Shawn and Megan Rice

1896 Graham Blvd.

Vale, OR 97918

August 19, 2021

Malheur County Planning and Zoning Department,

251 B Street

Vale, OR 97918

To Whom it may concern:

We are submitting this application for a conditional use permit for TBD Graham blvd. This parcel has been previously approved for a non-farm dwelling, back in 2006. While the approval was granted, a dwelling was not constructed within the designated 4 years and the permit has since, expired. The ground is currently growing sagebrush and is not useful as production ground.

We have attached pertinent documents for your consideration and are available to answer any questions you might have about this property and our plans.

Thank you for your consideration.

Sincerely,

Shawn Rice

DocuSign Envelope ID: 91C595B1-A7A3-4151-BBDF-2766CA5D6AB7

August 19, 2021

This letter hereby gives anyone on the Malheur County Planning and Zoning Board and any other persons from Malheur County permission to enter the property we own on Graham Blvd. for the process of granting a Conditional Use Permit for our proposed project.

Shawn and Megan Rice

DocuSigned by:
Shawn Rice
C91D8ED2DA5743F...

MALHEUR COUNTY PLANNING DEPARTMENT

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

File Number: _____
Application Fee: _____
Date Received: _____
Date Deemed Complete: _____

CONDITIONAL USE APPLICATION

LANDOWNER INFORMATION

Name: Shawn Rice
Address: 1896 Graham Blvd
City/State/Zip: Vale, OR 97918
Phone: 208-249-1136
Email: sprice1680@gmail.com

APPLICANT INFORMATION ☑ *Check box if same*

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____

PROPERTY INFORMATION

Township: 18 Range: 44 Section: 21 Tax Lot: 1002 Ref #: 20151 Acres: 10 Zoning: C-A1
Address: TBD Graham Blvd. Vale, OR 97918
Current use: Vacamt
Proposed use: Single Family Manufactured Home
Water source: Private Well
Use of surrounding properties: Pasture, Crops, Cattle
Permitted subject to section: _____
Sewage disposal method: Septic
Are the wetlands/water waterways on your property? ☐ No ☐ Yes (description): _____
Do you own neighboring property? ☐ No ☐ Yes (description): _____
Name of road providing access: Graham Blvd.

LEGAL PARCEL STATUS

Partition: Plat No. 2007-6 Subdivision: _____
or Most Recent Pre- 09/04/1974 Deed #: _____ Date Filed: _____
Current Deed #: 2021-3734 Date Filed: 7/30/2021

**The deed and a map showing the property described in the deed(s) must accompany this application.*

**Additional descriptive maps and pictures may be attached.*

DocuSign Envelope ID: 91C595D1-A7A3-4131-BBDF-2780CA5D6AB7

SIGNATURES:

Property Owner(s): DocuSigned by: Sharon Rice C91D8ED2DA5743F... Date: 8/20/2021

Property Owner(s): _____ Date: _____

Applicant(s): DocuSigned by: Sharon Rice C91D8ED2DA5743F... Date: 8/20/2021

Applicant(s): _____ Date: _____

PLEASE NOTE: Before this application will be processed, you must supply all requested information and forms, and address all listed or referenced criteria. Pursuant to ORS 215.428, this office will review the application for completeness and notify Applicant of any deficiencies within 30 days of submission. By signing this form, the property owner or property owner's agent is granting permission for Planning Staff to conduct site inspections on the property.

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel Deed/Land Use Action: _____	☐NO ☐YES
Previous Map and Tax Lot: _____	
Past Land Use Actions: If yes, list file #(s) _____	☐NO ☐YES
Subject to previous conditions?	
Assessor Property Class: _____ **Zoning:** _____	☐NO ☐YES
Water Resources: Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties?	☐NO ☐YES
Describe (include setback distances): _____ ☐ Fish bearing ☐ Non fish bearing ☐ Seasonal Creek ☐ Irrigation ditch ☐ Wetland ☐ Pond/Lake ☐ Not identified *(Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.)*	
Access: County or ODOT approach permit on file? ☐ NO ☐ YES, # _____	
Address: Address exists and has been verified to be correct?	☐NO ☐YES
Address needs to be assigned after approval?	☐NO ☐YES
Fire District: _____	

MALHEUR COUNTY PLANNING DEPARTMENT

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

CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN EQUEST

We are requesting a conditional use permit to allow us to set a brand new 1904 sqft. manufactured home.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling	68'	28'		1904
Driveway	250'	20'		
Accessory Structure				
Agricultural Structure				
Other				
EXISTING				
Dwelling				
Accessory Structure				
Agricultural Structure				
Other				

CONDITIONAL USE CRITERIA – Malheur County Code (MCC) CHAPTER 6-6-7

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 proposal is for a single family dwelling only. It will be compatible with the surrounding area as it will not take any farm ground out of production.

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

   Describe the number of people/employees/customers associated with the proposed use:
   2 Adults, 2 Children

3. What are the existing developments and viewpoints of property owners in the surrounding area?
   Lot is currently vacant. To the South and North, there are several other non-farm dwellings. The other directly adjacent lots are employed in farm use (row-crops, pastures)

4. 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: A letter with comments has been requested from Malheur County Road Department and all recommendations will be followed.

   Fire & Police Protection: This proposed project is within Vale Fire District and that department has comitted to provide fire coverage. See attached letter.

   Sewer & Water: A personal well would be dug and a pump installed upon approval. Septic test holes/area have been approved. Will install county approved septic system.

   Electrical & Telephone: Overhead power to home will be installed. Power is on adjacent roadway. There will be no additional impact.

Solid Waste Disposal: We will contract with the City of Vale for garbage removal.

5. What effect will the proposed use have on the stability of the community's social and economic characteristics?
A new home will add value to both current and surrounding properties. Helping the Rice family to stay in this community and support local businesses.

6. Demonstrate that the proposed use will not interfere with traditional fish and wildlife use of habitats determined critical or sensitive in the fish and wildlife habitat protection plan for Malheur County.
N/A

7. How will the proposed use increase setbacks of structures to reduce possibilities of overshadowing adjoining property, noise, odor or night lighting nuisances during development and operation?
The closest home to the proposed site development is more than 300 ft; all other homes are more than 1,000 ft away. Noise and lighting at night will be the minimal use of a family.

8. What are the proposed landscaping improvements for the visual benefit of the subject site and for the improved appearance of the neighborhood and County?
No landscaping right away. Home will be placed onto a foundation that will give it the appearance of a stick built, residential home.

9. The location and size of driveway access points and right of way widening and improvement for present and future traffic circulation consistent with the adopted County road standards or the standards of the appropriate road district and the access management standards ofthe Malheur County Transportation System Plan.
A 30' easement has already been recorded back in 2007, for the purpose of accessing that property from Graham Blvd. The driveway will be on the northwest side of the property. It will be approximately 250' long and 20' wide leading up to the home. The driveway will follow recommendations from Vale Fire District to meet International/Oregon Fire Code requirements. We will also follow recommendations from Malheur County Road Department.

10. What is the proposed visual screening of the outdoor waste and storage areas?

This development is for a single family dwelling and outdoor waste will be limited to garbage cans.

11. What efforts will be in place to control and focus the outdoor lighting to avoid glare being directed beyond property limits?

Only simple outside lighting will be installed on the exterior of the home.

12. Demonstrate how 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?

This dwelling will not have any impact on any current use in the area. The property to the East have irrigated row crops. North and West of the property looks to be Hay fields. This property is not able to be farmed and will not interfere with the current farming practices.

NON-RESOURCE DWELLING – Malheur County Code (MCC) 6-6-8-1

1. Describe how the proposed dwelling is compatible with farm uses and is consistent with ORS 215.243:
   The home being built will not affect any agriculture. It is currently non-productive ground.

2. Demonstrate that the dwelling will not interfere seriously with accepted farming practices on adjacent lands:
   No activities will conflict with grazing or farming practices and it will utilize a current road.

3. Demonstrate that the dwelling will be situated on generally unsuitable land for the production of farm crops or livestock considering the terrain, adverse soil or land conditions, drainage and flooding, location and size of tract:
   The dwelling will be situated on land unsuitable for agricultural production because of adverse soil conditions; there are gravel and roots. There are no water rights to the proprerty for irrigation.

4. Demonstrate that the dwelling will not materially alter the stability of the overall land use pattern of the area, by conducting the **"Cumulative Impacts Analysis"**.
   A. What are the types of soils that have been identified within the study area?
      Class IV: 11B
      Class VI: 35E
      See attached map
   B. What are the types and numbers of existing dwellings that have been identified within the study area?
      Primary Farm dwellings 22 Non-farm dwellings 19
      Farm hand/labor dwellings _____ Hardship dwellings _____
   C. What are the types of farm use occurring in the study area (row crops, pasture, range land, feed crops)?
      Irrigated pasture, range land, grain, corn, beans and alfalfa

D. What are the number of potential "lot of record" dwellings and non-farm dwellings within the study area?

Lot of Record dwellings _____ Non-farm dwellings 16

E. What are the number of parcels larger than the minimum lot size that may be divided to create new parcels for non-farm dwellings? 5

F. On the parcels where you concluded no potential dwelling(s) will be sited, describe why? The subject parcels are either smaller than the minimum parcel size, or had previously gone through the non-farm partition process. Other parcels are covered in soils generally suitable for farming (class I-V)

G. What dwelling development trends have been identified within the study area since 1993? Several other parcels have gone through the non-farm partition process and have had non-farm dwellings built. Most recently, a new non-farm dwelling was approved off Bully Creek Rd. earlier this year.

H. What are the findings of fact that describe the existing land use pattern of what the study area looks like now? The majority of current land is being used for agricultural purposes. There are few homes in this study area. Not a lot of potential for future development.

I. What are the findings of fact that describe what the study area would look like if all the potential development occurs? The potential homesites that would be available would presumably be placed on areas that are less productive than others.

J. Determine that the proposed dwelling will not materially alter the stability of the overall land use pattern of the study area. Does the cumulative impact of the existing and proposed non-farm dwelling and the potential new non-farm dwellings within the study area make it more difficult for the existing farms in the study area to continue operation due to diminished opportunities to expand, acquire water rights, purchase or lease farmland, such that the area will be destabilized, impeding normal production practices or crop and livestock due to increased population and associated activities? No, there is no impact to the stability of the agricultural production in the local area due to the proposed dwelling site. Activities and increased population will be very minimal and have no impact on surrounding production ground and its activities.

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18S44E21
CANCELLED:

SECTION 21 T.18S, R.44E, W.M.
MALHEUR COUNTY
1" = 400'

Revised: MA
12/17/2010

18S44E21

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

DocuSigned by:
Sharon Rice
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8/20/2021

INSTRUMENT NO. 2007 -958
Page 1 of 2 Pages

MEMORANDUM OF PARTITION PLAT

INSTRUMENT # 2007-958

PARTITION PLAT# 2007-06

SLIDE# 73 CAB B

SURVEYOR INSTRUMENT# 18-44-0122

SURVEYOR FILE# B-01176

GRANTOR: Jade + Sandy Thomas

DATE APPROVED: COUNTY PLANNER 2-2-07

COUNTY ASSESSOR 2-2-07

COUNTY SURVEYOR 2-2-07

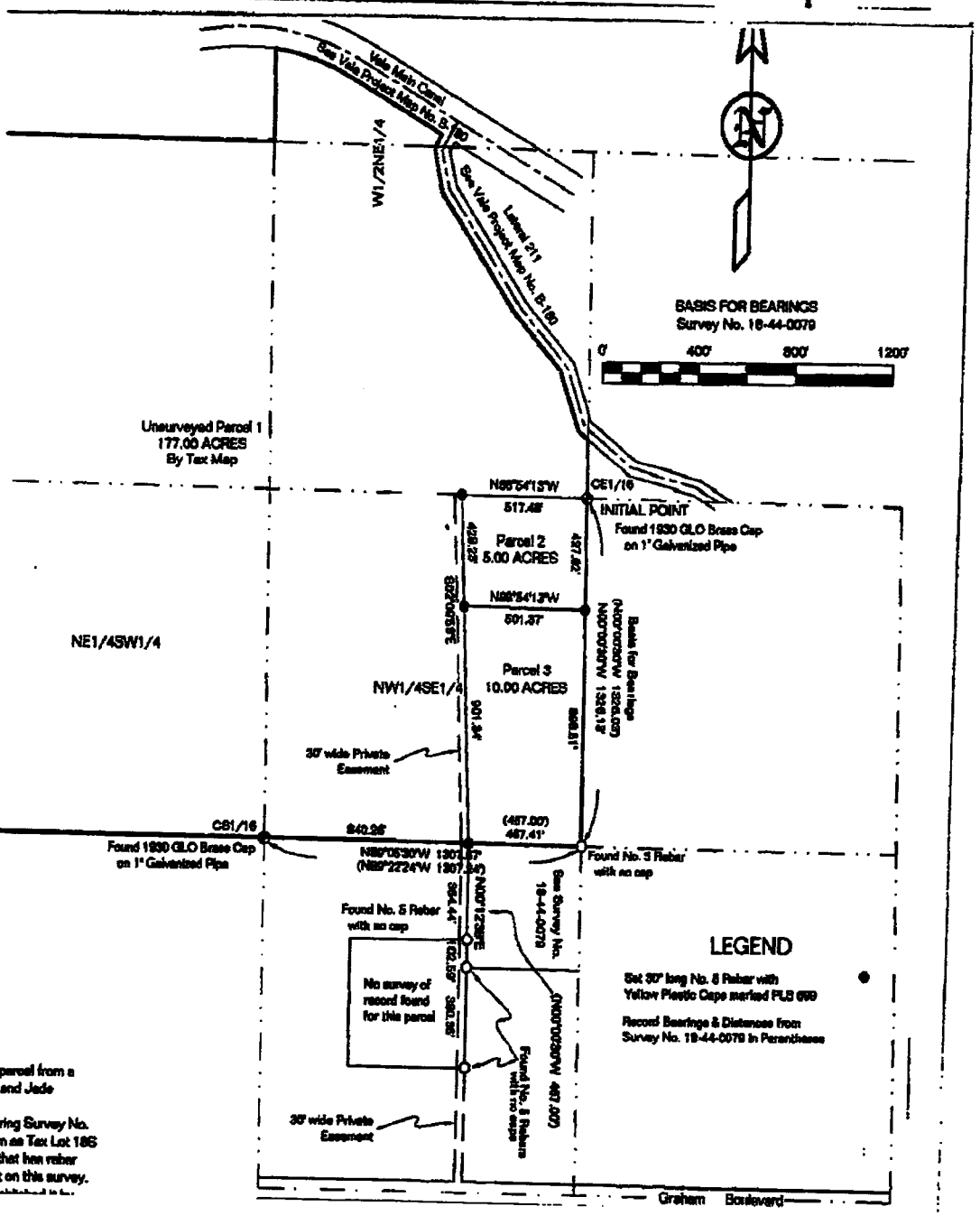
SURVEY PREPARED BY

RECORDED: MALHEUR COUNTY
MALHEUR COUNTY CLERK
DEBORAH R. DELONG
Sheryl Johnson
Deputy

DATE: 2-07-07 TIME: 11:41 AM

PARTITION PLAT No. 2007-06

S1/2NW1/4, NE1/4SW1/4, NW1/4SE1/4 & W1/2NE1/4 of Section 21, T18S, R44E, WM
Malheur County, Oregon



re parcel from a
elf and Jade

during Survey No.
own as Tax Lot 186
ey that two rebar
ect on this survey.

AFFIDAVIT OF CONSENT

INSTRUMENT NO. 2007-958
Page 2 of 2 Pages

TO WHOM IT MAY CONCERN:

We, Pioneer Finance, LLC, contract owner, consent to the declaration of the following described property being partitioned, to wit: The S1/2NW1/4, NE1/4SW1/4, NW1/4SE1/4 and all that portion of the W1/2NE1/4 laying Southwesterly of the Vale Main Canal and Lateral #211 right-of-ways all in Section 21, T18S, R44E, WM, Malheur County, Oregon

Our interest in this property was acquired by Assignment of Contract Sale, dated September 19, 2005, as Instrument No. 2005-6990. R.L.

Robert A. Loughmiller
Officer of Pioneer Finance, LLC
ITS: Manager

1/30/2007
Date

STATE OF IDAHO)
) ss
COUNTY OF ADA)

This instrument was acknowledged before me on JANUARY 30 by ROBERT A. LOUGHMILLER, Officer of Pioneer Finance, LLC.

Leslie D. Button
Notary Public

Residing at

My commission expires

LESLIE D. BUTTON
NOTARY
PUBLIC
STATE OF IDAHO

RESIDING AT BOISE, IDAHO
COMMISSION EXPIRES: 03/17/2012

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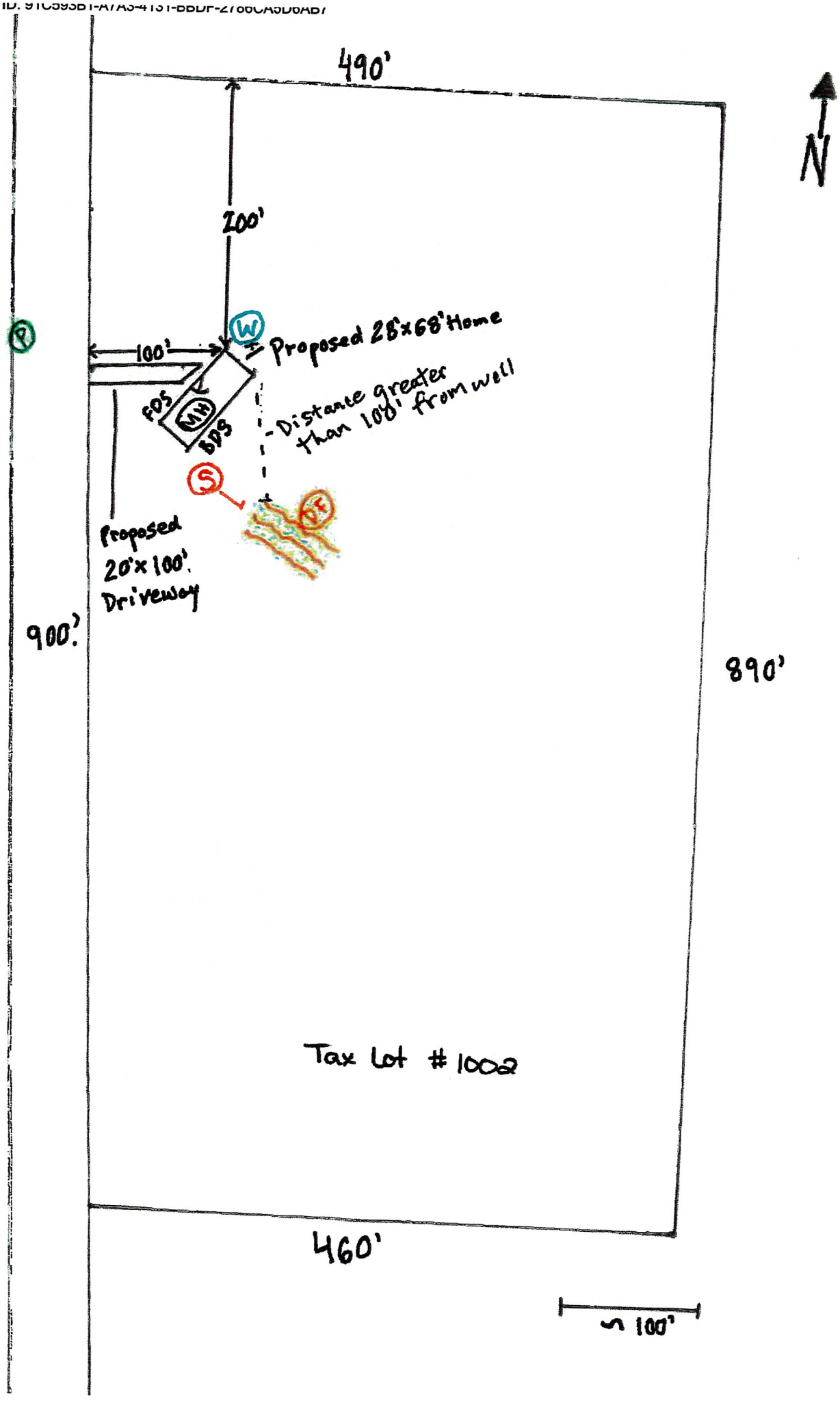
DocuSigned by:
Shan Rice
C91D8ED2DA5743F...

/20/2021



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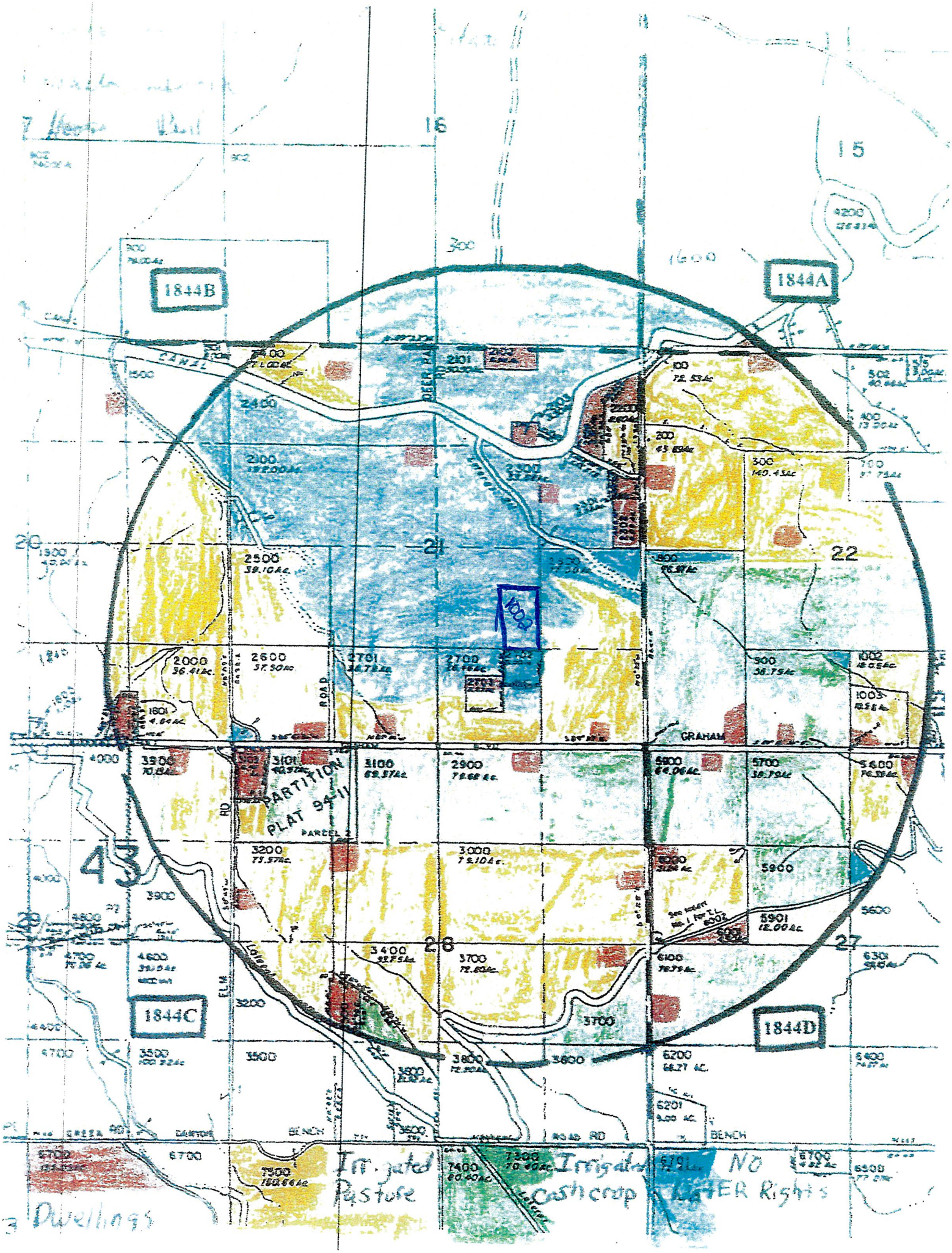
August 19, 2021

Directions from Vale, OR:

Head West on Graham Blvd. Turn right at 2124 Graham Blvd. Follow driveway North to tax lot # 1002. Property is on the right.

DocuSigned by:
Shan Rice
C91D8ED2DA5743F...

8/20/2021



1844A
1844B
1844C
1844D
16
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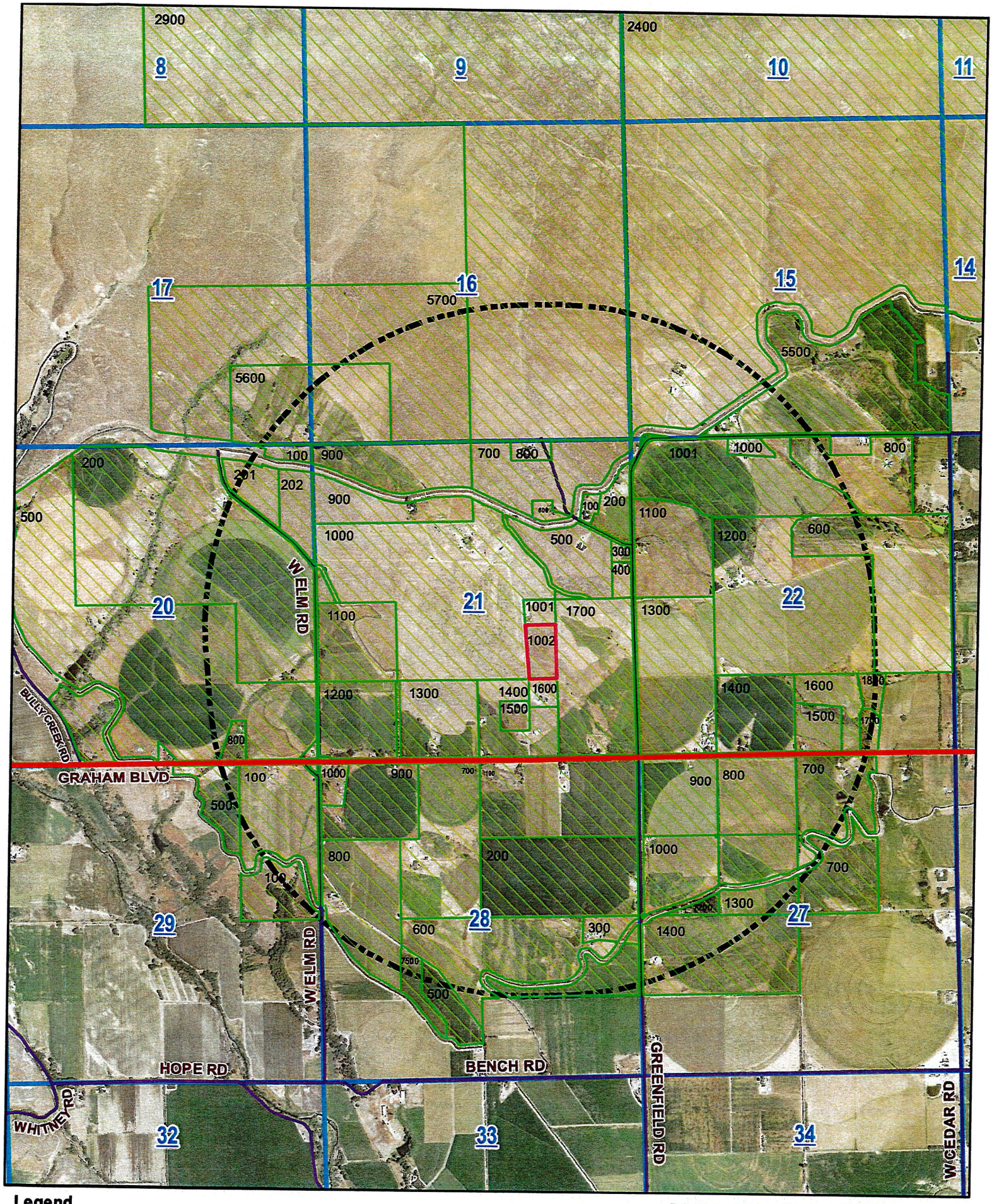
21
22
43
29
28
27
CANAL
GRAHAM
PARTITION PLAT 94-11
PARCEL 2
ROAD
ELM
BENCH
Irrigated Pasture
Irrigated Cash crop
NO WATER Rights
13 Dwellings



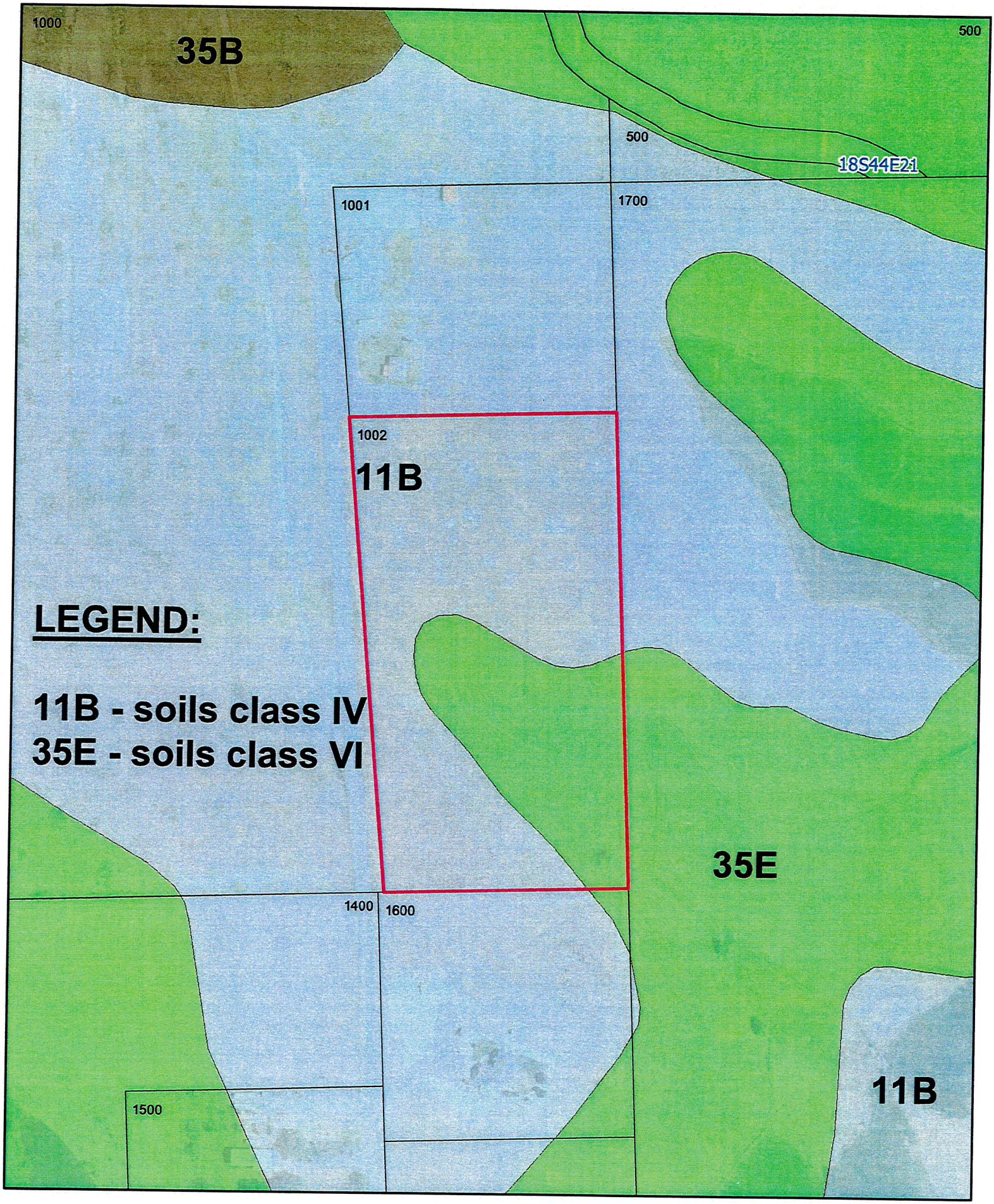
Legend

- 1MileRadius
- Sections
- Cochrane_#20151
- PropOwners w/n 1MileRad from Cochrane_20151

Mile Radius Map

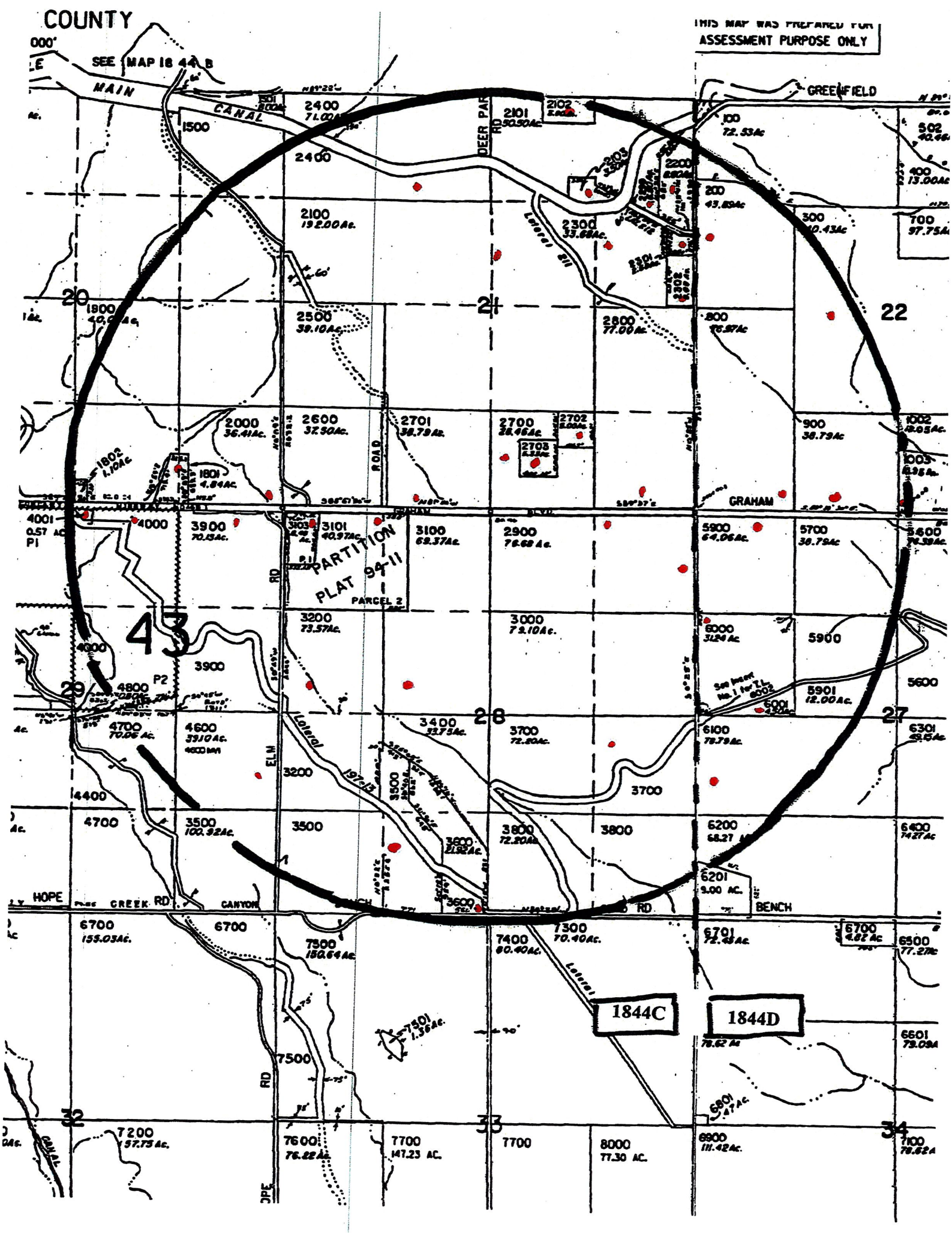
Map is prepared for assessment purposes only

GL Aug 2021



SOIL MAP
Cochrane_Ref# 20151

Map is prepared for assessment purposes only
GL Aug2021


COUNTY
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY
SEE MAP 18 44 B
MAIN CANAL
GREENFIELD
DEER PARK ROAD
Lateral 511
GRAHAM
PARTITION PLAT 94-11
PARCEL 2
ELM
Lateral 197-13
HOPE
CREEK RD
CANYON
BENCH
RD
1844C
1844D
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