

WALLOWA COUNTY PLANNING COMMISSION
7:00 pm April 25, 2023
Wallowa County Courthouse
Agenda

1. **Planning Commission Meeting Minutes** from February 28, 2022
2. **CUP#23-01 JONES** – Submitted by Justin and Lindsey Jones. The proposed is a request 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 02 South, Range 44E, Section 16, and Tax Lot 500. It is more commonly known as 61256 Small Graffi Road, Enterprise, Oregon 97828 and consists of approximately 23.1 acres.
3. **Other Business:**

The next Planning Commission meeting is scheduled for May 30, 2023.

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Planning Commission Minutes February 28, 2023

This meeting of the Wallowa County Planning Commission convened at 7:00 p.m. on February 28, 2023. 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 (Chair)
Jim Nave
Rob DeSpain
Ramona Phillips
Kim Tippet
Gay Fregulia (via Zoom)

STAFF:

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

OTHERS PRESENT:

Mark Porter
Rebecca Knapp

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 February 28, 2023, hearing session of the Wallowa County Planning Commission to order. My name is Georgene Thompson, and I am the 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.

Planning Commission Minutes February 28, 2023

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 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.

1. Does any commission member wish to disqualify, himself or herself for any personal or financial interest in these matters, or does any commission member wish to report any significant ex parte or pre-hearing contacts and explain/share what you have heard?
[nothing voiced]
 - a. Does any member of the audience wish to challenge the right of any commissioner to hear these matters? ***[nothing voiced]***
 - b. Is there any member of the audience who wishes to question the jurisdiction of this body to act on behalf of the County in these matters? ***[nothing voiced]***
2. Oregon Land Use Laws require that any issue to be appealed must be raised during this hearing; failure to raise issues at this hearing will invalidate their further appeal.

CM Thompson opens the quasi-judicial hearing and proceeds to the first agenda item.

1. January 31, 2023 Minutes

CM Phillips moves to approve the minutes of the January 31, 2023 Planning Commission meeting.

CM Tippet seconds the motion.

[CM Phillips – Yes;

CM Thompson – Yes;

CM Tippet – Yes;

CM Nave – Yes;

Planning Commission Minutes
February 28, 2023

CM Fregulia – Yes;
CM DeSpain – Yes;

Motion Passes 6-0-0]

2. BECK CUP#22-13 FINDINGS

PD Goebel presents the Findings Report.

CM Phillips moves to approve CUP#22-13.
CM Tippetts seconds the motion.

[CM Phillips – Yes;
CM Thompson – Yes;
CM Tippetts – Yes;
CM Nave – Yes;
CM Fregulia – Yes;
CM DeSpain – Yes;

Motion Passes 6-0-0]

The application findings are approved.

3. DESPAIN-STANGEL VAR#22-04 FINDINGS

PD Goebel presents the Findings Report.

CM Phillips moves to approve the findings for VAR#22-04.
CM Tippetts seconds the motion.

[CM Phillips – Yes;
CM Thompson – Yes;
CM Tippetts – Yes;
CM Nave – Yes;
CM Fregulia – Yes;
CM DeSpain – Yes;

Motion Passes 6-0-0]

The application findings are approved.

CM Phillips closes the quasi-judicial hearing and opens a legislative hearing.

Planning Commission Minutes
February 28, 2023

4. AMD#23-01 ARTICLE 29 UPDATE

PD Goebel presents the Staff Report.

PD Goebel reads one comment for and two opposed to the amendment into the record.

CM Nave and **Ms. Knapp** ask for clarification on the locations of different zones in the proposed Table 1.

CM Nave, Phillips, and Tippet emphasize that the amendment is to correct a safety issue, not a noise issue as emphasized in the comment letter from Mr. Rotzler.

CM Nave mentions that he is not an airport safety specialist and defers to the Oregon Department of Aviation support letter.

CM Tippet moves to recommend approval of AMD#23-01 to the Board of Commissioners. **CM Nave** seconds the motion.

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

Motion Passes 6-0-0]

The proposed amendment is recommended for approval.

5. AMD#23-02 ARTICLE 1 REVISE BED AND BREAKFAST AND BUNKHOUSE DEFINITIONS

PD Goebel presents the Staff Report.

PD Goebel notes that there were no written comments submitted.

PD Goebel adds that **CM Bullat**, not in attendance, requested that the proposed B&B definition include that the house must be the primary residence of the B&B manager.

PD Nave worries that the Board of Commissioners are not in favor of the amendment as evidenced by their approval of the McKee B&B appeal.

PD Goebel notes that ORS requires that all employees of a B&B on high-value farmland be members of the B&B owner's family.

Planning Commission Minutes
February 28, 2023

CM Tippet shares that she believes the original B&B concept is that someone is renting rooms in their home for extra income to supplement farm income, not running a rural hotel as their primary source of income. She thinks the B&B concept has gotten too broad to support resource values.

CM Thompson thinks that the use of an accessory structure is fine, but not an RV, tent, yurt, etc.

PD Goebel notes that ORS prohibits the use of resource accessory structures and they cannot have their use changed to a non-resource use.

CM DeSpain notes that the definition currently states that the B&B use should be accessory to that of structure's use as a single-family dwelling.

CM Phillips expresses that she is happy with the proposal. She recognizes there will still be challenges, but the proposal narrows the definition to something more manageable.

CM Nave counters that, in a county with a struggling economy, the proposed definition makes it much more difficult to supplement farm/forest income with a B&B.

CM Thompson responds that B&Bs are taking houses out of the potential rental inventory of the county.

CM Thompson proposes that the restriction only apply to tracts of less than 160 acres. She does not want to take away this opportunity for large farmers.

CM Nave notes that accessory structures converted to B&Bs are viewed by the Building Official as commercial structures that must meet commercial building code.

CM Fregulia asks for clarification on the intent of the discussion. She asks if the group is trying to narrow or expand the forms a B&B can take.

CM Thompson replies that her intent is to clarify the rules because people are expanding their operations beyond the limits of their original permit.

CM Nave responds that he doesn't believe the amendment will address that issue.

CM Phillips disagrees that narrowing and clarifying the rules would help.

CM Tippet thinks narrowing the rules to inside someone's home will decrease the probability that people will violate the rules.

**Planning Commission Minutes
February 28, 2023**

CM Thompson worries that narrowing the rules eliminates an important revenue opportunity for farmers and ranchers.

-- **The group moves on to discuss the B&B definition.**

CM Goebel reviews the proposal to amend the Bunkhouse definition.

The group agrees to support the Bunkhouse definition proposal.

-- **The group returns to the B&B definition discussion.**

CM Fregulia asks if the purpose of the Planning Commission is to focus on appropriate land use or enable people to generate additional income.

CM Thompson expresses that she would like the manager to have to not just be present while there are guests but would rather they are required to reside full-time in the home.

CM Nave would like to decrease the number of bedrooms from five to three.

CM Thomspson suggests eliminating the B&B exemption from square footage.

CM Nave suggests standardizing the language to use "operator" instead of "owner" or "manager".

CM Nave states that he does not believe the changes will keep people from breaking the rules.

CM Fregulia counters that the only way to keep people from breaking rules is to not have any. She adds that the first sentence states that the primary use is as a residence and the B&B-HBO should be secondary.

CM Nave hears what CM Fregulia is saying and restates it as: anyone purchasing a home primarily to run it as a B&B automatically does not conform to the definition.

Mr. Porter adds that he and his family are trying to buy acreage for a small farm, but cannot afford to do so without operating a B&B. He would like to use an accessory structure instead of the home that they would live in.

CM Tippet responds that ORS prevents accessory structures build for resource use from being converted to a non-resources use.

CM Thompson believes that accessory structures should be able to be used.

**Planning Commission Minutes
February 28, 2023**

CM Fregulia adds that she does not believe that the Planning Commission should change rules for the sole purpose of making things more affordable. She states that all laws are not going to be palatable for every person. She adds that she could retire if it was legal for her to divide her property into small parcels and sell them. The Planning Commission is charged with making decisions that are best overall.

CM Phillips recommends to Mr. Porter that he testify at the Board of Commissioners hearing on the proposal since the Planning Commission is only allowed to recommend or not recommend the amendment.

CM Phillips moves to recommend approval of AMD#23-02 to the Board of Commissioners. **CM Tippitt** seconds the motion.

[**CM Phillips** – Yes;
CM Thompson – No;
CM Tippett – Yes;
CM Nave – No;
CM Fregulia – Yes;
CM DeSpain – No;

Motion Fails 3-3-0]

The proposed amendment is not recommended for approval.

CM Nave moves to recommend revising the Bunkhouse definition as stated in AMD#23-02 to the Board of Commissioners with the 500 square foot limit. **CM Tippett** seconds the motion.

[**CM Phillips** – Yes;
CM Thompson – No;
CM Tippett – Yes;
CM Nave – Yes;
CM Fregulia – Yes;
CM DeSpain – Yes;

Motion Passes 5-1-0]

The proposed amendment to the Bunkhouse definition is recommended for approval.

CM Thompson closes the legislative hearing to move on to other business.

**Planning Commission Minutes
February 28, 2023**

6. OTHER BUSINESS

- **CM Phillips** requests that PD Goebel send a letter to Corby Makin about his B&B because a member of the family is not present when there are guests in the B&B.
- **PD Goebel** offers that he will discuss the issue with county counsel and issue an appropriate letter. He also requests that the complainants provide at least three observances of the date and time when the house is rented and there is no family member present. CM Phillips is also able to provide the documentation.
- **CM Nave** requests that the previous year's agenda from the same month be included with the packet as well as a list of running action items.

CM Nave moves to adjourn the meeting.

CM Tippet seconds the motion.

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

Motion Passes 6-0-0]

Meeting was adjourned at 9:05 PM

Jean Jancaitis

Date



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

STAFF REPORT
CUP#23-01
JONES HBO B&B

APPLICANT: Justin and Lindsey Jones
61228 Small Graffi Road
Enterprise, OR 97828

OWNER: Same

REQUEST: To permit a Home-Based Occupation in the form of a Bed and Breakfast, in an existing residence for a maximum of (4) people and (2) vehicles. The residence is not on High Value Farmland.

LOCATION: The property description is Township 02S, Range 44E, Section 16, Tax Lot 500, Ref#1229, Address: 61256 Graffi Road, Enterprise, OR 97828.

PARCEL CHARACTERISTICS: The parcel contains about 23.09 acres and there are a total of approximately 60 acres in the 3-parcel tract. The Zoning is Exclusive Farm Use (EFU) and access is from Black Marble Lane, a County road, and then Small Graffi Road, a Private Road. The parcel borders EFU on all sides. There is one farm dwelling on the parcel, and one farm dwelling on each of the other two parcels of the tract for a total of 3 legal residences on the tract.

OTHER INFORMATION:

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

PREVIOUS PLANNING DEPARTMENT AND OTHER AGENCY ACTIONS:
LLA#15-04, 05, 06

STAFF COMMENT:
This application is for a Home Based Occupation (HBO) in the form of a Bed and Breakfast (B&B). The landowners intend to use an existing residence as the B&B. The landowners currently live on a different parcel on the tract.

REVIEW CRITERIA:

- Article 1, General Provisions
- 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 1, GENERAL PROVISIONS

SECTION 1.065, DEFINITIONS: For the purpose of this ordinance and as used in this ordinance, the following words and phrases are so defined

[...]

021. *BED AND BREAKFAST – (B&B) An accessory use within a single family dwelling 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&Bs must have staff on site overnight. Breakfast is required, however, breakfast is defined by the 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.

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.*

STAFF REPORT

CUP#23-01 JONES B&B Staff Report

April 25, 2023

Page 2 of 6

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 9, CONDITIONAL USE PERMIT

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.*
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.*
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.*

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.

STAFF REPORT

CUP#23-01 JONES B&B Staff Report

April 25, 2023

Page 3 of 6

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.*

ARTICLE 35, HOME BASED OCCUPATION

SECTION 35.020, DEFINITION: Home-Based Occupation shall mean an activity carried on within a residence, within an accessory structure, or on the premise of a residence, which is intended to produce an income. The occupation must be accessory to the primary residential use and in compliance with the applicable requirements of this ordinance.

01. *A Home-Based Occupation permit will not be required for:*
- A. *Storage of tools used to generate off-premise income.*
 - B. *Farm and forest uses.*
 - C. *Activities which have no material negative impacts including:*
 - 1. *The making of objects in the residence which are sold elsewhere, including but not limited to: arts and crafts, quilting, sewing, or toys, or*
 - 2. *A mail order business, including but not limited to: selling Avon (or other cosmetics), Fuller Brush, toys, or other items, or*
 - 3. *A service which is conducted within the residence, including but not limited to: computer programming, data entry, consulting, accounting, and bookkeeping, if*
 - a. *The business does not have any employees.*
 - b. *The business does not have a sign.*
 - c. *Customers do not come to the residence to conduct business.*
 - d. *The business does not produce noise, dust, odor, or other nuisance that is in excess of that which is usual and customary in the zone where the property is located.*

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

STAFF REPORT

CUP#23-01 JONES B&B Staff Report

April 25, 2023

Page 4 of 6

02. *PARTICIPATION/EMPLOYEES: A Home-Based Occupation shall employ, on site, no more than three full-time or part-time persons.*
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.*
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 hazard to the area from discharges into the air, water, or ground; from surface run-off; or from increased need for vector control.*
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)].*

ARTICLE 36, SALMON HABITAT RECOVERY

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

STAFF SUGGESTED CONDITIONS OF APPROVAL:

- CUP terminates with the transfer of the property.
- A Bed and Breakfast must provide a morning meal. The type of meal will be determined by the applicant.
- A Bed and Breakfast must have someone on-site, overnight, while guests are present to oversee the operation of the rental.

STAFF REPORT

CUP#23-01 JONES B&B Staff Report

April 25, 2023

Page 5 of 6

- Because the parcel is in and bordered by the EFU zone, the applicant shall file a Conflict Acknowledgment Statement with the Wallowa County Clerk's office.
- Guest's dogs must be leashed and supervised at all times when outdoors.

CONCLUSIONS: To be developed at the hearing.

STAFF REPORT

CUP#23-01 JONES B&B Staff Report

April 25, 2023

Page 6 of 6



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

PERMIT#:	CUP#23-01
E-PERMIT#:	903.23.000107.PLNG
DATE FILED:	3-22-2023
TOTAL FEE:	\$600
CHECK #:	1981

CONDITIONAL USE PERMIT APPLICATION: **HOME-BASED OCCUPATION**

LEGAL OWNER:	<u>Justin F. Jones</u>		
APPLICANT:	<u>Justin F. Jones</u>	REF#:	<u>1229</u>
PROJECT ADDRESS:	<u>61256 Small Graft Rd, Enterprise, OR 97828</u>	TWP:	<u>025</u>
MAILING ADDRESS:	<u>61228 Small Graft Rd, Enterprise, OR 97828</u>	RANGE:	<u>446</u>
APPLICANT PHONE NUMBER:	<u>(850) 982-9224</u>	SECTION:	<u>16</u>
APPLICANT E-MAIL:	<u>justin.fairn.jones@gmail.com</u>	TAX LOT:	<u>500</u>
CONTACT/ PHONE NUMBER (if different):	<u>N/A</u>	ACRES:	<u>23.09</u>
CONTACT/ EMAIL (if different):	<u>N/A</u>	ZONE:	<u>EFU</u>
PROPOSAL SUMMARY:	<u>HBO B+B</u>		

YOUR APPLICATION MUST INCLUDE THE FOLLOWING DOCUMENTATION (details and examples are provided):

- ☒ 1. HOME-BASED OCCUPATION APPLICATION CHECKLIST
- ☒ 2. VICINITY MAP
- ☒ 3. PLOT PLAN MAP
- ☒ 4. FLOOR PLAN OF THE BUILDING USED FOR BUSINESS OPERATIONS
- 5. ADDITIONAL INFORMATION REQUIRED FOR BED AND BREAKFAST HOME OCCUPATIONS
 - ☒ Copy of the House Rules.
 - ☒ Floor plan with the number of guests per room and the maximum occupancy.
 - ☒ Site plan with parking configuration and number of vehicles (trailers are considered vehicles).

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.

Justin F. Jones
 APPLICANT

3/22/2023
 DATE

COUNTY USE ONLY

ACTION TAKEN BY PLANNING COMMISSION

Approved _____

Denied _____

FOR PERMIT AUTHORIZATION AND CONDITIONS: See Findings Report

PERMIT EXPIRES AFTER ONE YEAR OF NON-USE

- ☒ I HAVE REVIEWED REVIEW ARTICLE 35, HOME-BASED OCCUPATIONS:
<https://co.wallowa.or.us/community-development/land-use-planning/ordinance-articles/>
- ☒ I AM APPLYING FOR A BED AND BREAKFAST

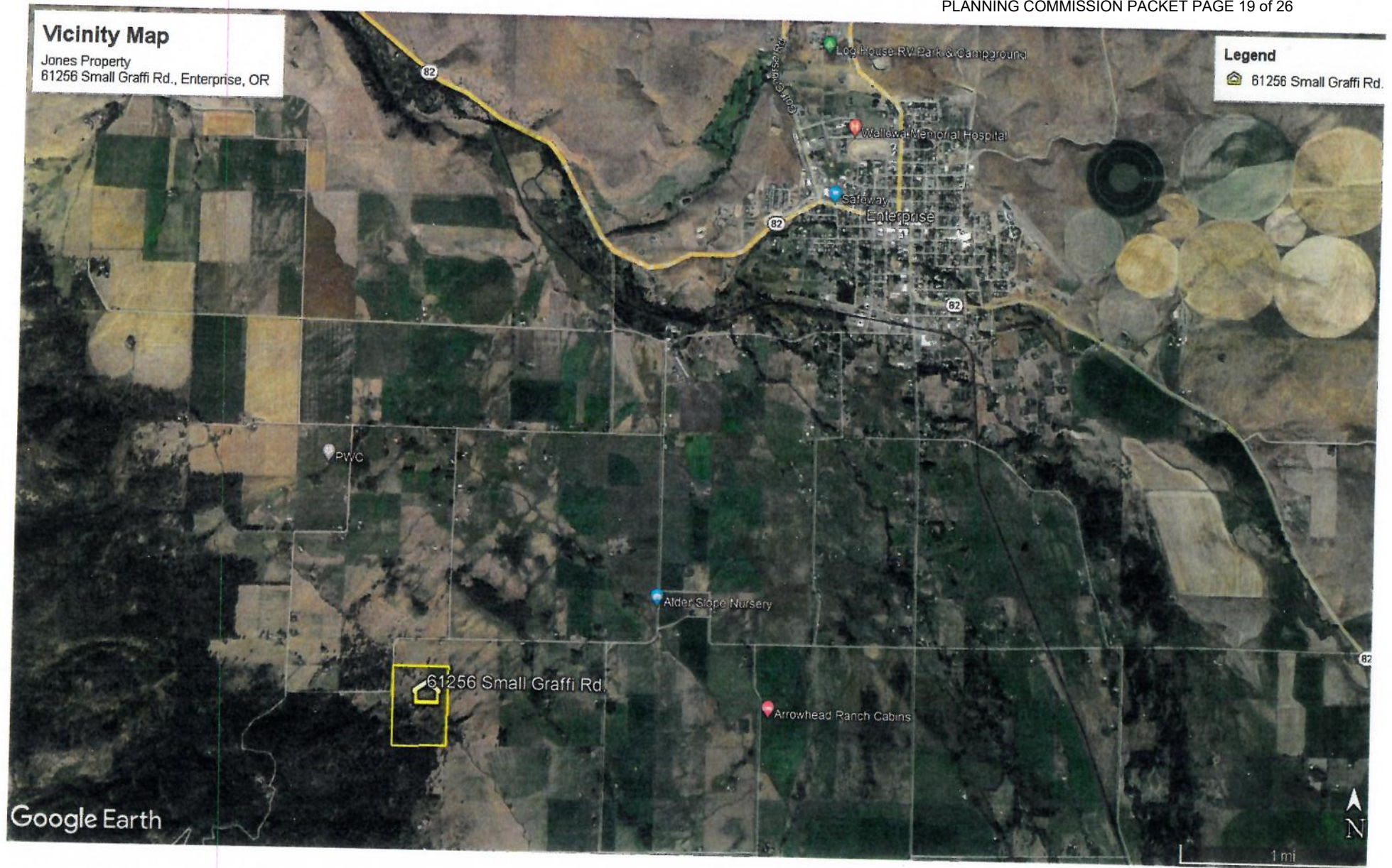
DESCRIPTION OF THE PROPOSED HOME-BASED OCCUPATION:

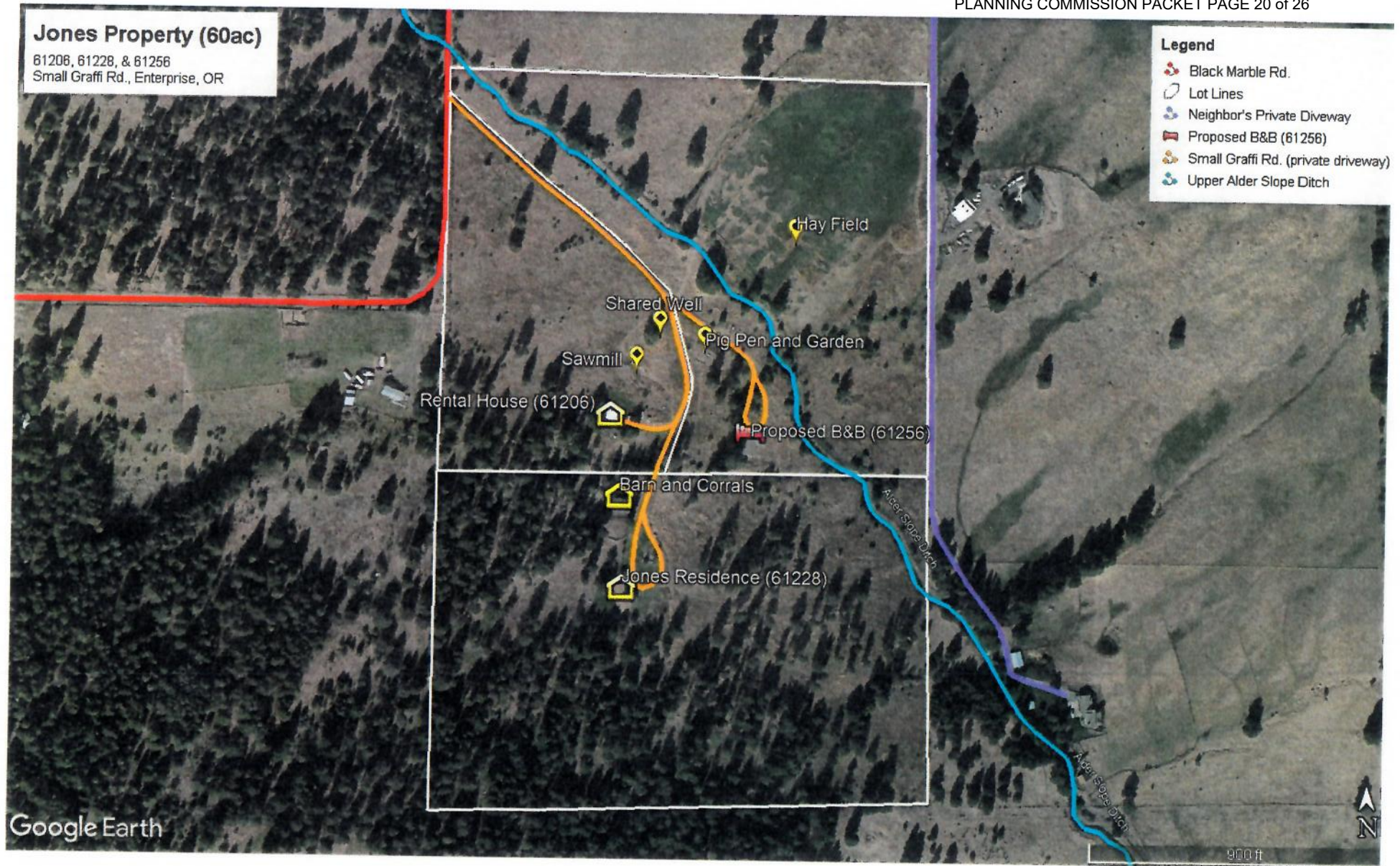
Bed and breakfast for maximum of 4 guests and 2 vehicles.

Please check all the following statements that apply to your proposed Home-Based Occupation.

The Home-Based Occupation will:	YES	NO
1. Have employees that do not live on the subject property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Store business-related items (equipment, vehicles, construction materials, etc.) outside of a fully enclosed structure.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. Require buildings to be altered from normal residential uses.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. Require oversized accessory buildings.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Use more than two vehicles.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Use heavy equipment or tools that create noise and vibration.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Use paint, solvents, oils, or other noxious/toxic chemicals.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Operate outside of normal business hours (Mon. through Fri., 9 am-5 pm).	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9. Have significant impacts on the neighbors and/or neighborhood traffic.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10. Have deliveries by vehicles. Exceptions-include deliveries by UPS or other parcel services.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. Have retail sales on-site.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. Occupy more than 25% of the gross square feet of the principal residence or more than 2,000 square feet of accessory buildings normally associated with uses permitted in the zone.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. Be conducted with more than one other business on your property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. Alter the appearance of the residential or farm/forest neighborhood.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. Post a sign for the business on the property.	<input type="checkbox"/>	<input checked="" type="checkbox"/>

For all statement where you responded 'YES', please attached a narrative describing the activity and how you plan to mitigate the possible effects on your neighbors and neighborhood.





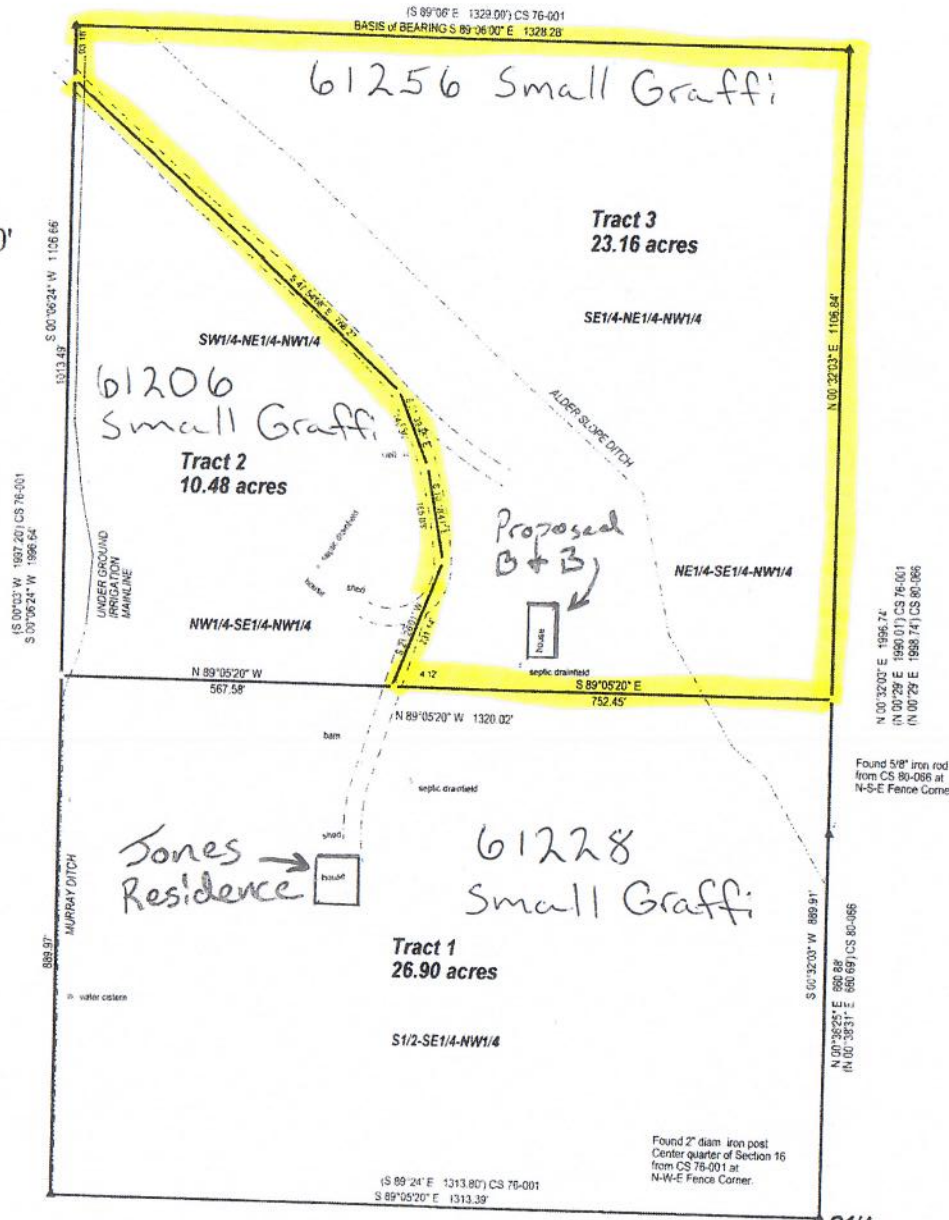
Record of a Lot Line Adjustment Survey

in the East half of the Northwest quarter of Section 16, Township 2 South,
Range 44 East, of the Willamette Meridian, Wallowa County, Oregon.

LEGEND

- ▲ Monument Found, 5/8 ins. diam. iron rod from CS 76-001. (unless otherwise noted)
- Monument Set, a 5/8 ins. diam. x 30 ins. long iron rod with yellow plastic cap marked "TIMBERLINE SURVEYS PLS 1015"
- Found 2 ins. diam. galvanized iron pipe set by client.
- Property Boundary
- Record Subdivisional Lines
- Existing Traveled Way
- Irrigation Ditch
- Irrigation Mainline Risers
- Irrigation Collection Box
- Septic Tank
- Well
- Water Cistern
- (1329 00') CS 76-001 Record Data as noted

Scale ~ 1" = 150'



NARRATIVE

This survey was conducted for the purpose of a Lot Line Adjustment at the request of Justin F. Jones. This survey recovers four monuments from CS 76-001 and finds them to be harmonious with record information and lines of occupation (fences). The Basis of Bearing for this survey is the record bearing between the said monuments along the North line of the clients property. This survey sets four monuments along an existing traveled way and monuments a line parallel with the South boundary through a 2 inch diameter galvanized iron pipe, set by the client, as directed by the client for the Adjusted Lot Lines. Additional improvements were tied as shown. A portion of the Alder Slope Ditch was surveyed, the remainder was digitized from Google Earth imagery.

REFERENCE DATA

CS 76-001
CS 80-066
Deeds
Microfilm Number 071200

WALLOWA COUNTY SURVEYOR
RECEIVED 11/14/15
FILED 11/14/15
INDEX CS 2014-025

REGISTERED
PROFESSIONAL
LAND SURVEYOR

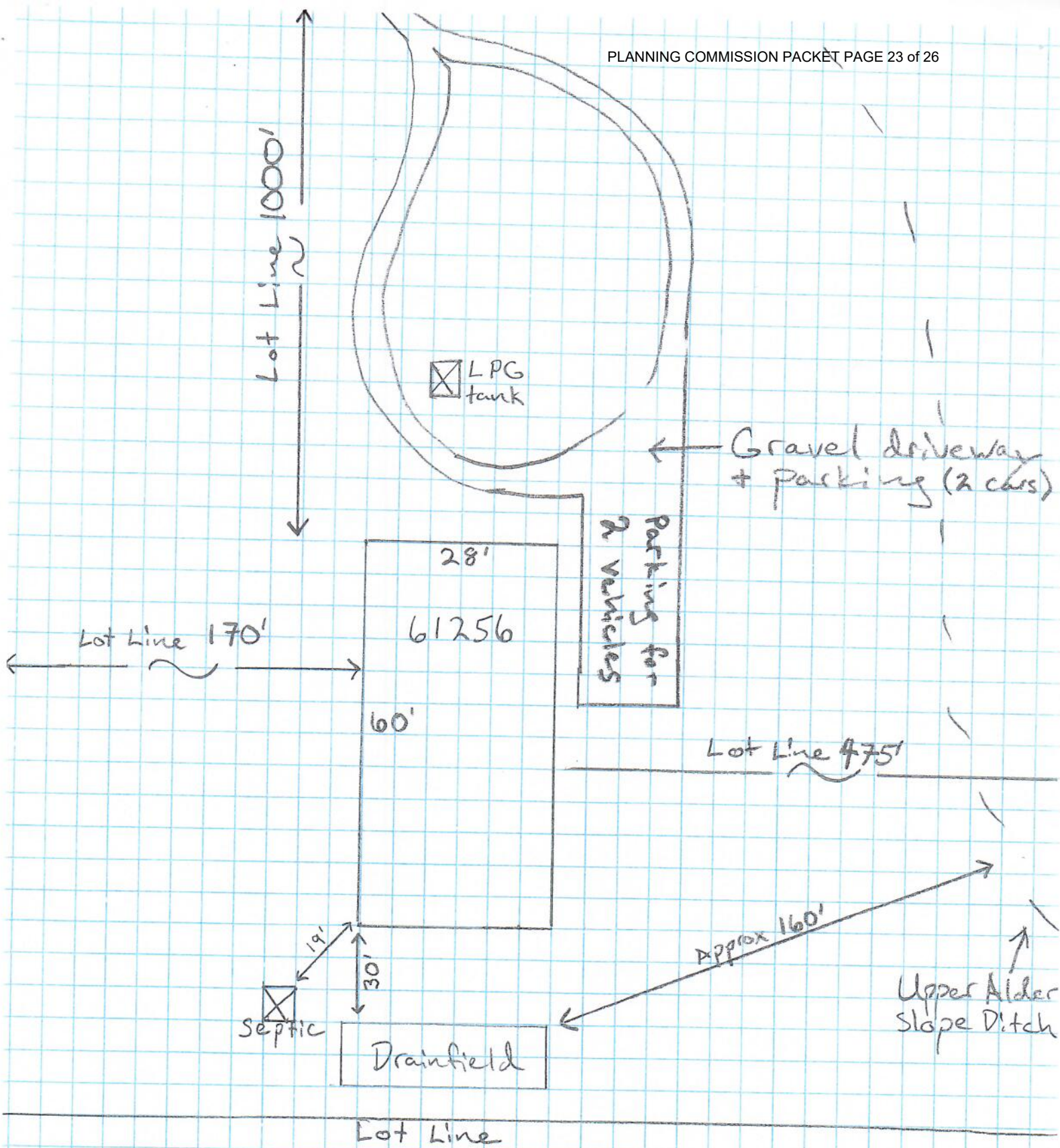
Richard A. Shaver
OREGON
22-2-1974
RICHARD A. SHAVER
1015

Timberline Surveys
P.O. Box 61
Wallowa, Oregon 97855
Phone 541-856-2605
Registration expires
8/30/2016

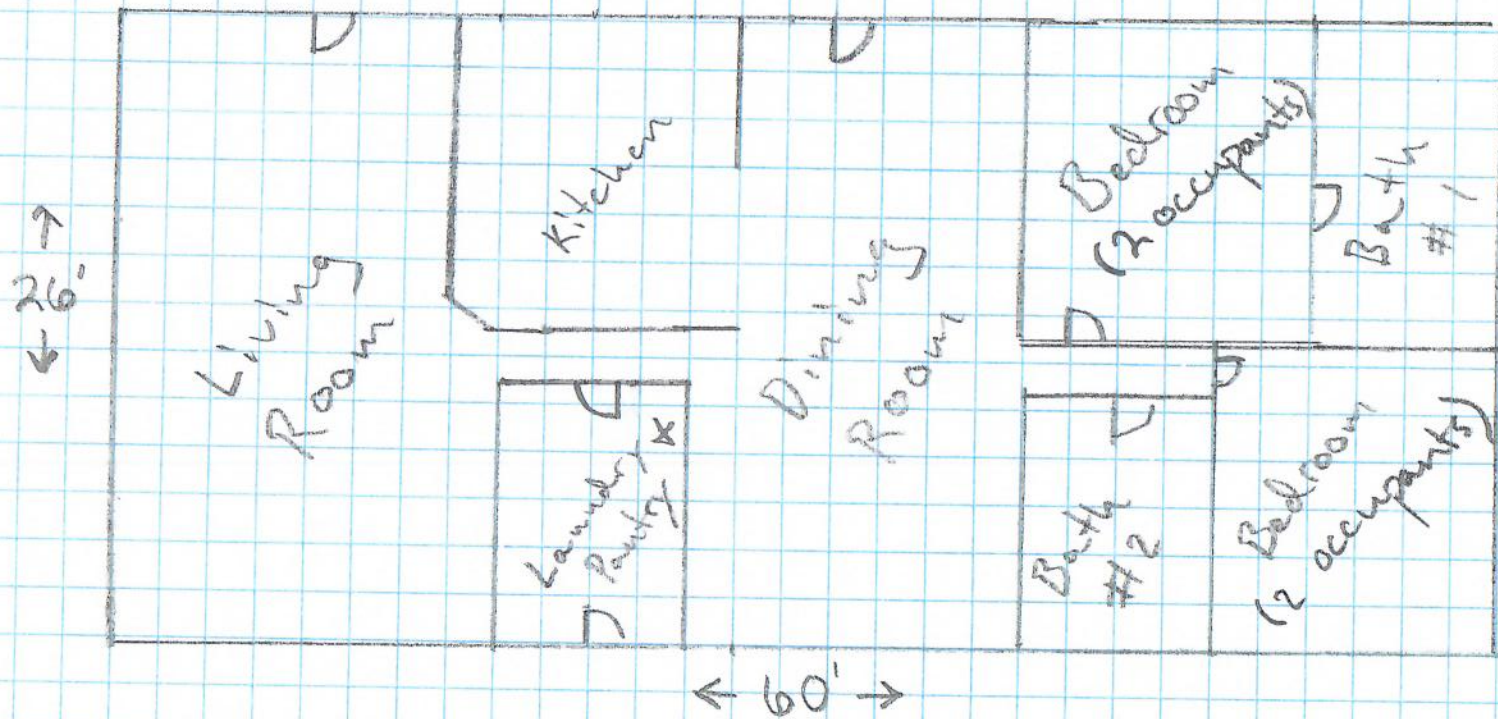
CS 2014-025

C1/4





61256 Small Graffi Floor Plan



Max. Occupants 4 people

House Rules

61256 Small Graffi Rd., Enterprise, OR 97828

Welcome, we are pleased to have you in our home. We hope you enjoy your stay, and we will do all we can to ensure you are comfortable. Please let us know if any issues come up. While you are staying with us, please treat our home like it is your own and observe the following rules:

- Only the approved number of guests may be present at the house at any time. Please, no parties or events.
- Up to two cars (or one car and a trailer) may be parked at the house in the designated parking area.
- Please adhere to the designated check-in and check-out times.
- No smoking. Smoking is prohibited at all locations on the property.
- Guests are allowed to use the fenced yard immediately adjacent to the house and may walk the driveway to the public road. Please do not enter the pastures or other portions of the property, and do not feed livestock or wildlife.
- No more than two dogs are allowed and they must be kept in the fenced dog run (pets are not allowed in the house). Dogs must not bark and if barking occurs this will be in violation of the rules. Dogs may be walked on leash on the driveway.
- Please do not play loud music, speak loudly or make other loud noise during quiet hours from 8pm to 8am.
- While we will conduct standard cleaning after your visit (e.g. vacuuming, wipe surfaces, etc.), please do not create a mess that requires excessive or deep cleaning. Please remove your shoes as you enter the house. Before you leave please remove sheets from the bed and take all dirty sheets and towels to the laundry area; start a load of laundry before you leave. Please clean all dishes and put them in the drying rack.
- Place all trash and recycling in the designated bins.
- Use of the outdoor BBQ and fire pit is by permission only in accordance with Oregon Department Forestry's Public Fire Restrictions.
- No commercial film or photography is allowed without written permission.

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: Justin F. Jones

Project Applicant (if different): N/A

Project Address: 61256 Small Grafti Rd.

City: Enterprise State: OR Zip Code: 97828

Applicant Phone Number: (850) 982-9224

Applicant E-Mail: justin.fairn.jones@gmail.com

Zone: EFU

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

Other ☒ Bed and Breakfast

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

COUNTY USE ONLY:

Permit # CWP#23-01

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 <u>High</u>	Moderate or Low
Risk Designation			
WUI Zone	No	Extreme or <u>High</u>	Moderate or Low
Wildfire Occurrence Risk			

1° Fuel Break = 30' 2° Fuel Break = +100'

• Wetlands: Yes ☐ No ☒

• FEMA Floodplain: Yes ☐ No ☒
If Yes (Circle and Describe): 500 Year or 100 Year

• Elevation Certificate Required: Yes ☐ No ☒

Article 29 – Airport Overlay Zone • Airport Overlay: Yes ☐ No ☒

Article 36 – Salmon Habitat Restoration • Natural Resource Advisory Council Review: Yes ☐ No ☒

County Official Signature: [Signature]