



# CITY OF LA PINE, OREGON PLANNING COMMISSION

Wednesday, October 2, 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/87908278135>

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*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.*

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## 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.*

### CONSENT AGENDA

1. 09.18.2024 Planning Commission Meeting Minutes
  - a. Public Hearing Sign in Sheet
  - b. Hand Out from Public Testimony
  - c. Public Comment – S. Martinez

### OLD BUSINESS

1. None

### NEW BUSINESS

1. Long Range Planning Update (Discussion Only)
2. Administrative Land Use Application Update (Discussion Only)

### PUBLIC HEARING

1. None

### OTHER MATTERS

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

### PUBLIC COMMENTS

*Public Comments provide an opportunity for members of the community to submit input on ongoing matters within the city.*

*Public Comments are limited to three (3) minutes per person; when asked to the podium, please state your name and address. This helps the Planning Commission and staff determine if you are a city resident. The acting chair may elect to respond to comments if the matter is within the jurisdiction of the city or defer to city staff for response. Any matter that warrants testimony and rebuttal may be debated only during a Public Hearing on the matter.*

**STAFF AND COMMITTEE COMMENTS**

**ADJOURN**

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**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.



# CITY OF LA PINE, OREGON PLANNING COMMISSION

Wednesday, September 18, 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/88618849700>

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## MINUTES

### CALL TO ORDER

Chair Myers called the meeting to order at 5:30 p.m.

### ESTABLISH QUORUM

#### Commissioners

Chair Myers

Vice Chair Poteet

Commissioner Hatfield

Commissioner Bauman

Commissioner Accinelli

#### Staff

Geoff Wullschlager – City Manager

Brent Bybee – Principal Planner

Rachel Vickers – Associate Planner

Amanda Metcalf – City Recorder

### PLEDGE OF ALLEGIANCE

Chair Myers led the Pledge of Allegiance.

### CONSENT AGENDA

1. 09.04.2024 Planning Commission Meeting Minutes

Councilor Accinelli made the motion to approve the consent agenda. *Councilor Hatfield seconded the motion.* Motion passed unanimously.

### ADDED AGENDA ITEMS

None.

### PUBLIC HEARING

1. 01TA-24 Text Amendment
  - a. Open Public Hearing

Chair Myers opened the public hearing at 5:32 p.m.

Principal Planner Bybee presented the staff report and the hearing procedure. Chair Myers asked the Commission if they had any conflict of interest, or bias. The Commission unanimously said no. Chair Myers asked the public if there were any challenges to the Commission's lack of bias or conflict of interest. There were no challenges from the public. She asked the public if there were any procedural objections, there were no objections.

A recess was requested by staff, Chair Myers closed the meeting at 5:50 p.m.

Chair Myers resumed the meeting at 5:54 p.m.

- b. Application Documents

Principal Planner Bybee presented the associated staff report for the proposed code amendments. He listed the specific proposed code amendments to the La Pine City Code.

Staff recommended that the Commission close the hearing and public record, commence deliberations, and recommend approval to the La Pine City Council for final consideration.

- c. Public Testimony

Chair Myers opened public testimony and asked for any parties that are neutral to come forward and make their comment.

Jill Toepfer, whose mailing address is PO Box 3081 in La Pine, made a comment regarding the drive up at her business. She stated that the current drive-up was allowed for temporary use, and she would like to know if there will be any changes with the text amendment.

Staff received her contact information and will look into their specific land use decision.

Chair Myers asked for any parties that were in support of the text amendment.

There were no public comments.

Chair Myers asked for any parties that were in opposition of the text amendment.

Mel Mills, who lives at 723 NW Negus Place, Redmond 97756, gave a handout to the Commission regarding flag lots. He also stated that he was not properly notified for the meeting other than a measure 56 notice he received in the mail.

His concern regarding the text amendment is about flag lots. He stated that most properties in the Cagle subdivision are 165 ft x 300 ft. He stated that with the proposed dimensions from the text amendment, it would make the buildable property very small. He suggested an alternative to the size of the "pole" for the Commission to review.

Patrick Trobridge, who works on Burgess Rd., made a comment on flag lots with regards to the 50 feet frontage and the buildable property. He stated that Bend allows 20 feet and explained how it could be applied to properties in La Pine. Lastly, he would like the Commission to consider the "end user" when they decide on the text amendment.

Principal Planner Bybee made closing comments. He stated that staff will work with Jill Toepfer regarding the drive-through at her business.

He read aloud the Measure 56 notice that was mailed out and stated that within the notice it lists the date and location of the public hearing however, in future it will include the time. Additionally, within the code it states that materials for a public hearing need to be posted seven days prior to the hearing. He explained that due to demand from the public, staff expedited the posting of the materials onto the website.

He explained the reasoning of the 50-foot frontage requirements for the flag lots, which is to match the requirement for residential lots. He stated that if the Commission would like to reduce the frontage to match surrounding cities, staff will work with the Commission for an amended motion.

Chair Myers reopened public testimony.

Mel Mills, who lives at 723 NW Negus Place, Redmond 97756, stated his frustration about the time frame of documents that need to be posted for a public hearing.

Lastly, he commented about the City's STEG sewer system and how it will affect the cost of development of the flag lots.

City Manager Wullschlager made a comment regarding the City's sewer system, and that the placement of the tank is a case-by-case decision.

Chair Myers reopened the public testimony.

Mel Mills, who lives at 723 NW Negus Place, Redmond 97756, made a closing comment about costs in developing a flag lot in regard to the sewer tank placement. He asked the Commission to take into consideration ways that can reduce the cost so the property can be more affordable for future owners.

Patrick Trobridge, who works on Burgess Rd., made a closing comment about the text amendments. He would like the Commission to consider the new owners and how it will affect new La Pine citizens.

Staff did not have any comments or rebuttals from the additional testimony.

Principal Planner Bybee explained the options to move forward, with potential motions.

d. Close Hearing

Chair Myers closed the hearing at 6:20 p.m.

Principal Planner Bybee made a clarification that all future development will be subject to the City Code and the new text amendments.

The Commission asked staff to acquire a professional opinion on the effect of size of a frontage in regard to a flag lot.

Chair Myers reopened the hearing at 6:40 p.m.

Commissioner Accinelli made a motion to close the oral portion of the hearing for File 01TA-24 and leave the written record open to be considered at the Planning Commission meeting on October 16, 2024, at 5:30pm at La Pine City Hall. The initial seven days up until September 25, 2024, at 5pm shall be dedicated to new evidence. The following seven days up until October 2, 2024, at 5pm, shall be dedicated strictly to responses to the new evidence submitted during the initial seven days. A final

seven days up until October 9, 2024, at 5pm, shall be dedicated solely to the rebuttal of new evidence and responses during the initial 14 days by the Applicant. *Commissioner Hatfield seconded the motion.*

Motion passed unanimously.

The oral portion of the hearing was closed at 6:45 p.m.

**OLD BUSINESS**

None

**NEW BUSINESS**

1. Long Range Planning update (Discussion Only)

Principal Planner Bybee gave an update on long range planning. He stated that the second community summit for La Pine 2045 will be October 3<sup>rd</sup>, and listed the meeting events that will take place.

He stated that city staff are still waiting for the response for the Transportation Growth Management (TGM) grant and should have a response by the end of the month.

Lastly, he stated that staff is working with Community Planning Assistance for Wildfire (CPAW). In the fall they will be working closely with local fire officials and other stake holders regarding existing conditions within the community and will propose recommendations that will better protect the community against wildfire.

2. Administrative Land use application update (Discussion Only)

Administrative Land Use Update was discussed prior to Long Range Planning Update.

Associate Planner Vickers gave an update on administrative land use applications. She stated that the current Type I files are ADU's, sign permits, and mobile food permits.

The Type II files are 3 story 39-unit housing complex on Drafter Rd., St. Charles' parking lot expansion, partition on Rosland Rd and a modification on the apartments on Huntington Rd. The modification is due to some changes that needed to be made to the site plan in response to changes that needed to be made during the building permit review. She stated that Starbucks has applied, and there are two permits, one for commercial recreational work and one for a 10-lot subdivision.

**OTHER MATTERS**

None.

**PUBLIC COMMENTS**

Stu Martinez, who lives at 51435 Morson St., made a comment stating that he appreciates the work that the Planning Commission is doing for the City. And said even though there sometimes can be differences of opinion he appreciates that the community is coming together to help shape the City of La Pine.

**STAFF AND COMMITTEE COMMENTS**

Chair Myers did not have any comments.

Vice Chair Poteet did not have any comments.

Commissioner Hatfield did not have any comments.

Commissioner Bauman did not have any comments.

Commissioner Accinelli did not have any comments.

City Manager Wullschlager did not have any comments.

Principal Planner Bybee did not have any comments.

Associate Planner Vickers did not have any comments.

City Recorder Metcalf did not have any comments.

**ADJOURN**

Chair Myers adjourned the meeting at 6:54 p.m.

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**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.

## Sign-In Sheet for the City of La Pine Public Hearing

Date: 09/18/2024

Meeting Location: LaPine City Hall

Request: \_\_\_\_\_

File No(s): OITA-24 Text Amendment

Name (Required)	Mailing Address (Required)	Email/Phone (Optional)	Position (Required)
MEL MILLS	723 NW NEGOS BL REDMOND 97756	No date time place on hearing.	<input type="checkbox"/> Support <input checked="" type="checkbox"/> Opposition <input type="checkbox"/> Neutral
<del>Daren Ash</del>	<del>Howard Ave</del>		<input type="checkbox"/> Support <input checked="" type="checkbox"/> Opposition <input type="checkbox"/> Neutral
Jill Toepfer	PO BOX 3081 LAPINE, OR 97739		<input type="checkbox"/> Support <input type="checkbox"/> Opposition <input checked="" type="checkbox"/> Neutral
Patrick Trowbridge	1680 Burgess Rd La Pine		<input type="checkbox"/> Support <input checked="" type="checkbox"/> Opposition <input type="checkbox"/> Neutral
			<input type="checkbox"/> Support <input type="checkbox"/> Opposition <input type="checkbox"/> Neutral
			<input type="checkbox"/> Support <input type="checkbox"/> Opposition <input type="checkbox"/> Neutral



**II. BASIC FINDINGS**

**ZONING:** The subject property is zoned Residential Single Family (RSF) with no overlay zones.

**PARCEL SIZE:** The subject property is 1.14-acres in size.

**LOT LEGALITY:** The subject property was originally platted as Lot 8 within Block 1 of the Cagle Subdivision Plat No 8, recorded June 27, 1967.

**REVIEW PERIOD:** The subject application was submitted on April 29, 2024, and deemed complete on May 29, 2024. The 120<sup>th</sup> day on which the City must take final action on this application is September 26, 2024.

**PROPOSAL:** The applicant proposes to partition the subject property into three parcels detailed in Figure 1 below. No further development is proposed at this time.

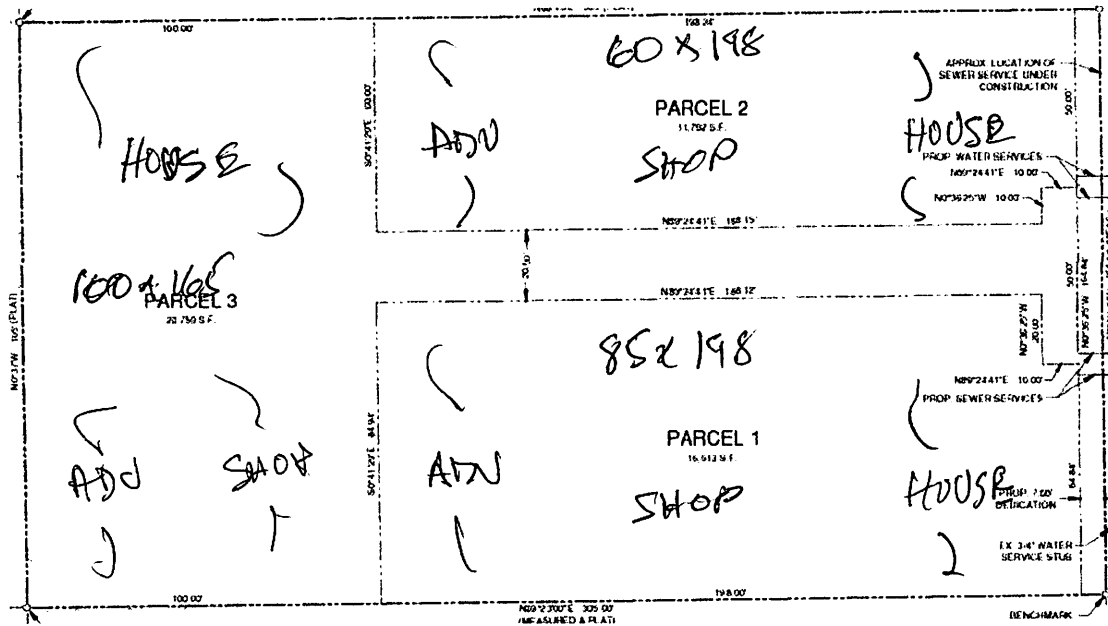


Figure 1: Proposed Tentative Plat

**EXISTING DEVELOPMENT:** The subject property is currently undeveloped developed and is rectangular in shape. The property fronts on Skidgel Road to the east. The grade of the property is relatively even.

**SURROUNDING LAND USES:** Surrounding properties are zoned Residential Single Family that are similar in shape and size.

**PERMIT HISTORY:**

There is no known land use history for the subject property.

**III. AGENCY AND PUBLIC COMMENTS**

**PUBLIC AGENCY COMMENTS:** The La Pine Community Development Department sent mailed and electronic notice on June 6, 2024, to several public agencies and received the following comments:



LAPINE

# PUBLIC COMMENT FORM

Completed forms will be collected prior to the start of the meeting. Comments will be limited to 3 minutes and restricted to the topics indicated below. All remarks and questions must be addressed to the presiding officer, only. Comments will be respectful. Harsh and/or abusive language will not be permitted. (This document is a public record)

Name: <u>STU MARTINEZ</u>	Phone Number: <u>541-410-6938</u>
Address: <u>51435 MORAN</u>	
Email: _____	<input checked="" type="checkbox"/> Resident <input type="checkbox"/> Non Resident <input type="checkbox"/> Other
Agenda Item Topic #: _____ in support of      in opposition to      as an interested party	
<input checked="" type="checkbox"/> <b>Non-Agenda Item Topic (Provide brief description):</b> _____ _____ _____	
Organization (if applicable): _____	Would you like to be contacted for follow up? ___ Yes                      ___ No