

**APPEAL (#24-10-009) OF
CONDITIONAL USE APPLICATION (2024-07-009)
FOR A WIRELESS TELECOMMUNICATION FACILITY**

Submitted by Carol Parker, Planning Director

Date: 11/13/2024

This is an appeal submitted by Andy Cockell (Maverick Tower).

The appeal was submitted on October 14, 2024 which met the deadline for filing an appeal of the Planning Commission decision of September 26, 2024.

Public notice of the appeal was sent to the Argus Observer for publication on November 20, 2024; with notice sent to "parties" of the hearing 10 days prior to the appeal hearing scheduled for December 4, 2024 before the County Court.

BACKGROUND INFORMATION:

On July 29, 2024 Matthew Schutjer, Rage Development submitted the CUP Application

Planning Commission hearing was on September 26, 2024.

Subject property is owned by Christopher & Anne Ray at 6144 Molthan Ranch Rd., Ironside

Subject property is zoned C-A2 (Exclusive Range)

969.30 acres with 391.7 acres of water rights

Access is a private drive originating off of John Day Highway

No sanitation is required; not within a fire district; and no natural hazards

The Planning Commission conclusions and decision was based on substantial evidence which exists in the record supporting the conclusion that the application meets the general and specific criteria established in the Malheur County Comprehensive Plan (Goals 3 - Agricultural Lands, 5 - Open Space, Scenic and Historic Areas, and 11 - Public Facilities and Services) and County Code (Sections 6-6-7, 6-6-8-1, 6-6-8-8, conditional use requirements), the Oregon Revised Statutes (215.283), and the Oregon Administrative Rules (660, Division 130, Agricultural Lands - 660-130-0130(16) for a wireless telecommunication facility in an exclusive range use (C-A2) zone.