

October 22, 2019

Eric Evans, Director
Malheur County Planning Department
251 B Street West
Vale, OR 97918

Dear Director Evans and Planning Commission:

Please find the attached applicable forms and support documentation, in accordance with County requirements, requesting approval of a Conditional Use Permit for a private campground located at 1880 Owyhee Lake Road, Nyssa, OR.

The subject property is our principal residence. We are the owners and managers of Owyhee River Ranch LLC at the above address and seek the commission's approval to create up to 20 tent sites and construct up to six (6) environmentally-suitable yurt structures, to be placed on wooden platforms. Composting toilets and sink/showers, using water from our private well as supply and without any discharge into our septic system or otherwise, will also be available for yurt guests.

We will operate with the utmost consideration for the health and preservation of the beautiful canyonlands and the area's protected plant and animal life. Our operating policies and procedures with guests and collateral will be inclusive of information and materials which aim to educate visitors and foster thoughtful conduct and respect for the surroundings.

In its entirety, the campground will consist of one (1) existing RV (recreational vehicle) pad, 20 tent sites, and no more than six (6) environmentally-suitable yurts. The 40-acre property, which also has our home with attached bunk house, garage with office, and barn, will primarily be used for the farming and processing of lavender and other similar plants.

Our mission is to provide products and services which are conducive to the area, preserving the beauty of the canyon and its wildlife, while thoughtfully sharing it with visitors who appreciate nature. We have already partnered with local government and fishing organizations, allowing the use of our facilities for river sign posting and will continue collaborative efforts, such as the upcoming spawning survey planned for November and December.

We look forward to being active contributors to the Eastern Oregon community. Thank you very much for your consideration.

Sincerely,
Chris Burke and Lori Okami
Owyhee River Ranch LLC
1880 Owyhee Lake Rd
Nyssa, OR 97913



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

LAND USE APPLICATION COVERPAGE

Date Received: _____ Planner Initials: _____ Date Complete: _____ Planner Initials: _____

APPLICANT INFORMATION

Name: Owyhee River Ranch
Address: 1880 Owyhee Lake Rd
City/State/Zip: Nyssa, OR 97913
Phone: 541-293-8003
Email: owyheeriverranch@gmail.com

OWNER INFORMATION

Name: Chris Burke & Lori Okami
Address: (same)
City/State/Zip: _____
Phone: _____
Email: _____

PROPERTY INFORMATION

Township/Range/Section/Tax Lot(s)	Acct #	Acres	Zoning
<u>21 / 45 / 35 / 102</u>	<u>10282</u>	<u>40</u>	<u>C-A2</u>

Property address (or location): 1880 Owyhee Lake Road
Zoning Designation: C-A2
Proposed Use: private campground Permitted Subject to Section: MCC 6-68-7
Water source: private well Sewage disposal method: composting toilet
Are there wetlands/waterways on your property? NO YES (description) Owyhee River
Name of road providing access: Owyhee Lake Road
Current use of property: C-A2 Use of surrounding properties: C-A2 / BLM
Do you own neighboring property? NO YES (description) _____

DETAILED PROJECT DESCRIPTION (proposed use, structures, dimensions, etc.): Construct no more than six (6) environmentally suitable 20-foot yurt structures to be placed on wooden platforms, Composting toilets and sink/showers, using water from our private well as supply and without any discharge, will be available for yurt guests. Additional description/maps/pictures attached

_____ Date Filed: _____
Current owner: CLUB Date Filed: 8-28-19

The deed(s) for the property described in the deed(s) must accompany this application.

Applicant: CLUB, member Date: _____

CLUB, member Date: 10/22/19

_____ Date: _____

CLUB Date: 10/22/19

CLUB Date: 10/22/19

When your application will be processed, you must supply all requested information and forms, and pursuant to ORS 215.42B, this office will review the application for compliance with applicable codes within 30 days of submission. By signing this form, the property owner grants the Planning Staff permission to conduct site inspections on the property.

ALL APPLICATIONS MUST INCLUDE:

- Application Fee (Cash or Check, (credit cards now accepted with additional fee))
- _____
- _____
- _____
- _____

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

<p>Legal Parcel Deed/Land Use Action: _____</p>	<p><input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</p>
<p>Previous Map and Tax Lot: <u>21 S 45 E - #102</u></p>	
<p>Past Land Use Actions: If yes, list file #(s) <u>2004-07-023 (NFD)</u> <u>2005-01-002 (ABG) 2006-07-016 (NFD)</u></p>	<p><input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</p>
<p>Subject to previous conditions?</p>	<p><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p>
<p>Assessor Property Class: <u>REAL PROPERTY</u></p>	
<p>Zoning: <u>C-A2</u></p>	
<p>Water Resources Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties? Describe (include setback distances): <u>Owyhee River (SE corner)</u> <input type="checkbox"/> Fish bearing <input type="checkbox"/> Non fish bearing <input type="checkbox"/> Seasonal Creek <input type="checkbox"/> Irrigation ditch <input type="checkbox"/> Wetland <input type="checkbox"/> Pond/Lake <input type="checkbox"/> Not identified <i>(Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.)</i></p>	<p><input type="checkbox"/> NO <input checked="" type="checkbox"/> YES</p>
<p>Access: County or ODOT approach permit on file? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES, # _____</p>	
<p>Address: Address exists and has been verified to be correct? Address needs to be assigned after approval?</p>	<p><input type="checkbox"/> NO <input checked="" type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES</p>
<p>Fire District: <u>Adrian Rural Fire Protection District</u></p>	
<p>Fees (List Review Type and Cost): <u>\$200 - CUP Application</u></p>	



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918 Phone (541)473-5185 Fax (541)473-5140

FILE NUMBER: 2019-10-017

FEE: \$200

RCT: 10-28-2019

CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN REQUEST

We request approval of a conditional use permit to establish a private campground on our property located at 1880 Owyhee Lake Road, Nyssa, OR. The campground will consist of one (1) existing RV (recreational vehicle) pad, 20 tent sites, and no more than six (6) environmentally-suitable yurts.

(See attached)
(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

Structure/Development	PROPOSED IMPROVEMENTS			
	Length	Width	Height	Square Footage
Dwelling				
Driveway				
Accessory Structure				
Agricultural Structure				
Yurt (each)	20'	20'	11'	314 sq ft
Yurt platform (ea)	25'	35'	3'	875 sq ft
EXISTING				
Dwelling w/ bunkhouse	56	38	20'	2120 sq ft
Garage w/ office	78	27	20'	2104 sq ft
Barn	48	26	15'	1248 sq ft

CONDITIONAL USE CRITERIA – Malheur County Code (MCC) CHAPTER 6

1. The proposal must be consistent with the goals and objectives of the Comprehensive Plan and MCC.

2. Taking into account location, size, design and operational characteristics of the proposed use, describe how your proposal is compatible with the surrounding area and development of abutting properties by outright permitted uses:

The yurts selected are manufactured in Oregon, constructed of Douglas Fir, and designed in an appealing dome shape to blend with the natural surroundings. They will be placed on raised wooden platforms, as per the manufacturer. (see 2a)

Describe the operational characteristics (hours of operation, equipment used, etc.) of the proposed use:

The campsite will be open for overnight guests (by reservation) during standard daylight hours (~8:00 a.m. - 10:00 p.m.). Gates will be locked during overnight periods to minimize disturbance to other guests on the (see 2b)

Describe the number of people/employees/customers associated with the proposed use:

Managers/property owners will be on-site nightly and, in general, while campsites are occupied. We anticipate employing 1-3 part-time people from the local community.

3. The proposed use cannot exceed or significantly burden public facilities and services available to the area. Please describe the impact the proposed use will have on the following public facilities and services and provide letters from the appropriate entities:

Roads: There will be no significant increase in road traffic because the number of potential guests is minimal relative to regular canyon traffic. (see 3A)

Fire & Police Protection: The campgrounds will not require more services than currently exists. Malheur County Sheriff personnel regularly patrol the single road access and a letter from the Adirain Rural Fire District is attached. (see 3b)

Sewer & Water: RV guests will not connect to the property septic system, and yurt guests will have access to composting toilets and the property's private well for potable water. (see 3c)

Electrical & Telephone: The RV pad guest will have access to property power and telephone in the office on premises. Tent and yurt guests will have solar power and the same access to the office telephone on premises.

Solid Waste Disposal: The property has private trash pick-up by the same company currently serving other campgrounds in the canyon. (see 3c)

4. The proposed use will not unduly impair traffic flow or safety in the area. Does the subject property have a road approach permit from Public Works on file for the use? NO YES, Permit# _____

Describe the number of trips per day that will be generated by the proposed use: We expect that road usage will be reduced, since guests will remain on site rather than traveling in-and-out for sleeping accommodations while visiting the Owyhee Lake reservoir and canyons.

5. How will you minimize the effects of noise, dust and odor on adjoining properties during development and operation? The closest occupied property is approximately five (5) miles away. We do not anticipate any notable impact during development or operations.

6. How will the proposed use affect sensitive wildlife habitat and riparian vegetation along streambanks? How will soil erosion be avoided? You may need to contact the Oregon Department of Fish & Wildlife.

The proposed private campground will not be placed in areas that affect sensitive wildlife habitat, streambanks, or where erosion is a concern. We will provide guests with written policies and warnings regarding health and preservation of the area and its protected (See 6)

7. The proposed use will not adversely affect the air, water, or land resource quality of the area.

This is our home and we are committed to ensure that the proposed campground will not adversely affect the air, water, or land resource quality of the area.

8. The location and design of the site and structures for the proposed use will not significantly detract from the visual character of the area. This may be done through siting, new vegetation, colors, materials or other.

The proposed yurts are constructed of Douglas fir and designed in an appealing dome shape and muted colors to blend with the natural surrounding environment. In fact, the yurts were specifically selected for this reason, over other more flashy or ostentatious structures. (See 8)

9. The proposal will preserve areas of historic value, natural or cultural significance, including archaeological sites, or assets of particular interest to the community.

Each party that visits our campsite will be provided information about the area regarding its history, points of interest, and significance. (See 9)

10. The proposed use will not significantly increase the cost of, or force a significant change to, accepted farm or forest practices on surrounding lands devoted to or available for farm and forest use.

Describe the agricultural uses (orchards, wheat, grazing, etc.) that are within 0.25 miles of the proposed development. How will the proposed development interact with surrounding agriculture uses?

The proposed campground will not increase cost, nor have significant impact on surrounding farms or forest. The primary agricultural business at the property will be cultivation of lavender plants and processing of essential oil from those plants on site (See 10)

CONDITONAL USE CRITERIA – Malheur County Code (MCC) CHAPTER 6

Application form Owyhee River Ranch LLC, 1880 Owyhee Lake Rd., Nyssa, OR.

Attachment to Conditional Use Permit form. The following continues responses for the specified questions.

2.a. This will accommodate visitors who are not equipped with their own camping gear.

2.b. property and in the area. This will be a paid facility and visitor records will be maintained.

3.a. **Roads:** Since we will be providing overnight accommodations, it will reduce nighttime travel out of the canyon and should increase road safety.

3.b. **Fire & Police Protection:** All campsites are surrounded by gravel buffers. No open fires will be allowed.

3.c. **Sewer & Water:** There will be no new grey or black water introduced to the existing septic system, left on the property or surrounding area.

3.e. **Solid Waste Disposal:** We have confirmed the hauler's ability to expand service to our site on an as-needed basis.

6. plant and animal wildlife.

7. The proposed use will not adversely affect the air, water, or land resource quality of the area.

This is our home and we are committed to ensure that the proposed campground will not adversely affect the air, water, or land resource quality of the area.

8.



9. It is our hope that, having experienced the beauty of the area, it will instill an appreciation and respect for its past, present and future. We also have a collection of books about the Owyhee trails, river, and canyonlands that will be made available to guests while visiting.

10. and we will share our respect for and appreciation of agri-business with visitors.

Owyhee River Ranch LLC
1880 Owyhee Lake Rd
Nyssa, OR 97913
Ph. 541-293-8003
owyheeriverranch@gmail.com

Conditional Use Application, Supplement 7

1. The space provided for each recreational vehicle shall be not less than seven hundred (700) square feet exclusive of any space used for common areas such as roadways, general use structures, walkways, parking spaces for vehicles other than recreational vehicles and landscaped areas.

This recreational vehicle park will allow only one, self-contained, recreational vehicle on the property at any given time. The space reserved for a single, self-contained, recreational vehicle guest measures 23.5' x 60' = 1,410 feet, exclusive of any common space.

2. Roadways shall be not less than thirty feet (30') in width if parking is permitted on the margin of the roadway, or not less than twenty feet (20') in width if parking is not permitted on the edge of the roadway and shall be covered with crushed gravel or paved with asphalt, concrete or similar impervious surface and designed to permit easy access to each recreational vehicle space.

There are no roadways on the property. The driveway/parking lot is all crushed gravel and well in excess of 20' in all areas allowing for easy ingress and egress to the single recreational vehicle space.

3. A space provided for a recreational vehicle shall be covered with crushed gravel or paved with asphalt, concrete, or similar material and be designed to provide for the control of runoff of surface water. The part of the space which is not occupied by the recreational vehicle, not intended as an accessway to the recreational vehicle or part of an outdoor patio, need not be paved or covered with gravel provided the area is landscaped or otherwise treated to prevent dust or mud.

The space intended for a single, self-contained, recreational vehicle, including the accessway to the recreational vehicle and all outdoor patio area, is covered with crushed gravel and has been in existence for multiple years. It is appropriately crowned such that surface water does not pool or otherwise remain or saturate this area. The area does not have any exposed dirt from which either mud or dust could develop.

4. A recreational vehicle space shall be provided with piped potable water service. Unless the park is designed for self-contained recreational vehicles only, each recreational vehicle space shall also be provided with sewage disposal service. Sewage disposal service when required by this section shall consist of all spaces equipped for full sewage hookup or a minimum of twenty five percent (25%) of the available spaces equipped for full sewage hookup and a recreational vehicle dumping station on site.

The site contains piped potable water service. The site is designated exclusively for a single, self-contained, recreational vehicle and, as such, no sewage disposal either grey or black water will be offered or allowed. There will be no additional impact on our existing septic system.

5. A recreational vehicle space shall be provided with electrical service.

The single, self-contained, recreation vehicle space has electrical service available at the space.

6. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations for the use of guests of the park and located in such number and of such capacity that there is no uncovered accumulation of trash at any time.

The single, self-contained, recreational vehicle space has convenient access to our large dumpster style trash receptacles for disposal of solid waste material. There will be no uncovered accumulation of trash or solid waste at any time.

7. No recreational vehicle shall remain in the park for more than thirty (30) days in any sixty (60) day period.

No guest at our single, self-contained, recreational vehicle space will be allowed to stay more than thirty (30) days in any sixty (60) day period.

8. The total number of parking spaces in the park, except for the parking provided for the exclusive use of the manager or employees of the park, shall be one space per recreational vehicle space. Parking spaces shall be covered with crushed gravel or paved with asphalt, concrete or similar material.

The parking area on our property is all covered with crushed gravel. There is more than the single space required for the single, self-contained, recreational vehicle we will allow. At all times, there will be at least one space available for our single, self-contained, recreational vehicle guest.

9. Unless the park is designed for self-contained recreational vehicles only, the park shall provide one toilet and one lavatory for each sex for each fifteen (15) recreational vehicle spaces.

The park is designed for, and will only allow, one, single, self-contained, recreational vehicle at any given time.

10. The park shall provide one utility building or room containing one clothes washing machine, one clothes drying machine and fifteen (15) square feet of space for clothes drying lines for each ten (10) recreational vehicle spaces or any fraction thereof, unless such facilities are available within a distance of three (3) miles and are adequate to meet these standards.

There is one utility room with one clothes washing machine and one clothes drying machine available for use by our single, self-contained, recreational vehicle guest .

11. Building spaces required by subsections A9 and A10 of this section shall be lighted at all times of the night and day, shall be ventilated, shall be provided with heating facilities which shall maintain a minimum room temperature of sixty-five degrees Fahrenheit, shall have floors of waterproof material, and shall have sanitary ceiling, floor and wall surfaces. Floor drains adequate to permit easy cleaning are recommended but not required.

The utility room containing the clothes washing machine and clothes drying machine is well lighted at all times of the day and night. It is well ventilated and heated with a minimum room temperature of greater than 65 degrees Fahrenheit. The floors are ceramic tile and therefore waterproof and sanitary. The ceiling and wall surfaces are finished, primed and painted drywall in good repair and sanitary.

12. A neat appearance shall be maintained at all times. Except for vehicles, there shall be no outside storage of materials or equipment belonging to the park or to any guest of the park.

This is our home and will be kept free from outside storage of materials or equipment belonging to the park or any guest. Our property is clean, neat, and beautiful now. Our one-at-a-time single, self-contained, recreational vehicle guest will not change how we keep our property.

13. Evidence shall be provided that the park will be eligible for a certificate of sanitation as required by state law.

We will provide this certificate promptly upon approval of the requested permit and/or as required by Oregon law.

14. Access to the recreational vehicle park shall be from an arterial or collector street. (Ord., 11-8-1994)

Our property and the single, self-contained, recreational vehicle space park are accessed directly from Owyhee Lake Rd.

Owyhee River Ranch LLC
1880 Owyhee Lake Rd
Nyssa, OR 97913
Ph. 541-293-8003
owyheeriverranch@gmail.com

Conditional Use Application, Supplement 8

Owyhee River Ranch LLC's will operate in accordance with the stated conditions and requirements and pay applicable fees pertaining to the operation of a 'home business' involving the 'bed and breakfast' use of two spare bedrooms and one bath in an existing section of the home at the above noted address. No additional construction will be necessary.

Owyhee River Ranch LCC is able to fully comply with the stated requirements as described:

- Location: business will take place on the existing property located at 1880 Owyhee Lake Road
- Scale: business will fit within the existing dwelling and incidental to its use
- Participants: family members residing on the property will be the primary participants, employing no more than a combination of ten fulltime employees
- Character: as our residence as well, the property will be kept clean, neat, and orderly
- Storage: material associated with the home business will be contained within the dwelling or accessory structures
- Display: there will be no display of products visible from outside the dwelling or accessory structures
- Signs: we will comply with chapter 7 of this title
- Traffic: since this is only two bedrooms and a bath, we do not anticipate customer, client and/or business traffic to exceed the required maximum of fifteen trips per day.
- Parking: all vehicles owned, leased and operated by the participants of the home business will park on premises
- Noise and other nuisance factors: policies will be in place enforcing noise containment between the hours of 10:00 p.m. and 8:00 a.m. Unacceptable odors from this home business will not be present from any boundary of the property at any time. The home business operates on its own solar power system and will therefore have no impact on interference or power fluctuations.

Note that this home business is intended to generate nominal revenue through existing used space. It is by far secondary to our primary business of farming. This will support our seasonal farm business with supplemental income to diversify our products and services. We will execute it in a minimalist manner, promoting care of and respect for the preservation of the area and its protected animal and plant life.