

**TRAINING SESSION
LA PINE WATER DISTRICT,
LA PINE SPECIAL SEWER DISTRICT,
AND CITY OF LA PINE
WORK SESSION FOR THE CITY COUNCIL
Wednesday, March 30, 2011 – 5:00 pm
South County Building Meeting Room
51340 Hwy 97, La Pine, Oregon 97739**

- A. USDA (United States Dept of Agriculture) Training Session – 5 pm
- I. Establish Quorum and call to order
2. Pledge of Allegiance
3. Presentation by Pam Swires of the USDA (United States Department of Agriculture).
4. Adjourn
- B. Work Session for the City Council - 6 pm
1. Call to Order
2. Roll Call
3. Zoning Ordinances
- Deborah McMahon, DMC Consulting Inc.
- James Lewis, Foreterra LLC
4. Public Comments
5. 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 City Council to consider or discuss additional subjects. The meeting is subject to cancellation without notice. The meeting is open to the public and interested citizens are invited to attend. 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 Patti Morgan at (541) 536-1432.

**TRAINING SESSION
LA PINE WATER DISTRICT,
LA PINE SPECIAL SEWER DISTRICT,
AND CITY OF LA PINE
WORK SESSION FOR THE
CITY COUNCIL MEETING MINUTES
Wednesday, March 30, 2011 – 5:00 pm
South County Building Meeting Room
51340 Hwy 97, La Pine, Oregon 97739**

A. USDA (United States Dept of Agriculture) Training Session – 5 pm

I. Establish Quorum and call to order

Mayor Mulenex called the meeting to order at 5:00 pm.

Roll Call:

City Manager Rick Allen
Mayor Ken Mulenex
Councilor Stu Martinez
Councilor Dan Varcoe
Councilor Adele McAfee – arrived at 6 pm
Councilor Don Greiner
Admin Ass't Patricia Morgan

Quorum established.

2. Pledge of Allegiance

Former Mayor Kitty Shields led the Pledge of Allegiance.

3. Presentation by Pam Swires of the USDA (United States Department of Agriculture).

Pam Swires gave background on the assistance that USDA provides in the community. She said that USDA administers four programs with forty-four sub programs. Ms. Swires said there are home remodel loans available to homeowners up to \$75,000. She said there was also assistance for multi-family housing. Ms. Swires said USDA helps new businesses with getting funds needed to open or grow their businesses.

Pam Swires said she works on community facilities and that includes things like building new hospitals, fire stations, etc. She also said she works on the infrastructure program that she underwrites for water and sewer projects.

00:07:00

Pam Swires said she was here tonight to give the City Council an overview of what is needed to do a transfer of loans and grants from the Special Districts to the City. She passed out the Rules and

Regulations that governs rural development. She said in section 12 through 15 is what the rural development instruction is based upon. Ms. Swires stated that the responsibility for initiating action rests with the borrower. She said, however, there is usually no problem doing the transfers and assumption of the loans and grants, but there is a detailed process.

Ms. Swires said, in a response to a question from City Manager Allen, that all the Special Districts would need to do is to write a letter to USDA requesting transfer of the loans and grants. She said in order to do the assumption USDA would need to see the City's organizational documents that show the ability to enter into a USDA loan and also pay off the loan with sufficient income.

Ms. Swires said the City would retain the same interest rate and other qualifications that were established at the start of the loan. She said that once she received a letter requesting the transfer there would be a number of documents from the City needed for her to do an eligibility review and that would then be submitted to the USDA attorneys. Ms. Swires said it takes about three to four weeks for the attorneys to review her recommendation. She said if approved, she would then send out a packet to the City that reflects what is needed for a full application.

Ms. Swires said USDA would need a legal agreement with the City's attorney. She also said that they would need to see at least two years of City audits and the current budget as well as year to date accounting. She said they may have to stay with the 30 year term that was originally done for the Special Districts. Ms. Swires said USDA will then issue a letter of condition so the loans and grants can be transferred to the tax id of the City. She stated that the purpose of the grant monies is to keep the rates at a similar system level.

In response to a question from Brian Earls, Ms. Swires stated that the City cannot conduct any utility business until the transfer has occurred. She said total loans for the Water District are \$2,783,499. Total grants are \$1,798,500. She said for the Sewer District it was \$159,211 and the grant amount was \$120,188.

00:34:20

Ms. Swires said that the rates have to cover certain things to keep the infrastructure viable. Those include operation and maintenance, debt service and reserve, and also short lived assets that have a limited life cycle and will need to be replaced. She said it would also be good to include depreciation, but it is not required. Ms. Swires stated that they would like to see the depreciation funded and also capital improvements if possible. She said there is no penalty for early payoff of the loans. Also, if operating costs are lower the SDC's (System Development Charge) could be lowered.

4. Adjourn

Mayor Mulenex adjourned the training meeting at 5:45 pm.

B. Work Session for the City Council - 6 pm

1. Call to Order

Mayor Mulenex called the meeting to order at 6:00 pm.

2. Roll Call

City Manager Rick Allen
Mayor Ken Mulenex
Councilor Stu Martinez
Councilor Dan Varcoe
Councilor Adele McAfee
Councilor Don Greiner
Admin Ass't Patricia Morgan

Quorum established.

3. Zoning Ordinances

- Deborah McMahon, DMC Consulting Inc.
- James Lewis, Foreterra LLC

00:45:35

Deborah McMahon stated that they are implementing the grant that the City received to create ordinances that will enforce the policies in the Comprehensive Plan. There are six codes that have been prepared for the Council to review. She said the six codes are the Procedures Ordinance which are the guidelines for how permits are processed, the Subdivision Ordinance on how to split up and combine lots, the Zoning Ordinances that makes sure there are rules and guidelines for each zone that the City has, the Sign Code, the Lighting ordinance that protects the dark sky and the System Development Charges (SDC's) policy that gives the City a good framework on how to approach the implementation of SDC's.

Ms. McMahon said the Planning Commission recommended that there has to be some level of enforcement of the codes and there also needs to be a discussion between the City and County on changing the enforcement of the codes.

Ms. McMahon stated that with all these codes the Planning Commission wanted to ensure that they were business friendly and not create obstacles to development and growth. Ms. McMahon said the Commission wanted orderly development, lessen congestion on roads and also public health and safety. Ms. McMahon said that the Commission felt that when there is new land use activity in the City it should be reviewed and regulated to some extent typical for land use.

51:35

Ms. McMahon said that they have listed, in the document, an explanation of all the zones on the zoning map. She said the Commission and staff did not find anything inconsistent with the Comprehensive Plan.

Ms. McMahon said that in the residential zones there is an outright/principle permitted use. She said under conditional uses, these are uses that are allowed in the zone but involve more scrutiny.

Ms. McMahon stated if a particular use is missing they are adding a section called exceptions. She said if the Planning Commission and City Council agree the Commission can grant exceptions for flexibility. Ms. McMahon said they did not see anything inconsistent with both the Comprehensive Plan and the County code.

Ms. McMahon stated that in the commercial zoning it starts with retail stores, restaurants, animal vet clinic, etc. She also said it is also okay to have some residential in the commercial zoning such as an apartment above a commercial building. James Lewis stated by keeping this zoning broad it gives the City the ability to adapt a zone.

Ms. McMahon said in the mixed use commercial zone it should be more centered development. She said there are also accessory uses for example a small storage shed, an overhang for parking, these will not be highly regulated. Ms. McMahon said in the light industrial zone there will be more flexibility like including call centers, research and development, coffee shops, etc., up to a certain size. She said when you start mixing things you need to be mindful of what the fire department needs, such as a flammable materials business not being next door to a coffee shop.

Ms. McMahon said that the flood plain overlay zone is required according to FEMA (Federal Emergency Management Association). She said for now the City is using the County's flood plan insurance. James Lewis stated that with regard to trails they are considered something that would be addressed for a subdivision. Ms. McMahon stated that they would allow trails in all zones.

Ms. McMahon then reviewed a chart that shows set-backs, size of lots, height limits, etc., for the different zones. She said with the site plan the developer will need to ensure that their development is consistent with the City's codes. Mr. Lewis said if it is a conditional use the developer has to state how and why they meet the criteria set by the City. Ms. McMahon stated that variances are a way to change the code significantly to get the permit.

Ms. McMahon stated that there was a lot of discussion about the amount of chickens for a certain amount of property. She said on a half an acre, Mayor Mullenex suggested that there should be allowed twelve fertile chickens. Also the setback for the chicken coops would be 15 feet from the next property. Councilor McAfee stated that she would be supportive of the maximum of four chickens that the Planning Commission had approved. Mayor Mullenex stated that 12 chickens per half acre is a middle of the road approach to this issue. Deborah McMahon suggested putting language in the code of twelve fowl on one-half acre and seeing how it is received at the Public Hearing. The Council had consensus to wait for the Public Hearing and hear how the public feels about the issue.

Ms. McMahon stated there was a lot of discussion by the Planning Commission on home based businesses. She said there were limitations put in to allow operation of a business in a residentially zoned area. Ms. McMahon discussed the parking regulations based on the use.

A ten minute break was taken at 7:35 pm. The meeting resumed at 7:45 pm.

James Lewis stated that the land division code is based on the Oregon statues which are very good codes. He said that the code stated when a subdivision or partition is created it will be required to have the entire necessary infrastructure (water, sewer, streets, sidewalks, etc.) that is needed. Mr. Lewis stated that everything needs to be shown on the land division plan. He said some of this is required by the State, but the City would want all of this in order to approve a development that has sufficient infrastructure that will not affect other parts of the City.

Mr. Lewis spoke about planned unit developments like Crescent Creek that is not a typical City subdivision. He said a homeowner's association in a planned unit development would be required to take care of road maintenance after the developer's warranty expired.

Mr. Lewis stated that land partitions are where a section of land can be divided up into three separate lots. There are requirements for doing the land partitions but it is much less than for the creation of a subdivision.

Deborah McMahon stated that the Planning Commission will not be doing e-plans (electronic generated plans) at this point in time because of the expense.

Mr. Lewis talked about block lengths of no longer than approximately 1/8 of a mile for the convenience of people walking or biking through a neighborhood.

Mr. Lewis discussed streets that are owned by the City. He said the right of way width is always wider than the road width. He said that the width of the roads need to accommodate safety vehicles and possibly sidewalks as well. James Lewis said most of the requirements for streets are for safety issues. Deborah McMahon stated that when some improvements are made the developer will be responsible for a year warranty and then the City will be responsible.

Deborah McMahon suggested that the Council, on its own, read the Land Use Procedures Code and the SDC Mitigation Ordinance because they are short and direct. She said then at the Work Session on April 13th at 5 pm, they could concentrate on signage and outdoor lighting.

4. Public Comments

None

5. Adjourn

A motion was made by Councilor Varcoe and seconded by Councilor McAfee to adjourn the meeting.

<i>Vote as follows:</i>	<i>AYE</i>	<i>NAY</i>
<i>Mayor Ken Mullenex</i>	<i>X</i>	
<i>Councilor Stu Martinez</i>	<i>X</i>	
<i>Councilor Dan Varcoe</i>	<i>X</i>	
<i>Councilor Adele McAfee</i>	<i>X</i>	
<i>Councilor Don Greiner</i>	<i>X</i>	

Motion passed unanimously.

Mayor Mulenex adjourned the meeting at 8:28 pm.

Mayor Ken Mulenex

Attest:

City Manager/Recorder Rick Allen