

MEMBERS PRESENT:

Michael Preedin Mayor
Andrea Blum Council President
Jennifer Letz Councilor
Gary Ross Councilor
Susan Cobb Councilor

STAFF PRESENT:

Jordan Wheeler City Manager
Kerry Prosser Assistant City Manager
Paul Bertagna PW Director
Matt Martin Principal Planner
Rebecca Green Deputy Recorder

The meeting recording is available here: <https://www.youtube.com/watch?v=4ZfqAmldISY>

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Preedin at 6:50 pm.

2. ROLL CALL

A roll call was taken, and a quorum was established.

3. APPROVAL OF AGENDA

The agenda was amended to remove Item 6B.

Council President Blum made a motion to approve the agenda as amended. Councilor Letz seconded the motion. Preedin, Blum, Letz, Ross, and Cobb voted aye; the motion carried 5-0.

4. VISITOR COMMUNICATION

- Rodney Cooper: Proclamation for Patriot Month and low voter turn-out.
- Josh Smith: Update on the efforts of the Sisters Small Business Association.

5. CONSENT AGENDA

A. Minutes

1. June 26, 2024 Workshop
2. June 26, 2024 Regular Meeting

B. Approve an Affordable Housing Grant Letter for Sisters Habitat for Humanity

Councilor Cobb made a motion to approve the Consent Agenda. Councilor Letz seconded the motion. Preedin, Blum, Letz, Ross, and Cobb voted aye; the motion carried 5-0.

6. COUNCIL BUSINESS

A. Public Hearing and Consideration of Ordinance 538: AN ORDINANCE OF CITY OF SISTERS AMENDING SISTERS DEVELOPMENT CODE CHAPTER 2.12, SUN RANCH TOURIST COMMERCIAL DISTRICT, THAT EXPANDS AND CLARIFIES THE TYPES OF ALLOWED USES AND APPLICABLE DEVELOPMENT STANDARDS.

Mayor Preedin opened the public hearing and read the conduct of the hearing.

Mayor Preedin asked Councilors to disclose any conflicts of interest. There were none. No one in attendance challenged the participation of a Councilor.

Principal Planner Martin made the presentation and submitted an updated section of Exhibit B. These two items are included in the [Supplemental Report](#). Attorney Garret Chrostek was available for questions. The purpose of the amendment to Development Code Chapter 2.12 is to expand and clarify the types and uses allowed in the Sun Ranch Tourist Commercial District, and to amend development standards for particular uses.

There were questions of clarity on zoning in the area, the proposed setbacks, the size of the neighborhood market, amenities, and multi-use trails and paths. Substantial discussion was conducted on the proposed change to 2.12.1000 on the maximum stay in an RV space, as State of Oregon Administrative Rules indicate in ORS 197.493 that a local government may not impose any limit on the length of occupancy of an RV, under specific conditions.

Mayor Preedin asked if there were any new correspondence submitted after the agenda packet was published. Martin indicated there were two letters, one from Ronni Duff of the Three Sisters Historical Society and the other from Charlie Stevens of Better Living in Sisters (BLIS).

Mayor Preedin asked if there were any further questions of staff. Council President Blum asked about the distinction between conditional vs permitted use for this property. Martin indicated that the uses outlined in this Tourist Commercial zone requires developers to design to specific standards, precluding the need for the conditional use permitting process.

Mayor Preedin invited the applicants, Jon Skidmore, land-use consultant, on behalf of Ernie Larrabee of Lakehouse Inn, and Adam Smith, land-use attorney to make their presentation.

Skidmore provided background on the zoning and vision of the Sun Ranch Tourist Commercial District. He spoke to the considerations the applicants made to a number of city plans, reports, and economic analyses. Skidmore spoke to amenities, including the multi-use trail concept.

Attorney Smith addressed ORS 197.493 by proposing the removal of stay limitation references from the City's Development Code. He argued that the district's designation as a tourist commercial district would effectively address concerns. Moreover, Attorney Smith suggested that a direct statement of intention could be added that lodging facilities be made for temporary housing for tourism and not permanent residences. The same direct statement approach was suggested for the use of amenities by the general public.

Mayor Preedin asked for public comment.

1. Steven King of Sisters spoke in support of the text amendment and also in support of protecting the Conklin House located on the property.
2. David Bachtel of Sisters spoke in opposition to the text amendment. He also submitted a letter for the record.
3. Ronni Duff and Diane Prescott of Sisters spoke in opposition to the text amendment due solely to the need to protect the Conklin House. They also submitted a letter for the record.
4. Charlie Stevens of Sisters spoke in opposition to the text amendment. He also submitted a letter for the record.

Communications submitted at the Council meeting are included in the [Supplemental Report](#).

Mayor Preedin invited the applicants for further discussion.

Attorney Smith and Skidmore clarified the following points:

- The Planning Commission’s deliberations on the text amendment are valuable to watch to understand how they reached their support;
- Preserving the Conklin House is not relevant to the discussion of the text amendment. Efforts to preserve the house may occur regardless;
- The Development Code addresses RV Park standards in 2.15.1700.

Councilor Letz expressed concern about possible loopholes in legislating temporary vs permanent RV use. Mayor Preedin asked for clarification regarding the specific language proposed to include “temporary” in lieu of specific time limits (30-90 days). Attorney Smith clarified that the term “temporary” was added to the proposed definition of “lodging facility” use only. Attorney Smith further clarified that “lodging facility” and “RV park” are considered separate uses in the proposed amendment because RV park is already a separate use identified in the development code (2.15.1700).

Attorney Smith proposed adding “temporary” to the proposed RV park standards (2.12.1000(C1)), stating that the applicant is concerned that including specific time periods limits flexibility, whereas “temporary” allows for the opportunity for someone to stay seasonally; that is, longer than 30 days. Smith noted that if length of stay in an RV or hotel is lengthy then landlord-tenant laws would be invoked, and the applicant is not seeking provision for permanent housing.

Council President Blum confirmed that the applicant would not have objection to a local group working toward preserving the Conklin House whether that be on the property or moved elsewhere.

Councilor Ross expressed concern that the RV park may become permanent at a later date, given the language of ORS 197.493. Attorney Chrostek acknowledged the ambiguity and stated, with reservation that including direct statements for temporary use could mitigate future challenges. He indicated that the housing issues in Oregon could have impact on the strength of the state statute. Attorney Smith responded that the applicant has no intent for permanent housing and is open to creative solutions to allay potential ramifications. Attorney Smith made a recommended update to 2.12.1000 (C1) to say: "Except for a caretaker's unit that is allowed as part of an RV park, no RV shall be used as a residential dwelling for a non-temporary occupancy." Smith explained that ORS 197.493 applies when an RV is used as a residential dwelling. Therefore, explicitly prohibiting residential use makes the statute irrelevant. Attorney Chrostek expressed caution.

Councilor Cobb queried about the current popularity of RV travel, given the expense of vehicles, gas, and storage. Skidmore stated he could provide information of its popularity to Council. Attorney Smith spoke to the support for RV parks from Deschutes County and indicated they could look further into state legislative history to denote intent for state regulations.

Council discussed next steps.

Mayor Preedin closed the oral testimony portion of the hearing but left the public hearing open for written comments to July 31.

Mayor Preedin stated deliberations would continue at the Regular City Council meeting on August 14, 6:30pm in City Council Chambers.

7. **OTHER BUSINESS** – None.
8. **MAYOR/COUNCILOR BUSINESS** – None.
9. **ADJOURN:** 9:44 p.m.



Rebecca Green, Deputy Recorder



Michael Preedin, Mayor