

WALLOWA COUNTY PLANNING COMMISSION
7:00 pm January 31, 2023
Wallowa County Courthouse
Agenda

1. **Planning Commission Meeting Minutes** from November 29, 2022
2. **RAMSDEN CUP#22-12 FINDINGS** – Submitted by Mark and Amy Ramsden, the proposal is for a Home-based Occupation in the form of a Bed and Breakfast in the Exclusive Farm Use (EFU) zone. The property in question is described as Township 01 North, Range 43 East, Section 00, and Tax Lot 7600. It is more commonly known as 69694 Allen Canyon Loop, Wallowa, Oregon 97885 and consists of approximately 104 acres.
3. **BECK CUP#22-13** - -Submitted by Jodi and Douglas Beck, the request is for a Relative Farm Assistance Dwelling in the Exclusive Farm Use (EFU) zone. The property in question is described as Township 01 South, Range 46E, Section 00, and Tax Lot 2000. It is more commonly known as 87143 Three Lakes Lane, Enterprise, Oregon 97828 and consists of approximately 135 acres.
4. **DESPAIN-STANGEL VAR#22-04** – Submitted by Erik DeSpain, the proposed variance would reduce the minimum lot size from 5 acres to 2 acres and all property boundary line setbacks from 25 feet to 5 feet. The property is owned by Stangel Industries and is described as Township 01 South, Range 44 East, Section 35, tax lot 100, and is zoned Industrial (M-1). It is more commonly known as 66464 Lewiston Highway, Enterprise, Oregon 97828 and is currently 23.25 acres.
5. **Other Business:**

The next Planning Commission meeting is scheduled for February 28, 2023.

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Planning Commission Minutes November 27, 2022

This meeting of the Wallowa County Planning Commission convened at 7:02 p.m. on November 27, 2022. This meeting was held via Zoom, a video conferencing application, and in the Thornton Conference Room of the Courthouse. The following were present:

COMMISSIONERS (CM):

Georgene Thompson (via Zoom)
 Ramona Phillips
 Chris Bullat
 Gay Fregulia (via Zoom)
 Jim Nave (Chair)
 Rob DeSpain

STAFF:

Franz Goebel, Planning Director (PD)
 Jean Jancaitis, Department Specialist

OTHERS PRESENT:

Caroline (Amy) Ramsden
 Mark Ramsden

PRESENT via ZOOM:

None

[Please note that draft and adopted findings, staff reports, written testimony, and the official Planning Commission meeting audio record are available for review and/or purchase in the Planning Department.]

Public Hearing Procedure

Ladies and Gentlemen, I call the regular November 27, 2022, hearing session of the Wallowa County Planning Commission to order. My name is Jim Nave, and I am the acting Chair of the Planning Commission for Wallowa County, Oregon. The members of the Planning Commission are appointed by the Wallowa County Board of Commissioners, and we all serve as volunteers.

Now I would like to introduce the current members of the Commission who are present tonight, and the staff of the Planning Commission, who have prepared the materials we will consider. [Introductions of members and staff]

We conduct two types of hearings, legislative and quasi-judicial. Legislative hearings involve the making of rules, either new ones or revisions to existing rules. In these cases, we recommend our conclusions to your elected lawmakers, the County Commissioners, who always take the final action on legislative issues.

Oregon law requires that persons who attend land-use hearings are advised of certain rights and duties before the quasi-judicial hearing begins. We must tell you about approvals criteria, the raise-it-or-waive rule, and the right to have the record left open.

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First approval criteria: the law requires the County to list the applicable County and State zoning criteria. A County Planner will do so in a few minutes. The law requires us to identify those standards of which an applicant must satisfy in order for the County to approve an application. Each of the standards must be supported by substantial evidence in the record. Make sure to direct your testimony, claims, or evidence toward the criteria which you believe applies to the application.

Second, the raise-it-or-waive-it rule. The law says that any issue which might be raised in an appeal of the decision after this hearing must be raised before the record of this hearing is closed, you cannot raise the issue on appeal. You must identify the issue clearly enough so that the County and all parties have an opportunity to respond to the issue.

Third, the right to have the record remain open. The law grants the participant the right upon to proper request to have the record of the hearing remain open for at least seven days. The request must be made before the conclusion of this hearing. The participant is the applicant or anyone who has submitted written or oral testimony regarding the application. The request may be made at any time during the initial hearing but must be made prior to the time the Planning Commission Chair announces that the hearing is closed. Once the hearing is closed, there is no longer a legal right to have the record remain open for additional evidence.

CM Nave proceeds to the minutes of the September 27, 2022, Planning Commission Meeting.

1. **September 27, 2022 Minutes** (October meeting was cancelled)

CM Bullat moves to approve the minutes of the September 27, 2022, Planning Commission meeting.

CM DeSpain seconds the motion.

[CM Phillips – Yes;

CM Thompson – Yes;

CM Bullat – Yes;

CM Nave – Yes;

CM Fregulia – Yes;

CM DeSpain – Yes;

Motion Passes 6-0-0]

**Planning Commission Minutes
November 27, 2022**

2. RAMSDEN CUP#22-12

PD Goebel presents the Staff Report and suggested conditions.

Mr. and Mrs. Ramsden present the application. They propose to turn five of their silos into Bed and Breakfast rooms. Their home is on the same parcel and ~200 yards from the silos. The guest entrances and windows will face the south, away from the road. The closest neighbor is at least 2,100 ft. All other neighbors are at least ¼ of a mile away. They make a living in cattle and hope to downsize. The Bed and Breakfast would supplement the lost income. They believe that there is a lack of recreational accommodations in the lower valley and this could help fill that gap. They will are not sure if they will allow pets yet, but are in agreement with the suggested condition that they be leased and supervised.

CM Nave notes that no comments were submitted on the application.

CM Bullat asks about their implementation timeline and when they might expect to start hosting guests.

Mr. Ramsden believe that at least one unit would be available late next summer. Detailed plans have not been developed, but they have been doing research on other silo conversions.

CM Phillips asks if there is enough room for the septic or if there might be a conflict with where parking is designated.

Mr. Ramsden responds that there is a lot of room, but the drawing makes it look small.

CM DeSpain asks if they will have to adjust power.

Mr. Ramsden replies that the power is going to be upgraded.

CM DeSpain asks PD Goebel if this approval is for the whole proposal or for each unit?

PD Goebel responds that the Planning Commission would be approving the whole proposal.

CM DeSpain ask how long they have to complete the project.

PD Goebel responds that a typical zone permit has four years to complete the project. [*Conditional Use Permits have two years*] Both zone permits and conditional use permits may apply for a one-year extension if substantial work has taken place.

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**[CM Phillips – Yes;
CM Thompson – Yes;
CM Bullat – Yes;
CM Nave – Yes;
CM Fregulia – Yes;
CM DeSpain – Yes;**

Motion Passes 6-0-0]

CM Bullat notes that he would like to include the suggested condition on building inspections.

CM Naves asks if the Planning Commissioners would like to include all the suggested conditions?

PD Goebel asks specifically about the dog leash condition.

CM Phillips agrees with the condition.

CM Phillips moves to approve application CUP #22-12 with the conditions suggested in the Staff Report.

CM DeSpain seconds the motion.

**[CM Phillips – Yes;
CM Thompson – Yes;
CM Bullat – Yes;
CM Nave – Yes;
CM Fregulia – Yes;
CM DeSpain – Yes;**

Motion Passes 6-0-0]

The application is approved.

CM DeSpains moves to close the quasi-judicial hearing portion of the meeting so they may move on to other business.

CM Phillips seconds the motion.

**[CM Phillips – Yes;
CM Thompson – Yes;
CM Bullat – Yes;
CM Nave – Yes;**

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**CM Fregulia – Yes;
CM DeSpain – Yes;**

Motion Passes 6-0-0]

3. OTHER BUSINESS

PD Goebel notes that it is the time of year when terms expire and to elect officers. The terms of CM Phillips, CM Nave, and CM Bullat expire on December 31, 2022.

CM Phillips, CM Nave, and CM Bullat confirm that they would like to serve another term.

The Planning Commissioners decide to keep the existing officers.

PD Goebel continues the discussion from September 27, 2022 regarding potential updates to the Article 1, definitions of “Bed and Breakfast” and “Bunkhouse”.

PD Goebel reads the definition of “Accessory Structure” since it is used in both definitions:

004. ACCESSORY STRUCTURE OR USE - A structure or use that is incidental, consistent with, and subordinate to the primary structure or use on the same unit of land. On EFU or Forest land, an accessory structure is-a detached structure, the use of which is customarily incidental to that of the primary structure or the primary use of the land and which is located on the same lot or parcel as the primary structure or use, and that the accessory structure will not be used as a residence or rental unit.

PD Goebel notes that, if the “Bed and Breakfast” and “Bunkhouse” definitions are to be consistent with the “Accessory Structure” definition, they should not include the ability to use an Accessory Structure for a human habitation.

The discussion results in the below proposed edits to these definitions:

Planning Commission Minutes November 27, 2022

- 021. BED AND BREAKFAST – (B&B)** An accessory use within a single-family dwelling. The dwelling shall be the primary residence of the bed and breakfast manager ~~or accessory structure appropriate for the zone on the same parcel. Accessory structures may be, but not limited to, a second dwelling, a portion of a barn, or a bunkhouse. Accessory structures must be approved as living quarters.~~ Up to five bedrooms may be available for rent. Rooms are rented for less than 30 days. B&B manager must ~~have staff be in on the same tract site the house overnight while guests are present overnight.~~ Breakfast is required; however, breakfast is defined by the manager/owner/operator. Other meals are optional. B&Bs must meet the criteria of Articles 33, Signs, 34, Parking, and 25, Flood, Wildfire and Natural Hazards. ~~Incidental use (5% of days the B&B is available for rent) may involve Other Overnight Accommodations.~~

B&Bs are Home Based Occupations (HBO) and are allowed in all zones which allow HBOs.

Requires a Conditional Use Permit (CUP) and Public Hearing Review. Also, must meet the criteria of applicable Oregon Administrative Rules (OARs). HBO rules apply (Article 35), however, Unincorporated Communities may

have their own rules regarding the level of review which will take precedent.
B&Bs must pay Transient Lodging Tax.

- 025. BUNKHOUSE** - normally a small, rough, simple building meant to provide temporary sleeping quarters. Bunkhouses do not have kitchens and meals are normally taken elsewhere, as in a mess hall. Bunkhouses are accessory non-residential buildings normally provided in conjunction with resource use, but they may be used for recreational overnight lodging. Bunkhouses requested for non-resource use will be subject to Administrative Review. As Bunkhouses are non-residential buildings, they cannot be used as a short-term rental, a Bed and Breakfast, or as a long-term residential rental (>30 days). Bunkhouses are not exempt, regardless of size, from requirements outlined in Article 25.

The Commissioners direct PD Goebel to develop a formal amendment to Article 1 based on the above language.

CM Phillips moves to adjourn the meeting.

CM Bullat seconds the motion.

[CM Phillips – Yes;

CM Thompson – Yes;

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**CM Bullat – Yes;
CM Nave – Yes;
CM Fregulia – Yes;
CM DeSpain – Yes;**

Motion Passes 6-0-0]

Meeting was adjourned at 8:41 PM

Jean Jancaitis

Date

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WALLOWA COUNTY
Planning Department
101 S River Street #105
Enterprise, Oregon 97828
541-426-4543 ext. 1170

FINDINGS
CUP#22-12
Ramsden

IN THE MATTER OF THE REQUEST)
FOR A HOME-BASED OCCUPATION) FINDINGS OF FACT, CONCLUSIONS, AND
IN THE FORM OF A BED AND BREAKFAST IN) DECISION OF THE WALLOWA COUNTY
THE EXCLUSIVE FARM USE (EFU) ZONE) PLANNING COMMISSION
)

RE: RAMSDEN HBO B&B CUP#22-12

The request was deemed to be complete on October 19, 2022. It was properly advertised in the Chieftain on November 16, 2022, and noticed to landowners within 500 ft and other interested parties on October 31, 2022. The request came before the Wallowa County Planning Commission on November 29, 2022, with a Decision on January 31, 2023. The Planning Commission having reviewed the record, the materials introduced in the above-referenced hearing, and having heard and considered oral testimony in the above-referenced hearing, and being fully advised, makes the following findings of fact and decision.

APPLICANT: Mark & Caroline Ramsden
69694 Allen Canyon Loop
Wallowa, OR 97885

OWNER: Same

REQUEST: To permit a Home-based Occupation in the form of a Bed and Breakfast, in accessory structures (silos converted to guest quarters) for a maximum of (10) people and (5) vehicles. The residence and the accessory structures are on High Value Farmland.

LOCATION: The property description is Township 01N, Range 43E, Section 00, Tax Lot 7600, Ref#5975, Address: 69694 Allen Canyon Loop, Wallowa, OR 97885.

PARCEL CHARACTERISTICS: The parcel contains about 104.3 acres and there are a total of 115.3 acres in the tract. The Zoning is EFU and access is from Allen Canyon Loop, a County Road. The parcel borders EFU on all sides. There is one farm dwelling and multiple accessory structures on the parcel.

PREVIOUS LAND USE ACTIONS:

There are no previous land use actions

REVIEW CRITERIA:

Article 5, Public Hearing Review
 Article 9, Conditional Use
 Article 15, Exclusive Farm Use
 Article 35, Home-based Occupation
 Article 36, Salmon Habitat Recovery
 Other applicable zoning ordinances or goals of Wallowa County Land Development Ordinance and/or laws of the State of Oregon

ARTICLE 5, PUBLIC HEARING REVIEW**SECTION 5.025, NOTICE OF PUBLIC HEARING:**

01. *Public Hearing Review requires notice of hearing be given to all owners of property lying within:
 [...]

 - C. *Five hundred (500) feet of the exterior boundary of the subject property where the subject property is within a farm or forest zone.**

The Director will provide notice to other parties should it be determined their interests may be affected by the proposal or they have other need for notice. The notice shall be mailed or otherwise delivered no later than ten days prior to the hearing date.

02. *Notice of public hearing shall be placed in a newspaper of general circulation no later than 10 days prior to the hearing date nor greater than twenty 20 days prior to the hearing date.*
03. *Notice of public hearing shall be posted on the Wallowa County Courthouse Public Notice Board no later than 10 days nor greater than 20 days prior to the hearing date.*

FINDING 1: The Planning Commission finds the public hearing was properly noticed in the Wallowa County Chieftain, was posted on the Wallowa County Courthouse Public Notice Board, and a notice was sent to all property owners within 500 feet of the subject property as detailed above.

SECTION 5.045, CONDITIONS OF APPROVAL AND PERFORMANCE GUARANTEES:

01. *The Public Hearing Review authority may impose such conditions of approval upon a permit as are deemed necessary to ensure the use or development complies with the applicable standards and criteria.*

FINDINGS

Ramsden HBO B&B CUP#22-12

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FINDING 2: The Planning Commission has imposed Conditions of Approval to ensure the use or development complies with the applicable standards and criteria and will have minimal impact on adjacent parcels.

ARTICLE 9, CONDITIONAL USE PERMIT

SECTION 9.015, REVIEW PROCEDURE: *Application for a Conditional Use Permit shall be subject to the public hearing review process.*

SECTION 9.020, REVIEW CRITERIA: *After taking into account location, size, design, and the general nature of the proposed use; the hearing body must determine that the development will comply with all of the following criteria to approve a Conditional Use Permit.*

01. *The proposed use will be consistent with the purpose of [and is allowed conditionally in] the zone in which the use proposed.*

FINDING 3: The Planning Commission finds that a Bed and Breakfast is allowed conditionally in the EFU zone and that the use is consistent with the purpose of that zone.

02. *The use will not create excessive traffic congestion, noise, dust, glare from lights, or other conditions that may be hazardous.*
03. *The proposed use will not overburden the public services of water, sewer, storm drainage, electrical service, fire protection, and school.*

FINDING 4: The Planning Commission finds that this Bed and Breakfast will not create an impact great enough to create excessive traffic congestion, noise, dust, glare from lights, or other conditions that may be hazardous.

04. *The site is suitable to accommodate the proposed use, such as: topography, soils, and parcel size.*
05. *The proposed use will not interfere with uses permitted on adjacent parcels.*
06. *The application satisfies the pertinent criteria of Article 36, Salmon Habitat Restoration.*

FINDING 5: The Planning Commission finds, via evidence presented both orally and in writing, including the narrative and testimony supplied by the applicant that the number of customers and the type of use proposed will not violate the above criteria. The Commission further finds that the application satisfies Article 36 as no habitat is impacted.

ARTICLE 15, EXCLUSIVE FARM USE (EFU)

FINDINGS

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SECTION 15.010, PURPOSE: The purpose of the Exclusive Farm Use (EFU) Zone is to protect and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products. The EFU zone is also intended to allow other uses that are compatible with agricultural activities, to protect forests, scenic resources and fish and wildlife habitat, and to maintain or improve the quality of air, water and land resources of the county. It is also the purpose of the EFU zone to qualify farms for farm use valuation under the provisions of ORS Chapter 308. The intention of the Exclusive Farm Use Zone is to guarantee the preservation of the areas classified as farm use free from conflicting non-farm uses.

The EFU zone has been applied to lands designated as Agriculture in the Comprehensive Plan. The provisions of the EFU zone reflect the agricultural policies of the Comprehensive Plan as well as the requirements of ORS Chapter 215 and OAR 660-033. The minimum parcel size and other standards established by this zone are intended to promote commercial agricultural operations.

SECTION 15.020, BUILDINGS AND ACTIVITIES PERMITTED CONDITIONALLY: In the EFU Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the provisions of Article 9 (Public Hearing Review).

- 04. Home-based occupations as provided Article 35, Home-based Occupation. Home-based occupations may not be authorized in structures accessory to resource use. A home-based occupation located on high-value farmland may employ only residents of the home.*

FINDING 6: The Planning Commission finds that a Bed and Breakfast is a Home-based Occupation and is a Conditional Use in the EFU zone, and that this application has been properly brought before the Planning Commission as part of the Conditional Use process. The Planning Commission finds that the silos are no longer used by the farming operation and therefore not accessory to resource use.

FINDING 7: The Planning Commission finds that the Home-based occupation is on high value farmland, so employees are restricted to residents of the home.

ARTICLE 35, HOME BASED OCCUPATION

SECTION 35.025, REVIEW CRITERIA: Applications for Home-based Occupations shall be found to comply with the following criteria:

- 01. AREA: A Home-based Occupation shall be restricted to no more than 25 percent of the gross square feet of the principal residence and 2,000 square feet of accessory buildings normally associated with uses permitted in the zone in which the property is located EXCEPT:*

- A. Bed and Breakfasts are excluded from the square footage criteria.*

FINDINGS

Ramsden HBO B&B CUP#22-12

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B. Other uses that provide overnight accommodations in conjunction with a home-based occupation.

02. PARTICIPATION/EMPLOYEES: A Home-based Occupation shall employ, on site, no more than three full-time or part-time persons.

FINDING 8: The Commission finds that Bed and Breakfasts are excluded from the square footage criteria and no more than three employees will be used on site, therefore, the requirements of 35.025 have been met.

03. COMPATIBILITY OF ACTIVITY: The residence, accessory buildings, or any new structures or reconstruction approved for use by the Home-based Occupation shall conform to the area and shall not be non-conforming in terms of color, materials, design, construction, lighting, landscaping or the lack of landscaping. Also, the proposed use shall not unreasonably interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located.

04. TRAFFIC GENERATION: The permitted activity should not generate a greater volume of vehicular traffic than is usual and customary in the zone where the property is located.

05. NOISE: The permitted activity shall not generate any noise that is in excess of that which is usual and customary in the zone where this property is located.

FINDING 9: The Commission finds that as proposed the Bed and Breakfast will not generate any more traffic than customary for a single-family dwelling in this neighborhood. The Commission further finds that the proposed activity is not likely to generate noise that is in excess of that which is usual and customary in the zone where this property is located.

06. EQUIPMENT/RESTRICTIONS: Any equipment used in the activity and processes shall not create vibrations, glare, fumes, odors, or electrical interference that is detectable to normal sensory perception at the property lines.

07. HAZARDS: Within a residence; no equipment, process, or materials shall be used which will change the fire-rating or structure separation, fire wall, or ventilation requirements of the building shall be permitted. Attached garages shall not be considered part of the residence for the purpose of this ordinance. Accessory buildings, attached garages, or new structures permitted with the use shall meet all structural and life safety requirements for the use and activity. No hazardous materials shall be stored or used on the premise in quantities greater than customary for residential use unless specified and approved at the time of application. No Home-based Occupation shall be permitted which presents a potential health or safety

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hazard to the area from discharges into the air, water, or ground; from surface run-off; or from increased need for vector control.

FINDING 10: The Commission finds that the above criteria are met as the proposed use will not require any out of the ordinary equipment or create hazards outside the normal uses found in a single-family dwelling.

08. *STORAGE AND USE OF YARD: All storage of materials and equipment associated with the Home-based Occupation shall be enclosed unless specified and approved at the time of the application.*

09. *SIGNS: Signs shall conform to the provisions of Article 34, Signs.*

10. *PARKING: Parking shall be off-street and conform to the provisions of Article 33, Parking, Section 33.015(03).*

NOTE: *The existence of home-based occupations shall not be used as justification for a zone change [ORS 215.448(4)].*

FINDING 11: The Commission finds that the proposed business as presented by the applicant meets the above criteria. If the applicant decides to have a sign, it shall meet the criteria of Article 34, Signs. The property has ample space for parking and no storage or special equipment, outside the normal household supplies, are proposed.

ARTICLE 36, SALMON HABITAT RECOVERY

The application shall satisfy the pertinent criteria of Article 36, Salmon Habitat Restoration.

FINDING 12: As this proposal does not impact any fish bearing waterways or habitat, the Commission finds that a management plan is not necessary.

PUBLIC COMMENTS:

There were no comments or testimony from the public for this proposal.

CONCLUSION:

All applicable criteria have been met, and the Planning Commission approves this application subject to the Conditions of Approval. Failure to meet these conditions in a timely manner may result in the revocation of this permit by the review authority.

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January 31, 2023

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The Conditional Use Permit CUP #22-12 to operate a Home-based Occupation in the form of a Bed and Breakfast has met all criteria and will be valid until the permitted use is discontinued for one full year.

CONDITIONS OF APPROVAL:

The Planning Commission finds that the following conditions can be met as imposed since the applicant is willing and the Commission finds reasonable evidence to support the conclusion that they are feasible.

1. This CUP is not transferable. If the property is sold to another entity, then this CUP is no longer valid.
2. A Bed and Breakfast must provide a morning meal. The type of meal will be determined by the applicant.
3. A Bed and Breakfast must have someone on-site, a family member or employee, over night while guests are present, to oversee the operation of the rental.
4. Employees are restricted to residents of the home.
5. Because of the parcel's adjacency to the EFU zone, a Conflict Acknowledgment Statement must be filed with the Wallowa County Clerk's office. The Form is available in the Planning Department office.
6. Conform to seasonal fire regulation and burning requirements per the Oregon Department of Forestry.

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DECISION:

Based upon the information submitted, the comments of interested parties and the findings, the review authority finds this application satisfies all review criteria and is hereby approved as presented and conditioned. The vote on the motion is 6 in favor and 0 opposed with 0 abstaining.

JANUARY 31, 2023

DATE OF ACTION

GEORGENE THOMPSON, CHAIR

WALLOWA COUNTY PLANNING COMMISSION

This decision may be appealed to the Wallowa County Board of Commissioners pursuant to Article 7, Appeal. The provisions of Notice of Intent to Appeal accompanied by the appeal fee must be received by the Wallowa County Planning Department by 5:00 pm February 13, 2023.

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WALLOWA COUNTY
Planning Department
101 S River Street #105
Enterprise, Oregon 97828
541-426-4543 ext. 1170

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STAFF REPORT

CUP#22-13

APPLICANT: Jodi and Douglas Beck
87143 Three Lakes Lane
Enterprise, OR 97828

OWNER: Same

REQUEST: To permit a Relative Farm Assistance Dwelling

LOCATION: The property description is Township 01S, Range 46E, Section 00, Tax Lot 2000, Ref#907, Address: 87143 Three Lakes Lane, Enterprise, OR

PARCEL CHARACTERISTICS: The tax lot contains about 135 acres. The Zoning is Exclusive Farm Use (EFU) and access is from Three Lakes Lane, a county road. The access for the new dwelling would be from Zumwalt Road, a county road. The parcel borders EFU on all sides. There is one farm dwelling on the parcel. The proposed location on the parcel is not designated as high-value farmland.

OTHER INFORMATION:

Exhibits in this packet:
Permit application with narrative, maps.

PREVIOUS PLANNING DEPARTMENT AND OTHER AGENCY ACTIONS:

ZP#11-13 A Farm Single-family Dwelling

STAFF COMMENT:

This application is for an Accessory Farm Dwelling which is an allowed (not conditional) use in EFU. It is, however, subject to public hearing review which is why it is presented to the Planning Commission.

REVIEW CRITERIA:

- Article 5, Public Hearing Review
- Article 15, Exclusive Farm Use
- Article 25, Natural Hazards
- Article 36, Salmon Habitat Recovery
- All other applicable zoning ordinances or goals of Wallowa County Land Development Ordinance and/or laws of the State of Oregon

ARTICLE 5, PUBLIC HEARING REVIEW**SECTION 5.025, NOTICE OF PUBLIC HEARING:**

01. *Public Hearing Review requires notice of hearing be given to all owners of property lying within:*
[...]
 C. *Five hundred (500) feet of the exterior boundary of the subject property where the subject property is within a farm or forest zone;*

The Director will provide notice to other parties should it be determined their interests may be affected by the proposal or they have other need for notice. The notice shall be mailed or otherwise delivered no later than ten days prior to the hearing date.

02. *Notice of public hearing shall be placed in a newspaper of general circulation no later than 10 days prior to the hearing date nor greater than twenty 20 days prior to the hearing date.*
03. *Notice of public hearing shall be posted on the Wallowa County Courthouse Public Notice Board no later than 10 days nor greater than 20 days prior to the hearing date.*

SECTION 5.040, CONDITIONS OF APPROVAL AND PERFORMANCE GUARANTEES:

01. *The Public Hearing Review authority may impose such conditions of approval upon a permit as are deemed necessary to ensure the use or development complies with the applicable standards and criteria.*

ARTICLE 15, EXCLUSIVE FARM USE (EFU)

SECTION 15.010, PURPOSE: *The purpose of the Exclusive Farm Use (EFU) Zone is to protect and maintain agricultural lands for farm use, consistent with existing and future needs for agricultural products. The EFU zone is also intended to allow other uses that are compatible with agricultural activities, to protect forests, scenic resources and fish and wildlife habitat, and to maintain or improve the quality of air, water and land resources of the county. It is also the purpose of the EFU zone to qualify farms for farm use valuation under the provisions of ORS Chapter 308. The intention of the Exclusive Farm Use Zone is to guarantee the preservation of the areas classified as farm use free from conflicting non-farm uses.*

The EFU zone has been applied to lands designated as Agriculture in the Comprehensive Plan. The provisions of the EFU zone reflect the agricultural policies of the Comprehensive Plan as well as the requirements of ORS Chapter 215 and OAR 660-033. The minimum parcel size and other standards established by this zone are intended to promote commercial agricultural operations.

SECTION 15.015, PERMITTED USES: In the Exclusive Farm Use Zone, the following uses and activities and their accessory buildings and uses are permitted subject to the general provisions and exceptions set forth by this ordinance:

[...]

12. *Subject to the provisions of Article 5, Public Hearing Review, a dwelling on property used for farm use located on the same lot or parcel as the dwelling of the farm operator, and occupied by a relative of the farm operator or farm operator's spouse if the farm operator does, or will, require the assistance of the relative in the management of the farm provided that:*
 - A. *A dwelling shall be occupied by relatives whose assistance in the management and farm use of the existing commercial farming operation is required by the farm operator. However, farming of a marijuana crop may not be used to demonstrate compliance with the approval criteria for a relative farm help dwelling. The farm operator shall continue to play the predominant role in the management and farm use of the farm.*
 - B. *A relative farm help dwelling must be located on the same lot or parcel as the dwelling of the farm operator and must be on real property used for farm use.*
 - C. *The landowner shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.*

Article 25, FLOOD, WILDFIRE and NATURAL HAZARDS (FHA)

SECTION 25.010, PURPOSE: It is the finding of Wallowa County that some areas of unincorporated Wallowa County are subject to periodic inundation, wildfire and other natural hazards which adversely affect the public health, safety, and general welfare. The purpose of the Flood, Wildfire and Natural Hazards Article is to provide additional restrictions upon uses permitted outright or conditionally in the underlying zones in order to minimize public and private losses due to flood conditions, potential wildfire and other natural hazards and to promote the public health, safety, and general welfare. This article shall apply to all special flood hazard areas, areas at risk for

SECTION 25.025, DUTIES AND RESPONSIBILITIES OF THE ADMINISTRATOR: The duties of the Administrator shall include, but not be limited to:

01. *Permit Review*
 - A. *Review all development permits to determine that the permit requirements of this article have been satisfied.*
 - B. *Review all development permits to determine that all necessary permits have been obtained from those Federal, State, or local government agencies from which prior approval is required.*
 - C. *Review all development permits to determine if the proposed development is located in a floodway. If located in a floodway, assure that the provisions of Section 25.075 are met.*
 - D. *Review all development permits to determine if the proposed development is located in an area which might be impacted by a Natural Hazard. If located in such an area, ensure that*

the provisions of Section 25.080 are met.

ARTICLE 36, SALMON HABITAT RECOVERY

The application shall satisfy the pertinent criteria of Article 36, Salmon Habitat Restoration.

STAFF SUGGESTED CONDITIONS OF APPROVAL:

- None.

CONCLUSIONS: To be developed at the hearing.



WALLOWA COUNTY
Planning Department
101 S River Street #105
Enterprise, Oregon 97828
541-426-4543 ext. 1170

PERMIT#: CUP#22-13
E-PERMIT#: 903.22.000275.PLN9
DATE FILED: 12-19-2022
TOTAL FEE: \$600.00
CHECK #: _____

CONDITIONAL USE PERMIT APPLICATION

LEGAL OWNER: Douglas J & Jodi m Beck
APPLICANT: Jodi Beck REF#: 907
PROJECT ADDRESS: 87143 Three Lakes Ln TWP: 01S460000
MAILING ADDRESS: Same RANGE: 46
APPLICANT PHONE NUMBER: 541.263.1570 SECTION: PP
APPLICANT E-MAIL: jbeck1679@gmail.com TAX LOT: 2000
CONTACT/ PHONE NUMBER (if different): _____ ACRES: 13.5
CONTACT/ EMAIL (if different): _____ ZONE: EFV
PROJECT DESCRIPTION: Relative Farm Assistance Dwelling (EFV Section 12.)

TO BE PROCESSED, YOUR APPLICATION MUST INCLUDE MAPS SHOWING:

1. PROPERTY LINES, ACCESS, AND EASEMENTS
2. EXISTING AND PROPOSED STRUCTURES WITH SETBACKS TO PROPERTY LINES
3. ANY LIVE WATER, SEPTIC SYSTEM, SURFACE WATER (RIVER, PONDS, DITCHES, ETC), AND DOMESTIC WATER

NOTE: Authorization of a Conditional Use Permit shall be void after two years unless substantial construction has taken place. One extension of one year may be granted. Extension requests must be submitted in writing and include justification.

I hereby certify that the information furnished by me is correct to the best of my knowledge and issuance of this permit is based on this information. Any error committed by the issuing authority shall not excuse me from complying with any other applicable state and local laws and ordinances. I understand that any deviation other than that allowed by law may nullify the validity of this permit. I understand that if processing this permit requires more than 5 hrs. of staff time and \$25 in supplies and materials, I am responsible for the additional fee and will be charged staff time at \$35 per hour and other items at cost.

J Beck
APPLICANT

12-15-22
DATE

COUNTY USE ONLY

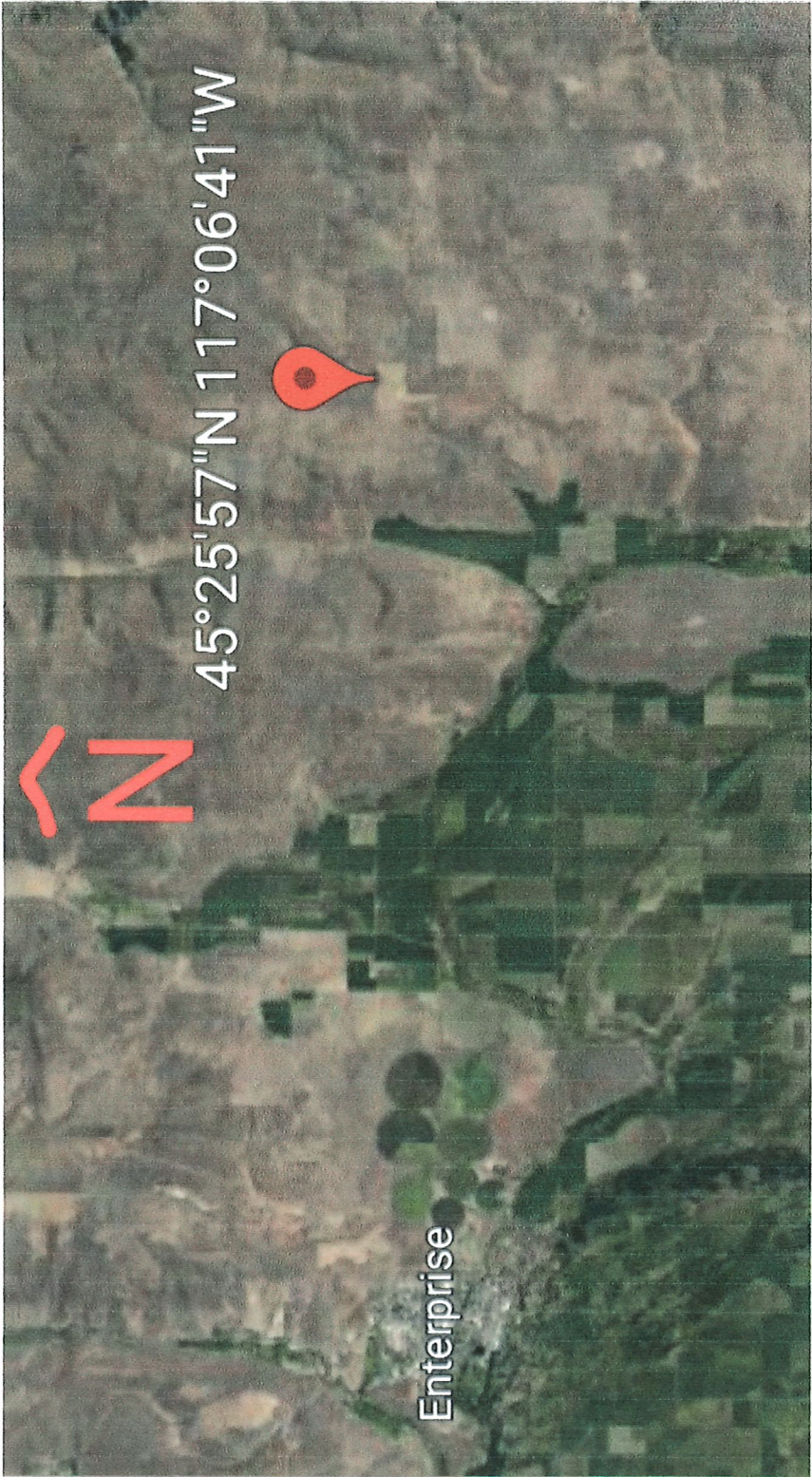
ACTION Planning Department: _____ Approved: _____
TAKEN: Planning Commission: _____ Denied: _____

Conditions of Approval: _____

PERMIT AUTHORIZATION: _____

DATE OF ACTION

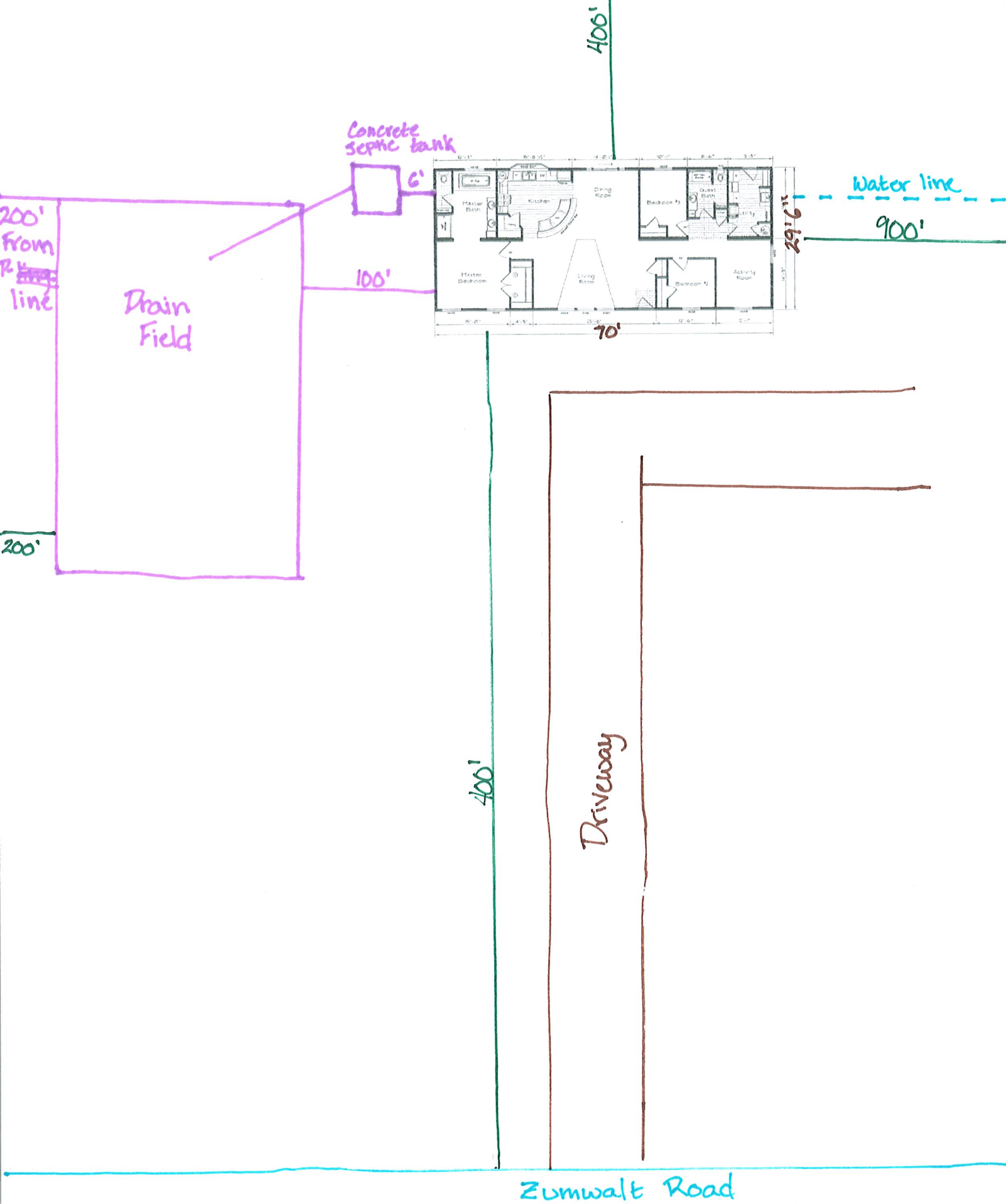
DATE OF EXPIRATION







Inset Map



HAZARD CHECKLIST

Project site location/conditions may affect the conditions of the permit. Outcome subject to GIS mapping. An elevation certificate may be required.



WALLOWA COUNTY
Planning Department
101 S River Street #105
Enterprise, Oregon 97828
541-426-4543 ext. 1170

APPLICANT:

Property Owner: Douglas J + Jodi m Beck

Project Applicant (if different): _____

Project Address: 87143 Three Lakes Lane

City: Enterprise State: OR Zip Code: 97828

Applicant Phone Number: 541.263.1570

Applicant E-Mail: jbeck679@gmail.com

Zone: _____

Proposed Activity/ Development (Check One): New Construction ☐ Residential ☒ Non- Residential ☐

Other ☐ _____

Manufactured Home WITHIN/OUTSIDE (Circle) an existing park or subdivision: Yes ☐ No ☒ N/A ☐

Value of Existing Structure: n/a Value of Proposed Improvement: 275,000.00

COUNTY USE ONLY:

Permit # CUP#22-13

Associated Ordinance Article	Condition/Location
Article 24 – Watershed Protection Area	• Watershed Protection Overlay: Yes <input type="checkbox"/> No <input type="checkbox"/>
Article 25 – Floods, Wildfire, and Natural Hazards Area	• Communities at Risk: Yes <input type="checkbox"/> No <input type="checkbox"/> - High <input type="checkbox"/> Low <input type="checkbox"/>
	• WUI Zone: Yes <input type="checkbox"/> No <input type="checkbox"/> Level 1* <input type="checkbox"/> Level 2 <input type="checkbox"/>
	*T/G is Level 1
	• Wetlands: Yes <input type="checkbox"/> No <input type="checkbox"/>
	• FEMA Floodplain: Yes <input type="checkbox"/> No <input type="checkbox"/>
	If Yes (Circle and Describe): 500 Year or 100 Year
	• Elevation Certificate Required: Yes <input type="checkbox"/> No <input type="checkbox"/>
Article 29 – Airport Overlay Zone	• Airport Overlay: Yes <input type="checkbox"/> No <input type="checkbox"/>
Article 36 – Salmon Habitat Restoration	• Natural Resource Advisory Council Review: Yes <input type="checkbox"/> No <input type="checkbox"/>

County Official Signature: _____

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WALLOWA COUNTY
Planning Department
101 S River Street #105
Enterprise, Oregon 97828
541-426-4543 ext. 1170

STAFF REPORT REV1
VAR#22-04

APPLICANT: Erik DeSpain
203 East Alamo Street
Enterprise, OR 97828

OWNER: Stangel Industries and Machine Shop
PO Box 157
Enterprise, OR 97828

REQUEST: Two Area Variances, one to reduce the minimum parcel size from 5 acres to 2 acres and the second to reduce all property boundary line setbacks from 25 feet to 5 feet. The use is for placement of storage sheds and a proposed shop.

LOCATION: The property description is Township 01S, Range 44E, Section 35, Tax Lot 100, Ref#459, Address: 66464 Lewiston Highway, Enterprise, OR

PARCEL CHARACTERISTICS: The tax lot contains about 23.25 acres. The Zoning is Industrial (M-1) and access is from Lewiston Highway, a state highway. The parcel is bordered by Exclusive Farm Use to the north, east and west and Industrial land to the south. The northern portion of the parcel has a house and multiple accessory buildings.

OTHER INFORMATION:
Exhibits in this packet:
Permit application with narrative, maps.

PREVIOUS PLANNING DEPARTMENT AND OTHER AGENCY ACTIONS:
None

STAFF COMMENT

There are two area variance requests in this application, one is for a parcel size less than minimum parcel size identified for the zone, the other is for reducing a required setback from the property line. The commission can grant one, both or none. A variance application requires administrative review, with notice sent to surrounding neighbors. Per review requirements of *SECTION 10.015, REVIEW PROCEDURE*, if an objection is filed by a party entitled to notice, then the application shall be referred to the public hearing process. In this case, an objection was filed by a party entitled to notice, so the application is being forwarded to the Planning Commission for public hearing review. The comment also asserts that part of the parcel is in Taxlot 3800, and partially in the Exclusive Farm Use zone and subject to those criteria. This is not the case. GIS maps can have minor misalignment of layers and can be misread, which is the case with the GIS map submitted in the notice. The commenter did not contact the Planning Department to

STAFF REPORT-R1 (changes highlighted for clarity)

DESPAIN-STANGEL VAR#22-04

January 31, 2023

Page 1 of 5

review the file or clear up concerns of overlap. The Planning Department also received a verbal “concern” that extensive grading completed up to the existing fence line, raising the base elevation, may cause run-off of water into neighboring structures. Adding conditions to a variance approval, which may help alleviate community concern, is allowed.

REVIEW CRITERIA:

Article 5, Public Hearing Review

Article 10, Variance Procedure

Article 22, Industrial (M-1)

Article 36, Salmon Habitat Recovery

All other applicable zoning ordinances or goals of Wallowa County Land Development Ordinance and/or laws of the State of Oregon

ARTICLE 5, PUBLIC HEARING REVIEW

SECTION 5.025, NOTICE OF PUBLIC HEARING:

01. *Public Hearing Review requires notice of hearing be given to all owners of property lying within:
[...]
C. Five hundred (500) feet of the exterior boundary of the subject property where the subject property is within a farm or forest zone;*

The Director will provide notice to other parties should it be determined their interests may be affected by the proposal or they have other need for notice. The notice shall be mailed or otherwise delivered no later than ten days prior to the hearing date.

02. *Notice of public hearing shall be placed in a newspaper of general circulation no later than 10 days prior to the hearing date nor greater than twenty 20 days prior to the hearing date.*
03. *Notice of public hearing shall be posted on the Wallowa County Courthouse Public Notice Board no later than 10 days nor greater than 20 days prior to the hearing date.*

SECTION 5.040, CONDITIONS OF APPROVAL AND PERFORMANCE GUARANTEES:

01. *The Public Hearing Review authority may impose such conditions of approval upon a permit as are deemed necessary to ensure the use or development complies with the applicable standards and criteria.*

ARTICLE 10, VARIANCE PROCEDURE

SECTION 10.010, PURPOSE: *The purpose of a variance is to permit justifiable departures from the requirements of this ordinance where their strict application would impose a serious and unfair hardship upon the property owner. A use variance will allow property to be used for a purpose not generally permitted within the zone and will be authorized only upon a showing of the*

extraordinary hardship according to the criteria provided below. An area variance will allow an exception to certain dimensional or density requirements for a use that is generally permitted within the zone, upon a showing of special circumstances and practical difficulty according to the criteria set forth below.

SECTION 10.015, REVIEW PROCEDURE: A variance shall be subject to administrative review. If in the opinion of the administrative review authority, the proposed use may be in conflict with the purposes of this ordinance or if objection has been filed by a party entitled to notice, the application will be referred to the public hearing review process.

SECTION 10.025, REVIEW CRITERIA-AREA VARIANCE: An area variance may be granted subject to any reasonable conditions based upon the following findings:

- 01. That there are special circumstances or conditions affecting the property that do not normally apply to other property and that such circumstances or conditions make it impossible or impractical to comply with the ordinance.*
- 02. That the exception conforms to the purpose of this ordinance and is necessary for the proper design and/or function of the subdivision or partition.*
- 03. That the granting of the exception will not be detrimental to the public welfare or injurious to other property in the area in which the property is situated.*
- 04. That the exception is necessary for the preservation and enjoyment of a substantial property right because of an extraordinary hardship which would result from strict compliance with the regulations of this ordinance.*
- 05. The variance requested is the minimum variance which would alleviate the difficulty.*
- 06. The application satisfies the pertinent criteria of Article 36, Salmon Habitat Restoration.*

ARTICLE 22, INDUSTRIAL (M-1)

SECTION 22.010, PURPOSE: The purpose of this zone is to provide areas for industrial activities which may require large land areas and to preserve those areas from being developed with such uses as residential that would inhibit or eliminate the future potential for industrial development.

SECTION 22.015, PERMITTED USES: The following uses, substantially similar uses, and their accessory uses are permitted in the Industrial Zone subject to Administrative Review.

- 01. Retail, wholesale, or service business establishment.*
- 02. Lumber yards and retail - including mill works.*

03. *Machine shops.*
04. *Bottling works.*
05. *Equipment storage yards.*
06. *Hauling, freighting, and trucking yards or terminals.*
07. *Wholesale businesses, storage buildings, or warehouses.*
08. *Manufacturing, compounding, assembling, or treating products.*
09. *Concrete or ready-mix plants.*
10. *Resource uses of the Exclusive Farm Use and Timber Grazing Zones.*
11. *Home-based occupation where a new dwelling is not proposed in conjunction therewith.*
12. *Hospitals, healthcare, and medical facilities.*
13. *Correctional, emergency services, and law enforcement facilities.*
14. *Other industrial uses as long as the impacts on surrounding properties and uses are no greater than that of the above permitted uses.*

SECTION 22.025, PROPERTY DEVELOPMENT STANDARDS: The following standards are applicable to permitted and conditional developments in the Industrial Zone.

[...]

02. *PARCEL SIZE: In the Industrial Zone the minimum lot size shall be five acres except if either a community water or sewer system is available for use then minimum lot area may be two acres, or if both are available for use the minimum lot area shall be determined by the user provided that in no instance shall the lot be less than 0.5 acre.*
 03. *SETBACKS: PROPERTY LINE - Not less than 25 feet - exception fences, roads, and signs.*
- [...]*

ARTICLE 36, SALMON HABITAT RECOVERY

The application shall satisfy the pertinent criteria of Article 36, Salmon Habitat Restoration.

STAFF SUGGESTED CONDITIONS OF APPROVAL:

- Install a retaining wall (concrete eco-blocks, boulders or similar) to the edge of the grade build up near the shared property line, and incorporate drainage behind the wall to divert water runoff and seepage away from existing structures.
- Conform to Article 25, Flood, Wildfire, and Natural Hazards fuel break requirements.

CONCLUSIONS: To be developed at the hearing.



WALLOWA COUNTY
 Planning Department
 101 S River Street #105
 Enterprise, Oregon 97828
 541-426-4543 ext. 1170

PERMIT#: VAR# 22-04
 E-PERMIT#: 903.22.000268, PLNG
 DATE FILED: 11-29-2022
 TOTAL FEE: \$525
 CHECK #: 1705

VARIANCE APPLICATION

LEGAL OWNER: Stangel Industries and Machine Shop
 APPLICANT: ERIK DESPAIK REF#: 459
 PROJECT ADDRESS: 66464 LEWISTON Hwy TWP: 013
 MAILING ADDRESS: 203 E ALAMOST ENTERPRISE RANGE: 44
 APPLICANT PHONE NUMBER: 661-802-2659 SECTION: 3500
 APPLICANT E-MAIL: RE. VENTURES(AT)VAIKO.COM TAX LOT: 100
 CONTACT/ PHONE NUMBER (if different): _____ ACRES: 23.25
 CONTACT/ EMAIL (if different): _____ ZONE: M-1

PROJECT DESCRIPTION: AREA VARIANCE TO CREATE PARCEL < 5 ACRES
w/ Reduced setback from 25' to 5' on all boundaries
 TO BE PROCESSED, YOUR APPLICATION MUST INCLUDE MAPS SHOWING:

1. PROPERTY LINES, ACCESS, AND EASEMENTS
2. EXISTING AND PROPOSED STRUCTURES WITH SETBACKS TO PROPERTY LINES
3. ANY LIVE WATER, SEPTIC SYSTEM, SURFACE WATER (RIVER, PONDS, DITCHES, ETC), AND DOMESTIC WATER

**ATTACH A NARRATIVE
 JUSTIFICATION FOR
 THE REQUESTED
 VARIANCE**

I hereby certify that the information furnished by me is correct to the best of my knowledge and issuance of this permit is based on this information. Any error committed by the issuing authority shall not excuse me from complying with any other applicable state and local laws and ordinances. I understand that any deviation other than that allowed by law may nullify the validity of this permit. I understand that if processing this permit requires more than 5 hrs. of staff time and \$25 in supplies and materials, I am responsible for the additional fee and will be charged staff time at \$35 per hour and other items at cost.

APPLICANT [Signature]

DATE 11-29-2022

COUNTY USE ONLY

ACTION Planning Department: _____
TAKEN: Planning Commission: _____

Approved: _____
 Denied: _____

Conditions of Approval: _____

PERMIT AUTHORIZATION: _____

DATE OF ACTION

DATE OF EXPIRATION

November 27, 2022

To Whom it May Concern:

Stangel Industries and Machine Shop, a partnership consisting of Joseph Stangel, Robert Stangel and Richard Stangel hereby gives Erik DeSpain as applicant for gathering information and filing paper work to the County Planning department. This is for the intent of him being the eventual owner of following property. Approximately 2.4 acres along highway 3 just north of the Double Arrow Vet Clinic on tax lot 100 map 01S443500. See attached map.

Stangel Industries and Machine Shop


Stangel Industries & Machine Shop by Robert Stangel date 11-28-22



WALLOWA COUNTY
Planning Department
101 S River Street #105
Enterprise, Oregon 97828
541-426-4543 ext. 1170

Vicinity Map

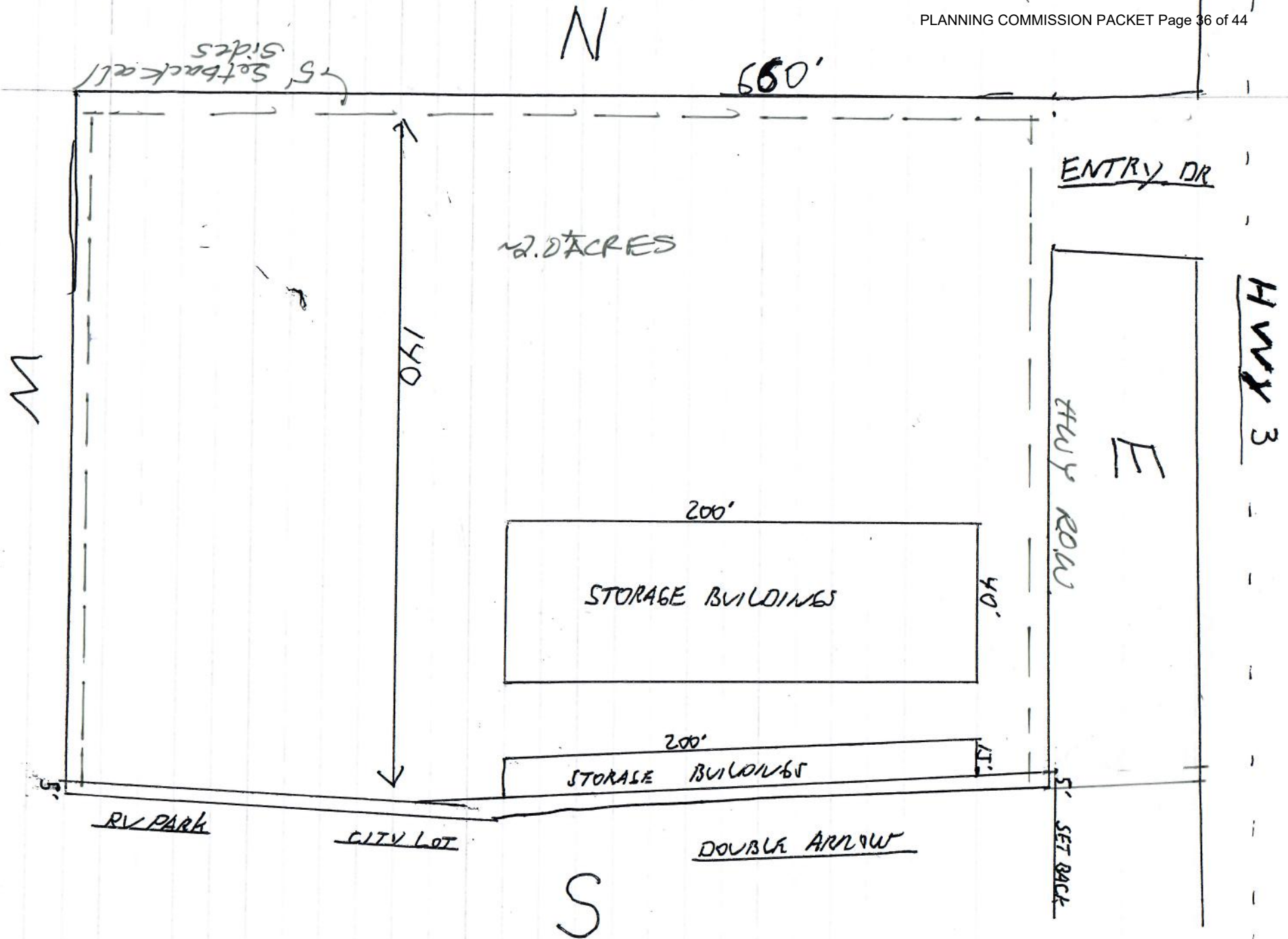


 Approximate property location

Article 10 variance request

We are asking for a variance to reduce said property from 5 acres to approximately 2 acres, this will not have any negative impact on the welfare of the public, in fact, we believe that the additional storage units will have a positive impact on the citizens of Wallowa county. We believe that only approximate 2 acres of this partial falls under the M1 criteria which is why we need this variance. We're also requesting a 5 foot setback on the ~~south~~ boundary line of this 2 acre parcel this would be very helpful for our project. Without this variance, we cannot move forward with this project. We appreciate your consideration. Thank you Erik DeSpain.

Sent from my iPhone

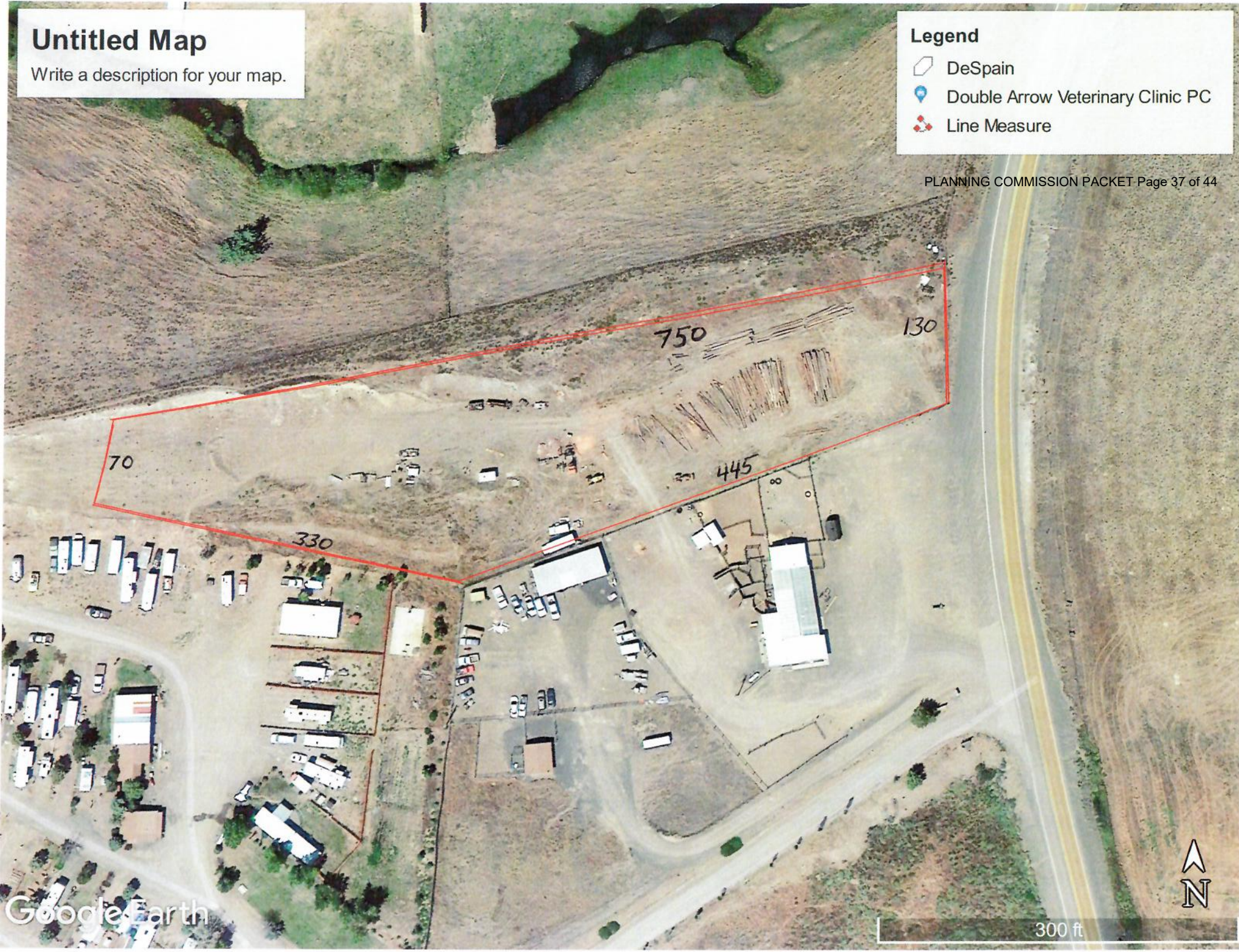


Untitled Map

Write a description for your map.

Legend

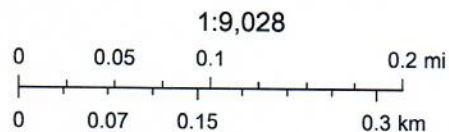
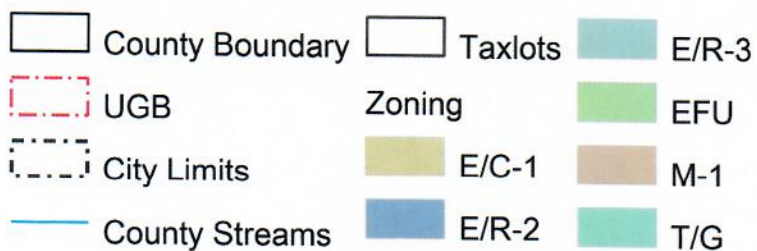
- DeSpain
- Double Arrow Veterinary Clinic PC
- Line Measure



STANGEL-DESPAIN VAR#22-04



11/29/2022, 3:53:17 PM



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HAZARD CHECKLIST

Project site location/conditions may affect the conditions of the permit. Outcome subject to GIS mapping. An elevation certificate may be required.



WALLOWA COUNTY
Planning Department
101 S River Street #105
Enterprise, Oregon 97828
541-426-4543 ext. 1170

APPLICANT:

Property Owner: Stangel Industries and Machine Shop
Project Applicant (if different): ERIK DE SPAUX
Project Address: 66464 LEWISTON HWY
City: ENTERPRISE State: OR Zip Code: 97828
Applicant Phone Number: 661-802-2659
Applicant E-Mail: RE. VECTURUS(AT)YAHOO.COM
Zone: M-1

Proposed Activity/ Development (Check One): New Construction ☐ Residential ☐ Non- Residential ☒
Other ☐ _____

Risk Magnitude: Value of Existing Structure/s _____ Value of Proposed Improvement _____

COUNTY USE ONLY:

Permit # VAR#22-04

Associated Ordinance Article

Condition/Location

Article 24 – Watershed Protection Area

• Watershed Protection Overlay: Yes ☐ No ☒

Article 25 – Floods, Wildfire, and Natural Hazards Area

• Wildfire Risk

	None	Level 1	Level 2
Zoning T/G or T/C	<u>No</u>	Yes	N/A
Communities at Risk	No	Extreme or High	<u>Moderate or Low</u>
Risk Designation			
WUI Zone	<u>No</u>	Extreme or High	Moderate or Low
Wildfire Occurrence Risk			

• Wetlands: Yes ☐ No ☒

• FEMA Floodplain: Yes ☒ No ☐

If Yes (Circle and Describe): 500 Year or 100 Year

• Elevation Certificate Required: Yes ☐ No ☒

no construction in floodplain

Article 29 – Airport Overlay Zone

• Airport Overlay: Yes ☐ No ☒

Article 36 – Salmon Habitat Restoration

• Natural Resource Advisory Council Review: Yes ☐ No ☒

County Official Signature: _____

PLANNING COMMISSION PACKET Page 40 of 44



 Moderate

1:9,028

A number line with two scales. The top scale is labeled 'mi' and has major tick marks at 0, 0.05, 0.1, and 0.2. The bottom scale is labeled 'km' and has major tick marks at 0, 0.07, 0.15, and 0.3. The scales are aligned such that 0.1 mi corresponds to 0.15 km.

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Wallowa County
Copyright Wallowa County



WALLOWA COUNTY
 Planning Department
 101 S River Street #105
 Enterprise, Oregon 97828
 541-426-4543 ext. 1170

FUEL BREAK STANDARDS

This guide outlines the fuel break standards set forth in Wallowa County Land Development Ordinance Article 25 – Flood, Wildfire, and Natural Hazards for development in Communities at Risk and in the Wildland-Urban Interface. This guide is for informational purposes only and is not to be considered a substitute for the language of state or local regulations.

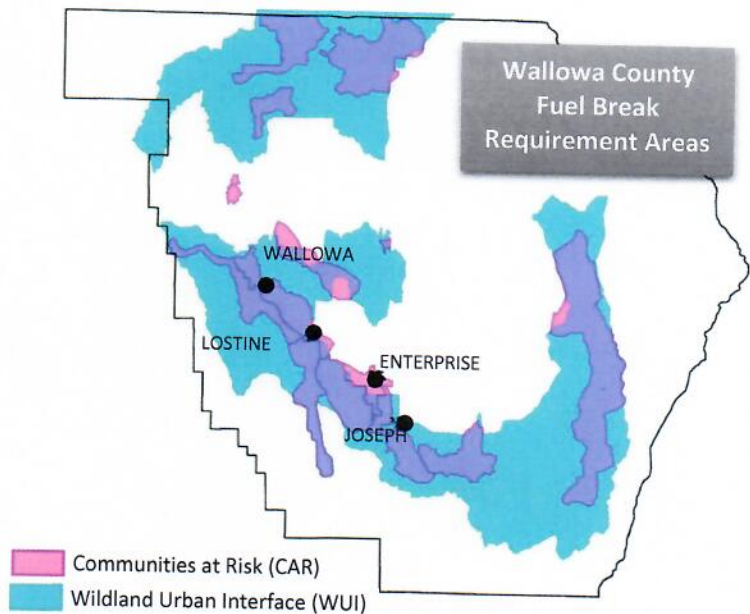
Required Fuel Breaks According to Risk Level and Slope

Fuel-Free Breaks are part of Wallowa County's site standards within designated Communities at Risk (CAR) and Wildland Urban Interfaces (WUI). These standards are designed minimize wildfire hazards and risks. This handout will provide guidance on how to construct these fuel break zones.

The map shows the designated CAR and WUI areas. For more detailed information, contact the Planning Department.

Structures Requiring Fuel Breaks

- Structures of over 1,000 SF
- Dwellings and additions to dwellings
- Structures and new additions to structures associated with private businesses
- All bunkhouses
- Public and private infrastructure projects



Fire Safety Design Standard (Risk) Levels

Level 1 fire safety standards apply to:

1. Timber Grazing or Timber Commercial zones.
2. CARs with "high" or "extreme" risk
3. Portions of WUI Zones with "high" or "extreme" risk of wildfire occurrence.

Level 2 fire safety standards apply to:

1. CARs with "moderate" or "low" risk.
2. Portions of WUI Zones with "medium" or "low" risk of wildfire occurrence.

Fuel Breaks: % Slope	Level 1		Level 2	
	Primary (Zone 1)	Secondary (Zone 2)	Primary (Zone 1)	Secondary (Zone 2)
< 10	30 ft	+100 ft	20 ft	+80 ft
11 - 20	80 ft	+100 ft	55 ft	+80 ft
21 - 30	105 ft	+100 ft	57.5 ft	+80 ft
31 - 40	130 ft	+100 ft	70 ft	+80 ft
> 40	No structures allowed under any circumstances		70 ft	+80 ft



For more information, visit https://co.wallowa.or.us/wp-content/uploads/2021/09/Article-25_CWPP_Amended_09-23-2021.pdf or contact the Planning Department.

Prevent Structure Ignition by Creating Defensible Space

If you wait, you may be too late



% Slope	Level 1 Fuel Breaks		Level 2 Fuel Breaks	
	Primary (Zone 1)	Secondary (Zone 2)	Primary (Zone 1)	Secondary (Zone 2)
< 10	30 ft	+100 ft	20 ft	+80 ft
11 - 20	80 ft	+100 ft	55 ft	+80 ft
21 - 30	105 ft	+100 ft	57.5 ft	+80 ft
31 - 40	130 ft	+100 ft	70 ft	+80 ft
> 40	No structures allowed		70 ft	+80 ft



ZONE 1	ZONE 2	SURROUNDING LANDSCAPE
<p>Goal is to remove fuels that will produce flame lengths in excess of one foot.</p> <ul style="list-style-type: none"> Vegetation within the primary safety zone may include green lawns and shrubs less than 24 inches in height. Trees shall be spaced with greater than 15 feet between the crowns and pruned to remove dead and low (less than eight feet) branches. Accumulated leaves, needles, limbs and other dead vegetation shall be removed from beneath trees. Nonflammable materials (e.g., rock) instead of flammable materials (e.g., bark mulch) shall be placed next to the structure. 	<p>On land owned or controlled by the applicant. Goal is to reduce fuels so that the overall intensity of any wildfire and the likelihood of a crown fire are reduced.</p> <ul style="list-style-type: none"> Vegetation within the secondary fuel-free break shall be pruned and spaced so that fire will not spread between crowns of trees. Small trees and brush growing underneath larger trees shall be removed to prevent spread of fire up into the crowns of the larger trees. Dead fuels shall be removed. 	<p>Work with your neighbors and surrounding community to reduce the threat of wildfire.</p> <p>For more information:</p> <ul style="list-style-type: none"> Oregon Department of Forestry – https://www.oregon.gov/odf/fire/pages/fireprevention.aspx Firewise Communities – https://www.nfpa.org/Public-Education/Fire-causes-and-risks/Wildfire/Firewise-USA

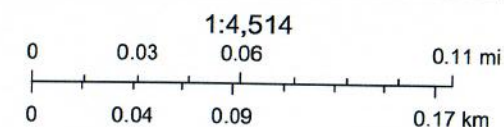
The fuel break standards shall be completed prior to construction and maintenance shall be the continuing responsibility of the property owner.

STANGEL-DESPAIN FLOODPLAIN & WETLANDS



11/29/2022, 3:54:11 PM

- | | | |
|-----------------|-------------------|--------------|
| County Boundary | Taxlots | USA Wetlands |
| County Streams | FEMA Floodplain A | Palustrine |
| | | Riverine |



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GEO, © OpenStreetMap, Microsoft, Esri, HERE, Garmin, SafeGraph,

Wallowa County

This map is to be used strictly for information purposes only and should not be taken as expressing any authoritative assertions, opinions, and/or legal descriptions through any information presented.

jjancaitis@co.wallowa.or.us COMMENT SUBMITTED ON VAR#22-04

From: Charles Woods <woodslaw47@yahoo.com>
Sent: Saturday, December 10, 2022 4:31 PM
To: plantech@co.wallowa.or.us
Subject: Stangle-DeSpain Zoning

December 10, 2022

Dear Wallowa County Planning Department,

Thank you for the opportunity to respond to your letter of November 30, 2022.

Under Sections 10.010 to 10.025 of the Wallowa County Zoning Articles a variance may be authorized upon a showing of extraordinary hardship or special circumstances whereby the owner "would be substantially deprived of any viable economic use of the property." This has not been established.

In addition the subject property contains part of Tax Lot 3800 which is designated as Class 3 high value agriculture soil which according to the Stangle-DeSpain Zoning Map is within the EFU zone.

Please send all further correspondence to: woodslaw47@yahoo.com

Respectfully,

Charles Woods

