

JASON & RACHEL JOHNSON

1821 Sand Hollow Rd Vale Oregon 97918
541-212-6492

Malheur County Planning and Zoning Department
Conditional Use Permit Application
251 B Street West, Suite #12 Vale Oregon

TO WHOM IT MAY CONCERN,

- We are submitting this application intending to partition off 2 pieces of ground from our total acreage located at 1821 Sand Hollow Rd. The ground is barren hillside with mostly native grass and some sage brush, and is not useful for farming.
- Our plot map shows the requested acres we are submitting to partition off.
- We own (2) 320 acre sections right beside the 17 acre piece where we have our feedlot and run our cows. We would greatly benefit from living close to our feedlot, having the ability to literally manage our ground right beside our business.

Thank you for your consideration,
Jason & Rachel Johnson

MALHEUR COUNTY PLANNING DEPARTMENT

CONDITIONAL USE PERMIT APPLICATION

For Non-Farm Dwelling
In the EFU, ERU or EFFU Zones

A conditional use is an activity which is basically similar to the uses permitted in a zone but which may not be entirely compatible with the permitted uses. An application for a non-farm dwelling requires review to ensure that the proposed dwelling complies with non-resource dwelling criteria and may be made compatible with the permitted uses in the zone or other adjacent permitted uses which may be adversely affected.

1. APPLICANT:

Name: Jason & Rachel Johnson Phone: (541) 212-1587 (541) 212-6492
Address: 1821 Sand Hollow Rd City: Vale State: OR Zip: 97918

DEED HOLDER OF THE SUBJECT PROPERTY:

Name: Jason & Rachel Johnson Phone: _____
Address: Same as above City: _____ State: _____ Zip: _____

CONTRACT PURCHASER OR LESSEE OF THE SUBJECT PROPERTY:

Name: N/A Phone: _____
Address: _____ City: _____ State: _____ Zip: _____

2. SPECIFIC DIRECTIONS TO SUBJECT PROPERTY:

Drive south on Airport Rd until "T" with Sand Hollow, cross over
Sand Hollow onto driveway, go clear to top of the hill.

3. SPECIFIC DESCRIPTION OF PROPERTY:

T 19 R 45 Sec(s). 13

ASSESSOR'S MAP NO.(S) 19545E 0001

TAX LOT NO.(S): 1400

COMPUTER REFERENCE NO.(S): 14516

SIZE OF PARENT PARCEL: 332.62

4. GENERAL DESCRIPTION OF PROPERTY:

Current Use: C-A2 - Exclusive Range Use

Topography: Bare hillside, no water sources

Does it front as a public road? ☒ Yes ☐ No

Name of road: Sandhollow Road

● Attach a letter from the appropriate road district or State Highway Division

Does it front a private road? ☐ Yes ☒ No

Name of road: Sand Hollow Road

What buildings are on the property? 40 x 40 Shop

Does the property have water rights attached to it? ☐ Yes ☒ No

● Attach a letter from the appropriate irrigation district addressing water rights

Means of water supply: Intending to use existing well

Means of sewage disposal: construction of new sewer system

Is the parcel located within a rural fire protection district? ☒ Yes ☐ No

● Attach a letter from the appropriate fire protection district regarding the availability of fire protection for the parcel

What other improvements are on the property? Perimeter Fence - 4 strand wire fence, one cross fence and the shop

5. Cite the section in the land use and development ordinance under which you are applying for a conditional use permit:

6-6-8-2

6-6-8-1

6. **GENERAL DESCRIPTION OF ADJOINING PROPERTY:**

Identify any buildings or structures on the adjacent property and give their approximate distance from your property lines:

One adjacent property has a home approx. 200 yards from our property line as well as a barn/hay shed structure. The other property adjacent has a home that is maybe 1/2 mile away

Identify the current uses of adjacent property:

There are two different home sites on two different properties adjacent to this one. Most of the ground is used for cattle grazing. There are some row crops across Sandhollow Road

7. **PROVIDE PLOT PLAN (See attached example)**

NON-FARM DWELLING CRITERIA

8. **Effect on nearby resource lands standard:** The dwelling or activities associated with the dwelling will not force a significant change in, or significantly increase the cost of accepted farming or forest practices on nearby lands devoted to farm use:

- a. **Describe farm practices (not just the use) on surrounding lands devoted to farm or forest use:**

There is flood irrigated row crop ground across Sandhollow Rd that the dwelling will have no effect on. Grazing on adjacent properties will also feel no impact. The grazing on the actual home site

- b. **Explain why the proposed use (non-farm dwelling) will not force a significant change in those practices:**

The proposed dwelling is away from any water delivery system for the farm ground. The grazing at the home site will obviously be changed but only on the ground of the home site

c. A lot or parcel, or portion of a lot or parcel, being unsuitable for one farm use does not mean it is unsuitable for all farm uses. Explain how the proposed site for the dwelling is unsuitable for all farm uses:

The site is on a hill top that has no water right. There is a small amount of native grass that can be used for grazing but the existing shop and home site cover a small portion of the ground. The ground affected would maybe feed one cow for a few days.

9. **The “materially alter the stability” standard:** The dwelling and/or partition will not materially alter the overall stability of the overall land use pattern of the area.

Explanation: Generally, the intent of the “materially alter” standard is to consider the cumulative impact of possible now non-farm dwellings and parcel, and new non-farm dwellings on existing lots and parcels in the area, and, if the application involves the creation of a new parcel for a non-farm dwelling, to also consider whether or not creation of the new parcel will lead to the creation of other non-farm parcels to the detriment of agricultural practices in the area.

- a. Identify and attach a map of the study area that includes at least 2,000 acres. Lands zoned for rural residential or other urban or non-farm use may not be included in the study area.

If a study area of less than 2,000 acres is selected, attach findings of fact supported by substantial evidence, explaining why the selected area is representative of the land use pattern surrounding the subject parcel and why it is adequate to conduct the required “cumulative impact analysis”.

- b. List the broad types of farm uses (i.e. irrigated or non-irrigated crops, pasture, range, etc.) within the study area.

Both irrigated + non-irrigated crops, some pasture, and range ground over roughly 1/4 of the area and the remaining area is range ground.

- c. List the number of existing dwellings within the study area. (Mark location of existing dwellings on the study area map)

Primary Farm Dwellings 8 Accessory Farm Dwellings 1

Non-Farm Dwellings: 5 Hardship Dwellings: 1

d. List the number of potential dwellings within the study area:

1. Potential Farm Dwellings 5
2. Potential Non-Farm Dwellings 4
3. Potential "Lot of Record" Dwellings 1

10. On those parcels where you conclude no potential dwelling(s) will be sited, describe why?

I do not see any parcels falling under this category. Each of the parcels that do not have a dwelling on it presently can either add one based on the farm acreage or it is zoned non-farm therefore it has the potential for a dwelling.

11. Describe what the study area looks like now and what the study area will look like if all potential development occurs.

Study area presently includes $\frac{1}{4}$ ground that includes some irrigated and non-irrigated land, some pasture and a small amt. of range ground and after the proposed development occurs it will only affect property that could not be farmed and improve the overall property value of the whole area. The remaining $\frac{3}{4}$ acres are mostly range ground, and will not be impacted in any way.

12. Does the approval of potential non-farm and "lot of record" dwellings, together with existing non-farm dwellings within the study area, materially alter the stability of the overall land use pattern of the area? The stability of the land use pattern will be materially altered if the cumulative effect of the existing and potential non-farm dwellings will make it more difficult for the existing farms in the area to continue operation due to diminished opportunities to expand, the diminished opportunity to purchase or lease farmland such that the area will be destabilized and diminished opportunity to acquire water rights.

The proposed plan will not negatively effect the overall potential of expanded farming ground as it is located on a barren hillside and in turn will make a positive impact for the area using this property in a useful manner.

13. Describe dwelling development trends in the study area since 1993:

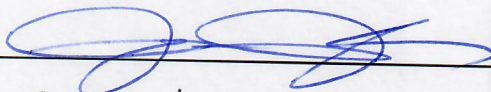
Since 1993 there has been a very small amt. of development in this area. The 3 structures that I found were built in 2002 (a home) 2009 (a shop), 2010 (a home).

FEE: A non-refundable fee, as specified in the most recent "Malheur County Code, Section 1-6-5, must accompany this application. Make all checks payable to the Malheur County Planning Department.

I (We), Jason and Rachel Johnson
(print name in full)

am (are) the applicant(s) and hereby certify that the statements and information contained herein are, in all respects, true, complete and correct to the best of my (our) knowledge and belief.

Signed:


Rachel Johnson

PROPERTY OWNER OR AUTHORIZED AGENT MUST ALSO SIGN:

Property Owner

Date: 4/20/19

PLOT PLAN

JASON + RACHEL JOHNSON

1821 Sand Hollow Rd

Vale OR 97918

