

BEFORE THE BOARD OF COMMISSIONERS OF THE STATE OF OREGON
FOR THE COUNTY OF YAMHILL
SITTING FOR THE TRANSACTION OF COUNTY BUSINESS

In the Matter of Upholding the Planning)
Director’s Decision to Approve Planning Docket)
C-01-25, Conditional Use Permit for the Operation) Board Order 25-404
Of a Loss Mitigation Business as a Home)
Occupation; Tax Lot 4401-02300)
Applicant: Isidro Javier Ceja)

THE BOARD OF COMMISSIONERS OF YAMHILL COUNTY, OREGON (the Board) sat for the transaction of county business on December 18, 2025, Commissioners Kit Johnston, Mary Starrett and David “Bubba” King being present.

IT APPEARING TO THE BOARD as follows:

WHEREAS, on July 3, 2025, Isidro Javier Ceja (“Applicant”) filed an application for a conditional use permit (“CUP”) for the operation of a loss mitigation business as a home occupation.

WHEREAS, on September 12, 2025, the Yamhill County Planning Director approved issuance of a CUP to Applicant for the operation of a loss mitigation business as a home occupation, Docket No. C-01-25 (“Planning Director’s Decision”).

WHEREAS, on September 29, 2025, Larry Goodroe and Heidi Goodroe (“Appellants”) submitted a timely appeal of the Planning Director’s Decision (“Appeal”).

WHEREAS, an initial quasi-judicial public hearing on the Appeal was held before the Board on October 30, 2025, at 10:00 a.m. in Room 32, 535 NE 5th Street, McMinnville, OR 97128. Due notice was given of the public hearing before the Board. A quorum was present. All three County commissioners participated in the hearing. The Applicant testified in support of the CUP application (“Application”). Several members of the public then testified in support of the Application. Appellants’ attorney then testified in opposition to the Application. Appellants also testified in opposition, as did several additional members of the public. Several Board members asked clarifying questions directed at the Appellants, their counsel, and those members of the public who testified in support of the Appellants. Appellants’ attorney then requested that the record remain open pursuant to ORS 197.797(6)(a).

WHEREAS, the Applicant and Appellants each submitted additional evidentiary testimony on November 6 and November 13, 2025. The Board also received and considered written comments, dated November 4, 2025, from Vern and Penny Bruck, and written comments, dated November 6, 2025, from Steve and Melissa Winkelman. The Applicant then submitted final legal argument on November 20, 2025. At 5:00 p.m. on November 20, 2025, the record was closed.

WHEREAS, the Board then reopened the hearing on December 4, 2025, at 10:00 a.m. in Room 32, 535 NE 5th Street, McMinnville, OR 97128, to deliberate and decide the appeal of Docket # C-01-25, in light of all evidence and argument submitted into the record as of November 20, 2025. Due notice was given of the public hearing before the Board. A quorum was present. All three County commissioners participated in the hearing. Before the hearing, the Board reviewed and considered all oral and written arguments and evidentiary submissions submitted by any member of the public to the record as of the October 30, 2025 hearing, the November 6 evidentiary deadline, the November 13 evidentiary deadline, and the November 20 deadline for final written argument. Those arguments and submittals include but are not limited to the documents and oral statements explicitly referenced in these findings, as well as all materials included in the Board's agenda packets for the October 30, 2025 and December 4, 2025 hearings, and the testimony heard during the October 30, 2025 hearing.

WHEREAS, at the December 4, 2025 hearing County staff provided an oral report to the Board and recommended that the Board approve the Application as originally approved in the September 12, 2025 Planning Director's Decision (Attachment A) with the addition of those conditions proposed in the Applicant's November 20, 2025 submittal (Attachment E). The Board asked County staff several questions about the Application and proposed conditions for the CUP. The Board did not re-open the record or direct any questions to the Appellants, Applicant, or any member of the public.

WHEREAS, as detailed below, the Board considered all issues raised during the Appeal, as well as all issues raised by any member of the public before issuance of the Planning Director's Decision. The Board having carefully considered those issues and arguments, Chair Johnston closed the December 4, 2025 hearing and then moved to approve the Application as originally approved in the September 12, 2025 Planning Director's Decision, with the addition of those conditions proposed in the Applicant's November 20, 2025 submittal, based on staff recommendation. The Board voted, and the motion passed unanimously. The Board has concluded that the Application, with the conditions of approval recommended by staff and the additional conditions proposed by the Applicant, satisfies all approval standards applicable to the Application; AND NOW, THEREFORE,

IT IS HEREBY ORDERED BY THE BOARD AS FOLLOWS:

Section 1. Based upon the above findings of fact and conclusions of law, the Appeal of the Planning Director's Decision in Docket No. C-01-25, dated September 12, 2025, is

DENIED. The Planning Director's Decision attached hereto as Attachment A is AFFIRMED, subject to the following conditions:

1. Activities conducted in conjunction with the loss mitigation business shall be substantially conducted from within the accessory building identified on the site plan.
2. The accessory building shall receive all necessary improvements required to meet the applicable occupancy rating as provided in the most recent Oregon state building code standards. All required building, plumbing, septic, and electrical permits shall be obtained from the Yamhill County Building Department.
3. An erosion control permit shall be applied for when any earthmoving activities of sufficient size require such a permit under state or local standards.
4. The use shall employ no more than five (5) full or part time employees.
5. All hazardous wastes shall be handled, treated, and disposed of in compliance with all applicable federal, state, and local laws and regulations. Acids, gasolines, or other flammable or toxic materials shall not be drained or deposited onto the ground or into the septic system.
6. The operation of the loss mitigation business is personal to Javier Ceja and does not run with the land.
7. Prior to issuance of permits, the driveway access shall be inspected and approved by the McMinnville Fire Department.
8. Uses or activities which are substantially different in nature from the operation of a loss mitigation business constitute a second home occupation and such activities shall be prohibited without additional land use approval.
9. No outside evidence of the home occupation shall be visible except for a sign not to exceed 24 square feet, which shall be subject to permit and land use approval prior to installation pursuant to Section 1006 of the Yamhill County Zoning Ordinance.
10. Any lighting shall be shielded, deflected, or directed onto the Applicant's property so it does not shine onto the adjacent roadway or neighboring lots.
11. The use of outdoor amplified music or sound in conjunction with the proposed use shall be prohibited.
12. An area to provide a minimum of one (1) parking space for each employee on maximum working shift shall be established on the subject parcel. The parking area shall be maintained for as long as the business operates onsite. There shall be no parking along the NE Equestrian Drive right-of-way.

13. This approval is valid for one (1) year following the date of final approval and shall expire at that time unless the use has been initiated.
14. A review of the home occupation shall be required one year following the date of final approval. The home occupation may be renewed if it continues to comply with the requirements of Section 1004.01 of the Yamhill County Zoning Ordinance and the conditions of approval. A fee may be charged for renewal of the permit.
15. Hours of operation shall be limited from 7:00 a.m. to 6:00 p.m., with the exception of emergency dispatch which shall be allowed on a 24/7 basis.[1]
16. The Applicant and/or landowner shall provide a sight-obscuring fence, no less than 6-feet in height, or vegetative screening along the subject parcel's south and west property lines.
17. The home occupation shall not feature the outdoor storage of equipment; however, outdoor storage of business vehicles shall be allowed. Once the sight-obscuring fence is installed or vegetative screening is planted, business vehicles shall be parked behind such fence or screening.
18. The site of the home occupation shall not be used as a meeting location for patrons or clients, instead being limited to use by employees of the home occupation business.
19. Modification of any of the above conditions requires approval under Section 1202.05 of the Yamhill County Zoning Ordinance. Violation of any of the above conditions may result in revocation of the conditional use permit with the process detailed in Section 1202.07 and 1202.08 of the Yamhill County Zoning Ordinance.

Section 2. In support of its decision, the Board considered and expressly adopts and incorporates herein the following documents as its own, including an express adoption of all findings of fact and code interpretations in those documents as the Board's own:

1. Planning Director's Decision, dated September 12, 2025, including the Staff Report incorporated into the decision, dated August 29, 2025 (Attachment A);
2. Planning Staff's Staff Report dated October 23, 2025 and circulated to the Board prior to the initial October 30, 2025 appeal hearing (Attachment B);
3. Applicant's Written Testimony dated November 6, 2025 (Attachment C);
4. Applicant's Written Testimony dated November 13, 2025 (Attachment D); and
5. Applicant's Written Argument dated November 20, 2025 (Attachment E).

To the extent there is any conflict between the Board's findings contained in this order and any other document expressly adopted and incorporated herein, the Board's findings in this order supersede and control. The Board relies on these findings to resolve all issues raised by the

Appellants or any other member of the public regarding the Application before the Planning Director or the Board. If these findings do not address an issue raised by any member of the public, the Board expressly finds that the issue is irrelevant to the approval criteria. The Board hereby adopts the findings set forth in Exhibit A, attached hereto and incorporated herein, in support of this approval.

DATED this 18th day of December, 2025, and McMinnville, Oregon.

ATTEST

KERI HINTON
County Clerk

By: *Carolina Rook*

Deputy CAROLINA ROOK

FORM APPROVED BY:

Christian Boenisch

CHRISTIAN BOENISCH
Yamhill County Counsel



YAMHILL COUNTY BOARD OF
COMMISSIONERS

Kit Johnston

Chair KIT JOHNSTON

Mary Starrett

Commissioner MARY STARRETT

David King

Commissioner DAVID KING

Approved by the Yamhill County Board of
Commissioners on 12/18/2025
via Board Order 25-404

Exhibit A

(see attached)

ATTACHMENT A

LETTER FROM YAMHILL COUNTY TO JAVIER CEJA, SEPTEMBER 12, 2025

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

400 NE BAKER STREET | McMinnville, OREGON 97128

Phone:(503) 434-7516 | Fax:(503)434-7544 | TTY: (800) 735-2900 | Internet Address: <http://www.yamhillcounty.gov>

September 12, 2025

Javier Ceja
10431 NE Equestrian Drive
McMinnville, OR 97128

Re: **Docket No. C-01-25, Tax Lot 4401-02300**

In reference to the conditional use permit and site design review request for the operation of a loss mitigation business as a home occupation, Planning staff has reviewed your application and finds that it complies with the requirements of the *Yamhill County Zoning Ordinance*. Tentative approval is contingent on obtaining building and septic permits and inspections and compliance with the following conditions:

1. Activities conducted in conjunction with the loss mitigation business shall be substantially conducted from within the accessory building identified on the site plan.
2. The accessory building shall receive all necessary improvements required to meet the applicable occupancy rating as provided in the most recent Oregon state building code standards. All required building, plumbing, septic, and electrical permits shall be obtained from the Yamhill County Building Department.
3. An erosion control permit shall be applied for when any earthmoving activities of sufficient size require such a permit under state or local standards.
4. The use shall employ no more than five (5) full or part time employees.
5. All hazardous wastes shall be handled, treated, and disposed of in compliance with all applicable federal, state, and local laws and regulations. Acids, gasolines, or other flammable or toxic materials shall not be drained or deposited onto the ground or into the septic system.
6. The operation of the loss mitigation business is personal to Javier Ceja and does not run with the land.
7. Prior to issuance of permits, the driveway access shall be inspected and approved by the McMinnville Fire Department.
8. Uses or activities which are substantially different in nature from the operation of a loss mitigation business constitute a second home occupation and such activities shall be prohibited without additional land use approval.
9. No outside evidence of the home occupation shall be visible except for a sign not to exceed 24 square feet, which shall be subject to permit and land use approval prior to installation pursuant to Section 1006 of the Yamhill County Zoning Ordinance.

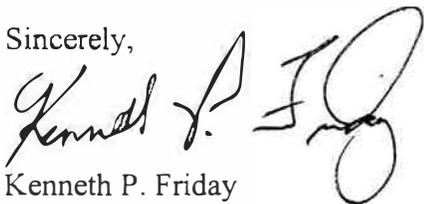
10. Any lighting shall be shielded, deflected, or directed onto the Applicant's property so it does not shine onto the adjacent roadway or neighboring lots.
11. The use of outdoor amplified music or sound in conjunction with the proposed use shall be prohibited.
12. An area to provide a minimum of one (1) parking space for each employee on maximum working shift shall be established on the subject parcel. The parking area shall be maintained for as long as the business operates onsite. There shall be no parking along the NE Equestrian Drive right-of-way.
13. This approval is valid for one (1) year following the date of final approval and shall expire at that time unless the use has been initiated.
14. A review of the home occupation shall be required one year following the date of final approval. The home occupation may be renewed if it continues to comply with the requirements of Section 1004.01 of the Yamhill County Zoning Ordinance and the conditions of approval. A fee may be charged for renewal of the permit.
15. Modification of any of the above conditions requires approval under Section 1202.05 of the Yamhill County Zoning Ordinance. Violation of any of the above conditions may result in revocation of the conditional use permit with the process detailed in Section 1202.07 and 1202.08 of the Yamhill County Zoning Ordinance.

This decision is based on findings and conclusions as contained in the staff report. This approval shall expire two years from the date of this letter unless construction or the use has been initiated.

The Yamhill County Zoning Ordinance provides for appeal of any action or ruling of the Planning Director to the Board of Commissioners within fifteen (15) days of the decision on a proposed action. Anyone wishing to appeal the Director's decision must file an appeal form, together with a \$250.00 fee, with this department no later than **5:00 p.m., September 29, 2025**. If no appeal is filed, the Director's decision will be final and this letter will serve as your official notice of approval of your application.

If you have any questions, please contact this office.

Sincerely,



Kenneth P. Friday
Planning Director

Enclosure

cc:	Board of Commissioners	Assessor
	McMinnville Fire Department	ODA
	Sanitarian	Public Health
	Building Department	Soil and Water Conservation District
	Public Works	SPOs

YAMHILL COUNTY TAX LOT INFORMATION & CONTEXTUAL MAP



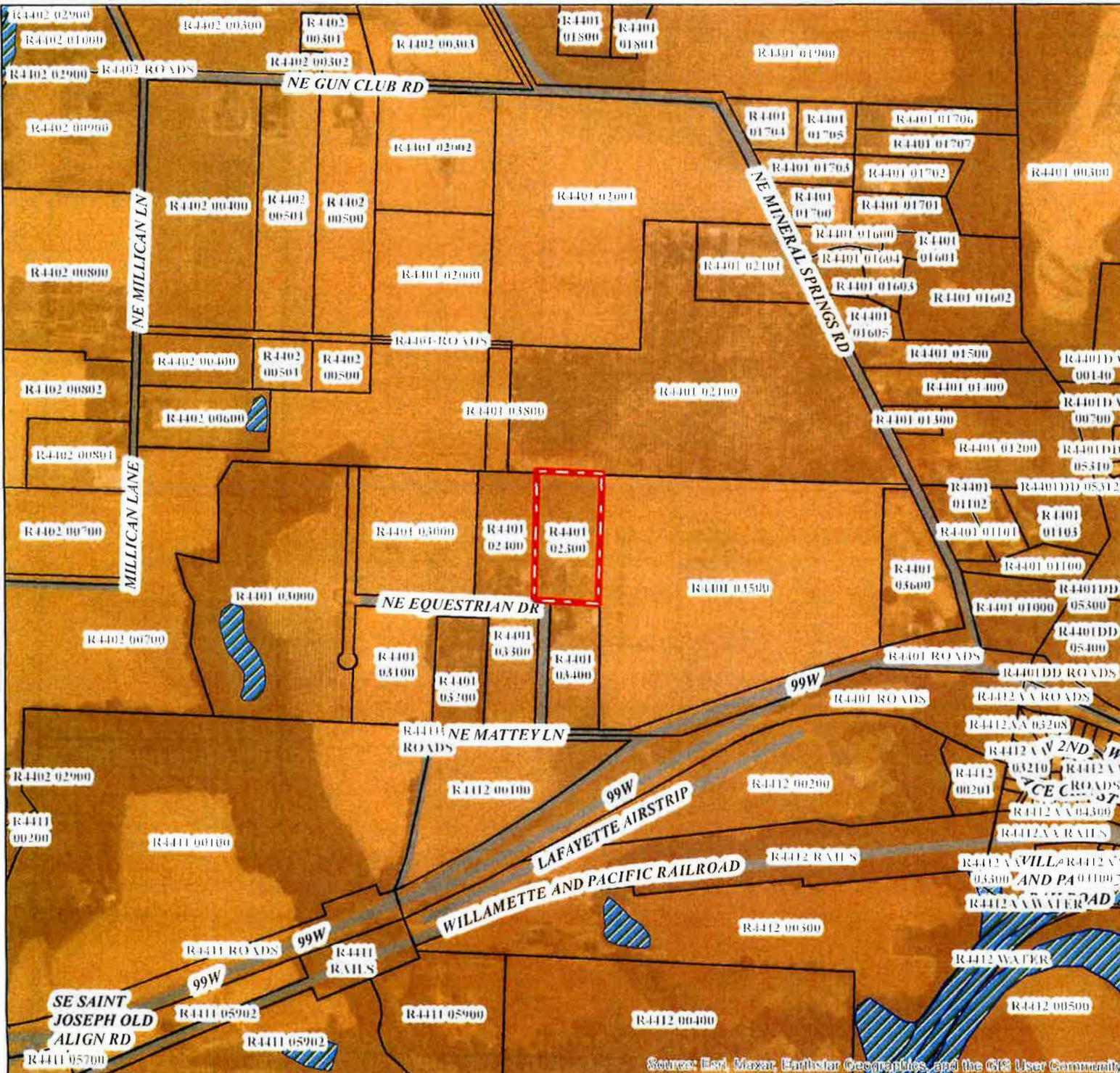
Property Information Docket: C-01-25

10431 NE Equestrian Dr



Subject Parcel(s)

Tax Lot: R4401 02300
Lot Acreage: 5.5



Wetland

FEMA Flood Zone



Base Flood Elev (ft)



100 Year Zone



Floodway

Approximate Locations & Dimensions
1 inch = 700 feet



R4401 03200
HILL LEAH L
HILL RICHARD A
10221 NE MATTEY LN
MCMINNVILLE, OR 97128

R4401 03300
GOODROE HEIDI S
GOODROE LAURANCE W III &
10450 NE EQUESTRIAN DR
MCMINNVILLE, OR 97128

R4401 03400
WINKELMAN MELISSA S
WINKELMAN STEVE L
10445 NE EQUESTRIAN
MCMINNVILLE, OR 97128

R4401 02300
CONTRERAS SARA H
CEJA ISIDRO J
10431 NE EQUESTRIAN DR
MCMINNVILLE, OR 97128

R4401 02400
BRUCK PENNY L
BRUCK VERNON E
10331 NE EQUESTRIAN DR
MCMINNVILLE, OR 97128

R4412 00100
GMB INVESTORS LLC
1118 NORTHSHORE RD
LAKE OSWEGO, OR 97034

R4401 03100
HILL LEAH L
HILL RICHARD A
10221 NE MATTEY LN
MCMINNVILLE, OR 97128

R4401 03500
SIMONSON LIVING TRUST
SIMONSON BRUCE L & SUSAN J TRUSTEES
FOR
10900 SW LANCEFIELD RD
MCMINNVILLE, OR 97128

R4401 03000
SMITH RANDAL L
SMITH SHERYL
29661 NE PUTMAN RD
NEWBERG, OR 97132

R4401 03800
WILLIAMS JOHN CO-TRUSTEE WILLIAMS
EILEEN CO-TRUSTEE
WILLIAMS JOHN & EILEEN TRUST
61867 LIME QUARRY RD
ENTERPRISE, OR 97828

R4402 00700
WILLIAMS EILEEN CO-TRUSTEE
WILLIAMS JOHN & EILEEN TRUST
61867 LIME QUARRY RD
ENTERPRISE, OR 97828

R4401 02000
AJLJ LLC
14750 SW HIDDEN HILLS RD
MCMINNVILLE, OR 97128

R4401 02001
WILLIAMS EILEEN CO-TRUSTEE
WILLIAMS JOHN & EILEEN TRUST
61867 LIME QUARRY RD
ENTERPRISE, OR 97828

R4401 02100
CHRISTENSON LARRY D TRUST CHRISTENSON
CINDY A CO-TRUSTEE
CHRISTENSON LARRY D CO-TRUSTEE
16107 SE WALLACE RD
DAYTON, OR 97114

C-01-25
R4401 02300
CEJA / M&H OREGON CONSTRUCTION
07/08/2025

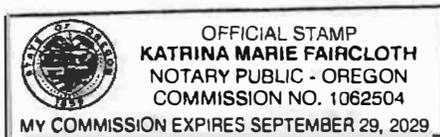
M&H OREGON CONSTRUCTION, LLC
1524 SE ESSEX ST
MCMINNVILLE, OR 97128

APPLICANT: M&H Construction, LLC
1524 SE Essex St
McMinnville, OR 97128

I, Stephanie Curran, on the 12th day of September, 2025
sent the attached public notice of Docket No. C-01-25 to the property owners identified by the PIN
numbers listed above, and interested persons listed on this sheet.

STATE OF OREGON
County of Yamhill

The foregoing instrument was acknowledged before me this 6th day of October, 2025
by Stephanie Curran.



Katrina Marie Faircloth
Notary Public For Oregon
My Commission Expires 9/29/29

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

DATE: August 29, 2025

DOCKET NO.: C-01-25

REQUEST: Conditional use permit request for the operation of a loss mitigation business as a home occupation. The proposed business would provide support and assistance to property owners in managing and reducing damage that may occur due to water or fire damage, or other emergencies.

APPLICANT: M & H Oregon Construction, LLC

OWNER: Javier Ceja

TAX LOT: 4401-02300

LOCATION: 10431 NE Equestrian Drive, McMinnville

ZONE: EF-40, Exclusive Farm Use District

CRITERIA: Sections 402.04(I), 402.07(A), 1004.01, and 1202.02 of the *Yamhill County Zoning Ordinance*. Comprehensive Plan policies may also be applicable.

COMMENTS: *Public Works Department:* No response to date.
Building Department: No response to date.
McMinnville Fire Department: “The owner has agreed to provide firefighting water on site for this commercial project. The application is now **CONDITIONALLY APPROVED**. I will continue to work with the developer to get the right valves and connection points.”
County Sanitarian: “We have reviewed the file and find no conflicts with her interests. Permit issued included sizing for business.”
Water Master: No response to date.
Soil & Water Conservation District (SWCD): Please see letter received on July 17, 2025.
Public Health Department: No response to date.
Department of Agriculture: No response to date.

FINDINGS:

A. Background Facts

1. *Parcel Size:* The subject parcel measures approximately 5.5-acres in size.
2. *Access:* The lot has direct access to NE Equestrian Drive.

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3. *On-Site Land Use:* The subject tract is located in the Exclusive Farm Use District, the EF-40 zone. There is a single-family dwelling, and two (2) accessory buildings currently located on the lot, including a new shop building that is under construction for use as a shop and to store vehicles and personal belongings. The shop building under construction is where the Applicant is proposing the business office be located in and the home occupation to be operated from. The Applicant notes that farm uses are also occurring onsite, in the form of Christmas trees and poultry raised onsite.
4. *Surrounding Zoning and Land Uses:* All of the surrounding lots are located in the EF-40 zone. Land use in the surrounding area consists of rural residential and commercial farm uses, predominantly in the form of hazelnut orchards, grass seed, wheat and hay fields, and livestock pasturage. Rural residential uses are present on four (4) of the nearest lots (Tax Lots 4401-03400, 4401-02400, 4401-03300, and 4401-03200), including the three adjacent lots to the south, southwest, and west. This cluster of five lots, including the Applicant's lot, that are predominantly used residentially are all roughly the same size, ranging between 3.75-acres and 5.5-acres. The Applicant's lot is the largest of the lots in this cluster.
5. *Water:* On site well.
6. *Sewage Disposal:* Will be served by an existing septic system.
7. *Fire Protection:* McMinnville Rural Fire Protection District.
8. *Taxes:* The county Tax Assessor's office records show that 4.5-acres of the subject lot is receiving farm deferral.
9. *Previous Actions:* A temporary health hardship dwelling approval was issued on February 7, 2025, for the care of three family members by the Applicant (Javier Ceja) and Sara Herrerea, Docket CTS-01-25. The subject lot was created through an approved land partition in 1969, Docket P-12-69.

B. Conditional Use Provisions and Analysis

1. The conditional use criteria are provided in Section 1202.02 of the *Yamhill County Zoning Ordinance* (YCZO) and are as follows:

(A) *The use is listed as a conditional use in the underlying zoning district;*

Regarding criterion (A), the Applicant is requesting a conditional use permit for the operation of a loss mitigation business that will be operated predominantly from within a newly-constructed shop building as a home occupation. The operation of a loss mitigation business is a recognized home occupation when operated within the bounds of a home occupation as provided in Section 1004 of the YCZO, therefore the request

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complies with criterion 1202.02(A) of the YCZO, above. The review criteria for a home occupation, as provided in Section 1004.01 of the YCZO, will be described in Section C. of this staff report, below.

2. (B) *The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use;*

Regarding criterion (B), the Yamhill County goals and policies do not provide standards or criteria for review of home occupations. While these are not in themselves criteria, they are in part what the criteria was based upon. Applicable goals and policies from the *Yamhill County Comprehensive Plan* are addressed below.

Section I.E Goal 1 Policy i. states:

A reasonable expansion of the concept and definition of home occupation will apply to very low density residential and agricultural small and large holding areas where small-scale, family-operated, home-craft industry or repair service has been traditionally carried on, and such uses will be reasonably regulated, subject to limitations on location, scale, performance characteristics, commercial character, and visibility from bounding roads or adjoining property.

The definition of a home occupation consists of an activity involving the provision of a service and/or the manufacturing of a product by a resident of the property on which the business is located and shall be carried on in compliance with Section 1004 of the YCZO. The Applicant is proposing the use of a shop building in conjunction with the loss mitigation business. The business office and storage areas will be hosted in the shop building. The Applicant describes the loss mitigation business as a 24-hour emergency service that responds to incidents that may threaten the structural integrity, safety, or functionality of homes and commercial buildings. Typical loss mitigation services include water extraction and drying after flooding, leaks, or burst pipes, fire and smoke remediation, mold detection and removal, odor control, board-up and tarping to protect structures from the elements, structural drying and stabilization, and assessment and documentation of loss for insurance purposes as the most common examples of services the proposed home occupation provides to the community. The Applicant notes that a numerous types of equipment will be stored in the accessory building including moisture meters, thermal imaging cameras, air scrubbers, dehumidifiers, water extraction units, ozone and hydroxyl generators, negative air machines, drying fans and air movers, infrared thermometers, data loggers, as well as protective personal equipment. Along with hosting the business office, the shop building will be used to organize and store the equipment, apparatus, and other material that the Applicant uses in the loss mitigation services provided to clients. Staff finds that the Applicant's request complies with this criterion.

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3. (C) *The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements, and natural features.*

Regarding criterion (C), the application needs to demonstrate that the parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements, and natural features. The subject lot measures approximately 5.5-acres in size with an existing single-family dwelling and accessory buildings (shops) currently on the property one of which will partially be used for the loss mitigation business activities. The subject parcel is relatively flat with little appreciable slope or other natural feature that would impede the operation of the loss mitigation business. There are no existing, identifiable natural features of note that will be disturbed by the operation of the home occupation on the subject property. The Yamhill County Soil & Water Conservation District submitted a document that provides the Applicant with guidance regarding noxious weed control and responsible water use management.

The property has direct access to NE Equestrian Drive, a gravel public road. Traffic to and from the subject lot in conjunction with the proposed home occupation may occur at any time, day or night, because the business provides 24-hour emergency loss mitigation services to property owners who may be experiencing property damage due to water, fire, natural disaster, or other unexpected destructive circumstance. The Applicant asserts that traffic to and from the subject parcel has increased recently, at least in part, due to the construction activities occurring on the subject parcel—for the conversion of an existing structure to a hardship dwelling to care for family and to build the accessory building that will be used in part in conjunction with the proposed home occupation—and also because they are a large and active family with residents who are of driving age. but the loss mitigation business itself does provide 24-hour emergency services to residents and businesses in the area. Once a call is received then a “response team” may mobilize from the subject parcel, which may entail loading equipment into vehicles and departing to the site of an emergency. Staff did not receive a response from the Public Works Department regarding the status of NE Equestrian Drive, and there is nothing in the record to suggest that the roadway is operating above the engineered traffic load.

The subject parcel is surrounded by lots zoned for Exclusive Farm use. Land use in the surrounding area consists of rural residential and commercial farm uses, predominantly in the form of hazelnut orchards, grass seed, wheat and hay fields, and livestock pasturage. There are residential uses are present on four (4) of the nearest lots (Tax Lots 4401-03400, 4401-02400, 4401-03300, and 4401-03200), including the three adjacent lots to the south, southwest, and west. The subject parcel is comparable in size to many of the surrounding lots, especially those that are predominantly being used residentially. The County Sanitarian noted that the septic system recently installed was sized to accommodate the needs of the business should it receive land use approval. There are no identifiable additional service improvements that would be needed on the property to support the proposed loss mitigation business as other services that may need to be used

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in conjunction with the proposed business are already in place to serve the existing home and other structures. With conditions, the subject parcel appears to be suitable for the home occupation use when considering the size, shape, location, topography, existence of improvements, and natural features. With conditions, the request complies with this criterion.

4. (D) *The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district.*

Regarding criterion (D), the Applicant is requesting approval for the use of an accessory (shop) building in conjunction with a loss mitigation business. The Applicant notes that the accessory building will be used to host the business office and single secretarial staff person who will be working consistently from this location. The structure will also be used to safely and securely store equipment used in conjunction with the loss mitigation business. The Applicant states that having a centralized location for the storage of equipment, in a climate-controlled setting with appropriate security measures, ensures that the equipment may be quickly accessed and mobilized when an emergency response is needed to serve a resident or business owner in the community. The business office will be operated between 7 a.m. and 5 p.m., Monday through Saturday, and common office tasks will include answering phone calls, scheduling appointments and dispatches, billing and invoicing, etc. The Applicant asserts that the safe-storage and care for the equipment used in conjunction with the business is of the highest priority and notes that he is a state-certified mitigation contractor with AHERA Asbestos Inspector certification, with certifications in mold and fire restoration, that the business is an IICRC (Institute of Inspection, Cleaning and Restoration Certification) certified firm, following the IICRC S500 standards for professional water damage restoration. The Applicant notes that the servicing and maintenance of the equipment used in conjunction with the loss mitigation business will largely take place off-site or within controlled environments to minimize the chance for noisy or other potentially disruptive activities impacting neighboring property owners. The shop building itself is similar in size and shape to other accessory buildings commonly found in the Exclusive Farm use zone. There will be no on-site retail component to this business or customers visiting the subject lot so traffic to and from the site that is associated with the business will be for employees and for vehicles to be picked up and dropped off for mobilization and demobilization.

Land use in the area surrounding the subject parcel is predominantly for farm use, in the form of hazelnut orchards, grass seed, hay, grain cultivation, livestock pasturage, however the Applicant's lot is neighboring a cluster of five (5) smaller lots, excluding the Applicant's—ranging in size from 3.75-acres to 6.7-acres—that appear to be used predominantly for rural residential use. Staff received comments and concerns from three of property owners with neighboring lots to the south, west, and southwest of the Applicant's lots, which are from this cluster of smaller lots.

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The comments and concerns submitted from surrounding property owners regarding the proposed home business fall broadly into the following categories:

Increased Traffic

Several surrounding property owners who reside on NE Equestrian Drive have expressed concern about the increase in the volume and type of traffic since the Applicant and his family moved to the subject lot. One comment claimed that traffic has increased dramatically and is higher than what would normally be generated in a “strict” EF-40 zoned location. Some of the neighbors have also noticed that business-related vans and trucks have been travelling along NE Equestrian Drive consistently throughout the day. Neighbors have stated that children, pets, and livestock cross Equestrian Drive and are concerned about the recent increase in traffic to the site, and that some of these motorists may be driving faster than the posted or recommended speed limit.

The Applicant has responded to this concern by stating there has been construction ongoing for much of the year. The construction activities have been related to the approval of a temporary health hardship dwelling for the care of three (3) family members that was final on February 24, 2025, Docket CTS-01-25. This approval was for the conversion of an existing structure to a residential space for the family members receiving care by the Applicant. In addition to the construction activities associated with the hardship dwelling, the Applicant also received building permits for an accessory building which will be used to store personal belongings but is now also the subject of the home occupation request. The Applicant states that since receiving feedback from surrounding property owners that he has spoken with those folks working on the property to following the posted speed limit. The Applicant also noted that he has a fairly large and active family, and that many of the family members have their own vehicles so traffic along NE Equestrian Drive has increased due normal family errands and trips. The Applicant acknowledges that these family trips generate dust due to the gravel nature of the road but that the family travels along Equestrian Drive but that they follow the posted speed limit to minimize the amount of dust generated to as great an extent as possible.

Noise

Some neighbors have experienced extended periods of noise generated from the subject parcel since the Applicant has moved in.

The Applicant has addressed this concern by stating that noise generated from the subject lot is related to the construction activities occurring onsite, and that they have limited construction activities to begin no earlier than 7 a.m. and to end no later than 6 p.m. The home occupation will be conducted within the accessory building and that much of the business-related activities will occur between 7 a.m. and 5 p.m., Monday through Saturday, and common office tasks will include answering phone calls, scheduling appointments and dispatches, and billing to name a few of the more common activities.

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The Applicant notes that the building will not be used 24/7 even if an employee residing onsite needs to respond to an emergency late in the evening or early in the morning. The Applicant noted that the location of the accessory building was selected in order to minimize any potential impacts to surrounding property owners. Additionally, because the loss mitigation activities will occur indoors there will be minimal noise generated from the business will be comparable to noise commonly associated with and generated by the farm activities permitted in the farm zone and that commonly occur in the county.

Staff will also place a condition of approval that prohibits the outdoor artificial amplification of voice or sound in conjunction with the proposed home occupation.

Unpermitted Signage

Some neighbors identified that signage was being displayed on the property without land use approval.

The Applicant notes that they were unaware that placing signs required a separate land use process, but that the signs were taken down once the Applicant was contacted by county staff regarding the complaint.

Staff will place a condition of approval prohibiting the placement of signage unless a separate land use request is submitted and approved.

Erosion Control

Some neighbors have expressed concerns that the recent development activities will lead to significant amount of uncontrolled erosion with muddy runoff negatively impacting surrounding property owners.

The Applicant responded to this concern by stating that the dirt mounds identified by neighbors was temporary and were being actively distributed around the property to level uneven areas on the property but required the rental of heavy machinery which delayed this distribution.

Staff will put a condition of approval requiring the Applicant to apply for an erosion control permit as part of the building permitting process.

Water Consumption & Contamination

Neighbors have expressed concern that the proposed home occupation could lead to contaminated groundwater which could negatively impact surrounding residents and livestock. A neighbor also claimed that diversion piping was installed on the subject lot which will redirect groundwater onto a neighboring orchard.

The Applicant responded to this concern by providing the various certifications (IICRC, AHERA, mold, fire) and the 20-years' experience he has with handling various

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contaminated jobsites and materials. The Applicant also notes that his family resides on the property and that he would not endanger his family, the neighborhood, or the environment by improperly handling contaminated materials. The Applicant also noted that the piping identified by the neighbor was installed to manage stormwater and redistribute rainwater and the piping received permit approval by the building department and that it will not negatively impact the groundwater in the area. The Applicant stated that water tanks were installed on the property for any possible fire disaster, and that the tanks were approved by the fire department in order to effectively respond to a fire onsite or in the neighborhood should the need arise.

Operating Business Prior to Receiving Land Use Approval

Some neighbors believe that the Applicant was operating the loss mitigation company prior to initiating the land-use process due to the volume of traffic that has increased since the Applicant and their family moved to the subject lot.

The Applicant responded to this concern by stating that there has been no equipment stored on the subject parcel and that the accessory building was being built in order to permit the storage of equipment used in conjunction with the loss mitigation business. The Applicant agreed that work vehicles are parked on the subject parcel because that is where they live and that allows the Applicant, and family members also residing onsite and working at the loss mitigation business to more expeditiously respond to emergency calls.

Environmental Concerns

Some neighbors have expressed concerns that contaminated items removed from loss mitigation worksites will be stored and/or decontaminated inside the accessory building used in conjunction with the home occupation.

In the Applicant's addendum to the application he stated that the accessory building will be used for equipment storage and that all servicing, maintenance, and noisy operations take place off-site or within controlled environments.

Uncontrolled Expansion to the Home Occupation if Permitted

Staff received a concern from a surrounding property owner that if the request for the home occupation is approved then the Applicant will be able to scale-up their business beyond what is permitted to a home occupation under Section 1004 of the YCZO.

The Home Occupation section of the county code, Section 1004, allows for a condition of approval to be placed on any home occupation approval requiring a review every 12-months from the date of final approval. Staff will be placing this as a condition of approval which will act as a means for staff to evaluate the operation of this business regularly to ensure the business is being operated responsibly and in accordance with the conditions of approval. If so, then the home occupation approval may be renewed if it

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continues to comply with the requirements set forth in Section 1004 of the YCZO.

Staff finds that with the imposition of conditions of approval that the Applicant's request will not materially alter the character of the surrounding area in a manner which substantially limits, impairs, or prevents the use of surrounding properties for the uses permitted in an Exclusive Farm use zone.

5. (E) *The proposed use is appropriate, considering the adequacy of the public facilities and services existing or planned for the area affected; and*

Regarding criterion (E), as mentioned previously, the Sanitarian noted that the recent, permitted improvements to the septic system included sizing that would allow for service to a business should the property owner receive land use approval. A condition of approval will be put in place that any necessary permits and inspections be issued and approved for the use of the accessory building in conjunction with the loss mitigation business prior to the operation of the business from the accessory building. The Applicant has noted that traffic to and from the business will entail employees being dispatched to worksites. There is no retail component to the proposed home occupation, and there will be no clients visiting the site so all traffic will be generated by residents and employees accessing the accessory building where the equipment used in conjunction with the loss mitigation business is stored. Regarding access to the property, NE Equestrian Drive is a public graveled road and while the road may emit dust during the dry season and be muddy during the rainy season, it appears to be adequate to meet the traffic needs for the business. With conditions, the existing public facilities and services appear to be adequate to support the proposed home occupation. Staff finds that with the imposition of conditions of approval, the request complies with this criterion.

6. (F) *The use is or can be made compatible with existing uses and other allowable uses in the area.*

Regarding criterion (F), the request is for the operation of a loss mitigation business from an existing shop building. Please see Section B.4. of the staff report above for a more comprehensive review of the comments and concerns submitted by surrounding property owners and the Applicant's response to surrounding property owners. The most common uses in the surrounding area include farm use (hazelnut orchards, grass seed, hay, grains, livestock pasturage, etc.) with a cluster of predominantly rural residential use on the lots in the most proximal area to the subject lot. As discussed previously, the proposed use will generate limited amounts of traffic to the parcel due to employees being the only people accessing the property beyond trips made by residents. Traffic to and from the site, while limited, may occur at any time of the day due to the loss mitigation business providing emergency support services to residents and business owners in the community who may be experiencing property damage due to water, fire, or other situation causing property damage. The Applicant asserts that work activities will be conducted indoors

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and that no work activities will occur outdoors aside from the parking of work vehicles. Other onsite uses include the storage of work material and office/clerical work being conducted in the accessory building located adjacent to the dwelling. The Applicant notes that cleaning activities will be conducted offsite or in tightly controlled environments. Staff will place a condition of approval that all hazardous wastes shall be handled, treated, and disposed of in compliance with all applicable federal, state, and local laws and regulations and shall not be drained or deposited onto the ground or into the septic system. Noise from the proposed use will be minimal because the loss mitigation activities will occur substantially within the existing accessory building which will be used to store work material and equipment, and to host the business office that will be manned by a single employee providing office and clerical support. There were no concerns submitted by farmers in the surrounding area who expressed concern about negative impacts to crops, aside from a comment that was submitted expressing concern about errant livestock that may be walking along NE Equestrian Drive that could be hit by motorists, although the link between the proposed home occupation and errant livestock was not expressed. There is no argument in the record suggesting that the operation of the loss mitigation business with fewer than five (5) total employees will negatively impact the farm or forest operations occurring in the surrounding area. With conditions, staff finds that the proposed home occupation use can be made compatible with the uses occurring and allowed in the surrounding Exclusive Farm use zones. Staff finds that, with conditions the request complies with the above criterion.

C. Home Occupation Review Criteria

1. The following standards and limitations shall apply to home occupations:
 - A. *The home occupation will be operated by a resident of the property on which the business is located.*

Regarding criterion (A) above, the Applicant is a resident of the property and will continue to reside on the property while operating the loss mitigation business. Based on this information, staff finds that the request complies the above criterion.

2.
 - B. *The home occupation will employ on the site no more than five full or part-time employees.*

Regarding criterion (B) above, the Applicant states no more than five (5) employees will ever be employed at this location. A condition of approval will be established that prohibits the home occupied business from employing more than five full or part-time employees and violation of this condition of approval may result in a revocation of this conditional use permit. Staff finds that with conditions, the request complies with this criterion.

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3. C. *The home occupation will be operated substantially in the dwelling or in other buildings normally associated with uses permitted in the zone in which the property is located.*

Regarding criterion (C), the loss mitigation business will be operated substantially within an accessory shop building and the shop is similar in size and shape to other accessory buildings commonly found in the Exclusive Farm use zone. This type of accessory building is in keeping with other accessory buildings commonly found in the Exclusive Farm Use District and in the surrounding area. Future owners can use this structure in conjunction with farm uses and/or for personal storage needs and would be permitted in the Exclusive Farm use zone. Staff finds that with conditions the request complies with the above criterion.

4. D. *The home occupation will not unreasonably interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located.*

Regarding criterion (D), the proposed home business will be operated from an access shop building located on a lot in the Exclusive Farm Use District, the EF-80 zone. The loss mitigation business will include no on-site retail use, and no clients will be visiting the site, so traffic to and from the site will be from employees and residents. The Planning Department provided notice of the Applicant's proposed home occupation to neighboring property owners for comment, and the Planning Department did receive comments and concerns from surrounding property owners predominantly related to the residential uses occurring on the cluster of smaller lots neighboring the Applicant's parcel, please see Sections B.4. and E.1. of this staff report for a more comprehensive discussion of the topics raised by surrounding property owners. The Applicant notes that the loss mitigation activities will predominantly occur within an existing accessory building, although work vehicles may be parked outside. Staff finds that with conditions, the proposed home occupation use can operate in a manner that will not unreasonably interfere with existing uses on nearby lands or with other uses permitted in the Exclusive Farm Use District.

5. E. *No more than one (1) home occupation shall be permitted in conjunction with any dwelling or parcel. Activities which are substantially different in nature shall be considered separate home occupations.*

Regarding criterion 1004.01(E), the Applicant's request is for the operation of a loss mitigation business predominantly from an existing shop building. This will be the sole home business operating on the subject parcel. Staff finds that the Applicant's request complies with this criterion.

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6. F. *A home occupation shall not be used to permit construction of any structure that would not otherwise be allowed in the zone in which the home occupation is established, nor shall a home occupation be used as justification for a zone change.*

Regarding criterion (F), the Applicant is requesting the use of an accessory building for the loss mitigation activities and this structure is similar in size and shape to other accessory buildings located in the farm zone in the surrounding area. A condition of approval will be put in place that all necessary building, electrical, and septic permits, and inspections are approved prior to and during construction activities. Staff finds that the shop building that will be used in conjunction with the home occupation is of a size and use commonly found in the Exclusive Farm Use zone. The Applicant is not requesting a zone change to accommodate the proposed home occupation. With conditions, staff finds that the proposed home occupation complies with this criterion.

7. G. *The total area used for outdoor storage shall not exceed the allowable parcel coverage in the zone in which the home occupation is established.*

Regarding criterion (G), the proposed home occupation is located in the Exclusive Farm Use District, the EF-80 zone, and parcel coverage standards do not apply for lots that are larger than one (1) acre in size. The subject lot measures approximately 5.5-acres in size therefore the parcel coverage standard is not applicable for this request. With that being said, the Applicant has noted that an accessory building will be used for the loss mitigation activities which the Applicant describes as occurring at the location where unexpected events have occurred, such as water damage, fire, natural disasters, or other emergencies that have caused damage to a structure. The Applicant has not described or requested for the outdoor storage of equipment or materials but rather has described the need for the accessory building to store the wide range of specialized equipment commonly used in conjunction with the loss mitigation business. Examples of equipment that will be stored within the accessory building include moisture meters, thermal imaging cameras, air scrubbers, dehumidifiers, water extraction units, ozone and hydroxyl generators, negative air machines, drying fans and air movers, infrared thermometers, data loggers, as well as protective personal equipment. Along with hosting the business office. The Applicant notes how vital it is for the business to have a structure that can be used to securely store and manage this equipment, and that there will be security measures put in place to ensure the equipment is secured and protected. There is no indication that the Applicant will be storing equipment outdoors, and any proposed outdoor storage area shall be screened by sight-obscuring fencing and/or landscaped vegetation that is properly maintained to act as a visual buffer from the adjacent roadway and neighboring properties. Staff finds that, with conditions the request complies with this criterion.

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8. H. *There shall be no visible evidence of the conduct of a home occupation from any road or adjacent property, other than permitted signs. Any outdoor storage or outdoor work areas shall be effectively screened by vegetation or by a sight obscuring fence.*

Regarding criterion (H), the Applicant notes that loss mitigation business activities conducted onsite will predominantly entail the use of an accessory building to safely and securely store vital equipment and to act as the business office. The Applicant is not proposing to conduct any loss mitigation activities outdoors on the subject parcel. As noted earlier, any outdoor storage area will need to be effectively screened from the adjacent roadway and adjacent lots by the installation of a sight-obscuring fence and/or the planting of landscaped vegetation that will function as a screen. Staff finds that with conditions, the request can comply with the above criterion.

9. I. *A home occupation shall not generate noise, vibration, glare, fumes, odor, electrical interference or other disturbance beyond what normally occurs in the applicable zoning district.*

Regarding criterion (I), the Applicant's proposed loss mitigation business will be conducted within an accessory building. The Applicant has asserted that there will be no generation of noise, vibration, glare, fumes, odor, electrical interference or other disturbance beyond what normally occurs in the Exclusive Farm use zone. The Applicant states that the accessory building will be used as a business office and for the storage of equipment used to operate the loss mitigation business. Office activities will be conducted regularly by a single secretarial staff person at the accessory building will include answering client phone calls and emails, scheduling appointments and dispatches, updating records for insurance documentation, billing and invoicing, and coordinating with technicians in the field. Equipment stored in the accessory building may be loaded into vehicles for transportation to work sites. The Applicant notes that all servicing, maintenance and noisy operations will take place off-site or indoors within controlled environments so that there will be no noise generated to impact neighboring property owners. The Applicant concludes that there should be no discernible noise, vibration, glare, fumes, odor, electrical interference, or other disturbance beyond what normally occurs in the Exclusive Farm Use District. Staff will place as a condition of approval that all lighting used to illuminate the accessory building used in conjunction with the loss mitigation business shall be shielded, deflected, or directed onto the Applicant's property so it does not shine onto the roadway or neighboring lots. Staff finds that with conditions, the request complies with the above criterion.

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10. *J. A home occupation shall not generate traffic or parking beyond what normally occurs in the applicable zoning district.*

Regarding criterion (J), the Applicant notes that there will be no on-site retail activities and no clients visiting the subject lot. The marginal increase in traffic from employees is in keeping with traffic generated from the farm uses commonly found in the county and the surrounding area that may include having hired farm labor visiting the farm for work. Staff finds that the Applicant's proposed business will not generate traffic beyond what normally occurs in the EF-40 zone, therefore the request complies with the above criterion.

11. *K. Off-street parking spaces shall be provided for clients or patrons and shall not be located in any required yard.*

Regarding criterion (K), the Applicant asserts that there is sufficient space on the property to serve the parking needs for employees. There will be no clients visiting the site and no retail activities associated with the business so parking requirements will be limited to employees and work vehicles. A condition of approval will require that an off-street parking area be maintained of sufficient size to serve the needs of employees for as long as the home occupation use is operated on-site. A condition of approval will be put in place that prohibits on-street parking in conjunction with the proposed home occupation use. Staff finds that with conditions, the request complies with the above criterion.

12. *L. One (1) on-premise sign shall be permitted in conjunction with a home occupation, subject to the sign provisions set forth in Section 1006.*

Regarding criterion (L), the Applicant did not submit a sign permit request in conjunction with the home occupation request but agrees to abide by the 24-square foot sign standard for any future signage that may be requested in the future and will abide by the requirements and standards provided in Section 1006 of the YCZO. A condition of approval will require that any future request for a sign must satisfy the provisions set forth in Section 1006 of the YCZO.

13. *M. The nature of a proposed home occupation shall be specified at the time of application. Any proposed change in the nature of an approved home occupation shall require a new conditional use permit. Any departure from the uses and activities initially specified shall be considered grounds for revocation of the conditional use permit.*

Regarding criterion (M), this is a regulation that applies to all home occupations and the Applicant describes the home occupation as a loss mitigation business which provides support and assistance to property owners in managing and reducing damage that may

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occur due to water or fire damage, or other emergencies. As proposed, this business will be substantially operated from a shop building. A condition of approval will be put in place that requires the Applicant to receive all necessary building, septic, electrical permits to modify the shop building to meet building code standard. Staff finds that with conditions, the proposed home occupation request complies with this criterion.

14. *N. A permit for a home occupation shall be deemed personal to the applicant and shall not run with the land. Upon notification by the county such permit shall expire two (2) years from the date of issuance, at which time the permit may be renewed by the Director upon a finding that the requirements of this ordinance are being met. A fee for renewal of the permit may be imposed by the Director.*

Regarding criterion (N), this is a regulation that applies to all home occupations. This requirement will be included as a condition on any approval.

15. *O. A condition of approval may be placed on a home occupation requiring a review every 12 months following the date the permit was issued. The home occupation may be renewed if it continues to comply with the requirements of this ordinance and any other conditions of approval.*

Regarding criterion (O), this is a regulation that applies to all home occupations. This requirement will be included as a condition on any approval.

16. *P. Pursuant to the nonconforming use provisions of Section 1205 of this ordinance, any proposed expansion or change in the nature of a home occupation in operation prior to adoption of this ordinance shall be subject to the requirements of this section and shall require a conditional use permit. In the event of denial of such an application, the home occupation shall be allowed to continue at its original scale and nature as a nonconforming use.*

Regarding criterion (P), this request is for a new home occupation, not the continuation or modification of a nonconforming use.

D. EF-40 Conditional Use Standards

Section 402.07(A) of the YCZO requires that prior to establishment of a conditional use; the applicant shall demonstrate compliance with the following criteria:

1. *The use will not force significant change in accepted farming or forest practices on surrounding lands devoted to farm or forest use.*
2. *The use will not significantly increase the cost of accepted farming or forest practices on surrounding lands devoted to farm or forest use.*

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The Applicant is requesting a conditional use permit for the operation of a loss mitigation business as a home occupation to be predominantly operated from within an existing accessory building. The operation of the home occupation will be evaluated under the conditional use standards provided by Section 402.07(A) of the YCZO. Access to the property is provided by a private driveway with ingress/egress to NE Equestrian Drive, a public gravel road. Land use in the surrounding area consists of a mix of residential and farm uses—including hazelnut orchards, haying, grass seed, grain crops, livestock pasturage—with rural residential uses and activities occasionally occurring in conjunction with the farm uses. This home occupation request was processed under the Type B application processes provided in Section 1301.01 of the YCZO, so staff provided notice of the request to surrounding property owners. Staff did receive comments and concerns from surrounding property owners regarding the operation of loss mitigation as a home occupation, although the majority of the concerns were directed towards potential negative impacts to the residential uses occurring in the surrounding area although there were some comments directed to farm uses in the area and a more detailed analyses of comments is presented in Sections B.4. and E.1. of this staff report. One of the concerns submitted expressed by a neighboring property owner was a worry about potential groundwater contamination that would negatively impact water provided to livestock. The Applicant responded to this concern by stating that cleaning activities will occur offsite or in tightly controlled indoor environments, further staff will place a condition of approval that will prohibit the no hazardous waste will be deposited on the ground or into the septic system. Further, a condition of approval that any potentially hazardous byproducts are disposed of in a manner consistent with federal, state, and local regulations. Some neighbors also note that livestock and pedestrians will sometimes cross NE Equestrian Drive so employees and residents driving on Equestrian Drive will need to be alert, cautious, and responsible motorists. The Applicant affirmed that employees and family residing on the subject lot will abide by the posted speed limit and will not drive recklessly. No on-site or off-site farm crops or farmland will be lost to facilitate the home occupation use. There may be a limited number of work vehicles parked onsite because several employees are family members of the Applicant and reside onsite. Employees may access the site to pick up or deliver equipment used in the loss mitigation business but this limited storage and the clerical activities occurring in the business office within the accessory building will have impacts that appear to be limited to a slight increase in traffic on NE Equestrian Drive, but do not appear to negatively impact surrounding farm or forest uses that are permitted in the Exclusive Farm use zone occurring on surrounding parcels. A reasonable assessment of the proposed use, as described by the Applicant, finds that the operation of the loss mitigation business as a home occupation will not significantly change or significantly increase the cost of accepted farm or forest practices on surrounding lands.

E. Surrounding Property Owner Comments & Concerns

1. The comments and concerns submitted from surrounding property owners regarding the proposed home business fall broadly into the following categories:

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Increased Traffic

Several surrounding property owners who reside on NE Equestrian Drive have expressed concern about the increase in the volume and type of traffic since the Applicant and his family moved to the subject lot. One comment claimed that traffic has increased dramatically and is higher than what would normally be generated in a “strict” EF-40 zoned location. Some of the neighbors have also noticed that business-related vans and trucks have been travelling along NE Equestrian Drive consistently throughout the day. Neighbors have stated that children, pets, and livestock cross Equestrian Drive and are concerned about the recent increase in traffic to the site, and that some of these motorists may be driving faster than the posted or recommended speed limit.

The Applicant has responded to this concern by stating there has been construction ongoing for much of the year. The construction activities have been related to the approval of a temporary health hardship dwelling for the care of three (3) family members that was final on February 24, 2025, Docket CTS-01-25. This approval was for the conversion of an existing structure to a residential space for the family members receiving care by the Applicant. In addition to the construction activities associated with the hardship dwelling, the Applicant also received building permits for an accessory building which will be used to store personal belongings but is now also the subject of the home occupation request. The Applicant states that since receiving feedback from surrounding property owners that he has spoken with those folks working on the property to following the posted speed limit. The Applicant also noted that he has a fairly large and active family, and that many of the family members have their own vehicles so traffic along NE Equestrian Drive has increased due normal family errands and trips. The Applicant acknowledges that these family trips generate dust due to the gravel nature of the road but that the family travels along Equestrian Drive but that they follow the posted speed limit to minimize the amount of dust generated to as great an extent as possible.

Noise

Some neighbors have experienced extended periods of noise generated from the subject parcel since the Applicant has moved in.

The Applicant has addressed this concern by stating that noise generated from the subject lot is related to the construction activities occurring onsite, and that they have limited construction activities to begin no earlier than 7 a.m. and to end no later than 6 p.m. The home occupation will be conducted within the accessory building and that much of the business-related activities will occur between 7 a.m. and 5 p.m., Monday through Saturday, and common office tasks will include answering phone calls, scheduling appointments and dispatches, and billing to name a few of the more common activities. The Applicant notes that the building will not be used 24/7 even if an employee residing onsite needs to respond to an emergency late in the evening or early in the morning. The Applicant noted that the location of the accessory building was selected in order to minimize any potential impacts to surrounding property owners. Additionally, because

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the loss mitigation activities will occur indoors there will be minimal noise generated from the business will be comparable to noise commonly associated with and generated by the farm activities permitted in the farm zone and that commonly occur in the county.

Staff will also place a condition of approval that prohibits the outdoor artificial amplification of voice or sound in-conjunction with the proposed home occupation.

Unpermitted Signage

Some neighbors identified that signage was being displayed on the property without land use approval.

The Applicant notes that they were unaware that placing signs required a separate land use process, but that the signs were taken down once the Applicant was contacted by county staff regarding the complaint.

Staff will place a condition of approval prohibiting the placement of signage unless a separate land use request is submitted and approved.

Erosion Control

Some neighbors have expressed concerns that the recent development activities will lead to significant amount of uncontrolled erosion with muddy runoff negatively impacting surrounding property owners.

The Applicant responded to this concern by stating that the dirt mounds identified by neighbors was temporary and were being actively distributed around the property to level uneven areas on the property but required the rental of heavy machinery which delayed this distribution.

Staff will put a condition of approval requiring the Applicant to apply for an erosion control permit as part of the building permitting process.

Water Consumption & Contamination

Neighbors have expressed concern that the proposed home occupation could lead to contaminated groundwater which could negatively impact surrounding residents and livestock. A neighbor also claimed that diversion piping was installed on the subject lot which will redirect groundwater onto a neighboring orchard.

The Applicant responded to this concern by providing the various certifications (IICRC, AHERA, mold, fire) and the 20-years' experience he has with handling various contaminated jobsites and materials. The Applicant also notes that his family resides on the property and that he would not endanger his family, the neighborhood, or the environment by improperly handling contaminated materials. The Applicant also noted that the piping identified by the neighbor was installed to manage stormwater and

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redistribute rainwater and the piping received permit approval by the building department and that it will not negatively impact the groundwater in the area. The Applicant stated that water tanks were installed on the property for any possible fire disaster, and that the tanks were approved by the fire department in order to effectively respond to a fire onsite or in the neighborhood should the need arise.

Operating Business Prior to Receiving Land Use Approval

Some neighbors believe that the Applicant was operating the loss mitigation company prior to initiating the land use process due to the volume of traffic that has increased since the Applicant and their family moved to the subject lot.

The Applicant responded to this concern by stating that there has been no equipment stored on the subject parcel and that the accessory building was being built in order to permit the storage of equipment used in conjunction with the loss mitigation business. The Applicant agreed that work vehicles are parked on the subject parcel because that is where they live and that allows the Applicant, and family members also residing onsite and working at the loss mitigation business to more expeditiously respond to emergency calls.

Environmental Concerns

Some neighbors have expressed concerns that contaminated items removed from loss mitigation worksites will be stored and/or decontaminated inside the accessory building used in conjunction with the home occupation.

In the Applicant's addendum to the application he stated that the accessory building will be used for equipment storage and that all servicing, maintenance, and noisy operations take place off-site or within controlled environments.

Uncontrolled Expansion to the Home Occupation if Permitted

Staff received a concern from a surrounding property owner that if the request for the home occupation is approved then the Applicant will be able to scale-up their business beyond what is permitted to a home occupation under Section 1004 of the YCZO.

The Home Occupation section of the county code, Section 1004, allows for a condition of approval to be placed on any home occupation approval requiring a review every 12-months from the date of final approval. Staff will be placing this as a condition of approval which will act as a means for staff to evaluate the operation of this business regularly to ensure the business is being operated responsibly and in accordance with the conditions of approval. If so, then the home occupation approval may be renewed if it continues to comply with the requirements set forth in Section 1004 of the YCZO.

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CONCLUSIONS FOR APPROVAL:

1. The request is for a conditional use permit to allow the operation of a loss mitigation business as a home occupation. This business will be operated predominantly from an existing accessory building.
2. With conditions, the request complies with the conditional use criteria listed in Section 1202.02 of the *Yamhill County Zoning Ordinance*.
3. With conditions, the request complies with the conditional use criteria listed in Subsection 402.07(A) of the *Yamhill County Zoning Ordinance*.
4. ~~With conditions, the request complies with the home occupation criteria listed in~~ Section 1004 of the *Yamhill County Zoning Ordinance*.

DECISION:

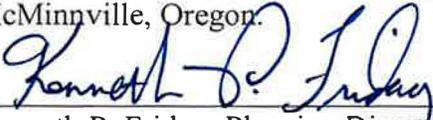
Based upon the above findings and conclusions, the request by Javier Ceja for a conditional use permit approval for the operation of a loss mitigation business as a home occupation on a parcel identified as Tax Lots 4401-02300, is approved with the following conditions:

1. Activities conducted in conjunction with the loss mitigation business shall be substantially conducted from within the accessory building identified on the site plan.
2. The accessory building shall receive all necessary improvements required to meet the applicable occupancy rating as provided in the most recent Oregon state building code standards. All required building, plumbing, septic, and electrical permits shall be obtained from the Yamhill County Building Department.
3. An erosion control permit shall be applied for when any earthmoving activities of sufficient size require such a permit under state or local standards.
4. The use shall employ no more than five (5) full or part time employees.
5. All hazardous wastes shall be handled, treated, and disposed of in compliance with all applicable federal, state, and local laws and regulations. Acids, gasolines, or other flammable or toxic materials shall not be drained or deposited onto the ground or into the septic system.
6. The operation of the loss mitigation business is personal to Javier Ceja and does not run with the land.

YAMHILL COUNTY DEPARTMENT OF PLANNING AND DEVELOPMENT
STAFF REPORT

7. Prior to issuance of permits, the driveway access shall be inspected and approved by the McMinnville Fire Department.
8. Uses or activities which are substantially different in nature from the operation of a loss mitigation business constitute a second home occupation and such activities shall be prohibited without additional land use approval.
9. No outside evidence of the home occupation shall be visible except for a sign not to exceed 24 square feet, which shall be subject to permit and land use approval prior to installation pursuant to Section 1006 of the *Yamhill County Zoning Ordinance*.
10. Any lighting shall be shielded, deflected, or directed onto the Applicant's property so it does not shine onto the adjacent roadway or neighboring lots.
11. The use of outdoor amplified music or sound in conjunction with the proposed use shall be prohibited.
12. An area to provide a minimum of one (1) parking space for each employee on maximum working shift shall be established on the subject parcel. The parking area shall be maintained for as long as the business operates onsite. There shall be no parking along the NE Equestrian Drive right-of-way.
13. This approval is valid for one (1) year following the date of final approval and shall expire at that time unless the use has been initiated.
14. A review of the home occupation shall be required one year following the date of final approval. The home occupation may be renewed if it continues to comply with the requirements of Section 1004.01 of the *Yamhill County Zoning Ordinance* and the conditions of approval. A fee may be charged for renewal of the permit.
15. Modification of any of the above conditions requires approval under Section 1202.05 of the *Yamhill County Zoning Ordinance*. Violation of any of the above conditions may result in revocation of the conditional use permit with the process detailed in Section 1202.07 and 1202.08 of the *Yamhill County Zoning Ordinance*.

DATED AND SIGNED this 11th day of September, 2025, at McMinnville, Oregon.



Kenneth P. Friday, Planning Director
Yamhill County Planning and Development

KF:lw

YAMHILL COUNTY TAX LOT INFORMATION & CONTEXTUAL MAP



Property Information

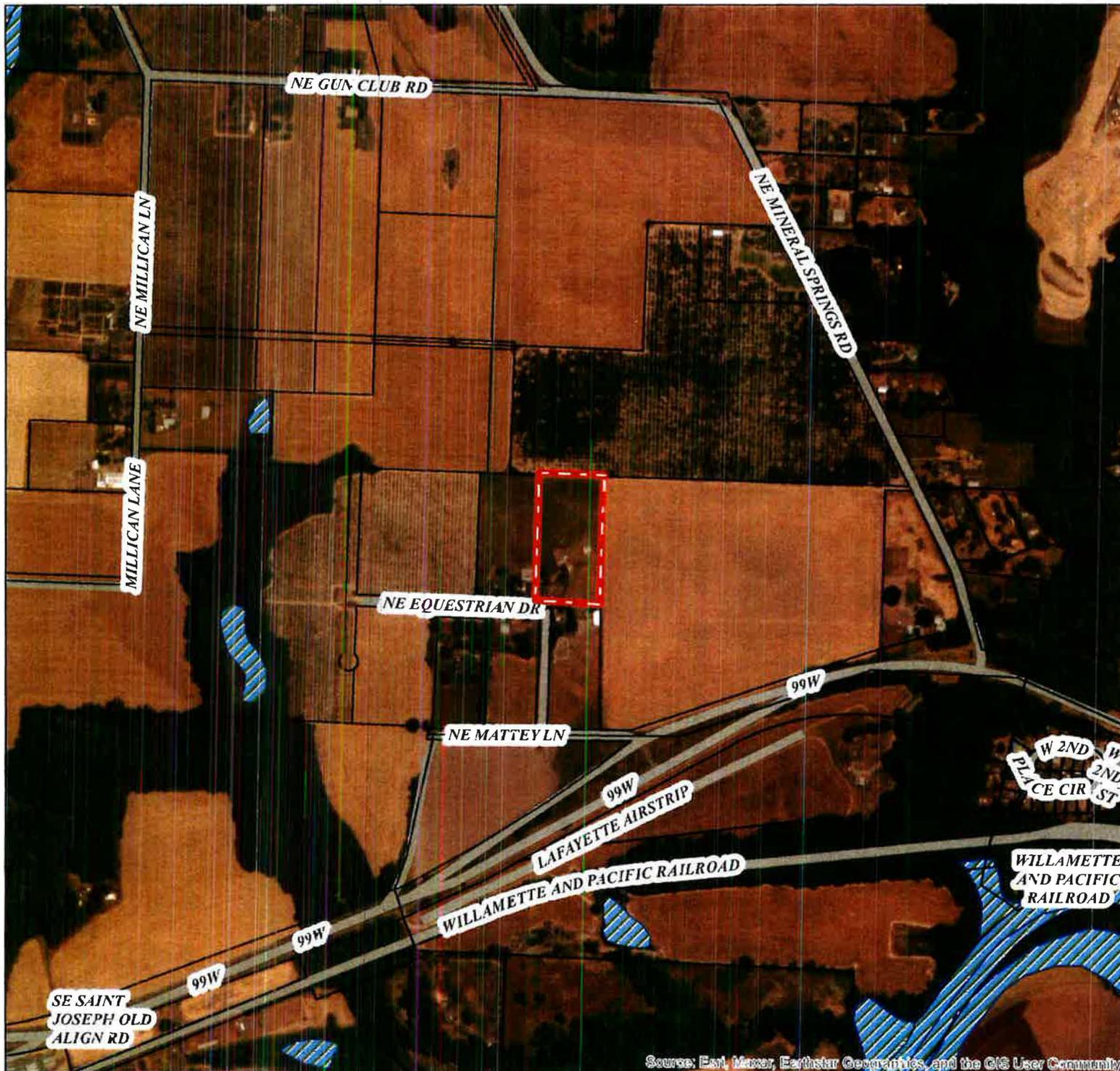
Docket: C-01-25

10431 NE Equestrian Dr

 Subject Parcel(s)

Tax Lot: R4401 02300

Lot Acreage: 5.5



 Wetland

FEMA Flood Zone

 Base Flood Elev (ft)

 100 Year Zone

 Floodway

Approximate Locations & Dimensions

1 inch = 700 feet



Exhibit A

Last Update: July 8, 2025-404

Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

**YAMHILL COUNTY
TAX LOT INFORMATION
&
CONTEXTUAL MAP**



Property Information
Docket: C-01-25

10431 NE Equestrian Dr

 Subject Parcel(s)

Tax Lot: R4401 02300
Lot Acreage: 5.5

 Wetland

FEMA Flood Zone
 Base Flood Elev (ft)

 100 Year Zone

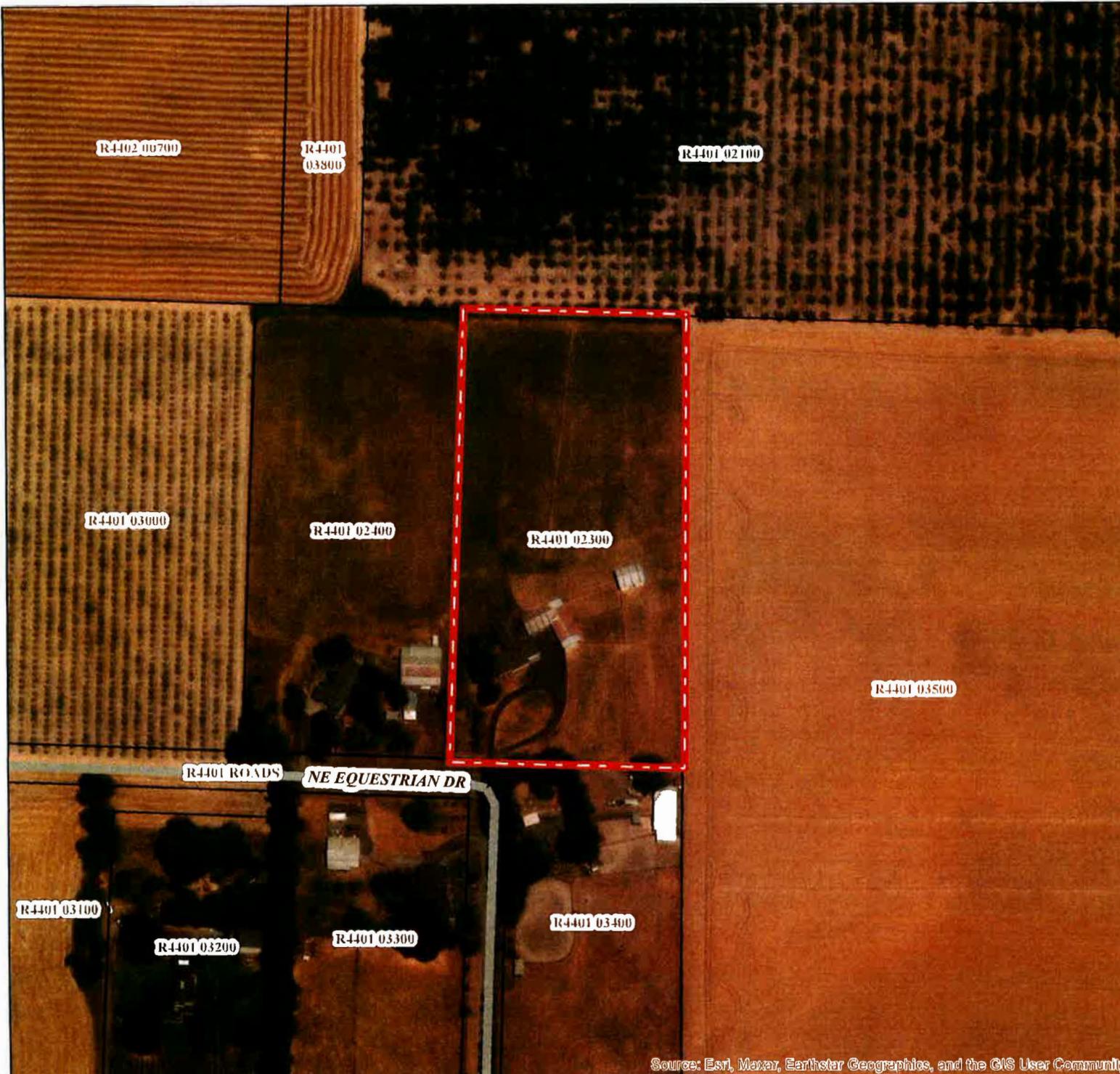
 Floodway

Approximate Locations & Dimensions
1 inch = 200 feet



Source: Esri, Maxar, Earthstar Geographics, and the GIS User Community

Exhibit A
Last Update: July 08, 2022
B.O. 25-404



ATTACHMENT B

MEMORANDUM TO BOARD OF COMMISSIONERS FROM LANCE WOODS,
OCTOBER 23, 2025

Yamhill County

DEPARTMENT OF PLANNING AND DEVELOPMENT

400 NE BAKER STREET | McMinnville, Oregon 97128

Phone:(503) 434-7516 | Fax:(503)434-7544 | TTY 800-735-2900 | Internet Address: www.yamhillcounty.gov

October 23, 2025

MS ___ KJ ___ BK ___ CB/JG ___

MEMORANDUM

To: Board of Commissioners

From: Lance Woods, Senior Planner

Re: **Docket C-01-25, Javier Ceja and M & H Oregon Construction, LLC**

The hearing is an appeal of the Planning Director's approval of a conditional use permit request for the operation of a loss mitigation business as a home occupation. The proposed business would provide support and assistance to property owners in managing and reducing damage that may occur due to water or fire damage, or other emergencies and would operate on Tax Lot 4401-02300, at 10431 NE Equestrian Drive, McMinnville. The use will entail the storage and mobilization of equipment and work vehicles.

The above application is scheduled for a public hearing on October 30, 2025. The decision was appealed by Larry & Heidi Goodroe. The contents of the record are as follows:

- I. Staff Report and Decision Letter
- II. Application
 - a. Letter of Incompleteness
 - b. Response to Letter of Incompleteness
- III. Appeal Application
- IV. Public Notice
- V. Public Agency Reports
- VI. Comments Received

ATTACHMENT C

LETTER FROM ISIDRO JAVIER CEJA TO YAMHILL COUNTY BOARD OF
COMMISSIONERS, NOVEMBER 6, 2025



November 6, 2025

VIA EMAIL (planning@yamhillcounty.gov)

Yamhill County Board of Commissioners
535 NE 5th Street
McMinnville, OR 97128

Re: Supplemental Testimony of Isidro Javier Ceja – Docket No. C-01-25

Dear Chair Johnston, Commissioner Starrett, and Commissioner King:

My name is Isidro Javier Ceja. Together with my wife, Sara Herrera Contreras, I own and reside full-time at 10431 NE Equestrian Drive, McMinnville, OR 97128. For your reference, I've attached a copy of our online property account summary from the Yamhill County Assessor's Office (Exhibit A). Our approximately 5-acre parcel is zoned Exclusive Farm Use (EF-40) and is surrounded by similarly sized and zoned properties, as well as larger EFU-zoned parcels (Exhibits B and C).

Earlier this year, I applied for a conditional use permit (CUP) to operate our family business, J&S Restoration and Reconstruction, LLC, as a home occupation in a barn on our property. After a thorough review, Planning Director Ken Friday approved our CUP on September 12, 2025, concluding that our application met all applicable legal standards. Director Friday's office also imposed 15 conditions of approval to ensure compliance and minimize impacts on our neighbors.

Sara and I value being good neighbors. When we moved in last year, I personally introduced myself to each of our neighbors and shared our plans for our property. When I learned that my neighbors had concerns about construction-related impacts at our property this summer, I sent them a follow-up letter attempting to reassure them of my neighborly intentions (Exhibit D). Despite my efforts, our neighbors, Larry and Heidi Goodroe, have now appealed our CUP. Other neighbors—the Winkelmans and the Brucks—also submitted comments and testified in opposition.

Unfortunately, I now find myself on the receiving end of an aggressive land use appeal. While I understand that change can feel unsettling, I had hoped for a neighborly dialogue rather than immediate escalation to litigation. It's disappointing that our neighbors chose to involve a land use attorney rather than simply speak with us about their concerns. Many statements made by the appellants and their attorney at last week's Board hearing mischaracterized my family, our business, and our intentions, and I feel it is important to set the record straight. Please also note that, unfortunately, I have now had to hire my own land use lawyer (Merissa Moeller, a partner with Stoel Rives LLP in Portland), who will be submitting a written legal argument on my behalf during the Board's open record period.

With that context, I appreciate the opportunity to offer the following clarifications.

Recent Construction Activities:

Sara and I purchased our property in July 2024 with the intention of making it our “forever home.” During our first year, we’ve planted Christmas trees, begun raising chickens, and temporarily hosted our adult daughters (Stephanie, during her summer break from college at OSU, and Angeles, who serves in the Army National Guard Reserve and is now deployed). My wife’s elderly parents, who are in poor health, will eventually move in with us so we can care for them. To prepare for this, we secured County approval in July 2025 to convert our existing barn into a temporary hardship dwelling (Exhibit E). We also received a permit in February to construct a new barn for our business (Exhibit F). We worked tirelessly to complete both construction projects this summer so we could minimize disruption to our neighbors, and both projects are nearly complete.

For your reference, I am attaching a series of photos taken of our property last year and earlier this year, before we completed construction (Exhibit G), as well as a series of photos taken of our property yesterday, November 5, 2025 (Exhibit H). In Exhibit G, the dilapidated building is the old barn that we have now converted to a temporary hardship dwelling (not depicted in Exhibit H). In Exhibit H, the main gray building is the new barn approved by the County earlier this year, where we are now proposing to locate our home occupation activities.

In short, this year has been unusually busy for our family. We chose to begin farming and tackle two major construction projects, all while parenting our adult daughters and preparing to care for aging parents. We understand that the increased vehicle traffic and construction noise this summer may have surprised our neighbors. But these activities are temporary and typical of rural living. Our construction is wrapping up, our daughters have returned to their busy lives, and the farming season is winding down. We ask for our neighbors’ understanding and, frankly, tolerance. Differences in daily family life are not something that neighbors should be able to micromanage through the land use process. They are simply part of co-existing in a diverse and evolving community.

Nature of Our Family Business:

Our loss mitigation business is a true small family business. We have only five employees—if you count Sara and me (the “J” and “S” in “J&S Restoration and Reconstruction”). Our team also includes our daughter Angeles (part-time); our crew chief, Carlos Alberto Servin; and Lisa Springer, our marketing and office manager—whom you met at last week’s hearing.

We currently operate out of a family home in McMinnville, where our family lived from 2006 to 2024, and where we've operated our business since 2019, with no complaints from neighbors (Exhibit I). We're seeking to relocate to our property so our daughter Stephanie can live in our old family home. To be clear, and to correct statements made by our neighbors and their attorney at the hearing, we are not currently operating our business out of the barn at our property. For your reference, I am providing recent photos of our current business location, which illustrates how few impacts our business actually has on neighboring properties (Exhibit J.)

I previously shared a summary of the general services that loss mitigation businesses provide. (Exhibit K). Based on comments made at last week's hearing, I believe my neighbors and their attorney may have misinterpreted that document and greatly misunderstood the scope of business activities proposed for my home occupation. (For example, our neighbors' attorney referred to our business as a "contractor's business," which is not correct.) To set the record straight: We are a loss mitigation business, and we are proposing to locate an office and equipment storage in a barn. All other business activities will take place offsite at customers' businesses and homes.

The specific business activities I am proposing for my barn are as follows:

1. Our marketing and office manager (Lisa) will perform computer-based office tasks at a business office in the barn during normal business hours (typically, no earlier than 7 a.m. and no later than 5-6 p.m.). This role involves, among other things, answering customer phone calls and scheduling customers for loss mitigation services. No customers will visit our office; instead, all scheduling will occur over the phone or the computer.
2. Our business has one dedicated pickup truck, one van, and two trailers, which will be stored on the property when not in use. We also have personal family vehicles on our property. Although our neighbors stated at the hearing that we have three dedicated business vehicles, that is incorrect. Our neighbors appear to be conflating our business vehicles and our family's personal vehicles.
3. The barn will primarily be used to store equipment (generators, pumps, vacuums, fans) similar to or smaller than farming equipment commonly found in the Exclusive Farm Use zone. Most equipment cleaning will occur offsite, but some minor cleaning may occur onsite (similar to routine farm equipment maintenance). We will also store carpet cleaning products and cleaning chemicals. We prioritize non-toxic, environmentally friendly cleaning products

(Exhibit L), and the types of cleaning products we use can be easily purchased over the counter by any member of the public. We are not proposing to store unusually toxic materials or chemicals – particularly, compared to the types of materials and chemicals (fertilizer, herbicides, petroleum products, etc.) typically found in the Exclusive Farm Use zone. We would also note that all our employees hold certifications from the Institute of Inspection Cleaning and Restoration (IICRC), which requires undergoing special training and certification, including in hazardous materials management. (Exhibit M).

4. Our crew chief will be onsite during business hours (again, typically no earlier than 7 a.m. and no later than 5-6 p.m.) to manage equipment in the barn and load it onto vehicles as needed for loss mitigation jobs.
5. We typically respond to an average of three service calls per day. Our business fluctuates seasonally, so we may respond to more daily calls on average in the winter (for example, when pipes freeze and burst more commonly) and fewer daily calls on average in the summer. Most service jobs are scheduled in advance, allowing us to load equipment once in the morning and return in the evening. Sometimes, we may need to return midday for additional equipment.
6. I estimate that, based on my experience, in a typical week, we may have an average of 3-4 round-trip business-related vehicle trips from our property per day (which includes, for example, Sara and I returning home for lunch). Because our business fluctuates, it is entirely possible we may have 0 business-related vehicle trips from our property on any given day. Based on my experience, I estimate that the maximum number of business-related vehicle trips from our property in a single day would be 10 round trips. However, this would be extremely unusual and would only occur if a significant number of customers in our community were experiencing emergencies at the same time, due to an extreme community-wide weather event or similar crisis.
7. The reality of our work is that emergencies sometimes occur outside of traditional business hours. We perform an essential community service in helping our customers respond to emergencies, which means we need to be available to our customers at all times. We imagine our neighbors can appreciate how important this is, if they themselves have ever experienced a catastrophic home flooding event. However, we are a 24/7 emergency response business, not a 24/7

business. Said differently, while we pride ourselves on “24/7 service,” that means that we are available to take customers’ calls at all times. That does not mean that we physically respond to customers’ emergencies at all times. In fact, we almost never need to respond to emergency loss mitigation jobs in the evening (after 5 or 6 p.m.).

8. To be clear, we consider our normal operating hours (when we travel offsite to actually serve customers) to be Monday through Friday, 7 a.m. to 5-6 p.m. We do serve customers offsite on weekends, typically between 7 a.m. and 5-6 p.m.; however, we consider these calls to be “overtime” jobs, and we prioritize weekends for family time whenever possible. After 5-6 p.m. on weekdays, and on Saturdays and Sundays, Sara and I are “on call” to take customers’ calls and schedule customers for service—usually for the next weekday. In extremely rare circumstances, we may need to travel to respond to an emergency call outside of normal business hours. As a point of reference, in all of 2025, we have only left our business property to respond to two night-time emergency calls (one at around 10:00 p.m. and one at around 11:00 p.m.)—both from our current home in McMinnville.

Other Items Raised by Our Neighbors:

I also want to address a few other items raised by our neighbors and their attorney at last week’s hearing.

First, we learned at the hearing that one of our neighbors had recorded vehicle trips from our property this summer (without our knowledge) and counted a maximum of 37 trips from our property on one day. We understand that number refers to the total number of cars that passed a Ring camera or similar device. This number is not a helpful data point because (1) it is not possible to distinguish which of those trips were related to our personal life, construction, or something else, and (2) the actual traffic impacts associated with our business will be significantly less (as discussed above).

Related, our neighbors’ attorney suggested that we should be required to hire a traffic engineer and noise consultant. We have not hired a traffic engineer or noise consultant precisely because our business’s impacts are minimal. As noted, we are proposing to locate an office and equipment storage in a barn. These activities are, at most, comparable in scale and intensity to farming activities permitted outright in the EFU zone, which (as Yamhill County has proactively informed all residents who choose to live in the EFU zone) can cause noise, vibrations, dust, glare, and traffic impacts. (Exhibit N.) Far more likely, our neighbors will find that any noise, vibrations, dust, glare,

or traffic associated with our business will be significantly less intrusive than typical farming operations allowed in the EFU zone where they have chosen to live.

Our neighbors have also raised concerns about light related to our night-time business operations. To reiterate, we are not currently operating our business out of the barn at our property. We also note that there are two street lamps on or adjacent to the Goodroes' property and, in fact, our shared street is very well-lit at night. (Exhibit O.) It is difficult to imagine how our business could cause adverse light impacts to any of our neighbors at night, given our planned operations and the existing night-time lighting conditions on our street.

Our neighbors have also raised concerns related to drainage at our property during construction this summer. None of these concerns are related to our current home occupation permit application; however, I do want to clarify that the County reviewed and approved our excavation and drainage plans before we began construction and inspected our property and approved our drainage system after construction. (Exhibits B and P.)

Finally, it's worth noting that, when Larry Goodroe constructed a barn on his property last spring (Exhibit Q), I did not object or file any complaints. Mr. Goodroe's barn is also quite large in relation to his home, (Exhibit B), and construction noise related to the barn occurred during early hours (before 6 a.m.). Mr. Goodroe's barn also has two very bright LED lights that shine on our property at night and that we would prefer not to see. (Exhibit R.) Nonetheless, I understood that Mr. Goodroe was making improvements to his land, consistent with the rural character of our neighborhood. I respected his right to do so, even though it brought temporary inconveniences and changes to our shared street. I had hoped for the same level of understanding and neighborly courtesy in return.

Thank you for the opportunity to clarify our position. If the Board approves our application, we will continue to comply with all conditions of approval and work in good faith to maintain a positive relationship with our neighbors and the County.

Sincerely,



Isidro Javier Ceja

Exhibit A

**Yamhill County Assessor's Office – Online Property Account
Summary, 10431 NE Equestrian Drive**



Yamhill County, Oregon
"In the Heart of the Willamette Valley"

535 NE 5th Street
 McMinnville, OR 97128
 503-434-7521

Property Account Summary

11/5/2025



Click image above for more information

Account Number	121816	Property Address	10431 NE EQUESTRIAN DR , MCMINNVILLE, OR 97128
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General Information

Alternate Property #	R4401 02300
Property Description	See Metes & Bounds
Property Category	Land &/or Buildings
Status	Active, Locally Assessed, Use Assessed
Tax Code Area	40.2
Remarks	POTENTIAL ADDITIONAL TAX LIABILITY

Tax Rate

Description	Rate
Total Rate	12.4732

Property Characteristics

Neighborhood	Rural McMinnville
Land Class Category	551 Farm EFU Receiving FUV/imp
Account Acres	5.5000
Change Property Ratio	Farm

Parties

Role	Name
Owner	CEJA ISIDRO J
Owner	CONTRERAS SARA H

Related Properties

No Related Properties Found

Property Values

Value Type	Tax Year 2025	Tax Year 2024	Tax Year 2023	Tax Year 2022	Tax Year 2021
Assessed Value AVR	\$247,179	\$240,099	\$233,225	\$226,551	\$220,073
Exempt Value EAR					
Taxable Value TVR	\$247,179	\$240,099	\$233,225	\$226,551	\$220,073
Real Market Land MKLTL	\$611,895	\$575,678	\$502,895	\$411,093	\$291,980
Real Market Buildings MKITL	\$332,047	\$379,439	\$351,055	\$403,585	\$320,215
Real Market Total MKTTL	\$943,942	\$955,117	\$853,950	\$814,678	\$612,195
M5 Market Land MKLND	\$108,693	\$102,061	\$88,640	\$72,344	\$51,087
M5 Limit SAV MSSAV	\$19,687	\$19,944	\$19,840	\$19,197	\$18,760
M5 Market Buildings MKIMP	\$332,047	\$379,439	\$351,055	\$403,585	\$320,215
M50 MAV MAVMK	\$238,319	\$231,378	\$224,639	\$218,096	\$211,744
Assessed Value Exception					
Market Value Exception					
SA Land (MAVUsc Portion) SAVL	\$8,860	\$8,721	\$8,586	\$8,455	\$8,329

Active Exemptions

No Exemptions Found

Tax Balance

Installments Payable

Tax Year	Installment	Due Date	Principal	Interest, Penalties and Costs	Total Due	Cumulative Due	Discount	Adj Total Due
2025	1	11/15/2025	\$1,027.71	\$0.00	\$1,027.71	\$1,027.71	\$0.00	\$1,027.71
2025	2	02/15/2026	\$1,027.70	\$0.00	\$1,027.70	\$2,055.41	\$41.11	\$2,014.30
2025	3	05/15/2026	\$1,027.70	\$0.00	\$1,027.70	\$3,083.11	\$92.49	\$2,990.62

Installments Payable/Paid for Tax Year(Enter 4-digit Year, then Click-Here): 2025

Receipts

Date	Receipt No.	Amount Applied	Amount Due	Tendered	Change
11/14/2024 00:00:00	1311119	\$3,005.61	\$3,005.61	\$2,915.44	\$0.00
10/17/2023 00:00:00	1242310	\$2,913.75	\$2,913.75	\$2,826.34	\$0.00
10/27/2022 00:00:00	1194420	\$2,614.38	\$2,614.38	\$2,535.95	\$0.00
10/28/2021 00:00:00	1146184	\$2,552.69	\$2,552.69	\$2,476.11	\$0.00
10/30/2020 00:00:00	1099337	\$2,483.33	\$2,483.33	\$2,408.83	\$0.00

Sales History

Sale Date	Entry Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Other Parcels
07/10/2024	07/22/2024	2024-06343	\$956,750.00	279550	S	S	No
04/30/2019	05/16/2019	2019-05263	\$441,000.00	257418	S	S	No
12/03/2003	12/03/2003	2003-30581	\$291,000.00	117383	S	S	No

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths
1400	0 X 0	1971	4	1	3	2	0

Exhibit B

**Aerial Image of 10431 NE Equestrian Drive and
Surrounding Area with County Notes**

RECEIVED

NOV 04 2025

MANHATTAN COUNTY
PLANNING DEPARTMENT



Smith
Barn 1,980sqft estimate

03100

03200

Goodroe
2025 3,600sqft

03300

Winkelman
1983? 2,000sqft estimate

03400

03000

Bruck
Old Barn 3,422 sqft estimate

02400

Ceja
2024 6,480sqft

02300

03500

Northeast Matley Lane

Northeast Equestrian Drive

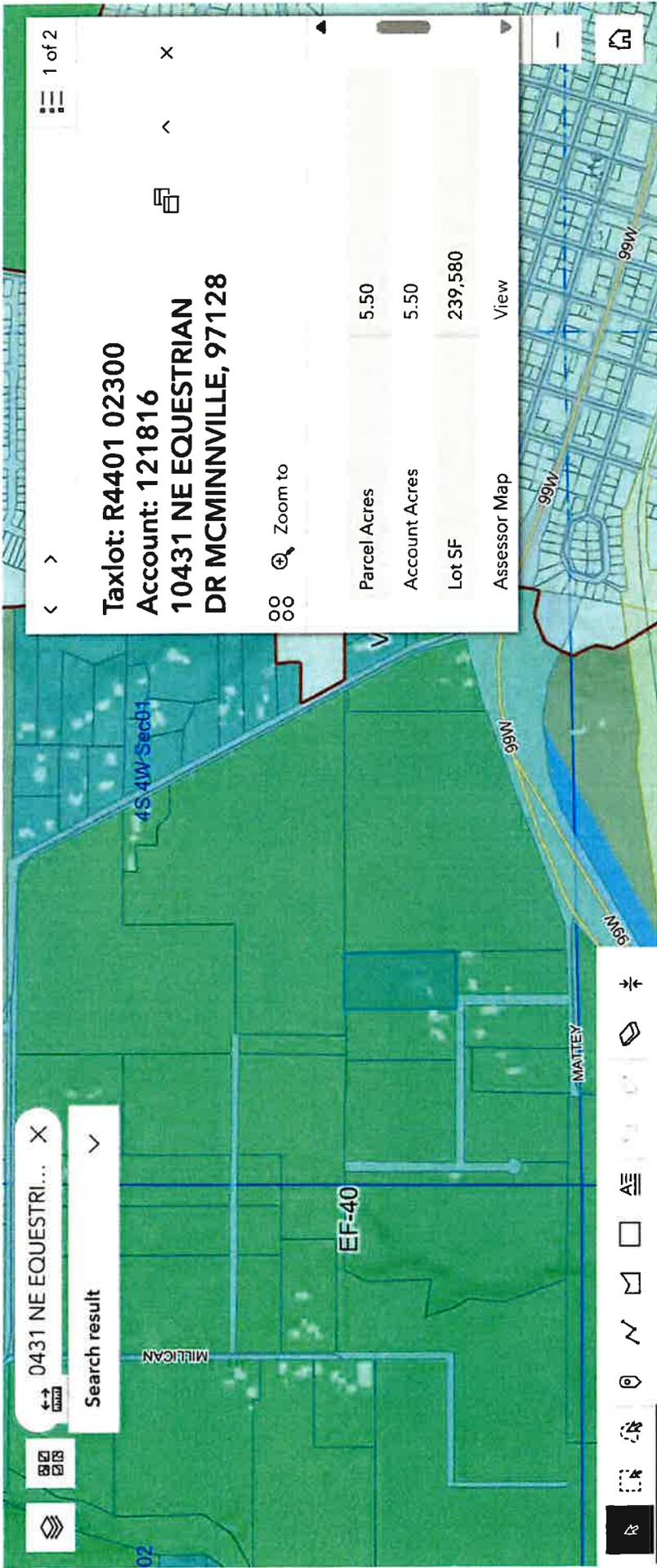


Exhibit C

**Yamhill County GIS Zoning Map Overview of 10431 NE Equestrian Drive
and Surrounding Area**

Dear Equestrian neighbors,

It has come to my attention that there have been complaints filed against my property and the building being made. I wanted to clear up some of the worries that were part of the complaint. Yet I want to highlight that it was never my intention to be a 'bad neighbor.' I met all of you in person to make sure I gave a good impression of myself. Before the construction started I wanted to make sure everyone was aware of what was going to be built, everyone got a letter from Yamhill County that it was going to be constructed. From that, I got the impression that there was no problem. Yet there has been some misleading information that has been circulating within the complaints and I wanted to provide the correct information so there is no more confusion or misinformation.

1. Too much traffic

One of the biggest concerns made in the letters is that there is too much traffic and increase in vehicles. During this time due to ongoing construction, it is to be expected to have people involved in the construction to come to the property. I have spoken to those people to follow the speed limit as posted. According to the city rules in McMinnville, construction can happen between 7 a.m to 6 p.m.

2. Noise complaint

Regarding the noise, we have limited construction to the allowed hours of 7 a.m to 6 p.m. We have not started any time earlier from those times. Since it is within our rights to start at that time on my property.

3. Too much water use and risk of contaminating water

We as of the start of the construction have not used a significant amount of water. The only place we are using the water is for our everyday lives in our home, and to water our crops and Christmas trees. Going onto the risk of contaminated water, we DO NOT use the water to supposedly contaminate dirt or water with chemicals. The concern of cleaning contaminated items on our property with the risk of contaminating ground water was raised, but mold, fire, and water contaminated items are always properly disposed of, and NOT cleaned on my property. As well, equipment used on job sites are always cleaned onsite, NOT on my property.

4. Operation of business

It has come to my attention that there is speculation that we are currently operating my business, J&S Restoration and Reconstruction LLC, from the Equestrian Dr. location. This is not true, we park our vehicles at the property to make it accessible to drive to different job sites. We DO NOT have any equipment stored in the Equestrian Dr. location. That is why we are currently

Exhibit D

July 29th, 2025 Letter from Javier Ceja to Neighbors

building a place where we can store our equipment. Which is our right to do so since we have all permits approved that are allowing us to do so, including approval from the fire department.

5. Number of vehicles coming to the property

We, the Ceja family, are a fairly big family. We all have our own vehicles to transport ourselves in, which comes back to the point of traffic. Again, it is our right to drive as many times as necessary up and down the street, since we are a busy family and have places to be. Additionally, everyone that lives in this neighborhood drives up and down the road so we are not the only ones producing dust. While staying within the posted speed limit, a natural factor of driving on gravel is to produce dust as well as noise since it is not a concrete street. We also have an Orchard field and surrounding farm land, therefore we aren't the only ones producing dust. We acknowledge the fact that it is a neighborhood and the safety of our neighbors is our number one concern and would never actively put the safety and lives of those at risk.

6. Little to no vegetation

This point is probably one of the biggest complaints that we have received. It might seem that way from the entry of the property, but that is not the case. We are well aware that we are in an EF-40 area, so we have over 4,500 christmas trees growing, different types of crops, and we also have poultry. Therefore our property does follow the EF-40 regulation that is in place.

7. 'Pole building' and business advertisement

We are NOT building a pole building, and we never made plans to build one. The building that is currently being constructed is for storage of our equipment and offices. With the advertisement of the businesses, we were not aware that it was in some sort of violation but respected the rules and took it down as soon as we were made aware of a possible issue. Also, we have another undergoing permit for an existing building to get health dwelling hardship for my parents-in-law. This separate building has NOTHING to do with the building for our business. We have acquired different permits for the business building.

8. Operation within the business and building

Another one of the biggest concerns is our hours of operations. We are a 24/7 company when it comes to response time. We are available to go to an affected jobsite whenever the homeowner calls us. There is no curfew when to drive on the grave road that we all share. It's within our right to drive on it, and we are also mindful that people might be asleep when we are driving on the road. However, I would like to clarify that the building itself is not going to be 24/7. It will have hours of operation. We have yet to discuss and post them, but they will be roughly between 8 a.m to 5 p.m.

9. Any risk of contamination

Another big point that was brought up is the risk of contamination from different jobsites. I would like to highlight I will never run the risk of contamination when it comes to my company and my personal property. I am a state certified Mitigation Contractor. I have more than 20 years of experience in my line of work. My company is also a certified firm with the IICRC, and follows the IICRC S500, which is the Standard For Professional Water Damage Restoration. I'm also a certified AHERA Asbestos Inspector. My wife and daughter are also certified with the IICRC, and have taken classes for these types of things. Not only that, my company is ALSO certified in mold and fire restoration. I will NEVER do anything to cause damage to my family, neighbors, and everyone else.

10. Exposed soil

The many soil mounds that were present in the past are only temporary, as the soil is being actively distributed around the property to any unlevelled areas. As I have recently rented out a piece of heavy machinery to distribute most of the soil mounds.

11. Piping on property

The piping is being used to redistribute the rain water. We also have permits for the construction of the piping that was approved by the county. This construction of the piping will NOT negatively affect anyone.

12. Water tanks

Finally I want to add that the current water tanks are there for any possible fire disaster. They were approved by the Fire Department and are only there for the safety of my home and neighborhood if for any chance, a fire were to start.

I hope that this letter can respond to all of your concerns regarding the construction on my property. Please keep in mind that the construction of my property all has approved permits with it, and I will never build something unlawfully. If there are any more concerns that can affect you directly please do not hesitate to reach out. I will be more than happy to answer your questions. At the end of the day, we are neighbors and we will like to keep things civil or friendly as this is our forever home. You can email me directly at jceja8227@gmail.com and will try to respond as soon as possible. Thank you.

Your neighbors,

Javier Ceja and Sara Herrera

Exhibit E

Temporary Hardship Dwelling Structural Permit, 10431 NE Equestrian Drive



Yamhill County Building Department

400 NE Baker Street
McMinnville, OR 97128
503-434-7516

Fax: 503-434-7544

planning@yamhillcounty.gov

Website:

<https://www.yamhillcounty.gov/283/Planning-Development>

Building Permit

Residential Structural

Permit Number: 979-25-001411-STR

Permit Issued: July 31, 2025

Application Date: May 14, 2025

Project: Javier Ceja

TYPE OF WORK

Residential Specialty Code Edition: 2023

Category of Construction: Other

Type of Work: Alteration

Calculated Job Value: \$194,102.40

Description of Work: Conversion of accessory building to studio/Rec room for hardship with 1 full bath and kitchen.

JOB SITE INFORMATION

Worksite Address

10435 NE EQUESTRIAN DR
MCMINNVILLE OR 97128

Parcel

R4401 02300

Owner:

CEJA ISIDRO J

Address:

10431 NE EQUESTRIAN DR
MCMINNVILLE, OR 97128

Owner:

CONTRERAS SARA H

Address:

10431 NE EQUESTRIAN DR
MCMINNVILLE, OR 97128

LICENSED PROFESSIONAL INFORMATION

Business Name

M & H OREGON CONSTRUCTION
LLC - Primary

License

CCB

License Number

236562

Phone

503-857-5224

PENDING INSPECTIONS

Permits expire if work is not started within 180 Days of issuance or if work is suspended for 180 Days or longer depending on the issuing agency's policy.

Per R105.7 and R 106.3.1, a copy of the building permit and one set of approved construction documents shall be available for review at the work site.

All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the Center at (503) 232-1987.

All persons or entities performing work under this permit are required to be licensed unless exempted by ORS 701.010 (Structural/Mechanical), ORS 479.540 (Electrical), and ORS 693.010-020 (Plumbing).

Inspection	Inspection Group	Inspection Status
1999 Final Building	Struct Res	Pending
1260 Framing	Struct Res	Pending
1020 Zoning/Setbacks	Struct Res	Pending
1110 Footing	Struct Res	Pending
1120 Foundation	Struct Res	Pending
1160 UFER Ground	Struct Res	Pending
1220 Underfloor Framing/Post and Beam	Struct Res	Pending
1410 Underfloor Insulation	Struct Res	Pending
1430 Insulation Wall	Struct Res	Pending
1440 Insulation Ceiling	Struct Res	Pending
1530 Exterior Shearwall	Struct Res	Pending

SCHEDULING INSPECTIONS

Various inspections are minimally required on each project and often dependent on the scope of work. Contact the issuing jurisdiction indicated on the permit to determine required inspections for this project.

Ways to Schedule Inspections

Oregon ePermitting App	Oregon ePermitting Website	Easy Scheduling Website
Search the iOS or Android app store for 'epermitting' or by scanning the QR code below to get instant inspection results.	Schedule or track inspections online at BuildingPermits.Oregon.gov .	Start by visiting BuildingPermits.Oregon.gov > click on Schedule > click on Easy Inspection Scheduling or by scanning the QR code below.
		
For agencies that offer same-day inspection scheduling, the cut off is 7:00 AM.		

PERMIT FEES

Fee Description	Quantity	Fee Amount
Agency Review - County Only	1	\$98.00
Structural building permit fee		\$1,107.01
Structural plan review fee		\$719.56
State of Oregon Surcharge - Bldg (12% of applicable fees)		\$132.84
CET - MCMINNVILLE SD 40 - Res Use		\$1,314.43
CET - MCMINNVILLE SD 40 - Admin Fee - Res Use		\$54.77
Total Fees:		\$3,426.61

Note: This may not include all the fees required for this project.

VALUATION INFORMATION

Construction Type	Occupancy Type	Unit Amount	Unit	Unit Cost	Job Value
VB	R-3 1 & 2 family	960.00	Sq Ft	\$169.09	\$162,326.40
VB	U Utility, misc.	480.00	Sq Ft	\$66.20	\$31,776.00
Total Job Value:					\$194,102.40

Exhibit F

New Barn Structural Permit, 10431 NE Equestrian Drive

RECEIVED

NOV 04 2025

YAMHILL COUNTY
PLANNING DEPARTMENT



Yamhill County Building Department
400 NE Baker Street
McMinnville, OR 97128
503-434-7516
Fax: 503-434-7544
planning@yamhillcounty.gov
Website:
<https://www.yamhillcounty.gov/293/Planning-Development>

Building Permit

Commercial Structural

Permit Number: 979-24-004198-STR

Permit Issued: February 27, 2025
Project: Javler Ceja

Application Date: December 27, 2024

TYPE OF WORK

Structural Specialty Code Edition: 2022

Category of Construction: Commercial

Type of Work: New

Calculated Job Value: \$415,951.20

Description of Work: Storage building for special equipment used for mitigation (Shell Only, new application and plans will be needed for TI.)

JOB SITE INFORMATION

Worksite Address
10431 NE EQUESTRIAN DR
MCMINNVILLE OR 97128

Parcel
R4401 02300

Owner: CEJA ISIDRO J
Address: 10431 NE EQUESTRIAN DR
MCMINNVILLE, OR 97128
Owner: CONTRERAS SARA H
Address: 10431 NE EQUESTRIAN DR
MCMINNVILLE, OR 97128

LICENSED PROFESSIONAL INFORMATION

Business Name	License	License Number	Phone
M & H OREGON CONSTRUCTION LLC - Primary	CCB	236562	503-857-5224

PENDING INSPECTIONS

Inspection	Inspection Group	Inspection Status
1999 Final Building	Struct Com	Pending
1400 Perimeter Slab Insulation	Struct Com	Pending
1430 Insulation Wall	Struct Com	Pending
1440 Insulation Ceiling	Struct Com	Pending
1260 Framing	Struct Com	Pending

SCHEDULING INSPECTIONS

Various inspections are minimally required on each project and often dependent on the scope of work. Contact the issuing jurisdiction indicated on the permit to determine required inspections for this project.

Permits expire if work is not started within 180 Days of issuance or if work is suspended for 180 Days or longer depending on the issuing agency's policy.

Per R105.7 and R 106.3.1, a copy of the building permit and one set of approved construction documents shall be available for review at the work site.

All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the Center at (503) 232-1987.

All persons or entities performing work under this permit are required to be licensed unless exempted by ORS 701.010 (Structural/Mechanical), ORS 479.540 (Electrical), and ORS 693.010-020 (Plumbing).

Ways to Schedule Inspections

Oregon ePermitting App

Search the iOS or Android app store for 'epermitting' or by scanning the QR code below to get instant inspection results.



Oregon ePermitting Website

Schedule or track Inspections online at BuildingPermits.Oregon.gov.



Easy Scheduling Website

Start by visiting BuildingPermits.Oregon.gov > click on Schedule > click on Easy Inspection Scheduling or by scanning the QR code below.



For agencies that offer same-day inspection scheduling, the cut off is 7:00 AM.

PERMIT FEES

Fee Description	Quantity	Fee Amount
Agency Review - County Only	1	\$98.00
Fire life safety plan review		\$808.78
Structural plan review fee		\$1,314.27
Structural building permit fee		\$2,021.95
State of Oregon Surcharge - Bldg (12% of applicable fees)		\$242.63
CET - MCMINNVILLE SD 40 - Admin Fee - Com Use		\$202.18
CET - MCMINNVILLE SD 40 - Com Use		\$4,852.22
Total Fees:		\$9,540.03

Note: This may not include all the fees required for this project.

VALUATION INFORMATION

Construction Type	Occupancy Type	Unit Amount	Unit	Unit Cost	Job Value
VB	U Utility, misc.	6,480.00	Sq Ft	\$64.19	\$415,951.20
Total Job Value:					\$415,951.20

Record Number	Record Type	Project Name	Description	Number	Dir	Street Name	Street Type	Parcel #	Status	Opened
979-25-000881-PLNG	Planning Tracking	C-01-25 Appeal	Appeal of C-01-25 Commercial home occupation	10431	NE	EQUESTRIAN DR	DR	R4401 02300	App Submitted	9/29/2025
979-25-002744-MECH	Commercial Mechanical	Shop Gas line	Run a new main gas line from gas tank to shop building	10431	NE	EQUESTRIAN DR	DR	R4401 02300	Permit Issued	9/9/2025
979-25-002382-ELEC	Commercial Electrical	Wire shop	Storage building for special equipment used for mitigation (Shell Only, new application and plans will be needed for TL.) Goes with structural permit 979-24-004198-STR.	10431	NE	EQUESTRIAN DR	DR	R4401 02300	Permit Issued	8/8/2025
979-25-000050-PRMT	Onsite Permit	R4401-2300 Ceja	New standard system for hardship	10431	NE	EQUESTRIAN DR	DR	R4401 02300	Finald	7/23/2025
979-25-000050-EVAL	Onsite Site Evaluation	R4401-2300 Ceja	Site evaluation for future hardship and commercial use for business	10431	NE	EQUESTRIAN DR	DR	R4401 02300	Site Evaluation Approved	7/3/2025
979-25-001411-STR	Residential Structural	Javier Ceja	Conversion of accessory building to studio/Rec room for hardship with 1 full bath and kitchen.	10435	NE	EQUESTRIAN DR	DR	R4401 02300	Permit Issued	5/14/2025
979-25-001411-PLM-01	Residential Plumbing	Javier Ceja	Conversion of accessory building to studio/Rec room for hardship with 1 full bath and kitchen.	10435	NE	EQUESTRIAN DR	DR	R4401 02300	Permit Issued	5/14/2025
979-25-001411-MECH-01	Residential Mechanical	Javier Ceja	Conversion of accessory building to studio/Rec room for hardship with 1 full bath and kitchen.	10435	NE	EQUESTRIAN DR	DR	R4401 02300	Permit Issued	5/14/2025
979-25-001076-PLM	Commercial Plumbing	Javier Shop	UNDERSLAB PERMIT ONLY. Adding two bathrooms, a laundry area with sink, a mechanical area with hub drain, mop sink, and water heater, and a breakroom with sink. Adding 3 hose bibs.	10431	NE	EQUESTRIAN DR	DR	R4401 02300	Permit Issued	4/17/2025
979-25-000631-ELEC	Residential Electrical		Reted house and main service to feed commercial building.	10431	NE	EQUESTRIAN DR	DR	R4401 02300	Permit Issued	3/5/2025

Exhibit A
B.O. 25-404

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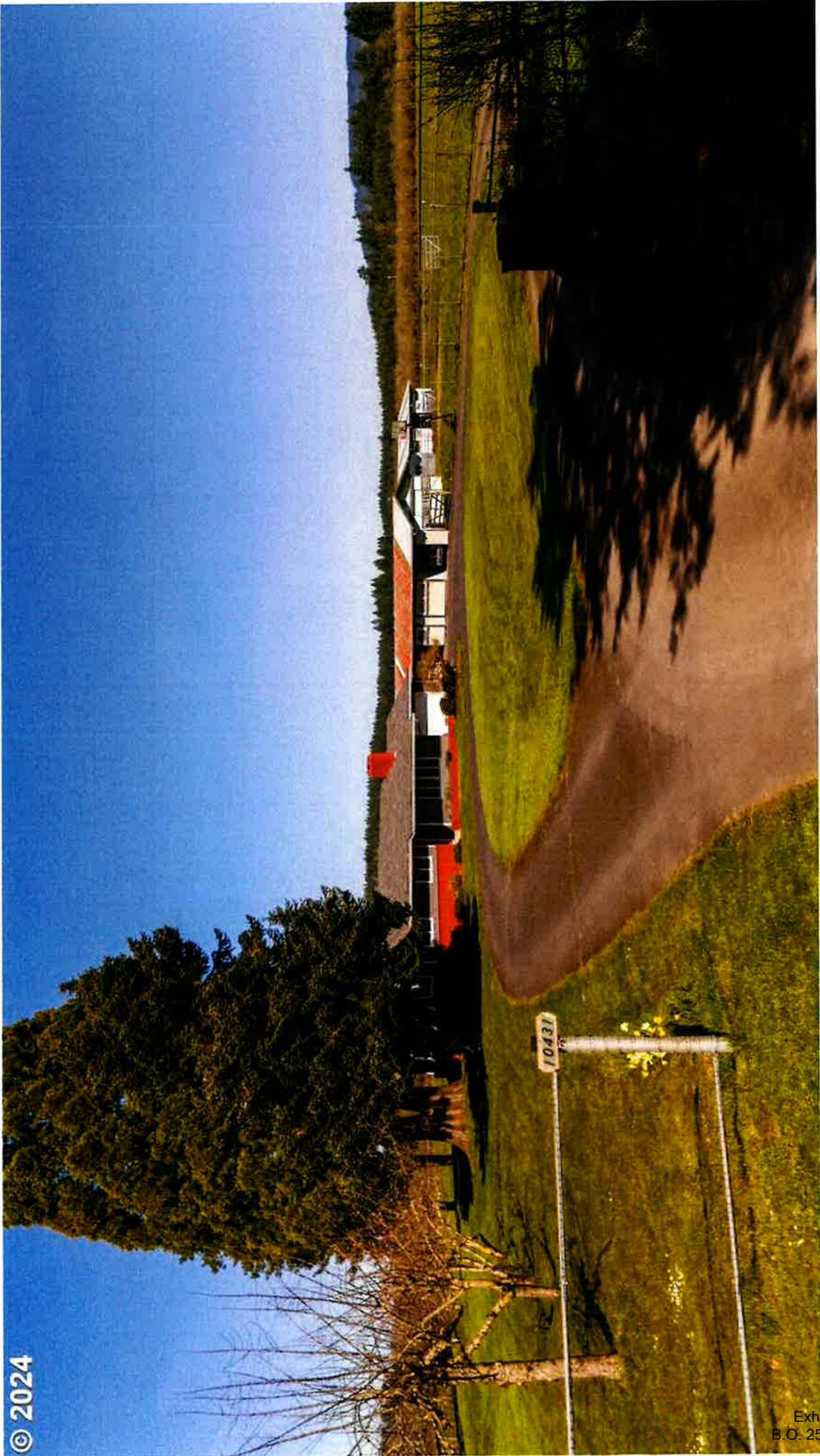
NOV 04 2025

WASHINGTON COUNTY
PLANNING DEPARTMENT

979-25-000125-PLNG	Planning Tracking	C-01-25	10431	NE	EQUESTRIAN	DR	R4401 02300	Decision/Permit Issued	1/24/2025
979-25-000050-AUTH	Onsite Authorization	Javier Ceja	10431	NE	EQUESTRIAN	DR	R4401 02300	Denied	1/24/2025
979-25-000048-PLNG	Planning Tracking	CTS-01-25	10431	NE	EQUESTRIAN	DR	R4401 02300	Decision/Permit Issued	1/9/2025
979-24-004198-STR	Commercial Structural	Javier Ceja	10431	NE	EQUESTRIAN	DR	R4401 02300	Under Insp/Revisions Needed	12/27/2024
979-24-004081-ELEC	Residential Electrical		10435	NE	EQUESTRIAN	DR	R4401 02300	Permit Issued	12/16/2024

Exhibit G

Pre-Construction Photos of 10431 NE Equestrian Drive



© 2024

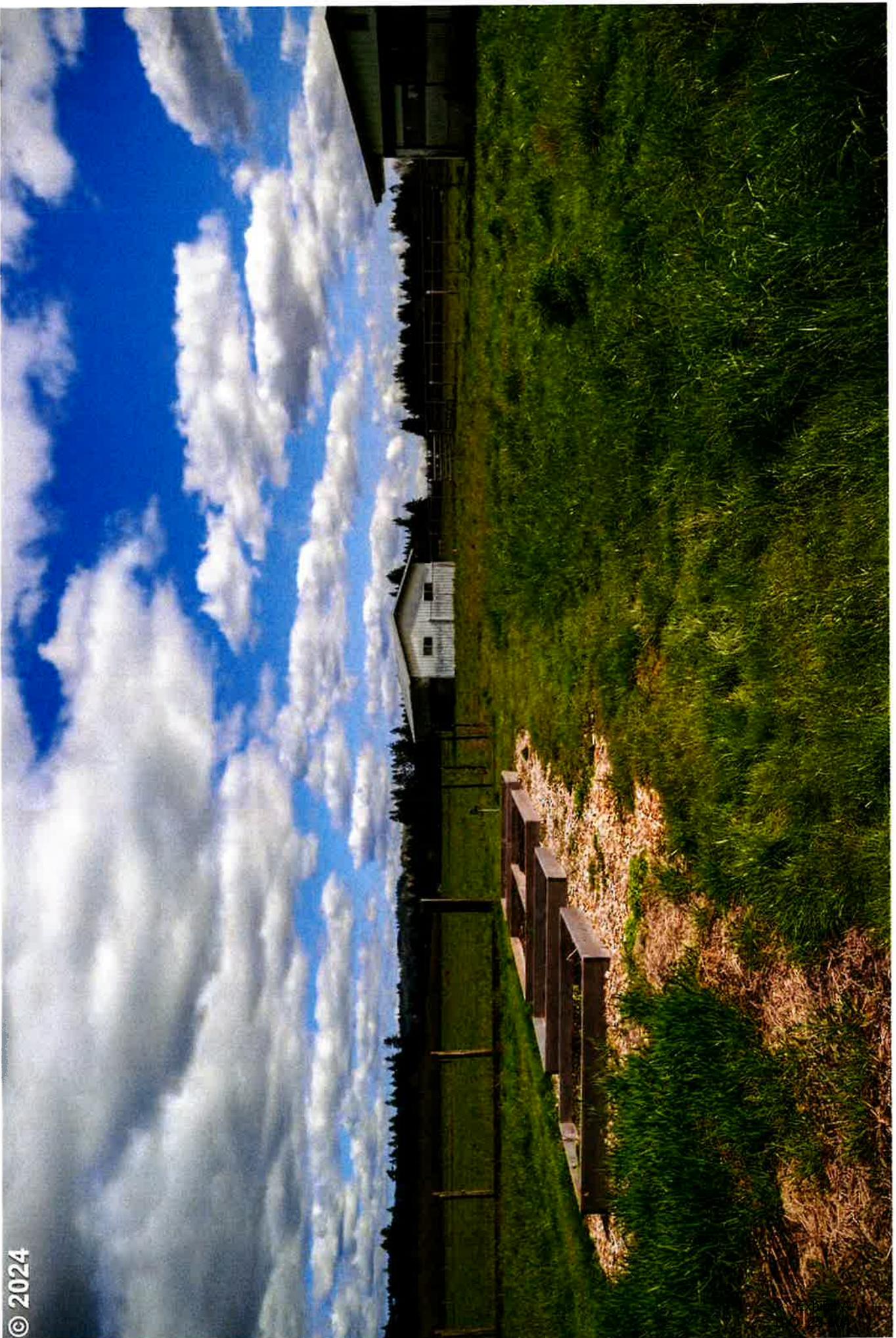
Exhibit A
B.O. 25-404

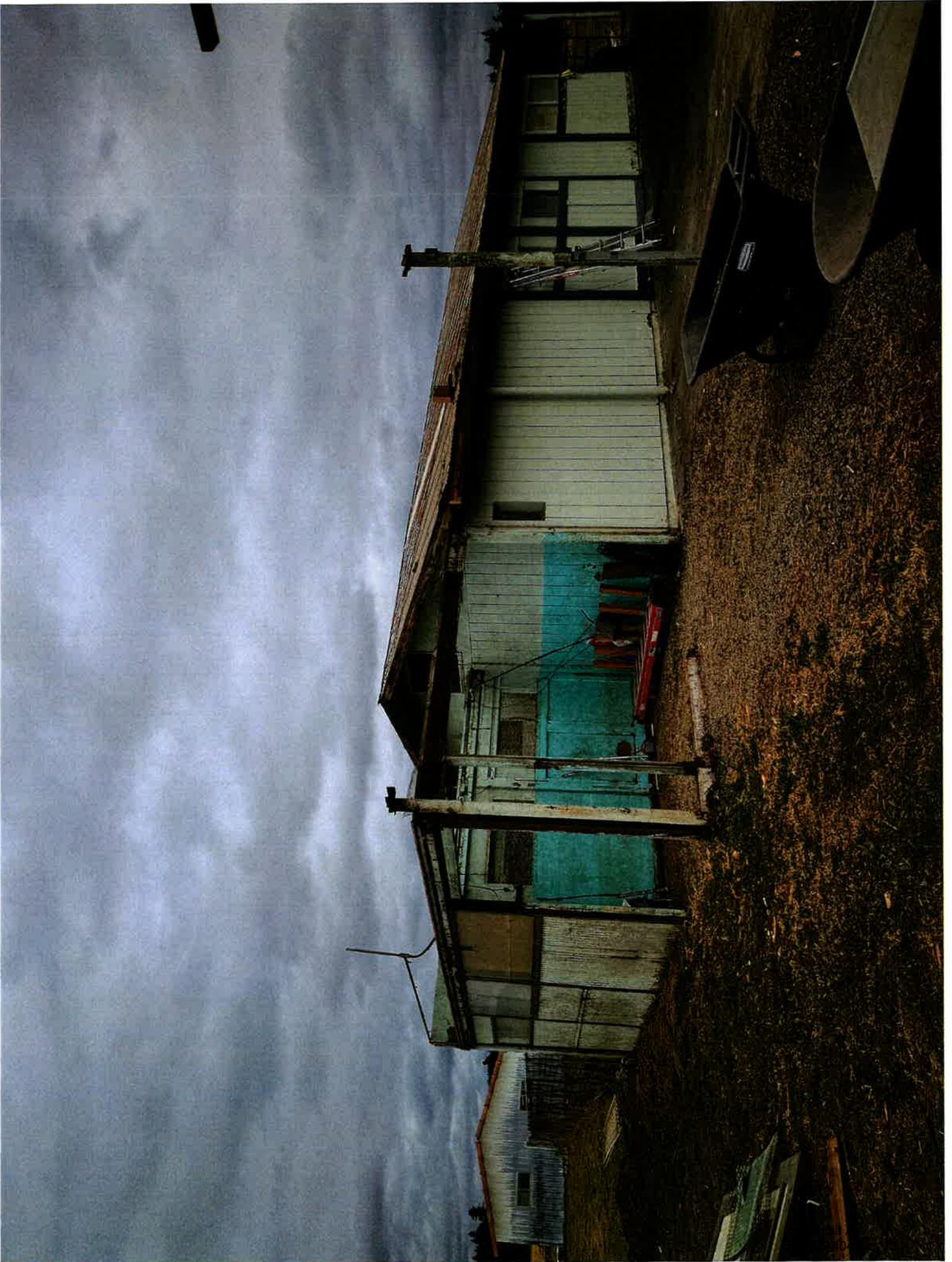


© 2024

Exhibit A
B.O. 25-404

© 2024





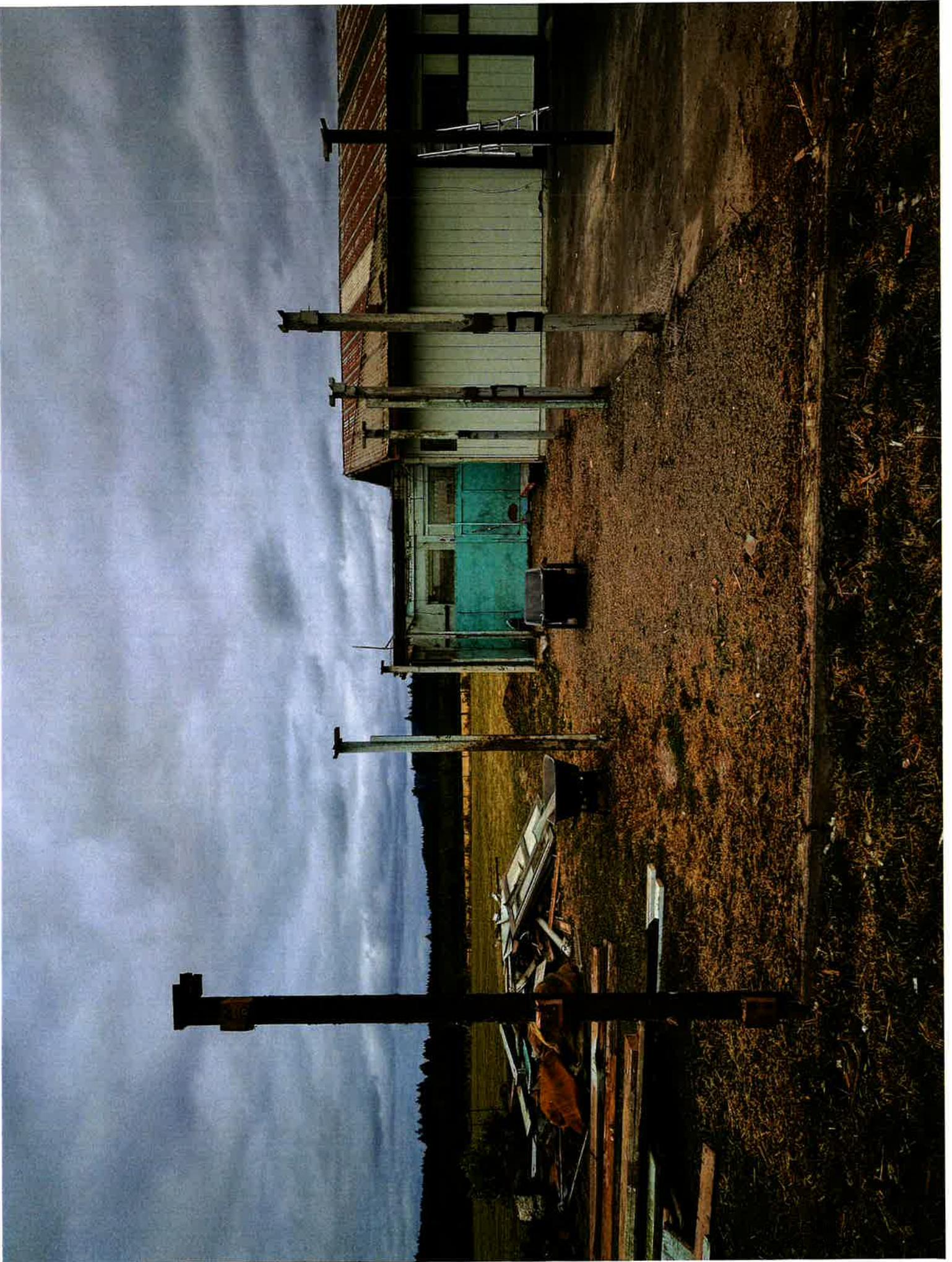


Exhibit H

November 5, 2025 Photos of 10431 NE Equestrian Drive



Exhibit A
B.O. 25-404

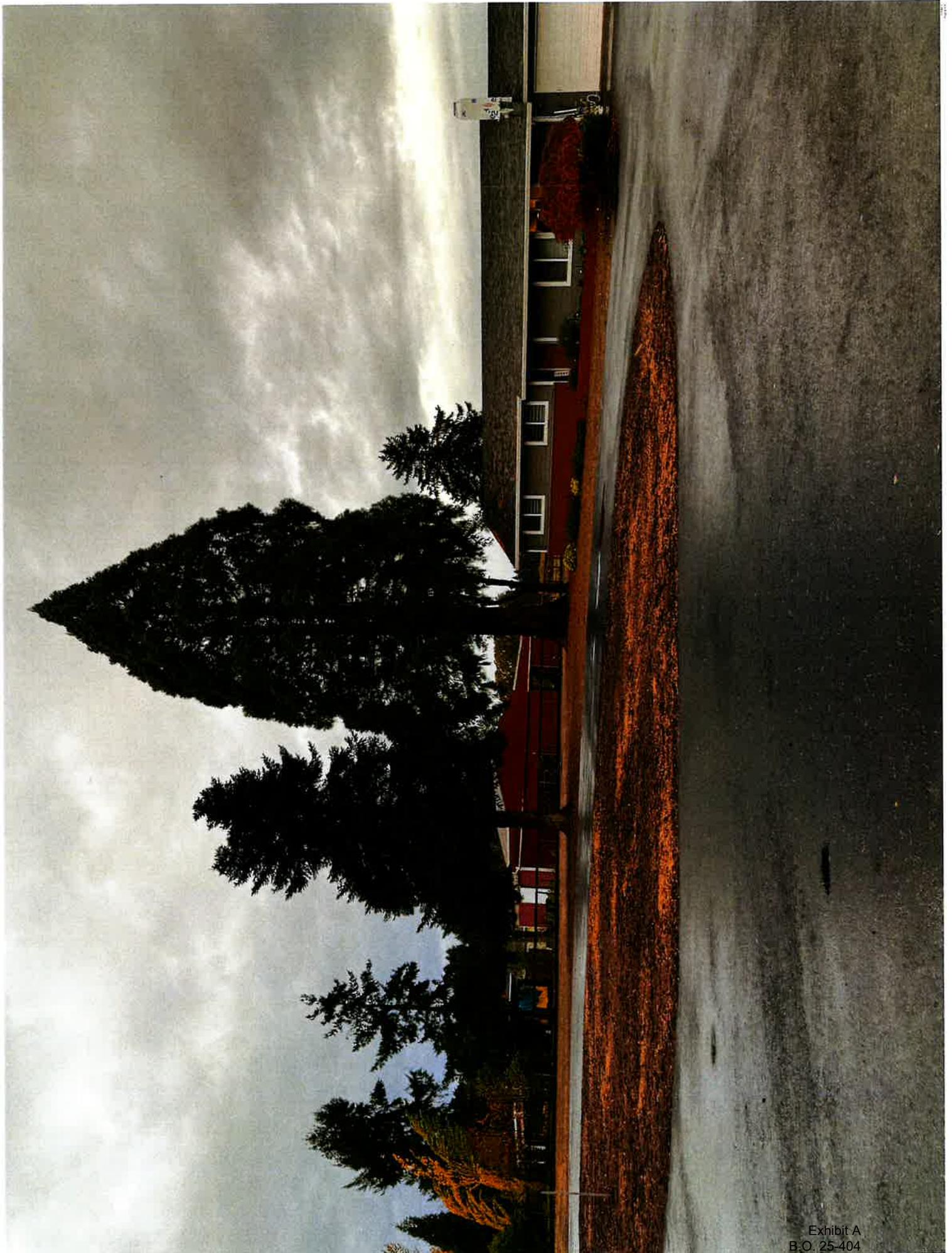


Exhibit A
B.O. 25-404

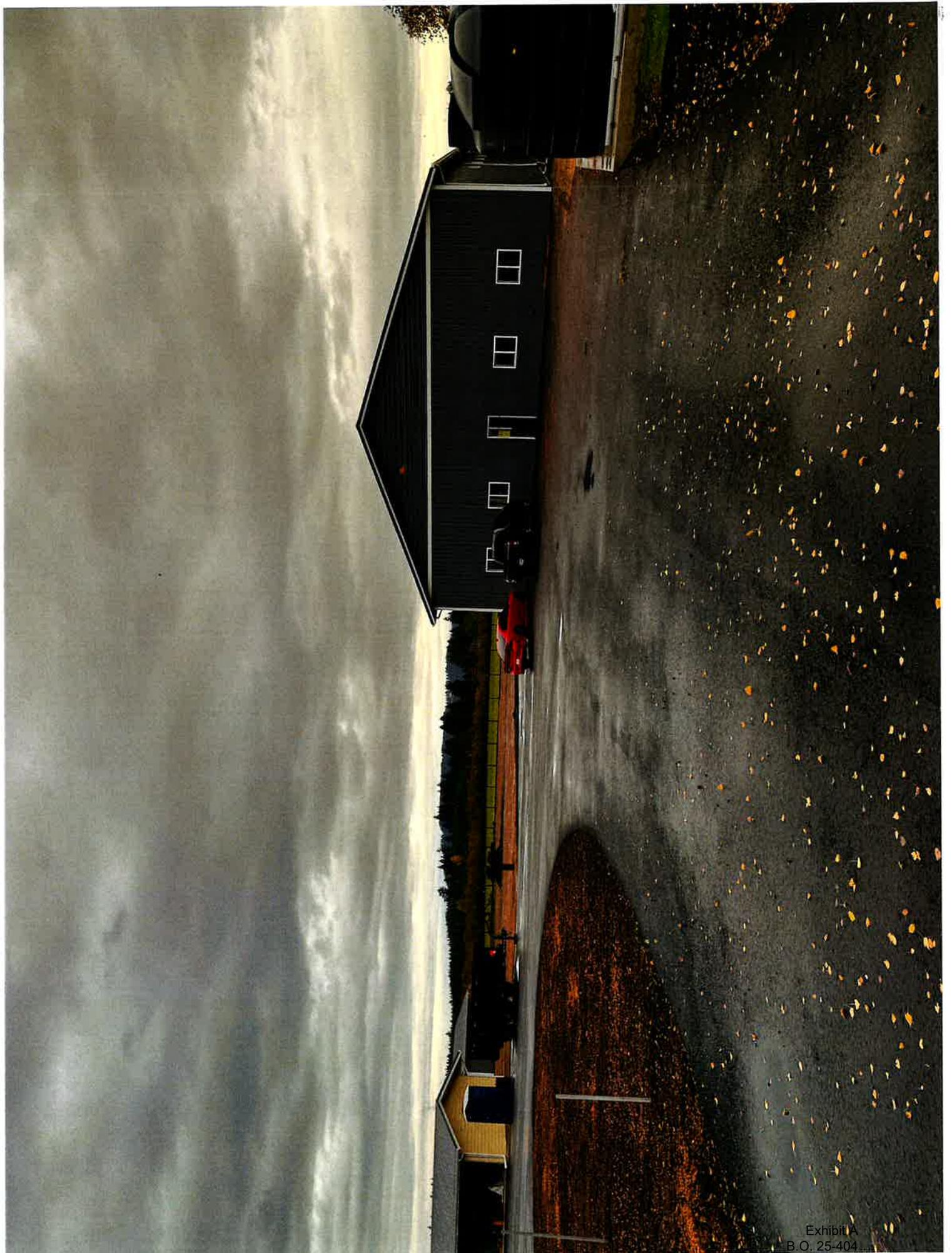




Exhibit I

Letter of Support from Current Business Location Neighbors (McMinnville)

11/4/2025

To whom it may concern,

We are writing this letter in support of Javier Ceja and his business, J&S Restoration and Reconstruction, LLC. We are saddened to hear the struggles that Javier is having trying to improve his business and pursue excellence in serving our community. As long-time community members, we believe this is a business that our community needs!

Javier and his family moved next door to us in 2006. They quickly proved themselves to be good neighbors and we had the joy of watching them raise their daughters.

Javier worked for ServPro for several years but had aspirations of creating his own company. We were excited to see his dream come true when he established his restoration and reconstruction business. He originally operated his business out of his home. At no point was this an inconvenience in terms of additional vehicles or traffic issues. Javier was thoughtful and always communicated with us. As his daughters grew older, they helped in the business, making it a family business that is proud of the work they do.

The Ceja family are good people who look to serve others, especially in their time of need. This is evident by the line of work he has chosen to pursue as a restoration and reconstruction professional. This is a business that our community needs to support.

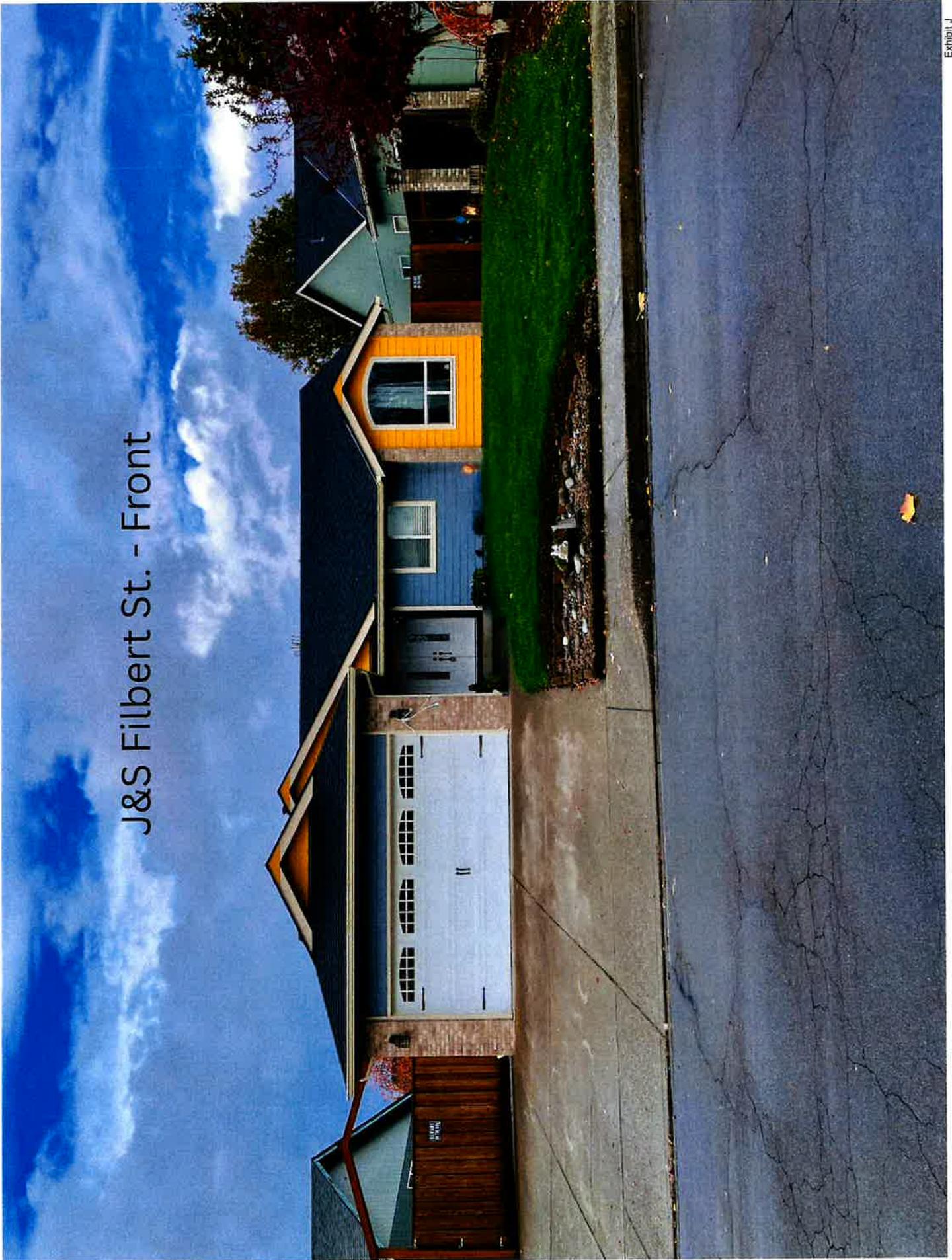
Sincerely,

Joe & Karen Miglioretto

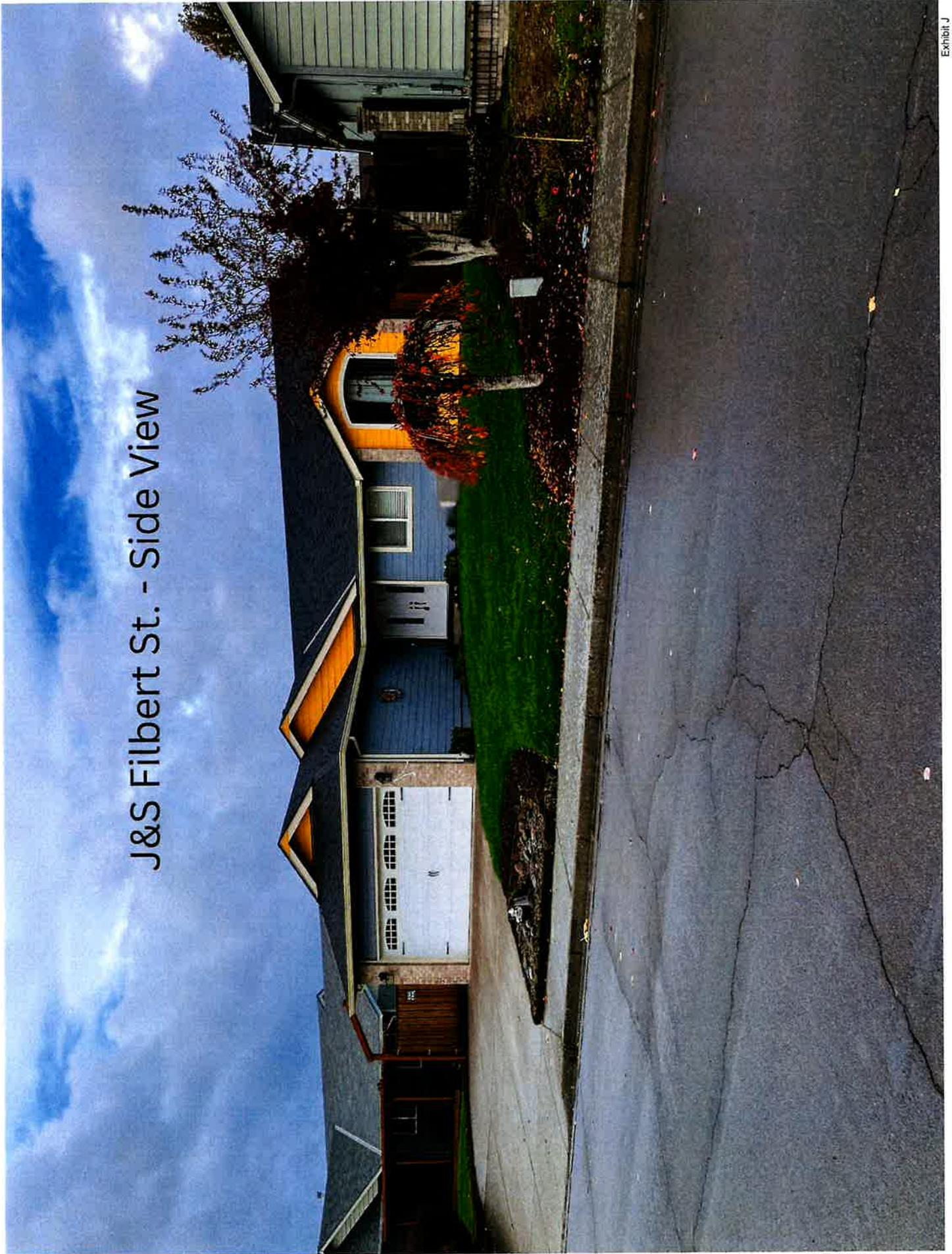
Exhibit J

Photos of Current Business Location (McMinnville)

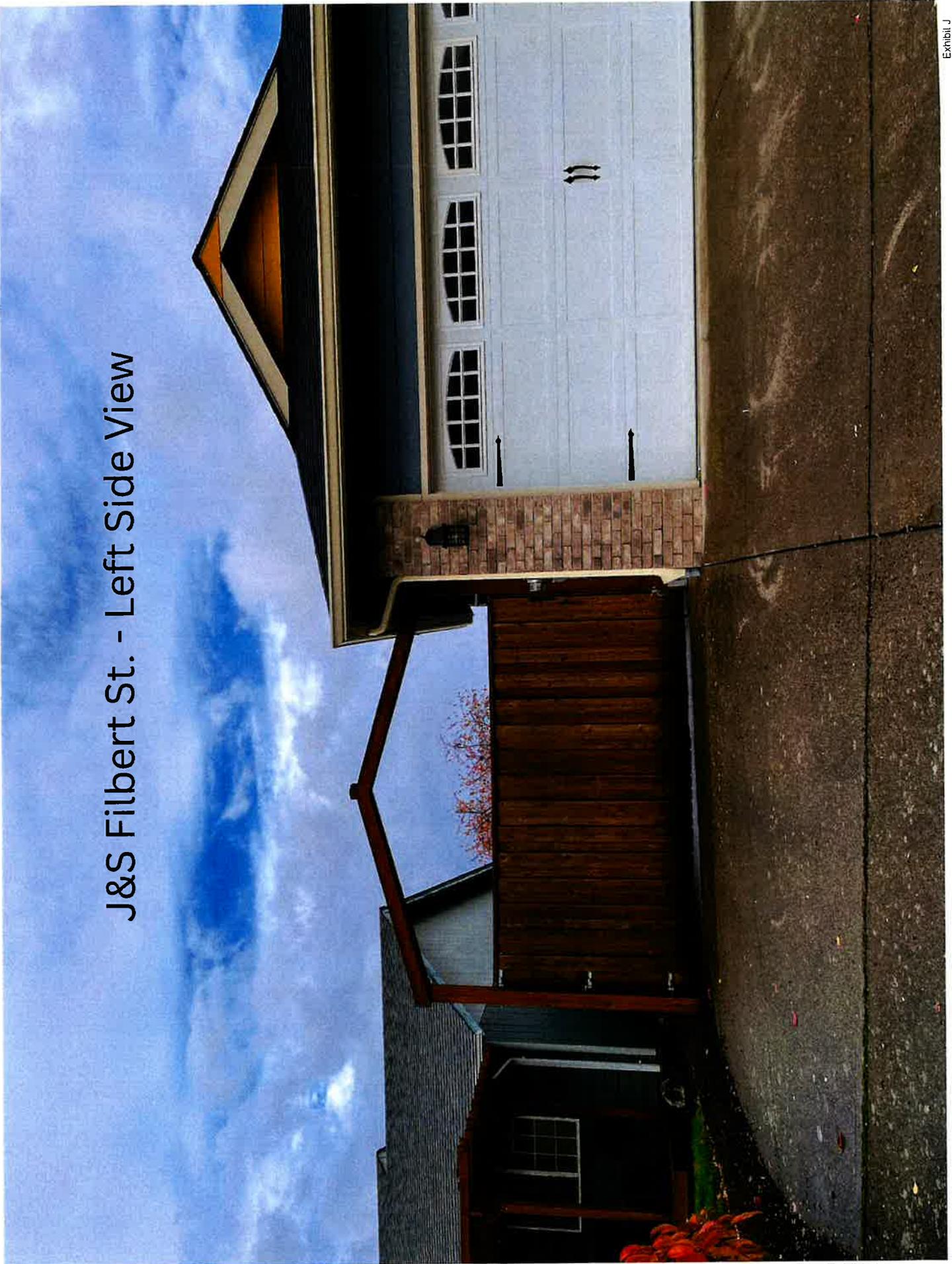
J&S Filbert St. - Front



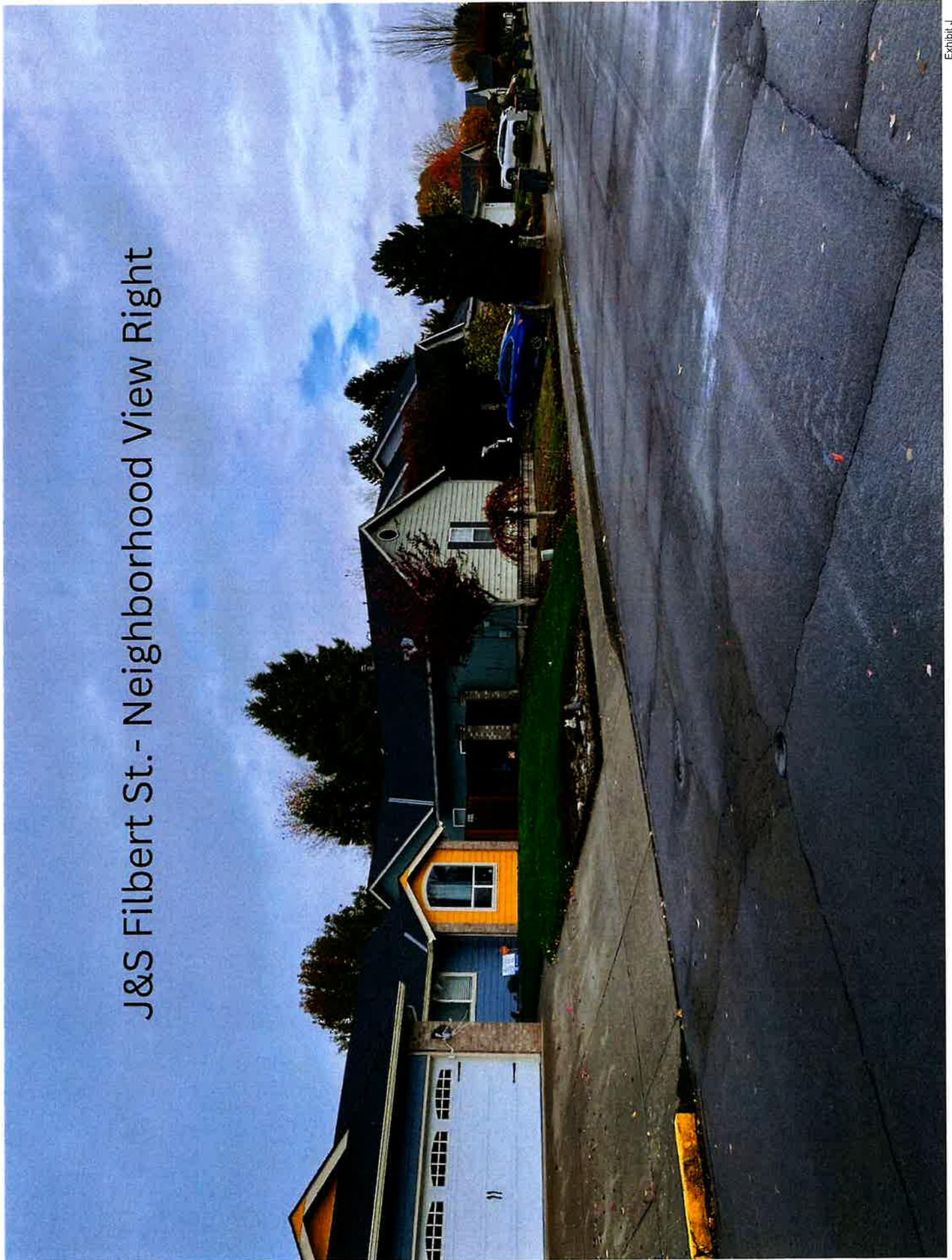
J&S Filbert St. - Side View



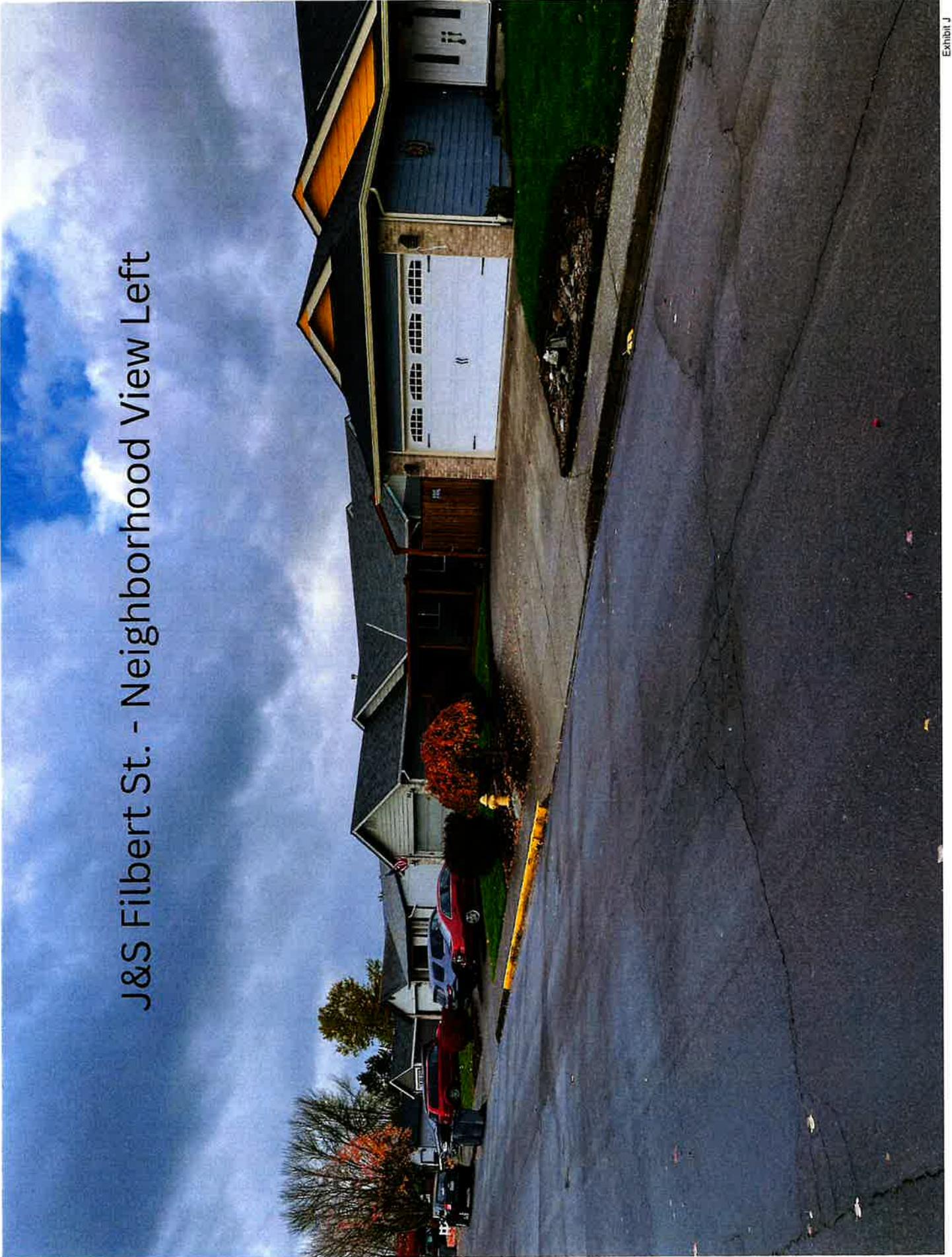
J&S Filbert St. - Left Side View



J&S Filbert St.- Neighborhood View Right



J&S Filbert St. - Neighborhood View Left



J&S Filbert St. - Across Street Neighborhood View to Right

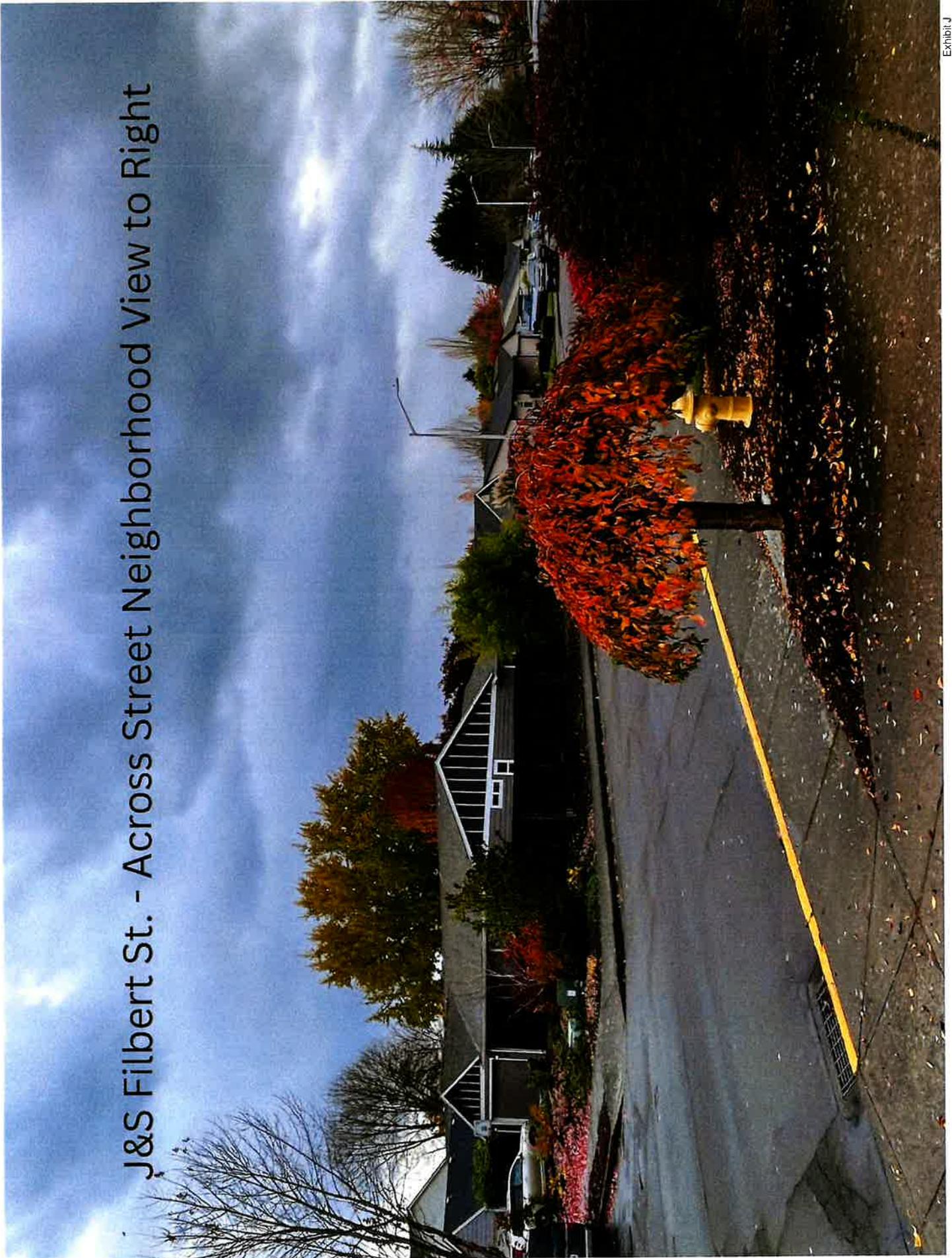
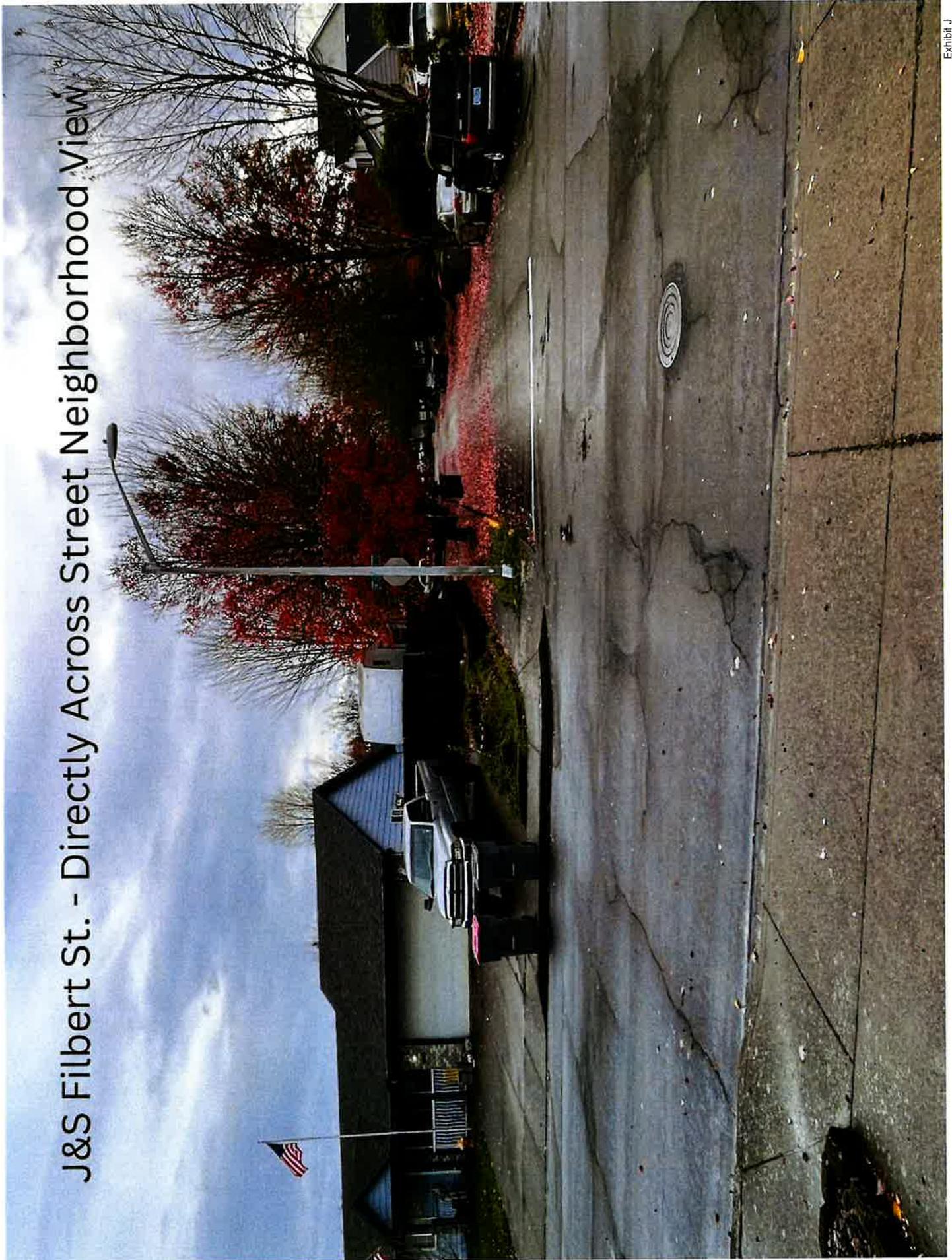


Exhibit A
B.O. 25-404

J&S Filbert St. - Directly Across Street Neighborhood View



J&S Filbert St. - Across Street Neighborhood View to Left

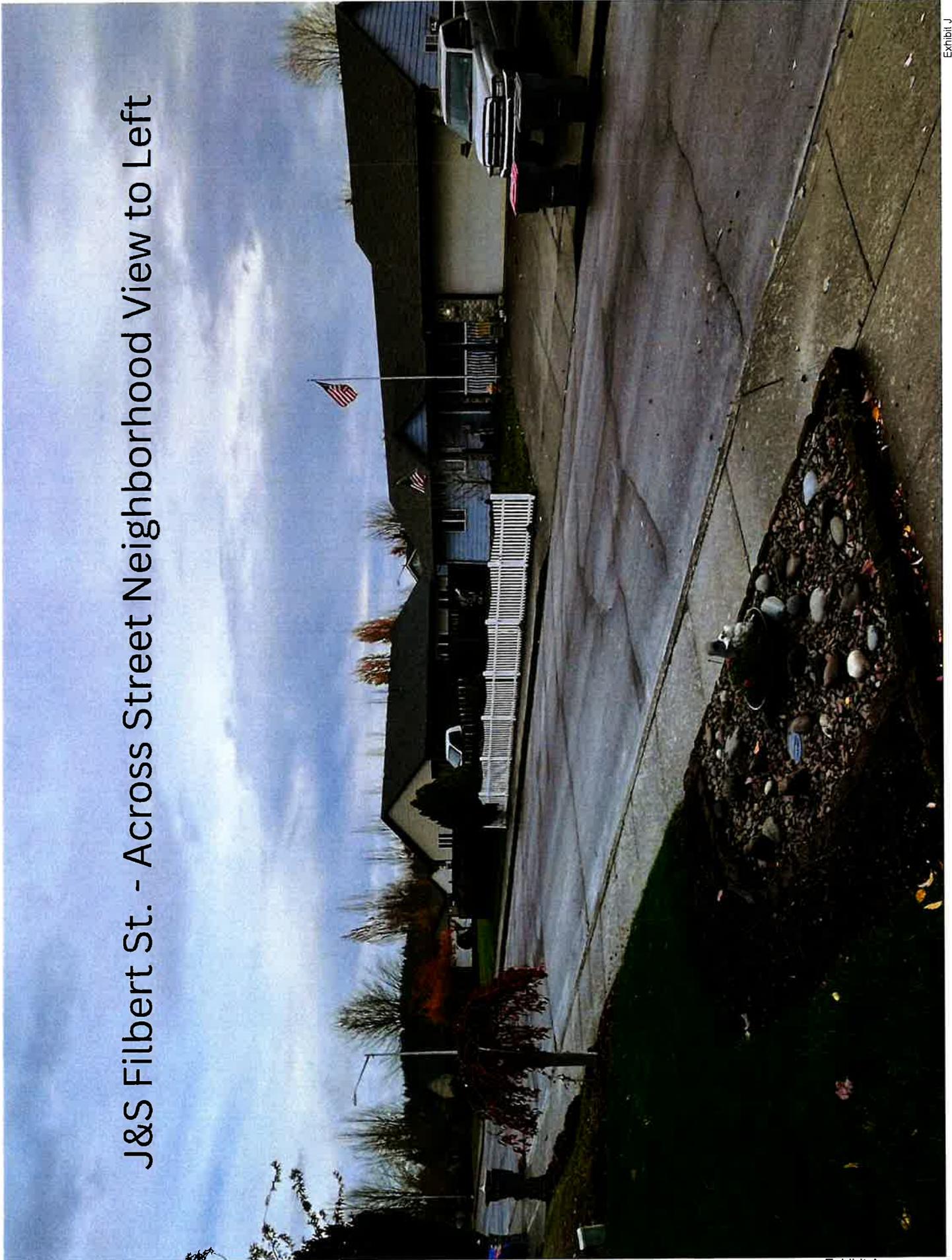


Exhibit K

General Overview of Loss Mitigation Business Services

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JUL 03 2025

WARREN COUNTY
PLUMBING DEPARTMENT

J&S Restoration and Reconstruction LLC Description of a Loss Mitigation Company and Operational Details

Services, Equipment and Community Considerations

A loss mitigation company plays a crucial role in assisting property owners, insurance companies, and businesses in managing and reducing damage that may occur due to unexpected events such as water damage, fire, natural disasters, or other emergencies. These companies are often the first responders in scenarios where immediate action is required to prevent further loss of property and to begin the process of restoration.

- **Overview of Loss Mitigation Services**

A loss mitigation company provides 24-hour emergency services designed to respond promptly to incidents that threaten the structural integrity, safety, or functionality of homes and commercial buildings. The primary objective is to minimize the impact of damage, control the environment, and set the stage for a successful restoration. These services are available around the clock, every day of the year, ensuring that whenever a disaster strikes, whether midday or in the darkest hours of the night, help is available.

Loss mitigation services typically include, but are not limited to:

- Water extraction and drying after flooding, leaks, or burst pipes
- Fire and smoke remediation
- Mold detection and removal
- Odor control
- Board-up and tarping to protect from the elements
- Dehumidification and moisture control
- Structural drying and stabilization
- Assessment and documentation of loss for insurance purposes

Equipment Used to Evaluate and Mitigate Losses

A loss mitigation company relies on a wide range of specialized equipment to evaluate damage, control the environment, and begin restoration. Some of the key equipment includes:

- **Moisture Meters:** Electronic devices used to measure the moisture levels within walls, floors, and ceilings. These meters help to identify hidden dampness that could lead to mold growth or structural degradation.

- **Thermal Imaging Cameras:** Used to detect temperature variations in building materials, allowing technicians to see behind walls and ceilings for hidden water leaks or trapped moisture.
- **Air Scrubbers:** Machines equipped with HEPA filters to remove contaminants, dust, and spores from the air during remediation work, improving air quality and safety.
- **Dehumidifiers:** Industrial-grade units designed to remove excess moisture from the air, critical for drying out flooded spaces and preventing mold growth.
- **Water Extraction Units:** Powerful pumps and vacuums used to remove standing water quickly and efficiently from affected areas.
- **Ozone and Hydroxyl Generators:** Used to neutralize odors, particularly after fire or water damage, and to sanitize the air.
- **Negative Air Machines:** Create negative pressure environments to contain contaminants within work areas, especially during mold remediation.
- **Personal Protective Equipment (PPE):** Includes masks, gloves, goggles, and protective suits for worker safety in hazardous environments.
- **Drying Fans and Air Movers:** High-velocity fans to speed up evaporation and drying of building materials and contents.
- **Infrared Thermometers:** Allow for quick surface temperature measurements to detect wet or cold spots that indicate potential water intrusion.
- **Data Loggers:** Devices to track temperature and humidity levels over time, aiding in documentation for insurance and ensuring that drying is proceeding as planned.

This equipment is essential for a rapid and thorough response to property loss situations. Every tool is specially chosen to ensure that the mitigation process is as effective and efficient as possible, protecting property, health, and peace of mind.

24-Hour Emergency Services

A defining feature of a reputable loss mitigation company is its commitment to providing 24-hour emergency services. Emergencies do not wait for business hours, and neither do a loss mitigation team. Calls are answered day and night, and response teams are mobilized as soon as notification arrives. Their rapid response can make a substantial difference in the extent of recoverable property and in preventing secondary damage, such as mold growth or worsening structural issues.

This around-the-clock availability demonstrates dedication to client welfare and emphasizes the reliability that property owners require in times of crisis.

Equipment Storage and Control Procedures

For organizational control and safety, all equipment used in mitigation and restoration is securely stored in a dedicated barn. This barn is not used for operational activities, but exclusively for storage and efficient management of all technical apparatus. The barn is equipped with proper shelving, climate control if required, and security measures to ensure all equipment remains in optimal condition and is quickly accessible when an emergency response is needed.

Having a centralized storage facility keeps equipment organized, in good repair, and ready for immediate deployment. This approach also ensures that equipment is not left scattered across sites or in locations where it could pose a hazard or be improperly maintained.

Office Management and Staff Responsibilities

Adjoining or nearby the equipment barn is a fully equipped office that serves as the operational hub for the business. Within this office, a single secretary is responsible for monitoring the inventory of all equipment entering and leaving the barn. This individual maintains accurate logs, checks equipment in and out, schedules maintenance, and coordinates dispatches for emergency calls.

The secretary also handles administrative tasks such as:

- Answering client calls and emails
- Scheduling appointments and dispatches
- Updating records for insurance documentation
- Billing and invoicing
- Coordinating with technicians in the field

This streamlined approach to staffing ensures both efficiency and accountability, as one dedicated individual manages all equipment logistics and administrative needs.

Office Hours and Community Considerations

The office operates from 7:00 am to 5:00 pm, Monday through Saturday. During these hours, the secretary manages all equipment transfers, administrative duties, and customer service tasks. Outside these hours, calls and requests for emergency service are handled through an on-call system, ensuring uninterrupted support for clients at any time of day or night.

A vital aspect of the company's commitment to its community is minimizing any impact on neighboring properties. The barn used for equipment storage is solely for storage and control; all servicing, maintenance, and noisy operations take place off-site or within

Exhibit L

J&S Restoration and Reconstruction – Website FAQs (November 6, 2025)

controlled environments, ensuring that there are no noises interfering with neighbors. The location and construction of the barn are chosen to further reduce any possibility of sound disturbance, emphasizing that the company values the peace and comfort of those living nearby.

The company's approach is built on respect for its community, ensuring that the presence of both office and storage operations is as unobtrusive as possible.

Conclusion

In summary, a loss mitigation company provides indispensable 24-hour emergency services to reduce and control property damage from various disasters. Utilizing advanced equipment—meticulously stored and managed from a dedicated barn—and coordinated through a central office staffed by a single responsible secretary, the company ensures fast, accountable, and effective responses. With regular office hours and a firm commitment to minimizing neighborhood impact, this operational model exemplifies both preparedness and respect for the surrounding community, ensuring essential protection for property while preserving the peace of residents.



J&S Restoration and Reconstruction, LLC
Water | Fire | Mold

FAQ's – How can we help when water, fire, mold damage occurs?

- + **What services does a disaster cleanup company provide?**
- **Does your disaster cleanup company provide home inspections?**
- + **What type of emergency services do you provide for disaster cleanup?**
- **Is J&S registered as a general contractor in Oregon?**
- **Can you service my home in Portland or Salem?**
- + **How much does insurance pay for natural disaster cleanup?**
- + **How much does insurance pay for water damage?**
- + **How much does insurance pay for mold damage and fire damage?**
- **What type of carpet and sofa cleaning services do you provide?**
- + **Does insurance pay for carpet and upholstery cleaning?**
- **Are your cleaning products eco-friendly and environmentally safe?**

Yes! We believe in safeguarding not only your property but also the environment and the health of our clients and team. Our environmentally safe products are carefully chosen to be effective in restoring your property while minimizing the ecological footprint and potential harm to indoor air quality.

We prioritize environmental responsibility without compromising affordability. Our commitment is to deliver high-quality restoration services at competitive rates. Using eco-friendly products aligns with our goal to offer sustainable solutions without added costs to our clients.

- **Can my pets and children be in the house after disaster cleanup services?**

. What Our Customers Say About Us . . .

I'd like to recommend J & S to anyone with carpet cleaning or restoration needs. They have free estimates and really go the extra mile for their customers. They can diagnose mold mildew and leaks and can check crawl spaces.

Eric G., McMinnville

Home | Services v | **FAQs & Testimonials** | 24/7 Contact |
News from J&S . . . |

Phone: (971) 241-6533

Email: office@jandsrnr.com

Facebook: facebook.com/jscleaningrestoration

Instagram: instagram.com/jscleaning_and_restoration



J&S Restoration and Reconstruction, LLC
Water | Fire | Mold

CCB# 232800

Restoration J&S LLC is a ServiceMaster company. All rights reserved.



Exhibit M

Copies of Company IICRC Certifications



IICRC®

Institute of Inspection Cleaning
and Restoration Certification

Certified Firm

2025

be it known that:

J&S RESTORATION AND RECONSTRUCTION, LLC

is registered with the IICRC and has pledged to maintain an awareness of and knowledge about the IICRC's published standards relevant to the Certified Firm's operations; will seek and promote educational training for technicians to enhance proficiency; provide service that results in elevated levels of customer satisfaction; be prompt; conduct business with honesty, integrity and fairness; build consumer confidence in the industry; and, promote good relations with affiliate industries.

Joseph F. Dobbins

Joseph Dobbins
Chairman of the Board of Directors

70192071
Company #
12/31/2025
Valid Through



IICRC®

Institute of Inspection Cleaning
and Restoration Certification

ISIDRO J. CEJA-VEGA

is a registrant in good standing with the IICRC, and has qualified by service and examination for certification in the following areas:

**WATER DAMAGE RESTORATION
APPLIED STRUCTURAL DRYING
FIRE & SMOKE DAMAGE RESTORATION
UPHOLSTERY & FABRIC CLEANING
APPLIED MICROBIAL REMEDIATION
CARPET CLEANING**

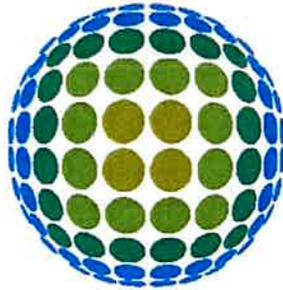
This registrant has pledged to perform services in these areas with skill, honesty, and integrity to provide the consumer with the highest standard of care and expertise.

155284

REGISTER NUMBER

5/31/2026

EXPIRATION DATE



IICRC®

Institute of Inspection Cleaning
and Restoration Certification

LISA MARIE SPRINGER

is a registrant in good standing with the IICRC, and has qualified by service and examination for certification in the following areas:

WATER DAMAGE RESTORATION

This registrant has pledged to perform services in these areas with skill, honesty, and integrity to provide the consumer with the highest standard of care and expertise.

70192218
REGISTER NUMBER

10/31/2026
EXPIRATION DATE



IICRC®

Institute of Inspection Cleaning
and Restoration Certification

SARA HERRERA CONTRERAS

is a registrant in good standing with the IICRC, and has qualified by service and examination for certification in the following areas:

WATER DAMAGE RESTORATION

This registrant has pledged to perform services in these areas with skill, honesty, and integrity to provide the consumer with the highest standard of care and expertise.

70192615

REGISTER NUMBER

10/31/2025

EXPIRATION DATE



IICRC®

Institute of Inspection Cleaning
and Restoration Certification

ANGELES ELIZABETH CEJA HERRERA

is a registrant in good standing with the IICRC, and has qualified by service and examination for certification in the following areas:

WATER DAMAGE RESTORATION

This registrant has pledged to perform services in these areas with skill, honesty, and integrity to provide the consumer with the highest standard of care and expertise.

70192614
REGISTER NUMBER

11/30/2025
EXPIRATION DATE

THIS IS TO CERTIFY THAT

JAVIER CEJA

HAS SUCCESSFULLY COMPLETED THE TRAINING COURSE

for

ONLINE AHERA ASBESTOS INSPECTOR REFRESHER

In accordance with TSCA Title II, Part 763, Subpart E, Appendix C of 40 CFR

Course Date: 03/04/2025

Course Location: Online

Certificate: IRO-25-5736B

For verification of the authenticity of this
certificate contact:
PBS Engineering and Environmental Inc.
4412 S Corbett Avenue
Portland, OR 97239
503.248.1939

CCB #SRA0615 4-Hr Training

4-Hour Online AHERA Inspector Refresher
Training: AHERA is the Asbestos Hazard
Emergency Response Act enacting Title II
of Toxic Substance Control Act (TSCA)

Expiration Date: 03/04/2026



David Kahn

David Kahn, Instructor

Exhibit N

**Yamhill County Land Use Brochure from
Yamhill County's Website, November 6, 2025**

Rural areas can be quite remote, and because of distance and the condition of roads, emergency service takes longer to arrive, and parts of the County are not protected by a fire district. Because of this, the cost of fire insurance, if available, may be much higher than you are used to. It is advisable and sometimes required to consider fire safety when designing a home and its surroundings.

One reason some people move to the country is to enjoy the wildlife. But be aware that deer eat gardens, birds can damage buildings, and hunting is legal during parts of the year.

Conflicts

While you may feel that country living will provide you with privacy and tranquility, there are pitfalls. Since much of the county is farmed, and many of the rural residential areas are next to farmland, anyone wanting to move to rural Yamhill County should know the farms are a special type of neighbor.

Farmers create dust and noise in the process of working fields and harvesting crops, and this may be early in the morning or at night. Some types of crops require that farmer deliberately make lots of noise in order to scare away birds. Fields are routinely sprayed with chemicals, sometimes by airplane, and it is difficult to control overspray in all situations.

These farming practices are protected in farm zones. Farmers are not required to alter their methods, even if they disturb or irritate you.

Farm smells are another matter you should consider when thinking of moving to the country. Livestock and poultry are the main thing to look for, but materials applied to the cropland can also be offensive.

Forests have their own conflicts. Harvesting activities create noise from chainsaws and machinery, which may start early in the mornings and go on for several weeks. If the land you want has a beautiful forest vista, consider how it will look after being harvested. Remember, resource production is considered the primary use of the land in much of the county - homes are the intrusion.

Rural Yamhill County . . .

is a beautiful place, and it is understandable why someone would want to live here.

The purpose of this pamphlet is not to scare people away or try to keep them out. Rather, those considering a move here need to be aware of the rural realities and how county government fits in. Some problems can be alleviated by government regulation, but many can not. You should know what you're getting into.

For more information regarding:

Roads

Yamhill County Public Works Dept.
2060 Lafayette Ave., McMinnville (503)434-7515
Oregon Department of Transportation
455 Airport Road Suite A, Salem 97310
(503) 378-2630

Farm and forest practice

Yamhill County/OSU Cooperative Extension Service
2050 Lafayette Ave, McMinnville 97128
(503) 434-7517
Yamhill County Soil & Water Conservation District
2200 W 2nd, McMinnville 97128
(503) 472-1491

Oregon Department of Forestry

801 Gales Creed Road, Forest Grove 97116
(503) 357-2191

Septic, Building, Electrical and Zoning permits

Yamhill County Dept of Planning & Development
525 NE Fourth Street, McMinnville 97128
(503) 434-7516

Water

Oregon Dept. of Water Resources
725 Summer St. NE; Ste. A Salem 97301
(503) 986-0900

Wildlife

Oregon Dept of Fish & Wildlife
18330 NW Sauvie Island Portland 97231
(503)-378-6925

Fire Protection

Contact the local rural fire protection district in for structural fires. Forest fire protection, contact Oregon Dept of Forestry.



Phone: (503) 434-7516
Fax: (503) 434-7544
E-mail: www.co.yamhill.or.us/



*So... You
Think
You Want to
Live in the
Country?*



**Here are some things
you should know
before moving to
rural Yamhill County**

If you're planning a move to the country. . .

There are some things Yamhill County thinks you should know when considering whether to live in a rural area.

Just like in a city, use of land in Yamhill County is regulated through zoning and building regulations. The most common zones in the



populated parts of the County are farm and farm/forest, but there are also areas designated rural residential. The farm

and farm/forest zones are designed in part to protect the resources of the land from conflicting uses. Residential development is therefore restricted in those areas.

Rural residential zones are used to reserve areas for county homes. In order to reduce conflicts with residential use, farm uses are restricted in some cases.

Permits

There are a variety of approvals required to build a residence in the County. These include, but are not limited to zoning, sewage disposal, and building permits.

Zoning In farm and forest zones, those wishing to construct or place a new dwelling must submit an application and pay a fee to the County Planning Department. The request may be approved or denied, depending on the situation. In rural residential zones, new dwellings on vacant lots are permitted and do not require this approval.

Sewage Disposal All new dwellings must have an approved area for sewage disposal. Unlike in town, most rural areas do not have sewage disposal service, so septic systems are needed. In order to insure safe sewage disposal, the site must be approved and installation of the system inspected by a county sanitarian. There are fees for both the site approval and permit to construct.

Don't allow "out of site, out of mind" to apply to your septic system. The materials put down your drains affect how well the system operates, and they do require periodic maintenance. The better you take care of the system, the longer it will last. A county sanitarian can give you more information.

Building Permits In general, any building with over 200 square feet of floor area or more than 10 feet tall, including barns and manufactured homes, requires a building or placement permit. But the requirements for various types of structures differ, so be sure you are complying with building codes. There are penalties for building without permits.

Other Considerations Floodplains and steep slopes increase the cost of constructions dramatically, and slopes also make road building more difficult. All driveways are required to be suitable for emergency vehicle access, and any new access on to a county road or state hwy requires approval from the appropriate department.

Rural Realities

Living in the county is not like living in town in some important ways. As covered above, sewage does not magically disappear like it does in an urban area.

Likewise, water does not always just come out of a pipe. It usually must be obtained on site, and wells require pumps, which sometimes freeze or need repairs. Are you prepared to go without water for a few hours? A day or two? Some uses of water require a "water right," which must be approved by the state.

Just because you're in the country doesn't mean water quality will be good - even if you can find it. There are parts of the county where finding water is a problem. Other areas do not have widespread difficulties, but specific well sites may still come up dry. Some areas have brackish water, and others should be checked for bacteria and nitrates.

If you have problems with your water or septic system, it is not possible for the County to assist you with financing the remedy. Corrective action can be expensive.

Most public roads are gravel resulting in dust, some-

times a lot. Many public roads are maintained only by those who use them. It is unlikely the county will begin maintaining any new roads.



Exhibit O

Photographs of Street Lamps at Goodroe Property



Exhibit P

Structural and Plumbing Permit Records, 10431 NE Equestrian Drive



Inspection Summary Report

Commercial Structural
Permit #: 979-24-004198-STR

YAMHILL COUNTY BUILDING DEPAR
400 NE Baker Street
McMinnville, OR 97128
Phone: 503-434-7516
Fax: 503-434-7544

://www.yamhillcounty.gov/283/Planning-Develop

planning@yamhillcounty.gov

Applicant: M & H OREGON CONSTRUCTION LLC
Owner: CEJA ISIDRO J, 10431 NE EQUESTRIAN DR, MCMINNVILLE, OR, 97128, CONTRERAS SARA H, 10431 NE EQUESTRIAN DR, MCMINNVILLE, OR, 97128
Address: 10431 NE EQUESTRIAN DR
MCMINNVILLE OR 97128
Parcel: R4401 02300

Inspection in a Floodplain: No
Inspection Type: 1260 Framing
Inspection Date:
Inspector:
Inspection Result: Pending
Comments:

Inspection in a Floodplain: No
Inspection Type: 1400 Perimeter Slab Insulation
Inspection Date:
Inspector:
Inspection Result: Pending
Comments:

Inspection in a Floodplain: No
Inspection Type: 1430 Insulation Wall
Inspection Date:
Inspector:
Inspection Result: Pending
Comments:

Inspection in a Floodplain: No
Inspection Type: 1440 Insulation Ceiling
Inspection Date:
Inspector:
Inspection Result: Pending
Comments:

Inspection in a Floodplain: No
Inspection Type: 1999 Final Building
Inspection Date:
Inspector:
Inspection Result: Pending
Comments:

Inspection in a Floodplain: No
Inspection Type: 1020 Zoning/Setbacks
Inspection Date: 04/29/2025
Inspector: Beau Biggs
Inspection Result: Approved
Comments: Hub and tacked

Inspection Summary Report (continued)

Commercial Structural

Permit #: 979-24-004198-STR

Applicant: M & H OREGON CONSTRUCTION LLC

Owner: CEJA ISIDRO J, 10431 NE EQUESTRIAN DR, MCMINNVILLE, OR, 97128, CONTRERAS SARA H, 10431 NE EQUESTRIAN DR, MCMINNVILLE, OR, 97128

Address: 10431 NE EQUESTRIAN DR
MCMINNVILLE OR 97128

Parcel: R4401 02300

Inspection in a Floodplain: No

Inspection Type: 1110 Footing

Inspection Date: 04/29/2025

Inspector: Beau Biggs

Inspection Result: Approved

Comments:

Inspection in a Floodplain: No

Inspection Type: 1120 Foundation

Inspection Date: 04/29/2025

Inspector: Beau Biggs

Inspection Result: Approved

Comments:

Inspection in a Floodplain: No

Inspection Type: 1160 UFER Ground

Inspection Date: 04/29/2025

Inspector: Beau Biggs

Inspection Result: Approved

Comments: Tagged UFER

Inspection in a Floodplain: No

Inspection Type: 1260 Framing

Inspection Date:

Inspector: Beau Biggs

Inspection Result: Cancelled

Comments:

Inspection in a Floodplain: No

Inspection Type: 1260 Framing

Inspection Date:

Inspector:

Inspection Result: Cancelled

Comments:

Inspection in a Floodplain: No

Inspection Type: 1530 Exterior Shearwall

Inspection Date: 08/08/2025

Inspector: Beau Biggs

Inspection Result: Approved

Comments:

Inspection Summary Report (continued)

Commercial Structural

Permit #: 979-24-004198-STR

Applicant: M & H OREGON CONSTRUCTION LLC

Owner: CEJA ISIDRO J, 10431 NE EQUESTRIAN DR, MCMINNVILLE, OR, 97128, CONTRERAS SARA H, 10431 NE EQUESTRIAN DR, MCMINNVILLE, OR, 97128

Address: 10431 NE EQUESTRIAN DR
MCMINNVILLE OR 97128

Parcel: R4401 02300

Inspection in a Floodplain: No

Inspection Type: 1630 Roof Sheathing

Inspection Date: 08/08/2025

Inspector: Beau Biggs

Inspection Result: Approved

Comments:

Inspection in a Floodplain: No

Inspection Type: 3410 Rain Drains

Inspection Date: 06/25/2025

Inspector: Beau Biggs

Inspection Result: Approved

Comments:

Inspection in a Floodplain: No

Inspection Type: 3410 Rain Drains

Inspection Date: 06/03/2025

Inspector: Beau Biggs

Inspection Result: Partial

Comments: Around foundation

Ways to Schedule Inspections

Oregon ePermitting App

Search the iOS or Android app store for 'epermitting' or by scanning the QR code below to get instant inspection results.



Oregon ePermitting Website

Schedule or track inspections online at BuildingPermits.Oregon.gov.



For agencies that offer same-day inspection scheduling, the cut off is 7:00 AM.

Easy Scheduling Website

Start by visiting BuildingPermits.Oregon.gov > click on Schedule > click on Easy Inspection Scheduling or by scanning the QR code below.





Inspection Summary Report

Commercial Plumbing
Permit #: 979-25-001076-PLM

YAMHILL COUNTY BUILDING DEPAR
400 NE Baker Street
McMinnville, OR 97128
Phone: 503-434-7516
Fax: 503-434-7544

://www.yamhillcounty.gov/283/Planning-Develop

planning@yamhillcounty.gov

Owner: CEJA ISIDRO J, 10431 NE EQUESTRIAN DR, MCMINNVILLE, OR, 97128

Address: 10431 NE EQUESTRIAN DR
MCMINNVILLE OR 97128

Parcel: R4401 02300

Inspection in a Floodplain: No
Inspection Type: 3500 Rough Plumbing
Inspection Date:
Inspector:
Inspection Result: Pending
Comments:

Inspection in a Floodplain: No
Inspection Type: 3920 Miscellaneous Plumbing
Inspection Date:
Inspector:
Inspection Result: Pending
Comments:

Inspection in a Floodplain: No
Inspection Type: 3999 Final Plumbing
Inspection Date:
Inspector:
Inspection Result: Pending
Comments:

Inspection in a Floodplain: No
Inspection Type: 3170 Underfloor Plumbing
Inspection Date: 04/21/2025
Inspector: Beau Biggs
Inspection Result: Approved
Comments:

Inspection in a Floodplain: No
Inspection Type: 3300 Water Service
Inspection Date: 09/10/2025
Inspector: Beau Biggs
Inspection Result: Approved
Comments:

Inspection in a Floodplain: No
Inspection Type: 3410 Rain Drains
Inspection Date: 06/25/2025
Inspector: Beau Biggs
Inspection Result: Approved
Comments:

Inspection Summary Report (continued)

Commercial Plumbing

Permit #: 979-25-001076-PLM

Owner: CEJA ISIDRO J, 10431 NE EQUESTRIAN DR, MCMINNVILLE, OR, 97128

Address: 10431 NE EQUESTRIAN DR
MCMINNVILLE OR 97128

Parcel: R4401 02300

Inspection in a Floodplain: No

Inspection Type: 3500 Rough Plumbing

Inspection Date:

Inspector:

Inspection Result: Cancelled

Comments:

Inspection in a Floodplain: No

Inspection Type: 3920 Miscellaneous Plumbing

Inspection Date: 09/03/2025

Inspector: Beau Biggs

Inspection Result: Denied

Comments: 1) do you have pictures of the connection to gravity line?

2) vent per installation instructions. Requires connection to building vent system or its own standpipe.

Ways to Schedule Inspections

Oregon ePermitting App

Search the iOS or Android app store for 'epermitting' or by scanning the QR code below to get instant inspection results.



Oregon ePermitting Website

Schedule or track inspections online at BuildingPermits.Oregon.gov.



Easy Scheduling Website

Start by visiting BuildingPermits.Oregon.gov > click on Schedule > click on Easy Inspection Scheduling or by scanning the QR code below.



For agencies that offer same-day inspection scheduling, the cut off is 7:00 AM.

Exhibit Q

Goodroe Barn Construction Permit



Yamhill County Building Department
 400 NE Baker Street
 McMinnville, OR 97128
 503-434-7516
 Fax: 503-434-7544
 planning@yamhillcounty.gov
 Website:
<https://www.yamhillcounty.gov/283/Planning-Development>

Building Permit

Residential Structural

Permit Number: 979-25-000517-STR

Permit Issued: March 06, 2025
 Project: GOODROE, LAURANCE

Application Date: February 24, 2025

TYPE OF WORK

Residential Specialty Code Edition: 2023

Category of Construction: Detached Accessory Structure

Type of Work: New

Submitted Job Value: \$115,524.00

Description of Work: DETACHED ACCESSORY BUILDING

JOB SITE INFORMATION

Worksite Address

10450 NE EQUESTRIAN DR
 MCMINNVILLE OR 97128

Parcel

R4401 03300

Owner:

GOODROE HEIDI S

Address:

10450 NE EQUESTRIAN DR
 MCMINNVILLE, OR 97128

Owner:

GOODROE LAURANCE W III
 &

Address:

10450 NE EQUESTRIAN DR
 MCMINNVILLE, OR 97128

LICENSED PROFESSIONAL INFORMATION

Business Name

STEVE LOCKE CONSTRUCTION INC
 STEVE LOCKE CONSTRUCTION INC
 - Primary

License

CCB
 (PB) Plumbing Contractor

License Number

173037
 PB1510

Phone

503-630-3183
 503-630-3183

SCHEDULING INSPECTIONS

Various inspections are minimally required on each project and often dependent on the scope of work. Contact the issuing jurisdiction indicated on the permit to determine required inspections for this project.

Permits expire if work is not started within 180 Days of issuance or if work is suspended for 180 Days or longer depending on the issuing agency's policy.

Per R105.7 and R 106.3.1, a copy of the building permit and one set of approved construction documents shall be available for review at the work site.

All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. Granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

ATTENTION: Oregon law requires you to follow rules adopted by the Oregon Utility Notification Center. Those rules are set forth in OAR 952-001-0010 through OAR 952-001-0090. You may obtain copies of the rules by calling the Center at (503) 232-1987.

All persons or entities performing work under this permit are required to be licensed unless exempted by ORS 701.010 (Structural/Mechanical), ORS 479.540 (Electrical), and ORS 693.010-020 (Plumbing).

Ways to Schedule Inspections

Oregon ePermitting App

Search the iOS or Android app store for 'ePermitting' or by scanning the QR code below to get instant inspection results.



Oregon ePermitting Website

Schedule or track inspections online at BuildingPermits.Oregon.gov.



Easy Scheduling Website

Start by visiting BuildingPermits.Oregon.gov > click on Schedule > click on Easy Inspection Scheduling or by scanning the QR code below.



For agencies that offer same-day inspection scheduling, the cut off is 7:00 AM.

PERMIT FEES

Fee Description	Quantity	Fee Amount
Agency Review - County Only	1	\$98.00
Copies	36	\$9.00
Structural building permit fee		\$779.95
Structural plan review fee		\$506.97
State of Oregon Surcharge - Bldg (12% of applicable fees)		\$93.59
Total Fees:		\$1,487.51

Note: This may not include all the fees required for this project.

VALUATION INFORMATION

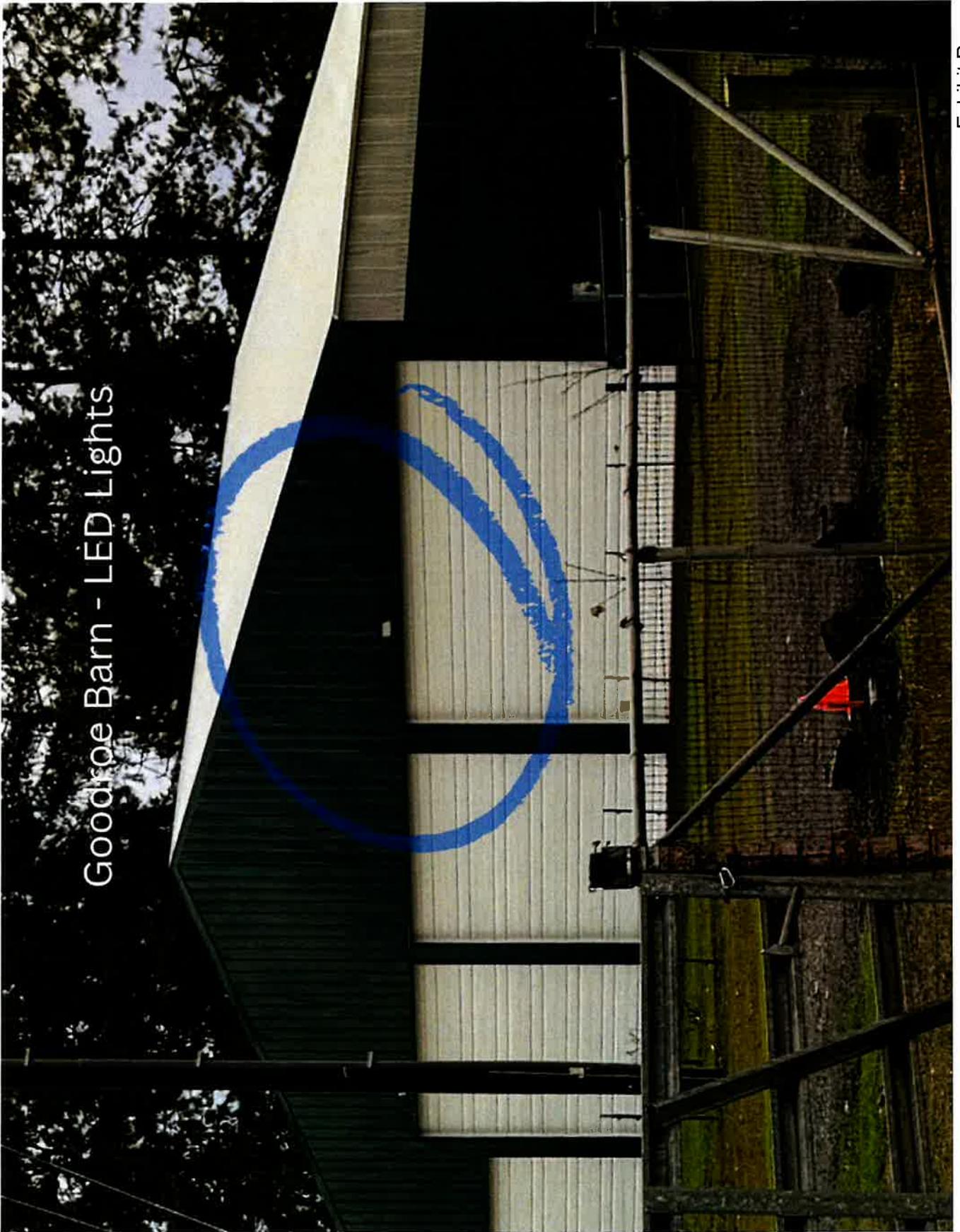
Construction Type	Occupancy Type	Unit Amount	Unit	Unit Cost	Job Value
VB	U Utility, misc. - half rate	3,600.00	Sq Ft	\$32.09	\$115,524.00
Total Job Value:					\$115,524.00

Exhibit R
Goodroe Barn LED Lights

Goodroe Barn - LED Lights



Goodroe Barn - LED Lights



ATTACHMENT D

LETTER FROM ISIDRO JAVIER CEJA TO YAMHILL COUNTY BOARD OF
COMMISSIONERS. NOVEMBER 13, 2025

November 13, 2025

VIA EMAIL (planning@yamhillcounty.gov)

Yamhill County Board of Commissioners
535 NE 5th Street
McMinnville, OR 97128

Re: Supplemental Evidence of Isidro Javier Ceja – Docket No. C-01-25

Dear Chair Johnston, Commissioner Starrett, and Commissioner King:

On November 6, 2025, my neighbors submitted additional testimony and evidence. I would like to briefly respond to their evidentiary submission by clarifying the record on several matters.

1. Vegetative Screening

My neighbors have requested that my home occupation activities be shielded by a fence or hedge, and that a condition of approval (“COA”) be included addressing this issue. We have already been planning to plant a vegetation screen along the southern and western borders of our property, shielding both our home and our home occupation business from NE Equestrian Drive and the properties to the south and west. Attached as Exhibit A is an aerial photo of our property with annotations showing where this planting will occur.

We intend to plant this hedging in Autumn 2026 to take advantage of favorable climatic and hydrological conditions. It is in the best interest of all parties involved for this hedging to thrive and grow rapidly. The Willamette Valley favors fall planting to take advantage of soil temperatures and increased rainfall, before colder and stormier winter weather sets in. See Exhibits B & C.

2. Stormwater:

My neighbors identify several vague concerns about stormwater, including an entirely unsubstantiated allegation that “[t]he business use also creates more than triple the amount of stormwater than the residence.” See November 6, 2025 Appellants’ Letter to Yamhill County BOC, at 8. As I have repeatedly explained, I have not been operating my business on this property to date, so I am not clear how my neighbors reached their conclusion about stormwater impacts.

If my neighbors are concerned about stormwater impacts from the barn structure, those issues should have been raised when the County issued my building permit for the barn. As I have explained, the County did review and approve my stormwater and drainage plans as part of that building permit review process. The County has also been out to inspect my barn since it has been constructed, and the inspector did not identify any concerns related to stormwater or drainage.

As to potential stormwater impacts from my home occupation, I am not aware of any business activities that would cause unreasonable or unusual drainage, stormwater, or groundwater impacts—particularly when compared to traditional farming activities already occurring in the EFU zone, like crop irrigation and farm equipment washing. As I have explained, my on-site business activities will be limited to an office and the storage and minor, routine cleaning of equipment (with most equipment cleaning occurring offsite). It is difficult to refute unsubstantiated claims, but my home occupation use would occur on irrigable EFU land and use considerably less water than many agricultural uses would on a farm property of this acreage.

Sincerely,



Isidro Javier Ceja

Exhibit A – Vegetation Screen Planting Plan



Tree Screen Planting Plan

Exhibit B – When to Plant Different Tree Species in Oregon Zones

When to Plant Different Tree Species in Oregon Zones

Oregon contains a wide range of climates and elevations, from maritime coastal forests to high desert plateaus. Planting trees successfully in Oregon requires matching species to the USDA hardiness zone and the local microclimate, and choosing the correct planting season so roots establish before heat, drought, or deep freeze. This guide explains when to plant common tree species across Oregon zones, gives practical month-by-month windows for the major regions, and provides a concrete planting checklist and aftercare schedule you can follow for reliable establishment.

Understanding Oregon Hardiness Zones and Microclimates

Oregon spans roughly USDA zones 4 through 9. That range creates distinct recommendations:

- Coastal and lowland Willamette Valley: Zones 8-9 (mild winters, moderate summers).
- Interior Willamette Valley and lower elevations: Zones 7-8 (some winter chill, moderate precipitation).
- Western Cascades and Columbia Gorge foothills: Zones 6-7 (cooler, more winter precipitation).
- Eastern Oregon and high desert: Zones 4-6 (cold winters, hot dry summers, large diurnal swings).
- High elevation mountains: zone 4 or colder in the subalpine areas.

Takeaway: use broad zone guidance, then refine for elevation, slope aspect (south-facing warms earlier and dries faster), urban heat islands, and cold air drainage pockets.

Seasonal Principles: Fall vs Spring Planting

Choosing fall or spring planting is one of the most important decisions you can make.

- Fall planting (best in most western Oregon locations): From September through early November in the Willamette Valley and coastal areas. Soil is still warm, allowing rapid root growth while top growth slows. Fall-planted trees establish roots over winter and show strong spring growth. Avoid planting when the ground freezes or when heavy, continuous rain will compact soil and suffocate roots.
- Spring planting (best in eastern Oregon, high desert, and colder inland sites): From early March through May, once soil is workable and before trees leaf out in earnest. In cold inland zones, root systems planted in fall may face deep freeze and heaving; spring planting avoids that risk. Plant early enough in spring to allow roots to grow before summer heat and drought.
- Container-grown trees: more flexible. You can plant almost year-round in mild coastal climates, but still follow local frost and soil conditions.

Practical rule: Plant when the tree can put energy into roots rather than aboveground growth. In mild western Oregon that usually means late fall; in cold, dry eastern Oregon that usually means early spring.

Species-by-Region: When to Plant and Why

Below are common trees grouped by Oregon region, with optimal planting windows and practical notes.

Coastal and Lower Willamette Valley (Zones 8-9)

Plants that thrive: Sitka spruce, western red cedar, bigleaf maple, Oregon ash, madrone (in protected spots), native oaks in some southern coastal pockets, fruit trees (apples, pears, cherries).

When to plant: September through November, or late February through April for bare-root deciduous trees.

Notes: Salt spray limits some species on exposed shorelines; choose tolerant genotypes. Sitka spruce and red cedar are adapted to heavy soils and year-round moisture; avoid planting subtropical species in exposed sites. Fruit trees benefit from planting in late winter to early spring when purchased bare-root.

Willamette Valley Interior and Foothills (Zones 7-8)

Plants that thrive: Douglas-fir, Oregon white oak (*Quercus garryana*), bigleaf maple, western red cedar, flowering dogwood, cherries, apples.

When to plant: September through November for most species; early spring (February to April) also acceptable, especially for bareroot stock.

Notes: Fall planting gives the best root establishment before summer drought. In heavier clay soils, plant on mounds or raised beds for better drainage.

Western Cascades and Columbia Gorge Foothills (Zones 6-7)

Plants that thrive: Douglas-fir, western hemlock, ponderosa pine at lower elevations, red alder along streams, bigleaf maple.

When to plant: Fall after soils cool but before hard freezes (September-November) or early spring after melt (March-April).

Notes: Avoid planting on south-facing ridges in late fall because exposed roots can desiccate. Plant in spring if soil remains saturated or at risk of heaving.

Eastern Oregon and High Desert (Zones 4-6)

Plants that thrive: Ponderosa pine, western juniper (native in many areas), aspen (near riparian zones), cottonwood in irrigated places, mountain mahogany and hardy fruit rootstocks.

When to plant: Early spring as soon as soils thaw and are workable, typically March through late April or early May depending on elevation.

Notes: Trees must establish roots before summer heat. Irrigation and frost protection are critical for the first 2-3 years. Avoid fall planting unless you can protect young roots from deep freeze and wind desiccation.

High Elevation and Cold Sites (Zone 4 and colder pockets)

Plants that thrive: Mountain hemlock, subalpine fir, lodgepole pine, native aspen.

When to plant: Short window in late spring to early summer after frost risk ends and before the onset of winter. Often late May to early July depending on elevation.

Notes: High-elevation planting is risky; use locally sourced stock adapted to short growing seasons.

Recommended Planting Months by Major Oregon Areas

- Coastal Willamette and metro Portland: Best window September through November; alternative window February through April for bare-root deciduous trees.
- Eugene/Springfield and southern Willamette Valley: Best window September through early December; alternative late winter/early spring.
- Bend, Redmond, Klamath Basin (high desert): Best window early March through May; sometimes mid- to late September if irrigation and protection are available.
- Eastern Columbia Gorge and Cascade foothills: Plant fall where soils are stable and frost pockets are not severe; otherwise early spring.

Planting Checklist: Step-by-Step (Numbered)

1. Select species adapted to your USDA zone, soil type, and moisture regime.
2. Choose the right planting time: fall for western Oregon, spring for eastern Oregon, adjust by microclimate.
3. Inspect root flare; keep it at or just above soil level when planted.
4. Dig a hole 2-3 times the diameter of the root ball but no deeper than the ball height; wide, shallow holes encourage root spread.
5. Backfill with native soil mixed up to 10-20% coarse compost only if soil is extremely poor; do not bury the root flare or add excessive organic matter that creates a pot effect.
6. Stake only if necessary; loose, flexible ties prevent girdling and allow some movement to promote trunk taper.
7. Apply 2-4 inches of organic mulch in a 2-4 foot radius, keeping mulch away from trunk bark.
8. Water deeply at planting to settle soil; then follow a season-specific irrigation schedule (see next section).

9. Monitor for pests, browse, and sunscald; protect as needed with fencing, guards, or shading in the first season.

Ensure there is a blank line before this numbered list and after it.

Watering and Early Care: Concrete Rates and Timing

New trees require regular deep watering rather than frequent shallow watering.

- Year 1: Water newly planted trees 1-2 times per week with 10-20 gallons per application for small to medium trees; larger trees require proportionally more water. In hot, dry eastern Oregon summers, water twice per week or more.
- Year 2: Reduce to every 7-10 days during the growing season, still applying deep soakings.
- Year 3 and beyond: Gradually taper to monthly deep waterings in summer for most species, establishing drought tolerance unless species requires moisture year-round.

Practical tips: Use a soaker hose or slow-fill bucket to ensure water reaches the root zone. Test soil moisture by digging 3-6 inches down; if soil is dry at that depth, water.

Soil, Fertilizer, and Mulch Recommendations

- Planting depth: keep root flare visible at grade. Planting too deep is the most common cause of failure.
- Soil amendments: add no more than 10-20% aged compost to backfill. Avoid excessive amendments that concentrate nutrients around the root ball and discourage roots from spreading.
- Fertilizer: do not apply high-nitrogen fertilizer at planting. If necessary, use a slow-release, low-dose fertilizer after the first growing season based on soil test results.
- Mulch: 2-4 inches of coarse organic mulch (wood chips, bark) in a 2-4 foot circle; keep mulch 2-3 inches away from the trunk.

Common Mistakes and How to Avoid Them

- Planting too deep: expose the root flare; replant if necessary.
- Poor timing: planting in waterlogged soil or immediately before deep freeze increases mortality. Follow the region-specific windows above.
- Overwatering or underwatering: establish a consistent deep watering schedule, then allow tapering.
- Insufficient site matching: plant drought-tolerant species on south-facing, rocky sites; plant moisture-loving species along riparian corridors.

Species Notes: Special Considerations

- Douglas-fir: Extremely adaptable in western Oregon; plant in fall or early spring. Avoid planting in very droughty, exposed urban sites unless irrigation is available.
- Oregon White Oak (*Quercus garryana*): Plant in fall for best root establishment; oak seedlings do poorly when overwatered—use mulch and moderate irrigation.
- Western Red Cedar: Likes moist sites; do best with fall planting in wet western Oregon soils. Not recommended for dry inland sites.
- Ponderosa Pine and Western Juniper: Suited to eastern Oregon; plant in early spring and provide protection from vole and rabbit browsing.
- Fruit Trees (apples, pears, cherries): Bare-root stock best planted late winter to early spring when dormant. Container stock can be planted in fall in mild zones.

Final Practical Takeaways

- Match species to local zone and microclimate first; good timing cannot fix a poor species choice.
- In western Oregon (coast, Willamette), prefer fall planting when possible; in eastern Oregon, prefer early spring.
- Plant wide, shallow holes, keep the root flare at grade, mulch properly, and water deeply but infrequently to encourage strong root growth.
- Use protective measures for herbivory and staking only when necessary; avoid excessive soil amendments and fertilizers at planting.

Following these region-specific windows and practical steps will greatly increase survival and long-term health of trees planted across Oregon zones. Successful tree planting depends on timing, proper technique, and matching the tree to the site; do those three things well and your new trees will reward you for decades.

Exhibit C – Fall Planting of Trees and Shrubs in Oregon: The Ultimate
Guide to Autumn Planting



Fall Planting of Trees and Shrubs in Oregon: The Ultimate Guide to Autumn Planting



Why fall is Oregon’s “cheat code” for planting

Ask any seasoned Oregon gardener when to put trees and shrubs in the ground and you’ll hear the same refrain: **fall**. As summer heat eases, our soils stay warm while air temps cool—exactly what roots love. Autumn rains (especially west of the Cascades) help you water less, plants experience less transplant shock, and roots develop quietly all winter. By spring, fall-planted trees and shrubs wake up with a bigger root system and sprint into growth.

A helpful primer that echoes this “plant in fall” thesis is Plant Something Oregon’s feature on autumn planting—worth a read if you want the quick science and practical benefits in one place: [Autumn: The ultimate season for planting trees and shrubs](#).

In short:

- Warm soil + cool air = root-first growth.
- Autumn rain = less hand watering.
- Lower stress = lower failure rates.
- Head start = stronger plants next summer.

Oregon's climates in one minute (so you plant at the right time)

Oregon isn't one garden—it's several. Match your timing and plant list to your region:

- Willamette Valley & West of the Cascades (Zones ~7-9): Mild, wet winters; dry summers. Fall planting runs September through early winter whenever soil is workable (avoid frozen/waterlogged days).
- Central & Eastern Oregon / High Desert (Zones ~4-6): Colder winters, hotter summers, less rain. Aim for early-mid fall (Sept-Oct) to beat hard freezes; plan to irrigate during dry spells.
- Oregon Coast (Zones ~8-9): Cool, windy, salty air, abundant moisture. Fall planting excels; pick wind- and salt-tolerant species and amend sandy soils.

When in doubt, ask your local independent nursery for your first frost date and a 4-6 week buffer before ground freeze in colder areas.

What to plant: region-by-region tree & shrub shortlists

Below are homeowner-friendly choices that establish well in fall. Always confirm mature size, light needs, and soil preferences before buying.

Willamette Valley & Western Oregon

Natives (low-maintenance and wildlife friendly):

- Vine maple (*Acer circinatum*) – small tree, stellar red/orange fall color; part shade tolerant.
- Red-flowering currant (*Ribes sanguineum*) – spring hummingbird magnet; drought tolerant once established.
- Mock orange (*Philadelphus lewisii*) – fragrant late-spring bloom; easygoing.
- Oceanspray (*Holodiscus discolor*) – foamy summer plumes, handles summer dryness.
- Oregon grape (*Mahonia aquifolium*) – evergreen, spring flowers, blue berries; tough cornerstone shrub.
- Western crabapple (*Malus fusca*) – small native tree, great for birds.

Climate-adapted ornamentals:

- Japanese maple (*Acer palmatum*) – unmatched form and fall color; prefers even moisture.
- Camellia (*Camellia* spp.) – evergreen, fall/winter/spring bloom by variety; acidic soil, part shade.
- Evergreen huckleberry (*Vaccinium ovatum*) – edible berries, glossy foliage; thrives in acidic, organic soil.

Where to learn more: local extension bulletins and independent nurseries regularly publish “west-side native” and “PNW-proven” lists. The Plant Something Oregon article linked above is a great season-timing explainer and a springboard to local nursery expertise: Plant Something Oregon (Autumn planting).

Central & Eastern Oregon (High Desert)

Natives & tough landscape workhorses:

- Serviceberry (*Amelanchier alnifolia*) – four seasons: flowers, edible berries, color, structure.
- Red-twig dogwood (*Cornus sericea*) – winter stem color; thrives with occasional irrigation.
- Kinnikinnick (*Arctostaphylos uva-ursi*) – evergreen groundcover for hot, dry slopes.
- Rabbitbrush (*Ericameria nauseosa*) – late-summer gold; ultra drought-tolerant.
- Big sagebrush (*Artemisia tridentata*) – iconic silver foliage; thrives in lean soils.
- Mountain mahogany (*Cercocarpus ledifolius*) – evergreen, wind-firm, long-lived.
- Ponderosa pine / Western juniper – plant young stock early in fall; deep water pre-freeze.

Hardy ornamentals (choose compact forms for smaller lots):

- Dwarf mugo pine, spirea, potentilla, ninebark – all proven survivors; choose newer cultivars for scale and color.

Pro tip: amend with compost at planting and mulch to combat low organic matter; plan on regular fall watering until ground freeze.

Oregon Coast

Salt- and wind-tolerant standouts:

- Shore pine (*Pinus contorta* var. *contorta*) – sculptural evergreen that loves sand and wind.
- Pacific wax myrtle (*Morella californica*) – fast hedge/screen; excellent windbreak.
- Coastal silktassel (*Garrya elliptica*, esp. 'James Roof') – winter catkins; dramatic.
- Evergreen huckleberry (*Vaccinium ovatum*) – handsome edible hedge.
- Ceanothus (e.g., 'Victoria') – blue spring bloom; thrives in fast-draining coastal soils.
- Hydrangea, escallonia, hebes, rockroses – reliable evergreen structure and seasonal color.

Soil note: coastal sands often benefit from organic matter to hold moisture and support acid-loving plants.

The foolproof fall-planting method (trees & shrubs)

Use this universal process. It's quick, forgiving, and designed for Oregon's fall weather.

1. **Right plant, right place.** Confirm sun, soil, drainage, and mature size. Avoid future pruning battles by sizing correctly now.
 2. **Pre-water the area (if bone dry).** Moist soil reduces transplant shock and makes digging easier.
 3. **Dig wide, not deep.** Hole should be 2x the width of the root ball and no deeper than root-ball height. Roughen slick sides.
 4. **Fix root problems now.** On container stock, **tease circling roots** or make a few vertical cuts. Remove top wire/rope/burlap on B&B trees.
 5. **Set height at or slightly above grade.** Keep the root flare visible—don't bury the trunk.
 6. **Backfill with native soil + 20-30% compost.** Don't over-amend or you'll make a "pot" in the ground; you want roots to explore.
 7. **Water deeply to settle.** Soak the root zone to eliminate air pockets. Form a low water berm at the edge of the hole for the first season.
 8. **Mulch 2-3 inches.** Keep mulch off the trunk by a few inches. Mulch = moisture retention + weed suppression + winter soil insulation.
 9. **Stake only if necessary.** Two stakes, soft ties, remove in 6-12 months. Many shrubs and small trees don't need staking.
-

Fall & winter care (the part that makes spring easy)

- **Water smart:** West-side gardeners can often let rain take over by late fall, but check soil under mulch—don't assume. East-side/high-desert plantings usually need weekly deep watering in fall until the freeze. Water evergreens once or twice during prolonged winter dry spells above freezing.
 - **Watch the forecast:** Before a sharp early freeze—especially east of the Cascades—water the day prior. Moist soil holds heat better than dry.
 - **Maintain mulch:** Top up if needed; keep it pulled back from trunks/stems to prevent rot and vole hideouts.
 - **Skip fertilizer:** Don't push soft top growth in fall. Feed in late winter/early spring if indicated by plant performance or soil test.
 - **Guard against wildlife:** Use trunk guards for rabbits/voles; netting or repellents where deer browse heavily.
 - **Minimal pruning:** Remove only dead/damaged wood at planting. Save shaping for late winter or the following year after establishment.
-

Quick calendar by region (typical years)

- **Willamette Valley / West-side:** Plant Sept-early Dec and late Jan-March (when soil is workable).
- **Central & Eastern Oregon:** Plant Sept-Oct; earlier is safer. Avoid late-fall installs that can't root before hard freeze.
- **Coast:** Plant Sept-Nov; keep an eye on wind exposure and stake only where truly needed.

(Adjust for unseasonal heat waves, soaked soils, or early snaps.)

Easy wins: small yards, low water, year-round interest

If you're overwhelmed by choices, try these simple formulas per region:

Willamette Valley small-yard trio

- **Tree:** Vine maple (multi-stem for sculptural form).
- **Evergreen:** Oregon grape (state flower; pollinators love it).
- **Seasonal color:** Red-twig dogwood (winter stems) or camellia (winter blooms).

Central Oregon low-water trio

- **Tree/shrub:** Serviceberry (four-season show).
- **Evergreen groundcover:** Kinnikinnick (binds slopes; minimal care).
- **Structure:** Dwarf mugo pine or compact ninebark (select cold-hardy cultivars).

Coastal wind-smart trio

- **Screen:** Pacific wax myrtle (fast, clip to shape).
 - **Feature evergreen:** Shore pine (windswept character).
 - **Edible hedge:** Evergreen huckleberry (berries + birds).
-

Common mistakes (and the fix)

- **Planting too deep.** Always set the root flare at or slightly above grade.
 - **Under- or over-watering.** Check moisture under mulch with your hand or a probe; water deeply but infrequently.
 - **Skipping mulch.** It's non-negotiable for first-year success.
 - **Over-amending the hole.** Blend with native soil so roots don't circle in a "soft spot."
 - **Planting too late in cold regions.** In the high desert, shoot for early fall so roots establish pre-freeze.
 - **Ignoring mature size.** A 6-foot shrub in a 3-foot bed will become a pruning chore. Size it right at purchase.
-

Simple soil & site tweaks that pay off

- **Drainage check:** If a 12"-deep test hole holds water overnight, build a raised mound/berm or choose water-tolerant species.
 - **Acid lovers (camellia, huckleberry, rhody):** Work in leaf mold/composted bark to nudge pH downward and boost organic matter.
 - **Wind exposure:** On the coast and in the Columbia Gorge, plan windbreaks (fencing, hedges) and consider staking taller trees the first winter.
 - **Sun mapping:** Observe summer and winter sun angles; don't tuck sun-lovers under deep eaves or shaded north walls.
-

Watering math for new trees & shrubs (rule of thumb)

- **Shrubs (1-3 gal):** 1-2 deep soaks/week in fall when dry; 5-10 min with a slow trickle or 2-3 gallons from a watering can, depending on soil.
- **Small trees (5-15 gal):** 1 deep soak/week; aim for 10-15 gallons into the root zone per irrigation in fall dryness.
- **Balled & burlapped or larger caliper trees:** Soak twice the first week, then weekly; confirm moisture at 6-8" depth.

Adjust for rainfall, temperature, wind, and soil type (sand drains faster than clay).

Budget ideas: plant smaller, plant smarter

- **Buy smaller containers.** A healthy 1- or 2-gallon shrub often outgrows a pot-bound 5-gallon within two years.
 - **Leverage fall sales.** Nurseries discount heavily in October/November—perfect timing in western Oregon.
 - **Group plants by water needs.** Saves time and money.
 - **Use leaves as mulch.** Shred with a mower and apply 2-3" around beds (keep off crowns).
-

Quick FAQs (for Oregon homeowners)

Q: Can I plant in winter west of the Cascades?

A: Often yes—if soil is workable (not frozen or waterlogged). Many west-side trees and shrubs transplant beautifully mid-winter.

Q: Is it okay to fertilize at planting?

A: Skip it in fall. Let roots settle. Reassess in late winter/early spring with a light, slow-release product if needed or after a soil test.

Q: How much should I prune at planting?

A: Only remove broken/crossing branches. Structural pruning can wait until late winter or the following year.

Q: How do I know I'm watering enough?

A: Dig a small test hole at the edge of the root ball. Cool, moist soil at 3-6" depth is the target. Adjust by weather and soil.

Q: What about deer?

A: Use temporary cages/netting the first year. Choose less-palatable species where pressure is high, and consider repellents.

Local help and further reading

- **Seasonal overview & why autumn wins:** [Plant Something Oregon — Autumn: The ultimate season for planting trees and shrubs](#)
- **Find region-ready plants & timing:** Your local independent nursery (many are part of the Oregon Association of Nurseries) can steer you to the best cultivars for your microclimate, stock sizes that transplant well in fall, and practical irrigation advice for your soil type.

ATTACHMENT E

LETTER TO YAMHILL COUNTY BOARD OF COMMISSIONERS FROM MERISSA
A. MOELLER, NOVEMBER 20, 2025



RECEIVED

NOV 20 2025

YAMHILL COUNTY
PLANNING DEPARTMENT

November 20, 2025

Merissa Moeller
760 SW Ninth Avenue, Suite 3000
Portland, OR 97205
D. 503.294.9455
Merissa.moeller@stoel.com

VIA EMAIL (planning@yamhillcounty.gov)

Yamhill County Board of Commissioners
535 NE 5th Street
McMinnville, OR 97128

Re: Docket No. C-01-25 – Applicant’s Final Written Argument

Dear Chair Johnston, Commissioner Starrett, and Commissioner King:

My office represents J&S Restoration and Reconstruction, LLC, the family-run loss mitigation business owned by Mr. Isidro Javier Ceja and Ms. Sara Herrera Contreras that is the subject of this appeal. This submittal constitutes the Applicant’s final written argument, pursuant to ORS 197.797(6)(e). Although Mr. Ceja applied for this home occupation permit through his agent, M&H Oregon Construction, LLC, the permit would be “personal” to Mr. Ceja. *See* Sept. 12, 2025 Director’s Decision, Condition of Approval 6. Therefore, this submittal refers to J&S Restoration and Reconstruction, LLC and Mr. Ceja interchangeably as the “Applicant” in this appeal.

At the outset, Mr. Ceja’s neighbors appear to hold significant misperceptions about the nature of the proposed home occupation and the scope of land use activities authorized in the Exclusive Farm Use (“EFU”) zone. The Applicant has proposed an extremely modest home occupation, limited to equipment storage, maintenance, and loading, and a one-person office within an existing shell barn that currently lacks any interior commercial improvements (“Proposed Use”). The Applicant is not proposing a massive commercial enterprise, such as a bed and breakfast, disguised as a home occupation. This case is not the *Grange Hill* case, as this Board is well aware. *See Friends of Yamhill Cnty. v. Yamhill Cnty.*, 373 Or 790, 572 P3d 278 (2025).

Home occupations are conditionally allowed in the EFU zone, which is the zone that governs Mr. Ceja’s property, as well as his neighbors’ properties. The EFU zone is not a rural residential zone, and the legislature has authorized home occupations on EFU land for exactly the type of small family business that Mr. Ceja is proposing to operate. Appellants’ desire for an idyllic, private country lane is understandable, but it is not consistent with the state and local laws promoting reasonable levels of economic activity on the working resource lands where Appellants have chosen to live.

The record also reflects that the Proposed Use will have very minimal—if any—impact on neighboring properties. County staff’s original decision thoroughly considered comments from neighbors, addressed all applicable approval criteria, and correctly concluded that all relevant

impacts to surrounding properties could be mitigated through appropriate conditions of approval. Moreover, most of the additional conditions of approval requested by the Appellants in their November 6 Testimony are measures the Applicant has already proposed to implement. *See* Appellants' Nov. 6 Testimony at 9–10. If this Board feels the need to impose additional conditions of approval, the Applicant proposes the following:

1. Hours of operation shall be limited from 7:00 a.m. to 6:00 p.m., with the exception of emergency dispatch, which shall be allowed on a 24/7 basis.
2. The applicant and/or landowner shall provide a sight-obscuring fence or vegetative screening along the subject property's south and west property lines.
3. The home occupation shall not feature the outdoor storage of equipment; however, outdoor storage of business vehicles shall be allowed. Once the sight-obscuring fence is installed or vegetative screening is planted, business vehicles shall be parked behind such fence or screening.
4. The site of the home occupation shall not be used as a meeting location for patrons or clients, instead being limited to use by employees of the home occupation business.

Mr. Ceja cannot pave NE Equestrian Drive for the benefit of his neighbors, as implementing such a condition would be unreasonably expensive and grossly disproportionate to any impacts from the Proposed Use. Mr. Ceja also cannot conduct all equipment loading and unloading inside a building, given his barn's existing orientation on his property. Mr. Ceja will, of course, comply with applicable noise standards that apply to all land uses in Yamhill County, so no corresponding condition of approval is required. *See* Appellants' Nov. 6 Testimony, at 9–10 (Proposed Conditions 1, 2, 4, and 6).

Mr. Ceja and his family have already gone to extraordinary lengths to accommodate their neighbors' preferences—well beyond what the law requires. We would hope that any remaining differences of opinion can be resolved through a face-to-face conversation between neighbors. It appears the parties are not that far apart, and we remain optimistic that reaching a reasonable settlement is possible.

Nonetheless, in anticipation of a potential LUBA appeal by the Appellants or other neighbors, we offer the following responses to the arguments raised by the Appellants in their Sept. 29 Appeal Letter ("Sept. 29 Appeal"), Nov. 6 Open Record Submittal ("Appellants' Nov. 6 Testimony"), Nov. 13 Open Record Submittal ("Appellants' Nov. 13 Testimony"), and at the Board's Oct. 30 public hearing.

For these reasons, and those detailed below, we respectfully request that the Board affirm the Planning Department's decision dated September 12, 2025, approve the Applicant's CUP application ("Application"), and deny the appeal.

I. Factual Background

As you know, in December 2024, Mr. Ceja applied for a conditional use permit (“CUP”) to operate a home occupation loss mitigation business (“Proposed Use”) in a new barn on his family’s property at 10431 NE Equestrian Drive, McMinnville, OR 97128 (“Subject Property”).

At the County’s direction, the County’s Building Department reviewed plans for Mr. Ceja’s new barn and issued a building permit in February 2025. Applicant’s Nov. 6 Testimony, Exhibit F. The building permit stated that it was for a “[s]torage building for special equipment used for mitigation (Shell Only).” *Id.* at 1. The building permit states that a “new application and plans will be needed for T[enant] I[mprovements].” *Id.* These records make clear that the new building approved by the County to date is simply a shell building—ultimately intended, in part, for equipment storage associated with Mr. Ceja’s home occupation—but currently unimproved while it awaits final land use and other building permit approvals.

Mr. Ceja then completed the approved construction on his new barn over the summer. Both before and while constructing the barn this past summer, Mr. Ceja repeatedly communicated with his neighbors—the Goodroes (“Appellants”), Brucks, and Winkelmanns—about his plans for his property. Applicant’s Nov. 6 Testimony. Notably, Mr. Ceja repeatedly communicated his desire to be a good neighbor; clarify any misperceptions about the barn, his family, and his business; and address his neighbors’ concerns about changes to the Subject Property. *See id.*, Exhibit D. Mr. Ceja also notified each of his neighbors that he had received a building permit for the barn at least as early as July 29, 2025. *See id.*, Exhibit D, at 2 (“We have acquired ... permits for the business building.”).

Meanwhile, County planning staff processed Mr. Ceja’s CUP application to operate his loss mitigation business in the new barn. As Mr. Ceja has explained, the business activities proposed for the barn are extremely minimal: storage and minor, routine cleaning of equipment; loading and unloading of equipment to vehicles; and a one-person business office. Director Friday’s office approved the CUP on September 12, 2025 (“Sept. 12 Director’s Decision”), concluding that the application met all applicable legal standards for a home occupation. Director Friday’s office also imposed 15 conditions of approval to ensure compliance and minimize impacts on our neighbors.

On September 29, 2025, the Appellants filed their appeal of the Sept. 12 Director’s Decision. The Board held its first evidentiary hearing on October 30, 2025 and subsequently held the record open, at the request of Appellants, pursuant to ORS 197.797(6).

II. Analysis

Appellants’ written submittals raise various incorrect legal standards that simply do not apply to this Application. In this section, we clarify the correct approval standards and demonstrate how the Applicant’s proposed use, as conditioned by staff, complies with those standards.

A. Applicable Zoning – EF-40 (Exclusive Farm Use)

As noted, the Subject Property is zoned EF-40. Home occupations like the Proposed Use are a conditional use in the EF-40 zone. ORS 215.283(2)(i); ORS 215.448; OAR 660-033-0130(14); YCZO 402.04(I). Many of the state and local approval criteria for home occupations reference, as a baseline standard, activities or impacts “normally associated” with or that “normally occur” in the EFU zone. Therefore, we believe it is important to begin with the purpose of the EFU zone.

As Appellants themselves have acknowledged, the purpose of the EFU zone is to promote “farm use,” as defined in ORS 215.203. *See* Appellants’ Nov. 6 Testimony. *But see* Nov. 6 Testimony of Steve and Melissa Winkelman (“How can it be that a property * * * zoned for residential farmland can be changed so dramatically * * * ?). All other uses—including non-farm dwellings—are the exception, not the rule. *See, e.g.,* ORS 215.284 (imposing approval criteria for non-farm dwellings). There is no evidence in the record that Appellants or their other neighbors are farming their properties as a primary occupation. Therefore, on a very basic policy level, Appellants’ and the Applicant’s competing visions for their shared street are on equal footing.

ORS 215.203, which defines “farm use” provides context for the types of impacts “normally” associated with the EFU zone. For example, “farm use” includes “raising, harvesting and selling crops or the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof.” ORS 215.203(2)(a). Anyone who has spent time around livestock breeding knows that it is noisy, creates considerable dust and smell impacts, and is unpredictable as animals get sick, herd sizes grow and shrink, and animals or their products (*e.g.,* dairy) are shipped off for final commercial purposes. Orchard and vegetable farming operations have different but comparable impacts, including pesticide application, plowing, and significant manual labor onsite to pick crops.

Yamhill County also recognizes that the types of activities and impacts “normally” associated with or occurring on EFU land may well not reflect the rural idealistic images folks longing for a “farm” property imagine. The County has even taken steps to warn potential purchasers of EFU land of “rural realities.” Applicant’s Nov. 6 Testimony, Exhibit N (“So ... You Think You Want to Live in the Country?”). A key excerpt from the County’s brochure warns:

While you may feel that country living will provide you with privacy and tranquility, there are pitfalls. Since much of the county is farmed, and many of the rural residential areas are next to farmland, anyone wanting to move to rural Yamhill County should know the farms are a special type of neighbor. Farmers create dust and noise in the process of working fields and harvesting crops, and this may be early in the morning or at night. Some types of crops require that farmer deliberately make lots of noise in order to scare away birds. Fields are routinely sprayed with chemicals, sometimes by airplane, and it is difficult to control overspray in all situations. These farming practices are

protected in farm zones. Farmers are not required to alter their methods, even if they disturb or irritate you. Farm smells are another matter you should consider when thinking of moving to the country. Livestock and poultry are the main thing to look for, but materials applied to the cropland can also be offensive.

Yamhill County is forced to issue public warnings like this to head off exactly the situation we find ourselves in now: Neighbors in the EFU zone with non-working properties seek government intervention because they crave a more “rural residential” feel—the phrase Appellants repeatedly use to characterize NE Equestrian Drive. *See, e.g.*, Sep. 29 Appeal at 21, 27.

We ask the Board to keep this baseline “farm use” standard in mind when evaluating the types of land use impacts “normally” associated with the EFU zone.

B. State Approval Criteria

The Proposed Use complies with the controlling state approval criteria at ORS 215.448, ORS 215.296, and OAR 660-033-0130(14), as demonstrated in the Sept. 12 Director’s Decision and this section.

OAR 660-033-0130(14) Home occupations and the parking of vehicles may be authorized. [ORS 215.283(2)(i); ORS 215.448(1)]

(a) Home occupations shall be operated substantially in the dwelling or other buildings normally associated with uses permitted in the zone in which the property is located.

See also ORS 215.448(1)(c). In response to this criterion, County staff found:

“[T]he loss mitigation business will be operated substantially within an accessory shop building and the shop is similar in size and shape to other accessory buildings commonly found in the Exclusive Farm use zone. This type of accessory building is in keeping with other accessory buildings commonly found in the Exclusive Farm Use District and in the surrounding area. Future owners can use this structure in conjunction with farm uses and/or for personal storage needs and would be permitted in the Exclusive Farm use zone. Staff finds that with conditions the request complies with the above criterion.”

Aug. 29 Staff Report at 11.

As staff correctly reasoned, the key legal question is whether the accessory building where Mr. Ceja plans to operate his home occupation qualifies as a “building[] normally associated with uses permitted” in the EF-40 zone.

The building at issue is an approximately 6,480-square-foot empty, shell barn that has not yet been approved for any interior tenant improvements. The Applicant characterized this building

as a “barn” associated with his “proposed tree farm” in his application submitted on December 24, 2024, as well as his supplemental description submitted on July 3, 2025, both of which were appended to staff’s Aug. 29 Staff Report.

Appellants take issue with the word “barn” and argue that the building cannot be treated as a “barn” because it received a “commercial” building permit and, therefore, is a “commercial structure.” Appellants’ Nov. 13 Testimony at 2. The Applicant does not dispute that the building received a commercial building permit (at the County’s direction). However, that does not mean it is not the type of building “normally associated with uses permitted in the” EFU zone. Whether characterized as a “barn,” “shed,” or otherwise, the structure could readily serve a variety of future purposes to serve uses permitted as of right in the EFU zone, including farm uses or personal storage for an authorized residence. Appellants have not demonstrated otherwise. *See, e.g., Green v. Douglas Cnty.*, 245 Or App 430, 263 P3d 355 (Or App 2011) (“[T]he limiting factor for the allowed types of buildings under ORS 215.448(1)(c)(B) . . . is not a matter of the design of the structure; it is whether the building is commonplace—whether it is ‘normally associated with uses permitted in the zone in which the property is located.’”).

Appellants also argue that the Subject Property lacks a “primary farm dwelling.” *See* Appellants’ Nov. 6 Testimony at 5-6. But the Applicant has never claimed that the home occupation will operate in a primary farm dwelling. Accordingly, Appellants’ arguments regarding the “\$80,000 test” and Christmas tree farming costs are irrelevant to the applicable legal standards. The Applicant proposes to operate in the second category of permissible structures: an “other building[] normally associated with uses permitted in the zone in which the property is located.” ORS 215.448(1)(c)(B); OAR 660-033-0130(14)(a).

The dispositive question is whether the Applicant’s barn is the type of structure “normally associated with uses” permitted in the EFU zone. It is. The land uses permitted in the EFU zone area associated with buildings as diverse as “churches,” ORS 215.283(1)(a), farm dwellings and accessory farm buildings, ORS 215.283(1)(d) and (e), wineries, ORS 215.283(1)(n), farm stands, ORS 215.283(1)(o), fire service facilities, ORS 215.283(1)(s), solid waste disposal O&M buildings, ORS 215.283(2)(k), destination resorts, ORS 215.283(2)(t), schools, ORS 215.283(2)(aa), and more. Although the Applicant’s barn is large relative to his dwelling, so is Mr. Goodroe’s barn. *See* Applicant’s Nov. 6 Testimony, Exhibits B and Q. The Applicant’s barn is proportionate to his property and intended uses, which include personal storage, equipment for Christmas tree farming, and the proposed home occupation.

Ultimately, Appellants and their other neighbors are unhappy about the size of Mr. Ceja’s barn. They have gone so far as to appeal Mr. Ceja’s building permit to LUBA, asserting that a land use hearing was required to evaluate whether it is really a “barn” before the building permit could issue. These are surprising positions to take, given that (1) they are inconsistent with the law and (2) Mr. Goodroe also secured a building permit for a “detached accessory structure” earlier this year, and there is no evidence that farming is his primary occupation. *See* Applicant’s Nov. 6 Testimony, Exhibit Q.

At the end of the day, the applicable legal standard requires the County to evaluate whether the Applicant's barn is the type of structure "normally associated" with the EFU zone. How the barn was permitted is a separate legal issue. This criterion is satisfied, as County staff correctly found.

(b) A home occupation shall be operated by a resident or employee of a resident of the property on which the business is located, and shall employ on the site no more than five full-time or part-time persons.

See also ORS 215.448(1)(a)–(b). As stated in the Applicant's Nov. 6 Testimony, at 1, Isidro Javier Ceja and his wife, Sarah Herrera Contreras, reside full-time at 10431 NE Equestrian Drive, McMinnville, OR 97128, and have no plans of moving elsewhere.

As also stated in Applicant's Nov. 6 Testimony at 2, the business employs a total of five full-time and part-time employees, including the two business owners: Mr. Ceja and Ms. Contreras (2); their daughter (part-time); their crew chief, Carlos Alberto Servin; and their marketing and office manager, Lisa Springer. Staff's Condition of Approval 5 also limits the home occupation to five full or part time employees. This criterion is satisfied, as County staff correctly found.

(c) A governing body may only approve a use provided in OAR 660-033-0120 as a home occupation if:

(A) The scale and intensity of the use is no more intensive than the limitations and conditions otherwise specified for the use in OAR 660-033-0120, and

This criterion does not apply to this Application, as staff correctly found.

(B) The use is accessory, incidental and subordinate to the primary residential use of a dwelling on the property.

The purpose of this criterion is to ensure that a business permitted as a "home occupation" does not overtake the primary use of the property as a "home." Importantly, this criterion evaluates whether the home occupation "use" is accessory, incidental, and subordinate to the primary residential land use. This criterion does not evaluate whether accessory structures (like a barn) are incidental and subordinate to a primary residential structure.

Oregon courts do not look at any single factor in isolation to determine whether a land use is accessory, subordinate, and incidental to another use. Instead, they apply a totality of the circumstances test, weighing considerations such as the frequency, nature, and intensity of the use; its economic structure; the size of the land and structures involved; the character of adjacent properties; and whether similar accessory uses exist nearby. *Friends of Yamhill County v. Yamhill County*, 301 Or App 726, 735, 458 P3d 1130, 1135 (2020).

Properly viewed through this lens, the Proposed Use is clearly accessory, incidental, and subordinate to the primary residential use of the Subject Property. The property's primary

function is residential: It was purchased as the “forever home” of the Applicant’s family, his children during school breaks, and soon, Ms. Herrera’s aging parents. Applicant’s Nov. 6 Testimony. Presumably, the Applicant’s family would continue living at the Subject Property regardless of the outcome of this land use process.

Meanwhile, the Proposed Use would occupy only a small portion of the property—less than twenty percent—while the remainder would be devoted to residential living and agricultural activities, including Christmas tree farming. The barn that will house the business is consistent with the agricultural character of the area, where barns are common and expected. The business itself would be integrated into the Applicant’s daily life and would not operate as a public-facing enterprise. In short, the residential use would continue to dominate in character, scale, and function.

Appellants contend that the Proposed Use does not meet this standard because of three main factors: (1) the size of the barn, (2) traffic impacts, and (3) stormwater impacts. None of these arguments withstand scrutiny.

(1) Size of the Barn: It is true that the Applicant’s barn is larger than his family’s dwelling, but that is unsurprising for a farm property. Agricultural operations require structures capable of storing equipment far larger than household furniture. The barn is not abnormal for a property of this size and zoning; it will serve both the home occupation and the Subject Property’s agricultural use, Christmas tree farming. Moreover, barns are a defining feature of agricultural zones, and Mr. Goodroe himself has a barn that is quite large in proportion to his house. Far from undermining the Subject Property’s residential character and use, Mr. Ceja’s barn reinforces the property’s agricultural identity. And, as noted, the relevant legal question is not whether the barn is “subordinate and incidental” to Mr. Ceja’s house, but whether his proposed home business will be “subordinate and incidental” to his residential use of the Subject Property.

(2) Traffic Impacts: The Applicant estimate an average of 3-4 business-related round trips per day (including personal trips home for lunch) (*i.e.*, 6-8 daily trips), based on his years of experience operating his business in Yamhill County. Even in rare emergency scenarios, trips would not exceed 10 round-trips per day (*i.e.*, 20 daily trips). These figures align with the standard supplied by Appellants for typical residential traffic impacts. *See* Appellants’ Nov. 6 Testimony at 8 (“The number of trips far exceeds the typical 10 trips-per-day associated with a residence.”). The record also reflects that Ms. Goodroe’s previous trip counts collected over the summer have been inflated by recent construction activity at the Subject Property, not unauthorized business operations. Once construction completely concludes, trips will be limited and predictable; vehicles leaving in the morning and returning in the evening, with occasional midday equipment pickups.

(3) Stormwater Impacts: Appellants have raised various stormwater-related concerns, including asserting that the “business use also creates more than triple the amount of stormwater than the residence, and it is unclear from the record where the water is being routed.” Appellants’ Nov. 6 Testimony at 8. There is no evidence to conclude that the Proposed Use will create triple the

amount of stormwater than the residence—or frankly, even to make that inference. *See* Applicant’s Nov. 13 Testimony at 1-2. The Proposed Use is equipment storage and an office in a barn that has already been constructed. In short, stormwater impacts are irrelevant to this criterion. Appellants’ unsubstantiated stormwater management concerns do not alter the fundamental relationship between the home occupation and the residential use at the Subject Property.

Appellants also raise concerns that “[t]he business will [] create more dust, noise, and fumes than a typical rural residence” and the barn structure will create a visual effect that is not incidental and subordinate to the residence. None of these factors are applicable to this analysis; they are relevant only to the Subject Property’s external impacts and are addressed as necessary in the parts of this submittal dealing with those issues.

Under the totality of the circumstances, the Proposed Use will be modest in scope, integrated with the Subject Property’s agricultural character, and secondary to the Applicant’s primary residential use. Appellants’ arguments, focused narrowly on building size and vehicle trips, ignore the broader legal standard and the reality of how the Subject Property functions. The Applicant’s Proposed Use will be accessory, incidental, and subordinate to the residential use, and this criterion is satisfied.

ORS 215.448(1) [I]n an exclusive farm use zone, * * * the following standards apply to the home occupation:

* * * * *

(d) It shall not unreasonably interfere with other uses permitted in the zone in which the property is located.

County staff addressed potential impacts to neighbors and other uses permitted in the EFU zone at length in the Aug. 29 Staff Report. We also address these issues later in this submittal and incorporate those arguments here. Notably, the legislative history of ORS 215.448(1)(d) emphasizes the degree to which it was intended to prevent home occupations from causing significant and unreasonable interferences with other land uses. HB 2561 (1995), which modified ORS 215.448 to create the current language, “modified what had been a requirement that a home occupation ‘not interfere’ with other uses permitted in the zone, requiring instead that a home occupation ‘not unreasonably interfere’ with those uses.” *Friends of Yamhill Cnty. v. Yamhill Cnty.*, 373 Or 790, 572 P3d 278 (2025). Thus, as a legal matter, this provision was not designed to block home occupation permits based on the minor types of impacts raised by Appellants in this appeal.

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ORS 215.448(3) Nothing in this section authorizes the governing body or its designate to permit construction of any structure that would not otherwise be allowed in the zone in which the home occupation is to be established.

Appellants have asserted that the barn where the Proposed Use would be located “should never have been approved” and have now filed a LUBA appeal of the building permit for the barn. Appellants’ Nov. 13 Testimony at 1. However, Appellants have not asserted that the County relied on the Applicant’s proposed home occupation to permit the barn, and nothing in the record supports that conclusion either. This criterion is satisfied.

ORS 215.296(1) A use allowed under ORS 215.213 (2) or (11) or 215.283 (2) or (4) may be approved only where the local governing body or its designee finds that the use will not:

(a) Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or

(b) Significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use.

(2) An applicant for a use allowed under * * * 215.283 (2) * * * may demonstrate that the standards for approval set forth in subsection (1) of this section will be satisfied through the imposition of conditions. Any conditions so imposed shall be clear and objective.

Staff’s Aug. 29 Staff Report contains four full pages of findings evaluating potential impacts of the Proposed Use on surrounding farm and forest properties. *See* Aug. 29 Staff Report, 15–19. This analysis thoroughly addresses concerns raised by the Appellants and other neighbors on properties immediately adjacent to the Subject Property, as well as those resource lands in the wider vicinity. Thus, it is unclear why Appellants believe this analysis was insufficient. *See* Sept. 29 Appeal at 25. To summarize staff’s analysis:

1) Define the analysis area

Although Appellants allege that the County has not defined the “surrounding area,” County staff explicitly defined the “surrounding area” on page 2 of the Aug. 29 Staff Report:

All of the surrounding lots are located in the EF-40 zone. Land use in the surrounding area consists of rural residential and commercial farm uses, predominantly in the form of hazelnut orchards grass seed, wheat and hay fields, and livestock pasturage. Rural residential uses are present on four (4) of the nearest lots (Tax Lots 4401-03400 4401-02400, 4401-03300, and 4401-03200), including the three adjacent lots to the south, southwest, and west. This cluster of five lots, including the Applicant’s lot, that are predominantly used residentially are all roughly the same size, ranging between 3.75-acres and 5.5-acres.

As Appellants stated on page 7 of their Sept. 29 Appeal:

LUBA generally takes a practical approach to the analysis, and therefore the County's failure to separately analyze more distant properties in the study area or identify its outer boundaries is not reversible error, where the County found no significant impacts on parcels adjacent to the subject property and, given the homogeneity of the surrounding area, significant impacts on non-adjointing parcels are unlikely. *Sisters Forest Planning Comm. v. Deschutes County*, 48 Or LUBA 78 (2004).

Given both the scale and the nature of the Proposed Use, alongside the fact that the wider surrounding area is also entirely agricultural land, the County's designated area of impacts is sufficient.

2) Inventory of farm/forest uses in the analysis area and accepted farm/forest practices

Inventorying land does not require a robust quantification or consultant-driven process. As Appellants themselves concede, “[t]his task [of inventorying land] is most often accomplished by means of a visual survey.” Sept. 29 Appeal at 9.

In the staff report, County staff described the uses in the surrounding lands as: “hazelnut orchards, grass seed, wheat and hay fields, and livestock pasturage. Rural residential uses are present on four (4) of the nearest lots (Tax Lots 4401-03400 4401-02400, 4401-03300, and 4401-03200).” The staff report both identifies specific tax lots and the farming operations occurring on them. Appellants allege that the County has not identified the “accepted farming practices.” However, there is no legal requirement that the County provide information beyond what staff provided here.

3) Identify potential significant impacts and conflicts

In the staff report, County staff identified potential impacts, as relevant to other properties' farming and forestry practices, as traffic; noise; erosion; water impacts; and environmental contamination. *See, e.g.*, Aug. 29 Staff Report, at 6–9. Appellants subsequently identified exhaust odor/fumes, traffic, dust, and glare from headlights as potential impacts on surrounding properties that must be considered. *See* Sept. 29 Appeal, at 10. The County considered those potential impacts in a full page of analysis. *See* Aug. 29 Staff Report, at 15–16.

Appellants contend: “The applicant needs to address the externalities created by his business, including such impacts as noise, exhaust odor/ fumes, traffic, dust, and glare from headlights. None of this critical analysis has been completed.” Sept. 29 Appeal at 11 (emphasis added). In fact, many of these impacts were described by Appellants and then explicitly considered and addressed by the Planning Department's staff report, often in multiple places. *See, e.g.*, Aug. 29 Staff Report, at 16–17 (“Additionally, because the loss mitigation activities will occur indoors there will be minimal noise generated from the business will be comparable to noise commonly associated with and generated by the farm activities permitted in the farm zone and that commonly occur in the county.”); 9 (“Regarding access to the property, NE Equestrian Drive is a public graveled road and while the road may emit dust during the dry season and be muddy

during the rainy season, it appears to be adequate to meet the traffic needs for the business.”); 5 (“There will be no on-site retail component to this business or customers visiting the subject lot so traffic to and from the site that is associated with the business will be for employees and for vehicles to be picked up and dropped off for mobilization and demobilization.”).

Additionally, other impacts identified by Appellants that were not explicitly addressed in the staff report—e.g., glare from headlights and exhaust odor/fumes—will not cause significant impacts on neighboring farm and forestry practices. See Applicant’s Nov. 6 and Nov. 13 Testimony. Again, Appellants mischaracterize the legal standard. The question is not whether the Proposed Use will have any conceivable impacts on the Appellants’ and their neighbors’ homes or properties. The question is whether impacts from the Proposed Use will “significantly” change or increase the cost of “accepted farm or forest practices.”

This confusion around the standard may be because Appellants misunderstand the term “significant” in this context. Appellants argue that the term “significantly” is undefined and therefore requires a dictionary definition and caselaw to guide interpretation. See Sept. 29 Appeal at 10 (“Because the term ‘significant’ is undefined, and of common usage, it is permissible to consult dictionary definitions.”). But, in the primary case Appellants cite to support their “farm and forest impacts” analysis, *Stop the Dump Coalition v. Yamhill County*, defines “significant” in this exact farm and forest impacts context as:

the following definition of “significant” from *Webster's Third New International Dictionary* is most apt: “**3 a:** having or likely to have influence or effect : deserving to be considered : IMPORTANT, WEIGHTY, NOTABLE[.]” *Webster's* at 2116 (unabridged ed. 2002).

As used in ORS 215.296(1) to modify a “change in accepted farm or forest practices on surrounding lands,” the ordinary meaning of “significant” indicates that the change has, or is likely to have, an important influence or effect on the farm or forest practices “on surrounding lands.”

See 364 Or 432, 447, 435 P3d 698, 707 (2019) (emphases in original).

In this case, neither staff nor the Appellants have identified any impacts that would affect farm and forest practices in the surrounding area, much less impacts that would “significantly” change or increase the cost of accepted farm or forestry practices. Because the Proposed Use’s on-site operations at the Subject Property will only consist of administrative tasks, storage, and minor cleaning, impacts to surrounding properties will be inherently de minimis. This criterion is satisfied.

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C. Local Approval Criteria

The Proposed Use also complies with the controlling local approval criteria at YCZO 402.04, 402.07(A), 1004.01, and 1202.02, as demonstrated in the Sept. 12 Director's Decision and this section.

YCZO 402.04 Conditional Uses

The following uses are allowed in the Exclusive Farm Use District upon conditional use approval. Approval of these uses is subject to the Conditional Use criteria and requirements of Section 1202, and subsection 402.07(A) of this ordinance and any other provision set forth below. Applications shall be reviewed under the Type B procedure of Section 1301:

**** * * * ****

(I) Home occupation, subject to the standards and limitations set forth in Section 1004.

YCZO 402.07 Approval Standards for Approval of Conditional Uses

(A) In the Exclusive Farm Use District, prior to establishment of a conditional use, the applicant shall demonstrate compliance with the following criteria in addition to other requirements of this ordinance:

- 1. The use will not force significant change in accepted farming or forest practices on surrounding lands devoted to farm or forest use.***
- 2. The use will not significantly increase the cost of accepted farming or forest practices on surrounding lands devoted to farm or forest use.***

The Applicant has already demonstrated why this criterion is satisfied in response to ORS 215.296 and incorporates that discussion by reference.

YCZO 1004.01 Standards and Limitations

Except as provided in the Minor Home Occupation standards listed in Subsection 1004.01 [sic], the following standards and limitations shall apply to home occupations:

- A. The home occupation will be operated by a resident of the property on which the business is located.***

The Applicant has already demonstrated why this criterion is satisfied in response to OAR 660-033-0130(14)(b) and incorporates that discussion by reference.

B. The home occupation will employ on the site no more than five full or part-time employees.

The Applicant has already demonstrated why this criterion is satisfied in response to OAR 660-033-0130(14)(b) and incorporates that discussion by reference.

C. The home occupation will be operated substantially in the dwelling or in other buildings normally associated with uses permitted in the zone in which the property is located.

The Applicant has already demonstrated why this criterion is satisfied in response to OAR 660-033-0130(14)(a) and incorporates that discussion by reference.

D. The home occupation will not unreasonably interfere with existing uses on nearby land or with other uses permitted in the zone in which the property is located.

The Applicant has already demonstrated why this criterion is satisfied in response to ORS 215.448(1)(d) and incorporates that discussion by reference.

E. No more than one (1) home occupation shall be permitted in conjunction with any dwelling or parcel. Activities which are substantially different in nature shall be considered separate home occupations.

The Applicant has applied for one home occupation, and there is no evidence that any other home occupation is occurring or will occur at the Subject Property. The Applicant has testified that they are not currently conducting business operations at the Subject Property. Staff's Condition of Approval 8 also limits the Applicant to the single loss mitigation business home occupation. This criterion is satisfied.

F. A home occupation shall not be used to permit construction of any structure that would not otherwise be allowed in the zone in which the home occupation is established, nor shall a home occupation be used as justification for a zone change.

The Applicant has already demonstrated why this criterion is satisfied in response to ORS 215.448(3) and incorporates that discussion by reference.

G. The total area used for outdoor storage shall not exceed the allowable parcel coverage in the zone in which the home occupation is established.

As staff correctly concluded, "[t]he subject lot measures approximately 5.5 acres in size therefore the parcel coverage standard is not applicable for this request." See Aug. 29 Staff Report, at 12. Additionally, the Applicant has not proposed any outdoor storage. In response to this criterion, Appellants' Sept. 29 Appeal cites incorrect legal standards and does not provide any support to rebut staff's findings on this point. See Sept. 29 Appeal at 14. This criterion is satisfied.

H. There shall be no visible evidence of the conduct of a home occupation from any road or adjacent property, other than permitted signs. Any outdoor storage or outdoor work areas shall be effectively screened by vegetation or by a sight obscuring fence.

As stated in the Applicant's Nov. 6 Testimony, at 3, minimal work activities will occur on the site. All equipment storage will be in the barn, out of sight from neighbors. As discussed in the Applicant's Nov. 13 Testimony, the Applicant intends to grow a vegetation screen along the south and west sides of their property, screening the home occupation business from NE Equestrian Drive and their neighbors. Until that screen is complete, business vehicles may be visible from NE Equestrian Drive. However, business owners and employees regularly take their vehicles home, so business vehicles visible during the time period in which it takes to grow a permanent tree screen should not be considered "outdoor storage." This criterion is satisfied.

I. A home occupation shall not generate noise, vibration, glare, fumes, odor, electrical interference or other disturbance beyond what normally occurs in the applicable zoning district.

For this criterion, we again note that the baseline legal standard is "what normally occurs in the" EFU zone. As discussed throughout this submittal, working agricultural lands create noise, dust, smells, and all sorts of other impacts that might not be permitted in an urban residential area. Appellants have failed to point to a single element of the Proposed Use that would cause greater impacts in any of these categories than what normally occurs in the EFU zone. Instead, Appellants contend that "[t]here has been no effort quantify the types and levels of noise, vibration, glare, fumes, odor, and/or electrical interference which normally occur in this zone." Appellants' Sept. 29 Appeal, at 15. Nowhere in either the applicable state or local requirements is there a requirement that these types of impacts be quantified to permit a home occupation. Requiring such an analysis would place a disproportionately heavy burden on small businesses, like the Applicant's, which are exactly the type of business the legislature intended to allow as home occupations on EFU land.

Appellants take particular issue with potential noise impacts from the Proposed Use, contending that the Applicant must conduct a noise study to demonstrate compliance with the Yamhill County Noise Control Ordinance and DEQ's Noise rules found at OAR 340-035-0035.

First, the controlling legal question is whether the Proposed Use would create noise impacts greater than typical agricultural/farming operations. No noise study is required to conclude that it will not, as any reasonable person would conclude. The equipment storage, loading and unloading, routine cleaning and maintenance, and administrative tasks proposed by the Applicant cannot conceivably produce the volume or duration of noise that farming operations create in herding, pesticide spraying, plowing, or any other farming activity using large equipment on-site.

Second, Appellants incorrectly cite to OAR 340-035-0035(1)(b)(B)(i) as their justification to apply DEQ noise regulations to the Proposed Use. This provision applies to any "new industrial

or commercial noise source located on a previously unused industrial or commercial site.” (Emphasis added.) The Subject Property is not a “previously unused industrial or commercial site,” so this provision does not apply. And, even if this provision did apply, it includes several express exemptions that would arguably apply to the Proposed Use.

Finally, Appellants cite Yamhill County’s Noise Control Ordinance to argue that it is “unlawful to make an unreasonable amount of noise.” Sept. 29 Appeal at 17. We concur. But Appellants have cited no basis for their claims that the Proposed Use would cause an unreasonable amount of noise and the description of the Proposed Use supplied by the Applicant does not support that inference. *See, e.g.*, Applicant’s Nov. 6 Testimony.

With respect to potential glare from the Proposed Use, the record reflects that the Proposed Use will be limited to equipment storage and maintenance and an office; NE Equestrian Drive is already well-lit at night; and night-time operations will be extremely limited. *See* Applicant’s Nov. 6 Testimony. Additionally, staff’s Condition of Approval 10 requires the Applicant to ensure that any lighting associated with the Home Occupation does not shine onto the adjacent roadway or neighboring lots.

J. A home occupation shall not generate traffic or parking beyond what normally occurs in the applicable zoning district.

Again, the controlling legal standard is what “normally occurs” in the EFU zone. The record reflects that the Appellants are used to a quiet, private country lane—presumably because neither they nor any of their other neighbors are currently operating intensive commercial farming operations. The reality is that large-scale agricultural operations are a permitted use in the EF-40 zone, and potentially significant traffic impacts are “normal” for those operations. *See* Applicant’s Nov. 6 Testimony, Exhibit N. For example, the Applicant’s approximately 5-acre property could support a full-time commercial farming operation with dozens of employees, each driving their own car to the Subject Property. “Normal” agricultural traffic impacts may be more than what Appellants are used to, but that does not render the Appellants’ historical experience a relevant legal standard.

Additionally, the Appellants stated in their Nov. 6 Testimony, at 8, that an average household will produce 10 daily trips per day. As stated in the Applicant’s Nov. 6 Testimony, the Proposed Use will average 3–4 round-trip business trips each day (6-8 total daily trips), potentially reaching up to a maximum of 10 round-trip trips (20 total daily trips) in very rare circumstances. It is reasonable to infer, based on the record, that traffic impacts from the Proposed Use would fall well within the range of “normal,” even when compared to the Appellants’ historical experience on Equestrian Drive.

Finally, with respect to parking, the Applicant has stated that customers will not visit the Subject Property, and staff’s Condition of Approval 12 prohibits the Applicant’s employees from parking on NE Equestrian Drive. There is no evidence that the Proposed Use will create parking impacts beyond those normally occurring in the EF-40 zone. This criterion is satisfied.

- K. Off-street parking spaces shall be provided for clients or patrons and shall not be located in any required yard.***

No clients or patrons will visit the Subject Property. It will only be used to store and manage equipment. Therefore, this criterion is not applicable or is satisfied, to the extent it applies.

- L. One (1) on-premise sign shall be permitted in conjunction with a home occupation, subject to the sign provisions set forth in Section 1006.***

The Applicant does not currently have, and do not currently intend to place any signage on the Subject Property. Additionally, staff's Condition of Approval 9 limits any signage to 24-square feet, if approved by the County before installation. This criterion is satisfied.

- M. The nature of a proposed home occupation shall be specified at the time of application. Any proposed change in the nature of an approved home occupation shall require a new conditional use permit. Any departure from the uses and activities initially specified shall be considered grounds for revocation of the conditional use permit.***

The Applicant's Nov. 6 Testimony, combined with the initial application, as amended, provides sufficient detail to describe the nature of the use. Additionally, staff's Condition of Approval 8 clearly limits the home occupation to the loss mitigation business as represented by the Applicant, and staff's Condition of Approval 14 requires a one-year review by the County of home occupation activities. This criterion is satisfied.

- N. A permit for a home occupation shall be deemed personal to the applicant and shall not run with the land. Upon notification by the county such permit shall expire two (2) years from the date of issuance, at which time the permit may be renewed by the Director upon a finding that the requirements of this ordinance are being met. A fee for renewal of the permit may be imposed by the Director.***

Staff's Conditions of Approval 13 and 14 limit the approved home occupation to one year, with an opportunity to renew after a County review. This criterion is satisfied.

- O. A condition of approval may be placed on a home occupation requiring a review every 12 months following the date the permit was issued. The home occupation may be renewed if it continues to comply with the requirements of this ordinance and any other conditions of approval.***

Staff's Condition of Approval 14 limit the approved home occupation to one year, with an opportunity to renew after a County review. This criterion is satisfied.

- P. Pursuant to the nonconforming use provisions of Section 1205 of this ordinance, any proposed expansion or change in the nature of a home occupation in operation prior to adoption of this ordinance shall be subject to the requirements of this***

section and shall require a conditional use permit. In the event of denial of such an application, the home occupation shall be allowed to continue at its original scale and nature as a nonconforming use.

This provision does not apply, as the Proposed Use is not operating as a nonconforming use.

YCZO 1202.02 Review Criteria

A conditional use may be authorized, subject to the Type B application procedure set forth in Section 1301, upon adequate demonstration by the applicant that the proposed use will be compatible with vicinity uses, and satisfies all relevant requirements of this ordinance and the following general criteria.”

A. The use is listed as a conditional use in the underlying zoning district.

YCZO § 402.04(I) lists a home occupation as a Conditional Use in the EF-40 District, consistent with ORS 215.283(2)(i).

B. The use is consistent with those goals and policies of the Comprehensive Plan which apply to the proposed use.

The Sept. 12 Director’s Decision evaluated and found that the Proposed Use would be consistent with applicable Comprehensive Plan goals and policies. *See* Aug. 29 Staff Report at 3. Appellants’ Nov. 6 Testimony selected several Comprehensive Plan policies and stated that they are not met, treating them as approval criteria requiring a step-by-step analysis. Sept. 29 Appeal at 27–29. As staff have explained, they are not. *See* Aug. 29 Staff Report at 3.

However, to correct the record, we briefly address Appellants’ arguments under the Comprehensive Plan.

11.05.01.02 Rural Area Development

Appellants contend that “access to a commercial 24/7 business through a rural residential neighborhood” is not “adequate” for purposes of Comprehensive Plan Policy 11.05.01.02, requiring that “[a]ll proposed rural area development and facilities” be “furnished with adequate access.” Sept. 29 Appeal at 27. First, as explained in the Applicant’s Nov. 6 Testimony and the Aug. 29 Staff Report, clients and customers of the Proposed Use will not access the Subject Property. *See* Applicant’s Nov. 6 Testimony at 3; Aug. 29 Staff Report at 14. And anticipated “business” trips associated with the Proposed Use will typically be in the range of 6–8 trips per day.

Moreover, despite Appellants’ repeated attempts to characterize NE Equestrian Drive as a “rural residential neighborhood,” we must again clarify that the Applicant’s and his neighbors’ properties are located in an agricultural zone, not a rural residential zone, and thus Comprehensive Plan Policy 11.05.01.02 must be evaluated through that lens.

11.05.02.01(b)(i)(8) & (c)(i)(1) Agricultural Lands

Appellants assert that the Proposed Use could “substantially impair or conflict with the use of farm or forest land” and is inconsistent with the County’s goal to “preserve” Class I through IV agricultural soils for farm use. Appellants’ Sept. 29 Appeal at 28. As discussed at length, staff evaluated potential impacts on farm and forest land and concluded that all potential impacts raised by the Appellants and their neighbors would not significantly impact farmland. Moreover, the Applicant himself is a Christmas tree farmer and his proposed home occupation business clearly will not conflict with his ability to continue farming his property.

Goal Statement (c)(1)(4)

Appellants assert that the Applicant’s construction permits do not contain adequate provisions to protect sites from soil erosion. Sept. 29 Appeal at 28. The Applicant’s construction permits are not at issue in this appeal.

11.05.05.01(b)(i)(3) Air, Water and Land Resources Quantity

Appellants argue that staff’s “decision does not ensure compliance with noise regulations.” Appellants’ Sept. 29 Appeal, at 29. However, the identified Comprehensive Plan policy merely requires that “Yamhill County will cooperate with the State Department of Environmental Quality in implementing noise control regulations.” Potential noise impacts have already been addressed. In addition, all land uses in Yamhill County are required to comply with applicable noise criteria, regardless of whether they are incorporated in a condition of approval. This policy is not an applicable basis to deny or condition the Application.

C. The parcel is suitable for the proposed use considering its size, shape, location, topography, existence of improvements and natural features.

County staff evaluated this criterion at length and concluded that it was satisfied. *See* Aug. 29 Staff Report at 4–5. However, in their Sept. 29 Appeal, Appellants addressed this standard word-by-word and, therefore, we respond in kind.

Size

The 5.5-acre Subject Property is sufficiently large to host this home occupation, which will be primarily operated inside an existing structure and will include only two trailers, a truck, and a van that are parked outside. No physical business operations other than administrative tasks, equipment storage, and some minor equipment cleanings will occur on site. All of this activity could occur on one acre, rendering a 5.5-acre property more than sufficiently large.

Appellants may have concerns about noise and smell, but their specific concerns are unclear. *See* Sept. 29 Appeal, at 20 (“At 5.5 acres, the property is relatively small which means that noise and odors . . .”). Moreover, noise and odor concerns are addressed elsewhere in this submittal.

Shape

The Subject Property is not so unduly oddly shaped as to render it an issue for the Proposed Use. Appellants apparently concur.

Location

The Subject Property is located in rural Yamhill County just to the west of Lafayette, and is within 10 miles of Newberg, McMinnville, Dayton, Dundee, Lafayette, Carlton, and Yamhill. Moreover, the Subject Property's proximity to Highway 99W makes it easy for the Applicant to respond to emergencies throughout the County. Therefore, the location of the Subject Property is suitable for the Proposed Use.

Appellants contend that "[t]he Location of the land is in what amounts to a rural residential subdivision." *See* Sept. 29 Appeal at 21. As noted, the Subject Property is, in fact, not in a rural residential subdivision.

Topography

The Subject Property is topographically appropriate for the Proposed Use, as it is entirely flat farmland "with little appreciable slope or other natural feature that would impede the operation of the loss mitigation business." Aug. 29 Staff Report, at 4.

Appellants have expressed a number of concerns about stormwater management and flooding risks, given the flat topography, and contend that the Applicant must conduct a stormwater study because the Applicant is "redistributing" water in violation of Oregon law. Sept. 29 Appeal at 21. However, the Appellants have cited no basis for their fears about stormwater impacts associated with the Proposed Use, which is equipment storage and an office in an existing barn. At most, any stormwater concerns raised by the Appellants would relate to construction at the Subject Property that has already occurred. However, these concerns are not relevant to the approval criteria in this appeal.

Additionally, "Yamhill County Soil & Water Conservation District submitted a document that provides the Applicant with guidance regarding noxious weed control and responsible water use management." Aug. 29 Staff Report, at 4. Thus, local flood authorities are aware of the Proposed Use and do not see any imminent stormwater or flood risk from the Proposed Use's activities.

Finally, while Appellants have raised various arguments about Oregon's "common law of drainage," those arguments are not relevant to applicable approval criteria either. Should, in the future, Appellants have some actual evidence of new, adverse stormwater impacts to their property, the Applicant is open to addressing those concerns outside of this proceeding.

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Existence of Improvements

County Planning staff determined that “there are no identifiable additional service improvements that would be needed on the property to support the proposed loss mitigation business.” Aug. 29 Staff Report, at 4. Appellants have not identified anything in the evidentiary record that might constitute a needed service improvement. Additionally, contrary to the Appellants’ assertion, County staff did, in fact, analyze this issue and determine that it did not adversely impact the suitability of the Subject Property for the Proposed Use. *See* Appellants’ Sept. 29 Appeal, at 21 (“The Board of Commissioners must analyze if there are any “improvements” on the parcel that make it not suitable for a 24/7 loss mitigation business.”).

Natural Features

Appellants have alleged that “[t]he record is not developed sufficiently to make findings regarding the presence or lack of natural features on the property.” *See* Appellants’ Sept. 29 Appeal, at 21. However, planning staff did evaluate the natural features on the Subject Property, which is a flat farmland parcel with a few trees, and did not identify any natural features rendering the property unsuitable for the home occupation use. *See* Aug. 29 Staff Report, at 4.

D. The proposed use will not alter the character of the surrounding area in a manner which substantially limits, impairs or prevents the use of surrounding properties for the permitted uses listed in the underlying zoning district.

Planning staff’s four pages of findings on this issue more than sufficiently demonstrate that this criterion is satisfied. The key issue is whether the Proposed Use will “substantially” limit, impair, or prevent the use of surrounding properties for use permitted in the EF-40 zone.

Appellants do not advance an argument that any specific land uses will be “prevented” by the Proposed Use, substantially or otherwise. Appellants also do not identify how any land uses will be “limited,” other than asserting that a business operating 24/7 “limits and does harm to neighboring residences because it result[s] in light glare and noise during all hours of the night.” These fears about light glare and noise have been addressed in this and the Applicant’s other submittals. And, per Appellants’ own definition of limit – “something that bounds, restrains, or confines”—it is unclear how these impacts could “limit” other land uses, even if they were to occur. Appellants’ remaining arguments appear to allege that the Proposed Use will substantially “impair” other land uses permitted in the EFU zone.

Appellants provide no basis for their concerns about noise impairing their own property’s permitted uses. Appellants seem to be focused on the enjoyability of their property, but actual impacts aside, the standard is impairment of uses, not impairment of enjoyment. And, as discussed above, the Subject Property and all neighboring properties are in the EFU zone, where noise is a reality of daily life. Appellants have identified no potential impacts that would actually impair their ability to farm their land or conduct other permitted uses on their property.

Appellants' other stated concern relates to potential erosion and muddy runoff from "recent development activities." See Sept. 29 Appeal at 23. Here, Appellants appear to conflate prior development activities with the Proposed Use that is the subject of this appeal. There is no evidence that the Proposed Use will result in potential erosion or muddy runoff that would substantially limit, impair, or prevent the use of surrounding properties for land uses permitted in the EF-40 zone.

E. The proposed use is appropriate, considering the adequacy of public facilities and services existing or planned for the area affected by the use; and

This criterion is met, as determined by planning staff, who have far more knowledge about the adequacy of the County's own public facilities than the Applicant or the Appellants. The Aug. 29 Staff Report specifically evaluated potential septic and traffic impacts under this criterion. The Appellants have not raised specific concerns under this criterion but did cite it in their Sept. 29 Appeal at 24.

F. The use is or can be made compatible with existing uses and other allowable uses in the area.

The Appellants' approach to the final conditional use criterion, that "[t]he use is or can be made compatible with existing uses or other allowable uses in the area" is to break down this phrase into single words and provide the definition for each. However, both state and local criteria specific to the respective home occupation standards, and our analysis throughout this response discuss these issues in length. This criterion is satisfied.

III. CONCLUSION

For the foregoing reasons, we respectfully request that the Board affirm the Planning Department's Sept. 12 Director's Decision and deny this Appeal. Thank you for your consideration.

Sincerely,



Merissa A. Moeller