



Community Development Department
PO Box 2460 16345 Sixth Street
La Pine, Oregon 97739
Phone: (541) 536-1432 Fax: (541) 536-1462
Email: info@lapineoregon.gov

Site Plan Application

File Number # _____

PROPERTY OWNER AND APPLICANT INFORMATION

Applicant Name Rex Atkinson Phone 812-987-5316 Fax _____
 Address 15925 Hargray Dr City Noblesville State IN Zip Code 46062
 Email rex@five9dg.com
 Property Owner Zayo Group LLC/ CO Todd Andrews Phone 321-604-6613 Fax _____
 Address 1821 30th Street Unit A City Boulder State CO Zip Code 80301
 Email todd.andrews@zayo.com

PROPERTY DESCRIPTION

Property Location (address, intersection of cross street, general area) _____
52508 Hwy 97 LaPine, OR 97739

Tax lot number: T-15 R-13 Section 36DB Tax Lot(s) 2200

Zoning CMX Total Land Area _____ (Square Ft.) _____ (Acres)

Present Land Use _____

Describe Project (i.e. type of use, hours of operation, other project characteristics):

Placement of a pre-manufactured fiber-optic utility building surrounded by a CMU wall and serviced by a stand-by generator.
 The building is concrete with aggregate finish, in use 24/7 un-manned, visited less than once a month

PROJECT DESCRIPTION

Please give a brief description of the project: _____

Fiber-Optic Equipment Building. The building regenerates the fiber optic signal.

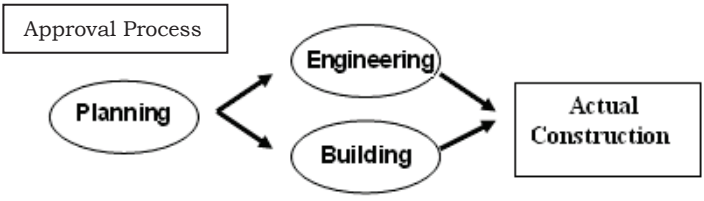


Community Development Department
PO Box 2460 16345 Sixth Street
La Pine, Oregon 97739
Phone: (541) 536-1432 Fax: (541) 536-1462
Email: info@lapineoregon.gov

PROFESSIONAL SERVICES

Architect/Designer/Engineer Rex Atkinson Phone 812987-5316 Fax /
 Address 15925 Hargray Dr City Noblesville State IN Zip Code 46062
 Email rex@five9dg.com

FOR OFFICE USE ONLY
 Date Received: _____
 Rec'd By: _____
 Fee Paid: _____
 Receipt #: _____



CHECKLIST

REQUIRED ITEMS TO BE SUBMITTED FOR SITE AND DESIGN REVIEW.

Note: additional information may be required depending on the actual project.

- Complete Application. The application *must be signed by the property owner and the applicant.*
- Mailing labels with all addresses within 100 feet of the property – obtained from title company
- Title Report or Subdivision Guarantee verifying ownership, *including legal description of land.*
- Fee Schedule (please see attached).
- Site and Landscape plan; Building Elevations; one (1) full sized copy of each which must be folded individually, 8 ½" X 11" or 11" by 17" in size.
- Floor plans, one (1) copy for each building which must be folded individually, 8 ½" X 11" or 11" by 17" in size.
- Vicinity map.
- Trip Generation statement prepared by a professional transportation planner or equivalent. 5 copies, Note: if more than 200 ADT result (or at the discretion of the City Engineer), a Traffic Impact Study may be required.



Community Development Department
PO Box 2460 16345 Sixth Street
La Pine, Oregon 97739
Phone: (541) 536-1432 Fax: (541) 536-1462
Email: info@lapineoregon.gov

- Preliminary Grading and Storm Drainage Plan, including drainage calculations demonstrating that all storm water will be retained on site in compliance with the Central Oregon Stormwater Manual (COSM)
- Response regarding compliance with the *2014 Fire Code*, specifically:
 - Fire Apparatus Access Road Requirements as per OFC Section 503 & Appendix D
 - Fire Protection Water Supplies as per OFC Section 507, Appendix B & C
- Above Checklist items must be submitted electronically to the Planning Director at mbethel@lapineoregon.gov (Word, Jpeg or PDF).

SITE PLAN

- Project name, scale (not to exceed 1" = 50'), north arrow.
- Date the site plan is prepared.
- Street names and locations of all existing and proposed streets, curbs, and sidewalks within or adjacent to the proposed development. Show distance to centerline of street.
- Zoning of each adjacent property.
- Square footages by use – existing and proposed (storage, office, meeting, etc.)
- Percentage of lot coverage and square footage by;
 - a) structures
 - b) recreation areas
 - c) landscaping
 - d) non-permeable surfaces (including parking areas, access aisles)
- Total number of parking spaces (existing and proposed).
- Total landscaped area square footage (existing and proposed).
- All vehicle and pedestrian access points and paths.
- Location of all proposed and existing buildings, fences and structures within the project area. Indicate which ones are to remain and which are to be removed.
- Location and size of all public utilities in and adjacent to the site, including:
 - a) Water lines and meter sizes.
 - b) Sewers, manholes and cleanouts.
 - c) Storm drains and catch basins.
- The proposed location of:
 - a) Connection to the City water system.
 - b) Connection to the City sewer system.
 - c) The proposed method of drainage of the site.
 - d) Postal box locations, if more than 7 units are proposed.
- Location of existing canals and laterals.
- Retention of on-site drainage.
- Existing easements on the property.



Community Development Department
PO Box 2460 16345 Sixth Street
La Pine, Oregon 97739
Phone: (541) 536-1432 Fax: (541) 536-1462
Email: info@lapineoregon.gov

- Location and size of any public areas within the development.
- All fire hydrants, existing and proposed, within 500 feet of the site.
- A topographic map of the site if the slope of the site exceeds 5%.
- Locations of all existing natural features including trees, natural drainage ways, rock outcroppings, et cetera.

BUILDING ELEVATIONS

- Drawings or sketches of all four views of each new structure.
- Building materials, colors (fascia, doors, trim, etc.), pitch of roof, shape and other design features of the building(s).
- All exterior mechanical devices.

LANDSCAPE PLAN (may be included on the site plan for smaller projects)

- Tree and plant species.
- Tree and plant sizes (new only).
- All trees having a six inch trunk diameter 3' above grade or greater shall be shown on the landscape plan.
- Location/placement of existing and proposed vegetation to be retained, planted or removed.
- Approximate location of irrigation lines, and type of irrigation system to be used.

FLOOR PLAN

- All significant rooms within each structure; label or number rooms, including square footage for each room.
- Electrical / mechanical equipment areas.

LIGHTING PLAN

- All exterior light locations.
- Brochure, illustration, cut sheet or photo for each light fixture type to be used.

By signing this application, the undersigned certifies that he / she has read and understands the submittal requirements stated above. Note: if the applicant makes a misstatement of fact on the application regarding ownership, authority to submit the application, acreage, or any other fact material relied upon in making a decision, the City may upon notice to the applicant and subject to an applicant's right to a hearing declare the application void.

Owner: Todd Andrews Date: 1/14/2026
Signature

City of La Pine
Site Plan Review
Burden of Proof Narrative – La Pine Zayo Fiber Optic Utility Building

Applicant: Five Nine Design Group LLC
15925 Hargray Dr
Noblesville, IN 46062

Owner: Zayo Group LLC
1401 Wynkoop St Suite 500
Denver, CO 80202

Architect: Five Nine Design Group LLC/ Rex Atkinson
15925 Hargray Dr
Noblesville, IN 46062

Civil Engineer: Woolpert
4454 Idea Center Blvd
Dayton, OH 45430-1500

Planner: La Pine Oregon Associate Planner
Nick Tierney
16345 Sixth St
La Pine, OR 97739

Location: The Property is located in the Northeast area of the City of La Pine, On the east side of Frontage Rd and North of Rosland Rd. The property has been assigned to the address of 52508 HWY 97 LA PINE, OR 97739 and it is identified by the Deschutes County Tax Assessor as 211036DB02200.

Request: Type II Site Plan Review for a single story, unmanned 864 SF pre-manufactured fiber optic utility building that will act as an infrastructure component to their underground fiber-optic network. The building is a precast concrete building with a smooth gray painted finish, that is set on and anchored to a concrete foundation at the

required frost depth for soil conditions. There will be no antennas, towers, or dishes at the site for these buildings. The facility will be an unoccupied facility that is not open to the public and locked at all times. Access is only permitted by trained and authorized service personnel on a very infrequent basis. The building is surrounded by a CMU fence. The outside lighting proposed on the site is (1) downward directed wall mounted 45W 900 Lumen Cutoff LED light fixture at each entry door (two total). Each light will have a dawn to dusk photocell control. There will be no signage at this location.

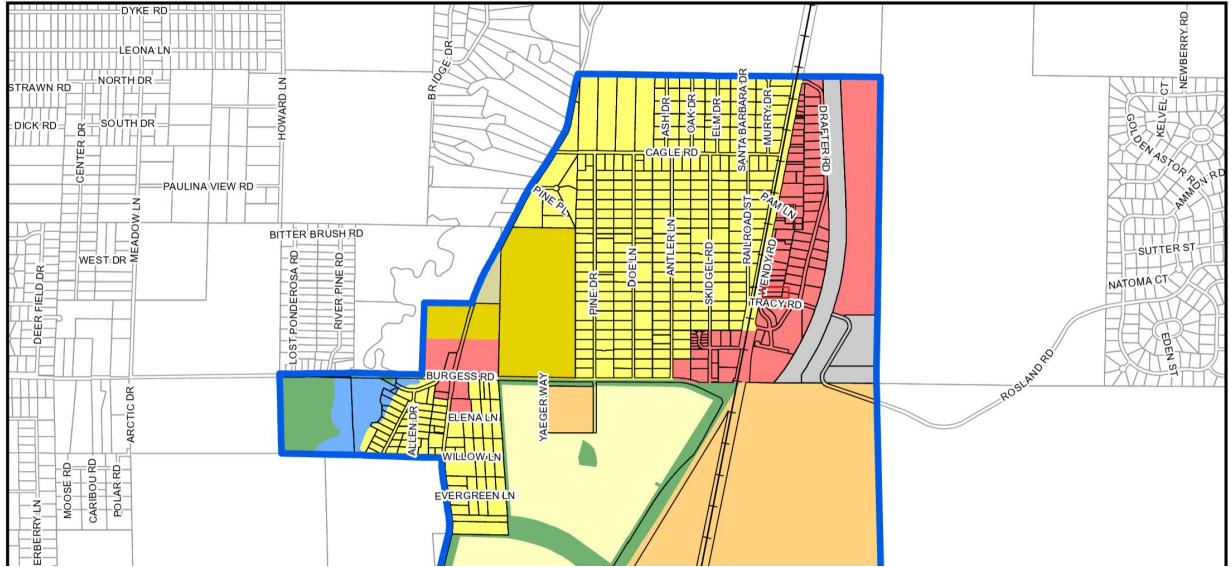
- 1. Location:** The Property is located in the Northeast area of the City of La Pine, On the east side of Frontage Rd and North of Rosland Rd. The property has been assigned to the address of 52508 HWY 97 LA PINE, OR 97739 and it is identified by the Deschutes County Tax Assessor as 211036DB02200.



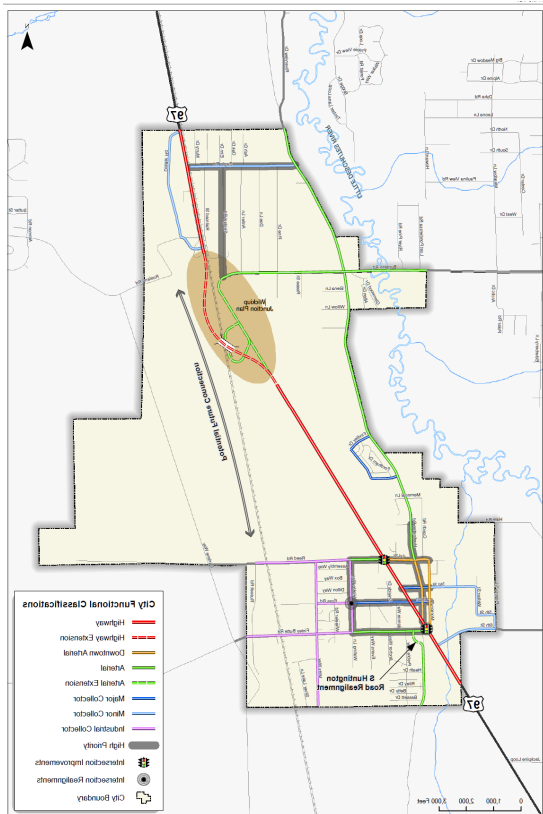
2. EXISTING ZONING AND COMPREHENSIVE PLAN DESIGNATIONS: The site is located within a CMX zone.

Surrounding Zoning-

An excerpt from the La Pine Zoning Map is included below:



3. Site Description & Surrounding Uses:



4. Proposal: Type II Site Plan Review for a single story, unmanned 846 SF pre-manufactured fiber optic utility building that will act as an infrastructure component to their underground fiber-optic network. The building is a precast concrete building with a smooth gray painted finish, that is set on and anchored to a concrete foundation at the required frost depth for soil conditions. There will be no antennas, towers, or dishes at the site for these buildings. The facility will be an unoccupied facility that is not open to the public and locked at all times. Access is only permitted by trained and authorized service personnel on a very infrequent basis. The building is surrounded by a CMU fence. The outside lighting proposed on the site is (1) downward directed wall mounted 45W 900 Lumen Cutoff LED light fixture at each entry door (two total). Each light will have a dawn to dusk photocell control. There will be no signage at this location.

III. Conformance with Procedures, Standards, and Approval Criteria

Article 3 – Zoning Districts:

Chapter 15.22. – Commercial and Mixed-Use Zones

15.22.100. - Purpose.

Chapter 15.22 regulates allowed land uses ("uses") and sets forth lot and development standards, including minimum dimensions, area, density, coverage, structure height, and other provisions that control the intensity, scale, and location of development in the commercial and mixed-use zones. The regulations of this chapter are intended to implement the city comprehensive plan.

15.22.200. Characteristics of the commercial and mixed-use zones.

Commercial zones accommodate a mix of commercial services, retail, and civic uses, along with residential uses permitted in some circumstances. Four commercial zones provide for the full range of commercial land uses within the city. The zoning district regulations are intended to promote the orderly development and improvement of walkable commercial areas; facilitate compatibility between dissimilar land uses; provide employment opportunities in proximity, and with direct connections, to housing; and to ensure efficient use of land and public facilities.

A. *Traditional Commercial Zone (C)*. The C zone allows the widest range of commercial uses and limits residential uses in order to preserve land for commercial needs and maintain compatibility between adjacent uses. A portion of the C zone is located in the Downtown La Pine Overlay Zone. The overlay zone restricts some uses and establishes additional design standards to facilitate the development of a pedestrian-oriented downtown area.

B. *Commercial/Residential Mixed Use Zone (CRMX)*. The CRMX zone is intended primarily as a smaller scale, service and office commercial district, with associated residential that may consist of upper level units. A live-work design concept within the mixed-use district serves as a buffer between the C zone and residential zones. Commercial uses are allowed in the zone but are limited in order to facilitate a mixed-use development pattern.

C. *Commercial Mixed-Use Zone (CMX)*. The CMX zone is intended to allow for a wide range of both commercial and residential uses. Unlike the CRMX zone, residential uses are not limited and are allowed to be developed on standalone sites. Some commercial uses that may not be compatible with residential uses are prohibited or limited. The CMX zone allows for flexible uses that can respond to market demand.

D. *Neighborhood Commercial Zone (CN)*. The CN zone allows commercial uses that are intended to serve neighboring residential neighborhoods and are generally compatible with residential uses.

Applicant Response: This site is zoned Commercial Mixed-Use Zone CMX.

15.22.300. Use regulations.

Uses may be designated as permitted, limited, conditional, or prohibited in the commercial and mixed-use zones. As noted in Table 15.22-1, a use may also be subject to special use standards of article 6.

A. *Permitted uses (P)*. Uses allowed outright in the commercial and mixed-use zones are listed in table 15.22-1 with a "P." In the C zone, any use that emits fumes or noxious odors, requires an air quality permit from the

Oregon Department of Environmental Quality (DEQ), or emits noise beyond 20 decibels (dB) is required to obtain a conditional use permit pursuant to chapter 15.316, conditional uses.

B. *Limited uses (L)*. Uses allowed in the commercial and mixed-use zones subject to limitations are listed in Table 15.22-1 with an "L." The limitations are defined below and correspond with the footnote numbers in Table 15.22-1. In the C zone, any use that emits fumes or noxious odors, requires an air quality permit from the Oregon Department of Environmental Quality (DEQ), or emits noise beyond 20 decibels (dB) is required to obtain a conditional use permit pursuant to chapter 15.316, conditional uses.

1. *Marijuana facilities in the C and CMX zones*. Allowed marijuana facilities in the C and CMX zone[s] are limited to marijuana testing laboratories. Marijuana production or processing uses are prohibited.

2. *Mixed use development in the CRMX zone*. Nonresidential uses noted with a (2) are allowed in combination with residential uses in the CRMX zone if the nonresidential uses are limited to a total of 60 percent of the gross floor area of all uses in the development. Business parks and funeral homes are prohibited nonresidential uses.

3. *Wireless telecommunication facilities in the CRMX and CMX zones*. Communication antennas mounted on existing buildings, structures, or public utility transmission towers are permitted outright. Communication towers require a conditional use permit.

4. *Retail sales and service in the CMX zone*. Automobile, RV, and truck sales uses require a conditional use permit. Funeral homes are prohibited. All other retail sales and service uses are permitted outright.

5. *Commercial lodging in the CN zone*. Commercial lodging uses in the CN zone are limited to bed and breakfast inns.

6. *Retail sales and service in the CN zone*. Automobile, RV, and truck sales and funeral homes are prohibited in the CN zone. Veterinary clinics and kennels require a conditional use permit. All other retail sales and service uses are permitted outright.

7. *Parks and open areas in the CN zone*. Cemeteries require a conditional use permit in the CN zone. All other parks and open areas uses permitted outright.

8. *Self-service storage*. Self-service storage uses are required to have a minimum lot size of five acres. The expansion of existing self-storage facilities must meet the minimum acreage requirement. All areas within 30 feet of storage unit access points or doors shall be paved with an asphalt surface.

C. *Conditional uses (CU)*. Uses which are allowed if approved through the conditional use review process are listed in Table 15.22-1 with a "CU." These uses are allowed, provided they comply with the conditional use requirements of chapter 15.316, conditional uses. Uses listed with a "CU" that also have a footnote number in the table are subject to the regulations cited in the footnote.

D. *Prohibited uses (N)*. Uses listed in Table 15.22-1 with an "N" are prohibited. Existing uses in categories listed as prohibited may be subject to the regulations of chapter 15.08, non-conforming uses and structures.

Applicant Response: For this project the closest category we fall under is Basic Utility. We will be a permitted use (P)

<i>Table 15.22-1. Use Regulations in the Commercial and Mixed-Use Zones</i>					
<i>Use Category</i>	<i>C</i>	<i>CRMX</i>	<i>CMX</i>	<i>CN</i>	<i>Special Use Standards</i>
<i>Residential Use Categories</i>					

Household Living	—	—	—		—
- Single-family dwelling	CU	P	P	P	—
- Cottage cluster development	P	P	P	P	Section 15.104.050
- Townhome	CU	P	P	P	Section 15.104.020
- Duplex	P	P	P	P	Section 15.104.030
- Multi-family development	P	P	P	P	Section 15.104.040
- Manufactured dwelling	CU	P	P	P	—
- Manufactured dwelling park	N	N	N	N	Section 15.104.060
- Accessory dwelling unit	P	P	P	P	Section 15.104.010
- Residential care home	CU	P	P	P	Section 15.104.080
Group Living	—	—	—	—	—
- Room and board facility	CU	CU	CU	CU	—
- Residential care facility	P	P	P	P	Section 15.104.080
- Long-term care facility	P	CU	CU	P	—
<i>Commercial Use Categories</i>					
Campgrounds and RV parks	N	CU (2)	CU	CU	Section 15.108.020
Commercial lodging	P	L (2)	P	L (5)	—
Commercial parking	CU	L (2)	P	N	—
Commercial recreation	P	L (2)	P	P	Section 15.108.030
Eating and drinking establishments	P	L (2)	P	P	Mobile food unit sites subject to Section 15.108.070
Marijuana dispensary	P	N	P	N	Section 15.108.050
Quick vehicle servicing	P	CU	CU	N	—
Office	P	L (2)	P	P	—
Retail sales and service	P	L (2)	L/CU (4)	L/CU (6)	—
Vehicle repair	P	N	CU	N	—
Self-service storage	N	N	P(8)	CU(8)	—

<i>Industrial Use Categories</i>					
Artisanal and light manufacturing	CU	N	N	CU	Section 15.108.010
Automotive wrecking, salvage, and junk yards	N	N	N	N	—
Industrial service	N	N	N	N	—
General manufacturing and production	N	N	N	N	—
Marijuana facilities	L (1)	N	L (1)	N	Section 15.108.050
Wholesale sales	N	N	N	N	—
Warehouse and freight movement	N	N	N	N	—
Waste treatment and recycling	N	N	N	N	—
<i>Institutional Use Categories</i>					
Basic utilities	P	P	P	P	—
Colleges	P	L (2)	P	CU	—
Community services	P	L (2)	P	CU	—
Daycare centers	P	L (2)	P	P	—
Medical centers	CU	N	N	N	—
Parks and open areas	P	L (2)	P	L/CU (7)	—
Religious institutions	P	L (2)	P	P	—
Schools	P	L (2)	P	P	—
<i>Other Use Categories</i>					
Agriculture	N	L (2)	P	CU	Section 15.108.080
Forestry	P	L (2)	P	P	—
Mining	N	N	N	N	—
Wireless telecommunication facilities	P	L/CU (3)	L/CU (3)	C	Section 15.108.110

15.22.400. Development standards.

- A. *Purpose.* The development standards for commercial and mixed-use zones allow development flexibility, within parameters, that supports the intended characteristics of the specific zone. In addition, the regulations provide guidance to property owners, developers, and neighbors about the limits of what is allowed.
- B. *Development standards.* The development standards for commercial and mixed-use zones are presented in Table 15.22-2. Development standards may be modified as provided by chapter 15.320, variances. Additional standards may apply to specific zones or uses, see section 15.22.500.

Table 15.22-2. Development Standards in the Commercial and Mixed-Use Zones

<i>Standard</i>	<i>C</i>	<i>CRMX</i>	<i>CMX</i>	<i>CN</i>
Minimum lot width	None	None	None	25 feet
Minimum setbacks	—	—	—	—
- Front or street-side yard	20 feet	20 feet	20 feet	20 feet
- Side yard	None	10 feet; None for townhomes	10 feet; None for townhomes	10 feet; None for townhomes
- Rear yard	None	10 feet	10 feet	15 feet
Maximum building height	70 feet	45 feet	45 feet	45 feet
Maximum lot coverage	80%	60%	60%	50%
Minimum landscaped area	See 15.18.500 and chapter 15.82			
Minimum and maximum density	Residential and mixed-use developments are subject to the minimum and maximum density standards of the RMF zone (see section 15.18.500).			

Applicant Response: On sheet C103 The building height is listed on the building tag, as well as the setbacks, and lot coverage. The height on the cover sheet has been revised to match the true building height listed on C103.

15.22.500. Additional standards.

- A. *Corner lot frontages.* For commercial uses located on corner lots where one street is predominantly residential, and one street is predominantly commercial, any commercial structure shall front on the street that is predominantly commercial.
- B. *Landscaping standard.* Any portion of a lot developed for commercial uses which are not used for buildings, other structures, parking or loading spaces, or aisles, driveways, sidewalks, and designated storage areas shall be planted and maintained with grass or other all-season groundcover vegetation. Grass shall be kept neatly mowed. Landscaping with trees and shrubs is permitted and encouraged. See additional landscaping and buffering standards in article 5.

Applicant Response: The portion of the lot that is being developed is surrounded by a CMU privacy wall inside the wall the compound is gravel. Landscaping is added to the site to meet landscape requirements. The existing site is remaining undeveloped asphalt to remain.

- C. *Screening requirements.*
 - 1. *Outdoor activities.* Any business, servicing, or processing shall be conducted within a completely enclosed building, except for parking and loading facilities and for "drive-in" type establishments offering goods or services to customers waiting in parked motor vehicles.
 - 2. *Outdoor storage.* All areas of a site containing or proposed to contain outdoor storage of materials, equipment, and vehicles, and areas containing junk, salvage materials, or similar contents, shall be screened from view from adjacent rights-of-way and residential uses by a sight-obscuring fence, wall, landscape screen, or combination of screening methods. See additional buffering and fence standards in article 5.
 - 3. *Outdoor merchandise display.* The outdoor display of merchandise for sale is not required to be screened from view, provided that all merchandise is located behind building setback lines unless otherwise approved by the city (e.g., to allow sidewalk sales).

Applicant Response: No outdoor storage is proposed.

- D. *Vehicle access.* Access driveways and entrances shall be permitted in a number and locations in which sight distance is adequate to allow safe movement of traffic in or out of the driveway or entrance, the free movement of normal highway traffic is not impaired, and the driveway or entrance will not create a hazard or an area of undue traffic congestion on highways to which it has access. The city may require the permit applicant to submit engineering data and/or traffic analyses to support its proposed plan of access driveways and entrances. See additional access and circulation standards in article 5.
- E. *Emissions.* No use shall emit any noxious, toxic, or corrosive fumes or gases nor shall it emit any offensive odors.
- F. *Noise.* All uses shall provide necessary shielding or other protective measures against interference occasioned by mechanical equipment or uses or processes with electrical apparatus.
- G. *Lighting.* All exterior lighting shall be so placed and shielded so as not to create a nuisance for adjacent properties.

Applicant Response: We are using an existing access and are providing appropriate landscaping and lighting. The drawings have been revised to note that existing driveway is to be used.

Article 5 – Development Standards:

Chapter 15.80. – Development Standards, Generally

15.80.010. Purpose.

A. Corner lot frontages. For commercial uses located on corner lots where one street is predominantly residential, and one street is predominantly commercial, and commercial structure shall front on the street that is predominantly commercial.

B. Landscaping standard. Any portion of a lot developed for commercial uses which are not used for buildings, other structures, parking or loading spaces, or aisles, driveways, sidewalks, and designated storage areas shall be planted and maintained with grass or other all-season groundcover vegetation. Grass shall be kept neatly mowed. Landscaping with trees and shrubs is permitted and encouraged. See additional landscaping and buffering standards in article 5.

Applicant Response: The site is currently an asphalt parking lot, 4,179 square foot of vegetation has been added to the site, ground cover has been used between the landscaping. The area outside of the landscape area that had asphalt removed was replaced by low water ground cover. A portion of the existing asphalt parking lot will remain for site access and parking. The area inside of the CMU wall will be used for loading and unloading. As it is completely enclosed it is surrounded by a gravel yard.

C. Screening requirements.

1. Outdoor activities. Any business, servicing, or processing shall be conducted within a completely enclosure building, except for parking and loading facilities and for “drive-in” type establishments offering goods or services to customers waiting in parking motor vehicles.

2. Outdoor storage. All areas of a site containing or proposed to contain outdoor storage of materials, equipment , and, vehicles, and areas containing junk, salvage materials, or similar contents, shall be screened from view from adjacent rights-of-way and residential uses by a sight-obscuring fence, wall landscape screen, or combination of screening methods. See additional buffering and fence standards in article 5.

Applicant Response: There will be no outdoor storage of materials on site. The building and standby generator will be screened by a solid 6'-0” tall CMU wall.

2. Outdoor storage. All areas of a site containing or proposed to contain outdoor storage of materials, equipment , and, vehicles, and areas containing junk, salvage materials, or similar contents, shall be screened from view from adjacent rights-of-way and residential uses by a sight-obscuring fence, wall landscape screen, or combination of screening methods. See additional buffering and fence standards in article 5.

Applicant Response: There will be no outdoor storage of materials on site. The building and standby generator will be screened by a solid 6'-0” tall CMU wall.

Article 5 contains development and design standards for the built environment. The standards are intended to protect the public health, safety, and welfare through the provision of landscaping and buffering, parking and loading facilities, multimodal accessibility and interconnectivity, and adequate public facilities.

In interpreting and applying this article, the provisions herein shall be held to be the minimum requirements adopted for the promotion of the public health, safety, comfort, convenience, and general welfare.

Applicant Response: For this project life safety is provided by using buildings and designed that are state approved and designed by design professionals. Welfare is provided by site design and appropriate landscaping. Parking is existing and maintained and provided inside the compound.

15.80.020. Applicability.

Any land division or development, and the improvements required therefore, shall be in compliance with the development, design and improvement standards and requirements set forth in this article. Other provisions of this Development Code, other city ordinances, or state statutes or administrative rules may also apply.

Applicant Response: Understood.

15.80.030. Exemption - lot size requirements.

- A. The following exemptions to minimum lot size requirements shall apply:
1. Non-conforming lots or aggregate of contiguous lots or parcels held in a single ownership has an area or dimensions which do not meet the lot size or dimensional requirements of the applicable zone, the lot or aggregate holdings may be occupied by a use permitted in the zone subject to the other requirements of the zone; providing, however, residential use shall be limited to single-family dwelling unit or to the number of dwelling units consistent with the equivalent densities of the zone.
 2. Any parcel of land or portion thereof, which is to be dedicated to a public, semi-public or public utility for a park, school, road, canal, railroad, utility or other public use shall be exempt from the minimum lot size requirements of this chapter and the applicable zone.
- B. For all other lot size requirements in all other zones, applicants may propose approval of exceptions or variances in accordance with the application requirements in article 8.

Applicant Response: The lot calculations is located on C103.

15.80.040. Exemption - yard or setback requirements.

The following exemptions to yard or setback requirements are authorized for a lot or use in any zone:

- A. If there is a lot where there are buildings on abutting lots, and the buildings are within 100 feet of the intervening lot, and the buildings have front yards less than the required front yard for the applicable zone, the depth of the front yard for the subject lot need not exceed the average depth of the front yards of the abutting lots.
- B. If there is a building on only one abutting lot within 100 feet with a front yard less than the required front yard for the zone, the front yard of the subject lot need not exceed a depth one-half way between the depth of the yard on the abutting lot and the required front yard of the applicable zone.
- C. Architectural features such as cornices, eaves, sunshades, canopies, gutters, chimneys and flues may project into a required yard two feet, provided that the projection is not closer than three feet to a property line, and, drainage or snowdrift does not flow onto abutting properties or right-of-way, and, fumes from woodstoves are not directed to other properties. Steps, terraces, platforms, patios, decks and porches having no roof covering, and fences not interfering with vision clearance requirements or drainage requirements may be permitted in required yards, except as otherwise limited or provided for by this chapter, or as otherwise approved by the city.

Applicant Response: The 20'-0" front, 10'-0" side, and 10'-0" rear setback are shown on C103.

15.80.050. Supplementary height regulations.

The maximum height limitations shall not apply to:

-
- A. The following principal structures: Church, college, farm structure (other than a farm dwelling), hospital, radio or television tower, exhaust stack, emergency services structure, or public utility structure which is a permitted use and is located in any zone, provided it shall conform to the setback and yard requirements of the zone where it is located plus one additional foot horizontally for each foot over 45 feet in height.
 - B. The following appurtenances attached to or part of a principal or accessory structure: Church spire, belfry, cupola, dome, monument, smoke-stack, derrick, conveyor, flag pole, mast, antenna, aerial, roof tank; ventilating air conditioning and similar building service equipment; roof structure, chimney and/or parapet wall, provided it shall be set back in conformance with the setback and yard requirements plus one foot horizontally for each foot in which it exceeds 45 feet in height above ground level. The principal or accessory structure to which it is attached may conform to setback and yard requirements with no additional setback provided the principal or accessory structure conforms to the height limitations of the zone.

Applicant Response: The building height is 12'-3 3/4" and is listed on C103 and the Title sheet.

15.80.060. Restrictions on the use of metal shipping containers.

Except as specified below, metal shipping containers shall not be placed on-site:

- A. In residential zones, no metal shipping containers shall be utilized as a dwelling at any time, or as storage structures for greater than 30 days.
- B. In commercial zones, metal shipping containers shall not be placed on-site, with the exception of short-term use for construction or relocations (30 days or less), or in the case of construction; 30 days after a certificate of occupancy has been issued.
- C. In industrial zones, metal shipping containers are permitted for storage uses.

Applicant Response: No shipping containers are used as part of this project.

Chapter 15.82. – Landscaping, Buffering and Fences

15.82.010. Landscaping and Buffering Requirements.

The following minimum landscape requirements are established for all developments subject to site plan approval, unless approved otherwise by the reviewing authority:

- A. *Exemption.* The provisions of this section may be exempted for uses existing on or before the effective date of this Development Code that are a permitted use in a specific zone in an existing building or buildings on a lot or parcel of land of the scale that there is no remaining room for landscaping; this exemption shall also apply to the exterior remodeling and/or expansion of not more than 25 percent of the total square footage of all enclosed structures on a lot or parcel existing under a unit ownership on or before the effective date of this Development Code.
- B. *Area required.* Except as approved otherwise by the city, the following minimum percent of a parcel area shall be landscaped for the following uses:
 - 1. Duplexes and triplexes: 25 percent.
 - 2. Multi-family developments containing four or more units and commercial residential mixed uses (CRMX): 20 percent.

-
3. Commercial uses including mixed use commercial (CMX): 15 percent.
 4. Industrial uses. A minimum five-foot landscaped buffer along any adjoining public right-of-way of a collector or arterial street or highway, which may be computed toward an overall requirement of ten percent.
 5. Minimum area requirements may include landscaping around buildings, in parking and loading areas, outdoor recreational use areas, screening and buffering areas, and surface water drainage areas.

Applicant Response: The required landscaping for the CMX use is 15% or 3,869SF this is listed on C103. The amount of landscaping provided is 4,179 SF.

- C. *Landscaping defined.* Required landscaping may include, but is not limited to, a combination of any of the following materials: living plant material such as trees, shrubs, groundcover, flowers and lawn (including native vegetation); and nonliving materials such as benches, walkways and courtyards, consisting of brick, decorative rock or other decorative materials. The total amount of nonliving materials (including bark dust, chips, aggregate, or other non-plant ground covers) shall not exceed more than 50 percent of the required landscape area.
- D. *Existing vegetation.* Existing site vegetation shall be utilized to the maximum extent possible consistent with building placement and the applicable proposed landscape plan.

Applicant Response: There is no existing landscaping. Landscaping is being installed as part of this development. The existing site is an asphalt parking lot

- E. *Parking lots.* Parking lots with space for ten or more vehicles must be landscaped in accordance with the following minimum requirements:
 1. In commercial and residential developments, parking areas shall be divided into bays, and between or at the end of each parking bay a curbed planter containing at least 16 square feet may be required.
 2. If required, each planter shall contain at least one tree or shrub and ground cover.
 3. The areas shall be designed to be protected from being damaged by vehicles using the parking area.
 4. Unless sidewalks are provided adjacent to a structure, customer or resident parking areas should be separated from the exterior wall of a commercial or residential structure by a minimum five-foot strip of landscaping.
 5. Where a parking, loading or driveway area serving a multi-family, commercial, industrial or government use abuts a public right-of-way of a collector or arterial street or a local street across from a residential zone, or abuts a residential zone, a screen planting or other approved landscaped planter strip may be required between the parking area and the right-of-way without encroaching into a clear vision area or sidewalk.
 - F. *Buffering and screening.*
 1. *Purpose.* The purpose of buffering and screening requirements are to reduce the impacts of a proposed use on adjacent uses and zones which provide for different types of uses. The city may waive or reduce the requirements where existing topography or vegetation is appropriate or otherwise negates the effectiveness or intended purpose or benefits of the buffering and screening.
 2. Where any permitted principal and/or accessory use in a commercial or industrial zone abuts any land zoned RSF, RMF, RMP or TA the following buffer and screening shall be required. These requirements shall apply in instances where such use is being newly developed on vacant land, expanded in floor area by 50 percent or greater, or removed and a new use developed.
-

-
3. Within commercial zones. A buffer strip at least ten feet wide shall be provided and maintained along the entire length of a side or rear yard where it abuts an RSF, RMF, RMP, or TA zone. Buffer strips shall not be used for parking, storage of vehicles, equipment, or materials, nor for any other use incompatible with their purpose as a visual, noise, dust, and pollution barrier. The buffer strip shall contain suitable screening, defined as either of the following:
 - a. A solid fence or wall, architecturally compatible with existing structures in the area, no less than five feet nor more than eight feet in height; or
 - b. A sight-obscuring planting of evergreens, not less than four feet in height at the time of planting and of a variety that will maintain full, dense growth from the ground up to a height of not less than six feet upon maturity, planted at a spacing of the lesser of eight feet or the diameter of a mature specimen of the species being planted.
 - c. Areas of the buffer strip not covered with a fence, wall, or screening plantings, shall be planted with appropriate ground cover vegetation, including native species. Xeriscape methods are highly encouraged.
 - d. Installation and maintenance of the buffer and screening shall be the responsibility of the owner of the property on which the "C" type zone permitted use is located. Installation must be completed prior to issuance of a certificate of use and occupancy by the city. Fences or walls must be maintained in safe and structurally sound condition. Dead or diseased plants shall be removed and replaced in a timely manner. Grass shall be kept neatly mowed.

 4. Within industrial zones. A buffer strip at least 30 feet wide shall be provided and maintained along the entire length of a side or rear yard where it abuts any RSF, RMF, RMP, or TA zoned land. Buffer strips shall not be used for parking, storage of vehicles, equipment, or materials, nor for any other use incompatible with their purpose as a visual, noise, dust, and pollution barrier. The buffer shall meet the following standards:
 - a. The buffer shall be planted with evergreens capable of obtaining and maintaining a dense growth to a full height and a full canopy diameter of no less than 12 feet. The minimum height at the time of planting shall be six feet. Plants shall be situated in two rows within the buffer strip, each row being located at least ten feet from the edge of the buffer strip. Plants in each row shall be spaced no more than 20 feet center-to-center and the two rows shall be situated in an alternating pattern so that the trees in one row are located centrally between the trees in the other row. Plants shall be allowed to obtain a minimum height of 12 feet and shall not be trimmed below that height thereafter.
 - b. Installation and maintenance of the buffer and screening shall be the responsibility of the owner of the property on which the industrial use is located. Installation must be completed prior to issuance of a certificate of use and occupancy by the city. Dead or diseased plants shall be removed and replaced in a timely manner. Xeriscape methods and use of native species is highly encouraged.
 - c. A property owner may not sell, lease, or otherwise transfer property if such action results in a reduction of a separation distance for a commercial or light manufacturing use below the minimum required in this section. Likewise, a property owner may not remove or alter natural vegetation or landforms serving upon a waiver from the city as buffer and screening for a commercial or light manufacturing use if such action results in the natural buffer and screening being less effective than as required in this and other sections of this Development Code.
-

-
5. A buffer or screening area may only be occupied by screening utilities and landscaping materials, but the same may be located within the required yard or setback requirements provided vision clearance requirements are complied with.
 6. In lieu of the foregoing requirements, an applicant may provide for landscaping and screening, including plantings, fences, walls, walks and other features designed to afford the same degree of buffering as the standards above. A plan and specifications for an alternative shall be reviewed and approved by the review authority.
- G. *Plant material installation standards.* Except as otherwise approved by the city, the following standards shall apply to plant materials and the installation thereof as provided in accordance with the provisions of this section:
1. Landscape plant materials shall be properly guyed and staked, and shall not interfere with vehicular or pedestrian traffic or parking and loading.
 2. Trees shall be a minimum size of six feet in height and be fully branched at the time of planting.
 3. Shrubs shall be supplied in one-gallon containers or six-inch burlap balls with a minimum spread of 12 inches.
 4. Rows of plants should be staggered to provide for more effective coverage.
- Applicant Response: Plant layouts have been staggered. All trees shown on sheet C103 have been revised to 6'-0" tall the shrubs have been noted as 3 gallons with root ball of 12" minimum.**
- H. *Maintenance and plant survival.* All landscaping approved or required as a part of a development plan shall be continuously maintained, including necessary watering, weeding, pruning and replacement of plant materials. Except where the applicant proposes landscaping consisting of drought-resistant plantings and materials that can be maintained and can survive without irrigation, landscaped areas shall be irrigated. If plantings fail to survive, it is the responsibility of the property owner to replace them.
- I. *Retention of trees.* As part of a landscaping plan, the developer shall also provide a tree plan identifying the location and diameter breast height (DBH) of all trees on the property. Existing mature trees with at least a 10-inch DBH shall be retained to the furthest extent possible. Development shall conform to the natural environment to incorporate existing mature trees. Where trees must be removed for proposed development, they shall be replaced at a 1:1 ratio on the subject lot or parcel with trees of similar species that are native to the region, and with a DBH of at least five inches or larger. Replacement trees shall meet the maintenance and plant survival criteria of this code section. Any trees planted must maintain a 20-foot radius for spacing. The 20-foot radius spacing shall be the determining factor in how many trees are replaced on the subject property. If more trees must be planted than what the 20-foot radius spacing would allow, then the number of trees replaced shall be reduced to meet the spacing standard.

Applicant Response: Landscaping meeting the requirements is shown on the landscape plan.

15.82.020. Fences and walls.

The yard and setback requirements of this Development Code shall not be deemed to restrict any otherwise lawful fence, wall, or sign, provided that no fence, wall, or sign shall be located on any right-of-way of a public road.

- A. *Materials.* Fences and walls shall not be constructed of nor contain any material that could cause bodily harm, such as barbed wire, broken glass, spikes, or any other hazardous or dangerous materials, except as provided below.

-
1. Barbed wire fences intended to contain or restrict cattle, sheep, horses or other livestock, are permitted in any zone where the keeping of livestock is permitted.
 2. Electric fences are permitted in any zone where the keeping of livestock is permitted, provided the following standards are met:
 - a. The fence product shall be listed by a State of Oregon approved testing laboratory.
 - b. The fence shall be installed and used in accordance with the testing laboratory listing.
 - c. Electrical permits and inspections shall be required for the installation.
 - d. Warning signs which notify individuals of a dangerous fence shall be posted on the fence, at intervals not to exceed 50 feet. The statement, DANGER - Electrified Fence, or an equivalent statement, shall be on the warning signs.
 - e. The fence must be located outside any front yard setback and required landscaping, buffering or screening areas.

B. Standards.

1. Every fence shall be maintained in a condition of reasonable repair and shall not be allowed to become and remain in a condition of disrepair including noticeable leaning, missing sections, broken supports, non-uniform height, and uncontrolled growth of vegetation.
2. All required swimming pool and hot tub fencing shall be a minimum of four feet in height and be equipped with a self-locking gate that closes automatically.
3. Fences within a front or street side yard shall also conform to the clear vision requirements at intersections, which further restrict the use or height of sight-obscuring fences.
4. In no instance shall a fence extend beyond the property line including into a public right-of-way. It is the responsibility of the property owner to determine the property line.
5. Within residential and commercial zones, fences within the required front yard setback may not exceed four feet in height except that one incidental garden structure (e.g., arbor or gate) not exceeding eight feet in height and six feet in width is allowed within the required front yard provided it does not encroach into a required clear vision area. All other fences in all zones shall not exceed seven feet in height.
6. Other provisions of this Development Code, or the requirements of the roadway authority, may limit allowable height of a fence or wall below the height limits of this section.

Applicant Response: The CMU wall that is proposed to surround the building does not provide any harm. There is no electrical element to the wall. The wall exists outside of all setbacks.

Chapter 15.86. – Parking and Loading

15.86.010. Applicability.

Off-street loading and vehicle and bicycle parking spaces shall be provided in accordance with the specifications of this chapter in all zones whenever any new use is established, an existing use is enlarged, or an existing use of land or structure is changed to a new use. Such new, enlarged, or changed use shall fully comply with the specifications of this chapter prior to being given a certificate of use and occupancy.

15.86.020. Off-street loading.

- A. Every commercial and industrial use which requires the receipt or distribution of material or merchandise by trucks with a 40-foot or longer wheelbase at a frequency of one or more vehicles per week shall provide off-street loading spaces in sufficient number to adequately serve the number and frequency of vehicle shipping

and receiving projected for the use. The applicant shall provide supporting evidence of the projected shipping and receiving and how the number of spaces to be provided will be adequate.

- B. Where an off-street loading space is required, it shall be large enough to accommodate the largest vehicle that is expected to serve the use without obstructing vehicles or pedestrian traffic on adjacent streets and driveways. Each off-street loading space shall not be less than 12 feet wide by 55 feet long unless otherwise approved by the city through site design review.
- C. Off-street loading space(s) shall also have adequate adjacent area for vehicle maneuvering so that vehicles using the space(s) are not required to back-up onto or back-up from a public street or alley to use the space. Where parking areas are prohibited between a building and the street, loading areas are also prohibited.
- D. Exceptions and adjustments. The city, through site design review, may approve a loading area adjacent to or within a street right-of-way where it finds that loading and unloading operations are short in duration (i.e., less than one hour), infrequent, do not obstruct traffic during peak traffic hours, do not interfere with emergency response services, and are acceptable to the applicable roadway authority.

Sec. 15.86.030. Off-street parking - required.

- A. *Location of off-street loading and parking spaces.* Except as otherwise permitted by this Development Code, required off-street loading and parking spaces shall be located on the same lot with the principal use they are intended to serve. In no case shall a required loading space be part of the area used to satisfy the parking requirements and vice versa. Also, in no case shall the required loading or parking space(s) of one use be used to satisfy the loading or parking space requirements of another use.
- B. *Encroachment or reduction.* A required loading or parking space shall not be encroached upon by a structure, storage, or other use, nor shall the number of spaces be reduced without replacement of a commensurate number of spaces in accordance with this section unless a special exception or variance has been approved.
- C. *Calculations of amounts of required and allowed parking.*
 - 1. When computing parking spaces based on floor area, parking structures and non-leasable floor spaces, such as storage closets, mechanical equipment rooms, and similar spaces, are not counted.
 - 2. The number of parking spaces is computed based on the primary uses on the site except as stated in subsection 3, below. When there are two or more separate primary uses on a site, the minimum and maximum parking for the site is the sum of the required or allowed parking for the individual primary uses. For shared parking, see subsection I below.
 - 3. When more than 20 percent of the floor area on a site is in an accessory use, the required or allowed parking is calculated separately for the accessory use. An example would be a 10,000 square foot building with a 7,000 square foot warehouse and a 3,000 square foot accessory retail area. The minimum and maximum parking would be computed separately for the retail and warehouse uses.
- D. *Use of required parking spaces.* Except as otherwise provided by this section, required parking spaces must be available for residents, customers, or employees of the use. Fees may be charged for the use of required parking spaces. Required parking spaces may not be assigned in any way to a use on another site, except for shared parking pursuant to subsection I.
- E. *Improvement of parking areas.* Motorized vehicle parking is allowed only on streets with an improved shoulder of sufficient width; within garages, carports, and other approved structures; and on driveways or parking lots that have been developed in conformance with this Development Code.
- F. *Minimum number of off-street automobile parking spaces.* Except as required for Americans with Disabilities Act compliance under subsection L, off-street parking shall be provided pursuant to one of the following three standards:
 - 1. The standards in Table 15.86-1;
 - 2. A standard from Table 15.86-1 for a use that the planning official determines is similar to the proposed use. For uses not specified in the table, the city shall determine parking based on submission of technical data from applicant or city sources; or
 - 3. Subsection (H), parking exceptions, which includes a parking demand analysis option.

<i>Table 15.86-1. Automobile Parking Spaces by Use</i>	
<i>Use Categories</i>	<i>Minimum Parking per Land Use (Fractions are rounded down to the closest whole number.)</i>
<i>Residential Categories</i>	
Single-family dwelling, including manufactured dwellings on lots or in parks	One space per dwelling

Duplex	Two spaces per duplex (one space per dwelling unit)
Accessory dwelling (second dwelling on a single-family lot)	Two spaces total for primary dwelling and accessory dwelling
Multi-family	One space per dwelling unit
Group living, such as nursing or convalescent homes, rest homes, assisted living, congregate care, and similar special needs housing	0.5 space per four bedrooms
<i>Commercial Categories</i>	
Commercial outdoor recreation	One space for each three persons maximum occupancy; or per conditional use permit review whichever is less
Bed and breakfast inn	One space per use, plus 0.5 space(s) for each bedroom offered as lodging
Educational services, not a school (e.g., tutoring or similar services)	One space per 300 sq. ft. floor area
Entertainment, major event	One space for each three persons maximum occupancy; or per conditional use permit review whichever is less
Hotels, motels, and similar uses	0.75 space per guest room. See also, parking requirements for associated uses, such as restaurants, entertainment uses, drinking establishments, assembly facilities
Mortuary or funeral home	One space per 300 sq. ft. floor area
Offices	General office: one space per 500 sq. ft. floor area Medical or dental office: one space per 500 sq. ft. floor area
Outdoor recreation, commercial	Per conditional use permit review
Surface parking lot, when not accessory to a permitted use	Per conditional use permit review
Quick vehicle servicing or vehicle repair	Two spaces, excluding vehicle service or queuing area, or per conditional use permit review
Retail sales and commercial service	Bank: one space per 300 sq. ft. floor area Retail: one space per 400 sq. ft. floor area, except one space per 1,000 sq. ft. for bulk retail (e.g., auto sales, nurseries, lumber and construction materials, furniture, appliances, and similar sales)

	Restaurants and bars: one space per 200 sq. ft. floor area
	Health clubs, gyms, continuous entertainment (e.g., roller rinks): one space per 500 sq. ft. floor area
	Bowling alleys: five spaces for each lane
	Theaters and cinemas: one space per six seats
	Trailer and monument sales: one space per 2,500 sq. ft. of gross area
Self-service storage	Two spaces, plus adequate space for loading and unloading
<i>Industrial Categories¹</i>	
Industrial service	One space per employee on the largest shift plus one space for each 10,000 sq. ft. for visitors up to ten additional spaces
Manufacturing and production	One space per 1,000 sq. ft. of floor area; or as required by conditional use permit review
Warehouse and freight movement	0.5 space per 1,000 sq. ft. of floor area; or as required by conditional use permit review
Waste-related	Per conditional use permit review
Wholesale sales, e.g., building materials, heavy equipment, agricultural supplies, etc.	One space per 1,000 sq. ft.
Marijuana wholesaler/production facility/processing facility/testing laboratories	Four plus one additional space per 2,000 sq. ft. gross floor area
<i>Institutional Categories</i>	
Basic utilities	Parking based on applicant's projected parking demand, subject to city approval
Community service, including government offices and services	Parking based on applicant's projected parking demand, subject to city approval, except as specifically required elsewhere in this table for individual uses (See public assembly, office, retail, housing, etc.)
Daycare	Family daycare: 1 space, plus required parking for dwelling
	Daycare center: 1 space per 400 sq. ft. of floor area

Medical center or hospital	One space per 300 sq. ft. floor area or one for each bed, whichever is less
Parks and open space	Parking based on projected parking demand for planned uses
Public assembly	One space per 75 sq. ft. of public assembly area; or as required by conditional use permit
Religious institutions and houses of worship	One space for each four members but not less than 15% of total occupancy permitted by fire marshal
Schools	Pre-school through middle-school: one space per classroom
	High school/college: 1.5 spaces per classroom, plus 1 space per 10 students
	If the school is designed to accommodate related uses such as auditoriums, stadiums, theatres, and gymnasiums, additional parking shall be provided at a rate of 1 space per 4 seats. In the alternative, the city may accept a parking management plan to determine required parking
<i>Other Categories²</i>	
Accessory uses	Parking standards for accessory uses are the same as for primary uses, but are pro rated based on the percentage of estimated overall parking demand, subject to city review and approval
Agriculture	None, except as required for accessory uses
Radio frequency transmission facilities	None, except as required by conditional use permit
Temporary uses	Parking standards for temporary uses are the same as for primary uses, except that the city may reduce or waive certain development and designs standards for temporary uses
Transportation facilities (operation, maintenance, preservation, and construction)	None, except for park-and-ride facilities; and where temporary parking is required for construction staging areas

Applicant Response: The building is an un-manned building that operates without any employees. Maintenance for this building is 1/month. The site is an existing parking lot that is to remain. A note stating 40'x 40' existing parking has been added to C103.

- G. *Maximum number of off-street automobile parking spaces.* The following standards for maximum number of automobile parking spaces promote efficient use of land and compact development patterns.
1. *Applicability.* Developments subject to site plan review must conform to the maximum parking standards.
 2. *Standards.* Unless otherwise approved by the city through site plan review, the maximum number of off-street automobile parking spaces allowed for a commercial development equals the minimum number of required spaces, pursuant to Table 15.86-1 times a factor of 2.0. Parking spaces that are located in snow storage areas do not count toward the maximum parking space requirements.
- H. *Exceptions and reductions to off-street parking.* An applicant may propose a parking standard that is different than the standards under subsections F or G, for review and action by the planning official through a Type II procedure. The applicant's proposal shall consist of a written request and a parking analysis prepared by a qualified professional. The parking analysis, at a minimum, shall assess the average parking demand and available supply for existing and proposed uses on the subject site; opportunities for shared parking with other uses in the vicinity; existing public parking in the vicinity; transportation options existing or planned near the site, such as frequent bus service, carpools, or private shuttles; and other relevant factors. The number of required off-street parking spaces may also be reduced through the provision of shared parking, pursuant to subsection I.
- I. *Shared parking.* Required parking facilities for two or more uses, structures, or parcels of land may be satisfied by the same parking facilities used jointly, to the extent that the owners or operators show that the need for parking facilities does not materially overlap (e.g., uses primarily of a daytime versus nighttime nature; weekday uses versus weekend uses), and, provided that the right of joint use is evidenced by a recorded deed, lease, contract, or similar written instrument establishing the joint use. Shared parking requests shall be subject to review and approval through site plan review.
- J. *Parking stall design and minimum dimensions.* Where a new off-street parking area is proposed, or an existing off-street parking area is proposed for expansion, the entire parking area shall be improved in conformance with this Development Code. At a minimum the parking spaces and drive aisles shall be paved with asphalt, concrete, or other city-approved materials, provided the Americans with Disabilities Act requirements are met, and shall conform to the minimum dimensions in Table 15-86-2 and the figures below. All off-street parking areas shall contain wheel stops, perimeter curbing, bollards, or other edging as required to prevent vehicles from damaging buildings or encroaching into walkways, landscapes, or the public right-of-way. Parking areas shall also provide for surface water management.

Parking Angle	Stall Width	20' Stall	Aisle Width (*one way)	Curb Length	Bay Width
0°	9'-0"	9.0	12.0	22.0	30.0
	9'-6"	9.5	12.0	22.0	31.0
	10'-0"	10.0	12.0	22.0	32.0
45°	9'-0"	19.8	13.0	12.7	52.5
	9'-6"	20.1	13.0	13.4	53.3
	10'-0"	20.5	13.0	14.1	54.0
60°	9'-0"	21.0	18.0	10.4	60.0
	9'-6"	21.2	18.0	11.0	60.4
	10'-0"	21.5	18.0	11.9	61.0
70°	9'-0"	21.0	19.0	9.6	61.0
	9'-6"	21.2	18.5	10.1	60.9
	10'-0"	21.2	18.0	10.6	60.4
90°	9'-0"	20.0	24.0	9.0	64.0
	9'-6"	20.0	24.0	9.5	64.0
	10'-0"	20.0	24.0	10.0	64.0

*24' minimum for two-way traffic

- K. *Adjustments to parking area dimensions.* The dimensions in subsection (J) are minimum standards. The city planning official, through a Type II procedure, may adjust the dimensions based on evidence that a particular use will require more or less maneuvering area.
- L. *Americans with Disabilities Act (ADA).* Parking shall be provided consistent with ADA requirements, including, but not limited to, the minimum number of spaces for automobiles, van-accessible spaces, location of spaces relative to building entrances, accessible routes between parking areas and building entrances, identification signs, lighting, and other design and construction requirements.

Applicant Response: As the building is un-manned and only trips of 1/month will occur the note stating 40'x 40' existing parking on C103 should be adequate. Stripping and a drive isle have been added to C103.

Sec. 15.86.040. Drive-up and drive-through uses and facilities.

- A. *Purpose.* Where drive-up or drive-through uses and facilities are allowed, they shall conform to all of the following standards, which are intended to calm traffic, provide for adequate vehicle queuing space, prevent automobile turning movement conflicts, and provide for pedestrian comfort and safety.
- B. *Standards.* Drive-up and drive-through facilities (i.e., driveway queuing areas, customer service windows, teller machines, kiosks, drop-boxes, or similar facilities) shall meet all of the following standards:
 1. The drive-up or drive-through facility shall orient to and receive access from a driveway that is internal to the development and not a street, as generally illustrated.
 2. The drive-up or drive-through facility shall not be oriented to street corner.

3. The drive-up or drive-through facility shall not be located within 20 feet of a street right-of-way.
4. Drive-up and drive-through queuing areas shall be designed so that vehicles will not obstruct any street, fire lane, walkway, bike lane, or sidewalk.
5. All drive up and drive thru facilities must be permanently affixed to the ground and be connected to the city water and sewer in accordance with the standards of chapter 15.90.

15.86.050. Bicycle parking.

- A. *Exemptions.* This section does not apply to single-family and duplex housing, home occupations, and agricultural uses. The planning official may exempt other uses upon finding that, due to the nature of the use or its location, it is unlikely to have any patrons or employees arriving by bicycle.
- B. *Standards.* Bicycle parking spaces shall be provided with new development and, where a change of use occurs, at a minimum, shall follow the standards in Table 15.86-3. Where an application is subject to conditional use permit approval or the applicant has requested a reduction to an automobile-parking standard, the city may require bicycle parking spaces in addition to those in Table 15.86-3.

<i>Table 15.86 -3. Minimum Required Bicycle Parking Spaces</i>	
<i>Use</i>	<i>Minimum Number of Spaces</i>
Multi-family residential (not required for parcels with fewer than 4 dwelling units)	2 bike spaces per 4 dwelling units
Commercial	2 bike spaces per primary use or 1 per 5 vehicle spaces, whichever is greater
Industrial	2 bike spaces per primary use or 1 per 10 vehicle spaces, whichever is greater
Community service	2 bike spaces
Parks (active recreation areas only)	4 bike spaces
Schools (all types)	2 bike spaces per classroom
Institutional uses and places of worship	2 bike spaces per primary use or 1 per 10 vehicle spaces, whichever is greater
Other uses	2 bike spaces per primary use or 1 per 10 vehicle spaces, whichever is greater

- C. *Design.* Bicycle parking shall consist of staple-design steel racks or other city-approved racks, lockers, or storage lids providing a safe and secure means of storing a bicycle. At a minimum, bicycle parking facilities shall be consistent with the following design guidelines:
 1. All bicycle parking shall be within 100 feet from a building entrance and located within a well-lit and clearly visible area;
 2. Bicycle parking shall be convenient and easy to find. Where necessary, a sign shall be used to direct users to the parking facility;
 3. Each bicycle parking space shall be at least two feet by six feet with a vertical clearance of six feet;
 4. An access aisle of at least five feet shall be provided in each bicycle parking facility;

-
- 5. Bicycle parking facilities shall offer security in the form of either a lockable enclosure in which the bicycle can be stored or a stationary object, i.e., a "rack," upon which the bicycle can be locked. Structures that require a user-supplied lock shall accommodate both cables and U-shaped locks and shall permit the frame and both wheels to be secured (removing the front wheel may be necessary). Note: businesses may provide long-term, employee parking by allowing access to a secure room within a building.
 - D. *Hazards.* Bicycle parking shall not impede or create a hazard to pedestrians or vehicles, and shall be located so as to not conflict with the vision clearance standards of section 15.88.040.

15.86.060. Snow storage areas.

- A. *Purpose.* The purpose of these standards is to ensure that adequate space is provided within a development for storage of snow in winter months in order to accommodate space needed for access, circulation, and off-street parking.
- B. *Applicability.* Snow storage standards apply to all subdivisions and to developments subject to site plan review.
- C. *Standards.*
 - 1. *Minimum area.* Snow storage areas must be designated on a site plan. The areas must total a minimum of 15 percent of the area to be cleared, including all access drives, parking areas, and walkways.
 - 2. *Location.* Snow storage is not permitted on landscaped areas, except where these areas are limited to grass or rock cover. Snow storage may be permitted in parking areas, provided that the site can still accommodate enough parking spaces to meet minimum off-street parking requirements in winter months. Parking spaces that are located in snow storage areas do not count toward the maximum parking space requirements. It is encouraged that snow storage areas be located away from public view and that additional impervious surface areas are not created for the sole purpose of snow storage.
 - 3. *Exceptions and adjustments.* The city may reduce or eliminate the required snow storage areas if a snow removal plan is presented which provides a continuous guarantee of removal.

Applicant Response: A snow storage area of 60'x40' is available on site a not showing this area has been added to sheet C103.

Chapter 15.88. – Access and Circulation

15.88.010. Purpose.

Chapter 15.88 contains standards for vehicular and pedestrian access, circulation, and connectivity. The standards promote safe, reasonably direct, and convenient options for walking and bicycling, while accommodating vehicle access to individual properties, as needed.

15.88.020. Applicability.

Chapter 15.88 applies to new development and changes in land use necessitating a new or modified street or highway connection. Except where the standards of a roadway authority other than the city supersede city standards, chapter 15.88 applies to all connections to a street or highway, and to driveways and walkways.

15.88.030. Vehicular access and circulation.

- A. *Purpose and intent.* Section 15.88.030 implements the street access guidelines of the City of La Pine Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. "Safety," for the purposes of this chapter, extends to all modes of transportation.
- B. *Permit required.* Vehicular access to a public street (e.g., a new or modified driveway connection to a street or highway) requires an approach permit approved by the applicable roadway authority.
- C. *Traffic study requirements.* The city, in reviewing a development proposal or other action requiring an approach permit, may require a traffic impact analysis, pursuant to section 15.90.080, to determine compliance with this Development Code.
- D. *Approach and driveway development standards.* Access management restrictions and limitations consist of provisions managing the number of access points and/or providing traffic and facility improvements that are designed to maximize the intended function of a particular street, road or highway. The intent is to achieve a balanced, comprehensive program which provides reasonable access as new development occurs while maintaining the safety and efficiency of traffic movement. Intersections, approaches and driveways shall conform to access spacing guidelines in the City of La Pine Transportation System Plan and the roadway authority's engineering standards. In the review of all new development, the reviewing authority shall consider the following techniques or considerations in providing for or restricting access to certain transportation facilities.
 - 1. Access points to arterials and collectors may be restricted through the use of the following techniques:
 - a. Restricting spacing between access points based on the type of development and the speed along the serving collector or arterial.
 - b. Sharing of access points between adjacent properties and developments.
 - c. Providing access via a local order of street; for example, using a collector for access to an arterial, and using a local street for access to a collector.
 - d. Constructing frontage or marginal access roads to separate local traffic from through traffic.
 - e. Providing service drives to prevent overflow of vehicle queues onto adjoining roadways.
 - 2. Consideration of the following traffic and facility improvements for access management:
 - a. Providing of acceleration, deceleration and right-turn-only lanes.
 - b. Offsetting driveways to produce T-intersections to minimize the number of conflict points between traffic using the driveways and through traffic.
 - c. Installation of median barriers to control conflicts associated with left turn movements.
 - d. Installing side barriers to the property along the serving arterial or collector to restrict access width to a minimum.
- E. *ODOT approval.* Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. The city may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development, in which case the city will work cooperatively with the applicant and ODOT to avoid unnecessary delays.
- F. *Other agency approval.* Where an approach or driveway crosses a drainage ditch, canal, railroad, or other feature that is under the jurisdiction of another agency, the applicant is responsible for obtaining all required approvals and permits from that agency prior to commencing development.

- G. *Exceptions and adjustments.* The city may approve adjustments to the spacing standards of subsections above, where an existing connection to a city street does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance.
- H. *Joint use access easement and maintenance agreement.* Where the city approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the city for its records, but the city is not responsible for maintaining the driveway or resolving any dispute between property owners.

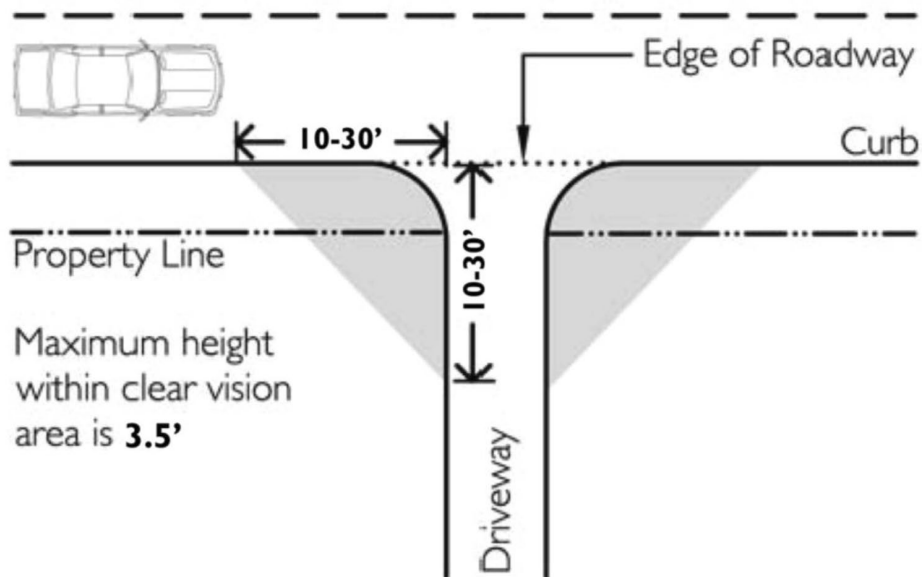
Applicant Response: The existing drive access meets these requirements. The demolition on C100 has been revised to keep the existing access intact. The construction entrance on C102 has been removed.

15.88.040. Clear vision areas (visibility at intersections).

- A. In all zones, a clear vision area shall be maintained on the corners of all property at the intersection of two streets or a street and a railroad. A clear vision area shall contain no planting, wall, structure, private signage, or temporary or permanent obstruction exceeding 3½ feet in height, measured from the top of the curb or, where no curb exists, from the established street centerline grade, except that trees exceeding this height may be located in this area provided all branches and foliage are removed to a height of eight feet above the grade.
- B. A clear vision area shall consist of a triangular area on the corner of a lot at the intersection of two streets or a street and a railroad (see Figure 18.88-1). Where lot lines have rounded corners, the specified distance is measured from a point determined by the extension of the lot lines to a point of intersection. The third side of the triangle is the line connecting the ends of the measured sections of the street lot lines. The following measurements shall establish clear vision areas within the city:
 - 1. In an agricultural, forestry or industrial zone, the minimum distance shall be 30 feet; or at intersections including an alley, ten feet.
 - 2. In all other zones, the minimum distance shall be in relationship to street and road right-of-way widths as follows:

<i>Right-of-Way Width</i>	<i>Clear vision</i>
80 feet or more	20 feet
Less than 80 feet	30 feet

Clear Vision Areas



15.88.050. Pedestrian access and circulation.

- A. *Purpose and intent.* This section implements the pedestrian access and connectivity policies of City of La Pine Transportation System Plan and the requirements of the Transportation Planning Rule (OAR 660-012). It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.
- B. *Standards.* New subdivisions, multi-family developments, planned developments, commercial developments and institutional developments shall conform to all of the following standards for pedestrian access and circulation:
 - 1. *Continuous walkway system.* A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, and to all future phases of the development, as applicable.
 - 2. *Safe, direct, and convenient.* Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, and public rights-of-way conforming to the following standards:
 - a. The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
 - b. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The city may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
 - c. Vehicle/walkway separation. Except as required for crosswalks, per subsection d., below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the city may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.

-
- d. Crosswalks. Where a walkway crosses a parking area or driveway ("crosswalk"), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians.
 - e. Walkway construction. Walkway surfaces may be concrete, or other city-approved durable surface meeting ADA requirements. Walkways shall be not less than six feet in width, except that the city may require wider; sidewalks in developments where pedestrian traffic warrants walkways wider than six feet.
 - f. Multi-use pathways. Multi-use pathways, where approved, shall be ten feet wide and constructed of asphalt, concrete or other city-approved durable surface meeting ADA requirements consistent with the applicable city engineering standards.

Applicant Response: The existing drive access meets these requirements. The demolition on C100 has been revised to keep the existing access intact. The construction entrance on C102 has been removed. The site triangles have been added to sheet C103.

Chapter 15.90. – Public Facilities

Sec. 15.90.010. Public facilities improvement.

Minor betterment, improvements, replacement or reconstruction of existing public facilities such as sewer and water lines, stormwater drainage facilities, sidewalks and other pedestrian ways or facilities, bikeways and similar public facilities within rights-of-ways and easements for the purposes existing on or before the effective date of this chapter, or on contiguous publicly-owned property designated, intended or utilized to support the facilities, or the facilities that are set forth within an adopted public facilities plan or other capital improvement plan duly adopted on or before the effective date of this ordinance, are exempt from permit requirements, unless specifically set forth otherwise.

15.90.020. Developer responsibility for streets and other public facilities.

- A. *Duties of developer.* It shall be the responsibility of the developer to construct all streets, curbs, sidewalks, sanitary sewers, storm sewers, water mains, electric, telephone and cable television lines necessary to serve the use or development in accordance with the specifications of the city and/or the serving entity.
- B. *Over-sizing.* The city may require as a condition of development approval that sewer, water, or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable facility master plan, and the city may authorize other cost-recovery or cost-sharing methods as provided under state law.
- C. *Inadequate existing streets.* Whenever existing streets, adjacent to, within a tract or providing access to and/or from a tract, are of inadequate width and/or improvement standards, additional right-of-way and/or improvements to the existing streets may be required.
- D. *Half streets.* Half streets, while generally not acceptable, may be approved where essential to the reasonable development of a proposed land development, and when the city finds it will be practical to require dedication and improvement of the other half of the street when the adjoining property is developed. Whenever a half street exists adjacent to a tract of land proposed for development, the other half of the street shall be dedicated and improved.

15.90.030. Sewer and water.

- A. *Sewer and water plan approval.* Development permits for sewer and water improvements shall not be issued until the public works director has approved all sanitary sewer and water plans in conformance with city standards.
- B. *Inadequate facilities.* Development permits may be restricted or rationed by the city where a deficiency exists in the existing water or sewer system that cannot be rectified by the development and which, if not rectified, will result in a threat to public health or safety, surcharging of existing mains, or violations of state or federal standards pertaining to operation of domestic water and sewerage treatment systems. The city may require water booster pumps, sanitary sewer lift stations, and other critical facilities be installed with backup power.

Applicant Response: The building is unmanned there is no sewer or water as part of the telecom project. There will be water as part of the landscaping. The water connection is called out on C101. Water connection details have been added to sheet C101.

15.90.040. Stormwater.

- A. *Accommodation of upstream drainage.* Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the city engineer.
- B. *Effect on downstream drainage.* Where it is anticipated by the city engineer that the additional runoff resulting from the development will overload an existing drainage facility, the city shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with city standards.

Applicant Response: There will be no offsite runoff. Please see attached the stormwater report.

15.90.050. Utilities.

- A. *General provision.* The developer of a property is responsible for coordinating the development plan with the applicable utility providers and paying for the extension and installation of utilities not otherwise available to the subject property.
- B. *Underground utilities.* All new electrical, telephone or other utility lines shall be underground unless otherwise approved by the city.
- C. *Subdivisions.* In order to facilitate underground placement of utilities, the following additional standards apply to all new subdivisions:
 - 1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that no above ground equipment obstructs vision clearance areas for vehicular traffic.
 - 2. The city reserves the right to approve the location of all surface-mounted facilities.
 - 3. All underground utilities installed in streets must be constructed and approved by the applicable utility provider prior to the surfacing of the streets.
 - 4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.

-
- D. *Exception to undergrounding requirement.* The city may grant exceptions to the undergrounding standard where existing physical constraints, such as geologic conditions, streams, or existing development conditions make underground placement impractical.

Applicant Response: It is understood that that the developer will be responsible for utilities.

15.90.060. Public street/highway improvement.

The following public streets and highway improvement activities are permitted outright in all zones and are exempt from the permit requirements of this Development Code.

- A. Installation of additional and/or passing lanes, including pedestrian ways and/or bikeways, within a public street or highway right-of-way existing as of the effective date of this chapter, unless such adversely impacts on-street parking capacities and patterns.
- B. Reconstruction or modification of public roads and highways, not including the addition of travel lanes, where no removal or displacement of buildings would occur, and/or no new land parcels result.
- C. Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time when no longer needed.
- D. Minor betterment of existing public roads and highway related facilities such as maintenance yards, weigh stations, waysides, and, rest areas within a right-of-way existing as of the effective date of this Development Code. In addition, also exempt are contiguous public-owned property utilized to support the operation and maintenance of public roads and highways provided such is not located within a duly designated residential zone, or adjacent to or across the street from a lot or parcel within such a zone.
- E. The construction, reconstruction, or modification of a public street or highway that is identified as a priority project in a transportation system plan (TSP) or the state transportation improvement plan (STIP) that was duly adopted on or before the effective date of this chapter.
- F. The design, construction, operation, and maintenance of a tourist-oriented or public wayside.

15.90.070. Design of streets and other public facilities.

- A. *Traffic circulation system.* The overall street system shall ensure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain of the development and the area. An analysis of the proposed traffic circulation system within the land division, and as such system and traffic generated therefrom affects the overall City of La Pine transportation, will be required to be submitted with the initial land division review application. The location, width and grade of streets shall be considered in their relationship to existing and planned streets, to topographical conditions, to public convenience and safety and to the proposed use or development to be served thereby.
- B. *Street location and pattern.* The proposed street location and pattern shall be shown on the development plan, and the arrangement of streets shall:
 - 1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
 - 2. Conform to a plan for the general area of the development approved by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical; and
 - 3. Conform to the adopted La Pine Transportation System Plan as may be amended.

-
- C. *Access ways.* The city, in approving a land use application with conditions, may require a developer to provide an access way where the creation of a cul-de-sac or dead-end street is unavoidable and the access way connects the end of the street to another street, a park, or a public access way. Where an access way is required, it shall be not less than ten feet wide and shall contain a minimum six-foot-wide paved surface or other all-weather surface approved by the city. Access ways shall be contained within a public right-of-way or public access easement, as required by the city.
- D. *Future street extensions.* Where necessary to give access to or permit future subdivision or development of adjoining land, streets shall be extended to the boundary of the proposed development or subdivision. Where a subdivision is proposed adjacent to other developable land, a future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other divisible parcels within 600 feet surrounding and adjacent to the proposed subdivision. The street plan is not binding, but is intended to show potential future street extensions with future development. The plan must demonstrate, pursuant to city standards, that the proposed development does not preclude future street connections to adjacent development land. Wherever appropriate, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. Street ends shall contain turnarounds constructed to Uniform Fire Code standards, as the city deems applicable, and shall be designed to facilitate future extension in terms of grading, width, and temporary barricades.
- E. *Minimum right-of-way and roadway widths.* Unless otherwise approved in the tentative development plan, street, sidewalk and bike rights-of-way and surfacing widths shall not be less than the minimum widths in feet set forth in the La Pine Transportation System Plan, and shall be constructed in conformance with applicable standards and specifications set forth by the city.
- F. *Sidewalks.* Unless otherwise required in this chapter or other city ordinances or other regulations, or as otherwise approved by the commission, sidewalks shall be required as specified in the La Pine Transportation System Plan. In lieu of these requirements, however, the city may approve a development without sidewalks if alternative pedestrian routes and facilities are provided.
- G. *Bike lanes.* Unless otherwise required in this chapter or other city ordinances or other regulations, bike lanes shall be required as specified in the La Pine Transportation System Plan, except that the planning commission may approve a development without bike lanes if it is found that the requirement is not appropriate to or necessary for the extension of bicycle routes, existing or planned, and may also approve a development without bike lanes in the streets if alternative bicycle routes and facilities are provided.
- H. *Culs-de-sac.* A cul-de-sac street shall only be used where the city determines that environmental or topographical constraints, existing development patterns, or compliance with other applicable city requirements preclude a street extension. Where the city determines that a cul-de-sac is allowed, all of the following standards shall be met:
1. The cul-de-sac shall not exceed a length of 400 feet, except where the city through a Type II procedure determines that topographic or other physical constraints of the site require a longer cul-de-sac. The length of the cul-de-sac shall be measured along the centerline of the roadway from the near side of the intersecting street to the farthest point of the cul-de-sac.
 2. A cul-de-sac shall terminate with a circular turn around with a minimum radius of 45 feet of paved driving surface and a 50 foot right-of-way and meeting the Uniform Fire Code.
 3. The cul-de-sac shall provide, or not preclude the opportunity to later install, a pedestrian and bicycle access way between it and adjacent developable lands.
- I. *Marginal access streets.* Where a land development abuts or contains an existing or proposed arterial street, the city may require marginal access streets, reverse frontage lots with suitable depth, screen-plantings contained in a non-access reservation strip along the rear or side property line or other treatments deemed
-

necessary for adequate protection of residential properties and the intended functions of the bordering street, and to afford separation of through and local traffic.

- J. *Streets adjacent to railroad right-of-way.* Whenever a proposed land development contains or is adjacent to a railroad right-of-way, provisions may be required for a street approximately parallel to the ROW at a distance suitable for the appropriate use of land between the street and the ROW. The distance shall be determined with consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting or other separation requirements along the ROW.
- K. *Reserve strips.* Reserve strips or street plugs controlling access to streets will not be approved unless deemed necessary for the protection of public safety and welfare and may be used in the case of a dead-end street planned for future extension, and in the case of a half street planned for future development as a standard, full street.
- L. *Alignment.* All streets, as far as practicable, shall be in alignment with existing streets by continuations of the center lines thereof. Necessary staggered street alignment resulting in intersections shall, wherever possible, leave a minimum distance of 200 feet between the center lines of streets of approximately the same direction, and in no case shall the off-set be less than 100 feet.
- M. *Intersection angles.* Streets shall be laid out to intersect at angles as near to right angles as practicable, and in no case shall an acute angle be less than 80 degrees unless there is a special intersection design approved by the city engineer or other duly designated city representative as applicable. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection, and the intersection of more than two streets at any one point will not be approved.
- N. *Curves.* Centerline radii of curves should not be less than 500 feet on major arterials, 300 feet on minor arterials, 200 feet on collectors or 100 feet on other streets and shall be on an even ten feet. Where existing conditions, particularly topography, make it otherwise impractical to provide building sites, the city may accept steeper grades and sharper curves than provided for herein in this subsection.
- O. *Street grades.* Street grades shall not exceed eight percent on arterials, ten percent on collectors and 12 percent on all other streets including private driveways entering upon a public street or highway; however, for streets at intersections, and for driveways entering upon a public street or highway, there should be a distance of three or more car lengths (approximately 50 feet) where the grade should not exceed six percent to provide for proper stopping distance during inclement weather conditions.
- P. *Street names.* Except for the extension of existing streets, no street names shall be used which will duplicate or be confused with the name of an existing street in the city or within a radius of six miles of the city or within the boundaries of a special service district such as fire or ambulance. Such street names shall be approved by the Deschutes County street name coordinator.
- Q. *Street name signs.* Street name signs shall be installed at all street intersections by the developer in accordance with applicable city, county or state requirements. One street sign shall be provided at the intersection of each street, and two street signs shall be provided at four-way intersections.
- R. *Traffic control signs.* Traffic control signs shall be provided for and installed by the developer as required and approved by the appropriate city, county and/or state agency or department.
- S. *Alleys.* Alleys are not necessary in residential developments, but may be required in commercial and industrial developments unless other permanent provisions for access to off-street parking and loading facilities are approved by the city.
- T. *Curbs.* Curbs shall be required on all streets in all developments, and shall be installed by the developer in accordance with standards set forth by the city unless otherwise approved by the city. Approval of streets without curbs shall be at the discretion of the city engineer, and shall be so determined during the tentative plan land division review process on the basis of special circumstances to the development.

-
- U. *Street lights.* Street lights may be required and, if so required, shall be installed by the developer in accordance with standards set forth by the city and the serving utility company. Streets lights, if required, shall include one fixture and be located at the intersection of streets.
 - V. *Utilities.* The developer shall make necessary arrangements with the serving utility companies for the installation of all proposed or required utilities, which may include electrical power, natural gas, telephone, cable television and the like.
 - W. *Drainage facilities.* Drainage facilities shall be provided as required by the city in accordance with all applicable city and Oregon Department of Environmental Quality standards.
 - X. *Gates.* Except where approved as part of a master planned development, private streets and gated drives serving more than two dwellings (i.e., where a gate limits access to a development from a public street), are prohibited.

15.90.080. Traffic impact analysis.

- A. *Purpose.* The purpose of this subsection is [to] coordinate the review of land use applications with roadway authorities and to implement section 660-012-0045(2)(e) of the state Transportation Planning Rule, which requires the city to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a traffic impact analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a traffic impact analysis; and who is qualified to prepare the analysis.
 - B. *When a traffic impact analysis is required.* The city or other road authority with jurisdiction may require a traffic impact analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:
 1. A change in zoning or a plan amendment designation;
 2. Operational or safety concerns documented in writing by a road authority;
 3. An increase in site traffic volume generation by [300] average daily trips (ADT) or more;
 4. An increase in peak hour volume of a particular movement to and from a street or highway by [20] percent or more;
 5. An increase in the use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by ten vehicles or more per day;
 6. Existing or proposed approaches or access connections that do not meet minimum spacing or sight distance requirements or are located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard;
 7. A change in internal traffic patterns that may cause safety concerns; or
 8. A TIA required by ODOT pursuant to OAR 734-051.
 - C. *Traffic impact analysis preparation.* A professional engineer registered by the State of Oregon, in accordance with the requirements of the road authority, shall prepare the traffic impact analysis.
 - D. *Waiver or deferral.* The city may waive or allow deferral of standard street improvements, including sidewalk, roadway, bicycle lane, undergrounding of utilities, and landscaping, as applicable, where one or more of the following conditions in [subsections] 1 through 4 is met. Where the city agrees to defer a street improvement, it shall do so only where the property owner agrees not to remonstrate against the formation of a local improvement district in the future:
-

-
1. The standard improvement conflicts with an adopted capital improvement plan.
 2. The standard improvement would create a safety hazard.
 3. It is unlikely due to the developed condition of adjacent property that the subject improvement would be extended in the foreseeable future, and the improvement under consideration does not by itself significantly improve transportation operations or safety.
 4. The improvement under consideration is part of an approved partition in the [RL or RM] and the proposed partition does not create any new street.

Applicant Response: There is an existing entrance drive for a bowling alley that is no longer in service. The proposed project is for an unmanned fiber-optic utility building. There will be less than 1/trip a month for maintenance.

Chapter 15.94. – Improvement Procedures and Guarantees

15.94.010. Improvement procedures.

Improvements to be installed by the developer, either as a requirement of this chapter, conditions of approval or at the developer's option as proposed as a part of the subject development proposal, shall conform to the following requirements:

- A. *Plan review and approval.* Improvement work shall not be commenced until plans therefor have been reviewed and approved by the city or a designated representative thereof. The review and approval shall be at the expense of the developer.
- B. *Modification.* Improvement work shall not commence until after the city has been notified and approval therefore has been granted, and if work is discontinued for any reason, it shall not be resumed until after the city is notified and approval thereof granted.
- C. *Improvements as platted.* Improvements shall be designed, installed and constructed as platted and approved, and plans therefore shall be filed with the final plat at the time of recordation or as otherwise required by the city.
- D. *Inspection.* Improvement work shall be constructed under the inspection and approval of an inspector designated by the city, and the expenses incurred therefore shall be borne by the developer. Fees established by the city council for such review and inspection may be established in lieu of actual expenses. The city, through the inspector, may require changes in typical sections and details of improvements if unusual or special conditions arise during construction to warrant such changes in the public interest.
- E. *Utilities.* Underground utilities, including, but not limited to, electric power, telephone, water mains, water service crossings, sanitary sewers and storm drains, to be installed in streets, shall be constructed by the developer prior to the surfacing of the streets.
- F. *As built plans.* As built plans for all public improvements shall be prepared and completed by a licensed engineer and filed with the city upon the completion of all such improvements. A copy of the as built plans shall be filed with the final plat of a subdivision or other development by and at the cost of the developer. The plans shall be completed and duly filed within 30 days of the completion of the improvements.

Applicant Response: Understood there will be no work onsite without permit issuance.

15.94.020. Completion or assurance of improvements.

- A. *Agreement for improvements.* Prior to final plat approval for a subdivision, partition, PUD or other land development, or the final approval of a land use or development pursuant to applicable zoning provisions, where public improvements are required, the owner and/or developer shall either install required improvements and repair existing streets and other public facilities damaged in the development of the property, or shall execute and file with the city an agreement between him/herself and the city specifying the period in which improvements and repairs shall be completed and, providing that if the work is not completed within the period specified, that the city may complete the work and recover the full costs thereof, together with court costs and attorney costs necessary to collect the amounts from the developer. The agreement shall also provide for payment to the city for the cost of inspection and other engineer services directly attributed to the project.
- B. *Bond or other performance assurance.* The developer shall file with the agreement, to ensure his/her full and faithful performance thereof, one of the following, pursuant to approval of the city attorney and city manager, and approval and acceptance by the city council:
 - 1. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the city attorney.
 - 2. A personal bond co-signed by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of the ability to proceed in accordance with the agreement.
 - 3. Cash deposit.
 - 4. Such other security as may be approved and deemed necessary by the city council to adequately ensure completion of the required improvements.
- C. *Amount of security required.* The assurance of full and faithful performance shall be for a sum approved by the city as sufficient to cover the cost of the improvements and repairs, including related engineering, inspection and other incidental expenses, plus an additional 20 percent for contingencies.
- D. *Default status.* If a developer fails to carry out provisions of the agreement, and the city has unreimbursed costs or expenses resulting from the failure, the city shall call on the bond or other assurance for reimbursement of the costs or expenses. If the amount of the bond or other assurance deposit exceeds costs and expenses incurred by the city, it shall release the remainder. If the amount of the bond or other assurance is less than the costs or expenses incurred by the city, the developer shall be liable to the city for the difference plus any attorney fees and costs incurred.

15.94.030. Building and occupancy permits.

- A. *Building permits.* No building permits shall be issued upon lots to receive and be served by sanitary, sewer and water service and streets as improvements required pursuant to this chapter unless the improvements are in place, serviceable and approved by the city, with the service connections fees paid, and accepted by the city.
- B. *Sale or occupancy.* All improvements required pursuant to this chapter and other applicable regulations or approval conditions shall be completed, in service and approved by the city, and accepted by the city council, prior to sale or occupancy of any lot, parcel or building unit erected upon a lot within the subdivision, partitioning, PUD or other development.

Applicant Response: The building is unmanned and will have not sanitary. The developer owns the property outright.

15.94.040. Maintenance surety bond.

Prior to sale and occupancy of any lot, parcel or building unit erected upon a lot within a subdivision, partitioning, PUD or other development, and as a condition of acceptance of improvements, the city will require a one-year maintenance surety bond in an amount not to exceed 20 percent of the value of all improvements, to guarantee maintenance and performance for a period of not less than one year from the date of acceptance.

Applicant Response: N/A not part of a subdivision.

15.94.050. Engineering/special services for review.

With regard to any development proposal for which the city deems it necessary to contract for engineering and/or other special technical services for the review thereof or for the design of facility expansions to serve the development, the developer may be required to pay all or part of the special services. In such cases, the choice of the contract service provider shall be at the discretion of the city, and the service provider shall perform the necessary services at the direction of the city. The costs for the services shall be determined reasonable, and an estimate of the costs shall be provided to the developer prior to contracting therefore [therefor].

Article 7 – Procedures:

Chapter 15.202. – Summary of Application Types and General Provisions

15.202.010. Purpose and applicability.

- A. *Purpose.* The purpose of this chapter is to establish decision-making procedures that will enable the city, the applicant, and the public to reasonably review applications and participate in the local decision-making process in a timely and effective way. Table 15.202-1 provides a key for determining the review procedure and the decision-making body for particular applications.
- B. *Applicability of review procedures.* All land use and development permit applications, except building permits, shall be decided by using the procedures contained in this article as modified by any applicable application-specific procedures identified in articles 8 and 9. The procedure "type" assigned to each application governs the decision-making process for that application. There are four types of review procedures as described in subsections 1—4 below. Table 15.202-1 lists the city's land use and development applications and corresponding review procedure(s).
 1. *Type I procedure (ministerial staff review with no notice).* Type I decisions are made by the city planning official, or his or her designee, without public notice and without a public hearing. A Type I procedure is used in applying city standards and criteria that do not require the use of discretion (i.e., there are clear and objective standards). The city planning official may elect to process a Type I application under a Type II procedure.
 2. *Type II procedure (administrative/staff review with notice).* Type II decisions are made by the city planning official, with public notice and an opportunity for appeal to the planning commission. Alternatively, the city planning official may refer a Type II application to the planning commission for its review and decision in a public meeting.
 3. *Type III procedure (quasi-judicial review - public hearing).* Type III decisions are made by the planning commission after a public hearing, with an opportunity for appeal to the city council except for decisions on all quasi-judicial comprehensive plan amendments and zone changes which must be adopted by the city council before becoming effective. Quasi-judicial decisions involve discretion but

implement established policy. They involve the application of existing law or policy to a specific factual situation.

4. *Type IV procedure (legislative review)*. The Type IV procedure applies to the adoption of law or policy applicable citywide or to a broad geographical area of the city. Legislative actions provide for the establishment and modification of land use plans, policies, regulations, and guidelines. Type IV reviews are considered by the planning commission, which makes a recommendation to city council. City council makes the final decision on a legislative proposal through the enactment of an ordinance.

Table 15.202-1. Summary of Approvals by Type of Review Procedure

<i>Application*</i>	<i>Review Procedures</i>	<i>Applicable Regulations</i>
Legal lot determination procedure	Type II	Chapter 15.304
Zoning checklist	Type I	Chapter 15.308
Certificate of use and occupancy	Type I	Chapter 15.308 [15.306]
Site plan review	Type II	Chapter 15.312
Conditional use	Type II	Chapter 15.316
Mobile food unit site permit	Type I - III	Chapter 15.318
Variance	Type III	Chapter 15.320
Variance, minor	Type II	Chapter 15.320
Variance, riparian	Type III	Chapter 15.320
Exceptions	Type III	Chapter 15.324
Code interpretation	Type II	Chapter 15.328. Routine interpretations that do not involve discretion do not require a permit
Street vacation	Type III / IV	Chapter 15.330
Dedications not part of development	NA	See Chapter 15.332
Map amendment (quasi-judicial zone change)	Type III	Chapter 15.344 [15.334]
Legislative text or map amendment	Type IV	Chapter 15.344 [15.334]
Annexation	Type III / IV	Chapter 15.338
Downtown design exception	Type III	Section 15.40.025
<i>Land Divisions</i>		
Subdivision, PUD or re-plat of > 3 lots	Type III	Chapter 15.406
Preliminary plat	Type I	
Final plat		
Partition or re-plat of 2—3 lots	Type II	Chapter 15.410
Minor - preliminary plat	Type III	
Major - preliminary plat	Type I	
Final plat		
Boundary line adjustments, re-platting	Type I	Chapter 15.414

*The applicant may be required to obtain building permits and other permits and approvals from other agencies, such as a road authority or natural resource regulatory agency. The city's failure to notify the applicant of any requirement or procedure of another agency shall not invalidate a permit or other decision made by the city under this Development Code.

15.202.020. Time limit and consolidated review.

A. *Time limits.*

1. Determination of completeness.
 - a. Upon receipt of an application, the city planning official shall review the application for completeness.
 - i. Incomplete applications shall not be reviewed until all required information has been submitted by the applicant;
 - ii. If incomplete, the applicant shall be notified and shall have 180 days from the date the application was first submitted to supply the missing information or notify the city planning official in writing to process the application without missing information.
 - b. The application shall be deemed complete either:
 - i. Upon receipt of the additional information; or
 - ii. [When]the applicant provides written notice to the city planning official to process the application without the missing information.
 - c. Applications may be forwarded to affected agencies and departments for review and comment. If a county road or state highway might be impacted, referrals should be sent to Deschutes County public works and/or ODOT. Developments on any land illustrated on the NWI/LWI maps shall be referred within five days of receipt to the Oregon Division of State Lands.
 - d. An applicant shall not submit any evidence to supplement its application during the 30 days following submittal of its application, except to respond to a request for additional information made under subsection a. Any other evidence submitted by an applicant will not be considered in determining whether the application is complete and will be returned to the applicant.
2. 120-day rule. The city shall take final action on administrative and quasi-judicial land use applications, pursuant to this chapter, including resolution of all appeals, within 120 days from the date the city planning official deems the application complete for purposes of processing, unless the applicant requests an extension in writing. Any exceptions to this rule shall conform to the provisions of ORS 227.178. (Note: The 120-day rule does not apply to legislative land use decisions.)
3. 100-day rule. The city must take final action, including resolution of all local appeals on qualifying applications under ORS 227.180, within 100 days after the application is deemed complete. An application qualifies if it is submitted under ORS 227.175 and meets the following criteria:
 - a. The application is for development of a multi-family residential building containing five or more residential units within the urban growth boundary;
 - b. At least 50 percent of the residential units included in the development will be sold or rented as affordable housing. For the purposes of this section, "affordable housing" means housing that is affordable to households with incomes equal to or less than 60 percent of the median family income for the county in which the development is built or for the state, whichever is greater; and
 - c. The development is subject to a covenant appurtenant that restricts the owner and each successive owner of the development or a residential unit within the development from selling or renting any residential unit described in [paragraph] b of this section [3] as housing that is not affordable housing for a period of 60 years from the date of the certificate of occupancy.

-
4. The periods set forth in this section during which a final decision on an application must be made may be extended for a reasonable period of time at the written request of the applicant, but total of all extensions, except as provided in subsection ORS 227.178(11) for mediation, may not exceed 245 days.
- B. *Time periods.* In computing time periods prescribed or allowed by this chapter, the day of the act or event from which the designated period of time begins shall not be included. The last day of the period shall be included, unless it is a Saturday, Sunday, or a legal holiday, in which case the period runs until the end of the next day that is not on a weekend or legal holiday.
 - C. *Consolidated review of applications.* When an applicant applies for more than one type of application for the same one or more contiguous parcels of land, the proceedings shall be consolidated for review and decision. When proceedings are consolidated, required notices may be consolidated, provided the notice shall identify each application to be decided. When more than one application is reviewed in a hearing, separate findings and decisions shall be made on each application.

15.202.040. Pre-application conference.

- A. A pre-application conference is encouraged for complex applications or for applicants who are unfamiliar with the land use process and is required for all Type III applications. The purpose of the conference shall be to acquaint the applicant with the substantive and procedural requirements of the applicable land use codes, to provide for an exchange of information regarding applicable requirements of the comprehensive plan, zoning code or land division code and to identify issues likely to arise in processing an application. The applicable zoning code may require that a pre-application conference be held for particular types of applications.
- B. Required pre-application conferences must be held no more than one year prior to the submittal of a Type III land use application. Requests for pre-application conferences shall be made on a form provided by the city.

Applicant Response: The pre-application conference occurred 5/6/2025.

15.202.050. Neighborhood contact.

- A. *Purpose and applicability.* Unless waived by the city planning official, applicants for master plans, subdivisions with more than ten lots, major variances and property owner-initiated for zone changes are required to contact neighboring property owners and offer to hold a meeting with them prior to submitting an application. This is to ensure that affected property owners are given an opportunity to preview a proposal and offer input to the applicant before a plan is formally submitted to the city, thereby raising any concerns about the project and the project's compatibility with surrounding uses early in the design process when changes can be made relatively inexpensively.
- B. *Notice.* Notice of the meeting must be given in writing to all property owners whose property is located within 100 feet of the site, at their addresses of record at the Deschutes County Assessor's office, at least 14 days before the meeting and at least 21 days before submitting the application to the city. The notice must state the time, place, and purpose of the meeting, including a description of the proposed development.
- C. *Meeting place, date, and time.* The meeting must be held within the city limits at a location obtained or provided by the applicant with sufficient room for the expected attendance. The meeting place must be accessible to persons with disabilities. It must be scheduled at a date and time reasonably calculated to allow maximum participation by interested property owners.
- D. *Conduct of meeting.* At the meeting, the applicant, or the applicant's agent, must present sufficient information about the proposed development to inform the property owners in attendance of the nature of the proposal and impacts it may have on neighboring properties, including transportation impacts. Persons attending must be allowed to ask questions and make comments. The applicant, or the applicant's agent, shall complete a form prescribed by the city to certify the occurrence of the meeting.

-
- E. *Filing requirements.* The meeting certification form, even if no affected property owners attend, is required and must be submitted to the city with a land use application for the application to be deemed complete. Copies of the following information must accompany the meeting certification form: a copy of the notice mailed, all addresses for which notice was mailed (e.g., copy of mailing labels), and copies of all other written materials provided prior to or distributed at the meeting.

Chapter 15.204. –Application Procedures

15.204.020. Type II procedure (administrative review with notice).

The planning official performs administrative staff reviews through the Type II procedure. Type II decisions are made by the planning official with public notice and an opportunity for appeal to the planning commission. Alternatively, the planning official may refer a Type II application to the planning commission for its review and decision in a public meeting.

- A. Application requirements.
1. Application forms. Applications for projects requiring administrative review shall be made on forms provided by the planning official.
 2. Submittal information. The planning official shall advise the applicant on application submittal requirements. At a minimum, the application shall include all of the following information:
 - a. The information requested on the application form;
 - b. Plans and exhibits required for the specific approval(s) being sought;
 - c. A written statement or letter explaining how the application satisfies each and all of the relevant criteria and standards in sufficient detail;
 - d. Information demonstrating compliance with prior decision(s) and conditions of approval for the subject site, as applicable; and
 - e. The required fee.
- B. Notice of pending administrative decision (notice of application).
1. The purpose of the notice of pending administrative decision is to give nearby property owners and other interested people and agencies the opportunity to submit written comments on the application before the planning official issues the decision. Within ten days of receipt of a complete application for a Type II land use action, the planning official shall mail notice of a pending Type II decision to the individuals and agencies [listed in paragraph 3 of this subsection B].
 2. The comment period shall be at least 14 days duration from the date notice was mailed or a longer [period] as specified in the notice. The deadline for submitting written comments must be at least 14 days prior to the scheduled decision date or, as applicable, the scheduled planning commission meeting date where an application is referred to the commission for review.
 3. All of the following individuals and agencies shall be notified. However, the failure of a property owner to receive mailed notice shall not invalidate any land use approval if the planning official can show by affidavit that such notice was given.
 - a. The applicant;
 - b. Owners of record of property as shown on the most recent property tax assessment roll of property located within 100 feet of the property that is the subject of the notice where any part of the subject property is within an urban growth boundary;

-
- c. The owner of a public use airport if the airport is located within 10,000 feet of the subject property;
 - e. [d.] The planning commission;
 - f. [e.] Any neighborhood or community organization formally recognized by the city council, whose boundaries include the site;
 - g. [f.] Any person who submits a written request to receive a notice; and
 - h. [g.] Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the city and any other affected agencies. At a minimum, the city planning official shall notify the road authority if different than the City of La Pine. The failure of another agency to respond with written comments on a pending application shall not invalidate an action or permit approval made by the city under this Development Code.

3. [4.]The notice of pending administrative decision, at a minimum, shall contain all of the following information:

- a. The deadline for submitting written comments, which must be at least 14 days prior to the scheduled decision date or, as applicable, the scheduled planning commission meeting date where an application is referred to the commission for review;
- b. A summary of the proposal and the relevant approval criteria in sufficient detail to help the public identify and locate applicable Development Code requirements;
- c. The address and city contact person for submitting written comments; and the date, time, and location the city planning official or planning commission, as applicable, is scheduled to make a decision on the application;
- d. The street address or other easily understandable reference to the location of the proposed use or development;
- e. Disclosure statement indicating that if any person fails to address the relevant approval criteria with enough detail, he or she may not be able to appeal to the land use board of appeals or circuit court on that issue, and that only comments on the relevant approval criteria are considered relevant evidence;
- f. Statement that all evidence relied upon by the city planning official or planning commission, as applicable, to make its decision is in the record and is available for public review. Copies of this evidence can be obtained at a reasonable cost from the city; and
- g. Statement that after the comment period closes, the city will issue its decision and the decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice.

C. Decision.

- 1. At the conclusion of the comment period, the city planning official shall review the comments received and prepare a decision notice approving, approving with conditions, or denying the application based on the applicable Development Code criteria. Alternatively, the city planning official may transmit all written comments received, if any, along with a copy of the application to the planning commission for review and decision at its next regularly scheduled meeting.
- 2. Where the city planning official refers an application subject to administrative review to the planning commission, the planning commission shall approve, approve with conditions, or deny the application through the Type II procedure based on the applicable Development Code criteria. The planning commission may continue its review to the next meeting to allow the applicant time to respond to questions, provided that the commission makes a final decision

within the time period prescribed under state law (ORS 227.178) and as described in section 15.202.020 of this Development Code. Alternatively, the applicant may voluntarily waive his or her right to a final decision within the required timeframe and the commission may decide to accept oral and written testimony in a public hearing review of the application, pursuant to section 15.204.030; in which case, a new public notice must be mailed to those who received the original notice indicating the change to a quasi-judicial (public hearing) review procedure.

D. Notice of decision.

1. Within seven days of a Type II decision, the city planning official shall prepare a notice of decision and mail it to the applicant, property owner (if different), the building official, those who provided written comments on the proposal, and those who requested a copy of the decision. If the decision is not a limited land use decision as defined in ORS 197.015(12), notice shall also be sent to all persons entitled to notice under subsection B.
2. The city planning official shall cause an affidavit of mailing the notice to be prepared and made a part of the file. The affidavit shall show the date the notice was mailed and shall demonstrate that the notice was mailed to the parties above and was mailed within the time required by law.
3. The administrative notice of decision shall contain all of the following information:
 - a. A description of the applicant's proposal and the city's decision on the proposal, which may be a summary, provided it references the specifics of the proposal and conditions of approval in the record;
 - b. The address or other geographic description of the property proposed for development, including a map of the property in relation to the surrounding area (a copy of assessor's map may be used);
 - c. A statement of where the city's decision can be obtained;
 - d. The date the decision shall become final, unless appealed; and
 - e. A statement that all persons entitled to notice may appeal the decision to city council pursuant to subsection F.

E. Effective date of decision. Unless the conditions of approval specify otherwise, an administrative decision becomes effective 12 days after the city mails the decision notice, unless the decision is appealed pursuant to subsection F or the decision is called up for review by the city council pursuant to subsection G. No building permit shall be issued until a decision is final. Appeal of a final decision to LUBA does not affect the finality of a decision at the local level for purposes of issuing building permits.

F. Appeal of Type II (administrative) decision.

1. Who may appeal. The following people have legal standing to appeal a Type II administrative decision:
 - a. The applicant or owner of the subject property;
 - b. Any person who was entitled to written notice of the Type II decision; and
 - c. Any other person who participated in the proceeding by submitting written comments on the application to the city by the specified deadline.
2. *Appeal filing procedure.* Appeals shall be filed in accordance with chapter 15.212.

G. *Review by council.*

1. Review of an administrative action or a planning commission decision may be initiated by the city council. The council shall consider calling up for review any administrative decision that a majority of the planning commission recommends be reviewed.

-
2. Review by the council shall be initiated by council order within 12 days of the date of the mailing of the final written decision of the planning official or planning commission.
 3. Review shall be conducted in the same manner provided for in appeals, except that an appeal fee and transcript shall not be required. Any council order calling up for review a decision shall specify whether the council will review the decision called up on the record or de novo, and whether it intends to limit the issues on review to certain specified issues.

Applicant Response: We will submit and pay all required fees and abide by the council's decision.

Article 8 – Applications and Reviews:

Chapter 15.312. – Site Plan Review

15.312.010. Purpose.

- A. The purpose of the site plan review provisions of this section [chapter] is to ensure that development within the city complies with standards and limitations set forth within the applicable zone, by other city standards and requirements and by applicable county, state and federal regulations.
- B. This broad purpose is furthered by the following specific purposes of site plan review:
 - 1. To implement the goals and policies of the comprehensive plan.
 - 2. To foster development that is designed, arranged and constructed in a manner that provides a safe, efficient and aesthetically pleasing community asset.
 - 3. To encourage originality and creativity in site design, architecture and landscape design.
 - 4. To ensure that the arrangement of all functions, uses and improvements of a development reflect the natural amenities, capabilities and limitations of its site and adjacent areas.
 - 5. To encourage development where the various structures, use areas and site elements are integrated in a manner that is visually harmonious within the development and the surrounding area.
 - 6. To encourage development and landscape design that complements the natural landscape and setting, improves the general appearance of the community and enhances specific elements of the man-made environment, both presently and historically.

15.312.020. Applicability.

The following uses and development shall be subject to the provisions of this section:

- A. All new construction or new development except for: single-family residences (including manufactured dwellings, mobile homes, modular homes), duplexes, accessory dwelling units and related accessory structures unless provided otherwise in this chapter.
- B. An exterior alteration or modification to an existing nonresidential use or structure, which is subject to site plan review and/or is subject to regulation under the provisions of this chapter, except for painting, replacement of roofing and siding, and other normal maintenance and upkeep requirements which are not subject to regulation under the provisions of this chapter or any other applicable city, county, state and/or federal regulations.
- C. Any alteration or modification of site improvements, such as the landscaping, parking and/or loading facilities and areas, in conjunction with an existing nonresidential use which is subject to site plan review and/or is subject to regulation under the provisions of this chapter.

15.312.025. Site plan approval required.

Site plan review and approval, as specified by this chapter, shall be required prior to the following:

- A. Site clearance activities such as grading, excavation or filling for any use or development requiring a permit pursuant to this Development Code.
- B. The issuance of a building or development permit for any use or development requiring city approval pursuant to this Development Code.

15.312.030. Procedure type.

- A. Site plan review applications are subject to Type II review in accordance with the procedures in article 7 unless elevated to a Type III review at the discretion of the planning official.
- B. Pre-application conference. Prior to applying for site plan approval, applicants should and may meet with the city planning official, building official and public works director, or designees thereof, and present a preliminary plan which shall contain, in an approximate manner, the information required on a site plan review application.
 - 1. The purpose of the preliminary site plan review is to enable the applicant to obtain advice from the city as to the intent, standards, criteria and provisions of this chapter, this Development Code, other city ordinances, standards and regulations, and state and federal rules and regulations which may be pertinent to the proposal.
 - 2. Information presented for preliminary discussion shall be considered confidential if so requested by the applicant.

15.312.040. Submittal requirements.

A property owner or authorized representative thereof may initiate a request for site plan review by filing an application with the city using forms prescribed by the city together with the required filing fee in accordance with the Type II application requirements in article 7. In addition to the information required for a Type II review (see article 7), the applicant shall submit that which is listed below.

- A. *Requirements for information to be submitted.* Information provided on the site plan shall conform to the following. The number of copies required shall be as specified on the application form.
 - 1. Drawings depicting the proposal shall be presented on sheets not larger than 24 inches by 36 inches in the number of copies directed by the city.
 - 2. To facilitate public reviews and notice, at least one copy of the proposal shall be provided on a sheet of paper not larger than 11 inches by 17 inches.
 - 3. Drawings shall be at a scale sufficiently large enough to enable all features of the design to be clearly discerned and shall include a north arrow and scale.
 - 4. The city may require that the drawing, development plan or other information be provided to the city on computer disk in a format adaptable to the city's computer systems.
- B. *Site analysis diagram.* If required by the city planning official, this element of the site plan, which may be in schematic or free hand form to scale, shall indicate the following site characteristics:
 - 1. Location and species of existing trees greater than six inches in diameter when measured four feet above the natural grade, and an indication of which trees are proposed to be removed.
 - 2. On sites that contain steep slopes, potential geological hazard or unique natural features that may affect the proposed development, the city may require contours mapped at two-foot intervals.
 - 3. Natural drainage ways, depths of any ground water tables less than 12 feet, any areas of surface water accumulations and any other significant natural features.
 - 4. The location and width of all public and private streets, drives, sidewalks, pathways, rights-of-way, and easements on the site and adjoining the site, and all buildings, utilities, retaining walls, and other man-made features, both existing and proposed.

-
5. Natural features, including trees, riparian habitat and stream channels and structures on-site or on adjoining properties that have or may have a visual or other significant relationship with the site and the proposed development thereon.
- C. *Site photographs.* Photographs depicting the site and its relationship to adjoining sites and the general area are extremely valuable, should be provided, and may be required by the city planning official.
- D. *Site development plan.* The site plan shall indicate the following:
1. Legal description of the property.
 2. Boundary dimensions and site area.
 3. Location and sizes of existing and proposed utilities, including water lines, sewer lines, hydrants, etc.
 4. Location of all existing and proposed structures, including distances from the property lines.
 5. Area of the site to be covered by structures, existing and proposed, and the percentage of site coverage thereby.
 6. All external dimensions of existing and proposed buildings and structures.
 7. Location of building entrances and exits.
 8. Access drives, parking and circulation areas, including their dimensions.
 9. Service areas and delivery circulation plan for such uses as the loading and delivery of goods.
 10. Locations, descriptions and dimensions of easements as may be applicable.
 11. Grading and drainage plans and calculations, including spot elevations and contours at intervals close enough to convey their meaning.
 12. Location of areas to be landscaped, including designated landscape material/plant types and sizes.
 13. Outdoor recreation and/or play areas.
 14. Pedestrian and bicycle circulation, including existing and proposed on-site and off-site sidewalks.
 15. Location of mechanical equipment not enclosed within a building, garbage disposal areas, utility appurtenances and similar structures.
 16. Exterior lighting and fencing.
 17. Location, size and method of illumination of signs.
 18. Provisions for handicapped persons.
 19. Other site elements which will assist in the evaluation of site development.
 20. Location, names, surface and right-of-way widths and improvement standards of all existing and proposed streets within or adjacent to the proposed development.
 21. Location of areas designated for snow storage, in accordance with the requirements of section 18.86.060 [15.86.060], and calculations of the area required by the minimum standard and the proposed area.
 22. Information necessary to demonstrate compliance with [the] fire code, including, but not limited to, fire flow, apparatus access, and hydrant spacing.
- E. *Accompanying written summary.* In addition to the foregoing site development plan requirements, a written summary of the proposal should be provided and may be required showing the following, (unless such is shown on the site development plan):
-

-
1. *Commercial and nonresidential development. For commercial and nonresidential development:*
 - a. *The square footage contained in the site area to be developed.*
 - b. *The percentage of the area to be covered by structures when developed.*
 - c. *The percentage of the area to be covered by parking areas and the total number of parking spaces.*
 - d. *The total square footage of all landscaped areas, including the percentage consisting of natural materials and the percentage of hard surfaced areas such as courtyards.*
 - e. *Trip generation letter, signed by a professional engineer registered by the State of Oregon (unless waived by the city planning official). A traffic impact analysis may be required in accordance with section 15.90.080.*
 2. *Residential development. For residential development:*
 - a. *The total square footage of the lot or parcel and in the structures in the development.*
 - b. *The number of dwelling units in the development (include the units by the number of bedrooms in each unit, for example, ten one-bedroom, 25 two-bedroom and the like).*
 - c. *Percentage of lot coverage by structures, way areas, recreation areas and landscaping.*
 - e. [d.] *Trip generation letter, signed by a professional engineer registered by the State of Oregon (unless waived by the city planning official). A traffic impact analysis may be required in accordance with section 15.90.080.*
- F. *Landscape plan.* If required by the city planning official, a landscape plan shall be submitted and shall indicate the following.
1. The size, species and locations of plant materials to be retained or placed on-site.
 2. The layout of irrigation facilities.
 3. Location and design details of walkways, plazas, courtyards and similar areas.
 4. Location, type and intensity of outdoor lighting.
 5. Location and design details of proposed fencing, retaining walls and trash collection areas.
 6. Other information as deemed appropriate by the review authority. An arborist's report may be required for sites with mature trees that are to be retained and protected.
- G. *Architectural drawings.* This element of the site plan review, if required by the city planning official, shall indicate the following:
1. A plan specifying the building footprint and dimensions, including all points of access. Floor plans of interior spaces to the extent required to clarify access functions and the relationship of the spaces to decks, porches, balconies and stairs or other features shown on the building elevations. The floor plans shall be provided for all building floors and shall include appropriate dimensions.
 2. Exterior elevations showing building heights, windows, doors, exterior light fixtures, stairways, balconies, decks and other architectural details. These elevations shall be provided for every exterior wall surface, including those which are completely or partially concealed from view by overlapping portions of the structure. Existing and finished grades at the center of all walls shall be shown with elevations of floors indicated and a dimension showing compliance with height limitations.
 3. Location and type of exterior light fixtures, including the lamp types and the levels of illumination that they provide.
 4. Location, size and method of illumination of all exterior signs.
-

-
- H. *Property survey.* A survey of the property by a licensed land surveyor may be required, and if required the survey shall clearly delineate property boundaries, and show the location of the corners of proposed buildings and other significant features proposed for the site. The requirement for a survey of the exterior boundaries of a site may be waived where it is found that there is a recent survey that can be used to clearly establish the applicant's property boundaries.
 - I. *Deed restrictions.* Copies of all existing and proposed restrictions or covenants, including those for roadway access control.
 - J. *Narrative.* A written narrative addressing the applicable criteria listed [in] section 15.312.050 for residential development and sections 15.312.050 and 15.312.060 for nonresidential development.
 - K. *Other information as determined by the city planning official.* The city planning official may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), as necessary to determine a proposal's conformance with this Development Code.

15.312.050. Approval criteria - all residential and nonresidential.

To ensure that the stated purposes of the site plan review process are met, the review authority shall be governed by the criteria below as they evaluate and render a decision on a proposal.

- A. *Statement of intent.*
 - 1. The site plan review criteria are intended to provide a frame of reference for the applicant in the development of a site, building and landscape plans, as well as providing the city with a means of reviewing proposed plans.
 - 2. These criteria provide a clear and objective means of evaluating residential development (and the residential components of a mixed use development) in accordance with ORS 197.
 - 3. The review authority is not authorized as a part of the site plan review process to approve projects which exceed specific development standards set forth by the applicable zone unless the exceptions are approved in accordance with specific variance or other provisions set forth in this Development Code.
- B. *Site plan evaluation criteria.* The following criteria shall be used in evaluating all site development plans:
 - 1. The application is complete, in accordance with the applicable procedures in article 7.
 - 2. The application complies with all applicable provisions of the underlying zoning district in article 3, including, but not limited to, setbacks, lot dimensions, density, lot coverage, building height, and other applicable standards.
 - 3. The application complies with the provisions of the any applicable overlay zones in article 4.
 - 4. The proposal complies with all applicable development and design standards of article 5.
 - 5. The application complies with all applicable special use standards in article 6.
 - 6. Adequate public facilities and utilities are available or can be made prior to occupancy to serve the proposed development.
 - 7. The proposed site plan conforms to the standards within the adopted La Pine Transportation System Plan (TSP), as may be amended from time to time, unless other design standards are specifically approved by the city.
 - 8. The proposed site plan conforms to the La Pine Sewer and Water Standards, as may be amended from time to time, unless other design standards are specifically approved by the city. All sewer

improvements must comply with Oregon Administrative Rules chapter 340 division 52 requirements, including Appendix A - Sewer Pipelines.

9. The proposed site plan conforms to the Central Oregon Stormwater Manual (COSM), as may be amended from time to time, unless other design standards are specifically approved by the city.
10. All utilities shall be installed underground, unless otherwise specifically approved by the city.
11. The proposal meets all existing conditions of approval for the site or use, as required by prior land use decision(s), as applicable.

15.312.060. Additional approval criteria - nonresidential development.

In addition to the approval criteria in section 15.312.050, to ensure that the stated purposes of the site plan review process are met, the review authority shall also be governed by the criteria below as they evaluate and render a decision on a nonresidential development proposal.

A. *Statement of intent.*

1. The site plan review criteria for nonresidential development are intended to provide a frame of reference for the applicant in the development of a site, building and landscape plans, as well as providing the city with a means of reviewing proposed plans.
2. These criteria are not intended to be inflexible requirements, nor are they intended to discourage creativity. The specification of one or more architectural styles is not intended by these criteria.
3. The review authority is not authorized as a part of the design review process to approve projects which exceed specific development standards set forth by the applicable zone unless the exceptions are approved in accordance with specific variance or other provisions set forth in this chapter.

B. *Site plan evaluation criteria.* In addition to the approval criteria in section 15.312.050, the following criteria shall be used in evaluating nonresidential site development plans:

1. The arrangement of all functions, uses and improvements has been designed so as to reflect and harmonize with the natural characteristics and limitations of the site and adjacent sites.
2. In terms of setback from streets or sidewalks, the design creates a visually interesting and compatible relationship between the proposed structures and/or adjacent structures.
3. The design incorporates existing features, such as streams, rocks, slopes, vegetation and the like, as part of the overall design.
4. Where appropriate, the design relates or integrates the proposed landscaping/open space to the adjoining landscape/open space in order to create a pedestrian/bike pathway and/or open system that connects several properties or uses.
5. The arrangement of the improvements on the site do not unreasonably degrade the scenic values of the community and the surrounding area in particular.
6. Where appropriate, the design includes a parking and circulation system that encourages a pedestrian and/or bicycle rather than vehicular orientation, including a separate service area for delivery of goods.
7. The design gives attention to the placement of storage, mechanical equipment, utilities or waste collection facilities so as to screen such from view, both from within and from outside the site.

C. *Landscape design evaluation criteria.* The following criteria shall be used in evaluating landscape plans:

1. The overall design substantially complements the natural environment of the city and the character of the site and the surrounding area.

-
2. The design acknowledges the growing conditions for this climatic zone, and the unique requirements that its specific site location makes upon plant selection.
 3. Provision has been made for the survival and continuous maintenance of the landscape and its vegetation.
 4. The design contributes to the stabilization of slopes and the protection of other natural features and resources where applicable.

15.312.070. Conditions of approval.

In addition to the standards and conditions set forth in a specific zone (if found to be necessary and supported with adequate findings), additional conditions may be imposed by the city which are found to be necessary to avoid a detrimental impact on adjoining properties, the general area or the city as a whole, and to otherwise protect the general welfare and interests of the surrounding area. The conditions may include, but are not limited to, the following:

- A. Limiting the manner in which the use is conducted, including restricting the time an activity may take place, and restrictions to minimize environmental impacts such as noise, vibration, air or water pollution, glare and odor.
- B. Establishing a special setback or other open space requirements, and increasing the required lot size or other dimensional standards.
- C. Limiting the height, size or location of a building or other structure or use.
- D. Increasing street width and/or requiring improvements to public streets and other public facilities serving the proposed use, even including those off-site but necessary to serve the subject proposal.
- E. Designating the size, number, improvements, location and nature of vehicle access points and routes, and requiring pedestrian and/or bicycle ways.
- F. Limiting or otherwise designating the number, size, location, height and lighting of signs and outdoor or security lighting, and the intensity and/or direction thereof.
- G. Requiring screening, fencing or other improvements or facilities deemed necessary to protect adjacent or nearby properties, and establishing requirements or standards for the installation and maintenance thereof.
- H. Protecting and preserving existing trees, other vegetation and water, scenic, historic, archaeological, unique, landmark or other natural or man-made significant resources.

15.312.080. Revision of plans.

Construction documents (that is, plans, drawings and specifications) shall conform to all aspects of the approved design review plan. Where circumstances, unknown or unforeseen at the time the plans are approved, make it undesirable or unfeasible to comply with some particular aspect of the approved plan, the applicant shall request in writing that the city review needed and/or proposed modifications. The review authority that originally approved the plans shall review the proposed modifications to determine whether they constitute a major or minor revision of the approved plans.

- A. *Major modifications.*
 1. Major modifications are those which result in a significant change in the initial plans. The following are examples of major modifications: changes in the siting of a building; modification of areas to be landscaped; and modifications to a plan element that was the subject of a design review authority condition of approval.

-
2. If the review authority determines that the proposed change is a major modification, the proposed alteration shall be reviewed and processed in the same manner as the original application and as a new application; however, the fee shall only be 50 percent of the original application fee.
- B. *Minor modifications.*
1. Minor modifications are those which result in an insignificant change in the initial plans. Examples are: limited dimensional or locational changes to building elements such as doors; changes in building materials where only a limited area is affected; and substitution of landscape materials which do not affect the overall landscape design.
 2. If the city determines that the proposed change is a minor modification, the review authority may proceed with the review of the plans; however, if the review authority is different than the original review authority, the original review authority shall be notified of the proposed change and given an opportunity to comment relative thereto prior to final approval of such change.

15.312.090. Performance assurance.

- A. Landscaping and other site improvements required pursuant to an approved design review plan shall be installed prior to the issuance of a certificate of occupancy or final inspection, unless the property owner and/or applicant submits a performance assurance device that is approved by the city committing the installation of landscaping and other site improvements within one year.
- B. In no case shall the performance be delayed beyond the one-year period for more than six months unless approved otherwise by the city. Acceptable performance assurances shall be in compliance with the provisions of this chapter or as otherwise approved by the city.
- C. Performance guarantee required for infrastructure improvements. The city at its discretion may allow a developer to delay installation of required public infrastructure improvements provided such infrastructure improvements must be complete and accepted by the city prior to the issuance of a certificate of occupancy, and provided that the applicant provides assurance for said improvements acceptable to the city. The applicant shall provide a bond issued by a surety authorized to do business in the State of Oregon, irrevocable letter of credit from a surety or financial institution acceptable to the city, cash, or other form of security acceptable to the city.

Applicant Response: A site plan with applicable information has been submitted as part of this submission.

Chapter 15.316. – Conditional Uses

15.316.010. Applicability.

Conditional uses may be permitted, enlarged or otherwise altered when authorized in accordance with the standards and procedures set forth in this chapter. In the case of a use listed as conditional existing prior to the effective date of this Development Code, a change in use, enlargement or alteration of such use shall conform with the provisions of a conditional use if so classified. Any new or transferred owner or assign is required to abide by the authorized permit. An application for a conditional use permit may be approved, modified, approved with conditions or denied by the city.

Sec. 15.316.020. Procedure type.

Applications for conditional use approval are subject to Type II review in accordance with the procedures in article 7 unless elevated by the city planning official to a Type III review.

Sec. 15.316.030. Submittal requirements.

Applications for conditional use approval, if not submitted concurrently with an application for site plan review, shall, at a minimum, include the materials required for a Type II review as specified in article 7 as well as a site analysis diagram (see 15.312.040.B) and a site development plan (see 15.312.040.D). An application for a conditional use permit shall also contain a narrative report or letter responding to the applicable approval criteria in section 15.316.040. The city may require studies or exhibits prepared by qualified professionals to address specific site features or project impacts (e.g., traffic, noise, environmental features, natural hazards, etc.), as necessary to determine a proposal's conformance with this Development Code.

Sec. 15.316.040. Approval criteria.

In determining whether or not a conditional use proposal shall be approved or denied, it shall be determined that the following criteria are either met or can be met through compliance with specific conditions of approval:

- A. The proposal is in compliance with the requirements set forth by the applicable primary zone, by any applicable overlay zone, and other provisions set forth by this Development Code that are determined applicable to the subject use.
- B. That, for a proposal requiring approvals or permits from other local, state and/or federal agencies, evidence of the approval or permit compliance is established or can be assured prior to final approval.
- C. The proposal is in compliance with specific standards, conditions and limitations set forth for the subject use in the applicable zone, this section and this Development Code.
- D. That no approval be granted for any use which is or [is] expected to be found to exceed resource or public facility carrying capacities, including, but not limited to, transportation water, sewer, and utility systems.
- E. For any use which is found to require compliance with air, water, land, solid waste and/or noise pollution standards, that the compliance be a condition of approval and compliance therewith shall be a continuing condition.

Sec. 15.316.050. Permit and improvements assurance.

An applicant for a conditional use permit may be required to furnish the city with a performance bond or other form of assurance in an amount equal to the estimated value of required improvements and other aspects of a proposed use as deemed necessary to guarantee development in compliance with the standards and conditions set forth in the approval of a conditional use.

Applicant Response: It is our intention to submit for the CUP concurrently with the site plan review.



April 22, 2026

RE: Zayo LaPine, OR Building B
Permit #SPR1-26-0001
Address: 52508 HWY 97 La Pine, OR 97739

Responses in bold:

1. The marking of the 40' x 40' parking area is great, but there needs to be parking stalls proposed in coordination with your stated parking demand; the stalls need to meet the design requirements in subsection J.

The stripping has been added to sheet C103.

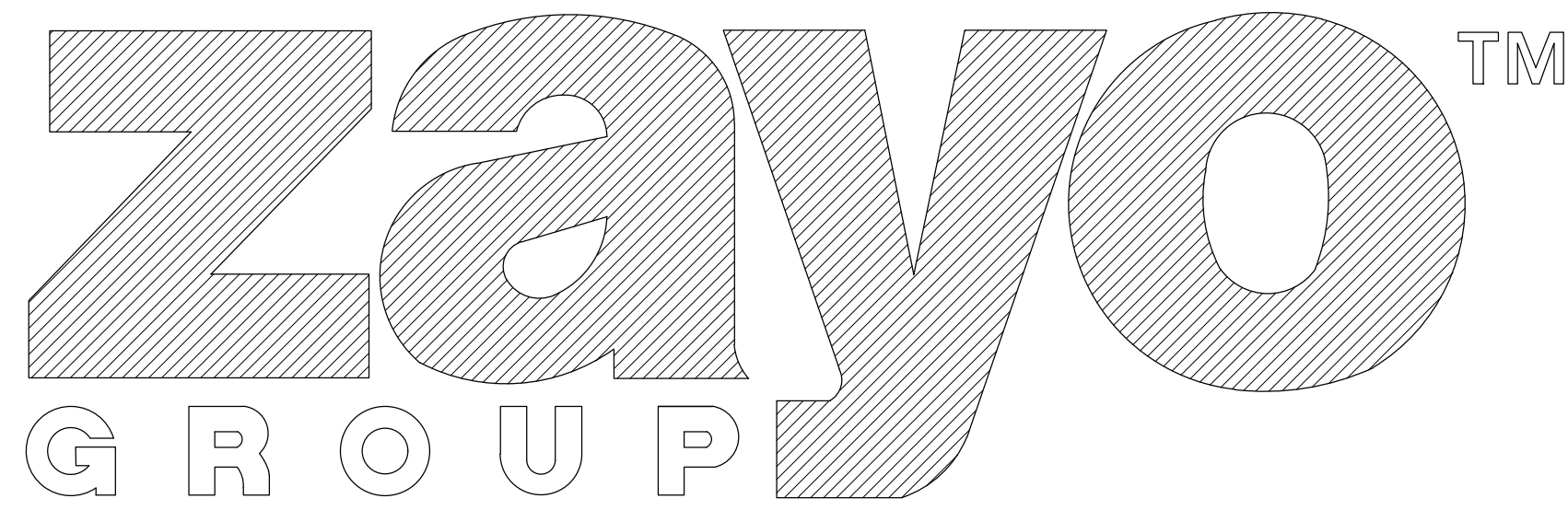
2. Clear vision areas are not shown on the plans, which are required between every intersection between a driveway and street. Please provide for clear vision triangles and demonstrate compliance with this standard in accordance with the sizing requirements of this section.

Clear vision areas have been added to C103.

Respectfully Submitted,

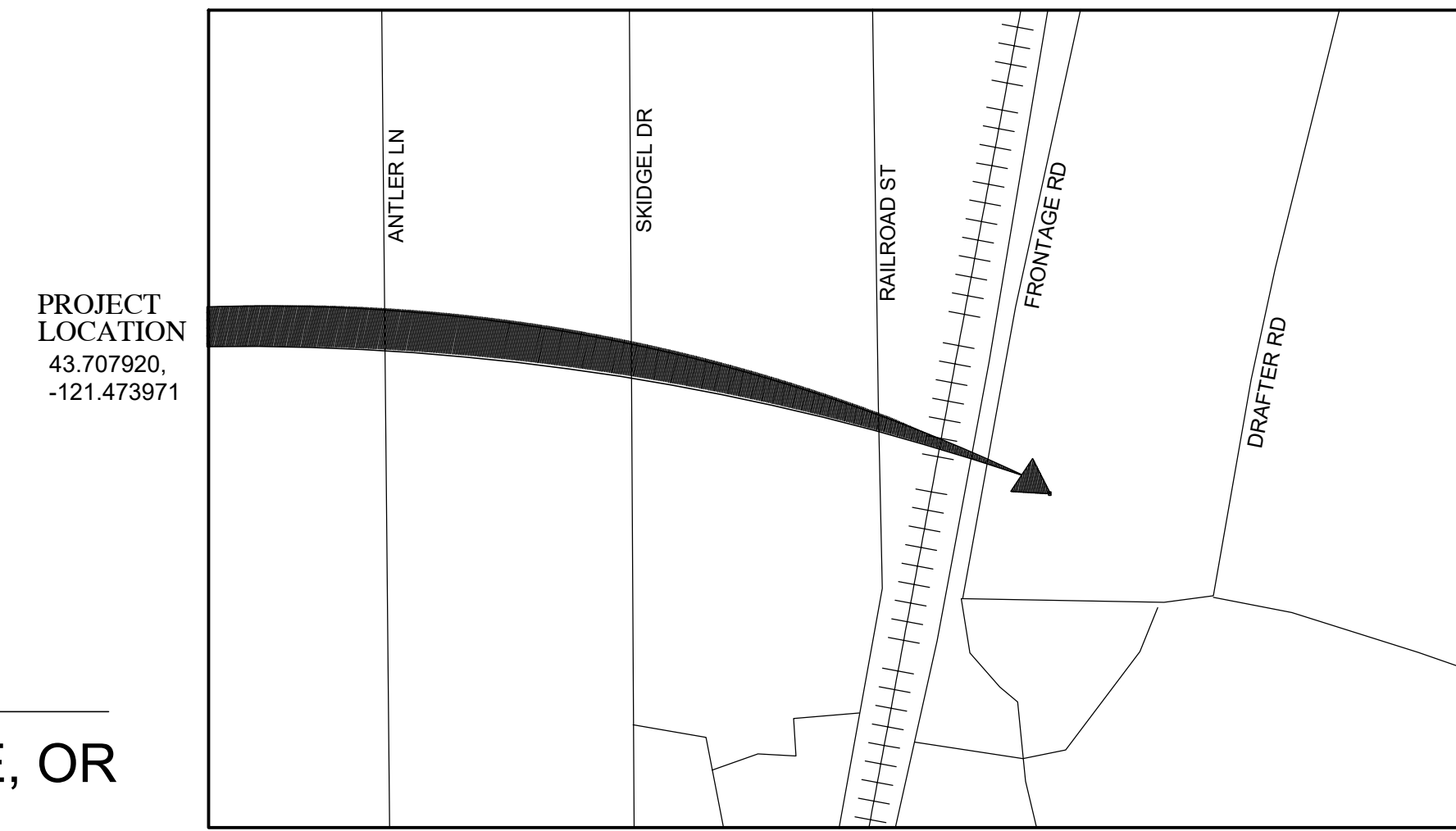
A handwritten signature in blue ink that reads "Rex Atkinson".

Rex Atkinson
Five Nine Design Group

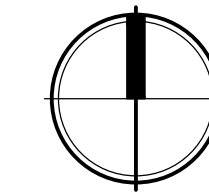


**52508 HWY 97
LA PINE OR, 97739**

PROJECT: ZAYO LA PINE, OR



PROJECT LOCATION
SCALE: NONE



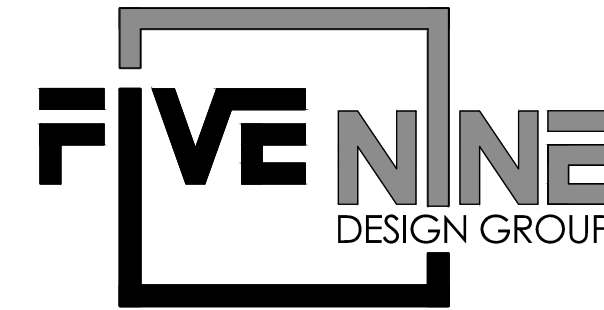
THIS IS AN ORIGINAL DESIGN. CREATED BY FIVE NINE DESIGN GROUP THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.

OWNER



DAVE SNYDER
1401 WYNKOOP STREET
SUITE 500
DENVER, CO 80202
TEL. (720) 495-4600
WWW.ZAYO.COM
dave.snyder@zayo.com

**PROJECT MANAGER/
ARCHITECT**



15925 HARGRAY DRIVE
NOBLESVILLE, IN 46062
CONTACT: REX ATKINSON
(833) 348-3934
REX@FIVE9DG.COM
www.FIVE9DG.com

**STRUCTURAL
CONSULTING ENGINEERS**



4454 Idea Center Blvd
Dayton, OH 45430-1500
(937) 461-5660

04-22-26 ISSUED FOR PLANNING

SHEET INDEX:		01-08-26 ISSUED FOR PLANNING	04-08-26 ISSUED FOR PLANNING REV1	04-08-26 ISSUED FOR PLANNING REV2
T001	TITLE SHEET SURVEY - BY OTHERS FOR REFERENCE	●	●	●
C000	CIVIL GENERAL NOTES	●	●	●
C100	CIVIL DEMOLITION AND EXISTING CONDITIONS PLAN	●	●	●
C101	CIVIL SITE AND UTILITY PLAN	●	●	●
C102	CIVIL GRADING AND EROSION CONTROL PLAN	●	●	●
C103	LANDSCAPING PLAN	●	●	●
C200	WALL ELEVATION	●	●	●
C201	GATE DETAILS	●	●	●
EXH1	PRE-DEVELOPED DRAINAGE AREA PLAN	●	●	●
EXH2	POST-DEVELOPED DRAINAGE AREA PLAN	●	●	●
A101	FLOOR AND CEILING PLAN	●	●	●
A201	EXTERIOR ELEVATIONS	●	●	●

LEGEND:

	ELEVATION TAG
	GRID / COLUMN LINE REF
	DETAIL NO. SHEET NO.
	ELEV. NO. SHEET NO.
	SECT. NO. SHEET NO.
	BREAK ROOM ROOM REFERENCE
	DOOR REFERENCE
	ELEV. NO. SHEET NO.
	WINDOW REFERENCE
	REVISION REFERENCE

GENERAL INFORMATION:

GENERAL NOTES:

- GENERAL CONTRACTOR TO VERIFY ALL ITEMS IN BUILDING UPON DELIVERY. NOTIFY OWNER AND ARCHITECT IMMEDIATELY OF MISSING ITEMS AND COMPONENTS.
- GENERAL CONTRACTOR TO DO A VISUAL INSPECTION OF THE ROOF UPON DELIVERY AND NOTIFY OWNER AND ARCHITECT OF ANY DEFICIENCIES.
- ALL LOCATIONS OF EQUIPMENT PENETRATIONS ARE BASED ON BUILDING SUPPLIER SHOP DRAWINGS.

BUILDING NOTES:

- THIS BUILDING IS PRIMARILY USED AS A TELECOMMUNICATIONS ENCLOSURE.
- BUILDING CAPACITY: 1,728 SQUARE FEET.

DESIGN CODES:

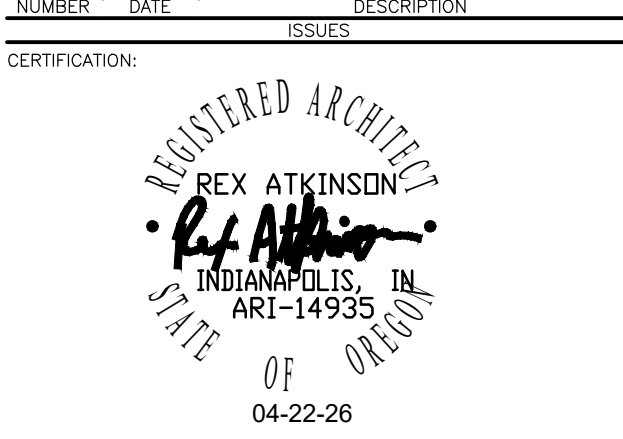
2021 INTERNATIONAL BUILDING CODE
2021 FIRE CODE
2021 NATIONAL ELECTRICAL CODE

CODE INFORMATION:

		CODE REFERENCE
OCCUPANCY	GROUP U (TELECOMMUNICATIONS EQUIPMENT BUILDING) BUILDING IS UNOCCUPIED, ACCESSED ONLY BY TRAINED SERVICE PERSONNEL AND MONITORED REMOTELY	I.B.C. 304 & NFPA 101
TYPE OF CONSTRUCTION	V-B	I.B.C. 602.5
BASIC ALLOWABLE HEIGHT	MAX 1 STORY, 40'-0" ACTUAL 1 STORY, 12'-3 3/4"	I.B.C. TABLE 503
BASIC ALLOWABLE AREA	5,500 S.F. ALLOW. 1,728 SF ACTUAL AREA PER BUILDING	I.B.C. TABLE 503
ALLOWABLE AREA INCREASE	NOT REQUIRED	I.B.C. 506
OCCUPANT LOAD	TELECOMMUNICATIONS EQUIPMENT BUILDINGS - 1,728 SF @ 1/300 - OCCUPANT LOAD = 3	I.B.C. TABLE 1003.2.2.2 & NFPA 101
EXIT REQUIREMENTS	1 REQUIRED, 2 PROVIDED *OCCUPANT LOAD < 50, TRAVEL DISTANCE > 100'-0"	I.B.C. 1004
FIRE RESISTANCE OF EXTERIOR WALLS FOR TYPE V-B UNPROTECTED (BEARING)	REQMTS ACTUAL 0N 3'-8" 0S 5'-7" 0E 25'-2" 0W 339'-6"	I.B.C. - TABLE 601 I.B.C. - TABLE 602
EXTERIOR WALL OPENINGS TYPE V-B (PROTECTED)	ALLOWED ACTUAL 0N 0 0S 0 0E N/A 0W N/A	I.B.C. - TABLE 705.8
SEISMIC CLASSIFICATION	C	ASCE 7-10
SPECIAL OCCUPANCY REQUIREMENTS	NONE	---
FIRE SUPPRESSION SYSTEM	NONE	---
ADA COMPLIANCE	N/A. BUILDING IS UNOCCUPIED, LOCKED AND ACCESS IS PERMITTED ONLY BY AUTHORIZED SERVICE PERSONNEL	ADAAG/UFAS

PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

04-22-26 ISSUED FOR PLANNING REV2
04-08-26 ISSUED FOR PLANNING REV1
01-08-26 ISSUED FOR PLANNING



SHEET TITLE:
TITLE SHEET
PROJECT NUMBER: 24041
CAD FILE: 411T001.DWG
DRAWN BY: ALC
CHECKED BY: REA

SHEET NUMBER: **T001**

TOPOGRAPHIC SITE SURVEY OF LOT 9 OF SUNDOWN PARK LOCATED
 IN THE NW1/4 SE1/4 OF SECTION 36, T.21S., R.10E., W.M.,
 DESCHUTES COUNTY, OREGON
 W.O. 18-5161

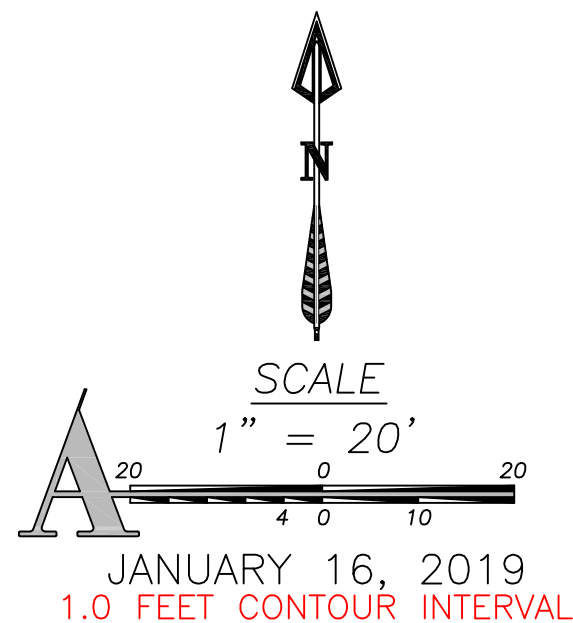
SURVEY FOR
 FIVE NINE DESIGN GROUP
 8730 POWDERHORN WAY
 INDIANAPOLIS, IN 46256
 (812) 987-5316

SURVEY BY
 ARMSTRONG SURVEYING, INC.
 267 NE SECOND ST. STE. 100
 PRINEVILLE, OR 97754
 (541) 447-7791

**REGISTERED
 PROFESSIONAL
 LAND SURVEYOR**

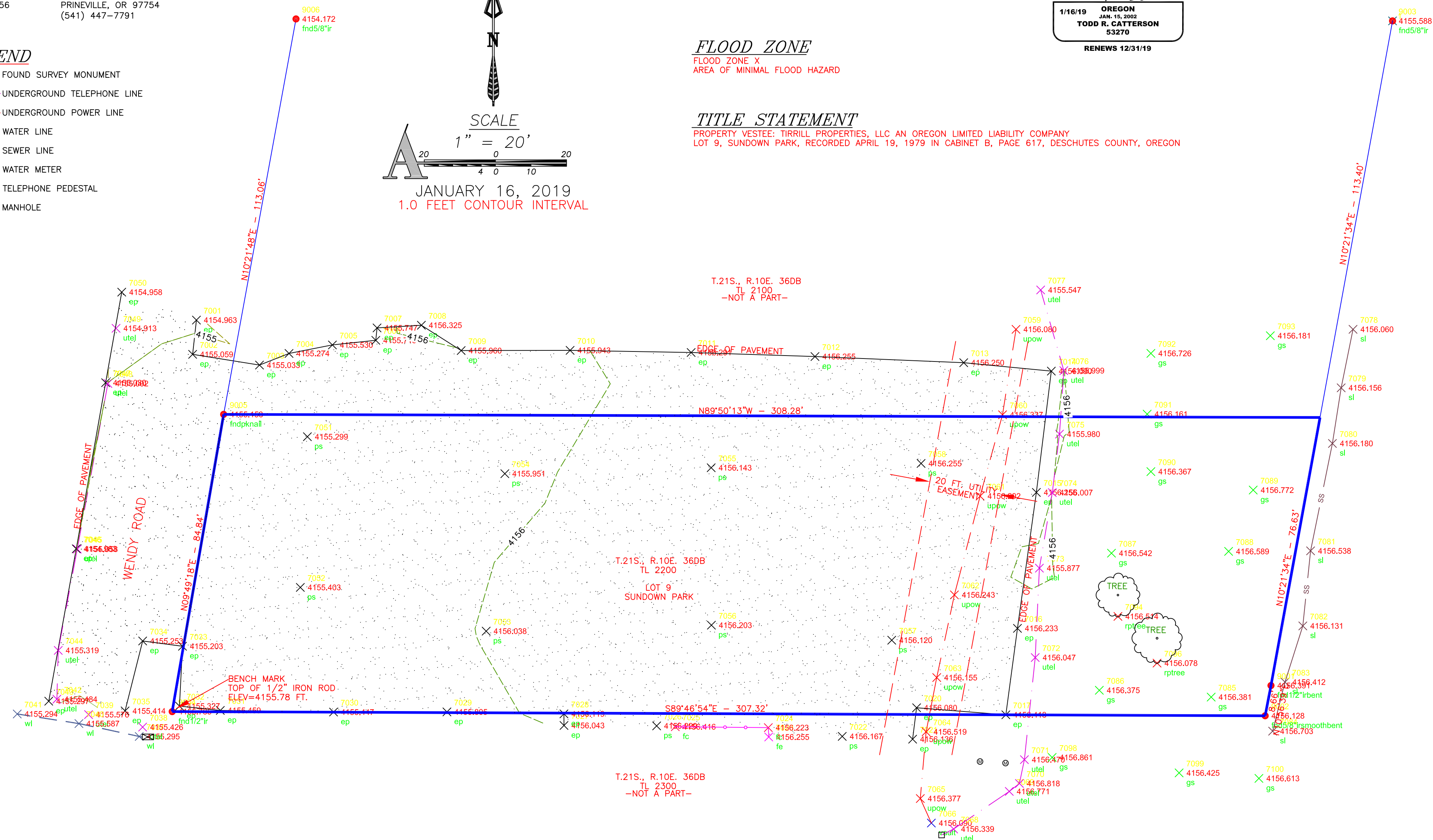
 1/16/19 OREGON
 JAN. 15, 2002
TODD R. CATTERSON
 53270
 RENEWS 12/31/19

- LEGEND**
- FOUND SURVEY MONUMENT
 - - - UNDERGROUND TELEPHONE LINE
 - - - UNDERGROUND POWER LINE
 - - - WATER LINE
 - - - SS - SEWER LINE
 - ⊠ WATER METER
 - TELEPHONE PEDESTAL
 - ⊙ MANHOLE



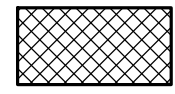
FLOOD ZONE
 FLOOD ZONE X
 AREA OF MINIMAL FLOOD HAZARD

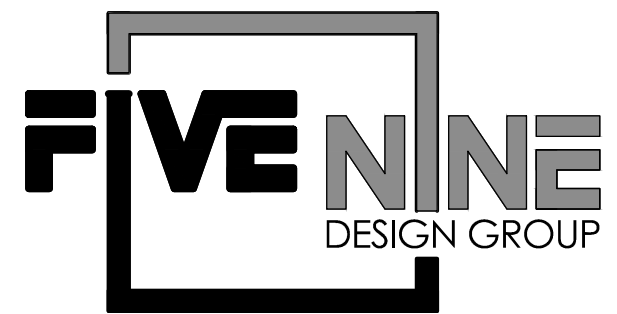
TITLE STATEMENT
 PROPERTY VESTEE: TIRRILL PROPERTIES, LLC AN OREGON LIMITED LIABILITY COMPANY
 LOT 9, SUNDOWN PARK, RECORDED APRIL 19, 1979 IN CABINET B, PAGE 617, DESCHUTES COUNTY, OREGON



LEGEND

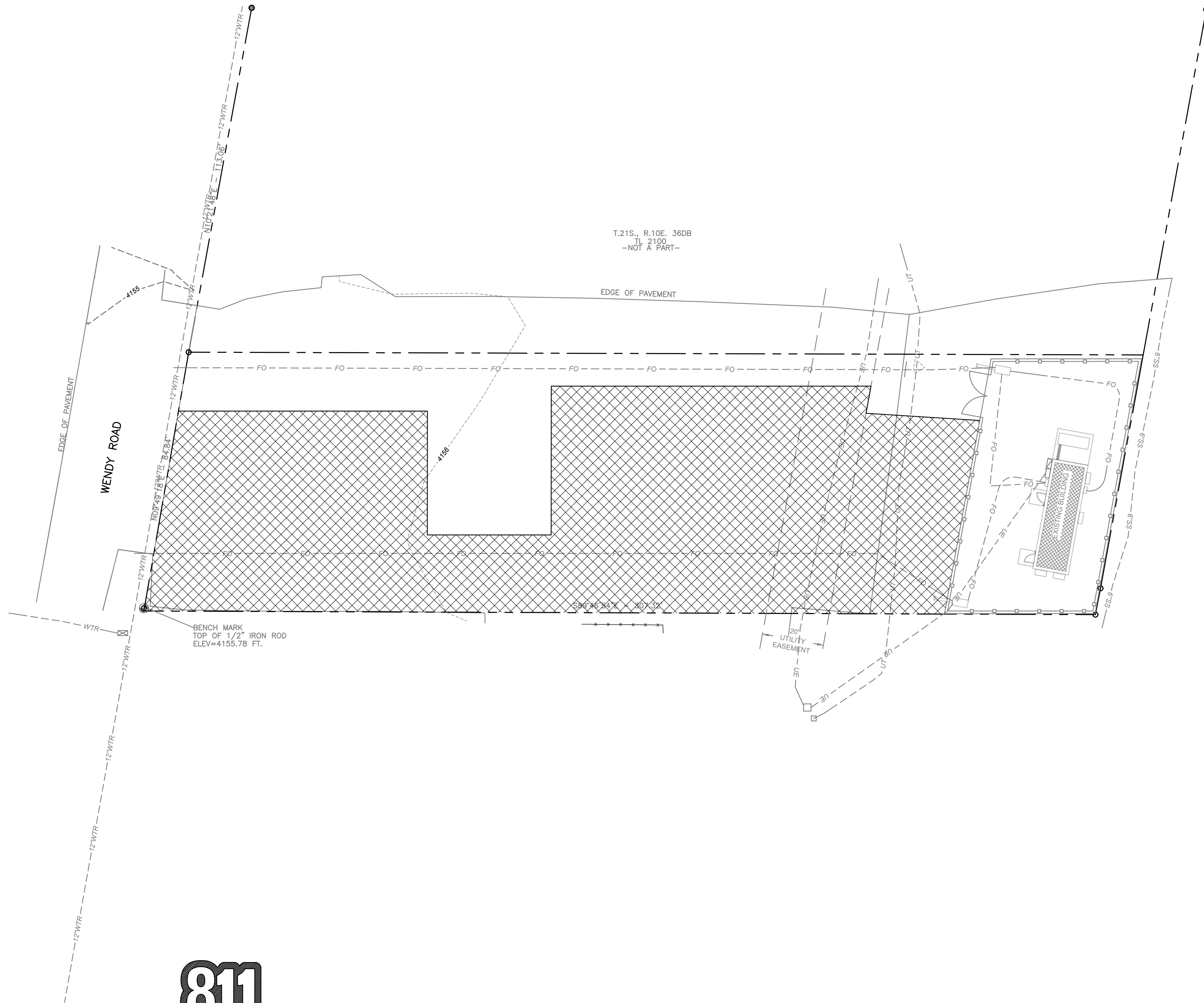
- 4156----- EXISTING 1' CONTOUR
- 4155----- EXISTING 5' CONTOUR
- - - - - UE - - - - - EXISTING UNDERGROUND ELECTRIC
- - - - - FO - - - - - EXISTING UNDERGROUND FIBER CONDUIT
- - - - - UT - - - - - EXISTING COMM. LINE
- - - - - 6"SS - - - - - EXISTING 6" SANITARY LINE
- - - - - 12"WTR - - - - - EXISTING 12" WATER LINE
- EXISTING WOOD FENCE

-  REMOVE EXISTING ASPHALT



15925 HARGRAY DRIVE
 NOBLESVILLE, INDIANA 46062
 P: 833-348-3934
 www.five9dg.com

THIS IS AN ORIGINAL DESIGN CREATED BY FIVE NINE DESIGN GROUP. THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.



PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

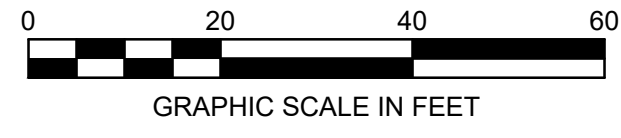
NUMBER	DATE	DESCRIPTION
1	12/16/2025	ISSUE FOR PERMIT
2	12/18/2025	BUILDING REVISIONS
3	03/30/2026	CITY COMMENTS

NUMBER	DATE	DESCRIPTION



**Know what's below.
 Call before you dig.**

NOTE: ARCHITECTURAL, ELECTRICAL, AND MECHANICAL PLANS ARE ORIENTED DIFFERENTLY THAN SITE PLAN. PLEASE NOTE NORTH ARROW ON EACH PLAN SHEET FOR PROPER ORIENTATION.

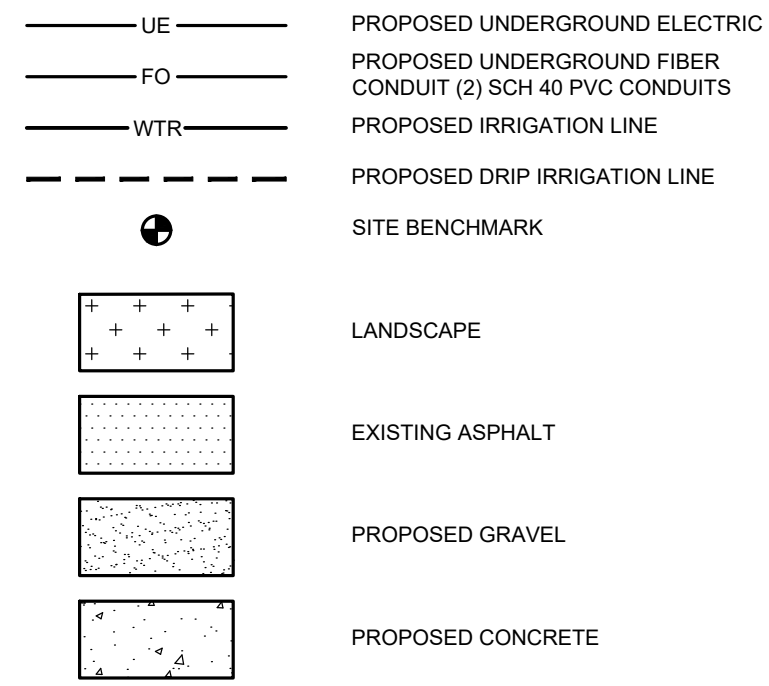


SHEET TITLE:
CIVIL DEMOLITION AND EXISTING CONDITIONS PLAN

PROJECT NUMBER: 24041
 CAD FILE:
 DRAWN BY: WCM
 CHECKED BY: DT

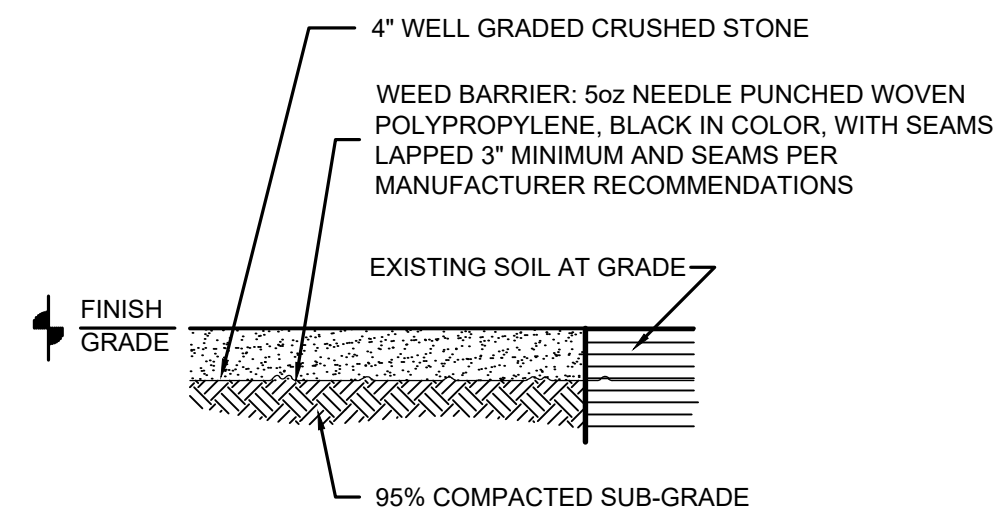
SHEET NUMBER:
C100

LEGEND

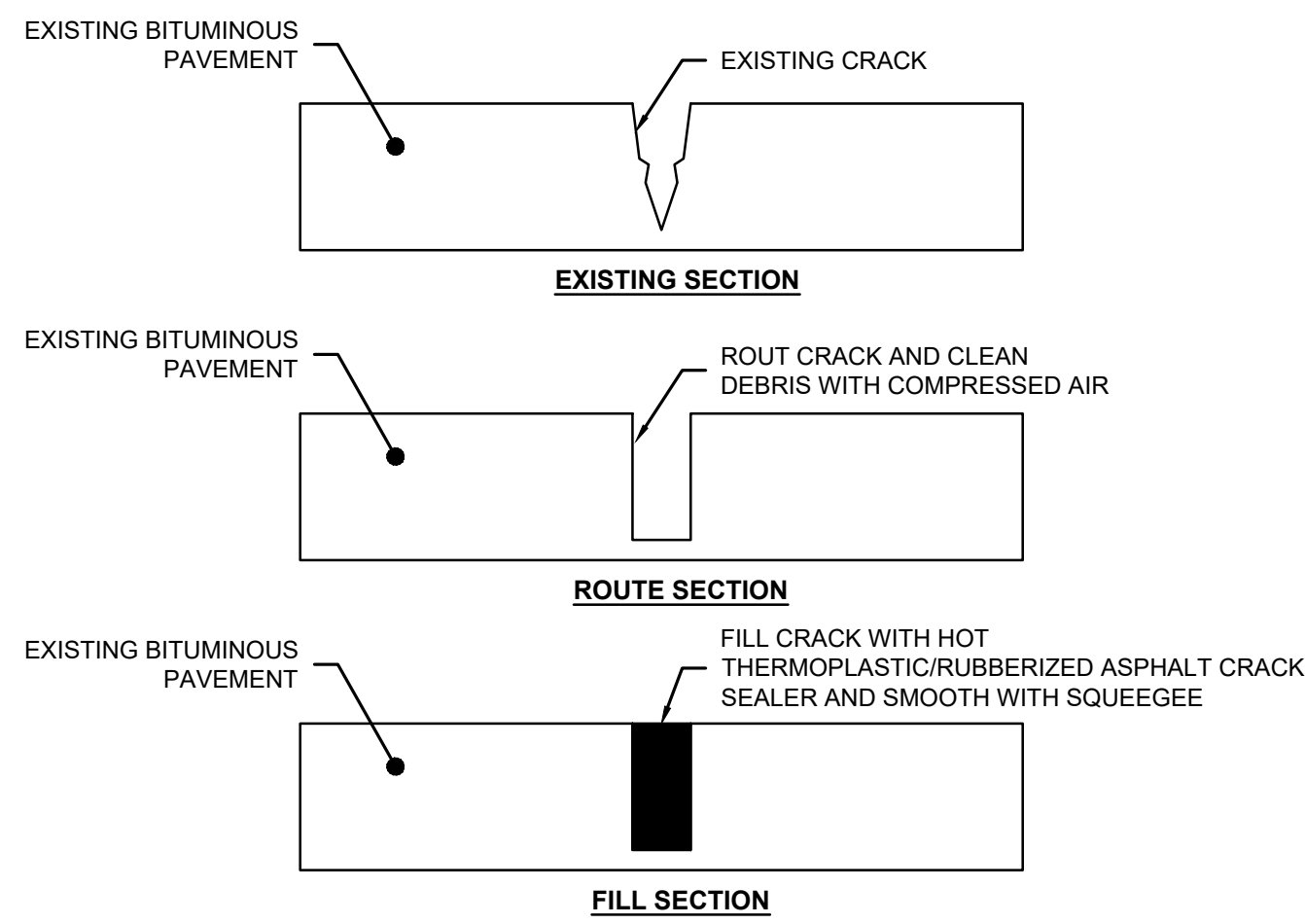


KEYNOTES

- SWINGING GATE. SEE DETAIL ON SHEET C201.
- PROPOSED GRAVEL YARD. SEE DETAIL ON SHEET C101.
- PRECAST GENERATOR PAD FURNISHED AND INSTALLED BY BUILDING MANUFACTURER - SEE MANUFACTURER DRAWINGS.
- GENERATOR SET AND BELLY FUEL TANK FURNISHED BY OWNER AND INSTALLED BY G.C. - SEE MANUFACTURER DRAWINGS.
- PVC CONDUITS FOR POWER AND TELEMETRY - SEE ELECTRICAL DRAWINGS.
- UNDERGROUND ELECTRIC, COORDINATE REQUIREMENTS AND LOCATION WITH LOCAL UTILITY.
- 1.5" SOFT COPPER (TYPE K) IRRIGATION (REQUIRED FROM WATER MAIN TO METER).
- IRRIGATION METER AND BACKFLOW PREVENTOR TO BE LOCATED ON PROPERTY LINE.
- PROVIDE DRIP IRRIGATION LINE TO FOLLOW PLANT LINE. SEE LANDSCAPE PLAN ON SHEET C103.
- PRE-CAST CONCRETE STOOPS FURNISHED AND INSTALLED BY G.C.
- CMU WALL. SEE DETAILS ON SHEET C201.
- UNDERGROUND FIBER. G.C. TO FURNISH AND INSTALL (2) 4" SCH 40 CONDUITS.
- ONE-STORY PRECAST BUILDING. SEE ARCHITECTURAL PLANS FOR DETAILS.
- LOCATE EXISTING FIBER LINE PRIOR TO CONSTRUCTION, NOTIFY OWNER, ENGINEER, AND ARCHITECT OF ANY ISSUES.
- OMIT ONE CMU AT BASE OF WALL TO PROVIDE OVERLAND FLOOD ROUTE.
- SNOW STORAGE AREA (-680 SF).
- VEHICLE PARKING.
- CONTRACTOR TO COORDINATE WITH CITY OF LA PINE WATER DEPARTMENT FOR FINAL CONNECTION, EQUIPMENT SETTING, AND MATERIAL REQUIREMENTS.

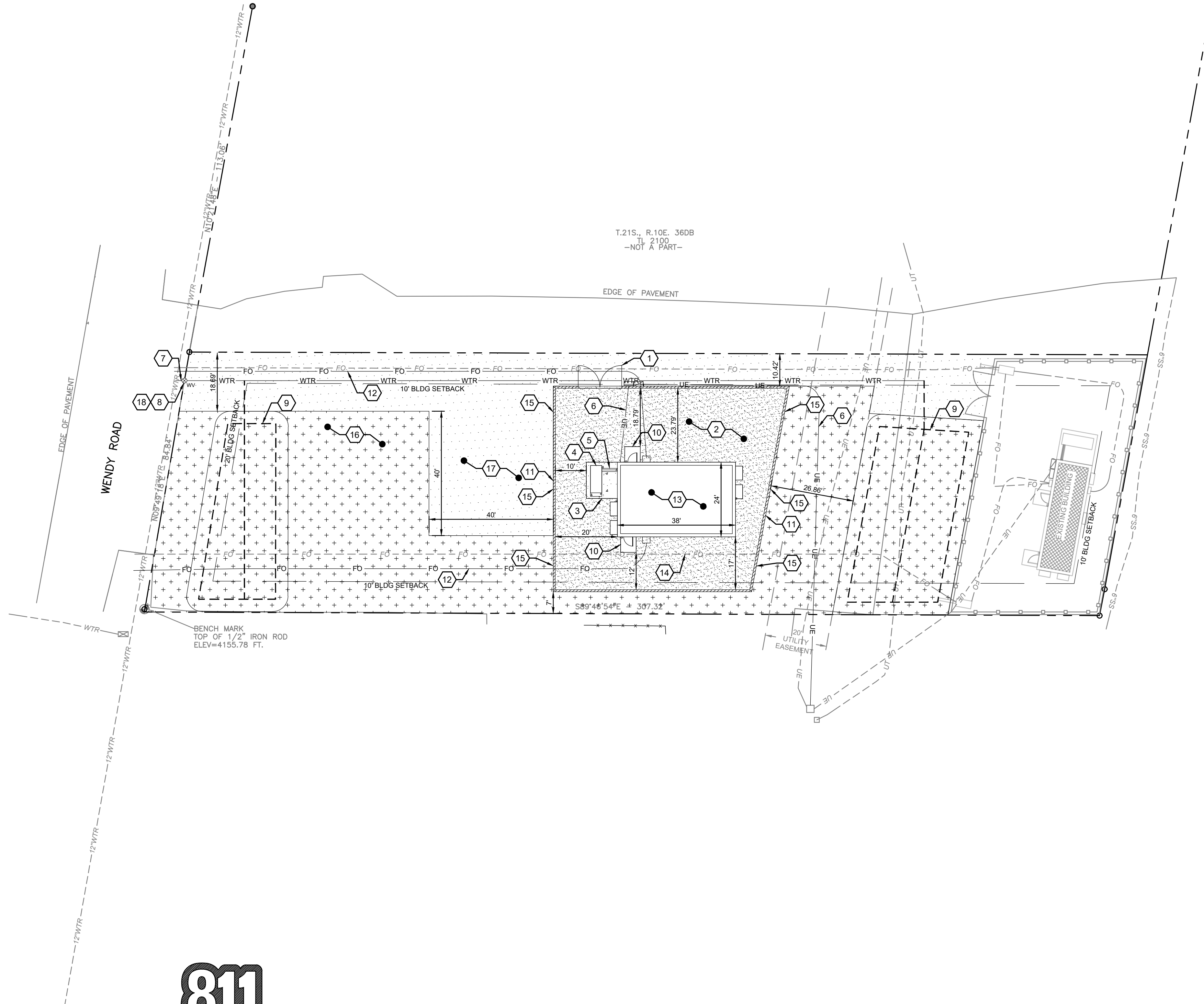


1
C101 **GRAVEL YARD DETAIL**
SCALE: 3/4"=1'-0"



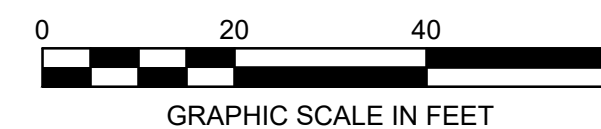
1. SIGNIFICANT EXISTING CRACKS (GREATER THAN 1/4" WIDE) SHALL BE ROUTED AND SEALED.

2
C101 **CRACK ROUT & SEAL**
SCALE: NTS



Know what's below.
Call before you dig.

NOTE: ARCHITECTURAL, ELECTRICAL, AND MECHANICAL PLANS ARE ORIENTED DIFFERENTLY THAN SITE PLAN. PLEASE NOTE NORTH ARROW ON EACH PLAN SHEET FOR PROPER ORIENTATION.



15925 HARGRAY DRIVE
NOBLESVILLE, INDIANA 46062
P: 833-348-3934
www.five9dg.com

THIS IS AN ORIGINAL DESIGN CREATED BY FIVE NINE DESIGN GROUP. THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.

PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

NUMBER	DATE	DESCRIPTION
1	12/16/2025	ISSUE FOR PERMIT
2	12/18/2025	BUILDING REVISIONS
3	03/30/2026	CITY COMMENTS

NUMBER	DATE	DESCRIPTION



SHEET TITLE:

CIVIL SITE AND UTILITY PLAN

PROJECT NUMBER: 24041
CAD FILE:
DRAWN BY: WCM
CHECKED BY: DT

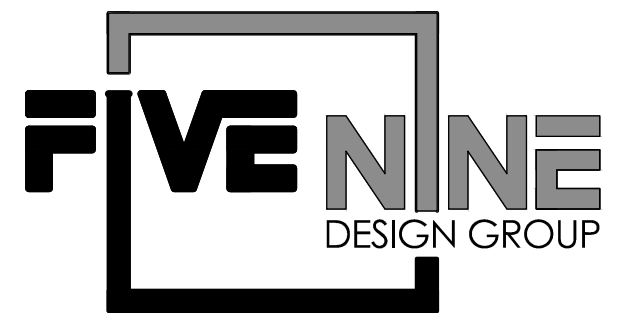
SHEET NUMBER: **C101**

LEGEND

- 4156--- EXISTING 1' CONTOUR
- 4155--- EXISTING 5' CONTOUR
- 4156— PROPOSED 1' CONTOUR
- 4155— PROPOSED 5' CONTOUR
- ||||| FILTER SOCK
- XXX.XX SPOT ELEVATION
- XXX.XX+ MATCH EXISTING
- X.X% SLOPE ARROW

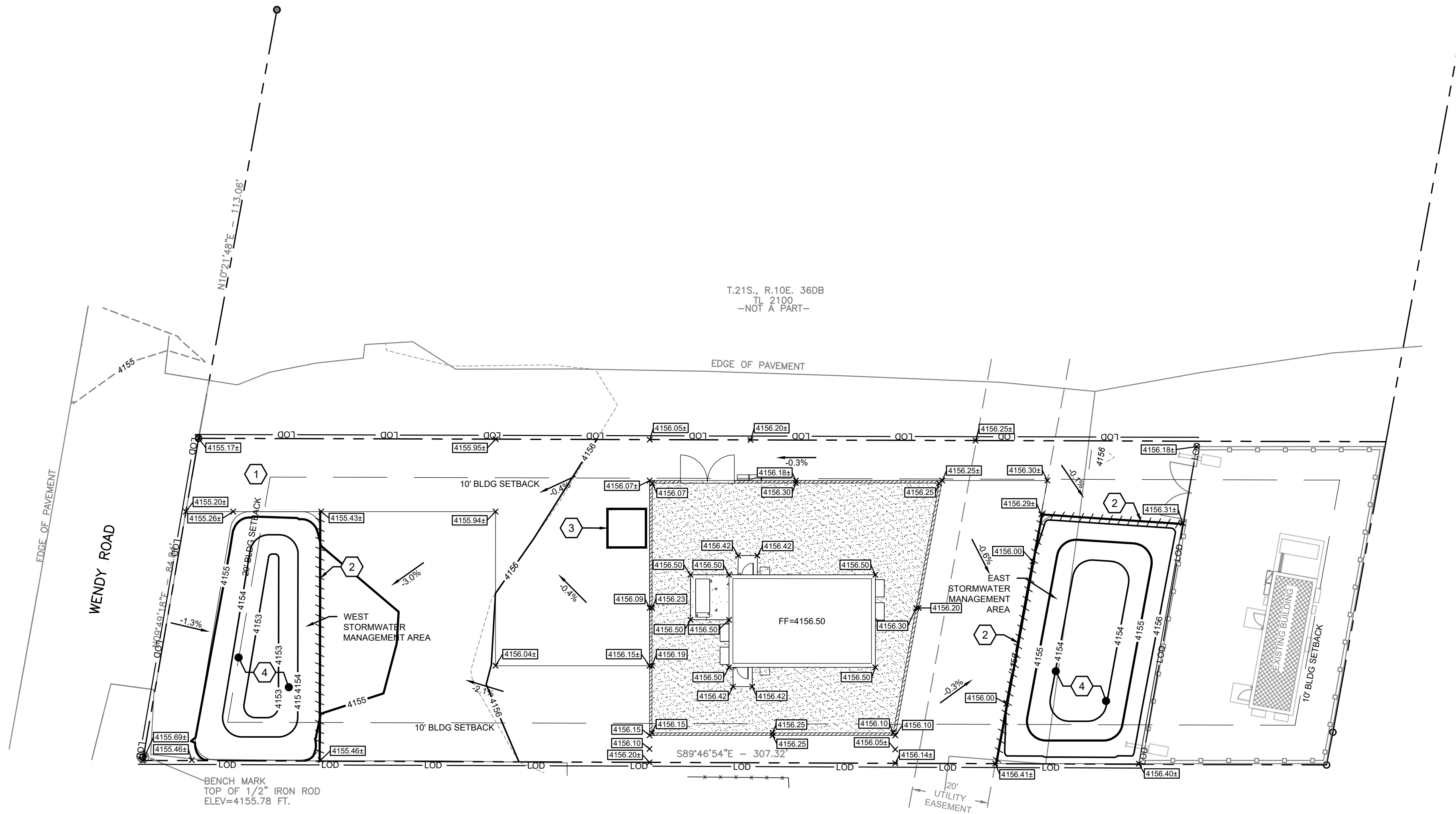
KEYNOTES (X)

1. UTILIZE EXISTING PAVEMENT FOR CONSTRUCTION ACCESS. IF SEDIMENT IS BEING TRACKED OFFSITE PROVIDE A CONSTRUCTION ENTRANCE PER OREGON DOT DETAIL RD1000 - "CONSTRUCTION ENTRANCES".
2. FILTER SOCK, SEE OREGON DOT DETAIL RD1032 - "SEDIMENT BARRIER TYPE 8".
3. CONCRETE TRUCK WASH OUT, SEE OREGON DOT DETAIL RD1070 - "CONCRETE TRUCK WASH OUT".
4. DURING CONSTRUCTION CONTRACTOR TO PROVIDE INFILTRATION TEST AT ELEVATION 4153.00 FOR THE WEST AREA AND ELEVATION 4154.00 FOR THE EAST AREA. NOTIFY THE ENGINEER IF THE INFILTRATION RATE IS LESS THAN 2.00 INCHES PER HOUR.



15925 HARGRAY DRIVE
NOBLESVILLE, INDIANA 46062
P: 833-348-3934
www.five9dg.com

THIS IS AN ORIGINAL DESIGN CREATED BY FIVE NINE DESIGN GROUP. THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.



PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

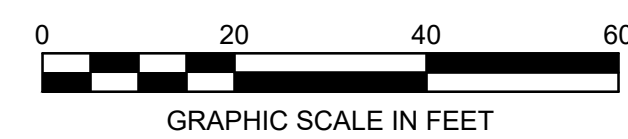
NUMBER	DATE	DESCRIPTION
1	12/16/2025	ISSUE FOR PERMIT
2	12/18/2025	BUILDING REVISIONS
3	03/30/2026	CITY COMMENTS

NUMBER	DATE	DESCRIPTION



Know what's below.
Call before you dig.

NOTE: ARCHITECTURAL, ELECTRICAL, AND MECHANICAL PLANS ARE ORIENTED DIFFERENTLY THAN SITE PLAN. PLEASE NOTE NORTH ARROW ON EACH PLAN SHEET FOR PROPER ORIENTATION.



SHEET TITLE:
CIVIL GRADING AND EROSION CONTROL PLAN

PROJECT NUMBER: 24041
CAD FILE:
DRAWN BY: WCM
CHECKED BY: DT

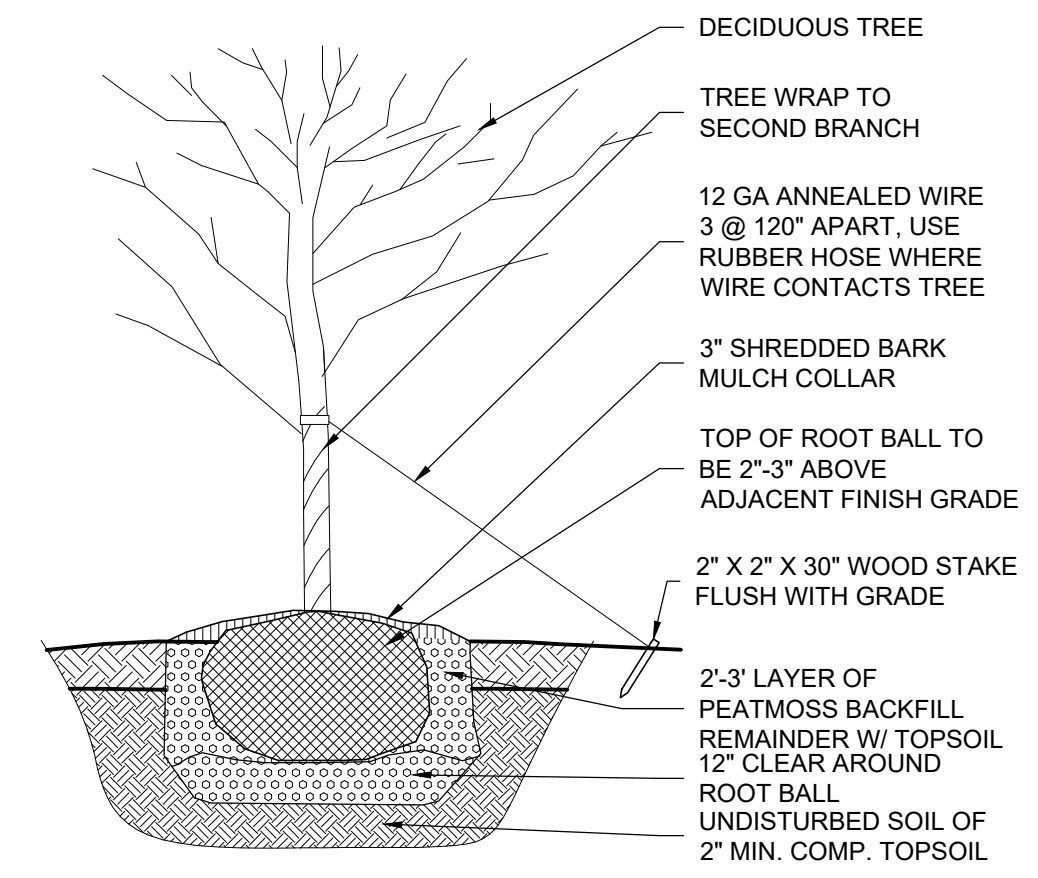
SHEET NUMBER: **C102**

PLANT SCHEDULE

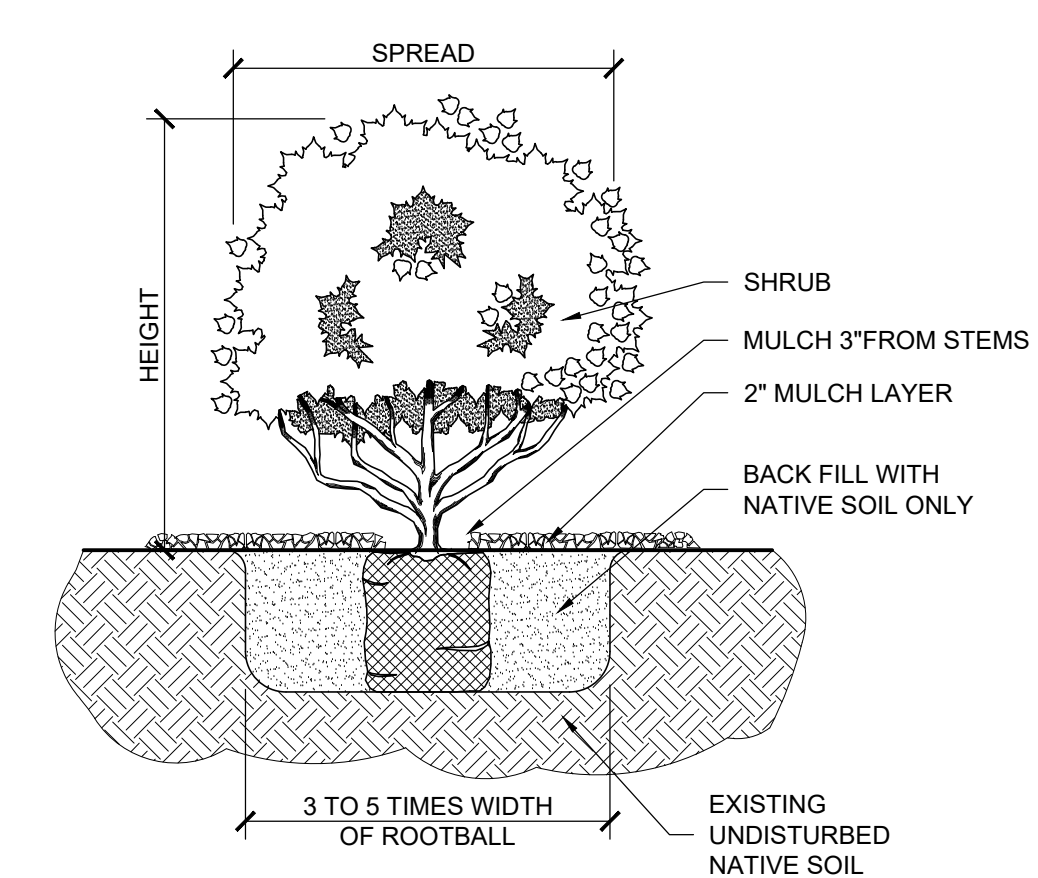
SYMBOL	BOTANICAL NAME	COMMON NAME	MATURE SIZE	SIZE	#	DETAIL
	ACER RUBRUM	RED MAPLE	40' WIDE 70' TALL	6'	6	
	CORNUS KOUSA	WHITE KOUSA DOGWOOD	25' WIDE 25' TALL	6'	6	
	PICEA PUNGENS	BABY BLUE SPRUCE	15' WIDE 20' TALL	6'	5	
	CORNUS SERICEA	REDOSIER DOGWOOD	5'-0" W 14'-0" T	6'	18	
	THUJA OCCIDENTALIS	HERTZ MIDGET THUJA	5'-0" W 7'-0" T	3 GAL ROOT BALL 12" MIN	12	
	---	HARDWOOD MULCH			--	--
	RUSCHIA LINEOLATA 'NANA'	DWARF CARPET OF STARS MUDFLAT-PPAF SUCCULENT			--	--

- LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES, STRUCTURES AND LINE RUNS.
- TOPSOIL REMOVED DURING CONSTRUCTION SHALL BE STOCKPILED ON-SITE AND REUSED IN ON-SITE LANDSCAPE AREAS. NO MATERIAL OR TEMPORARY SOIL DEPOSITS SHALL BE PLACED WITHIN SIX (6) FEET OF ANY EXISTING TREE TRUNK.
- EXCEPT WHILE ENGAGED IN TREE REMOVAL, NO MECHANICAL EQUIPMENT WEIGHING IN EXCESS OF TWO (2) TONS, INCLUDING BUT NOT LIMITED TO BULLDOZERS, EARTH MOVERS, OR OTHER HEAVY CONSTRUCTION EQUIPMENT, SHALL BE OPERATED WITHIN SIX (6) FEET OF ANY PROTECTED TREE. NO SUCH EQUIPMENT SHALL BE OPERATED AT ANY TIME IN SUCH A MANNER AS TO BREAK, TEAR, BRUISE, OR OTHERWISE INJURE ANY LIVING OR DORMANT TREE.
- TREES SHALL BE HANDLED BY ROOT BALLS ONLY. DO NOT DAMAGE BALL, TRUNK, OR LOOSEN TRUNK FROM BALL. TREE TRUNKS ARE TO BE INSTALLED PLUMB.
- ALL TREE WELLS SHALL RECEIVE A 3" TOP DRESS LAYER OF SHREDDED HARDWOOD MULCH.
- ALL CONTAINER-GROWN MATERIAL MUST BE OF NURSERY STOCK CONDITIONS WITH A WELL-ESTABLISHED ROOT SYSTEM REACHING THE SIDES OF THE CONTAINER SO AS TO MAINTAIN A FIRM BALL WHEN THE CONTAINER IS REMOVED, BUT NOT SHALL HAVE EXCESSIVE ROOT GROWTH ENCIRCLING THE INSIDE OF THE CONTAINER.
- ALL PLANT VARIETIES MUST COME FROM A SAME SOURCE SUPPLIER IN ORDER TO MAINTAIN A CONSISTENT APPEARANCE.
- CONTRACTOR'S OPTION TO USE READILY AVAILABLE SIMILAR MATERIAL AT LAWN AREAS.
- PROVIDE NECESSARY HUMUS AND STARTER FERTILIZERS TO ALL AREAS AS REQUIRED FOR NEW SEEDING.
- OWNER TO MAINTAIN LANDSCAPE IN GOOD CONDITION, REPLACE DEAD TREES WITH LIKE PLANTS, AND WATER LANDSCAPE AS NECESSARY TO PRESERVE PLANTINGS.
- PLANT MATERIALS SHALL BE ERECT AFTER PLANTING, STAKED AS DETAILED. REMOVE NURSERY STAKES BUT RETAIN NURSERY LABELS UNTIL END OF MAINTENANCE PERIOD. MAINTENANCE PERIOD IS TO BE 120 DAYS MINIMUM WITH A ONE-YEAR GUARANTEE FOR TREES.

LANDSCAPE TABLE 25,791 TOTAL SF	
LANDSCAPING	25,791 SQ. FT X .15 = 3,869 SQ. FT LANDSCAPING REQUIRED
LANDSCAPING	4,179 SQ. FT LANDSCAPING PROVIDED
COVERAGE	25,791 SQ. FT X .60 = 15,475 SQ. FT MAX COVERAGE
COVERAGE	8,406 SQ. FT COVERAGE = 33%



2 TREE PLANTING DETAIL
C103 SCALE: 3/4" = 1'-0"

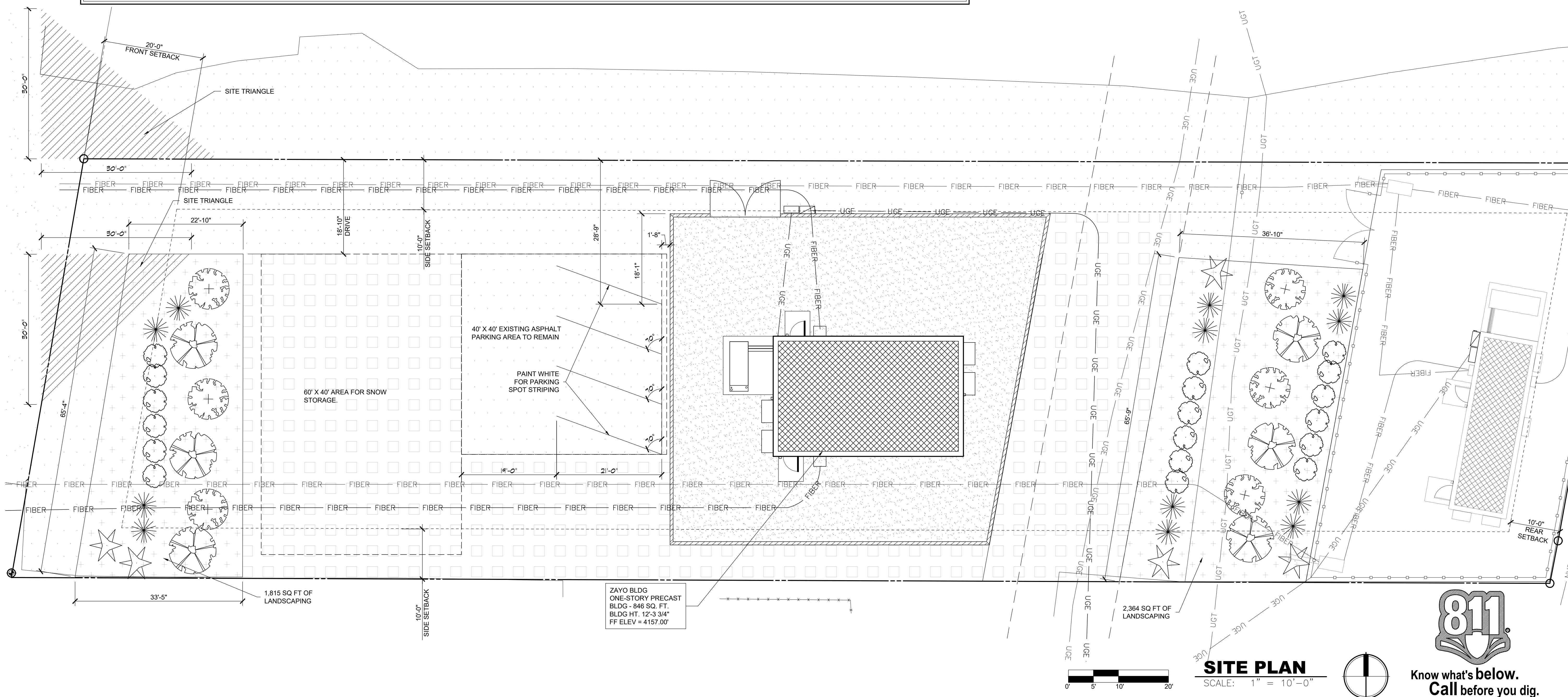


1 SHRUB PLANTING DETAIL
C103 SCALE: 3/4" = 1'-0"

FIVE NINE
DESIGN GROUP

15925 HARGRAY DRIVE
NOBLESVILLE, INDIANA 46062
P: 833-348-3934
www.fiveninegd.com

THIS IS AN ORIGINAL DESIGN CREATED BY FIVE NINE DESIGN GROUP. THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.



SITE PLAN
SCALE: 1" = 10'-0"

zayo
GROUP

PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

04-22-26 ISSUED FOR PLANNING REV2
01-21-26 ISSUED FOR PLANNING REV1
01-08-26 ISSUED FOR PLANNING

CERTIFICATION:
REGISTERED ARCHITECT
REX ATKINSON
LA PINE, IN
INDIANAPOLIS, IN
ART-14935
STATE OF OREGON
04-22-26

LANDSCAPING PLAN

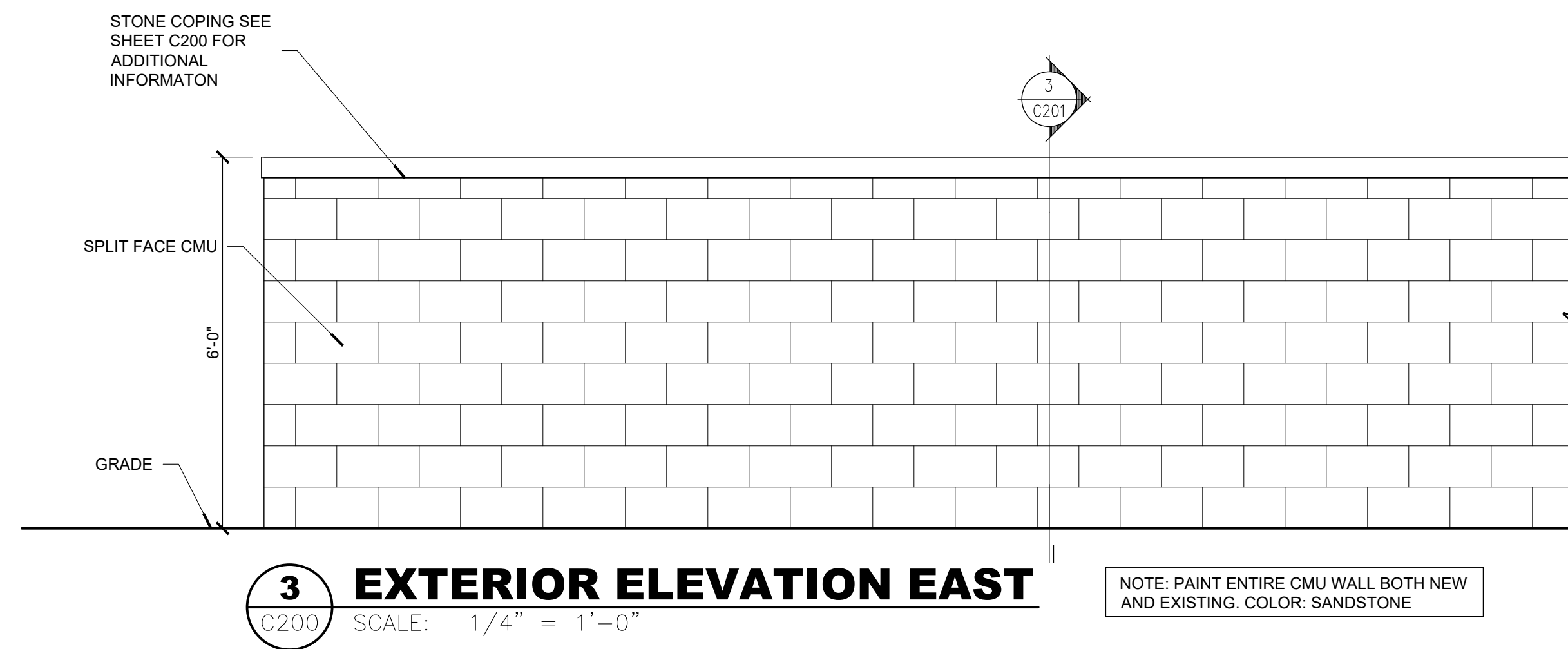
PROJECT NUMBER 24041
CAD FILE: 41C103.DWG
DRAWN BY: ALC
CHECKED BY: REA

SHEET NUMBER: **C103**

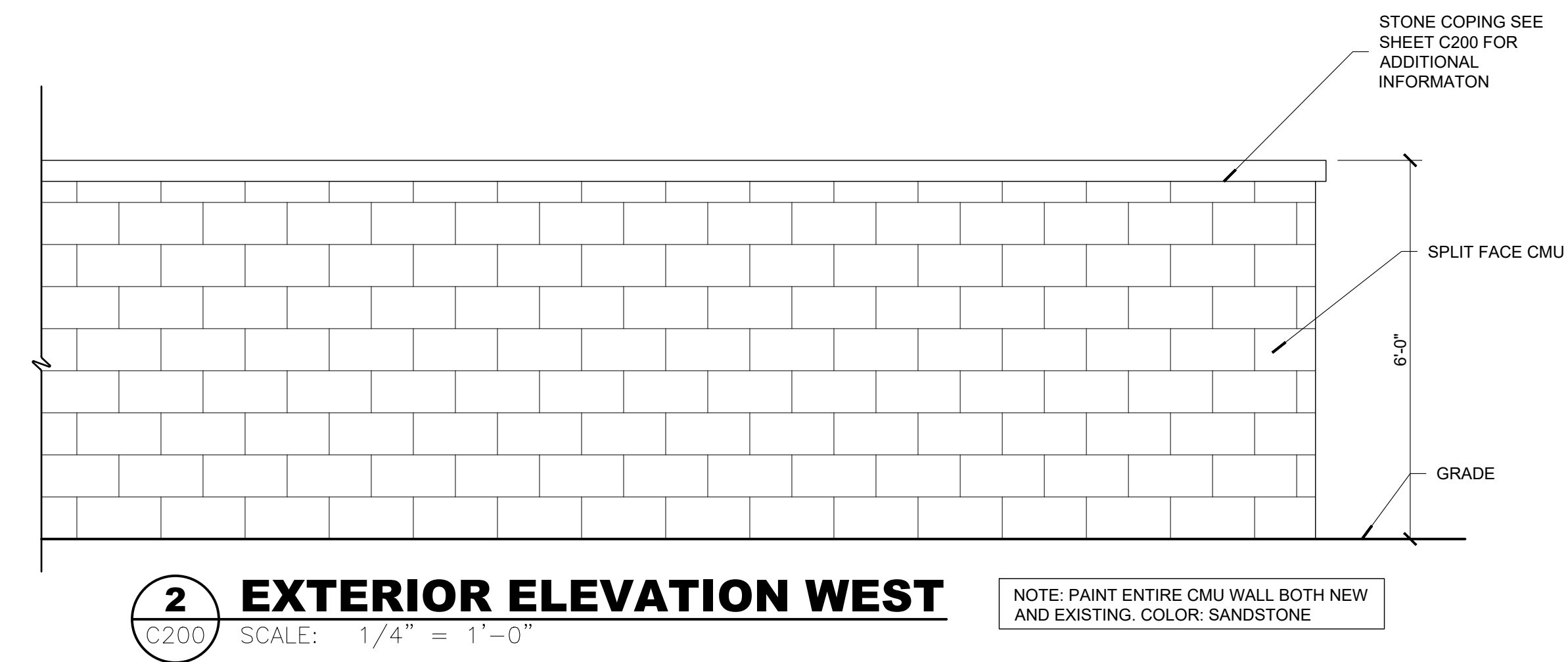


Know what's below.
Call before you dig.

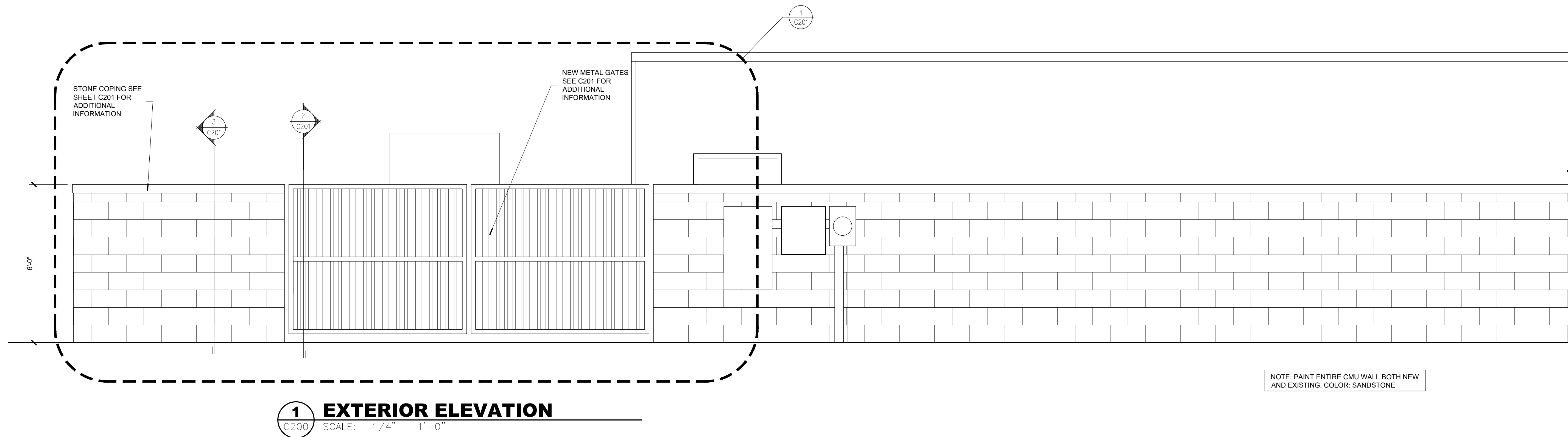
THIS IS AN ORIGINAL DESIGN CREATED BY FIVE NINE DESIGN GROUP THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.



3 EXTERIOR ELEVATION EAST
C200 SCALE: 1/4" = 1'-0"



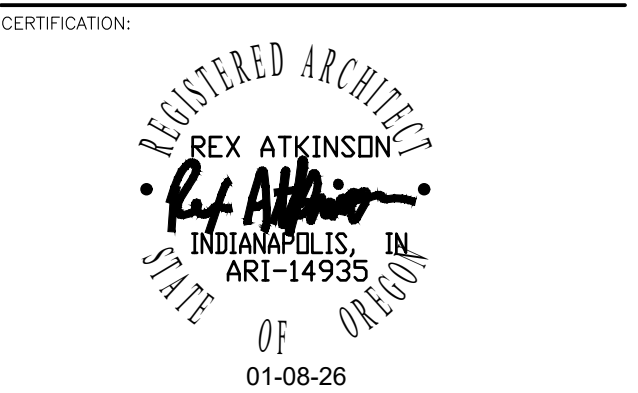
2 EXTERIOR ELEVATION WEST
C200 SCALE: 1/4" = 1'-0"



1 EXTERIOR ELEVATION
C200 SCALE: 1/4" = 1'-0"

NAAYO
GROUP
PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

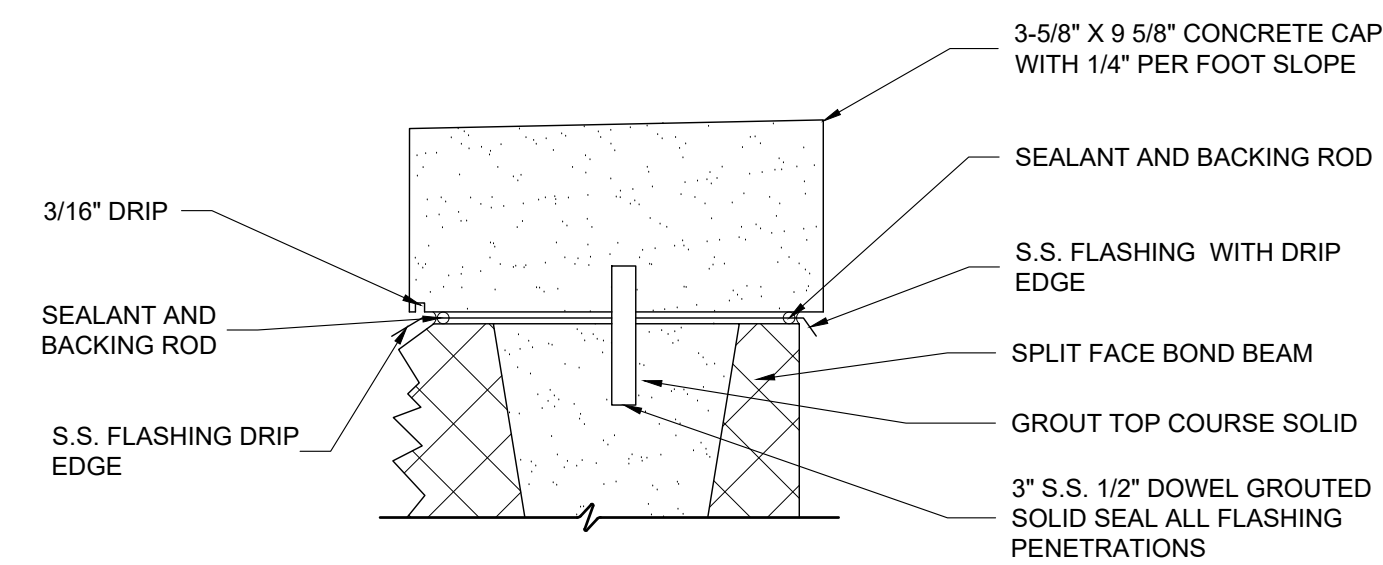
NUMBER	DATE	DESCRIPTION
01-08-26	ISSUED FOR PLANNING	



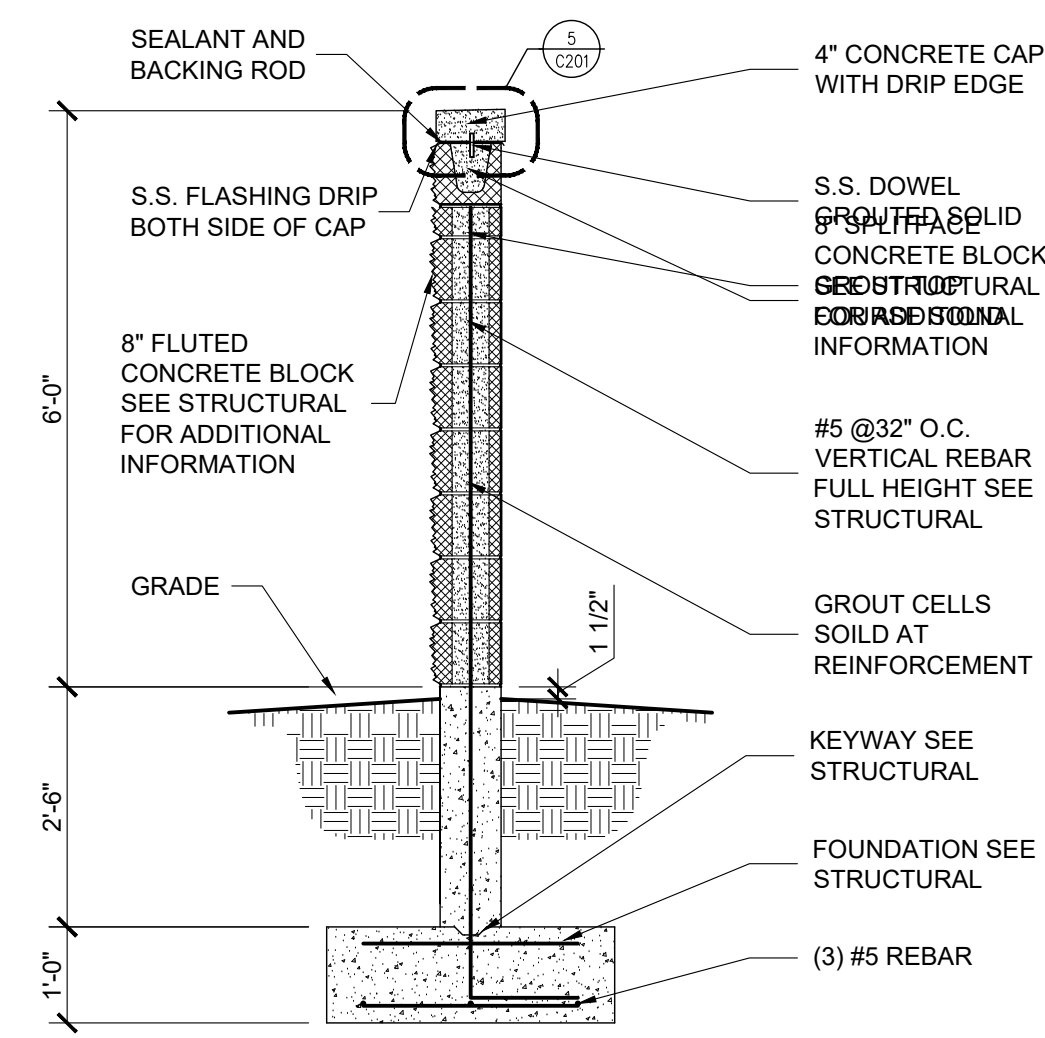
SHEET TITLE:
WALL ELEVATIONS
PROJECT NUMBER: 24041
CAD FILE: 41C200.DWG
DRAWN BY: ALC
CHECKED BY: REA

SHEET NUMBER:
C200

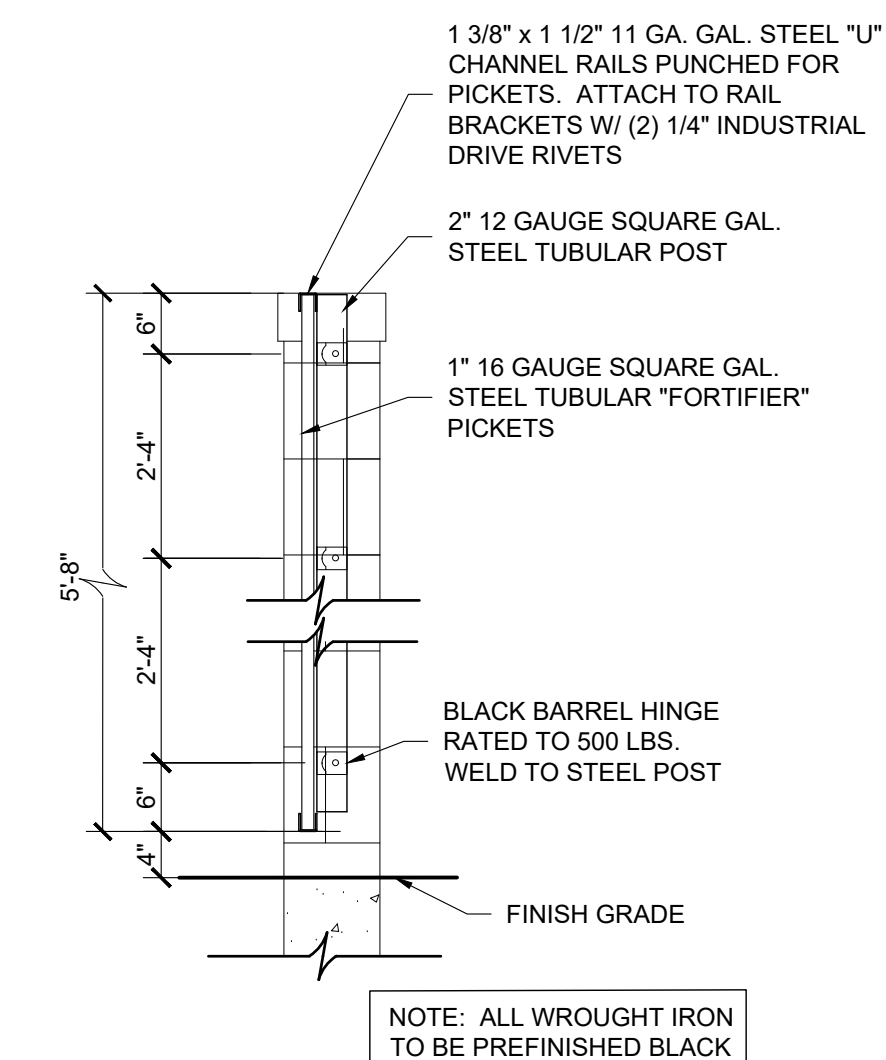
THIS IS AN ORIGINAL DESIGN CREATED BY FIVE NINE DESIGN GROUP THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.



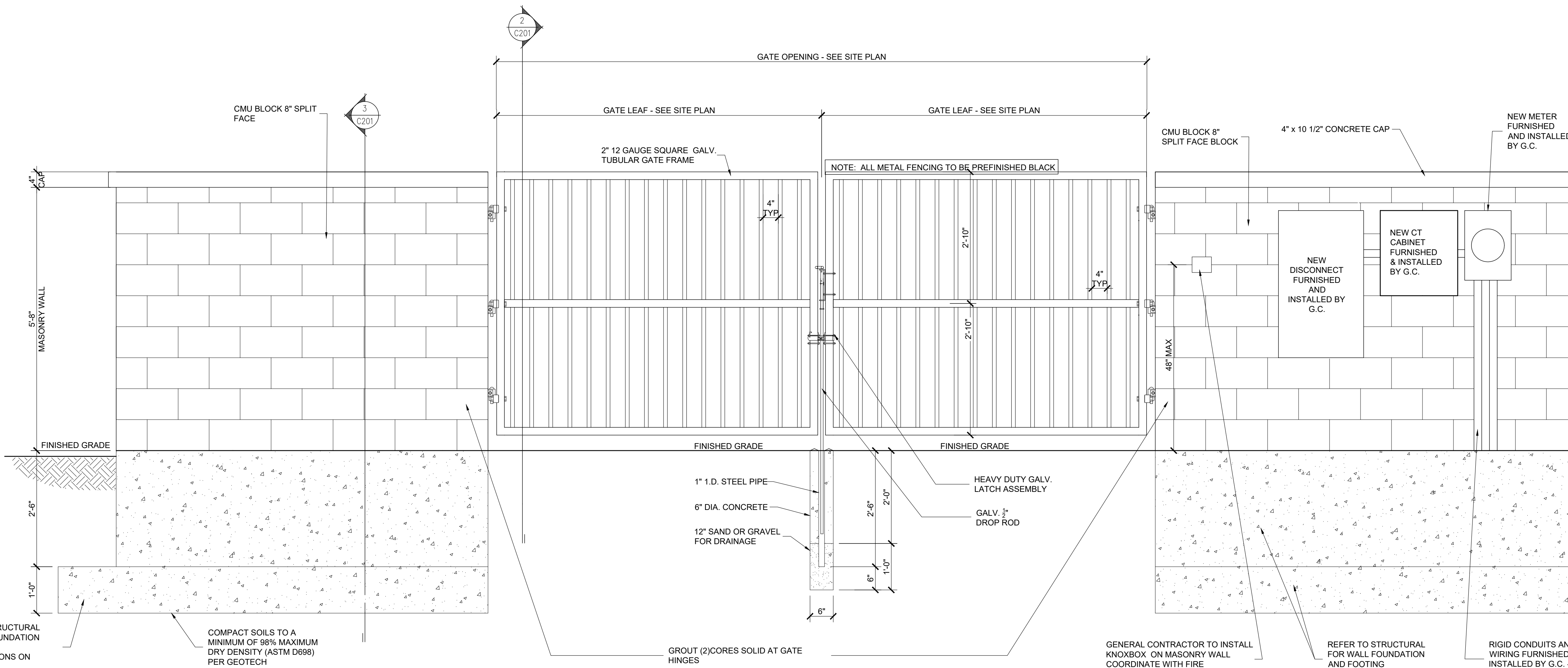
4 COPING DETAIL
C201 SCALE: 3" = 1'-0"



3 WALL SECTION
C201 SCALE: 1/2" = 1'-0"



2 W.I. GATE DTL
C201 SCALE: 3/4" = 1'-0"



1 MASONRY WALL / FENCE ELEVATION
C201 SCALE: 3/4" = 1'-0"

NOTE: PAINT ENTIRE CMU WALL BOTH NEW AND EXISTING. COLOR: SANDSTONE

RAYO
GROUP

PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

01-08-26 ISSUED FOR PLANNING

NUMBER	DATE	DESCRIPTION

REGISTERED ARCHITECT
REX ATKINSON
INDIANAPOLIS, IN
ART-14935
STATE OF OREGON
01-08-26

SHEET TITLE:
GATE DETAILS

PROJECT NUMBER: 24041
CAD FILE: 41C201.DWG
DRAWN BY: ALC
CHECKED BY: REA

SHEET NUMBER:
C201

LEGEND



DRAINAGE AREA SUMMARY

PROPOSED - EAST	0.30 AC
PROPOSED - WEST	0.30 AC
TOTAL SITE AREA	0.60 AC

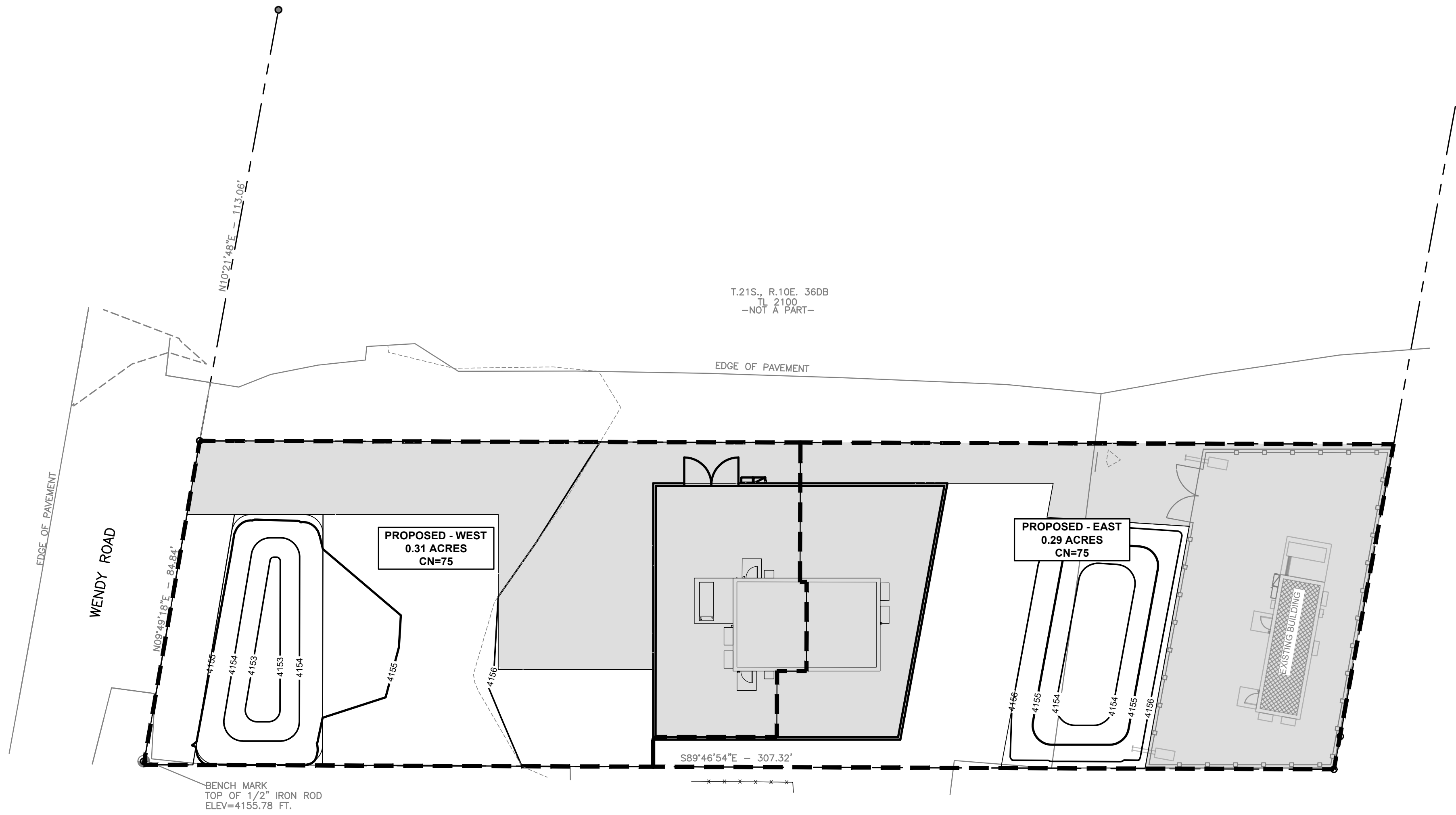
AREA SUMMARY

IMPERVIOUS AREA	0.33 AC
PERVIOUS AREA	0.27 AC
TOTAL SITE AREA	0.60 AC

NOTE: USING THE SITE AREA OF 0.60 ACRES, THE EXISTING CONDITIONS CONSIST OF 0.00 ACRES OF OPEN SPACE AND 0.60 ACRES OF IMPERVIOUS SURFACE. A WEIGHTED AVERAGE CURVE NUMBER (CN) WAS CALCULATED AS 98, USING A CN OF 49 FOR OPEN SPACE AND 98 FOR IMPERVIOUS. SOIL GROUP A WAS DETERMINED BASED ON THE SOIL SURVEY AND ASSUMED FAIR CONDITION.

IN THE PROPOSED CONDITION, USING THE SAME 0.60 ACRES, THE SITE CONSISTS OF 0.27 ACRES OF OPEN SPACES AND 0.33 ACRES OF IMPERVIOUS SURFACE. A WEIGHTED AVERAGE CN WAS CALCULATED AS 76, USING A CN OF 49 FOR OPEN SPACE AND 98 FOR IMPERVIOUS. AS USED IN THE EXISTING CONDITIONS, SOIL GROUP A WAS USED ALONG WITH FAIR CONDITIONS FOR OPEN SPACE CLASSIFICATION.

THE PROJECT WILL NOT REPLACE MORE THAN 5,000 SQUARE FEET OF EXISTING IMPERVIOUS SURFACE, ADD MORE THAN 5,000 SQUARE FEET OF NEW IMPERVIOUS AREA, OR DISTURB MORE THAN ONE ACRE. THEREFORE, STORMWATER DETENTION AND WATER QUALITY MEASURES ARE NOT REQUIRED IN ACCORDANCE WITH THE CENTRAL OREGON STORMWATER MANUAL SECTIONS 2.1.2, 2.1.4, AND 2.3. HOWEVER, BASIC REQUIREMENT #6 - EROSION AND SEDIMENT CONTROL MUST STILL BE MET AS SPECIFIED IN THE MANUAL.



15925 HARGRAY DRIVE
NOBLESVILLE, INDIANA 46062
P: 833-348-3934
www.five9dg.com

THIS IS AN ORIGINAL DESIGN CREATED BY FIVE NINE DESIGN GROUP. THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.

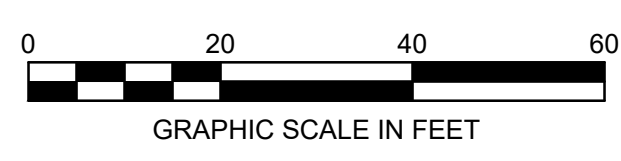
GROUP
PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

NUMBER	DATE	DESCRIPTION
1	12/16/2025	ISSUE FOR PERMIT
2	12/18/2025	BUILDING REVISIONS
3	03/30/2026	CITY COMMENTS



Know what's below.
Call before you dig.

NOTE: ARCHITECTURAL, ELECTRICAL, AND MECHANICAL PLANS ARE ORIENTED DIFFERENTLY THAN SITE PLAN. PLEASE NOTE NORTH ARROW ON EACH PLAN SHEET FOR PROPER ORIENTATION.



SHEET TITLE:
POST-DEVELOPED DRAINAGE AREA PLAN

PROJECT NUMBER	24041
CAD FILE:	
DRAWN BY:	WCM
CHECKED BY:	DT

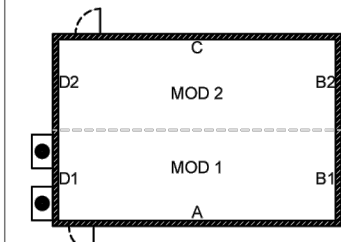
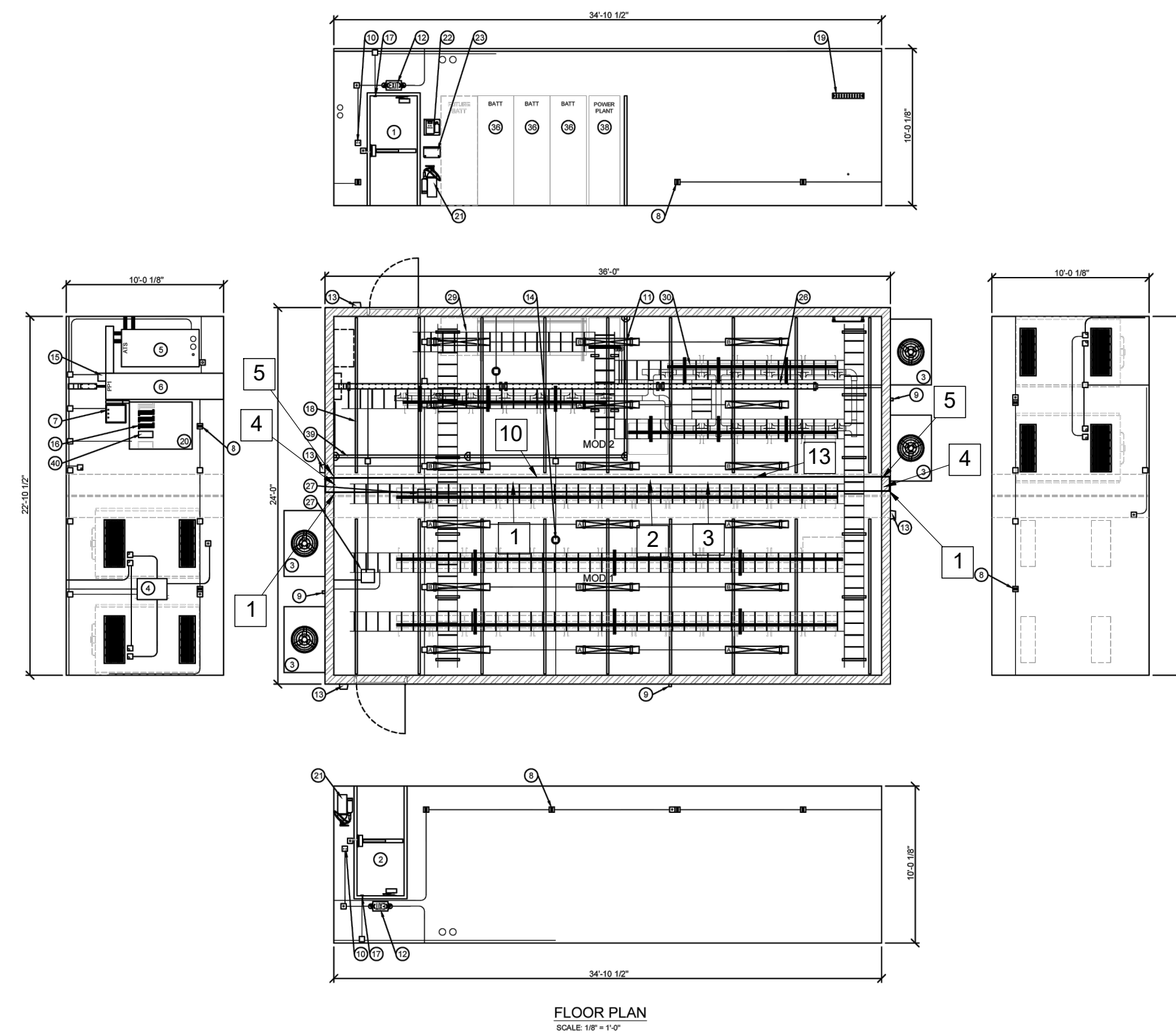
SHEET NUMBER: **EXH2**

THIS IS AN ORIGINAL DESIGN, CREATED BY FIVE NINE DESIGN GROUP. THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN PERMISSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.

GENERAL NOTES:

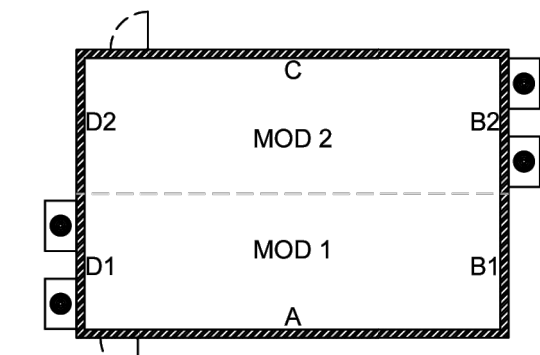
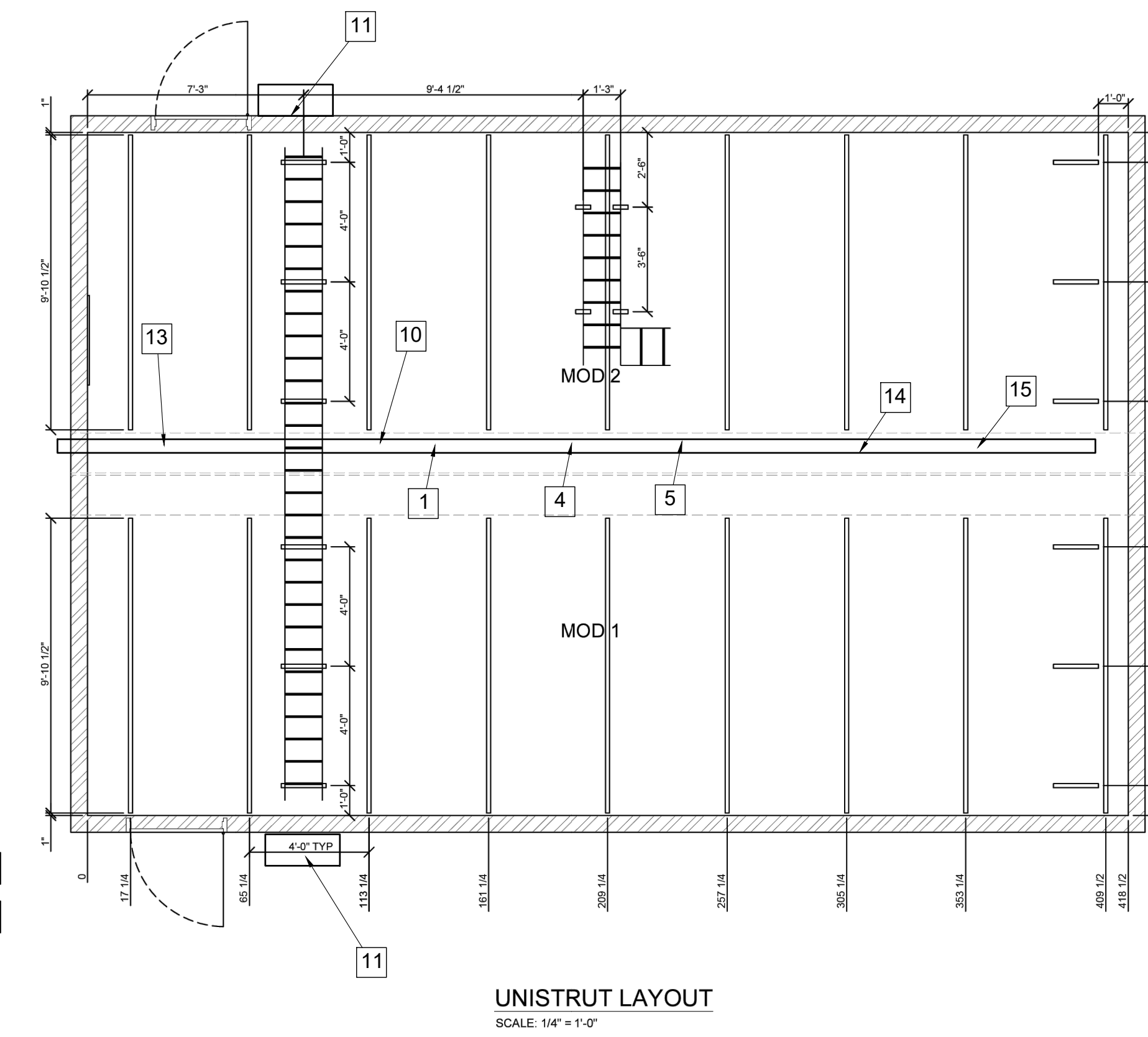
GC RESPONSIBLE TO CONNECT AND ASSEMBLE TWO BUILDING HALVES TOGETHER ONSITE AND COMPLETE THE CONNECTIONS AND JOINTS BETWEEN HALVES. SHELTER MANUFACTURER WILL SUPPLY ALL MATERIALS (FLOOR/WALLS/ROOFING) AND WORK INSTRUCTIONS AND DETAILS ON HOW TO ASSEMBLE ALL COMPONENTS. ALL CROSS CONNECTION MATERIALS WILL BE LOOSE SHIPPED WITH BUILDING.

- NOTES:**
- GENERAL CONTRACTOR TO WELD TOGETHER MOD 1 AND MOD 2, AND FILL THE GAP WITH FOAM.
 - GENERAL CONTRACTOR TO FILL/COVER MOD 1 AND MOD 2 CONNECTION AREA WITH CONCRETE
 - GENERAL CONTRACTOR TO TILE OVER MOD 1 AND MOD 2 CONNECTION AREA.
 - GENERAL CONTRACTOR TO INSTALL GAPS BETWEEN MOD 1 AND MOD 2 CONNECTION AREA
 - GENERAL CONTRACTOR TO INSTALL FRP AND TRIM OVER THE MOD1 AND MOD2 CONNECTION AREA.
 - GENERAL CONTRACTOR TO FILL WITH FOAM, CAULK OVER THE MOD 1 AND MOD 2 AREAS.
 - GENERAL CONTRACTOR TO INSTALL 4' TPO ROOF MEMBRANE OVER MATE LINE
 - GENERAL CONTRACTOR TO INSTALL BACKER ROD AND CAULK JOINT INSIDE MODLINE.
 - GENERAL CONTRACTOR TO PAINT ROOF EDGE WITH TEXTURE PAINT TO FINISH AT MODLINE.
 - GENERAL CONTRACTOR TO REMOVE ALL MOD LINE MATERIAL FROM BUILDING HALVES ONCE BUILDING ARRIVES AT SITE.
 - GENERAL CONTRACTOR TO INSTALL OWNER PROVIDED FIBER BOXES WEATHERTIGHT TO BUILDING WITH (2) 4" CONDUITS SECURED TO BUILDING.
 - GENERAL CONTRACTOR TO INSTALL BUILDING MANUFACTURER FURNISHED WALL LIGHT FIXTURE.
 - GENERAL CONTRACTOR TO INSTALL CONDUIT AND CONDUCTOR FOR ELECTRICAL CIRCUITS THAT CONNECT THE TWO BUILDING HALVES USING BUILDING MANUFACTURER SUPPLIED MATERIALS.
 - GENERAL CONTRACTOR TO PROVIDED GROUND CABLES THAT CROSS THE MODLINE. CABLES TO BE LACED DOWN ALONG CABLE LADDER AND LUGGED TO THE GROUND BAR.
 - GENERAL CONTRACTOR TO INSTALL CABLE AND FIBER DUCT MANAGEMENT SECTIONS FURNISHED BY BUILDING MANUFACTURER TO CONNECT BUILDING HALVES.
 - GENERAL CONTRACTOR TO INSTALL BUILDING MANUFACTURER SUPPLIED MESH PARTITION.



<p>1801 W. Main St. Eliot, PA 15116 800-300-0390</p>	<p>8910 County Road 3 Eliot, PA 15117 514-255-1214</p>	PROJECT SERIAL NUMBER: 2404-195	PROJECT NAME: ZAYO	DRAWN: 6/24/24	DRAWN BY: JWW	SHEET NAME: OVERALL FLOOR PLAN
		SHELTER SIZE: 24'-0" W OD X 36'-0" OD X 10' H ID	SITE NAME: -	REVISION #: 12	REVISED: 1/7/25	DRAWING NUMBER: TBB1863

2 CEILING PLAN BUILDING
A101 SCALE: N.T.S.



<p>1801 W. Main St. Eliot, PA 15116 800-300-0390</p>	<p>8910 County Road 3 Eliot, PA 15117 514-255-1214</p>	PROJECT SERIAL NUMBER: 2404-195	PROJECT NAME: ZAYO	DRAWN: 6/24/24	DRAWN BY: JWW	SHEET NAME: UNISTRUT LAYOUT
		SHELTER SIZE: 24'-0" W OD X 36'-0" OD X 10' H ID	SITE NAME: -	REVISION #: 12	REVISED: 1/7/25	DRAWING NUMBER: TBB1863

1 FLOOR PLAN BUILDING
A101 SCALE: N.T.S.

ZAYO GROUP
PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

01-08-26 ISSUED FOR PLANNING		
NUMBER	DATE	DESCRIPTION

FOR REFERENCE ONLY

SHEET TITLE: FLOOR AND CEILING PLAN	
CAD FILE:	24041
DRAWN BY:	41A101.DWG
CHECKED BY:	ALC
	REA

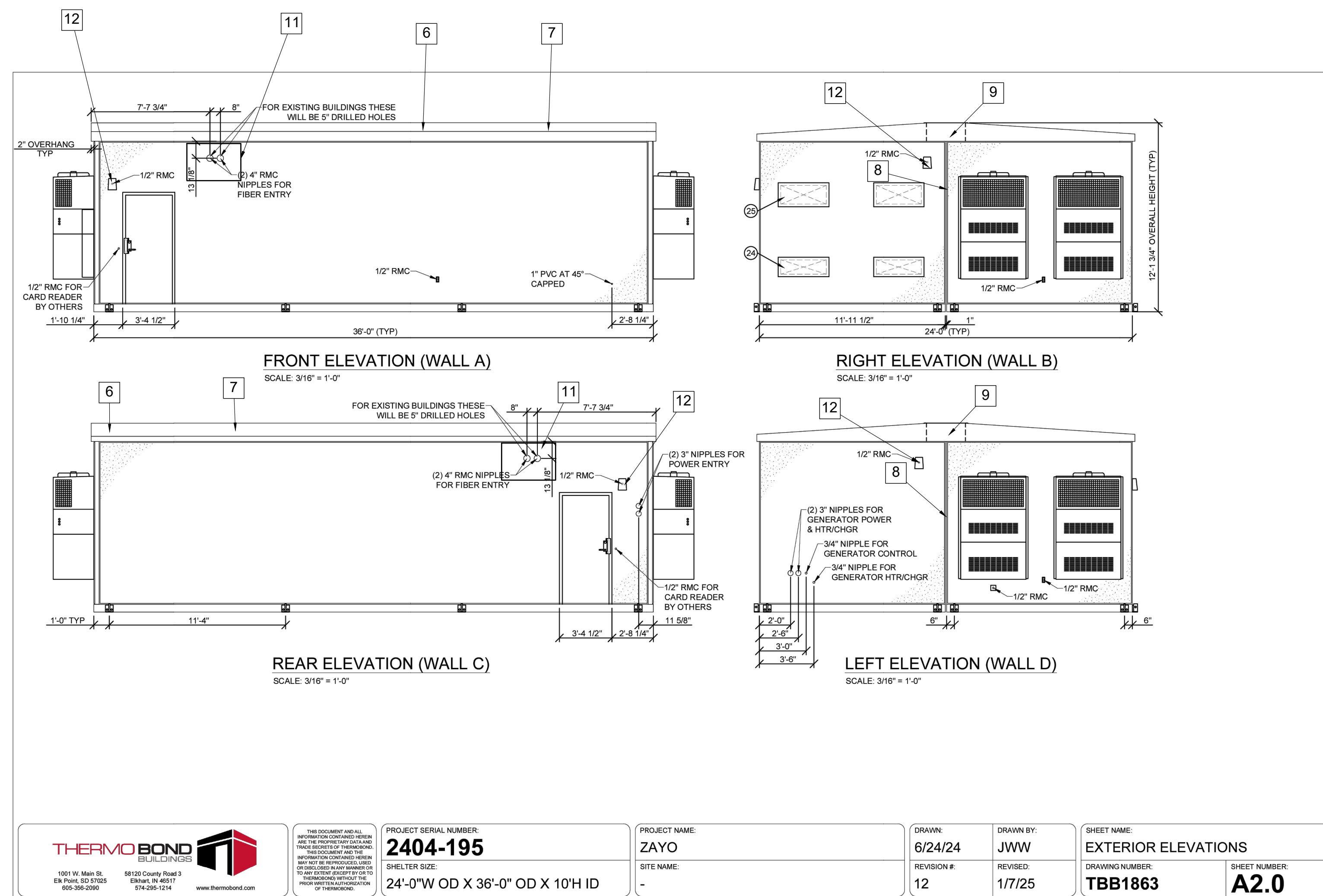
SHEET NUMBER:
A101

GENERAL NOTES:

GC RESPONSIBLE TO CONNECT AND ASSEMBLE TWO BUILDING HALVES TOGETHER ONSITE AND COMPLETE THE CONNECTIONS AND JOINTS BETWEEN HALVES. SHELTER MANUFACTURER WILL SUPPLY ALL MATERIALS (FLOOR/WALLS/ROOFING) AND WORK INSTRUCTIONS AND DETAILS ON HOW TO ASSEMBLE ALL COMPONENTS. ALL CROSS CONNECTION MATERIALS WILL BE LOOSE SHIPPED WITH BUILDING.

NOTES:

- 1 GENERAL CONTRACTOR TO WELD TOGETHER MOD 1 AND MOD 2, AND FILL THE GAP WITH FOAM.
- 2 GENERAL CONTRACTOR TO FILL/COVER MOD 1 AND MOD 2 CONNECTION AREA WITH CONCRETE
- 3 GENERAL CONTRACTOR TO TILE OVER MOD 1 AND MOD 2 CONNECTION AREA.
- 4 GENERAL CONTRACTOR TO INSTALL GAPS BETWEEN MOD 1 AND MOD 2 CONNECTION AREA
- 5 GENERAL CONTRACTOR TO INSTALL FRP AND TRIM OVER THE MOD1 AND MOD2 CONNECTION AREA.
- 6 GENERAL CONTRACTOR TO FILL WITH FOAM, CAULK OVER THE MOD 1 AND MOD 2 AREAS.
- 7 GENERAL CONTRACTOR TO INSTALL 4" TPO ROOF MEMBRANE OVER MATE LINE
- 8 GENERAL CONTRACTOR TO INSTALL BACKER ROD AND CAULK JOINT INSIDE MODLINE.
- 9 GENERAL CONTRACTOR TO PAINT ROOF EDGE WITH TEXTURE PAINT TO FINISH AT MODLINE.
- 10 GENERAL CONTRACTOR TO REMOVE ALL MOD LINE MATERIAL FROM BUILDING HALVES ONCE BUILDING ARRIVES AT SITE.
- 11 GENERAL CONTRACTOR TO INSTALL OWNER PROVIDED FIBER BOXES WEATHERTIGHT TO BUILDING WITH (2) 4" CONDUITS SECURED TO BUILDING.
- 12 GENERAL CONTRACTOR TO INSTALL BUILDING MANUFACTURER FURNISHED WALL LIGHT FIXTURE.
- 13 GENERAL CONTRACTOR TO INSTALL CONDUIT AND CONDUCTOR FOR ELECTRICAL CIRCUITS THAT CONNECT THE TWO BUILDING HALVES USING BUILDING MANUFACTURER SUPPLIED MATERIALS.
- 14 GENERAL CONTRACTOR TO PROVIDED (5) GROUND CABLES THAT CROSS THE MODLINE. CABLES TO BE LACED DOWN ALONG CABLE LADDER AND LUGGER TO THE GROUND BAR.
- 15 GENERAL CONTRACTOR TO INSTALL CABLE AND FIBER DUCT MANAGEMENT SECTIONS FURNISHED BY BUILDING MANUFACTURER TO CONNECT BUILDING HALVES.



1 FLOOR PLAN BUILDING
SCALE: N.T.S.

<p>1001 W. Main St. Elkhart, IN 46517 920-206-0399</p>	<p>5820 County Road 3 Elkhart, IN 46517 974-255-1214 www.thermobond.com</p>	<p>PROJECT SERIAL NUMBER: 2404-195</p>	<p>PROJECT NAME: ZAYO</p>	<p>DRAWN: 6/24/24</p>	<p>DRAWN BY: JWW</p>	<p>SHEET NAME: EXTERIOR ELEVATIONS</p>	
		<p>SHELTER SIZE: 24'-0" W OD X 36'-0" OD X 10' H ID</p>	<p>SITE NAME: -</p>	<p>REVISION #: 12</p>	<p>REVISED: 1/7/25</p>	<p>DRAWING NUMBER: TBB1863</p>	<p>SHEET NUMBER: A2.0</p>

THIS IS AN ORIGINAL DESIGN CREATED BY FIVE NINE DESIGN GROUP THE CONCEPTS, IDEAS, PLANS AND DETAILS ARE THE SOLE PROPERTY OF FIVE NINE DESIGN GROUP. NONE OF THE CONCEPTS, IDEAS, PLANS OR DETAILS SHALL BE COPIED, USED BY, OR DISCLOSED TO ANY PERSON, FIRM OR CORPORATION FOR ANY PURPOSE WITHOUT THE PRIOR WRITTEN PERMISSION OF FIVE NINE DESIGN GROUP. WRITTEN DIMENSIONS ON DRAWINGS SHALL HAVE PRECEDENCE OVER SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE FOR ALL DIMENSIONS AND CONDITIONS ON THE JOB AND FIVE NINE DESIGN GROUP MUST BE NOTIFIED OF ANY VARIATION FROM THE DIMENSIONS AND CONDITIONS SHOWN ON THESE DRAWINGS.

ZAYO GROUP
PROJECT: LA PINE, OR
52508 HWY 97
LA PINE OR, 97739

01-08-26 ISSUED FOR PLANNING

NUMBER	DATE	DESCRIPTION

FOR REFERENCE ONLY

SHEET TITLE:
EXTERIOR ELEVATIONS

PROJECT NUMBER	24041
CAD FILE:	41A201.DWG
DRAWN BY:	ALC
CHECKED BY:	REA

SHEET NUMBER:
A201



January 15, 2026

Trip Generation Letter

RE: Zayo La Pine, OR
Address: 52508 Hwy 97, La Pine, OR 97739

The building is an unmanned building. Trips to the site are less than or equal to 1/month.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Rex Atkinson".

Rex Atkinson
Five Nine Design Group



Color: Bronze

Weight: 2.9 lbs

Project:	Type:
Prepared By:	Date:

Driver Info		LED Info	
Type	Constant	Watts	26/18/12W
120V	0.26A/0.20A/0.13A	Color Temp	3000/4000/5000K
208V	0.13A/0.10A/0.07A	Color Accuracy	82-85 CRI
240V	0.17A/0.09A/0.06A	L70 Lifespan	100,000 Hours
277V	0.11A/0.08A/0.06A	Lumens	2,175-4,389 lm
Input Watts	15.2-30.5W	Efficacy	135.1-150.6 lm/W

Technical Specifications

Field Adjustability

Field Adjustable:

Field Adjustable Light Output:
26W/18W/12W (factory default 26W)
Color temperature selectable 3000K, 4000K and 5000K (factory default 4000K)

Performance

Lifespan:

100,000-Hour LED lifespan based on IES LM-80 results and TM-21 calculations

Wattage Equivalency:

26W: Replaces up to 175W Metal Halide (MH) or 150W High Pressure Sodium (HPS)
18W: Replaces up to 125W Metal Halide (MH) or 100W High Pressure Sodium (HPS)
12W: Replaces up to 100W Metal Halide (MH) or 70W High Pressure Sodium (HPS)

LED Characteristics

LEDs:

Long-life, high-efficiency, surface-mount LEDs

Electrical

Driver:

Constant Current, Class 2, 120-277V, 50/60 Hz
26W: 120V: 0.26A, 208V: 0.13A, 240V: 0.12A, 277V: 0.11A
18W: 120V: 0.20A, 208V: 0.10A, 240V: 0.09A, 277V: 0.08A
12W: 120V: 0.13A, 208V: 0.07A, 240V: 0.06A, 277V: 0.06A

Dimming Driver:

Driver includes dimming control wiring for 0-10V dimming systems. Requires separate 0-10V DC dimming circuit. Dims down to 10%.

THD:

26W: 3.4% at 120V, 4.68% at 277V
18W: 2.95% at 120V, 5.3% at 277V
12W: 3% at 120V, 8.42% at 277V

Power Factor:

26W: 99.8% at 120V, 96.5% at 277V
18W: 99.7% at 120V, 94.6% at 277V
12W: 99.4% at 120V, 89.6% at 277V

Photocell:

120-277V selectable photocell that can be turned on and off.

Surge Protection:

4kV

Construction

Cold Weather Starting:

The minimum starting temperature is -40°C (-40°F)

Maximum Ambient Temperature:

Suitable for use in up to 40°C (104°F)

Housing:

Aluminum

Lens:

Acrylonitrile styrene acrylate (ASA) /Acrylonitrile butadiene styrene (ABS)

Reflector:

Mirror finish on polycarbonate

Finish:

Formulated for high durability and long-lasting color

Green Technology:

Mercury and UV free. RoHS-compliant components.

Compliance

IESNA LM-79 & LM-80 Testing:

RAB LED luminaires and LED components have been tested by an independent laboratory in accordance with IESNA LM-79 and LM-80.

Technical Specifications (continued)

ADA Compliant:

Meets ADA Requirements for wall-mounted luminaires.

IP Rating:

Ingress protection rating of IP65 for dust and water

Trade Agreements Act Compliant:

This product is a product of Cambodia and a "designated country" end product that complies with the Trade Agreements Act

DLC Listed:

This product is listed by Design Lights Consortium (DLC) as an ultra-efficient premium product that qualifies for the highest tier of rebates from DLC Member Utilities. Designed to meet DLC 5.1 requirements.

DLC Product Code: S-IHR6QX

Installation**Mounting:**

Heavy-duty mounting bracket with spring-hinged housing and "kick stand" allow for easy installations. Conduit entries on back and both sides.

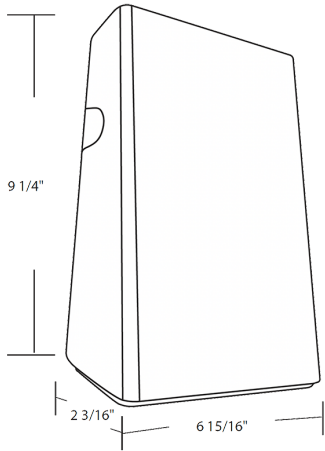
Other**Warranty:**

RAB warrants that our LED products will be free from defects in materials and workmanship for a period of ten (10) years from the date of delivery to the end user, including coverage of light output, color stability, driver performance and fixture finish. RAB's warranty is subject to all terms and conditions found at rablighting.com/warranty.

Buy American Act Compliance:

RAB values USA manufacturing! Upon request, RAB may be able to manufacture this product to be compliant with the Buy American Act (BAA). Please contact customer service to request a quote for the product to be made BAA compliant.

Dimensions



Features

- 100,000-hour LED Life
- 0-10V dimming, standard
- Selectable on/off photocell
- 10-Year, No-Compromise Warranty

Ordering Matrix

Family	Wattage	Color Temp	Finish	Driver
SLIM				
	Blank = 26/18/12W	Blank = 3000/4000/5000K Adjustable	Blank = Bronze W = White BR = Brass	Blank = 120-277V, 0-10V Dimming

PURCHASE AGREEMENT

Zayo Group, LLC ("Buyer") and Riverfront Inn LLC (individually or collectively "Seller") hereby agree as follows:

1. Subject to the terms and conditions of this Purchase Agreement ("Agreement"), Seller agrees to sell to Buyer, and Buyer agrees to purchase from Seller, the approximate .59 acre (25,858 square feet) parcel of real estate commonly known as 52508 Hwy 97, La Pine, OR 97739, which is also known as Map and Tax Lot number(s) 2113036DB02200 in Deschutes County, OR (including all buildings, structures and improvements thereon, and all easements and appurtenances thereto, the "Property 1") and the approximate .79 acre (34,377 square feet) parcel of real estate commonly known as 52510 Hwy 97, La Pine, OR 97739, which is also known as Map and Tax Lot number(s) 2113036DB02100 in Deschutes County, OR (including all easements and appurtenances thereto, the "Property 2")(both Property A and Property B are collectively known as the "Property") for the sum of \$1,100,000.00 ("Purchase Price"). The legal description and actual square footage for the Property shall be confirmed by the Title Commitment and Survey to be attached hereto and made a part hereof as Exhibit A. An approximate depiction of the Property is shown on Exhibit B.

1. Within twenty (20) business days after the date hereof, Buyer shall pay to the Title Company (as hereafter defined) the sum of \$45,000.00 ("Deposit"). In the event of a Closing (as hereafter defined), the Deposit shall be applied to the Purchase Price.

2. Seller represents and warrants to Buyer as follows:

- a) Seller has the authority to enter into this Agreement and observe and perform all of its duties and obligations hereunder.
- b) Seller has good and marketable fee-simple title to the Property.
- c) Seller is the only person or entity in possession or occupancy of the Property.
- d) If the Property is currently encumbered, the Purchase Price is sufficient to fully pay and discharge all such encumbrances.
- e) As the result of the closing of the purchase ("Closing"), the Property shall be transferred and conveyed to Buyer free and clear of all liens, claims, encumbrances, leases, occupancy agreements, and parties in possession.
- f) There are no proceedings, actions, litigation, bankruptcy petitions, judgments, or claims of any nature whatsoever, against Seller or the Property threatened or pending before any government, regulatory authority or any administrative forum.
- g) The Property has access to and from a duly dedicated and accepted public street or highway, and the Property does not serve any adjoining real estate for ingress and egress.
- h) The Property is not located in an historic district or been designated as an "historic site" or "historic building" by any governmental authority.
- i) To the best knowledge of Seller (i) no underground storage tanks or hazardous, toxic or other regulated substances, within the meaning of any applicable federal, state or local statute or regulation, are presently stored or otherwise located upon or within the Property, and no part of the Property is contaminated by any such substance, (ii) the Property has never been used as a landfill, and (iii) the Property is not in violation of any occupancy permits, fire regulations, building codes, or any other federal, state or local laws, rules, regulations or standards; and the Property is not impacted by a consent decree in connection with (i), (ii) or (iii) above.

Seller hereby indemnifies Buyer from and against any losses, damages or expenses sustained, suffered or incurred by Buyer arising or resulting from the untruth, inaccuracy or breach of any of the foregoing representations and warranties, all of which representations and warranties shall survive, and not be merged in, the Closing.

2. During the 45-day period commencing with the latest date signed by both Buyer and Seller ("Inspection Period"), Buyer shall have the right to conduct such inspections, reviews and investigations of the Property, including environmental assessments, as Buyer shall determine necessary in its sole discretion ("Inspections"). Buyer may terminate this Agreement at any time during the Inspection Period by written notice to Seller. In the event of such termination, the Deposit shall be returned to Buyer. Any inspections required by law or regulation shall be the responsibility of the Seller and the results thereof shall be provided to Buyer immediately.

3. Within twenty (20) days of the date hereof, Seller shall deliver or cause to be delivered to Buyer (i) copies of all architectural, structural, mechanical and electrical plans and specifications for the Property in Seller's possession, (ii) copies of all environmental studies, reports, assessments, audits and notices concerning the Property in Seller's possession, and (iii) copies of all management, service and maintenance contracts, together with all amendments thereto, concerning or affecting the Property or the operation thereof.

4. Within twenty-five (25) days of the date hereof, Buyer shall order an ALTA title insurance commitment ("Title Commitment"), including copies of all recorded documents constituting easements, covenants or restrictions affecting the Property, from a reputable, national title company of its choice ("Title Company"). The Title Commitment must contain the commitment by the Title Company to issue access, zoning, subdivision and comprehensive endorsements. Within five (5) business days after Buyer's receipt of the Title Commitment, Buyer shall give written notice to Seller of any matters disclosed in the Title Commitment which Buyer finds objectionable in its sole discretion. Seller shall thereafter use its best efforts to correct and/or cure all such objectionable matters within ten (10) days after receipt of such notice (the "Cure Period"). In the event Seller shall fail to correct and/or cure such matters, Buyer shall have the right to terminate this Agreement and the Deposit shall be returned to Buyer. The Property will be conveyed to Buyer at the Closing subject to any matters disclosed in the Title Commitment and not objected to by Buyer ("Permitted Exceptions"); however, in no event shall any liens or encumbrances constitute Permitted Exceptions.

5. The following shall be paid, apportioned, prorated and/or adjusted between Buyer and Seller on the Closing date ("Adjustments"):

- a) Real estate taxes and sewer and water fees shall be paid by Seller.
- b) Any transfer taxes shall be paid by Buyer; all recording fees shall be paid by Buyer.
- c) The Deposit shall be applied against the Purchase Price.
- d) The cost of the title insurance policy issued pursuant to the Title Commitment and the Survey shall be paid by Buyer.
- e) All special taxes and assessments levied or assessed against the Property prior to the Closing date shall be paid by Seller, regardless of whether all or any part of the same become due or delinquent after the Closing date.

6. The Closing shall be conducted through the offices of First American Title within ten (10) days of the expiration of the Inspection Period, or on a date mutually acceptable to both Buyer and Seller. Title Company shall be responsible for the collection and disbursement of the Purchase Price, including the payment of any liens or encumbrances against the Property.
7. At the Closing:
 - a) Seller shall convey the Property to Buyer by general warranty deed, free and clear of all liens, claims, encumbrances, leases, occupancy agreements and parties in possession and subject only to the Permitted Exceptions.
 - b) Seller shall execute such title affidavits and indemnities as Title Company may require to delete the standard exceptions to the Title Commitment.
 - c) Buyer shall pay the Purchase Price (after application of the Adjustments) by check or wire transfer of immediately available funds.
 - d) Seller shall cause all mortgages, deeds of trust, security interests and any and all other liens and encumbrances against the Property to be released of record, at Seller's cost and expense, shall execute and deliver such further instruments or documents and take such further acts as Buyer may reasonably require in order to fully effect the sale, transfer and conveyance of the Property to Buyer, and shall deliver possession of the Property to Buyer.
 - e) Seller shall deliver, fully completed and in proper form, all such transfer reports, tax returns, tax affidavits and certificates as are required under applicable law to effectuate the transfer of the Property to Buyer.
8. Buyer's obligations hereunder shall be subject to the satisfaction of the following conditions:
 - a) This Agreement shall not have been terminated by Buyer during the Inspection Period.
 - b) The Property has not been placed on any tax sale list eliminating the possibility of Buyer closing on the Property.
 - c) All of Seller's representations and warranties shall be true and accurate as of the Closing.
 - d) Seller shall have observed and performed all of Seller's covenants and agreements.
 - e) Seller shall have cured and/or corrected all matters in the Title Commitment found objectionable by Buyer other than the Permitted Exceptions.
 - (1) Buyer shall have determined to Buyer's satisfaction that Buyer's intended use of the Property as a telecommunications facility is a permitted use under the current zoning classification applicable to the Property, or that such permits, variances and governmental authorizations as are necessary to permit Buyer's intended uses have been issued or will be issued without the necessity of adversary or judicial proceedings.

Buyer may, at its option, waive in writing any of the foregoing conditions. In the event the foregoing conditions are not satisfied or waived, Buyer may terminate this Agreement whereupon the Deposit shall be returned to Buyer.

9. Seller shall be solely responsible, at Seller's sole cost and expense, for the complete demolition, removal, and lawful disposal of all existing structures, foundations, footings, slabs, debris, and any other improvements or materials currently located on the Property. Seller shall also be solely responsible for any environmental remediation or cleanup that may be required under applicable law as a result of such demolition or existing site conditions. Seller shall ensure that, no later than the Closing Date, the Property is delivered to Buyer in a clean, vacant, and fully cleared condition, with the lot fully scraped to bare dirt and free of all buildings, construction debris, underground storage tanks, concrete pads, fencing, utilities not required for future use, or any other surface or subsurface obstructions or materials.

10. Buyer shall have the right, at its sole cost and discretion, to inspect the Property prior to Closing to confirm that the demolition and site clearance have been completed to Buyer's satisfaction. Seller shall provide Buyer with reasonable access for such inspections, as well as copies of all permits, inspection reports, clearances, and other documentation evidencing compliance with all applicable demolition, disposal, and environmental laws, regulations, and ordinances.

11. In the event the Property is not in the required condition, or if Buyer reasonably determines that demolition or remediation work is incomplete or deficient, Buyer shall have the right to (i) terminate this Agreement and receive a full refund of the Deposit, or (ii) elect to extend the Closing Date by up to thirty (30) days to allow Seller to complete all outstanding work to Buyer's satisfaction. Seller's obligations under this section shall survive Closing unless expressly waived in writing by Buyer. Seller agrees to indemnify Buyer against, and hold Buyer harmless from, any and all claims, liabilities, costs and expenses arising from Seller's failure to perform its obligations under paragraphs eleven (11) through thirteen (13).

12. Buyer shall cause final readings to be made as of the Closing date in respect of all utilities furnished to the Property, shall cause final billings to be issued therefor and shall pay the same when due and payable. Seller agrees to indemnify Buyer against, and hold Buyer harmless from, any and all claims, liabilities, costs and expenses arising from Seller's failure to perform its obligations under this paragraph.

13. In the event Seller shall default in the performance of this Agreement, Buyer may exercise any and all rights and remedies allowed by law, including specific performance; however, if Seller is unable, after exercising its best efforts, to cure and/or correct those matters found objectionable by Buyer in the Title Commitment, Buyer shall be allowed only to either waive such objections or terminate this Agreement.

14. In the event Buyer shall default in the performance of this Agreement, Seller's sole remedy shall be to terminate this Agreement and receive the Deposit as liquidated damages.

If, prior to the Closing, all or any portion of the Property shall be taken by eminent domain or damaged or destroyed by casualty, Seller shall promptly give notice thereof to Buyer, and Buyer shall have the right to either waive such event and proceed to affect the Closing or to not waive such event and terminate this Agreement. If Buyer shall elect to terminate this Agreement, the Deposit shall be returned

to Buyer. If Buyer shall elect not to terminate this Agreement but instead to effect the Closing, the Purchase Price shall not be reduced, but Seller shall assign to Buyer all of Seller's rights to all proceeds and awards with respect to such taking or all of Seller's rights to any insurance proceeds.

15. All notices and other communications which are required or permitted under the terms of this Agreement shall be in writing and shall be sent by either certified United States mail, postage prepaid, return receipt requested, delivered personally, or via email with acknowledgement of its receipt. Notices and communications shall be deemed to have been given three days following the date so mailed or on the date when personally delivered. Such notices and communications shall be addressed to the parties at their respective addresses set forth below. The notice address of either party may be changed by ten (10) days prior written notice delivered to the other party in accordance with this paragraph.

16. ADDITIONAL CONTINGENCIES, TERMS, AND CONDITIONS:

- a) Current lease agreement between Zayo Group and Riverfront Inn LLC to be terminated with seller effective date of closing.
- b) At Closing, the sum of One Hundred Thousand Dollars (\$100,000.00) of the Purchase Price (the "Holdback Funds") shall be withheld by the Title Company in escrow. The Holdback Funds shall be released to Seller only upon Buyer's written confirmation to the Title Company that the agreed-upon demolition, removal, remediation, and restoration of the Property (the "Demolition Work") has been fully completed to Buyer's satisfaction. In the event the Demolition Work is not completed to Buyer's satisfaction within 45 days after Closing, Buyer shall have the right to direct the Title Company to apply the Holdback Funds (or such portion thereof as reasonably necessary) toward the completion of the Demolition Work, and any unused balance shall thereafter be disbursed to Seller.

This Agreement shall be void and of no force or effect unless executed by Seller and delivered to Buyer on or before 5:00 p.m., Denver, Colorado time, on Wednesday, August 20, 2025. References in this Agreement to "the date hereof" or similar words shall mean the latest date of execution hereof as indicated below.

DocuSigned by:
BUYER: ZAYO GROUP, LLC

By Jason Jorgensen
E11EB9A95856473...
Title: SVP Long Haul Deployment

DocuSigned by:
SELLER: RIVERFRONT INN LLC

By David W Schalker
3459A6960C1A425...
Title: OWNER

ADDRESS: 1401 Wynkoop Street, 500
Denver, Colorado 80202

60321 Sage Stone
ADDRESS: loop
Bend, OR 97702

DATED: August 20, 2025

DATED: 8/19/2025

EXHIBIT A
Legal Description of Property

Premises consists of a 25,858 square foot tract of land consisting of approximately .59 acres of real estate commonly known as Lot 9, Block 0, La Pine, OR 97739, which is also known as Map and Tax Lot number(s) 2113036DB02200 in Deschutes County, OR. Premises also consists of approximately .79-acre (34,377 square feet) parcel of real estate commonly known as Lot 8, Block 0, La Pine, OR 97739, which is also known as Map and Tax Lot number(s) 2113036DB02100 in Deschutes County, OR

EXHIBIT B Depiction of Property(ies)

Exhibit depicts approximately .59 acres at 52508 Hwy 97, La Pine, OR 97739

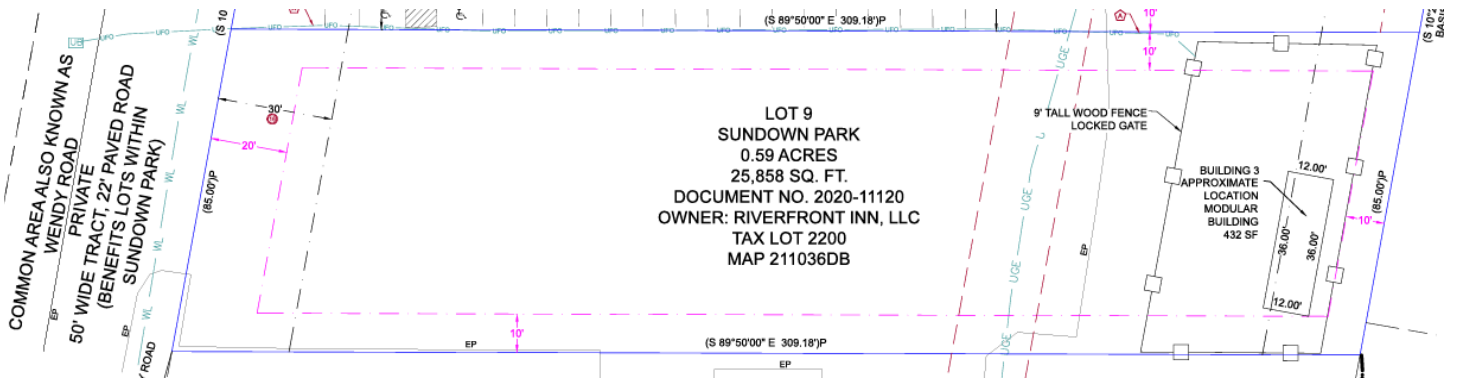


Exhibit depicts approximately .79 acres at 52510 Hwy 97, La Pine, OR 97739

