

## **NOTICE OF ADMINSTRATIVE LAND USE DECISION**

The City of La Pine Community Development Department has approved the land use application described below:

<b>DATE MAILED:</b>	April 7, 2025
<b>FILE NUMBER:</b>	13SPR-24
<b>LOCATION:</b>	The subject property is located at 16775 CW Reeves Lane, La Pine, Oregon 97739. The Tax Lot number is 400 on Deschutes County Assessor's Map 22-10-14DA.
<b>REQUEST:</b>	The applicant is requesting Site Plan Review to construct a 15,200 sf building with office and light manufacturing space.
<b>ZONING:</b>	Industrial Zone (I)
<b>STAFF CONTACT:</b>	Brent Bybee, Community Development Director Email: <a href="mailto:bbybee@lapineoregon.gov">bbybee@lapineoregon.gov</a> Phone: (541) 668-1135
<b>DECISION:</b>	Approved, subject to the conditions of approval identified below

### **I. APPLICABLE STANDARDS, PROCEDURES, AND CRITERIA:**

#### **PART III, CITY OF LA PINE DEVELOPMENT CODE**

##### **ARTICLE 3 - ZONING DISTRICTS**

CHAPTER 15.24. - INDUSTRIAL AND PUBLIC FACILITY ZONES

##### **ARTICLE 5 - DEVELOPMENT STANDARDS**

CHAPTER 15.80 – DEVELOPMENT STANDARDS, GENERALLY

CHAPTER 15.82. - LANDSCAPING, BUFFERING AND FENCES

CHAPTER 15.86. - PARKING AND LOADING

CHAPTER 15.88. - ACCESS AND CIRCULATION

CHAPTER 15.90. - PUBLIC FACILITIES

CHAPTER 15.94. - IMPROVEMENT PROCEDURES AND GUARANTEES

##### **ARTICLE 7 - PROCEDURES**

CHAPTER 15.204. - APPLICATION PROCEDURES

##### **ARTICLE 8 - APPLICATIONS AND REVIEWS**

CHAPTER 15.312. - SITE PLAN REVIEW

## II. CONDITIONS OF APPROVAL:

### AT ALL TIMES

- A. Application Materials: This approval is based upon the application, site plan, specifications, and supporting documentation submitted by the applicant. Any substantial change in this approved use will require review through a new land use application.
- B. Additional Permit Requirements: The applicant shall obtain necessary permits from the City of La Pine, Deschutes County Building Department, Deschutes County Onsite Wastewater Department, and any other necessary State or Federal permits.
- C. Confirmation of Conditions: The applicant shall be responsible for confirming in detail how each specific condition of approval has been met if requested by City staff.
- D. Noise Shielding: **At all times**, the applicant shall implement shielding or other protective measures to prevent noise and interference from mechanical equipment, electrical apparatus, or other industrial processes from impacting nearby residences.
- E. Exterior Lighting: **At all times**, all exterior lighting shall be so placed and shielded so as not to create a nuisance for adjacent properties.
- F. Maintenance and Plant Survival: **At all times** all landscaping approved or required as a part of a development plan shall be continuously maintained, including necessary watering, weeding, pruning and replacement of plant materials. Except where the applicant proposes landscaping consisting of drought-resistant plantings and materials that can be maintained and can survive without irrigation, landscaped areas shall be irrigated. If plantings fail to survive, it is the responsibility of the property owner to replace them.
- G. Duties of Developer: **At all times**, 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.
- H. Underground Utilities: **At all times**, All new electrical, telephone or other utility lines shall be underground unless otherwise approved by the city.
- I. Improvement Inspection: **At all times**, 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.
- J. Default Status: **At all times**, 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.
- K. Revision of Plans: **At all times**, construction documents shall conform to all aspects of the approved design review plan. Where circumstances, unknown or unforeseen at the time the plans are

approved, make it undesirable or unfeasible to comply with some particular aspect of the approved plan, the applicant shall request in writing that the city review needed and/or proposed modifications. The review authority that originally approved the plans shall review the proposed modifications to determine whether they constitute a major or minor revision of the approved plans in accordance with LPDC 15.312.080.

#### **PRIOR TO THE ISSUANCE OF BUILDING PERMITS**

- L. ADA Compliance: ***Prior to building permits***, the applicant must submit a revised site plan showing an Americans with Disabilities Act (ADA) parking sign for the ADA parking space.
- M. Concrete Driveways and Sidewalks: ***Prior to building permits***, the applicant shall provide a design for concrete driveways and concrete sidewalk improvements in the public right-of-way meeting the requirements of the Design Standards, II. Design Parameters, and III. Drawings. Plans shall be reviewed and approved by the City.
- N. Water Service Lines: ***Prior to building permits***, the applicant shall submit a revised site plan showing the fire and domestic water services, meter box, and backflow prevention device per the requirements of the Design Standards, II. Design Parameters, D. Water, d. Service Lines.
- O. Fire Hydrants: ***Prior to building permits***, the applicant shall coordinate with the La Pine Rural Fire District to verify if any additional fire hydrants are required for the development of the site, and shall identify the hydrants on the revised site plan.
- P. Sewer and Water Plan Approval: ***Prior to building permits***, development permits for sewer and water improvements shall not be issued until the public works department has approved all sanitary sewer and water plans in conformance with city standards.
- Q. Stormwater: ***Prior to building permits***, the City must review and approve the drainage facilities on site for compliance with LPDC Section 15.90.040
- R. Utilities: ***Prior to building permits***, 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.
- S. Plan Review and Approval: ***Prior to building permits*** improvement work shall not commence until a Pre-Construction meeting has been held with the City of La Pine Public Works Department.
- T. Agreement for Improvements: ***Prior to building permits***, 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.

- U. Bond or Other Performance Assurance: **Prior to building permits**, 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.
- V. Amount of Security Required: **Prior to building permits**, 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.
- W. Performance Guarantee: **Prior to building permits**, the applicant shall provide a bond issued by a surety authorized to do business in the State of Oregon, irrevocable letter of credit from a surety or financial institution acceptable to the city, cash, or other form of security acceptable to the city, providing a performance guarantee for the required public infrastructure improvements. However, the infrastructure improvements must be complete and accepted by the city prior to the issuance of a certificate of occupancy.

#### **PRIOR TO THE ISSUANCE OF CERTIFICATE OF OCCUPANCY**

- X. Sewer Service Installation: **Prior to occupancy**, the applicant shall install sewer service in accordance with the applicable requirements of the Design Standards, II. Design Parameters, C. Sewer.
- Y. Plant Installation Standards: **Prior to occupancy** the applicant shall confirm that the following plant installation standards are met for all landscaping:
1. Landscape plant materials shall be properly guyed and staked, and shall not interfere with vehicular or pedestrian traffic or parking and loading.
  2. Trees shall be a minimum size of six feet in height and be fully branched at the time of planting.
  3. Shrubs shall be supplied in one-gallon containers or six-inch burlap balls with a minimum spread of 12 inches.
  4. Rows of plants should be staggered to provide for more effective coverage.
- Z. Approach Permit: **Prior to occupancy**, the applicant must submit approved approach/driveway permits for each entrance to the site.
- AA. Right-of-Way Dedication: **Prior to occupancy**, the applicant shall evaluate existing streets adjacent to and providing access to the site for adequacy of width and improvement standards in accordance with the La Pine Transportation System Plan. If the streets are found to be inadequate, the applicant shall dedicate additional right-of-way. The dedication will need to be reflected in a new deed that is recorded with Deschutes County.
- BB. Utilities: **Prior to occupancy**, 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**.

- CC. As Built Plans: **Prior to occupancy**, 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.***
- DD. Maintenance Surety Bond: **Prior to occupancy**, the city will require a one-year maintenance surety bond in an amount not to exceed 20 percent of the value of all improvements, to guarantee maintenance and performance for a period of not less than one year from the date of acceptance.
- EE. Landscaping and other improvement performance assurance: **Prior to occupancy**, all landscaping and other site improvements shall be installed. This requirement may be waived if the property owner and/or applicant submits a performance assurance device that is approved by the city committing the installation of landscaping and other site improvements within one year.

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

A copy of the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for inspection at City Hall at 16345 Sixth Street, La Pine. Copies of these documents can also be provided at a reasonable cost from the City of La Pine. For more information or to request copies of these documents, contact [bbyebee@lapineoregon.gov](mailto:bbyebee@lapineoregon.gov).

This Notice was mailed pursuant to City of La Pine Development Code Part III, Article 7, Section 15.204.020(D).



Brent Bybee  
Community Development Director

April 7, 2025

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Date



LOCATION MAP

