



# MALHEUR COUNTY

251 B Street West, #12 Vale, Oregon 97918

PLANNING DEPARTMENT

Phone (541)473-5185

File Number: 2021-01-012  
Application Fee: \$150  
Date Received: 11/12/2021  
Date Deemed Complete: 11/12/2021

## CONDITIONAL USE APPLICATION

### LANDOWNER INFORMATION

Name: Abbe, Tel Reece & Lacey Leann  
Address: 1166 INDIANHEAD RD  
City/State/Zip: WEISER, ID, 83672  
Phone: 541-219-2498  
Email: elkhornexcavationllc@gmail.com

### APPLICANT INFORMATION Check box if same

Name: HP Civil Inc  
Address: 8795 Aumsville Hwy SE  
City/State/Zip: Salem, OR 97317  
Phone: 971-221-7405  
Email: rhetts@hpcivil.com

### PROPERTY INFORMATION

Township: 15S Range: 45E Section: 4 & 5 Tax Lot: 300 Ref #: 14780 Acres: 1088 Zoning: C-A2  
Address: 5875 LOCKETT RD HUNTINGTON, OR 97907

Current use: Grazing  
Proposed use: Portable Concrete Batch Plant  
Water source: Snake River (Irrigation) Well (house)

Use of surrounding properties: Commercial & Farming

Permitted subject to section:

Sewage disposal method: N/A

Are the wetlands/water waterways on your property?  No  Yes (description):

Do you own neighboring property?  No  Yes (description): (See attached Property Map)

Name of road providing access: Lockett Rd

### LEGAL PARCEL STATUS

Partition: N/A Subdivision: N/A  
or Most Recent Pre- 09/04/1974 Deed #: \_\_\_\_\_ Date Filed: \_\_\_\_\_  
Current Deed #: \_\_\_\_\_ Date Filed: \_\_\_\_\_

\*The deed and a map showing the property described in the deed(s) must accompany this application.

\*Additional descriptive maps and pictures may be attached.

SIGNATURES:

Property Owner(s): Reed Date: 1-13-26

Property Owner(s): Deeby Able Date: 1-13-26

Applicant(s): Jeff Date: 1/15/2026

Applicant(s): Dany Fischer Date: 1/15/2026

*PLEASE NOTE: Before this application will be processed, you must supply all requested information and forms, and address all listed or referenced criteria. Pursuant to ORS 215.428, this office will review the application for completeness and notify Applicant of any deficiencies within 30 days of submission. By signing this form, the property owner or property owner's agent is granting permission for Planning Staff to conduct site inspections on the property.*

**SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT**

Legal Parcel	<input type="checkbox"/> NO <input type="checkbox"/> YES
Deed/Land Use Action:	<input type="checkbox"/> NO <input type="checkbox"/> YES
Previous Map and Tax Lot:	<input type="checkbox"/> NO <input type="checkbox"/> YES
Past Land Use Actions: If yes, list file #(s)	<input type="checkbox"/> NO <input type="checkbox"/> YES
Subject to previous conditions?	<input type="checkbox"/> NO <input type="checkbox"/> YES
Assessor Property Class: _____ Zoning: _____	<input type="checkbox"/> NO <input type="checkbox"/> YES
Water Resources: Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties?	<input type="checkbox"/> NO <input type="checkbox"/> YES
Describe (include setback distances): <input type="checkbox"/> Fish bearing <input type="checkbox"/> Non fish bearing <input type="checkbox"/> Seasonal Creek <input type="checkbox"/> Irrigation ditch <input type="checkbox"/> Wetland <input type="checkbox"/> Pond/Lake <input type="checkbox"/> Not identified (Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.)	
Access: County or ODOT approach permit on file? <input type="checkbox"/> NO <input type="checkbox"/> YES, # _____	
Address: Address exists and has been verified to be correct? Address needs to be assigned after approval?	<input type="checkbox"/> NO <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> YES
Fire District: _____	



# MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918

Phone (541)473-5185

## CONDITIONAL USE PERMIT

### DETAILED SPECIFIC WRITTEN REQUEST

Set and operate a portable concrete batch plant to produce concrete for an ODOT contract on I-84. No mining will occur on site. Aggregates will be hauled in from a source in Idaho. The batch plant will be set up in early 2026 and removed by December 31, 2026. Water will be trucked in from a nearby municipal source.

*(Attach additional pages if necessary)*

### DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling				
Driveway				
Accessory Structure				
Agricultural Structure				
Other				
Portable Concrete Batch Plant (Temporary)				21,000
EXISTING				
Dwelling				
Accessory Structure				
Agricultural Structure				
Other				

## CONDITIONAL USE CRITERIA – Malheur County Code (MCC) CHAPTER 6-6-7

1. The proposal must be consistent with the goals and objectives of the Comprehensive Plan and MCC.  

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The proposed location is adjacent to the Farewell Bend Interchange on I-84 and across from the TA Truck Stop and ODOT Farewell bend Port of Entry which generate substantial truck traffic.  
The area surrounding used as rangeland. The temporary batch plant will not impact either use.

Describe the operational characteristics (hours of operation, equipment used, etc.) of the proposed use:  
The plant will operate intermittently between 3 AM and 6 PM Monday - Friday.

The batch plant consists of bins, conveyor belts, a mixing drum, cement silos, water storage tank and wheel loaders to feed the plant.

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Describe the number of people/employees/customers associated with the proposed use:  
There will be 4 staff operating the plant and up to 18 truck drivers delivering concrete from the plant to I-84. ODOT is the customer.

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3. What are the existing developments and viewpoints of property owners in the surrounding area?  
A TA Truck Stop and ODOT Farewell Bend Port of Entry truck scale are located across the freeway from the site. The property owners on this application own all of the property around the proposed plant site. (see attached map) The Snake River can also be viewed from this property

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4. The proposed use cannot exceed or significantly burden public facilities and services available to the area. Please describe the impact the proposed use will have on the following public facilities and services and provide letters from the appropriate entities:

Roads: Lockett Rd will be used to access the plant. It is a gravel surfaced road owned by ODOT.  
ODOT supports the proposed use with conditions. (see attached)

Fire & Police Protection: This location is served by the Huntington Fire Department. They have no concerns with the plant (see attached).

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Sewer & Water: No sewer or water service will be necessary. Portable toilets will be used. Water will be trucked in from a nearby municipal source and stored in five 20,000 gallon tanks.

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Electrical & Telephone: No electrical or telephone service will be required. The plant is operated with diesel generators and cel phones will be used for communication.

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Solid Waste Disposal: Dumpsters will be rented from a local solid waste disposal company.

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5. What effect will the proposed use have on the stability of the community's social and economic characteristics? This is a temporary facility to be located adjacent to a busy freeway interchange. No significant effects are anticipated. There may be short term economic benefits to local businesses from plant staff and truck drivers patronizing their facilities.
6. Demonstrate that the proposed use will not interfere with traditional fish and wildlife use of habitats determined critical or sensitive in the fish and wildlife habitat protection plan for Malheur County.  
The site is not adjacent to a stream. The Snake River is the nearest fish bearing stream.  
No water will be discharged from the plant site. The existing site is used for farming and grazing. The site will be returned to its pre-existing condition when the plant is removed.
7. How will the proposed use increase setbacks of structures to reduce possibilities of overshadowing adjoining property, noise, odor or night lighting nuisances during development and operation?  
The nearest dwelling is 550 ft from the edge of the plant site. The plant will be located such that aggregate stockpiles will be between the residence and the plant. The stockpiles will minimize noise and light nuisances from plant operations. (See attached site map)
8. What are the proposed landscaping improvements for the visual benefit of the subject site and for the improved appearance of the neighborhood and County?  
This is a temporary facility to be in place for a few months. The site will be returned to its pre-existing condition when the plant is removed. No landscaping improvements are planned.
9. The location and size of driveway access points and right of way widening and improvement for present and future traffic circulation consistent with the adopted County road standards or the standards of the appropriate road district and the access management standards of the Malheur County Transportation System Plan.  
The adjacent temporary access currently used by Idaho Power will be used to access the plant site. Widening of Lockett Rd at the access point will not be required. There is approximately 500 ft of Lockett Rd between the freeway interchange and the temporary access that is gravel surfaced. The contractor will maintain Lockett Rd in the same or better condition during plant operations per the letter of support from ODOT.

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10. What is the proposed visual screening of the outdoor waste and storage areas?

This is a temporary facility to be in place for a few months. The site will be returned to its pre-existing condition when the plant is removed. No visual screening is planned.

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11. What efforts will be in place to control and focus the outdoor lighting to avoid glare being directed beyond property limits?

Outdoor lighting on and around the plant will be directed at the plant at an angle highlighting the ground for safety and security purposes. Aggregate stockpiles will be located between the plant and nearest dwelling to minimize light nuisance.

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12. Demonstrate how the proposed use will not significantly increase the cost of, or force a significant change to, accepted farm or forest practices on surrounding lands devoted to or available for farm and forest use.

Describe the agricultural uses (orchards, wheat, grazing, etc.) that are within 0.25 miles of the proposed development. How will the proposed development interact with surrounding agriculture uses?

The site is currently used for grazing and hay for cattle as are uses within 0.25 miles of the proposed plant site. A temporary pad will be placed and then removed after the plant is removed. The site will be mowed, a geotextile fabric placed directly on top of existing vegetation to minimize ground disturbance. Gravel will be placed on top of the fabric. After the plant is removed, the gravel and fabric will be removed in a manner to minimize ground disturbance, allowing the site to return to its pre-existing condition quickly.

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**MINERAL, AGGREGATE OR GEOTHERMAL RESOURCE EXPLORATION, MINING AND PROCESSING**  
**Malheur County Code (MCC) 6-6-8-4**

All submitted plans and specifications shall contain sufficient information to allow the planning commission to set standards pertaining to:

1. How will the noise screening be conducted? This is a temporary facility. Noise between the plant and nearest dwelling will be minimized by locating aggregate stockpiles between the plant and dwelling.
2. How will the dust screening be conducted? Concrete aggregate stockpiles have to remain moist during production so they will not generate dust. Dust from trucks circulating the plant will be controlled with a water truck.
3. How will the visual screening be conducted? No visual screening is planned as this is a temporary facility. I-84 adjacent to the site will be under construction while the plant is operating. The plant would fit in with local and freeway driver expectations for a construction zone.
4. How will the traffic screening be conducted? Traffic to and from the plant site by way of Lockett Rd and I-84 will not pass any residence or business. No traffic screening is planned.
5. Equipment and access roads shall be constructed, maintained and operated in such a manner as to eliminate, as far as practical, noise, vibration or dust that is injurious or substantially annoying to livestock being raised in the vicinity. What are the proposed locations of the vehicular access points? (See attached map) The vehicular access point will be directly off Lockett Rd. Traffic will not pass adjacent to any property with livestock.

6. All processing shall be located no closer than 200 ft. from residential or commercial uses. What are the proposed setbacks from the property lines and from any residential or commercial uses in the area? \_\_\_\_\_  
(See attached map) The plant site will be 550 ft from the nearest residential dwelling and approximately 1/2 mile from the TA Truck stop.

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7. What are the fencing needs and how will they be addressed? \_\_\_\_\_

Fencing necessary to keep cattle from entering the site will be installed as worked out with the property owner.

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8. How will the collection and stagnation of water at all stages of production be prevented? \_\_\_\_\_

Wash water from concrete trucks and plant operations will be placed in a small lined pond and filtered. Filtered water will be used for dust control. Hardened concrete will be disposed of at a local landfill.

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9. How will the property be rehabilitated and reclaimed upon the termination of the operation? \_\_\_\_\_

Prior to occupation, the site will be mowed, a geotextile fabric placed directly on existing vegetation to minimize soil disturbance, and gravel placed on top for a working pad. After the plant is removed, the gravel pad and geotextile fabric will be removed in a manner minimizing disturbance to the existing ground. This technique will result in the site returning to its original condition/use quickly.

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