



October 9, 2024

To: La Pine Planning Commission

Subject: File # 01TA-24 – Flag Lot Comments

Commissioners,

This letter is to address all comments and additional evidence received towards the proposed code amendments, in accordance with the motion approved by the Commission at the hearing held on September 18, 2024, in which the Commission requested additional evidence towards the proposed width of flag lot poles.

On September 24, 2024, Mel Mills submitted comments regarding the proposed code amendment. In his comment letter, he states the City should adopt a 20 foot width for the flag lot poles. He states this is adequate for two emergency vehicles to ingress/egress at the same time, and that with the proposed 50 foot width would not allow a home to be built in the pole. A 10 foot setback area would be utilized for access, with no room for landscaping, and vehicles travelling right next to a home. He goes on to state the benefits of allowing the septic tanks to be placed on the flag portion of a lot, stating that gravity could then be utilized for wastewater to the main sewer line instead of a pump at the home, reducing costs to the homeowner.

On September 24, 2024, Patrick Trowbridge submitted comments regarding the proposed code amendment. In his comment letter he concurred with “Mel’s” summary of a flag lot scenario. His comments are directed towards the utilization of a 20 foot width for flag lot poles which would allow for the addition of an ADU. He goes on to state the benefits of ADU’s for the community and the fact that they don’t require affordable housing grants. He finishes with considerations towards maximizing the developable land within the city, states that a 55’x300’ lot is not a good use of precious land, and that flag lots make sense and are desperately needed in La Pine.

On September 25, 2024, staff submitted a comment letter addressing comments from the City’s Contract Engineer, Erik Huffman. The comment letter from Huffman was also received on September 25, 2024. Huffman’s comments ultimately recommended a width of 30 feet for the pole portion of a flag lot. His reasoning was directed towards maintaining adequate space for the placement of a driveway, septic tank, water meter, and franchise utility connections. As detailed in Staff’s comment letter on September 25, 2024, Staff supported Huffman’s comments, and recommended utilizing the 30 foot width requirement for flag lot poles.

An additional comment was received on September 26, 2024, from Patrick Trowbridge by email, and was included in the record. Trowbridge states in the email that he disagrees with the Engineer’s comments regarding septic tanks not fitting within a 20 foot pole. He provided two pictures of two different driveway entrances with septic tanks at the entrance of the flag lot properties, and goes on to state that only 10 feet is needed for a driveway. He goes on to state that if the standard is set at 30 feet, the properties might as well be kept the way they are and use the 15 feet by 5 feet for the tank. He finishes with concerns regarding ejector pump cost to push the effluent from the house to the tank, and that tanks being placed at the house are most cost effective.

Staff appreciates the comments from Mills and Trowbridge, and the thought they have put into the proposal. Their comments do not take into consideration however the installation of a water meter, franchise utility connections, and the City's policy regarding the placement of septic tanks at the front of the property to alleviate safety concerns of City Staff visiting the property to pump the tanks. Placing the tanks at the front of the property also negates the need for additional access easements allowing City Staff to pump the tanks without having to enter a citizen's property.

As detailed in staff's letter on September 25, 2024, staff recommends utilizing the professional opinion of the City's Contract Engineer, imposing a 30 foot requirement for flag lot poles.


The staff report has been amended to reflect this, and will be available for review by the commission during deliberations scheduled for October 16, 2024. The previous language proposed to the commission stated that:

The minimum frontage width requirements shall also apply to the full length of a flag lot "pole", as defined under Flag Lot Sec. 15.12.020. Where townhomes are proposed on the "flag" portion of a flag lot, not adjacent to a street, the 30-foot width requirement shall apply to the "pole".

To reflect Staff's recommendation, it has been amended to state:

When a flag lot is proposed, as defined under Flag Lot in section 15.12.020, the minimum frontage width shall be 30 feet, and shall apply to the full length of the flag lot "pole".

The Planning Department again thanks the Planning Commission for its consideration of this code amendment, and ensuring it meets the needs of the community.



Brent Bybee
Principal Planner