



NOTICE OF ADMINSTRATIVE LAND USE DECISION

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

- DATE MAILED:** May 12, 2026
- FILE NUMBER:** PA-25-0009
- LOCATION:** The subject property is located at 51212 Erling Drive, La Pine Oregon 97739. The Tax Lot number is 339 on Deschutes County Assessor’s Map 22-10-14CD.
- REQUEST:** The applicant proposed a minor partition and replat for the subject property to create two parcels. No further development is proposed at this time.
- ZONING:** Residential Single-Family Zone (RSF)
- STAFF CONTACT:** Nick Tierney, Associate Planner
Email: 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

CHATPER 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: **At all times**, 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: **At all times**, 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: **At all times**, 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**, 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 performance assurance 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. Sale or Occupancy: **At all times**, the public improvements proposed by the applicant to connect to the sewer and water mains 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.
10. 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

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 City planning department and submit a narrative describing how each of the required preconstruction conditions of approval have been, or will be, met. The cost for a

preconstruction meeting will be assessed and due prior to the meeting.

12. 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.
13. 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.

Prior to the Preconstruction Meeting:

14. 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 main 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.
15. Plan Review and Approval: **Prior to the preconstruction meeting**, improvement work to connect to 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.
16. 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.

PRIOR TO COMPLETION OF PUBLIC IMPROVEMENTS

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 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. Agreement for Improvements: **Prior to final plat**, since the applicant has proposed to connect to the sewer main and the water line in the right-of-way to service the proposed parcels, 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.

20. Street Plan Updates: ***Prior to final plat***, 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.
21. Sewer Plan Updates: ***Prior to final plat***, provide 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.
22. Water Plan Updates: ***Prior to final plat***, 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.
23. Public Utility Easements: ***Prior to final plat***, 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 prior to the approval of the final plat.
24. 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.
25. Utilities: ***Prior to final plat***, since the applicant has proposed to connect to 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.
26. As Built Plans: ***Prior to final plat***, if required by the City, 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.
27. 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.

PRIOR TO BUILDING PERMIT ISSUANCE

- 28. 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 Zoning Permit for each constructed or placed residential dwelling and building permits, must be obtained prior to initiating the proposed development.
- 29. Approach Permit: **Prior to building permit issuance**, an approach permit shall be approved by the City of La Pine Public Works Department for any new access driveways to serve future proposed properties.
- 30. 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.

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 12TH 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.

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

5/12/26

Date

LOCATION MAP



Figure 1 Location Map via Deschutes County GIS