

STAFF REPORT

Planning Department File No. 2026-05-021

**CONDITIONAL USE APPLICATION
FOR
A HOME BUSINESS**

Planning Commission Meeting Date: June 25, 2026

- 1. APPLICANT:** Cade & Lissa Liverman
2931 US Hwy 20
Harper, OR 97906
- 2. OWNER OF RECORD:** Cade & Lissa Liverman
2931 US Hwy 20
Harper, OR 97906
- 3. PROPOSED ACTION:** Conditional Use approval for a home business for the purpose of operating an ODA Custom Meat Processing Facility.
- 4. PROPERTY IDENTIFICATION:** Tax Lot 600, T19S, R43E, Sec. 30; Assessor’s Map 19S43E30; Malheur County Reference #8770.
- 5. PROPERTY LOCATION AND DIRECTIONS:** From Vale, travel east on US-20 for approximately 15 miles. Just before Little Valley Road, turn left. The subject property will be located on the left-hand side. Enter through the driveway.
- 6. ZONING:** Exclusive Farm Use (C-A1).
- 7. PARCEL SIZE:** The parcel is 34 acres.
- 8. PARCEL USE:** The primary use of the property is for farming and a single-family dwelling with a few miscellaneous residential improvements as well as a machine shed, horse barn, storage sheds, and agricultural storage areas.
- 9. SURROUNDING USE:** Surrounding properties consist primarily of agricultural operations with associated homesites.
- 10. ACCESS:** Access is directly off Hwy US-20.
- 11. SANITATION REQUIREMENTS:** A new sanitation system will be required. Owner-operators plan to install a new bathroom into the existing structure.
- 12. FIRE PROTECTION:** The parcel is not located within the Fire Protection District.

13. NATURAL HAZARDS: No natural hazards have been identified.

14. WATER RIGHTS: The property is within Vale Irrigation boundaries.

15. SOIL TYPE: The entire property is covered in soils of class 4 and 6.

16. ZONING HISTORY: There is no known zoning history.

GENERAL CONDITIONAL USE CRITERIA

MCC 6-6-7 - GENERAL CRITERIA TO EVALUATE SUITABILITY: In considering the suitability of proposed conditional uses, the Planning Commission shall base its decision upon the following criteria:

A. Comprehensive Plan goals and policies, as applicable.

B. Specific plan recommendations

Proposed Finding: MCC 6-6-7 regulates the general criteria to evaluate suitability and MCC 6-6-8-6(C) regulates the conditional use process for a home business.

C. Existing development and viewpoints of property owners in the surrounding area.

Proposed Finding: Letter notice was sent to adjoining landowners on June 3rd, 2026 and published in the Argus Observer on June 3rd, 2026. No comments were received.

D. Availability of services and utilities.

Proposed Findings:

ROADS: The entrance to the property will be off of Hwy US-20. No additional access points will be required.

FIRE & POLICE PROTECTION: The proposed meat processing facility is not located in the Fire Protection District. There will be little to no impact on the police protection.

SEWER & WATER: The proposal is for an ODA custom meat processing facility. Water service will be provided through the existing system. Wastewater disposal shall be subject to review and approval by Malheur County Environmental Health and Oregon DEQ. This criterion can be met subject to compliance with Conditions 2(g) and 2(h).

ELECTRICAL & TELEPHONE: No additional power will be required to

support the operation of the facility. Existing power is in place.

SOLID WASTE DISPOSAL: Domestic solid waste may be disposed of through existing residential solid waste service. Animal by-products and processing waste shall be handled in accordance with Condition of Approval 2(f) and all applicable ODA, DEQ, and Environmental Health requirements. (See condition of approval f.)

- E. The effect of the proposed use on the stability of the community's social and economic characteristics.

Proposed Finding: The proposal is to operate a registered business, which will act a regulated tax-paying entity. The operation will increase the County's tax revenue.

- F. It does 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.

Proposed Finding: The site of the proposed custom meat processing facility is not located within an area containing fish or wildlife habitat identified as critical or sensitive and will not interfere with traditional fish and wildlife use.

- G. General Criteria

- 1. Increasing setbacks of structures to reduce possibilities of overshadowing adjoining property, noise, odor or night lighting nuisances.

Proposed Finding: The possibility of overshadowing adjoining properties is minimal due to the existing location of the structures. Potential noise, lighting, and odor impacts will be limited through compliance with County Code regulations and the conditions of approval. Odors will be minimized through proper waste handling, refrigeration, and daily sanitation practices. The dwelling located in close proximity of the meat facility is the one occupied by the facility operators.

- 2. Landscaping improvements for the visual benefits of the subject site and for the improved appearance of the neighborhood and County.

Proposed Finding: Existing landscaping will remain and be maintained in its current condition.

- 3. Location and size of driveway access points and right-of-way widening and improvement for present and future traffic circulation and safety.

Proposed Finding: The access points are existing. No new access points are

being proposed for this development. All parking will be contained within the boundaries of the subject property.

4. Visual screening of outdoor waste and storage areas.

Proposed Finding: There will be no outdoor waste areas or storage.

5. Control and focusing of outdoor lighting to avoid glare being directed beyond property limits.

Proposed Finding: No new outdoor lighting proposed.

6. Special criteria listed below, as applicable:

H. Allowance of Certain Uses: A use allowed under Section 6-3A-3 of this Title shall be approved only where it is found that the use will not:

1. Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or
2. Significantly increase cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use. (Ord. 86, 12-7-1993)

Proposed Finding: Adjacent farmland will not be impacted by the development.

6-6-8-6: HOME BUSINESS: A home business shall comply with the following standards:

1. Location: Any zone, not excluded below, in which a home business is a conditional use.

Proposed Finding: The subject property in zoned C-A1 (Exclusive Farm Use) and a home business is subject to the conditional use MCC 6-3A-3 (L).

2. Scale: 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 building, 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.

Proposed Finding: The proposed processing facility will be located within existing accessory structures on the property. No new structures are proposed as part of this application.

3. Participants: 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.

Proposed Finding: The facility will initially be operated by the two owners/operators.

Future employment may include up to five total employees, consistent with ORS 215.448 requirements.

4. Character: The property upon which a home business exists shall be and kept in a clean, neat, orderly fashion.

Proposed Finding: The home business will have no effect on the character or visual appearance of the property.

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

Proposed Finding: All materials associated with the home business will be contained within the existing shop specifically. This criterion is met.

6. Display: There shall be no display of products visible from outside the allowed dwelling or accessory structures of the home business.

Proposed Finding: No products will be displayed outside of the approved dwelling or accessory structures. This criterion is met.

7. Signs: A home business must comply with chapter 7 of this title.

Proposed Finding: Any signage associated with the home business shall comply with MCC Chapter 7. Subject to compliance with County sign regulations and Condition of Approval 2(e),

8. Traffic: 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.

Proposed Finding: Customer and business traffic is anticipated to remain below the maximum allowed fifteen (15) trips per day. Customers will primarily consist of livestock drop-off and meat pick-up appointments.

9. Parking: 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.

Proposed Finding: There will be dedicated parking space allotted on the property. There will be no offsite parking beyond the boundaries of the subject property.

10. Noise and Other Nuisance Factors:
 - a. Noise: 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.

Proposed Finding: Operations will be conducted Monday through Saturday between 8:00 a.m. and 6:00 p.m. No operations are proposed outside these hours.

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

Proposed Finding: Waste generated by the operation shall be stored in containers approved by the Oregon Department of Agriculture (ODA), Oregon Health Authority (OHA), and Oregon Department of Environmental Quality (DEQ), and shall be removed or disposed of in a manner that prevents the development of odors. Carcasses and processed meat will be stored in refrigerated coolers or freezers to minimize odor and spoilage. The facility will be cleaned and sanitized on a daily basis to prevent the accumulation of waste and the growth of bacteria that could create odor nuisances. Any approved drainage and wastewater disposal systems will be installed and maintained in accordance with applicable DEQ and Environmental Health requirements to ensure the proper handling and disposal of associated liquids.

- c. Electrical Interference: 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.

Proposed Finding: The proposal is for a meat processing facility. There is no anticipated visual or audible electrical interference. This criterion is met.

OREGON REVISED STATUTE 215.448: Home occupations:

- 1. The governing body of a county or its designate may allow, subject to the approval of the governing body or its designate, the establishment of a home occupation and the parking of vehicles in any zone. However, in an exclusive farm use zone, forest zone or mixed farm and forest zone that allows residential uses, the following standards apply to the home occupation.
 - a. It shall be operated by a resident or employee of a resident of the property on which the business is located;

Proposed Finding: The processing facility will be solely operated by the owners of the property.

- b. It shall employ on the site no more than five full-time or part-time persons;

Proposed Finding: The facility will initially be operated by the owners, with any future employment limited to the maximum number of employees permitted by ORS 215.448.

- c. It shall be operated substantially in:
 - A. The dwelling; or
 - B. Other buildings normally associated with uses permitted in the zone in which the property is located; and

Proposed Finding: All administrative business operations including the accounting, booking, and any other office related business will be conducted within the processing facility.

- d. It shall not unreasonably interfere with other uses permitted in the zone in which the property is located; and

Proposed Finding: Based upon the above findings, this use will not unreasonably interfere with other uses permitted in this zone. This criterion is met.

- 2. The governing body of the county or its designate may establish additional reasonable conditions of approval for the establishment of a home occupation under subsection (1) of this section. Conditions of approval are set out below.
- 3. Nothing in this section authorizes the governing body or its designate to permit construction of any structure that would not otherwise be allowed in the zone in which the home occupation is to be established.
- 4. The existence of home occupations shall not be used as justification for a zone change

OTHER PROPOSED FINDINGS OF FACT

The applicant has submitted additional proposed findings of fact in the conditional use application.

PROPOSED CONDITIONS OF APPROVAL

1. PREREQUISITE:

- a. All aspects of the proposed home business (processing facility) must stay confined within the boundaries of the subject property.

2. PERFORMANCE STANDARDS:

- a. Any deviation from this proposal, including but not limited to additions of new structures, shall void this permit and a new permit must be obtained. This permit is not transferable – it is personal to the Applicant and shall not run with the land. New owners of the property will need to obtain a permit.

- b. The home business must be operated substantially in the dwelling or a building that is associated with the farm or farm dwelling. The use of any permanent structure, which is normally associated with farm dwellings or other agricultural uses permitted in the EFU zone may be used. All business activities shall be conducted between 8:00 a.m. and 6:00 p.m.
- c. Lighting shall not project off the property. Use of glaring lighting is prohibited.
- d. A Certificate of Occupancy issued by the Malheur County Building Department will be required before the operation of the change of use.
- e. There shall be no signage or display of products visible from outside the approved dwelling or accessory structure. The home business shall comply with all applicable requirements of Malheur County Code (MCC) Chapter 7.
- f. Pursuant to the determination of the Malheur County Environmental Health Office, no waste generated by the meat processing facility, including carcasses, offal, or other animal by-products, shall be disposed of at the local landfill. All waste shall be collected, transported, and disposed of in accordance with applicable local, state, and federal regulations governing animal and meat processing waste.
- g. Pursuant to Oregon Department of Environmental Quality (DEQ) requirements, any approved onsite septic system shall be limited to domestic and approved wash water only. Animal byproducts, including blood, carcass fluids, offal, and other processing waste, shall not be discharged into the septic system and must be disposed of in accordance with all applicable DEQ and Environmental Health regulations.
- h. The applicant shall obtain and maintain all licenses, registrations, inspections, and approvals required by the Oregon Department of Agriculture, Oregon Department of Environmental Quality, and Malheur County Environmental Health for the operation of a custom meat processing facility. Failure to maintain such approvals shall constitute a violation of this permit.

EXHIBITS

1. Application
2. Site Plan
3. Bargain and Sale Deed
4. Letter from Vale Oregon Irrigation District
5. Letter from Oregon dept of Transportation