



For Office Use Only
RECORD No. 217 25-000250 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

Comprehensive Plan, Map, and Text Amendments

PROPERTY OWNER:

Name: Bishara Revocable Trust, Edwar Bishara, Trustee.

Mailing Address: 61563 Range Place

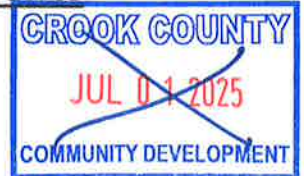
City: Bend State: OR

Zip: 97702

Day Time Phone: (626) -616-1239

Cell Phone: Same

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 INFORMATION:

Township 16 Range 14 Section 11 Tax Lot 1200 Size of property: 20.0 acres Zone: EFU-3

Physical address: Undetermined on Reif Road, Powell Butte

Subdivision name, if applicable: N/A

FLOOD PLAIN:

Is the subject property located within a Flood Plain Zone? Yes _____ No X

If yes, what zone: N/A

DETAILED EXPLANATION:

The applicant requests a zone map change from Exclusive Farm Use, EFU-3, Powell Butte Area to Rural Residential, R-10 (10 acres minimum) based upon the exception designation under the provisions of the adopted Powell Butte Study, a part of the Comprehensive Plan. The subject property is part of an exception area that was approved by Crook County and DLCD by Ordinance 127 as adopted on December 2, 1998 and amended on July 26, 2000 as Powell Butte Study Area 2-4. The subject property is not agricultural land and as such is not subject to Goal 3. Please see attached Burden of Proof Statement, and the copy of Ordinance 127.

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. 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.

PROPERTY OWNERS' SIGNATURES:

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

Property Owner Signature: _____ Date _____

Print name: Edwar Bishara

Property Owner Signature: _____ Date _____

Print name: _____

Agent/Representative Signature:  Date 07/03/2025

Print name: Craig Kilpatrick for Kilpatrick Consulting LLC

CHECKLIST FOR COMPLETING THIS APPLICATION

1. Complete application form including the appropriate signatures
2. Include a detailed statement describing the proposal
3. Burden of Proof addressing all applicable criteria and supplemental information
4. Payment of fees
5. Submit a copy of the current “deed”

APPLICABLE CRITERIA

Title 18, Chapter 18.168 (Legislative Amendment)

Title 18, Chapter 18.170 (Quasi-Judicial Amendment)

Supplemental Information

1. COMPREHENSIVE PLAN:

- a. Describe in detail the proposed “Comprehensive Plan” amendment.
- b. Explain in detail how this request is in compliance with the statewide planning goals.
- c. Explain how this amendment is consistent with the Crook County – Prineville Area Comprehensive Plan.
- d. Explain how this “Comprehensive Plan” amendment would serve the public’s interest.

2. TEXT AMENDMENT:

- a. Submit the proposed language of the proposed “Text” amendment.
- b. Explain how this request is in compliance with the Crook County – Prineville Area Comprehensive Plan and purpose of the code in effect.
- c. Explain how this “Text” amendment would serve the public’s interest.

3. MAP AMENDMENT:

- a. Describe in detail the proposed “Map” amendment.
- b. Explain how the “Map” amendment complies with statewide planning goals, and how it is in compliance with those statewide goals.
- c. Explain how this “Map” amendment is consistent with the Crook County – Prineville Area Comprehensive Plan.

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: Undetermined Situs Address

It is described in the records of CROOK COUNTY as:

Township 16 South, Range 14 East WM Section 11 Tax Lot 1200

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: 6.16.25.

Edwar Bishara, Trustee

Mailing Address: 61563 Range Place

City: Bend State: OR Zip: 97702

AGENT

Signature:  Date: 6/25/2025.

Craig Kilpatrick for Kilpatrick Consulting LLC

Mailing Address: 13790 NW ONeil Highway

City: Redmond State: OR Zip: 97756

Applicant's Summary Response
July 3, 2025

Basic Findings

Applicant,

Owner: Edwar Bishara Revocable Trust, Edwar Bishara, Trustee
61563 Range Place
Bend, Oregon 97702

Agent: Craig Kilpatrick, Kilpatrick Consulting, LLC
13790 NW O'Neil Highway
Redmond, OR 97756

Legal

Description: Township 16 South, Range 14 East of the WM. Section 11 Tax lot 1200 20.00-acres

Location: The property is located about on Reif Road in Powell Butte approximately 3 miles south of Highway 126. The situs address is undetermined on Reif Road.

Plan/Zoning: The property is designated as Exclusive Farm Use -3 (EFU-3) on the Comprehensive Plan and Zoning Map. The property is not farmland. In 1998 the property was included in a Goal 3 exception as irrevocably committed to other uses.

Proposal: Applicant requests a Zone Map Amendment (ZMA) changing the property to R-10 zoning.

Site

Description: The subject property is located on a gently sloped area on the western slope of the Powell Buttes. There are a few of juniper trees and a significant cover of sagebrush. There is no irrigation water available in this area. Electric power is available onto the subject property which is vacant.

Surrounding

Land Uses: To the **north** of the Subject property is a single parcel (EFU-3) measuring 19.98 acres with 1 1996 dwelling (Wisner, 1614110000600). To the **northeast** is an improved R-10 parcel measuring 40-acres with a 2021 dwelling (Nuemueller 1614110000700).

To the **east** of the subject property is a single parcel (R-10), (Williams 1614110000102) measuring 9.99-acres with a 2022 dwelling.

To the **southeast** is a single 9.98-acre parcel with a 2022 dwelling (Delmore 1614110001103).

To the **south** are two EFU-3 parcels; one, a vacant parcel (Skeen 16141100001300, measuring 5-acres. The other is a 15.0-acre parcel (Britt) 16141100001400), also vacant.

To the **west** and **southwest** is an EFU-3 parcel (Knight 16141100001300) measuring 39.23-acres in size with a 1998 dwelling.

Lastly, to the **northwest** is a 0.91-acre EFU-3 parcel (Chapman 161410000400) vacant.

Note: Those surrounding EFU-3 parcels that have not been rezoned or were not included in the Powell Butte Study area are potentially eligible for re-zoning under the provisions of the Powell Butte Study and Settlement (Powell Butte 2-4 Area). None are irrigated and none are located within the boundaries of the Central Oregon Irrigation District.

Access: Subject property has access to Reif Road, a county road.

Ownership

History: The subject property has been in the ownership of Edwar Bishara Revocable Trust since December of 2023. See MF# 2023-324976.



Craig Kilpatrick, Agent
Land Use Consultant

Dated: July 3, 2025

EXHIBIT B - PROPOSED SITE PLAN: SEPTIC EVALUATION



Note: This information is prepared for reference purposes only and should not be used, and is not intended for, survey or engineering purposes. The data is the interpretation of Kilpatrick Designs and does not represent any legal opinion.



BRUCE NEIDERT ET AL

T13S, R17E, Tax Lot 500 - 116.37 ac.

**Located in the Mill Creek valley
Crook County, Oregon**

7/3/2025





Crook County Property Summary Report

Report Date: 6/16/2025 12:10:06 PM

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: BISHARA EDWAR TRUSTEE
Map and Taxlot: 16141100-01200-1912
Account: 1912
Tax Status: Taxable
Situs Address: UNDETERMINED SITUS ADDRESS

Property Taxes

Current Tax Year: 2024
Tax Code Area: 0021

Assessment

Subdivision:
Lot:
Block:
Assessor Acres: 20.00
Property Class: 400

Ownership

Mailing Address:
BISHARA EDWAR TRUSTEE
61563 RANGE PL
BEND, OR 97702-2400

Valuation

Real Market Values as of Jan. 1, 2025

Land \$503,990

Structures

Total \$503,990

Current Assessed Values:

Maximum Assessed \$45,460

Assessed Value \$45,460

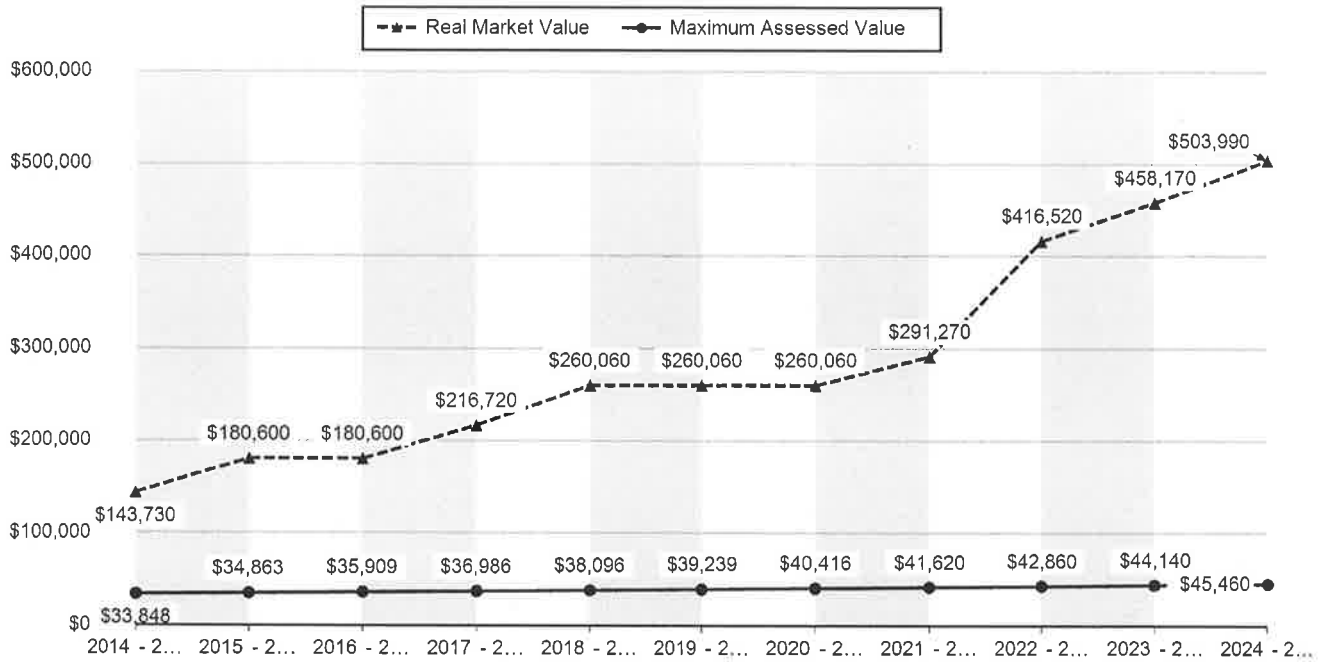
Veterans Exemption

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	\$143,730	\$180,600	\$180,600	\$216,720	\$260,060
Real Market Value - Structures	\$0	\$0	\$0	\$0	\$0
Total Real Market Value	\$143,730	\$180,600	\$180,600	\$216,720	\$260,060
Maximum Assessed Value	\$33,848	\$34,863	\$35,909	\$36,986	\$38,096
Total Assessed Value	\$33,848	\$34,863	\$35,909	\$36,986	\$38,096
Exemption Value	\$0	\$0	\$0	\$0	\$0

2019 - 2020	2020 - 2021	2021 - 2022	2022 - 2023	2023 - 2024	2024 - 2025
\$260,060	\$260,060	\$291,270	\$416,520	\$458,170	\$503,990
\$0	\$0	\$0	\$0	\$0	\$0
\$260,060	\$260,060	\$291,270	\$416,520	\$458,170	\$503,990
\$39,239	\$40,416	\$41,620	\$42,860	\$44,140	\$45,460
\$39,239	\$40,416	\$41,620	\$42,860	\$44,140	\$45,460
\$0	\$0	\$0	\$0	\$0	\$0



Error: Subreport could not be shown.

Sales History

Sale Date	Seller	Buyer	Sale Amount	Sale Type	Recording
02/14/2022	IMES JULIET P INTER VIVOS TR	BISHARA EDWAR	\$325,000		2022-314932
05/08/1991	UNDETERMINED GRANTOR NAME		\$14,500	WARRANTY DEED	1994-100464

Structures

Land Characteristics

Land Description	Acres	Land Classification
Market	20.00	Mrkt

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.

16	14	11			1200			26
TWP.	RGE.	SEC.	1/4	1/16	PARCEL NUMBER	Type	Spec. Int. In	CODE AREA NUMBER
MAP NUMBER					REAL PROP.			
TAX LOT NUMBER								

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY

CROOK COUNTY ASSESSOR'S OFFICE

FORMERLY PART OF 16 14 513

Indent each new course to this point	DESCRIPTION AND RECORD OF CHANGE	Date of entry on this card	Deed Record	Acres Remaining
1912	<p><u>F.T.L.P.O.</u></p> <p>T16S R14E WM</p> <p>Sec 11: N1/2NW1/4SW1/4</p> <p>Imes, Juliet P., Inter Vivos Trust</p> <p>Annex to Crook County Rural Fire Protection District #1 Taxing Zone 1 Order #97-13 4-12-99</p>	<p>WD 4/14/97</p> <p>MF136144</p>	<p>MF100464</p>	<p>20.00</p>

CROOK COUNTY ASSESSOR'S
NAME LEDGER

Account ID	Township	Range	Section	1/4	1/16	Taxlot	Special Interest												
1912	16	14	11	0	0	01200													
Effective Date		08-May-1991 12:00 AM		Transaction ID		-45953		Entry Date		08-May-1991		Recorded Date		08-May-1991		Sale Price		\$14,500	
Seq	Voucher ID	Tax Year	Document Source		Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map							
1	-49356	1994	HISTORICAL		WD	1994	100464	1	100464		NAME CHANGE								
Size Totals		Code	Acres		Sqft		Alternate Size												
		0021	20.00																
Effective Date		01-Sep-2020 12:00 AM		Transaction ID		-689		Entry Date		01-Sep-2020		Recorded Date		01-Sep-2020		Sale Date		01-Sep-2020	
Seq	Voucher ID	Tax Year	Document Source		Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map							
1	-689	2020	ASSESSOR'S FILE			2020	-1912	1	CONVERSION		CONVERSION								
Size Totals		Code	Acres		Sqft		Alternate Size												
		0021	20.00																
Effective Date		01-Mar-2022 08:35 AM		Transaction ID		513893		Entry Date		01-Mar-2022		Recorded Date		14-Feb-2022		Sale Price		\$325,000	
Seq	Voucher ID	Tax Year	Document Source		Type	ID #1	ID #2	PID	Source ID	PT	Operation	To/From Map							
1	526342 SWD	2022	CLERK		D	2022	314932	1			NAME CHANGE								
Name Changes Status				Name		Name Type		Ownership Type		Ownership %									
D				IMES JULIET P INTER VIVOS TR		OWNER		OWNER		100									
A				BISHARA, EDWAR		OWNER		OWNER											
				OWNER															
				BISHARA, EDWAR															
Size Totals		Code	Acres		Sqft		Alternate Size												
		0021	20.00																

CROOK COUNTY ASSESSOR'S
NAME LEDGER

Account ID Township Range Section 1/4 1/16 Taxlot Special Interest
1912 16 14 11 0 0 01200

Effective Date 27-Dec-2023 03:34 PM Transaction ID 566784 Entry Date 13-Dec-2023 Recorded Date 13-Dec-2023 Sale Date

Seq Voucher ID Tax Year Document Source Type ID #1 ID #2 PID Source ID PT Operation To/From Map

1 598845
SVD 2024 CLERK D 2023 324976 1 NAME CHANGE


Name Changes Status Name

Name Changes		Status	Name	Name Type	Ownership Type	Ownership %
D	BISHARA, EDWAR			OWNER	OWNER	
A	EDWAR BISHARA REVOCABLE TRUST			OWNER	OWNER	
A	BISHARA, EDWAR			OWNER	OWNER AS TRUSTEE	

OWNER
EDWAR BISHARA REVOCABLE TRUST
TRUSTEE
BISHARA, EDWAR

Size Totals	Code	Acres	Sqft	Alternate Size
	0021	20.00		

Crook County Official Records	2023-324976
DEED-D	
Pgs=2	12/13/2023 12:03:01 PM
\$10.00 \$2.00 \$11.00 \$10.00 \$61.00	\$99.00
\$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	



Unless a change is requested, all tax statements shall be sent to Grantee at:

Edwar Bishara, TTEE
61563 Range PL
Bend, OR 97702

After recording, this Deed shall be delivered to:

Driscoll Law
563 SW 13th Street, Suite 103
Bend, OR 97702

STATUTORY WARRANTY DEED

The true consideration for this transfer is for estate planning purposes.

Edwar Bishara, Grantor, conveys to Edwar Bishara Trustee of the Edwar Bishara Revocable Trust, utd December 8, 2023, Grantee, the following described real property in the County of Crook and State of Oregon:

In Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon: Section 11: The North half of the Northwest quarter of the Southwest quarter.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

16141100-01200-1912

SUBJECT TO all encumbrances, easements and restrictions of record, or which an accurate survey or inquiry of parties and possession of the property would disclose.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11,

CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009. 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 THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, 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 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007 AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

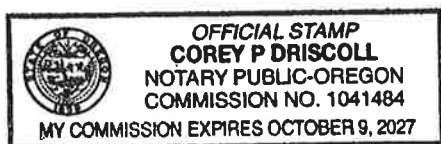
DATED this 13th day of December, 2023.




EDWAR BISHARA

STATE OF OREGON)
)
County of Deschutes)

On December 13, 2023, personally appeared the above-named Edwar Bishara and acknowledged the foregoing instrument to be his voluntary act and deed.



NOTARY PUBLIC FOR OREGON

Crook County Official Records		2023-324976
DEED-D		
Pgs=2		12/13/2023 12:03:01 PM
\$10.00 \$2.00 \$11.00 \$10.00 \$61.00		\$99.00
\$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		

Unless a change is requested, all tax statements shall be sent to Grantee at:

Edwar Bishara, TTEE

61563 Range PL

Bend, OR 97702

After recording, this Deed shall be delivered to:

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563 SW 13th Street, Suite 103

Bend, OR 97702

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1 – STATUTORY WARRANTY DEED (Crook County)

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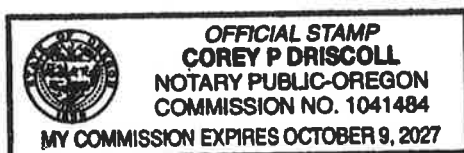
DATED this 13th day of December, 2023.



EDWAR BISHARA

STATE OF OREGON)
)
County of Deschutes)

On December 13, 2023, personally appeared the above-named Edwar Bishara and acknowledged the foregoing instrument to be his voluntary act and deed.



NOTARY PUBLIC FOR OREGON

NOTICE OF ADOPTION

This form must be mailed to DLCD not later than 5 working days after adoption
ORS 197.615 and OAR Chapter 660, Division 18

See reverse side for submittal requirements

Jurisdiction Crook County Planning

Local File # Ord. 127

Date of Adoption Dec. 2, 1998

Date Mailed Dec. 7, 1998

Date the Proposed Notice was mailed to DLCD Aug. 27, 1997

- ☒ Comprehensive Plan Text Amendment ☐ Comprehensive Plan Map Amendment
☐ Land Use Regulation Amendment ☐ Zoning Map Amendment
☐ New Land Use Regulation

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached."

Amend Comprehensive Plan concerning Powell Butte to adopt an
irrevocably committed exception from statewide Planning Goal
Number 3 for Area 2-4.

Describe how the adopted amendment differs from the proposed amendment. If it is the same, write "Same." If you did not give notice of the proposed amendment, write "N/A."

Less land included in exception area than originally proposed.

Plan Map Change From EFU to Rural Residential

Zone Map Change From None to None

Location: Powell Butte, South of Hwy. 126 Acres Involved: 175 ac

Specify Density: Previous Density EFU New Density Not adopted

Applicable Goals: 3 Was an Exception adopted? ☒ Yes ☐ No

DLCD File # _____

DLCD Appeal Deadline

MF 145058 (35 pgs)

ORDINANCE NO. 127 Amend. No. 1

AN ORDINANCE OF THE CROOK COUNTY COURT TO ADOPT AMENDMENTS TO THE COUNTY'S COMPREHENSIVE PLAN CONCERNING POWELL BUTTE AND TO AMEND ORDINANCE NO. 127 IN ACCORDANCE WITH THE FINAL DECISION BY THE LAND USE BOARD OF APPEALS REMANDING ORDINANCE NO. 127, AND DECLARING AN EMERGENCY.

WHEREAS, over a period of years, Crook County has conducted a comprehensive study of proper land use classifications for lands in Powell Butte; and

WHEREAS, in December 1998 and February 1999, the County Court adopted eight ordinances reclassifying different areas of Powell Butte from exclusive farm use to either a nonresource or rural residential classification. One of those ordinances was Ordinance No. 127 which provided for the redesignation of Area 2-4 from exclusive farm use to rural residential zoning;

WHEREAS, all eight ordinances were appealed to LUBA separately and by multiple parties. The appeals of Ordinance No. 127 were given Case Nos. 98-221 and 98-224;

WHEREAS, all of the appeals were submitted to mediation pursuant to ORS 197.860 among the parties to the appeal;

WHEREAS, as a result of the mediation process, the parties have reached an agreement as to all the appeals, ("the Agreement"), and have thereby agreed that Ordinance No. 127 should be amended in the manner set forth in this ordinance and LUBA has adopted the parties' agreement remanding Ordinance No. 127 with instructions to adopt the below amendments;

NOW, THEREFORE, this 26TH day of JULY, 2000, the Crook County Court ordains as follows:

Section One. The Agreement including all its exhibits is hereby adopted by reference and is included herein as if fully set forth.

The Crook County Comprehensive Plan is amended to designate the land within Area 2-4 as an exception to Statewide Planning Goal 3. Area 2-4 consists of the land as depicted on the map attached to this Ordinance as Exhibit "1" and as more specifically described as follows:

Legal Description "B" – Zone NR-20

Lands located in Sections 2, 3 and 10, Township 16 South, Range 14 East, W.M., Crook County, Oregon, more particularly described as follows: Beginning at the $\frac{1}{4}$ corner common to Sections 2 and 3, thence South along the East line of said Section 3 to the Northwest corner of the South one-half of the Southwest one-quarter ($S\frac{1}{2} SW\frac{1}{4}$) of said Section 2; thence East along the North line of said $S\frac{1}{2} SW\frac{1}{4}$ to the Northeast corner thereof; thence South along the East line of said $S\frac{1}{2} SW\frac{1}{4}$ to the $\frac{1}{4}$ corner common to Sections 2 and 11; thence West along the South line of said Section 2 to the corner common to Sections 2, 3 10 and 11; thence South along the East line of said Section 10 to the Southeast corner of the Northeast one-

MF 156817
(5pgs)

quarter of the Southeast one-quarter ($NE\frac{1}{4} SE\frac{1}{4}$); thence West along the South line of said $NE\frac{1}{4} SE\frac{1}{4}$ to the Southwest corner thereof; thence North along the West line of said $NE\frac{1}{4} SE\frac{1}{4}$ to the Northwest corner thereof; thence West along the South line of the North one-half ($N\frac{1}{2}$) of said Section 10 to the Southwest corner of the East one-half of the Northwest one-quarter ($E\frac{1}{2} NW\frac{1}{4}$); thence North along the West line of said $E\frac{1}{2} NW\frac{1}{4}$ to the Northwest corner thereof; thence North on the West line of the East one-half of the Southwest one-quarter ($E\frac{1}{2} SW\frac{1}{4}$) of said Section 3 to the Northwest corner thereof; thence East along the North line of the South one-half ($S\frac{1}{2}$) of said Section 3 to the Point of Beginning.

Legal Description "C" – Zone NR-20

Lands located in Section 11, Township 16 south, Range 14 East, W.M., Crook County, Oregon, more particularly described as follows: Beginning at the Southwest corner of the Southwest one-quarter of the Northeast one-quarter ($SW\frac{1}{4} NE\frac{1}{4}$) of said Section 11, thence North along the West line of said $SW\frac{1}{4} NE\frac{1}{4}$ to the Northwest corner thereof; thence East along the North line of said $SW\frac{1}{4} NW\frac{1}{4}$ to the Northeast corner thereof; thence south along the East line thereof to the Southeast corner thereof; thence South along the East line of the Northwest one-quarter of the Southeast one-quarter ($NW\frac{1}{4} (SE\frac{1}{4})$) to the Southeast corner thereof; thence West along the South line of said $NW\frac{1}{4} SE\frac{1}{4}$ to the Southwest corner thereof; thence North along the West line of said $NW\frac{1}{4} SE\frac{1}{4}$ to the Point of Beginning.

Legal Description "I" – Zone NR-10

Lands located in Section 3, Township 16 South, Range 14 East, W.M., Crook County, Oregon, more particularly described as follows: Beginning at the North section corner common to Sections 2 and 3, thence South along the East line of said Section 3 to the Southeast corner of Government Lot 1; thence West along the South line of Government Lots 1, 2 and 3 to the Southwest corner of Government Lot 3; thence North along the West line of said Government Lot 3 to the Northwest Corner of said Government Lot 3; thence East along the North line of said Section 3 to the Point of Beginning.

Legal Description "J" – Zone NR-10

Lands located in Section 11, Township 16 South, Range 14 East, W.M., Crook County, Oregon, more particularly described as follows: Beginning at the corner common to Sections 2, 3 10 and 11, thence East along the North line of said Section 11 to the Northeast corner of the West one-half ($W\frac{1}{2}$) of said Section 11; thence South along the East line of said $W\frac{1}{2}$ to the Southeast corner of the North one-half of the South one-half ($N\frac{1}{2} S\frac{1}{2}$) of said Section 11; thence West along the South line of said $N\frac{1}{2} S\frac{1}{2}$ to the Southwest corner thereof; thence North along the West line of Section 11 to the Point of Beginning.

Section Two. The residential density and minimum lot size for Area 2-4 shall be one (1) single family dwelling per twenty (20) gross acres in legal descriptions B and C and shall be one (1) single family dwelling per ten (10) gross acres in legal description I and J.

Section Three. The following policies are adopted as a part of the Crook County Comprehensive Plan. These policies supplement and amend the Powell Butte Study to the extent that the Study is inconsistent with these policies and the Agreement. To the extent that there is any conflict between the Study and these policies or the Agreement, the Study shall automatically be modified to the extent necessary to conform the Study with these policies and the Agreement.

1. The Comprehensive Plan as amended provides that rural residential and nonresource development shall occur south of Highway 126 and generally north of Powell Buttes, and west of Stillman Road and east of Study Area 2-2.

The specific areas to be reclassified and rezoned are those areas designated as Areas 1-2, 2-1 (as amended), 2-2 (as amended), 2-3 (as amended), and 2-4 (as amended). These areas are specifically described in Ordinances 126 (Area 2-3); 127 (Area 2-4); 128 (Area 2-1); 130 (Area 1-2); and 132 (Area 2-2). The land contained within these areas is hereinafter referred to as "the Area to be rezoned."

Except for uses permitted outright and by conditional use in the EFU-3 Zone, other lands shall be maintained as exclusive farm use consistent with Policy 2 below. Rezoning of land other than "the Area to be rezoned" are inconsistent with the Comprehensive Plan. In this regard, Ordinances 131 (Area 1-1) and Ordinance 133 (Area 3-1) are repealed by separate ordinances because the rezoning of that land is inconsistent with this provision of the Comprehensive Plan. Ordinance No. 134 which pertains to Area 3-2 is being repealed as that area is being reserved for the City of Prineville's future industrial growth.

2. The County will not initiate additional exceptions or nonresource designations within the Powell Butte Study Area until the next periodic review. The foregoing does not create an expectation that rezonings will necessarily occur at the next periodic plan review and does not create an obligation on the part of the County to rezone any EFU land at any time. The County may, however, consider a proposal(s) to expand the urban growth boundary of the City of Prineville in conjunction with an annexation into Area 3-2 for the purpose of providing an adequate supply of industrial land prior to the next periodic review.

3. The land north of Highway 126 shall be retained as exclusive farm use as that land is composed of large parcels and contains less rural residential development than the area south of the highway. For the purpose of this policy, all of Area 1-2 is deemed to be located south of the Highway 126, notwithstanding that a small portion of Area 1-2 is physically located to the north of that Highway.

4. The County shall adopt a new rural residential zoning district for Area 2-4 which imposes a density and minimum lot size consistent with Section Two of this Ordinance.

5. The zoning ordinance for Area 2-4 shall contain a 250-foot setback requirement from adjacent exclusive farm use zoned land.

This setback shall not apply when the adjacent land is owned by a governmental entity, e.g. the Bureau of Land Management, or is adjacent to land already approved for non-farm use.

In those cases, the minimum setback shall be the setback already established for dwellings in an EFU zone or if no such setback has been established, then the setback shall be and hereby is established as one hundred (100) feet.

The 250 foot setback shall be adopted simultaneously with adopting the new zoning ordinance. If the imposition of this setback makes land undevelopable, then Crook County shall require the maximum achievable setback.

The County shall investigate declaring an ordinance violation to be a "nuisance" thereby allowing a private party to bring suit enforcing the county's ordinance provisions.

6. The County shall require, as a condition of development approval, that all new rural residential development in the Powell Butte area pay system development charges (SDC's) necessitated by Powell Butte rural residential development. The County currently funds road improvements from the earnings it receives from invested timber receipts. Prior to using property tax receipts for road improvements, the County shall adopt SDC's sufficient to cover one hundred percent (100%) of the applicable road capital improvements required to support new rural residential development in Powell Butte.

In this regard, the County shall promptly adopt a system development charge ordinance to assess a road system development charge on new development. The amount of this system development charge shall be sufficient to recover a significant portion of the capital costs of road improvements required as a result of rural residential development in Powell Butte. Nothing in this ordinance shall preclude the County from applying system development charges to other classes of property or in other areas of Crook County. In the event that a developer desires to proceed with development prior to the adoption of the system development charge ordinance, he or she shall pay the sum of \$2,000 per single family dwelling at the time of building permit issuance. In the event that the adopted system development charge is less than \$2,000, the difference shall be refunded to the developer without interest. In the event that the adopted system development charge exceeds \$2,000, the developer shall be obligated to pay the difference.

7. The County shall comply with the transportation planning rule when it adopts the zoning ordinances.


8. The zoning ordinances shall require developers to execute covenants of nonremonstrance in respect to all farm operations in favor of adjacent EFU land. These covenants shall be in the form of equitable servitudes and shall be binding on all heirs, devisees, legatees, vendees, and successors in interest of the developers. The County shall require such covenants to be executed and recorded at the time the building permit is issued.

9. The County will develop its zoning and land development ordinances utilizing the Gannett Study ("Groundwater Availability In The Powell Buttes Area, Central Oregon" Groundwater Report No. 32) recommendations on accessibility of groundwater in the Powell Butte Areas, and will require access to the regional water supply as a condition of development, or use of water from a water district or public utility. Private exempt wells in existence prior to March 1, 2000 shall be exempt from the requirements contained in the zoning and land development ordinances pertaining to wells.

Section Four. This ordinance shall serve as the County's decision on remand from LUBA Case Nos. 98-221 and 98-224.

Section Five. This ordinance shall become effective immediately as an emergency exists.

CROOK COUNTY


Judge Fred Rodgers


Commissioner Mike McCabe

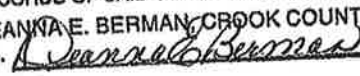

Commissioner Jerry Crafton



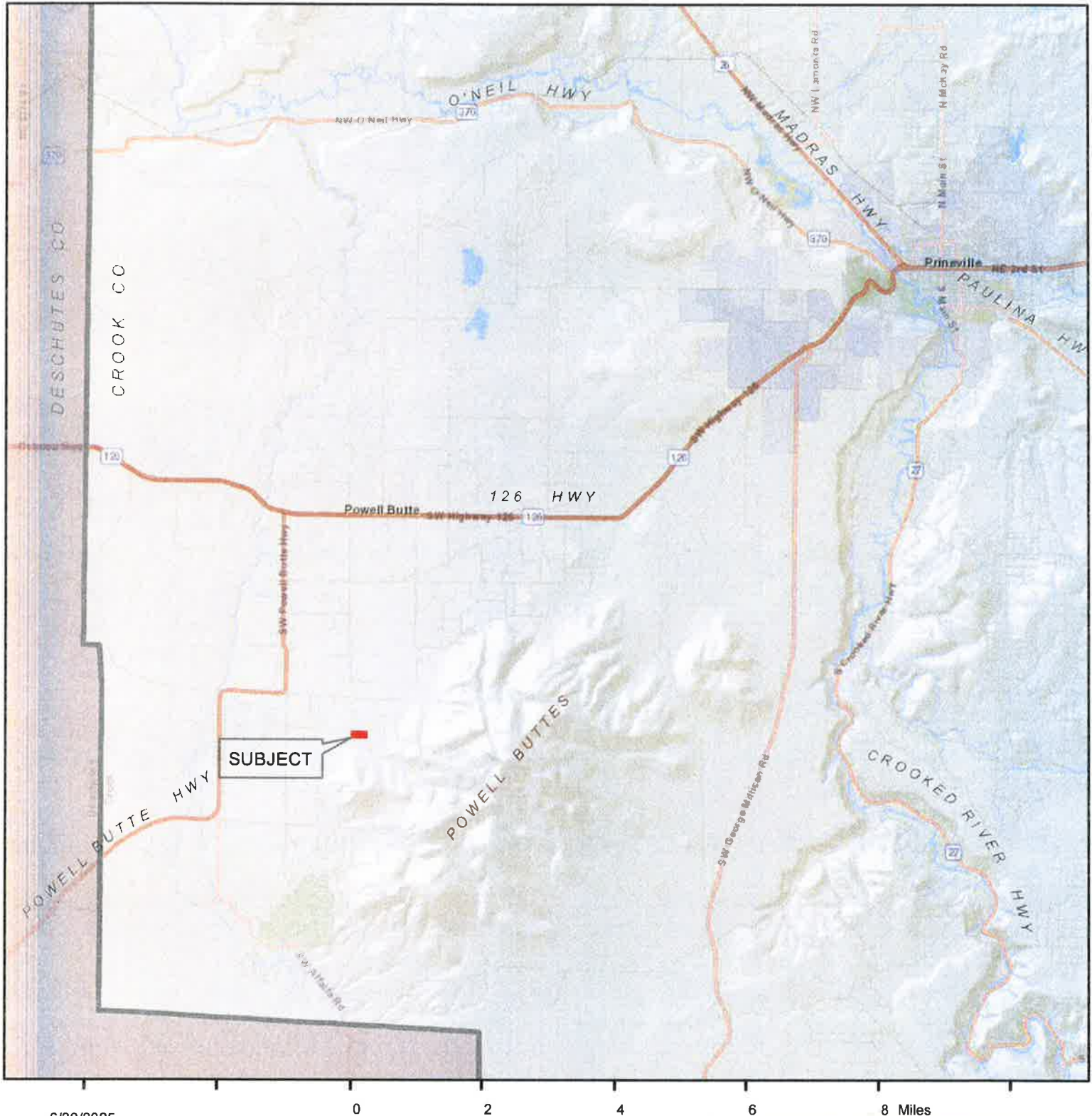
MICROFILM

KEY PUNCHED

JUL 31 2000

STATE OF OREGON } ss 156817
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 27th DAY OF
July, 2000, AT 9:00 A M.
AND RECORDED IN CJRN
RECORDS OF SAID COUNTY MF NO. 156817
DEANNA E. BERMAN, CROOK COUNTY CLERK
BY:  DEPUTY
N/C

VICINITY MAP



6/30/2025

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.



BISHARA EDWAR TRUSTEE

161411 TL 1200 - 20.00 ac.
Located West of Powell Buttes
in Crook County, Oregon

Kilpatrick
CONSULTING, LLC

LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES

OFFICE:
541.447.2724

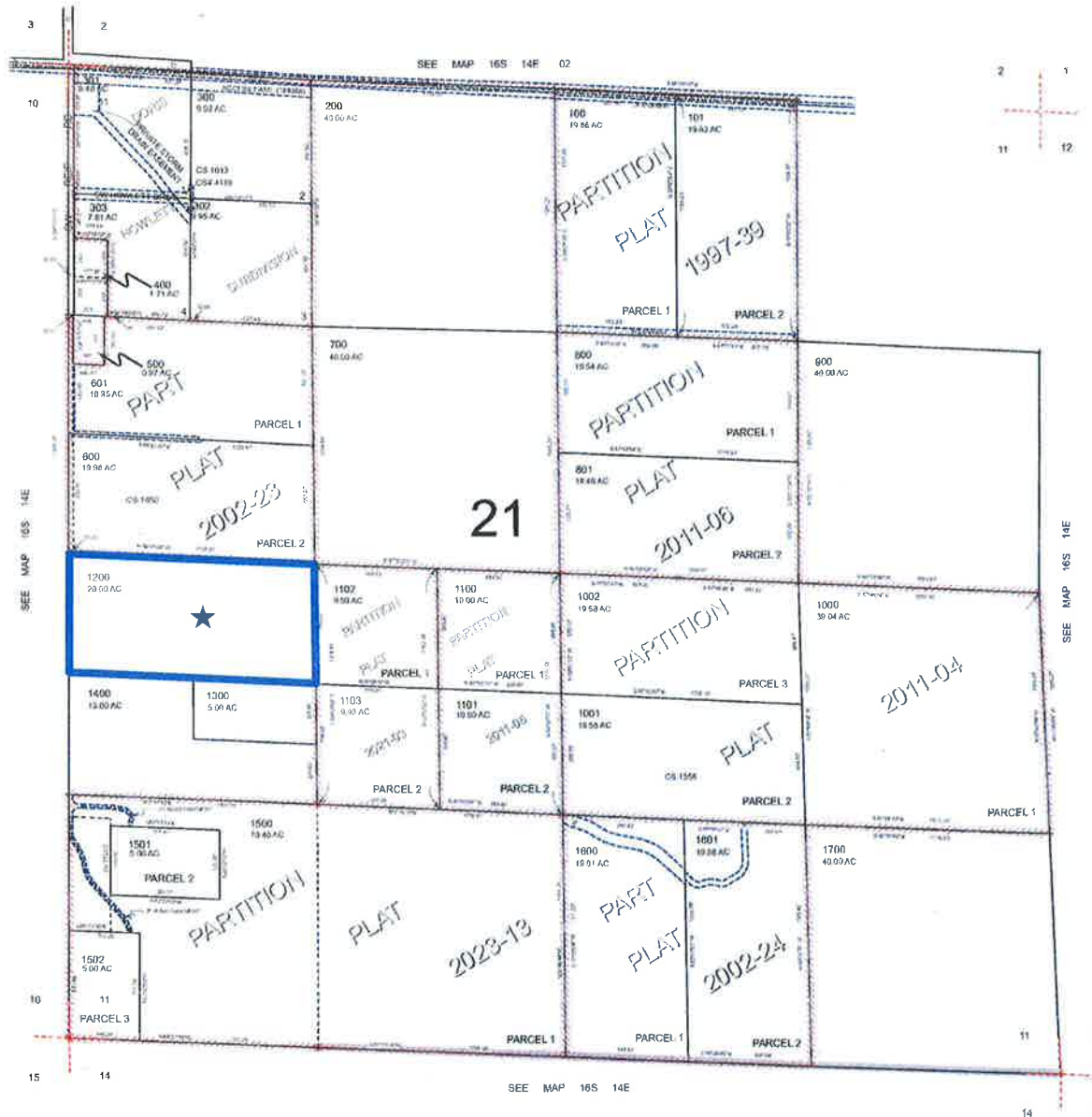
EXHIBIT A - ASSESSOR'S MAP

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 200 400 600 Feet

SECTION 11 T.16S. R.14E. W.M.
CROOK COUNTY
1" = 400'

16S14E11



Revised: RAA
01/16/2024

16S14E11

Data Source: ORMAP website - Jun 26, 2025

6/30/2025

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BISHARA EDWAR TRUSTEE

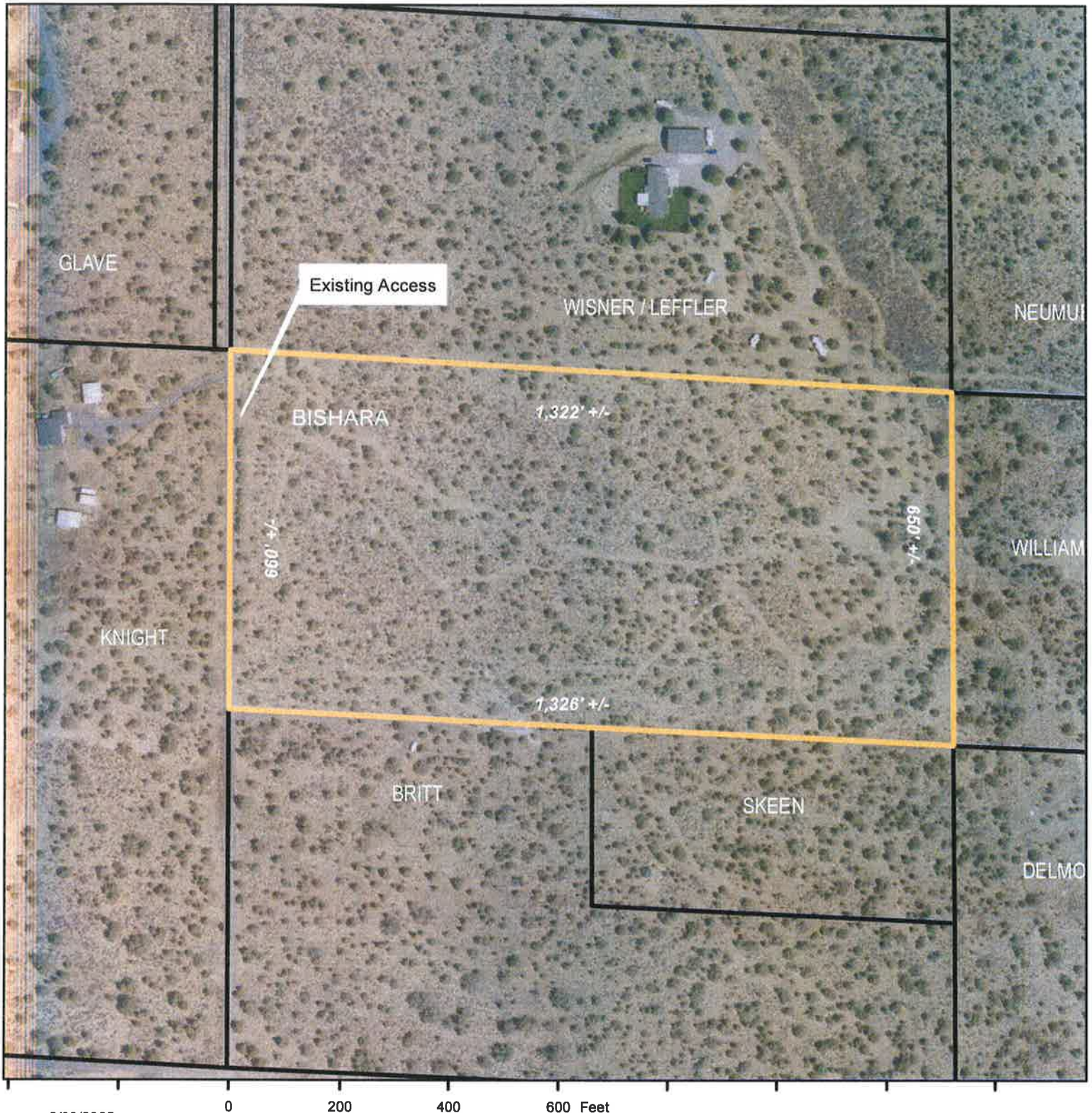
161411 TL 1200 - 20.00 ac.
Located West of Powell Buttes
in Crook County, Oregon

Kilpatrick
CONSULTING, LLC

LAND USE CONSULTING SERVICES
GIS MAPPING SERVICES

OFFICE:
541.447.2724

EXHIBIT B1 - EXISTING PROPERTY w/ 2022 Aerial



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BISHARA EDWAR TRUSTEE

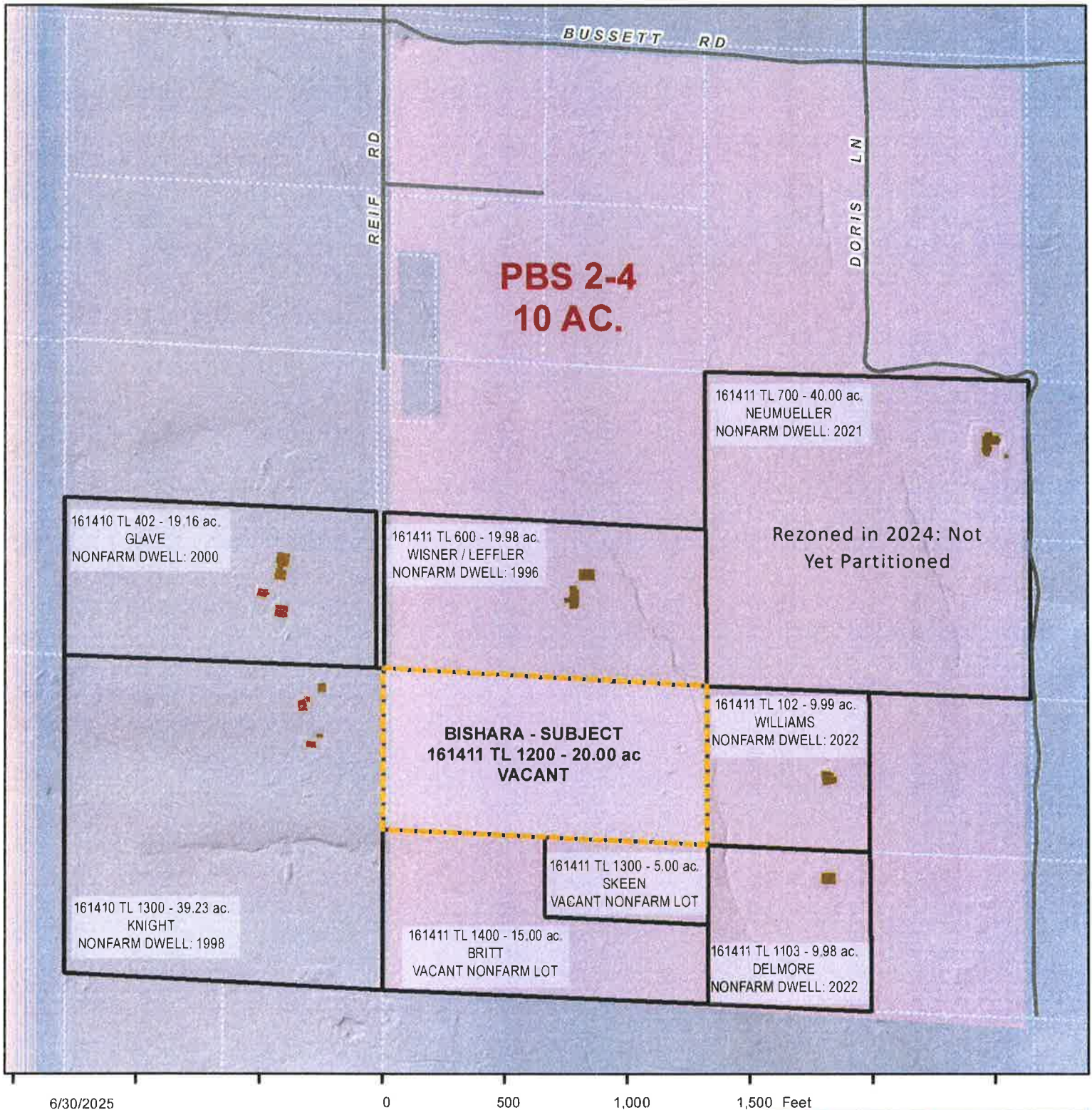
161411 TL 1200 - 20.00 ac.
Located West of Powell Buttes
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EXHIBIT B2 - ADJACENT PROPERTY OWNERS



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BISHARA EDWAR TRUSTEE

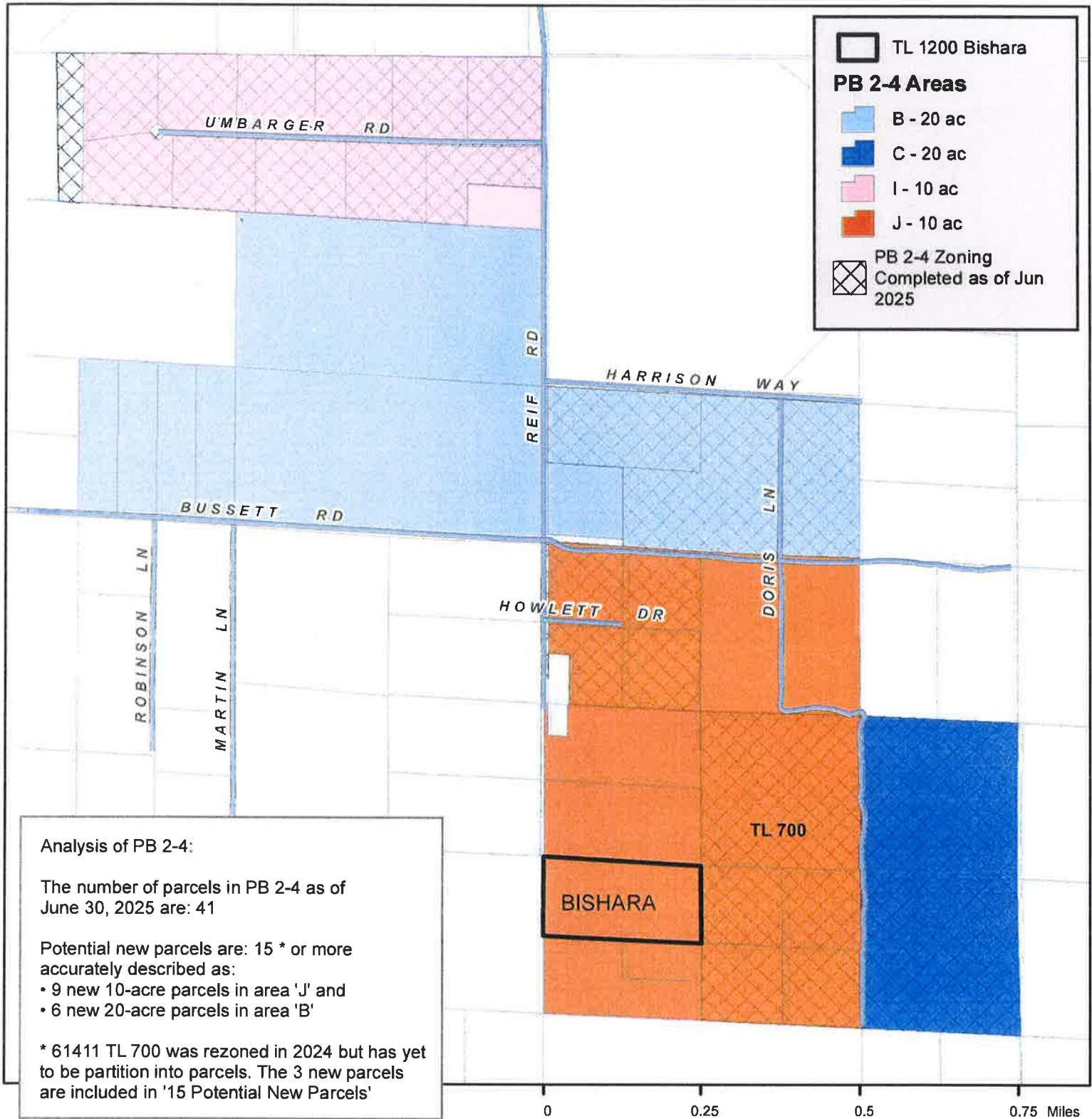
161411 TL 1200 - 20.00 ac.
Located West of Powell Buttes
in Crook County, Oregon

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EXHIBIT C - POWELL BUTTE 2-4 w/ INVENTORY



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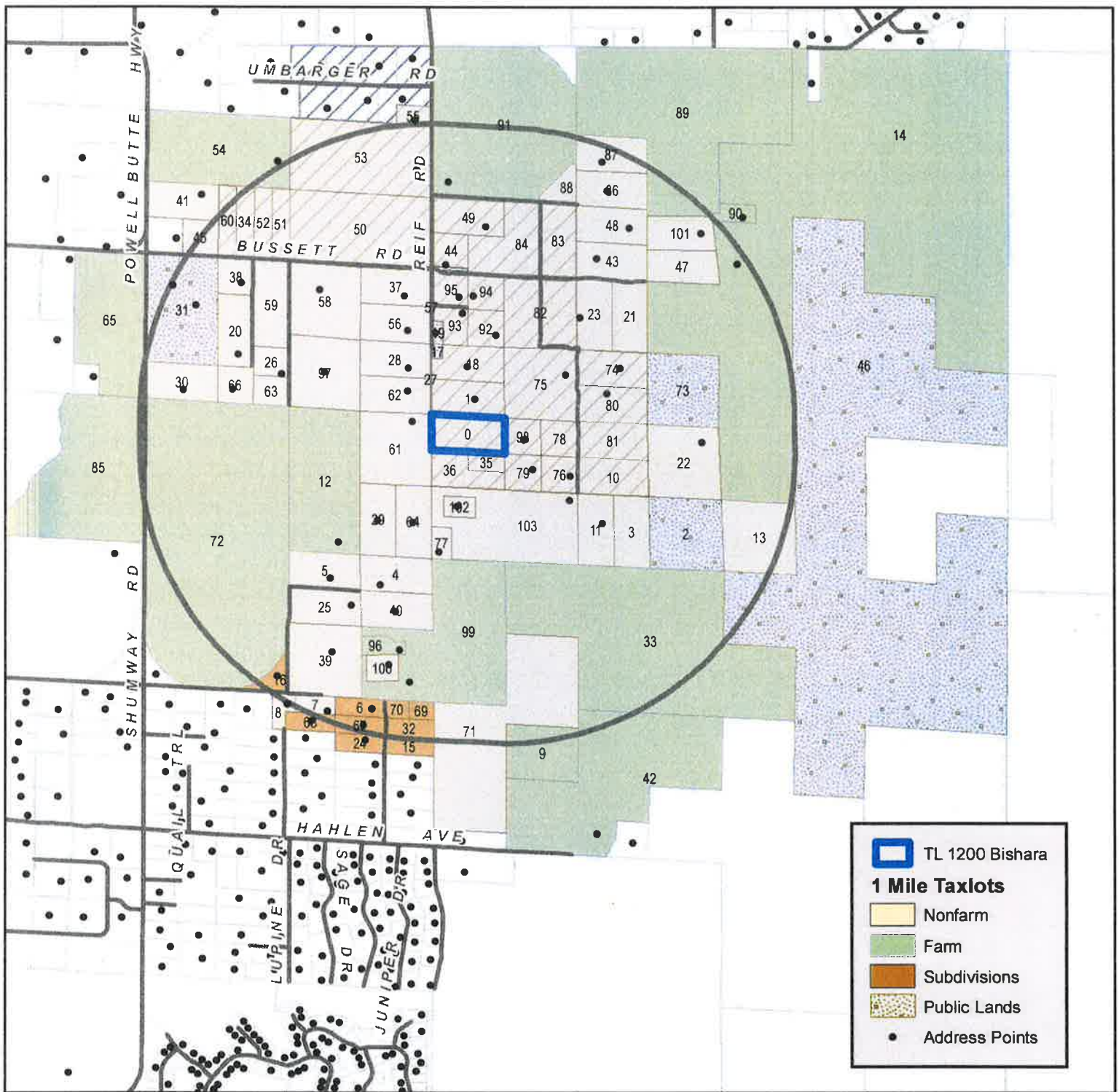


BISHARA EDWAR TRUSTEE

161411 TL 1200 - 20.00 ac.
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6/30/2025
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EXHIBIT D - 1 MILE STUDY AREA



TL 1200 Bishara

1 Mile Taxlots

- Nonfarm
- Farm
- Subdivisions
- Public Lands
- Address Points

6/30/2025

0 0.5 1 Miles

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BISHARA EDWAR TRUSTEE

161411 TL 1200 - 20.00 ac.
Located West of Powell Buttes
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CONSULTING, LLC

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GIS MAPPING SERVICES

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541.447.2724

	EDWAR BISHARA REVOCABLE TRUST, EDWAR BISHARA, TRUSTEE - 1614110001200: 20.00 ac 1 Mile Study DATA									
Map	Line	Own		PB 2-4		Dwell	Taxlot	Prop		
ID	No.	No.	MapTaxlot	Area	OWNER	Y/N Yr	Acres	Class	Land Use Action-- Division	Present Use
					FARM					
14	1	1	1614000000100		RICHTER ROBERT D& KATHRYN L TRUSTEES	MH '79	641.01	559		Large Tract Dryland, Dwelling
72	2	2	1614000000504		IROQUOIS VALLEY FARMS LLC	-	297.95	551	PART PLAT YEAR & # NO PARCEL #	Irrigated w Pivots
99	3	3	1614000000507		BAKER JOSHUA & TAYLOR	-	108.96	551		Dryland, Vacant
12	4	4	1614000000538		KOEHLER DIETER & SIGRUN TRUSTEES	Y-2007	78.50	551	PART PLAT YEAR & # NO PARCEL #	Irrigated w Pivot, Dwelling
33	5	5	1614000001700		EXCHANGE PROPERTIES INC A NEVADA CORP	-	240.00	550		Dryland, Vacant
42	6	5	1614000002400		EXCHANGE PROPERTIES INC A NEVADA CORP	Y-1970	150.00	551		Dryland, Vacant, Dwelling
9	7	5	1614000002500		EXCHANGE PROPERTIES INC A NEVADA CORP	-	30.00	550		Dryland, Vacant
96	8	3	1614000004400		BAKER JOSHUA & TAYLOR	-	5.00	550	PP 2016-14, PARCEL 3	Dryland, Vacant
89	9	1	1614020000100		RICHTER ROBERT D& KATHRYN L TRUSTEES	-	194.89	550		Large Tract Dryland
91	10	6	1614020000200		LYSTER PROPERTIES LLC	MH-'17	155.86	551	PP 2012-15, PARCEL 1	Irrigated, Pivot, Dwelling
90	11	1	1614020001200		RICHTER ROBERT D& KATHRYN L TRUSTEES	Y-1979	5.43	551		Large Tract Dryland, Dwelling
54	12	7	1614030000800		BUSSETT JAMES & PHYLLIS TRUSTEES	Y-2010	79.09	551		Dryland w Dwelling
65	13	2	1614090000100		IROQUOIS VALLEY FARMS LLC	-	72.52	550		Irrigated Farm
85	14	2	1614090000601		IROQUOIS VALLEY FARMS LLC	-	117.00	551		Irrigated Farm
					Farm Total Acres		2,176.21			
					# of Dwellings	6				
					NONFARM					
13	1	1	1614000002000		RICHTER ROBERT D& KATHRYN L TRUSTEES	-	40.00	470		Dryland, Vacant
71	2	8	1614000002502		OPPORTUNITY FOUNDATION OF	-	120.00	400		Dryland, Vacant
100	3	9	1614000004500		BREYER SAMUEL G & KAMMY B	-	5.00	400		Dryland, Vacant
88	4	10	1614020000202		HARRISON PROPERTIES INC	-	6.40	470	PP 2012-15, PARCEL 3	Dryland, Vacant
49	5	11	1614020000300	B	GRINDSTAFF DAVID C	Y-2005	18.95	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2005
44	6	12	1614020000400	B	ZIMMERLEE DOLORES D TRUSTEE	Y-1976	8.80	401		Nonfarm Dwelling 1976
84	7	13	1614020000500	B	WILSON TIMOTHY J & JULIE	-	28.77	470	PP 2011-07, PARCEL 1	Dryland, Vacant
83	8	14	1614020000600	B	ZIVNEY BRYAN C & CADY L	-	19.84	470	PP 2011-07, PARCEL 2	Dryland, Vacant
87	9	15	1614020000700		PETSCHER JAMES A & SUSAN A	Y-2019	19.49	401	PP 2008-10, PARCEL 1	Nonfarm Dwelling 2019
86	10	16	1614020000800		BOER FAMILY RLT	Y-2017	19.49	401	PP 2008-10, PARCEL 2	Nonfarm Dwelling 2017
48	11	17	1614020000900		KLEFFNER DEVIN & MICHELLE L	Y-2014	19.60	401	PP 2008-08, PARCEL 1	Nonfarm Dwelling 2014
43	12	18	1614020001000		GREGG THERESA M	Y-2011	19.60	401	PP 2008-08, PARCEL 2	Nonfarm Dwelling 2011

EDWAR BISHARA REVOCABLE TRUST, EDWAR BISHARA, TRUSTEE - 1614110001200: 20.00 ac 1 Mile Study DATA										
Map ID	Line No.	Own No.	MapTaxlot	PB 2-4 Area	OWNER	Dwell Y/N Yr	Taxlot Acres	Prop Class	Land Use Action-- Division	Present Use
101	13	19	1614020001100		R&R RANCHES L.L.C	Y-1996	17.32	471	PP 2022-26	Nonfarm Dwelling 1996
47	14	19	1614020001101		R&R RANCHES L.L.C	-	17.32	470	PP 2022-26	Dryland, Vacant
55	15	20	1614030000300	I	TEATER CAMERON J	Y-1996	5.01	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 1996
53	16	21	1614030000900	B	ROBERTS PHILLIP	Y-1989	79.39	401		Nonfarm Dwelling 1989
50	17	22	1614030001000	B	FLOYD JAMES S & KATHERINE I	-	78.19	401		Dryland, Vacant
41	18	23	1614030001100		MENDEZ YOLANDA	Y-1988	18.91	401		Nonfarm Dwelling 1988
45	19	23	1614030001200		MENDEZ YOLANDA	-	9.24	400		Dryland, Vacant
37	20	24	1614100000200		SIMPSON BRENT A & STEALEY KELSEY A	Y-1998	18.87	409		Nonfarm Dwelling 1998
56	21	25	1614100000300		BYERS JORENE	Y-1976	18.87	409		Nonfarm Dwelling 1976
27	22	26	1614100000400		CHAPMAN FAMILY TRUST	-	0.91	470		Dryland, Vacant
28	23	27	1614100000401		OTT CARL E & SHELBY M & OTT JUANITA R	Y-2003	19.16	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2003
62	24	28	1614100000402		GLAVE FAMILY TRUST	Y-2000	19.16	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2000
58	25	29	1614100000500		MACROSTIE MORGAN S & AMY J	Y-2022	38.84	401	PP 2017-13, PARCEL 1	Nonfarm Dwelling 2022
97	26	30	1614100000501		SHEEHAN VICTOR M & GLORIA M	-	38.85	400	PP 2017-13, PARCEL 2	Dryland, Vacant
59	27	31	1614100000600		MARTIN REX W	-	23.09	400		Dryland, Vacant
26	28	32	1614100000700		CAGLEY SAMUEL D AND CAGLEY JANET G	Y-2000	7.85	401		Nonfarm Dwelling 2000
63	29	33	1614100000800		MARTIN BOYD AND RHONDA	-	7.84	400		Dryland, Vacant
66	30	34	1614100000900		SIPE MICHAEL & COE-SIPE CATHIE	Y-1997	10.00	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 1997
20	31	35	1614100001000		ROUFS RENEE A	Y-1997	19.25	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 1997
38	32	36	1614100001100		RITTER JASON B & JESSICA	Y-1999	10.00	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 1999
30	33	37	1614100001201		HARRIS KRISSA & LOGAN F	Y-2019	19.69	401	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2019
61	34	38	1614100001300		KNIGHT DONALD C JR	Y-1998	39.23	401		Nonfarm Dwelling 1998
29	35	39	1614100001400		BROWN PATRICIA S	-	19.62	470	PART PLAT YEAR & # NO PARCEL #	Dryland, Vacant
64	36	40	1614100001401		SEIFFERT DAVID W & DEBRA A, TRUSTEES	Y-2017	19.62	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2017
23	37	41	1614110000100		REEVES DARREN L & TAMMIE	Y-1995	19.66	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 1995
21	38	42	1614110000101		DALTON JACK C & DORIS J TRUSTEES	-	19.63	470	PART PLAT YEAR & # NO PARCEL #	Dryland, Vacant
82	39	43	1614110000200	J	MARCUCCI LOGAN C & TIPTON TYLER P	-	40.00	400		Dryland, Vacant
1	40	44	1614110000600	J	WISNER PETE J LEFFLER KEITH B & RICH MAK	Y-1996	19.98	401	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 1996
18	41	45	1614110000601	J	LESTER REVOCABLE TRUST	Y-2012	18.95	401	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2012
75	42	46	1614110000700	J	NEUMUELLER MARTIN	Y-2021	40.00	401		Dryland, Vacant
74	43	47	1614110000800	C	REID JASON	Y-2017	19.54	471	PP 2011-06, PARCEL 1	Nonfarm Dwelling 2017
80	44	48	1614110000801	C	MCCORKLE RANDY L & MELINDA K	Y-2015	19.46	471	PP 2011-06, PARCEL 2	Nonfarm Dwelling 2015

**EDWAR BISHARA REVOCABLE TRUST, EDWAR BISHARA,
TRUSTEE - 1614110001200: 20.00 ac
1 Mile Study DATA**

Map ID	Line No.	Own No.	MapTaxlot	PB 2-4 Area	OWNER	Dwell Y/N Yr	Taxlot Acres	Prop Class	Land Use Action-- Division	Present Use
22	45	49	1614110001000		LAMM HENRY SILAS III TRUSTEE	Y-2001	39.04	471	PP 2011-04, PARCEL 1	Nonfarm Dwelling 2001
10	46	49	1614110001001	C	LAMM HENRY SILAS III TRUSTEE	-	19.58	470	PP 2011-04, PARCEL 2	Dryland, Vacant
81	47	49	1614110001002	C	LAMM HENRY SILAS III TRUSTEE	-	19.58	470	PP 2011-04, PARCEL 3	Dryland, Vacant
78	48	50	1614110001100	J	LUNDIN BROOKE & MAX	-	10.00	400	PP 2011-05, PARCEL 1	Dryland, Vacant
76	49	51	1614110001101	J	FREEMAN CHESTER	Y-2018	10.00	401	PP 2011-05, PARCEL 2	Nonfarm Dwelling 2018
98	50	52	1614110001102	J	WILLIAMS SEAN & SANDRA	Y-2022	9.99	401	PP 2021-03	Nonfarm Dwelling 2022
79	51	53	1614110001103	J	DELMORE JAMES EC	Y-2022	9.98	401	PP 2021-03	Nonfarm Dwelling 2022
0	52	54	1614110001200	J	BISHARA EDWAR TRUSTEE - SUBJECT	-	20.00	400		Dryland, Vacant
35	53	55	1614110001300	J	SKEEN KEN C	-	5.00	400		Dryland, Vacant
36	54	56	1614110001400	J	BRITT MATTHEW RHODES	-	15.00	400		Dryland, Vacant
103	55	57	1614110001500		MATHERS STEVEN W & JANICE B TRUSTEES	-	70.40	400	PP 2023-13	Dryland, Vacant
102	56	57	1614110001501		MATHERS STEVEN W & JANICE B TRUSTEES	-	5.00	400	PP 2023-13	Dryland, Vacant
77	57	57	1614110001502		MATHERS STEVEN W & JANICE B TRUSTEES	-	5.00	400	PP 2023-13	Dryland, Vacant
11	58	58	1614110001600		HALBERSTADT NOREEN TRUSTEE	Y-2009	19.91	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2009
3	59	59	1614110001601		SEALY MICHAEL T & EKBLAD CHRISTINE L	-	19.88	470	PART PLAT YEAR & # NO PARCEL #	Dryland, Vacant
8	60	60	1614150000802		WALDRAM DAVID W & S KATHLEEN TRUSTEES	Y-2002	5.00	401	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2002
7	61	61	1614150000900		WEINSTEIN STEVEN E & TIA A	Y-1994	5.42	401		Nonfarm Dwelling 1994
40	62	62	1614150001100		ELMORE GREGORY C ET AL	-	19.57	470	PART PLAT YEAR & # NO PARCEL #	Dryland, Vacant
4	63	63	1614150001101		PRATT CHARLES & JUDITH	Y-2005	19.50	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2005
5	64	64	1614150001200		BARKER TERRY F AND BARKER KAREN T TRUSTE	Y-2007	19.48	401	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2007
25	65	65	1614150001300		GRANT RICHARD E & SALLY HOPE	Y-2005	19.55	471	PART PLAT YEAR & # NO PARCEL #	Nonfarm Dwelling 2005
39	66	66	1614150001400		US CELLULAR OPERATING CO OF MEDFORD	Y-1969	1446.27	401		Nonfarm Dwelling 1969
					Nonfarm Total Acres		1,561.23			
					# of Dwellings		39			
					SUBDIVISIONS					
94	1	67	1614110000300	J	MANSELL DONALD ERNEST & ELIZABETH YVONNE	MH-'78	9.92	401	DORIS HOWLETT SUBDIVISION	
95	2	68	1614110000301	J	KINGREY JASON & SUZIE	Y-2018	9.48	401	DORIS HOWLETT SUBDIVISION	
92	3	69	1614110000302	J	OCCUPANT	Y-2022	9.95	401	DORIS HOWLETT SUBDIVISION	
93	4	70	1614110000303	J	DEVEREUX CONNOR P & SIERRA R	Y-2018	7.81	401	DORIS HOWLETT SUBDIVISION	
6	5	71	1614150000402		WRAY TRAVIS & SHARON	-	6.81	100		
67	6	72	1614150000403		EKIN GROUP LLC	-	6.81	100		

EDWAR BISHARA REVOCABLE TRUST, EDWAR BISHARA, TRUSTEE - 1614110001200: 20.00 ac 1 Mile Study DATA										
Map	Line	Own		PB 2-4		Dwell	Taxlot	Prop		
ID	No.	No.	MapTaxlot	Area	OWNER	Y/N Yr	Acres	Class	Land Use Action-- Division	Present Use
68	7	73	1614150000404		PHELPS BERRY W III & PHELPS LISA	Y-1999	6.81	101		
15	8	74	1614150000405		LUCAS JOINT TRUST	-	6.85	100		
24	9	75	1614150000407		BALES JUDITH A & BALES MIKAELA I	Y-2001	6.81	101		
70	10	76	1614150000410		HUGHES LYNDA M	-	3.43	100		
69	11	76	1614150000412		HUGHES LYNDA M	-	3.43	100		
32	12	77	1614150000413		MCINNIS MARK	-	6.86	100		
16	13	78	1614150001500		JONES JASON P & JESSICA M	Y-2001	7.39	101	PART PLAT YEAR & # NO PARCEL #	
51	14	79	161403CD00100	B	MENDEZ EDUARDO G AND MENDEZ YOLANDA	-	9.45	400	CARRERO-COWAN	
52	15	79	161403CD00200	B	MENDEZ EDUARDO G AND MENDEZ YOLANDA	-	9.45	400	CARRERO-COWAN	
34	16	79	161403CD00300	B	MENDEZ EDUARDO G AND MENDEZ YOLANDA	-	9.45	400	CARRERO-COWAN	
60	17	79	161403CD00400	B	MENDEZ EDUARDO G AND MENDEZ YOLANDA	-	9.45	400	CARRERO-COWAN	
					Subdivision Total Acres		130.16			
					# of Dwellings	7				
					PUBLIC					
46	1	80	1614000000300		UNITED STATES	-	680.00	0		
57	2	81	1614100000100		CROOK COUNTY	-	0.74	0		
31	3	82	1614100001200		SHILOH RANCH COWBOY CHURCH	MH-'92	56.89	0		
19	4	83	1614110000400		CROOK COUNTY CEMETERY DISTRICT	-	1.71	0		
17	5	83	1614110000500		CROOK COUNTY CEMETERY DISTRICT	-	0.97	0		
73	6	80	1614110000900		UNITED STATES	-	40.00	0		
2	7	80	1614110001700		UNITED STATES	-	40.00	0		
					Public Total Acres		820.31			
					# of Dwellings	1				
					Total One Mile Effected TLs Acreage		4,687.91			
					Percentage of Farm Acreage		46.42%			
					Percentage of Nonfarm Acreage		33.30%			
					Percentage of Subdivision TLs		2.78%			
					Percentage of Public Land TLs		17.50%			
							100.00%			

[illegible]

General One Mile Study Area Notes

July 3, 2025

In an effort to describe the uses and conditions in the immediate area of the subject property, the applicant has collected information and map data on the tax lots within one mile the applicant's property. Included in this data is a map highlighting the effected one-mile tax lots and a spreadsheet listing the tax lots with basic development information including existing dwellings and the year built. Not all of Powell Butte 2-4 is in the one-mile study area, however an analysis of PB 2-4 has been included in these notes toward the end of 'Nonfarm Uses' heading. In addition, an exhibit of PB 2-4's current inventory has been included herein.

Subject Legal

Description: Township 16 South, Range 14 East of the WM. Section 11 Tax lot 1200 **20.00-acres**

One Mile TLs: Total Tax lots: **97**

Farm Tax lots: **14** (2,176.21 acres)

Nonfarm Tax lots: **66** (1,561.23 acres)

Subdivision Tax lots: **10** (130.16 acres)

Public Lands Tax lots: **7** (820.31 acres)

Surrounding

Owners: To the **north** of the Subject property is a single parcel (EFU-3) measuring 19.98 acres with a 1996 dwelling (Wisner, 1614110000600).

To the **northeast** is an improved R-10 parcel measuring 40-acres with a 2021 dwelling (Nuemueller 1614110000700). This property was rezoned from EFU-3 to R-10 in 2024 but has yet to be partitioned in 10-acre parcels.

To the **east** of the subject property is a single parcel (R-10) measuring 9.99-acres with a 2022 dwelling, (Williams 1614110000102).

To the **southeast** is a single 9.98-acre parcel with a 2022 dwelling (Delmore 1614110001103).

To the **south** are two EFU-3 parcels; one, a vacant parcel (Skeen 16141100001300, measuring 5-acres. The other is a 15.0-acre parcel (Britt) 16141100001400), also vacant.

Lastly, To the **west** and **southwest** is n EFU-3 parcel (Knight 16141100001300) measuring 39.23-acres with a 1998 dwelling.

Note: The EFU-3 parcels to the north and south of the applicant's property have not been rezoned but are potentially eligible for re-zoning under the provisions of the Powell Butte Study and Settlement (Powell Butte 2-4 Area). None of the adjacent parcels are irrigated and none are located within the boundaries of the Central Oregon Irrigation District.

Farm Uses in

General

Area: An irrigated half/pivot field is located one-quarter mile west of the subject property. Another full/pivot field is three-quarters miles to the north. Of the fourteen tax lots

identified as farm, six have irrigated fields. Majority of the ground on the remaining eight farm tax lots are hilly/sloped due to the locations on the buttes; they have juniper trees and a heavy cover of sagebrush. The largest farm tax lot (1614000000100) has an aggregate pit on site.

Six farm tax lots have dwellings built between 1970 to 2010

Approximately 46% of the land in the One-Mile Study area is classified as farm use.

No farm operations exist adjacent to the subject property.

The Crook County Court determined, and DLCD acknowledged, that the Powell Butte 2-4 Area consists of non-resource parcels that qualified under an irrevocably committed exception. This Powell Butte agreement has determined that the subject parcel is not suitable for farming and is eligible for rezoning from EFU-3 to R-10.

Nonfarm Uses in the General

Area: A total of 90 nonfarm tax lots exist in the One-Mile Study area. The nonfarm tax lots consist of:

- 17 tax lots with property classifications as residential improved or subdivision. Seven have dwellings built from 1978 to 2022
- 66 tax lots are classified as nonfarm. Thirty-nine have dwellings built between 1969 to 2022
- The remaining 7 tax lots are identified as public land/tax exempt. One of those tax lots contains a manufactured home (Shiloh Ranch Cowboy Church).

Approximately 54% of the area in the One-Mile Study area is classified as nonfarm/non-resource land.

Currently there are 41 parcels in PB 2-4 area. Twenty-six of those parcels have dwellings. Under the rezoning option fifteen additional parcels may be created: nine 10-acre parcels in area 'J' and six 20-acre parcels in area 'B'.

Conclusion: The Applicant requests a Zone Map Amendment (ZMA) changing the property from EFU-3 to R-10 zoning based upon the irrevocably committed exception adopted on December 2, 1998 and the supporting documentation included herein.

Thank you for your consideration



Craig Kilpatrick, Agent
Land Use Consultant

Dated: July 3, 2025

EXHIBIT B - PROPOSED SITE PLAN: SEPTIC EVALUATION



Note: This information is prepared for reference purposes only and should not be used, and is not intended for, survey or engineering purposes. The data is the interpretation of Kilpatrick Designs and does not represent any legal opinion.



BRUCE NEIDERT ET AL

T13S, R17E, Tax Lot 500 - 116.37 ac.

**Located in the Mill Creek valley
Crook County, Oregon**

7/3/2025



RECORDING COVER SHEET

Any errors in this cover sheet DO NOT affect the transactions(s) contained in the instrument itself.

STATE OF OREGON } ss 2009102
COUNTY OF CROOK }

I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 16th DAY OF
December, 20 09 AT 4:20 P. M.

AND RECORDED IN CJRN

RECORDS OF SAID COUNTY MF NO. 2009-102

DEANNA E. BERMAN, CROOK COUNTY CLERK
BY Deanna E. Berman DEPUTY

N/C

AFTER RECORDING RETURN TO:

CLERK'S VAULT



NAME OF TRANSACTION

Ordinance 219

**An Ordinance of the Crook County Court
amending the Crook County Zoning Map to
rezone 223.6 acres from Exclusive Farm Use
EFU-3 to Rural Residential R-10 and PBR 20**

GRANTOR: CROOK COUNTY

IN THE COUNTY COURT OF THE STATE OF OREGON
FOR THE COUNTY OF CROOK

AN ORDINANCE OF THE CROOK
COUNTY COURT AMENDING THE
CROOK COUNTY ZONING MAP TO
REZONE 223.6 ACRES FROM
EXCLUSIVE FARM USE EFU-3 TO
RURAL RESIDENTIAL R-10 AND PBR
20.

Ordinance No. 219

WHEREAS, the Crook County Planning Commission has recommended that the Crook County Zoning Map be amended to rezone the subject properties from Exclusive Farm Use EFU-3 to Rural Residential R-10 and from EFU-3 to PBR-10 as follows

T16S, R14E, Sec (02) Index, Tax Lot 602	18.95 acres	PBR-20
T16S, R14E, Sec (02) Index, Tax Lot 604	48.62 acres	PBR-20
T16S, R14E, Sec. 11, Tax Lot 800	39.0 acres	PBR-20
T16S, R14E, Sec. 11, Tax Lot 1000 western portion, 39.1 acres		PBR-20
T16S, R14E, Sec. 11, Tax Lot 300	37.92 acres	R-10
T16S, R14E, Sec. 11, Tax Lot 1100	40.0 acres	R-10

WHEREAS, the zoning map amendment is authorized by Title 18 Chapter 18.168 and the Comprehensive Plan of Crook County;

NOW, THEREFORE, this 16th day of Dec 2009, the Crook County Court ordains as follows:

SECTION ONE. *Amendment.* Ordinance 18 is amended by changing the zoning for

T16S, R14E, Sec (02) Index, Tax Lot 602

Parcel 2 of Partition Plat No. 2004-14, Recorded June 16, 2004 in Partitions MF No. 191169, Records of Crook County, Oregon, Located in a portion of the SW1/4 of Section 2, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

to PBR-20

T16S, R14E, Sec (02) Index, Tax Lot 604

Parcel 1 of Partition Plat No. 2004-14, Recorded June 16, 2004 in Partitions MF No. 191169, Records of Crook County, Oregon, Located in a portion of the SW1/4 of Section 2, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

to PBR-20

T16S, R14E, Sec. 11, Tax Lot 800

A portion of Parcel Three (3) of Partition Plat No. 1996-47, Recorded October 16, 1996 in Partitions MF No. 130359, Records of Crook County, Oregon, more particularly described as follows: The Southwest one-quarter of the Northeast one-quarter (SW1/4NE1/4) of Section 2, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

to PBR-20

T16S, R14E, Sec. 11, the western portion of Tax Lot 1000, more particularly described as follows:

In Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon: Section 11: The Northwest quarter of the Southeast quarter

to PBR-20

T16S, R14E, Sec. 11, Tax Lot 300

In Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon:

Section 11: The Northwest quarter of the Northwest quarter, EXCEPTING THEREFROM a tract of land 208 feet square located in the Southwest corner thereof heretofore deeded to the Trustees of Powell Butte Cemetery Association by deed recorded in Book 47 of Deeds at page 243, Records of Crook County, Oregon.

ALSO EXCEPTING THEREFROM The West 30 feet of the Northwest quarter of the Northwest quarter as deeded to Crook County Cemetery Improvement District by deed recorded April 9, 1986, Microfilm No. 79071, Records of Crook County, Oregon.

ALSO EXCEPTING THEREFROM A tract of land located in the Northwest quarter of the Northwest quarter of Section 2, Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon, more particularly described as follows:

Commencing at the Southwest corner of said NW1/4NW1/4, thence North 0°57'20" East along the West line of said Section 2 a distance of 208 feet to a point being the NW corner of that tract of land deeded to the Crook County Cemetery District by deed recorded in Deed Book 90 on page 223, Records of Crook County, Oregon; thence South 86°18'33" East along the North line of said cemetery tract a distance of 3003 feet to the True Point of Beginning of this legal description; thence South 86°18'33" East along the North Line of said cemetery tract a distance of 1797 feet to the NE corner of said cemetery tract; thence North 0°57'20" East a distance of 208 feet; thence North 86°18'33" West a distance of 177.97 feet; thence South 0°57'20" West a distance of 208 feet to the True Point of Beginning, by deed recorded April 9, 1986, Microfilm No. 79072, Records of Crook County, Oregon

to R10

T16S, R14E, Sec. 11, Tax Lot 1100 40.0 acres

In Township 16 South, Range 14 East of the Willamette Meridian, Crook County, Oregon.

Section 11: The Northeast quarter of the Southwest quarter.

to R10

SECTION TWO. *Findings.* The Crook County Court adopts the findings attached herein as its findings in support of its Decision.

/////

/////

/////

/////


SECTION THREE. *Emergency.* This Ordinance being necessary for the health, welfare and safety of the people of Crook County, an emergency is hereby declared to exist and this Ordinance shall become effective upon signing.

First Reading 12-3, 2009

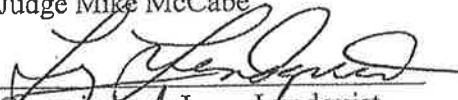
Second Reading 12-14, 2009

Dated this 16th day of Dec, 2009.

CROOK COUNTY COURT



Judge Mike McCabe

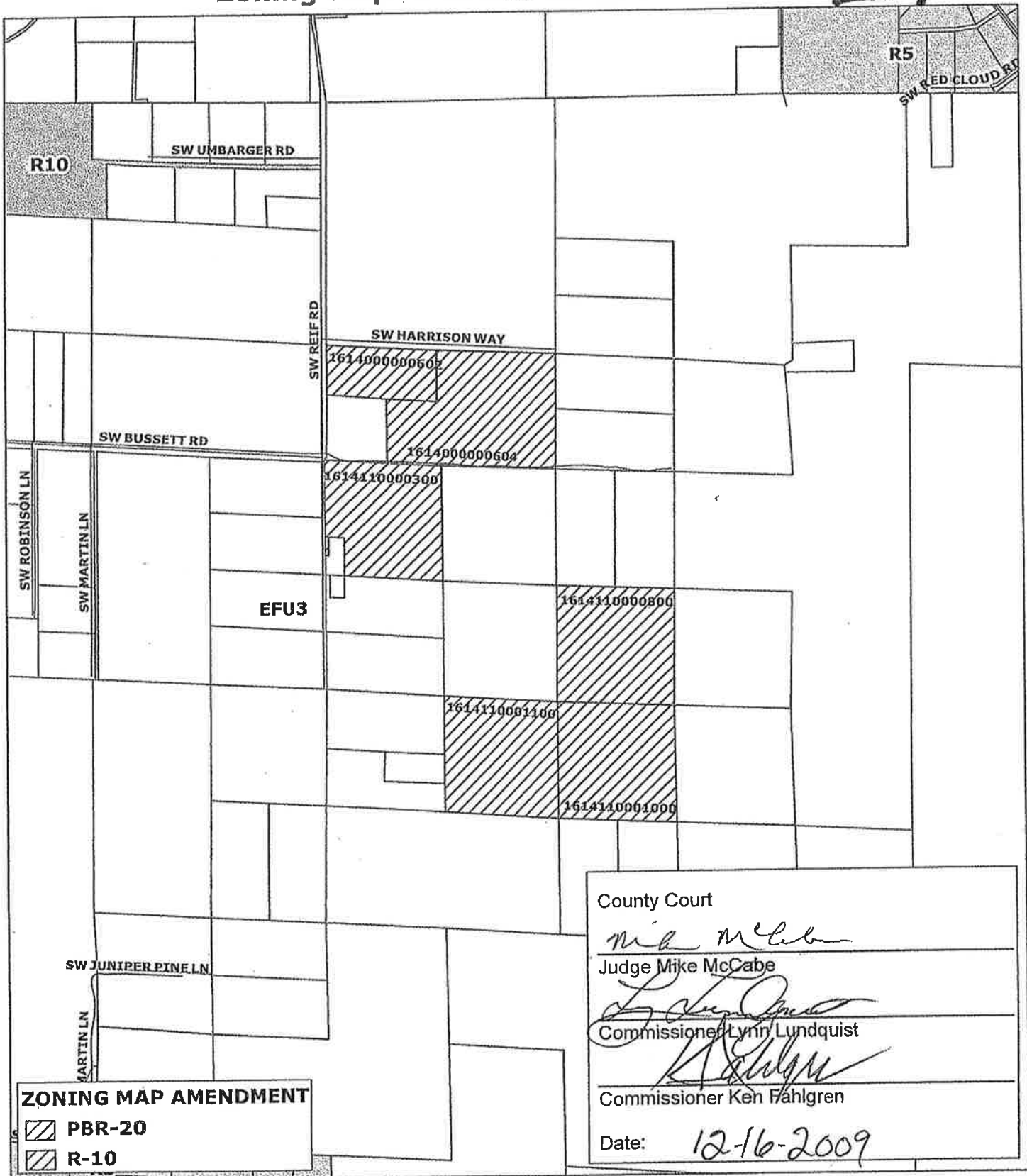


Commissioner Lynn Lundquist



Commissioner Ken Fahlgren

Zoning Map Amendment-Ordinance No. 219

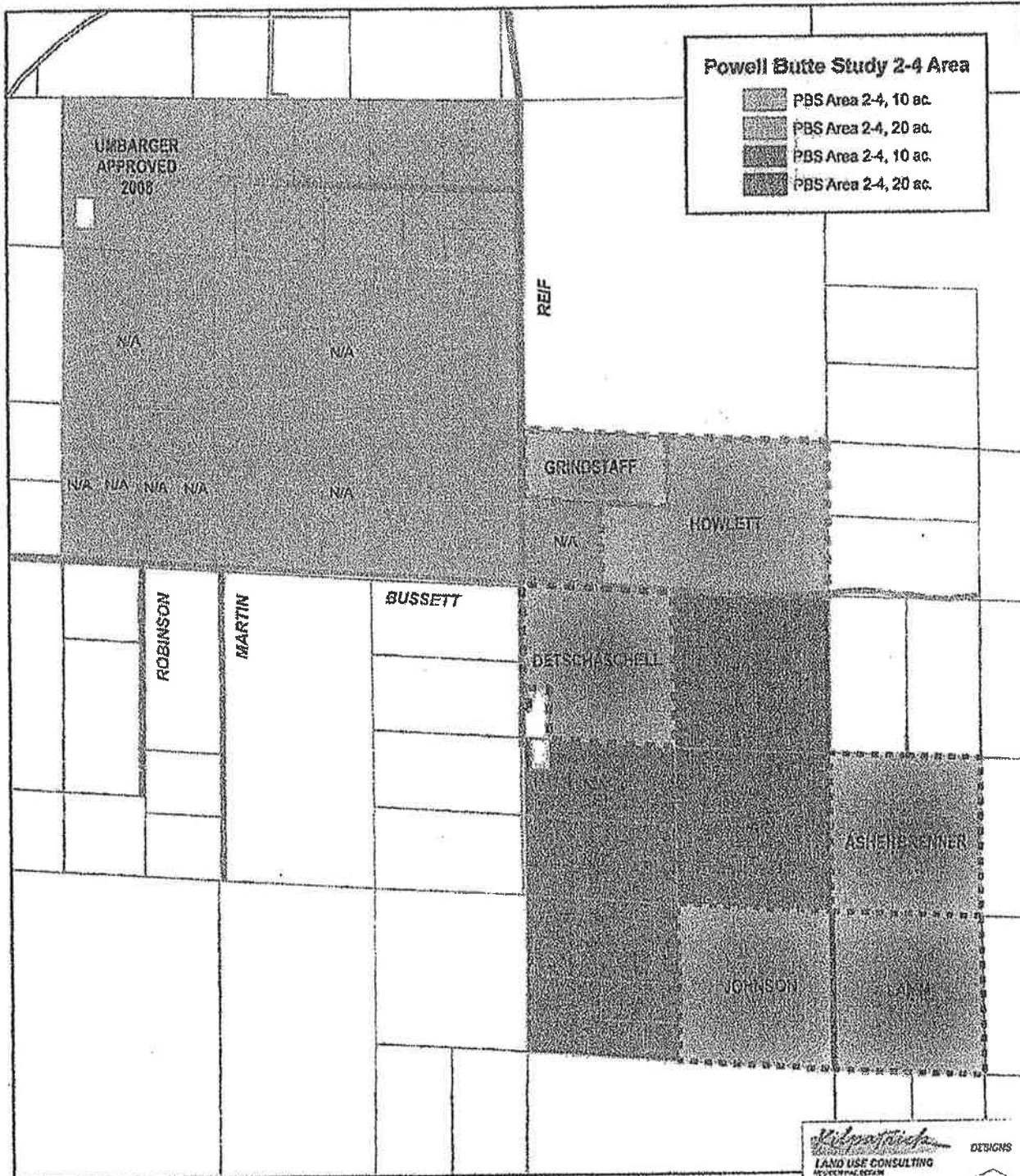


Disclaimer: CROOK COUNTY MAKES NO WARRANTY OF ANY KIND, EXPRESSED OR IMPLIED, INCLUDING ANY WARRANTY OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, OR ANY OTHER MATTER. THE COUNTY IS NOT RESPONSIBLE FOR POSSIBLE ERRORS, OMISSIONS, MISUSE, OR MISINTERPRETATION. COUNTY DIGITAL INFORMATION IS PREPARED 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 HARD COPY 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.

Exhibit C - Powell Butte Study Area 2-4

■ Approved

■ ■ ■ Proposed



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



**Crook County
Planning Department**

300 NE 3rd Street, Prineville, OR 97754
(541)447-8156
Fax (541)416-3905
www.co.crook.or.us

RECOMMENDATION TO COUNTY COURT

DATE: June 3, 2009

APPLICATION NO.: AM-09-0018

APPLICANTS/PROPERTY OWNERS: (Bussett - Reif Road Neighbors)

Doris Howlett
PO Box 339
Angwin, CA 94203

Nancy (Howlett) Hoyt
PO Box 339
Angwin, CA 94203

Donnie Howlett
14180 SW Bussett Rd.
Powell Butte, OR 97753

Chris Howlett
14180 SW Bussett Rd.
Powell Butte, OR 97753

Jenny Detschashell
545 Harbin Lane
Reno, NV 89509

Silas & Gail Lamm
19155 Kapteyns St.
West Linn, OR 97068

Marlene Kull
David Johnson
PO Box 1850
Fairview, OR 97024

Eric & Lavonna Ashenbrenner
15025 SW Hillsboro
Hillsboro, OR 97123

David Grindstaff
10500 SW Reif Rd.
Powell Butte, OR 97754

AGENT: Craig Kilpatrick
13790 NW O'Neil Hwy.
Redmond, OR 97756

PROPERTY LOCATION: - Parcel Sizes:


David Grindstaff	T16S, R14E, Sec (02) Index, Tax Lot 602	18.95 acres,
Doris Howlett	T16S, R14E, Sec (02) Index, Tax Lot 604	48.62 acres
Jenny Detschashell	T16S, R14E, Sec. 11, Tax Lot 300	37.92 acres
Donnie Howlett	" " " " "	" "
Nancy Hoyt	" " " " "	" "
Chris Howlett	" " " " "	" "
Silas & Gail Lamm	T16S, R14E, Sec. 11, Tax Lot 1000	78.21 acres
David Johnson	T16S, R14E, Sec. 11, Tax Lot 1100	40.0 acres
Marlene Kull	" " " " "	" "
Eric Ashenbrenner	T16S, R14E, Sec. 11, Tax Lot 800	39.0 acres
	Total acreage:	262.7 acres
	Acreage to be rezoned:	244.5 acres

PROPOSAL: Recommendation to the County Court on a Zone Map Amendment to rezone 244.5 acres from Exclusive Farm Use, EFU-3, Powell Butte Area to Rural Residential, R-10 (10 acres minimum) and Powell Butte Rural Residential, PBR-20 (20 acres minimum) based upon the non-resource exception designation determined under the adopted Powell Butte Study.

RECOMMENDATION: The Commission hereby recommends by a 4-0 vote that the proposed zoning change be approved. The above recommendation is based on the applicable legal criteria, applicants' burden of proof, applicants' findings, and Commission findings and conclusions.

Dated this 10th day of June, 2009


W. R. Gowen,
COMMISSION CHAIRMAN


Bill Zelenka,
PLANNING DIRECTOR

PROPERTY LOCATION

Within a non-resource area that was approved by Crook County and DLCD by Ordinance 127, as amended and adopted July 26, 2000, as Powell Butte Study Area 2-4. Acreage to be rezoned: **244.5 acres**

LEGAL CRITERIA

ZONING: The properties are presently zoned Exclusive Farm Use EFU-3. The property is proposed to be rezoned to Rural Residential, R-10 and Powell Butte Rural Residential Zone, PBR-20.

1. **Title 18, Chapter 18.24** of the Crook County Code sets forth requirements for this zone.
2. **Title 18, Chapter 18.92** sets forth requirements for the R-10 zone.
3. **Title 18, Chapter 18.108** sets forth requirements for the PBR-20 zone.
4. **Title 18, Chapter 18.168** contains requirements for amendments to Title 18.

BURDEN OF PROOF: The applicant has submitted findings indicating that the requested zone change is consistent with the purpose of the Rural Residential zone R-10, as stated in Section 18.92.005 and the Powell Butte Rural Residential zone, PBR-20, as stated in Section 18.108.005, of the Crook County Code.

COMPREHENSIVE PLAN:

1. **Pages 40-47** of the Crook County-Prineville Area Comprehensive Plan contain policies for agricultural areas of the County.
2. **Chapter II** of the Comprehensive Plan deals with the demographic profile and population predictions for the County.
3. **Pages 195-196** of the Comprehensive Plan set forth policies for Review and Revision.

POWELL BUTTE STUDY: Crook County has adopted nine policies relating to the **Powell Butte Study of Area 2-4**, which constitute a part of the **Comprehensive Plan**. These policies supplement and amend the Powell Butte Study to the extent that the Study is inconsistent with the Comprehensive Plan and the Powell Butte Agreement.

These policies are summarized as follows:

1. Rural residential and non-resource development in Powell Butte is to occur south of Highway 126 and generally north of the Powell Buttes, west of Stillman Road, and east of Study Area 2-2.
2. The County will not initiate additional exceptions or nonresource designations in the Powell Butte Study Area until the next periodic review.
3. The lands north of Highway 126 are to be retained in Exclusive Farm Use zoning.
4. The County is to adopt a new rural residential zoning district for Area 2-4, which is consistent with the (County Code).
5. A 250 foot setback from EFU land is to be required in Area 2-4.
6. All new rural residential development in the Powell Butte area is to pay Systems Development Charges (SDC). **Note: The County has not adopted**

SDC's at this time.

7. The County is to comply with the Transportation Planning Rule in adopting zoning ordinances.
8. Developers are to be required to submit covenants of nonremonstrance to area farm operations.
9. Zoning and Land Development ordinances are to be developed using the Gannet Study (Groundwater Availability in the Powell Buttes Area, Central Oregon Groundwater Report No. 32) recommendations on accessibility of groundwater, and access to the regional water table, or use of water from a district or public utility, is to be required.

OREGON STATEWIDE PLANNING GOALS:

1. **ORS 197.175(2)** requires that:

2) Pursuant to ORS Chapters 195, 196 and 197, each city and county in this state shall:

(a) Prepare, adopt amend and revise comprehensive plans in compliance with [Statewide Planning] goals approved by the commission;

The Statewide Planning Goals were applied when the Powell Butte Study and commensurate non-resource designation were adopted. The following goals were addressed in the Study and applicable at the time of approval.

A Summary of Relevant Oregon's Statewide Planning Goals (As provided by DLCD)

Oregon's Land Use Program includes nineteen statewide planning goals. Cities and counties must adopt comprehensive plans and ordinances which are consistent with these goals. Following is a summary of the relevant statewide planning goals.

1. Citizen Involvement

Goal 1 calls for "the opportunity for citizens to be involved in all phases of the planning process." It requires each city and county to have a citizen involvement program with six components specified in the goal. It also requires local governments to have a committee for citizen involvement (CCI) to monitor and encourage public participation in planning.

2. Land Use Planning

Goal 2 outlines the basic procedures of Oregon's statewide planning program. It says that land-use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information," that local plans and ordinances be coordinated with those of other jurisdictions and agencies, and that plans be reviewed periodically and amended as needed. Goal 2 also contains

standards for taking exceptions to statewide goals. An exception may be taken when a statewide goal cannot or should not be applied to a particular area or situation.

3. Agricultural Lands

Goal 3 defines "agricultural lands." It then requires counties to inventory such lands and to "preserve and maintain" them through exclusive farm use (EFU) zoning (per ORS Chapter 215).

6. Air, Water and Land Resources Quality

This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution.

7. Areas Subject to Natural Disasters and Hazards

Goal 7 deals with development in places subject to natural hazards such as floods or landslides. It requires that jurisdictions apply "appropriate safeguards" (floodplain zoning, for example) when planning for development there.

9. Economy of the State

Goal 9 calls for diversification and improvement of the economy. It asks communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

10. Housing

This goal specifies that each city must plan for and accommodate needed housing types (typically, multifamily and manufactured housing). It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

11. Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

12. Transportation

The goal aims to provide "a safe, convenient and economic transportation system." It asks for communities to address the needs of the "transportation disadvantaged."

13. Energy

Goal 13 declares that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

The applicants have submitted findings explaining how the proposal is consistent with each of the above goals. They state their position that Goal 3 Agricultural Lands is not relevant because the subject properties have been found to be non-agricultural lands.

OREGON ADMINISTRATIVE RULES:

Oregon Administrative Rules apply as follows:

1. **OAR 660-018** contains requirements for amendments.
2. **OAR 660-033** contains requirements for agricultural lands.

BACKGROUND

The subject properties are generally located east and west of Reif Road near the intersection of Bussett Road, See Attached Map.

The subject properties are presently zoned Exclusive Farm Use, EFU-3, Powell Butte Area. All are presently designated as non-farm properties. The properties are designated Agricultural in the Crook County Comprehensive Plan.

The applicant's request a zone map change for their non-resource, non-agricultural properties from Exclusive Farm Use, EFU-3 Powell Butte Area, to Rural Residential Zone, R-10, and Powell Butte Rural Residential Zone, PBR-20.

There are six parcels that are included in this proposal. All of the subject properties were identified in the Powell Butte Study and in Crook County Ordinance 127, Amendment #1 (Area 2-4) as non-resource land and eligible for this zone change. They are not in farm deferral, do not have a history of farm use, are not suitable for farm use, water rights are not available to any of these properties. All of the subject properties are presently non-farm parcels.

Surrounding Land Uses: Two of the subject properties adjoin East Bussett Road. The parcel to the south of East Bussett belongs the Howlett Family; we will henceforth refer to this 38.0 acre parcel as Howlett Jr. To the north of Howlett Jr. across East Bussett Road is an 8.8 acre non-farm parcel (Zimmerlee) and also the other Howlett property belonging to Doris Howlett, measuring 46.82 acres, we will henceforth refer to it as Howlett Sr. To the north of the Howlett Sr. property on the north side of Harrison Way is a 170.88 acre farm parcel (Harrison). The Harrison pivot is well buffered from potential non-farm dwellings. The Grindstaff property is to the west of Howlett Sr. and south of Harrison. Reif Road borders the Grindstaff property to the west and provides access to the Grindstaff parcel. There are two 80 acre parcels to the west across Reif Road from the Grindstaff property. The owners of those parcels declined participation in this effort.

To the northeast and east of the Howlett Sr. parcel are three 20 acre non-farm parcels with approved conditional use permits, CUPs, for non-farm dwellings (Johnson, Johnson, Southworth). To the south of the Howlett Jr. Property is an 18.95 acre non-farm parcel with a dwelling (Lester) and the Powell Butte Cemetery. To the west of Howlett Jr., across Reif Road are a number of 20 acre non-farm parcels.

Three of the subject parcels are south of East Bussett Road and are at least ¼ mile to the east of Reif Road. To the north of the Ashenbrenner property (Tax Lot 800) are two 19+ acre non-farm parcels with dwellings (Davis and Dalton). Neither is eligible for rezoning. To the east is a federally owned vacant 40 acre parcel. To the south of the Ashenbrenner property is the Lamm parcel measuring 78.21 acres. The western portion (40 acres) of the Lamm property is eligible for re-zoning. The eastern part of the Lamm property (with dwelling) will remain intact as approximately 40 acres. To the east of Lamm is a 642 acre dry property (Richter) that is totally unaffected by the re-zoning. The Richter property has access to the north and is not part of the 2-4 area.

To the south of the Lamm parcel is another federally owned 40 acres. On the west side of Lamm is the Johnson-Kull 40 acres which are also included in this application. To the south of the Johnson-Kull parcel is an 80 acre non-farm parcel

(Mathers). To the west of Johnson-Kull property are three non-farm parcels (Woods, 15 acres, Skeen, 5 acres, and Imes, 20 acres). On the north side of Johnson-Kull and west of Ashenbrenner is a vacant 40 acres (Steinmetz). Mr. Steinmetz is eligible for re-zoning, but is not participating in this application.

Bishara- -Powell Butte Study Area 2-4 Zone Map Amendment

July 3, 2025

1) Table of Contents	Y
2a) CC Land Use Application – Map Amendment	Y
2b) Agent Signature	Y
3) Owner Letter of Authorization, signed	Y
4) Applicant’s Summary Response	Y
5) Crook County Property Summary	Y
6) Applicant’s Burden of Proof Statement	Y
7) Tax Lot Card (1) 1614110001200	Y
8) Warranty Deed MF # 2023-324976	Y
9) Complete Powell Butte Study Documents	Y
10) Ordinance 127 Amendment and Amendment 1	Y
11) Vicinity Map	Y
12) Map Exhibit A Assessors Map	Y
13a) Map Exhibit B-1 Existing Property w Dimensions	Y
13b) Map Exhibit B-2 Existing Property w 2022 Aerial	Y
14) Map Exhibit C – Powell Butte Study 2-4 with Adjacent Owners	Y
15) Map Exhibit D – 1 Mile Study Area – PB 2-4 Zone Map Amendment	Y
16) 1 Mile Study Area Data Sheets (5)	Y
17) General One Mile Study Area Notes July 3, 2025	Y
Reference:	
18) Ordinance 219, As an example	Y