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: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____

APPLICANT INFORMATION ☐ *Check box if same*

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____

PROPERTY INFORMATION

Township:_____ Range:_____ Section:_____ Tax Lot:_____ Ref #:_____ Acres:_____ Zoning: _____

Address: _____

Current use: _____ Use of surrounding properties: _____

Proposed use: _____ Permitted subject to section: _____

Water source: _____ Sewage disposal method: _____

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

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

Name of road providing access: _____

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): _____ Date: _____

Property Owner(s): _____ Date: _____

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.

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel Deed/Land Use Action:_____ **Previous Map and Tax Lot:** _____	□NO □YES
Past Land Use Actions: If yes, list file #(s) _____ _____ _____	□NO □YES
Subject to previous conditions? **Assessor Property Class:** _____ **Zoning:** _____	□NO □YES
Water Resources: Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties? Describe (include setback distances): _____ □ Fish bearing □ Non fish bearing □ Seasonal Creek □ Irrigation ditch □ Wetland □ Pond/Lake □ Not identified *(Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.)*	□NO □YES
Access: County or ODOT approach permit on file? □ NO □ YES, # _____	
Address: Address exists and has been verified to be correct? Address needs to be assigned after approval?	□NO □YES □NO □YES
Fire District: _____	

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CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN EQUEST

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	**Length**	**Width**	**Height**	**Square Footage**
Dwelling				
Driveway				
Accessory Structure				
Agricultural Structure				
Other				
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:

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

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

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

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:

Fire & Police Protection:

Sewer & Water:

Electrical & Telephone:

Solid Waste Disposal:

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

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.

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?

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?

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.

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

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

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?

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: _____

_____

_____

_____

_____

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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? _____

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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? _____

_____

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- 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? _____

_____

_____

_____

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: _____

_____

_____

- the watersheds: _____

_____

_____

- fish and wildlife habitat: _____

_____

_____

- soil and slope stability: _____

_____

_____

- air and water quality: _____

_____

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_____

- outdoor recreation areas: _____

_____

_____

5. Will the proposed partition be created for an existing dwelling or for preserving a historical dwelling? _____

_____

_____

_____

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? _____

_____

_____

_____

_____

B. What are the types and numbers of existing dwellings that have been identified within the study area?

Primary Farm dwellings _____ Non-farm dwellings _____

Farm hand/labor dwellings _____ Hardship dwellings _____

C. What are the types of farm use occurring in the study area (row crops, pasture, range land, feed crops)? _____

_____

_____

_____

_____

_____

D. What are the number of potential "lot of record" dwellings and non-farm dwellings within the study area?

Lot of Record dwellings _____ Non-farm dwellings _____

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? _____

F. On the parcels where you concluded no potential dwelling(s) will be sited, describe why? _____

_____

_____

_____

_____

G. What dwelling development trends have been identified within the study area since 1993? _____

_____

_____

_____

_____

_____

H. What are the findings of fact that describe the existing land use pattern of what the study area looks like now?

_____

_____

_____

_____

_____

_____

I. What are the findings of fact that describe what the study area would look like if all the potential development occurs? _____

_____

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_____

J. Determine that the proposed dwelling will not materially alter the stability of the overall land use pattern of the study area. Does the cumulative impact of the existing and proposed non-farm dwelling and the potential new non-farm dwellings within the study area make it more difficult for the existing farms in the study area to continue operation due to diminished opportunities to expand, acquire water rights, purchase or lease farmland, such that the area will be destabilized, impeding normal production practices or crop and livestock due to increased population and associated activities? _____

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