

NOTICE OF DECISION
CONDITIONAL USE CASE NO. 18-058

APPLICATION: Application of Allen Snegireff, on property owned by Odin and Ellen Hollin, for a conditional use to operate a hemp processing facility as a commercial activity in conjunction with farm use on a 29.35 acre parcel in an EFU (Exclusive Farm Use) zone located at 8705 Pueblo Ave NE, Brooks (T6S; R2W; Section 17C; tax lot 1000).

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 **May 3, 2019**. If you have questions about this decision contact the Planning Division at (503) 588-5038 or at the office. This decision is effective 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 (Exclusive Farm Use) zone is to promote the continuation of commercial agricultural and forestry operations.
2. The property is located on the west side of Portland Rd. NE, at the terminus of Pueblo Ave NE, Brooks.
3. The applicant proposed establishing a hemp processing facility as a commercial activity in conjunction with farm use in the existing structure.
4. This Conditional Use application was submitted to the Planning Division on September 13, 2018. Subsequently, this office was notified that the check used to pay the application fee was not processed. The applicant's representative and the applicant were notified, in writing, that to complete the permit process it was necessary to submit the required fee as soon as possible and the application was then placed on hold. On October 15, 2018, the applicant and applicant's representative were again notified, in writing, that under Oregon Revised Statute 215.427(2) the County had determined that the application was incomplete and were given 180 days to submit the required application fee of \$1250.00. The deadline for submitting the application fee was April 11, 2019. The applicant and applicant's representative were also notified that if the application was not completed by that date, it would be processed as being incomplete, likely resulting in denial of the request.

As of the date of this decision, the required application fee has not been submitted, nor has an alternate application been submitted, nor has the request been withdrawn.

5. Based on the above findings, it has been determined that the applicant's application is incomplete and, therefore, **DENIED**.

Joe Fennimore
Planning Director

Date: April 18, 2019

If you have any questions regarding this decision contact Joe Fennimore, Planning Director, 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.