



UNION COUNTY Planning Department

Inga Williams
Planning Director

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APPLICATION NO. 2026-0041

STAFF REPORT

CONDITIONAL USE - TEMPORARY MEDICAL HARDSHIP DWELLING

Purpose of the Application	Establish a Temporary Medical Hardship Dwelling
Relevant Ordinance Criteria	UCZPSO Article 2.00 A-1 Exclusive Farm Use Zone; UCZPSO Article 2.00, Sections 4, 5, and 6; UCZPSO 21.00 Conditional Uses; Oregon Administrative Rules (OAR) 660- 033-0130(5)
Property Owners & Applicants	Property Owners: Ivan K & Lynette B Hibbert Applicant: Marlo Thomas
Property Location	Twp 02S, Range 38E, Section 10, Tax Lot 200 62982 Standley Lane, La Grande, OR 97850; Assessor Reference No. is 7241
Zone Designation	A-1 Exclusive Farm Use Zone
Comprehensive Plan Designation	Agricultural
Parcel Size	~38.20 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 the Conditional Use application for a temporary medical hardship dwelling as requested in Application No. 2026-0041. The application complies with applicable criteria of the Union County Zoning, Partition, and Subdivision Ordinance and is supported by *[choose any or all of the following]*

- analysis and findings in the staff report,
- information provided in the application,
- verbal testimony at the public hearing by the applicant,
- verbal testimony at the public hearing by the public in support of the application.

This motion includes the requirement for the property owners to comply with all conditions of approval, as listed in Section II of the staff report."

Motion to Deny

"I move that the Planning Commission deny the Conditional Use application for a temporary medical hardship dwelling as requested in Application No. 2026-0041. The application does not comply with *[state relevant section of Code]* of the Union County Zoning, Partition, and Subdivision Ordinance and this is supported by *[choose any or all of the following]*

- the staff report analysis and findings that the application does not comply with the land use regulations,
- information provided in the application that does not support an approval, specifically the following information...
- verbal testimony by the public at the public hearing in opposition to the application, more specifically...”

II. CONDITIONS OF APPROVAL

1. Approval to convert an existing accessory building into a medical hardship dwelling shall be valid for one year from the date of decision. One extension for one year may be granted by the Planning Director if the applicable regulations and circumstances of the application are unchanged and the request is submitted prior to the expiration of the approval.
2. The property owners shall obtain all necessary building permits for the conversion of the agricultural exempted storage structure to residential use. The property owners shall provide the Planning Department with a Certificate of Occupancy to provide proof that all conversion upgrades were completed. If building permits for the conversion are not issued by the time the approval is expired or the permits are issued but allowed to expire within the same time frame, the approval shall be null and void.
3. The property owners shall have the septic system evaluated by Harney County Environmental Health Division. They shall complete any necessary upgrades to the system to accommodate the use. Proof of final approval shall be provided to the Planning Department.
4. The following conditions are applicable for the duration of the use:
 - a. The temporary hardship dwelling shall only be occupied for the term of the hardship. The hardship is defined as care for Ivan and Lynette Hibbert, parents of Marlo Thomas.
 - b. The primary dwelling will be occupied by Ivan and Lynette Hibbert. Marlo Thomas and her husband will occupy the temporary hardship dwelling.
 - c. The permit authorizing this temporary hardship dwelling must be reviewed by the Planning Department every two (2) years. The property owners shall submit a new Certificate by Primary Care Physician to the County Planning Department documenting the continuing need for the hardship dwelling.
 - d. The temporary hardship dwelling use may be transferred to another relative or include an additional relative upon satisfaction of all the requirements of the code and if the use has not ceased for more than three (3) months. This transfer can be approved ministerially by the Planning Director.
 - e. The property owners shall maintain the subject property and temporary dwelling as indicated in the application, exhibits, and site plan. Any revisions to the approved site plan shall be reviewed and must be approved by the Planning Director.
 - f. This temporary hardship dwelling is not eligible for replacement as a permanent dwelling under any provision of the Union County Zoning, Partition, and Subdivision Ordinance.
5. Within three (3) months of the end of the hardship, the temporary dwelling shall be converted back to its original permitted use to store a tractor, trailer, and hay equipment and to perform equipment maintenance. This means removing all additions that were utilized for the residential use except for the bathroom. In order to keep the bathroom, the property owners

shall record a deed restriction, supplied by the Planning Department, stating that the structure will not be used for residential purposes. The property owners shall set a time and date for the Planning Director to perform an inspection of the building. Department of Environmental Quality (DEQ) review and removal requirements also apply.

III. BACKGROUND AND PROPERTY INFORMATION FINDINGS

The subject property is a lawfully created parcel. It was created in 1979 through a partition process, Application No. 1979-0074.

The subject property is 38.20 acres located at 62982 Standley Lane, La Grande, Oregon. The property is zoned A-1 Exclusive Farm Use. The soil composition is entirely high-value farmland soils as defined in UCZPSO 1.08. This parcel is considered high-value farmland. The parcel sits on the southwest corner of Standley Lane and Hunter Road.

The subject property contains an existing single-family dwelling, constructed in 1964, which is currently occupied by the property owners, Ivan and Lynette Hibbert. The property also contains a barn and an agricultural exempt building, approximately 72 feet x 40 feet. The ag exempt building was approved on June 10, 2026, to store a tractor, trailer, and hay equipment, and to allow maintenance of agricultural items.

After beginning construction of the ag exempt building, the applicants thought to put an apartment in the building and use it for residential use as a temporary medical hardship dwelling. The applicants are requesting approval to convert a portion of the ag exempt building into a residential dwelling to accommodate Marlo Thomas and her husband while they care for Ivan and Lynette Hibbert who will remain in the primary dwelling and who require medical care and assistance. Medical documentation from Dr. Bryan Conklin at La Grande Family Medicine has been received and is on file with the Planning Department.

There is no bar on converting an agricultural building to another use as there is when the building was approved for forestry use. The applicants must obtain full building permits prior to converting the structure to residential use.

The proposed temporary dwelling will utilize the same septic system as the existing dwelling. The septic system will need to be evaluated to accommodate the additional residential use. The property is served by a residential well for water supply.

All adjacent properties (north, south, east, and west) are zoned A-1 Exclusive Farm Use.

The property has adequate existing access from Standley Lane.

The property is not located within any overlay zones, including floodplain or critical big game winter habitat.

IV. AGENCY COMMENTS

No agency comments were received as of the date this staff report was finalized.

V. PUBLIC TESTIMONY

No written public testimony was received as of the date this staff report was finalized.

VI. FINDINGS APPLYING CODE CRITERIA

All applications are subject to the requirements of the Union County Zoning, Partition and Subdivision Ordinance (UCZPSO), Oregon Revised Statutes, and Oregon Administrative Rules.

Sections in boldface type below denote relevant code criteria. Sections in regular type denote staff analysis of the application.

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).

Findings: Temporary medical hardship dwellings are listed as a conditional use requiring Planning Commission review through a quasi-judicial public hearing process.

Section 2.05 Use Standards

4. A temporary hardship dwelling is subject to the following:

- A. One manufactured dwelling, or recreational vehicle, or the temporary residential use of an existing building may be allowed in conjunction with an existing dwelling as a temporary use for the term of the hardship suffered by the existing resident or relative, subject to the following:**

(1) The manufactured dwelling shall use the same subsurface sewage disposal system used by the existing dwelling, if that disposal system is adequate to accommodate the additional dwelling.

Findings: The proposed temporary dwelling will use the same septic system as the existing dwelling. The septic system will need to be evaluated for the temporary residential use and most likely an additional temporary tank will be required. This will be satisfied by a condition of preliminary approval. (Note: Subsection (1) references "manufactured dwelling" only but the use also allows for temporary residential use of an existing accessory structure or a recreational vehicle and all the allowed dwelling opportunities must utilize the same subsurface sewage disposal system as the existing dwelling.)

(2) Doctor certification;

Findings: The hardship in this case is for the care of Ivan and Lynette Hibbert, parents of Marlo Thomas, and who require medical care and assistance due to medical conditions verified by a licensed medical practitioner Dr. Bryan Conklin at La Grande Family Medicine in La Grande. This constitutes a qualifying medical hardship under the ordinance definition.

(3) The county shall review the permit authorizing such manufactured homes every two years;

Findings: The permit will be subject to review every two years. The property owners will be required to submit updated medical certification at each review to document the continuing need for the hardship dwelling. When the hardship ends, the structure must be converted back to its original permitted use, removed, or demolished within three months. This is included as a condition of operating approval.

(4) Within three months of the end of the hardship, the manufactured dwelling or recreational vehicle shall be removed or demolished or, in the case of an existing building, the building shall be removed, demolished or returned to an allowed nonresidential use.

Findings: When the hardship ends, the applicants have indicated that the structure will be converted back to its original permitted use. This is included as a condition of approval.

- B. A temporary residence approved under this section is not eligible for replacement under Subsection 2.03.11. Department of Environmental Quality review and removal requirements also apply.**

Findings: The temporary residence will be in an existing shop building. The temporary residence will need to be returned to a nonresidential use within three months of the end of the hardship and will not be eligible for replacement. This requirement is satisfied by a condition of approval.

- C. As used in this section "hardship" means a medical hardship or hardship for the care of an aged or infirm person or persons as determined by a certified doctor.**

Findings: Dr. Bryan Conklin has completed the required certification of need for this hardship and the form has been provided to the planning department by the applicant.

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 for specific uses, which are being followed by this review. Subsection 21.06.1 states, "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." This returns the analysis to Subsections 2.06.2 and 2.06.3 of this section. Section 24.03 of Article 24 is the application review procedures, which are also being followed.

- 2. The use will not force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; 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.**

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

- (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:**
 - (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 following uses surround this property:

- North is a 193-acre parcel being farmed. It does not contain a dwelling.
- South is a 118-acre parcel being farmed. It contains a dwelling.
- West is a 33-acre parcel being farmed. It contains a dwelling.
- East, across Hunter Road, is a 154-acre parcel being farmed. It does not contain a dwelling.

The dwelling on this parcel is approximately 1,700 feet east of a Farm Residential zone. Also, many of the surrounding ag parcels contain dwellings on parcels with farming operations of varying size. The proposed temporary hardship dwelling will be located inside an existing agricultural structure and so should blend in with existing structures on the parcel. Staff finds no impacts to adjacent farming operations.

UCZPSO Article 21.00 Conditional Uses

Section 21.06 General Standards Governing Conditional Uses

The following standards and criteria shall govern conditional uses, except as provided in Section 21.07:

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: This use is being reviewed in accordance with the specific standards of the A-1 zone and Article 2.00. The use complies with all applicable standards.

VII. PLANNING COMMISSION AUTHORITY AND ACTION

UCZPSO 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. Changes in use, expansion or contraction of site, or alterations of structures or uses classified as conditional existing prior to the effective date of this Ordinance, shall conform to all regulations pertaining to conditional uses.

UCZPSO 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. These conditions may increase the required lot or yard, control the location and number of vehicular access points to the property, increase the street width, limit the number of signs, limit coverage of height of buildings because of obstruction of view and reduction of light

and air to adjacent property, and require sight obscuring fencing and landscaping where necessary to reduce noise and glare and maintain the property in a character in keeping with the surrounding area.

UCZPSO 24.12 Decision on Quasi-Judicial Land Use Application

The decision of the hearings body shall be based upon and accompanied by a brief statement that explains:

- A. The criteria and standards considered relevant to the decision;
- B. Statement of basic facts relied upon in rendering the decision; and
- C. Ultimate facts which explain and justify the reason for the decision based on the criteria, standards and basic facts set forth.

VIII. NOTIFICATION

The applicants submitted a Conditional Use Permit application to the Union County Planning Department requesting approval to establish a Temporary Medical Hardship Dwelling on July 20, 2026. The Planning Director deemed the application complete on July 23, 2026. Conditional Use applications are reviewed by the Planning Commission through a public hearing review process subject to UCZPSO 24.03, 24.09, 24.10, 24.11, and 24.12 as a Quasi-Judicial Land Use Decision. Notice of this Public Hearing was mailed to property owners within 500 feet of the subject property on August 27, 2026, and published in the East Oregonian Newspaper on September 16, 2026.

Within five working days of the Planning Commission's decision, a Notice of Decision will be mailed to the applicant and all participating parties, and will include appeal procedures permitted within 30 calendar days from the date of the decision.



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TEMPORARY MEDICAL HARDSHIP (TMH) DWELLING – LAND USE APPLICATION

Please complete & return this form with ATTACHMENTS

Property Owner Name(s)	IVAN Hibbert + Lynette Hibbert
Map & Tax Lot & Account ID	02538E10 TL# 200
Property Address	62982 Standley Lane LaGrande OR 97850
Phone Number	
Email Address	
Mailing Address or N/A	62982 Standley Lane LaGrande OR 97850

MEDICAL HARDSHIP INFORMATION

Name of the person needing care	Ivan Hibbert
Who else will be residing with the person needing care	Lynette Hibbert
Name of caregiver	Marlo Thomas
Relationship of the caregiver to the person needing the care.	Daughter

Caregiver will:

How many other people will reside with the Caregiver 2

- ☒ reside in the temporary dwelling
☐ reside in the permanent dwelling

TEMPORARY DWELLING INFORMATION. The temporary dwelling will be a:

- ☐ Manufactured Home. (Initial acknowledgements below)
_____ I acknowledge that the home will be ☐ Removed or ☐ Demolished when the TMH ends
_____ I acknowledge the home must utilize same sewage disposal system as permanent residence
☒ An existing accessory structure made into a residential use. After TMH ends, this structure will be:
☐ Removed ☐ Demolished ☒ Returned to nonresidential use
☐ Recreational Vehicle (Initial acknowledgement below)
_____ I acknowledge that the RV will be ☐ Removed or ☐ Demolished when the TMH ends

I hereby certify that I am the legal owner of the subject property; and, that the information and justification submitted are in all respects true and accurate to the best of my knowledge and belief.

Landowner

Ivan K. Hibbert

Name

Ivan K. Hibbert 7/16/26
Signature Date

Landowner

Lynette Brough Hibbert

Name

Lynette B. Hibbert 7-16-26
Signature Date

I hereby certify that I am the caregiver and that the information and justification submitted are in all respects true and accurate to the best of my knowledge and belief.

Caregiver

Marlo Thomas

Name

[Signature] 5/7/26
Signature Date

ATTACH

- 1) Vicinity map marked Exhibit A
- 2) Detailed site plan marked Exhibit B, see Site Plan Example available on Planning Department webpage
- 3) Any statements of explanatory information to support your request
- 4) Primary Care Provider Certification

For Planning Department Purposes Only

Date of Submittal 7/20/26
Date Considered Complete _____
Application Number _____
Payment Receipt Number 328790

SEE MAP 02S 38E

60' PI

LANE

1320' (1325.70')

.70' -

200
38.20 AC.

100
154.58 AC

EQU = 326+85.2 MT (355+94.0 HUNTER L

327+43.6 MT GLENN



1320'

635

65 FT

1095

1320'

new
40x72
613 FT to
hunter
road

N02°43'W

(S00°11'07"W)

CS 003-2000

1320'

1327.16'

DITCH

N89°43'28"E

Union County
2025 Real Property Assessment Report
Account 7241

Map 02S3810-00-00200
Code - Tax ID 0117 - 7241

Tax Status Assessable
Account Status Active
Subtype NORMAL

Legal Descr See Record

Mailing HIBBERT, IVAN K & LYNETTE B
62982 STANDLEY LN
LA GRANDE OR 97850

Deed Reference # See Record
Sales Date/Price See Record
Appraiser MIKE

Property Class 551 **MA** **SA** **NH**
RMV Class 501 03 00 000

Site	Situs Address	City
	62982 STANDLEY LN	COUNTY

Value Summary					
Code Area		RMV	MAV	AV	RMV Exception CPR %
0117	Land	212,000		Land	0
	Impr	213,490		Impr	0
Code Area Total		425,490	177,780	207,931	0
Grand Total		425,490	177,780	207,931	0

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
0117	2	☒		UC-A1	Farm Site	100	1.00 AC	FHS	5,000
	3	☒		UC-A1	Farm Use Zoned	100	2.75 AC	2D	13,750
	4	☒		UC-A1	Farm Use Zoned	100	34.45 AC	3D	172,250
					Well & Septic - SA	100			21,000
Code Area Total							38.20 AC		212,000

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
0117	1	1964	131	CLASS 3 RESIDENCE	100	2,880			166,180
	2	1964	134	CLASS 3 ATT CARPORT: FLAT SHED ROOF	100	0			11,430
	3	1964	110	Residential Other Improvements	100	0			3,490
	4	1950	317	GP BUILDING	100	784			8,530
	5	1960	323	HAY COVER	100	476			1,740
	6	1950	326	LEAN-TO	100	588			2,290
	7	1950	317	GP BUILDING	100	1,200			8,780
	8	1950	318	GP SHED	100	165			1,890
	9	1964	318	GP SHED	100	110			1,870
	10	1950	326	LEAN-TO	100	750			2,250
	11	2003	326	LEAN-TO	100	392			1,880
	12	2014	110	Residential Other Improvements	100	0			3,160
Code Area Total						7,345			213,490

Union County
2025 Real Property Assessment Report
Account 7241

Exemptions / Special Assessments / Notations	
Notations	Amount
■ EXC VAL DISC ON CYC ADDED 2004 CD - EXC VAL DISC ON CYC: REF#: 7241, SEQ#: 4, BEG DATE: 20160101 / END DATE: 0	1,980.00
■ EXC VAL DISC ON CYC ADDED 2004 CD - EXC VAL DISC ON CYC: REF#: 7241, SEQ#: 3, BEG DATE: 20040101 / END DATE: 0	1,080.00
■ SPECIALLY ASSESSED ADDED 2001 SA - SPECIALLY ASSESSED: REF#: 7241, SEQ#: 1, BEG DATE: 19760101 / END DATE: 0	

Comments *EFU FARM USE-POTENTIAL ADD TAX