



MARION COUNTY BOARD OF COMMISSIONERS

Board Session Agenda Review Form

Meeting date: December 4, 2024

Department: Public Works

Title: Consider accepting appeal of Hearings Officer's decision denying Conditional Use CU24-005/Hector Fregoso

Management Update/Work Session Date: N/A Audio/Visual aids ☐

Time Required: 5 min Contact: Austin Barnes Phone: 4174

Requested Action: Staff recommends the board accept the appeal and remand the case back to the Hearings Officer to hold an additional hearing and issue a revised decision. The board has the following options:
1. Accept the appeal and hold a hearing. 2. Deny the appeal and uphold the hearings officer's decision. 3. Accept the appeal and remand the case to the hearings officer to hold a hearing and issue a revised decision. Any decision by the hearings officer could be appealed to the board.

Issue, Description & Background: Conditional Use CU24-005 was applied for to legalize an unpermitted RV Park as farm worker housing under a commercial use in conjunction with farm use permit. This permit arose out of code enforcement proceedings. On March 14th, 2024, the Planning Director denied the request. On March 29th, 2024, the approval was appealed to the Hearings Officer. On July 18, 2024 the Hearings Officer held a hearing. On October 22nd, 2024, the Hearings Officer issued a denial of the application. On November 6, 2024, the denial was appealed to the Board of Commissioners with a statement and appropriate filing fee. The applicant has not provided new arguments or new evidence. The applicant requests to clarify arguments previously made and suggest conditions that could be placed on any approval in order to meet applicable criteria.

Financial Impacts: None

Impacts to Department & External Agencies: None

List of attachments: Appeal, Hearings Officer Decision, Staff Decision

Presenter: Austin Barnes

Department Head Signature: for Brandon Reck



NOTICE OF INTENT TO APPEAL
Hearings Officer's Decision on Case No. CU24-005

To: Marion County Board of Commissioners
From: Hector Frogoso, Property Owner
Date: November 6, 2024

Subject: Appeal of Marion County Hearings Officer's Decision to Deny Conditional Use Permit,
Case No. CU24-005

This Notice of Intent to Appeal is submitted regarding the Hearings Officer's decision to deny Case No. CU24-005 (the "Decision"). Pursuant to Marion County's appeal procedures, we submit the following appeal based on both factual and legal grounds and on the presentation of new material facts relevant to the case. Our appeal outlines specific reasons for challenging the Decision and argues for reconsideration in light of the points discussed below.

1. Factual Incorrectness of the Decision

The Decision contains substantial errors in both the interpretation and application of Marion County's conditional use criteria, resulting in a misapplication of land use standards inconsistent with applicable statutes and ordinances. Specifically, and without limitation, the findings fail to adequately address or consider the following.

The proposal to establish a commercial RV park specifically designed to provide temporary, seasonal housing for farmworkers is a commercial activity that directly supports and operates in conjunction with farming. Seasonal housing for farm workers plays an essential role in agricultural operations on the surrounding properties. The proposal would integrate the RV park's functions with the local farming economy. The proposal would be good for farms.

The denial ignores the second qualifier of criterion 1 which states the commercial activity must be primarily a customer or supplier of farm uses. To be a supplier of farm uses means to provide a wide range of essential goods or services to agricultural businesses. Farmworkers, including migrant farm workers, are suppliers of skill and labor which are necessary components of commercial farming.

The presence of farm crops on site is not a requirement to meet the approval criteria for a commercial operation in conjunction with farming as demonstrated by uses such as Pape and Big Tex Trailers. These uses have only demonstrated their contribution to the production of agricultural crops. Similarly, skilled farm labor has a direct correlation with the production and availability of agricultural products.

These inaccuracies fundamentally compromise the validity of the decision and render it incompatible with established legal frameworks governing conditional use permits for commercial activities in conjunction with farming.

2. The Decision misconstrues the applicable decision criteria and State law

(a) The Decision misconstrues the phrase “supplier of farm uses”

Marion County Code requires that a conditional use permit (“CUP”) for a commercial activity in conjunction with farm uses (“CACFU”) must “be primarily a customer or supplier of farm uses.” The Decision misconstrues the meaning of this phrase and applies an overly stringent standard not supported by applicable caselaw. Most importantly, the Decision fails to recognize that housing for farm workers for nearby farms is a commercial use because it facilitates the provision of labor, rather characterizing the use as residential.

(b) The Decision misconstrues the phrase “enhance the farming enterprises of the local agricultural community”

Marion County Code requires that a CUP for a CACFU must “must enhance the farming enterprises of the local agricultural community to which the land hosting that commercial activity relates.” The Decision incorrectly fails to recognize substantial evidence in the record demonstrating the fact that farmworker housing in the heart of farmland enhances local farming enterprises and applies an overly narrow standard. The Decision fails to recognize that appropriate conditions of approval can and will mitigate potential concerns associated with additional housing in the area – and could likewise ensure that housing is used exclusively for farm workers.

(c) The Decision misconstrues the phrase “together in the local community”

The Decision fails to recognize that relevant caselaw establishes that the local farming enterprises include nearby farmlands in the local community and applies an overly restrictive standard – despite the fact that the County has determined that the subject property is too small to support its own commercial farm use.

(d) The Decision misconstrues and misapplies ORS 215.278

The County’s interpretation of State law is not entitled to deference. The County’s interpretation of the statutory requirements under ORS 215.278 wrongfully finds that “There is no permissible mechanism to determine if the activity is occurring together with farm use nor to condition the proposal to meet this criterion.” That is simply incorrect. Appropriate conditions may be imposed to determine that this criterion is met.

(e) The Decision misconstrues the phrase “essential to the practice of agriculture”

The Decision fails to recognize that appropriate conditions may ensure that the farmworker housing is in conjunction with farm use, misapplies caselaw, and fails to recognize substantial evidence in the record showing that the use meets this criterion.

- (f) *The Decision misconstrues MCC 17.136.060(A) and incorrectly concludes that the use meets the farm/forest test*

The Decision incorrectly fails to recognize that appropriate conditions may be placed on the CUP to ensure that the use does “not force a significant change in, or significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.” The CUP would not significantly change accepted farm or forest practices. With the right conditions, the CUP would actually fix the status quo and result in a use that is more compatible with surrounding farm and forest uses.

- (g) *The Decision fails to recognize that adequate fire protection and rural services are available and can be implemented through appropriate conditions*

The Decision disregards substantial evidence that adequate fire protection, septic service, and potable water requirements can be obtained and enforced as conditions to the CUP.

- (h) *The Decision fails to recognize that potential impacts on watersheds, groundwater, fish and wildlife habitat, soil and slope stability, air and water quality, and noise impacts, can and should be addressed through appropriate conditions*

The Decision prematurely disregards the fact that the County can adequately ensure compliance with all applicable regulations and enforce compatibility with surrounding uses and natural features through the imposition of appropriate conditions.

- (i) *The Decision misconstrues MCC 17.110.68*

The Decision omits the key provision of MCC 17.110.68 that a permit may be issued when “issuance of the permit or land use approval would correct the violation.” As applicable here, conditions requiring compliance with all applicable laws and regulations would correct the violation. The Decision errs by finding that the CUP cannot be granted under MCC 17.110.68.

3. Presentation of New Argument

The appellant has new argument relevant to Case No. CU24-005 that were not considered in the initial hearing. This information, material to the outcome of the decision, could substantially alter the findings. The new information includes:

1. Essential Support Service for Agricultural Operations: Seasonal farmworkers are a crucial labor force in agriculture, especially during peak planting and harvest periods. For farming operations to be viable, housing solutions that meet the temporary and seasonal needs of these workers are necessary. A Commercial RV Park that caters specifically to seasonal farmworkers is more than a general commercial venture; it serves as an infrastructure that enables local farms to secure the labor they need. This makes the RV park an essential support service in the agricultural supply chain, fundamentally tied to farming operations.

2. Direct Nexus to Farming and Local Agricultural Needs: The Commercial RV Park's purpose is to temporarily shelter farmworkers who directly contribute to the labor force required by nearby agricultural activities. By providing a safe, temporary, and seasonal accommodation option for these workers, this commercial use in conjunction with farming

facilitates continuity in farm operations, aligning with the farming cycle and seasonality. This distinct connection to farming differentiates this RV park from typical commercial uses and demonstrates its role as an integral part of agricultural infrastructure that enhances the ability of farms to operate effectively.

3. Alignment with "Commercial Activity in Conjunction with Farming" Standards: Most land use regulations permit "commercial activities in conjunction with farming" to support the agricultural sector while remaining in harmony with local and state land use regulations. This standard has been applied to activities like produce stands, processing facilities, and support services that are essential to farming but not technically part of the agricultural production itself. In this context, a commercial RV park providing farmworker housing similarly qualifies as a commercial activity that operates in conjunction with farming, as it directly supports the workforce that is indispensable to agricultural production.

4. Seasonal Workforce Housing is Integral to Agricultural Operations: Farm work is highly seasonal, often requiring large numbers of laborers for short, intense periods during planting or harvest seasons. Unlike other professions, where housing needs are generally consistent year-round, farm labor needs fluctuate drastically based on crop cycles. This seasonality creates a specific demand for short-term housing that is often concentrated in small, rural communities unprepared to provide housing for a sudden influx of workers.

For instance, construction workers on a large infrastructure project or consultants visiting urban centers have flexible housing options, such as hotels, rental properties, or employer-arranged accommodations. Farmworkers, however, need affordable, accessible housing options located close to fields, which are often remote from any substantial housing supply. Without dedicated temporary housing solutions, farmworkers face limited or non-existent options, which can lead to overcrowding, poor living conditions, or a lack of housing entirely.

Temporary farmworker housing is frequently located in agricultural zones, which are restricted from typical residential or commercial development. This zoning restriction is in place to preserve agricultural land use, limiting the options for traditional housing developments or short-term rentals found in urban areas. Unlike professions where employees travel to urban or suburban areas with infrastructure to support temporary accommodations, farmworkers need housing integrated into rural, often strictly zoned agricultural regions.

Providing temporary farmworker housing specifically designed to be seasonal for agricultural zones recognizes these zoning constraints while meeting the labor needs of the local farms. In contrast, other professions requiring temporary housing typically operate within or near developed areas, making temporary lodging more accessible and permissible under existing zoning laws.

5. Contribution to the Viability and Sustainability of Farming Operations: Agricultural operations rely not only on the availability of farmland but also on the availability of skill and labor. A commercial RV park designed for farmworker housing supports the long-term viability and sustainability of the farming industry by addressing the housing challenges that seasonal workers face. By offering a practical housing solution, the RV park aids in

maintaining a stable and available workforce, thus supporting both short- and long-term agricultural productivity in the area.

This new evidence necessitates a reevaluation of the case to ensure that all pertinent information is considered in determining compliance with applicable Marion County and State of Oregon zoning regulations.

For the reasons outlined above, and the policy the Commissioners follow regarding land use providing opportunities rather than barriers in Marion County, we request that the Marion County Board of Commissioners reconsider the Hearings Officer's decision on Case No. CU24-005 in light of the material discrepancies presented in this appeal. We respectfully urge a comprehensive review to ensure a fair and sound outcome for the appellant.

Submitted on behalf of Hector Frogoso, property owner and appellant by BRAND Land Use, LLC.

 11.6.2024

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BEFORE THE MARION COUNTY HEARINGS OFFICER

In the Matter of the Application of) Case No. CU 24-005
)
HECTOR FREGOSO,) **CONDITIONAL USE**

I. Nature of the Application

This matter comes before the Marion County Hearings Officer on the Application of Hector Fregoso for a conditional use permit to establish a recreational vehicle park for farm worker housing as a commercial operation in conjunction with farm-use on a 4.43 and a 1.65-acre parcel in an EFU (Exclusive Farm Use) zone located at 13807 & 13817 Portland Rd NE, Woodburn (T5S; R1W; Section 19C; Tax Lots 1600 and 1700).

II. Relevant Criteria

Standards and criteria relevant to this Application are found in the Marion County Code, Title 17, especially Chapter 17.136 (Exclusive Farm Use).

III. Public Hearing

A public hearing was held on this matter on July 18, 2024. The Planning Division file was made part of the record. The following persons appeared and provided testimony at the hearing:

- | | | |
|----|------------------|---|
| 1. | Austin Barnes | Marion County Planning |
| 2. | Brittany Randall | Brand Land Use (Representative for Applicant) |
| 3. | Chad Goffin | Marion County Code Enforcement |

There was no objection to notice, jurisdiction, or conflict of interest. The following exhibits were offered and admitted into the record:

- Exhibit 1: Brand Land Use Submission
- Exhibit 2: Aerial Photograph from Spring, 2021 showing RVs on property
- Exhibit 3: Site Plan highlighted to show RVs parked over septic system
- Exhibit 4: Photographs from January 4, 2023 showing site visit to address with photographs of RVs
- Exhibit 5: Photographs from January 9, 2023 showing unpermitted septic system and RVs on property
- Exhibit 6: MCSO Code Enforcement violation dated January 11, 2023
- Exhibit 7: Spring, 2023 photograph showing 19 RVs

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The record was left open for additional submissions, including information regarding seasonal farmworker housing. On July 19, 2024, the record was supplemented by:

1. Brand Land Use Submission regarding criteria.
2. May, 2023 “Cultivating Home: A Study of Farmworker Housing in Hood River, Marion, Morrow, and Yamhill Counties in Oregon” a report sponsored by Oregon Housing and Community Services (OHCS).
3. Correspondence regarding septic and wastewater consultant.
4. “Estimates of Migrant and Seasonal Farmworkers in Agriculture, 2019 Update” by Mallory Rahe, PhD, published June, 2018. The study addressed the number of migrant and seasonal farmworkers in agricultural positions in Oregon.

IV. Executive Summary

Applicant seeks a conditional use permit to establish a recreational vehicle park for farm worker housing as a commercial operation in conjunction with farm-use on a 4.43 and a 1.65-acre parcel in an EFU (Exclusive Farm Use) zone located at 13807 & 13817 Portland Rd NE, Woodburn. Applicant argues that a recreational vehicle park for which provides housing for farm workers should be considered a commercial activity essential to the practice of agriculture. Marion County Planning argues that the primary function of the proposed conditional use is to house farmworkers, a residential use, which is regulated by MCC 17.136.030. There is no question that a seasonal or migrant workforce is essential to the practice of agriculture in Marion County and that insufficient housing options exist. However, the conditional use application does not meet the standards and criteria for a commercial operation in conjunction with farm use under *Sandy v. Clackamas County*, LUBA No. 94-104 (Or. LUBA 11-23-1994). The application seeks to provide housing for farm labor, but the proposed RV park could not be realistically limited to seasonal or migrant laborers and would be outside the purview of Oregon OSHA regulations for farm labor housing. Additionally, the subject property is in violation of Marion County Code and the application is subject to denial on that basis. The Application is DENIED.

V. Findings of Fact

The hearings officer, after careful consideration of the testimony and evidence in the record, issues the following findings of fact:

1. The subject property is designated Primary Agriculture in the Marion County Comprehensive Plan. The major purpose of this designation and the corresponding EFU zone is to promote the continuation of commercial agricultural and forestry operations.
2. The property is located on the western side of HWY 99E, approximately 800 feet south of its intersection with Geschwill Lane NE and 1,000 feet south of the Urban Growth Boundary (UGB) of the City of Woodburn. Both tax lots were involved in Lot Line Adjustment LLA00-025 which created their current configuration and confirms the property as separate legal parcels. Tax lot 1700 contains a dwelling, accessory buildings and fifteen (15) recreational vehicles (RVs) at the time of the 2023 Marion County aerial

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imagery. Tax lot 1600 contains a dwelling, accessory structures and four (4) RVs at the time of the 2023 aerial imagery.

3. Surrounding uses are farm uses in all directions. All surrounding properties are in row crop, grass seed or nursery production with the exception of the property to the northeast, addressed 13857 HWY 99E which is also zoned EFU but only developed with a single-family dwelling. Most properties have dwellings in this area.
4. Marion County Soil Survey indicates that 100% of the subject property is composed of high-value farm soils.
5. Applicant proposes to establish a recreational vehicle park for farm worker housing as a commercial operation in conjunction with farm use.
6. The Marion County Planning Division requested comments from various governmental agencies, and the following comments were received:

Public Works Land Development and Engineering Permits (LDEP) requested that the following be included in the land use decision:

ENGINEERING REQUIREMENTS

- A. Upon application for building permits, Transportation System Development Charges (TSDCs) and Parks fee will be assessed for each RV space.
- B. Evidence of ODOT concurrence regarding access to Portland Road for the proposed RV park is required prior to issuance of building permits.

Marion County Code Enforcement commented:

"I have had a Code case (23-000003) for over a year now regarding multiple RVs being inhabited, solid waste, misuse of a septic system and an illegal septic system. Septic also has a case (23-000170) for the misuse of a septic system and an illegal septic system. This has been going on for well over a year and the owners have done nothing to rectify the violations."

In additional to the comments of Marion County Code Enforcement, Chad Goffin, Marion County Code Enforcement presented photographs and testimony that evidence code violations at the subject property. Code violations include an unpermitted septic system.

Oregon Department of Transportation (ODOT) commented:

"The proposal for a 15-space RV park will not trigger any requirements from ODOT and based on the site plan the applicant is not proposing to modify the existing highway approach. If they end up needing to work in the highway right-of-way for utility work or construction access, they will need to contact the ODOT District 3 Permits office at 503-986-2900."

Marion County Building Department commented:

“Permits are required to be obtained for any structures and/or utilities installation on private property. Consultation with Marion County Building Inspection is recommended.”

Woodburn Fire District commented:

“Either proposed RV housing area will need a hammerhead turnaround for fire district to have access and ability to turnaround because both areas are more than 150 foot dead-end driveways. All driveways and hammerhead turnaround must support up to 75,000lbs weight load, be 20 foot wide, and meet turning radius. We would need at least 10 feet separation from each RV.”

Friends of Marion County commented and requested denial of the application due to the open code violation and on the basis that commercial uses in conjunction with farm use cannot be applied to housing. They also submitted LUBA case No. 94-104 SANDY v. CLACKAMAS COUNTY and LUBA Case No. 94-075 as additional evidence.

All other contacted agencies either did not respond or stated no objection to the proposal.

7. On July 15, 2024, submissions from Bill Geschwill and Heidi Geschwill in opposition to the application were received. Bill Geschwill and Heidi Geschwill are property owners and family farm operators who share a border with the subject property. The Geschwills object to the application on the basis of public safety concerns, compatibility with the zone, and existing code violations.
8. Applicant’s submission includes reports, articles, and studies that evidence the importance of farmworker housing, and the concerns about substandard farmworker housing conditions. The Stateman Journal article, May 4, 2023, by Shannon Sollitt, provides a critical analysis of farmworker housing concerns. In the article, it is noted that on-farm housing is a remnant of a time when most farmworkers were migrant and seasonal, and states that that is no longer the case in Oregon. Oregon Law Center estimates that roughly eighty (80%) of farmworkers are permanent residents in their communities.
9. Marion County Planning questioned whether the application could be considered as proposed because the request is for residential use as a commercial activity in conjunction with farm use. Marion County Planning states that specific criteria apply to residential use of farmland and that the specific criteria must be applied when considering applications for residential uses. Marion County cites that the EFU zone provides for similar farm worker housing as multi-unit residential structures (MCC 17.137.030(B)(3)(d)).

VI. Additional Findings of Fact and Conclusions of Law

1. Applicant has the burden of proving by a preponderance of the evidence that all applicable standards and criteria are met as explained in *Riley Hill General Contractor, Inc. v. Tandy Corporation*, 303 Or 390, 394-395(1987).

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“Preponderance of the evidence” means the greater weight of evidence. It is such evidence that when weighed with that opposed to it, has more convincing force and is more probably true and accurate. If, upon any question in the case, the evidence appears to be equally balanced, or if you cannot say upon which side it weighs heavier, you must resolve that question against the party upon whom the burden of proof rests. (Citation omitted).

2. Applicant must prove, by substantial evidence in the record, it is more likely than not that each criterion is met. If the evidence for any criterion is equal or less, Applicant has not met his burden, and the application must be denied. If the evidence for every criterion is a hair or breath in applicant’s favor the burden of proof is met and the application is approved.
3. A conditional use is an activity which is basically similar to other uses permitted in the zone, but due to some of the characteristics of the conditional use, which are not entirely compatible with the zone, such use could not otherwise be permitted in the zone. The use must be in consonance with the purpose and intent of the zone. MCC 17.119.010
4. Under MCC 17.119.100, the Planning Director has the power to decide applications for conditional uses. The Planning Director denied the application, and the Director’s decision was appealed.
5. Under MCC 17.119.020, a conditional use application may only be filed by certain people. A Bargain and Sale Deed recorded at Reel 4032, Page 393 evidences Applicant Hector N. Fregoso’s ownership. A Special Warranty Deed recorded at Reel 4084, Page 5 evidences Hector Fregoso’s ownership. MCC 17.119.020 is satisfied.
6. Under MCC 17.119.025, a conditional use application shall include signatures of certain people, including all owners of the subject property. Hector N. Fregoso owns the subject property and signed the application. MCC 17.119.025 is satisfied.
7. The submitted site plan shows that the proposed use would provide an RV area with fifteen spaces and one parking space per RV. Applicant states that the proposal seeks to alleviate the housing crisis within the Willamette Valley. Applicant argues that the proposal is considered a commercial use in conjunction with farm use because the people occupying the RVs are essential to the practice of agriculture and in order to provide agricultural workers, housing is a necessity.
8. Applicant states that the proposed recreational vehicle park for farmworker housing would be limited to farmworker housing as defined in ORS 215.278(2)(c).
9. MCC 17.136.010 provides that the purpose of the EFU (exclusive farm use) zone is to provide areas for continued practice of commercial agriculture. It is intended to be applied in those areas composed of tracts that are predominantly high value farm soils as defined in OAR 660-033-020(8).

10. MCC 17.136.030 provides for dwellings that are permitted in the EFU zone. Applicant is not proposing a traditional dwelling, but rather a recreational vehicle park for farm worker housing.
11. MCC 17.110.185 defines a dwelling as any building or any portion thereof which is not an “apartment house” or a “hotel” as defined in this code, which contains one or more “apartments” or “guest rooms” used, intended or designed to be built, used, rented, leased, let or hired out to be occupied or which is occupied for living purposes but excluding hotels, mobile homes, travel trailers, and campers.
12. MCC 17.136.040 provides for uses permitted in the EFU zone subject to approval based on satisfaction of the standards and criteria for each use. The proposed RV park is not included as a permitted use in the EFU.
13. MCC 17.136.050 provides for uses that may be permitted in an EFU zone subject to obtaining a conditional use permit and satisfying the criteria in MCC 17.136.060(A).
14. MCC 17.136.050(D)(2) allows commercial activities in conjunction with farm use as a conditional use in the EFU subject to the criteria of MCC 17.136.060(A).
15. In order to approve a commercial activity in conjunction with farm use, Applicant must demonstrate compliance with the specific criteria listed in Chapter 17.136.060(D) of the Marion County Code (MCC).

MCC 17.136.060(D) Commercial Activities in Conjunction with Farm Use:

- (a) The commercial activity must be primarily a customer or supplier of farm uses.*

The proposed commercial activity is that of a recreational vehicle park which is intended to provide housing for farmworkers.

Marion County Planning states that Applicant’s proposal is for a residential use, not commercial use. This use is not a customer of farm uses as its primary function is not to buy crops, raise animals or produce farm income. Rather, the primary function of this use is to house farm workers, which is regulated by MCC 17.136.030.

Applicant references the second qualifier of the criterion which states that the commercial activity may be a supplier of farm uses. Applicant argues that to be a supplier of farm uses means to provide a wide range of essential goods or services to agricultural businesses. Applicant then states that farmworkers are suppliers of skill and labor which are required components of commercial farming.

However, the use is not a “supplier of farm uses” in that the commercial activity supplies housing. Although the Applicant’s intent is to provide housing for farm workers, the commercial activity is the supply of housing. The use is also not a supplier of farm uses, as housing and the supply of laborers is a common need for all professions, not just farming. Housing is not exclusive enough to farming to be considered primarily a supplier of farm uses, and the criterion is not met.

However, even if Applicant could satisfy the criteria that the use is a supplier of farm uses, there is a second inquiry which must be satisfied. *Balin v. Klamath County*, 3 LCDC 8, 19 (1979). The second inquiry, whether the products and services provided are essential to the practice of agriculture, is addressed below.

- (b) *The commercial activity must enhance the farming enterprises of the local agricultural community to which the land hosting that commercial activity relates.*

The subject parcel is surrounded by farms and lies just south of Woodburn, in an area comprised of large-scale farms and nurseries. The proposed use would allow a small supply (15-20) of local farm laborers to live on the property. The City of Woodburn is less than a mile to the north of the subject property. The City of Woodburn, as stated by Marion County Planning, provides many housing options, including multi-family residences, single family dwellings, mobile home parks and legally established RV parks. The presence of an agricultural workforce would enhance the farming enterprises of the local agricultural community. However, locating a small supply of farmworkers just outside of city limits, without proper septic facilities or utility hookups, would be a detriment to the health of the local agricultural community. The development currently poses health risks to the occupants and neighbors and the applicant has not addressed the septic issues onsite nor shown it is feasible to permit an onsite septic system sufficient for approximately fifteen RVs. Heidi Geschwill, a property owner adjacent to the subject property references the subject property as an “illegal RV camp, landscaping dump and burn operation, and commercial party venue. Ms. Geschwill states that the minimal infrastructure at the subject property would not pass housing standards for H2A workers. Ms. Geschwill argues that a residential area next to her farm may limit her ability to spray herbicides or pesticides and perform normal farm operations. Based on the evidence in the record, the criterion is not met.

- (c) *The agricultural and commercial activities must occur together in the local community to satisfy the statute.*

The subject parcel where farmworkers are proposed to be living has no active farm use. The parcel is just over six acres. Marion County Planning staff states that the parcel does not appear large enough to support agricultural uses on a commercial scale. Staff views the proposal as a residential use requiring review under MCC 17.136.030, and states that there is no commercial use occurring together with agriculture. Staff states that there is no enforcement mechanism to ensure that only farmworkers who primarily work for local farms would reside in the RV park. This concern is heightened by the Oregon Law Center estimates that 80% of farmworkers are permanent residents in their communities. Applicant argues that this concern can be addressed with imposition of a condition of approval restricting the RV park for farmworker housing as defined in ORS 215.278(2)(c).

ORS 215.278 provides for “accessory dwellings for farmworkers.” The statute addresses dwellings customarily provided in conjunction with farm use. ORS 215.278(2)(c), the provision upon which Applicant references for a restricting condition defines “farmworker housing.” ORS 215.278(2)(c)(B) includes a reference in the definition to the dwelling unit. The statute contemplates that the farmworker housing is owned by an

“owner” and not the farmworker. In this case, the application proposes that the farmworkers occupy RVs on property owned by Applicant. Oregon Occupational Safety and Health (OSHA) requires registration for farmworker housing.

Compliance with the Applicant’s proposed conditions present difficulties for Applicant. Because the intended use is not traditional farmworker housing, compliance with the condition would rely on enforcement through the Oregon Residential Landlord Tenant Act. Enforcement of the Oregon Residential Landlord Tenant Act (Chapter 90) is not without complexities. For example, if the farmworker remained in the location for in excess of one year, under Chapter 90, the owner/landlord could not evict a tenant without cause. No cause terminations are prohibited after the first year of occupancy. ORS 90.427.

Testimony of Mr. Goffin, Marion County Code Enforcement, established that many of the RVs have been on site at the subject property have been there for years and that many of the RVs are inoperable. Because many of the RVs have been there for years, it is unlikely that these are the RVs belonging to a migrant or seasonal worker. Applicant has not presented sufficient evidence to establish that the current residents of the RVs are seasonal or farm laborers. There is no permissible mechanism to determine if the activity is occurring together with farm use nor to condition the proposal to meet this criterion. The criterion is not met.

(d) *The products and services provided must be essential to the practice of agriculture.*

The service provided is housing with Applicant’s intent that the housing be available for seasonal farm labor. There is no question that farmworkers are essential to the practice of agriculture, and that the labor force is facing an inaccessible housing market. The housing for many farmworkers is substandard and includes conditions of overcrowding. Applicant supplies substantial evidence in support of the importance of farmworkers and the need for farmworker housing. While housing is needed for farm workers, it is also needed for all types of workers and people in general. Therefore, it must be determined whether the products and services provided are essential to the practice of agriculture.

In *City of Sandy v. Clackamas County*, LUBA No. 94-104, 28 Or LUBA 316, 322 (1994), the Land Use Board of Appeals concluded that a commercial activity that "primarily sells to farm uses" is not a "commercial activity in conjunction with farm use" unless the products and services provided are "essential to the practice of agriculture." If the products and services that could be used by farm uses or users are also used by a variety of other nonfarm uses and users, then the activity lacks a sufficient connection to the "essential practice of agriculture." *City of Sandy*, 28 Or LUBA at 323.

In the absence of any evidence showing the quantity of products delivered or the dollar amount of sales by a business to farm uses within the local agricultural community, an applicant cannot as a matter of law demonstrate that the use is "a commercial activity in conjunction with farm use." *Chauncey v. Multnomah County*, LUBA No. 91-212, 23 Or LUBA 599, 606-607 (1992).

In *City of Sandy v. Clackamas County*, a permit was submitted for commercial use in conjunction with farm use to establish trailer rentals, truck sales, portable storage buildings and mailbox, shipping and fax services. LUBA found that these uses were not essential to the practice of agriculture and lacked a relationship to farm use: "Although it may be true that these services are needed and would be used by migrant farm workers in the area, such services do not possess the required connection to the 'essential practice of agriculture.' They are more like the sale of gasoline and food...It is true that such items could be used by farm uses, however, they are all purchased and rented by a variety of other commercial and non-commercial uses as well." *Id.* at 11-12.

Housing presents a similar analysis to providing gasoline, food, and mail or shipping services: the use or service would be used by and benefit the farm labor community. However, it is not essential to the practice of agriculture under *City of Sandy v. Clackamas County*, LUBA No. 94-104, 28 Or LUBA 316, 322 (1994). Applicant's proposal is not essential the practice of agriculture and cannot be considered a commercial activity in conjunction with farm use. The criterion is not met.

16. In addition to the specific criteria above, the proposal must also satisfy the conditional use criteria in MCC 17.136.060(A). Those requirements are:

(a) *The use will not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use. Land devoted to farm or forest use does not include farm or forest use on lots or parcels upon which a non-farm or non-forest dwelling has been approved and established, in exception areas approved under ORS 197.732, or in an acknowledged urban growth boundary.*

Residential uses on farm property could change the way farming occurs in the area which would significantly increase the cost of farm practices in the area. This case arose from a Marion County Code Enforcement complaint, which includes unpermitted septic hookups, open burning of trash and solid waste. This use has already generated complaints to the county. The placement of approximately fifteen RVs on a property in a farm zone has a high likelihood of increasing conflicts with farm uses and the property is currently affecting nearby farm uses by burning trash and leaving solid waste out that can blow into neighboring fields. There is also a concern about the septic system being used at over its capacity, which can contaminate domestic wells and neighboring soils. Applicant has not specifically addressed how he will rectify the ongoing violations. Further, there is a concern that Applicant's attempt to provide farm labor housing in the form of an RV park avoids OSHA registration and regulations intended to protect farmworkers. The criterion is not met.

(b) *Adequate fire protection and other rural services are, or will be, available when the use is established.*

The property is served by the Woodburn Fire Department and Marion County Sheriff. However, Applicant has not demonstrated that the property would be able to be served by other rural services, such as a septic system and potable well water. Applicant states that a solid waste plan could be prepared, but it has not been done. There is no demonstration that the RVs can be supplied with septic and potable well water. The criterion is not met.

- (c) *The use will not have a significant adverse impact on watersheds, groundwater, fish and wildlife habitat, soil and slope stability, air and water quality.*

The subject property currently has septic, solid waste and trash burning issues, all of which have a significant impact on water and soil quality and wildlife habitat. Applicant states he will obtain the proper septic permits but does not provide a plan to comply with the required permitting, identify what permits are needed or provide evidence whether it is even feasible to locate a commercial septic on the property. They also do not provide information regarding the water provided to the occupants, other than stating they will obtain permits. There is no evidence in the record to show how the applicant is able to address these existing problems. Further, Marion County Code Enforcement Case No. 23-000003 has been open for over a year now regarding multiple RVs being inhabited, solid waste, misuse of a septic system and an illegal septic system. Septic also has an open case for the misuse of a septic system and an illegal septic system. These violations have been outstanding for over a year, and Code Enforcement states that the owners have not taken any actions to rectify the violations. Applicant proposes implementation of conditions can satisfy the criteria. However, there is currently insufficient evidence that septic and well could be provided. The criterion is not met.

- (d) *Any noise associated with the use will not have a significant adverse impact on nearby land uses.*

The number of RVs (approximately 15) is expected to generate considerably more noise than a typical single-family dwelling. There are four dwellings located within 600 feet of the subject parcel, and significantly more noise than what would typically be expected from a rural property would be generated by this use. In the Applicant's post-hearing submission, Applicant proposes to erect a site obscuring fence made of materials traditionally used in residential settings. Applicant also proposes to provide a landscape buffer which would include trees and shrubs to buffer any noise generated by the use. Although Applicant's proposals may mitigate noise, the proposed mitigation proposals are insufficient to mitigate the noise of approximately fifteen households as compared with a typical single family dwelling. The noise associated with the use will have a significant adverse impact on the neighboring farm parcels. The criterion is not met.

- (e) *The use will not have a significant adverse impact on potential water impoundments identified in the Comprehensive Plan, and not create significant conflicts with operations included in the Comprehensive Plan inventory of significant mineral and aggregate sites.*

There are no water impoundments or significant mineral and aggregate sites on the subject property. The criterion is met.

17. Land use decisions require compliance with the Marion County Code. The Marion County Code provides as follows:

MCC 17.110.680 Administration of the Title. *No permit for use of the land shall be granted if the land for which the permit or approval is sought is being used in violation of any local, state or federal law.*

Friends of Marion County provide aerial photographs of the subject property which illustrate an RV park operated by Applicant allegedly since 2019.

Marion County Sheriff's Office Code Enforcement states that there is an open code violation case for the subject property for misuse of a septic system and an illegal septic system. The code violations have been going on for in excess of one year. Code Enforcement reports that the owners have done nothing to rectify the violations.

Chad Goffin, Marion County Code Enforcement, provided aerial photographs showing six RVs that have been on the subject property for one and a half years prior to the complaint. Mr. Goffin presented Exhibit 3, which illustrates RVs parked over the septic system to which the RVs were connected, which is in violation of DEQ restrictions.

Because the Applicant seeks a conditional use permit for property that is the subject of open code violations, the application must be denied unless and until compliance is established.

18. Based on the above findings it has been determined that the applicant's request does not meet all applicable criteria for a commercial use in conjunction with farm use and is, therefore, **DENIED**.

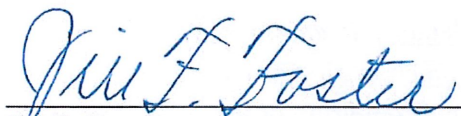
VII. Order

It is hereby found that Applicant Hector Fregoso has not met his burden of proving the applicable standards and criteria for approval of a conditional use permit to establish a recreational vehicle park for farm worker housing as a commercial operation in conduction with farm use have been met. Therefore, the conditional use application is **DENIED**.

VIII. Appeal Rights

An appeal of this decision may be taken by anyone aggrieved or affected by this order. An appeal must be filed with the Marion County Clerk (555 Court St. NE, Salem, OR 97301) by 5:00 p.m. on the 10th day of November, 2024. The appeal must be in writing, must be filed in duplicate, must be accompanied by a payment of \$500, and must state wherein this order fails to conform to the provisions of the applicable ordinance. If the Board denies the appeal, \$300 of the appeal fee will be refunded.

DATED at Salem, Oregon, this 22nd day of October, 2024.



Jill F. Foster

Marion County Hearings Officer

CERTIFICATE OF MAILING

I hereby certify that I served the foregoing order on the following persons:

Britany Randall
1720 Liberty St SE
Salem, OR 97302

Chad Goffin
100 High St. NE
Salem, OR 97301

1000 Friends of Oregon
133 SW 2nd Ave
Portland, OR 97204-2597

Area Advisory Committee #6:
(via email)
Fofp99@gmail.com

Friends of Marion County
Roger Kaye *(via email)*
Rkaye2@gmail.com

Pudding River Watershed Council
(via email)
anna@puddingriverwatershed.org
cleanpuddingriver@gmail.com

County Agencies Notified:
Assessor's Office *(via email)*
assessor@co.marion.or.us

Tax Collector *(via email)*
NMcVey@co.marion.or.us
ADhillon@co.marion.or.us

Surveyor's Office *(via email)*
KInman@co.marion.or.us

Fire District: *(via email)*
gibbsj@woodburnfire.com

Planning Division *(via email)*
breich@co.marion.or.us
abarnes@co.marion.or.us
ANajeraSanchez@co.marion.or.us

Building Inspection *(via email)*
pwolterman@co.marion.or.us
Kaldrich@co.marion.or.us
CTate@co.marion.or.us

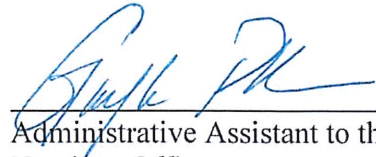
Public Works LDEP Section *(via email)*
jasmussen@co.marion.or.us
meldep@co.marion.or.us
JShanahan@co.marion.or.us

School District: *(via email)*
sbishop@woodburnsd.org

Code Enforcement *(via email)*
CGoffin@co.marion.or.us
JTaylor@co.marion.or.us

State Agencies Notified: *(via email)*
DEQ mary.camarata@state.or.us
DLCD hilarly.foote@dlcd.oregon.gov
ODOT ODOTr2planmgr@odot.state.or.us
ODOT ODOTr2planmgr@odot.state.or.us

By mailing to them copies thereof. I further certify that said copies were placed in sealed envelopes addressed as noted above, that said copies were deposited in the United States Post Office at Salem, Oregon, on the 22nd day of October, 2024 and that the postage thereon was prepaid.



Administrative Assistant to the
Hearings Officer

Attention Property Owner: A land use proposal has been submitted for property near where you live or near property you own elsewhere. State law requires that the county notify property owners within a certain distance from this property. The proposal and address of the property is described in the "Application" section below. The decision in this case does not directly affect the zoning or use of your property. If you object to the decision, refer to the "Appeal" section. If you have questions, contact the staff person listed at the end of this report.

NOTICE OF DECISION CONDITIONAL USE CASE NO. 24-005

APPLICATION: Application of Hector Fregoso for a conditional use permit to establish a recreational vehicle park for farm worker housing as a commercial operation in conjunction with farm-use on a 4.43 and a 1.65-acre parcel in an EFU (Exclusive Farm Use) zone located at 13807 & 13817 Portland Rd NE, Woodburn (T5S; R1W; Section 19C; Tax Lots 1600 and 1700).

DECISION: The Planning Director for Marion County has **DENIED** the above-described Conditional Use application.

APPEAL PROCEDURE: The Marion County Zone Code provides that certain applications be considered first by the County Planning Director. If there is any doubt that the application conforms with adopted land use policies and regulations the Director must condition or deny the application. Anyone who disagrees with the Director's decision may request that the application be considered by a Marion County hearings officer after a public hearing. The applicant may also request reconsideration (one time only and a fee of \$200) on the basis of new information subject to signing an extension of the 150-day time limit for review of zoning applications.

A public hearing is held on appeals subject to the appellant paying a \$250.00 fee. Requests for reconsideration, or consideration by a hearings officer, must be in writing (form available from the Planning Division) and received in the Marion County Planning Division, 5155 Silverton Rd. NE, Salem, by 5:00 p.m. on **March 29, 2024**. If you have questions about this decision contact the Planning Division at (503) 588-5038 or at the office. This decision is effective **March 30, 2024**, unless further consideration is requested.

FINDINGS AND CONCLUSIONS: Findings and conclusions on which the decision was based are noted below.

1. The subject property is designated Primary Agriculture in the Marion County Comprehensive Plan. The major purpose of this designation and the corresponding EFU zone is to promote the continuation of commercial agricultural and forestry operations.
2. The property is located on the western side of HWY 99E, approximately 800 feet south of its intersection with Geschwill Ln NE and 1000 feet south of the Urban Growth Boundary (UGB) of the City of Woodburn. Both tax lots were involved in Lot Line Adjustment LLA00-025 which created their current configuration and calls them out as separate legal parcels. Tax lot 1700 contains a dwelling, accessory buildings and 15 RV's at the time of the 2023 Marion County aerial imagery. Tax lot 1600 contains a dwelling, accessory structures and four RV's at the time of the 2023 aerial imagery.
3. Surrounding uses are farm uses in all directions. All surrounding properties are in row crop, grass seed or nursery production with the exception of the property to the northeast, addressed 13857 HWY 99E which is also zoned EFU but only developed with a single-family dwelling. Most properties have dwellings in this area.
4. Soil Survey of Marion County Oregon indicates 100% of the subject property is composed of high-value farm soils.
5. The applicant is proposing to establish a recreational vehicle park for farm worker housing as a commercial operation in conjunction with farm use.
6. Public Works Land Development and Engineering Permits (LDEP) requested that the following be included in the land use decision.

ENGINEERING REQUIREMENTS

- A. Upon application for building permits, Transportation System Development Charges (TSDCs) and Parks fee will be assessed for each RV space.
- B. Evidence of ODOT concurrence regarding access to Portland Road for the proposed RV park is required prior to issuance of building permits.

Marion County Code Enforcement commented:

"I have had a Code case (23-000003) for over a year now regarding multiple RVs being inhabited, solid waste, misuse of a septic system and an illegal septic system. Septic also has a case (23-000170) for the misuse of a septic system and an illegal septic system. This has been going on for well over a year and the owners have done nothing to rectify the violations."

Oregon Department of Transportation (ODOT) commented:

"The proposal for a 15-space RV park will not trigger any requirements from ODOT and based on the site plan the applicant is not proposing to modify the existing highway approach. If they end up needing to work in the highway right-of-way for utility work or construction access, they will need to contact the ODOT District 3 Permits office at 503-986-2900."

Marion County Building Department commented:

"Permits are required to be obtained for any structures and/or utilities installation on private property. Consultation with Marion County Building Inspection is recommended."

Woodburn Fire District commented:

"Either proposed RV housing area will need a hammerhead turnaround for fire district to have access and ability to turnaround because both areas are more than 150 foot dead-end driveways. All driveways and hammerhead turnaround must support up to 75,000lbs weight load, be 20 foot wide, and meet turning radius. We would need at least 10 feet separation from each RV."

Friends of Marion County commented requesting denial of the application due to the open code violation and the assertion that commercial uses in conjunction with farm use cannot be applied to housing. They also submitted LUBA case No. 94-104 SANDY v. CLACKAMAS COUNTY and LUBA case No. 94-075 as additional evidence.

All other commenting agencies stated no objection to the proposal.

- 7. It's likely this application cannot be considered as proposed because the request is for a residential use as a commercial activity in conjunction with farm use. While 'commercial activities in conjunction with farm' use is a broad term which can encompass many different uses of land, Marion County Code provides specific criteria for approving residential uses on farmland. Specific criteria apply to residential use of farmland and, since they are specific to the use, they must be applied when considering applications for residential uses, not the more broad commercial activity in conjunction with farm use. For instance, the EFU zone provides for similar farm worker housing as multi-unit residential structures (MCC 17.137.030(B)(3)(d)). Even though it does not appear this request can be considered for a commercial activity in conjunction with farm use, the criteria for that use will be reviewed below.
- 8. In order to approve a commercial activity in conjunction with farm use the applicant must demonstrate compliance with the specific criteria listed in Chapter 17.136.060(D) of the Marion County Code (MCC). These include:

(a) *The commercial activity must be primarily a customer or supplier of farm uses.*

The proposed commercial activity is that of a recreational vehicle park, which provides housing for farm workers. The request is for a residential use, not a commercial use. This use is not a customer of farm uses as its primary function is not to buy crops, raise animals or produce farm income. Rather, the

primary function of this use is to house farm workers, which is regulated by MCC 17.136.030. The use is also not a supplier of farm uses, as housing and the supply of laborers is a common need for all professions, not just farming. Essentially, housing is not exclusive enough to farming to be considered primarily a supplier of farm uses. The criterion is not met.

- (b) *The commercial activity must enhance the farming enterprises of the local agricultural community to which the land hosting that commercial activity relates.*

The subject parcel is surrounded by farms and lies just south of Woodburn, in an area comprised of large-scale farms and nurseries. The proposed use would allow a small supply (15-20) of local farm laborers to live on the property. It is not likely this proposal would enhance the local agricultural community. Less than a mile to the north is the City of Woodburn, which has many housing options such as multi-family dwellings, single family dwellings, mobile home parks and legally established RV parks. Locating 15-20 farm workers in RV's just outside of city limits, without proper septic facilities or utility hookups, would be a detriment to the health of the local agricultural community. The development currently poses health risks to the occupants and neighbors and the applicant has not addressed the septic issues onsite nor shown it is feasible to permit an onsite septic system sufficient for 15-20 RV's. Based on the evidence in the record, the criterion is not met.

- (c) *The agricultural and commercial activities must occur together in the local community to satisfy the statute.*

The parcel where the workers will be living has no active farm use and, at just over six acres, does not appear large enough to support agricultural uses on a commercial scale. Because staff views this as a residential use that is called out more specifically in code (MCC 17.136.030) there is no commercial use occurring together with agriculture. Furthermore, there is no way to ensure that the people living there are working for local farms. There is no enforcement mechanism that can be used to certify that each RV inhabitant primarily works for local farms. Based on this, there is no way to determine if the activity is occurring together with farm use nor to condition the proposal to meet this criterion. The criterion is not met.

- (d) *The products and services provided must be essential to the practice of agriculture.*

The service provided is housing. While housing is needed for farm workers, it is also needed for all types of workers and people in general. This is very similar to Land Use Board of Appeals (LUBA) case No. 94-104 SANDY v. CLACKAMAS COUNTY. In this case, a permit was submitted for commercial use in conjunction with farm use to establish trailer rentals, truck sales, portable storage buildings and mailbox, shipping and fax services. LUBA found that these uses were not essential to the practice of agriculture and lacked a relationship to farm use: "Although it may be true that these services are needed and would be used by migrant farm workers in the area, such services do not possess the required connection to the 'essential practice of agriculture.' They are more like the sale of gasoline and food...It is true that such items could be used by farm uses, however, they are all purchased and rented by a variety of other commercial and non-commercial uses as well." Based on this decision, the applicant's proposal is not essential the practice of agriculture and cannot be considered a commercial activity in conjunction with farm use. The criterion is not met.

9. In addition to the specific criteria above, the proposal must also satisfy the conditional use criteria in MCC 17.136.060(A). Those requirements are:

- (a) *The use will not force a significant change in, or significantly increase the cost of, accepted farm or forest practices on surrounding lands devoted to farm or forest use. Land devoted to farm or forest use does not include farm or forest use on lots or parcels upon which a non-farm or non-forest dwelling has been approved and established, in exception areas approved under ORS 197.732, or in an acknowledged urban growth boundary.*

Residential uses on farm property could change the way farming occurs in the area which would significantly increase the cost of farm practices in the area. This case arose from a Code Enforcement complaint, which includes unpermitted septic hookups, open burning of trash and solid waste. This use has already generated complaints to the county. Placing 15-20 RV's on a property in a farm zone has a high likelihood of increasing conflicts with farm uses and the property is currently affecting nearby farm uses by burning trash and leaving solid waste out that can blow into neighboring fields. There is also a concern about the septic system being used at over its capacity, which can contaminate domestic wells and neighboring soils. The applicant has not specifically addressed how they will rectify this. The criterion is not met.

- (b) *Adequate fire protection and other rural services are, or will be, available when the use is established.*

The property is served by the Woodburn Fire Department and Marion County Sheriff. However, the applicants have not demonstrated that the property would be able to be served by other rural services, such as a septic system and potable well water. The criterion is not met.

- (c) *The use will not have a significant adverse impact on watersheds, groundwater, fish and wildlife habitat, soil and slope stability, air and water quality.*

Currently the use and property have septic, solid waste and trash burning issues, all of which have a significant impact on water and soil quality and wildlife habitat. The applicant states they will obtain the proper septic permits, but does not provide a plan to comply with the required permitting, identify what permits are needed or provide evidence whether it is even feasible to locate a commercial septic on the property. They also do not provide information regarding the water provided to the occupants, other than stating they will obtain permits. Because there is no evidence in the record to show how the applicant is able to address these existing problems, the criterion is not met.

- (d) *Any noise associated with the use will not have a significant adverse impact on nearby land uses.*

The number of RV's are expected to generate considerably more noise than a typical single-family dwelling. There are four dwellings located within 600 feet of the subject parcel, more noise than what would typically be expected from a rural property would be generated by this use. The applicant does not propose measures to mitigate noise or further reduce conflicts with the neighboring farm parcels. The criterion is not met.

- (e) *The use will not have a significant adverse impact on potential water impoundments identified in the Comprehensive Plan, and not create significant conflicts with operations included in the Comprehensive Plan inventory of significant mineral and aggregate sites.*

There are no water impoundments or significant mineral and aggregate sites on the subject property. The criterion is met.

10. Based on the above findings it has been determined that the applicant's request does not meet all applicable criteria for a commercial use in conjunction with farm use and is, therefore, **DENIED**.

Brandon Reich
Planning Director/Zoning Administrator

Date: March 14, 2024

If you have any questions regarding this decision contact Austin Barnes at (503) 588-5038

Notice to Mortgagee, Lienholder, Vendor or Seller: ORS Chapter 215 requires that if you receive this Notice, it must promptly be forwarded to the purchaser.