



MALHEUR COUNTY

251 B Street West, #12 Vale, Oregon 97918

PLANNING DEPARTMENT

Phone (541)473-5185

File Number: 2024-10-010
Application Fee: 200
Date Received: 10/18/2024
Date Deemed Complete: _____

LAND USE APPLICATION COVERPAGE

LANDOWNER INFORMATION

Name: Clint & Julie Stowe
Address: 219 Evergreen Rd
City/State/Zip: Ontario, OR 97914
Phone: 5412623411
Email: ontariorock@fmtc.com

APPLICANT INFORMATION ☐ Check box if same

Name: Julie Stowe
Address: 219 Evergreen Rd
City/State/Zip: Ontario, Or 97914
Phone: 5412125154
Email: _____

PROPERTY INFORMATION

Township: 17S Range: 47E Section: 3 Tax Lot: 601 Ref #: 6592 Acres: 2.79 Zoning: C-A1
Address: 219 Evergreen Rd., Ontario Or 97914

Current use: Farm Use of surrounding properties: _____
Proposed use: Farm & Home Business/Venue Permitted subject to section: _____
Water source: Well Sewage disposal method: Portable toilets

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

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

Name of road providing access: Evergreen Rd.

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.

SIGNATURES:

Property Owner(s):

Julie Howe

Date:

9/30/24

Property Owner(s):

Clint

Date:

9/30/24

Applicant(s):

Date:

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):

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): _____ _____ _____	

Last Updated 01/30/2020



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CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN REQUEST

I am requesting permission to have a home business at my property which would be an open-air Event venue. Our pasture will be used as the parking area. It is approximately one acre.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling				
Driveway				
Accessory Structure				
Agricultural Structure				
Other				
Misc Tents or Gazebos (temporary)	Various	sizes		
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:

Our proposed venue will be compatible with the surrounding area due to the fact that there will be no changes made to any ground/farm ground.

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

We will be an Event Venue and our hours will vary with each event with our opening time to be at 9am at the earliest and closing time being at 11 pm at the latest for each event. We are planning on appx 15 events per year.

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

I will have one employee on the property during the events and two other employees that will be working to prep such as yard work, clean up ect. Events will vary in size with 300 being the max.

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

I have a neighbor to the East which resides next to what will be the parking pasture and my neighbor to the west is more than two acres away and there are multiple of their buildings and their truck parking area inbetween them and our event areas. I have spoken with both neighbors who are supportive and agreeable to our venue.

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: We are directly off of Evergreen Road and have a large driveway opening that is easily accessible for attendees and our parking area will keep the road clear.

Fire & Police Protection:

We have multiple water sources outside our home for access for fire if needed and We have three large entry/driveways for emergency vehicles.

Sewer & Water: We have multiple frost free hydrants for potable water and have Wheelchair accessible porta poties on the property during an event.

Electrical & Telephone:

We have electrical outlets on site .

Solid Waste Disposal: Sunrise Septic facilitates our porta potties.

5. What effect will the proposed use have on the stability of the community's social and economic characteristics?
It will create the availability of a mature garden space for local people to have events at a price that will help our local economy.

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.
There is no wildlife that will be affected in the area.

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?
We are mostly surrounded by farm ground except for the neighbors afore mentioned to the East and West and they are far enough away that no light or noise is a nuisance and we will strictly end events at 11 pm.

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?
I currently have an extensive garden and am adding flowers, plants and trees occasionally. The upkeep of the grounds creates a pleasant addition to the neighborhood and helps increase the value of the neighborhood.

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 have three existing access points/driveways into our property. The access is off of Evergreen Rd.

Attached is a letter from the Road District.

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

All garbage is in lidded cans. There is a shed used exclusively for venue decor items.

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

No lighting will be outside of our current yard will be used. Rules will be in place for no accessively bright lights to be used that would cause a glare to roadways or to neighbors.

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?

Since our proposed Venue uses our current land in its current state, there should be no significant changes in any cost, or values.

There is a hay field behind our property and a hay field accross Evergreen Road from our property. There will be no interaction with either of these areas.

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.*

Our business/venue is located outside of our dwelling. The outside area to be used is 2.79 acres.

There may also be a temporary tent and or gazebo put up during an event with a maximum use time of 24 hours.

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.*

We have Three part time employees.

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.*

Our property upkeep will consist of watering, weeding and trimming and making sure there are no outdoor hazards. All electrical outlets will be maintained and inspected regularly.

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.*

All venue decor items will be kept in a shed specifically for the venue only. All items will be in covered cases and area to be kept neat, orderly and clean.

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).*

The only sign will be posted at the corner of Evergreen Road and Hwy 201 on the East side of the road with a temporary sign that complies with local law.

There will also be a temporary sign for each event placed at one of the driveways of our private property.

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.*

There will only be attendees entering the parking pasture and them exiting the pasture.

there are two areas to enter and exit to help with flow.

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.*

We have a very large driveway and parking area for loading and unloading as well as a parking pasture for the guests.

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.*

The hours that we will allow an event will be 9am at the earliest for music and guests and the guests will all have to be completely gone by 11 pm. Any set up done before 9 am will be allowed for dropping off equipment or items of decor only.

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.*

Any odor would only be from garbage which will be in garbage bags, in enclosed cans with lids and at the end of an event will be tied and taken to a larger dumpster.

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.*

There will be no major electrical interferences at the venue.
