

City of La Pine
TGM Land Use Code Update Project



Action Plan / November 2017

Acknowledgements

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LAND USE PLANNING
 TRANSPORTATION PLANNING
 PROJECT MANAGEMENT



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The contents of this document do not necessarily reflect views or policies of the State of Oregon.

Introduction

PROJECT BACKGROUND

The City of La Pine received a Transportation and Growth Management (“TGM”) Code Assistance grant in order to: (1) help the city create a vibrant, walkable, multi-modal **downtown** commercial core and, (2) to improve overall efficiency and user-friendliness of the land use process **citywide**. These goals are consistent with the mission, goals, and objectives of the TGM program and “Smart Development” principles.

To learn more about TGM’s program mission, goals and objectives, see <http://www.oregon.gov/LCD/TGM/docs/Mission-goals-objectives.pdf>.

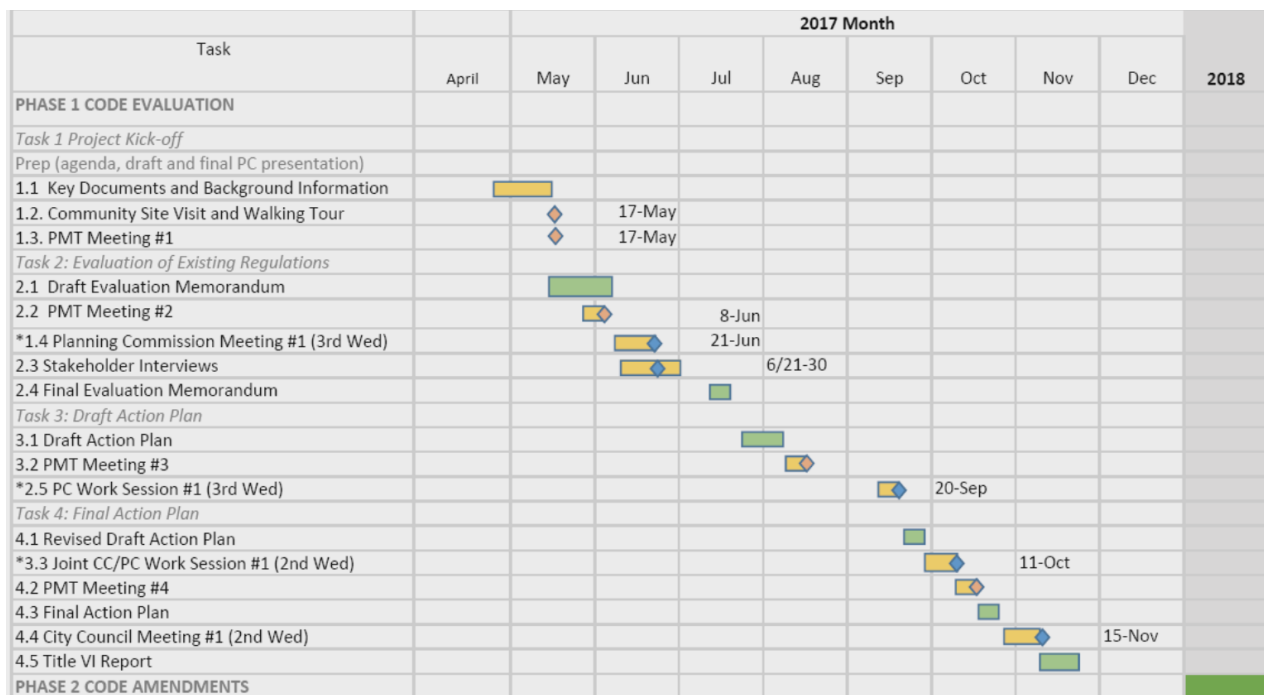
Downtown The downtown elements of this Project follow up on a TGM education and outreach workshop titled “Streetscapes, Pedestrian Safety, and Pedestrian-Friendly Design Workshop.” The workshop and report, completed by SERA Architects in 2015, reviewed existing conditions in the downtown, highlighted opportunities and best practices, and made recommendations for downtown improvements, some of which involve the Zoning Ordinance.



Citywide In terms of overall effectiveness and functionality of the land use regulations as they apply citywide, this Project compared La Pine’s land use ordinances [i.e., *Zoning Ordinance (Ord. No. 2012-05)*, *Procedures Ordinance (Ord. No. 2011-03)*, and *Land Divisions Ordinance (Ord. No. 2011-03)* and amending ordinances] with best practices as represented in the *TGM Model Development Code and User’s Guide for Small Cities - 3rd Edition* (Model Code) as well as other development codes from other cities in Oregon.

Phase 1 of this Project concluded with the City Council’s approval of the Action Plan. The Action Plan identifies potential plan and code amendments “in concept” and in doing so helps direct the Phase 2 “Scope of Work.” The Action Plan builds on earlier project tasks and input including the draft and final Evaluation Memorandum, written comments and meeting discussions with the Project Management Team (PMT), nine stakeholder interviews (6/21 - 6/30/17), Planning Commission Work Sessions (6/21 and 9/20/17), a Joint Planning Commission/City Council Work Session (10/11/17) and City Council meeting (11/15/2017).

PROJECT SCHEDULE



OVERVIEW OF THE ACTION PLAN

The **Action Plan** provides an outline of:

1. Potential amendments to the **La Pine Comprehensive Plan** to address:
 - Housing types and residential density policies;
 - Updated land use policies to encourage compact urban form, mixed use, and pedestrian-friendly design; and
 - New downtown policies.

2. A new unified **La Pine Development Code** to replace Zoning Ordinance (Ord. No. 2012-05), Procedures Ordinance (Ord. No. 2011-03), and Land Divisions Ordinance (Ord. No. 2011-03) and amending ordinances, which includes the following key changes:
 - Reorganizing and clarifying the existing zones and regulations;
 - Using broader use classifications to describe permitted uses;
 - Update residential uses and standards to allow for a wide range of housing types including: single-family, multi-family dwellings, duplexes, townhomes, cottage cluster housing, “tiny homes,” and accessory dwelling units;
 - Updating development standards in all zones based on smart development principles;

- Establishing a new Downtown Overlay Zone with design standards addressing building orientation, setbacks and entrance locations, window or “glazing” standards, standards for canopies, awnings, or other forms of protection from sun and rain, parking requirements that allow for less off-street parking where on-street parking is available, and Cascadian architectural design standards; and
- Clarifying and simplifying procedures and application requirements.

Appendices:

- A. Specific code corrections and issues are highlighted in “Appendix A: Additional Issues by Current Ordinance and Code Section.”
- B. The TPR (OAR 660-012) implements Statewide Planning Goal 12 (Transportation), which is intended to promote the development of safe, convenient, and economic transportation systems that are designed to maximize the benefit of investment and reduce reliance on the automobile. “Appendix B: Transportation Planning Rule (TPR) Compliance” summarizes preliminary recommendations for the City’s land use regulations related to the TPR implementation requirements.
- C. Appendix C includes copies of all earlier written deliverables and presentation materials.



I. Potential Comprehensive Plan Amendments

In order to provide policy support for the code amendments described in Part 2 of the Action Plan the following amendments to the City of La Pine Comprehensive Plan should be considered in Phase 2.

- *Consider new policies for housing types and densities.* The City’s Comprehensive Plan (Plan) states that: “La Pine does not currently have enough housing choices for people to choose from. The Plan must provide more housing opportunities to help correct this situation.” The Plan identifies single-family and multi-family uses within the residential zones, but does not provide for a wide range of housing types (e.g., townhouses, zero lot line, cottage/tiny home developments, etc.). Phase 2 should consider additional Plan policies supporting a wider array of housing types. Policy changes to establish higher minimum density targets would be helpful in order to better assure that residential land is used efficiently and that there is a range of housing choices are available.
- *Consider updating Urbanization policies to more directly address compact urban form and efficient use of urban lands or adding a new land use chapter to the Comprehensive Plan.* The Comprehensive Plan has some policies that support efficient use of public facilities and “Complete Neighborhoods,” but additional land use policies would be beneficial. These new policies could be reflected in a new Development Code purpose statement.
- *Consider new downtown policies.* The Comprehensive Plan has very few policies that relate to the downtown area. However, the 2015 “Streetscapes, Pedestrian Safety, and Pedestrian-Friendly Design Workshop” included the following project goals:
 - *Transform the commercial zone and downtown area west of US 97 into a pedestrian-friendly, attractive, and vibrant center that can draw new investment, offer a desirable place for people to visit and live, and serve the surrounding area between Sunriver Resort and Klamath County.*
 - *Develop a downtown area that is desirable for tourists and local residents and that will allow La Pine to establish itself as a hub and service center for the South Deschutes and North Klamath Counties.*

To provide a policy basis for downtown design standards, Phase 2 could include adding similar policy language to the Comprehensive Plan.

II. New Unified La Pine Development Code

The Final Evaluation Memorandum noted that one of the underlying problems is the overall organization of the Zoning Ordinance with its somewhat haphazard order of chapters and sections; a problem which is exacerbated by the inability to incorporate the other ordinances and amendments into a single document (i.e., a unified development code). This concern was echoed by City staff and the Planning Commission, and there was substantial interest in replacing the Zoning (Ord. No. 2012-05), Procedures (Ord. No. 2011-03), Land Divisions (Ord. No. 2011-03) and amending ordinances with a unified development code (NOTE: the Sign Code, Ordinance No. 2012-05 would remain a separate ordinance). Doing so will also solve many of the specific issues that were raised in Task 2 and which are listed in Appendices A and B.

The Model Development Code and User's Guide for Small Cities (Version 3.1)¹ and best practices from other jurisdictions in Oregon provide a starting place for the new La Pine Development Code, which can be customized for La Pine based on the City's current ordinances as well as the objectives of this project.

To better illustrate this, the organization of these Action Plan recommendations follows the proposed organization of the proposed development code. The code would include the following Articles, with Chapters and Sections organized under each article.

- Article 1. General Provisions
- Article 2. Definitions and Use Categories
- Article 3. Land Use Districts
- Article 4. Overlay Zones
- Article 5. General Development and Design Standards
- Article 6. Special Use Standards
- Article 7. Review Procedures
- Article 8. Applications
- Article 9. Land Divisions

The recommended updates to the code are presented under the relevant article. The updates are classified into two types:

- *Organizational/Policy-Neutral Recommendations* are intended to result in a more user-friendly and logical organization of the code regulations. The updates are “policy-neutral” because they are not intended to affect the outcome of the regulation.

¹ Model Development Code for Small Cities, published by TGM. Available at: <http://www.oregon.gov/LCD/TGM/pages/modelcode.aspx>

- *Content Recommendations* are intended to change the outcome of the regulation on land use and development, such as changes in permitted uses, development standards, or design requirements.

ARTICLE 1. GENERAL PROVISIONS

Organizational/Policy Neutral Recommendation. This section includes the title, purpose, compliance and scope, rules of code construction and similar general provisions. Although similar to the current Zoning Ordinance Sections 1 through 7, the Model Code covers a more comprehensive set of items. Consolidating the existing Zoning Ordinance provisions in Sections 1 – 7 and including administrative sections of the Model Code, which are not covered by the current ordinances, is recommended. Additionally, the City’s existing regulations regarding non-conforming uses and structures (Section 20) will be relocated into Article 1.

Content Recommendation. While there are many similarities, there are some substantive differences between the current Purpose Statement and Objectives and those identified in the Model Code. For example, the Model Code emphasizes compact urban form.

Model Code: “Compact Development, which promotes the efficient provision of public services and infrastructure;”

Zoning Ordinance: “To prevent the overcrowding of land through use of good planning principles and techniques that encourage sustainability and reduced vehicle miles traveled.”

The Development Code implements the Comprehensive Plan. The Purpose Statement and Objectives of the Development Code should reiterate policies in the Comprehensive Plan, not establish a new policy direction. Phase 2 should evaluate the Comprehensive Plan as described above and then update the Purpose Statement and Objectives accordingly.

ARTICLE 2. DEFINITIONS AND USE CATEGORIES

Organizational/Policy-Neutral Recommendations. Currently, definitions for terms used in each of the land use ordinances are located within each ordinance or in multiple places within the ordinances. *As part of the integration of the ordinances into a unified development code, Phase 2 should include defining all terms in one section of the code. Additionally, Phase 2 should include the following organizational improvements:*

- *Use Categories.* Adopt a standardized set of use categories. Currently, not all uses are defined and use descriptions may vary slightly across zones. The use category definitions will identify the characteristics of the uses in each category and provide examples of both primary uses that fit the category and conventional accessory uses that would be permitted in conjunction with the primary use. Use category definitions would be placed in a separate section from general code definitions for ease-of-use and formatting purposes. The use categories would also include definitions of housing types.

- **Clarity and Consistency.** Review all definitions for clarity and internal consistency and revise where appropriate.
- **Missing or Conflicting Definitions.** Add language to describe how the definitions are applied when a term is not defined or when a definition conflicts with another definition located elsewhere in the code. The Model Code includes language to address these issues.

Content Recommendations. The adoption of a standardized set of use categories will present opportunities to consider expanding or narrowing the set of uses that are permitted in the City. The existing use definitions may be written so as to exclude uses that are appropriate for a zone or to include uses that may not be appropriate. As such, by adopting new use category definitions, the City can clarify or adjust the types of uses that are permitted.

For example, the code evaluation found that there is a need to define a wider range of housing types beyond single-family and multi-family dwellings, such as duplexes, townhomes, and cottage cluster housing. *In Phase 2 the City should consider adopting definitions for any housing types that will be permitted in any zone.* Other adjustments to use category definitions may be desirable and would affect the uses that are permitted in each zone, but no other specific changes were identified in the evaluation phase of this project.

ARTICLE 3. LAND USE DISTRICTS

Organizational/Policy-Neutral Recommendations. Section 10 of the Zoning Ordinance provides use regulations and development standards in each zone. The structure of this section is difficult to follow due to “nesting” of use regulations across zones, lack of clarity regarding the applicability of the development standards, and inconsistent organization. *Phase 2 should include organizing the zoning regulations into a consistent structure for clarity and ease-of-use.* Within Article 3, each zoning district or category of zoning district (such as commercial, residential, etc.) would be organized into a chapter. The chapter would include the following sections:

- **Permitted Use Categories.** Use regulations would be presented in a table. The table arrays the use categories (as defined in Article 2) with the status of the use in the zone(s) and references to any special use standards that apply to the use (see Figure 1 for an example). Arranging the tables by the use category—rather than whether the use is permitted or conditionally permitted, as in the existing Zoning Ordinance—makes it easier to locate a use category, identify the status of the use in that zone, and identify any special standards that are associated with the use.
- **Use Specific Standards.** This section would include those use specific standards that only apply to the use when it’s within the zone regulated by the chapter. These standards are currently located within zoning district regulations of Section 10, under “Additional Regulations” (NOTE: standards in Section 10 that apply to a use regardless of the zone where it is located will be moved to Article 6, Special Use Standards).
- **Development Standards.** Development standards would be organized into a table, including setbacks, lot dimension and area, lot coverage, and density. These standards are currently

located in a single table in Section 11 of the Zoning Ordinance. The new table would present the type of standard, the specific standard for the zone(s) regulated by this chapter, and any references to related general development or design standards located in Article 5 (General Development and Design Standards). See Figure 2 for an example.

Figure 1. Example Use Categories Table

USE CATEGORY	STATUS	LIMITATIONS AND REFERENCES
RESIDENTIAL USE CATEGORIES		
Household Living	P (L)	See Housing Types, Table XX-X.
Group Living	C	
COMMERCIAL USE CATEGORIES		
Commercial Lodging	P	
Commercial Recreation	P/C	Conditional use required for golf courses, all other uses permitted outright.
Commercial Parking	N	
Durable Goods Sales	C (L)	Limited to home improvement stores.
Eating and Drinking Establishments	P (L)	No drive-throughs permitted.
Office	P	
Quick Vehicle Servicing	C	Subject to special use regulations, see section XX.XXX.
Retail Sales and Services	P	
Vehicle Repair	N	
INDUSTRIAL USE CATEGORIES		
Industrial Services	N	
Manufacturing and Production	P (L)	Limited to artisanal manufacturing, see section XX.XXX.
Solid Waste Treatment and Recycling	N	
Vehicle Storage	N	
Warehouse and Freight Movement	N	
Wholesale Sales	C	
INSTITUTIONAL USE CATEGORIES		
Colleges and Universities	P	
Community Services	P	
Medical Centers	C	
Major Assembly Facilities	C	Subject to special use regulations, see section XX.XXX.
Schools	P	
INFRASTRUCTURE AND UTILITIES USE CATEGORIES		
Basic Utilities	P	
Parks and Open Space	P	
Public Safety Facilities	C (L)	Limited to fire station.
Telecommunications Facilities	C	Subject to special use regulations, see section XX.XXX.

Figure 2. Example Development Standards Table

STANDARD	REQUIREMENT	LIMITATIONS AND REFERENCES
RESIDENTIAL DENSITY		
Minimum Density	7.5 units per acre	See section XX.XXX for calculation details.
Maximum Density	22.5 units per acre	
LOT DIMENSIONS		
Minimum Lot Width	50 feet	
Minimum Lot Area	6,000 sq. ft.	
MINIMUM SETBACKS		
Front Yard	15 feet	
Front Yard, Garage	20 feet	
Front Yard, Porch	10 feet	
Side Yard	7 feet	
Rear Yard	10 feet	
LOT COVERAGE		
Maximum Lot Coverage	60%	
BUILDING HEIGHT		
Maximum Height	60 feet	See section XX.XXX for exceptions.
Building Height Transition	Yes	Required where abutting the RL district, see section XX.XXX.

Content Recommendations. In concert with establishing new definitions of use categories, the City may want to consider adjusting uses that are permitted or require a conditional use permit in each zone. Additionally, the City may consider changes to development standards in some zones. *Phase 2 should include consideration of the following amendments, based on the Code Evaluation (see Appendix C):*

- *Update residential uses and standards.* The Comprehensive Plan recognizes a need for a variety of housing options to be available in the City. Project stakeholders emphasized that housing options are limited in La Pine and there is increasing demand for a diverse range of housing types. The Zoning Ordinance does not include regulations for some housing types and prescribes development standards which may preclude development of housing types that are permitted and desirable. Thus, Phase 2 should consider the following amendments to residential uses and standards in the zoning district chapters of the code.
 - *Housing types.* Adopt use regulations for additional housing types beyond single-family and multi-family dwellings, including duplexes, townhomes, cottage cluster housing, tiny homes, and accessory dwelling units (currently regulated, but not clearly defined). Additional standards that apply to specific housing types across all

zoning districts could also be included in the new Development Code; these standards would be located in Article 5 (General Development and Design Standards).

- *Development and density standards.* Evaluate and revise development and density standards in each zoning district to ensure that desirable housing types are feasible to build. In particular, minimum lot sizes, setbacks, and maximum density for multi-family dwellings may need to be adjusted to allow for this type of development on a wider range of lots. The City may also consider adopting a minimum density requirement in multi-family zones to ensure the land in these zones is developed efficiently.
- *Low density residential zone.* The Planning Commission and City Council expressed an interest in creating a new low density residential zoning district (or overlay zone) for areas which currently have sewer and water constraints in order to maintain the rural residential character of the area. This zone would not permit higher density housing types—such as ADUs, duplexes, or townhomes—due to insufficient infrastructure. The creation of such a zoning district may be outside the scope of Phase 2 of the TGM project.
- *Evaluate development standards in all zones based on smart development principles.* The minimum lot sizes, setbacks, and lot coverage requirements prescribed by Section 11 of the Zoning Ordinance may prohibit compact and pedestrian-friendly forms of development. Phase 2 should consider adjustments to these development standards to better implement the intent of the zoning district and support implementation of Comprehensive Plan policies related to “Complete Neighborhoods” and access to services.

ARTICLE 4. OVERLAY ZONES

Organizational/Policy-Neutral Recommendations. Overlay zones are currently presented following the base zones in Section 10 of the Zoning Ordinance. To improve ease-of-use and clarity, Phase 2 could separate the overlay zones from the base zones. This helps to reinforce the message that every property will be subject to base zone regulations, but only some properties are subject to an overlay zone.

Phase 2 should include migrating the following regulations into Article 4:

- *Little Deschutes River Riparian Area (LDRRA) Overlay Zone.* Currently in Section 9 of the Zoning Ordinance, this section would be moved to Article 4 and reformatted.
- *Flood Plain (FP) Overlay Zone.* Currently in Section 9 of the Zoning Ordinance, this section would be moved to Article 4 and reformatted.
- *Historic and Cultural Resources Overlay Zone.* The regulations addressing historic and cultural resources in La Pine are in Section 20A - Historic and Cultural Preservation Program and Landmarks Commission. These are special regulations that apply to specific properties, so they function similarly to the existing overlay zones. However, the procedural and application submission requirements related to historic and cultural resources, currently

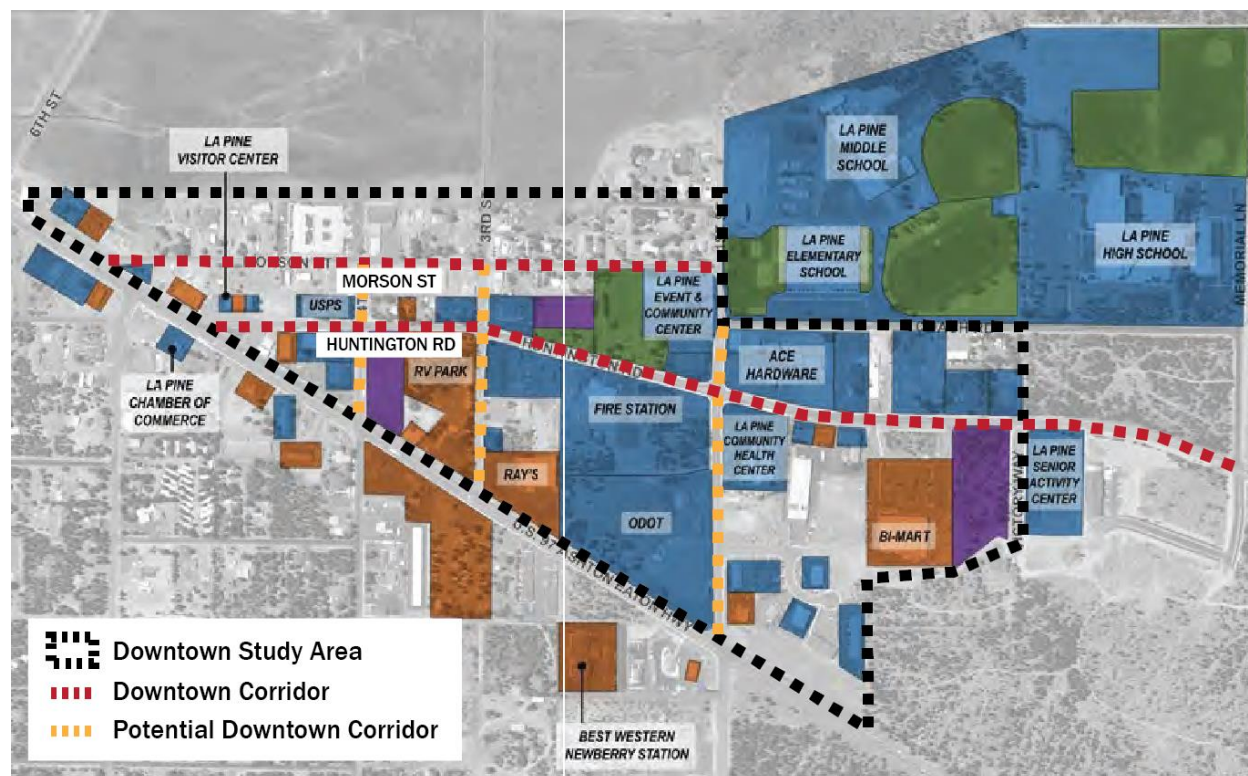
located in Section 20A, would be moved to Article 7 – Review Procedures and Article 8 – Applications.

- ***Transitional Areas Overlay Zone.*** The Transitional Areas (TA) zone is defined in the Zoning Ordinance, but not currently applied to any mapped locations. The purpose of the zone is to require a master plan for certain areas in order to create a transition between zones. This requirement would potentially work better as an overlay zone.
- ***Newberry Neighborhood Overlay Zone.*** The regulations related to the Newberry Neighborhood Planning Area are embedded in the Master Plan Residential (RMP) zone. The regulations are very detailed and include subareas. There are many references to the Deschutes County Code, as the regulations were developed prior to the incorporation of La Pine. As a part of Phase 2 these regulations should be moved from the base zone to a new overlay zone chapter. Additionally, the City may consider the following amendments to clean up this chapter and make it consistent with the rest of the future development code:
 - Remove references to the Deschutes County Code and replace with applicable sections of the City code. This may require adding new content to the code, such as definitions or procedures, to match the County provisions, if necessary.
 - Update the use categories to align with the new standardized use categories proposed for the base zones.
 - Update street classifications used in the chapter to match the City’s functional classification system.
 - Move any procedural or application requirements in the chapter to Article 7 and Article 8, respectively.
 - Replace the paper Newberry Neighborhood Planning Area with a new GIS based map that can be more easily printed, shared and viewed in conjunction with the City’s zoning map.
- ***New Downtown La Pine Overlay Zone.*** See below for description of new overlay zone.

Content Recommendations. As noted in the introduction to this Action Plan, the implementation of use, development, and design standards for downtown La Pine is a primary goal of this code update. *Based on input received to date, Phase 2 should include establishing a new Downtown overlay zone chapter.*

- ***Establish a new Downtown La Pine Overlay Zone and apply design and development standards.*** The Evaluation Memo describes in detail the potential standards to be applied to the downtown area. The Overlay Zone would be within the study area which includes both the Huntington Road and Morson Street corridors and cross-streets as depicted in Figure 3 (NOTE: the final boundaries for the Downtown Overlay Zone will be determined through the Phase 2 planning process).

Figure 3. Downtown Overlay Zone Study Area



In consultation with property owners, stakeholders, and the community, the Downtown La Pine Overlay Zone would establish the following regulations aimed at promoting pedestrian-oriented, “Main Street” development in downtown La Pine.

- Currently, the permitted uses and development standards of the Traditional Commercial (TC) zone allow for auto-oriented forms of development, including auto sales and service and drive-throughs. Additionally, the minimum setback requirements may preclude compact and pedestrian-oriented development on some sites. The Overlay Zone should modify the zone’s use regulations and standards to promote pedestrian-oriented development in the downtown area, while recognizing that many people from the outlying areas drive to La Pine.
- Building orientation and setback standards that require buildings to front the street and minimize or eliminate land area between the sidewalk and the building. These standards should also prohibit parking from being located between the sidewalk and the street.
- Entrance standards that require building entrances to face the street and be connected to the street by a walkway or pedestrian plaza, if not directly adjacent to the sidewalk.
- Window or “glazing” standards that require a minimum portion of the building façade to be composed of windows that provide views of activity, people, and merchandise, creating an interesting pedestrian experience.

- Weather protection standards that require canopies, awnings, or other forms of protection from sun and rain, creating a more comfortable experience for pedestrians on the sidewalk.
- Flexible parking requirements that emphasize utilization of on-street parking (e.g., on-street parking credit) and allow for less off-street parking—where appropriate—to enable more compact development and make development feasible on smaller lots. The overlay district regulations should also enable shared parking agreements to more efficiently utilize off-street parking spaces.
- Architectural design standards that help to establish a cohesive identity for downtown La Pine. The Planning Commission and City Council expressed support for establishing some common architectural elements in the Cascadian Style to contribute toward a more coherent aesthetic for the downtown, but do not wish to be overly restrictive. The Cascadian Style takes inspiration from the “Oregon Rustic” and “Craftsman” styles.



Elements of the Oregon Rustic Style



Elements of the Craftsman Style

- While it’s beyond the scope of this project, the City’s urban renewal program could support and expand on this effort by providing detailed guidelines and incentives for property owners to upgrade facades in line with new design guidelines that more specifically define the Cascadian architectural style.

ARTICLE 5. GENERAL DEVELOPMENT AND DESIGN STANDARDS

Organizational/Policy-Neutral Recommendations. Article 5 will consolidate development and design standards that apply to all or most development, regardless of the location or the specific type of use. A new organizational structure will be needed as the land use ordinances do not include a chapter or section that consolidates these standards. *Phase 2 should include the following for Article 5:*

- **Consolidate and reorganize existing regulations.** General development standards are currently spread across multiple sections and ordinances, including:
 - Zoning Ordinance, Section 10 – Permitted Uses: Some of the standards within the “additional regulations” sections related to each chapter may apply to all development or all development of a broad use category (such as all non-residential development). These standards can be consolidated in Article 5.
 - Zoning Ordinance, Section 12 - Special Uses: Some standards in this section apply to all uses, including regulations regarding fences and clear vision areas.
 - Zoning Ordinance, Section 13 - Site Plan Review: The landscaping and buffering and screening requirements in this section apply to all development except for single-family dwellings.
 - Zoning Ordinance, Section 19 – Off-Street Parking and Loading: These requirements apply to all development and would be more logically organized next to related requirements such as landscaping.
 - Land Division Ordinance, Section 10 – Design and Improvement Standards/Requirements: These standards apply to land divisions, but some of the street improvement standards may also apply for a development or redevelopment where a land division is not necessary; thus, these regulations would be more logically organized in Article 5. Additionally, several of the standards in this section are inconsistent with the Zoning Ordinance or the La Pine TSP, as documented in Appendix A, Table A-2, including lot width, access management, and street classifications. Phase 2 should include updating these standards to be consistent with other City regulations.

Content Recommendations. Phase 2 should consider the following revisions to design and development standards as part of the reorganization of these regulations:

- **Update the commercial and industrial buffering and screening requirements.** Currently where any permitted principal and/or accessory use in an Industrial or Light Industrial zone abuts any RSF, RMF, RMP, or TA zoned land, a buffer strip at least 30 feet wide must be provided and maintained along the entire length of a side or rear yard where it abuts the RSF, RMF, RMP, or TA zoned land. Phase 2 should consider reducing the required buffer for permitted and/or accessory uses in the Industrial and Light Industrial zones that are unlikely to impact adjacent non-industrial uses (e.g., Government buildings & services are a permitted principal use in the Industrial zone which may not require a 30 foot buffer from an adjacent residential zone). In addition to reducing the buffer distance, the code could include graduated buffering requirements (for example, a solid wall might have require less buffer width than a chain link fence). Buffer requirements should also ensure that ample vegetation, including trees and shrubs, is required.
- **Update street improvement standards.** The lot width, access management, and street classifications should reference updated street classifications and mobility and access management standards in the TSP. The standards should establish a limit on the length of

cul-de-sacs, require a pedestrian accessway, and specify conditions under which accessways shall be provided, e.g., connecting cul-de-sacs to neighboring streets, preventing out-of-direction travel, providing access through long blocks. Current block lengths are too long for convenient pedestrian travel. Phase 2 should consider establishing smaller blocks or requiring mid-block pedestrian connections (NOTE: Newberry Neighborhood has smaller block length).

- *Update parking requirements especially in neighborhood commercial centers.* The current parking standards require relatively high levels of off-street parking compared to Model Code standards that are intended to encourage compact development. Reducing off-street parking requirements can also reduce the cost of development, acting to spur new development that would otherwise not be economically feasible.
- *Consider adding standards for bicycle parking and parking lot accessways.* Phase 2 should include adding bicycle parking requirements for new multi-family residential developments, retail, office and institutional developments, and all transit transfer stations and park-and-ride lots. In addition to specifying the number of bicycle parking spaces required, requirements could also specify the type of bike rack, placement, etc. It should also consider requiring accessways for pedestrians through parking lots over a certain size in off-street parking regulations.

ARTICLE 6. SPECIAL USE STANDARDS

Organizational/Policy-Neutral Recommendations. Article 6 includes those standards that are unique to certain uses or activities. These are currently located in Section 12 (Special Uses) of the Zoning Ordinance. *Phase 2 should include the following for Article 6:*

- *Consolidate and reorganize existing regulations.* Current special use standards which should be included in Article 6 include:
 - Accessory Dwellings
 - Temporary mobile homes
 - Home-based business
 - Mobile home and Recreational Vehicle parks
 - Campgrounds
 - Animal raising, care & processing
 - Establishment for the storage and/or sale of junk
 - Large land area commercial recreation uses
 - Mineral excavation
 - Wireless Telecommunication Facilities and Uses
 - Marijuana Businesses (per Ord. 2017-04)

Content Recommendations. In addition to consolidating and reorganizing the existing special use standards, Phase 2 should consider the following revisions to design and development standards as part of the reorganization of these regulations:

- *Add clear and objective standards for a variety of housing types.* Phase 2 should consider including clear and objective standards for a variety of housing types such as single family, multifamily, attached town homes, zero lot line, cottage developments, tiny homes, etc. to ensure a range of housing options are available and developed in a manner appropriate for La Pine. Add a review criterion and/or submittal material that requires applicants to demonstrate conformance with applicable fire code issues as part of a site plan review, such as fire apparatus access and fire flow.
- *Update Accessory Dwelling Unit (ADU) standards to allow more than one ADU per lot if one is internal to the house and additional flexibility for larger ADUs.* Currently only one ADU is permitted per single-family dwelling lot. Some cities have begun to allow two ADUs per lot if one of the units is internal to the primary house, such as a converted basement. Additionally, ADUs are limited to 30% of the building's total floor area. This seems excessively small (e.g., a 1,800 SF house could only have a 540 SF ADU). Also, there is no definition of "accessory dwelling." There is a definition of "accessory apartment," which is confusing and not addressed well in the code.
- *Update temporary mobile home - occupant must be relative of property owner.* Phase 2 should consider removing the requirement for the occupant to be a relative of the property owner and identifying alternative ways to regulate potential impacts such as septic capacity and setbacks and screening for adjacent properties. This provision requires occupants of a temporary mobile home, which may be permitted for up to 5 years or longer (with an extension), to be related to the property owner. A mobile home—or a "tiny home" that meets the definition of mobile home—is not significantly different from an ADU. However, the code does not require the ADU occupant to be a relative. This provision may not be consistent with Fair Housing principles.
- *Update and clarify mobile home and recreational vehicle parks standards.* Phase 2 should consider specific regulations and standards for mobile home/manufactured dwelling parks. This section may need to be separate from RV parks for clarity and the code should clarify how these regulations apply to "tiny homes." Most of the current regulations concern RV parks, not mobile home parks, so more specific regulations for mobile home parks may be necessary.
- *Clarify animal raising, care & processing.* This section requires a minimum lot area of an acre, but then goes on to specify the number of chickens and rabbits permitted per half-acre. The code should clarify whether the minimum lot size of one acre meant to apply to chickens and rabbits.
- *Address wireless telecommunication facilities and uses in the right-of-way.* There are no use or development standards related to telecommunications facilities on structures within the right-of-way. Phase 2 should consider adding standards specific to the right-of-way or adding a cross-reference to the applicable regulations if the development code will only be applicable to land outside the right-of-way.

ARTICLE 7. PROCEDURES

Organizational/Policy-Neutral Recommendations. Many of the notification issues and process issues noted in Appendix A, Table A-3 can be addressed by updating or replacing the existing Procedures Ordinance (Ord. No. 2011-03). *Phase 2 should include the following for Article 7:*

- *Update and reorganize the existing procedures and establishing a classification system for use with all land use applications based on the Type I – IV procedure categories.* This would provide a clear and widely understood framework for understanding the applicable review procedures relating to whether or not public notice is required, whether review procedures are considered clear and objective or discretionary, whether or not a public hearing is required, and appeal options and timelines for local decisions. Article 7 could include the following sections:
 - Purpose and Applicability
 - Types of review (e.g., Type I (ministerial), Type II (Administrative), Type III (Quasi-judicial) Type IV (Legislative)) and provide a table summarizing of the type of review required by each application type in Article 8 (Applications and Reviews).
 - Pre-application meetings – Requirements, notice, timing, expiration.
 - Neighborhood/Developer meetings – Requirements, notice, timing, expiration.
 - Consolidated review – explanation of how concurrent applications are processed together.
 - Type I Procedure (Ministerial) – including information on submittal requirements, timing, effective date, appeals, etc.
 - Type II Procedure (Administrative Review with Notice) – including information on submittal requirements, determination of completeness, notice of application, notice of decision, effective date, appeals, etc.
 - Type III Procedure (Quasi-Judicial Review – Public Hearing) – including information on submittal requirements, determination of completeness, notice of hearing, notice of adoption, effective date, appeals, etc.
 - Type IV (Legislative Decisions) – including information on notice of hearing, notice of adoption, effective date, appeals, etc.
 - Appeals – including information on submittal requirements, notice of hearing, notice of adoption, effective date, etc.

Content Recommendations. The changes to the City’s current Procedures described above would generally be policy-neutral except as necessary to comply with State requirements for notification.

ARTICLE 8. APPLICATIONS AND REVIEWS

Organizational/Policy-Neutral Recommendations. Currently, information about applications is not organized in a particularly logical or coherent manner. The unified development code could provide the opportunity to introduce a logical organization and consistent format for applications, making the code easier to understand and administer for customers, staff, and review authorities. Article 8 would consolidate and update the City's existing application requirements except land divisions which would be in Article 9. (i.e., Section 13. Site Plan Review, Section 14. Conditional Uses, Section 15. Variances, Section 16. Similar Uses, Section 17. Exceptions, Section 20. Nonconforming Situations). *Phase 2 should include the following for Article 8:*

- *Consolidate and update existing application requirements, provide consistent information for each application type.* It would be helpful if consistent information were provided for each application type the City processes. The Application sections should be organized to follow a standardized format and include similar types of information for each application type. For example:
 - Purpose
 - Applicability
 - Procedure Type
 - Specific Submittal Requirements (only those over and above the standard submittal requirements specified for the applicable procedure type if any)
 - Approval Criteria
 - Compliance with Conditions, Permit Expiration, and Modifications

Content Recommendations. Additional application types would be added to ensure that the City has the tools it needs to address State requirements and future development requests. Additional application types that may be needed include:

- *Legal lot determination.* The City currently lacks a procedure to verify lot of record. Local jurisdictions may adopt local procedures for lot of record determinations, provided they are not in conflict with ORS 92.010 to 92.190.
- *Street Vacation.* The City currently lacks a process for the vacation of rights-of-way.
- *Zoning Permit.* Incorporate City's newly adopted Zoning Permit process into the code and amend if needed.

ARTICLE 9. LAND DIVISIONS

Organizational/Policy-Neutral Recommendations. The application and processing elements of the City's existing Land Divisions Ordinance (Ord. No. 2011-03) would be included in Article 9 with cross-references to the new Type I, II and III procedures in Article 7. As noted above, the standards in the current Land Division Ordinance would be included in Article 5 (General Development and Design Standards) and updated as suggested under Article 5 and in Appendix A, Table A-2. *Phase 2 should include the following for Article 9:*

- *Incorporate the application and processing elements of the existing Land Division Ordinance in Article 9. Include the standards for lots, access, etc. in Article 5.*

Content Recommendations. Other than the recommended changes to the standards for land divisions suggested under Article 5 (General Development and Design Standards) and in Appendix A, Table A-2, changes to the City's current Land Division Ordinance would generally be policy-neutral.

Appendix A

Additional Issues by Current Ordinance and Code Section

APPENDIX A: ADDITIONAL ISSUES BY CURRENT ORDINANCE AND CODE SECTION

Table A-1. Additional Issues by Section - Zoning Ordinance		
Code Section	Issue	Recommended Action / Question
Section 10. Permitted Uses		
Single Family and Multi-Family Residential Zones	It appears that there is no difference between the SF and MF residential zones except that the SF zone has almost no standards. Code is not clear on how many single family dwellings are allowed on a single residential lot. There is a lack of diverse housing types and standards.	Update the zones to clarify the differences between zones and clearly define housing types and standards. Ensure that standards for MF and SF and other housing types result in development appropriate for La Pine. Include standards for attached town homes and other housing types (e.g., zero lot line, cottage developments, tiny homes, etc.)
Additional Regulations for Multi Family Zones	The minimum lot area and minimum open space requirements may be higher than necessary for smaller multi-family projects, may lead to underutilized land or present barriers to multi-family housing on some lots.	Consider reducing minimum standards and/or setting the standards as a percentage of the lot size so as not to disadvantage smaller developments.
RMP Master Plan Residential Zone/County Newberry Neighborhood	This highly detailed zone reflects a master plan that predates La Pine’s incorporation. There are uses permitted in the subdistricts that are not clearly listed in the use table. The organization of the code makes it difficult to understand what is permitted within this zone. There are references to County code and County decision.	Reorganize the Zoning Ordinance. Consider making the Newberry Neighborhood an Overlay District (including a readable GIS map of the subdistricts) and moving standards out of the base zone chapter and updating. Note that City might wish to consider adopting some of the Newberry Neighborhood standards for use citywide (attached town homes, duplex, triplex, etc.) Change all references to County code to City code.
C and CMX Principal Uses	“All uses in RSF, RMF, and RMP” are permitted in these zones, but it’s not clear if this refers to all principal uses or includes accessory uses.	Eliminate the “nesting” of permitted uses and clarify language to address this.
Traditional Commercial Zone Use Table	Retail sales and/or product service, including auto sales/service are permitted in the C zone. While auto-	Restrict auto sales and service uses in the downtown or consider rezoning to CMX or CN.

Table A-1. Additional Issues by Section - Zoning Ordinance

Code Section	Issue	Recommended Action / Question
	oriented zones may be appropriate in some locations, they do not support a pedestrian-friendly environment. Also, CU review is triggered by performance standards (e.g., emits fumes, etc.)	Has the City had success in determining in advance which uses should be subject to CU based on the performance standards in the use table? If not, consider a different approach.
	Multi-family residential uses are permitted throughout the C zone. In the downtown area, residential uses on the ground floor can detract from creating a concentration of storefront businesses.	Consider limiting residential uses (both multi- and single-family) on the ground floor within the downtown area or a segment of the downtown. Residential could remain allowed, and encouraged, if on upper stories as part of a mixed-use development.
Additional Commercial Use Regulations	Drive-throughs are permitted throughout the commercial zones. Drive-throughs can detract from a comfortable and appealing pedestrian experience.	Consider limiting the location of or prohibiting outright drive-through uses (esp. in the Downtown) while still accommodating drive-up/pick-up facilities.
	These standards apply to any permitted principal and/or accessory commercial use.	Does this include those uses in non-commercial zones? Clarify requirements.
	The display of goods must behind the setback line. This would appear to limit florists and others who might wish to display goods in proximity to the sidewalk.	If the City significantly reduces the minimum front setback in the C zone (downtown) this issue may be resolved; however, the City may also wish to allow for some sidewalk sales and outdoor restaurant seating within the ROW.
	Section 10 refers to Section 702.1(8), this reference appears to be incorrect	Update references.
[Commercial] Buffering and Screening Requirements	These apply to any permitted principal and/or accessory use. It's unclear what zones and uses these apply to. They could require residential uses to be buffered from each other.	Clarify the applicability.

Table A-1. Additional Issues by Section - Zoning Ordinance		
Code Section	Issue	Recommended Action / Question
Additional Industrial Zone Regulations	Where any permitted principal and/or accessory use abuts any RSF, RMF, RMP, or TA zoned land, the following buffering and screening are required: A buffer strip at least 30 feet wide shall be provided and maintained along the entire length of a side or rear yard where it abuts any RSF, RMF, RMP, or TA zoned land.	Consider reducing the required buffer for permitted and/or accessory uses that are unlikely to impact adjacent non-industrial uses and/or establishing “graduated” buffers (e.g. allowing solid walls with landscaping to have narrower buffer widths than just landscaping).
Transitional Areas	Transitional Areas appears to be an overlay zone, rather than a zone itself.	Re-evaluate the purpose of this zone and reconsider how best to accomplish the intent.
Section 11 Lot, Yard & Height Requirements		
Table	The setbacks standards for the residential zones are excessively large. Also, as noted above, the 20’ front setback in the C zone does not support a pedestrian friendly downtown. The minimum width appears to conflict with the land division ordinance, which requires 50’, but in no case less than 35’.	Re-evaluate the setbacks and lot standards for all zones, but ensure that setbacks for garages (i.e., driveway lengths) are sufficient to allow for a large pickup truck to be parked in the driveway without overhanging the sidewalk (e.g., 25’).
Corner lots	Code requires corner lots to both frontages to be considered front yards, but it is not clear which yards are rear or side yards as a result.	Clarify how to determine yard orientation for corner lots.
12. Special Uses		
A. Accessory Dwellings 1. One ADU per lot 5. Maximum floor area	There is no definition of “accessory dwelling.” There is a definition of “accessory apartment,” which is confusing and not addressed well in the code. Only one ADU is permitted per single-family dwelling lot. Some cities have begun to allow two ADUs per lot if one of the units is internal to the primary house, such as a converted basement. Additionally, ADUs are limited to 30% of the	Update ADU standards to allow more than one ADU per lot if one is internal to the house and additional flexibility for larger ADUs.

Table A-1. Additional Issues by Section - Zoning Ordinance

Code Section	Issue	Recommended Action / Question
	building’s total floor area. This seems excessively small. An 1,800 SF house could only have a 540 SF ADU.	
B. Temporary mobile home 3. Occupant must be relative of property owner	This provision requires occupants of a temporary mobile home, which may be permitted for up to 5 years or longer (with an extension), to be related to the property owner. A mobile home—or a “tiny home” that meets the definition of mobile home—is not significantly different from an ADU. However, the code does not require the ADU occupant to be a relative. This provision may not be consistent with Fair Housing principles.	Update requirements to focus on potential impacts (adequate septic, screening/buffering from neighbors) rather than necessarily requiring the occupant to be a relative of the property owner.
E. Mobile home and Recreational Vehicle parks	Most of these regulations concern RV parks, not mobile home parks. More specific regulations for mobile home parks may be necessary.	Consider specific regulations and standards for mobile home/manufactured dwelling parks. This section may need to be separate from RV parks for clarity. Clarify how these regulations apply to “tiny homes.”
G. Animal raising, care & processing	This section requires a minimum lot area of an acre, but then goes on to specify the number of chickens and rabbits permitted per half-acre.	Is the minimum lot size of one acre meant to apply to chickens and rabbits?
L. Wireless Telecommunication Facilities and Uses	There are no use or development standards related to telecommunications facilities on structures within the right-of-way.	Add standards specific to this type of use.
13. Site Plan Review		
Entire section	Site Plan Review (SPR) is confusing and difficult to apply.	SPR requirements need to be reorganized to be more clear and user-friendly.
(B) Applicability.	SPR applies to all new construction or new development except for single family residences, manufactured dwellings, mobile homes, modular homes and their accessory structures. Thus, duplexes and MF are subject	Establish clear and objective standards for housing.

Table A-1. Additional Issues by Section - Zoning Ordinance		
Code Section	Issue	Recommended Action / Question
	to discretionary approval criteria and conditions of approval.	
(E) Site Plan Review criteria (and also “General Conditions”)	The approval criteria and general conditions are very discretionary. No review criteria related to fire code.	Establish clear and objective standards for all housing. Add a review criterion and/or submittal material that requires applicants to demonstrate conformance with applicable fire code issues as part of a site plan review, such as fire apparatus access and fire flow.
Section 15. Variances	“Minor Variance” is defined but not differentiated from other types of variances, nor are other types of variances defined. The regulations do not limit the allowed % of variance. Criteria are very stringent, particularly for a minor variance.	Update this section to provide clear distinction between major and minor variances with criteria appropriate for each level.
Other Zoning Ordinance Issues	<ul style="list-style-type: none"> - ORS 197.490 prohibits establishing mobile home parks on land planned or zoned for commercial or industrial use. How does this apply to CMX and CRMX zones? Zoning ordinance allows them in CMX, CRMX, but does this conflict with the ORS? - La Pine codes lack a fees in lieu or other method to collect improvement fees (water, sewer, roadway) rather than require construction. 	Consider updating the regulations to address these issues.

Table A-2. Additional Issues by Section - Land Division Ordinance		
Code Section	Issue	Recommended Action / Question
10.2.0(A) Blocks (1) and (2)	Establishes a minimum block length of 660 feet between street corner lines and recommends a minimum block length on an arterial street of 1,260 feet.	These block lengths are too long for convenient pedestrian travel. Consider establishing smaller blocks or requiring mid-block pedestrian

Table A-2. Additional Issues by Section - Land Division Ordinance		
Code Section	Issue	Recommended Action / Question
		connections. Newberry Neighborhood has smaller block length.
10.2.0 (C) Access	Required 50' and 35' widths contradicts with minimum lot widths in zoning ordinance, which allows 25' width for residential, CN, TA zones.	Update lot width requirements to be consistent between zoning and land division ordinances.
10.3.0 (A)	Requires utility easements to be in rear and side yards, however, most of the ones in the City are front yard.	Update requirements to be consistent with current practice in La Pine.
10.5.0. Streets and Other Public Facilities. (F) Minimum right-of-way and roadway widths. (W) Sidewalks. (X) Bike lanes.	The street classifications and standards are not consistent with the TSP.	Update the standards in the Ordinance for consistency or reference the standards in the TSP (Table 4-4 Roadway Cross-Section Standards)
10.5.0. Streets and Other Public Facilities. (K) Cul-de-sacs.	There appears to be no limit on cul-de-sac length or number of dwellings served.	Prohibit cul-de-sacs except when there is no other feasible option (e.g. due to site constraints); establish a limit on the length of cul-de-sacs and require a pedestrian through connection.
Section 10.6.0. Access Management.	The access spacing standards are not consistent with the TSP.	Update the standards in the Ordinance for consistency or reference the standards in the TSP.
Other Land Division Ordinance Issues	<ul style="list-style-type: none"> - Watch for general typos. - Lack much criteria for lot line adjustments/consolidations; should include reference to ORS. - Includes "series partitions" which are not desirable and create an option for a developer to avoid a subdivision process. - Lack private roadway allowances or standards. 	Consider updating the regulations to address these issues.

Table A-2. Additional Issues by Section - Land Division Ordinance

Code Section	Issue	Recommended Action / Question
	<ul style="list-style-type: none"> - Imposes tighter deadlines on approvals than state law. Need to update to reflect state law. - Needs to address whether a city official has the ability to sign plats and accept dedications on behalf of the City. - Needs to reference City’s development standards. 	

Table A-3. Additional Issues by Section - Procedures Ordinance

Code Section	Issue	Recommended Action / Question
Section 3.5.0	Section 3.5.0 seems to be missing text.	Correct missing text.
Section 5.3.0. Administrative land use decisions with prior notice	A. Notice of the application shall be sent within 10 days of submittal of the application to persons entitled to notice under Section 6.3.0. – Should this say within 10 days of a “complete” application? Also, requires administrative land use decisions to be made within 30 days of completeness – this seems too short.	Is this a limited land use decision ¹ ? If not a limited land use decision, then notice to everyone who received original notice. Provide reasonable timeframes within which to make administrative decisions.
Section 5.4.0. Administrative decision without prior notice.	The procedures for administrative decisions without prior notice shall be the same as those set forth in Section 5.3.0, except that no prior notice shall be given.	What does “prior notice” mean in this context - notice of application, notice of decision or other? Clarify notice of decision requirements by decision type:

¹ (12) “Limited land use decision”:

(a) Means a final decision or determination made by a local government pertaining to a site within an urban growth boundary that concerns:

(A) The approval or denial of a tentative subdivision or partition plan, as described in ORS 92.040 (1).

(B) The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.

(b) Does not mean a final decision made by a local government pertaining to a site within an urban growth boundary that concerns approval or denial of a final subdivision or partition plat or that determines whether a final subdivision or partition plat substantially conforms to the tentative subdivision or partition plan.

Table A-3. Additional Issues by Section - Procedures Ordinance

Code Section	Issue	Recommended Action / Question
	Some of the procedures don't seem to match ORS requirements, specifically for comment and notice time requirements.	<ul style="list-style-type: none"> - Limited Land Use Decision (typically a staff decision with no hearing except on appeal) - notice of decision goes to the applicant and any person who submits comments - Land Use Permit Decision with no hearing (other than a Limited Land Use Decision) – notice of decision goes to everyone who received notice of application - Land Use Permit Decision with a hearing - notice of decision goes to the applicant and any person with standing
Section 6.3.0 Notice of hearing or administrative action.	The notice requirements don't address Measure 56 notice and notice to agencies (e.g., DLCD, ODOT, etc.).	Amend to address Measure 56 notice and notice to agencies (e.g., DLCD, ODOT, etc.).
Section 7.2.0. Notice of decision.	This section addresses notice of decision requirements for Hearing Body decisions, but not for administrative decisions. Additionally, the section requires the City provide the entire land use decision with the notice, which is unnecessary and inefficient.	Clarify notice of decision requirements by decision type. Revise to require that a notice of decision be provided, but not the entire text of the decision.
Section 9.1.0. Who may appeal	B. In the case of an appeal of an administrative decision without prior notice, a person entitled to notice, a person adversely affected or aggrieved by the administrative decision, or any other person who has filed comments on the application with the Planning Division;	What does "prior notice" mean in this context? Notice of application, notice of decision, both? The notice of appeal and appeal fee must be received at the offices of the City of La Pine Planning Department no later than 5:00 PM on the twelfth day following mailing of the decision. If no notice is provided, then when does the appeal period end?

Table A-3. Additional Issues by Section - Procedures Ordinance

Code Section	Issue	Recommended Action / Question
Section 10.1.0. Expiration of approval. B. Duration of Approvals.	1. Except as otherwise provided under this section or under applicable Zoning Code provisions, a <u>land use permit</u> is void two years after the date the discretionary decision becomes final if the use approved in the permit is not initiated within that time period.	What is the expiration status of permits that are not land use permits (e.g., limited land use decisions) ² ?
Other Procedures Ordinance Issues	<ul style="list-style-type: none"> - Page formatting is problematic, which results in words disappearing from the document. - Incorrectly refers to “County” in a few spots (e.g. Section 6.3.0.B) - No right of way vacation code 	Update regulations and formatting to address concerns. Provide a process for the vacation of rights-of-way.

² “Permit” means discretionary approval of a proposed development of land, under ORS 227.215 or city legislation or regulation. “Permit” does not include:

- (a) A limited land use decision as defined in ORS 197.015;
- (b) A decision which determines the appropriate zoning classification for a particular use by applying criteria or performance standards defining the uses permitted within the zone, and the determination applies only to land within an urban growth boundary;
- (c) A decision which determines final engineering design, construction, operation, maintenance, repair or preservation of a transportation facility which is otherwise authorized by and consistent with the comprehensive plan and land use regulations; or
- (d) An expedited land division, as described in ORS 197.360.

Appendix B
Transportation Planning
Rule (TPR) Compliance

APPENDIX B: TRANSPORTATION PLANNING RULE (TPR) COMPLIANCE

The TPR (OAR 660-012) implements Statewide Planning Goal 12 (Transportation), which is intended to promote the development of safe, convenient, and economic transportation systems that are designed to maximize the benefit of investment and reduce reliance on the automobile. The TPR includes direction for preparing, coordinating, and implementing TSPs. The City of La Pine’s Transportation System Plan was completed in October 2013. In addition to adopting a TSP, TPR Section -0045 (Implementation of the Transportation System Plan) requires local governments to amend their land use regulations to implement the adopted TSP. It also requires local governments to adopt land use and subdivision regulations to protect transportation facilities for their identified functions, including access control measures, standards to protect future operations of roads, expanded notice requirements and coordinated review procedures for land use applications, and a process to apply conditions of approval to development proposals. Table B-1 summarizes preliminary recommendations for the City’s land use regulations related to the TPR implementation requirements.

Table B-1: TPR Implementation	
TPR Requirement	Preliminary Recommendations
OAR 660-012-0045	
(1) Each local government shall amend its land use regulations to implement the TSP.	
(a) The following transportation facilities, services and improvements need not be subject to land use regulations except as necessary to implement the TSP and, under ordinary circumstances do not have a significant impact on land use: (A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals; (B) Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards;	Add transportation facilities, services, and improvements as allowed uses to the City’s zoning use regulations in cases where improvements are within the public right-of-way and are included as part of an adopted plan.

Table B-1: TPR Implementation	
TPR Requirement	Preliminary Recommendations
<p>(C) Uses permitted outright under ORS 215.213(1)(m) through (p)¹ and 215.283(1)(k) through (n)², consistent with the provisions of 660-012-0065³; and</p> <p>(D) Changes in the frequency of transit, rail and airport services.</p> <p>(b) To the extent, if any, that a transportation facility, service, or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to standards that do not require interpretation or the exercise of factual, policy or legal judgment.</p>	
<p>(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or requires interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with 660-012-0050. To facilitate implementation of the TSP, each local government shall amend regulations to provide for consolidated review of land use decisions required to permit a transportation project.</p>	<p>See review of Procedures Ordinance (Table A-3) for suggested changes to procedures.</p>

¹ Transportation uses in ORS 215.213(1) have shifted from (m) through (p) to (j) through (m):

(j) Climbing and passing lanes within the right of way existing as of July 1, 1987.

(k) Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

(l) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.

(m) Minor betterment of existing public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

² Transportation uses in ORS 215.283(1) have shifted from (k) through (n) to (h) through (k):

(h) Climbing and passing lanes within the right of way existing as of July 1, 1987.

(i) Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

(j) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.

(k) Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

³ OAR 660-012-0065 (Transportation Improvements on Rural Lands); (1) *This rule identifies transportation facilities, services and improvements which may be permitted on rural lands consistent with Goals 3, 4, 11, and 14 without a goal exception.*

Table B-1: TPR Implementation	
TPR Requirement	Preliminary Recommendations
(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities corridors and sites for their identified functions. Such regulations shall include:	
(a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;	As noted in Table A-2, the Land Divisions Ordinance is inconsistent with the City’s adopted Transportation System Plan. The regulations should reference updated street classifications and mobility and access management standards in the TSP.
(b) Standards to protect the future operations of roads, transitways and major transit corridors	Add TIS requirements to the administrative provisions of the code, including provisions addressing applicability, study requirements, approval criteria, and conditions of approval.
(c) Measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation;	There are no public use airports in La Pine, therefore this requirement is not applicable.
(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;	Consider requiring that ODOT and applicable transportation facilities and services agencies be invited to participate in the pre-application conferences for land divisions. Code should specify conditions when applications will be reviewed by ODOT and applicable transportation facilities and services agencies in review procedures (DBZO Section 10.025).
(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;	Consider adding more global language about the authority to apply conditions, particularly those related to protecting transportation facilities.
(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of: (A) Land use applications that require public hearings; (B) Subdivision and partition applications;	See response to -0045(2)(d).

Table B-1: TPR Implementation	
TPR Requirement	Preliminary Recommendations
<p>(C) Other applications which affect private access to roads; and (D) Other applications within airport noise corridor and imaginary surfaces which affect airport operations.</p>	
<p>g) Regulations assuring amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.</p>	<p>See response related to traffic impact study requirements, TPR Section -0045(2)(b), and to plan and land use regulation amendments, TPR Section -0060.</p>
<p>(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.</p>	
<p>(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots.</p>	<p>Consider adding bicycle parking requirements for new multi-family residential developments, retail, office and institutional developments, and all transit transfer stations and park-and-ride lots.</p>
<p>(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways. (A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers; (B) Bikeways shall be required along arterials and major collectors. Sidewalks shall be required along arterials, collectors and most local streets in urban areas except that sidewalks are not required along controlled access roadways, such as freeways;</p>	<p>See comments regarding block length in Table A-2. Also, consider the following:</p> <ul style="list-style-type: none"> - Pedestrian and bicycle access and circulation – The TSP should provide the policy framework and standards for transportation improvements, including pedestrian and bicycle facilities. Consider developing and adopting a new code section establishing standards for pedestrian and bicycle circulation for site development. References to the TSP should be included in existing land division

Table B-1: TPR Implementation	
TPR Requirement	Preliminary Recommendations
<p>(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;</p> <p>(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;</p> <p>(E) Streets and accessways need not be required where one or more of the following conditions exist:</p> <p>(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;</p> <p>(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or</p> <p>(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.</p>	<p>provisions and the potential new site development section.</p> <ul style="list-style-type: none"> - Accessways –Specify conditions under which accessways shall be provided, e.g. connecting cul-de-sacs to neighboring streets, preventing out-of-direction travel, providing access through long blocks. - Parking lots – Require accessways for pedestrians through parking lots over a certain size in off-street parking regulations. - Exceptions for streets and accessways – Add conditions such as physical and environmental constraints, existing development, and legal agreements that may be the basis for exceptions to providing streets and accessways according to standards.
<p>(c) Off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle and pedestrian travel, including bicycle ways on arterials and major collectors</p>	<p>See response related to conditions of approval, TPR Section -0045(2)(e).</p>
<p>(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.</p>	<p>See response related to pedestrian/bicycle facilities and accessways, TPR Section -0045(3)(b).</p>
<p>(6) In developing a bicycle and pedestrian circulation plan as required by 660-012-0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet local travel needs in developed areas. Appropriate improvements should provide for more direct, convenient and safer bicycle or pedestrian travel within and between residential areas and neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include, for example,</p>	<p>Consider the following to improve development regulations related to this TPR requirement include:</p> <ul style="list-style-type: none"> - Walkways between cul-de-sacs and adjacent roads – See response and recommendations related to accessways and cul-de-sacs.

Table B-1: TPR Implementation	
TPR Requirement	Preliminary Recommendations
constructing walkways between cul-de-sacs and adjacent roads, providing walkways between buildings, and providing direct access between adjacent uses.	<ul style="list-style-type: none"> - Walkways between buildings – See response and recommendations related to pedestrian/bicycle facilities and accessways. - Access between adjacent uses – See response and recommendations related to accessways.
(7) Local governments shall establish standards for local streets and accessways that minimize pavement width and total ROW consistent with the operational needs of the facility. The intent of this requirement is that local governments consider and reduce excessive standards for local streets and accessways in order to reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement need not be adopted as land use regulations.	As noted in Table A-2, street standards in the City’s land division provisions should be made consistent with the standards in the TSP.
OAR 660-12-0060	
Amendments to functional plans, acknowledged comprehensive plans, and land use regulations that significantly affect an existing or planned transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.	Consider including criteria regarding effects on transportation facilities and compliance with the TPR Section -0060.

Appendix C
Interim Memorandums and
Presentation Materials

MEETING SUMMARY

LA PINE CODE ASSISTANCE PROJECT

PMT Meeting #1 Project Kick-off / Site Visit

Wednesday May 17, 2017, 1:00 – 4:00 PM

Attended by:

- Cory Mисley, City Manager, City of La Pine
- Tammy Wisco, Contract Planner, City of La Pine
- Laura Buhl, Agency Project Manager, DLCD
- Scott Edelman, Central Oregon Representative, DLCD
- Cathy Corliss, Principal and Project Manager, APG
- Jamin Kimmell, Planner, APG

1. Project Overview

- City discussed priorities for code updates:
 - Top priority is new standards for the downtown core (Huntington Road corridor), including streetscape, site design/parking, and building design
 - Emphasis on creating some sense of continuity or theme, but not too prescriptive (e.g. Sisters). More along the lines of Cascadia theme developed by Sandy.
 - May be opportunity to improve design/development standards for commercial along Highway 97 as well, need to consider how standards would differ from downtown.
 - Light industrial zone is defined but not mapped, may be opportunity to use this zone.
 - Public facilities zone unlikely to change, needed lands for sewer and water facilities, highway bypass, railroad.
 - Most new residential development expected in Newberry Neighborhood, master-planned area. County and private developer own land. APG would like access to any master plans that exist for the area.
 - In general, City would like to identify what is missing in their code that other cities of their size are addressing.
 - Need for a defined “mini site plan review” process. Site plan review is triggered for even minor alterations or small developments. Need clear and objective standards in order to create this ministerial review process (some current standards are too

discretionary). There is a code provision for a “zoning permit” currently, but the application/procedure is undefined in the code.

- Code is legally defined as an ordinance currently, so City Attorney has directed amendments to be addendums to the code (new ordinances) rather than revising existing code. Multiple ordinances are confusing, difficult to administer. Would like to redefine as a unified development code. City is going to consider if this can be accomplished by staff prior to Phase 2.
- Need to strengthen provisions for public facility improvements. City is interested in providing a fee-in-lieu option.
- City would like to clean up language that is confusing or unclear throughout the code.

2. Environmental Justice / Title VI

- La Pine is home to a relatively high number of Hispanic/Latino households and a high elderly population, but these do not constitute significant EJ populations.
- Population with limited English proficiency is below threshold that would trigger need to provide translated versions of documentation.
- City is going to identify groups that may represent/be connected with EJ populations for stakeholder interviews, such as COIC or St. Vincent de Paul.
- City interested in how code/planning can support senior populations (e.g. housing types, proximity to services).
- Title VI report will demonstrate how EJ populations were engaged in the planning effort, an assessment of any potential impacts on these populations.

3. Preliminary Code Approaches

- APG shared initial impressions of zoning ordinance as related to City priorities discussed.
- Some initial findings were result of not having amendments to the zoning ordinance. Tammy will provide a list and files for all ordinances.

4. Next Steps

- APG to setup BaseCamp for project, Tammy/Cory to upload all background documents.
- APG to write letter to stakeholders describing the project and providing list of questions for the interviews. Due to City first week of June.
- City will use text from stakeholder letter to create project webpage, send staff report to Planning Commission to introduce project and prepare to share input at first work session.
- City to schedule stakeholder interviews, beginning at 1pm, on Wednesday 6/21
- APG to begin work on Draft Evaluation Memorandum.

5. Site Visit

- City described significant private and public investments in downtown area, including future transit center/town plaza, 1st Street streetscape, Highway 97 streetscape, 42-unit affordable housing development, St. Charles Medical Clinic development.
- Transit Center seen as potential hub of activity in downtown, potential for commercial uses to be integrated, town plaza to help mark the area as a civic center.
- A number of civic/public services are concentrated on the corridor, make it a natural location for downtown area.
- Most new residential development will occur in master planned Newberry Neighborhood just north of downtown, bringing more people close to businesses and services.
- Many existing buildings are set back from the street and place parking or circulation areas between street and sidewalk, detracts from pedestrian experience. Code update will consider parking lot location as well as frontage requirements, including requirements to build to the corner.
- Huntington Road is relatively high-volume, high-speed street. Code update will consider how to improve pedestrian experience through street improvements. Mid-block crossings are essential due to the long blocks on the street. Need to consider tradeoffs between having a bike lane vs. on-street parking.
- Existing buildings represent a range of architectural styles, though some newer developments include elements of the “Cascadia” style.
- Many vacant and developable lots in the area, some are proposing new development currently.



MEMORANDUM

Project Overview and Stakeholder Questions (Task 2.2) City of La Pine Code Update

DATE June 1, 2017
TO La Pine Code Assistance Project Management Team
FROM Cathy Corliss, Principal, Angelo Planning Group
Jamin Kimmell, Angelo Planning Group

The purpose of this memo is to propose a general project description and overview of the La Pine Code Update project and provide a list of questions for the stakeholder interviews.

- The project overview text can be used for multiple purposes: a project webpage on the City's website, a project fact sheet, and other project communications. The text can also be incorporated into the stakeholder invitation.
- The stakeholder questions are designed to be sent to stakeholders in advance of their interview to help them prepare to share their ideas and input.

LA PINE LAND USE UPDATE PROJECT

Purpose and goals

The La Pine Code Update is a City initiative to improve the regulations that guide new development in the City of La Pine. The goal of the project is to update La Pine's land use ordinances (Zoning, Procedures, Land Divisions, etc.) in order to help the City create a vibrant, multi-modal downtown commercial core as well as to improve overall effectiveness and functionality of the land use process.

The City was awarded a grant for the project from the Transportation and Growth Management (TGM) program, a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD)¹. With the help of the TGM grant, Angelo Planning Group, a consulting firm with many years of experience in crafting and applying development codes across the state, was hired to lead the technical aspects of the project.

The project is organized into two phases. We are currently working on Phase 1. This phase includes a complete evaluation of La Pine's land use ordinances and creation of an Action Plan to guide potential amendments in Phase 2. The Phase 1 evaluation will:

- Identify sections of the code that can be improved to ensure clarity, enhance development or design standards, or more effectively address community goals.
- Propose methods to improve the efficiency of development review processes.
- Identify regulations that support a vibrant and walkable downtown, centered on the Huntington Road corridor between Highway 97 and Memorial Lane to implement the recommendations of the *Streetscapes, Pedestrian Safety, and Pedestrian-Friendly Design Workshop* led by SERA Architects in 2015.

The evaluation of the ordinances will be completed over approximately two months, including interviews with community stakeholders. A draft action plan will be developed over the remaining six months of 2017 and result in a final action plan being presented to City Council in December. The Phase 1 Action Plan establishes the "marching orders" for Phase 2. Phase 2 will begin in 2018.

¹ This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Moving Ahead for Progress in the 21st Century (MAP-21), local government, and the State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

In Phase 2 the consultant team will assist the City in developing specific amendments or changes to the regulations to implement the recommendations of Phase 1.

How to get involved

The City is interested to hear the community's ideas and perspectives on the La Pine Code Update. Contact City Manager Cory Misley to share your thoughts on how the land use ordinances can support community goals and priorities.

Cory Misley, City Manager, City of La Pine

cmisley@ci.la-pine.or.us

541-536-1432

Additionally, the Planning Commission and City Council will hold public meetings to discuss the project.

About the TGM Program

The TGM Program is a joint effort of the Oregon Department of Transportation (ODOT) and Department of Land Conservation and Development (DLCD). The goals of TGM are to strengthen the capability of local governments to effectively manage growth and comply with the TPR, to integrate transportation and land use planning, and to encourage transportation-efficient land uses that support modal choice and the efficient performance of transportation facilities and services. Specifically, TGM supports efficient use of land and resources; human-scaled, walkable communities; good connections between local destinations; and pedestrian, bicycle, and transit-oriented development.

STAKEHOLDER QUESTIONS

Thank you for your willingness to participate in this project. The interviews will be informal. These questions are meant only as a starting place and “food for thought”.

1. What do you see as the La Pine’s strengths when it comes to development and redevelopment?
2. What do you see as the barriers or challenges to development or redevelopment in La Pine?
3. What do you think is working well?
4. Do you have any concerns about how the City might grow or change?
5. The City has identified the goal of creating vibrant and walkable downtown, centered on the Huntington Road corridor between Highway 97 and Memorial Lane. What types of development and improvements do you think would help make that happen? What are the challenges?
6. Have you had an opportunity to work with the La Pine land use ordinances (Zoning, Procedures, Land Divisions, etc.)?
7. If yes, based on your experience, what areas of the regulations would you like to change?
8. Are there any parts of the regulations that you think work well?
9. Are there areas of the regulations that do not reflect community goals or values related to development?
10. If you could change just one thing about the land use regulations, what would it be?

MEETING SUMMARY

LA PINE CODE ASSISTANCE PROJECT

PMT Meeting #2 (Task 2.2)

Thursday June 8, 2017, 1:00 – 2:30 PM

Teleconference

1. Review Draft Evaluation Memorandum (Task 2.1)*

- Cathy reviewed overall findings and implications
- City is going to review and provide comments by next Monday (6/12). Comments will include Tammy's list of code issues identified over time. Overall, City to ensure memo addresses all the key issues and is appropriate for public review at this stage.
- APG will incorporate comments to the extent possible and complete a revised draft by 6/14. Some edits may not be feasible to incorporate into this draft and will be addressed in the final memo.
- City to send the revised draft out to stakeholders and PC a week in advance of the meetings and will also include the SERA report for context about downtown concepts (relevant topics on pp. 11-14).

2. Prepare for Stakeholder Interviews

- City has adapted project overview text and stakeholder questions into a City letterhead format to be distributed.
- Some stakeholders will be able to engage with questions related to specific code provisions, others will answer questions related to general issues, trends, and goals.
- APG will ensure stakeholders can engage in whatever way is appropriate for them and have a positive experience with the project. Some issues may be out of scope, APG will note those and provide to City.
- Cory reviewed the schedule for interviews. Team discussed adding the following stakeholders if available:
 - Representative of senior interests, perhaps Prairie House Assisted Living complex
 - Representative from Cascades East Transit or COIC potentially as a telephone conference call in combination with the recently appointed representative to the Bike-Ped Committee
- APG will provide one summary of comments from stakeholder interviews.

3. Prepare for PC meeting

- No other items on the agenda, meeting can take full 1.5 hours if needed.
- Team agreed PowerPoint presentation would work.
- APG will draft presentation to review key findings from the draft evaluation memo, illustrated with images from SERA report.
- APG will design presentation to allow time for questions and discussion throughout.

4. Next Steps

- Final Evaluation Memo (Task 2.4) will incorporate comments from PMT, stakeholders, and PC.
- PC Work Session #1 (Task 2.5) could either take place before the Final Evaluation Memo is complete (so focus would be on discussing findings of memo again) or after Draft Action Plan is developed.
- Team agreed to keep the Task 2.5 would be needed as it offers the PC additional time to deliberate before presenting to City Council.
- Timing of meeting tentatively set for between Task 3.2 and 3.3 (presenting Draft Action Plan), but final timing will be determined after initial meeting on 6/21.



L A P I N E
O R E G O N

Attachment A

City of La Pine
Land Use Code Update

PLANNING COMMISSION MEETING



JUNE 21, 2017

Angelo
planning group

TGM Grant

The City was awarded a grant from the **Transportation and Growth Management** (TGM) program, a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD)



TGM and Smart Development Principles

- Efficient use of land and energy resources
 - Compact development patterns & infill
 - Appropriate parking standards
- Full use of urban services
 - Efficient use of public utilities and infrastructure
- Mixed use development
 - Services, homes, shops and restaurants in close proximity
- Transportation options
 - Safe and convenient for walking, biking and driving
- Detailed, human-scaled design
 - Efficient use of public utilities and infrastructure

Project Objectives

PHASE 1 - **Evaluate** La Pine's land use ordinances to identify:

- Identify regulations that support a **vibrant and walkable downtown**
 - Huntington Road corridor between Highway 97 and Memorial Lane
 - Follow up on the Streetscapes, Pedestrian Safety, and Pedestrian-Friendly Design Workshop led by SERA Architects in 2015
- Improvements to the overall **efficiency, reliability and user-friendliness** of the land use ordinances (Zoning, Land Division, Procedures, etc.)

PHASE 2 – **Implement** the recommendations of Phase 1

Downtown

2015 Streetscapes Project goals:

Transform the commercial zone and downtown area west of US 97 into a pedestrian-friendly, attractive, and vibrant center ...

Develop a downtown area that is desirable for tourists and local residents and that will allow La Pine to establish itself as a hub and service center for the South Deschutes and North Klamath Counties.



Downtown Design Standards

To create an energetic and vibrant Downtown

- Buildings should be oriented towards the street rather than towards parking lots
- Entrances should be directly accessible from the sidewalk (and from intersections where possible)



Downtown Design Standards

- Parking areas should be located to the side or rear of buildings
- Less parking required



Design Standards

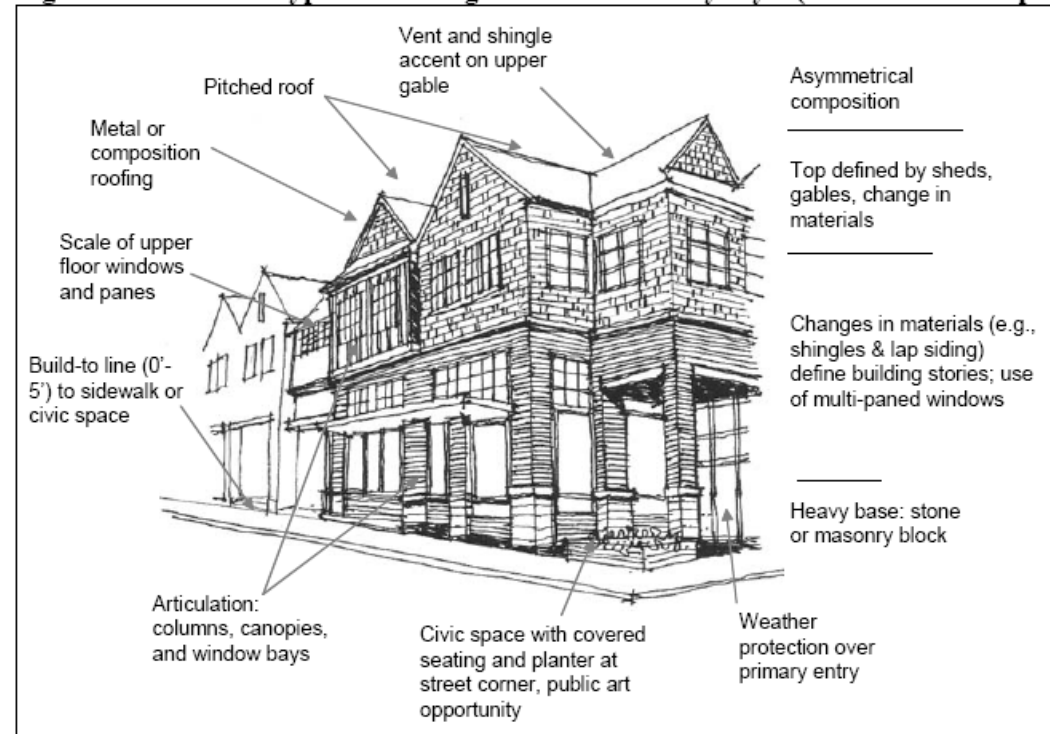
- A minimum amount of glazing (i.e., windows) should be required
- Weather protection (e.g., awnings) should be required at entrances



Design Standards

- Tripartite facades and other traditional architectural elements could be required
- Consider establishing a distinct identity for downtown

Figure 17.90.110-E: Typical Building Elements in Sandy Style (Mixed Use Example)



Options for applying Design Standards

- Limit the applicability of all or some of the standards to only properties fronting Huntington Road (within the downtown area)
- Create a separate version or “tier” of the standard for properties outside the downtown area
- Establish a plan district for the downtown that adds these standards to the base zone regulations
- Redraw the boundaries of the C zone to create a new, separate zone for the downtown.
- Rezone the downtown to another existing commercial or mixed use zone which does not allow auto-oriented uses and which is applied in locations where the City would like to achieve a similar pedestrian-oriented development form

User-Friendly Regulations

Improvements to the overall efficiency, reliability and user-friendliness of the Zoning, Land Division, Procedures ordinances:

- Consolidate ordinances into a unified Development Code that can be updated
- Update and Reorganize Base Zones using Use Tables and Classifications
- Table 1: Additional Issues by Ordinance and Section – examples:
 - Ensure that standards for MF and SF result in development appropriate for La Pine
 - Include standards for attached town homes and other housing types
 - Consider making the Newberry Neighborhood a Plan District and moving standards out of the base zone chapter

Questions

1. What do you see as the barriers or challenges to development or redevelopment in La Pine?
2. What do you think is working well?
3. The City has identified the goal of creating vibrant and walkable downtown, centered on the Huntington Road corridor between Highway 97 and Memorial Lane. What types of development and improvements do you think would help make that happen? What are the challenges?
4. Have you had an opportunity to work with the La Pine land use ordinances (Zoning, Procedures, Land Divisions, etc.)?
5. If yes, based on your experience, what areas of the regulations would you like to change?
6. Are there any parts of the regulations that you think work well?
7. Are there areas of the regulations that do not reflect community goals or values related to development?
8. If you could change just one thing about the land use regulations, what would it be?

Thank You!

❖ City contact info:



Cory Misley

City Manager

City Hall: 541-536-1432

Cell Phone: 541-737-9008

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This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Moving Ahead for Progress in the 21st Century (MAP-21), local government, and the State of Oregon funds.

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MEMORANDUM

Summary of Stakeholder Interviews

La Pine Code Update Project

DATE June 29, 2017
TO Cory Misley, City Manager and Tammy Wisco, City Planner, City of La Pine
FROM Cathy Corliss and Jamin Kimmell, Angelo Planning Group
CC Laura Buhl, TGM Project Manager

PURPOSE

The purpose of this memo is to summarize the findings of stakeholder interviews completed as part of Phase 1 of the La Pine Code Update project. The purpose of the interviews was to gather input on the general direction and priorities for future code amendments, and to help identify how the code can support the City's growth and development goals. APG conducted four interviews in La Pine on June 21 and 22, 2017 and two phone interviews the following week. The following project stakeholders were interviewed:

- Vicki Russell, Ann Gawith, and Dan Varcoe, Urban Renewal Commissioners (June 21)
- Dwane Krumme, Habitat for Humanity (June 21)
- Corinne Martinez, Business Owner and Love Pearson, Prairie House Administrator (June 22)
- Lisa Tavares, La Pine Realty (June 22)
- Dennis Pahlisch, Pahlisch Homes (phone interview, June 27)
- Jackson Lester, Cascade East Transit (phone interview, June 28)

KEY FINDINGS

The memo is organized by the key themes and findings that were observed throughout the interviews. In general, the stakeholders were enthusiastic about the goals and potential outcomes of the project and held relatively similar views on the types of code amendments that would advance the City's goals for new development. The stakeholders included long-term residents, newer residents, business owners, and developers. We asked questions about the general strengths and opportunities for the city, barriers and challenges to new development, the vision for downtown La Pine, and concerns or ideas related to land use regulations.

Strengths and opportunities

The stakeholders generally believed that La Pine had great potential for new development and an exciting future as a recently incorporated city. As the effects of the recessions have subsided—the City was incorporated shortly before the downturn—and housing prices in Bend continue to climb, many stakeholders feel that more people are becoming aware of the positive features of La Pine. The stakeholders perceived the La Pine community to be receptive to new development and change, and many are excited about the possibilities it could bring for the livability and economic vitality of the city, although there was also recognition that there are others in the community that do not want it to change. The following are a few of the specific strengths and opportunities identified by the stakeholders that are relevant to the project:

- The City government is perceived as accessible and flexible. As a small city, residents and developers benefit from knowing who to contact and being able to work through issues without coordination with multiple departments or staff.
- La Pine has retained a small-town appeal that the stakeholders believe many people find attractive. There is relatively little congestion; services and amenities are convenient and easy to access.
- There are large areas of vacant land in the City—particularly the Newberry Neighborhood—but also other commercial and light industrial areas that are ripe for development.
- The residential neighborhoods offer some variety of housing, including large-lot single-family homes, smaller single-family homes, and manufactured homes. The neighborhoods are not clearly segregated by housing type.
- The City benefits from proximity to natural amenities and recreation, which may present opportunities to pursue tourism-based economic development.
- Compared to Bend and other areas of Central Oregon, land and housing prices are still relatively affordable for many people.

Challenges and barriers

While optimistic about the City's future, the stakeholders noted the following challenges and barriers for future development in La Pine:

- Potential developers or residents who are unfamiliar with the City may hold outdated perceptions about the amenities and housing options available in the City, and may be surprised to discover some of the City's positive features.
- The City's current land use ordinances are not easy to understand or apply and may cause unnecessary confusion or delay for a potential developer.
- Stakeholders expressed concern that the City's regulations or fees could become costlier or more complex as the City grows.
- The City does not currently have a streamlined review process for smaller projects, such as a single-family home or minor expansion/remodel of existing building.

- The north end of La Pine does not have the same level of convenient access to services and amenities that is available on the south end.
- Deschutes County owns a significant amount of land within the City, and some of the land is subject to CC&Rs (Covenants, Conditions, and Restrictions) that may be limiting options for development.
- There are relatively few options for multi-family housing or attached single-family (townhomes) throughout the city.
- Deschutes County groundwater quality policies and requirements, such as the Pollution Reduction Credit program, may add costs to development and inhibit some new development.¹
- As demand for new development in the City grows, it will be important to retain enough affordable housing to support the local workforce.
- Some stakeholders expressed concern about the lack of code enforcement capacity at the City, particularly in relation to aesthetic and nuisance issues, such as outdoor storage.

Downtown La Pine

Many of the stakeholders were optimistic about the possibilities for new development and revitalization of the Huntington Road area, which is becoming known as downtown La Pine. The stakeholders shared many specific insights and ideas for development and code considerations related to downtown:

- The City envisions that urban renewal funding will support storefront/façade enhancements in the downtown area through low-interest loans or grants. There is an opportunity to coordinate this incentive with new design guidelines to achieve better urban design outcomes or even begin to establish an architectural theme or identity for downtown.
- If the City were to develop design standards or guidelines related to a theme or identity, some stakeholders expressed desire for the guidelines to be relatively simple to implement and focus on a few essential elements.
- Small commercial spaces were seen as critical for the success of downtown. The surrounding area already includes a number of large retailers and chain stores; the stakeholders desired small, locally-owned, and specialty businesses.
- Mixed-use development was also seen by stakeholders as an opportunity to provide commercial spaces and more residents to the downtown area.
- Sidewalks and other pedestrian infrastructure are needed throughout the downtown area; this is especially important for seniors that live in the vicinity. There may be opportunities to improve mobility for seniors using mobility devices with sidewalks or other hardscape paths that are separated from the roadway.

¹ The Pollution Reduction Credit (PRC) program charges a fee for new development to offset costs of upgrading old septic systems on other sites to mitigate against groundwater contamination.

- There is a need for wayfinding signage that would direct people off Highway 97 and into the downtown area.
- A key consideration for code updates to downtown will be the requirements that apply to non-conforming uses or structures when expansions or remodels are proposed. Stakeholders generally supported flexible and accommodating approaches that allowed for changes to the site while moving toward the intent of the code.
- Morrison Street, which runs parallel to Huntington, presents an opportunity to expand the concept of the downtown area, as it includes a number of vacant parcels and is included in the Traditional Commercial zone. The side streets that connect Huntington and Morrison may also provide opportunities for commercial spaces.
- Several stakeholders noted that a key need for the downtown is just one or two quality restaurants. La Pine residents often travel to Sunriver or Bend to dine but would gladly stay in La Pine if more options were available.
- The stakeholders generally agreed that adequate and convenient parking would still need to be available in the area, as almost everyone will drive to the downtown, even if they walk once they arrive.

Other development issues

Stakeholders shared thoughts on several other development-related issues:

- Stakeholders agreed there was a need for a wider variety of housing types in La Pine, especially multi-family and attached townhomes. They generally supported less conventional housing forms as well, such as cottage cluster housing and Accessory Dwelling Units, if the regulations considered impacts on neighboring properties.
- As housing prices increase and demographic makeup of the city continues to evolve, many stakeholders noted that more compact housing types would be important to provide adequate options for all residents.
- Some stakeholders suggested that basic architectural design standards may be needed for commercial and industrial development. These standards would be different than those applied to the downtown area and more appropriate for auto-oriented developments.
- Stakeholders noted that while there is some second-home ownership in the City, short-term rentals (such as AirBnB) have not needed regulation, but that could change in the future.
- In addition to sidewalks, many of the stakeholders were enthusiastic about the possibilities for off-street trails to increase walkability in the city. The project may consider how new development can contribute to the development of both sidewalks and trails.
- One stakeholder specifically noted that well-designed pre-application conference process can be valuable and should be considered as part of the project. The pre-application conference can provide clarity and certainty to applicants.



MEMORANDUM

Summary of Planning Commission Meeting #1 (DRAFT) La Pine Code Update Project (Task 1.4)

DATE July 12, 2017
TO Cory Misley, City Manager and Tammy Wisco, City Planner, City of La Pine
FROM Cathy Corliss and Jamin Kimmell, Angelo Planning Group
CC Laura Buhl, TGM Project Manager

PURPOSE

The purpose of this memo is to summarize the La Pine Planning Commission Meeting on June 21, 2017 to discuss the kickoff of the La Pine Code Update project and the findings of the Draft Evaluation Memo. Angelo Planning Group presented the attached presentation (Attachment A) to the Planning Commission and facilitated a discussion of the findings of the initial code audit and evaluation memo.

MEETING SUMMARY

Following the presentation of the evaluation memo findings, the Commissioners discussed the following topics and issues. A summary of the discussion is presented below.

Downtown La Pine

- Some Commissioners expressed concern that the downtown area currently lacks any identifiable core or Main Street and that there is a lack of developable properties in the downtown area. APG responded to these concerns by reminding Commissioners that downtown revitalization and redevelopment is a long-term process. Many small towns, including some in Central Oregon (e.g., Madras), began downtown planning and code-writing efforts over a decade ago, but are now beginning to realize the benefits. APG also pointed out the code regulations are only one element of a revitalization strategy that also includes public investments and potentially other subsidies or incentives.
- Commissioners generally agreed that parking needed to be managed carefully downtown, due to a lack of on-street parking in some areas and the fact that almost all visitors will drive to downtown. APG noted that any changes to the minimum parking requirements will consider the availability of on-street parking in the area, and developers can build more

parking spaces than the minimum requirements if they believe there is more demand for parking. Additionally, shared parking agreements or public, district-wide parking lots/structures can reduce the need for private off-street parking.

- Many Commissioners identified an opportunity to expand the downtown area beyond the Huntington Road corridor. Morson Street, which runs parallel to Huntington Road, also has some existing commercial businesses and potential for development. The side streets between Huntington and Morson may also provide development opportunities, and improvements to the sidewalks would enhance pedestrian access to the area, especially for the senior population at Prairie House. APG agreed to expand the study area and consider Morson Street and the side streets for pedestrian-oriented development regulations.
- After discussion, the Commissioners supported the potential for architectural design standards for downtown, especially in support of attracting tourism, but recognized that the existing development represented a wide variety of architectural styles and that it will be challenging to development a coherent theme. Some Commissioners pointed to City Hall as a potential model of an architectural style that may be appropriate for La Pine.
- Commissioners emphasized the residential development potential of the Newberry Neighborhood area and the importance of creating pedestrian and bicycle connections from the area to downtown. APG responded that any off-street trails or other connections would need to be identified in the TSP, but that the City could consider code provisions to require dedication of land or construction of the trails by developers once the plans are defined.

General Code Issues

- Commissioners agreed with the finding that the land use ordinances currently do not provide for enough diversity of housing types. For example, townhomes and Accessory Dwelling Units were seen by commissioners as appropriate for La Pine and may be in higher demand in the near future.
- Commissioners strongly supported efforts to reorganize the land use ordinances into a development code and to make the code more logical and user-friendly in general. Commissioners noted that there are many small property owners or amateur developers that don't want or can't afford to hire professional help to navigate the code, so it must be user-friendly and intuitive.
- Commissioners agreed that the review procedures for smaller projects were too complicated and included too many discretionary standards. APG responded that a streamlined site plan review process for smaller projects had been proposed and will be considered as part of the project.



MEMORANDUM

Final Evaluation Memorandum (Task 2.4) City of La Pine Code Assistance

DATE August 1, 2017
TO La Pine Code Assistance Project Management Team
FROM Cathy Corliss, Principal, Angelo Planning Group
Jamin Kimmell, Planner, Angelo Planning Group
CC: File

PROJECT BACKGROUND

The goal of this Transportation and Growth Management (“TGM”) Code Assistance Project¹ is to make recommendations for updating La Pine’s land use ordinances, including Zoning (Ord. No. 2012-05, Procedures (Ord. No. 2011-03, Land Divisions (Ord. No. 2011-03), and Comprehensive Plan as amended, in order to: (1) help the city create a vibrant, multi-modal **downtown** commercial core and, (2) to improve overall effectiveness and functionality of the land use process **citywide**. This goal is consistent with the mission, goals, and objectives of the TGM program and “Smart Development” principles. To learn more about the program’s mission, goals and objectives, see <http://www.oregon.gov/LCD/TGM/docs/Mission-goals-objectives.pdf>.

Downtown The downtown elements of this Project follow up on a TGM education and outreach workshop titled “Streetscapes, Pedestrian Safety, and Pedestrian-Friendly Design Workshop.” The workshop and report, completed by SERA Architects in 2015, reviewed existing conditions in the downtown, highlighted opportunities and best practices, and made recommendations for downtown improvements, some of which involve the Zoning Ordinance. The location of the downtown was generally described as the Huntington Road corridor between Highway 97 and Memorial Lane. TGM’s *Commercial and Mixed-Use Development Code Handbook* also provided a resource for evaluating the downtown.

¹ This project is partially funded by a grant from the Transportation and Growth Management (TGM) Program, a joint program of the Oregon Department of Transportation and the Oregon Department of Land Conservation and Development. This TGM grant is financed, in part, by federal Moving Ahead for Progress in the 21st Century (MAP-21), local government, and the State of Oregon funds. The contents of this document do not necessarily reflect views or policies of the State of Oregon.

Citywide In terms of overall effectiveness and functionality of the land use regulations as they apply citywide, this evaluation compared the La Pine’s land use ordinances with the *TGM Model Development Code and User’s Guide for Small Cities - 3rd Edition* (Model Code) and other smart development principles and practices as well as planning requirements such as the Transportation Planning Rule (OAR 660-012).

This memo presents an assessment of La Pine’s land use ordinances and Comprehensive Plan that will provide the foundation for subsequent tasks in this code assistance project. The intent of this assessment is to identify opportunities and barriers within the existing ordinances related to the above objectives.

KEY ISSUES AND FINDINGS: CREATE A VIBRANT DOWNTOWN

A primary goal of the TGM Code Assistance program is to help small cities amend their development codes to achieve a more pedestrian-oriented downtown area. Generally, a pedestrian-friendly area is one that provides visual interest at eye-level, feels safe and comfortable, contains a variety of activities and services, is easy to navigate, and provides open areas and amenities for gathering and resting. The Model Code for Small Cities, produced by the TGM program, identifies design and development standards that can be used to achieve pedestrian-oriented development, and is referenced throughout this section.²

Downtown Study Area

As noted above, the 2015 Workshop report identified the Huntington Road corridor as the primary commercial spine or “Main Street” for downtown La Pine. Through further discussion as part of the public outreach for this project, community members and Planning Commissioners also identified Morson Street as a potential secondary commercial street. Several commercial businesses are located on Morson Street and there are multiple, large vacant lots that may provide opportunities for new development. High-quality development on Morson Street may also encourage infill on the side streets that run east-west between Morson and Huntington, supporting pedestrian connectivity in the area and creating opportunities for different types of buildings and businesses.

For these reasons, the study area for the downtown code amendments should include both the Huntington Road and Morson Street corridors and cross-streets (hereafter referred to as the “Downtown Study Area”). The City’s Transportation System Plan (TSP) supports this change, as Morson Street is designated for the same street design standard (Downtown Arterial) as Huntington Road. The Downtown Study Area is entirely zoned Traditional Commercial (C) zone. The Downtown Study Area, which is illustrated in Figure 1, shows the outside boundaries of the area under consideration as the “Downtown”. The area where the City may ultimately choose to apply special

² For more information, see: <https://www.oregon.gov/LCD/TGM/Pages/modelcode.aspx>

downtown regulations may be smaller or the frontages where the standards apply may be limited to specific streets (see “Applicability of Standards”, below).

Applicability of Standards

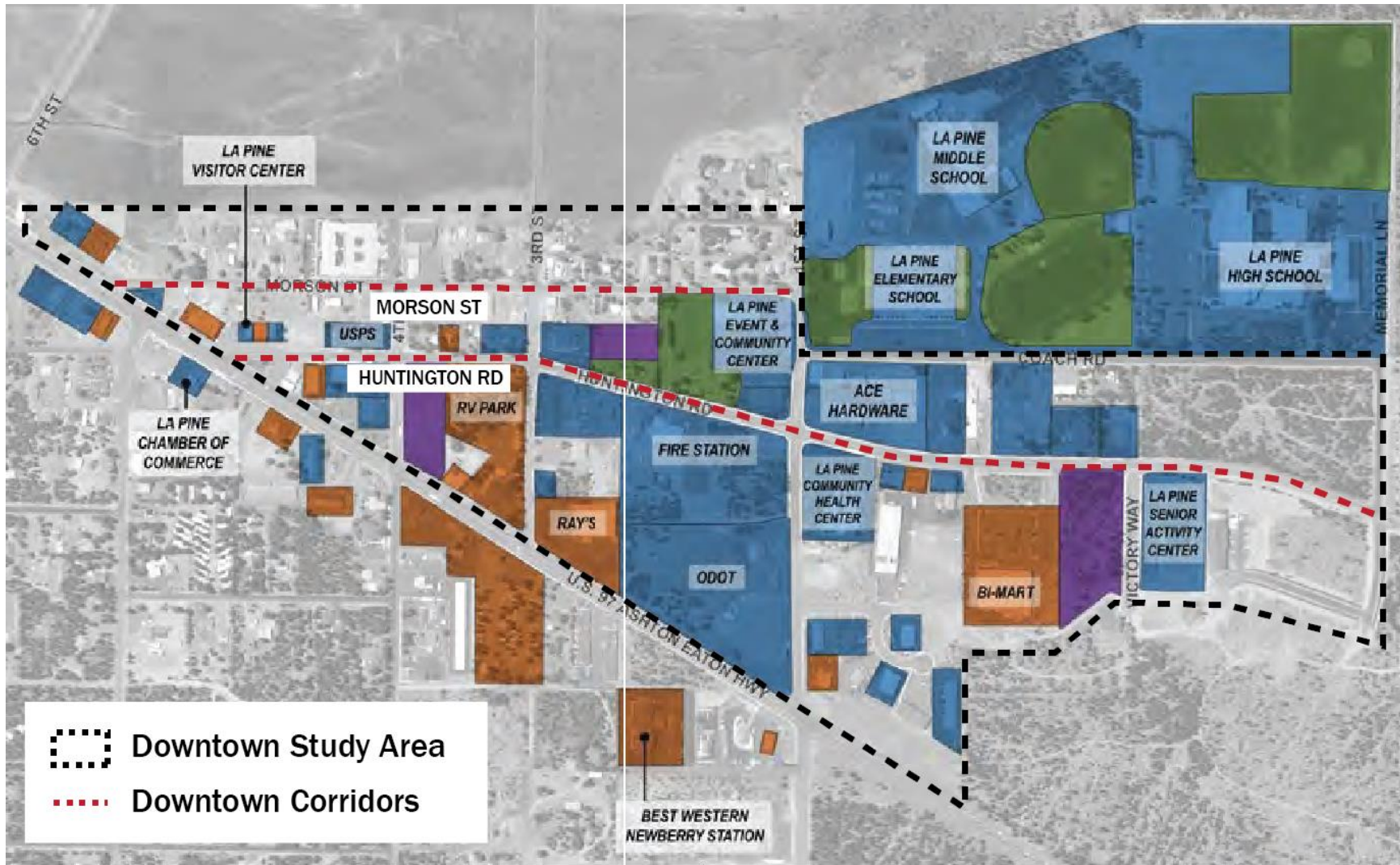
In addition to the Downtown Study Area discussed above, the Traditional Commercial (C) zone applies to other commercial areas of the City, including the US-97 corridor. Many of the existing standards referenced below are related to this zone. However, some of the design and development standards may not be appropriate or effective to require of all locations in the C zone. Options for implementing the standards within a subarea of the C zone include the following.

- Limit the applicability of all or some of the standards to properties fronting Huntington Road and/or Morson (within the downtown area) while retaining the zone boundaries and all other associated regulations.
- Create a separate version or “tier” of the standard for properties outside the downtown area. These standards may achieve similar goals while making allowances for a different built context.
- Establish a plan district for the downtown that adds these standards to the base zone regulations.
- Redraw the boundaries of the C zone to create a new, separate zone for the downtown. The new zone would include these standards and may also modify use regulations or other standards.
- Rezone the downtown to another existing commercial or mixed use zone which does not allow auto-oriented uses and which is applied in locations where the City would like to achieve a similar pedestrian-oriented development form.

NOTE: Some additional issues related to the C zone are noted in Table 2.

Given the expanded Downtown Study Area described above, the third option listed above – to establish a plan district for the downtown -- appears to be the most effective approach and recommend that that approach be included in the Draft Action Plan.

Figure 1. Revised Downtown Study Area Map



Design Standards

To create an energetic and vibrant Downtown –one that engages pedestrians and passersby the 2015 *Streetscapes, Pedestrian Safety, and Pedestrian-Friendly Design Workshop Report* (2015 Workshop Report) identified the following code concepts:

- Setbacks should be reduced
- Buildings should be oriented towards the street rather than towards parking lots
- Entrances should be directly accessible from the sidewalk (and from intersections where possible)
- Parking areas should be located to the side or rear of buildings
- A minimum amount of glazing (i.e., windows) should be required
- Weather protection (e.g. awnings) should be required at entrances
- Tripartite facades and other traditional architectural elements could be required
- Consider establishing a distinct brand/identity for downtown by defining a range of acceptable building materials and colors, architectural styles, etc.

Each of these concepts is addressed below.

Building orientation and setbacks

Buildings in the C zone are required to be set back from the front lot line a minimum of 20 feet. The zone does not establish any minimum side or rear yard setbacks. The 20-foot minimum front setbacks promote auto-oriented design as it encourages, and may sometimes require, parking areas to be placed between the street and building frontage. This layout may be appropriate on a high-volume, high-speed roadway like Highway 97, but it does not contribute to a pleasant and comfortable pedestrian experience.

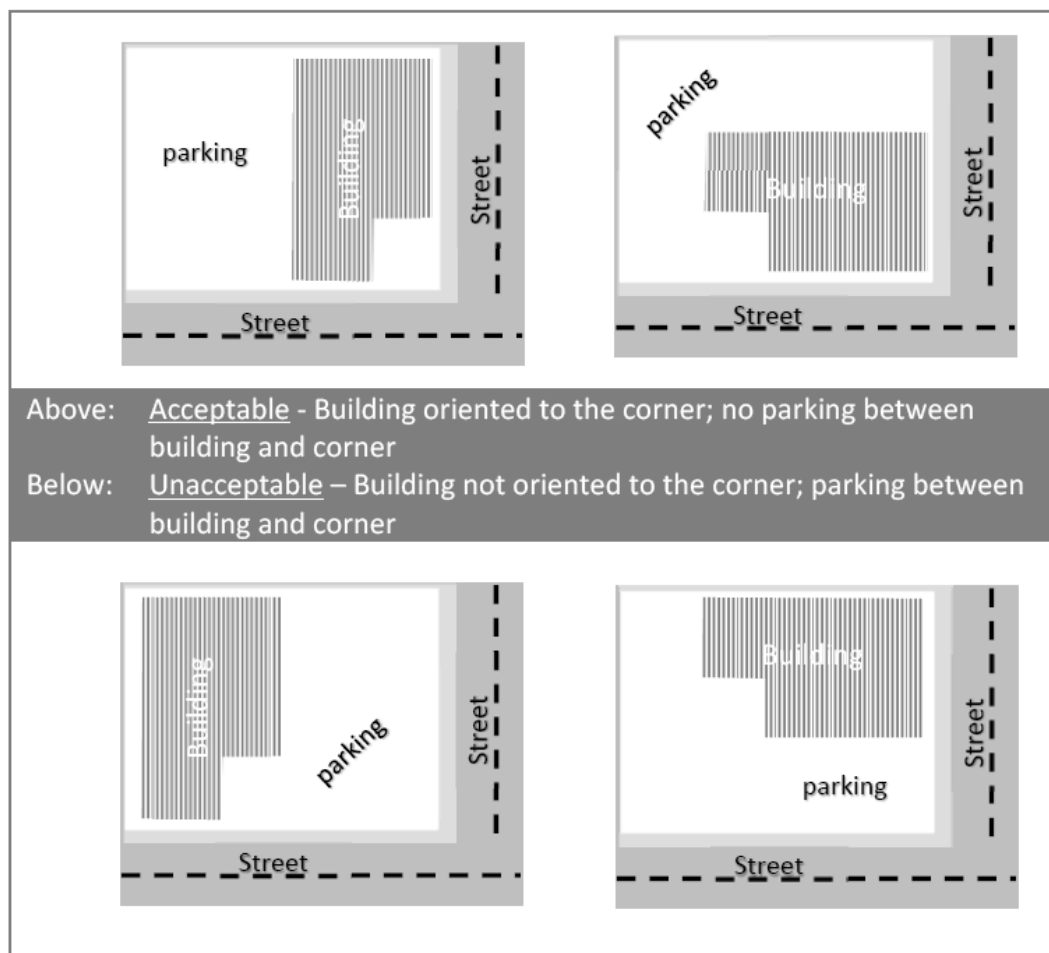
An essential change to promote more pedestrian-oriented design is to reduce or eliminate the minimum front setback requirement. The Model Code recommends no minimum front setback for a downtown commercial zone. In addition, the City may consider one or more of the following options for standards for promoting pedestrian-oriented design.

- *Maximum front setback.* A maximum front setback ensures that buildings will be placed close to the street and contribute to an interesting and comfortable pedestrian experience. The maximum setback should be set at no more than 5 feet, although exceptions should be allowed for plazas and other pedestrian features or in recognition of site constraints such as topography.
- *Minimum frontage requirement.* In tandem with the maximum front setback, the City may require that a minimum percentage of the building's frontage be placed within the maximum setback. This standard allows for some variation in the frontage to accommodate different design needs while maintaining the overall street wall. There are two ways to

implement this requirement. The code may require that the building’s frontage be within the maximum setback along a minimum percentage of the width of the lot. Alternatively, the code may require a minimum percentage of the building frontage to be within the maximum setback, regardless of how large the building is compared to the width of the lot. The second approach is more supportive of an incremental development pattern.

- *Prohibit parking and service areas between building and the street.* The maximum front setback and minimum frontage standards will necessitate placing parking to the rear or side of buildings in most cases. However, the City may not apply the maximum setback standard to development in all locations within the C zone, such as along Highway 97. In the absence of a maximum front setback, prohibiting parking or service areas (waste storage, utilities, etc.) between the street and building frontage can achieve a similar purpose while allowing for more variation in site design.
- *Special setbacks for garages.* The C zone allows multi-family dwellings outright and single-family dwellings as a conditional use. If allowed, garage or carports associated with townhome or detached single-family dwelling should be setback from the street to reduce conflicts with pedestrians and avoid blank walls adjacent to the street.

Figure 2. Example Code Graphic – Building Orientation



Building Entrances

The La Pine Zoning Ordinance does not currently regulate the location of building entrances. To promote pedestrian-oriented design, building entrances should be oriented toward the street rather than toward parking areas. The following entrance design standards should be considered.

- *Location and orientation to street.* The standard may require that entrances be at no more than a 45- or 90-degree angle to an abutting street. If the building is on a corner, the code may require or encourage that the entrance be located at the corner.
- *Distance from street.* Some codes require that the entry be within a maximum distance from an abutting street, such as 20 to 25 feet.
- *Walkway connection.* If not directly adjacent to street, the code may require that the entrance connect to a walkway that provides a reasonably direct route to the street.

Parking

The La Pine Zoning Ordinance regulates the minimum number of parking spaces required and the general design of parking areas, including landscaping. In a pedestrian-oriented downtown area, the amount of space dedicated to parking should be minimized to create a compact and visually appealing environment. The building orientation standards establish that parking should not be located between the street and the building frontage. The City may consider the following additional standards that address the scale and design of parking areas.

- *Minimum number of spaces.* The Zoning Ordinance currently requires relatively high levels of off-street parking relative to standards that are intended to encourage compact development. See Table 1 for a comparison of the minimum parking required by the La Pine zoning ordinance to the Model Code. The Model Code also recommends that cities consider complete exemption from minimum parking requirements in downtown areas. Reducing or eliminating off-street parking requirements can also reduce the cost of development, acting to spur new development that would otherwise not be economically feasible.

Table 1. Minimum Parking Requirements, La Pine and Model Code (Selected Uses)

LAND USE	LA PINE STANDARD	MODEL CODE STANDARD
Residential	2 spaces per dwelling unit	1 space per dwelling unit
Retail stores	1 space per 300 sq. ft.	1 space per 400 sq. ft.
Bank	1 space per 200 sq. ft.	1 space per 300 sq. ft.
Restaurants and bars	1 space per 150 sq. ft.	1 space per 200 sq. ft.
Office	1 space per 200 sq. ft.	1 space per 500 sq. ft.

- *Maximum number of spaces.* To avoid unnecessary consumption of land for parking, the City may also consider establishing a maximum number of spaces that can be provided. The

maximum may be specific to each land use or a set as a ratio of the minimum, such as 1.5 times the minimum requirement.

- *Shared parking.* The La Pine Zoning Ordinance does not allow for developments to use shared parking arrangements to meet minimum parking requirements. Shared parking arrangements can use land more efficiently by allow uses that operate at different times of day (such as offices and restaurants/bars) to use the same parking spaces. The City may allow shared parking spaces to count towards parking requirements if the applicant can demonstrate that the operational needs do not overlap and that a legal right to joint use is documented.

Windows/glazing

Windows on the ground floor of buildings promote a pedestrian-oriented environment by providing visual interest through views into activity, merchandise, and people. Upper floor windows create variation and rhythm for the building façade and opportunities for unique character. The La Pine Zoning Ordinance does not regulate the amount of windows or “glazing” required on a building façade. At a minimum, a sufficient amount of windows on the ground floors of buildings are essential to a pedestrian-oriented, storefront environment. The City may require the following window standards.

- *Ground floor standards.* For commercial uses, ground floor window requirements typically regulate the area of the windows as a percentage of the area of the ground floor façade. Some cities also establish a minimum width of the windows as a percentage of the width of the façade, which helps to ensure that windows are distributed horizontally, rather than condensed into one area using large, vertically-oriented windows. Area standards range from 25% to 75%; the Model Code recommends a minimum of 60% of the area. Width standards range from 50% to 70%. Residential uses usually are required to have fewer windows; the minimum area standards range from 15% to 30%.
- *Upper floor standards.* Upper floor minimum window area requirements are usually lower than ground floor standards and range from 15% to 30%. The Model Code recommends a minimum of 30% of the area of all street-facing elevations for both residential and commercial uses.

Weather protection

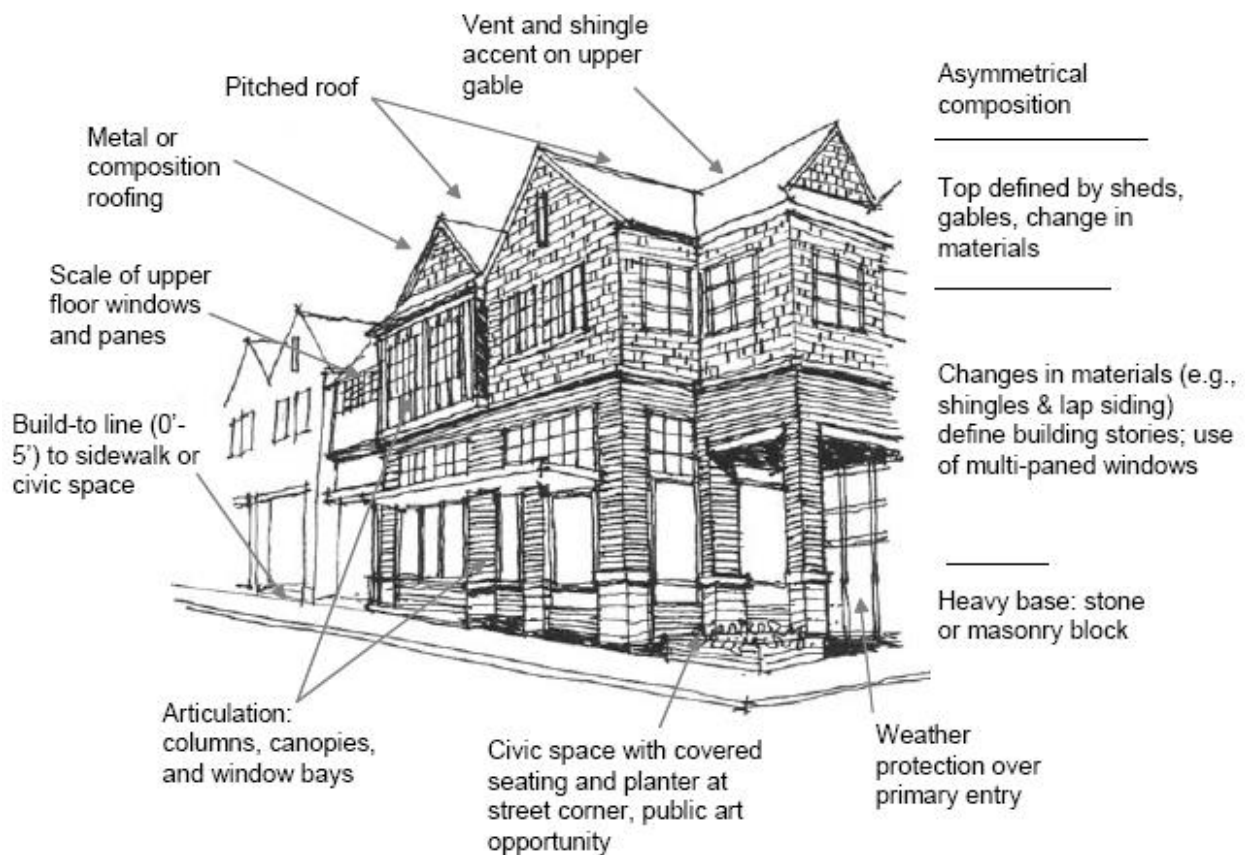
Weather protection includes canopies, overhangs, or other projections intended to offer shade and rain cover to pedestrians. Weather protection can create a more hospitable and comfortable pedestrian environment and can provide opportunities for buildings to express unique character and design features. Alternatively, weather protection may limit options for storefront signage or may create areas that are unappealing if they are too dark or enclosed. Cities may require weather protection along a minimum percentage of the entire frontage or only above building entrances. The Model Code recommends weather protection be provided along 75% of the building frontage. The code should also establish a minimum depth of the weather protection, which is usually 4 to 5 feet, and a minimum vertical clearance (height from the ground floor).

Brand/Identity – Architectural Style

The 2015 Workshop Report also noted that building materials and colors can be influential in architectural design. Building materials should evoke a sense of permanence and, when possible, reflect the spirit of the region. Similarly, building color guidelines can be used to promote a sense of compatibility and character. During the 2015 project there was some interest expressed in creating a brand or identity for downtown La Pine, for example through standards or guidelines that ensure architectural cohesion along Huntington Road by defining a range of acceptable building materials and colors, architectural styles, etc.

In order to create a cohesive “sense of place,” the City of Sandy has adopted a “Sandy Style” design theme based on Cascadian architecture. In order to implement this theme, the City regulates building façades, materials, and colors consistent with the Sandy Style.

Figure 3. Example of Architectural Design Guidelines – Sandy Style



Similarly, the City of Happy Valley as adopted the Happy Valley Style, which has elements in common with the Cascadian style, but is somewhat less restrictive, allowing more variation and diversity of architecture.

Short of specifying a specific architectural style, La Pine could require certain traditional architectural elements such as tripartite (three part) facades. As noted in the 2015 Workshop Report, tripartite facades are commonly seen on successful two- or three-story commercial and mixed-use buildings. The first floor, or base, is more pedestrian-friendly, having large, transparent storefronts, and architectural bays at symmetric intervals (often between engaged columns), while the upper story or stories are scaled for office or residential use. Although taller buildings are not common in Downtown La Pine, these elements can be adapted for one-story buildings as well.

In Stanfield, elevations are required to incorporate changes in material that define a building's base, middle, and top, as applicable, and create visual interest and relief. Side and rear elevations that do not face a street, public parking area, pedestrian access way, or plaza may utilize changes in texture and/or color of materials, provided that the design is consistent with the overall composition of the building.

Figure 4. Base-Middle-Top Concept



Comprehensive Plan Policies for Downtown

Downtown goals

The Comprehensive Plan has very few policies that relate to the downtown area. However, the 2015 “Streetscapes, Pedestrian Safety, and Pedestrian-Friendly Design Workshop” included the following project goals:

- *Transform the commercial zone and downtown area west of US 97 into a pedestrian-friendly, attractive, and vibrant center that can draw new investment, offer a desirable place for people to visit and live, and serve the surrounding area between Sunriver Resort and Klamath County.*
- *Develop a downtown area that is desirable for tourists and local residents and that will allow La Pine to establish itself as a hub and service center for the South Deschutes and North Klamath Counties.*

To provide a policy basis for downtown design standards, the City may wish to include similar policy language in its Comprehensive Plan.

Downtown street design

The TSP defines street a cross-section standard specifically for arterial streets in the downtown area: Huntington Road, First Street, and Morson Street. The cross-section includes wider sidewalks than the citywide arterial standard. There are two versions of the cross-section; one with and

without on-street parking. On-street parking is an important element of successful downtown Main Street because it provides convenient parking, a buffer from traffic for pedestrians, and makes retail merchants more supportive of orienting the main entrance of the building to the sidewalk. It would be advantageous for the City to assess the downtown arterial streets, determine where on-street parking is feasible to provide, and adopt standards to require it be provided in those segments of the street. This effort could also include a broader streetscape design plan for these streets that identifies special paving materials, public art, and signage, as called for by the 2015 Streetscape Workshop Report. The design and development standards proposed as part of this project will need to consider how they may be affected by street design in the downtown and the availability of on-street parking.

KEY ISSUES AND FINDINGS: GOOD PLANNING CITYWIDE

Comprehensive Plan and Transportation System Plan

The La Pine land use ordinances should implement the City's Comprehensive Plan and Transportation System Plan (TSP). As noted above, the Comprehensive Plan may need to be updated to include more policies specific to the downtown area. In addition to this update, we identified several "gaps" in the Comprehensive Plan and TSP that need to be addressed in order to more effectively regulate development in the City:

- *Complete neighborhoods concept.* One of the essential elements of the vision of the Comprehensive Plan is that La Pine develops into "complete neighborhoods": the full suite of land uses, services, and amenities is accessible within three neighborhoods. The neighborhoods are identified in the plan and land use designations were intended to ensure that the land use mix within each neighborhood would achieve the goal of complete neighborhoods. However, stakeholders interviewed for this project noted that some areas in La Pine—particularly the northernmost area of the town—may lack some essential services and amenities. Many stakeholders noted that few services in La Pine were located within a walkable distance from housing. The City may consider further exploration of the complete neighborhoods goal, which may include a more detailed assessment of needs within each neighborhood area and amendments to certain zones to meet those needs.
- *Off-street trails.* Off-street trails and multi-use pathways were widely supported in the Comprehensive Plan and Transportation System Plan. Given the City's legacy as a rural area, most roads do not include sidewalks or bicycle lanes and it may not be feasible to construct in many situations. Stakeholders interviewed for this project also emphasized support for off-street trails, particularly to connect residential areas to downtown. However, the Transportation System Plan does not identify the alignments of any off-street trails or identify any discrete trail construction projects. The development code could be amended to require new developments to dedicate land for public trails, but the alignment of the trail

needs to be specified to do so. The City may consider additional trail planning as part of a future TSP update or separate project.

- *Housing options.* The City's Comprehensive Plan (Plan) states that: "La Pine does not currently have enough housing choices for people to choose from. The Plan must provide more housing opportunities to help correct this situation." The Plan goes on to identify the density per residential zone as follows:
 - An overall density range of 1.0 to 7.0 units per acre is desired for the Single-Family Residential District.
 - An overall density range of 5.0 to 40 units per acre is desired for the Multi-Family Residential District.
 - An overall density range of 3.0 to 21.0 units per acre is desired for the Master Plan Residential District.

The Plan identifies single-family and multi-family uses within these zones, but does not provide for a wide range of housing types (e.g., townhouses, zero lot line, cottage/tiny home developments, etc.). The City may wish to consider additional Plan policies supporting a wider array of housing types as well as somewhat higher minimum density targets in order to better assure a range of housing choices are available.

Residential Uses and Standards

As noted above, the Comprehensive Plan calls for a diverse range of housing types to be available in the City, yet the permitted uses and development standards in the Zoning Ordinance constrain the housing types that can be built. The City should consider amending these regulations to enable a full range of housing choices are permitted and can be built under the development and design standards.

Currently, there are no minimum lot area requirements for the Single-Family Residential zone. Within the Multi-Family Residential zone, the Zoning Ordinance establishes a minimum lot area of 3,000 square feet for the first dwelling unit plus 1,000 square feet for each additional dwelling unit. This lot area requirement is consistent with the maximum density envisioned in the Plan, but without also having a minimum density the City may fail to see higher densities achieved on its MFR zoned lands.

Other than the very detailed Master Plan Residential Zone for the Newberry Neighborhood, the residential zones provide very few standards for residential uses. The City should consider updating the Plan and implementing zones to allow for an appropriate range of housing types. The land use regulations should include clear and objectives standards for the full range of housing types.

Update and Reorganize Base Zones using Use Tables and Classifications

Section 10 (Permitted Uses) of the Zoning Ordinance lists permitted, conditional, and accessory uses for each base zone and "Additional Regulations" for each zone. The tables are not numbered

and numbering hierarchy of the subsections makes it difficult to follow and to cite a specific standard by section number. The permitted uses are hierarchical so that uses permitted in the less intensive zones are also permitted in higher intensity zones with some exceptions. This “nesting” of uses within the zones makes it difficult to understand which uses are permitted in which zones. The current approach to regulating uses relies on lists of specific uses, some of which are not defined.

Additionally, the development standards are hard to find, and in some cases the ordinances are silent on regulations such as lot size and density. It’s also unclear whether the “Additional standards for commercial uses” applies to those uses only when they occur in commercial zones or whether they apply to the use regardless of the zone in which it occurs. For residential uses, updated regulations could provide for an appropriate range of housing types by zone consistent with the Comprehensive Plan, city goals and policies. For each housing type (single-family, duplex, townhouse, multi-family, cottage cluster, etc.) standards should be provided which are clear and objective. Establishing permitted uses and housing types based on clearly defined use classifications will simplify and clarify implementation.

Transportation Demand Management

Transportation Demand Management (TDM) is an approach to managing the transportation system that focuses on managing *demand* for the use of the system—in addition to providing the *supply* of transportation infrastructure. TDM strategies can be implemented through the development process, and may take the form of TDM-supportive infrastructure, such as requiring a development to include bike parking or transit amenities. These infrastructure requirements are required to be included in La Pine’s land use ordinances by the Transportation Planning Rule (TPR); an audit of the land use ordinances based on the TPR requirements is provided in a separate section below.

TDM strategies may also take the form of programmatic measures, such as subsidized transit passes, bicycle safety education classes, or parking cash-out programs. These programs encourage and incentivize employees or visitors to use alternative modes of transportation to access the site, including transit, bicycling and walking. The programs can be required or encouraged by the development code. The La Pine land use ordinances do not currently address programmatic TDM strategies. An effective way to require a proposed development to address TDM is by requiring the development application to include a TDM Plan. A TDM Plan outlines how a developer and subsequent tenants will implement measures to reduce single-occupancy vehicle (SOV) travel to the site over time. The developer may select from a menu of strategies, but must commit to meeting certain targets and evaluating the program on an ongoing basis.

The City could consider the following steps for designing and implementing a TDM Plan requirement in the development code. The steps are outlined by the TDM Guide, published by the TGM program.³

³ Transportation Demand Management Plans for Development (September 2013). TGM Program. Available at: <http://www.oregon.gov/LCD/TGM/docs/TDM%20guide%20and%20model%20code%20final.pdf>

1. *Establish a policy foundation.* The La Pine Comprehensive Plan includes some policy statements that are supportive of TDM, but the statements should be assessed and revised to more clearly support TDM Plan requirements.
2. *Set targets and expectations.* The City could set both citywide targets and establish a process for setting targets for each site. The targets may be vehicle-miles traveled, mode share, or greenhouse gas emissions.
3. *Decide applicability.* A TDM Plan is not appropriate for all types of development. The City should set thresholds for the requirements based on geography, size of the development, type of use, or other factors.
4. *Establish menu of strategies and procedures.* The TDM Guide includes wide range of strategies and procedures; the City should consider which will be most effective and appropriate in La Pine.
5. *Monitor and enforce.* Employee surveys are usually used to monitor implementation of the TDM Plan. Employers or building managers would be required to report the results of the survey and assess implementation of the TDM Plan.

Create a Development Code

One of the underlying problems is the overall organization of the Zoning Ordinance with its somewhat haphazard order of chapters and sections. This is exacerbated by the inability to incorporate the other ordinances and amendments into a single document (i.e., a Development Code). A more logical flow might follow the major headings noted below. In addition, the current numbering system in the Zoning Ordinance doesn't lend itself to a hierarchical organization, so some adjustments may be needed.

- **General Provisions**
- **Definitions and Use Categories**
- **Land Use Districts**
- **Overlay Zones / Special Districts**
- **General Development Standards / Common Requirements** [NOTE: These include standards that are applicable to a variety of development types and plan districts, e.g., parking, landscaping]
- **Special / Supplementary Development Standards** [NOTE: Includes those standards that are specific to certain uses or activities]
- **Review Procedures** [NOTE: Includes process requirements for Type I, II, III, IV decisions or similar]
- **Applications** [NOTE: Includes application requirements for each application type]
- **Land Divisions**
- **Appendices / Maps**

Other Key Issues

Additional issues that are more specific to a particular ordinance section(s) are noted in Tables 2 - 4. Table 5 summarizes preliminary recommendations for the City's land use regulations related to the Transportation Planning Rule.

Table 2. Additional Issues by Section - Zoning Ordinance

Code Section	Issue	Recommended Action / Question
Section 10. Permitted Uses		
Single Family and Multi-Family Residential Zones	It appears that there is no difference between the SF and MF residential zones except that the SF zone has almost no standards. Code is not clear on how many single family dwellings are allowed on a single residential lot. There is a lack of diverse housing types and standards.	Update the zones to clarify the differences between zones and clearly define housing types and standards. Ensure that standards for MF and SF and other housing types result in development appropriate for La Pine. Include standards for attached town homes and other housing types (e.g., zero lot line, cottage developments, tiny homes, etc.)
Additional Regulations for Multi Family Zones	The minimum lot area and minimum open space requirements may be higher than necessary for smaller multi-family projects, may lead to underutilized land or present barriers to multi-family housing on some lots.	Consider reducing minimum standards and/or setting the standards as a percentage of the lot size so as not to disadvantage smaller developments.
RMP Master Plan Residential Zone/County Newberry Neighborhood	This highly detailed zone reflects a master plan that predates La Pine's incorporation. There are uses permitted in the subdistricts that are not clearly listed in the use table. The organization of the code makes it difficult to understand what is permitted within this zone. There are references to County code and County decision.	Reorganize the Zoning Ordinance. Consider making the Newberry Neighborhood a Plan District (including a readable map of the subdistricts) and moving standards out of the base zone chapter and updating. Note that City might wish to consider adopting some of the Newberry Neighborhood standards for use citywide (attached town homes, duplex, triplex, etc.) Change all references to County code to City code.
C and CMX Principal Uses	"All uses in RSF, RMF, and RMP" are permitted in these zones, but it's not clear if this refers to all principal uses or includes accessory uses.	Eliminate the "nesting" of permitted uses and clarify language to address this.
Traditional Commercial Zone Use Table	Retail sales and/or product service, including auto sales/service are permitted in the C zone. While auto-	Restrict auto sales and service uses in the downtown or consider rezoning to CMX or CN.

Table 2. Additional Issues by Section - Zoning Ordinance

Code Section	Issue	Recommended Action / Question
	oriented zones may be appropriate in some locations, they do not support a pedestrian-friendly environment. Also, CU review is triggered by performance standards (e.g., emits fumes, etc.)	Has the City had success in determining in advance which uses should be subject to CU based on the performance standards in the use table? If not, consider a different approach.
	Multi-family residential uses are permitted throughout the C zone. In the downtown area, residential uses on the ground floor can detract from creating a concentration of storefront businesses.	Consider limiting residential uses (both multi- and single-family) on the ground floor within the downtown area or a segment of the downtown. Residential could remain allowed, and encouraged, if on upper stories as part of a mixed-use development.
Additional Commercial Use Regulations	Drive-throughs are permitted throughout the commercial zones. Drive-throughs can detract from a comfortable and appealing pedestrian experience.	Consider limiting the location of or prohibiting outright drive-through uses.
	These standards apply to any permitted principal and/or accessory commercial use.	Does this include those uses in non-commercial zones? Clarify requirements.
	The display of goods must be behind the setback line. This would appear to limit florists and others who might wish to display goods in proximity to the sidewalk.	If the City significantly reduces the minimum front setback in the C zone (downtown) this issue may be resolved; however, the City may also wish to allow for some sidewalk sales and outdoor restaurant seating within the ROW.
	Section 10 refers to Section 702.1(8), this references the Deschutes County Code.	Update references to City code.
[Commercial] Buffering and Screening Requirements	These apply to any permitted principal and/or accessory use. It's unclear what zones and uses these apply to. They could require residential uses to be buffered from each other.	Clarify the applicability.
Light industrial zone	The light industrial zone is defined, but neither the zoning map nor Comprehensive Plan include light industrial zones.	Consider whether the City might use a light industrial zone in the future; if not, consider deleting.

Table 2. Additional Issues by Section - Zoning Ordinance		
Code Section	Issue	Recommended Action / Question
Additional Industrial Zone Regulations	Where any permitted principal and/or accessory use abuts any RSF, RMF, RMP, or TA zoned land, the following buffering and screening are required: A buffer strip at least 30 feet wide shall be provided and maintained along the entire length of a side or rear yard where it abuts any RSF, RMF, RMP, or TA zoned land.	Consider reducing the required buffer for permitted and/or accessory uses that are unlikely to impact adjacent non-industrial uses.
Transitional Areas	Transitional Areas appears to be an overlay zone, rather than a zone itself.	Re-evaluate the purpose of this zone and reconsider how best to accomplish the intent.
Section 11 Lot, Yard & Height Requirements		
Table	The setbacks standards for the residential zones are excessively large. Also, as noted above, the 20' front setback in the C zone does not support a pedestrian friendly downtown. The minimum width appears to conflict with the land division ordinance, which requires 50', but in no case less than 35'.	Re-evaluate the setbacks and lot standards for all zones.
Corner lots	Code requires corner lots to both frontages to be considered front yards, but it is not clear which yards are rear or side yards as a result.	Clarify how to determine yard orientation for corner lots.
12. Special Uses		
A. Accessory Dwellings 1. One ADU per lot 5. Maximum floor area	There is no definition of "accessory dwelling". There is a definition of "accessory apartment", which is confusing and not addressed well in the code. Only one ADU is permitted per single-family dwelling lot. Some cities have begun to allow two ADUs per lot if one of the units is internal to the primary house, such as a converted basement. Additionally, ADUs are limited to 30% of the	Update ADU standards to allow more than one ADU per lot if one is internal to the house and additional flexibility for larger ADUs.

Table 2. Additional Issues by Section - Zoning Ordinance		
Code Section	Issue	Recommended Action / Question
	building’s total floor area. This seems excessively small. An 1,800 SF house could only have a 540 SF ADU.	
B. Temporary mobile home 3. Occupant must be relative of property owner	This provision requires any occupant of a temporary mobile home, which may be permitted for up to 5 years or longer (with an extension), to be related to the property owner. A mobile home—or a “tiny home” that meets the definition of mobile home—is not significantly different from an ADU. However, the code does not require the ADU occupant to be a relative. This provision may not be consistent with Fair Housing principles.	Consider removing the requirement for the occupant to be a relative of the property owner and identifying alternative ways to regulate potential impacts.
E. Mobile home and Recreational Vehicle parks	Most of these regulations concern RV parks, not mobile home parks. More specific regulations for mobile home parks may be necessary.	Consider specific regulations and standards for mobile home/manufactured dwelling parks. This section may need to be separate from RV parks for clarity. Clarify how these regulations apply to “tiny homes”.
G. Animal raising, care & processing	This section requires a minimum lot area of an acre, but then goes on to specify the number of chickens and rabbits permitted per half-acre.	Is the minimum lot size of one acre meant to apply to chickens and rabbits?
L. Wireless Telecommunication Facilities and Uses	There are no use or development standards related to telecommunications facilities on structures within the right-of-way.	Add standards specific to this type of use.
13. Site Plan Review		
Entire section	Site Plan Review (SPR) is confusing and difficult to apply.	SPR requirements need to be reorganized to be more clear and user-friendly.
(B) Applicability.	SPR applies to all new construction or new development except for single family residences, manufactured dwellings, mobile homes, modular homes and their accessory structures. Thus, duplexes and MF are subject	Establish clear and objective standards for housing.

Table 2. Additional Issues by Section - Zoning Ordinance		
Code Section	Issue	Recommended Action / Question
	to discretionary approval criteria and conditions of approval.	
(E) Site Plan Review criteria (and also “General Conditions”)	The approval criteria and general conditions are very discretionary. No review criteria related to fire code.	Establish clear and objective standards for needed housing. Add a review criterion and/or submittal material that requires applicants to demonstrate conformance with applicable fire code issues as part of a site plan review, such as fire apparatus access and fire flow.
Section 15. Variances	“Minor Variance” is defined but not differentiate from other types of variances, nor are other types of variances defined. The regulations do not limit the allowed % of variance. Criteria are very stringent, particularly for a minor variance.	Update this section to provide clear distinction between major and minor variances with criteria appropriate for each level.
Other Zoning Ordinance Issues	<ul style="list-style-type: none"> - ORS 197.490 prohibits establishing mobile home parks on land planned or zoned for commercial or industrial use. How does this apply to CMX and CRMX zones? Zoning ordinance allows them in CMX, CRMX, but does this conflict with the ORS? - La Pine codes lack a fees in lieu or other method to collect improvement fees (water, sewer, roadway) rather than require construction. 	Consider updating the regulations to address these issues.

Table 3. Additional Issues by Section - Land Division Ordinance		
Code Section	Issue	Recommended Action / Question
10.2.0(A) Blocks (1) and (2)	Establishes a minimum block length of 660 feet between street corner lines and recommends a minimum block length an arterial street of 1,260 feet.	These block lengths are too long for convenient pedestrian travel. Consider establishing smaller blocks or requiring mid-block pedestrian connections. Newberry Neighborhood has smaller block length.

Table 3. Additional Issues by Section - Land Division Ordinance		
Code Section	Issue	Recommended Action / Question
10.2.0 (C) Access	Required 50' and 35' widths contradicts with minimum lot widths in zoning ordinance, which allows 25' width for residential, CN, TA zones.	Update lot width requirements to be consistent between zoning and land division ordinances.
10.3.0 (A)	Requires utility easements to be in rear and side yards, however, most of the ones in the City are front yard.	Update requirements to be consistent with current practice in La Pine.
10.5.0. Streets and Other Public Facilities. (F) Minimum right-of-way and roadway widths. (W) Sidewalks. (X) Bike lanes.	The street classifications and standards are not consistent with the TSP.	Update the standards in the Ordinance for consistency or reference the standards in the TSP (Table 4-4 Roadway Cross-Section Standards)
10.5.0. Streets and Other Public Facilities. (K) Cul-de-sacs.	There appears to be no limit on cul-de-sac length or number of dwellings served.	Establish a limit on the length of cul-de-sacs and require a pedestrian through connection.
Section 10.6.0. Access Management.	The access spacing standards are not consistent with the TSP.	Update the standards in the Ordinance for consistency or reference the standards in the TSP.
Other Land Division Ordinance Issues	<ul style="list-style-type: none"> - Watch for general typos. - Lack much criteria for lot line adjustments/consolidations; should include reference to ORS. - Includes "series partitions" which are not desirable and create an option for a developer to avoid a subdivision process. - Lack private roadway allowances or standards. - Imposes tighter deadlines on approvals than state law. Need to update to reflect state law. - Needs to address whether a city official has the ability to sign plats and accept dedications on behalf of the City. 	Consider updating the regulations to address these issues.

Table 3. Additional Issues by Section - Land Division Ordinance		
Code Section	Issue	Recommended Action / Question
	- Needs to reference City’s development standards.	

Table 4. Additional Issues by Section - Procedures Ordinance		
Code Section	Issue	Recommended Action / Question
Section 3.5.0	Section 3.5.0 seems to be missing text.	Correct missing text.
Section 5.3.0. Administrative land use decisions with prior notice	A. Notice of the application shall be sent within 10 days of submittal of the application to persons entitled to notice under Section 6.3.0. – Should this say within 10 days of a “complete” application? Also, requires administrative land use decisions to be made within 30 days of completeness – this seems too short.	Is this a limited land use decision ⁴ ? If not a limited land use decision, then notice to everyone who received original notice. Provide reasonable timeframes within which to make administrative decisions.
Section 5.4.0. Administrative decision without prior notice.	The procedures for administrative decisions without prior notice shall be the same as those set forth in Section 5.3.0, except that no prior notice shall be given. Some of the procedures don’t seem to match ORS requirements, specifically for comment and notice time requirements.	What does “prior notice” mean in this context - notice of application, notice of decision or other? Clarify notice of decision requirements by decision type: - Limited Land Use Decision (typically a staff decision with no hearing except on appeal) - notice of decision goes to the applicant and any person who submits comments

⁴ (12) “Limited land use decision”:

(a) Means a final decision or determination made by a local government pertaining to a site within an urban growth boundary that concerns:

(A) The approval or denial of a tentative subdivision or partition plan, as described in ORS 92.040 (1).

(B) The approval or denial of an application based on discretionary standards designed to regulate the physical characteristics of a use permitted outright, including but not limited to site review and design review.

(b) Does not mean a final decision made by a local government pertaining to a site within an urban growth boundary that concerns approval or denial of a final subdivision or partition plat or that determines whether a final subdivision or partition plat substantially conforms to the tentative subdivision or partition plan.

Table 4. Additional Issues by Section - Procedures Ordinance		
Code Section	Issue	Recommended Action / Question
		<ul style="list-style-type: none"> - Land Use Permit Decision with no hearing (other than a Limited Land Use Decision) – notice of decision goes to everyone who received notice of application - Land Use Permit Decision with a hearing - notice of decision goes to the applicant and any person with standing
Section 6.3.0 Notice of hearing or administrative action.	The notice requirements don't address Measure 56 notice and notice to agencies (e.g., DLCD, ODOT, etc.).	Amend to address Measure 56 notice and notice to agencies (e.g., DLCD, ODOT, etc.).
Section 7.2.0. Notice of decision.	This section addresses notice of decision requirements for Hearing Body decisions, but not for administrative decisions. Additionally, the section requires the City provide the entire land use decision with the notice, which is unnecessary and inefficient.	Clarify notice of decision requirements by decision type. Revise to require that a notice of decision be provided, but not the entire text of the decision.
Section 9.1.0. Who may appeal	B. In the case of an appeal of an administrative decision without prior notice, a person entitled to notice, a person adversely affected or aggrieved by the administrative decision, or any other person who has filed comments on the application with the Planning Division;	What does "prior notice" mean in this context? Notice of application, notice of decision, both? The notice of appeal and appeal fee must be received at the offices of the City of La Pine Planning Department no later than 5:00 PM on the twelfth day following mailing of the decision. If no notice is provided, then when does the appeal period end?
Section 10.1.0. Expiration of approval.	1. Except as otherwise provided under this section or under applicable Zoning Code provisions, a <u>land use permit</u> is void two years after the date the discretionary	What is the expiration status of permits that are not land use permits (e.g., limited land use decisions) ⁵ ?

⁵ "Permit" means discretionary approval of a proposed development of land, under ORS 227.215 or city legislation or regulation. "Permit" does not include:

(a) A limited land use decision as defined in ORS 197.015;

(b) A decision which determines the appropriate zoning classification for a particular use by applying criteria or performance standards defining the uses permitted within the zone, and the determination applies only to land within an urban growth boundary;

Table 4. Additional Issues by Section - Procedures Ordinance		
Code Section	Issue	Recommended Action / Question
B. Duration of Approvals.	decision becomes final if the use approved in the permit is not initiated within that time period.	
Other Procedures Ordinance Issues	<ul style="list-style-type: none"> - Page formatting is problematic, which results in words disappearing from the document. - Incorrectly refers to "County" in a few spots (e.g. Section 6.3.0.B) - No right of way vacation code - 	Update regulations and formatting to address concerns. Provide a process for the vacation of rights-of-way.

TRANSPORTATION PLANNING RULE (TPR)

The TPR (OAR 660-012) implements Statewide Planning Goal 12 (Transportation), which is intended to promote the development of safe, convenient, and economic transportation systems that are designed to maximize the benefit of investment and reduce reliance on the automobile. The TPR includes direction for preparing, coordinating, and implementing TSPs. The City of La Pine's Transportation System Plan was completed in October 2013. In addition to adopting a TSP, TPR Section -0045 (Implementation of the Transportation System Plan) requires local governments to amend their land use regulations to implement the adopted TSP. It also requires local governments to adopt land use and subdivision regulations to protect transportation facilities for their identified functions, including access control measures, standards to protect future operations of roads, expanded notice requirements and coordinated review procedures for land use applications, and a process to apply conditions of approval to development proposals. Table 4 summarizes preliminary recommendations for the City's land use regulations related to the TPR implementation requirements.

(c) A decision which determines final engineering design, construction, operation, maintenance, repair or preservation of a transportation facility which is otherwise authorized by and consistent with the comprehensive plan and land use regulations; or

(d) An expedited land division, as described in ORS 197.360.

Table 5: TPR Implementation	
TPR Requirement	Preliminary Recommendations
OAR 660-012-0045	
(1) Each local government shall amend its land use regulations to implement the TSP.	
(a) The following transportation facilities, services and improvements need not be subject to land use regulations except as necessary to implement the TSP and, under ordinary circumstances do not have a significant impact on land use: (A) Operation, maintenance, and repair of existing transportation facilities identified in the TSP, such as road, bicycle, pedestrian, port, airport and rail facilities, and major regional pipelines and terminals; (B) Dedication of right-of-way, authorization of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards; (C) Uses permitted outright under ORS 215.213(1)(m) through (p) ⁶ and 215.283(1)(k) through (n) ⁷ , consistent with the provisions of 660-012-0065 ⁸ ; and (D) Changes in the frequency of transit, rail and airport services.	Add transportation facilities, services, and improvements as allowed uses to the City’s zoning use regulations in cases where improvements are within the public right-of-way and are included as part of an adopted plan.

⁶ Transportation uses in ORS 215.213(1) have shifted from (m) through (p) to (j) through (m):

(j) Climbing and passing lanes within the right of way existing as of July 1, 1987.

(k) Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

(l) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.

(m) Minor betterment of existing public road and highway related facilities, such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

⁷ Transportation uses in ORS 215.283(1) have shifted from (k) through (n) to (h) through (k):

(h) Climbing and passing lanes within the right of way existing as of July 1, 1987.

(i) Reconstruction or modification of public roads and highways, including the placement of utility facilities overhead and in the subsurface of public roads and highways along the public right of way, but not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result.

(j) Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed.

(k) Minor betterment of existing public road and highway related facilities such as maintenance yards, weigh stations and rest areas, within right of way existing as of July 1, 1987, and contiguous public-owned property utilized to support the operation and maintenance of public roads and highways.

⁸ OAR 660-012-0065 (Transportation Improvements on Rural Lands); (1) *This rule identifies transportation facilities, services and improvements which may be permitted on rural lands consistent with Goals 3, 4, 11, and 14 without a goal exception.*

Table 5: TPR Implementation	
TPR Requirement	Preliminary Recommendations
(b) To the extent, if any, that a transportation facility, service, or improvement concerns the application of a comprehensive plan provision or land use regulation, it may be allowed without further land use review if it is permitted outright or if it is subject to standards that do not require interpretation or the exercise of factual, policy or legal judgment.	
(c) In the event that a transportation facility, service or improvement is determined to have a significant impact on land use or requires interpretation or the exercise of factual, policy or legal judgment, the local government shall provide a review and approval process that is consistent with 660-012-0050. To facilitate implementation of the TSP, each local government shall amend regulations to provide for consolidated review of land use decisions required to permit a transportation project.	See review of Procedures Ordinance (Table 3) for suggested changes to procedures.
(2) Local governments shall adopt land use or subdivision ordinance regulations, consistent with applicable federal and state requirements, to protect transportation facilities corridors and sites for their identified functions. Such regulations shall include:	
(a) Access control measures, for example, driveway and public road spacing, median control and signal spacing standards, which are consistent with the functional classification of roads and consistent with limiting development on rural lands to rural uses and densities;	As noted in Table 2, the Land Divisions Ordinance is inconsistent with the City’s adopted Transportation System Plan. The regulations should reference updated street classifications and mobility and access management standards in the TSP.
(b) Standards to protect the future operations of roads, transitways and major transit corridors	Add TIS requirements to the administrative provisions of the code, including provisions addressing applicability, study requirements, approval criteria, and conditions of approval.
(c) Measures to protect public use airports by controlling land uses within airport noise corridors and imaginary surfaces, and by limiting physical hazards to air navigation;	There are no public use airports in La Pine, therefore this requirement is not applicable.
(d) A process for coordinated review of future land use decisions affecting transportation facilities, corridors or sites;	Consider requiring that ODOT and applicable transportation facilities and services agencies be invited to participate in the pre-application conferences for land divisions. Code should specify conditions when

Table 5: TPR Implementation	
TPR Requirement	Preliminary Recommendations
	applications will be reviewed by ODOT and applicable transportation facilities and services agencies in review procedures (DBZO Section 10.025).
(e) A process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities, corridors or sites;	The City should consider adding more global language about the authority to apply conditions, particularly those related to protecting transportation facilities.
(f) Regulations to provide notice to public agencies providing transportation facilities and services, MPOs, and ODOT of: (A) Land use applications that require public hearings; (B) Subdivision and partition applications; (C) Other applications which affect private access to roads; and (D) Other applications within airport noise corridor and imaginary surfaces which affect airport operations.	See response to -0045(2)(d).
g) Regulations assuring amendments to land use designations, densities, and design standards are consistent with the functions, capacities and performance standards of facilities identified in the TSP.	See response related to traffic impact study requirements, TPR Section -0045(2)(b), and to plan and land use regulation amendments, TPR Section -0060.
(3) Local governments shall adopt land use or subdivision regulations for urban areas and rural communities as set forth below. The purposes of this section are to provide for safe and convenient pedestrian, bicycle and vehicular circulation consistent with access management standards and the function of affected streets, to ensure that new development provides on-site streets and accessways that provide reasonably direct routes for pedestrian and bicycle travel in areas where pedestrian and bicycle travel is likely if connections are provided, and which avoids wherever possible levels of automobile traffic which might interfere with or discourage pedestrian or bicycle travel.	
(a) Bicycle parking facilities as part of new multi-family residential developments of four units or more, new retail, office and institutional developments, and all transit transfer stations and park-and-ride lots.	Consider adding bicycle parking requirements for new multi-family residential developments, retail, office and institutional developments, and all transit transfer stations and park-and-ride lots.

Table 5: TPR Implementation	
TPR Requirement	Preliminary Recommendations
<p>(b) On-site facilities shall be provided which accommodate safe and convenient pedestrian and bicycle access from within new subdivisions, multi-family developments, planned developments, shopping centers, and commercial districts to adjacent residential areas and transit stops, and to neighborhood activity centers within one-half mile of the development. Single-family residential developments shall generally include streets and accessways. Pedestrian circulation through parking lots should generally be provided in the form of accessways.</p> <p>(A) "Neighborhood activity centers" includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops or employment centers;</p> <p>(B) Bikeways shall be required along arterials and major collectors. sidewalks shall be required along arterials, collectors and most local streets in urban areas except that sidewalks are not required along controlled access roadways, such as freeways;</p> <p>(C) Cul-de-sacs and other dead-end streets may be used as part of a development plan, consistent with the purposes set forth in this section;</p> <p>(D) Local governments shall establish their own standards or criteria for providing streets and accessways consistent with the purposes of this section. Such measures may include but are not limited to: standards for spacing of streets or accessways; and standards for excessive out-of-direction travel;</p> <p>(E) Streets and accessways need not be required where one or more of the following conditions exist:</p> <p>(i) Physical or topographic conditions make a street or accessway connection impracticable. Such conditions include but are not limited to freeways, railroads, steep slopes, wetlands or other bodies of water where a connection could not reasonably be provided;</p> <p>(ii) Buildings or other existing development on adjacent lands physically preclude a connection now or in the future considering the potential for redevelopment; or</p> <p>(iii) Where streets or accessways would violate provisions of leases, easements, covenants, restrictions or other agreements existing as of May 1, 1995, which preclude a required street or accessway connection.</p>	<p>See comments regarding block length in Table 2. Also, consider the following:</p> <ul style="list-style-type: none"> - Pedestrian and bicycle access and circulation – The TSP should provide the policy framework and standards for transportation improvements, including pedestrian and bicycle facilities. Consider developing and adopting a new code section establishing standards for pedestrian and bicycle circulation for site development. References to the TSP should be included in existing land division provisions and the potential new site development section. - Accessways –Specify conditions under which accessways shall be provided, e.g. connecting cul-de-sacs to neighboring streets, preventing out-of-direction travel, providing access through long blocks. - Parking lots – Require accessways for pedestrians through parking lots over a certain size in off-street parking regulations. - Exceptions for streets and accessways – Add conditions such as physical and environmental constraints, existing development, and legal agreements that may be the basis for exceptions to providing streets and accessways according to standards.

Table 5: TPR Implementation	
TPR Requirement	Preliminary Recommendations
(c) Off-site road improvements are otherwise required as a condition of development approval, they shall include facilities accommodating convenient pedestrian and bicycle and pedestrian travel, including bicycle ways on arterials and major collectors	See response related to conditions of approval, TPR Section -0045(2)(e).
(e) Internal pedestrian circulation within new office parks and commercial developments shall be provided through clustering of buildings, construction of accessways, walkways and similar techniques.	See response related to pedestrian/bicycle facilities and accessways, TPR Section -0045(3)(b).
(6) In developing a bicycle and pedestrian circulation plan as required by 660-012-0020(2)(d), local governments shall identify improvements to facilitate bicycle and pedestrian trips to meet local travel needs in developed areas. Appropriate improvements should provide for more direct, convenient and safer bicycle or pedestrian travel within and between residential areas and neighborhood activity centers (i.e., schools, shopping, transit stops). Specific measures include, for example, constructing walkways between cul-de-sacs and adjacent roads, providing walkways between buildings, and providing direct access between adjacent uses.	<p>Consider the following to improve development regulations related to this TPR requirement include:</p> <ul style="list-style-type: none"> - Walkways between cul-de-sacs and adjacent roads – See response and recommendations related to accessways and cul-de-sacs. - Walkways between buildings – See response and recommendations related to pedestrian/bicycle facilities and accessways. - Access between adjacent uses – See response and recommendations related to accessways.
(7) Local governments shall establish standards for local streets and accessways that minimize pavement width and total ROW consistent with the operational needs of the facility. The intent of this requirement is that local governments consider and reduce excessive standards for local streets and accessways in order to reduce the cost of construction, provide for more efficient use of urban land, provide for emergency vehicle access while discouraging inappropriate traffic volumes and speeds, and which accommodate convenient pedestrian and bicycle circulation. Notwithstanding section (1) or (3) of this rule, local street standards adopted to meet this requirement need not be adopted as land use regulations.	As noted in Table 2, street standards in the City’s land division provisions should be made consistent with the standards in the TSP.
OAR 660-12-0060	

Table 5: TPR Implementation

TPR Requirement	Preliminary Recommendations
Amendments to functional plans, acknowledged comprehensive plans, and land use regulations that significantly affect an existing or planned transportation facility shall assure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility.	Consider including criteria regarding effects on transportation facilities and compliance with the TPR Section -0060.

MEETING RECAP

LA PINE CODE ASSISTANCE PROJECT

PMT Meeting #3 (Task 3.2)

Wednesday, August 16, 2017, 1:30 – 3:30 PM

Teleconference

1. Review Final Evaluation Memorandum (Task 2.4)

- PMT discussed revisions to downtown study area map to identify the east-west side streets as potential downtown corridors, emphasize their importance in bringing traffic off Hwy 97 and connecting Morson and Huntington. Determining how regulations apply to these corridors (such as whether ground floor housing is permitted) will be important.
- Decision to update the study area map in the Draft Action Plan to show side streets, but leave as-is in the Final Evaluation Memo.

2. Review Draft Action Plan* (Task 3.1)

- Comp Plan Updates:
 - PMT agreed no comp plan amendments needed to address (1) neighborhood commercial and (2) off-street trails. Code amendments in support of these goals may be needed, however. PMT agreed with recommended comp plan updates to address housing options and downtown.
 - New Comp Plan update suggested to improve the overall “purpose statements” for the zoning code. See notes below under Article 1.
- Article 1 – General Provisions: PMT agreed that a minor comp plan update was warranted to ensure overall land use policies reflect smart development principles. These policy statements will be used to replace the current purpose statements in the Zoning Ordinance.
- Article 2 – No comments.
- Article 3 – Land Use Districts:
 - PMT discussed the organizational structure of this Article. APG’s preliminary recommendation is one chapter per zoning district, with a consistent format. This structure and format may shift as a result of the code-writing process.
 - Add a note to identify and amend any development standards in zoning districts that may be a barrier to neighborhood commercial development.
 - Move the Transitional Areas zone to Article 4 – Overlay Zones.
- Article 4 – Overlay Zones
 - PMT agreed to remove “plan districts” as separate type of zone for the sake of simplicity and accuracy (not all recommended plan districts have plans associated with them).
- Article 5 – General Design and Development Standards

- Add note to identify and amend any off-street parking standards that are a barrier to neighborhood commercial development.
- Buffering/screening requirements: add note to consider a graduated system that allows for small buffer area for more effective screening (such as a berm or wall). Require vegetation wherever blank walls are used. Do not permit chain link fences without slats or vegetation.
- Article 6 – Special Use Standards
 - Remove reference to “needed housing” and replace with “all housing”.
- Article 7 – Procedures
 - Add a note to ensure that all timeframes and deadlines are consistent with State law.
- Article 8 – Applications
 - Add a “Zoning Permit” application
- Article 9 – Land Divisions: no comments

3. Prepare for PC Worksession #1 (Task 2.5)

- Date set for 9/22, packets to be sent out 9/14
- PMT agreed that a minimum of 2-hour work session is appropriate
- Format will be informal, allow for plenty of discussion
- APG to deliver short PowerPoint presentation to set the stage (goals for the meeting, phase of project).
- APG to prepare an executive summary of the Draft Action Plan. It will summarize the key recommendations, provide an overview of the organization of the code, and propose some focus questions for the PC to consider.

4. Next Steps

- 4.1 Revised Draft Action Plan: APG to revise with suggestions from this meeting, any written comments, and add executive summary for PC work session.
- 3.3 Joint CC/PC Work Session #1 (2nd Wed)
 - Tentatively planned for 10/11
 - PC will introduce the project to CC, endorse recommendations.
- 4.2 PMT Meeting #4
- 4.3 Final Action Plan
- 4.4 City Council Meeting #1 (2nd Wed)
 - Tentatively planned for 11/15
 - City Council will pass motion/resolution to endorse the action plan3
- 4.5 Title VI Report

Executive Summary of Draft Action Plan

BACKGROUND

The La Pine Code Update is a City initiative to improve the regulations that guide new development in the City. The goal of the project is to update La Pine’s land use ordinances to help create a vibrant, multi-modal downtown and to improve overall functionality of the land use process. Completing an Action Plan is the final step in Phase 1 of the project. The Action Plan establishes the initial parameters for potential code amendments in Phase 2 (i.e., what’s on the table for consideration).

The Draft Action Plan includes two types of recommended amendments:

- **Organizational or “Policy-Neutral”** recommendations are intended to result in a more user-friendly and logical organization of the code regulations. The updates are “policy-neutral” because they are *not intended to change the outcome* of the regulation.
- **Content** recommendations are intended to *change the outcome* of the regulation on land use and development, such as changes in permitted uses, development standards, or design requirements.

Some of the key recommendations in the Draft Action Plan are summarized below. Your input will help us go from the **Draft** Action Plan to the **Final** Action Plan.

ORGANIZATIONAL RECOMMENDATIONS

1. Unified Development Code

The existing land use ordinances are made up of multiple ordinances that cannot be consolidated into a single document and are not organized in a logical manner. The new code will be a unified development code that will organize and clarify the existing regulations.

A preliminary structure of the development code is presented below:

- Article 1. General Provisions*
- Article 2. Definitions and Use Categories*
- Article 3. Land Use Districts*
- Article 4. Overlay Zones and Plan Districts*
- Article 5. General Development and Design Standards*
- Article 6. Special Use Standards*
- Article 7. Review Procedures*
- Article 8. Applications*
- Article 9. Land Divisions*

Within each Article, the code would be organized into a consistent hierarchy of Chapters and Sections. An intuitive and consistent numbering system will be established to make cross-referencing easy and efficient.

CONTENT RECOMMENDATIONS

2. Downtown Overlay District

The existing land use ordinances include many auto-oriented uses and development standards for the downtown area. We recommend a set of new regulations to promote a pedestrian-friendly, Main Street environment. The new standards would regulate:

- Building orientation
- Setbacks and entrance location
- Window or “glazing”
- Weather protection canopies
- Parking requirements
- Architectural design standards or guidelines



The new standards would be included in a Downtown Overlay District. The overlay would cover a portion of the existing Traditional Commercial (TC) zone. The specific boundaries of the Overlay District are not yet defined, but the area under consideration includes the Huntington Road and Morson Street corridors from Victory Way south to US 97.

ORGANIZATIONAL RECOMMENDATIONS

3. Use Categories

The existing land use ordinances present long lists of uses that are not all clearly defined and cross-references use regulations across zoning district chapters. The lack of clear definitions, inconsistent terms, and cross-referencing make the use regulations difficult to understand.

The new code will define standard use categories and be organized into a standard table format, as presented below. The same use categories and table will be included in each zoning district. Clear and detailed definitions will be provided for each use category, making it easy and efficient to determine which category a use is classified into.

Example Use Table (selected us categories)

USE CATEGORY	STATUS	NOTES/LIMITATIONS
Retail Sales and Service	P (L)	See section 10.120
Commercial Recreation	P	
Office	C (L)	See section 10.140
Manufacturing and Production	N	
Industrial Service	C	

5. Applications and Procedures

The existing land use ordinances define application and procedural requirements in multiple sections; however, they are not organized logically, and also should be updated to ensure compliance with state requirements.

The new code would organize this information in two discrete articles: “Procedures” and “Applications.”

- Procedures would be classified based on the widely used Type I-IV system.
 - Type I – non-discretionary staff decisions that can be made without any public notice
 - Type II – discretionary decisions made by staff that require public notice and an opportunity to appeal
 - Type III – discretionary decisions that require notice and a public hearing
 - Type IV – legislative decisions
- Each application would then be assigned to a procedure type to ensure clarity and reduce redundancy throughout the code.

CONTENT RECOMMENDATIONS

4. Residential Uses and Standards

The La Pine Comprehensive Plan recognizes the need for a variety of housing types; however, the residential zones in the existing zoning ordinance does not include regulations for some housing types and prescribes some standards which may prohibit development of permitted and desirable housing types.

The new code will include use regulations for the full range of housing types and adopt development standards for each type. These types include single-family detached, multi-family (apartments or condominiums), residential mixed-use development, duplexes or triplexes, townhomes, cottage cluster housing, “tiny homes” and accessory dwelling units.



6. Smart Development Principles

The existing land use ordinances include some regulations that are not consistent with smart development principles and current best practices as recommended by the TGM program. A few examples include vehicle and bicycle parking standards, buffering and screening requirements, and street and block design.

The code will be assessed for opportunities to align regulations with TGM’s smart development principles in a way that works for the City of La Pine. These principles include:

- Efficient use of land and energy resources
- Full use of urban services
- Mixed use development
- Transportation options
- Detailed, human-scaled design



L A P I N E
O R E G O N

City of La Pine
Land Use Code Update

PLANNING COMMISSION MEETING

SEPTEMBER 20, 2017



Angelo
planning group

Project Objectives

PHASE 1 - **Evaluate** La Pine's land use ordinances to identify:

- Regulations that support a **vibrant and walkable downtown**
- Improvements to the overall **efficiency, reliability and user-friendliness** of the land use ordinances (Zoning, Land Division, Procedures, etc.)

PHASE 2 – **Implement** the recommendations of Phase 1

The City was awarded a grant from the Transportation and Growth Management (TGM) program, a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD)



Tonight's Agenda

Discuss the Draft Action Plan!

What's an Action Plan?

What is an Action Plan?

- Identifies potential amendments “in concept” – not final language
- Directs the Phase 2 “Scope of Work”
 - The set of amendments we will start with



DON'T PANIC

- Including something in the Action Plan doesn't mean it will automatically be adopted in the code
- There will be many opportunities to review amendments in Phase 2



What is an Action Plan?

- The Draft Action Plan is based on what we've learned so far:
 - Final Evaluation Memorandum
 - Stakeholder Interviews, PC Work Session #1, and Project Objectives
- PC and CC input guide the Final Action Plan
- CC approves the Final Action Plan and asks TGM to fund Phase 2
- During Phase 2:
 - Prepare Draft Amendments
 - Review with the community and decision-makers
 - Hearings and adoption



What's in the La Pine Draft Action Plan?

Plan Amendments

- Housing types and residential density policies
- Updated land use policies to encourage compact urban form, mixed use and pedestrian-friendly design
- New downtown policies



Cottage Housing

La Pine Unified Development Code

Two Types of Recommendations

ORGANIZATIONAL / POLICY-NEUTRAL

Intended to result in a more user-friendly and logical organization of the code regulations.

The updates are “policy-neutral” because they are **not intended to change the outcome** of the regulation.

CONTENT

Intended to **change the outcome** of the regulation on land use and development, such as changes in permitted uses, development standards, or design requirements.

User-Friendly Code

- Current order of chapters and sections is confusing
- Ordinances can't be incorporated into a single document
- Reorganizing and clarifying the existing zones and regulations will make code easier to use for everyone

Article 1. General Provisions

Article 2. Definitions and Use Categories

Article 3. Land Use Districts

Article 4. Overlay Zones and Plan Districts

Article 5. General Development and Design Standards

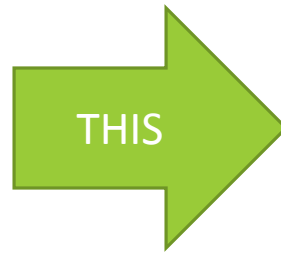
Article 6. Special Use Standards

Article 7. Review Procedures

Article 8. Applications

Article 9. Land Divisions

Use Classifications



USE CATEGORY	STATUS	LIMITATIONS AND REFERENCES
RESIDENTIAL USE CATEGORIES		
Household Living	P (L)	See Housing Types, Table XX-X.
Group Living	C	
COMMERCIAL USE CATEGORIES		
Commercial Lodging	P	
Commercial Recreation	P/C	Conditional use required for golf courses, all other uses permitted outright.
Commercial Parking	N	
Durable Goods Sales	C (L)	Limited to home improvement stores.
Eating and Drinking Establishments	P (L)	No drive-throughs permitted.
Office	P	
Quick Vehicle Servicing	C	Subject to special use regulations, see section XX.XXX.
Retail Sales and Services	P	
Vehicle Repair	N	
INDUSTRIAL USE CATEGORIES		
Industrial Services	N	
Manufacturing and Production	P (L)	Limited to artisanal manufacturing, see section XX.XXX.
Solid Waste Treatment and Recycling	N	
Vehicle Storage	N	
Warehouse and Freight Movement	N	
Wholesale Sales	C	
INSTITUTIONAL USE CATEGORIES		
Colleges and Universities	P	
Community Services	P	
Medical Centers	C	
Major Assembly Facilities	C	Subject to special use regulations, see section XX.XXX.
Schools	P	
INFRASTRUCTURE AND UTILITIES USE CATEGORIES		
Basic Utilities	P	
Parks and Open Space	P	
Public Safety Facilities	C (L)	Limited to fire station.
Telecommunications Facilities	C	Subject to special use regulations, see section XX.XXX.

Use Classifications



C Traditional Commercial Zone	
<p><u>Principal uses</u></p> <p>Retail sales and/or product service, including auto sales/service establishments, including auto related sales/services</p> <p>Public, non-commercial parks & recreation</p> <p>Eating & drinking establishments</p> <p>Personal & health service establishments such as Health clubs and training</p> <p>Business, professional &, government offices</p> <p>Hotels and lodging</p> <p>Transit Facilities</p> <p>Commercial recreational uses</p> <p>Multi-family dwellings</p> <p>Veterinary clinic</p> <p>Public, non-commercial parks & recreation</p> <p>Public & private schools</p> <p>Residential Care Facilities & nursing homes</p> <p>Family day care home, group day care home</p> <p>Churches</p> <p>Cemeteries</p> <p>Bed & breakfast establishments</p> <p>Clubs and lodges</p> <p>Government buildings & services</p> <p>Forestry activities, including but not limited to timber harvesting</p> <p>Essential services</p> <p>Day care centers</p> <p>Funeral homes</p>	<p><u>Conditional Uses</u></p> <p>Single-family dwellings (701.1)</p> <p>Parking lots not associated with a principal use</p> <p>Any use that emits fumes or noxious odors such as paint booths, refinishing, sand blasting, food processing, animal processing, tanneries, composting, and the like</p> <p>Any use that requires a DEQ air quality permit</p> <p>Any use that emits noise beyond 20 dB</p> <p><u>Accessory uses</u></p> <p>Garage, storage shed, swimming pool</p> <p>Home occupation & home-based business</p> <p>Shelter for domestic pets</p> <p>Other clearly incidental & subordinate uses</p>

Residential Uses & Standards

- Update residential uses and standards to allow for a wide range of housing types including:
 - single-family detached
 - multi-family dwellings
 - duplexes
 - townhomes
 - cottage cluster housing
 - “tiny homes”
 - accessory dwelling units



Smart Development

- Update development standards in all zones based on smart development principles:
 - Parking for bikes and cars
 - Buffering and screening
 - Street design and blocks (connectivity)

TGM and Smart Development Principles

- Efficient use of land and energy resources
 - Compact development patterns & infill
 - Appropriate parking standards
- Full use of urban services
 - Efficient use of public utilities and infrastructure
- Mixed use development
 - Services, homes, shops and restaurants in close proximity
- Transportation options
 - Safe and convenient for walking, biking and driving
- Detailed, human-scaled design
 - Efficient use of public utilities and infrastructure

New Downtown Overlay

- Design standards:
 - Building orientation
 - Setbacks and entrance locations
 - Window or “glazing”
 - Canopies, awnings, or other forms of protection from sun and rain
 - Parking requirements
 - Architectural design standards or guidelines



Simplify Procedures and Applications

- Reorganized for ease of use
- Updated to ensure compliance with state requirements
- Procedures would be classified using Type I-IV system
- Each Application would be assigned to a procedure type
 - Remove redundancy
 - Consistent information

Type I – non-discretionary staff decisions without notice

Type II – discretionary staff decisions with public notice and an opportunity to appeal

Type III – discretionary decisions with notice and a public hearing

Type IV – legislative decisions

Questions / Discussion

The Action Plan establishes the initial parameters for potential code amendments in Phase 2 (i.e., what's on the table for consideration)

1. Are there any issues that you feel should be deleted from the Action Plan and not be included in Phase 2?
2. Are there issues that we missed?
3. Are there types of residential development that you think might be particularly important to La Pine in the future and need extra focus in Phase 2?
4. Do you have any suggestions for how the Smart Development principles might be “customized” for La Pine?
5. The “study area” for the new Downtown Overlay may be bigger than the area where new regulations will apply. Do you have any initial thoughts about the boundary? Is it ok to leave the “study area” larger?

Thank You!

❖ City contact info:



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MEETING RECAP

LA PINE CODE ASSISTANCE PROJECT

Planning Commission Work Session #1 (Task 2.5)

Wednesday, September 20, 2017, 5:30-8:00pm

La Pine Council Chambers

1. Presentation: Summary of Draft Action Plan

- APG staff provided a brief overview of the purpose and content of the Draft Action Plan, which was circulated to the Planning Commission (PC) prior to the meeting. The presentation is included as Attachment 1 to this meeting recap.

2. Discussion Questions and Summary

- APG facilitated a discussion of the Draft Action Plan. The discussion focused on the following questions to the Commission (bolded below).
- **Are there any issues that you feel should be deleted from the Action Plan and not be included in Phase 2?**
 - The PC did not identify any issues that should not be included in the Action Plan. The PC had suggestions for how to approach some issues; these suggestions are summarized below.
- **Are there issues that we missed?**
 - The PC asked for clarification on how the code updates would relate to the City's urban renewal plan. APG and city staff explained that urban renewal can help incentivize development/redevelopment/renovations that implement the goals of the code update, but the code establishes the standards to guide these changes.
 - The PC emphasized that the downtown overlay needed to consider how parking will be managed. Availability of parking is an important issue. APG/staff explained that on-street parking will generally be feasible, but any changes to parking requirements will consider the supply of parking throughout the district.
 - The PC generally concluded that design standards/guidelines for the downtown can build upon the more general "Cascadia" aesthetic, rather than creating an entirely new or unique style. Thus, an architect may not be necessary as part of Phase 2 of the code update.
 - The PC discussed another potential opportunity for a commercial district plan/code update centered on the Wikiup Junction area. The PC agreed that this area would need a district plan to define goals for the area before any code updates; therefore, code updates are not in scope for this project.
 - City staff noted that the Master Plan Residential (MRP) zone chapter does not include a map of the subareas within the zone. APG will include digitizing a paper version of the map as part of Action Plan recommendations.

- **Are there types of residential development that you think might be particularly important to La Pine in the future and need extra focus in Phase 2?**
 - PC agreed that multi-family housing and townhomes will be in demand and the City should adopt specific standards for these housing types.
 - PC generally agreed that “cottage cluster” housing would be appropriate in some, if not all, residential areas. The PC recognized that this type of housing may be attractive as it fits into single-family areas, may provide a sense of community, and offers some of the benefits of a detached single-family home.
 - Tiny homes were discussed in relation to the City’s existing regulations of mobile homes and recreational vehicles. As identified in the Draft Action Plan, this code section is unclear and may be difficult to enforce, so it needs to be clarified as part of the update. PC agreed that tiny homes may be in demand, are a viable housing type, and the regulations governing manufactured dwellings and mobile homes should also provide clear regulations for tiny homes.
 - The PC agreed the Accessory Dwelling Units (ADUs) are an important housing type, and the code update should reconsider the City’s existing standards related to ADUs. The PC generally supported amending the code to make it easier to develop ADUs, with reasonable limitations to mitigate impacts on neighbors. APG/staff also noted that the code update would need to consider any new requirements as a result of the passage of Senate Bill 1051.
 - The PC discussed the potential need for an additional very low density single-family residential zone district in the City that would apply to neighborhoods that have sewer and water constraints and are semi-rural in character. The areas near Cagle Road were provided as an example. Some housing types considered above may not be permitted in this zone or the development standards that regulate the housing types may differ. APG cautioned that the creation of a very low density residential zone may not be funded by the TGM program as part of Phase 2, but that the City can identify their interest in it by including it in the Action Plan. Additionally, APG/staff would need to consider if the level of planning/public involvement necessary for this type of update can be included in the project scope.
- **The “study area” for the new Downtown Overlay may be bigger than the area where new regulations will apply. Do you have any initial thoughts about the boundary? Is it ok to leave the “study area” larger?**
 - The PC did not have any concerns about the size of the study area. There was some discussion about how far north the regulations should extend. APG recommended keeping the study area as it is mapped and considering either adjusting the overlay boundary or modifying the regulations within the overlay to account for some variation in the character/goals for new development.

3. Next Steps

- 3.3 Joint CC/PC Work Session #1 (2nd Wed)
 - Planned for 10/11
 - Three key changes to draft Action Plan recommended by the PC will be included in the presentation:
 - Include developing standards and guidelines to implement the Cascadia design style
 - Include in the code a clean (GIS) version of map for Newberry neighborhood showing adopted district boundaries within the neighborhood.
 - Include a range of residential zones, including very low density residential zoning district for areas which have sewer and water constraints.
 - PC will help introduce the project to CC, endorse recommendations of the Draft Action Plan.
- 4.2 PMT Meeting #4
- 4.3 Final Action Plan
 - Feedback from the CC and PC will be incorporated into the Action Plan.
- 4.4 City Council Meeting #1 (2nd Wed)
 - Tentatively planned for 11/15
 - City Council will pass motion/resolution to endorse the Action Plan
- 4.5 Title VI Report

Summary prepared by Jamin Kimmell, 9/25/2017



L A P I N E

O R E G O N

City of La Pine Land Use Code Update

CITY COUNCIL / PLANNING COMMISSION JOINT WORKSESSION

OCTOBER 11, 2017



Angelo
planning group

Project Objectives

PHASE 1 - **Evaluate** La Pine's land use ordinances to identify:

- Regulations that support a **vibrant and walkable downtown**
- Improvements to the overall **efficiency, reliability and user-friendliness** of the land use ordinances (Zoning, Land Division, Procedures, etc.)

PHASE 2 – **Implement** the recommendations of Phase 1

The City was awarded a grant from the Transportation and Growth Management (TGM) program, a joint effort of the Oregon Department of Transportation (ODOT) and the Department of Land Conservation and Development (DLCD)



Community Involvement

- Stakeholder interviews (9 participants)
 - June 21 through June 30
 - Input on development strengths and barriers in La Pine
- Planning Commission Worksession #1
 - June 21
 - General direction and priorities for future code amendments
- Planning Commission Worksession #2
 - September 20
 - Review of the Draft Action Plan
 - Preliminary recommendations for additions

Tonight's Agenda

Discuss the Draft Action Plan!

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What is an Action Plan?

- Identifies potential amendments “in concept” – not final language
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 - The set of amendments we will start with



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Cottage Housing

La Pine Unified Development Code

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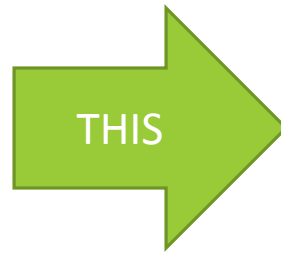
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Article 8. Applications

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Use Classifications



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Schools	P	
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Basic Utilities	P	
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Use Classifications



C Traditional Commercial Zone	
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Residential Uses & Standards

- Update residential uses and standards to allow for a wide range of housing types including:
 - single-family detached
 - multi-family dwellings
 - duplexes
 - townhomes
 - cottage cluster housing
 - “tiny homes”
 - accessory dwelling units



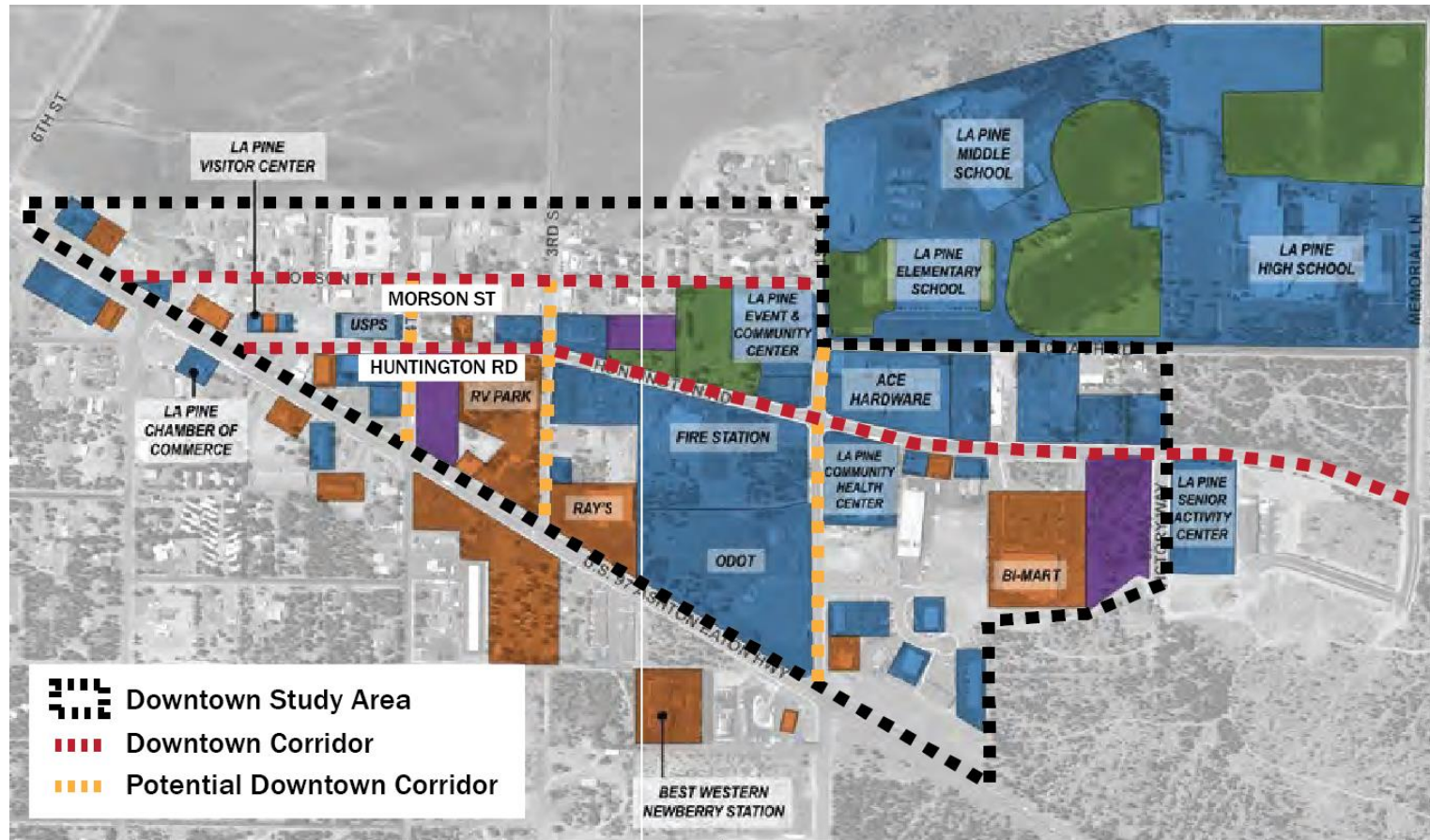
Smart Development

- Update development standards in all zones based on smart development principles:
 - Parking for bikes and cars
 - Buffering and screening
 - Street design and blocks (connectivity)

TGM and Smart Development Principles

- Efficient use of land and energy resources
 - Compact development patterns & infill
 - Appropriate parking standards
- Full use of urban services
 - Efficient use of public utilities and infrastructure
- Mixed use development
 - Services, homes, shops and restaurants in close proximity
- Transportation options
 - Safe and convenient for walking, biking and driving
- Detailed, human-scaled design
 - Efficient use of public utilities and infrastructure

New Downtown Overlay Study Area



New Downtown Overlay

- Design standards:
 - Building orientation
 - Setbacks and entrance locations
 - Window or “glazing”
 - Canopies, awnings, or other forms of protection from sun and rain
 - Parking requirements
 - Architectural design standards or guidelines



Simplify Procedures and Applications

- Reorganized for ease of use
- Updated to ensure compliance with state requirements
- Procedures would be classified using Type I-IV system
- Each Application would be assigned to a procedure type
 - Remove redundancy
 - Consistent information

Type I – non-discretionary staff decisions without notice

Type II – discretionary staff decisions with public notice and an opportunity to appeal

Type III – discretionary decisions with notice and a public hearing

Type IV – legislative decisions

PC Recommended Additions

- Standards and guidelines to implement the “Cascadian” design style for Downtown
- New GIS version of map for Newberry neighborhood
- Range of residential zones, including very low density residential zoning district for areas which have sewer and water constraints



Cascadian Style

Inspiration
from
“Oregon
Rustic” and
“Craftsman” styles



Elements of the Oregon Rustic Style

Cascadian Style

Inspiration
from
“Oregon
Rustic” and
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Elements of the Craftsman Style

Questions / Discussion

The Action Plan establishes the initial parameters for potential code amendments in Phase 2 (i.e., what's on the table for consideration)

1. Are there any issues that you feel should be deleted from the Action Plan and not be included in Phase 2?
2. Are there issues that we missed?
3. Are there types of residential development that you think might be particularly important to La Pine in the future and need extra focus in Phase 2?
4. Do you have any suggestions for how the Smart Development principles might be “customized” for La Pine?
5. The “study area” for the new Downtown Overlay may be bigger than the area where new regulations will apply. Do you have any initial thoughts about the boundary? Is it ok to leave the “study area” larger?

Thank You!

❖ City contact info:



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MEETING RECAP

LA PINE CODE ASSISTANCE PROJECT

Joint PC/CC Worksession #1 (Task 3.3)

Wednesday, October 11, 2017, 5:00-7:00pm

La Pine Council Chambers

1. Presentation: Summary of Draft Action Plan and PC Recommendations

- APG staff provided a brief overview of the purpose and content of the Draft Action Plan, which was circulated to the Planning Commission (PC) and City Council (CC) prior to the meeting. Three key changes to draft Action Plan recommended by the PC that were included in the presentation:
 - Include developing standards and guidelines to implement the Cascadia design style
 - Include in the code a clean (GIS) version of map for Newberry neighborhood showing adopted district boundaries within the neighborhood.
 - Include a wider range of residential zones, including very low density residential zoning district for areas which have sewer and water constraints, although APG noted that this might not be something that could be funded by the TGM program.
- The presentation is included as Attachment 1 to this meeting recap.

2. Summary of PC/CC Questions and Discussion

Who were the stakeholders? Cory listed the participants, noting that it was a diverse group.

What about an Overlay for Wickiup Junction? Cathy and Cory explained that an overlay for the Wickiup Junction area might be appropriate but that the first step was to prepare a plan or strategy for the area in order to understand the issues and desired outcomes.

PC Chair highlighted the benefits of the project including that the code clean-up will make the code easier to use, the downtown development area is going to shape La Pine, there is a need for standards for all types of housing.

Councilor Don Greiner had a number of specific comments on the recommendations in the Code Audit including: new driveways need to be long enough to hold pickup trucks without hanging over the sidewalk (e.g. 25'), the Light Industrial zone should be retained, make sure the amount of parking required is adequate, allow drive-up/pick up facilities in downtown, retain the requirement that the occupant of a temporary mobile homes must be a relative of the property owner, not sure about smaller block sizes, but should require pedestrian connections though cul-de-sacs. The group discussed Councilor Greiner's suggestions and generally agreed with him except that there were concerns about the requirement the occupant of a temporary mobile homes must be a relative of the property owner not being

enforceable or consistent with Fair Housing. The consensus was to allow temporary mobile homes in cases of hardship, but to focus on issues like septic tank capacity as a means of regulating the potential impact.

Councilor Don Greiner asked whether this applies to just the City? What about a future airport on BLM land adjacent to the City? Cathy and Cory clarified that the UDC would only apply within City limits. If the City is interested in advocating for an airport on adjacent unincorporated land that might be something to address when commenting on the County TSP.

The group had a good discussion regarding Cascadian design standards for downtown and whether these should be mandatory or guidelines. Overall the consensus was not to be too restrictive and to use urban renewal to help encourage the design elements, but to require some minimal amount (e.g., 4 out of 7 elements).

Overall the CC recognized the need for a unified development code and were excited about the opportunity.

3. PC/CC Recommendations for Final Action Plan

- Incorporate PC recommendations
 - Include developing standards and guidelines to implement the Cascadia design style
 - Include in the code a clean (GIS) version of map for Newberry neighborhood showing adopted district boundaries within the neighborhood.
 - Include a wider range of residential zones, including very low density residential zoning district for areas which have sewer and water constraints, although APG noted that this might not be something that could be funded by the TGM program.
- Clarify recommendation regarding Temporary Mobile Homes.
- Address minimum driveway length.
- Don't preclude drive-up/pick-up opportunities for restaurants.
- Remove recommendation to delete Light Industrial zone.

4. Next Steps

- 4.2 PMT Meeting #4
- 4.3 Final Action Plan
 - Feedback from the CC and PC will be incorporated into the Action Plan.
- 4.4 City Council Meeting #1 (2nd Wed)
 - Tentatively planned for 11/8
 - City Council will pass motion/resolution to endorse the Action Plan
- 4.5 Title VI Report

Summary prepared by Cathy Corliss, 10/17/2017

MEETING RECAP

LA PINE CODE ASSISTANCE PROJECT

PMT Meeting #4 (Task 4.2)

Thursday, November 2, 2017, 3:30 – 5:00 PM

Teleconference

1. Review “Task 4.1 Draft Final Action Plan 101917”

50 min

- APG clarified that the Final Action Plan will be formatted as a report, rather than a memo. PMT discussed appropriate format for report, including an acknowledgements page and cover page.
- PMT discussed appropriate content for Appendix C (previous deliverables). The appendix will include all written materials and presentations (final versions only), including meeting recaps.
- PMT discussed scope of proposed edits to the Comprehensive Plan. APG clarified that the scope will be limited to those changes needed to support development code updates. The project is not intended to include a broader evaluation of the Comprehensive Plan.
- PMT discussed the following items in the Action Plan:
 - Article 3 - Land Use Districts: Proposed low density residential zone. Creating a new, permanent zone may be outside the scope of this project and not supported by TGM. City may elect to fund this effort separately from the grant program. If not a permanent zone, other standards/regulations may be put in place (applied to existing zone) to ensure infrastructure is sufficient and to preserve opportunities for future infill.
 - Article 4 – Overlay Zones: Newberry Neighborhood. APG clarified that proposed edits this overlay are purely organizational (policy-neutral). PMT discussed potential for the sub-areas within this overlay to be converted to base zoning districts, for the sake of simplicity.
 - Article 6 – Special Use Standards. PMT discussed recommended edits to regulations pertaining to temporary mobile homes. The recommendation is to shorten timeframe for “temporary” occupancy and adopt clear standards to mitigate impacts on neighbors, in lieu of current requirement that occupant of mobile home be related to owner of primary dwelling.

PMT Meeting #4 (Task 4.2)

2. Discuss Staff report and CC action

20 min

- Staff report materials due to City by EOD Thursday, 11/9.
- PMT discussed options for formalizing City Council approval and endorsement of the action plan.
- A resolution is the more formal and official method of demonstrating approval, but the wording of the resolution is set in advance of the meeting and cannot be edited to reflect any revisions suggested by the Council.
- A motion would suffice to show endorsement and is more flexible because the wording is simply reflected in the meeting minutes.
- Laura agreed to provide an example of a resolution and Cory would follow-up with a decision on the best approach.

3. Discuss Title VI Report (Task 4.5)

10 min

- TGM will provide examples of past Title VI reports to be used as a model.
- The report will document how the recommendations for Phase 2 of the project will impact Environmental Justice communities.

4. Next Steps

10 min

- Timing of Phase 2 – due to the Federal funding constraints, Phase 2 of the project will need to conclude by August 31, 2018.
- If this deadline cannot be met, PMT discussed option of City taking the lead on the hearings and final adoption of the code amendments. APG's work (funded by grant) would not include participation in the adoption process, unless the City elected to fund this directly.
- The hearings/adoption may be included as a contingency task, so if timing permits that may be included.

Meeting Summary prepared by Jamin Kimmell, 11/13/17