For Office Use Only	v
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		For Office Use Only
RECORD No. 217	_	PLNG

# **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

# **Land Partition – Farm**

(Incomplete applications will not be accepted)

PROPERTY OWN	<u>NER</u>			
Last Name:		First Name:		
Mailing Address:				
		State:		
Day-time phone: (		Cell Phone: (	)	
Email:				
AGENT / REPRES	SENTATIVE			
-		First Name:		
Mailing Address:				
		State:		
Day-time phone: (		Cell Phone: (	)	<del>-</del>
Email:				
	_			
ENGINEER AND	OR SURVETUR			
Last Name:		First Name:		
Mailing Address:				
City:		State:	Zip:	
Day-time phone: (		Cell Phone: (	)	
Email:				
PROPERTY LOCAT	<u>ION</u>			
Township	South, Range	East WM, Section _		Tax Lot
Township	South, Range	East WM, Section _		Tax Lot

# PROPOSED LAND PARTITION - general description of the subject property

Α.	How large is the pro	perty?		
Owne	ed:	acres L	eased:	acres
Total	contiguous acres:			
В.	List all tax lots that n	nake up the property:		
T	R	Section	Tax lot	
T	R	Section	Tax lot	
T	R	Section	Tax lot	
C.	If you or another me	mber of your household ow	ns or leases any parcels	s abutting the subject property,
	please list the tax lot	s and give the combined ac	reage.	
T	R	Section	Tax lot	
T	R	Section	Tax lot	
T	R	Section	Tax lot	
D.	What is the zoning:	EFU 1 EFU	J2 EFI	J3
E.	Size and number of p	proposed parcels:		
	Parcel 1:	acres Pa	arcel 2:	acres
	Parcel 3:	acres		
Are th	nere existing residence	s located on the proposed p	parcels? Yes	No
If yes,	please indicate the nu	umber of residences and wh	at they are currently be	eing utilized for (i.e., primary
-		arm dwelling, farm assistand		
	,	3,	,	,
F.	Is the property locat	ed within a Flood Plain or Fl	ood Way? Yes	No
		d Hazard application is requi		
G.	•			No
	If yes, explain in deta			
	yes, explain in deta	•••		
———	Is the property curre	ntly receiving special farm t	ax assessment? Ves	No
	If no, please explain			

OILS / PRODUCTIVITY		
A. Describe the vegetation on th	e property, referring to the typ	pe, distribution, and suitability for gra
you are unable to identify the	vegetation on the property ar	nd to address the grazing capability o
existing vegetation, you may	wish to consult a range conser	vationist.
or OSU Extension Service to a	ssist you in your answer.	
B. Describe the type and volume	e of crops (including hay) grow	n on the property during any of the la
years and the portions of the	property which they were pro	duced.
Were crops grown on this pro	pperty within the last five years	s? Yes No
CROP	AMOUNT PRODUCED	NUMBER OF ACRES USED TO
		PRODUCE THE CROP
se a separate sheet of paper if nee	ded)	
	,	
C. Describe the type and numbe	r of livestock grazed on the pr	roperty during any of the last five yea
• •		grazing and the portions of the prope
which they were grazed.	, , ,	, 5
Were livestock grazed on this	property during the preceding	g five years? Yes No
LIVESTOCK TYPE & NUMBER	DAYS GRAZED	NUMBER OF ACRES USED FOR

			GRA	ZING	
					-
					-
<b>D</b>	Has there been any other histo	rical usa on the n	concerts for forming the	at you know of If so place	
D.	Has there been any other histo	•	operty for farming the	at you know of? If so, pleas	ie
	describe that use and its durati	on.			
E.	If the property was once a part	of an abutting or	nearby farming opera	tion, describe the nature o	f <b>that</b>
	operation.				
F.	During which of the preceding	five years has the	subject property beer	receiving special tax asses	smen
	for farm use?	yea	ars		
ADEC	QUACY OF PUBLIC SERVICES	, WATER AND S	SITE SAFETY		
	access, fire and police services ar			phone) are adequate for th	ie use
	Describe what access the prope		•		
7	believe would be made by farm		beschie men	amber or trips per day you	
	believe would be made by fam	ing activity.			
	The subject are subject to a second			(upped upped)	
	The subject property is accesse				
	p County staff make a proper de		iffic impact, please list	the number of dwellings o	r uses
	itly taking primary access from the				
	er of residences:		nber of businesses:		
2.	Access to property: County	Public	*Private	**State	

	<ul> <li>If private easement, provide legal recorded documenta</li> </ul>	tion.
	** If accessing from state highway, ODOT permit must be	attached.
3. T	he subject road is designated as a:	
	State Highway Arterial	Collector
	Local Easement Road	
	Other:	
4. V	What is the existing width of the subject road right-of-way?	feet
5. [	Oo you currently have a "Road Maintenance Agreement" for the s	ubject road?
Y	'es No	
а	. If yes, provide a copy of a recorded road maintenance agreem	ent.
b	o. If no, why not?	
В. С	Describe how fire protection will be provided to the property. If the	ne subject property is located outside
c	of the Crook County Fire Department Fire Protection District indica	ate how you would provide
p	protection, including water source and fire prevention.	
(A sign-c	TION WATER RIGHT  off from State Watermaster and/or the relevant irrigation district ghts or not)	is required, whether applicant HAS
•	ndicate the location of all existing water rights, number of acres, a	and proposed division of water rights.
	the property have irrigation water right? Yes No	
	Who is the supplier?	
_	Central Oregon Irrigation District - 541-548-6047	
_	Ochoco Irrigation District - 541-447-6449	
_	Water Resources Department - 541-306-6885	
_	People's Irrigation District - 541-447-7797	
_	Other:	
	what is the number of acres of irrigation water right?	acres.
C. Amou	nt of water right acres to be transferred?	
F	Parcel 1: Parcel 2: Parcel 3:	

D. Is there an irrigation ditch and/or an underg	ound pipeline that runs through the property?
Yes No	
E. Is there a distribution point for irrigation loca	ited on the property? Yes No
Watermaster Signature:	Date:
Print Name Clearly:	Phone:
Irrigation District Signature:	Date:
Print Name Clearly:	Phone:
WILDLIFE / SENSITIVE BIRD HABITAT	
When the lot or parcel lies within an area desig	nated in an acknowledged comprehensive plan as habitat for big
game or sensitive bird habitat, the parcel must	be consistent with the limitations on density upon which the
acknowledged comprehensive plan and land us	e regulations intended to protect the habitat are based.
The "Wildlife Winter Range" and "Sensitive Bird	d Habitat" section needs to be completed and signed by ODF&W
A signature and comments are required. (ODF)	&W, 2042 SE Paulina Highway, Prineville Oregon 97754 or call at
541-447-5111)	
Is the subject property located within a "Winte	r Wildlife" overlay zone? Yes No
If yes, please check the appropriate box(s):	
Critical Deer Winter Range	e General Deer Winter Range
Elk Winter Range	Antelope Winter Range
Is the subject property located within a "Sensiti	ve Bird Habitat" zone? Yes No
ODF&W Signature:	Date:
Print Name:	
COMMENTS:	
CROOK COUNTY WEEDMASTER	
·	Date:
	v.alexanian@co.crook.or.us Phone 541-447-7958)

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. County Ordinances allow the County 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. State law requires that all information to support an application be available for public inspection at our office 20-days before a public hearing. Any information submitted after this date may require a postponement of the hearing date if necessary. 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	
Print name:		

#### **APPLICATION REQUIREMENTS**

- 1. A completed "Farm Partitioning" application form with the appropriate signatures.
- 2. A copy of the <u>Vicinity Map</u> and <u>Tax Lot Card:</u> (These are available online at <u>www.co.crook.or.us</u> Once at the County home page, under Departments go to GIS) (You can also obtain these at the County Assessor's Office or the Community Development Department.
- 3. A copy of the <u>earliest</u> deed or contract that describes the property in its <u>current</u> configuration (available from the Crook County Clerk's Office).
- 4. Submit the correct application fee.
- 5. A <u>current</u> "Status of Record Title Report" for documentation of ownership. (NOTE: The Preliminary Title Report must be dated within the <u>30-days</u> prior to submittal of the application to the planning department No exceptions.)
- 6. Signature and comments from ODF&W regarding Wildlife Winter Range and Sensitive Bird Habitat Areas.
- 7. A signed copy of a "Statement of Understanding" (Form B attached).
- 8. A copy of the irrigation map for the area and historical water rights information on the subject property. (Available from the Irrigation District)
- 9. A <u>detailed</u> "Plot Plan. A Plan of the proposed partitioning showing boundaries and dimensions, the proposed acreage size of each parcel, all existing dwellings & accessory structures, and the names, right-of-way widths, and improvement standards of existing roads and easements. (See below)
- 10. An approved Road Access Permit.
- 11. A written "Burden of Proof" statement stating how all the applicable code criteria will be satisfied by the Farm partition.
- 12. Names and addresses of the landowner, the partitioner, a mortgagee, if applicable, and the engineer or surveyor employed or to be employed to make necessary surveys and prepare the legal descriptions of each parcel to be created.
- 13. Statement regarding past, present and intended use of the parcel(s) to be created, or the use for which the parcel(s) are to be offered.
- 14. Where a tract of land is within the boundaries of an irrigation district, shall be accompanied by a water rights division plan approved by the irrigation district or other water district holding the water rights, or the district Watermaster or his representative serving the Crook County area.
- 15. A "Letter of Authorization" signed by owner if using an agent/representative.
- 16. Crook County Weedmaster sign off.

#### **DETAILED PLOT PLAN REQUIREMENTS**

The detailed "Plot Plan" must be drawn on at least 8 ½ x 11 paper, but no larger than 8 ½ x 14.

A parcel must be drawn to scale, and all dimensions and boundaries must be shown. A parcel that is <u>more</u> than 160 acres in size does not have to be drawn to scale, however, all dimensions and boundaries must be shown, and all information must be accurate.

The detailed "Plot Plan" must include the following:

- 1. Scale of map not greater than one inch per 400 feet.
- 2. North arrow.
- 3. Dimensions and boundaries of the property.
- 4. Location of <u>all</u> easements and names, and the right-of-way widths of existing roads and easements or right-of-way for any proposed roads, utilities, bikeways, and access corridors.
- 5. If the parcel or lot has irrigation water right, indicate the area of the water right with the number of irrigated acres. In addition, submit a copy of a water right map from the district.
- 6. Names and locations of all roads adjacent to the property.
- 7. Location of well or water source on your property. In addition, indicate the distance from water source to nearest point of septic system drain field and/or replacement drain field area, if applicable.
- 8. Location of septic system test holes used for the site evaluation during the feasibility process. In addition, the location of the proposed septic tank, drain field and replacement drain field that shows the dimensions and spacing of the leach lines. Further, indicate the distance from the septic tank and septic system to the property lines, if applicable.
- 9. Location, size and intended use of all structures, existing and proposed.
- 10. Location of driveways or other roads on the property, existing and proposed.
- 11. Location of all public utility easements. In addition, attached copies of the recorded utility easement that indicates easement width.
- 12. Distance (setbacks) from all structures to all property lines.
- 13. Location of all major features (canals, irrigation ditches, rock I ledges, etc.)
- 14. Location of rim-rock, if applicable.
- 15. Location of all drainage, creeks, springs, etc., with distance to the proposed development site.

# Chapter 17.24 LAND PARTITIONING

#### Sections:

- 17.24.010 Applicability of regulations.
- 17.24.020 Filing procedures and requirements for land partitioning.
- 17.24.030 Requirements for approval.
- 17.24.040 Additional factors to be considered.
- 17.24.050 Improvement requirements.
- 17.24.060 Final map for partitioning.
- 17.24.070 Appeals.
- 17.24.080 Special partitioning and property line adjustment regulations.
- 17.24.090 Land partitioning in non-EFU zones within the urban growth boundary.
- 17.24.110 Land partitioning for farm or forest use.

#### 17.24.010 Applicability of regulations.

All land partitionings with the county shall be approved by the county planning commission, county planning director, and/or a designated official thereof. Said approvals shall only be granted in accordance with the provisions of this title and more particularly this chapter. (Ord. 19 § 5.010, 2003)

#### 17.24.020 Filing procedures and requirements for land partitioning.

Any person proposing a land partitioning, or his authorized agent or representative, shall prepare and submit five copies of the tentative plan for the proposed partitioning together with an application for partitioning and the appropriate filing fee to the county planning department at least 30 days prior to the commission meeting at which consideration is desired, except as otherwise provided in this chapter.

The tentative plan for partitioning, when submitted, shall include the following:

- (1) A vicinity map locating the proposed partitioning in relation to adjacent subdivisions, roadways and adjoining land use and ownership patterns.
- (2) A plan of the proposed partitioning showing tract boundaries and dimensions, the area of each tract or parcel, and the names, right-of-way widths, and improvement standards of existing roads.
- (3) Names and addresses of the landowner, the partitioner, a mortgagee if applicable, and the engineer or surveyor employed or to be employed to make necessary surveys and prepare the legal descriptions of each parcel to be created.
- (4) A statement regarding contemplated water supply, sewage disposal, solid waste disposal, fire protection, access, etc.
  - (5) North point, scale and date or map, and property identification by tax lot, section, township, and range.
- (6) Statement regarding past, present and intended use of the parcel(s) to be created, or the use for which the parcel(s) are to be offered.
- (7) Where a tract of land is within the boundaries of an irrigation district, an application for partitioning of the tract shall be accompanied by a water rights division plan approved by the irrigation district or other water district holding the water rights, or when there is no such district, by the district watermaster or his representative serving the Crook County area.
  - (8) Legal access to the proposed parcels. (Ord. 231 § 1 (Exh. A), 2010; Ord. 19 § 5.020, 2003)

#### 17.24.030 Requirements for approval.

No application for partitioning shall be approved unless the following requirements are met:

- (1) Proposal is in compliance with the comprehensive plan.
- (2) Proposal is in compliance with the applicable zoning.
- (3) An approved water rights division plan. (Ord. 19 § 5.030, 2003)

#### 17.24.040 Additional factors to be considered.

In addition to the requirements set forth in CCC <u>17.24.030</u>, the following factors may be considered by the commission for approval or disapproval of an application for land partitioning:

- (1) Placement and availability of utilities.
- (2) Safety from fire, flood, and other natural hazards.
- (3) Adequate provision of public facilities and services.
- (4) Possible effects on natural, scenic, and historical resources.
- (5) Need for on-site or off-site improvements.
- (6) Need for additional setback, screening, landscaping, and other requirements relative to the protection of adjoining and area land uses. (Ord. 19 § 5.040, 2003)

#### 17.24.050 Improvement requirements.

In the approval of a land partitioning, the commission shall consider the need for street and other improvements, and may require, as a condition of approval, any improvements that may be required for a subdivision under the provisions of this title. (Ord. 19 § 5.050, 2003)

#### 17.24.060 Final map for partitioning.

Following approval of the tentative plan for a proposed partitioning, the person proposing the subject partitioning shall prepare and submit to the planning director the final map for the subject partitioning. Such filing shall be completed within two years from the date of the commission action or the approval of the partitioning shall expire, except that one-year extensions of the approval may be granted as planning director decisions pursuant to CCC 18.172.060(2). The final map shall be prepared in accordance with the following requirements, seven copies thereof submitted to the planning director for approval, with the original recorded in the office of the county clerk following approval by the planning director. The planning department may require additional copies.

- (1) The final map shall meet the following requirements:
  - (a) Shall be drawn to a scale of one-inch equals 100 feet or as approved by the county surveyor.
  - (b) Name of the owner, developer, and surveyor shall be shown on the map.
- (c) Date, scale, north point, legal description of parcel(s), boundaries, and a tie by actual survey to a section corner pursuant to Chapter 92 ORS for partitions requiring a survey.
- (d) Parcel boundary lines, with dimensions and bearings; bearings shall be to the nearest 30 seconds, and distances to the nearest 0.01 feet. The area of each parcel shall be shown.
  - (e) An affidavit by the surveyor having surveyed the land involved in the partitioning.
  - (f) A certification of any public dedication.
  - (g) A guarantee of proposed or required improvements.
  - (h) A certification of approval for execution by the planning director.
- (i) Water right to be assigned to each parcel shall be indicated on the map and certification of approval thereof, by the district watermaster and/or irrigation district manager if located therein.
- (j) The county assessor's certification that the property has been removed from farm deferral if required and all other ad valorem taxes, special assessments and other charges have been paid.
  - (k) The county treasurer's certification that all taxes have been paid.
- (I) The source of title for the real estate, tax map and tax lot numbers for the property subject to the partitioning.
- (2) Approval Requirements. No final map for a land partitioning shall be approved by the planning director unless all of the following requirements are met:
  - (a) The final map is in strict conformance with the tentative plan approved by the commission.
- (b) The final map is in strict conformance with the requirements set forth in subsection (1) of this section.
  - (c) Access is guaranteed to each parcel.
  - (d) Each parcel is approved for subsurface sewage disposal if applicable to the intended or offered use.
  - (e) All required public utilities are available.
  - (f) All conditions of the tentative plan approval have been met or guaranteed.
- (g) A guarantee of all proposed or required improvements has been submitted and approved or such improvements completed and approved as set forth by the commission. (Ord. 216 §§ 1, 3, 2009; Ord. 19 § 5.060, 2003)

#### 17.24.070 Appeals.

An appeal of a decision or requirement of the commission, planning director, or planning department relative to a land partitioning shall be made in accordance with the provisions of Chapter 17.48 CCC. (Ord. 216 § 3, 2009; Ord. 19 § 5.070, 2003)

#### 17.24.080 Special partitioning and property line adjustment regulations.

(1) The partitioning of a tract of land in which not more than one parcel is created and said parcel is being transferred to a public or semipublic agency for the purpose of a road, railroad, or canal right-of-way may be

approved by the planning department and a filing fee shall be required. No survey shall be required unless otherwise ordered by the county court.

- (2) The property line adjustment of a parcel by the relocation or elimination of all or a portion of the common property line between abutting properties that does not create an additional lot or parcel and either parcel is not reduced below the minimum lot size established by the applicable zoning ordinance, and that there are no dwellings or other structures located within the area involved in the adjustment, may be approved by the planning department. On land zoned for exclusive farm use, forest use or mixed farm or forest use the requirements of ORS 92.192(3) must also be met. A filing fee shall be required. A survey may not be required by the planning department and the county surveyor for parcels that can be legally described by aliquot part.
- (3) The partitioning of a parcel by the adjustment of the lot line where the adjustment crosses the boundary of a legally platted subdivision may be allowed by the planning department; provided, that the applicant meets all requirements set forth in subsection (2) of this section and the applicant agrees to deed restrictions that will ban additional dwellings on the parcel. A filing fee shall be required. Proof of a deed restricting shall be required prior to approval. A survey may be required pursuant to ORS 92.050, 92.180 and 92.190. (Ord. 231 § 1 (Exh. A), 2010; Ord. 19 § 5.080, 2003)

#### 17.24.090 Land partitioning in non-EFU zones within the urban growth boundary.

- (1) An application for a land partitioning involving land that is located within the urban growth boundary shall be submitted to the planning department. Such applications may be approved or denied by the planning director pursuant to the provisions of this title, this chapter and more specifically this section, or at the discretion of the director may be referred to the commission for approval or denial. No land partitioning application submitted under this section may be approved by the director unless in compliance with the following criteria.
- (2) An application for a land partitioning submitted pursuant to this section shall not be approved by the director unless the director finds that:
  - (a) The partitioning is in compliance with the comprehensive plan and applicable policies thereof.
  - (b) The partitioning and intended use of each parcel is in compliance with the applicable zoning.
- (c) Each parcel is suited for the use intended or offered, and that for any use requiring sewage disposal that provisions for such are approved.
  - (d) Access is guaranteed to each parcel.
- (e) All required public services and facilities are available and adequate or are proposed to be provided by the applicant and a guarantee to such is provided.
- (f) Proposal will not have any adverse impacts on adjoining or area land uses, public services and facilities, and natural resource carrying capacities.
  - (g) The final map is prepared and submitted in compliance with CCC 17.24.060. (Ord. 19 § 5.090, 2003)

#### 17.24.110 Land partitioning for farm or forest use.

- (1) An application shall be submitted to the planning department for a land partitioning creating not more than two parcels, none of which are less than 160 acres in EFU-1 and EFU-3 zones, or 80 acres in EFU-2 and F-1 zones; and are to be used exclusively for farm or forest use. Such applications shall be submitted to the planning department and may be approved or denied by the planning director pursuant to the provisions of this title, this chapter, and more specifically this section; or, at the discretion of the director, may be referred to the planning commission for approval or denial.
- (2) An application for a land partitioning submitted pursuant to this section shall not be approved by the planning director unless the director finds that:
  - (a) The partitioning is in compliance with the comprehensive plan.
  - (b) The partitioning and intended parcel use are in compliance with the applicable zoning.
  - (c) The intended use of the parcel being created, present and future, is for farm or forest use only.

(d) The final map is prepared and submitted in compliance with CCC  $\underline{17.24.060}$ . (Ord. 231 § 1 (Exh. A), 2010; Ord. 19 § 5.110, 2003)

#### **ADDITIONAL INFORMATION OR ANALYSIS ADDRESSING THE CRITERIA**

Please feel free to attach additional information or analysis which you believe demonstrates compliance with the requirements of the EFU zone. (i.e., herbaceous forage report, etc.)

#### How do I know if I can apply for a farm partition?

- 1. Find out what zone your property is located in. It must be located in the EFU1, EFU2 or EFU3 zone.
- 2. Find out what the minimum lot size is for the zone where your property is located, as each zone may vary in minimum size requirements.
- 3. Is the property located within a Wildlife Wintering Range or Sensitive Bird Habitat area? If so, there may be a minimum parcel size due to these overlays.
- 4. If your proposed partition meets the minimum parcel size requirements for the intended use in your zone you can apply for a farm partitioning application.

<u>Is a pre-application conference required?</u> A pre-application conference is not required by County Code but is recommended to ensure that a complete application is submitted and that an applicant could be informed of the process.



# **Crook County Community Development**

300 NE 3rd Street, Prineville, OR 97754 Phone: (541) 447-3211 Fax: (541) 416-2139 Email: bld@co.crook.or.us Website: www.co.crook.or.us

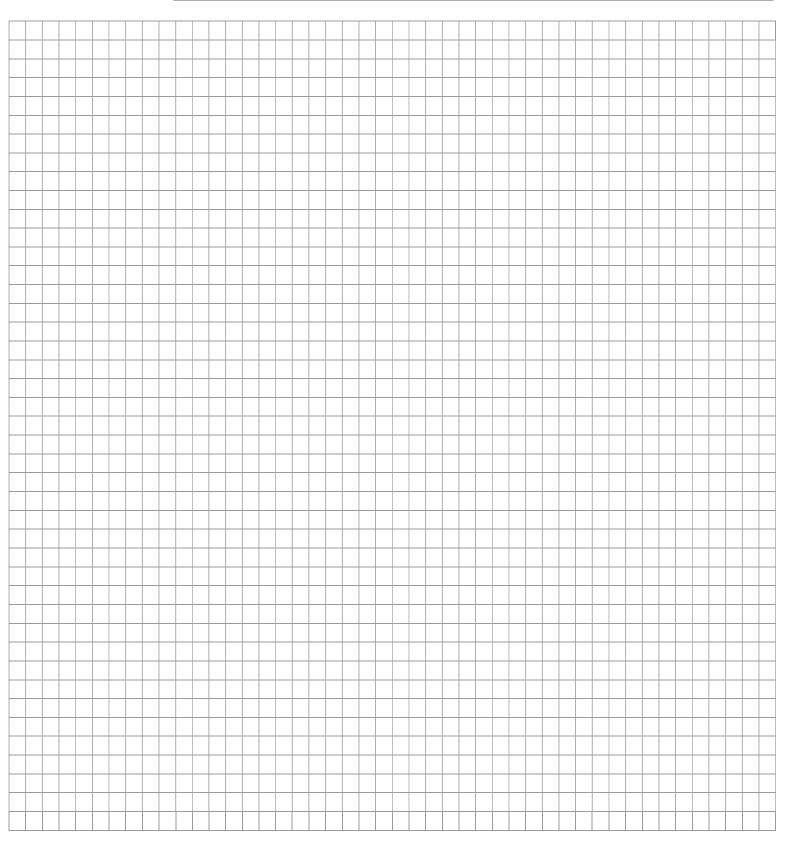
## **AUTHORIZATION FORM**

Let it be known	that			
		(Print name clearly)		
below. These acts	include: Pre-application	agent to perform all acts for on conference, filing applica- ons in regards to this project	ations, and/or	
Physical address of	of property:		and describ	ped in the records of
CROOK COUNT	Y, Oregon as map/tax i	number:		
The costs of the a undersigned proper		e not satisfied by the agent,	are the respo	nsibility of the
PROPERTY OV	<u>VNER</u>	(Please print clearly)		
Printed Name:				Date:
Signature:				
				Zip:
Phone:				
eMail:				
Individual	Corporation	Limited Liability Con	poration	Trust
IMPORTANT NO	OTE: If the property is o	owned by an entity, include the	he names of al	Il the authorized signers.
-		President, or other authori	zed signor (s)	).
	the names of ALL mer	ū		
If a Trust: Provide	e the name of the curren	it Trustee (s).		
<b>In addition</b> , if yo	u are a corporation, you	will need to include a cop	y of the bylav	ws, an operating agreement
if you are an LLC	c, or Certificate of Trust	if you are a trust that verif	ies authority	to sign on behalf of the entity
APPROVED AG	<u>SENT</u>			
Printed Name:				Date:
Signature:				
Mailing Address:				
City:		State:		Zip:
Phone:				
eMail:				

Form updated: 6/10/2020



# SITE PLAN



09/25/17