



## NOTICE OF ADMINISTRATIVE LAND USE DECISION

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

- DATE MAILED:** March 26, 2026
- FILE NUMBER:** SPR3-25-0003
- LOCATION:** The subject property is located at 16630 Box Way, La Pine, Oregon 97739. The Tax Lot number is 132 on Deschutes County Assessor's Map 22-10-14-AB.
- REQUEST:** The applicant is requesting Site Plan Review to construct a 6,400 sf sprinkled building, that will be used for tenant lease spaces.
- ZONING:** Industrial Zone (I)
- STAFF CONTACT:** Brent Bybee, Community Development Director  
Email: [bbybee@lapineoregon.gov](mailto:bbybee@lapineoregon.gov)  
Phone: (541) 668-1135
- DECISION:** 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 15.202. - Summary of Application Types and General Provisions

##### Chapter 15.204. - Application Procedures

##### Article 8 - Applications and Reviews

##### Chapter 15.312. - Site Plan Review

### 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. Screening Requirement of Accessory Storage: **At all times**, all accessory storage of junk, waste, discarded or salvaged material, machinery, or equipment shall not be permitted except within a completely enclosed structure. Or, if the lot area devoted to such use is over 200 square feet in area, the owner may have the alternative of enclosing it on all sides in conformance with the requirements of Section 15.24.400.B.
5. Emission Control: **At all times**, industrial uses shall comply with all applicable pollution control regulations enacted by the federal and state government and other governmental authorities.
6. Noise Shielding: **At all times**, industrial uses shall provide necessary shielding or other protective measures against interference caused by mechanical and nuclear equipment, or uses or processes with electrical apparatus, to nearby residences.
7. Lighting: **At all times**, all exterior lighting shall be so placed and shielded so as not to create a nuisance for adjacent properties.
8. 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.
9. Future Off-Street Loading: **At all times**, if any future use requires the receipt or distribution of materials or merchandise by trucks with a 40-foot or longer wheelbase at a frequency of one or more vehicles per week, the property owner shall submit a Modification application to the Planning Department demonstrating compliance with Section 15.86.020 prior to the occupancy of such use.
10. Underground Utilities: **At all times**, All new electrical, telephone or other utility lines shall be underground unless otherwise approved by the city.
11. 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.

12. 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 need 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 CONSTRUCTION**

13. Preconstruction Meeting: **Prior to construction**, a pre-construction meeting with the construction contractor shall be held with City staff. Contact the City prior to any work in the ROW, including City water, City sewer, or other utilities. 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.
14. Modification: **Prior to the construction of public improvements**, 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.
15. Agreement for Improvements: **Prior to the construction of public improvements**, since the applicant has proposed to connect to City water and sewer and install sidewalks, and is being conditioned to provide street trees, 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. 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.
16. Performance Bond for Constructed Public Improvements: **Prior to the construction of public improvements**, and only if the applicant is electing to file an Agreement for Improvements set forth in LPDC 15.94.020.B and 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 and shall be administered according to the requirements of LPDC 15.94.020.
17. Building Permits: **Prior to Construction**, 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.

#### **PRIOR TO THE PRECONSTRUCTION MEETING**

18. Deschutes County Road Department Comments: **Prior to the preconstruction meeting**, the applicant shall complete a Deschutes County improvement plan review with the County Road Department so that the

County Engineer can review the final improvement designs along the Box Way frontage. The Applicant shall also apply for a driveway access permit, and right of way permit with the county. The results of this review shall be passed along to the City.

19. Sidewalk Improvement Plans: ***Prior to the preconstruction meeting***, sidewalk and street improvement plans shall comply with Design Standards, II. Design Parameters A. Street, and III. Drawings shall be submitted to the City for review.
20. Sewer Service and Tank Design: ***Prior to the preconstruction meeting***, Provide details of the connection to the existing sewer service, septic tank, and sewer service cleanouts that comply with Design Standards - "Design Parameters," C. Sewer, and Design Standards - "Drawings."
21. Sewer Service and Tank Location: ***Prior to the preconstruction meeting***, Show the proposed sewer service and proposed septic tank locations on the site plan. Specify the septic tank size to comply with the minimum volume requirement stated in the Design Standards.
22. Details of the Water Plan: ***Prior to the preconstruction meeting***, provide details and location of the hot tap on the existing water main, fire service, water service, backflow prevention device, and water meter box that comply with Design Standards, II. Design Parameters, D. Water, and III. Drawings. A public utility plan showing the water main tap, fire service, backflow prevention device, and fire department connection locations shall also be provided.
23. Bicycle Parking: ***Prior to the preconstruction meeting***, the site plan shall be amended to depict 6 bicycle parking spaces.
24. Box Way Street Improvements: ***Prior to the preconstruction meeting***, the applicant shall submit revised public improvement plans showing the correct dedication of ROW so that Box Way conforms to the required local street width as required in the La Pine TSP. The sidewalks must be within the ROW – an easement for sidewalk access will not be granted on the subject property – and the existing power vault on the subject property shall be moved to accommodate the location of the sidewalk as required in the TSP. The sidewalk must be designed in accordance with all applicable City design standards. The installation of street trees must occur at an average 35-foot spacing except when within clear vision triangles on the subject property side of the street. All revised improvements must go through a formal County Engineering review and the results of this review shall be sent to the City prior to the preconstruction meeting.
25. 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 Public Works Director. Modifications to public sewer or water lines may 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.
26. Stormwater: ***Prior to the preconstruction meeting***, the City must review and approve the drainage facilities on site for compliance with LPDC Section 15.90.040
27. 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.

28. Plan Review and Approval: **Prior to the preconstruction meeting**, improvement work being installed by the developer shall not be commenced until development plans 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.

#### **PRIOR TO OCCUPANCY**

29. State Fire Marshall Comments: **Prior to occupancy**, the applicant shall confirm that all of the Deputy State Fire Marshalls requirements have been met.
30. Plant Installation Standards: **Prior to occupancy** the applicant shall confirm that the following plant installation standards are met for all landscaping:
31. Landscape plant materials shall be properly guyed and staked, and shall not interfere with vehicular or pedestrian traffic or parking and loading.
32. Trees shall be a minimum size of six feet in height and be fully branched at the time of planting.
33. Shrubs shall be supplied in one-gallon containers or six-inch burlap balls with a minimum spread of 12 inches.
34. Rows of plants should be staggered to provide for more effective coverage.
35. Approach Permit: **Prior to occupancy**, the applicant must submit approved approach/driveway permits for the entrance to the site.
36. Duties of Developer: **Prior to occupancy**, 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.
37. Improvements as Platted: **Prior to occupancy**, 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.
38. Inspection: **Prior to occupancy**, 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.
39. 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.
40. 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.

41. Sale or Occupancy: **Prior to occupancy or sale**, the public improvements proposed by the applicant to connect to water and sewer, construct the new sidewalks, and install street trees 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 development.
42. Maintenance Surety Bond: **Prior to occupancy**, 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.
43. Landscaping and Other Site Improvement Performance Assurance: **Prior to occupancy**, all landscaping and other site improvements required shall be installed. The owner and/or applicant may submit a performance assurance device that is approved by the city that commits the installation of landscaping and other site improvements within one year. In no case shall the performance be delayed beyond the one-year period for more than six months unless approved otherwise by the city. Acceptable performance assurances shall be in compliance with the provisions of this chapter or as otherwise approved by the city.

**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

March 26, 2026

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Date

LOCATION MAP

