



CITY OF LA PINE, OREGON
JOINT CITY COUNCIL & LA PINE PARKS AND RECREATION
WORKSHOP & REGULAR MEETING

Wednesday, March 11, 2026, 5:30 p.m.
La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.

The Regular City Council meeting is a business meeting of the elected members of the La Pine City Council, in which matters that have come before the City in application, or legislatively/judicially by process can be acted upon under old and new business. Matters that are not formally before the City or have yet to be initiated by application cannot be officially acted upon. If any party would like to initiate an action through process or application, city administrative staff are available during the regularly scheduled business hours of City Hall to provide assistance.

AGENDA

CALL TO ORDER

ESTABLISHMENT OF QUORUM

PLEDGE OF ALLEGIANCE

JOINT CITY COUNCIL & LA PINE PARKS AND RECREATION MEETING WORKSHOP

The joint City Council and La Pine Parks and Recreation meeting is in a workshop format where the elected officials discuss subject areas of interest. This format is intended to facilitate conversation but does not yield legislative or judicial action during the session. Public Comments are permitted at the discretion of the presiding member of the City of La Pine City Council.

JOINT BODY DISCUSSION:

- 1. La Pine Parks and Recreation District Projects Discussion
- 2. 2nd Street Construction Discussion
- 3. La Pine Public Service Forum Discussion
- 4. Splash Pad Funding Discussion
 - a. Cost Estimate 4.
 - b. Splash Pad Rendering..... 12.

OTHER ITEMS NOT ON AGENDA

ADJOURNMENT

REGULAR COUNCIL MEETING

CALL TO ORDER

ESTABLISH A QUORUM

ADDED AGENDA ITEMS

Any matters added to the Agenda at this time will be discussed during the “Other Matters” portion of this Agenda or such time selected by the City Council

PUBLIC COMMENTS

Public Comments provide an opportunity for members of the community to submit input on ongoing matters within the city.

Public Comments are limited to three (3) minutes per person; when asked to the podium, please state your name and address. This helps the City Council and staff determine if you are a city resident. The acting chair may elect to respond to comments if the matter is within the jurisdiction of the city or defer to city staff for response. Any matter that warrants testimony and rebuttal may be debated only during a Public Hearing on the matter.

CONSENT AGENDA

Information concerning the matters listed within the Consent Agenda has been distributed to each member of the City Council for reading and study, is considered to be routine, and will be enacted or approved by one motion of the City Council without separate discussion. If a separate discussion is desired concerning a particular matter listed within the Consent Agenda, that matter may be removed from the Consent Agenda and placed on the regular agenda by request of any member of the City Council.

- 1. 02.11.2026 City Council Meeting Minutes 13.
 - a. Public Comment Form – S. Henderson 19.
 - b. Public Comment Form – S. Martinez 20.
 - c. Public Comment Form – C. Scott 21.
 - d. Record Submission – S. Henderson 22.

PRESENTATION

- 1. Boxminer – Data Center Proposal/Industrial Park – Mr. Jeff Keller

OLD BUSINESS:

None.

PUBLIC HEARING:

- 1. TA-25-0002
 - a. Open Public Hearing
 - b. Application Documents
 - i. Staff Report 24.
 - c. Public Testimony
 - d. Close Public Hearing

NEW BUSINESS:

- 1. Ordinance 2025-04
 - a. Staff Report 130.
 - b. Ordinance 2025-04 30.*
- 2. Road Vacation
 - a. Staff Report 132.
- 3. Habitat for Humanity Final Plat
 - a. Staff Report 134.
 - b. Findings and Decision 136.
 - c. Final Plat Park View 153.
- 4. Council Committee Assignments
 - a. Staff Report 159.
 - b. Committee Considerations 2025-2026 160.
 - c. Committee Inventory 166.

OTHER MATTERS

PUBLIC COMMENTS

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STAFF COMMENTS

MAYOR & COUNCIL COMMENTS

EXECUTIVE SESSION: per ORS 192.660 if necessary

ADJOURNMENT



CONSTRUCTION CONTRACT

This Construction Contract ("Contract") is entered into by and between SplashPadsUSA, Inc. ("SplashPadsUSA") and the Customer identified in Paragraph 1 below. SplashPadsUSA will not be responsible to perform or provide any services that are not specifically articulated in the Contract. In consideration of the mutual promises contained herein, SplashPadsUSA and Customer agree as follows:

1. PROJECT INFORMATION

SplashPadsUSA:
SplashPadsUSA, Inc.
60 N Cutler Dr, Ste 104
North Salt Lake, UT 84054
Support@SplashPadsUSA.com

Customer:
LPRD-LAPINE PARK AND RECREATION
DISTRICT
(541) 536-1579-
Wynn Malikowski-
wynn.malikowski@lapineparks.or
g

Project:
LPRD – Splash Pad Project

2. SCOPE OF WORK AND PAYMENT

Scope of Work: Customer has hired SplashPadsUSA to perform the following work in the Scope of Work according to the plans attached hereto as Exhibit "A" for the price of \$258,000.00. Engineered plan set in CAD for an additional \$12,500.00 above Turnkey Quote that owner can take to their civil engineer to review and stamp for state of Oregon.

Payment: Payment for the services rendered shall be as set forth in the Contract and as invoiced. When invoices are not paid timely, the unpaid balance may, at the SplashPadsUSA's election, bear interest at the rate of 11% (eighteen percent) per year, or the highest rate allowed by law, whichever is less. Returned checks will be subject to a \$30 (thirty dollars) charge. Delinquent accounts may also be subject to collection efforts, and Customer agrees to pay all reasonable costs of collection, including attorneys' fees and court costs. SplashPadsUSA also reserves the right to stop all work for Customer in the event Customer's account becomes delinquent.

Progress Payment Schedule:

Splash pad payment schedule will be as follows:

Engineered plan set payment will be separate from payment schedule and will be initiated upon signed contract agreement from Customer. \$12,500.00 is price for under contract customers only.

25% Manufacturing and Scheduling deposit

\$64,500.00

25% Excavation, Compaction, Installation of Base footings, Nozzle housings,

\$64,500.00

15% Piping installation, Drain installation, pressure tests with approved inspections.

\$38,700.00

15% Completed bonding. Concrete pour for Splash Pad, and manifold area.

\$38,700.00

10% Completion of all equipment in the manifold area, above ground features, nozzles, electrical. All inspections to completion.

\$25,800.00

10% Completion of Concrete coating with design, Maintenance instruction submitted,

\$25,800.00

Any additions or upgrades will be invoiced separately and will be due upon receipt.

Customer's Failure to Make Payments: If Customer fails to make any progress payment to SplashPadsUSA when due, SplashPadsUSA shall have the option to cease work until such payment is made. If Customer fails to make a payment for fifteen (15) consecutive days from the due date, SplashPadsUSA may terminate this Agreement and shall be entitled to recover the unpaid balance of the costs for work through the date of termination plus 11% (eleven percent) as well as 11% (eleven percent) of the estimated costs of work to be completed.

Change Orders: Customer shall pay for any costs incurred by SplashPadsUSA for any additional tasks or materials outside the Contract documents. SplashPadsUSA shall not implement any changes unless Customer and SplashPadsUSA first agree in writing to the details of the change and any resulting price, schedule, or other contractual modifications. Any change to any law, rule, regulation, order, code, standard or requirement which requires any change hereunder shall entitle SplashPadsUSA to an equitable adjustment in the prices and any time for completion.

Site Preparation: Customer shall be responsible for preparing the site as specified in the Contract, including but not limited to, site preparation, installation of water line to equipment room area, specified electricity brought to equipment site area along with attached electrical specs and sewer drain installed to proposed equipment room site. Customer shall give SplashPadsUSA at least five (5) business days advance written notice of the date the site will be ready for SplashPadsUSA's work. If the site is not ready

as noticed, SplashPadsUSA shall not be required to begin work and Customer shall be responsible for the delay fee described in Delay Fee Section below.

Permits: Customer shall pull and pay for all permits required for the services to be performed hereunder.

Inspections: Customer shall schedule all required inspections so that SplashPadsUSA's work shall not be delayed.

Access to Work: Customer shall grant free access to work areas for workers and vehicles and allow for storage of materials and rubbish. Customer shall provide a trash receptacle required by SplashPadsUSA at Customers cost. Customer shall provide a restroom or portable restroom required by SplashPadsUSA at Customers cost. Customer shall also provide utility services required by SplashPadsUSA at Customers cost.

3. PROSECUTION OF WORK

Delay Fee: Customer acknowledges that SplashPadsUSA schedules its work crews based on the dates of delivery and inspection promised by Customer and that a delay in the site preparation or inspections will cause SplashPadsUSA to incur additional expenses and losses which are difficult to quantify, including, by way of illustration and not of limitation, lost profits, construction delay costs and employee wages. If SplashPadsUSA is delayed in its performance because of delays in site preparation, inspection delays or other work on the site that prevents SplashPadsUSA from performing its work, then Customer, as compensation in the form of liquidated damages, shall pay SplashPadsUSA a fee of \$1,500 per day of delay. Customer and SplashPadsUSA agree that the foregoing fee is a liquidated damages remedy to compensate SplashPadsUSA based on SplashPadsUSA and Customer's best estimate of the daily damages, including but not limited to lost sales and business opportunities that SplashPadsUSA will incur as a result of Customer's failure to deliver the site as required, and such amount is not to be deemed a penalty.

Job Completion: SplashPadsUSA will perform completion of splash pad once groundbreaking payment has been received by SplashPadsUSA. SplashPadsUSA will perform all work in accordance with the Scope of Work until project completion; excluding any unforeseen circumstances that would delay completion. Delays include but are not limited to; changes made by Customer, engineer, architect, general contractor, health department or other city or county organizations, unavailability of materials required for the job, unexpected adverse weather conditions, transportation delays, acts of God, any other condition which are out of the control of SplashPadsUSA. If SplashPadsUSA defaults on project completion for any other reasons within their control, Customer will have the option to impose a fee of \$300 per day of delay. SplashPadsUSA and Customer agree that the foregoing fee is a liquidated damages remedy to compensate Customer based on Customer and SplashPadsUSA's best estimate of the daily damages, including but not limited to loss of use that will incur as a result of SplashPadsUSA's failure to complete the project as required, and such amount is not to be deemed a penalty.

4. CHANGES

If Customer gives SplashPadsUSA an instruction that modifies the requirements of the Contract documents, SplashPadsUSA shall be entitled to an adjustment in the Contract Sum and/or time for completion. If compliance with the instruction affects the cost to SplashPadsUSA to perform a fixed line item of the Work, the price for that fixed line item will be adjusted to reflect the reasonable increase or decrease in cost. Any such changes must be in writing and signed by Customer and SplashPadsUSA or agreed to by e-mail.

In the event of a suspension Customer shall promptly pay SplashPadsUSA's reasonable and necessary costs from the suspension, including storage, demobilization, and re-mobilization costs incurred as a result of the suspension, and, if the suspension continues for more than 30 days, Customer shall make an interim payment for work completed.

5. MISCELLANEOUS PROVISIONS

Notice: SplashPadsUSA and Customer designate their respective addresses and e-mail addresses listed in Paragraph 1 above to be used for sending any written notice required by this Agreement.

Severability: In the event that any provision of this Agreement shall be finally determined to be superseded, invalid, illegal, or otherwise unenforceable pursuant to applicable laws by an authority having jurisdiction, such determination shall not impair or otherwise effect the validity, legality, or enforceability of the remaining provisions or parts of provisions of this Agreement, which shall remain in full force and effect as if the unenforceable provision or part were deleted.

Termination: Customer may terminate this Contract for cause for a material breach; however, prior to terminating for cause, Customer must give SplashPadsUSA at least ten (10) days prior written notice and must give SplashPadsUSA a reasonable amount of time to cure the defect in work or alleged failure to perform. If SplashPadsUSA proceeds to cure with reasonable diligence and ultimately does cure the alleged defect or failure, then the Customer may not terminate the Contract. SplashPadsUSA may terminate the Contract if the Customer fails to pay SplashPadsUSA when payment becomes due. If Customer or SplashPadsUSA terminates the Contract, then the Customer will pay any unpaid fees and costs due under the Contract.

Limited Warranty: SplashPadsUSA warrants to the Customer that for the periods of time from the original installation specified below, the following materials will be free from defects:

- a. Two Years: Splash pad lights and lighted nozzles.
- b. Three Years: Control boxes, timer boxes and the stainless-steel manifold.
- c. Five Years: Splash pad tanks and nozzles (other than the lighted nozzles).
- d. 30 Years: Stainless steel water features, pipes and welds, stainless steel footing bases.

SplashPadsUSA makes no other warranties, express or implied, and disclaims all implied warranties including, without limitations, the implied warranties of merchantability and fitness for a particular purpose, as well as any implied warranty that could arise from course of dealing or usage of trade.

When, within the applicable Warranty Period, SplashPadsUSA, is given prompt notice of a defect and a reasonable period of time in order to perform any warranty work, it will, in its discretion and option, repair, replace, or reimburse the Customer for reasonable costs of defective items covered by this warranty. SplashPadsUSA's sole obligation, and Customers' sole remedy, shall be this repair, replacement, or reimbursement. Customer shall provide access to the items to be repair or replaced and remove any materials or structures necessary to provide free and clear access, as well as supply any necessary equipment, and bear the costs of access (including removal and replacement of systems, structures or other parts of the end-user's facility), de-installation, decontamination, re-installation, and transportation of goods to SplashPadsUSA and back to Customer. SplashPadsUSA shall not be liable for and this warranty shall not apply to any damage to the materials sustained by any person or by acts of God, riot and civil commotion, fire, explosion, impact of foreign objects or by defects in the preparatory work performed by Customer. This warranty shall not apply to any damage to the extent it is caused or made worse by (i) negligence or improper maintenance, (ii) changes, alterations or additions made to the

materials after completion of work by SplashPadsUSA, or (iii) misuse, negligence, accident, or failure to operate in accordance with the instructions of SplashPadsUSA and/or manufacturer, or (iv) damage caused by Customer or a third party. This warranty shall not apply to normal wear and tear or normal deterioration. SplashPadsUSA shall not be liable for any consequential, special, incidental or punitive damages. No representative, employee or agent of SplashPadsUSA, or any other person, has authority or assumes for SplashPadsUSA any additional liability or responsibility. This warranty is personal to the Customer and is not assignable or transferrable under any circumstances. Customer must notify SplashPadsUSA by registered mail or certified mail, return receipt requested, of a breach of warranty within 30 days after discovery thereof, but no later than the warranty period, otherwise such claims shall be deemed waived.

Repair or replaced parts or goods and re-performed services shall remain under warranty for the expired portion of the original Warranty Period as warranty work shall not extend the Warranty Period.

Entire Agreement: The Contract, including any plans and specifications, and these Terms and Conditions, constitute the entire agreement between SplashPadsUSA and Customer regarding the subject of these Terms and Conditions and the Contract and supersede all other oral and written representations, understandings or agreements relating to this subject matter, and may only be modified or amended by written agreement. For the avoidance of doubt, pre-printed terms and conditions contained in any work order, purchase order, contractor order acknowledgement, change order, or other document or instruction shall not be considered additive but shall be void and unenforceable.

Attorney's Fees: The prevailing party in any dispute that arises out of, or is related to this Contract, will be entitled to an award of its reasonable attorney's fees and costs that it incurred in enforcing this agreement or pursuing the dispute against the other party.

Governing Law: These Terms and Conditions and the Contract shall be governed by and construed in accordance with the laws of the State of Utah. The parties agree that the state and/or federal courts of Salt Lake County, Utah, shall be the exclusive forum and venue for resolving any disputed matter.

Waiver: The fact that a Party hereto has not insisted on the full performance of any provision contained herein or has not always exercised any of its rights conferred thereon shall not be construed as a waiver of such rights or the performance of such provisions in the future; save for express provisions to the contrary, any waiver of a right by one of the Parties hereto shall be effective only where set out in writing, signed by an authorized representative of both Parties, with any such waiver apply only to the rights and circumstances expressly indicated there in.

Limitation of Liability: SplashPadsUSA shall not be liable to Customer for indirect, consequential, punitive, special, or incidental damages. Consequential damages shall include loss of use, loss of profit, loss of contract, loss of opportunity, as well as indirect losses or damages of any type no matter how characterized. SplashPadsUSA's aggregate liability for all claims arising out of or related to this contract, whether the claim be in contract, tort (including negligence), strict or product liability, or otherwise, shall not exceed 50% (fifty percent) of the contract price. This limitation shall be effective even if a company remedy should fail of its essential purpose.

[signature page to follow]

Proposal Acceptance: The prices, specifications, and conditions, together with the plans accompanying this proposal and the Terms and Conditions of this contract, are satisfactory and are hereby accepted. SplashPadsUSA, Inc. is hereby authorized to perform the work as specified. Customer agrees to pay the entire invoice on the terms set forth herein.

CUSTOMER:

Signed: [Signature]
Name _____
(Printed): Joel Brader
Title: owner
Date: NOV 4-25

SPLASHPADSUSA, INC. (SplashPadsUSA):

Signed: [Signature]
Name _____
(Printed): RICHARD FUNK
Title: VP OPERATIONS
Date: 11/11/2025

Complete Turn-Key Recirculating total: \$258,000.00 (2400 sq. ft. 10 above ground features /37 ground nozzles and non-slip surface)

OWNER'S RESPONSIBILITIES

- Min. 1" culinary and back flowed water line source to equipment room area.
- Electrical 220v brought to equipment room along with pump hook up, 110 V for plugs, grounding of equipment, all other electrical needs by licensed electrician
- All permits, permit fees, and inspections (if needed)
- Sewer line in equipment area for tank flush out (if needed)
- Provide access to Equipment area for all piping to tank and splashpad
- Re furbish and replace any damage caused to landscape, existing drainage lines, sewer or other utilities in Splashpad or tank area and to Equipment area;
- Payment of Engineered plan set if required by State of Oregon. SPUSA can provide a splash pad plan set in CAD for an additional \$12,500.00 above Turnkey Quote that owner can take to their civil engineer to review and stamp for state of Oregon

INSTALLATION OF RECIRCULATING SPLASH PAD AS FOLLOWS:

**Recirculating Splash Pad – Dimensions Circular approximately 2400 sq. ft.)
Approximately 80' of Run or less from Center Pad to Equipment
Area/20' from tank to Equipment Area**

Scope of Work; – All work is as per Design plan Engineering.

- Provide and install all sch 80/40 PVC pipelines to Equipment/Tank/Splash Pad**
- Perform piping pressure tests**
- Provide and install Stainless Steel Ground Nozzle Housings, Base Footings, Forms, Drains.**
- Provide and install Direct Bury Tank and Bulk heads (compaction according to Engineered plans.)**
- Provide and remove over excavation per Plans with 6" compaction lifts, and compaction according to approved engineered plans. (If needed)**
- Provide and install engineered Concrete Splash Pad base 4000 psi**
- Provide and install New Equipment in Equipment Area.**
- Provide and install Concrete floor pad for Equipment area**
- Bond loop all metal components on splash pad #8 copper wire to equipment room**
- Train Client Personnel for Maintenance and Winterization instructions**
- ADA compatibility**
- Remote access for chemical systems**
- Concrete Pour per Engineered Plan Sets**
- Installation of splash pad including and not limited to required earthwork to reach proposed grades.**

PROJECT NAME:
LOCATION:
CONTACT:
SITE: COMMERCIAL

Exhibit A

Scope of Work



2025

EQUIPMENT & SPLASHPAD COMPONENTS

- (37) SPUSA Commercial Housings & Nozzles with varying patterns of spray**
- (3) Splash Pad Drains**
- (1) 1200 Gallon Holding Tank or Equivalent**
- (1) Pentair 5.0 Horsepower Pump - Feature nozzles**
- (1) Pentair 1.5 Horsepower Pump - Recirculation**
- (1) U.V. Sanitizer NSF 50 certified (Chlorking)**
- (1) IPS m-920 Chemical Feeder with Stenner Pumps – Remote Capable**
- (1) K1100 electronic water filler**
- (1) Pentair – 420 Cartridge Filter or Sand Filter TC-60**
- (1) 4 Valve Manifold for Nozzles -Sch 80 True union ball valves, Irritrol 700 solenoid valves for nozzles**
- (1) Pentair 3 Way Diverter Valve/Misc. Sch. 40 Sch 80 Fittings/Flow meters Pressure gauges Etc.**
- (1) SPUSA Control Box W/ Activation Timer and settings**
- (1) SPUSA Foot Pad Activator w/ Proximity Switch**
- (1) SPUSA Stainless Steel Frog Water Loop**
- (3) SPUSA Stainless Steel Water Loops**
- (1) SPUSA Stainless Steel Half Rain Curtain**
- (1) SPUSA Stainless Steel Tri Dump Bucket**
- (1) SPUSA Stainless Steel 40" Mushroom**
- (2) SPUSA Stainless Steel Water Cannons**
- (1) SPUSA Stainless Steel Palm Tree**
- (1) SPUSA Modified Coating Non-Slip surface – Additional Turnkey savings component**



SplashPadsUSA Reserves the right to change specifications without notice due to ongoing research and development. All plans, designs and renderings remain the property of and are licensed by SplashPadsUSA and cannot be used, reproduced or shared with third party entities without written permission from SplashPadsUSA.



CITY OF LA PINE, OREGON
REGULAR CITY COUNCIL MEETING

Wednesday, February 11, 2026, 5:30 p.m.

La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Available online via Zoom: <https://us02web.zoom.us/j/86507111733>

MINUTES

CALL TO ORDER

Mayor Earls called the meeting to order at 5:30 p.m.

ESTABLISH A QUORUM

Council

Mayor Earls

Councilor Shields – Absent (Excused)

Councilor Morse

Councilor Curtis

Staff

Geoff Wullschalger – City Manager

Ashley Ivans – Finance Director

Jason Wood – Public Works Director

Nick Tierney – Associate Planner

Amanda Metcalf – City Recorder

PLEDGE OF ALLEGIANCE

Councilor Morse led the Pledge of Allegiance.

ADDED AGENDA ITEMS

City Manager Wullschlager added an item to the agenda regarding a candidate for Sunriver La Pine Economic Development (SLED) board for consideration of appointment to their vacant seat.

PUBLIC COMMENTS

Scott Henderson, who lives on Anchor Way, provided public comment regarding issues he had experienced with the installation of his water meter. He stated that he felt the City did not adequately represent its citizens and expressed frustration that he had not received a reasonable response to his concerns. Mr. Henderson also stated that he believed the City had not properly advertised the vacant City Council seat and explained that he would have submitted an application. He further commented that he felt he could effectively represent the citizens of La Pine.

Mayor Earls responded that the application period for the vacant City Council position had already closed. She explained that the vacancy had been advertised on the City's website and that she had also

helped spread the information through word of mouth. Mayor Earls encouraged community members to consider running for office during the upcoming election year.

Stu Martinez, who lives on Morson Street, provided public comment and thanked the Council for recognizing Don Greiner earlier in the meeting. He explained that members of the community had gathered to say their goodbyes and that there had been a small luncheon which included Mayor Earls, City Manager Wullschlager, Colleen Scott and other current and former representatives of the City. He expressed appreciation for the time taken to acknowledge Don and his contributions.

Colleen Scott, who lives on Murray Drive, added to Mr. Martinez's earlier comments and thanked Mayor Earls and City Manager Wullschlager for attending Mr. Greiner's memorial and recognizing his contributions to the development of the City.

Ms. Scott also spoke regarding the City Council appointment and expressed her support for candidate Cathi VanDamme. She explained that she had served with Ms. VanDamme during the COVID period and had always been impressed by how supportive, prepared, and professional she was. Ms. Scott stated that Ms. VanDamme was well informed and that during that time it was important to have a cohesive team. She reiterated her support for Ms. VanDamme and expressed appreciation for the Council and their volunteer service to the community.

CONSENT AGENDA

1. 01.14.2026 City Council Meeting Minutes
 - a. Public Comment Form – C. Scott
 - b. Public Comment Form – T. Merrill
 - c. Public Comment Form – C. Scott

Councilor Curtis made a motion to approve the consent agenda. *Councilor Morse seconded the motion.*

Councilor Morse – Aye

Councilor Curtis – Aye

Motion passed unanimously.

OLD BUSINESS:

None.

NEW BUSINESS:

1. City Council Appointment

City Manager Wullschlager presented the associated staff report to the Council regarding the appointment of a new Council member to fill the vacant seat left by Council President Ignazzitto. He stated that there was only one eligible candidate who met the requirements outlined in the La Pine City Charter. The candidate, Cathi VanDamme, had previously served on multiple La Pine boards, including the City Council, where she was elected Council President. Ms. VanDamme was present at the meeting.

Councilor Morse nominated Cathi VanDamme for appointment to the office of City Councilor, for the remainder of the 2025-2028 term. *Councilor Curtis seconded the nomination.*

Councilor Morse – Aye

Councilor Curtis – Aye

Motion passed unanimously.

City Recorder Metcalf gave the oath to office for Councilor appoint VanDamme.

2. Election of Council President

City Manager Wullschlager explained that each year the Council elected a Council President to preside over meetings in the absence of the Mayor and to act as Mayor when the Mayor was unable to perform their duties.

The Council decided to postpone the election of the Council President until a full Council was present.

3. City of La Pine Annual Audit

Finance Director Ivans introduced Ms. Brenda Bartlett from Sensiba LLP, the City's auditing firm, to present the fiscal year 2024–2025 audit.

Ms. Bartlett introduced herself to the Council and explained that this was the second year her firm had provided auditing services for the City. She reported that the audit did not identify any significant issues with the City's financial statements, although there were several minor misstatements related to annual closing entries. She stated that management had agreed to correct these errors and had begun implementing new internal controls starting January 1, 2026. The auditors also identified areas for improvement in the City's internal control processes, particularly related to bank reconciliation procedures.

Ms. Bartlett explained that an additional audit was required due to the amount of federal funding the City received for the water and wastewater expansion project. She noted that the City had remained compliant with both state and federal requirements.

She further reviewed the overall audit findings in detail, describing how management was addressing the identified errors and noting that the size of the City's finance department may have contributed to some of the issues. She also stated that the City successfully met the December 31 deadline for the audit submission.

Lastly, Ms. Bartlett read the post-audit letter and explained that most of the points highlighted in the letter had already been addressed within the audit report.

There were no questions from the Council.

4. Urban Renewal Agency Appointment

City Manager Wullschlager explained to the Council that the Urban Renewal Agency (URA) had decided to postpone appointing a citizen member to the Agency until elements of the current Archway Project were finalized. He stated that many years of planning had gone into the project, and the URA preferred to execute a contract before appointing a new member.

He also stated that, following the resignation of Council President Ignazzitto, a new Councilor would need to be assigned to the URA, and that Council assignments would be discussed later in the meeting.

5. TGM IGA

Associate Planner Tierney presented the staff report for the Transportation Growth Management (TGM) grant that the City was awarded to update the Transportation System Plan (TSP). He explained that the TGM program is a joint venture with Oregon Department of Transportation (ODOT) and the

Oregon Department of Land Conservation and Development (DLCD). With ODOT being the administrator, they require an Intergovernmental Agreement (IGA) between ODOT and the City.

He explained the IGA and stipulated the required responsibilities and actions of each agency in administering the grant award. Additionally, he stated that staff was requesting that a Council member be appointed to serve on the board.

Councilor Morse made a motion to approve the Intergovernmental Agreement between the State of Oregon, acting by and through its Department of Transportation, and the City of La Pine, for the purpose of the City's Transportation and Growth Management Grant award for its Transportation System Plan update. *Councilor VanDamme seconded the motion.* Mayor Earls asked for a roll call vote:

Councilor VanDamme – Aye

Councilor Curtis – Aye

Councilor Morse – Aye

Motion passed unanimously.

6. Councilor Committee Assignments

There was a discussion regarding Councilor committee assignments, and it was decided to wait until all Councilors were present before making committee assignments.

7. La Pine Parks and Recreation District Project Funding Discussion

Finance Director Ivans presented information to the Council regarding a potential funding partnership with the La Pine Parks and Recreation District (LPRD) for the development of a splash pad. She explained that LPRD was requesting two forms of financial assistance from the City: a grant in the amount of \$20,000 and a low-interest loan to be repaid within ten years. She noted that the City had not previously participated in this type of funding arrangement and wanted direction from the Council before inviting LPRD to formally present the request.

The Council discussed the proposed splash pad project and generally expressed support for the concept. They also discussed potential funding sources. Finance Director Ivans explained that the funds would need to come from the General Fund, as Urban Renewal Agency funds have stricter limitations and could not be used for a project of this nature for LPRD.

Mayor Earls requested additional information from LPRD, specifically regarding how the District planned to fund the initial development of the splash pad as well as the ongoing maintenance to ensure the project would be sustainable for future generations.

Finance Director Ivans stated that she would invite representatives from the LPRD Board to attend the next City Council meeting to provide additional information and present their request.

8. SLED Board Vacancy

City Manager Wullschlager presented a recommended application to the Council for appointment to the Sunriver La Pine Economic Development (SLED) Board. He explained that the board member representing the La Pine Community Health Clinic had submitted her resignation, resulting in a vacant seat. He stated that the SLED Board received an application from Marie Mains, who was also affiliated with the La Pine Community Health Clinic, and that the Board recommended her appointment.

Councilor Curtis made a motion to appoint Marie Maines to the position of SLED representative to the City of La Pine. *Councilor Morse seconded the motion.*

Councilor VanDamme – Aye

Councilor Morse – Aye

Councilor Curtis – Aye

Motion passed unanimously.

OTHER MATTERS

There were no other matters.

PUBLIC COMMENTS

There were no public comments.

STAFF COMMENTS

City Recorder Metcalf did not have any comments.

Associate Planner Tierney provided an update on the Planning Department. He explained that there were no updates for long range planning; however, current planning had seen an increase in activity for the year, and four partition applications had been deemed complete. He stated that the Bend-La Pine Schools application for an addition to their bus barn was complete and that the housing development project on Drafter Road was in its second phase.

Finance Director Ivans provided an update on the water and wastewater project. She explained that staff conducted inspections on the installed sewer tanks with Taylor Northwest and Anderson Perry and that she would keep the Council updated as more information became available.

She stated that this year's audit was submitted by the December 31 deadline and noted that it was the first time during her tenure that the audit had been submitted on time, which was a significant accomplishment.

She reiterated that she would request that the Board of the Parks and Recreation District attend the next meeting to present their financial requests to the Council.

Lastly, she reminded the Council that budget season would begin soon, that appointments of citizen members to the Budget Committee would commence in April, and she encouraged community members to apply.

Public Works Director Wood informed the Council that a new boat used at the lagoons at the treatment plant had been acquired.

He also explained that staff conducted inspections on the septic tanks installed during the water and wastewater expansion project.

Lastly, he stated that swale maintenance had been completed in Huntington Meadows and new gravel had been installed to ensure proper water drainage.

City Manager Wullschlager provided an update on the Newberry Lift Station and stated that it was expected to be completed within the next 30 to 40 days.

He highlighted several bills on the legislative short session docket, including HB 4036 regarding the maintenance of affordable housing bonds, HB 4108 concerning annexation of communities into the

City’s Urban Growth Boundary, and SB 1585 which proposed a lower threshold for state funding grants. He explained each bill and how it could impact the City and asked the Council if they supported him submitting testimony on behalf of the City. The Council expressed support for City Manager Wullschlager to provide testimony regarding the proposed legislation.

He also stated that a Council retreat had been scheduled for April 18, 2026.

Lastly, he informed the Council that he and Mayor Earls attended an award ceremony with Taylor Northwest and Anderson Perry for the water and wastewater expansion project, where the City received an Engineering Excellence Award from the American Council of Engineering Companies of Oregon.

MAYOR & COUNCIL COMMENTS

Councilor Morse thanked Mayor Earls and City Manager Wullschlager for representing the City at the awards ceremony.

Councilor Curtis thanked staff for their work on the audit.

Councilor VanDamme thanked the Council for appointing her back onto the Council.

Mayor Earls explained that she would be unavailable for the next meeting, and the Council decided to cancel the meeting at the end of the month. She also stated that she would be unavailable in June.

She encouraged the community to be involved in the election this year in Central Oregon and stated that it was important to follow what was happening during the State’s legislative short session.

Lastly, she thanked Mr. Martinez and Ms. Scott for attending Mr. Greiner’s memorial and explained that they had a meaningful conversation about how to encourage younger generations in La Pine to become more involved. She also thanked Finance Director Ivans for her work on the audit.

EXECUTIVE SESSION: per ORS 192.660 if necessary

ADJOURNMENT

Mayor Earls adjourned the meeting at 6:53 p.m.

Date: _____

Jeannine Earls, Mayor

ATTEST:

Date: _____

Amanda Metcalf, City Recorder



1st

PUBLIC COMMENT FORM

Completed forms will be collected prior to the start of the meeting. Comments will be limited to 3 minutes and restricted to the topics indicated below. All remarks and questions must be addressed to the presiding officer, only. Comments will be respectful. Harsh and/or abusive language will not be permitted. (This document is a public record)

I would like to comment on:

Agenda Item Topic #: _____ in support of in opposition to as an interested party
Topic Title: _____

Non-Agenda Item Topic (Provide brief description): The City needs to represent the
Citizens Better

Name: Scott Henderson

City of La Pine Resident: YES NO Phone: 503 - 705 - 9876

Organization (if applicable): _____

Reasonable -

water meter
stener
website
needs &
desires of
citizens.



165

PUBLIC COMMENT FORM

Completed forms will be collected prior to the start of the meeting. Comments will be limited to 3 minutes and restricted to the topics indicated below. All remarks and questions must be addressed to the presiding officer, only. Comments will be respectful. Harsh and/or abusive language will not be permitted. (This document is a public record)

I would like to comment on:

Agenda Item Topic #: _____ in support of in opposition to as an interested party
Topic Title: _____

Non-Agenda Item Topic (Provide brief description): Thank you

Name: Stu Martineau

City of La Pine Resident: YES NO Phone: 541 - 410 - 6938

Organization (if applicable): _____

Don Greiner



1st

PUBLIC COMMENT FORM

Completed forms will be collected prior to the start of the meeting. Comments will be limited to 3 minutes and restricted to the topics indicated below. All remarks and questions must be addressed to the presiding officer, only. Comments will be respectful. Harsh and/or abusive language will not be permitted. (This document is a public record)

I would like to comment on:

Agenda Item Topic #: 1.b in support of in opposition to as an interested party

Topic Title: City Council Appointment

Non-Agenda Item Topic (Provide brief description): _____

Name: Colleen Scott

City of La Pine Resident: YES NO Phone: 541 306 0576

Organization (if applicable): _____



CITY COUNCIL HOME

The Voice of La Pine's Citizens

The City Council works to maintain La Pine's vision for a well-functioning, harmonious community today and in the future. It accomplishes this by creating ordinances and resolutions, approving the annual budget, overseeing land use and public works, and generally providing for local needs. Council members are elected by popular vote and serve four-year terms. The mayor is elected for a two-year term.



The city is not doing this

The City Council's main job is to represent the needs and desires of La Pine's citizens while keeping the best interests of the city in mind. La Pine's City Council operates with the mission statement: "To maintain the friendly, small-town nature of the city through considered choices and planned growth and development."

Contacting Council Members

Some of the duties of a council member involve listening to the concerns of residents and trying to resolve them. If you have concerns you would like to address with a City Council member, you may contact him or her by emailing info@lapineoregon.gov. You may also attend bi-monthly City Council meetings (the second and fourth Wednesday of each month), which are open to the public.

City Council Members

Jeannine Earls, Mayor: Term 01/2025-12/2026

*D. Scott Hendricks
2-11-26*

(no subject)

scott henderson <dscotthen@gmail.com>
Draft

Wed, Feb 11, 2026 at 4:43 PM

City council application

This is what qualifies me to be considered.

The city canceled its last council meeting not allowing me to present my application before the council before the deadline, so if they choose someone without considering this application it will look like an inside job.

I was originally voted into the position.
I was not voted out as the other applicant was.
I was on the city of La Pine public works committee.

I have been through the building and permitting process in La Pine and other counties.
I have installed water meters better than the city of La Pine, been involved in hot tapes for water services, septic systems, built houses and Warehouses, done road maintenance, worked on a landfill design, installed whole electrical and plumbing systems in houses.

I will ask that the city employees are able to answer questions from the citizens clearly. Unlike Geoff and Ashley refusing to give the proper drawings and rules on how to install a water meter. Or Brent changing his answer in Stevens development and requiring costly unexpected road improvements. Brent's idea of bicycle parking taking precedence over car parking is wrong. The inability of the city to make sure the sidewalks connect neighborhoods in a reasonable way needs to stop.

I will ask for the city to stop wasting money like in the case of sending out three city workers to install one water meter.

The city will need to be open 5 days a week to help its citizens.

The city has shown poor leadership skills when they allowed their building package to arrive before they had completed the permit process.

I am not going to offer a bogase solution to a problem just to make it look like a solution was offered as Geoff, Ashley, and Brent did when dealing with the water meter being placed in the wrong location in My driveway.

When I am wrong I will admit it, I am still waiting for the current mayor to do that in my water meter case.

The city has scared away small businesses that have tried to look at moving into the industrial area.

I believe in protecting the citizens of La Pine from the overreach of the city government.

I have lived in the city since 2017

Thank
Scott Henderson

D. Scott Henderson 2-11-26



16345 Sixth Street — PO Box 2460

La Pine, Oregon 97739

TEL (541) 536-1432

www.lapineoregon.gov

**CITY OF LA PINE PLANNING DIVISION
PROPOSED DEVELOPMENT CODE AMENDMENTS**

- DATE:** March 4th, 2026
- FILE NUMBER:** TA-25-0002 (Ordinance 2025-04)
- APPLICANT:** City of La Pine Community Development
- REQUEST:** City Staff identified code language updates to:
- Bring city code into compliance with current State statutes and regulations;
 - Provide clear and objective criteria within the zoning ordinance to provide for greater understanding of requirements;
 - Allow for local flexibility in interpreting code language;
 - Edit code language that is incorrect;
 - Delete references to outdated or removed sections.

Specifically, the proposed code amendments consist of clarifying updates and housekeeping revisions to Part III of the La Pine City Code. The proposal includes the following:

- Correct the definitions for building setbacks, and update the household living and commercial lodging definitions reflecting changes in short term rentals;
- Remove eating and drinking establishments from the Public Facility Zone;
- Classifying automotive wrecking, salvage, and junk yards as a conditional use in the Light Industrial Zone;
- Adopt the federal model code for Flood Hazard Areas;
- Correct code citations within the downtown overlay;
- Amend the shipping container restrictions to allow them on residential lands in conjunction with an active building permit;
- Update the fencing standards to allow barbed wire as required by a federal, state, or local agency;
- Adding development standards for street trees;
- Amend the commercial bicycle parking standards;
- Clarifying the applicability of clear vision areas to driveways as well;
- Amending the applicable zones in the traffic impact analysis criteria;
- Amending Zoning Checklist to Zoning Permit, and clarifying the applicable criteria;
- Adding criteria towards the regulation of short term rentals;
- Full update of the manufactured dwelling park criteria;

- Amending the campground and recreational vehicle park criteria to clarify when certain criteria apply to recreational vehicle parks;
- Updating the Type II and Type IV procedures criteria to reflect state statute;
- Amended standards for property line adjustments, ensuring lots created are suited for the use intended;
- Amending the institutional uses within the commercial zone, removing the residential use requirements;
- Clarifying the applicability criteria for Site Plan Reviews.

The Planning Commission and City Council held joint work sessions on September 17th, 2025, & October 22nd, 2025, to discuss the proposed changes. They directed staff to make editorial changes for final review. On November 12th, 2025, a public hearing was held with the Planning Commission for review and recommendation to City Council. The Planning Commission ultimately recommended City Council approve the amendments as proposed by staff, with the exclusion of criteria towards short-term rentals. At the City Council hearing held on December 10th, 2025, The City Council reviewed the Planning Commission Recommendation. The Council ultimately voted to remand the review back to the Planning Commission for further consideration of the Short Term Rental criteria. At the Planning Commission hearing held on January 21, 2026, the Planning Commission voted to incorporate the short term rental language back into the proposed code updates, and reduce the distance buffer for short term rentals from 500 feet to 250 feet.

STAFF CONTACT: Brent Bybee, Community Development Director
 Email: bbybee@lapineoregon.gov
 Phone: (541)668-1135

I. APPLICABLE CRITERIA:

PART III – CITY OF LA PINE DEVELOPMENT CODE

ARTICLE 7 – PROCEDURES

CHAPTER 15.204. – APPLICATION PROCEDURES

Sec. 15.204.040. – Type IV (legislative decisions).

OREGON REVISED STATUTES

CHAPTER 197 COMPREHENSIVE LAND USE PLANNING

ORS 197.610 - Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development

II. FINDINGS

PART III – CITY OF LA PINE DEVELOPMENT CODE

ARTICLE 7 – PROCEDURES

CHAPTER 15.204. – APPLICATION PROCEDURES

Sec. 15.204.040. – Type IV (legislative decisions).

A. Timing of requests. The city council may establish a schedule for when it will accept

legislative code amendment or plan amendment requests, or the city council may initiate its own legislative proposals at any time. Legislative requests are not subject to the 120-day review period under ORS 227.178.

FINDING: The current request was initiated by the city, and is not subject to the 120-day review period under ORS 227.178. Criteria met.

B. Application requirements.

- 1. Application forms. Legislative applications shall be made on forms provided by the city planning official.*
- 2. Submittal information. The application shall contain all of the following information:*
 - a. The information requested on the application form;*
 - b. A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);*
 - c. The required fee, except when City of La Pine initiates request;*
 - d. One copy of a letter or narrative statement that explains how the application satisfies each and all of the relevant approval criteria and standards; and*
 - e. Evidence of neighborhood contact, if applicable pursuant to section 15.202.050.*

FINDING: The applicable form was filled out by the city and submitted for the proposal. All information requested on the application form was provided. A map or plan is not applicable towards the code amendments that are proposed. The request was initiated by the City of La Pine, therefore a fee is not required. This staff report and work session materials serves as the narrative statement demonstrating compliance with the approval criteria. A neighborhood contact meeting is not required in accordance with LPDC Sec. 15.202.050. Criteria met.

- C. Procedure. Hearings on Type IV applications are conducted similar to city council hearings on other legislative proposals, except the notification procedure for Type IV applications must conform to state land use laws (ORS 227.175), as follows:*
- 1. The city planning official shall notify in writing the Oregon Department of Land Conservation and Development (DLCD) of legislative amendments (zone change, rezoning with annexation, or comprehensive plan amendment) at least 35 days before the first public hearing at which public testimony or new evidence will be received. The notice shall include a DLCD certificate of mailing.*
 - 2. At least 20 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance for any zone change, a notice shall be prepared in conformance with ORS 227.175 and mailed to:*

- a. *Each owner whose property would be directly affected by the proposal (e.g., rezoning or a change from one comprehensive plan land use designation to another); see ORS 227.186 for instructions;*
 - b. *Any affected governmental agency;*
 - c. *Any person who requests notice in writing; and*
 - d. *For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175.*
3. *At least ten days before the scheduled city council public hearing date, public notice shall be published in a newspaper of general circulation in the city.*
 4. *For each mailing and publication of notice, the city planning official shall keep an affidavit of mailing/publication in the record.*

FINDING: The above criteria addresses additional noticing requirements for proposals in accordance with ORS 227.1754. Notice was provided to DLCD on October 15th, 2025, which is 35 days before the initial hearing on November 19th, 2025. Notice was also provided to all property owners within the City of La Pine on October 28th, 2025, 22 days prior to the hearing, in accordance with the criteria of ORS 227.186, and subsection 2 above. Newspaper notice was published in the Bend Bulletin on November 9th, 2025, exceeding the 10-day notice requirement. Criteria met.

- D. *Final decision and effective date. A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance or, if not approved, upon mailing of the notice of decision to the applicant. Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the department of land conservation and development within 20 business days after the city council decision is filed with the city planning official. The city shall also provide notice to all persons as required by other applicable laws.*

FINDING: Once a final decision has been rendered by the City Council, notice shall be mailed to the applicant, participants of record, and DLCD within 20 days. Notice shall also be provided to all other persons as required by other applicable laws.

Oregon Revised Statutes

Chapter 197 Comprehensive Land Use Planning

197.610 Submission of proposed comprehensive plan or land use regulation changes to Department of Land Conservation and Development; rules.

- (1) *Before a local government adopts a change, including additions and deletions, to an acknowledged comprehensive plan or a land use regulation, the local government shall submit the proposed change to the Director of the Department of Land Conservation and Development. The Land Conservation and Development Commission shall specify, by rule, the deadline for submitting proposed changes, but in all cases the proposed change must be submitted at least*

20 days before the local government holds the first evidentiary hearing on adoption of the proposed change. The commission may not require a local government to submit the proposed change more than 35 days before the first evidentiary hearing.

FINDING: The City submitted notice to the Department of Land Conservation and Development (DLCD) on October 15th, 2025. Public notice was published in the Bend Bulletin on November 9th, 2025.

(2) If a local government determines that emergency circumstances beyond the control of the local government require expedited review, the local government shall submit the proposed changes as soon as practicable, but may submit the proposed changes after the applicable deadline.

FINDING: The city has not determined that emergency circumstances require an expedited review, and the applicable deadlines will be met. The criterion does not apply.

(3) Submission of the proposed change must include all of the following materials:

(a) The text of the proposed change to the comprehensive plan or land use regulation implementing the plan;

(b) If a comprehensive plan map or zoning map is created or altered by the proposed change, a copy of the map that is created or altered;

(c) A brief narrative summary of the proposed change and any supplemental information that the local government believes may be useful to inform the director or members of the public of the effect of the proposed change;

(d) The date set for the first evidentiary hearing;

(e) The form of notice or a draft of the notice to be provided under ORS 197.763, if applicable; and

(f) Any staff report on the proposed change or information describing when the staff report will be available, and how a copy of the staff report can be obtained.

FINDING: The October 15th, 2025, submission to DLCD included a brief narrative summarizing the proposed changes, work session materials, the date for the first evidentiary hearing, and a draft public notice including information regarding the availability of a final staff report.

(4) The director shall cause notice of the proposed change to the acknowledged comprehensive plan or the land use regulation to be provided to:

(a) Persons that have requested notice of changes to the acknowledged comprehensive plan of the particular local government, using electronic mail, electronic bulletin board, electronic mailing list server or similar electronic method; and

(b) Persons that are generally interested in changes to acknowledged comprehensive plans, by posting notices periodically on a public website using the Internet or a similar electronic method.

FINDING: Public notice of the proposed hearing was provided in the Bend Bulletin, made available to interested parties, and posted on the City of La Pine Community Development website. The proposal complies.

(5) When a local government determines that the land use statutes, statewide land use planning goals and administrative rules of the commission that implement either the statutes or the goals do not apply to a proposed change to the acknowledged comprehensive plan and the land use regulations, submission of the proposed change under this section is not required.

FINDING: The local government finds that the proposed text changes are editorial in nature, are intended to make County Code consistent with State law and provide clarity to the public. The proposed changes are supportive of Goal 1 (Citizen Involvement) by clarifying intent and removing improper citations. No other statutes or goals apply.

The proposed code changes are shown in Attachment A.

III. RECOMMENDATION: The Planning Department recommends that the Planning Commission review the proposed code changes and make a recommendation to the City of La Pine City Council to adopt the proposed Code edits or to adopt the proposed Code edits with changes.

Respectfully,

A handwritten signature in black ink, appearing to read "Brent Bybee". The signature is fluid and cursive, written in a professional style.

Brent Bybee, Community Development Director
City of La Pine Community Development

Attachment A: Proposed code changes

ORDINANCE NO. 2025-04

AN ORDINANCE OF THE CITY OF LA PINE AMENDING PART III – CITY OF LA PINE DEVELOPMENT CODE, ADOPTING ADDITIONAL PROCEDURAL CLARITY, STREAMLINING APPLICATION PROCESSES, AND EXPANDING OPTIONS FOR LOCAL RESIDENTS, AND DECLARING AN EMERGENCY

WHEREAS, the La Pine Development Code contains several sections that require amendments to bring the code into compliance with State law, and to remove references to outdated or removed State Statutes or City of La Pine Code language; and

WHEREAS, other sections of the City of La Pine’s Development Code requires amendments to clarify language and intent, codify existing practices, and provide clear and objective criteria within the code criteria; and

WHEREAS, the City of La Pine Planning Commission held a public hearing on the proposed language on November 19, 2025, and recommends adoption of the proposed amendments.

NOW, THEREFORE, the City of La Pine ordains as follows:

Section One: The above recitals are adopted into and made a part of this Ordinance 2025-04 as the City’s findings of fact.

Section Two: La Pine Development Code CHAPTER 15.12. – DEFINITIONS, is amended to add new definitions and amend existing definitions to read as depicted on the attached Exhibit A, with additions underlined and deletions ~~struck through~~.

Section Three: La Pine Development Code CHAPTER 15.14. – USE CATEGORIES, is amended to add new definitions and amend existing definitions to read as depicted on the attached Exhibit B, with additions underlined and deletions ~~struck through~~.

Section Four: La Pine Development Code CHAPTER 15.22. – COMMERCIAL AND MIXED-USE ZONES, is amended to read as depicted on the attached Exhibit C, with additions underlined and deletions ~~struck through~~.

Section Five: La Pine Development Code CHAPTER 15.24. – INDUSTRIAL AND PUBLIC FACILITY ZONES, is amended to read as depicted on the attached Exhibit D, with additions underlined and deletions ~~struck through~~.

Section Six: La Pine Development Code CHAPTER 15.36. – FLOODPLAIN OVERLAY ZONE, is amended to read as depicted on the attached Exhibit E, with additions underlined and deletions ~~struck through~~.

Section Seven: La Pine Development Code CHAPTER 15.40. – DOWNTOWN OVERLAY ZONES, is amended to read as depicted on the attached Exhibit F, with additions underlined and deletions ~~struck through~~.

Section Eight: La Pine Development Code CHAPTER 15.80. – DEVELOPMENT STANDARDS, GENERALLY, is amended to read as depicted on the attached Exhibit G, with additions underlined and deletions ~~struck through~~.

Section Nine: La Pine Development Code CHAPTER 15.82. – LANDSCAPING, BUFFERING AND FENCES, is amended to read as depicted on the attached Exhibit H, with additions underlined and deletions ~~struck through~~.

Section Ten: La Pine Development Code CHAPTER 15.86. – PARKING AND LOADING, is amended to read as depicted on the attached Exhibit I, with additions underlined and deletions ~~struck through~~.

Section Eleven: La Pine Development Code CHAPTER 15.88. – ACCESS AND CIRCULATION, is amended to read as depicted on the attached Exhibit J, with additions underlined and deletions ~~struck through~~.

Section Twelve: La Pine Development Code CHAPTER 15.90. – PUBLIC FACILITIES, is amended to read as depicted on the attached Exhibit K, with additions underlined and deletions ~~struck through~~.

Section Thirteen: La Pine Development Code CHAPTER 15.104. – SPECIAL USE STANDARDS – RESIDENTIAL USES AND ACCESSORY USES, is amended to read as depicted on the attached Exhibit L, with additions underlined and deletions ~~struck through~~.

Section Fourteen: La Pine Development Code CHAPTER 15.108. – SPECIAL USE STANDARDS – NON-RESIDENTIAL USES, is amended to read as depicted on the attached Exhibit M, with additions underlined and deletions ~~struck through~~.

Section Fifteen: La Pine Development Code CHAPTER 15.202. – SUMMARY OF APPLICATION TYPES AND GENERAL PROVISIONS, is amended to read as depicted on the attached Exhibit N, with additions underlined and deletions ~~struck through~~.

Section Sixteen: La Pine Development Code CHAPTER 15.204. – APPLICATION PROCEDURES, is amended to read as depicted on the attached Exhibit O, with additions underlined and deletions ~~struck through~~.

Section Seventeen: La Pine Development Code CHAPTER 15.306. – CERTIFICATE OF USE AND OCCUPANCY, is amended to read as depicted on the attached Exhibit P, with additions underlined and deletions ~~struck through~~.

Section Eighteen: La Pine Development Code CHAPTER 15.308. – ZONING CHECKLIST, is amended to read as depicted on the attached Exhibit Q, with additions underlined and deletions ~~struck through~~.

Section Nineteen: La Pine Development Code CHAPTER 15.312. – SITE PLAN REVIEW, is amended to read as depicted on the attached Exhibit R, with additions underlined and deletions ~~struck through~~.

Section Twenty: La Pine Development Code CHAPTER 15.414. – PROPERTY LINE ADJUSTMENTS, is amended to read as depicted on the attached Exhibit S, with additions underlined and deletions ~~struck through~~.

Section Twenty-One: If any court of competent authority invalidates a portion of ordinance 2025-04, the remaining portions will continue in full force and effect.

Section Twenty-Two: With Ordinance 2025-04 being immediately necessary for health, welfare, and safety of the people of the City of La Pine, an emergency is hereby declared to exist, and this Ordinance 2025-04 shall become effective upon signing.

This Ordinance was PASSED and ADOPTED by the La Pine City Council by a vote of ___ for, and ___ against and APPROVED by the mayor on December 10, 2025.

Jeannine Earls, Mayor

ATTEST:

Geoff Wullschlager, City Manager

PART III - CITY OF LA PINE DEVELOPMENT CODE

(***)

Article 2 – DEFINITIONS AND USE CATEGORIES

CHAPTER 15.12. – DEFINITIONS

(***)

Sec. 15.12.020. - Definitions.

(***)

Building setback means the minimum allowable horizontal distance from a property line, to the nearest vertical wall or other element of a building ~~or~~ or structure defined herein, except as allowed under [section 15.80.040](#). Where a public access easement is provided in lieu of or in addition to public right-of-way, the interior easement shall be an assumed property boundary for the purposes of setbacks.

(***)

Short-term rental(s) means the use of a dwelling unit (or a habitable portion of a dwelling unit) by any person or group of persons entitled to occupy the dwelling unit for rent for a period of less than thirty (30) consecutive days. Short-term rental(s) also means a vacation home rental approved under the regulations in effect through January 1, 2026, and owner-occupied short-term rentals. “Short-term rental(s)” does not mean bed and breakfast inns, hotels, and/or motels.

PART III - CITY OF LA PINE DEVELOPMENT CODE

(***)

Article 2 – DEFINITIONS AND USE CATEGORIES

(***)

CHAPTER 15.14. – USE CATEGORIES

(***)

[DIVISION 2.] – RESIDENTIAL USE CATEGORIES

(***)

Sec. 15.14.110. - Household living.

- A. *Definition.* Household living is characterized by the residential occupancy of a dwelling unit by a household. Tenancy is arranged on a month-to-month basis, or for a longer period. Uses where tenancy may be arranged for a shorter period are not considered residential. They are considered to be a form of transient lodging (see commercial lodging). Apartment complexes within individual dwelling units that have accessory services such as food service, dining rooms, and housekeeping are included as household living. Residential homes as defined by the State of Oregon are included in the household living category (see [section 15.12.020](#), definitions).
- B. *Examples.* Uses include living in single-family dwellings, townhomes, cottage cluster developments, duplexes, multi-family developments, accessory dwelling units, and manufactured dwellings.
- C. *Accessory uses.* Accessory uses commonly found are recreational activities, raising of pets, hobbies, and parking of the occupants' vehicles. Additionally, the following accessory uses are permitted:
 - 1. Home occupations, subject to special use regulations, see [section 15.104.090](#).
 - 2. Group day care homes and family daycare limited to on-site care for not more than 16 children and conforming to the state licensing requirements and standards under ORS 657A.250 and ORS 657A.440(4) are permitted as accessory uses. Other daycare uses are classified as daycare centers.
 - 3. Farm buildings as part of normal operations, on-site farm produce sales, provided that specialized animal raising, care, and processing, as defined in [section 15.12.020](#), is subject to special use regulations, see [section 15.108.080](#).
 - 4. ~~Accessory~~ Short-term rental(s) ~~is~~ are permitted in accordance with the criteria of section 15.104.100 ~~where the primary use of the residential dwelling is long-term occupancy.~~

~~Long-term occupancy means the resident (individual or family) resides in the dwelling a minimum of 183 days in a calendar year.~~

D. *Exceptions.*

1. Lodging where tenancy may be arranged for periods of less than one month is classified as commercial lodging or campgrounds and recreational vehicle parks.
2. In certain situations, lodging where tenancy may be arranged for periods less than one month may be classified as a community service use, such as short-term housing or mass shelter.

(***)

[DIVISION 3.] – COMMERCIAL USE CATEGORIES

(***)

Sec. 15.14.205. - Commercial lodging.

- A. *Definition.* Commercial lodging includes commercially-owned and -operated overnight accommodations where tenancy is typically arranged on a daily, weekly, or monthly basis and lodging is provided in a permanent structure.
- B. *Examples.* Examples may include bed and breakfast inns (as defined in [section 15.12.020](#)), hotels and motels, and extended stay hotels or suites.
- C. *Accessory uses.* At hotels and motels, accessory uses may include banquet, ballroom and conference center facilities, offices, parking for customers and employees, restaurant and bars, support retail activities, indoor or outdoor recreation facilities for use by customers only.
- D. *Exceptions.*
 1. The leasing of spaces or sites for temporary occupancy of persons in tents and/or recreational vehicles is classified as campgrounds and recreational vehicle parks.
 5. ~~The use of a residential dwelling for short-term rental where the primary use of the residential dwelling is long-term occupancy is considered an accessory use to household living. Long-term occupancy means the resident (individual or family) resides in the dwelling a minimum of 183 days in a calendar year.~~ Short-term rental(s) are permitted in accordance with the criteria of section 15.104.100.

PART III - CITY OF LA PINE DEVELOPMENT CODE

(***)

Article 3 – ZONING DISTRICTS

(***)

CHAPTER 15.22. – COMMERCIAL AND MIXED-USE ZONES

Sec. 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.

Sec. 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.

Sec. 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 CRMX and CN zones*. 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.

<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>Institutional Use Categories</i>					
Basic utilities	P	P	P	P	—
Colleges	P	L(2) <u>CU</u>	P	CU	—
Community services	P	L(2) <u>CU</u>	P	CU	—
Daycare centers	P	L(2) <u>CU</u>	P	P	—
Medical centers	CU	N	N	N	—
Parks and open areas	P	L(2) <u>CU</u>	P	L/CU (7)	—
Religious institutions	P	L(2)	P	P	—
Schools	P	L(2) <u>CU</u>	P	P	—

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 3 – ZONING DISTRICTS

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CHAPTER 15.24. – INDUSTRIAL AND PUBLIC FACILITY ZONES

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Sec. 15.24.300. Use regulations.

Uses may be designated as permitted, limited, conditional, or prohibited in the industrial and public facility zones. As noted in Table 15.24-1, a use may also be subject to special use standards of article 6.

- A. *Permitted uses (P)*. Uses allowed outright in the industrial and public facility zones are listed in Table 15.24-1 with a "P."
- B. *Limited uses (L)*. Uses allowed in the industrial and public facility zones subject to limitations are listed in Table 15.24-1 with an "L." The limitations are defined below and correspond with the footnote numbers in Table 15.24-1.
 1. *Eating and drinking establishments in the LI zone*. Eating and drinking establishments in the LI zone are limited to 2,500 square feet of gross floor area.
 2. *Offices in the LI, I, and PF zones*. Offices as a primary use are limited to industrial offices (as defined in section 15.14.235) and government offices that do not include a point-of-service facility. All other office uses must be accessory to a permitted industrial use.
 3. *Retail sales and services in the LI zone*. Retail sales and services in the LI zone are limited to 2,500 square feet of gross floor area, except for the following uses:
 - a. Health and fitness centers may exceed the maximum floor area.
 - b. Retail sales of heavy equipment may exceed the maximum floor area with a conditional use permit.
 - c. Retail sales of goods that are displayed outdoors, such as sales of building materials, landscape materials, or garden or farm supplies, may exceed the maximum floor area with a conditional use permit.
 4. *Automotive wrecking, salvage, and junk yards*. The storage or sale of junk requires a special license, see section 15.108.040.

5. *General manufacturing and production in the LI zone.* Agricultural processing establishments require a conditional use permit. Energy and power generation uses are prohibited. All other general manufacturing and production uses are permitted outright.
 6. *Warehouse and freight movement in the LI zones.* Truck transportation and loading terminals require a conditional use permit. All other warehouse and freight movement uses permitted outright.
 7. *Community services in the LI zone.* Government buildings and services that do not include a point-of-service facility are permitted. All other uses are prohibited.
 8. *Agriculture in the LI zone.* Agriculture uses in the LI zone are limited to large animal veterinary clinics allowed with a conditional use permit.
 9. *Marijuana facilities in the I zone.* Marijuana testing laboratories are permitted outright. Marijuana processing facilities, production facilities, or wholesalers are allowed with a conditional use permit.
 10. *Retail sales and services in the I and PF zones.* Retail sales and services in the I and PF zones are limited to mobile food unit sites.
 11. *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 15.24-1 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 15.24-1 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.

<i>Table 15.24-1. Use Regulations in the Industrial and Public Facility Zones</i>				
<i>Use Category</i>	<i>LI</i>	<i>I</i>	<i>PF</i>	<i>Special Use Standards</i>
<i>Residential Use Categories - None Permitted</i>				
<i>Commercial Use Categories</i>				
Eating and drinking establishments	L (1)	L (10)	N L (10)	Mobile food unit sites subject to Section 15.108.070.
<i>Industrial Use Categories</i>				

Automotive wrecking, salvage, and junk yards	<u>L/CU</u> (4)	N	L/CU (4)	Section 15.108.040
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PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 4 – OVERLAY ZONES

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CHAPTER 15.36. – ~~FLOODPLAIN~~ SPECIAL FLOOD HAZARD AREA OVERLAY ZONE

Sec. 15.36.010. - ~~Purpose~~ Statutory authorization, findings of fact, statement of purpose and methods.

~~The purposes of the flood plain overlay zone are to implement the comprehensive plan; to protect the public from the hazards associated with flood plains; to conserve important riparian areas along river/sloughs and streams for the maintenance of the fish and wildlife resources; and to preserve significant scenic and natural resources while balancing the public interests with those of individual property owners in the designated areas.~~

- A. Statutory Authorization. The State of Oregon has in ORS 197.175 delegated the responsibility to local governmental units to adopt floodplain management regulations designed to promote the public health, safety, and general welfare of its citizenry. Therefore, the City of La Pine does ordain as follows:
- B. Findings of Fact.
1. The flood hazard areas of the City of La Pine are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and general welfare.
 2. These flood losses may be caused by the cumulative effect of obstructions in special flood hazard areas which increase flood heights and velocities, and, when inadequately anchored, cause damage in other areas. Uses that are inadequately floodproofed, elevated, or otherwise protected from flood damage also contribute to flood loss.
- C. An overlay zone is a special zoning overlay which is applied over one or more base zones and establishes additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning. This Special Flood Hazard Area (SFHA) overlay zone intends to identify sections of the City subject to the hazards of 100-year periodic stream flooding as determined by the limits and extent of the Special Flood Hazard Area shown on Federal Emergency Management Agency (FEMA) Flood Insurance Map (FIRM) No. 41017C0245D, dated September 28, 2007, and associated Flood Insurance Study No. 19163CV000A, and any revision thereto, or more accurate studies, and to preclude future development or redevelopment that may suffer a loss of life or property in the subject area. Because the natural watercourse of waterways is dynamic and subject to change, the boundaries of the

Special Flood Hazard Area Overlay Zone may be revisited and adjusted, as necessary and warranted.

D. It is the purpose of this Chapter to promote the public health, safety and general welfare, to maintain streams and floodplains in their natural state to the maximum extent practical to reduce flood hazards, and to minimize public and private losses due to flooding in flood hazard areas by provisions designed to:

1. Protect human life and health;
2. Minimize expenditure of public money for costly flood control projects;
3. Preserve natural and beneficial floodplain functions;
4. Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
5. Minimize prolonged business interruptions;
6. Minimize damage to public facilities and utilities such as water and gas mains; electric, telephone and sewer lines; streets and bridges located in areas of special flood hazards;
7. Help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize blight areas caused by flooding;
8. Notify potential buyers that the property is in an area of special flood hazard;
9. Notify those who occupy special flood hazard areas that they assume responsibility for their actions;
10. Participate in and maintain eligibility for flood insurance and disaster relief;
11. Minimize the threat to persons, property and urban water quality from flooding and inadequate or improper drainage resulting from uncontrolled development or redevelopment of land to include filling, grading, excavation, removal; earthwork construction including berms and dikes; stockpiling of materials; or other alterations;
12. Ensure that flood loss reduction measures under the National Flood Insurance Program (NFIP) are consistent with retaining natural floodplain functions;
13. Ensure no net loss of hydraulic and geomorphic functions of floodplains;
14. To balance the public interests with those of individual property owners in the designated areas;
15. Allow the functions of the creek to continue, including erosion, deposition, and channel migration;

16. To implement the policies of the City's Comprehensive Plan.

Sec. 15.36.020. - ~~Designated areas~~ Methods of reducing flood losses.

The areas of special flood hazard identified by the Federal Insurance Administration in a scientific and engineering report entitled "Flood Insurance Study for Deschutes County, Oregon and Incorporated Areas" revised September 28, 2007, with accompanying flood insurance rate maps is hereby adopted by reference and incorporated herein by this reference. The flood insurance study is on file at the Deschutes County Community Development Department. The flood plain zone shall include all areas designated as "Special Flood Hazard Areas" by the flood insurance study for Deschutes County. When base flood elevation data has not been provided in the flood insurance study, the city will obtain, review and reasonably utilize any base flood elevation or floodway data available from federal, state or other sources, in determining the location of a flood plain or floodway.

In order to accomplish its purposes, this Chapter includes methods and provisions for:

- A. Restricting or prohibiting development which is dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- B. Requiring that development vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- C. Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
- D. Controlling filling, grading, dredging, and other development which may increase flood damage;
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert floodwaters or may increase flood hazards in other areas.

Sec. 15.36.030. - ~~Use regulations~~ Definitions.

~~A. Prohibited uses.~~

- ~~1. Marinas, boat slips and boat houses on private property.~~

~~B. Uses permitted outright.~~

~~In addition to the underlying zones and their permitted/conditional uses, the following uses and their accessory uses are permitted outright:~~

- ~~1. Agricultural use conducted without establishing or utilizing a structure. A structure does not include a boundary fence as long as such fence is designed to impede as little as possible the movement of floodwaters and flood-carried material.~~

2. ~~Management, propagation and harvesting of a forest product.~~
3. ~~Open space.~~
4. ~~Portions of a residential use that do not contain structures, such as lawn, garden or play areas.~~
5. ~~Road or street projects subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by the city that do not involve flood plain development.~~
6. ~~Excavation, grading and fill for the routine maintenance and repair of existing roads and roadway drainage within the road right-of-way that will have not have an adverse effect on flood waters.~~
7. ~~Operation, maintenance, and piping of existing irrigation systems operated by an irrigation district.~~
8. ~~Recreational vehicles provided they meet the standards and criteria established by this chapter.~~

C. Conditional uses permitted.

The following uses and their accessory uses may be allowed subject to applicable sections of this chapter:

1. ~~A roadway, bridge or utility structure, except a landfill, that will not impede the waters of a base flood.~~
2. ~~Incidental storage of material or equipment that is either not subject to damage by flood, or is mobile and readily removable from the area within time available after flood warning. If such material is not readily removable, it shall be anchored to prevent flotation and shall not obstruct water flow. Material or equipment stored shall include only items which will not create a hazard to the health or safety of persons, property, animals or plant life should the storage area be inundated.~~
3. ~~Single family dwelling, or a manufactured home on an individual lot. In addition to the other requirements of this Development Code, single family dwellings proposed to be sited in areas of the flood plain overlay zone designated agriculture on the comprehensive plan map may be approved. Single family dwellings proposed to be sited in areas of the flood plain zone designated forest on the comprehensive plan map may be approved and are subject to the applicable provisions of this chapter.~~
4. ~~Agricultural accessory buildings.~~
5. ~~Hydroelectric facilities.~~

6. ~~Excavation, grading and fill and removal within the bed and banks of a stream or river/slough or in a wetland, subject to this chapter.~~
7. ~~Recreational uses requiring only structures having an insignificant effect on flood waters outside the floodway, such as golf courses, tennis courts, driving ranges, archery ranges, picnic grounds, boat launching ramps, swimming areas, wildlife or nature preserves, game farms, fish hatcheries, shooting preserves and hunting or fishing areas.~~
8. ~~Subdividing or partitioning of land, any portion of which is located in a flood plain, subject to the provisions of this chapter.~~
9. ~~All new construction, expansion or substantial improvement of an existing dwelling, an agricultural related structure, a commercial, industrial or other nonresidential structure, or an accessory building having an insignificant effect on flood waters.~~
10. ~~A boat dock or pier, either individual or community, on private property which lies on the Deschutes River between river miles 226.4 and 224.5. This area is identified in the scenic waterway management plan as the Wickiup River community area.~~
11. ~~Surface mining of mineral and aggregate resources in conjunction with the operation and maintenance of irrigation systems operated by an irrigation district, including the excavation and mining for facilities, ponds, reservoirs, and the off site use, storage, and sale of excavated material.~~

D.—Limitations on conditional uses.

The following limitations shall apply to all uses allowed by this chapter:

1. ~~No new construction of a dwelling (including manufactured housing), accessory structure or farm use structure shall be allowed in the floodway of any river/slough or stream except for replacement in conformance with the applicable provisions of a dwelling lawfully in existence as of the effective date of [this] chapter.~~
2. ~~No new construction of a dwelling (including manufactured housing), accessory structure or farm use structure shall be located in the flood plain unless it can be demonstrated by the applicant that no alternative exists on the subject property which would allow the structure to be placed outside of the flood plain.~~
3. ~~No subdivision or partition shall be allowed which creates the potential for additional residential dwellings in the flood plain.~~
4. ~~All necessary federal, state, and local government agency permits shall be obtained.~~

The following definitions apply to this Chapter and, to the extent the term is not defined in Chapter 15.12, to other portions of the Development Code. Strictly for purposes of this Chapter, the definitions supersede conflicting definitions in Chapter 15.12. Unless specifically defined below, words or phrases used in this ordinance shall be interpreted so as to give them the meaning they have in common usage.

Appeal: A request for a review of the interpretation of any provision of this chapter or a request for a variance.

Area of shallow flooding: A designated Zone AO, AH, AR/AO or AR/AH on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

Area of special flood hazard: The land in the floodplain within a community subject to a 1 percent or greater chance of flooding in any given year. It is shown on the Flood Insurance Rate Map (FIRM) as Zone A, AO, AH, A1-30, AE, A99, AR. "Special flood hazard area" is synonymous in meaning and definition with the phrase "area of special flood hazard."

Base flood: The flood having a one percent chance of being equaled or exceeded in any given year.

Base flood elevation (BFE): The elevation to which floodwater is anticipated to rise during the base flood.

Basement: Any area of the building having its floor subgrade (below ground level) on all sides.

Below-grade crawl space: Means an enclosed area below the base flood elevation in which the interior grade is not more than two feet below the lowest adjacent exterior grade and the height, measured from the interior grade of the crawl space to the top of the crawl space foundation, does not exceed 4 feet at any point.

Building: See "Structure."

Critical facility: Means a facility for which even a slight chance of flooding might be too great. Critical facilities include, but are not limited to, schools, nursing homes, hospitals, police, fire and emergency response installations, installations which produce, use, or store hazardous materials or hazardous waste.

Development: Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Elevated building: Means, for insurance purposes, a nonbasement building which has its lowest elevated floor raised above ground level by foundation walls, shear walls, post, piers, pilings, or columns.

Fill: Placement of any materials such as soil, gravel, crushed stone, or other materials that change the elevation of the floodplain. The placement of fill is considered "development."

Flood or flooding:

1. A general and temporary condition of partial or complete inundation of normally dry land areas from:
 - a. The overflow of inland or tidal waters.
 - b. The unusual and rapid accumulation or runoff of surface waters from any source.
 - c. Mudslides (i.e., mudflows) which are proximately caused by flooding as defined in subsection (1)(b) of this definition and are akin to a river of liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
2. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in subsection (1)(a) of this definition.

Flood elevation study: An examination, evaluation and determination of flood hazards and, if appropriate, corresponding water surface elevations, or an examination, evaluation and determination of mudslide (i.e., mudflow) and/or flood-related erosion hazards.

Flood Insurance Rate Map (FIRM): The official map of a community, on which the Federal Insurance Administrator has delineated both the special hazard areas and the risk premium zones applicable to the community. A FIRM that has been made available digitally is called a Digital Flood Insurance Rate Map (DFIRM).

Flood Insurance Study (FIS): See "Flood elevation study."

Flood proofing: Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate risk of flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

Floodplain or flood prone area: Any land area susceptible to being inundated by water from any source. See "Flood or flooding."

Floodplain administrator: The community official designated by title to administer and enforce the floodplain management regulations.

Floodplain management: The operation of an overall program of corrective and preventive measures for reducing flood damage, including but not limited to emergency preparedness plans, flood control works, and floodplain management regulations.

Floodplain management regulations: Zoning Chapters, subdivision regulations, building codes, health regulations, special purpose Chapters (such as floodplain Chapter, grading Chapter and erosion control Chapter) and other application of police power. The term describes such state or

local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height. Also referred to as “Regulatory Floodway.”

Functionally dependent use: A use which cannot perform its intended purpose unless it is located or carried out in close proximity to water. The term includes only docking facilities, port facilities that are necessary for the loading and unloading of cargo or passengers, and ship building and ship repair facilities, and does not include long term storage or related manufacturing facilities.

Habitat Restoration Activities: Activities with the sole purpose of restoring habitats that have only temporary impacts and long-term benefits to habitat. Such projects cannot include ancillary structures such as a storage shed for maintenance equipment, must demonstrate that no rise in the BFE would occur as a result of the project and obtain a CLOMR and LOMR, and have obtained any other required permits (e.g., CWA Section 404 permit).

Hazardous material: The Oregon Department of Environmental Quality defines hazardous materials to include any of the following:

1. Hazardous waste as defined in ORS 466.005;
2. Radioactive waste as defined in ORS 469.300, radioactive material identified by the Energy Facility Siting Council under ORS 469.605 and radioactive substances defined in ORS 453.005;
3. Communicable disease agents as regulated by the Health Division under ORS Chapter 431 and 433.010 to 433.045 and 433.106 to 433.990;
4. Hazardous substances designated by the United States Environmental Protection Agency (EPA) under section 311 of the Federal Water Pollution Control Act, P.L. 92-500, as amended;
5. Substances listed by the United States EPA in section 40 of the Code of Federal Regulations, Part 302 – Table 302.4 (list of Hazardous Substances and Reportable Quantities) and amendments;
6. Material regulated as a Chemical Agent under ORS 465.550;
7. Material used as a weapon of mass destruction, or biological weapon;
8. Pesticide residue;
9. Dry cleaning solvent as defined by ORS 465.200(9).

Highest adjacent grade: The highest natural elevation of the ground surface prior to construction next to the proposed walls of a structure.

Historic structure: Any structure that is:

1. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
2. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
3. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or
4. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
 - a. By an approved state program as determined by the Secretary of the Interior; or
 - b. Directly by the Secretary of the Interior in states without approved programs.

Impervious Surface: A surface that cannot be penetrated by water and thereby prevents infiltration and increases the amount and rate of surface water runoff, leading to erosion of stream banks, degradation of habitat, and increased sediment loads in streams. Such surfaces can accumulate large amounts of pollutants that are then “flushed” into local water bodies during storms and can also interfere with recharge of groundwater and the base flows to water bodies.

Letter of Map Change (LOMC): Means an official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps and Flood Insurance Studies. The following are categories of LOMCs:

1. Conditional Letter of Map Amendment (CLOMA): A CLOMA is FEMA’s comment on a proposed structure or group of structures that would, upon construction, be located on existing natural ground above the base (1 percent annual chance) flood elevation on a portion of a legally defined parcel of land that is partially inundated by the base flood.
2. Conditional Letter of Map Revision (CLOMR): A CLOMR is FEMA’s comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area.
3. Conditional Letter of Map Revision based on Fill (CLOMR-F): A CLOMR-F is FEMA’s comment on a proposed project that would, upon construction, result in a modification of the special flood hazard area through the placement of fill outside the existing regulatory floodway.
4. Letter of Map Amendment (LOMA): An official amendment, by letter, to the Flood Insurance Rate Maps (FIRMs) based on technical data showing that an existing structure, parcel of land

or portion of a parcel of land that is naturally high ground, (i.e., has not been elevated by fill) above the base flood, that was inadvertently included in the special flood hazard area.

5. Letter of Map Revision (LOMR): A LOMR is FEMA’s modification to an effective Flood Insurance Rate Map (FIRM), or Flood Boundary and Floodway Map (FBFM), or both. LOMRs are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the SFHA. The LOMR officially revises the FIRM or FBFM, and sometimes the Flood Insurance Study (FIS) report, and, when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM, FBFM, or FIS report.
6. Letter of Map Revision based on Fill (LOMR-F): A LOMR-F is FEMA’s modification of the special flood hazard area shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway.
7. PMR: A PMR is FEMA’s physical revision and republication of an effective Flood Insurance Rate Map (FIRM) or Flood Insurance Study (FIS) report. PMRs are generally based on physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area.

Lowest floor: The lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure, usable solely for parking of vehicles, building access or storage in an area other than a basement area is not considered a building’s lowest floor; provided, that such enclosure is not built so as to render the structure in violation of the applicable non-elevation design requirements of this Chapter.

Manufactured dwelling: A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when attached to the required utilities. The term “manufactured dwelling” does not include a “recreational vehicle” and is synonymous with “manufactured home.”

Manufactured dwelling park or subdivision: A parcel (or contiguous parcels) of land divided into two or more manufactured dwelling lots for rent or sale.

Mean sea level: For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which Base Flood Elevations shown on a community’s Flood Insurance Rate Map are referenced.

New construction: For floodplain management purposes, “new construction” means structures for which the “start of construction” commenced on or after the effective date of a floodplain management regulation adopted by the City of La Pine and includes any subsequent improvements to such structures.

Ordinary High Water Mark: The line on the shore established by the fluctuations of water and indicated by physical characteristics such as a clear, natural line impressed on the bank; shelving;

changes in the character of soil; destruction of terrestrial vegetation; the presence of litter and debris; or other appropriate means that consider the characteristics of the surrounding areas.

Recreational vehicle: A vehicle which is:

1. Built on a single chassis;
2. 400 square feet or less when measured at the largest horizontal projection;
3. Designed to be self-propelled or permanently towable by a light duty truck; and
4. Designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory floodway: See “Floodway.”

Riparian: Of, adjacent to, or living on, the bank of a river, lake, pond, or other water body.

Sheet flow area: See “Area of shallow flooding.”

Silviculture: The art and science of controlling the establishment, growth, composition, health, and quality of forests and woodlands.

Special flood hazard area: See “Area of special flood hazard” for this definition.

Start of construction: Includes substantial improvement and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days from the date of the permit. The “actual start” means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured dwelling on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the “actual start of construction” means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

Structure: For floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured dwelling.

Substantial damage: Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

Substantial improvement: Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:

1. Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions;
or
2. Any alteration of a “historic structure”; provided, that the alteration will not preclude the structure’s continued designation as a “historic structure.”

Water dependent: Means a structure for commerce or industry which cannot exist in any other location and is dependent on the water by reason of intrinsic nature of its operations.

Water surface elevation: The height, in relation to the National Geodetic Vertical Datum (NGVD) of 1929, or other datum, of floods of various magnitudes and frequencies in the floodplains of coastal or riverine areas.

Variance: A grant of relief by the City of La Pine from the terms of a floodplain management regulation.

Violation: The failure of a structure or other development to be fully compliant with the community’s floodplain management regulations. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this chapter is presumed to be in violation until such time as that documentation is provided.

Sec. 15.36.040. - ~~Application for conditional use~~ General provisions.

A. ~~Contents of an application.~~

~~All records of any application for a conditional use permit and all certification of elevations shall be maintained in the records of the city for public inspection. An application for a conditional use permit in the flood plain overlay zone shall, at a minimum, contain the following information:~~

- ~~1. A detailed explanation of why it is necessary to conduct the proposed use in the flood plain overlay zone. Where base flood elevation data is not available from the flood insurance study or from another authoritative source, it shall be generated and submitted with the application for subdivision proposals and other proposed developments which contain at least 50 lots or five acres (whichever is less).~~
- ~~2. A site plan, drawn to scale and accompanied by drawings, sketches and descriptions which describe and illustrate the proposed use. This site plan shall include, at a minimum, existing and proposed site contours in relation to the base flood elevation,~~

~~existing and proposed structures, drainage facilities, and an explanation of how erosion will be dealt with during and after construction of the use.~~

- ~~3.—The location of the property relative to the channel of the river/slough or stream.~~
- ~~4.—The location of existing and proposed diking or abutments, if any.~~
- ~~5.—The elevation of the lowest habitable floor and of any basement floor for any dwelling unit or structure.~~
- ~~6.—The elevation to which the structure is to be floodproofed, if applicable.~~
- ~~7.—Elevations on the site plan shall be established by a licensed surveyor or engineer, and shall be in relation to mean sea level.~~
- ~~8.—Certification by a registered professional engineer or architect that the floodproofing methods for any structure meet the floodproofing criteria established by the Federal Emergency Management Agency and the applicable standards of this chapter.~~
- ~~9.—All other elements or information which will assist in the evaluation of the proposed development and conformance with the applicable criteria.~~

~~B.—Criteria to evaluate conditional uses.~~

- ~~1.—A conditional use permit in a flood plain overlay zone shall not be approved unless all standards established by the Federal Emergency Management Agency and this chapter are addressed and findings are made by the city that each of the standards and criteria are satisfied.~~
- ~~2.—Approval to alter or relocate a water course shall require notification to adjacent communities, the department of land conservation and development and department of state lands, prior to any such alteration or relocation and submit evidence to the Federal Insurance Administration. Maintenance shall be provided within the altered and relocated portion of said water course so that the flood carrying capacity is not diminished.~~
- ~~3.—A conditional use permit shall be based upon findings which relate to the property and existing and proposed structure(s). They shall not pertain to the property owner, inhabitants, economic or financial circumstances.~~
- ~~4.—All structures in the flood plain shall meet the following standards:
 - ~~a.—Anchoring.
 - ~~(1) All new construction and substantial improvements shall be anchored to prevent flotation, collapse or lateral movement of the structure.~~~~~~

~~(2) All manufactured homes must be anchored to prevent flotation, collapse or lateral movement, and shall be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.~~

~~b. Construction materials and methods.~~

~~(1) All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.~~

~~(2) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.~~

~~(3) Electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities shall be designed and/or otherwise elevated or located so as to prevent water from entering or accumulating within the components during conditions of flooding.~~

~~c. Utilities.~~

~~(1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the system.~~

~~(2) New and replacement sanitary systems shall be designed to minimize or eliminate infiltration of floodwaters into the system and discharge from the system into flood waters.~~

~~(3) On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.~~

~~d. Below grade crawlspace is allowed, subject to the standards in FEMA Technical Bulletin 11-01.~~

~~5. Subdivision and partition proposals.~~

~~a. All subdivision and partition proposals shall be consistent with the need to minimize flood damage.~~

~~b. All subdivision and partition proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.~~

~~c. All subdivision and partition proposals shall have adequate drainage provided to reduce exposure to flood damage.~~

~~6. Review of building permits. Where elevation data is not available either through the flood insurance study or from another authoritative source, applications for building permits shall be reviewed to ensure that proposed construction will be reasonably safe~~

from flooding. The test of reasonableness is a local judgment and includes use of historical data, high water marks, photographs of past flooding, etc., where available. (Failure to elevate at least two feet above grade in these zones may result in higher insurance rates.)

7. Specific standards. In the flood plain overlay zone, the following requirements must be met:

a. *Residential construction.*

(1) New construction, including replacement, and substantial improvement of any residential structure shall have the lowest floor of the entire structure, including basement, elevated at least one foot above base flood elevation.

(2) Fully enclosed areas below the lower floor that are subject to flooding are prohibited unless they are designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must satisfy the standards in FEMA Technical Bulletin 11-01 and must either be certified by a registered professional engineer or architect and must meet or exceed the following criteria:

- A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
- The bottom of all openings shall be no higher than one foot above grade.
- Openings may be equipped with screens, louvers or other coverings or devices, provided that they permit the automatic entry and exit of floodwaters.

b. *Nonresidential construction.* New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated at least one foot above the level of the base flood elevation, or, together with attendant utility and sanitary facilities, shall:

(1) Be flood proofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water.

(2) Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

(3) Be certified by a registered professional engineer or architect that the design and methods of construction are subject to accepted standards of practice for meeting provisions of this chapter, based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the city as set forth in this chapter.

~~(4) Nonresidential structures that are elevated, but not flood proofed, must meet the same standards for space below the lowest floor.~~

~~(5) Applicants for floodproofing nonresidential buildings shall be notified that flood insurance premiums will be based on rates that are one foot below the floodproofed level (e.g. a building constructed to the flood level will be rated as one foot below that level).~~

~~c.—*Manufactured homes.* All manufactured homes to be placed or substantially improved shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at least one foot above the base flood elevation. Such manufactured homes shall be securely anchored to an adequately anchored foundation system.~~

~~d.—*Parking facilities.* No parking facility shall be located within 20 feet (measured at right angles) of the ordinary high water mark (OHM).~~

~~8.—Floodways. In floodways the following provisions shall apply:~~

~~a.—Encroachments, including fill and removal, replacement of a dwelling lawfully in existence on the effective date of this chapter and other development are prohibited unless certification by a registered professional engineer is provided demonstrating that the proposed encroachments will not result in any increase in flood levels during a base flood discharge.~~

~~b.—The applicant must demonstrate that all necessary federal, state and local government agency permits have been or can be obtained and that all other applicable sections of this Development Code have been satisfied.~~

~~c.—Replacement of a dwelling shall not increase the square footage or footprint of the structure by more than 20 percent of the square footage or footprint of such dwelling as of the effective date of this chapter.~~

~~d.—No replacement of a dwelling shall be allowed if the use of the preexisting dwelling has been abandoned or otherwise terminated for a period of over one year.~~

A. Lands to Which This Chapter Applies. This Chapter shall apply to all special flood hazard areas within the jurisdiction of City of La Pine, which have been designated as part of the Special Flood Hazard Area overlay.

B. Basis for Establishing the Special Flood Hazard Areas. The special flood hazard areas identified by the Federal Insurance Administrator in a scientific and engineering report entitled "The Flood Insurance Study (FIS) for Deschutes County, Oregon and Incorporated Areas," dated September 28, 2007, with accompanying Flood Insurance Rate Maps (FIRMs) Panels 41017CINDOA and 41017C0245E are hereby adopted by reference and declared to be a part of this Chapter. The FIS and FIRM panels are on file at the Community Development Department located at City Hall.

C. Coordination with State of Oregon Specialty Codes. Pursuant to the requirement established in ORS 455 that the City of La Pine administers and enforces the State of Oregon Specialty Codes, the City of La Pine does hereby acknowledge that the Oregon Specialty Codes contain certain provisions that apply to the design and construction of buildings and structures located in special flood hazard areas. Therefore, this Chapter is intended to be administered and enforced in conjunction with the Oregon Specialty Codes.

D. Compliance and Penalties for Noncompliance.

1. Compliance. All development within special flood hazard areas is subject to the terms of this chapter and required to comply with its provisions and all other applicable regulations.
2. Penalties for Noncompliance. No structure or land shall hereafter be constructed, located, extended, converted, or altered without full compliance with the terms of this chapter and other applicable regulations. Violations of the provisions of this chapter by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a class c violation and shall be subject to a fine of up to \$500 per violation. Each violation of a separate provision of this chapter shall constitute a separate violation, and each day that a violation of this chapter is committed or permitted to continue shall constitute a separate violation. Violations of this chapter constitute a nuisance. In addition to any other remedies, the violations may be abated in accordance with the provisions of LPCO Chapter 10, Article III. Nothing contained herein shall prevent the City of La Pine from taking such other lawful action as is necessary to prevent or remedy any violation.

E. Abrogation and Severability.

1. Abrogation. This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another chapter, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
2. Severability. This chapter and the various parts thereof are hereby declared to be severable. If any section, clause, sentence, or phrase of the chapter is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this chapter.

F. Interpretation. In the interpretation and application of this chapter, all provisions shall be:

1. Considered as minimum requirements;
2. Liberally construed in favor of the governing body; and
3. Deemed neither to limit nor repeal any other powers granted under state statutes.

G. Warning and Disclaimer of Liability.

1. Warning. The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages.
2. Disclaimer of Liability. This chapter shall not create liability on the part of the City of La Pine, any officer or employee thereof, or the Federal Insurance Administrator for any flood damages that result from reliance on this chapter or any administrative decision lawfully made hereunder.

Sec. 15.36.050. - ~~Elevation certification~~ Uses.

~~Elevation of all new construction, including replacement and substantial improvements, relative to mean sea level of the lowest floor shall be documented before the framing inspection with a survey certified by a State of Oregon registered professional engineer or land surveyor.~~

A. Use provisions.

The land uses listed in this section Identify the uses that are prohibited, permitted outright, and conditional uses in the Special Flood Hazard Area Overlay Zone and in areas of special flood hazard as designated in Sec. 15.36.020., subject to the provisions of this Chapter. Only land uses that are specifically listed in this section, and land uses that are approved as “similar” to those in this section, may be permitted. The land uses identified as “Conditional Uses” require Conditional Use Permit approval prior to development or a change in use, in accordance with Chapter 15.316. Applications for development within the Special Flood Hazard Area Overlay Zone shall be on an appropriate form provided by the La Pine Community Development Department, accompanied by the appropriate fee.

B. Prohibited uses.

The following uses and activities are prohibited within the Special Flood Hazard Area Overlay Zone or special flood hazard area, except as allowed in subsection C & D below:

1. New dwellings on existing lots within areas of special flood hazard where 2,000 sq. ft. or more of area outside the area of special flood hazard is available for building.
2. New construction, including accessory buildings, is prohibited.
3. Clear cutting, scraping with motorized equipment, removal of root systems, or removal of native vegetation on stream banks.
4. Any encroachment during construction.
5. New impervious surfaces.

6. Removal of native vegetation on stream banks excluding trimming of no more than approximately 25% of the vegetation.
7. New clearing, grading, filling, land-disturbing activity or other "development," other than for the purpose of replacing nonnative vegetation with native vegetation, and for other restoration work that may be approved by the local administrator.
8. Septic tanks and drain fields, dumping of any materials, hazardous or sanitary waste landfills, and receiving areas for toxic or hazardous waste or other contaminants.
9. Subdivision and partitioning of land for residential purposes is prohibited if land is located entirely within the Special Flood Hazard Area Overlay Zone or area of special flood hazard. All new lots created in the Special Flood Hazard Area Overlay Zone or area of special flood hazard must result in a minimum of 2,000 sq. ft. of land area outside of the area of special flood hazard to serve as a building envelope.
10. Modification of the stream channel, except for where necessary for bank stabilization and/or fish habitat enhancement projects.
11. Developments that would result in a rise of flood heights in the FEMA regulatory floodplain.

C. *Uses permitted outright.*

Permitted uses below are allowed assuming fill is not added to the area of special flood hazard, and flood heights are not increased as a result of the permitted use:

1. Open space, excluding farming activities that require ground breaking.
2. Portions of a residential use that do not contain structures, such as lawn, garden or play areas.
3. Existing camping facilities, providing that waste disposal sites are not within the area subject to the hazards of 100-year periodic stream flooding.
4. Repair or remodel of an existing structure within its existing footprint, including buildings damaged by fire or other casualties.
5. Removal of noxious weeds.
6. Replacement of nonnative vegetation with native vegetation.
7. Ongoing activities such as lawn and garden maintenance.
8. Removal of hazardous trees.
9. Normal maintenance of existing public utilities and facilities.

D. Conditional uses permitted.

Uses listed below require Conditional Use Permit approval prior to development or a change in use, in accordance with Chapter 15.316.:

1. Crossings by transportation facilities and utility lines.
2. Parks, trails and pervious multi use paths.
3. Water-dependent uses, such as fish enhancement projects.
4. Restoration or enhancement of the stream bank, and bank stabilization projects.
5. A new single-family dwelling elevated without placement of fill on existing lots with less than 2,000 sq. ft. of land outside the 100-year floodplain as determined by site specific engineering, surveying, and hydrologic studies.
6. Expansion of existing dwellings in the 100-year floodplain.
7. Land divisions. All new lots created in the Special Flood Hazard Area Overlay District must result in a minimum of 2,000 sq. ft. of land area outside of the area of special flood hazard to serve as a building envelope.

Sec. 15.36.060. - ~~Yard and setback requirements~~ Administration.

In an FP zone, the following yard and setback requirements shall be maintained:

- ~~A. The front setback shall be a minimum of 20 feet from a property line fronting on a local street, 30 feet from a property line fronting on a collector and 50 feet from an arterial.~~
 - ~~B. There shall be a minimum side yard of ten feet for all uses.~~
 - ~~C. The minimum rear yard shall be 20 feet.~~
 - ~~D. The minimum yard setback for a nonfarm use from the property line adjacent to a farm use not owned by the applicant shall be 100 feet.~~
 - ~~E. In addition to the setbacks set forth herein, any greater setbacks required by applicable building or structural codes adopted by the State of Oregon and/or the city shall be met.~~
- A. Designation of the Floodplain Administrator. The Community Development Director is hereby appointed to administer, implement, and enforce this chapter by granting or denying development permits in accordance with its provisions. The Floodplain Administrator may delegate authority to implement these provisions.

- B. Duties and Responsibilities of the Floodplain Administrator. Duties of the Floodplain Administrator include, but are not limited to, the duties described in Sections 15.36.080. to 15.36.140.

Sec. 15.36.080. - ~~Little Deschutes River/slough and stream setback~~ Permit review.

To permit better light, air, vision, stream and pollution control, to protect fish and wildlife areas and to preserve the natural scenic amenities along streams and lakes, the following setbacks shall apply:

- ~~A. All sewage disposal installations such as septic tanks or septic drain fields shall be setback from the ordinary high water mark along all river/sloughs and streams a minimum of 100 feet, measured at right angles to the ordinary high water mark. In those cases where practical difficulties preclude the location of the facilities at a distance of 100 feet, and the county sanitarian finds that a closer location will not endanger public health or safety, a setback exception may be permitted to locate these facilities closer to the stream or lake, but in no case closer than 25 feet.~~
- ~~B. All structures, buildings or similar permanent fixtures shall be set back from the ordinary high water mark along all streams or lakes a minimum of 100 feet measured at right angles from the ordinary high water mark.~~

The Floodplain Administrator shall:

- A. Review all development permits to determine that the permit requirements of this Chapter have been satisfied and that all other required local, state, and federal permits have been obtained and approved;
- B. Review all development permits to determine if the proposed development is located in a floodway. If located in the floodway, assure that the floodway provisions of this Chapter in Section 15.36.250 are met;
- C. Review all development permits to determine if the proposed development is located in an area where Base Flood Elevation (BFE) data is available either through the Flood Insurance Study (FIS) or from another authoritative source. If BFE data is not available then ensure compliance with the provisions of Section 15.36.200;
- D. Provide to building officials the Base Flood Elevation (BFE) plus 1.0' applicable to any building requiring a development permit;
- E. Review all development permit applications to determine if the proposed development qualifies as a substantial improvement as defined in Section 15.36.030;
- F. Review all development permits to determine if the proposed development activity is a watercourse alteration. If a watercourse alteration is proposed, ensure compliance with the provisions in Section 15.36.180.A; and

- G. Review all development permits to determine if the proposed development activity includes the placement of fill or excavation.

Sec. 15.36.100. - ~~Dimensional standards~~ Information to be obtained and maintained.

In an FP zone, the following dimensional standards shall apply:

- A. ~~*Lot coverage.* The main building and accessory buildings located on any building site or lot shall not cover in excess of 30 percent of the total lot area.~~
- B. ~~*Building height.* No building or structure shall be erected or enlarged to exceed 30 feet in height, except as allowed through an exception.~~
- C. ~~*Minimum lot size.* Minimum lot size shall be ten acres for all areas which have received an exception to the statewide planning goals for resource uses. Areas which have not received an exception to the statewide planning goals shall have a minimum lot size of 80 acres.~~

The following information shall be obtained and maintained by the Floodplain Administrator and shall be made available for public inspection as needed:

- A. Obtain, record, and maintain the actual elevation (in relation to mean sea level) of the lowest floor (including basements) and all attendant utilities of all new or substantially improved structures where Base Flood Elevation (BFE) data is provided through the Flood Insurance Study (FIS), Flood Insurance Rate Map (FIRM), or obtained in accordance with Section 15.36.200.
- B. Obtain and record the elevation (in relation to mean sea level) of the natural grade of the building site for a structure prior to the start of construction and the placement of any fill and ensure that the requirements of Sections 15.36.250. and 15.36.080.A are adhered to.
- C. Upon placement of the lowest floor of a structure (including basement) but prior to further vertical construction, obtain documentation, prepared and sealed by a professional licensed surveyor or engineer, certifying the elevation (in relation to mean sea level) of the lowest floor (including basement).
- D. Where base flood elevation data are utilized, obtain as-built certification of the elevation (in relation to mean sea level) of the lowest floor (including basement) prepared and sealed by a professional licensed surveyor or engineer, prior to the final inspection.
- E. Maintain all Elevation Certificates (EC) submitted to the City of La Pine.
- F. Obtain, record, and maintain the elevation (in relation to mean sea level) to which the structure and all attendant utilities were floodproofed for all new or substantially improved floodproofed structures where allowed under this Chapter and where Base Flood Elevation (BFE) data is provided through the FIS, FIRM, or obtained in accordance with Section 15.36.200.

- G. Maintain all floodproofing certificates required under this Chapter.
- H. Record and maintain all SFHA variance actions, including justification for their issuance.
- I. Obtain and maintain all hydrologic and hydraulic analyses performed as required under Section 15.36.250.
- J. Record and maintain all Substantial Improvement and Substantial Damage calculations and determinations as required under Section 15.36.140
- K. Maintain for public inspection all records pertaining to the provisions of this Chapter.

Sec. 15.36.120. - ~~Warning and disclaimer of liability~~ Requirement to notify other entities and submit new technical data.

The degree of flood protection required by the city is considered reasonable for regulatory purposes and is based upon scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. This chapter shall not create liability on the part of the city, Deschutes County, any officer, agent or employee thereof, or the Federal Insurance Administration, for any flood damages that result from reliance on this chapter or any decision lawfully made hereunder.

- A. Community Boundary Alterations. The floodplain administrator shall notify the Federal Insurance Administrator in writing whenever the boundaries of the community have been modified by annexation or the community has otherwise assumed authority or no longer has authority to adopt and enforce floodplain management regulations for a particular area, to ensure that all flood hazard boundary maps (FHBM) and flood insurance rate maps (FIRM) accurately represent the community's boundaries. Include within such notification a copy of a map of the community suitable for reproduction, clearly delineating the new corporate limits or new area for which the community has assumed or relinquished floodplain management regulatory authority.
- B. Watercourse Alterations. Notify adjacent communities, the Department of Land Conservation and Development, and other appropriate state and federal agencies, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Insurance Administration. This notification shall be provided by the applicant to the Federal Insurance Administration as a Letter of Map Revision (LOMR) along with either:
 - 1. A proposed maintenance plan to assure the flood carrying capacity within the altered or relocated portion of the watercourse is maintained; or
 - 2. Certification by a registered professional engineer that the project has been designed to retain its flood carrying capacity without periodic maintenance.

The applicant shall be required to submit a Conditional Letter of Map Revision (CLOMR) when required under Section 15.36.120.C. Ensure compliance with all applicable requirements in Sections 15.36.120.C and 15.36.180.A.

- C. Requirement to Submit New Technical Data. A community's base flood elevations may increase or decrease resulting from physical changes affecting flooding conditions. As soon as practicable, but not later than six months after the date such information becomes available, a community shall notify the Federal Insurance Administrator of the changes by submitting technical or scientific data in accordance with Section 44 of the Code of Federal Regulations (CFR), Sub-Section 65.3. The community may require the applicant to submit such data and review fees required for compliance with this section through the applicable FEMA Letter of Map Change (LOMC) process.

The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:

1. Proposed floodway encroachments that increase the base flood elevation; and
2. Proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.

An applicant shall notify FEMA within six (6) months of project completion when an applicant has obtained a Conditional Letter of Map Revision (CLOMR) from FEMA. This notification to FEMA shall be provided as a Letter of Map Revision (LOMR).

The applicant shall be responsible for preparing all technical data to support CLOMR/LOMR applications and paying any processing or application fees associated with the CLOMR/LOMR.

The Floodplain Administrator shall be under no obligation to sign the Community Acknowledgement Form, which is part of the CLOMR/LOMR application, until the applicant demonstrates that the project will or has met the requirements of this code and all applicable state and federal laws.

Sec. 15.36.140. - Interpretation of firm boundaries Substantial improvement and substantial damage assessments and determinations.

The city shall make interpretations where needed, as to exact location of the boundaries of the areas of special flood hazards (for example, where there appears to be a conflict between a mapped boundary and actual field conditions).

- A. The Floodplain Administrator shall conduct Substantial Improvement (SI) (as defined in Section 15.36.030) reviews for all structural development proposal applications and maintain a record of SI calculations within permit files in accordance with Section 15.36.100. Conduct Substantial Damage (SD) assessments when structures are damaged due to a natural hazard event or other causes. Make SD determinations whenever structures within the special flood hazard area (as established in section 2.10.400.B) are damaged to the extent that the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

- B. The Floodplain Administrator shall make interpretations where needed, as to exact location of the boundaries of the special flood hazard areas (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation. Such appeals shall be granted consistent with the standards of section 60.6 of the Rules and Regulations of the National Flood Insurance Program (44 CFR 59-76).

Sec. 15.36.150. – Establishment of development permit.

- A. Floodplain Development Permit Required. A development permit shall be obtained before construction or development begins within any area horizontally within the special flood hazard area established in Section 15.36.040.B. The development permit shall be required for all structures, including manufactured dwellings, and for all other development, as defined in Section 15.36.030, including fill and other development activities.

Development proposals within the Special Flood Hazard Area Overlay Zone shall be reviewed under a Type II procedure. Development approval within the Special Flood Hazard Area Overlay Zone shall be obtained before construction or development begins within any area of special flood hazard as established by this chapter. Approval shall be required for all structures, stream bank erosion control or enhancement projects, and development.

- B. Application for Development Permit.

1. Application for a development within the SFHA shall be filed on forms furnished by the Floodplain Administrator. In addition to any other required materials for the applicable application, the submittal must include plans drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. The following information is also required:
 - a. In riverine flood zones, the proposed elevation (in relation to mean sea level), of the lowest floor (including basement) and all attendant utilities of all new and substantially improved structures; in accordance with the requirements of Section 15.36.100.
 - b. Proposed elevation in relation to mean sea level to which any nonresidential structure will be floodproofed.
 - c. Certification by a registered professional engineer or architect licensed in the State of Oregon that the floodproofing methods proposed for any nonresidential structure meet the floodproofing criteria for nonresidential structures in Section 15.36.240.C.
 - d. Description of the extent to which any watercourse will be altered or relocated.
 - e. Base Flood Elevation data for subdivision proposals or other development when required per Section 15.36.080 and 15.36.190.

- f. Substantial improvement calculation for any improvement, addition, reconstruction, renovation, or rehabilitation of an existing structure.
- g. The amount and location of any fill or excavation activities proposed.

Sec. 15.36.160. – Development standards.

The following standards apply to all development and land divisions within the Special Flood Hazard Area Overlay Zone or area of special flood hazard in the City and its urbanizable areas:

- A. In all areas of special flood hazard within the City and its urbanizable area as determined in Section 15.36.010, where base flood elevation data has been provided, the following provisions apply to all new and reconstructed structures:
 - 1. Setbacks.
 - a. The purpose of setback requirements is to not encroach upon the Little Deschutes River and to protect structures from erosion and flooding while also allowing an economic use of the land.
 - b. The setback standards herein are to be used in combination with setback standards of the underlying district, with the more restrictive setbacks superseding the less restrictive setbacks.
 - c. All portions of new structures shall be sited within a distance of 1/2 the depth of the lot, away from the area of special flood hazard, measuring from the lot line opposite of the area of special flood hazard. The depth of the lot shall be determined by averaging the side lot lines. For example, if a lot is 150 ft. deep, all new structures shall be within 75 ft. of the lot line opposite to the Little Deschutes River. Setback standards of the underlying district apply in addition to this general setback standard.
 - d. Existing dwellings may be expanded, but not towards the Little Deschutes River. Existing setbacks from dwellings to Little Deschutes River shall not be decreased as a result of expansions.
 - e. These setback requirements seek to decrease risks to structures from erosion and flooding. Where the literal application of the setback standards conflict with the purposes of this Chapter, a Major Variance may be used to allow placement of new structures to achieve this Chapter’s purposes.
- B. Subdivision and partition proposals, for properties not entirely within the Special Flood Hazard Area Overlay Zone or area of special flood hazard shall have:
 - 1. All new lots created result in a minimum of 2,000 sq. ft. of land area outside of the special flood hazard area to serve as building envelopes.
 - 2. Measures to minimize flood damage.

3. Public utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.
4. Adequate drainage provided to reduce exposure to flood damage.
5. Measures to prevent erosion and, where applicable, stream bank enhancement methods are incorporated into the subdivision design.

Sec. 15.36.170. – Special flood hazard area variance procedure.

The issuance of a SFHA variance is for floodplain management purposes only. Flood insurance premium rates are determined by federal statute according to actuarial risk and will not be modified by the granting of a SFHA variance.

A. Conditions for SFHA Variances.

1. Generally, SFHA variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, in conformance with the provisions of subsections (A)(3) and (6) of this section. As the lot size increases beyond one-half acre, the technical justification required for issuing a SFHA variance increases.
2. SFHA variances shall only be issued upon a determination that the SFHA variance is the minimum necessary, considering the flood hazard, to afford relief.
3. SFHA variances shall not be issued within any floodway if any increase in flood levels during the base flood discharge would result.
4. SFHA variances shall only be issued upon:
 - a. A showing of good and sufficient cause;
 - b. A determination that failure to grant the SFHA variance would result in exceptional hardship to the applicant;
 - c. A determination that the granting of a SFHA variance will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances, cause fraud on or victimization of the public, or conflict with existing laws or Chapters.
5. SFHA variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation of historic structures will not preclude the structure's continued designation as a historic structure and the SFHA variance is the minimum necessary to preserve the historic character and design of the structure.

6. SFHA variances may be issued by a community for new construction and substantial improvements and for other development necessary for the conduct of a functionally dependent use; provided, that the criteria of subsections (A)(2) through (5) of this section are met, and the structure or other development is protected by methods that minimize flood damages during the base flood and create no additional threats to public safety.
- B. SFHA Variance Notification. Any applicant to whom a SFHA variance is granted shall be given written notice that the issuance of a SFHA variance to construct a structure below the base flood elevation will result in increased premium rates for flood insurance and that such construction below the base flood elevation increases risks to life and property. Such notification and a record of all SFHA variance actions, including justification for their issuance, shall be maintained in accordance with Section 15.36.100.

Sec. 15.36.180. – Provisions for flood hazard reduction.

- A. General Standards. In all special flood hazard areas, the following standards shall be adhered to:
 1. Alteration of Watercourses. Require that the flood carrying capacity within the altered or relocated portion of said watercourse is maintained. Require that maintenance is provided within the altered or relocated portion of said watercourse to ensure that the flood carrying capacity is not diminished. Require compliance with Sections 15.36.120.B and C.
 2. Anchoring.
 - a. All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.
 - b. All manufactured dwellings shall be anchored per Section 15.36.240.D.
 3. Construction Materials and Methods.
 - a. All new construction and substantial improvements shall be constructed with materials and utility equipment resistant to flood damage.
 - b. All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage.
- B. Utilities and Equipment.
 1. Water Supply, Sanitary Sewer, and On-Site Waste Disposal Systems.
 - a. All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the system.

- b. New and replacement sanitary sewage systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
 - c. On-site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding consistent with the Oregon Department of Environmental Quality.
 - 2. Electrical, Mechanical, Plumbing, and Other Equipment. Electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall be elevated at or above the BFE level plus 1.0' or shall be designed and installed to prevent water from entering or accumulating within the components and to resist hydrostatic and hydrodynamic loads and stresses, including the effects of buoyancy, during conditions of flooding. In addition, electrical, heating, ventilating, air-conditioning, plumbing, duct systems, and other equipment and service facilities shall:
 - a. If replaced as part of a substantial improvement shall meet all the requirements of this section.
 - 3. Tanks.
 - a. Underground tanks shall be anchored to prevent flotation, collapse and lateral movement under conditions of the base flood.
 - b. Above-ground tanks shall be installed at or above the BFE base flood level plus 1.0' or shall be anchored to prevent flotation, collapse, and lateral movement under conditions of the base flood.

Sec. 15.36.190. – Subdivision proposals and other proposed developments.

- A. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) greater than 50 lots or 5 acres, whichever is the lesser, shall include within such proposals, Base Flood Elevation data.
- B. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) shall:
 - 1. Be consistent with the need to minimize flood damage.
 - 2. Have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage.
 - 3. Have adequate drainage provided to reduce exposure to flood hazards.

Sec. 15.36.200. – Use of other base flood data.

- A. When Base Flood Elevation data has not been provided in accordance with Section 15.36.040.B the local floodplain administrator shall obtain, review, and reasonably utilize any Base Flood Elevation data available from a federal, state, or other source, in order to administer Sections 15.36.180 through 15.36.250. All new subdivision proposals and other proposed new developments (including proposals for manufactured dwelling parks and subdivisions) must meet the requirements of section 15.36.190.

- B. Base Flood Elevations shall be determined for development proposals that are 5 acres or more in size or are 50 lots or more whenever there is not an established base flood elevation. Development proposals located within a riverine unnumbered A Zone shall be reasonably safe from flooding; the test of reasonableness includes use of historical data, high water marks, FEMA provided Base Level Engineering data, and photographs of past flooding, etc., where available, but at a minimum shall be at least 2 feet above the adjacent grade.

Sec. 15.36.210. – Structure located in multiple or partial flood zones.

In coordination with the State of Oregon Specialty Codes:

- A. When a structure is located in multiple flood zones on the community's Flood Insurance Rate Maps (FIRM) the provisions for the more restrictive flood zone shall apply.

- B. When a structure is partially located in a special flood hazard area, the entire structure shall meet the requirements for new construction and substantial improvements.

Sec. 15.36.220. – Critical facilities.

Construction of new critical facilities shall be, to the extent possible, located outside the limits of the special flood hazard area. Construction of new critical facilities shall be permissible within the SFHA only if no feasible alternative site is available. Critical facilities constructed within the SFHA shall have the lowest floor elevated three (3) feet above the base flood elevation (BFE) or to the height of the 500-year flood, whichever is higher. Access to and from the critical facility shall also be protected to the height utilized above. Floodproofing and sealing measures must be taken to ensure that toxic substances will not be displaced by or released into floodwaters.

Sec. 15.36.230. – Specific standards for riverine (including all non-coastal) flood zones.

These specific standards shall apply to all new construction and substantial improvements in addition to the General Standards contained in Section 15.36.180.A.1.

- A. Flood Openings. All new construction and substantial improvements with fully enclosed areas below the lowest floor (excluding basements) are subject to the following requirements.

Enclosed areas below the Base Flood Elevation, including crawl spaces, shall:

1. Be designed to automatically equalize hydrostatic flood forces on walls by allowing for the entry and exit of floodwaters;
2. Be used solely for parking, storage, or building access;
3. Be certified by a registered professional engineer or architect or meet or exceed all of the following minimum criteria:
 - a. A minimum of two openings.
 - b. The total net area of non-engineered openings shall be not less than one (1) square inch for each square foot of enclosed area, where the enclosed area is measured on the exterior of the enclosure walls.
 - c. The bottom of all openings shall be no higher than one foot above grade.
 - d. Openings may be equipped with screens, louvers, valves, or other coverings or devices; provided, that they shall allow the automatic flow of floodwater into and out of the enclosed areas and shall be accounted for in the determination of the net open area.
 - e. All additional higher standards for flood openings in the State of Oregon Residential Specialty Codes Section R322.2.2 shall be complied with when applicable.

B. Garages.

1. Attached garages may be constructed with the garage floor slab below the Base Flood Elevation (BFE) in riverine flood zones, if the following requirements are met:
 - a. If located within a floodway the proposed garage must comply with the requirements of Section 15.36.250;
 - b. The floors are at or above grade on not less than one side;
 - c. The garage is used solely for parking, building access, and/or storage;
 - d. The garage is constructed with flood openings in compliance with this section to equalize hydrostatic flood forces on exterior walls by allowing for the automatic entry and exit of floodwater;
 - e. The portions of the garage constructed below the BFE are constructed with materials resistant to flood damage;
 - f. The garage is constructed in compliance with the standards in Section 15.36.180.A; and

- g. The garage is constructed with electrical and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.
- 2. Detached garages must be constructed in compliance with the standards for appurtenant structures in Section 15.36.240.F or non-residential structures in Section 15.36.240.C depending on the square footage of the garage.

Sec. 15.36.240. – Specific standards for riverine (Non-Coastal) special flood hazard areas with base flood elevations.

In addition to the general standards listed in Section 15.36.180.A the following specific standards shall apply in Riverine (non-coastal) special flood hazard areas with Base Flood Elevations (BFE): Zones A1-A30, AH, and AE.

- A. Before Regulatory Floodway. In areas where a regulatory floodway has not been designated, no new construction, substantial improvement, or other development (including fill) shall be permitted within Zones A1-30 and AE on the community’s Flood Insurance Rate Map (FIRM), unless it is demonstrated that the cumulative effect of the proposed development, when combined with all other existing and anticipated development, will not increase the water surface elevation of the base flood more than one foot at any point within the community.
- B. Residential Construction.
 - 1. New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated at or above the Base Flood Elevation (BFE) plus 1.0'.
 - 2. Enclosed areas below the lowest floor shall comply with the flood opening requirements in Section 15.36.230.A.
- C. Non-Residential Construction.
 - 1. New construction and substantial improvement of any non-residential structure shall:
 - a. Have the lowest floor, including basement elevated at or above one (1) foot above the Base Flood Elevation (BFE);

Or, together with attendant utility and sanitary facilities,
 - b. Be floodproofed so that below the base flood elevation level the structure is watertight with walls substantially impermeable to the passage of water;
 - c. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

- d. Be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this section based on their development and/or review of the structural design, specifications and plans. Such certifications shall be provided to the Floodplain Administrator as set forth in Section 15.36.230.
2. Non-residential structures that are elevated, not floodproofed, shall comply with the standards for enclosed areas below the lowest floor in Section 15.36.230.
3. Applicants floodproofing non-residential buildings shall be notified that flood insurance premiums will be based on rates that are one (1) foot below the floodproofed level (e.g., a building floodproofed to the base flood level will be rated as one (1) foot below that level).
4. Applicants shall supply a maintenance plan for the entire structure to include but not limited to: exterior envelope of structure; all penetrations to the exterior of the structure; all shields, gates, barriers, or components designed to provide floodproofing protection to the structure; all seals or gaskets for shields, gates, barriers, or components; and, the location of all shields, gates, barriers, and components, as well as all associated hardware, and any materials or specialized tools necessary to seal the structure.
5. Applicants shall supply an Emergency Action Plan (EAP) for the installation and sealing of the structure prior to a flooding event that clearly identifies what triggers the EAP and who is responsible for enacting the EAP.

D. Manufactured Dwellings.

1. New or substantially improved manufactured dwellings supported on solid foundation walls shall be constructed with flood openings that comply with Section 15.36.230.A;
2. The bottom of the longitudinal chassis frame beam shall be at or above Base Flood Elevation;
3. New or substantially improved manufactured dwellings shall be anchored to prevent flotation, collapse, and lateral movement during the base flood. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors. (Reference FEMA's "Manufactured Home Installation in Flood Hazard Areas" guidebook for additional techniques), and;
4. Electrical crossover connections shall be a minimum of twelve (12) inches above Base Flood Elevation (BFE).

E. Recreational Vehicles. Recreational vehicles placed on sites are required to:

1. Be on the site for fewer than 180 consecutive days, fully licensed and ready for highway use, on its wheels or jacking system, be attached to the site only by quick disconnect type utilities and security devices, and have no permanently attached additions; or

2. Meet the requirements of subsection (D) of this section, including the anchoring and elevation requirements for manufactured dwellings.
- F. Appurtenant (Accessory) Structures. Relief from elevation or floodproofing requirements for residential and non-residential structures in riverine (non-coastal) flood zones may be granted for appurtenant structures that meet the following requirements:
1. Appurtenant structures located partially or entirely within the floodway must comply with requirements for development within a floodway found in Section 15.36.250.
 2. Appurtenant structures must only be used for parking, access, and/or storage and shall not be used for human habitation.
 3. In compliance with State of Oregon Specialty Codes, appurtenant structures on properties that are zoned residential are limited to one-story structures less than 200 square feet, or 400 square feet if the property is greater than two (2) acres in area and the proposed appurtenant structure will be located a minimum of 20 feet from all property lines. Appurtenant structures on properties that are zoned as non-residential are limited in size to 120 square feet.
 4. The portions of the appurtenant structure located below the Base Flood Elevation must be built using flood resistant materials.
 5. The appurtenant structure must be adequately anchored to prevent flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy, during conditions of the base flood.
 6. The appurtenant structure must be designed and constructed to equalize hydrostatic flood forces on exterior walls and comply with the requirements for flood openings in Section 15.36.230.A.
 7. Appurtenant structures shall be located and constructed to have low damage potential.
 8. Appurtenant structures shall not be used to store toxic material, oil, or gasoline, or any priority persistent pollutant identified by the Oregon Department of Environmental Quality unless confined in a tank installed in compliance with Section 15.36.180.B.3.
 9. Appurtenant structures shall be constructed with electrical, mechanical, and other service facilities located and installed so as to prevent water from entering or accumulating within the components during conditions of the base flood.
- G. Below-Grade Crawl Spaces.
1. The building must be designed and adequately anchored to resist flotation, collapse, and lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Hydrostatic loads and the effects of buoyancy can usually be addressed through the required flood openings stated in Section 15.36.230.A.

Because of hydrodynamic loads, crawl space construction is not allowed in areas with flood velocities greater than five (5) feet per second unless the design is reviewed by a qualified design professional, such as a registered architect or professional engineer. Other types of foundations are recommended for these areas.

2. The crawl space is an enclosed area below the Base Flood Elevation (BFE) and, as such, must have openings that equalize hydrostatic pressures by allowing the automatic entry and exit of floodwaters. The bottom of each flood vent opening can be no more than one (1) foot above the lowest adjacent exterior grade.
3. Portions of the building below the BFE must be constructed with materials resistant to flood damage. This includes not only the foundation walls of the crawl space used to elevate the building, but also any joists, insulation, or other materials that extend below the BFE. The recommended construction practice is to elevate the bottom of joists and all insulation above BFE.
4. Any building utility systems within the crawl space must be elevated above BFE or designed so that floodwaters cannot enter or accumulate within the system components during flood conditions. Ductwork, in particular, must either be placed above the BFE or sealed from floodwaters.
5. The interior grade of a crawl space below the BFE must not be more than two (2) feet below the lowest adjacent exterior grade.
6. The height of the below-grade crawl space, measured from the interior grade of the crawl space to the top of the crawl space foundation wall must not exceed four (4) feet at any point. The height limitation is the maximum allowable unsupported wall height according to the engineering analyses and building code requirements for flood hazard areas.
7. There must be an adequate drainage system that removes floodwaters from the interior area of the crawl space. The enclosed area should be drained within a reasonable time after a flood event. The type of drainage system will vary because of the site gradient and other drainage characteristics, such as soil types. Possible options include natural drainage through porous, well-drained soils and drainage systems such as perforated pipes, drainage tiles or gravel or crushed stone drainage by gravity or mechanical means.
8. The velocity of floodwaters at the site shall not exceed five (5) feet per second for any crawl space. For velocities in excess of five (5) feet per second, other foundation types should be used.

Sec. 15.36.250. – Floodways.

Located within the special flood hazard areas established in section 2.10.400.B are areas designated as floodways. Since the floodway is an extremely hazardous area due to the velocity of the floodwaters which carry debris, potential projectiles, and erosion potential, the following provisions apply:

- A. Prohibit encroachments, including fill, new construction, substantial improvements, and other development within the adopted regulatory floodway unless:
1. Certification by a registered professional civil engineer is provided demonstrating through hydrologic and hydraulic analyses performed in accordance with standard engineering practice that the proposed encroachment shall not result in any increase in flood levels within the community during the occurrence of the base flood discharge; or
 2. A community may permit encroachments within the adopted regulatory floodway that would result in an increase in base flood elevations; provided, that a Conditional Letter of Map Revision (CLOMR) is applied for and approved by the Federal Insurance Administrator, and the requirements for such revision as established under Volume 44 of the Code of Federal Regulations, section 65.12 are fulfilled.
 3. If an encroachment proposal resulting in an increase in Base Flood Elevation meets the following criteria:
 - a. Is for the purpose of fish enhancement,
 - b. Does not involve the placement of any structures (as defined in Section 15.36.030) within the floodway,
 - c. Has a feasibility analysis completed documenting that fish enhancement will be achieved through the proposed project,
 - d. Has a maintenance plan in place to ensure that the stream carrying capacity is not impacted by the fish enhancement project,
 - e. Has approval by the National Marine Fisheries Service, the State of Oregon Department of Fish and Wildlife, or the equivalent federal or state agency, and
 - f. Has evidence to support that no existing structures will be negatively impacted by the proposed activity;

Then an approved CLOMR may be required prior to approval of a floodplain permit.

- B. If the requirements of subsection (A) of this section are satisfied, all new construction, substantial improvements, and other development shall comply with all other applicable flood hazard reduction provisions of Sections 15.36.180 through 15.36.250.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 4 – OVERLAY ZONES

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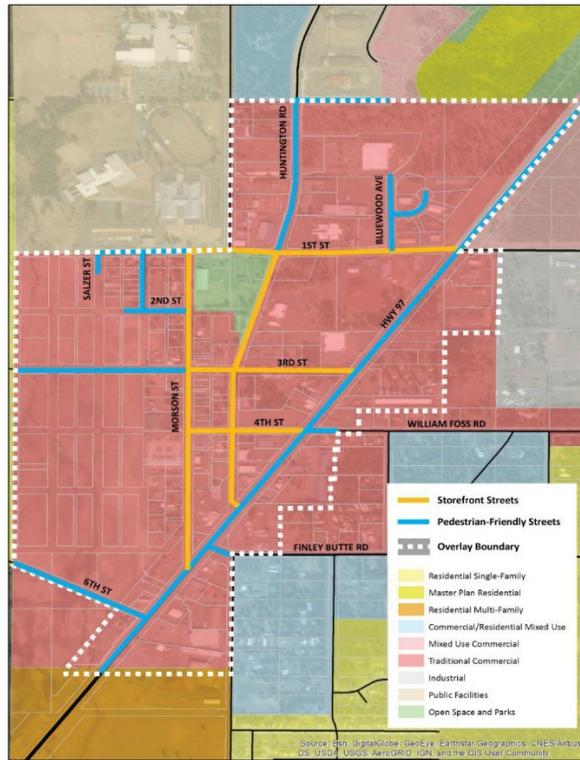
CHAPTER 15.40. – DOWNTOWN OVERLAY ZONES

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Sec. 15.24.020. – Applicability.

- A. *Zone boundary and street designations.* The boundaries of the downtown overlay zone are depicted in Figure 15.40-1. The standards of this chapter apply to development and redevelopment on properties within this boundary. Specific standards within this chapter apply to properties abutting streets designated as storefront streets and pedestrian friendly streets, as shown on Figure 15.40-1.

Downtown Overlay Zone Map



- B. *New buildings.* The standards of this chapter apply to all buildings subject to site plan review that include over 200 square feet in floor area.

- C. *Expansions and alterations to existing nonresidential buildings.* The standards of this chapter apply to expansions and alterations to nonresidential buildings that are subject to site plan review, in accordance with chapter 15.312. The standards are applicable as follows:
1. Expansions or additions to nonresidential buildings of over 500 square feet that are visible from a public street or public space are required to be in conformance with the standards of this chapter. The standards only apply to the expansion or addition.
 2. Expansions or additions to nonresidential buildings that front a storefront street must not increase the length of street-facing facade that does not conform to the build-to-line standard and must, to the extent feasible, reduce the area dedicated to parking and vehicular circulation between the building and the right-of-way (See Figure 15.40-2).
 3. Expansions or additions to nonresidential buildings that front a pedestrian-friendly street must, to the extent feasible, reduce the area dedicated to parking and vehicular circulation between the building and the right-of-way.
 4. Exterior alterations or remodels of existing nonresidential buildings that do not conform to the standards for ground floor windows, weather protection, and architectural design must improve compliance with these standards where possible, and at a minimum must not increase nonconformance.
- D. *Expansions and alterations to parking and vehicle circulation areas.* Expansions or alterations to existing parking and vehicle circulation areas must not increase non-conformity with the standard for location of parking areas (15.40.060.BC).

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Sec. 15.40.090. - Architectural design standards.

- A. *Intent.* The facade articulation standards in [subsection] B work together to help ensure that building facades that have variation and depth in the plane of the building in order to create a more interesting and welcoming environment to pedestrians. The screening standard in [subsection] C ensures that mechanical equipment is screened or otherwise minimized so that it does not detract for the pedestrian environment. The materials and Cascadian Style standards in [subsections] D and E are intended to create a distinct brand or identity for Downtown La Pine.
- B. *Articulation.* All building exterior walls greater than 100 feet in length that orient to a street or public space must have breaks in the wall plane (articulation) of not less than one break for every 40 feet of building length or width, as applicable, as follows:
1. A "break" is a feature or variation in the wall plane that projects or recedes at least six inches for a length of at least two feet. Breaks may include, but are not limited to, an offset, recess, window reveal, pilaster, frieze, pediment, cornice, parapet, gable, dormer,

eave, coursing, canopy, awning, column, building base, balcony, permanent awning or canopy, marquee, or similar architectural feature.

2. Changes in paint color and features that are not designed as permanent architectural elements, such as display cabinets, window boxes, retractable and similar mounted awnings or canopies, and other similar features, do not meet the break-in-wall-plane standard.

C. *Screening of mechanical equipment.*

1. *Building walls.* Where mechanical equipment, such as utility vaults, air compressors, generators, antennae, satellite dishes, or similar equipment, is permitted on a building wall that abuts a public right-of-way or civic space, it shall be screened from view from the right-of-way or civic space. Standpipes, meters, vaults, and similar equipment need not be screened but shall not be placed on a front elevation when other feasible alternatives exist; such equipment shall be placed on a side or rear elevation where feasible.
2. *Rooftops.* Except as provided below, rooftop mechanical units shall be setback or screened behind a parapet wall so that they are not visible from any public right-of-way or civic space. Where such placement and screening is not feasible, the decision authority may approve painting of mechanical units in lieu of screening; such painting may consist of muted, earth-tone colors that make the equipment visually subordinate to the building and adjacent buildings, if any.
3. *Ground-mounted mechanical equipment.* Ground-mounted equipment, such as generators, air compressors, trash compactors, and similar equipment, shall be limited to side or rear yards and screened with fences or walls constructed of materials similar to those on adjacent buildings. Hedges, trellises, and similar plantings may also be used as screens where there is adequate air circulation and sunlight, and irrigation is provided. The city may require additional setbacks and noise dampening equipment for compatibility with adjacent uses.

D. *Materials.* Building materials must be consistent with the Cascadian Style.

1. *Primary materials.* A primary material is the predominant building material that covers a minimum of 60 percent of the building's exterior walls. Acceptable primary materials are identified in Table 15.40-2.
2. *Secondary materials.* A secondary material is not the predominant building material. Multiple secondary materials may be utilized. Any one secondary material shall not cover more than 40 percent of the building's exterior walls. Acceptable secondary materials are identified in Table 15.40-2.
3. *Base materials.* The building base shall be defined as the lower portion of a wall just above where it meets ground, to 24 inches above grade. Base materials are identified in Table 15.40-2. Use of these materials shall be limited to the building base unless the material is also identified as an acceptable primary or secondary material. If the base

material is identical to material used on the portion of the wall directly above the base, then a change in material color, texture, or a horizontal band must be used to differentiate the base.

- E. *Cascadian architectural elements*. Building exterior walls facing a public street shall incorporate at least three of the following features. Using these features may also help meet other Development Code requirements, such as those related to building articulation or weather protection:
1. Exposed, heavy timbers;
 2. Exposed natural wood color beams, posts, brackets and/or trim (e.g., eaves or trim around windows);
 3. Natural wood color shingles used as siding or to accent gable ends (or similar usage);
 4. Metal canopies;
 5. Heavy metal brackets (e.g., cast iron or similar appearance), which may be structural brackets or applied as cosmetic detailing;
 6. Pitched roof over more than 50 percent of the building (roof pitch must have a rise/span ratio of at least 4/12) which is constructed of either metal painted a muted earthtone or other fire resistant material (e.g., no wood shingle roofs are permitted); and
 7. Other similar features.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 5 – DEVELOPMENT STANDARDS

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CHAPTER 15.80. - DEVELOPMENT STANDARDS, GENERALLY

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Sec. 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.~~ Shipping containers may be utilized for storage, so long as there is an active building permit for construction of a dwelling or dwellings, and the shipping containers are removed prior to final occupancy approval.
- 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.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 5 – DEVELOPMENT STANDARDS

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CHAPTER 15.82. – LANDSCAPING, BUFFERING AND FENCES

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Sec. 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 may be allowed:
 - a. When intended to contain or restrict cattle, sheep, horses or other livestock, are permitted in any zone where the keeping of livestock is permitted; or;
 - b. For security as required by a federal, state, or local agency.
 - 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.

Sec. 15.82.030. – Street Tree Standards.

Street trees shall be planted for all developments that are subject to Land Division or Site Plan Review. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks. Street trees shall conform to the following standards and guidelines:

- A. Street Tree Standards. Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following applies to street tree planting and selection:
 1. Street trees shall be planted within the required landscape swale or between 5' and 15' of the curb, wherever possible.
 2. Street trees shall be placed at an average of 35' maximum distance apart from one another. Reduced separation may be required for smaller species of trees. Variety in tree placement using clusters of trees and uneven spacing is encouraged.
 3. An approved tree grate or other surface treatment acceptable to the Community Development Director or designee shall be used for street trees planted in paved or concrete areas.
 4. Except for immature trees of insufficient height to prune and retain a crown that is at least 2/3 the height of the tree, street trees that overhang city property and public

rights-of-way shall be pruned to maintain at a minimum a clearance height of 8' over sidewalks and a clearance height of 14' over streets.

5. Existing trees may be used to meet minimum street tree requirements if they are not killed or damaged during or as a result of development. Sidewalks of variable width and elevation may be used to save existing street trees.
6. Existing street trees removed as the result of development shall be replaced by the developer with trees of a species appropriate to the site, as determined by the Community Development Director or designee.
7. Low-growing trees shall be required for spaces under utility wires.
8. Narrow or "columnar" trees may be used where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.
9. Trees that are extremely susceptible to insect damage shall be avoided.
10. Trees that produce excessive seeds or fruit are prohibited as street trees.
11. Street trees shall be those species suitable for the location in which they are placed. Recommended tree species include the following tree types, and within these, consideration should be given to those that are most drought-resistant. Drought resistant trees are marked with an asterisk (*):

Small trees (under 25 feet at maturity)

- a. Canada Red Cherry (Prunus virginiana)*
- b. Flowering Crabapple (Malus spp.)*
- c. Hawthorn (Crataegus spp.)*
- d. Japanese Tree Lilac (Syringa reticulata)
- e. Serviceberry (Amelanchier spp.)

Medium trees (30 to 45 feet at maturity)

- f. Flowering Plum (Prunus cerasifera)
- g. American Hornbeam (Carpinus caroliniana)
- h. Callery Pear (Pyrus calleryana)
- i. Hedge Maple (Acer campestre)
- j. Mountain Ash (Sorbus aucuparia)*

Tall trees (over 50 feet at maturity)

- k. Birch (Betula spp.)
- l. Green Ash (Fraxinus pennsylvanica)*
- m. Honey Locust (Gleditsia triacanthos "inermis")*
- n. Littleleaf Linden (Tilia cordata)
- o. Norway Maple (Acer platanoides)
- p. Pin Oak (Quercus palustris)*
- q. Red Maple (Acer rubrum)*
- r. Red Oak (Quercus rubra)*

- B. Prohibited Street Tree Species. Use of the following tree species as street trees is prohibited for one or more of the following reasons: 1) their roots cause injury to sewers or pavements; 2) they are particularly subject to insects or diseases; 3) they cause safety and visibility problems along streets and at intersections; 4) they create messy sidewalks and pavements.

Prohibited species include the following:

- a. Walnut (Juglans spp.)
 - b. Osage Orange (Maclura pomifera)
 - c. Weeping varieties of mulberries, crabapples, cherries, etc. (Morus, Prunus, etc. (weeping))
 - d. Fruiting Mulberry (Morus alba)
 - e. Poplar (Populus trichocarpa)
 - f. Quaking Aspen (Populus tremuloides)
 - g. Commercial Fruit Trees (Prunus, Pyrus, etc. (fruiting))
 - h. Weeping Willow (Salix babylonica)
 - i. American Elm (Ulmus americana)
 - j. Siberian Elm (Ulmus pumila)
 - k. Lodgepole Pine (Pinus contorta)
 - l. Ponderosa Pine (Pinus ponderosa)
 - m. Jack Pine (Pinus banksiana)
- C. Caliper Size. Planted trees shall have a minimum caliper size of one and one-half (1 1/2) inches and shall conform to the standards described by the ANSI A300 standards for nursery stock, latest edition.
- D. Location. Street trees shall be planted within existing and proposed planting strips and in sidewalk tree wells on streets without planting strips.
- E. Street Tree Maintenance
1. Except for trees located in medians within public rights-of-way, which shall be maintained by the City, it shall be the continuing duty and routine obligation of property owner(s) of land abutting public rights-of-way to perform activities required to maintain trees located within the abutting right-of-way in good health and vigor. Activities may include watering, pruning, protection against damage, and replacement if necessary.
 2. Street tree removal and planting shall be the obligation of the adjacent property owner(s).
 3. All maintenance activities shall be conducted in accordance with the City of La Pine Public Works Design Standards, latest edition.
- F. Assurances. The developer shall install all required landscaping prior to the occupancy of the development. In the event that installation needs to be delayed, the City shall require the developer to provide an estimate of landscaping improvement costs to the City. Upon acceptance of this amount, the City shall require a performance bond in the amount of 120 percent of the accepted estimate from the owner/developer.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 5 – DEVELOPMENT STANDARDS

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CHAPTER 15.86. – PARKING AND LOADING

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Sec. 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.
- C. require bicycle parking spaces in addition to those in Table 15.86-3.

Table 15.86 -3. Minimum Required Bicycle Parking Spaces

Use	Minimum Number of Spaces
Multi-family residential (not required for parcels with fewer than 4 dwelling units)	2 bike spaces per 4 dwelling units
Commercial	2 1 bike spaces per primary use or 1 per 5 <u>10</u> 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

D. *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.
- E. *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](#).

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 5 – DEVELOPMENT STANDARDS

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CHAPTER 15.88. – ACCESS AND CIRCULATION

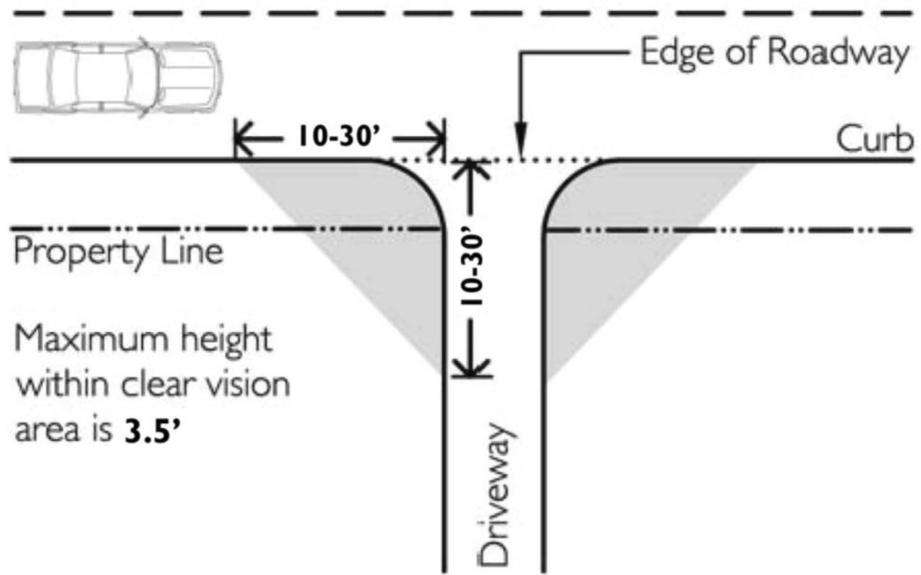
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Sec. 15.88.040. Clear vision areas (visibility at intersections).

- A. In all zones, a clear vision area shall be maintained on the corners of all property at the intersection of two streets, a driveway and a street, 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



PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 5 – DEVELOPMENT STANDARDS

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CHAPTER 15.90. – PUBLIC FACILITIES

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Sec. 15.90.080. – Traffic impact analysis.

- A. *Purpose.* The purpose of this subsection is ~~to~~ 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~~ 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~~ 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~~ 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]~~ RSF or RMF zones and the proposed partition does not create any new street.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 6 – SPECIAL USE STANDARDS

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CHAPTER 15.104. – SPECIAL USE STANDARDS – RESIDENTIAL USES AND ACCESSORY USES

Sec. 15.104.010. Accessory dwellings.

- A. *Applicability.* Accessory dwellings, where allowed, are subject to review and approval through a Type I procedure pursuant to chapter 15.308, zoning ~~checklist~~ permit, provided the following standards are met.
- B. *Standards.*
1. *One unit.* A maximum of one accessory dwelling is allowed per legal lot containing a single-family dwelling unit. Accessory dwellings do not count toward maximum density standards of the base zone. The unit may be a detached building, in a portion of a detached accessory building (e.g., above a garage or workshop), or a unit attached or interior to the primary dwelling (e.g., an addition or the conversion of an existing floor). Detached units must provide adequate separation from other structures, as required by building code and the fire marshal.
 2. *Floor area.* An accessory dwelling shall not exceed 800 square feet of floor area, or 75 percent of the primary dwelling's floor area, whichever is smaller. However, accessory dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the accessory dwelling would be more than 800 square feet.
 3. *Other development standards.* Accessory dwellings shall meet all other development standards (e.g., height, setbacks, lot coverage, etc.) for buildings in the zoning district, except that:
 - a. Conversion of an existing legal non-conforming structure to an accessory dwelling is allowed, provided that the conversion does not increase the non-conformity.
 - b. In order to encourage the development of housing units for disabled and handicapped individuals and persons with limited mobility, the city may allow reasonable deviation from the stated conditions where necessary to install features that facilitate access and mobility for disabled persons. This shall be regulated through the exceptions process.
 - c. All accessory dwelling units shall be permanently placed on a foundation and connected to required utilities. A manufactured home may be used as an accessory dwelling, provided that the manufactured home shall be placed on an excavated

and back-filled foundation and enclosed at the perimeter such that the manufactured home is located not more than 16 inches above grade, and complies with the minimum set-up standards of the adopted state Administrative Rules for Manufactured Dwellings, OAR ch. 918. Where the building site has a sloped grade, no more than 16 inches of the enclosing material shall be exposed on the uphill side of the home.

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Sec. 15.104.060. – Manufactured dwelling parks.

~~A. *Applicability.* Manufactured dwelling parks, where permitted, are subject to compliance with the following standards.~~

~~B. *Standards.*~~

~~1. *General standards.* Development of manufactured and mobile home parks, including placement of manufactured and mobile homes with a park, shall comply with applicable building codes and state requirements for mobile home and manufactured dwelling parks in ORS 446.~~

~~2. *Access drives.* Internal roadways shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or not less than 20 feet in width if parking is not permitted on the edge of the roadway and shall be surfaced with asphalt, concrete, compacted crushed gravel or similar surface.~~

~~3. *Perimeter screening and landscaping.* Except for the access roadway into the park, the park shall be screened on all sides by a sight obscuring fence not less than six feet in height, unless otherwise approved by the city. Additionally, when manufactured dwellings are oriented with their back or side yards facing a public right-of-way, the city may require planting of a landscape buffer of five to ten feet in width between the right-of-way and a manufactured home park for the privacy and security of park residents or for privacy of adjacent residences.~~

~~4. *Outdoor storage.* A neat appearance shall be maintained at all times. Except for vehicles, there shall be no outside storage of materials or equipment belonging to the park or to any guest of the park.~~

A. *Applicability.* Manufactured dwelling parks, where permitted, are subject to compliance with the following standards. All applications for a manufactured dwelling park are subject to a Type II Land Use Review Procedure in accordance with LPDC Sec. 15.204.020.

B. *Standards.*

1. *General standards.* Development of manufactured and mobile home parks, meaning four or more manufactured dwellings or prefab structures located in one area, including placement of manufactured and mobile homes with a park, shall comply with applicable

building codes and state requirements for mobile home and manufactured dwelling parks in ORS 446.

2. Existing Parks. Existing manufactured dwelling parks shall be allowed to expand in accordance with the criteria of this chapter, except for any existing manufactured dwelling parks within any non-residentially zoned lands.
3. Minimum area required. All manufactured home parks must be a minimum area of one acre.
4. Permitted uses. Manufactured home parks may contain manufactured homes, prefabricated structures and accessory structures permitted in this chapter, community laundry and recreation facilities and other common buildings for use by park residents only, and one residence other than a manufactured home for the use of a caretaker or a manager responsible for maintaining or operating the property. Manufactured homes may only be used as single-family dwellings. No manufactured home is permitted to be used for commercial use.
5. Density. The maximum number of manufactured dwellings shall not exceed the density standards of the underlying zone.
 - a. Density Bonus.
 - i. If all required recreational facilities and play areas include approved equipment such as swings, slides, or other playground or recreational equipment, an additional 10 percent increase in spaces per acre may be granted.
 - ii. If a recreation/community building is provided, an additional 10 percent increase in spaces per acre may be granted.
 - iii. If the park provides a variety of manufactured dwelling unit types, where at least 40% of manufactured dwellings are "double" or "triple-wide," an additional 10 percent increase in spaces per acre may be granted.
6. Park Characteristics
 - a. At a minimum, applicant must meet all of the applicable plan submittal and park construction sections of the current Oregon Manufactured Dwelling and Park Specialty Code.
 - b. Site size.
 - i. A manufactured dwelling may not be constructed in a site less than 2,500 square feet in total area.
 - ii. The total area of a lot occupied by a manufactured dwelling and all accessory structures and buildings shall not exceed 75 percent of the total site area.

c. Interior setbacks.

- i. A manufactured dwelling shall not be installed closer than 10 feet from a property line.
- ii. Manufactured dwellings shall not be located closer than 15 feet from another manufactured dwelling or general use building.
- iii. No manufactured dwelling accessory building or structure on a manufactured dwelling space shall be closer than 10 feet from a manufactured dwelling accessory building or other structure on another dwelling space.

d. Utilities. Each manufactured dwelling shall be provided with an adequate supply of healthful water, electric power, and sewage facilities.

e. Fire Hydrants. If a manufactured home space or permanent structure in a park is more than 500 feet from a public fire hydrant, the park shall have water supply mains designed to serve fire hydrants and hydrants shall be provided within 500 feet of each space or structure and shall conform to the design and capacity requirements required by the State Fire Marshall and the City.

f. Parking.

- i. All parking and loading provided must comply with LPDC Chapter 15.86, in addition to the following standards:
- ii. Each manufactured dwelling shall provide at a minimum two off-street parking space per dwelling. A usable garage or carport on a manufactured dwelling lot shall satisfy these parking requirements.
- iii. Additional guest parking spaces shall be provided within 400 feet of the manufactured dwellings served at a ratio of one parking space per 2 manufactured dwelling spaces. Parking lots with spaces for 10 or more vehicles are subject to the parking lot landscaping standards in 15.82.010.E.
- iv. Each recreational facility shall have a minimum of two parking spaces provided for every 2,500 square feet of area and shall be located within 100 feet of the recreational facility served.
- v. At least 4 percent of all parking spaces for guest or public use shall be made ADA accessible.

g. Access drives.

- i. Internal roadways shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or not less than 20 feet in width if parking is not permitted on the edge of the roadway and shall be surfaced with asphalt, concrete, compacted crushed gravel or similar surface.

- ii. Internal roadways shall be of adequate width and design to provide for the necessary access of emergency vehicles.
 - 1. Manufactured dwelling parks with the following range of dwelling spaces shall have the following number of park access: 10 – 20 units have 2 access points, 21 – 30 units have three, 31 -40 have three, etc.
 - 2. Dead end access. If one-way access drives are proposed, they must provide adequate turnaround space that does not involve the use of individual driveways.
 - a. The City may determine the need for additional access, hammerhead, or a cul-de-sac bulb to be provided, in conformance with the street design standards of LPDC section 15.90.070 and the State Manufactured Dwelling Specialty Codes, including:
 - i. Cul-de-sacs with parallel parking permitted shall have a minimum 38-foot radius excluding curbs, sidewalks, walkways, or shoulders.
- iii. Interior access drives for manufactured dwelling parks containing more than 50 dwellings must be named and signed in accordance with Public Works standards.
- iv. Lighting shall be installed along the access ways of the manufactured home park at all intersections and near the required recreation areas in accordance with standards set forth by the City and the serving utility company. Wires for service to light poles and manufactured home spaces shall be underground Lighting shall be shielded and hooded so as not to project onto adjacent properties. Dark skies?
- v. Walkways.
 - 1. Concrete walkways meeting all Public Facility design standards shall be provided to connect facility buildings to an access way or public street.
 - 2. For manufactured dwelling parks with more than 10 dwelling spaces, a concrete sidewalk at least 6' wide shall be provided to connect the area to a public sidewalk.
- h. Perimeter screening and landscaping.
 - i. Except for the access roadway into the park, the park shall be screened on all sides by a sight obscuring fence not less than six feet in height, unless otherwise approved by the city. For the purposes of this section and this section only, site obscuring must be provided through the use of durable materials, including combination chain-link and vertical slats.

- ii. When manufactured dwellings are oriented with their back or side yards facing a public right-of-way, the city shall require the planting of a landscape buffer of five to ten feet in width between the right-of-way and a manufactured home park for the privacy and security of park residents or for privacy of adjacent residences. [insert Industrial/RSF buffer characteristics]
 - i. Outdoor storage. A neat appearance shall be maintained at all times. Except for vehicles, there shall be no outside storage of materials or equipment belonging to the park or to any guest of the park.
 - j. Decks and Patios. All manufactured dwellings shall include a private or semi-private deck, covered porch, or additional patio area.
 - k. Trash Facilities. Communal trash facilities provided to tenants must be located in a fully enclosed and site-obscured structure that provides appropriate access for removal and service.
 - l. Recreational Facilities. A separate general play area of at least 2,500 sq. feet, or at least 100 sq. feet of play area per dwelling, shall be provided for each manufactured dwelling, whichever is greater. The area shall be dedicated for recreational play, group, or community activities, and constructed in accordance with all standards set forth in the Oregon Manufactured Dwelling and Park Specialty Code Section 10-7 Play Areas, notwithstanding the following requirements:
 - i. Play areas shall be improved with grass, plantings, surfacing, or buildings suitable for recreational use.
 - ii. No play area shall be open to the general public.
 - iii. Play areas must be separated from other areas within the manufactured dwelling park by a fence in conformance with the fencing standards of this development code.
 - iv. If a proposed manufactured dwelling park is to be built in phases, one play area shall be provided and constructed with each phase. One play area may serve all phases provided its construction is completed prior to the opening of the first phase.
7. Landscape Plan and Requirements.
- a. A manufactured dwelling park must contain a minimum 20 percent landscaped area. Landscaped areas must be continuously maintained and irrigated with permanent facilities sufficient to maintain the plant material.
 - b. A landscape plan shall be included with the application materials. This plan shall be drawn to scale and show the location of existing trees and vegetation proposed to be removed or retained on the site, the location and design of landscaped areas, the varieties and sizes of trees and plant materials to be planted on site, and any other

pertinent information. The plan shall be consistent with the requirements set forth in LPDC 15.82.010 and the following additional requirements.

- c. *Facility Landscaping.* Interior access roads must contain street trees in accordance with street tree design standards set forth in this code, including placement every 35 feet and observing the appropriate clear vision requirements.
 - d. *Site Landscaping.* Manufactured dwelling site areas not occupied by an approved manufactured dwelling, driveway, or accessory structure must be landscaped. Landscaping must be at least 50 percent living material and prioritized to establish a perimeter between dwellings to reduce negative visual effects of roads, vehicle parking, and other storage.
8. *Wildfire Resilience.*
To protect the park, its residents, and surrounding properties from the threat of wildfire, the following standards apply:
- a. *Skirting.* Skirting made of metal mesh (1/8-inch or smaller) shall be used in areas including under porches, exterior stairs, and anywhere the underside of the dwelling is exposed.
 - b. *Noncombustible zone.* A noncombustible zone shall be provided underneath and 5 feet out from the dwelling on all sides. This area shall be completely removed of combustible material and shall use rock and other non-combustible landscaping. This area does not count toward the nonliving plant material requirements of the landscaping requirements, below.
 - c. *Defensible space.* The area between the noncombustible zone and the boundary of the dwelling space site, not to exceed 30 feet, shall contain adequate separation between trees, shrubs, and other items that could catch fire.
 - d. *Fire-resistant attachments.* Any attachments, such as steps, porches, and carports, shall be built with non-combustible ignition-resistant materials.
 - e. *Vents.* Dwelling vents, including those on roof and walls, shall be covered with 1/16-inch metal mesh screens.
 - f. *Windows.* Windows shall be installed with reinforcements, such as noncombustible screens and shutters.

State law reference(s)—Restrictions on manufactured dwellings and recreational vehicles and parks, ORS 197.475 et seq.

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Sec. 15.104.070. Temporary recreational vehicle dwelling.

- A. *Applicability.* The placement of an RV on a temporary basis on the same lot occupied by a principal structure may be permitted when a medical condition creates a hardship and the following standards are met. Temporary RV's may be approved through a Type I procedure, pursuant to chapter 15.308, zoning ~~checklist~~ permit.
- B. *Standards.*
1. *Verification.* The medical condition must be verified by a doctor's written statement, which shall accompany the zoning ~~checklist~~ permit application.
 2. *Owner occupancy.* The property owner shall occupy the principal structure.
 3. *Permits.* The applicant shall obtain all necessary permits from the county building and environmental health divisions prior to initiating the use.
 4. *Setbacks.* The manufactured dwelling shall be placed behind the principal structure at a separation distance of no less than 15 feet and shall comply with the rear yard requirement for principal structures in the zone.
 5. *Time limit and extensions.* The manufactured dwelling shall be in place for a period of no more than one year. An extension of time may be granted by the city manager if the property owner provides verification, in the form of a doctor's written statement, that the medical hardship continues to exist.
 6. *Discontinuance.* The manufactured dwelling shall be removed, and disconnected from any electric, water or sewer facility connection for which a permit has been issued not later than 90 days following the date the medical condition ceases to exist.

State law reference(s)—Restrictions on manufactured dwellings and recreational vehicles and parks, ORS 197.475 et seq.

Sec. 15.104.080. Residential care homes and residential care facilities.

- A. *Applicability.* The following standards are intended to implement state and federal laws pertaining to the Fair Housing Amendments Act. State law allows "residential homes" and "residential facilities" to be placed in any zone that allows a single-family dwelling or multi-family dwelling, respectively. (See ORS 197.665-197.667.) Residential care homes are subject to review and approval through a Type I review procedure under chapter 15.308, zoning ~~checklist~~ permit, prior to issuance of building permits. Residential care facilities are subject to a Type II review and approval under chapter 15.312, site plan review.
- B. *Standards.* Residential care homes and residential care facilities, where allowed, shall conform to all of the following standards and procedures:
1. *Licensing and state requirements.* Residential care homes and residential care facilities shall be licensed by the State of Oregon and comply with state requirements, pursuant to ORS 197.660 through 197.670.

2. *Residential care homes.* Residential care homes may provide residential care alone, or in conjunction with treatment or training, for five or fewer individuals who need not be related. Staff required to meet state licensing requirements is not counted in the number of facility residents and need not be related to each other or the residents. The same Development Code standards that apply to single-family dwellings also apply to residential care homes, except where state law supersedes city standards.
3. *Residential care facilities.* Residential care facilities may provide residential care alone, or in conjunction with treatment or training, for between six and 15 individuals who need not be related. Staff required to meet state licensing requirements is not counted in the number of facility residents and need not be related to each other or the residents. The same Development Code standards that apply to multi-family dwellings also apply to residential care homes, except where state law supersedes city standards.
4. *Access.* The access and circulation standards of chapter 15.88 shall be met.
5. *Parking.* The parking standards of chapter 15.86 shall be met.
6. *Landscaping.* Residential care facilities are required to comply with the landscaping and screening standards of chapter 15.82. The city may require the installation of a landscape hedge or fence on the property line separating a residential care facility from an abutting lot containing a single-family dwelling for the purposes of visual screening and privacy between uses. The landscaping standards do not apply to building permits for individual residential care homes.

Sec. 15.104.090. Home occupations (home-based business).

- A. *Applicability.* This section applies to home occupation uses in residential zones. A home-based business in a commercial or mixed use zone is considered a commercial use and is not subject to the standards of this section. Home occupations of less than 1,000 square feet of lot area are permitted, provided the owner completes a zoning ~~checklist~~ permit pursuant to chapter 15.308. Home occupations greater than 1,000 square feet of lot area are allowed, subject to approval of a conditional use permit, pursuant to chapter 15.316. For the purpose of this section, "lot area" includes building floor area, areas within accessory structures, and all other portions of a lot.
- B. *Standards.* Home occupations shall conform to all of the standards below, except the city may approve adjustments to the standards through the conditional use permit approval, provided all uses and structures on the subject property conform to applicable city regulations, including, but not limited to, building codes and nuisance regulations.
 1. *Maximum size.* No more than 25 percent of the combined gross floor area of the dwelling and accessory structure(s) shall be devoted to the home-based business.
 2. *Appearance of residence.*

- a. The home occupation shall be restricted to lawfully built enclosed structures and be conducted in such a manner as not to give an outward appearance of a business.
- b. The home occupation shall not result in any structural alterations or additions to a structure that will change its primary use or building code occupancy classification.
- c. The home occupation shall not violate any conditions of development approval (i.e., prior land use development permit or approval).
- d. No products or equipment produced or used by the home occupation may be displayed to be visible from outside any structure.
- e. The home occupation shall be conducted entirely within either the owner-occupied dwelling unit or accessory structure, provided that such accessory structure is clearly accessory and subordinate to the dwelling.

3. *Storage.*

- a. Outside storage visible from the public right-of-way or adjacent properties that exceeds what is customary for a single-family residence in the vicinity is prohibited.
- b. On-site storage of hazardous materials (including toxic, explosive, noxious, combustible, or flammable material) beyond those normally incidental to residential use is prohibited.
- c. Storage of inventory or products and all other equipment, fixtures, and activities associated with the home occupation shall be enclosed in a structure or otherwise screened from view from adjacent properties and public right-of-way.

4. *Employees.*

- a. Other than family members residing within the dwelling located on the home occupation site, there shall be not more than two employees at the home occupation site at any given time. As used in this chapter, the term "home occupation site" means the legal lot on which the home occupation is conducted.
- b. Additional individuals may be employed by or associated with the home occupation, so long as they do not report to work, pick up, or deliver at the home occupation site.
- c. The home occupation site shall not be used as a headquarters for the assembly of employees for instruction or other purposes, including dispatch of employees to other locations.

5. *Vehicles, parking, and traffic.*

- a. Not more than one commercially licensed vehicle associated with the home occupation is allowed at the home occupation site in the same 24-hour period.

Vehicles shall be of a size that would not overhang into the public right-of-way when parked.

- b. There shall be no commercial vehicle deliveries between 9:00 p.m. to 7:00 a.m.
- 6. *Business hours.* There shall be no restriction on business hours, except that clients or customers are permitted at the home occupation only from 7:00 a.m. to 9:00 p.m.
- 7. *Prohibited home occupation uses.*
 - a. Any activity that produces radio, TV, or other electronic interference; noise, glare, vibration, smoke, or odor beyond allowable levels as determined by local, state, or federal standards, or that can be detected beyond the property line, is prohibited.
 - b. Any activity involving on-site retail sales, including garage sales exceeding the thresholds of a temporary use, is prohibited, except that the sale of items that are incidental to a permitted home occupation is allowed. For example, the sale of lesson books or sheet music from music teachers, art or craft supplies from arts or crafts instructors, computer software from computer consultants, and similar incidental items for sale by the home business is allowed.
 - c. The following uses, and uses with similar objectionable impacts because of motor vehicle traffic, noise, glare, odor, dust, smoke, or vibration, are prohibited:
 - (1) Ambulance service.
 - (2) Animal hospital, veterinary services, kennels, or animal boarding.
 - (3) Auto and other vehicle repair, including auto painting.
 - (4) Repair, reconditioning, or storage of motorized vehicles, boats, recreational vehicles, airplanes, or large equipment on-site.

Sec. 15.104.100. - Short-Term Rentals

- A. Purpose; Applicability. The purpose of this section is to protect the character of the City's residential neighborhoods by limiting and regulating short-term rental of dwelling units. The provisions contained in this section apply to all lawfully established short-term rentals within the City. No person shall establish, maintain, advertise, offer, rent, occupy, use, operate or manage, nor offer or negotiate to use, lease, or rent, a dwelling unit for short-term rental occupancy without first applying for and obtaining a short-term rental permit in accordance with this section or satisfying the legal non-conforming use requirements under subsection (I) of this section. A separate land use approval is required for each dwelling unit proposed for use as a short-term rental.
- B. Application Submittal Requirements. The following information shall be submitted to the City along with a form approved by the City in order to apply for a short-term rental permit.
 - 1. The name(s), address(es), email address(es), and telephone number(s) of the owner(s) of the short-term rental for which the permit is to be issued, and the same for the authorized representative if different than the owner(s). An application may be

submitted by an owner with the buyer as the applicant and upon written request, the approval will be granted to the buyer.

2. Acknowledgment by signature that the owner and authorized representative have read all the regulations relating to the operation of a short-term rental in this section.
 3. Certification of the accuracy of the information submitted and agreement to comply with the conditions of the permit.
 4. Consent to City's inspection of the subject property and dwelling unit to ensure compliance with this section.
- C. Review Type. Applications for short-term rentals are subject to the following review processes:
1. Short-term rentals within Commercial Zoning Districts (C, CRMX, CMX, CN) shall be:
 - a. Processed as a Type I application; and
 - b. Exempt from the concentration limits in subsection (E) of this section.
 2. Short-term rentals within Residential Zoning Districts (RSF, RMF), shall be:
 - a. Processed as a Type I application; and
 - b. Subject to the concentration limits in subsection (E) of this section.
 3. Short-term rentals in existence prior to January 1, 2026 are reviewed in accordance with subsection (I)(2) below.
- D. Prohibited Uses.
1. No recreational vehicle, travel trailer or other temporary shelter shall be inhabited as or used in conjunction with a short-term rental.
- E. Concentration Limits.
1. A short-term rental cannot be approved on a property within the RSF, RMF zones, if proposed to be sited within 250 feet of another property that has a valid short-term rental approval or is a legal non-conforming use approved under subsection (I) of this section.
 2. Where a property subject to the concentration limits in subsection (E)(1) above has multiple dwelling units (i.e., ADUs, duplexes, apartments, condominiums, etc.), only one dwelling unit on the property may be used as a short-term rental.
 3. "Within 250 feet" means a straight-line measurement in a radius extending for 250 feet or less in every direction from the closest point on the property line of the subject

property to the closest point on the property line of the other property as determined by the Community Development Director.

F. Limits on Permit Transfer. Notwithstanding anything contained in the Development Code to the contrary, any approval of a short-term rental application submitted after January 1, 2026, is specific to the owner of the property or owner-authorized buyer. This means that the short-term rental approval shall not run with the land, but shall terminate and be void, with no further proceedings, upon transfer of the real property subject to such a short-term rental approval. To continue the short-term rental use after a transfer, the transferee of such a real property must file, and receive approval of, a new application for a short-term rental, which application will be evaluated under the then-current regulations for short-term rentals (including, without limitation, the concentration limits). Then-current regulations for short-term rentals may preclude approval of such an application, and thus preclude continuation of the short-term rental use, following the transfer. For purposes of this section, "transfer" means any change of ownership of a property lawfully allowed to operate as a short-term rental, whether or not there is consideration; provided, however, "transfer" does not include the following: (a) upon the death of the owner, a change in ownership where title is held in survivorship with a spouse or domestic partner; (b) upon the death of the owner, a transfer to a trust which benefits only the decedent's spouse, child(ren), or registered domestic partner for the lifetime of the spouse, child(ren), or registered domestic partner; (c) the transfer of ownership of the real property to or between the members of a limited liability company or partnership when the transfer involves the same owner(s); and/or (d) the transfer to a trustee, a corporation, a partnership, a limited partnership, a limited liability partnership, or other similar entity, if at least one owner is living at the time of transfer and retains at least a twenty-five percent (25%) interest in the entity.

G. Abandonment of Use.

1. Notwithstanding Chapter 15.08, Non-Conforming Uses and Structures, and except as provided in a temporary hardship exemption issued pursuant to subsection (G)(3) of this section, authorization to operate a short-term rental will be deemed void with no further proceedings or action required by the City (a) if short-term rental use ceases for any period of 365 consecutive days, and/or (b) the operating license is otherwise revoked.

a. For short-term rentals lawfully established prior to January 1, 2026, the period of use shall initially be measured from the 365 days prior to the due date for obtaining the initial operating license. Thereafter, the period of use for such short-term rental shall be measured as any 365-day period.

2. The following will be considered prima facie evidence of abandonment of use: (a) failure to pay Transient Room Tax within any 365-day period.

3. Temporary Hardship Exemption.

a. A temporary hardship exemption from this section may be granted by the Community Development Director, in the Community Development Director's sole

a. The non-conforming use is verified through a declaratory ruling in accordance with Chapter 15.328.

b. That the use is not abandoned under subsection (G) of this section; and

J. Inspection.

1. Commencing on January 1, 2025, prior to issuance of an operating license, the Community Development Director may require any dwelling unit authorized as a short-term rental to be inspected to verify that the dwelling unit is in compliance with all applicable Building Codes.

2. The Community Development Director may visit and inspect the site of a short-term rental, and reinspect on a schedule prescribed by the Community Development Director, to ensure compliance with all applicable regulations. Such inspections shall occur during normal business hours, with reasonable notice, and pursuant to such other procedural requirements adopted by the Community Development Director. Code violations shall be processed in accordance with LCO Chapter 8, Code Enforcement.

K. Revocation.

1. If three or more code violations related to the use of the short-term rental, verified by the Community Development Director, have occurred on the property containing the short-term rental within a period of 365 consecutive days, the City may revoke any authorization to operate a short-term rental.

2. Complaints to the City regarding code violations related to the use of the short-term rental shall be filed in accordance with LCO Chapter 8, Code Enforcement.

Violations shall be processed in accordance with LCO Chapter 8, Code Enforcement.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 6 – SPECIAL USE STANDARDS

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CHAPTER 15.108. – SPECIAL USE STANDARDS – NON-RESIDENTIAL USES

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Sec. 15.108.020. – Campgrounds and recreational vehicle parks.

- A. *Applicability.* Campgrounds and recreational vehicle parks allow for transient (nonresidential) use. These standards apply to campgrounds in all zones where they are permitted.
- B. *Site design standards.*
 - 1. Minimum lot area shall be two acres.
 - 2. Access to the site shall be from an arterial or collector street.
 - 3. Except for the access roadway into the campground, the campground shall be screened on all sides by a sight obscuring fence not less than six feet in height, unless otherwise approved by the city.
 - 4. Drainage of increased stormwater runoff caused by the development shall be managed so as to prevent ponding, accelerated erosion, or flooding of adjacent properties and roads.
 - 5. No tent, camp site, including sites for RV's, or buildings shall be located within 50 feet of a neighboring lot line.
 - 6. Trash receptacles for the disposal of solid waste materials shall be provided in convenient locations for the use of guests of the campground and located in such number and of such capacity that there is no uncovered accumulation of trash at any time.
 - 7. The space provided for each recreational vehicle shall not be less than 700 square feet exclusive of any space used for common areas such as roadways, general use structures, walkways, parking spaces for vehicles other than recreational vehicles and landscaped areas.
 - 8. A space provided for a recreational vehicle shall be covered with crushed gravel or paved with asphalt, concrete, or similar material and be designed to provide for the control of runoff of surface water. The part of the space, which is not occupied by the

recreational vehicle, not intended as an access way to the recreational vehicle or part of an outdoor patio, need not be paved or covered with gravel provided the area is landscaped or otherwise treated to prevent dust or mud.

9. A recreational vehicle space shall be provided with piped potable water and sewage disposal service. A recreational vehicle staying in the park shall be connected to the water and sewage service provided by the park if the vehicle has equipment needing such service.
10. A recreational vehicle space shall be provided with electrical service.
11. The total number of parking spaces in the campground and recreational vehicle park, except for the parking provided for the exclusive use of the manager or employees of the campground, shall be one space per recreational vehicle space. Parking spaces shall be covered with crushed gravel or paved with asphalt, concrete or similar material.
12. The campground and recreational vehicle park shall provide toilets, lavatories and showers for each sex in the following ratios: For each 15 recreational vehicle spaces or any fraction thereof, one toilet, one urinal, one lavatory and one shower for men; two toilets, one lavatory and one shower for women. The toilets and showers shall afford privacy and the showers shall be provided with private dressing rooms. Facilities for each sex shall be located in separate buildings, or, if in the same building, shall be separated by a soundproof wall.
13. The campground and recreational vehicle park shall provide one utility building or room containing one clothes washing machine, one clothes drying machine and 15 square feet of space for clothes drying lines for each ten recreational vehicle spaces or any fraction thereof, unless such facilities are available within a distance of three miles and are adequate to meet these standards.

C. *Use standards.*

- ~~1. No recreational vehicle shall remain in the campground for more than 30 days in any 60-day period.~~
1. Required building spaces shall be lighted at all times of night and day, shall be ventilated, shall be provided with heating facilities which shall maintain a room temperature of 68 degrees Fahrenheit, shall have floors of waterproof material, shall have sanitary ceiling, floor and wall surfaces and shall be provided with floor drains adequate to permit easy cleaning.
2. A neat appearance shall be maintained at all times. Except for vehicles, there shall be no outside storage of materials or equipment belonging to the campground or to any guest of the park.
3. Evidence shall be provided that the campground will be eligible for a certificate of sanitation as required by state law.

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Sec. 15.108.050. – Marijuana businesses.

- A. *Applicability.* The requirements of this section apply to all marijuana businesses.
- B. *Procedures.*
1. Marijuana businesses, including a new marijuana business located at the same location as [a] previously approved marijuana business, shall obtain a zoning checklist pursuant to chapter 15.308, and/or a site plan review approval pursuant to chapter 15.312, whichever is required by article 8.
 2. All applications shall be made in the same name as the "registrant," ~~as that term is defined in ORS 475B.610(1)(b)~~ or the "licensee," ~~as that term is defined in ORS 475B.015~~ those terms are defined in ORS 475C.
 3. For purposes of this section, [the term] "premises" means:
 - (a) All public and private enclosed areas at the location that are used in the business operated at the location, including, without limitation, offices, kitchens, restrooms, and storerooms; and
 - (b) All areas outside the building that are licensed and/or registered (or proposed to be specifically licensed and/or registered) under applicable Oregon law.
 - (c) Applicable setbacks and buffers for a proposed marijuana business are measured from the boundary of the premises of the marijuana business.
- C. *Additional approval criteria.* In addition to any applicable approval criteria for zoning permit and/or site plan review approval, the applicant shall comply with the following approval criteria:
1. An application for a marijuana business must have a current city business license at the time of application.
 2. Applicant's proposal must demonstrate compliance, or the ability to comply (with appropriate conditions of approval), with applicable provisions of the time, place, and manner restrictions.
 3. Marijuana businesses shall be setback at least 50 feet from Highway 97.
 4. A public entrance to a marijuana business shall not be visible from or oriented towards Highway 97 or Huntington Road, unless the marijuana business is located in a building that is more than 50 feet from the right-of-way of those roadways.
 5. A marijuana business cannot be approved as a home occupation or home-based business.

6. Marijuana businesses can only be approved in the zones in which the specific type of marijuana business is expressly identified as an allowed use. Permissibility of one type of marijuana business in a particular zone cannot be the basis to allow a non-permitted type of marijuana business as a similar use in that zone.
7. Co-location of marijuana businesses on the same property is permitted except as prohibited by state law, the time, place, and manner restrictions, and this Development Code.
8. All marijuana businesses will conduct operations inside secure, enclosed structures. Marijuana products may not be displayed in a manner that is externally visible to the public. No drive-through, curb-side, mobile, or other external sale methods are permitted.
9. The applicant shall demonstrate how the proposed marijuana business complies with all state security system requirements applicable to the proposed marijuana business.
10. The applicant must demonstrate how measures to control odors satisfies applicable requirements set forth in the time, place, and manner restrictions.
11. The structure within which the marijuana business will operate must meet applicable fire and building code requirements.
12. Applications for a specific type of marijuana business shall satisfy the additional standards applicable to that type of marijuana business set out in subsections D. through G. below.

~~C. [D.]~~ D. *Additional criteria for marijuana dispensaries.*

1. The premises for a proposed marijuana dispensary must comply with the applicable location restrictions set forth in the time, place, and manner restrictions.
2. Marijuana dispensaries are considered "retail stores" for purposes of parking requirements.

~~D. [E.]~~ E. *Additional criteria for marijuana production facilities.*

1. Marijuana production facilities shall only be approved if the growing activities occur exclusively within permanent, fully enclosed, rigid, non-translucent structures that require a structural building permit. All lighting used for growing purposes must be contained completely inside the structure. No hoop-houses, sheds, shipping containers, trailers, or similar structures are permitted.
2. Under no circumstances, and notwithstanding anything in this Development Code to the contrary, may retail sales of marijuana products occur at the same location as a marijuana production facility.

3. Where multiple producers operate in the same building or on the same property, initial construction and any expansion to any building shall be subject to site plan review. Each tenant, and each change in tenant, shall require approval of a zoning permit.

~~E.[F.]~~ F. *Additional criteria for marijuana processing facilities.*

1. Marijuana processing operations shall only occur in permanent, fully enclosed, rigid, non-translucent structures requiring a structural building permit.
2. Under no circumstances, and notwithstanding anything in this Development Code to the contrary, may retail sales of marijuana products occur at the same location as a marijuana processing facility.
3. Where multiple processors operate in the same building or on the same property, initial construction and any expansion to any building shall be subject to site plan review. Each tenant, and each change in tenant, shall require approval of a zoning permit.

~~F.[G.]~~ G. *Additional criteria for marijuana testing laboratories.*

1. Under no circumstances, and notwithstanding anything in this Development Code to the contrary, may retail sales of marijuana products be conducted by a marijuana testing laboratory.

~~G.[H.]~~ H. *Conditions of approval.* In addition to any conditions of approval imposed as part of zoning checklist and/or site plan review approval, and any other standards for the zone in which the marijuana business is located, marijuana businesses are subject to the following conditions of approval:

1. The applicant for a marijuana business shall obtain and present documentation of all applicable state approvals, registration, licensing, and permitting to the city within six months of zoning permit or site plan review approval.
2. Marijuana businesses shall keep all required state registration, licensing, and permitting current.
3. Marijuana businesses shall keep all required city business license or other required permits current.
4. At all times, marijuana businesses shall remain compliant with applicable provisions of the time, place, and manner regulation and applicable state laws governing the applicable marijuana business, all as they may be amended from time to time.
5. The applicant shall provide the city notice and applicable documentation from the state of any change in the "licensee" or "registrant" for a marijuana business or the suspension, loss, or forfeiture of any state approval, registration, licensing, or permitting.

6. The zoning checklist and/or site plan review approval for a marijuana business shall be void if any condition of approval is violated and not cured within 30 days of notice from [the] city unless a cure is not reasonably possible within 30 days in which case the applicant must provide sufficient evidence, in [the] city's discretion, that the applicant has made reasonable progress towards a cure and the cure will be remedied [in] a timely manner, but no later than 60 days.
7. The zoning checklist and/or site plan review approval shall expire if the business does not operate for any period of six consecutive months.

(Ord. No. 2020-05, § 2(exh. B), 2-12-2020)

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 7 – PROCEDURES

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CHAPTER 15.202. – SUMMARY OF APPLICATION TYPES AND GENERAL PROVISIONS

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Sec. 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.

<i>Table 15.202-1. Summary of Approvals by Type of Review Procedure</i>		
<i>Application*</i>	<i>Review Procedures</i>	<i>Applicable Regulations</i>
Legal lot determination procedure	Type II	Chapter 15.304
Zoning checklist permit	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	Type I	
Partition or re-plat of 2—3 lots	Type II	Chapter 15.410
Minor - preliminary plat	Type II	
Major - preliminary plat	Type III	
Final plat	Type I	
Boundary Property line adjustments	Type I	Chapter 15.414
Re-platting	Type II	

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 7 – PROCEDURES

CHAPTER 15.204. – APPLICATION PROCEDURES

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Sec. 15.204.010. Type I procedure (ministerial/staff review).

- A. *Type 1 procedure (staff review).* The city planning official, or his or her designee, without public notice and without a public hearing, makes ministerial decisions through the Type I procedure because a Type 1 decision is neither a land use decision nor a limited land use decision under ORS 197.015. Ministerial decisions are those where city standards and criteria do not require the exercise of discretion (i.e., there are clear and objective standards). The city planning official's review of a zoning ~~checklist~~ permit is intended to determine whether minimum code requirements are met and whether any other land use permit or approval is required prior to issuance of a building permit. Alternatively, the planning official may elect to process a Type I application under a Type II procedure.
- B. *Application requirements.* Approvals requiring Type I review shall be made on forms provided by the city; or, in the case of a zoning ~~checklist~~ permit, the city planning official may determine that the building permit application provides sufficient information. Applications shall:
 - a. Include the information requested on the application form;
 - b. Address the criteria in sufficient detail for review and action; and
 - c. Be filed with the required fee.
- C. *Criteria and decision.* Type I applications shall be approved or denied by the city planning official upon consideration of the applicable clear and objective criteria.
- D. *Effective date.* A Type I decision is final on the date it is signed by the city planning official unless appealed by the applicant in accordance with subsection F.
- E. *Notice.* Notice of a decision shall be provided to the applicant or the applicant's representative and the property owner.
- F. *Appeals.* The applicant for a Type I review may appeal [the] planning official's decision on the application to the planning commission. The appeal shall be filed, pursuant to the provisions of chapter 15.212, within 12 days from the date of the decision. A Type I decision is not a land use decision as defined by ORS 197.015, and therefore is not subject to appeal to the state land use board of appeals.

(Ord. No. 2024-02, § 10(exh. I), 12-11-2024)
State law reference(s)—Definitions, ORS 197.015.

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Sec. 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 in duration from the date the notice was mailed, or a longer {period} as specified in the notice. ~~The deadline for Written comments must be submitted~~ written comments must be at least 14 days prior to the scheduled decision date no later than the close of the 14th day of the comment period 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;
 - d. ~~e. [d.]~~The planning commission;
 - e. ~~f. [e.]~~Any neighborhood or community organization formally recognized by the city council, whose boundaries include the site;
 - f. ~~g. [f.]~~Any person who submits a written request to receive a notice; and
 - g. ~~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.

4. ~~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.

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Sec. 15.204.040. - Type IV (legislative decisions).

- A. *Timing of requests.* The city council may establish a schedule for when it will accept legislative code amendment or plan amendment requests, or the city council may initiate its own legislative proposals at any time. Legislative requests are not subject to the 120-day review period under ORS 227.178.
- B. *Application requirements.*
 1. *Application forms.* Legislative applications shall be made on forms provided by the city planning official.
 2. *Submittal information.* The application shall contain all of the following information:
 - a. The information requested on the application form;
 - b. A map and/or plan addressing the appropriate criteria and standards in sufficient detail for review and decision (as applicable);
 - c. The required fee, except when City of La Pine initiates request;
 - d. One copy of a letter or narrative statement that explains how the application satisfies each and all of the relevant approval criteria and standards; and
 - e. Evidence of neighborhood contact, if applicable pursuant to [section 15.202.050](#).
- C. *Procedure.* Hearings on Type IV applications are conducted similar to city council hearings on other legislative proposals, except the notification procedure for Type IV applications must conform to state land use laws (ORS 227.175), as follows:
 1. The city planning official shall notify in writing the Oregon Department of Land Conservation and Development (DLCD) of legislative amendments (zone change, rezoning with annexation, or comprehensive plan amendment) at least 35 days before the first public hearing at which public testimony or new evidence will be received. The notice shall include a DLCDC certificate of mailing.
 2. At least 20 days, but not more than 40 days, before the date of the first hearing on an ordinance that proposes to amend the comprehensive plan or any element thereof, or to adopt an ordinance ~~for any zone change~~ that proposes to rezone property, a notice shall be prepared in conformance with ORS 227.175 and mailed to:

- a. Each owner whose property would be directly affected by the proposal rezoned in order to implement the ordinance (e.g., rezoning or a change from one comprehensive plan land use designation to another i.e., owners of property subject to a comprehensive plan amendment shall be notified if a zone change would be required to implement the proposed comprehensive plan amendment); see ORS 227.186 for instructions;
 - b. Any affected governmental agency;
 - c. Any person who requests notice in writing; and
 - d. For a zone change affecting a manufactured home or mobile home park, all mailing addresses within the park, in accordance with ORS 227.175.
 - e. Owners of airports shall be notified of a proposed zone change in accordance with ORS 227.175.
3. At least ten days before the scheduled city council public hearing date, public notice shall be published in a newspaper of general circulation in the city.
 4. For each mailing and publication of notice, the city planning official shall keep an affidavit of mailing/publication in the record.
- D. *Final decision and effective date.* A Type IV decision, if approved, shall take effect and shall become final as specified in the enacting ordinance or, if not approved, upon mailing of the notice of decision to the applicant. Notice of a Type IV decision shall be mailed to the applicant, all participants of record, and the department of land conservation and development within 20 business days after the city council decision is filed with the city planning official. The city shall also provide notice to all persons as required by other applicable laws.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 8 – APPLICATIONS AND REVIEWS

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CHAPTER 15.306. – CERTIFICATE OF USE AND OCCUPANCY

Sec. 15.306.010. Applicability.

It shall be unlawful to use and/or occupy any building, other structure, and/or land until a certificate of use and occupancy for such building, other structure and/or land has been issued by the city. The purpose of the certificate is to confirm that the work or development described in applicable land use approvals has been completed in compliance with this Development Code. The application for issuance of a certificate of use and occupancy may be issued at any time after the applicant has obtained all applicable land use approvals.

Sec. ~~15.306.020.~~ 15.306.020. - Procedure type.

Certificates of use and occupancy are subject to Type I review in accordance with the procedures in article 7.

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Sec. 15.306.040. – Approval criteria.

Certificates of use and occupancy shall be evaluated for compliance with the zoning ~~checklist~~ permit or land use approvals authorizing the use, construction, or alteration of the site and/or building.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 8 – APPLICATIONS AND REVIEWS

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CHAPTER 15.308. – ZONING ~~CHECKLIST~~ PERMIT

Sec. 15.308.010. - Applicability.

A zoning checklist permit shall be required for any of the following (except where otherwise indicated in this Development Code):

- A. Commencing a use, changing a use or intensity of use, or extending or displacing the use of any building, structure, and/or land in the city.
- B. Construction, erection, enlargement, reconstruction, or structural alteration of any single-family dwelling (including placement of a mobile or manufactured home on a property), duplex, or accessory dwelling unit and any other structure accessory to a residential use that requires a building permit.

Sec. 15.308.020.~~[15.308.020.]~~ - Procedure type.

Zoning checklist permit are subject to Type I review in accordance with the procedures in [article 7](#). Notwithstanding anything in this chapter to the contrary, the city planning official may require site plan approval if the city planning official determines the proposal would require a greater number of parking spaces than presently provided on the site, require an upgrade in water or sewer infrastructure to serve the proposed use, or would require a new point of access.

Sec. 15.308.030. - Submittal requirements.

The following materials shall be submitted, provided that the city planning official may waive one or more of these requirements upon finding that the building permit application provides sufficient information:

- A. *Forms of application.* The application for a zoning checklist permit shall be submitted in such form as the city may prescribe and shall be accompanied by the applicable fee.
- B. *Site plan diagram.* All applications shall be accompanied by a site plan diagram. The site plan shall be drawn to a suitable scale and shall clearly and accurately show property lines, dimensions of buildings and lots, both existing and proposed, abutting streets and sidewalks, proposed uses of buildings and lots, north arrow and scale, and any other information which the city may require to make a decision. One copy shall be returned to the applicant indicating approval or disapproval; one copy shall be retained by the city.

- C. *Additional application requirements for uses specified.* An application for a use specified shall be accompanied by additional information and drawings as appropriate to demonstrate how the proposed use and the design of that use will comply with the applicable conditions, criteria, and standards specified in this Development Code and/or applicable land use approvals. If such use is a conditional use, further information and drawings may be required by the city to address compliance with any other conditions imposed by the city.

Sec. 15.308.040. - Approval criteria.

The review authority shall be governed by the criteria below as they evaluate and render a decision on a proposal.

- A. The proposed use is a permitted use in the zone in which the site is located. If the proposed use is a conditional use, a conditional use application has been submitted and approved by the city.
- B. The site provides the required number of bicycle and vehicle parking spaces.
- C. The proposal complies with the development standards and additional standards of the underlying zoning, and any criteria applicable within Article 6 and Article 8 to the proposed use.
- D. The proposal does not violate applicable set back or lot coverage requirements.
- E. The proposal complies with any applicable conditions of approval in prior land use decisions concerning the site.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 8 – APPLICATIONS AND REVIEWS

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CHAPTER 15.312. – SITE PLAN REVIEW

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Sec. 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 removal of landscaping, the addition or removal of parking and/or loading facilities and areas out of compliance with the standards of Chapter 15.86, 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.

PART III - CITY OF LA PINE DEVELOPMENT CODE

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Article 9 – LAND DIVISIONS

CHAPTER 15.414. – PROPERTY LINE ADJUSTMENTS

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Sec. 15.414.010. - Property line adjustments.

- A. *Submission requirements.* All applications for a property line adjustment shall be made on forms provided by the city and shall include information required for a Type I review, pursuant to [article 7](#). The application shall include a preliminary lot line map drawn to scale identifying all existing and proposed lot lines and dimensions, footprints and dimensions of existing structures (including accessory structures), location and dimensions of driveways and public and private streets within or abutting the subject lots, location of lands subject to the flood plain overlay or other overlay zones, existing fences and walls, and any other information deemed necessary by the planning official for ensuring compliance with city codes. The application shall be signed by all of the owners as appearing on the deeds of the subject lots.
- B. *Approval criteria.* The planning official shall approve or deny a request for a property line adjustment in writing, based on all of the following criteria:
1. *Parcel creation.* No additional parcel or lot is created by the property line adjustment;
 2. *Lot standards.* All lots and parcels conform to the applicable lot standards of the zoning district ([article 3](#)), including lot area, dimensions, setbacks, and coverage. Each parcel shall be suited for the use intended or to be offered, including, but not limited to, buildable area, sewage disposal, water supply, guaranteed access and utilities. As applicable, all lots and parcels shall conform the flood plain overlay or other applicable overlay zones ([article 4](#)); and
 3. *Access and road authority standards.* All lots and parcels conform to the standards or requirements of [article 5 \(chapter 15.88\)](#), access and circulation, and all applicable road authority requirements are met. If a lot is non-conforming to any city or road authority standard, it shall not be made less conforming by the property line adjustment.

(Ord. No. 2024-02, § 12(exh. K), 12-11-2024)

Sec. 15.414.020. - Final map recordation - property line adjustment.

- A. The final map for a property line adjustment survey shall comply with the requirements of ORS 92 and 209. The original plat shall be prepared at a scale and in a format as specified on the application form.

- B. The original plat and an exact copy shall be submitted to and approved by the planning official. The approval shall be evidenced by signature on both the original and exact copy.
- C. The original plat and exact copy shall be submitted along with the appropriate recording fee to the county surveyor for recording into the county survey records.
- D. The original plat and exact copy shall then be submitted along with the appropriate recording fee to the county clerk for recording into the county clerk's records.
- E. After recording information is placed on the exact copy by the county clerk, the exact copy and the required number of points, a minimum of six copies, unless otherwise specified by the county surveyor at the time of survey recording, shall then be submitted to the county surveyor to complete the recording process.
- F. After recording information is placed on the exact copy, a copy shall then be submitted to the planning official, together with an electronic copy in a format approved by the City of La Pine.

(Ord. No. 2024-02, § 12(exh. K), 12-11-2024)

State Law reference— Final approval of plats and plans, ORS 92.010 et seq.; county surveyors, ORS 209.005 et seq.



CITY OF LA PINE

STAFF MEMO

MEETING DATE: March 11, 2026
TO: La Pine City Council
FROM: Brent Bybee, Community Development Director
SUBJECT: File TA-25-0002, Ordinance 2025-04

<input type="checkbox"/>	Resolution	<input checked="" type="checkbox"/>	Ordinance
<input type="checkbox"/>	No Action – Report Only	<input checked="" type="checkbox"/>	Public Hearing
<input checked="" type="checkbox"/>	Formal Motion	<input type="checkbox"/>	Other/Direction: Please see below

Councilors,

The code amendments proposed are a result of work sessions and public hearings previously held with the Planning Commission, changes proposed by the Planning Commission, and scrivener errors identified by staff. The Planning Commission Recommendation provided by staff outlines the proposed changes, which generally address the amendments identified below.

Proposed Amendments

Specifically, the proposed code amendments consist of clarifying updates and housekeeping revisions to Part III of the La Pine City Code. The proposal includes the following:

- Correct the definitions for building setbacks, and update the household living and commercial lodging definitions reflecting changes in short term rentals;
- Remove eating and drinking establishments from the Public Facility Zone;
- Classifying automotive wrecking, salvage, and junk yards as a conditional use in the Light Industrial Zone;
- Adopt the federal model code for Flood Hazard Areas;
- Correct code citations within the downtown overlay;

- Amend the shipping container restrictions to allow them on residential lands in conjunction with an active building permit;
- Update the fencing standards to allow barbed wire as required by a federal, state, or local agency;
- Adding development standards for street trees;
- Amend the commercial bicycle parking standards;
- Clarifying the applicability of clear vision areas to driveways as well;
- Amending the applicable zones in the traffic impact analysis criteria;
- Amending Zoning Checklist to Zoning Permit, and clarifying the applicable criteria;
- Adding criteria towards the regulation of short term rentals;
- Full update of the manufactured dwelling park criteria;
- Amending the campground and recreational vehicle park criteria to clarify when certain criteria apply to recreational vehicle parks;
- Updating the Type II and Type IV procedures criteria to reflect state statute;
- Amended standards for property line adjustments, ensuring lots created are suited for the use intended;
- Amending the institutional uses within the commercial zone, removing the residential use requirements;
- Clarifying the applicability criteria for Site Plan Reviews.

Staff Recommendation

Staff recommends a formal motion and vote from the City Council stating, “I move to Ordinance 2025-04 as presented by Staff.” Followed by a second and a roll call vote.



CITY OF LA PINE

STAFF MEMO

MEETING DATE: March 11, 2026
TO: La Pine City Council
FROM: Brent Bybee, Community Development Director
SUBJECT: Autozone Alley Vacation

- | | | | |
|-------------------------------------|-------------------------|--------------------------|-----------------------------------|
| <input type="checkbox"/> | Resolution | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | No Action – Report Only | <input type="checkbox"/> | Public Hearing |
| <input checked="" type="checkbox"/> | Formal Motion | <input type="checkbox"/> | Other/Direction: Please see below |
-

Councilors,

The applicant has applied for an alleyway vacation, which is currently running through the subject property at 51445 Huntington Rd. This property was recently approved for an auto parts retail store in 2025. The alleyway is currently unnamed and unimproved.



Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework

Process

The request is for a Right of Way Vacation. Chapter 15.330 – STREET VACATIONS is the section of the code that primarily addresses right of way vacations. This chapter outlines a two part process in that first the vacation must be brought to the Council for initial consideration to determine if the Council should accept or reject the petition. If accepted, staff will proceed with review. If rejected, staff must provide notice to the petitioner of their decision. The second step in the process, if the petition is accepted, would be a hearing before the council for a final decision, with notice sent to neighboring properties, and all relevant agencies.

Initially reviewing the right of way vacation, staff does not see any reason why the petition should be rejected. The current alleyway is unimproved, and is not utilized to access the property. The property is accessed by Huntington Rd. Vacating the nonexistent right of way would not have an effect on neighboring development, and would not cut off access to any neighboring property owners. Staff's recommendation below reflects this.

Staff Recommendation

Staff recommends a formal motion and vote from the City Council stating, "I move to accept the proposed vacation petition, and direct city staff to prepare for a public hearing and final decision on the matter." Followed by a second and a roll call vote.



CITY OF LA PINE
STAFF REPORT

DATE: March 11, 2026
TO: La Pine City Council
FROM: Nick Tierney, Associate Planner
SUBJECT: Habitat for Humanity – Park View Final Plat Review (FPR-25-0001)

TYPE OF ACTION REQUESTED (Check one):

- | | | | |
|-------------------------------------|-------------------------|--------------------------|------------------|
| <input type="checkbox"/> | Resolution | <input type="checkbox"/> | Ordinance |
| <input type="checkbox"/> | No Action – Report Only | <input type="checkbox"/> | Public Hearing |
| <input checked="" type="checkbox"/> | Formal Motion | <input type="checkbox"/> | Other/Direction: |

Proposal:

Habitat for Humanity applied for a Final Plat review for their 34-lot Park View subdivision of affordable housing on September 16th, 2025. The application was deemed complete after the satisfactory completion of public improvements on February 24th, 2026. The Subdivision is located at Tax Lot 401 on Deschutes County Assessor’s Map 22-10-11.

Background:

A partition application (08PA-23) was approved on February 8, 2024 to create the subject parcel. The subdivision application (01SUB-24) was approved by the La Pine City Council on August 21, 2024 following its second hearing.

The current proposal is for final plat approval of the 34-lot Park View subdivision. The subdivision was applied for and approved as being a part of the “Residential Central District” of the Newberry Neighborhood Planning Area (NNPA) Overlay Zone in Neighborhood 2a. The purpose of the Residential Central District “is a location for social activities and small mixed-use residential/commercial businesses. It is located near the geographical center of each neighborhood. This district is the location for more compact housing types such as townhomes and apartment buildings that activate the center and allow a greater number of people the option to walk for their daily needs.”

Staff note that all relevant “Prior to final plat” conditions of approval from the subdivision application have been reviewed and approved by both the Planning and Public Works department. A \$56,908 performance bond is being held for minor public improvements (asphalt approaches and patches, and street trees) that still need to be installed that the developer will install when the weather permits.

The applicant has applied for building permits with the County to begin preparing for construction of the affordable townhouses. Zoning Permits can be processed once the final plat is approved and legal lots are created.

Recommended Motion:

I move to approve the Final Plat for Habitat for Humanity of La Pine Sunriver's Park View Subdivision as presented.

Attachment(s):

1. Findings
2. Final Plat



FINDINGS AND DECISION

- DECISION DATE:** March 11, 2026
- FILE NUMBER:** FPR-25-0001
- APPLICANT:** JT Haglund
250 NW Franklin Ave, Suite 404
Bend, OR 97703
- OWNER:** Habitat for Humanity Sunriver La Pine
PO Box 3364
Sunriver, OR 97707
- LOCATION:** The subject property does not have an address and is located north of Findley Drive and east of Crescent Creek Drive. The Tax Lot number is 401 on Deschutes County Assessor’s Map 22-10-11.
- REQUEST:** The applicant is requesting a final plat review for City land use file 01SUB-24 for a thirty-four lot subdivision.
- STAFF CONTACT:** Nick Tierney, Associate Planner
Email: ntierney@lapineoregon.gov
Phone: (541) 280-5680
- DECISION:** Approved, subject to the conditions of approval identified below

I. APPLICABLE STANDARDS, PROCEDURES, AND CRITERIA

ARTICLE 7 - PROCEDURES

- CHAPTER 15.202. - SUMMARY OF APPLICATION TYPES AND GENERAL PROVISIONS**
- CHAPTER 15.204. - APPLICATION PROCEDURES**

ARTICLE 9 – LAND DIVISIONS

- CHAPTER 15.406. – SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS (PUD)**
- CHAPTER 15.418. – PROCESSING AND RECORDING PROCEDURES**

II. BASIC FINDINGS

ZONING: The subject property is zoned Residential Master Plan (RMP) and is within the Newberry Neighborhood Planning Area Overlay.

PARCEL SIZE: The subject property is approximately 5.02 acres in size.

LOT LEGALITY: The subject property is a legal lot of record as determined in City of La Pine Land Use Decision 01SUB-24.

REVIEW PERIOD: The subdivision application was approved by the La Pine Planning Commission on August 21, 2024 following its second hearing. Notice of Decision was mailed on August 22, 2024. This application for a final plat was submitted and paid on September 16, 2025 and deemed complete following receipt of all required application materials and verifications on February 24, 2026.

EXISTING DEVELOPMENT: The subject property is undeveloped. Public improvements as required by 01SUB-24 have been constructed, except for the improvements being held by bond as discussed below. The applicant has submitted building permits with Deschutes County for the planned residential developments; plans will be reviewed by the City following subsequent zoning permit approval once the final plat is signed by the City Council.

SURROUNDING LAND USES: Surrounding properties are all zoned RMP. The property to the north is vacant, and properties to the east and west have been subdivided and developed. The property to the south is zoned Open Space and Parks and has been developed with a public park and a private building.

UTILITIES: The subject property has the following utility connections and service providers:

- Water: City of La Pine
- Sewer: City of La Pine
- Fire: La Pine Rural Fire Protection District
- Road Access: Findley Drive is a County road. Crescent Creek is a City road. Interior roads are being developed by Habitat.
- Sidewalks: There are asphalt walkways along the right of way of Findley drive. Subdivision roadways are being developed in accordance with the conditions in 01SUB-24.

PERMIT HISTORY:

- 08PA-23 | Partition approval for a two parcel partition that created the subject property.
- 01SUB-24 | Thirty-four lot subdivision approval on the subject property.

III. FINDINGS OF FACT

PART III, CITY OF LA PINE DEVELOPMENT CODE

ARTICLE 7 - PROCEDURES

CHAPTER 15.202. - SUMMARY OF APPLICATION TYPES AND GENERAL PROVISIONS

Sec. 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.*
- A. *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

Application*	Review Procedures	Applicable Regulations
<i>Legal lot determination procedure</i>	<i>Type II</i>	<i><u>Chapter 15.304</u></i>
<i>Zoning checklist</i>	<i>Type I</i>	<i><u>Chapter 15.308</u></i>
<i>Certificate of use and occupancy</i>	<i>Type I</i>	<i><u>Chapter 15.308 [15.306]</u></i>
<i>Site plan review</i>	<i>Type II</i>	<i><u>Chapter 15.312</u></i>
<i>Conditional use</i>	<i>Type II</i>	<i><u>Chapter 15.316</u></i>
<i>Mobile food unit site permit</i>	<i>Type I — III</i>	<i><u>Chapter 15.318</u></i>
<i>Variance</i>	<i>Type III</i>	<i><u>Chapter 15.320</u></i>

Variance, minor	Type II	<u>Chapter 15.320</u>
Variance, riparian	Type III	<u>Chapter 15.320</u>
Exceptions	Type III	<u>Chapter 15.324</u>
Code interpretation	Type II	<u>Chapter 15.328</u> . Routine interpretations that do not involve discretion do not require a permit
Street vacation	Type III / IV	<u>Chapter 15.330</u>
Dedications not part of development	NA	<u>See Chapter 15.332</u>
Map amendment (quasi-judicial zone change)	Type III	<u>Chapter 15.344 [15.334]</u>
Legislative text or map amendment	Type IV	<u>Chapter 15.344 [15.334]</u>
Annexation	Type III / IV	<u>Chapter 15.338</u>
Downtown design exception	Type III	<u>Section 15.40.025</u>
Land Divisions		
Subdivisions, PUD or re-plat of > 3 lots Preliminary plat Final plat	Type III Type I	Chapter 15.406
Partition or re-plat of 2-3 lots Minor – preliminary plat Major – preliminary plat Final plat	Type II Type III Type I	Chapter 15.410
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.

FINDING: Staff are reviewing this in accordance with the Type I procedures for final plats for subdivisions. Applicable criteria discussed herein.

CHAPTER 15.204. - APPLICATION PROCEDURES

Sec. 15.204.010. – Type I procedure (ministerial/staff review).

- A. *Type 1 procedure (staff review). The city planning official, or his or her designee, without public notice and without a public hearing, makes ministerial decisions through the Type I procedure because a Type 1 decision is neither a land use decision nor a limited land use decision under ORS 197.015. Ministerial decisions are those where city standards and criteria do not require the exercise of discretion (i.e., there are clear and objective standards). The city planning official's review of a zoning checklist is intended to determine whether minimum code requirements are met and whether any other land use permit or approval is required prior to issuance of a building permit. Alternatively, the planning official may elect to process a Type I application under a Type II procedure.*
- B. *Application requirements. Approvals requiring Type I review shall be made on forms provided by the city; or, in the case of a zoning checklist, the city planning official may determine that the building permit application provides sufficient information. Applications shall:*

- a. *Include the information requested on the application form;*
 - b. *Address the criteria in sufficient detail for review and action; and*
 - c. *Be filed with the required fee.*
- C. *Criteria and decision. Type I applications shall be approved or denied by the city planning official upon consideration of the applicable clear and objective criteria.*
- D. *Effective date. A Type I decision is final on the date it is signed by the city planning official unless appealed by the applicant in accordance with subsection F.*
- E. *Notice. Notice of a decision shall be provided to the applicant or the applicant's representative and the property owner.*
- F. *Appeals. The applicant for a Type I review may appeal [the] planning official's decision on the application to the planning commission. The appeal shall be filed, pursuant to the provisions of [chapter 15.212](#), within 12 days from the date of the decision. A Type I decision is not a land use decision as defined by ORS 197.015, and therefore is not subject to appeal to the state land use board of appeals.*

(Ord. No. 2024-02, § 10(exh. I), 12-11-2024)

State Law reference— *Definitions, ORS 197.015.*

FINDING: Staff are processing this Type I application in accordance with the above criteria. These criteria are met.

ARTICLE 9 – LAND DIVISIONS

CHAPTER 15.406. – SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS (PUD)

Sec. 15.406.020. – Final plat for a subdivision.

A. Submission of a final plat.

1. Time requirement.

- a. *Except as otherwise approved in accordance with the approval of a master plan for a subdivision planned for unit or phase development, the subdivider shall, within two years after the date of approval of the tentative plan for a subdivision, prepare and submit the final plat for a subdivision that is in conformance with the tentative plan as approved and with all conditions applicable thereto. The number of copies required shall be as specified on the application form.*

FINDING: The Planning Commission approved the subdivision application of 01SUB-24 on August 21, 2024. The two-year requirement for the submittal of a final plat expires August 21, 2026. The application for this final plat

was deemed complete on February 24, 2026. Section 15.406.020.J requires the final plat to be filed within 45 days of the date of this decision, which is within the two-year window. This criterion will be met.

- b. Final plats shall be subject to the Type I review procedure in article 7. If the subdivider fails to file the final plat before the expiration of the two-year period, the tentative plan approval shall be declared null and void and a new submittal required if the subdivider wishes to proceed with the development, unless an extension is granted by the city.*

FINDING: As discussed above, this application is being processed in accordance with all Type I procedures, and the two-year timeline as conditioned will be followed. This criterion is met.

- 2. *Master development plan. In the case of a subdivision for which a master development plan has been approved, the tentative plans for each unit or phase thereof shall be submitted in accordance with the phasing schedule approved as a part of the master plan.*

FINDING: The subdivision application did not include a master development plan. This criterion is not applicable.

- 3. *Form of final plat. The final plat shall be prepared in conformance with the applicable standards of ORS 92 and the requirements of the Deschutes County Surveyor and Deschutes County Clerk. A reduced copy of the final plat shall also be provided on a sheet of paper measuring 8½ inches by 11 inches or 11 inches by 17 inches for public review requirements. The final plat data shall also be provided in an electronic format adaptive to the city's and county's computer mapping system.*

FINDING: The applicant has submitted a reduced copy of the final plat for this review, and the submission of the final plat shall conform to the County's requirements. This criterion is met.

B. Requirements of survey and plat of subdivision.

- 1. The survey for the plat of a subdivision shall be of such accuracy and with reference to such guidelines as required by ORS 92.
- 2. The survey and plat shall be made by a registered professional land surveyor.
- 3. The plat shall be of such scale that all survey and mathematical information, and all other details, may be clearly and legibly shown thereon.
- 4. The locations and descriptions of all monuments shall be recorded upon all plats and the proper courses and distances of all boundary lines shown.

FINDING: The final plat submitted for review contains all of the above requirements. This criteria is met.

- C. Monumentation requirements.* Monumentation of all subdivisions and plats therefor shall be in compliance with the provisions of ORS 92.060 and 92.065.

FINDING: To ensure compliance, the following condition of approval has been added:

Monumentation: *At all times*, monumentation of the proposed subdivision shall be in compliance with the provisions of ORS 92.060 and 92.065.

- D. *Information required on final plat.* In addition to that required by the tentative plan approval or otherwise required by law, the following information shall be shown on the final plat:
1. All survey reference information.
 2. Tract and lot boundary lines, and street rights-of-way and centerlines, with dimensions, bearings or deflection angles. Tract boundaries and street bearings shall be to the nearest second; distances to the nearest 0.01 feet. No ditto marks are permitted.
 3. Width of streets being dedicated. Curve data based on centerlines for streets on curvature; the radius, central angle, arc length, chord length and chord bearing shall be shown.
 4. Easements denoted by fine dotted lines, clearly identified and, if already of record, their recorded reference.
 5. Lot numbers beginning with the number "1" and numbered consecutively and without omission, in sequential order with phasing if applicable.
 6. The initial point shall be marked with an aluminum pipe or galvanized iron pipe not less than two inches inside diameter, 30 inches long before flaring with a 2½ inch minimum diameter aluminum or galvanized cap as appropriately securely attached marked with steel ties with the following information for that subdivision: initial point, subdivision name, year and land surveyor registration number.

FINDING: The submitted final plat includes all of the above criteria in numbers 1 through 6. These criteria are met.

- E. *Certificates required on final plat.* The following certificates are required on the final plat:
1. Certificate signed and acknowledged by all parties having record title interest in the land, consenting to the preparation and recording of the plat.
 2. Certificate signed and acknowledged as above dedicating all land intended for public use.
 3. Certificate with the seal of and signed by the land surveyor responsible for the survey and the final plat preparation.
 4. Certificate for the county surveyor.
 5. Certificate for the county tax collector.

6. Certificate for the county assessor.
7. Certificates for the city public works director and city planning official or other duly designated city representative.
8. Other certificates required by state law or by the city.
9. Certificate for approval or execution by the city council.

FINDING: The applicant has provided all the required certificates on the final plat. These criteria are met.

- F. *Supplemental information with final plat.* The following data, in addition to any other data required as a part of the tentative plan approval, shall be submitted with the final plat:
1. A preliminary title report issued by a title insurance company in the name of the owner of the land, showing all parties whose consent is necessary, and evidence of a clear and marketable title.
 2. A copy of any deed restrictions or protective covenants applicable to the subdivision or planned unit development.
 3. A copy of any dedication requiring separate documents such as for parks, playgrounds and the like.
 4. A copy of any homeowner's association agreements proposed or required for the development.

FINDING: The applicant has provided all of the required supplemental information with the final plat. These criteria are met.

5. For any and all improvements such as streets, sewer, water, utilities and the like that are required or proposed as a part of the tentative plan approval, the following shall be required to be submitted with the final plat, and such shall be prepared by a licensed surveyor or engineer:
 - a. Cross-sections of proposed streets, widths of roadways, types of surfacing, curb locations and specifications, width and location of sidewalks, other pedestrian ways and/or bikeways.
 - b. Plans and profiles of proposed sanitary sewers, location of manholes and proposed drainage facilities.
 - c. Plans and profiles of proposed water distribution systems showing pipe sizes, location of valves and fire hydrants as applicable.
 - d. Specifications for the construction of all proposed utilities.
 - e. Proof of guaranteed access to the primary serving public street or highway.

- f. Digital data of construction plans and as-built specifications for all improvements in a format approved by the city engineer, public works director or other duly designated city representatives, such being necessary for electronic record keeping.

FINDING: The applicant has provided all of the supplemental information required by subsection F. These criteria are met.

- G. *Technical review of final plat.* Within five working days of receipt of the final plat submittal, the planning official shall initiate a technical review of the submittal as provided herein.
 1. Notification of the receipt of, and opportunity for review thereof, shall be given to the public works director, city engineer, utility companies and any other affected agencies.
 2. The parties shall complete the technical plat review and shall submit findings to the city planning official within ten days of the notice.
 3. Based on the reviews, should the planning official determine that full conformity has not been made, the subdivider shall be advised thereof of the needed changes or additions and shall be afforded a reasonable opportunity (not to exceed 30 days) to make the changes or additions.
 4. Other required procedures for processing a final plat are set forth in section 15.414.030.

FINDING: The City of La Pine Public Works and Engineering were given notice of the final plat and have provided comments relating to the technical review of the plat and any required and outstanding conditions of approval from the subdivision land use decision. These criteria are met.

- H. *Review and approval of final plat.* Within 30 days following the receipt of a complete application for the final plat of any land division reviewed by the city, the planning official shall review the final plat to verify that the plat is submitted in accordance with the tentative plan approval.
 1. If the city planning official does not approve the final plat, the subdivider shall be advised of the reasons therefor, and shall be provided an opportunity to make corrections.
 2. If the city planning official approves the final plat, approval shall be indicated by the signature of the planning official, on the plat.

FINDING: The final plat application was deemed complete on February 24, 2026 following the confirmation of the satisfactory completion of the required conditions of approval from the subdivision land use decisions. Staff are reviewing this decision within the 30 day window and will make a recommendation to City Council for their approval. These criteria will be met.

- I. *Final plat approval requirements.* No final plat for a proposed subdivision shall be approved unless it is found to comply with the following minimum standards:
 1. The final plat is found to be in strict compliance with the tentative plan approval and all conditions set forth thereby.

FINDING: The prior partition and subdivision had the following conditions of approval, which have been verified and this final plat has been found to be in compliance with these conditions. Applicant responses submitted as part of this final plat review are included below the relevant conditions.

GENERAL:

1. *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. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.*
2. *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 three and one-half 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. Construction plans shall demonstrate compliance with these clear vision standards and shall be submitted to the City for review and approval prior to construction. No above ground equipment shall obstruct vision clearance areas for vehicular traffic.*
3. *If at any point 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, development permits may be restricted by the city until the deficiency has been resolved or rectified.*
4. *The final plat shall be recorded within two years of the tentative plan final decision. Failure to do so will result in the tentative plan approval being null and void and a new submittal will be required if the developer wishes to proceed with the development, unless an extension is granted by the city.*
5. *Per City of La Pine Ordinance No 2015-05 Section 6.12, the property owner of all proposed parcels will be responsible for maintenance and repair of the sewer/septic system to the point where the building sewer is connected to a City sewer main. This responsibility includes any costs of maintenance, repair, damage, and/or injury. The owner will be liable for any damage to the City system caused by an act of the owner and/or its tenants(s), agent(s), employee(s), contractor(s), licensee(s), and/or permittee(s). If any break, leak, and/or other damage to a building sewer occurs, the owner of the property served by the building sewer will cause repairs to be made immediately to minimize any sewer spillage.*
6. *All construction must meet City of La Pine Public Works Design Standards.*
7. *the Applicant shall preserve trees wherever feasible, in addition to planting a significant number of new trees throughout the subdivision. Trees will be preserved in the open space/buffer area along Findley Drive and within the wide Crescent Creek right-of way. Street trees will be planted within the swales along all the new streets (Masten Mill, Barron Drive, Arnold Ave) and when at least one tree cannot be preserved in backyards, a new shade tree will be planted. For the initial phase of construction, the applicant proposes to remove only the trees required to be removed for the construction of the right of way and infrastructure. Tree removal on individual lots will be reviewed by the applicant at the time of building permit application and efforts will be made to preserve trees where possible. All trees planted shall be*

done so in accordance with the installation standards of LPDC Sec. 15.82.010.G and shall be maintained in accordance LPDC Sec. 15.82.010.H.

8. All outdoor lighting shall be sited, limited in intensity, shielded and hooded in a manner that prevents the lighting from projecting onto adjacent properties and roadways. Shielding and hooding materials shall be composed of non-reflective, opaque materials.

PRIOR TO FILING OF FINAL PLAT:

1. In addition to swales being provided alongside all newly proposed roads, vegetated swales shall also be provided for drainage alongside Crescent Creek Drive and Findley Drive for the length of the project area.

Applicant Response: Swale locations have been reviewed and approved.

2. Engineering firms submitting sewer plans shall include a sewer profile. The profile will include the existing ground elevation, proposed street grade, existing utilities or other underground apparatus, pipe diameter, material and slope, manhole locations, station and invert elevations, horizontal and vertical scales, and trench backfill information. Plan views shall show all horizontal control required to build the sewer, streets, property lines and right-of-way, all planimetrics, utilities, north arrow and scale.

Applicant Response: Sewer plans have been reviewed and approved.

3. A septic tank is required at each developed property. Tank capacity shall be 1000 gallons minimum and shall be sized according to OAR 340-71-220(3). All new septic tanks, existing septic tanks, or used septic tanks must pass a leakage test prior to use. The City maintains septic tanks within city limits. The maintenance of septic tanks ends at the upstream wall of the septic tank. A maintenance easement must be created outside of public right away around septic tanks. Sewer lines upstream of the septic tanks are private and are not maintained by the City.

Applicant Response: Septic tanks have been reviewed and approved. Maintenance easements will be dedicated on the final plat.

4. The Applicant shall locate septic tanks outside of driveway areas. If necessary to locate within driveway, tanks must be traffic rated.

Applicant Response: Septic tanks are located outside of driveways.

5. 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.

Applicant Response: Public improvements have been completed in accordance with the city specifications.

6. As a minimum, all water and sewer infrastructure, compacted base rock, and street signage must be installed and inspected by the City. Construction plans shall be submitted to the City for review and approval.

Applicant Response: Improvement work was constructed under the inspection and approval of the inspector.

- 7. A water demand calculation per the Oregon plumbing code shall be provided to determine the size of the water service line and water meter necessary for the project.*

Applicant Response: Water meter sizing was reviewed and approved.

- 8. Stormwater calculations indicating compliance with the Central Oregon Stormwater Manual shall be provided to the City. Stormwater calculations may be depicted on the construction drawings.*

Applicant Response: Stormwater calculations were reviewed and approved.

- 9. All required public right of way and easements shall be depicted on the final plat map for grant or dedication by the recording of the plat. All public local street right of ways shall be 64 feet in width per the City of La Pine TSP.*

Applicant Response: Right of way and easements will be dedicated on the final plat.

- 10. Streetlights shall be installed and provided at the following locations: Intersections, Mid-block for blocks longer than 400 feet from center of intersection to center of intersection. Poles and fixtures shall conform to the power provider standards. Standard Mid State Electric head fixtures shall be used.*

Applicant Response: Street lights have been reviewed and approved.

- 11. The applicant shall prepare and design engineered stamped construction plans to construct public improvements as proposed on the submitted tentative plans as well as those items required per City public works standards including street trees and streetlights. Final plans shall be submitted to the City with a signature line for City of La Pine Public Works Director.*

Applicant Response: Final plans have been reviewed and approved.

- 12. The applicant shall provide the City with a performance bond of 120% of the cost of public improvements prior to beginning construction. Prior to construction, a pre-construction meeting with the construction contractor shall be held with City staff. All such agreements shall be reviewed and approved by the City Engineer and shall be in compliance with LPDC 15.94.020. All public improvements must be constructed Prior to final plat approval.*

Applicant Response: Required public improvements have been completed.

- 13. At the completion of construction of required improvements, the City will require a one-year maintenance surety bond for 10% of the value of all improvements, to guarantee maintenance and performance for a period of one year from the date of acceptance of the improvements.*

Applicant Response: A maintenance bond will be provided.

FINDING: After reviewing with Public Works, a small number of public improvements have not been completed and cannot be completed until the spring due to the weather. As such, the City is withholding a portion of the performance bond until those improvements have been constructed. This condition has been met.

14. *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. As Builts shall be submitted on a coordinate system recognized by the State of Oregon or on the Deschutes County Coordinate System.*

Applicant Response: As-builts have been provided.

PRIOR TO CONSTRUCTION:

- 1. Prior to construction of the roadways, an approach permit shall be obtained by the applicable roadway authority.*
- 2. Prior to construction the proposed sidewalks shall be 6 feet in width, and shall be constructed to city standard.*

PRIOR TO ISSUANCE OF BUILDING PERMITS:

- 1. All lots shall 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. All improvements required pursuant to this chapter and other applicable regulations or approval conditions shall be completed, in service and approved by the City, prior to sale or occupancy of any lot, parcel or building unit erected upon a lot within the subdivision.*
- 2. All areas commonly owned by the owners within a townhome development shall be maintained by a homeowner's association or by the owners under a joint-maintenance agreement. Covenants, restrictions and conditions or a joint maintenance agreement acceptable to the city shall be recorded prior to issuance of a building permit. Additionally, if not addressed through covenants, conditions and restrictions, an agreement(s) for joint maintenance of party walls acceptable to the city shall be recorded prior to issuance of a building permit.*
- 3. Lots shall comply with coverage and setback requirements (or applicant shall receive approved variances for such).*
- 4. Any needed approvals from the City regarding land use shall be applied for and approved.*

PRIOR TO ISSUANCE OF OCCUPANCY PERMITS:

- 1. Driveway aprons shall be installed prior to occupancy of any building on any lot.*

FINDING: As provided by the applicant and clarified by staff above, these conditions have been met, or will be met prior to issuance of building permits or occupancy. This criterion for Final Plat approval have been met.

- 2. Streets and roads for public use are dedicated without any reservations or restrictions.*

3. Streets and roads held for private use are clearly indicated.
4. The plat contains a donation to the public of all common improvements and public uses proposed or required as a condition of approval of the tentative plan.

FINDING: The applicant has provided all the necessary dedications. These criteria are met.

5. All proposed or required improvements have either been completed and approved by the city or that a development agreement establishing timeframes and any required bond, contract or other assurance therefor has been provided for and approved by the city planning official or other duly designated city representative.

FINDING: As reviewed and explained above, a portion of the performance bond is being held for the remaining public improvements. Public Works has verified the satisfactory completion of all other public improvements. This criterion is met.

- J. *Recording of final plat.* Approval of the final plat shall be null and void if the plat is not recorded within 45 days after the date of approval of the city planning official.
 1. After obtaining all required approvals and signatures, the subdivider shall file the plat and an exact copy thereof in the county clerk's office.
 2. No plat shall be recorded unless all ad valorem taxes and special assessments, fees or other charges required by law to be placed upon the tax rolls which have become a lien or which will become a lien during the calendar year on the subdivision have been paid.
 3. Copies of the recorded plat shall be provided to the city recorder, city planning official, and county surveyor at the developer's expense. The format and number of copies required shall be as specified on the application form. The county surveyor may request an additional number of copies required at time of final plat review if deemed appropriate.

FINDING: To ensure compliance, the following condition of approval has been added:

Timeline for Recording Final Plat: **At all times**, approval of the final plat shall be null and void if the plat is not recorded within 45 days after the date of approval of the City Council.

CHAPTER 15.418. – PROCESSING AND RECORDING PROCEDURES

Sec. 15.418.010. – Processing and recording subdivision and partition maps.

- A. *Submit one reproducible paper, vellum or Mylar map copy to the county surveyor.*
- B. *Submit closure sheets for the surveyor's certificate and a closure sheet for each lot or parcel created, and a closure sheet for dedicated areas such as roadways or public facility lots.*

- C. *Submit the required county surveyor review fee as appropriate for the subdivision or partition.*
- D. *Submit a title report for the subdivision.*
- E. *Submit a post-monumentation certificate stating the intent and completion date and a bonding estimate for all subdivision plats proposed for post-monumentation. The bonding estimate is to be 120 percent of the estimated actual costs, office and field.*
- F. *After preliminary initial review of the plat, resubmit the final plat prepared on double matte four mil minimum thickness Mylar, with corrections made, to the county surveyor for final approval and signature.*
- G. *Remaining approval signatures shall then be executed and the final maps and an exact copy thereof submitted to the county surveyor for recording into the survey records prior to submittal to the county clerk for recording. The exact copy shall comply with the requirements of ORS 92 and other applicable statutes and be submitted on four mil thickness Mylar.*
- H. *The county surveyor recording fee shall be submitted with the final plat along with any required post-monumentation bond or letter executed by the city attorney that the bonding requirements are met.*
- I. *The plat shall then be submitted to the county clerk along with the required recording fee. After recording information is placed on the exact copy by the county clerk, the exact copy and the required number of prints showing the recording information shall be submitted to the county surveyor to complete the process. The number of prints required shall be 12 for a subdivision plat and six prints for a partition unless a greater number is requested by the county surveyor at initial review.*
- J. *Copies of the exact copy of the final plat showing the recording information shall also be submitted to the city planning official, together with an electronic copy in a format approved by the city. The scale and format of the plans and the number of copies required shall be as specified on the application form.*

FINDING: Staff includes this section for reference; the applicant shall process and record this final partition map in accordance with the above criteria. To ensure compliance, the following condition has been added:

Processing and Recording Procedures: **At all times**, the applicant shall file this final plat in accordance with the processing and recording procedures set forth in LPDC Section 15.418.010.

IV. CONCLUSION

Based on the foregoing findings, City staff concludes that the proposed use can comply with the applicable standards and criteria of the City of La Pine Development Code if the conditions of approval are met.

Other permits may be required. The applicants are responsible for obtaining any necessary permits from the Deschutes County Building Division and Deschutes County Environmental Soils Division as well as any required state and federal permits.

V. DECISION

APPROVAL, subject to the following conditions of approval.

VI. CONDITIONS OF APPROVAL

AT ALL TIMES

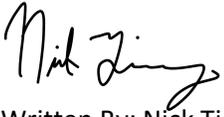
1. Application Materials: **At all times**, this approval is based upon the application, site plan, specifications, and supporting documentation submitted by the applicant. Any substantial change in this approved use will require review through a new land use application.
2. Additional Permit Requirements: **At all times**, the applicant shall obtain necessary permits from the City of La Pine, Deschutes County Building Department, Deschutes County Onsite Wastewater Department, and any other necessary State or Federal permits.
3. Confirmation of Conditions: **At all times**, the applicant shall be responsible for confirming in detail how each specific condition of approval has been met if requested by City staff.
4. Monumentation: **At all times**, monumentation of the proposed subdivision shall be in compliance with the provisions of ORS 92.060 and 92.065.
5. Timeline for Recording Final Plat: **At all times**, approval of the final plat shall be null and void if the plat is not recorded within 45 days after the date of approval of the City Council.
6. Processing and Recording Procedures: **At all times**, the applicant shall file this final plat in accordance with the processing and recording procedures set forth in LPDC Section 15.418.010.

VII. DURATION OF APPROVAL, NOTICE, AND APPEALS

This approval shall lapse, and a new approval shall be required, if the use approved in this permit is not initiated within two (2) years of the date that this decision becomes final, or if development of the site is in violation of the approved plan or other applicable codes. A one-time extension of up to one (1) additional year may be applied for in accordance with Chapter 15.202, so long as the request is submitted and paid for prior to the expiration of the approval.

THIS DECISION BECOMES FINAL TWELVE (12) DAYS AFTER THE DATE MAILED, UNLESS APPEALED BY THE APPLICANT OR A PARTY OF INTEREST IN ACCORDANCE WITH ARTICLE 7, CHAPTER 15.212 OF THE CITY OF LA PINE LAND DEVELOPMENT CODE. PURSUANT TO ARTICLE 7, CHAPTER 15.212 OF THE CITY OF LA PINE LAND DEVELOPMENT CODE, APPEALS MUST BE RECEIVED BY 5:00 PM ON THE 12TH DAY FOLLOWING MAILING OF THIS DECISION.

CITY OF LA PINE COMMUNITY DEVELOPMENT DEPARTMENT

A handwritten signature in black ink, appearing to read "Nick Tierney". The signature is written in a cursive, flowing style.

Written By: Nick Tierney, Associate Planner

PARK VIEW

A REPLAT OF PARCEL 2 OF PARTITION PLAT 2024-7, LOCATED IN THE NORTH ONE-HALF OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 10 EAST, WILLAMETTE MERIDIAN, CITY OF LA PINE, DESCHUTES COUNTY, OREGON, CITY OF LA PINE FILE NUMBER 01SUB-24

APPROVALS:

THIS PLAT HAS BEEN EXAMINED AND APPROVED.

APPROVED THIS ____ DAY OF _____, 2026.

BY: _____
DESCHUTES COUNTY SURVEYOR

SIGNATURE BY THE CITY OF LA PINE CONSTITUTES ACCEPTANCE BY THE CITY COUNCIL OF ANY DEDICATION MADE HEREIN TO THE PUBLIC

APPROVED THIS ____ DAY OF _____, 2026.

BY: _____
CITY OF LA PINE MAYOR

SIGNATURE BY THE CITY OF LA PINE CONSTITUTES ACCEPTANCE BY THE CITY OF ANY DEDICATION MADE HEREIN TO THE PUBLIC

APPROVED THIS ____ DAY OF _____, 2026.

BY: _____
CITY OF LA PINE PLANNING DIRECTOR

I HEREBY CERTIFY THAT ALL TAXES HAVE BEEN PAID AS OF

APPROVED THIS ____ DAY OF _____, 2026.

BY: _____
DESCHUTES COUNTY TAX COLLECTOR

I HEREBY CERTIFY THAT ALL AD VALOREM TAXES AND SPECIAL ASSESSMENTS, FEES AND OTHER CHARGES, AS REQUIRED BY ORS 92.095 TO BE PLACED ON THE 2025-2026 TAX ROLLS. WHICH HAVE BECOME A LIEN OR WILL BECOME A LIEN DURING THIS TAX YEAR, HAVE BEEN PAID TO ME.

APPROVED THIS ____ DAY OF _____, 2026.

BY: _____
DESCHUTES COUNTY ASSESSOR

APPROVED THIS ____ DAY OF _____, 2026.

BY: _____
DESCHUTES COUNTY BOARD OF COMMISSIONERS

DECLARATION:

KNOW ALL PEOPLE BY THESE PRESENTS THAT HABITAT FOR HUMANITY LA PINE SUNRIVER, INC., AN OREGON NON-PROFIT CORPORATION, IS THE OWNER OF THE LAND DESCRIBED IN THE SURVEYOR'S CERTIFICATE AND AS SHOWN ON THE MAP, AND HAVE CAUSED THE SAME TO BE SURVEYED AND PLATTED INTO LOTS AND TRACTS WITH RESTRICTIONS AS SHOWN IN ACCORDANCE WITH THE PROVISIONS OF O.R.S. CHAPTER 92, AND HEREBY DEDICATES ALL STREETS SHOWN HEREON TO THE PUBLIC FOREVER FOR PUBLIC ACCESS AND PUBLIC UTILITY USE, AND HEREBY DEDICATES THE PUBLIC UTILITY EASEMENTS AND PUBLIC SEWER EASEMENTS HEREON TO THE PUBLIC FOREVER FOR PUBLIC UTILITY USE.

_____, 2026
(SIGNATURE)

(PRINTED NAME AND TITLE) HABITAT FOR HUMANITY LA PINE SUNRIVER, INC., AN OREGON NON-PROFIT CORPORATION

ACKNOWLEDGEMENT

STATE OF OREGON }
COUNTY OF DESCHUTES } SS

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON

_____, 2026

(PRINTED NAME AND TITLE)

NOTARY PUBLIC SIGNATURE

NOTARY PUBLIC (PRINT NAME)

COMMISSION NO. _____

MY COMMISSION EXPIRES _____

CONSENT AFFIDAVIT:

A SUBDIVISION PLAT CONSENT AFFIDAVIT FROM THE STATE OF OREGON HOUSING AND COMMUNITY SERVICES DEPARTMENT, A TRUST DEED BENEFICIARY, AS PER DEED OF TRUST RECORDED IN DOCUMENT NUMBER 2025-35673, RE-RECORDED IN DOCUMENT NUMBER 2025-35691, RECORDED AS DOCUMENT NUMBER 2026 - _____, DESCHUTES COUNTY OFFICIAL RECORDS.

CONSENT AFFIDAVIT:

A SUBDIVISION PLAT CONSENT AFFIDAVIT FROM FIRST INTERSTATE BANK, A TRUST DEED BENEFICIARY, AS PER DEED OF TRUST RECORDED IN DOCUMENT NUMBER 2025-35697, RECORDED AS DOCUMENT NUMBER 2026 - _____, DESCHUTES COUNTY OFFICIAL RECORDS.

SURVEYOR'S CERTIFICATE:

I, JOHN TAYLOR HAGLUND, CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH PROPER MONUMENTS, THE LANDS REPRESENTED ON THIS PARTITION PLAT, BEING A REPLAT OF PARCEL 2 OF PARTITION PLAT 2024-7, RECORDED AS DOCUMENT NUMBER 2024-05546, DESCHUTES COUNTY OFFICIAL RECORDS, LOCATED IN THE NORTH ONE-HALF OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 10 EAST, WILLAMETTE MERIDIAN, CITY OF LA PINE, DESCHUTES COUNTY, OREGON, AND THAT AT THE INITIAL POINT IS A 5/8 INCH IRON ROD MARKING THE NORTHEAST CORNER OF SAID PARCEL 2.

THE BOUNDARY OF SAID PLAT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

PARCEL 2 OF PARTITION PLAT 2024-7, RECORDED AS DOCUMENT NUMBER 2024-05546, DESCHUTES COUNTY OFFICIAL RECORDS CONTAINING 5.02 ACRES, MORE OR LESS.

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO REPLAT PARCEL 2 OF PARTITION PLAT 2024-7, DOCUMENT NUMBER 2024-05546, DESCHUTES COUNTY RECORDS, INTO LOTS, PUBLIC STREETS AND EASEMENTS AS SHOWN FOR HABITAT FOR HUMANITY LA PINE SUNRIVER, INC., AN OREGON NON-PROFIT CORPORATION.

I HELD THE MONUMENTS FOR MY BOUNDARY RESOLUTION PER CS21277, DESCHUTES COUNTY SURVEY RECORDS. I FOUND THESE TO BE THE ORIGINAL MONUMENTS AND IN GOOD CONDITION TO ESTABLISH THE BOUNDARIES OF THIS PLAT.

BEARINGS ARE BASED ON THE CENTRAL OREGON COORDINATE SYSTEM AS MEASURED ALONG THE WESTERLY RIGHT OF WAY OF CRESCENT CREEK DRIVE BETWEEN THE INITIAL POINT MARKING THE NORTHWEST CORNER OF THE BOUNDARY AND THE POINT OF CURVATURE OF C81, BEING SOUTH 30°56'12" WEST 289.81 FEET.

NOTES AND RESTRICTIONS:

- 1) THIS PLAT IS SUBJECT TO THE CITY OF LA PINE PLANNING FILE NUMBER 01SUB-24.
- 2) NO WATER RIGHTS ARE APPURTENANT TO THIS PROPERTY.
- 3) COVENANTS, CONDITIONS, RESTRICTIONS AND EASEMENTS AS SET FORTH IN DOCUMENT NUMBER 2025-35672, DESCHUTES COUNTY OFFICIAL RECORDS.

SHEET INDEX:

- | | |
|---------|--|
| SHEET 1 | APPROVALS, NARRATIVE, SURVEYOR'S CERTIFICATE, NOTES AND RESTRICTIONS, DECLARATION, ACKNOWLEDGEMENT, CONSENTS TO DECLARATION AND SHEET INDEX. |
| SHEET 2 | BOUNDARY, LOTS, OVERALL LOT DIMENSIONS, PUE, AND STREETS. |
| SHEET 3 | MONUMENTS - WEST LOTS |
| SHEET 4 | MONUMENTS - EAST LOTS |
| SHEET 5 | SANITARY SEWER EASEMENTS |
| SHEET 6 | LINE AND CURVE TABLES |

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LAND SURVEYOR

OREGON
NOVEMBER 08, 2010
JOHN TAYLOR HAGLUND
55022

RENEWS: 6-30-2027

HHPR Harper
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Righellis Inc.

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JTH 2/25/2026 HFH-02 SHEET 1 OF 6

PARK VIEW

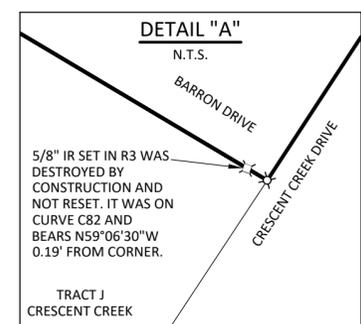
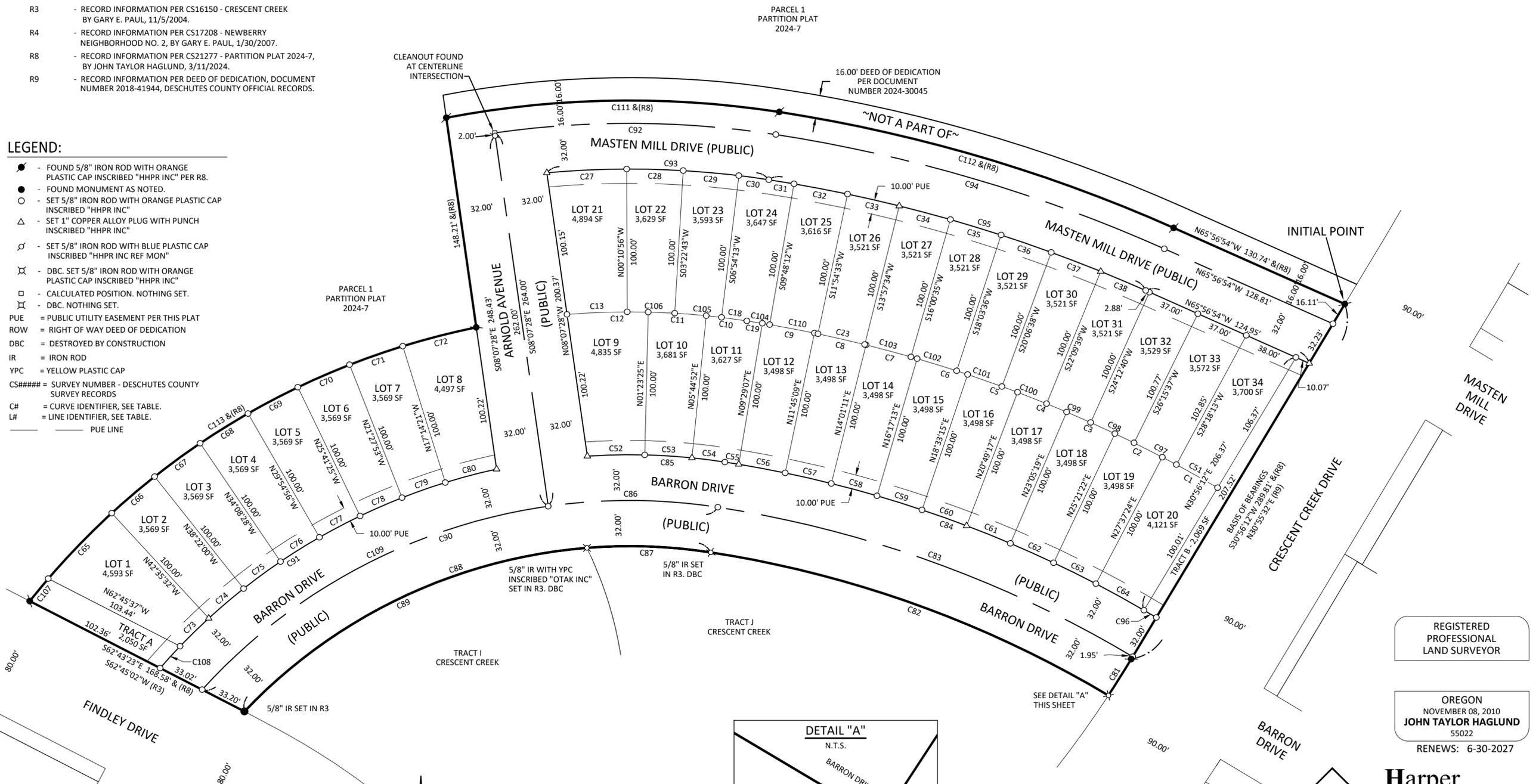
A REPLAT OF PARCEL 2 OF PARTITION PLAT 2024-7, LOCATED IN THE NORTH ONE-HALF OF SECTION 11, TOWNSHIP 22 SOUTH, RANGE 10 EAST, WILLAMETTE MERIDIAN, CITY OF LA PINE, DESCHUTES COUNTY, OREGON, CITY OF LA PINE FILE NUMBER 01SUB-24

REFERENCE SURVEYS LEGEND:

- ###.## - MEASURED DATA
- (###.##)(#) - RECORD DATA PER REFERENCE NUMBER (BELOW)
- ###.## & (#) - MEASURED AND RECORD DATA PER REFERENCE NUMBER (BELOW). THE BEARINGS AND DISTANCES ON THIS SURVEY MATCH THE CORRESPONDING REFERENCE STATED BELOW.
- R3 - RECORD INFORMATION PER CS16150 - CRESCENT CREEK BY GARY E. PAUL, 11/5/2004.
- R4 - RECORD INFORMATION PER CS17208 - NEWBERRY NEIGHBORHOOD NO. 2, BY GARY E. PAUL, 1/30/2007.
- R8 - RECORD INFORMATION PER CS21277 - PARTITION PLAT 2024-7, BY JOHN TAYLOR HAGLUND, 3/11/2024.
- R9 - RECORD INFORMATION PER DEED OF DEDICATION, DOCUMENT NUMBER 2018-41944, DESCHUTES COUNTY OFFICIAL RECORDS.

LEGEND:

- - FOUND 5/8" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "HHR INC" PER R8.
- - FOUND MONUMENT AS NOTED.
- - SET 5/8" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "HHR INC"
- △ - SET 1" COPPER ALLOY PLUG WITH PUNCH INSCRIBED "HHR INC"
- - SET 5/8" IRON ROD WITH BLUE PLASTIC CAP INSCRIBED "HHR INC REF MON"
- ✕ - DBC. SET 5/8" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "HHR INC"
- - CALCULATED POSITION. NOTHING SET.
- ⊞ - DBC. NOTHING SET.
- PUE = PUBLIC UTILITY EASEMENT PER THIS PLAT
- ROW = RIGHT OF WAY DEED OF DEDICATION
- DBC = DESTROYED BY CONSTRUCTION
- IR = IRON ROD
- YPC = YELLOW PLASTIC CAP
- CS##### = SURVEY NUMBER - DESCHUTES COUNTY SURVEY RECORDS
- C# = CURVE IDENTIFIER, SEE TABLE.
- L# = LINE IDENTIFIER, SEE TABLE.
- — — — — PUE LINE



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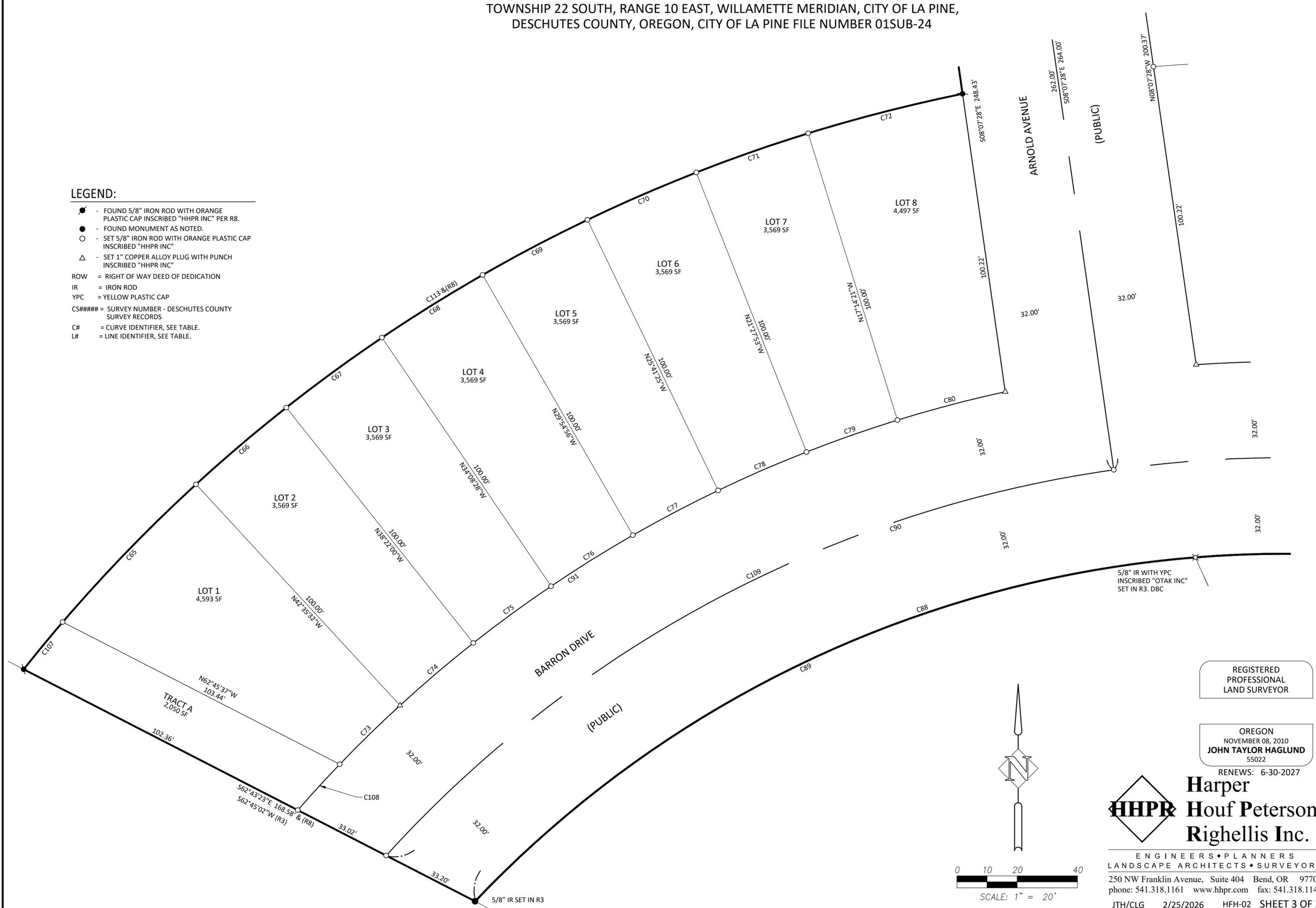
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PARK VIEW

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TOWNSHIP 22 SOUTH, RANGE 10 EAST, WILLAMETTE MERIDIAN, CITY OF LA PINE,
DESCHUTES COUNTY, OREGON, CITY OF LA PINE FILE NUMBER 01SUB-24

LEGEND:

- - FOUND 5/8" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "HHPR INC" PER R8.
- - FOUND MONUMENT AS NOTED.
- - SET 5/8" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "HHPR INC"
- △ - SET 1" COPPER ALLOY PLUG WITH PUNCH INSCRIBED "HHPR INC"
- ROW = RIGHT OF WAY DEED OF DEDICATION
- IR = IRON ROD
- YPC = YELLOW PLASTIC CAP
- CS##### = SURVEY NUMBER - DESCHUTES COUNTY SURVEY RECORDS
- CH# = CURVE IDENTIFIER, SEE TABLE.
- L# = LINE IDENTIFIER, SEE TABLE.



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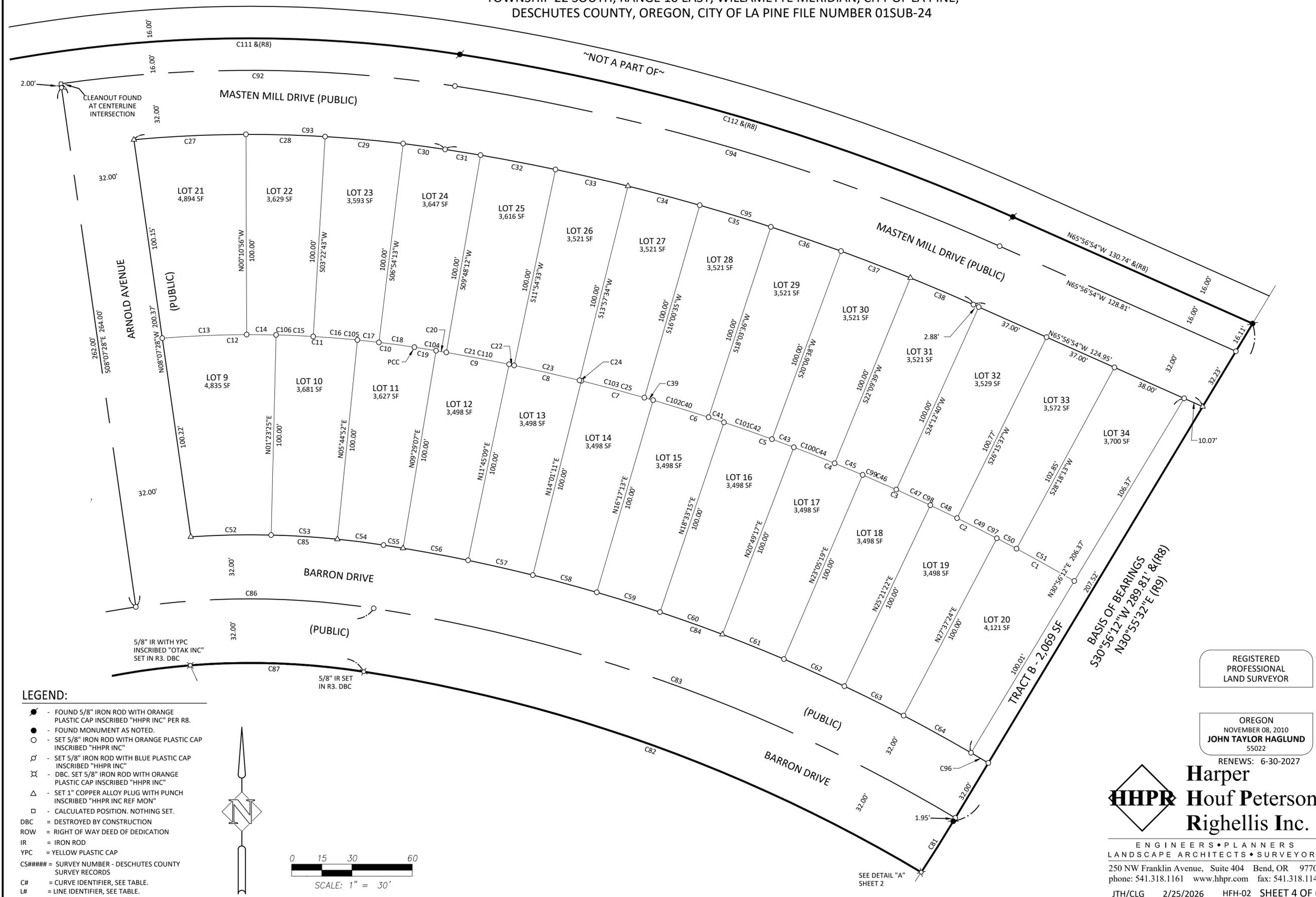
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RENEWS: 6-30-2027

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Righellis Inc.

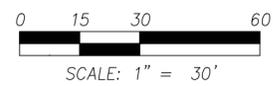
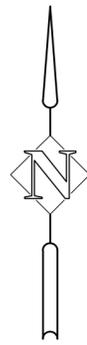
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PARK VIEW

A REPLAT OF PARCEL 2 OF PARTITION PLAT 2024-7, LOCATED IN THE NORTH ONE-HALF OF SECTION 11,
TOWNSHIP 22 SOUTH, RANGE 10 EAST, WILLAMETTE MERIDIAN, CITY OF LA PINE,
DESCHUTES COUNTY, OREGON, CITY OF LA PINE FILE NUMBER 01SUB-24



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 - - FOUND MONUMENT AS NOTED.
 - - SET 5/8" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "HHPR INC"
 - - SET 5/8" IRON ROD WITH BLUE PLASTIC CAP INSCRIBED "HHPR INC"
 - ⊗ - DBC SET 5/8" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "HHPR INC"
 - △ - SET 1" COPPER ALLOY PLUG WITH PUNCH INSCRIBED "HHPR INC REF MON"
 - - CALCULATED POSITION. NOTHING SET.
 - DBC = DESTROYED BY CONSTRUCTION
 - ROW = RIGHT OF WAY DEED OF DEDICATION
 - IR = IRON ROD
 - YPC = YELLOW PLASTIC CAP
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 - CH# = CURVE IDENTIFIER, SEE TABLE.
 - L# = LINE IDENTIFIER, SEE TABLE.



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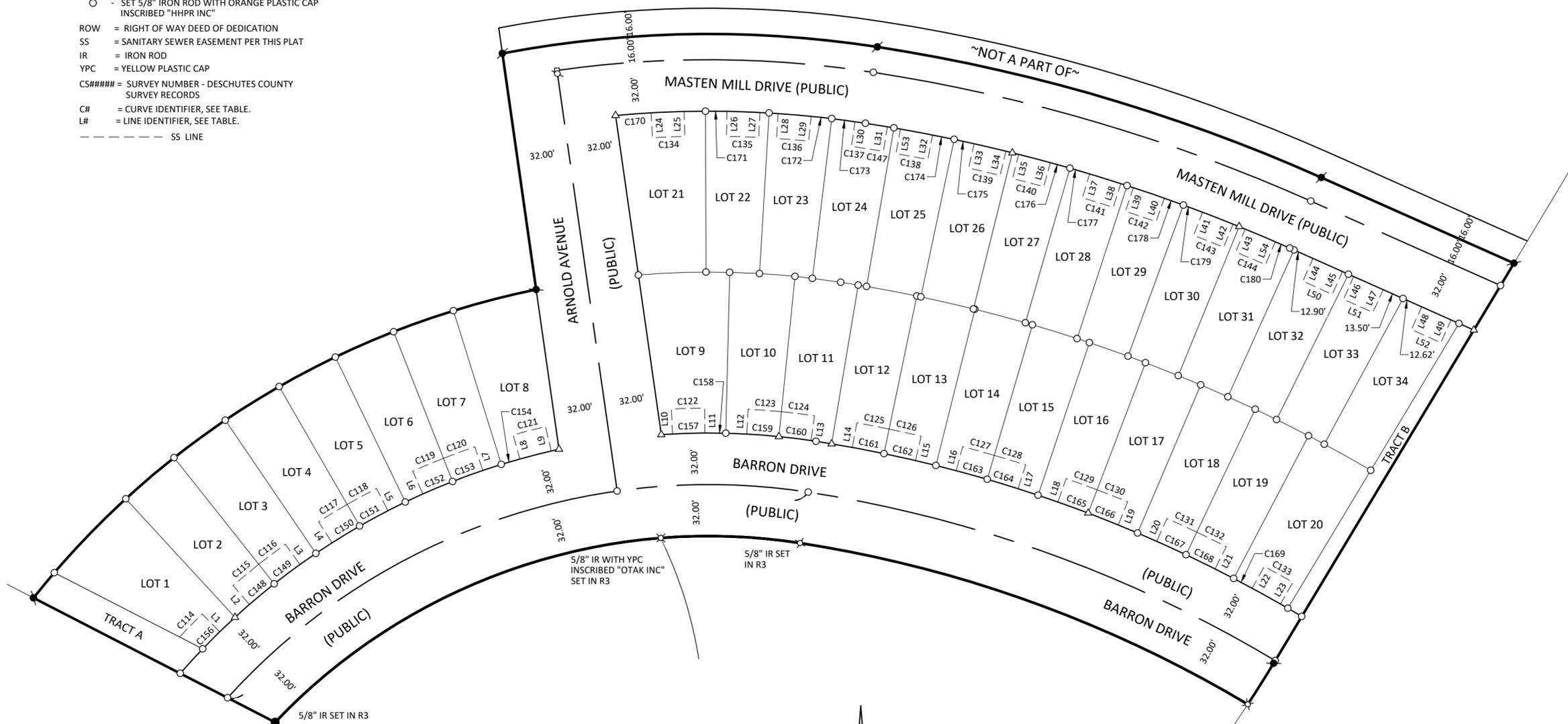
SEE DETAIL "A"
SHEET 2

PARK VIEW

A REPLAT OF PARCEL 2 OF PARTITION PLAT 2024-7, LOCATED IN THE NORTH ONE-HALF OF SECTION 11,
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DESCHUTES COUNTY, OREGON, CITY OF LA PINE FILE NUMBER 01SUB-24

LEGEND:

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- SS = SANITARY SEWER EASEMENT PER THIS PLAT
- IR = IRON ROD
- YPC = YELLOW PLASTIC CAP
- CS##### = SURVEY NUMBER - DESCHUTES COUNTY SURVEY RECORDS
- C# = CURVE IDENTIFIER, SEE TABLE.
- L# = LINE IDENTIFIER, SEE TABLE.
- SS LINE



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PARK VIEW

A REPLAT OF PARCEL 2 OF PARTITION PLAT 2024-7, LOCATED IN THE NORTH ONE-HALF OF SECTION 11,
TOWNSHIP 22 SOUTH, RANGE 10 EAST, WILLAMETTE MERIDIAN, CITY OF LA PINE,
DESCHUTES COUNTY, OREGON, CITY OF LA PINE FILE NUMBER 01SUB-24

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S44°19'24"E	15.50'
L2	N41°00'26"W	15.50'
L3	S35°43'35"E	15.50'
L4	N32°33'22"W	15.50'
L5	S27°16'31"E	15.50'
L6	N24°06'18"W	15.50'
L7	S18°49'27"E	15.50'
L8	S15°39'14"E	15.50'
L9	N13°00'49"W	15.50'
L10	S02°58'03"E	15.50'
L11	N00°19'37"W	15.50'
L12	S03°06'27"W	15.50'
L13	N08°23'18"E	15.50'
L14	S10°22'43"W	15.50'
L15	N13°07'35"E	15.50'
L16	S14°54'47"W	15.50'
L17	N17°39'40"E	15.50'
L18	S19°26'51"W	15.50'
L19	N22°11'44"E	15.50'
L20	S23°58'55"W	15.50'
L21	N26°43'48"E	15.50'
L22	S28°30'59"W	15.50'
L23	N29°53'26"E	15.50'
L24	N03°14'01"W	15.50'
L25	S01°22'51"E	15.50'
L26	S01°00'59"W	15.50'
L27	N02°52'08"E	15.50'
L28	N03°53'17"E	15.50'
L29	S05°44'27"W	15.50'
L30	N08°13'15"E	15.50'
L31	S09°34'42"W	15.50'
L32	S11°09'12"W	15.50'
L33	S12°36'34"W	15.50'
L34	N13°44'04"E	15.50'
L35	N14°11'04"E	15.50'
L36	S15°18'34"W	15.50'
L37	S16°42'36"W	15.50'
L38	N17°50'06"E	15.50'
L39	N18°17'07"E	15.50'
L40	S19°24'37"W	15.50'
L41	S20°48'39"W	15.50'
L42	N21°56'09"E	15.50'
L43	N22°23'09"E	15.50'
L44	S24°03'06"W	15.50'
L45	N24°03'06"E	15.50'
L46	S24°03'06"W	15.50'
L47	N24°03'06"E	15.50'
L48	S24°03'06"W	15.50'
L49	N24°03'06"E	15.50'
L50	S65°56'54"E	20.00'
L51	S65°56'54"E	20.00'
L52	S65°56'54"E	20.00'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	LONG CHORD
C1	934.00'	2°42'20"	44.10'	N61°01'26"W, 44.10'
C2	934.00'	2°16'02"	36.96'	N63°30'37"W, 36.96'
C3	934.00'	2°16'02"	36.96'	N65°46'39"W, 36.96'
C4	934.00'	2°16'02"	36.96'	N68°02'42"W, 36.96'
C5	934.00'	2°16'02"	36.96'	N70°18'44"W, 36.96'
C6	934.00'	2°16'02"	36.96'	N72°34'46"W, 36.96'
C7	934.00'	2°16'02"	36.96'	N74°50'48"W, 36.96'
C8	934.00'	2°16'02"	36.96'	N77°06'50"W, 36.96'
C9	934.00'	2°16'02"	36.96'	N79°22'52"W, 36.96'
C10	534.00'	3°03'53"	28.56'	N82°43'11"W, 28.56'
C11	534.00'	4°21'28"	40.61'	N86°25'51"W, 40.60'
C12	534.00'	6°04'45"	56.66'	S88°21'02"W, 56.63'
C13	534.00'	4°30'24"	42.00'	S87°33'52"W, 41.99'
C14	534.00'	1°34'21"	14.66'	N89°23'46"W, 14.66'
C15	534.00'	1°59'18"	18.53'	N87°36'56"W, 18.53'
C16	534.00'	2°22'10"	22.08'	N85°26'13"W, 22.08'
C17	534.00'	1°09'21"	10.77'	N83°40'27"W, 10.77'
C18	534.00'	1°54'32"	17.79'	N82°08'31"W, 17.79'
C19	934.00'	0°40'22"	10.97'	N80°51'04"W, 10.97'
C20	934.00'	0°19'05"	5.18'	N80°21'21"W, 5.18'
C21	934.00'	1°56'52"	31.77'	N79°13'19"W, 31.77'
C22	934.00'	0°09'24"	2.55'	N78°10'09"W, 2.55'
C23	934.00'	2°03'01"	33.42'	N77°03'57"W, 33.42'
C24	934.00'	0°03'37"	0.98'	N76°00'37"W, 0.98'
C25	934.00'	1°59'24"	32.44'	N74°59'07"W, 32.44'
C27	634.00'	5°02'57"	55.87'	S87°17'35"W, 55.85'
C28	634.00'	3°33'39"	39.40'	N88°24'07"W, 39.40'
C29	634.00'	3°31'30"	39.01'	N84°51'32"W, 39.00'
C30	634.00'	1°54'32"	21.12'	N82°08'31"W, 21.12'
C31	1034.00'	0°59'27"	17.88'	N80°41'31"W, 17.88'
C32	1034.00'	2°06'21"	38.00'	N79°08'38"W, 38.00'
C33	1034.00'	2°03'01"	37.00'	N77°03'57"W, 37.00'
C34	1034.00'	2°03'01"	37.00'	N75°00'55"W, 37.00'
C35	1034.00'	2°03'01"	37.00'	N72°57'54"W, 37.00'
C36	1034.00'	2°03'01"	37.00'	N70°54'53"W, 37.00'
C37	1034.00'	2°03'01"	37.00'	N68°51'52"W, 37.00'
C38	1034.00'	1°53'27"	34.12'	N66°53'38"W, 34.12'
C39	934.00'	0°16'38"	4.52'	N73°51'06"W, 4.52'
C40	934.00'	1°46'23"	28.90'	N72°49'35"W, 28.90'
C41	934.00'	0°29'39"	8.05'	N71°41'34"W, 8.05'
C42	934.00'	1°33'22"	25.37'	N70°40'03"W, 25.37'
C43	934.00'	0°42'40"	11.59'	N69°32'02"W, 11.59'
C44	934.00'	1°20'22"	21.83'	N68°30'32"W, 21.83'
C45	934.00'	0°55'41"	15.13'	N67°22'31"W, 15.13'
C46	934.00'	1°07'21"	18.30'	N66°21'00"W, 18.30'
C47	934.00'	1°08'41"	18.66'	N65°12'59"W, 18.66'
C48	934.00'	0°54'15"	14.74'	N64°11'31"W, 14.74'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	LONG CHORD
C49	934.00'	1°21'47"	22.22'	N63°03'30"W, 22.22'
C50	934.00'	0°40'49"	11.09'	N62°02'12"W, 11.09'
C51	934.00'	2°01'30"	33.01'	N60°41'02"W, 33.01'
C52	434.00'	5°17'11"	40.04'	S88°44'49"W, 40.03'
C53	434.00'	4°21'28"	33.01'	N86°25'51"W, 33.00'
C54	434.00'	3°03'53"	23.21'	N82°43'11"W, 23.21'
C55	834.00'	0°40'22"	9.79'	N80°51'04"W, 9.79'
C56	834.00'	2°16'02"	33.00'	N79°22'52"W, 33.00'
C57	834.00'	2°16'02"	33.00'	N77°06'50"W, 33.00'
C58	834.00'	2°16'02"	33.00'	N74°50'48"W, 33.00'
C59	834.00'	2°16'02"	33.00'	N72°34'46"W, 33.00'
C60	834.00'	2°16'02"	33.00'	N70°18'44"W, 33.00'
C61	834.00'	2°16'02"	33.00'	N68°02'42"W, 33.00'
C62	834.00'	2°16'02"	33.00'	N65°46'39"W, 33.00'
C63	834.00'	2°16'02"	33.00'	N63°30'37"W, 33.00'
C64	834.00'	2°37'57"	38.32'	N61°03'38"W, 38.32'
C65	534.00'	6°50'44"	63.80'	S43°59'06"W, 63.76'
C66	534.00'	4°13'32"	39.38'	S49°31'14"W, 39.37'
C67	534.00'	4°13'32"	39.38'	S53°44'46"W, 39.37'
C68	534.00'	4°13'32"	39.38'	S57°58'18"W, 39.37'
C69	534.00'	4°13'32"	39.38'	S62°11'49"W, 39.37'
C70	534.00'	4°13'32"	39.38'	S66°25'21"W, 39.37'
C71	534.00'	4°13'32"	39.38'	S70°38'53"W, 39.37'
C72	534.00'	5°40'45"	52.93'	S75°36'02"W, 52.91'
C73	434.00'	3°41'50"	28.00'	S45°33'33"W, 28.00'
C74	434.00'	4°13'32"	32.01'	S49°31'14"W, 32.00'
C75	434.00'	4°13'32"	32.01'	S53°44'46"W, 32.00'
C76	434.00'	4°13'32"	32.01'	S57°58'18"W, 32.00'
C77	434.00'	4°13'32"	32.01'	S62°11'49"W, 32.00'
C78	434.00'	4°13'32"	32.01'	S66°25'21"W, 32.00'
C79	434.00'	4°13'32"	32.01'	S70°38'53"W, 32.00'
C80	434.00'	4°53'10"	37.01'	S75°12'14"W, 37.00'
C81 & R8	755.00'	2°16'53"	30.06'	N32°04'38"E, 30.06'
C81 (R9)	755.00'			
C82 & R8	770.00'	22°05'11"	296.82'	N70°08'40"W, 294.99'
C82 (R3)	770.00'	22°04'19"	296.63'	N70°08'48"W, 294.79'
C82 (R4)	770.00'	22°04'19"	296.63'	N70°08'48"W, 294.79'
C83	802.00'	22°07'50"	309.77'	S70°07'20"E, 307.85'
C84	834.00'	22°07'49"	322.13'	N70°07'20"W, 320.13'
C85	434.00'	12°42'31"	96.26'	N87°32'31"W, 96.07'
C86	402.00'	16°56'13"	118.83'	N89°39'22"W, 118.40'
C87	370.00'	13°25'21"	86.68'	N87°53'56"W, 86.48'
C87 (R3)	370.00'	13°26'19"	86.78'	N87°54'07"W, 86.58'
C88	370.00'	55°24'04"	357.76'	N71°06'43"E, 343.99'
C88 (R3)	370.00'	55°24'25"	357.80'	N71°06'50"E, 344.02'
C88 (R4)	370.00'	55°24'25"	357.80'	S71°06'51"W, 344.02'
C89	370.00'	41°58'43"	271.09'	S64°24'02"W, 265.06'
C89 (R3)	370.00'	41°58'06"	271.02'	S64°23'41"W, 265.00'
C89 (R4)	370.00'	41°58'06"	271.02'	S64°23'41"W, 265.00'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	LONG CHORD
C90	402.00'	56°42'59"	397.93'	N70°27'16"E, 381.89'
C91	434.00'	36°39'57"	277.73'	S59°18'51"W, 273.02'
C92	666.00'	16°56'13"	196.87'	N89°39'22"W, 196.16'
C93	634.00'	14°02'38"	155.40'	N88°12'34"W, 155.01'
C94	1066.00'	15°14'21"	283.53'	N73°34'05"W, 282.69'
C95	1034.00'	15°14'21"	275.01'	N73°34'05"W, 274.20'
C96	834.00'	0°41'13"	10.00'	N59°24'02"W, 10.00'
C97	934.00'	2°02'36"	33.31'	N62°43'05"W, 33.31'
C98	934.00'	2°02'57"	33.40'	N64°45'51"W, 33.40'
C99	934.00'	2°03'01"	33.42'	N66°48'50"W, 33.42'
C100	934.00'	2°03'01"	33.42'	N68°51'52"W, 33.42'
C101	934.00'	2°03'01"	33.42'	N70°54'53"W, 33.42'
C102	934.00'	2°03'01"	33.42'	N72°57'54"W, 33.42'
C103	934.00'	2°03'01"	33.42'	N75°00'55"W, 33.42'
C104	934.00'	0°59'27"	16.15'	N80°41'31"W, 16.15'
C105	534.00'	3°31'30"	32.85'	N84°51'32"W, 32.85'
C106	534.00'	3°33'39"	33.19'	N88°24'07"W, 33.18'
C107	534.00'	2°11'02"	20.35'	S39°28'13"W, 20.35'
C108	434.00'	2°43'45"	20.67'	S42°20'45"W, 20.67'
C109	402.00'	39°46'45"	279.10'	S61°59'09"W, 273.53'
C110	934.00'	2°06'21"	34.33'	N79°08'38"W, 34.32'
C111 & R8	682.00'	19°37'35"	233.62'	S88°59'58"W, 232.48'
C112 & R8	1082.00'	15°14'21"	287.78'	N73°34'05"W, 286.93'
C113 & R8	534.00'	40°03'42"	373.38'	S58°24'33"W, 365.82'
C114	449.50'	2°32'58"	20.00'	N44°24'07"E, 20.00'
C115	449.50'	2°38'25"	20.71'	N50°18'47"E, 20.71'
C116	449.50'	2°38'25"	20.71'	N52°57'12"E, 20.71'
C117	449.50'	2°38'25"	20.71'	N58°45'51"E, 20.71'
C118	449.50'	2°38'25"	20.71'	N61°24'16"E, 20.71'
C119	449.50'	2°38'25"	20.71'	N67°12'55"E, 20.71'
C120	449.50'	2°38'25"	20.71'	N69°51'20"E, 20.71'
C121	449.50'	2°38'25"	20.71'	S75°39'59"W, 20.71'
C122	449.50'	2°38'25"	20.71'	S88°21'10"W, 20.71'
C123	449.50'	2°38'25"	20.71'	N85°34'20"W, 20.71'
C124	449.50'	2°38'25"	20.71'	N82°55'55"W, 20.71'
C125	849.50'	1°22'26"	20.37'	N78°56'04"W, 20.37'
C126	849.50'	1°22'26"	20.37'	N77°33'38"W, 20.37'
C127	849.50'	1°22'26"	20.37'	N74°24'00"W, 20.37'
C128	849.50'	1°22'26"	20.37'	N73°01'34"W, 20.37'
C129	849.50'	1°22'26"	20.37'	N69°51'56"W, 20.37'
C130	849.50'	1°22'26"	20.37'	N68°29'29"W, 20.37'
C131	849.50'	1°22'26"	20.37'	N65°19'52"W, 20.37'
C132	849.50'	1°22'26"	20.37'	N63°57'25"W, 20.37'
C133	849.50'	1°22'26"	20.37'	N60°47'47"W, 20.37'
C134	618.50'	1°51'10"	20.00'	S87°41'34"W, 20.00'
C135	618.50'	1°51'10"	20.00'	S88°03'26"E, 20.00'
C136	618.50'	1°51'10"	20.00'	N85°11'08"W, 20.00'

CURVE TABLE				
CURVE	RADIUS	DELTA	LENGTH	LONG CHORD
C137	618.50'	0°35'30"	6.39'	N81°29'00"W, 6.39'
C138	1018.50'	1°07'30"	20.00'	N79°24'33"W, 20.00'
C139	1018.50'	1°07'30"	20.00'	S76°49'41"E, 20.00'
C140	1			



CITY OF LA PINE

STAFF REPORT

Meeting Date: March 11, 2026
TO: City Council
FROM: Geoff Wullschlager, City Manager 
SUBJECT: City Council Sub Committee Appointments

<input type="checkbox"/>	Resolution	<input type="checkbox"/>	Ordinance
<input type="checkbox"/>	No Action – Report Only	<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Formal Motion	<input checked="" type="checkbox"/>	Other/Direction:

Councilmembers:

At the beginning of each calendar year, we review the sub-committee appointments for the upcoming twelve-month period. These sub-committee appointments provide Council members and executive staff the opportunity to engage with regional partners and other local governments in a number of policy functions and interests in furthering our collective concerns and pursuits.

Each committee meets at different intervals and times so please review the attached roster to take inventory of the current appointments, and what may be of interest for the upcoming year. It is of note that several seats were held by Council President Ignazzitto, that will now be vacant.

Action: Discuss the current allotment of assignments with City staff and consider any adjustments or additional appointments for 2026.



Committee Appointment Consideration 2025-2026

1. Central Oregon Area Commission on Transportation (COACT): **Vacant**
2. Central Oregon Intergovernmental Council (COIC): Janis Curtis
3. Central Oregon Cities Organization (COCO): Mayor Earls
4. Sunriver/La Pine Economic Development (SLED): Geoff Wullschlager
5. League of Oregon Cities (LOC) – Small Cities Network: Mike Shields
6. Deschutes River Basin Water Study Group: Vacant – **No future meetings scheduled**
7. Urban Renewal Agency (URA): **Vacant**
8. Coordinated Homeless Response Office (CHRO): Mayor Earls
9. Regional Solutions Center: **No future meetings scheduled**
10. Regional Housing Council (RHC): Mayor Earls
11. Regional Housing Council – Subcommittee (RHC Subcommittee): Geoff Wullschlager
12. La Pine Basin All Lands Partnership Meeting (LPB): Geoff Wullschlager
13. Central Oregon Cities Organization – Water Subcommittee (COCO): **Vacant**
14. Transportation System Plan (TSP) Update – Advisory Board: **Vacant**



Committee Descriptions:

1. Central Oregon Area Commission on Transportation (COACT):

COACT reviews the process for determining transportation infrastructure needs, capital investments, and project priorities in the Central Oregon region. Other COACT functions include advocating for Central Oregon transportation issues to neighboring regions, area legislators and other interested organizations, and advising the Oregon Transportation Commission on state and regional policies affecting Central Oregon's transportation system. **COACT meets quarterly.** The COACT Executive Committee meets on the first Thursday in months without a COACT meeting.

Currently meeting in person and via zoom from 3:00 – 5:30 p.m., quarterly.

2. Central Oregon Intergovernmental Council (COIC):

In 1972, COIC was designated a Council of Governments organized under ORS 190. Services are provided to the counties of Crook, Deschutes and Jefferson and the cities of Bend, Culver, La Pine, Madras, Metolius, Prineville, Redmond and Sisters. COIC employs more than 100 people and services in the following areas: employment and training, alternative high school education, business loans, transportation, and community and economic development. The majority of the COIC Board is comprised of elected officials appointed by each of these member governments. Other “appointed” members of the Board are from private business, Post-Secondary Education, and Chambers of Commerce.

Currently meeting via zoom the first Thursday of each month at 5:30 – 7:30 p.m.

3. Central Oregon Cities Organization (COCO):

On May 28, 2002, the cities of Bend, Culver, Madras, and Redmond formally created the Central Oregon Cities Organization. COCO's purpose was to effectively and efficiently promote the common interests of the cities in Central Oregon, such as issues of water, transportation, economic development, school funding and tax reform.

Since its inception, COCO has grown to also include the cities of La Pine, Maupin, Metolius, Prineville, and Sisters.

Current initiatives are focused on the recognition of regional political interests from member agencies, policy assessment, and lobbying efforts.

Currently meeting via zoom on the third Monday of each month at 11:30 a.m. (In person location - Redmond City Hall)



4. Sunriver/La Pine Economic Development (SLED):

SLED is a partnership with EDCO (Economic Development for Central Oregon) and local business leaders to further Economic Development in the area. The Board's mission is to create a diversified local economy and a strong base of middle-class jobs in Central Oregon, primarily focusing on traded sector business. The Board's current work is centered on expansion of the La Pine Industrial Park, attraction of new businesses to La Pine, and growth in south county economic vitality.

Currently meeting in person on the second Tuesday of each month at 12:00 p.m. (Alternating between La Pine City Hall and Sunriver Homeowners Aquatic & Recreation Center SHARC)

5. League of Oregon Cities – Small Cities Network:

The LOC Small Cities program is a forum for members to learn from and network with each other. Agendas include a topic selected by the particular region and a round table discussion about issues facing cities in attendance. The League does not solicit or accept ideas for topics other than from member cities or state agencies.

Currently meeting – intermittently (generally quarterly) during regular business hours. (Locations vary throughout Deschutes County – generally at a member City Hall)

6. Deschutes River Basin Water Study Group:

BSWG's purpose is to manage a Basin Study with the Bureau of Reclamation that builds upon past work to update groundwater and surface water models, develop a basin-specific climate analysis, update supply and demand projections, and identify specific actions that can be taken to resolve water issues in the basin. Study results will be used to build a long-term basin water management plan to guide sustainable water management actions in the future. The study brings together a diverse set of stakeholders to seek specific solutions for resolving water supply and demand imbalances for agriculture, municipal, and instream uses in the Upper Deschutes River Basin.

No future meetings scheduled

7. Urban Renewal Agency:

The City of La Pine Urban Renewal Agency is a local citizens board who endeavor to make the La Pine Urban Renewal area more cohesive in terms of access and appearance and investing in improvements. This agency board is separate from City Council with its own bylaws and meetings but is appointed by the La Pine City Council, has its own budget administered by City

staff, and has the ability to act quasi legislatively by passing resolutions and proclamations. They do not have the ability to independently pass new laws (ordinances) or to make orders but can refer items to the City Council. They are currently working on the La Pine Archway project



concept and the Storefront Improvement Program. Currently meeting in person, the first Tuesday of each month at 3:00 p.m. (La Pine City Hall)

8. Coordinated Houseless Response Office:

The CHRO board is made up of elected officials of Bend, Redmond, Sisters, La Pine, and Deschutes County that was funded under HB 4123 which provided \$1,000,000.00 in initial funding. The board considers plans, projects, and concepts in addressing ongoing houselessness throughout Deschutes County. The office applies an 'all strategies' approach to creating a high-performance system that responds differently, urgently, and at scale. They especially seek opportunities to implement long-term solutions that are evidence-based and trauma-informed. These proven solutions inform the focus of our major strategic initiatives and investments.

Currently meeting in person, with City Manager Wullschlager serving as Mayor Richer's proxy. The board meets the third Thursday of each month at 11:00 a.m. (Deschutes County main building). The board would prefer an elected member from La Pine serve in a permanent role.

9. Regional Housing Council:

The Central Oregon Intergovernmental Council (COIC) has formed a Regional Housing Council (RHC) to strengthen the region's response to housing and houselessness needs in Central Oregon. The RHC is a representative body of community leaders, elected officials, and housing/houselessness stakeholders to engage in mutual learning, identify shared priorities, and serve as a regional voice. The RHC value proposition is to provide all communities in the Central Oregon region – cities, counties, and tribes – the ability to work together on shared needs, build coordinated approaches, and provide unified feedback to State agencies. The RHC will draw from shared knowledge and resources to identify and advocate for regional needs and priorities. The regional nature of the RHC also permits an economies of scale model to increase the capacity and efficiencies of smaller communities.

Currently meetings are in person with an option for online participation and City Manager Wullschlager attends but is not a "voting member" as this designation is reserved for elected members from each community. The council would prefer that an elected member from La Pine serve in a permanent role. The council meets on the third Monday of each month at 5:00.

10. Regional Solutions:

Regional Solutions Centers are located throughout Oregon. As Regional Solutions were a product of the executive branch of the State of Oregon (Governor Kate Brown), the program has been retained under Governor Kotek. City staff will continue to attend these meetings when invited if the program reinitiates meetings and programming. Currently the Advisory Committee member for cities in Central Oregon is from Bend.



Intermittent meetings online via Zoom and in Bend.

No future meetings scheduled that request participation.

11. Regional Housing Council – Subcommittee

This subcommittee was created to garner more input from participants and to narrow down the legislative/policy recommendations to the council. This is not expected to be an ongoing assignment and should conclude at some time in early 2025.

The subcommittee meets intermittently on a sliding scale with respect to availability of the current members and is online.

12. La Pine Basin All – Lands Partnership

This partnership is made up of a collaboration of federal land agencies (USFS and BLM) in addition to fire, law enforcement, and the City of La Pine to discuss and identify long term solutions to the wildfire threat in and around the City of La Pine and South County. This partnership is newly formed and does not contain a set schedule at this time.

The partnership plans on meeting monthly but as it is newly organized, a schedule has not been dedicated.

13. Central Oregon Cities Organization – Water Subcommittee

This subcommittee has been formed out of the members of COCO and has been organized to further lobbying and legislative/policy efforts regarding water access in the Deschutes Basin.

The Oregon Water Resources Department applies administrative rules and statute regarding water access that do not take into account, the unique qualities of the Deschutes Basin, and therefore create barriers to municipalities accessing new sources of groundwater for urban expansion.

The City of La Pine does not currently participate as the municipal water access concern is not currently realized by La Pine as it is in other communities. If a member of the La Pine City Council takes on representation with COCO for the city, they can anticipate further invitation to join the subcommittee.

The subcommittee currently meets the first Monday of each month, at 10:30 a.m., online.

14. Transportation System Plan (TSP) Update – Advisory Board:

The City of La Pine is updating its TSP thanks to a grant from ODOT/DLCD and with help from our hired consultants at Parametrix. The TSP aids the City in planning its transportation needs over the next 20 years and identifies projects, policies, programs, and standards that the City can implement to further its transportation goals.



The Project Advisory Committee (PAC) is an advisory board whose purpose is to guide the development, recommendations, and implementation of the TSP. The PAC currently has representatives from ODOT, Deschutes County Planning and Deschutes County Sheriff's Office, and the La Pine Planning Commission. A Council representative is sought to ensure consistency and alignment with Council and City priorities.

The PAC will have three more meetings, tentatively scheduled for May 2026, September 2026, and January 2027.

2026 Committee Assignments - La Pine City Council & Administrator	Current Assignment	Potential Ongoing Assignment	Vacancy Anticipated	Monthly Meeting	Time	Location	Online Option	Should be attended in person
Central Oregon Area Commission on Transportation (COACT)	Vacant		X	Quarterly - 2nd Thursday	3:00 p.m.	Redmond	Y	Y
Central Oregon Intergovernmental Council (COIC)	Janis Curtis	X		1st Thursday of each month	5:30 p.m.	Online	Y	N
Central Oregon Cities Organization (COCO)	Mayor Earls	X		3rd Monday of each month	11:30 a.m.	Redmond	Y	Y
Sunriver/La Pine Economic Development (SLED)	Geoff Wullschlager	X		2nd Tuesday of each month	12:00 p.m.	La Pine	Y	Y
League of Oregon Cities Small Cities Network (LOC)	Mike Shields	X		Generally Quarterly	Varies	Various	N	Y
La Pine Urban Renewal Agency (URA)	Vacant		X	1st Tuesday of each month	3:00 p.m.	La Pine	Y	Y
Coordinated Housing Response Office (CHRO)	Mayor Earls	X		3rd Thursday of each month	11:00 a.m.	Bend	Y	Y
Regional Housing Council (RHC)	Mayor Earls	X		3rd Thursday of each month	5:00 p.m.	Bend	Y	Y
Regional Housing Council - Subcommittee (RHC subcommittee)	Geoff Wullschlager	X		Monthly - Various	Various	Bend	Y	N
La Pine Basin All-Lands Partnership (LPB)	Geoff Wullschlager	X		Various	5:00 p.m.	Bend	Y	Y
Central Oregon Cities Organization - Water Subcommittee (COCO)	Vacant		X	1st Monday	10:30 a.m.	Online	Y	N
Transportation System Plan (TSP) Update - Advisory Board	Vacant		X					
2025 Regular Council Meeting Schedule - La Pine City Council & Administration	All Councilors and Admin. Mgmt.			2nd and 4th Wednesday	5:30 p.m.	La Pine	Y	Y