



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

## Subdivision Application

**Fee \$ 4,000.00**  
**+\$50 per lot**

**File Number #** \_\_\_\_\_

Name of Subdivision: Park View

Number of Lots: 34

Applicant Name Sunriver La Pine Habitat for Humanity Phone 206.915.2424 Fax \_\_\_\_\_

Address 56835 Venture Lane, Ste 101-102

City Sunriver State OR Zip Code 97707

Email wadewatson@aol.com

Property Owner Sunriver La Pine Habitat for Humanity Phone 206.915.2424 Fax \_\_\_\_\_

Address same

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Email wadewatson@aol.com

### PROPERTY DESCRIPTION

Property Location (address, intersection of cross street, general area) \_\_\_\_\_

SE corner of Newberry Neighborhood Quadrant 2a

Legal Description: Tax Map & Lot Number(s) 2210110000401

Present Zoning RMP

Total Land Area \_\_\_\_\_ (Square Ft.) 5.02 (Acres)

Present Land Use undeveloped/vacant



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**PROJECT DESCRIPTION**

**Describe Project**

Quadrant plan and subdivision for the designation of the lot as the residential center district and a 34-lot townhome subdivision with associated infrastructure.

**PROFESSIONAL SERVICES**

Architect/Surveyor/Engineer Jennifer VanCamp, HHPR Phone 503.341.4487 Fax \_\_\_\_\_  
 Address 250 NW Franklin Ave City Bend State OR Zip 97703

Land Use Planner  
~~Builder or Agent~~ Tammy Wisco, Retia Consult Phone 210.896.3432 Fax \_\_\_\_\_  
 Address PO Box 831 City Bend State OR Zip 97709

Applicant: *Wade Watson* Date: 4/4/24  
 Signature

Owner/Agent: *Wade Watson* Date: 4/4/24  
 (Circle One) Signature

**If you are the authorized agent, please attach the letter of authorization signed by the owner.**  
**NOTE: This may not be a complete list of land use requirements. Dependent on the specifics of the proposal, additional information may be required after further review.**

**FOR OFFICE USE ONLY**

Date Received: \_\_\_\_\_  
 Rec'd By: \_\_\_\_\_  
 Fee Paid: \_\_\_\_\_  
 Receipt #: \_\_\_\_\_

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## **SUBMITTAL REQUIREMENTS**

### **Step 1: Tentative Plan Review**

The following information and material must be submitted by the applicant. Other information may be required in some cases.

- Application. The application must be signed by the owner(s) and include information requested on the application form. If the owner does not sign, then a letter of authorization must be signed by the owner for the agent.
- Title Report or subdivision guarantee.
- Application Fee.
- Burden of Proof Statement documenting compliance with approval criteria for Subdivisions
- A vicinity map.
- A trip generation letter. Additional traffic analyses may be required, based on the results of the trip generation estimates.
- N/A Supplemental information: All agreements with local governments that affect the land and proposed use of property.
- Tentative Plan. Three (3) copies of the tentative plan. The tentative plan should be on a sheet 18" x 24 inches. Standard engineering scales of 1 inch equals 10, 20, 30, 40, 50, or 60, 100 or 200 feet shall be used. Electronic copies of all documents shall be submitted.

The tentative plan must include:

- Identification of the drawing as a tentative plan for a subdivision.
- Adjacent property boundaries, property owners and abutting land uses.
- A north arrow, scale and date of map and property identified.
- Location of the property by section, township and range, and a legal description defining the location and boundaries of the proposed tract to be divided.
- Names, addresses, and telephone numbers of the property owner(s), applicant(s), the engineer or surveyor.



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- The date of the plan preparation.
- Existing and proposed streets and alleys: The locations, name, pavement widths, rights-of-way width, approximate radius of curves, and street grades.
- Postal box location(s): Centralized box units (CBUs) shall be shown on the site plan and installed by applicant/developer, and accompanied by a 'letter of confirmation' from the U.S. Post Office.
- Future streets: The pattern of future streets from the boundary of the property to include other tracts surrounding and adjacent to the property unless a future street plan has been adopted.
- Access: The locations and widths of existing and proposed access points along with any off-site driveways effected by the proposal.
- Easements: The locations, widths, and purposes of all existing and proposed easements on or abutting the property.
- Utilities: The location of all existing and proposed public and private sanitary sewers, water lines and fire hydrants on and abutting the property.
- Statement from each utility company proposed to serve the proposed subdivision stating that each such company is able and willing to serve the proposed subdivision as set forth in the tentative plan, and the conditions and estimated costs of such service. Each utility purveyor shall be noted on the tentative plan.
- Drainage Plan: The location of water drainage points on the property and grades necessary to prevent off-site drainage.
- Topography: Ground elevations shown by contour lines at two foot intervals for ground slopes less than 5% and at 5 foot intervals for ground slopes 5% or greater. Such elevations shall be related to an established bench mark or other acceptable engineering datum. Source of datum shall be indicated on the plan.
- Trees: All trees with a diameter of six inches or greater measured three feet above ground level.
- N/A Water Features: Irrigation canals, ditches & areas subject to flooding or ponding.
- N/A Other natural features (Rock outcroppings, canyon walls, etc.)
- Lot & parcel dimensions: Dimensions of existing and proposed lots and parcels.



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- Lot & parcel numbers: Parcel numbers for partitions and lot numbers and blocks for subdivisions.
- Lot and parcel size: All proposed sizes in either square feet or acres.
- Existing uses: Setback from all property lines and present uses of all structures.
- All tracts of land intended to be deeded or dedicated for public use.
- Overlay zones: The location and dimensions of any special district which is located on or abutting the property.
- Any Proposed deed restrictions or protective covenants, if proposed to be utilized for the proposed development.

**Step 2: Final Plat Application and Approval**

- Signatures Required. The final plat must be signed by the City Manager, City Public Works Director, the County Surveyor, and the County Assessor.
- Recording the Final Plat. Following City approval of the final plat, the replat shall be recorded by the **applicant** within two (2) years unless an extension request is filed by the applicant and approved by the City. Platting may not occur until required public improvements have been completed, inspected and accepted, or bonded and a Land Division Agreement recorded.
- Building permits. Building permits can only be issued after the plat is recorded and improvements have been completed, inspected and accepted unless otherwise approved. Public Works issues the final letter of completion when construction of all public improvements is accepted.
- Occupancy permit. Occupancy permits can only be issued after any required Public Improvements have been accepted by Public Works.



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**By signing, the undersigned certifies that he/she has read and understood the submittal requirements outlined above, and that he/she understands that omission of any listed item may cause delay in processing this application.**

**I (We) the undersigned acknowledge that the information supplied in this application is complete and accurate to the best of my (our) knowledge.**

Applicant: Wade Watson Date: 4/4/24  
Signature

Owner/Agent: Wade Watson Date: 4/4/24  
(Circle One) Signature

**If you are the authorized agent, please attach the letter of authorization signed by the owner.**  
**NOTE: This may not be a complete list of land use requirements. Dependent on the specifics of the proposal, additional information may be required after further review.**



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## **City of La Pine Land Division Code, Requirements for approval of tentative plat for a subdivision**

- (l) Requirements for approval. An outline development plan or a tentative plan for a subdivision shall not be approved unless it is found, in addition to other requirements and standards set forth by this chapter and other applicable City of La Pine ordinances, standards and regulations, that the following requirements have been met:
- (1) The proposed development is consistent with applicable goals, objectives and policies set forth by the City's Comprehensive Plan.
  - (2) The proposal is in compliance with the applicable zoning regulations applicable thereto.
  - (3) The proposal is in compliance with the design and improvement standards and requirements set forth in Section 10.0.0, or as otherwise approved by the city, or that such compliance can be assured by conditions of approval.
  - (4) The subdivision will not create an excessive demand on public facilities and services required to serve the proposed development, or that the developer has proposed adequate and equitable improvements and expansions to the facilities with corresponding approved financing therefore to bring the facilities and services up to an acceptable capacity level.
  - (5) The development provides for the preservation of significant scenic, archaeological, natural, historic and unique resources in accordance with applicable provisions of this chapter and the Comprehensive Plan.
  - (6) The proposed name of the subdivision is not the same as, similar to or pronounced the same as the name of any other subdivision in the city or within a six mile radius thereof, unless the land platted is contiguous to and platted as an extension of an existing subdivision. (ORS 92.090)
  - (7) The streets and roads are laid out so as to conform to an adopted Transportation System Plan for the area, and to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern.
  - (8) Streets and roads for public use are to be dedicated to the public without any reservation or restriction; and streets and roads for private use are approved by the city as a variance to public access requirements.
  - (9) Adequate mitigation measures are provided for any identified and measurable adverse impacts on or by neighboring properties or the uses thereof or on the natural environment.



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- (10) Provisions are made for access to abutting properties that will likely need such access in the future, including access for vehicular and pedestrian traffic, public facilities and services and utilities.
  
- (11) Provisions of the proposed development provide for a range of housing needs, particularly those types identified as needed or being in demand.



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**BEFORE THE CITY OF LA PINE PLANNING DIVISION**

**APPLICANT/  
OWNER** Habitat for Humanity of La Pine Sunriver, 56835 Venture Ln, Ste  
101-102, Sunriver, OR 97707

**ENGINEER:** HHPR, Jennifer VanCamp, PE, 250 NW Franklin, Ste 404, Bend,  
OR 97703

**LAND USE:** Retia Consult LLC, Tammy Wisco, PE, AICP, PO Box 831, Bend,  
OR 97709

**APPLICATION:** The Applicant requests approval of a quadrant plan within a portion  
of the Newberry Neighborhood Planning Area Neighborhood 2a  
and a subdivision to create 34 townhome lots.

**SUBJECT PROPERTY:** The subject property is located north of Findley Drive and west of  
Crescent Creek Drive. The subject property does not have an  
assigned address and is identified by map and tax lot  
2210110000401 on the County Assessor's Map.

**LIST OF EXHIBITS:** EXHIBIT A: Title Report  
EXHIBIT B: Deed  
EXHIBIT C: City of La Pine Water/Sewer Mapping  
EXHIBIT D: Fire Flow Test  
EXHIBIT E: Trip Generation Letter  
EXHIBIT F: Neighborhood Meeting Documentation  
EXHIBIT G: Will Serve Letters  
EXHIBIT H: Subdivision Name Approval

**PROJECT DESCRIPTION:**

**I. APPLICABLE STANDARDS AND CRITERIA:**

La Pine Code Title 10 – Development Code

Article 3 Zoning Districts

Chapter 15.20 – Residential Master Plan Zone

Article 4 Overlay Zones

Chapter 15.32 – Newberry Neighborhood Planning Area (NNPA) Overlay Zone

Article 5 Development Standards

15.88 Access and Circulation

15.90 Public Facilities

15.92 Additional Standards for Land Divisions

15.94 Improvement Procedures and Guarantees

Article 6 Special Use Standards

Chapter 15.104.020 – Townhomes

Article 7 Procedures

Chapter 15.202.050 – Neighborhood Contact

Article 9 Land Divisions

Chapter 15.406 – Subdivisions and Planned Unit Developments (PUD)

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## II. BASIC FINDINGS:

**LOCATION:** The subject site is located north of Findley Drive, between Huntington Road and Crescent Creek Drive. The subject property does not have an assigned address and is identified by map and tax lot 2210110000401 on the County Assessor's Map.

**ZONING:** The property is zoned and designated Residential Master Plan (RMP) and is overlaid by the Newberry Neighborhood Planning Area (NNPA) overlay zone. The area abutting the southern edge of the property is zoned and designated Open Space & Parks.

**PROPOSAL:** The Applicant requests approval of a quadrant plan designating the subject property as the residential center district for Neighborhood 2a and subdivision to create 34 townhome lots.

**SITE DESCRIPTION:** The subject property is within Quadrant 2a of the Newberry Neighborhood Planning Area (NNPA) and is currently a single parcel. The total size of the property is approximately 5.02 acres and is undeveloped. The property is generally level with existing trees and shrubbery.



**SURROUNDING LAND USES:** Properties to the north, east and south are also within the Newberry Neighborhood Planning Area. Quadrants 2b and 2c to the east and south are developed with residential uses, while the remainder of Quadrant 2a to the north is undeveloped. The southeast corner of Quadrant 2a abutting the subject property is zoned and utilized as Open Space/Parks. To the west across Huntington Road is forest-zoned land outside City limits and within Deschutes County jurisdiction.

III. **PROPOSED FINDINGS:**

**QUADRANT PLANNING**

**CHAPTER 15.32. NEWBERRY NEIGHBORHOOD PLANNING AREA (NNPA) OVERLAY ZONE**

**Sec. 15.32.010. Purpose.**

The neighborhood planning area provides standards and review procedures for development in the neighborhood planning area of the City of La Pine and is the "receiving area" for transferable development credits (TDCs). The neighborhood planning area includes six zoning districts, each with its own set of allowed uses.

**Sec. 15.32.020. General standards.**

A. *Water and wastewater facilities.*

1. All uses in the neighborhood planning area requiring water shall be connected to the La Pine City water system.
2. All uses in the neighborhood planning area that discharge wastewater shall be connected to the La Pine City sewage treatment facility or a department of environmental quality approved community waste water treatment facility serving the La Pine Neighborhood Planning Area.

**RESPONSE:** As designed in the submitted subdivision tentative plan, all proposed lots in the subdivision will be connected to the City water and sewer systems.

B. *Transportation.*

1. Two perimeter collector and three neighborhood collector roads will provide access from Huntington Road into the neighborhoods.
2. Crescent Creek Drive and a perimeter collector will provide access from Burgess Road. The three perimeter collectors dividing the neighborhoods will be adjacent to open space corridors that provide buffers between the four neighborhoods in the neighborhood planning area.

**RESPONSE:** These roads are existing. No new collectors are necessary with the proposed subdivision.

3. Driveway access will not be allowed onto Crescent Creek Drive and the neighborhood collectors.

**RESPONSE:** No driveways are proposed to connect to Crescent Creek Drive or Findley Drive. Rather, the proposed subdivision tentative plan includes the extension of local streets to serve as access to the proposed lots.

4. Rather than a continuous paved parking shoulder, parking in designated pullout areas can be provided along the collectors for access to open space, parks and residential lots.

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**RESPONSE:** Collectors adjacent to the project are already developed. This project does not include any modifications to the existing collectors, except to provide a connection to proposed local streets that are being extended as part of this project.

5. Direct access from residential lots onto the local streets and perimeter collectors is permitted.

**RESPONSE:** Driveways are proposed from residential lots to the proposed local east-west streets (Barron Drive and Masten Mill Drive), as permitted by this section.

6. Shallow vegetated swales alongside roads will provide for drainage.

**RESPONSE:** Three local streets are proposed: Masten Mill Drive, Barron Drive and Arnold Avenue. These streets are designed to meet City local street standards including a shallow swale for drainage adjacent to the pavement section.

7. A network of multi-use paths will be developed parallel to many of the collector roads, in open space buffer areas within the development, along Huntington Road, and along the eastern perimeter collector parallel to Highway 97 or within the Highway 97 right-of-way, if sufficient right-of-way exists and ODOT authorizes the construction of a multi-use path in its right-of-way.

**RESPONSE:** Collectors adjacent to the project are already developed. This project does not include any modifications to the existing collectors, except to provide a connection to proposed local streets that are being extended as part of this project. Further, the subject property does not abut Huntington Road nor Highway 97.

8. The precise layout of these roads and multi-use paths will occur during the quadrant plan approval process as each neighborhood and quadrant is planned.

**RESPONSE:** The quadrant plan for this project includes the extension of two existing local streets with sidewalks (Barron Drive and Masten Mill Drive) and the connection of these two streets with a new street and sidewalks (Arnold Avenue).

9. Modifications to the layout and/or alignment of a path or trail outside of the neighborhood/quadrant process may be approved at the city engineer's discretion through an administrative review process.

**RESPONSE:** No modifications to the layout or alignment of paths or trails are proposed.

10. Use of the term "collector" in this chapter 15.32 means a street meeting the "collector" standard as defined in the City of La Pine Transportation System Plan. Crescent Creek Drive, Findlay Drive, Half Moon Drive, Campfire Drive, and Caldwell Drive are "collectors." Notwithstanding anything herein to the contrary, the city engineer may authorize a different street design standard through the quadrant planning process.

**RESPONSE:** Noted. Nothing in this application contradicts with these definitions.

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**Sec. 15.32.100. Districts.**

A. *Residential general district.*

1. *Purpose.* The residential general district is the largest area of neighborhood planning area. The district is primarily for single-family residential uses with a variety of lot sizes and housing styles. Some higher density housing is allowed in specified locations.

...

**RESPONSES:** The quadrant planning of the subject property proposes that it be designated as the residential center district for Quadrant 2a. The remaining land in Quadrant 2a will undergo quadrant planning prior to its development. As no residential general designations are proposed for the subject property, this section does not apply to the current application.

B. *Residential center district.*

1. *Purpose.* The residential center district is a location for social activities and small mixed-use residential/commercial businesses. It is located near the geographical center of each neighborhood. This district is the location for more compact housing types such as townhomes and apartment buildings that activate the center and allow a greater number of people the option to walk for their daily needs.

**RESPONSES:** In addition to the requirements of LPDC 15.32.100.I.3.g.4, the quadrant planning of the subject property proposes that it be designated as the residential center district for Quadrant 2a, based on the above requirements:

“...located near the geographical center of the neighborhood.”

“...location for more compact housing types such as townhomes...”

This proposal directly meets the purpose of the district, as the subject property is near the geographical center of the neighborhood and the subdivision proposes townhomes to provide a more compact development.

2. *Uses permitted outright.*

- a. Single-family dwelling.
- b. Single-family dwelling - zero lot line.
- c. Townhome, duplex or triplex.
- d. Accessory dwelling.
- e. Live/work unit.
- f. Multi-use path(s) and modifications of paths and/or trail alignments consistent with the intent of the plan as determined by the city through an administrative process.
- g. Open space.
- h. Home occupation that:
  - (1) Is carried on within a dwelling only by members of the family who reside in the dwelling;
  - (2) Does not serve clients or customers on-site;
  - (3) Does not produce odor, dust, glare, flashing lights or noise;
  - (4) Does not occupy more than 25 percent of the floor area of the dwelling; and
  - (5) Does not include the on-premises display or sale of stock in trade; and
  - (6) Does not have any outdoor storage of materials used in the home occupation.
- i. Road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by the city's transportation system plan and public works improvement standards.

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**RESPONSE:** The proposed use of each lot in the submitted subdivision tentative plan is townhome, a use permitted outright.

2. [3.] *Uses permitted subject to site plan review.* The following uses and their accessory uses are permitted subject to site plan review approval and the applicable provisions of this Development Code:
- a. Community center up to 4,000 square feet in floor area.
  - b. Neighborhood commercial building as defined in DCC 18.04 until the city develops its own standards.
  - c. Multi-family dwelling.
  - d. Bed and breakfast inn.
  - e. Church.
  - f. Park or playground.

**RESPONSE:** None of the above uses are proposed; as such, site plan approvals are not required.

3. [4.] *Conditional uses permitted.* The following uses and their accessory uses are permitted subject to conditional use and site plan review approval and the applicable provisions of this Development Code:
- a. Residential facility or residential home.
  - b. Home occupation subject to 15.104.90.

**RESPONSE:** None of the above uses are proposed; as such, conditional use permit approvals are not required.

4. [5.] *Dimensional standards.* The lot size, lot coverage block length, block perimeter and building height standards shown in Table 15.32-2 shall apply to the residential center district.
5. [6.] *Yard and setback requirements.* The front, side and rear yard requirements in Table 15.32-2 shall apply to uses in the residential center district.

**RESPONSE:** Compliance with the dimensional standards and yard/setback requirements of the residential center district is demonstrated in the section of this document that responds to Table 15.32-2.

- C. *Residential density.* The residential density requirements in Tables 15.32-1 and 15.32-2 shall apply to the residential center district.

**RESPONSE:** Compliance with the density requirements of the residential center district is demonstrated in the section that responds to Table 15.32-1 and Table 15.32-2.

- D. *Community facility district; purpose.* The purpose of this district is to provide a location for public and private uses and facilities that serve the civic, social and recreational needs of the community. The community facility district also includes higher density housing.

...

- E. *Community facility limited district; purpose.* The purpose of this district is to provide locations for a school, recreation and transportation facilities.

...

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- F. *Neighborhood commercial district; purpose.* The purpose of this district is to provide a location for small-scale convenience commercial uses designed to serve the neighborhood planning area.

...

**RESPONSE:** The quadrant planning of the subject property proposes that it be designated as the residential center district for Quadrant 2a. The remaining land in Quadrant 2a will undergo quadrant planning prior to its development. As none of the above district designations (community facility, community facility limited, neighborhood commercial) are proposed for the subject property, these sections do not apply to the current application.

- G. *Park district.* The purpose of this district is to provide neighborhood parks in each of the four neighborhoods within the neighborhood planning area. This district may also apply to an optional regional park that may be located in Neighborhood 2 or 3 during quadrant plan approval process.

**RESPONSE:** The park district for Quadrant 2a is already designated and located in the southeast corner adjacent to the subject property. No further park districts are planned in this quadrant.

- H. *Open space district.* The purpose of this district is to provide two types of open space in the neighborhood planning area. Perimeter open space is located adjacent to Huntington and Burgess Roads, Highway 97, and between existing residential lots west of Neighborhood 4. Perimeter open space will provide visual and noise screening and locations for multi-use paths. If Highway 97 provides sufficient width for a perimeter buffer, is or will be improved with an ODOT approved multi-use path that includes a ten-foot buffer between the path and property line, the planning commission may allow for the Highway 97 right-of-way to serve as the eastern perimeter open space as part of the quadrant plan approval process. Corridor open space divides the four neighborhoods, helps to maintain a rural feeling, and contains multi-use paths. The quadrant plan for each neighborhood must designate the following minimum areas as open space district, as applicable to each quadrant:

- (1) In addition to the required dedication of right-of-way, a minimum 20-foot-wide corridor open space buffer must be provided on either side of the right-of-way separating adjacent neighborhoods.

**RESPONSE:** "Neighborhoods" in the Newberry Neighborhood Planning Area are labeled as Neighborhoods 1, 2, 3, and 4. The subject property is within Neighborhood 2 and abuts right of way that is only within the same neighborhood (Neighborhood 2). As such, the subject property does not abut any right of way that separates these neighborhoods and this open space/buffer requirement does not apply. However, although not required, the proposed subdivision does offer a 20-foot buffer along the north side of Findley Drive for dedication to the City, to continue the theme of open space areas throughout the NNPA.

- (2) Minimum 200-foot-wide perimeter open space adjacent to the Highway 97 right-of-way, unless through the quadrant plan approval process, the planning commission determines that the Highway 97 right-of-way is sufficient to accommodate a multi-use path while providing adequate buffering between the path and adjacent properties lines. The applicant must have prior approval from ODOT to construct the multi-use path in the Highway 97 right-of-way in order to utilize this exception.

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**RESPONSE:** The subject property is not adjacent to Highway 97; this requirement does not apply.

- (3) Minimum 75-foot-wide perimeter open space adjacent to Huntington and Burgess Roads.

**RESPONSE:** The subject property is not adjacent to Huntington or Burgess Roads; this requirement does not apply.

- (4) Minimum 50-foot-wide perimeter open space on the west edge of quadrants 4a and 4c.

**RESPONSE:** The subject property is within quadrant 2a, not 4a; this requirement does not apply.

- (5) A 500-foot wildlife corridor must be established in either Neighborhoods 3 or 4. The wildlife corridor must be unimproved and align with an existing or planned wildlife Highway 97 undercrossing to the extent practical.

**RESPONSE:** The subject property is not located in either Neighborhood 3 or 4; this requirement does not apply to this application.

1. *Perimeter open space uses permitted outright.*
  - a. Open space.
  - b. Multi-use path(s) and modifications of paths and/or trail alignments consistent with the intent of the plan as determined by the city through an administrative process
2. *Corridor open space uses permitted outright.*
  - a. Open space.
  - b. Multi-use path(s) and modifications of paths and/or trail alignments consistent with the intent of the plan as determined by the city through an administrative process.
  - c. Picnic area.
  - d. Benches along multi-use path.
  - e. Park or playground managed by the La Pine Park District or a neighborhood planning area homeowners association.
3. *Uses permitted subject to an open space management plan under the provision of 15.32.100.H.(5).4.*
  - a. Vegetation management for wildfire hazard reduction.
  - b. Vegetation management for wildlife habitat enhancement.
  - c. Landscaped earthen berm.
  - d. Road or street project subject to approval as part of a land partition, subdivision or subject to the standards and criteria established by the city's transportation system plan and public works improvement standards.
4. *Open space management plan.*
  - a. An open space management plan shall be prepared for each quadrant as a component of a quadrant plan. The plan shall be implemented as a condition of approval for the final plat of the first phase of any development in a quadrant. The open space management plan shall identify the funding source and management responsibility for zoned open space.



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**RESPONSE:** As noted previously, no corridor or perimeter open spaces are required with this project as it does not abut Huntington Road, Highway 97, or different neighborhoods within the Newberry Neighborhood Planning Area. Further, Crescent Creek right-of-way is already developed and managed with an extra width for multi-use trails and no changes are proposed. The open space for Neighborhood 2 already exists in the southeast corner of the property and the Applicant (Habitat for Humanity) has corresponded with the owner (Crescent Creek HOA) who has stated that no additional memberships will be taken into the HOA and that the park is under their control and management. Tract A and Tract B within the proposed subdivision are offered as additional, but not required, open space areas, and are proposed for dedication to the City as right-of-way or open space.

I. *Quadrant plan.*

Plan approval required. Prior to issuance of a building permit, approval of a tentative plan or initiation of development (including, without limitation, streets or placement of utilities) within a neighborhood or quadrant, a quadrant plan must be approved according to the Type III Procedures of the La Pine Development Code section 15.204.030 and the quadrant plan approval criteria in 15.32.100.1.3.

1. *Eligibility to submit an application.* The City of La Pine will accept a quadrant plan application from an owner or developer who has an agreement with Deschutes County of intent to purchase land in the quadrant. The county may also prepare a quadrant plan.

**RESPONSE:** A quadrant plan application is included in this submittal and is being submitted by Sunriver La Pine Habitat for Humanity, the owner of the property, in accordance with the requirements of this section.

2. *Application requirements.* All applications shall include the following elements:
  - a. Zoning plan, drawn to scale, showing the boundaries of the proposed zones and the acres in each zone.
  - b. Transportation plan, drawn to scale, including locations of street rights-of-way for central collector, neighborhood collector, perimeter collector and local streets, block configurations and connections with adjacent quadrants.
  - c. Non-motorized circulation plan showing locations of any sidewalks or multi-use paths and where they will connect to adjacent quadrants.
  - d. Open space and park plan, drawn to scale, defining boundaries for the open space district and neighborhood or regional parks where applicable.
  - e. Open space management plan.
  - f. Utility plan, drawn to scale, identifying location and specifications for sewer and water facilities. The utility plan shall include a schedule of improvement initiation and completion and a written narrative that explains or describes:
    - How the proposed water and sewer systems will be adequate to serve the type and size of development planned.
    - How the proposed location and sizing of facilities will be consistent with existing and planned facilities.
    - How adequate water flow volumes will be provided to meet fire flow and domestic demands.
  - g. Proposed design guidelines and process for reviewing and approving buildings for conformance with the guidelines. Notwithstanding DCC 23.40.020(F)(1)(g),

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and this requirement, no design guidelines shall be required for quadrant 1c until the city develops its own standards.

- h. A plan showing the zone boundaries for neighborhood general and neighborhood center districts.
- i. A plan showing the proposed locations and dimensions of road rights-of-way.
- j. A written burden of proof statement with findings demonstrating conformance with the goals and policies of The Deschutes County Comprehensive Plan, DCC 23.40.020, the applicable sections of DCC 18.61, and any other applicable provisions of DCC title 18 until the city develops its own standards.
- k. A proposal for deed restrictions, covenants, conditions and restrictions (CCRs), and a homeowner's association. Notwithstanding DCC 23.40.020(F)(1)(g) and (h), no proposal for deed restrictions, CCRs, and a homeowner's association shall be required with an application for a quadrant plan for quadrant 1c until the city develops its own standards.

**RESPONSE:** The submitted subdivision plans include all these required details. Additionally, a quadrant plan is included to delineate the residential center district and the associated street right-of-way.

- 3. *Quadrant plan approval.* Approval of a quadrant plan is a land use action reviewed under the Type III Procedures of Development Code section 15.204.030. Quadrant plans are subject to a public hearing before the City of La Pine Planning Commission. The planning commission makes the decision to approve or deny an application for a quadrant plan. The city council will act as the hearings body on an appeal of such a decision. An appeal of a quadrant plan will be conducted in accordance La Pine Development Code chapter 15.212. A quadrant plan may be approved subject to conditions with findings that the following criteria are met:
  - a. The quadrant plan application contains all of the elements required in 15.32.100.1.2.

**RESPONSE:** The Applicant understands that the quadrant plan application will be subject to a public hearing before the Planning Commission.

- b. The quadrant plan conforms to the relevant policies in the City of La Pine Comprehensive Plan.

**RESPONSE:** Chapter 10 of the Comprehensive Plan outlines several relevant housing goals that are supported by this proposed residential center district designation and resulting townhome development:

*Goal #1 Encourage a wide range housing types satisfying the urban development needs of the La Pine community.*

*Goal #5 Promote quality affordable housing and recognize that lack of affordable housing is an economic issue negatively affecting the vitality and sustainability of La Pine*

*Goal #6 Recognize that addressing the housing needs of the community is essential to the successful future of La Pine as desirable place to live, work, shop, and play.*

The discussion within Chapter 10 further notes that "...Census data shows that more

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than 22% of La Pine homeowners pay more than 30 percent of their income for mortgage payments. Renters tend to pay more than 31% of household income on gross rent. Thus, many La Pine households are spending more for shelter than they should. Alternatives to this situation range from more housing choices such as the development of more affordable housing types – townhouses, zero-lot line homes, multifamily structures, manufactured housing or condominiums, and, of course, a better jobs market.” The designation of the subject property as a residential center district not only complies with the La Pine Development Code requirements, it is also in direct support of multiple Comprehensive Plan goals to improve the variety and affordability of housing types.

- c. There is adequate sewer and water capacity to serve the development planned for the quadrant and agreements to provide service have been signed with appropriate water and sewer districts or providers.

**RESPONSE:** There are no water or sewer districts/providers in the project area; rather, these services are owned and operated by the City. The City Engineer and Public Works Director have confirmed that there is adequate sewer and water capacity to serve the planned 34-lot development. A 12” sewer main and 8” water main exist in Crescent Creek Drive and will be utilized to serve the proposed development. Fire flow tests were completed at nearby fire hydrants (Daisy/Findley and Masten Mill/Crescent Creek), demonstrating satisfactory results of 2068 gpm at each hydrant (Exhibit D).

- d. The streets proposed in the quadrant transportation plan conform to the general location and connection requirements of the La Pine Neighborhood Street Plan, Figure 15 in the Deschutes County Comprehensive Plan, DCC 23.36.052. The city engineer must approve of the street design. Final locations of road rights-of-way approved under a quadrant plan will be determined through the process for approval of a tentative plat under Development Code article 9.

**RESPONSE:** The Applicant believes that the above referenced Deschutes County Comprehensive Plan Section may have been repealed. However, the roads that were reflected on the La Pine Neighborhood Street Plan in the vicinity of the subject property are already developed (Crescent Creek and Findley Drive). The streets proposed within the proposed project are extensions of existing local streets, in compliance the City’s development code.

- e. Except as approved by the city through a quadrant plan, the multi-use paths must be located within or adjacent to the perimeter or corridor open space as generally shown in the non-motorized plan, Figure 16 in the Deschutes County Comprehensive Plan, DCC 23.36.052 until the city develops its own standards. Path(s) and modifications of paths and/or trail alignments must be consistent with the intent of the quadrant plan as determined by the city through an administrative process. Any modifications of these locations must be in compliance with Development Code 15.32.020.B.7.

**RESPONSE:** The multi-use paths in the area of the subject property are already constructed along Findley Drive and Crescent Creek Drive. Sidewalks will be constructed along the proposed local streets in compliance with the City’s street standards.

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- f. Except as approved by the city through a quadrant plan, the open space in the open space and park plan must conform to the standards in Deschutes County Comprehensive Plan, DCC 23.36.020(D) and general location shown in the La Pine Neighborhood Parks and Open Space Plan, Figure 17 in the Deschutes County Comprehensive Plan, DCC 23.36.052, until the city develops its own standards. Any modifications of these locations must be in compliance with Development Code 15.32.100.I.3.G and Development Code 15.32.100.I.3.H.

**RESPONSE:** The open space for Quadrant 2a has previously been designated in the southeast corner, abutting the subject property, in the general location shown in previously Deschutes County plans. No further open space designations are required nor included in this application.

- g. The zoning plan conforms to the following performance standards:
- (1) *Neighborhood commercial district.* A minimum of two and a maximum of four acres of neighborhood commercial district must be established in quadrant 3a or 3c. Alternatively, if quadrant plans for quadrant 3a and 3c are approved at the same time, the maximum area of neighborhood commercial district may be divided between the two quadrants. The neighborhood commercial zone must be located at the intersection of Huntington Road and the neighborhood collector that bisects Neighborhood 3.

**RESPONSE:** The subject property is within Neighborhood 2, so this Neighborhood 3 requirement is not applicable.

- (2) *Community facility district.* Quadrant 1c will be zoned as community facility district.
- (3) *Community facility limited district.* The portion of quadrant 3a that is located west of Huntington Road will be zoned community facility limited. A maximum of 15 acres in the northwest section of quadrant 4a may be zoned community facility limited.

**RESPONSE:** The subject property is within Neighborhood 2, so these Neighborhood 1, 3, and 4 requirements are not applicable.

- (4) *Residential center district.* Each quadrant except quadrants 1a, 1b, 1c and 1d must have a residential center district with a minimum of three acres and a maximum of six acres. The area of the residential center district is gross acres including public rights-of-way. The residential center district must be a contiguous area located so that it is adjacent to both Crescent Creek Drive and the collector street that bisects the neighborhood.

**RESPONSE:** As the subject property (Habitat for Humanity parcel) is located adjacent to both Crescent Creek Drive and Findley Drive, this requirement necessitates that the subject property is designated the residential center district. As such, the area of the land was designed to meet these size requirements of between three and six acres (it is 5.02 acres). This was discussed during pre-application meetings with the City, when it was noted that the County approved this future designation as the residential center

district. The County's signature on the partition application signified their agreement with this intent.

(5) *Residential general district.* The area zoned residential general will be the area in each quadrant that remains after the mandatory minimum residential center, neighborhood parks and open space zoning is defined.

**RESPONSE:** Based on the previous size and location requirements for the residential center district, no area of the subject property is designated residential general district.

h. The proposed residential densities and lot sizes conform with the requirements of the residential general and residential center zones as further described as follows in Tables 15.32-1 and 15.32-2:

<i>Table 15.32-1. La Pine Neighborhood Planning Area Density Standards</i>			
	<i>Maximum Density</i>	<i>Minimum Density</i>	<i>Lot Size Range for Single-family</i>
<i>Neighborhood 1</i>			
- Residential center	12 units/acre	8 units/acre	2,400 - 4,500
- Residential general	6 units/acre	3 units/acre	4,000 - 10,000
<i>Neighborhood 2, 3 &amp; 4</i>			
- Residential center	12 units/acre	6 units/acre	2,400 - 7,000
- Residential general	6 units/acre	2 units/acre	7,000 - 15,000

Note: Density is calculated using gross acres, excluding collector street right-of-way.

**RESPONSE:** The subject property is proposed to be designated through this quadrant planning process as the residential center district. Per Table 15.32-1, the Neighborhood 2 residential center district density range is 6 unit/acre minimum to 12 units/acre maximum, with lot sizes ranging from 2,400 sf to 7,000 sf. The gross acreage of the subject property (excluding collector street right-of-way) is 5.02 acres, yielding an allowed total number of 30 to 60 units. The proposed subdivision includes 34 lots, each with one townhome unit, resulting in 34 total units, in compliance with the density standards. The proposed lot sizes range from 3,498 sf to 4,894 sf, within the required lot size range of the residential center district.

<i>Table 15.32-2. La Pine Neighborhood Planning Area Zoning Standards</i>					
	<i>Residential General</i>	<i>Residential Center</i>	<i>Community Facility</i>	<i>Community Facility Limited</i>	<i>Neighborhood Commercial</i>
<i>Lot Size</i>					
<i>Single Family Neighborhood 1</i>					
- Maximum sq. ft.	10,000	4,500	N/A	N/A	N/A
- Minimum sq. ft.	4,000	2,400	N/A	N/A	N/A
<i>Single Family Neighborhood 2</i>					
- Maximum sq. ft.	15,000	5,000	N/A	N/A	N/A
- Minimum sq. ft.	7,000	3,500	N/A	N/A	N/A
<i>Townhome</i>					
- Minimum sq. ft.	N/A	2,400	2,400	N/A	N/A
<i>Duplex Triplex</i>					
- Minimum sq. ft.	8,000	8,000	8,000	N/A	N/A
<i>Multi-family</i>					
- Maximum sq. ft.	No maximum	No maximum	No maximum	N/A	N/A
- Minimum sq. ft.	15,000	10,000	10,000	N/A	N/A
<i>Other uses</i>					
- Maximum sq. ft.	No maximum	No maximum	No maximum	No maximum	22,000
- Minimum sq. ft.	7,000	4,500	None	None	7,000
<i>Lot Width</i>					
Minimum (feet)	45' for detached dwellings; lots on culs-de-sac or bulbed corners may be 30'; 24' for attached townhome	35' for detached single-family dwelling; lots on culs-de-sac or bulbed corners may be 30'; 24' for attached townhome or zero lot line development	50'	50'	50'
<i>Lot Depth</i>					
Minimum (feet)	100'	100'	150'	150'	150'
<i>Residential Density (per gross acre) (1)</i>					
<i>Neighborhood 1</i>					
Maximum	8.0	12.0	12.0	N/A	N/A
Minimum	3.0	8.0	N/A	N/A	N/A
<i>Neighborhoods 2, 3 &amp; 4</i>					
Maximum	6.0	12.0	N/A	N/A	N/A

Minimum	2.0	6.0			
<i>Setbacks - Primary Building</i>					
Front	15' min.	10' min.	10' min	10' min	10' min.
Side	10' min.	None	5' min. or 0 lot line	5' plus½ foot for each ft. building height exceeds 20'	5' plus½ foot for each ft. building height exceeds 20' height
Side at corner (2)	10'	5' or 0 lot line	5'	5'	5'
Rear	10'	None except abutting residential general 5'	None except abutting residential general 5'	5' plus½ foot for each ft. building height exceeds 20'	5'
<i>Garage Setbacks</i>					
Min. from front of building	Front facing: 20' min. front setback	Front facing: 15' min. front setback Rear facing: 5' min. rear setback	5'	N/A	N/A
<i>Special Setbacks</i>					
			N/A	N/A	N/A
<i>Lot Coverage</i>					
Maximum	50%	50%	60%	60%	50%
<i>Block Requirement (3)</i>					
Maximum perimeter	2,000'	1,600'	1,200'	N/A	1,200'
Maximum block length without pedestrian connection	600'	600'	400'	800'	600'
<i>Building Height</i>					
Primary	30'	40' except res. general standards apply to single family. Townhomes 35 ft. max.	45' except res. general standards apply to single family. Townhomes 35 ft. max.	45'	30'
Accessory dwelling or building	20'	25'	30'	30'	25'
Higher with conditional use permit	NO	YES up to 40'	YES	YES	NO
Minimum onsite parking	Development Code 15.86	Development Code 15.86	Development Code 15.86	Development Code 15.86	Development Code 15.86

Notes:

- (1) Gross acres, excluding collector street right-of-way.
- (2) Must meet clear vision requirements of in article 5.
- (3) The block requirements not applicable to review and approval of quadrant plans.

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**RESPONSE:** Per Table 15.32-2 above, the Residential Center District zoning standards for Neighborhood 2 are met with the proposed subdivision:

Townhome lot size of 2,400 sf to 8,000 sf

Met with minimum 3,498 sf lots (lots range in size from 3,498 sf to 4,894 sf).

Lot width of 24' for townhome lots

Met with 28-foot wide lots, with most lots greater than 28'.

Lot depth of 100' for townhome lots; met with typical 100' deep lots

Front yard setback minimum 10' exceeded with 20' front yard setbacks.

No side yard setback

Townhomes, by definition, have no side yard setback on at least one side. In this development, townhomes are proposed in pairs, so each will include one zero lot line and one side yard with at least a 5-foot setback.

Side yard at corner setback of 5'

All proposed side yards at corners have setbacks greater than 5'.

Rear yard setback of 0 unless abutting residential general, then 5'

All proposed rear yards in this development have setbacks. Lots 1-8 will abut residential general in the future when the adjacent property completes their quadrant plan. All the rear yards of these lots have greater than the minimum 5' setback.

Garage setback of 15' from front of building

The proposed project includes a minimum of 20' setback at every garage, exceeding the minimum standards.

Lot coverage of 50%

This application includes only the subdivision, no building design. However, the lots are of adequate size to accommodate the required maximum lot coverage of 50%. More specifically, the estimated typical townhouse footprint is 28' by 60' (1680 sf) and the smallest proposed lot is 3498sf, which would result in a coverage of 48%, in compliance with this requirement. Lot coverage will be reviewed at the time of zoning permit checklist, prior to approval of building permits.

Townhome height maximum of 35'

The townhome structures are not yet designed, however, they will comply with the maximum height requirements. The City will review the building heights at the time of zoning permit checklist submittal.

Block perimeter = 1600'

Block lengths and perimeters are shown on the plans. The only full block created is created by the Barron Drive – Arnold Avenue – Masten Mill Drive loop connecting to Crescent Creek Drive. Block perimeter and the method by how to measure it is not defined in the La Pine Development Code. As noted in the requirements for block lengths, the main intent with limiting block lengths and the resulting perimeters is for pedestrian connectivity. As a result, the block perimeters have been designed and measured with a focus on the pedestrian travel ways. The block



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perimeter of the one block that is created by this project is 1381.7 feet along the sidewalks/back of right-of-way.

Block length without pedestrian connection = 600'

The longest block length in the proposed development is along Masten Mill Drive, between Crescent Creek Drive and Arnold Avenue and is 586.5' from the corner of Masten Mill Drive and Crescent Creek Drive to the pedestrian connection at Arnold Avenue. All other block lengths are shorter, well under the maximum length.

Building height and onsite parking

Building height and onsite parking will be reviewed at the time of zoning permit checklist, prior to approval of building permits. The proposed subdivision layout and lot sizes have been designed to be able to accommodate these requirements.

<b>SUBDIVISION</b>
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**Sec. 15.202.050. Neighborhood contact.**

A. *Purpose and applicability.* Unless waived by the city planning official, applicants for master plans, subdivisions with more than ten lots, major variances and property owner-initiated for zone changes are required to contact neighboring property owners and offer to hold a meeting with them prior to submitting an application. This is to ensure that affected property owners are given an opportunity to preview a proposal and offer input to the applicant before a plan is formally submitted to the city, thereby raising any concerns about the project and the project's compatibility with surrounding uses early in the design process when changes can be made relatively inexpensively.

**RESPONSE:** A neighborhood meeting was hosted on April 3, 2024, at 5pm at the La Pine Senior Center (16450 Victory Way). Documentation is included in Exhibit F.

B. *Notice.* Notice of the meeting must be given in writing to all property owners whose property is located within 100 feet of the site, at their addresses of record at the Deschutes County Assessor's office, at least 14 days before the meeting and at least 21 days before submitting the application to the city. The notice must state the time, place, and purpose of the meeting, including a description of the proposed development.

**RESPONSE:** Notice of the meeting was mailed to property owners within 100 feet of the subject property. Notices were mailed on March 5, 2024, greater than 14 days before the meeting and greater than 21 days before application submittal to the City, in compliance with these timing requirements. The notice stated the time, place, and purpose of the meeting, including a description of the proposed development (see Exhibit F).

C. *Meeting place, date, and time.* The meeting must be held within the city limits at a location obtained or provided by the applicant with sufficient room for the expected attendance. The meeting place must be accessible to persons with disabilities. It must be scheduled at a date and time reasonably calculated to allow maximum participation by interested property owners.

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**RESPONSE:** An in-person meeting was held at the La Pine Senior Center (16450 Victory Way) at 5pm on April 3, 2024, within City limits.

- D. *Conduct of meeting.* At the meeting, the applicant, or the applicant's agent, must present sufficient information about the proposed development to inform the property owners in attendance of the nature of the proposal and impacts it may have on neighboring properties, including transportation impacts. Persons attending must be allowed to ask questions and make comments. The applicant, or the applicant's agent, shall complete a form prescribed by the city to certify the occurrence of the meeting.

**RESPONSE:** The Applicant and Applicant's land use planner were present at the neighborhood meeting. The project was presented, including the County planning of the Newberry Neighborhood, the City code requirements that led to the residential center district designation, the siting of the project, the design of the project, and traffic impacts below the City's threshold for requiring a TIA. Attendees were provided ample time for questions and discussions. Several neighbors attended the meeting and asked questions regarding the use of the existing park, development of currently undeveloped land, traffic, parking, and tree removal. The meeting concluded when there were no more questions. The project team stayed after the meeting to answer any follow up questions. A neighborhood meeting verification form is included in Exhibit F.

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

**RESPONSE:** Exhibit F includes a completed meeting certification form, including all of the above required documentation.

## **CHAPTER 15.406. SUBDIVISIONS AND PLANNED UNIT DEVELOPMENTS (PUD)**

### **Sec. 15.406.010. Subdivision applications.**

- A. *Application.* Any person proposing a subdivision, or the authorized agent or representative thereof, shall submit an application for a subdivision to the city. The application shall be accompanied with either an outline development plan as provided for in division [subsection] B of this section, or a tentative plan as set forth in division [subsection] C of this section, together with improvement plans and other supplementary material as may be required, and the materials required for the applicable review type as specified in article 7. The number of copies required shall be as specified on the application form. The date of filing shall be construed to be the date on which all of the foregoing materials are received and accepted by the appropriate city official.

**RESPONSE:** This subdivision tentative plan application is submitted by the property owner, Habitat for Humanity. All materials for a tentative plan application are believed to be submitted by the Applicant.

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- B. *Outline development plan.* The submittal of an outline development plan in the subdivision application process is at the option of the applicant and/or developer. If an outline development plan is prepared and submitted with the application for a subdivision, it shall include both maps and written statements as set forth below.

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**RESPONSE:** The Applicant is submitting a tentative plan, foregoing the outline development plan option.

- C. *Tentative plan required.* Following or in conjunction with submittal and approval of an outline development plan and subdivision application, or as an initial subdivision application, any person proposing a subdivision shall submit a tentative plan together with the accompanying information and supplemental data, prepared and submitted in accordance with the provisions of this section and materials required for a Type III review as specified in article 7. (ORS 92.040). Note: Applicants should review the design standards set forth in article 5 prior to preparing a tentative plan for a development.
1. *Scale of tentative plan.* The tentative plan of a proposed subdivision shall be drawn on a sheet 18 [inches] by 24 inches in size or multiples thereof at a scale of one inch equals 100 feet or multiples thereof as approved by the planning official. (ORS 92.080). In addition, at least one copy of the plan on a sheet of paper measuring 8½ inches by 11 inches or 11 inches by 17 inches shall be provided for public notice requirements.
  2. *Information requirements.* The following information shall be shown on the tentative plan or provided in accompanying materials. No tentative plan submittal shall be considered complete unless all such information is provided, unless approved otherwise by the planning official.
    - a. *General information required.*
      - (1) Proposed name of the subdivision.
      - (2) Names, addresses and phone numbers of the owner of record and subdivider, authorized agents or representatives, and surveyor and any assumed business names filed or to be filed by the owner or subdivider in connection with the development.
      - (3) Date of preparation, north point, scale and gross area of the development.
      - (4) Identification of the drawing as a tentative plan for a subdivision.
      - (5) Location and tract designation sufficient to define its location and boundaries, and a legal description of the tract boundaries in relation to existing plats and streets.
    - b. *Information concerning existing conditions.*
      - (1) Location, names and widths of existing improved and unimproved streets and roads within and adjacent to the proposed development.
      - (2) Location of any existing features such as section lines, section corners, city and special district boundaries and survey monuments.
      - (3) Location of existing structures, fences, irrigation canals and ditches, pipelines, waterways, railroads and natural features, such as rock outcroppings, marshes, wetlands, geological features and natural hazards.
      - (4) Location and direction of water courses, and the location of areas subject to erosion, high water tables, and stormwater runoff and flooding.
      - (5) Location, width and use or purpose of any existing easements or rights-of-way within and adjacent to the proposed development.

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- (6) Existing and proposed sewer lines, water mains, culverts and underground or overhead utilities within and adjacent to the proposed development, together with pipe sizes, grades and locations.
  - (7) Contour lines related to some established benchmark or other acceptable datum and having minimum intervals of not more than 20 feet.
- c. *Information concerning proposed subdivision.*
- (1) Location, names, width, typical improvements, cross-sections, approximate grades, curve radii and length of all proposed streets, and the relationship to all existing and projected streets.
  - (2) Location, width and purpose of all proposed easements or rights-of-way, and the relationship to all existing easements or rights-of-way.
  - (3) Location of at least one temporary benchmark within the proposed subdivision boundary.
  - (4) Location, approximate area and dimensions of each lot and proposed lot and block numbers.
  - (5) Location, approximate area and dimensions of any lot or area proposed for public, community or common use, including park or other recreation areas, and the use proposed and plans for improvements or development thereof.
  - (6) Proposed use, location, area and dimensions of any lot which is intended for nonresidential use and the use designated thereof.
  - (7) An outline of the area proposed for partial recording on a final plat if phased development and recording is contemplated or proposed.
  - (8) Source, method and preliminary plans for domestic water supply, sewage disposal, solid waste collection and disposal and all utilities.
  - (9) Stormwater and other drainage plans.
- D. *Master development plan required.* An overall master development plan shall be submitted for all developments planning to utilize phase or unit development. The plan shall include, but not be limited to, the following elements:
- 1. Overall development plan, including phase or unit sequences and the planned development schedule thereof.
  - 2. Schedule of improvements initiation and completion.
  - 3. Sales program timetable projection.
  - 4. Development plans of any common elements or facilities.
  - 5. Financing plan for all improvements.
- E. *Supplemental information required.* The following supplemental information shall be submitted with the tentative plan for a subdivision:
- 1. Proposed deed restrictions or protective covenants, if such are proposed to be utilized for the proposed development.
  - 2. Reasons and justifications for any variances or exceptions proposed or requested to the provisions of this subchapter [section], the applicable zoning regulations or any other applicable local, state or federal ordinance, rule or regulation.
- F. *Tentative plan review procedures.*
- 1. Tentative plan review shall follow the Type III review procedures in article 7.
  - 2. The decision on a tentative plat shall be set forth in a written decision, and in the case of approval shall be noted on not less than two copies of the tentative plan, including references to any attached documents setting forth specific conditions.
- G. *Tentative approval relative to final plan.* Approval of the tentative plan shall not constitute final acceptance of the final plat of the proposed subdivision for recording. However,
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approval of the tentative plan shall be binding upon the city for preparation of the final plat and the city may require only such changes as are deemed necessary for compliance with the terms of its approval of the tentative plan.

- H. *Resubmission of denied tentative plan.* Resubmittal shall be considered a new filing, but shall require the applicant to consider all items for which the prior denial was based, in addition to the other filing requirements set forth by this chapter.

**RESPONSE:** These procedures are acknowledged by the Applicant.

- I. *Requirements for approval.* An outline development plan or a tentative plan for a subdivision shall not be approved unless it is found, in addition to other requirements and standards set forth by this chapter and other applicable City of La Pine ordinances, standards and regulations, that the following requirements have been met:
1. The proposed development is consistent with applicable density and development standards set forth of the applicable zone in article 3. All lots conform to the applicable lot standards of the zoning district, including density, lot area, dimensions, setbacks, and coverage.
  2. The proposal is in compliance with any applicable overlay zone regulations in article 4.

**RESPONSE:** The subject property is located within the Newberry Neighborhood Planning Area Overlay Zone. Compliance with the requirements of this overlay zone is demonstrated in Section 15.32 of this document.

3. The proposal is in compliance with the design and improvement standards and requirements set forth in article 5, or as otherwise approved by the city, or that such compliance can be assured by conditions of approval.

**RESPONSE:** Compliance with the standards and requirements of Article 5 is discussed herein.

4. The applicant has demonstrated that adequate public facilities are available or can be made available at the time of development, and, if necessary, that the developer has proposed adequate and equitable improvements and expansions to the facilities to bring the facilities and services up to an acceptable capacity level.

**RESPONSE:** The subject property is proposed for future residential development, which has been the planned use of the property for several decades, as outlined in the City's development code and comprehensive plan. Sewage disposal, water supply, guaranteed access and utilities are all readily available in Crescent Creek Drive and Findley Drive.

Access: The subject property abuts Crescent Creek Drive and Findley Drive. Access into the subdivision will be provided through the extension of two public local streets across these rights-of-way, Masten Mill Drive and Barron Drive.

Water: Existing water lines are readily available and present in both Findley Drive and Crescent Creek Drive within 8" water mains. Hydrants are shown on the proposed plans along both Masten Mill and Barron Drives. Water lines will be extended to serve the development within the Barron Drive and Masten Mill Drive rights-of-way.

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Sewer: Existing sewer lines are present in both Findley Drive and Crescent Creek Drive. 8-inch sewer lines in Masten Mill Drive and Barron Drive will connect to each property and terminate at a connection with the existing 12-inch PVC sewer main in Crescent Creek Drive. Every proposed lot is shown on the submitted plans to include a 1000-gallon septic tank in front yard setbacks.

Other utilities: Electricity and internet services are both readily available in the adjacent streets and neighborhoods. Will serve letters from Midstate Electric and TDS Broadband are included in Exhibit G.

5. The development provides for the preservation of significant scenic, archaeological, natural, historic and unique resources in accordance with applicable provisions of this Development Code and the comprehensive plan.

**RESPONSE:** The subject property does not include any known significant scenic, archaeological, natural, historic or unique resources. Further, this property has been planned for over twenty years to be developed as a residential neighborhood; this proposal carries out these plans.

6. The proposed name of the subdivision is not the same as, similar to or pronounced the same as the name of any other subdivision in the city or within a six-mile radius thereof, unless the land platted is contiguous to and platted as an extension of an existing subdivision. (ORS 92.090)

**RESPONSE:** The proposed subdivision name is Park View. The Deschutes County Surveyor reviewed and approved this subdivision name through a subdivision approval request form (see Exhibit H).

7. The streets and roads are laid out so as to conform to an adopted transportation system plan for the area, and to the plats of subdivisions and maps of major partitions already approved for adjoining property as to width, general direction and in all other respects unless the city determines it is in the public interest to modify the street or road pattern.

**RESPONSE:** The proposed subdivision includes the extension of two existing local streets (Masten Mill Drive and Barron Drive) and in compliance with the City's local street standards. Crescent Creek Drive has an existing 90-foot right-of-way width and Findley Drive has an existing 80-foot right-of-way width; both are adequate widths and comply with the City's Transportation System Plan (TSP) and Newberry Neighborhood roadway requirements.

8. Streets and roads for public use are to be dedicated to the public without any reservation or restriction; and streets and roads for private use are approved by the city as a variance to public access requirements.

**RESPONSE:** The proposed subdivision includes the extension of Masten Mill Drive and Barron Drive, which are existing streets to the east and south of the subject property. These proposed rights-of-way are 64 feet wide, in compliance with City standards for local streets, and will be dedicated to the public without any reservation or restriction. Forty-eight feet of right-of-way for Masten Mill Drive is proposed to be

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dedicated to the public by Habitat for Humanity through this subdivision; Deschutes County will dedicate the remaining sixteen feet of the Masten Mill Drive right-of-way through a separate mechanism. No private streets or roads are proposed. Required survey documents will be submitted with the final plat application.

Additionally, Crescent Creek Drive has an existing 90-foot right-of-way width and Findley Drive has an existing 80-foot right-of-way width; both are adequate widths and comply with the City's Transportation System Plan (TSP) and Newberry Neighborhood roadway requirements.

9. Adequate mitigation measures are provided for any identified and measurable adverse impacts on or by neighboring properties or the uses thereof or on the natural environment.

**RESPONSE:** No measurable adverse impacts of the subdivision on neighboring properties or the natural environment have been identified. Further, the development of the subject property as a residential neighborhood has been adopted into City plans and the development code for more than two decades, with anticipation of a subdivision application and associated construction. The proposed subdivision does not change the intended use or zone of the property.

10. Provisions are made for access to abutting properties that will likely need such access in the future, including access for vehicular and pedestrian traffic, public facilities and services and utilities.

**RESPONSE:** The subdivision includes the extension of two east-west existing local streets into the subdivision: Masten Mill Drive and Barron Drive. Barron Drive connects two existing collector streets and Masten Mill Drive is extended to the edge of the proposed subdivision to make access for the abutting property for future development, in compliance with the requirements of this section. A new street running northwest-southeast, labeled "Arnold Avenue" is proposed to connect Masten Mill and Barron Drives, also extending to the edge of the proposed subdivision for future development access. New water and sewer services are proposed to be installed within the right-of-way for Masten Mill and Barron Drives; the new water and sewer infrastructure in Masten Mill Drive is proposed to be extended to the property line, to facilitate ease of connection for future development on the abutting parcel.

## **CHAPTER 15.20. RESIDENTIAL MASTER PLAN ZONE**

### **Sec. 15.20.300. Use regulations.**

All uses in the RMP zone are subject to the special use regulations of the Newberry Neighborhood Overlay Zone (chapter 15.32). Use regulations within the overlay zone vary based on the specific location within the overlay zone. Therefore, no uses are permitted outright in the zone. Uses are designated as limited, conditional, or prohibited. As noted in Table 15.20-1, a use may also be subject to special use standards of article 6.

- A. *Limited uses (L)*. Uses allowed in the RMP zone subject to limitations are listed in Table 15.20-1 with an "L" and a footnote that corresponds to the section number below.

1. All uses listed with an "L (1)" may be permitted, conditional, or prohibited uses depending on which district within the Newberry Neighborhood Overlay Zone (chapter 15.32) the use is located in. Special development standards may also apply to the use, depending on the district in the zone.
- B. *Conditional uses (CU)*. Uses which are allowed if approved through the conditional use review process are listed in Table 15.20-1 with a "CU" and a footnote that corresponds to the section number below.
  1. All uses listed with an "CU (1)" may be conditional or prohibited uses depending on which district within the Newberry Neighborhood Overlay Zone (chapter 15.32) the use is located in. These uses may be allowed provided they comply with the conditional use requirements of chapter 15.316, conditional uses. Special development standards may also apply to the use, depending on the district in the zone.
- C. *Prohibited uses (N)*. Uses listed in Table 15.20-1 with an "N" are prohibited. Existing uses in categories listed as prohibited may be subject to the regulations of chapter 15.08, non-conforming uses and structures.

<i>Table 15.20-1. Use Regulations in the Residential Master Plan Zone</i>		
<i>Use Category</i>	<i>RMP</i>	<i>Special Use Standards</i>
<i>Residential Use Categories</i>		
Household Living	—	—
- Single-family dwelling	L (1)	—
- Cottage cluster development	N	—
- Townhome	L (1)	Section 15.104.020

...  
**RESPONSE:** The proposed use of all the subdivided lots is townhome, a "limited" use subject to the special use standards of 15. 104.020. Compliance with LPDC 15.104.020 is demonstrated below. No other uses are proposed.

**Sec. 15.20.400. Development standards.**

The development standards for the residential master plan zone are specified in the Newberry Neighborhood Overlay Zone. The standards vary based on the location within the zone, use, or housing type. All development in the RMP zone is subject to overlay zone development standards. Additional standards in article 5 may apply as well.

**RESPONSE:** Compliance with the development standards of the Newberry Neighborhood Overlay Zone and Article 5 is demonstrated herein, in the associated sections above.

**CHAPTER 15.88. ACCESS AND CIRCULATION**

...  
**Sec. 15.88.030. Vehicular access and circulation.**

- A. *Purpose and intent.* Section 15.88.030 implements the street access guidelines of the City of La Pine Transportation System Plan. It is intended to promote safe vehicle access and egress to properties, while maintaining traffic operations in conformance with adopted standards. "Safety," for the purposes of this chapter, extends to all modes of transportation.
- B. *Permit required.* Vehicular access to a public street (e.g., a new or modified driveway connection to a street or highway) requires an approach permit approved by the applicable roadway authority.



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- C. *Traffic study requirements.* The city, in reviewing a development proposal or other action requiring an approach permit, may require a traffic impact analysis, pursuant to section 15.90.080, to determine compliance with this Development Code.

**RESPONSE:** A trip generation letter is included in Exhibit E. Table 1 of the trip generation letter shows that the residential uses (34 lots) could generate 245 weekday daily trips, including 19 trips during the weekday p.m. peak hour. Based on this report and the TIA threshold requirements of LPDC 15.90.080, a traffic impact analysis is not required.

- D. *Approach and driveway development standards.* Access management restrictions and limitations consist of provisions managing the number of access points and/or providing traffic and facility improvements that are designed to maximize the intended function of a particular street, road or highway. The intent is to achieve a balanced, comprehensive program which provides reasonable access as new development occurs while maintaining the safety and efficiency of traffic movement. Intersections, approaches and driveways shall conform to access spacing guidelines in the City of La Pine Transportation System Plan and the roadway authority's engineering standards. In the review of all new development, the reviewing authority shall consider the following techniques or considerations in providing for or restricting access to certain transportation facilities.
1. Access points to arterials and collectors may be restricted through the use of the following techniques:
    - a. Restricting spacing between access points based on the type of development and the speed along the serving collector or arterial.
    - b. Sharing of access points between adjacent properties and developments.
    - c. Providing access via a local order of street; for example, using a collector for access to an arterial, and using a local street for access to a collector.
    - d. Constructing frontage or marginal access roads to separate local traffic from through traffic.
    - e. Providing service drives to prevent overflow of vehicle queues onto adjoining roadways.
  2. Consideration of the following traffic and facility improvements for access management:
    - a. Providing of acceleration, deceleration and right-turn-only lanes.
    - b. Offsetting driveways to produce T-intersections to minimize the number of conflict points between traffic using the driveways and through traffic.
    - c. Installation of median barriers to control conflicts associated with left turn movements.
    - d. Installing side barriers to the property along the serving arterial or collector to restrict access width to a minimum.

**RESPONSE:** No access is proposed to arterials. Extension of existing streets (Masten Mill Drive and Barron Drive) across intersections with Crescent Creek Drive and Findley Drive (both collectors) is proposed, in accordance with City requirements. No driveways are proposed onto these collectors, but rather, access is provided to individual lots from the lower order local streets. No additional access management is proposed or anticipated due to the residential nature of the surrounding area and low speeds of the adjacent collector streets.

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- E. *ODOT approval.* Where a new approach onto a state highway or a change of use adjacent to a state highway requires ODOT approval, the applicant is responsible for obtaining ODOT approval. The city may approve a development conditionally, requiring the applicant first obtain required ODOT permit(s) before commencing development, in which case the city will work cooperatively with the applicant and ODOT to avoid unnecessary delays.

**RESPONSE:** No access is proposed to ODOT right-of-way; this section does not apply.

- F. *Other agency approval.* Where an approach or driveway crosses a drainage ditch, canal, railroad, or other feature that is under the jurisdiction of another agency, the applicant is responsible for obtaining all required approvals and permits from that agency prior to commencing development.

**RESPONSE:** No approach or driveway crosses a drainage ditch, canal, railroad or other feature under jurisdiction of another agency; this section does not apply.

- G. *Exceptions and adjustments.* The city may approve adjustments to the spacing standards of subsections above, where an existing connection to a city street does not meet the standards of the roadway authority and the proposed development moves in the direction of code compliance.

**RESPONSE:** No exceptions or adjustments are proposed.

- H. *Joint use access easement and maintenance agreement.* Where the city approves a joint use driveway, the property owners shall record an easement with the deed allowing joint use of and cross access between adjacent properties. The owners of the properties agreeing to joint use of the driveway shall record a joint maintenance agreement with the deed, defining maintenance responsibilities of property owners. The applicant shall provide a fully executed copy of the agreement to the city for its records, but the city is not responsible for maintaining the driveway or resolving any dispute between property owners.

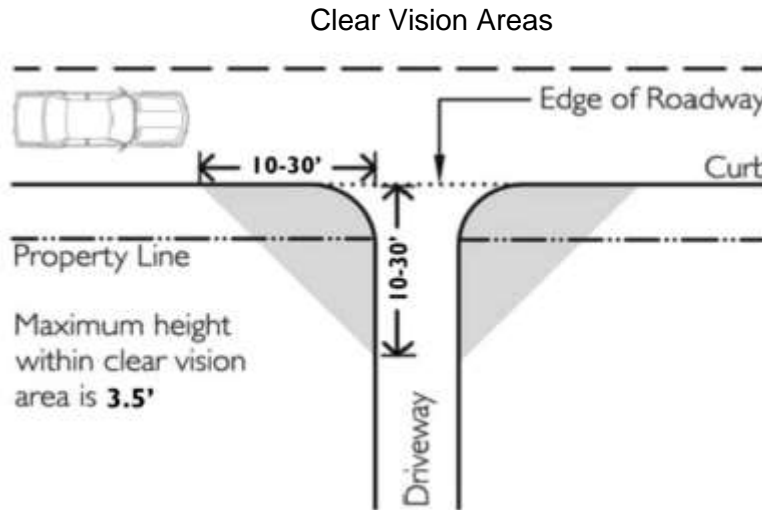
**RESPONSE:** Joint use driveways are not proposed, as such joint use access easements and maintenance agreements are not required.

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

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

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



**RESPONSE:** Clear vision triangles are shown on the submitted plans. No plantings, walls, structures, private signage, or temporary or permanent obstructions exceeding 3½ feet in height are proposed within the clear vision triangles.

**Sec. 15.88.050. Pedestrian access and circulation.**

- A. *Purpose and intent.* This section implements the pedestrian access and connectivity policies of City of La Pine Transportation System Plan and the requirements of the Transportation Planning Rule (OAR 660-012). It is intended to provide for safe, reasonably direct, and convenient pedestrian access and circulation.
- B. *Standards.* New subdivisions, multi-family developments, planned developments, commercial developments and institutional developments shall conform to all of the following standards for pedestrian access and circulation:
  1. *Continuous walkway system.* A pedestrian walkway system shall extend throughout the development site and connect to adjacent sidewalks, if any, and to all future phases of the development, as applicable.

**RESPONSE:** Three new local streets are proposed to provide access throughout the subdivision. Sidewalks are proposed on all sides of the streets with proposed lots to provide a continuous walkway system in compliance with the section.

2. *Safe, direct, and convenient.* Walkways within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent parking areas, recreational areas, playgrounds, and public rights-of-way conforming to the following standards:

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- a. The walkway is reasonably direct. A walkway is reasonably direct when it follows a route that does not deviate unnecessarily from a straight line or it does not involve a significant amount of out-of-direction travel.
  - b. The walkway is designed primarily for pedestrian safety and convenience, meaning it is reasonably free from hazards and provides a reasonably smooth and consistent surface and direct route of travel between destinations. The city may require landscape buffering between walkways and adjacent parking lots or driveways to mitigate safety concerns.
  - c. Vehicle/walkway separation. Except as required for crosswalks, per subsection d., below, where a walkway abuts a driveway or street it shall be raised six inches and curbed along the edge of the driveway or street. Alternatively, the city may approve a walkway abutting a driveway at the same grade as the driveway if the walkway is physically separated from all vehicle-maneuvering areas. An example of such separation is a row of bollards (designed for use in parking areas) with adequate minimum spacing between them to prevent vehicles from entering the walkway.
  - d. Crosswalks. Where a walkway crosses a parking area or driveway ("crosswalk"), it shall be clearly marked with contrasting paving materials (e.g., pavers, light-color concrete inlay between asphalt, or similar contrasting material). The crosswalk may be part of a speed table to improve driver-visibility of pedestrians.
  - e. Walkway construction. Walkway surfaces may be concrete, asphalt, brick or masonry pavers, or other city-approved durable surface meeting ADA requirements. Walkways shall be not less than four feet in width, except that the city may require five-foot wide, or wider, sidewalks in developments where pedestrian traffic warrants walkways wider than four feet.
  - f. Multi-use pathways. Multi-use pathways, where approved, shall be ten feet wide and constructed of asphalt, concrete or other city-approved durable surface meeting ADA requirements consistent with the applicable city engineering standards.

**RESPONSE:** This section is primarily intended for commercial and multi-family developments, however, the proposed sidewalks provide a direct connection between streets and along all proposed lots. As the proposed lots are intended for townhome single family buildings, sidewalks are not required to the front door. All sidewalks are proposed to be concrete and set back from the street.

## **CHAPTER 15.90. PUBLIC FACILITIES**

### **Sec. 15.90.010. Public facilities improvement.**

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

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**Sec. 15.90.020. Developer responsibility for streets and other public facilities.**

- A. *Duties of developer.* It shall be the responsibility of the developer to construct all streets, curbs, sidewalks, sanitary sewers, storm sewers, water mains, electric, telephone and cable television lines necessary to serve the use or development in accordance with the specifications of the city and/or the serving entity.

**RESPONSE:** The proposed subdivision includes the extension of all services to the new residential lots. Streets, sidewalks, sanitary sewers, and water lines are shown on the proposed plans and will be constructed by the developer in accordance with the specifications of the city. Curbs are not proposed as no roads in the NNPA quadrants have curbs as the City has determined that non-curbed streets with roadside swales have had excellent results for stormwater containment and infiltration. The city has generally accepted non-curbed streets for all roads outside of the downtown commercial area. Other utilities (electrical, telephone, cable/fiber) will be coordinated with the associated utility providers for installation during project construction.

- B. *Over-sizing.* The city may require as a condition of development approval that sewer, water, or storm drainage systems serving new development be sized to accommodate future development within the area as projected by the applicable facility master plan, and the city may authorize other cost-recovery or cost-sharing methods as provided under state law.

**RESPONSE:** Oversizing is not necessary nor proposed.

C. *Inadequate existing streets.* Whenever existing streets, adjacent to, within a tract or providing access to and/or from a tract, are of inadequate width and/or improvement standards, additional right-of-way and/or improvements to the existing streets may be required.

**RESPONSE:** No inadequate streets about the proposed subdivision.

- D. *Half streets.* Half streets, while generally not acceptable, may be approved where essential to the reasonable development of a proposed land development, and when the city finds it will be practical to require dedication and improvement of the other half of the street when the adjoining property is developed. Whenever a half street exists adjacent to a tract of land proposed for development, the other half of the street shall be dedicated and improved.

**RESPONSE:** No half streets are proposed. Masten Mill Drive is proposed to be constructed to a 48-foot width, with the remaining 16-foot width along the north side where no development is currently proposed. Deschutes County will dedicate the remaining right-of-way for this street and the future development will complete the construction of the remaining asphalt, swale and sidewalk. This street width construction is a result of the County's ability to provide only 5 acres of property for the project, and, as the proposed subdivision will only develop on one side of Masten Mill, the shoulder, swale and sidewalk will be constructed when the property on that side of the street develops.

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**Sec. 15.90.030. Sewer and water.**

- A. *Sewer and water plan approval.* Development permits for sewer and water improvements shall not be issued until the public works director has approved all sanitary sewer and water plans in conformance with city standards.

**RESPONSE:** Sewer and water improvements are proposed in this subdivision application. Infrastructure construction plans will be submitted to the City for review and approval prior to construction.

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

**RESPONSE:** No inadequate facilities were identified in the project area; as such, no additional facilities are proposed to remedy inadequate facilities.

**Sec. 15.90.040. Stormwater.**

- A. *Accommodation of upstream drainage.* Culverts and other drainage facilities shall be large enough to accommodate existing and potential future runoff from the entire upstream drainage area, whether inside or outside the development. Such facilities shall be subject to review and approval by the city engineer.

**RESPONSE:** Stormwater management for this subdivision is through shallow swales along the right-of-way. No culverts are proposed.

- B. *Effect on downstream drainage.* Where it is anticipated by the city engineer that the additional runoff resulting from the development will overload an existing drainage facility, the city shall withhold approval of the development until provisions have been made for improvement of the potential condition or until provisions have been made for storage of additional runoff caused by the development in accordance with city standards.

**RESPONSE:** The proposed drainage facilities are anticipated to be able to accommodate the drainage needs of the project area.

**Sec. 15.90.050. Utilities.**

- A. *General provision.* The developer of a property is responsible for coordinating the development plan with the applicable utility providers and paying for the extension and installation of utilities not otherwise available to the subject property.
- B. *Underground utilities.* All new electrical, telephone or other utility lines shall be underground unless otherwise approved by the city.
- C. *Subdivisions.* In order to facilitate underground placement of utilities, the following additional standards apply to all new subdivisions:
1. The developer shall make all necessary arrangements with the serving utility to provide the underground services. Care shall be taken to ensure that no above ground equipment obstructs vision clearance areas for vehicular traffic.

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2. The city reserves the right to approve the location of all surface-mounted facilities.
  3. All underground utilities installed in streets must be constructed and approved by the applicable utility provider prior to the surfacing of the streets.
  4. Stubs for service connections shall be long enough to avoid disturbing the street improvements when service connections are made.
- D. *Exception to undergrounding requirement.* The city may grant exceptions to the undergrounding standard where existing physical constraints, such as geologic conditions, streams, or existing development conditions make underground placement impractical.

**RESPONSE:** All utilities will be installed underground.

**Sec. 15.90.070. Design of streets and other public facilities.**

- A. *Traffic circulation system.* The overall street system shall ensure an adequate traffic circulation system with intersection angles, grades, tangents and curves appropriate for the traffic to be carried considering the terrain of the development and the area. An analysis of the proposed traffic circulation system within the land division, and as such system and traffic generated therefrom affects the overall City of La Pine transportation, will be required to be submitted with the initial land division review application. The location, width and grade of streets shall be considered in their relationship to existing and planned streets, to topographical conditions, to public convenience and safety and to the proposed use or development to be served thereby.

**RESPONSE:** The proposed subdivision includes the construction of three new roadways, providing connections to Findley Drive and Crescent Creek Drive. All proposed roadways will be built to public street standards (local streets) and the area is fairly level with no extreme vertical or horizontal curves. Exhibit E includes a trip generation report, which also reviews the access and safety of the streets. The report concludes that “No intersection sight distance deficiencies were observed at any of the access locations...” Proposed streets have been designed to meet all City standards.

- B. *Street location and pattern.* The proposed street location and pattern shall be shown on the development plan, and the arrangement of streets shall:
1. Provide for the continuation or appropriate projection of existing principal streets in surrounding areas; or
  2. Conform to a plan for the general area of the development approved by the city to meet a particular situation where topographical or other conditions make continuance or conformance to existing streets impractical; and
  3. Conform to the adopted La Pine Transportation System Plan as may be amended.

**RESPONSE:** The proposed street locations are shown on the subdivision plans and provide for the continuation of existing streets and comply with the requirements of the City’s TSP. More specifically, all three new streets are designed to local street standards and their intersections with Crescent Creek Drive (collector) are spaced greater than 100’.

- C. *Access ways.* The city, in approving a land use application with conditions, may require a developer to provide an access way where the creation of a cul-de-sac or dead-end street is unavoidable and the access way connects the end of the street to another street, a park, or a public access way. Where an access way is required, it shall be not less than ten feet wide and shall contain a minimum six-foot-wide paved surface or other all-weather surface

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approved by the city. Access ways shall be contained within a public right-of-way or public access easement, as required by the city.

**RESPONSE:** No dead ends or cul-de-sacs are proposed; as such, no access ways are required.

- D. *Future street extensions.* Where necessary to give access to or permit future subdivision or development of adjoining land, streets shall be extended to the boundary of the proposed development or subdivision. Where a subdivision is proposed adjacent to other developable land, a future street plan shall be filed by the applicant in conjunction with an application for a subdivision in order to facilitate orderly development of the street system. The plan shall show the pattern of existing and proposed future streets from the boundaries of the proposed land division and shall include other divisible parcels within 600 feet surrounding and adjacent to the proposed subdivision. The street plan is not binding, but is intended to show potential future street extensions with future development. The plan must demonstrate, pursuant to city standards, that the proposed development does not preclude future street connections to adjacent development land. Wherever appropriate, street stubs shall be provided to allow access to future abutting subdivisions and to logically extend the street system into the surrounding area. Street ends shall contain turnarounds constructed to Uniform Fire Code standards, as the city deems applicable, and shall be designed to facilitate future extension in terms of grading, width, and temporary barricades.

**RESPONSE:** The subdivision includes the extension of two east-west existing local streets into the subdivision, Masten Mill Drive and Barron Drive. Barron Drive connects two existing connectors and Masten Mill Drive is extended to the edge of the proposed subdivision to make access for the abutting property for future development, in compliance with the requirements of this section. A new street running northwest-southeast, labeled "Arnold Avenue" is proposed to connect Masten Mill and Barron Drives, also extending to the edge of the proposed subdivision for future development access. Future street alignments are not proposed on the adjacent properties, as they are under separate ownership and no future development plans have been proposed. The abutting property is of ample size to design a variety of layouts while also extending the streets on the subject property.

- E. *Minimum right-of-way and roadway widths.* Unless otherwise approved in the tentative development plan, street, sidewalk and bike rights-of-way and surfacing widths shall not be less than the minimum widths in feet set forth in the La Pine Transportation System Plan, and shall be constructed in conformance with applicable standards and specifications set forth by the city.

**RESPONSE:** The proposed subdivision includes the construction of three local streets, to local street standards: Barron Drive, Arnold Avenue and Masten Mill Drive. Right-of-way to meet local street standards (64 feet) will be dedicated for each street. As the proposed subdivision only flanks Masten Mill Drive on the south, the street will be constructed to a 48-foot width, leaving only the remaining 16 feet of width on the north side for the future development. However, full 64-foot right-of-way will be dedicated (48' dedicated from this project, 16' dedicated from Deschutes County, the property owner to the north).



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- F. *Sidewalks.* Unless otherwise required in this chapter or other city ordinances or other regulations, or as otherwise approved by the commission, sidewalks shall be required as specified in the La Pine Transportation System Plan. In lieu of these requirements, however, the city may approve a development without sidewalks if alternative pedestrian routes and facilities are provided.

**RESPONSE:** Sidewalks will be constructed on both sides of the proposed streets, in compliance with the requirements of the La Pine Transportation System Plan. Along Masten Mill Drive, sidewalks along the south side of the street will be constructed with this proposed subdivision. Sidewalks along the north side of the street will be constructed with the future development to the north.

- G. *Bike lanes.* Unless otherwise required in this chapter or other city ordinances or other regulations, bike lanes shall be required as specified in the La Pine Transportation System Plan, except that the planning commission may approve a development without bike lanes if it is found that the requirement is not appropriate to or necessary for the extension of bicycle routes, existing or planned, and may also approve a development without bike lanes in the streets if alternative bicycle routes and facilities are provided.

**RESPONSE:** The proposed subdivision includes the construction of only local streets. The La Pine Transportation System Plan details the road cross-sections and local streets do not include bike lanes. The proposed streets will be constructed to the City's specifications.

- H. *Culs-de-sac.*

...

**RESPONSE:** No cul-de-sacs are proposed.

- I. *Marginal access streets.* Where a land development abuts or contains an existing or proposed arterial street, the city may require marginal access streets, reverse frontage lots with suitable depth, screen-plantings contained in a non-access reservation strip along the rear or side property line or other treatments deemed necessary for adequate protection of residential properties and the intended functions of the bordering street, and to afford separation of through and local traffic.

**RESPONSE:** The subject property does not abut or contain an existing or proposed arterial street.

- J. *Streets adjacent to railroad right-of-way.* Whenever a proposed land development contains or is adjacent to a railroad right-of-way, provisions may be required for a street approximately parallel to the ROW at a distance suitable for the appropriate use of land between the street and the ROW. The distance shall be determined with consideration at cross streets of the minimum distance required for approach grades to a future grade separation and to provide sufficient depth to allow screen planting or other separation requirements along the ROW.

**RESPONSE:** The proposed project does not abut or contain a railroad right-of-way.

- K. *Reserve strips.* Reserve strips or street plugs controlling access to streets will not be approved unless deemed necessary for the protection of public safety and welfare and may

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be used in the case of a dead-end street planned for future extension, and in the case of a half street planned for future development as a standard, full street.

**RESPONSE:** No reserve strips are proposed.

- L. *Alignment.* All streets, as far as practicable, shall be in alignment with existing streets by continuations of the center lines thereof. Necessary staggered street alignment resulting in intersections shall, wherever possible, leave a minimum distance of 200 feet between the center lines of streets of approximately the same direction, and in no case shall the off-set be less than 100 feet.

**RESPONSE:** Two existing streets (Masten Mill Drive and Barron Drive) are extended in alignment with existing streets to the east and south. No staggering is required in street alignment.

- M. *Intersection angles.* Streets shall be laid out to intersect at angles as near to right angles as practicable, and in no case shall an acute angle be less than 80 degrees unless there is a special intersection design approved by the city engineer or other duly designated city representative as applicable. Other streets, except alleys, shall have at least 50 feet of tangent adjacent to the intersection, and the intersection of more than two streets at any one point will not be approved.

**RESPONSE:** The proposed streets are laid out to conform with the existing development, including the park/open space in the southeast corner of the property and the extension of existing streets. New street intersections are laid out to intersect as close as possible to 90 degrees. The intersection at Barron Drive/Findley Drive is at a slight angle of 99° 1' 25" (the acute angle is approximately 81 degrees) as a result of the radial layout around the existing park in the southeast corner of the quadrant. The intersection of Masten Mill Drive and Crescent Creek Drive is at 96° 53' 6". The intersection of new streets (Arnold Avenue/Masten Mill Drive and Arnold Avenue/Barron Drive) are both at 90 degree angles. All proposed intersections are in compliance with these standards.

- N. *Curves.* Centerline radii of curves should not be less than 500 feet on major arterials, 300 feet on minor arterials, 200 feet on collectors or 100 feet on other streets and shall be on an even ten feet. Where existing conditions, particularly topography, make it otherwise impractical to provide building sites, the city may accept steeper grades and sharper curves than provided for herein in this subsection.

**RESPONSE:** Barron Drive and Masten Mill Drive are both proposed as curves, based on the patterns of existing development. Both street are local streets and have radii exceeding the 100-foot minimums (proposed radii are 400 feet and greater).

- O. *Street grades.* Street grades shall not exceed eight percent on arterials, ten percent on collectors and 12 percent on all other streets including private driveways entering upon a public street or highway; however, for streets at intersections, and for driveways entering upon a public street or highway, there should be a distance of three or more car lengths (approximately 50 feet) where the grade should not exceed six percent to provide for proper stopping distance during inclement weather conditions.

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**RESPONSE:** Street grades are minimal and are well under these maximum grades.

- P. *Street names.* Except for the extension of existing streets, no street names shall be used which will duplicate or be confused with the name of an existing street in the city or within a radius of six miles of the city or within the boundaries of a special service district such as fire or ambulance. Such street names shall be approved by the Deschutes County street name coordinator.

**RESPONSE:** Three streets are proposed: Masten Mill Drive, Barron Drive and Arnold Avenue. Masten Mill Drive and Barron Drive are extensions of existing streets across the adjacent collectors. Arnold Avenue is a new street and its name has been approved by the County plans reviewer prior to submittal.

- Q. *Street name signs.* Street name signs shall be installed at all street intersections by the developer in accordance with applicable city, county or state requirements. One street sign shall be provided at the intersection of each street, and two street signs shall be provided at four-way intersections.

**RESPONSE:** Street name signs will be installed by the developer in accordance with all requirements. Design and placement of signs will be included in the future infrastructure design plans.

- R. *Traffic control signs.* Traffic control signs shall be provided for and installed by the developer as required and approved by the appropriate city, county and/or state agency or department.

**RESPONSE:** Intersections within the proposed subdivision will be stop controlled. Stop signs will be provided and installed by the developer.

- S. *Alleys.* Alleys are not necessary in residential developments, but may be required in commercial and industrial developments unless other permanent provisions for access to off-street parking and loading facilities are approved by the city.

**RESPONSE:** No alleys are proposed.

- T. *Curbs.* Curbs shall be required on all streets in all developments, and shall be installed by the developer in accordance with standards set forth by the city unless otherwise approved by the city. Approval of streets without curbs shall be at the discretion of the city engineer, and shall be so determined during the tentative plan land division review process on the basis of special circumstances to the development.

**RESPONSE:** No roads in the NNPA quadrants have curbs and the City has determined that non-curbed streets with roadside swales have had excellent results for stormwater containment and infiltration. As a result, the City has generally accepted non-curbed streets for all roads outside of the downtown commercial area and this subdivision has been designed accordingly without curbs and with roadside swales.

- U. *Street lights.* Street lights may be required and, if so required, shall be installed by the developer in accordance with standards set forth by the city and the serving utility
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company. Streets lights, if required, shall include one fixture and be located at the intersection of streets.

**RESPONSE:** No street lights are proposed at this time.

- V. *Utilities.* The developer shall make necessary arrangements with the serving utility companies for the installation of all proposed or required utilities, which may include electrical power, natural gas, telephone, cable television and the like.

**RESPONSE:** The developer will coordinate all serving utility companies for the installation of utilities. Will serve letters from Midstate Electric and TDS Broadband are included in Exhibit G.

- W. *Drainage facilities.* Drainage facilities shall be provided as required by the city in accordance with all applicable city and Oregon Department of Environmental Quality standards.

**RESPONSE:** Swales are proposed along all new local streets in accordance with the City's roadway standards. No other drainage facilities are proposed.

- X. *Gates.* Except where approved as part of a master planned development, private streets and gated drives serving more than two dwellings (i.e., where a gate limits access to a development from a public street), are prohibited.

**RESPONSE:** No gates are proposed.

**Sec. 15.90.080. Traffic impact analysis.**

- A. *Purpose.* The purpose of this subsection is [to] coordinate the review of land use applications with roadway authorities and to implement section 660-012-0045(2)(e) of the state Transportation Planning Rule, which requires the city to adopt a process to apply conditions to development proposals in order to minimize impacts and protect transportation facilities. The following provisions also establish when a proposal must be reviewed for potential traffic impacts; when a traffic impact analysis must be submitted with a development application in order to determine whether conditions are needed to minimize impacts to and protect transportation facilities; the required contents of a traffic impact analysis; and who is qualified to prepare the analysis.
- B. *When a traffic impact analysis is required.* The city or other road authority with jurisdiction may require a traffic impact analysis (TIA) as part of an application for development, a change in use, or a change in access. A TIA shall be required where a change of use or a development would involve one or more of the following:
1. A change in zoning or a plan amendment designation;
  2. Operational or safety concerns documented in writing by a road authority;
  3. An increase in site traffic volume generation by [300] average daily trips (ADT) or more;
  4. An increase in peak hour volume of a particular movement to and from a street or highway by [20] percent or more;
  5. An increase in the use of adjacent streets by vehicles exceeding the 20,000 pound gross vehicle weights by ten vehicles or more per day;

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6. Existing or proposed approaches or access connections that do not meet minimum spacing or sight distance requirements or are located where vehicles entering or leaving the property are restricted, or such vehicles are likely to queue or hesitate at an approach or access connection, creating a safety hazard;
  7. A change in internal traffic patterns that may cause safety concerns; or
  8. A TIA required by ODOT pursuant to OAR 734-051.

**RESPONSE:** A trip generation letter is included in Exhibit E. This letter concludes that the proposed 34 townhome residential lots could generate 245 weekday daily trips, including 19 trips during the weekday p.m. peak hour. As these numbers (245 ADT, 19 pm peak trips) are below the threshold to require a TIA, no TIA is required. No other listed triggers are met.

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## **CHAPTER 15.92. ADDITIONAL STANDARDS FOR LAND DIVISIONS**

### **Sec. 15.92.010. Lots and blocks.**

- A. *Blocks.* The resulting or proposed length, width and shape of blocks shall take into account the requirements for adequate building lot sizes, street widths, access needs and topographical limitations.
  1. No block shall be more than 660 feet in length between street corner lines with a maximum 1,400-foot perimeter unless it is adjacent to an arterial street, or unless topography or the location of adjoining streets justifies an exception, and is so approved by the reviewing authority.
  2. The recommended minimum length of a block along an arterial street is 1,260 feet.
  3. A block shall have sufficient width to provide for two tiers of building sites unless topography or the location of adjoining streets justifies an exception; a standard exception is a block in which the building lots have rear yards fronting on an arterial or collector street.

**RESPONSE:** The subject property is zoned residential master plan (RMP) as part of the Newberry Neighborhood Planning Area, which includes separate and different block and perimeter requirements. Those are addressed in the responses to Chapter 15.32.

- B. *Lots.* The resulting or proposed size, width shape and orientation of building lots shall be appropriate for the type of development, and consistent with the applicable zoning and topographical conditions, specifically as lot sizes are so designated for each zoning district in the City of La Pine Development Code.

**RESPONSE:** The proposed lot sizes are a result of the La Pine Development Code requirements for the residential center district of the Newberry Neighborhood Overlay Zone and the townhome code. The proposed sizes comply with all relevant requirements of this code.

- C. *Access.* Each resulting or proposed lot or parcel shall abut upon a public street, other than an alley, for a width of at least 50 feet except as otherwise provided for in this Development Code (e.g., for townhomes). For lots fronting on a curvilinear street or cul-de-sac, the city may approve a reduced width, but in no case shall a width of less than 35 feet be approved.

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**RESPONSE:** All proposed lots abut a new local public street. All the proposed lots are townhome lots, which are excepted from the above requirement as they meet the lot width requirements of the townhome code (minimum of 25 feet wide).

- D. *Side lot lines.* The side lines of lots and parcels, as far as practicable, shall run at right angles to the street upon which they front; except that on curved streets they shall be radial to the curve.

**RESPONSE:** All proposed side lot lines meet the streets they abut as close to right angles as feasible based on the radial alignment of the proposed streets and their alignments as extensions of existing streets.

- E. *Division by boundary, ROW and drainage ways.* No lot or parcel shall be divided by the boundary line of the city, county or other taxing or service district, or by the right-of-way of a street, utility line or drainage way, or by an easement for utilities or other services, except as approved otherwise.

**RESPONSE:** All portions of the proposed subdivision are within the City of La Pine city limits.

- F. *Grading, cutting and filling of building lots or sites.* Grading, cutting and filling of building lots or sites shall conform to the following standards unless physical conditions warrant other standards as demonstrated by a licensed engineer or geologist, and that the documentation justifying such other standards shall be set forth in writing thereby:
1. Lot elevations may not be altered to more than an average of three feet from the natural pre-existing grade or contour unless approved otherwise by the city.
  2. Cut slopes shall not exceed one foot vertically to 1½ feet horizontally.
  3. Fill slopes shall not exceed one foot vertically to two feet horizontally.
  4. Where grading, cutting or filling is proposed or necessary in excess of the foregoing standards, a site investigation by a registered geologist or engineer shall be prepared and submitted to the city as a part of the tentative plan application.

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**RESPONSE:** The submittal includes a preliminary grading and drainage plan that complies with these requirements. Lot elevations are changed by less than three feet of the pre-existing conditions, in compliance with these requirements. Cut and fill slopes comply with the above requirements. No exceptions are proposed.

- G. *Through or double-frontage lots and parcels.* Through or double-frontage lots and parcels are to be avoided whenever possible, except where they are essential to provide separation of residential development and to avoid direct vehicular access from major traffic arterials or collectors, and from adjacent nonresidential activities, or to overcome specific disadvantages of topography and orientation. When through or double-frontage lots or parcels are desirable or deemed necessary, a planting screen easement of at least four to six feet in width, and across which there shall be no right of vehicular access, may be required along the line of building sites abutting such a traffic way or other incompatible uses.

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**RESPONSE:** No double frontage lots are proposed.

- H. *Special building setback lines.* If special building setback lines, in addition to those required by the applicable zoning, are to be established in a development, they shall be shown on the final plat of the development and included in the deed restrictions.

**RESPONSE:** No special setbacks apply.

- I. *Large building lots; redivision.* In the case where lots or parcels are of a size and shape that future redivision is likely or possible, the city may require that the blocks be of a size and shape so that they may be redivided into building sites as intended by the underlying zone. The development approval and site restrictions may require provisions for the extension and opening of streets at intervals which will permit a subsequent redivision of any tract of land into lots or parcels of smaller sizes than originally platted.

**RESPONSE:** No large lots are proposed; this section does not apply.

**Sec. 15.92.020. Easements.**

- A. *Utility lines.* Easements for sewer lines, water mains, electric lines or other public utilities shall be as required by the serving entity, but in no case be less than ten feet wide and centered on a rear and/or side lot line unless approved otherwise by the city. Utility pole tie-back easements may be reduced to five feet in width.

**RESPONSE:** Utilities will be installed within approved easements in accordance with this section. Construction details will be provided to the City for review and approval prior to construction.

- B. *Water courses.* If a tract is traversed by a water course, such as a drainage way, channel or stream, there shall be provided a stormwater easement or drainage right-of-way conforming substantially with the lines of the water course, and such further widths as deemed necessary.

**RESPONSE:** No watercourses traverse the subject property.

- C. *Pedestrian and bicycle ways.* When desirable for public convenience, a pedestrian and/or bicycle way of not less than ten feet in width may be required to connect to a cul-de-sac or to pass through an unusually long or oddly shaped block, or to otherwise provide appropriate circulation and to facilitate pedestrian and bicycle traffic as an alternative mode of transportation. Improvement of the easement with a minimum five-foot wide paved or other suitable surface will be required.

**RESPONSE:** Sidewalks are proposed to be constructed with every new street in the subdivision, creating ample pedestrian/bicycle connections. No cul-de-sacs or unusually long or oddly shaped blocks are proposed. As such, no additional pedestrian and bicycle ways are necessary.

- D. *Sewer and water lines.* Easements may also be required for sewer and water lines, and if so required, shall be provided for as stipulated to by the city public works department and/or water and sewer district.

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**RESPONSE:** Sewer and water lines are proposed to be installed within the street rights-of way. No additional easements are necessary.

## **CHAPTER 15.94. IMPROVEMENT PROCEDURES AND GUARANTEES**

### **Sec. 15.94.010. Improvement procedures.**

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

- A. *Plan review and approval.* Improvement work shall not be commenced until plans therefor have been reviewed and approved by the city or a designated representative thereof. The review and approval shall be at the expense of the developer.
- B. *Modification.* Improvement work shall not commence until after the city has been notified and approval therefore has been granted, and if work is discontinued for any reason, it shall not be resumed until after the city is notified and approval thereof granted.
- C. *Improvements as platted.* Improvements shall be designed, installed and constructed as platted and approved, and plans therefore shall be filed with the final plat at the time of recordation or as otherwise required by the city.
- D. *Inspection.* Improvement work shall be constructed under the inspection and approval of an inspector designated by the city, and the expenses incurred therefore shall be borne by the developer. Fees established by the city council for such review and inspection may be established in lieu of actual expenses. The city, through the inspector, may require changes in typical sections and details of improvements if unusual or special conditions arise during construction to warrant such changes in the public interest.

**RESPONSE:** The Applicant acknowledges these procedures.

- E. *Utilities.* Underground utilities, including, but not limited to, electric power, telephone, water mains, water service crossings, sanitary sewers and storm drains, to be installed in streets, shall be constructed by the developer prior to the surfacing of the streets.

**RESPONSE:** All utilities are proposed to be installed underground.

- F. *As built plans.* As built plans for all public improvements shall be prepared and completed by a licensed engineer and filed with the city upon the completion of all such improvements. A copy of the as built plans shall be filed with the final plat of a subdivision or other development by and at the cost of the developer. The plans shall be completed and duly filed within 30 days of the completion of the improvements.

### **Sec. 15.94.020. Completion or assurance of improvements.**

- A. *Agreement for improvements.* Prior to final plat approval for a subdivision, partition, PUD or other land development, or the final approval of a land use or development pursuant to



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applicable zoning provisions, where public improvements are required, the owner and/or developer shall either install required improvements and repair existing streets and other public facilities damaged in the development of the property, or shall execute and file with the city an agreement between him/herself and the city specifying the period in which improvements and repairs shall be completed and, providing that if the work is not completed within the period specified, that the city may complete the work and recover the full costs thereof, together with court costs and attorney costs necessary to collect the amounts from the developer. The agreement shall also provide for payment to the city for the cost of inspection and other engineer services directly attributed to the project.

- B. *Bond or other performance assurance.* The developer shall file with the agreement, to ensure his/her full and faithful performance thereof, one of the following, pursuant to approval of the city attorney and city manager, and approval and acceptance by the city council:
1. A surety bond executed by a surety company authorized to transact business in the State of Oregon in a form approved by the city attorney.
  2. A personal bond co-signed by at least one additional person together with evidence of financial responsibility and resources of those signing the bond sufficient to provide reasonable assurance of the ability to proceed in accordance with the agreement.
  3. Cash deposit.
  4. Such other security as may be approved and deemed necessary by the city council to adequately ensure completion of the required improvements.
- C. *Amount of security required.* The assurance of full and faithful performance shall be for a sum approved by the city as sufficient to cover the cost of the improvements and repairs, including related engineering, inspection and other incidental expenses, plus an additional 20 percent for contingencies.
- D. *Default status.* If a developer fails to carry out provisions of the agreement, and the city has unreimbursed costs or expenses resulting from the failure, the city shall call on the bond or other assurance for reimbursement of the costs or expenses. If the amount of the bond or other assurance deposit exceeds costs and expenses incurred by the city, it shall release the remainder. If the amount of the bond or other assurance is less than the costs or expenses incurred by the city, the developer shall be liable to the city for the difference plus any attorney fees and costs incurred.

**Sec. 15.94.030. Building and occupancy permits.**

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

**Sec. 15.94.040. Maintenance surety bond.**

Prior to sale and occupancy of any lot, parcel or building unit erected upon a lot within a subdivision, partitioning, PUD or other development, and as a condition of acceptance of improvements, the city will require a one-year maintenance surety bond in an amount not to

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exceed 20 percent of the value of all improvements, to guarantee maintenance and performance for a period of not less than one year from the date of acceptance.

**RESPONSE:** The developer will comply with all bonding requirements and permit/construction processes.

<b>TOWNHOMES</b>
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**Sec. 15.104.020. Townhomes.**

A. *Applicability.* All townhome developments shall comply with the following standards which are intended to control development scale; avoid or minimize impacts associated with traffic, parking, and design compatibility; and ensure management and maintenance of common areas. Townhome developments with three or more dwelling units shall require approval through a Type II procedure, pursuant to chapter 15.312, site plan review.

B. *Standards.*

1. *Setbacks and lot width.* Notwithstanding anything in this Development Code to the contrary, there shall be no required side yard setback between attached townhomes (i.e. where a party wall is sited). Townhomes shall otherwise comply with the applicable setbacks in the underlying zone. The minimum lot width for townhome lots shall be 25 feet.

**RESPONSE:** All proposed lots exceed the minimum 25-foot width. The townhomes are grouped in pairs, creating one shared wall and zero lot line between each pair of homes.

2. *Building mass and facade variation supplemental standard.* The number and width of consecutively attached townhomes shall not exceed five units. The facades of townhomes in groups of three or greater shall be varied by changed front yard setbacks so that not more than two abutting townhouses will have the same front yard setback for its full width.

**RESPONSE:** The townhomes are grouped in pairs, well under the maximum for this requirement.

3. *Garages.* Every townhome shall include, at a minimum, a single car garage.

**RESPONSE:** Each townhome includes a single car garage, in compliance with this requirement.

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4. *Alley access developments.* Townhome developments in newly created subdivisions shall receive vehicle access only from a rear alley, except when existing development patterns or topography make construction of an alley impractical (see subsection 5 of this section for standards for street access developments). Alley(s) shall be created at the time of subdivision approval.

**RESPONSE:** The proposed townhome development does not include rear alleys as the existing development patterns make construction of an alley impractical. The development pattern of Quadrant 2a is determined based upon the existing street layouts to the east and south. More specifically, the code required extension of Barron Drive and Masten Mill Drive from the east, combined with the code required minimum lot depth of 100 feet eliminates the ability to construct an alley between the two rows of townhomes between these two extended streets as the space between these two streets is only enough to accommodate the code minimum lot depths of the proposed parcels.

Additionally, due to the pattern of development with the open space zone/park in the southeast corner of the quadrant, streets and lots will develop in a radial fashion around the park. The addition of an alleyway would result in an undesirable intersection of the alleyway with a major collector (Crescent Creek). Further, Section 15.32.020.B.5 provides that "Direct access from residential lots onto the local streets and perimeter collectors is permitted."

Finally, in previous public meetings and land use review processes of applications within existing residential center areas in quadrants to the south, residents have repeatedly expressed great concern about the functionality of the existing alleyways, noting that, due to narrow rear yard setbacks in the district, the alleyways became littered with cars that couldn't fit within the setbacks, making the alleys impassable at times. Snow removal and storage in these narrow areas has also become a hindrance for access via these alleyways.

5. *Street access developments.* Where available, townhomes shall take access from an alley. Townhomes receiving access directly from a public or private street shall comply with all of the following standards, in order to minimize interruption of adjacent sidewalks by driveway entrances, slow traffic, improve appearance of the streets, and minimize paved surfaces for better stormwater management:

- a. When garages or carports face the street, the garage or opening shall set back a minimum of 20 feet from the property line fronting the street.

**RESPONSE:** The proposed lots include an outline of a possible townhome footprint, accommodating the minimum 20-foot garage setback.

- b. Except where required to be shared, the maximum allowable apron and driveway width facing the street is 24 feet per dwelling unit. The maximum combined garage width per unit facing the street is 50 percent of the total building width.

**RESPONSE:** Townhome pairs will have driveways abutting each other (although not shared). The typical width of the tandem driveways is 24 feet wide, with 12 feet per unit, in compliance with this requirement. Garage widths have not yet been designed, but the lots are sized to accommodate the width requirements and will be submitted

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for review during the zoning permit checklist process prior to building permit submittal.

- c. Two adjacent garages shall share one driveway, with a maximum width of 30 feet. when individual driveways would otherwise be separated by less than 20 feet (i.e. the width of one on-street parking space). When a driveway serves more than one lot, the developer shall record an access and maintenance easement/agreement to benefit each lot, acceptable to the city, prior to building permit issuance.

**RESPONSE:** Townhome pairs will have driveways abutting each other (although not shared). The typical width of the tandem driveways is 24 feet wide, with 12 feet per unit, in compliance with this requirement. Access and maintenance easements are not necessary, as these are not shared driveways.

6. *Common areas.* All areas commonly owned by the owners within a townhome development shall be maintained by a homeowners association or by the owners under a joint-maintenance agreement. Covenants, restrictions and conditions or a joint maintenance agreement acceptable to the city shall be recorded prior to issuance of a building permit.

**RESPONSE:** Each townhome pairing will share one common wall. Maintenance and responsibilities for this shared wall will be memorialized in a joint agreement and will be submitted to the City for review prior to issuance of building permits.

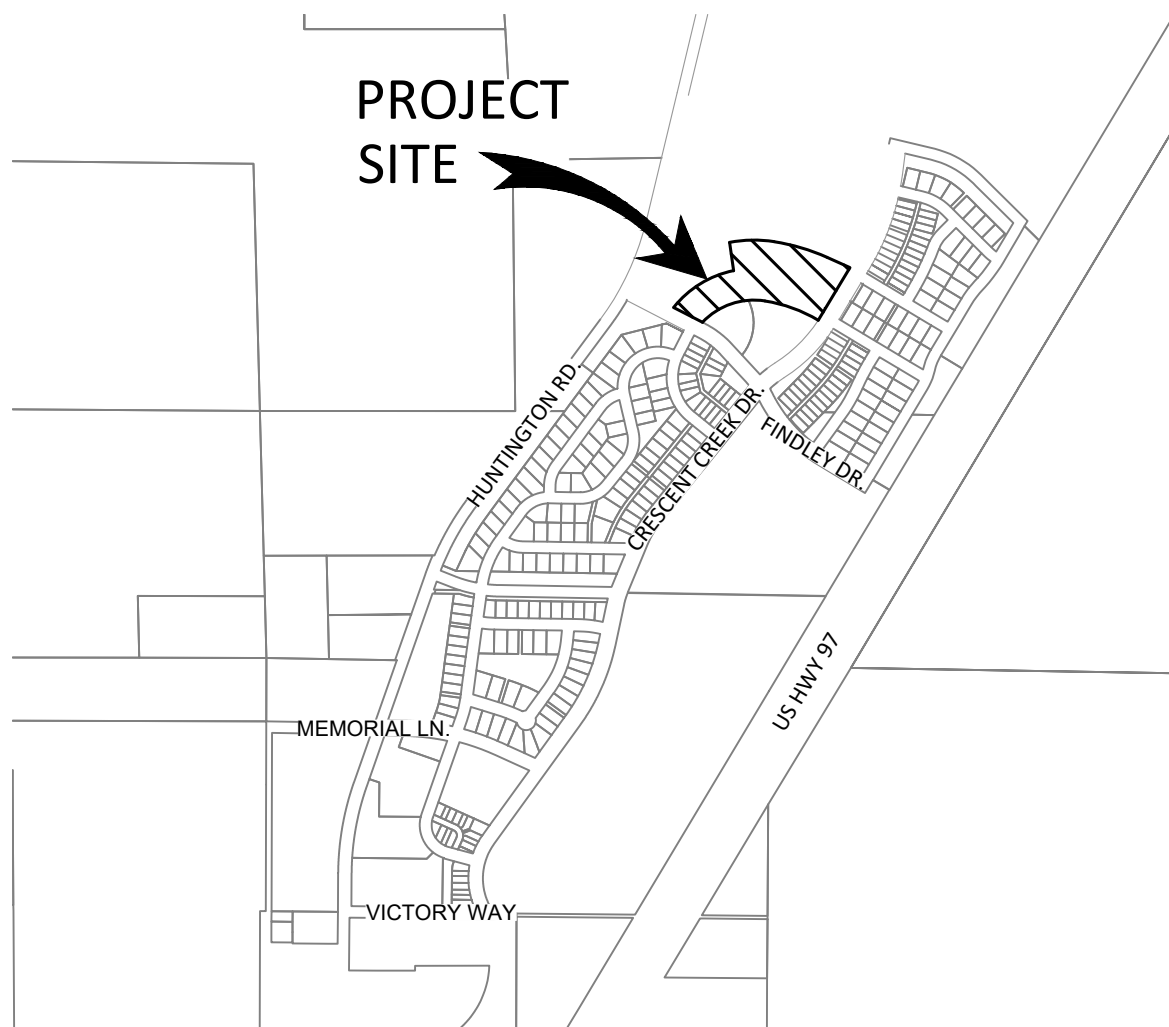
7. *Party walls.* If not addressed through covenants, conditions and restrictions, an agreement(s) for joint maintenance of party walls acceptable to the city shall be recorded prior to issuance of a building permit.

**RESPONSE:** Townhomes are proposed in pairs, with two homes sharing one wall. The developer will develop a legal mechanism by which these party walls will be maintained and will record such documents prior to issuance of building permits.

8. *Waste disposal and mechanical equipment screening.* All waste disposal collection areas and mechanical equipment areas shall be screened from public view.
9. *Fences.* Front yard fencing shall be three feet or less in height and constructed of split rails, wood pickets, wrought iron, or similar materials and design, as approved by the city. Fences shall not be placed within the site vision triangle.

**RESPONSE:** No buildings or associated amenities/facilities are proposed with this subdivision application, however, nothing in the application precludes compliance with these waste disposal, mechanical equipment screening and fencing requirements. These requirements can be reviewed at time of zoning permit checklist.

PRELIMINARY SITE PLAN  
FOR  
51950 HUNTINGTON ROAD



SHEET INDEX	
SHEET NUMBER	SHEET TITLE
C1.0	PRELIMINARY SITE PLAN
C2.0	TYPICAL SECTIONS
C3.0	PRELIMINARY GRADING & DRAINAGE PLAN
C4.0	PRELIMINARY UTILITY PLAN
C5.0	QUADRANT PLAN
TS1.0	TENTATIVE SUBDIVISION PLAN

LEGEND:

- SUBJECT PROPERTY RECORD BOUNDARY
- EXISTING RIGHT OF WAY LINE
- EXISTING TAXLOT LINE
- EXISTING EASEMENT LINE
- EXISTING EDGE OF PAVEMENT
- X EXISTING FENCE
- 8"W EXISTING WATER MAIN
- 8"SS EXISTING SEWER MAIN
- OW EXISTING OVERHEAD WIRE
- ⊕ EXISTING SIGN
- ⊕ EXISTING FIRE HYDRANT
- 8"SS PROPOSED SANITARY SEWER MAIN
- 8"W PROPOSED WATER MAIN
- ⊕ PROPOSED FIRE HYDRANT
- ▒ PROPOSED AC PAVEMENT
- ▒ PROPOSED CONCRETE SIDEWALK
- ▒ PROPOSED ASPHALT DRIVEWAY/APPROACH
- ▒ PROPOSED ROADSIDE SWALE
- ▒ PROPOSED TOWNHOUSE BUILDING ENVELOPE (28' X 60')
- △ CLEAR VISION TRIANGLE

LOT COVERAGE		
LOT #	AREA	LOT COVERAGE %
1	4593 SF	37%
2	3569 SF	47%
3	3569 SF	47%
4	3569 SF	47%
5	3569 SF	47%
6	3569 SF	47%
7	3569 SF	47%
8	4497 SF	37%
9	4835 SF	35%
10	3681 SF	46%
11	3627 SF	46%
12	3498 SF	48%
13	3498 SF	48%
14	3498 SF	48%
15	3498 SF	48%
16	3498 SF	48%
17	3498 SF	48%

LOT COVERAGE		
LOT #	AREA	LOT COVERAGE %
18	3498 SF	48%
19	3498 SF	48%
20	4121 SF	41%
21	4894 SF	34%
22	3629 SF	46%
23	3593 SF	47%
24	3647 SF	46%
25	3616 SF	46%
26	3521 SF	48%
27	3521 SF	48%
28	3521 SF	48%
29	3521 SF	48%
30	3521 SF	48%
31	3521 SF	48%
32	3529 SF	48%
33	3572 SF	47%
34	3700 SF	45%

TENTATIVE PLAN DEVELOPMENT DATA:

OWNER: HABITAT FOR HUMANITY OF SUNRIVER  
& APPLICANT: 56835 VENTURE LANE, SUITE 101-102  
SUNRIVER, OR 97707  
CONTACT: WADE WATSON - 206.915.2424

ENGINEERING & SURVEYING: HARPER HOUF PETERSON RIGHELLIS INC.  
250 NW FRANKLIN AVE., SUITE 404  
BEND, OR 97703  
CONTACT: JENNIFER VANCAMP, PE - 541.318.1161

TAXLOT: 2210110000401

CURRENT ZONING: RMP RESIDENTIAL CENTER DISTRICT

CURRENT USE: VACANT

TOTAL PARTITION AREA: 5.02 - ACRES (218,805 SF)

TOTAL LOTS: 34 TOWNHOME LOTS

GROSS DENSITY: 7 DWELLING UNITS / ACRE

PROPOSED USE: RESIDENTIAL TOWNHOMES

STREETS: PUBLIC

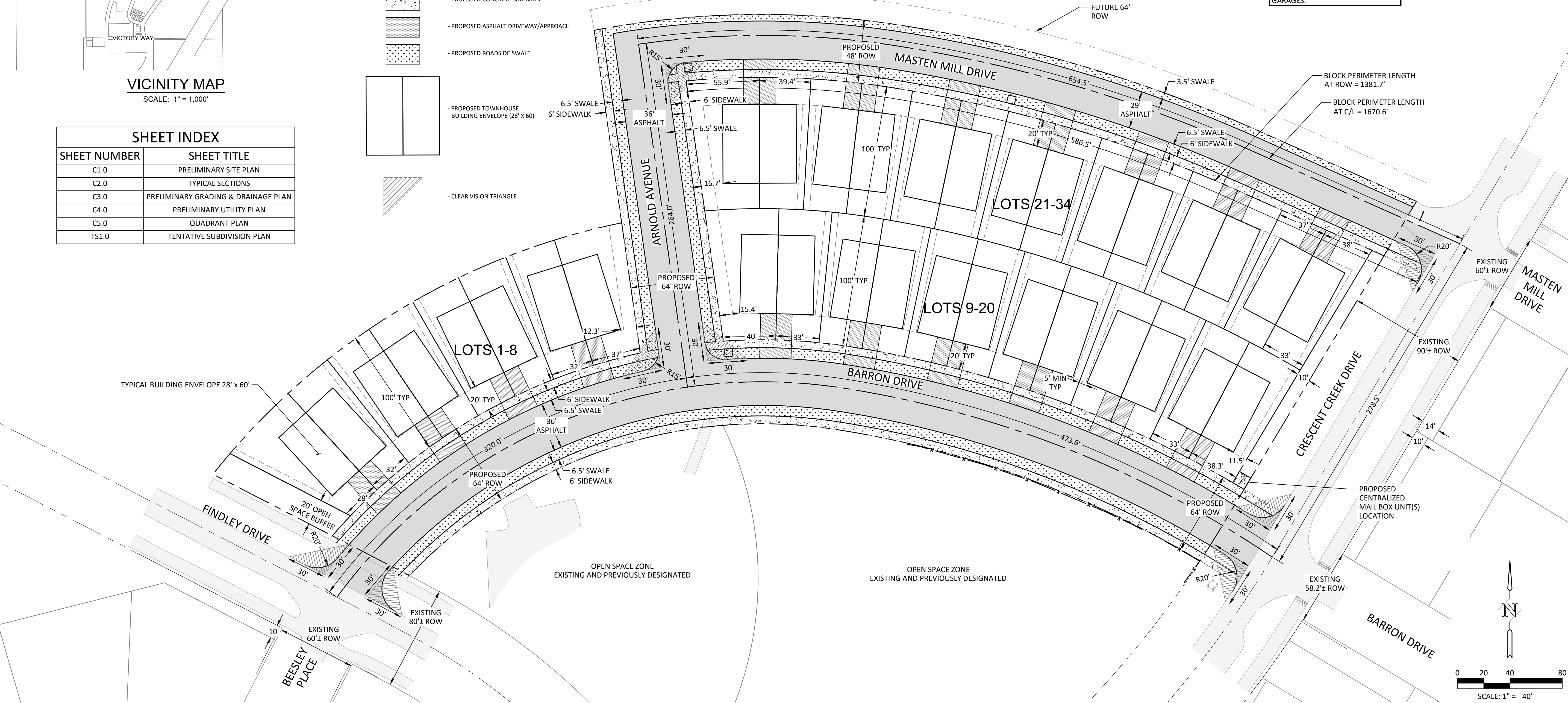
DOMESTIC WATER: CITY OF LA PINE

SANITARY SEWER: CITY OF LA PINE

FIRE PROTECTION: LA PINE RURAL FIRE PROTECTION DISTRICT

**BUILDING NOTE:**  
TOWNHOME CONFIGURATIONS WILL VARY BUT TOWNHOME CONSTRUCTION WILL BE CONFINED WITHIN THE DESIGNATED BUILDING ENVELOPES.

**SCREENING NOTE:**  
HVAC MECHANICAL EQUIPMENT WILL BE INSIDE FENCED REAR YARDS. GARBAGE AND RECYCLING RECEPTACLES WILL BE STORED IN GARAGES.



PRELIMINARY SITE PLAN  
**51950 HUNTINGTON ROAD - PARCEL 2**  
LA PINE, OREGON

**Harper Houf Peterson Righellis Inc.**  
ENGINEERS & PLANNERS  
LANDSCAPE ARCHITECTS & SURVEYORS  
250 NW Franklin Avenue, Suite 404, Bend, OR 97703  
phone: 541.318.1161 www.hhp.com

REGISTERED PROFESSIONAL ENGINEER  
OREGON  
DEC. 29, 2009  
JENNIFER L. VANCAMP  
EXPIRES: 6/30/24

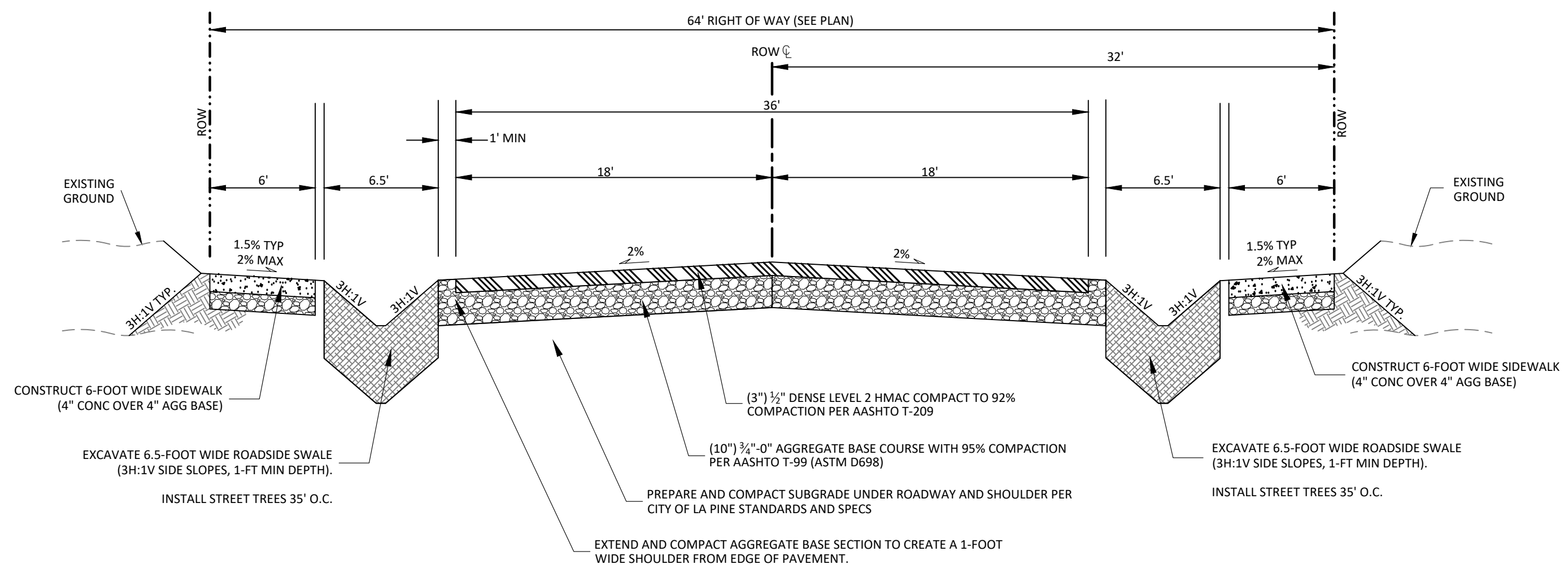
DESIGNED: JLV  
DRAWN: HHPR TEAM  
CHECKED: JLV  
DATE: APRIL 2024

DATE	NO.	DESCRIPTION

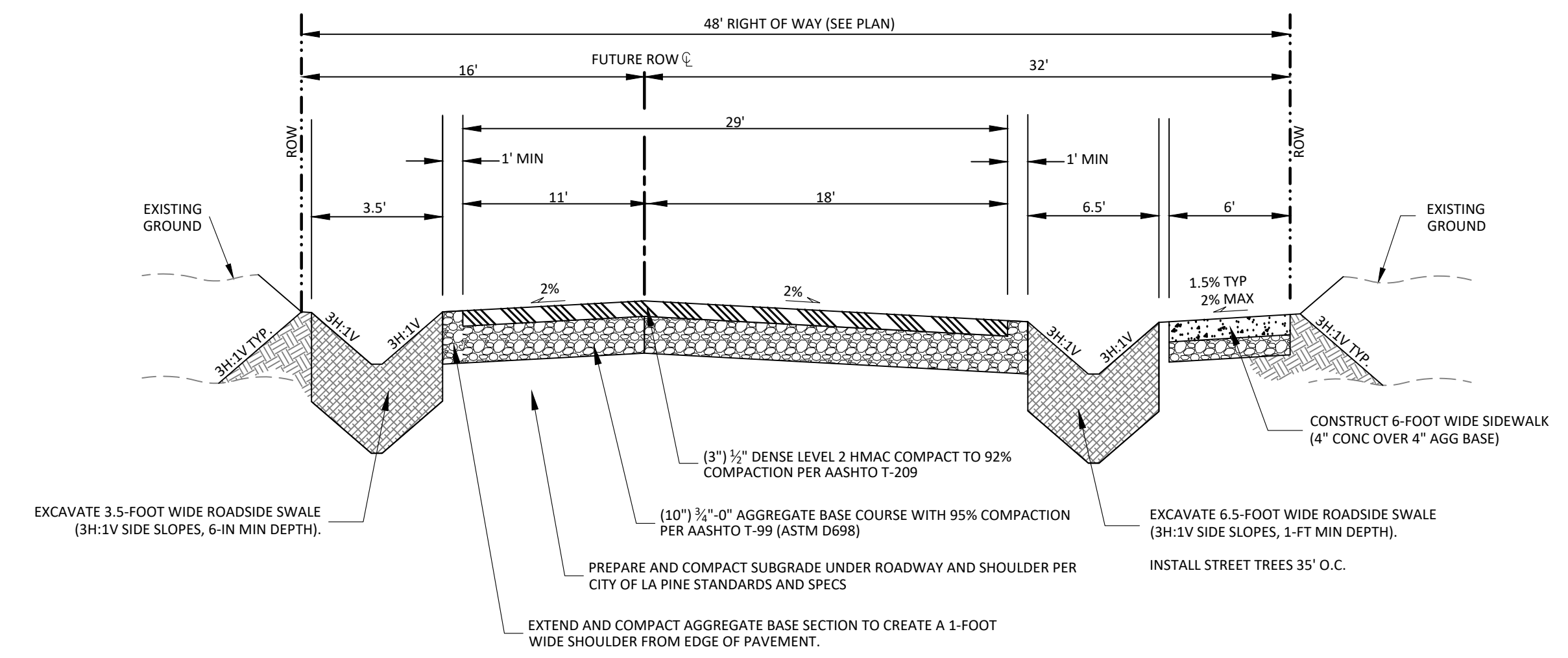
SHEET NO. **C1.0**  
JOB NO. HFH-02

P:\03-Bend\HFH Habitat for Humanity\HFH-02 Huntington Road\HFH02-DWG\SSheets\Land Use\HFH02-C1.0-PRELIM SITE PLAN.dwg

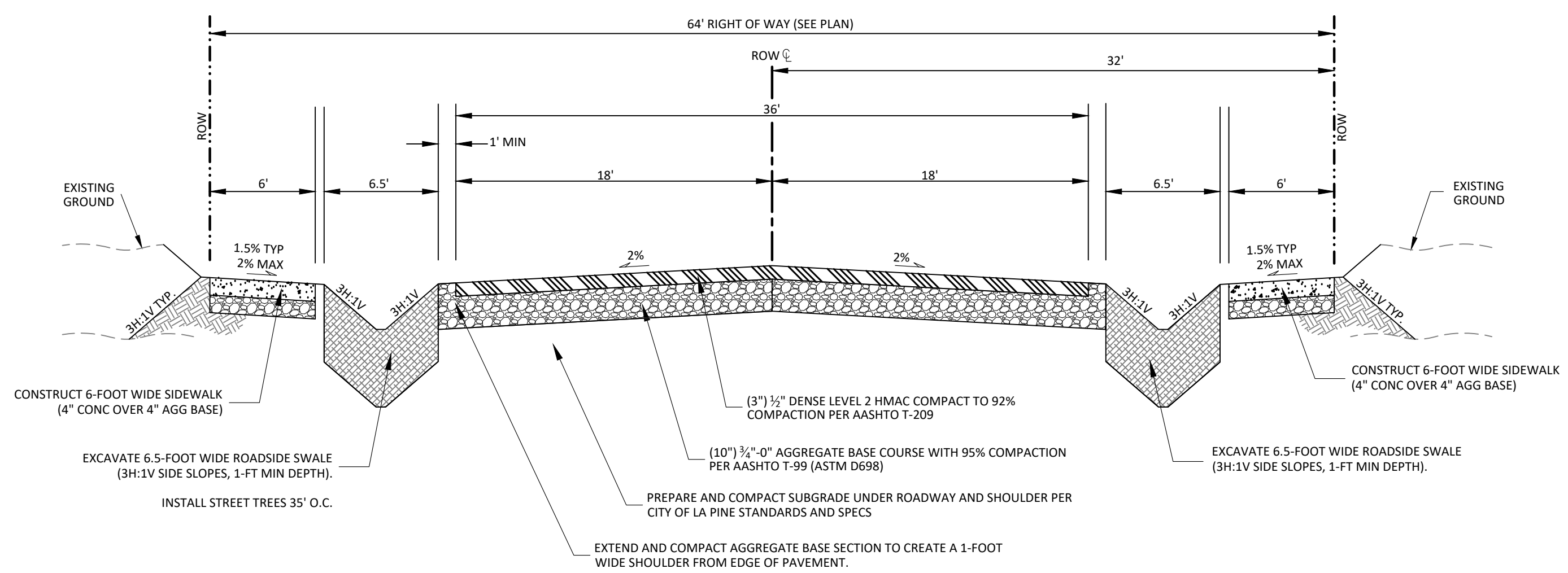
P:\03-Bentley\FH (Habitat for Humanity)\FH-02 Huntington Road\FH02-DWG\SS\Streets\Land Use\FH02-C2.0-CROSS SECTIONS.dwg



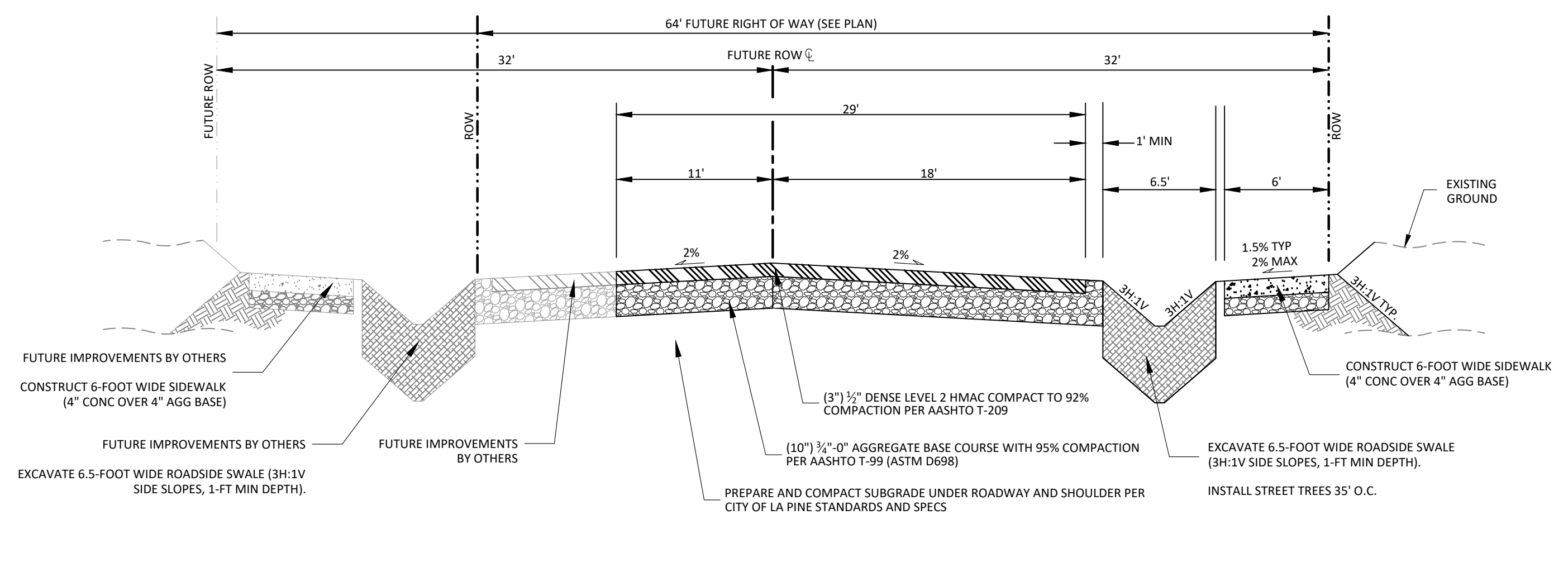
**ARNOLD AVE - TYPICAL SECTION**  
LOOKING NORTH  
NTS



**MASTEN MILL DR - 3/4 ROAD TYPICAL SECTION**  
LOOKING EAST  
NTS



**BARRON DR - TYPICAL SECTION**  
LOOKING EAST  
NTS



**MASTEN MILL DR - 3/4 ROAD TYPICAL SECTION (FUTURE BUILD OUT)**  
LOOKING EAST  
NTS

**TYPICAL SECTIONS**  
**51950 HUNTINGTON ROAD - PARCEL 2**  
LA PINE, OREGON

**Harper Houf Peterson**  
**Righellis Inc.**  
ENGINEERS + PLANNERS  
LANDSCAPE ARCHITECTS + SURVEYORS  
250 NW Franklin Avenue, Suite 404, Bend, OR 97703  
phone: 541.318.1161 www.hhp.com

**REGISTERED PROFESSIONAL ENGINEER**  
76,554  
**PRELIMINARY**  
DEC. 29, 2023  
**JENNIFER L. YANCAW**  
EXPIRES: 6/30/24

DESIGNED:	JLV
DRAWN:	HHPR TEAM
CHECKED:	JLV
DATE:	APRIL 2024

DATE	NO.	DESCRIPTION

SHEET NO.  
**C2.0**  
JOB NO.  
HFH-02

**LAND USE**

# PRELIMINARY GRADING & DRAINAGE PLAN FOR 51950 HUNTINGTON ROAD

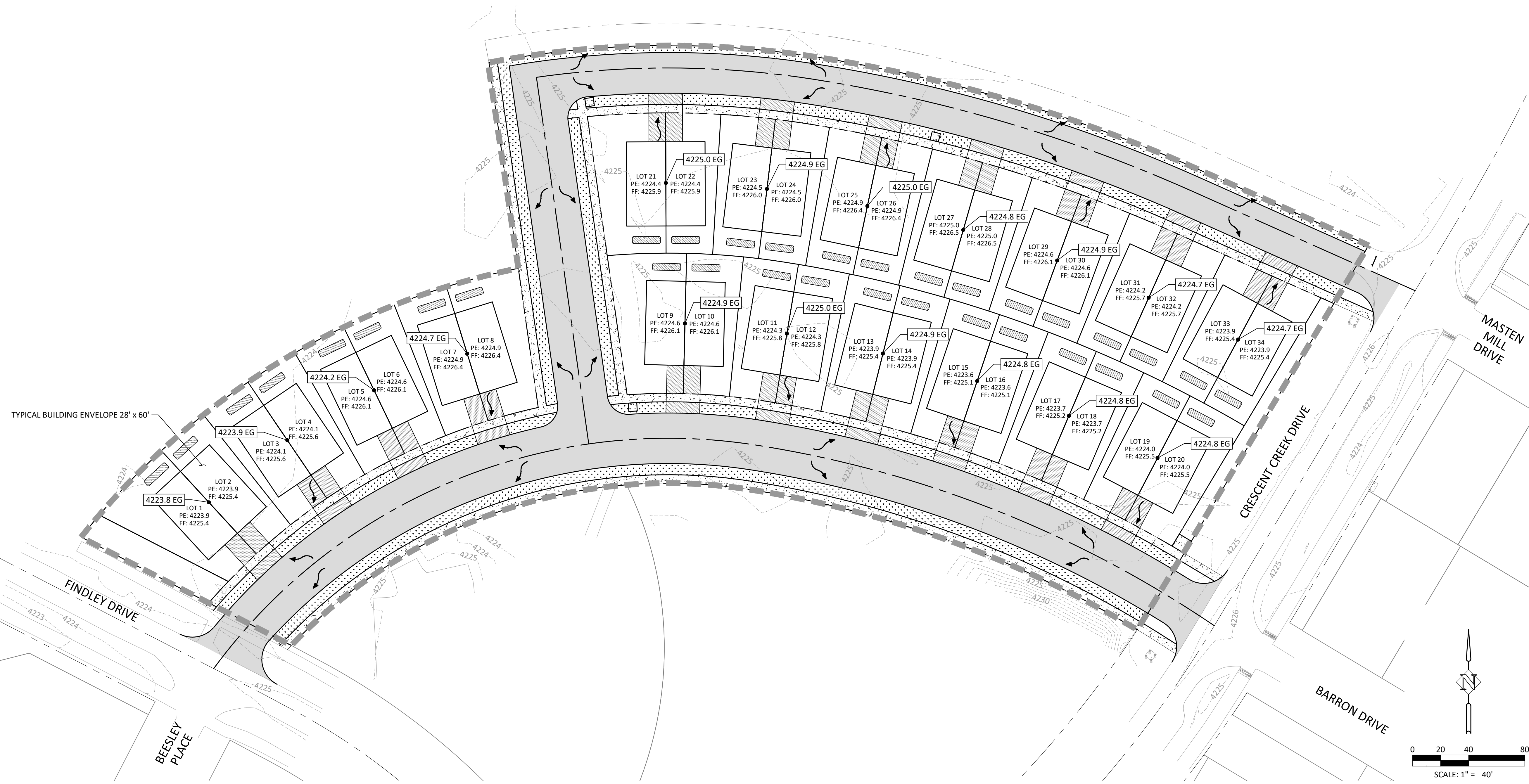
### LEGEND

- SUBJECT PROPERTY RECORD BOUNDARY
- - - - - EXISTING RIGHT OF WAY LINE
- - - - - EXISTING EASEMENT LINE
- - - - - 4226 EXISTING GROUND CONTOUR
- SUB-BASIN DRAINAGE AREA
- [Hatched Box] PROPOSED INFILTRATION BASIN
- [Dotted Box] PROPOSED ROADSIDE SWALE
- PROPOSED FLOW DIRECTION ARROW

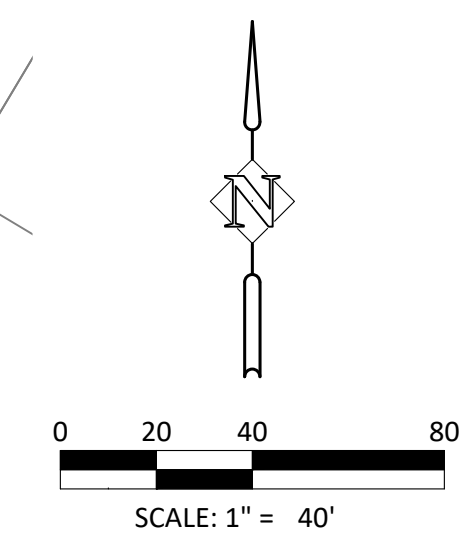
**NOTE:**  
 EG = EXISTING GRADE  
 PE = PROPOSED BUILDING PAD ELEVATION  
 FF = PROPOSED BUILDING FINISH FLOOR ELEVATION

### PRELIMINARY GRADING AND DRAINAGE NOTES

1. ALL PROPOSED ELEVATIONS/GRADES SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO FINAL DESIGN.
2. STORMWATER MANAGEMENT FACILITY LOCATIONS ARE PRELIMINARY AND SUBJECT TO CHANGE DURING FINAL DESIGN.
3. FINAL DRAINAGE FACILITIES DESIGN WILL BE IN ACCORDANCE WITH CITY OF LA PINE STANDARDS
4. LOT ELEVATIONS MAY NOT BE ALTERED TO MORE THAN AN AVERAGE OF THREE FEET FROM THE NATURAL PRE-EXISTING GRADE OR CONTOUR UNLESS APPROVED OTHERWISE BY THE CITY.
5. CUT SLOPES SHALL NOT EXCEED ONE FOOT VERTICALLY TO 1-1/2 FEET HORIZONTALLY.
6. FILL SLOPES SHALL NOT EXCEED ONE FOOT VERTICALLY TO TWO FEET HORIZONTALLY.



**PRELIMINARY GRADING & DRAINAGE PLAN**  
SCALE: 1" = 40'



**PRELIMINARY GRADING & DRAINAGE PLAN**  
**51950 HUNTINGTON ROAD - PARCEL 2**  
 LA PINE, OREGON

**Harper Houf Peterson**  
**Righelis Inc.**  
 ENGINEERS + PLANNERS  
 LANDSCAPE ARCHITECTS + SURVEYORS  
 250 NW Franklin Avenue, Suite 404, Bend, OR 97703  
 phone: 541.318.1161 www.hhp.com

REGISTERED PROFESSIONAL ENGINEER  
 76,554  
 PRELIMINARY OREGON  
 DEC. 29, 2009  
 JENNIFER L. YAN CAMP  
 EXPIRES: 6/30/24

DESIGNED: JLV	DRAWN: HHR TEAM	CHECKED: JLV	DATE: APRIL 2024
---------------	-----------------	--------------	------------------

DATE	NO.	DESCRIPTION

SHEET NO. **C3.0**  
 JOB NO. HFH-02

P:\03-Bend\HFH (Habitat for Humanity)\HFH-02 Huntington Road\HFH02-DWG\Streets\Land Use\HFH02-C3.0-PRELIM GRADING & DRAINAGE PLAN.dwg

PRELIMINARY UTILITY PLAN  
FOR  
51950 HUNTINGTON ROAD

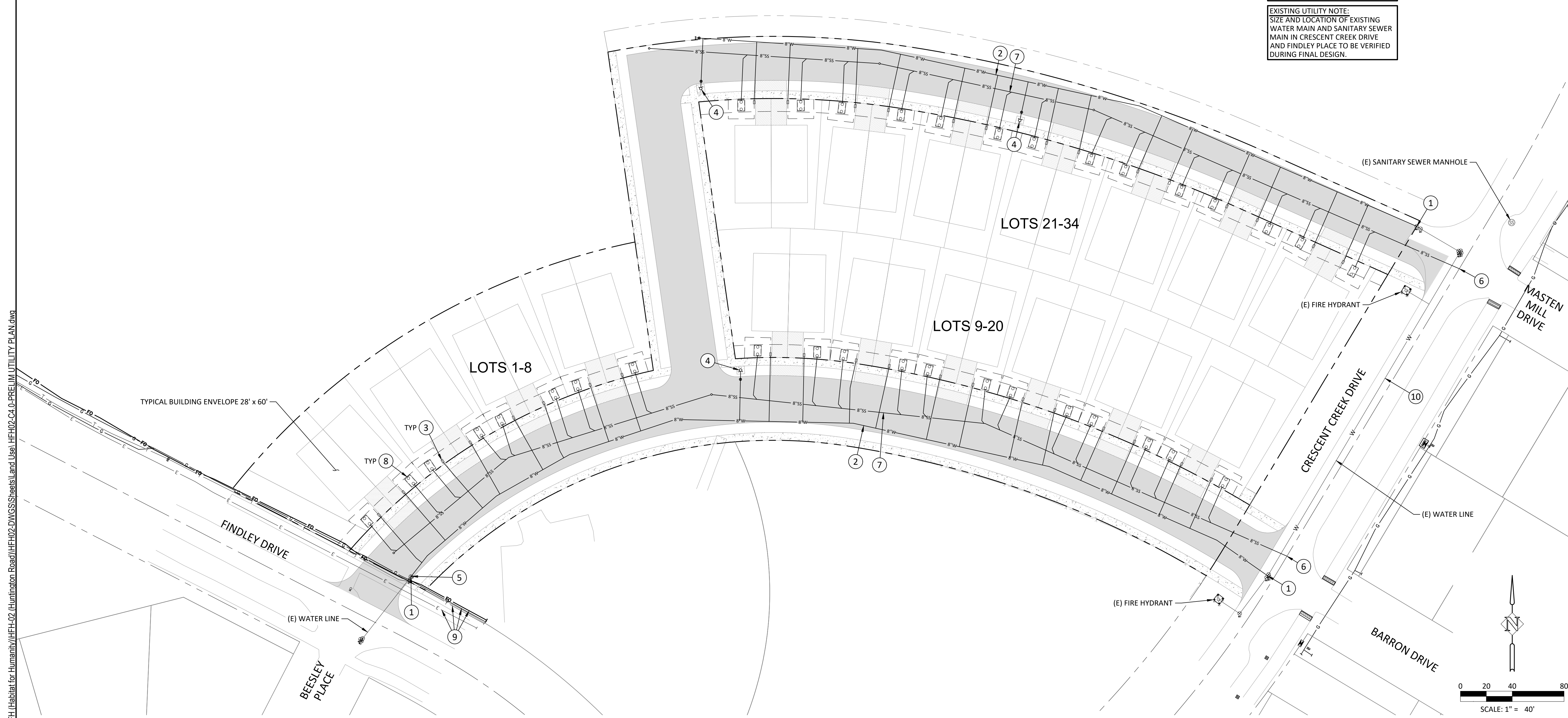
**PRELIMINARY CONSTRUCTION NOTES:**

- ① CONNECT TO EXISTING WATER MAIN AND BEGIN CONSTRUCTION OF NEW CITY OF LA PINE 8" WATER MAIN.
- ② PROPOSED 8" WATER MAIN.
- ③ WATER SERVICE OFF PROPOSED 8" WATER MAIN.
- ④ HYDRANT ASSEMBLY WITH 6'x6' CONCRETE PAD, 4 BOLLARDS, AND SNOW FLAG. PAINT FIRE HYDRANT AND BOLLARDS SAFETY YELLOW.
- ⑤ REMOVE EXISTING WATER LINE BLOW OFF.
- ⑥ CONNECT TO EXISTING SANITARY SEWER MAIN. LOCATION AND INVERT ELEVATION TO BE VERIFIED DURING FINAL DESIGN.
- ⑦ PROPOSED 8" SANITARY SEWER MAIN.
- ⑧ 1000-GALLON RESIDENTIAL SEPTIC TANK WITH EFFLUENT FILTER.
- ⑨ PROTECT EXISTING FRANCHISE UTILITIES.
- ⑩ PROTECT EXISTING WATER MAIN.

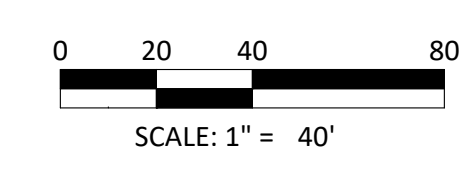
**BUILDING NOTE:**  
TOWNHOME CONFIGURATIONS WILL VARY BUT TOWNHOME CONSTRUCTION WILL BE CONFINED WITHIN THE DESIGNATED BUILDING ENVELOPES.

**EXISTING UTILITY NOTE:**  
SIZE AND LOCATION OF EXISTING WATER MAIN AND SANITARY SEWER MAIN IN CRESCENT CREEK DRIVE AND FINDLEY PLACE TO BE VERIFIED DURING FINAL DESIGN.

P:\03-Bend\HFH\Habitat for Humanity\HFH-02 Huntington Road\HFH02-DWG\SS\Streets\Land Use\HFH02-C4.0-PRELIM UTILITY PLAN.dwg



**PRELIMINARY UTILITY PLAN**  
SCALE: 1" = 40'



**LAND USE**

PRELIMINARY UTILITY PLAN  
**51950 HUNTINGTON ROAD - PARCEL 2**  
LA PINE, OREGON

**Harper Houf Peterson Righellis Inc.**  
ENGINEERS + PLANNERS  
LANDSCAPE ARCHITECTS + SURVEYORS  
250 NW Franklin Avenue, Suite 404, Bend, OR 97703  
phone: 541.318.1161 www.hhpr.com

**REGISTERED PROFESSIONAL ENGINEER**  
76,554  
**PRELIMINARY**  
OREGON  
DEC. 29, 2023  
JENNIFER L. VAN CAMP

DESIGNED:	JLV	DATE:	APRIL 2024
DRAWN:	HHPR TEAM	CHECKED:	JLV

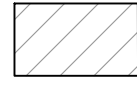
DATE	NO.	DESCRIPTION

SHEET NO.  
**C4.0**  
JOB NO.  
HFH-02

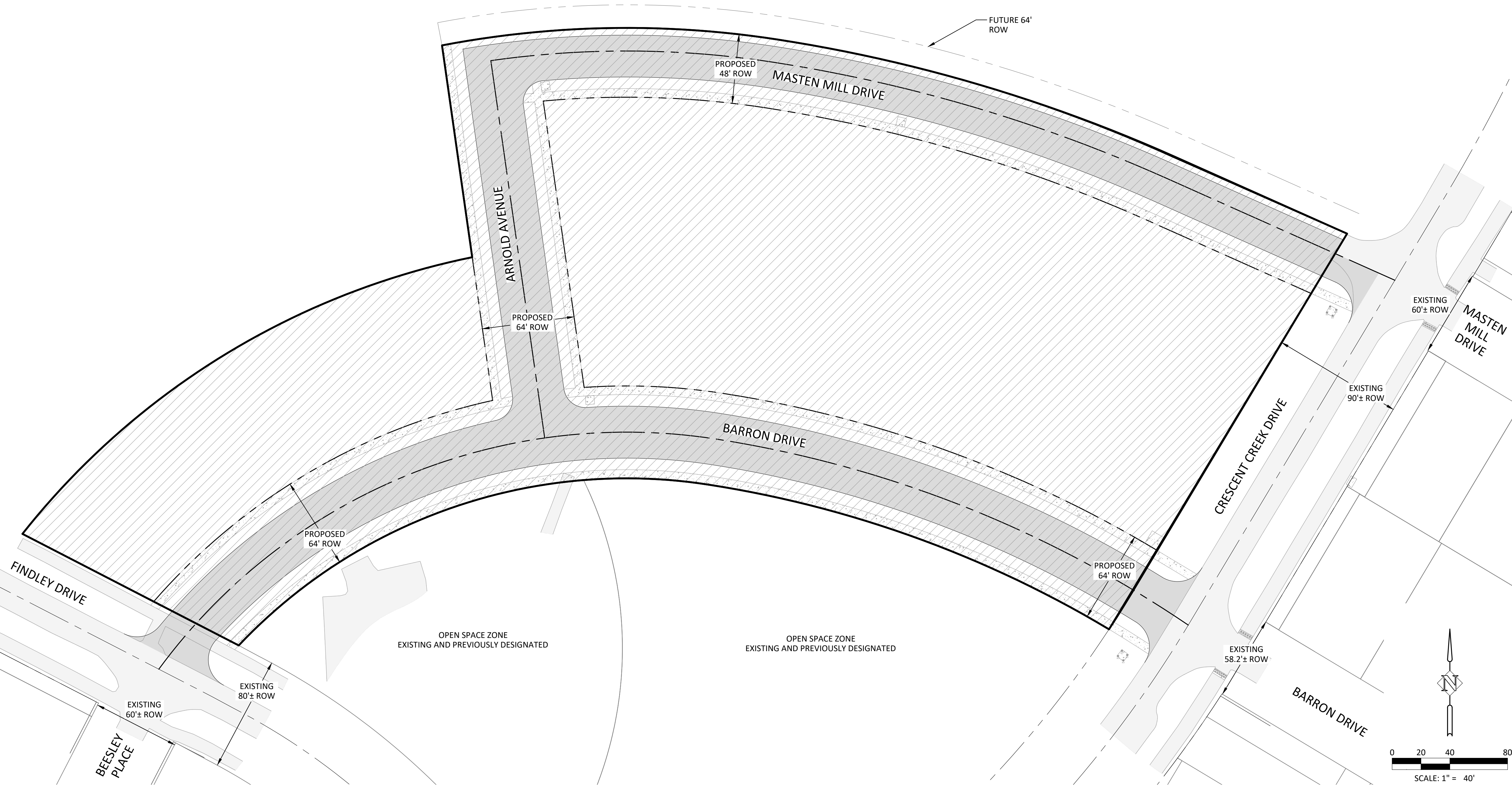


QUADRANT PLAN  
FOR  
51950 HUNTINGTON ROAD

**LEGEND:**

 - RESIDENTIAL CENTER DISTRICT

P:\03-Bend\HFH (Habitat for Humanity)\HFH-02 Huntington Road\HFH02-DWG\Streets\Land Use\HFH02-C5.0-QUADRANT PLAN.dwg



**PRELIMINARY SITE PLAN**  
SCALE: 1" = 40'

**LAND USE**

SCALE: 1" = 40'

0 20 40 80

QUADRANT PLAN  
**51950 HUNTINGTON ROAD - PARCEL 2**  
LA PINE, OREGON

**Harper Houf Peterson Righelis Inc.**  
ENGINEERS + PLANNERS  
LANDSCAPE ARCHITECTS + SURVEYORS  
250 NW Franklin Avenue, Suite 404, Bend, OR 97703  
phone: 541.318.1161 www.hhpr.com fax: 541.318.1141

**REGISTERED PROFESSIONAL ENGINEER**  
76,554  
**PRELIMINARY**  
OREGON  
DEC. 29, 2023  
JENNIFER L. YAN CAMP

DESIGNED:	JLV
DRAWN:	HHPR TEAM
CHECKED:	JLV
DATE:	APRIL 2024

DATE	NO.	DESCRIPTION

SHEET NO. **C5.0**

JOB NO. HFH-02

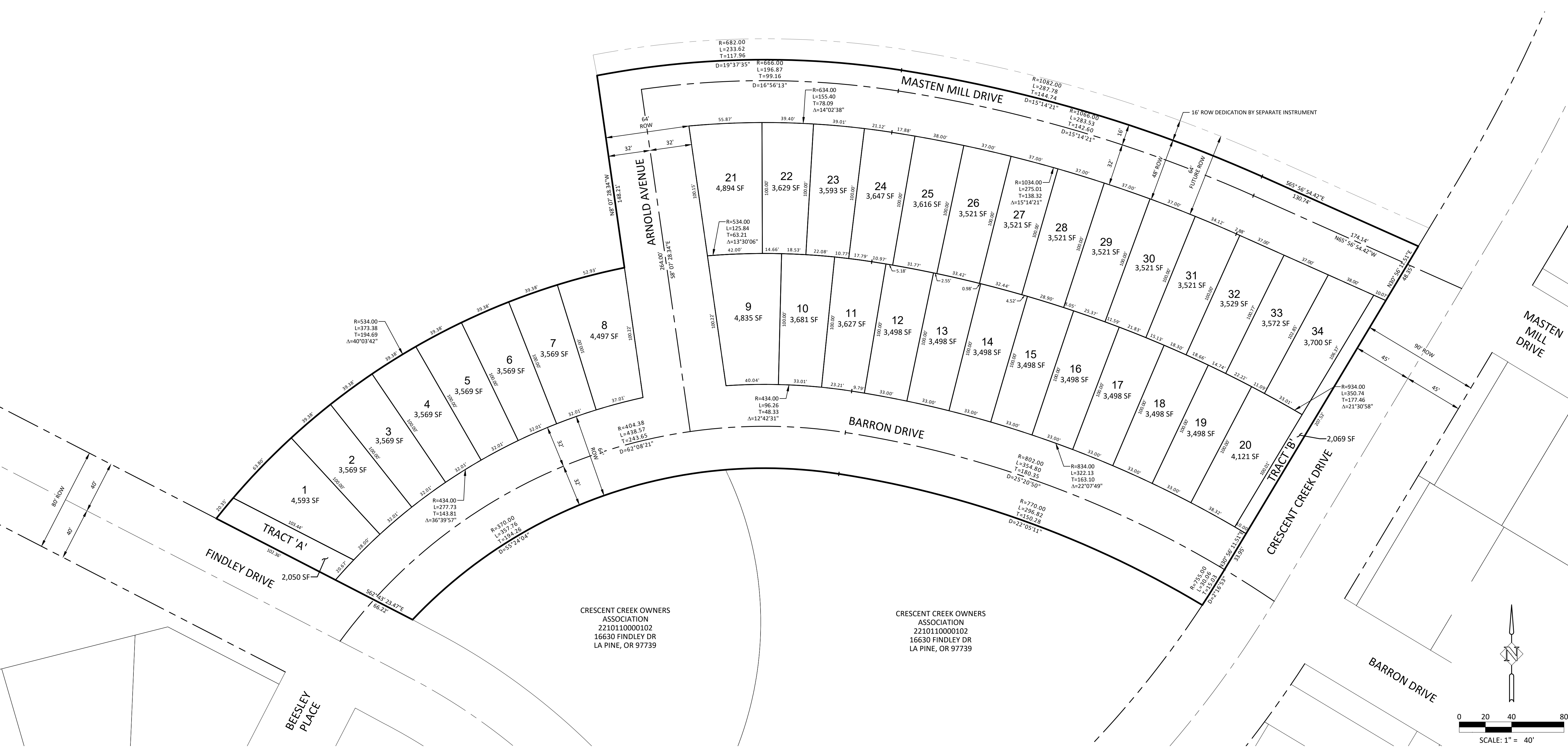
# TENTATIVE SUBDIVISION PLAN FOR 51950 HUNTINGTON ROAD

A SUBDIVISION OF PARTITION PLAT 2024-XX  
PARCEL 2

LOCATED IN  
SECTION 11, TOWNSHIP 22 SOUTH, RANGE 10 EAST, W.M.  
CITY OF LA PINE, DESCHUTES COUNTY, OREGON

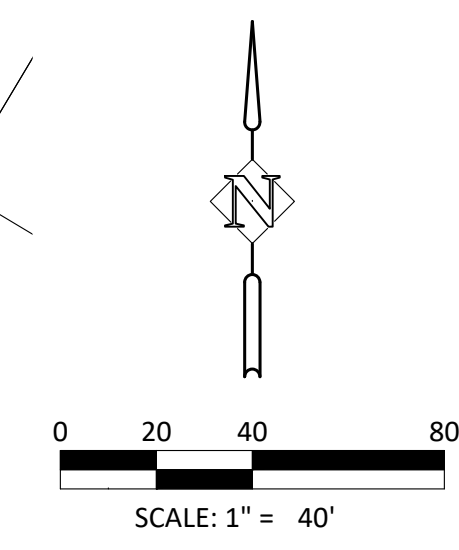
**SEPTIC SEWER EASEMENT NOTE:**  
AN EASEMENT FOR MAINTENANCE AND ACCESS TO SEPTIC TANKS FOR EACH LOT SHALL BE GRANTED TO CITY OF LA PINE WITH FINAL PLAT.

P:\03-Bentley\FH (habitat for humanity)\HFH-02 Huntington Road\HFH02-DWG\SS\Sheet\Land Use\HFH02-TS1.0-TENT SUBDIVISION PLAN.dwg



CRESCENT CREEK OWNERS ASSOCIATION  
2210110000102  
16630 FINDLEY DR  
LA PINE, OR 97739

CRESCENT CREEK OWNERS ASSOCIATION  
2210110000102  
16630 FINDLEY DR  
LA PINE, OR 97739



**TENTATIVE SUBDIVISION PLAN**  
SCALE: 1" = 40'

**LAND USE**

TENTATIVE SUBDIVISION PLAN  
**51950 HUNTINGTON ROAD - PARCEL 2**  
LA PINE, OREGON

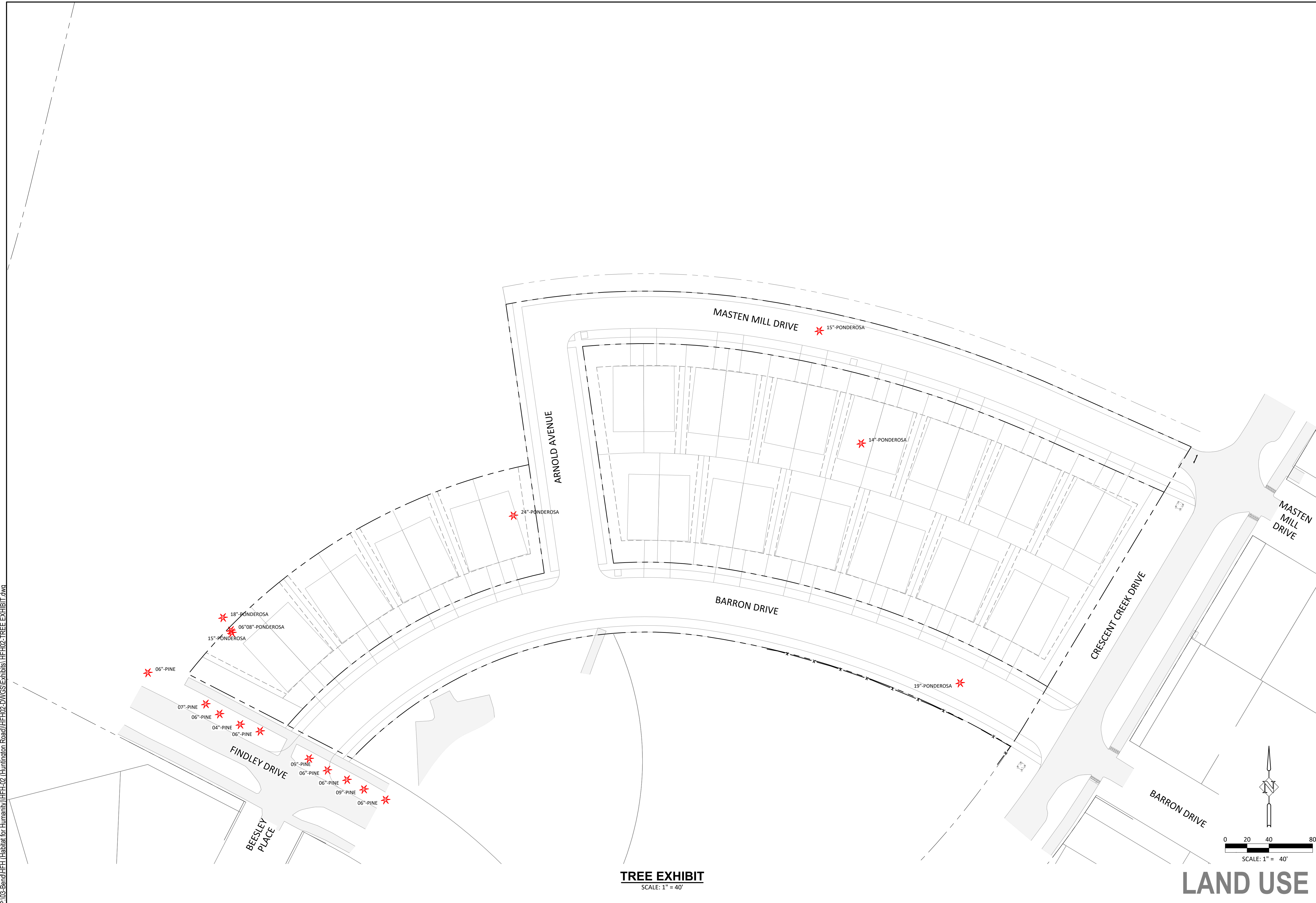
**Harper Houf Peterson**  
**Righelis Inc.**  
ENGINEERS + PLANNERS  
LANDSCAPE ARCHITECTS + SURVEYORS  
250 NW Franklin Avenue, Suite 404, Bend, OR 97703  
phone: 541.318.1161 www.hhp.com

REGISTERED PROFESSIONAL ENGINEER  
OREGON  
JENNIFER L. YANCAAMP  
DEC. 29, 2009  
EXPIRES: 6/30/24

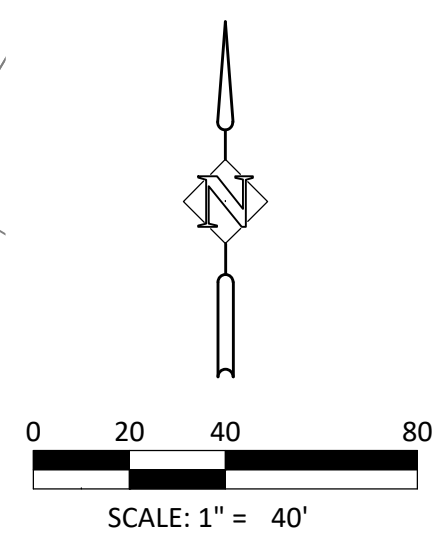
DESIGNED:	JLV	DRAWN:	HHPR TEAM	CHECKED:	JLV	DATE:	APRIL 2024
R E V I S I O N S							
DATE	NO.	DESCRIPTION					

SHEET NO.  
**TS1.0**  
JOB NO.  
HFH-02

P:\03-Bend\HFH (Habitat for Humanity)\HFH-02 Huntington Road\HFH02-DWG\Exhibits\HFH02-TREE EXHIBIT.dwg



**TREE EXHIBIT**  
SCALE: 1" = 40'



**LAND USE**

TREE EXHIBIT  
**51950 HUNTINGTON ROAD - PARCEL 2**  
 LA PINE, OREGON

**Harper Houf Peterson**  
**Righelis Inc.**  
 ENGINEERS • PLANNERS  
 LANDSCAPE ARCHITECTS • SURVEYORS  
 250 NW Franklin Avenue, Suite 404, Bend, OR 97703  
 phone: 541.318.1161 www.hhpr.com fax: 541.318.1141

**REGISTERED PROFESSIONAL ENGINEER**  
 76,554  
**PRELIMINARY**  
 OREGON  
 DEC. 29, 2023  
 JENNIFER L. VAN CAMP

DESIGNED:	JLV
DRAWN:	HHPR TEAM
CHECKED:	JLV
DATE:	MARCH 2024

DATE	NO.	DESCRIPTION

SHEET NO. \_\_\_\_\_  
 JOB NO. **HFH-02**



## PRELIMINARY REPORT

In response to the application for a policy of title insurance referenced herein Western Title & Escrow Company hereby reports that it is prepared to issue, or cause to be issued, as of the specified date, a policy or policies of title insurance describing the land and the estate or interest hereinafter set forth, insuring against loss which may be sustained by reason of any defect, lien or encumbrance not shown or referred to as an exception herein or not excluded from coverage pursuant to the printed Schedules or Conditions of said policy forms.

The printed Exceptions and Exclusions from the coverage of said policy or policies are set forth in Exhibit One. Copies of the policy forms should be read. They are available from the office which issued this report.

This report (and any supplements or amendments hereto) is issued solely for the purpose of facilitating the issuance of a policy of title insurance and no liability is assumed hereby.

The policy(s) of title insurance to be issued hereunder will be policy(s) of Fidelity National Title Insurance Company, a/an Florida corporation.

**Please read the exceptions shown or referred to herein and the Exceptions and Exclusions set forth in Exhibit One of this report carefully. The Exceptions and Exclusions are meant to provide you with notice of matters which are not covered under the terms of the title insurance policy and should be carefully considered.**

**It is important to note that this preliminary report is not a written representation as to the condition of title and may not list all liens, defects and encumbrances affecting title to the land.**

This preliminary report is for the exclusive use of the parties to the contemplated transaction, and the Company does not have any liability to any third parties nor any liability until the full premium is paid and a policy is issued. Until all necessary documents are placed of record, the Company reserves the right to amend or supplement this preliminary report.

*Countersigned*

A handwritten signature in black ink, appearing to read "Fred Freeman", is written over a horizontal line.

Fred Freeman



1777 SW Chandler Ave., Suite 100, Bend, OR 97702  
(541)389-5751 FAX (541)330-1242

## PRELIMINARY REPORT

**ESCROW OFFICER:** Diane Ingersoll-Thorp  
diane.ingersoll@westerntitle.com  
541-330-1245

**TITLE OFFICER:** Tyler Friesen  
Email: titleofficersupport@westerntitle.com

**ORDER NO.:** WT0258013  
**Revision 1** - Update, amend legal description, amend #6 and add #18

**TO:** Western Title & Escrow Company  
1777 SW Chandler Ave., Suite 100  
Bend, OR 97702

**ESCROW LICENSE NO.:** 870700109

**OWNER/SELLER:** Deschutes County, a Municipality of the State of Oregon

**BUYER/BORROWER:** Habitat for Humanity La Pine Sunriver, Inc., an Oregon non-profit corporation

**PROPERTY ADDRESS:** No Situs Address, La Pine, OR 97739

**EFFECTIVE DATE:** March 7, 2024, 05:00 PM

1. THE POLICY AND ENDORSEMENTS TO BE ISSUED AND THE RELATED CHARGES ARE:

	<u>AMOUNT</u>	<u>PREMIUM</u>
ALTA Owner's Policy 2021	\$ 50,000.00	\$ 300.00
<b>Owner's Standard</b>		
<b>Proposed Insured:</b> Habitat for Humanity La Pine Sunriver, Inc. an Oregon non-profit corporation		
OTIRO Endorsement No. 110		\$ 0.00
Government Lien Search		\$ 60.00

2. THE ESTATE OR INTEREST IN THE LAND HEREINAFTER DESCRIBED OR REFERRED TO COVERED BY THIS REPORT IS:

Fee Simple

3. TITLE TO SAID ESTATE OR INTEREST AT THE DATE HEREOF IS VESTED IN:

Deschutes County, a Municipality of the State of Oregon

4. THE LAND REFERRED TO IN THIS REPORT IS SITUATED IN THE COUNTY OF DESCHUTES, STATE OF OREGON, AND IS DESCRIBED AS FOLLOWS:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**EXHIBIT "A"**  
Legal Description

Parcel 2, PARTITION PLAT 2024-7, recorded March 8, 2024, Document No. 2024-05546, Deschutes County, Oregon.

**AS OF THE DATE OF THIS REPORT, ITEMS TO BE CONSIDERED AND EXCEPTIONS TO COVERAGE IN ADDITION TO THE PRINTED EXCEPTIONS AND EXCLUSIONS IN THE POLICY FORM WOULD BE AS FOLLOWS:**

**GENERAL EXCEPTIONS:**

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Any facts, rights, interests or claims, which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, which are not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the Land onto adjoining land or of existing improvements located on adjoining land onto the subject Land), encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien or right to a lien for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

**SPECIFIC ITEMS AND EXCEPTIONS:**

6. The subject property is under public, charitable, fraternal, or religious organization ownership and is exempt from ad valorem taxation. Any change in ownership prior to delivery of the assessment roll may result in tax liability.

Tax Account No.: 256031  
Map No.: 2210110000400  
(Assessed with other property)

Note: New Tax information for this property is not available yet.

7. City Liens, if any, of the City of City of La Pine.  
(Please contact the Title Department for a City Lien Search within 30 days of closing)
8. Regulations, levies, liens, assessments, rights of way and easements of La Pine Sewer District.
9. Rights of way, including the terms and provisions thereof, as disclosed in Patent,

Recording Date: January 24, 2001  
Recording No.: 2001-3483

10. Restrictions, as disclosed in Patent,

Recording Date: January 24, 2001  
Recording No.: 2001-3483

11. Easements, Conditions, Restrictions and Notes as delineated or as offered for dedication on the recorded plat,  
  
Plat: Newberry Neighborhood  
Recording Date: October 15, 2003  
Recording No: Cabinet G, Page 72
12. Easements, Conditions, Restrictions and Notes as delineated or as offered for dedication on the recorded plat,  
  
Plat: Newberry Neighborhood No. 2  
Recording Date: January 29, 2007  
Recording No: Cabinet H, Page 222 (Instrument No. 2007-5683)
13. A document entitled Purchase and Sale Contract for Quadrants 2a, 2b, 2d in the Newberry Neighborhood, by and between the parties named below  
  
Dated: April 27, 2007  
Vendor: Deschutes County, a political subdivision  
Vendee: Pahlisch Homes, Inc., Elk Horn Development, LLC and Elk Horn Land Development, Inc.  
Recording Date: May 3, 2007  
Recording No: 2007-25410  
(Includes additional property)
14. Terms and provisions of Deed of Dedication,  
  
Recording Date: October 17, 2018  
Recording No: 2018-41944  
Between: Deschutes County, a political subdivision of the State of Oregon  
And: City of La Pine, an Oregon municipal corporation
15. Documentation showing the party or parties authorized to execute the forthcoming conveyance by the vestee(s) herein.
16. **WARNING REGARDING DEED OR CONTRACT TO TAX-EXEMPT GOVERNMENTAL TRANSFEREE.** Oregon law prohibits the county recording officer from recording a deed or contract to a tax-exempt governmental transferee, unless the deed or contract is accompanied by a certificate of payment of ad valorem county taxes. The certificate must be attested by the county assessor using a form prescribed by the Oregon Department of Revenue. Failure to allow adequate time for obtaining a certificate of payment may delay recording. This requirement is contained in Chapter 96, Oregon Laws 2015, effective Oct. 5, 2015.
17. Please be advised that our search did not disclose any open Deeds of Trust of record. If you should have knowledge of any outstanding obligation, please contact the Title Department immediately for further review prior to closing.
18. Easements, conditions, restrictions and notes as delineated on the recorded Partition Plat 2024-7.

**ADDITIONAL REQUIREMENTS/NOTES:**

- A. Notice: Please be aware that due to the conflict between federal and state laws concerning the cultivation, distribution, processing, manufacture, sale, dispensing or use of marijuana and psilocybin, the Company is not able to close or insure any transaction involving Land associated with these activities.



B. In addition to the standard policy exceptions, the exceptions enumerated above shall appear on the final ALTA Policy unless removed prior to issuance.

C. Note: There are no matters against the party(ies) shown below which would appear as exceptions to coverage in a title insurance product:

Parties: Habitat for Humanity La Pine Sunriver, Inc., an Oregon non-profit corporation

D. The Company will require the following documents for review prior to the issuance of any title insurance predicated upon a conveyance or encumbrance from the entity named below:

Name: Habitat For Humanity La Pine Sunriver, Inc.

a) A copy of the By-laws or Articles of Association (sometimes known as "The Agreement", "Charter", or "Constitution").

b) A certified copy of the minutes of a duly called and regularly held business meeting, pursuant to its organizational documents, authorizing this transaction and the execution of the documents by all of the required parties.

The Company reserves the right to add additional items or make further requirements after review of the requested documentation.

The Oregon Corporation Commission records show that as of March 12, 2024, Habitat For Humanity La Pine Sunriver, Inc. is an active Oregon non-profit corporation and is currently in good standing.

E. Note: There are NO conveyances affecting said Land recorded within 24 months of the date of this report.

F. Note: If an Owner's Title Insurance Policy is requested, the State of Oregon requires every ALTA Owner's Policy (07-01-2021) to include the OTIRO 110 Endorsement as a supplement to the definition of Insured in said Owner's Policy's Conditions to confirm coverage is the same for an Oregon Registered Domestic Partner as it is for a Spouse.

G. THE FOLLOWING NOTICE IS REQUIRED BY STATE LAW: YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT SEEN, PLEASE CONTACT THE ESCROW AGENT.

H. Note: No utility search has been made or will be made for water, sewer or storm drainage charges unless the City/Service District claims them as liens (i.e. foreclosable) and reflects them on its lien docket as of the date of closing. Buyers should check with the appropriate city bureau or water service district and obtain a billing cutoff. Such charges must be adjusted outside of escrow.

I. Note: This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances or acreage shown thereon.

- J. Note: Recording charge per document for:  
**Deschutes County** - \$93.00 for the first page, \$5.00 for each additional page

E-recording fee is an additional \$5.00 per document

**Send Recording Packages to:**

Western Title & Escrow Company

Attention: Recording

1777 SW Chandler, Suite 100

Bend, OR 97702

Email: [desrecording@westerntitle.com](mailto:desrecording@westerntitle.com)

**EXHIBIT ONE**  
**2021 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (07-01-2021)**  
**EXCLUSIONS FROM COVERAGE**

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions, or location of any improvement on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection.
- b. any governmental forfeiture, police, regulatory, or national security power.
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed, or agreed to by the Insured Claimant;
  - b. not Known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;
  - d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or

- e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser or encumbrancer had been given for the Insured Mortgage at the Date of Policy.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business law.
5. Invalidity or unenforceability of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or Consumer Protection Law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights law, that the transaction creating the lien of the Insured Mortgage is a:
  - a. fraudulent conveyance or fraudulent transfer;
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the Insured Mortgage is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any reason not stated in the Covered Risk 13.b
7. Any claim of a PACA-PSA Trust. Exclusion 7 does not modify or limit the coverage provided under Covered Risk 8.
8. Any lien on the Title for real estate taxes or assessments imposed by a governmental authority and created or attaching between the Date of Policy and the date of recording of the Insured Mortgage in the Public Records. Exclusion 8 does not modify or limit the coverage provided under Covered Risk 2.b. or 11.b.
9. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

**SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

**2021 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (07-01-2021)**  
**EXCLUSIONS FROM COVERAGE**

The following matters are excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

1. a. any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) that restricts, regulates, prohibits, or relates to:
  - i. the occupancy, use, or enjoyment of the Land;
  - ii. the character, dimensions or location of any improvement on the Land;
  - iii. the subdivision of land; or
  - iv. environmental remediation or protection;
- b. any governmental forfeiture, police, regulatory, or national security power
- c. the effect of a violation or enforcement of any matter excluded under Exclusion 1.a. or 1.b.
- Exclusion 1 does not modify or limit the coverage provided under Covered Risk 5 or 6.
2. Any power of eminent domain. Exclusion 2 does not modify or limit the coverage provided under Covered Risk 7.
3. Any defect, lien, encumbrance, adverse claim, or other matter:
  - a. created, suffered, assumed or agreed to by the Insured Claimant;
  - b. not known to the Company, not recorded in the Public Records at the Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - c. resulting in no loss or damage to the Insured Claimant;

- d. attaching or created subsequent to the Date of Policy (Exclusion 3.d. does not modify or limit the coverage provided under Covered Risk 9 or 10); or
- e. resulting in loss or damage that would not have been sustained if consideration sufficient to qualify the Insured named in Schedule A as a bona fide purchaser had been given for the Title at the Date of Policy.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights law, that the transaction vesting the Title as shown in Schedule A is a:
  - a. fraudulent conveyance or fraudulent transfer, or
  - b. voidable transfer under the Uniform Voidable Transactions Act; or
  - c. preferential transfer:
    - i. to the extent the instrument of transfer vesting the Title as shown in Schedule A is not a transfer made as a contemporaneous exchange for new value; or
    - ii. for any other reason not stated in Covered Risk 9.b.
5. Any claim of a PACA-PSA Trust. Exclusion 5 does not modify or limit the coverage provided under Covered Risk 8.
6. Any lien on the Title for real estate taxes or assessments imposed or collected by a governmental authority that becomes due and payable after the Date of Policy. Exclusion 6 does not modify or limit the coverage provided under Covered Risk 2.b.
7. Any discrepancy in the quantity of the area, square footage, or acreage of the Land or of any improvement to the Land.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

**SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE**

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
5. Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

## EXHIBIT ONE

### 2006 AMERICAN LAND TITLE ASSOCIATION LOAN POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
  - the occupancy, use, or enjoyment of the Land;
  - the character, dimensions or location of any improvement erected on the land;
  - the subdivision of land; or
  - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.  
(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
  - created, suffered, assumed or agreed to by the Insured Claimant;
  - not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;

- resulting in no loss or damage to the Insured Claimant;
  - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
  - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
- Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with the applicable doing-business laws of the state where the Land is situated.
  - Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
  - Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
    - a fraudulent conveyance or fraudulent transfer, or
    - a preferential transfer for any reason not stated in the Covered Risk 13(b) of this policy.
  - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.

### 2006 AMERICAN LAND TITLE ASSOCIATION OWNER'S POLICY (06-17-06) EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses that arise by reason of:

- (a) Any law, ordinance or governmental regulation (including but not limited to building and zoning) restricting, regulating, prohibiting or relating to
  - the occupancy, use, or enjoyment of the Land;
  - the character, dimensions or location of any improvement erected on the land;
  - the subdivision of land; or
  - environmental protection;or the effect of any violation of these laws, ordinances or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.  
(b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
- Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
- Defects, liens, encumbrances, adverse claims, or other matters
  - created, suffered, assumed or agreed to by the Insured Claimant;

- not known to the Company, not recorded in the Public Records at Date of Policy, but known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
  - resulting in no loss or damage to the Insured Claimant;
  - attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 9 and 10); or
  - resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
- Any claim, by reason of the operation of federal bankruptcy, state insolvency or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
    - a fraudulent conveyance or fraudulent transfer, or
    - a preferential transfer for any reason not stated in the Covered Risk 9 of this policy.
  - Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

The above policy form may be issued to afford either Standard Coverage or Extended Coverage. In addition to the above Exclusions from Coverage, the Exceptions from Coverage in a Standard Coverage policy will also include the following Exceptions from Coverage.

#### SCHEDULE B - GENERAL EXCEPTIONS FROM COVERAGE

This policy does not insure against loss or damage (and the Company will not pay costs, attorneys' fees or expenses) which arise by reason of:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
- Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
- Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof, water rights, claims or title to water.
- Any encroachment, encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the Land. The term "encroachment" includes encroachments of existing improvements located on the Land onto adjoining land, and encroachments onto the Land of existing improvements located on adjoining land.
- Any lien for services, labor or material heretofore or hereafter furnished, or for contributions due to the State of Oregon for unemployment compensation or worker's compensation, imposed by law and not shown by the Public Records.



Inquire before you wire!

## WIRE FRAUD ALERT

This Notice is not intended to provide legal or professional advice.  
If you have any questions, please consult with a lawyer.

All parties to a real estate transaction are targets for wire fraud and many have lost hundreds of thousands of dollars because they simply relied on the wire instructions received via email, without further verification. **If funds are to be wired in conjunction with this real estate transaction, we strongly recommend verbal verification of wire instructions through a known, trusted phone number prior to sending funds.**

In addition, the following non-exclusive self-protection strategies are recommended to minimize exposure to possible wire fraud.

- **NEVER RELY** on emails purporting to change wire instructions. Parties to a transaction rarely change wire instructions in the course of a transaction.
- **ALWAYS VERIFY** wire instructions, specifically the ABA routing number and account number, by calling the party who sent the instructions to you. DO NOT use the phone number provided in the email containing the instructions, use phone numbers you have called before or can otherwise verify. **Obtain the number of relevant parties to the transaction as soon as an escrow account is opened.** DO NOT send an email to verify as the email address may be incorrect or the email may be intercepted by the fraudster.
- **USE COMPLEX EMAIL PASSWORDS** that employ a combination of mixed case, numbers, and symbols. Make your passwords greater than eight (8) characters. Also, change your password often and do NOT reuse the same password for other online accounts.
- **USE MULTI-FACTOR AUTHENTICATION** for email accounts. Your email provider or IT staff may have specific instructions on how to implement this feature.

For more information on wire-fraud scams or to report an incident, please refer to the following links:

**Federal Bureau of Investigation:**

<http://www.fbi.gov>

**Internet Crime Complaint Center:**

<http://www.ic3.gov>

## FIDELITY NATIONAL FINANCIAL PRIVACY NOTICE

Effective December 1, 2023

Fidelity National Financial, Inc. and its majority-owned subsidiary companies (collectively, "FNF," "our," or "we") respect and are committed to protecting your privacy. This Privacy Notice explains how we collect, use, and protect personal information, when and to whom we disclose such information, and the choices you have about the use and disclosure of that information.

A limited number of FNF subsidiaries have their own privacy notices. If a subsidiary has its own privacy notice, the privacy notice will be available on the subsidiary's website and this Privacy Notice does not apply.

### **Collection of Personal Information**

FNF may collect the following categories of Personal Information:

- contact information (e.g., name, address, phone number, email address);
- demographic information (e.g., date of birth, gender, marital status);
- identity information (e.g. Social Security Number, driver's license, passport, or other government ID number);
- financial account information (e.g. loan or bank account information); and
- other personal information necessary to provide products or services to you.

We may collect Personal Information about you from:

- information we receive from you or your agent;
- information about your transactions with FNF, our affiliates, or others; and
- information we receive from consumer reporting agencies and/or governmental entities, either directly from these entities or through others.

### **Collection of Browsing Information**

FNF automatically collects the following types of Browsing Information when you access an FNF website, online service, or application (each an "FNF Website") from your Internet browser, computer, and/or device:

- Internet Protocol (IP) address and operating system;
- browser version, language, and type;
- domain name system requests; and
- browsing history on the FNF Website, such as date and time of your visit to the FNF Website and visits to the pages within the FNF Website.

Like most websites, our servers automatically log each visitor to the FNF Website and may collect the Browsing Information described above. We use Browsing Information for system administration, troubleshooting, fraud investigation, and to improve our websites. Browsing Information generally does not reveal anything personal about you, though if you have created a user account for an FNF Website and are logged into that account, the FNF Website may be able to link certain browsing activity to your user account.

### **Other Online Specifics**

**Cookies.** When you visit an FNF Website, a "cookie" may be sent to your computer. A cookie is a small piece of data that is sent to your Internet browser from a web server and stored on your computer's hard drive. Information gathered using cookies helps us improve your user experience. For example, a cookie can help the website load properly or can customize the display page based on your browser type and user preferences. You can choose whether or not to accept cookies by changing your Internet browser settings. Be aware that doing so may impair or limit some functionality of the FNF Website.

**Web Beacons.** We use web beacons to determine when and how many times a page has been viewed. This information is used to improve our websites.

**Do Not Track.** Currently our FNF Websites do not respond to "Do Not Track" features enabled through your browser.

Links to Other Sites. FNF Websites may contain links to unaffiliated third-party websites. FNF is not responsible for the privacy practices or content of those websites. We recommend that you read the privacy policy of every website you visit.

### **Use of Personal Information**

FNF uses Personal Information for these main purposes:

- To provide products and services to you or in connection with a transaction involving you.
- To improve our products and services.
- To communicate with you about our, our affiliates', and others' products and services, jointly or independently.
- To provide reviews and testimonials about our services, with your consent.

### **When Information Is Disclosed**

We may disclose your Personal Information and Browsing Information in the following circumstances:

- to enable us to detect or prevent criminal activity, fraud, material misrepresentation, or nondisclosure;
- to affiliated or nonaffiliated service providers who provide or perform services or functions on our behalf and who agree to use the information only to provide such services or functions;
- to affiliated or nonaffiliated third parties with whom we perform joint marketing, pursuant to an agreement with them to jointly market financial products or services to you;
- to law enforcement or authorities in connection with an investigation, or in response to a subpoena or court order; or
- in the good-faith belief that such disclosure is necessary to comply with legal process or applicable laws, or to protect the rights, property, or safety of FNF, its customers, or the public.

The law does not require your prior authorization and does not allow you to restrict the disclosures described above. Additionally, we may disclose your information to third parties for whom you have given us authorization or consent to make such disclosure. We do not otherwise share your Personal Information or Browsing Information with nonaffiliated third parties, except as required or permitted by law.

We reserve the right to transfer your Personal Information, Browsing Information, and any other information, in connection with the sale or other disposition of all or part of the FNF business and/or assets, or in the event of bankruptcy, reorganization, insolvency, receivership, or an assignment for the benefit of creditors. By submitting Personal Information and/or Browsing Information to FNF, you expressly agree and consent to the use and/or transfer of the foregoing information in connection with any of the above described proceedings.

### **Security of Your Information**

We maintain physical, electronic, and procedural safeguards to protect your Personal Information.

### **Choices With Your Information**

Whether you submit Personal Information or Browsing Information to FNF is entirely up to you. If you decide not to submit Personal Information or Browsing Information, FNF may not be able to provide certain services or products to you.

For California Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties, except as permitted by California law. For additional information about your California privacy rights, please visit the "California Privacy" link on our website (<https://fnf.com/pages/californiaprivacy.aspx>) or call (888) 413-1748.

For Connecticut Residents: For additional information about your Connecticut consumer privacy rights, or to make a consumer privacy request, or to appeal a previous privacy request, please email [privacy@fnf.com](mailto:privacy@fnf.com) or call (888) 714-2710.

For Colorado Residents: For additional information about your Colorado consumer privacy rights, or to make a consumer privacy request, or to appeal a previous privacy request, please email [privacy@fnf.com](mailto:privacy@fnf.com) or call (888) 714-2710.

For Nevada Residents: We are providing this notice pursuant to state law. You may be placed on our internal Do Not Call List by calling FNF Privacy at (888) 714-2710 or by contacting us via the information set forth at the end of this Privacy Notice. For further information concerning Nevada's telephone solicitation law, you may contact: Bureau of Consumer Protection, Office of the Nevada Attorney General, 555 E. Washington St., Suite 3900, Las Vegas, NV 89101; Phone number: (702) 486-3132; email: [aginquiries@ag.state.nv.us](mailto:aginquiries@ag.state.nv.us).

For Oregon Residents: We will not share your Personal Information or Browsing Information with nonaffiliated third parties for marketing purposes, except after you have been informed by us of such sharing and had an opportunity to indicate that you do not want a disclosure made for marketing purposes.

For Utah Residents: For additional information about your Utah consumer privacy rights, or to make a consumer privacy request, please call (888) 714-2710.

For Vermont Residents: We will not disclose information about your creditworthiness to our affiliates and will not disclose your personal information, financial information, credit report, or health information to nonaffiliated third parties to market to you, other than as permitted by Vermont law, unless you authorize us to make those disclosures.

For Virginia Residents: For additional information about your Virginia consumer privacy rights, or to make a consumer privacy request, or appeal a previous privacy request, please email [privacy@fnf.com](mailto:privacy@fnf.com) or call (888) 714-2710.

### **Information From Children**

The FNF Websites are not intended or designed to attract persons under the age of eighteen (18). We do not collect Personal Information from any person that we know to be under the age of thirteen (13) without permission from a parent or guardian.

### **International Users**

FNF's headquarters is located within the United States. If you reside outside the United States and choose to provide Personal Information or Browsing Information to us, please note that we may transfer that information outside of your country of residence. By providing FNF with your Personal Information and/or Browsing Information, you consent to our collection, transfer, and use of such information in accordance with this Privacy Notice.

### **FNF Website Services for Mortgage Loans**

Certain FNF companies provide services to mortgage loan servicers, including hosting websites that collect customer information on behalf of mortgage loan servicers (the "Service Websites"). The Service Websites may contain links to both this Privacy Notice and the mortgage loan servicer or lender's privacy notice. The sections of this Privacy Notice titled When Information is Disclosed, Choices with Your Information, and Accessing and Correcting Information do not apply to the Service Websites. The mortgage loan servicer or lender's privacy notice governs use, disclosure, and access to your Personal Information. FNF does not share Personal Information collected through the Service Websites, except as required or authorized by contract with the mortgage loan servicer or lender, or as required by law or in the good-faith belief that such disclosure is necessary: to comply with a legal process or applicable law, to enforce this Privacy Notice, or to protect the rights, property, or safety of FNF or the public.

### **Your Consent To This Privacy Notice; Notice Changes**

By submitting Personal Information and/or Browsing Information to FNF, you consent to the collection and use of the information in accordance with this Privacy Notice. We may change this Privacy Notice at any time. The Privacy Notice's effective date will show the last date changes were made. If you provide information to us following any change of the Privacy Notice, that signifies your assent to and acceptance of the changes to the Privacy Notice.

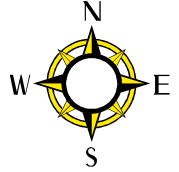
### **Accessing and Correcting Information; Contact Us**

If you have questions or would like to correct your Personal Information, visit FNF's [Privacy Inquiry Website](#) or contact us by phone at (888) 714-2710, by email at [privacy@fnf.com](mailto:privacy@fnf.com), or by mail to:

Fidelity National Financial, Inc.  
601 Riverside Avenue,  
Jacksonville, Florida 32204  
Attn: Chief Privacy Officer



This map/plat is being furnished as an aid in locating the herein described Land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the Company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



IN CORRESPONDENCE WITH MIDSTATE ELECTRIC.



LINE	BEARING AND DISTANCE
1	S07°18'51"W 141.70'
1 (R4)	S07°19'00"W 141.65'
1 (R6)	N07°18'30"E 141.62'
1 (R7)	N07°18'30"E 141.62'

111	5/8" IR WITH ILLIGIBLE YPC	R7
112	5/8" IR	R4
113	5/8" IR WITH ILLIGIBLE YPC	R4
116	5/8" IR WITH YPC INSCRIBED "ANS ENGR."	R6

CURVE	RADIUS	DELTA	LENGTH	LONG CHORD
C1	1462.50'	13°40'17"	348.97'	N20°22'13"E, 348.14'
C1 (R1)	1462.50'			
C1 (R2)	1462.50'			
C1 (R4)	1462.50'	13°40'18"	348.97'	N20°22'25"E, 348.15'
C1 (R5)	1462.39'			
C2	370.00'	55°24'04"	357.76'	S71°06'43"W, 343.99'
C2 (R3)	370.00'	55°24'25"	357.80'	N71°06'50"E, 344.02'
C3	370.00'	41°58'43"	271.02'	S64°23'02"W, 255.06'
C3 (R4)	370.00'	41°58'06"	271.02'	S64°23'41"W, 265.00'
C4	370.00'	13°25'21"	86.68'	N87°53'56"W, 86.48'
C4 (R3)	370.00'	13°26'19"	86.78'	N87°54'07"W, 86.58'
C4 (R4)	370.00'			
C5	770.00'	22°05'11"	296.82'	N70°08'40"W, 294.99'
C5 (R3)(R4)	770.00'	22°04'19"	296.63'	S70°08'48"E, 294.79'
C6	755.00'	2°16'53"	30.06'	S32°04'38"W, 30.06'
C7	845.00'			
C7 (R4)	845.00'			
C7 (R7)	845.00'			
C8	1245.00'	23°37'20"	513.30'	N19°07'31"E, 509.67'
C8 (R4)	1245.00'	23°37'02"	513.13'	S19°07'31"W, 509.56'
C8 (R6)	1245.00'	23°37'02"	513.19'	N19°07'01"E, 509.56'
C8 (R7)	1245.00'	23°37'02"	513.19'	N19°07'01"E, 509.56'

- REFERENCE SURVEYS LEGEND:**
- ### ## - MEASURED DISTANCE
  - (### ##) (R) - RECORD DATA PER REFERENCE NUMBER (BELOW)
  - R1 - RECORD INFORMATION PER CS14655 - BOUNDARY SURVEY BY W. C. KAUFMAN, 10/26/2001
  - R2 - RECORD INFORMATION PER CS15579 - NEWBERRY NEIGHBORHOOD BY JERRY C. POWELL, 10/17/2003
  - R3 - RECORD INFORMATION PER CS16150 - CRESCENT CREEK BY GARY E. PAUL, 11/5/2006
  - R4 - RECORD INFORMATION PER CS17208 - NEWBERRY NEIGHBORHOOD NO. 2 BY GARY E. PAUL, 1/20/2007
  - R5 - RECORD INFORMATION PER DESCHUTES COUNTY ROAD DEPARTMENT SURVEY OF HUNTINGTON ROAD RIGHT OF WAY, 1977
  - R6 - RECORD INFORMATION PER CS20456 - CRESCENT CREEK NO. 5 BY MICHAEL S. KALINA, 2/8/2001
  - R7 - RECORD INFORMATION PER CS19832 - CRESCENT CREEK NO. 4 BY BRIAN S. COURSEN, 1/7/2019

- LEGEND:**
- - FOUND MONUMENT AS NOTED IN TABLE
  - - SET 5/8" IRON ROD WITH ORANGE PLASTIC CAP INSCRIBED "HHP INC"
  - ⊕ - RECOVERED SURVEY MONUMENT POINT IDENTIFIER, SEE TABLE FOR DESCRIPTION
  - IR - IRON ROD
  - CS##### - SURVEY NUMBER - DESCHUTES COUNTY SURVEY RECORDS
  - W/ - WITH
  - YPC - YELLOW PLASTIC CAP
  - CP - CURVE IDENTIFIER, SEE TABLE
  - LI - LINE IDENTIFIER, SEE TABLE

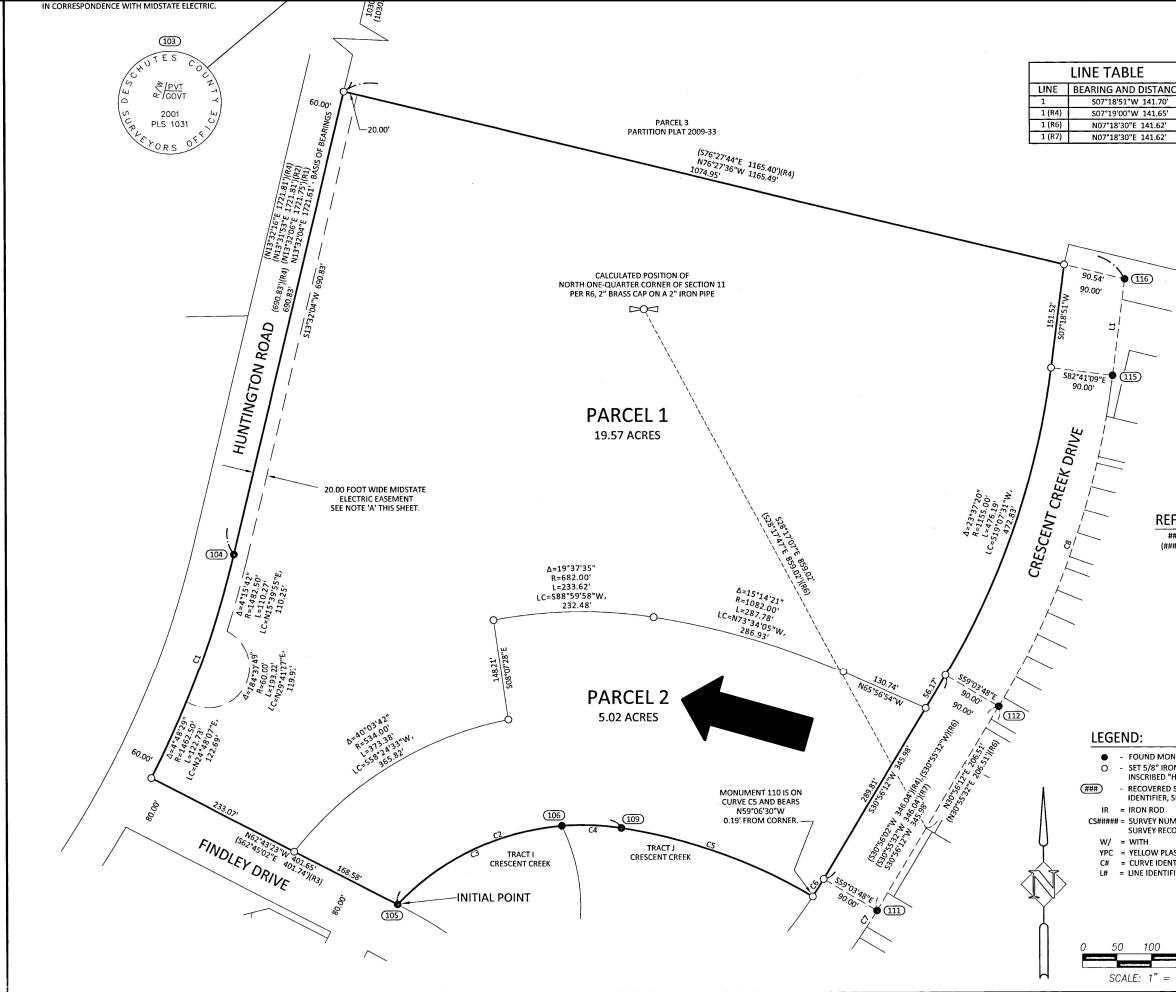
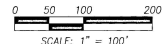
REGISTERED PROFESSIONAL LAND SURVEYOR

OREGON NOVEMBER 08, 2010  
**JOHN TAYLOR HAGLUND**  
 55022

RENEWS: 6-30-2025

**Harper Houf Peterson Righellis Inc.**

ENGINEERS + PLANNERS  
 LANDSCAPE ARCHITECTS + SURVEYORS  
 250 NW Franklin Avenue, Suite 404 Bend, OR 97703  
 phone: 541.318.1161 www.hhpr.com fax: 541.318.1141



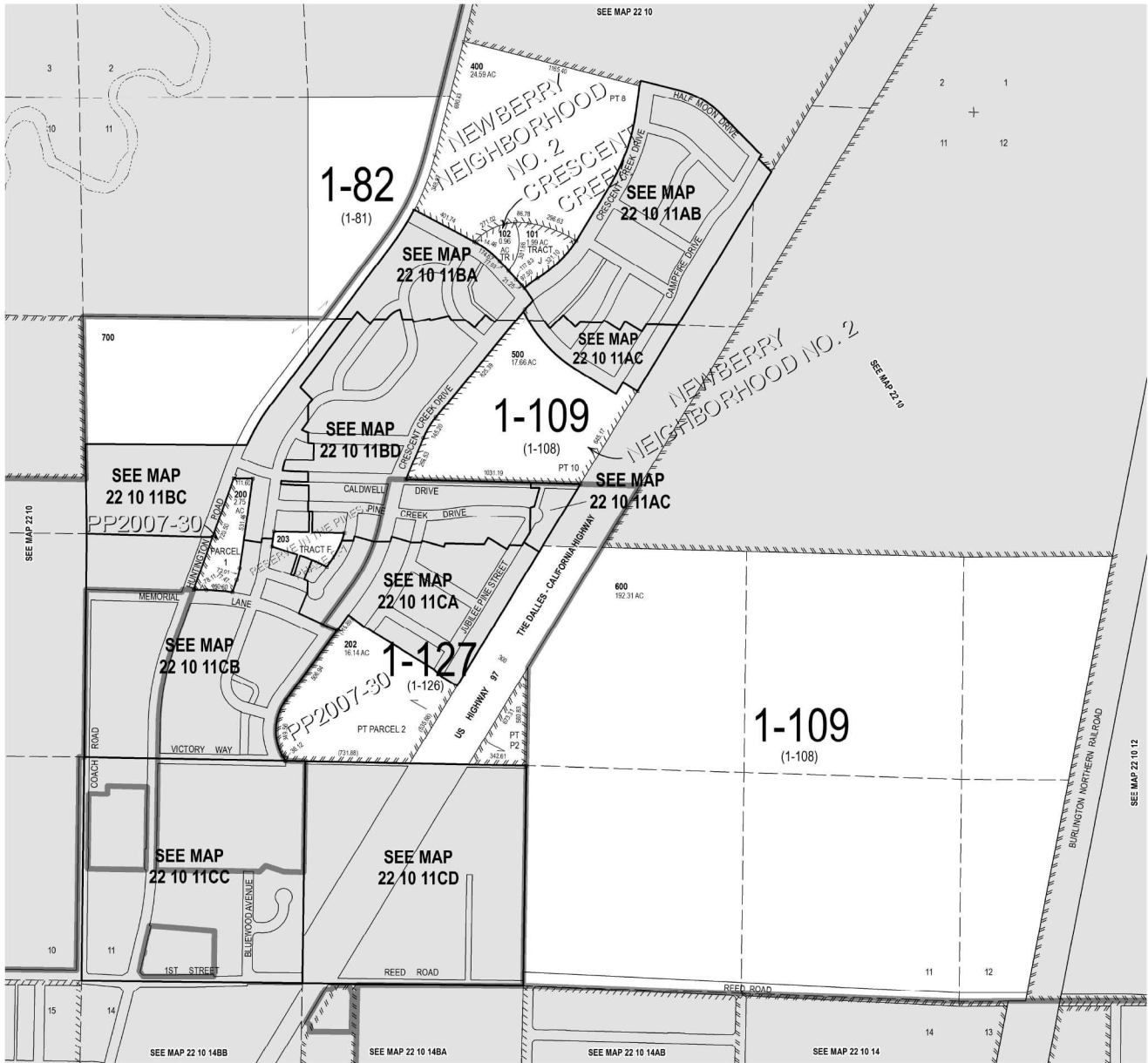
THIS MAP WAS PREPARED FOR  
ASSESSMENT PURPOSE ONLY

3/4/2022

SECTION 11 T.22S. R.10E. W.M.  
DESCHUTES COUNTY  
1" = 400'

22 10 11  
& INDEX

Cancelled Nos.  
100  
201  
300



22 10 11  
& INDEX



**RECORDING REQUESTED BY:**

**Western**

1777 SW Chandler Ave., Suite 100  
Bend, OR 97702

**AFTER RECORDING RETURN TO:**

**Order No.:** WT0258013-DI  
Richard Arnold  
Habitat for Humanity La Pine Sunriver, Inc., an  
Oregon non-profit corporation  
PO Box 3364  
Sunriver, OR 97707

**SEND TAX STATEMENTS TO:**

Habitat for Humanity La Pine Sunriver, Inc., an  
Oregon non-profit corporation  
PO Box 3364  
Sunriver, OR 97707

APN:256031  
Map: 2210110000400

Deschutes County Official Records	<b>2024-08013</b>
D-D	<b>04/03/2024 08:43 AM</b>
Stn=53 SRB	
\$30.00 \$11.00 \$10.00 \$61.00 \$6.00	<b>\$118.00</b>
I, Steve Dennison, County Clerk for Deschutes County, Oregon, certify that the instrument identified herein was recorded in the Official Records.	
Steve Dennison - County Clerk	

**SPACE ABOVE THIS LINE FOR RECORDER'S USE**

**STATUTORY WARRANTY DEED**

**Deschutes County, a Municipality of the State of Oregon, Grantor, conveys and warrants to Habitat for Humanity La Pine Sunriver, Inc., an Oregon non-profit corporation, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Deschutes, State of Oregon:**

Parcel 2, PARTITION PLAT 2024-7, recorded March 8, 2024, Document No. 2024-05546, Deschutes County, Oregon.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS FIFTY THOUSAND AND NO/100 DOLLARS (**\$50,000.00**) AS THE USE OF THE LAND IS FOR LOW INCOME HOUSING PURSUANT TO OREGON REVISED STATUTE 271.330 (2).

**Subject to:**

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF

**DC 2024 - 252**

STATUTORY WARRANTY DEED  
(continued)

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

STATUTORY WARRANTY DEED  
(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 3/29/2024

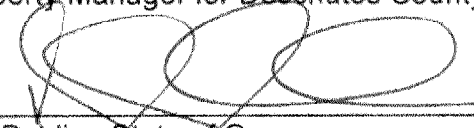
Deschutes County,  
a Municipality of the State of Oregon



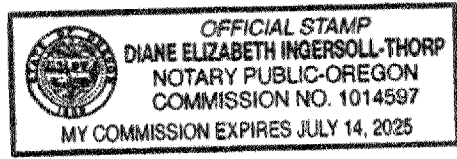
By: Kristie Bollinger, Property Manager  
Authorized Signer pursuant to  
Deschutes County Order 2023-043

State of OREGON  
County of Deschutes

This instrument was acknowledged before me on 3/29/24 by Kristie Bollinger,  
as Property Manager for Deschutes County, a Municipality of the State of Oregon.

  
\_\_\_\_\_  
Notary Public - State of Oregon

My Commission Expires: 7/14/25



**EXHIBIT "A"**  
Exceptions

**Subject to:**

Regulations, levies, liens, assessments, rights of way and easements of La Pine Sewer District.

Rights of way, including the terms and provisions thereof, as disclosed in Patent,

Recording Date: January 24, 2001  
Recording No.: 2001-3483

Restrictions, as disclosed in Patent,

Recording Date: January 24, 2001  
Recording No.: 2001-3483

Easements, Conditions, Restrictions and Notes as delineated or as offered for dedication on the recorded plat,

Plat: Newberry Neighborhood  
Recording Date: October 15, 2003  
Recording No: Cabinet G, Page 72

Easements, Conditions, Restrictions and Notes as delineated or as offered for dedication on the recorded plat,

Plat: Newberry Neighborhood No. 2  
Recording Date: January 29, 2007  
Recording No: Cabinet H, Page 222 (Instrument No. 2007-5683)

A document entitled Purchase and Sale Contract for Quadrants 2a, 2b, 2d in the Newberry Neighborhood, by and between the parties named below

Dated: April 27, 2007  
Vendor: Deschutes County, a political subdivision  
Vendee: Pahlisch Homes, Inc., Elk Horn Development, LLC and Elk Horn Land Development, Inc.  
Recording Date: May 3, 2007  
Recording No: 2007-25410  
(Includes additional property)

**EXHIBIT "A"**  
Exceptions

Terms and provisions of Deed of Dedication,

Recording Date: October 17, 2018

Recording No: 2018-41944

Between: Deschutes County, a political subdivision of the State of Oregon

And: City of La Pine, an Oregon municipal corporation

Easements, conditions, restrictions and notes as delineated on the recorded Partition Plat 2024-7.



**Certification of Charges Paid**  
[Oregon Revised Statutes (ORS) 311.411]

Certification #

289103

All charges have been paid for the real property that is the subject of conveyance between:

Grantor

Deschutes County, a Municipality of the State of Oregon

Grantee

Habitat for Humanity La Pine Sunriver, Inc., an Oregon non-profit corporation

Signed on (date)

March 29, 2024

and for consideration of

\$ 50,000.00

Assessor's signature

*Gregg Poser*

Date

03/12/2024

Parcel 2, PARTITION PLAT 2024-7, recorded March 8, 2024, Document No. 2024-05546, Deschutes County, Oregon.

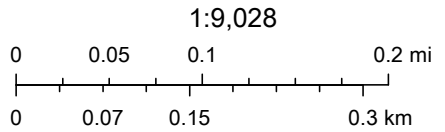


Attachment C  
Newberry Lift Station



11/4/2021, 9:09:37 AM

- Image
- Red: Red
  - Green: Green





LA PINE

OREGON

CITY OF LA PINE

16345 Sixth Street — PO Box 2460

La Pine, Oregon 97739

TEL (541) 536-1432 — FAX (541) 536-1462

[www.lapineoregon.gov](http://www.lapineoregon.gov)

HYDRANT NUMBER: 282

MAKE / SIZE: Waterous


LEAD SIZE: 4 1/2

LOCATION AUX. VALVE: \_\_\_\_\_

HYDRANT LOCATION: Daisy and Findley

NAME OF BUSINESS WORK BEING DONE FOR: \_\_\_\_\_

Date	Static Pressure	Residual Pressure	Pitot	Flow Rate	Flow @ 20 PSI
3-19-24	59	49	/	1407	

  
Signature

3-19-24  
Date

Branden B  
Printed Name

3-19-24  
Date

$$\frac{59}{59} - \frac{20}{40} = \frac{39}{19} \quad \frac{7.23}{4.90} \quad 1.47$$

$$1407 \times 1.47 = 2,068 \text{ GPM}$$



LA PINE

OREGON

CITY OF LA PINE

16345 Sixth Street — PO Box 2460

La Pine, Oregon 97739

TEL (541) 536-1432 — FAX (541) 536-1462

[www.lapineoregon.gov](http://www.lapineoregon.gov)

HYDRANT NUMBER: WB-674-250

MAKE /SIZE: Waterous

LEAD SIZE: 4 1/2

LOCATION AUX. VALVE: \_\_\_\_\_

HYDRANT LOCATION: Masken Mill and Crescent NAME OF BUSINESS WORK BEING DONE FOR: \_\_\_\_\_

Date	Static Pressure	Residual Pressure	Pitot	Flow Rate	Flow @ 20 PSI
3-19-24	59	49	/	1407	

Signature

Brandon B

Printed Name

3-19-24

Date

3-19-24

Date

$$\frac{59}{59} - \frac{20}{40} = \frac{39}{19}$$

$$\frac{7.23}{4.90}$$

1.47

$$1407 \times 1.47 = 2,068 \text{ GPM}$$

Date:	April 1, 2024
To:	Brent Bybee, City of La Pine
From:	Joe Bessman, PE
Project Reference No.:	1936
Project Name:	51950 Habitat for Humanity Trip Generation Report



## PROJECT BACKGROUND

This memorandum provides a trip generation report for the proposed Habitat for Humanity townhome development located north of Findley Butte and surrounding the Crescent Creek sales office and recreation area. The proposed project includes 34 townhomes on 5.02 acres (overall density of 6.8 units per acre) within lands zoned Master Plan Residential, which allow the residential uses outright. The site is located on tax lot 2210110000400, which is currently undeveloped. Figure 1 illustrates the location of the property.



Figure 1. Site Vicinity Map. Source: Deschutes County DIAL.

## PROPOSED SITE PLAN

The proposed layout includes the extension of Beesley Place from its intersection with Findley Drive northeast in a curved alignment to connect to Crescent Creek Drive at its intersection with Barron Drive, extending around the area's homeowner recreation amenities. A roadway connection is also proposed to Masten Mill Drive. The internal street connections will include a 36-foot pavement section, and will complete new property-tight sidewalks on both sides of the Barron Drive extension. Each of the townhomes lots are approximately 100-feet in length and will support a 20-foot long one-vehicle driveway and include a garage. The layout of the townhomes includes clustering of the adjacent driveways to maximize the allowed on-street parking available along the frontage. Figure 2 provides the proposed site layout.

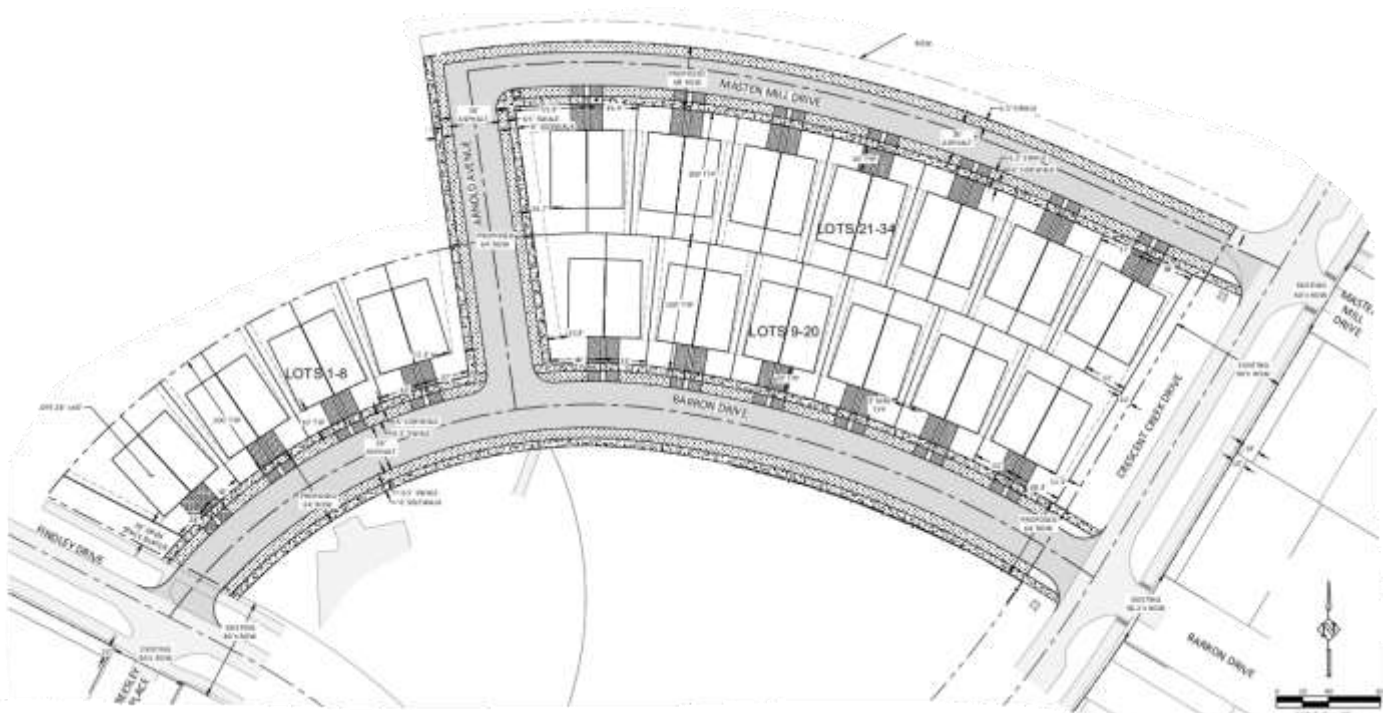


Figure 2. Proposed Site Plan. Source: HHP, Dated March 2024.

## TRIP GENERATION

Trip generation estimates were prepared for the site based on ITE's standard reference *Trip Generation, 11<sup>th</sup> Edition*. As the site is currently undeveloped there were no available trip credits for current uses. The proposed townhomes were classified using ITE's Land Use 215 – *Single-Family Attached Housing*, which is defined below.

**ITE Land Use 215: Single-Family Attached Housing:** *Single-family attached housing includes any single-family housing unit that shares a wall with an adjoining dwelling unit, whether the walls are for living space, a vehicle garage, or storage space. The database for this land use includes duplexes (defined as a single structure with two distinct dwelling units, typically joined side-by-side and each with at least one outside entrance) and townhouses/rowhouses (defined as a single*

structure with three or more distinct dwelling units, joined side-by-side in a row and each with an outside entrance).

This land use classification does not include separate subcategories for income levels. The resultant trip generation estimates for the site are provided in Table 1.

**Table 1. Estimated Trip Generation (ITE 11<sup>th</sup> Edition, General Urban/Suburban Setting)**

Land Use	ITE Land Use Code	Size	Weekday Daily Trips	Weekday PM Peak Hour		
				Total	In	Out
Single-Family Attached Housing	215	34 unit	245 <i>7.20/DU</i>	19 <i>0.57/DU</i>	11 <i>59%</i>	8 <i>41%</i>

Table 1 shows that the residential uses could generate 245 weekday daily trips, including 19 trips during the weekday p.m. peak hour. These trips are expected to predominantly travel west on Findley Drive to Huntington Road. There are other travel options to get to the Huntington Road corridor using Crescent Creek Drive, but these will include longer travel times through the residential area that surrounds the site, so it was conservatively estimated that all travel will connect to Huntington Road through this corridor.

Based on review of historical traffic counts at Findley Drive, once motorists reach the Huntington Road corridor the travel will be fairly evenly split toward the north and south. The historical counts show a 55 percent split toward the north, with the resulting trip distribution and assignment shown in Figure 3.



Figure 3. Estimated trip distribution and assignment, weekday p.m. peak hour.

The City of La Pine's traffic impact requirements identify that a formal Transportation Impact Analysis may be required when the following are met:

1. *A change in zoning or a plan amendment designation:* the subject property allows the proposed townhome use outright, this criteria is not met.
2. *Projects that generate more than 300 weekday daily trips:* the proposed development remains below this trip generation threshold.
3. *Result in operational or safety concerns (as determined by the road authority):* No safety concerns have been raised by the roadway authority, but a safety review is provided within this report.
4. *Increase street volumes by more than 20 percent:* The proposed development is within a quadrant-based master planned area and all the surrounding streets have been developed with a cross-section design that supports build-out of the remaining areas.
5. *Add more than 10 trucks per day:* The proposed residential development will generate very low volumes of trucks, with service, delivery, emergency, or school buses serving as the predominant type of non-passenger vehicles in the area. None of these trucks exceed a 20,000 pound gross vehicle weight.

6. *Existing or proposed approaches or access connections that do not meet minimum spacing:* Each of the new roadway connections are provided in direct alignment with existing connections.
7. *Where sight distance requirements are not met:* This is separately addressed within the safety section of this report, and shows that sight distance requirements are exceeded at the location of the new street connections.
8. *A change in internal traffic patterns that may cause safety concerns:* There are no changes in area traffic patterns. The connection of the streets within the gridded network follows the planned street layout within the vicinity.
9. *A TIA required by ODOT pursuant to OAR 734-051:* The proposed development does not meet ODOT’s significance thresholds at off-site locations and does not include any new connections to State facilities that would trigger access review through Division 051.

Accordingly, a formal Transportation Impact Analysis is not required to support the proposed Habitat for Humanity affordable housing project.

## ROADWAY SAFETY

A safety review was prepared for this project to ensure that there are no current deficiencies within the surrounding transportation system. To inform this review, crash records were obtained for all of Deschutes County from the ODOT crash database between January 2017 and December 2021, reflecting the most recent and complete five-year period available. Crashes required for reporting during this period include those involving any level of personal injury or property damage exceeding \$1,500, with this amount increasing to \$2,500 in 2018.

Review of the crash records show that there were no reported crashes within the surrounding area during this timeframe, with no crashes on Findley Drive, Crescent Creek Drive, or at the Findley Drive intersection with Huntington Road. Accordingly, historical crash records do not indicate any safety deficiencies are present within the surrounding area.

**Table 2. Reported Crash Summary (January 2017 to December 2021)**

Intersection	Number of Crashes	Crash Severity			Crash Type			
		Fatal	Injury	Non-Injury	Turning/ Angle	Fixed Object	Rear-End	Other
Huntington Road/ Findley Dr	0	0	0	0	0	0	0	0
Findley Dr/ Crescent Creek Dr	0	0	0	0	0	0	0	0

Field review was conducted in late March 2024 to review sight lines at the proposed intersections. The development will create a new intersection on Findley Drive at the Beesley Place intersection, and on Crescent Creek Drive with Barron Drive and Masten Mill Drive. Each of these locations were visited to ensure that the new connections would be afforded clear sight lines.

For intersection sight distance, the City of La Pine (and Deschutes County) applies the minimum recommended sight distance criteria based on the standard reference *A Policy on Geometric Design of Highways and Streets, 7<sup>th</sup> Edition* published by the American Association of State Highway and Transportation Officials (AASHTO) in 2018 (commonly referred to as the *Green Book*). This reference provides the recommended sight distances as measured from a height of 3.5 feet 14.5 feet from the edge



of travel way at the access point serving the proposed development, based on the posted or design speed of the roadway and the associated time gap required for a specific movement.

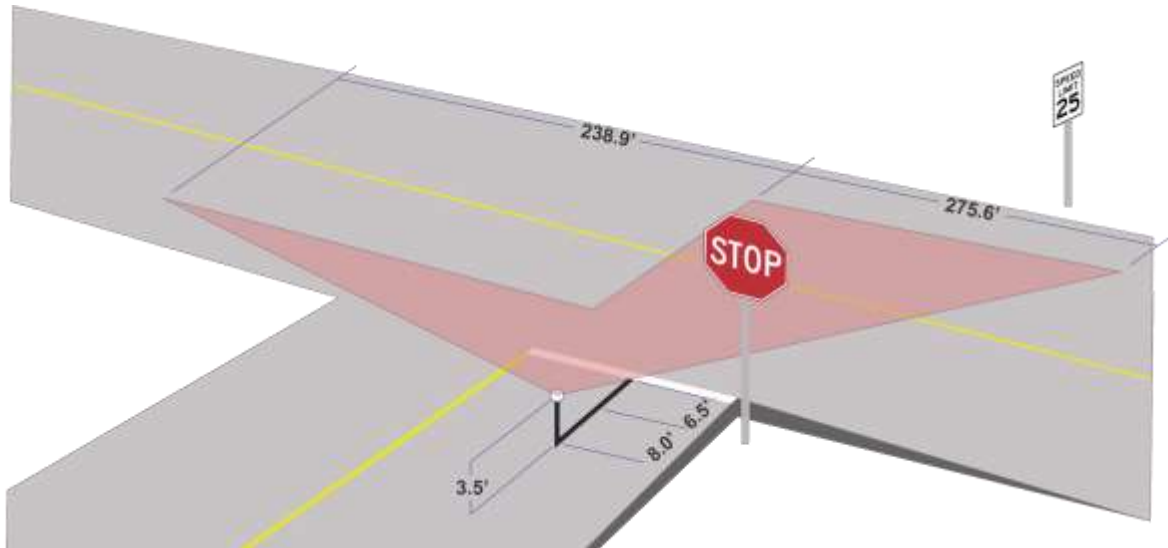


Figure 4. AASHTO minimum recommended intersection sight distance dimensions on the local street connections.

No intersection sight distance deficiencies were observed at any of the access locations, as illustrated in Figures 5 through 10. The new public street connections may require removal of adjacent street trees that are outside of the immediate construction (or limbing of trees), but this should be field-reviewed once the connections are made.



Figure 5. View facing east from the Findley Drive/Beesley Place connection.



Figure 6. View facing south from the Findley Drive/Beesley Place connection.



Figure 7. View facing west from the Findley Drive/Beesley Place connection.



Figure 8. View facing north from the Crescent Creek Dr/Barron Drive connection.



Figure 9. View facing east from the Crescent Creek Dr/Barron Drive connection.



Figure 10. View facing south from the Crescent Creek Dr/Barron Drive connection.

As part of the field review it was noted that pedestrian connectivity in the area is very good where pathways have been constructed. It was observed that the pathway along Findley Drive ends at the western property boundary (and will be extended with future development to the west), and there are no sidewalks or any other form of walkway present along the developed recreation area bordering Crescent Creek Drive.

## NEXT STEPS

We trust that these materials adequately address City of La Pine requirements related to transportation for the proposed Habitat for Humanity townhome site. Please let me know if you have any questions on these materials at (503) 997-4473 or via email at [joe@transightconsulting.com](mailto:joe@transightconsulting.com).

**CITY OF LA PINE**  
**Neighborhood Contact Certification**

Meeting Date: 4/3/24

Meeting Location: La Pine Senior Center

Project Location: Tax lot 2210110000401 ; SE corner Quad 2A Newberry Neighborhood

Type of Land Use Application: Quadrant Plan + Subdivision

Description of Proposal: Quadrant Plan for Residential Center District + 34-lot townhome subdivision and associated infrastructure

**PRESENT AT MEETING:**

Name(s) & Addresses

Email/Phone

Developer(s): Sunriver LP Habitat for Humanity, Wade Watson, wadewatson@aol.com  
206.915.2424

Planner  
Architect(s): Tammy Wisco, Retia Consult twisco@retiaconsult.com  
210.896.3432

Engineer(s): \_\_\_\_\_

Business(es): \_\_\_\_\_

Neighbor(s): Please include a sign in sheet with all submittals

**CONCERNS STATED AT MEETING:**

- Increased traffic on Findley & Crescent Creek.
- Use of park by new neighborhood.
- Will there be an HSA?
- Will there be enough parking?
- Will trees be preserved?
- Concern for development of undeveloped land.
- Will new owners pay for use of existing park?

Wade Watson

**Signature of Developer/Representative**

Wade Watson

**Printed Name**

4/3/24

**Date**

MEETING DATE AND TIME: 4/13/24, 5pm La Pine Senior Center

Name	Address	Email
Vic Russell	15118 Fall River Dr. / Bend	vic@vicrussellconstruction.com
Lyndsay + Ian Anderson	51949 Lumberman	anderson.northwest@cpjnews.com
Cale + Michelle Distekoff	16660 Barron Drive Lapine	Michelle.distekoff@gmail.com
Paerel Vies	City	
Alissa McGuire	51946 Lumberman Ln	alissa-mcguire1@gmail.com
Bonnie Kuhn	51945 Lumberman W	
Vicki Russell		

<b>Name</b>	<b>Address</b>	<b>City</b>	<b>State</b>	<b>Zip</b>
Crescent Creek Owners Association	PO Box 8550	Bend	OR	97708
Cale & Michelle Disterhoft	16660 Barron Drive	La Pine	OR	97739
Pahlisch Homes at Crescent Creek LLC	210 SW Wilson Ave #100	Bend	OR	97702
Jerry Lee Kooistra	51970 Crescent Creek Drive	La Pine	OR	97739
Julie Rice	3827 NE Oakside Loop	Bend	OR	97701
Rachel Vickers	51974 Crescent Creek Drive	La Pine	OR	97739
Ian Sternberger	51953 Lumberman Lane	La Pine	OR	97739
Ian Anderson	51949 Lumberman Lane	La Pine	OR	97739
Bonnie Kuhn	51945 Lumberman Lane	La Pine	OR	97739
RMB LLC	16543 Daisy Place	La Pine	OR	97739
Patrick James & Jean Marie McCarthy	51937 Fordham Drive	La Pine	OR	97739
A & C Swendsen Family Rev Liv Trust	51931 Forham Drive	La Pine	OR	97739
Deschutes County	PO Box 6005	Bend	OR	97708



Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Crescent Creek Owners Association  
PO Box 8550  
Bend, OR 97708

**Subject: MEETING LOCATION CHANGE!**

Dear La Pine neighbor,

**This letter is to inform you of a location update for this meeting. All other details remain the same.**

You are invited to a neighborhood meeting for a presentation about Park Place, a new Habitat for Humanity townhome subdivision within the property shown below.



**WHEN:** Wednesday April 3, 2024, 5pm to 6pm

**WHERE:** **La Pine Senior Center, 16450 Victory Way, La Pine – NEW LOCATION**

**WHAT:** Neighborhood meeting to present details of a 5.02-acre quadrant plan and subdivision application for a 34-lot townhome subdivision in the southeast corner of Neighborhood 2a of the Newberry Neighborhood Planning Area (north of Findley Drive and west of Crescent Creek Drive).

In the meantime, if you have any questions about the project or process, please contact our planning consultant, Tammy Wisco, at 210.896.3432 or [twisco@retiaconsult.com](mailto:twisco@retiaconsult.com).

Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Cale & Michelle Disterhoft  
16660 Barron Drive  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Pahlisch Homes at Crescent Creek LLC  
210 SW Wilson Ave #100  
Bend, OR 97702

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Jerry Lee Kooistra  
51970 Crescent Creek Drive  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Julie Rice  
3827 NE Oakeside Loop  
Bend, OR 97701

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Rachel Vickers  
51974 Crescent Creek Drive  
La Pine, OR 97739

**Subject: MEETING LOCATION CHANGE!**

Dear La Pine neighbor,

**This letter is to inform you of a location update for this meeting. All other details remain the same.**

You are invited to a neighborhood meeting for a presentation about Park Place, a new Habitat for Humanity townhome subdivision within the property shown below.



**WHEN:** Wednesday April 3, 2024, 5pm to 6pm

**WHERE:** **La Pine Senior Center, 16450 Victory Way, La Pine – NEW LOCATION**

**WHAT:** Neighborhood meeting to present details of a 5.02-acre quadrant plan and subdivision application for a 34-lot townhome subdivision in the southeast corner of Neighborhood 2a of the Newberry Neighborhood Planning Area (north of Findley Drive and west of Crescent Creek Drive).

In the meantime, if you have any questions about the project or process, please contact our planning consultant, Tammy Wisco, at 210.896.3432 or [twisco@retiaconsult.com](mailto:twisco@retiaconsult.com).

Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Ian Sternberger  
51953 Lumberman Lane  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Ian Anderson  
51949 Lumberman Lane  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Bonnie Kuhn  
51945 Lumberman Lane  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

RMB LLC  
16543 Daisy Place  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Patrick James & Jean Marie McCarthy  
51937 Fordham Drive  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

A & C Swendsen Family Rev Liv Trust  
51931 Forham Drive  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 18, 2024

Deschutes County  
PO Box 6005  
Bend, OR 97708

**Subject: MEETING LOCATION CHANGE!**

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

Crescent Creek Owners Association  
PO Box 8550  
Bend, OR 97708

Dear La Pine neighbor,

You are invited to a neighborhood meeting for a presentation about Park Place, a new Habitat for Humanity townhome subdivision within the property shown below.



- WHEN: Wednesday April 3, 2024, 5pm to 6pm
- WHERE: Dermatology Health Specialists, 16440 3<sup>rd</sup> Street, La Pine, Behind Ray's  
(NOTE: Derm Health is not associated with the project, only providing the space)
- WHAT: Neighborhood meeting to present details of a 5.02-acre quadrant plan and subdivision application for a 34-lot townhome subdivision in the southeast corner of Neighborhood 2a of the Newberry Neighborhood Planning Area (north of Findley Drive and west of Crescent Creek Drive).

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

Cale & Michelle Disterhoft  
16660 Barron Drive  
La Pine, OR 97739

Dear La Pine neighbor,

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

Pahlisch Homes at Crescent Creek LLC  
210 SW Wilson Ave #100  
Bend, OR 97702

Dear La Pine neighbor,

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

Jerry Lee Kooistra  
51970 Crescent Creek Drive  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

Julie Rice  
3827 NE Oakeside Loop  
Bend, OR 97701

Dear La Pine neighbor,

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

Rachel Vickers  
51974 Crescent Creek Drive  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

Ian Sternberger  
51953 Lumberman Lane  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

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16543 Daisy Place  
La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

A & C Swendsen Family Rev Liv Trust  
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La Pine, OR 97739

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Sunriver La Pine Habitat for Humanity  
56835 Venture Ln Suite 101-102  
Sunriver, OR 97707

March 5, 2024

Deschutes County  
PO Box 6005  
Bend, OR 97708

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February 29, 2024

Habitat for Humanity of La Pine/Sunriver  
PO Box 3364  
Bend, OR97707-0364

RE: 51950 Huntingon Rd  
La Pine, OR 97739

Midstate Electric Cooperative, Inc. is a corporation organized and operated in accordance with the rules and regulations of the Rural Utilities Service and was franchised by the Oregon Public Utility Commissioner, under PUC Order #38618 dated July 25, 1962, to provide electric service in the franchised area.

Application for service will be considered on a case-by-case basis in conjunction with the rules regulations, By-laws, and policies (which are subject to change from time to time without notice) of the cooperative.

We will provide electric service to the above-mentioned property in accordance with our current Line Extension Policy in force at the time the project commences.

If you have any questions regarding the above, please contact me.

Sincerely,

Crystal DeLuca  
Member Service

**Engineering Department**  
63090 Sherman Rd.  
Bend, OR 97701



## **LETTER OF INTENT TO SERVE**

Date: 3/6/2024

To Whom It May Concern,

It is the intention of TDS/BendBroadband LLC to install mainline (Fiber or Coax) (in developer- provided conduit (2" conduit with 3' sweeps) within utility trenches) in the below described properties. TDS/BendBroadband LLC will activate these lines at a time when TDS/BendBroadband LLC determines it is cost effective to do so. All conduits placed on our behalf within these properties and Rights of Way are for the exclusive use of providing TDS/BendBroadband LLC services.

Subdivision/Property Description: **Townhomes on tax lot 2210110000400**

Thank you,

A handwritten signature in black ink that reads "Sosanna McHugh". The signature is written in a cursive, flowing style.

Sosanna McHugh – Senior Software Engineer (541) 693-5981  
[Sosanna.McHugh@tdstelecom.com](mailto:Sosanna.McHugh@tdstelecom.com)

Jeff Liberty - Manager - Network Construction (541) 312-6449  
[jeff.liberty@tdstelecom.com](mailto:jeff.liberty@tdstelecom.com)

Joseph Waibel – Network Specialist Engineering (541) 550-9049  
[joseph.waibel@tdstelecom.com](mailto:joseph.waibel@tdstelecom.com)

Jeffry Hocker - Network Specialist Engineering (541) 668-7273  
[jeffry.hocker@tdstelecom.com](mailto:jeffry.hocker@tdstelecom.com)

Brett Goodman – Network Specialist Engineering (541) 903-5223  
[brett.goodman@tdstelecom.com](mailto:brett.goodman@tdstelecom.com)



SURVEYOR'S OFFICE
SUBDIVISION and CONDOMINIUM PLAT NAME - APPROVAL REQUEST FORM

PROPOSED NAME:

Park View

ALTERNATE NAME:

Parkside

Applicant/Organization Name/Dept:

Sunriver La Pine Habitat for Humanity

Map and Tax Lot Number:

2210110000401

Address: Site not yet addressed

Phone Number:

206.915.2424

Email:

wadewatson@aol.com

JURISDICTION: [ ] COUNTY [ ] BEND [x] LA PINE [ ] REDMOND [ ] SISTERS

Name of Applicant: Sunriver La Pine Habitat for Humanity

3/25/24

Date

Property Owner's Name/Address:

Deschutes County (currently), but being transferred to Sunriver La Pine Habitat for Humanity, 56835 Venture Ln, Ste 101-102, Sunriver OR 97707

Surveyor/Engineer Name/Address:

HHPR
250 NW Franklin, Ste 404, Bend, OR
97703

APPROVED NAME: PARK VIEW

APPROVED BY: Kevin Samuel

4-2-2024

Date

This plat name will be reserved for a period of two years after which it will automatically expire.

This form is a result of:

92.090 Approval of subdivision plat names; requisites for approval of tentative subdivision or partition plan or plat. (1) Subdivision plat names shall be subject to the approval of the county surveyor or, in the case where there is no county surveyor, the county assessor. No tentative subdivision plan or subdivision plat of a subdivision shall be approved which bears a name similar to or pronounced the same as the name of any other subdivision in the same county, unless the land platted is contiguous to and platted by the same party that platted the subdivision bearing that name or unless the party files and records the consent of the party that platted the contiguous subdivision bearing that name. All subdivision plats must continue the lot numbers and, if used, the block numbers of the subdivision plat of the same name last filed. On or after January 1, 1992, any subdivision submitted for final approval shall not use block numbers or letters unless such subdivision is a continued phase of a previously recorded subdivision, bearing the same name, that has previously used block numbers or letters.

100.105 Contents of declaration; property name; variable property description. (5) The name of the property shall include the word "condominium" or "condominiums" or the words "a condominium." (6) A condominium may not bear a name which is the same as or deceptively similar to the name of any other condominium located in the same county.