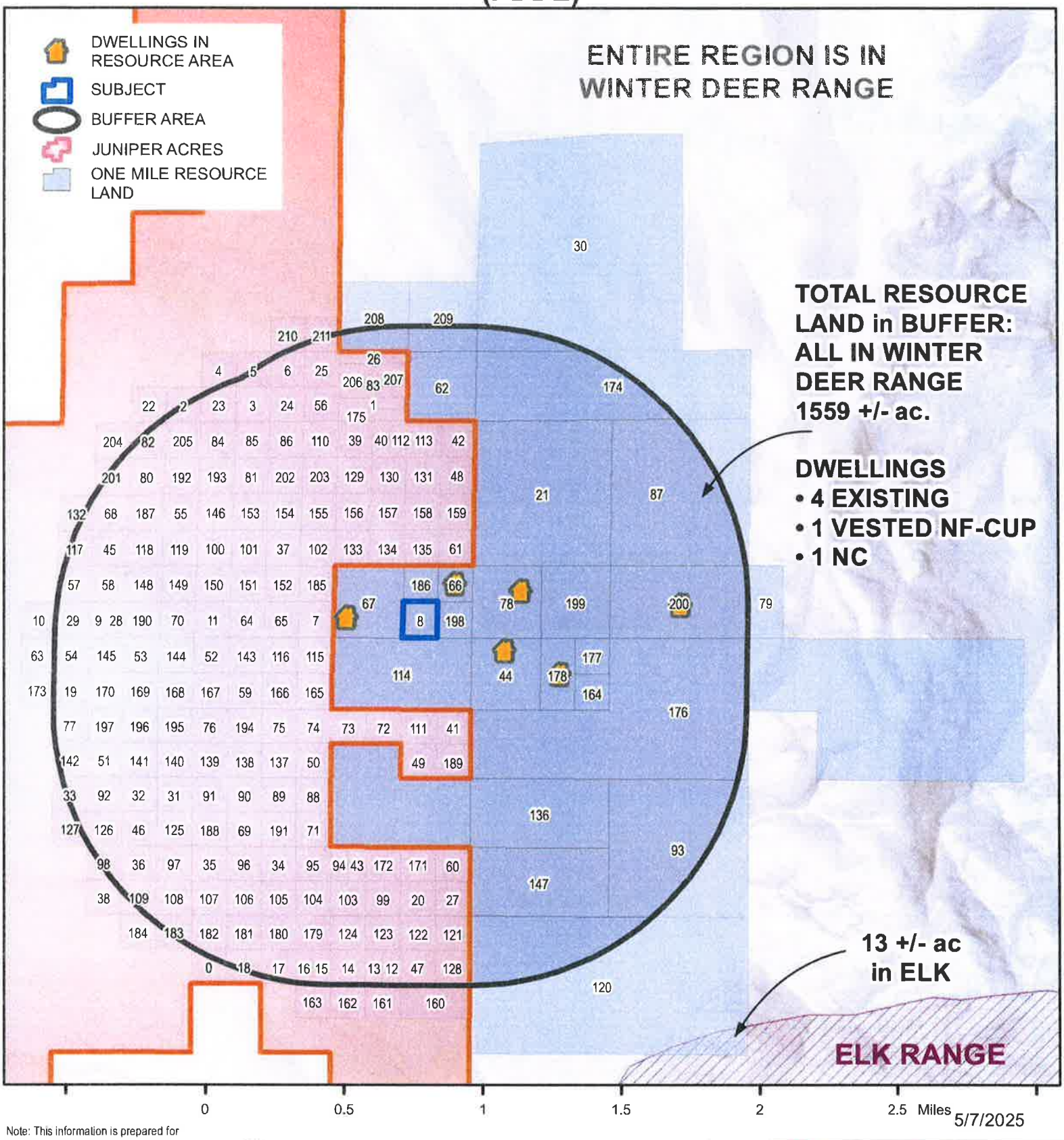
N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick
CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541.350.2724

EXHIBIT F - POTENTIAL DEVELOPMENT DENSITY EQUATION (PDDE)



5/7/2025

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.

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541.480.2724

Settle – Wildlife Density Study
Potential Development Density Equation (PDDE) Statement
Crook County EFU-1 June 18, 2025

The applicant submits the following calculation data to determine the Potential Development Density Equation (PDDE) for existing parcel within a Crook County Wildlife Area (big game habitat).

1. One Mile Study Area – Wildlife Density Map – The Settle application identifies an area measured approximately one mile from the existing single parcel which measures 10-acres in size. The Wildlife Density Map includes lands only within Crook County. The enclosed GIS map indicates a "One Mile Study Area" within Crook County of approximately **1,559.12- acres** of resource land within the one mile area. All of the study area is located within the general deer wintering range. None of the study area is located within the critical deer wintering range. See attached One Mile Study Area Map Exhibit for PDDE.

2. The Density Calculation: The number of potential dwellings for the subject property density study is calculated as follows:

A) The total acreage for calculation in the one-mile study area that is resource land within the general deer wintering range is approximately **1,559-acres** including the subject parcel measuring 10-acres. County policy states that new residences within the general deer wintering range shall not have a density of more than one residence per 80 acres.

1,559 divided by **80** = **19.49** potential dwellings within the general deer wintering range. Rounded down to the nearest whole number equals **19 allowable dwellings.** The proposed dwelling will be located in the general winter deer range.

3. The Existing Dwellings Calculations: The next procedure is to determine the number of existing and approved dwellings in the one-mile study area that are located within the deer wintering range.

A) Deer Wintering Ranges: A thorough examination of Crook County records/maps show that there are presently a total of 4 dwellings within the General Deer Wintering Range.

The total number of the applicable existing dwellings on resource parcels in the Study Area, General Winter Deer Range:	4
The total number of the applicable existing dwellings on parcels in the Study Area, Elk Range.	0
The total number of approved EFU-1 residences:	0
The total number of approval vested EFU-1 residences:	1
The total number of proposed non-farm residences, including subject application:	1
Total:	**6**

6 total dwellings = 32% of the maximum allowable density of 19 allowable residences.

This result meets the criteria expressed in Crook County Wildlife Policy 2 as determined by these calculations and illustrated by the accompanying map exhibit. Wildlife Policy 3 is not applicable as the subject property is not within the Elk Range.

Septic Site Evaluation Approval

217-25-000168-EVAL

Crook County
300 NE 3rd St, Rm #12
Prineville, OR 97754
541-447-3211
Fax: 541-216-2139
onsite@crookcountyor.gov
Website: co.crook.or.us

Date issued: 03/11/2025
Application status: Site Evaluation Approved
Work description: Settle-Soil Evaluation

Applicant: SETTLE DUKE & DANA
Address: 29020 SE CURRIN RD
ESTACADA OR 97023
Phone: 5035046946

Owner: SETTLE DUKE & DANA
Property address: 2901 SE Myrtlewood Ln, Prineville, OR 97754

Address: 29020 SE CURRIN RD
ESTACADA OR 97023

Parcel: 1816040005300 - Primary Township: 18 Range: 16 Section: 4

Lot size: 10
Zoning: N/A
Accessory Dwelling Unit: No
Water supply: N/A
City/County/UGB: N/A

Proposed use of structure: septic for NSFD
Category of construction: Single Family Dwelling

General Specifications

Max peak design flow:	450 gpd.	**Proposed gallons per day:**	225 gpd.
Min septic tank volume:	1000 gal.	**Min dosing tank volume:**	N/A
Media depth:	12 in.		

Comments: Protect drain field from livestock, vehicles and other disturbance

System Specifications	Initial System	Replacement Area
System type:	Capping Fill	Capping Fill
System distribution type:	Equal	Equal
Distribution method:	Equal-Hydrosplitter	Equal-Hydrosplitter

Trench Specifications	Initial System	Replacement Area
Trench linear feet:	450 linear ft.	450 linear ft.
Max depth:	18 in.	18 in.
Min depth:	12 in.	12 in.
Capping fills-min depth of fill material:	10 in.	10 in.

Special Requirements	Initial System	Replacement Area
Groundwater type:	Not Applicable	Not Applicable

CALL BEFORE YOU DIG...IT'S THE LAW

ATTENTION:Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth by Oregon Administration Rules. You may obtain copies of the rules by calling the center. (Note: The telephone number for the Oregon Utility Notification Center is 1-800-332-2344.)

Date issued: 03/11/2025
Application status: Site Evaluation Approved
Work description: Settle-Soil Evaluation

Drainfield type:	Capping Fill	Capping Fill
Drainfield sizing:	150 linear ft/150 gal.	150 linear ft/150 gal.

Conditions of approval:

Please refer to OAR 340-071-0150 for details on Site Evaluation procedures.

THIS IS NOT A PERMIT TO CONSTRUCT A SEPTIC SYSTEM

A site evaluation is the first step in the process of obtaining a construction-installation permit for an onsite system. Except as otherwise provided in these rules, before obtaining a permit to construct an onsite system, a person must obtain a site evaluation report finding the site suitable for an onsite system in accordance with this division.

Installation must occur within the boundaries defined in this report. Crook County may ask for and require additional information at the time of the installation.

Additional Conditions of Site Approval:

Peak sewage flows into this system is limited to a maximum of 450 gallons per day, with an average sewage flow of 225 gallons per day. This is usually sufficient to serve a 4-bedroom single family dwelling. Premature failure of the system may occur if the flow quantities are exceeded.

ANY alteration of the soil may result in a denial of a permit and void this approval.

This site is approved based on the condition that the site will not be further partitioned or subdivided.

This Site Evaluation runs with the land and will automatically benefit future property owners. This approval is valid until a septic system is installed under a construction permit.

If you disagree with the decision of this report, you may apply for a site evaluation report review. The application for a site evaluation report review must be submitted to DEQ in writing within 60 days after the site evaluation report issue date and must include the site evaluation review fee in OAR 340-071-0140 Table 9A. A senior DEQ staff person will be assigned the site evaluation report review application.

You may apply for a variance to the onsite wastewater treatment system rules. The variance application must include a copy of the site evaluation report, plans and specifications for the proposed system, specify the rule(s) to which a variance is being requested, demonstrate the variance is warranted, and include the variance fee in OAR 340-071-140 Table 9C. A variance may only be granted if the variance officer determines that strict compliance with a rule is inappropriate or special physical conditions render strict compliance unreasonable, burdensome or impractical. A senior DEQ variance officer will be assigned the variance application.

David Hurley
Bend DEQ Office
475 NE Bellevue Dr. Suite 110
Bend, Oregon 97701
541-633-2036

CALL BEFORE YOU DIG...IT'S THE LAW

ATTENTION:Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth by Oregon Administration Rules. You may obtain copies of the rules by calling the center. (Note: The telephone number for the Oregon Utility Notification Center is 1-800-332-2344.)

Date Issued: 03/11/2025
Application status: Site Evaluation Approved
Work description: Settle-Soil Evaluation

THIS IS NOT YOUR PERMIT. A Construction/Installation permit is required before you construct your system. Please contact this office when you are ready to apply for a construction/installation permit. We cannot sign off on any Building Codes forms until we issue your permit.

This site approval runs with the land and will automatically benefit subsequent owners. This site approval is valid until the approved system is constructed under a DEQ construction permit or unless the site is altered without approval from this office. Alterations/excavations/lot line adjustments made to the site, or placement of wells or utilities, etc., may invalidate this approval

If you disagree with the decision of this report, you may apply for a site evaluation report review. The application for a site evaluation report review must be submitted to DEQ in writing within 60 days after the site evaluation report issue date and must include the site evaluation review fee in OAR 340-071-0140 Table 9A. A senior DEQ staff person will be assigned the site evaluation report review application.

You may apply for a variance to the onsite wastewater treatment system rules. The variance application must include a copy of the site evaluation report, plans and specifications for the proposed system, specify the rule(s) to which a variance is being requested, demonstrate the variance is warranted, and include the variance fee in OAR 340-071-140 Table 9C. A variance may only be granted if the variance officer determines that strict compliance with a rule is inappropriate or special physical conditions render strict compliance unreasonable, burdensome or impractical. A senior DEQ variance officer will be assigned the variance application.

Christopher Haindel Onsite Inspector 3/11/25

CALL BEFORE YOU DIG...IT'S THE LAW

ATTENTION:Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth by Oregon Administration Rules. You may obtain copies of the rules by calling the center. (Note: The telephone number for the Oregon Utility Notification Center is 1-800-332-2344.)

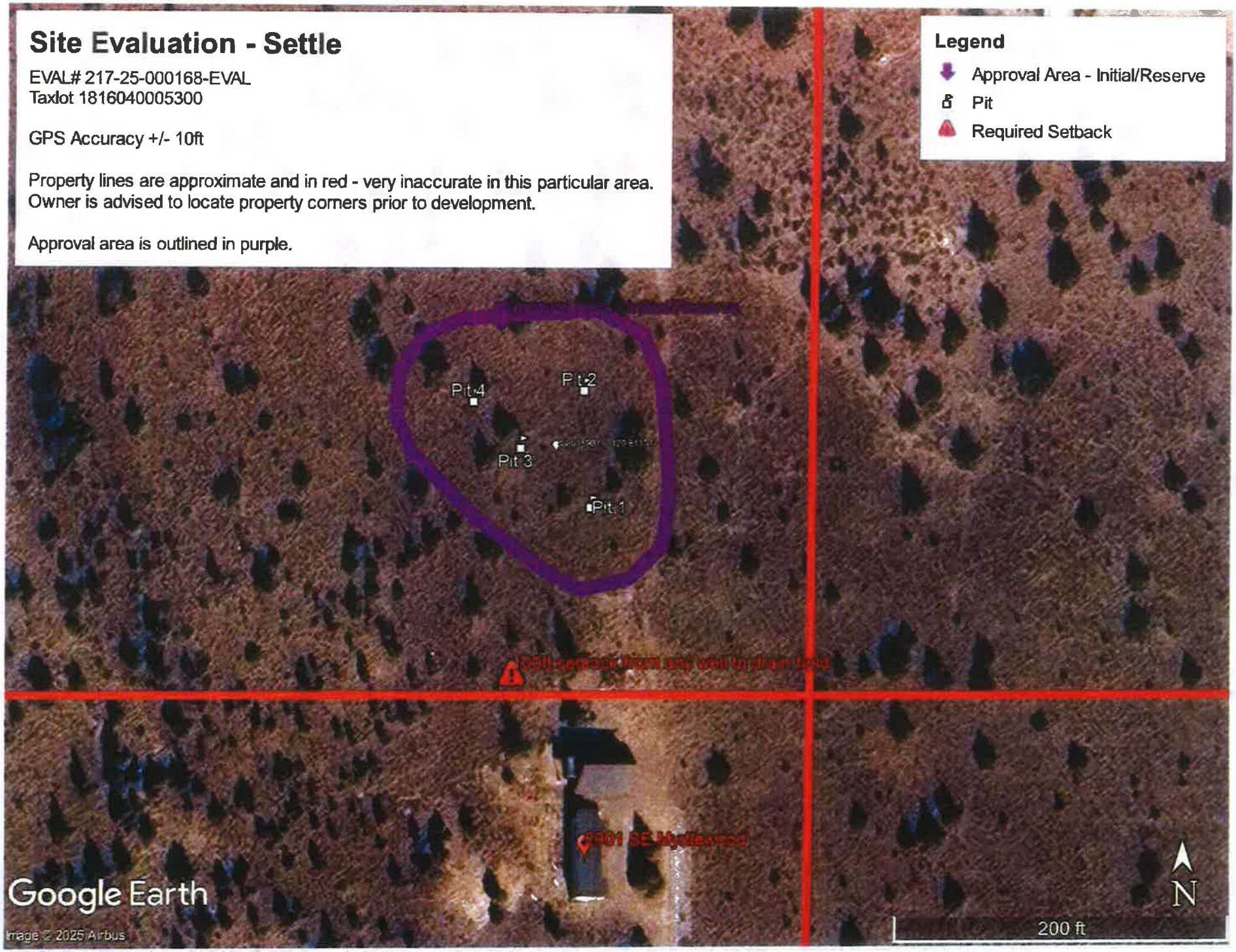
Site Evaluation - Settle

EVAL# 217-25-000168-EVAL
Taxlot 1816040005300

GPS Accuracy +/- 10ft

Property lines are approximate and in red - very inaccurate in this particular area.
Owner is advised to locate property corners prior to development.

Approval area is outlined in purple.



AFTER RECORDING RETURN TO:

Duke B. and Dana L. Settle
29020 SE Currin Road
Estacada OR 97023

Crook County Official Records **2024-329244**
DEED-ESMT
Pgs=5 **10/29/2024 12:02:01 PM**
$25.00 $2.00 $11.00 $10.00 $61.00 $114.00
$5.00
I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.
Cheryl Seely - County Clerk

ACCESS EASEMENT AGREEMENT

This Agreement is executed on this 21 day of October, 2024 by Warren DeWolfe and Jennifer Andrews ("Warren") and Duke B. and Dana L. Settle ("Duke and Dana" or "The Settles"). W.D.

Recitals

A. Warren owns fee title to the parcel of land described in Exhibit A ("Warren's Property"), and Duke and Dana own fee title to the parcels of land described in Exhibit B ("Duke and Dana's Property"), subject to documents recorded in the official records of Crook County regarding both properties.

B. In exchange for a $1 payment, Warren has agreed to grant Duke and Dana an access easement over Warren's Property, as more fully set forth below.

Grant

Warren and The Settles agree as follows:

1. Grant of Easement. Warren grants to Duke and Dana, for the benefit of Duke and Dana's Property, a private, perpetual, nonexclusive easement ("Easement") over and across the portion of Warren's Property described and depicted in Exhibit C ("Easement Area"). This easement is for the benefit of The Settles and their assigns and grants the right for ingress and egress to and from Duke and Dana's Property from the public road. Without limitation, this Easement grants Duke and Dana the right to maintain and repair the road on and over the Easement Area. The Easement Area may be commonly used by the owner of the Warren's Property and its tenants, invitees, agents, employees, successors and assigns. No above-ground structures, barriers, fences, buildings or other improvements of any kind shall be installed by Duke and Dana in the Easement other than a roadway. The grant of the Easement is made subject to all exceptions to title on file or of record in the Official Records of Crook County, Oregon.

2. Payment. Not later than five (5) days from the complete execution and prior to the recording of this Access Easement Agreement, Duke and Dana shall pay Warren the total sum of One Dollar and 00/100 ($1). This payment shall be made by check, payable to "Warren DeWolfe," and delivered to an address provided by Warren.

3. Nature of Easement. The Easement granted herein shall belong to, and be for the benefit of, Duke and Dana's Property. This Easement is granted in perpetuity and shall be conveyed to, in the event of sale, all subsequent owners of property in Exhibit B.

4. Amendment. This Agreement may only be amended by written instrument executed by Warren and The Settles.

5. Notices. Any notice required or permitted by this Easement shall be in writing and given by delivering the same in person to the recipient or by sending the same by registered or certified mail, return receipt requested, with postage prepaid, to the address of the Grantor or Grantee Tract, as applicable, as shown on the current records of the tax assessor for Crook County, Oregon, with respect to the Tract in question.

Recorded by AmeriTitle as an accommodation only. No liability is accepted for the condition of title or for the validity, sufficiency, or effect of this document.

Executed to be effective as of the 21 day of October, 2024.

Return To: 105316 4pm
AmeriTitle

STATE OF OREGON)

) ss.

County of) Crook

This instrument was acknowledged before me this 23 day of October, 2024, by Warren DeWolfe and Jennifer Andrews

OFFICIAL STAMP
KELLIE ELIZABETH COBB
NOTARY PUBLIC-OREGON
COMMISSION NO. 1042933
MY COMMISSION EXPIRES NOVEMBER 30, 2027

NOTARY PUBLIC FOR OREGON
My Commission Expires: 11/30/2027

STATE OF OREGON)

) ss.

County of) Clackamas

This instrument was acknowledged before me this 21st day of October, 2024, by Duke B. Settle

OFFICIAL STAMP
KELLI BEA DIETZ
NOTARY PUBLIC - OREGON
COMMISSION NO. 1014076
MY COMMISSION EXPIRES JUNE 27, 2025

NOTARY PUBLIC FOR OREGON
My Commission Expires: 06/27/2025

STATE OF OREGON)

) ss.

County of) Clackamas

This instrument was acknowledged before me this 21st day of October, 2024, by Dana L. Settle

OFFICIAL STAMP
KELLI BEA DIETZ
NOTARY PUBLIC - OREGON
COMMISSION NO. 1014076
MY COMMISSION EXPIRES JUNE 27, 2025

NOTARY PUBLIC FOR OREGON
My Commission Expires: 06/27/2025

Exhibits:
A – Warren's Property
B – Duke and Dana's Property
C – Easement Legal Description

EXHIBIT A

Warren's Property

29457 Ochoco Way Prineville Oregon 97754, Crook County,
Map and Tax lot # 18-16-4-5100

A parcel of land situated in the Northeast one-quarter of the Northeast one-quarter of the Southeast one-quarter of Section 4, Township 18 South, Range 16 East of the Willamette Meridian, in Crook County, Oregon.

EXHIBIT A TO ACCESS EASEMENT AGREEMENT

EXHIBIT B

Duke and Dana's Property

A parcel of land situated in the Southeast one-quarter of the Northeast one-quarter of the Southeast one-quarter of Section 4, Township 18 South, Range 16 East of the Willamette Meridian, in Crook County, Oregon. Map number 1816040005200.

A parcel of land situated in the Southwest one-quarter of the Northeast one-quarter of the Southeast one-quarter of Section 4, Township 18 South, Range 16 East of the Willamette Meridian, in Crook County, Oregon. Map number 1816040005300.

EXHIBIT B TO ACCESS EASEMENT AGREEMENT

EXHIBIT C

Legal Description
Access Easement

Being a portion of the property described in deed document number 2021-310705, Crook County deed records, Located in in the Northeast one-quarter of the Northeast one-quarter of the Southeast one-quarter of Section 4, Township 18 South, Range 16 East of the Willamette Meridian, in Crook County, Oregon, described as follows:

The Easterly 30 feet of tax lot 5100.

Containing 19,650 square feet, more or less.

EXHIBIT C TO ACCESS EASEMENT AGREEMENT

Crook County Area, Oregon

075—Ayres very cobbly loam, dry, 0 to 8 percent slopes

Map Unit Setting

National map unit symbol: 2mr7
Elevation: 3,570 to 4,350 feet
Mean annual precipitation: 9 to 11 inches
Mean annual air temperature: 45 to 48 degrees F
Frost-free period: 60 to 90 days
Farmland classification: Not prime farmland

Map Unit Composition

Ayres, dry, and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Ayres, Dry

Setting

Landform: Alluvial fans
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Old alluvium derived from rhyolite and other volcanic sources with an influence of volcanic ash in the upper part

Typical profile

A - 0 to 3 inches: very cobbly ashy loam
AB - 3 to 8 inches: very cobbly ashy loam
2Bt1 - 8 to 12 inches: very cobbly loam
2Bt2 - 12 to 15 inches: extremely cobbly clay loam
2Bqm - 15 to 59 inches: cemented material

Properties and qualities

Slope: 0 to 8 percent
Depth to restrictive feature: 10 to 20 inches to duripan
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Very low (about 1.1 inches)

Interpretive groups

Land capability classification (irrigated): 7s
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D
Ecological site: R010XB029OR - JD Claypan 9-12 PZ
Hydric soil rating: No

Minor Components

Ayresbutte, dry

Percent of map unit: 10 percent
Landform: Alluvial fans
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R010XA003OR - DROUGHTY 8-10 PZ
Hydric soil rating: No

Era

Percent of map unit: 5 percent
Landform: Stream terraces, drainageways
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave
Ecological site: R010XA019OR - SHRUBBY LOAM 8-12 PZ
Hydric soil rating: No

Data Source Information

Soil Survey Area: Crook County Area, Oregon
Survey Area Data: Version 8, Sep 4, 2024

Crook County Area, Oregon

204—Ayres cobbly ashy loam, moist, 3 to 8 percent slopes

Map Unit Setting

National map unit symbol: wg1s
Elevation: 3,660 to 4,020 feet
Mean annual precipitation: 9 to 12 inches
Mean annual air temperature: 45 to 48 degrees F
Frost-free period: 55 to 80 days
Farmland classification: Not prime farmland

Map Unit Composition

Ayres, cobbly ashy loam, moist, and similar soils: 85 percent
Minor components: 15 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Ayres, Cobbly Ashy Loam, Moist

Setting

Landform: Alluvial fans
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Old alluvium derived from rhyolite and other volcanic sources with an influence of volcanic ash in the upper part

Typical profile

A - 0 to 3 inches: cobbly ashy loam
AB - 3 to 8 inches: very cobbly ashy loam
2Bt1 - 8 to 12 inches: very cobbly loam
2Bt2 - 12 to 15 inches: extremely cobbly clay loam
2Bqm - 15 to 59 inches: cemented material

Properties and qualities

Slope: 3 to 8 percent
Depth to restrictive feature: 10 to 20 inches to duripan
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Very low to moderately low (0.00 to 0.06 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Calcium carbonate, maximum content: 10 percent
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Available water supply, 0 to 60 inches: Very low (about 1.1 inches)

Interpretive groups

Land capability classification (irrigated): 7s
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: D
Ecological site: R010XA018OR - Juniper Shrubby Loam 10-12 PZ
Hydric soil rating: No

Minor Components

Ayresbutte, dry

Percent of map unit: 10 percent
Landform: Alluvial fans
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Side slope
Down-slope shape: Linear
Across-slope shape: Linear
Ecological site: R010XA009OR - Juniper Shrubby Pumice Flat 10-12 PZ
Hydric soil rating: No

Era

Percent of map unit: 5 percent
Landform: Stream terraces, drainageways
Landform position (two-dimensional): Footslope
Landform position (three-dimensional): Base slope, tread
Down-slope shape: Concave, linear
Across-slope shape: Linear, concave
Ecological site: R010XA019OR - SHRUBBY LOAM 8-12 PZ
Hydric soil rating: No

Data Source Information

Soil Survey Area: Crook County Area, Oregon
Survey Area Data: Version 8, Sep 4, 2024

Settle Non-farm Application
Burden of Proof & Area Study

Crook County
Zoning Criteria, Study Data, Questions & Answers
Conclusion

June 18, 2025

I. Applicable Criteria:
Crook County Code, Title 18 Zoning, Chapter **18.16** Exclusive Farm Use Zone, EFU-1 (Post – Paulina Area) more specifically: **18.16.020**, Conditional uses review criteria (1, 2, 3), **18.16.040**, Dwellings not in conjunction with farm use, **18.16.075**, Development standards, **18.16.085**, Parcel size exception.

Crook County-Prineville Area Comprehensive Plan, Chapter III, Land Use, Agriculture, Pages 40-47, policies for agricultural areas of Crook County. Wildlife Policy #2, Page 153.
ORS 215.284 (2) and ORS 215.263 (5)
Oregon Administrative Rules OAR 660-33-0010 through 0130, generally.

CCC Title 18 Zoning, Chapter 18.16 (EFU-1) Lists and describes the requirement and criteria the Exclusive Farm Zone, EFU-1 (Post – Paulina Area) 18.16.020 Lists conditional use review criteria, 18.16.040 describes the requirements for dwellings not in conjunction with farm use (non-farm), CCC 18.16.075 describes Development standards, 18.16.085 outlines Parcel size exceptions.

ORS 215.284 (2) In counties not described in subsection (1) of this section (referring to Eastern Oregon as not described) a single-family residential dwelling not provided in conjunction with farm use may be established, subject to approval of the governing body or its designee, in any area zoned for exclusive farm use upon a finding that: (a) The dwelling or activities associated with the dwelling will not force a significant change in or significantly increase the cost of accepted farming or forest practices on nearby lands devoted to farm or forest use. (c) The dwelling will be sited on a lot or parcel created before January 1, 1993; (d) the dwelling will not materially alter the stability of the overall land use pattern of the area; and (e) the dwelling complies with such other conditions as the governing body or its designee considers necessary.

II. Basic Findings:

A. Location: The subject property is located at 2901 SE Myrtlewood Lane, Prineville. Myrtlewood Lane is an unimproved road to the east of Juniper Acres 1 to the south of Reservoir Road. This single tax lot measuring 10.0 acres is identified on the Crook County Assessor's maps as T18S., R16E., Section 04, Tax Lot 5300. The proposed non-farm dwelling will be located near the existing 1963 manufactured home on the property.

B. Zoning: The property is zoned Exclusive Farm Use –1 –Post-Paulina Areas. This property is designated Agricultural in the Crook County Comprehensive Plan.

C. Proposal: The applicants propose to remove or demolish a "pre-land use" 1963 manufactured home and replace it with a non-farm dwelling. The subject parcel was created in 1968.

D. Site Description: The existing non-farm parcel is in the southern portion of the county and to the south of Prineville Reservoir. The existing 10.0-acre non-farm parcel is in an area of numerous non-farm parcels to the east of Juniper Acres 1. The property generally slopes downward from the east to the west with a drainage along the west side. There are few mature juniper trees and limited native brush with very little herbaceous forage.

E. Surrounding Land Uses: All neighboring parcels are zoned EFU-1 and none are irrigated. None are in farm use.

To the **north** of the subject property is a 10.0- acre unimproved, vacant non-farm parcel (Peterson, 1816040005000).

To the **northeast** of the subject property is a 10.0-acre improved parcel with a non-farm dwelling in construction (DeWolfe and Andrews, 1816040005100).

To the **east** is a vacant 10.0-acre non-parcel (Settle, 1816040005200).

To the **southeast, south, and southeast** is an 80.0-acre non-farm parcel. It is presently vacant. (Stager, 1816040005400).

To the **west and northwest** is a 40.0-acre non-farm parcel with a 2006 manufactured home. (Hendrix 1816040004500).

F. Soils: According to the Natural Resources Conservation Service (NRCS) draft maps of the area, there are two soil units are mapped on the subject property.

Subject Parcel: 10.0-acres:

Soil Types & Percent	Class Irrigated	Non-irrigated
075 – Ayres very cobbly loam, dry, 0 to 8% slopes, 77.4%	None	7s
204 – Ayres cobbly ashy loam, moist, 3 to 8 percent slopes. 22.6%	None	7s

The subject property consists of 100 percent Class 7 soils, the predominant soils in the immediate area.

G. Big game habitat: The subject property lies within crucial (or critical) deer range. Crook County Wildlife Policy 2 states "Density with a Crucial Wintering Area for deer shall not be greater than one residence per 160 acres and for the General Winter Range not more than one residence per 80 acres." The subject property lies within General Winter Deer Range therefore the one residence per 80 acres standard applies. See attached Potential Development Density Study (PDDE) which describes how fully this proposal is consistent with Wildlife Policy 2.

H. Origin/Ownership History: The subject property was created by Bargain and Sale Deed at Book 98, Page 217 dated April 4, 1968. It was purchased by the applicants on June 8, 2018. The present vesting deed is Warranty Deed MF # 2018-287513.

III. Applicant Statement: OAR Chapter 660-033(D)

The proposal meets this criterion because it shows that the non-farm dwelling will not materially alter the stability of the land use pattern of the area. On June 1, 1998, the Land Conservation and Development Commission adopted amendments to the administrative rules (new rules) implementing Goal 3, Agricultural Lands (OAR Chapter 660-033) to incorporate case law and to clarify the analysis under "stability" approval criterion. The new rules apply the three-step "stability" analysis first articulated in Sweeten v. Clackamas County, 17 Or LUBA 1234 (1989). These rules are as follows:

(D) The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed non-farm dwelling will alter the stability of the land use pattern in the area, a county shall consider the cumulative impact of possible new non-farm dwellings and parcels on other lots or parcels in the area similarly situated. To address this standard, the county shall:

(i) Identify a study area for the cumulative impacts analysis. This study area shall include at least 2000 acres or a smaller area not less than 1000 acres, if smaller area is a distinct agricultural area based on topography, soil types, land use pattern, or the type of farm or ranch operations or practices that distinguish it from other, adjacent agricultural areas. Findings shall describe the study, its boundaries, and the location of the subject parcel within this area, why the selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard. Lands zoned for rural residential or other urban or non-resource uses shall not be included in the study area;

(ii) Identify within the study area the broad types of farm uses (irrigated or non-irrigated crops, pasture or grazing lands), the number, location and type of existing dwellings (farm, non-farm, hardship, etc.), and the dwelling development trends since 1993. Determine the potential number of non-farm/lot of record dwellings that could be approved under subsections (3)(a), (3)(d) and section 4 of this rule, including identification of the predominant soil classifications, the parcels created prior to January 1, 1993, and the parcels larger than the minimum lot size that may be divided to create new parcels non-farm dwellings under ORS 215.263(4). The findings shall describe the existing land use pattern of the study area including the distribution and arrangement of existing uses and the land use pattern that could result from approval of the possible non-farm dwellings under this subparagraph;

(iii) Determine whether approval of the proposed non-farm/lot of record dwellings together with existing non-farm dwellings will materially alter the stability of the land use pattern in the area. The stability of the land use pattern will be materially altered if the cumulative effect of existing and potential non-farm dwellings will make it more difficult for the existing types of farms in the area to continue operation due to diminished opportunities to expand, purchase or lease

farmland, acquire water rights or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area;
...

1. Cumulative impacts analysis area: The County has suggested an area of analysis including all EFU-zoned land located within a one-mile radius of the subject property's boundaries including approximately 3,206.82-acres, the applicant has further referenced all effected private property totaling 4,532.98-acres. The "study area" consists of that area within the one-mile buffer. There are twenty-six (26) privately owned EFU-zoned tax lots in the study area. There are no (0) publicly owned tax lots. The private tax lots are owned by nineteen (19) owners. Commonly owned tax lots if adjacent may be counted by common deed of ownership as parcels if acquired collectively. There are five parcels (Bear Creek Ranch LLC) that were deeded as under a single deed. However, all five of the Bear Creek Ranch parcels were identified as separate legal parcels within Administrative Decision AD 09-0061 in 2009. The parcels in private ownership measure between *10.0 and 620.0-acres* in size.

Fifteen (15) of the twenty-six (26) private parcels, or fifty-eight percent (58%), measure forty acres or smaller in size. Four (4) of the parcels, or fifteen percent (15%) measure eighty acres in size. The remaining seven (7) parcels or twenty-seven percent (27%) measure between one hundred sixty acres and six hundred, twenty acres in size.

2. Types of Uses within the Study Area: The privately-owned parcels within the study area are engaged in a limited mix of uses including a) dryland "farm" parcels listed as farm parcels that are primarily used for recreational uses and are improved or unimproved, b) large tracts - rangeland parcels, large enough to support seasonal grazing, c) dryland "non-farm" parcels that are primarily used for recreational uses and are improved or unimproved, and d) properties with the Juniper Acres subdivision. These are non-resource lands and are not individually studied.

Private uses, specifically by tax lot: Primary use parcels listed by map number as follows:
Total resource acres with the one-mile study area: **1,559.12 acres**

a) dryland "farm" parcels:
1) Diversified Capital Investment LLC: 1716000000703 measuring 160.00 ac without irrigated ac, vacant. 7) Muck: 1716000000712 measuring 356.26 ac, unirrigated ac, vacant.

516.26 acres (4,532.98 effected in Study Area) or 11% of the applicable study area.

b) large tracts – rangeland parcels, large enough to support seasonal grazing:
2) Bear Creek Ranch LLC: 1816000000401 measuring 620.00 ac, unirrigated, vacant. 3) Bear Creek Ranch LLC: 1816000000404 measuring 320.69 ac, unirrigated, vacant. 4) Bear Creek Ranch LLC: 1816000000405 measuring 160.00 ac, unirrigated, vacant. 5) Bear Creek Ranch LLC: 1816000000429 measuring 80.00 ac, unirrigated, vacant. 6) Bear Creek Ranch LLC: 1816000000430 measuring 80.00 ac, unirrigated, vacant.

1,260.00-acres (4,532.98 effected in Study Area) or 28% of the applicable study area.

c) dryland "non-farm" recreational uses and are improved or unimproved.

8) Holman: 1716000001800 measuring 40.00 ac, unirrigated, vacant. 9) Wiksten: 1716000001802 measuring 40.0 ac, unirrigated, vacant. 10) Tupper: 1716000001803 measuring 40.0 ac, unirrigated, vacant. 11) Teegarden: 1816000000402 measuring 160.40 ac, unirrigated, no dwelling. 12) Mason: 1816000000403 measuring 80.0 ac, unirrigated, vacant with a vested CUP for NFD. 13) Teegarden: 1816000000406 measuring 161.17 ac unirrigated, vacant. 14) Soloman: 1816000000409 measuring 40.0 ac, unirrigated, vacant. 15) Dean: 1816000000411 measuring 20.0 ac, unirrigated, vacant. 16) Payne: 1816000000415 measuring 10.0 ac, unirrigated, vacant. 17) Englehart: 1816000000416 measuring 20.0 ac, unirrigated, with accessory farm building. 18) Payne: 1816000000426 measuring 10.0 ac, unirrigated, vacant. 19) Theobald Trust: 1816000000427 measuring 40.0 ac, unirrigated, w 2011 dwelling. 20) Smith & Anderson: 1816000000428 measuring 40.0 ac, unirrigated ac, w 2007 dwelling. 21) Hendrix: 1816040004900 measuring 40.0 ac, unirrigated w 2005 dwelling. 22) Peterson: 1816040005000 measuring 10.0 ac, unirrigated, vacant. 23) DeWolfe & Andrews: 1816040005100 measuring 10.0 ac, unirrigated w 2022 dwelling. 24) Settle: 1816040005200 measuring 10.0 ac measuring 10.0 ac, unirrigated, vacant. 25) Settle: 1816040005300 measuring 10.0 ac, unirrigated ac, w non-conforming dwelling MH 1963. 26) Stager: 1816040005400 measuring 80.0 ac, unirrigated ac, vacant.

861.57 acres (4,532.98 within Study Area) or 19% of the applicable study area.

d) Juniper Acres – a pre-land use subdivision considered as non-resource land and not reviewed as part of this application.

1,895.15 acres (4,532.98 within Study Area) or 42% of the applicable study area.

3. Existing Dwellings: There are presently four (4) approved dwellings on twenty-six (26) parcels completely within the EFU resource portion of the study area. All four approved dwellings are located on single parcels. These dwellings were built in the following years; one (1) in 2005, one (1) in 2007, one (1) in 2011, and one (1) in 2022. All of the four (4) were approved as non-farm dwellings. There is one nonconforming dwelling on the subject property that will be removed, demolished, or repurposed. There are presently no farm dwellings within the study area. Without water it is unlikely that any farm dwellings will be approved.

Dwellings developed prior to 1978 predated dwelling regulation within the County's EFU zone and therefore were not subject to current EFU zoning requirements. County records indicate that the one (1) of the dwellings, a 1963 manufactured home was placed on the subject property by a prior owner in the 1990's without County approval. Resolution of that non-conforming use can be resolved as a condition of approval.

4. Vested dwelling approvals: There is one (1) vested approval for a non-farm dwelling in the study area on map # 200 (1816000000403) Mason.
Total vested Non-farm Dwelling CUP within the Study Area = 1 Non-farm Dwelling.

5. Dwelling development trends since 1993: As discussed above, all the dwellings in the study area are non-farm dwellings and were bult between 2005 and 2022. One (1) non-farm dwelling CUP was vested in 2020.

6. Existing Non-Farm Uses / Approved Non-Farm Parcels presently with and without dwellings: Presently, there are nineteen (19) of twenty-six (26) existing private parcels within the study area that are designated "non-farm". By acreage, they represent thirty-three percent (33%) of the EFU zoned acreage in the area study. There are presently no (0) approved, to be constructed, non-farm dwellings of record in the study area.

There are (2) potential lot of record (LOR) parcels that could qualify for LOR dwellings based on the long-established ownership of the present owners as follows, both would be non-farm:

1. Map # 199 – Soloman, TL 181600000409 (40.0-acres) is eligible for consideration of a single non-farm dwelling as it is a lot of record parcel (since 1973) and given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils.
Result: **1 NF LOR Dwelling**

2. Map # 178 – Englehart, TL 181600000416 (20.0-acres) is eligible for consideration of a single non-farm dwelling as it is a lot of record parcel (since 1979) and given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils.
Result: **1 NF LOR Dwelling**

Total potential Lot of Record parcels eligible for Non-farm Dwellings within the Study Area = 2 Lot of Record Non-farm Dwellings.

7. Potential Non-Farm Dwellings on Existing Parcels: This category includes four categories as follows;

a) existing vacant, but approved parcels with CUPs for non-farm dwellings. There are no **(0)** potential parcels in this category.

Total recently approved Non-farm Dwellings within the Study Area = 0 Non-farm Dwellings.

b) existing parcels potentially eligible for a non-farm dwelling, based in large part, on their consisting wholly or partly of class 7 soils, or worse, and other qualifying features. There are six **(6)** parcels in this category including the subject parcel listed as follows:

1. Map # 79 – Gushwa, TL 181600000411 (20.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

2. Map # 164 – Payne, TL 181600000415 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

3. Map # 177 – Payne, TL 181600000426 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

4. Map # 186 – Peterson, TL 181604005000 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

5. Map # 198 – Settle, TL 181604005200 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

6. Map # 8 – Settle, Subject TL 181604005300 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

Total existing parcels potentially eligible for a single Non-farm Dwelling within the Study Area = 6 single potential Non-farm Dwellings.

c) Parcels with approved and then vested CUPs for non-farm dwellings, there is one **(1)** parcel in this category as follows:

1. Map # 200 – Mason, TL 181600000403 (80.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

Total approved and vested Non-farm Dwelling CUP's within the Study Area = 1 Non-farm Dwellings.

d) parcels that have approved CUP's that have expired. There are zero **(0)** parcels in this category. There are none listed on the attached One Mile Study Data sheet.

Total approved and expired Non-farm Dwelling CUP's within the Study Area = 0 Non-farm Dwellings.

The remaining privately-owned tax lots in the Study Area may not be eligible for dwellings because; 1) the new creation of any new parcel, farm or non-farm is extremely unlikely in the EFU-1 zone because the criteria for partitioning is complex. Several have been created since July 1, 2001, and are no longer eligible unless previously approved. Several were not created prior to 1993. 2) several parcels have existing dwellings and are no longer eligible, 3) several parcels are part of a tract of parcels where one of the parcels in the tract already has a dwelling.

The Study Area includes eight (8) privately owned parcels that are potentially eligible for a non-farm dwelling or dwellings (2) in the EFU-1 zone. They are listed by Map # and are discussed as follows:

1. Map # 176 – Bear Creek Ranch LLC, TL 181600000401 (620.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

2. Map # 136 – Bear Creek Ranch LLC, TL 181600000429 (80.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

3. Map # 147 – Bear Creek Ranch LLC, TL 181600000430 (80.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

4. Map # 209 – Holman, TL 171600001800 (40.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

5. Map # 208 – Wiksten, TL 171600001802 (40.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

6. Map # 62 – Tupper/Balan, TL 171600001803 (40.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

7. Map # 200 – Mason, TL 181600000403 (80.0-acres) has a vest CUP for a non-fam dwelling and is eligible for consideration of one non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils.
Result: **1 NF Dwellings**

8. Map # 114 – Stager, TL 181604005200 (80.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

Total "Potential" Non-farm Dwellings on Existing Parcels within Study Area = 15 Non-farm Dwellings.

8. Stability and Character of the Land Use Pattern of the Area: The land use pattern of the area is that of mixed use and all of it is "dryland." Forty-one (41) percent of the land in the one-mile study area is part of the Juniper Acres Subdivisions and therefore categorized as non-resource land. Thirty percent (30%) of the land within the study area is designated as farm land. None (0) of the properties in the study area have water rights. Some seasonal grazing occurs but it is extremely light and not capable of producing suitable income for farm dwelling qualification. Twenty-nine percent (29%) of the land within the study area is designated as non-farm. The area is remote, arid, with predominately poor class seven soils. None are within an irrigation district. The use of irrigation wells is impracticable given the present mitigation requirements and the low productivity of the soils in the area. There is little farm activity in the study area, many parcels are not adequately fenced. Given that it is

extremely difficult, and expensive, to gain approval of new non-farm parcels with dwellings in the EFU-1 zone, and the fact that the proposed non-farm dwelling on an existing parcel that is many miles from any irrigated or sensitive farm use, crops, spraying, etc., the applicant states that with approval of this application there would be no significant change in the stability and character of the area land use pattern nor would there be any effect of the cost of farming in the area.

9. Effect on Stability from Proposed Non-Farm Dwelling: As explained in Elliot v Jackson County, "Under OAR 660-033-0130(4)(a)(D) [the county] must consider the cumulative effect to determine whether the full development pattern of land use would violate the ultimate stability standard in any of the ways described in OAR 660-033-0130(4)(a)(D)(iii)."

Approval of the proposed non-farm dwelling (on an existing parcel) will make a total of six (6) approved non-farm dwellings that are built or vested in the study area. Applicant states that the cumulative effect of adding a single non-farm dwelling on an existing parcel will not "materially alter the stability of the land use pattern in the area" by making it more difficult for the existing farms to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights or by diminishing the number of tracts or acreage in farm use. Again, there are no water right available in the immediate area. Applicant further states that limited seasonal rangeland grazing on portions of public and private land is the predominant active farm use in the general area, that the mixed land use pattern is well established and that adding this dwelling will not tip the balance from resource to non-resource use for the following reasons.

Note: The applicant wishes to stress that concerns about "tipping the balance from resource to non-resource use" are unfounded given the prevalence of Class 7 soils in the area. The potentially eligible non-farm parcels in the study area consist of Class 7 soils that are deemed to be unsuitable for the production of crops and/or livestock. One cannot "tip the balance" when, for all practical purposes, the area consists of mostly non-resource land.

The area is remote. The study area is mostly "off the grid" meaning that there no commercial electrical power services available in the area. There is no irrigation district serving the area and no irrigation water is available in the area. The creation of new non-farm parcels in this portion of the county is hampered by lack of services, the remoteness of the area and general access. The likelihood of creation of new non – farm parcels in the area is small. Many of the non-farm parcels in the area are "existing," that is, they were created prior to the adoption of the County's present land use ordinances and restrictions or created by patent by the state or federal government.

Approval of the applicant's request would add one additional dwelling to the area, increasing the number of parcels with existing approved dwellings, one vested CUP's, or approved dwellings, 5 of 26 to 6 of 26.

Approval of the proposed non-farm dwelling will not set precedent for the wholesale approval of non-farm dwellings to the detriment of the surrounding farming since, as stated above, the type of farm use occurring in the area, rangeland grazing, is not highly sensitive.

One hundred percent (100%) of the private parcels in the study area include class 7 soils. There is no shortage of such land in Crook County and what land is available in this area is not well suited to farm use as illustrated by lack of activity in the area and a presence of class 7 soils. None of the parcels in the area have water rights, all have unsuitable soils.

Approval of the proposed non-farm dwelling will not result in a significant loss of acreage in farm use because the proposed dwelling is to be placed on an existing non-farm parcel, on a portion of the property with clearly unsuitable and unirrigated soils given the soils survey data available from NRCS. It would not be practical or productive to irrigate the subject property even if a new source of water and is discovered and made available in the region.

Finally, this proposal does not propose the creation of a new parcel. It proposes a non-farm dwelling on a small portion of an existing parcel.

Questions & Answers

Part I. Area Study Criteria:

Question: Why is a one-mile radius (Study Area) around the subject property representative of the land use pattern… or is adequate to conduct the analysis required?

Answer: The "Study Area," "on nearby or adjacent lands," is herein described as that of mixed use, including but limited to: a) dryland "farm" parcels listed as farm parcels that are primarily used for recreational uses and are improved or unimproved, b) large tracts - rangeland parcels, large enough to support seasonal grazing, c) dryland "non-farm" parcels that are primarily used for recreational uses and are improved or unimproved. The effected study area includes over 2,637 privately owned acres. The applicant contends that adding more acreage will not significantly change the result.

Question: Is the acreage specifically included in the study adequate to examine the effect of the applicant's proposal?

Answer: Yes, the applicant notes that approximately 1,559.12 private resource acres are included within the one-mile study area. 1,895.15-acres included in the effected acreage count are located with Juniper Acres, a pre-land use subdivision. A minimum of 2,000 acres are required for the study. The applicant has described effected private parcels as well, bringing the studied area to 4,532.98-acres.

Question: Has the applicant met the criteria for an area study in view of the Gramzow decision?

Answer: Yes, the Gramzow case(s) involved creation of non-farm parcels, however many of the same issues can be addressed herein. Given the inconsistencies in the numerous Gramzow decisions, the applicant has elected to address those areas that have been consistently enforced by the Crook County Planning Commission and the Crook County Court. Therefore, the applicant has taken care to address the following four issues: 1) Why a one-mile radius around the subject property "is representative of the land use pattern or is adequate to conduct the analysis required…"2) The applicant has identified the number, location and type of existing dwellings and the development trends since 1993. 3) The applicant has listed potential number of non-farm dwellings that could be lawfully approved on existing parcels in the area. 4) Wildlife Policy 2, the applicant has included data describing adherence to the County's Wildlife Policy 2.

Question: Has the applicant addressed the following issues?

(a) Has the applicant determined how many existing and approved non-farm residences are located within the study area? Approved non-farm residences are those for which a conditional use permit, vested right, or lot of record determination is in force.) Yes, see "Area Study Data Sheet."

Applicant indicates in prior discussion why the listed parcels may or may not be eligible. Those eligible are only counted once in their appropriate category.

Part II. Non-Farm Dwelling Criteria:

Will the proposed dwelling(s) seriously interfere with or force a significant change in accepted farm of forest practices on nearby or adjacent lands?

Oregon State University Extension Service describes the types of impacts that are commonly discussed as creating conflicts with nearby lands, specifically non-farm, or residential use, as follows: a) Maintaining irrigated pasture can generate dust from re-seeding, drifting of herbicides from spraying, vehicle noise from trucks, manure odor from fertilizer, and possible water runoff from irrigation. b) Grazing livestock can generate dust, manure odor, possible interference with vehicular traffic, and property damage if cattle escape.

In order to create a conflict, there must first be an activity to conflict with. In this one-mile area the only farming activity is seasonal livestock grazing. No new parcels are proposed by this application. The owners of adjacent farm parcels do not raise livestock on their property. The closest active farm, rangeland activities, occur to the southeast and are seasonal. Those activities do not employ aerial spraying or fertilizer. The is no significant lawful crop production at commercial levels in the area.

The applicant states that sufficient distances will be adequate to mitigate any impacts from the nearest farm activities, should they arise, occurring on those tax lots identified in the area study. The proposed single dwelling will not adjacent to a farm parcel that may be engaged in farm use. There is little chance for area farm uses to be potentially impacted by or interfered with these farm uses through vehicular interference with truck traffic or property damage due to livestock escape. All required setbacks will be observed.

There is no possibility of irrigation conflicts as there is no irrigation in the immediate area. There is little likelihood of practicable irrigation occurring without the importation of water, a practice that is only affordable if illicit crops are being produced. Any dust, odors, noise, from future farm uses will dissipate over the distance between the dwelling site and these farm uses. The farm uses in the study area will not be significantly changed by the location of one additional non-farm dwelling on the proposed location on the property. If additional non-farm parcels are approved in the area, the county's setback requirements, remonstrance agreement requirements and other applicable conditions are available to mitigate potential conflicts.

The area study concludes that the addition of one residence is appropriate given the land use pattern of the area. Building non-farm dwellings on existing parcels where possible or on hilltops and hillsides, on land that is clearly unsuitable for the production of crops and livestock represents good planning and protects those lands that are the subject of farm use protections.

Settle Application
Area Study Conclusions

June 18, 2025

Total effected listed acres, with no government parcels (0):		**4,532.98**
Total private resource acres listed within One-mile Study Area:		**1,559.12**
Total effected private acres in One-mile Study Area:		**3,206.82**
Total irrigated acres in effected study:		**0.00**
Tax lots in Study area:		
Public:		0
Private, EFU:		**26**
Total number of tax lots:	**Excludes Juniper Acres**	**26**
Total number of private EFU ownerships:	**19/26**	
Total number of Dwellings/EFU Parcels:	**4/26**	
Total number of non-farm dwellings:	4	
Total number of vacant, w approved non-farm CUP's:	0	
Total number of approved, vested farm dwelling:	0	
Total number potential non-farm dwellings on ex. Parcels, 7 soils	**6,** including subject	
Total number potential non-farm dwelling on new parcels, 7 soils	15	
Total number vested CUP:	1	
Total number expired CUP:	0	
Total number potential LOR dwellings	2	
Total number of approved primary farm dwellings:	0, counted above, vested	
Total number of potential primary farm dwellings:	1	
Total potential build-out:	**25**	

*** Excludes Juniper Acres – Non-Resource Subdivision**

The applicant concludes that this application meets or exceeds the requirements for approval because of the following:

I. Careful examination of the area study parcels indicates that the total potential build-out is twenty-five (25). This total includes six (6) non-farm dwellings on existing parcels, fifteen non-farm dwellings on parcels consisting of class 7 soils or worse, one (1) vested CUP for a non-farm dwelling and one (1) potential farm dwelling on a large tract.

II. The proposed building site is well buffered from the area dryland farm parcels and presents no tangible conflicts for neighboring uses.

III. The portion of the existing parcel where the proposed dwelling will be located of non-irrigated, generally unsuitable land which consists of class 7 soil. See attached soils map exhibit.

The approval of this application and the addition of a single non-farm dwelling will not materially alter the land use pattern of the area. Nor would the addition of a total of all the potential non-farm dwellings assuming the total potential build-out, particularly when one considers that all the land within the study area is unirrigated, that water for livestock maintenance is unavailable and other climatic and terrain limitations stated in the study.

IV. The approval of this application will not set precedent for wholesale approval of non-farm dwellings to the detriment of surrounding farms as there are no significant applicable potential conflicts that cannot be mitigated by setbacks, remonstrance agreement or clear and objective conditions determined by the Planning Commission, if deemed necessary.

The applicant respectfully requests that the Crook County Planning Commission approve this application. Thank you.

Craig Kilpatrick
Owner's representative

816040005300				EFU-1							
	Land Size	Acres ± Within 1 Mile	Dwell Y/n Yr Built	Planning Decisions	Prop Class	Potential Parcels NF & F	Potential Dwellings NFD & FD	Reasons for Disqualification / Notes	EX or LOR	Created prior to 1993	Change since 2001
03	160.00	94.62	-		550	0FP	0 NFD / 0FD	No-H2O, no F, Min size	EX	yes	no change
12	356.26	14.92	-	BA -08-0105	550	0FP	0 NFD / 0FD	No-H2O FD, Post 2001	-	no	Y,change
01	620.00	342.31	-		550	2NFP	2 NFD / 1FD	1 Farm Dwelling tract	EX	yes	no change
04	320.00	73.46	-		550	0FP	0 NFD / 0FD	No Farm, no H2O, Tract	EX	yes	no change
05	160.00	111.39	-	AD-09-0061* P-1	550	0FP	0 NFD / 0FD	No Farm, no H2O, Tract	-	no	no change
29	80.00	80.00	-	AD-09-0061* P-2	550	1NFP	2 NFD / 0FD	No Farm, no H2O, Tract	-	no	no change
30	80.00	80.00	-	AD-09-0061* P-3	550	1NFP	2 NFD / 0FD	No Farm, no H2O, Tract	-	no	no change
	1776.26	**796.70**				**4NFP**	**6 NFD / 1FD**				
/ I'L											
00	40.00	14.48	-		800	2NFP	2NFD		EX	yes	no change
02	40.00	13.24	-		800	2NFP	2NFD		EX	yes	no change
03	40.00	40.00	-		801	2NFP	2NFD		EX	yes	no change
02	160.40	160.40	-		800	0	0	No H2O, No F Income.	EX	yes	no change
03	80.00	79.69	VESTED	217-20-000410-PLNG (NF - vested)	800	2NFP	1NFV / 1NFD	Count in another Cat NFV	EX	yes	no change
06	161.17	134.60	-		800	0	0	No H2O, No F Income.	EX	yes	no change
09	40.00	40.00	-		800	LOR	1LOR D		LOR	yes	no change
11	20.00	0.01	-		801	1NFP	1NFD		EX	yes	no change
15	10.00	10.00	-		800	1NFP	1NFD		EX	yes	no change
16	20.00	20.00	-	217-22-000847-PLNG (ACC. STR.)	800	LOR	1LOR D		LOR	yes	no change
26	10.00	10.00	-		800	1NFP	1NFD		EX	yes	no change
27	40.00	40.00	2011	CU-10-0113 - NF	801	0	0	Existing Dw'g	EX	yes	no change
28	40.00	40.00	2007	C-CU-2347-07(NF)	809	0	0	Existing Dw'g	EX	yes	no change
00	40.00	40.00	2005	C-CU-2294-06(NF)	809	0	0	Existing Dw'g	-	no	no change
00	10.00	10.00	-		800	1NFP	1NFD		-	no	no change
00	10.00	10.00	2022	C-CU-2338-07(NF)	801	0	0	Existing Dw'g	-	no	no change
00	10.00	10.00	-		800	0	1NFD		EX	yes	no change
00	10.00	10.00	MH '63	AD-13-0270	809	0	1NFD		EX	yes	no change
00	80.00	80.00	-		800	2NFP	2NFD		EX	no	no change
	861.57	**762.42**				**14 NFP**	**15 NFD**				
	2,637.83	**1,559.12**				**2 LOR P**	**2 LOR D**				
ES											
	1,895.15	**1,647.70**									
	4,532.98	***3,206.82***									

			0									
			26									
			26									
			68									
			19									
			4									
			4									
			0									
			4									

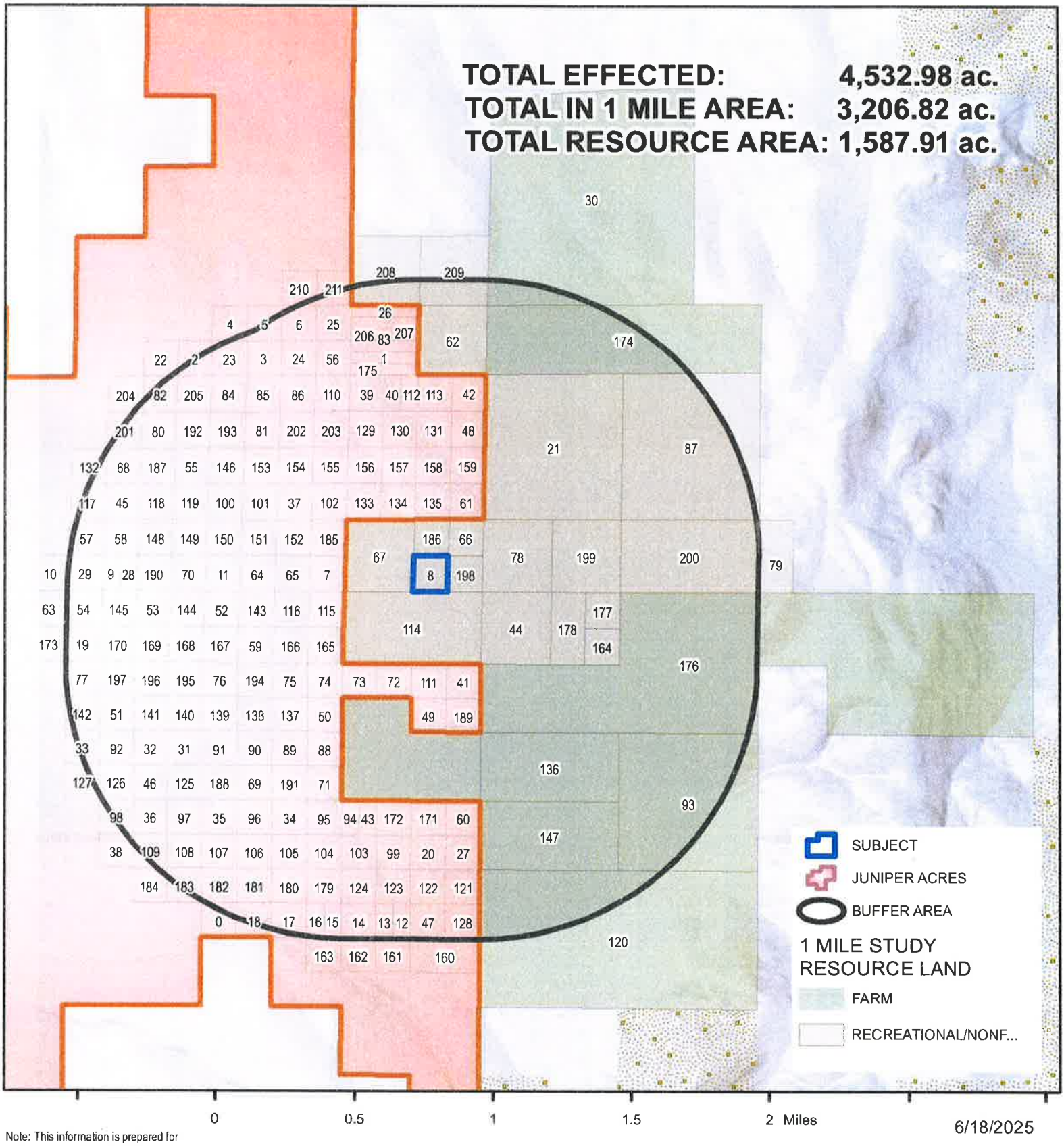
			0							0 %		
			4532.98						* Excludes Non-Resource Subdivisions (JA)			
			1895.15									
			0.00									

			0									
			26									
			1559.12									
			0									
			1									
			15									
				Net 9 NF Parcels								
			0									
			6									
			2									
			0									
			1									
			0									

			25, 24NF						Including Subject, one (1) new total.			
llings (2), Potential NFD's (15) Potential NFD's on Existing Parcels (6) Replacement (0), Expired NF CUP, (0),												
		06182025										

ption	Zone
mp	EFU1
mp	EFU1
mp	EFU1
mp	EFU1
mp	EFU1
mp	EFU1
.	EFU1
p	EFU1
p	EFU1
p	EFU1
p	EFU1
p	EFU1
p	EFU1
p	EFU1
p	EFU1
p	EFU1
itruc	EFU1
itruc	EFU1
p	EFU1
.	EFU1
p	EFU1
itruc	EFU1
p	EFU1

EXHIBIT G1 - 1 MILE STUDY AREA



6/18/2025

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.

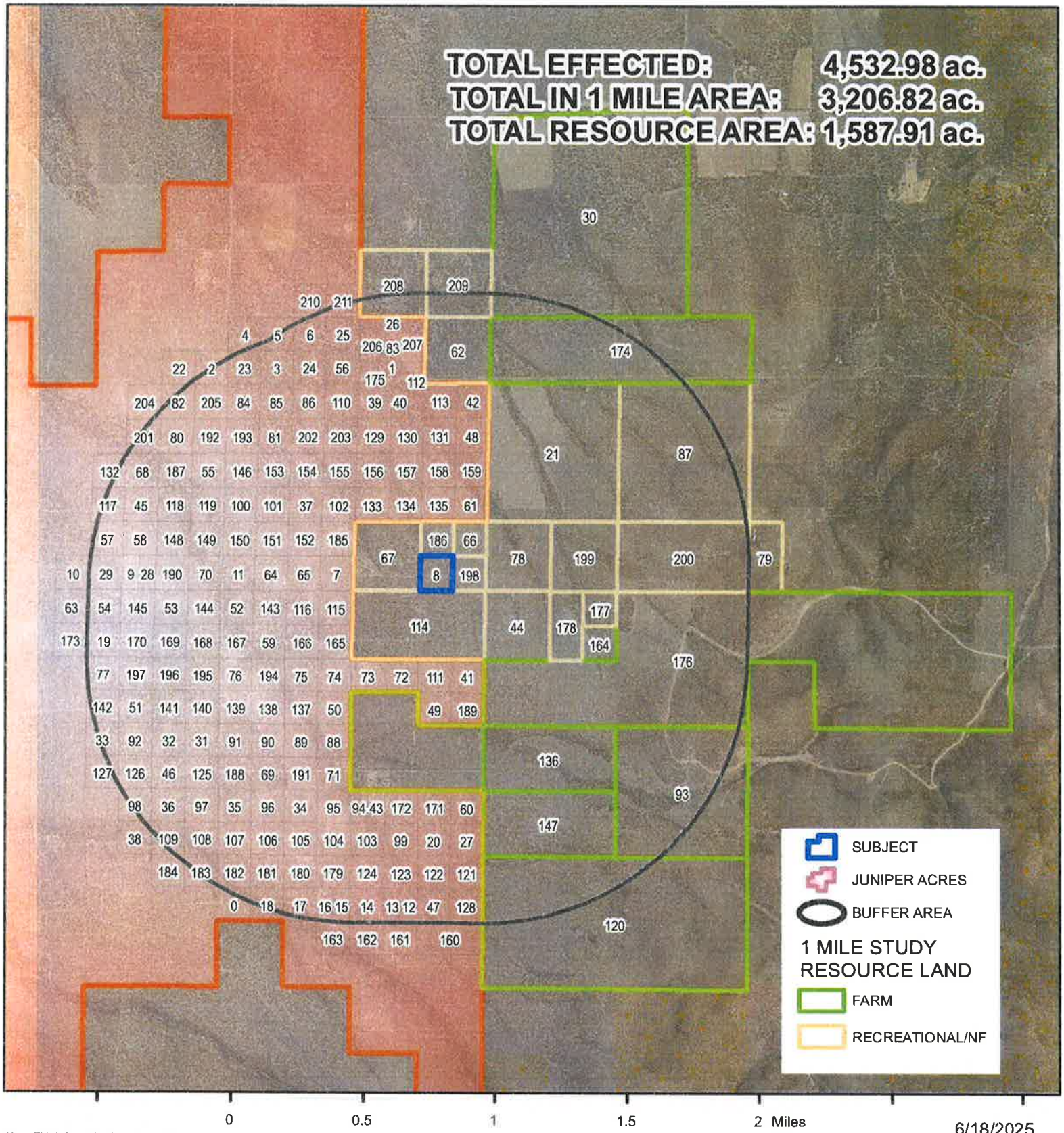
N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE

EXHIBIT G2 - 1 MILE STUDY AREA: AERIAL



6/18/2025

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.

N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE:

FARM				Soil Units	Soil Class	075	085	115	121	156	157	159	204	205	207	272	278
					Class	7s	7s	7s	6c	6c/6s	7e	6s/7s	7s	7s	7s	7/7s	4s/6c
1716000000703	160.00	94.62	-	204, 205, 207	7s								X	X	X		
1716000000712	356.26	14.92	-	204, 205, 207									X	X	96%		X
1816000000401	620.00	342.31	-	075, 085, 156, 157, 159, 205, 207, 272		X	X			X	X	X		X	X	X	
1816000000404	320.00	73.46	-	075, 085, 156, 207,		X	X			X					X		
1816000000405	160.00	111.39	-	075, 085, 156		X	X			X							
1816000000429	80.00	80.00	-	075		X											
1816000000430	80.00	80.00	-	075		X											
ACREAGE:	1776.26	796.70															
NON-FARM / RECREATIONA																	
1716000001800	40.00	14.48	-	204, 207									X		X		
1716000001802	40.00	13.24	-	204, 207									X		X		
1716000001803	40.00	40.00	-	204, 207									X		X		
1816000000402	160.40	160.40	-	075, 204, 207		X							X		X		
1816000000403	80.00	79.69	VESTED	N/A													
1816000000406	161.17	134.60	-	075, 085, 205, 272		49.8	2.6							45.6		2.0	
1816000000409	40.00	40.00	-	075, 205		X								X			
1816000000411	20.00	0.01	-	085, 205			X							X			
1816000000415	10.00	10.00	-	075		X											
1816000000416	20.00	20.00	-			X								X			
1816000000426	10.00	10.00	-	075, 204		X							X				
1816000000427	40.00	40.00	2011	N/A													
1816000000428	40.00	40.00	2007	N/A													
1816040004900	40.00	40.00	2005	N/A													
1816040005000	10.00	10.00	-	075, 204		X							X				
1816040005100	10.00	10.00	2022	N/A													
1816040005200	10.00	10.00	-	075		X											
1816040005300	10.00	10.00	Subject	075, 204		X							X				
1816040005400	80.00	80.00	-	075, 204, 205		X							X	X			
ACREAGE:	861.57	762.42															

Hannah Elliott

From: Robin Hayakawa <robin@colw.org>
Sent: Tuesday, July 15, 2025 9:45 AM
To: Plan
Subject: Application File No. 217-25-000233-PLNG - Inadequate Wildlife Density Study

Hi Crook County,

Central Oregon LandWatch is concerned that the above-referenced application fails to meet the approval criteria for a nonfarm dwelling in Crook County's General Deer Winter Range. Specifically, the application appears to conflict with Crook County Comprehensive Plan Wildlife Policy 2, which limits residential density within this range to no more than one dwelling per 80 acres.

We note that the Applicant's Wildlife Density Study improperly excludes dozens of properties zoned Exclusive Farm Use - Juniper Acres (EFU-JA). This exclusion is not justified. Wildlife Policy 2 applies to dwellings within the EFU-1 and EFU-JA zones. See CCC 18.112.051 Wildlife Policy Applicability, which states:

"All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County Comprehensive Plan."

This is significant because numerous EFU-JA parcels within the Applicant's study area are already developed with dwellings. Below are examples of EFU-JA zoned properties containing dwellings that should have been accounted for in the density study.

1. Map/Taxlot 1816040004000
2. Map/Taxlot 1816040004800
3. Map/Taxlot 1816090000600
4. Map/Taxlot 1816040003300
5. Map/Taxlot 1816040004300

This list is far from exhaustive. Overall, the density of dwellings in proximity to the subject property appears to already exceed the limits set by Wildlife Policy 2. Without an accurate and complete density study that includes all EFU-JA properties within one mile of the subject property, this application should be deemed incomplete or denied.

Thank you for considering these comments. Please notify us of any further decisions, hearings, or opportunities to comment on this application. Our address is:

Central Oregon LandWatch
2843 NW Lolo Dr., Suite 200
Bend, OR 97703

--

Robin Hayakawa

Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Dr. Ste. 200, Bend, OR 97703
541-647-2930 x807 | robin@colw.org

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

Kilpatrick
CONSULTING, LLC

LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES

CROOK COUNTY
JUL 21 2025
PLANNING DEPT

July 20, 2025

Crook County Community Development Department
Attn: Hannah Elliott
300 NE 3rd Street, Room 12
Prineville, Oregon 97754

Re: Site Plan Review – Non-farm Dwelling Application – 217-000233-PLNG

Dear Hannah,

For your review this is our response to the Central Oregon Land Watch letter of July 16, 2025.

As founding participants in the Potential Development Density Equation ((PDDE) process we are fully aware of the accepted practices relative to density studies in Crook County. In 2011-2012 we worked with County planning staff and County legal counsel to help establish the methodology for making proper density evaluations. One of the standard practices that has evolved since that time is the exclusion of non-resource lands and subdivisions as mapped by Crook County GIS. To provide some assistance to staff we have included four (4) examples of our approved applications using the same methodology that has been the standard for making such determinations by the local governing body. They are listed below as follows:

1)	2017	VXR LLC	LP-217-000156-PLNG	2 NF Parcels / 1 NF Dwelling
2)	2018	Pearson	217-000307-PLNG	1 NF Dwelling on Existing Parcel
3)	2020	Mason	217-000410-PLNG	1 NF Dwelling on Existing Parcel
4)	2021	Pieratt	217-000612-PLNG	1 NF Dwelling
			217-000614-PLNG	1 NF Dwelling
			217-000611-PLNG	1 NF Partition

We have also included a revised PDDE map exhibit and PDDE Statement that more clearly lists the exclusion of Juniper Acres, a pre-land use subdivision established in 1962. The subject property is not within Juniper Acres and is located to the east of the subdivision.

In addition, we include the following statement as stated in the latter of explanation; "…Duke and Dana Settle wish to place a new dwelling on their 10-acre parcel in a portion of the county where many of the properties consist of unsuitable Class 7 soils." All the potentially eligible parcels in this study area consist of Class 7 soils as does most of the Juniper Acres Subdivision.

Thank you for your consideration in this matter. Best regards,

Craig Kilpatrick,
Land Use Consultant

13790 Northwest O'Neil Highway • Redmond, Oregon • 97756

Settle – Wildlife Density Study
Potential Development Density Equation (PDDE) Statement
Crook County EFU-1 Revised July 20, 2025

The applicant submits the following calculation data to determine the Potential Development Density Equation (PDDE) for existing parcel within a Crook County Wildlife Area (big game habitat).

1. One Mile Study Area – Wildlife Density Map – The Settle application identifies an area measured approximately one mile from the existing single parcel which measures 10-acres in size. The Wildlife Density Map includes lands only within Crook County. The enclosed GIS map indicates a "One Mile Study Area" within Crook County of approximately 4,532.98-acres of which **1,559.12- acres** are listed as resource land and lay within one-mile. The applicant has subtracted a total of approximately 2,973 non-resource acres located in Juniper Acres (JA) zone, the Juniper Acres Subdivision, a committed area leaving the 1,559.12-acres for the purpose of this calculation. The general deer wintering range is the only big game habitat that is germane to this application. All the study area is located within the general deer wintering range. None of the study area is located within the critical deer wintering range. A small portion (13-acres) of the affected area lies with the Elk Winter Range to the southeast. See attached One Mile Study Area Map Exhibit for PDDE.

2. The Density Calculation: The number of potential dwellings for the subject property density study is calculated as follows:

A) The total acreage for calculation in the one-mile study area that is resource land within the general deer wintering range is approximately **1,559-acres** including the subject parcel measuring 10-acres. County policy states that new residences within the general deer wintering range shall not have a density of more than one residence per 80 acres.

1,559 divided by **80** = **19.49** potential dwellings within the general deer wintering range. Rounded down to the nearest whole number equals **19 allowable dwellings.** The proposed dwelling will be in the general winter deer range.

3. The Existing Dwellings Calculations: The next procedure is to determine the number of existing and approved dwellings in the one-mile study area that are located within the deer wintering range.

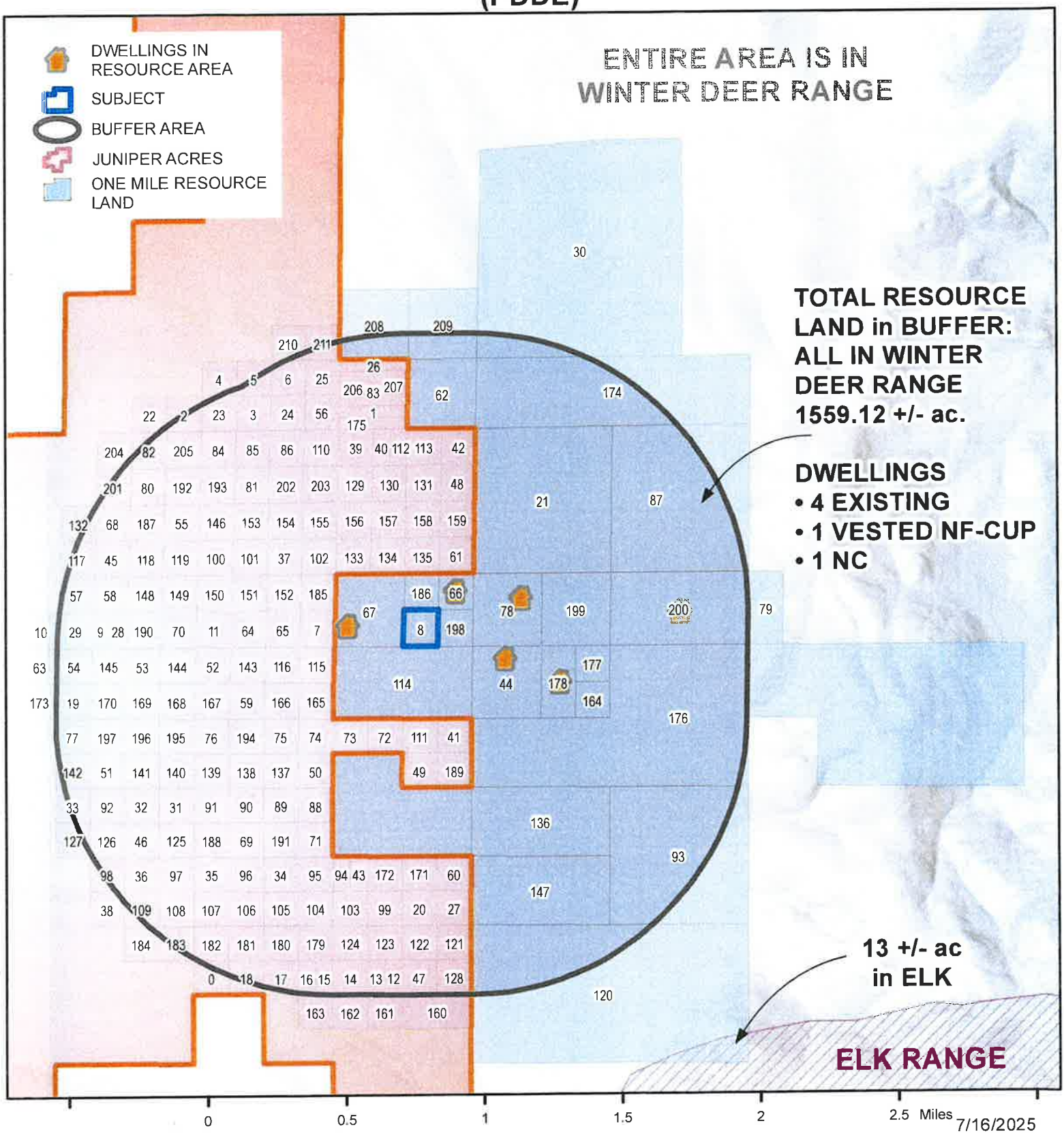
A) Deer Wintering Ranges: A thorough examination of Crook County records/maps show that there are presently a total of 4 dwellings within the General Deer Wintering Range.

The total number of the applicable existing dwellings on resource parcels in the Study Area, General Winter Deer Range:	4
The total number of the applicable existing dwellings on parcels in the Study Area, Elk Range.	0
The total number of approved EFU-1 residences:	0
The total number of approved, vested EFU-1 residences:	1
The total number of proposed non-farm residences, including subject application:	1
Total:	**6**

6 total dwellings = 32% of the maximum allowable density of 19 allowable residences.

This result meets the criteria expressed in Crook County Wildlife Policy 2 as determined by these calculations and illustrated by the accompanying map exhibit. Wildlife Policy 3 is not applicable as the subject property is not within the Elk Range.

EXHIBIT F - POTENTIAL DEVELOPMENT DENSITY EQUATION (PDDE)



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.

N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541.447.2724

June 19, 2012

Potential Development Density Equation (PDDE) Statement
Used in conjunction with existing non-farm dwelling CUP for proposed parcel.

The applicant submits the following calculation data in order to determine the Potential Development Density Equation (PDDE) for single properties within Crook County Wildlife Zone on a portion of the subject property.

1. Map Exhibit K – Wildlife Density Calculation Map identifies and area measured one mile from the perimeter of the proposed non-farm parcels (combined, because they are separate). The map indicates and area with Crook County of approximately 3,089 acres, a portion of which, approximately 1,015 is located within the General Deer Winter Range. Note: Proposed Parcel # 1 is the remaining "Parent Parcel."

2. The Density Calculation: The number of dwellings for the Russell application is calculated as follows:

The total acreage for the One Mile Area (Crook County) is 3,088.83 acres including the subject proposed parcels measuring a total of 10 acres.
The total acreage within the One Mile Area (Crook County) that is within the General Winter Deer Range is 1,014.87 acres.
In this part of Crook County the General Winter Deer Range minimum parcel size is 80 acres.
1,014.87 acres including the subject 10 acres = 1,014.87 acres divided by 80 = 12.68 potential dwellings on average.
Rounded down to the nearest number = 12 dwellings.

3. The Existing Dwellings Calculation: The next procedure is to determine the number of existing dwellings in the One Mile Area as measured from the proposed parcel perimeter. The applicant's "One Mile Study Data" sheets include a complete listing of all parcels within the One Mile Area.

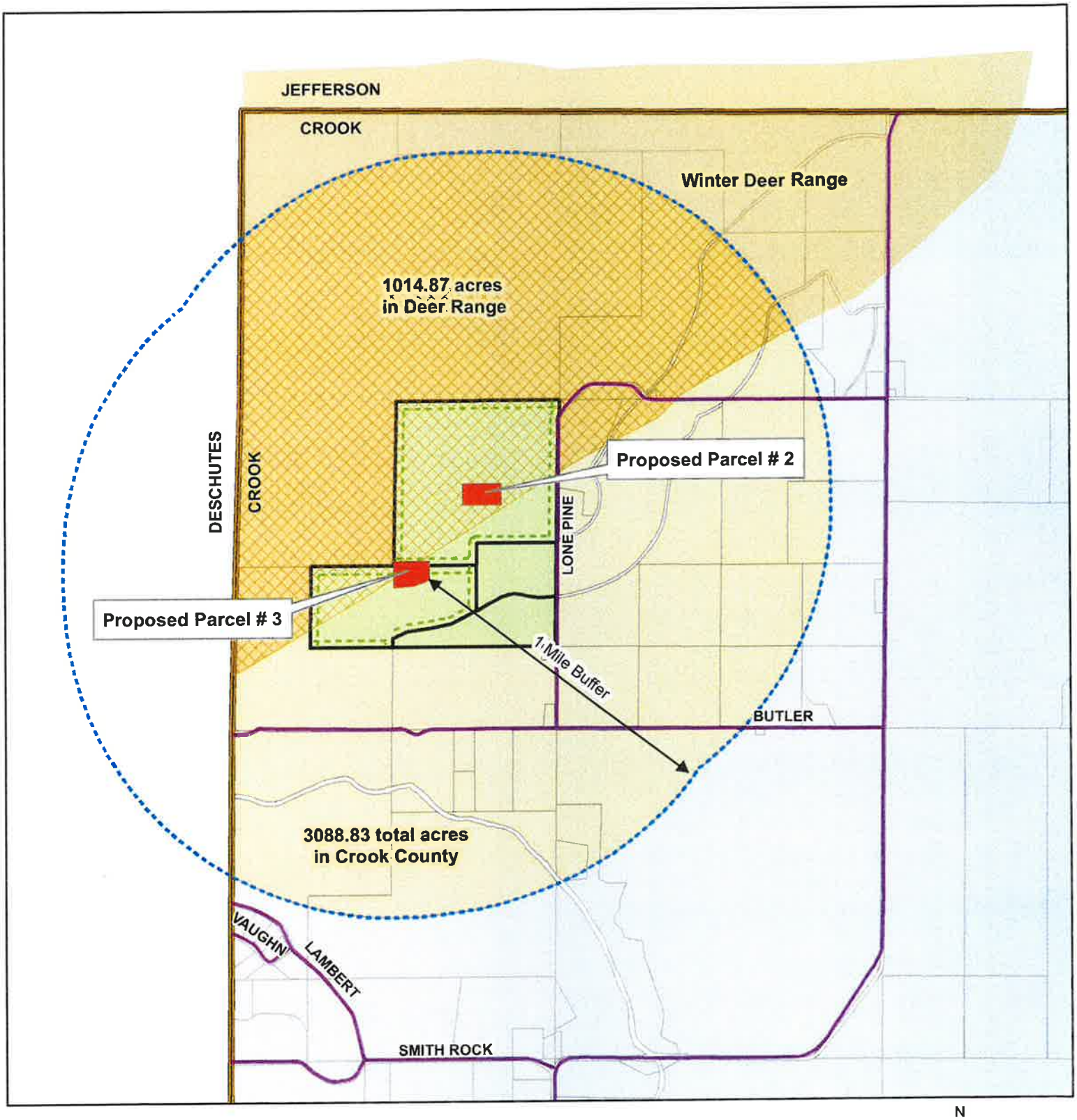
The total number of existing dwellings, including proposed, within deer range	4
The total number of approved non-farm parcels:	0
The total number of dwellings following this approval, remains:	**4**

or **33.3%** of the maximum density of 12 dwellings.

This calculation and accompanying data meets the criteria expressed in Crook County Wildlife Policy 2.

Craig Kilpatrick
Owner's representative

EXHIBIT K - WILDLIFE RANGE DENSITY CALCULATION MAP



RUSSELL PROPERTY - CROOK COUNTY

N
W E
S

T14S, R14E, Sec. 7 TL 100 - 33.03 ac.; TL 101 - 148.19 ac. SUBJECT; ----
" " TL 102 - 26.57 ac.; TL 200 - 69.64 ac. SUBJECT ----

Kilpatrick DESIGNS
LAND USE CONSULTING
RESIDENTIAL DESIGN
541-447-2724 • ckrimrock@yahoo.com

Disclaimer: This information is prepared for reference purposes only and should not be used, and is not intended for, survey or engineering purposes.

April 30, 2017
VXR LLC Density Study
Potential Development Density Equation (PDDE) Statement
Crook County EFU -1, West County Area

The applicant submits the following calculation data in order to determine the Potential Development Density Equation (PDDE) for existing parcel within a Crook County Wildlife Area (big game habitat).

1. One Mile Study Area – Wildlife Density Map – VXR LLC application identifies an area measured one mile from the existing single parcel which will include the entire area of both proposed parcels measuring a total of 80.43 acres. The Wildlife Density Map includes lands within Crook County and a smaller area within Deschutes County. The enclosed GIS map indicates a "One Mile Study Area" within Crook County of approximately 3,010 acres and within Deschutes County, an area of approximately 42.0 acres for a total of 3,067 acres. This total includes roads (approximately 15 acres). A portion of the one mile study area measuring approximately 2,368.18 acres is located within the Deer Wintering Area (in Crook County only). The applicant has subtracted a total of 126.04 acres from the study area that is either non-resource (54.18 acres, the RAC zone) or a committed area (71.86 acres in the 1972 Willard Estates Subdivision) leaving an area of **2,242.14 acres** for the purpose of this calculation. The study identifies 293.0 acres that are located within the Antelope area. The deer wintering area is the only area germane to this equation. See attached One Mile Study Area for PDDE.

2. The Density Calculation: The number of potential dwellings for the VXR LLC property Density Study is calculated as follows:

The total acreage for calculation in the one mile study area (only in Crook County) that is within the deer wintering area is approximately 2,242.14 acres including the subject parcel measuring 80.43 acres. County policy states that deer wintering areas located in the West County Area shall not have a density of more than one residence per 80 acres. There is no such requirement for the Antelope Range.
2,242.14 acres divided by 80 = 28.03 potential dwellings within Deer Wintering Area dwellings. Rounded down to the nearest whole number equals **28 potential dwellings**.

3. The Existing Dwellings Calculation: The next procedure is to determine the number of existing dwellings in the one mile study area that are also located within the Deer Wintering Area. A thorough examination of Crook County records/maps show that there are presently a total of 7 dwellings on the Wildlife Density Map located within the Deer Wintering Area.

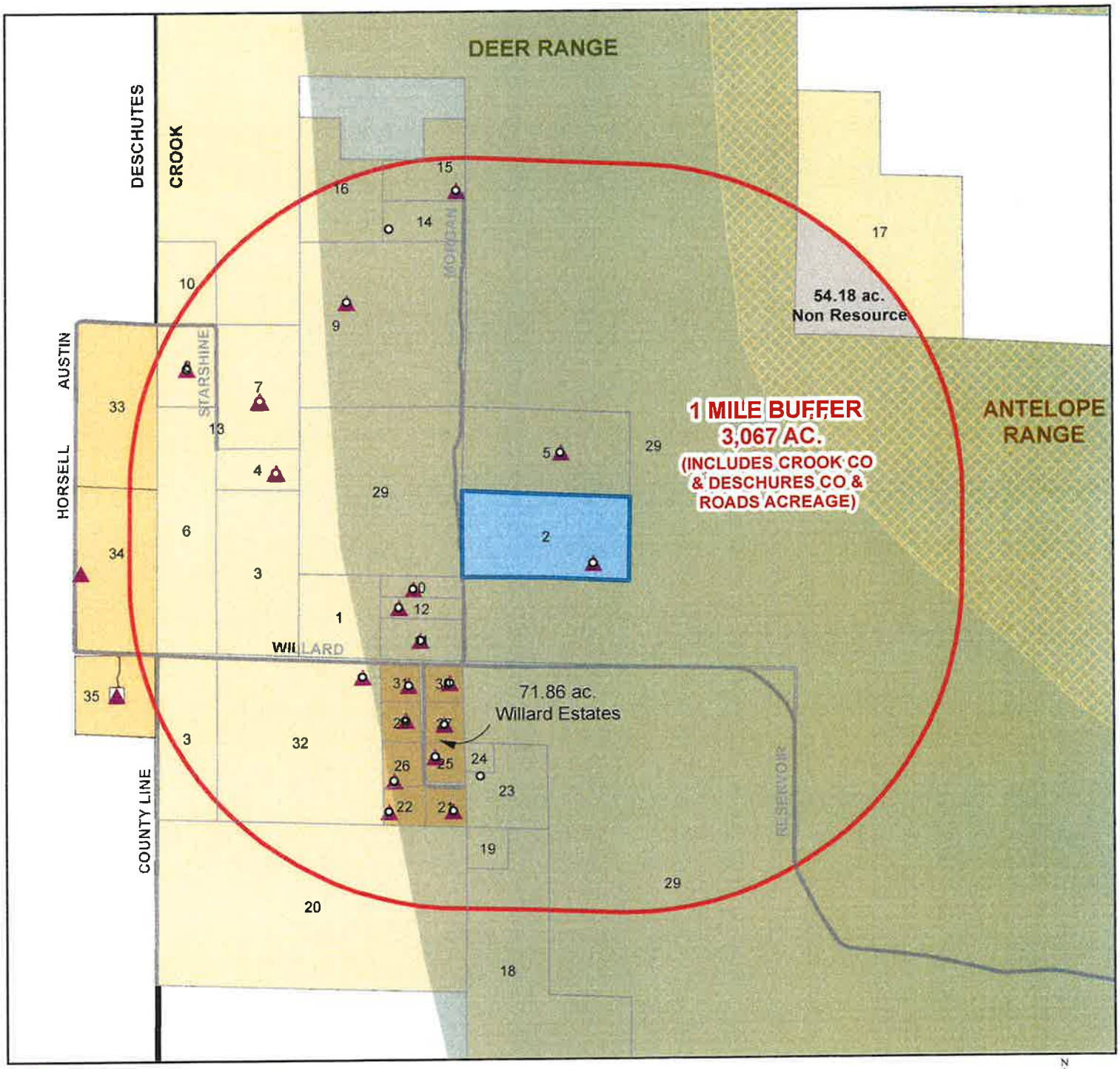
The total number of existing dwellings on parcels in the Study Area /Deer area:	7
The total number of potential non-farm dwellings including the subject:	11
The total number of potential dwellings on existing parcels:	3
The total number of potential dwellings on lots of record:	1
Total:	**22**

22 total dwellings = 79% of the maximum allowable density of 28 dwellings.

This calculation and accompanying map exhibit meets the criteria expressed in Crook County Wildlife Policy. Note: There is no likely potential for farm dwellings within the deer range.

One Mile Study Area

Potential Development Density Equation (PDDE)



VXR, LLCProperty
1 Mile Study Area
Crook Tax Lots in 1 mile study area
Deschutes Tax Lots in 1 mile study area
Antelope Ranges
Deer Ranges
Dwellings

0 0.125 0.25 0.5 0.75 1 Miles

N W E S

Date: 5/23/2017

VRX LLC PROPERTY

17 15 (00) TL1101 - 80.43 ac.
CROOK COUNTY, OREGON
LOCATED IN ALFALFA AREA

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
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
541.447.2724 OFFICE

January 22, 2018
Pearson Density Study
Potential Development Density Equation (PDDE) Statement
Crook County EFU -1

The applicant submits the following calculation data in order to determine the Potential Development Density Equation (PDDE) for existing parcel within a Crook County Wildlife Area (big game habitat).

1. One Mile Study Area – Wildlife Density Map – The Pearson application identifies an area measured one mile from the existing single parcel which will include the entire area proposed for a non-farm dwelling measuring 79.4 acres. The Wildlife Density Map includes lands only within Crook County. The enclosed GIS map indicates a "One Mile Study Area" within Crook County of approximately **3,042.89** acres. The entire one-mile study area is located within the General Deer Wintering Area. The applicant has subtracted a total of **232.94** acres from the study area that are in a committed 1962 subdivision, Juniper Acres leaving an area of **2,810.52** acres for the purpose of this calculation. The general deer wintering range is the only big game habitat area germane to this equation. See attached One Mile Study Area Map Exhibit for PDDE.

2. The Density Calculation: The number of potential dwellings for the Pearson property density study is calculated as follows:

The total acreage for calculation in the one-mile study area that is within the deer wintering area is approximately **2,810.52** acres including the subject parcel measuring 79.4 acres. County policy states that deer wintering areas located in the general deer wintering range shall not have a density of more than one residence per 80 acres.

2,810.52 acres divided by **80** = **35.13** potential dwellings within Deer Wintering Area dwellings. Rounded down to the nearest whole number equals **35 potential dwellings**.

3. The Existing Dwellings Calculation: The next procedure is to determine the number of existing dwellings in the one mile study area that are also located within the Deer Wintering Area. A thorough examination of Crook County records/maps show that there is presently a total of 2 dwellings on the Wildlife Density Map located within the General Deer Wintering Area.

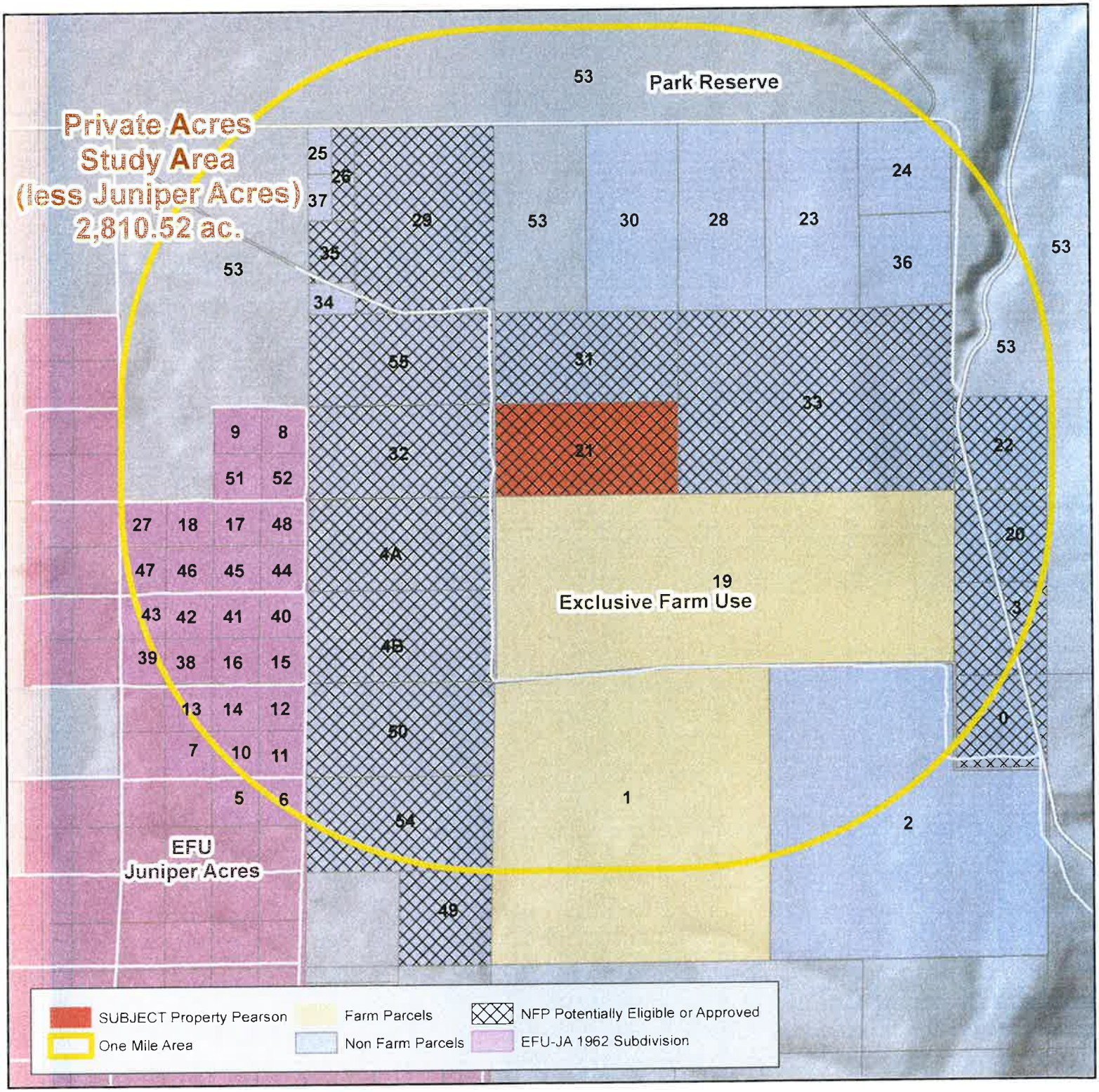
The total number of the applicable existing dwellings on parcels in the Study Area /General Deer Wintering Range, Non-farm Dwellings:	2
The total number of Vacant, Approved Non-Farm Dwellings	4
The total number of potential Non-farm dwellings on existing parcels:	6
The total number of Vested CUP for Non-farm dwellings:	1
The total number of Potential Non-Farm Dwellings on Parcel w Class 7 soils:	3
The total number of existing Farm dwellings:	1
The total number of potential Farm dwellings:	1
	Total: 18

18 total dwellings = 51% of the maximum allowable density of 35 potential dwellings.

This result meets the criteria expressed in Crook County Wildlife Policy 2 as determined by these calculations and illustrated by the accompanying map exhibit.

EXHIBIT F - ONE MILE STUDY AREA

Potential Development Density Equation (PDDE)



Note: This information is prepared for reference purposes only and should not be used, and is not intended for, survey or engineering purposes.

PEARSON PROPERTY

T17S, R16E, Sec (27) Tax Lot 1000 - 79.40 ac.

Located in the Juniper Acres/Bear Creek area
Crook County, Oregon

Kilpatrick
CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
541.447.2724 OFFICE

April 20, 2020
Mason Density Study
Potential Development Density Equation (PDDE) Statement
Crook County EFU -1

The applicant submits the following calculation data in order to determine the Potential Development Density Equation (PDDE) for existing parcel within a Crook County Wildlife Area (big game habitat).

1. One Mile Study Area – Wildlife Density Map – The Mason application identifies an area measured one mile from the existing single parcel which will include the entire area proposed for a non-farm dwelling, a parcel measuring 80.0 acres. The Wildlife Density Map includes lands only within Crook County. The enclosed GIS map indicates a "One Mile Study Area" within Crook County of approximately **3,013.42** acres. The entire one-mile study area is located within the General Deer Wintering Area. The applicant has subtracted a total of **208.35** acres from the study area that are in a committed 1962 subdivision, Juniper Acres leaving an area of approximately **2,801.47** acres for the purpose of this calculation. The general deer wintering range is the only big game habitat area germane to this equation. See attached One Mile Study Area Map Exhibit for PDDE.

2. The Density Calculation: The number of potential dwellings for the Mason property density study is calculated as follows:

The total acreage for calculation in the one-mile study area that is within the deer wintering area is approximately **2,801.47** acres including the subject parcel measuring 80 acres. County policy states that deer wintering areas located in the general deer wintering range shall not have a density of more than one residence per 80 acres.

2,801.47 acres divided by **80** = **35.01** potential dwellings within Deer Wintering Area dwellings. Rounded down to the nearest whole number equals **35 allowable dwellings.**

3. The Existing Dwellings Calculation: The next procedure is to determine the number of existing dwellings in the one-mile study area that are also located within the Deer Wintering Area. A thorough examination of Crook County records/maps show that there is presently a total of **11** dwellings on the Wildlife Density Map located within the General Deer Wintering Area.

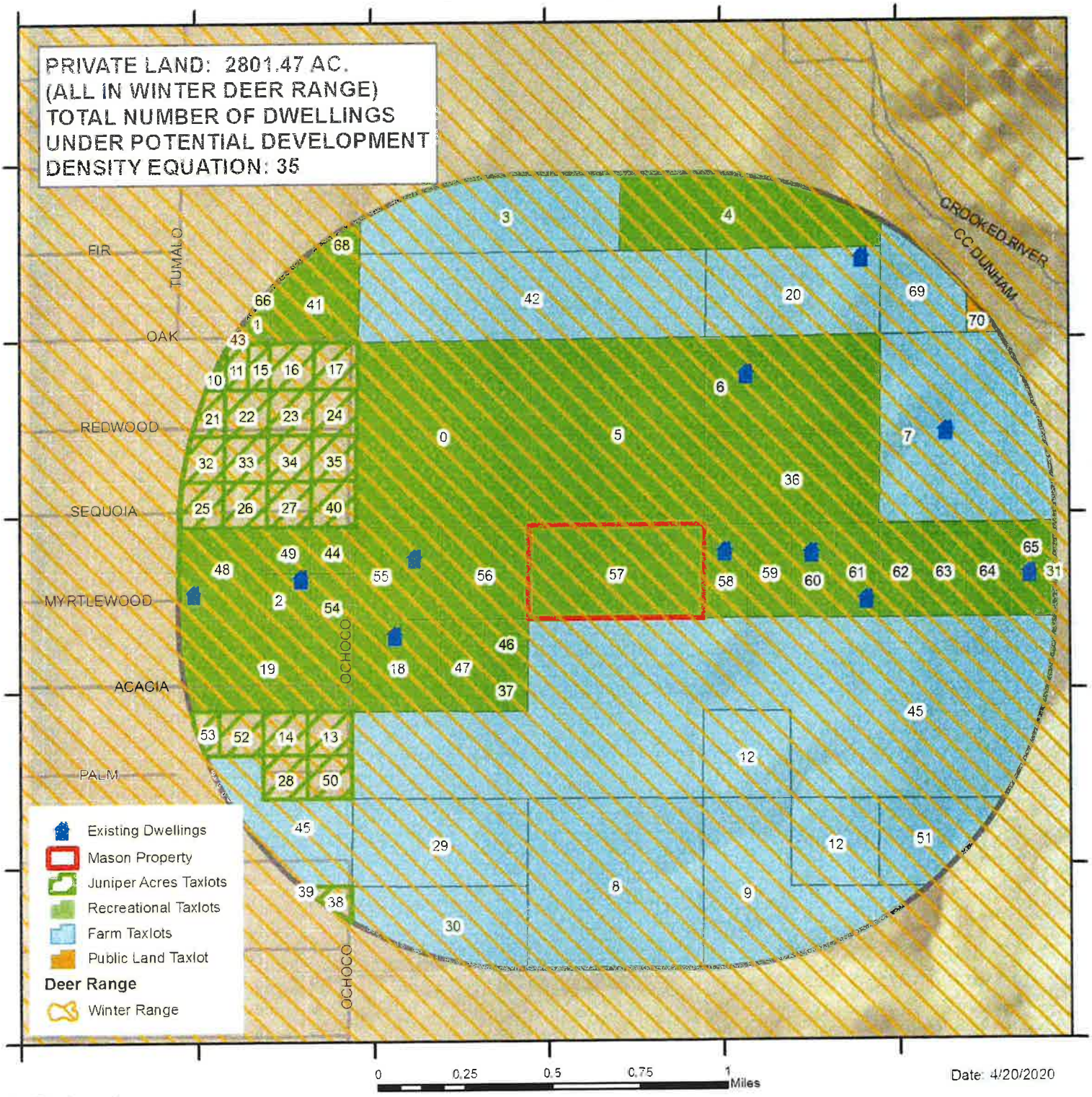
The total number of the applicable existing dwellings on parcels in the Study Area /General Deer Wintering Range:	
The total number of Non-farm Dwellings:	10
The total number of Vacant, Approved Non-Farm Dwellings	0
The total number of potential Non-farm dwellings on existing parcels:	11
The total number of Vested CUP for Non-farm dwellings:	0
The total number of potential Lot of Record dwellings	7
The total number of existing Farm dwellings:	2
The total number of potential Farm dwellings:	1
	Total: 31

31 total dwellings = 89% of the maximum allowable density of 35 potential dwellings.

This result meets the criteria expressed in Crook County Wildlife Policy 2 as determined by these calculations and illustrated by the accompanying map exhibit.

EXHIBIT F - ONE MILE STUDY AREA

Potential Development Density Equation (PDDE)



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.

N

MASON PROPERTY

1816000000403 - 80.00 ac.
Located east of Juniper Acres in EFU 1
Crook County, Oregon

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541.447.2724

July 19, 2021
Pieratt Density Study
Potential Development Density Equation (PDDE) Statement
Crook County EFU -1

The applicant submits the following calculation data in order to determine the Potential Development Density Equation (PDDE) for existing parcel within a Crook County Wildlife Area (big game habitat).

1. One Mile Study Area – Wildlife Density Map – The Pieratt application identifies an area measured one mile from the existing single parcel which will include the entire area proposed for two non-farm dwellings, a parcel measuring 640.0 acres. The Wildlife Density Map includes lands only within Crook County. The enclosed GIS map indicates a "One Mile Study Area" within Crook County of approximately 4,870.83 excluding acres in Juniper Acres (JA) zone. The entire one-mile study area is located within the General Deer Wintering Area. The general deer wintering range is the only big game habitat area germane to this equation. There are 906.13 privately owned EFU-1 acres within the one-mile study area. There are 345.51-acres located in the JA – Juniper Acres zone, a non-resource zone, those acres are not counted for the purposes of this study. See attached One Mile Study Area Map Exhibit for PDDE.

2. The Density Calculation: The number of potential dwellings for the Pieratt property density study is calculated as follows:

The total acreage for calculation in the one-mile study area that is within the deer wintering area is approximately **4,870.83** acres including the subject parcel measuring 640 acres. County policy states that deer wintering areas located in the general deer wintering range shall not have a density of more than one residence per 80 acres.

4,870.83 acres divided by **80** = **60.89** potential dwellings within Deer Wintering Area dwellings. Rounded down to the nearest whole number equals **60 allowable dwellings.**

3. The Existing Dwellings Calculation: The next procedure is to determine the number of existing dwellings in the one-mile study area that are also located within the Deer Wintering Area. A thorough examination of Crook County records/maps show that there is presently a total of zero (**3**) dwellings on the Wildlife Density Map located within the General Deer Wintering Area.

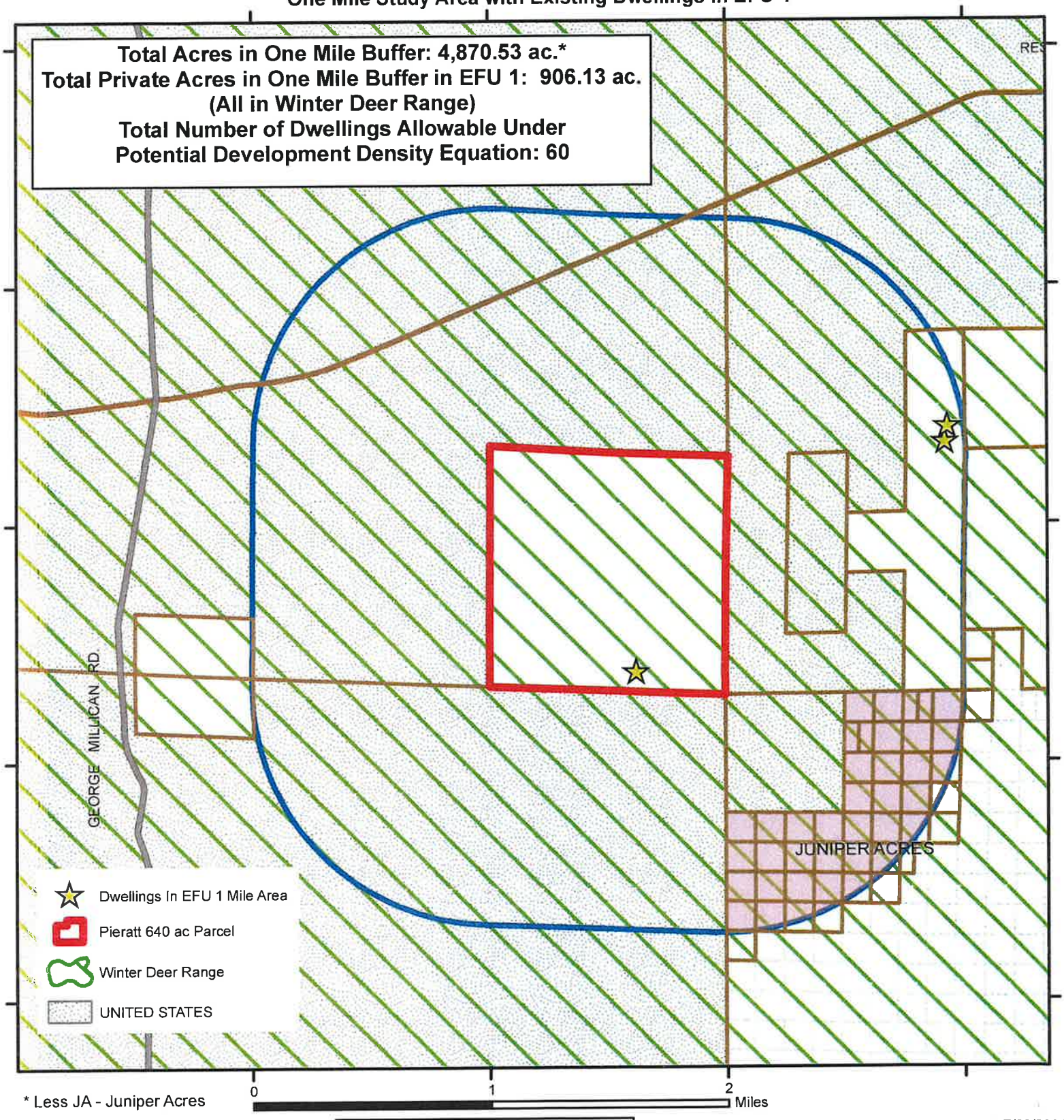
The total number of the applicable existing dwellings on parcels in the Study Area /General Deer Wintering Range:	
The total number of Non-farm Dwellings:	1
The total number of Vacant, Approved Non-farm Dwellings	0
The total number of potential Non-farm dwellings on existing parcels:	1
The total number of proposed Non-farm dwellings on proposed parcels	2, subject
The total number of Vested CUP for Non-farm dwellings:	0
The total number of potential Lot of Record dwellings	0
The total number of existing Farm dwellings:	2
The total number of potential Farm dwellings:	1
Total:	7

7 total dwellings = 12% of the maximum allowable density of 60 potential dwellings.

This result meets the criteria expressed in Crook County Wildlife Policy 2 as determined by these calculations and illustrated by the accompanying map exhibit.

EXHIBIT G - POTENTIAL DEVELOPMENT DENSITY EQUATION (PDDE)

One Mile Study Area with Existing Dwellings in EFU-1



* Less JA - Juniper Acres

CURT PIERATT
1715000002000 640.00 AC.
2500 SW RESERVIOR RD
PROP CLASS - 809
RECREATIONAL MANUF.

Date: 7/20/2021

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.

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541.447.2724

From: Robin Hayakawa <robin@colw.org>
Sent: Tuesday, July 15, 2025 9:45 AM
To: Plan <plan@crookcountyor.gov>
Subject: Application File No. 217-25-000233-PLNG - Inadequate Wildlife Density Study

Hi Crook County,

Central Oregon LandWatch is concerned that the above-referenced application fails to meet the approval criteria for a nonfarm dwelling in Crook County's General Deer Winter Range. Specifically, the application appears to conflict with Crook County Comprehensive Plan Wildlife Policy 2, which limits residential density within this range to no more than one dwelling per 80 acres.

We note that the Applicant's Wildlife Density Study improperly excludes dozens of properties zoned Exclusive Farm Use - Juniper Acres (EFU-JA). This exclusion is not justified. Wildlife Policy 2 applies to dwellings within the EFU-1 and EFU-JA zones. See CCC 18.112.051 Wildlife Policy Applicability, which states:

"All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County Comprehensive Plan."

This is significant because numerous EFU-JA parcels within the Applicant's study area are already developed with dwellings. Below are examples of EFU-JA zoned properties containing dwellings that should have been accounted for in the density study.

1. Map/Taxlot 1816040004000
2. Map/Taxlot 1816040004800
3. Map/Taxlot 1816090000600
4. Map/Taxlot 1816040003300
5. Map/Taxlot 1816040004300

This list is far from exhaustive. Overall, the density of dwellings in proximity to the subject property appears to already exceed the limits set by Wildlife Policy 2. Without an accurate and complete density study that includes all EFU-JA properties within one mile of the subject property, this application should be deemed incomplete or denied.

Thank you for considering these comments. Please notify us of any further decisions, hearings, or opportunities to comment on this application. Our address is:

Central Oregon LandWatch
2843 NW Lolo Dr., Suite 200
Bend, OR 97703

--

Robin Hayakawa
Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Dr. Ste. 200, Bend, OR 97703
541-647-2930 x807 | robin@colw.org

RECORD # 217 - 25 - 000 233 PLNG-D1

Crook County Community Development/ Planning Division
300 NE 3rd Street, Room 12, Prineville Oregon 97754
Phone: 541-447-3211
plan@co.crook.or.us
www.co.crook.or.us

APPEAL PETITION TO PLANNING COMMISSION or COUNTY COURT

CROOK COUNTY
AUG 27 2025
COMMUNITY DEVELOPMENT

Appellant Information

Last Name: Central Oregon LandWatch First Name:

Mailing Address: 2843 NW Lolo Drive, Suite 200

City: Bend State: OR Zip: 97703

Day-time phone: (541) 647 - 2930 x807 Cell Phone: ( ) -

Email: robin@colw.org

If group, name of representative: Robin Hayakawa

Land Use Application Being Appealed: (file number) 217-25-000233

Property Description: Township 18 Range 16 Section 04000 Tax lot(s) 5300

Appellant's Signature: Robin Date: 8/26/2025

I/We, the undersigned, wish to appeal the decision made by the Crook County Planning Commission regarding application no. 217-25-000233-PLNG, that a final decision was made on the 15 day of August, 2025.

EVERY NOTICE OF APPEAL SHALL INCLUDE:

1. The appeal shall be in writing and shall contain:
   a. Name, signature, and address of the appellant(s).
   b. Reference to the application title and case number, if any;
2. A statement of the nature of the decision:
   a. A statement of the specific grounds for the appeal, setting forth the error(s) and the basis of the error(s) sought to be reviewed: and
   b. A statement as to the appellant's standing to appeal as an affected party.
3. Proper filing fee in accordance with Section 18.172.050.
4. If the decision appealed from is a decision made without a hearing or without notice to area property owners, written notice of appeal must be filed within twelve (12) calendar days of the date written notice of the decision is mailed to those entitled to such notice. With respect to all other appeals, written notice of appeal must be filed within 10 calendar days of the date written notice of the decision is mailed to those entitled to decision. If the last day

of the appeal period falls on a Saturday, Sunday or legal holiday, the notice of appeal is due on the next business day.

5. An appeal shall be filed:
    a. With the County Court for appeals from final decisions by the Planning Commission;
    b. With the Planning Commission for appeals from final decisions by the Planning Director or Planning Department staff; and
    c. Shall cite the specific "Zoning Ordinance Section" and "Comprehensive Plan Policies" alleged to be violated.

The Notice of Appeal must include the items listed above. Failure to complete all of the above will render an appeal invalid. Any additional comments should be included on the Notice of Appeal.

TRANSCRIPT: The appellant must provide a copy of the transcript of the proceedings (at the appellants' expense) appealed to the County Planning Department not less than seven (7) calendar days before the hearing date set by the County Court or Planning Commission.

SCOPE AND STANDARD OF REVIEW OF APPEAL: An appeal to the County Court is not a new hearing; it is a review of the decision. Subject to the exception in paragraph (6) below, the review of the final decision shall be confined to the record of the proceeding below, which shall include, if applicable:

1. All material, pleadings, memoranda, stipulations, and motions submitted by any party to the proceeding and received by the Commission or Court as evidence.

2. All material submitted by Crook County Staff with respect to the application.

3. The transcript of the Planning Commission hearing(s).

4. The written final decision of the Commission and the petition of appeal.

5. Argument (without introduction of new or additional evidence) by parties or their Legal representative.

6. The appellate body may, at its option, admit additional testimony and other evidence from an interested party or party of record to supplement the record of prior proceedings. The record may be supplemented by order of the appellate body upon written motion by a party. The written motion shall set forth with particularity, the basis for such request and the nature of the evidence sought to be introduced. Prior to supplementing the record, the appellant body shall provide an opportunity for all parties to be heard on the matter. The appellate body may grant the motion upon a finding that the supplement is necessary to take into consideration the inconvenience of locating the evidence at the time of initial hearing, with such inconvenience not being the result of negligence or dilatory act by the moving party.

An appeal from the Planning Director or Planning Department staff to Planning Commission shall be de novo; meaning that the burden of proof remains with the applicant and that new testimony and

evidence, together with the existing Planning Department file, may be received at the hearing on the appeal.

STANDARD OF REVIEW ON APPEAL: The burden of proof remains with the applicant. The burden is not met by merely showing that the appellate body might decide the issue differently.

APPELLATE DECISION: Following the hearing of the appeal, the appellate body may affirm, overrule, or modify the Planning Commission's final decision.

This appeal is made pursuant to Section 18.172.110 of the Crook County Code. The required fee has been received by the Crook County Planning Department as the filing fee for this appeal.

I / We are appealing the decision for the following reasons: (be specific)

1. CCC 18.16.040(7) - The decision does not demonstrate compliance with Wildlife Policy 2 of the Crook County comprehensive plan because the potential development density equation excludes numerous EFU-JA zoned properties already developed with dwellings.

2. CCC 18.16.040(7) - The decision is further inadequate to demonstrate compliance with Wildlife Policy 2 because it fails to account for EFU-1 zoned properties within the study area developed with dwellings, including the subject property itself.

Central Oregon LandWatch has standing to appeal this land use decision pursuant to CCC 18.172.110(6)(b) because we offered substantive comment in opposition the application in an email dated July 15, 2025.

Name (print)	**Signature**	**Address**
Robin Hayakawa		2843 NW Lolo Drive, Suite 200, Bend, OR 97703

(If additional space is needed attach another sheet)

Each party that authorizes the "Representative" to speak on their behalf must submit a letter stating so, which is signed, dated, and attached to this appeal.

Hannah Elliott

From: Katie McDonald
Sent: Tuesday, November 4, 2025 8:16 AM
To: Hannah Elliott
Subject: Fw: Settle Appeal
Attachments: Wildlife_Supplement Staff 11.3.25 Final.docx

From: Craig & Cathy Kilpatrick <ckrimrock@yahoo.com>
Sent: Monday, November 3, 2025 2:17 PM
To: Katie McDonald <Katie.McDonald@crookcountyor.gov>
Subject: Settle Appeal

Katie,

Attached is our final Final Wildlife Supplement document, comments for the file.

Thank you for adding this to the Settle Appeal file and for your consideration,

Craig K

Kilpatrick Consulting LLC
Land Use Consultants
13790 NW O'Neil Highway
Redmond, OR 97756
(541) 447-2724 - Office

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

Nonfarm Dwelling – Planning Staff (Settle / TL 5300, EFU-1)

Wildlife – Clarification of Wildlife Policy 2 and Study Area Application

Purpose

This document provides further background and interpretation of Crook County Comprehensive Plan Wildlife Policy 2 and its implementation under CCC 18.16.040(5) as applied to a non-farm dwelling proposal on EFU-1 land near the EFU-JA (Juniper Acres) subdivision. It clarifies the historical development of Wildlife Policy 2, the legal status of deer range mapping, and how the County distinguishes between applications within and near pre–Senate Bill 100 subdivisions such as Riverside Ranch and Juniper Acres within EFU zones.

Comprehensive Plan History and Acknowledgment

Crook County adopted its first unacknowledged Comprehensive Plan in 1978. Following the adoption of Senate Bill 100 which created the statewide land-use system and the 19 Statewide Planning Goals, including Goal 3 (Agricultural Lands) and Goal 5 (Natural Resources) counties were required to revise or replace their early plans and obtain acknowledgment from the Oregon Department of Land Conservation and Development (DLCD). Crook County completed that process and its Comprehensive Plan was formally acknowledged in 1979 with subsequent amendments including the current 2003 acknowledged version (as further amended by ordinances).

As part of acknowledgment of Goal 5 in 1982, the County coordinated with the Oregon Department of Fish and Wildlife (ODFW) to identify big-game habitat areas. ODFW supplied mapping for both Crucial (also known as Critical) and General Deer Winter Range. When the County adopted its acknowledged plan, only the Crucial Winter Range map—was adopted by ordinance. The General Deer Winter Range layer was *not* adopted by ordinance and was retained only as informational background to guide review of development proposals under Wildlife Policy 2. Later, during subsequent plan updates, Wildlife Policy 2 was carried forward through the implementing Crook County Code.[1] Thus, the County's acknowledged Goal 5 program continues to implement Wildlife Policy 2 not through a static General Deer Winter Range mapped overlay, but through a density-based analysis and case-by-case study-area evaluation as provided in CCC 18.16.040(5).[2]

Wildlife Policy 2 appears in the Comprehensive Plan's Natural Resources Element and provides:

"Density within a Crucial Wintering Area for deer shall not be greater than one residence per 160 acres and for the General Winter Range not more than one residence per 80 acres."

---

[1] The Fish and Wildlife Areas Habitats section in the Comprehensive Plan specifically failed to mention the EFU-JA zone. "**Program To Achieve The Goal**. In order to protect the big game habitat, the Comprehensive Plan policies must be carried over and enacted directly into the County Zoning Ordinance for the EFU-1, EFU-2, EFU-3, and F-1 zones" Crook County Comprehensive Plan Page 142. Although EFU-JA was enacted in September 2003 the County did not amend this section of the Crook County Comprehensive Plan to later include the EFU-JA zone.

[2] Note "General Winter Range" is not defined in the Crook County Code.

The stated purpose of the policy is "to maintain viable populations of big game and to protect their habitat from encroachment."

Because the General Deer Winter Range layer map was never adopted as part of the acknowledged Comprehensive Plan or Goal 5 inventory, it cannot serve as a binding regulatory map. LUBA and Oregon courts have consistently held that only those maps, overlays, or inventories that are adopted by ordinance and acknowledged as part of the comprehensive plan have regulatory effect. Instead, the County lawfully applies Wildlife Policy 2 through its acknowledged implementation mechanism—the study-area procedure in CCC 18.16.040(5)—which evaluates a study area rather than solely relying on a non-adopted 40+ year old General Deer Winter Range map.

Juniper Acres (EFU-JA) – Historical and Land Use Context

Juniper Acres was platted in 1962 as a rural subdivision composed of 10-acre lots. Although still zoned Exclusive Farm Use – Juniper Acres (EFU-JA), the subdivision was recognized in the Crook County Code as a pre–Senate Bill 100 residential subdivision. The County applied EFU-JA zoning to maintain consistency with Goal 3 while acknowledging the subdivision's established residential pattern.[3] The EFU-JA zone prevents further partitioning or intensification but recognizes existing development.

The Juniper Acres subdivision's pattern of smaller lots, scattered dwellings, and private roads demonstrates that it is a committed residential area rather than an agricultural or wildlife resource area. For this reason, including EFU-JA in a Wildlife Policy 2 study area for a non-farm dwelling *outside* the Juniper Acres subdivision would not further the policy's intent. Its density pattern predates plan acknowledgment and does not contribute to additional habitat encroachment, particularly as no new non-farm dwellings are permitted within EFU-JA.

Riverside Ranch – Comparison and Application of Wildlife Policy 2

Riverside Ranch provides a parallel case. It is a pre–SB 100 subdivision zoned EFU-1 and composed of various sized lots platted before Comprehensive Plan acknowledgment. The County retained EFU-1 zoning to comply with Goal 3 while recognizing that the area is committed to rural residential use. Because Riverside Ranch is zoned EFU-1, Wildlife Policy 2 applies to any new non-farm dwelling within the subdivision. Applicants must demonstrate compliance with the one-per-80-acre density standard using the study-area method under CCC 18.16.040(5). The study area would include surrounding subdivision parcels to assess overall density and confirm no additional encroachment occurs because the application is for land already *within* the subdivision. There would not be a reasonable justification to exclude the subdivision parcels from the study area for an application within the subdivision.

Applications Adjacent to Riverside Ranch or EFU-JA

When a non-farm dwelling is proposed *outside* but near a committed pre–Senate Bill 100 subdivision such as Riverside Ranch (EFU-1) or Juniper Acres (EFU-JA), Wildlife Policy 2 also applies. However, under CCC 18.16.040(5), the applicant may propose—and the County may approve—a modified study area that excludes committed subdivision lands if inclusion would distort the density calculation for uncommitted EFU lands. In other words, the purpose of Wildlife Policy 2 is to prevent new encroachment into deer winter range, not to re-regulate long-established subdivisions such as EFU-JA. Therefore, excluding EFU-JA from the study area when evaluating a non-farm dwelling on nearby EFU-1 land is consistent with the policy's intent. This approach ensures that the Wildlife Policy 2 analysis for EFU-1 focuses on an

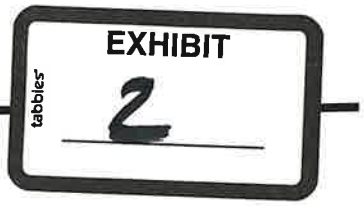
[3] As a pre-Senate Bill 100 subdivision a Goal 3 exception was not required for Juniper Acres. Had the County chose to rezone it to a rural-residential zone then an exception would have been needed but that is not the case here.

uncommitted study area, in accordance with Crook County's acknowledged Comprehensive Plan and relevant case law.

Conclusion

Crook County's Comprehensive Plan and code provide the flexibility necessary to apply Wildlife Policy 2 in a manner that fulfills its purpose (and Goal 5) while respecting acknowledged land use patterns. Juniper Acres (EFU-JA) and Riverside Ranch are both pre–SB 100 subdivisions recognized by the County as committed residential areas. For dwellings within such subdivisions, Wildlife Policy 2 applies and must be demonstrated through a study-area analysis under CCC 18.16.040(5)[4]. For dwellings near those areas, committed subdivision residential lands may be excluded from the study area if inclusion would misrepresent density or habitat conditions. This interpretation is consistent with Crook County's acknowledged Comprehensive Plan, and the discretionary provisions of CCC 18.16.040(5), ensuring compliance with Goal 5 and the continued protection of deer winter range.

[4] We recognize that the EFU-JA does not allow further non-farm dwellings, but in principle this would apply to other pre-Senate Bill 100 subdivisions that remained in EFU zones that have implemented Wildlife Policy 2 directly into the County Code.



Hannah Elliott

From: Robin Hayakawa <robin@colw.org>
Sent: Tuesday, November 4, 2025 1:40 PM
To: Katie McDonald
Cc: Plan
Subject: LandWatch Written Comments - Settle NFD Appeal
Attachments: COLW Comments - Settle NFD - 217-25-000233-01.pdf; Exhibit 1 - Crook County Ordinance No. 18, Amendment 53.pdf

Hi Crook County,

On behalf of Central Oregon LandWatch, please add the attached written comments and exhibit to the record for the 11/12/2025 Planning Commission Hearing on Application File No. 217-25-00233-PLNG-01.

Our address is 2843 NW Lolo Drive, #200, Bend, OR 97703. Thank you.

--

Robin Hayakawa
Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Dr. Ste. 200, Bend, OR 97703
541-647-2930 x807 | robin@colw.org

To advocate for fair, sustainable land use, visit our Take Action page!

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

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

November 12, 2025
Filed by email: Katie.McDonald@crookcountyor.gov

Crook County Planning Commission
% Katie McDonald, Assistant Planner
320 NE Court Street
Prineville, OR 97754

Re: Application File No. 217-25-000233-PLNG-01; Settle NFD

Dear Chair Warren and Crook County Planning Commission:

Central Oregon LandWatch submits these written comments in support of our appeal of the Crook County Development Department's August 15, 2025, decision to approve Application File No. 217-25-000233-PLNG for a non-farm dwelling on the property located at 2901 SE Myrtlewood Lane (Tax Lot 1816040005300). The record does not demonstrate compliance with Crook County Code (CCC) 18.16.040(7) and Wildlife Policy 2 of the Crook County Comprehensive Plan, which limits residential density within mapped deer General Winter Range to one dwelling per 80 acres. As a result, Central Oregon LandWatch respectfully requests that the Planning Commission reverse the Staff Decision and deny this application.

Introduction

Central Oregon LandWatch is a nonprofit public interest organization dedicated to protecting Central Oregon's farmland, water, wildlife habitats, and livable communities through advocacy, land use monitoring, and legal action.

While the subject property likely has agricultural value as dry rangeland, we recognize that the parcelized nature of the region and lack of irrigation rights renders farm use a challenge. As a result, we have limited our appeal to the County's determination that the CCC 18.16.040(7) and Wildlife Policy 2 of the Crook County Comprehensive Plan are satisfied. Our motivation for this appeal is grounded in a desire to preserve valuable wildlife habitat in an area already heavily impacted by rural development activities.

Background

The approval criteria for this decision includes CCC 18.16.040(7), which specifically requires compliance with the residential density limitations found in Wildlife Policy 2 of the Crook County Comprehensive Plan. Wildlife Policy 2 limits residential density in the General Winter Deer Range to no more than one residence per 80 acres. Residential density may be demonstrated by calculating a one-mile radius (or 2,000 acre) study area of the surrounding land.

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

A potential development density equation (PDDE) is then used to determine whether adding an additional dwelling would result in the study area exceeding the limitations of Wildlife Policy 2.

The County's decision relies on the Applicant's PDDE, Exhibit F, which finds that the proposed dwelling results in a total of 6 dwellings, representing only 32% of the maximum allowable 19 residences within the study area. The Applicant reached this conclusion by excluding over 2,900 acres of EFU-JA zoned land (and the dwellings developed therein) to the North, West, and East of the subject property.

The density analysis is fatally flawed and inadequate to demonstrate compliance with CCC 18.16.040(7) and Wildlife Policy 2 based on the following issues:

Appeal Issue 1: CCC 18.16.040(7) - Applicant's Exhibit F Does Not Demonstrate Compliance with Wildlife Policy 2 because the potential development density equation excludes numerous EFU-JA zoned properties already developed with dwellings.

The fundamental issue here is whether County erred in allowing the Applicant to exclude the dwellings developed in the approximately 2,900 acres of land zoned EFU-JA within the study area. The answer is yes. Because Juniper Acres is not part of an acknowledged exception area, it cannot be excluded from the applicant's PDDE, and Wildlife Policy 2 is not satisfied.

The County's decision confirms that the subject property is mapped within the big game winter habitat (general deer) and that the density calculation relied upon by the Applicant excluded the acreage within the Exclusive Farm Use – Juniper Acres (EFU-JA) subdivision. The application asserts that approximately 2,973 acres within the study area are classified as Juniper Acres and "categorized" as non-resource land, making the exclusion from the density calculation proper. Applicant's Burden of Proof at p. 8.

The Staff Decision agreed and concluded that the Applicant's analysis excluding EFU-JA from the necessary PDDE calculations was permissible based on the County's "Program to Achieve the Goal" in the County's Comprehensive Plan, which states:

> *In order to protect the big game habitat, the Comprehensive Plan policies must be carried over and enacted directly into the County Zoning Ordinance for the EFU-1, EFU-2, EFU-3, and F-1 zones.*

By placing the density requirement standards in the specific resource zone, the acknowledged exception areas are exempted from these requirements.

(CCCP at p. 155).

The County relied on the Program and concluded:

"Staff finds the density calculation to be correct in excluding Juniper Acres, wildlife policy 2 in the Comprehensive Plan was drafted after Juniper Acres was zoned EFUJA, therefore concluding it would not be applicable in that area. As demonstrated by the Applicant, in the response, the County is consistent in the application of Wildlife Policy 2."

(Staff Decision at p. 9)

The County's finding that EFU-JA properties are exempt from consideration under CCC 18.16.040(7) is incorrect for the following reasons:

1. **The County's Program to Achieve the Goal was developed before the creation of EFU-JA:** Failure to include EFU-JA within the County's Program to Achieve the Goal does not mean that the County intended to make Wildlife Policy 2 inapplicable to EFU-JA properties. The County's Program to Achieve the Goal was made effective 7/28/1992 under Ordinance No. 1992.

   Nine years later, Juniper Acres received EFU-JA zoning designation on 1/24/2001 under Ordinance No. 18, Amendment No. 53. **LandWatch Exhibit 1.**

   Contrary to Staff's claims, at the time the Program to Achieve the Goal was developed in 1992, EFU-JA did not exist and could not have been considered.

   Instead, the more reliable indicator of the intent of the Program to Achieve the Goal is the second sentence, which provides that density requirements will be placed in specific resource zones, and only "acknowledged exception areas are exempted from these requirements." CCC 18.112.051 places density requirements directly into EFU-JA. Moreover, Juniper Acres is not an acknowledged exception area, and it is not exempt from the requirements of the Program to Achieve the Goal.

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

2. **Applicability of Policy:** Even if correct, the County's rationale for exclusion—that Juniper Acres is zoned EFUJA (an exception area) and the Program to Achieve the Goal was drafted later—does not override the current inclusion of EFU-JA zones in the applicability criteria (CCC 18.112.051).

   CCC 18.112.051 clearly and explicitly states that the Policy is applicable within EFU-JA.

   CCC 18.112.051 (Wildlife Policy Applicability)

   All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County comprehensive plan. Compliance with the residential density limitations may be demonstrated by calculating a one-mile radius (or 2,000-acre) study area. An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2 provided the methodology and size of the study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2. (Ord. 236 § 1 (Exh. A), 2010)

   CCC 18.112.051 was placed into the Crook County Code in 2010 via Ordinance 236. CCC 18.112.051 is irrefutable evidence that the Crook County Board of Commissioners intends to make Wildlife Policy 2 applicable to EFU-JA land.

3. **Ordinance 18 Policies:** The EFU-JA zoning designation was created in 2001 under Ordinance No. 18, Amendment No. 53. Ordinance 18 explained the County's rationale for creating the zone and included a series of related Policy declarations. The Staff Decision approving this application is inconsistent with the policies associated with Ordinance No. 18 and the EFU-JA zone.

   One policy[1] states:

   > • The Juniper Acres subdivision will retain its exclusive farm use designation until such time as it is no longer necessary and deemed legally proper to be removed.

   The Ordinance's Policy language is clear. EFU-JA is an exclusive farm use zone and properly considered resource land. Any attempt to characterize it as non-resource or some sort of exception area is incorrect.

[1] Ordinance No. 18 Exhibit A at p. 2.

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

Another policy[2] states:

> • Development near the periphery of Juniper Acres shall be discouraged.

This is a recognition that Juniper Acres does not exist in some sort of third-place in between resource land and a formal exception area. By allowing relatively more intense residential development within Juniper Acres, the policies of Ordinance No. 18 acknowledge that development outside fo the EFU-JA should be minimized or "discouraged." Approval of this application does the opposite. It encourages and allows maximum development around the periphery of EFU-JA by exempting existing development from the density requirements of CCC 18.16.040(7).

The Policies contained within Ordinance 18 recognize that Juniper Acres is resource land, and development outside of EFU-JA must be limited accordingly.

4. **Exclusion of Developed Parcels:** Finally, the Staff Decision's improper exclusion of EFU-JA acreage and dwellings renders the density study inaccurate, as numerous EFU-JA parcels within the study area are already developed with dwellings.

   Examples of developed EFU-JA zoned properties that should have been included in the density study are Map/Taxlots 1816040004000, 1816040004800, 1816090000600, 1816040003300, and 1816040004300.

   This list is far from comprehensive. The Applicant did not consider these Taxlots in their PDDE and as a result, the County erred in determining that they have satisfied their burden of proof to show that the Application complies with CCC 18.16.040(7).

Without an accurate PDDE that includes all developed EFU-JA properties within the one-mile study area as mandated by the County Code, the Commission cannot make a defensible finding that the development density requirement under CCC 18.16.040(7) and Wildlife Policy 2 is met.

[2] Ordinance No. 18 Exhibit A at p. 3other dwellings within the Applicant's PDDE study area are.

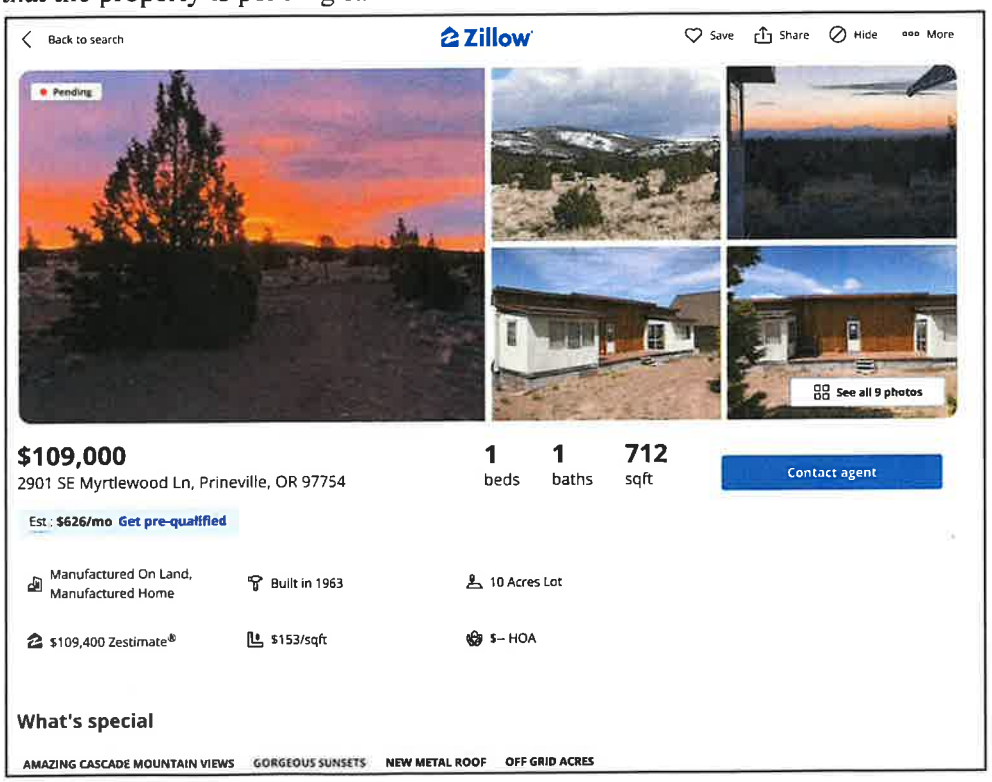
CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

Appeal Issue 2: CCC 18.16.040(7) - Applicant's Exhibit F is further inadequate to demonstrate compliance with Wildlife Policy 2 because it fails to account for EFU-1 zoned properties within the study area developed with dwellings, including the subject property itself.

The PDDE requires the identification of all existing dwellings within the study area. The applicant's findings list the "total number of applicable existing dwellings on resource parcels in the Study Area, General Winter Deer Range" as 4. This is incorrect. Aerial imagery and other evidence in the record is that there are other dwellings within the Applicant's PDDE study area that are uncounted.

1. **Subject Property Dwelling Exclusion:** The subject property itself (zoned EFU-1) is developed with an existing "1963 manufactured dwelling." Central Oregon LandWatch notes that an active listing on Zillow.com contains photos of the manufactured home and that the property is pending sale.[3]



[3] Source: https://www.zillow.com/homedetails/2901-SE-Myrtlewood-Ln-Prineville-OR-97754/232167629_zpid/, Accessed on November 4, 2025.

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

The existing dwelling on the subject parcel must be counted as an existing dwelling unit affecting density until it is formally removed or demolished.

2. **Flawed Density Calculation:** The 1963 manufactured dwelling on the subject property is described by the Staff Decision on p. 6 as "a nonconforming dwelling." A noncomforming dwelling is a form of existing dwelling, and yet it is not included in the PDDE that staff relied on in approving this application. As a result, the total number of dwellings currently present in the resource area is further understated and the PDDE is substantially flawed.

Therefore, because the PDDE methodology relied upon by the County fails to consistently account for developed parcels within the EFU-JA zone as required by code (Issue 1) and appears to improperly undercount existing dwellings, including the dwelling on the subject EFU-1 parcel itself (Issue 2), the application fails to demonstrate compliance with the residential density limitations contained in CCC 18.16.040(7) and Wildlife Policy 2.

For the reasons set forth above, Central Oregon LandWatch respectfully requests that the Crook County Planning Commission reverse the staff decision and deny the application.

Thank you for your consideration.

Sincerely,

/s/ Robin Hayakawa
Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Drive Ste 200
Bend, OR 97703
robin@colw.org

ORDINANCE NO. 18 AMENDMENT NO. 53

AN ORDINANCE OF THE CROOK COUNTY COURT TO AMEND THE COUNTY'S COMPREHENSIVE PLAN ADOPTING POLICIES FOR THE JUNIPER ACRES AREA, AND AUTHORIZING A TRANSFER OF DEVELOPMENT CREDIT PROGRAM; TO AMEND THE COUNTY'S ZONING ORDINANCE TO ESTABLISH AN EXCLUSIVE FARM USE JUNIPER ACRES (EFU-JA) ZONE WHICH AMONG OTHER MATTERS CONTAINS PROVISIONS AUTHORIZING THE DEVELOPMENT OF DWELLINGS PER ACRES, AND TO ESTABLISH A TRANSFER OF DEVELOPMENT C OGRAM WITH A SENDING AREA IN THE EFU-JA ZONE AND A RECEI AREA IN THE RRM-5 ZONE; TO AMEND THE ZONING MAP TO REFLECT THE BOUNDARIES OF THE EFU-JA ZONE; AND TO DECLARE AN EMERGENCY

WHEREAS, Juniper Acres was established in 1962 pursuant to the laws then in effect;

WHEREAS, the Juniper Acres consists of more than 500 parcels of which 25 have been developed with a dwelling, and an additional 25 parcels have been approved for the development of a dwelling;

WHEREAS, since 1962 numerous changes in state land use laws and regulations have made it extremely difficult, if impossible, to obtain approval for the placement of dwellings in Juniper Acres;

WHEREAS, ranching interests and state agencies have opposed the approval of dwellings in Juniper Acres under the present regulatory scheme;

WHEREAS, the County wants to permit some residential development in Juniper Acres and still satisfy the concerns of ranching interests and state agencies;

WHEREAS, the County Court recognizes that present law and the balancing of interests will not permit the development of all of the 500 parcels, and so fairness requires that those property owners be eligible who are not able to develop their parcels receive certain economic benefits;

WHEREAS, these additional economic benefits include expanded opportunities to locate recreational vehicles on parcels in Juniper Acres, and to ability to sell development credits through a transfer of development credit program;

WHEREAS, the Crook County Planning Commission has recommended adoption of the EFU-JA Zone and Transfer of Development Credit Program;

AND WHEREAS, the County has mailed notice of this ordinance to property owners in Juniper Acres, and Juniper Canyon;

164779 (36 pgs)

NOW, THEREFORE, this 24th day of January 2001, the County Court ordains as follows:

SECTION ONE. The County Comprehensive Plan is amended to include the policies contained in Exhibit A which will govern the future development of Juniper Acres, and authorizes the adoption of a transfer of development credit program.

SECTION TWO. The attached Exhibit B is adopted. That exhibit establishes the Exclusive Farm Use-Juniper Acres Zone and zoning regulations governing that zone which implement the policies contained in Section One of this ordinance.

SECTION THREE. The Crook County Zoning Map shall be amended to reflect the boundaries of the EFU-JA Zone to include that land contained in Exhibit C.

SECTION FOUR. The attached Exhibit D establishing a transfer of development credit program is hereby adopted.

SECTION FIVE. This ordinance is immediately effective, as an emergency exists. This emergency exists as there are property owners who have been delayed in their ability to obtain land use approval for their applications for dwellings.

CROOK COUNTY

Scott R. Cooper

Judge Scott Cooper

Mike McCabe

Commissioner Mike McCabe

Jerry Crafton

Commissioner Jerry Crafton

EXHIBIT "A"

COMPREHENSIVE PLAN AMENDMENTS

Juniper Acres

Findings:

Juniper Acres is an existing partitioned area established in 1962. It is located in the western portion of the county, about 20 miles south of Prineville and 6 miles east of the Crook County/Deschutes County line. The area is characterized by native vegetation common to the Oregon High Desert. No irrigation water is present. There are at this time no domestic wells in the area. This portion of Crook County is not included in a Livestock District and is recognized as Open Range. The subdivision is bordered by federal property managed by the Bureau of Land Management (BLM) and commercial ranching interests. Juniper Acres includes about 5700 acres primarily divided into 10-acre lots. The subdivision exhibits a sparse settlement pattern. Currently (summer, 2000), about 30 legal dwellings either exist or have received building approval. Another 23 properties have received either septic tank approval or septic site evaluation.

Infrastructure in Juniper Acres is severely limited. A road system has been platted but is largely unimproved. Cascade Way acts as the principal entrance to the subdivision, a portion of which is maintained on a volunteer basis. No official road maintenance responsibility exists. Juniper Acres is not provided with power or telephone service. Neither mail delivery service, nor school bus service extends into Juniper Acres, however these services are available at Cascade Way and Reservoir Road. Many of the residents receive mail through Post Office Boxes in Bend or Prineville. Aquifer levels are deep and well drilling attempts are commonly unsuccessful. Nearly all residents rely on cisterns as a source of domestic water. The area does not suffer limitations regarding establishment of individual subsurface sewage disposal systems.

Ownership patterns in Juniper Acres vary. Many ownerships consist of a single lot. Ownerships consisting of multiple lots are also common. The following is list of the number of ownership of two or more lots.

Number of lots	Number of different owners
2 lots	35
3 lots	19
4 lots	3
5 lots	2
6 lots	1
37 lots	1

Recent developmental activity in Juniper Acres has resulted in concern among various interested parties, including the county and neighboring ranchers. Primary concerns focus on impacts to commercial livestock practices and the ability for the county to provide services. The county has received a number of concerns describing conflicts experienced by area ranchers. The State Department of Fish and Wildlife has expressed concerns over wildlife habitat in the area. The apprehension of concerned parties is elevated by the prospect of future development.

Policies:

- Full build-out of Juniper Acres is not desirable. Such a high level of development in this remote area would compromise existing livestock operations, place demands on the county to provide services and dramatically affect the existing landscape found particularly desirable by Juniper Acres residents.

- The Juniper Acres subdivision will retain its exclusive farm use designation until such time as it is no longer necessary and deemed legally proper to be removed.

- The county will not approve dwellings in Juniper Acres that result in an amount to exceed 150 total legally established residences. This policy shall be reviewed when 80% of this threshold has been reached or at the county's next periodic review, which ever occurs first.

- The county will develop a strategy for managing growth and reviewing development proposals in Juniper Acres. This strategy will be carried forward by the establishment and application of the Exclusive Farm Use, EFU-JA Zone (Juniper Acres).

- The EFU-JA Zone (Juniper Acres) shall apply to sections 28,29,30 31,32 and 33 in Township 17S Range 16E and sections 4,5,6,7,8,9,16,17 and 18 in Township 18S Range 16E.

- The county shall strive to strike a balance to the benefit of affected interests.

- Consolidation of lots shall be encouraged.

- Development near the periphery of Juniper Acres shall be discouraged.

- Development in Juniper Acres should not exceed the county's ability to provide emergency services to the area.

- The county will not accept the Juniper Acres transportation network into the county road system and will not provide road maintenance support to this area.

- The expense of establishment or extension of new services to Juniper Acres should be born by property owners in the subdivision and not financed by Crook County taxpayers at large or the citizens of the State of Oregon.

- Due to the entire area being in a Crook County designated deer winter range, the area may not eligible for lot of record as set forth in ORS 215.705, in the future.

- In order to control the development pattern in Juniper Acres a maximum of 25 building permits a year shall be allowed by the Crook County Building Department.

- For the purpose of administration approximately 3,900 acres of public and private lands are included in the EFU-JA (Juniper Acres) zone.

<coulu/crook/JA/JA F&P>

Application of the Materially Altered Standard to Juniper Acres

State and County land use standards require requests to establish nonfarm dwellings to be considered against several discretionary land use criteria. The "materially altered" standard requires the county to identify a specific study area and to predict whether future development will have the effect of altering the land use pattern of the area to the detriment of agriculture in the area. In order to make this prediction the County must identify the existing land use pattern, including the existing farm and ranch practices, existing development, and the potential for nonfarm development.

The "materially altered" analysis is generally applied on a case-by-case basis. In view of the unique circumstances surrounding Juniper Acres, however, the County finds that it is appropriate to apply this standard to the area as a whole. The findings included in this document are in direct response to the unusual and existing condition of the Juniper Acres Partitioning that occurred in 1962. The reasoning applied in these findings does not apply to other areas in Crook County not sharing these characteristics. The County finds that a maximum of 150 residential dwellings will not materially alter the stability of the overall land use pattern in the Crook County EFU-JA (Juniper Acres) for the following reasons.

i. The Study area includes the approximately 20,000 acres between Reservoir Road and West Butte with about one third of that area lying west of Cascade Way and the remainder laying to the east of Cascade Way. Within that area lies the Juniper Acres Partitioning. The EFU-JA (Juniper Acres) zone includes 5,060 acres, an area originally partitioned in 1962 (Sections 28, 29, 30, 31, 32 and 33 of TWP 17S, Range 16E and Sections 4, 5, 6, 7, 8, 9, 16, 17 and 18 of TWP 18S Range 16E). The lands to the North, West and South are for the most part BLM. The lands to the East are for the most part private lands that are a mixture of large ranch lands and smaller individual ownerships. The topography is primarily flat sagebrush land. There is no soil survey for the area at this time. The Natural Resource Conservation Services (NRCS) plans to have a soil survey done by mid 2001. The soils in Deschutes County, approximately 6 miles to the West, and the South slopes of Powell Butte, approximately 8 miles to the Northwest have been classified as soil class VI. Therefore, until the NRCS soil survey is completed, it appears that the predominant soil in the EFU-JA zone is class VI.

   The selected study area is representative of land uses occurring in the area of Juniper Acres and is therefore adequate to conduct the "materially altered" analysis. The study area shares common geographical, topographical, and vegetative characteristics. Property ownership includes both private parties and federal agencies.

ii. Types of Land Uses Within the Study Area. The study area includes the 5,060 acres of the EFU-JA zone and additional 13,000 acres, which are adjacent to Juniper Acres and zoned EFU-1. These lands are a mixture of BLM and private and have the same characteristics of the EFU-JA lands. There are 2 ranch

dwellings in the additional 13,000 acres and no nonfarm dwellings since 1993. Beyond the EFU-JA zone there are approximately 35 ownerships that vary in size of 10 acres to several hundred acres. Livestock grazing is the sole agricultural management practice in the study area. The study area also includes a BLM off-road recreational area.

iii. Stability of the Land Use Pattern. The approval of 150 residential (existing and future) will not materially alter the stability of the land use pattern in the area of the EFU-JA zone. Due to a density of approximately 1 unit per 40 acres that current agricultural and wildlife actives will be able to continue at the present level of activity. This level of development at this location will not reduce the number of tracts in farm use, and the opportunities for existing livestock operations to expand will not diminish.

The County also finds that the study area contains no irrigated lands. Based upon poor soil conditions, an absence of cleared land and an extreme depth to subsurface groundwater the county finds that it is not realistic to expect application for irrigation wells to be submitted for any property within the EFU-JA Zone.

Finally, the County finds that a total of 150 nonfarm related dwellings authorized in the EFU-JA Zone will not disrupt the existing land use pattern of the area because the level of development distributed over 512 existing parcels will permit residential and agricultural uses to coexist. Residential uses will be suitably absorbed by the volume of undeveloped lands. Open range status and right-to-farm statutes will also help to ensure that agricultural practices are not compromised.

From this point forward the county will rely on the findings of fact and conclusions of law contained in this document to determine whether an individual application for a nonfarm dwelling is or is not able to satisfy the "materially-altered" standard.

Transfer of Development Credit

Findings

A Transfer of Development Credit (TDC) is one where a TDC credit is given to a property owner, who may use that credit to allow development in an existing acknowledged exception area to create a smaller lot or allow more than one dwelling on an existing lot or parcel.

In order to establish a TDC program, sending areas and receiving areas must be established. A sending area is a location where development credits originate. A receiving area is a location where development credits are actually transferred and perfected.

To carry out this program, the county shall establish a specific TDC Overlay Sending Area District and a list of Receiving Areas:

TDC Sending Area Overlay District

A TDC overlay district shall be applied to an area where development credits will originate (Sending Area). Identification as a Sending Area will be based upon the county's determination that limiting or discouraging residential development in the area is necessary and desirable based upon the potential for one or more of the following:

a) The establishment or increase of negative impacts to nearby or adjacent farming or forest practices.
b) Increased costs to the citizens of Crook County and the State of Oregon.
c) Deterioration of a valued landscape.

Sending Areas shall be limited to agricultural or forest zones.

Inclusion in a Sending Area does not in any way establish a development right. Instead, vacant lots or parcels existing as of January 1, 2000 and included in a Sending Area may be awarded a developmental credit applicable to be perfected in a Receiving Area. Eligibility for a developmental credit shall be contingent upon the property in the Sending Area being consolidated with another contiguous lot or parcel, or receiving an irrevocable deed restriction prohibiting all future residential development.

Property in a Sending Area, once a TDC has been approved, shall remain in the ownership of the person who applied for the TDC, unless otherwise transferred, and shall meet the following:

a) No residential dwelling shall be allowed on the property.
b) Agricultural buildings that are not enclosed on more than 3 sides are permitted.
c) Recreational vehicles are allowed as long as they meet the standards in section 4.230.

d) Storage building of 120 square feet or less.

TDC Receiving Areas

Designation as a Receiving Area shall be based on the following factors:

a) Receiving Areas shall be limited to existing exception areas, however, exception areas established as part of the Powell Butte Nonresource lands project shall not be eligible to receive transferred development credits.
b) Receiving Areas shall not be established on lands located outside of a rural fire protection district.
c) Receiving Areas shall not be established on lands known to have severe limitation for the installation of individual subsurface sewage disposal systems.
d) Receiving Areas shall not be established on lands included in a 100-year flood plain.

Receiving Areas shall allow one dwelling per lot or parcel unless a transfer of development credit(s) is involved, then two dwellings may be allowed on a single lot or parcel.

Receiving Areas shall require a 5-acre minimum lot size for land divisions that do not involve a transfer of development credit. Land divisions involving a transfer of development credit shall be eligible for a 2-acre minimum lot size.

The county shall maintain a list of areas subject to the TDC Receiving Area Overlay District.

Policies

Crook County shall establish a Transfer of Development Sending area for the lands included in the EFU-JA (Juniper Acres) area.

Crook County shall establish a Transfer of Development Receiving area in the RR(M)-5 zone (Juniper Canyon) area.

The Crook County Planning Department shall administer the TDC program.

EXHIBIT "B"

EFU-JA ZONING DISTRICT

SECTION 3.230. EXCLUSIVE FARM USE ZONE, EFU-JA (JUNIPER ACRES)

SECTION 3.230. Exclusive Farm Use Zone, EFU-JA. In an EFU-JA Zone, the following regulations shall apply.

PURPOSE. The purpose of this zoning district is to ameliorate the consequences of the establishment of the Juniper Acres Partitioning in 1962 by permitting a level of residential development that would not ordinarily be permitted in an exclusive farm use zone given the large number of private owners of numerous legally created parcels, and to modulate the timing of the residential development. In that regard, it is anticipated that the provisions of this district relating to annual limits on nonfarm dwellings shall be reviewed not later than January 30, 2003. The Court recognizes that a soil survey of the EFU-JA zone is currently being conducted by the National Resources Conservation Service (NRCS). In the event that the soil survey shall show that the soil in the EFU-JA zone is predominantly Class VII and VIII, this ordinance shall cease to be effective after June 30, 2002. In the event that the soil survey shall show that the soil in the EFU-JA ordinance is predominantly Class VI or better, or should the soil survey not be completed for any reason prior to June 30, 2002, this ordinance shall continue in force until modified or repealed by the Crook County Court. It is anticipated that in the event that the soils are Class VII or VIII that the zoning designation of this district may be changed to a residential or nonresource nature.

1. Uses Permitted Outright: In an EFU-JA Zone, the following uses and accessory uses thereof are permitted outright. While some uses may prompt an inquiry to, and/or action by, the Planning Director, authorization of such uses does not require notice to adjacent property owners or other interested parties and does not constitute a land use decision pursuant to ORS 197.015(10).

A. Farm use, as defined in ORS 215.203(2).

B. Operations for the exploration of geothermal resources as defined by ORS 522.005, including the placement and operation of compressors, separators and other customary production equipment for an individual well adjacent to the wellhead. Any activities or construction relating to such operations shall not be a basis for an exception under ORS 197.732(1)(a) or (b).

C. Climbing and passing lanes within the right-of-way existing as of July 1, 1987.

D. Temporary public roads or detours that will be abandoned and restored to original condition or use at such time as no longer needed.

E. Exploration for minerals as defined by Oregon Revised Statutes 517.750.

F. Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations and rest areas within the right-of-way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

G. Creation, restoration or enhancement of wetlands.

H. Alteration, restoration or replacement of a lawfully established dwelling that:

a. Has intact exterior walls and roof structure;

b. Has indoor plumbing consisting of a kitchen sink, toilet and bathing facilities connected to a sanitary waste disposal system;

c. Has interior wiring for interior lights;

d. Has a heating system; and

e. In the case of replacement, the dwelling shall be removed, demolished or converted to an allowable nonresidential use within three months of completion of the replacement dwelling. A replacement dwelling may be sited of any part of the same lot or parcel. A dwelling established under this paragraph shall comply with all applicable siting standards. However, the standards shall not be applied in a manner that prohibits the siting of the dwelling. If the dwelling to be replaced is located on a portion of the lot or parcel not zoned for exclusive farm use, the applicant, as a condition of approval, shall execute and record in the deed records for Crook County a deed restriction prohibiting the siting of a dwelling on that portion of the lot or parcel. The restriction imposed shall be irrevocable unless a statement of release is placed in the deed record for the county. The release shall be signed by the county or its designee and state that the provisions of this paragraph regarding replacement dwellings have changed to allow the siting of another dwelling. The county planning director or the director's designee shall maintain a record of the lots and parcels that do no qualify for the siting of a new dwelling under the

provisions of this paragraph, including a copy of the deed restrictions and release statements filed under this paragraph.

f. The county shall require as a condition of approval that the landowner for the dwelling sign and record in the deeds records for the county a document binding the land owner and the landowner's successor's in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

I. The breeding, kenneling and training of greyhounds for racing.

J. Seasonal farm worker housing as defined in ORS 197.675.

K. Winery as described in ORS 215.452.

L. Recreational Vehicle (RV) on an individual lot. The owner of the lot and up to one invitee may place a RV on a lot for up to 14 days in a 90-day period. Subject to the provisions of this ordinance.

2. Administrative Uses Permitted. In the EFU-JA Zone, the following uses and their accessory uses may be permitted if determined by the Planning Director to satisfy the applicable criteria and provisions of law. Authorization of these uses constitutes a land use decision pursuant to ORS 197.015(10). Notice and an opportunity for a hearing must be provided in the manner described in ORS 215.416. These uses may be referred to the Planning Commission for review if deemed appropriate by the Planning Director. Appeals of a Planning Director administrative decision shall be appealed to the Planning Commission as set forth in Section 9.110 of this ordinance.

A. Dwellings provided in conjunction with farm use pursuant to Section 3.015.4.

B. Dwellings not provided in conjunction with farm use pursuant to Section 3.015.5.

C. Sending area for transfer of development credits pursuant to Section 4.240.

D. Recreational Vehicle (RV) on an individual lot.

a. The owner of the lot may place a RV on a lot for up to 180 days in a calendar year with an approved septic system. The RV must be removed from the site when not in use. Each year when commencing occupancy of the parcel with an RV, the property owner shall at no cost register with the County Planning

Department to enable that Department to regulate and enforce the 180 day limitation.

b. All RV owners found to be using an RV in violation of this ordinance shall be subject to immediate citation for violation of the Crook County Ordinances and be subject to fines or other remedies.

3. Conditional Uses Permitted. In the EFU-JA Zone, the following uses and their accessory uses may be permitted if determined by the Hearings Officer or Planning Commission hearing must be provided in the manner described in ORS 215.416. A decision regarding these uses does constitute a land use decision pursuant to ORS 197.015(10).

A. Private parks and campgrounds. Campgrounds in private parks shall only be those allowed by this subsection. Except on lot or parcel contiguous to a lake or reservoir, campgrounds shall not be allowed within three miles of an urban growth boundary unless an exception is approved pursuant to ORS 197.732 and OAR Chapter 660, Division 4. A campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not residential purposes and is established on a site or is contiguous to lands with a park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground. A campground shall be designed and integrated into the rural agricultural and forest environment in a manner that protects the natural amenities of the site and provides buffers of existing native trees and vegetation or other natural features between campsites. Campsites may be occupied by a tent, travel trailer or recreational vehicle. Separate sewer, water or electric service hook-ups shall not be provided to individual campsites. Campgrounds authorized by this rule shall not include intensively developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations. Overnight temporary use in the same campground by a camper or camper's vehicle shall not exceed a total of 30 days during any consecutive 6-month period. Approval of a use pursuant to this subsection is subject to the review criteria of Section 3.032.6, and any other applicable criteria or provisions of law.

B. Community centers owned and operated by a government agency or a nonprofit community organization. Approval of a use pursuant to this subsection is subject to the review criteria of Section 3.032.6.

C. Home occupations carried on by the resident as an accessory use within dwellings or other buildings referred to in ORS 215.203(2)(b)(F) or (G) as provided in ORS 215.448. Approval of a use pursuant to this subsection is subject to the review criteria of Section 3.032.6, and any other applicable criteria or provisions of law.

D. One manufactured dwelling, or the temporary residential use of an existing building, in conjunction with an existing dwelling as a temporary use for the term of a hardship suffered by the existing resident or a relative of the resident. Within three months of the end of the hardship, the manufactured dwelling shall be removed or demolished, or in the case of an existing building, the building shall be removed, demolished or returned to an allowable non-residential use. The governing body or its designee shall provide for periodic review of the hardship claimed under this paragraph. A temporary residence approved under this paragraph is not eligible for replacement under subsection (1)(C)(11)(1)(I) of this section. Approval of a use pursuant to this subsection is subject to the review criteria of Section 3.032.6, and any other applicable criteria or provisions of law.

a. The county shall require as a condition of approval that the landowner for the dwelling sign and record in the deeds records for the county a document binding the land owner and the landowner's successor's in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

E. Personal-use airports for airplanes and helicopter pads, including associated hanger, maintenance and service facilities. A personal-use airport as used in this section means an airstrip restricted, except for aircraft emergencies to use by the owner, and on an infrequent occasional basis, by invited guests, and by commercial aviation activities in connection with agricultural operations. No aircraft may be based on a personal-use airport other than those owned or controlled by the owner of the airstrip.

F. Wildlife habitat conservation and management plans pursuant to ORS 215.800-215.808.

4. Dwellings Provided in Conjunction with Farm Use. In the EFU-JA Zone, a dwelling in conjunction with farm use may be approved if:

See requirements for farm dwellings in Section 3.010 (EFU-1)

5. Dwellings Not Provided in Conjunction with Farm Use. In the EFU-JA zone a dwelling not provided in conjunction with farm use may be authorized if the following approval criteria are satisfied.

A. The dwelling or activities associated with the dwelling will not force a significant change in or significantly increase the cost of accepted farming practices on nearby lands devoted to farm or forest use;

B. The dwelling is situated upon a lot or parcel, or a portion of a lot or parcel, that is generally unsuitable land for the production of farm crops and livestock or merchantable tree species, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract.

a. A lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm or forest use in conjunction with other land; and

b. A lot or parcel is not "generally unsuitable" simply because it is too small to be farmed profitably by itself. If a lot or parcel can be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch, it is not "generally unsuitable." A lot or parcel, or portion of a lot or parcel, is presumed suitable for farm use if it is predominantly composed of Class I-VI soils. Just because a lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use; or

C. The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the overall land use pattern of the area, the county shall consider the cumulative impact of possible new nonfarm dwellings and parcels on other lots or parcels in the area similarly situated. To address this standard the county shall rely on the comprehensive plan provision regarding Juniper Acres and identifying the land use pattern of the area. Pursuant to the applicable comprehensive plan provision and accompanying policies, authorization of dwellings not provided in conjunction with farm use shall be limited to 150 dwellings.

D. The County finds and determines that the establishment of 150 dwellings in this zone will not force a significant change in or significantly increase the cost of accepted farming practices on nearby lands devoted to farm or forest use; will not materially alter the stability of the overall land use pattern of the area.

E. No more than 25 dwellings not provided in conjunction with farm use may be approved during the calendar year of 2001. No more than 10 dwellings per year may be approved each calendar year thereafter until the 150 dwelling limit is reached.

F. Prior to final approval of a building permit, for a dwelling not provided in conjunction with farm use, governed by this subsection, the entire lot or parcel upon which the nonfarm dwelling will be located must be

disqualified from special Assessment at value for farm use pursuant to ORS 215.236.

6. Specific Criteria. In the EFU-JA Zone certain uses are subject to specific criteria, in addition to any other applicable criteria. The specific provisions of this subsection apply only when referenced within the list of uses included in Subsection 3.015.2 and 3.

A. The use may be approved only where the county finds that the use will not:

a. Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or

b. Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

7. Land Divisions. Divisions of land shall be allowed only when consistent with the requirements of this section.

A. No new parcels may be created in the EFU-JA Zone.

B. All parcels existing at the time of the adoption of this ordinance shall be considered legal parcels.

8. Setbacks

A. The minimum setback of a non-farm use from the property line adjacent to a farm use not owned by the applicant shall be 100 feet.

B. The minimum setback for front side and rear yards from the property line shall be 30 feet.

9. Signs

The following non-illuminated signs are permitted:

A. One name plate for each dwelling unit of not more than sixteen (16) square feet in area;

B. One temporary sign advertising the sale, lease or rental of the property, livestock or goods, not more than nine (9) square feet in area;

C. One sign identifying an enterprise other than a farm or ranch, which is a conditional use, not more than thirty-two (32) square feet in area and located at least thirty-five (35) feet from a property line.

10. Lighting

A. Illumination of uses in the EFU-JA Zone is allowed in a way that preserves rural vistas and is confined to the property from which it is generated.

B. All nonexempt outdoor lighting fixtures shall have shielding so the illumination is confined to the property on which the light is located.

C. Exemptions:

a. All outdoor light fixtures lawfully installed prior to the adoption of the EFU-JA Zone. All replacement of outdoor lighting fixtures, after the adoption of the EFU-4 Zone, shall comply with this section.

b. Lights used for holiday decorations for no more than 45 days.

c. Temporary lights for agricultural uses.

EXHIBIT "C"

ZONING MAP AMENDMENT

The Exclusive Farm Use- Juniper Acres (EFU-JA) Zone shall consist of the platted Juniper Acres Partitioning which consists of portions of the following sections: TWP 17S R 16E Sections 28, 29, 30, 31, 32 and 33, and TWP 18S R16E Sections 4, 5, 6, 7, 8, 9, 16, 17 and 18. This rezoned area is depicted on the attached map.

EXHIBIT "D"

TRANSFER DEVELOPMENT CREDIT OVERLAY ZONE

Amended by Amendment No. of Ordinance #18

Section 4.240 Transfer of Development Credits Option – TDC

Purpose:

This section establishes an equitable method for the reduction of density of designated areas through the establishment of a Transfer of Development Credits (TDC) option. The TDC option provides an opportunity to the landowners in the designated areas to retain land in agricultural areas through the option of selling the development credits associated with their land in-lieu-of development and an opportunity to other landowners in areas designated suitable for development with the option of increasing the density of development of their land with the acquisition of such development credits.

It is the specific purpose of Crook County to implement the provisions of section 4.240 to:

1. Manage growth by providing incentives to designated areas of Crook County for concentrated development through the establishment of receiving areas where development credits purchased through the TDC option, may supplement development established by the existing rural residential zones (RR-5 and RR(M)2);
2. Permanently preserve agricultural areas, and wildlife habitat through the establishment of designated sending areas by which development credits may be sold in lieu of residential development;
3. Provide an equitable method to compensate landowners in the designated sending areas who voluntarily forbear from developing land which mark the present land pattern; and
4. Effectively achieve the goals and objectives identified in the Comprehensive Plan.

A. Definitions

1. Base Area. The area displayed on the official zoning map in which a given tract of land is located.
2. Deed of Transfer of Development Credits. A legal instrument which records the conveyance of Transfer of Development Credits from a tract of land in a designated sending area.
3. Development Credits. The right to construct a specified amount of development according to Section 4.240 of the Crook Co. Zoning.
4. Development Credits Transferable (TDC). The attaching of development credits to specified lands which are desired to be kept undeveloped, but permitting those credits to be transferred from those lands so that the development potential which they represent may occur on other lands where more intensive development is deemed to be appropriate.

5. Lot Line Adjustment. The relocation of a common boundary line between two lots or parcels.
6. Receiving Area. An area in which concentrated development has been planned, where transfer of development credits may be applied and added to the base density.
7. Restrictive Covenant Agreement. A legal instrument which simultaneously places restrictions on future development on a specified tract of land in a designated sending zone.
8. Sending Area. An area containing designated resources to be preserved, in which transfer of development credits may be severed and sold in exchange for permanent restrictive covenants.

B. Legislative Intent and Recognition

1. Authority. The Transfer of Development Credit option is established in accordance with ORS 94.531. By authority of this ordinance, development credits shall be a separate estate in land, and declared severable and separately conveyable from the estate in fee simple.
2. Concept Recognition. Crook County hereby recognizes the severability and transferability of development credit from certain lands within Crook County, to be transferred and used in accordance with the provision of this section. The TDC option is recognized as a voluntary agreement under the terms of this ordinance between a willing buyer and a willing seller, and shall be governed by the following principles:
   a. Lands designated for preservation shall be designated as "sending areas". The seller receives compensation from the sale of his development credits in exchange for retaining the land in EFU through a permanent deed restriction or lot line adjustment.
   b. Land designated for additional, compact development shall be designated as "receiving areas". The buyer is permitted to use Transfer of Development Credits to increase the density of his development within receiving zones. No new lots in a "receiving area" shall be less than 2 acres.
   c. The number of development credits shall be established by this Ordinance.
   d. The price of development credits will be determined by the willing buyer and the willing seller under fair market conditions.

C. Establishment of Development Credits Within Sending Areas

1. Eligibility. Transfer of development credits are recognized and established for specified tracts of land in keeping with the purposes of this Ordinance. The following eligibility criteria shall apply to tracts of land in sending zones as defined by this Ordinance.
   a. The tract of land shall be a legal lot at the time this ordinance is adopted.

b. The tract(s) shall be located within the EFU-JA zone (Juniper Acres).

2. Number of Credits. One Transfer of Development Credit shall be allowed for each existing legal parcel in the EFU-JA zone (Juniper Acres). Additional development credits will be allowed for the consolidation of parcels at the following rate: 1 additional TDC for consolidation of 2-4 parcels; 2 additional TDCs for consolidation of 5-7 parcels; 3 additional TDCs for consolidation of 8-10 parcels, etc.

3. Monitoring of Credits. At the time of adoption of this Ordinance, Crook County shall:
   a. Maintain an accurate record of development credit established and transferred for each lot within the sending area through an appropriate indexing system and map, based on recorded plats. Such system shall key the information to the original tax parcel.
   b. Participate in the transfer process as prescribed in Section D.

4. Right to Develop. The owner of a tract of land eligible for the transfer of development credits shall not be restricted from developing said tract in accordance with the applicable zoning district.

D. Sale of Transfer of Development Credits Within Sending Areas.

1. Sale of Credits. Development credits, as calculated in Section 3.0 above, may be conveyed to any person or legal entity, or equitable owner of tracts of land within any designated receiving area, or sold or donated to Crook County, a conservancy or land trust.
2. Deed of Transfer of Development Credits. The development credits conveyed shall be described in a deed designating the owner of the tract of land in the sending area as "grantor" and the owner or equitable owner in the receiving area as "grantee". The said deed shall be known as the "deed of transfer of development credits" which shall be recorded with the Crook County Clerk. The grantee shall obtain a sample deed of transfer of development credits from the county. Said deed shall be endorsed by the county prior to recording. Prior to approval of any transfer of development credits the County Planning Department shall certify that the net acreage so restricted is sufficient to meet the requirement of this section.
3. Title Report. The deed shall be accompanied by a title report and plan showing such detail as may be required by the Planning Department to demonstrate that such lands are free of restrictions prescribed in Section C.
4. Restrictive Covenant Agreement. Upon sale of development credits, the grantor shall enter into a restrictive covenant agreement with Crook County. The covenant agreement shall:
   a. Permanently restrict the land from future residential development. All other uses in the EFU-4 zone shall be allowed.

b. Be approved by the Crook County Planning Department.
c. Shall designate future owners of a lot as having responsibility of enforcement.

E. Distribution and Use of Development Credits in the Receiving Area.

1. Eligibility. Transfer of development credits may be applied to tracts of land within a receiving area, in addition to credits established under the base-zone. The following eligibility criteria shall apply to receiving zones as defined by this ordinance:
   a. The tract of land shall be no less than 4 acres in size.
   b. The tract(s) shall be located within existing rural residential zones (RR-5 and RR(M)5), except for the RR-5 zones in the Powell Butte study area.

2. Transfer of Credits. Landowners in receiving areas have the right to build one (1) additional dwelling unit for each development credit purchased.

3. Use in Existing Subdivisions. TDCs may be utilized in existing subdivisions, however, such use will require a replatting of the subdivision.

F. Taxation of Development Credits.

Transfer of development credits shall be considered real property. Upon sale and transfer, the instrument conveying the development credits and accompanying deed of transfer of development credits shall be recorded with the Crook County Clerk, and notification given to the Crook County Assessor so that proper reassessment may occur.

G. Public Acquisition And Sale.

Crook County may purchase development credits and may accept ownership of development credits through transfer by donation. All such development credits shall be either retired by the county or held in a TDC account for future sale to receiving area properties. Any such purchase or donation shall be accompanied by a deed of transfer of development credits as prescribed in Section D.

COUNTY COURT, CROOK COUNTY ★ STATE OF OREGON ★

KEY PUNCHED
AUG 28 2001

STATE OF OREGON } ss 164779
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 21st DAY OF
August 2001 AT 9:45 A. M.
AND RECORDED IN CJRNL
RECORDS OF SAID COUNTY MF NO. 164779
DEANNA E. BERMAN, CROOK COUNTY CLERK
BY Elaine Brummer DEPUTY

N/C

Crook County
Community Development
300 NE 3rd Street, Prineville, OR 97754
(541)447-3211
plan@crookcountyor.gov

November 5, 2025

Staff Memo regarding appeal file record number 217-25-000233-PLNG-01, of a Nonfarm Dwelling (Crook County Assessor's Map: 1816040005300)

FROM: Katie McDonald, Senior Planner

Decision

The application by Duke and Dana Settle, represented by Kilpatrick Consulting LLC, for the approval of a nonfarm dwelling to replace the existing 1963 manufactured dwelling on the 10-acre parcel (Assessor's Map: 1816040005300) was APPROVED, subject to the conditions of approval outlined in the findings.

This decision is based on a finding that the proposal successfully complies with all applicable criteria set forth in the Crook County Code, specifically Title 18, Chapter 18.16, pertaining to Exclusive Farm Use Zones (EFU-1) and dwellings not in conjunction with farm use CCC 18.16.040.

Methodology and Key Findings

The review methodology focused on assessing the application's compliance with the standards for a Nonfarm Dwelling within the EFU-1 zone, specifically examining potential impacts on farm practices, suitability of the land for farm/forest use, and the stability of the overall land use pattern.

- **Impact on Accepted Farm/Forest Practices:** *CCC 18.16.040(1)(a) finding on page 3 of decision.*
    - The applicant provided an analysis of surrounding land uses showed that only 39% of the study area parcels could support seasonal farming operations. Staff found the dwelling will not force a significant change in or significantly increase the cost of accepted farming practices. A non-remonstrance letter is required as a condition of approval.
- **General Unsuitability of Land:** *CCC 18.16.040(2) finding on page 4 of decision.*
    - The property consists predominantly of Class VII soils and lacks irrigation water rights. Staff found the portion of the parcel where the dwelling will be located is generally unsuitable land for commercial farm production, meeting the suitability standard.

- **Stability of Overall Land Use Pattern (Cumulative Impacts), CCC 18.16.040(3)** *finding on page 5-6 of decision.*
    - A cumulative impacts analysis was conducted on a study area of approximately 4,532.98 affected acres. Staff found that the approval of the single nonfarm dwelling will not materially alter the stability of the land use pattern or hinder the continuation of any farm operation in the area, given the area's mixed use, arid conditions, and poor soils.
- **Wildlife Habitat Density, CCC 18.16.040(7)** *finding on page 7 of decision (numbered as 18.16.040(5))*
    - The property is within big game winter habitat. The density calculation was determined to be compliant with Wildlife Policy 2 based on the Comprehensive Plan's Program to Achieve, which omits EFU-JA. The calculation showed 6 existing/approved dwellings against an allowable 19 potential dwellings in the resource-zoned parcels of the study area.
- **Development Standards:** The proposal meets all setback requirements and does not involve a new land division.

Appeal Information

Central Oregon Landwatch (COLW) filed an appeal of the administrative decision approving the Settle application for a nonfarm dwelling (Decision 217-25-000233-PLNG) on August 27, 2025. The findings of the administrative decision are incorporated by reference.

Issues Raised on Appeal by COLW

COLW Appeal Issue 1: Wildlife Density Calculation Excludes EFU-JA Parcels

- **Criterion:** CCC 18.16.040(7)- Residential density limitations in deer and elk winter ranges.
- **Appellant's Argument:** Applicant's Exhibit F fails to demonstrate compliance with Wildlife Policy 2 because the potential development density equation excludes numerous EFU-JA zoned properties already developed with dwellings.
- **Relevant Staff Finding (Page 7 of Administrative Decision):** Staff followed the Program to Achieve in the County's Comprehensive Plan.

COLW Appeal Issue 2: Wildlife Density Calculation Fails to Account for Existing Dwellings

- **Criterion:** CCC 18.16.040(7), Residential density limitations in deer and elk winter ranges.
- **Appellant's Argument:** Applicant's Exhibit F is further inadequate because it fails to account for EFU-1 zoned properties within the study area already developed with dwellings, including the subject property itself.
- **Relevant Staff Finding (Page 7 of Administrative Decision):** The Burden of Proof indicates there are currently 6 dwellings (including the proposed dwelling) against an allowable 19 potential dwellings in the resource zone parcels, directly addressing the existing development count.

Hannah Elliott

From: Katie McDonald
Sent: Wednesday, November 5, 2025 4:40 PM
To: Hannah Elliott
Subject: Fw: Settle Corrections
Attachments: Settle Corrected Memo One 11 05 25.docx; Settle Corrected Memo Two 11 05 25.docx

---

From: Craig & Cathy Kilpatrick <ckrimrock@yahoo.com>
Sent: Wednesday, November 5, 2025 1:38 PM
To: Katie McDonald <Katie.McDonald@crookcountyor.gov>
Subject: Settle Corrections

Katie,

I am sorry for this inconvenience, we have attached corrected documents for the Settle appeal, both of them. Apparently, I sent an uncorrected version, citations in particular, for the appeal. Please substitute the attached, and again, I am sorry for the inconvenience.

Craig K

Kilpatrick Consulting LLC
Land Use Consultants
13790 NW O'Neil Highway
Redmond, OR 97756
(541) 447-2724 - Office

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

Nonfarm Dwelling – Planning Staff (Settle / TL 5300, EFU-1) (Corrected Citations)

What's being decided:

Authorize one nonfarm dwelling on a 10-acre EFU-1 parcel created in 1968 (pre-SB 100). The parcel is near Juniper Acres (EFU-JA overlay).

Snapshot: Facts that matter

- Soils: 100% Class 7 (Ayres series) – shallow duripan, no irrigation rights → poor agricultural productivity.
- Context: Remote, dry rangeland with scattered nonfarm dwellings; no adjacent commercial farming.
- Wildlife: In General Winter Deer Range; density standard ≤ 1 home / 80 acres is met by cumulative impact analysis.

The 3 legal checks (plain-English)

1. Land is generally unsuitable for farming

Oregon law requires that the home go on land that's not workable for crops/livestock.
Here: Class 7 soils + no irrigation + terrain = unsuitable.
Authority: ORS 215.284(2)(b); OAR 660-033-0130(4)(c)(B); CCC 18.16.040(2); *Wetherell v. Douglas County*.

2. No significant new cost or change to nearby farm practices

The home can't make farming harder or pricier next door.
Here: No nearby commercial farms; rangeland uses only; existing setbacks/buffers apply → no significant impact.
Authority: ORS 215.284(2)(a),); CCC 18.16.040(1);OAR 660-133-30(4)(c)(A).

3. Doesn't destabilize the area's farm pattern (cumulative look)

County must look at EFU lands characterized by farm uses and ask if "one more" would tip the balance.
Here: Study found 6 dwellings / 1,559 EFU acres (≈32% of allowable), still predominantly open rangeland → no material alteration.
Authority: OAR 660-033-0130(4)(c)(C); CCC 18.16.040(3); *Sweeten v. Clackamas County, Blosser v. Yamhill County, Lichvar v. Jackson County*.

Why Juniper Acres (EFU-JA) homes are not counted in the EFU stability math

- What EFU-JA is: A pre-1973 subdivision managed by a separate designation to contain legacy residential lots.
- County rule purpose: CCC 18.112.005 allows limited residential use in Juniper Acres that EFU wouldn't—it's a committed residential area, non-resource, not working ag land.
- Stability math counts EFU farm areas, not exception/committed non-resource neighborhoods; including EFU-JA would distort the farm pattern analysis.
- Deference to local interpretation: ORS 197.829(1); *Clark v. Jackson County*

See also discussion of committed lands and local deference in Oregon State Bar Legal Publications, Land Use (2010).

Wildlife density (quick read)

- Study area EFU acres: ~1,559
- Allowable dwellings: 19 (at 1/80-acre standard)
- Existing + vested + proposed: 6 → well under the cap → complies with Crook County Comprehensive Plan Wildlife Policy 2.

Suggested staff script (30 seconds)

"Staff finds the parcel is on poor Class 7 soils with no irrigation and is generally unsuitable for farming. The proposed dwelling will not force a significant change or increase in costs to nearby farm practices. The cumulative impact analysis of EFU lands shows the area remains predominantly agricultural in character. Juniper Acres (EFU-JA) is a committed residential, non-resource area and is not counted in EFU stability calculations. The application did a cumulative impact analysis and complies with ORS 215.284(2), OAR 660-033-0130(4)(c), CCC 18.16.040, and Crook County Comprehensive Plan Wildlife Policy 2. Staff recommends approval."

Citations (for staff reference)

- Statutes/Rules: ORS 197.829; ORS 215.284;; OAR 660-033-0130(4)
- County Code: CCC 18.16.040); CCC 18.112.005
- Crook County Comprehensive Plan: Wildlife Policy 2
- *Wetherell v. Douglas County, 52 Or LUBA 677 (*2006).

  Interprets ORS 215.284(2)(a) regarding suitability of land for farming and emphasizes the need to consider cumulative impacts and actual land conditions.
- *Clark v. Jackson County*, 313 Or 508 (1992).

  Addresses deference to local government interpretations affirming that LUBA must defer unless the interpretation is inconsistent with the regulation's language or purpose.
- *Sweeten v. Clackamas County*, 17 Or LUBA 1234 (1989)

  Discusses cumulative impact analysis under ORS 215.284(1)(b) for EFU land, focusing on how multiple dwellings may affect the stability of the farm use area.
- *Blosser v. Yamhill County*, 18 Or LUBA 253 (1989)

  Examines EFU density and the cumulative effects of nonfarm dwellings on farm use stability.
- *Lichvar v. Jackson County*, 49 Or LUBA 68 (2005)

  Clarifies that committed residential overlays do not automatically justify new nonfarm dwellings; counties must still evaluate their impact on EFU land stability.
- Oregon State Bar Legal Publications, *Land Use* (2010).
- Record: Full application & cumulative impact analysis exhibits (EFU-JA excluded from EFU counts)

Nonfarm Dwelling – Planning Staff (Settle / TL 5300, EFU-1) (Corrected Citations)

Wildlife – Clarification of Wildlife Policy 2 and Study Area Application

Purpose

This document provides further background and interpretation of Crook County Comprehensive Plan Wildlife Policy 2 and its implementation under CCC 18.16.040(7) as applied to a non-farm dwelling proposal on EFU-1 land near the EFU-JA (Juniper Acres) subdivision. It clarifies the historical development of Wildlife Policy 2, the legal status of deer range mapping, and how the County distinguishes between applications within and near pre–Senate Bill 100 subdivisions such as Riverside Ranch and Juniper Acres within EFU zones.

Comprehensive Plan History and Acknowledgment

Crook County adopted its first unacknowledged Comprehensive Plan in 1978. Following the adoption of Senate Bill 100 which created the statewide land-use system and the 19 Statewide Planning Goals, including Goal 3 (Agricultural Lands) and Goal 5 (Natural Resources) counties were required to revise or replace their early plans and obtain acknowledgment from the Oregon Department of Land Conservation and Development (DLCD). Crook County completed that process and its Comprehensive Plan was formally acknowledged in 1979 with subsequent amendments including the current 2003 acknowledged version (as further amended by ordinances).

As part of acknowledgment of Goal 5 in 1982, the County coordinated with the Oregon Department of Fish and Wildlife (ODFW) to identify big-game habitat areas. ODFW supplied mapping for both Crucial (also known as Critical) and General Deer Winter Range. When the County adopted its acknowledged plan, only the Crucial Winter Range map—was adopted by ordinance. The General Deer Winter Range layer was *not* adopted by ordinance and was retained only as informational background to guide review of development proposals under Wildlife Policy 2. Later, during subsequent plan updates, Wildlife Policy 2 was carried forward through the implementing Crook County Code.[1] Thus, the County's acknowledged Goal 5 program continues to implement Wildlife Policy 2 not through a static General Deer Winter Range mapped overlay, but through a density-based analysis and case-by-case study-area evaluation as provided in CCC 18.16.040(7).[2]

Wildlife Policy 2 appears in the Comprehensive Plan's Natural Resources Element and provides:

"Density within a Crucial Wintering Area for deer shall not be greater than one residence per 160 acres and for the General Winter Range not more than one residence per 80 acres."

---

[1] The Fish and Wildlife Areas Habitats section in the Comprehensive Plan specifically failed to mention the EFU-JA zone. "**Program To Achieve The Goal**. In order to protect the big game habitat, the Comprehensive Plan policies must be carried over and enacted directly into the County Zoning Ordinance for the EFU-1, EFU-2, EFU-3, and F-1 zones" Crook County Comprehensive Plan Page 142. Although EFU-JA was enacted in September 2003 the County did not amend this section of the Crook County Comprehensive Plan to later include the EFU-JA zone.

[2] Note "General Winter Range" is not defined in the Crook County Code.

The stated purpose of the policy is "to maintain viable populations of big game and to protect their habitat from encroachment."

Because the General Deer Winter Range layer map was never adopted as part of the acknowledged Comprehensive Plan or Goal 5 inventory, it cannot serve as a binding regulatory map. LUBA and Oregon courts have consistently held that only those maps, overlays, or inventories that are adopted by ordinance and acknowledged as part of the comprehensive plan have regulatory effect. Instead, the County lawfully applies Wildlife Policy 2 through its acknowledged implementation mechanism—the study-area procedure in CCC 18.16.040(5)—which evaluates a study area rather than solely relying on a non-adopted 40+ year old General Deer Winter Range map.

Juniper Acres (EFU-JA) – Historical and Land Use Context

Juniper Acres was platted in 1962 as a rural subdivision composed of 10-acre lots. Although still zoned Exclusive Farm Use – Juniper Acres (EFU-JA), the subdivision was recognized in the Crook County Code as a pre–Senate Bill 100 residential subdivision. The County applied EFU-JA zoning to maintain consistency with Goal 3 while acknowledging the subdivision's established residential pattern.[3] The EFU-JA zone prevents further partitioning or intensification but recognizes existing development.

The Juniper Acres subdivision's pattern of smaller lots, scattered dwellings, and private roads demonstrates that it is a committed residential area rather than an agricultural or wildlife resource area. For this reason, including EFU-JA in a Wildlife Policy 2 study area for a non-farm dwelling *outside* the Juniper Acres subdivision would not further the policy's intent. Its density pattern predates plan acknowledgment and does not contribute to additional habitat encroachment, particularly as no new non-farm dwellings are permitted within EFU-JA.

Riverside Ranch – Comparison and Application of Wildlife Policy 2

Riverside Ranch provides a parallel case. It is a pre–SB 100 subdivision zoned EFU-1 and composed of various sized lots platted before Comprehensive Plan acknowledgment. The County retained EFU-1 zoning to comply with Goal 3 while recognizing that the area is committed to rural residential use. Because Riverside Ranch is zoned EFU-1, Wildlife Policy 2 applies to any new non-farm dwelling within the subdivision. Applicants must demonstrate compliance with the one-per-80-acre density standard using the study-area method under CCC 18.16.040(7). The study area would include surrounding subdivision parcels to assess overall density and confirm no additional encroachment occurs because the application is for land already *within* the subdivision. There would not be a reasonable justification to exclude the subdivision parcels from the study area for an application within the subdivision.

Applications Adjacent to Riverside Ranch or EFU-JA

When a non-farm dwelling is proposed *outside* but near a committed pre–Senate Bill 100 subdivision such as Riverside Ranch (EFU-1) or Juniper Acres (EFU-JA), Wildlife Policy 2 also applies. However, under CCC 18.16.040(7), the applicant may propose—and the County may approve—a modified study area that excludes committed subdivision lands if inclusion would distort the density calculation for uncommitted EFU lands. In other words, the purpose of Wildlife Policy 2 is to prevent new encroachment into deer winter range, not to re-regulate long-established subdivisions such as EFU-JA. Therefore, excluding EFU-JA from the study area when evaluating a non-farm dwelling on nearby EFU-1 land is consistent with the policy's intent. This approach ensures that the Wildlife Policy 2 analysis for EFU-1 focuses on an

[3] As a pre-Senate Bill 100 subdivision a Goal 3 exception was not required for Juniper Acres. Had the County chose to rezone it to a rural-residential zone then an exception would have been needed but that is not the case here.

uncommitted study area, in accordance with Crook County's acknowledged Comprehensive Plan and relevant case law.

Conclusion

Crook County's Comprehensive Plan and code provide the flexibility necessary to apply Wildlife Policy 2 in a manner that fulfills its purpose (and Goal 5) while respecting acknowledged land use patterns. Juniper Acres (EFU-JA) and Riverside Ranch are both pre–SB 100 subdivisions recognized by the County as committed residential areas. For dwellings within such subdivisions, Wildlife Policy 2 applies and must be demonstrated through a study-area analysis under CCC 18.16.040(7)[4]. For dwellings near those areas, committed subdivision residential lands may be excluded from the study area if inclusion would misrepresent density or habitat conditions. This interpretation is consistent with Crook County's acknowledged Comprehensive Plan, and the discretionary provisions of CCC 18.16.040(-7), ensuring compliance with Goal 5 and the continued protection of deer winter range.

[4] We recognize that the EFU-JA does not allow further non-farm dwellings, but in principle this would apply to other pre-Senate Bill 100 subdivisions that remained in EFU zones that have implemented Wildlife Policy 2 directly into the County Code.

Hannah Elliott

From: WILKES Jessica S * ODFW <Jessica.S.Wilkes@odfw.oregon.gov>
Sent: Friday, November 7, 2025 2:35 PM
To: Katie McDonald
Cc: Plan; BOWLES Jamie L * ODFW; GREGORY Sara C * ODFW; JACKLE Greg S * ODFW
Subject: ODFW comment File No. 217-25-00233-PLNG-01
Attachments: 217-25-000233-plng ODFW comment_FINAL.pdf

Hi Katie,
Oregon Department of Fish and Wildlife would like to submit comments for the record concerning an application for a non-farm dwelling (File No. 217-25-00233-PLNG-01). We did not comment initially because we didn't see any red flags based on the application, however upon further discussion internally, we have some concerns over growing development in the Juniper Acres area that we'd like to talk with Crook County about. We understand that there is a hearing for this application next week on Wednesday, I am going to do my best to attend in case there are any questions ODFW can answer.

We are available for conversation if you'd like to meet! Thanks, and don't hesitate to reach out if you have any questions.

Have a good weekend,

Jessica Wilkes
Regional Habitat Biologist- Deschutes Watershed
Oregon Department of Fish and Wildlife
61374 Parrell Rd Bend, OR 97702
Office: 541-388-6099
Cell: 541-640-1420
Fax: 541-388-6281

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

Oregon
Tina Kotek, Governor

Department of Fish and Wildlife
John Day Watershed
East Region
73471 Mytinger Lane
Pendleton, Oregon 97801
(541) 276-2344
FAX (541)276-4414

November 7, 2025

Katie McDonald
Crook County
300 NE 3rd St. Rm 12
Prineville, OR 97754

RE: Comments on Record No. 217-25-000233 PLNG; Non-farm dwelling appeal

Dear Ms. McDonald,

Oregon Department of Fish and Wildlife (ODFW) is responding to request for comment on an appeal for a non-farm dwelling application (Record No. 217-25-000233 PLNG) located at 2901 SE Myrtlewood Lane Prineville, OR 97754. Although our comments are in response to Record No. 217-25-000233 PLNG, the following is more directed towards ODFW's general concerns regarding the increasing development footprint of Juniper Acres (EFU-JA) and fragmentation of the landscape. ODFW considers this area to contain valuable (and even irreplaceable) habitat and would like to see it be protected to the maximum extent possible from continued expansion of development.

The proposed project falls within Juniper Acres, a remote subdivision located approximately 20 miles south of Prineville. Although Juniper Acres contains a series of 10-acre lots, some of which have been developed with dwellings, Juniper Acres is recognized as Open Range (Ordinance No. 18, Amendment No. 53) and contains valuable habitat for a number of species. Juniper Acres overlaps several biological boundaries, including County Goal 5 mule deer winter range and ODFW mapped habitat for both mule deer and rocky mountain elk winter range and Priority Wildlife Connectivity Areas (PWCAs). In addition, it is near low-density sage grouse habitat (OAR 635-140-0002). Areas included within these boundaries are due to the presence of resources (e.g., forage, shelter, water) important for the survival or reproductive purposes of the species or to provide movement corridors. The conservation of these resources and habitat connectivity are crucial for the persistence of these populations.

Mapped biological boundaries are an important step towards prioritizing conservation efforts, however wildlife don't recognize jurisdictional boundary lines, and therefore it is important for land managers to manage the landscape holistically for a broad range of different species. For example, the Juniper Acres area also serves as important habitat for other species that don't have special protections (e.g., pinyon jays, jackrabbits, raptors) that are reliant upon large expanses of

undisturbed juniper/sage-steppe habitat. However, the quality of this habitat has been slowly deteriorating over the years as development continues to expand and fragment the landscape. For example, the increase in number of dwellings, fencing, traffic, disturbance and domestic animals spread throughout an expanding footprint are some of the many challenges that wildlife face. Habitat loss or displacement of wildlife due to the direct and indirect impacts from development are a major concern to ODFW in Central Oregon.

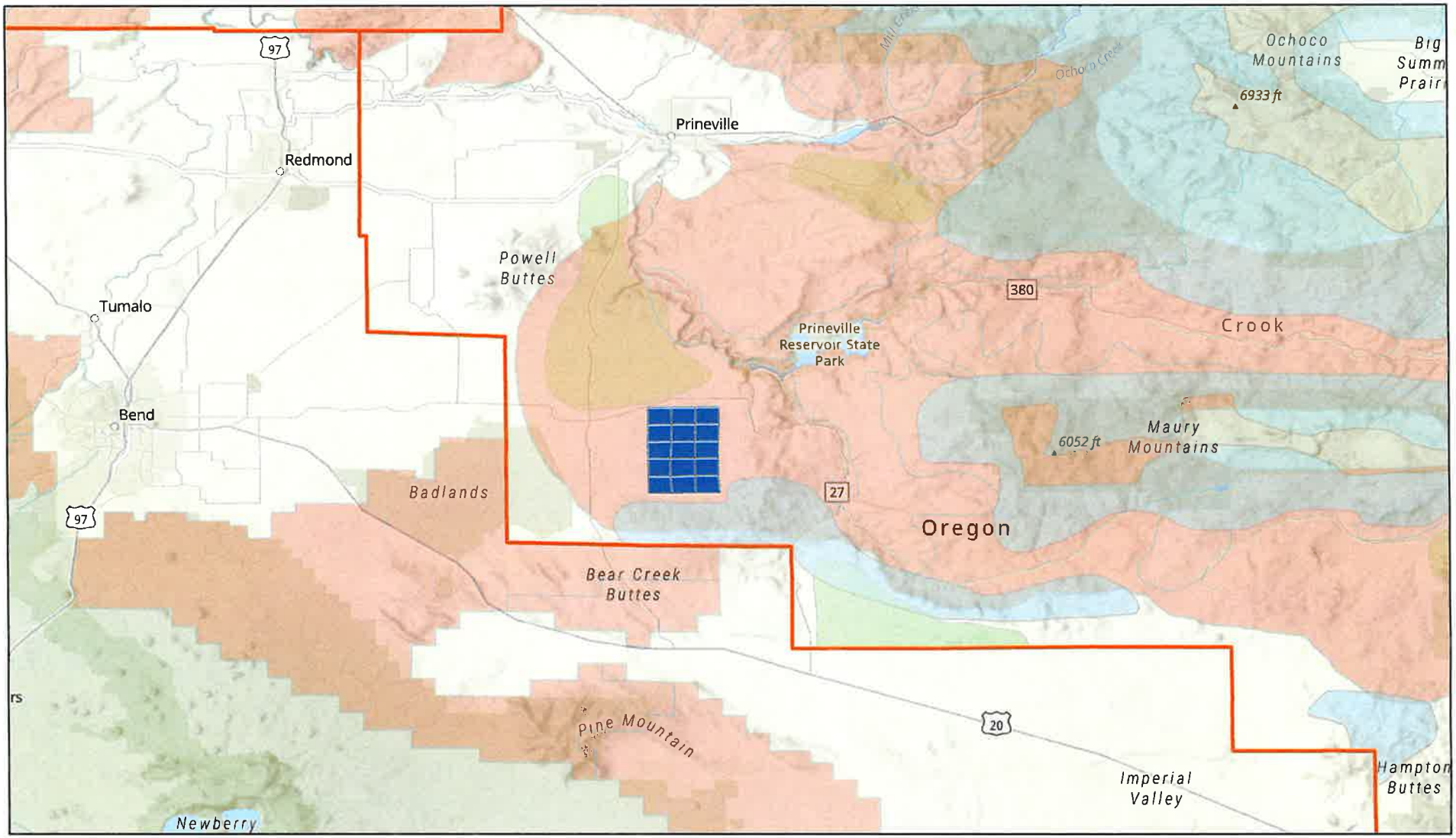
ODFW would appreciate the opportunity to have further discussions with the County on the best approach to reduce continued development of Juniper Acres and to protect these valuable habitats. In addition, ODFW understands that the County is considering updating Goal 5 wildlife overlay zones and is interested in discussing this potential proposal as well.

Thank you for this opportunity to comment.

Respectfully,

Jessica Wilkes; Acting Regional Wildlife Habitat Biologist

Cc: Jamie Bowles, Acting District Wildlife Biologist
Sara Gregory, Deschutes Watershed Manager
Greg Jackle, Acting Sage Grouse Mitigation Coordinator



Goal 5 Wildlife Overlay

SPECIES
- Antelope
- Deer
- Elk

County
- County

Juniper Acres
- Juniper Acres

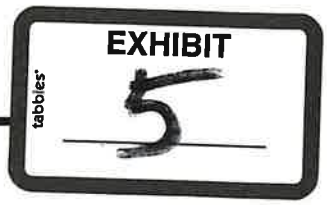
0 36 72 144 216 288 Miles

N

ODFW Pronghorn essential habitat
ODFW Rocky mtn elk winter range
ODFW Mule deer winter range
Priority Wildlife Connectivity Areas
County
SageGrouse_PACs
Juniper Acres

0 36 72 144 216 288 Miles

N



Hannah Elliott

From: Robin Hayakawa <robin@colw.org>
Sent: Tuesday, November 11, 2025 3:56 PM
To: Hannah Elliott
Cc: Katie McDonald; Plan
Subject: Re: LandWatch Written Comments - Settle NFD Appeal
Attachments: Additional COLW Settle NFD Comments.pdf

Hi Hannah + Katie,

On behalf of Central Oregon LandWatch, please add the attached additional comments to the record for tomorrow's PC Hearing.

Our address is 2843 NW Lolo Drive, Ste. 200, Bend, OR 97703. Thank you.

On Tue, Nov 4, 2025 at 2:19 PM Hannah Elliott <Hannah.Elliott@crookcountyor.gov> wrote:

Thank you, Robin. This will be uploaded just shortly as Exhibit 2.

Best,

Hannah Elliott

Associate Planner

Phone: (541) 447-3211 ext 243
Address: 300 NE 3rd Rm 12, Prineville, OR 97754

Plan@crookcountyor.gov

Website: https://co.crook.or.us/

From: Robin Hayakawa <robin@colw.org>
Sent: Tuesday, November 4, 2025 1:40 PM

To: Katie McDonald <Katie.McDonald@crookcountyor.gov>
Cc: Plan <plan@crookcountyor.gov>
Subject: LandWatch Written Comments - Settle NFD Appeal

Hi Crook County,

On behalf of Central Oregon LandWatch, please add the attached written comments and exhibit to the record for the 11/12/2025 Planning Commission Hearing on Application File No. 217-25-00233-PLNG-01.

Our address is 2843 NW Lolo Drive, #200, Bend, OR 97703. Thank you.

--

Robin Hayakawa

Associate Staff Attorney

Central Oregon LandWatch

2843 NW Lolo Dr. Ste. 200, Bend, OR 97703

541-647-2930 x807 | robin@colw.org

To advocate for fair, sustainable land use, visit our Take Action page!

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

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

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

reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.

Beware of Scams – Crook County will never ask for payment via wire, Venmo, Cash App, or Zelle. If you have questions about an invoice, please call 541-447-6554 to confirm before sending payment.

--

Robin Hayakawa
Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Dr. Ste. 200, Bend, OR 97703
541-647-2930 x807 | robin@colw.org

To advocate for fair, sustainable land use, visit our Take Action page!

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

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

November 12, 2025
Filed by email: Katie.McDonald@crookcountyor.gov

Crook County Planning Commission
% Katie McDonald, Assistant Planner
320 NE Court Street
Prineville, OR 97754

Re: Application File No. 217-25-000233-PLNG-01; Settle NFD

Dear Chair Warren and Crook County Planning Commission:

Central Oregon LandWatch submits these additional written comments in response to the Applicant's shifting justifications for the under-inclusive and undersized study area relied upon in tentatively approving this application.

On November 4, 2025, the Applicant submitted a document described as a "Final Wildlife Supplement Document". See Exhibit 1 - Kilpatrick. For the first time, the Applicant appears to be claiming that the adequacy of their PDDE relies on the second sentence of CCC 18.16.040(7),[1] which provides "An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2, provided the methodology and size of the study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2."

The methodology and size of the study area used by the Applicant is not consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2.

1. **Purpose.**

The Purpose of Wildlife Policy 2 is to limit the negative economic, social, environmental, and energy consequences of allowing conflicting uses in big game range. According to the Crook County Comprehensive Plan, "[t]he most significant conflicting use to big game habitat in Crook County is an increase in density of residential dwellings in the habitat area." CCCP at PDF p. 154. Therefore, the purpose of Wildlife Policy 2 is to protect big game habitat by limiting the density of residential dwellings in the habitat area. The Applicant appears to generally agree, stating the purpose of Wildlife Policy 2 is to "maintain viable populations of big game and protect their habitat from encroachment." Exhibit 1 - Kilpatrick at p. 3.

[1] Applicant and Staff repeatedly have asserted that applicability of Wildlife Policy 2 resides in CCC 18.16.040(5). LandWatch relies on 18.16.040(7), based on the Crook County Code edition made available online, which appears to current through Ordinance No. 350, passed May 7, 2025. https://www.codepublishing.com/OR/CrookCounty/#!/CrookCounty18/CrookCounty1816.html#18.16.040, Accessed on November 7, 2025.

CENTRAL OREGON LANDWATCH
2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

2. Methodology.

The methodology relied upon by the Applicant does not achieve the purpose of Wildlife Policy 2, and instead allows an additional dwelling in a habitat area already heavily impacted by residential development.

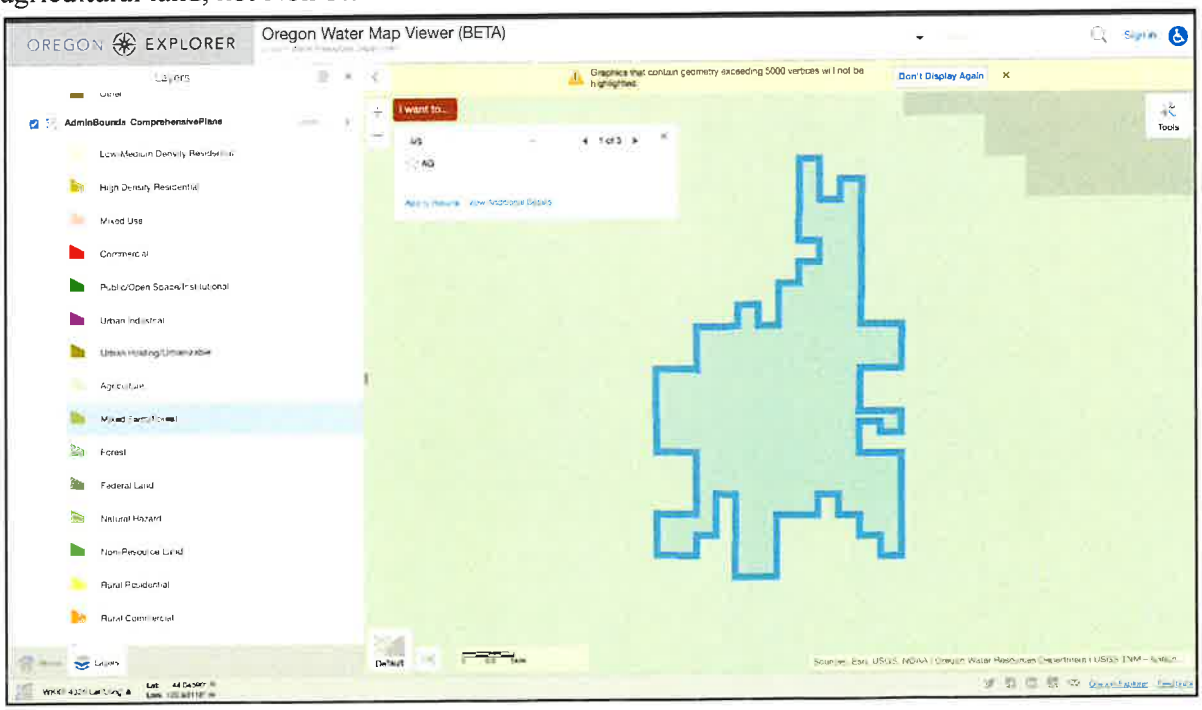
The applicant provided the following description of the proposed study area:

> 1. One Mile Study Area – Wildlife Density Map – The Settle application identifies an area measured approximately one mile from the existing single parcel which measures 10-acres in size. The Wildlife Density Map includes lands only within Crook County. The enclosed GIS map indicates a "One Mile Study Area" within Crook County of approximately 4,532.98-acres of which **1,559.12- acres** are listed as resource land and lay within one-mile. The applicant has subtracted a total of approximately 2,973 non-resource acres located in Juniper Acres (JA) zone, the Juniper Acres Subdivision, a committed area leaving the 1,559.12-acres for the purpose of this calculation. The general deer wintering range is the only big game habitat that is germane to this application. All the study area is located within the general deer wintering range. None of the study area is located within the critical deer wintering range. A small portion (13-acres) of the affected area lies with the Elk Winter Range to the southeast. See attached One Mile Study Area Map Exhibit for PDDE.

The study area excludes approximately 2,973 "non-resource acres" located in the EFU-JA zone, which Mr. Kilpatrick describes as a "committed area."

Kilpatrick's description of EFU-JA as "non-resource" is incorrect and misleading. Juniper Acres is not, and has never been designated as non-resource land.

An existing Comprehensive Plan Map shows that Juniper Acres is designated "AG" agricultural land, not Non-Resource.



CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

LandWatch Figure 1. Comprehensive Plan Map showing AG designation.
https://tools.oregonexplorer.info/OE_HtmlViewer/index.html?viewer=oe, **Accessed October 7, 2025.**

"Appendix B" of the Crook County Comprehensive Plan contains a list of "Rural Exception Areas" within Crook County. Crook County Comprehensive Plan at PDF p. 559. Juniper Acres is not listed.

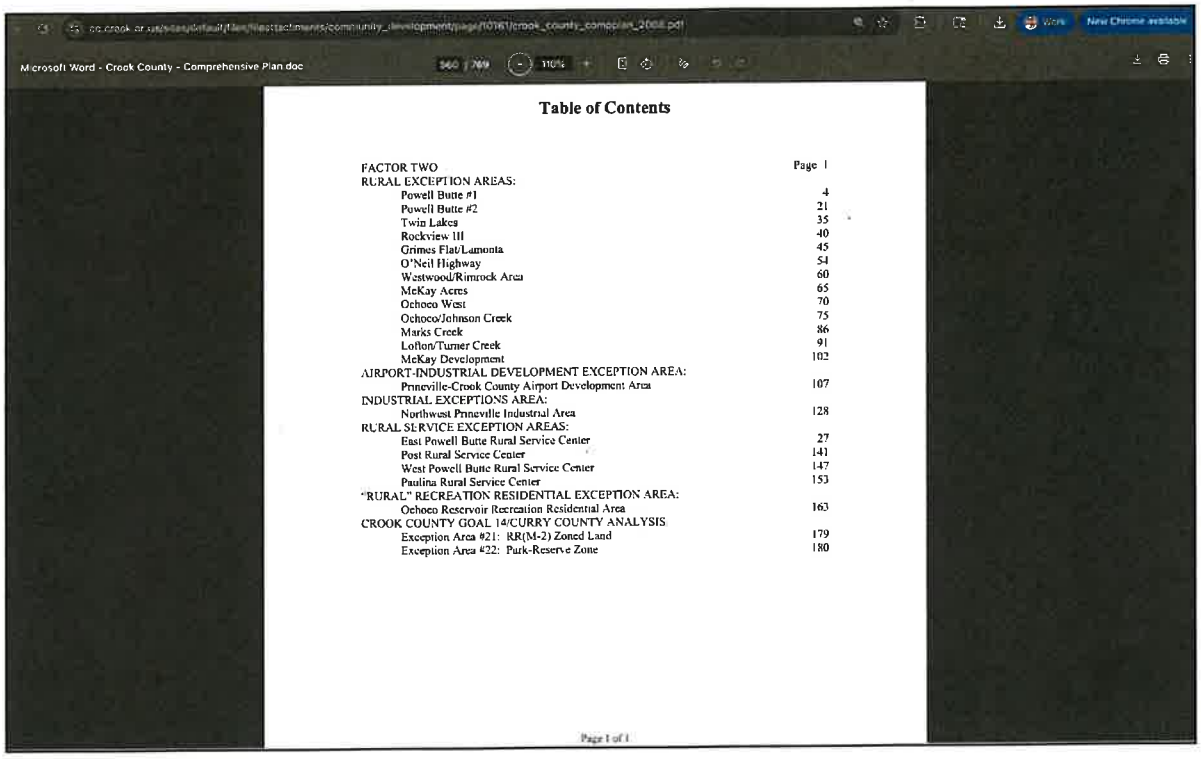

Microsoft Word - Crook County - Comprehensive Plan.doc

Table of Contents

FACTOR TWO	Page 1
RURAL EXCEPTION AREAS:	
Powell Butte #1	4
Powell Butte #2	21
Twin Lakes	35
Rockview III	40
Grimes Flat/Lamonta	45
O'Neil Highway	54
Westwood/Rimrock Area	60
McKay Acres	65
Ochoco West	70
Ochoco/Johnson Creek	75
Marks Creek	86
Lofton/Turner Creek	91
McKay Development	102
AIRPORT-INDUSTRIAL DEVELOPMENT EXCEPTION AREA:	
Prineville-Crook County Airport Development Area	107
INDUSTRIAL EXCEPTIONS AREA:	
Northwest Prineville Industrial Area	128
RURAL SERVICE EXCEPTION AREAS:	
East Powell Butte Rural Service Center	27
Post Rural Service Center	141
West Powell Butte Rural Service Center	147
Paulina Rural Service Center	153
"RURAL" RECREATION RESIDENTIAL EXCEPTION AREA:	
Ochoco Reservoir Recreation Residential Area	163
CROOK COUNTY GOAL 14/CURRY COUNTY ANALYSIS	
Exception Area #21: RR(M-2) Zoned Land	179
Exception Area #22: Park-Reserve Zone	180

LandWatch Figure 2. Table of Contents of "Appendix B" of the Crook County Comprehensive Plan. PDF p. 559.

Crook County Code contains specific provisions that make Wildlife Policy 2 either applicable or inapplicable to rural zones, with applicability depending on whether the land is zoned for resource or nonresource use.

The following zones contain provisions making Wildlife Policy 2 inapplicable because they are properly considered nonresource.

- RURAL SERVICE CENTER ZONE, RSC (CCC 18.32.100)
- PARK RESERVE ZONE, P-R (CCC 18.36.070)
- RECREATION RESIDENTIAL MOBILE ZONE, RR(M)-5 (CCC 18.40.100)
- RECREATION RESIDENTIAL ZONE, RR-1 AND RR-5 (CCC 18.44.100)

- SUBURBAN RESIDENTIAL MOBILE ZONE, SR(M)-1 (CCC 18.52.080)
- SUBURBAN RESIDENTIAL ZONE, SR-1 (CCC 18.48.090)
- RURAL RESIDENTIAL ZONE, R-5, (CCC 18.88.090)
- RURAL RESIDENTIAL ZONE, R-10 (CCC 18.92.080)
- FOREST RECREATION, FR-10 (CCC 18.96.080)
- RESIDENTIAL WOODLOT, RW-40 (CCC 18.100.080)
- POWELL BUTTE RURAL RESIDENTIAL ZONE, PBR-20 (CCC 18.108.090)

These code provisions, adopted in 2010 (Ordinance 236), demonstrate the County's intent to exempt nonresource land from Wildlife Policy 2: "The residential density limitations and the lot and parcel size limitations found in Wildlife Policy 2 of the Crook County comprehensive plan do not apply to any nonresource zones."

In contrast, Crook County Code makes Wildlife Policy 2 applicable to both EFU-1 (CCC 18.16.040) and EFU-JA (CCC 18.112.051). The code is explicit: "All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2."

As a result, any study area that relies on methodology excluding Juniper Acres from consideration under Wildlife Policy 2 is directly contradicted and forbidden by CCC 18.112.051, which mandates EFU-JA's inclusion. EFU-JA is resource land and must be included within a study area in order to be consistent with the purpose of Wildlife Policy 2.

3. Size.

Even if the Applicant's PDDE contained permissible methodology, which it doesn't, the proposed study area contains less than 1,600 acres and is substantially undersized. CCC 18.16.040(7) provides that a study area with a one-mile radius (or 2,000-acre) study area ma" demonstrate compliance with Wildlife Policy 2. In this case, the subject property is located in one of the most rural areas in all of Crook County. A study area should be at least 2,000 acres in size to capture the development characteristics of the area. At a bare minimum, the Planning Commission should deny this application because the study area relied on by the Applicant and Staff is less than 2,000 acres.

4. Conclusion.

The Crook County Comprehensive Plan, Crook County Code, and common sense dictate that the dwelling density limitations of Wildlife Policy 2 apply to all resource zones, including EFU-JA. A PDDE that is undersized and relies on methodology excluding resource land is not consistent with the purpose of Wildlife Policy 2, and cannot show compliance with CCC

CENTRAL OREGON LANDWATCH

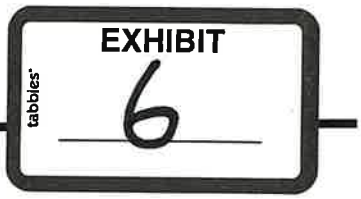
2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

18.16.040(7). We urge the Planning Commission to enforce the mandatory code provisions that protect big game habitat and reverse the staff decision.

Thank you for your consideration and service to Crook County.

Sincerely,

/s/ Robin Hayakawa
Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Drive Ste 200
Bend, OR 97703
robin@colw.org



Hannah Elliott

From: Katie McDonald
Sent: Wednesday, November 12, 2025 8:53 AM
To: Hannah Elliott
Subject: Fw: Submission for Record – Settle Non-Farm Dwelling Application
Attachments: Amended and Restated BOP Statement Area Study 11.11.25.pdf; EXHIBIT F 1 PDDE Study Final 3 Mile Text 111125 PDF.pdf; Exhibit F2PDDE Study CK Final1 Mile w Effected Text 111125 PDF.pdf; Juniper Acre Photos 1 of 2 (11 11 25).pdf

---

From: Heidi Bauer <heidi.bauer@caladanlaw.com>
Sent: Tuesday, November 11, 2025 4:15 PM
To: Katie McDonald <Katie.McDonald@crookcountyor.gov>
Cc: Craig Kilpatrick <ckrimrock@yahoo.com>
Subject: Submission for Record – Settle Non-Farm Dwelling Application

Hi Katie,
On behalf of the applicant and Kilpatrick Consulting, please find attached the following documents for inclusion in the record and for Planning Commission consideration regarding the **Settle Non-Farm Dwelling Application**:

- **Amended and Restated Burden of Proof & Area Study** (November 11, 2025)
- **Exhibit F1 – PDDE Study (3-Mile Study Area)**
- **Exhibit F2 – PDDE Study (1-Mile Study Area)**
- **Juniper Acres Photos** (November 11, 2025)

The **Amended Burden of Proof** replaces the prior version in the application and provides updated analysis. The accompanying files include additional mapping, analysis, and photographic documentation relevant to the application.
Please confirm receipt.
Thank you for your assistance.

Warm regards,
Heidi T.D. Bauer
Attorney for Kilpatrick Consulting LLC / Owners
Caladan Law
503-929-4228
heidi.bauer@caladanlaw.com

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

Settle Non-farm Application
Burden of Proof & Area Study
Amended and Restated
Crook County
Zoning Criteria, Study Data, Questions & Answers
Conclusion

November 11, 2025

This document amends and replaces the prior document
Settle Non-farm Application Burden of Proof & Area Study
of June 18, 2025, in its entirety.

I. Applicable Criteria:
Crook County Code, Title 18 Zoning, Chapter **18.16** Exclusive Farm Use Zone, EFU-1 (Post – Paulina Area) more specifically: **18.16.020**, Conditional uses review criteria (1, 2, 3), **18.16.040**, Dwellings not in conjunction with farm use, **18.16.075**, Development standards, **18.16.085**, Parcel size exception.

Crook County-Prineville Area Comprehensive Plan, Chapter III, Land Use, Agriculture, Pages 40-47, policies for agricultural areas of Crook County. Wildlife Policy #2, Page 153.
ORS 215.284 (2) and ORS 215.263 (5)
Oregon Administrative Rules OAR 660-33-0010 through 0130, generally.

CCC Title 18 Zoning, Chapter 18.16 (EFU-1) Lists and describes the requirement and criteria the Exclusive Farm Zone, EFU-1 (Post – Paulina Area) 18.16.020 Lists conditional use review criteria, 18.16.040 describes the requirements for dwellings not in conjunction with farm use (non-farm), CCC 18.16.075 describes Development standards, 18.16.085 outlines Parcel size exceptions.

ORS 215.284 (2) In counties <u>not described</u> in subsection (1) of this section [referring to Eastern Oregon as <u>not</u> described] a single-family residential dwelling not provided in conjunction with farm use may be established, subject to approval of the governing body or its designee, in any area zoned for exclusive farm use upon a finding that: (a) The dwelling or activities associated with the dwelling will not force a significant change in or significantly increase the cost of accepted farming or forest practices on nearby lands devoted to farm or forest use. (c) The dwelling will be sited on a lot or parcel created before January 1, 1993; (d) the dwelling will not materially alter the stability of the overall land use pattern of the area; and (e) the dwelling complies with such other conditions as the governing body or its designee considers necessary.(emphasis added)

II. Basic Findings:

A. Location: The subject property is located at 2901 SE Myrtlewood Lane, Prineville. Myrtlewood Lane is an unimproved road to the east of Juniper Acres 1 to the south of Reservoir Road. This single tax lot measuring 10.0 acres is identified on the Crook County Assessor's maps as T18S., R16E.,

Section 04, Tax Lot 5300. The proposed non-farm dwelling will be located near the existing 1963 manufactured home on the property.

B. Zoning: The property is zoned Exclusive Farm Use –1 –Post-Paulina Areas. This property is designated Agricultural in the Crook County Comprehensive Plan.

C. Proposal: The applicants propose to remove or demolish a "pre-land use" 1963 manufactured home and replace it with a non-farm dwelling. The subject parcel was created in 1968.[1]

D. Site Description: The existing non-farm parcel is in the southern portion of the county and to the south of Prineville Reservoir. The existing 10.0-acre non-farm parcel is in an area of numerous non-farm parcels to the east of Juniper Acres 1. The property generally slopes downward from the east to the west with a drainage along the west side. There are few mature juniper trees and limited native brush with very little herbaceous forage.

E. Surrounding Land Uses: All neighboring parcels are zoned EFU-1, and none are irrigated. None are in farm use.

To the **north** of the subject property is a 10.0- acre unimproved, vacant non-farm parcel (Peterson, 1816040005000).

To the **northeast** of the subject property is a 10.0-acre improved parcel with a non-farm dwelling in construction (DeWolfe and Andrews, 1816040005100).

To the **east** is a vacant 10.0-acre non-parcel (Settle, 1816040005200).

To the **southeast, south, and southeast** is an 80.0-acre non-farm parcel. It is presently vacant. (Stager, 1816040005400).

To the **west and northwest** is a 40.0-acre non-farm parcel with a 2006 manufactured home. (Hendrix 1816040004900).

F. Soils: According to the Natural Resources Conservation Service (NRCS) draft maps of the area, there are two soil units are mapped on the subject property.

Subject Parcel: 10.0-acres:

Soil Types & Percent	Class Irrigated	Non-irrigated
075 – Ayres very cobbly loam, dry, 0 to 8% slopes, 77.4%	None	7s
204 – Ayres cobbly ashy loam, moist, 3 to 8 percent slopes. 22.6%	None	7s

The subject property consists of 100 percent Class 7 soils, the predominant soils in the immediate area.

G. Big Game Habitat:

[1] The prior Applicant was originally advised by planning staff to apply for a replacement dwelling. Later the current Applicant was advised to apply for a non-farm dwelling instead. See Attachment 1.

18.060.040(7) states:

7) All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County comprehensive plan. Compliance with the residential density limitations may be demonstrated by calculating a one-mile radius (or 2,000-acre) study area. An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2, provided the methodology and size of the study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2.

(i)Big game habitat: Crook County *Wildlife Policy 2* states "Density within a Crucial Wintering Area for deer shall not be greater than one residence per 160 acres and for the General [Deer] Winter Range not more than one residence per 80 acres." The applicant used the General [Deer] Winter Range Map that has been digitized by Crook County GIS. That map is **40+ years old** and is not part of the acknowledged Comprehensive Plan. Despite being capitalized "General [Deer] Winter Range" is not a defined term in the Comprehensive Plan or in the Crook County Code or in state law.[2] The applicant has chosen to address *Wildlife Policy 2* but does not agree that it is definitively applicable here because the subject property is not within the acknowledged Comprehensive Plan mapped Crucial (Deer)Wintering Range. The Comprehensive Plan map includes neither an acknowledged map of General [Deer] Winter Range nor a definition of that term (like a legal land description) and there is no list of it as being on the County Goal 5 inventory.

For the sake of argument (without prejudice) assuming the one residence per 80 acres standard applies the applicant has drawn a 1-mile study area and then after consideration excluded the portion that is in the EFU-JA /Juniper Acres subdivision. See attached Potential Development Density Study (PDDE) which illustrates how the proposal is consistent with *Wildlife Policy 2*. Juniper Acres was platted in 1962 as a rural subdivision composed of 10-acre lots. Although still zoned Exclusive Farm Use – Juniper Acres (EFU-JA), the subdivision was recognized in the Crook County Code and

[2] ODFW submitted a letter on November 7, 2025. The letter misstates a few items. The application is not for property within the Juniper Acres EFU-JA Zone, it is in the EFU-1 Zone. Also as discussed previously, the letter shows an overlay of deer range that includes maps that while informative are not adopted by the County in its acknowledged Comprehensive Plan. The letter discusses "continued development of Juniper Acres" which is not the subject of this application. It also discusses more general Goal 5 items that while interesting are policy issues that are not relevant to this particular quasi-judicial application. The applicant encourages the Planning Commission to limit ODFW testimony to testimony that is relevant to this application and not larger Goal 5 Comprehensive Plan desires of ODFW. The applicant recognizes that ODFW states that Juniper Acres/EFU-JA is winter deer range and is habitat for deer and that they have concerns about the Juniper Acres/EFU-JA area which is not part of the criteria for a non-farm dwelling in EFU-1.

Comprehensive Plan as a pre–Senate Bill 100 residential subdivision.[3] [4] The County applied EFU-JA zoning to maintain consistency with Goal 3 while acknowledging the subdivision's established residential pattern.[5] The EFU-JA zone prevents further non-farm dwellings, partitioning or intensification but recognizes existing development. The Juniper Acres/EFU-JA subdivision's pattern of smaller lots, scattered dwellings, and private roads demonstrates that it is a committed residential area. For this reason, including Juniper Acres/EFU-JA in a *Wildlife Policy 2* study area for a non-farm dwelling *outside* the Juniper Acres subdivision would not further the policy's intent. Its density pattern predates plan acknowledgment (and Goal 3 and Goal 5) and does not contribute to additional habitat encroachment, particularly as no new non-farm dwellings are permitted within EFU-JA.[6] [7]

[3] "The purpose of this [EFU-JA] zoning district is to ameliorate the consequences of the establishment of the Juniper Acres Partitioning in 1962 by permitting a level of **residential development that would not ordinarily be permitted in an exclusive farm use zone** given the **large number of private owners of numerous legally created parcels,** and to modulate the timing of the residential development." CCC 18.112.05 (emphasis added).

[4] COLW has misconstrued the statement in the Crook County Code Comprehensive Plan by stating that **"only"** acknowledged exception areas are exempted from the *Wildlife Policy 2* requirements. That **"only"** was added by COLW as it is outside the quotation marks. The Comprehensive Plan states on Page 144, "By placing the [wildlife] density requirement standards in the specific resource zone, the acknowledged exception areas are exempted from these requirements." The Applicant has not claimed that EFU-1 zone does not include a reference to to *Wildlife Policy 2* density requirements. Neither has the applicant asserted that *Wildlife Policy 2* was not applied to Juniper Acres/EFU-JA. This portion of the Comprehensive Plan says that by carrying over *Wildlife Policy 2* to the EFU zones listed the exception areas (e.g. rural-residential zones) will be exempt. The applicant does not argue that by placing *Wildlife Policy 2* in specific EFU zones that exception areas are not in fact exempt.

[5] As a pre-Senate Bill 100 subdivision and pre-Goal 3, a Goal 3 exception was not required for Juniper Acres/EFU-JA . Had the County chose to rezone it to a rural-residential zone then an exception would have been needed, but that is not the case here.

[6] Order 2007-80 October 17, 2007, established a moratorium on building permits in EFU-JA which was codified at CCC. 18.112.05 and has been subject to additional amendments. No new non-farm dwellings are permitted in EFU-JA at present.

[7] COLW seems to argue that the Applicant's position is that *Wildlife Policy 2* does not apply in EFU-JA. That is not the applicant's position. The applicant agrees that *Wildlife Policy 2* may have already been applied to Juniper Acres/EFU-JA by the 150-dwelling count and the subsequent moratorium on dwellings in EFU-JA. The Applicant's property is in EFU-1, and *Wildlife Policy 2* applies if the applicant property is considered to be within acknowledged mapped or inventoried General [Deer] Winter Range.

When a non-farm dwelling is proposed *outside* (in the case EFU-1) but near a committed[8] pre–Senate Bill 100 subdivision like Juniper Acres (EFU-JA), *Wildlife Policy 2* may apply.[9] [10] However, under CCC 18.16.040(7), the applicant may propose—**and the County may approve**—a modified study area. That study may exclude committed subdivision lands if inclusion would distort the density calculation for uncommitted EFU lands. In other words, the purpose of *Wildlife Policy 2* is to prevent new encroachment into deer winter range, not to re-regulate long-established subdivisions such as Juniper Acres/EFU-JA. Therefore, excluding Juniper Acres/EFU-JA from the study area when evaluating a non-farm dwelling on nearby EFU-1 land is consistent with *Wildlife Policy 2*'s intent. This approach ensures that the *Wildlife Policy 2* analysis for EFU-1 focuses on a non-committed study area for purposes of *Wildlife Policy 2* and Goal 5, in accordance with Crook County's acknowledged Comprehensive Plan and relevant law. [11] [12]

(ii) In the alternative, the Applicant asserts that *Wildlife Policy 2* is unenforceable for General [Deer] Winter Range.[13]

---

[8] "Committed" as used herein does not refer to an exception to Goal 3, but the premise that land within an EFU area can be committed to non-farm uses without a Goal 3 exception for purposes of addressing Goal 5.

[9] COLW notes in its letter/email of November 4th, 2025 "Development near the periphery of Juniper Acres shall be discouraged" The applicant does not deny that this is part of the Ordinance 18, Amendment 53 from 2001 (24 years ago). This statement occurs in the Juniper Acres section of the Comprehensive Plan and is not carried over into other sections. The Planning Commission is free to interpret this portion of the Comprehensive Plan. The applicant asserts that this statement does not prohibit development near the periphery of EFU-JA, it simply says it is discouraged. Periphery can be interpreted as being the area near the boundary inside of the EFU-JA zone, meaning the lots on the edge that are still within Juniper Acres/EFU-JA zone. Further the applicant asserts that regardless of the interpretation, development has already been discouraged through the County Code provisions and subsequent updates and that "discouraged" is not criteria nor a clear or measurable standard

[10] Any amendments to the 2003 Comprehensive Plan are not readily available online. The 2003 Comprehensive Plan only specifies the Amendments through October 2002. See Attachment 2. It would be helpful to all involved if the amendments were included online and readily available to the public in one place. While the Applicant can definitively say that the Ordinance 18 Amendment 53 was enacted by the then County Court (the County has since become a Board of Commissioners) in January 2001 it is not included in the existing table in the 2003 Comprehensive Plan. The Applicant does not know with certainty what further changes to the Comprehensive Plan may have been made that are effective after the codified 2003 Comprehensive Plan online other than Ordinances and Orders the Applicant or COLW have provided. The Applicant has recently enquired with DLCD as to the date that Title 18, Amendment 53 was acknowledged since it seems to be missing from the 2003 Comprehensive Plan table that goes through 2002.

[11] Unlike the Goal 3 non-farm dwelling requirements in state law and CCC 18.16.040 (1) – (6) Crook County through its Comprehensive Plan and the Crook County Code (CCC 18.17.16.040 (7), not state law, requires the wildlife study area demonstration to comply with *Wildlife Policy 2*. Other Counties do not use this type of study area for wildlife (a Goal 5 resource), therefore Crook County's interpretation of *Wildlife Policy 2* and the study area in CCC 18.16.040(7) is subject to deference as long as it is a plausible interpretation and is not is not (1) inconsistent with "the express language" of the comprehensive plan or land use regulation, (2) inconsistent with the "purpose" of the comprehensive plan or land use regulation, or (3) inconsistent with "the underlying policy that provides the basis" for the comprehensive plan or land use regulation and (4) "contrary to a state statute, land use goal or rule that the comprehensive plan provision or land use regulation implements". ORS 197.829 (1) See Attachment Number 3.

[12] The Comprehensive Plan as amended permitted a dwelling density in EFU-JA/Juniper Acres of approximately 1:40 dwellings per acre and found that was consistent with Goal 5 even though *Wildlife Policy 2* states 1:80 dwellings in General [Deer)] Winter Range. See Attachment 4, Ordinance 18, Amendment 53 Exhibit A Page 4 This interpretation further supports that the purposes *Wildlife Policy 2* can be accomplished by a modified study area which excludes certain land and dwellings. The applicant's property proposal not to include the dwellings in the EFU-JA/Juniper Acres study area is consistent with *Wildlife Policy 2* in the same way that Juniper Acres /EFU-JA was allowed a 1:40 ratio and still met *Wildlife Policy 2* and Goal 5.

[13] The applicant does not dispute that *Wildlife Policy 2* is enforceable for Crucial/Critical Deer Range as that map is part of the acknowledged Comprehensive Plan Map.

Wildlife Policy 2 in the Crook County Comprehensive Plan establishes density and study requirements for areas described as "General [Deer] Winter Range." The EFU-1 zoning code cross-references *Wildlife Policy 2*. However, neither the acknowledged Comprehensive Plan nor the implementing code includes a definition, list, or an acknowledged map of what constitutes "General [Deer] Winter Range." Other than Crucial/Critical [Deer] Range. The County has also never adopted Oregon Department of Fish and Wildlife (ODFW) General [Deer] Winter Range maps into its plan or land-use regulations by ordinance.

Because "General [Deer] Winter Range" is neither defined nor mapped in the County's acknowledged plan, it provides no objective standard by which applicants can determine compliance. Oregon law requires that land use regulations be sufficiently clear to provide fair notice to property owners.

Because "General [Deer] Winter Range" has never been defined, mapped, or adopted as part of Crook County's acknowledged Goal 5 inventory, *Wildlife Policy 2* with regard to General [Deer] Winter Range cannot be applied as a binding regulatory standard to this application. *OAR 660-023-0030(5)* states "When a local government determines that a particular resource site is significant, the local government shall include the site on a list of significant Goal 5 resources adopted as a part of the comprehensive plan or as a land use regulation." Any requirement to prepare a wildlife study or meet a specific density based solely on that unmapped, undefined term effectively would rely on unacknowledged criteria.[14] See *OAR 660-025-0070(1)* (post-acknowledgment plan amendments required for new regulatory standards).Until the County completes and adopts a formal General [Deer] Winter Range inventory through a Goal 5 process, references to "General [Deer] Winter Range" remain advisory only and cannot lawfully control land-use decisions.[15]

The County's own Goal 5 inventory historically mapped only "crucial winter range," noting that "Because deer winter range covers most of the county, only crucial winter range was mapped"[16] Comprehensive Plan at page 142.

Because "General [Deer] Winter Range" has never been defined, mapped, or adopted as part of Crook County's acknowledged Goal 5 inventory, *Wildlife Policy 2* cannot be applied as a binding regulatory standard to this application. Oregon Administrative Rule *OAR 660-023-0030(3)(a)* requires that Goal 5 resource sites be described or mapped "sufficient to determine whether a resource exists on a particular site." Further, *OAR 660-023-0030(5)* provides:

---

[14] According to the Comprehensive Plan there are 861,066 acres of mule deer winter range. Crook County Comprehensive Plan Page 144. Crook County is around 1,908,000 acres. Therefore, not all of Crook County can conceivably be in General [Deer] Winter Range even if you exclude the City of Prineville and assume it's not General [Deer] Winter Range (around 8,211 acres). This is why an acknowledged map or list is so important.

[15] The County did attempt to revise the big game habitat ranges in Ordinance 259 (2012), but that Ordinance was repealed after a LUBA appeal and a failed task force mediation attempt, leaving the policy as it is now.

[16] A generalized statement that deer range covers most of the county is descriptive background, not a legally sufficient identification of specific parcels as within "General [Deer] Winter Range." Any attempt to apply *Wildlife Policy 2* on that basis is unsupported. If most of the County is meant to be within General [Deer] Winter Range then the County should have provided some acknowledged, spatially defined implementing mechanism (such as an overlay zone, mapped designation, or specific inventory list).

"When a local government determines that a particular resource site is significant, the local government shall include the site on a list of significant Goal 5 resources adopted as a part of the comprehensive plan or as a land use regulation."

Reliance on *Wildlife Policy 2* fails as applied because the County has no acknowledged map or adopted inventory identifying General [Deer] Winter Range boundaries, and no clear, objective criteria to locate such areas at the parcel scale. Absent an acknowledged map or adopted inventory meeting Goal 5 and Goal 2's clear-and-objective requirements, *Wildlife Policy 2* cannot operate as an approval criterion on this site in a quasi-judicial proceeding.[17] The County must either (a) demonstrate, with acknowledged mapping/inventory, that the parcel is within a properly designated General Winter [Deer] Range area, or (b) refrain from applying Wildlife Policy 2 in this case.

H. Origin/Ownership History: The subject property was created by Bargain and Sale Deed at Book 98, Page 217 dated April 4, 1968. It was purchased by the applicants on June 8, 2018. The present vesting deed is Warranty Deed MF # 2018-287513.

III. Applicant Statement: OAR Chapter 660-033(D)

The proposal meets this criterion because it shows that the non-farm dwelling will not materially alter the stability of the land use pattern of the area. On June 1, 1998, the Land Conservation and Development Commission adopted amendments to the administrative rules (new rules) implementing Goal 3, Agricultural Lands (OAR Chapter 660-033) to incorporate case law and to clarify the analysis under "stability" approval criterion. The new rules apply the three-step "stability" analysis first articulated in *Sweeten v. Clackamas_County*, 17 Or LUBA 1234 (1989). These rules are as follows:

(D) The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed non-farm dwelling will alter the stability of the land use pattern in the area, a county shall consider the cumulative impact of possible new non-farm dwellings and parcels on other lots or parcels in the area similarly situated. To address this standard, the county shall:

(i) Identify a study area for the cumulative impacts analysis. This study area shall include at least 2000 acres or a smaller area not less than 1000 acres, if smaller area is a distinct agricultural area based on topography, soil types, land use pattern, or the type of farm or ranch operations or practices that distinguish it

[17] This set of facts is distinguished from *Wood v. Crook County*, 49 OR LUBA 682 (2005), a post acknowledgement plan zoning amendment, where LUBA explicitly stated, "There appears to be no dispute that the subject property is designated General [Deer] Winter Range." Here the Applicant, in an as-applied challenge, asserts that the General [Deer] Winter Range is not part of the adopted Goal 5 inventory as there is no acknowledged map, definition, nor clear standard, thereby rendering the reference in *Wildlife Policy 2* to "General [Deer] Winter Range" density standards void for purposes of this application. *Wood* does not save the County or COLW here. In *Wood*, LUBA simply required the County to be consistent with its own, undisputed premise that the site lay within General [Deer] Winter Range; it did not hold that a non-mapped, non-inventoried overlay can be imposed when the underlying designation is contested and unsupported. The County's attempt to apply *Wildlife Policy 2* here is therefore unsupported by any acknowledged standard or mapped boundary and violates Goal 2's requirement for clear and objective implementation measures.

from other, adjacent agricultural areas. Findings shall describe the study, its boundaries, and the location of the subject parcel within this area, why the selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard. Lands zoned for rural residential or other urban or non-resource uses shall not be included in the study area;

(ii) ***Identify within the study area the broad types of farm uses (irrigated or non-irrigated crops, pasture or grazing lands), the number, location and type of existing dwellings (farm, non-farm, hardship, etc.), and the dwelling development trends since 1993. Determine the potential number of non-farm/lot of record dwellings that could be approved under subsections (3)(a), (3)(d) and section 4 of this rule, including identification of the predominant soil classifications, the parcels created prior to January 1, 1993, and the parcels larger than the minimum lot size that may be divided to create new parcels non-farm dwellings under ORS 215.263(4). The findings shall describe the existing land use pattern of the study area including the distribution and arrangement of existing uses and the land use pattern that could result from approval of the possible non-farm dwellings under this subparagraph;***

(iii) ***Determine whether approval of the proposed non-farm/lot of record dwellings together with existing non-farm dwellings will materially alter the stability of the land use pattern in the area. The stability of the land use pattern will be materially altered if the cumulative effect of existing and potential non-farm dwellings will make it more difficult for the existing types of farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area;***

...

1. Cumulative impacts analysis area: The County has suggested an area of analysis including all EFU-zoned land located within a one-mile radius of the subject property's boundaries including approximately 3,206.82-acres, the applicant has further referenced all effected private property totaling 4,532.98-acres. The "study area" consists of that area within the one-mile buffer. There are twenty-six (26) privately owned EFU-zoned tax lots in the study area. There are no (0) publicly owned tax lots. The private tax lots are owned by nineteen (19) owners. Commonly owned tax lots if adjacent may be counted by common deed of ownership as parcels if acquired collectively. There are five parcels (Bear Creek Ranch LLC) that were deeded as under a single deed. However, all five of the Bear Creek Ranch parcels were identified as separate legal parcels within Administrative Decision AD 09-0061 in 2009. The parcels in private ownership measure between *10.0 and 620.0-acres* in size.

Fifteen (15) of the twenty-six (26) private parcels, or fifty-eight percent (58%), measure forty acres or smaller in size. Four (4) of the parcels, or fifteen percent (15%) measure eighty acres in size. The remaining seven (7) parcels or twenty-seven percent (27%) measure between one hundred sixty acres and six hundred, twenty acres in size.

2. Types of Uses within the Study Area: The privately-owned parcels within the study area are engaged in a limited mix of uses including a) dryland "farm" parcels listed as farm parcels that are primarily used for recreational uses and are improved or unimproved, b) large tracts - rangeland parcels, large enough to support seasonal grazing, c) dryland "non-farm" parcels that are primarily used for recreational uses and are improved or unimproved, and d) properties with the Juniper Acres subdivision. These are non-resource lands and are not individually studied.

Private uses, specifically by tax lot: Primary use parcels listed by map number as follows:
Total resource acres with the one-mile study area: **1,559.12 acres**

a) dryland "farm" parcels:
1) Diversified Capital Investment LLC: 1716000000703 measuring 160.00 ac without irrigated ac, vacant. 7) Muck: 1716000000712 measuring 356.26 ac, unirrigated ac, vacant.

516.26 acres (4,532.98 effected in Study Area) or 11% of the applicable study area.

b) large tracts – rangeland parcels, large enough to support seasonal grazing:
2) Bear Creek Ranch LLC: 1816000000401 measuring 620.00 ac, unirrigated, vacant. 3) Bear Creek Ranch LLC: 1816000000404 measuring 320.69 ac, unirrigated, vacant. 4) Bear Creek Ranch LLC: 1816000000405 measuring 160.00 ac, unirrigated, vacant. 5) Bear Creek Ranch LLC: 1816000000429 measuring 80.00 ac, unirrigated, vacant. 6) Bear Creek Ranch LLC: 1816000000430 measuring 80.00 ac, unirrigated, vacant.

1,260.00-acres (4,532.98 effected in Study Area) or 28% of the applicable study area.

c) dryland "non-farm" recreational uses and are improved or unimproved.

8) Holman: 1716000001800 measuring 40.00 ac, unirrigated, vacant. 9) Wiksten: 1716000001802 measuring 40.0 ac, unirrigated, vacant. 10) Tupper: 1716000001803 measuring 40.0 ac, unirrigated, vacant. 11) Teegarden: 1816000000402 measuring 160.40 ac, unirrigated, no dwelling. 12) Mason: 1816000000403 measuring 80.0 ac, unirrigated, vacant with a vested CUP for NFD. 13) Teegarden: 1816000000406 measuring 161.17 ac unirrigated, vacant. 14) Soloman: 1816000000409 measuring 40.0 ac, unirrigated, vacant. 15) Dean: 1816000000411 measuring 20.0 ac, unirrigated, vacant. 16) Payne: 1816000000415 measuring 10.0 ac, unirrigated, vacant. 17) Englehart: 1816000000416 measuring 20.0 ac, unirrigated, with accessory farm building. 18) Payne: 1816000000426 measuring 10.0 ac, unirrigated, vacant. 19) Theobald Trust: 1816000000427 measuring 40.0 ac, unirrigated, w 2011 dwelling. 20) Smith & Anderson: 1816000000428 measuring 40.0 ac, unirrigated ac, w 2007 dwelling. 21) Hendrix: 1816040004900 measuring 40.0 ac, unirrigated w 2005 dwelling. 22) Peterson: 1816040005000 measuring 10.0 ac, unirrigated, vacant. 23) DeWolfe & Andrews: 1816040005100 measuring 10.0 ac, unirrigated w 2022 dwelling. 24) Settle: 1816040005200 measuring 10.0 ac measuring 10.0 ac, unirrigated, vacant. 25) Settle: 1816040005300 measuring 10.0 ac, unirrigated ac, w non-conforming dwelling MH 1963. 26) Stager: 1816040005400 measuring 80.0 ac, unirrigated ac, vacant.

861.57 acres (4,532.98 within Study Area) or 19% of the applicable study area.

d) Juniper Acres – a pre-SB 100 subdivision considered as non-resource land by the County was included in the initial study area but then excluded when the Applicant modified the study area as discussed previously.

1,895.15 acres (4,532.98 within Study Area) or 42% of the applicable study area.

3. Existing Dwellings: There are presently four (4) approved dwellings on twenty-six (26) parcels completely within the EFU resource portion of the study area. All four approved dwellings are located on single parcels. These dwellings were built in the following years; one (1) in 2005, one (1) in 2007, one (1) in 2011, and one (1) in 2022. All of the four (4) were approved as non-farm dwellings.[18] There is one nonconforming dwelling on the subject property that will be removed, demolished, or repurposed. There are presently no farm dwellings within the study area. Without water it is unlikely that any farm dwellings will be approved.

Dwellings developed prior to 1978 predated dwelling regulation within the County's EFU zone and therefore were not subject to current EFU zoning requirements. County records indicate that the one (1) of the dwellings, a 1963 manufactured home was placed on the subject property by a prior owner in the 1990's without County approval. Resolution of that non-conforming use can be resolved as a condition of approval.

4. Vested dwelling approvals: There is one (1) vested approval for a non-farm dwelling in the study area on map # 200 (1816000000403) Mason.
Total vested Non-farm Dwelling CUP within the Study Area = 1 Non-farm Dwelling.
5. Dwelling development trends since 1993: As discussed above, all the dwellings in the study area are non-farm dwellings and were bult between 2005 and 2022. One (1) non-farm dwelling CUP was vested in 2020.

6. Existing Non-Farm Uses / Approved Non-Farm Parcels presently with and without dwellings: Presently, there are nineteen (19) of twenty-six (26) existing private parcels within the study area that are designated "non-farm". By acreage, they represent thirty-three percent (33%) of the EFU zoned acreage in the area study. There are presently no (0) approved, to be constructed, non-farm dwellings of record in the study area.

---

[18] COLW contends that the Applicant failed to include the nonconforming 1963 manufactured dwelling on the applicant property in the study area dwelling count. COLW also appears to be arguing that other non-farm dwellings in EFU-1 were excluded as well. The applicant used address points from the County to initially determine the number of existing dwellings and then did further specific evaluation of each property with an address point. Not all address points are necessarily dwellings, and the initial list would include properties with for example only a garage or shop on the property (which may also show up on aerial photographs as structures). The failure to include the 1963 manufactured dwelling which is intended to be removed as part of the application is not material as even if it were to be counted the applicant would still meet the requirements of *Wildlife Policy 2*. The applicant maintains that using the address list is a reasonable way to initially determine the potential existence of non-farm dwellings and that even the addition of many more non-farm dwellings would not put applicant over the *Wildlife Policy 2* threshold. COLW has shown no evidence that the applicant missed any lawful non-farm dwellings. Dwellings that are not lawful are a County code enforcement issue not dwellings that are counted as non-farms dwellings under the applicable criteria.

There are (2) potential lot of record (LOR) parcels that could qualify for LOR dwellings based on the long-established ownership of the present owners as follows, both would be non-farm:

1. Map # 199 – Soloman, TL 181600000409 (40.0-acres) is eligible for consideration of a single non-farm dwelling as it is a lot of record parcel (since 1973) and given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils.
Result: **1 NF LOR Dwelling**

2. Map # 178 – Englehart, TL 181600000416 (20.0-acres) is eligible for consideration of a single non-farm dwelling as it is a lot of record parcel (since 1979) and given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils.
Result: **1 NF LOR Dwelling**

Total potential Lot of Record parcels eligible for Non-farm Dwellings within the Study Area = 2 Lot of Record Non-farm Dwellings.

7. Potential Non-Farm Dwellings on Existing Parcels: This category includes four categories as follows.

a) existing vacant, but approved parcels with CUPs for non-farm dwellings. There are no **(0)** potential parcels in this category.

Total recently approved Non-farm Dwellings within the Study Area = 0 Non-farm Dwellings.

b) existing parcels potentially eligible for a non-farm dwelling, based in large part, on their consisting wholly or partly of class 7 soils, or worse, and other qualifying features. There are six **(6)** parcels in this category including the subject parcel listed as follows:

1. Map # 79 – Gushwa, TL 181600000411 (20.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

2. Map # 164 – Payne, TL 181600000415 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

3. Map # 177 – Payne, TL 181600000426 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

4. Map # 186 – Peterson, TL 181604005000 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

5. Map # 198 – Settle, TL 181604005200 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

6. Map # 8 – Settle, Subject TL 181604005300 (10.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

Total existing parcels potentially eligible for a single Non-farm Dwelling within the Study Area = 6 single potential Non-farm Dwellings.

c) Parcels with approved and then vested CUPs for non-farm dwellings, there is one **(1)** parcel in this category as follows:

1. Map # 200 – Mason, TL 181600000403 (80.0-acres) is eligible for consideration of a single non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwelling**

Total approved and vested Non-farm Dwelling CUPs within the Study Area = 1 Non-farm Dwellings.

d) parcels that have approved CUP's that have expired. There are zero **(0)** parcels in this category. There are none listed on the attached One Mile Study Data sheet.

Total approved and expired Non-farm Dwelling CUPs within the Study Area = 0 Non-farm Dwellings.

The remaining privately-owned tax lots in the Study Area may not be eligible for dwellings because; 1) the new creation of any new parcel, farm or non-farm is extremely unlikely in the EFU-1 zone because the criteria for partitioning is complex. Several have been created since July 1, 2001, and are no longer eligible unless previously approved. Several were not created prior to 1993. 2) several parcels have existing dwellings and are no longer eligible, 3) several parcels are part of a tract of parcels where one of the parcels in the tract already has a dwelling.

The Study Area includes eight (8) privately owned parcels that are potentially eligible for a non-farm dwelling or dwellings (2) in the EFU-1 zone. They are listed by Map # and are discussed as follows:

1. Map # 176 – Bear Creek Ranch LLC, TL 181600000401 (620.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

2. Map # 136 – Bear Creek Ranch LLC, TL 181600000429 (80.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

3. Map # 147 – Bear Creek Ranch LLC, TL 181600000430 (80.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

4. Map # 209 – Holman, TL 171600001800 (40.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

5. Map # 208 – Wiksten, TL 171600001802 (40.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

6. Map # 62 – Tupper/Balan, TL 171600001803 (40.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

7. Map # 200 – Mason, TL 181600000403 (80.0-acres) has a vested CUP for a non-fam dwelling and is eligible for consideration of one non-farm dwelling given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **1 NF Dwellings**

8. Map # 114 – Stager, TL 181604005200 (80.0-acres) is eligible for consideration of two non-farm dwellings given the unavailability of irrigation water, location and unsuitable, soils that include Class 7 soils. Result: **2 NF Dwellings**

Total "Potential" Non-farm Dwellings on Existing Parcels within Study Area = 15 Non-farm Dwellings.

8. Stability and Character of the Land Use Pattern of the Area: The land use pattern of the area is that of mixed use and all of it is "dryland." Forty-one (41) percent of the land in the one-mile study area is part of the Juniper Acres Subdivisions and therefore categorized as non-resource land. Thirty percent (30%) of the land within the study area is designated as farmland. None (0) of the properties in the study area have water rights. Some seasonal grazing occurs but it is extremely light and not capable of producing suitable income for farm dwelling qualification. Twenty-nine percent (29%) of the land within the study area is designated as non-farm. The area is remote, arid, with predominately poor class seven soils. None are within an irrigation district. The use of irrigation wells is impracticable given the present mitigation requirements and the low productivity of the soils in the area. There is little farm activity in the study area, many parcels are not adequately fenced. Given that it is extremely difficult, and expensive, to gain approval of new non-farm parcels with dwellings in the EFU-1 zone, and the fact that the proposed non-farm dwelling on an existing parcel that is many miles from any irrigated or sensitive farm use, crops, spraying, etc., the applicant states that with approval of this application there would be no significant change in the stability and character of the area land use pattern nor would there be any effect of the cost of farming in the area.

9. Effect on Stability from Proposed Non-Farm Dwelling: As explained in *Elliott v Jackson County* 43 OR LUBA 511 (2003), Under the OAR 660-033-0130(4)(a)(D) the county is requited to "identify the total potential build-out of nonfarm dwellings in the study area, the full development scenario, to determine whether the full development pattern of land use would violate the ultimate stability standard in any of the ways described in OAR 660-033-0130(4)(a)(D)(iii)".

Approval of the proposed non-farm dwelling (on an existing parcel) will make a total of six (6) approved non-farm dwellings that are built or vested in the study area. Applicant states that the cumulative effect of adding a single non-farm dwelling on an existing parcel will not "materially alter the stability of the land use pattern in the area" by making it more difficult for the existing farms to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights or by diminishing the number of tracts or acreage in farm use. Again, there are no water right available in the immediate area. Applicant further states that limited seasonal rangeland grazing on portions of public and private land is the predominant active farm use in the general area, that the mixed land use pattern is well established and that adding this dwelling will not tip the balance from resource to non-resource use for the following reasons.

Note: The applicant wishes to stress that concerns about "tipping the balance from resource to non-resource use" are unfounded given the prevalence of Class 7 soils in the area. The potentially eligible non-farm parcels in the study area consist of Class 7 soils that are deemed to be unsuitable for the production of crops and/or livestock. One cannot "tip the balance" when, for all practical purposes, the area consists of mostly non-resource land.

The area is remote. The study area is mostly "off the grid" meaning that there no commercial electrical power services available in the area. There is no irrigation district serving the area and no irrigation water is available in the area. The creation of new non-farm parcels in this portion of the county is hampered by lack of services, the remoteness of the area and general access. The likelihood of creation of new non – farm parcels in the area is small. Many of the non-farm parcels in the area are "existing," that is, they were created prior to the adoption of the County's present land use ordinances and restrictions or created by patent by the state or federal government.

Approval of the applicant's request would add one additional dwelling to the area, increasing the number of parcels with existing approved dwellings, one vested CUP's, or approved dwellings, 5 of 26 to 6 of 26.

Approval of the proposed non-farm dwelling will not set precedent for the wholesale approval of non-farm dwellings to the detriment of the surrounding farming since, as stated above, the type of farm use occurring in the area, rangeland grazing, is not highly sensitive. One hundred percent (100%) of the private parcels in the study area include class 7 soils. There is no shortage of such land in Crook County and what land is available in this area is not well suited to farm use as illustrated by lack of activity in the area and a presence of class 7 soils. None of the parcels in the area have water rights, all have unsuitable soils.

Approval of the proposed non-farm dwelling will not result in a significant loss of acreage in farm use because the proposed dwelling is to be placed on an existing non-farm parcel, on a portion of the property with clearly unsuitable and unirrigated soils given the soils survey data available from NRCS. It would not be practical or productive to irrigate the subject property even if a new source of water and is discovered and made available in the region.

Finally, this proposal does not propose the creation of a new parcel. It proposes a non-farm dwelling on a small portion of an existing parcel.

IV. **Study Areas and Interpretation Alternatives**

Both CCC 18.060.040 (3)(a) and 18.060.040(7) allow for study areas other than 1 mile (2000 acres). The study areas **do not need to be the same for both analyses** but often the same study area is used for the ease of the applicant and the county in processing the application.

CCC 18.060.040(3) (a) Identify a study area for the cumulative impacts analysis. The study area shall include at least 2,000 acres or a smaller area not less than 1,000 acres, if the smaller area is a distinct agricultural area based on topography, soil types, land use pattern, or the type of farm or ranch operations or practices that distinguish it from other, adjacent agricultural areas. Findings shall describe the study area, its boundaries, the location of the subject parcel within this area, why the selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard. Lands zoned for rural residential or other urban or nonresource uses shall not be included in the study area;

CCC 18.060.40(7) All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County comprehensive plan. Compliance with the residential density limitations may be demonstrated by calculating a one-mile radius (or 2,000-acre) study area. An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2, provided the methodology and size of the study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2.

The Applicant is also submitting

1) **Two alternative study areas** for CCC 18.060.40 (7) and ***Wildlife Policy 2*** and reserves the right to submit other supporting data during the proceedings. **See Exhibits F1 and F2**
2) Photos of the Juniper Acres Subdivision

Questions & Answers

Part I. Area Study Criteria:

Question: Why is a one-mile radius (Study Area) around the subject property representative of the land use pattern… or is adequate to conduct the analysis required?

Answer: The "Study Area," "on nearby or adjacent lands," is herein described as that of mixed use, including but limited to: a) dryland "farm" parcels listed as farm parcels that are primarily used for recreational uses and are improved or unimproved, b) large tracts - rangeland parcels, large enough to support seasonal grazing, c) dryland "non-farm" parcels that are primarily used for recreational uses and are improved or unimproved. The effected study area includes over 2,637 privately owned acres. The applicant contends that adding more acreage will not significantly change the result.

Question: Is the acreage specifically included in the study adequate to examine the effect of the applicant's proposal?

Answer: Yes, the applicant notes that approximately 1,559.12 private resource acres are included within the one-mile study area. 1,895.15-acres included in the effected acreage count are located with Juniper Acres, a pre-land use subdivision. A minimum of 2,000 acres is required for the study. The applicant has described effected private parcels as well, bringing the studied area to 4,532.98-acres.

Question: Has the applicant met the criteria for an area study in view of the *Gramzow* decision?

Answer: Yes, the *Gramzow* case(s) involved creation of non-farm parcels, however many of the same issues can be addressed herein. Given the inconsistencies in the numerous *Gramzow* decisions, the applicant has elected to address those areas that have been consistently enforced by the Crook County Planning Commission and the Crook County Court.[19] Therefore, the applicant has taken care to address the following four issues: 1) Why a one-mile radius around the subject property "is representative of the land use pattern or is adequate to conduct the analysis required…"2) The applicant has identified the number, location and type of existing dwellings and the development trends since 1993. 3) The applicant has listed potential number of non-farm dwellings that could be lawfully approved on existing parcels in the area. 4) *Wildlife Policy 2*, the applicant has included data describing adherence to the County's *Wildlife Policy 2*.

Question: Has the applicant addressed the following issues?

(a) Has the applicant determined how many existing and approved non-farm residences are located within the study area? Approved non-farm residences

[19] *Gramzow* refers to the multiple *Knoche v. Crook County* 44 OR 385 LUBA and 46 OR LUBA 85 (2003) LUBA decisions and the *Peterson v. Crook County* 49 OR LUBA 2005, 200 Or App 414 (2005) and 208 Or App 495 (2006) LUBA and Court of Appeals decisions.

are those for which a conditional use permit, vested right, or lot of record determination is in force.) Yes, see "Area Study Data Sheet."

Applicant indicates in prior discussion why the listed parcels may or may not be eligible. Those eligible are only counted once in their appropriate category.

Part II. Non-Farm Dwelling Criteria:

Will the proposed dwelling(s) seriously interfere with or force a significant change in accepted farm of forest practices on nearby or adjacent lands?

Oregon State University Extension Service describes the types of impacts that are commonly discussed as creating conflicts with nearby lands, specifically non-farm, or residential use, as follows: a) Maintaining irrigated pasture can generate dust from re-seeding, drifting of herbicides from spraying, vehicle noise from trucks, manure odor from fertilizer, and possible water runoff from irrigation. b) Grazing livestock can generate dust, manure odor, possible interference with vehicular traffic, and property damage if cattle escape.

In order to create a conflict, there must first be an activity to conflict with. In this one-mile area the only farming activity is seasonal livestock grazing. No new parcels are proposed by this application. The owners of adjacent farm parcels do not raise livestock on their property. The closest active farm, rangeland activities, occur to the southeast and are seasonal. Those activities do not employ aerial spraying or fertilizer. The is no significant lawful crop production at commercial levels in the area.

The applicant states that sufficient distances will be adequate to mitigate any impacts from the nearest farm activities, should they arise, occurring on those tax lots identified in the area study. The proposed single dwelling will not be adjacent to a farm parcel that may be engaged in farm use. There is little chance for area farm uses to be potentially impacted by or interfered with these farm uses through vehicular interference with truck traffic or property damage due to livestock escape. All required setbacks will be observed.

There is no possibility of irrigation conflicts as there is no irrigation in the immediate area. There is little likelihood of practicable irrigation occurring without the importation of water, a practice that is only affordable if illicit crops are being produced. Any dust, odors, noise, from future farm uses will dissipate over the distance between the dwelling site and these farm uses. The farm uses in the study area will not be significantly changed by the location of one additional non-farm dwelling on the proposed location on the property. If additional non-farm parcels are approved in the area, the county's setback requirements, remonstrance agreement requirements and other applicable conditions are available to mitigate potential conflicts.

The area study concludes that the addition of one residence is appropriate given the land use pattern of the area. Building non-farm dwellings on existing parcels where possible or on hilltops and hillsides, on land that is clearly unsuitable for the production of crops and livestock represents good planning and protects those lands that are the subject of farm use protections.

Settle Application
Area Study Conclusions

June 18, 2025

Total effected listed acres, with no government parcels (0):		**4,532.98**
Total private resource acres listed within One-mile Study Area:		**1,559.12**
Total effected private acres in One-mile Study Area:		**3,206.82**
Total irrigated acres in effected study:		**0.00**
Tax lots in Study area:		
Public:		0
Private, EFU:		**26**
Total number of tax lots:	**Excludes Juniper Acres**	**26**
Total number of private EFU ownerships:		**19/26**
Total number of Dwellings/EFU Parcels:		**4/26**
Total number of non-farm dwellings:		4
Total number of vacant, w approved non-farm CUP's:		0
Total number of approved, vested farm dwelling:		0
Total number potential non-farm dwellings on ex. Parcels, 7 soils		**6,** including subject
Total number potential non-farm dwelling on new parcels, 7 soils		15
Total number vested CUP:		1
Total number expired CUP:		0
Total number potential LOR dwellings		2
Total number of approved primary farm dwellings:		0, counted above, vested
Total number of potential primary farm dwellings:		1
Total potential build-out:		**25**

*** Excludes Juniper Acres – Non-Resource Subdivision**

The applicant concludes that this application meets or exceeds the requirements for approval because of the following:

I. Careful examination of the area study parcels indicates that the total potential build-out is twenty-five (25). This total includes six (6) non-farm dwellings on existing parcels, fifteen non-farm dwellings on parcels consisting of class 7 soils or worse, one (1) vested CUP for a non-farm dwelling and one (1) potential farm dwelling on a large tract.

II. The proposed building site is well buffered from the area dryland farm parcels and presents no tangible conflicts for neighboring uses.

III. The portion of the existing parcel where the proposed dwelling will be located of non-irrigated, generally unsuitable land which consists of class 7 soil. See attached soils map exhibit.

The approval of this application and the addition of a single non-farm dwelling will not materially alter the land use pattern of the area. Nor would the addition of a total of all the potential non-farm dwellings assuming the total potential build-out, particularly when one considers that all the land within the study area is unirrigated, that water for livestock maintenance is unavailable and other climatic and terrain limitations stated in the study.

IV. The approval of this application will not set precedent for wholesale approval of non-farm dwellings to the detriment of surrounding farms as there are no significant applicable potential conflicts that cannot be mitigated by setbacks, remonstrance agreement or clear and objective conditions determined by the Planning Commission, if deemed necessary.

The applicant respectfully requests that the Crook County Planning Commission approve this application. Thank you.

Craig Kilpatrick
Owner's representative

Heidi T.D. Bauer
Attorney for Kilpatrick Consulting LLC /Owners
Caladan Law

Attachment 1

Crook County Community Development
300 NE 3rd Street, Prineville, OR 97754
(541)447-8156
Fax (541)416-3905
ccplan@co.crook.or.us

Planning Director Determination

(Advisory Only-Not a Land Use Decision)

December 17, 2013

File Number: **AD 13-0270**

Applicant: **Rhonna Harrington**
2180 Kilnwood Ct.
Redmond, Oregon 97756

Property: **2901 SE Myrtlewood Lane, Prineville, Oregon**
Tax Map #1816040005300

Property Owners: **Austen Martin**
PO Box 331
Moro, Oregon 97039

Lisa Stephenson
4397 SE Munkers Street
Salem, Oregon 97317

The subject property is located South of SE Sequoia Lane, North of Myrtlewood Lane and West of SE Ochoco Way in Crook County, Oregon.

Crook County Records indicate that the property has an existing 1963, 712[/]Mobile Home and a 672[/] Accessory Structure.

Applicant requests an advisory determination addressing the following issue:

1. The subject property has an existing 1963, 712[/]Mobile Home and a 672[/] Accessory Structure.

2. The subject property is located South of SE Sequoia Lane, North of Myrtlewood Lane and West of SE Ochoco Way in Crook County, Oregon.

Attachment 2

CROOK COUNTY COMPREHENSIVE PLAN AMENDMENTS

ITEM #	DATE	ORDINANCE NO.	ACTION	PLACED IN TEXT
1	11/08/78	17	Adopts Comprehensive Plan	
2	4/5/84	--	Adopts UGB Map Revisions – Revises UGB Map revisions, includes 2 maps and legal descriptions	No
3	12/28/88	--	Adopts EFU-2 Map Revisions – Map revisions adds 35 acres of H-M – Map difficult to read	No
4	1/9/91	43	Adopts Goal 5 Mineral & Aggregate Resource Listing – Major Amendment	Pages 133-136 and Appendix "A"
5	3/20/91	45	Adopts Exception Areas – Major Amendment	Policy, page 13; Policy, pages 39, 50, 65-66, 195 and Appendix "B"
6	9/16/91	51	Adopts Mineral & Aggregate Amendments – adds policies and Appendix "A"	Adds Policies, pages 137-139, and deletes Policy, page 109, and Appendix "A"
7	2/26/92	55	Adopts More Mineral & Aggregate Amendments – adds to Appendix "A"	Deletes several Policies, pages 137-139, adds Policy, page 196, and Appendix "A"
8	2/28/92	59	Adopts Modified EFU-2 Exception – amends 55 – Map difficult to read	Appendix "B"
9	5/14/92	62	Adopts Airport Exception – two maps	No
10	5/14/92	65	Adopts Airport Master Plan (in total) – only even numbered pages available	Policies, pages 86-87
11	5/14/92	66	Adopts Airport Master Plan by Reference	
12	5/14/92	64	Adopts Airport Layout Plan – new ALP – map not available	
13	6/22/92	70	Adopts Additional Mineral & Aggregate Site – Appendix "A"	Appendix "A"
14	7/28/92	71	Goal 5 Periodic Review – Inventory and policies	Pages 31-33, 100-106, 108-111, 112-120, 124-125, and 140-143
15	11/6/92	73	Map amendment – agricultural to outlying commercial – also amends UGB – map difficult no read	No
16	3/24/93	78	Rural Exception – add to Appendix "B"	Appendix "B"
17	6/23/93	80	UGB Amendment – Map amendment – no policies	No
18	9/1/93	82	Rural Exception – map amendment – no policies – adds to Powell Butte Exception Area	Appendix "B"
19	12/8/93	86	Additional Historic Sites – add intro & permit requirements – McCall Ranch	Page 113
20		88	Amends Prineville UGB – airport expansion map amendment – no policies	No

ITEM #	DATE	ORDINANCE NO.	ACTION	PLACED IN TEXT
21	4/28/94	89	Add Mineral & Aggregate Site – Barnard Construction	Appendix "A"
22	4/27/94	91	Ordinance #88 re-recorded as 91	No
23	9/7/94	93	Add Mineral & Aggregate Site – Bend Aggregate	Appendix "A"
24	9/14/94	94	Add Mineral & Aggregate Site – Raasch	Appendix "A"
25	12/14/94	95	Add Mineral & Aggregate Site – Couch	Add to Appendix "A"
26	3/1/95	97	Add Mineral & Aggregate Site – Kendall	Add to Appendix "A"
27	3/8/95	98	Add Mineral & Aggregate Site – Breeze	Add to Appendix "A"
28	4/5/95	99	EFU to R-5 map amendment only – no policies	Add to Appendix "B"
29	9/13/95	104	Add Mineral & Aggregate Site – R & R Equipment	Add to Appendix "A"
30	9/13/95	105	Add Mineral & Aggregate Site – Williams	Add to Appendix "A"
31	10/4/95	106	Periodic Review – Rural service centers – Post, Paulina, E & W Powell Butte, amends Exception Appendix	Appendix "B"
32	10/11/95	107	PR Amendment – Goal 14 analysis justifying nonresource zoning – amends Exception Appendix "B"	Add to Appendix "B"
33	10/11/95	108	Add Mineral & Aggregate Site – Schlosser	Add to Appendix "A"
34	10/11/95	109	Add Mineral & Aggregate Site – UCON, Inc.	Add to Appendix "A"
35	11/22/95	111	Add Mineral & Aggregate Site – Fehrenbacher	Add to Appendix "A"
36	11/13/96	120	Add Mineral & Aggregate Site – Kilpatrick	Add to Appendix "A"
37	6/25/97	122	Rural Land – revises public facility policies	Pages 88, 89
38	5/27/98	124	Sensitive Bird Habitat – adds policy and inventory	Pages 143-154
39	12/11/98	126	Powell Butte Area 2-3 – added section to plan text	Pages 66-69
40	12/11/98	127	Powell Butte Area 2-4	Pages 66-69
41	12/11/98	128	Powell Butte Area 2-1	Pages 66-69
42	2/3/99	130	Powell Butte Area 1-2	Pages 66-69
43	2/3/99	131	Powell Butte Area 1-1	Pages 66-69
44	2/3/99	132	Powell Butte Area 2-1	Pages 66-69
45	2/3/99	133	Powell Butte Area 3-1	Pages 66-69
46	2/3/99	134	Powell Butte Area 3-2	Pages 66-67
47	5/22/02	52	Destination Resort text and policies	Pages 70-82
48	5/23/02	53	Destination Resort Maps – 4 maps plus composite	No
49	10/30/02	55	UGB Amendment – map, no policies	No

Attachment # 3

Comparative Examples — Goal 5 Big-Game Habitat Implementation (East-of-Cascades Counties)

County	Mechanism	How it functions in the code	Whether maps are part of acknowledged Comprehensive Plan	Key differences from Crook County
Crook County	Wildlife Policy 2 'study-area' analysis within EFU and forest zones	Under Wildlife Policy 2 of the Crook County Comprehensive Plan, applicants proposing dwellings or development in mapped crucial deer or elk winter range must analyze a study area, a 1-mile (≈ 2,000-acre) study area is suggested but applicants may propose another size or shape study area. Density with a Crucial (Critical) Wintering Area for deer shall not be greater than one residence per 160 acres and for the General Winter Range (for deer) not more than one residence per 80 acres.	Only the crucial/critical deer and elk winter range maps are part of the acknowledged Comprehensive Plan. The general deer winter range map is not adopted or acknowledged.	Crook's program is unique: it substitutes a case-specific density analysis for mapped overlay standards, regulates crucial/critical range by map, and relies on an unadopted general-range map that lacks legal effect.
Baker County	Big Game Habitat Overlay Zone (BGHOZ), Chapter 620	A formally mapped overlay zone placed atop base zoning. It delineates big-game winter range and migration corridors. Within the overlay, additional parcel-size and siting standards apply (e.g., non-farm dwellings must meet a 40-acre minimum). The overlay boundaries are shown on official zoning maps, adopted by ordinance.	Yes — overlay maps are adopted as part of the acknowledged Comprehensive Plan and zoning atlas.	Mapped, codified overlay that automatically applies within delineated habitat areas. Crook uses no binding overlay and instead relies on individualized analysis.
Wasco County	Sensitive Wildlife Habitat Overlay (EPD-8)	Section 3.920 applies the overlay to all mapped Big Game Winter Range Habitat. Development must be sited to minimize disturbance (e.g., within 300 ft of roads/edges) and includes mandatory ODFW notice and mitigation standards.	Yes — overlay maps identifying Big Game Winter Range are included in the acknowledged Comprehensive Plan.	A clear, adopted overlay with standing standards. Crook's process depends on discretionary findings under Policy 2 and does not use adopted map boundaries.
Deschutes County	Wildlife Area Combining Zone (WA)	A mapped combining zone covering mule deer and elk winter range and migration corridors. Adds standards such as setbacks from migration routes, fencing restrictions, and clustering requirements. Administered through DCC 18.88; overlay boundaries shown on the zoning map.	Yes — the Wildlife Area Combining Zone and maps are part of the acknowledged Comprehensive Plan and zoning ordinance.	A map-based overlay with fixed standards, not a discretionary study-area approach.

County	Mechanism	How it functions in the code	Whether maps are part of acknowledged Comprehensive Plan	Key differences from Crook County
Grant County	Big Game Combining Zone	Adopted as a Combining Zone in Chapter 6 of the Land Development Code. Overlay identifies mapped big-game habitat and adds review standards (e.g., clustering, consultation with ODFW). Uses adopted maps as part of the zoning atlas.	Yes — big-game habitat maps are included in the acknowledged Comprehensive Plan and zoning atlas.	A mapped overlay; development review uses established criteria rather than a case-specific density study.

Summary for Planning Commission Discussion

- Of these counties Crook County is the only county using a 'study-area' density analysis as its primary mechanism for Goal 5 wildlife habitat compliance.
- While Crook does have a general deer winter range map, it is over 40 years old and not adopted into the Comprehensive Plan; therefore, it has no binding regulatory effect under Goal 5.
- Crucial/critical range is the only officially recognized and mapped habitat in the County's acknowledged plan.
- In contrast, most peer counties (Baker, Deschutes, Wasco, Grant) rely on adopted overlay or combining zones that are mapped, codified, and automatically enforceable.
- These counties have Goal 5 maps incorporated into their acknowledged Comprehensive Plans, ensuring consistent application of habitat protections.

Attachment 4

acres and no nonfarm dwellings since 1993. Beyond the EFU-JA zone there are approximately 35 ownerships that vary in size of 10 acres to several hundred acres. Livestock grazing is the sole agricultural management practice in the study area. The study area also includes a BLM off-road recreational area.

iii. Stability of the Land Use Pattern. The approval of 150 residential (existing and future) will not materially alter the stability of the land use pattern in the area of the EFU-JA zone. Due to a density of approximately 1 unit per 40 acres that current agricultural and wildlife actives will be able to continue at the present level of activity. This level of development at this location will not reduce the number of tracts in farm use, and the opportunities for existing livestock operations to expand will not diminish.

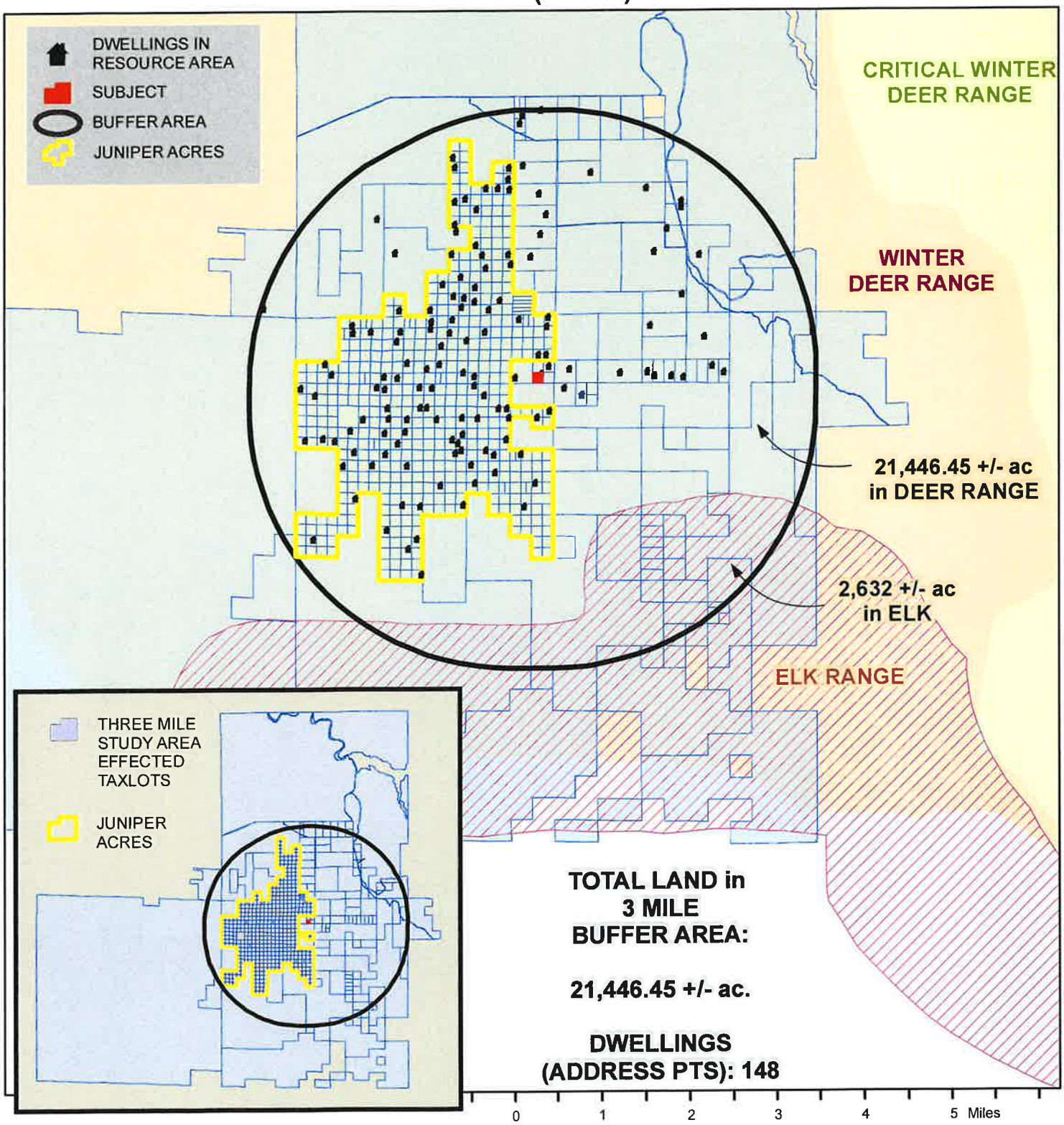
The County also finds that the study area contains no irrigated lands. Based upon poor soil conditions, an absence of cleared land and an extreme depth to subsurface groundwater the county finds that it is not realistic to expect application for irrigation wells to be submitted for any property within the EFU-JA Zone.

Finally, the County finds that a total of 150 nonfarm related dwellings authorized in the EFU-JA Zone will not disrupt the existing land use pattern of the area because the level of development distributed over 512 existing parcels will permit residential and agricultural uses to coexist. Residential uses will be suitably absorbed by the volume of undeveloped lands. Open range status and right-to-farm statutes will also help to ensure that agricultural practices are not compromised.

From this point forward the county will rely on the findings of fact and conclusions of law contained in this document to determine whether an individual application for a nonfarm dwelling is or is not able to satisfy the "materially-altered" standard.

EXHIBIT F1 - POTENTIAL DEVELOPMENT DENSITY EQUATION

3 MILE (PDDE)



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.

N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

11/11/2025

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541.447.2724

Settle – Wildlife Density Study – 3 Mile
Potential Development Density Equation (PDDE) Statement
Crook County EFU-1 November 11, 2025

The applicant submits the following supplemental calculation data to determine the Potential Development Density Equation (PDDE) for existing parcel within a Crook County Wildlife Area (big game habitat).

1. Three Mile Study Area – Wildlife Density Map – The Settle application identifies an area measured approximately three miles from the existing single parcel which measures 10-acres in size. The Wildlife Density Map includes lands only within Crook County. The enclosed GIS map indicates a "Three Mile Study Area" within Crook County of approximately **21,446.45- acres** of land. All the study area is located within the general deer wintering range. None of the study area is located within the critical (or crucial) deer wintering range. Approximately 2,632-acres are located with the elk range though the subject parcel is not in the elk range. See attached PDDE-3 Mile map illustrates the three-mile study area including all the Juniper Acres Subdivision.

2. The Density Calculation: The number of potential dwellings for the subject property density study is calculated as follows:

A) The total acreage for calculation in the three-mile study area that within the general deer wintering range is approximately **21,446.45-acres** including the subject parcel measuring 10-acres. County policy states that new residences within the general deer wintering range shall not have a density of more than one residence per 80 acres.
21,446.45 divided by **80** = **268.08** potential dwellings within the general deer wintering range. Rounded down to the nearest whole number equals **268 allowable dwellings.** The proposed dwelling will be in the general winter deer range.

3. The Existing Dwellings Calculations: The next procedure is to determine the number of existing and approved dwellings in the three-mile study area that are located within the deer wintering range.

A) Deer Wintering Ranges: A thorough examination of Crook County records/maps/address points show that there are approximately 164 dwellings/address points within the three-mile area study General Deer Wintering Range.
B) Juniper Acres Subdivision (EFU-JA): Crook County records/maps/address points show that there are approximately a total of 148* dwellings/address points within the Juniper Acres Subdivision and with the General Deer Wintering Range.
C) EFU-1, three-mile study area: There are presently 17 dwellings in EFU-1 portion of the study area that are outside of the JA subdivision. There are 2 EFU-1 dwellings approved, but not completed, There is 1 vested CUP for a non-farm dwelling in the EFU-1 zone, listed below.

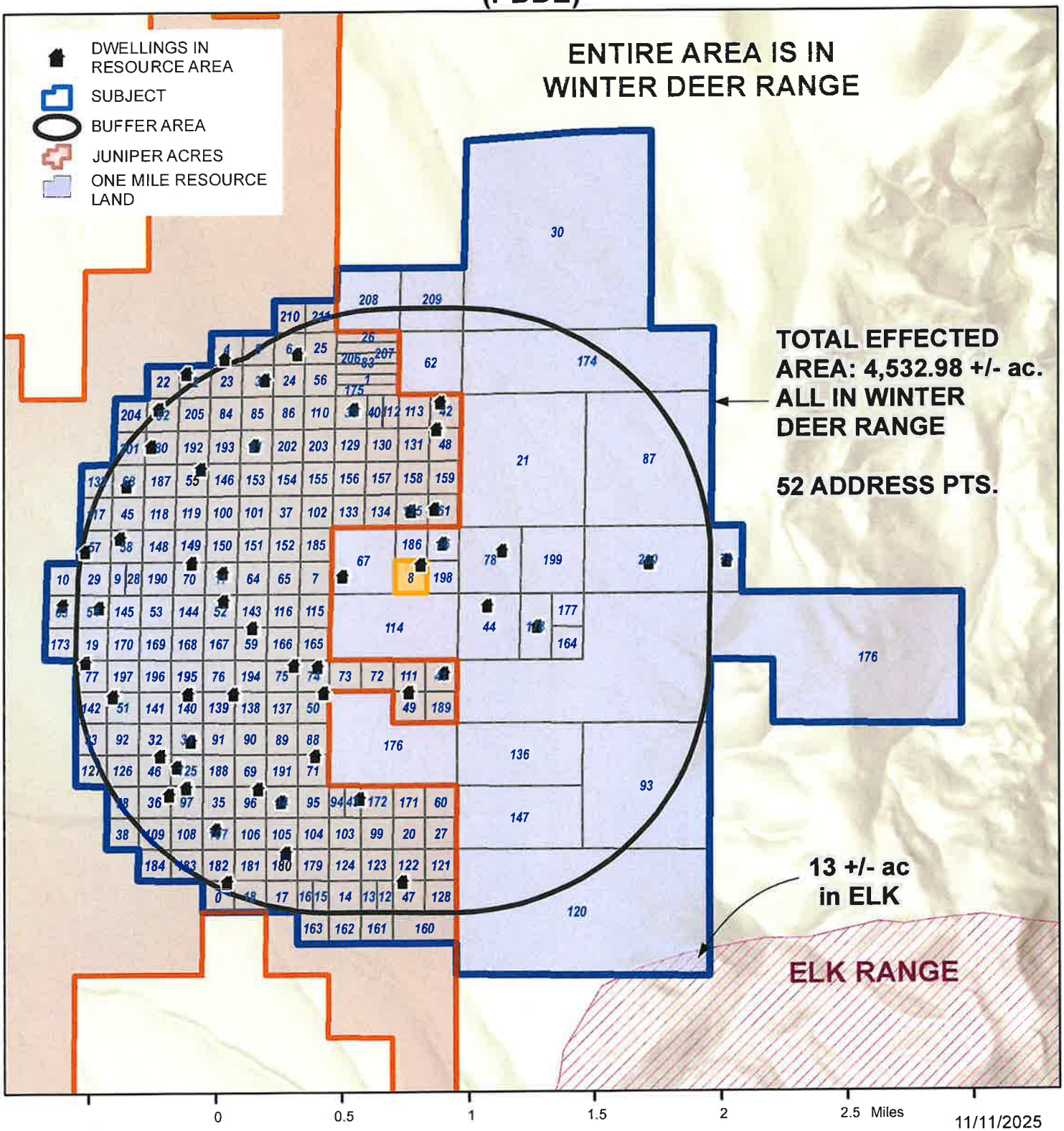
The total number of the applicable existing dwellings on parcels in the Three-mile Study Area, General Winter Deer Range:	17
The total number of the applicable existing dwellings on parcels in the Study Area, Elk Range.	0
The total number of approved, but not completed, EFU-1 dwellings:	2
The total number of approvals vested EFU-1 dwellings:	1
The total number of dwellings/address points in Juniper Acres Subdivision:	148*
The total number of proposed non-farm residences, including subject application:	1
Total:	**169**

169 total dwellings = 63% of the maximum allowable density of 268 allowable dwellings.

This result meets the criteria expressed in Crook County Wildlife Policy 2 as determined by these calculations and illustrated by the accompanying map exhibit. Wildlife Policy 3 is not applicable as the subject property is not within the Elk Range.

* Note: Crook County imposed a moratorium on new dwellings in the Juniper Acres Subdivision with a limit of 150 dwellings. Planning department has stated that the 150 dwelling limits has been reached.

EXHIBIT F2 - POTENTIAL DEVELOPMENT DENSITY EQUATION (PDDE)



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.

N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541.447.2724

Settle – Wildlife Density Study – Effected 1 Mile
Potential Development Density Equation (PDDE) Statement
Crook County EFU-1 November 11, 2025

The applicant submits the following supplemental calculation data to determine the Potential Development Density Equation (PDDE) for existing parcel within a Crook County Wildlife Area (big game habitat).

1. One Mile Study Area – Wildlife Density Map – The Settle application identifies an area measured approximately one mile from the existing single parcel which measures 10-acres in size. The Wildlife Density Map includes lands only within Crook County. The enclosed GIS map indicates a "One Mile Study Area" within Crook County including all of those parcels that are effected, approximately **4,532.98-acres** of land. All the study area is located within the general deer wintering range. None of the study area is located within the critical (or crucial) deer wintering range. Approximately 13-acres are located with the elk range though the subject parcel is not in the elk range. See attached PDDE-1 Mile map illustrates the one-mile study area including those effected parcels in the Juniper Acres Subdivision.

2. The Density Calculation: The number of potential dwellings for the subject property density study is calculated as follows:

A) The total acreage for calculation in the one-mile study area that within the general deer wintering range is approximately **4,532.98-acres** including the subject parcel measuring 10-acres. County policy states that new residences within the general deer wintering range shall not have a density of more than one residence per 80 acres.
4,532.98 divided by **80** = **56.66** potential dwellings within the general deer wintering range. Rounded down to the nearest whole number equals **56 allowable dwellings.** The proposed dwelling will be in the general winter deer range.

3. The Existing Dwellings Calculations: The next procedure is to determine the number of existing and approved dwellings in the three-mile study area that are located within the deer wintering range.

A) Deer Wintering Ranges: A thorough examination of Crook County records/maps/address points show that there are approximately 52 address points within the effected one-mile area study, General Deer Wintering Range. Careful examination of county records shows that 33 of the address points have a dwelling. One parcel has two dwellings for a total of 34 dwellings in the study area.
B) EFU-1, one-mile study area: 5* of the 34 dwellings in the study area are located outside of the JA subdivision, in the EFU-1 zone. There are 2 EFU-1 dwellings approved, but not completed. There is one vested CUP for a non-farm dwelling in the EFU-1 zone. All are listed below.

The total number of the applicable existing dwellings on parcels in the 1-mile Study Area, General Winter Deer Range:	34
The total number of the applicable existing dwellings on parcels in the Study Area, Elk Range:	0
The total number of approved, but not completed, EFU-1 dwellings:	2
The total number of approvals vested EFU-1 dwellings:	1
The total number of proposed non-farm residences, including subject application:	1
Total:	**38**

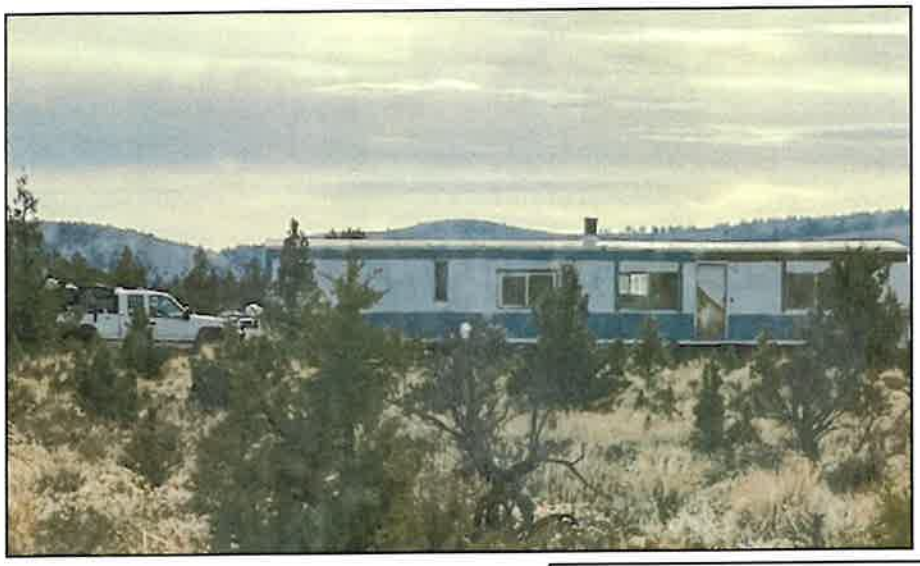
38 total dwellings = 68% of the maximum density of 56 allowable dwellings.

This result meets the criteria expressed in Crook County Wildlife Policy 2 as determined by these calculations and illustrated by the accompanying map exhibit. Wildlife Policy 3 is not applicable as the subject property is not within the Elk Range.
* Note: Includes the subject parcel.

Crook County imposed a moratorium on new dwellings in the Juniper Acres Subdivision with a limit of 150 dwellings. Planning department has stated that the 150 dwelling limits has been reached.

JUNIPER ACRES GENERAL PHOTOS
November 11, 2025

JUNIPER ACRES GENERAL PHOTOS
November 11, 2025



JUNIPER ACRES GENERAL PHOTOS
November 11, 2025

JUNIPER ACRES GENERAL PHOTOS
November 11, 2025

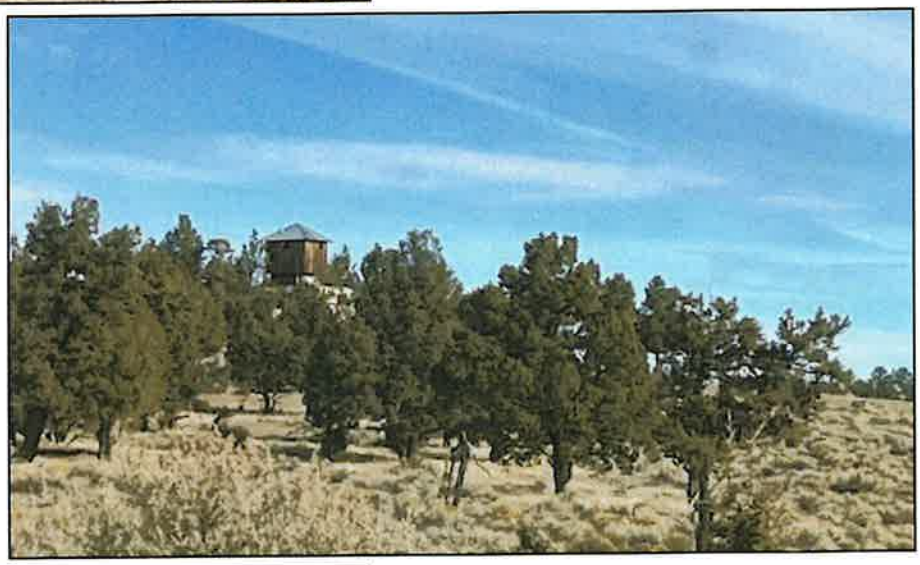


EXHIBIT
tabbies
7

Hannah Elliott

From: Robin Hayakawa <robin@colw.org>
Sent: Wednesday, November 19, 2025 1:09 PM
To: Katie McDonald
Cc: Plan
Subject: COLW Open Record Comments - 217-25-000233-PLNG-01
Attachments: 11.19.25_COLW Settle NFD Comments.pdf

Crook County,

On behalf of Central Oregon LandWatch, please enter the attached comments into the record for the above-referenced land use appeal.

Our address is 2843 NW Lolo Dr. Ste 200, Bend, OR 97703. Thank you.

--

Robin Hayakawa
Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Dr. Ste. 200, Bend, OR 97703
541-647-2930 x807 | robin@colw.org

Double Your Gift During Our Roots of Resilience Challenge Match 🎄

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

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

November 19, 2025
Filed by email: Katie.McDonald@crookcountyor.gov

Crook County Planning Commission
% Katie McDonald, Assistant Planner
320 NE Court Street
Prineville, OR 97754

Re: Application File No. 217-25-000233-PLNG-01; Settle NFD

Dear Crook County Planning Commission:

Thank you for hearing oral testimony during the November 12, 2025 Planning Commission hearing on the above-referenced appeal. As ever, Central Oregon LandWatch ("LandWatch") appreciates the opportunity to present evidence to the Planning Commissioners about important land use issues, including the protection of wildlife habitat in Crook County. To that end, LandWatch submits these additional written comments during the open record period following the Planning Commission Hearing.

On November 12, the Applicant submitted an **Amended and Restated Burden of Proof & Area Study,** which "replace[d] the prior version in the application and provide[d] updated analysis." The Applicant's November 12 submission also included two additional, alternative PDDE Studies (**Exhibit F1 & Exhibit F2**) in a renewed and original attempt to satisfy the density limitations imposed upon new residential development in General Deer Winter Range by Wildlife Policy 2.

By providing updated alternate PDDEs, the Applicant appears to be taking our concerns about the methodology of their original PDDE (**Exhibit F**), and its impermissible exclusion of Juniper Acres, seriously. For the reasons below, however, Applicant's alternative study areas also rely on size and methodology that is inconsistent with the purpose of Crook County Comprehensive Plan Wildlife Policy 2 and therefore cannot be used to satisfy CCC 18.16.040(7). As a result, LandWatch continues to oppose approval of the proposed NFD in General Deer Winter Range.

I. Exhibit F Impermissibly Excludes 2,973 acres of EFU-JA Land

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

On November 11, Central Oregon LandWatch provided written comments disputing the Applicant's use of a PDDE (**Exhibit F**) that excludes 2,973 "non-resource acres" located in the EFU-JA zone and the associated residential development therein. We rely on those comments and respectfully request that Planning Commissioners review our November 11 submittal. LandWatch strongly opposes any approval that relies on **Exhibit F** to demonstrate compliance with CCC 18.16.040(7) and the density limitations imposed by Wildlife Policy 2.

II. Exhibit F1 – PDDE Study (3-Mile Study Area) substantially distorts dwelling density by including approximately 21,447 acres and analyzing "effected taxlots"

CCC 18.16.040(7) provides:

> (7) All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County comprehensive plan. Compliance with the residential density limitations may be demonstrated by calculating a one-mile radius (or 2,000-acre) study area. An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2, provided the methodology and size of the study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2.

As a threshold matter, CCC 18.16.040(7) provides that new nonfarm dwellings in deer and elk winter ranges *must* meet the residential density limitations (1 dwelling per 80 acres) found in Wildlife Policy 2. Compliance with the density limitations can be demonstrated by calculating a "one-mile radius (or 2,000 acre) study area." Different study area sizes or shapes *may* be used to demonstrate compliance with Wildlife Policy 2, so long as "the methodology and size of the study area… are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2."

As noted in our previous submittals, the Purpose of Wildlife Policy 2 is to limit the negative economic, social, environmental, and energy consequences of allowing conflicting uses in big game range. According to the Crook County Comprehensive Plan, "[t]he most significant conflicting use to big game habitat in Crook County is an increase in density of residential dwellings in the habitat area." CCCP at PDF p. 154. Therefore,

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

the purpose of Wildlife Policy 2 is to protect big game habitat by limiting the density of residential dwellings in the habitat area. In this case, neither the size, nor the methodology of the study area provided in **Exhibit F1** is consistent with the purpose of Wildlife Policy 2.

In terms of size, **Exhibit F1 – PDDE Study (3-Mile Study Area)** is described as a "3-Mile Study Area" and contains approximately 21,446.45 acres. This study area is more than ten times larger than the 2,000-acre or one-mile radius study area that CCC 18.16.040(7) calls for. The Applicant does not explain why such an expansive study area is consistent with the purpose of Wildlife Policy 2.

In terms of methodology, **Exhibit F1 – PDDE Study (3-Mile Study Area)** contains "effected taxlots," meaning that the shape of the study area is angular, jagged, and many thousands of acres larger than what is actually contained in a circle with a three-mile radius.

CENTRAL OREGON LANDWATCH
2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

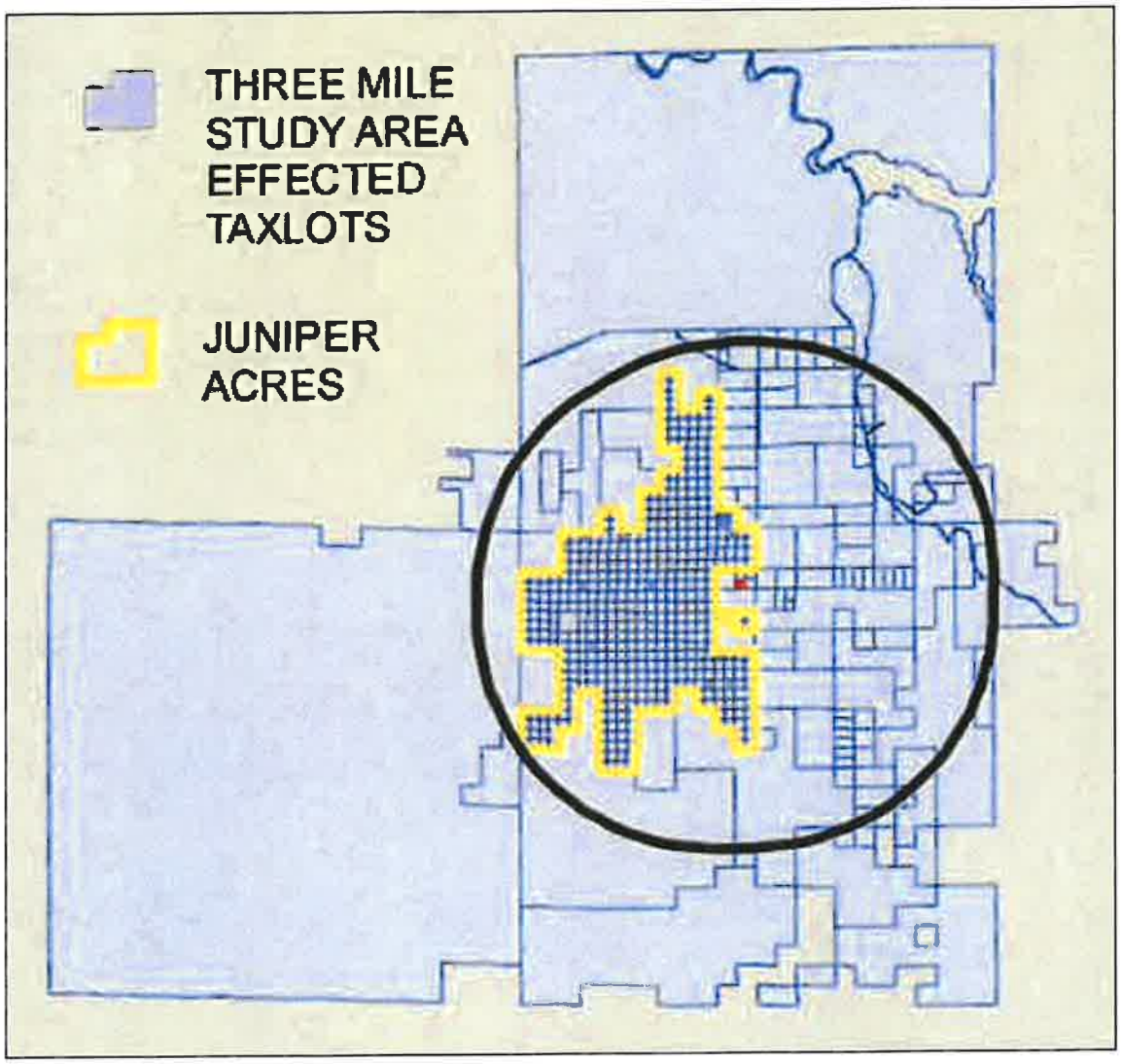


Figure 1. Inset of Exhibit F1 showing the shape of the study area analyzed. Amended Burden of Proof at p. 27.

Using a methodology that analyzes "effected taxlots" rather than the simple area within a three-mile radius circle of the subject property defies common sense. Moreover, it conflicts with the purpose of Wildife Policy 2, which seeks to limit new residential dwelling in proximity to deer habitat. In any case, again, the Applicant fails to explain how such methodology is consistent with the purpose of Wildlife Policy 2.

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

III. Exhibit F2 – PDDE Study (1-Mile Study Area) substantially distorts dwelling density by including approximately 4,533 acres and analyzing "effected taxlots"

Exhibit F2 – PDDE Study (1-Mile Study Area) is described as a "1-Mile Study Area" and contains approximately 4,533 acres. **Exhibit F2** does include EFU-JA zoned acreage within its dwelling density calculation. Inclusion of Juniper Acres is mandatory under CCC 18.112.051, which makes Wildlife Policy 2 applicable to EFU-JA.

Nevertheless, **Exhibit F2** suffers from the same defects as **Exhibit F1**. Namely, a study area that includes an additional 2,533 acres beyond what CCC 18.16.040(7) recommends, and an analysis of "effected taxlots" rather than simply measuring the dwelling density within a one-mile radius of the subject property. The result is a PDDE that is more than twice the size of a typical one-mile radius (or 2,000 acre) study area, and again, a shape that is characterized by jagged, squared-off edges.

CENTRAL OREGON LANDWATCH
2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

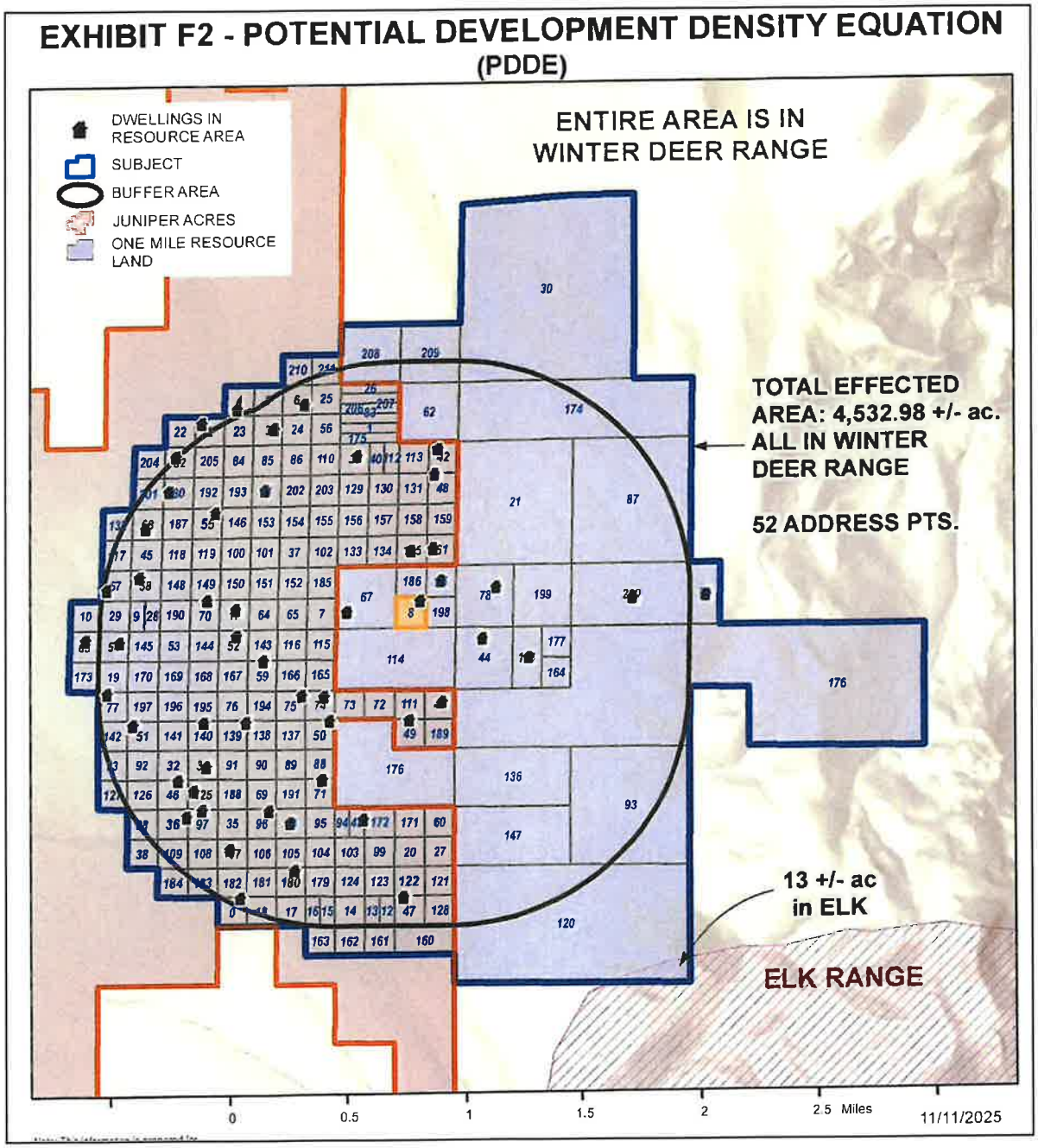


Figure 2. Exhibit F2 PDDE study area. Amended Burden of Proof at p. 30.

Although it is required by CCC 18.16.040(7), the Applicant does not explain why the oversized and overinclusive study area analyzed in Exhibit F2 is consistent with the purpose of Wildlife Policy 2.

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

IV. Conclusion & Relief Requested

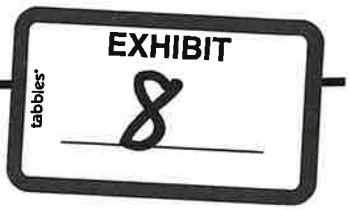
The Crook County Comprehensive Plan, Crook County Code, and common sense dictate that the dwelling density limitations of Wildlife Policy 2 apply to all resource zones, including EFU-JA. Because **Exhibit F** is undersized and relies on methodology excluding resource land, it is not consistent with the purpose of Wildlife Policy 2, and cannot show compliance with CCC 18.16.040(7). Although **Exhibit F1** and **Exhibit F2** include EFU-JA, they suffer from other methodological issues. **Exhibit F1** analyzes over 21,000 acres and relies on a study area ten times the size of what is provided for in Crook County Code. **Exhibit F2** claims to be a "One Mile Study Area," but actually analyzes an area of 4,533 acres, not 2,000 acres. In addition, both **Exhibit F1** and **Exhibit F2** include acreage in "effected taxlots" which stretch far beyond a one-mile radius of the subject property. For the above reasons, the various PDDEs provided by the Applicant are inconsistent with the purpose of Wildlife Policy 2.

We respectfully urge the Planning Commission to enforce the mandatory code provisions that protect big game habitat and reverse the staff decision.

Thank you for your consideration and service to Crook County.

Sincerely,

/s/ Robin Hayakawa
Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Drive Ste 200
Bend, OR 97703
robin@colw.org



Hannah Elliott

From: Katie McDonald
Sent: Monday, November 24, 2025 11:49 AM
To: Hannah Elliott
Subject: Fw: Settle Appeal
Attachments: Settle11.24.25 .pdf

From: Heidi Bauer <heidi.bauer@caladanlaw.com>
Sent: Monday, November 24, 2025 10:39 AM
To: Katie McDonald <Katie.McDonald@crookcountyor.gov>
Cc: Craig Kilpatrick <ckrimrock@yahoo.com>; John Eisler <John.Eisler@crookcountyor.gov>
Subject: Settle Appeal

Happy Monday,
Attached please find a letter in regard to the Settle Appeal. I understand that COLW may choose to follow up separately with a concurrence note. I hope you have a great holiday.
Thank you,
Heidi Bauer

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

Crook County Planning Department
300 NE 3rd St,
Room 12,
Prineville, OR 97754
Via email

Date: November 24, 2025

Re: Settle Non-Farm Dwelling Application

To the Crook County Planning Commission:

On behalf of Kilpatrick Consulting LLC and Duke and Dana Settle, it is respectfully requested, without prejudice, that the Planning Commission approve the application in regard to Wildlife Policy 2 using the alternate study area in the F3 PDDE exhibit. The F3 PDDE exhibit includes a one-mile study area of "Effected property", including property within the Juniper Acres EFU-JA subdivision. We thank you for your time and consideration of this complex matter.

Very truly yours,

Heidi T. D. Bauer
dba Caladan Law
56162 Sandpiper RD
Bend, OR 97707
503-929-4228

Hannah Elliott

From: Robin Hayakawa <robin@colw.org>
Sent: Tuesday, November 25, 2025 10:52 AM
To: Katie McDonald
Cc: Hannah Elliott; Plan
Subject: COLW Rebuttal Comments - Settle Appeal
Attachments: 11.25.25_COLW Settle NFD Rebuttal Comments.pdf

Hi Crook County,

Please add the attached rebuttal comments to the record for the Settle NFD Appeal.

I hope you all have a good holiday week. Happy Thanksgiving.

--

Robin Hayakawa
Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Dr. Ste. 200, Bend, OR 97703
541-647-2930 x807 | robin@colw.org

Double Your Gift During Our Roots of Resilience Challenge Match 🎄

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

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

November 25, 2025
Filed by email: Katie.McDonald@crookcountyor.gov

Crook County Planning Commission
% Katie McDonald, Assistant Planner
320 NE Court Street
Prineville, OR 97754

Re: Application File No. 217-25-000233-PLNG-01; Settle NFD

Dear Crook County Planning Commission:

Central Oregon LandWatch provides the following rebuttal comments in advance of the Planning Commission's November 26 comment deadline. LandWatch thanks the Planning Commission and the Crook County Community Development Department for their work and consideration in hearing our appeal of the Staff Approval (217-25-000233-PLNG-01) of the nonfarm dwelling in the County's EFU-1 zone.

LandWatch continues to have concerns about the size and methodology used by the Applicant in demonstrating compliance with CCC 18.16.040(7) and Wildlife Policy 2. In particular, we believe that the practice of incorporating "effected acreage" or "effected property" is likely contrary to the purpose of Wildlife Policy 2, which limits residential dwelling density in order to protect Crook County's big game habitat, and provides for a 2,000 acre or "one-mile" study area.

Nevertheless, in the interest of compromise, LandWatch would consider the issues raised in our appeal satisfied if the Planning Commission issued an approval based solely on Exhibit F2 - PDDE Study (1-Mile Study Area). See **Exhibit 6** at p. 30. Doing so would demonstrate that approval of the NFD would not violate the residential density limitations imposed by Wildlife Policy 2 of the Crook County Plan, while including all development on resource land (including EFU-JA) within a one-mile radius of the subject property.

As a final note, **Exhibit F2** shows that there are 52 address points within the 4,533 total "effected" acres. This equates to a dwelling density of approximately 1 dwelling per 87

CENTRAL OREGON LANDWATCH

2843 NW Lolo Drive., Ste. 200 | Bend, OR 97703
Phone (541) 647-2930
www.colw.org

acres. In other words, under any methodology, the area East of the Juniper Acres where the subject property is located has essentially reached the maximum allowable dwelling density (one dwelling per 80 acres) under Wildlife Policy 2. In the interest of protecting valuable big game habitat that is already heavily impacted by development, we recommend that Crook County refrain from authorizing further development in the area.

We look forward to participating in discussions about the protection of Crook County's wildlife in the future. Thank you.

Sincerely,

/s/ Robin Hayakawa
Associate Staff Attorney
Central Oregon LandWatch
2843 NW Lolo Drive Ste 200
Bend, OR 97703
robin@colw.org

Hannah Elliott

From: Katie McDonald
Sent: Wednesday, November 26, 2025 8:14 AM
To: Hannah Elliott
Subject: Fw: Settle Appeal
Attachments: Settle11.24.25 .pdf

From: Heidi Bauer <heidi.bauer@caladanlaw.com>
Sent: Tuesday, November 25, 2025 11:07 AM
To: Katie McDonald <Katie.McDonald@crookcountyor.gov>; Craig Kilpatrick <ckrimrock@yahoo.com>
Subject: FW: Settle Appeal

Hi Katie,

Robin just sent me the letter he submitted where COLW agreed they are satisfied with the F2 exhibit. We'd like to clarify we meant F2 and not F3 as well (it was the third study area and I simply got mixed up).

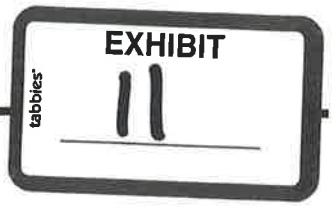
Thank you,
Heidi
Get Outlook for Mac

From: Heidi Bauer <heidi.bauer@caladanlaw.com>
Date: Monday, November 24, 2025 at 10:39 AM
To: Katie McDonald <katie.mcdonald@crookcountyor.gov>
Cc: Craig Kilpatrick <ckrimrock@yahoo.com>, John.Eisler@crookcountyor.gov <John.Eisler@crookcountyor.gov>
Subject: Settle Appeal

Happy Monday,
Attached please find a letter in regard to the Settle Appeal. I understand that COLW may choose to follow up separately with a concurrence note. I hope you have a great holiday.
Thank you,
Heidi Bauer

Get Outlook for Mac

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



Hannah Elliott

From: John Eisler
Sent: Wednesday, December 3, 2025 4:08 PM
To: Plan
Subject: FW: Response to COLW Claims
Attachments: Settle 12 03 25.pdf

From: Craig & Cathy Kilpatrick <ckrimrock@yahoo.com>
Sent: Wednesday, December 3, 2025 3:51 PM
To: Katie McDonald <Katie.McDonald@crookcountyor.gov>; John Eisler <John.Eisler@crookcountyor.gov>
Cc: Jennifer Orozco <Jennifer.Orozco@crookcountyor.gov>
Subject: Response to COLW Claims

Katie, John,

As required by today's deadline, please find attached a letter and attachment from legal counsel Heidi T.D. Bauer relative to the COLW appeal of the Settle's application 217-25-000233-PLNG now before the Crook County Planning Commission. Can you please confirm if this matter is still on the calendar for the meeting of December 17?

Thank you for your consideration,

Craig Kilpatrick

Kilpatrick Consulting LLC
Land Use Consultants
13790 NW O'Neil Highway
Redmond, OR 97756
(541) 447-2724 - Office

Virus-free.www.avg.com

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

December 3, 2025

Crook County Planning Department
300 NE 3rd St,
Room 12,
Prineville, OR 97754

Via email: Crook County
katie.mcdonald@crookcountyor.gov, john.eisler@crookcountyor.gov

Cc: Ben Gordon, Central Oregon Landwatch,
ben@colw.org

Dear Planning Commission:

On behalf of my clients Kilpatrick Consultants LLC and the Applicant, I would like to address the Central Oregon Landwatch ("COLW") Letter of November 25, 2025. As stated in our letter of November 24, 2025 we would ask the Planning Commission to approve the application in regard to Wildlife Policy 2 under the Exhibit F2 study area.[1]

My clients agreed to ask for this solely based in reliance on communications initiated by COLW's attorney where it was agreed that if my clients asked for approval under Exhibit F2, COLW would not appeal the decision and would submit a "quick comment" indicating their satisfaction with that resolution.[2] COLW's November 25, 2025 letter instead presented continued objections about the application. We had hoped to avoid any further conflict on the matter.

---

1 The letter initially requested that the Planning Commission approve the application based on Exhibit F3 PDDE; however, this was an error. The applicant subsequently notified planning staff of the correction via email on November 25, 2025, clarifying that the appropriate exhibit is Exhibit F2 PDDE.
2 Phone call, email, and text exchange between Applicant's and COLW's attorneys on November 21, 2025.

While my clients remain consistent and ask for approval under the Exhibit F2 PDDE with regard to Wildlife Policy 2, we are also asking for alternative findings under the original study area Exhibit F and under Exhibit F1. We are disappointed that this understanding was not honored. While this is a matter between counsel, we provide this procedural context to explain why our November 24, 2025 letter requested approval solely under Exhibit F2 and why we are now requesting alternative findings under Exhibits F and F1 as well. Further should the Planning Commission wish to approve under any of the scenarios we provided, the Applicant can propose suggested findings and alternate findings for staff consideration.

We are submitting final arguments and clarification about claims by COLW made in their letters. This is attached as Attachment A.

Thank you for your consideration,

Heidi T.D. Bauer
dba Caladan Law
Attorney for Kilpatrick Consulting LLC and Applicants

Attachment A

Applicant Response to Central Oregon Land Watch Letter Claims

1. Incorrect Study Area Size for Wildlife Policy 2 Compliance

COLW Claim: The Applicant used an incorrect study area size for Wildlife Policy 2 compliance. Wildlife Policy 2 requires strict use of a 2,000-acre (one-mile radius) study area.

Applicant Response

Crook County Code (CCC) 18.16.040(7) expressly permits alternative study areas where methodology is justified. Exhibits F, F1, and F2 study area PDDEs each independently demonstrate Wildlife Policy 2 compliance using different study area methodologies.

CCC 18.16.040(7) states (emphasis added):

> *All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County comprehensive plan. Compliance with the residential density limitations may be demonstrated by calculating a one-mile radius (or 2,000-acre) study area.* ***An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2, provided the methodology and size study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2.***

The Crook County Code allows modified study areas where justified. All Exhibits F PDDE study areas provides this justification, and Exhibits F (Original PDDE), F1 (3-Mile PDDE), and F2 (1-Mile PDDE) each confirm compliance.

2. Improper Inclusion of 'Effected Acreage' in Exhibit F2 PDDE

COLW Claim: The Applicant's methodology in Exhibit F2 improperly includes 'Effected Acreage' or 'Effected Property.'

Applicant Response

As demonstrated in Section 1 above, CCC 18.16.040(7) allows modified study areas where justified. The Applicant provides detailed justification for the use of the modified study area in Exhibit F2: (Effected Acreage)

3. Address Points and Maximum Density in Exhibit F2 PDDE

COLW Claim: There are 52 address points within the 4,533 acres and the area has reached maximum density.

Applicant Response

COLW has misrepresented the Exhibits. Not all address points represent dwellings—e.g. some are garages or accessory structures. COLW's assertion that the dwelling density equals approximately 1 dwelling per 87 acres using the F2 data is demonstrably false.

The Settle Non-Farm Burden of Proof & Area Study Amended and Restated explicitly addresses this issue in Footnote 18. Exhibit F2 identifies 52 address points but documents only 38 actual dwellings after verification—well below the 56-dwelling limit. The applicant uses County GIS data for its PDDE study areas and that data produces a house graphic on all address points, not all the house graphics on the Exhibits are dwellings.

Record Completeness: The appellant introduced no evidence supporting their assertion about the address points, and the record on this issue is complete. No additional evidence is necessary, and the findings should reflect the absence of evidence supporting the appellant's claim.

4. Maximum Allowable Density East of Juniper Acres

COLW Claim: The area east of Juniper Acres has essentially reached maximum allowable density.

Applicant Response

Exhibit F2 demonstrates only 38 dwellings out of 56 allowable (68% capacity). The area study further documents that the landscape consists of Class 7 soils and contains no irrigated lands.

5. Impacts on Big Game Habitat

COLW Claim: Additional development should not be authorized due to impacts on big game habitat.

Applicant Response

Exhibits F, F1, and F2 demonstrate that according to the County the parcel is within General Deer Winter Range only—not Critical Winter Range or Elk Range. The area studies documents only light seasonal grazing in the area.

Scope of Proceedings: This application is for a single non-farm dwelling in a quasi-judicial proceeding. COLW's desire to limit development broadly is not relevant to this specific application. Applications must be addressed case-by-case as required by the County Code. COLW may pursue broader policy changes through a Code Amendment or Comprehensive Plan Amendment via legislative proceedings.

6. Residential Density Calculations Within One Mile

COLW Claim: Residential density calculations must include all development within one mile.

Applicant Response

The one-mile Exhibit F initially includes all parcels in the study area. In Exhibit F, Juniper Acres is mapped but properly excluded from regulatory Wildlife Policy 2 calculations due to its acknowledged committed density. In Exhibits F1 and F2 dwellings withing Juniper Acres are included.

7. Understatement of Residential Density Impact

COLW Claim: The Applicant's analysis may understate the residential density impact.

Applicant Response

The Exhibit F2 study areas confirm that each address point was manually reviewed to determine whether it represents a lawful dwelling. The nonconforming 1963 mobile home on the subject parcel will be removed.

Summary and Conclusion

The Applicant has thoroughly addressed each claim raised by Central Oregon LandWatch and demonstrated full compliance with Crook County Code requirements:

- **Wildlife Study Area Methodology:** CCC 18.16.040(7) expressly permits alternative study areas where methodology is justified. Three independent PDDE study areas (Exhibits F, F1, and F2) each demonstrate compliance.
- **Dwelling Verification:** Manual verification in Exhibit F2 confirms only 38 actual dwellings out of 52 address points, well below the 56-dwelling limit.
- **Density Capacity: Under F2** the area contains only 68% of allowable density (38 of 56 dwellings), providing substantial remaining capacity.
- **Habitat Classification:** According to the County the parcel is located in General Deer Winter Range only—not Critical Winter Range or Elk Range—and supports only light seasonal grazing.
- **Comprehensive Analysis:** All regulatory calculations properly include relevant parcels and exclude committed density areas as appropriate under County Code.

The application meets all applicable requirements for Wildlife Policy 2 compliance. The record is complete and supports approval of the requested nonfarm dwelling.

Crook County
Community Development
300 NE 3rd Street, Prineville, OR 97754
(541)447-3211
plan@crookcountyor.gov

Planning Commission Decision
Appeal 217-25-000233-PLNG-01
Appeal of a nonfarm dwelling (217-25-000233-PLNG)

December 10, 2025

OWNER: Duke and Dana Settle
29020 SE Currin Road
Estacada, OR 97023-8836

AGENT: Kilpatrick Consulting LLC
Craig Kilpatrick
13790 NW O'Neal Hwy
Redmond OR 97756

ATTORNEY: Caladan Law
Heidi Bauer

APPELLANT: Central Oregon LandWatch
Robin Hayakawa
2843 NW Lolo Dr. Ste 200
Bend, OR 97703

LOCATION: The existing parcel measures 10 acres in size and is identified on the Crook County Assessor's maps as 1816040005300. It is at 2901 SE Myrtlewood Lane, in the southwest area of the county.

REQUEST: The applicants seeks approval of a nonfarm dwelling to replace the 1963 manufactured dwelling currently on the site.

PUBLIC NOTICE: **October 15, 2025, Crook County Planning Commission Website**
PROPERTY OWNER NOTICE: **October 23, 2025**
HEARING DATE: **November 12, 2025**

I. BACKGROUND

On June 24, 2025, an application for a nonfarm dwelling was accepted. Staff reviewed and tentatively approved the proposal, with notice sent on August 15, 2025, and a 12-day appeal period followed. Staff then received an appeal filed by Central Oregon LandWatch (COLW) on August 27, 2025. The application for appeal identified CCC 18.16.040(7) as grounds for appeal.

At the hearing held November 12, 2025, the Planning Commission heard from COLW, the Oregon Department of Fish and Wildlife (ODFW) and the Applicant. Due to the timeliness of submitted testimony, exhibits and further clarification, the Planning Commission continued the hearing for deliberation only to a time and date certain, December 17, 2025. Additional testimony was received for seven days due November 19, 2025, rebuttal testimony for seven days due November 26, 2025 and then the Applicant had final argument due December 3, 2025.

I. APPLICABLE CRITERIA:

Crook County Code

Title 18, Zoning
Chapter 18.16 Exclusive Farm Use Zones, EFU-1 (Post & Paulina Area)
18.16.010 Use table.
18.16.015 Use standards.
18.16.040 Dwellings not in conjunction with farm use
18.16.070 Land Divisions
18.16.075 Development standards.

II. PROPERTY INFORMATION

ZONING: The property is zoned Exclusive Farm Use, EFU-1 (Post & Paulina Area). The property is designated Agricultural in the Crook County Comprehensive Plan. The parcel is located on the eastern boundary of Juniper Acres subdivision, an area of the county that has limited services and access.

SITE DESCRIPTION: The subject tract is 10 acres in size with no irrigation or water rights. There is a 1963 manufactured dwelling on the subject property. The subject property consists of gently sloped land and is generally covered with juniper scrub brush and some native grasses. There are no rimrock features on the property.

SURROUNDING LAND USES: Adjacent properties to the west and north are zoned EFUJA and the properties to the south and east are zoned EFU-1.

LEGAL PARCEL: The subject property was created in April of 1968, and the current deed is MF 2018-287513. The subject property is a legal parcel.

ROAD ACCESS: The parcel is served by existing access from SE Myrtlewood Lane and private easements.

WATER: Domestic water will be supplied by an existing individual well.

WASTEWATER: There is an approved site evaluation (217-25-000168-EVAL).

IRRIGATION: There are no water rights on the subject property; the application is signed by Sam VanLaningham with Water Resources Department.

FIRE PROTECTION: The property is not located within a fire protection district; the Alfalfa Fire District offers emergency medical response.

III. FINDINGS OF FACT

Crook County Code

Title 18 Zoning

Chapter 18.16 Exclusive Farm Use Zones, EFU-1 (Post & Paulina Area)

18.16.010 Use table.

2.5	Nonfarm dwelling.	STS	Notice and Opportunity for Hearing	18.16.015(25) 18.16.040

FINDING: The Applicant submitted an application with additional material to address the above cited applicable criteria. CCC 18.16.015(25) & 18.16.040 are addressed below, where the use is found to comply.

18.16.015 Use standards

(25) Single-Family Dwelling Deeds. The landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

FINDING: The property owner shall sign a letter of non-remonstrance to area farm operations, which complies with the requirements of ORS 215 and is binding on future owners, prior to issuance of a building permit for the non-farm dwelling. This is a condition of approval.

18.16.040 Dwellings not in conjunction with farm use.

(1) Nonfarm Dwelling. A nonfarm dwelling is subject to the following requirements:

(a) The dwelling or activities associated with the dwelling will not force a significant change in or significantly increase the cost of accepted farming or forest practices on nearby lands devoted to farm or forest use.

FINDING: The Applicant provided a parcel by parcel analysis of surrounding properties, they divided the land uses by:

> a) dry land "farm" parcels listed as farm parcels that are primarily used for recreational uses and are improved or unimproved, b) large tracts - rangeland parcels, large enough to support seasonal grazing, c) dryland "non-farm" parcels that are primarily used for recreational uses and are improved or unimproved, and d) properties with [in] the Juniper Acres subdivision. (p 4 of Burden of Proof)

The land in this part of the county is primarily used for recreational purposes, the large rangeland and grazing activities that once were a part of the landscape have given way to other uses, including thousands of acres for OHV trails. Surrounding properties are detailed in the application on the spreadsheets.

> a) dryland "farm" parcels: 516.26 acres (4,532.98 effected in Study Area) or 11% of the applicable study area.
> […]
> b) large tracts - rangeland parcels, large enough to support seasonal grazing: 1,260.00-acres (4,532.98 effected in Study Area) or 28% of the applicable study area.
> […]
> c) dryland "non-farm" recreational uses and are improved or unimproved. 861.57 acres (4,532.98 within Study Area) or 19% of the applicable study area.
> […]
> d) Juniper Acres - a pre-land use subdivision considered as non-resource land and not reviewed as part of this application. 1,895.15 acres (4,532.98 within Study Area) or 42% of the applicable study area. (p 4 & 5, Burden of Proof).

The analysis shows that only 39% of the parcels in the vicinity of the dwelling could have seasonal farming operations. There are no forest activities in the area.

The Planning Commission finds in accordance with staff that the material in the record shows the proposed nonfarm dwelling will not cause a significant increase in cost or change in accepted farm practices. All required property line setbacks will be observed, and the proposed dwelling will be buffered from any potential impacts as shown in the approved site plan. The owners will sign and record a nonremonstrance prior to submission of building permits.

(2) Nonfarm Dwelling Suitability Standards.

(a) The dwelling, including essential or accessory improvements or structures, is situated upon a lot or parcel, or, in the case of an existing lot or parcel, upon a portion of a lot or parcel, that is generally unsuitable land for the production of farm crops and livestock or merchantable tree species, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the tract. A new parcel or portion of an existing lot or parcel shall not be considered unsuitable solely because of size or location if it can reasonably be put to farm or forest use in conjunction with other land; and

(b) A new parcel or portion of an existing lot or parcel is not "generally unsuitable" simply because it is too small to be farmed profitably by itself. If a parcel or portion of a lot or parcel can be sold, leased, rented or otherwise managed as a part of a commercial farm or ranch, then it is not "generally unsuitable." A new parcel or portion of an existing lot or parcel is presumed to be suitable if it is composed predominantly of Class I – VI soils. Just because a new parcel or portion of an existing lot or parcel is unsuitable for one farm use does not mean it is not suitable for another farm use; or

FINDING: The Applicant provided information on the suitability of the property for agricultural activities, including soils information from the Natural Resources Conservation Service (NRCS).

Soil Type	Coverage	Slopes	Irrigated	Non-irrigated
Ayers very cobbly loam	77.4%	0-8%	None	Class 7s
Ayers cobbly ashy loam, moist	22.6%	3-8%	None	Class 7s

The subject property has no irrigation water rights. It is not located in a floodplain and there are no drainage issues identified. The subject property is composed of Class VII soils. The proposed nonfarm dwelling and essential or accessory improvements or structures are proposed to be on a portion of the parcel that is found to be generally unsuitable.

The Planning Commission finds that the proposal meets the criteria.

(c) If the lot or parcel is under forest assessment, the dwelling shall be situated upon generally unsuitable land for the production of merchantable tree species recognized by the forest practices rules, considering the terrain, adverse soil or land conditions, drainage and flooding, vegetation, location and size of the parcel. If a lot or parcel is under forest assessment, the area is not "generally unsuitable" simply because it is too small to be managed for forest production profitably by itself. If a lot or parcel under forest assessment can be sold, leased, rented or otherwise managed as a part of a forestry operation, it is not "generally unsuitable." If a lot or parcel is under forest assessment, it is presumed suitable if it is composed predominantly of soils capable of producing 20 cubic feet of wood fiber per acre per year. If a lot or parcel is under forest assessment, to be found compatible and not seriously interfere with forest uses on surrounding land it

must not force a significant change in forest practices or significantly increase the cost of those practices on the surrounding land.

FINDING: Not applicable. The subject property is not under forest assessment.

(3) The dwelling will not materially alter the stability of the overall land use pattern of the area. In determining whether a proposed nonfarm dwelling will alter the stability of the land use pattern in the area, a county shall consider the cumulative impact of nonfarm dwellings on other lots or parcels in the area similarly situated by applying the standards set forth in subsections (3)(a) through (c) of this section. If the application involves the creation of a new parcel for the nonfarm dwelling, a county shall consider whether creation of the parcel will lead to creation of other nonfarm parcels, to the detriment of agriculture in the area by applying the standards set forth in subsections (3)(a).

a) Identify a study area for the cumulative impacts analysis. The study area shall include at least 2,000 acres or a smaller area not less than 1,000 acres, if the smaller area is a distinct agricultural area based on topography, soil types, land use pattern, or the type of farm or ranch operations or practices that distinguish it from other, adjacent agricultural areas. Findings shall describe the study area, its boundaries, the location of the subject parcel within this area, why the selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard. Lands zoned for rural residential or other urban or nonresource uses shall not be included in the study area;

FINDING: Although the appeal speaks directly to the methodology of the one-mile study and the acreage, COLW does not contest the acreage or methodology used to determine stability and overall land use pattern other than requesting the County refrain from approving additional nonfarm dwellings in the lands east of Juniper Acres. The merits of the current proposal were not included for appeal or raised by COLW.

The Burden of Proof provides a detailed analysis of the study area, which indicates an area of analysis including all EFU-zoned land located within a one-mile radius of the subject property's boundaries including approximately 1,559.12 acres.

In addition, the total acreage of parcels touched by the one-mile line or the effected parcels is 2,637.83. The total area, including all such private and public/ institutional parcels totals approximately 4,532.98 acres. The subject property is located on the southeastern edge of Juniper Acres, a rural subdivision platted prior to land use. The EFUJA properties have a history of development, mitigation and most recently, a pause for issuing new building permits in the area until roads and emergent services are further researched. The study area does include the acreage of this EFUJA subdivision (1,647.70).

There are 26 privately owned EFU-zoned tax lots in the Study Area. These are owned by 19 private owners. The parcels in private ownership range in size between 10.00 and 620 acres.

The analysis acreage meets the criteria.

> *(b) Identify within the study area the broad types of farm uses (irrigated or non-irrigated crops, pasture, or grazing lands), the number, location, and type of existing dwellings (farm, nonfarm, hardship, etc.), and the dwelling development trends since 1993. Determine the potential number of nonfarm/lot of record dwellings that could be approved under CCC 18.16.035(1) and this section, including identification of predominant soil classifications, the parcels created prior to January 1, 1993, and the parcels larger than the minimum lot size that may be divided to create new parcels for nonfarm dwellings under ORS 215.263(4), 215.263(5), and 215.284(4). The findings shall describe the existing land use pattern of the study area including the distribution and arrangement of existing uses and the land use pattern that could result from approval of the possible nonfarm dwellings under this subsection; and*

FINDING: The one-mile study provided the following information to support a cumulative impacts analysis reviewed by staff. The study area is comprised of mostly class VII soils with no irrigation. Seasonal grazing is done sporadically. The Burden of Proof states that there are currently four nonfarm single family dwellings and a nonconforming dwelling on the subject parcel. There is an approval for a dwelling through an administrative determination of substantial construction (vested).

The existing development patterns have taken place from 2005-2022 with one in 2020.

This area of the county does not have available water, with mostly poor soils for farm use, therefore six potential nonfarm dwellings could be approved if they meet the standards and two potential lot of record dwellings. The potential for nonfarm partitions with request for nonfarm dwellings could add 15 possible dwellings, however each would first have to meet all of the standards and criteria.

The Planning Commission finds the provided analysis meets the criteria.

> *(c) Determine whether approval of the proposed nonfarm/lot of record dwellings together with existing nonfarm dwellings will materially alter the stability of the land use pattern in the area. The stability of the land use pattern will be materially altered if the cumulative effect of existing and potential nonfarm dwellings will make it more difficult for the existing types of farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area;*

FINDING: Pages 8 and 9 of the Burden of Proof states:

The land use pattern of the area is that of mixed use and all of it is 'dry land.' Forty-one (41) percent of the land in the one-mile study area is part of the Juniper Acres Subdivisions and therefore categorized as non-resource land. Thirty percent (30%) of the land within the study area is designated as farmland. None (0) of the properties in the study area have water rights. Some seasonal grazing occurs but it is extremely light and not capable of producing suitable income for farm dwelling qualification. Twenty-nine percent (29%) of the land within the study area is designated as non-farm. The area is remote, arid, with predominately poor class seven soils. None are within an irrigation district. The use of irrigation wells is impracticable given the present mitigation requirements and the low productivity of the soils in the area. There is little farm activity in the study area, many parcels are not adequately fenced.
[…]
Approval of the applicant's request would add one additional dwelling to the area, increasing the number of parcels with existing approved dwellings, one vested CUP's or approved dwellings, 5 of 26 to 6 of 26.

The Planning Commission finds the approval for this nonfarm dwelling to replace the existing illegally placed dwelling will not alter the stability of the land use pattern in the area or make it more difficult for the continuation of any farm operation in the area.

(4) If a single-family dwelling is established on a lot or parcel as set forth in Use 2.4 in Table 1, no additional dwelling may later be sited under the provisions of this section.

FINDING: Not applicable. The proposal is not seeking approval for a lot of record dwelling.

(5) The dwelling will be sited on a lot or parcel created before January 1, 1993; if the lot or parcel was created after that date, the lot or parcel must have been approved through the provisions of CCC 18.16.070(3) or (4).

FINDING: This criterion was placed in a different section in the tentative approval. The subject property was created in April of 1968, and the current deed is MF 2018-287513. The subject property is a legal parcel.

(6) Pursuant to ORS 215.236, a nonfarm dwelling on a lot or parcel in an exclusive farm use zone that is or has been receiving special assessment may be approved only on the condition that before a building permit is issued the applicant must produce evidence from the county assessor's office that the parcel upon which the dwelling is proposed has been disqualified under ORS 308A.050 to 308A.128 or other special assessment under ORS 308A.315, 321.257 to 321.390, 321.700 to 321.754 or 321.805 to 321.855 and that any additional tax or penalty imposed by the county assessor as a result of disqualification has been paid.

FINDING: This criterion was placed in a different section in the tentative approval. The Assessor's records indicate that the parcel is not receiving farm tax deferral.

(7) All new nonfarm dwellings on existing parcels within the deer and elk winter ranges must meet the residential density limitations found in Wildlife Policy 2 of the Crook County comprehensive plan. Compliance with the residential density limitations may be demonstrated by calculating a one-mile radius (or 2,000-acre) study area. An applicant may use a different study area size or shape to demonstrate compliance with Wildlife Policy 2, provided the methodology and size of the study area are explained and are found to be consistent with the purpose of Crook County comprehensive plan Wildlife Policy 2.

FINDING: The subject property is located within mapped General Deer Winter Range, a designated big game habitat. In evaluating the application, staff reviewed a density analysis that included all parcels zoned for resource use in the area. COLW submitted a letter requesting that the Juniper Acres subdivision be included in the Wildlife Policy 2 density calculation. In response, staff referred to the Program to Achieve the Goal in the Crook County Comprehensive Plan, which states:

"The Goal In order to protect the big game habitat, the Comprehensive Plan policies must be carried over and enacted directly into the County Zoning Ordinance for the EFU-1, EFU-2, EFU-3, and F-1 zones. By placing the density requirement standards in the specific resource zone, the acknowledged exception areas are exempted from these requirements." (Comprehensive Plan, p. 155)

Because Juniper Acres is zoned EFU-JA, it is not listed as or considered an acknowledged rural residential subdivision prior to land use and therefore exempt from Wildlife Policy 2. This interpretation aligns with past County decisions and precedents cited by the Applicant.

The Applicant's Burden of Proof indicated that within the applicable study area, 19 dwellings are allowed, and only six currently exist, including the proposed dwelling.

Staff concluded that the density calculation is accurate and that the application meets the criteria set forth in CCC 18.16.040(7) and Wildlife Policy 2.

COLW raised concerns about the methodology and implications of the Applicant's wildlife density studies in relation to CCC 18.16.040(7) and Wildlife Policy 2 of the Crook County Comprehensive Plan.

COLW argues that the Applicant's use of "effected acreage" and irregularly shaped study areas, particularly the 4,533-acre area presented in Exhibit F2, is inconsistent with the intent of Wildlife Policy 2. The policy provides for a 2,000-acre or one-mile radius study area as the standard method for demonstrating compliance. While the code allows for alternate study areas, COLW emphasizes that such deviations must be thoroughly justified and must align with the policy's purpose: protecting big game habitat from the impacts of residential development. Therefore, they contend that the Applicant's methodology, which includes angular and expanded boundaries based on "effected taxlots," lacks sufficient explanation and undermines the clarity and consistency required by the Comprehensive Plan.

COLW asserts, according to their analysis of Exhibit F2, the study area contains 52 address points, which equate to approximately 1 dwelling per 87 acres, a figure that approaches the policy's threshold of 1 dwelling per 80 acres. COLW argues that this density level signals a saturation point, beyond which additional development would violate the intent of the policy.

Despite their objections, COLW indicated a willingness to accept approval of the application based on Exhibit F2, provided that the study area includes all development within a one-mile radius, including lands zoned EFU-JA.

Kilpatrick Consulting and Heidi Bauer, representing the Applicant, provided a detailed rebuttal to the objections raised by COLW emphasizing both legal compliance and methodological precision in their wildlife density analysis.

Kilpatrick Consulting and Bauer ground the approach in CCC 18.16.040(7), which explicitly permits applicants to use alternate study area sizes or shapes to demonstrate compliance with Wildlife Policy 2, provided the methodology is explained and consistent with the policy's purpose. In support of this flexibility, the applicant submitted three Potential Development Density Equation (PDDE) studies:

- **Exhibit F**: The original study area excluding Juniper Acres.
- **Exhibit F1**: A 3-mile study area.
- **Exhibit F2**: A 1-mile study area including EFU-JA lands and "effected taxlots".

Each exhibit is accompanied by detailed mapping and justification, demonstrating that the proposed dwelling meets the residential density limitations under multiple scenarios.

Responding to COLW's claim that the study area contains 52 address points, Exhibit 11 clarifies that not all address points represent dwellings. Some are garages, shops, or accessory structures. Through manual verification, the applicant determined that only 38 of the 52 address points are actual dwellings. This distinction is critical, as it directly affects the density calculation and compliance with Wildlife Policy 2.

Based on the verified dwelling count, the Exhibit F2 study area, which spans 4,533 acres, has a maximum allowable density of 56 dwellings. With only 38 dwellings present, the area is at 68% of its allowable density, well within the limits set by Wildlife Policy 2. Thus, the applicant argues that this demonstrates clear compliance and leaves substantial remaining capacity.

The applicant notes that the subject parcel is located within General Deer Winter Range, not Critical Winter Range or Elk Range. The area is characterized by Class 7 soils, lack of irrigation, and light seasonal grazing, which further supports the argument that the proposed dwelling will not materially impact big game habitat.

Per Exhibit 11, there was an agreement to pursue approval solely under Exhibit F2, based on discussions with COLW's legal counsel. However, following COLW's continued objections, the request is made that the Planning Commission consider alternate findings under Exhibits F and F1 as well. This approach allows the Commission flexibility in its decision-making and ensures that the application is supported by multiple, independently justified findings.

ODFW submitted comments (Exhibit 4) expressing growing concern over the cumulative impact of rural development on wildlife habitat in the Juniper Acres area of Crook County. ODFW emphasized that wildlife does not recognize jurisdictional boundaries, and therefore land use decisions must be made with a holistic view of habitat preservation.

The agency noted that the quality of habitat in Juniper Acres has been steadily declining due to increased fencing, traffic, domestic animals, and other disturbances associated with residential development. Fragmentation threatens the long-term viability of wildlife populations that depend on large, undisturbed tracts of juniper and sage-steppe habitat.

In light of these concerns, ODFW urged Crook County to take proactive steps to limit further development in Juniper Acres and surrounding areas. They expressed interest in collaborating with the County to update Goal 5 wildlife overlay zones and to explore policy solutions that better protect these irreplaceable habitats from continued encroachment.

The applicant acknowledges ODFW's concerns but maintains that the parcel is not located in Juniper Acres (a 1962 subdivision) or within the Crucial Deer Range or Elk Range, and that the proposed dwelling does not contribute to new habitat fragmentation. They also argue that ODFW's broader policy concerns are not relevant to this quasi-judicial land use application.

Alternative Findings as requested by the Applicant:

Finding A – Exhibit F (1-Mile Study Area Excluding Juniper Acres)

- The applicant submitted a study area of approximately 1,559 acres, excluding the EFU-JA subdivision (Juniper Acres), which is a rural residential subdivision from 1962 with a dwelling cap of 150 dwellings which was assessed at a wildlife density of one dwelling per 40 acres and currently has a no-build policy.
- The study area includes 38 verified dwellings, which is below the 56 dwellings allowed under the one dwelling per 80 acre standard.
- The exclusion of Juniper Acres is consistent with the purpose of Wildlife Policy 2, which is to prevent new encroachment into big game habitat, not to re-regulate pre-SB 100 subdivisions.

- The methodology is supported by the County's acknowledged Comprehensive Plan, which recognizes Juniper Acres as a rural residential subdivision not subject to further non-farm dwelling approvals.
- Under this analysis the application complies with CCC 18.16.040(7) and Wildlife Policy 2 using the modified study area methodology presented in Exhibit F.

Finding B – Exhibit F1 (Three-Mile Study Area Including Juniper Acres)

- The applicant submitted a three-mile study area totaling 21,446 acres, including Juniper Acres and all EFU lands within the general deer winter range.
- The study area contains 169 dwellings, which is 63% of the 268 dwellings allowed under the one dwelling per 80 acre standard.
- The larger study area is justified by the applicant as representative of the broader land use pattern and consistent with the purpose of Wildlife Policy 2.
- The inclusion of Juniper Acres and other EFU lands provides a conservative analysis that demonstrates compliance even under a broad interpretation.
- Under this analysis the application complies with CCC 18.16.040(7) and Wildlife Policy 2 using the expanded study area methodology presented in Exhibit F1.

Finding C – Exhibit F2 (Full One-Mile Study Area Including Juniper Acres)

- The applicant submitted a one-mile study area totaling 4,532.98 acres, including Juniper Acres and all EFU lands.
- The study area contains 38 verified dwellings, which is 68% of the 56 dwellings allowed under the one dwelling per 80 acre standard.
- The methodology includes all address points and manually verified dwellings, ensuring accuracy.
- The inclusion of Juniper Acres is consistent with CCC 18.112.051, which makes Wildlife Policy 2 applicable to EFU-JA lands. Although the Comprehensive Plan does not include the EFU-JA designation for inclusion.
- Under this analysis the application complies with CCC 18.16.040(7) and Wildlife Policy 2 using the full one-mile study area methodology presented in Exhibit F2.

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 proposal is to site a nonfarm dwelling on an existing legal parcel and does not involve a division of land subject to the lot size standards. The criterion does not apply.

(2) In an EFU zone, the minimum setback of a structure shall be as follows:

(a) Front setback shall be:

(i) Twenty feet from the property line for a property fronting on a local minor collector or marginal access street.
(ii) Thirty feet from a property line fronting on a major collector ROW.
(iii) Eighty feet from an arterial ROW unless other provisions for combining accesses are provided and approved by the county.

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

(c) Rear setback shall be a minimum of 25 feet from property line.

FINDING: The site plan submitted with the application illustrates that all the proposed structure will meet the setback requirements listed above.

IV. PLANNING COMMISSION DECISION:

The Planning Commission hereby approves this application for a nonfarm dwelling, with amendments to the findings and conditions as proposed.

V. CONDITIONS OF APPROVAL:

1. The necessary Onsite and Building permits are to be obtained.

2. The proposed dwelling shall be placed in the location shown on the site plan submitted with the application.

3. There is to be no more than one dwelling on the parcel.

4. The property owner is to sign a letter of non-remonstrance to area farm operations, which complies with the requirements of ORS 215 and is binding on future owners, prior to issuance of a building permit for the non-farm dwelling.

5. The approval shall be void after four years unless development action has been initiated, the proposed use has occurred, or the county has granted an extension of time in accordance with CCC 18.160.070(2).

APPEALS: This decision becomes final twelve (12) days from the date of mailing of this decision, unless appealed. Appeals of this decision must be made by _____, at 4:00 p.m., in accordance with CCC 18.172.

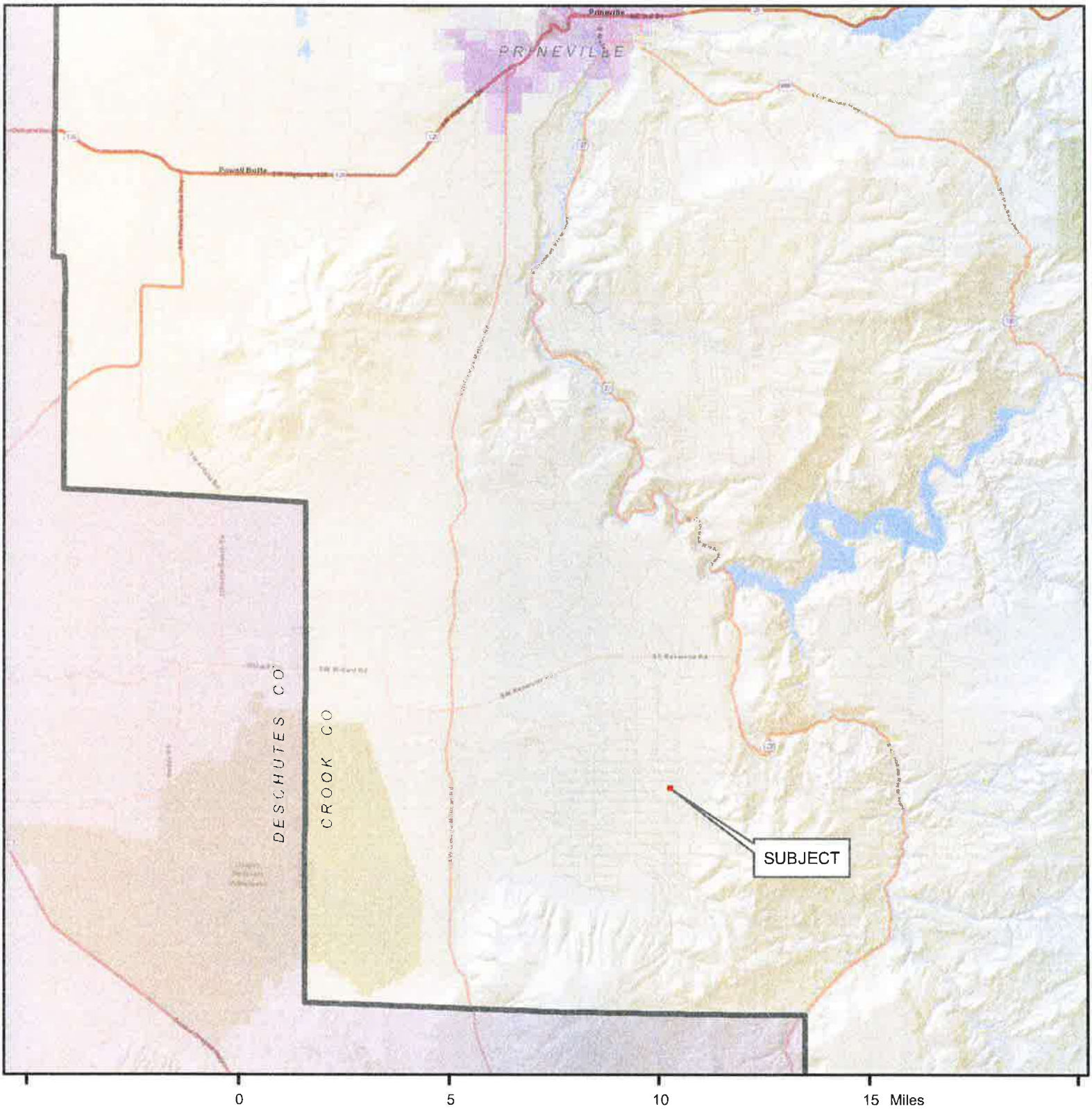
Respectfully,

_____
Michael Warren, Chair
Crook County Planning Commission

_____
John Eisler, Community Development Director

Attachment A: Vicinity Map
Attachment B: Site Plan

VICINITY MAP



5/7/2025

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.

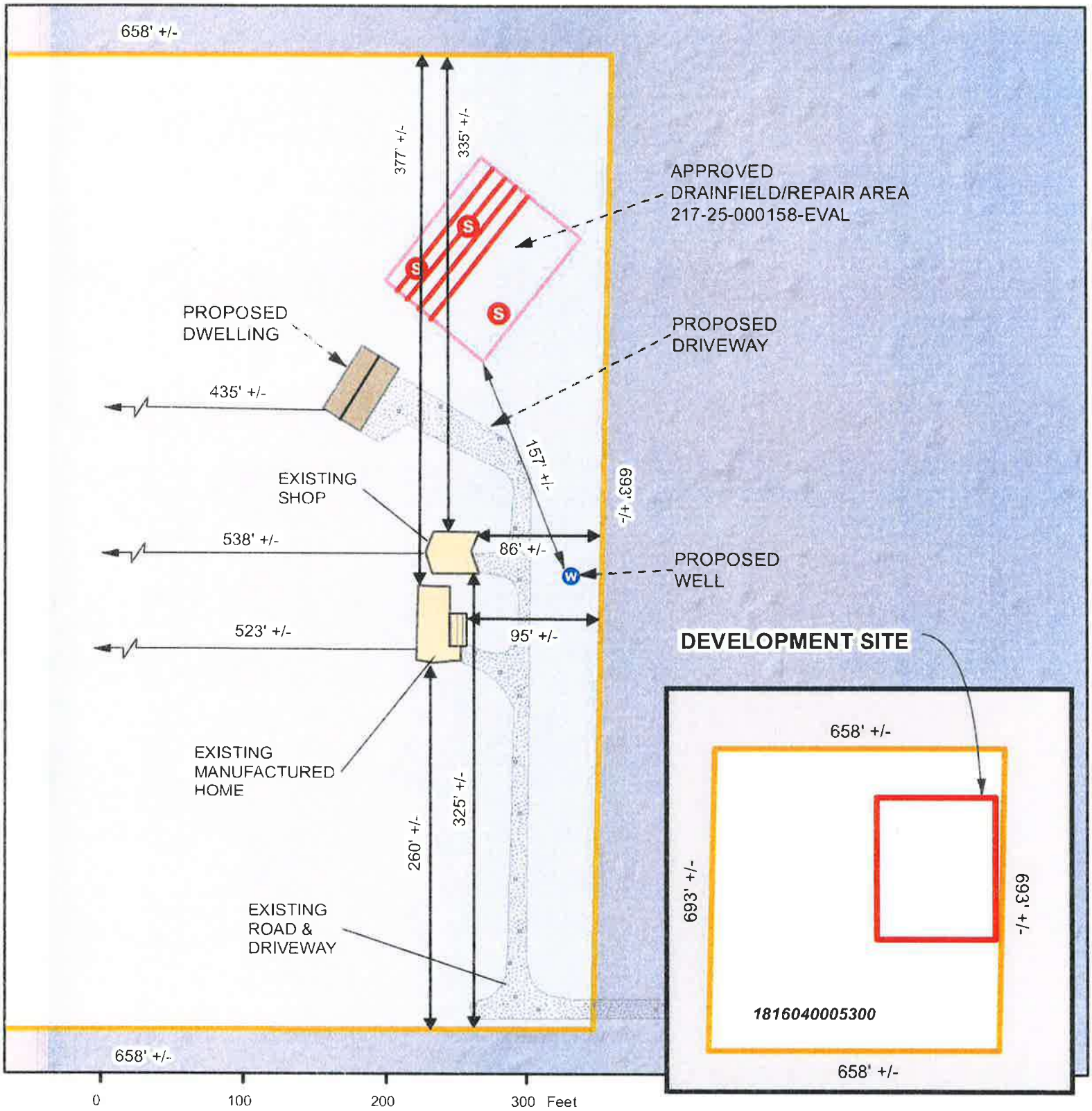
N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick
CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE:

EXHIBIT C - PROPOSED SITE PLAN



6/19/2025

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.

N

DUKE & DANA SETTLE

1816040005300 - 10 acre
Located east of Juniper Acres in
Crook County Oregon

Kilpatrick
CONSULTING, LLC
LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES
OFFICE: 541-390-2724

RECORD No. 217 25 - 000293 For Office Use Only PLNG

Crook County Community Development
Planning Division
300 NE 3rd Street, Room 12, Prineville Oregon 97754
541-447-3211
plan@crookcountyor.gov
www.co.crook.or.us

SITE PLAN REVIEW - ADMINISTRATIVE

CROOK COUNTY
AUG 28 2025
COMMUNITY DEVELOPMENT

PROPERTY OWNER

Last Name: ALEXANDER First Name: THOMAS.
Mailing Address: P.O. Box 61
City: POWELL BUTTE State: OR Zip: 97753
Day-time phone: (541) 604-1258 Cell Phone: (541) 604-1258
Email:

AGENT / REPRESENTATIVE

Last Name: Telschow First Name: Sarah
Mailing Address: 5200 SW Meadows Road, Suite 150
City: Lake Oswego State: OR Zip: 97035
Day-time phone: (206) 979-6268 Cell Phone: (206) 979-6268
Email: stelschow@acomconsultinginc.com

PROPERTY LOCATION

Township 15S South, Range 14E East WM, Section 14, Tax lot 15141400-00100-14931
Size of property: 67.12 Acres Zoning: Exclusive Farm Use (EFU3) - Powell Butte Area
Physical address: No address assigned
Subdivision name, if applicable: N/A

FLOOD ZONE

Is the property located within a Flood Zone? Yes ____ No ☑
If yes, submit a "Special Flood Hazard Area Development Permit".

SCANNED

DETAILED EXPLANATION: Describe the proposed use of the property or structure.
Please see the Project Description for detailed information about the proposed use.

STAFF WILL PROVIDE A LIST OF STANDARDS AND CRITERIA THAT WILL NEED TO BE ADDRESSED

Structure #1

Is this structure **Existing** or (Proposed)? (Circle one)

Building Use: Telecommunication Facility

Size: 1st floor N/A sq. ft. and 2nd floor N/A sq. ft.

Height: 150' (158' overall) ft. to eave Number of stories: N/A

Personal use: Yes _____ No X Commercial Use: Yes X No _____

Is this structure a **cargo container**? Yes _____ No X

Is this an addition to an existing accessory structure: Yes _____ No X

If yes, what is the existing accessory structure size: N/A sq. ft.

Will there be:

Bedrooms? Yes ____ No X Plumbing? Yes____ No X

Electrical? Yes X No____ Mechanical? Yes X No____

Structure #2

Is this structure **Existing** or **Proposed**? (Circle one)

Building Use: _____

Size: 1st floor _____ sq. ft. and 2nd floor_____ sq. ft.

Height: _____ ft. to eave Number of stories: _____

Personal use: Yes _____ No _____ Commercial Use: Yes _____ No _____

Is this structure a **cargo container**? Yes _____ No _____

Is this an addition to an existing accessory structure: Yes _____ No _____

If yes, what is the existing accessory structure size: _____ sq. ft.

Will there be:

Bedrooms? Yes ____ No____ Plumbing? Yes____ No____

Electrical? Yes____ No____ Mechanical? Yes____ No____

If there are more than 2 structures, please attach an additional page.

ON-SITE SEPTIC – WASTEWATER: Will there be a bedroom? Yes _____ No X

_____ Approved Soil Site Evaluation # N/A

_____ Approved Authorization Notice # N.A

DOMESTIC WATER Will the structure have water? Yes _____ No X

If yes, water will be supplied by:

_____ An existing or proposed individual well

_____ 4 to 14 dwellings on one well State regulated system

_____ Shared well (Number of dwellings_____)

_____ Other: Please explain _____

_____ Community Water System: Name _____

Community Water System Authorization

Print Name: _____ Daytime phone: _____

Authorization Signature: _____ Date: _____

Access / Road Approach: Indicate the access used for the subject property **(Check One Only**

_☑_ **County Maintained Road:** (submit copy of approved access, or apply for approach permit)

_____ **Public Road:** (submit copy of approved access, or apply for approach permit)

_____ **Private Road / Easement:** (provide legal recorded documentation)

_____ **Oregon Department of Transportation:** (submit copy of approved ODOT permit)

_____ **City Street:** (need authorization for access: contact City of Prineville, Public Works)

IRRIGATION WATER RIGHT:

Please indicate the location of all existing water rights, number of acres, and proposed division of water rights, if applicable. This application must be signed off *prior* to submitting to Planning Department.

A) Does the property have Irrigation Water Right? Yes N/A No N/A

WATER MASTER SIGNATURE: _____ DATE: _____

Print Name Clearly: _____ Phone (_____) _____- _____

IRRIGATION DISTRICT SIGNATURE: _____ DATE: _____

Print Name Clearly: _____ Phone: (_____) _____-_____

COMMENTS: _____

_____

_____

Notice to all applicants: The Crook County Community Development, Planning Division is required to review all applications for accuracy and determine the adequacy of information needed to make a decision. Crook County Code (C.C.C.) allows 30 days to determine whether the application is complete. If the Planning Division determines that your application is incomplete, you will be requested in writing or email to provide the necessary missing information, and a decision on your application will be postponed until the information is received. Make sure your application is complete. The burden of proof lies with the applicant.

SIGNATURES

I agree to meet the standards governing the laws as outlined in the State of Oregon's OAR, ORS, Crook County Code, and Crook County – Prineville Comprehensive Plan. I agree that all the information contained in this application is true to the best of my knowledge.

Property Owner Signature: Thomas W. Alexander Date 1/24/25

Print name: THOMAS W ALEXANDER

Property Owner Signature: _____ Date _____

Print name: _____

Agent/Representative Signature: Sarah Telschow, AICP Digitally signed by Sarah Telschow, AICP Date: 2025.08.08 09:27:33 -07'00' Date 8/8/2025

Print name: Sarah Telschow

Crook County Community Development
300 NE 3rd Street, Prineville, OR 97754
Phone: (541) 447-3211 Fax: (541) 416-2139
Email: plan@crookcountyor.gov

AGENT AUTHORIZATION FORM

Let it be known: Acom Consulting Inc.

has been retained to act as my authorized agent in submitting and managing the applications and information for the development of my property.

Select the appropriate processes:

- ☐ Pre application conference
- ☐ Land Use/Planning applications
- ☐ Building applications and permits

Tax Map # (13 digit/letter combination: 15141400-00100-14931

Physical address or TBD and road name: SW Williams Road

Property owner name: Thomas Alexander

Mailing Address: P.O. Box 61 Powell Butte, OR 97753

Phone: (541) 604-1258 email address: alexander_ranch_powellbutte@outlook.com

Property Owner/s Signature: Thomas Alexander Date: 9/15/25

NOTE:

- If the property is owned by an entity, include the names of all the authorized signers.
- If a Corporation: Provide the name of the President, or other authorized signor and provide a copy of the bylaws or an operation agreement that verifies authorization to sign on behalf of the entity.
- If an LLC: Provide either an operating agreement of a Certificate of Trust
- If a Trust: Provide the name of the current Trustee (s) and supporting document that verifies authorization to sign on behalf of the entity

Agent name and business name: Acom Consulting Inc. (Agent for Harmoni Towers and Verizon Wireless)

Mailing Address: 5200 SW Meadows Road, Suite 150, Lake Oswego, OR 97035

Phone: (206) 979-6268 email address: stelschow@acomconsultinginc.com

Signature: Sarah Telschow, AICP Digitally signed by Sarah Telschow, AICP Date: 2025.08.28 14:37:26 -07'00' Date: 8/28/2025

The cost of the above actions, if not satisfied by the agent, are the responsibility of the property owner. This authorization expires 12 months from the owner's signature, or at the time the selected applications and processes are final, whichever is sooner.

Expiration date: _____

Acom CONSULTING, INC

verizon

AGENT AUTHORIZATION

To Whom This May Concern:

Re: Agent Authorization

This letter is to confirm that Acom Consulting Inc. is hereby an authorized agent to represent Verizon Wireless.

Please accept this letter as confirmation of agent status.

Rena Dinkelspiel	SR RE Specialist
Print Name	*Print Title (if applicable)*
Rena Peyton (Jan 28, 2025 11:11 CST)	01/28/2025
Signature	*Date*

PROJECT DESCRIPTION

INTRODUCTION

Harmoni Towers and Verizon Wireless (hereafter referred to as "Verizon") are collaborating on this project.

Verizon is a wireless telephone company operating throughout the United States of America. Verizon is licensed to operate in the United States by the Federal Communications Commission (FCC). Verizon is currently expanding its network in the Crook County area to provide improved telephone service and provide wireless capacity to its subscribers. Harmoni Towers provides and manages wireless infrastructure assets throughout the United States.

This proposal describes the proposed project's scope by providing specific information regarding the project location, zoning, specifications, and required services.

Harmoni Towers and Verizon (the "Applicants") desire to work with Crook County to ensure that this project is consistent with local ordinances and zoning regulations while providing wireless coverage to Verizon's customers and providing critical communication services for emergency, business, and personal use.

Project Goals

The Ditch Rider site is needed to increase capacity along Highway 126 between Redmond and Prineville and expand coverage to the Powell Butte community. Without these improvements, customer experience in the area will continue to decline. Over the years, residents on the north side of Powell Butte have reported poor service. To better serve its customers, Verizon plans to enhance network performance in rural areas of Crook County by adding the proposed site to strengthen overall coverage.

Please see the enclosed Verizon Wireless Radio Frequency (RF) letter, RF Justification Letter from Biwabkos Consultants LLC, Alternate Site Analysis by Biwabkos Consultants LLC, and Drive Test Report by Biwabkos Consultants LLC for more detailed information regarding site justification. Verizon aims to achieve its network goals in full compliance with all Crook County policies and ordinances.

Application Request Plan

The Applicants are requesting the following approval as part of this Application:

- Site Plan Review

GENERAL PROJECT DESCRIPTION

Project Overview

The Applicants propose a new one hundred fifty-foot (150') monopole with an overall height of one hundred fifty-eight feet (158') to accommodate a new telecommunication facility near 3450 SW Williams Road, Powell Butte, Oregon (Parcel Number 15141400-00100-14931).

The proposed telecommunication facility consists of a new one hundred fifty-foot (150') monopole with an overall height of one hundred fifty-eight feet (158'), nine (9) panel antennas, auxiliary equipment, three (3) equipment cabinets that house radio equipment and/or batteries, and a 30kw diesel backup generator. Please see Sheet A-2.1 for additional information.

Verizon proposes to lease equipment space on the property. Harmoni Towers has secured a lease with the owners that will allow for the construction and maintenance of this facility, necessary utility connections, and provisions for access to the site.

Facility Specifications

- Antennas - Verizon proposes to attach nine (9) new panel antennas to the proposed monopole with an overall height of one hundred fifty-eight feet (158'). Please see Sheet A-3 for additional information.

- Auxiliary Equipment - Verizon proposes to attach the following auxiliary equipment to the monopole: remote radio units (RRU), surge protector/OVP, and hybrid cables. Please see Sheet A-3 for additional information.

- Equipment Cabinets - The cabinet contains radio equipment and/or batteries. The proposed nickel-cadmium (Ni-CD) batteries do not exceed 75 kWh capacity as outlined in Section 608 Stationary Storage Battery System in the International Fire Code (IFC). Verizon's equipment will meet all applicable noise standards and fire requirements.

- Color - The tower will be steel with a non-reflective finish.

- Facility Maintenance - The facility is typically serviced once a month, with one or two employees on-site for an average of four hours to perform preventive maintenance. If an issue arises, a maintenance crew is dispatched to the site immediately.

- Generator - Verizon proposes to install a 30-kW generator with a 190-gallon diesel tank to provide emergency backup power. The generator will be located within the designated equipment area and will comply with all applicable fire and noise regulations.

GENERAL SITE ANALYSIS

Zoning General Plan Designation

The site is zoned Exclusive Farm Use (EFU3) - Powell Butte Area. According to the Crook County Zoning Ordinance Section 18.16.010 Use Table, a transmission tower less than 200 feet in height that qualifies as a utility facility necessary for public service is allowed in the EFU3 zone, subject to site plan review:

	Use	Use Type	Review Procedure	Subject To
6.4	Utility facilities necessary for public service, including associated transmission lines as defined in ORS 469.300 and wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height.	STS	Notice and Opportunity for Hearing	18.16.015(15)

Crook County Zoning Ordinance Section 18.124.110(1)(a), which addresses the specific approval process for Transmission Towers, also provides that a transmission tower less than 200 feet in height is allowed in the EFU3 zone, subject to site plan review:

> (1) Applicability. Height Restrictions for Transmission Towers/Site Plan Review and Conditional Use.
>
> (a) In EFU and Forest Zones. Transmission towers less than 200 feet in height or siting on a colocation facility shall be by site plan review based upon the standards contained within this section. New towers proposed to be greater than 200 feet in height shall be by conditional use, pursuant to this section. Nothing herein shall preclude any uses permitted outright under ORS 215.213(1)(d) or 215.283(1)(d).

The proposed new transmission tower is less than two hundred feet (200') in height and is located within the EFU3 zone. The Applicants are submitting this Site Plan Review Application for review and approval pursuant to Crook County Zoning Ordinance Sections 18.16.010, Use Table 6.4, and Section 18.124.110(1)(a)

Utility Facilities Necessary for Public Service – Exclusive Farm Use (EFU3)

ORS 215.283(1)(c), ORS 215.275(2), OAR 660-033-0130(16)(a), and Crook County Zoning Ordinance Section 18.16.015(15) provide the approval criteria for determining if a transmission tower qualifies as a utility facility necessary for public service.

ORS 215.283(1) provides in relevant part:

> The following uses may be established in any area zoned for exclusive farm use:
>
> (c) Utility facilities necessary for public service, including wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height. A utility facility necessary for public service may be established as provided in:
>
> (A) ORS 215.275 (Utility facilities necessary for public service); or

Oregon courts and LUBA have previously determined that a telecommunication facility qualifies as a utility facility necessary for public service if it satisfies the criteria in ORS 215.275(2). *Seeberger v. Yamhill County*, 56 Or LUBA 656, 659 (2008); *Sprint PCS v. Washington County*, 186 Or App 470 (2003). ORS 215.275(2) provides the exclusive criteria for determining if the wireless communication facility is a "utility facility necessary for public service" under these provisions and local governments cannot impose additional approval standards or criteria. *Brentmar v. Jackson County*, 321 Or 481, 496 (1995); *Sprint PCS v. Washington County*, 186 Or App at 476; *Seeberger v. Yamhill County*, 56 Or LUBA at 659. The Applicant is entitled to a considerable amount of discretion in determining the objectives for the facility and alternatives sites that do not meet those objectives are not "reasonable alternatives" under ORS 215.275(2). *Sprint PCS v. Washington County*, 186 Or App at 480-81.

ORS 215.275 provides as follows:

> (1) A utility facility established under ORS 215.213 (Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993) (1)(c)(A) or 215.283 (Uses permitted in exclusive farm use zones in nonmarginal lands counties) (1)(c)(A) is necessary for public service if the facility must be sited in an exclusive farm use zone in order to provide the service.
>
> (2) To demonstrate that a utility facility is necessary, an applicant for approval under ORS 215.213 (Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993) (1)(c)(A) or 215.283 (Uses permitted in exclusive farm use zones in nonmarginal lands counties) (1)(c)(A) must show that reasonable alternatives have been considered and that the facility must be sited in an exclusive farm use zone due to one or more of the following factors:

(a) Technical and engineering feasibility;

(b) The proposed facility is locationally dependent. A utility facility is locationally dependent if it must cross land in one or more areas zoned for exclusive farm use in order to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;

(c) Lack of available urban and nonresource lands;

(d) Availability of existing rights of way;

(e) Public health and safety; and

(f) Other requirements of state or federal agencies.

(3) Costs associated with any of the factors listed in subsection (2) of this section may be considered, but cost alone may not be the only consideration in determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities. The Land Conservation and Development Commission shall determine by rule how land costs may be considered when evaluating the siting of utility facilities that are not substantially similar.

(4) The owner of a utility facility approved under ORS 215.213 (Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993) (1)(c)(A) or 215.283 (Uses permitted in exclusive farm use zones in nonmarginal lands counties) (1)(c)(A) shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this section shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.

(5) The governing body of the county or its designee shall impose clear and objective conditions on an application for utility facility siting under ORS 215.213 (Uses permitted in exclusive farm use zones in counties that adopted marginal lands system prior to 1993) (1)(c)(A) or 215.283 (Uses permitted in exclusive farm use zones in nonmarginal lands counties) (1)(c)(A) to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmlands.

OAR 660-033-0130(16)(a) and Crook County Zoning Ordinance Section 18.16.015(15) reference and implement the same approval criteria set forth in ORS 215.275.

As previously noted, a telecommunication facility qualifies as a utility facility necessary for public service if it satisfies the criteria in ORS 215.275(2). The proposed telecommunication

facility is clearly a utility facility necessary for public service because it will provide infrastructure that is essential to the public. The proposed facility will provide critical communication services including emergency response (911 calls), law enforcement, fire protection, and medical services.

To demonstrate the proposed telecommunication facility is "necessary," the Applicants must show that reasonable non-EFU zoned alternatives have been considered and that the facility must be sited in the EFU due to one or more of the factors in ORS 215.275(2). The Applicants are only required to consider alternative sites that are outside the EFU zone and are not required to consider alternative EFU-zoned properties. *Dayton Prairie Water Assn. v. Yamhill County*, 170 Or App 6, 11 (2000).

Prior to filing the Application, the Applicants considered multiple alternative non-EFU zone options and determined that none of these options are feasible and/or can satisfy the coverage and capacity objectives for this site. The following is a summary of the reasons why these alternative non-EFU zone options are not feasible or cannot satisfy the coverage and capacity objectives for this site.

Evaluation of Alternative Sites

Co-location Options Reviewed:

The Applicants initially considered collocating this facility on an existing tower in the area. Based on the Applicants' review of the FCC and the FAA documents, there are no existing wireless communications support structures in the immediate vicinity to locate this facility. The closest tower is over four miles away. As explained below, none of the existing towers in the area can satisfy the coverage and capacity objectives of this site, or they are not feasible because they already have Verizon antennas located on them. The Applicants evaluated and ruled out the following co-location options for the following reasons.

Alternative Site #1 – Sprint American Tower Corporation Tower:

- The Sprint/American Tower Corporation one hundred ninety-six feet (196') lattice tower located southeast of the project site on parcel # 1515210000400 is located approximately 4.28 miles from the proposed site. This location is identified as Alternate Site #1 in the Alternate Site Analysis by Biwabkos Consultants LLC. Co-locating on this tower will not achieve the coverage or capacity objectives for this site. As noted in the Alternate Site Analysis: "This alternative provides reduced coverage in comparison to the proposed site and does not satisfy the coverage and capacity objectives for this site" and "Alternate 1 – ATC tower located 4.27 miles to the East does not provide the same level of service in the coverage objective and does not provide the offload to the neighbors to the East and South."

Verizon Wireless Tower – Wiley - Parcel # 1615000000800:

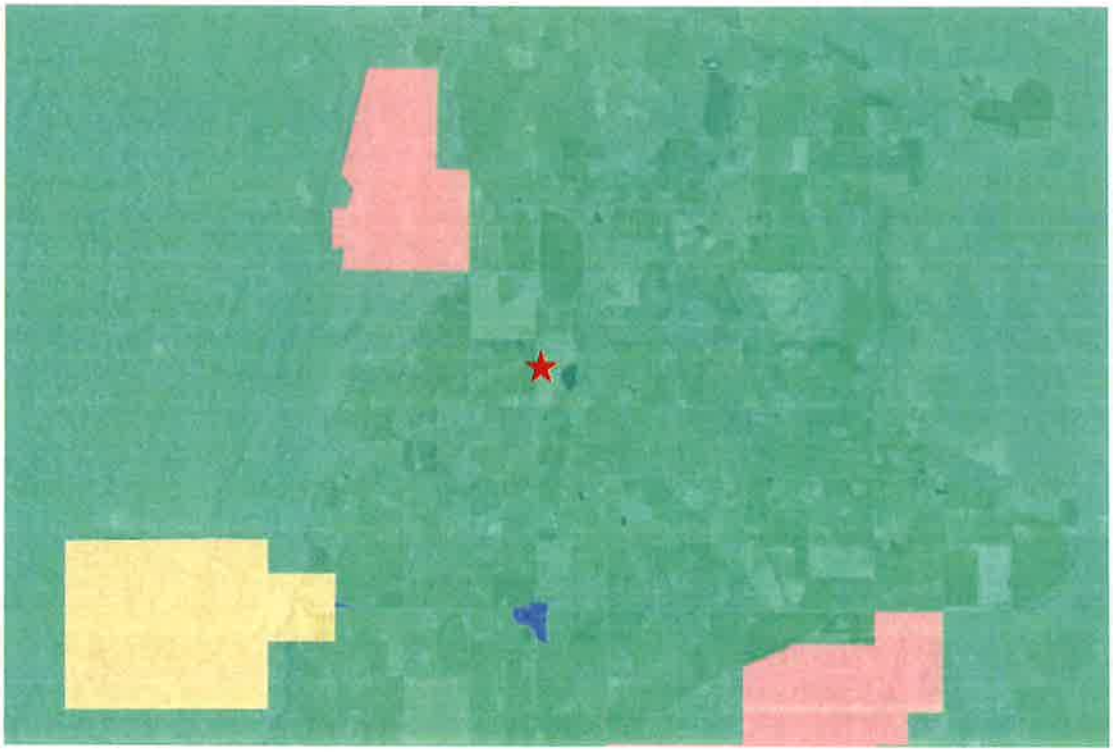
- The guyed tower located southeast of the project site on parcel # 1615000000800 already accommodates Verizon Wireless antennas. As explained in the RF Justification Letter from Biwabkos Consultants LLC: "Adding antennas to the neighbor sites located to the South will not provide the power per link or the throughput per link needed to resolve the issue."

Verizon Wireless Tower – Powell Butte South – Parcel # 1614150001400:

- The tower located southwest of the project site at 13300 SW Shumway Road (Parcel # 1614150001400) already accommodates Verizon Wireless antennas. As explained in the RF Justification Letter from Biwabkos Consultants LLC: "Adding antennas to the neighbor sites located to the South will not provide the power per link or the throughput per link needed to resolve the issue."

Alternative Non-EFU Sites Reviewed:

The Applicants considered several alternative non-EFU zoned properties, but none of these other sites can satisfy the coverage and capacity objectives for this project. All the properties surrounding the proposed site are zoned Exclusive Farm Use 3 (EFU3). The closest differently zoned area is Rural Residential (R5), located approximately one mile northwest of the project site. The map below shows the Crook County zoning designations near Powell Butte:



Exclusive Farm Use 3 (EFU3)
Rural Residential (R5)
Powell Butte Rural Residential (PBR20)
Rural Service Center (RSC)

The Applicants evaluated and ruled out the following non-EFU zoned properties for the following reasons.

Alternate Site #2 – Powell Butte Rural Residential (PBR20):

- The Powell Butte Rural Residential (PBR20) area, located southwest of the proposed site, was evaluated as Alternate Site #2 in the Alternate Site Analysis by Biwabkos Consultants LLC. However, this location does not meet the project's coverage or capacity requirements. The Alternate Site Analysis states that this site "...provides reduced coverage in comparison to the proposed site and does not satisfy the coverage and capacity objectives..." Additionally, it is situated, "...too close to the neighbor sites to the South and will not provide the service needed to the North."

Alternate Site #3 – Rural Residential (R5) Northwest:

- Rural Residential (R5) zone to the northwest of the proposed location was reviewed as Alternate Site #3. According to the Alternate Site Analysis by Biwabkos Consultants LLC, this site is too far north and "...does not provide the offload to the neighbor sites to the South". The report concludes that the site offers less coverage than the proposed location and does not meet the service goals for coverage and capacity.

Alternate Site #4 – Rural Residential (R5) Southeast:

- Rural Residential (R5) designated zoning to the southeast proposed site was analyzed as Alternate Site #4 in the Alternate Site Analysis by Biwabkos Consultants LLC. This location was found to be unsuitable because it is too near existing southern facilities and "...and will not provide the service needed to the North". The Alternate Site Analysis also notes that this site provides inferior coverage compared to the proposed site and does not fulfill the project's technical requirements.

Alternate Site #5 – Rural Service Center (RSC):

- The Rural Service Center (RSC) to the south was considered as Alternate Site #5. According to the findings in the Alternate Site Analysis by Biwabkos Consultants LLC, this site is also too close to nearby southern sites and does not "... provide the service needed to the North." As with the other alternate locations, this option results in diminished coverage and fails to meet the project's capacity and service objectives.

The proposed site was selected because it is the only feasible option that can satisfy Verizon's coverage and capacity objectives for this project. Therefore, the facility must be sited in an exclusive farm use zone and reasonable alternatives are not available based on the factors set forth in ORS 215.275(2)(a), (b) and (c).

The proposed wireless telecommunication facility has been carefully designed and strategically located to ensure it does not interfere with existing agricultural practices. The tower has been located on a portion of the property that is not actively farmed.

The proposal will not impact any of the surrounding farmlands, cause a significant change in accepted farm practices or a significant increase in the cost of farm practices on the surrounding farmlands. The facility is a passive use that does not generate emissions, excessive noise, or physical obstructions that could disrupt farming activities, does not require any alterations to current agricultural operations, and will not impact irrigation, land use patterns, or equipment access.

Development Standards - Exclusive Farm Use (EFU3) - Powell Butte Area

Although a utility facility necessary for public service is not subject to local approval standards or criteria beyond those set forth in ORS 215.275, the proposal does comply with the applicable County development standards as explained below. Crook County Zoning Ordinance Section 18.16.075 provides the following setback requirements:

> All dwellings and structures approved pursuant to 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.
>
> (2) In an EFU zone, the minimum setback of a structure shall be as follows:
>
> (a) Front setback shall be:
>
> (i) Twenty feet from the property line for a property fronting on a local minor collector or marginal access street.
>
> (ii) Thirty feet from a property line fronting on a major collector ROW.
>
> (iii) Eighty feet from an arterial ROW unless other provisions for combining accesses are provided and approved by the county.
>
> (b) Each side setback shall be a minimum of 20 feet from property line, except corner lots where the side yard on the street side shall be a minimum of 30 feet.
>
> (c) Rear setback shall be a minimum of 25 feet from property line.
>
> (d) If a parcel in the EFU zone is nonbuildable as a result of the setback requirements, the reviewing authority may consider a variance in accordance with Chapter 18.164 CCC from the land owner to adjust the setback requirements to make the parcel buildable. (Ord. 336 § 6 (Exh. E), 2023; Ord. 309 § 2 (Exh. C), 2019)

The subject parcel size is 67.12 acres. The proposed telecommunication facility meets the Exclusive Farm Use (EFU3) setback requirements. The proposed setbacks are as follows:

- North (Side) - 1,470'
- East (Rear) - 769'
- South (Side) - 1,164'
- West (Front) - 100'

Please see Sheet A-1 in the enclosed plans for more detailed information.

Signs

Although a utility facility necessary for public service is not subject to local approval standards or criteria beyond those set forth in ORS 215.275, the proposal does comply with the applicable County sign standards as explained below. Crook County Zoning Ordinance Section 18.124.040 provides:

> In addition to the standards and limitations set forth in this title, signs shall be installed in accordance with applicable regulations of state and federal

agencies. No sign will hereafter be erected, moved or structurally altered without being in conformity with the provisions of this title. Official traffic control signs and instruments of the state, county or municipality are exempt from all provisions of this title.

(1) All outdoor signs shall be in compliance with the provisions of this title and the provisions of Chapter 377 ORS when applicable.

(2) No outdoor sign permitted by Chapter 377 ORS shall be erected within 300 feet of a residential dwelling without written consent of the owner and/or occupant of said dwelling.

(3) No sign shall be placed as to interfere with visibility or effectiveness of any official traffic sign or signal, or with driver vision at any access point or intersection.

(4) No sign shall cause glare, distraction or other driving hazards within a street or road right-of-way.

(5) No sign shall shine directly upon a residential dwelling or otherwise create a nuisance.

(6) In addition to the limitations on signs as provided by subsections (1) through (5) of this section, additional sign restrictions may be required as determined by the planning commission in approving conditional uses, as provided by Chapter 18.160 CCC. (Ord. 280 § 15 (Exh. O), 2015; Ord. 18 § 4.070, 2003)

No signs will be on site unless required by Crook County, the State of Oregon, the FCC, or the FAA.

Submittal Requirements

Although a utility facility necessary for public service is not subject to local approval standards or criteria beyond those set forth in ORS 215.275, the proposal does comply with the applicable County submittal requirements as explained below. Crook County Zoning Ordinance Section 18.124.110(3) provides the following submittal requirements:

Submittal Requirements. An application for a transmission tower in either an EFU zone or a forest zone shall include:

(a) A copy of the executed lease from the owner of the site of the property where the tower will be located;

Please see the enclosed copy of the memorandum of lease.

(b) A copy of the applicant's Federal Communications Commission license. A copy of this document will not be required to be submitted if applicant is not a personal wireless service provider, and is seeking approval only for a support structure for a wireless telecommunications facility;

Please see the enclosed copy of Verizon Wireless's FCC license.

(c) For a new tower, a map that shows the applicant's search area for the proposed site and the properties within the search ring, including locations of existing telecommunications towers or monopoles;

Please see the enclosed Verizon Wireless Radio Frequency (RF) letter, RF Justification Letter from Biwabkos Consultants LLC, Alternate Site Analysis by Biwabkos Consultants LLC, and Drive Test Report by Biwabkos Consultants LLC. Additionally, please review the above Evaluation of Alternative Sites on pages 6-8.

> (d) For a new tower, a copy of the written notice of the required neighborhood meeting and a certificate of mailing showing that the notice was mailed to the list of property owners falling within the notice area designated under CCC 18.124.110(2);

Please see the copy of the written notice and copies of the required neighborhood meeting which adheres to the following requirements outlined in Crook County Zoning Ordinance Section 18.124.110(2)(b):

> Neighborhood Meeting. Prior to submitting an application for a transmission tower, the applicant shall provide notice of and hold a meeting with interested owners of the property nearby to a potential facility location. Notice shall be in writing and shall be mailed no less than 10 days prior to the date set for the meeting to owners of record of property within a notice area of 2,000 feet of the boundary of the property on which the applicant proposes to establish a tower or monopole greater than 30 feet in height. For the purpose of this section, the property on which an applicant proposes to establish a transmission tower includes the lot of record on which the applicant will locate the facility and all contiguous lots of record held in common ownership. The applicant shall notify the owners of record of a minimum of 20 properties located within 660 feet of the affected property. If the number of owners of property notified in the notice area does not equal at least 20, the applicant shall notify the owners of record of property within the next increment of 660 feet from the initial notice area until the number of owners of property notified reaches at least 20. The applicant shall also provide a copy of this notice to the planning department.

The mailing list of owners within 2,000 feet of the subject property was obtained from Crook County GIS.

> (e) For a new tower, a transcript of the neighborhood meeting or copies of the audiotape recordings of the meeting. The applicant shall also submit a list of attendees, including the date, time, and location of the meeting;

Please see the copy of the audio recording, list of attendees, and the date, time, and location of the required neighborhood meeting.

> (f) A site plan showing the location of the proposed facility and its components. The site plan shall also identify the location of the existing and proposed landscaping, any equipment shelters, utility connections, and fencing proposed to enclose the facility, and lighting if any is proposed. Describe primary and emergency energy sources proposed for the cell tower;

Please see the enclosed plans, including the site plans and elevations.

(g) A copy of the design specifications, including photographs or manufacturer's graphic representations of proposed colors, and an elevation of an antenna array proposed with the facility, and lighting, if any, for the facility;

Please see the enclosed photo simulations.

(h) An elevation drawing of the facility and a photographic simulation of the facility showing how it would fit into the landscape. The elevation drawing shall be drawn to scale and show the existing trees adjacent to the proposed facility and show the height of such trees from existing grade to the highest portion of each tree. This documentation shall include any support structure, transmission equipment including antennas and microwave dishes, and any ground-based equipment cabinets or shelters;

Please see the enclosed plans, including the site plans and elevations.

(i) A copy of a letter of determination from the Federal Aviation Administration or the Oregon Department of Transportation – Aeronautics Division as to whether any requirements, including but not limited to aviation lighting, would be required for the proposed facility. Such letter of determination shall be submitted prior to issuance of a decision by the county planning authority;

No aviation lighting is required for the proposed tower. Please see the enclosed FAA determination and the Oregon Department of Aviation (ODAV) determination letters.

(j) An agreement and security in accordance with CCC 17.40.080 and 17.40.090 for removal of any support structure and any ground-based equipment or accessory structures, such as equipment buildings and security fences;

A Removal Agreement will be provided before the final approval in accordance with CCC 17.40.080 and 17.40.090.

(k) Proof that the applicant is not able to collocate similar telecommunication structures on existing transmission facilities or locate on existing structures;

Please see the provided Verizon Wireless Radio Frequency (RF) letter, RF Justification Letter from Biwabkos Consultants LLC, Alternate Site Analysis by Biwabkos Consultants LLC, and Drive Test Report by Biwabkos Consultants LLC. Additionally, please review the above Evaluation of Alternative Sites on pages 6-8.

(l) In the event that the applicant plans to develop more than one tower in Crook County, the applicant shall simultaneously submit a tentative plan for future tower site development in the county.

The Applicants are unable to provide a tentative plan for future tower site development in the County for several reasons. The Applicants do not have a tentative plan for future tower site development in the County and providing one now would conflict with the County

requirements to consider certain colocation options and alternative sites before proposing a new tower. Submitting such a tentative plan into the public record would conflict with the Applicants need to protect proprietary and confidential business information. The County is not entitled to require such a tentative plan because a utility facility necessary for public service is not subject to local approval standards or criteria beyond those set forth in ORS 215.275.

FCC Time Period Guidelines

On November 18, 2009, the FCC issued a Declaratory Ruling (FCC-09-99A1) that created periods of time under the Telecommunications Act (TCA) in which zoning authorities must act upon siting applications filed by wireless carriers or be in violation of the TCA. Specifically, the timelines are as follows: ninety (90) days for co-locations and one hundred fifty (150) days for all other sites including new towers. Please see the FCC Declaratory Ruling 09-99A1 for more detailed information.

Federal Requirements

Verizon's proposed telecommunication facility will meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the Federal government with the authority to regulate towers and antennas.

Verizon's site will conform to all FAA/FCC regulations, and because the maximum ERP is less than two thousand (2,000) watts and/or the height of the facility is greater than ten meters (10m), an environmental evaluation of radio frequency emissions is exempted per CFR Title 47 Part 24, Subpart E.

Verizon Wireless has a license from the FCC to provide wireless telecommunication services throughout Oregon State.

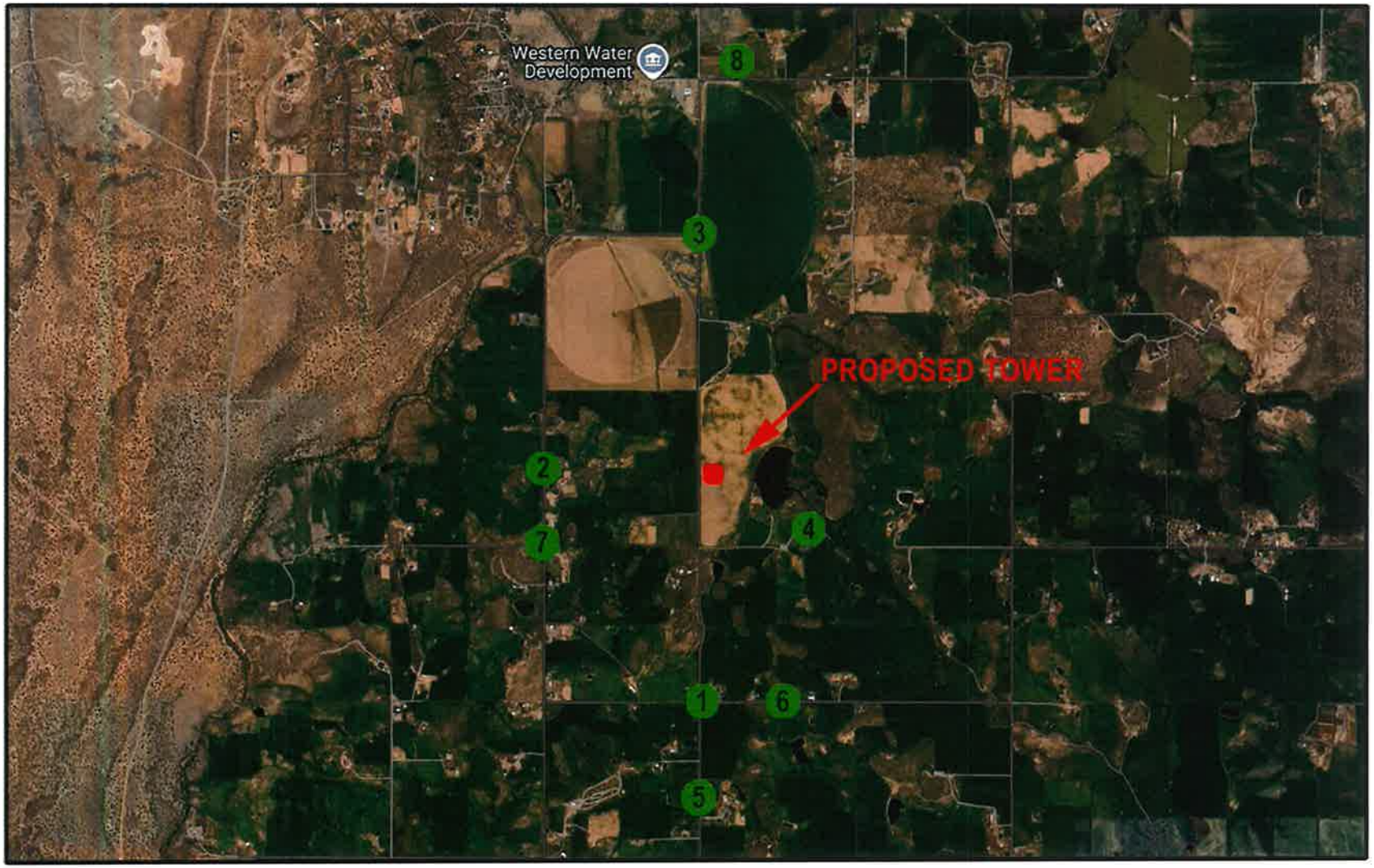


PHOTO SIM LOCATIONS

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

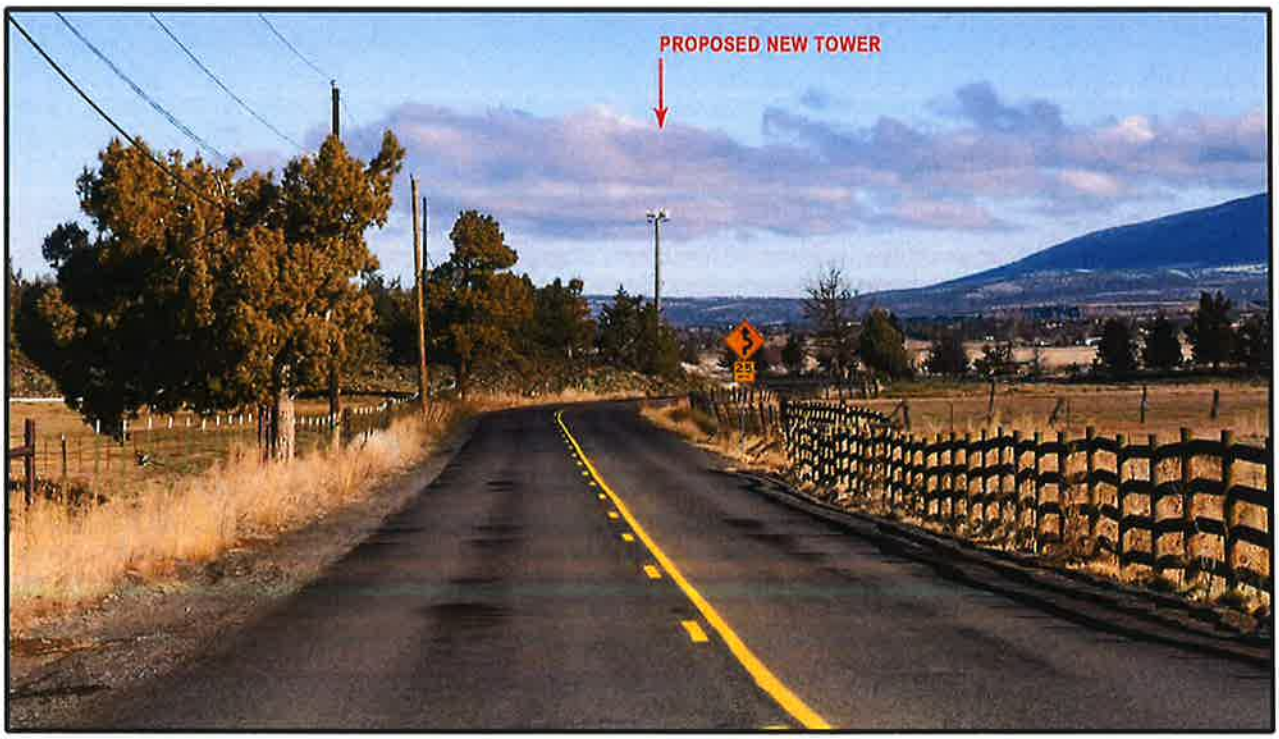
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #1
LOOKING NORTH ON SW WILLIAMS RD.



PROPOSED

TIM BRADLEY IMAGING

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #2
LOOKING EAST ON SW REIF RD.

PROPOSED

TIM BRADLEY IMAGING

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #3
LOOKING SOUTH ON SW WILLIAMS RD.

PROPOSED

TIM BRADLEY IMAGING

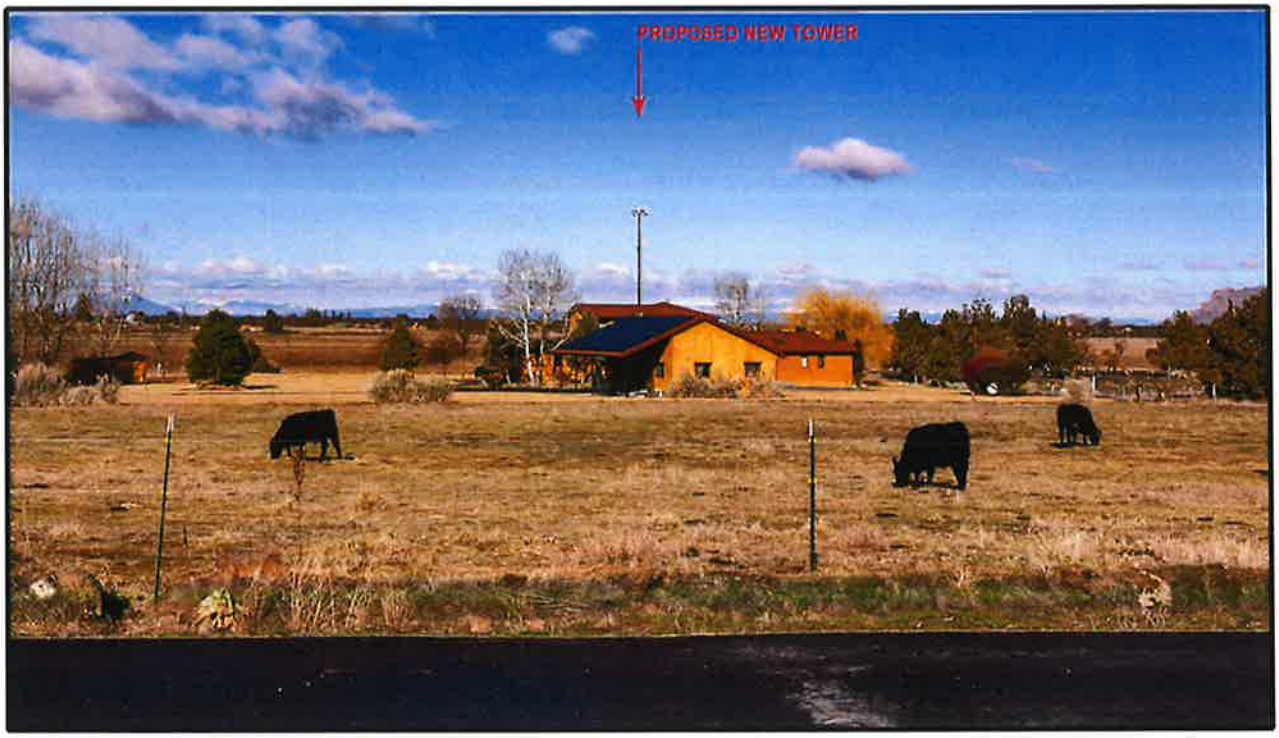
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #4
LOOKING NORTHWEST FROM 3694 SW WILLIAMS RD.



PROPOSED

TIM BRADLEY IMAGING

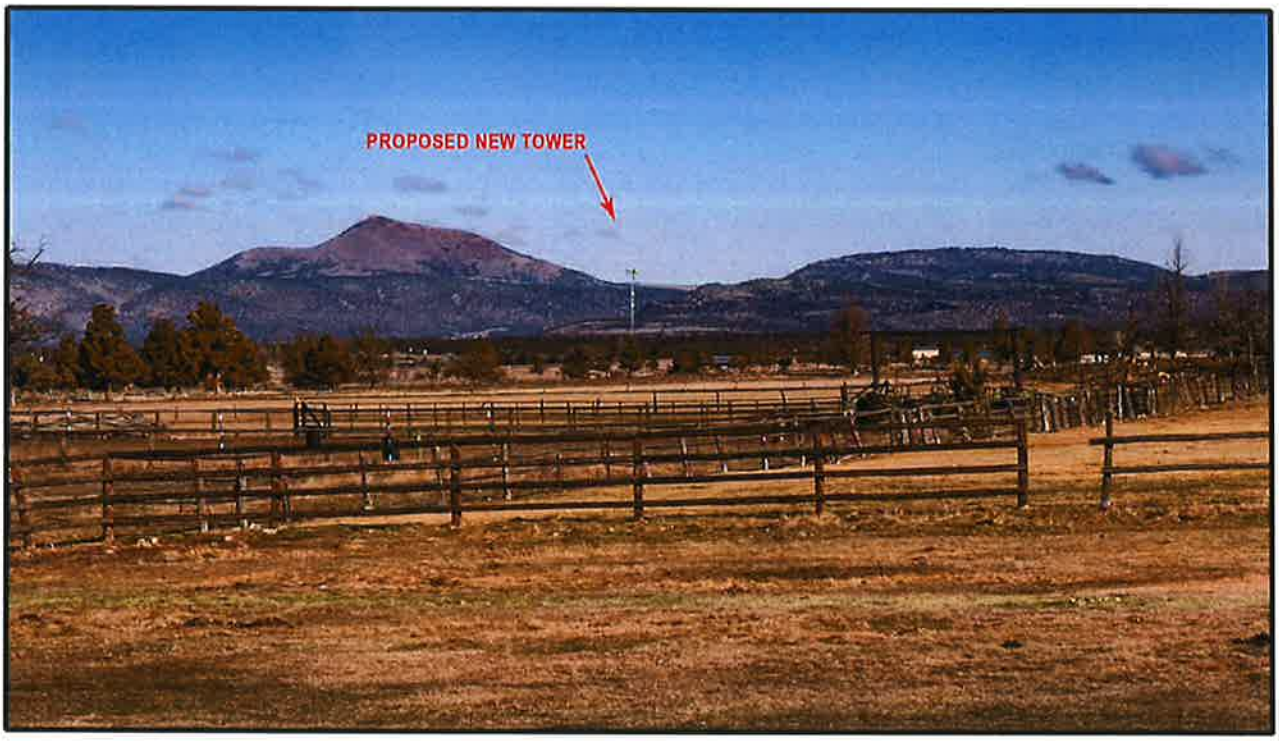
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #5
LOOKING NORTHWEST DIXON RD.



PROPOSED

TIM BRADLEY IMAGING

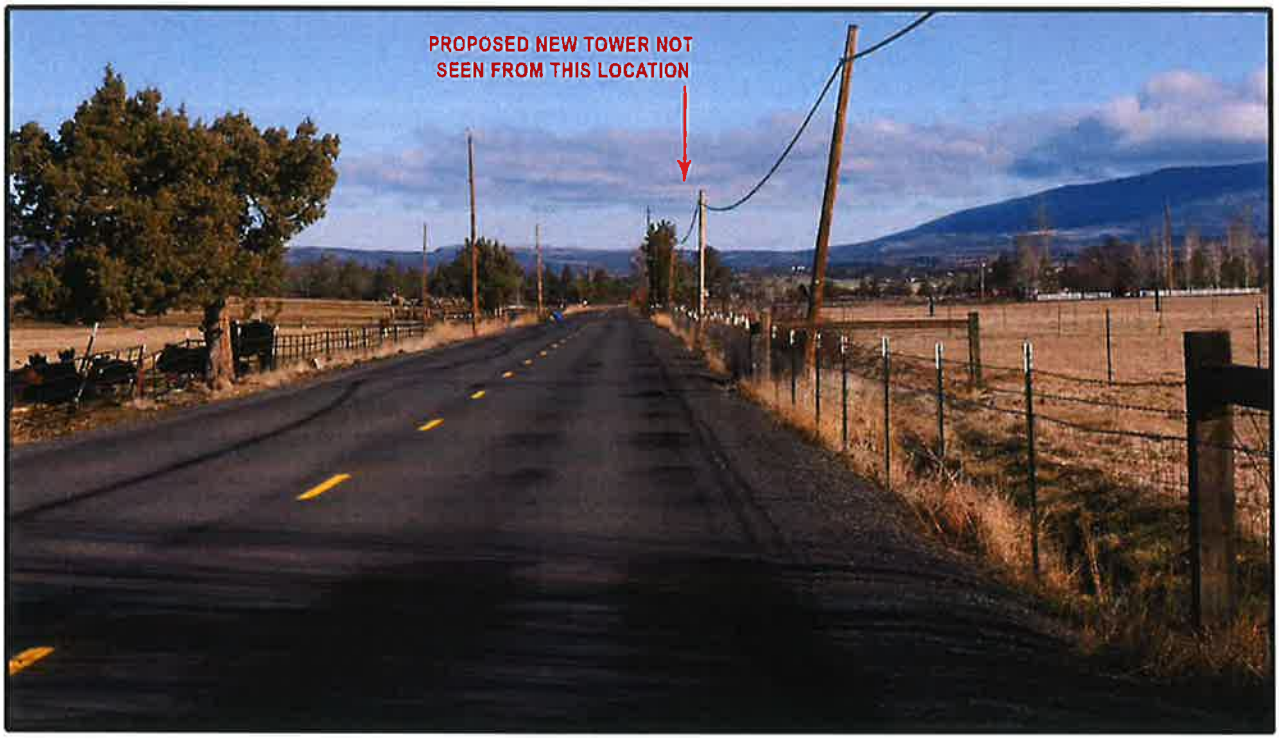
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #6
LOOKING NORTH ON SW WILLIAMS RD.



PROPOSED

TIM BRADLEY IMAGING

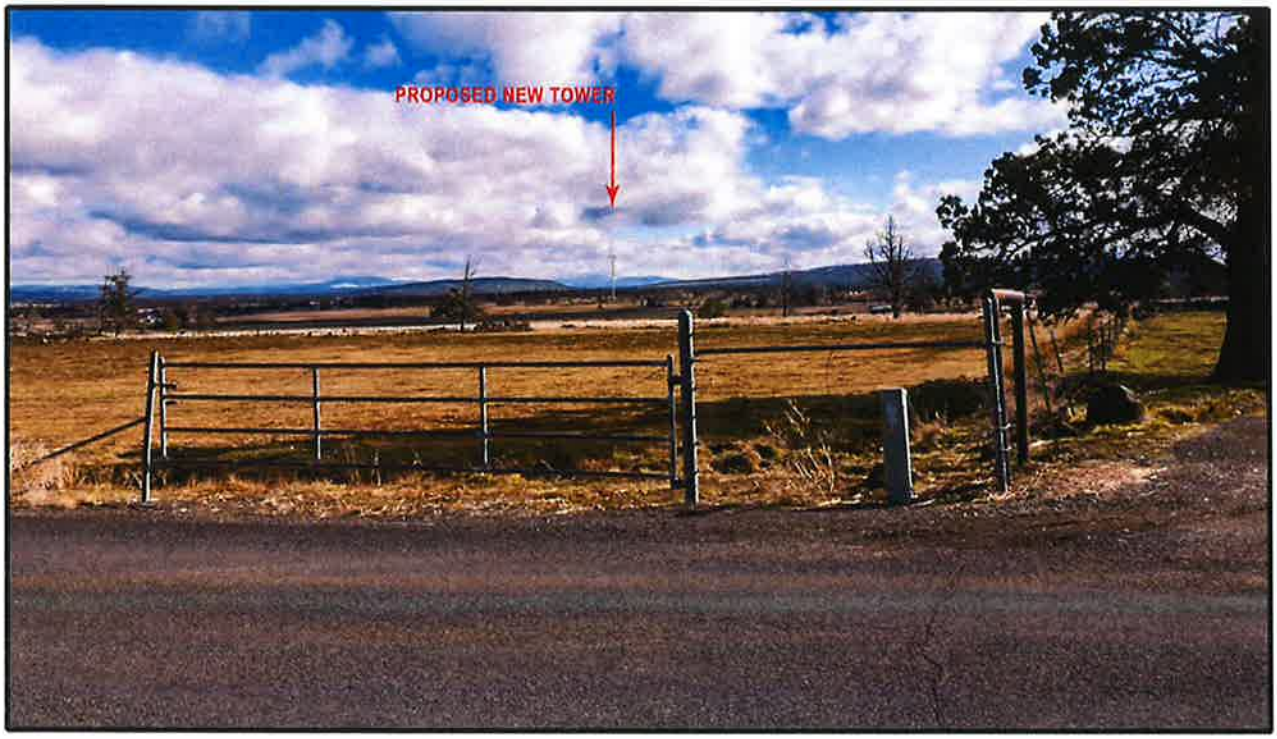
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #7
LOOKING NORTHEAST ON SW REIF RD.& HACKER RD.



PROPOSED

TIM BRADLEY IMAGING

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #8
LOOKING SOUTH ON HUSTON LAKE RD.

PROPOSED

TIM BRADLEY IMAGING

TIM BRADLEY IMAGING

Date: March 6, 2025

Re: Balloon Test and Photo Simulations
DITCHRIDER
3450 SW Williams Rd, Powell Butte, OR

To: Sarah Telschow
ACOM

On March 6, 2025, a 4 foot red diameter balloon was raised to 150 feet above ground level at the proposed location of the new tower from 10 AM to 11 AM. The height of the balloon is checked with a laser rangefinder. This number corresponds to the height and location of the proposed tower.

Photos are taken from several vantage points to determine the visibility of the proposed tower. Photo simulations are produced using these photos. The "before" shots of demonstrate the "as is" view of the camera when inflated. The 4 foot red balloon is a known size and utilize for determining the size of the 8 foot antennas for placement on the proposed tower in completion of the photo simulations as required.

TBI has specialize in photo simulations and balloon testing for the wireless telecom industry since 1998.

Thank you,

Tim Bradley

Tim Bradley
Tim Bradley Imaging

Cell Phone: 253-279-7716
AirPhotoOne@comcast.net

Radio Frequency Exposure

RF Safety and NIER Analysis Report

06/05/2025

Site: Ditch Rider

Powell Butte, OR

Prepared for: Verizon

Table of Contents

1. Certification 3
2. Executive Summary 4
   2.1 Conclusion and Recommendations 5
3. Introduction 6
   3.1 Site Description: 6
   3.2 Site Configuration Being Modeled 6
4. Predictive Analysis Details 7
   4.1 Analysis Locations: 7
   4.2 Antenna Inventory 8
   4.3 RF Emissions Diagram(s) - All Transmitters 9
   4.4 RF Emissions Diagram(s) - Verizon Transmitters Only 9
5. Signage/ Mitigation 16
   5.1 Signage/ Barrier Detail 16
   5.2 Signage/ Barrier Diagram 17
6. Conclusions and Recommendations 18
7. Appendix A: FCC Compliance and RF Safety Policies 19
8. Appendix B: Overview of IXUS 21
9. References 23
10. Limited Warranty 24

1. Certification

This report, prepared by Telecom Technology Services, Inc. for **Verizon**, is intended to document compliance and evaluate power density levels as outlined in the report. The computations, analysis, and resulting report and conclusions were based on applicable FCC guidelines and regulations for maximum permissible exposure to humans consistent with FCC OET Bulletin 65, Edition 97-01.

Additionally, Telecom Technology Services, Inc. certifies that the assumptions are valid, and that the data used within Telecom Technology Services control are accurate, including information collected as part of Telecom Technology Services field surveys. Telecom Technology Services, Inc. does not however certify the accuracy or correctness of any data provided to Telecom Technology Services, Inc. for this analysis and report by Verizon or other third parties working on behalf of Verizon.

I certify that the attached RF exposure analysis and report is correct to the best of my knowledge, and all calculations, assumptions and conclusions are based on generally acceptable engineering practices:

SIGNED, 13 AUG 2025
EXPIRES, 31 DEC 2025

Tim Alexander, PE

Digitally signed by Tim Alexander, PE
DN: cn=Tim Alexander, PE, o=Proteus Power Engineering, ou, email=proteuspower@outlook.com, c=US
Date: 2025.08.13 17:42:01 -07'00'

Report Prepared by: Pulkit Bansal, 06/04/2025.
Report Reviewed by: Kosha Shah, 06/04/2025.

2. Executive Summary

This report provides the results of an RF power density analysis performed for **Verizon** at site **Ditch Rider** in accordance with the Federal Communications Commission (FCC) rules and regulations for RF emissions described in OET Bulletin 65, Edition 97-01.

This report addresses RF safety for two classified groups defined by OET Bulletin 65: Occupational/ Controlled and General Population/ Uncontrolled. Based on the analysis, this site will be **Compliant** with FCC rules and regulations and Verizon's Signage and Barrier Policy if the mitigation details provided in Table 1 are implemented.

Final Compliant Configuration						
	GUIDELINES	**NOTICE**	**CAUTION**	**WARNING**	**NOC INFO**	**BARRIER/MARKER**
Access Point(s)	☒ [1]	☐ [ ]	☐ [ ]	☐ [ ]	☒ [1]	☐
Alpha	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐
Beta	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐
Gamma	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐

NOTE: The table represents either the signage/barriers installed / removed OR items required by the market (if mitigation is not installed by consultant/vendor).

Specialty Sign Detail

Location	**N/A**
Access Point	**N/A**
Alpha	**N/A**
Beta	**N/A**
Gamma	**N/A**

NOTE: The tables above represent EXISTING compliance items implemented at this location.

Notes/ Additional Compliance Requirements(s):
NOC & Guidelines need to be posted at all the access points to the site.

Table 1: Mitigation Requirements for Compliance

2.1 Conclusion and Recommendations

- The results of the analysis indicate that the power density levels in the generally accessible areas on Ground level will not exceed the FCC's MPE limit for General Population environments.
- The max theoretical % MPE (General Public) is 2.8% at the Ground Level.
- As per FCC guidelines, the tower installation meets FCC regulation and site is compliant for general population.

Note: Modifications to the site; and/or increases in channel counts or power levels exceeding those listed in this report will require additional evaluation to determine compliance.

3. Introduction

The purpose of this analysis and report is to evaluate the cumulative power density levels of all non-excluded antennas located on the site and identify any areas of concern that require mitigation. This report also assesses the site's compliance with FCC OET Bulletin 65; "Guidelines for Human Exposure to Radio-frequency Electromagnetic Fields".

The power density simulation performed for this site utilized IXUS® analysis software. All antennas were assigned an operating frequency and transmit power and were deemed to be operating at 100% of their configured output power.

3.1 Site Description:

Site Name	**DITCH RIDER**
Address	3450 SW WILLIAMS ROAD POWELL BUTTE, OR 97753
Latitude	44° 16' 10.124" N
Longitude	121° 1' 3.216" W
Structure Type	Monopole
Structure Height	± 150'AGL
Co-Locators/ Other Antennas	NA
BTS Equipment Location	Verizon equipment is located on Ground.

3.2 Site Configuration Being Modeled

- This is a Monopole application where Verizon antennas are mounted to the pole with frames.
- This is a Three sector site supporting LTE at 700, 850, 1900, 2100(AWS1/3) MHz and C-Band for all sectors.
- The rad center of antennas for all three sectors (150'), Monopole (150') and Ground (0') are based on the CD and Google Earth. These values must be verified on the site audit for the post study.
- Grid size 10 foot.

4. Predictive Analysis Details

For purposes of this analysis, IXUS® was configured to provide an output based on the appropriate MPE limit(s) published in the FCC's guidelines. The antenna information was loaded into IXUS®, an MPE predictive analysis tool by Alpha wave Mobile Network Products (Pty) Ltd.

4.1 Analysis Locations:

Number of Elevations Analyzed: 2

- Antenna Level (150')
- Ground (0')
- Bird Eye View
- Elevation Level

4.2 Antenna Inventory

The following table contains the technical data used to simulate the power density that may be encountered with all antennas simultaneously operating at full rated power with the exception of any excluded antennas cited in this document. If co-locator's antennas exist and specific antenna details could not be secured, generic antennas, frequencies, and transmit powers were used for modeling. The assumptions used are based on past experience with communications carriers.

Antenna Inventory

ID	Carrier NAME	Antenna model	Mech. Tilt (°)	Azimuth (°)	Frequency band	ID Sub Elec. Tilt (°)	HBW (°)	VBW (°)	Total power (Watts)	Gain (dBd)	ERP (Watts)	Rad center
1	Verizon	AIR 3283	0	350	PCS1900	2	121.7	13.3	240	20.41	26376.14	150
1	Verizon	AIR 3283	0	350	LTE 2100(AWS1/3)	2	121.1	12	240	21.01	30283.86	150
2	Verizon	AIR 6419 B77D Envelope	0	350	3700	Default	104.7	27.6	320	22.35	43666.66	150
3	Verizon	NHH-55C-R2B	0	0	LTE 700	0 to 11	56	8.7	120	14.55	3421.22	150
3	Verizon	NHH-55C-R2B	0	0	LTE 850	0 to 11	52	7.8	120	14.45	3343.35	150
4	Verizon	NHH-55C-R2B	0	0	LTE 700	0 to 11	56	8.7	120	14.55	3421.22	150
4	Verizon	NHH-55C-R2B	0	0	LTE 850	0 to 11	52	7.8	120	14.45	3343.35	150
5	Verizon	AIR 3283	0	120	PCS1900	2	121.7	13.3	240	20.41	26376.14	150
5	Verizon	AIR 3283	0	120	LTE 2100(AWS1/3)	2	121.1	12	240	21.01	30283.86	150
6	Verizon	AIR 6419 B77D Envelope	0	110	3700	Default	104.7	27.6	320	22.35	43666.66	150
7	Verizon	NHH-55C-R2B	0	120	LTE 700	0 to 11	56	8.7	120	14.55	3421.22	150
7	Verizon	NHH-55C-R2B	0	120	LTE 850	0 to 11	52	7.8	120	14.45	3343.35	150
8	Verizon	NHH-55C-R2B	0	120	LTE 700	0 to 11	56	8.7	120	14.55	3421.22	150
8	Verizon	NHH-55C-R2B	0	120	LTE 850	0 to 11	52	7.8	120	14.45	3343.35	150
9	Verizon	MX08FRO840-02	0	200	LTE 700	2 to 12	42	9	120	15.45	4209.02	150
9	Verizon	MX08FRO840-02	0	200	LTE 850	2 to 12	37	8.3	120	15.85	4615.1	150
10	Verizon	MX08FRO840-02	0	200	LTE 700	2 to 12	42	9	120	15.45	4209.02	150
10	Verizon	MX08FRO840-02	0	200	LTE 850	2 to 12	37	8.3	120	15.85	4615.1	150
11	Verizon	AIR 6419 B77D Envelope	0	230	3700	Default	104.7	27.6	320	22.35	43666.66	150
12	Verizon	AIR 3283	0	200	PCS1900	2	121.7	13.3	240	20.41	26376.14	150
12	Verizon	AIR 3283	0	200	LTE 2100	2	121.1	12	240	21.01	30283.86	150

4.3 RF Emissions Diagram(s) - All Transmitters

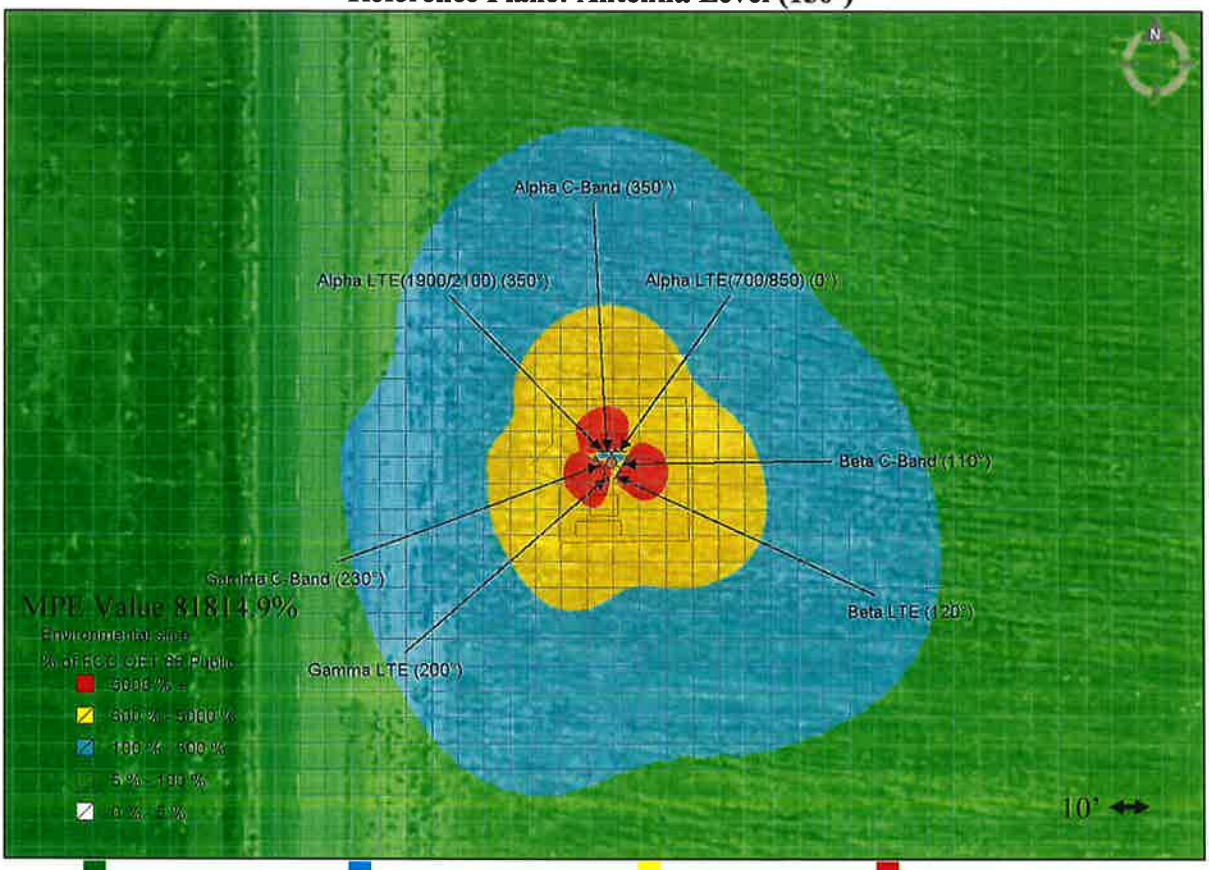
The following Diagram(s) represent the theoretical spatially averaged Maximum Permissible Exposure (MPE) percentages that are expected for each study's elevation. An additional 1% Occupational MPE Limit (5% General Population MPE limit) is included to demonstrate where Verizon is a significant contributor to the accessible areas where multiple carriers' transmitters may be present.

NA

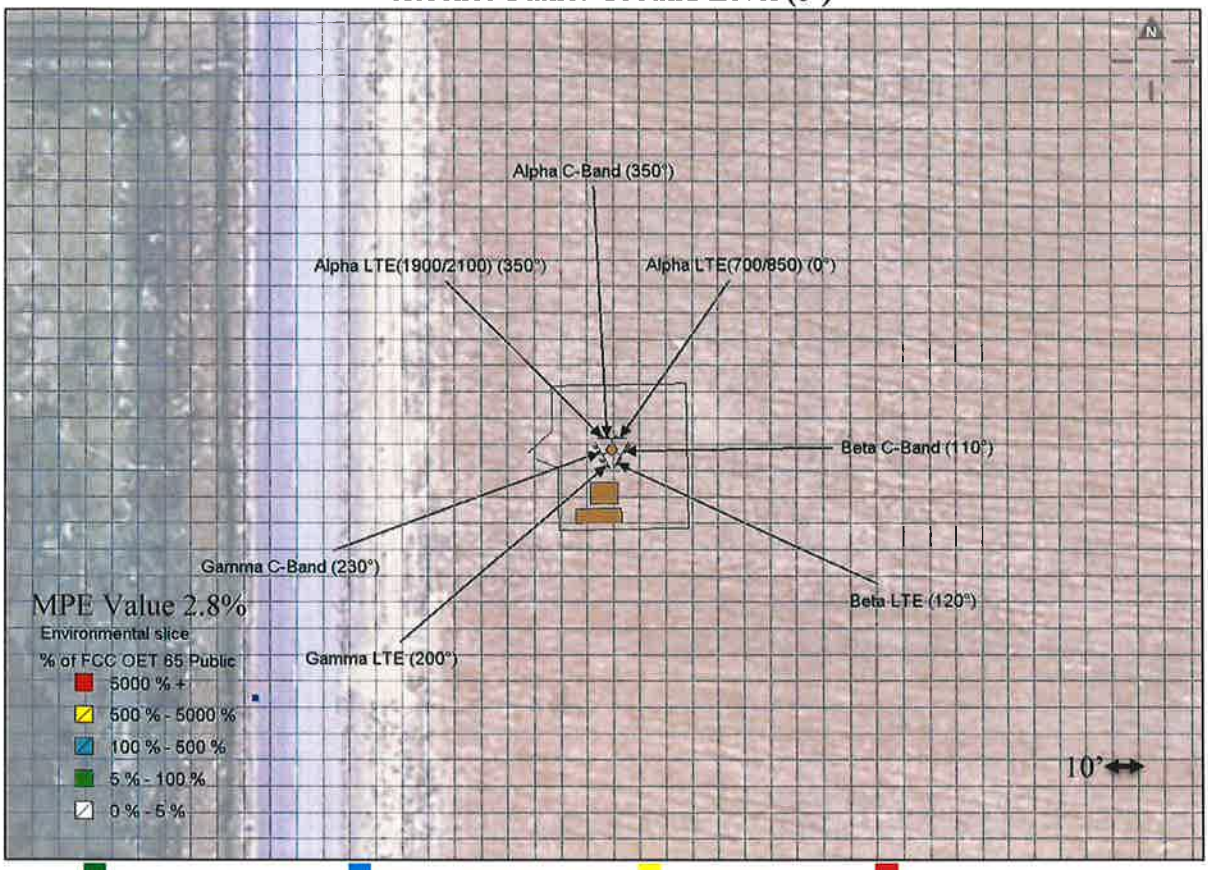
4.4 RF Emissions Diagram(s) - Verizon Transmitters *Only*

The following Diagram(s) represent the theoretical spatially averaged Maximum Permissible Exposure (MPE) percentages that are expected for each study's elevation. An additional 1% Occupational MPE Limit (5% General Population MPE limit) is included to demonstrate where Verizon is a significant contributor to the accessible areas where multiple carriers' transmitters may be present.

Reference Plane: Antenna Level (150')

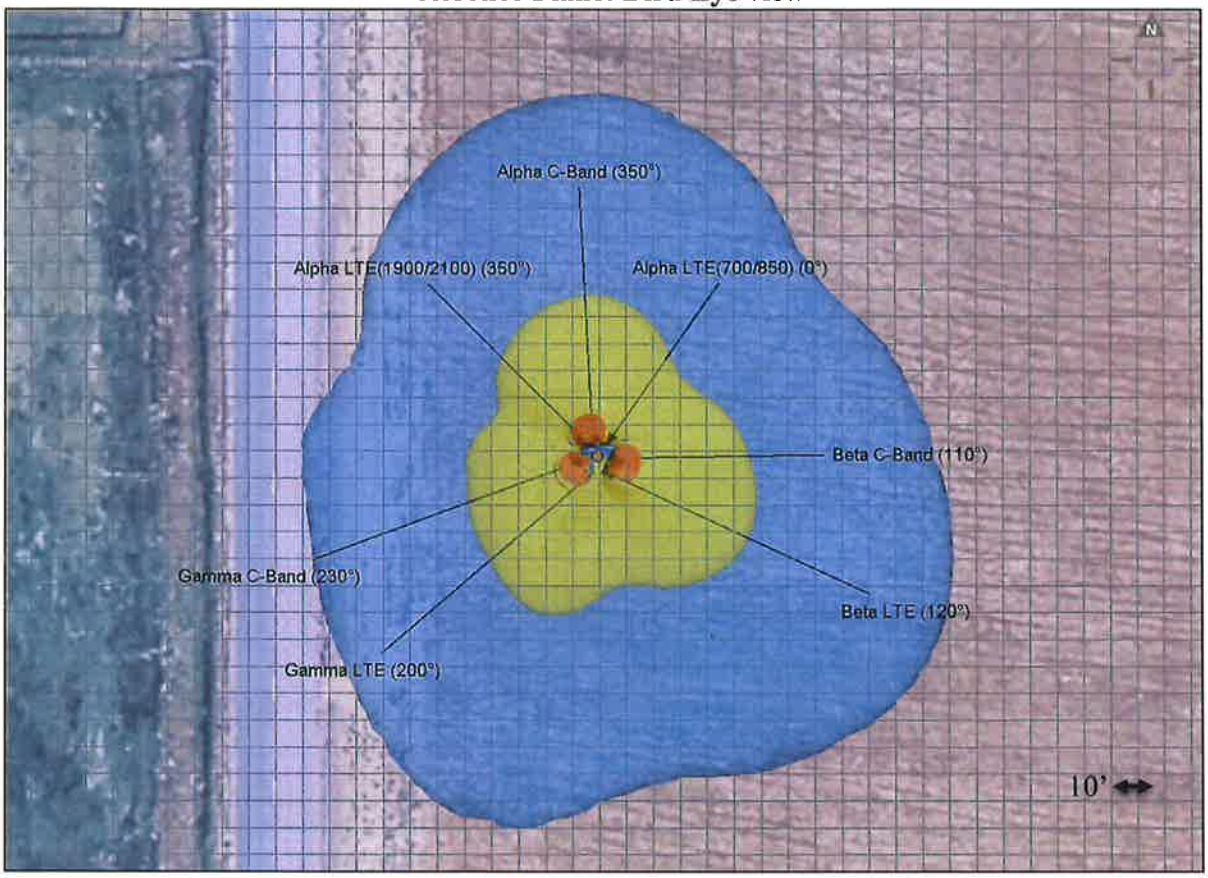


Reference Plane: Ground Level (0')

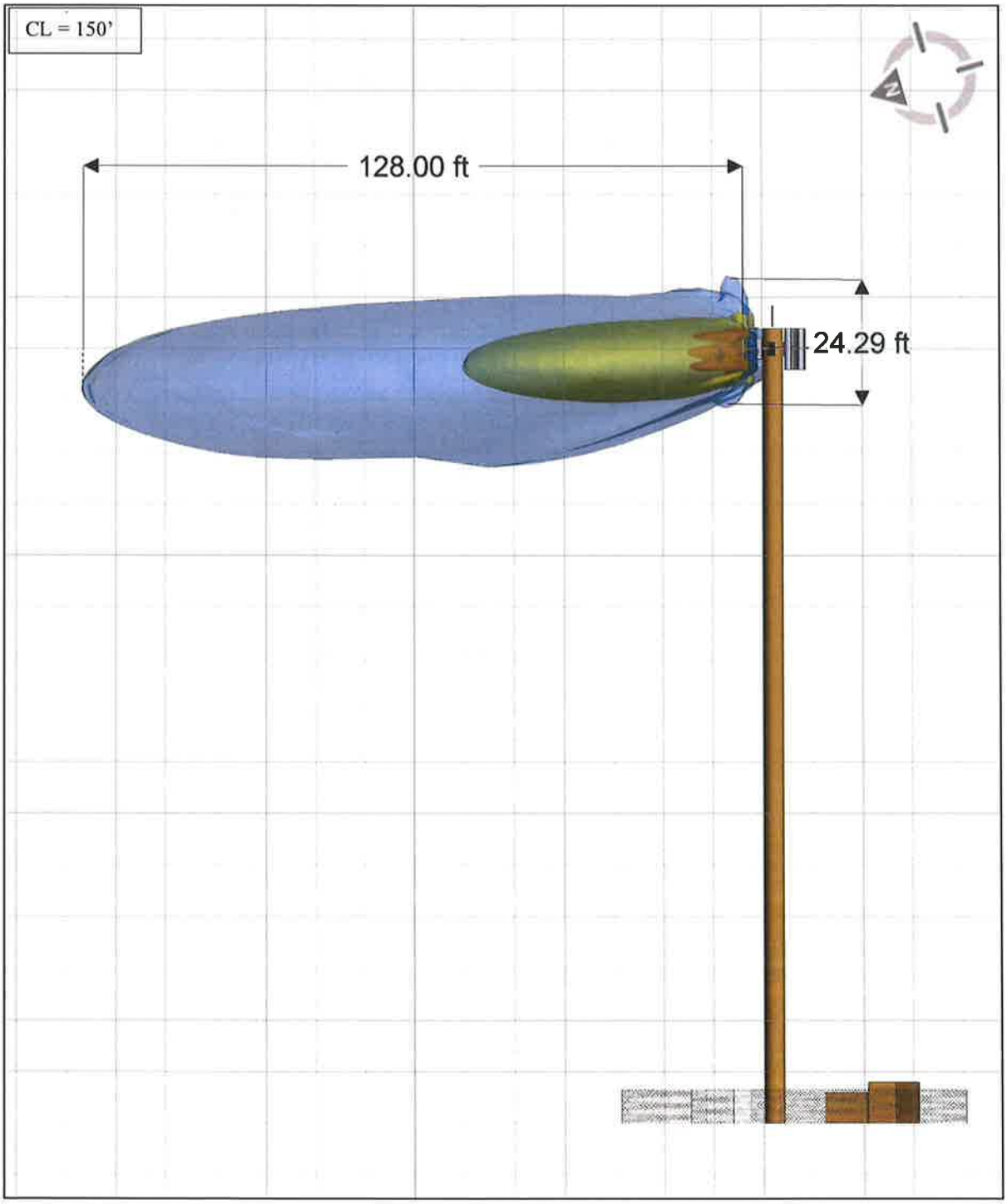


0% - 20% Occ. MPE **20% - 100% Occ. MPE** **≥ 100% Occ. MPE** **≥ 1000% Occ. MPE**

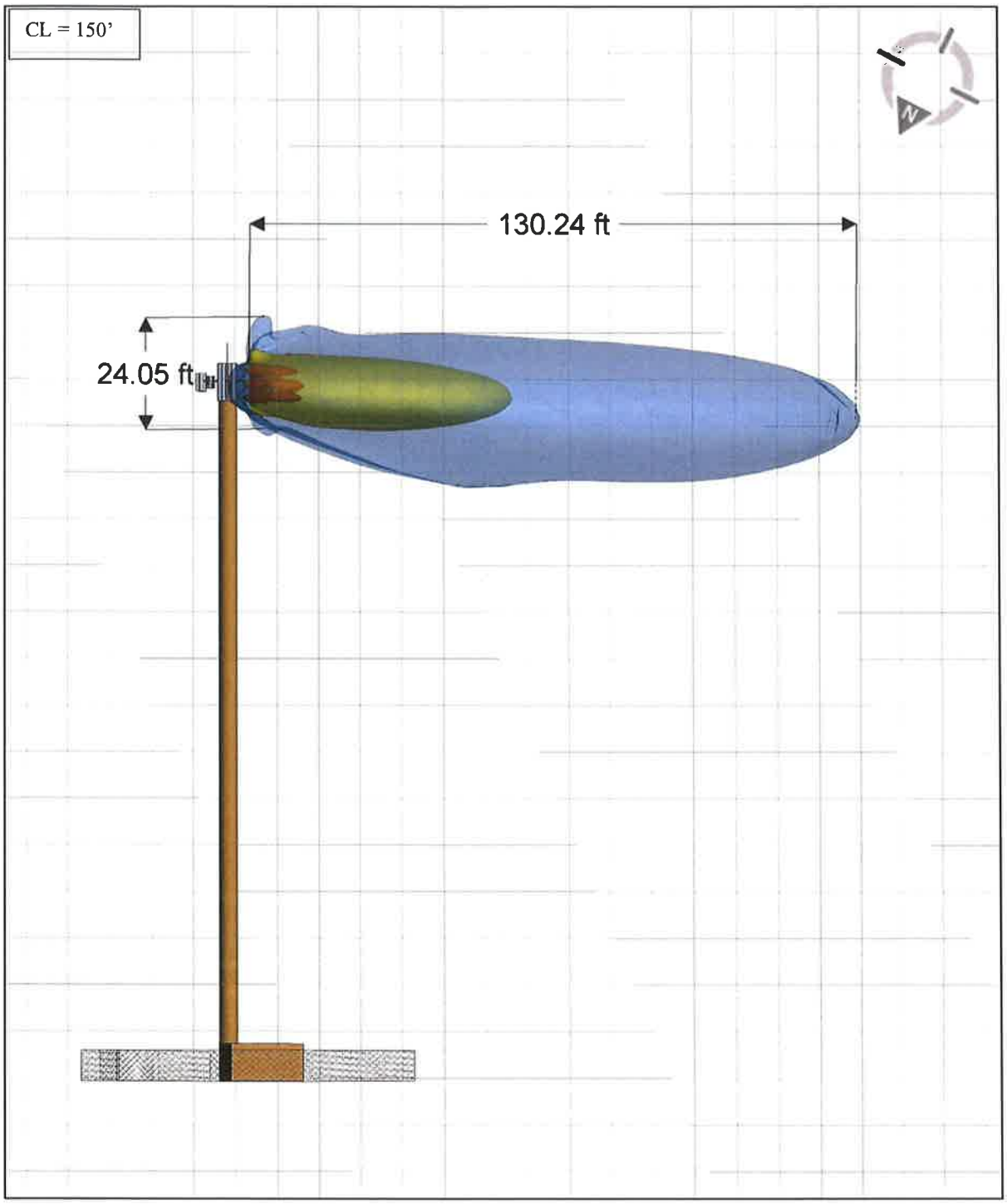
Reference Plane: Bird Eye view



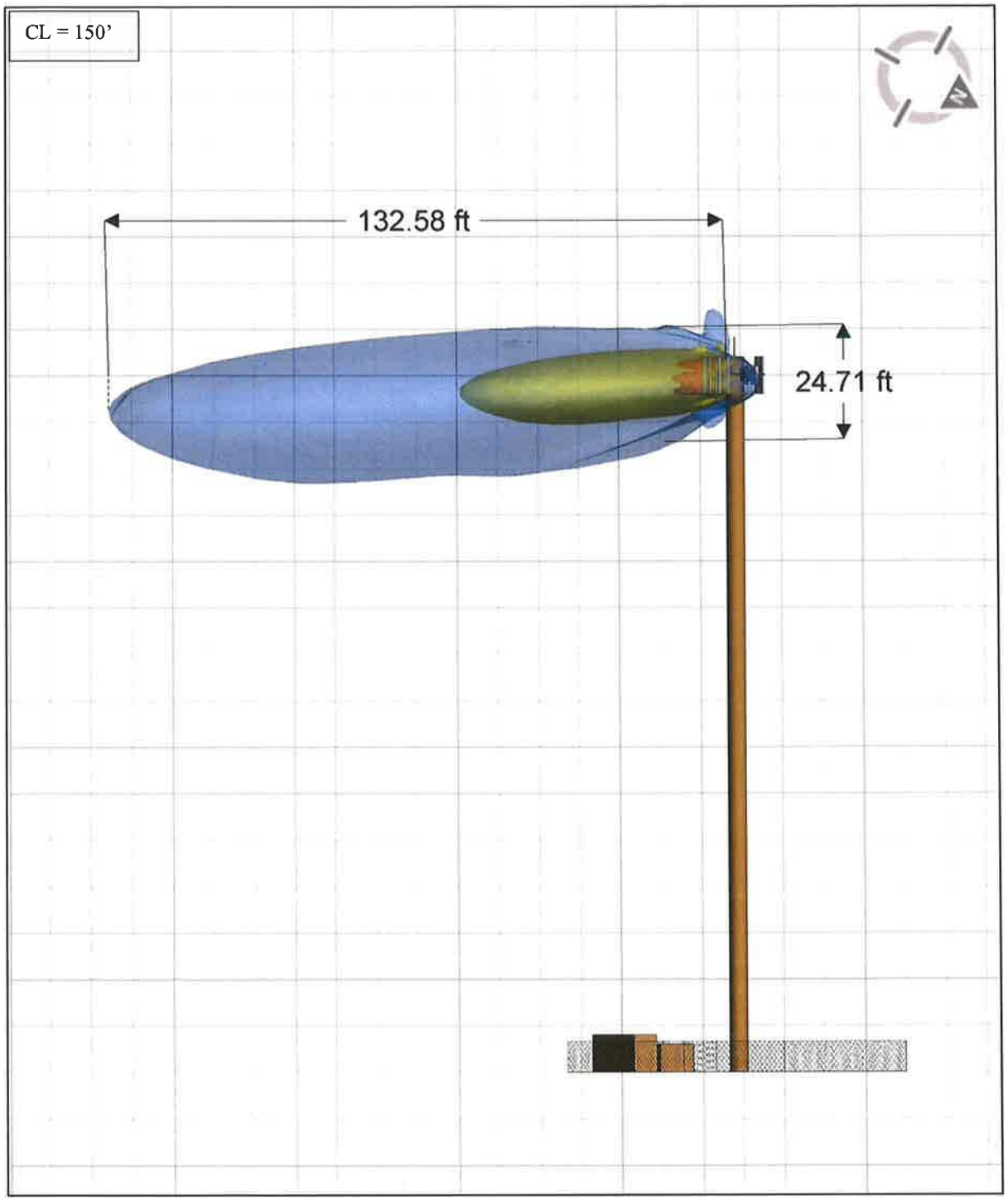
Reference Plane: Elevation Level (Alpha Sector)



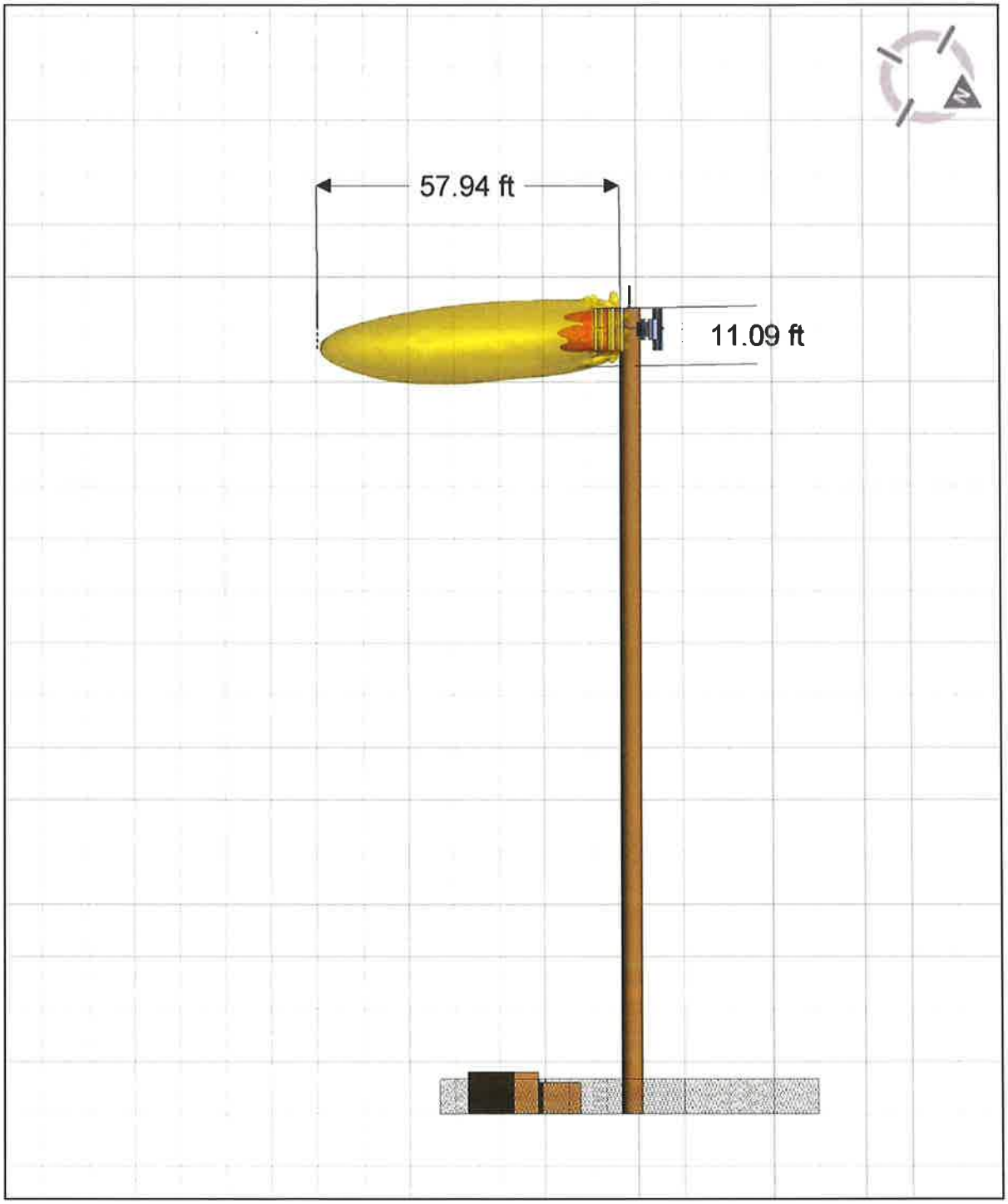
Reference Plane: Elevation Level (Beta Sector)



Reference Plane: Elevation Level (Gamma Sector)



Reference Plane: Pole Elevation Level



5. Signage/ Mitigation

5.1 Signage/ Barrier Detail

Final Compliant Configuration							
	GUIDELINES	NOTICE	CAUTION	WARNING	NOC INFO	BARRIER/MARKER	
Access Point(s)	☒ [1]	☐ [ ]	☐ [ ]	☐ [ ]	☒ [1]	☐	
Alpha	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐	
Beta	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐	
Gamma	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐ [ ]	☐	

NOTE: The table represents either the signage/barriers installed / removed OR items required by the market (if mitigation is not installed by consultant/vendor).

Specialty Sign Detail

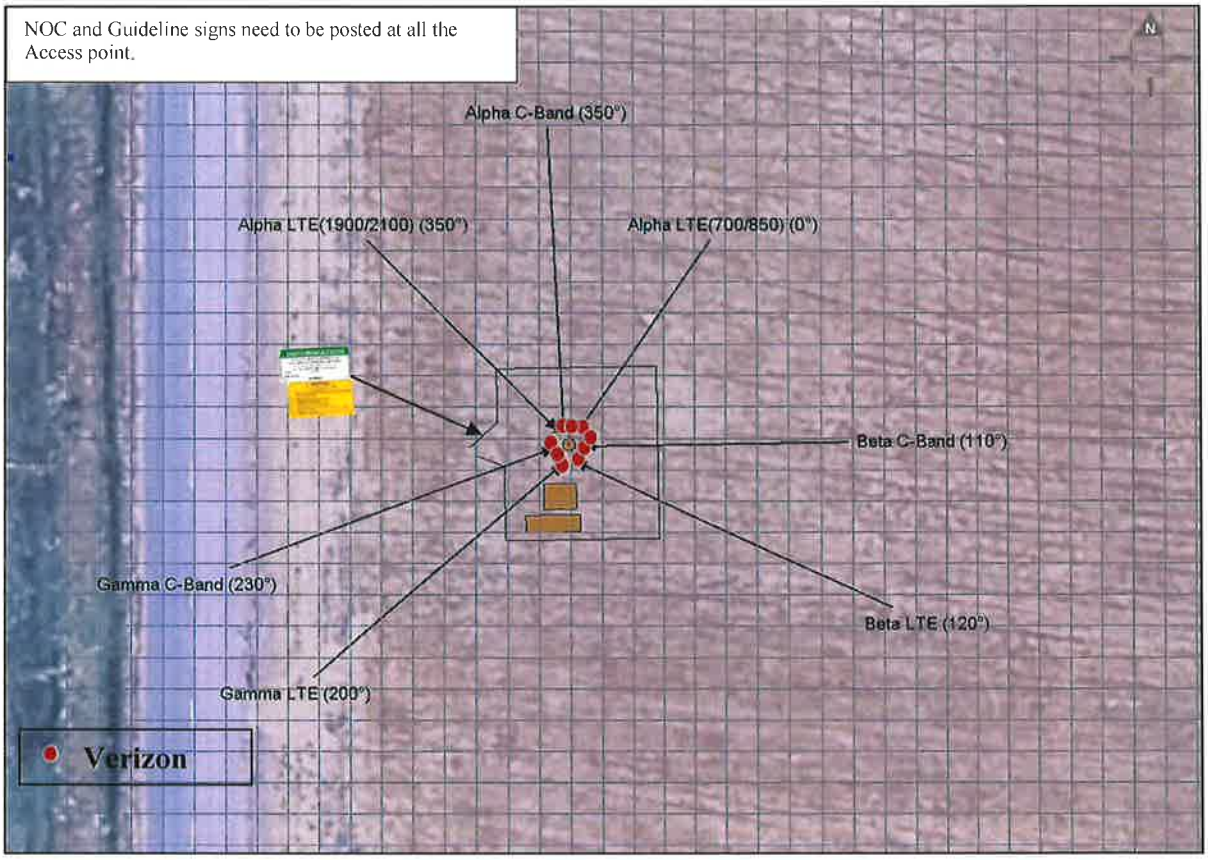
Location	N/A
Access Point	N/A
Alpha	N/A
Beta	N/A
Gamma	N/A

NOTE: The tables above represent EXISTING compliance items implemented at this location.

Notes/ Additional Compliance Requirements(s):
NOC & Guidelines need to be posted at all the access points to the site.

Table 2: Mitigation Requirements for Compliance

5.2 Signage/ Barrier Diagram



6. Conclusions and Recommendations

- The results of the analysis indicate that the power density levels in the generally accessible areas on **Ground** level will not exceed the FCC's MPE limit for General Population environments.
- The max theoretical % MPE (General Public) is **2.8%** at the **Ground** Level.
- As per FCC guidelines, the tower installation meets FCC regulation and site is compliant for general population.

Note: Modifications to the site; and/or increases in channel counts or power levels exceeding those listed in this report will require additional evaluation to determine compliance.

7. Appendix A: FCC Compliance and RF Safety Policies

In August of 1997, the FCC published OET Bulletin 65 Edition 97-01 to regulate methods for evaluating compliance with FCC guidelines for human exposure to radiofrequency (RF) electromagnetic fields. The FCC guidelines for human exposure to RF electromagnetic fields incorporate two categories of limits; namely "Controlled" (a.k.a. Occupational) and "Uncontrolled" (a.k.a. General Public). The guidelines offer suggested methods for evaluating fixed RF transmitters to ensure that the controlled and uncontrolled limits deemed safe by the FC for human exposure are not exceeded.

OET Bulletin 65 recommended guidelines are intended to allow an applicant to "make a reasonably quick determination as to whether a proposed facility is in compliance with the limits." In addition, the guidelines offer alternate supplementary considerations and procedures such as field measurements and more detailed analysis that should be used for multiple emitter situations.

These guidelines define RF as emissions in the frequency range of 300 kHz to 100 GHz. The FCC define Maximum Permissible Exposure (MPE) limits within this frequency range based on limits recommended by the National Council on Radiation Protection and Measurement, the Institute of Electrical and Electronics Engineers (IEEE), and by the American National Standards Institute (ANSI).

The specific MPE limits defined by the FCC are as follows:

Limits for Occupational/Controlled Exposure				
Frequency Range [MHz]	**Electric Field Strength (E) [V/m]**	**Magnetic Field Strength (H) [A/m]**	**Power Density (S) [mW/Cm^2]**	**Averaging Time |E|^2, |H|^2 or S [minutes]**
0.3 - 3.0	614	1.63	100*	6
3.0 - 30	1842/f	4.89/f	900/f^2*	6
30 - 300	61.4	0.163	1	6
300 - 1,500	-	-	f/300	6
1,500 - 100,000	-	-	5	6

Limits for General Population/Uncontrolled Exposure				
Frequency Range [MHz]	**Electric Field Strength (E) [V/m]**	**Magnetic Field Strength (H) [A/m]**	**Power Density (S) [mW/Cm^2]**	**Averaging Time |E|^2, |H|^2 or S [minutes]**
0.3 - 3.0	614	1.63	100*	30
3.0 - 30	842/f	2.19/f	180/f^2*	30
30 - 300	27.5	0.073	0.2	30
300 - 1,500	-	-	f/1500	30
1,500 - 100,000	-	-	1	30

f = frequency *Plane-wave equivalent power density

The FCC states that "Occupational/ Controlled limits apply in situations in which persons are exposed as a consequence of their employment provided those persons are fully aware of the potential for exposure and can exercise control over their exposure. Limits for Occupational/ Controlled exposure also apply in situations when an individual is transient through a location where Occupational/ Controlled limits apply provided he or she is made aware of the potential for exposure."

For General Population/ Uncontrolled limits, the FCC states that "General Population/ Uncontrolled exposures apply in situations in which the general public may be exposed, or in which persons that are exposed as a consequence of their employment may not fully be aware of the potential for exposure or cannot exercise control over their exposure."

For purposes of this analysis, all limits are evaluated against the Power Density limits.

Typical guidelines for determining whether Occupational/ Controlled limits can be applied include ensuring the environment (such as a rooftop) as limited/controlled access via locked doors or physical barrier that are preferably controlled by a landlord that is aware of the situation and can inform anyone going through the locked door of the existence of the RF emissions. Such notification/awareness is typically accomplished by means of signage on the door, or other access to the area of concern, as well as signage on or near the antennas. Examples of such signs include the following:

GUIDELINES	NOTICE	CAUTION	WARNING
This sign will inform anyone of the basic precautions to follow when entering an area with transmitting radiofrequency equipment.	This sign indicates that RF emissions may exceed the FCC General Population MPE limit.	This sign indicates that RF emissions may exceed the FCC Occupational MPE limit.	This sign indicates that RF emissions may exceed at least 10x the FCC Occupational MPE limit.

NOC INFORMATION	
Information signs are used as a means to provide contact information for any questions or concerns. They will include specific cell site identification information and the Verizon Wireless Network Operations Center phone number.	

Standards for when to use each of the above signs for Occupational situations are as follows:

No sign required: <20% of Occupational MPE
Blue Sign, Notice: 20% to <100% of MPE
Yellow Sign, Caution: 100% to <1000% of MPE
Red Sign, Warning: ≥1000% of MPE

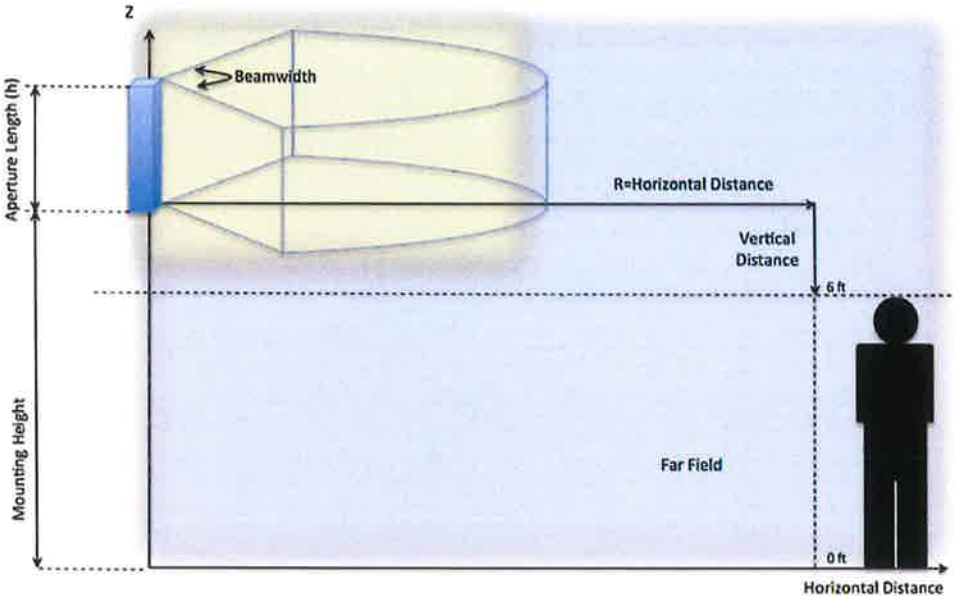
All MPE references are to the FCC Occupational limits.

8. Appendix B: Overview of IXUS

The IXUS electromagnetic field (EMF) calculation software is used to assess all the RF field levels presented in this study. IXUS (https://ixusapp.com/) is a software product of Alphawave Mobile Network Products (Pty) Ltd, who specialize in electromagnetic software and systems.

IXUS software uses a fast and accurate EMF calculation tool that allows for the determination of radio-frequency (RF) field strength in the vicinity of radio communication base stations (RBS) and transmitters. At its core, the IXUS EMF calculation module implements field evaluation techniques detailed in the ITU-T K.61, CENELEC 50383, and IEC62232 specifications. The calculation of EMF results at any point in 3-D space is achieved by either a synthetic ray tracing technique, a conservative cylindrical envelope method, or through full-wave EM simulation results obtained from a computational electromagnetic software tool, FEKO (https://www.altair.com/feko/). The selection of the solution method is determined by the antenna being considered. The ray tracing method is an advanced computation method described in IEC 622324. The power is summed from elemental sources representing the individual components of the antenna. These elemental sources are selected by an analysis of the proposed antennas and their manufacturers datasheets. Ray tracing algorithms typically overestimate RF field strength due to absorption of RF energy in the ground, building walls and other man-made structures. One advantage of the ray tracing model is it is valid in both the radiating near-field and the far-field regions relative to the antenna.

All antenna models that are used in the IXUS modeller undergoes a rigorous verification process, whereby manufacturer data obtained from datasheets or pattern information is compared to that of the IXUS antenna model, during the synthesis process. IXUS provides technical information on more than 4,000 antenna models from various manufacturers at its portal for antenna emissions modelling. The list is updated on a regular basis by the company's antenna engineers.


Z
Beamwidth
Aperture Length (h)
R=Horizontal Distance
Vertical Distance
6 ft
Mounting Height
Far Field
0 ft
Horizontal Distance

9. References

FCC (1997). "Evaluating Compliance with FCC Guidelines for Human Exposure to Radiofrequency Electromagnetic Fields"; Federal Communications Commission; Office of Engineering and Technology, OET Bulletin 65, Edition 97-01, August.

Alphawave Mobile Network Products (Pty) Ltd. IXUS User Guide (2024) & Webinar (2021)

10. Limited Warranty

Telecom Technology Services, Inc. warrants that this analysis was performed in good faith using the methodologies and assumptions covered in this report and that data used for the analysis and report were obtained by Telecom Technology Services, Inc. employees or representatives via site surveys or research of Verizon's available information. In the event that specific third-party details were not available, best efforts were made to use assumptions that are based on industry experience of various carriers' standards without violating any confidential information obtained under non-disclosure terms.

Telecom Technology Services, Inc. also warrants that this analysis was performed in accordance with industry acceptable standards and methods.

There are no other warranties, express or implied, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose, relating to this agreement or to the services rendered by Telecom Technology Services hereunder. In no event shall Telecom Technology Services be held liable to Verizon, or to any third party, for any indirect, special, incidental, or consequential damages, including but not limited to loss of profits, loss of data, loss of good will, and increased expenses. In no event shall Telecom Technology Services be liable to Verizon for damages, whether based in contract, tort, negligence, strict liability, or otherwise, exceeding the amount payable hereunder for the services giving rise to such liability.

REFERENCE COPY
This is not an official FCC license. It is a record of public information contained in the FCC's licensing database on the date that this reference copy was generated. In cases where FCC rules require the presentation, posting, or display of an FCC license, this document may not be used in place of an official FCC license.

Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY
CELLCO PARTNERSHIP
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING
ALPHARETTA, GA 30022

Call Sign	File Number
WRNG732	
Radio Service PM - 3.7 GHz Service	

FCC Registration Number (FRN): 0003290673

Grant Date	Effective Date	Expiration Date	Print Date
07-23-2021	07-23-2021	07-23-2036	

Market Number	Channel Block	Sub-Market Designator
PEA213	A1	0

Market Name
Bend, OR

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
07-23-2029	07-23-2033		

Waivers/Conditions:

This final license provides authorization during the full 15-year license term. Operation under this final license may begin on the earlier of (1) 12/5/2025 or (2) the date that the certification for accelerated relocation for this PEA is validated by the FCC pursuant to 47 CFR § 27.1412(g).

License is conditioned on compliance with all applicable FCC rules and regulations, including licensee making payments required by 47 C.F.R. §§ 27.1401- 27.1424 as described in FCC 20-22. See FCC 20-22, paras. 178-331.

Conditions:
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: CELLCO PARTNERSHIP

Call Sign: WRNG732 **File Number:** **Print Date:**

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status

Reference Copy

REFERENCE COPY
This is not an official FCC license. It is a record of public information contained in the FCC's licensing database on the date that this reference copy was generated. In cases where FCC rules require the presentation, posting, or display of an FCC license, this document may not be used in place of an official FCC license.

Federal Communications Commission

Wireless Telecommunications Bureau

RADIO STATION AUTHORIZATION

LICENSEE: CELLCO PARTNERSHIP

ATTN: REGULATORY
CELLCO PARTNERSHIP
5055 NORTH POINT PKWY, NP2NE NETWORK ENGINEERING
ALPHARETTA, GA 30022

Call Sign	File Number
WRNG732	
Radio Service PM - 3.7 GHz Service	

FCC Registration Number (FRN): 0003290673

Grant Date	Effective Date	Expiration Date	Print Date
07-23-2021	07-23-2021	07-23-2036	

Market Number	Channel Block	Sub-Market Designator
PEA213	A1	0

Market Name
Bend, OR

1st Build-out Date	2nd Build-out Date	3rd Build-out Date	4th Build-out Date
07-23-2029	07-23-2033		

Waivers/Conditions:

This final license provides authorization during the full 15-year license term. Operation under this final license may begin on the earlier of (1) 12/5/2025 or (2) the date that the certification for accelerated relocation for this PEA is validated by the FCC pursuant to 47 CFR § 27.1412(g).

License is conditioned on compliance with all applicable FCC rules and regulations, including licensee making payments required by 47 C.F.R. §§ 27.1401- 27.1424 as described in FCC 20-22. See FCC 20-22, paras. 178-331.

Conditions:
Pursuant to §309(h) of the Communications Act of 1934, as amended, 47 U.S.C. §309(h), this license is subject to the following conditions: This license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized herein. Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of the Communications Act of 1934, as amended. See 47 U.S.C. § 310(d). This license is subject in terms to the right of use or control conferred by §706 of the Communications Act of 1934, as amended. See 47 U.S.C. §606.

This license may not authorize operation throughout the entire geographic area or spectrum identified on the hardcopy version. To view the specific geographic area and spectrum authorized by this license, refer to the Spectrum and Market Area information under the Market Tab of the license record in the Universal Licensing System (ULS). To view the license record, go to the ULS homepage at http://wireless.fcc.gov/uls/index.htm?job=home and select "License Search". Follow the instructions on how to search for license information.

Licensee Name: CELLCO PARTNERSHIP

Call Sign: WRNG732 **File Number:** **Print Date:**

700 MHz Relicensed Area Information:

Market	Market Name	Buildout Deadline	Buildout Notification	Status

Reference Copy

Mail Processing Center
Federal Aviation Administration
Southwest Regional Office
Obstruction Evaluation Group
10101 Hillwood Parkway
Fort Worth, TX 76177

Aeronautical Study No.
2025-ANM-1002-OE

Issued Date: 07/28/2025

HARMONI TOWERS, LLC-CHADR
CHAD RUMSEY
6210 Ardrey Kell Road
Suite 450
Charlotte, NC 28277

**** DETERMINATION OF NO HAZARD TO AIR NAVIGATION ****

The Federal Aviation Administration has conducted an aeronautical study under the provisions of 49 U.S.C., Section 44718 and if applicable Title 14 of the Code of Federal Regulations, part 77, concerning:

Structure: Monopole OR0005306 Ditch Rider
County, State: Crook, Oregon

Collected Point(s):

Label	Latitude	Longitude	SE	DET AGL	AMSL
OR0005306 Ditch Rider	44-16-21.14N	121-1-03.56W	3005 Ft	158 Ft	3163 Ft

This aeronautical study revealed that the structure does not exceed obstruction standards and would not be a hazard to air navigation provided the following condition(s), if any, is(are) met:

Emissions from this site must be in compliance with the parameters set by collaboration between the FAA and telecommunications companies and reflected in the FAA 5G C band compatibility evaluation process (such as power, frequencies, and tilt angle). Operational use of this frequency band is not objectionable provided the Wireless Providers (WP) obtain and adhere to the parameters established by the FAA 5G C band compatibility evaluation process. **Failure to comply with this condition will void this determination of no hazard.**

See attachment for additional condition(s) or information.
Based on this evaluation, marking and lighting are not necessary for aviation safety. However, if marking/ lighting are accomplished on a voluntary basis, we recommend it be installed in accordance with FAA Advisory circular 70/7460-1 M Change 1.

This determination expires on 01/28/2027 unless:

(a) the construction is started (not necessarily completed) and FAA Form 7460-2, Notice of Actual Construction or Alteration, is received by this office.
(b) extended, revised, or terminated by the issuing office.
(c) the construction is subject to the licensing authority of the Federal Communications Commission (FCC) and an application for a construction permit has been filed, as required by the FCC, within

6 months of the date of this determination. In such case, the determination expires on the date prescribed by the FCC for completion of construction, or the date the FCC denies the application.

NOTE: REQUEST FOR EXTENSION OF THE EFFECTIVE PERIOD OF THIS DETERMINATION MUST BE E-FILED AT LEAST 15 DAYS PRIOR TO THE EXPIRATION DATE. AFTER RE-EVALUATION OF CURRENT OPERATIONS IN THE AREA OF THE STRUCTURE TO DETERMINE THAT NO SIGNIFICANT AERONAUTICAL CHANGES HAVE OCCURRED, YOUR DETERMINATION MAY BE ELIGIBLE FOR ONE EXTENSION OF THE EFFECTIVE PERIOD.

This determination is based, in part, on the foregoing description which includes specific coordinates, heights, frequency(ies) and power. Any changes in coordinates, heights, and frequencies or use of greater power, except those frequencies specified in the Colo Void Clause Coalition; Antenna System Co-Location; Voluntary Best Practices, will void this determination. Any future construction or alteration, including increase to heights, power, or the addition of other transmitters, requires separate notice to the FAA.This determination includes all previously filed frequencies and power for this structure.

If construction or alteration is dismantled or destroyed, you must submit notice to the FAA within 5 days after the construction or alteration is dismantled or destroyed.

This determination does include temporary construction equipment such as cranes, derricks, etc., which may be used during actual construction of the structure. However, this equipment shall not exceed the overall heights as indicated above. Equipment which has a height greater than the studied structure requires separate notice to the FAA.

This determination concerns the effect of this structure on the safe and efficient use of navigable airspace by aircraft and does not relieve the sponsor of compliance responsibilities relating to any law, ordinance, or regulation of any Federal, State, or local government body.

A copy of this determination will be forwarded to the Federal Communications Commission (FCC) because the structure is subject to their licensing authority.

If we can be of further assistance, please contact our office at 1-817-222-5935, or kenneth.patterson@faa.gov. On any future correspondence concerning this matter, please refer to Aeronautical Study Number 2025-ANM-1002-OE.

Signature Control No: 647671805-671494943 (DNE)
kenneth.patterson@faa.gov
Specialist

Attachment(s)
Additional Information
Frequency Data
Map(s)

cc: FCC

BASIS FOR DECISION

Part 77 authorizes the FAA to evaluate a structure or object's potential electromagnetic effects on air navigation, communication facilities, and other surveillance systems. It also authorizes study of impact on arrival, departure, and enroute procedures for aircraft operating under visual or instrument flight rules, as well as the impact on airport traffic capacity at existing public use airports. Broadcast in the 3.7 to 3.98 GHz frequency (5G C band) currently causes errors in certain aircraft radio altimeters and the FAA has determined they cannot be relied upon to perform their intended function when experiencing interference from wireless broadband operations in the 5G C band. The FAA has adopted Airworthiness Directives for all transport and commuter category aircraft equipped with radio altimeters that prohibit certain operations when in the presence of 5G C band

This determination of no hazard is based upon those mitigations implemented by the FAA and operators of transport and commuter category aircraft, and helicopters operating in the vicinity of your proposed location. It is also based on telecommunication industry and FAA collaboration on acceptable power levels and other parameters as reflected in the FAA 5G C band evaluation process.

The FAA 5G C band compatibility evaluation is a data analytics system used by FAA to evaluate operational hazards related to aircraft design. The FAA 5G C band compatibility evaluation process refers to the process in which the telecommunication companies and the FAA have set parameters, such as power output, locations, frequencies, and tilt angles for antenna that mitigate the hazard to aviation. As the telecommunication companies and FAA refine the tools and methodology, the allowable frequencies and power levels may change in the FAA 5G C band compatibility evaluation process. Therefore, your proposal will not have a substantial adverse effect on the safe and efficient use of the navigable airspace by aircraft provided the equipment and emissions are in compliance with the parameters established through the FAA 5G C band compatibility evaluation process.

Frequency Data for ASN 2025-ANM-1002-OE

LOW FREQUENCY	HIGH FREQUENCY	FREQUENCY UNIT	ERP	ERP UNIT
6	7	GHz	42	dBW
6	7	GHz	55	dBW
10	11.7	GHz	42	dBW
10	11.7	GHz	55	dBW
17.7	19.7	GHz	42	dBW
17.7	19.7	GHz	55	dBW
21.2	23.6	GHz	42	dBW
21.2	23.6	GHz	55	dBW
614	698	MHz	1000	W
614	698	MHz	2000	W
698	806	MHz	1000	W
806	824	MHz	500	W
806	901	MHz	500	W
824	849	MHz	500	W
851	866	MHz	500	W
869	894	MHz	500	W
896	901	MHz	500	W
901	902	MHz	7	W
929	932	MHz	3500	W
930	931	MHz	3500	W
931	932	MHz	3500	W
932	932.5	MHz	17	dBW
935	940	MHz	1000	W
940	941	MHz	3500	W
1670	1675	MHz	500	W
1710	1755	MHz	500	W
1850	1910	MHz	1640	W
1850	1990	MHz	1640	W
1930	1990	MHz	1640	W
1990	2025	MHz	500	W
2110	2200	MHz	500	W
2305	2310	MHz	2000	W
2305	2360	MHz	2000	W
2345	2360	MHz	2000	W
2496	2690	MHz	500	W
3700	3980	MHz	3280	W
3700	3980	MHz	1640	W

Verified Map for ASN 2025-ANM-1002-OE

TOPO Map for ASN 2025-ANM-1002-OE

Oregon
Tina Kotek, Governor

Oregon Department of Aviation
3040 25th Street SE
Salem, OR 97302-1125
Office: 503-378-4880
Fax: 503-373-1688

July 1, 2025

Benjamin Freeman, Harmoni Towers, LLC
6210 Ardrey Kell Rd, Ste. 450
Charlotte, NC 28277
Benjamin.Freeman@harmonitowers.com

Subject: **Determination Letter Regarding the Construction or Alteration of a Communication Tower at 158 Feet in Height Located in Crook County, Oregon**

ODAV Aviation Reference Number(s): 2025-ODAV-120-OE
Proponent/Representative's Identifier: 3400 Block SW Williams Rd, Powell Butte
FAA Aeronautical Study Number(s) (ASN), if Provided: 2025-ANM-1002-OE[1]

The Oregon Department of Aviation (ODAV) has conducted an aeronautical study for the proposed construction. The structure does not exceed FAR Part 77.9 (a, b or c) nor Obstruction Standards of OAR 738-070-0100.

This determination is based, in part, on the foregoing description which includes specific coordinates and heights. Any changes to the original application will void this determination. Any future construction or alteration to the original application will require a separate notice to ODAV.

Unless it is otherwise extended, revised, or terminated, this determination will expire 18 months after its effective date, regardless of whether the proposed construction or alteration has been started, or on the date the proposed construction or alteration is abandoned, whichever is earlier.

Findings & Mitigation:

☒ We do not object with conditions to the construction described in this proposal. This determination does not constitute ODAV approval or disapproval of the physical development involved in the proposal. It is a determination with respect to the safe and efficient use of navigable airspace by aircraft and with respect to the safety of persons and property on the ground.

☐ Marking and lighting are required for aviation safety. It shall be installed and maintained in accordance with FAA Advisory Circular 70/7460-1M.

☐ The proposed structure should be lowered to a height that is no longer an obstruction to the imaginary surfaces set forth in FAA FAR 77.

☐ The proposed obstruction should be relocated outside the airport primary and horizontal surface FAA FAR 77.

Sincerely,

Brandon Pike, Aviation Planner

[1] Any FAA ASN listed in this letter is provided by the proponent and/or their representative, and may not be accurate. It is included only for cross-referencing purposes.

Prepared by and Return To:
PI Tower Development LLC
Attn: Real Estate Administration
6210 Ardrey Kell Road, Suite 450
Charlotte, North Carolina 28277

Site ID: OR0005306
Site Name: Ditch Rider
County: Crook
State: Oregon

MEMORANDUM
OF
LEASE

This Memorandum of Lease is entered into on this 23 day of January, 20~~25~~, by and between Alexander Ranch LLC, an Oregon limited liability company, having a mailing address of 5270 SW Reif Road, Powell Butte, Oregon 97753 (hereinafter referred to as "**Landlord**") and PI Tower Development LLC, a Delaware limited liability company having a mailing address of 6210 Adrey Kell Road, Suite 450, Charlotte, North Carolina 28277 (hereinafter referred to as "**Tenant**").

1. Landlord and Tenant entered into a Lease Agreement ("**Agreement**") on the 23rd day of January, 2025, for the purpose of installing, operating and maintaining a communication facility and other improvements. All of the foregoing is set forth in the Agreement.

2. The initial lease term will be Five (5) years commencing on January 23rd, 2025 with Seventeen (17) successive automatic Five (5) year options to renew.

3. The portion of the land being leased to Tenant and associated easements are described in **Exhibit 1** annexed hereto.

4. The Agreement gives Tenant a right of first refusal in the event Landlord receives a bona fide written offer from a third party seeking any sale, conveyance, assignment or transfer, whether in whole or in part, of any property interest in or related to the Premises, including without limitation any offer seeking an assignment or transfer of the Rent payments associated with the Agreement or an offer to purchase an easement with respect to the Premises.

5. This Memorandum of Lease is not intended to amend or modify and shall not be deemed or construed as amending or modifying, any of the terms, conditions or provisions of the Agreement, all of which are hereby ratified and affirmed. In the event of a conflict between the provisions of this Memorandum

of Lease and the provisions of the Agreement, the provisions of the Agreement shall control. The Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors, and assigns, subject to the provisions of the Agreement.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Lease as of the day and year first above written.

"LANDLORD"

Alexander Ranch LLC
an Oregon limited liability company

By: Thomas W. Alexander.
Print Name: THOMAS W. ALEXANDER.
Its: OWNER.
Date: 12/29/24

CORPORATE ACKNOWLEDGMENT

STATE OF Oregon)
) ss:
COUNTY OF Crook)

OFFICIAL STAMP
SHELLEY KNUTZ
NOTARY PUBLIC-OREGON
COMMISSION NO. 1021620
MY COMMISSION EXPIRES FEBRUARY 06, 2026

I CERTIFY that on December 29, 2024, Thomas W Alexander [name of representative] personally came before me and acknowledged under oath that he or she:

(a) is the Owner [title] of Alexander Ranch LLC, the corporation named in the attached instrument,

(b) was authorized to execute this instrument on behalf of the corporation and

(c) executed the instrument as the act of the corporation.

Shelley Knutz #1021620
Notary Public: Shelley Knutz
My Commission Expires: 2/6/2026

"TENANT"

PI Tower Development LLC.
A Delaware limited liability company

By: Nancy Venturelli
Print Name: ~~Nancy Venturelli~~
Its: ~~Director,~~ Contracts Administration
Date: 1/23/25

TENANT ACKNOWLEDGMENT

STATE OF North Carolina

COUNTY OF Mecklenburg

On the 23 day of January, 2025, before me personally appeared Nancy Venturelli who acknowledged under oath that he/ she is the Director, Contracts Admin of PI Tower Development LLC, the Tenant named in the attached instrument, and as such was authorized to execute this instrument on behalf of the Tenant.

Emily Jenkins
Notary Public: Emily Jenkins
My Commission Expires: 9/28/26

EMILY JENKINS
NOTARY PUBLIC
MECKLENBURG COUNTY, NC
My Commission Expires September 28, 2026

EXHIBIT 1

DESCRIPTION OF PREMISES

to the Memorandum of Lease dated January 23, 2025, by and between Alexander Ranch LLC, an Oregon limited liability company, as Landlord, and PI Tower Development LLC, a Delaware limited liability company, as Tenant.

*A **50' by 50' (2500 sf)** parcel of land for the tower compound being located around the base of the tower along with any and all access and utility easements being 20 feet in width, all being a portion of the parent tract (see attached warranty deed for legal description of parent tract, if available). The legal description of the Leased Premises shall be determined by survey and shall thereafter replace this **Exhibit 1**.*

The parent parcel is described as follows:

PARCEL 2 OF PARTITION PLAT NO. 1996-07, RECORDED FEBRUARY 16, 1996 IN PARTITIONS MF NO 125815 AND CORRECTED BY MF NO. 125541, RECORDS OF CROOK COUNTY, OREGON AND BEING A PORTION OF PARCEL 2 OF PARTITION PLAT NO. 1994-18, RECORDED SEPTEMBER 9, 1994 IN PARTITIONS MF NO. 117101, RECORDS OF CROOK COUNTY, OREGON, LOCATED IN SECTIONS 11 AND 14, TOWNSHIP 15 SOUTH RANGE 14 EAST OF THE WILLAMETTE MERIDIAN, CROOK COUNTY, OREGON.

151414 TL 100 REF. #889 CODE 1
151411 TL 104 REF. #13844 CODE 1

The Premises and Easements are described and/or depicted as follows:

NOTES:

1. THIS EXHIBIT MAY BE REPLACED BY A LAND SURVEY AND/OR CONSTRUCTION DRAWINGS OF THE PREMISES ONCE RECEIVED BY TENANT.
2. ANY SETBACK OF THE PREMISES FROM THE PROPERTY'S BOUNDARIES SHALL BE THE DISTANCE REQUIRED BY THE APPLICABLE GOVERNMENT AUTHORITIES.
3. WIDTH OF ACCESS ROAD SHALL BE THE WIDTH REQUIRED BY THE APPLICABLE GOVERNMENT AUTHORITIES, INCLUDING POLICE AND FIRE DEPARTMENTS.
4. THE TYPE, NUMBER AND MOUNTING POSITIONS AND LOCATIONS OF ANTENNAS AND TRANSMISSION LINES ARE ILLUSTRATIVE ONLY. ACTUAL TYPES, NUMBERS AND MOUNTING POSITIONS MAY VARY FROM WHAT IS SHOWN ABOVE.

OR0005306
DITCH RIDER

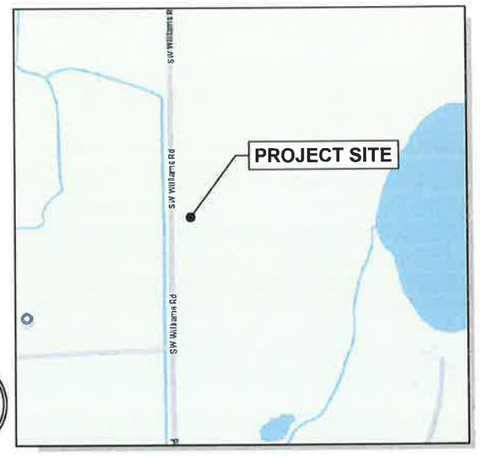
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

MDG LOCATION ID: 5000360581 / FUZE ID: 17324979

HARMONITOWERS

VICINITY MAP

AREA MAP



PROJECT CONTACT LIST

PROPERTY OWNER:
ALEXANDER RANCH, LLC
THOMAS W. ALEXANDER
LINDA JO ALEXANDER
P.O. BOX 61
POWELL BUTTE, OR 97753
PHONE: (707) 498-7062

TOWER OWNER:
HARMONI TOWERS
6210 ARDREY KELL RD SUITE 450
CHARLOTTE, NC 28277-4864
(501) 621-0521

IMPLEMENTATION CONTACT:
NATE KUHNS
VERIZON WIRELESS
5430 NE 122ND AVENUE
PORTLAND, OR 97230
PHONE: (971) 808-8187
nathaniel.kuhns@verizonwireless.com

SITE ACQUISITION:
SARAH BLANCHARD
ACOM CONSULTING, INC
5200 SW MEADOWS RD, SUITE 150
LAKE OSWEGO, OR 97035
PHONE: (503) 310-0544
sarah.blanchard@acomconsultinginc.com

STRUCTURAL ENGINEER:
WELLS L. HOLMES, S.E.
VECTOR STRUCTURAL ENGINEERING
651 W GALENA PARK BLVD, SUITE 101
DRAPER, UT 84020
PHONE: 801.990.1775

APPLICANT:
HARMONI TOWERS
10801 EXECUTIVE CENTER DRIVE
SHANNON BUILDING, SUITE 100
LITTLE ROCK, AR 72211
(501) 621-0521

A&E CONSULTANT:
RICK MATTESON
ACOM CONSULTING, INC
5200 SW MEADOWS RD
SUITE 150
LAKE OSWEGO, OR 97035
PHONE: (425) 209-6723
rick.matteson@acomconsultinginc.com

ZONING / PERMITTING:
SARAH TELSCHOW
ACOM CONSULTING, INC
5200 SW MEADOWS RD, SUITE 150
LAKE OSWEGO, OR 97035
PHONE: (206) 979-6268
stelschow@acomconsultinginc.com

ELECTRICAL ENGINEER:
DEAN P. LEVORSEN, P.E.
VECTOR STRUCTURAL ENGINEERING
651 W GALENA PARK BLVD, SUITE 101
DRAPER, UT 84020
PHONE: 801.990.1775

DRAWING INDEX

T-1	COVER SHEET
T-2	GENERAL NOTES AND SYMBOLS
T-3	GENERAL NOTES
LS-1	TOPOGRAPHICAL SURVEY
LS-2	TOPOGRAPHICAL SURVEY
A-1	PROPOSED OVERALL SITE PLAN
A-2	PROPOSED ENLARGED SITE PLAN
A-2.1	PROPOSED EQUIPMENT PLAN
A-3	PROPOSED NORTH & WEST ELEVATIONS
SD-1	SITE DISTANCE EXHIBIT

DRIVING DIRECTIONS

FROM VERIZON WIRELESS OFFICE - PORTLAND, OR:

HEAD SOUTHWEST ON NE 122ND AVE TOWARD NE WHITAKER WAY. TURN LEFT ONTO I-84 E / US-30 E TOWARD HOOD RIVER / TROUTDALE / I-84 EAST / US-30 EAST. TAKE THE RAMP ON THE LEFT FOR I-84 E / US-30 E. AT EXIT 16, HEAD RIGHT ON THE RAMP FOR NE 238TH DR TOWARD 238TH DR. / WOOD VILLAGE TURN RIGHT ONTO NE 238TH DR TOWARD ANIMAL SHELTER / GRESHAM / HALSEY ST / MT. HOOD. BEAR RIGHT ONTO NE 242ND DR. KEEP STRAIGHT TO GET ONTO NE HOGAN DR. BEAR LEFT ONTO NE BURNSIDE RD. CONTINUE ON SE BURNSIDE RD. CONTINUE ON US-26 E / SE MOUNT HOOD HWY. TURN LEFT ONTO OR-126 / SE EVERGREEN AVE. TURN LEFT ONTO SW WILLIAMS RD. SITE IS LOCATED ON YOUR RIGHT SIDE.

CODE COMPLIANCE

ALL WORK AND MATERIALS SHALL BE PERFORMED AND INSTALLED IN ACCORDANCE WITH THE CURRENT CONDITIONS OF THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES:

OREGON STATE AND LOCAL BUILDING CODES WITH THE FOLLOWING REFERENCE CODE:
- 2021 IBC, STANDARDS AND AMENDMENTS - 2022 OSSC
- 2022 OREGON MECHANICAL SPECIALTY CODE (OMSC)
- 2021 IFC, STANDARDS AND AMENDMENTS - 2022 OFC
- 2021 UPC, STANDARDS AND AMENDMENTS - 2021 OPSC
- 2023 NEC, STANDARDS AND AMENDMENTS - 2023 OESC

ACCESSIBILITY REQUIREMENTS FOR PERSONS WITH DISABILITIES:
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION. ACCESSIBILITY IS NOT REQUIRED.

PROJECT INFORMATION

CODE INFORMATION:

JURISDICTION:	CROOK COUNTY
ZONING CLASSIFICATION:	EFU3 (EXCLUSIVE FARM USE - POWELL BUTTE AREA
CONSTRUCTION TYPE:	II-B
OCCUPANCY:	UTILITY
PROPOSED BUILDING USE:	TELECOM

SITE LOCATION (NAVD88):

GROUND ELEVATION:	3004.8'
STRUCTURE HEIGHT:	150.0' (TOP OF MONOPOLE)

GEODETIC COORDINATES (NAD83):

LATITUDE:	44.272539°	(44° 16' 21.1421" N)
LONGITUDE:	-121.017655°	(121° 01' 03.5571" W)

LEASE AREA SIZE:
2,500 S.F.

PARCEL SIZE:
67.12 ACRES

PARCEL NUMBER:
1514140000100

SCOPE OF WORK

VERIZON WIRELESS PROPOSES TO INSTALL RADIO EQUIPMENT AND DIESEL GENERATOR ON A CONCRETE PAD WITHIN A NEW 50' x 50' HARMONI FENCED WIRELESS FACILITY. PROPOSED INSTALLATION OF (12) ANTENNAS AND ANCILLARY EQUIPMENT ON AN ANTENNA MOUNT ATTACHED TO A NEW 150.0' MONOPOLE.

DO NOT SCALE DRAWINGS. CONTRACTOR MUST VERIFY ALL DIMENSIONS AND ADVISE CONSULTANTS OF ANY ERRORS OR OMISSIONS. NO VARIATIONS OR MODIFICATIONS TO WORK SHOWN SHALL BE IMPLEMENTED WITHOUT PRIOR WRITTEN APPROVAL. ALL PREVIOUS ISSUES OF THIS DRAWING ARE SUPERSEDED BY THE LATEST REVISION. ALL DRAWINGS AND SPECIFICATIONS REMAIN THE PROPERTY OF ACOM CONSULTING.

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS
C	05/16/25	KM	CLIENT COMMENTS
D	08/08/25	KM	100% PZD REVIEW

CLIENT: verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING: Acom CONSULTING, INC

HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

COVER SHEET

T-1

GENERAL NOTES

1. WORK SHALL COMPLY WITH ALL APPLICABLE CODES, ORDINANCES, AND REGULATIONS. ALL NECESSARY LICENSES, CERTIFICATES, ETC., REQUIRED BY AUTHORITY HAVING JURISDICTION SHALL BE PROCURED AND PAID FOR BY THE CONTRACTOR.
2. ACOM HAS NOT CONDUCTED, NOR DOES IT INTEND TO CONDUCT ANY INVESTIGATION AS TO THE PRESENCE OF HAZARDOUS MATERIAL, INCLUDING, BUT NOT LIMITED TO, ASBESTOS WITHIN THE CONFINES OF THIS PROJECT. ACOM DOES NOT ACCEPT RESPONSIBILITY FOR THE INDEMNIFICATION, THE REMOVAL, OR ANY EFFECTS FROM THE PRESENCE OF THESE MATERIALS. IF EVIDENCE OF HAZARDOUS MATERIALS IS FOUND, WORK IS TO BE SUSPENDED AND THE OWNER NOTIFIED. THE CONTRACTOR IS NOT TO PROCEED WITH FURTHER WORK UNTIL INSTRUCTED BY THE OWNER IN WRITING.
3. ALL MATERIAL FURNISHED UNDER THIS CONTRACT SHALL BE PROPOSED, UNLESS OTHERWISE NOTED. ALL WORK SHALL BE GUARANTEED AGAINST DEFECTS IN MATERIALS AND WORKMANSHIP. THE CONTRACTOR SHALL REPAIR OR REPLACE AT HIS EXPENSE ALL WORK THAT MAY DEVELOP DEFECTS IN MATERIALS OR WORKMANSHIP WITHIN SAID PERIOD OF TIME OR FOR ONE YEAR AFTER THE FINAL ACCEPTANCE OF THE ENTIRE PROJECT, WHICHEVER IS GREATER.
4. THE GENERAL CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL EXISTING CONDITIONS AND UTILITIES AT THE JOB SITE BEFORE WORK IS STARTED. NO CLAIMS FOR EXTRA COMPENSATION FOR WORK WHICH COULD HAVE BEEN FORESEEN BY AN INSPECTION, WHETHER SHOWN ON THE CONTRACT DOCUMENTS OR NOT, WILL BE ACCEPTED OR PAID.
5. THE GENERAL CONTRACTOR AND EACH SUBCONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING DIMENSIONS AND CONDITIONS AT THE JOB SITE WHICH COULD AFFECT THE WORK UNDER THIS CONTRACT. ALL MANUFACTURERS RECOMMENDED SPECIFICATIONS, EXCEPT THOSE SPECIFICATIONS HEREIN, WHERE MOST STRINGENT SHALL BE COMPLIED WITH.
6. THE CONTRACTOR SHALL VERIFY AND COORDINATE SIZE AND LOCATION OF ALL OPENINGS FOR STRUCTURAL, MECHANICAL, ELECTRICAL, PLUMBING, CIVIL, OR ARCHITECTURAL WORK.
7. THE CONTRACTOR SHALL VERIFY THAT NO CONFLICTS EXIST BETWEEN THE LOCATIONS OF ANY AND ALL MECHANICAL, ELECTRICAL, PLUMBING, OR STRUCTURAL ELEMENTS, AND THAT ALL REQUIRED CLEARANCES FOR INSTALLATION AND MAINTENANCE ARE MET. NOTIFY THE CONSULTANT OF ANY CONFLICTS. THE CONSULTANT HAS THE RIGHT TO MAKE MINOR MODIFICATIONS IN THE DESIGN OF THE CONTRACT WITHOUT THE CONTRACTOR GETTING ADDITIONAL COMPENSATION.
8. DO NOT SCALE THE DRAWINGS. DIMENSIONS ARE EITHER TO THE FACE OF FINISHED ELEMENTS OR TO THE CENTER LINE OF ELEMENTS, UNLESS NOTED OTHERWISE. CRITICAL DIMENSIONS SHALL BE VERIFIED AND NOTIFY THE CONSULTANT OF ANY DISCREPANCIES.
9. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAILY CLEAN UP OF ALL TRADES AND REMOVE ALL DEBRIS FROM THE CONSTRUCTION SITE. AT THE COMPLETION OF THE PROJECT, THE CONTRACTOR SHALL THOROUGHLY CLEAN THE BUILDING, SITE, AND ANY OTHER SURROUNDING AREAS TO A BETTER THAN EXISTING CONDITION.
10. THE CONTRACTOR IS RESPONSIBLE FOR ADEQUATELY BRACING AND PROTECTING ALL WORK DURING CONSTRUCTION AGAINST DAMAGE, BREAKAGE, COLLAPSE, ETC. ACCORDING TO APPLICABLE CODES, STANDARDS, AND GOOD CONSTRUCTION PRACTICES.
11. THE CONTRACTOR SHALL MEET ALL OSHA REQUIREMENTS FOR ALL INSTALLATIONS.
12. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DAMAGES TO THE EXISTING CONSTRUCTION AND REPAIR ALL DAMAGES TO BETTER THAN PROPOSED CONSTRUCTION. THE CONTRACTOR SHALL NOTIFY THE ARCHITECT OF ANY DAMAGE TO THE BUILDING SITE OR ANY ADJACENT STRUCTURES AROUND THE PROJECT. THE CONSULTANT SHALL BE SOLE AND FINAL JUDGE AS TO THE QUALITY OF THE REPAIRED CONSTRUCTION. ANY ADDITIONAL MODIFICATIONS WHICH MUST BE MADE SHALL BE MADE AT THE CONTRACTOR'S EXPENSE.
13. WHERE ONE DETAIL IS SHOWN FOR ONE CONDITION, IT SHALL APPLY FOR ALL LIKE OR SIMILAR CONDITIONS, EVEN THOUGH NOT SPECIFICALLY MARKED ON THE DRAWINGS OR REFERRED TO IN THE SPECIFICATIONS, UNLESS NOTED OTHERWISE.
14. WHERE PROPOSED PAVING, CONCRETE SIDEWALKS OR PATHS MEET EXISTING CONSTRUCTION, THE CONTRACTOR SHALL MATCH THE EXISTING PITCH, GRADE, AND ELEVATION SO THE ENTIRE STRUCTURE SHALL HAVE A SMOOTH TRANSITION.
15. THE CONTRACTOR SHALL MODIFY THE EXISTING FLOORS, WALL, CEILING, OR OTHER CONSTRUCTION AS REQUIRED TO GAIN ACCESS TO AREAS FOR ALL MECHANICAL, PLUMBING, ELECTRICAL, OR STRUCTURAL MODIFICATIONS. WHERE THE EXISTING CONSTRUCTION DOORS, PARTITIONS, CEILING, ETC., ARE TO BE REMOVED, MODIFIED, OR REARRANGED OR WHERE THE EXPOSED OR HIDDEN MECHANICAL, ELECTRICAL, SYSTEMS ARE ADDED OR MODIFIED, THE GENERAL CONTRACTOR SHALL REPAIR, PATCH AND MATCH ALL EXISTING CONSTRUCTION AND FINISHES OF ALL FLOORS WALLS AND CEILINGS. WHERE CONCRETE MASONRY CONSTRUCTION IS MODIFIED, THE CONTRACTOR SHALL TOOTH IN ALL PROPOSED CONSTRUCTION TO MATCH THE EXISTING BOND. WHERE CONCRETE CONSTRUCTION IS MODIFIED, THE CONTRACTOR SHALL VERIFY THE EXACT DETAILS TO BE USED FOR CONSTRUCTION. ALL WORK SHALL BE COVERED UNDER THE GENERAL CONTRACT.
16. VERIFY ALL EXISTING DIMENSIONS PRIOR TO PERFORMING WORK.
17. VERIFY LOCATION OF ALL BURIED UTILITIES PRIOR TO ANY EXCAVATION.
18. IN RAWLAND CONDITIONS, TOWER FOUNDATION STRUCTURAL STEEL TO BE GROUNDED PRIOR TO CONCRETE POUR. TOWER FOUNDATION STRUCTURAL STEEL TO BE CONNECTED TO PERMANENT GROUND ROD PRIOR TO TOWER ERECTION. TOWER GROUND MUST BE MAINTAINED AT ALL TIMES.
19. THE GENERAL CONTRACTOR SHALL BE RESPONSIBLE FOR APPLYING FOR COMMERCIAL POWER IMMEDIATELY UPON AWARD OF CONTRACT. THE GENERAL CONTRACTOR IS REQUIRED TO KEEP ALL DOCUMENTATION RECEIVED FROM THE POWER COMPANY, ACKNOWLEDGING APPLICATION FOR POWER, WRITTEN AND VERBAL DISCUSSIONS WITH THE POWER COMPANY, ETC.
20. THE GENERAL CONTRACTOR SHALL OBTAIN WRITTEN CONFIRMATION OF THE EXPECTED DATE OF COMPLETION OF THE POWER CONNECTION FROM THE POWER COMPANY.
21. IF THE POWER COMPANY IS UNABLE TO PROVIDE THE POWER CONNECTION BY OWNER'S REQUIRED DATE, THE GENERAL CONTRACTOR SHALL PROVIDE AND MAINTAIN A TEMPORARY GENERATOR UNTIL THE POWER COMPANY CONNECTION IS COMPLETED. COSTS ASSOCIATED WITH THE TEMPORARY GENERATOR TO BE APPROVED BY THE OWNER.
22. IF THE GENERAL CONTRACTOR FAILS TO TAKE NECESSARY MEASURES AS DESCRIBED IN NOTES 19, 20 AND 21 ABOVE, THE GENERAL CONTRACTOR SHALL PROVIDE A TEMPORARY GENERATOR AT NO COST TO THE OWNER.
23. PLANS PART OF THIS SET ARE COMPLEMENTARY. INFORMATION IS NOT LIMITED TO ONE PLAN. DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE AND SHALL REMAIN THE PROPERTY OF THE ARCHITECT, WHETHER THE PROJECT FOR WHICH THEY ARE MADE IS EXECUTED OR NOT. THEY ARE NOT TO BE USED BY THE OWNER ON OTHER PROJECTS OR EXTENSION TO THIS PROJECT EXCEPT BY AGREEMENT IN WRITING AND WITH APPROPRIATE COMPENSATION TO THE ARCHITECT. THESE PLANS WERE PREPARED TO BE SUBMITTED TO GOVERNMENTAL BUILDING AUTHORITIES FOR REVIEW FOR COMPLIANCE WITH APPLICABLE CODES AND IT IS THE SOLE RESPONSIBILITY OF THE OWNER AND/OR CONTRACTOR TO BUILD ACCORDING TO APPLICABLE BUILDING CODES.
24. IF CONTRACTOR OR SUB-CONTRACTOR FIND IT NECESSARY TO DEVIATE FROM ORIGINAL APPROVED PLANS, THEN IT IS THE CONTRACTOR'S AND THE SUB-CONTRACTOR'S RESPONSIBILITY TO PROVIDE THE ARCHITECT WITH 4 COPIES OF THE PROPOSED CHANGES FOR HIS APPROVAL BEFORE PROCEEDING WITH THE WORK. IN ADDITION THE CONTRACTOR AND SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR PROCURING ALL NECESSARY APPROVALS FROM THE BUILDING AUTHORITIES FOR THE PROPOSED CHANGES BEFORE PROCEEDING WITH THE WORK. THE CONTRACTOR AND SUB-CONTRACTORS SHALL BE RESPONSIBLE FOR PROCURING ALL NECESSARY INSPECTIONS AND APPROVALS FROM BUILDING AUTHORITIES DURING THE EXECUTION OF THE WORK.
25. IN EVERY EVENT, THESE CONSTRUCTION DOCUMENTS AND SPECIFICATIONS SHALL BE INTERPRETED TO BE A MINIMUM ACCEPTABLE MEANS OF CONSTRUCTION BUT THIS SHALL NOT RELIEVE THE CONTRACTOR, SUB-CONTRACTOR, AND/OR SUPPLIER/MANUFACTURER FROM PROVIDING A COMPLETE AND CORRECT JOB WHEN ADDITIONAL ITEMS ARE REQUIRED TO THE MINIMUM SPECIFICATION. IF ANY ITEMS NEED TO EXCEED THESE MINIMUM SPECIFICATIONS TO PROVIDE A COMPLETE, ADEQUATE AND SAFE WORKING CONDITION, THEN IT SHALL BE THE DEEMED AND UNDERSTOOD TO BE INCLUDED IN THE DRAWINGS. FOR EXAMPLE, IF AN ITEM AND/OR PIECE OF EQUIPMENT REQUIRES A LARGER WIRE SIZE (I.E. ELECTRICAL WIRE), STRONGER OR LARGER PIPING, INCREASED QUANTITY (I.E. STRUCTURAL ELEMENTS), REDUCED SPACING, AND/OR INCREASED LENGTH (I.E. BOLT LENGTHS, BAR LENGTHS) THEN IT SHALL BE DEEMED AND UNDERSTOOD TO BE INCLUDED IN THE BID/PROPOSAL. THESE DOCUMENTS ARE MEANT AS A GUIDE AND ALL ITEMS REASONABLY INFERRED SHALL BE DEEMED TO BE INCLUDED.
26. THESE CONTRACT DOCUMENTS AND SPECIFICATIONS SHALL NOT BE CONSTRUED TO CREATE A CONTRACTUAL RELATIONSHIP OF ANY KIND BETWEEN THE ARCHITECT AND THE CONTRACTOR.

LINE/ANTENNA NOTES

1. ALL THREADED STRUCTURAL FASTENERS FOR ANTENNA SUPPORT ASSEMBLES SHALL CONFORM TO ASTM A307 OR ASTM A36. ALL STRUCTURAL FASTENERS FOR STRUCTURAL STEEL FRAMING SHALL CONFORM TO ASTM A325. FASTENERS SHALL BE 5/8" MIN. DIA. BEARING TYPE CONNECTIONS WITH THREADS EXCLUDED FROM THE PLANE. ALL EXPOSED FASTENERS, NUTS, AND WASHERS SHALL BE GALVANIZED OTHERWISE NOTED. CONCRETE EXPANSION ANCHORS SHALL BE HILTI KWIK BOLTS UNLESS OTHERWISE NOTED. ALL ANCHORS INTO CONCRETE SHALL BE STAINLESS STEEL.
2. NORTH ARROW SHOWN ON PLANS REFERS TO TRUE NORTH. CONTRACTOR SHALL VERIFY MAGNETIC NORTH AND NOTIFY CONSULTANT OF ANY DISCREPANCY BEFORE STARTING CONSTRUCTION.
3. PROVIDE LOCK WASHERS FOR ALL MECHANICAL CONNECTIONS FOR GROUND CONDUCTORS. USE STAINLESS STEEL HARDWARE THROUGHOUT.
4. THOROUGHLY REMOVE ALL PAINT AND CLEAN ALL DIRT FROM SURFACES REQUIRING GROUND CONNECTIONS.
5. MAKE ALL GROUND CONNECTIONS AS SHORT AND DIRECT AS POSSIBLE. AVOID SHARP BENDS. ALL BENDS TO BE A MIN. OF 8" RADIUS.
6. FOR GROUNDING TO BUILDING FRAME AND HATCH PLATE GROUND BARS. USE A TWO-BOLT HOLE NEMA DRILLED CONNECTOR SUCH AS T&B 32007 OR APPROVED EQUAL.
7. FOR ALL EXTERNAL GROUND CONNECTIONS, CLAMPS AND CADWELDS, APPLY A LIBERAL PROTECTIVE COATING OR AN ANTI-OXIDE COMPOUND SUCH AS "NO-OXIDE A" BY DEARBORN CHEMICAL COMPANY.
8. REPAIR ALL GALVANIZED SURFACES THAT HAVE BEEN DAMAGED BY THERMO-WELDING. USE ERICO T-319 GALVANIZING BAR/COLD GALVANIZING PAINT.
9. SEAL ALL CONDUIT PENETRATIONS INTO MODULAR BUILDING WITH A SILICONE SEALANT AND ALL CONDUIT OPENINGS.
10. ANTENNAS AND COAX TO BE PROVIDED BY VERIZON WIRELESS, CONTRACTOR TO COORDINATE DELIVERY.

PROJECT INFORMATION

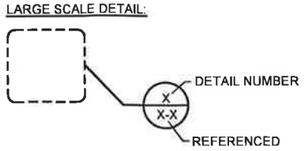
1. THIS IS AN UNMANNED FACILITY AND RESTRICTED ACCESS EQUIPMENT AND WILL BE USED FOR THE TRANSMISSION OF RADIO SIGNALS FOR THE PURPOSE OF PROVIDING PUBLIC CELLULAR SERVICE.
2. VERIZON WIRELESS CERTIFIES THAT THIS TELEPHONE EQUIPMENT FACILITY WILL BE SERVICED ONLY BY VERIZON WIRELESS EMPLOYEE SERVICE PERSONNEL FOR REPAIR PURPOSES ONLY. THIS FACILITY IS UNOCCUPIED AND NOT DESIGNED FOR HUMAN OCCUPANCY THUS IT IS NOT OPEN TO THE PUBLIC.
3. THIS FACILITY WILL CONSUME NO UNRECOVERABLE ENERGY.
4. NO POTABLE WATER SUPPLY IS TO BE PROVIDED AT THIS LOCATION.
5. NO WASTE WATER WILL BE GENERATED AT THIS LOCATION.
6. NO SOLID WASTE WILL BE GENERATED AT THIS LOCATION.
7. VERIZON WIRELESS MAINTENANCE CREW (TYPICALLY ONE PERSON) WILL MAKE AN AVERAGE OF ONE TRIP PER MONTH AT ONE HOUR PER VISIT.

LEGEND

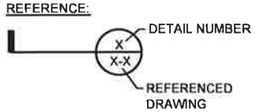
ABBREVIATIONS:
(E) EXISTING
(P) PROPOSED

BUILDING/WALL/DETAIL SECTION:

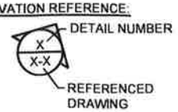
LARGE SCALE DETAIL:



REFERENCE:



ELEVATION REFERENCE:



IMPORTANT NOTICE

THE EXISTING CONDITIONS REPRESENTED HEREIN ARE BASED ON VISUAL OBSERVATIONS AND INFORMATION PROVIDED BY OTHERS. ACOM CONSULTING CANNOT GUARANTEE THE CORRECTNESS NOR COMPLETENESS OF THE EXISTING CONDITIONS SHOWN AND ASSUMES NO RESPONSIBILITY THEREOF. CONTRACTOR AND HIS SUB-CONTRACTORS SHALL VISIT THE SITE AND VERIFY ALL EXISTING CONDITIONS AS REQUIRED FOR PROPER EXECUTION OF PROJECT. REPORT ANY CONFLICTS OR DISCREPANCIES TO THE CONSULTANT PRIOR TO CONSTRUCTION.

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS
C	05/16/25	KM	CLIENT COMMENTS
D	08/08/25	KM	100% FZD REVIEW

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

GENERAL NOTES AND SYMBOLS

T-2

GENERAL STRUCTURAL NOTES

1. CONTRACTOR SHALL FIELD VERIFY SITE OR LAYOUT RESTRICTIONS, SITE CONDITIONS, DIMENSIONS, AND ELEVATIONS BEFORE START OF CONSTRUCTION. ANY DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF VECTOR STRUCTURAL ENGINEERING, LLC PRIOR TO BEGINNING PROJECT. ALL WORK SHALL BE PERFORMED USING ACCEPTED CONSTRUCTION PRACTICES.
2. NO FIELD MODIFICATIONS MAY BE MADE WITHOUT EXPRESS WRITTEN CONSENT FROM THE ENGINEER OF RECORD. ENGINEER OF RECORD ASSUMES NO RESPONSIBILITY FOR THE STRUCTURE IF ALTERATIONS AND/OR ADDITIONS ARE MADE TO THE DESIGN AS SHOWN IN THESE DRAWINGS.
3. THE CONTRACTOR AND ALL SUBCONTRACTORS SHALL COMPLY WITH ALL LOCAL CODES, REGULATIONS, AND ORDINANCES AS WELL AS STATE DEPARTMENT OF INDUSTRIAL REGULATIONS AND DIVISION OF INDUSTRIAL SAFETY (OSHA) REQUIREMENTS.
4. THE CONTRACTOR SHALL SUPERVISE AND DIRECT ALL WORK TO THE BEST OF HIS/HER ABILITY AND SKILL. CONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL CONSTRUCTION MEANS, METHODS, TECHNIQUES, PROCEDURES, AND SEQUENCES, AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.
5. THE CONTRACTOR SHALL VERIFY, COORDINATE, AND PROVIDE ALL NECESSARY BLOCKING, BACKING, FRAMING, HANGERS, OR OTHER SUPPORTS FOR ALL ITEMS REQUIRING SAME, WHETHER SHOWN OR NOT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY BRACING, SHORING, FORMWORK, ETC., AND SHALL CONFORM TO ALL NATIONAL, STATE, AND LOCAL ORDINANCES AND CODES, IN ORDER TO SAFELY EXECUTE ALL STAGES OF WORK TO COMPLETE THIS PROJECT.
6. IT IS THE INTENT OF THESE DRAWINGS TO SHOW THE COMPLETED INSTALLATION OF THE STRUCTURE SHOWN.
7. CONTRACTOR ASSUMES RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THE PROJECT, INCLUDING THE SAFETY OF ALL PERSONS AND PROPERTY IN ACCORDANCE WITH GENERALLY ACCEPTED CONSTRUCTION PRACTICES. THIS REQUIREMENT APPLIES CONTINUOUSLY, AND IS NOT LIMITED TO NORMAL WORKING HOURS.
8. CONTRACTOR TO HOLD ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED, IN CONNECTION WITH THE PERFORMANCE OF WORK ON THIS PROJECT.
9. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO LOCATE ALL EXISTING UTILITIES, SHOWN OR NOT SHOWN. THE CONTRACTOR IS FINANCIALLY RESPONSIBLE FOR REPAIR OR REPLACEMENT OF UTILITIES OR OTHER PROPERTY DAMAGED IN CONJUNCTION WITH THE EXECUTION OF WORK ON THIS PROJECT.
10. WEATHER PROOFING AND/OR FLASHING TO BE PROVIDED BY CONTRACTOR AS REQUIRED.
11. CONTRACTOR AGREES TO ASSUME SOLE AND COMPLETE RESPONSIBILITY FOR JOB SITE CONDITIONS DURING THE COURSE OF CONSTRUCTION OF THIS PROJECT INCLUDING SAFETY OF ALL PERSONS AND PROPERTY; THAT THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT BE LIMITED TO NORMAL WORKING HOURS; AND THAT THE CONTRACTOR SHALL DEFEND, INDEMNIFY AND HOLD THE ARCHITECT/ ENGINEER HARMLESS FROM ANY AND ALL LIABILITY, REAL OR ALLEGED.
12. THESE CONTRACT DRAWINGS AND SPECIFICATIONS REPRESENT THE FINISHED STRUCTURE. THEY DO NOT INDICATE THE METHOD OF CONSTRUCTION. THE CONTRACTOR SHALL PROVIDE ALL MEASURES NECESARY TO PROTECT THE STRUCTURE, WORKERS, AND PEDESTRIANS DURING CONSTRUCTION. SUCH MEASURES SHALL INCLUDE, BUT NOT BE LIMITED TO BRACING, SHORING FOR LOADS DUE TO CONSTRUCTION EQUIPMENT, TEMPORARY STRUCTURES, AND PARTIALLY COMPLETED WORK, ETC. OBSERVATION VISITS TO THE SITE BY THE ARCHITECT/ ENGINEER SHALL NOT INCLUDE INSPECTION OF SUCH ITEMS.
13. ALL STRUCTURAL MEMBERS, HARDWARE, & FASTENERS TO BE STEEL, U.N.O.
14. CONTRACTOR TO VERIFY SUITABILITY OF EQUIPMENT AND CLIENT TOLERANCE FOR ANTICIPATED DIFFERENTIAL MOVEMENT OF STRUCTURES DUE TO FROST HEAVE, SETTLEMENT, AND OTHER FACTORS.
15. ALL ASPECTS OF THE EXISTING STRUCTURE ARE ASSUMED TO BE IN GOOD CONDITION, FREE FROM DAMAGE OR DETERIORATION. CONTRACTOR TO VERIFY CONDITION OF STRUCTURE AND INFORM VECTOR OF ANY DAMAGED STRUCTURAL MEMBERS.

DESIGN CRITERIA

1. THE DESIGN CRITERIA FOR THIS STRUCTURE IS AS FOLLOWS:
   A. STANDARDS AND DESIGN CODES:
      BUILDING CODE: INTERNATIONAL BUILDING CODE, 2021 EDITION (2021 IBC)

   B. FOUNDATION ANALYSIS/DESIGN IS BY OTHERS AND IS TO BASED ON SITE-SPECIFIC GEOTECHNICAL RECOMMENDATIONS OR CODE PRESCRIBED PRESUMPTIVE SOIL PARAMETERS AS APPROVED BY THE JURISDICTION.

STRUCTURAL STEEL

1. ALL STEEL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITION OF THE AISC MANUAL OF STEEL CONSTRUCTION. STEEL SECTIONS SHALL BE IN ACCORDANCE WITH ASTM AS INDICATED BELOW:

WIDE FLANGE:	ASTM A992 GR. 50
RECT/SQ. HSS:	ASTM A500 GR B (46 ksi)
PIPE:	ASTM A53 GR. B
ANGLES, CHANNELS, PLATES:	ASTM A36
STEEL TO STEEL BOLTS	ASTM F3125 GR. A325N
BOLTS FOR GRATING CLIPS:	ASTM A307
SCREWS:	SAE GR. 5 (OR EQUIVALENT)
PLATES:	ASTM A36

2. ALL STEEL SHALL BE HOT-DIPPED GALVANIZED IN ACCORDANCE WITH ASTM A123 AND ASTM F2329. FIELD MODIFICATIONS ARE TO BE COATED WITH ZINC ENRICHED PAINT.
3. ALL WELDING TO BE PERFORMED USING E70XX ELECTRODES AND SHALL CONFORM TO AISC. WHERE FILLET WELDS SIZES ARE NOT SHOWN, PROVIDE THE MINIMUM SIZE PER TABLE J2.4 IN THE AISC MANUAL OF STEEL CONSTRUCTION. PAINTED SURFACES SHALL BE TOUCHED UP. ALL WELDING SHALL BE PERFORMED IN AN APPROVED SHOP BY WELDERS CERTIFIED IN ACCORDANCE WITH AWS D1.1. NO FIELD WELDING PERMITTED.
4. ALL STRUCTURAL BOLTS SHALL BE TIGHTENED PER THE "TURN OF THE NUT" METHOD AS DEFINED BY AISC. HOLES TO RECEIVE BOLTS SHALL BE 1/16" LARGER THAN NOMINAL BOLT DIAMETER, U.N.O.

SPECIAL INSPECTION

1. CONTRACTOR SHALL PROVIDE REQUIRED SPECIAL INSPECTIONS PERFORMED BY AN INDEPENDENT INSPECTOR, APPROVED BY CARRIER AND THE GOVERNING JURISDICTION, AS REQUIRED BY CHAPTER 17 OF THE INTERNATIONAL BUILDING CODE FOR THE FOLLOWING:

   A. PERIODIC THIRD PARTY SPECIAL INSPECTIONS SHALL BE REQUIRED FOR THE FOLLOWING:
      A.A. PERIODIC FOR HIGH STRENGTH (A325 AND A490) BOLT INSTALLATIONS, IF UTILIZED
      A.B. PERIODIC SPECIAL INSPECTION OF CONCRETE FORMS AND CONCRETE AND REINFORCEMENT PLACEMENT
      A.C. CONTINUOUS FOR ALL RETROFIT ANCHORS IN CONCRETE

2. PROVIDE SPECIAL INSPECTIONS FOR OTHER ITEMS NOTED ON DRAWINGS TO CONFIRM COMPLIANCE WITH CONTRACT DOCUMENTS.
3. STEEL FABRICATION SHALL BE DONE ON THE PREMISES OF A FABRICATOR REGISTERED AND APPROVED TO PERFORM SUCH WORK WITHOUT SPECIAL INSPECTION.
4. SPECIAL INSPECTION IS NOT REQUIRED FOR WORK OF A MINOR NATURE OR AS WARRANTED BY CONDITIONS IN THE JURISDICTION AS APPROVED BY THE BUILDING OFFICIAL. THUS, SPECIAL INSPECTION ITEMS ABOVE MAY BE WAIVED AS DEEMED APPROPRIATE BY THE BUILDING OFFICIAL.
5. THE SPECIAL INSPECTOR SHALL PROVIDE A COPY OF THE REPORT TO THE OWNER, ARCHITECT, STRUCTURAL ENGINEER, CONTRACTOR, AND BUILDING OFFICIAL.
6. STRUCTURAL OBSERVATION NOT REQUIRED.

CONCRETE

1. ALL PHASES OF WORK PERTAINING TO THE CONCRETE CONSTRUCTION SHALL CONFORM TO THE "BUILDING CODE REQUIREMENTS FOR REINFORCED CONCRETE" (ACI 318 LATEST APPROVED EDITION) WITH MODIFICATIONS AS NOTED IN THE DRAWINGS AND SPECIFICATIONS.
2. REINFORCED CONCRETE DESIGN IS BY THE "ULTIMATE STRENGTH DESIGN METHOD", ACI 318-(LATEST EDITION)
3. SCHEDULE OF STRUCTURAL CONCRETE 28-DAY STRENGTHS AND TYPES:

LOCATION IN STRUCTURE	STRENGTH PSI
GRADE BEAMS	3000
FOOTINGS	3000

4. CONCRETE MIX DESIGN SHALL BE SUBMITTED TO THE ENGINEER FOR APPROVAL WITH THE FOLLOWING REQUIREMENTS:
   a. COMPRESSIVE STRENGTH AT AGE 28 DAYS AS SPECIFIED ABOVE.
   b. LARGE AGGREGATE-HARDROCK, ¾" MAXIMUM SIZE CONFORMING TO ASTM C-33
   c. CEMENT-ASTM C-150, TYPE TYPE II PORTLAND CEMENT
   d. MAXIMUM SLUMP 5-INCHES, MAX WATER CEMENT RATIO: 0.45
   e. AIR ENTRAINING AGENT TO BE USED FOR CONCRETE EXPOSED TO FREEZING TEMPERATURES. TOTAL AIR CONTENT TO BE 6%
   f. NO ADMIXTURES, EXCEPT FOR ENTRAINED AIR, AND AS APPROVED BY THE ENGINEER.
5. CONCRETE MIXING OPERATIONS, ETC. SHALL CONFORM TO ASTM C-94
6. PLACEMENT OF CONCRETE SHALL CONFORM TO ACI STANDARD 514 AND PROJECT SPECIFICATIONS.
7. CLEAR COVERAGE OF CONCRETE OVER OUTER REINFORCING BARS SHALL BE AS FOLLOWS: CONCRETE POURED DIRECTLY AGAINST EARTH - 3 INCHES CLEAR, STRUCTURAL SLABS - 3/4 INCHES CLEAR (TOP AND BOTTOM), FORMED CONCRETE WITH EARTH BACK FILL - 2 INCHES CLEAR. CLEAR COVER FOR ALL REINFORCEMENT IN PRECAST CONCRETE MEMBERS FABRICATED IN A PLANT CONTROLLED ENVIRONMENT TO BE 1-1/2" MIN. FOR UP TO # 4 REINFORCING BARS, UNLESS NOTED OTHERWISE.
8. ALL REINFORCING BARS, ANCHOR BOLTS AND OTHER CONCRETE INSERTS SHALL BE WELL SECURED IN POSITION PRIOR TO PLACING CONCRETE.
9. PROVIDE SLEEVES FOR PLUMBING AND ELECTRICAL OPENINGS IN CONCRETE BEFORE PLACING. DO NOT CUT ANY REINFORCING THAT MAY CONFLICT. CORING IN CONCRETE IS NOT PERMITTED EXCEPT AS SHOWN. NOTIFY THE STRUCTURAL ENGINEER IN ADVANCE OF CONDITIONS NOT SHOWN ON THE DRAWINGS.
10. CONDUIT OR PIPE SIZE (O.D.) SHALL NOT EXCEED 30% OF SLAB THICKNESS AND SHALL BE PLACED BETWEEN THE TOP AND BOTTOM REINFORCING, UNLESS SPECIFICALLY DETAILED OTHERWISE. CONCENTRATIONS OF CONDUITS OR PIPES SHALL BE AVOIDED EXCEPT WHERE DETAILED OPENINGS ARE PROVIDED.
11. PRECAST CONCRETE SHALL BE FABRICATED IN AN APPROVED SHOP IN A PLANT CONTROLLED ENVIRONMENT. REINFORCEMENT SPECIFIED IS MINIMUM ONLY. DESIGN AND VERIFICATION OF PRECAST MEMBERS, INCLUDING EMBEDS, FOR LOADS TO DUE LIFTING AND TRANSPORTATION IS THE RESPONSIBILITY OF THE PRECASTER.
12. MODULUS OF ELASTICITY OF CONCRETE, WHEN TESTED IN ACCORDANCE WITH ASTM C-460, SHALL BE AT LEAST THE VALUE GIVEN BY THE EQUATIONS IN SECTION 8.5.1 OF ACI 318 FOR THE SPECIFIED 28-DAY STRENGTH.
13. SHRINKAGE OF CONCRETE, WHEN TESTED IN ACCORDANCE WITH ASTM C-157, SHALL NOT EXCEED 0.0004 INCHES/INCH.
14. CONCRETE PLACED IN COLD WEATHER CONDITIONS SHALL BE IN ACCORDANCE WITH ACI 306 (LATEST EDITION)

REINFORCING STEEL

1. REINFORCING BARS SHALL CONFORM TO THE REQUIREMENTS OF ASTM A-615 GRADE 60.
2. ALL REINFORCING BAR BENDS SHALL BE MADE COLD
3. MINIMUM LAP OF WELDED WIRE FABRIC SHALL BE 6 INCHES OR ONE FULL MESH AND ONE HALF, WHICH EVER IS GREATER.
4. ALL BARS SHALL BE MARKED SO THEIR IDENTIFICATION CAN BE MADE WHEN THE FINAL IN-PLACE INSPECTION IS MADE.
5. REBAR SPLICES ARE TO BE: CLASS "B"
6. REINFORCING SPLICES SHALL BE MADE ONLY WHERE INDICATED ON THE DRAWINGS.
7. DOWELS BETWEEN FOOTINGS AND WALLS OR COLUMNS SHALL BE THE SAME GRADE, SIZE AND SPACING OR NUMBER AS THE VERTICAL REINFORCING, RESPECTIVELY.

POST-INSTALLED ANCHORS

1. USE, INSTALLATION, EMBEDMENT DEPTH, AND DIAMETER OF EXPANSION/WEDGE OR ADHESIVE ANCHORS IN HARDENED CONCRETE OR CMU SHALL CONFORM TO ICC REPORT & MANUFACTURER'S RECOMMENDATIONS.
2. MAINTAIN CRITICAL EDGE DISTANCE SPECIFIED IN ICC REPORT AS A MINIMUM, U.N.O. IN THESE DRAWINGS
3. LOCATE AND AVOID CUTTING EXISTING REBAR OR TENDONS WHEN DRILLING HOLES IN ELEVATED CONCRETE SLABS, CONCRETE WALLS, OR CMU.

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS
C	05/16/25	KM	CLIENT COMMENTS
D	08/08/25	KM	100% PZD REVIEW

CLIENT: verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

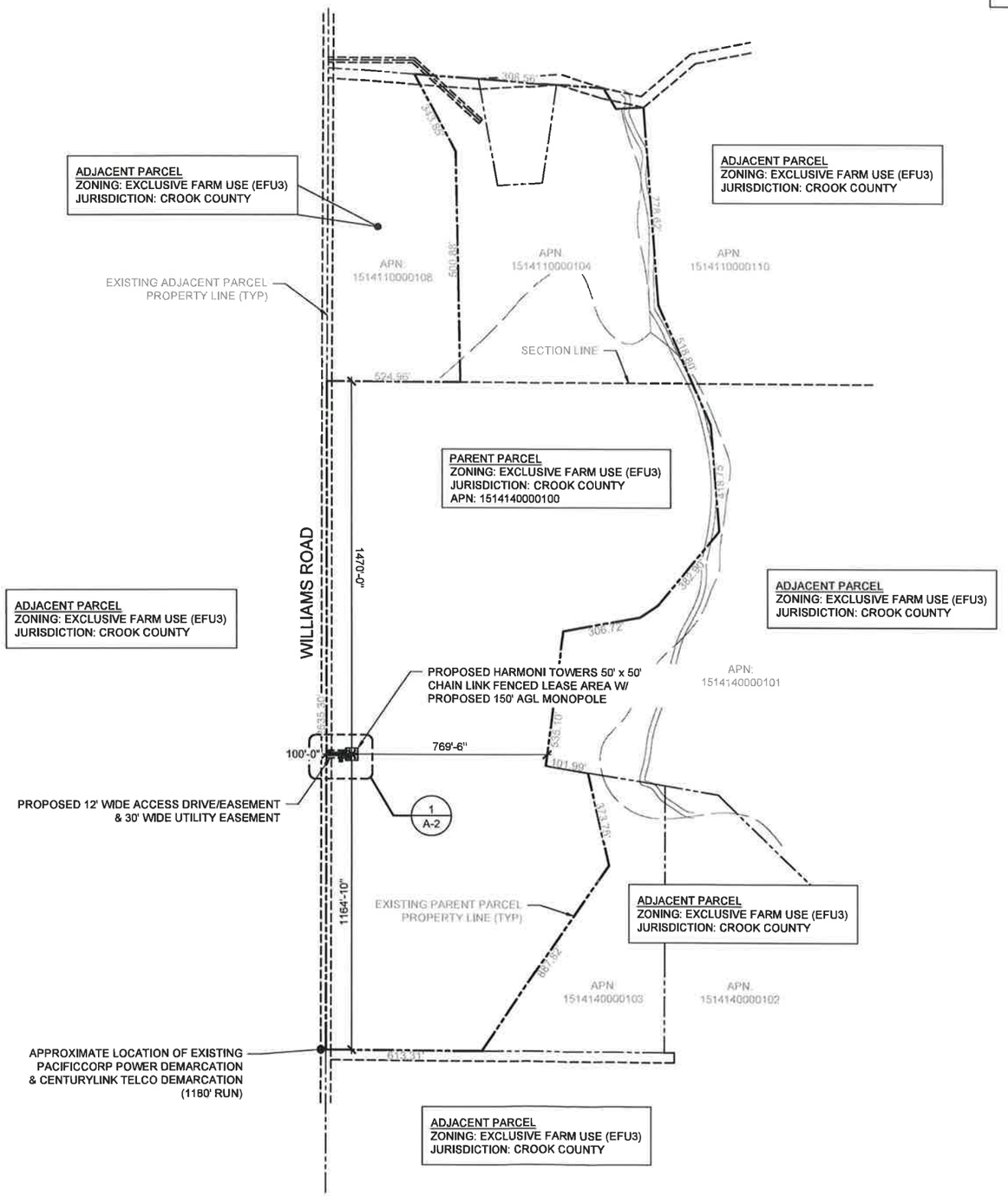
GENERAL NOTES

T-3

A-ARCHIVE SITE BUILDS\AE - OR0 DITCH RIDER (HARMONI)\DITCH RIDER_PERMIT_10-x-22\DWG\GENERAL NOTES.DWG

NOTE:

ALL EXISTING CONDITIONS REFLECTED IN DRAWINGS ARE DERIVED FROM SURVEY BY CHINOOK SURVEYS, DATED 01/30/25, PREVIOUS AS-BUILT DRAWINGS AERIAL IMAGES, PHOTOS AND FIELD VERIFIED DATA.



22"x34" SCALE: 1" = 250'-0"
11"x17" SCALE: 1" = 500'-0"

250' 125' 0' 250'

PROPOSED OVERALL SITE PLAN | 1

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS
C	05/18/25	KM	CLIENT COMMENTS
D	08/08/25	KM	100% PZD REVIEW

CLIENT: verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING: Acom CONSULTING, INC

HARMONITOWERS

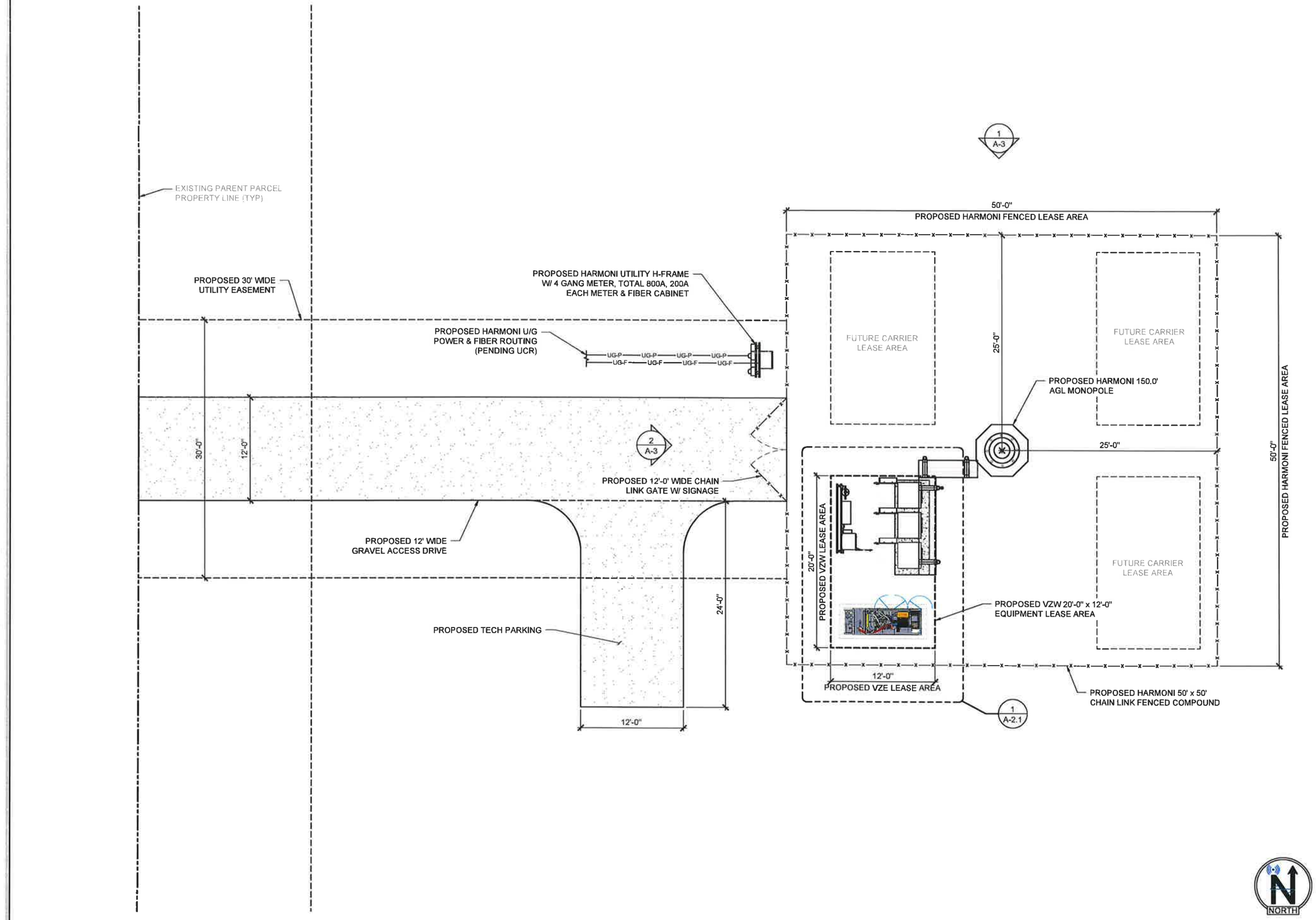
VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

PROPOSED OVERALL SITE PLAN

A-1

4 NEW SITE BUILDS\AE - OR6 DITCH RIDER (HARMONI)\OR6 DITCH RIDER_PERMIT 100% PZD_08-08-25.DWG



PROPOSED ENLARGED SITE PLAN | 1

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS
C	05/16/25	KM	CLIENT COMMENTS
D	08/08/25	KM	100% PZD REVIEW

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

HARMONITOWERS

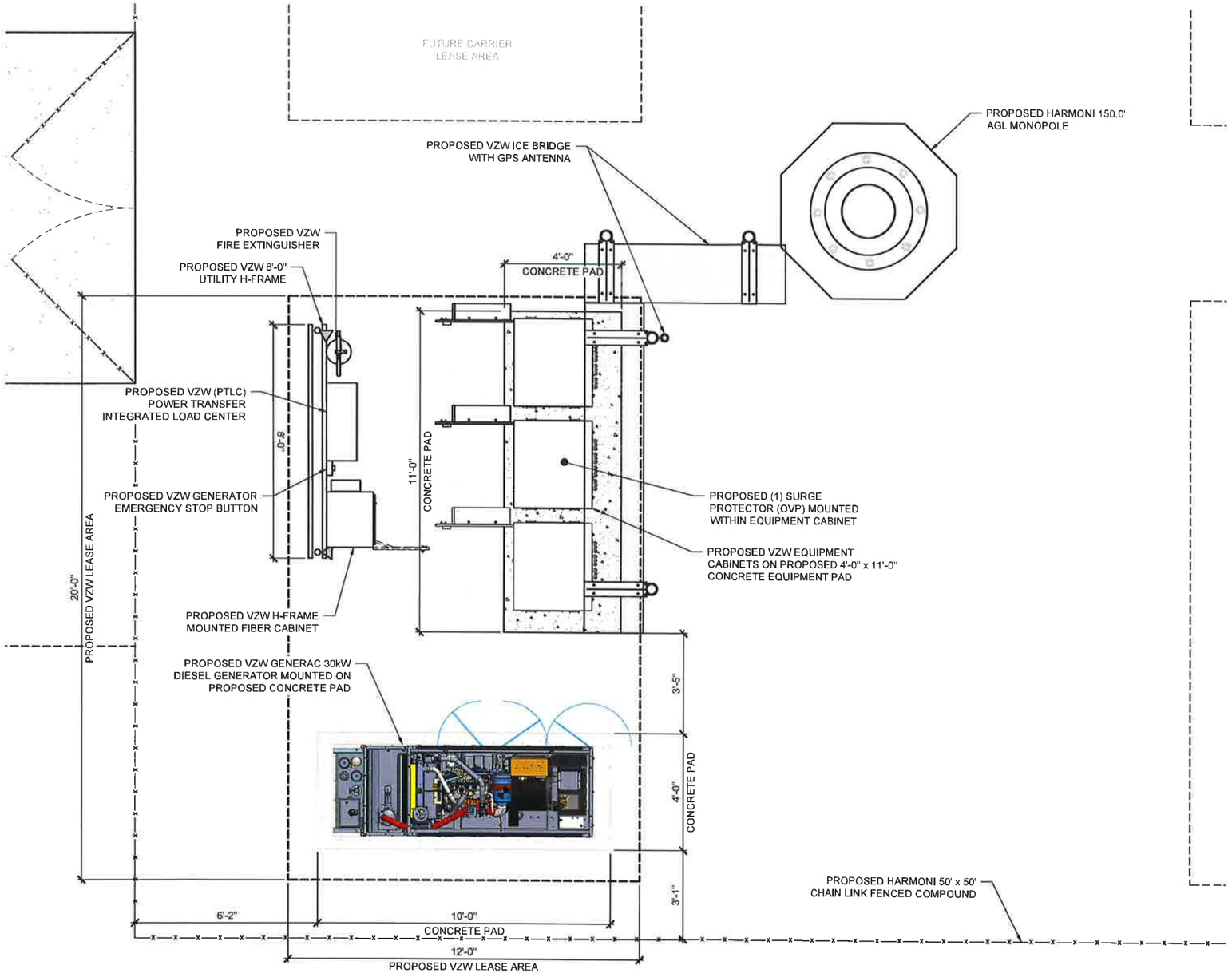
VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

PROPOSED ENLARGED SITE PLAN

A-2

A:\NEW SITE BUILDS\OR\OR DITCH RIDER HARMONI\OR DITCH RIDER_PERMIT 100% PZD_08-08-25.DWG



22"x34" SCALE: 1/2" = 1'-0"
11"x17" SCALE: 1/4" = 1'-0"

2' 1' 0' 2'

PROPOSED COMPOUND PLAN | 1

NORTH

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS
C	05/16/25	KM	CLIENT COMMENTS
D	08/08/25	KM	100% FZD REVIEW

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

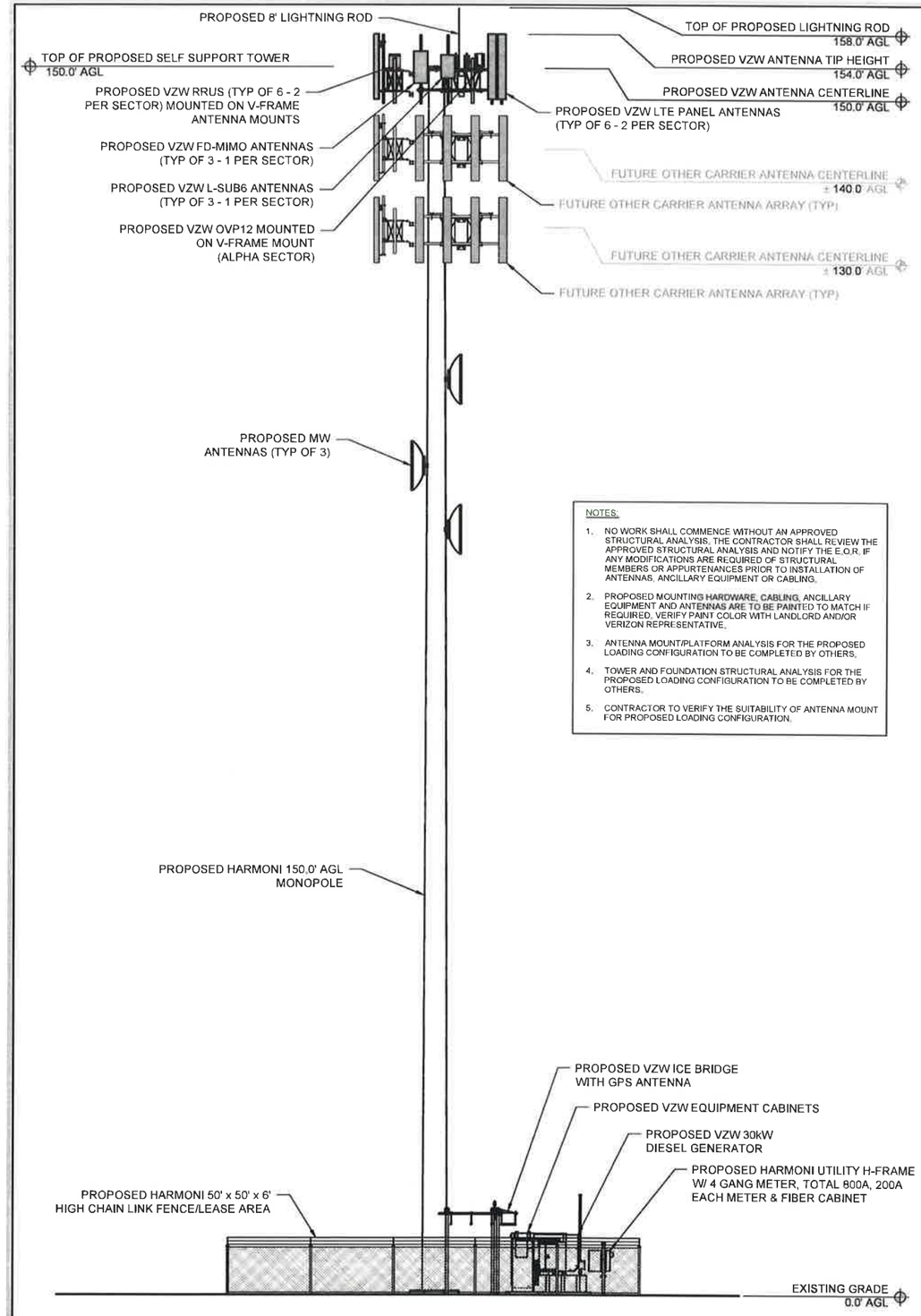
HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

PROPOSED
EQUIPMENT PLAN

A-2.1



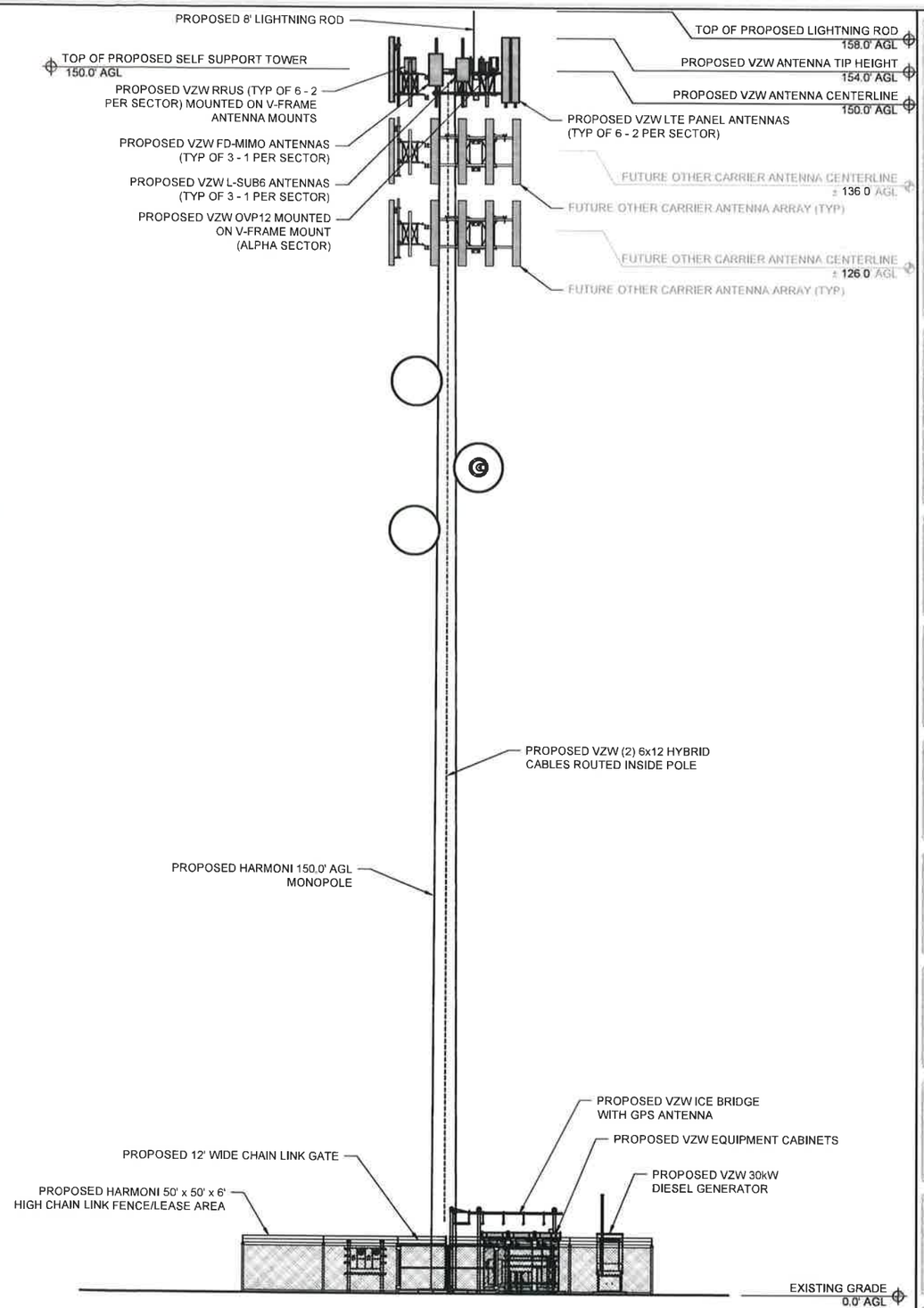
NOTES:

1. NO WORK SHALL COMMENCE WITHOUT AN APPROVED STRUCTURAL ANALYSIS. THE CONTRACTOR SHALL REVIEW THE APPROVED STRUCTURAL ANALYSIS AND NOTIFY THE E.O.R. IF ANY MODIFICATIONS ARE REQUIRED OF STRUCTURAL MEMBERS OR APPURTENANCES PRIOR TO INSTALLATION OF ANTENNAS, ANCILLARY EQUIPMENT OR CABLING.
2. PROPOSED MOUNTING HARDWARE, CABLING, ANCILLARY EQUIPMENT AND ANTENNAS ARE TO BE PAINTED TO MATCH IF REQUIRED. VERIFY PAINT COLOR WITH LANDLORD AND/OR VERIZON REPRESENTATIVE.
3. ANTENNA MOUNT/PLATFORM ANALYSIS FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS.
4. TOWER AND FOUNDATION STRUCTURAL ANALYSIS FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS.
5. CONTRACTOR TO VERIFY THE SUITABILITY OF ANTENNA MOUNT FOR PROPOSED LOADING CONFIGURATION.

22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"

8' 6' 4' 2' 0' 8'

PROPOSED NORTH ELEVATION | 1



22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"

8' 6' 4' 2' 0' 8'

PROPOSED WEST ELEVATION | 2

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS
C	05/16/25	KM	CLIENT COMMENTS
D	08/08/25	KM	100% FZD REVIEW

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

ELEVATIONS

A-3

A_NEW SITE BUILDS_ACTIVE\OR0005306_DITCH RIDER_HARMONI\DITCH RIDER_HEIGHT MOD_100%_FZD_08-08-25.DWG

Proposed Ditch Rider Site

Created By:
Tom Fergusson

RF Engineer
4/7/2025

verizon

Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

Objective

Verizon has listened to customer complaints, measured the signal strength and monitored our capacity and found Verizon needs to add capacity along Highway 126 between Redmond and Prineville and coverage to the Powell Butte Community. At one time, customers measured the strength of a network by making phone calls and listening to the quality of the call. Now it's how well they can they send and receive information to their smartphone. It could be a voice call but more likely data information. If the customer lives on the edge of coverage or in a high interference (multiple sites covering the same area) zone when cell sites are at exhaustion they see a noticeable difference when they try to retrieve the information they are requesting, especially as the demand increases throughout the day. Edge customers request a greater share of a cells resources so during high demand the cell cannot provide the resources to an edge customer in a timely fashion. At some point, when the site is nearing exhaustion, it starts to impact the ability to make and receive calls for these edge customers as the site shrinks its coverage. Fortunately the network has not reached this point yet as described. If capacity is not added the customer experience will degrade. Over the years, Powell Butte customers that live on the north side of Powell Butte have complained about their service as they are in the shadow of our cell coverage even though they are very close to the site as the hill itself is blocking the signal. Verizon would like to deliver a great experience to its customers with plans to strengthens the network into areas of rural Cook County by adding new cell sites.

This document will analyze Verizon's 700 and 850 MHz bands as they can cover large areas but as the signal density goes up with this new site, Crook County residences will be able to capitalize with the super fast speed that the higher bands provide. The proposed site was identified to provide these services to the Powell Butte Community and also offload the existing sites traffic so other not served by this new site will see the traffic from their site drop and be able to serve them .

Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

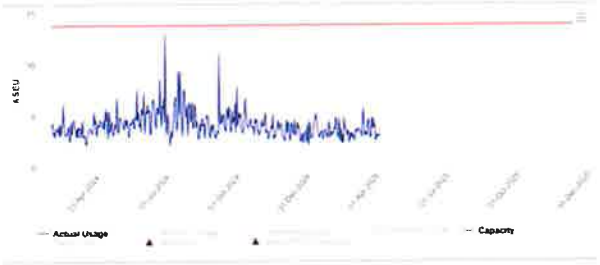
Capacity

ASEU or Average Scheduled Eligible User is one way that Verizon measures the existing capacity on a sector. This metric was created to measure the delay a user experiences while waiting for a request. A good way to think of this is at the line of a grocery store, as the number of shoppers line up to buy groceries, the longer a shopper will have to wait to buy the groceries. At some point, the store will open another lane to reduce the line thus decreasing the wait time. In Verizon's case, the new lane is a new cell site. The graphs to the left, ASEU is blue while the red is the limit where Verizon would like keep the traffic under the limit. These graphs represent the low band carrier which are the carriers that travel far but cannot carry as much traffic as higher frequency bands.

McCoin

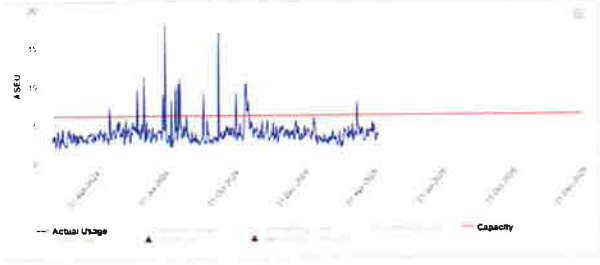
McCoin is on top of Grizzly Mountain eleven miles to the north of the proposed site. It's far away but due to its height above average terrain, it is extremely tall so it can serve great distances but also causes interference to other sites that reduce the capacity the neighboring sites. Verizon did add the last remaining low band carrier shown by the red arrow but had little effect in solving the problem. Adding the proposed offload will have a significant offload to McCoin. Verizon will be able to minimize the footprint using antenna down tilt thus decreasing the traffic that will provide future growth.

Wiley



Wiley is on top of Powell Butte and has plenty of capacity at this time. The site does see an increase in traffic during the summer months but still in good shape. This sector is not a driver for the proposed site but it will see some benefits as sites with less traffic operate better.

Powell Butte South

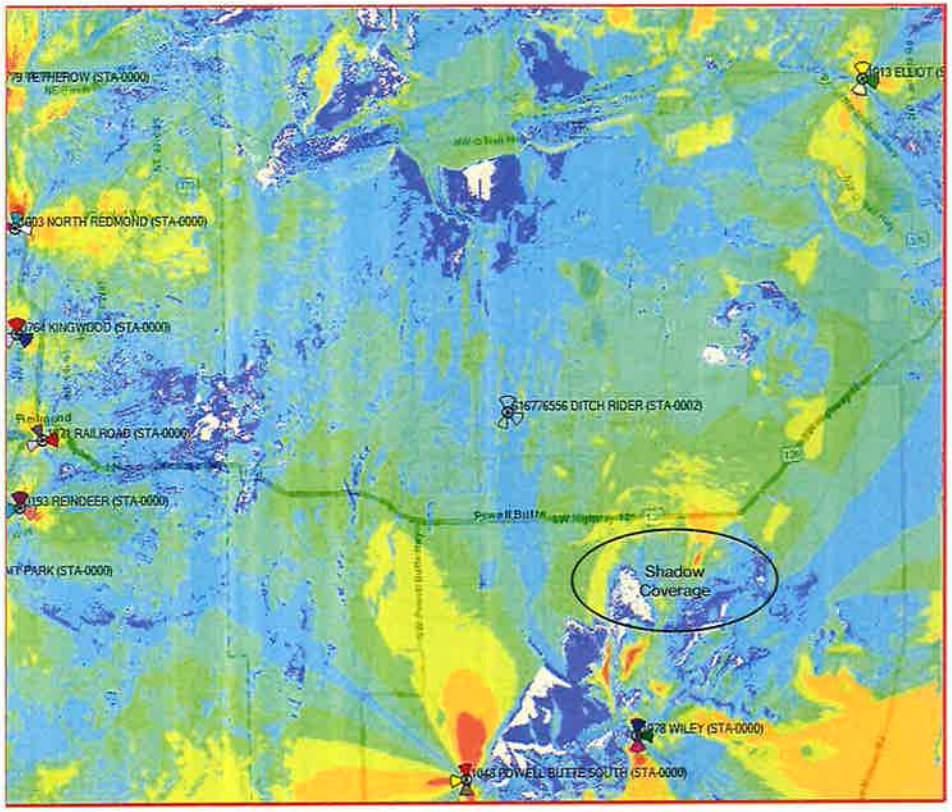


Powell Butte South is on the west slope of Powell Butte. Its considered tall. Notice during the summer months, the sector was exhausted at times. If Verizon does nothing, the exhaustion will increase until Verizon builds an offload site.

verizon

Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

Figure 1 Current Low-Band C/I



This is a C/I (Carrier to Interference) plot. The greater the C/I the faster the speed but as as the interference increases, the site has to send a more robust data stream so the mobile can read the data. This data stream is less efficient so the wait time for the requested data increase. As the traffic increases, the interference increases thus slowing down the transfer of data. The site is placed in a low C/I. The customer in the blue area will always have slower speeds but at peak traffic times, will see a much degraded experience. A new site will solve the issue in this area.

LTE_NW-Mobility_ PDSCH-C/I-dB (0)
- PDSCH C/(I+N) Level (DL) (dB) >=20
- PDSCH C/(I+N) Level (DL) (dB) >=15
- PDSCH C/(I+N) Level (DL) (dB) >=10
- PDSCH C/(I+N) Level (DL) (dB) >=5
- PDSCH C/(I+N) Level (DL) (dB) >=0
- PDSCH C/(I+N) Level (DL) (dB) >=-5
- PDSCH C/(I+N) Level (DL) (dB) >=-10

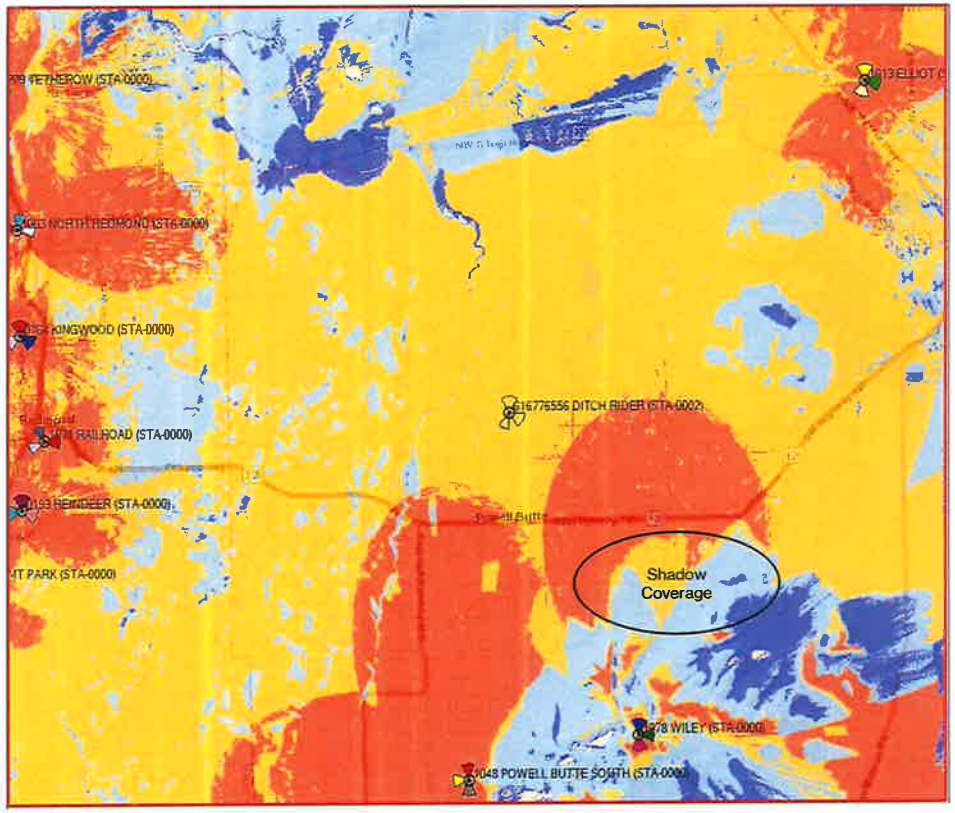
↑ Good to Excellent

↓ Ok to Poor

verizon

Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

Figure 2 Low-band Current Coverage



Overall, the signal strength is good to excellent. If Verizon did not have any exhausted sectors, this design would work just fine but will struggle as sites have diminished capacity. One area where the coverage is poor due to the shadowing created by the Powell Butte itself is shown. This has generated customer complaints in the past.

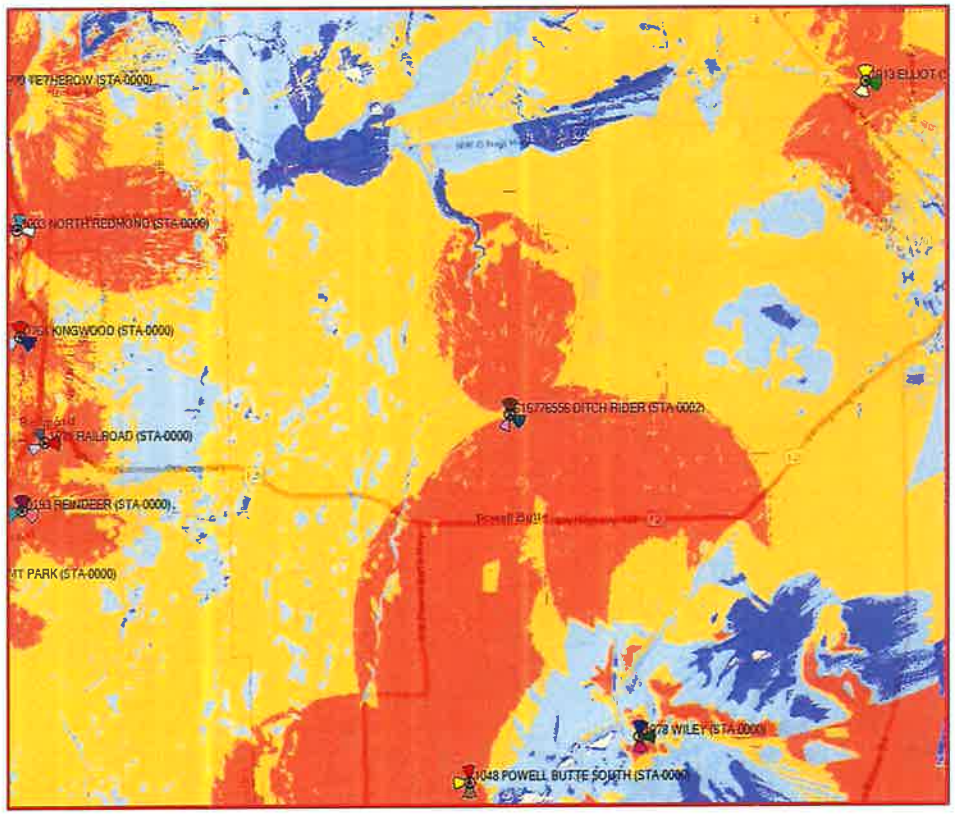
Generally how to read the RSRP Signal Strength:

Red - Good indoor and great outdoor coverage
Orange - Ok indoor and great outdoor coverage
Light Blue - Poor indoor and ok outdoor coverage
Dark Blue - Poor indoor and outdoor coverage

verizon

Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

Figure 1 Low-band Current Coverage w/ Propose Site



Adding in the proposed site will provide greater density signal and provide the needed capacity. Verizon will need to optimize all sites in the area to maximize the C/I as too much overlap causes the interference to go up that does degrade the speed and capacity. The optimization will happen after the proposed site is turned up.

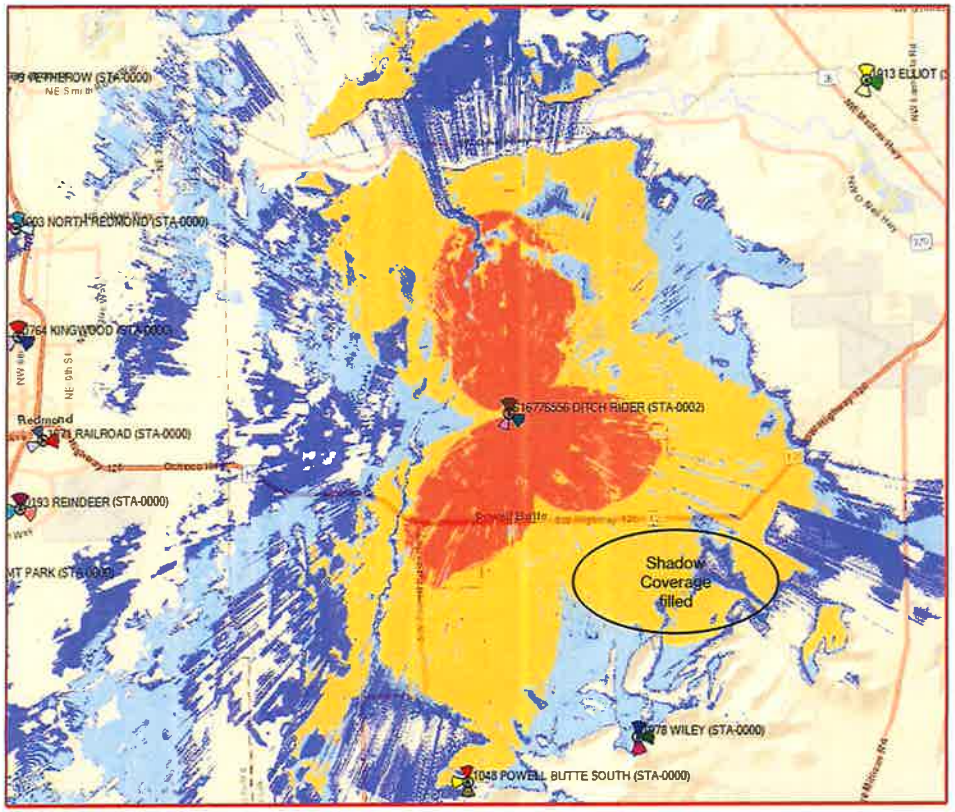
LTE_NW-Mobility_RSRP-dBm (0)

- RSRP Level (DL) (dBm) >=-75
- RSRP Level (DL) (dBm) >=-85
- RSRP Level (DL) (dBm) >=-95
- RSRP Level (DL) (dBm) >=-105

verizon

Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

Figure 1 Low-band Propose Site Coverage



The proposed site coverage design minimizes interference into Redmond but maximize coverage so that both Powell Butte South and Wiley's coverage can be minimized. Eventually, Wiley's northern sector will be turned down due to its height advantage. It causes a lot of interference to many sites. Also notice how the proposed site fills in much of the shadowed area.

verizon

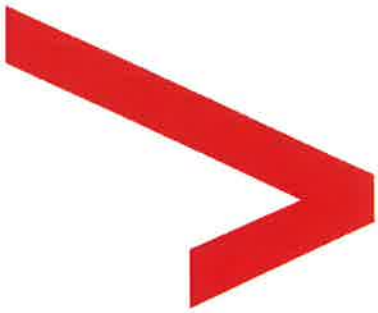
Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

Conclusion

As Verizon looks to increase its signal strength and reduce the interference into areas of rural Crook County with poor performance. New locations must be added to the network over time. The proposed site will significantly reduce Verizon's troubled area in the Powell Butte area plus provide fixed wireless access(home internet) for the many residences in the area. If approved, the existing communication will provide a better customer experience than the current network as shown and offer new services that are not being offered in this area today.

verizon

Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.



WIRELESS NETWORK CONSULTING

Harmoni OR0005306 Ditch Rider / Verizon DITCH RIDER

Coverage and Capacity Site

RF DESIGN ANALYSIS

2025

Coverage vs Capacity

- **Capacity is providing bandwidth or processing capacity to service the customers in the area.**
  - Areas where large numbers of users are in a specific geographic areas
  - Areas where users are demanding higher data rates for services
  - Areas with a large amount of indoor users
- **Coverage is providing service where service does not exist, calls drop, or "no service".**
  - Areas where sites are farther apart
  - Areas where terrain or buildings block signals
  - Areas where indoor service is low or nonexistent

2025

Objective of new site

- **Capacity**
  - Provide additional bandwidth for customers in the area surrounding the proposed site
  - Provide better throughput for indoor users in the area
  - Offload sites to the West and South that are over capacity
- **Coverage**
  - Provide coverage in the rural area North of Highway 126
  - Provide coverage along SW Williams Road and feeder roads
- **Why is this site important?**
  - 96% of Americans own a Cellular Phone
  - 57% of American Homes rely exclusively on cellular phones
  - 84% or more of 9-1-1 emergency calls are made from wireless devices

2025

Proposed Site

- 150’ Monopole
  - With 8’ of appurtenances
  - 3450 SW Williams Road Powell Butte, OR 97753
    - Latitude: 44.272539 N (NAD83)
    - Longitude: -121.017655 W (NAD83)
    - Ground Elevation: 3004.8' (NAVD88)
    - Anchor tenant is Verizon
  - Antenna Centerline at 150’ AGL

Why here?

- Surrounding area has lack of quality services
- All (3) carriers are lacking quality service in the area
- Many of the users' mobiles are reporting low quality connections from Crowd Source (Open Signal, CellMapper and, Ookla data).
- Significant growth in wireless network utilization in the rural areas of Oregon.
- Sites to the South are over capacity (throughput limitations)
- The existing Verizon neighbors do not provide adequate coverage or service around where the proposed is located. Adding antennas to the neighbor sites located to the South will not provide the power per link or the throughput per link needed to resolve the issue

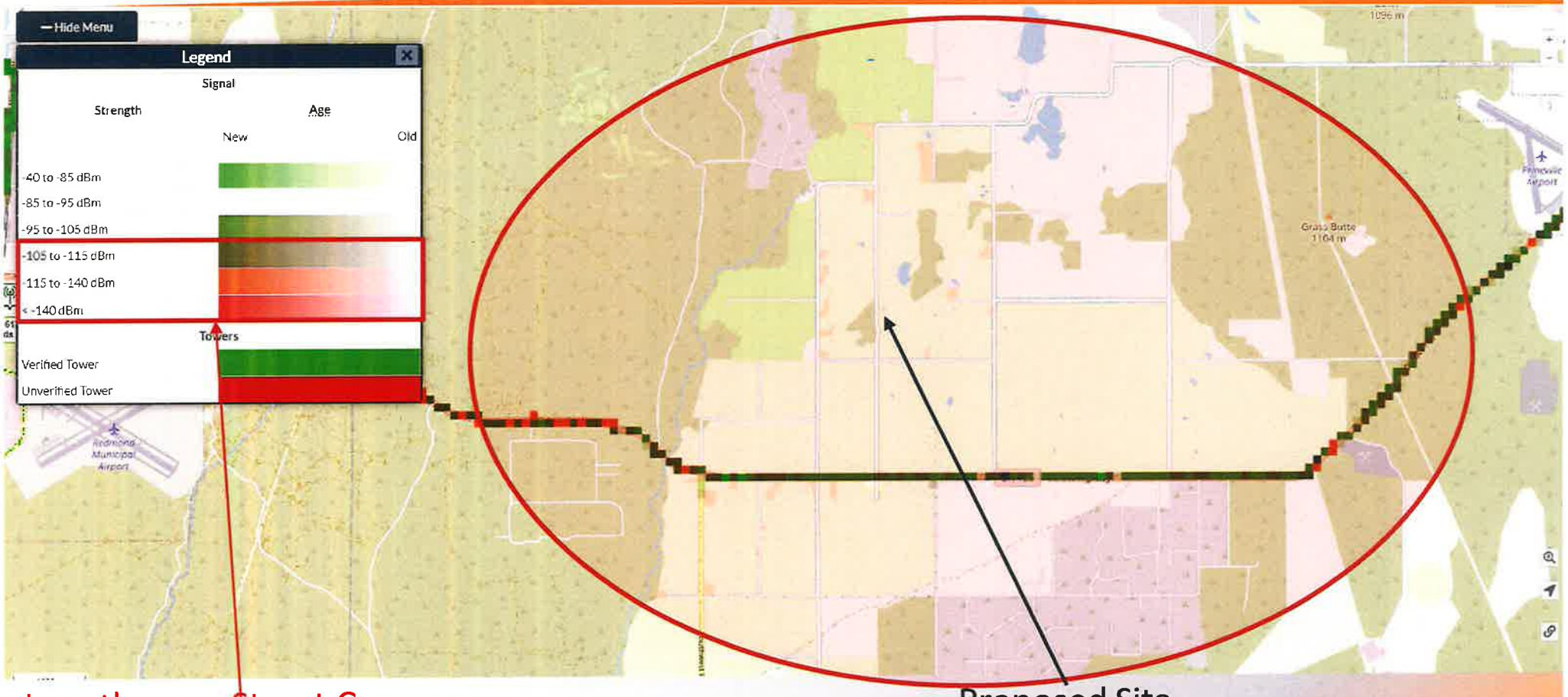
2025

Zoom – proposed site

Distance from proposed to Verizon neighbor sites

2025

Verizon CellMapper



Less than on Street Coverage

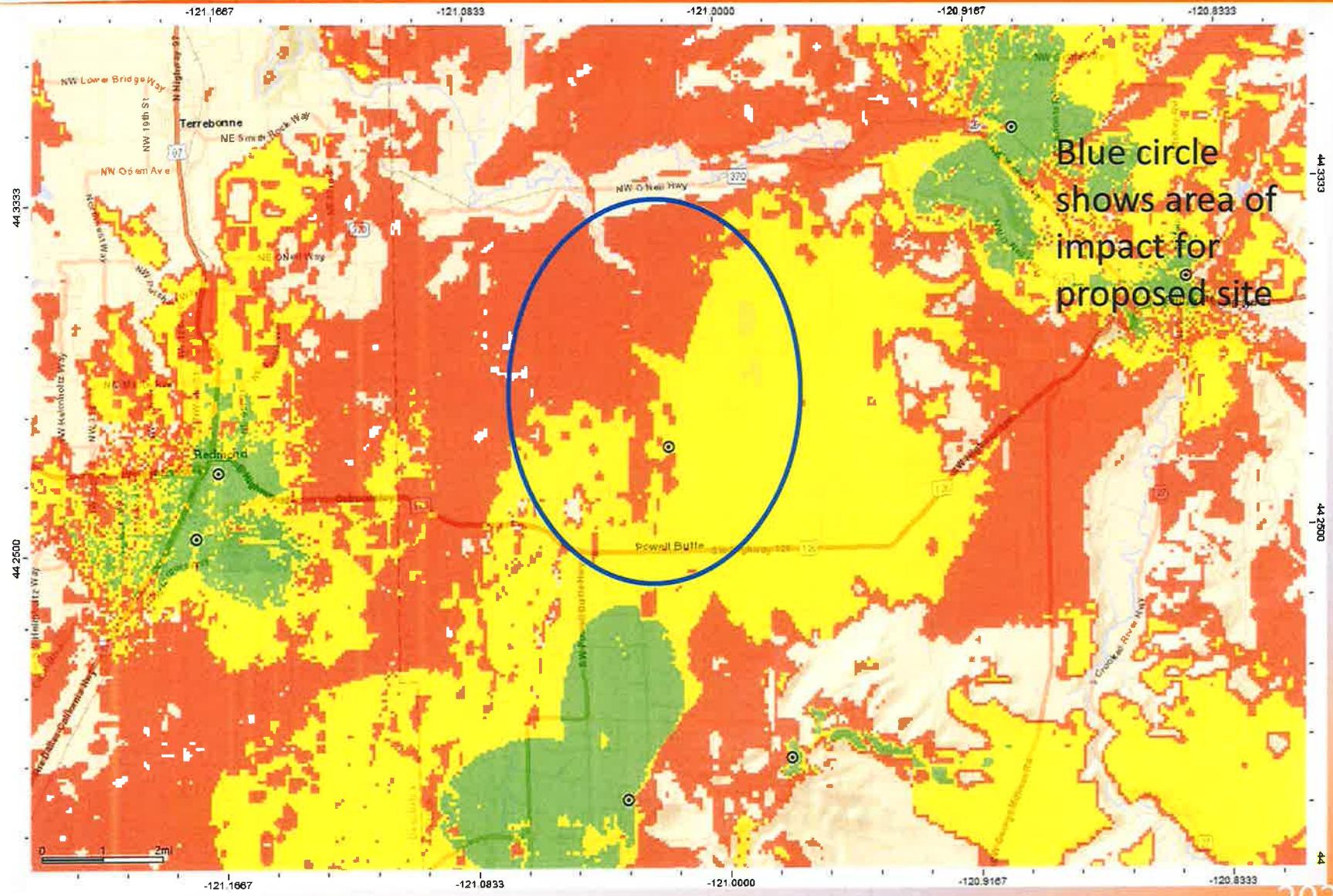
The area in the red circle is what the proposed site would impact

This area is showing less than in-vehicle service in the area

2025

Verizon RSRP Current Coverage

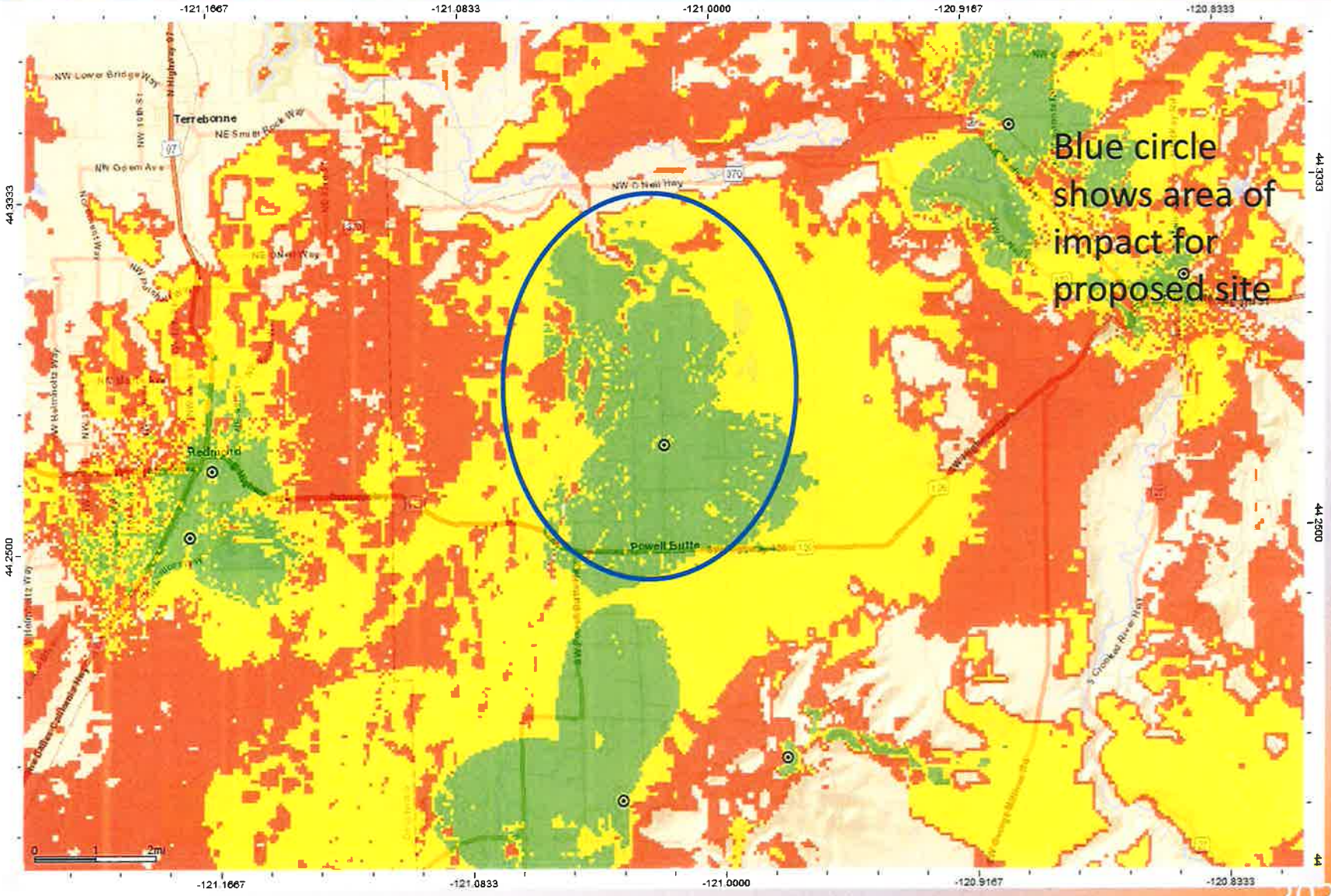
LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm



2025

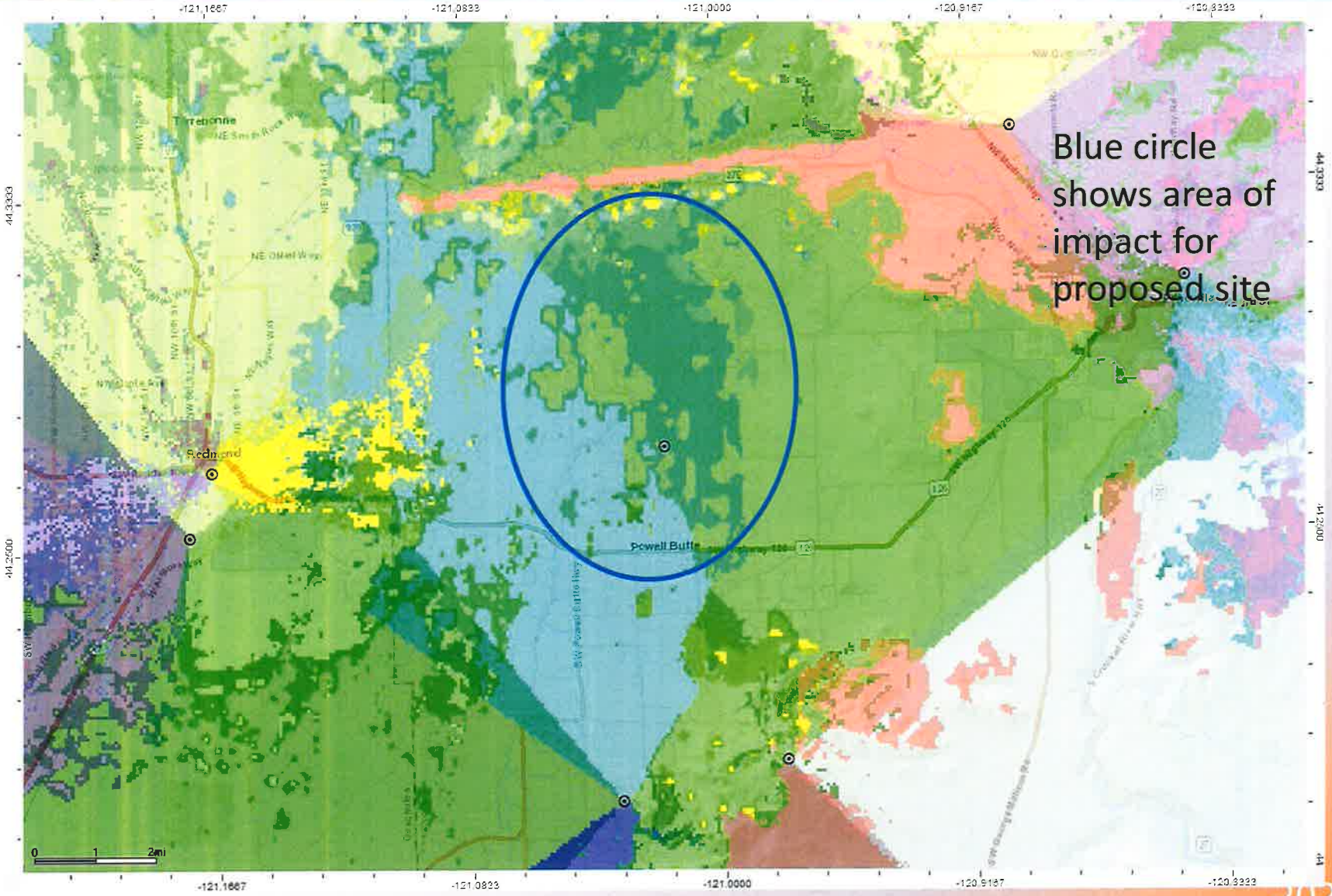
Verizon RSRP Proposed Coverage

LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm



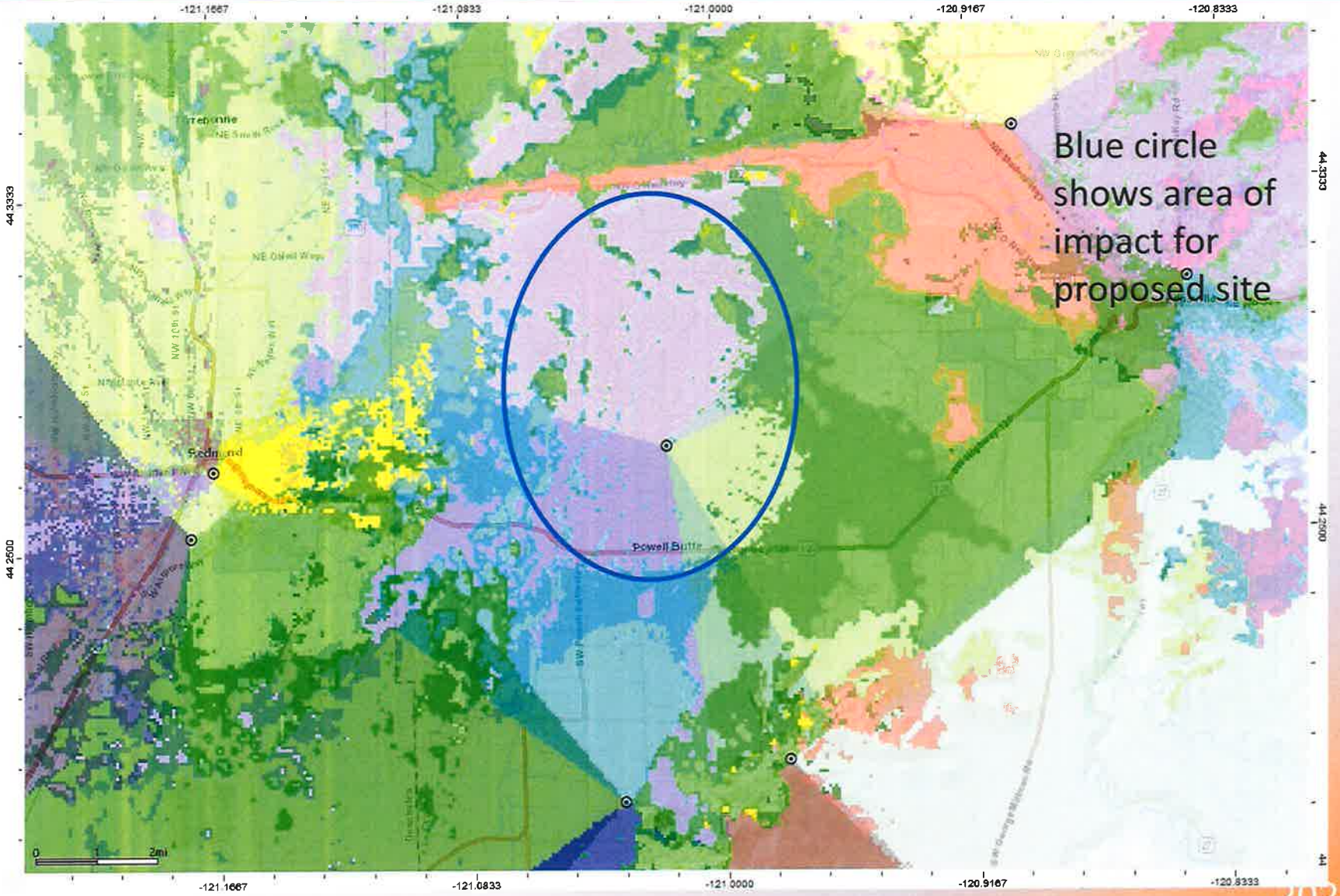
2025

Verizon
Current Best Server



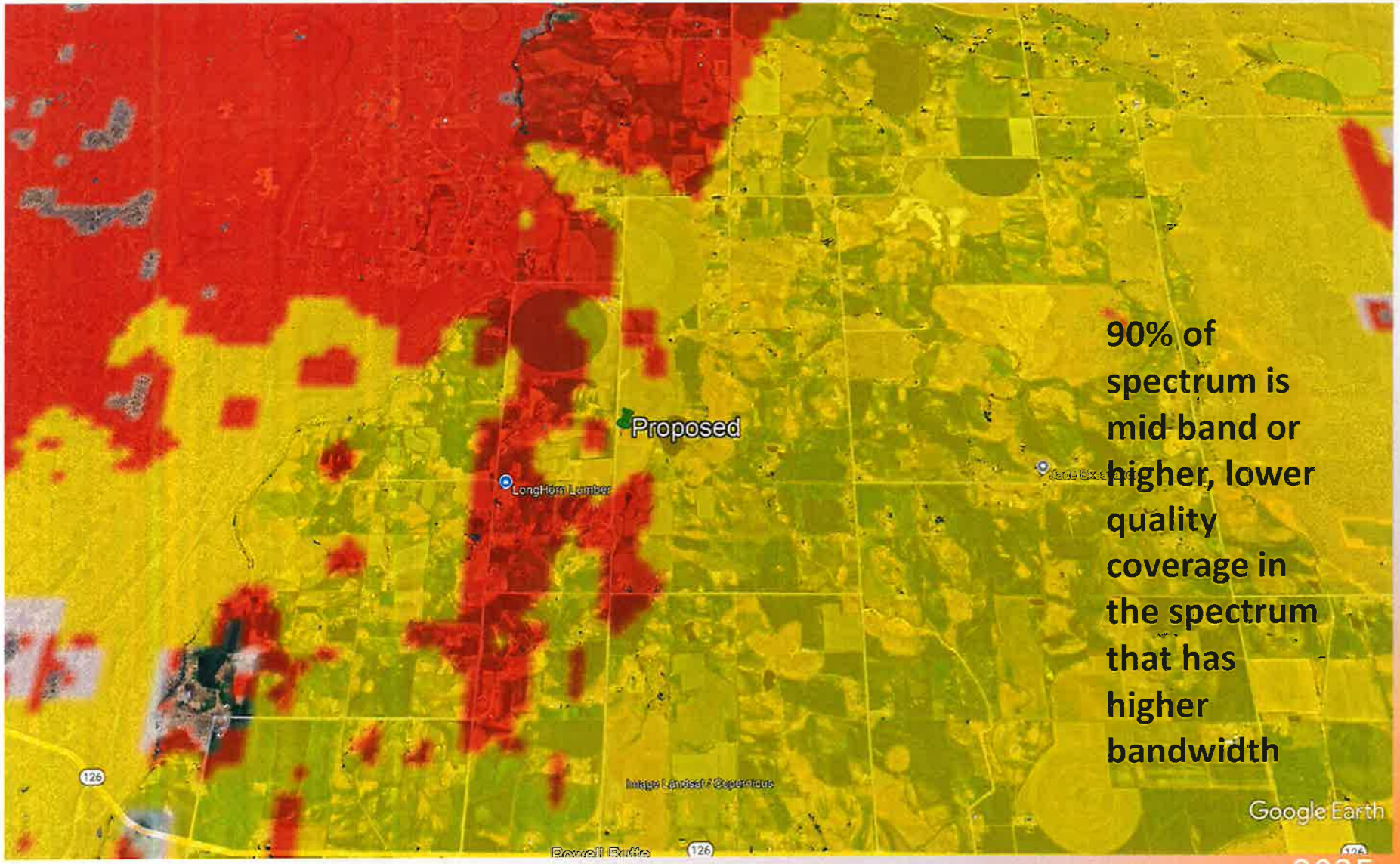
2025

Verizon
Proposed Best Server



Verizon RSRP Current Coverage - zoomed

LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm

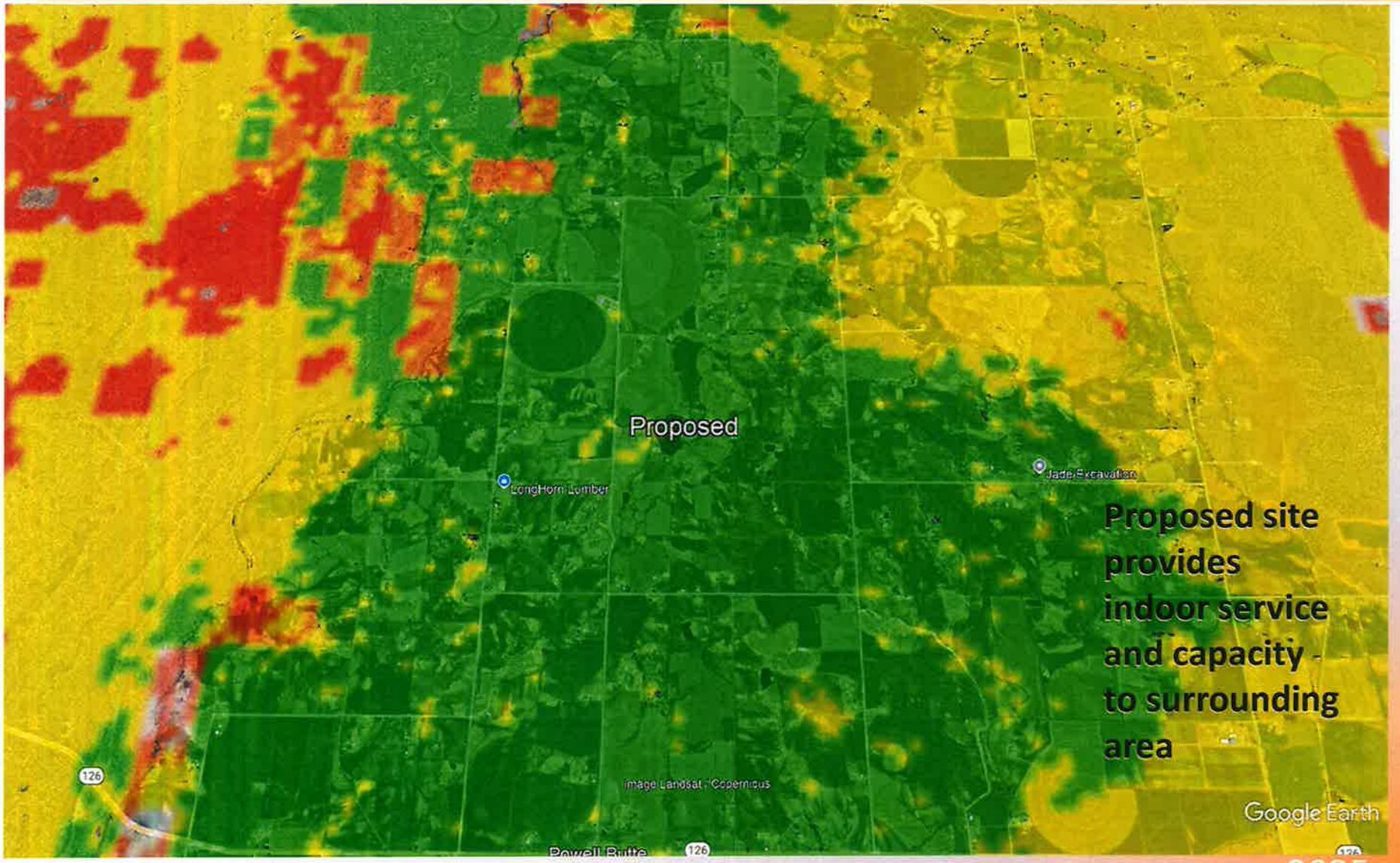


90% of spectrum is mid band or higher, lower quality coverage in the spectrum that has higher bandwidth

2025

Verizon RSRP
Proposed Coverage - zoomed

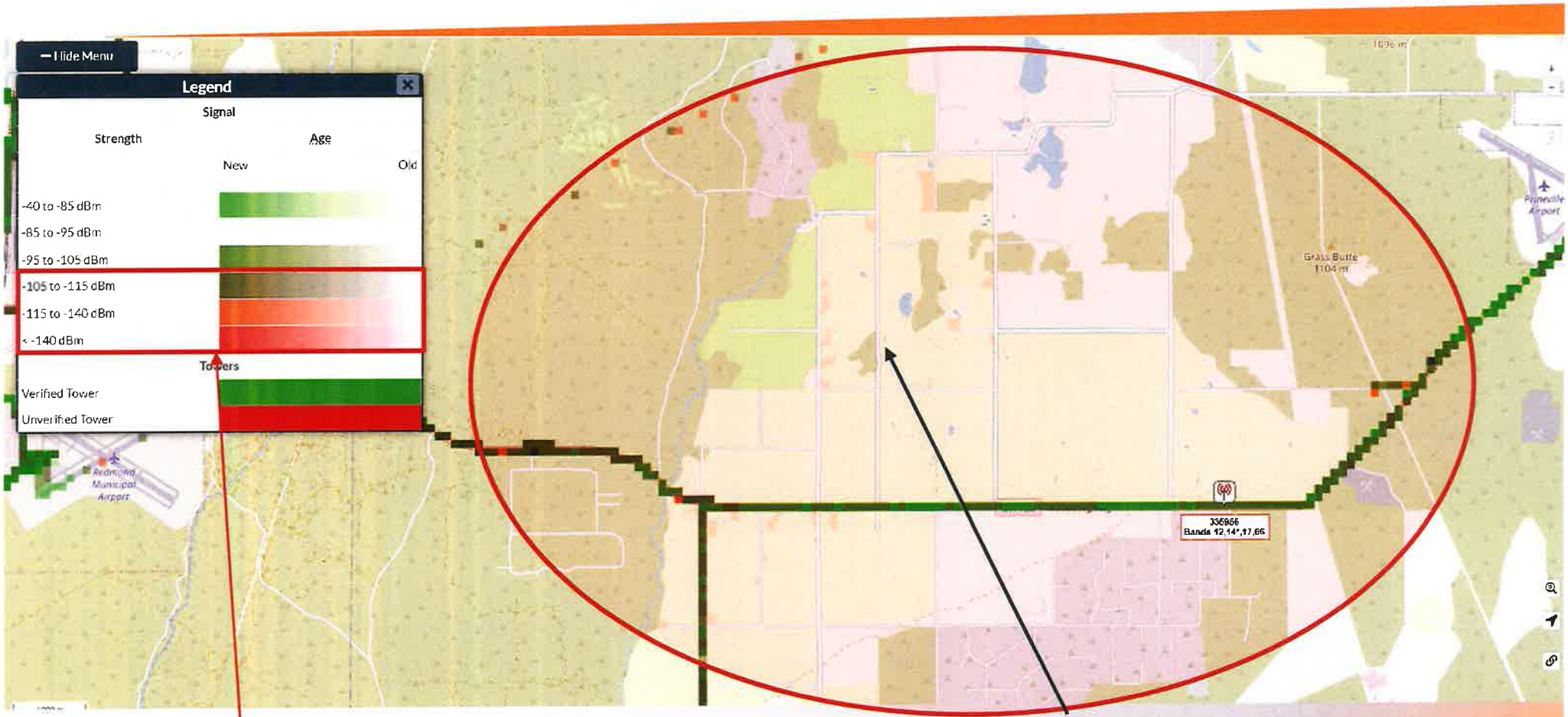
LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm



Distance from proposed to AT&T neighbor sites

2025

AT&T CellMapper



Less than on Street Coverage

Proposed Site

The area in the red circle is what the proposed site would impact

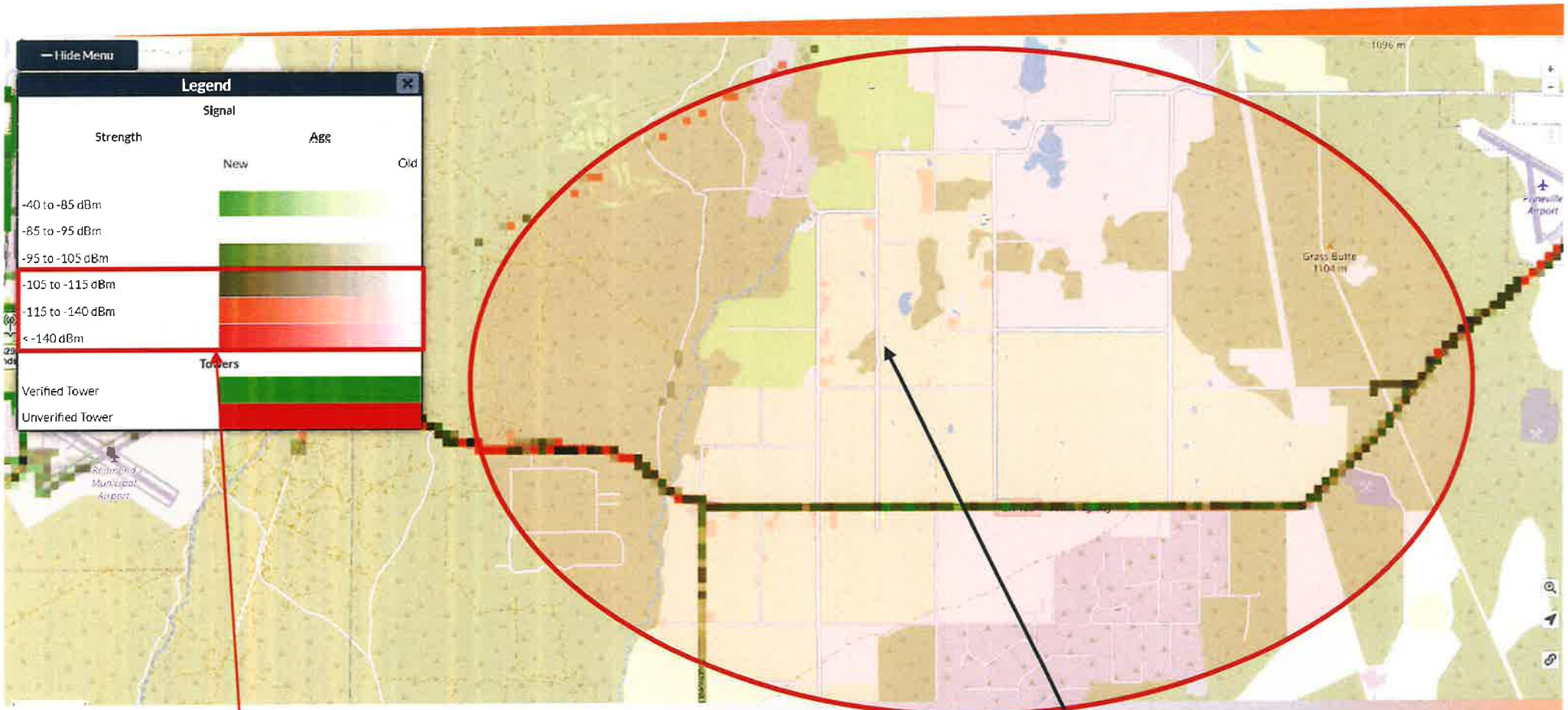
This area is showing less than outdoor service in the area

2025

Distance from proposed to T-Mobile neighbor sites

2025

T-Mobile CellMapper



Less than on Street Coverage

Proposed Site

The area in the red circle is what the proposed site would impact

This area is showing less than outdoor service in the area

2025

Conclusion / Recommendation

- Poor service quality along SW Williams Road and Dixon Road as well as all feeder roads
- A lack of throughput and quality along Hwy 126 and area North and South of Hwy 126
- A lack of quality throughput per subscriber in the area
- The existing sites are over capacity and need offload from a new site
- Other carriers have the same level of service in the area and the tower will most likely be collocated with other tenants who will need the height
- **Recommend approval of the proposed tower at the height requested**

2025

WIRELESS NETWORK CONSULTING

Harmoni Towers OR0005306 Ditch Rider

Verizon DITCH RIDER Site

Capacity and Coverage Site

ALTERNATE SITE ANALYSIS

2025

Alternate Site

- Requested to review alternative tower and other locations
- Sprint tower is approximately 4.28 miles way from proposed on a bearing of 100 degrees
- Primary objective of proposed is to provide coverage and offload surrounding site sectors of capacity for users in the Rural area

2025

Distance from proposed to Verizon neighbor sites

2025

Alternate Site #1

- Sprint Tower
- FCC Registration # 1223367
- 196’ Self Support Tower owned by American Tower Corporation
- Highest Height available 180’ AGL
- Coordinates
  - 44.272539 Latitude
  - -121.017655 Longitude
- Ground Elevation – 3276’ AMSL

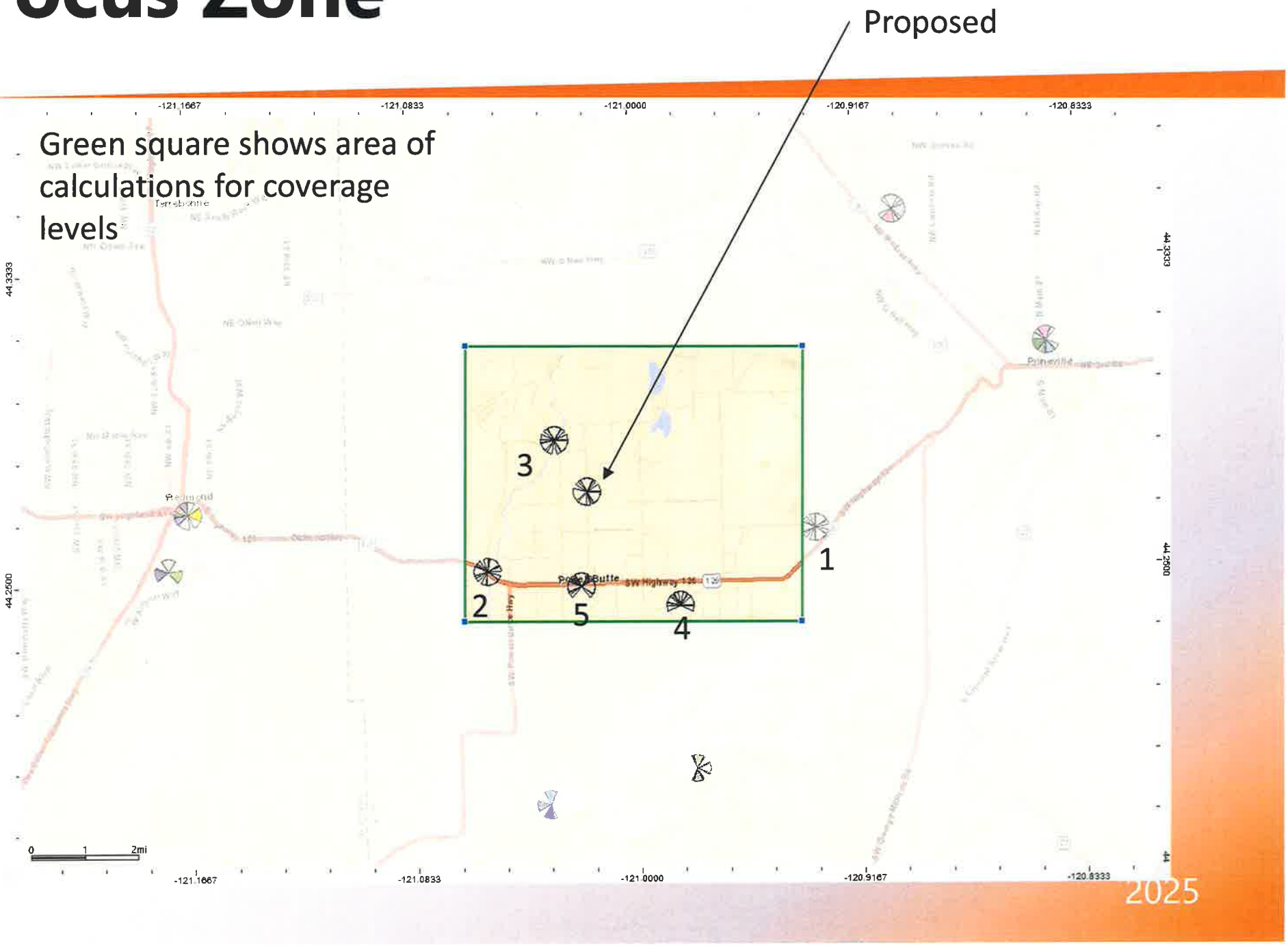
2025

Alternate locations 2-5

- Raw Ground locations
- Alt 2 PBR20 SW
  - 44.251558 Latitude
  - -121.055474 Longitude
- Alt 3 R5 NW – 13717 SW Houston Lake Road
  - 44.292288 Latitude
  - -121.017980 Longitude
- Alt 4 R5 SE
  - 44.241103 Latitude
  - -120.983582 Longitude
- Alt 5 RSC S
  - 44.246958 Latitude
  - -121.020533 Longitude

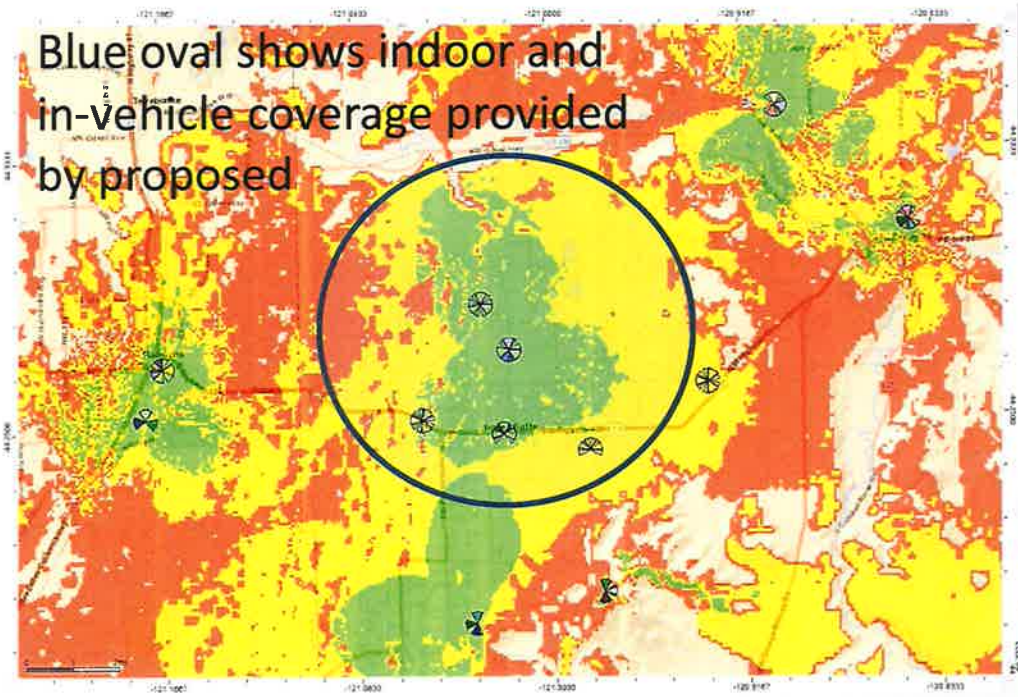
2025

Focus Zone


Proposed
Green square shows area of calculations for coverage levels
-121.1667
-121.0833
-121.0000
-120.9167
-120.8333
44.3333
44.2500
Redmond
Powell Butte
SW Highway 126
Pinedale
1
2
3
4
5
0
1
2mi
2025

RSRP Coverage Proposed vs Current

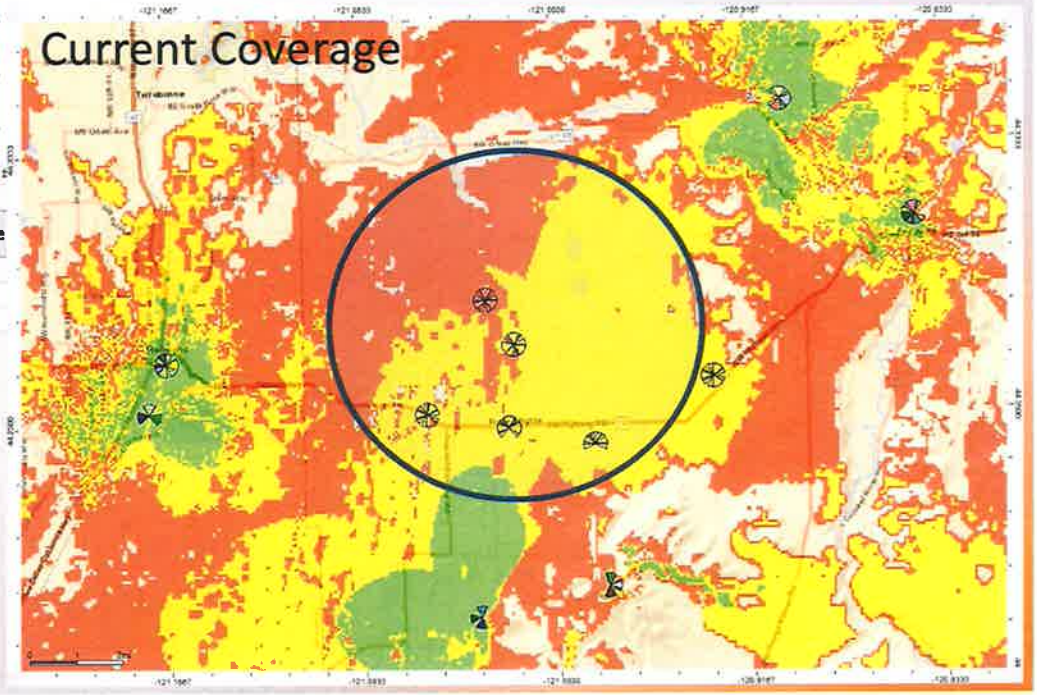
LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm



Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.133659	100	99.3
		RSRP Level (DL) (dBm) >=-85		33.559486	40.9	40.6
		RSRP Level (DL) (dBm) >=-95		78.603561	95.7	95.1
		RSRP Level (DL) (dBm) >=-106		82.133659	100	99.3

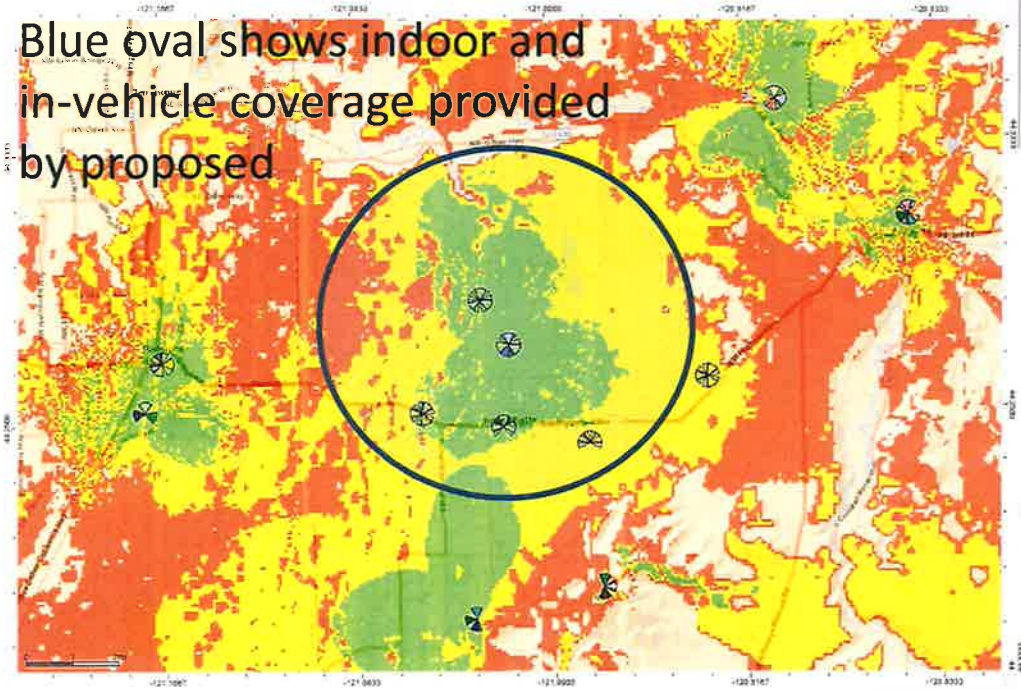
Upper table shows proposed site showing 33.59 square kilometers are covered with indoor service vs lower left table current coverage showing 0.0 square kilometers covered with indoor service.

Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	81.804184	100	98.9
		RSRP Level (DL) (dBm) >=-95		64.261269	78.6	77.7
		RSRP Level (DL) (dBm) >=-106		81.804184	100	98.9



RSRP Coverage – 180'AGL Proposed vs Alternate 1 (ATC)

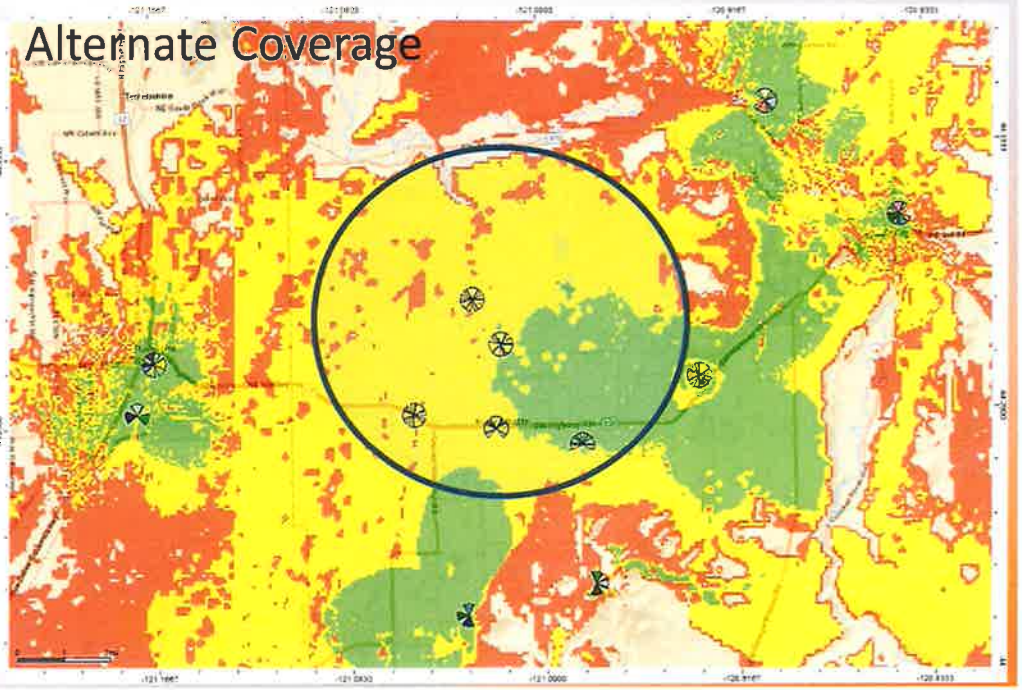
LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm



Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.133659	100	99.3
		RSRP Level (DL) (dBm) >= -85		33.559486	40.9	40.6
		RSRP Level (DL) (dBm) >= -95		78.603561	95.7	95.1
		RSRP Level (DL) (dBm) >= -106		82.133659	100	99.3

Upper table shows proposed site showing 33.55 square kilometers of indoor service vs lower left table current coverage showing 27.07 square kilometers of indoor service a 20% reduction in coverage for the alternate.

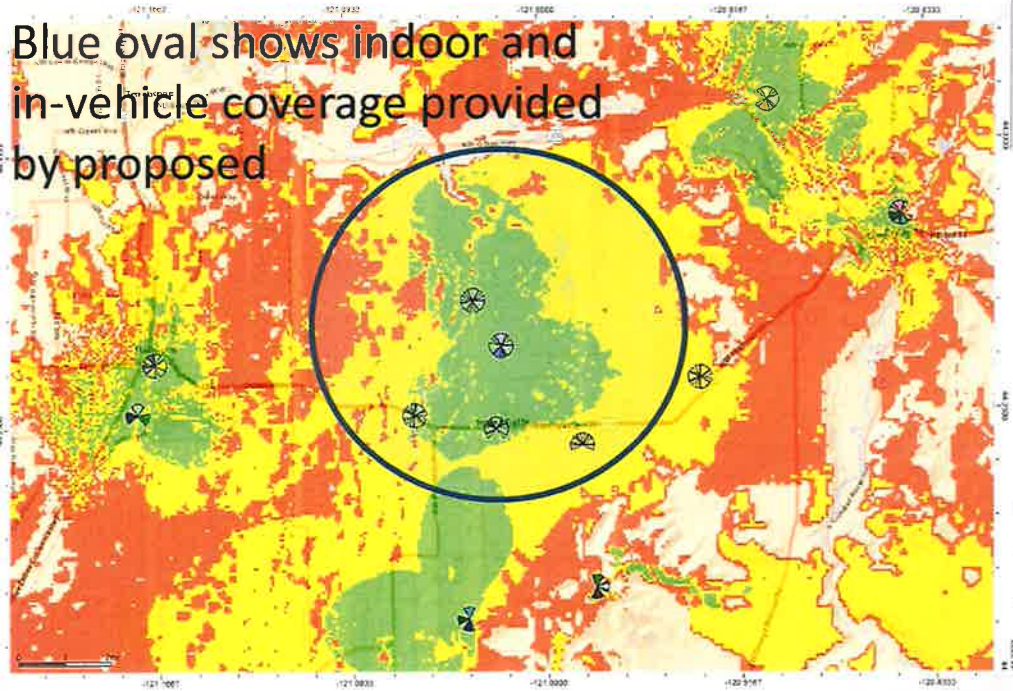
Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.328667	100	99.6
		RSRP Level (DL) (dBm) >= -85		27.077551	32.9	32.7
		RSRP Level (DL) (dBm) >= -95		79.444061	96.5	96.1
		RSRP Level (DL) (dBm) >= -106		82.328667	100	99.6



This alternative provides reduced coverage in comparison to the proposed site and does not satisfy the coverage and capacity objectives for this site.

RSRP Coverage – 180'AGL Proposed vs Alternate 2 (PBR20)

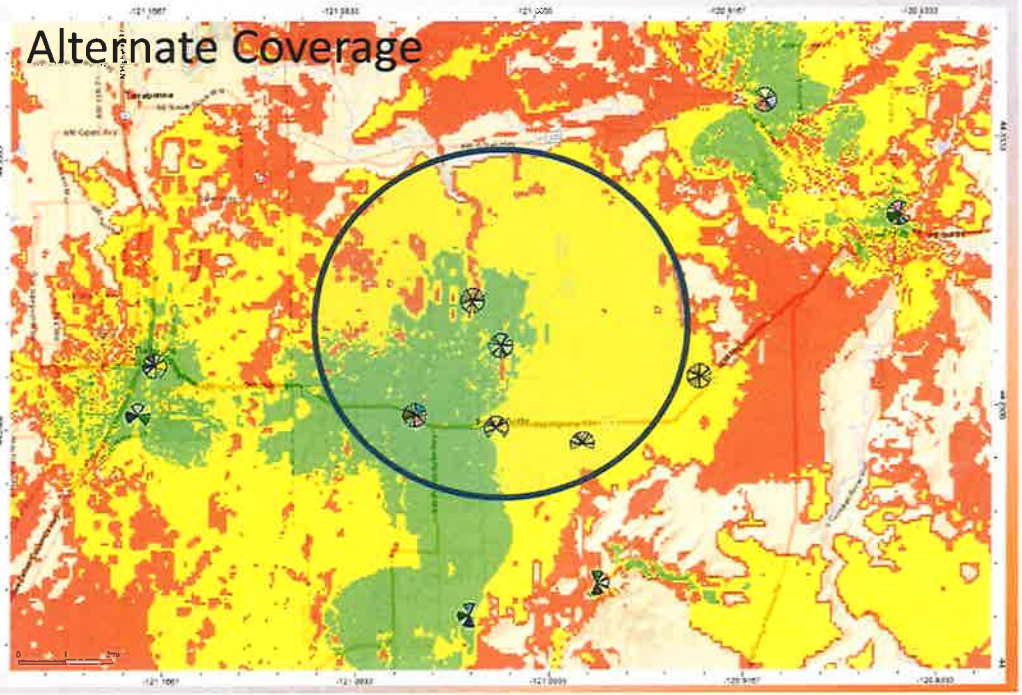
LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm



Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.133659	100	99.3
		RSRP Level (DL) (dBm) >= -85		33.559486	40.9	40.6
		RSRP Level (DL) (dBm) >= -95		78.603561	95.7	95.1
		RSRP Level (DL) (dBm) >= -106		82.133659	100	99.3

Upper table shows proposed site showing 33.55 square kilometers of indoor service vs lower left table current coverage showing 22.24 square kilometers of indoor service a 34% reduction in coverage for the alternate.

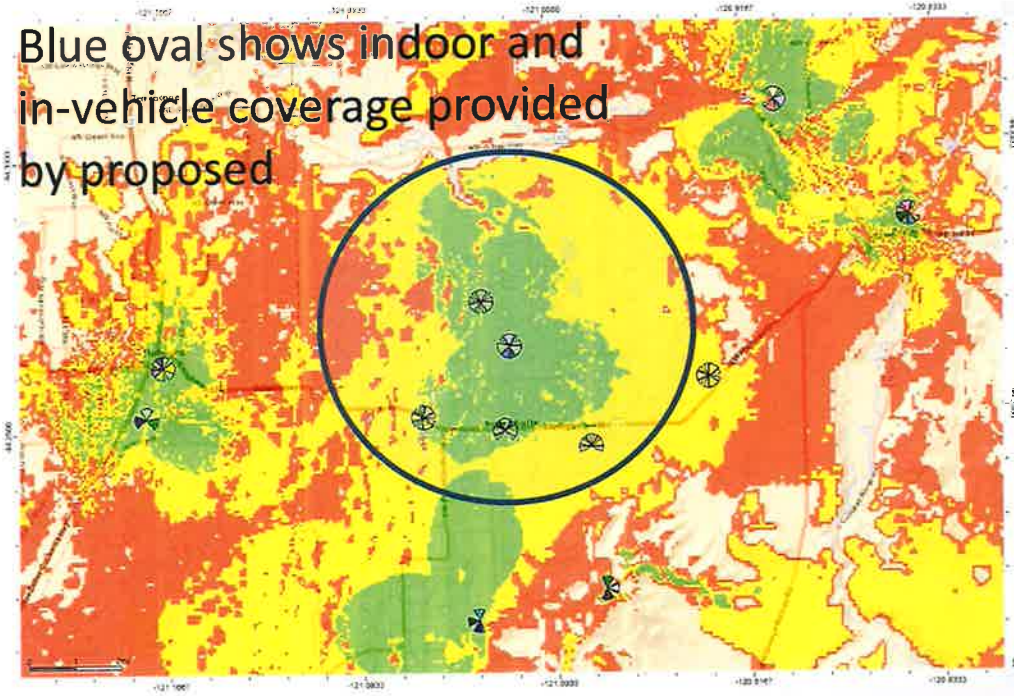
Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.207626	100	99.4
		RSRP Level (DL) (dBm) >= -85		22.242994	27.1	26.9
		RSRP Level (DL) (dBm) >= -95		78.912872	96	95.4
		RSRP Level (DL) (dBm) >= -106		82.207626	100	99.4



This alternative provides reduced coverage in comparison to the proposed site and does not satisfy the coverage and capacity objectives for this site.

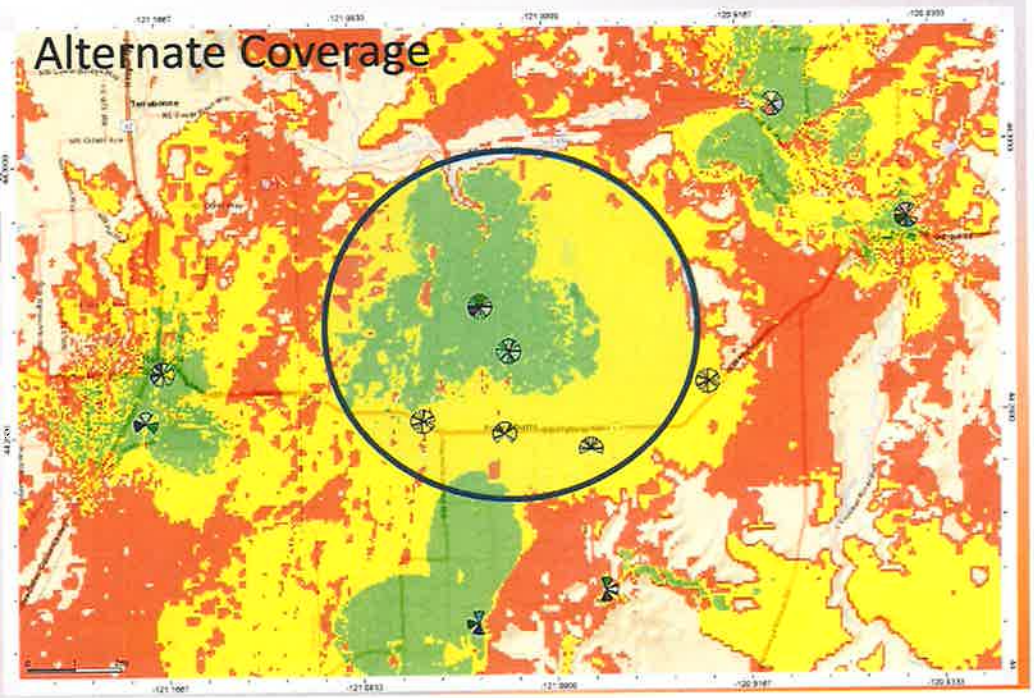
RSRP Coverage – 180'AGL Proposed vs Alternate 3 (R5 NW)

LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm



Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.133659	100	99.3
		RSRP Level (DL) (dBm) >=-85		33.559486	40.9	40.6
		RSRP Level (DL) (dBm) >=-95		78.603561	95.7	95.1
		RSRP Level (DL) (dBm) >=-106		82.133659	100	99.3

Upper table shows proposed site showing 33.55 square kilometers of indoor service vs lower left table current coverage showing 28.23 square kilometers of indoor service a 16% reduction in coverage for the alternate.

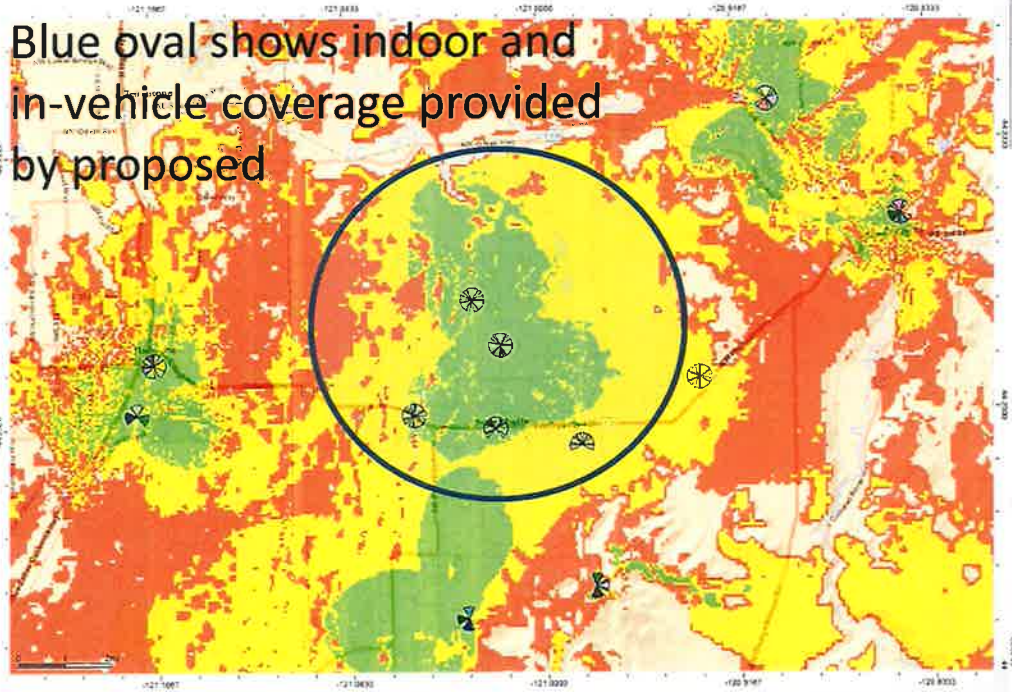


Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.214348	100	99.4
		RSRP Level (DL) (dBm) >=-85		28.234079	34.3	34.1
		RSRP Level (DL) (dBm) >=-95		80.284561	97.7	97.1
		RSRP Level (DL) (dBm) >=-106		82.214348	100	99.4

This alternative provides reduced coverage in comparison to the proposed site and does not satisfy the coverage and capacity objectives for this site.

RSRP Coverage – 180'AGL Proposed vs Alternate 4 (R5 SE)

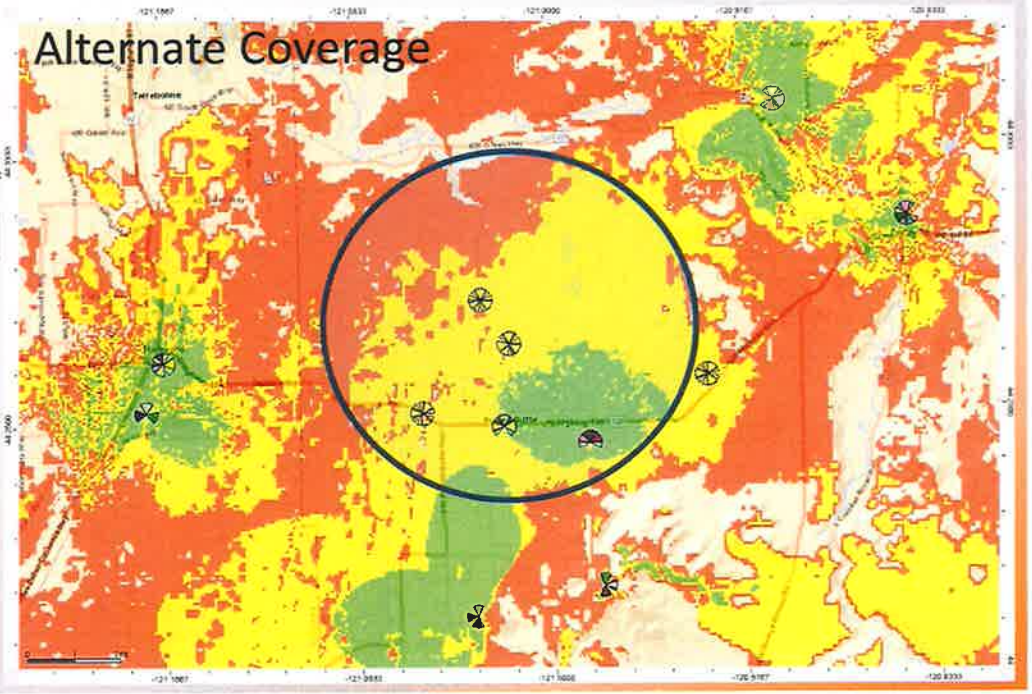
LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm



Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.133659	100	99.3
		RSRP Level (DL) (dBm) >= -85		33.559486	40.9	40.6
		RSRP Level (DL) (dBm) >= -95		78.603561	95.7	95.1
		RSRP Level (DL) (dBm) >= -106		82.133659	100	99.3

Upper table shows proposed site showing 33.55 square kilometers of indoor service vs lower left table current coverage showing 15.51 square kilometers of indoor service a 54% reduction in coverage for the alternate.

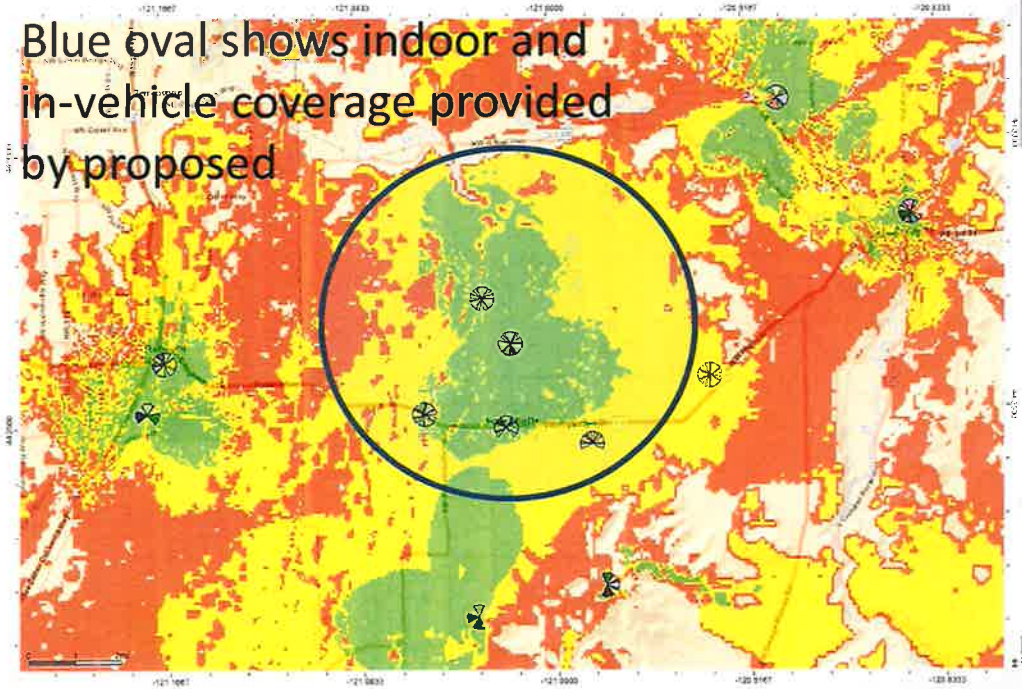
Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.100044	100	99.3
		RSRP Level (DL) (dBm) >= -85		15.518993	18.9	18.8
		RSRP Level (DL) (dBm) >= -95		72.478004	88.3	87.7
		RSRP Level (DL) (dBm) >= -106		82.100044	100	99.3



This alternative provides reduced coverage in comparison to the proposed site and does not satisfy the coverage and capacity objectives for this site.

RSRP Coverage – 180'AGL Proposed vs Alternate 5 (RSC S)

LEGEND	
	Indoor >= -85 dbm
	In-Vehicle >= -95 dbm
	On-Street >= -106 dbm

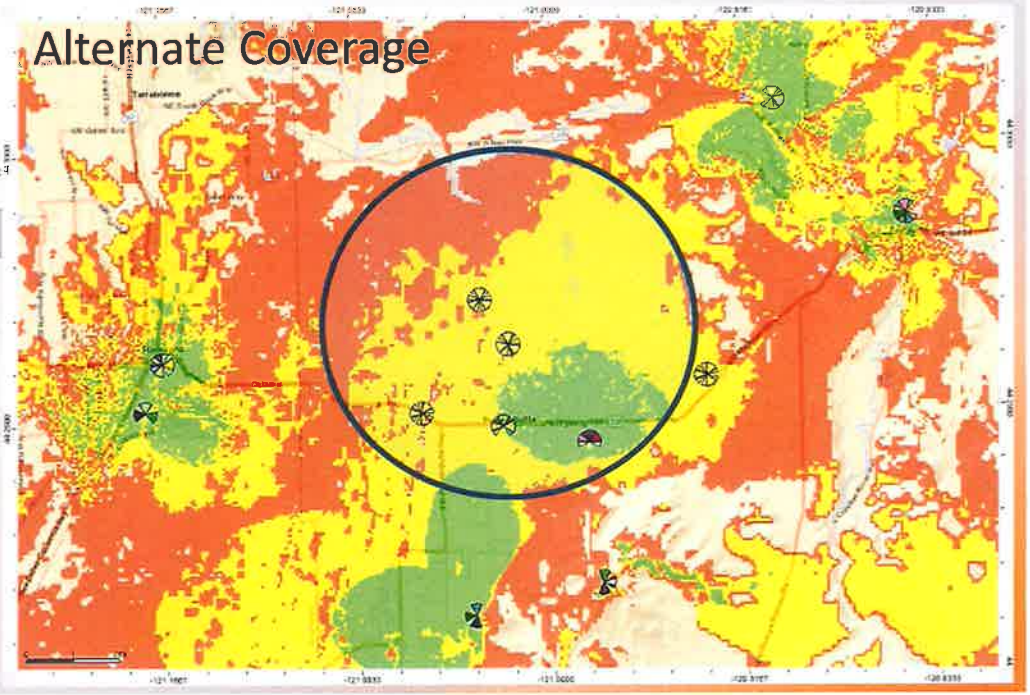


Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.140388	100	99.3
		RSRP Level (DL) (dBm) >=-85		17.89929	21.8	21.6
		RSRP Level (DL) (dBm) >=-95		78.287537	95.3	94.7
		RSRP Level (DL) (dBm) >=-106		82.140388	100	99.3

This alternative provides reduced coverage in comparison to the proposed site and does not satisfy the coverage and capacity objectives for this site.

Zone	Prediction	Legend	Zone Surface (km²)	Surface (km²)	% of Covered Area	% Focus Zone
Focus Zone	RSRP		82.682126	82.133659	100	99.3
		RSRP Level (DL) (dBm) >=-85		33.559486	40.9	40.6
		RSRP Level (DL) (dBm) >=-95		78.603561	95.7	95.1
		RSRP Level (DL) (dBm) >=-106		82.133659	100	99.3

Upper table shows proposed site showing 33.55 square kilometers of indoor service vs lower left table current coverage showing 17.89 square kilometers of indoor service a 47% reduction in coverage for the alternate.



Analysis

- Proposed – Provides the offload needed to the surrounding neighbor sites and meets the coverage objective
- Alternate 1 – ATC tower located 4.27 miles to the East does not provide the same level of service in the coverage objective and does not provide the offload to the neighbors to the East and South
- Alternate 2 – PBR20 SW alternate is located too close to the neighbor sites to the South and will not provide the service needed to the North
- Alternate 3 – R5 NW – 13717 SW Houston Lake Road – Site is farther to the North and does not provide the offload to the neighbor sites to the South
- Alternate 4 – R5 SE alternate is located too close to the neighbor sites to the South and will not provide the service needed to the North
- Alternate 5 – RSC S alternate is located too close to the neighbor sites to the South and will not provide the service needed to the North

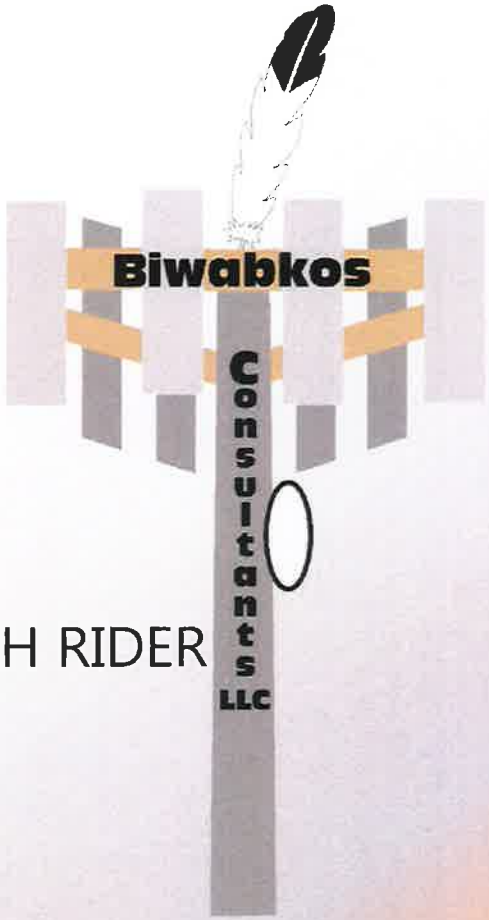
2025

Conclusion

- American tower site to the East is farther away from the target area and will not satisfy the coverage objective for this site or adequately offload the overloaded sites.
- The raw ground sites provide reduced coverage and do not satisfy the coverage and capacity objectives for this site
- Recommend approval of the proposed site as the alternate sites do not satisfy the coverage and capacity objectives for this site.

2025

WIRELESS NETWORK CONSULTING



Harmoni OR0005306 Ditch Rider / Verizon DITCH RIDER
Coverage and Capacity Site

DRIVE TEST REPORT
07/28/2025

Certification

This analysis and report was completed by Steven Kennedy a Radio Frequency Engineer with over 35 years of experience in Wireless Network Engineering.

I certify that the attached RF analysis and report is correct to the best of my knowledge, and all calculations, assumptions and conclusions are based on generally acceptable engineering practices

Steven E Kennedy

Drive Test Overview

- This test was performed to show what the coverage is in the field to validate the propagation models and show the carriers signal strength around the proposed site
- A roof mount external antenna and GPS antenna was utilized with an industry standard scanner (PCTEL G-Flex Scanner)
- A 2nd scanner (WilsonPro Cellular Network Scanner 5G Kit-910060) was used in a stationary location to review the active channels in the area and validate against the PCTEL blind scan
- Active call testing was performed by (3) phones, (1) each on AT&T, T-Mobile and Verizon networks and performing a download throughput test
- Drive tests were performed on July 24th, 2025.
- The scanner processed signal detail from AT&T, T-Mobile and Verizon networks
- The drive route was created based on the primary coverage objective for the site as well as the propagation of the proposed

Blind Scan

- A "blind scan" was completed at a stationary location that has visibility to all (3) major carriers to decode active channels in the area prior to drive testing
- The drive test scanner gear decodes the following for each channel:
  - Date/Time
  - GPS Coordinates
  - Cell ID/PCI
  - For Sync, Reference Signal and, Physical Broadcast Channel (PBCH)
    - Reference Signal Received Power (RSRP)
    - Reference Signal Received Quality (RSRQ)
    - Signal to Interference & Noise Ratio (SINR)
- To show the signal levels, this report will focus on the RSRP from the transmitters as this is the value that shows the coverage from the sites
- The bands/channels shown in this deck are:
  - 700MHz & 850MHz low band
  - 1900MHz & 2100MHz mid band

Frequency Bands/Channels

- Below are the active frequency bands and channels for the area

			Frequency	Downlink	Channel	
Carrier	Technology	Band	Block	Frequency (MHz)	Bandwidth (MHz)	EARFCN
AT&T	4G	12	700	739	10	5110
AT&T	4G	14	700	763	10	5330
AT&T	4G	25	PCS	1982.5	15	8565
AT&T	4G	66	AWS1	2115	10	2000
AT&T	4G	66	AWS3	2132.5	5	66661
AT&T	5G	48	CBRS	3501.12	40	633408
AT&T	5G	77	C-Band	3851.04	80	656736
T-Mobile	5G	71	600	632.45	10	126500
T-Mobile	4G	12	700	731.5	5	5035
T-Mobile	4G	25	PCS	1932.5	5	8065
T-Mobile	4G	66	AWS3	2145	20	66786
T-Mobile	5G	41	BRS	2606.55	90	40756
Verizon	4G	13	700	751	10	5230
Verizon	4G	5	850	885	10	2560
Verizon	4G	4	AWS	2125	10	2100
Verizon	5G	77	C-Band	3809.28	40	653952
Verizon	5G	77	C-Band	3730.08	100	648672

- EARFCN – EUTRA Absolute radio-frequency channel number
- Over 90% of the spectrum utilized by wireless operators are mid or high band spectrum.

Drive Test Route Overview

07/28/2025

Distance from proposed to Verizon neighbor sites

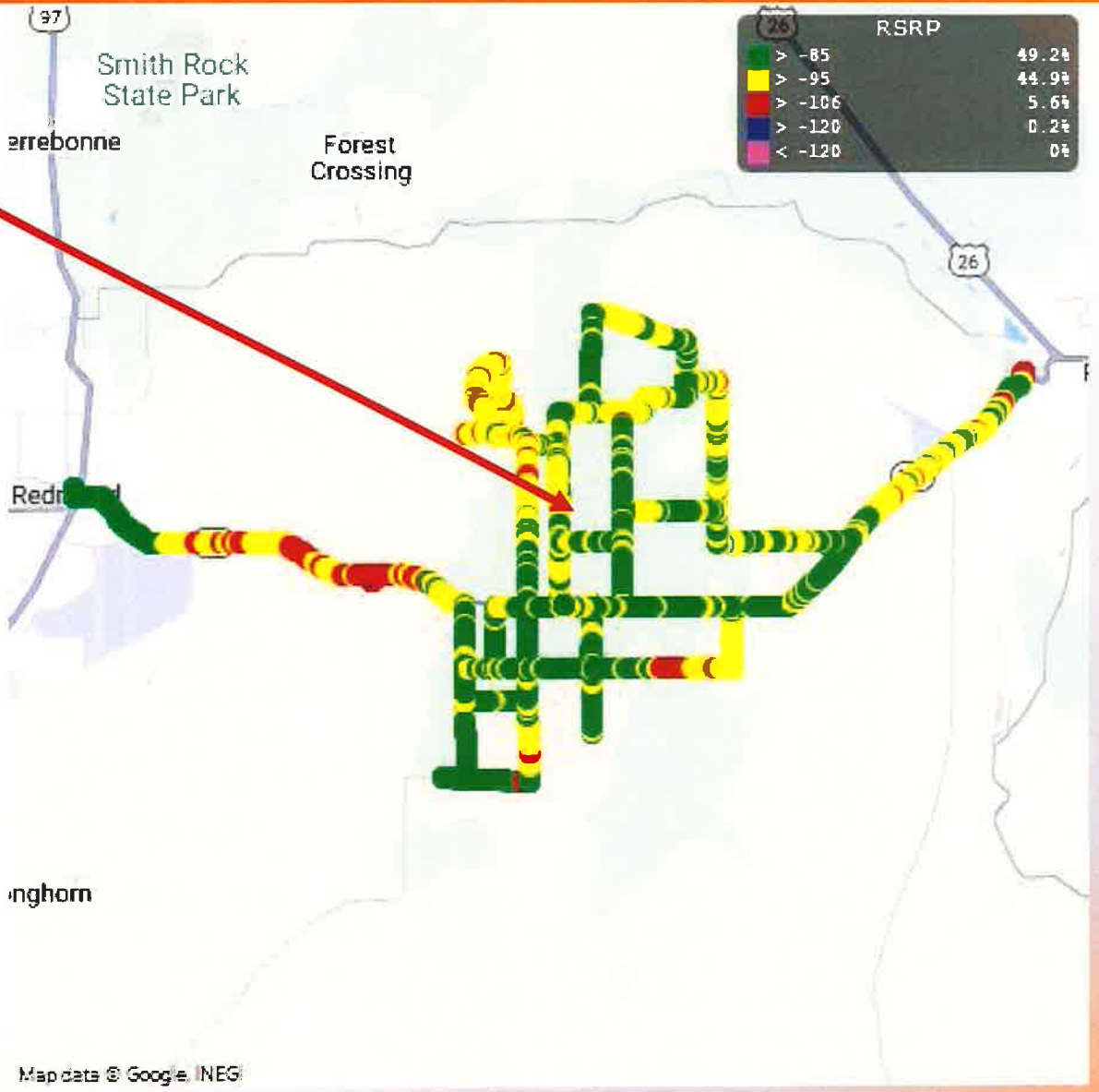
07/28/2025

Verizon 751 MHz channel Scanner Data - Overview

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This is RSRP and shows coverage for In-Vehicle & Outdoor on the NW and West sides of the drive route, there is indoor service to the East and South

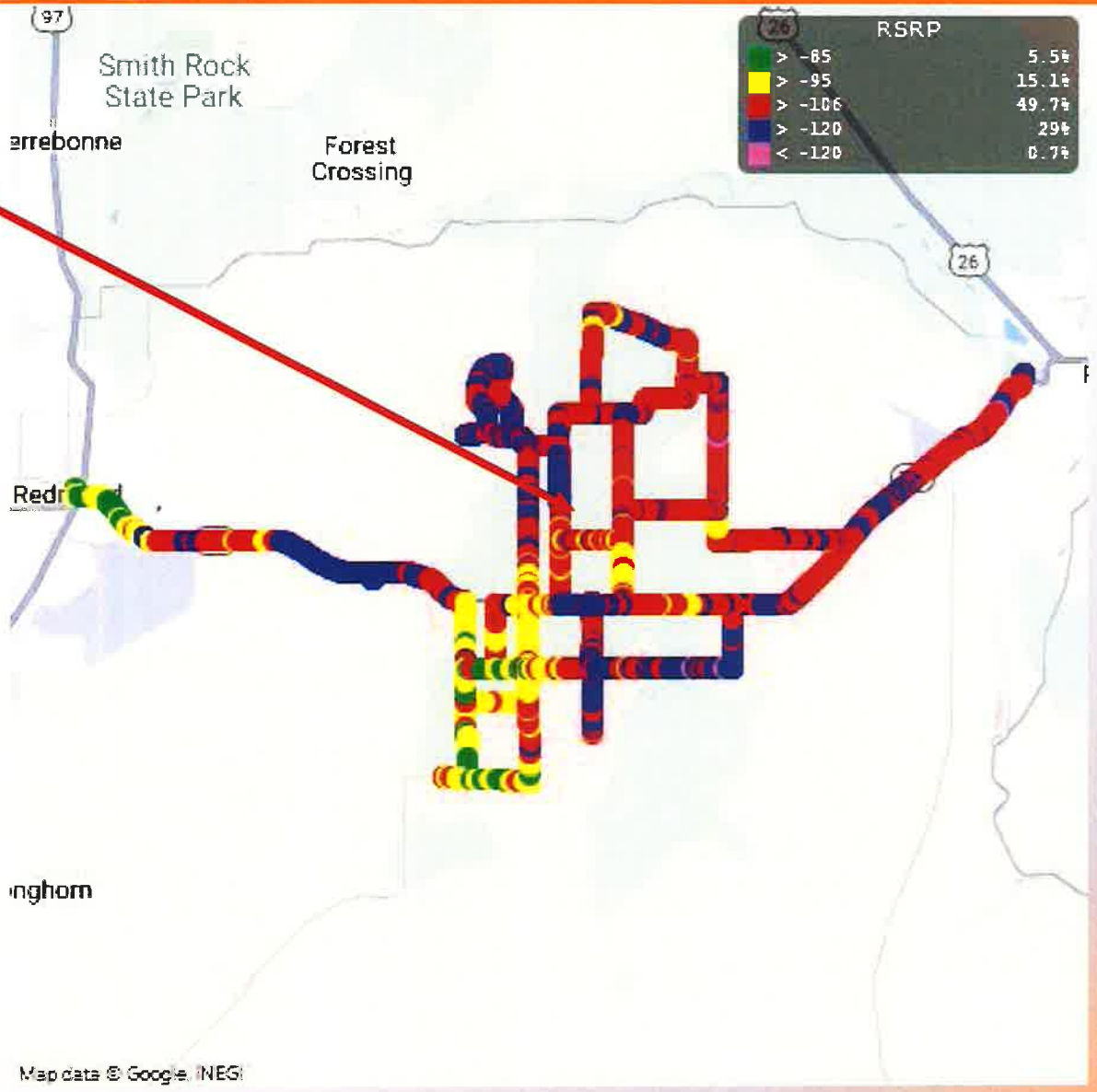


Verizon 2100 MHz channel Scanner Data - Overview

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This is RSRP and shows coverage for Outdoor and Marginal on the NW and West sides of the drive route, there is In-Vehicle and Outdoor to the East and South



07/28/2025

Distance from proposed to AT&T neighbor sites

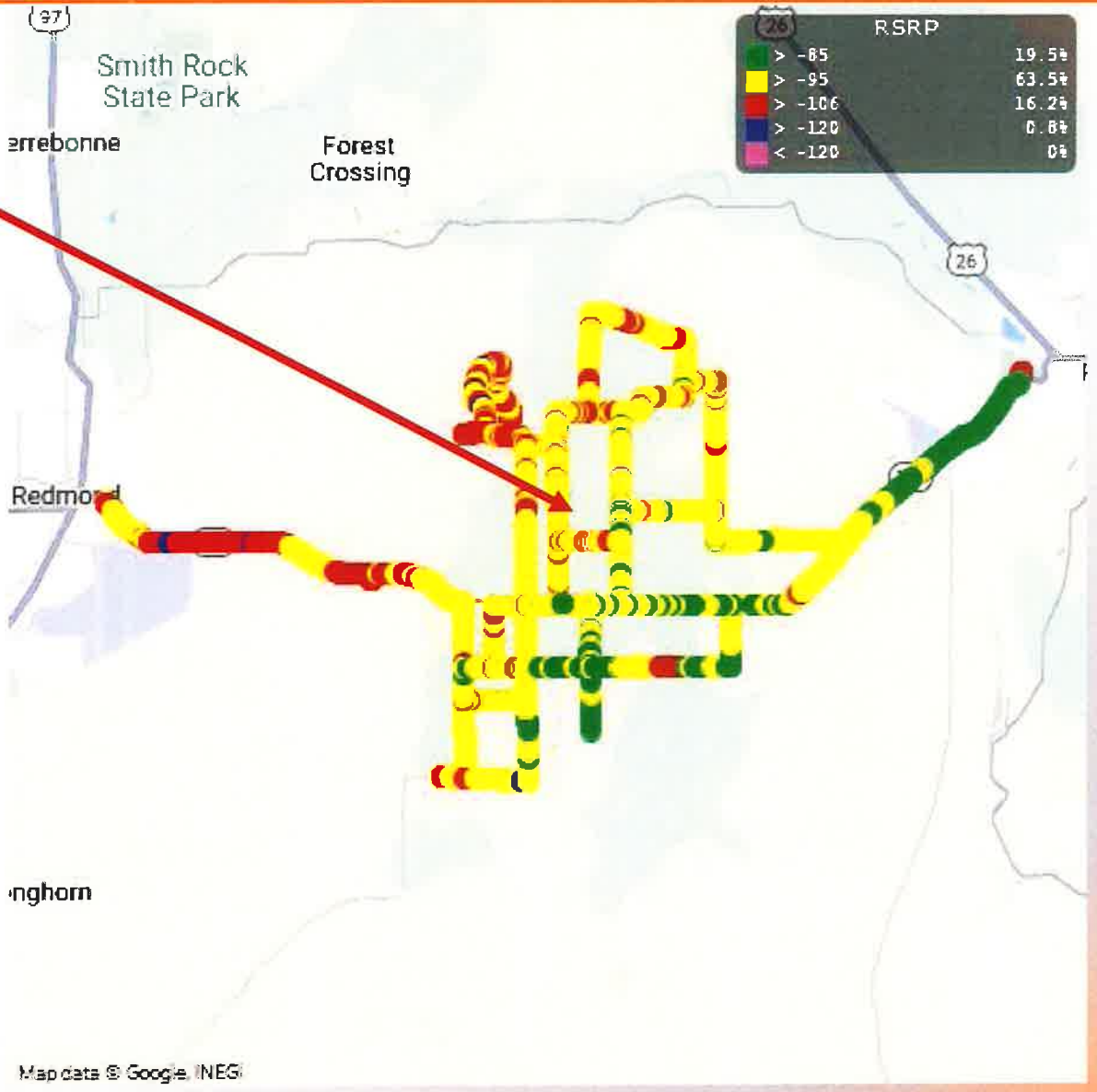
07/28/2025

AT&T 739MHz channel Scanner Data - Overview

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This is RSRP and shows coverage for In-Vehicle & Outdoor on the NW and West sides of the drive route, there is indoor service to the SE and East

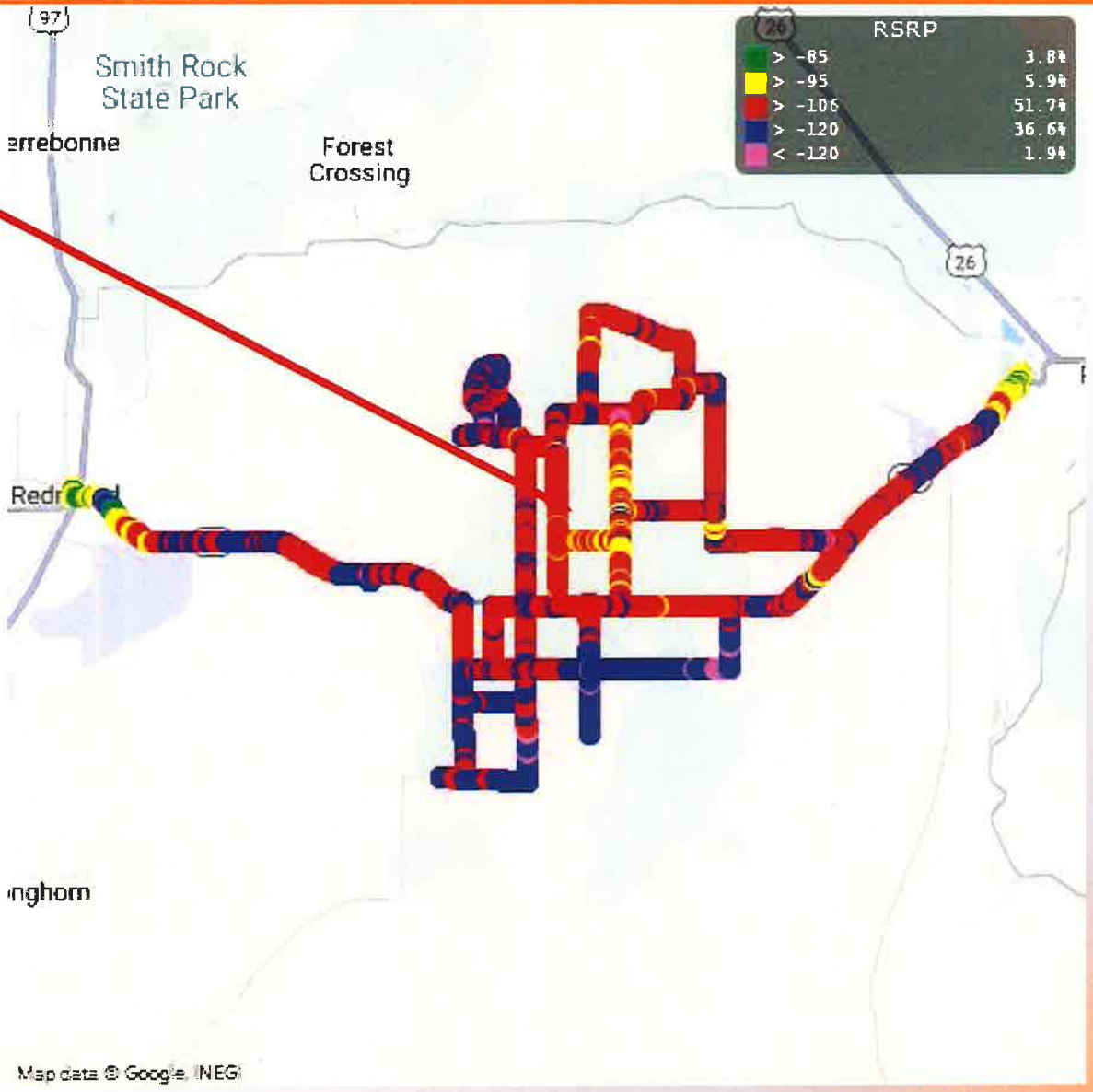


AT&T 2115MHz channel Scanner Data - Overview

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This is RSRP and shows coverage for Outdoor and Marginal on the NW and West sides of the drive route, there is Marginal and Outdoor to the East and South



Distance from proposed to T-Mobile neighbor sites

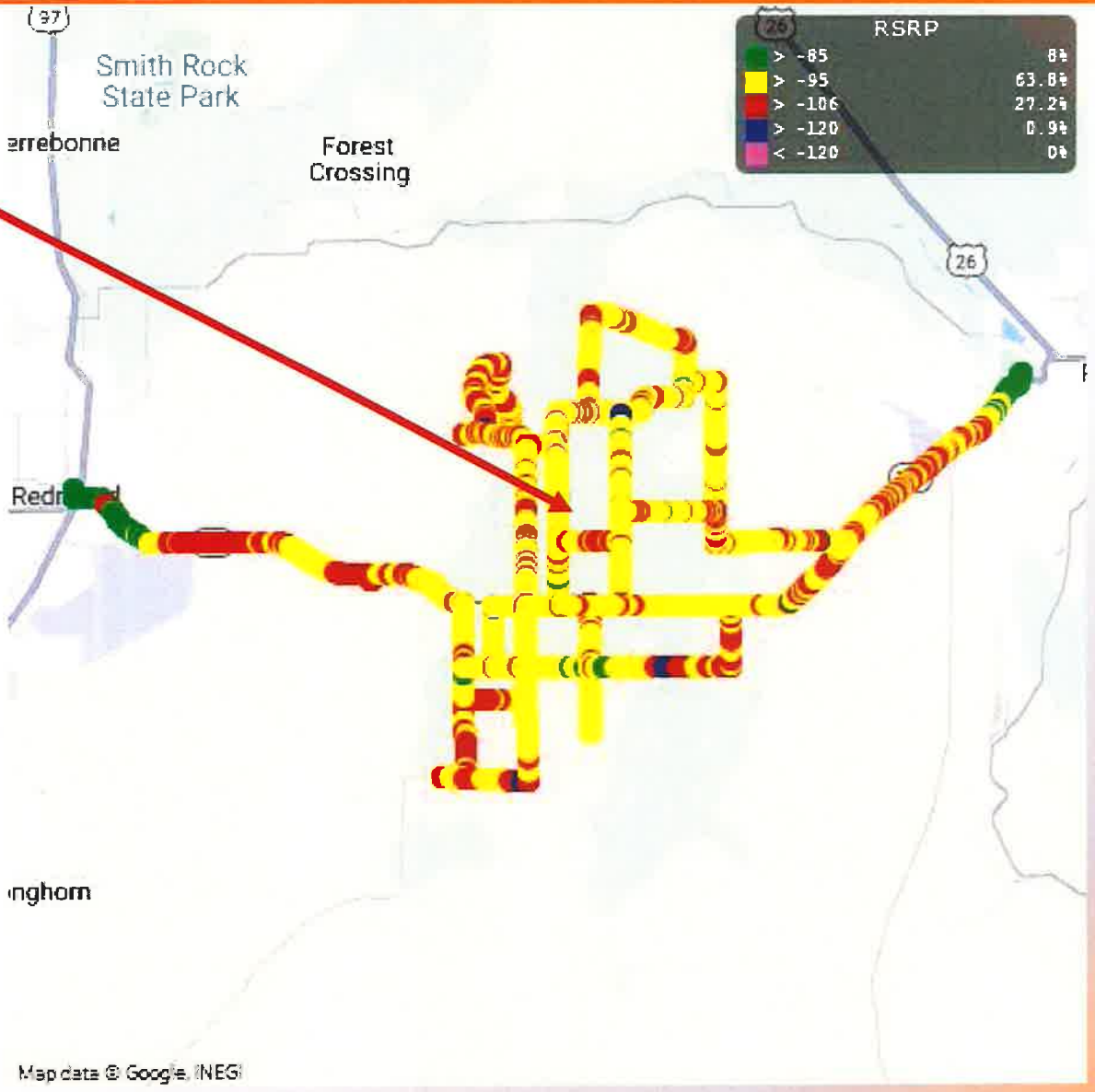
07/28/2025

T-Mobile 731.5MHz channel Scanner Data - Overview

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This is RSRP and shows coverage for In-Vehicle & Outdoor on the NW and West sides of the drive route, there is In-Vehicle and Outdoor service to the SE and East

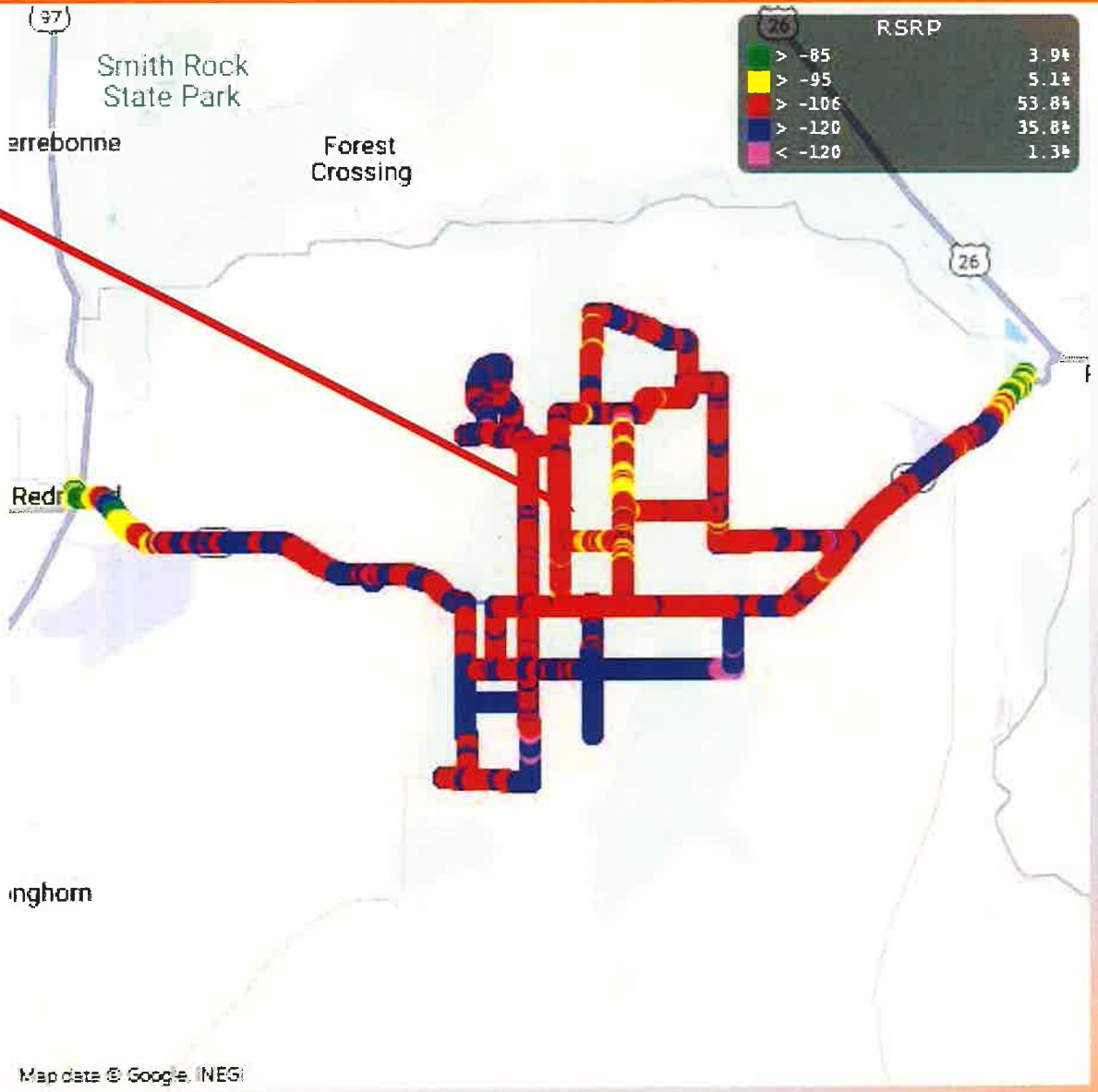


T-Mobile 2145MHz channel Scanner Data - Overview

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This is RSRP and shows coverage for Outdoor and Marginal on the NW and West sides of the drive route, there is Marginal and Outdoor to the East and South

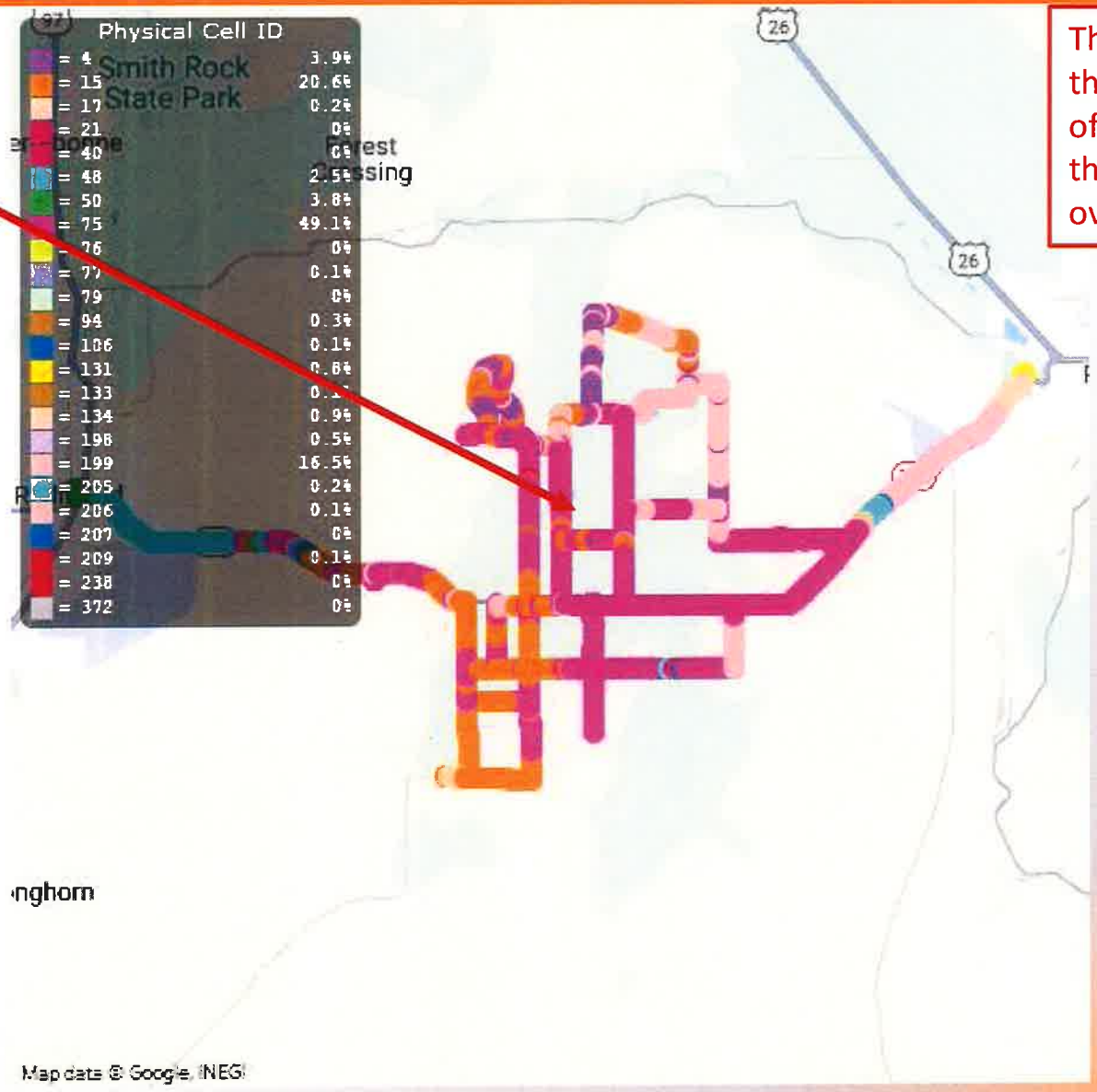


Active Call Testing - Verizon Physical Cell ID

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This plot is the different sectors that service a particular area. Note that the SW the site to the South is providing service (Orange) and to the NW a different site is providing service (Magenta) and a mix of other sectors. The more you go into the area of the proposed there is different sectors providing service. This is indicative of not having a good server as the mobile is on cell edge for the various sites



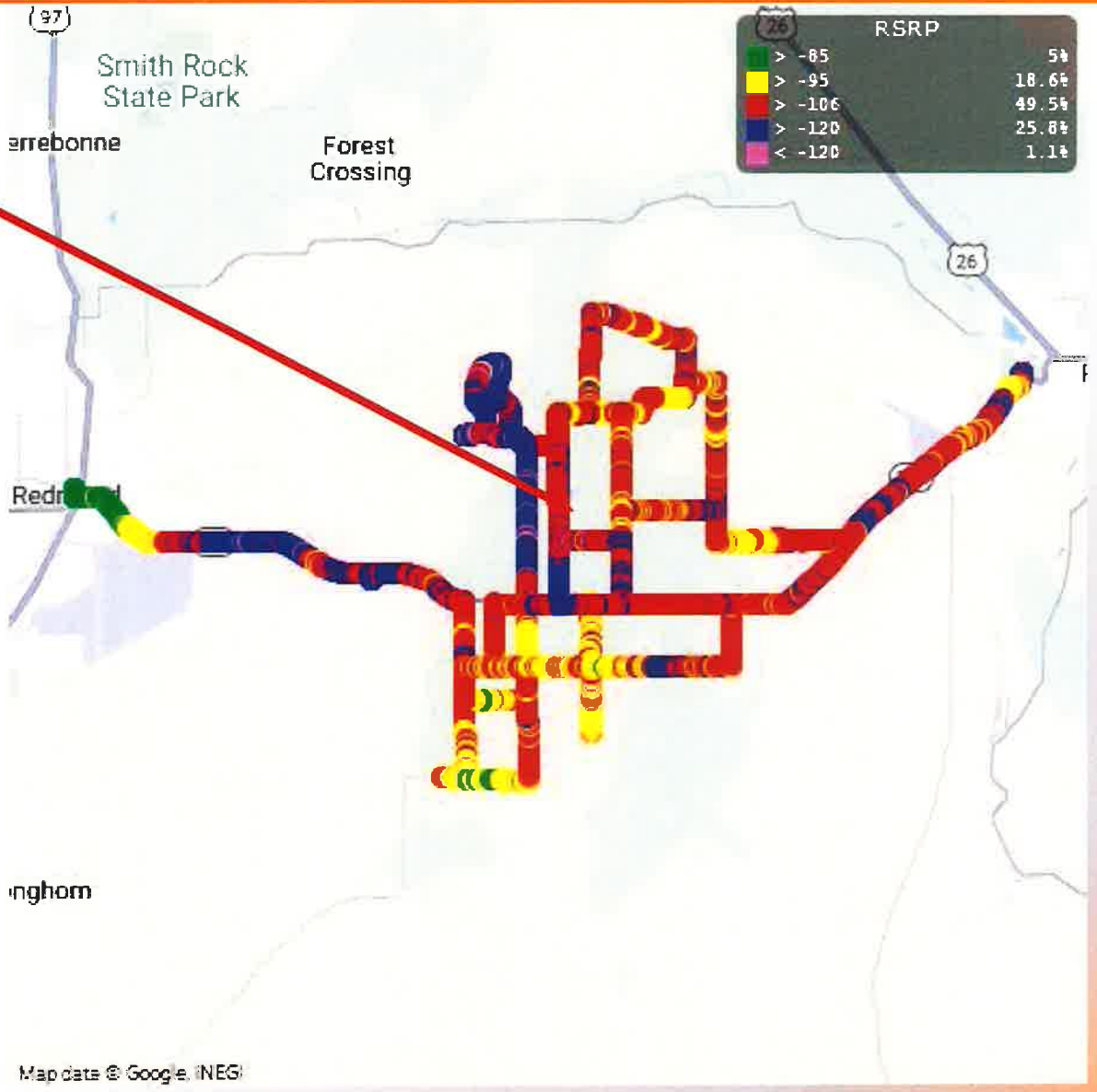
This also shows that the proposed would offload the capacity of the sectors that are over capacity

Active Call Testing - Verizon RSRP

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

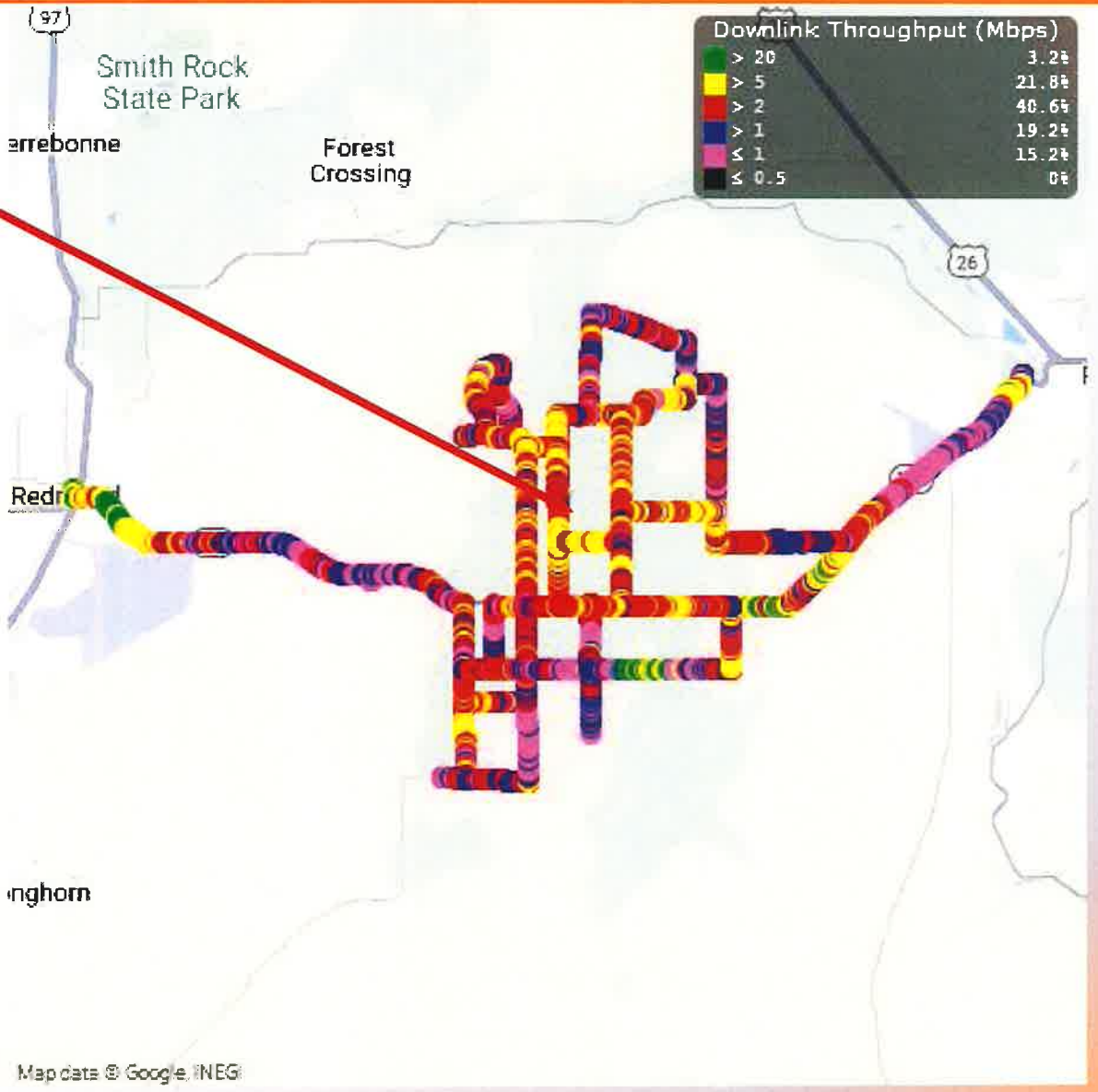
This plot shows the Received Signal Reference Power (RSRP) for the Verizon phone. Note that the service level around the proposed is a mix of Low, Marginal and Outdoor service



Active Call Testing - Verizon Throughput

Proposed Site

This plot shows the throughput on the downlink speed test. There is a mixture of less than 5 Mbps down to less than 500 Kbps around the proposed. The changes are erratic, and this is indicative of sites being over capacity.



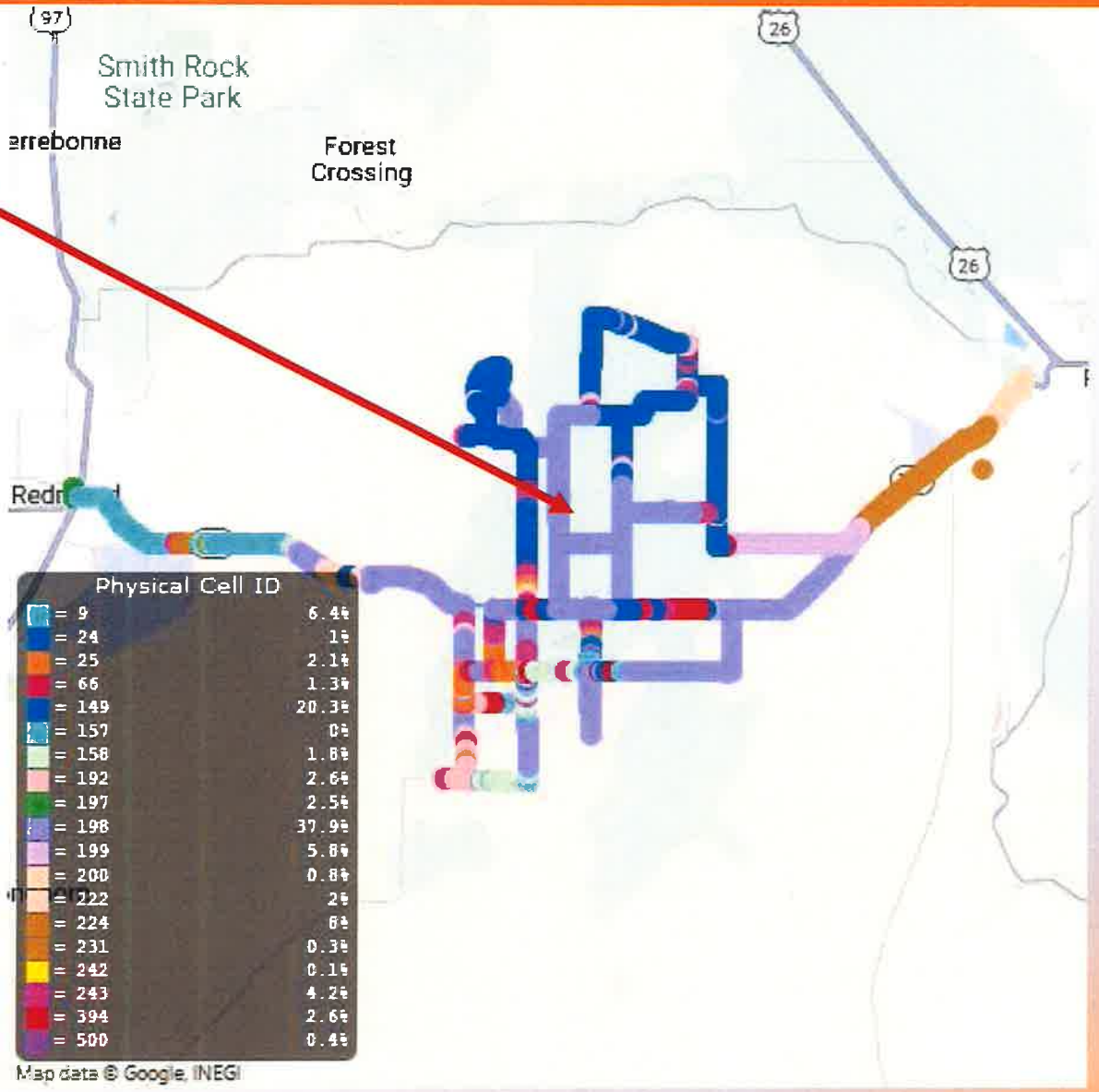
07/28/2025

Active Call Testing – AT&T Physical Cell ID

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This plot is the different sectors that service a particular area. Note that the SW there is no dominant sector providing service and to the NW (2)(blue & purple) sectors are providing service. This is indicative of no dominant service in the SW and a mix of services in the NE the mobiles do not have a good server as the mobile is on cell edge of the various sites



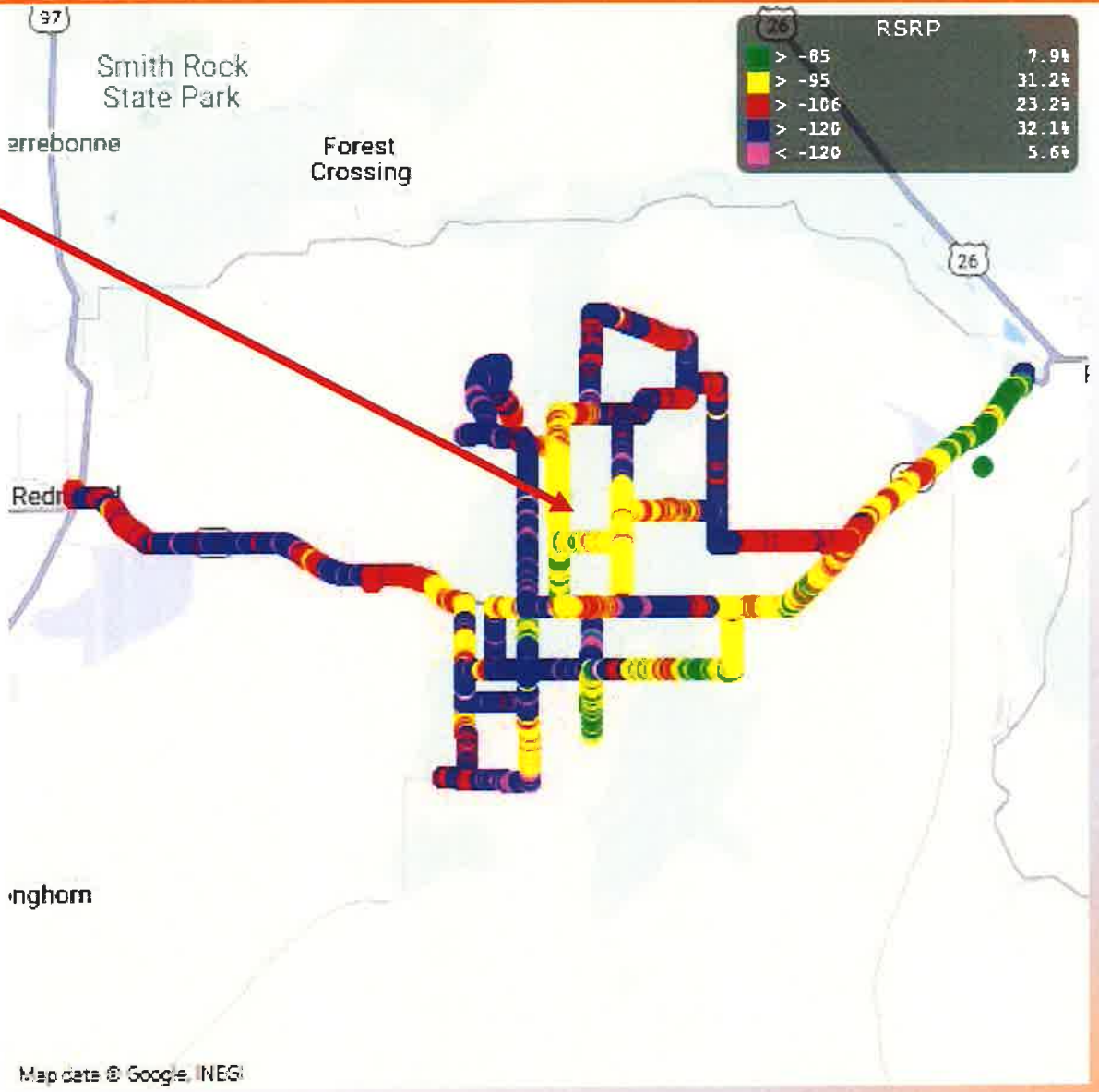
07/28/2025

Active Call Testing – AT&T RSRP

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This plot shows the Received Signal Reference Power (RSRP) for the AT&T phone. Note that in the area around the proposed has a mix of Low, Marginal, Outdoor and In-Vehicle levels.

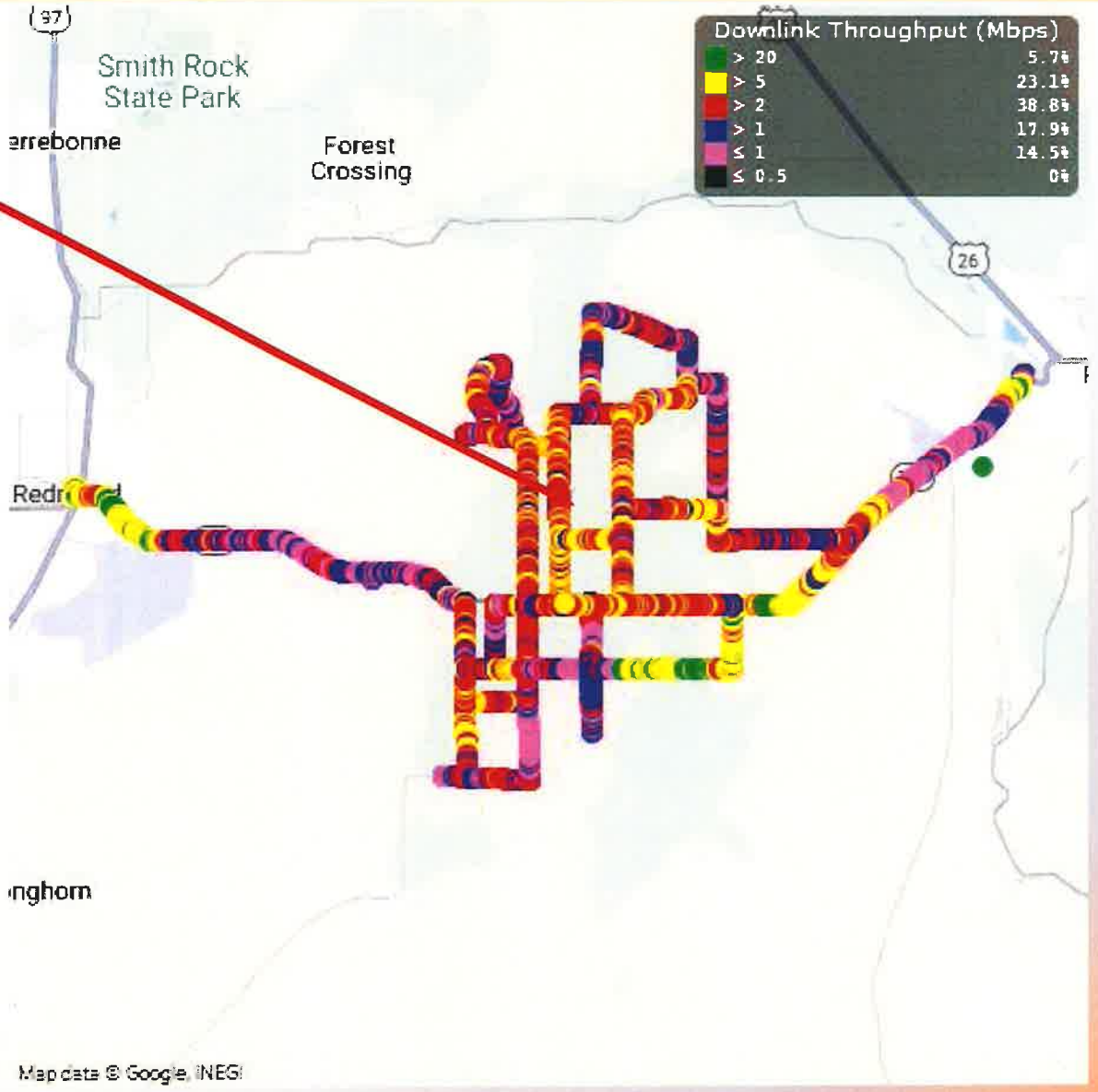


Active Call Testing – AT&T Throughput

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This plot shows the throughput on the downlink speed test. There is a mixture of less than 5 Mbps down to less than 500 Kbps around the proposed. The changes are erratic, and this is indicative of sites being over capacity and no dominant server



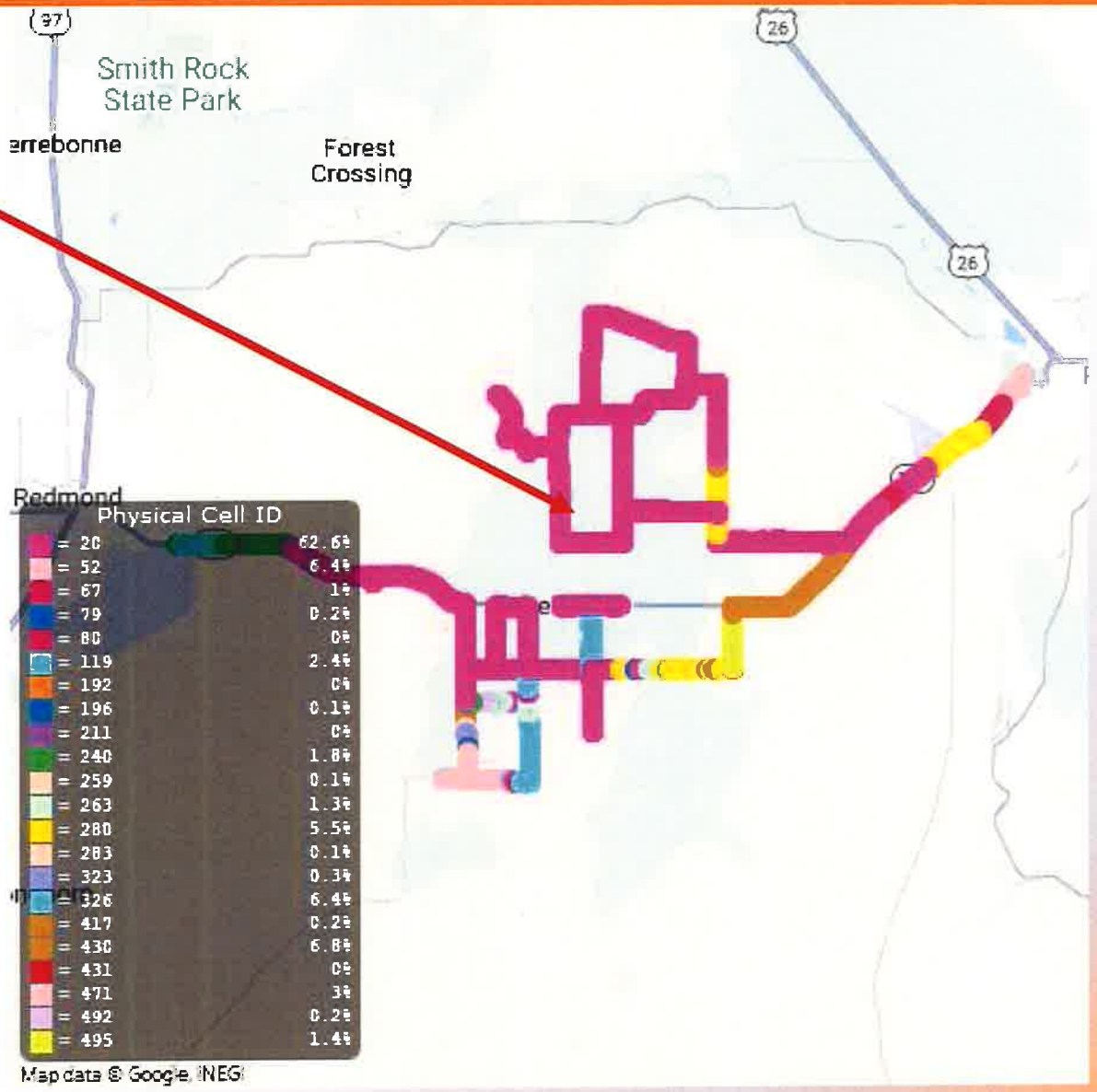
07/28/2025

Active Call Testing – T-Mobile Physical Cell ID

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This plot is the different sectors that service a particular area. Note that the SW there is no dominant sector providing service and to the NW 1 sector (Magenta) is providing service. To the South there is a mixture of sectors providing service

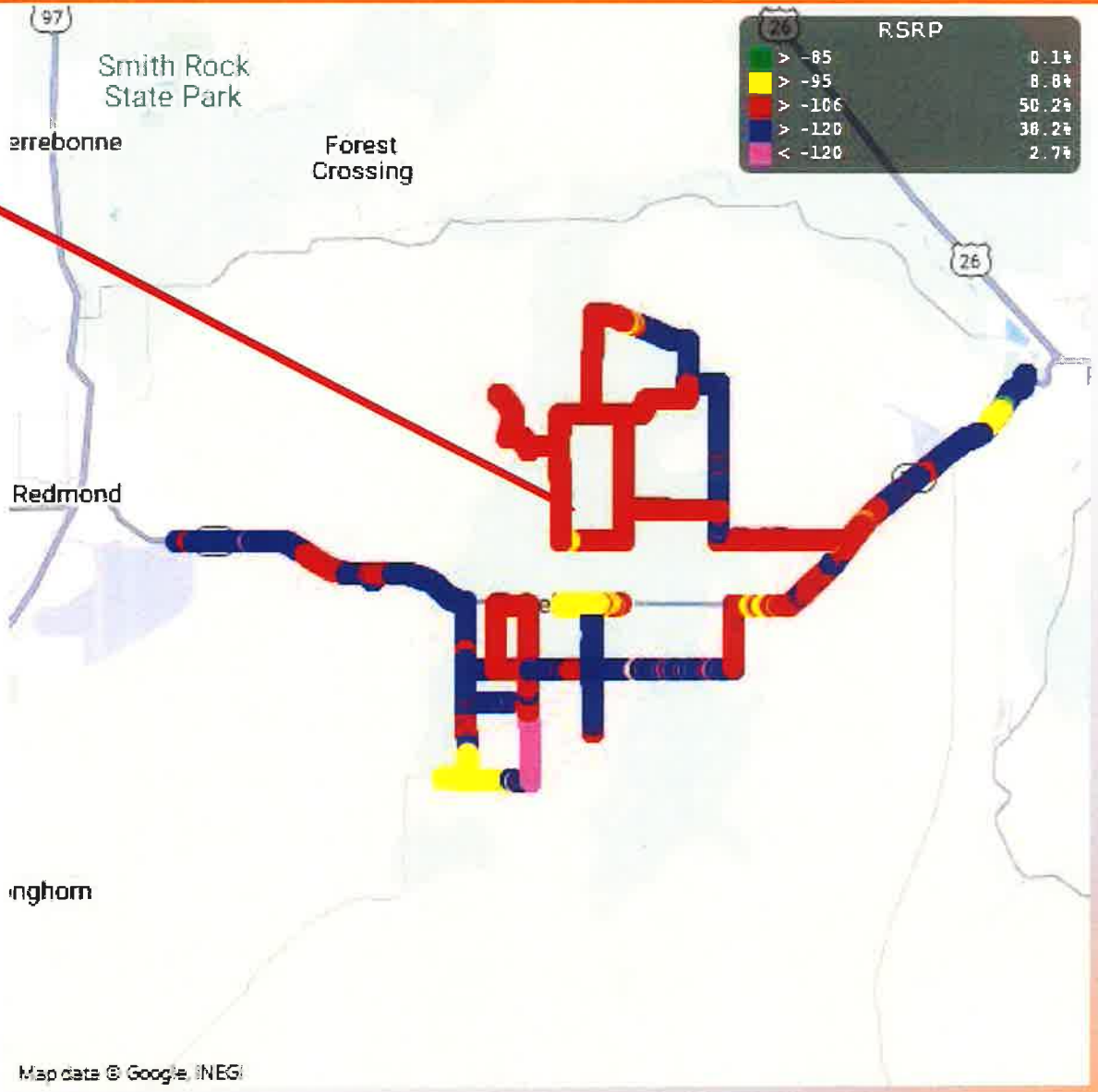


Active Call Testing – T-Mobile RSRP

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This plot shows the Received Signal Reference Power (RSRP) for the T-Mobile phone. Note that in the area around the proposed has a mix of Marginal, Outdoor and In-Vehicle levels.

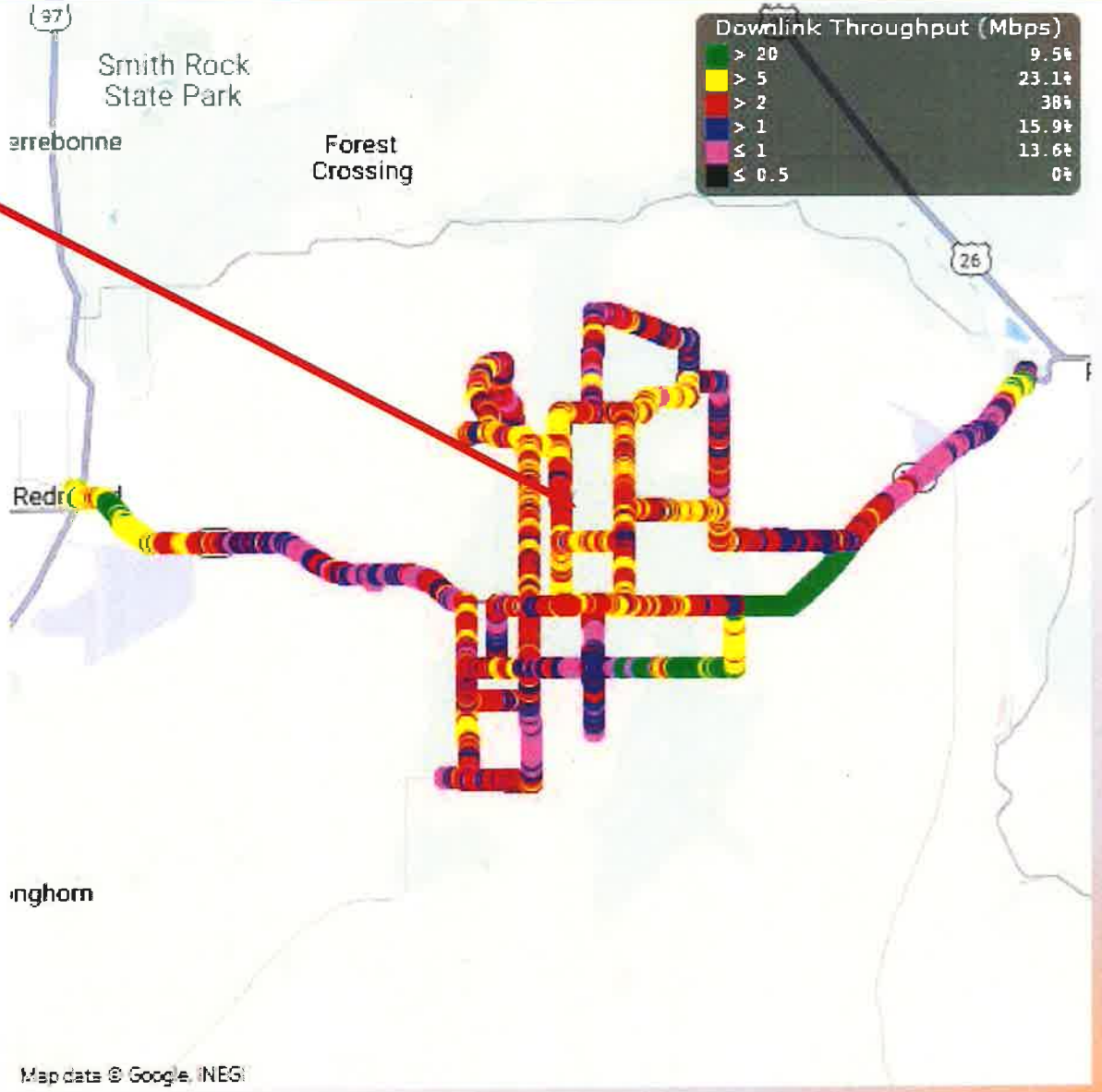


Active Call Testing – T-Mobile Throughput

LEGEND
In-Building (-85 dbm)
In-Vehicle (-95 dbm)
Outdoor (-106 dbm)
Marginal (<-106 to -120 dbm)
Low to No Service (<-120 dbm)

Proposed Site

This plot shows the throughput on the downlink speed test. There is a mixture of less than 5 Mbps down to less than 500 Kbps around the proposed. The changes are erratic, and this is indicative of sites being over capacity and no dominant server



Conclusion

- The Scanner recorded frequency bands for AT&T, Verizon and, T-Mobile in the area.
- The existing sites do not provide the level of service needed in the area. A lack of quality throughput per subscriber in the area
- The throughput levels on the active call testing all the way down to 500 kbps. The existing sites are over capacity and need offload from a new site
- Other carriers have the same level of service in the area and the tower will most likely be collocated with other tenants who will need the height
- **Recommend approval of the proposed tower at the height requested**

Appendix

Frequency Bands

- For both 4G and 5G there are FCC allocated bands
- 4G – https://en.wikipedia.org/wiki/LTE_frequency_bands
- 5G - https://en.wikipedia.org/wiki/5G_NR_frequency_bands

RSRP

- RSRP is short for Reference Signal Received Power, used when measuring LTE networks. A cellular phone or another LTE-equipped device would display signal strength in RSRP, measured 0dBm (best signal) to -110dBm (weakest/no signal). An RSRP of -95dBm would be a strong signal whereas -115dBm would be very weak. Many devices show RSSI for LTE connections along with RSRP, but RSRP is a better indicator of LTE signal strength.
- Sources
  - https://5gstore.com/blog/2021/04/08/understanding-rssi-rsrp-and-rsrq/
  - https://blog.solidsignal.com/tutorials/what-is-rsrp/

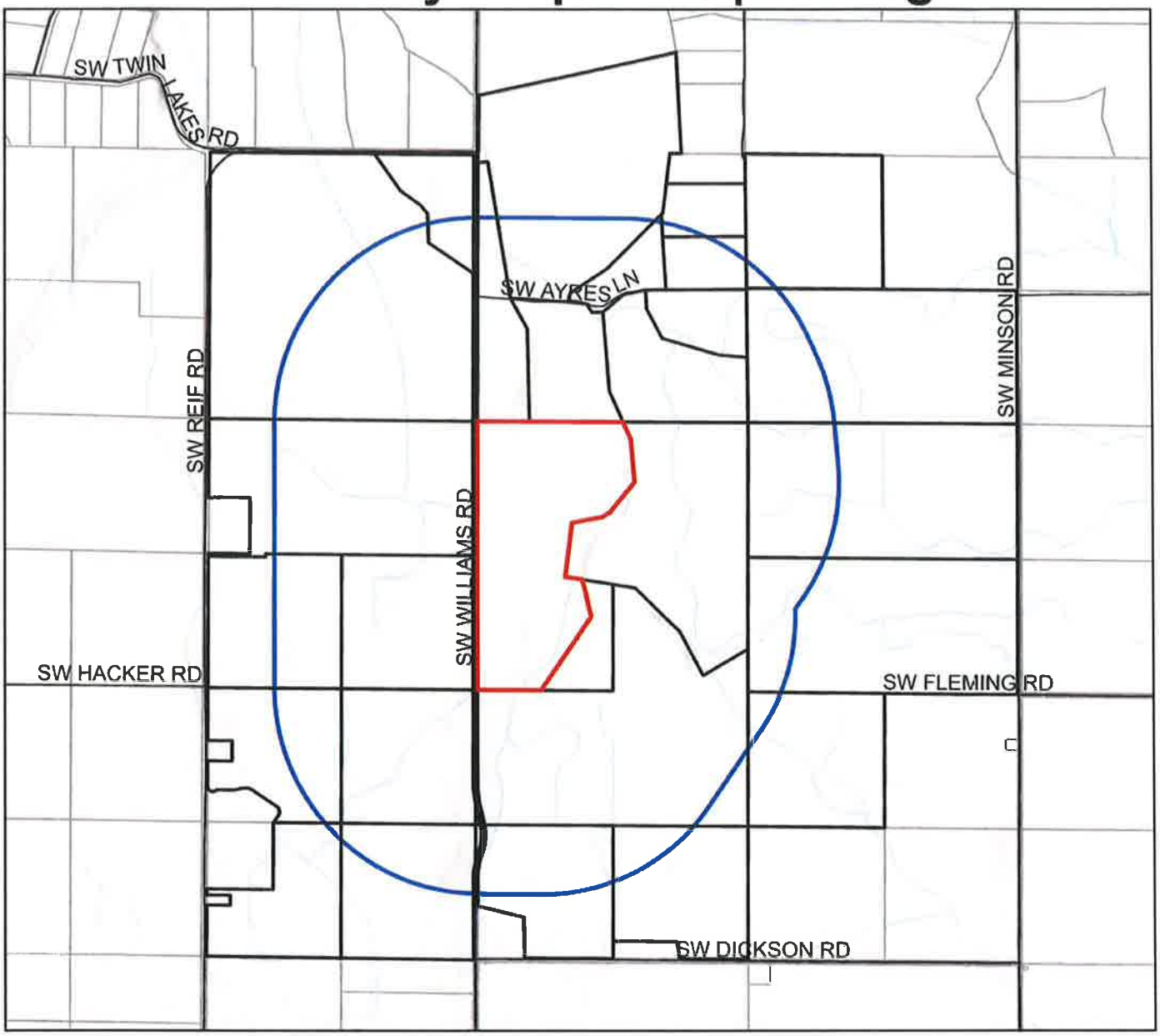
RSRQ (a ratio using RSRP)

- RSRQ is Reference Signal Received Quality. This again only applies to LTE networks and is a measure of the signal quality of a cellular connection. RSRQ is typically displayed in a range from 0dB (highest quality) to -20dB (lowest quality). Typically better signal quality results in a more reliable connection.
- Sources
  - https://5gstore.com/blog/2021/04/08/understanding-rssi-rsrp-and-rsrq/
  - https://blog.solidsignal.com/tutorials/what-is-rsrp/

SINR (a ratio using RSRP)

- SINR (Signal to Interference & Noise Ratio) measures signal quality: the strength of the wanted signal compared to the unwanted interference and noise. Mobile network operators seek to maximize SINR at all sites to deliver the best possible customer experience, either by transmitting at a higher power, or by minimizing the interference and noise.
- Sources
  - https://5gstore.com/blog/2021/04/08/understanding-rssi-rsrp-and-rsrq/
  - https://iscointl.com/sinr-optimization/

Crook County Properties | Mailing List



Legend

- Taxlot 1514140000100
- Taxlots within Buffer
- Buffer 2000'
- Crook County Taxlots

N
W E
S

0 0.35 0.7 Miles

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

Property Owner
12502 SW FLEMING RD
Powell Butte OR, 97753

Property Owner
4322 SW REIF RD
Powell Butte OR, 97753-1829

Property Owner
12501 SW FLEMING ROAD
Powell Butte OR, 97753-1804

Property Owner
12512 SW CORNETT LOOP
Powell Butte OR, 97753-2109

Property Owner
12855 SW AYRES LN
Powell Butte OR, 97753

Property Owner
12993 SW DICKSON RD
Powell Butte OR, 97753-1545

Property Owner
13275 SW AYRES LN
Powell Butte OR, 97753

Property Owner
13431 SW DICKSON RD
Powell Butte OR, 97753-1545

Property Owner
2221 SW WAMPLER LN
Powell Butte OR, 97753-1865

Property Owner
3063 SW MINSON RD
Powell Butte OR, 97753-1805

Property Owner
3068 SW REIF RD
Powell Butte OR, 97753-1827

Property Owner
3367 SW WILLIAMS RD
Powell Butte OR, 97753

Property Owner
3424 SW REIF ROAD
Powell Butte OR, 97753-1827

Property Owner
3690 SW WILLIAMS RD
Powell Butte OR, 97753

Property Owner
3698 SW REIF ROAD
Powell Butte OR, 97753-1829

Property Owner
3976 SW SAM SNEAD CT
Redmond OR, 97756

Property Owner
4021 S BAJA WAY
Boise ID, 82701-4428

Property Owner
4301 SW WILLIAMS RD
Powell Butte OR, 97753

Property Owner
4470 SW REIF RD
Powell Butte OR, 97753-1829

Property Owner
PO BOX 1213
Redmond OR, 97756

Property Owner
PO BOX 36
Powell Butte OR, 97753

Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

ANNOUNCEMENT
NEIGHBORHOOD MEETING

Dear Interested Property Owner,

The Crook County Zoning Ordinance requires a neighborhood meeting with nearby property owners before a wireless telecommunications facility can be submitted for permitting. This meeting is intended to provide project information, address questions, and collect feedback from the community.

Neighborhood Meeting - Date, Time, and Location

Date of meeting: **Sunday, May 4, 2025**

Time of meeting: **5:30 pm to 7 pm**

Location of meeting: **Powell Butte Community Center**
8404 SW Reif Road
Powell Butte, OR 97753

Site Location

Site Address - near 3450 SW Williams Road, Powell Butte, Oregon
Parcel Number - 15141400-00100-14931

Attachments

The following items have been attached to provide additional information regarding the project:

- Survey and Comment Form with the provided Self-Addressed Stamped Envelope
- Photo Simulations and Map
- Site Plan
- Elevations

Project Scope

Verizon Wireless is working to improve cellular coverage in the area north of Powell Butte in Crook County. This project aims to increase capacity along Highway 126 between Redmond and Prineville and expand coverage to the Powell Butte community. Without these improvements, customer experience in the area will continue to decline. Over the years, residents on the north side of Powell Butte have reported poor service. There are no existing wireless communications support structures in the immediate vicinity for Verizon Wireless to locate this facility. The closest tower is over four miles away. To better serve its customers, Verizon plans to enhance network performance in rural areas of Crook County by adding the proposed site to strengthen overall coverage.

The proposed telecommunication facility consists of a new lattice tower with an overall height of one hundred fifty-eight feet (158'), nine (9) antennas, auxiliary equipment, three (3) equipment cabinets that house radio equipment and/or batteries, and a 30kw diesel backup generator. The tower would be built to accommodate other wireless providers.

Harmoni Towers and Verizon Wireless are collaborating on this proposed telecommunication project. Verizon is a wireless telephone company operating throughout the United States of America. Verizon is licensed to operate in the United States by the Federal Communications Commission (FCC). Harmoni Towers provides and manages wireless infrastructure assets throughout the United States.

Contact Information

If you have any questions or concerns in the meantime, please contact Sarah Telschow, the representative for Verizon Wireless and Harmoni Towers, using the contact information below.

Sarah Telschow - Agent for Verizon Wireless and Harmoni Towers
5200 SW Meadows Road, Suite 150
Lake Oswego, OR 97035
Phone: (206) 979-6268
E-mail – stelschow@acomconsultinginc.com

Cc: Property owners within 2,000 feet of the proposed project
Crook County Planning Department

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☐ Yes, Supportive ☐ No, Not Supportive ☐ Unsure

Please provide comments:

2) Do you like the proposed design? If not, what are your concerns?

☐ Yes ☐ No ☐ Unsure

Please provide comments:

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments:

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name -
Address -
E-mail -

Your input is greatly appreciated. Thank you!

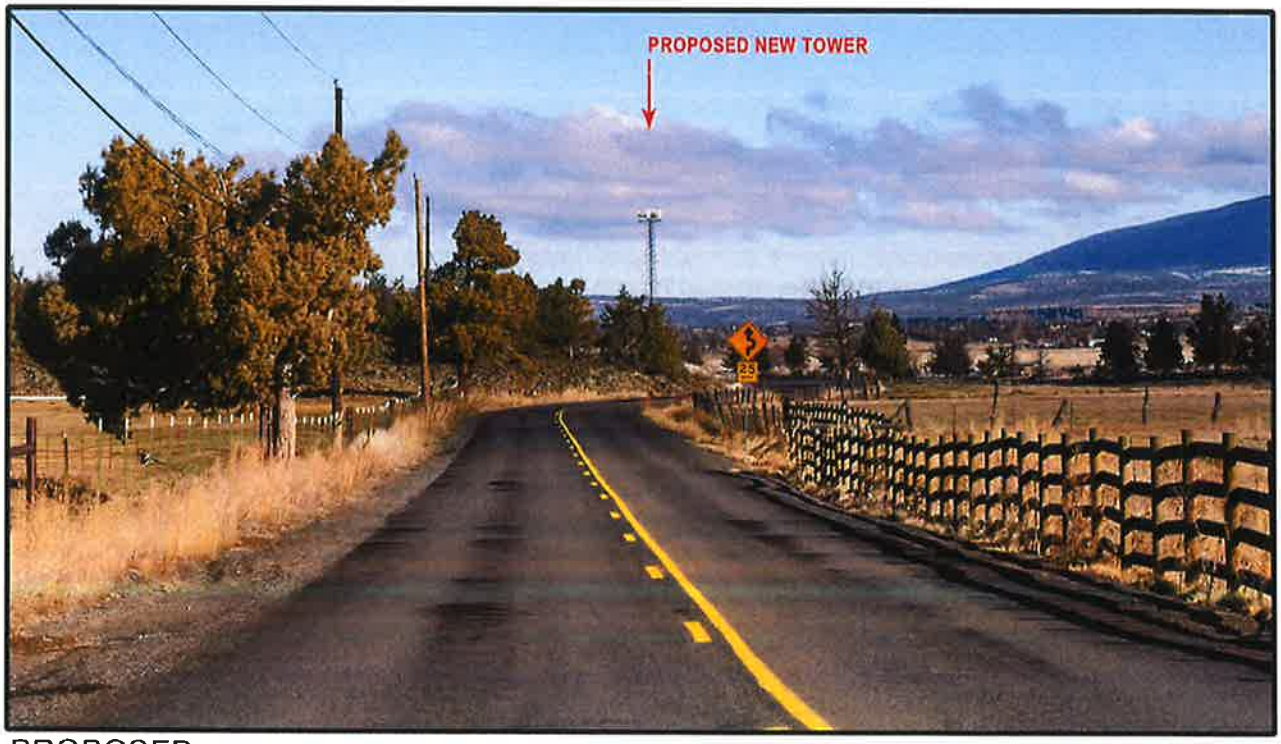
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #1
LOOKING NORTH ON SW WILLIAMS RD.



PROPOSED

TIM BRADLEY IMAGING

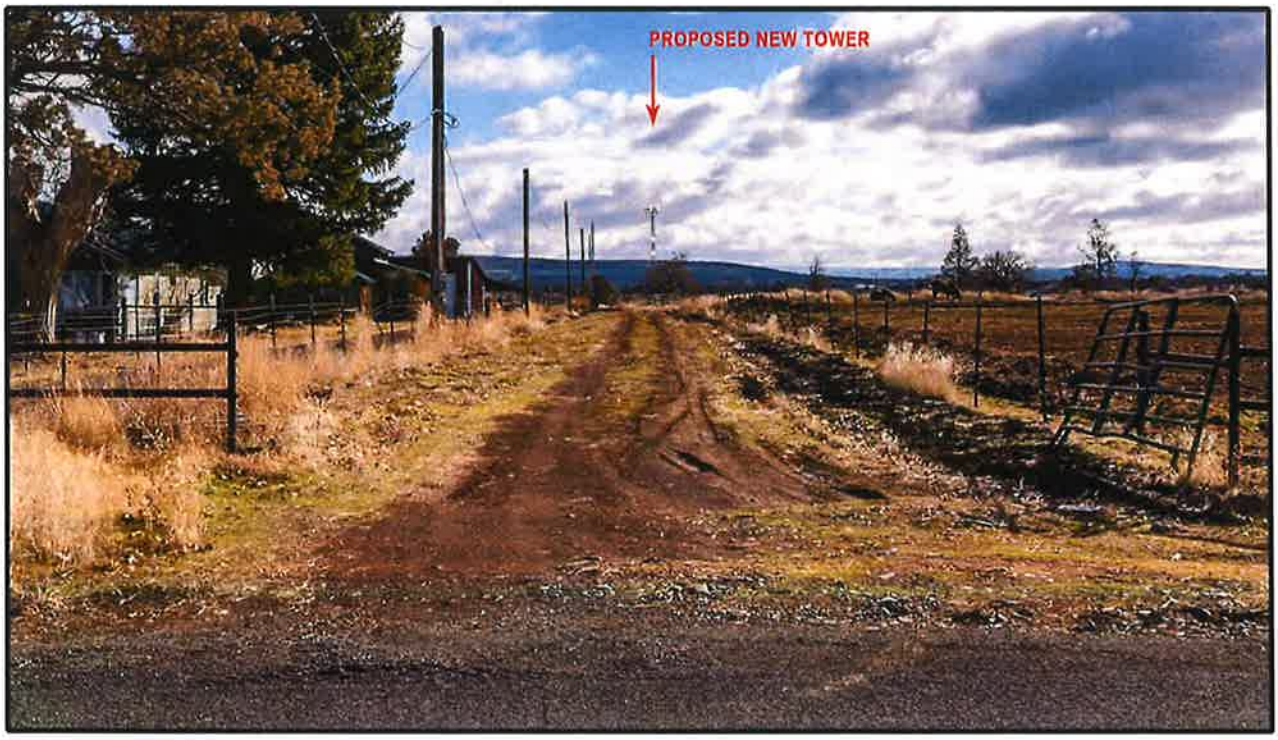
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #2
LOOKING EAST ON SW REIF RD.



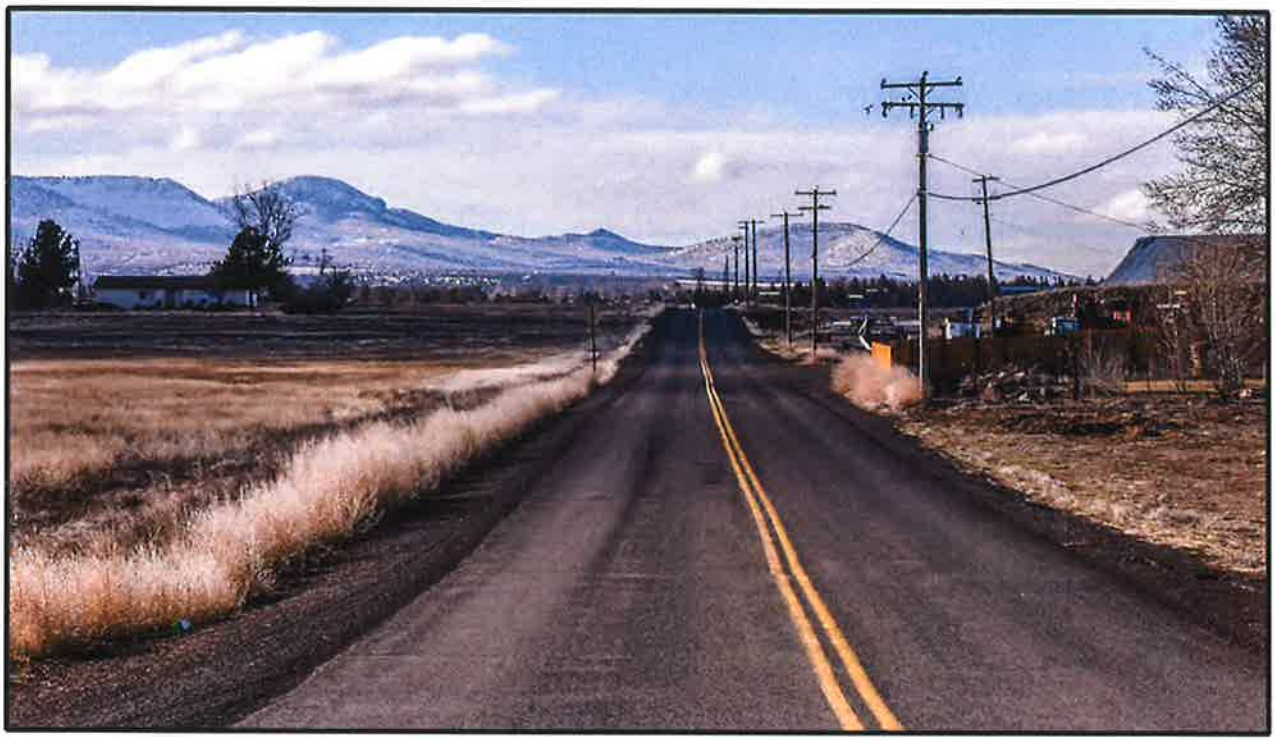
PROPOSED

TIM BRADLEY IMAGING

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR



CURRENT

VIEW #3
LOOKING SOUTH ON SW WILLIAMS RD.

PROPOSED

TIM BRADLEY IMAGING

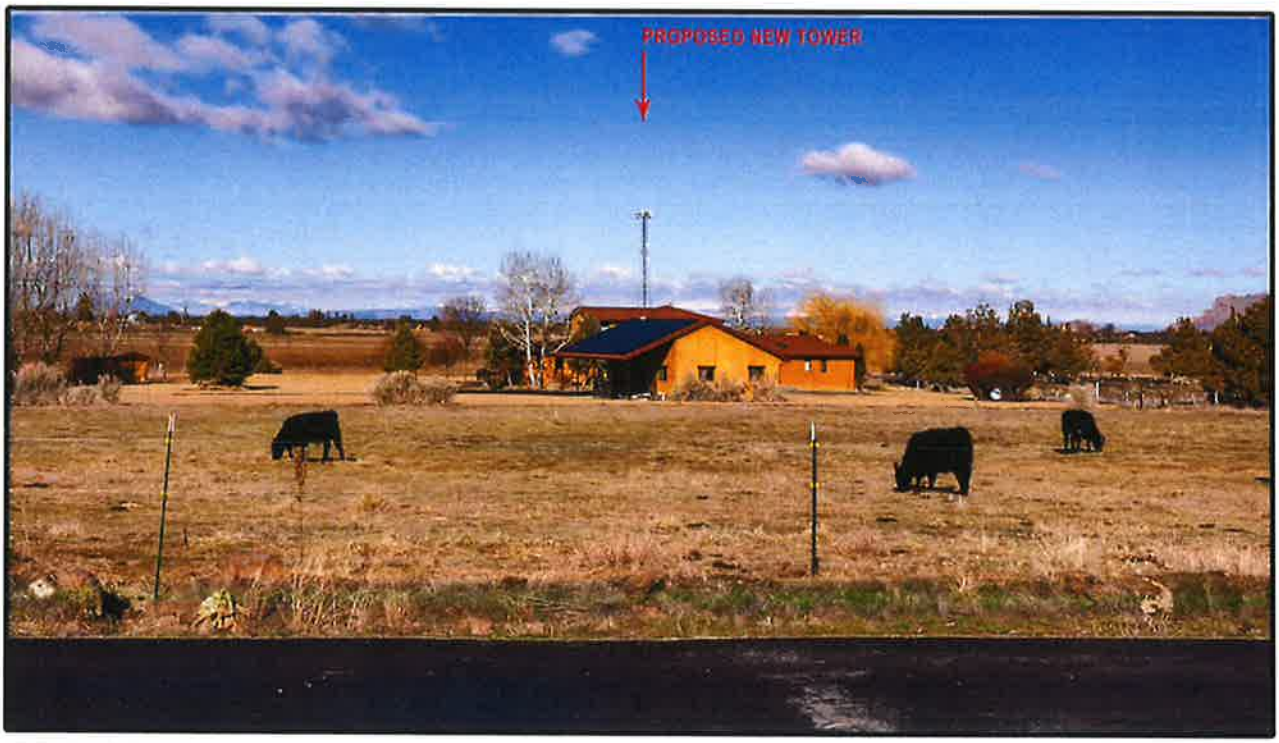
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #4
LOOKING NORTHWEST FROM 3694 SW WILLIAMS RD.



PROPOSED

TIM BRADLEY IMAGING

TIM BRADLEY IMAGING

PHOTO SIM LOCATIONS

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

Acom
CONSULTING, INC
5200 SW Meadows Road, Suite 150
Lake Oswego, OR 97035

Acom Consulting, Inc.
Attn. Sarah Telschow (OR6 Ditch Rider)
5200 SW Meadows Road, Suite 150
Lake Oswego, OR 97035

Tax Lot Number	Physical Address	
1514140000405	4301 SW WILLIAMS RD, POWELL BUTTE, OR 97753	4301 SW WILLIAMS
1514110000600	13000 SW AYRES LN, POWELL BUTTE, OR 97753	4021 S BAJA WAY,
1514130000401	12502 SW FLEMING RD, POWELL BUTTE, OR 97753	12502 SW FLEMIN
1514140000301	3424 SW REIF RD, POWELL BUTTE, OR 97753	3424 SW REIF ROA
1514140000302	3698 SW REIF RD, POWELL BUTTE, OR 97753	3698 SW REIF ROA
1514110000104	13304 SW AYRES LN, POWELL BUTTE, OR 97753	3976 SW SAM SNE
1514110000107	2555 SW WILLIAMS RD, POWELL BUTTE, OR 97753	PO BOX 1213, RED
1514110000108	2760 SW WILLIAMS RD, POWELL BUTTE, OR 97753	4021 S BAJA WAY,
1514130000200	3063 SW MINSON RD, POWELL BUTTE, OR 97753	3063 SW MINSON
1514110000104	2756 SW WILLIAMS RD, POWELL BUTTE, OR 97753	3976 SW SAM SNE
1514140000305	3367 SW WILLIAMS RD, POWELL BUTTE, OR 97753	3367 SW WILLIAMS
1514110000116	12855 SW AYRES LN, POWELL BUTTE, OR 97753	12855 SW AYRES L
1514130000300	12501 SW FLEMING RD, POWELL BUTTE, OR 97753	12501 SW FLEMIN
1514140000102	3694 SW WILLIAMS RD, POWELL BUTTE, OR 97753	PO BOX 36, POWE
1514140000103	3690 SW WILLIAMS RD, POWELL BUTTE, OR 97753	3690 SW WILLIAMS
1514140000201	3068 SW REIF RD, POWELL BUTTE, OR 97753	3068 SW REIF RD
1514140000601	13431 SW DICKSON RD, POWELL BUTTE, OR 97753	13431 SW DICKSO
1514140000700	12993 SW DICKSON RD, POWELL BUTTE, OR 97753	12993 SW DICKSO
1514110000105	2221 SW WAMPLER LN, POWELL BUTTE, OR 97753	2221 SW WAMPLE
1514110000106	2309 SW WILLIAMS RD, POWELL BUTTE, OR 97753	PO BOX 1213 RED
1514110000108	2490 SW WILLIAMS RD, POWELL BUTTE, OR 97753	4021 S BAJA WAY,
1514140000400	4470 SW REIF RD, POWELL BUTTE, OR 97753	4470 SW REIF RD
1514140000401	4401 SW WILLIAMS RD, POWELL BUTTE, OR 97753	4322 SW REIF RD
1514120000600	2150 SW WAMPLER LN, POWELL BUTTE, OR 97753	PO BOX 1213 RED
1514120000700	2603 SW MINSON RD, POWELL BUTTE, OR 97753	12512 SW CORNE
1514110000117	13275 SW AYRES LN, POWELL BUTTE, OR 97753	13275 SW AYRES L
1514130000300	12525 SW FLEMING RD, POWELL BUTTE, OR 97753	12501 SW FLEMIN

Sign-In Sheet

OR6 Ditch Rider
Neighborhood Meeting - Sunday, May 4, 2025

Name	Address	E-mail
Joyce + Wren Dragoner	Powell Butte 97753 9349 SW Reif Rd	Jtencoules@gmail.com
Chuck & Nancy Cruikshank	11505 SW Red Cloud Rd Powell Butte, OR 97753	@gmail.com CNCruikShank
Julie + Dale Reed	11661 SW Red Cloud Rd Powell Butte 97753	Joul269reed@yahoo.com
Wanda Kuklis	8840 SW YAHOOSKIN DR POWELL BUTTE OR 97753	tkuklis@msn.com
Dan & Ashley Larkin	3424 SW Reif Rd Powell Butte, OR	dlarkin@bluesagecfu.com
Cindy Zalunardo Dave Zalunardo	3690 SW Williams Rd. Powell Butte OR 97753	cindy.zalunardo@gmail.com davezalunardo@gmail.com
TIM & TINA MCDANIEL	12855 S.W. AYRES LN. POWELL BUTTE OR 97753	TMCFIX1T@HOTMAIL.COM MCDANIEL5198@HOTMAIL.COM
David & Susie Fisher	3093 S.W. Parrish Ln Powell Butte, Or 97753	fishersredrockranch@gmail.com
Kristina Bierly	12888 SW Houston Lake Rd Powell Butte, OR 97753	krisjam01@msn.com
Kathleen Saterdahl Neil Henke	8440 SW Pokegama Dr Powell Butte OR 97753	neil@3sislabs.com kathy@3sislabs.com

Name	Address	E-mail
Barclay & Sonya Wyss	1262 NW McDaniel Rd. Powell Butte,	Barcwyss@gmail.com
Jen Wilcox	13160 SW Hwy 126 PB	wilcorjennifer m@gmail
Amy Fitzgerald	15211 SW Hacker Rd. Powell Butte 97753	afitzgerald09@gmail.com
Pamela Gump	10030 SW Houston Lake Rd Powell Butte OR 97753	wprarch16@gmail.com
Steve Oberg Bev Oberg	12154 S.W. Cornett Loop PB 97753	gr8cr8@gmail.com bevoberg@gmail.com
for: Brown Neil Erickson	14108 SW Mountain View Powell Butte 97753	DL brown dancer55@yahoo.com Neil.erickson43@yahoo.com
~~Ken~~ McFarlane & Kelly	2150 SW Wampler LN	kmcfarlanecontracting@yahoo.com
Randy Retz	181 SW Bent Lp Powell Butte	mountainbound@WMI.com
Jim & Carol Markman	16587 SW Grandview Rd Powell Butte, OR 97753	
Cathie & Dale Tompkins	12837 SW Cornett Lp PB	Cathie.tompkins@millpower.com

HARMONITOWERS

Comment Sheet

Neighborhood Meeting

Sunday, May 4, 2025

Name: Foster Doss

Address: 3976 SW San Sneed

E-Mail: fosterdoss22@gmail.com

COMMENTS (Please Print Clearly):

Looking forward to less dropped calls and high speed internet

Please use the reverse side for additional space

HARMONITOWERS

Comment Sheet

Neighborhood Meeting

Sunday, May 4, 2025

Name: Wanda Kuklis

Address: 8840 SW Yahooskin Dr
Powell Butte 97753

E-Mail: tkuklis@msn.com

COMMENTS (Please Print Clearly):

Why can't the existing towers be upgraded and access roads improved first before adding another eyesore to our neighborhood.

How about a few mock photos from 500' away

Let's have another meeting with our planning commission board. They need to hear us IN PERSON.

Verizon should broaden the circle of notification so more people of Powell Butte know what is going on. I live on higher ground on South side of Hwy and the cell tower will greatly impact my view and all of my neighbors' view of the area.

Please use the reverse side for additional space

HARMONITOWERS

Comment Sheet

Neighborhood Meeting

Sunday, May 4, 2025

Name: Dan Larkin

Address: 3424 SW REIF RD
POWELL, BUTTE, OR 97753

E-Mail: dlarkin@bluesagecfo.com

COMMENTS (Please Print Clearly):

- NEED? DOESN'T SEEM TO BE A LOT OF LOCAL COMPLAINTS ON VERIZON SERVICE

- LOCATION? ONE OF THE LOWEST ELEVATION PROPERTIES IN POWELL BUTTE

- NO CAMOUFLAGE? STAND OUT LIKE SORE THUMB

- WHY MIDDLE OF FARM GROUND AND NOT BUTTES OR DRY LAND

Please use the reverse side for additional space

Petition To: Stop Verizon cell tower on Williams Road, Powell Butte, OR 97753

Printed Name	Address	Signature
Edward E Colgan SR	2115 SW Wampler Ln. Powell Butte OR.	Edward E Colgan
Jeanne Colgan	2115 SW Wampler Powell Butte	Jeanne Colgan
Tina McDaniel	12855 SW Agness Ln. Powell Butte	Tina M McDaniel
Mickala Colgan	2115 SW Wampler Ln Powell Butte	Mickala Colgan
Skip Lumley	2221 SW Wampler Ln	
BJ. Lumley	2221 SW Wampler Ln Powell Butte, OR	BJ Lumley
Mckayla farnsworth	1955 SW Wampler Ln Powell Butte OR	
Aron Farnsworth	1955 SW Rampler LN Powell Butte OR	
Tye Farnsworth	1955 SW Wampler Ln Powell Butte OR	Tye Farnsworth
Kelsey Farnsworth	1955 SW Wampler Ln Powell Butte OR	Kelsey Farnsworth
Kelly McFarlane	2150 SW WAMPLER LANE	Kelly McFarlane
LEE GARCIA	2043 SW WILLIAMS RD	Lee Garcia
Andy Wallace	1809-SW Wampler Ln	Andy Wallace
Kerrie Wallace	1809 SW Wampler Ln	Kerrie Wallace
JOYCE GARCIA	2043 SW WILLIAMS RD	Joyce Garcia
Elizabeth Kelly	1711 SW Wampler Ln	Elizabeth Kelly
Adali Kelly	1711 SW Wampler LN.	Adali J Kelly
WANDA KUKLIS	8840 SW YAHOOSKIN	
Joyce & Norm Borgard	9349 SW Reif Rd	Joyce A Borgard

www.BusinessFormTemplate.com

Petition To:

Printed Name	Address	Signature
Frank + Jenny Hook treblehook@hotmail.com	3367 SW Williams Rd Powell Butte OR 97753	Frank T. Hook Jenny Hook
JAN & TODD Murphy jamboreemurphy@comcast.net	1920 SE McKenzie Pl Prineville, OR 97754	
GARY SCHLOTTMANN	8105 SW Dagget Lane Powell Butte	
Dennis H Uberbrand	3855 SW Minson Rd. Powell Butte	
Peter R Rawlins	3680 Minson Rd Powell Butte, OR	
Jacob w Storey	12106 SW Houston Lake Powell Butte, OR	
Sheri Storey	12106 SW Houstonlake Rd Powell Butte, OR 97753	
Susan Goodwin	10223 SW Houston Lake Powell Butte OR 97753	
Steve Goodwin	10223 SW Houston Lake Powell Butte 97753	
Brett Curtis	11303 SW Houston Lake Rd Powell Butte	
PHONGPUN MAKARATAD-FOX	5197 SW MINSON RD. POWELL BUTTE, OR 97753	
Bruce Brown	4301 SW Williams Rd. Powell Butte OR	
DAVID L FISHER SR	3093 SW PARRISH LN Powell Butte OR 97753	
Kodey L Fitzgerald	1365 NE Ochoco Ave Prineville, OR 97754	
Alex Bush	11088 SW Mason Rd Powell Butte	
Justin + Tabitha White Lacey	10759 SW Fleming RD. Powell Butte OR 97753	
Wendell Gump Pam Gump	10030 SW Houston Lake Rd. Powell Butte Or.	
DAMIAN STEHLY ALDEN STEHLY	9715 SW HOUSTON LAKE POWELL BUTTE, OR	
Beverly Oberg	12154 SW Barnett Lp PB 97753	Beverly Oberg

Petition To: Stop Verizon cell tower on Williams Road.
Powell Butte, OR 97753

Printed Name	Address	Signature
Jeremy / Heidi Wood	13275 SW Hayes Ln	Jeremy Wood
Jamie Bierly	12888 SW Houston Lake Rd	
Barclay + Sondy Wyss	1262 N US McDaniel	Sandy Wyss
Jen Wilcox	13567 SW HWY 126 Powell Butte	

Petition To:

Printed Name	Address	Signature
Carole Hancock	2924 SW Parrish	Carole Hancock
JOHN WHITE	10759 SW Fleming	John White
Cheryl Ehnis 2	10932 SW Cornell Lp	Cheryl Ehnis

Petition To:

Printed Name	& Address	Signature
Darlene Allman	allmanwillard@gmail	50541-404-4234 Darlene J Allman
Randy Pete	mountainbound@WVI.com	Randy Pete
Neil F Erickson	Neil.eRickson43@yahoo.com	Neil F Erickson
Lori Brown	Lbrownndancer58@yahoo.com	Lori K Brown
Cyndie Alacano	cc.alacano@gmail.com	Cyndie Alacano

HARMONI TOWERS

Project Handout

Site Location

Site Address - near 3450 SW Williams Road, Powell Butte, Oregon (Alexander Ranch)
Parcel Number - 15141400-00100-14931

Why Is This Needed?

Verizon Wireless, in partnership with Harmoni Towers, is proposing to build a new wireless communication facility to:

- Improve cellular coverage and reliability in the area north of Powell Butte in Crook County. This project aims to increase capacity along Highway 126 between Redmond and Prineville and expand coverage to the Powell Butte community.

- Provide the residents north of Powell Butte with better wireless service. The areas to the north have experienced poor wireless service.

Key Project Details

- There are no existing wireless communications support structures in the immediate vicinity for Verizon Wireless to locate this facility. The closest tower is over four miles away.

- Type of Tower Proposed:
  - 150-foot lattice tower (a framework-style structure) with an overall height of 158 feet.

- Antennas:
  - Nine (9) panel antennas attached to the tower

- FAA Lighting:
  - No aviation lighting is expected to be required.

Frequently Asked Questions

- Is the facility safe?
  - Yes. The facility will meet or exceed all safety guidelines set by the Federal Communications Commission (FCC) regarding radio frequency emissions.
    - This proposed facility will operate well within federal exposure limits designed to protect the public. These limits include large safety margins and are based on thorough evaluations by federal agencies such as the FCC, EPA, and FDA.
    - Radio Frequency (RF) energy used by wireless networks is non-ionizing, meaning it does not have enough energy to break chemical bonds or remove electrons.
    - Public safety and transparency remain a priority throughout this process. All required standards will be met, and full compliance with federal regulations will be maintained.

- Will the tower affect property values?
  - Studies over the past 20 years have examined the effect of telecommunication towers on property values. These studies, including market analyses conducted by certified appraisers, have found no evidence that the presence of cellular antenna towers negatively affects property values, especially when located in rural areas.

- Will the tower be lit?
  - No lighting is planned for this tower, minimizing visual impact.

- Can other providers use this tower?
  - Yes. The tower is designed to support additional wireless providers in the future.

Contact Information

If you have any questions or concerns, please contact Sarah Telschow, the representative for Verizon Wireless and Harmoni Towers, using the contact information below.

Sarah Telschow - Agent for Verizon Wireless and Harmoni Towers
5200 SW Meadows Road, Suite 150
Lake Oswego, OR 97035
Phone: (206) 979-6268
E-mail – stelschow@acomconsultinginc.com

Thank you for taking the time to learn more about the project!
Your participation is valued.

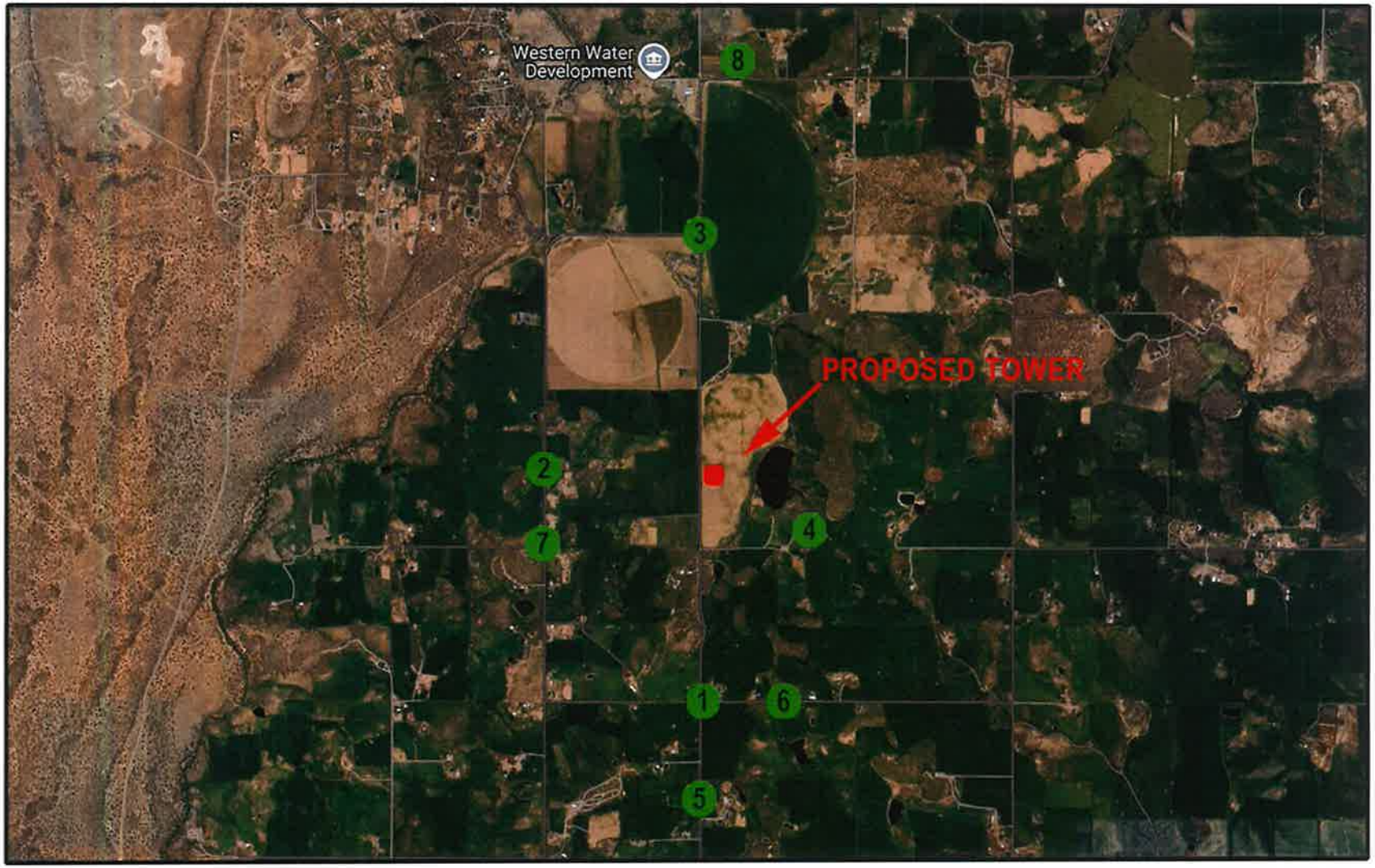


PHOTO SIM LOCATIONS

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

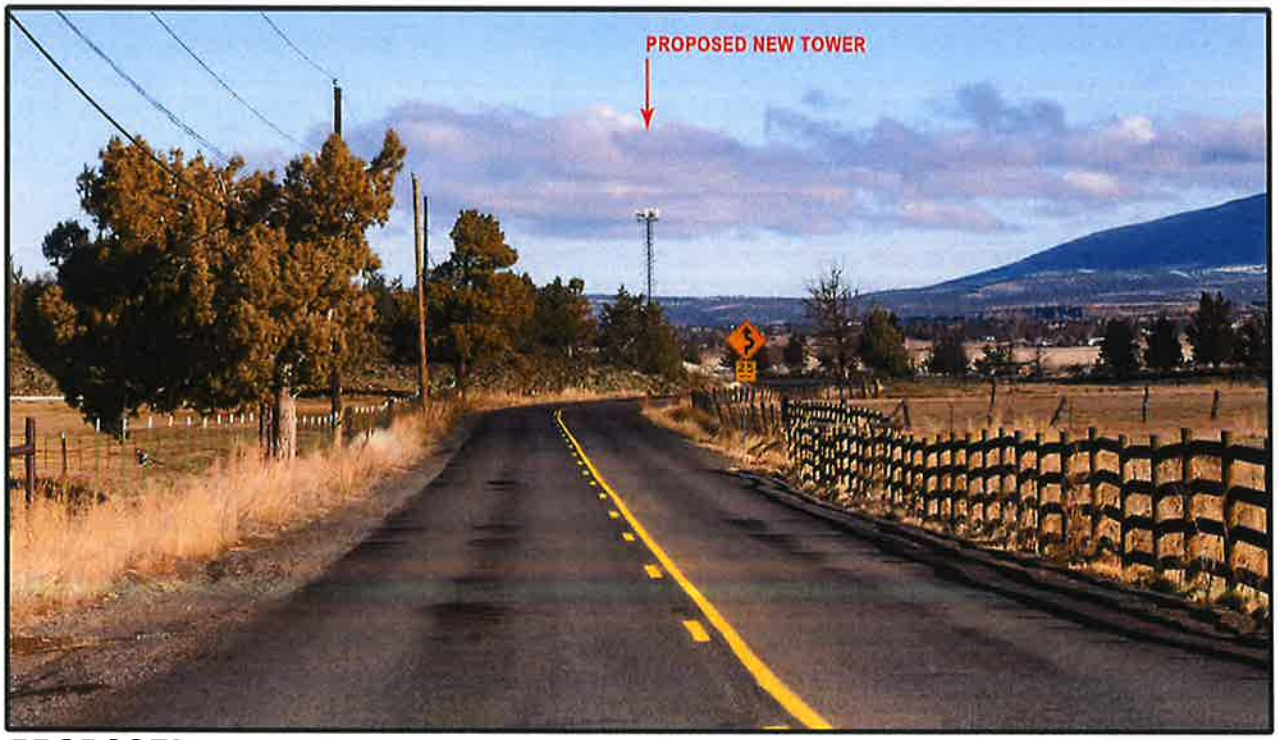
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #1
LOOKING NORTH ON SW WILLIAMS RD.



PROPOSED

TIM BRADLEY IMAGING

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #2
LOOKING EAST ON SW REIF RD.

PROPOSED

TIM BRADLEY IMAGING

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #3
LOOKING SOUTH ON SW WILLIAMS RD.

PROPOSED

TIM BRADLEY IMAGING

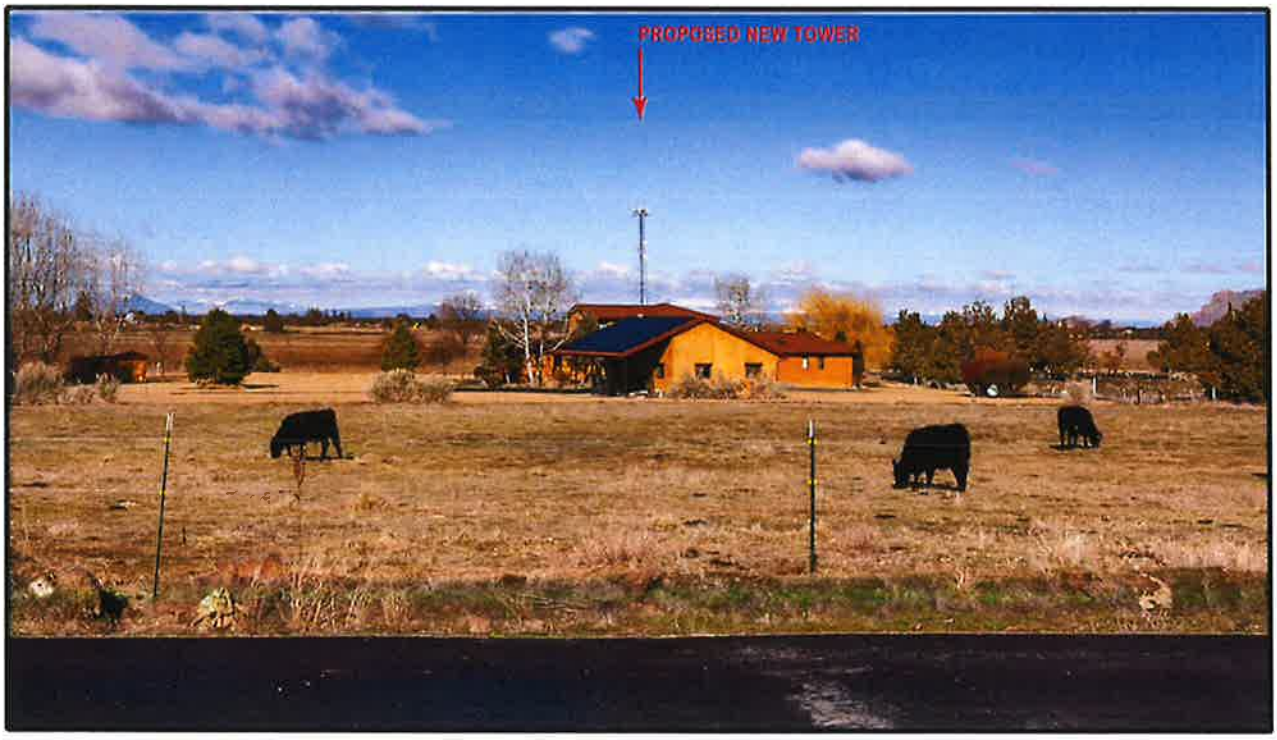
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #4
LOOKING NORTHWEST FROM 3694 SW WILLIAMS RD.



PROPOSED

TIM BRADLEY IMAGING

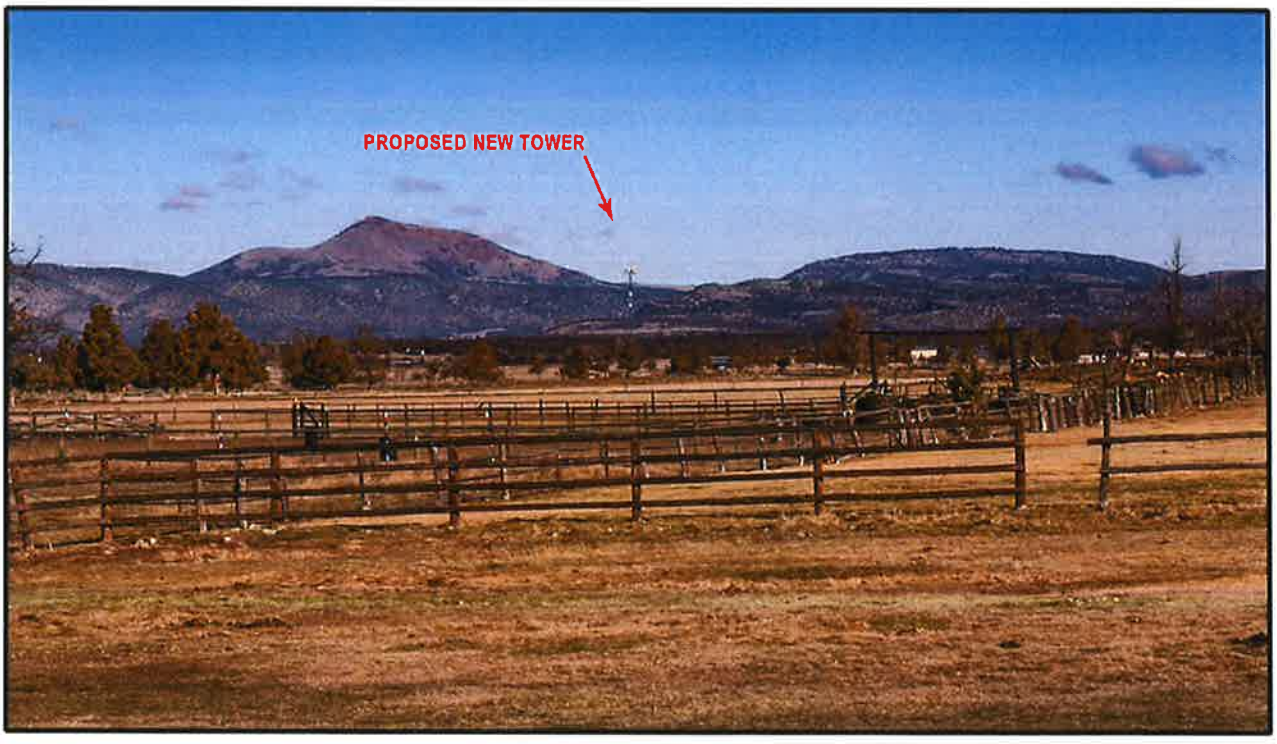
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #5
LOOKING NORTHWEST DIXON RD.



PROPOSED

TIM BRADLEY IMAGING

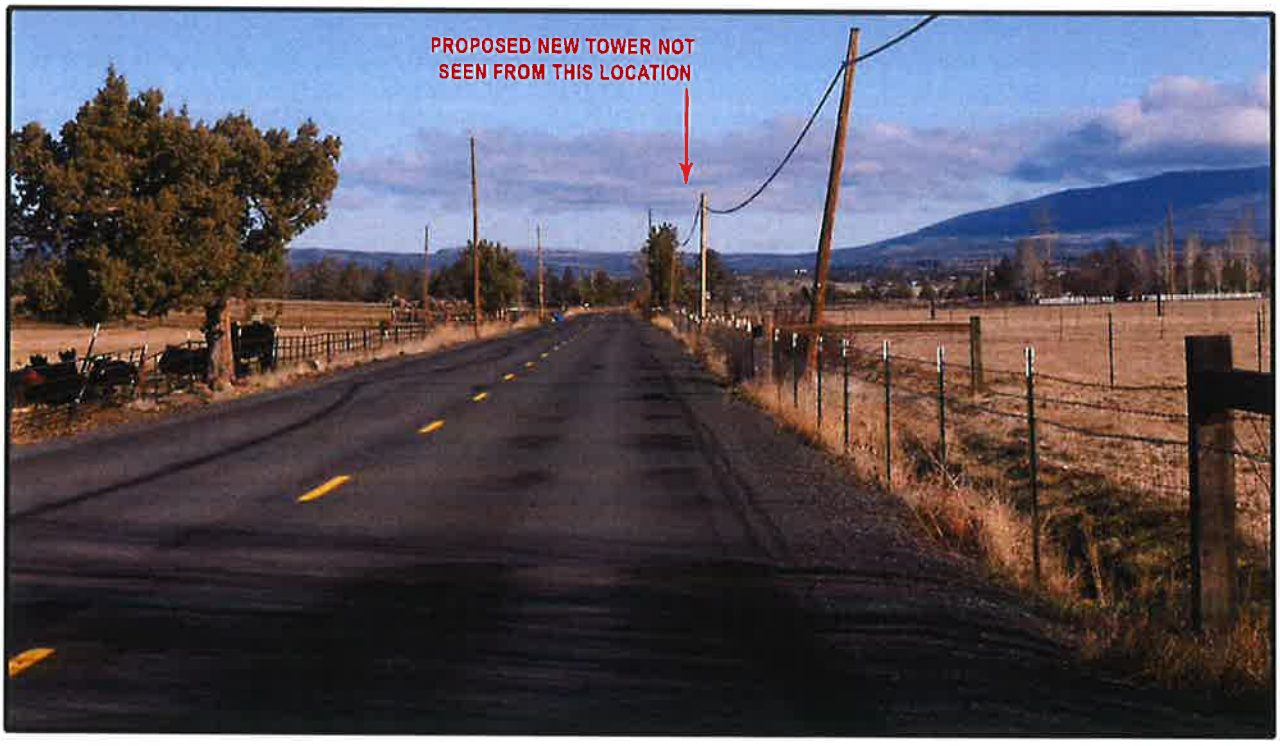
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #6
LOOKING NORTH ON SW WILLIAMS RD.



PROPOSED

TIM BRADLEY IMAGING

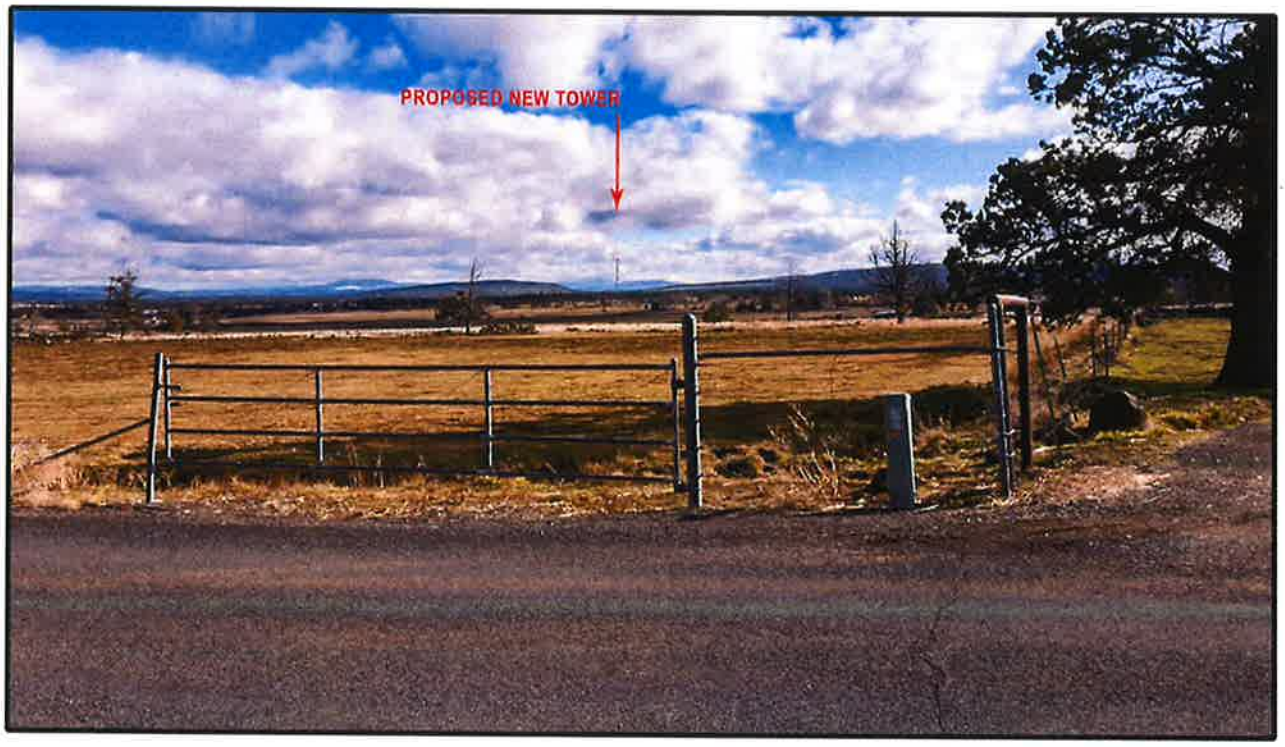
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #7
LOOKING NORTHEAST ON SW REIF RD.& HACKER RD.



PROPOSED

TIM BRADLEY IMAGING

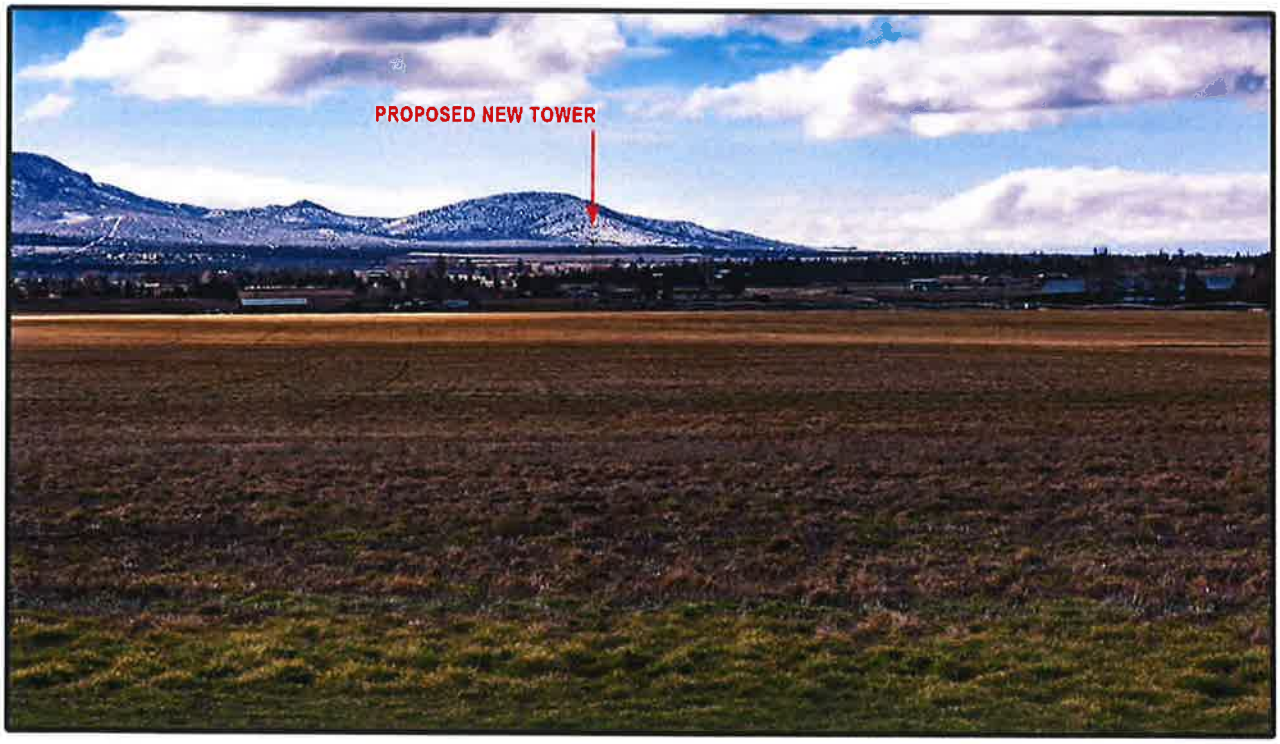
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #8
LOOKING SOUTH ON HUSTON LAKE RD.

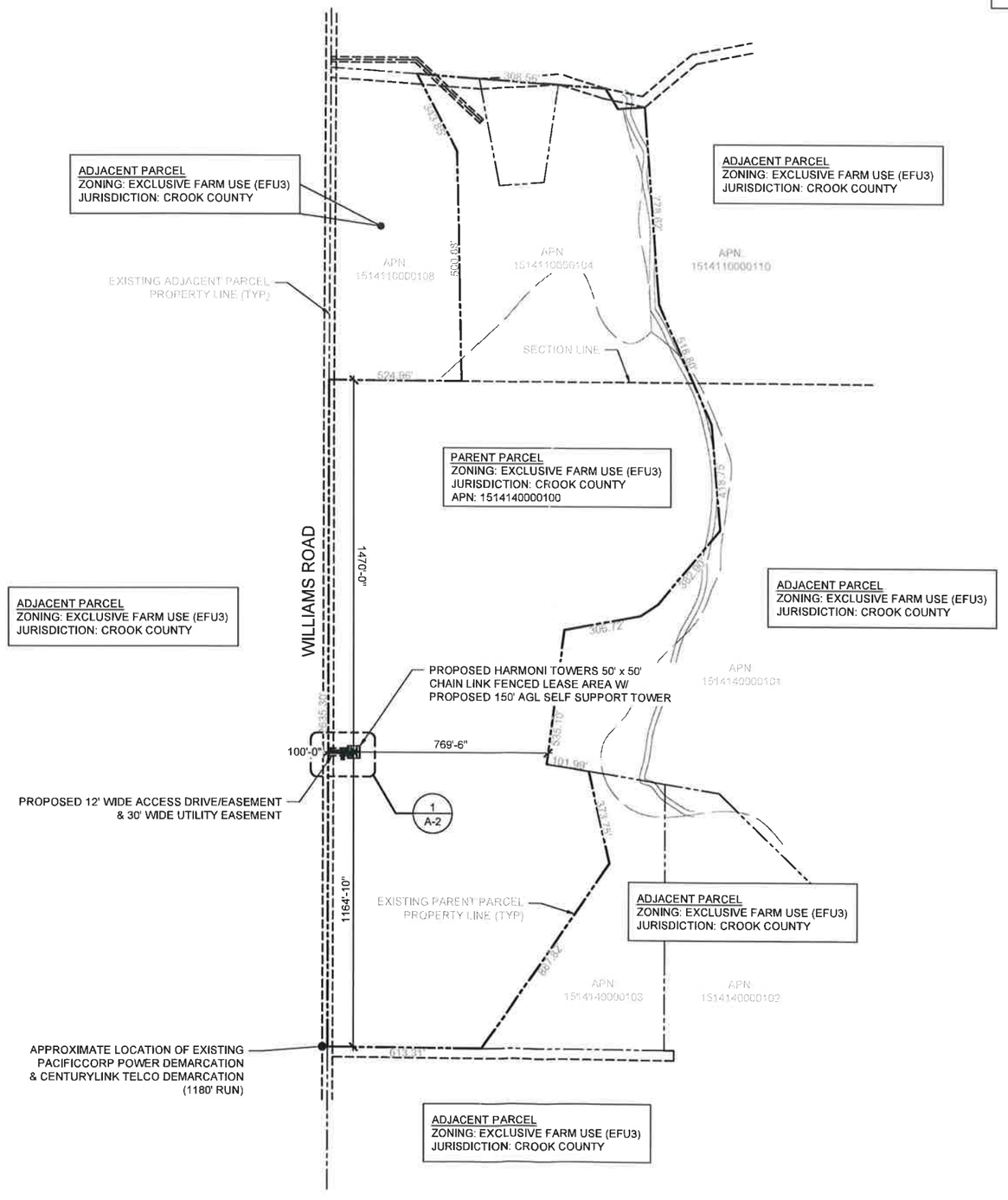


PROPOSED

TIM BRADLEY IMAGING

NOTE:

ALL EXISTING CONDITIONS REFLECTED IN DRAWINGS ARE DERIVED FROM SURVEY BY CHINOOK SURVEYS, DATED 01/30/25, PREVIOUS AS-BUILT DRAWINGS AERIAL IMAGES, PHOTOS AND FIELD VERIFIED DATA.



22"x34" SCALE: 1" = 250'-0"
11"x17" SCALE: 1" = 500'-0"
250' 125' 0' 250'

PROPOSED OVERALL SITE PLAN | 1

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS

CLIENT: verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

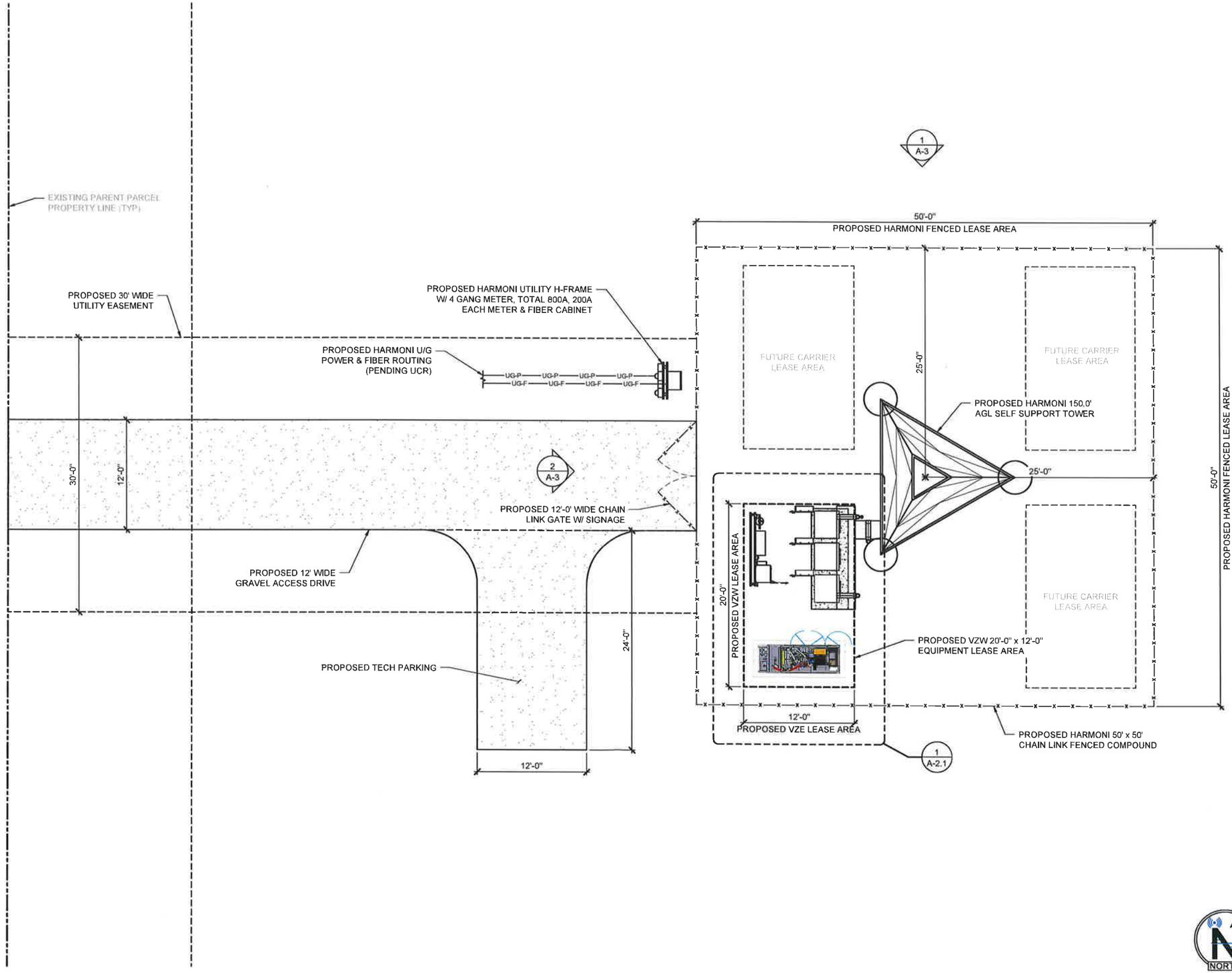
HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

PROPOSED OVERALL SITE PLAN

A-1



22"x34" SCALE: 3/16" = 1'-0"
11"x17" SCALE: 3/32" = 1'-0"

4' 2' 0" 4'

PROPOSED ENLARGED SITE PLAN | 1

NORTH

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

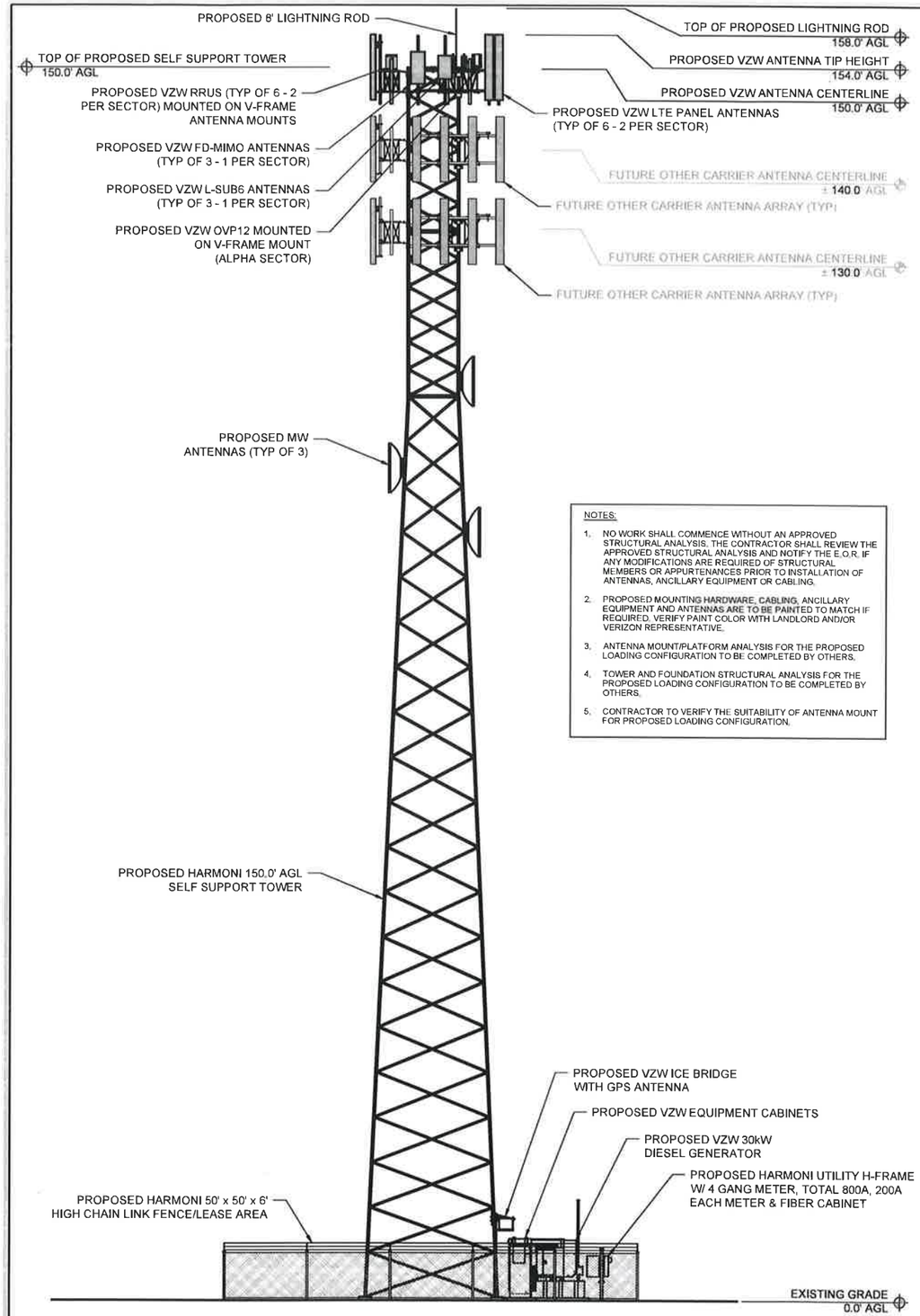
HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

PROPOSED ENLARGED SITE PLAN

A-2

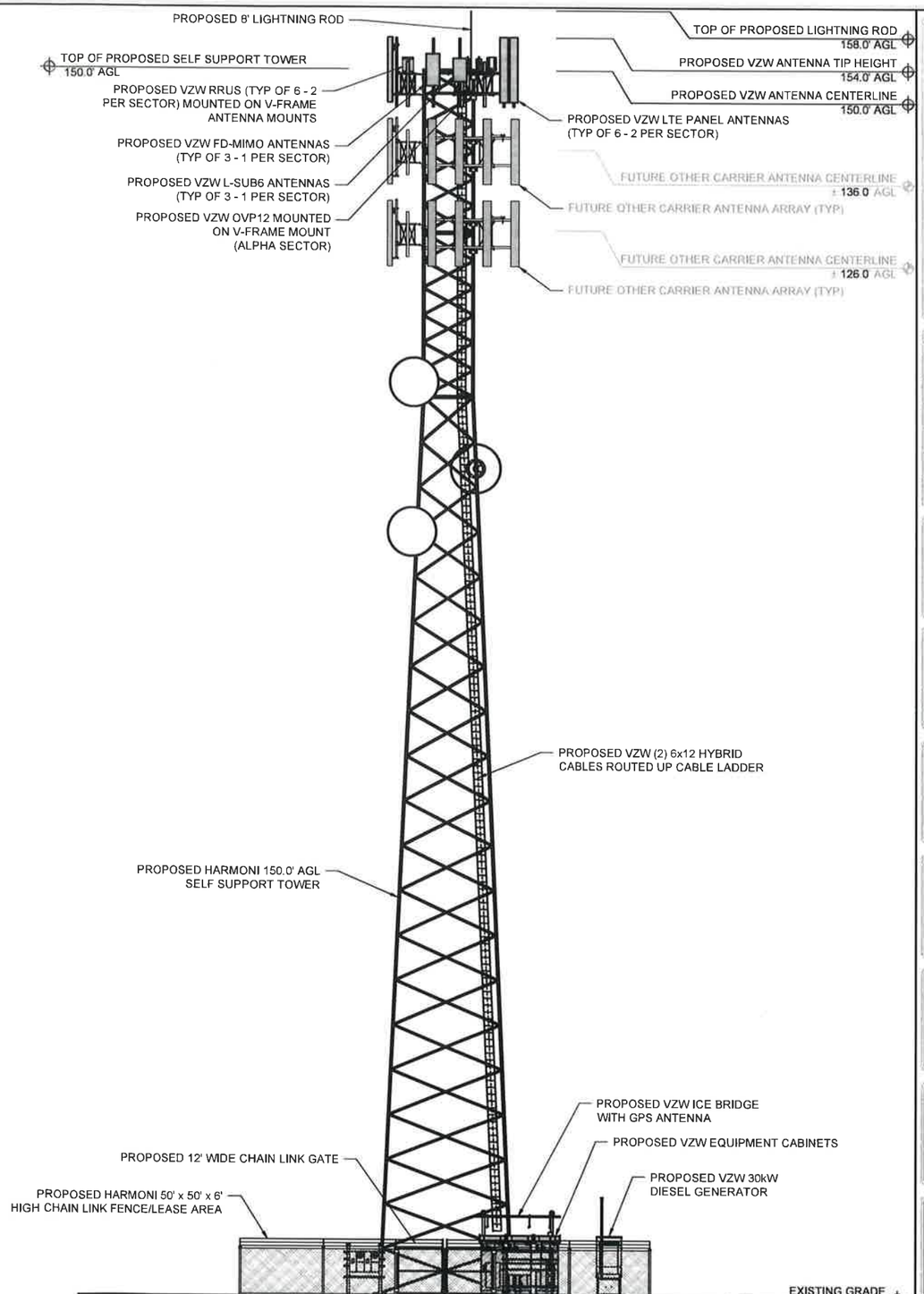


NOTES:

1. NO WORK SHALL COMMENCE WITHOUT AN APPROVED STRUCTURAL ANALYSIS. THE CONTRACTOR SHALL REVIEW THE APPROVED STRUCTURAL ANALYSIS AND NOTIFY THE E.O.R. IF ANY MODIFICATIONS ARE REQUIRED OF STRUCTURAL MEMBERS OR APPURTENANCES PRIOR TO INSTALLATION OF ANTENNAS, ANCILLARY EQUIPMENT OR CABLING.
2. PROPOSED MOUNTING HARDWARE, CABLING, ANCILLARY EQUIPMENT AND ANTENNAS ARE TO BE PAINTED TO MATCH IF REQUIRED. VERIFY PAINT COLOR WITH LANDLORD AND/OR VERIZON REPRESENTATIVE.
3. ANTENNA MOUNT/PLATFORM ANALYSIS FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS.
4. TOWER AND FOUNDATION STRUCTURAL ANALYSIS FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS.
5. CONTRACTOR TO VERIFY THE SUITABILITY OF ANTENNA MOUNT FOR PROPOSED LOADING CONFIGURATION.

22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"
8' 6' 4' 2' 0" 8'

PROPOSED NORTH ELEVATION | 1



22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"
8' 6' 4' 2' 0" 8'

PROPOSED WEST ELEVATION | 2

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

ELEVATIONS

A-3

Radio Frequency Radiation and Cell Phones

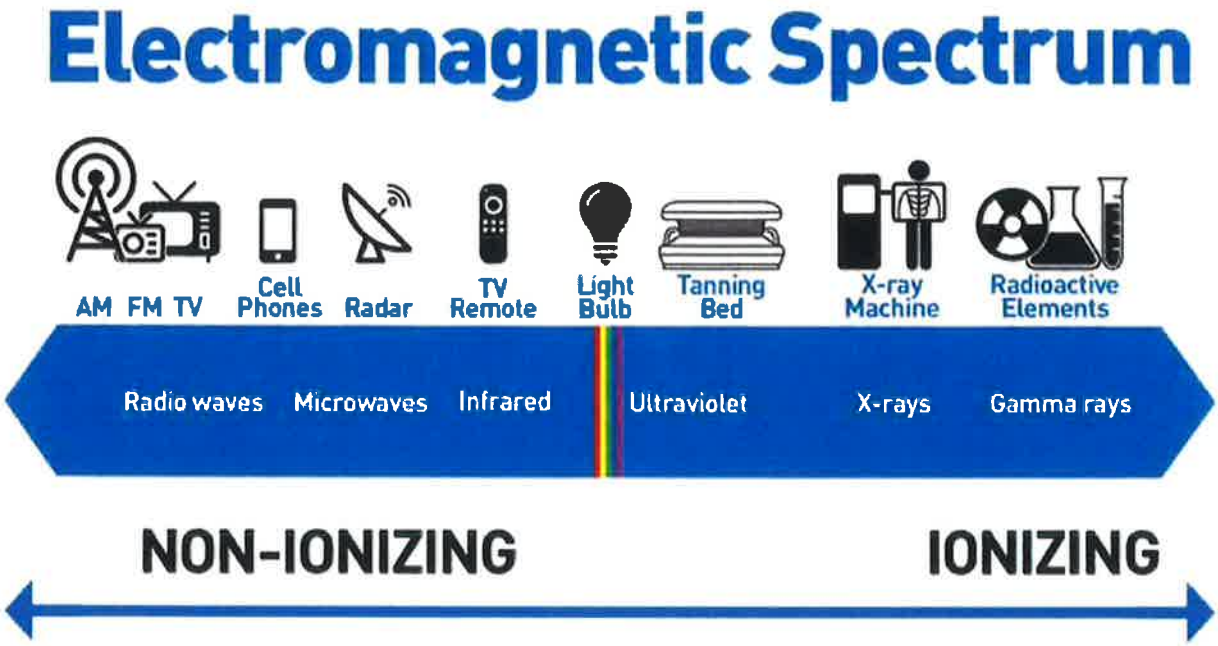
Radiation is energy that comes from a source and travels through space. For example, an electric heater operates by heating metal wires and the wires radiate that energy as heat (infrared radiation).

Radio frequency radiation is a type of ***electromagnetic radiation***, which is a combination of electric and magnetic fields that move through space together as waves. Electromagnetic radiation falls into two categories:

Electromagnetic Radiation	Examples	Sources Include:
Non-ionizing radiation: Routine exposure to non-ionizing radiation is generally perceived as harmless to humans	• Radio frequency (RF) ◦ Microwaves (MW) • Infrared light • Visible light • Some Ultraviolet Light (UV)	Light bulbs, computers, Wi-Fi routers, portable phones, cell phones, Bluetooth devices, FM radio, GPS, and broadcast television
Ionizing radiation: High energy radiation with the potential for direct cellular and DNA damage	• Some Ultraviolet Light (UV) • X-rays • Gamma rays	X-ray machines, radioactive material, nuclear fission, nuclear fusion, and particle accelerators

Generally, when people hear the word ***radiation***, they're thinking of ***ionizing radiation***, like X-rays and gamma rays. Ionizing radiation carries enough energy to break chemical bonds, knock electrons out of atoms, and cause direct damage to cells in organic matter. In fact, ionizing radiation carries ***more than a billion times more energy*** than does non-ionizing radiation. A little ionizing radiation can be used to produce x-ray images for diagnosis. A lot of ionizing radiation is needed to kill cancer cells in radiation therapy.

By contrast, non-ionizing radiation does not have enough energy to break chemical bonds or strip electrons from atoms. Scientific consensus shows that non-ionizing radiation is not a carcinogen and, at or below the radio frequency exposure limits set by the FCC, non-ionizing radiation has not been shown to cause any harm to people.



Cell phones emit low levels of non-ionizing radiation while in use. The type of radiation emitted by cell phones is also referred to as radio frequency (RF) energy. As stated by the National Cancer Institute (https://www.cancer.gov/about-cancer/causes-prevention/risk/radiation/cell-phones-fact-sheet), "there is currently no consistent evidence that non-ionizing radiation increases cancer risk in humans. The only consistently recognized biological effect of radiofrequency radiation in humans is heating."

For a more detailed description of radio frequency radiation, see Microwaves, Radio Waves, and Other Types of Radiofrequency Radiation (https://www.cancer.org/cancer/cancer-causes/radiation-exposure/radiofrequency-radiation.html) (http://www.fda.gov/about-fda/website-policies/website-disclaimer) from the American Cancer Society.

For more information about the electromagnetic spectrum, see NASA's Tour of the Electromagnetic Spectrum (https://science.nasa.gov/ems).

For more information about radio frequency safety, see the FCC's RF Safety FAQ (https://www.fcc.gov/engineering-technology/electromagnetic-compatibility-division/radio-frequency-safety/faq/rf-safety).

Proposed site of 5G 158-foot telecommunications facility in Crook County Powell Butte, Oregon

KJ WERTH <kjwerth@msn.com>
To: "stelschow@acomconsultinginc.com" <stelschow@acomconsultinginc.com>

Thu, May 1, 2025 at 12:12 PM

ATTN: Sarah Telchow

Dear Sarah,

This is in response to your information regarding the installation of the above telecommunications facility providing wireless internet service to the north end of Powell Butte. By way of introduction, we are Ken and Jan Werth and our property adjoins the proposed facility site. My husband moved to the area at the age of 10 in 1949, attended Powell Butte School and Redmond High School and in the process helped his father Fred farm. Fred died with ALS when Ken was 19. He graduated from Oregon State University in 1959 with a degree in agriculture. Over the years he has been a steward of the land acquiring property in 1966 for the home place and parcels at the south end of Powell Butte. We were in partnership with Jim and Carol Wampler who both passed away in 2012. I married Ken in 1976 and have lived in the area for over 45 years. In 2019 Ken and I achieved Idaho residency and moved to Boise permanently to be with both our son Randy Werth and daughter Tish Davis for health reasons and a gradual need for help.

With respect to the current proposed site I can't in all good conscience support your project. And I am aware of the lack of wireless service at the north end of Powell Butte since we had friends living in that area. As for its current proposed site, it affects the surrounding property owners and potentially devalues their eventual sales, would spoil a clean view of the area, and in general destroys the bucolic nature of an active farming community. The reservoir south of the proposed site is also used for religious services during the year, the most recent being the Easter Sunrise Service.

And, in complete disclosure, although we are nonresidents of the area, we still own 126 acres of land, which is our inheritance to our children. One parcel is farmed by our neighbor and the largest parcel is irrigated by and provides grazing for another neighbor's cattle.

Given the vacant land to the north and east surrounding the Powell Butte area it would seem that such a tower could be sited in a more propitious location to service the northern half of Powell Butte thus preserving the overall area as it now exists and yet serving those without service.

As to the design I leave that to your expertise. In the Boise area there are cell towers which have faux branches attached to them resembling tall fir or pine trees, though not nearly 158 feet tall, and thus blend into the overall landscape. Unfortunately, juniper trees are short by comparison!

Thank you for your consideration of our input to your project, Sarah.
Sincerely,
Jan Werth

Our contact information is as follows:
Ken and Jan Werth
4021 S Baja Way, Boise ID 83709
kjwerth@msn.com

Proposed site of 5G 158-foot telecommunications facility in Crook County Powell Butte, Oregon

Sarah Telschow <stelschow@acomconsultinginc.com> Thu, May 1, 2025 at 3:00 PM
To: KJ WERTH <kjwerth@msn.com>

Dear Mr. and Mrs. Werth:

Thank you for your email and for sharing your long and meaningful history with Powell Butte. It's clear how deeply you care for the land and community.

Harmoni Towers and Verizon Wireless understand that any new infrastructure, particularly something as visible as a telecommunications facility, can raise concerns about visual impacts and the rural character of the area.

Harmoni Towers and Verizon Wireless are mindful of the need to balance these important values with the real need for improved service. As you noted, reliable wireless service is much needed on the north end of Powell Butte. The proposed location was selected to provide adequate coverage for underserved areas. That said, the project is still in the process of gathering community input, and your feedback is appreciated.

In terms of design, there are options available to help minimize visual impacts. Please review the attached examples (monopine, painted monopole, and unpainted monopole) and let me know if any of these alternatives seem like a better fit for the setting.

Thank you again for sharing your thoughtful concerns. Please feel free to reach out with any additional questions or suggestions regarding design alternatives.

Respectfully,

Sarah Telschow, AICP
Acom Consulting Inc.

(206) 979-6268 | stelschow@acomconsultinginc.com
5200 SW Meadows Road, Suite 150, Lake Oswego, OR 97035

[Quoted text hidden]

Design Alternatives.pdf
753K

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #3
LOOKING SOUTH ON SW WILLIAMS RD.

PROPOSED

TIM BRADLEY IMAGING

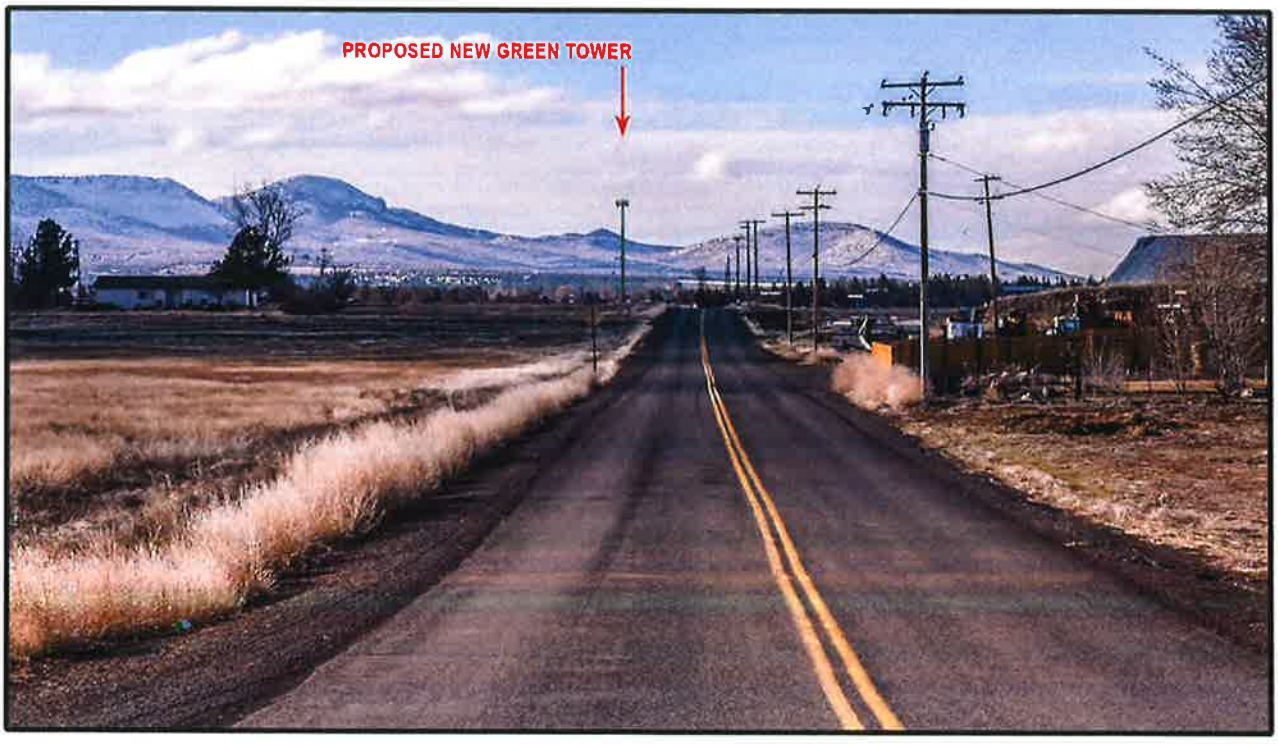
verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #3
LOOKING SOUTH ON SW WILLIAMS RD.



PROPOSED

TIM BRADLEY IMAGING

verizon

DITCH RIDER

3450 SW WILLIAMS RD, POWELL BUTTE, OR

CURRENT

VIEW #3
LOOKING SOUTH ON SW WILLIAMS RD.

PROPOSED

TIM BRADLEY IMAGING

Gmail

Sarah Telschow <stelschow@acomconsultinginc.com>

Powell Butte Cell Tower

David Zalunardo <davezalunardo@gmail.com>
To: stelschow@acomconsultinginc.com

Fri, May 9, 2025 at 2:47 PM

Hello Sarah,

I am writing you to pass on some additional information that you may want to pass on to Verizon concerning the proposed cell tower on Williams Rd.

Several of us have formed a group to oppose the proposed siting of this tower on Tom Alexander's property.

The proposed location is aesthetically one of the very worst locations the could have been picked. This hideously ugly project will ruin the quality of life for many, many local residents. I have spoken to some adjacent landowners who have stated they told Verizon they would host this tower in spots that would be MUCH less damaging to our vistas. After the initial contact they never heard back from Verizon. That map of search areas was not provided at last Sunday's meeting.

Then there is the matter of property devaluation, which contrary to your handout last Sunday that said there is no effect of a project like this on land value, puts the figure between eight and twenty percent devaluation. This will result in millions of dollars impact to Tom's neighbors.

Anyway to point of this correspondence is to put Verizon on notice that we have been in touch with Central Oregon Landwatch and we have retained the services of a land use attorney. It would be far easier for Verizon to propose one of their alternate sites than to be wrapped up in litigation and restraining orders for as long as we possibly can do so.

Sincerely,
David Zalunardo
3690 SW Williams Rd
Powell Butte, OR 97753
davezalunardo@gmail.com

Powell Butte Cell Tower

Sarah Telschow <stelschow@acomconsultinginc.com>
To: David Zalunardo <davezalunardo@gmail.com>

Mon, Jun 2, 2025 at 4:34 PM

David:

Thank you for your message and for taking the time to share your concerns regarding the proposed Verizon Wireless facility on Williams Road.

I sincerely apologize for the delay in responding. Your email was unfortunately filtered into my spam folder, and I only just became aware of it.

Thank you again for reaching out.

Respectfully,

Sarah Telschow, AICP
Acom Consulting Inc.

(206) 979-6268 | stelschow@acomconsultinginc.com
5200 SW Meadows Road, Suite 150, Lake Oswego, OR 97035

[Quoted text hidden]

Gmail

Sarah Telschow <stelschow@acomconsultinginc.com>

New tower

Steve Oberg <gr8cr8@gmail.com> Tue, Jun 17, 2025 at 7:19 AM
To: stelschow@acomconsultinginc.com, atkjuniper@gmail.com, Mark & Ann Malott <markandann@malott4m.com>, Bev Oberg <bevoberg@gmail.com>

I join my neighbors in resisting the location you are considering for a new cell tower in Powell Butte. The location is entirely inappropriate and will be prevented.

--
Steve and Bev Oberg
Powell Butte Bison Ranch
P.O. Box 204
Powell Butte, OR 97753
541.233.3221
gr8cr8@gmail.com
http://facebook.com/powellbuttebisonranch

New tower

Sarah Telschow <stelschow@acomconsultinginc.com> Tue, Jun 17, 2025 at 9:32 AM
To: Steve Oberg <gr8cr8@gmail.com>
Cc: atkjuniper@gmail.com, Mark & Ann Malott <markandann@malott4m.com>, Bev Oberg <bevoberg@gmail.com>

Steve and Bev:

Thank you for the email and for sharing your concerns.

Respectfully,

Sarah Telschow, AICP
Acom Consulting Inc.

(206) 979-6268 | stelschow@acomconsultinginc.com
5200 SW Meadows Road, Suite 150, Lake Oswego, OR 97035

[Quoted text hidden]

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☐ Yes, Supportive ☒ No, Not Supportive ☐ Unsure

Please provide comments:

Powell Butte is characterized as a farming, ranching community with pastoral settingss. Construction of a cell tower of this magnitude will be a blight on the otherwise scenic landscape

2) Do you like the proposed design? If not, what are your concerns?

☐ Yes ☒ No ☐ Unsure

Please provide comments:

Again, the height of this tower, along with aircraft warning nights is not appropriate for our rural community.

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments:

Please do not construct this tower. Our long range vistas are important to the quality of our landscape.

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name -
Address - Mark Motsko. 6905 SW Joshua Court, Powell Butte, OPR 97753. mtmotsko106@gmail.com
E-mail -

Your input is greatly appreciated. Thank you!

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☒ Yes, Supportive ☐ No, Not Supportive ☐ Unsure

Please provide comments:

2) Do you like the proposed design? If not, what are your concerns?

☐ Yes ☐ No ☐ Unsure

Please provide comments:

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments:

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name - Brad CAMPbell
Address - 3698 SW Reif Rd Powell Butte OR
E-mail - bradCAMpbell76@yahoo.com

Your input is greatly appreciated. Thank you!

SURVEY AND COMMENT FORM

Note: My daughter drew all over the original form, so I am filling out a new one here, I hope that's ok.

1) Would you be supportive of a tower as depicted and described? Please mark (1) box below.

__ Yes, Supportive X__ No, Not Supportive ___ Unsure

Please provide comments: The tower itself, its design and its location are all major issues for this community. This tower isn't even trying to be camouflaged or blend in at all with its surroundings like so many other towers are these days. A simple metal structure will stand out like a sore thumb in treeless hay fields. This will in turn obviously have a negative effect on our beautiful farming community, its livability and surrounding property values.

Our family has always had Verizon, as have many of our neighbors, and no one can think of a single time we've complained about our coverage or service out here, so there is a question of the actual need of this tower at a local level.

The location also is confusing. It's one of the lowest elevations in Powell Butte. My understanding is that it is almost always preferable to have these towers at a high point, to maximize effectiveness. You would be hard pressed to find a lower elevation build site in Powell Butte over the spot that has been chosen.

2) Do you like proposed design? If not, what are your concerns?

__ Yes X No _____ Unsure

Please provide comments: As mentioned above, there is not even an attempt to blend into its surroundings. The location itself makes it difficult again because there are no trees or any other tall structures anywhere around. 158' tall simple steel structure is such an out of place eye sore in the location you have chosen.

In addition, although it does not appear on the diagram of the proposed structure, I would assume there will be the usual flashing light on top of this structure as there are with most of the cell towers in the area. A bright white flash going all day and a bright red going all

night. Our beautiful, dark night skies are important here and this will certainly negatively affect that, not to mention our property is a gain of roughly 40 feet in elevation from the tower. So, looking out from our property toward the eastern sky will forever have a flashing light in its view.

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation.

Please provide comments: Folks that actually live in this community don't seem to be complaining about their Verizon service. This has been the topic of conversation the last few days since this mailer got sent out and everyone is trying to figure out who is complaining. If it's not locals, then it would be the folks traveling on highway 126 I guess? And ruining our local community's aesthetics, view and property values for the commuters on the highway 2 miles away seems unreasonable.

In general this whole project seems to being trying to solve a problem that doesn't exist for the people that live here, and trying to do so in the most inefficient, destructive way possible.

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name: Dan Larkin

Address: 3424 SW Reif Rd, Powell Butte, Oregon 97753

E-mail: dlarkin@bluesagecfo.com

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☐ Yes, Supportive ☒ No, Not Supportive ☐ Unsure

Please provide comments: I am the closest home to this proposed tower. This tower will become the dominant view to the west of my picture windows and patio. I am also very concerned about the health effects of the radiation put off by the tower as I am only 1200 feet from the proposed location

2) Do you like the proposed design? If not, what are your concerns?

☐ Yes ☒ No ☐ Unsure

Please provide comments: These towers are ugly! The proposed 158' tower and associated roads and support buildings will destroy my views of the Cascade Mountains and greatly affect the value of my property.

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments: First, I don't understand the proposed location. It's on flat ground and doesn't seem like the best site. Secondly it will completely destroy the beautiful property I have built for my enjoyment. Be aware I will fight this with ALL of my ability, including legal action for your "taking" of my property

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name - David Zaluvardo
Address - 3690 SW William Rd, Powell Butte
E-mail - dave zaluvardo @ gmail.com

Your input is greatly appreciated. Thank you!

P.S., I love your photos of the tower taken from some distance away. Why don't you shoot those same photos from my living room 1200' away?

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☐ Yes, Supportive ☑ No, Not Supportive ☐ Unsure

Please provide comments: The proposed tower will damage property values, violate EFU zoning, and negatively impact wildlife in the area.

2) Do you like the proposed design? If not, what are your concerns?

☐ Yes ☑ No ☐ Unsure

Please provide comments: The proposed design is ugly and will detract from the beauty of Powell Butte.

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments:

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name - Fred and Tess Walker
Address - 3694 SW Williams Road, Powell Butte, OR 97753
E-mail - walker.fred@outlook.com and walker.tess@outlook.com

Your input is greatly appreciated. Thank you!

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☐ Yes, Supportive ☒ No, Not Supportive ☐ Unsure

Please provide comments:
We are not in favor of tower due to location. The tower would be obstructing our view, it could cause less value in our ranch.

2) Do you like the proposed design? If not, what are your concerns?

☐ Yes ☒ No ☐ Unsure

Please provide comments:
same as above

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments:
We are also concerned about EMF's due to 5G. Having that tower near our ranch, our livestock, ourselves, is not healthy.

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name - GARY & RACHEL COX
Address - 12501 SW Fleming Rd Powell Butte, OR 97753
E-mail - coolcreekranch@hotmail.com

Your input is greatly appreciated. Thank you!

(1.)

Rachel → Gen comments

(1.) SUPPORTIVE — NO

see #1

2. PROPOSED Design — NO

see #2

(COMMENTS:)

#1 I am not SUPPORTIVE, we do NOT WANT AN Super TALL STRUCTURE IN OUR NeighBORHood... WHY? BECAUSE we ALL have A BEAUTIful VIEW of the CASCADES, AND A TALL TOWER would INTERFER WITH DUR VIEW.. AND The VIEW Adds VALUE TO OUR PROPERTY...

(AND NOT The VIEW of A 158 FT. TALL TOWER)

You HAVE SENT COPIES of this REPORT TO PROPERTY OWNERS WITHIN 2,000 Feet of the PROPOSED TOWER.

#2.

In reality, it will be seen by property owners from Miles away, and not just 2,000 feet...

And the design: A TOWER is A Tower- no matter what you call it, at 158 ft. in Height.

I suggest you find another location for the Tower, where it does not interfer with our views, and upsets the Land-owners.

And keep it away, from being next to well traveled roads...

The idea to improve Cellular Coverage in Powell Butte is all right -

However, it to put a Tower in a Community where its not wanted, should be enough of a concern, that the tower should be placed elsewhere.

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☐ Yes, Supportive ☒ No, Not Supportive ☐ Unsure

Please provide comments:
Keep farm land

2) Do you like the proposed design? If not, what are your concerns?

☐ Yes ☒ No ☐ Unsure

Please provide comments:
Keep farm land + views

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments:
Keep farmland + views. Also, since Toms family has taken more active role in properties there has been zero upkeep or participation - they destroyed our driveway w/ irrigation run off and did nothing to fix!

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name - Heidi Wood
Address - 13275 SW Ayres Lane - Powell Butte 97753
E-mail - Crowellhh@hotmail.com

Your input is greatly appreciated. Thank you!

Mail to: Acom Consulting
5200 S.W. Meadows Rd. Suite 150
Lake Oswego, OR. 97035

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☐ Yes, Supportive ☑ No, Not Supportive ☐ Unsure

Please provide comments:
See #1

2) Do you like the proposed design? If not, what are your concerns?

☐ Yes ☑ No ☐ Unsure

Please provide comments:
See #2

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments:

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name -
Address -
E-mail -

[redacted]
Leslie Cox
12501 SW Fleming Rd.
Powell Butte, OR 97753

Cell = 707-513-3569

Your input is greatly appreciated. Thank you!

(1.)

Rachel → Gen comments

(1.) SUPPORTIVE — NO

see #1

2. PROPOSED DESIGN: — NO

see #2

(COMMENTS:)

#1 — I am not SUPPORTIVE, we do NOT WANT AN SUPER TALL STRUCTURE IN OUR NEIGHBORHOOD... WHY? BECAUSE WE ALL HAVE A BEAUTIful VIEW of the CASCADES, AND A TALL TOWER would INTERFER WITH OUR VIEW.. AND THE VIEW ADDS VALUE TO OUR PROPERTY...

(AND NOT the VIEW of A 158 FT. TALL TOWER)

YOU HAVE SENT COPIES of this REPORT TO PROPERTY OWNERS WITHIN 2,000 Feet of the PROPOSED TOWER.

#2.

In reality, it will be seen by property owners from Miles away, and not just 2,000 feet...

And the design: A Tower is a Tower- no matter what you call it, at 158 ft. in Height.

I suggest you find another location for the Tower, where it does not interfer with our views, and upsets the Land-owners.

And keep it away, from being next to well traveled roads...

The idea to improve Cellular Coverage in Powell Butte is all right -

However, ~~it~~ to put a Tower in a Community where its not wanted, should be enough of a concern, that the tower should be placed elsewhere.

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☒ Yes, Supportive ☐ No, Not Supportive ☐ Unsure

Please provide comments: We need the service - tired of poor receptions

2) Do you like the proposed design? If not, what are your concerns?

☒ Yes ☐ No ☐ Unsure

Please provide comments:

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments:

4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name - LINDA J. ALEXANDER
Address - 5136 SW Reif Rd
E-mail - lindajo0202@outlook.com

Your input is greatly appreciated. Thank you!

Survey and Comment Form

A self-addressed stamped envelope has been provided. Please mail the completed survey and comment form back as soon as possible. Please note that responses are anonymous unless contact information is provided.

1) Would you be supportive of a tower as depicted and described? Please mark one (1) box below.

☐ Yes, Supportive ☒ No, Not Supportive ☐ Unsure

Please provide comments:
158 feet blocking the views of the cascades from my property - this is an eye sore!

2) Do you like the proposed design? If not, what are your concerns?

☐ Yes ☒ No ☐ Unsure

Please provide comments:
These huge towers are ugly

3) Please outline any questions and/or concerns that you have about the proposed Verizon Wireless installation:

Please provide comments:
Concern - blocking my view of the cascade mountains, Lowering my property values

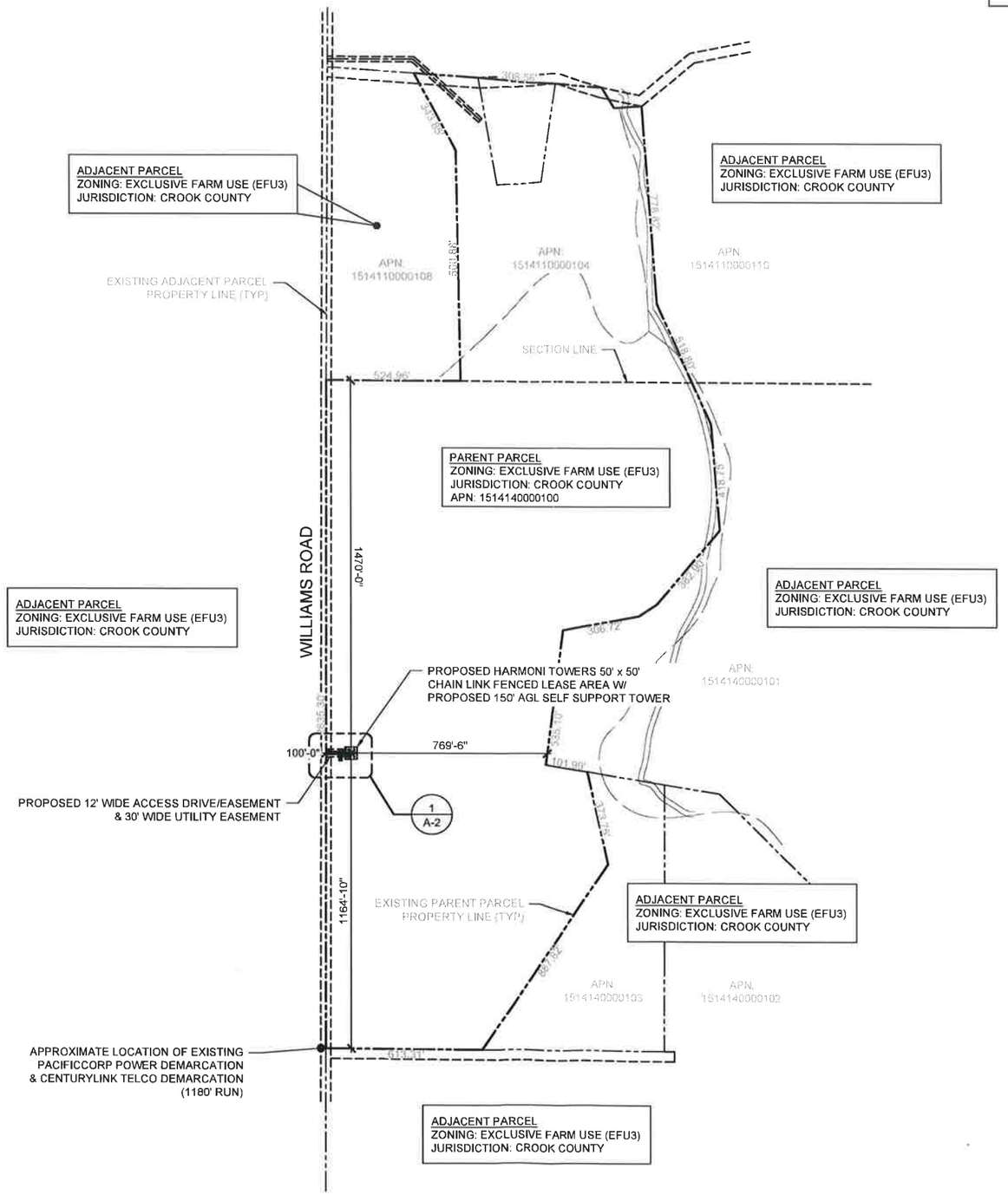
4) Please provide contact information. (Please note that responses to the survey are anonymous unless contact information is provided.)

Name - Tim McDaniel
Address - 12855 S.W. Ayres Lane, Powell Butte, OR 97753
E-mail - McDaniel5198@hotmail.com

Your input is greatly appreciated. Thank you!

NOTE:

ALL EXISTING CONDITIONS REFLECTED IN DRAWINGS ARE DERIVED FROM SURVEY BY CHINOOK SURVEYS, DATED 01/30/25, PREVIOUS AS-BUILT DRAWINGS AERIAL IMAGES, PHOTOS AND FIELD VERIFIED DATA.



22"x34" SCALE: 1" = 250'-0"
11"x17" SCALE: 1" = 500'-0"
250' 125' 0' 250'

PROPOSED OVERALL SITE PLAN | 1

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

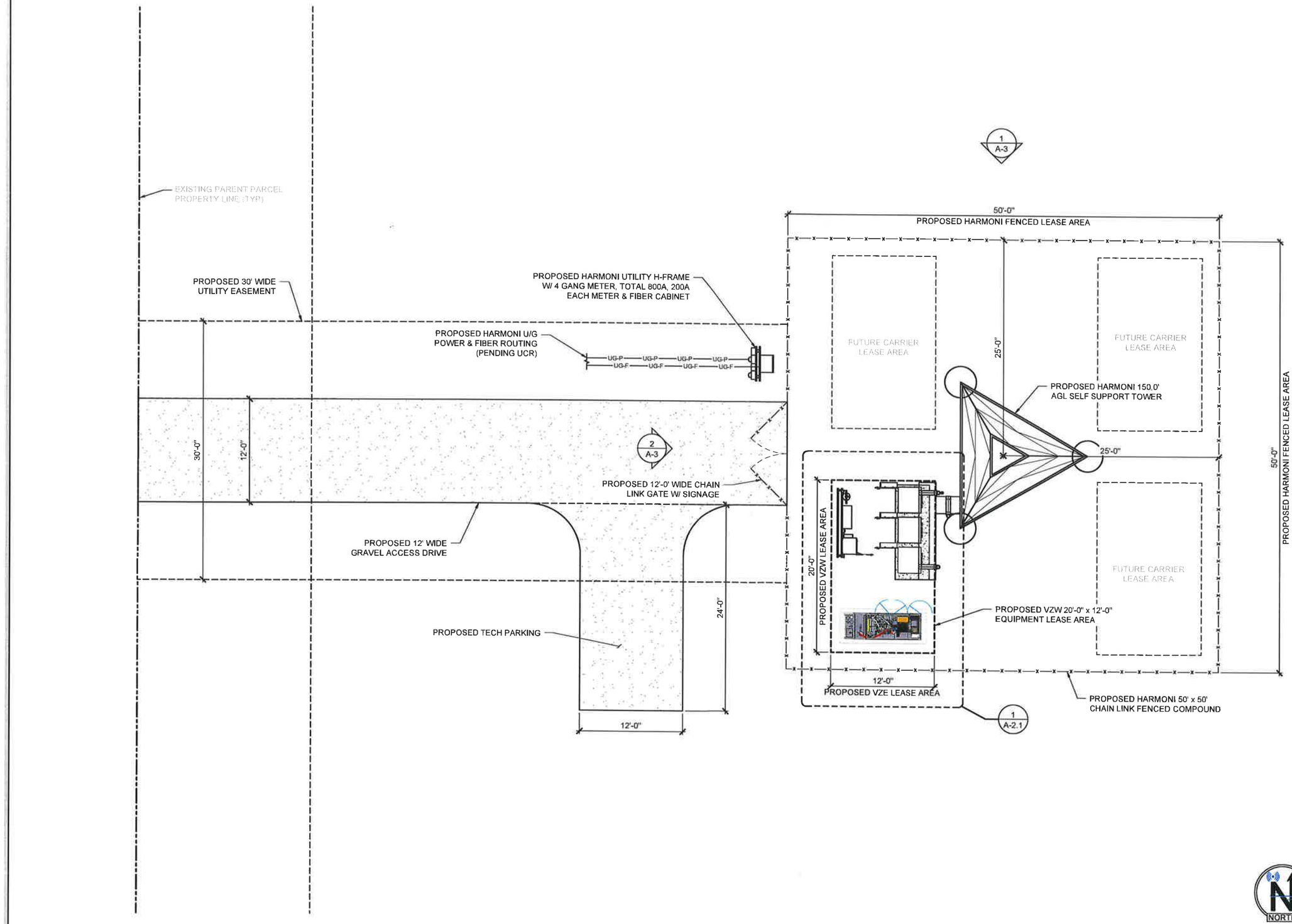
HARMONI TOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

PROPOSED
OVERALL
SITE PLAN

A-1



PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

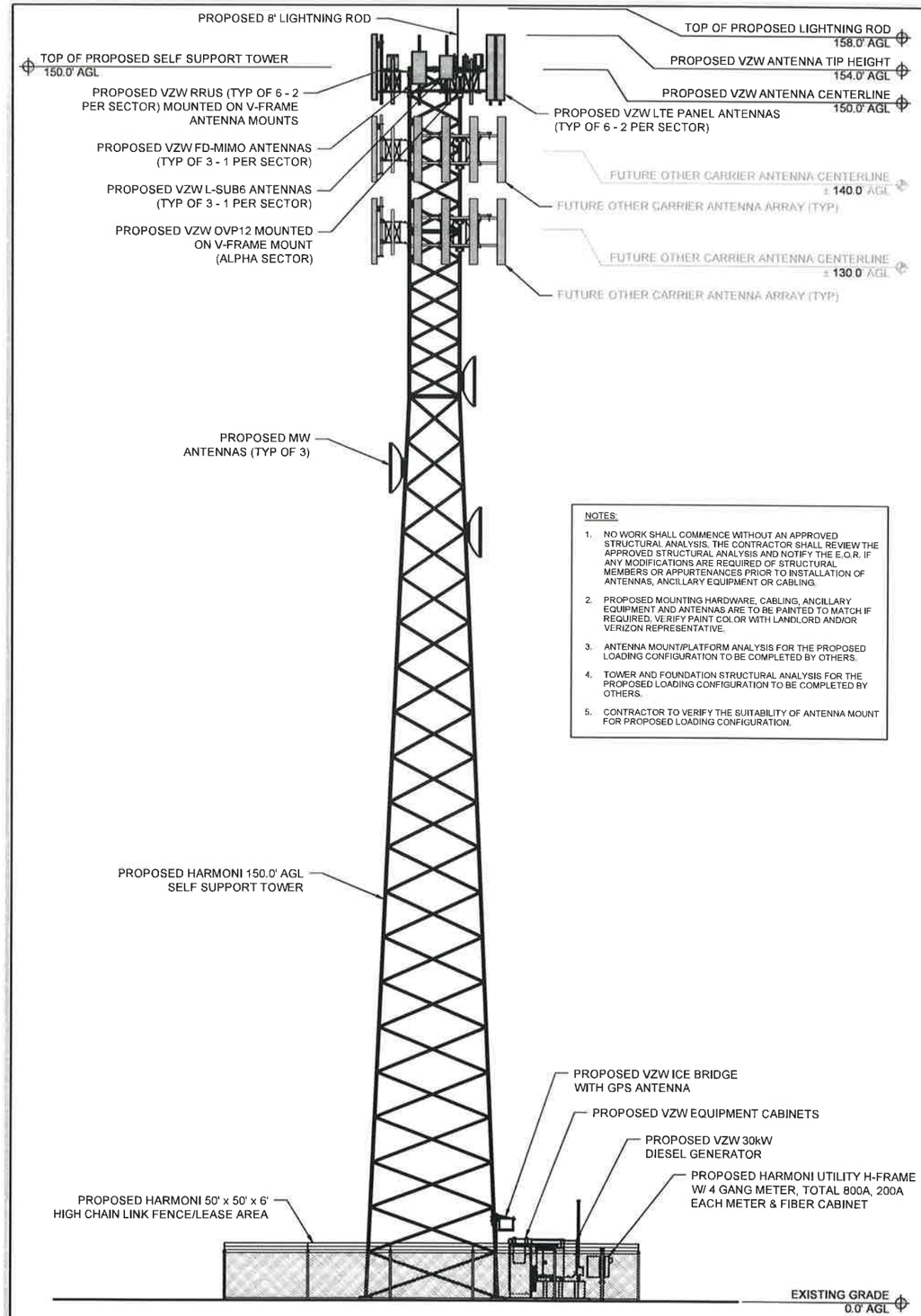
HARMONI TOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

PROPOSED ENLARGED SITE PLAN

A-2

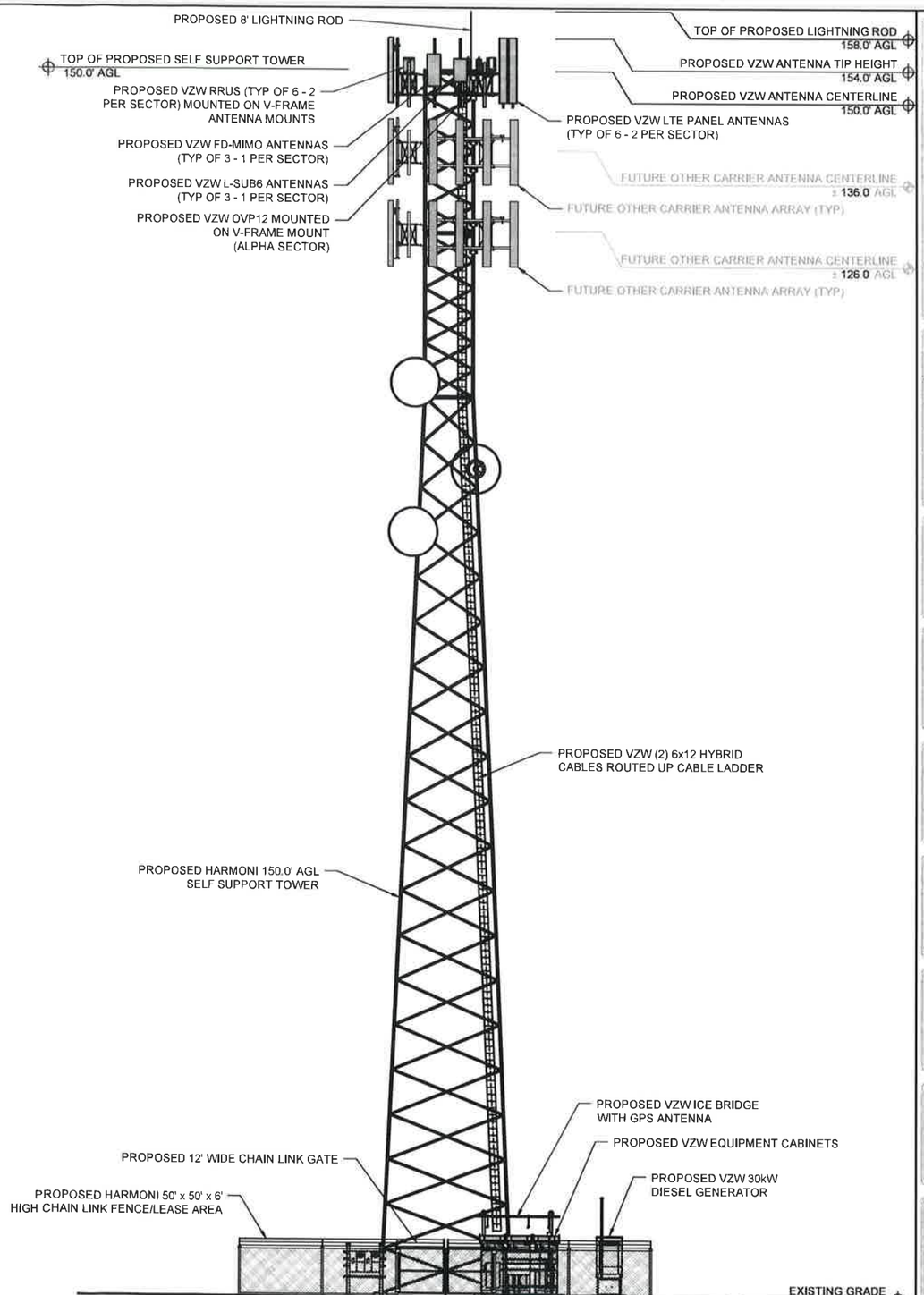


NOTES:

1. NO WORK SHALL COMMENCE WITHOUT AN APPROVED STRUCTURAL ANALYSIS. THE CONTRACTOR SHALL REVIEW THE APPROVED STRUCTURAL ANALYSIS AND NOTIFY THE E.O.R. IF ANY MODIFICATIONS ARE REQUIRED OF STRUCTURAL MEMBERS OR APPURTENANCES PRIOR TO INSTALLATION OF ANTENNAS, ANCILLARY EQUIPMENT OR CABLING.
2. PROPOSED MOUNTING HARDWARE, CABLING, ANCILLARY EQUIPMENT AND ANTENNAS ARE TO BE PAINTED TO MATCH IF REQUIRED. VERIFY PAINT COLOR WITH LANDLORD AND/OR VERIZON REPRESENTATIVE.
3. ANTENNA MOUNT/PLATFORM ANALYSIS FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS.
4. TOWER AND FOUNDATION STRUCTURAL ANALYSIS FOR THE PROPOSED LOADING CONFIGURATION TO BE COMPLETED BY OTHERS.
5. CONTRACTOR TO VERIFY THE SUITABILITY OF ANTENNA MOUNT FOR PROPOSED LOADING CONFIGURATION.

22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"
8' 6' 4' 2' 0' 8'

PROPOSED NORTH ELEVATION | 1



22"x34" SCALE: 1/8" = 1'-0"
11"x17" SCALE: 1/16" = 1'-0"
8' 6' 4' 2' 0' 8'

PROPOSED WEST ELEVATION | 2

PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

ELEVATIONS

A-3

Crook County

Community Development Department
Planning Division
300 NE 3rd Street
Prineville, OR 97754
(541)447-3211

October 1, 2025

Sarah Telschow
5200 SW Meadows Road, Suite 150
Lake Oswego, OR 97035

Re: Record No. 217-25-000293 – Transmission Tower under 200 Feet

Dear Ms. Telschow:

I have reviewed the above-referenced application materials for a transmission tower and hereby deem your application complete. Any remaining materials can be submitted before the time of final decision/approval.

I am writing additionally to inform you that the County has received a great deal of public interest in this application. Crook County Code (CCC) 18.124.110(1) states that applications such as this (transmission towers less than 200 feet) are to be processed administratively via site plan review subject to standards. Because of the public interest, I am invoking my authority as Planning Director under CCC 18.172.015 to refer this application to the Planning Commission for a public hearing.

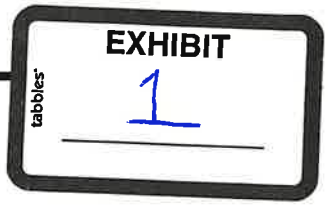
The same standards will apply. The only difference will be that members of the public—in support, neutral, and opposed—will have an opportunity to be heard and submit evidence and testimony and the Planning Commission will hear the application in the first instance. This decision aligns with Statewide Planning Goal #1 – Citizen Involvement and is unappealable pursuant to CCC 18.172.015(2). The County will not impose a separate hearing fee for this application. The application is tentatively scheduled to be heard December 10, 2025, at 4 p.m.

A confirmation of the date of the hearing will follow. Crook County appreciates your understanding. Please reach out if you have any questions.

Regards,

John Eisler,
Community Development Director

Hannah Elliott



From: John Eisler
Sent: Monday, September 8, 2025 2:44 PM
To: Plan
Subject: FW: Proposed cell tower, Williams Rd, Powell Butte OR
Attachments: Zalunardo ltr to Verizon_3Sept2025.pdf

-----Original Message-----
From: David Zalunardo <davezalunardo@gmail.com>
Sent: Saturday, September 6, 2025 10:32 AM
To: Brian Barney <Brian.Barney@crookcountyor.gov>; Susan Hermreck <Susan.Hermreck@crookcountyor.gov>; Seth Crawford <Seth.Crawford@crookcountyor.gov>; John Eisler <John.Eisler@crookcountyor.gov>
Subject: Proposed cell tower, Williams Rd, Powell Butte OR

Hello Brian, Susan, Seth and John,, I am following up on the Powell Butte Cell Tower now that application has been made to Crook County. Please see the enclosed letter:

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

Dave Zalunardo
3690 SW Williams Rd
Powell Butte, OR 97753
davezalunardo@gmail.com

September 3, 2025

Verizon Wireless, by Sarah Telschow, Agent (to *stelschow@acomconsultinginc.com*)
Harmoni Towers, by Sarah Telschow, Agent (to *stelschow@acomconsultinginc.com*)
Acom Consulting, by Sarah Telschow, Agent (to *stelschow@acomconsultinginc.com*)
Vandana Venkatesh, Verizon Executive Vice President and Chief Legal Officer (to *vandana.venkatesh@verizonwireless.com*)
Donna Epps, Verizon Senior Vice President & Chief Responsible Business Officer (to *donna.epps@verizonwireless.com*)
Alexander Ranch LLC, by Linda Jo Alexander, Registered Agent (3976 SW Sam Snead Court, Redmond OR 97756)

Re: Community opposition to Verizon cell phone tower in Powell Butte, Oregon

I am writing as one of the over 100 citizens of Powell Butte, Oregon who have signed petitions expressing opposition to the proposed Verizon 158-foot cell phone transmission tower near 3450 SW Williams Road (Parcel Number 15141400-00100-14931; Crook County Application 217-25-000293-PLNG Alexander). You did more than choose land zoned for Exclusive Farm Use upon which to build your tower. You chose a site squarely in the heart of this ranching and farming community -- in a flat field with no natural feature or landscaping or a single structure to minimize the negative impact of the 14-story tower on the views of all nearby homes and the character of this community. This tower would become Powell Butte's new, unsightly landmark, visible for miles and miles.

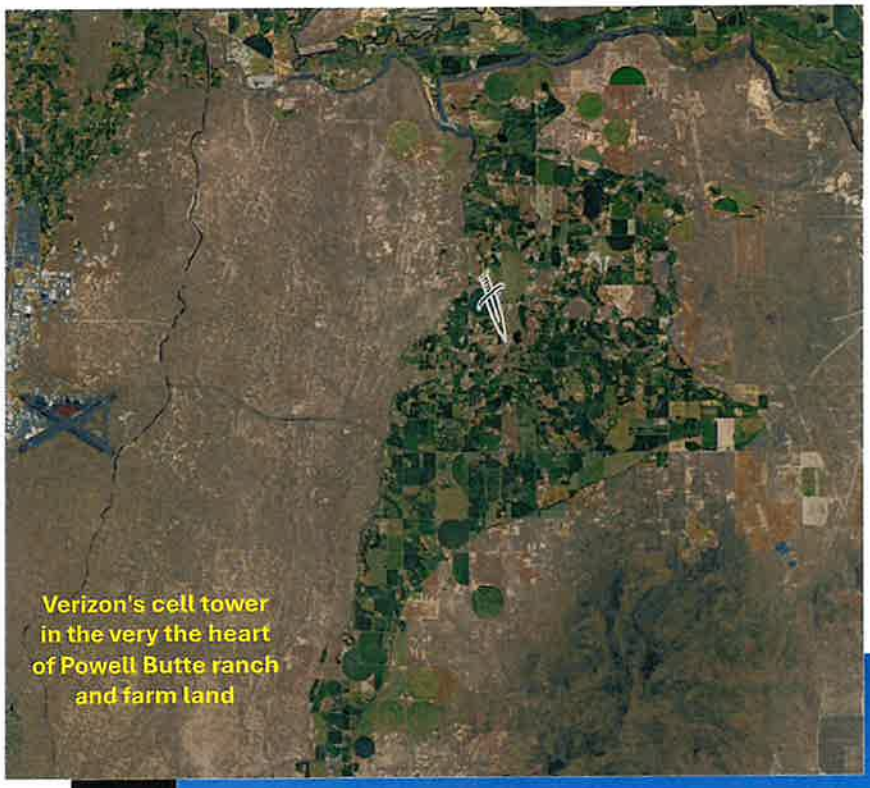
This area has been a farm and ranch community for generations. And the surrounding area is blessed with magnificent views of the Cascade Mountains and the international wonder that is Smith Rock State Park. We cherish those views, as do the many visitors who come to enjoy the splendor and create revenue for this County. The siting of your proposed tower not only destroys our community's pristine views, it substantively affects land values of those in the area. (We categorically reject, as will experts in the field, the frankly insulting representation made that the tower in this location will not affect property values in this rural community, with its stunning natural beauty. We will also present expert testimony proving your cell tower is not needed at this location.)

As word of this Verizon tower proposal is getting around, the number of people in this community and county against the tower location is growing, and together we intend to pursue every avenue available in opposition. Names are currently being gathered in the community of landowners burdened by your siting decision who may choose to join legal action for unreasonable interference with use and enjoyment of our land and diminution of value of our properties.

We understand the justifications being alleged for the tower and the profits being sought. But, the location proposed for the Verizon tower is a callous and coldhearted choice that will mar this entire community forever. We urge you to stop this travesty. This community deserves better.

Sincerely,
Dave Zalunardo

cc: Brian Barney, Crook County Commissioner (to *brian.barney@crookcountyor.gov*)
Susan Hermreck, Crook County Commissioner (to *susan.hermreck@crookcountyor.gov*)
Seth Crawford, Crook County Commissioner (to *seth.crawford@crookcountyor.gov*)
John Eisler, Crook County Community Development Director (to *john.eisler@crookcountyor.gov*)



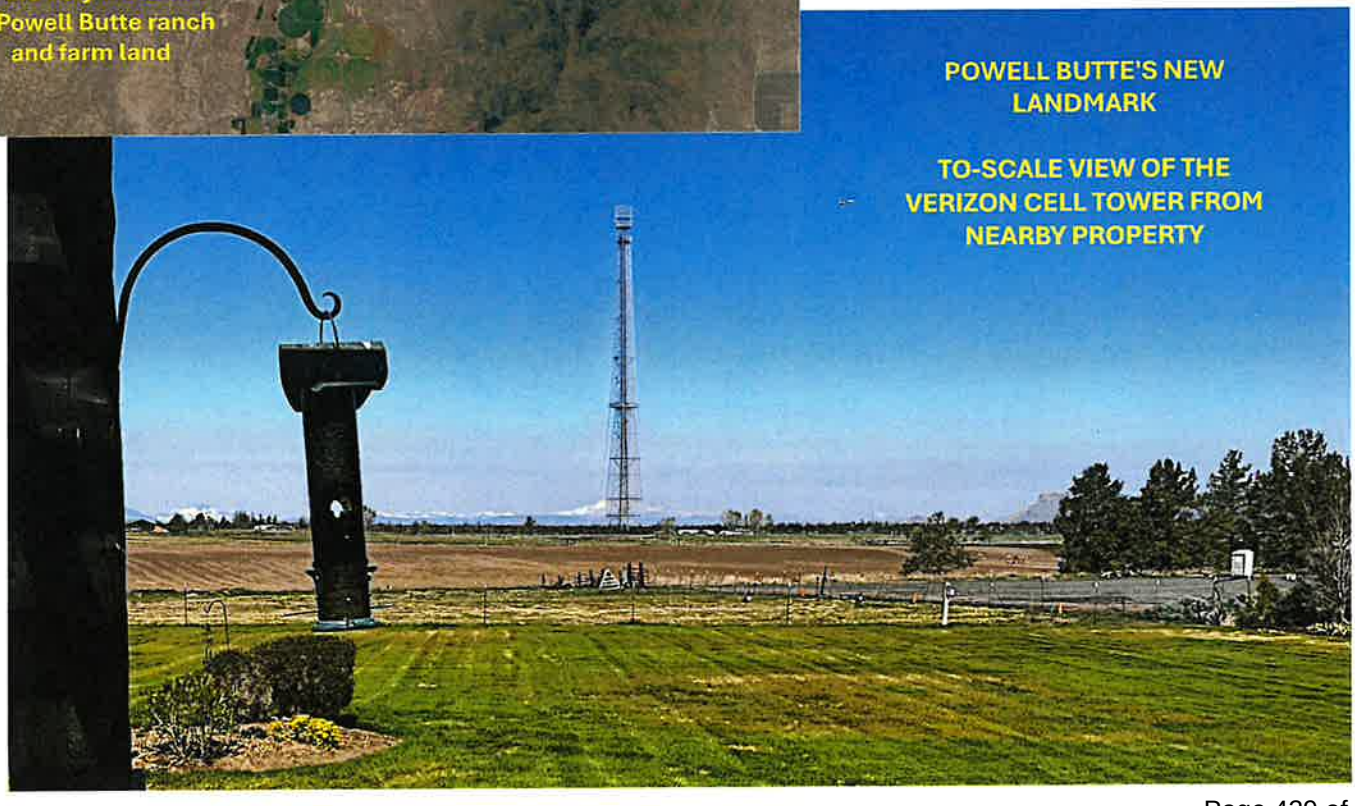


EXHIBIT
tabbies
2

September 15, 2025

Linda Jo Alexander
5270 SW Reif Rd
Powell Butte, OR 97753

Crook County
SEP 2 4 2025
Community Development

Dear Crook County Commissioners,

I am Linda Jo Alexander, responding to the Powell Butte residents who oppose the proposed cell phone tower on the SW Williams Road property (parcel #15141400-00100-14931).

The family farm started in 1962 by my esteemed father, Tom Alexander. When dad moved here, he became fully invested and committed to his community. For over 60 years he has generously sacrificed his time, his finances and wisdom to enhance this place he calls home. There are countless people, many of whom are contesting this proposed cell tower, which have been the recipients of his kindness and more.

Our family farm has changed over time; it has expanded and contracted and is now stable. Not as much by choice, but as state and county regulations mandate. Now, let us factor in the incredible increase in population. Starting in the late 1980's, Powell Butte went from a spot on the Oregon State map, to people understanding what a gem of an area we live in. Central Oregon's population exploded! The "farming community" that I grew up in, became the ideal spot for retirees and wealthy out-of-towners looking for the exact opposite of what they had been living in for years.

To say that it is ironic how much the proposed cell phone tower is being resisted, is an understatement. To call out how hypocritical it is from these very folks that had no problem overpaying for farmland and developing it into their dream houses and how the county that profited from the new tax base created by this influx, is beyond words. State and county restrictions on sales of land, land use and development overlook their effects on local small family farms. To safeguard small family farms, there are county codes in place to permit leasing for approved infrastructure and needs of the community.

If we want to look at how much this community has changed in the past 10 years, we now have our own Volunteer Fire Dept, a Community Center, two active churches, Brasada Ranch & Resort, Mill Iron Estates, hundreds of acres of solar panels. Farm equipment crossing on Hwy 126 requires traffic control because of daily heavy traffic.

As much as I understand some of the pushback, most of it is coming from people who don't live near the site (but will benefit from the improved infrastructure), many of whom do not actively farm for a living, people who are in the process of selling their houses/land, and the rest have some very interesting ideas of how wrong a cell phone tower in their neighborhood will be-these arguments are too trivial to explain.

Finally, water rights from COID have doubled in the past 10 years; fertilizer, utilities, equipment maintenance, wages and more, have only increased and have become harder to keep up with. When a company comes to us and asks us to consider a small area of our land for a cell phone tower which offsets our insane utility costs for the year, we would be ignorant not to consider this. The only motivation behind agreeing to this was to continue to farm our property and not be another casualty of this challenging economic environment.

In closing, I understand your position is to listen to all your constituents. I simply ask that you consider your ultimate obligation, to serve the public interest and provide for the welfare of the county and its residents. Long term planning for the health and safety of Powell Butte demands better infrastructure and this proposed cell phone tower will be a step towards providing this.

Thank you for your time.

Linda Jo Alexander
707-498-7062
Lindajo0202@outlook.com

Hannah Elliott

From: Annette and Karen <atkjuniper@gmail.com>
Sent: Tuesday, October 28, 2025 1:39 PM
To: John Eisler
Cc: Plan
Subject: Verizon Cell Tower Application - Record No. 217-25-000293
Attachments: Kolodzie_Jones Obj Ltr #1.pdf

Hello John,
Attached please find our initial objections to the cell tower application in Record No. 217-25-000293. Because you mentioned that the hearing on this currently scheduled for Dec. 10th might be moved, a key purpose of this is to make sure we are on the County's list to receive notices of the hearing and all decisions.

Thanks very much,
Karen Jones & Annette Kolodzie

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

SUBMISSION #1 AND REQUEST FOR NOTICE

October 28, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

By email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned are writing to express their initial objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned request notice of any and all decisions and hearings on this application, at the address included below for this purpose.

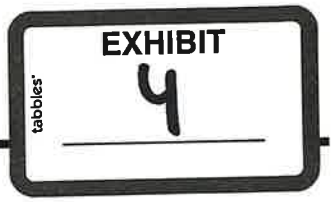
Sincerely,

Annette Kolodzie

Karen E. Jones

Address:
PO Box 126
Powell Butte OR 97753

email: atkjuniper@gmail.com



Hannah Elliott

From: Annette and Karen <atkjuniper@gmail.com>
Sent: Wednesday, October 29, 2025 12:41 PM
To: Plan
Cc: John Eisler; Hannah Elliott
Subject: Verizon Cell Tower Application - Record No. 217-25-000293
Attachments: Powell Butte Community Opp Ltr #1.pdf

Dear Crook Co. Planning Dept.,
Attached please find a letter providing objections ("Powell Butte Community Submission #1 and Request for Notice) from members of the Powell Butte community named therein, with respect to Verizon's cel tower application (Record No. 217-25-000293).

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

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

October 19, 2025

[This letter may be updated over time to include additional parties who have signed the letter.]

To: Crook County Planning Department
By email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned are writing to express their objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

Each of the undersigned requests notice of any and all decisions and hearings on this application. Addresses are included below for this purpose.

Sincerely,
The Undersigned

[Names and addresses of individuals who have signed this letter as of the date hereof appear on the following page(s).]

PAGE 1

POWELL BUTTE COMMUNITY SUBMISSION #1 AND REQUEST FOR NOTICE

PRINTED NAME	MAILING AND EMAIL ADDRESSES	SIGNATURE
Annette Kolodzie	PO Box 126, Powell Butte 97753 EMAIL: atkjuniper@gmail.com	
Crystal Bemrose	EMAIL: cbonotto9@gmail.com	Crystal Bemrose
Bev Oberg Steven G. Oberg	P.O. Box 204, PB, OR 97753 EMAIL: bevoberg@gmail.com gr8cr8@gmail.com	Beverly Oberg Steven G. Oberg
Tim P McDaniel	12855 S.W. Ayres Ln 97753 EMAIL: McDaniel5198@hotmail.com	
Tina A. McDaniel	12855 S.W. Ayres Ln 97753 EMAIL: mcDaniel5198@gmail.com	Tina A McDaniel
Jennicer Wilcox	13167 SW HWY 126 Powell Butte OR 97753 EMAIL: WilcoxJenniferm@gmail.com	

POWELL BUTTE COMMUNITY SUBMISSION #1 AND REQUEST FOR NOTICE

PRINTED NAME	MAILING AND EMAIL ADDRESSES	SIGNATURE
Cindy Zalunardo	3690 SW Williams Rd. Powell Butte OR 97753 EMAIL: cindy.zalunardo@gmail.com	Cindy Zalunardo
Julie Reed	11661 SW Red Cloud Rd. Powell Butte OR 97753 EMAIL: jool269reed@yahoo.com	JulieReed
FRANK & JENNY HOOK	3367 S.W WILLIAMS RD POWELL BUTTE OR. 97753 EMAIL: freblehook@hotmail.com	
Ryan McFarlane	macryan0@yahoo.com 2309 SW Williams Rd Powell Butte, OR 97753 EMAIL:	
Travis Urell	7222 SW Valley View Rd. Powell Butte Or. 97753 EMAIL:	
David Zalunardo	3690 SW Williams R Powell Butte, OR EMAIL: davezalunardo	

POWELL BUTTE COMMUNITY SUBMISSION #1 AND REQUEST FOR NOTICE

PRINTED NAME	MAILING AND EMAIL ADDRESSES	SIGNATURE
Kathleen Eby	PO Box 37 Powell Butte 97753 EMAIL: kathy@powellbutte.com	Kathleen Eby
Karen E. Jones	P.O. Box 126 Powell Butte OR 97753 EMAIL: atkjuniper@gmail.com	Karen E. Jones
	EMAIL:	
	EMAIL:	
	EMAIL:	
	EMAIL:	

EXHIBIT
tabbies
S

Hannah Elliott

From: Annette and Karen <atkjuniper@gmail.com>
Sent: Wednesday, October 29, 2025 12:43 PM
To: Plan
Cc: John Eisler; Hannah Elliott
Subject: Verizon Cell Tower Application - Record No. 217-25-000293
Attachments: Powell Butte Community Opp Ltr #2.pdf

Dear Crook Co. Planning Dept.,
Attached please find a letter providing objections ("Powell Butte Community Submission #2") from members of the Powell Butte community named therein, with respect to Verizon's cell tower application (Record No. 217-25-000293).

Thank you,
Karen E. Jones

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

POWELL BUTTE COMMUNITY

SUBMISSION #2

(Adequate Cell Service)

October 19, 2025

[This letter may be updated over time to include additional parties who have signed the letter.]

To: Crook County Planning Department
By email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned are writing to express their objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of their objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, each of the undersigned confirms that their cell phone coverage is adequate.

Sincerely,
The Undersigned

[Names and addresses of individuals who have signed this letter as of the date hereof appear on the following page(s).]

PAGE 1

POWELL BUTTE COMMUNITY SUBMISSION #2 (ADEQUATE CELL SERVICE)

PRINTED NAME	MAILING AND EMAIL ADDRESSES	SIGNATURE
Annette Kolodzie	PO Box 126 Powell Butte OR 97753 EMAIL: atkjuniper@gmail.com	
Jenna McFarlane	2309 SW Williams Road Powell Butte, OR 97753 EMAIL: mcfarlane.jenna@yahoo.com	Jenna McFarlane
Crystal Belmrose	EMAIL: cbonotto9@gmil.com	Crystal Belmrose
Bev Oberg Steven G. Oberg	P.O. Box 204, P.B. OR 97753 bevoberg@gmail.com EMAIL: gr8cr8@gmail.com	Beverly Oberg Steven G. Oberg
Tim P McDaniel	12855 S.W. Ayres Ln 97753 EMAIL: mcDaniel5198@hotmail.com	
Tina A McDaniel	12855 S.W. Ayres Ln. 97753 EMAIL: mcDaniel5198@gmail.com	Tina A McDaniel

POWELL BUTTE COMMUNITY SUBMISSION #2 (ADEQUATE CELL SERVICE)

PRINTED NAME	MAILING AND EMAIL ADDRESSES	SIGNATURE
Carol Reinhard	12865 SW Cornett Loop PB, OR 97753 EMAIL: CarolSuereinhard@gmail.com	Carol Reinhard
Julie Reed	11661 SW Red Cloud Rd Powell Butte, OR 97753 EMAIL: Joolz69reed@yahoo.com	Julie A. Reed
Jennifer Wilcox	13167 SW Hwy 126 Powell Butte OR 97753 EMAIL: wilcoxjenniferm@gmail.com	
Ryan McFarlane	Powell Butte, OR 97753 EMAIL: Maryn@yahoo.com 2309 SW Williams Rd	
FRANK T. HOOK	3367 SW WILLIAMS RD POWELL BUTTE OR. 97753 EMAIL: TREBLEHOOK@HOTMAIL.COM	Frank T. Hook
Travis Urell	7222 S.W Valley View Rd. Powell Butte Or. 97753 EMAIL:	Travis Urell

POWELL BUTTE COMMUNITY SUBMISSION #2 (ADEQUATE CELL SERVICE)

PRINTED NAME	MAILING AND EMAIL ADDRESSES	SIGNATURE
Cindy Zalunardo	3690 SW Williams Rd Powell Butte OR 97753 EMAIL: cindy.zalunardo@gmail.com	Cindy Zalunardo
David Zalunardo	3690 SW Williams Rd Powell Butte, OR EMAIL: davezalunardo@gmail.com	
Kathleen Eby	PO Box 37 Powell Butte 97753 EMAIL: kathy powellbutte.com	Kathleen Eby
Karen E. Jones	P.O. Box 126 Powell Butte OR 97753 EMAIL: atkjuniper@gmail.com	Karen E. Jones
	EMAIL:	
	EMAIL:	

EXHIBIT
tabbies
6

CROOK COUNTY
OCT 30 2025
PLANNING DEPT

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

October 25, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Kathleen A. Saterdahl
[Signature]

Kathleen A. Saterdahl
[Printed Name]

Address:
8440 SW Pokegama Dr
Powell Butte, OR 97753

email (if applicable) kathy@3sislabs.com

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

October 25, 2025

CROOK COUNTY
OCT 30 2025
PLANNING DEPT

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Kathleen A Saterdahl
[Signature]

Kathleen A. Saterdahl
[Printed Name]

Address: 8440 SW Pokegama Dr
Powell Butte, OR
97753

email (if applicable) Kathy@3sislabs.com

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 8 tabbies

10 -24, 2025

CROOK COUNTY
OCT 30 2025
PLANNING DEPT

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Neil Henke
[Signature]

NEIL HENKE
[Printed Name]

Address:
8440 SW POKEGAMA DR
POWELL BUTTE OR 97753

email (if applicable) NEILE3515CA@S.COM

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

EXHIBIT 9

10-24, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

CROOK COUNTY
OCT 30 2025
PLANNING DEPT

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Neil Henke
[Signature]

NEIL HENKE
[Printed Name]

Address:

8440 SW POKEGAMA DR
POWELL BUTTE OR 97753

email (if applicable) NEIL@3SISLABS.COM

EXHIBIT
tabbies
10

DZ

From: **David Zalunardo** davezalunardo@gmail.com
Subject: Re: Verizon Telecommunications Site
Date: October 30, 2025 at 8:08 AM
To: Hannah Elliott Hannah.Elliott@crookcountyor.gov

Ok, I don't know what I am doing wrong
Sent from my iPhone

CROOK COUNTY
NOV 05 2025
PLANNING DEPT
Hand delivered

On Oct 29, 2025, at 09:46, Hannah Elliott <Hannah.Elliott@crookcountyor.gov> wrote:

Hi David,

Still not successful. Might be best to have some one bring it in person.

Thanks,

<image001.png>

Hannah Elliott
Associate Planner
Phone: (541) 447-3211 ext 243
Address: 300 NE 3rd Rm 12, Prineville, OR 97754
Plan@crookcountyor.gov
Website: https://co.crook.or.us/

From: David Zalunardo <davezalunardo@gmail.com>
Sent: Wednesday, October 29, 2025 9:44 AM
To: Plan <plan@crookcountyor.gov>
Subject: Verizon Telecommunications Site

Attachment available until Nov 28, 2025

Dear Planning Department,

I am writing to send a petition with 92 signatures in opposition to the proposed telecomunications permit application Record No. 217-25-00293. The signatures people who reject having the site located on EFU zoned ground, who doubt the need for the structure, who are concerned about the health risks, property de-valuation and destruction of wildlife in a wildlife abundant area.

I hope that this voice of opposition will be considered and part of the record on the upcoming December 10 planning commission meeting to consider the approval or rejection of the above referenced application.

I am re-sending the attachment since I received communication from you that the attachment would not open.

Thank you,
David Zalunardo
3690 SW Williams Rd
Powell Butte, OR 97753

davezalunardo@gmail.com

541-280-7097

davezanmardo@gmail.com

Click to Download
petition.pdf
28.4 MB

[CAUTION:This email originated from outside of the organization. DO NOT CLICK LINKS or open attachments unless you recognize the sender and know the content is safe]
Disclaimer: Please note that the information in this email is an informal statement and shall not be deemed to constitute final County action effecting a change in the status of a person's property or conferring any rights, including any reliance rights, on any person.

CONFIDENTIALITY NOTICE - This e-mail may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If you are not the addressee or it appears from the context or otherwise that you have received this e-mail in error, please advise me immediately by reply e-mail, keep the contents confidential, and immediately delete the message and any attachments from your system.
Beware of Scams – Crook County will never ask for payment via wire, Venmo, Cash App, or Zelle. If you have questions about an invoice, please call 541-447-6554 to confirm before sending payment.

We, the undersigned, as concerned Powell Butte residents, ask you, our local district representatives, to stop Verizon from installing the proposed cell tower equipment so close to our homes and in our neighborhood community.

We join several neighborhoods, cities, counties, schools, organizations, and courts around the world who are saying "NO" to wireless facilities with antennae in their neighborhoods for one or all of the following reasons:

- Residents already have adequate cell phone and wireless data coverage in the area, so we don't need a new Verizon Wireless antenna here. Of course, Verizon Wireless will tell you they "need" one there, but there are always other options and locations.
- The WHO/International Agency for Research on Cancer (IARC) has classified radio-frequency electromagnetic fields as possibly carcinogenic to humans (Group 2B) based on an increased risk for glioma, a malignant type of brain cancer, associated with wireless phone use. (May 31, 2011) Once a cell site is established, our ability to protect ourselves from additional hazardous exposure of more installations becomes more of a challenge.
- This will not be the only one. 5G requires more towers and will most likely not be the only new tower in the Powell Butte area.

SW-314-5009
Rachel Cox SE9-288

- Aesthetics and the devaluation of real estate. In March 2014, the National Institute for Science, Law and Public Policy's survey "Neighborhood Cell Towers & Antennas—Do They Impact a Property's Desirability?" found that an overwhelming majority of respondents (94%) reported that cell towers and antennas in a neighborhood or on a building would negatively impact interest in a property and the price they would be willing to pay for it. Powell Butte residents don't want decreased property value for homes and neighborhoods.

To our elected officials: We are your constituents and neighbors, and we are asking you to please listen to those who voted for you and fix the laws regulating wireless telecommunications facilities' placement.

We urge you to expedite this process and impose an immediate moratorium on all wireless telecommunication facilities so close to homes.

Thank you for your consideration and attention to this important matter.

Powell Butte community and it's concerned citizens.

Please sign below ASAP

Petition To: Stop Verizon cell tower on Williams Road, Powell Butte, OR 97753

Printed Name	Address	Signature
Jeremy / Heidi Wood	13275 SW Hayes Ln	Jeremy Wood
Jamie Bierly	12888 SW Houston Lake Rd	
Barclay + Sondy Wyss	1262 NW McDaniel	Sondy Wyss Barclay Wyss
Jen Wilcox	13267 SW Hwy 126 Powell Butte	
Julie Reed	11661 SW Red Cloud Rd Powell Butte OR 97753	Julie A. Reed
Jeff Jackson	7995 SW Houston lake Rd Powell Butte OR 97753	
Marty Howard	10933 SW Fleming Powell Butte OR	Marty Howard
Gage Hanson	13315 SW HOUSTON LK RD Powell Butte OR	
Wyatt DeRoest	12301 SW Cornett Ln OR 97753	Wyatt DeRoest
Jeremy Hanson	13315 SW Houston lake RD Powell Butte OR	
Kelly Hanson	13315 SW Houston lake Powell Butte OR	Kelly Hanson
Scott Mastoyo	13363 SW Houston Lake Powell Butte,	
Mike & Terry Cowan	10572 SW Fleming Rd Powell Butte barrelhorses1@yahoo.com	Terry Cowan
Frank J. Dy	12009 SW. CORNETT LP POWELL BUTTE OR 97753	FRANK DY
Marta L. Dy	" " " " " "	MARTA DY
Fred Walzer	3694 SW Williams Rd	Walzer
Angela Dodson	11303 SW Houston Lake Rd	Angela Dodson
Ashley Regnier	12340 SW Highway 126	Ashley Regnier

Petition To: Stop Verizon cell tower on Williams Road,
Powell Butte, OR 97753

Printed Name	Address	Signature
Edward E Colgan SR	2115 SW Wampler Ln. Powell Butte OR.	Edward E Colgan
Jeanne Colgan	2115 SW Wampler Powell Butte	Jeanne Colgan
Tina McDaniel	12855 SW. Agnes Ln. Powell Butte	Tina M McDaniel
Mickala Colgan	2115 SW Wampler Ln Powell Butte	Mickala Colgan
Skip Lumley	2221 SW Wampler Ln	
BJ. Lumley	2221 SW Wampler Ln Powell Butte, OR	BJ Lumley
Mckayla farnsworth	1955 SW Wampler Ln Powell Butte OR	
Aron Farnsworth	1955 SW Wampler LN Powell Butte OR	
Tye Farnsworth	1955 SW Wampler Ln Powell Butte OR	Tye Farnsworth
Jessy Farnsworth	1955 SW Wampler Ln Powell Butte OR	Jessy Farnsworth
Kelly McFarlane	2150 SW WAMPLER LANE	Kelly McFarlane
LEE GARCIA	2043 SW WILLIAMS RD	Lee Garcia
Andy Wallace	1809 SW Wampler Ln	Andy Wallace
Kerrie Wallace	1809 SW Wampler Ln	Kerrie Wallace
Joyce GARCIA	2043 SW WILLIAMS RD	Joyce Garcia
Elizabeth Kelly	1711 SW Wampler Ln	Elizabeth Kelly
Adali Kelly	1711 SW Wampler LN.	Adali J Kelly
WANDA KUKLIS	8840 SW YAHOOSKIN	Wanda Kuklis
Joyce & Norm Borgard	9349 SW Reif Rd	Joyce A Borgard

Petition To:

Printed Name	Address	Signature
rk + Jenny Hook blehook@hotmail.com	3367 SW Williams Rd Powell Butte OR 97753	Frank T. Hook Jenny Hook
N & TODD Murphy berniemurphy@comcast.net	1920 SE McKenzie Pl Prineville, OR 97754	Jamurphy
ky Schlottmann	8101 SW Deer Trail Powell Butte	
nis H Uberbrand	3855 SW Minson Rd. Powell Butte	
er R Rawlins	3080 Minson Rd Powell Butte, OR	
b w Storey	12106 SW Houston Lake Powell Butte, OR	
ri Storey	12106 SW Houston Lake Rd Powell Butte, OR 97753	
usan Goodwin	10223 SW Houston Lake Powell Butte OR 97753	
tLue Goodwin	10223 SW Houston Lake Powell Butte 97753	
ett CURTIS	11303 SW Houston LAKE Rd Powell Butte	
PUN MAKARATAD-FOX	5197 SW MINSON RD. POWELL BUTTE, OR 97753	
e Brown	4301 SW Williams Rd. Powell Butte OR	Bruce Brown
L Fishter SR	3093 SW PARRISH LN Powell Butte OR 97753	
Fitzgerald	1365 NE Ochoco Ave Prineville, OR 97754	
Bush	H088 SW Minson Rd Powell Butte	
rin + Tobitha e Lacey	10759 SW Fleming RD. Powell BUTTE OR 97753	
ell Pam p Gump	10030 SW Houston Lake Rd Powell Butte Or.	Pamela Gump
AN STEHLY STEHLY	9715 SW HOUSTON LAKE POWELL BUTTE, OR	
y Obers	12154 SW Bornett LP PB 97753	Beverly Obers

Petition To:

Printed Name	Address	Signature
ndy Zalunardo	Powell Butte OR 97753 3690 SW Williams Rd	Cindy Zalunardo
Zaul Zalunardo	"	
alynn Morris	750 NW 2nd St Prineville Or 97754	Jalynn Morris
Settle	2045 NW Peacock Walk, Prineville OR 97754	
ie Echeverria	P.O. Box 131 Powell Butte, OR	
ZICK ECHEVERRIA	P.O. Box 131 POWELL BUTTE, OR	
RK MOTSKO	6905 SW Joshua Ct Powell Butte, OR 97753	M. J Motsko
L K. BREWSTER	10270 SW Nicole Drive Powell Butte, OR 97753	Paul K. Brewster
NA BREWSTER	10270 SW Nicole Dr Powell Butte, OR 97753	Jana Brewster
NNE BAIR	2525 SW Reif Rd	
. McDaniel	12855 S.W. Ayres Ln. Powell Butte, OR 97753	Lisa A McDaniel
P MC DANIEL	12855 S.W. AYRES LN POWELL BUTTE OR 97753	
- Merwin	13595 SW Dickson Road Powell Butte OR 97753	
Merwin	"	
A PRESSLEY	Dickson Road Powell Butte	Deana D. Pressley
N Lampert	12677 S.W Lariet	
Lightley	Powell Butte OR 97753 6637 SW Valleyview Dr	Sarah Lightley
R COX	12501 SW Fleming Rd Powell Butte, Oregon 97753	
	12501 SW Fleming Rd	

Petition To:

Printed Name	Address	Signature
Lee Cox	12501 SW Fleming	Lee Cox
Gene Cox	12501 SW Fleming	Gene Cox
idi Wood	13275 SW Ayres Ln 97753	Heidi Wood
sie Fisher	3093 SW Parrish Ln	Susie Fisher
y Cruikshank	11505 SW Red Cloud Rd	Nancy Cruikshank
NEIL HENKE	8440 SW POKEGAMA DR	Neil Henke
K Stafford	13574 SW Hwy 126	Roann K Stafford
Cruikshank	11505 SW Red Cloud RD	Chuck Cruikshank
Gresden	6775 SW Valley View Rd	
ah Binder	10460 SW cornett loop	Mariah Binder
Garthwaite	10460 SW cornett loop	
Olson	7401 SW 66th St	
al Bemrose	15857 SW Twin Lakes Rd	Crystal Bemrose
McFarlane	2309 SW Williams Rd 97753	Lynn McFarlane
McFarlane	2309 SW Williams Rd 97753	

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies
11

11-3, 2025

CROOK COUNTY
NOV 10 2025
PLANNING DEPT

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

P. Tess M Walker
[Signature]

P. Tess M. Walker
[Printed Name]

Address:
3694 SW Williams Rd
Powell Butte, OR
97753

email (if applicable) walker.tess@outlook.com

EXHIBIT
tabbies
12

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

11 - 3, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

CROOK COUNTY
NOV 10 2025
PLANNING DEPT

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

P. Tess M Walker
[Signature]

P. Tess M. Walker
[Printed Name]

Address:
3694 SW Williams Rd
Powell Butte OR
97753

email (if applicable) walker.tess@outlook.com

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 13 tabbies

Oct. 30, 2025

CROOK COUNTY
NOV 10 2025
PLANNING DEPT

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

FDWalker
[Signature]

Fred Walker
[Printed Name]

Address:
3694 SW Williams Rd.
Powell Butte, OR
97753

Mailing Address:
PO Box 36
Powell Butte, OR
97753

email (if applicable) walker.fred@outlook.com

EXHIBIT
tabbies
14

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

Oct. 30, 2025

CROOK COUNTY
NOV 10 2025
PLANNING DEPT

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

F Walker
[Signature]

Fred Walker
[Printed Name]

Address:
3694 SW Williams Rd.
Powell Butte, OR 97753

Mailing Address:
PO Box 36
Powell Butte, OR
97753

email (if applicable) walker.fred@outlook.com

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

EXHIBIT 15 tabbies

NOV. 7, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Leslie G. Cox
[Signature]

Leslie G. Cox
[Printed Name]

Address:
12501 SW Fleming Rd.
Powell Butte, ORE.
97753

email (if applicable)_____

Crook County
NOV 12 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 16 tabbies

Nov. 7, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Harriette Lee Cox
[Signature]

HARRIETTE LEE COX
[Printed Name]

Address: 12501 SW Fleming Rd.
Powell Butte - ORE.
97753

email (if applicable) ———

Crook County
NOV 12 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

EXHIBIT 17 tabbies

NOV 6, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Rachel R Cox
[Signature]

Rachel R Cox
[Printed Name]

Address:
12501 SW Fleming Rd
Powell Butte, Oregon
97753

email (if applicable) coolcreekranch@hotmail.com

Crook County
NOV 12 2025
Community Development

EXHIBIT
tabbies
18

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

NOV 6, , 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Gary Cox
[Printed Name]

Address:
12501 SW Fleming Rd
Powell Butte, OR
97753

email (if applicable) coolcreekranch@hotmail.com

Crook County
NOV 12 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies
19

11/7, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Beverly Otto-Raymond
[Printed Name]

Address:

11105 S.W. Riggs Rd
Powell Butte, OR 97753

email (if applicable)_____

Crook County
NOV 12 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

EXHIBIT 20 tabbies

11/7, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Beverly Oto-Raymond
[Signature]

Beverly Oto-Raymond
[Printed Name]

Address:

11105 S.W. Riggs Rd
Powell Butte, OR
97753

email (if applicable)_____

Crook County
NOV 12 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

EXHIBIT 21 tabbies

11/7, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

[Signature]

Cass Raymond
[Printed Name]

Address:

1605 S.W. Rigga Rd.
Powell Butte, OR 97753

email (if applicable)_____

Crook County
NOV 12 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 22

11/7, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

C E Raymond
[Signature]

Cass Raymond
[Printed Name]

Address:

11105 S.W. Rigger Rd.
Powell Butte, OR 97753

email (if applicable)_____

Crook County
NOV 12 2025
Community Development

Hannah Elliott

From: David Zalunardo <davezalunardo@gmail.com>
Sent: Sunday, November 16, 2025 1:33 PM
To: Plan
Subject: Verizon cell tower

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)
November 16, 2025
To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754
If by email: plan@co.crook.or.gov
Re: Record No. 217-25-000293 (proposed telecommunications facility)
Dear Crook County Planning Department,
The undersigned is writing to provide objections to the land use application under Record No. 217-25-
000293 (proposed telecommunications facility).
In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet
the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service,
the undersigned confirms that his/her cell phone coverage is adequate. I live on Williams Rd, the exact place Verizon claims there is a need to improve coverage. My phone works great now.

David Zalunardo

[Signature]
/s/ David Zalunardo

3690 SW Williams Rd, Powell Butte, OR. 97753

email (if applicable) daveezalunardo@gmail.com

Sent from my iPhone

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

Hannah Elliott

From: Mark & Ann Malott <markandann@malott4m.com>
Sent: Tuesday, November 18, 2025 10:58 AM
To: Plan
Subject: Record No. 217-25-000293
Attachments: Verizon Objection & Request for Notice_000027.pdf

Good morning,

Please find attached my signed objection and request for notice on the proposed telecommunications facility.

Thank you,

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

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

11/18, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

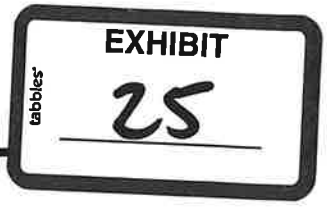
Ann Malott
[Signature]

Ann Malott
[Printed Name]

Address:

12993 SW Cornett Loop
Powell Butte, OR
97753

email (if applicable) markandann@malott4m.com



Hannah Elliott

From: Mark & Ann Malott <markandann@malott4m.com>
Sent: Tuesday, November 18, 2025 11:02 AM
To: Plan
Subject: Record No. 217-25-000293
Attachments: Verizon Objection & Notice of Adequate Cell Service_000028.pdf

Please find attached my objection to this proposed telecommunications facility application and notice that I have adequate cell phone coverage.

Thank you,

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

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

11/18, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Ann Malott
[Signature]

Ann Malott
[Printed Name]

Address:
12993 SW Cornett Loop
Powell Butte, OR
97753

email (if applicable) marklandann@malott4m.com

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

EXHIBIT 26

Nov 5, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Rhonda Kingsbury
[Signature]

Rhonda Kingsbury
[Printed Name]

Address:

13431 SW Dickson Rd
Powell Butte, OR 97753

email (if applicable) kingsburyoutfitte gmail.com

Crook County
NOV 19 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies' 27

Nov 5, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Rhonda Kingsbury
[Signature]

Rhonda Kingsbury
[Printed Name]

Address:
13431 SW Dickson Rd
Powell Butte, OR 97753

email (if applicable) kingsburyoutfit@gmail.com

Crook County
NOV 19 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

EXHIBIT 28 tabbies

Nov. 6, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

[Signature]

PENNY CASH
[Printed Name]

Address:

14980 SW Shumway Rd
Powell Butte
Oregon, 97753

email (if applicable)_____

Crook County
NOV 19 2025
Community Development

EXHIBIT
tabbies
29

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

Nov. 6, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

JOEL GLENN
[Printed Name]

Address:
14770 SHUMWAY Rd

POWELL BUTTE, 97753

email (if applicable)_____

Crook County
NOV 19 2025
Community Development

EXHIBIT
tabbies
30

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

Nov 13, 2025 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Diana D. Pressley
[Signature]

DIANA D. PRESSLEY
[Printed Name]

Address:

13127 S.W. Dickson Rd
Powell Butte, Or 97753

email (if applicable)_____

Crook County
NOV 19 2025
Community Development

EXHIBIT 31 tabbies

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

Nov 13, 2025, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Diana D. Pressley
[Signature]

Diana D. Pressley
[Printed Name]

Address:
13127 S.W. Dickson Rd
Powell Butte, Oregon 97753

email (if applicable)_____

Crook County
NOV 19 2025
Community Developmer

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 32

November 17, 2025

CROOK COUNTY
NOV 21 2025
PLANNING DEPT

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Kathleen A. Saterdahl
[Signature]

Kathleen A. Saterdahl
[Printed Name]

Address: 8440 SW Pokegama Dr
Powell Butte, OR
97753

email (if applicable) kathy@355labs.com

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

EXHIBIT 33 tabbies

November 17, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

CROOK COUNTY
NOV 21 2025
PLANNING DEPT

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Kathleen J. Saterdahl
[Signature]

Kathleen A. Saterdahl
[Printed Name]

Address:
8440 SW Pokegama Dr
Powell Butte, OR
97753

email (if applicable) kathy@3515labs.com

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 34

NOVEMBER 17, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

CROOK COUNTY
NOV 21 2025
PLANNING DEPT

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Neil Henke
[Signature]

NEIL HENKE
[Printed Name]

Address:
9490 SW POKEGAMA DR
POWELL BUTTE OR 97753

email (if applicable) NEILC3SISCABS.COM

EXHIBIT 35

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

NOVEMBER 17, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

CROOK COUNTY
NOV 21 2025
PLANNING DEPT

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Neil Henke
[Signature]

NEIL HENKE
[Printed Name]

Address:

8960 SW POKEGAMA DR
POWELL BUTTE OR 97753

email (if applicable) NEILC3515CABS.COM

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 36

November 17, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Kenneth Werth
[Printed Name]

Address: Mailing Address:
4021 S. Baja Way
Boise, ID 83709

Property Address:
2490 SW Williams RD.
Powell Butte, OR 97753

email (if applicable) kjwerth@msn.com

Crook County
NOV 24 2025
Community Development

EXHIBIT 37

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

November 17, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Kenneth F. Werth
[Signature]

Kenneth Werth
[Printed Name]

Address: mailing address:
4021 S. Baja Way
Boise, ID 83709

property address:
2490 SW Williams Rd
Powell Butte, OR 97753

email (if applicable) kjweath@msn.com

Crook County
NOV 24 2025
Community Development

EXHIBIT
38

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

NOVEMBER 17, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Janis Werth
[Signature]

JANIS WERTH
[Printed Name]

Address: MAILING ADDRESS.

4021 S. Baja Way
Boise, ID 83709

email (if applicable) KJWERTH@MSN.COM

PROPERTY ADDRESS:
2490 S. WILLIAMS RD.
POWELL BUTTE, OR 97753

Crook County
NOV 24 2025
Community Development

EXHIBIT 39

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

NOVEMBER 17, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Janis Werth
[Signature]

JANIS WERTH
[Printed Name]

Address: MAILING ADDRESS:
4021 S. Baja Way
Boise, ID 83709

PROPERTY ADDRESS:
2490 S. WILLIAMS RD.
POWELL BUTTE, OR 97753

email (if applicable) KJWERTH@MSN.COM

Crook County
NOV 24 2025
Community Development

Ken and Jan Werth
4021 S. Baja Way
Boise, ID 83709

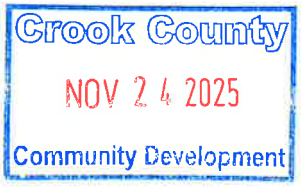
November 17, 2025

Crook County Planning Department
300 NE 3rd St. Room 12
Prineville, OR 97754
RE: Record No. 217-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

This is in response to our objection to the land use application under Record No. 217-25-000293 (proposed telecommunications facility) providing wireless cell service in an EFU zone to the north end of Powell Butte.

By way of introduction, we are Ken and Jan Werth and our property adjoins the proposed facility site. My husband moved to the area at the age of 10 in 1949, attended Powell Butte School and Redmond High School and in the process helped his father Fred farm. Fred died with ALS when Ken was 19. Ken graduated from Oregon State University in 1959 with a degree in agriculture. Over the years he has been a steward of the land acquiring property in 1966 for our home place and parcels at the south end of Powell Butte. We were in partnership with Jim and Carol Wampler, Ken's sister and brother-in-law, who both passed away in 2012. I married Ken in 1976 and lived in the area for over 45 years. In 2020 Ken and I became Idaho residents and moved to Boise permanently in 2021 to be closer to our son Randy Werth and daughter Tish Davis for health reasons.



With respect to the current proposed site, we can't in all good conscience support this project. There is no problem with wireless service at the north end of Powell Butte since we had friends and business in that area with whom we kept in contact, nor was our cell service an issue. Aside from being proposed for installation in an EFU zone, its current proposed site has been actively farmed for years. It affects the surrounding property owners and potentially devalues their eventual sales, would spoil a clean view of the area, and in general destroy the bucolic nature of an active farming community. The reservoir south of the proposed site is also actively used for religious services during the year, for example, the Easter Sunrise Service.

And, in complete disclosure, although we are now nonresidents of the area, we still own 126 acres of land, which is our inheritance to our children. One parcel is farmed by our neighbor, and the largest parcel is irrigated by and provides grazing for another neighbor's cattle.

Given the vacant land to the north and east surrounding the Powell Butte area as well as the top of the butte where current cell towers already exist the proposed facility could be situated in a more propitious location thus, preserving the overall area as it currently remains because no matter how you attempt to camouflage the tower it will not blend into the surrounding area in this EFU zone.

Thank you for your consideration.

Sincerely,

Ken and Jan Werth

Crook County
NOV 24 2025
Community Development

EXHIBIT
tabbies
41

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

November 20, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Carol Tschantre
[Signature]

Carol Tschantre
[Printed Name]

Address:

12205 SW Houston Lake Rd
Powell Butte, OR 97753

email (if applicable)_____

Crook County
NOV 26 2025
Community Development

EXHIBIT 42

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

November 22, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Carol Tschantre
[Signature]

Carol Tschantre
[Printed Name]

Address:
12205 SW Houston
Powell Butte, OR 97753

email (if applicable)_____

Crook County
NOV 26 2025
Community Development

EXHIBIT
tabbies
43

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

11-15-2025, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

J Veelle
[Signature]

Jacqueline N. Veelle
[Printed Name]

Address:

3063 SW Minson Rd
Powell Butte, OR
97753

email (if applicable)_____

Crook County
DEC 01 2025
Community Development

EXHIBIT
tabbies
44

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

11-15-2025, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Jacqueline N. Veelle
[Printed Name]

Address:
3063 SW Minson Rd
Powell Butte, OR
97753

email (if applicable)_____

Crook County
DEC 01 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

EXHIBIT 45

Nov 19, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for *public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.*

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Michael Stevens
[Signature]

Michael Stevens
[Printed Name]

Address:
1940 SW Minson Rd
Powell Butte OR
97753

email (if applicable)_____

Crook County
DEC 01 2025
Community Development

EXHIBIT
tabbies
46

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

Nov 19, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Nicol Stevens
[Signature]

Nicole Stevens
[Printed Name]

Address:
1940 SW minsan rd
Powell Butte, Or
97753

email (if applicable)_____

Crook County
DEC 01 2025
Community Development

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

Nov 13th, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Jenny L Hook
[Signature]

Jenny L. Hook
[Printed Name]

Address:
3367 SW Williams Rd
Powell Butte OR
97753

email (if applicable)_____

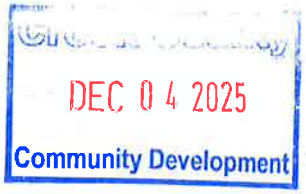


EXHIBIT 48

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

Nov 13, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Jenny L Hook
[Signature]

Jenny L Hook
[Printed Name]

Address:

3367 SW Williams Rd
Powell Butte OR
97753

email (if applicable)_____

Crook County
DEC 04 2025
Community Development

Hannah Elliott

From: Savanna marsala <savanny_86@hotmail.com>
Sent: Thursday, December 4, 2025 8:05 AM
To: Plan
Subject: Powell Butte Community Submission (#217-25-000293)
Attachments: PB Submission.pdf

Hello-
I would like to submit the following two forms in regard to the proposed telecommunications facility, record # 217-25-000293.
Thank you,
Savanna Marsala

8154 SW Copley Road
Powell Butte, OR 97753

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

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

December 3rd, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Savanna Marsala
[Signature]

Savanna Marsala
[Printed Name]

Address:

8154 SW Copley Rd.
Powell Butte, OR
97753

email (if applicable): savanny_86@hotmail.com

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

December 3rd, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Savanna Marsala
[Signature]

Savanna Marsala
[Printed Name]

Address:

8154 SW Copley Rd.
Powell Butte, OR
97753

email (if applicable): savanny_84@hotmail.com

December 1, 2025

Dear Crook County Community Development Department,

Regarding the hearing scheduled for December 17, 2025, please include this letter as written testimony/comments submitted in opposition to the application to build a "telecommunication facility"/ cell phone tower on SW Williams Road in Powell Butte, OR.

We oppose the planned cell tower on SW Williams Road in Powell Butte because:

1. The tower will be located on property adjacent to our property. It will be visible from inside our home and from almost everywhere on our property. It will damage our property value.
2. The tower and its beacon light will invade our view of the mountains and the sky which will additionally damage our property value.
3. The tower will not only damage our property values, it will damage property values throughout the central portions Powell Butte where it will be prominent and visible.
4. The tower will violate EFU zoning and damage irrigated farm land.
5. The tower will damage our trust in Crook County government.
6. The tower will not improve our cell phone service which is already quite good.

Sincerely,

Fred Walker

Tess Walker

3694 SW Williams Road

Powell Butte, OR 97753

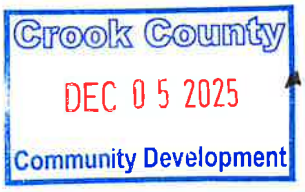


EXHIBIT
tabbies
S1

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

Dec 2, , 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

James V. Bachman

[Signature]

James V. Bachman

[Printed Name]

Address: 7124 sw Mill Iron Circle
Powell Butte, OR
97753

email (if applicable)

Crook County
DEC 05 2025
Community Development

EXHIBIT
tabbies
52

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

Dec 2, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: plan@co.crook.or.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Julie C Bachman
[Signature]

Julie C. Bachman
[Printed Name]

Address:
7124 SW Mill Iron Circle
Powell Butte, OR
97753

email (if applicable) julzbach@gmail.com

Crook County
DEC 05 2025
Community Development

Crook County Community Development
Planning Division
300 NE 3rd Street, Room 12, Prineville Oregon 97754
541-447-3211
plan@crookcountyor.gov
www.co.crook.or.us

Staff Report
Record 217-25-000293-PLNG

DATE: December 10, 2025

OWNER: Alexander Ranch, LLC
Thomas Alexander
PO Box 61
Powell Butte, OR 97753

AGENT: Acom Consulting Inc
5200 SW Meadows Rd, Suite 150
Lake Oswego, OR 97035

LOCATION: The subject property is located on SW Williams Rd, north of Hwy 126 and is identified as map tax lot number 1514140000100.

REQUEST: Site plan approval to construct and operate a new one hundred and fifty foot (150') monopole with an overall height of one hundred and fifty-eight feet (158') to accommodate a new telecommunication facility. The proposed telecommunication facility consists of nine (9) panel antennas, auxiliary equipment, three (3) equipment cabinets that house ratio equipment and/or batteries, and a 30kw diesel backup generator.

ZONING: Exclusive Farm Use zone, EFU-3 (Powell Butte Area)

I. PROPERTY INFORMATION:

1. **Documentation of Ownership:** 2025-330997, recorded 03/19/2025.
2. **Access:** proposing new 30' wide utility access easement. County Road approach permit will be required.
3. **Address:** TBD SW Williams Rd, Prineville
4. **Domestic Water:** The application indicates water is not proposed with this application.
5. **Wastewater:** There is no system proposed with this application.
6. **Floodplain:** The development is not located in areas of special flood hazard.
7. **Property Line Setbacks:** **Front:** 20 ft **Side:** 20 ft **Rear:** 25 ft
8. **Wildlife:** The property does not contain mapped wildlife habitats.

II. APPLICABLE CRITERIA

ORS 215.283
ORS 215.275

Crook County Comprehensive Plan
Crook County Code
Title 18, Zoning
Chapter 18.16 Exclusive Farm Use zone, EFU-3 (Powell Butte Area)
18.16.010 Use table.
18.16.015 Use standards.
Chapter 18.124 Supplementary Provisions
18.124.110 Approval process – Transmission tower.

III. PROCEDURAL BACKGROUND

The application was submitted on August 28, 2025, and deemed complete on October 1, 2025. The Crook County Code directs applications that are subject to standards to be processed as administrative decisions, , Community Development Director John Eisler invoked his authority under CCC 18.172.015 to refer this application to the Planning Commission. The first evidentiary hearing is December 17, 2025. Public notice was posted on the Crook County public notices page and the Crook County Planning Commission calendar on November 13, 2025, posted in the Central Oregonian newspaper on November 18, 2025, and mailed to neighbors within 750' of the property boundaries on November 26, 2025.

Members of the public have submitted 52 comments, reflected as Exhibits 1-52. All but Exhibit #2 are in opposition to the application. The majority of the comments assert that (1) the applicant has failed to meet their burden to establish that the proposed facility is necessary for public service and that there are no reasonable non-EFU alternatives or (2) that existing coverage is adequate.

IV. FINDINGS

18.16.010 Use Table.

6.4	*Utility facilities necessary for public service, including associated transmission lines as defined in ORS 469.300 and wetland waste treatment systems but not including commercial facilities for the purpose of generating electrical power for public use by sale or transmission towers over 200 feet in height.*	*STS*	*Notice and Opportunity for Hearing*	*18.16.015(15)*

FINDING: The proposed facility is a new transmission tower designed to serve the public, less than two hundred feet in height, within an EFU3 zone.

ORS 215.275(2)/OAR 660-033-0130(16)(a)/18.16.015 Use standards.
(15) A Utility Facility That Is Necessary for Public Service.

(a) A utility facility is necessary for public service if the facility must be sited in the exclusive farm use zone in order to provide the service.

(i) To demonstrate that a utility facility is necessary, an applicant must show that reasonable alternatives have been considered and that the facility must be sited in an exclusive farm use zone due to one or more of the following factors:

(A) Technical and engineering feasibility;

(B) The proposed facility is locationally dependent. A utility facility is locationally dependent if it must cross land in one or more areas zoned for exclusive farm use in

order to achieve a reasonably direct route or to meet unique geographical needs that cannot be satisfied on other lands;

(C) Lack of available urban and nonresource lands;

(D) Availability of existing rights-of-way;

(E) Public health and safety; and

(F) Other requirements of state and federal agencies.

(ii) Costs associated with any of the factors listed in subsection (15)(a)(i) of this section may be considered but cost alone may not be the only consideration in determining that a utility facility is necessary for public service. Land costs shall not be included when considering alternative locations for substantially similar utility facilities and the siting of utility facilities that are not substantially similar.

FINDING: Crook County's code incorporates the language from ORS 215.275, which is a codification of *McCaw Communications, Inc. v. Marion County,* 96 Or. App. 552, 773 P.2d 779 (1989). In *McCaw,* the court articulated that the term "necessary" in a "utility facility necessary for public service" on EFU ground means "necessary to situate the facility in the agricultural zone in order for the service to be provided." *Id.* at 556. In codifying *McCaw* through ORS 215.275, the legislature enumerated six factors that local governments may consider in whether the facility is necessary.

Thus, an applicant must demonstrate that it has considered reasonable alternatives, but due to one or more of the factors in ORS 215.275(2), it is necessary to site the facility on EFU land. "When deciding whether it is necessary to site a public utility facility on EFU land, local governments must analyze any alternatives based on *ORS 215.275*. They may not import additional policy considerations into their analysis." *Sprint PCS v. Washington County*, 186 Or. App. 470, 476 (2003).

In *Sprint PCS*, the neighbors argued that "reasonable alternatives" requires an applicant to consider other options such as collocation, more antennae on an existing tower, or alternate technologies and that merely "because the applicant may have a desire to construct a commercial tower on EFU land to maximize profit by selling space on that tower, the County is not obligated under [*ORS 215.275*] to defer to that desire under state land laws." *Id.* at 477-78. The court in *Sprint PCS* interpreted ORS 215.275 to conclude that it is only the factors set out in ORS 215.275(2) that may be "considered in deciding when those reasonable alternatives may be rejected." *Id.* at 479.

The neighbors in *Sprint PCS* also argued that local governments and the courts should not defer to a utility's business plan to establish the need, which would have the effect of "elevating the utility's business goals over the statutory goal of protecting farmland." *Id.* at 480. While LUBA in that case determined that local governments should defer to a utility's defined objectives, the Court of Appeals clarified such a methodology gives too much deference to the utility's defined objectives and instead, "[w]hen a utility's defined objective is inconsistent with placing a facility on an otherwise reasonable non-EFU site, local governments should ask whether that objective advances the statutory goal of providing the utility service." *Id.* at 481.

The particular issue in *Sprint PCS* was that the utility wanted to build a new tower on EFU ground and lease out space on that new tower to other providers instead of collocating on an existing tower. The utility argued that planning for more capacity than what is currently needed is simply efficient in the context of

towers with a thirty-year lifespan. The neighbors argued that maximizing profit by leasing out space does not further the statutory goal of providing service. The court clarified that "if a county were persuaded that the additional capacity was a reasonable part of the utility's plan to provide the service, the county could find that building a new tower rather than collocating on an existing one would advance the statutory goal of providing utility services. The county then could conclude that collocation was not a reasonable alternative. That question, however, presents a factual issue for local governments, subject to review by LUBA." *Id.* at 482.

The focus of the Planning Commission should thus be on the statutory goal of "providing utility service" and that "reasonable alternatives" have been considered, and whether or not all of the reasonable alternatives can be precluded from consideration due to one of the enumerated factors in ORS 215.275(2). If an application passes *that* test, the application cannot then be denied for any other reasons, like a county's local site design standards. *Seeberger v. Yamhill County*, 56 Or. LUBA 656, 658 (2008).

Here, the applicant states that the proposed telecommunications facility is a utility facility necessary for public service because it will provide infrastructure that is essential to the public, including critical communication services such as emergency response, law enforcement, fire protection, and medical services. The applicant's defined objectives are an increase in capacity along Highway 126 between Redmond and Prineville and to expand coverage to the Powell Butte community.[1]

Figure 1: Distance from proposed facility to Verizon neighbor sites. Alternative Site Analysis at 3.

The applicant provided an Evaluation of Alternative sites. Regarding co-location, the applicant considered three sites:

[1] Though the applicant's defined objectives are to increase capacity and expand coverage, it should be noted that the proposed facility's site plan depicts space for three future carrier lease areas, similar to the issue in *Sprint PCS*.

- Alternative Site #1 is the Sprint/American Tower Corporation Tower, which is a 196' lattice tower 4.28 miles southeast of the project site on parcel # 1515210000400. The applicant states this site will not achieve the coverage or capacity objectives, as it provides reduced coverage compared to the subject property and "does not provide the offload to the neighbors to the East and South"

- [unnumbered] Verizon Wireless Tower – Wiley at parcel # 1615000000800. This tower already has Verizon Wireless antennas. Adding more, according to the Alternative Site Analysis (ASA) prepared by the applicant's consultant, this tower "will not provide the power per link or the throughput per link needed to resolve the issue."

- [unnumbered] Powell Butte South Verizon Wireless Tower at parcel # 1614150001400. This tower is southwest of the project site and already has Verizon Wireless antennas. Like the Wiley Tower, according to the ASA, adding additional antennas to this tower "will not provide the power per link or the throughput per link needed to resolve the issue."

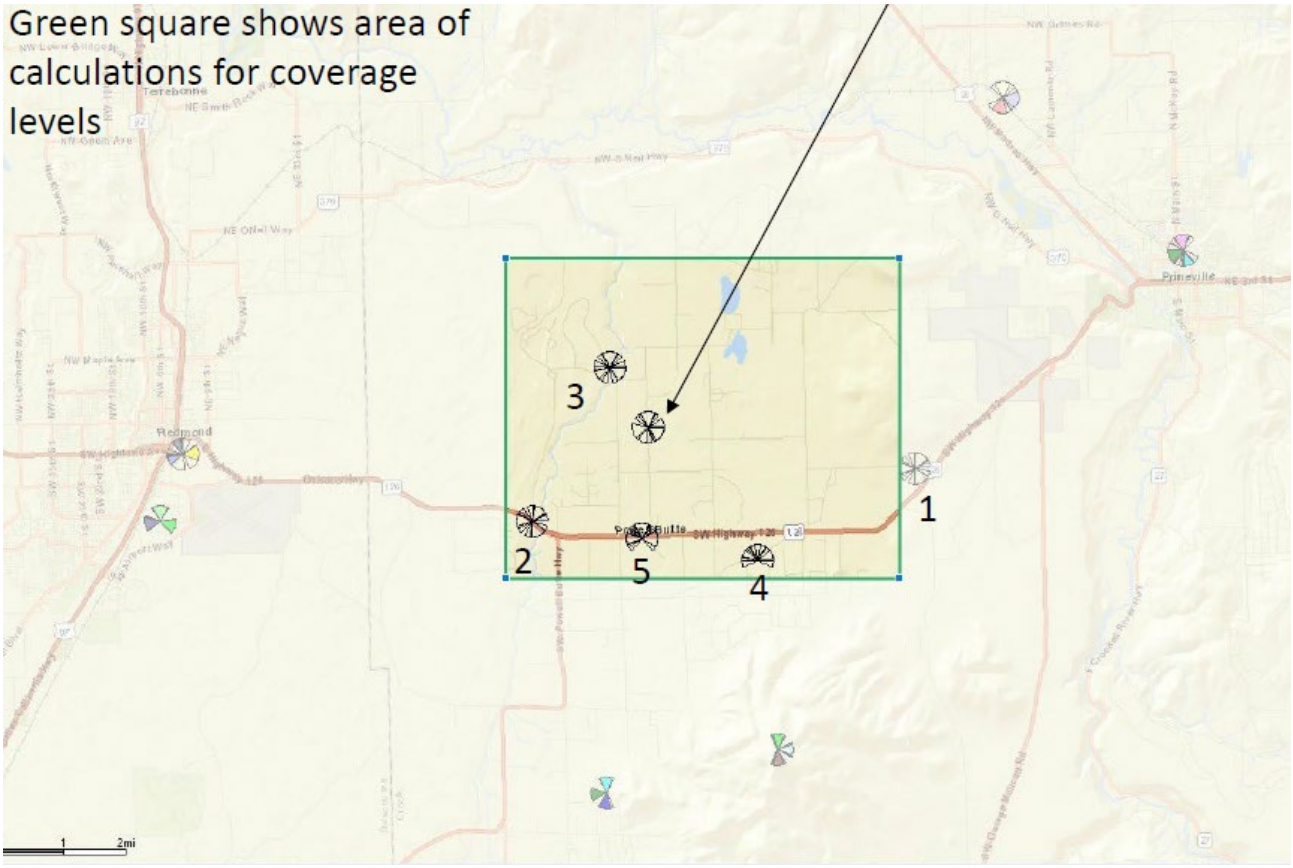


Figure 2: Focus Zone, Alternative Site Analysis at 6.

The applicant also considered alternative non-EFU sites, ruling each out:

- Alternative Site #2 is the Powell Butte Rural Residential (PBR20) zone. The ASA states that this location provides reduced coverage compared to the subject property and is situated "too close to the neighbor sites to the South and will not provide the service needed to the North."

- Alternative Site #3 – Rural Residential (R5) Northwest. The ASA states this site is too far north, does not provide offload to the neighbor sites to the south, and provides less coverage than the subject property.

- Alternative Site #4 – Rural Residential (R5) Southeast. The ASA found this site unsuitable because it is too near existing facilities and will not provide the needed service to the north, has reduced coverage, and does not fulfill the project's technical requirements.

- Alternative Site #5 – Rural Service Center (RSC) to the south. Like other southern alternative sites, the ASA concludes this location does not provide the needed service to the north and has inferior coverage.

Written comments from those in opposition assert that the applicant has failed to meet its burden under this criterion, but without stating the reasons why or suggesting appropriate alternative non-EFU sites. During the hearing and through the submission of additional evidence, the Planning Commission should hone in on the three main questions:

1. Do the applicant's defined objectives support the statutory goal of "providing utility service"?

2. Have reasonable alternatives been considered?

3. Have all of those alternatives been effectively ruled out by one of the enumerated factors in ORS 215.275(2)?

Additional comments were submitted into the record that made other assertions or addressed other concerns. These include (1) that coverage is already adequate; (2) concerns regarding effects on health; (3) impacts to property values; and (4) impacts to wildlife. As described above, according to the reviewing authorities, such considerations are not relevant or applicable to the application and ORS 215.275 analysis.

> *(iii) The owner of a utility facility approved under this subsection (15)(a) shall be responsible for restoring, as nearly as possible, to its former condition any agricultural land and associated improvements that are damaged or otherwise disturbed by the siting, maintenance, repair or reconstruction of the facility. Nothing in this subsection shall prevent the owner of the utility facility from requiring a bond or other security from a contractor or otherwise imposing on a contractor the responsibility for restoration.*

FINDING: The applicant will execute a Removal Agreement prior to final approval, as described below.

> *(iv) The county shall impose clear and objective conditions on an application for utility facility siting to mitigate and minimize the impacts of the proposed facility, if any, on surrounding lands devoted to farm use in order to prevent a significant change in accepted farm practices or a significant increase in the cost of farm practices on surrounding farmlands.*

FINDING: Before imposing clear and objective conditions to mitigate and minimize impacts of the facility on farm practices or the cost of farm practices, it first must be established that the proposed facility would cause impacts to such farm practices.

> *(v) Utility facilities necessary for public service may include on-site and off-site facilities for temporary workforce housing for workers constructing a utility facility. Such facilities must be removed or converted to an allowed use under the EFU zone or other statute or rule when project construction is complete. Off-site facilities allowed under this subsection are subject to CCC 18.16.020, Conditional use review criteria. Temporary workforce housing facilities not included in the initial approval may be considered through a minor amendment request. A minor amendment request shall have no effect on the original approval.*

(vi) In addition to the provisions of subsection (15)(a)(i) through (iv) of this section, the establishment or extension of a sewer system as defined by OAR 660-011-0060(1)(f) shall be subject to the provisions of OAR 660-011-0060.

FINDING: The proposed facility does not include workforce housing or the establishment of a sewer system.

(vii) The provisions of this subsection (15)(a) do not apply to interstate natural gas pipelines and associated facilities authorized by and subject to regulation by the Federal Energy Regulatory Commission.

FINDING: The proposed facility does not include a pipeline.

(b) An associated transmission line is necessary for public service upon demonstration that the associated transmission line meets either the following requirements of subsection (15)(b)(i) or (ii) of this subsection:

[***]

FINDING: The proposal does not include transmission lines; the above standards do not apply.

CCC 18.124.110(3) Submittal Requirements. An application for a transmission tower in either an EFU zone or a forest zone shall include:

(a) A copy of the executed lease from the owner of the site of the property where the tower will be located;

FINDING: The applicant provided an executed memorandum of lease, documenting a lease agreement for the subject property executed on January 23, 2025, between Alexander Ranch LLC, as landlord, and PI Tower Development LLC as tenant for an initial five-year term with seventeen successive automatic options to renew. This requirement is satisfied.

(b) A copy of the applicant's Federal Communications Commission license. A copy of this document will not be required to be submitted if applicant is not a personal wireless service provider, and is seeking approval only for a support structure for a wireless telecommunications facility;

FINDING: The applicant submitted copies of Federal Communications Commission's license to licensee CELLCO PARTNERSHIP, registration number 0003290673. This requirement is satisfied.

(c) For a new tower, a map that shows the applicant's search area for the proposed site and the properties within the search ring, including locations of existing telecommunications towers or monopoles;

FINDING: The applicant provided a Verizon Wireless Radio Frequency letter, RF Justification letter from Biwabkos Consultants LLC, Alternate Site Analysis by Biwabkos Consultants LLC, and Drive Test Report by Biwabkos Consultants LLC, in addition to an Evaluation of Alternative Sites. This requirement is satisfied.

(d) For a new tower, a copy of the written notice of the required neighborhood meeting and a

certificate of mailing showing that the notice was mailed to the list of property owners falling within the notice area designated under CCC 18.124.110(2);

FINDING: The applicant obtained a list of owners within 2,000 feet of the subject property from the County's GIS department and provided written copies of the required notice. This requirement is satisfied.

(e) For a new tower, a transcript of the neighborhood meeting or copies of the audiotape recordings of the meeting. The applicant shall also submit a list of attendees, including the date, time, and location of the meeting;

FINDING: The applicant provided a copy of the audio recording from the neighborhood meeting, a list of attendees, and the date, time, and location of the meeting. This requirement is satisfied.

(f) A site plan showing the location of the proposed facility and its components. The site plan shall also identify the location of the existing and proposed landscaping, any equipment shelters, utility connections, and fencing proposed to enclose the facility, and lighting if any is proposed. Describe primary and emergency energy sources proposed for the cell tower;

FINDING: The applicant has provided a site plan showing the location of the proposed facility and its components. The site plan identifies fencing, utility connections, an equipment shelter, and emergency energy source. There is no proposed landscaping. This requirement is satisfied.

(g) A copy of the design specifications, including photographs or manufacturer's graphic representations of proposed colors, and an elevation of an antenna array proposed with the facility, and lighting, if any, for the facility;

FINDING: The application includes photo simulations depicting the tower as it would stand, including colors and elevation. The preliminary drawings include depictions of the tower and design specifications.

(h) An elevation drawing of the facility and a photographic simulation of the facility showing how it would fit into the landscape. The elevation drawing shall be drawn to scale and show the existing trees adjacent to the proposed facility and show the height of such trees from existing grade to the highest portion of each tree. This documentation shall include any support structure, transmission equipment including antennas and microwave dishes, and any ground-based equipment cabinets or shelters;

FINDING: The application includes photo simulations depicting the tower as it would fit into the landscape. The preliminary drawings include information regarding antennas and ground-based equipment cabinets.

(i) A copy of a letter of determination from the Federal Aviation Administration or the Oregon Department of Transportation – Aeronautics Division as to whether any requirements, including but not limited to aviation lighting, would be required for the proposed facility. Such letter of determination shall be submitted prior to issuance of a decision by the county planning authority;

FINDING: The applicant provided letters from the Federal Aviation Administration (FAA) and the Oregon Department of Aviation (ODAV). The FAA's letter makes a determination of no hazard to air navigation,

provided the applicant adheres to the parameters established by the FAA 5G C band compatibility evaluation process. The FAA continues that marking and lighting are not necessary for aviation safety. The ODAV letter informs that an aeronautical study was performed, and ODAV has no objection to the proposed facility. Neither agency requested aviation lighting or lighting in general. This requirement is satisfied.

(j) An agreement and security in accordance with CCC 17.40.080 and 17.40.090 for removal of any support structure and any ground-based equipment or accessory structures, such as equipment buildings and security fences;

FINDING: The applicant states that a Removal Agreement in accordance with CCC 17.40.080 and 17.40.090 before final approval. Upon execution and receipt of said agreement, this requirement will be satisfied.

(k) Proof that the applicant is not able to collocate similar telecommunication structures on existing transmission facilities or locate on existing structures;

FINDING: The applicant has provided a Verizon Wireless Radio Frequency (RF) letter, RF Justification Letter from Biwabkos Consultants LLC, Alternate Site Analysis by Biwabkos Consultants LLC, Drive Test Report by Biwabkos Consultants LLC, and the Evaluation of Alternative Sites, referenced above. This requirement is addressed above in the main ORS 215.275/CCC 18.16.015(15) criteria.

(l) In the event that the applicant plans to develop more than one tower in Crook County, the applicant shall simultaneously submit a tentative plan for future tower site development in the county.

FINDING: The applicant supplied the following response:

The Applicants are unable to provide a tentative plan for future tower site development in the County for several reasons. The Applicants do not have a tentative plan for future tower site development in the County and providing one now would conflict with the County requirements to consider certain colocation options and alternative sites before proposing a new tower. Submitting such a tentative plan into the public record would conflict with the Applicants need to protect proprietary and confidential business information. The County is not entitled to require such a tentative plan because a utility facility necessary for public service is not subject to local approval standards or criteria beyond those set forth in ORS 215.275.

The applicant is correct that, following *Seeberger v. Yamhill County*, 56 Or. LUBA 656, 658 (2008), the County shall not deny an application based on failure to meet local approval criteria if the application satisfies ORS 215.275.

V. CONCLUSIONS

Based on the information provided by the applicant and other information in the record, and on a review of the applicable state and county requirements, the planning commission may find that the applicant has met their burden. However, the public hearing is likely to generate a great deal more evidence, which may establish that the facility is not necessary to provide utility service, that reasonable alternatives have not been considered, or that such alternatives can not be properly ruled out.

VI. PROPOSED CONDITIONS OF APPROVAL

1. All requirements of the Crook County Community Development Departments are to be adhered to. All necessary permits are to be obtained.

2. The proposed development is to be placed as shown on the site plan (Attachment A). Property owners are responsible for verifying the location of property lines.

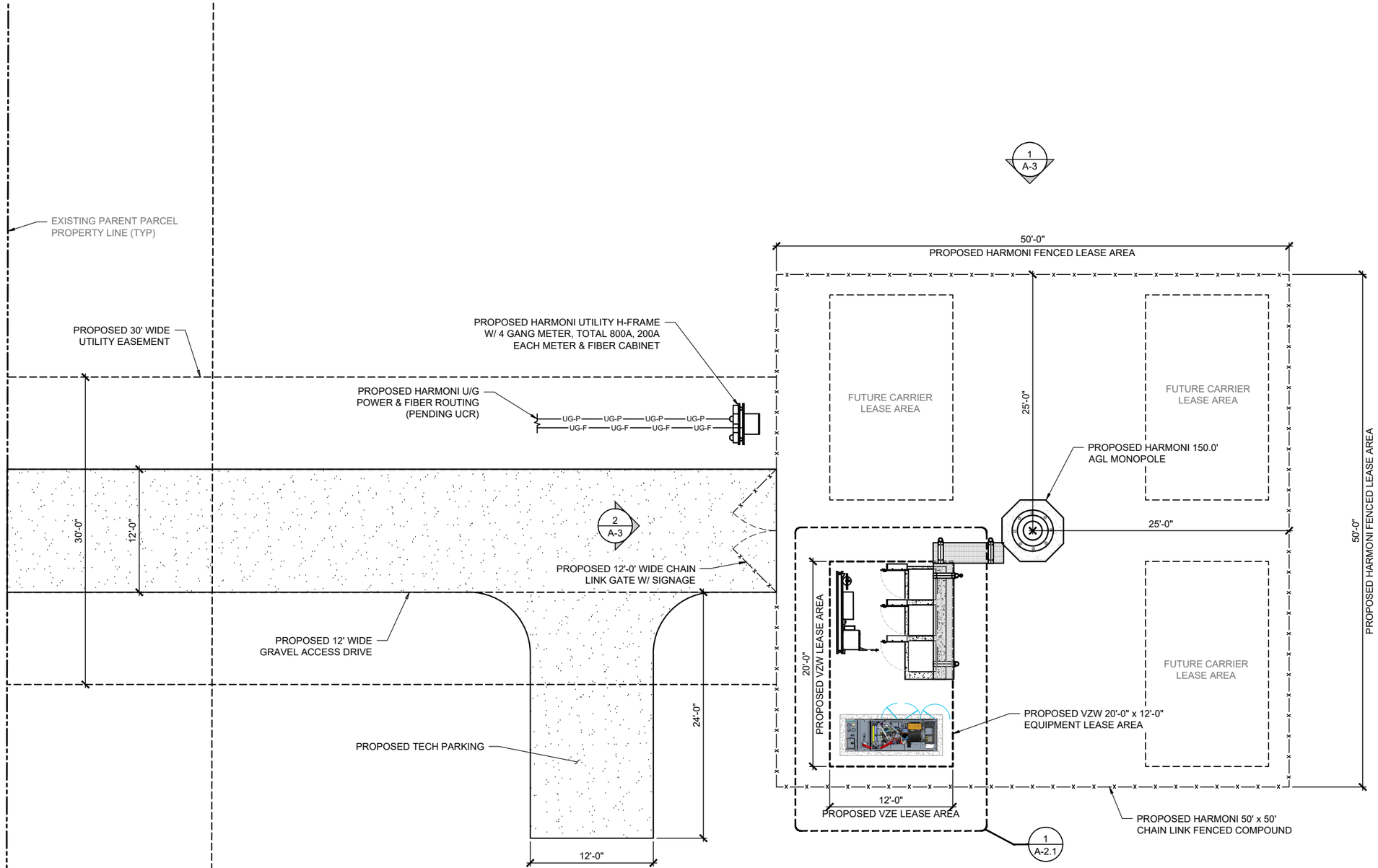
3. No additional structures are to be placed or constructed on the property without additional Planning approval.

4. The road approach application will be reviewed and approved through the application process with the County Roads Department.

John Eisler

John Eisler, Community Development Director
Community Development Department

Attachment A: Site Plan
Attachment B: Vicinity Map



PRELIMINARY DRAWINGS
NOT FOR CONSTRUCTION

NO.	DATE	DRAWN	REVISION
A	01/30/25	JL	90% PZD REVIEW
B	03/19/25	RM	CLIENT COMMENTS
C	05/16/25	KM	CLIENT COMMENTS
D	08/08/25	KM	100% FZD REVIEW

CLIENT:
verizon

A&E CONSULTANT, SITE ACQUISITION AND PERMITTING:
Acom CONSULTING, INC

HARMONITOWERS

VECTOR ENGINEERS

OR0005306
DITCH RIDER
3450 SW WILLIAMS ROAD
POWELL BUTTE, OR 97753

PROPOSED
ENLARGED
SITE PLAN

A-2

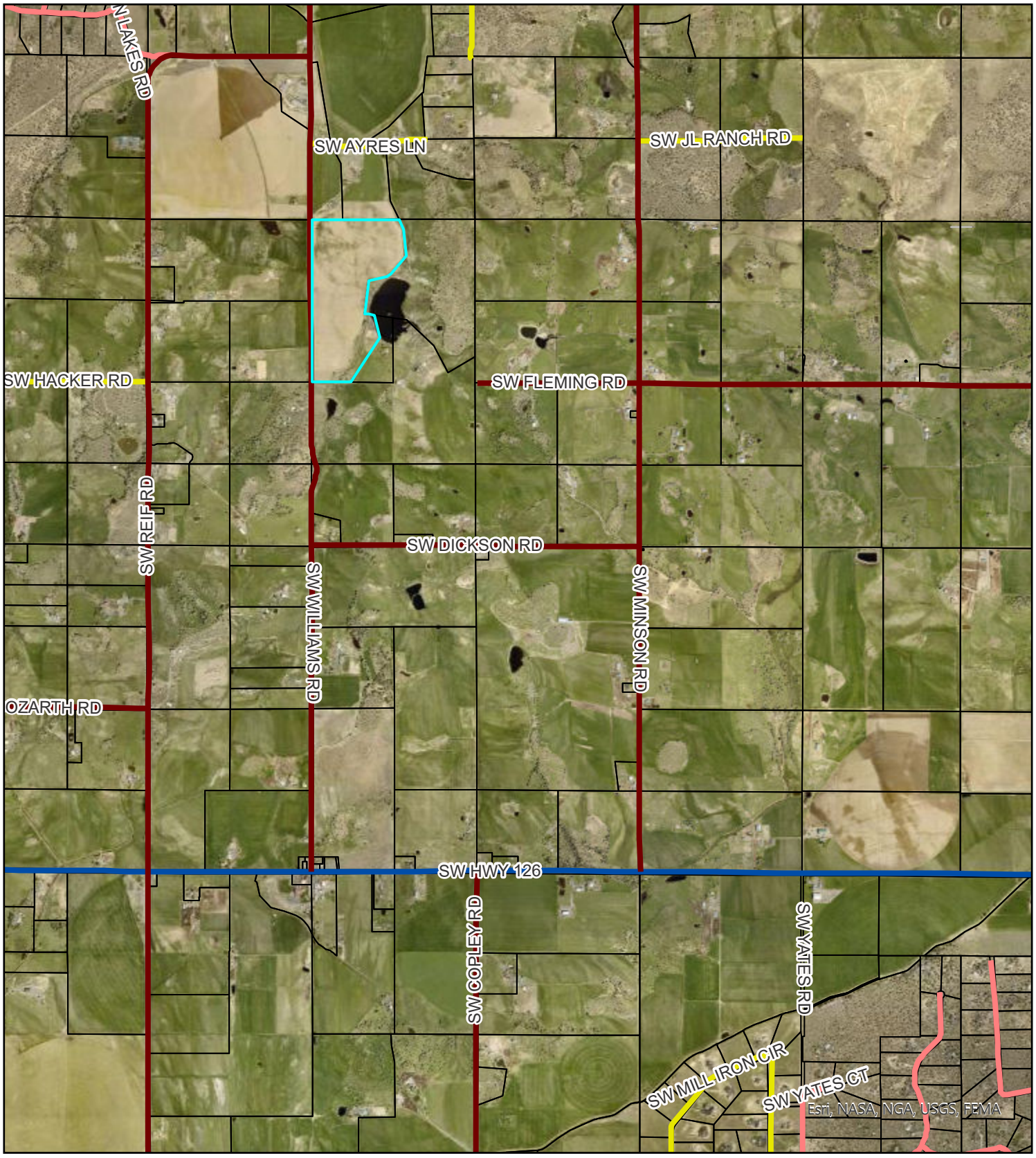
NORTH

22"x34" SCALE: 3/16" = 1'-0"
11"x17" SCALE: 3/32" = 1'-0"
4' 2' 0" 4'

PROPOSED ENLARGED SITE PLAN | 1

PLOT A:\AE\NEW SITE BUILDS\AE - OR6 DITCH RIDER (HARMONI)\OR6 DITCH RIDER_PERMIT 100% FZD_08-08-25.DWG

Crook County, Oregon



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.

N

0 0.38 0.75 1.5 mi

Crook County GIS
GEOGRAPHIC INFORMATION SYSTEMS

EXHIBIT
tabbies
53

Hannah Elliott

From: David Zalunardo <davezalunardo@gmail.com>
Sent: Thursday, December 11, 2025 11:03 AM
To: Plan
Cc: Karen Jones; Frank Hook
Subject: Verizon Cell Tower Record No. 217-25-000293

Dear Planing Department,

I have been looking at the Verizon Permit Application, Record No. 217-25-000293 and would like to point out a gross error or mis-representation in the permit. Verizon maintains that even though their selected site for the proposed tower is zoned EFU-3 under Crook County's zoning maps that in fact is not farm ground. I would like to state that this claim is absurdly false. I adjoin the selected property and have lived here since 2010. That parcel has been farmed continuously the entire time I have lived here. First Mark McKinnon leased and farmed the property from the time I moved in in 2010 until 2019. Then Robert Buckner leased and farmed the property from 2019 until 2021, Recently Tom Alexander's son wanted to take over the farming and has done so until currently.

Also there are 4 Water Resources permitted agricultural wells located on the parcel where Verizon wants to locate the tower. And the property has a pivot irregation system as well as five wheel line irrigation systems and hand line irrigation systems to cover field edges and corners.

I submit that Verizon's claim of the parcel be non farm land is blatantly false.

Sincerely,

/s/ David Zalunardo

David Zalunardo
3690 SW Williams Rd
Powell Butte OR 97753
davezalunardo@gmail.com
[CAUTION:This email originated from outside of the organization. DO NOT CLICK LINKS or open attachments unless you recognize the sender and know the content is safe]

October 29, 2025

EXHIBIT
tabbies
54

Crook County Planning Department
375 NW Beaver St, Ste 100
Prineville, OR 97754

Dear Sirs:

We the undersigned, were not notified of the Neighborhood Meeting held by Verizon Communications on May 4, 2025 at the Powell Butte Community Center as per County Code 18.124.110 (2)(b).

Name	Address	Signature
Lee Garcia	2043 SW Williams Rd	Lee Garcia
Edward E. Coffman	2115 SW Wampler Ln.	Edward E. Coffman

Crook County
DEC 11 2025
Community Development

EXHIBIT
tabbies
55

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12/1, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Lawrence Forbis
[Printed Name]

Address:

5624 SW REIF Rd
Powell Butte OR 97753

email (if applicable): lforbis@yahoo.com

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies 56

December 1, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Tina Forbis
[Signature]

Tina Forbis
[Printed Name]

Address:
5024 SW Reif Rd
Powell Butte, OR
97753

email (if applicable): LtForbis@yahoo.com

EXHIBIT
tabbies
S7

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12/3, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Brad Campbell
[Signature]

Brad Campbell
[Printed Name]

Address:

3698 SW Reif Rd
Powell Butte

email (if applicable): _____

EXHIBIT
tabbies
58

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

Dec 3, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Janette L. Jarvis
[Signature]

JANETTE L. JARVIS
[Printed Name]

Address:

3698 S.W. Ruff Rd
Powell Butte
Oregon

email (if applicable): _____

EXHIBIT
tabbies
59

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12/3, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Kim Herber
[Signature]

Kim Herber
[Printed Name]

Address:
4134 SW Reff Rd
Powell Butte, OR
97753

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 60

12-3, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Lee Garcia
[Signature]

LEE GARCIA
[Printed Name]

Address:

2043 S.W Williams Rd
Powell Butte Oregon
97753

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies 61

12, 3, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Donna L. Zapf
[Signature]

DONNA L ZAPF
[Printed Name]

Address:
3292 SW Reif
Powell Butte, ORE
97753

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT tabbies 62

Dec. 3, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Cynthia K. Rohrer
[Signature]

Cynthia K. Rohrer
[Printed Name]

Address:

3068 SW Reif Rd.
Powell Butte, Or
97753

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 63 tabbies

Dec 4, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Debra J Foltz
[Signature]

Debra J. Foltz
[Printed Name]

Address:

3888 SW Reif Rd.
Powell Butte, OR 97753

email (if applicable): pat and debi@yahoo.com

EXHIBIT
tabbies
64

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Rudy Wallace
[Signature]

Rudy Wallace
[Printed Name]

Address:

1809 SW Wampler Ln
Powell Butte OR

email (if applicable): _____

EXHIBIT
tabbies
65

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

[Signature]

Thomas M Gibbons
[Printed Name]

Address:

1027 SW Bent Loop

Powell Butte OR 97753

email (if applicable): _____

EXHIBIT
tabbies
66

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Thomas M Gibbons
[Printed Name]

Address:

1027 SW Bent Loop

Powell Butte OR 97753

email (if applicable): _____

EXHIBIT
tabbies
67

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

Dec 8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Cheryl Ehnisz
[Signature]

Cheryl Ehnisz
[Printed Name]

Address:

10932 SW Cornett Loop
Powell Butte, OR 97753

email (if applicable): cehnisz@aol.com

EXHIBIT
tabbies
68

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

Dec 8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Cheryl Ehnisz
[Signature]

Cheryl Ehnisz
[Printed Name]

Address:
10932 SW Cornett Loop
Powell Butte, OR
97753

email (if applicable): Cehnisz@AOL.com

EXHIBIT
tabbies
69

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12.8.25, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Carol Reinhard
[Signature]

Carol Reinhard
[Printed Name]

Address:

12865 SW Cornett Loop
Powell Butte, OR
97753

email (if applicable): carolsuereinhard@gmail.com

EXHIBIT 70

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12-8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Dott Marie Christoffersen
[Signature]

Dott Marie Christoffersen
[Printed Name]

Address:

6906 SW Powell Butte Hwy
Powell Butte OR 97753

email (if applicable): mariesteve1966@gmail.com

EXHIBIT tabbies 71

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8-25, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Stephen P. Christoffersen
[Signature]

Stephen P Christoffersen
[Printed Name]

Address:

6906 SW Powell Butte Hwy

Powell Butte OR 97753

email (if applicable): _____

EXHIBIT
tabbies
72

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12-8-25, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Stephen P. Christoffersen
[Signature]

Stephen P. Christoffersen
[Printed Name]

Address:

6906 Sw Powell Butte Hwy
Powell Butte OR 97753

email (if applicable): _____

EXHIBIT
tabbies
73

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Dott Marie Christoffersen
[Signature]

Dott Marie Christoffersen
[Printed Name]

Address:

6906 SW Powell Butte Hwy
Powell Butte OR 97753

email (if applicable): MarieSteve1966@gmail.com

EXHIBIT
tabbies
74

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12/08, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Nathan Wallace
[Printed Name]

Address:

15798 SW Twin Lakes Rd
Powell Butte OR 97753

email (if applicable): Yfzrider8@Yahoo.com

EXHIBIT 75 tabbies

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8-, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Cheyenne Friend
[Signature]

Cheyenne Friend
[Printed Name]

Address:

15798 SW Twin Lakes Rd
Powell Butte OR 97753

email (if applicable): N/A

EXHIBIT 76

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12/08, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

[Signature]

Nathan Wallace
[Printed Name]

Address:

15798 SW Twin Lakes Rd.
Powell Butte OR, 97753

email (if applicable): Hzrider8@Yahoo.Com

EXHIBIT 77

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12/8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Kathleen Curtis
[Signature]

Kathleen Curtis
[Printed Name]

Address:

7633 SW Copley Rd
Powell Butte OR
97753

email (if applicable): _____

EXHIBIT 78

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12/8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Kathleen Curtis
[Signature]

Kathleen Curtis
[Printed Name]

Address:

7633 SW Copley Rd.
Powell Butte OR
97753

email (if applicable): _____

EXHIBIT
tabbies
79

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12/8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Christina Michelle Grayson
[Signature]

Christina Michelle Grayson
[Printed Name]

Address:

6467 SW Valley View Rd.
Powell Butte, OR 97753

email (if applicable): _____

EXHIBIT
tabbies
80

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12/8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Christina Michelle Grayson
[Signature]

Christina Michelle Grayson
[Printed Name]

Address:

64467 SW Valley View Rd.
Powell Butte, OR 97753

email (if applicable): _____

EXHIBIT
tabbies
81

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12-8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Thomas L Beam
[Signature]

Thomas L. Beam
[Printed Name]

Address:

P.O. Box 201

Powell Butte, OREGON ~~97755~~ 97753

email (if applicable): tlbeam0425element@hotmail.com

EXHIBIT
tabbies 82

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Thomas L Beam
[Signature]

Thomas L. Beam
[Printed Name]

Address:

PO Box 201

Powell Butte, Oregon 97753

email (if applicable): stbeam0425element@hotmail.com

EXHIBIT
tabbies
83

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12-8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Bruce Brown
[Signature]

BRUCE BROWN
[Printed Name]

Address:

4301 S.W. Williams Rd.
Powell Butte
97753

email (if applicable): _____

EXHIBIT
tabbies
84

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Bruce Brown
[Signature]

Bruce Brown
[Printed Name]

Address:

4301 S.W. Williams Rd.
Powell Butte
97753

email (if applicable): _____

EXHIBIT
tabbies 85

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Suzan L Beam
[Signature]

Suzan Beam
[Printed Name]

Address:

6474 SW Stillman
P.O. Box 201
Powell Butte, Ore. 97753

email (if applicable): _____

EXHIBIT
tabbies
86

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12/8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

[Signature]

Jared Young

[Printed Name]

Address:

4487 SW Reif Rd
Powell Butte, OR
97753

email (if applicable): _____

EXHIBIT
tabbies
87

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8-25, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Julie A. Reed
[Signature]

Julie A. Reed
[Printed Name]

Address:

11661 SW Red Cloud Rd
Powell Butte, OR

email (if applicable): joolz69reed@yahoo.com

EXHIBIT
tabbies 88

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Everett Gale
[Signature]

Everett GALE
[Printed Name]

Address:

12880 Corvett Lp
Powell Butte OR
97753

email (if applicable): _____

EXHIBIT
tabbies
89

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8-, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Billie Gale
[Signature]

Billie Gale
[Printed Name]

Address:

12880 S W Cornett Loop
Powell Butte, OR
97753

email (if applicable): _____

EXHIBIT
tabbies
90

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

Dec 8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Allison Baer
[Signature]

Allison Baer
[Printed Name]

Address:

16343 SW Vaqueros Ln
Powell Butte OR 97753

email (if applicable): allison.thomas4@icloud.com

EXHIBIT
tabbies
91

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

Dec. 8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Cyndie Alacano
[Signature]

Cyndie Alacano
[Printed Name]

Address:

7375 SW Joshua Ct.
Powell Butte, Oregon
97753

email (if applicable): CC.alacano@gmail.com

EXHIBIT
tabbies
92

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12.8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Leslie Westcott
[Signature]

Leslie Westcott
[Printed Name]

Address:

63016 SW Valley View Rd.
Powell Butte, 97753

email (if applicable): _____

EXHIBIT
tabbies
93

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Shannon Toler
[Signature]

Shannon Toler
[Printed Name]

Address:

7175 SW HIGHLAND DR
Powell Butte, OR 97753

email (if applicable): 23spicypeppers@gmail.com

EXHIBIT
tabbies
94

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Tim Graves
[Signature]

TIM GRAVES
[Printed Name]

Address:

6902 SW HIGHLAND DR

POWELL BUTTE

email (if applicable): GRAVESTIM330@GMAIL.COM

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies 95

12-8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Andy Wallace
[Signature]

Andy Wallace
[Printed Name]

Address:

1809 SW Wampler Ln
Powell Butte OR

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies
96

12-8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Shannon Toler
[Signature]

Shannon Toler
[Printed Name]

Address:
7175 SW Highland Dr
Powell Butte, OR 97753

email (if applicable): 23pepperspepper@gmail.com

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies 97

12/8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Jared Yang
[Printed Name]

Address:
4487 SW Reif Rd
Powell Butte, OR
97753

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 98

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Everett Gale
[Printed Name]

Address:

8880 Combs Ln
Powell Butte OR
97753

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT 99 tabbies

12-8, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Billie Gale
[Signature]

BILLIE GALE
[Printed Name]

Address:

12880 SW CORNETT LOOP
POWELL BUTTE, OR
97753

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies
100

Dec 8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Allison Baer
[Signature]

Allison Baer
[Printed Name]

Address:

16348 SW Vaqueros Way
Powell Butte Or 97753

email (if applicable): allison.thomas4@icloud.com

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies 101

Dec. 8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Cyndie Alacano
[Signature]

Cyndie Alacano
[Printed Name]

Address:

7375 SW Joshua Ct.
Powell Butte, OR 97753

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies 102

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Leslie Westcott
[Signature]

Leslie Westcott
[Printed Name]

Address:

16306 SW Valley View Rd.
Powell Butte, OR 97753

email (if applicable): _____

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

EXHIBIT
tabbies
103

12-8, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Tim Graves
[Signature]

TIM GRAVES
[Printed Name]

Address:

6902 SW HIGHLAND DR

email (if applicable): GRAVESTIM330@GMAIL.COM

EXHIBIT
tabbies
104

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12-9, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

Suzan T Beam
[Signature]

Suzan T. Beam
[Printed Name]

Address:

6474 S.W. Stilman Rd.
P.O. Box 201
Powell Butte, Oregon 97753

email (if applicable): _____

EXHIBIT
tabbies
105

POWELL BUTTE COMMUNITY
SUBMISSION #1 AND REQUEST FOR NOTICE

12-9-, 2025

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Crook County
DEC 11 2025
Community Development

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to express objections to the land use application under Record No. 21725-000293 (proposed telecommunications facility)

In particular, the applicant for the proposed facility has failed to meet the criteria of the Crook County Code ("CCC") 18.16.015(15), which requires demonstration that (a) the proposed facility is necessary for public service and (b) that there is a lack of available non-EFU lands for siting of the proposed facility.

The undersigned requests notice of any and all decisions and hearings on this application, at the address included below for this purpose.

Sincerely,

Linda S. Wagner
[Signature]

Linda S. Wagner
[Printed Name]

Address:

6563 SW Highland Dr
Powell Butte, Or 97753

email (if applicable): _____

EXHIBIT
tabbies
166

POWELL BUTTE COMMUNITY
SUBMISSION #2
(Adequate Cell Service)

12-9, 2025

Crook County
DEC 11 2025
Community Development

To: Crook County Planning Department
300 NE 3rd St, Room 12
Prineville, OR 97754

If by email: Plan@crookcountyor.gov

Re: Record No. 217-25-000293 (proposed telecommunications facility)

Dear Crook County Planning Department,

The undersigned is writing to provide objections to the land use application under Record No. 217-25-000293 (proposed telecommunications facility).

In particular, in support of his/her objections that the applicant for the proposed facility has failed to meet the Crook County Code requirement 18.16.015(15) that proposed facility is necessary for public service, the undersigned confirms that his/her cell phone coverage is adequate.

Sincerely,

[Signature]

Jerry G Wagner
[Printed Name]

Address:

6563 SW Highland Dr
Powell Butte, Or 97753

email (if applicable): _____

EXHIBIT
tabbies
107

We, the undersigned, as concerned Powell Butte residents, ask you, our local district representatives, to stop Verizon from installing the proposed cell tower equipment so close to our homes and in our neighborhood community.

Crook County
DEC 11 2025
Community Development

We join several neighborhoods, cities, counties, schools, organizations, and courts around the world who are saying "NO" to wireless facilities with antennae in their neighborhoods for one or all of the following reasons:

- Residents already have adequate cell phone and wireless data coverage in the area, so we don't need a new Verizon Wireless antenna here. Of course, Verizon Wireless will tell you they "need" one there, but there are always other options and locations.
- The WHO/International Agency for Research on Cancer (IARC) has classified radio-frequency electromagnetic fields as possibly carcinogenic to humans (Group 2B) based on an increased risk for glioma, a malignant type of brain cancer, associated with wireless phone use. (May 31, 2011) Once a cell site is established, our ability to protect ourselves from additional hazardous exposure of more installations becomes more of a challenge.
- This will not be the only one. 5G requires more towers and will most likely not be the only new tower in the Powell Butte area.

Rachel Cox 509-288-1081

- Aesthetics and the devaluation of real estate. In March 2014, the National Institute for Science, Law and Public Policy's survey "Neighborhood Cell Towers & Antennas—Do They Impact a Property's Desirability?" found that an overwhelming majority of respondents (94%) reported that cell towers and antennas in a neighborhood or on a building would negatively impact interest in a property and the price they would be willing to pay for it. Powell Butte residents don't want decreased property value for homes and neighborhoods.

To our elected officials: We are your constituents and neighbors, and we are asking you to please listen to those who voted for you and fix the laws regulating wireless telecommunications facilities' placement.

We urge you to expedite this process and impose an immediate moratorium on all wireless telecommunication facilities so close to homes.

Thank you for your consideration and attention to this important matter.

Powell Butte community and it's concerned citizens.

Please sign below ASAP

Petition To: Stop Verizon cell tower on Williams Road, Powell Butte, OR 97753

Printed Name	Address	Signature
Edward E Colgan SR.	2115 SW Wampler Ln. Powell Butte OR.	Edward E Colgan
Jeanne Colgan	2115 SW Wampler Powell Butte	Jeanne Colgan
Tina McDaniel	12855 SW. Agress Ln. Powell Butte	Tina M McDaniel
Mickala Colgan	2115 SW Wampler Ln Powell Butte	Mickala Colgan
Skip Lumley	2221 sw wampler ln	
BJ. Lumley	2221 SW Wampler ln Powell Butte, OR	BJ. Lumley
Mckayla farnsworth	1955 SW Wampler Ln Powell Butte OR	
Aron Farnsworth	1955 sw rampler LN Powell Butte OR	
Tye Farnsworth	1955 sw wampler Ln Powell Butte OR	Tye Farnsworth
Jessy Farnsworth	1955 SW Wampler Ln Powell Butte OR	Jessy Farnsworth
Kelly MCFARLANE	2150 SW WAMPLER LANE	Kelly MCFarlane
LEE GARCIA	2043 SW WILLIAMS RD	Lee Garcia
Andy Wallace	1809-SW Wampler Ln	Andy Wallace
Kerrie Wallace	1809 SW Wampler Ln	Kerrie Wallace
JOYCE GARCIA	2043 SW WILLIAMS RD	Joyce Garcia
Elizabeth Kelly	1711 SW Wampler Ln	Elizabeth Kelly
Adali Kelly	1711 SW Wampler LN.	Adali J Kelly
WANDA KUKLIS	8840 SW YAHOOSKIN	
Joyce & Norm Borgard	9349 SW Reif Rd	Joyce A Borgard

Petition To:

Printed Name	Address	Signature
Frank + Jenny Hook treblehook@hotmail.com	3367 SW Williams Rd Powell Butte OR 97753	Frank T. Hook Jenny Hook
JAN & TODD Murphy jamboreemurphy@comcast.net	1920 SE McKenzie Pl Prineville, OR 97754	Jamurphy Todd Murphy
GARY SCHLOTTMANN	8101 SW Deer Trail Lane Powell Butte	Gary Schlottmann
Dennis H Uberbrand	3855 SW Minson Rd. Powell Butte	Dennis H Uberbrand
Peter R Rawlins	3680 Minson Rd Powell Butte, OR	Peter R Rawlins
Jacob w Storey	12106 SW Houston Lake Powell Butte, OR	Jacob w Storey
Sheri Storey	12106 SW Houston Lake Rd Powell Butte, OR 97753	Sheri Storey
Susan Goodwin	10223 SW Houston Lake Powell Butte OR 97753	Susan Goodwin
Steve Goodwin	10223 SW Houston Lake Powell Butte 97753	Steve Goodwin
Brett Curtis	11303 SW Houston Lake Rd Powell Butte	Brett Curtis
PHONGPUN MAKARATAD-FOX	5197 SW MINSON RD. POWELL BUTTE, OR 97753	Phongpun Fox
Bruce Brown	4301 SW Williams Rd. Powell Butte OR	Bruce Brown
DAVID L FISHER SR	3093 SW PARRISH LN Powell Butte OR 97753	David L Fisher Sr
Kodey L Fitzgerald	1365 NE Ochoco Ave Prineville, OR 97754	
Alex Bush	14080 SW Minson Rd Powell Butte	Alex Bush
Justin + Tabitha White Lacey	10759 SW Fleming RD. Powell Butte OR 97753	
Wendell Gump Pam Gump	10030 SW Houston Lake Rd. Powell Butte Or.	Pamela Gump
DAMIAN STEHLI ALDEN STEHLI	9715 SW HOUSTON LAKE POWELL BUTTE, OR	
Beverly Obers	12154 SW Barnett Lp PB 97753	Beverly Obers

Petition To: Stop Verizon cell tower on Williams Road, Powell Butte, OR 97753

Printed Name	Address	Signature
BILLIE GALE	12880 SW CORNETT LP	Billie Gale
Everett GALE	12880 SW CORNETT LP	Everett Gale
Cyndie Maccano	7375 SW Joshua CT.	Cyndie Maccano
Allison Baer	16343 SW Vaqueros Way	Allison Baer
DIANA D. PRESSLEY	13127 S.W. DICKSON Rd	Diana D. Pressley
Leslie Westcott	16306 SW Valley View Rd.	Leslie Westcott
Shannon Toler	7175 SW HIGHLANDER	Shannon Toler
Tim GRAVES	6902 SW HIGHLAND DR	Tim Graves
Jared Young	4487 SW Reif Rd.	
THOMAS M GIBBONS	1027 SW BENT LOOP	
Cheryl Ehnisz	10932 SW Cornett Lp	Cheryl Ehnisz
Carol Reinhard	12865 SW Cornett Loop	Carol Reinhard
Cheyenne Friend	15798 SW Twin Lakes Rd Powell Butte OR 97753	Cheyenne Friend
Stephen Christoffersen	6906 SW Powell Butte Hwy 97753	Stephen D. Christoffersen
Dott Marie Christoffersen	6906 SW Powell Butte Hwy	Dott Marie Christoffersen
Nathan Wallace	15798 SW Twin Lakes Rd Powell Butte OR 97753	
Christina Michelle Grayson	6467 SW Valley View Rd, Powell Butte, OR 97753	Christina Michelle Grayson
Mitchell Grayson	3554 SW parrish ln powell butte, 97753	

Petition To:

Printed Name	Address	Signature
Carole Hancock	2924 SW Parrish	Carole Hancock
JOHN WHITE	10759 SW Fleming	John White
Cheryl Ehnisz	10932 SW Cornett Lp	Cheryl Ehnisz
Frank Begley	12340 SW Hwy 126	
Annette Kolodzie	1900 SW Parrish Lane	
Brenda Childers	12617 SW Cornett Loop	Brenda Childers
Robin Olson	14254 SW Juniper Dr.	Robin L. Olson
Nicole Ontko	31000 NE Dahoe Ranger Station Rd.	
Andrew Koreiva	2904 SW Minson RD	
Branden Story	805 SW Parrish Ln	
Lawrence Forbis	5624 SW REIF Rd.	
Tina Forbis	5624 SW Reif Rd	Tina Forbis
JANETTE L. JARVIS	3698 SW Reif Rd	
Bradley Campbell	3698 SW Reif Rd	Bradley Campbell
Kim Herber	41341 SW Reif Rd	Kim Herber

www.BusinessFormTemplate.com

Petition To:

Printed Name	& Address	Signature
Darlene Allman	allmanwillard@gmail	541-404-4234 Darlene J. Allman
Randy Pete	mountainbound@WVI.com	Randy Pete
Neil F. Erickson	neil.erickson43@yahoo.uk	Neil F. Erickson
Lori Brown	Lbrownndancer58@Yahoo.com	Lori Brown
Cynthia Alacano	cc.alacano@gmail.com	Cynthia Alacano

Mill IRON ESTATES

Petition To: Stop Verizon cell tower on Williams Road, Powell Butte, OR 97753

Printed Name	Address	Signature
Annette Landrus	7228 SW Mill Iron Circle	Annette Landrus
Steve Pearson	7217 SW Mill Iron Circle	Steve Pearson
Georgene Weisenfluh Georgene Weisenfluh	7302 SW Mill Iron	georgene Weisenfluh Circle
Shallyn Admire	7172 SW mill iron	Shallyn Admire
Bill Wordley	6894 SW Mill Iron Cir	Bill Wordley
Victoria Brow	7086 SW Mill IRON	Victoria Brow

Petition To: Stop Verizon cell tower on Williams Road, Powell Butte, OR 97753

Printed Name	Address	Signature
Jeremy / Heidi Wood	13275 SW Hayes Ln	Jeremy Wood
Jamie Bierly	12888 SW Houston Lake Rd	
Barclay + Sondy Wyss	1262 NW McDaniel	Sondy Wyss
Jen Wilcox	13267 SW Hwy 126 Powell Butte	
Julie Reed	11961 SW Red Cloud Rd Powell Butte OR 97753	Julie A. Reed
Jeff Jackson	7995 SW Houston Lake Rd Powell Butte OR 97753	
Marty Howard	10933 SW Fleming Powell Butte OR	Marty Howard
Gage Hanson	13315 SW HOUSTON LK RD Powell Butte OR	
Wyatt DeRoest	12301 SW Cornett Tp OR 97753	
Jeremy Hanson	13315 SW Houston Lake RD Powell Butte OR	
Kelly Hanson	13315 SW Houston Lake Powell Butte OR	Kelly Hanson
Scott Mastoyo	13363 SW Houston Lake Rd Powell Butte,	
Mike & Terry Cowan	10572 SW Helmick Rd Powell Butte barrelhorses1@yahoo.com	Terry Cowan
	12009 SW. CORNETT LP POWELL BUTTE OR 97753	FRANK IZO
Marta I.	" " " " " " "	MARTA IZO
Fred Walker	3694 SW Williams Rd	
Angela Dodson	11303 SW Houston Lake Rd	Angela Dodson
Ashley Regnier	12340 SW Highway 126	Ashley Regnier

www.BusinessFormTemplate.com

Petition To:

Printed Name	Address	Signature
Cindy Zalunardo	Powell Butte OR 97753 3690 SW Williams Rd	Cindy Zalunardo
Paul Zalunardo	"	
Jalynn Morris	750 NW 2nd St Prineville OR 97754	Jalynn Morris
Bri Settle	2045 NW Peacock Walk, Prineville OR 97754	
Dixie Echeverria	P.O. Box 131 Powell Butte, OR	
Patrick Echeverria	P.O. Box 131 Powell Butte, OR	
MARK MOTSKO	6905 SW Joshua Ct Powell Butte, OR 97753	M. T Motsko
Paul K. Brewster	10270 SW Nicole Drive Powell Butte, OR 97753	Paul K Brewster
Janna Brewster	10270 SW Nicole Dr Powell Butte, OR 97753	Janna Brewster
Deanne Bair	2525 SW Roff Rd	
Tina McDaniel	12855 S.W. Ayres Ln. Powell Butte, OR 97753	
Tim P McDaniel	12855 S.W. Ayres Ln Powell Butte OR 97753	
Jeff Merwin	13595 SW Dickson Road Powell Butte OR 97753	
Heidi Merwin	"	
DIANA Pressley	Dickson Road Powell Butte	Diana D. Pressley
Shawn Lampert	12655 S.W Lariat	
Sarah Lightley	Powell Butte OR 97753 6637 SW Valley Views	Sarah Lightley
RACHEL R COX	12501 SW Fleming Rd Powell Butte, Oregon 97753	
Gary Cox	12501 SW Fleming Rd Powell Butte OR 97753	

www.BusinessFormTemplate.com

Petition To:

Printed Name	Address	Signature
P Lee Cox	12501 SW Fleming	Lee Cox
Gene Cox	12501 SW Fleming	Gene Cox
Heidi Wood	13275 SW Ayres Ln 97753	Heidi Wood
Susie Fisher	3093 SW Parrish Ln	Susie Fisher
Nancy Cruikshank	11505 SW Red Cloud Rd	Nancy Cruikshank
NEIL HENKE 1/4	8440 SW POKEGAMA DR	Neil Henke
Dawn Stafford	13574 SW Hwy 126	Dawn Stafford
LARRY CRUIKSHANK	11505 SW RED RD RB	Larry Cruikshank
Amy Gretchen	6775 SW Valley View Rd	Amy Gretchen
Marah Binder	10460 SW cornett loop	Marah Binder
Jayce Garthwaite	10460 SW cornett loop	
Jesse Olson	7401 SW 66th St	
Crystal Bemrose	15857 SW Twin Lakes Rd	Crystal Bemrose
Jenna McFarlane	2309 SW Williams Rd 97753	Jenna McFarlane
Ryan McFarlane	2309 SW Williams Rd 97753	
Cynthia K. Rohrer	3068 SW Reif Rd Powell Butte, Or 97753	Cynthia K. Rohrer
Daniel F Rohrer	3068 SW Reif rd Powell Butte Or 97753	
Debra J. Foltz	3888 SW Reif Rd. Powell Butte, OR 97753	Debra Foltz
Donna L. Zapf	3292 S. Reif RD Powell Butte 97753	Donna L Zapf

Not Filled yet

www.BusinessFormTemplate.com