



MALHEUR COUNTY

251 B Street West, #12 Vale, Oregon 97918

PLANNING DEPARTMENT

Phone (541)473-5185

File Number: 2022-09-011

Application Fee: \$200

Date Received: 9-26-2022

Date Deemed Complete: 9-26-2022

LAND USE APPLICATION COVERPAGE

LANDOWNER INFORMATION

Name: Barb Gerulf
Address: _____
City/State/Zip: Ontario OR 97914
Phone: 541 889 3246
Email: gerulf@g.com

APPLICANT INFORMATION ☐ Check box if same

Name: Jennifer Gerulf
Address: 408 Stanton Blvd
City/State/Zip: Ontario OR 97914
Phone: 208 741 7616
Email: jenn gerulf@gmail.com

PROPERTY INFORMATION

Township: 17 Range: 47 Section: 17 Tax Lot: 503 Ref #: 20861 Acres: 1583 Zoning: C-A1

Address: _____

Current use: Farm Use of surrounding properties: Farm

Proposed use: Farm tourism Permitted subject to section: _____

Water source: well 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: Stanton Blvd

LEGAL PARCEL STATUS

Partition: _____ Subdivision: _____

or Most Recent Pre- 09/04/1974 Deed #: _____ Date Filed: _____

Current Deed #: _____ Date Filed: _____

*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.

EXHIBIT # 1

SIGNATURES:

Property Owner(s): Barbara J. Seruloff Date: 9-26-22

Property Owner(s): _____ Date: _____

Applicant(s): Jennifer Seruloff Date: 9-26-22

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.

ALL LAND USE APPLICATIONS MUST INCLUDE:

- ☐ Application Fee – Cash or Check (credit cards now accepted with additional fee)
- ☐ Site Plan
- ☐ Elevation Drawing
- ☐ Fire Safety Self-Certification
- ☐ Other applicable information/application(s):

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:

This ^{site} property is predominantly surrounded by property owned by the venue operator or is surrounded by natural hills/banks or trees from any interference.

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

On event day the hours will be limited from 8am - 12pm including cleanup.

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

Family operated

3. What are the existing developments and viewpoints of property owners in the surrounding area?

We are surrounded by farm ground. Closest neighbor is .5 miles away. We own three adjoining properties.

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:

Stanton Blvd

Fire & Police Protection:

Ontario Fire

Sewer & Water:

existing well. We put in new septic system

Electrical & Telephone:

Idaho Power

Solid Waste Disposal: Ontario Sanitary

5. What effect will the proposed use have on the stability of the community's social and economic characteristics?

We will be hosting events that will be sourcing local restaurants, bakery and hotels.

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.

NA

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?

Natural barriers in form of trees

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?

Clean up excessive debris of tires, old lumber and cement tiles. We leveled property, put in sprinkler system, removed dead trees and built barn.

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 of the Malheur County Transportation System Plan.

We are using existing access point. No new approach required



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CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN REQUEST

Venue for events such as wedding, baby shower and birthday parties. Operation days Monday - Sunday. On site designated parking.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling				
Driveway				
Accessory Structure				
Agricultural Structure	42	54	20	
Other				
EXISTING				
Dwelling				
Accessory Structure				
Agricultural Structure				
Other				

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel Deed/Land Use Action: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
Previous Map and Tax Lot: _____	
Past Land Use Actions: If yes, list file #(s) _____ _____ _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
Subject to previous conditions?	<input type="checkbox"/> NO <input type="checkbox"/> YES
Assessor Property Class: _____	
Zoning: _____	
Water Resources Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties? Describe (include setback distances): _____ <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>	<input type="checkbox"/> NO <input type="checkbox"/> YES
Access: County or ODOT approach permit on file? <input type="checkbox"/> NO <input type="checkbox"/> YES, # _____	
Address: Address exists and has been verified to be correct? Address needs to be assigned after approval?	<input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES
Fire District: _____	
Fees (List Review Type and Cost): _____ _____ _____	

HOME BUSINESS – Malheur County Code (MCC) 6-6-8-6

1. The following shall not be permitted:

- a. Home businesses in rural residential land use zones.
- b. Retail sales, showroom activities, or storefront operations conducted on the site of a minor home occupation, home occupation, or home business.
- c. Automotive repair, including engine, body, painting, of more than one vehicle at a time owned by a person not residing at the site, regardless of compensation paid for the service.
- d. Outdoor storage associated with auto repair under this chapter of more than one vehicle at a time not owned by a person or persons residing at the site.
- e. Household appliance sales, repair, or rehabilitation.
- f. Ministorage facilities operated as a minor home occupation, home occupation, or home business.
- g. Junkyards operated as a minor home occupation, home occupation, or home business.
- h. Nothing in this section authorizes construction of any structure without a building permit and that would not otherwise be allowed in the zone in which the home occupation or business is to be established.
- i. Minor home occupations, home occupations and home businesses shall not involve the manufacture or generation of materials deemed hazardous by other local, state, or federal law or regulation. Hazardous materials and hazardous wastes shall be stored in accordance with state and federal laws and regulations.
- j. Minor home occupations, home occupations and home businesses shall not be transferred to another person or site without first applying for a new permit.

2. This section shall not apply to:

- a. A childcare provider who regularly provides childcare in the provider's home, in the family living quarters, for no more than three (3) children other than the person's own children, or for children from only one family other than the person's own family.
- b. Farm or ranch use as defined by ORS 215.203(2) where the business activities of the farm or ranch are conducted in a home or office on the property.
- c. Hobby or collection activities associated with automobile or aircrafts, including sales, barter or trades among hobbyist who are in compliance with Malheur County code public nuisance ordinances.

1. Describe the scale of the operation:

**A home business must fit within the dwelling and must be incidental to the use of the dwelling as a residence. If there is no existing accessory structure one may be built, provided the side walls are no higher than ten feet (10') from the elevation of the floor and the building covers no more than two thousand five hundred (2,500) square feet in area.*

Everything will be contained within building. Build is 2268 square feet.

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

Everything is contained in building

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

NA

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?

We are surrounded by row crops on three sides. The other side we have a shop gravel pit.

2. Who will be the participants in the business?

**Family members living on the property and a combination of no more than ten (10) full time employees are the only persons that may be employed in a home business.*

Family members - 4

3. Demonstrate that the character / visual appearance of the property shall not be altered by the home business:

**The property upon which a home business exists shall be kept in a clean, neat, orderly fashion.*

The business will not effect character/
visual appearance.

4. Describe the storage means for the home business:

**All materials associated with a home business shall be screened from view or contained within the allowed dwelling or accessory structures of the home business.*

Self Contained

5. Describe the display and signs for the home business:

**There shall be no display of products visible from outside the allowed dwelling or accessory structure. A home business must comply with the MCC Chapter 7 requirements (addendum A).*

Only exterior sign is on our adject property.
I talked to county road department to get
proper placement. The sign is 2x8 feet.

6. Describe the projected traffic flow generated by the home business:

**Customer, client and/or business traffic shall not exceed fifteen (15) trips per day. Business delivery vehicles shall not exceed gross vehicle weight of eleven thousand (11,000) pounds. U.S. postal service deliveries are exempt from this requirement.*

We have a range of party sizes that will be 10 to 50 cars. They are all personal vehicles. An

7. Describe the projected customer parking availability for the home business:

**Vehicles owned, leased or operated by the participants of a home business shall not be parked or stored on the street or in the public right of way.*

On site parking is approximately 100.
No public road parking

8. Describe the projected days and hours of operation and noise mitigation for the home business:

**Noise shall be kept to a minimum at all times, especially between the hours of ten o'clock (10:00) P.M. and eight o'clock (8:00) A.M. Equipment that creates a shrill or penetrating sound shall, at all times, be operated only within an enclosure that effectively prevents noise measured at the nearest dwelling exceeding the otherwise ambient noise level of the neighborhood. Where a question arises regarding noise levels, the planning director's determination shall be final.*

All outdoor activities and noise will be done by 10 pm.

9. Describe the projected odors mitigation for the home business:

**Odors shall not be detectable from any boundary of a home business property at any time.*

No Odors

10. Describe the projected electrical interference mitigation for the home business:

**A home business shall not create visual or audible electrical interference in any radio, television, or other electrical device off the subject property or cause fluctuations in line voltage off the subject property.*

NA

Addendum A – MCC Chapter 7

6-7-1: PURPOSE AND SCOPE:

- A. *Purpose:* The purpose of this chapter is to maintain or improve the aesthetic quality of the county's agricultural, residential and business environment, to promote traffic safety through the regulation of the design, placement, quality of materials, construction, location, electrification, illumination and maintenance of all signs visible from public property, public rights of way, and private areas open to public vehicular traffic.
- B. *Scope:* Signs are structures, rigid panels or fabrics which are regulated as different types of land uses dependent upon factors including general types of message, size and location. Billboards, marquees and some types of temporary or manually changeable copy signs are recognized as types of land use that serve a general advertising purpose rather than the identification and directional purpose of the majority of signs regulated by this chapter. These regulations are not intended to, and do not, dictate or limit the content of those signs allowed for general advertising purposes except those that may carry an obscene message or may provide an illegal product or action.
- C. *Sign Regulation:* Except for a type 1 or type 2 sign, no sign shall hereafter be erected, moved or structurally altered without a zoning permit, and without being in conformity with the provisions of this chapter. Official signs of the state, county or municipalities are exempt from all provisions of this chapter. All signs shall be on the same lot as the subject matter of the sign, except as specifically allowed otherwise. Permitted signs in the various zones are indicated by the following tables (see section 6-7-2, "Types Of Signs", of this chapter):

6-7-2: TYPES OF SIGNS:

<u>Zone</u>	<u>Types Of Signs Permitted</u>
EFU	1, 2, 3, 4
ERU	1, 2, 3, 4
EFFU	1, 2, 3, 4
R-1	1, 2, 3, 4
R-2	1, 2, 3, 4
RSC	1, 2, 3, 4, 5, 8, 10
C-1	2, 3, 4, 5, 8, 9, 10
M-1	2, 3, 4, 5, 8, 9, 10
M-2	2, 3, 4, 5, 8, 9, 10
PM	2, 3, 4

- A. *Type 1:* One nameplate not exceeding three (3) square feet in area for each dwelling unit, indicating the name of the homesite, or the name of the occupant, providing that the nameplate or sign is attached to the house or is set back from the property line at least ten feet (10').
- B. *Type 2:* Signs permitted in all zones and exempt from zoning permit requirements. Type 2 signs include:
1. Plaques, Cornerstones, Nameplates: Building plaques, cornerstones, nameplates and similar building identifications attached to the building, but not a commercial nature;
 2. House Numbers: House and building numbers; (Ord. 86, 12-7-1993)
 3. Political And Civic Signs: Temporary signs in connection with political and civic campaigns; provided, that such signs are removed within fifteen (15) days following conclusion of the