



**UNION COUNTY
Planning Department**

Inga Williams
Planning Director

1001 4th Street, Suite C La Grande, OR 97850 • Phone (541) 963-1014 • www.UnionCountyOR.gov
IWilliams@Union-County.org • PTracy@Union-County.org • PHall@Union-County.org

FILE No. 2026-0003

**STAFF REPORT
CONDITIONAL USE APPLICATION
AGGREGATE PROCESSING**

Purpose of the Application	Conditional Use Permit to include processing of aggregate materials for ODOT highway maintenance and construction.
Relevant Ordinance Criteria	Union County Zoning, Partition, and Subdivision Ordinance (UCZPSO) Article 5.00 A-4 Timber-Grazing Zone; Article 2.00 Exclusive Farm Use Zone (A-1); Section 2.04 Item 33; Section 2.05; Article 20.09 Significant Goal 5 Resource Areas; Article 21.00 Conditional Uses
Property Owners & Applicants	Oregon Department of Transportation (ODOT) – Represented by Scott Billings, Sr. Engineering Geologist
Property Location	T02N R40E, Tax Lot 9100. Located at the intersection of OR Highway 82 and Merritt Lane.
Zone Designation	UC-A4 (Timber-Grazing Zone); Soils comply with UC-A1 (Exclusive Farm Use)
Comprehensive Plan Designation	Timber-Grazing
Parcel Size	2.97 acres

I. QUASI-JUDICIAL LAND USE DECISION

A motion to approve or deny includes findings that justify the approval or denial of the application as presented during the public hearing, which may include the application, exhibits, staff report, and testimony. Only findings which support the Planning Commission's motion should be read into the record.

Motion to Approve

"I move that the Planning Commission approve this Conditional Use application to process aggregate, which includes asphalt batching, for a period of 25 years on the subject property. This motion is 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 comply with all conditions of approval throughout the term of the use, as listed in Section II of the staff report."

Motion to Deny

"I move that the Planning Commission deny this Conditional Use application to process aggregate based on the following reasons..."

II. CONDITIONS OF APPROVAL

Preliminary Conditions of Approval

No conditions of preliminary approval are recommended for this use.

Operating Conditions of Approval

1. ODOT may conduct processing operations on the subject property for twenty-five (25) years from the date of the final decision. The approval will become void if the property is no longer owned by ODOT.
2. No mining will take place on the subject property.
3. The site shall remain completely fenced with locked gates at all vehicular access points as described in the application to protect pedestrian, vehicles, and livestock.
4. Operations throughout the year on the subject property may be conducted as needed for ODOT highway maintenance and construction so long as the conditional use permit remains valid, with the following limitations.
 - (a) Due to the proximity of the dwelling on the adjacent parcel, mining and processing shall not occur between the hours of 9 PM and 7 AM. Emergency operations necessary for public safety may proceed without regard to this limitation.
 - (b) Due to the site being located within big game winter range and near critical winter habitat, processing operations shall not occur between December 1 and March 31 without prior consultation with the Oregon Department of Fish and Wildlife (ODFW). Emergency operations necessary for public safety may proceed without consulting ODFW. ODOT will document each consultation or need for emergency operations. A copy of these documents shall be provided to the Planning Department upon request.
5. All lights shall be shielded and directed downward so that the light does not extend beyond the boundary of the subject property.

III. BACKGROUND AND PROPERTY INFORMATION

The subject property is a 2.97-acre parcel owned by the Oregon Department of Transportation (ODOT), located at the intersection of OR Highway 82 (Wallowa Lake Highway) and Merritt Lane at mile point 28.5, east of Elgin in Union County. The property is identified as Tax Lot 9100 in Township 2 North, Range 40 East, Section 35. The site is zoned A-4 (Timber-Grazing Zone). The soils of the property are crop and range so the regulations applicable to this property default to those listed in the A-1 (Exclusive Farm Use) zone.

The property was acquired by the State of Oregon through its State Highway Commission in 1939 for quarry purposes, as documented in Warranty Deed Q-694 recorded in Union County. The site has historically been used for stockpiling and storing earthen materials for highway maintenance and construction. The site is on Union County's Basalt Aggregate Inventory List under application number 19950108.

In 2010, ODOT was given a conditional use approval to stockpile aggregate on the subject property and to temporarily crush aggregate and batch asphalt. The stockpiling use approval is still in effect. The applicant indicates that approximately 40,000 cubic yards of material is currently stockpiled on-site, consisting of excess material from the Minam Curve Correction project. The stockpiled material is located on the west side of the parcel.

ODOT is requesting a Conditional Use Permit to process aggregate. This includes crushing, sorting, and batching asphalt from the material. The material will only be imported from other ODOT sources and roadside maintenance and construction projects. For an upcoming 2026 project, ODOT would like to produce 15,000 cubic yards of sanding aggregate.

The proposed processing operation will involve a portable crusher, screens, and conveyor belts set up on the west side of the parcel. The equipment will move eastward as operations continue. The site has two gated and locked access points off Merritt Lane.

The site is located within big game winter range and near critical winter habitat. The applicant has acknowledged this and proposes that crushing operations not routinely take place between December 1st and March 31st without consultation with ODFW.

IV. WRITTEN TESTIMONY

As of February 11, 2026, no written comments have been received from the public or reviewing agencies.

V. FINDINGS APPLYING CODE CRITERIA

All applications are subject to the requirements of the Union County Zoning, Partition and Subdivision Ordinance (UCZPSO). Sections in boldface type below denote relevant Ordinance sections. Sections in regular type denote staff analysis of the application.

UCZPSO Article 5.00 A-4 Timber-Grazing Zone

Section 5.04 Conditional Uses with General Review Criteria

In the A-4 Zone predominantly farmland lots and parcels shall comply with Section [2.04 Conditional Uses] and predominantly forest land parcels may authorize the following uses and activities and their accessory buildings and uses subject to county review and the specific standards set forth in Article 21.00, as well as the general provision set forth by this ordinance.

Findings: The subject property is zoned A-4 (Timber-Grazing Zone) but the soils on the property according to the NRCS soil survey are crop and range soils. The regulations for this property then default to Article 2, UC-A1, Exclusive Farm Use.

UCZPSO Article 2.00 A-1 Exclusive Farm Use Zone

Section 2.04 Conditional Uses with General Review Criteria

In the A-1 Zone, the following uses and their accessory buildings and uses are permitted subject to county review under Article 24.03 Quasi-Judicial land use decision and the specific standards for the use set forth in Section 2.05, as well as the general standards for the zone and the applicable standards in Article 21.00 (Conditional Uses).

33. Processing as defined by ORS 517.750 of aggregate into asphalt or Portland cement subject to 2.05.10.

Findings: The applicant requests approval to process aggregate into asphalt on this property. ORS 517.750 defines processing as, "includes, but is not limited to, crushing, washing, milling and screening as well as the batching and blending of mineral aggregate into asphalt and Portland cement concrete located within the operating permit area."

Section 2.05 Use Standards

10. Facilities that batch and blend mineral and aggregate into asphalt cement may not be authorized within two miles of a planted vineyard. Planted vineyard means one or more

vineyards totaling 40 acres or more that are planted as of the date the application for batching and blending is filed.

Findings: The subject property is not within 2 miles of a planted vineyard.

Section 2.06 Conditional Use Review Criteria

1. An applicant for a use permitted in Section 2.04 must demonstrate compliance with the following criteria in addition to the applicable standards in Article 21.00 and subject to the review process identified in Section 24.03.

Findings: Article 21 outlines the Conditional Use processes, procedures, and standards, which are being followed by this review. Section 24.03 establishes the quasi-judicial application review procedures, which are also being followed. Compliance with Article 21.00 and Section 24.03 is demonstrated in this staff report.

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

OAR 660-033-0130 (5), revised and effective January 1, 2025

(c) For purposes of subsection [2.06.]2 and [2.06.]3, a determination of forcing a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use or a determination of whether the use will significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use requires:

- (A) Identification and description of the surrounding lands, the farm and forest operations on those lands, and the accepted farm practices on each farm operation and the accepted forest practices on each forest operation;
- (B) An assessment of the individual impacts to each farm and forest practice, and whether the proposed use is likely to have an important influence or effect on any of those practices. This assessment applies practice by practice and farm by farm; and
- (C) An assessment of whether all identified impacts of the proposed use when considered together could have a significant impact to any farm or forest operation in the surrounding area in a manner that is likely to have an important influence or effect on that operation.
- (D) For purposes of this subsection, examples of potential impacts for consideration may include but are not limited to traffic, water availability and delivery, introduction of weeds or pests, damage to crops or livestock, litter, trespass, reduction in crop yields, or flooding.
- (E) For purposes of subsection 2 and 3, potential impacts to farm and forest practices or the cost of farm and forest practices, impacts relating to the construction or installation of the proposed use shall be deemed part of the use itself for the purpose of conducting a review under subsection 2 and 3.
- (F) In the consideration of potentially mitigating conditions of approval under ORS 215.296(2), the governing body may not impose such a condition upon the owner of the affected farm or forest land or on such land itself, nor compel said owner to

accept payment to compensate for the significant changes or significant increases in costs described in subsection 2 and 3.

Findings: The subject property is a 2.97-acre parcel owned by ODOT since 1939. It is immediately adjacent to OR-82 and accessed through two gated entrances. It may have historically been mined. It is no longer an active mine and does not have approval to be an active mine. It was approved for aggregate stockpiling in 2010 through a conditional use permit. It was also temporarily approved for aggregate crushing and asphalt batching. The applicant would like to restore the processing use, which is crushing aggregate and batching asphalt, to the property for a 25-year period.

Surrounding properties are zoned A-4 and appear to be used for ranching and some forestry. The nearest actively worked crop fields are approximately 4,000 feet distant. Some other in closer proximity may be currently fallow. The adjacent property to the north contains a farm dwelling approximately 1,000 feet from the subject property.

The processing operation will not be continuously operated. It will be intermittent in nature, creating asphalt when highway maintenance and construction require. The equipment for processing will not be stored on the property but will be moved there and established when needed.

Potential impacts to surrounding farm and forest uses include dust, noise, smells, water contamination, and traffic.

- Stockpiling is mainly a passive use. Noise associated with this use would be from machinery filling trucks with material and moving material around or the point when material is dropped by the truck on the property. Noise from these activities would most likely be of short duration and not very frequent. There may also be some dust created by this use.
- Processing operations would be intermittent in nature, typically lasting 1-2 months per project. This use could cause noise from the crushing and sorting, dust, and smells from the asphalt batching. These types of activity would not affect crop agriculture or forestry but could affect ranching.

ODOT is required to comply with all laws, rules, and regulations regarding noise, dust, and odors as regulated by the Department of Environmental Quality (DEQ). A site-specific Erosion and Sediment Control Plan is required prior to commencing operations, which includes construction of a berm. Dust impacts from any of the uses are mitigated by: (1) DEQ-required air quality permits for all crushing equipment; (2) dust control measures including water application. All processing requires an air contaminant discharge permit.

The applicant has committed to dust abatement using water trucks and water bars on crushing equipment. Noise will meet DEQ requirements. No groundwater will be removed from the site; only temporary water storage tanks will be used. Stormwater will be contained on-site.

No written testimony has been presented that the proposed processing operations would force a significant change in accepted farm or forest practices or significantly increase costs for surrounding farm or forest operations.

VI. PLANNING COMMISSION AUTHORITY AND ACTION

Section 21.01 Authorization to Grant or Deny Conditional Uses

Uses designated in this Ordinance as permitted conditional uses shall be permitted or enlarged or altered upon approval by the Planning Commission in accordance with the standards and procedures specified in this article.

Findings: Processing as defined by ORS 517.750 of aggregate into asphalt is designated as a conditional use in the A-1 zone per Section 2.04, Item 33. This application is before the Planning Commission for review in accordance with the procedures specified in Article 21.00.

Section 21.03 Commission Action

In addition to the general requirements of this Ordinance, in granting a conditional use the Commission may attach conditions which it finds are necessary to carry out the purposes of this Ordinance.

Findings: Staff has proposed conditions of approval in Section II of this report.

Section 21.05 Time Limit on a Conditional Use

Authorization of a conditional use shall be void after one year unless substantial construction pursuant thereto has taken place. However, one-year time extensions may be granted by the Planning Director if the applicable circumstances are unchanged.

Findings: There are no proposed preliminary conditions of approval that would require a one-year time limit to be met. The use can commence upon final approval and remain operational for 25 years.

Section 21.06 General Standards Governing Conditional Uses

- 1. A conditional use shall ordinarily comply with the standards of the zone concerned for uses permitted outright except as specifically modified by the Planning Commission in granting the conditional use.**

Findings: The processing operation complies with the applicable standards of the A-1 zone. The site is an existing ODOT material source with an active Department of Geology and Mineral Industries (DOGAMI) permit. No modifications to A-1 zone standards are requested or required.

VII. NOTIFICATION

The application was submitted to the Planning Department and considered complete on December 30, 2025. The department reviews this application type using the quasi-judicial process outlined in Article 24 of the Union County Zoning, Partition, and Subdivision Ordinance (UCZPSO). In compliance with the UCZPSO, the department sent a Notice of Planning Commission Hearing to property owners within 500 feet of the property subject to this application and a legal ad was published in the East Oregonian on February 4, 2026.

Once a decision is made, the department will send a Notice of Planning Commission Decision to the same property owners. The Notice of Planning Commission Decision will inform adjacent property owners that they have 30 calendar days from the date of the decision to appeal the Planning Commission's decision to the Board of County Commissioners.



Oregon

Tina Kotek, Governor

Oregon Department of
Transportation
Region 5 Geology
3012 Island Avenue
La Grande, OR 97850

December 30, 2025

To: Inga Williams
Planning Director
Union County, OR

From: Scott Billings
Region 4/5 Sr. Engineering Geologist

Subject: Narrative for Crushing CUP Application
ODOT Source #OR-31-039-5
Tax Lot 9100 in 02N40E35

ODOT is submitting this narrative, along with other required documents, in order to acquire a CUP in order to crush and process (size) earthen material. This material will only be imported from other ODOT sources and roadside maintenance and construction.

For an upcoming project in 2026, ODOT would like to be able to crush and produce 15,000 cubic yards of sanding aggregate at this site. If the Contractor elects to use this prospective staging area, the site will have a crusher, screens, and conveyor belts brought to the site and set up on the west side of the parcel. The source material is already stockpiled on-site, excess from the Minam Curve Correction project a few years ago. Produced aggregate will be delivered and stockpiled at the ODOT site at OR82, MP 16.82 (3 miles south of Elgin). This upcoming project would be typical of an operation at this site: imported material from construction and maintenance projects (e.g., excess excavated material or rockfall debris) will be temporarily stockpiled, then crushed and processed (as needed) and reused for future ODOT needs.

Items to address in a narrative and additional attachments:

- Submitted plans and specifications shall contain sufficient information to allow the County Staff or Planning Commission to set standards pertaining to:
(1) Location, quality, and quantity of resource available. **Site is located at the intersection of OR82 and Merritt Lane at milepoint 28.5. There are two gated and locked accesses off Merritt Lane. Approximately 40,000 cubic yards of durable earthen material is stockpiled as shown on the Vicinity Map.**

(2) Setback from property lines. **Setback from the property line is approximately 25 feet for stockpiling and processing rock and 10 feet for access roads and emergency materials.**

(3) Location of vehicular access points . **The two existing and approved access points are as shown on Vicinity Map.**

(4) Location and type of processing facilities. **The location of the portable crusher and associated screens and belts are shown approximately on the Vicinity Map. As crushing and usage continues, the equipment will move to the east.**

(5) Protection of pedestrians and vehicles through the use of fencing. **This site is completely fenced and accesses are gated.**

(6) Prevention of the collection and stagnation of water at all stages of the operation. **Water used on this site will be used to keep dust down. There is no water source at this site. Because of low quantities of water used for dry processing of aggregate materials, there is no collection or stagnation of water. Also, site is leveled and on native (non-paved) ground. Natural infiltration into the ground and evaporation will take place.**

(7) Rehabilitation of the land upon termination of the operation. **There will be no short-term rehabilitation at this site since it will be continuously used by ODOT to aid in all highway operations. If/when in several decades this site is rehabilitated, it will be ripped then seeded with local grass and shrub vegetation.**

- Environmental Limitations:

(1) Mining equipment and access roads shall be constructed, maintained, and operated in such a manner as to eliminate, as far as is practicable, noise, vibration, dust which are injurious or substantially annoying to persons living in the vicinity or to crops or livestock being in the vicinity. **ODOT adheres to state and local noise, vibration, and dust requirements and wants to maintain a good relationship with its neighbors. Dust is abated using a water truck for the roads and a water bar on the crusher. Excerpt from ODOT operating Specifications: "To control dust, apply water to material source access, haul road(s), and crushing and processing operations." Noise meets DEQ requirements as with all permitted crushers.**

(2) Contamination of the groundwater table, streams, rivers or tributary bodies thereto shall not be permitted as a result of the extraction and/or processing activity beyond that allowed by the rules and regulations administered by the Oregon Department of Environmental Quality. **All operations which include some form of washing process must make application with the Oregon Department of Environmental Quality and comply with the applicable laws, rules and regulations. ODOT is required to comply with the laws and rules set by the DEQ for water use. This site uses dry processing, using very little water, and no washing is required for this activity. The water is supplied with a portable water truck**

or tank. The crusher is not set-up for permanent use, rather it is moved to each job by a Contractor. The required DEQ permits are assigned to each piece of equipment.

Anytime a crusher (or even batching plant) is set up for a job, ODOT specifications require ALL DEQ permits must accompany the plant. Further precautions to prevent stormwater leaving the site are covered by this excerpt from ODOT operating

Specifications: "Develop a site-specific Erosion and Sediment Control Plan for each material source according to 00280.04 and submit it to the Engineer at or before the pre-work meeting. Construct stormwater control berm(s) as shown (and as needed) to control runoff. Do not allow any materials, including sediments, Aggregate or crushing by-products to enter into waterways or Wetlands."

(3) All extraction and/or processing activities which will produce noise, air, dust, odors, and other pollutants shall acquire an air contaminant discharge permit from the Oregon Department of Environmental Quality and/or comply with the applicable laws, rules and regulations. **ODOT is required to comply with the laws, rules, and regulations for noise, air, dust, and odors set forth by the DEQ. All processing requires an air containment discharge permit from DEQ. The air containment permit is assigned to individual crusher.**

(4) Potential impairment of ground water tables will require the applicant to have a professional hydrologist prepare a water balance which determines off premise ground water quality impacts. **Because crushing just uses the dry processing method, little water is used for processing/sizing the aggregate. There will be no accumulation of water to impact ground water quality; and no groundwater at the site will be used, only temporary water storage tanks set up on site.**

Farm impacts criteria –

Section 5.06 Conditional Use Review Criteria

1. An applicant for a use permitted in Section 5.04 must demonstrate compliance with the following criteria in addition to the applicable standards in Article 21.00 and subject to the review process identified in Section 24.03. **This site is located in UC-A4 zone, and Use #16 is compliant with Section 5.04.**
2. The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; **The use of this site will be used to continue to provide road maintenance in the area, supporting the use of farm and forest. The use of the aggregate has not changed the farming or forest practices on agriculture or forest lands.** and
3. The use will not significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use. **The quarry is existing, and has not increased the cost of accepted farm or forest practices in the past.**

(c) For purposes of subsection 2 and 3, a determination of forcing a significant change in accepted farm or forest practices on surrounding lands devoted to farm and forest use or a determination of whether the use will significantly increase the cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use requires:

- A. Identification and description of the surrounding lands, the farm and forest operations on those lands, and the accepted farm practices on each farm operation and the accepted forest practices on each forest operation: **As shown on the zoomed-out vicinity map, the nearest worked fields are located a few hundred feet to the NE and ~1,420 feet to the SW.**
- B. An assessment of the individual impacts to each farm and forest practice, and whether the proposed use is likely to have an important influence or effect on any of those practices. This assessment applies practice by practice and farm by farm; and
- C. An assessment of whether all identified impacts of the proposed use when considered together could have a significant impact to any farm or forest operation in the surrounding area in a manner that is likely to have an important influence or effect on that operation.
- D. For purposes of this subsection, examples of potential impacts for consideration may include but are not limited to traffic, water availability and delivery, introduction of weeds or pests, damage to crops or livestock, litter, trespass, reduction in crop yields, or flooding.
- E. For purposes of subsection 2 and 3, potential impacts to farm and forest practices or the cost of farm and forest practices, impacts relating to the construction or installation of the proposed use shall be deemed part of the use itself for the purpose of conducting a review under subsection 2 and 3. **Both fields border OR82; no groundwater will be removed; state law requires that permits to restrict air contaminant, which will be enforced by ODOT Operating Specifications; stormwater will not leave the site; and typical crushing operations, especially at this site with no excavation, have a short duration of only 1-2 months.**
- F. In the consideration of potentially mitigating conditions of approval under ORS 215.296(2), the governing body may not impose such a condition upon the owner of the affected farm or forest land or on such land itself, nor compel said owner to accept payment to compensate for the significant changes or significant increases in costs described in subsection 2 and 3.

This site is located within big game winter range and near critical winter habitat. Crushing operations should not routinely take place between December 1st and March 31st without consulting with ODFW. To limit the duration of impacts to wildlife from December 1st to March 31st, crushing operations shall be modified to potential options such as operating 24 hours a day until completed or limited to only daylight hours depending on consultation with ODFW.

As these types of operations are an on-going part of both maintenance and construction of the highway system, ODOT is requesting a 25 year CUP for this specific action. Although used sporadically for routine and scheduled projects as needs and funds allow, emergency or unplanned needs for processed rock are always probable. For this reason, ODOT considers a site like this continuously active, a strategic site available at all times.

Thank you for your time considering this application.



UNION COUNTY

Planning Department

Inga Williams
Planning Director

1001 4th Street, Suite C La Grande, OR 97850 • Phone (541) 963-1014 • www.unioncountyor.gov
IWilliams@Union-County.org PTracy@Union-County.org • PHall@Union-County.org

FARM/FOREST LAND USE APPLICATION

Please complete & return this form with attachments

Conditional Use, other than those listed below Administrative Use
 Home Occupation Variance
 Farm Dwelling (new)
 Forest Dwelling (new)
 Alteration/Restoration/Replacement of lawful dwelling
 Other: ROCK CRUSHING / PROCESSING

CONTACT INFORMATION

Applicant(s) Name(s)	OREGON DEPT. OF TRANSPORTATION - SCOTT BILLINGS
Phone Number	(541) 410 - 6693
Email Address	scott.d.billings@odot.oregon.gov
Mailing Address	63055 N HWY 97, BLDG. M BEND, OR 97703

The APPLICANT is a ... Legal Owner Legal Representative¹ Contract Purchaser² Agent³

¹attach proof that this person has the legal right to sign for the trust/LLC/corporation/etc.

²attach a copy of the contract.

³attach the signed Agent Permission Certification, or your own version, allowing the agent to represent the owner.

PROPERTY IDENTIFICATION

Include additional property information as an attachment if more than two properties.

Township	Range	Section	Tax Lot	Zoning Designation	Acreage	Tax Assessor's Ref. No.
02 N	40E	35	9100	UC-A4	2.97	

Provide situs address (if available)

NONE

PROPOSED USE INFORMATION

Identify the specific use that you are submitting this application for and cite the Union County Zoning, Partition and Subdivision Ordinance (UCZPSO) section for reference. <https://unioncountyor.gov/planning/>

... AND MINING AND PROCESSING OF AGGREGATE AND MINERAL RESOURCES AS DEFINED IN ORS CHAPTER 517 (ARTICLE 5.04.16)

CURRENT USE OF PROPERTY – also identify any structures
TEMPORARILY STOCKPILING EQUIPMENT AND UNPROCESSED EARTHEN MATERIAL FOR SCHEDULED AND EMERGENCY REPAIRS AND RECONSTRUCTION OF ODOT HIGHWAYS

REQUIRED ATTACHMENTS

1) Narrative & Supporting Evidence

Applicants are responsible for submitting all necessary evidence to support their request. Each proposed use must comply with the requirements outlined in the Union County Zoning, Partition, and Subdivision Ordinance (UCZPSO) and must be clearly justified. Provide thorough, detailed responses for each relevant code section. Be sure to include documentation that supports any claims made. Staff will review the submitted materials and determine whether the request meets the applicable code requirements, does not meet them, or may meet them with specific conditions. Vague and unsupported statements may result in a denial based on insufficient evidence. Before submitting your application, consult with staff to ensure you are responding to all necessary code sections.

- 2) A vicinity map showing the subject property and surrounding roads and adjacent properties.
- 3) A site plan, see attached example.
- 4) A copy of the latest deed.

CERTIFICATION

I/We, the undersigned, swear that this application, including the information and justifications submitted, is true and correct to the best of my/our knowledge and belief. I/We understand that this land use action may result in a change to the property valuation. I/We acknowledge that the property owners must abide by all conditions of approval and all applicable state statutes, federal regulations, and Union County regulations in order to get final approval and be able to begin the use.

If the applicant is not an agent, then all owners, legal representatives, or contract purchasers must sign

	
Signature	Signature
SCOTT D. BILLINGS	12/29/2025
Printed Name	Date
Printed Name	Date

Signature	Signature
Printed Name	Date
Printed Name	Date

For Planning Department Purposes Only

Date of Submittal _____

Date Considered Complete _____

Payment Receipt Number _____

Application Number _____

Agent Permission Certification

The below identified persons are the Legal Owners* Legal Representatives¹ Contract Purchasers² of the property that is the subject of this application and I/we give the applicant permission to submit this application and represent me/us during the review and approval process.

SCOTT D. BILLINGS

Name

Name

Scott Billings

Signature

12/29/2025

Date

Date

Russell Frost

Name

Name

Russell Frost

Signature

12/30/2025

Date

Date

** All property owners must sign*

¹ attach proof that this person has the legal right to sign for the trust/LLC/corporation/etc.

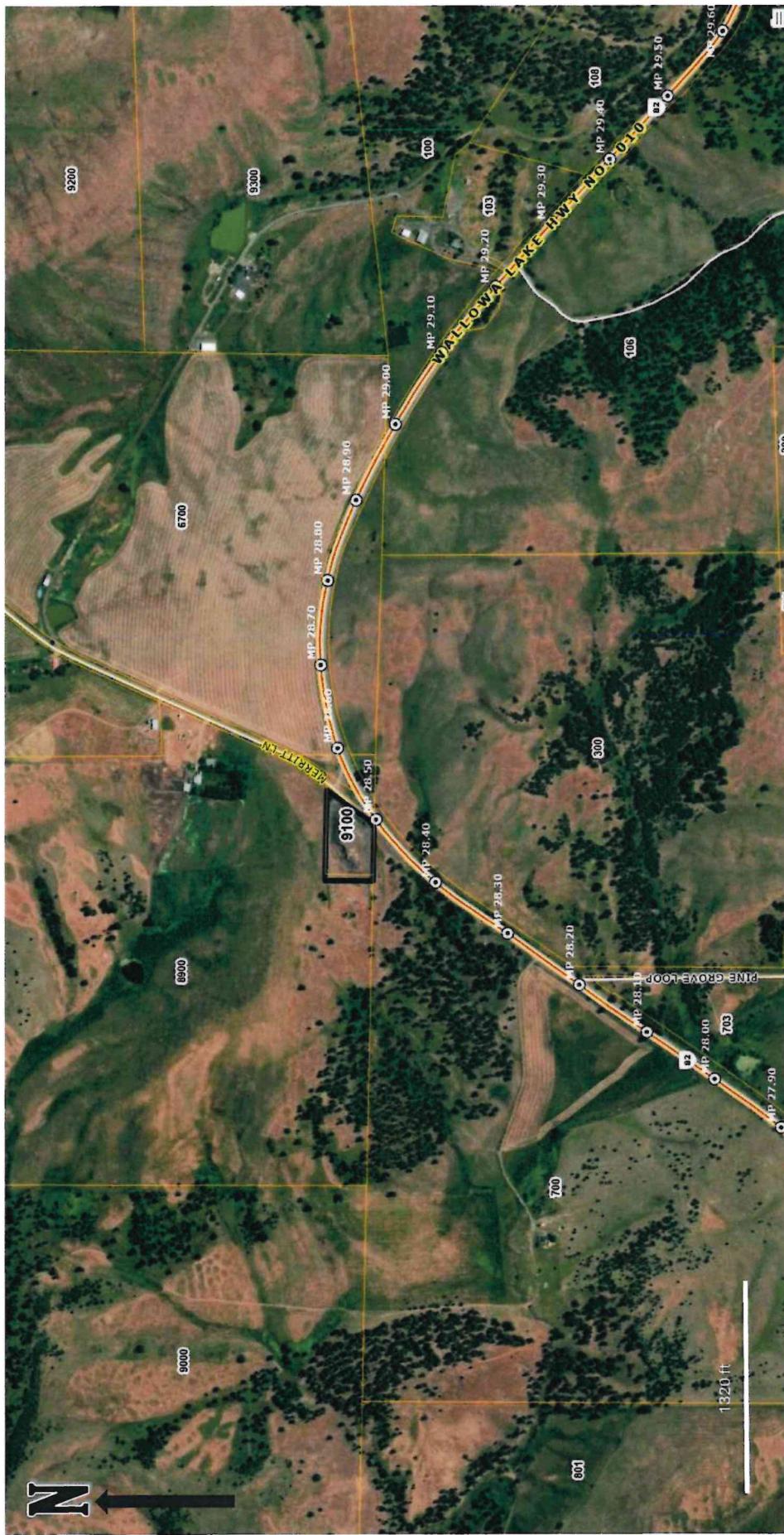
² attach a copy of the contract.

14. Private seasonal accommodations for fee hunting operations subject to Subsections 5.05.9, 5.07 and 5.08.
15. Private accommodations for fishing occupied on a temporary basis may be allowed subject to Subsections 5.07 and 5.08.
16. Mining and processing of oil, gas, or other subsurface resources, as defined in ORS Chapter 520, and not otherwise permitted under Subsection 5.04.2 (e.g., compressors, separators and storage serving multiple wells), and mining and processing of aggregate and mineral resources as defined in ORS Chapter 517.
17. Temporary asphalt and concrete batch plants as accessory uses to specific highway projects.
18. Public road and highway projects as described in ORA 660-12-0065.
19. Expansion of existing airports.
20. Television, microwave and radio communication facilities and transmission towers.
21. New electric transmission lines with right of way widths of up to 100 feet as specified in ORS 772.210. New distribution lines (e.g., gas, oil, geothermal, telephone, fiber optic cable) with rights-of-way of 50 feet or less in width.
22. Water intake facilities, related treatment facilities, pumping stations, and distribution lines.
23. Reservoirs and water impoundments.
24. Disposal site for solid waste approved by the governing body of a city or county or both and for which the Oregon Department of Environmental Quality has granted a permit under ORS 459.245, together with equipment, facilities or buildings necessary for its operation.
25. Commercial utility facilities for the purpose of generating power subject to Subsection 5.05.10.
26. Aids to navigation and aviation.
27. Firearms training facility.
28. Fire stations for rural fire protection.
29. Cemeteries.
30. Storage structures for emergency supplies subject to Subsection 5.05.11.



Vicinity and Site Map for Tax Lot 9100 on Detail Map No. 6 in Section 35 of Map# 02N40E.

Owner: OR Department of Transportation, (541) 475-4573



Nearby land uses for Tax Lot 9100 on Detail Map No. 6 in Section 35 of Map# 02N40E.

