

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. 25-018**

APPLICATION: Application of Coleman Farms Inc. and Fairfield Farms Inc. for a temporary use permit to authorize single-day parking once a year for five days on a 139.60-acre parcel in an EFU (Exclusive Farm Use) zone located at 19751 River Rd NE, Saint Paul (T4S; R2W; Section 19; Tax lot 500).

DECISION: The Planning Director for Marion County has **APPROVED** the above-described Conditional Use application subject to certain conditions. **PLEASE READ ALL CONDITIONS.**

EXPIRATION DATE: This conditional use permit is valid only when exercised by **May 19th, 2027**. The effective period may be extended for an additional year subject to approval of an extension (form available from the Planning Division). **Additional extensions may not be granted if the regulations under which this decision was granted have changed since the original approval.**

WARNING: A decision approving the proposal is for land use purposes only. Due to septic, well, and drain field replacement areas, these parcels may not be able to support the proposal. To be sure the subject property can accommodate the proposed use the applicant should contact the Building Inspection Division, (503) 588-5147.

This decision does not include approval of a building permit.

CONDITIONS: The following conditions must be met before a building permit can be obtained or the approved use established:

1. The applicant shall obtain any required permits from the Marion County Public Works.
2. The applicant shall sign and submit a Declaratory Statement (form enclosed) to the Planning Division. This statement shall be recorded by the applicant with the Marion County Clerk after it has been reviewed and signed by the Planning Director.
3. The parking shall only be permitted for the five days in conjunction with the St. Paul Rodeo.
4. The operator of the temporary use shall sign an agreement with the planning division regarding termination of the use consistent with the time limitations established in the conditions of approval.
5. No amplified sound shall be used in conjunction with the parking.
6. Trash and other materials generated by the car parking shall be contained entirely on the subject property.
7. Lighting used on the subject property shall be directed to the interior of the subject property so as to not create glare or light pollution onto surrounding residential properties.
8. Public Works Land Development Engineering and Permits Division (LDEP) will not approve the use until the following conditions have been satisfied:

Condition A – Prior to the 2025 City of St Paul rodeo event, provide evidence of a MCPW Engineering permit for the paved River Road access approach, or, obtain a post-construction access permit for administrative documentation and field inspection of same.

***Condition B** –Following each annual rodeo parking event, remove any temporary parking signage from the River Road and Main Street public right-of-way, and sweep any residual strewn dirt and gravel from the public road and paved approach back onto the unpaved drive.*

ADDITIONAL CONDITIONS: Once the approved use is established the following conditions must be continually satisfied:

9. The development shall significantly conform to the site plan submitted with the proposal. Minor variations are permitted upon review and approval of the Planning Director.
10. Failure to continuously comply with the conditions of approval may result in this approval being revoked. Any revocation could be appealed to the county hearings officer for a public hearing.

OTHER PERMITS, FEES, AND RESTRICTIONS: This approval does not remove or affect covenants or restrictions imposed on the subject property by deed or other instrument. The proposed use may require permits and/or fees from other local, State or Federal agencies. This decision does not take the place of, or relieve the responsibility for, obtaining other permits or satisfying restrictions or conditions thereon. It is recommended that agencies mentioned in Finding # below be contacted to identify restrictions or necessary permits. The applicant is advised of the following:

11. The applicants should contact the St. Paul Fire District to obtain a copy of the District's Recommended Building Access and Premise Identification regulations and the Marion County Fire Code Applications Guide. Fire District access standards may be more restrictive than County standards.
12. The applicants should contact Marion County Land Development and Engineering (503-584-7714) for additional Engineering Requirements and Advisories, listed in Finding #6 below, that may be required.

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 19th, 2025**. If you have questions about this decision contact the Planning Division at (503) 588-5038 or at the office. This decision is effective **May 20th, 2025**, 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 west side of River Rd NE, just south of the City of St. Paul. The property is mostly vacant, it contains a small barn and is in active farm use as a hay field. Two dwellings built in 1901 are still present on the property and as such, the property is legal for land use purposes.
3. Surrounding uses are farm uses to the south and east. The area contains filbert orchards, row crops and a field for hay and hops. To the north is the City of St. Paul and to the west lies the St. Paul Rodeo fairgrounds.
4. Soil Survey of Marion County Oregon indicates 98.6% of the subject property is composed of high-value farm soils.

5. The applicant is proposing to authorize car parking once a year for five days on their property for the St. Paul Rodeo, on an approximate 10-acre portion of the subject property.
6. Public Works Land Development and Engineering Permits (LDEP) requested that the following be included in the land use decision.

Condition A – Prior to the 2025 City of St Paul rodeo event, provide evidence of a MCPW Engineering permit for the paved River Road access approach, or, obtain a post-construction access permit for administrative documentation and field inspection of same.

Condition B –Following each annual rodeo parking event, remove any temporary parking signage from the River Road and Main Street public right-of-way, and sweep any residual strewn dirt and gravel from the public road and paved approach back onto the unpaved drive.

Marion County Septic commented:

“Access to restrooms connected to the on-site septic system may not be used for event participants. Portable toilets must be brought in for public use. Per OAR 340-071-0130(12), the absorption system should be free of vehicular traffic and any other activity that may adversely affect the drainfield. It is recommended to cordon off the drainfield area for protection and to prohibit parking and driving over both initial and repair drainfield locations.”

All other commenting agencies stated no objection to the proposal.

7. In order to approve a temporary use that does not meet the limitations identified within the EFU code and other temporary uses not addressed, the use may be approved as a conditional use as provided in Chapter 17.119 MCC subject to the following criteria:

1. *The temporary use is compatible with the purpose of the zone and adjacent land uses.*

The EFU zone promotes and protects commercial agriculture operations. The proposed use is in conjunction with the St. Paul Rodeo which directly supports farm uses as a form of agritourism and education about equine and cattle. The St. Paul Rodeo is a historical rodeo that is integral to St. Paul and many of its residents. Adjacent land uses are either farm uses or residential uses. As conditioned, the use can be compatible with them as it supports farm use, and agritourism use and supports the economic driver that the rodeo is for the town. The applicants have taken the necessary steps to ensure safety and have reached out to the St. Paul Fire District to get their feedback on the proposal. They had concerns and submitted statements to the record that the proposed car parking meets all of their standards. The criterion is met.

2. *The temporary use will have adequate public services to maintain the public health and safety.*

The applicants have coordinated with the St. Paul Fire Department regarding this parking. The fire department is in support and submitted a letter stating that they meet all necessary fire department standards. The use is also served by the Marion County Sheriff, who is aware of the proposal. The applicants also keep a water truck onsite and irrigation lines to suppress dust. Applicants also have entrance and exit plans in place as to safely and efficiently bring cars in and out of the property. The criterion is met.

3. *The operator of the temporary use has signed an agreement with the planning division regarding termination of the use consistent with the time limitations established in the conditions of approval.*

This shall be made a condition of approval.

8. In addition to the specific criteria above, the proposal must also satisfy the conditional use criteria which are being applied directly from state law. Those requirements are:

1. *Will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; and*

There is no evidence in the record that this use will force a significant change in farm practices on surrounding lands. The property is bordered by farms on the east, south and western sides. These farms appear to be filbert orchards or other orchards which are not a labor-intensive farm use that would cause its employees to be in conflict with the car parking. Additionally, the harvest period for filberts is in the fall, rather than the summer when the event is proposed. There are also hops and hay being grown by the owners on the subject property, they state that this use does not disrupt their farm practice. Lastly, the temporary nature of the use, happening over just five days, will limit any significant changes to farm property. The applicants only propose to use roughly 10 acres of the parcel for parking. The criterion is met.

2. *Will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.*

As stated above, due to the short-term nature of the use, coupled with the type of farm use surrounding the property (filberts/hazelnuts), it is not expected or feasible that the use will significantly increase the cost of accepted farm practices in the area. The criterion is met.

3. *For purposes of subsection (a) and (b), a determination of forcing a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use or a determination of whether the use will significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use requires:*

- (A) *Identification and description of the surrounding lands, the farm and forest operations on those lands, and the accepted farm practices on each farm operation and the accepted forest practices on each forest operation;*
- (B) *An assessment of the individual impacts to each farm and forest practice, and whether the proposed use is likely to have an important influence or effect on any of those practices. This assessment applies practice by practice and farm by farm; and*
- (C) *An assessment of whether all identified impacts of the proposed use when considered together could have a significant impact to any farm or forest operation in the surrounding area in a manner that is likely to have an important influence or effect on that operation.*
- (D) *For purposes of this subsection, examples of potential impacts for consideration may include but are not limited to traffic, water availability and delivery, introduction of weeds or pests, damage to crops or livestock, litter, trespass, reduction in crop yields, or flooding.*
- (E) *For purposes of subsection (a) and (b), potential impacts to farm and forest practices or the cost of farm and forest practices, impacts relating to the construction or installation of the proposed use shall be deemed part of the use itself for the purpose of conducting a review under subsection (a) and (b).*
- (F) *In the consideration of potentially mitigating conditions of approval under ORS215.296(2), the governing body may not impose such a condition upon the owner of the affected farm or forest land or on such land itself, nor compel said owner to accept payment to compensate for the significant changes or significant increases in costs described in subsection (a) and (b).*

There are no forest practices around the subject property. The identified farm practices are that of the filbert/hazelnut orchards to the west, south and east. The subject property is a hay field that is also used for temporary parking for the St. Paul Rodeo as it is adjacent to the rodeo grounds. It also grows hops. The filberts account for approximately 90 acres of land and the hay field accounts for approximately 80 acres.

The hops account for approximately 60 acres. Hay typically is a low intensity farm use that involves little to no irrigation and some spraying, then is harvested in late summer in a rapid fashion when the weather is warm and dry in August. Filberts require irrigation, spraying, pruning and certain types of fertilizers and special treatments to fight off infections that the trees may get. Additionally, there can be other applications on the crops to protect from pests and insects. Hops are a more labor intensive use but are grown far enough away from the parking that there will be no adverse effects. The parking is roughly 1000 feet from any hops.

The proposed use should have a minimal effect on these farm uses. The hay field will be partially used for parking for the rodeo and will not be in active farm use at this time. Workers and/or tractors will not be actively farming the land while the rodeo and car parking takes place. The filbert orchard borders the subject property and would subject to the most effects. However, as stated earlier, this is not harvest season for filberts and the disruptions to the practice should be minimal. The cars would be parked far from any filberts, over 2000 feet away. The attraction is the rodeo, not the parking itself.

The applicant has also contacted the St. Paul Fire Chief. They reviewed the proposal and did not have concerns. The fire chief stated that the applicants had met all the necessary fire/safety requirements. No new structures are being built as part of this proposal

Taking all of this into consideration, all of the impacts are not expected to have an adverse effect on neighboring farmland. These factors do not point to there being an important influence or effect on the surrounding farmland. The criterion is met.

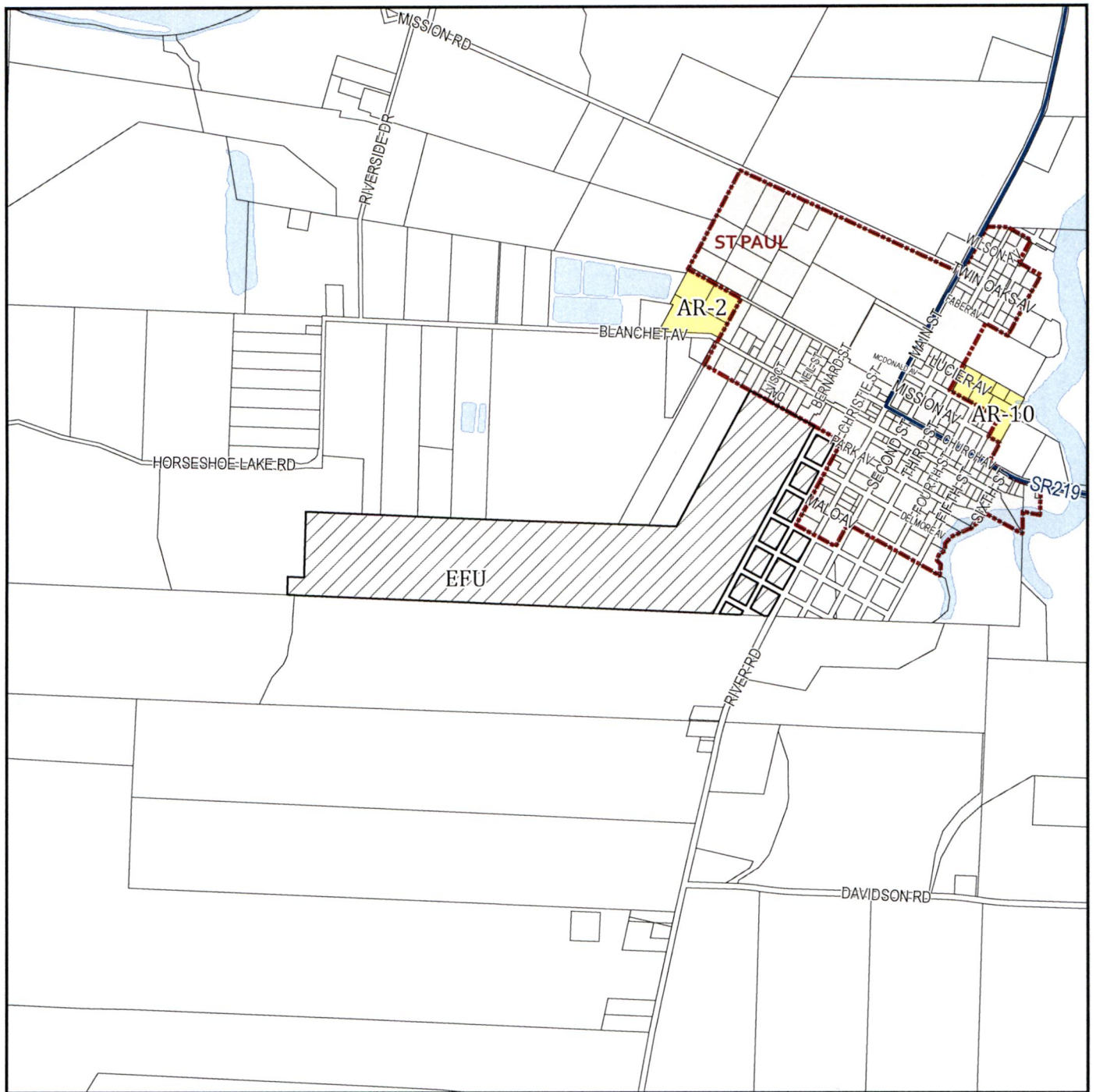
9. MCC 17.136.050(B) requires that a declaratory statement meeting the requirements of MCC 17.136.100(C) be filed and this serves to notify the applicant and subsequent owners that there are farm or timber operations in the area.
10. Based on the above findings it has been determined that the applicant's request meets all applicable criteria for a and is, therefore, **APPROVED**, subject to conditions.

Brandon Reich
Planning Director/Zoning Administrator

Date: May 2nd, 2025

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.



ZONING MAP

Input Taxlot(s): 042W190000500

Owner Name: COLEMAN FARMS INC & FAIRFIELD FARMS INC

Situs Address: 19751 RIVER RD NE
City/State/Zip: SAINT PAUL, OR, 97137
Land Use Zone: EFU
School District: ST PAUL
Fire District: ST PAUL

Legend

Input Taxlots

Lakes & Rivers

Highways

Cities



scale: 1 in = 1,482 ft

DISCLAIMER: This map was produced from Marion County Assessor's geographic database. This database is maintained for assessment purposes only. The data provided hereon may be inaccurate or out of date and any person or entity who relies on this information for any purpose whatsoever does so solely at his or her own risk. In no way does Marion County warrant the accuracy, reliability, scale or timeliness of any data provided on this map.