

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

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

**DATE MAILED:** September 18, 2025

**FILE NUMBER:** PA-25-0003

**LOCATION:** The subject property is located at 51209 Erling Drive, La Pine Oregon 97739. The Tax Lot number is 340 on Deschutes County Assessor's Map 21-10-14CD.

**REQUEST:** The request for approval of a two-parcel partition on the subject property. No further development is proposed at this time.

**ZONING:** Residential Single-Family Zone (RSF)

**STAFF CONTACT:** Nick Tierney, Associate Planner  
Email: [ntierney@lapineoregon.gov](mailto:ntierney@lapineoregon.gov)  
Phone: (541) 280-5680

**DECISION:** Approved, subject to the conditions of approval identified below

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

#### **ARTICLE 2 – DEFINITIONS AND USE CATEGORIES**

##### **CHAPTER 15.12. – DEFINITIONS**

#### **ARTICLE 3 – ZONING DISTRICTS**

##### **CHAPTER 15.18. - RESIDENTIAL ZONES**

#### **ARTICLE 5 – DEVELOPMENT STANDARDS**

##### **CHAPTER 15.80 – DEVELOPMENT STANDARDS, GENERALLY**

##### **CHAPTER 15.88. - ACCESS AND CIRCULATION**

##### **CHAPTER 15.90. - PUBLIC FACILITIES**

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

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

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

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

##### **CHAPTER 15.204. - APPLICATION PROCEDURES**

#### **ARTICLE 9 – LAND DIVISIONS**

##### **CHAPTER 15.402. – GENERAL PROVISIONS**

##### **CHAPTER 15.410. – LAND PARTITIONS**

##### **CHAPTER 15.415. – REPLATS**

##### **CHAPTER 15.418. – PROCESSING AND RECORDING PROCEDURES**

## II. CONDITIONS OF APPROVAL:

### AT ALL TIMES

1. 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.
2. 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.
3. 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.
4. Metal Shipping Containers: **At all times**, in residential zones, no metal shipping containers shall be utilized as a dwelling at any time, or as storage structures for greater than 30 days.
5. Clear Vision Area: **At all times**, a clear vision area shall be maintained on the corners of all properties at the relevant intersections and must meet the requirements of LPDC Section 15.88.040.
6. Underground Utilities: **At all times**, all new electrical, telephone, or other utility lines shall be underground unless otherwise approved by the City.
7. Grading, Cutting, and Filling: **At all times**, when occurring, grading, cutting, and filling of building lots or sites shall conform to all requirements in LPDC Section 15.92.010(F).
8. 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.
9. Replatted Utility Easements: **At all times**, if a utility easement is proposed to be realigned, reduced in width, or omitted by the final plat of this replat, all affected utility companies and public agencies shall be notified.

### PRIOR TO CONSTRUCTION OF PUBLIC IMPROVEMENTS

10. Agreement for Improvements: **Prior to construction of public improvements**, since the applicant has proposed to extend the sewer main and the water line in the right-of-way to service the proposed Parcel 1, the applicant shall either install improvements and repair existing streets and other public facilities damaged in the development of the property prior to recording the final plat, 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. Per LPDC 15.94.020.B, such an agreement must be secured by a bond or other performance assurance of 120% of

the cost of public improvements and shall also provide for payment to the city for the cost of inspection and other engineer services directly attributed to the project.

11. Pre-Construction Meeting: ***Prior to construction of public improvements***, a pre-construction meeting with the construction contractor shall be held with City staff. To schedule the preconstruction meeting, the applicant shall reach out to the Community Development Department and submit a narrative describing how each of the required preconstruction conditions of approval have been, or will be, met. The required fee for a preconstruction meeting will be assessed and due prior to the meeting.
12. Plan Review and Approval: ***Prior to the preconstruction meeting***, improvement work to extend the sewer main and water lines to serve the proposed parcels shall not be commenced until development plans have been reviewed and approved by the city or a designated representative. Public improvements to county roads, if applicable, must be reviewed by Deschutes County Road Department. The review and approval shall be at the expense of the developer.
13. Sewer and Water Plan Approval: ***Prior to the preconstruction meeting***, sanitary sewer and water plans in conformance with city standards shall be provided to the City Public Works Director. Modifications to public sewer or water lines may need to be reviewed by DEQ. The City Engineer has directed that the proposed sewer extension will need to be reviewed by DEQ. Development permits for sewer and water improvements will not be issued until the preconstruction meeting is held, and all plans are approved and signed by the Public Works Director.
14. Utility Installation: ***Prior to the preconstruction meeting***, 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.
15. Performance Bond for Constructed Public Improvements: ***Prior to construction of public improvements***, and only for those improvements that are to be constructed and not otherwise paid for separately by fee in lieu, the applicant shall provide the City with a performance bond of 120 percent of the cost of improvements prior to beginning construction that meets the requirements of 15.94.020.B, prior to beginning any public improvements.
16. Modification: ***Prior to construction of public improvements***, improvement work shall not commence until after the city has been notified and approval 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.
17. Inspection: ***Prior to completion of public improvements***, 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.
18. Maintenance Surety Bond: ***Prior to the completion of public improvements***, at the completion of construction of the required improvements, the City will require a one-year maintenance surety bond for 20 percent of the value of all improvements to guarantee maintenance and performance for a period of one year from the date of the acceptance of the improvements.

## **PRIOR TO FINAL PLAT**

19. Final Map Requirements: ***Prior to final plat***, within two years of the approval of a partition, the partitioner shall have prepared and submitted to the city planning official a final partition map prepared by a licensed surveyor and any other materials or documents required by the approval. The final plat shall meet all the requirements of LPDC Section 15.410.050 and 15.418.010.
20. Improvements as Platted: ***Prior to final plat***, 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.
21. Sale or Occupancy: ***Prior to final plat***, 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 partition.

### ***Proposed Public Improvements***

22. Street Plan Updates: ***Prior to final plat approval***, provide plan updates that detail the driveway access across the swale. Provide street cut and sidewalk replacement details for installation of water and sewer services in Bassett Drive.
23. Sewer Plan Updates: ***Prior to final plat approval***, provide a construction drawing for the extension of sewer main approximately 8 feet, details of the connections to the sewer main, septic tanks, sewer services, and sewer service cleanouts that comply with Design Standards II. Design Parameters, C. Sewer, and III. Drawings. The sewer extension plan will require the Oregon Department of Environmental Quality review and approval. Alternatively, a sewer service could tap into the existing main and angle over to the property without the 8-foot sewer main extension.
24. Water Plan Updates: ***Prior to final plat approval***, provide details of the hot tap on the existing water main, water service, and water meter box that comply with Design Standards II. Design Parameters, D. Water, and III. Drawings. Each lot shall be serviced by its own water meter.
25. Public Utility Easements: ***Prior to final plat approval***, easements for sewer lines, water mains, electric lines or other public utilities shall be as required by the serving entity. In accordance with comments from the City Engineer, the applicant shall provide a minimum 10- by 25-foot septic tank access and maintenance easements for septic tanks on private property. Additionally, the applicant shall provide a minimum 5- by 5-foot water meter access and maintenance easements for meters on private property. All easements shall be reviewed and approved by the appropriate agency and recorded with the Deschutes County Clerk.
26. Utilities: ***Prior to final plat***, since the applicant has proposed to extend the City's sewer main and water line through the right-of-way, 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.
27. As Built Plans: ***Prior to final plat***, 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 filled 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.

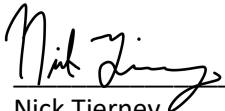
#### **PRIOR TO ISSUANCE OF BUILDING PERMITS**

28. Building Permits: ***Prior to building permit issuance***, 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.
29. Approach Permit: ***Prior to building permit issuance***, an approach permit shall be approved by the City of La Pine Public Works Department for the new access driveway to serve the proposed properties.
30. Future Permits: ***Prior to building permit issuance***, at such a time that new development or modification of existing development is proposed on any parcel, all applicable land use, including a City permit for each constructed or placed dwelling, and County building permits must be obtained prior to initiating the proposed development.

**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 [ntierney@lapineoregon.gov](mailto:ntierney@lapineoregon.gov).

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



Nick Tierney  
Associate Planner

09/18/2025

Date

## LOCATION MAP



*Figure 1 Location Map via Deschutes County GIS*