



**CITY OF LA PINE, OREGON**  
**PLANNING COMMISSION SPECIAL MEETING**

Tuesday, April 11, 2023, at 5:30 PM

La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Online access via Zoom: <https://us02web.zoom.us/j/88916752256>

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.*

**AGENDA**

**CALL TO ORDER**

**ESTABLISH QUORUM**

**PLEDGE OF ALLEGIANCE**

**ADDED AGENDA ITEMS**

*Any matters added at this time will be discussed during the "Other Matter" portion of this agenda.*

**APPROVAL OF PRIOR MEETING MINUTES**

- 1. 04.15.2023 Planning Commission Meeting Minutes.....3.

**PUBLIC HEARINGS:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS**

- 1. Request for initiation of Code Amendment Process
  - a. Staff Report.....6.
  - b. Exhibit A. ....8.

**OTHER MATTERS**

*Only Items that were previously added above in the Added Agenda Items will be discussed.*

**PUBLIC COMMENTS**

**STAFF AND COMMITTEE COMMENTS**

**ADJOURN**

**Pursuant to ORS 192.640:** This notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the Planning Commission to consider or discuss additional subjects. This meeting is subject to cancellation without notice. The regular meeting is open to the public and interested citizens are invited to attend.



# CITY OF LA PINE, OREGON

## PLANNING COMMISSION MEETING

Wednesday, March 15, 2023, at 5:30 PM

La Pine City Hall: 16345 Sixth Street, La Pine, Oregon 97739

Online access via Zoom: <https://us02web.zoom.us/j/89320887759>

---

*The meeting location is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to City Hall at (541-536-1432). For deaf, hearing impaired, or speech disabled dial 541-536-1432 for TTY.*

---

## AGENDA

### CALL TO ORDER

Chair Hatler opened the meeting at 5:44 p.m.

### ESTABLISH QUORUM

#### Commissioners:

Chair Hatler

Commissioner Hatfield

Commissioner Myers

Commissioner Bauman

Commissioner Cameron

#### Staff Members:

Geoff Wullschlager- City Manager

Alexa Repko- Principal Planner

Amanda Metcalf- Administrative Assistant

### PLEDGE OF ALLEGIANCE

Commissioner Bauman led the Pledge of Allegiance.

### ADDED AGENDA ITEMS

*Any matters added at this time will be discussed during the "Other Matter" portion of this agenda.*

### APPROVAL OF PRIOR MEETING MINUTES

1. 02.15.2023 Planning Commission Meeting Minutes

Motion made by Commissioner Teri Myers to approve the minutes. *Seconded by Commissioner Mary Hatfield.* Motion approved unanimously.

**PUBLIC HEARINGS**

None

**OLD BUSINESS**

None

**NEW BUSINESS**

**1. Application(s) Update –City Planner, Alexa Repko**

Ms. Repko updated the agency on different plans, permits and businesses. The liquor store is planning on moving locations, two plat reviews are being finalized they are waiting for water and wastewater to be finished. A partition application is in review, Legend Cider is trying to move into a new location, however the lot lines need to be reviewed prior to new businesses moving in.

Ms. Repko discussed the updates on the other applications she has received for the city. In addition to the modification for Ponderosa Parks subdivision and the need for a reduction in the number of lots to make them bigger.

There was a brief discussion on the above updates between the Agency and Ms. Repko.

**OTHER MATTERS**

*Only Items that were previously added above in the Added Agenda Items will be discussed.*

**PUBLIC COMMENTS**

None

**STAFF AND COMMITTEE COMMENTS**

Ms. Repko announced that she will be leaving the City of La Pine and taking a position with the City of Bend as a planner.

Mr. Wullschlager informed the Commission that recruitment for a new planner will start Friday. And expressed his gratitude for her hard work and tenure with the City of La Pine.

**ADJOURN**

Chair Hatler closed the meeting at 5:55 p.m.

**Pursuant to ORS 192.640:** This notice includes a list of the principal subjects anticipated to be considered or discussed at the above-referenced meeting. This notice does not limit the ability of the Planning Commission to consider or discuss additional subjects. This meeting is subject to cancellation without notice. The regular meeting is open to the public and interested citizens are invited to attend.

\_\_\_\_\_ Date:

Bea Hatler, Chair

ATTEST:

\_\_\_\_\_ Date:

Geoff Wullschlager, City Manager




**CITY OF LA PINE**

STAFF REPORT

---

---

Meeting Date: April 11, 2023  
TO: Planning Commission  
FROM: Geoff Wullschlager, City Manager   
SUBJECT: Proposed Text Amendment

- |                                     |                         |                          |                                   |
|-------------------------------------|-------------------------|--------------------------|-----------------------------------|
| <input type="checkbox"/>            | Resolution              | <input type="checkbox"/> | Ordinance                         |
| <input type="checkbox"/>            | No Action – Report Only | <input type="checkbox"/> | Public Hearing                    |
| <input checked="" type="checkbox"/> | Formal Motion           | <input type="checkbox"/> | Other/Direction: Please see below |
- 

Commissioners:

City staff are presenting you with a proposed text amendment (Exhibit A.), attached below. The purpose of this proposal is to provide clear guidance on the minor variance procedure and applicable criteria under Sec. 15.320.010 B., and as associated, Sec. 15.320.040, in the La Pine Development Code.

Procedure:

Under current procedure in the La Pine Development Code, the city planning official may request the Planning Commission to initiate the process for a text amendment. Initiations made by a review body (La Pine Planning Commission) are made without prejudice towards the outcome. Once the Planning Commission takes this step, if in agreement with the planning officials request, the following procedures will be implemented:

- a. 35. Day Post-acknowledgement plan amendment (PAPA) notice to the State of Oregon Department of Land Conservation and Development that describes the proposed text amendment will be drafted and issued.
- b. Applicable public notice made of the proposed amendment and hearing date of the first public hearing on May 17<sup>th</sup>, 2023, to be held by the Planning Commission in which public testimony will be received, will be issued.
- c. If approved by the Planning Commission after testimony is received, applicable public notice will be made of the proposed amendment and hearing date of the second public hearing to be held by the City Council at the June 21<sup>st</sup>, meeting in which public testimony will be received in addition to the Planning Commission’s recommendation.
- d. If the Council approves, the text amendment will be passed by Ordinance at one or more City Council meetings, initiated on June 21<sup>st</sup>, 2023.

**NOTE: No testimony from any public in attendance should be taken or received on this matter at this time.**

Action:

Please review the attached (Exhibit A.) and consider the proposed amendment. Please direct any questions to staff. If in support of the planning official request, please make a formal motion to:

**“Initiate an amendment to the La Pine Development Code Sec. 15.320.010 B., without prejudice towards the outcome.”**

Followed by a second.

The Chair should then hold a roll call vote of the members present if a quorum has been established. If a majority of the quorum supports the motion through vote, please note the outcome for the record by stating:

**“A voting majority of the Planning Commission approves the initiation of an amendment to the La Pine Development Code Sec. 15.320.010 B., without prejudice towards the outcome.”**

If this occurs, there should be no further discussion on the matter, and the Chair may direct the Commission to any other business before it.

Legislative Format:

*Added language is italicized and highlighted.*

**Stricken language is bolded and has ~~strikethrough~~.**

Proposed Amendment(s):

Sec. 15.320.010. - Applicability.

A. Variance. Variances from the provisions and requirements of this chapter may be approved in accordance with the provisions of this section.

B. Minor variance. A minor variance is a variance to an area or dimensional standard of this Development Code that *complies with Section 15.320.040 and* meets one of the following conditions. Only one such variance may be granted for any one lot, parcel or tract of land.

1. Involves a deviation from a minimum lot size requirement of not more than ten percent.
2. Involves a deviation from a yard or setback requirement of not more than 25 percent.
3. Involves a request for the expansion of a non-conforming use by not more than ten percent.

C. Riparian variance. In cases where the limitations on activities within the significant riparian corridor unduly restricts the development of a lot or parcel legally created before the effective date of this Development Code, a property owner may request a riparian variance.

Sec. 15.320.040. Approval criteria (except for riparian variances).

A variance may be granted unqualifiedly, or may be subject to prescribed conditions and limitations, provided that the following findings are evident:

A. That the literal application of specific provisions of the Development Code would create practical difficulties for the applicant resulting in greater private expense than public benefit. However, a variance is not to be granted simply because it would afford the owner a higher profit or prevent a mere inconvenience.

B. That the condition creating the difficulty is not general throughout the surrounding area, but is unique to the applicant's site or property; therefore, the granting of the requested variance will not set a precedent for future applications.

C. That the condition was not created by the applicant. A self-created difficulty will be found if the applicant knew or should have known of the specific restriction or provision at the time the site was purchased. Self-created hardship also results when an owner and/or developer negligently or knowingly violates a provision of this Development Code.

D. No variance shall be granted that would allow the use of property for a purpose not authorized within the zone in which the proposed use or development is located.

E. In granting a variance, conditions may be attached that are found necessary to protect the best interests of the adjoining or surrounding properties or the vicinity, and to otherwise achieve the purposes of this Development Code, including the specific applicable zone, and the objectives and policies of the city's comprehensive plan.