



UNION COUNTY
Planning Department

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Planning Director

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Union County Planning Commission Regular Session
January 26, 2026 Meeting Minutes
Misener Conference Room

Approved

ATTENDANCE

Present: Geoff Robinson, Joel Hasse, Mace Cadwell, Mat Barber, Stacy Warren,

Excused: Sam Delano, Chas Koenig, Amanda May

Staff: Inga Williams, Philip Tracy, Pam Hall

Mr. Hasse called the meeting to order at 7:05p.m.

I. OLD BUSINESS

2025-0044 Nielson Variance Application

The continuance of the Fred & Christie Nielson Variance Application. Mrs. Warren says she did not think giving more time on this application helped out a lot. She asked if anyone looked at the previous applications. The applications sent by email from Ms. Williams. Mrs. Warren comments that she could not open the last application, which is the one she wanted to read the most. It was the Hagedorn's application and they are the nextdoor neighbors. Mr. Hasse asks, "What do we want to do?" Mrs. Warren would like to approve the variance and her thought is that if we approve it, the application is appealed and then they would have to go through LUBA. They would probably reverse the decision. Her feeling is that if it goes through LUBA, a decision would be good for down the road.

Mr. Hasse says when he reads the staff report written by the Planning Director, he can agree with it but there is only one criteria that he has a hard time trying to figure a way around, the exceptional or extraordinary circumstances. How to apply this to the property, which does not generally apply to surrounding properties. The other 4 criteria he thinks you can word enough to get around but that one is the most difficult. Mrs. Warren clarifies it applies to all of them. Mr. Hasse still thinks the exceptional, extraordinary circumstances apply to the property, which do not

apply to the other properties. It does not apply to smaller properties, which are the most common in that zone. He also thinks the other argument is that he bought a 10-acre parcel and that is hard to get around. Mrs. Warren says it is hard to say no when we said yes to the neighbor next door. How do you say no when the applicant used the exact same words. The only other applicant who opposed was the neighbor with the road issues. This will be more relevant if approved and we receive the partitioning application. Mrs. Warren restates that she does not think it helped to walk away from the decision a month ago. Mr. Barber said he would like to see it approved. He thinks it is similar to what was approved with the Hagedorn application.

Mr. Hasse summarized that we need to answer each of the criteria, why it does apply and what are the exceptional and extraordinary circumstances that apply to the property. Stated in the Hagedorn application, the property is in a 10-acre zone but a 2 acre plan and this does not apply to any of the properties already broken up.

The applicant really does have control of it because he bought a 10-acre piece. The other thing I see is that we cannot leap frog zones but he actually borders Island City across the river. He could actually apply for a zone change. Mr. Barber asked, "Would this make it unique to his property?" Mr. Hasse responded, "No" but it may put him in a 2-acre zone. Mr. Barber means would the opportunity to that make his property unique. Mr. Hasse also noted he is not allowed to leap frog zones but the property does border Island City across the river. Ms. Williams said Island City would have to be willing to take the property in or the state would have to grant it in. She thinks it is county across the river, a 2-acre she believes. Mr. Hasse replied that it is the Island City property. This does give him another option to do something different. He would have to do it a different way and he is not sure what it takes to do it. Ms. Williams states he would have to go through a goal five exception and re-zoning requires this and the re-zone has been done by the county before. She also believes he would have a good case for this. Mrs. Warren asks if the Planning Department has had any feedback from the applicant and the answer was nothing.

Mrs. Warren states that if we make a motion to deny it, would we get enough people to vote for it to pass. If not, then we have to make a motion to approve it. Mr. Robinson says he sees both sides of discussion but if he has to choose, he would probably choose to approve it. Mr. Cadwell also said that is where he is. Mrs. Warren stated that strictly applying the variance criteria would require denial however, given that past variances in the area which have been approved, she is willing to wait and see what happens.

Mrs. Warren said she has scribbled some stuff to approve the application or deny the application. Mrs. Warren makes a motion; "I move that the Planning Commission approve this variance application based on the 10/27/2025 letter from Jeff Hsu addressing the variance criteria, the verbal testimony in favor of the use at the 12/15/2025 public hearing, and the fact all other previous similar variance applications in this specific area have been approved because the expectation was that Union County Planning Department would pursue a re-zoning application for the area. If approved, it would change the zone from R-3 residential 10-acre minimum parcel size to an R-2 rural residential 2-acre minimum parcel size, which has yet to be re- done. Mr. Barber seconded the motion. Mr. Hasse noted someone was on zoom, it was Mr. Morgan Olson from the Particle Plant. Mr. Hasse stated the motion has moved and seconded. Roll call: Mr. Barber-yes, Mr. Cadwell-yes, Mr. Hasse-yes, Mr. Robinson-yes, and Mrs. Warren-yes.

II. NEW BUSINESS

III. APPROVAL OF MINUTES

Mr. Cadwell moved to approve November 17, 2025 minutes as written and Mr. Robinson seconded the motion. Motion carried unanimously. Mrs. Warren moved to approve December 15, 2025 minutes as written and Mr. Barber seconded the motion. Motion carried unanimously.

IV. HEARING

Application 2025-0049 Temporary Hardship Bobby & Katharine Walker

Request for approval of a temporary medical hardship dwelling for a relative of property owner. The applicant and property owner are Bobby and Katharine Walker. The property on which the primary dwelling is located and on which the temporary hardship dwelling will be located is described as Twp. 01N, Range 38E, Section 26, Tax Lot 1200, with situs address 69687 Summerville Rd., Summerville, OR 97826. The zoning is UC A-3 Agriculture-Forest Use. The applicable land use regulations are UCZPSO Article 4.00 A-3 Agriculture-Forest Use Zone, UCZPSO Article 2.00, and UCZPSO 21.00 Conditional Uses. Ms. Williams presented the staff report and states the application meets all the requirements. She does not see any issues with the adjacent farm forest property as they all have residential dwellings on them. The properties are not your typical farm forest sized properties just slightly smaller. The one thing is the accessory structure was approved as an

agriculturally exempt structure prior so it has not been inspected by the Building Department. The Walker's will need to do a lot of retro fitting and have an Engineer state structure meets the building standards since it wasn't inspected. Ms. Williams says they can move forward with it but they will have a lot of work required to get it to a livable space.

Mr. Robinson asked Ms. Williams if she knew what triggered a building department inspection. She said that a building permit triggered it. If you get a building permit, an inspection is part of the permit and the Walkers had an Ag exemption which does not require an inspection so they will need an Engineer to approve it. Mr. Robinson remarked this is like turning some kind of barn into a livable structure.

Mr. Hasse asks the applicant to come forward, tell us your name, and what you would like to do. Mr. Hasse also mentions that he does not see a problem with the application. Mr. Walker stated December last year that they put up a building. Mr. Les Tipton, an Engineer, engineered the building. They had electrical, plumbing, HVAC all inspected through the City. His father-in-law is 85 years old, in a wheelchair and a diabetic with a few other problems and has been him living with them since October when he started the Ag building. Originally, we wanted a bathroom in the Ag building. I talked with Lorcinda Johnston in the Planning Department. She stated we would need to do a deed restriction stating they would not rent out the space. Our parents do not want to be a burden on us and we do not want to put them in a home. We have the opportunity to take care of them right now so we started the Ag project. He was told once the hardship stops then things go back as before. Mr. Walker does not think there will be any problems passing the inspection. Mr. Hasse asks if there are any other questions. Mr. Barber asks where the room will be in the building. Mr. Walker replied that the Ag building is 3200 sq. ft. and the southwest corner is about 800 sq. ft.

Mr. Hasse asks for a motion. Mr. Barber makes a motion: "I move that the Planning Commission approve this Conditional Use application for a temporary medical hardship dwelling based on the analysis and findings in the staff report, information provided in the application, and verbal testimony at the public hearing. This motion includes the requirement for the applicant to complete all conditions of preliminary approval prior to occupancy of the temporary dwelling and compliance with all conditions of operating approval throughout the term of the hardship, as listed in Section II of the staff report." Mr. Barber asks Mr. Walker if he has read all the conditions listed. Mr. Walker is aware of them. Mr. Hasse asks if there is any further discussion-none. Mr. Robinson seconds the motion.

Roll call: Mr. Barber-yes, Mr. Cadwell-yes, Mr. Hasse-yes, Mr. Robinson-yes, and Mrs. Warren-yes. Mr. Hasse says to Mr. Walker that your Temporary Hardship Application has been approved you will receive your notice within 5 working days.

Temporary Workforce Housing

Ms. Williams presents the revisions to Article 12, light industrial zone, Article 13, heavy industrial zone and Article 21, conditional uses outlining specific requirements. Ms. Williams states that she also did some housekeeping in Articles 12 and 13. She can go over each article and you can tell me whether to keep it in or remove it. After this, she can go over the actual specific language for conditional use. Article 21. She will not go through each one specifically but let her know if you are concerned with any changes. The one comment she made on #7 under conditional uses where it states major manufacturing, repairing, compounding, fabricating, assembling, processing or storage industries. She is not sure what it means by "major" and it would be nice to have some information on what "major" might be. She did not do anything at this point it can be revised in the future unless you would like to discuss it now. You will also see she removed the criteria under security residences allowed as a conditional use and added this into Article 21 word for word and then she added the Temporary Workforce Housing. Mr. Robinson asked if this would eliminate the retail businesses except for food and drinking establishments. Ms. Williams says that a good question. It said "such as" so when it says that she takes it to mean these are the uses that are allowed. If you do want all the retail and service industries then she will say retail and service industries. Mrs. Warren asks if there are any retail businesses in the light industrial zone currently. Ms. Williams does not believe so. Normally, you try to keep commercial business out of the industrial zones. Mr. Hasse asks where the light industrial zone is in Union County. Ms. Williams said The Baum Industrial is heavy industrial and we have very little light industrial. There is some light industrial south of Hwy 203 by Barreto's, the Airport and just a little to the north on Hwy 82. Mr. Hasse states that he could see a plumber for example having a warehouse in light industrial with a retail outlet in the front door for people because he already has plumbing equipment in the building. He believes it should be a conditional use. Ms. Williams states that she could say retail associated with an industrial use. Commission members liked this. Ms. Williams asks about keeping the eating and drinking establishments and service stations separate. Mr. Hasse says he does not think so because an eating establishment could be a good thing if your clientele are the people who work in the industrial zone. Mr. Robinson liked the way the retail piece was tied in. He could see the food service being the same way for the workers in the zone. Ms. Williams summarized the revised language as: retail and restaurants associated with industrial uses. Mr. Hasse commented that it is a conditional use

so we could look at it at the time but he thinks we need the retail use in association with the other.

Mr. Hasse asks if there are any more questions on the light industrial changes. Mr. Barber reminds Ms. Williams that they were talking about the word major and how would you describe it. Mr. Hasse states just call it manufacturing, getting rid of the major part and not worry about it now. We could define it but we might eliminate somebody it would make perfect sense for them. If we leave it out then we can look at it at the time.

Ms. Williams went on to Heavy Industrial Zones. She said she tried to mimic in the same way that the light industrial zone is stated. Further, as a conditional use, explosives and chemicals were included. Mr. Hasse does not want to eliminate chemicals. Ms. Williams will just remove them as a permitted use. She put telecommunication towers in instead of radio or television transmitters. Ms. Williams asks Mrs. Warren if she knew why mining was left out of the code. Is this aggregate and mineral exploration and processing with no mining. Mr. Hasse thinks mining was left out of the ordinance because it is a different subset that comes under Goal 5. When you set up a mining operation, you have to protect, what it is, along with a mile around it. He is not sure we want mining in there. Ms. Williams stated that she has not had to do a mining application yet. Mr. Hasse noted that mining regulations are quite restricted. He is not sure you want to waste your time. There was a little more discussion around mineral exploration.

Mr. Hasse asks about the Temporary Workforce Housing discussion around if the applicant needs to use their own property or lease property from a neighbor in the construction phase. Where are we on this? Ms. Williams said she did not do anything with it at all she did not require them to be on the same property or adjacent. She asks if there is anything else on the heavy industrial zone. No comments.

Ms. Williams starts on page 11 of Article 21. The Planning Commission took a few minutes to scan through it. Mr. Hasse asked about discharge of any wastewater on land. He asked what the definition of wastewater is. Ms. Williams replies gray water. Mr. Hasse asked about opaque fencing being at least 6 ft. tall placed between the site and adjacent property not zoned industrial. For example, Mr. Hasse asked whether the fencing requirements would apply to the heavy industrial sites adjacent to Hwy 82 like the Baum Industrial. Ms. Williams responds no but we do have heavy industrial bordering Hwy 82 all the way up and then some on Hwy 203. She could just say unless separated by a road.

Mr. Hasse stated we had someone on the phone and asked if he had a comment, suggestion or a question, or were just listening to the hearing. On the phone is Mr.

Morgan Olson. He first wanted to thank the Planning Commission for considering this and he just has a couple of questions. Looking at financial assurance 110% is that in the form of a bond, or what are the provisions that provide for this. Mr. Hasse responded, reading from the document, it says "financial assurance in the form of a bond, a letter of credit or a cash deposit. Mr. Olson asked if we took a third party out of state check. (Laughter) His next question what is the density vision. He thinks it was something pointed out in the information, like what are the constraints as far as the density? Ms. Williams said there would be no person or people density. You have to meet the OHSA standards; sleeping space required for each person and provide them space to keep their belongings. Mr. Olson had one more question to ask if he could review the final draft ordinance and work with/on the final code language at least have an opportunity to review it before approval. Mr. Hasse let him know that the ordinance is going before the Board of Commissioners on February 18th and March 4th, 2026. I think these dates would be the opportunity for you to get involved and it probably will not change a lot from what we have today. Mr. Hasse asked if he got a copy of the ordinance. Mr. Olson said he did from the Planning website. Mr. Hasse asked if it was the same as theirs and the answer was yes. He stated it did not sound like we have many changes so unless the Commissioners go crazy, he don't believe there will be much change if any. Mr. Olson responded he would look through it and if something stood out he would contact us. He would once again wanted to thank the planning commission for taking the time to look at this. Mr. Hasse thanked Mr. Olson. Mr. Barber said he had one question in the definitions, it says permitting construction projects within Union County. What if someone were to have some kind of base set up here but working in Wallowa or Baker County not working currently in Union County. Mr. Hasse states that is a valid question. He said we talked about that a little bit in the Bear Creek Bridge application we approved the other day. We could change it to Northeast Oregon. Mrs. Warren suggests Tri-County area or Adjacent Counties. Mr. Hasse liked Adjacent Counties and this will include Baker, Wallowa and Grant Counties. He also mentioned that it is 48 months and done. Mr. Robinson is wondering if the timeframe is suitable. It looks like you have 6 months to get your approval and then decommission it depending on what you put in could be extensive and costly. Mr. Hasse replies he cannot imagine them doing more than trailer houses. It is a construction site, and they will move in a trailer, hook it up to sewer, live there and when the project is completed, it takes 2 weeks to get them out. Mr. Cadwell mentions that it can take a bit of effort for sewer and water but yeah you are right, just haul the trailers off. Mr. Robinson responds that call it 36 months, maybe 42 months or work time what is that the intent here. Ms. Williams says she did not want to subtract any of their time with how long it is going to take them to setup, start using it when the units are habital. She said the time it becomes

usable is when the 4 years starts. Mr. Hasse likes this idea and then they could ask for a two year extension. He cannot imagine construction around here taking more than a couple years or so 4 years should be plenty.

Mr. Olson has one more comment depending on the possibility of stage construction. Is there an opportunity to extend the timeframe, a method to which we could get an extension or someone would be able to depending on when the next phase starts. Would there be a process to go through if there is another addition phase.

Conversation/discussion on timeframe, getting an extension, job done in phases and what would need to happen, in this case, bottom line-it would be both a reapplication and an extension. Mr. Barber also brought up that the same company has the first job done but it will be a year and a half before the next phase starts. Rather than make them tear everything out and put back to the way it was, is there some way to moth ball it? Mr. Hasse said they might want to go ahead and remove the trailers but leave the infrastructure. They probably are not going to want to pull out the sewer infrastructure. Mr. Cadwell agrees with Mr. Hasse but would like some verbiage put in the ordinance. We could look at or extend beyond the 48 month deal if the circumstances were extraordinary. Ms. Williams says she would really like the Planning Commission to have a chance to review it. Mr. Cadwell states whichever way, if it's going to go past 48 months then go through a review of the application. Bring it back to the Planning Commission. It is a conditional use and, then the Planning Commission can accommodate whatever needs work. Mr. Hasse responds that he can see both sides of the issue but thinks the problem is when you inspect it and it is a mess. We could deny it and end the mess or Ms. Williams has to figure out a way to make them clean it up and that is tough to do. We could say no that you made a mess and you cannot do it anymore or you clean up your mess.

Ms. Williams said Mr. Tracy identified a section that I need to change on page 13. It is the Notice of Completion or 24 months. It says from the effective date of land use approval but it is not the land use approval date that the time starts its when the housing becomes occupied. Mr. Hasse went on to say "if more than 24 month extension is needed," then they need to come back before the Planning Commission. Mr. Robinson likes this because there is a check and balance and we do not need to do it.

Mr. Hasse asks if we need a motion on this. Ms. Williams wanted to point out that she added the security residence, #11, and removed the wedding venue criteria. This is an illegal use, the references will remain in the code but no one can use them. Mrs. Warren confirms that they have to go through the proper process to actually remove the language. Mr. Hasse remarks that it only relates to property

under the control of the applicant, page 8. Ms. Williams says that is not part of the TWH but it is temporary use permit which is what she did not want to use. Mr. Barber asks what is the story of the legacy that they are not legal? Ms. Williams responds that the county added in wedding venue under the Ag Zone about 10 years ago. Mrs. Warren said it was in 2016 right when Hanley Jenkins left and Scott Hartell took over the Planning Department. DLCD did not object, it gets adopted and later found out we could not do this. We started telling people no, you cannot do this but the language was still there. She also mentions that the language is still there but when we update we can take it out.

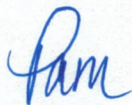
Mr. Barber had another question on page 13 talking about decommissioning and it looks like just the cement pads is all that can be left. If the applicant does put in infrastructure for sewer, water and power, can they be left for future use or do they have to be removed? Ms. Williams said she envisioned the structures be removed and anything associated with it. Mr. Robinson states that the water and sewer can be used for future development. Ms. Williams says she is not going to make someone rip up the underground infrastructure. Mr. Hasse remarks that she is thinking of above ground infrastructure. She replies yes. Mr. Robinson comments that he likes leaving the infrastructure in instead of ripping up the ground. Mr. Barber says this may be a bit more attractive for someone else that has a big project.

There are no more questions and Ms. Williams wants to thank everyone for the great comments. Mr. Barber makes a motion to send this to the Board of Commissioners with our recommendation for approving the amendments. Mrs. Warren seconds the motion.

Roll call: Mr. Barber-yes, Mr. Cadwell-yes, Mr. Hasse-yes, Mrs. Warren-yes, and Mr. Robinson-yes.

Mr. Hasse adjourns the meeting.

Respectfully submitted,



Pam Hall