



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918

Phone (541)473-5185 Fax (541)473-5140

File Number: _____

Application Fee: _____

Date Received: _____

Date Deemed Complete: _____

CONDITIONAL USE APPLICATION

LANDOWNER INFORMATION

Name: ERIC WHITE

Address: 2257 HWY 201

City/State/Zip: NYSSA OR 97913

Phone: 208-739-2353

Email: whiteRVfarms@gmail.com

APPLICANT INFORMATION ☐ Check box if same

Name: WES WHITE

Address: 2257 HWY 201

City/State/Zip: NYSSA OR 97913

Phone: 208-739-6708

Email: wesvaughanwhite2@gmail.com

PROPERTY INFORMATION

Township: 21 S Range: 47 E Section: 12 Tax Lot: 1000 Ref #: 10577 Acres: 107.48 Zoning: C-A1

Address: none assigned (south end of Beaumont Road next to 2234 Beaumont Road, Nyssa, OR 97913)

Current use: 551 FARM USE/ZONED/IMP

Use of surrounding properties: C-A1

Proposed use: 551 FARM USE/ZONED/IMP

Permitted subject to section: MCC 6-6-8-1 & 6-6-8-2

Water source: WELL

Sewage disposal method: SEPTIC & DRAINFIELD

Are the wetlands/water waterways on your property? ☒ No ☐ Yes (description): _____

Do you own neighboring property? ☒ No ☐ Yes (description): _____

Name of road providing access: Beaumont Road (South End - Dead End)

LEGAL PARCEL STATUS

Partition: N/A Subdivision: N/A

or Most Recent Pre- 09/04/1974 Deed #: 1965-62427 Date Filed: 03/10/1965

Current Deed #: 2003-2252 Date Filed: 03/25/2003

**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.*

PROPOSED PARCEL #2 & #3 PLOT PLAN



PLOT PLAN

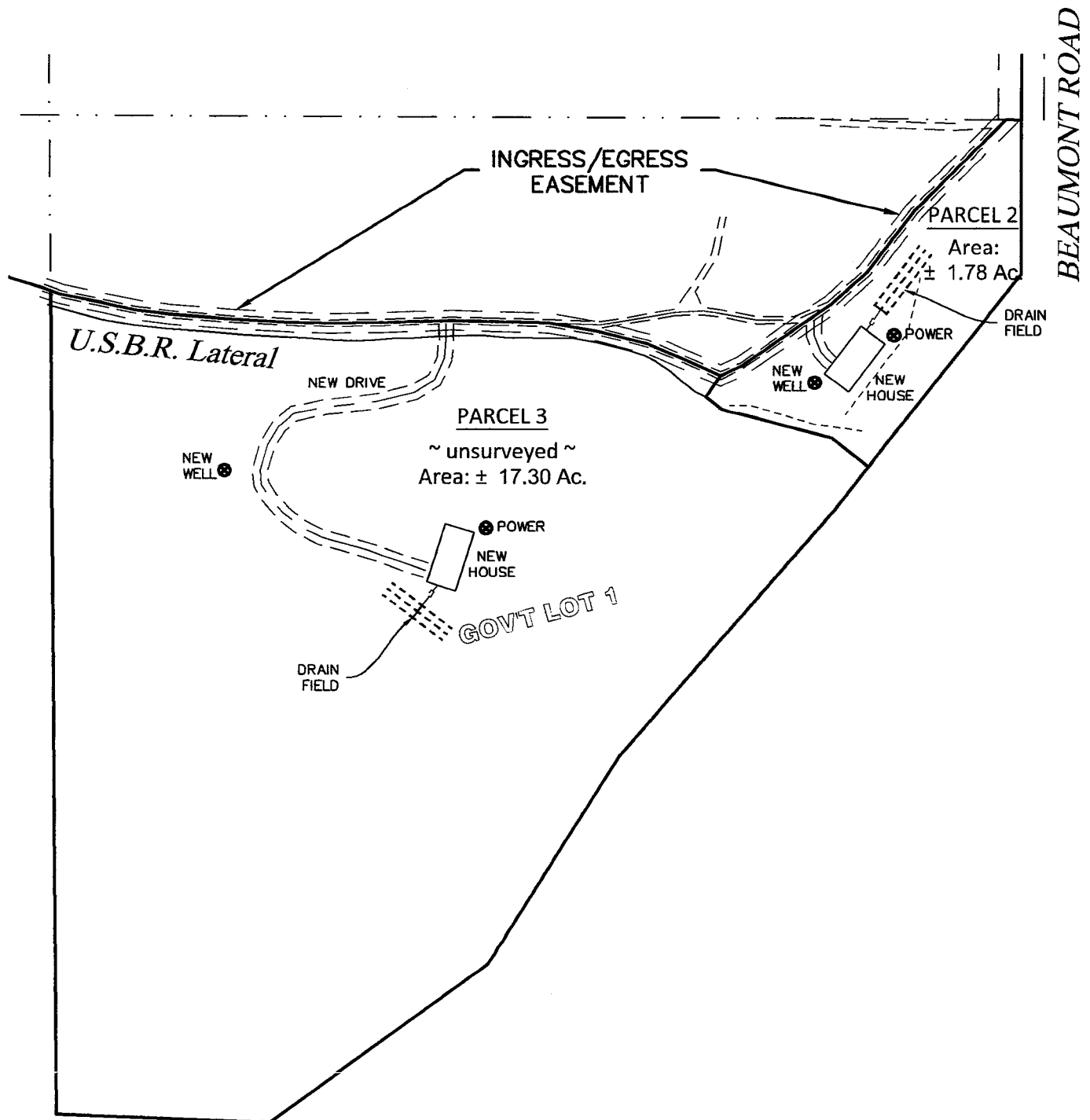
SCALE: 1" = 200'

OWNER(S): ERIC WHITE

ADDRESS: 2257 HWY 201

CITY: NYSSA STATE: OREGON ZIP: 97913

LEGAL: T21S., R46E, SECTION 12, WM, TAX LOT: 1000



SIGNATURES:

Property Owner(s): Eric White E. White Date: 4/21/22

Property Owner(s): _____ Date: _____

Applicant(s): Nes White Nes White Date: 4/21/22

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.

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel	<input type="checkbox"/> NO <input type="checkbox"/> YES
Deed/Land Use Action: _____	
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?	<input type="checkbox"/> NO <input type="checkbox"/> YES
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>	
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?	<input type="checkbox"/> NO <input type="checkbox"/> YES
Address needs to be assigned after approval?	<input type="checkbox"/> NO <input type="checkbox"/> YES
Fire District: _____	



CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN EQUEST

We wish to partition two (2) non-farm parcels each for a non-farm dwelling. The original parcel is vacant. The proposed parcels are bare ground and no water right with class 8 soils. The larger of the proposed parcels will have a little class 3 soil which is separated from the rest of the farm by the class 8 soil.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS

Structure/Development	Length	Width	Height	Square Footage
Dwelling	60	40	12	2400
Driveway	70	20		1400
Accessory Structure				
Agricultural Structure				
Other				

EXISTING

Dwelling				none
Accessory Structure				none
Agricultural Structure				none
Other				none



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Dwelling				none
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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:
Propose parcel will be consistent with the surrounding area as it is not in farm production.

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

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

3. What are the existing developments and viewpoints of property owners in the surrounding area?
There is an existing home east side of and at the end of Beaumont Road.
All other viewpoints are farm ground with some rolling slopes.

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: Primary access would be from Beaumont Road. However, from the end of Beaumont Road each proposed parcel will be further accessed by private easements not less than 24 feet in width

Fire & Police Protection:

Local Fire and Ambulance

Sewer & Water: On site septic and well

Electrical & Telephone: Power and telephone are available at the end of Beaumont Road.

Solid Waste Disposal: Owner will contract with garbage removal or self-deliver to landfill.

5. What effect will the proposed use have on the stability of the community's social and economic characteristics?
There are no foreseeable potential impacts but a possible addition of a family single residence availability which could add to the economic stability in the area.
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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.
While the Snake River is alongside the subject property. There are no known potential impacts.
-
-

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?
There will be no increase of activities or operation beyond the minimal use of a family dwelling and parcel. The proposed home on Parcel 2 would be about 375 feet away from the existing home at the end of Beaumont Road.
-
-

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?
There will be typical small residential landscaping not to exceed 0.5 acres as allowed by a a domestic well surrounding the home.
-
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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.
The proposed home site are accessible from Beaumont Road.
The landowner and or successors will abide by the recommendations from the County Road Department and Rural Fire Department.
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-

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

The new development is for a single family dwelling and outdoor waste would be minimal.

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

The potential dwelling is about 100 yards from the next house and should not have glare.

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?

There is no known potential impact on any current use in the area and no activities will

conflict with adjacent current uses. There will be no net loss of farmed/irrigated ground.

**NON-RESOURCE DWELLING and NON RESOURCE PARTITION –
Malheur County Code (MCC) 6-6-8-1 and (MCC) 6-6-8-2**

1. Describe how the proposed dwelling and the creation of the proposed partition(s) is compatible with farm uses and is consistent with ORS 215.243: The parcel is currently non-productive ground.

2. Will the proposed dwelling and creation of the proposed partition(s) interfere seriously with accepted farming practices on adjacent lands and what conditions exist to avoid this problem? The proposed parcel is currently non-productive ground because of adverse soil conditions and no water rights exist for the property for irrigation.

3. Will the proposed dwelling/partition 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:

☐ No, if yes:

- Is the proposed parcel only as large as necessary to accommodate the use and provide any buffer area needed to ensure compatibility with adjacent agricultural uses? n/a

- Is the proposed parcel located on land with predominantly low productivity V-VII soils not suited for agricultural use and is large enough to accommodate the use and provide any buffer area needed to ensure compatibility with adjacent agricultural uses? How so? Yes. The parcel is non-productive. Parcel 2 has class VIII soils. Parcel 3 has mostly class VIII soils with some class III soils which is separated and uphill from the main farmland.

4. In what ways will the proposed partition avoid conflict with and have no significant adverse impact on:

- the quality of farm or range land: Soils are unsuitable for farming and the rangeland consist of hard pan and some high slopes with few low slopes.

- the watersheds: None are known.

- fish and wildlife habitat: None known.

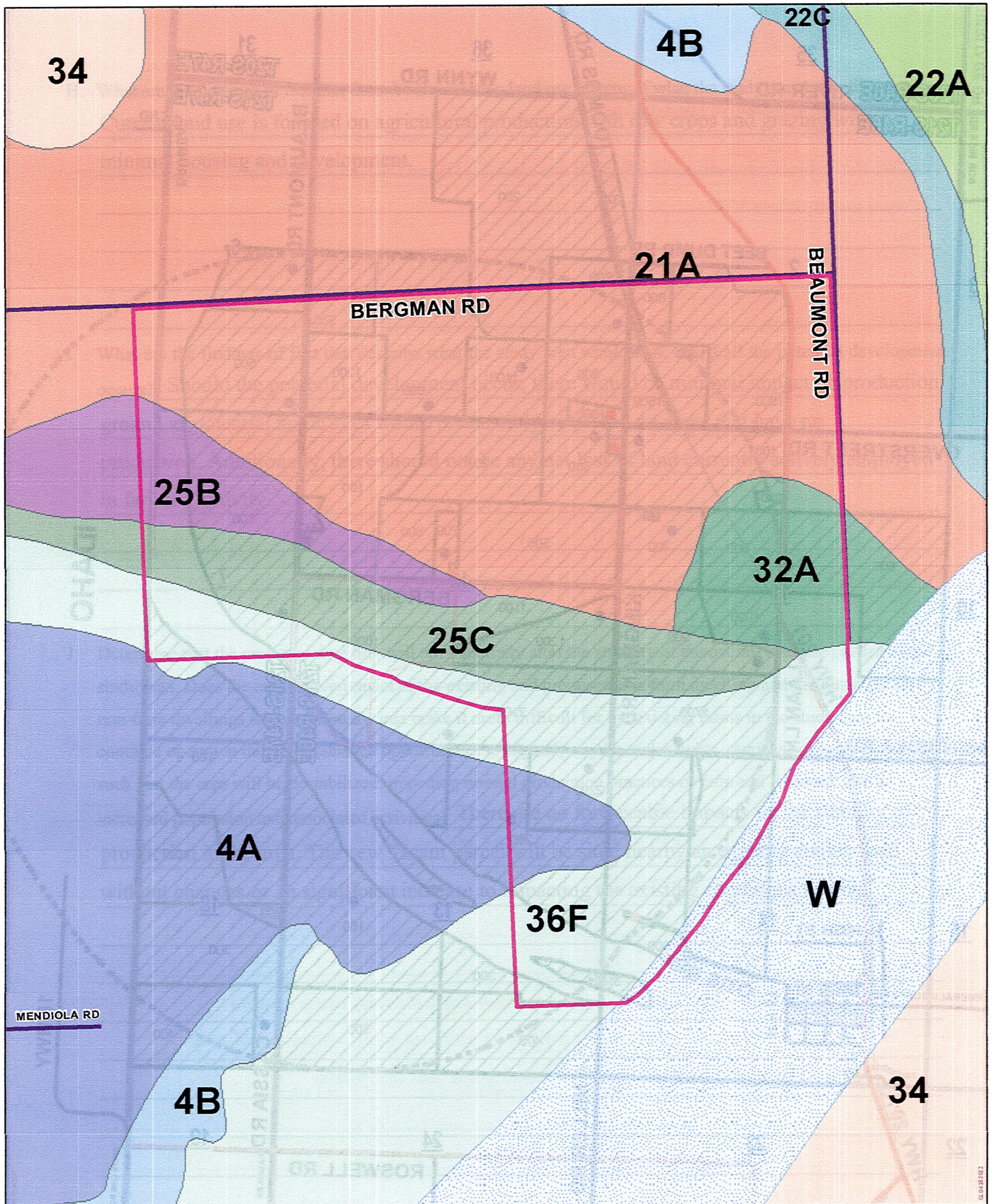
- soil and slope stability: Existing ground is non-productive. There are some high slopes with few low slope areas with a potential dwelling site.

- air and water quality: There are no known potential impacts on air and water quality.

- outdoor recreation areas: Owyhee Reservoir & Succor Creek Park & Snake River

5. Will the proposed partition be created for an existing dwelling or for preserving a historical dwelling? No. The proposed parcel is vacant.

6. 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? The majority of the soils on the subject property and adjacent are class II, III, and VIII. The proposed non-farm parcels are mostly class VIII.
-
- B. What are the types and numbers of existing dwellings that have been identified within the study area?
- | | | | |
|---------------------------|-----------|--------------------|----------|
| Primary Farm dwellings | <u>22</u> | Non-farm dwellings | <u>5</u> |
| Farm hand/labor dwellings | <u>0</u> | Hardship dwellings | <u>0</u> |
- C. What are the types of farm use occurring in the study area (row crops, pasture, range land, feed crops)? 85% row crops. 15% rangeland.
-
- D. What are the number of potential “lot of record” dwellings and non-farm dwellings within the study area?
- | | | | |
|-------------------------|-----------|--------------------|----------|
| Lot of Record dwellings | <u>10</u> | Non-farm dwellings | <u>4</u> |
|-------------------------|-----------|--------------------|----------|
- 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? 4
- F. On the parcels where you concluded no potential dwelling(s) will be sited, describe why? Most are zoned agricultural use only and most other rangeland are too far off for development. Others are less than the minimum parcel sizes.
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- G. What dwelling development trends have been identified within the study area since 1993? The surrounding area is largely farmland with small portions of outlying areas consisting of rangeland. A few building permits have been permitted in the last few years.
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Legend

 White_Ref# 10577

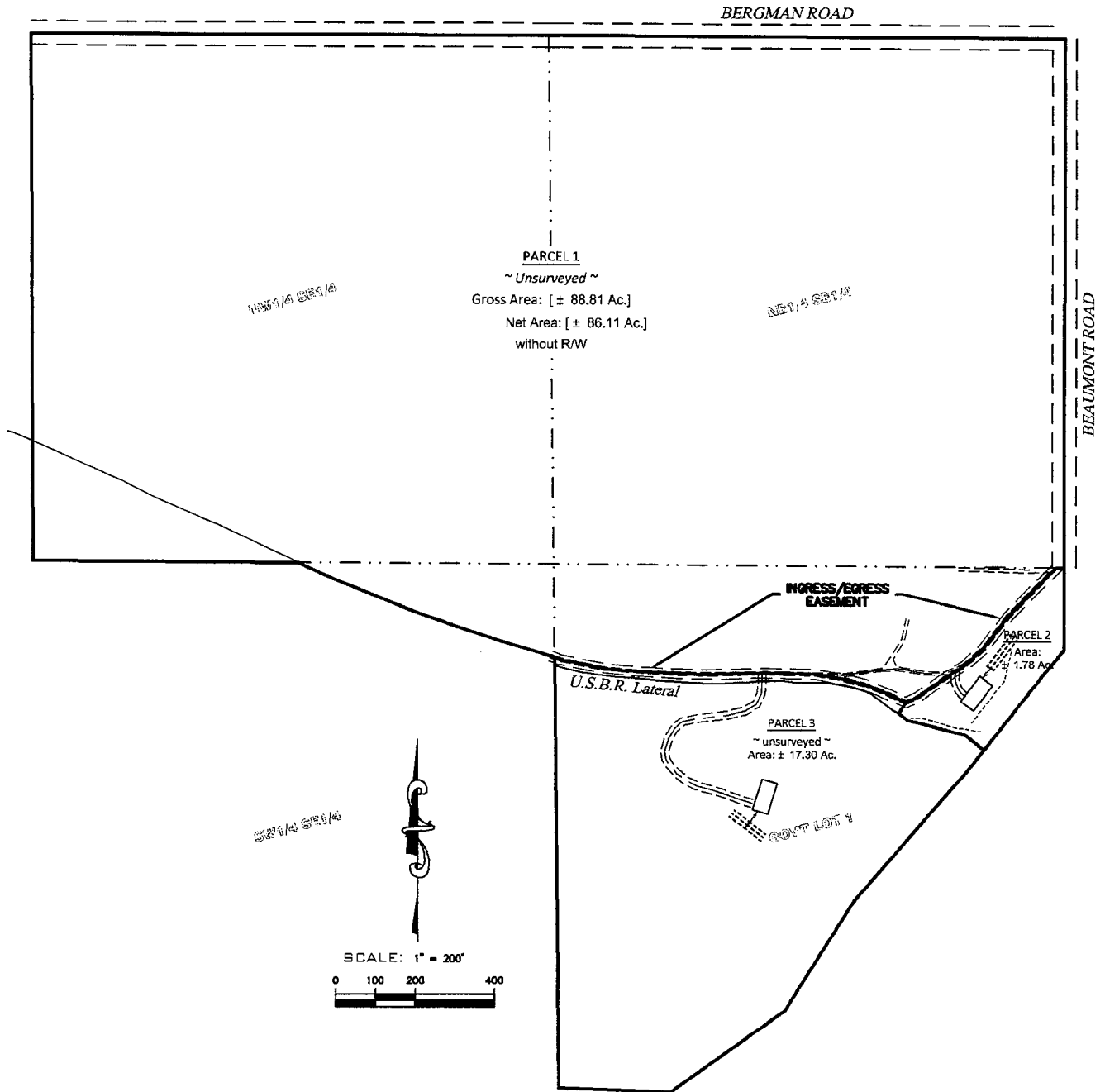
SOIL MAP

(White_10577)

Map is prepared for assessment purposes only

PRELIMINARY PLAT

IN THE NW1/4SE1/4, NE1/4SE1/4, SW1/4SE1/4, & GOVERNMENT LOT1 OF SECTION 12, TOWNSHIP 21 SOUTH,
RANGE 46 EAST, OF THE WILLAMETTE MERIDIAN IN MALHEUR COUNTY, OREGON



PROPOSED PARCEL #2 & #3 PLOT PLAN



PLOT PLAN

SCALE: 1" = 200'

OWNER(S): ERIC WHITE

ADDRESS: 2257 HWY 201

CITY: NYSSA STATE: OREGON ZIP: 97913

LEGAL: T21S., R46E, SECTION 12, WM, TAX LOT: 1000

