



CITY OF LA PINE, OREGON PLANNING COMMISSION

Wednesday, February 7, 2024 at 5:30 PM

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

Online access via Zoom: <https://us02web.zoom.us/j/82115220623>

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. 12.06.23 Planning Commission Meeting Minutes.....3.

PUBLIC HEARING

- 1. None

OLD BUSINESS

- 1. None

NEW BUSINESS

- 1. La Pine 2045 Comprehensive Plan Update Overview.....6.
- 2. Zoning Permit for Residential Development.....8.
- 3. Manufactured Dwelling Park Discussion.....10.
- 4. Administrative Land Use Application Update (Discussion Only)

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 - Canceled 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

Wednesday, December 6, 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/81906372053>

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.

MINUTES

CALL TO ORDER

Commission Chair Hatler called the meeting to order at 5:34 p.m.

ESTABLISH QUORUM

Commissioners:

Commission Chair Hatler

Commission Vice Chair Myers-Not present

Commissioner Hatfield

Commissioner Bauman

Commissioner Poteet

Staff Members:

Geoff Wullschlager, City Manager

Brent Bybee, Principal Planner

Rachel Vickers, Associate Planner

Amanda Metcalf, Administrative Assistant

PLEDGE OF ALLEGIANCE

Commission Chair Hatler led the pledge of allegiance.

ADDED AGENDA ITEMS

None

APPROVAL OF PRIOR MEETING MINUTES

1. 10.18.23 Planning Commission Meeting Minutes
2. 11.15.23 Joint Work Session Minutes
3. 11.29.23 Joint Work Session Minutes

Commissioner Bauman made a motion to approve the minutes. *Commissioner Hatfield seconded the motion.* Motion passed unanimously.

PUBLIC HEARING

None

OLD BUSINESS

None

NEW BUSINESS

1. Administrative Land Use Application Update (Discussion Only)

Ms. Vickers updated the Commission on the current land use applications. Three applications are still in the appeal period, two of them are parcel partitions, and the third is from Legend Cider which is a conditional use. Two applications were deemed incomplete. There are five applications that were deemed complete; three of them are site plan reviews, an 18-unit apartment complex, a two-parcel partition, and lastly the Bath properties expansion. There is a modification application from DANCO regarding the roundabout size change. The last application is a partition with Habitat for Humanity. Lastly there is an application for a zone change near Gordy’s proposing a change from industrial to commercial mixed use. Initially the applicant applied for more uses on the property concurrently with the zone change, however there were some issues with the lot legality. Ms. Vickers clarified the lot legality issues, the property was sold after April 5, 1977, which would require a partition to sell portions of the property. No partition was completed. Ms. Vickers also informed the Commission that due to the ruling in a previous court case that lot legality is not needed for plan amendment zone changes, which is why staff can process the current zone change application.

2. La Pine 2045 Vision Goals
 - a. Staff Report

Mr. Bybee presented the associated staff report. He explained that to date the Planning Department has received 480 survey responses. Ms. Vickers informed the Commission that staff went to the High School and received more responses from students. From those responses and the discussions from both work sessions, staff were able to narrow the original eight goals down to five. These goals are:

Infrastructure and Traffic Management, Preservation of Small-Town Feel, Economic Development, Balanced Growth Strategies, and Enhanced Community Services. Mr. Bybee briefly described each goal with the Commission.

Mr. Bybee informed the Commission that coordination with the consultant is still ongoing regarding the visioning work. Staff recommends postponing the final decision on the proposed goals to a later date. There was a brief discussion about the meeting between staff and the consultant 3J. Mr. Bybee welcomed discussion from the Commission on the proposed goals.

A concern that was brought up in both joint meetings was traffic control in the City, however Ms. Vickers mentioned that the City does not own a large portion of the roads within city limits and that it would be challenging for the City to implement goals regarding traffic.

Mr. Bybee informed the Commission that DLCD had reached out to the City regarding the TA grant that will support the Comprehensive Plan update effort, and asked if the City would accept a smaller amount than the original request. Staff responded with the evidence that La Pine is the second fastest growing city in the state and will need the full amount requested. Staff are now waiting for a response from DLCD and should hear back within the week.

OTHER MATTERS

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

None

PUBLIC COMMENTS

None

STAFF AND COMMITTEE COMMENTS

None

ADJOURN

Commission Chair Hatler adjourned the meeting at 6:02 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 - Canceled 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



La Pine 2045

Commissioners,

The City of La Pine will be kicking off the beginning efforts to update the Comprehensive Plan. The next two years will require heavy involvement on the part of the Planning Commission. The overview below is high level, and more details will be shared with the commission as the project kickoff meeting was recently concluded with the consultant.

Steering Committee and Technical Advisory Committee

Staff have been coordinating to identify individuals to serve on a Steering Committee and Technical Advisory Committee. The Technical Advisory Committee will be comprised mostly of City Staff, and partner agencies. The Steering Committee will be composed of 12-15 individuals from the community that have backgrounds in the following categories.

- Schools
- Parks and Nature
- Industry and Business
(large/medium/small)
- Public Safety
- Utilities
- Property Owners/developers
- Health
- Transportation
- Service nonprofits
- Spanish-speaking community
- Arts and Culture
- Seniors
- Youth
- County and state agencies
- Elected and Appointed Officials

The Steering Committee will oversee this effort by reviewing and commenting on work products, guiding engagement efforts, helping the project team host public events and activities, acting as liaisons to specific constituencies or interest groups, encouraging community members to participate in the process, and acting as champions of the La Pine Comprehensive Plan Update that emerges from this process. The Steering Committee will have a charter that establishes roles, shared ground rules and consensus-based decision-making procedures. The expectation is that the Steering Committee will meet up to 4 times over the course of the next year. Meetings will occur in person and be approximately 2 hours.

Tasks

Task 1. Project Management

1.1 Project Kickoff

1.2 Project Administration

Task 2. Community and Stakeholder Engagement

Task 3. Background Reports/La Pine 2045 Vision

3.1 Background Reports

3.2 La Pine 2045 Vision

Task 4. Goals and Policies/Scenario Refinement

Task 5. Comprehensive Plan and Implementation Strategy
Task 6. Adoption

Schedule

SCHEDULE

	2023		2024										2025							
	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Task 1. Project Management																				
Task 1.1 Project Kick-off			●																	
Task 1.2 Project Administration			◆																	
Task 2. Community and Stakeholder Engagement																				
Task 3. Background Reports / Redmond 2040 Vision																				
Task 3.1 Background Reports																				
Task 3.2 La Pine 2045 Vision						◆	★													
Task 4. Goals and Policies / Scenario Refinement											◆	★								
Task 5. Comprehensive Plan and Implementation Strategy																	◆	★		
Task 6. Adoption																				

- = Team Kickoff
- ◆ = Steering Committee/TAC Meeting
- ★ = La Pine Summits (3)



CITY OF LA PINE

STAFF REPORT

MEETING DATE: February 7, 2024
TO: Planning Commission
FROM: Brent Bybee, Principal Planner
SUBJECT: Zoning Permit - Residential Development

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

Commissioners,

Staff recently reviewed the code, specifically the applicability standards of Zoning Permits.

Discussion

For consideration, a Zoning Permit is a Type I ministerial decision. Sec. 15.202.010(B)(1) states the following:

- 1. Type I procedure (ministerial staff review with no notice). Type I decisions are made by the city planning official, or his or her designee, without public notice and without a public hearing. A Type I procedure is used in applying city standards and criteria that do not require the use of discretion (i.e., there are clear and objective standards). The city planning official may elect to process a Type I application under a Type II procedure.*

When reviewing the Criteria for Zoning Permits (Zoning Checklist), in Chapter 15.308, Sec. 15.308.010 requires the following:

Sec. 15.308.010. - Applicability.

A zoning checklist shall be required for any of the following (except where otherwise indicated in this Development Code):

- A. Commencing a use, changing a use or intensity of use, or extending or displacing the use of any building, structure, and/or land in the city.*
- B. Construction, erection, enlargement, reconstruction, or structural alteration of any single-family dwelling (including placement of a mobile or manufactured home on a property), duplex, or accessory dwelling unit and any other structure accessory to a residential use that requires a building permit.*

Currently, this criteria is not being enforced, and has not been enforced in the past. The criteria clearly requires all residential development to be reviewed through the Type I Zoning Permit procedures prior to applying for building permits. Currently, residential development is only applied for with the Deschutes County Building Department, with Planning Staff reviewing the permits for consistency with the City Code prior to Certificate of Occupancy.

Issues with this procedure in the past have occurred. There have been instances in the past where residential development occurred, and the building permits were approved by staff, but the development as constructed did not meet the development standards for the zoning. As a result, the owner sought a variance, which resulted in the need for a code amendment, and has required a large amount of staff time to rectify at the cost of the City.

Before discussing options moving forward, a factor to take into consideration is the Advance Planning Fee that the County Building Department collects when new building permits are applied for. That fee is then distributed to the City. The fee is calculated at a rate of 0.34% of the building valuation. For instance, if a home was valued at \$368,590.00, the Advance Planning Fee would equate to \$1,253.00. This fee essentially covers City Staff's time required for Building Permit review, and other long range planning work. Currently, the cost of a Zoning Permit with the City is \$500.00.

Moving forward, staff has been strategizing how to address this discovery. Staff has been taking into account the concerns about development potentially being constructed out of compliance with the code, while also acknowledging that the county is already assessing a fee to cover our additional time.

Staff Recommendation

Based on those factors, Staff recommends the initialization of requiring a Zoning Permit application in line with the requirements of our code. Staff would work over the coming months prior to a new fee schedule being adopted to message the requirement to the Building Department, as well as contractors in the area. Once a new fee schedule is adopted this coming summer, Staff would include an updated fee to reflect the cost of a residential Zoning Permit. Since this review will likely require less staff time than what is required for commercial development, and taking into account the Advance Planning Fee, the cost of the fee may equate to less than \$500.00.

No formal motion is required on the part of the Planning Commission. The topic is open for discussion and any direction you may have.



CITY OF LA PINE

STAFF REPORT

MEETING DATE: February 7, 2024

TO: Planning Commission

FROM: Rachel Vickers, Associate Planner

SUBJECT: Manufactured Dwelling Parks Code Amendment

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

Proposal:

Staff is beginning the process for a staff-initiated code amendment that relates to La Pine’s manufactured dwelling park standards located in La Pine Development Code (LPDC) Section 15.104.060. The section in its entirety is included below for reference:

Section 15.104.060, Manufactured Dwelling Parks

- A. Applicability. *Manufactured dwelling parks, where permitted, are subject to compliance with the following standards.***
- B. Standards.**
 - 1. General standards. *Development of manufactured and mobile home parks, including placement of manufactured and mobile homes with a park, shall comply with applicable building codes and state requirements for mobile home and manufactured dwelling parks in ORS 446.***
 - 2. Access drives. *Internal roadways shall be not less than 30 feet in width if parking is permitted on the margin of the roadway, or not less than 20 feet in width if parking is not permitted on the edge of the roadway and shall be surfaced with asphalt, concrete, compacted crushed gravel or similar surface.***
 - 3. Perimeter screening and landscaping. *Except for the access roadway into the park, the park shall be screened on all sides by a sight obscuring fence not less than six feet in height, unless otherwise approved by the city. Additionally, when manufactured dwellings are oriented with their back or side yards facing a public right-of-way, the city may require planting of a landscape buffer of five to ten feet in width between the right-of-way and a manufactured home park for the privacy and security of park residents or for privacy of adjacent residences.***

4. **Outdoor storage. A neat appearance shall be maintained at all times. Except for vehicles, there shall be no outside storage of materials or equipment belonging to the park or to any guest of the park.**
State Law reference— Restrictions on manufactured dwellings and recreational vehicles and parks, ORS 197.475 et seq.

Background:

The following manufactured dwelling parks are located within City limits:

- La Pine Mobile Home Park | 51386 Huntington Road
 - 14 spaces
 - Constructed 1955 (NUV-94-4)
- Roundup Manufactured Home Park | 16460 Finley Butte Road
 - Approx 38 spaces
 - Constructed approx. 1984 (cannot locate original approval)
- Newberry Manufactured Home Park | 51341 Preble Way
 - 15 spaces
 - Constructed 1993 (CU-93-32, SP-93-23)
- Fefferman Manufactured Home Park | 51390 Preble Way
 - 14 spaces
 - Constructed 2019 (04SPR-18)
- Fefferman Manufactured Home Park | 51395 Preble Way
 - 14 spaces
 - Constructed 2021 (07SPR-20)
- Roundup (redevelopment and expansion) | 16460 Finley Butte Rd
 - 20 new spaces
 - Under construction (02SPR-21)
- Knottworks Manufactured Home Park | 52663 Drafter Road
 - 15 spaces
 - Under construction (07SPR-21)

**Please note Whispering Pines, Highlander Park, and Newberry Park are not included as they are Recreational Vehicle Parks, which are regulated by a different code section.*

La Pine incorporated in 2006 and as such, our code regulated the last four manufactured dwelling parks on this list. Staff has included photos below from the Manufactured Home Park located at 51390 Preble Way for reference.

Action:

While no formal motion is recommended at this time, staff requests a discussion amongst the Commissioners regarding their thoughts on manufactured dwelling parks and feedback on the following:

- Items they would like staff to research before the Planning Commission meeting on March 6th.
- Items they would like staff to consider in drafting a code amendment.
- Any other items they would like to share regarding manufactured dwelling parks.

Next Steps:

Based on the Commissioners direction, staff will create a presentation for the March 6th Planning Commission meeting that will include the following information:

- Sample manufactured dwelling park codes from 4-5 other Oregon cities and an analysis of how those can impact our code amendment.
- A nexus between this proposed code amendment, State Law, and La Pine's Comprehensive Plan.
- Land Use Board of Appeals (LUBA) headnotes related to manufactured dwelling parks, with a breakdown of the caselaw.

- What LPDC currently addresses in relation to manufactured dwelling parks and existing conditions.
- Criteria that may be added, modified, or removed from LPDC Section 15.104.060.
- Specific items that will be discussed between the Planning Commission in regard to this code amendment.

Budget Impacts:

None, besides staff time.

Photos:



Figure 1: Looking east down the main entrance.



Figure 2: Looking northeast within the park.



Figure 3: One of the dwellings located at the entrance on Preble Way.



Figure 4: View of a side yard and a driveway.



Figure 5: View of the sidewalk within the park looking west.



Figure 6: View looking southeast from Finley Butte