

STAFF REPORT

Planning Department File No. 2026-01-012

APPLICATION FOR Temporary Concrete Batch Plant

Planning Commission Meeting Date: February 26, 2026

1. **Property Owner:** Abbe, Tel Reece & Lacey LeAnn
1166 Indianhead Rd
Weiser, ID 83672
2. **APPLICANT:** HP Civil - Contractor for ODOT
8795 Aumsville Hwy SE
Salem, OR 97317
3. **PROPOSED ACTION:** Conditional use application to establish and operate a temporary portable concrete batch plant in the C-A1 zone for the purpose of supplying concrete for ODOT to for a reconstruction and re-pavement at exit 353 on I84. Estimated duration is 9 months. The proposed operation includes a portable batch plant, bins, conveyor belts, a mixing drum, cement silos, water storage tank, wheel loaders and stock piling of aggregate. No mining will occur onsite. Aggregate will be hauled from Idaho. Water will be hauled from a municipal source and stored in tanks. The facility will operate intermittently between approximately 3:00 AM and 6:00 PM, Monday through Friday.
4. **PROPERTY IDENTIFICATION:** Tax Lot 300, Assessor's Map 15S45E, Malheur County Reference No. 14780.
5. **PROPERTY LOCATION AND DIRECTIONS:** The temporary plant site is located adjacent to the I-84 Farewell Bend interchange and is currently used for grazing/hay production.
6. **ZONING:** C-A2 Exclusive Range Use (1088.34 acres).
7. **PARCEL SIZE:** The total parcel size is 1088.34 acres. The proposed temporary concrete batch plant will be on approximately 5 acres.
8. **PARCEL USE:** Existing Idaho Power Staging Area is located to the north west of the property. The rest of the property is used for farming and cattle range purposes.
9. **SURROUNDING USE:**
 - a. North: Interstate 84 and transportation facilities
 - b. South: Snake River corridor

- c. East: Rural agricultural land
 - d. West: Rural agricultural land and commercial truck facilities
 - e. The nearest residential dwelling is approximately 550 feet from the proposed plant site.
- 10. ACCESS:** No new access is being proposed for this action. The existing access point off Lockett Rd will continue to be used.
- 11. SANITATION REQUIREMENTS:** The site will be equipped with portable toilets. Up to four (4) employees will be employed on site.
- 12. FIRE PROTECTION:** The parcel is within the Huntington Fire Department.
- 13. NATURAL HAZARDS:** Parcel is not in the 100-year floodplain.
- 14. WATER RIGHTS:** The area is not within the boundaries of an Irrigation District. Oregon Water Resources Department records show two (2) private (non-district) water rights of record for irrigation associated with the property; which are Certificate 42028 & Certificate 80752. Totaling 116.6 of water rights. (Exhibit 8)
- 15. ZONING HISTORY:** In 2006 file number 2006-07-010 a conditional use application for a radio communications site was applied for.

GENERAL CONDITIONAL USE CRITERIA

MCC 6-6-7 - GENERAL CRITERIA TO EVALUATE SUITABILITY: In considering the suitability of proposed conditional uses, the Planning Commission shall base its decision upon the following criteria:

- A. Comprehensive Plan goals and policies, as applicable.
- B. Specific plan recommendations

Proposed Finding: MCC 6-6-7 regulates the general criteria to evaluate suitability, MCC 6-4-3 regulates the general criteria for a temporary use and MCC 6-6-8-4 regulates the conditional use process for a concrete batch plant.

- C. Existing development and viewpoints of property owners in the surrounding area.

Proposed Finding: Letter notice was sent to adjoining landowners on February 4, 2026 and published in the Argus Observer on February 4, 2026. No comments were received.

- D. Availability of services and utilities.

Proposed Findings:

ROADS: The entrance to the property will be off of Lockett Rd. No additional access points will be required.

FIRE & POLICE PROTECTION: The proposed plant site is located in the Huntington Fire Department. There will be little to no impact on the police protection.

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

ELECTRICAL & TELEPHONE: No additional power will be required. The plant is operated with diesel generators and cell phones will be used for communication.

SOLID WASTE DISPOSAL: Dumpster will be rented from a local solid waste disposal company.

- E. The effect of the proposed use on the stability of the community's social and economic characteristics.

Proposed Finding: This is a temporary facility to be located adjacent to a freeway. No significant effects are anticipated. There may be short term economic benefits to local businesses from plant staff and truck drivers patronizing facilities.

- F. It does 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.

Proposed Finding: The Snake River is the nearest fish bearing stream. No water will be discharged from the plant site. The existing site is used for farm and grazing. The site will be returned to its preexisting condition.

- G. General Criteria

1. Increasing setbacks of structures to reduce possibilities of overshadowing adjoining property, noise, odor or night lighting nuisances.

Proposed Finding: The nearest dwellings is 550ft 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.

2. Landscaping improvements for the visual benefits of the subject site and for the improved appearance of the neighborhood and County.

Proposed Finding: No landscaping improvements are planned. The site will be returned to its pre-existing condition when the plant is removed.

3. Location and size of driveway access points and right-of-way widening and improvement for present and future traffic circulation and safety.

Proposed Finding: The access points are existing. No new access points are being proposed for this development.

4. Visual screening of outdoor waste and storage areas.

Proposed Finding: No visual screening is planned due the facility being temporary.

5. Control and focusing of outdoor lighting to avoid glare being directed beyond property limits.

Proposed Finding: All lighting will be limited to the proposed area only and will be directed at the plant at an angle highlighting the ground for safety and security purpose.

6. Special criteria listed below, as applicable:

H. Allowance of Certain Uses: A use allowed under Section 6-3A-3 of this Title shall be approved only where it is found that the use will not:

1. Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or
2. Significantly increase cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use. (Ord. 86, 12-7-1993)

Proposed Finding: 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 place on top of 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 preexisting condition quickly.

I. **Temporary Use Criteria MCC 6-4-3.**

A. A temporary use permit is to allow, on a temporary basis, structures, activities or uses

that are temporary or seasonal in nature. No temporary use permit shall be issued that would have the effect of permanently rezoning or granting a special privilege not shared by other properties in the same zone. Temporary contractor yards and temporary gravel pit, crushing and asphalt mixing sites are examples of uses that may be approved by the planning director or may be referred by the director to the planning commission.

- **Proposed Finding: The facility is portable and associated with a specific highway reconstruction project. The applicant commits to removal no later than December 31, 2026. No permanent structures are proposed. Gravel and geotextile fabric will be removed and the site restored to agricultural condition.**

B. Criteria For Temporary Permit: A temporary permit shall be approved, denied or conditionally approved upon a finding that the proposed structure, activity or use:

1. Will not be contrary to the public interest or the intent and purpose of this section and the particular zone involved;

- **Proposed Finding: To allow a portable concrete plant to temporarily set up at the location is an allowed condition use for this zone and meets the intent and purpose. The batch plant will be used for highway improvements for a temporary permit are in the public's best interest.**

2. Will not cause a substantial adverse effect upon property values or environmental conditions in the immediate vicinity or in the zone in which the property of the applicant is located;

- **Proposed Finding: The use supports a public transportation infrastructure project and is located adjacent to an interchange already characterized by heavy truck activity. The temporary plant activity is consistent with the functional character of the area.**

3. Is requested under such circumstances or conditions that are not the result of any act of the applicant subsequent to the adoption of the particular zoning regulations from which relief is sought;

- **Proposed Finding: Dust control, lighting controls, stockpile buffering, and operational limits reduce impacts. Effects are temporary and reversible. No long-term degradation occurs.**

4. Will relate only to property that is under control of the applicant.

- **Proposed Finding: The applicant operates under authorization of the property owner and is confined to the described leased area.**

VII. MINERAL / AGGREGATE PROCESSING STANDARDS MCC 6-6-8

The proposal satisfies screening, dust control, fencing, access design, water management, and reclamation standards. Access avoids livestock areas and water is filtered and reused.

PROPOSED CONDITIONS OF APPROVAL

1. The authorization is temporary and expires on December 31, 2026
2. No mining or aggregate extraction is permitted on site.
3. Dust control measures must be maintained at all times; consists on site, five(5), 20,000 gallon water tanks.
4. Operations limited to 3:00AM – 6:00PM, Monday – Friday unless approved otherwise.
5. Truck traffic shall use approved haul truck routes only.
6. No discharge of wastewater or concrete slurry onto soil or into waterways.
7. Site must be fully restored upon termination
8. Compliance with ODOT, Huntington Fire District, and Oregon Water Resources requirements are mandatory.
9. Substantiated complaints regarding dust, noise or traffic may trigger review and additional mitigation.
10. Malheur County reserves the right to conduct onsite inspections, to ensure adherence to proposed conditions of approval.

EXHIBITS

- Exhibit 1 – Conditional Use Application
- Exhibit 2 – Supplemental Narrative
- Exhibit 3 – Site Map
- Exhibit 4 – Property Map
- Exhibit 5 – Vicinity Map
- Exhibit 6 – Huntington Fire Department Letter
- Exhibit 7 – Oregon Water Resources Letter
- Exhibit 8 – Water Rights Certificate