

**Crook County  
Community Development**  
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(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	<a href="#">18.16.015</a> (25) 18.16.040
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**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,

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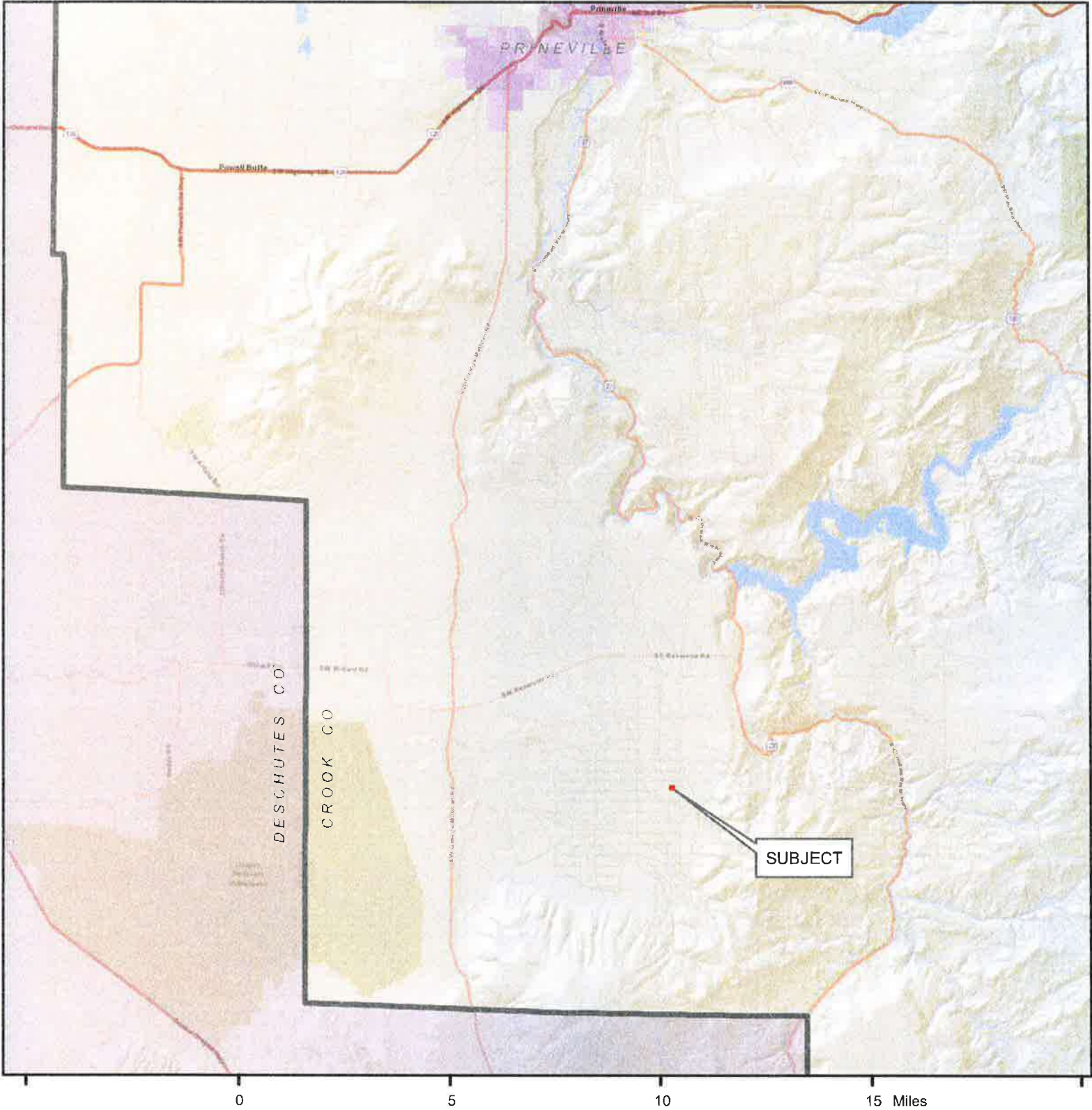
Michael Warren, Chair  
Crook County Planning Commission

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John Eisler, Community Development Director

Attachment A: Vicinity Map  
Attachment B: Site Plan

# VICINITY MAP



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

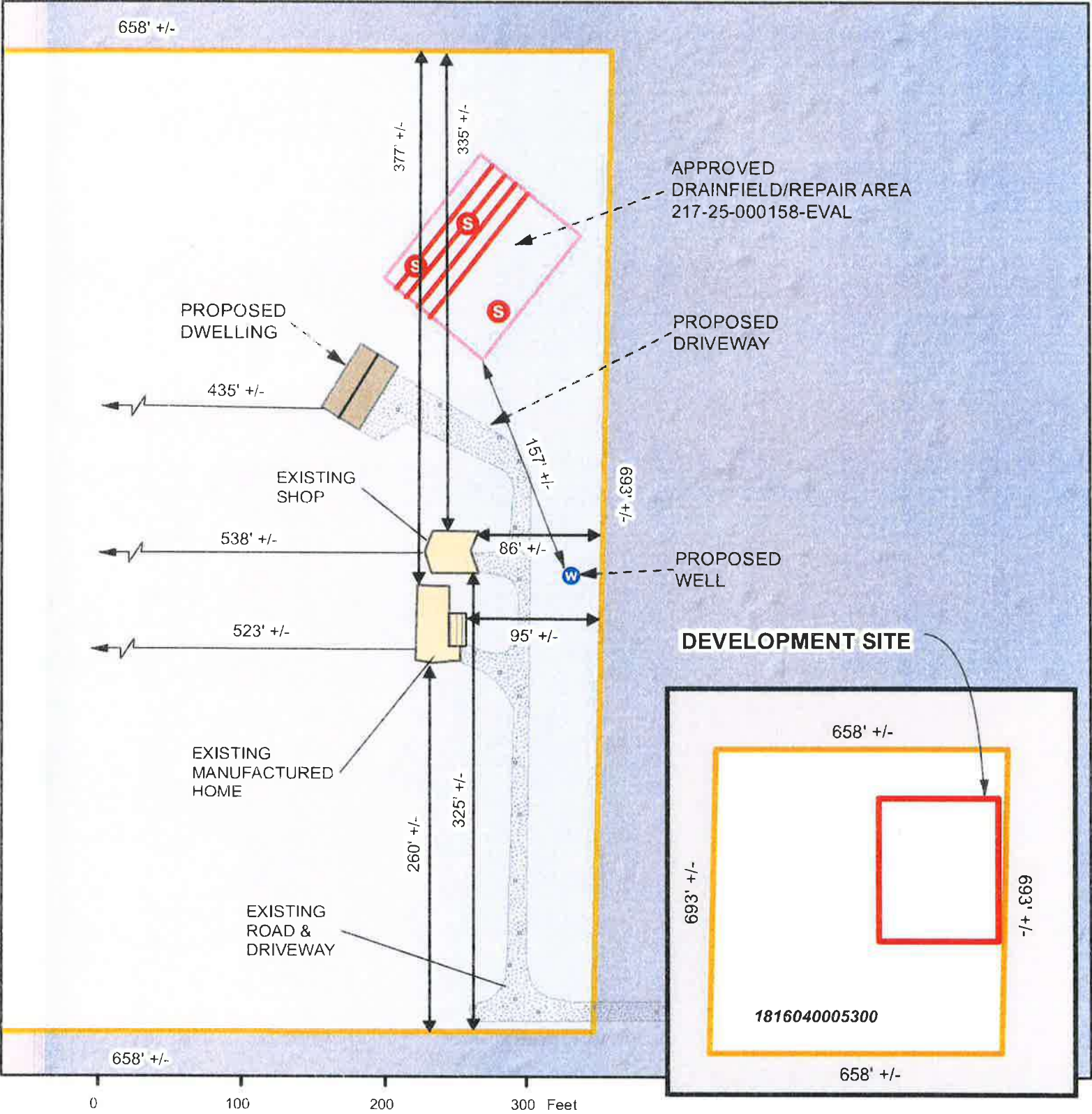
**Kilpatrick**  
CONSULTING, LLC

LAND USE CONSULTING SERVICES  
GIS MAPPING SERVICES

OFFICE:  
541.447.2724

5/7/2025

# EXHIBIT C - PROPOSED SITE PLAN



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.



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1816040005300 - 10 acre  
Located east of Juniper Acres in  
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GIS MAPPING SERVICES  
OFFICE: 541.447.2724

6/19/2025