



UNION COUNTY
Planning Department

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Union County Planning Commission Regular Session
March 23, 2026 Meeting Minutes
Misener Conference Room

Draft

ATTENDANCE

Present: Joel Hasse, Mace Cadwell, Mat Barber, Stacy Warren, Chas Koenig

Excused: Amanda May, Geoff Robinson

Absent: Sam Delano

Staff: Inga Williams, Philip Tracy, Pam Hall

Mr. Hasse called the meeting to order at 7:00 p.m.

I. APPROVAL OF MINUTES

February 23, 2026

II. HEARING

Application No. 2026-0001. A Conditional Use application for a home occupation to provide short-term rentals. The property is described as Twp. 2N, Range 38E Section 18D, Tax Lot 506; situs address is 63698 Owsley Canyon Road, La Grande. Applicable zoning district is UC-A1 Exclusive Farm Use Zone. The applicants are Richard and Stacy Livermore. The applicable land use regulations are UCZPSO Article 4, UCZPSO Article 2, and OAR 660-033-0130(5).

Ms. Williams presented the staff report for application 2026-0001, conditional use short-term rental criteria for a home occupation. There were letters from neighbors opposing the short-term rental mainly due to the shared water supply. Other concerns were noise, traffic and fire danger.

Mr. Hasse asked if there were any questions; there were none. He asked if the applicants would like to come forward, state your name and address.

Richard and Stacy Livermore, 63698 Owsley Canyon Rd, La Grande, OR. Mrs. Livermore gave a history/background of who they are and how they do things. Moving back to Union County after being on the west side for years, they love this area and community. They are people who care deeply for the Land, protection of and caring for the people around them. Mrs. Livermore states they are honest people-doing things the right way and they are serious about finding a solution then doing it. One of the first things they did moving into the home, was put an instant-on demand water heater under the kitchen sink so they did not have wait until the water got hot. They will be present on the property at all times when the apartment is rented out. They are not sure if they will rent it out or not but want to do things the right way. Mrs. Livermore sees them renting to people like them who enjoy the amenities around the AirBnB, like MERA. There is one other AirBnB in the area, just down the road and it has been quiet there. The apartment is small, one bathroom, one bedroom and a small kitchenette with no stove. The Livermore's are well aware of the water resources and especially this year with no snowpack. There was discussion around the water source, how many families on the system and the consequences of it going too low. There are just the two of them, not a family of four or more, if they do decide to rent out the apartment it would be no different than someone having relatives stay with them for the weekend. Mrs. Livermore was a Kindergarten teacher and has no problem letting people know if they are using too much water etc. The apartment was the main home until the owners before the Livermore's, built two stories on top. The basement had a working gas stove, which they removed right away. They will have a list of protocols for renters. They are well aware of the fire danger-forest fire regulations. They installed sprinklers on the roof and made sure they have a defensible space around the home. The Livermore's have thought of many different situations for a short-term rental occupation.

Mr. Hasse asked for testimony in opposition of the conditional use application.

Wade Hegele, 64647 Mt Emily Rd, La Grande, OR. He has lived there since 1972. His main concern is water. The community spring was just being installed in the early 1970's and you can imagine the snowpack we had back then. The snowpack this year is the worst on record and so it is the worst possible time for an AirBnB. It does not take much for the neighbors to be affected by more water usage on the community spring. He stated there has been six times where someone had a leak, a hose break or the kids playing in the water. This makes everyone run out of water until the leak is fixed or the hose is fixed. He believes opening the Water Association

for one AirBnB means there could be more down the line. This is disobeying the water ordinance.

Mrs. Livermore made a comment that the Water Association is a volunteer group, not believing there is an actual ordinance. Mr. Hasse let her know there would be time for rebuttal to the testimonies.

Zach Boyk, 64344 Mt. Emily Rd, La Grande, OR. His concern is “once you open this can of worms” for one place where does it stop. As for the water supply, he states people moved to this spot for the peace and quiet and land. He does not see why people want to make a buck. His concern is that once you grant it to one person, it opens the whole thing for others.

Mrs. Livermore rebutted stating it is a fair question about a precedent being set, but, does she think it is likely, no. Mr. Livermore said that even though this summer is looking to be a low water year, an occasional two people staying at their house once a month is not going to add that much. Opening up the door for other people, I can only control our situation.

Keisha Anderson, 64381 Mt Emily Rd, La Grande, OR. She agrees with Zach and Wade with the water supply and thinks it could get drastic this summer.

Mr. Hasse closed the hearing and opened it up for the discussion. He can see both sides of this application and it is hard to know what the output of the spring will be. Mr. Koenig asks if Ms. Williams is aware of the ordinance that Mr. Hegele is referring too. Would they have to record this with the county or water district? She states that it is a private property issue. Mr. Koenig explains when he was a kid and they lived on Owsley canyon. They had a 1/2 share of water from the Ordell Ditch which was hard to determine what half a share of water was. It was either flood or putting a pump in the ditch to pump water out. He really hopes going forward that this community group to plan for years like this, zero snowpack. Mrs. Warren states it is tough also because it is not any different, having a family of four instead of two or having guests all the time. Then again, if everyone did it, it would cause a problem. She asks if anyone has a copy of the by-laws that the planning commission could look at. Mr. Hegele said they are redoing the by-laws, which has been a multi-year project. He is hoping to have them next week.

No further discussion. Mrs. Warren made a motion to approve this conditional use application for a short-term rental home occupation. This motion based on analysis of findings in the staff report, information provided in the application, verbal testimony, by applicant and the public. This motion includes the requirements of

the applications to comply with the conditions of approval as listed in the staff report. The lists of conditions is quite long. Preliminary approval is valid for one year from the date of decision, or 1-year time extensions maybe granted by the Planning Director if the applicable regulations and circumstances of the application are unchanged. Requests for an extension must be submitted prior to the expiration date.

CONDITIONS OF APPROVAL

Preliminary Approval

- 1) This preliminary approval is valid for one year from the date of decision. Four one-year time extensions may be granted by the Planning Director if the applicable regulations and circumstances of the application are unchanged. Requests for extension must be submitted prior to the expiration deadline. If all conditions of preliminary approval are not completed within the specified time frame, this approval shall be null and void.
- 2) Operating approval, which allows the applicants to begin the home occupation use, shall be granted when the following conditions are completed.
 - a. The applicants shall remove cooking appliances from the basement. The applicants shall provide the Planning Director an opportunity to inspect the basement to ensure compliance.
 - b. The applicants shall provide two designated parking spaces for short term rental guests near the dwelling and shall place signage at these locations stating they are for short term rental guests only. The applicant shall provide the Planning Director with a photo of these signs at the designated spaces in order to show compliance.
 - c. The applicants shall petition the City of La Grande to annex this parcel into the La Grande Rural Fire Protection District. If approved by the fire district, the process shall be completed prior to operating approval being granted.

Operating Approval

- 1) Short term rental use is restricted to 45 days or less per guest, where 'guest' can be a singular person or multiple persons with the same booking.
- 2) Short term rental use is restricted to that area identified as the basement and includes 788 square feet that encompasses a bathroom, bedroom, and living room.
- 3) The applicants shall not add a stove, oven, or built-in microwave to the basement.
- 4) The applicants shall restrict the short-term rental users to the number of guests on the rental agreement.

- 5) The applicants shall ensure that guests do not create noise disturbances that can be heard on adjacent properties.
- 6) The applicants shall employ on the site no more than one full-time or part-time person at any given time to help with the short-term rental use.
- 7) The applicants are allowed to place one (1) sign identifying the home occupation, not to exceed a total of 32 square feet in area and located outside of the public right of way.
- 8) The applicants shall pay the county's transient tax.
- 9) This use is approved for the applicants only and does not carry over with any land transfers.

Roll call: Mr. Barber-yes, Mr. Cadwell-yes, Mr. Hassel-yes, Mrs. Warren-yes, Mr. Koenig-yes. Your conditional use for a short-term rental home occupation has been approved. You will receive a written notice within 5 working days.

Application No. 2026-0005. A Conditional Use application for a single-family dwelling not provided in conjunction with farm use. The property is described as Twp. 1N, Range 39E Section 10C, Tax Lot 200 and Tax Lot 201; the situs address is 904 N 15th Ave, Elgin. Applicable zoning district is UC-A1 Exclusive Farm Use Zone. The applicants are Tommy & Jaime Higgins and Elijah & Josie Livingston. The applicable land use regulations are UCZPSO Article 4, UCZPSO Article 2, and OAR 660-033-0130(5).

Ms. Williams presented the staff report for conditional use for a single-family dwelling not in conjunction with farm use. Ms. Williams went over the approvals needed for the application. She found no permits for a bathroom in an outbuilding and the electrical permit had expired. Mr. Hasse asked if there was a dwelling on the parcel now. Ms. Williams states it is an Ag Building but from looking at the pictures, it has been renovated quite a bit as living quarters. Mrs. Warren asks if they are on the city's sewer and she asks "how did that happen." She is confused because they are not in the city limits. Mr. Thorne from the audience states that his fence line is the dividing county city border. Ms. Williams says it was not part of the Urban Growth Boundary, the city did this on their own, and did not notify the County. Mrs. Warren says it has utilities and a new road. Ms. Williams responds that yes, they did hook up to city sewer but there is no plumbing permit. If you approve this application, look at the first page please, all these conditions need to be positive from page one.

Mr. Hasse needed clarification on why the Planning Commission is being asked to approve this non-farm application, instead of just approving the application. It is a

legal parcel, they are not dividing the 13 ac they just want to have the 1.13 ac parcel buildable as they were told could be done. Mr. Thorne from the audience stated this property was Chuck Anderson's property, he sold it and then it sold again. You cannot grow anything on this ground. Mr. Hasse asked when was the parcel created 2018? Is there a plat? The City of Elgin did subdivide the parcel but the remainder but was not part of the subdivision. Ms. Williams explained that they did a 14 ac subdivision (Indian Valley) then a lot line adjustment. Mr. Hasse was still confused how the parcel was created. Various voices explained that the City of Elgin decided to do a subdivision, then, they annexed the subdivision and a little over an acre of this parcel into the city. The city needed to do an Urban Growth Boundary adjustment. When this came to Ms. Williams, because the Planning Department was getting inquiries, the parcel was up for sale. She called DLCD (Department of Land Conservation and Development) and asked about the City of Elgin annexing a one-acre parcel out of this acreage and saying it is developable. DLCD said it is not developable unless Elgin does an Urban Growth Boundary expansion and an annexation otherwise the county zoning still applies. Ms. Williams does not believe it was a legally annexed because the City of Elgin does not even acknowledge the annexation. Mr. Hasse asks if the City of Elgin has the ability to put this in their UGB. Ms. Williams says yes they could if they were to go through the process, which, is about a year process.

Mr. Cadwell states he is familiar with this property and it is not good soil, it is rocks. It may say that the soil is good farm ground but it is rocks and you cannot grow weeds. Others in the audience also stated that nothing grows out there, not even weeds.

Mr. Tracy stated that the lot line adjustment is what created the parcel, part of the larger tract. How big is the original tract? The original was 94 acres. There was discussion about the lot line adjustment, adjacent parcels and Mr. Hasse says, "You can't just say, I'm going to do a lot line adjustment and not sell it. That's not a lot line adjustment, that's a creation of a parcel. You can't do that." His concern is they come to us to fix the problem we did not create, and, why are we worrying about it. He says, I am sorry but it is not our problem.

Ms. Williams showed some of the Planning Commission members, on the laptop, the lot line adjustment so they could understand it better. There was much discussion on how everything came about, whether it was city or county, annexed or not and a legal parcel. How to change the soil classification when it does not fit the land, who to go to so they could correct the classification. Mr. Hasse and Mr. Koenig were both concerned about someone appealing the decision when the

state statute says it is prime farm ground but it does not match the property. If someone were to appeal this decision, we would lose. It makes us look bad.

Mr. Hasse asked the applicants to come forward, give name and address.

Elijah & Josie Livingston and Tommy Higgins 904 N 15th Ave, Elgin and 62715 Fruitdale Ln, La Grande, OR. They have owned this property for a couple years. They purchased the property with the understanding it was a buildable lot and it has turned into kind of a fun project for them. Mrs. Livingston said they are just trying to get things fixed, not looking to develop it or anything. We are trying to get it back to where it was when we bought it. Mrs. Livingston said, "We already have a city address, city services, a mailbox," all of it is there. Mrs. Warren asked how they got an address. Mrs. Livingston said the city gave it to them. Mr. Livingston said it was supposed to be buildable and Mr. Hasse asked who said it was to be buildable. Mr. Livingston responded that everyone they talked with except for the new people in the office. Mrs. Livingston replied that this application was the best way we could come up with to fix the issue. We talked with Ms. Williams awhile, this is the solution she gave us so we did it. Mr. Hasse asked if anyone had more questions. Mrs. Warren asked if they had tried to graze any animals or grow anything on the property. Mr. Livingston said they have a couple horses but when it comes to planting, there is only a tiny bit of soil. Mr. Hasse is confused as to how they got a 54C and 46B type soil and how one would go about getting it corrected.

Mrs. Warren lets the applicants know that they will have to remove everything in the living quarters and the connection to sewer service and all. Mrs. Livingston said okay but it is illegal. Mr. Hasse states that you can do city water but no sewer.

Mr. Hasse invited further testimony in favor of the application. State your name and address.

Mr. JT Thorne, 65255 Hunter Rd, La Grande and he still owns the home at 902 N 15th, Elgin. He is east of the property and his one acre is in the illegal subdivision. Mr. Thorne had a question for the Planning Director to clarify if he heard right, "Did the city deny annexing the one acre into the city?" Ms. Williams replied she did not talk to the Administer. Mr. Thorne said he was President of the City Council at the time the subdivision was developed and annexed into the city. The City Council was told at the time, things were good. Chuck Anderson had 20 one-acre lots and ended up doing everything wrong. He feels the Planning Commission should allow the applicants to build a house on the property because they did not know it was done wrong. Mr. Anderson got away with doing things wrong but that is in the past. He agrees that the soil is not farm ground, there is nothing that will grow on it. Mr.

Thorne is trying to get things right so the applicants can sell the property. They have city sewer, water, power, mailbox and even the internet.

Sharron Langdon-Realtor, 2315 Michaelson, La Grande. She is the realtor of record for this property. She gave some history on the property when it came to her. The City of Elgin has all new people currently from when this was happening in 2021-2023. Mrs. Langdon and her client did their due diligence going to the city and the county agencies. She has record of the county saying it is a buildable one-acre lot. It is her job to trust professional government agencies telling them it is a buildable parcel. The applicants hope to get someone on the land who can live there and have their hobby farm. Ms. Williams, "I heard what you said," just because land is too small by state statute, it does not disqualify it from being usable ground. All the properties around them have been subdivided and the area won't be harmed having one more dwelling. She will be happy to take questions and for the most part, the two owners after Chuck, did their due diligence with the end result the parcel is buildable. We have everything in writing.

Mr. Hasse agrees 100% with Mrs. Langdon but the state statutes say otherwise that it is farm ground. He asked Mrs. Warren, if there was someone who could come and check the soil. Mrs. Warren said she thinks the planning commission can go by photos and testimony. There is no one here that is opposing the application, and no one to appeal the decision, there is no water rights and this is not high ground where someone would try to put a wheel line on the parcel. There was discussion around if Chuck farmed it or not.

Mrs. Langdon added one more thing. At the state level, there has been a lot of talk about housing and some saying it is a housing crisis. It is exactly stuff like this, a prime piece of property, probably will be the next in line for an urban growth boundary expansion. I believe if Elgin keeps growing this will be the next expansion. This is not taking away from farm ground or keeping Union County protected.

Mr. Koenig asked if anyone approached OSU extension or USDA to go look at the site. I think it would be a place to start to challenge the designation. Mrs. Langdon said that the previous owner only work with the city and county, completing the items on the checklist. Mr. Koenig was just trying to think outside of the box to mitigate this designation. Mr. Koenig also agrees with Mr. Hasse that given the state statute, and what the planning commission presented in terms of approval criteria, he does not know how he can overcome that tonight.

Another question came up on the other 20 one-acre lots, if they were illegal since the city annexed them without going through the correct process. Mr. Hasse says the city cannot annex something that is not in their own growth boundary. He is not sure if it is illegal or not.

Mrs. Warren does not see any reason not to build on it. It seems it was the intention for the City of Elgin to make this a buildable acre. They are putting the house on the one-acre parcel, which is not good ground.

Mr. Hasse went to close the hearing but there was one more person who wanted to testify.

Lana Anderson 225 Gilmore, La Grande, OR. She spoke on the integrity of Sharron Langdon. She believes she is the most diligent broker she knows and the due diligence she puts in her research. Ms. Anderson looked over the file and nothing popped out that said not to go for it. Sharron does things well, she does things right and she does it once.

Mr. Hasse closed the hearing.

Ms. Williams stated that the applicant could continue to provide further information or anyone in the audience could request it. Mr. Hasse asked the planning commission what they thought. Mr. Cadwell states he has been on that piece of property and it is crappy ground. Mrs. Warren makes a motion to approve the conditional use application to build a dwelling, not provided in conjunction with farm use, based on EA analysis, findings in the staff report, information provided in the application, verbal testimony at the public hearing by applicant and others.

CONDITIONS OF APPROVAL

1. Approval to construct a non-farm dwelling is valid for four years from the date of decision. One two-year extension and five additional one-year extensions may be approved if:
 - (a) The applicant makes a written request for the additional extension prior to the expiration of the extension; and
 - (b) The applicable residential development statute has not been amended following the approval of the permit, except the amendments to ORS 215.750 by Oregon Laws 2019, chapter 433, section 1; and
 - (c) An applicable rule or land use regulation has not been amended following the issuance of the permit, unless allowed by the county, which may require that the applicant comply with the amended rule or land use regulation.

2. Prior to the Planning Department issuing a zoning approval for a building permit, the property owners shall complete the following items:
 - (a) Per Oregon Revised Statutes 215.236, the property owners shall notify the county assessor that the parcel is no longer being used as farmland and request the county assessor to disqualify the parcel from special assessment. The property owners shall pay any additional tax imposed by the county assessor upon disqualification from special assessment.
 - (b) The property owners shall sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.
 - (c) Return the agricultural exempt building back to hay and equipment storage use only. An inspection will be required by the Planning Director to ensure this has been completed.
3. The dwelling shall not be allowed to connect to sanitary sewer unless the property owners can show that the property meets the conditions of subsections (a) through (h) of OAR 660-011-0060 Sewer Service to Rural Lands, Section (8).

Mr. Cadwell seconded the motion. Mr. Hasse asked if there was any further discussion.

Roll call: Mr. Barber-yes, Mr. Cadwell-yes, Mr. Hasse-yes, Mrs. Warren-yes, Mr. Koenig-yes. Your conditional use application for a non-farm dwelling has been approved. You will receive a written notice within five working days.

Mr. Hasse asked if there was new business due to the comments submitted in the Early morning before the Board of Commissioners meeting on Temporary Workforce Housing ordinance. Ms. Williams said that the board wanted them to look at these comments to have the temporary workforce housing expanded to the rural center zones as well as the industrial zones. She stated that items cannot be added to the ordinance without going through the entire process again. Mr. Hasse asked where the rural center zones were located. Ms. Williams let the Planning Commission know that she was just bringing this to their attention to start a discussion next meeting, not anticipating the discussion tonight. I put it on the agenda for next month and you can look things over in further detail.

Mr. Hasse asked if the upper right corner on the map was Alicel and the middle one is Hot Lake. He was trying to get all the rural centers identified. Ms. Williams explained that the Board of Commissioners just wanted to know if we should

pursue adding it to the Temporary Workforce Housing ordinance. Mrs. Warren said the Hot Lake Guy already has a place for people, trailers and a hotel. Mr. Hasse commented that he did not know if this was ex parte contact but one of the commissioners mentioned the other day that he was the only one who complained about it, that the county is taking business away from him. Mr. Hasse went on to say that we are going to miss the opportunity and it is not going to be cheap to put in housing for industrial zones. There was discussion around other areas that would work better for camp trailers that he could just expand his RV Park. Mr. Hasse stated the Planning Commission needed more information and a need for it. Ms. Williams said that if they want to pursue this further, she will request he come in to talk to the Planning Commission at the next meeting about his comments.

Meeting adjourned 7:45 p.m.

Respectfully submitted,