



CITY COUNCIL Agenda

520 E. Cascade Avenue - PO Box 39 - Sisters, Or 97759 | ph.: (541) 549-6022 | www.ci.sisters.or.us

Wednesday, June 26, 2024

This City Council meeting is accessible to the public in person in the Council Chambers at 520 E. Cascade Avenue, Sisters, OR 97759

This meeting is open to the public and can be accessed and attended in person or remotely. Members of the public may view the meeting via Zoom at the link below:

<https://us02web.zoom.us/j/82635359137>

Visitor Communication: To offer written comments, send an email to recorder@ci.sisters.or.us no later than 3:00 p.m. on the day of the meeting. If attending the meeting via Zoom and wish to speak, submit your name, address, phone number, and the topic you intend to address to recorder@ci.sisters.or.us by 3:00 p.m. on the meeting day. For those attending the meeting in person, you may complete a request to speak form on-site.

5:00 PM WORKSHOP

1. Deschutes County Sheriff Office Update
2. Urban Growth Boundary Update
3. Affordable/Workforce Housing Grant Update
4. Tourist Commercial Text Amendments
5. Other Business

6:30 PM CITY COUNCIL REGULAR MEETING

1. **CALL TO ORDER/PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **APPROVAL OF AGENDA**
4. **VISITOR COMMUNICATION**
5. **CONSENT AGENDA**
 - A. Minutes
 1. June 12, 2024 – Workshop
 2. June 12, 2024 – Regular Meeting
 - B. Approve Amendment No. 4 of Intergovernmental Agreement No. 73000-0012958 with the Oregon Department of Transportation for Improvements at US20 at Locust Roundabout Project.

This agenda is also available via the Internet at www.ci.sisters.or.us

6. COUNCIL BUSINESS

A. Public Hearing and Consideration of Resolution 2024-17: A RESOLUTION OF THE CITY OF SISTERS ADOPTING A SUPPLEMENTAL BUDGET AND ESTABLISHING APPROPRIATIONS WITHIN THE FY 2023/24 BUDGET.

B. Public Hearing and Consideration of Resolution 2024-18: A RESOLUTION OF THE CITY OF SISTERS AMENDING THE MASTER FEE SCHEDULE SISTERS OVERNIGHT PARK (CREEKSIDE CAMPGROUND) FEES, WATER AND WASTEWATER (SEWER) UTILITY RATES, REFUSE RATES AND SYSTEM DEVELOPMENT CHARGES.

7. OTHER BUSINESS

A. Staff Comments

8. MAYOR/COUNCILOR BUSINESS

9. ADJOURN

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be considered at the above-referenced meeting; however, the agenda does not limit the ability of the Council to consider or discuss additional subjects. This meeting is subject to cancellation without notice.

This meeting is open to the public, and interested citizens are invited to attend. This is an open meeting under Oregon Revised Statutes, not a community forum; audience participation is at the discretion of the Council. The meeting may be recorded. 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 to the City Recorder at least forty-eighty (48) hours in advance of the meeting.

Executive Sessions are not open to the public; however, members of the press are invited to attend.

The City of Sisters is an Equal Opportunity Provider



CITY COUNCIL Staff Report

Meeting Date: June 26, 2024

Type: Workshop

Subject: Urban Growth Boundary (UGB) Amendment Update

Staff: S. Woodford

Dept: CDD

Action Requested: No action requested at this time. This workshop is intended to provide City Council with an update on the UGB Amendment process to date.

Background: This Workshop will focus on the UGB amendment project with the goal of the meeting to:

- Provide an overview of the project
- A status report on current work and schedule
- An overview of the draft Public Engagement Plan
- Details on the UGB Steering Committee

Staff and their consultant on the UGB Amendment process will provide a short presentation and leave adequate time for Council to ask questions. An outline of the presentation is attached along with the draft Public Engagement Plan. No formal decisions will be made at the workshop.

Attachments:

1. ATTACHMENT 1: Presentation Slides
2. ATTACHMENT 2: Draft Public Engagement Plan



Sisters Urban Growth Boundary Amendment

How should our community grow?



Overview: Prior Planning

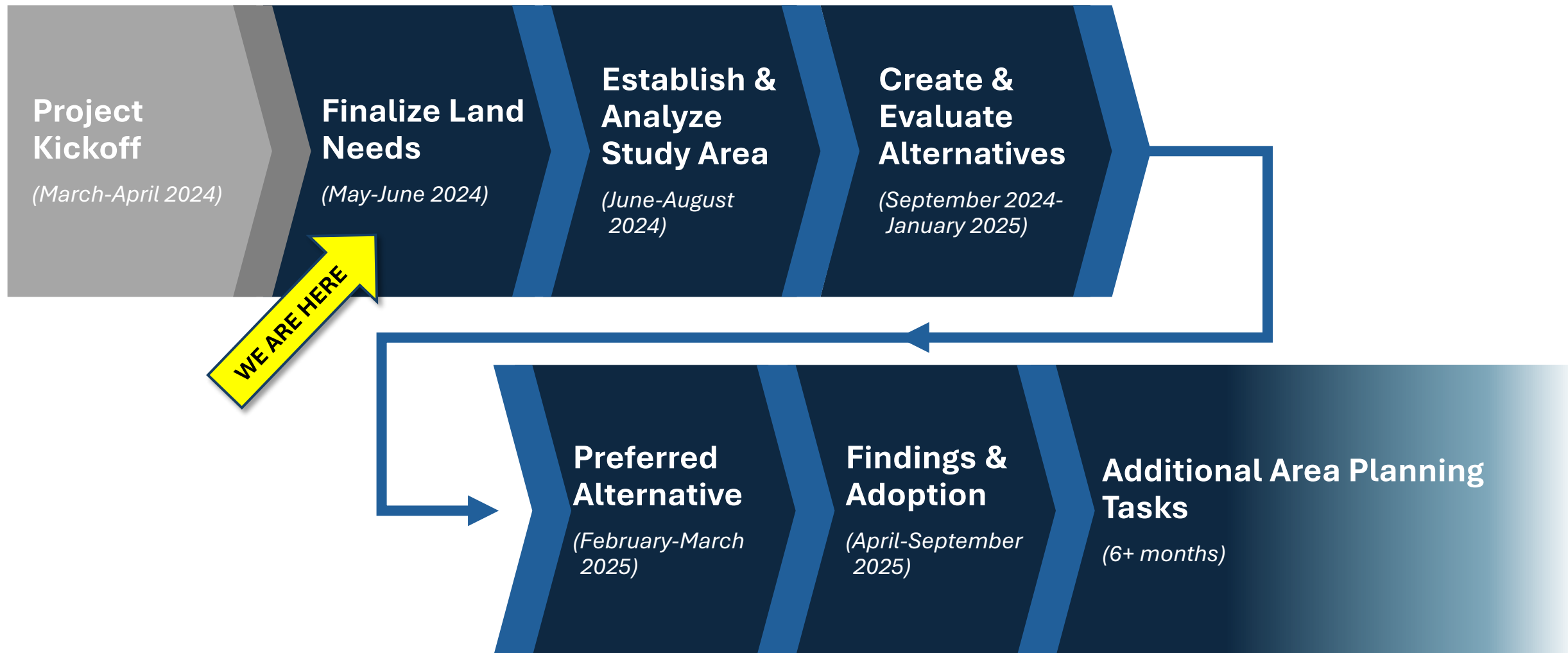


- Housing Strategies Report

- Housing Needs Analysis Update
- Economic Opportunities Analysis
- Buildable Land Inventory and UGB Sufficiency Analysis



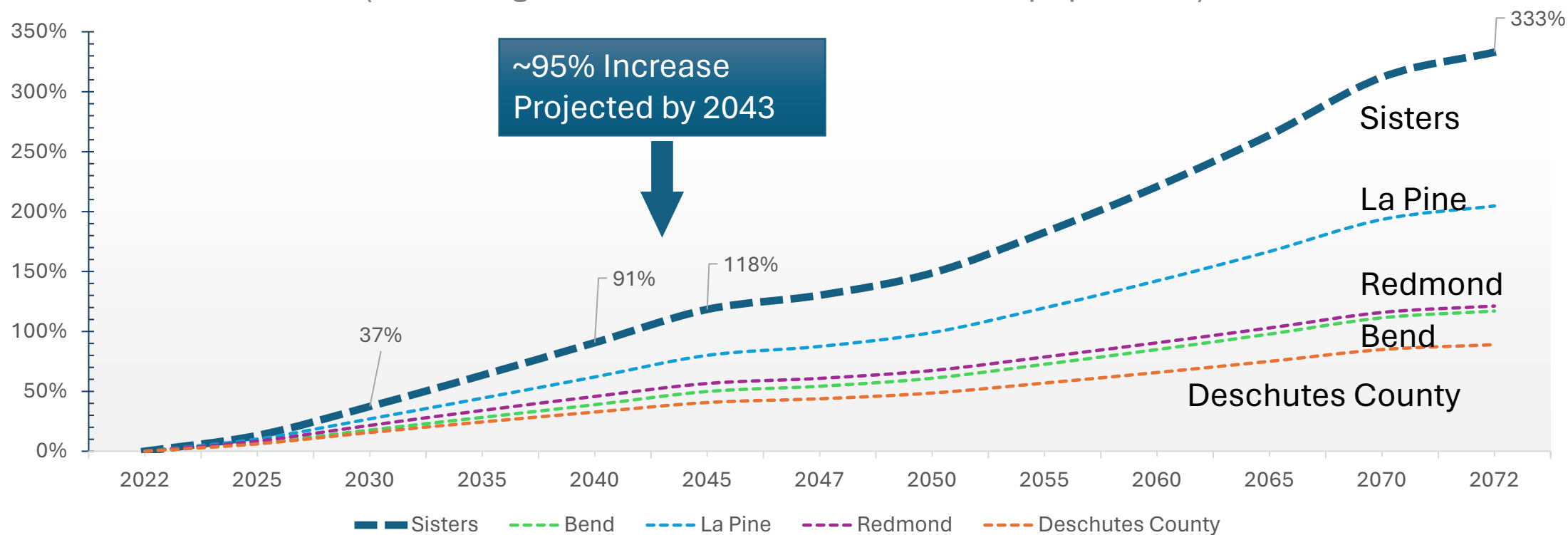
Overview: Timeline





Step 1: Land Need

Projected Population Increase, Deschutes County Communities
(Percentage increase from 2022 estimated population)



Source: Portland State University Population Research Center



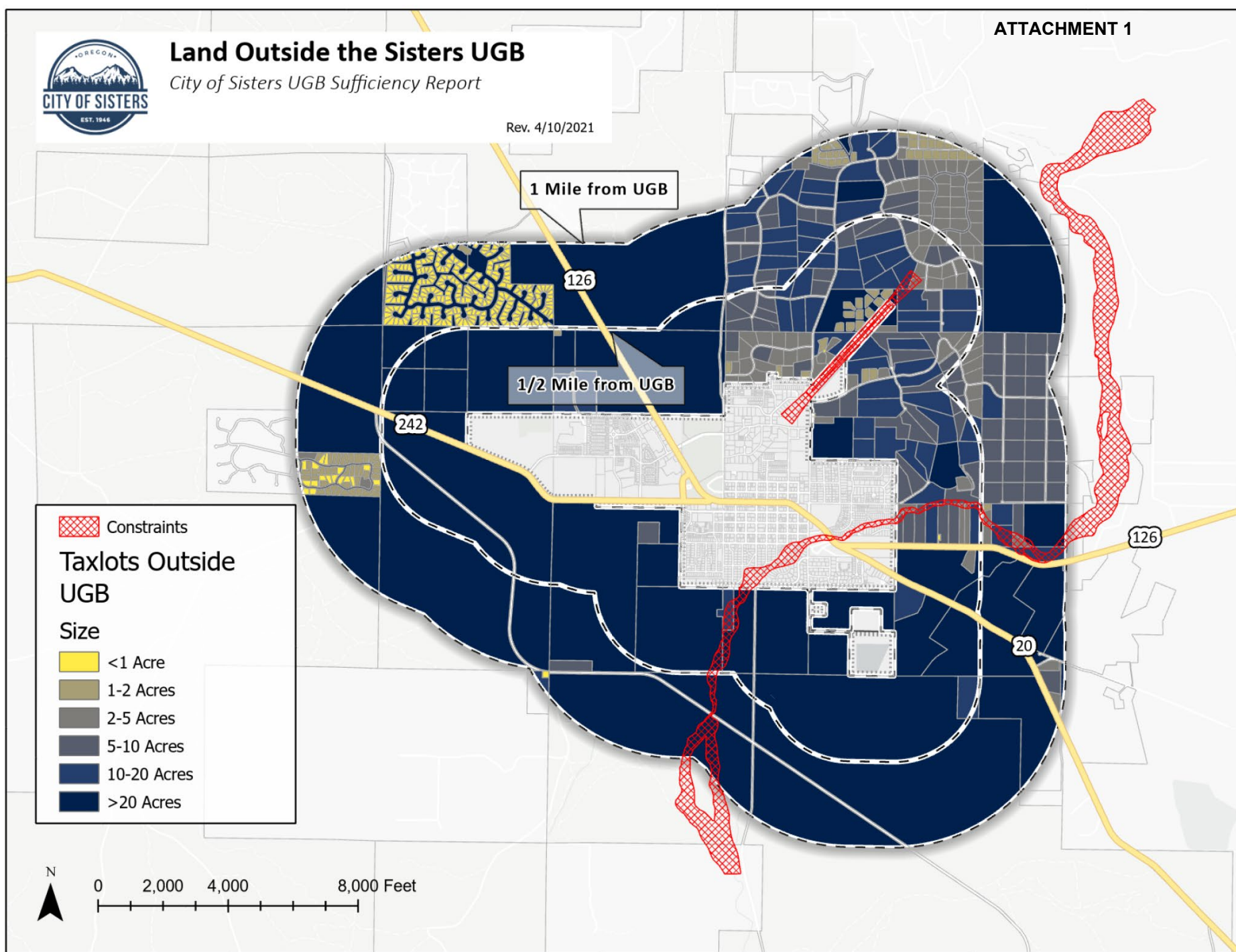
Land Outside the Sisters UGB

City of Sisters UGB Sufficiency Report

Rev. 4/10/2021

Size of Expansion Area

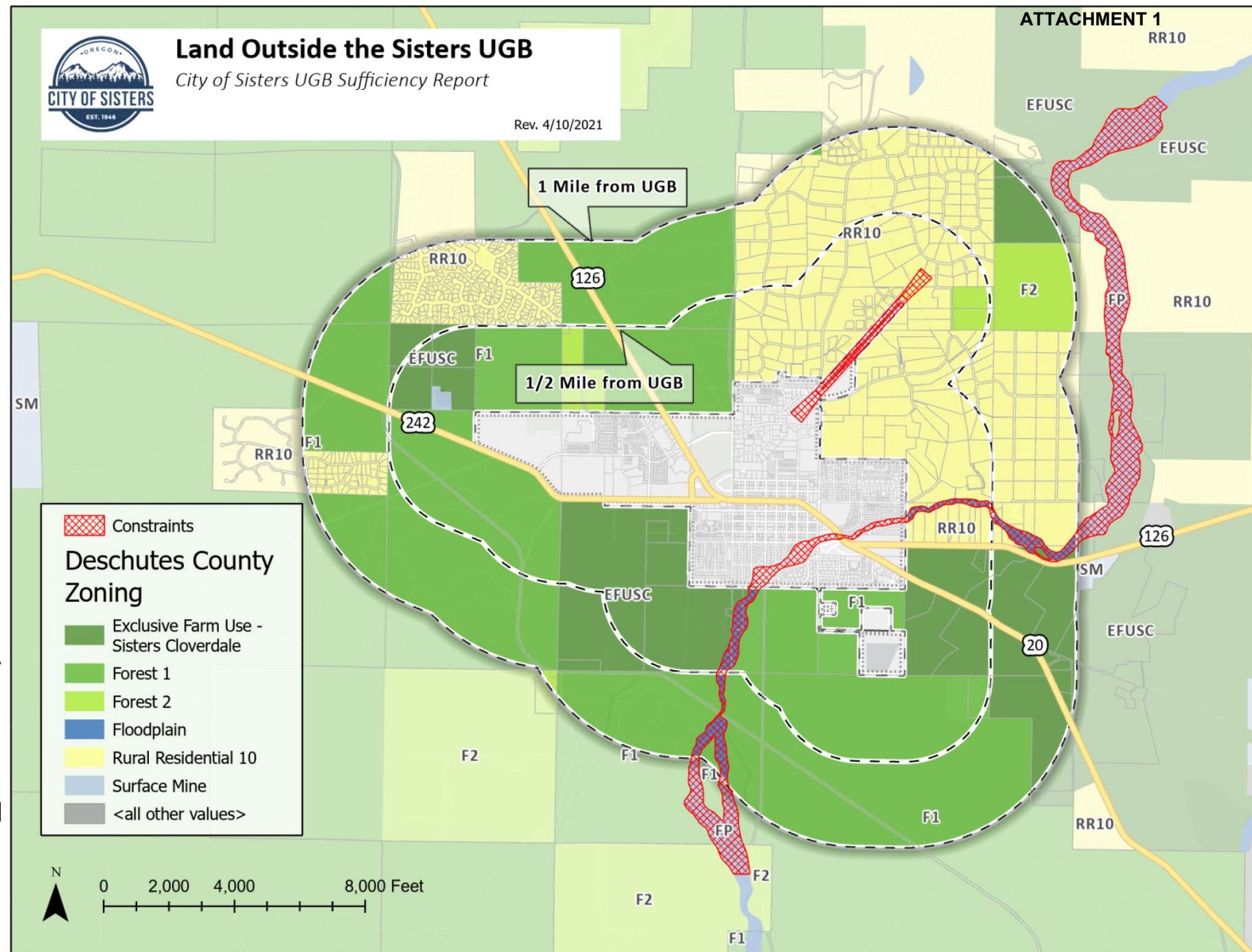
Size of expansion would depend on estimated capacity on new land



UGB Alternatives

Goal 14 Factors:

1. Efficient accommodation of identified land needs;
2. Orderly and economic provision of public facilities and services;
3. Comparative environmental, energy, economic, and social consequences; and
4. Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.





Public Engagement: Goals

- **Broad community conversation**, including as many residents as possible.
- **Identifying direct and indirect impacts** of the expansion on members of the community, particularly people with lower incomes, people with disabilities, and people who speak English as a second language.
- **Targeted efforts** to reach younger households/families and Hispanic/Latino residents whose perspectives have been missing in past planning efforts.
- Help community members better **understand the UGB amendment process** and why it is important that they stay informed or engaged.
- **Transparency** throughout the process.



Public Engagement: Tools

- **Project Website**
- **Project Story Map**
- **Steering Committee Meetings**
- **One-on-one meetings and stakeholder interviews**
- **Small group meetings (“Meeting in a box”)**
- **Community Open House**
- **Online Engagement**
- **PC/CC Meetings**
- **Deschutes County hearings**
- **Other creative outreach efforts**

Discussion





DRAFT Public Engagement Plan

Sisters Urban Growth Boundary Expansion Project

Rev. 5/14/2024

Introduction and Purpose

The purpose of this Public Engagement Plan is to describe the goals, metrics, tools, and major activities of the engagement effort as part of the Sisters UGB Expansion Project. This is intended to be a living document to refer to and update as needed throughout the project.

Engagement Goals

- Broad community conversation, including as many residents as possible.
- Identifying direct and indirect impacts of the expansion on members of the community, particularly people with lower incomes, people with disabilities, and people who speak English as a second language.
- Targeted efforts to reach younger households/families and Hispanic/Latino residents whose perspectives have been missing in past planning efforts.
- Help community members better understand the UGB amendment process and why it is important that they stay informed or engaged. This includes why the City is undertaking the process, the consequences of not planning for growth, and the relatively technical and prescriptive nature of UGB amendment requirements.
- Transparency throughout the process.
 - We will make it clear to community members how feedback will be used and the limitations at this level of planning and jurisdiction.
 - Explain how comments have been addressed in this planning process or can be incorporated in future planning for potential UGB expansion areas.
- Understand the perspectives of specific stakeholder groups, particularly those which are active or influential in Sisters and Deschutes County.

Key Information

The following are key points of information that this project needs to communicate and inquire about. While these points include some technical language, the messages and questions for the community will be simplified as much as possible to aid in clear understanding.

- What is an Urban Growth Boundary (UGB)?
- Why would we expand the UGB?
- Where would/should we expand the boundary?
- How do we identify potential expansion areas and decide on a final proposal?

City of Sisters UGB Amendment

- Who benefits, who is impacted negatively?
- How can I be involved in the discussion?

Engagement Metrics

Throughout this process we will gather all comments, identify common themes, and describe how community input has been incorporated. In addition to this qualitative reporting, this project will measure and report the following quantitative metrics.

- Number of articles in community news outlets
- Number of survey participants
- Number of open house participants
- Number of small group events and total number of small group participants
- Number of public meetings (Planning Commission, City Council, Steering Committee)
- Number of comments received via email, online forms, and other avenues
- Number of people who request to be on a project contact list

2021 Comprehensive Plan Community Engagement Metrics

While we have not set specific targets for the engagement metrics, for comparison purposes and in the interest of continuous improvement, the metrics tracked during the Comprehensive Plan process are provided below.

- Interested Parties Email List: 350 recipients
- Two Online Open Houses & Surveys: 285 respondents, with approximately 900 views
- 19 Community Conversations: 130 participants
- Community Web Art Engagement Station: 52 participants
- Virtual Community Forum: 8 participants
- Community Event Labeling: 125+ participants (100+ at Sisters Farmers Market in June)
- Public Records, Comments, and Letters: 34+ participants
- Community & Stakeholder Advisory Committees: 2 committees, 28 members, 13 meetings

Engagement Tools

Project Website

The project website will be hosted by the City in the [Community Development](#) section of the site. The site will include background information, a project timeline, project documents, Frequently Asked Questions, and a link to the Project Story Map.

Project Story Map

This multimedia-rich webpage will walk users through the relevant aspects of the project using interactive maps and other materials. It will be linked from the Project Website.

Steering Committee Meetings

The Steering Committee will consist of a broad range of stakeholders and decision-makers. The Steering Committee will review draft materials, assist with the engagement effort, and make key recommendations guiding the process. Meetings of the Committee may be open to the public and provide time for public input. The intent is for the Committee to have knowledge and expertise in the issues we will be evaluating, while also including at least some members who more broadly represent the community and can help us anticipate typical community priorities and concerns. A broad steering committee will help ensure all perspectives are heard and build support for the process and ultimate boundary amendment. Recommended areas of knowledge and expertise anticipated to be represented on the committee include:

- One or two members each of the Sisters Planning Commission and City Council
- City planning and public works staff
- Other agency staff (e.g., Deschutes County, Sisters School District, Sisters-Camp Sherman Fire District, Economic Development for Central Oregon (EDCO) Sisters Director, or others)
- Farm and forest interests
- Landowners (pending additional feedback from decision-makers)
- Business owners
- At-large members who more broadly represent the community, including at least one youth representative or younger member (18-35)

There are four meetings with the committee planned, with the following general topics. These meetings are expected to be hybrid meetings with both in-person and virtual participants.

- **Steering Committee Meeting 1:** Introduction to the process and land need.
- **Steering Committee Meeting 2:** Establishing and Understanding the Study Area
- **Steering Committee Meeting 3:** UGB Alternatives and Evaluation
- **Steering Committee Meeting 4:** Preferred Alternative

One-on-one meetings/stakeholder interviews

Meetings with individuals or small groups on specific topics will occur throughout the process. These may include meetings with advocacy groups, property owners, City departments, and others.

An initial list of stakeholders to reach out to follows.

- Deschutes County staff and elected/appointed officials
- Central Oregon Land Watch (COLW)
- Central Oregon Builders Association (COBA)
- Property owners in potential expansion areas
- Sisters School District representative
- City of Sisters Public Works staff
- Sisters-Camp Sherman Fire District
- Economic Development Central Oregon (EDCO)
- Sisters Business Association and/or Chamber of Commerce

City of Sisters UGB Amendment

- Sisters Park and Recreation District staff

Small Group Meetings – “Meeting in a Box”

In addition to broader outreach efforts, City staff and project participants will meet with groups for community conversations about the UGB project. The MIG team will provide materials to support these meetings and will help track and summarize overall results.

Community Open House

One large community open house event is planned for fall/winter 2024. There will be an online version for those who cannot attend in person. This open house will focus on UGB alternatives, though input on all phases of the project will be accepted. The City will look into funding for food, child care, and other offerings to make participation easier for community members.

Online Engagement

Online engagement will include:

- Project Story Map
- Online Questionnaire
- Interactive Mapping. Various groups will take part in interactive mapping exercises using [Felt](#) to provide input on the study area. This can occur in interviews, committee meetings, one-on-one interviews, and small groups.

Creative Outreach, Information, and Visibility

Other outreach efforts to draw attention to the project may include:

- Installations/Storefronts
- Flyers in local businesses
- Social Media posts – event announcements, project status updates, brief narrative or video spotlights from a staff/committee member/local resident or business owner.
- Flyers with the Utility Mailouts
- Sisters Roundup Newsletter Announcements
- Articles in the Nugget Newspaper / Press Releases
- Pop Up Tabling Stations at local coffee shops, The Barn, parks, grocery store, Sisters Farmers Market (with the new indoor facility, we can utilize this event venue as a way to touch base with the community at any point during the year).
- UGB Community Involvement Bingo Card with prizes, (e.g., gift cards to grocery stores, restaurants, coffee shops, local art galleries and retailers, and personal services; City tote bags; cool patches or stickers like “Planning for the future of Sisters”).

Planning Commission Meetings

The role of the Planning Commission is to recommend approval of the amended Urban Growth Boundary and the analysis behind it to the Sisters City Council for approval. The Planning Commission will have regular opportunities to guide the process, including appointing representative(s) to serve on the Project Steering Committee, participating in project events, spreading the word about involvement opportunities, receiving briefings of the work in process, and providing comments on key deliverable or milestones. At least four Planning Commission meetings

City of Sisters UGB Amendment

are expected to address the UGB in some fashion. One or more of these meetings may be held jointly with the City Council.

Council Meetings

The role of the City Council is to approve the amended Urban Growth Boundary and the analysis behind it in coordination with the Deschutes County Board of Commissioners. City Council will have regular opportunities to guide the process, including forming the Project Steering Committee, participating in project events, spreading the word about involvement opportunities, receiving briefings of the work in process, and providing comments on key deliverable or milestones. At least four Council meetings are expected to address the UGB in some fashion. These may be joint meetings with the Planning Commission.

County Planning Commission and County Board of Commissioners Hearings

The roles of the Deschutes County Planning Commission and County Board of Commissioners are to approve, based on specific criteria, the proposed amendment to the UGB and coordinate with the City of Sisters on land use planning issues currently outside the UGB (i.e., within potential recommended expansion areas), including changes to Comprehensive Plan and Zoning designations in UGB expansion areas. This process will be guided by the Urban Growth Management Agreement between the City of Sisters and Deschutes County. County officials may have questions or comments throughout the process and can participate in events. A staff member from the County is likely to serve on the project Steering Committee.

Schedule of Engagement Activities

The general schedule is described below.

Kickoff – March/April:

- Project Website materials
- Outline of Story Map

Finalize Land Need – May/June

- Form Steering Committee
- Steering Committee Meeting 1
- PC/CC Updates
- Initial Story Map Content
- Stakeholder Interviews

Establish & Analyze Study Area – June/August

- Steering Committee Meeting 2
- PC/CC Updates
- Stakeholder Interviews
- Pop ups/small meetings
- Story Map Updates

Alternatives Evaluation – September/January

- Community Open House

City of Sisters UGB Amendment

- Online Questionnaire
- Steering Committee Meeting 3
- PC/CC Updates
- Pop ups/small meetings
- Story Map Updates

Preferred Alternative – February/March

- Steering Committee Meeting 4
- PC/CC Updates
- Story Map Updates

Findings and Adoption – April/September

- PC/CC Hearings
- County PC/BOCC Hearings

Area Planning

- Online engagement
- PC/CC Updates

Roles and Responsibilities

City Roles and Responsibilities

- Participation in and notification and logistical arrangements for the Project Steering Committee and/or stakeholder interviews conducted by the MIG Team.
- Scheduling and making logistical arrangements for briefings with the PC and CC
- Conducting smaller Community Conversations meetings using consultant-prepared “meeting-in-a-box” materials, enabling systematic collection of community input.
- Making logistical arrangements for and helping staff Community Open House
- Publicizing and encouraging participation in all engagement activities
- Conducting social media activities that utilize the City’s social media accounts
- Creating a project webpage within the City’s website and posting project information.
- Printing and posting flyers and posters for events
- Collecting input and testimony (outside of consultant-led surveys) and tracking comments received.
- Tracking and responding to inquiries from community members regarding project issues, documents, and activities.

MIG Roles and Responsibilities

- Advance the work products described in the scope and schedule of the project
- Design, facilitate and summarize the key points of meetings not specifically assigned to the City.

City of Sisters UGB Amendment

- Convene regular project management meetings to discuss project progress, current work efforts, and next steps.
- For staff-level review, provide materials with three (3) days turn-around
- For the City’s Planning Commission and City Council:
 - Agenda items, provide information 10 days in advance of the meeting to allow staff three days, and the Commission/Council one week of advance review.
 - Presentations, provide three days in advance of the meeting.
- For Deschutes County Planning Commission and Board of Commissioners:
 - Advance review and publication guidelines TBD.

Demographic Questions

The specific questions should be tied to the metrics determined by the team. The minimum number of questions possible should be used, consistently, to track progress toward our goals. When these questions are asked, we will be clear that the purpose of this information is to make sure we are reaching the entire Sisters community and to learn where we may need to focus additional effort toward that end.

Q. What is your relationship to Sisters? (Check all that apply)

- I live inside the city limits
- I live nearby, but outside the city limits
- I work in Sisters
- I own property in Sisters
- I own a business in Sisters
- I visit Sisters

Q. How long have you lived in Sisters [only visible if “I live inside the city limits” is checked]

- Less than one year
- One to four years
- Five to ten years
- More than ten years

Q. Which of the following most accurately describes your race and ethnic identities? (Select all that apply)

- Alaska Native
- American Indian/First Nation/Indigenous
- Asian, Asian American, or South Asian
- Black or African American
- Hispanic or Latino/a
- Middle Eastern/North African

City of Sisters UGB Amendment

- Pacific Islander
- White/European American
- If you prefer to self-identify your race/ethnicity, do so here: (open-ended)
- I prefer not to answer

Q. Which of the following groups includes your age?

- Under 18
- 18-24
- 25-34
- 35-44
- 45-54
- 55-64
- 65-74
- 75 or older

Q. Which of the following includes your yearly household income?

- Less than \$15,000
- \$15,000 - \$34,999
- \$35,000 - \$49,999
- \$50,000 - \$74,999
- \$75,000 - \$99,999
- \$100,000 - \$149,999
- \$150,000 - \$199,999
- \$200,000 or more

Q. Which of the following applies to you?

- I own my home
- I rent my home
- I neither rent nor own my home
- I prefer not to answer

Q. Do you have children in your household?

- Yes
- No

Q. Have you participated in recent community planning initiatives? For example, the 2018 Sisters Country Vision, the 2020 Sisters Comprehensive Plan Update, 2022 Housing & Land Use Efficiency Measures Project, 2022 Park System Master Plan, Sisters Development Code Text Amendments, etc.

- Yes, I have participated in most or all of those planning processes in Sisters.
- Yes, I have participated in one or two of those planning processes in Sisters.
- No, but I have participated in community planning processes elsewhere.
- No, but I am interested in participating more in Sisters.

- No, I have not previously participated, and I am not interested.

Accessibility and Accommodations

MIG strives to take an inclusive and universal approach to accessibility in community engagement. Throughout this process, we will be working to reduce the barriers people encounter and engage more people in community conversation about growth and the Urban Growth Boundary. We will start from the City of Sisters' official statement on Accessibility/ADA¹

The City of Sisters strives to make every reasonable effort to provide equal access to all City-sponsored services, programs, activities and facilities for citizens and employees with disabilities.

Equal employment opportunities will be provided for all qualified individuals with a disability as defined by the Americans with Disabilities Act (ADA). The City will make reasonable modifications in policies, practices, procedures and facilities to ensure equal access and will operate its programs so that, when viewed as a whole, those programs are reasonably accessible to, and usable by, individuals with disabilities.

ADA Meeting Accommodations

For information and/or arrangements for an interpreter or other means of communication or access accommodations for City Council meetings, please contact the City Recorder at (541) 323-5213.

Building from here, MIG will ask at every opportunity if there are barriers to participating in the process that we can remove. Depending on responses to this question, we may seek to provide alternate formats of materials, online access to meetings, translation or interpretation services or other accommodations within the resources of the City and project.

¹ <https://www.ci.sisters.or.us/administration/page/accessibilityada>



Meeting Date: June 26, 2024

Type: Workshop

Subject: Affordable/Workforce Housing Grant Fund Update

Staff: Woodford

Dept.: CDD

Action Requested: Conduct a workshop and hear an update on the applications submitted by Sisters Habitat for Humanity requesting grant funds from the Affordable and Workforce Housing Grant Fund programs. Consideration of approval of both grant fund requests is scheduled to occur at the July 10, 2024, City Council and URA meetings. Final discussion and review of the requests is requested prior to that meeting.

Background:

- City Council and the Sisters Urban Renewal Authority (URA) held individual workshops on April 24, 2024, to discuss both the Affordable/Workforce Housing Grant Fund requests.
- The general direction by both bodies, at the time, was to support the full amounts requested - \$182,000 for the Affordable Housing Grant Fund request and \$400,000 for the Workforce Housing Grant Fund request; but prior to approval, the Council wanted to go through the FY 2024/25 budget to discuss the possibility of granting an additional \$20,000 that the City has in reserves for affordable housing.
- Both bodies also requested that the recipient project of these funds – called Adams Street Commons – go through a pre-application land use and neighborhood meeting prior to consideration of final approval. Both of those steps have been taken and updates will be provided at the workshop.
- If the Council and URA are supportive of approving the grant requests, staff recommends that the award be initially in the form of an Agree to Award letter that stipulates the City/URA will disburse the funds after the applicant has an unappealable land-use approval for the project. Once that occurs, the City and the applicant will enter into a grant agreement – as has been done in the past with the disbursement of ARPA funds for Northwest Housing Alternatives, as it similarly had not yet received land-use approval. A draft of both of those letters is attached and legal review is pending.

Proposal:

- Habitat is requesting grant funds to support construction of nineteen (19) affordable housing units and six (6) workforce housing units in Adams Street Commons in single family/cottage and duplex residences interspersed through the development.
- Adams Street Commons will be spread out over four and a half lots (see map below):
 - Tax Lot (TL) 1000, No street address assigned, owned by Sisters Habitat (.93 acres, zoned Downtown Commercial)

- Tax (TL) 1100, 484 E. Adams Avenue, owned by Sisters Habitat (.22 acres, zoned DC)
- Tax Lot (TL) 1500, 354 E. Adams Avenue, owned by Roginbertger Revocable Living Trust (.26 acres, zoned DC)
- Portio of TL 1600, 304 E. Adams Avenue, owned by Joseph and Jennifer Rambo (zoned DC)
- Tax Lot (TL) 1700, 294 E. Adams Avenue, owned by Joseph and Jennifer Rambo (.21 acres, zoned DC)



Proposed Sites for Adams Commons

- Timing: the applicant expects to submit their land-use application for approval of the Adams Commons development in early August 2024 with site work anticipated to start in March 2025 before going vertical with the first units in August 2025 and concluding with occupancy by early 2026.
- Staff has reviewed the application and find that it meets the minimum eligibility requirements of the adopting ordinance.

Financial Impact: For the Affordable Housing Grant Fund, the total request is \$182,000 or the maximum grant award possible and for the Workforce Housing Grant Fund the request is the full \$400,000 available. It will be up to the City Council and URA's discretion whether to award the full ask in the upcoming fiscal year or determine the funding amounts on an annual basis. Per the adopting ordinance, the Council and URA may limit or elect not to provide funding for



CITY COUNCIL Staff Report

the program in any fiscal year. If awarded, the Council and URA will budget the funds for disbursement in the 2024/2025 fiscal year.

Attachments:

1. ATTACHMENT 1: Affordable Housing Grant Award Letter (Draft)
2. ATTACHMENT 2: Workforce Housing Grant Award Letter (Draft)



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June _____, 2024

Sisters Habitat for Humanity
Attn: Peter Hoover
PO Box 238
Sisters, OR 97759

RE: City of Sisters – Affordable Housing Grant Program Award

Dear Mr. Hoover:

I am pleased to announce that the City of Sisters (“City”) has selected the proposal submitted by Sisters Habitat for Humanity (“Habitat”) in response to City’s Affordable Housing Grant Programs (the “Grant Program”). City has conditionally reserved up to \$182,000 of grant funds (the “Grant”), composed of City affordable housing grant funds, to assist Habitat with the costs and expenses incurred to develop and construct a new affordable housing development within the City of Sisters (the “Project”). The award of the Grant is subject to the following terms and conditions:

- The Project must include a minimum of nineteen (19) income restricted for-sale housing units on the following real properties located within the City:
 - Tax Lot 1000, No street address assigned
 - Tax Lot 1100, 484 E. Adams Avenue
 - Tax Lot 1500, 354 E. Adams Avenue
 - Southern portion of Tax Lot 1600, 304 E. Adams Avenue
 - Tax Lot 1700, 294 E. Adams Avenue
- Habitat will work to secure additional funds from Oregon Housing and Community Services and any other additional funding sources to finance the development.
- Upon the Project being fully funded and having obtained unappealable land use approval, the parties will negotiate in good faith to arrive at a grant agreement and affordable housing deed restrictions mutually acceptable to both parties. Execution of such grant agreement is a precondition to the release of any funds from City.
- Habitat will ensure at least nineteen (19) units in the Project will be affordable to households having gross annual incomes sufficiently at or below 80% of the area median household income, as determined and adjusted by the U.S. Department of Housing and Urban Development, for a period of fifty (50) years from the date the Project receives final certificate(s) of occupancy.

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- All required permits from all jurisdictions having authority over the Project must be obtained, prior to commencing work on the Project. Upon completion of the work, the Project shall be inspected and certified by the City of Sisters and Deschutes County Building officials to confirm its compliance with all applicable approved permits on file.
- Funds from the Grant may only be expended on costs and activities permitted under City's Affordable Housing Grant Programs and as further defined in the grant agreement.
- The Project must be completed on or before _____. The Project is complete once the last income restricted dwelling has received at least a temporary certificate of occupancy.

City will reserve the Grant for Habitat until _____, 2024. If the parties have not entered into the grant agreement by such date, City may revisit the terms and conditions set out in this letter, re-issue the request for applicants, or take any other action City determines to be in the best interest of the public.

I look forward to working with Habitat on the Project.

Sincerely,

City Manager



PO Box 39 - Sisters, Or 97759 | ph: 541-549-6022 | www.ci.sisters.or.us

June _____, 2024

Sisters Habitat for Humanity
Attn: Peter Hoover
PO Box 238
Sisters, OR 97759

RE: City of Sisters Urban Renewal Authority – Workforce Housing Grant Program Award

Dear Mr. Hoover:

I am pleased to announce that the City of Sisters Urban Renewal Authority (“City URA”) has selected the proposal submitted by Sisters Habitat for Humanity (“Habitat”) in response to City’s Workforce Housing Grant Programs (the “Grant Program”). City has conditionally reserved up to \$400,000 of grant funds (the “Grant”), composed of City of Sisters Urban Renewal Authority grant funds dedicated for workforce housing, to assist Habitat with the costs and expenses incurred to develop and construct a new workforce housing development within the City of Sisters (the “Project”). The award of the Grant is subject to the following terms and conditions:

- The Project must include a minimum of six (6) income restricted for-sale housing units on the following real properties located within the City:
 - Tax Lot 1000, No street address assigned
 - Tax Lot 1100, 484 E. Adams Avenue
 - Tax Lot 1500, 354 E. Adams Avenue
 - Southern portion of Tax Lot 1600, 304 E. Adams Avenue
 - Tax Lot 1700, 294 E. Adams Avenue
- Habitat will work to secure additional funds from Oregon Housing and Community Services and any other additional funding sources to finance the development.
- Upon the Project being fully funded and having obtained unappealable land use approval, the parties will negotiate in good faith to arrive at a grant agreement and workforce housing deed restrictions mutually acceptable to both parties. Execution of such grant agreement is a precondition to the release of any funds from City.
- Habitat will ensure at least six (6) units in the Project will be affordable to households having gross annual incomes between 80% and 120% of the area median household income, as determined and adjusted by the U.S. Department of Housing and Urban Development, for a period of twenty (20) years from the date that each unit receives final certificate(s) of occupancy.

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- All required permits from all jurisdictions having authority over the Project must be obtained, prior to commencing work on the Project. Upon completion of the work, the Project shall be inspected and certified by the City of Sisters and Deschutes County Building officials to confirm its compliance with all applicable approved permits on file.
- Funds from the Grant may only be expended on costs and activities permitted under City's Workforce Housing Grant Programs and as further defined in the grant agreement.
- The Project must be completed on or before _____. The Project is complete once the last income restricted dwelling has received at least a temporary certificate of occupancy.

City will reserve the Grant for Habitat until _____, 2024. If the parties have not entered into the grant agreement by such date, City may revisit the terms and conditions set out in this letter, re-issue the request for applicants, or take any other action City determines to be in the best interest of the public.

I look forward to working with Habitat on the Project.

Sincerely,

City Manager

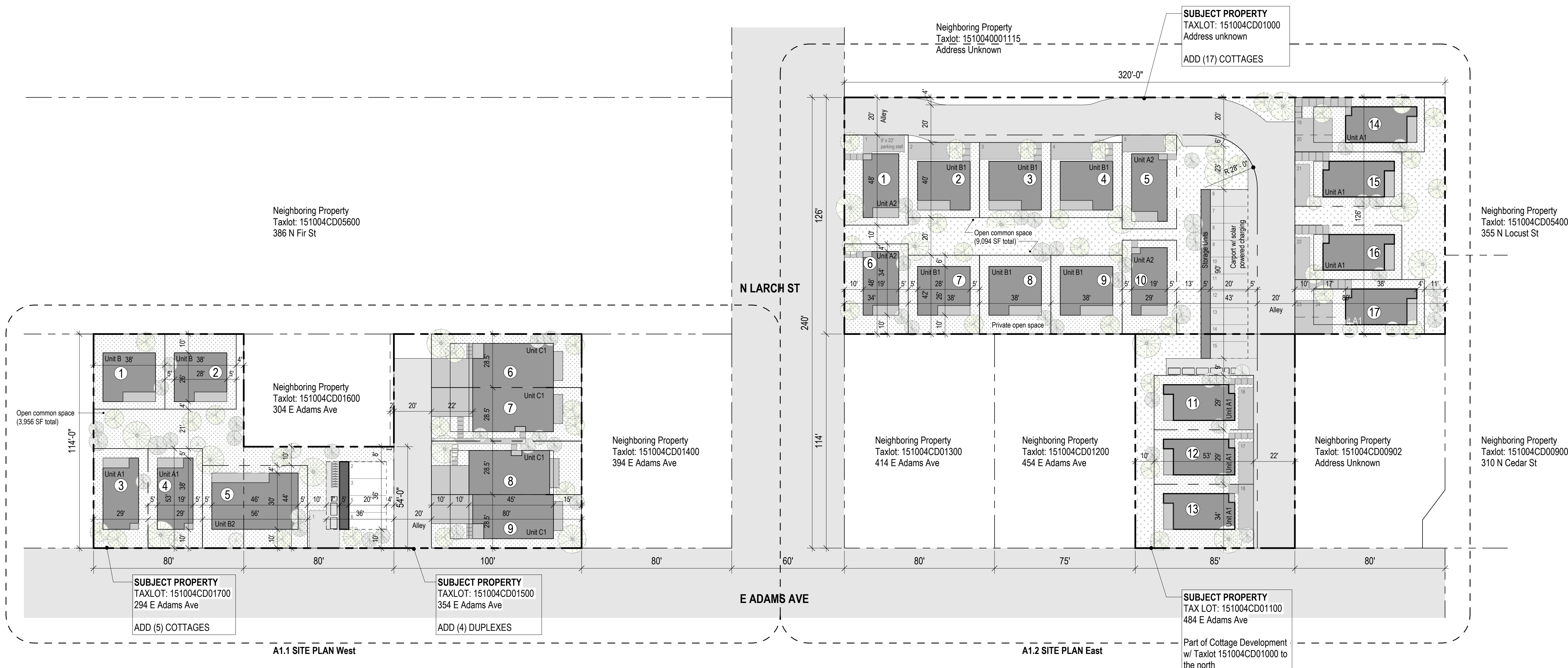
SUPPLEMENTAL REPORTS & COMMUNICATIONS
CITY COUNCIL WORKSHOP
JUNE 26, 2024

Supplemental Reports & Communications indicate items received after the Agenda Packet was published or at the meeting.

Workshop 3. Affordable/Workforce Housing Grant Update

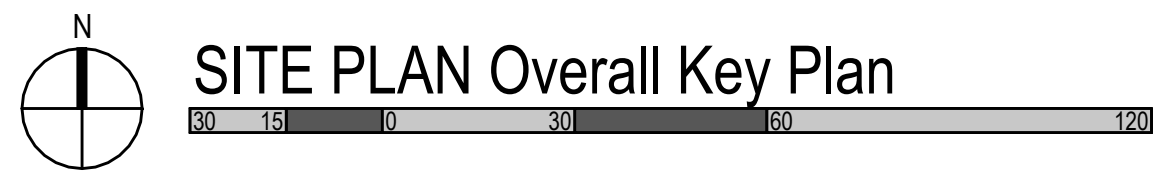
1. Adams Commons City Council Presentation
2. Adams Commons Neighborhood Meeting

Drawing Issues:		
No.	Phase	Date



Owner:
Sisters Habitat for Humanity
 PO Box 238
 Sisters OR 97759
 (541) 549-1193

Architect:
BUILD LLC
 505 N Pine St
 PO Box 2281
 Sisters, OR 97759



SITE PLAN Overall Key Plan

DOWNTOWN COMMERCIAL (DC) DISTRICT

Purpose (SDC 2.4.100)
 The purpose of the Downtown Commercial District is to strengthen and reinforce the downtown of Sisters as the "heart" of the community. This chapter is intended to support this purpose through design and appropriate mixed-use development in the Downtown Commercial District, consistent with the following principles:

- Strongly encourage downtown revitalization
- Encourage efficient use of land and urban services
- Provide a mix of land uses to encourage walking as an alternative to driving
- Expand employment
- Provide more options for housing
- Improve accessibility between the Downtown Commercial District and neighborhoods and other employment areas
- Enhance visitor accommodations and tourism amenities
- Provide standards that maximise the pedestrian friendly scale and quality of the District
- Sustain the historic tourist character of the City of Sisters through the Western Frontier Architectural Design Theme standards

Parking Requirements (SDC 2.4.300.B)

Garage requirements. In addition to Table 2.4.2.a, the following standards shall apply:

- Minimum one car garage shall be required per unit for single-family detached dwelling, town home, duplex and triplex dwelling.
- Garages and carports shall be access from alleys where available.
- Side loaded street access garages. The street facing elevation of the garage shall include windows and landscaping shall be provided between the dwelling unit and the driveway and between the street facing elevation of the garage and front property line. The throat of the driveway shall be a maximum of 12 feet in width.
- Garage and Carport Requirements for Multi-Family. Minimum one car garage or carport shall be required for 50 percent of the units provided. Garage and carport design shall use the same architectural features as the multi-family development. **Affordable multi-family developments are exempt from the garage and carport requirements.**

TOTAL PARKING PROVIDED:

WEST SITE Requirement:

- (5) 2-bed cottages = 7.5 stalls
 - (4) 2-3-bed duplexes = 8 stalls
 - (15.5) TOTAL STALLS REQ'D**
- Provided:**
- (1) ADA stall (adjacent to lot 5)
 - (4) shared carport stalls
 - (8) driveway stalls (lots 6-9)
 - (4) garage stalls (lots 6-9)
 - (17) TOTAL STALLS PROVIDED**

EAST SITE Requirement:

- (3) 1-bed cottages = 3 stalls
 - (14) 2-bed cottages = 21 stalls
 - (24) TOTAL STALLS REQ'D**
- Provided:**
- (10) carport stalls
 - (10) uncovered parallel stalls (lots 1-5, 11-13, 15-16)
 - (4) uncovered perpendicular stalls (lots 14, 17)
 - (24) TOTAL STALLS PROVIDED**

AFFORDABLE HOUSING

Density Bonus (SDC 2.15.800)
 Housing developments that meet the requirements of this section may receive bonuses as provided in subsection (D) (1) through (3) of this section. This density bonus may be translated into the creation of new lots that are no smaller than average than 70% of the permissible lot size in any residential zone as calculated for the entire development.

DUPLEX DEVELOPMENT STANDARDS (SDC 2.4.300 & Table 2.4.2.a)

- Lot Size:** 4,500 SF min., 3,150 SF w/ reduction for affordable housing (SDC 2.15.800)
- Setbacks**
 - Front:** 10'-0" min, 20'-0" max
 - Eaves allowed to encroach into front setback up to 24"
 - 20'-0" to front loaded garage
 - Side:**
 - Interior Side Yard: 5'-0"
 - Exterior Side Yard: 10'-0", lots that are less than 35' wide may reduce the setback to 5'
 - Rear:** 15'-0"
- Lot Coverage:** 60%
- Building Height:** 35'

COTTAGE DEVELOPMENT STANDARDS

- General Req's (SDC 4.6.100.C)**
- Lot Size:** No min. development lot size for cottage developments within the DC zone, provided all min. standards for cottage developments are met.
 - Min. (4) cottages
 - Alley access preferred where available
 - New lots created as a part of a Cottage Development are not req'd to have frontage on either a public or private street
- Development Standards (SDC 4.6.100.D)**
- Lot Size:** 2,000 SF min., 1,400 SF w/ reduction for affordable housing (SDC 2.15.800)
 - Floor Area:** Max. 1,250 SF
 - Second level not to exceed 50% of the area of the ground level
 - Lot Coverage:** 60%
 - Height:** 35' for bldgs w/ second level residential
 - Setbacks**
 - Front: 4'-0" to common open space
 - Side: 5'-0"
 - Rear: 10'-0"
 - Shared Open Space:**
 - Centrally located, focal area for the Cottage Development
 - Min. 500 SF / cottage
 - Private Open Space:** Min. 300 SF of private, contiguous usable open space with no dimensions less than 10'

ADAMS COMMONS

E Adams Ave Sisters OR

SITE PLAN

SCALE: 1" = 30'-0"
 DATE: 21 JUNE 2024

A 1.0

Drawing Issues:		
No.	Phase	Date



Neighboring Property
Taxlot: 151004CD05600
386 N Fir St

Neighboring Property
Taxlot: 151004CD01600
304 E Adams Ave

Neighboring Property
Taxlot: 151004CD01400
394 E Adams Ave

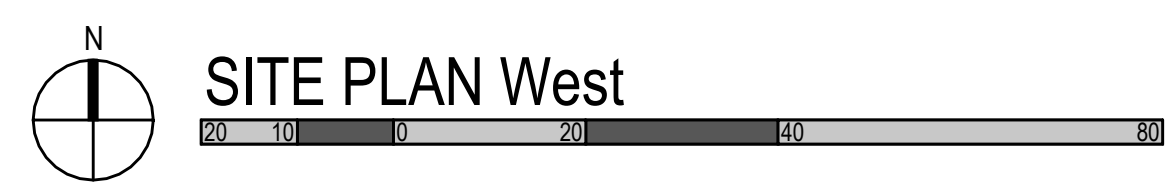
SUBJECT PROPERTY
TAXLOT: 151004CD01700
294 E Adams Ave
Taxlot: 151004CD01600
304 E Adams Ave

ADD (5) COTTAGES (2-beds)
ADD (5) PARKING STALLS (of 15.5 req'd)

SOLID WASTE STORAGE
Garbage: (9) units x 0.3 CY/unit = 2.3 CY
• (1) 2 CY + (1) 1 CY bins = 3 CY provided
Recycle: (9) units x 0.2 CY/unit = 1.8 CY
• (1) 2 CY bins = 2 CY provided
Yard Waste
• (1) 96 gal bin

SUBJECT PROPERTY
TAXLOT: 151004CD01500
354 E Adams Ave

ADD (4) DUPLEXES (3-beds)
ADD (12) PARKING STALLS (of 15.5 req'd)



Owner:
Sisters Habitat for Humanity
PO Box 238
Sisters OR 97759
(541) 549-1193

Architect:
BUILD LLC
505 N Pine St
PO Box 2281
Sisters, OR 97759



ADAMS COMMONS

E Adams Ave
Sisters OR

SITE PLAN West

SCALE: 1" = 15'-0"
DATE: 21 JUNE 2024

A 1.1

Drawing Issues:		
No.	Phase	Date



SUBJECT PROPERTY
 TAXLOT: 151004CD01000
 Address unknown

ADD (17) COTTAGES

- (3) 1-beds
- (14) 2-beds

ADD (24) PARKING STALLS (24 req'd)

Neighboring Property
 Taxlot: 151004CD05400
 355 N Locust St

Open common space
 (included in total to the left)

SOLID WASTE STORAGE

Garbage: (17) units x 0.3 CY/unit = 5.1 CY
 • (2) 3 CY bins = 6 CY provided

Recycle: (17) units x 0.2 CY/unit = 3.4 CY
 • (2) 2 CY bins = 4 CY provided

Yard Waste
 • (2) 96 gal bins

SUBJECT PROPERTY
 TAX LOT: 151004CD01100
 484 E Adams Ave

Part of Cottage Development w/
 Taxlot 151004CD01000 to the north

Owner:
Sisters Habitat for Humanity
 PO Box 238
 Sisters OR 97759
 (541) 549-1193

Architect:
BUILD LLC
 505 N Pine St
 PO Box 2281
 Sisters, OR 97759



ADAMS COMMONS

E Adams Ave
 Sisters OR

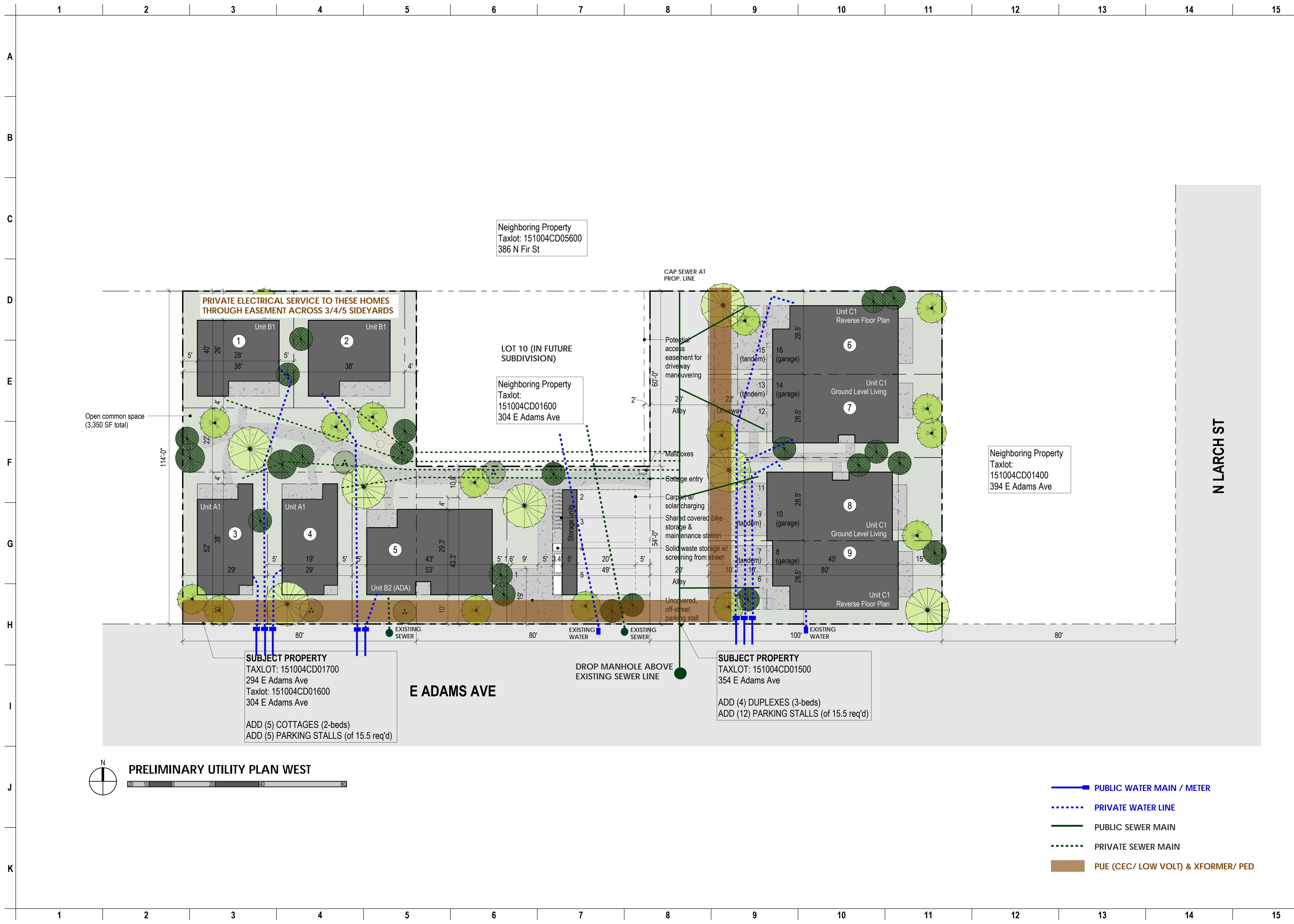
SITE PLAN East

SCALE: 1" = 15'-0"
 DATE: 21 JUNE 2024

A 1.2



Drawing Issues:		
No.	Phase	Date



Neighboring Property
Taxlot: 151004CD05600
386 N Fir St

Neighboring Property
Taxlot: 151004CD01600
304 E Adams Ave

Neighboring Property
Taxlot: 151004CD01400
394 E Adams Ave

SUBJECT PROPERTY
TAXLOT: 151004CD01700
294 E Adams Ave
Taxlot: 151004CD01600
304 E Adams Ave

ADD (5) COTTAGES (2-beds)
ADD (5) PARKING STALLS (of 15.5 req'd)

SUBJECT PROPERTY
TAXLOT: 151004CD01500
354 E Adams Ave

ADD (4) DUPLEXES (3-beds)
ADD (12) PARKING STALLS (of 15.5 req'd)

Owner:
Sisters Habitat for Humanity
PO Box 238
Sisters OR 97759
(541) 549-1193

Architect:
BUILD LLC
505 N Pine St
PO Box 2281
Sisters, OR 97759



ADAMS COMMONS

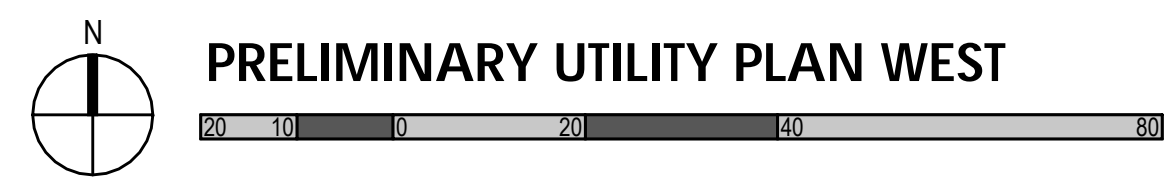
E Adams Ave
Sisters OR

PRELIMINARY UTILITY PLAN WEST

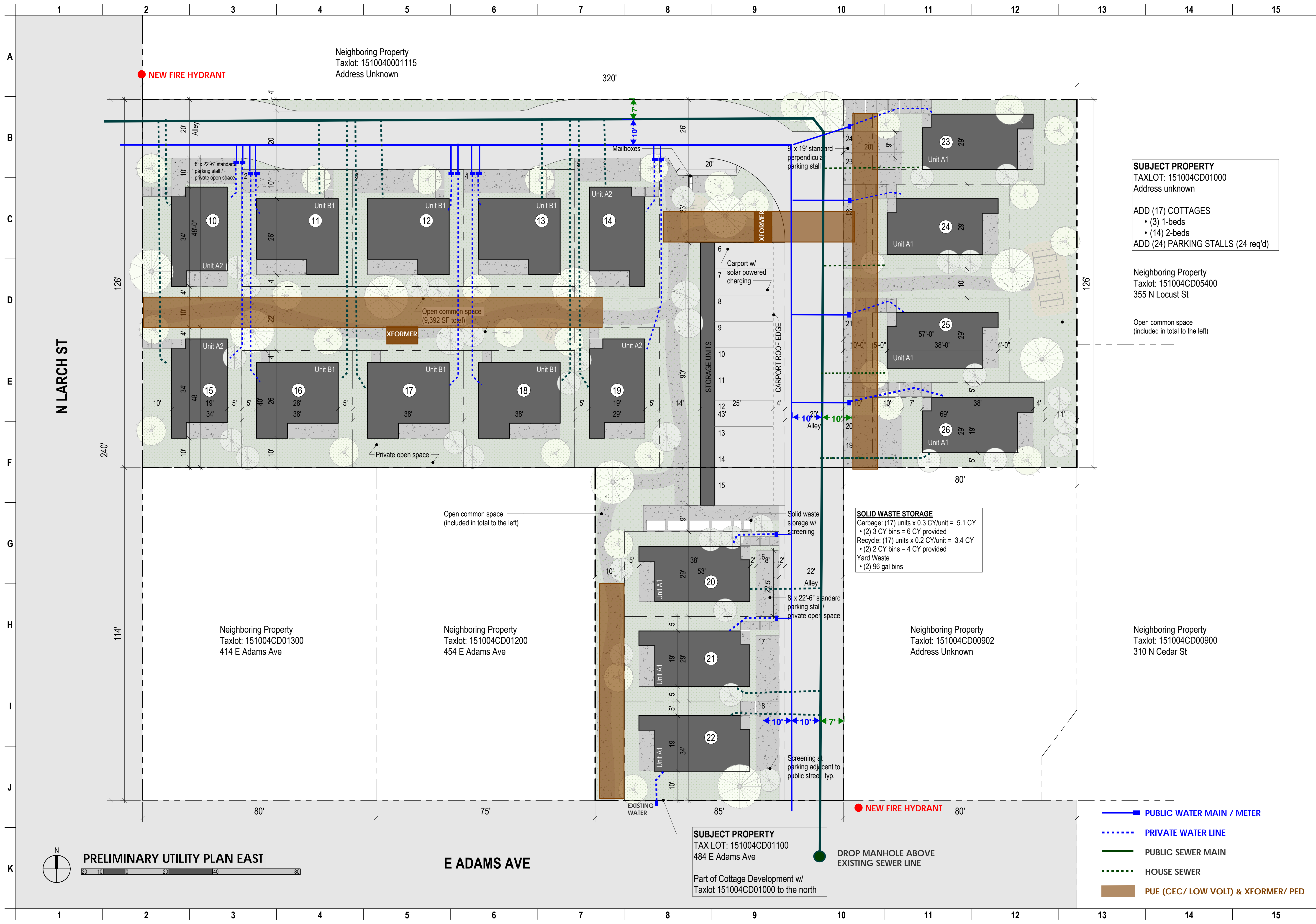
SCALE: 1" = 15'-0"
DATE: 19 JUNE 2024

C1.1

- PUBLIC WATER MAIN / METER
- - - - - PRIVATE WATER LINE
- PUBLIC SEWER MAIN
- - - - - PRIVATE SEWER MAIN
- PUE (CEC/ LOW VOLT) & XFORMER/ PED



Drawing Issues:		
No.	Phase	Date



SUBJECT PROPERTY
 TAXLOT: 151004CD01000
 Address unknown

ADD (17) COTTAGES

- (3) 1-beds
- (14) 2-beds

ADD (24) PARKING STALLS (24 req'd)

Neighboring Property
 Taxlot: 151004CD05400
 355 N Locust St

Open common space
 (included in total to the left)

SOLID WASTE STORAGE

Garbage: (17) units x 0.3 CY/unit = 5.1 CY
 • (2) 3 CY bins = 6 CY provided

Recycle: (17) units x 0.2 CY/unit = 3.4 CY
 • (2) 2 CY bins = 4 CY provided

Yard Waste
 • (2) 96 gal bins

Owner:
Sisters Habitat for Humanity
 PO Box 238
 Sisters OR 97759
 (541) 549-1193

Architect:
BUILD LLC
 505 N Pine St
 PO Box 2281
 Sisters, OR 97759



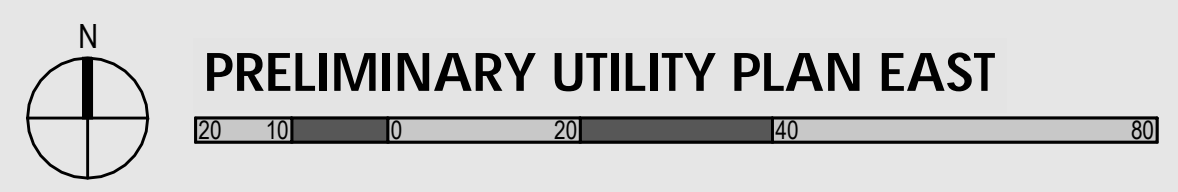
ADAMS COMMONS

E Adams Ave
 Sisters OR

PRELIMINARY UTILITY PLAN EAST

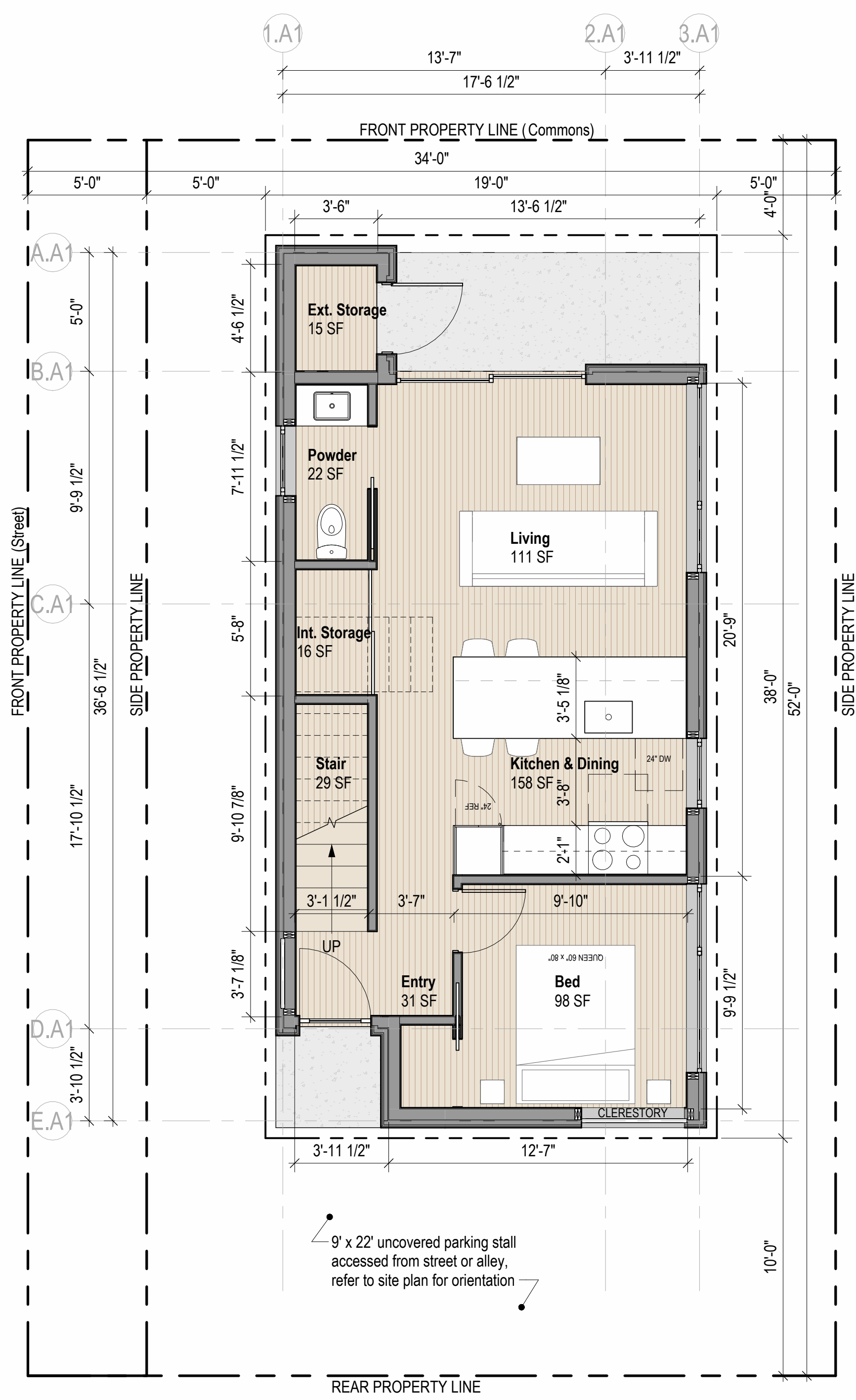
SCALE: 1" = 15'-0"
 DATE: 19 JUNE 2024

C1.2



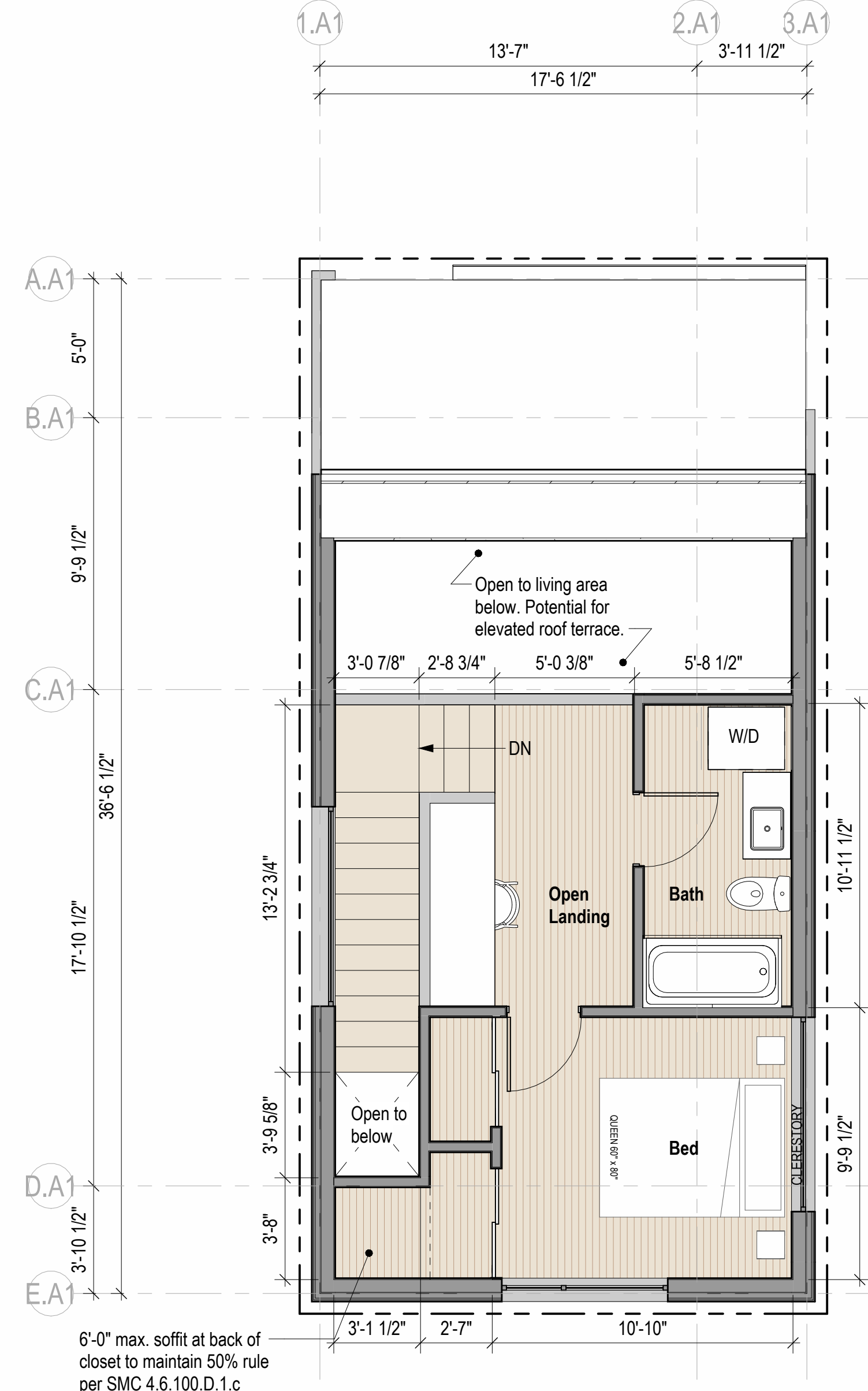
- PUBLIC WATER MAIN / METER
- - - - PRIVATE WATER LINE
- PUBLIC SEWER MAIN
- - - - HOUSE SEWER
- PUE (CEC/ LOW VOLT) & XFORMER/ PED

Drawing Issues:		
No.	Phase	Date



(A1) Main Level

UNIT A1 METRICS
 (2) Beds, (1.5) Bath
Lot Size:
 • Min. Allowed: 1,400 SF
 • Proposed: 1,802 SF (34' x 53')
Lot Coverage:
 • Max. Allowed: 60% x 1,802 SF = 1,081 SF
 • Proposed: 673 SF (including porches)
Gross SF:
 • Max. Allowed: 1,200 SF
 • Proposed: 912 SF



(A1) Upper Level



(A1) Asymmetrical, Recessed Entry



(A1) Asymmetrical, Porch

Owner:
Sisters Habitat for Humanity
 PO Box 238
 Sisters OR 97759
 (541) 549-1193

Architect:
BUILD LLC
 505 N Pine St
 PO Box 2281
 Sisters, OR 97759



ADAMS COMMONS

E Adams Ave
 Sisters OR

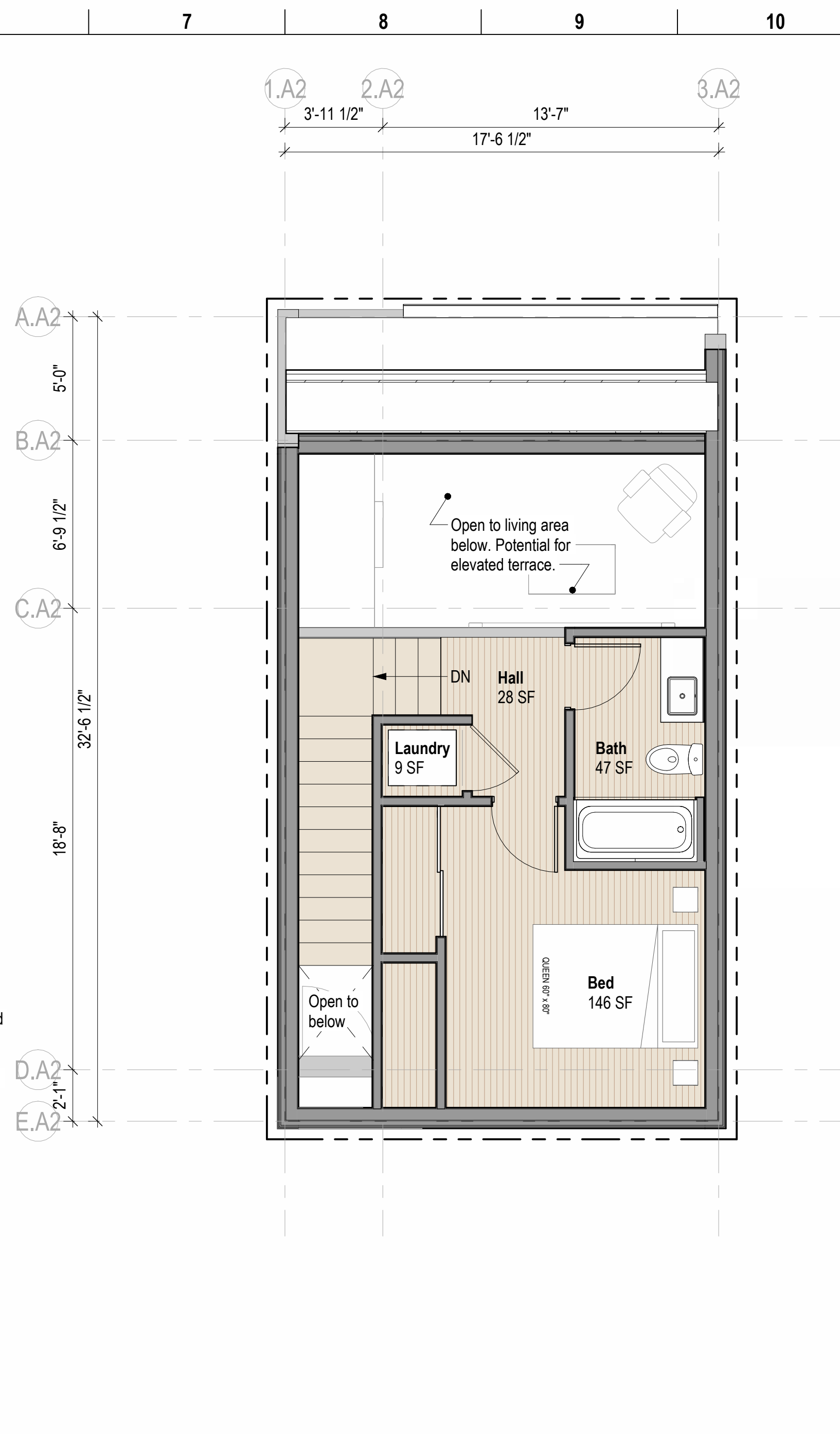
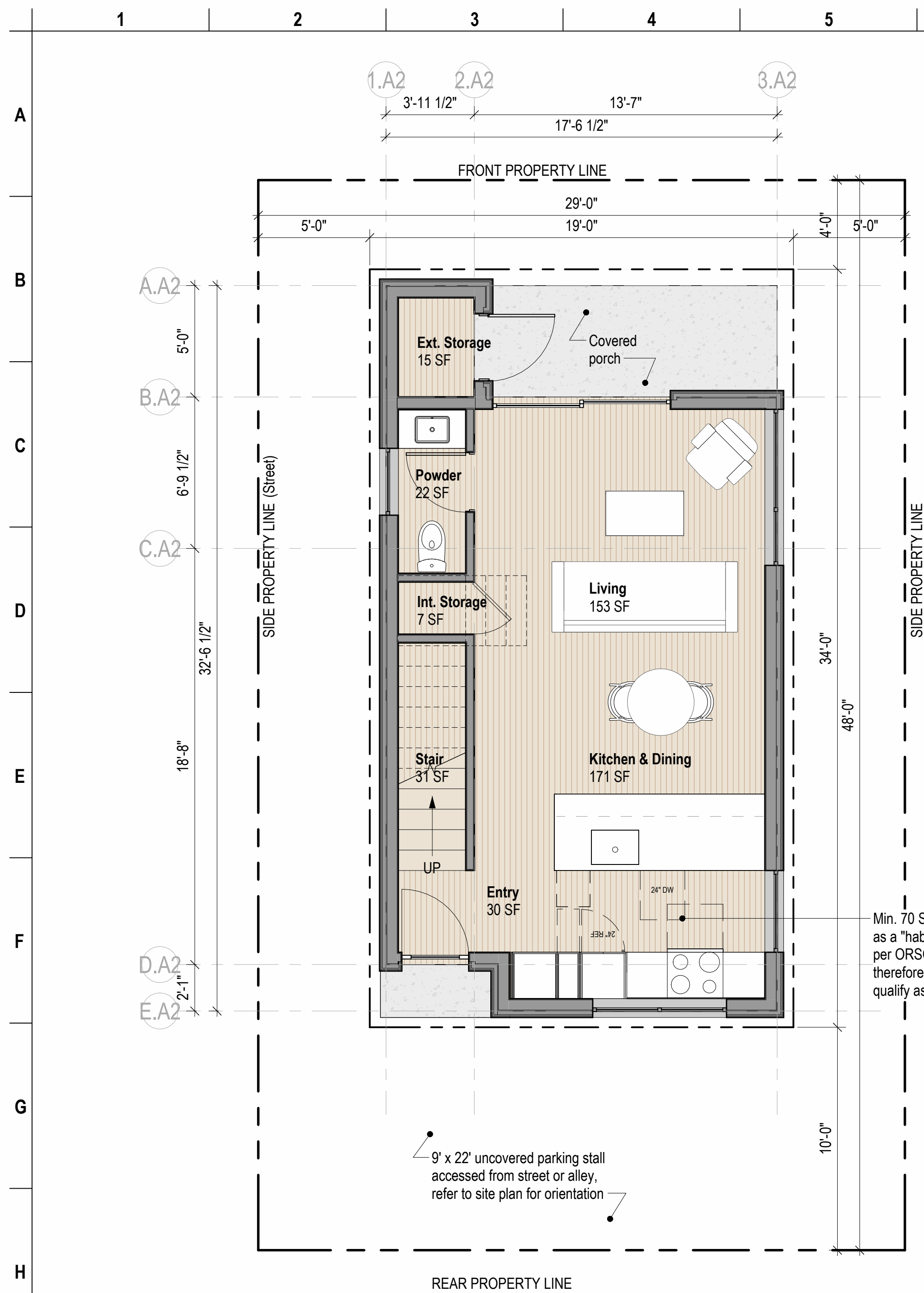
UNIT A1 FLOOR PLANS

SCALE: 1/4" = 1'-0"
 DATE: 25 JUNE 2024

A 2.1a

Drawing Issues:

No.	Phase	Date



(A2) Porch Base, Recessed Entry



(A2) Porch Base, Porch

Owner:
Sisters Habitat for Humanity
 PO Box 238
 Sisters OR 97759
 (541) 549-1193

Architect:
BUILD LLC
 505 N Pine St
 PO Box 2281
 Sisters, OR 97759



ADAMS COMMONS

E Adams Ave
 Sisters OR

UNIT A2 FLOOR PLANS

SCALE: 1/4" = 1'-0"
 DATE: 25 JUNE 2024

A 2.1b

(A2) Main Level

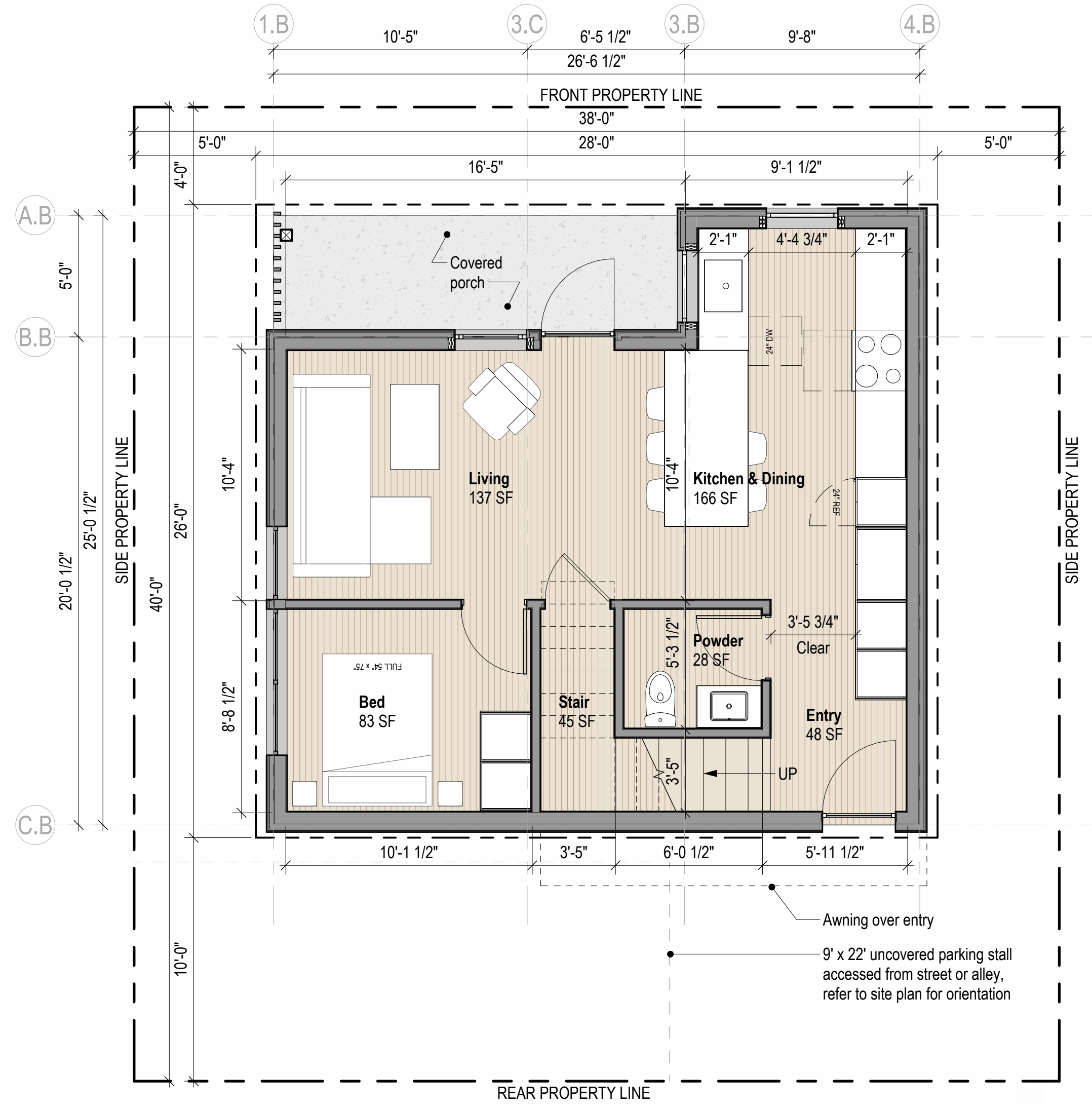
UNIT A1 METRICS
 (1) Beds, (1.5) Bath
Lot Size:
 • Min. Allowed: 1,400 SF
 • Proposed:
 • Lots 5 & 10: 1,400 SF (29'-2" x 48')
 • Lots 1 & 6: 1,632 SF (34' x 48')
Lot Coverage:
 • Max. Allowed: 60%
 • Lots 5 & 10 = 60% x 1,400 SF = 840 SF
 • Lots 1 & 6 = 60% x 1,632 SF = 980 SF
 • Proposed: 600 SF (including porches)
Gross SF:
 • Max. Allowed: 1,200 SF
 • Proposed: 842 SF

(A2) Upper Level

Min. 70 SF to be qualified as a "habitable space" per ORSC R304.1, therefore space does not qualify as bedroom.

9' x 22' uncovered parking stall accessed from street or alley, refer to site plan for orientation

Drawing Issues:		
No.	Phase	Date



UNIT B METRICS
(2) Beds, (1.5) Bath

Lot Size:

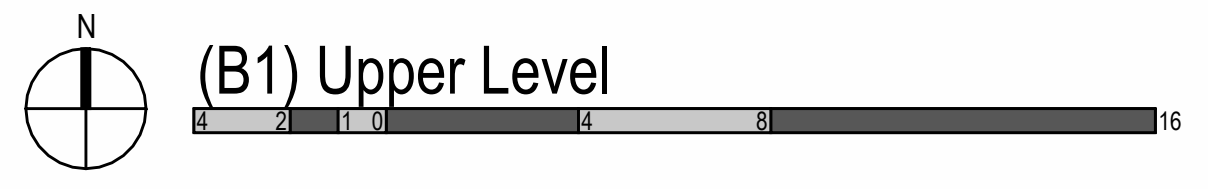
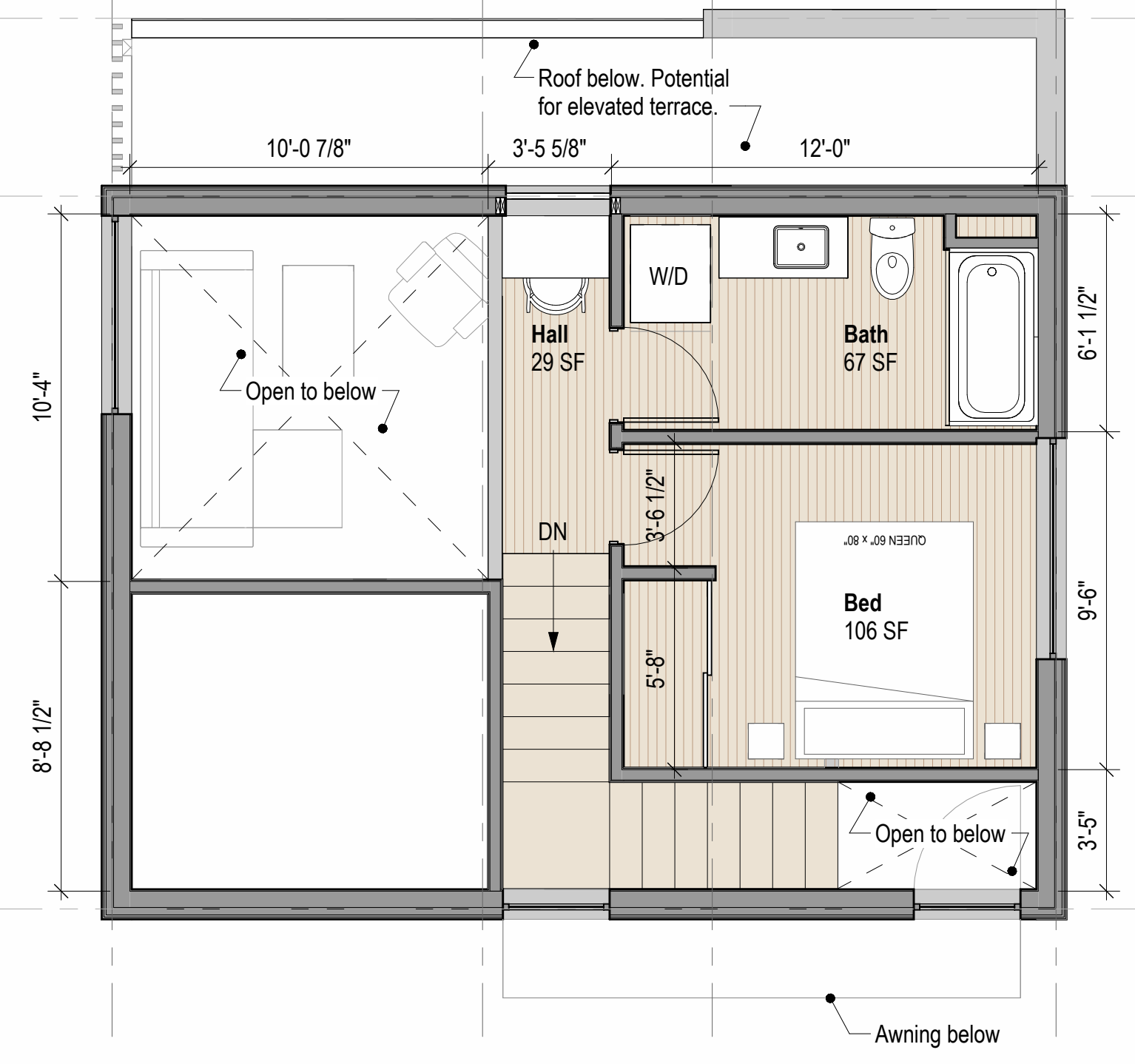
- Min. Allowed: 1,400 SF
- Proposed: 1,520 SF (38' x 40')

Lot Coverage:

- Max. Allowed: 60% x 1,520 SF = 912 SF
- Proposed: 710 SF (including porches)

Gross SF:

- Max. Allowed: 1,200 SF
- Proposed: 878 SF



(B1) Simple Gable, Entry



(B1) Simple Gable, Porch

Owner:
Sisters Habitat for Humanity
 PO Box 238
 Sisters OR 97759
 (541) 549-1193

Architect:
BUILD LLC
 505 N Pine St
 PO Box 2281
 Sisters, OR 97759



ADAMS COMMONS

E Adams Ave
 Sisters OR

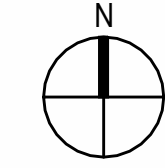
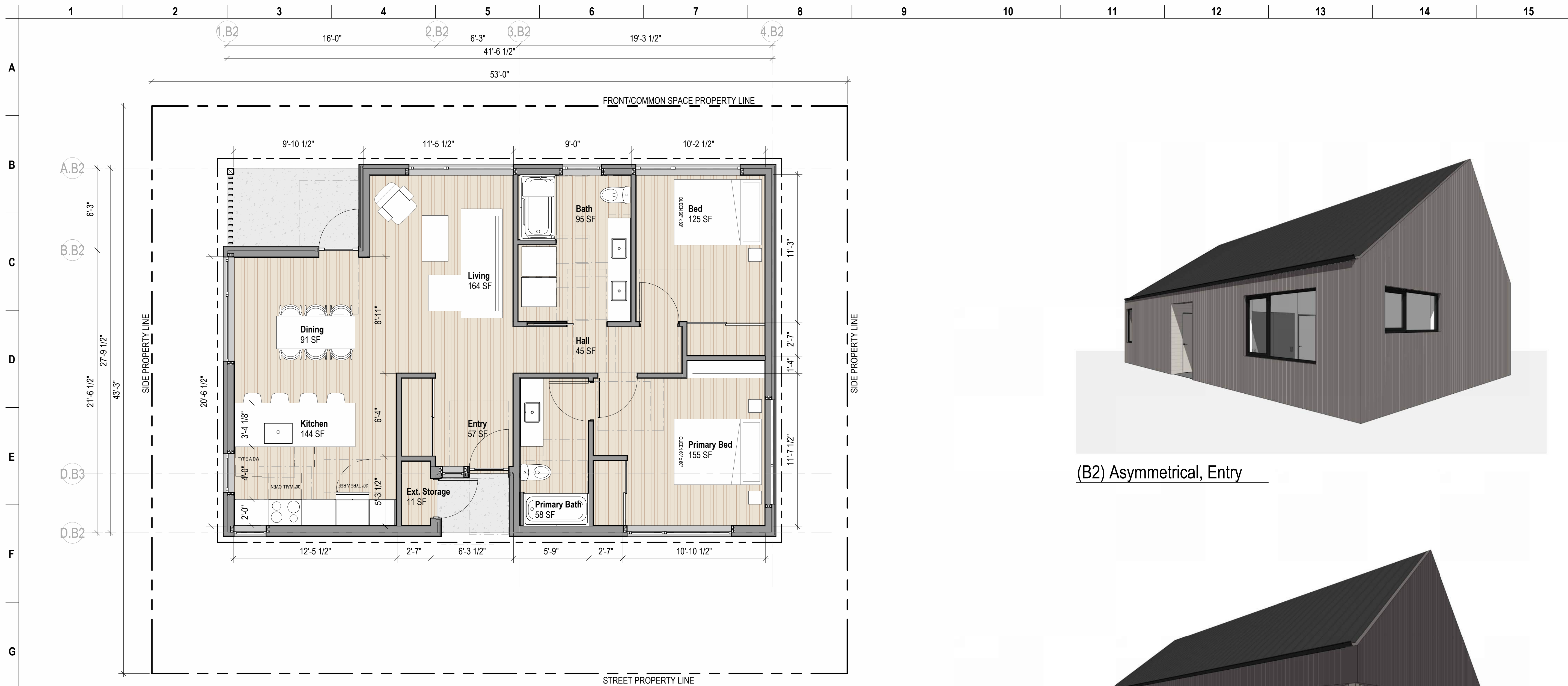
UNIT B1 FLOOR PLANS

SCALE: 1/4" = 1'-0"
 DATE: 25 JUNE 2024

A 2.2a

Drawing Issues:

No.	Phase	Date



(B2) Main Level

UNIT B2 METRICS

Lot Size:

- Min. Allowed: 1,400 SF
- Proposed: 2,292 SF (43'-3" x 53')

Lot Coverage:

- Max. Allowed: 60% x 2,332 SF = 1,375 SF
- Proposed: 1,216 SF (including porches)

Gross SF:

- Max. Allowed: 1,200 SF
- Proposed: 1,126 SF

(2) Beds, (2) Bath



(B2) Asymmetrical, Entry



(B2) Asymmetrical, Porch

Owner:
Sisters Habitat for Humanity
 PO Box 238
 Sisters OR 97759
 (541) 549-1193

Architect:
BUILD LLC
 505 N Pine St
 PO Box 2281
 Sisters, OR 97759



ADAMS COMMONS

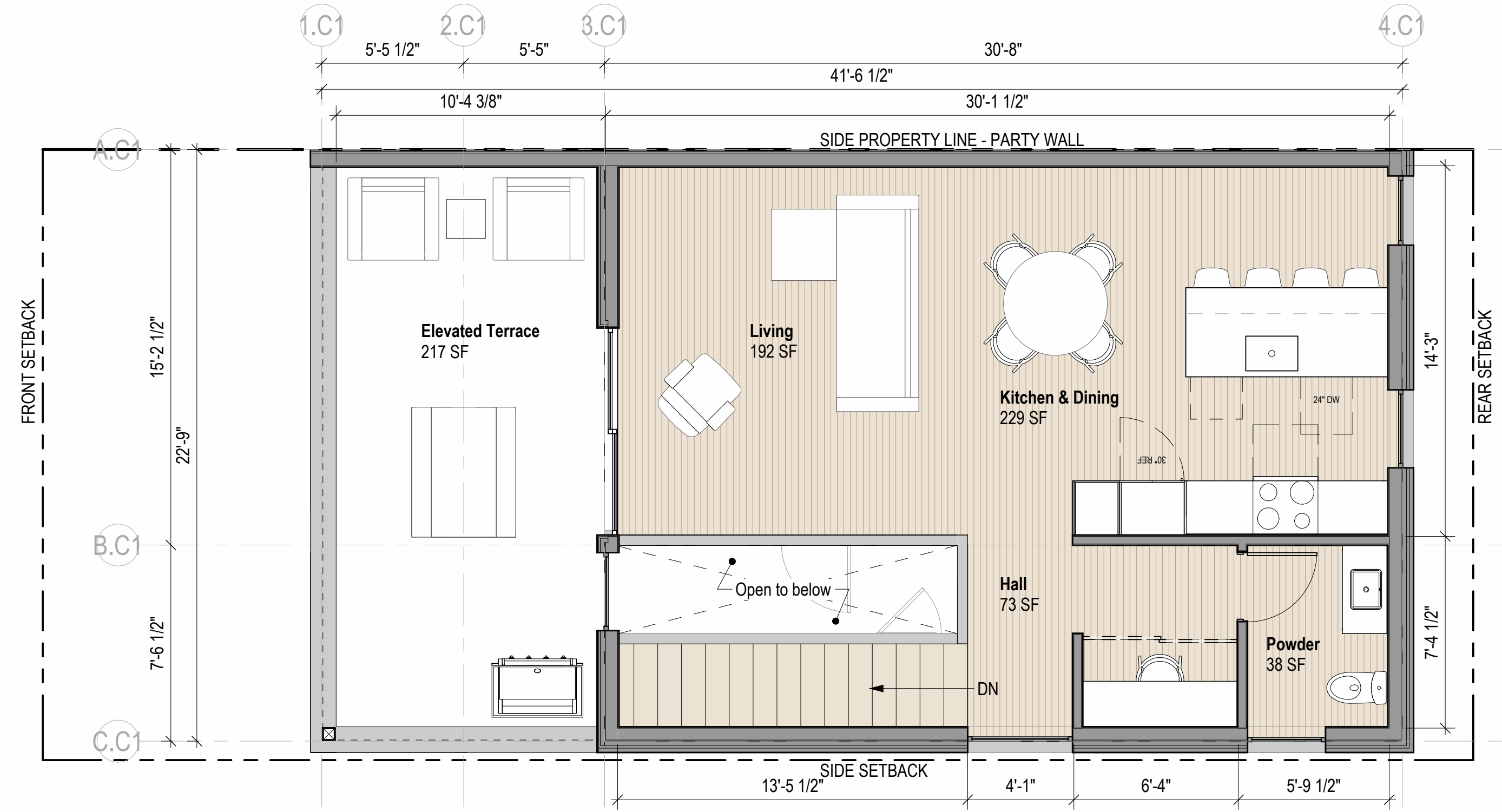
E Adams Ave
Sisters OR

UNIT B2 FLOOR PLANS

SCALE: 1/4" = 1'-0"
 DATE: 25 JUNE 2024

A 2.2b

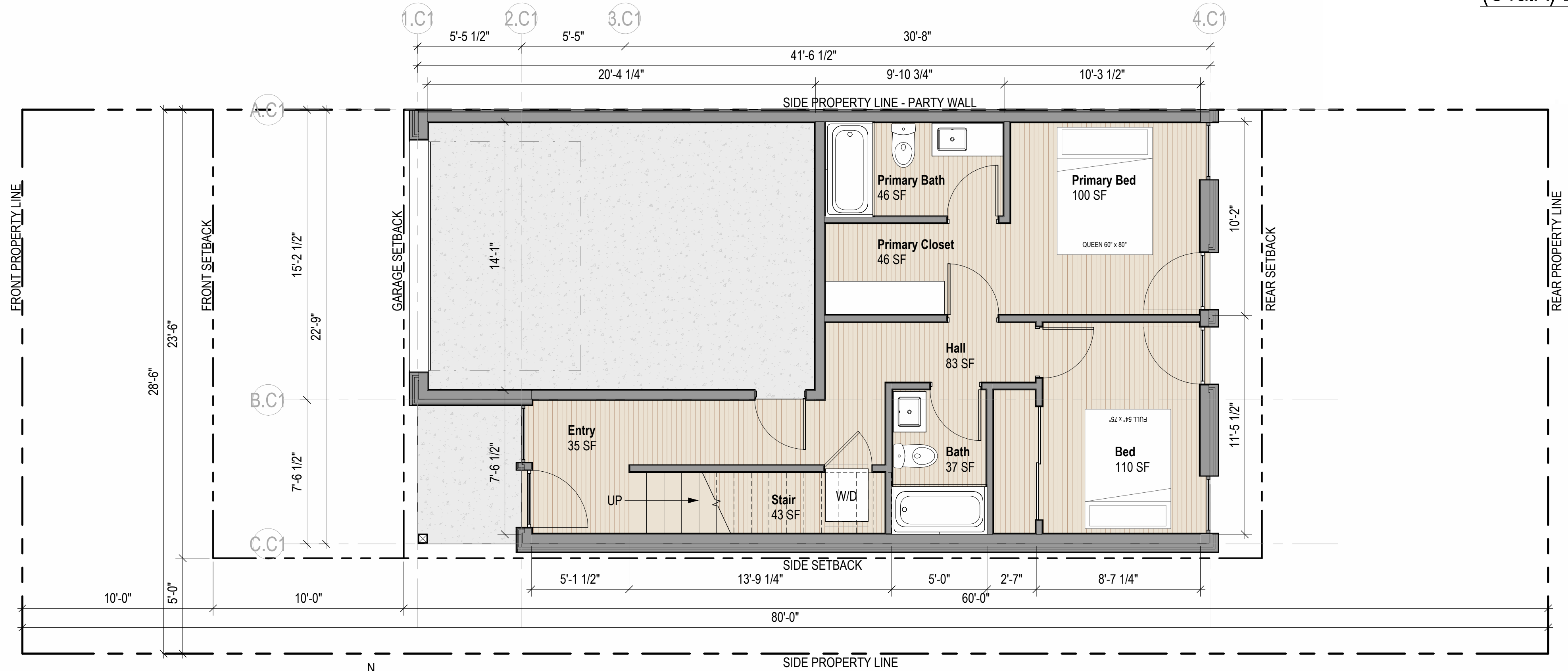
Drawing Issues:		
No.	Phase	Date



(C1) Upper Level, Reverse Floor Plan



(C1a.A) Entry



(C1) Main Level, Reverse Floor Plan

UNIT C1 METRICS
 (2) Beds, (2.5) Bath Duplex
Lot Size:
 • Min. Allowed: 2,250 SF (half of 4,500 SF)
 • Proposed: 2,280 SF (80' x 28.5')
Lot Coverage:
 • Max. Allowed: 60% x 2,280 SF = 1,368 SF
 • Proposed: 984 SF (including porches)
Gross SF:
 • Proposed: 1,569 SF (1,252 SF w/o garage)

Owner:
Sisters Habitat for Humanity
 PO Box 238
 Sisters OR 97759
 (541) 549-1193

Architect:
BUILD LLC
 505 N Pine St
 PO Box 2281
 Sisters, OR 97759



ADAMS COMMONS

E Adams Ave
 Sisters OR

**UNIT C1a.A
 FLOOR PLANS
 Reverse Floor Plan**

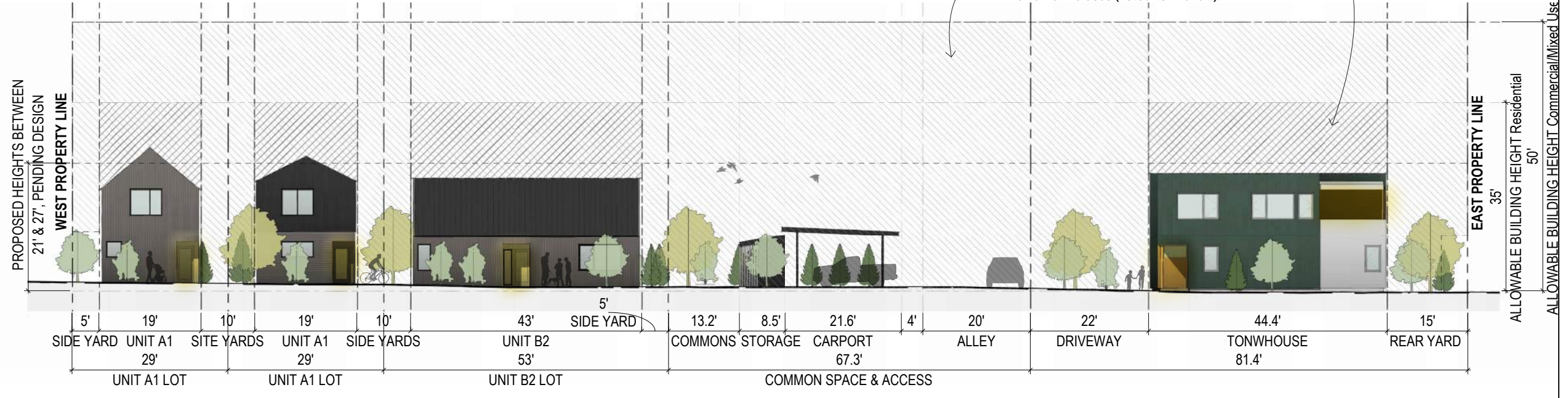
SCALE: 1/4" = 1'-0"
 DATE: 25 JUNE 2024

A 2.3a

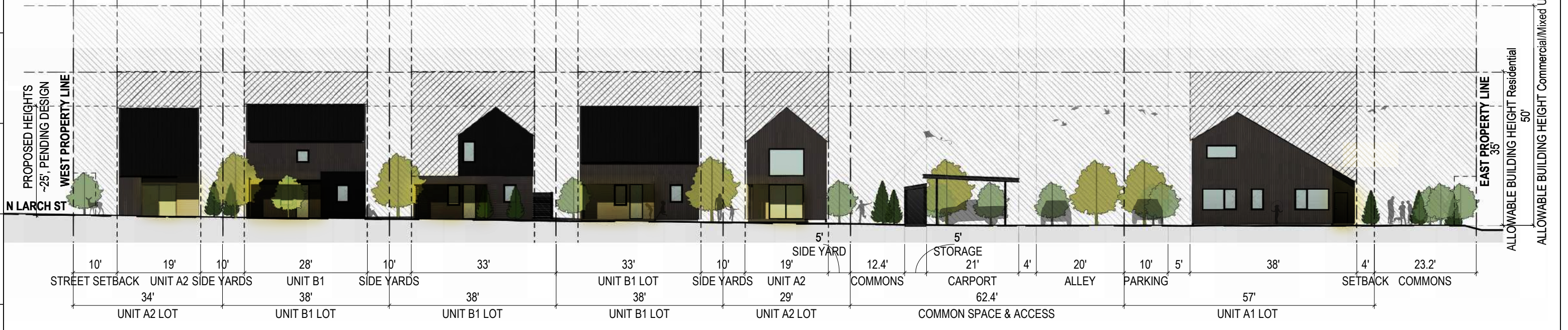
PERMITTED USES IN DC ZONE

- RESIDENTIAL**
- Single family, duplex, townhomes (up to 2 units)
 - Cottages
 - ADUs
 - Child Care Home
 - Dwellings above/within/attached to commercial
 - Short term rental
- COMMERCIAL**
- Amusement Uses
 - Artist Studio
 - Assembly / Club
 - Concert Hall
 - Child Care Center
 - Gallery
 - Hotel
 - Brewery & Distillery
 - Eating & Drinking Establishments
 - Retail (Habitat Store)
 - Professional & Personal Services
 - Offices
 - Neighborhood Market
 - Health Club
 - Museums
 - Theater

STREET ELEVATION West



COMMONS ELEVATION East



NOTICE OF NEIGHBORHOOD MEETING

A neighborhood meeting/open house will be hosted by Sisters Habitat for Humanity and local architect BUILD LLC for (2) proposed developments located near the intersection of E Adams Ave & N Larch St.

Meeting time/ location:
Friday 6/7, from 4:30-5:30pm,
at the Theater Room in The Lodges in Sisters.

If you are not able to join the meeting but wish to request project information, please contact us at Habitathomes@buildllc.com.

Project Description

The (5) properties sit within the Downtown Commercial (DC) Zone within the City of Sisters. Current zoning allows for residential-only uses including both duplexes (townhomes) and cottage developments in this location of Sisters. Common open space/ amenity area is being integrated into the site planning.

The project has been designed to be in compliance with the Development Code and the current proposal does not require the development team to apply for any deviations or variances.

The team intends to make their formal land use application later this summer, with construction anticipated to begin in spring of 2025.

Sisters Habitat has received grant funding to support (25) homes across these (5) properties, and the team is in process of securing additional funding to provide a mix of affordable and workforce housing in this project.

Project 1 – West of Larch (tax lot, address):

- a. 151004CD01700 ; 294 E Adams Ave
- b. 151004CD01600 ; 304 E Adams Ave
- c. 151004CD01500 ; 354 E Adams Ave

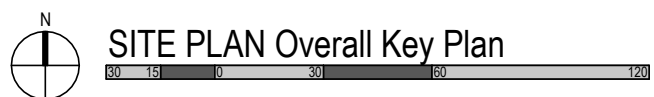
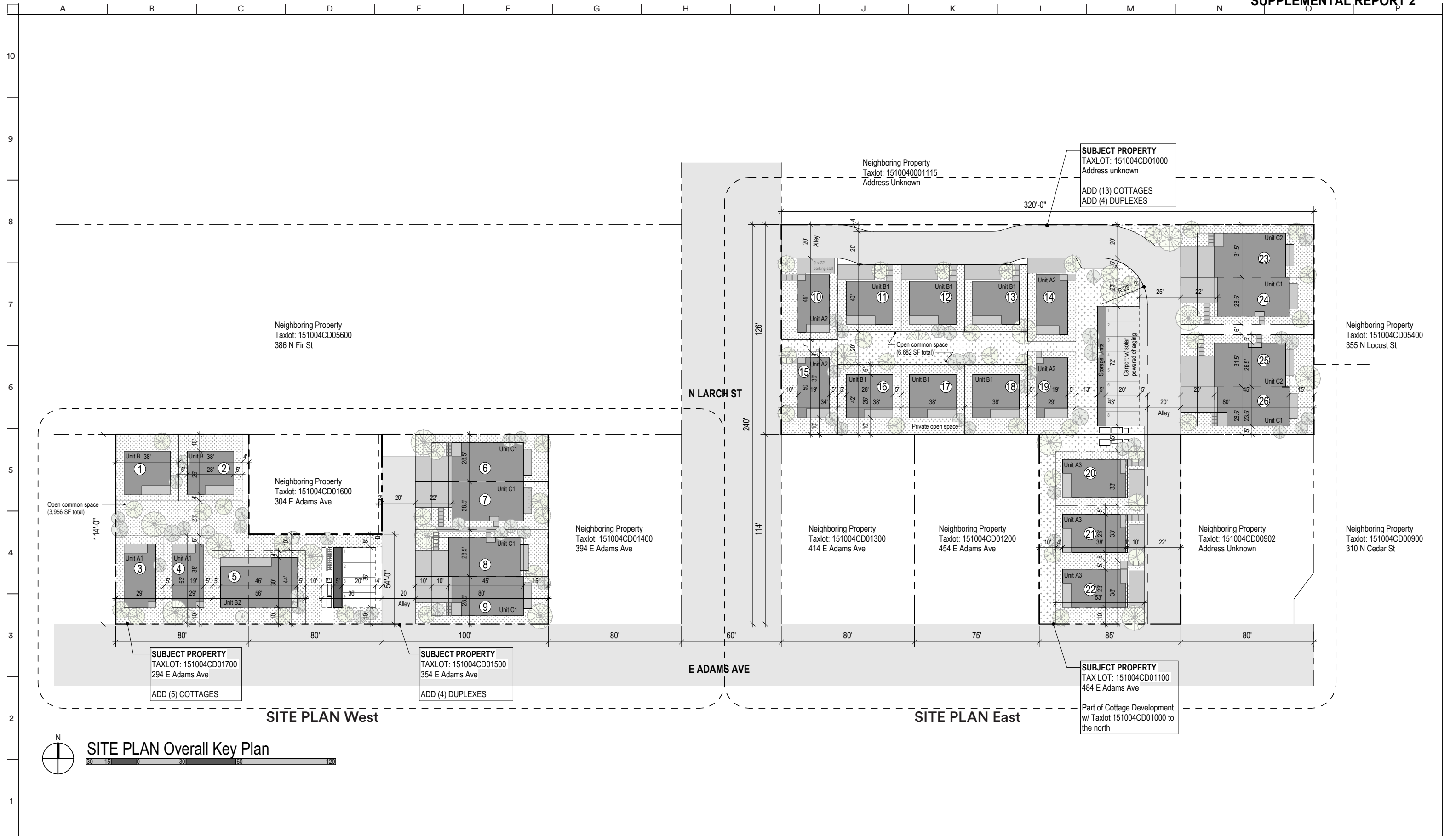
The total site area included in the proposed project is 24,840sf. The proposed project consists of a cottage development of (5) homes with separate carport parking, as well as (2) pair of duplex townhomes with garage and driveway parking.

Project 2 – East of Larch (tax lot, not yet addressed):

- d. 151004CD01000
- e. 151004CD00902

The total site area included in the proposed project is 50,010sf. The proposed project consists of The Proposed Project includes a cottage development of (13) homes with separate carport parking, as well as (2) pair of duplex townhomes with garage and driveway parking.







Neighboring Property
Taxlot: 151004CD05600
386 N Fir St

Neighboring Property
Taxlot: 151004CD01600
304 E Adams Ave

Neighboring Property
Taxlot: 151004CD01400
394 E Adams Ave

SUBJECT PROPERTY
TAXLOT: 151004CD01700
294 E Adams Ave
Taxlot: 151004CD01600
304 E Adams Ave
ADD (5) COTTAGES

SUBJECT PROPERTY
TAXLOT: 151004CD01500
354 E Adams Ave
ADD (4) DUPLEXES

Refer to STREET ELEVATION East



SITE PLAN West





SUBJECT PROPERTY
 TAXLOT: 151004CD01000
 Address unknown
 ADD (13) COTTAGES
 ADD (4) DUPLEXES

Neighboring
 Property
 Taxlot:
 151004CD05400
 355 N Locust St

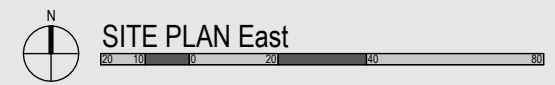
SUBJECT PROPERTY
 TAX LOT: 151004CD01100
 484 E Adams Ave
 Part of Cottage Development w/
 Taxlot 151004CD01000 to the north

Neighboring Property
 Taxlot: 151004CD00902
 310 N Cedar St

Neighboring Property
 Taxlot: 151004CD01300
 414 E Adams Ave

Neighboring Property
 Taxlot: 151004CD01200
 454 E Adams Ave

Neighboring Property
 Taxlot: 151004CD00902
 Address Unknown



Refer to COMMONS
 ELEVATION East

N LARCH ST

E ADAMS AVE

NEIGHBORHOOD MEETING

ADAMS COMMONS

DATE: 7 JUNE 2024

E Adams Ave & N Larch St
 Sisters OR

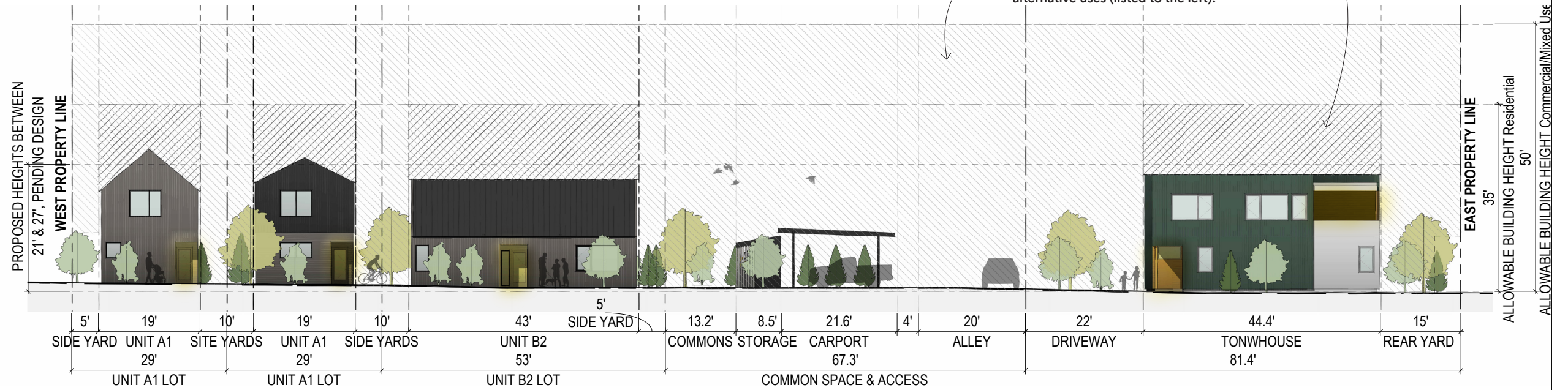


PERMITTED USES IN DC ZONE

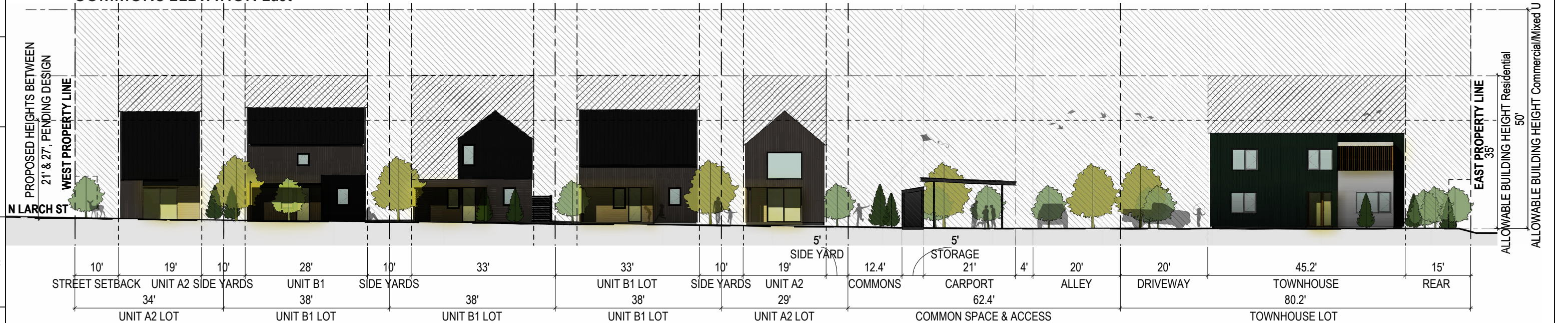
- RESIDENTIAL**
- Single family, duplex, townhomes (up to 2 units)
 - Cottages
 - ADUs
 - Child Care Home
 - Dwellings above/within/attached to commercial
 - Short term rental

- COMMERCIAL**
- Amusement Uses
 - Artist Studio
 - Assembly / Club
 - Concert Hall
 - Child Care Center
 - Gallery
 - Hotel
 - Brewery & Distillery
 - Eating & Drinking Establishments
 - Retail (Habitat Store)
 - Professional & Personal Services
 - Offices
 - Neighborhood Market
 - Health Club
 - Museums
 - Theater

STREET ELEVATION West



COMMONS ELEVATION East





Meeting Date: June 26, 2024

Staff: Martin

Type: Workshop

Dept: Community Development

Subject: Sun Ranch Tourist Commercial Text Amendments – File No. TA 24-01

Action Requested: Workshop to prepare for the public hearing before the City Council on July 10, 2024.

SUMMARY POINTS

The Community Development Department has received an application proposing text amendments to Chapter 2.12 – Sun Ranch Tourist Commercial District of the Sisters Development Code (File No. TA 24-01). The City Council (Council) is scheduled to conduct a public hearing on July 10, 2024. On May 16, 2024, the Planning Commission (Commission) recommended approval of the amendments as proposed by a 4-2 vote.

The purpose of this workshop is to provide an overview of the proposal and address councilor questions in preparation for the upcoming public hearing. This workshop is not a time for deliberating the merits of the proposal. To assist the Council in this preparation, this staff report includes the following:

- I. APPLICATION AND PROCEDURAL HISTORY
- II. LOCATION
- III. SUN RANCH TOURIST COMMERCIAL DISTRICT HISTORY AND PURPOSE
- IV. PROJECT RECORD
- V. NEXT STEPS

I. APPLICATION AND PROCEDURAL HISTORY

The Applicant, Skidmore Consulting, LLC (Jon Skidmore), on behalf of property owner Lake House Inn, LLC (Ernie Larrabee), filed a land use application for Text Amendments to Sisters Development Code (SDC) Chapter 1.3 - Definitions and Chapter 2.12 - Sun Ranch Tourist Commercial (TC) District. The purpose is to expand and clarify the types of uses allowed and the applicable development standards in the TC District to, as stated by the applicant, “reflect changes in the community and tourism industry.”

The Commission held a public hearing on April 18, 2024¹. At the conclusion of testimony, the Commission voted unanimously to continue the public hearing to May 16, 2024². In response to testimony and commissioner comments at the April 18 public hearing, the applicant coordinated with staff to revise the proposal to address issues raised and reduce the number of formatting changes proposed. Staff

¹ 4/18/24 Planning Commission Meeting: <https://www.ci.sisters.or.us/bc-pc/page/planning-commission-85>

² 5/16/24 Planning Commission Meeting: <https://www.ci.sisters.or.us/bc-pc/page/planning-commission-76>

notes the revisions removed the “Lodging Establishment” definition in SDC Chapter 1.3 that was originally proposed. All remaining proposed amendments are only to SDC Chapter 2.12. The revised proposal was presented to the Commission for review on May 16. At the conclusion of testimony on May 16, the Commission recommended approval of the amendments as proposed by a 4-2 vote via Resolution PC 2024-01 (Attachment 1). The primary issue raised by those voting against was the inclusion of RV Park as an allowed use. Commissioner Ries, one of the commissioners who voted in opposition, filed a written statement of opposition (Attachment 2) as allowed by SDC 4.1.600(F)(2).

In summary, the substantive elements of the proposal before the Council includes the following:

- **Additional New Uses:**
 - Retail Sales Establishment
 - Hostel
 - RV Park including Caretaker’s Quarters

- **Changes to Standards and Other Provisions:**
 - Amend the purpose statement to reflect removal of early 1900s Rural Farm/Ranch House design standards for the district.
 - Change “Restaurant, bar, and food services” to “Eating and drinking establishments” for consistency with the remainder of the SDC.
 - Add requirements for Hostel use that match standards for Hostels in the Highway Commercial District.
 - Reduce front and side yard setbacks from 20 to 10 feet.
 - Add Special Use Standard requiring maximum 1,000 square feet for Neighborhood Market and Retail Sales Establishment uses.
 - Add Special Use standard for RV Park use including:
 - Maximum stay of 30 days in any 90-day period.
 - Maximum of 65% of the gross area of property for use.
 - Required amenities to complement the use.
 - Add definition for existing Lodging Facility use.
 - Remove the early 1900s Rural Farm/Ranch House design standards for the district.

Attached are the proposed amendments as presented by the applicant as part of Application Addendum 2 (Attachment 3). Text removed is identified by ~~strike through~~ and text added is identified by underline. Staff has prepared an Amendment Summary Matrix (Attachment 4) to assist in the evaluation process. The matrix includes the following categories:

- **Code Section** – Identifies the section of the Sisters Development Code being amended.
- **Summary of Proposed Amendment** - Provides a brief description of the proposed amendment to complement the specific amendment provided in the application.
- **Explanation for the Amendment** – Provides detail of the reason and justification for the amendment.
- **Staff Comment** – Identifies each amendment as what staff would consider to be “SUBSTANTIVE” and “NOT SUBSTANTIVE” to highlight the changes with policy implications. It also provides additional supporting information and perspective regarding each amendment.

Staff notes that no specific use is proposed, and no land use application is submitted in conjunction with these legislative amendments. Any subsequent land use is subject to the applicable review process and development standards of the SDC.

II. LOCATION

The TC District is located in the northeast portion of the City of Sisters at the intersection of E. Barclay Drive and Camp Polk Road (see Figure 1) and includes:

- The entirety of the following property:
 - **Lot #1:** Address: 69013 Camp Polk Road / Tax Map and Lot: 15-10-4 1101
- A portion of the following properties:
 - **Lot #2:** Address: 575 E. Sun Ranch Drive / Tax Map and Lot: 15-10-4BD 1900
 - **Lot #3:** Address: Unaddressed / Tax Map and Lot: 15-10-4BD 1901



Figure 1. TC District and vicinity. (Source: Deschutes DIAL)

The TC District encompasses approximately 6.20 acres and is generally rectangular in shape. Both E. Barclay Drive and Camp Polk Road are classified as collector streets in the City's Transportation System Plan (TSP). Lot #1 is developed with a building in disrepair along with multiple accessory structures and associated improvements. The main building on Lot #1 was most recently under renovation for restaurant use but not completed and previously used as a bed and breakfast. Lot #2 is developed with a distillery and associated improvements. Lot #3 is undeveloped. The northwestern portion of the district is within the Runway Protection Zone associated with the Sisters Eagle Air airport.

The property directly west on the southern half of the district is developed with a mini-storage facility. Directly west of the north portion of the district is vacant land within the Runway Protection Zone associated with the Sisters Eagle Air airport. The property to the east, across Camp Polk Road, is

developed with a single-family dwelling, zoned Rural Residential, and located outside the city limits of Sisters. The property to the south, across E. Barclay Drive, is vacant and zoned Downtown Commercial.

III. SUN RANCH TOURIST COMMERCIAL DISTRICT HISTORY AND PURPOSE

The Sun Ranch (TC) Tourist Commercial District was established along with the Sun Ranch Light Industrial District (a.k.a. North Sisters Business Park) and Sun Ranch Residential District by the City Council on April 26, 2007, via adoption of Ordinances 366 and 267. The proposal to establish these zone districts was applicant initiated through file nos. CP 06-01/CP 06-02/Z 06-01. As indicated in the original application materials, the applicant provided the following summary for the TC District:

The applicant is proposing that the Sun Ranch Tourist Commercial District be adopted that will be more restrictive than the other commercial zoning districts in the City of Sisters. The purpose of this zoning district is to encourage the development of first-class lodging facilities that complement the historic Conklin Guest House building. The Sun Ranch Tourist Commercial District is located outside of the downtown core of the City of Sisters and therefore, the 1880s Western Design Theme is not appropriate. Development within the Sun Ranch Tourist Commercial District will be strictly regulated by internal design guidelines. Further, the appearance of the structures will be heavily influenced by the existing ranch house, historic barn and outhouse development pattern on the property that was historically accurate for developments on the outskirts of town in the late 1800s and early 1900s.

Further, SDC 2.12.100 includes the following purpose statement adopted for the TC District:

2.12.100 Purpose

The purpose of the Sun Ranch Tourist Commercial district is to establish landmark lodging, dining, and recreation destinations and gathering places for business travelers, tourists and the residents of the area. The district is for commercial properties in transition areas between residential, light industrial and commercial areas. This district establishes commercial uses to complement adjacent mixed-use light industrial and residential districts. Special design standards apply to create a rural ranch setting separate from, but compatible with, the 1880s Western Frontier Architectural Design Theme. Another purpose of this district is to provide flexibility for expansion of lodging facilities and improve accessory components of the commercial lodging establishment such as meeting facilities, restaurant, bar, neighborhood market, etc.

Both of these statements provide insight into the intent and vision of the TC District at the time of its creation.

V. PROJECT RECORD

The complete record for the project will be formally presented to the Council in the packet for the July 10th public hearing. The record is also available for review at Sisters City Hall and on the project specific page on the City of Sisters webpage.³

³ TA 24-01 Project Webpage: www.ci.sisters.or.us/community-development/page/space-age-service-station-proposal

VI. NEXT STEPS

The Council is scheduled to conduct a public hearing on July 10, 2024. The staff report will be prepared in advance of the public hearing and available no less than seven (7) prior to the public hearing. At the conclusion of the public hearing, the Council will make a final decision via adoption of an ordinance.

ATTACHMENTS:

1. ATTACHMENT 1: PC Resolution 2024-01
2. ATTACHMENT 2: 5-28-24 Commissioner Ries Email
3. ATTACHMENT 3: Application Addendum 2 – Proposed Text Amendments
4. ATTACHMENT 4: Amendment Summary Matrix



**A RESOLUTION OF THE CITY OF SISTERS PLANNING COMMISSION
RESOLUTION PC 2024-01**

WHEREAS, Skidmore Consulting, LLC, on behalf of Lake House Inn, LLC, (the "Applicant"), proposed legislative amendments to the City's Development Code, which application was assigned Planning File No. TA 24-01 (the "Application");

WHEREAS, in accordance with Sisters Development Code Chapters 4.1 and 4.7 the Planning Commission provides the initial review of Type IV applications and provides a recommendation to City Council,

WHEREAS, the April 18, 2024, Planning Commission public hearing on the Application was properly noticed to owners of property in the Sun Ranch Tourist Commercial District and published in The Nugget newspaper per the Sisters Development Code;

WHEREAS, the Department of Land Conservation and Development (DLCD) received notice of the Application at least 35 days prior to the first evidentiary hearing; and

WHEREAS, City staff issued a staff report containing proposed findings of consistency with applicable approval criteria, which was available in advance of the public hearing;

WHEREAS, findings contained with the staff report determined that the Application, as proposed, is consistent with applicable approval criteria;

WHEREAS, a public hearing on the Application was held before the Sisters Planning Commission on April 18 and May 16, 2024, at which time the staff report was reviewed, the Applicant and interested parties were heard, and evidence was received;

WHEREAS, at the May 16, 2024, public hearing, the Planning Commission closed the public hearing to testimony, and after fully deliberating the matter, the Planning Commission voted to recommend that the City Council approve the Application as provided by the Applicant;

NOW, THEREFORE, the City of Sisters Planning Commission resolves as follows:

1. Findings. The above-stated findings and those contained in the staff report for Planning File No. TA 24-01 attached hereto as Exhibit A are hereby adopted.

2. Recommendation. The Planning Commission hereby recommends approval of TA 24-01 as proposed.

3. Severability; Effective Date. The provisions of this Resolution PC 2024-01 (this "Resolution") are severable. If any section, subsection, sentence, clause, and/or portion of this resolution is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this resolution. This Resolution will be in full force and effect from and after its approval and adoption.

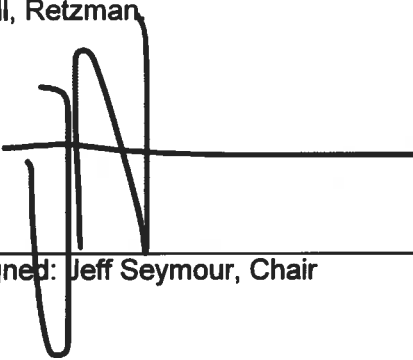
CITY OF SISTERS
Planning Commission Resolution

THE FOREGOING RESOLUTION IS HEREBY ADOPTED THIS 16th DAY OF MAY 2024.

Members of the Commission:

Seymour, Dickman, Blumenkron, McDougall, Reis, Retzman, Tewalt

AYES:	Seymour, Blumenkron, McDougall, Retzman	(4)
NOS:	Dickman, Reis	(2)
ABSENT:		(0)
ABSTAIN:	Tewalt	(1)



Signed: Jeff Seymour, Chair



**A RESOLUTION OF THE CITY OF SISTERS PLANNING COMMISSION
RESOLUTION PC 2024-01**

**EXHIBIT A
ADOPTED FINDINGS**

[attached]



STAFF REPORT
Community Development Department

FILE #: TA 24-01

APPLICANT: Jon Skidmore – Skidmore Consulting, LLC
Ernie Larrabee - Lake House Inn, LLC

LOCATION: All of Sun Ranch Tourist Commercial District Including the Following Properties:
Address: 69013 Camp Polk Road / Tax Map and Lot: 15-10-4 1101
Address: 575 E. Sun Ranch Drive / Tax Map and Lot: 15-10-4BD 1900
Address: Unaddressed / Tax Map and Lot: 15-10-4BD 1901

REQUEST: Text Amendments to the Sisters Development Code Chapter 1.3 - Definitions and Chapter 2.12 - Sun Ranch Tourist Commercial District. The purpose is to expand and clarify the types of uses allowed in the Sun Ranch Tourist Commercial District and other edits for consistency with the Sisters Development Code.

APPLICABLE CRITERIA: Sisters Development Code:
Chapter 1.3 – Definitions
Chapter 2.12 – Sun Ranch Tourist Commercial District
Chapter 4.1 – Types of Applications and Review Procedures
Chapter 4.7 – Land Use District Map and Text Amendments
City of Sisters Urban Area Comprehensive Plan
Oregon Statewide Land Use Goals

PLANNING COMMISSION HEARING DATES: April 18, 2024
May 16, 2024

STAFF: Matthew Martin, Principal Planner

I. PROPOSAL

The City of Sisters received an application that originally included text amendments to Sisters Development Code Chapter 1.3 (Definitions) and Chapter 2.12 (Sun Ranch Tourist Commercial (TC) District). The applicant, Ernie Larrabee of Lake House, LLC, indicates the purpose of the amendments is to expand and clarify the types of uses allowed in the TC District to reflect changes in the community and tourism industry.

The Planning Commission (Commission) held a public hearing on April 18, 2024. At the conclusion of testimony, the Commission voted unanimously to continue the public hearing to May 16, 2024. In response to testimony and commissioner comments at the April 18 public hearing, the applicant

coordinated with staff to revise the proposal to address issues raised and reduce the number of formatting changes proposed. Staff notes the revised proposal removed the proposed “Lodging Establishment” definition in SDC Chapter 1.3 that was originally proposed. All remaining proposed amendments are only to SDC Chapter 2.12. The revised proposal was presented to the Planning Commission for review on May 16. In summary, the revised proposal includes the following:

- **Additional New Uses:**
 - Retail Sales Establishment
 - Hostel
 - RV Park including Caretaker’s Quarters

- **Changes to Standards and Other Provisions:**
 - Amend the purpose statement to reflect removal of early 1900s Rural Farm/Ranch House design standards for the district.
 - Change “Restaurant, bar, and food services” to “Eating and drinking establishments” for consistency with the remainder of the SDC.
 - Add requirements for Hostel use that match standards for Hostels in the Highway Commercial District.
 - Reduce front and side yard setbacks from 20 to 10 feet.
 - Add Special Use Standard requiring maximum 1,000 square feet for Neighborhood Market and Retail Sales Establishment uses.
 - Add Special Use standard for RV Park use including:
 - Maximum stay of 30 days in any 90-day period.
 - Maximum of 65% of the gross area of property for use.
 - Required amenities to complement the use.
 - Add definition for existing Lodging Facility use.
 - Remove the 1900s Rural Farm/Ranch House design standards for the district.

Attached are the proposed amendments as presented by the applicant as part of Application Addendum 2 (Attachment 1). Text removed is identified by ~~striketrough~~ and text added is identified by underline. Staff has prepared an Amendment Summary Matrix (Attachment 2) to assist in the evaluation process. The matrix includes the following categories:

- **Code Section** – Identifies the section of the Sisters Development Code being amended.
- **Summary of Proposed Amendment** - Provides a brief description of the proposed amendment to complement the specific amendment provided in the application.
- **Explanation for the Amendment** – Provides detail of the reason and justification for the amendment.
- **Staff Comment** – Identifies each amendment as what staff would consider to be “SUBSTANTIVE” and “NOT SUBSTANTIVE” to highlight the changes with policy implications. It also provides additional supporting information and perspective regarding each amendment.

Staff notes that there is no specific use or land use application proposed with these legislative amendments. Any subsequent land use is subject to the applicable review process and development standards of the SDC. All uses are subject to the applicable provisions of the Sisters Development Code.

II. BACKGROUND:

The applicant provided the following background of the subject properties and TC District:

The subject property enjoys a long history in the Sisters community. The site once had a schoolhouse on it. The old residential structure onsite was originally constructed in 1947. That house was used as the home of the Hitchcock family and then the Conklin family. The house was used as a bed and breakfast from the 1980s through the early 2000s.

In 2004/2005, the previous owner of the subject property purchased this property and the 35+/- acres adjacent to the north and west. That owner worked with the City to create the Sun Ranch Industrial Park, Sun Ranch Residential District, and the Sun Ranch Tourist Commercial zone. These zoning districts were planned cohesively to leverage uses within the various districts for the benefit of residents and workers within those districts. For instance, the industrial district was planned to provide jobs for people who may live in the residential district. The Tourist Commercial district was planned to provide amenities such as eating and drinking establishments or overnight accommodations for the benefit of the residents of the residential zone or workers in the industrial park. That interplay is still very much a goal for the subject property. The zone was also planned to invite tourists as well as other Sisters community members. The proposed text amendments seek to expand and clarify the permissible uses on site with those objectives in mind.

The SRTC district was created around a specific vision for the property. The uses permissible were tightly tailored to that vision. From 2004 through 2007, the previous owner worked with the city to create the entirety of the Sun Ranch concept. The bed and breakfast structure was meant to be a centerpiece of the SRTC zone. Remodeling of the bed and breakfast commenced to house a high-end restaurant about 2006/2007. The restaurateur that was heading the effort abandoned the project. The structure that was mid-renovation has sat unfinished since that time and is boarded up for safety reasons.

The vision for the SRTC zone in the mid-2000s is outdated at this point. Sisters was a different place at the time that the TC zoning district was created. For instance, Five Pine was still in initial phases of development. The housing stock in Sisters was extremely limited. There were fewer eating and drinking establishments in Sisters.

In 2007, the population of Sisters was 1,825 per the Portland State University Population Research Center statistics. PSU's Population Research Center estimates that the population of Sisters in 2025 will be 3,890. Since the economic recovery following the Great Recession, the Sun Ranch area has developed with a variety of businesses and residential units. This reality creates an opportunity to create a set of regulations that permit various uses in keeping with the intent of attracting tourists and locals alike. The vision for the property still includes overnight accommodations and food & beverage establishments but in different forms. This new vision includes higher end RV spaces that cater to the "vanlife" market and things like food carts, a tap house, corn hole, pickleball, small concert stage and other items that attract local and tourist visitors.

Currently, the purpose of the TC zone, as stated in SDC 2.12.100 is:

The purpose of the Sun Ranch Tourist Commercial district is to establish landmark lodging, dining, and recreation destinations and gathering places for business travelers, tourists and the residents

of the area. The district is for commercial properties in transition areas between residential, light industrial and commercial areas. This district establishes commercial uses to complement adjacent mixed-use light industrial and residential districts. Special design standards apply to create a rural ranch setting separate from, but compatible with, the 1880s Western Frontier Architectural Design Theme. Another purpose of this district is to provide flexibility for expansion of lodging facilities and improve accessory components of the commercial lodging establishment such as meeting facilities, restaurant, bar, neighborhood market, etc.

The proposed, new language still aims to provide various tourism related uses to attract locals and tourists and to provide community gathering spaces.

“The purpose of the Sun Ranch Tourist Commercial district is to establish a variety of uses associated with tourism such as options for overnight accommodations, dining, entertainment, and recreation and to provide gathering space and uses that attract business travelers, tourists and members of the Sisters community alike.”

Uses such as cabins for overnight rental are not as high in demand as other types of overnight accommodation. Food carts, tap rooms and recreational opportunities create places where people gather. The proposed text amendments seek to expand and clarify the types of uses on site but still honor the purpose of the district in its relationship to the community and the traveling public. Further, based on feedback from City staff, the proposed text amendments will put the SRTC zoning district into a format that is more consistent with the rest of the Sisters Development Code.

III. PROJECT RECORD:

The project record was presented to the Planning Commission as part of the materials in advance of or at the following Commission meetings:

- March 7, 2024¹ - Workshop
- March 21, 2024² - Workshop
- April 18, 2024³ - Public Hearing
- May 16, 2024⁴ - Public Hearing

IV. CONCLUSIONARY FINDINGS:

Sisters Development Code (SDC) Chapter 4, Table 4.1.200 lists a code amendment as a Type IV decision, regulated by Chapter 4.7 (Land Use District Map and Text Amendments). Section 4.7.200 states that legislative amendments are policy decisions made by the City Council and shall be reviewed using the Type IV procedure found in SDC Section 4.1.600 and shall conform to SDC section 4.7.600 Transportation Planning Rule compliance.

Pursuant to the SDC Section 4.1.600, the City may approve, approve with modifications, approve with conditions, deny the proposed change or recommend an alternative to the code text amendments based

¹ 3/7/24 Planning Commission Meeting: <https://www.ci.sisters.or.us/bc-pc/page/planning-commission-74>

² 3/21/24 Planning Commission Meeting: <https://www.ci.sisters.or.us/bc-pc/page/planning-commission-84>

³ 4/18/24 Planning Commission Meeting: <https://www.ci.sisters.or.us/bc-pc/page/planning-commission-85>

⁴ 5/16/24 Planning Commission Meeting: <https://www.ci.sisters.or.us/bc-pc/page/planning-commission-76>

on the criteria in SDC 4.1.600.E. Decision-Making Considerations. The following are staff's conclusionary findings for each of the applicable criteria:

CHAPTER 4.1 – TYPES OF APPLICATION AND REVIEW PROCEDURES

4.1.100 Purpose

The purpose of this chapter is to establish standard decision-making procedures that will enable the City, the applicant, and the public to reasonably review applications and participate in the local decision-making process in a timely and effective way.

Staff Finding: Staff finds that this provision is advisory.

4.1.200 Description of Permit/Decision-Making Procedures

All land use and development permit applications, except building permits, shall be decided by using the procedures contained in this Chapter. General provisions for all permits are contained in Section 4.1.700. Specific procedures for certain types of permits are contained in Section 4.1.200 through 4.1.600. The procedure "type" assigned to each permit governs the decision-making process for that permit. There are four types of permit/decision-making procedures: Type I, II, III, and IV. These procedures are described in subsections A-D below. In addition, Table 4.1.200 lists all of the City's land use and development applications and their required permit procedure(s).

...

D. **Type IV Procedure (Legislative).** Type IV procedures apply to legislative matters. Legislative matters involve the creation, revision, or large-scale implementation of public policy (e.g., adoption of land use regulations, zone changes, and comprehensive plan amendments which apply to entire districts). Type IV matters are considered initially by the Planning Commission with final decisions made by the City Council and appeals possible to the Oregon Land Use Board of Appeals.

Staff Finding: The applicant is proposing text amendments to the Sisters Development Code. The amendments propose a revision to adopted land use regulations, thereby requiring compliance with Type IV procedure.

A. **Notice of all Type III and IV hearings will be sent to public agencies and local jurisdictions (including those providing transportation facilities and services) that may be affected by the proposed action. Affected jurisdictions could include ODOT, the Department of Environmental Quality, the Oregon Department of Aviation, and neighboring jurisdictions.**

Staff Finding: Partner organizations and agencies staff identified as having a particular interest in the proposal were notified of the proposal and invited to participate.

4.1.600 Type IV Procedure (Legislative)

A. **Application requirements. See 4.1.700.**

B. **Notice of Hearing.**

1. **Required hearings.** A minimum of two hearings, one before the Planning Commission and one before the City Council, are required for all Type IV applications, except annexations where only a hearing by the City Council is required.
2. **Notification requirements.** Notice of public hearings for the request shall be given by the Community Development Director or designee in the following manner:

...

Staff Finding: Staff provided notice in accordance with 4.1.600(B) at least 14 days prior to the public hearing before the Planning Commission hearing, scheduled for April 18, 2024, at 5:30pm. A second hearing is required and will be held by the City Council. Notice will again be provided in compliance with this section.

...

E. Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

- 1. Approval of the request is consistent with the Statewide Planning Goals;**

Staff Finding: Staff has outlined review of compliance with the Statewide Planning Goals below.

Goal 1 – Citizen Involvement.

Staff Finding: During the text amendment process, public notice of the proposal has been provided through published notice in The Nugget newspaper, mailed to owners of property in the TC District, mailed to participants of record, and posted at City Hall. The City will hold public hearings before the Planning Commission and City Council. In addition, the applicant voluntarily held a public meeting prior to submittal of the application. These opportunities for public involvement satisfy Goal 1.

Goal 2 – Land Use Planning.

Staff Finding: Staff is following the prescribed procedure for a text amendment to ensure adequate review of the proposed text amendment. Staff finds Goal 2 is met.

Goals 3 and 4, Agricultural and Forest Lands

Staff Finding: These Goals are not applicable as the proposed text amendments will not have any known impact on either Agricultural or Forest Lands.

Goal 5 – Natural Resources, Scenic and Historic Areas, and Open Spaces.

Staff Finding: Staff finds Goal 5 is not applicable because the proposed text amendments will not have any known impact on inventoried natural resources, scenic and historic areas, and open spaces. While the house on the property may be older and associated with significant past Sisters residents, it does not have any specific historic status or protections.

Goal 6 – Air, Water and Land Resources Quality.

Staff Finding: Staff finds Goal 6 is not applicable because the proposed text amendments, including the new uses, are not associated with the types of pollution, contaminants, or industrial byproducts that this goal addressed.

Goal 7 – Areas Subject to Natural Hazards.

Staff Finding: Staff finds Goal 7 is not applicable because the subject properties do not contain and are uniquely susceptible to any natural hazards.

Goal 8 – Recreational Needs.

Staff Finding: The applicant proposes RV Park as a permitted use. In conjunction with an RV Park, at least two recreational amenities shall be required including fishing pond, decks, docks and other areas to enjoy the pond, sport courts, dog park, multi-use trails and paths, playground, small stage, and fire pits. Staff finds these amenities will enhance and add to recreational opportunities in the community. Based on this information, staff finds Goal 8 is satisfied.

Goal 9 – Economic Development.

Staff Finding: The City has adopted an Economic Opportunities Analysis (EOA) that identifies economic land needs, target industries, and other local policies aimed at assuring economic opportunities within Sisters. The City has identified a continued focus on tourism related industries and expansion of those types of uses to attract tourism activity in the shoulder season. The proposed text amendments will expand the types of uses permissible within the TC District that will specifically or indirectly attract tourists year-round. Staff finds Goal 9 is met.

Goal 10 – Housing.

Staff Finding: Staff finds Goal 10 is not applicable because the proposed text amendments do not address the housing needs of the city. Staff would note that the currently allowed uses in the TC District, as well as the proposed added uses, such as RV park, are intended to be temporary living accommodations and not intended to provide long term housing.

Goal 11 – Public Facilities and Services

Staff Finding: Agency comments received did not express concern with the adequacy of public facilities and services to accommodate the uses and standards as proposed. Further, review of development for adequacy of public facilities and services remains unchanged with the proposed amendments. Staff finds that the amendments comply with Goal 11.

Goal 12 – Transportation

Staff Finding: The City adopted an updated Transportation System Plan (TSP) in December 2021. The TC District is bound on E. Barclay Avenue and Camp Polk Road, both classified as collector streets in the TSP. Improvements to Barclay Avenue are planned and improvements to Camp Polk Road will be contemplated as part of future any development proposals.

The applicant submitted a Trip Generation and Transportation Planning Rule (TPR) Analysis memo from Melissa Webb, PE with Lancaster Mobley Engineers (Application Exhibit F). The study reviewed the morning peak hour, evening peak hour, and average daily trip generation potential of the site under both the existing allowable land uses and the proposed additional allowable land uses. The study concluded that the proposed text amendments would not degrade the performance of any existing or planned transportation facility. Accordingly, the TPR is satisfied, and no mitigation is necessary or recommended in conjunction with the proposed text amendment. Comments received from the City Transportation Engineer express agreement with the assessment presented by Lancaster Mobley and the opinion that, as outlined, the proposed text amendments remain compliant with the TPR and noted the types of uses allowed with the amendments are lower in intensity than those already permitted within the zoning. Any future development on the property may be required to submit an updated traffic study to look at specific traffic impacts and necessary mitigation measures.

Based on this information, staff finds the proposal complies with Goal 12.

Goal 13 – Energy Conservation

Staff Finding: No impact on energy conservation is anticipated. Therefore, This provision does not apply.

Goal 14 – Urbanization

Staff Finding: The proposed text amendments apply only to properties located within the current city limits. Therefore, staff finds Goal 14 is not applicable.

Goals 15 through 19.

Staff Finding: Goals 15, 16, 17, 18 and 19 are not applicable because they only pertain to areas outside of Central Oregon.

2. Approval of the request is consistent with the Comprehensive Plan; and

Staff Finding: The Comprehensive Plan contains Goals and Policies for land use and development within the City. In turn, the Development Code implements the Goals and Policies of the Comprehensive Plan. Any amendments to the Development Code must be consistent with the applicable Goals and Policies of the Comprehensive Plan. Findings specific to applicable Goals and Policies are provided below:

Sisters Comprehensive Plan Section 1: Public Involvement

Goal 1

Offer a wide variety of traditional and contemporary tools and opportunities that enable and empower a diverse population of residents, business owners, private organizations, and partner agencies located inside and outside City limits to participate in all land use processes.

Objective 1.1

To maintain an effective Citizen Involvement Program and recognize an official body; a Committee for Citizen Involvement (CCI) will be responsible for overseeing and regularly reviewing the effectiveness of the program in order to grow public awareness and participation.

Policies:

1.1.1 The Citizen Involvement Program will be directed by the City's Planning Commission, sitting as the Committee for Citizen Involvement. The Planning Commission shall seek multiple methods to support and cultivate additional, new, and ever-expanding citizen involvement opportunities including working directly with private organizations to amplify opportunities for involvement.

Staff Finding: The proposed amendments will be reviewed at Planning Commission and City Council meetings via public hearings, which are open to the public with opportunities for public involvement. The amendment proposal has followed the notice requirements in Chapter 4.1, including mailed and published notice of the public hearing. Staff finds the review process for the proposed text amendments complies with the policy.

Objective 1.2

To recognize the need to use a variety of traditional and contemporary communication tools and channels in the Citizen Involvement Program, including communication methods that will reach diverse audiences and drive greater awareness and participation in all phases of planning processes.

Policies:

...

1.2.2 The City shall ensure that information about planning activities and notices of upcoming meetings are maintained on the City's website and distributed via a variety of outlets and methods, including non-traditional methods that might be more successful at reaching underrepresented or less frequently involved members of the public such as greater use of social media pages, email list serves, or partnerships with local community organizations.

Staff Finding: Notice of the public hearing was published in the Nugget newspaper, emailed to the subscriber list of the City's Planning Commission listserv, mailed to owners of property in the TC District

and participants of record, and posted at City Hall. Staff finds the review process for the proposed text amendments complies with this policy.

- 1.2.3 The City shall provide information about planning activities and notices of upcoming meetings in clear, understandable language and will include information about relevant City processes and procedures. This will include brief descriptions of items that City Council and Planning Commission will be discussing.**

Staff Finding: Notice of the public hearing includes information about relevant City processes and procedures in clear, understandable language, with a listed contact person in the event an individual needs additional information. Staff finds the review process for the proposed text amendments complies with this policy.

...

- 1.2.6. The City shall provide options for community members to view and participate in all official City meetings remotely in order to reduce barriers to participation.**

Staff Finding: The public meetings will include use of the Zoom online meeting app to provide opportunity for remote participation. A contact person is listed on the notice of public hearing for individuals that may need to request special accommodations prior to the hearing in order to reduce barriers to participation. Staff finds the review process for the proposed text amendments complies with this policy.

...

- 1.3.1 The City shall provide information necessary to reach policy decisions at City Hall, on the City's website, and via other avenues as appropriate.**

Staff Finding: The project record is available at City Hall for inspection. In addition, a project specific page of the City of Sisters website has been created to provide information relevant to this project⁵.

Sisters Comprehensive Plan Section 2: Land Use

Goal 2

Continue to implement a Land Use Planning process and policy framework as a basis for all decisions and actions related to the use of land; ensure an adequate factual base for such decisions and actions are consistent with the policy framework, other Comprehensive Plan policies, and the implementing planning documents.

Policies:

...

- 2.1.2 The City of Sisters shall continue to maintain, enhance, and administer land use codes and ordinances that are based on an adequate factual basis, the goals and policies of this Comprehensive Plan, and applicable local, state, and federal regulations.**

Staff Finding: The applicant addressed this policy with the following:

The proposed text amendments are geared towards updating and clarifying the permissible uses within the Tourist Commercial zone. Comprehensive Plans and Development Codes are living

⁵ Project webpage: <https://www.ci.sisters.or.us/community-development/page/text-amendments-sun-ranch-tourist-commercial-district-%C2%A0>

documents that require routine updates based on changes in federal and state law, local policy direction, and response to changing market conditions. In this instance, the applicant is proposing text amendments to the Tourist Commercial zone that will contribute to many of the goals and policies of the Comprehensive Plan and supporting documents as discussed below. Identifying the applicable Comprehensive Plan policies and explaining how the amendments are consistent with and will contribute to various policy ambitions provides the factual basis needed to support the changes. Changes that have occurred since the SRTC zone was adopted on the subject property, within the Sisters community and amongst travel behavior of tourists that also support these proposed amendments.

The applicant also notes the changes in the community, the district, and travel behavior that warrant consideration of the proposed amendments.

As detailed in the application narrative, the applicant contends, “As documented in the City’s Comprehensive Plan, the City’s EOA and the Sisters Country Vision, tourism has been and will continue to be an economic driver for the community. The EOA explains that uses that attract tourists provide desirable amenities for locals as well.” Staff agrees with this opinion.

Based on this information, and as discussed throughout this report, staff finds the proposed amendments are based on factual information, the goals and policies of this Comprehensive Plan, and applicable local, state, and federal regulations and the proposed text amendments complies with this policy.

...

2.1.4 The City shall notify and engage partner organizations, residents, property owners, and businesses as part of processes to update and amend the City’s Comprehensive Plan and Development Code.

Staff Finding: Notice of the public hearing was provided consistent with the City Development Code and Oregon State Law. Partner organizations and agencies staff identified as having a particular interest in the proposal were notified of the proposal and invited to participate. Owners of property in the TC District were identified to be affected by the proposed amendments, so Measure 56 notice was provided to these owners. Notice of the public hearing was posted in a variety of methods as previously listed. Staff finds the review process for the proposed text amendments complies with this policy.

2.1.7 The City shall continue to explore opportunities to incorporate new regulatory approaches and other best practices to implement the Comprehensive Plan in a manner that can be administered effectively and efficiently.

Staff Finding: The applicant argues the text amendments allow property owners within the TC District to respond to changing market conditions and travel behavior is an effective way to adjust the city’s development code to deliver on the tourism economic development policy ambitions in the City’s Comprehensive Plan, EOA, and the Sisters Country Vision. Staff finds the amendments represent an evolution in the regulatory approach for uses and development standards in the TC District. Further, staff finds the proposed amendments that incorporate basic formatting and development standards similar to other commercial district chapters of the Sisters Development Code provide consistency and ease of use and implementation. Based on this information, staff finds this policy is met.

...

Sisters Comprehensive Plan Section 4: Livability

Goal 4

Maintain and enhance the livability of Sisters as a welcoming community with a high quality of life and a strong community identity.

Objective 4.1: Community Identity

To promote projects, programs, and initiatives that strengthen the community's identity, including historic resources, scenic views, trees, artisanal activities, and inclusive attitude towards all community members.

Policies:

4.1.1 The City shall recognize and conserve the environment and natural resources that enhance the community's identity, including open spaces, natural landscapes, outdoor recreation areas, historic structures, architectural styles, and public art.

Staff Finding: The proposed amendments remove the TC District specific 1900s Rural Farm/Ranch House Design Theme standards. This results in the 1880s Western Frontier Design Theme being applicable to the TC District along with all other commercial districts. The proposed amendments do not have a greater impact on conservation of the environment and natural resources than those uses already allowed in the TC District. Based on this information, staff finds the proposed text amendments comply with this policy.

Objective 4.2: Neighborhood Design

To facilitate development and redevelopment of neighborhoods to support community members' economic, social, and cultural needs, and promote health, well-being, universal access, and innovative design.

Policies:

...

4.2.3 The City shall encourage transitions between residential and nonresidential areas through the use of buffers, screening, or other methods to improve compatibility and reduce impacts to residential neighborhoods.

Staff Finding: The TC District is located adjacent to the North Sisters Business Park District and Airport District to the north, the North Sisters Business Park and Light Industrial Districts to the west, the Downtown Commercial District to the south. These zones are primarily intended to provide for commercial and industrial uses with limited opportunities for residential uses in the North Sisters Business Park and Downtown Commercial District resulting in a mixed-use environment. The properties to the east are located outside the city limits, zoned Rural Residential, and comprised of primarily larger acreage with limited residential development. Based on this information, staff does find these districts and existing development do not constitute a residential neighborhood.

Comments received expressed concern with noise, light, and other negatives associated with an RV Park use may have on adjacent residential use. Staff notes the special use standards applicable to RV Parks in SDC 2.15.1700(G) state, "Screening. The recreational vehicle park shall be enclosed by a fence, wall, landscape screening, berms, or by other designs approved by the Hearings Body which will complement the landscape and assure compatibility with the adjacent environment." This standard provides the

opportunity to require project specific screening at the time of development review to address such impacts.

Based on this information, staff finds the proposal complies with this policy. With that said, if the Commission finds this area constitutes an area of transition between residential and nonresidential areas, the Commission may consider additional development or design requirements to improvement compatibility and reduce impacts on residential neighborhoods.

...

Sisters Comprehensive Plan Section 7: Parks, Recreation, And Open Space

Staff Finding: Staff has reviewed this section and did not identify any policies that are applicable to this proposal. With that said, the proposes RV Park use requires at least two recreational amenities including fishing pond, decks, docks and other areas to enjoy the pond, sport courts, dog park, multi-use trails and paths, playground, small stage, and fire pits. Staff finds these amenities will enhance and add to recreational opportunities in the community.

Sisters Comprehensive Plan Section 8: Economy

Goal 8

Provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of the City's community.

Policies:

8.1 The City shall maintain and enhance the appearance and function of the Commercial Districts by providing a safe and aesthetically pleasing pedestrian environment, encouraging mixed use development and unique design using the City's Western Frontier Architectural Design Theme.

Staff Finding: The proposed text amendments will remove the TC District specific 1900s Rural Farm/Ranch House Design Theme thereby applying the City's 1880s Western Frontier Architectural Design that is applicable in all commercial districts. Staff finds the proposed text amendments comply with this policy.

...

8.3 The City shall promote pedestrian scale developments in the commercial zones. Auto-oriented developments such as restaurants with drive-up windows will be discouraged, limited or prohibited in the Downtown area; in other areas, they shall be limited and managed to minimize their impacts.

Staff Finding: Auto-oriented developments is not a defined term in the Sisters Development Code or the Merriam-Webster Dictionary. With that said, Staff acknowledges the definitions section of SDC 1.3.300 includes a definition for "Auto-dependent use"⁶ and uses this definition in addressing this policy. Currently, The TC District prohibits "auto-oriented uses and drive-through facilities." The applicant proposes to change the terminology used from "auto-oriented" to "auto-dependent" to match the defined term. Staff notes such a use will continue to be prohibited in the district.

⁶ SCD 1.3.300 "Auto-dependent use – The use services motor vehicles and would not exist without them, such as vehicle repair, gas station, quick lube/service facilities, car wash, auto and truck sales."

The applicant is proposing RV Park as a new use in the TC District, a commercial zone. RVs by design require the use of a vehicle. However, based on the definition of “auto-dependent use,” staff finds RV Park is no such use because the use does not service motor vehicles. Instead, staff finds the relationship of an RV Park to vehicles is similar to that of a hotel in that hotels typically serve the traveling public that arrive by motor vehicle.

Based on this information, staff finds this policy is met.

8.4 The City shall assure development contiguous to commercial and residential zones is designed and built in a manner that is consistent and integrates with the character and quality of those zones, including minimizing potential adverse impacts related to noise, odor, or light from commercial or industrial uses. Building shall be constructed in an attractive and inviting manner, without disrupting operations.

Staff Finding: The definition section of SDC 1.3.300 includes a definition for “Abutting.”⁷ Based on the definition, the TC District is not contiguous to any residential zones and is contiguous to the Downtown Commercial District. In addition, while the North Sisters Business Park District is not by name a commercial zone, staff finds it is commercial in nature and compliance with this policy is applicable.

This policy is directed at the designed and built environment. The applicant is proposing new uses and reduced setbacks. The proposed setbacks are generally consistent with the setback standards of the other commercial districts in the city. In addition, the applicant is proposing to remove the district specific 1900s Rural Farm/Ranch House Design Theme resulting in implementing the City’s 1880s Western Frontier Architectural Design Theme that is applicable in all commercial districts.

In addition to the design standards and the development standards of the district, new development will be subject to the applicable site plan review criteria of SDC 4.2, design standards of SDC Chapter 3, and special use standards of SDC 2.15.

As previously discussed, comments received expressed concern for the impacts created by RV Park use in the district.

Based on this information, staff finds the proposal complies with this policy. With that said, if the Commission finds additional development or design standards are warranted, the Commission may consider additional requirements to address this policy.

...

8.7 The City shall implement development standards such as buffers, setbacks, landscaping, sign regulation and building height restrictions, to minimize the impacts of commercial and industrial uses on adjacent residential areas, including those related to noise, odor, or excessive lighting. Such standards will be applied in light-industrial parks and other transition areas.

Staff Finding: As previously discussed, Staff finds the TC District is not adjacent to residential areas based on the definition of “Abutting” as specified in the Sisters Development Code. Based on this information, staff finds this policy is not applicable to this proposal.

⁷ SDC 1.3.300 “Abutting – Two or more lots or features (such as buildings) joined by a common boundary line or point. It shall include the terms adjacent, adjoining and contiguous.”

- 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property. The applicant must demonstrate that the property and affected area shall be served with adequate public facilities, services and transportation networks to support maximum anticipated levels and densities of use allowed by the District without adversely impacting current levels of service provided to existing users; or applicant's proposal to provide concurrently with the development of the property such facilities, services and transportation networks needed to support maximum anticipated level and density of use allowed by the District without adversely impacting current levels of service provided to existing users.**

RESPONSE: The TC District currently has adequate public facilities, services, and transportation networks to support the proposed uses and is anticipated to continue to provide adequate service with the maximum anticipated levels and uses allowed by the amendments. They are not anticipated to have a significant impact on existing or planned transportation and public facilities for the following reasons.

SEWER:

The city adopted the Wastewater System Capital Facilities Plan in 2016. The plan analyzed the ability to provide necessary sewer service based on development that could occur within the existing zoning districts and forecasted population growth. The sewer system was found to be sized appropriately to accommodate commercial level flows from the property. The proposed text amendments do not include new uses that are anticipated to exceed sewer capacity needs of the uses currently allowed in the TC District. No comments were submitted by Public Works or the City Engineer that expressed concern with serving the new uses proposed. Staff notes actual impacts on the system will be evaluated at the time land use review of future development.

WATER:

The city adopted the Water Capital Facilities Plan Update in 2018. The plan analyzed the ability to serve the community with water based on the existing zoning districts and forecasted population growth. This analysis included the SRTC zoning for the property. While the plan identifies maintenance and capital projects to meet the needs of to accommodate future growth, the plan identified adequate capacity to serve the TC District. No comments were submitted by Public Works or the City Engineer that expressed concern with serving the new uses proposed. Staff notes actual impacts on the system will be evaluated at the time land use review of future development.

TRANSPORTATION:

The City adopted an updated Transportation System Plan (TSP) in 2021. Figure 4-3 from the TSP shows that the subject property has frontage on two collector roads, E. Barclay Drive to the south and Camp Polk Road to the east. Per figure 3-3 from the TSP, Camp Polk Road contains a bicycle lane. Planned improvements to E. Barclay Drive, including bicycle and pedestrian facilities, along with existing street connectively will accommodate multiple modes of transportation and trip distribution.

The transportation impacts resulting from the proposed text amendments are analyzed in the submitted Trip Generation & Transportation Planning Rule Analysis by Melissa Webb, PE with Lancaster Mobley transportation engineers (Application Exhibit F). Based on the trip generation analysis, the proposed new and clarified uses will not generate more trips than can be developed under the current zoning. As previously noted, comments received from the City Transportation Engineer express agreement with the

assessment presented by Lancaster Mobley and the opinion that, as outlined, the types of uses allowed with the amendments are lower in intensity than those already permitted within the zoning.

Comments received expressed concern with traffic impacts associated with RV Park use of the property. However, these comments were anecdotal in nature and did not provide fact-based analysis to rebut the findings of the information provided by the applicant and affirmed by the City Transportation Engineer.

Based on this information, staff finds this policy is met.

4. Compliance with 4.7.600, Transportation Planning Rule (TPR) Compliance

Staff Finding: Compliance with SDC 4.7.600 is addressed below.

CHAPTER 4.7 – LAND USE DISTRICT MAP AND TEXT AMENDMENTS

4.7.100 Purpose

The purpose of this Chapter is to provide standards and procedures for legislative and quasi-judicial amendments to this Code and the Land Use District map. These amendments will be referred to as “map and text amendments.” Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law.

Staff Finding: Staff finds that this provision is advisory.

4.7.200 Legislative Amendments

Legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in Chapter 4.1, Section 600 and shall conform to Section 4.7.600, as applicable.

Staff Finding: The proposal is for legislative changes to the Development Code through a text amendment application. Accordingly, this review is using the Type IV procedure in Chapter 4.1.600 and is required to conform to Section 4.7.600 (as applicable). Discussion regarding Chapter 4.1.600 is reviewed above.

...

4.7.600 Transportation Planning Rule Compliance

- A. When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed by the City to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060. Significant means the proposal would:**
- 1. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal is projected to cause future traffic to exceed the capacity of “collector” street classification, requiring a change in the classification to an “arterial” street, as identified by the Transportation System Plan; or**
 - 2. Change the standards implementing a functional classification system; or**
 - 3. Allow types or levels of land use that would result in levels of travel or access what are inconsistent with the functional classification of a transportation facility; or**
 - 4. The effect of the proposal would reduce the performance standards of a public utility or facility below the minimum acceptable level identified in the Transportation System Plan.**
- B. Amendments to the Comprehensive Plan and land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity,**

and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

1. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or
2. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or,
3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.

Staff Finding: The Trip Generation and Transportation Planning Rule Analysis provided by Melissa Webb, PE with Lancaster Mobley Engineers found that the trip generation potential from the existing zoning district language would produce a much higher volume of trips than the trips produced if the site were developed exclusively with the proposed new uses. Therefore, the analysis concluded the proposal will not “degrade the performance of any planned or existing transportation facility. Accordingly, the TPR is satisfied, and no mitigation is necessary or recommended in conjunction with the proposed text amendment.” Comments received from the City Transportation Engineer express agreement with the assessment presented by Lancaster Mobley and the opinion that, as outlined, the proposed text amendment remains compliant with the Transportation Planning Rule.

As previously noted, comments received expressed concern with traffic impacts associated with RV Park use of the property but did not provide fact-based analysis to rebut the findings of the information provided by the applicant and affirmed by the City Transportation Engineer.

Based on this information, staff finds this criterion is met.

V. ATTACHEMNTS

- **Attachment 1** - Proposed Amendments
- **Attachment 2** - Amendment Summary Matrix

STAFF REPORT - ATTACHMENT 1
Addendum 2 – May 7, 2024

**Chapter 2.12 –
 Sun Ranch Tourist Commercial (TC)**

Sections:

- 2.12.100 Purpose**
- 2.12.200 Applicability**
- 2.12.300 Permitted Uses**
- 2.12.400 Lot Requirements**
- 2.12.500 Height Regulations**
- 2.12.600 Setbacks and Buffering**
- 2.12.700 Lot Coverage**
- 2.12.800 Off-Street Parking**
- 2.12.900 Landscape Area Standards**
- 2.12.1000 Special Standards for Certain Uses**
- ~~**2.12.1100 Design Theme**~~

2.12.100 Purpose

The purpose of the Sun Ranch Tourist Commercial district is to establish landmark lodging, dining, and recreation destinations and gathering places for business travelers, tourists and the residents of the area. The district is for commercial properties in transition areas between residential, light industrial and commercial areas. This district establishes commercial uses to complement adjacent mixed-use light industrial and residential districts. ~~Special design standards apply to create a rural ranch setting separate from, but compatible with, the 1880s Western Frontier Architectural Design Theme.~~ Another purpose of this district is to provide flexibility for expansion of lodging facilities and improve accessory components of the commercial lodging establishment such as meeting facilities, restaurant, bar, neighborhood market, etc.

2.12.200 Applicability

The standards of the Sun Ranch Tourist Commercial district, as provided for in this section, shall apply to those areas designated Sun Ranch Tourist Commercial district on the City's Zoning Map. All structures within the Sun Ranch Tourist Commercial district shall meet the design requirements contained in the Special/Limited Use Standards in this chapter.

2.12.300 Permitted Uses

A. Permitted uses. Uses permitted in the TC District are listed in Table 2.12.300 with a "P." These uses are allowed if they comply with the development standards and other regulations of this Code. Being

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

listed as a permitted use does not mean that the proposed use will be granted an exception or variance to other regulations of this Code.

B. Special Provisions. Uses that are allowed in the TC District subject to special provisions are listed in Table 2.12.300 with an “SP.” These uses are allowed if they comply with the special provisions in Chapter [2.15](#).

C. Conditional uses. Uses that are allowed in the TC District with approval of a conditional use permit are listed in Table 2.12.300 with either a Minor Conditional Use “MCU” or a Conditional Use “CU.” These uses must comply with the criteria and procedures for approval of a conditional use set forth in Chapter [4.4](#) of this Code.

D. Similar uses. Similar use determinations shall be made in conformance with the procedures in Chapter [4.8](#) – Code Interpretations.

Table 2.12.300 Use Table for the Sun Ranch Tourist Commercial District		
Land Use Category	Permitted/Special Provisions/Conditional Uses	Special Use References
Commercial		
Cottages. The types of cottages are: 1. Studio, one, and two bedroom detached cottage units. 2. Studio, one, and two bedroom attached cottage units (max. 3 units per building).	P	See Section 2.12.1000
Lodging facilities.	P	
Office	P	
Restaurant, bar and food services.- Eating and drinking establishments.	P	
Saunas, steam rooms, hot tubs, exercise equipment facilities and other spa-related uses.	P	

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

Table 2.12.300 Use Table for the Sun Ranch Tourist Commercial District

Land Use Category	Permitted/Special Provisions/Conditional Uses	Special Use References
Amusement Uses (e.g. game rooms and other entertainment) oriented uses primarily for enjoyment by guests staying in the cottages or lodging facilities within the Sun Ranch Tourist Commercial district including, but not limited to, bicycle rentals, canoe rentals and movie rentals, etc.	P	
Neighborhood Market	P	See Section 2.12.1000
<u>Retail sales establishment</u>	<u>P</u>	<u>See Section 2.12.1000</u>
Laundry Establishment focusing on providing for needs of guests staying in the cottages or lodging facilities within the Sun Ranch Tourist Commercial district.	P	See Section 2.12.1000
Multi-use trails and paths.	P	
Small chapels, ceremonial pavilions and outdoor seating areas. Such uses designed to accommodate occupancies of 300 persons or more shall require a Conditional Use Review.	P/CU	
Decks, docks and other areas to provide enjoyment of the ponds.	P	
Special events/meeting facility, reception hall or community center. Such uses designed to accommodate occupancies of 300 persons or more shall require a Conditional Use Review.	P/CU	
Cideries, Distilleries, Wineries and Breweries	P	

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

Table 2.12.300 Use Table for the Sun Ranch Tourist Commercial District		
Land Use Category	Permitted/Special Provisions/Conditional Uses	Special Use References
<u>Hostel</u>	<u>P</u>	<u>Accessory use to primary permitted use; 25 guest occupancy limit plus staff, and 14 day stay limit for each 30 day period.</u>
<u>RV Park including caretaker’s quarters</u>	<u>P</u>	<u>See Section 2.12.1000 and subject to Chapter 2.15.1700 of the Sisters Development Code.</u>
Similar uses.	P	
Accessory uses.	P	
Utility service lines.	P	
Prohibited Uses		
Auto- oriented <u>dependent</u> uses and drive-through uses.	P	
Telecommunications equipment, other than telecommunication service lines and cell towers.	P	
Industrial, residential, and public and institutional uses except as allowed in Table 2.12.300	P	

Key: P = Permitted SP = Special Provisions

MCU = Minor Conditional Use Permit CU = Conditional Use Permit

E. Formula Food Establishments. The City of Sisters has developed a unique community character in its commercial districts. The City desires to maintain this unique character and protect the community’s economic vitality by ensuring a diversity of businesses with sufficient opportunities for independent

STAFF REPORT - EXHIBIT A
 Addendum 2 – May 7, 2024

entrepreneurs. To meet these objectives, the City does not permit Formula Food Establishments within this zone.

2.12.400 Lot Requirements

Lot requirements for the Sun Ranch Tourist Commercial district will be determined by the spatial requirements for that use, associated landscape areas, and off-street parking requirements.

2.12.500 Height Regulations

No building or structure shall be hereafter erected, enlarged or structurally altered to exceed a height of 30 feet.

2.12.600 Setbacks and Buffering

All building setbacks within the Sun Ranch Tourist Commercial district shall be measured from the property line to the building wall or foundation, whichever is less.

Decks and/or porches greater than 30" in height that require a building permit are not exempt from setback standards. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards listed below apply to primary structures as well as accessory structures. A Variance is required in accordance with Chapter [5.1](#) to modify any setback standard.

A. Front Yard Setback

New buildings shall be at least ten feet from ~~the front property line except buildings and structures adjacent to Camp Polk Road or Barclay Drive shall have a minimum of a 20 foot setback from~~ the edge of the right of way.

B. Side Yard Setback

There is no minimum side yard setback required except where clear vision standards apply. ~~A 10-foot setback is required for side yards that are adjacent to a street. However, structures adjacent to Camp Polk Road or Barclay Drive shall have a minimum of a 20 foot setback from the edge of the right of way.~~ Buildings shall conform to applicable fire and building codes.

C. Rear Yard Setback

There is no minimum rear yard setback required except where clear vision standards apply. ~~However, structures adjacent to Camp Polk Road or Barclay Drive shall have a minimum of a 20 foot setback from the edge of the right of way.~~ Buildings shall conform to applicable fire and building codes.

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

D. Buffering

Any outside storage area (including trash/recycling receptacles) associated with a use on any site shall be buffered by masonry wall, site obscuring fencing or other measures using materials that are compatible with the color and materials of the primary buildings on site.

2.12.700 Lot Coverage

There is no maximum lot coverage requirement, except that complying with other sections of this code (landscape and pedestrian circulation, parking, etc.) may preclude full lot coverage for some land uses.

2.12.800 Off-Street Parking

The off-street parking requirements for uses in the Sun Ranch Tourist Commercial district may be satisfied by off-site parking lots or garages per Chapter [3.3](#). Parking Location and Shared Parking. Parking requirements for uses are established by Chapter [3.3](#) – Vehicle and Bicycle Parking, of the Sisters Development Code.

2.12.900 Landscape Area Standards

A minimum of 10 percent of the gross site area of proposed developments shall be landscaped according to Chapter [3.2](#) of the Sisters Development Code.

2.12.1000 Special Standards for Certain Uses

A. Neighborhood Market ~~and Laundry Establishment~~

A neighborhood market ~~and self-serve laundry establishment~~ shall:

1. Be focused on meeting the needs of the Sun Ranch Mixed Use Community residents, workers and guests.
2. Such uses shall not operate past 10:00 p.m.
- ~~3. Structures housing such uses shall be setback from Camp Polk Road and Barclay Drive by at least 50 feet.~~
4. ~~Structures housing s~~Such uses shall not exceed 1000 square feet, excluding storerooms.

B. Retail Sales Establishment

1. Such uses shall not exceed 1000 square feet per lot, excluding storerooms.

B. Cottages

~~STAFF REPORT - EXHIBIT A~~
Addendum 2 – May 7, 2024

~~1. A maximum of 30 cottage units are permitted in the Sun Ranch Tourist Commercial Zone.~~

C. RV Parks:

1. The maximum stay in an RV space is 30 days in any 90-day period (does not apply to caretaker's quarters).
2. A maximum of 65% of the gross area of any property in the TC zone shall be developed for an RV Park use.
3. In concert with development of an RV Park, at least two amenities below or similar amenities shall be provided (amenities shall occupy at least 10,000 square feet combined):
 - a. Fishing pond.
 - b. Decks, docks and other areas to enjoy the pond.
 - c. Sport court(s), such as pickleball, bocci ball, basketball, or similar.
 - d. Fenced dog park.
 - e. Multi-use trails and paths.
 - f. Playground.
 - g. Small stage.
 - h. Fire pits.

D. For purposes of the Sun Ranch Tourist Commercial zone, Lodging Facilities means any building, structure, or improvement used to provide sleeping accommodations to the public for charge. For the purposes of this definition, improvement includes, but is not limited to, permanently installed recreational vehicles, park model recreational vehicles, cabins, and similar.

~~2.12.1100 Design Theme~~

~~A. All structures proposed within the Sun Ranch Tourist Commercial district shall be consistent with the early 1900's Rural Farm/Ranch House design standards outlined below. Figures 2.12.1100 A and B provide illustrations of examples of architectural styles that are consistent with the theme.~~

- ~~1. Era. Rural farm and ranches of the early 1900s.~~
- ~~2. Architecture. Buildings shall be designed to emulate rural farm and ranch outbuildings of the era. Such buildings typically have simple gable and shed roof forms, small pane wood windows and wooden doors.~~

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

3. ~~Exterior Materials.~~ Rough sawn boards and/or board and batten walls, rough stone and brick. Dimensional composition shingle roofs.

4. ~~Roof Pitches.~~ A majority of 8:12 pitched main roof forms, with 6:12 and 4:12 sheds.

Figure 2.12.1100-A

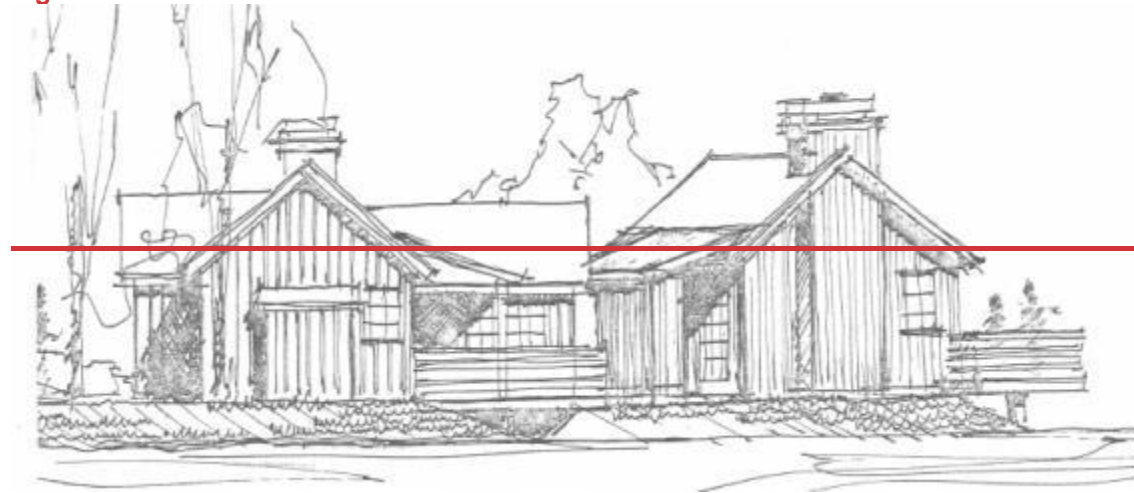


Figure 2.12.1100-B



Staff Report - Attachment 2
 STAFF REPORT ATTACHMENT 1
 Amendment Summary Matrix

Code Section	Proposed Amendment	Applicant Explanation for Amendment	Staff Comment
2.12.200 Applicability	Removed the "Applicability" section.	The applicability section is not needed to define where the standards of the Sun Ranch Tourist Commercial district apply. Chapter 2.1 Land Use District Administration of the Sisters Development Code explains how regulations apply within the various zoning districts. This was done for consistency with the remainder of the Sisters Development Code. As a result, the numbering protocol for the remaining sections has changed (ie, 2.1.200 is proposed to be the section for "Uses.")	Staff finds this amendment is NOT SUBSTANTIVE . Most other zone districts do not include an applicability section. Staff concurs with the statement by the applicant's explanation of the amendment and emphasizes the point that most zone district chapters do not include an applicability section based on applicability criteria in SDC 2.1. Staff further highlights that removal of this section triggers necessary changes to the numbering protocol of remaining sections.
2.12.300 Permitted Uses	Change Section from 2.12.300 to 2.12.200 and the use table is retitled to Table 2.12.1.	This section is now 2.12.200 versus 2.12.300 due to deletion of the Applicability section. The word "Permitted" was removed from the title for consistency with the rest of Sisters Development Code. The use-table was retitled as 2.12.1 as it is the first table in this section of the zoning district and was changed to contain the correct reference.	Staff finds this amendment is NOT SUBSTANTIVE . This formatting provides consistency with the formatting of the majority of the SDC.
Table 2.12.300 (New Table 2.12.1)	Deleted "Cottage" as permitted use.	Removed the "Cottages" use. When the SRTC was initially proposed, the cottages were meant to be units of overnight accommodation. The City now has a specific definition for cottages that refers to small houses used as accessory dwelling units or in master planned cottage developments. The Hotel & Lodging Establishments use is proposed to allow various types of structures to be used for overnight accommodations - including cottage structures or others as explained below.	Staff finds this amendment is SUBSTANTIVE . Overnight accommodation in the TC District are currently limited to cottages as specified. Staff concurs with the applicant that this use would be accommodated under the "hotel" and "Lodging Establishment" uses proposed and thereby making "cottages" as a permitted use unnecessary.
	Add "Hotel & Lodging Establishments" as permitted use.	The Lodging Facilities use is not defined in the Sisters Development Code. The applicant proposes the "Hotel & Lodging Establishments" term to provide for the broad range of lodging options that the "Lodging Facilities" term sought to cover including things like traditional hotel structures, cabins, "glamping" type facilities and other types of lodging.	Staff finds the addition of this use category is SUBSTANTIVE . The inclusion expands the allowed overnight accommodation uses beyond the current "cottage" use. "Hotel" and "Lodging Establishment" were previously discussed in detail. Staff notes the terms "cabin" and "glamping" are not defined in the SDC.
	Remove "Office" as permitted use.	The proposed code language deletes the "Office" use as it was initially envisioned to be an accessory use to a lodging establishment or other permitted use. Offices in conjunction with permitted uses will still be permitted as an "Accessory Use." The zone was never intended to permit stand-alone office buildings. In keeping with the inter-related nature of the Sun Ranch area, office buildings and similar would be in the Sun Ranch Business Park [North Sisters Business Park].	Staff finds the removal of "office" as permitted use is SUBSTANTIVE . An office building is currently permitted but would not be as proposed but is not substantive in the resulting development potential. The outcome of allowing office as accessory use is consistent with how such accessory uses are accommodated in other zone districts in the SDC.
	Add "Hostel" as permitted use.	Hostel use is proposed as it is consistent with the purpose statement and was considered to be covered by the Lodging Facilities use. However, "Hostel" is a defined use in the Sisters Development Code and is therefore added as a separate use.	Staff finds the addition of this use category is SUBSTANTIVE . The inclusion expands the allowed overnight accommodation uses beyond the current "cottage" use. Staff notes the terms "cabin" and "glamping" are not defined in the SDC.
	"Change Restaurant, bar and food services" to "Eating and Drinking Establishments."	The new language is proposed to provide language that is consistent with other sections of the Sisters Development Code. The City has interpreted the "Eating and Drinking Establishments" term to include a wide array of food service and drinking establishments including food carts, food cart lots, and more traditional "brick and mortar" food and	Staff finds this amendment is NOT SUBSTANTIVE . It simply provides consistency with the formatting of the majority of the SDC.

Staff Report - Attachment 2
 STAFF REPORT ATTACHMENT 1
 Amendment Summary Matrix

Code Section	Proposed Amendment	Applicant Explanation for Amendment	Staff Comment
		beverage establishments.	
	Remove "Saunas, steam rooms, hot tubs, exercise equipment facilities and other spa-related uses" as a permitted use.	The proposed updated code deletes the use listed and is replaced by "Accessory Use." The uses listed are accessory to and customary for Hotel & Lodging Establishments.	Staff finds this amendment is NOT SUBSTANTIVE . It is consistent with how such accessory uses are accommodated in other zone districts.
	Replace "Amusement Use" with "Retail sales establishment limited to 1000 square feet."	The Amusement Uses was intended to allow for facilities that would appeal to guests of the property - bike rentals, etc. Most amusement uses envisioned for the SRTC are Accessory Uses - like fire pits or seating areas. The retail sales establishment use was proposed to permit a smaller retail use that would appeal to visitors and would allow for rental and sales of recreational or other items.	Staff finds this amendment is SUBSTANTIVE . "Amusement Use" is a defined term in the SDC ¹ that encompasses a variety uses. This amendment will instead allow small scale retail uses.
	Remove special use standards for Neighborhood Market use	The change proposed is to delete the reference to section 2.12.1000 which contained specific regulations for such uses such as hours of operation and special setbacks. The proposed language deletes that section of the code and ties the use back to its definition in Section 1.3 of the Sisters Development Code.	Staff finds this amendment is SUBSTANTIVE . This amendment changes how "Neighborhood Markets ² " are permitted to operate in the TC District. Removing the special use standards of SDC 2.12.1000 will result in no restriction of the hours of operation or the 1,000 square feet maximum, thereby providing the potential for market that is a maximum of 6,000 square feet.
	Remove "Laundry Establishment..."	The initial proposed use is a usual and customary accessory use associated with Hotel and Lodging Establishments, Hostels, and RV Parks.	Staff finds this amendment is NOT SUBSTANTIVE . It is consistent with how such accessory uses are accommodated in other zone districts in the SDC.
	Remove "Multi-use trails and paths."	Trails, paths, and walkways are customary and accessory to Hotel & Lodging Establishments, Hostels, RV Parks and commercial zones in general.	Staff finds this amendment is NOT SUBSTANTIVE . It is consistent with how such accessory uses are accommodated in other zone districts in the SDC.
	Remove "Small chapels, ceremonial pavilions and outdoor seating areas..."	The applicant is not seeking to permit a chapel onsite (or other houses of worship). Other uses listed as ceremonial pavilions or outdoor seating areas are accessory and customary uses associated with Hotel & Lodging Establishments, Eating and Drinking Establishments and other permissible uses on site.	Staff finds this amendment is NOT SUBSTANTIVE . It is consistent with how such accessory uses are accommodated in other zone districts in the SDC. With that said, the recommendation may consider such a use is viable as a standalone primary use and not only as an accessory use.
	Remove "Decks, docks..."	The existing language was focused on minor, recreational use of the ponds onsite. The property possesses certificated water rights. These uses are accessory uses customary to properties that contain water features.	Staff finds this amendment is NOT SUBSTANTIVE . It is consistent with how such accessory uses are accommodated in other zone districts in the SDC.
	Replace "Special events/meeting facility, reception hall or community center" as a Conditional Use with "Community Centers and similar uses" as a Permitted Use.	The proposed language uses the same language that is used in other portions of and is defined within the Sisters Development Code. The Conditional Use review is proposed to be removed as community centers are not required to be reviewed through a conditional use process in other commercial districts.	Staff finds this amendment is SUBSTANTIVE only in changing the use from Conditional Use to Permitted use. Staff recognizes the applicant is correct in noting that Community Centers are allowed as a permitted use, not conditional, in the Public Facility and Institutional, Downtown Commercial, and Highway Commercial Districts. In contrast, Community Center is a conditional use in the Residential and Multi-Family Residential Districts. Staff finds the current reference to "Special events/meeting facility" and "reception hall" is not needed as such uses are included in the

¹ SDC 1.3.300 defines "Amusement use – A building or site that provides a means of entertainment that is not otherwise defined (arcade, bowling alley, billiard parlor, etc)."

² SDC 1.3.300 defines "Neighborhood Market – A small grocery store, 6,000 square feet or smaller."

Staff Report - Attachment 2
 STAFF REPORT ATTACHMENT 1
 Amendment Summary Matrix

Code Section	Proposed Amendment	Applicant Explanation for Amendment	Staff Comment
			more general "community center and similar uses" use category.
	Add "RV Park, including caretaker's residence" as permitted use and reference to special use standards for RV Parks in SDC 2.15.1700.	An RV Park would offer a more affordable form of overnight accommodations that cater to that growing segment of the tourism market and has the potential for providing a year-facility.	Staff finds the addition of this use category is SUBSTANTIVE . SDC 2.15.1700 includes standards specific to RV Parks. Staff suggests consideration of additional special use standards to address length of stay, provided amenities, and the intensity and scale of such a use if there is concern with compatibility and off-site visual, noise, light, or other impacts of such a use in the TC District.
	Add "Park" as permitted use.	"Park" use is proposed as a permissible use which allows the property owner to consider development of a dog park area or pickleball court both of which are popular activities.	Staff finds the addition of this use category is SUBSTANTIVE . " Park" is a defined term in the SDC ³ . As indicated in the definition, a park can include a variety of amenities of increasing intensity and scale. Staff suggests consideration of special use standards if there is concern with the potential intensity and scale of such a use in the TC District.
	Add reference to SDC 4.8 that is applicable to similar use code interpretation review process.	The applicant did not provide specific explanation for removing the requirements of this section.	Staff finds this amendment is NOT SUBSTANTIVE . The change provides reference to the code interpretation section that is applicable such similar use rulings.
	Remove "Utility service lines" as permitted use.	The term was deleted as utility service lines for infrastructure and dry utility services are customary and appurtenant with development of property. There is no reason to call this out as a permissible use nor would it be appropriate to list building foundations or framing as permissible uses.	Staff finds this amendment is NOT SUBSTANTIVE . Staff concurs with the applicant's conclusion that such utility service lines are part of development of a property and, thereby, not a standalone use.
	Reformat and replace "Auto-oriented uses and drive-through uses with "auto-dependent uses and drive-through facilities."	The Prohibited Uses section of Table 2.12.1 was updated to be consistent with the Use table in the Downtown Commercial District. The existing SRTC zone prohibits "Auto-oriented uses and drive-through uses." Those terms are not defined. The Prohibited Uses section of table 2.12.1 now contains "auto-dependent uses and drive-through uses" both of which are defined in the Sisters Development Code.	Staff finds this amendment is NOT SUBSTANTIVE . It provides consistency with the formatting of the majority of the SDC and use of the defied "auto-dependent use". "Auto-oriented use" is not a defined term.
	Removed "Telecommunication equipment..." and Industrial, residential, and public and institutional uses..." as prohibited use.	If the use isn't contained in the permissible uses section of Table 2.12.1 it isn't permissible.	Staff finds this amendment is NOT SUBSTANTIVE . This opinion is based on the fundamental code construct that if the use is not identified as a permissible use in a zone and is allowed in a different zone then the use, by default, is not permitted in the TC District.
2.1.400 Lot Requirements (New Table 2.12.2)	Change Section from 2.12.400 to 2.12.300, replaced "Lot Requirements" with "Development Standards," reworded introductory statement, as reformatted development standards of sections 2.7.500-900 into new Table 2.12.2.	The language was edited to be more concise. The regulations contained in sections 2.12.400 through 2.12.900 are now contained in proposed table 2.12.2.	Staff finds this amendment is NOT SUBSTANTIVE . It provides consistency with the formatting of the majority of the SDC.

³ SDC 1.3.300 defines "Park – Public or privately owned land set apart and devoted to the purposes of pleasure, recreation, ornament, light and air for the general public. Parks may include picnic areas, playgrounds, indoor recreation facilities, athletic fields, courts, amphitheatres and open space."

Staff Report - Attachment 2
 STAFF REPORT ATTACHMENT 1
 Amendment Summary Matrix

Code Section	Proposed Amendment	Applicant Explanation for Amendment	Staff Comment
2.1.500 Height Regulations (New Table 2.12.2)	Added to new Table 2.12.2. No change to requirement.	The language was edited to be more concise. The Runway Protection Zone regulations are now referenced as such in the Comments/Other Requirements column: "Compliance with the requirements of the Runway Protection Zone is required (See section 2.11)." The regulations contained in sections 2.12.400 through 2.12.900 are now contained in table 2.12.2.	Staff finds this amendment is NOT SUBSTANTIVE . It provides consistency with the formatting of the majority of the SDC.
2.1.600 Setbacks and Buffering (New Table 2.12.2)	Added to new Table 2.12.2. See also the proposed Table 2.12.2 for the various setback and buffering standards.	This language is proposed to be deleted for various reasons. Setbacks are defined in the Sisters Development Code which includes direction on how they are measured. The building code contains regulations about what portions of structures are subject to setbacks. There is no need to reference the variance process here or elsewhere in the Sun Ranch Tourist Commercial district. The regulations contained in sections 2.12.400 through 2.12.900 are now contained in table 2.12.2.	Staff finds the addition of this use category is SUBSTANTIVE . While the proposed standards are consistent with similar standards on the Downtown Commercial and Highway Commercial District, the proposed amendment removes the increased setback requirements currently applicable in the TC District. Staff suggests determination of if these increased setback standards are warranted in the TC District and, therefore, be retained.
2.12.700 Lot Coverage (New Table 2.12.2)	Added to new Table 2.12.2. No change to requirement.	Simplified the language without losing the intent. The regulations contained in sections 2.12.400 through 2.12.900 are now contained in table 2.12.2	Staff finds this amendment is NOT SUBSTANTIVE . It provides consistency with the formatting of the majority of the SDC.
2.12.800 Off Street Parking (New Table 2.12.2)	Added to new Table 2.12.2. No change to requirement.	The language was edited to be more concise. The regulations contained in sections 2.12.400 through 2.12.900 are now contained in table 2.12.2.	Staff finds this amendment is NOT SUBSTANTIVE . It provides consistency with the formatting of the majority of the SDC.
2.12.900 Landscape Standards (New Table 2.12.2)	Added to new Table 2.12.2. No change to requirement.	The regulations contained in sections 2.12.400 through 2.12.900 are now contained in table 2.12.2.	Staff finds this amendment is NOT SUBSTANTIVE . It provides consistency with the formatting of the majority of the SDC.
2.12.1000 Special Standards for Certain Uses	Remove special standards applicable to Neighborhood Markets, Laundry Establishments, and Cottages.	The applicant did not provide specific explanation for removing the requirements of this section.	Staff finds this amendment is SUBSTANTIVE . Removal of this section eliminates the 1,000 square-foot size limit, hours of operation for a neighborhood market, and 50-foot setback from Camp Polk Road and Barclay Drive. Instead, the maximum 6,000 square-foot size for all neighborhood markets would apply.
2.12.1100 Design Theme	Remove 1900s Rural Farm/Ranch House Design Theme.	The applicant did not provide specific explanation for removing the requirements of this section but noted the intent is to instead implement the 1880s Western Design Theme for commercial structures on the property.	Staff finds this amendment is SUBSTANTIVE . The existing 1900s Rural Farm/Ranch House Design Theme is only applicable to the TC District. If removed, the Western Frontier Architectural Design Theme of SDC 2.15.2600 will be applicable to all new, reconstructed, or remodeled uses in the TC district. This is consistent with all other commercial districts. Staff notes that if this amendment is approved a corresponding amendment to SDC 2.15.2600(B) is required to remove reference to the exception for the TC District.

Matt Martin

From: Tom Ries
Sent: Sunday, May 26, 2024 10:00 AM
To: Matt Martin
Subject: Letter of decent (code changes to TC zone)

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Matt Martin

I did not vote in favor of the code changes submitted by the applicant for the Tourist Commercial sunranch business park zone.

The propose changes to the code were far too reaching and did not reflect the city of Sisters vision for the zone.

The applicant made many references to the terms "high end" and "boutique" RV park, of which, there are no offical definitions. The original code for this TC zone was written approximately 20 years ago and seems very accurate and up to date for this property.

During my research I found that the RV industry places High End Boutique RV parks in the RV Resort category. These establishments have many RV ammenities and larger RV sites with anywhere up to and including 2,000 square foot sites per vehicle. There is no standard RV sites designated in this new code. The conceptual drawings submitted to the Nugget by the owner

Convey the concept of mixed use ie: RV, Sprinter Van Area, permanent Airstreams for rent and platform tent glamping. These are not High End Boutique experiences, but would be found in campgrounds.

The other codes changes regarding reducing and removing set backs along Camp Polk and Barclay will restrict screening and buffering on the roadways, both for patrons and for neighbors and drivers.

The added Retail Store (1,000 ft) component coupled with existing code permitted Neighborhood Market (1,000ft) has the potential for a 2,000 square foot building/store that has the potential to morph into a larger store /eating&drinking/ distillery/retail store.

Sister could probably use a nice big RV park for travelers and visitors to our city, but I don't believe this is an appropriate location nor has the appropriate acreage for such a project.

It's interesting that during this application process the property has still been on the market and if the applicant was sincerely interested in building an RV Park on this property, they simply could have removed "Lodging Establishments" from the code and substituted the term RV Parks, as a use.

Sincerely Planning Commissioner Tom Ries

STAFF REPORT - ATTACHMENT 3
Addendum 2 – May 7, 2024

**Chapter 2.12 –
 Sun Ranch Tourist Commercial (TC)**

Sections:

- 2.12.100 Purpose**
- 2.12.200 Applicability**
- 2.12.300 Permitted Uses**
- 2.12.400 Lot Requirements**
- 2.12.500 Height Regulations**
- 2.12.600 Setbacks and Buffering**
- 2.12.700 Lot Coverage**
- 2.12.800 Off-Street Parking**
- 2.12.900 Landscape Area Standards**
- 2.12.1000 Special Standards for Certain Uses**
- ~~**2.12.1100 Design Theme**~~

2.12.100 Purpose

The purpose of the Sun Ranch Tourist Commercial district is to establish landmark lodging, dining, and recreation destinations and gathering places for business travelers, tourists and the residents of the area. The district is for commercial properties in transition areas between residential, light industrial and commercial areas. This district establishes commercial uses to complement adjacent mixed-use light industrial and residential districts. ~~Special design standards apply to create a rural ranch setting separate from, but compatible with, the 1880s Western Frontier Architectural Design Theme.~~ Another purpose of this district is to provide flexibility for expansion of lodging facilities and improve accessory components of the commercial lodging establishment such as meeting facilities, restaurant, bar, neighborhood market, etc.

2.12.200 Applicability

The standards of the Sun Ranch Tourist Commercial district, as provided for in this section, shall apply to those areas designated Sun Ranch Tourist Commercial district on the City's Zoning Map. All structures within the Sun Ranch Tourist Commercial district shall meet the design requirements contained in the Special/Limited Use Standards in this chapter.

2.12.300 Permitted Uses

A. Permitted uses. Uses permitted in the TC District are listed in Table 2.12.300 with a "P." These uses are allowed if they comply with the development standards and other regulations of this Code. Being

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

listed as a permitted use does not mean that the proposed use will be granted an exception or variance to other regulations of this Code.

B. Special Provisions. Uses that are allowed in the TC District subject to special provisions are listed in Table 2.12.300 with an “SP.” These uses are allowed if they comply with the special provisions in Chapter [2.15](#).

C. Conditional uses. Uses that are allowed in the TC District with approval of a conditional use permit are listed in Table 2.12.300 with either a Minor Conditional Use “MCU” or a Conditional Use “CU.” These uses must comply with the criteria and procedures for approval of a conditional use set forth in Chapter [4.4](#) of this Code.

D. Similar uses. Similar use determinations shall be made in conformance with the procedures in Chapter [4.8](#) – Code Interpretations.

Table 2.12.300 Use Table for the Sun Ranch Tourist Commercial District		
Land Use Category	Permitted/Special Provisions/Conditional Uses	Special Use References
Commercial		
Cottages. The types of cottages are: 1. Studio, one, and two bedroom detached cottage units. 2. Studio, one, and two bedroom attached cottage units (max. 3 units per building).	P	See Section 2.12.1000
Lodging facilities.	P	
Office	P	
Restaurant, bar and food services.- Eating and drinking establishments.	P	
Saunas, steam rooms, hot tubs, exercise equipment facilities and other spa-related uses.	P	

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

Table 2.12.300 Use Table for the Sun Ranch Tourist Commercial District		
Land Use Category	Permitted/Special Provisions/Conditional Uses	Special Use References
Amusement Uses (e.g. game rooms and other entertainment) oriented uses primarily for enjoyment by guests staying in the cottages or lodging facilities within the Sun Ranch Tourist Commercial district including, but not limited to, bicycle rentals, canoe rentals and movie rentals, etc.	P	
Neighborhood Market	P	See Section 2.12.1000
<u>Retail sales establishment</u>	<u>P</u>	<u>See Section 2.12.1000</u>
Laundry Establishment focusing on providing for needs of guests staying in the cottages or lodging facilities within the Sun Ranch Tourist Commercial district.	P	See Section 2.12.1000
Multi-use trails and paths.	P	
Small chapels, ceremonial pavilions and outdoor seating areas. Such uses designed to accommodate occupancies of 300 persons or more shall require a Conditional Use Review.	P/CU	
Decks, docks and other areas to provide enjoyment of the ponds.	P	
Special events/meeting facility, reception hall or community center. Such uses designed to accommodate occupancies of 300 persons or more shall require a Conditional Use Review.	P/CU	
Cideries, Distilleries, Wineries and Breweries	P	

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

Table 2.12.300 Use Table for the Sun Ranch Tourist Commercial District		
Land Use Category	Permitted/Special Provisions/Conditional Uses	Special Use References
<u>Hostel</u>	<u>P</u>	<u>Accessory use to primary permitted use; 25 guest occupancy limit plus staff, and 14 day stay limit for each 30 day period.</u>
<u>RV Park including caretaker’s quarters</u>	<u>P</u>	<u>See Section 2.12.1000 and subject to Chapter 2.15.1700 of the Sisters Development Code.</u>
Similar uses.	P	
Accessory uses.	P	
Utility service lines.	P	
Prohibited Uses		
Auto- oriented <u>dependent</u> uses and drive-through uses.	P	
Telecommunications equipment, other than telecommunication service lines and cell towers.	P	
Industrial, residential, and public and institutional uses except as allowed in Table 2.12.300	P	

Key: P = Permitted SP = Special Provisions

MCU = Minor Conditional Use Permit CU = Conditional Use Permit

E. Formula Food Establishments. The City of Sisters has developed a unique community character in its commercial districts. The City desires to maintain this unique character and protect the community’s economic vitality by ensuring a diversity of businesses with sufficient opportunities for independent

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

entrepreneurs. To meet these objectives, the City does not permit Formula Food Establishments within this zone.

2.12.400 Lot Requirements

Lot requirements for the Sun Ranch Tourist Commercial district will be determined by the spatial requirements for that use, associated landscape areas, and off-street parking requirements.

2.12.500 Height Regulations

No building or structure shall be hereafter erected, enlarged or structurally altered to exceed a height of 30 feet.

2.12.600 Setbacks and Buffering

All building setbacks within the Sun Ranch Tourist Commercial district shall be measured from the property line to the building wall or foundation, whichever is less.

Decks and/or porches greater than 30" in height that require a building permit are not exempt from setback standards. Setbacks for decks and porches are measured from the edge of the deck or porch to the property line. The setback standards listed below apply to primary structures as well as accessory structures. A Variance is required in accordance with Chapter [5.1](#) to modify any setback standard.

A. Front Yard Setback

New buildings shall be at least ten feet from ~~the front property line except buildings and structures adjacent to Camp Polk Road or Barclay Drive shall have a minimum of a 20 foot setback from~~ the edge of the right of way.

B. Side Yard Setback

There is no minimum side yard setback required except where clear vision standards apply. ~~A 10-foot setback is required for side yards that are adjacent to a street. However, structures adjacent to Camp Polk Road or Barclay Drive shall have a minimum of a 20 foot setback from the edge of the right of way.~~ Buildings shall conform to applicable fire and building codes.

C. Rear Yard Setback

There is no minimum rear yard setback required except where clear vision standards apply. ~~However, structures adjacent to Camp Polk Road or Barclay Drive shall have a minimum of a 20 foot setback from the edge of the right of way.~~ Buildings shall conform to applicable fire and building codes.

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

D. Buffering

Any outside storage area (including trash/recycling receptacles) associated with a use on any site shall be buffered by masonry wall, site obscuring fencing or other measures using materials that are compatible with the color and materials of the primary buildings on site.

2.12.700 Lot Coverage

There is no maximum lot coverage requirement, except that complying with other sections of this code (landscape and pedestrian circulation, parking, etc.) may preclude full lot coverage for some land uses.

2.12.800 Off-Street Parking

The off-street parking requirements for uses in the Sun Ranch Tourist Commercial district may be satisfied by off-site parking lots or garages per Chapter [3.3](#). Parking Location and Shared Parking. Parking requirements for uses are established by Chapter [3.3](#) – Vehicle and Bicycle Parking, of the Sisters Development Code.

2.12.900 Landscape Area Standards

A minimum of 10 percent of the gross site area of proposed developments shall be landscaped according to Chapter [3.2](#) of the Sisters Development Code.

2.12.1000 Special Standards for Certain Uses

A. Neighborhood Market and Laundry Establishment

A neighborhood market ~~and self-serve laundry establishment~~ shall:

1. Be focused on meeting the needs of the Sun Ranch Mixed Use Community residents, workers and guests.

2. Such uses shall not operate past 10:00 p.m.

~~3. Structures housing such uses shall be setback from Camp Polk Road and Barclay Drive by at least 50 feet.~~

4. ~~Structures housing s~~Such uses shall not exceed 1000 square feet, excluding storerooms.

B. Retail Sales Establishment

1. Such uses shall not exceed 1000 square feet per lot, excluding storerooms.

~~B. Cottages~~

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

~~1. A maximum of 30 cottage units are permitted in the Sun Ranch Tourist Commercial Zone.~~

C. RV Parks:

1. The maximum stay in an RV space is 30 days in any 90-day period (does not apply to caretaker's quarters).
2. A maximum of 65% of the gross area of any property in the TC zone shall be developed for an RV Park use.
3. In concert with development of an RV Park, at least two amenities below or similar amenities shall be provided (amenities shall occupy at least 10,000 square feet combined):
 - a. Fishing pond.
 - b. Decks, docks and other areas to enjoy the pond.
 - c. Sport court(s), such as pickleball, bocci ball, basketball, or similar.
 - d. Fenced dog park.
 - e. Multi-use trails and paths.
 - f. Playground.
 - g. Small stage.
 - h. Fire pits.

D. For purposes of the Sun Ranch Tourist Commercial zone, Lodging Facilities means any building, structure, or improvement used to provide sleeping accommodations to the public for charge. For the purposes of this definition, improvement includes, but is not limited to, permanently installed recreational vehicles, park model recreational vehicles, cabins, and similar.

~~2.12.1100 Design Theme~~

~~A. All structures proposed within the Sun Ranch Tourist Commercial district shall be consistent with the early 1900's Rural Farm/Ranch House design standards outlined below. Figures 2.12.1100 A and B provide illustrations of examples of architectural styles that are consistent with the theme.~~

~~1. Era. Rural farm and ranches of the early 1900s.~~

~~2. Architecture. Buildings shall be designed to emulate rural farm and ranch outbuildings of the era. Such buildings typically have simple gable and shed roof forms, small pane wood windows and wooden doors.~~

STAFF REPORT - EXHIBIT A
Addendum 2 – May 7, 2024

3. ~~Exterior Materials.~~ Rough sawn boards and/or board and batten walls, rough stone and brick. Dimensional composition shingle roofs.

4. ~~Roof Pitches.~~ A majority of 8:12 pitched main roof forms, with 6:12 and 4:12 sheds.

Figure 2.12.1100-A



Figure 2.12.1100-B



STAFF REPORT – ATTACHMENT 4
Amendment Summary Matrix

Code Section	Proposed Amendment	Explanation for Amendment	Staff Comment
<p>2.12.100 Purpose</p>	<p>Remove reference to “Special design standards apply to create a rural ranch setting separate from, but compatible with, the 1880s Western Frontier Architectural Design Theme.”</p>	<p>The reference to the early 1900s Rural Farm/Ranch House special design standards is removed as the applicant is seeking to revert back to the 1880s Western Design Theme for any built structures.</p>	<p>Staff finds the changes to the purpose statement are SUBSTANTIVE. The amendment is warranted to reflect the removal of Section 2.12.1100, the 1900’s Rural Farm/Ranch House design theme standards. As a commercial district, the Western Frontier Architectural Design Theme standards of Section 2.15.2600 will be applicable to all development in TC District.</p>
<p>Table 2.12.300 Use Table for the Sun Ranch Tourist Commercial District</p>	<p>Cottages Remove “Cottages” as permitted use.</p>	<p>When the district was initially proposed, the cottages were meant to be units of overnight accommodation. The City now has a specific definition for cottages that refers to small houses used as accessory dwelling units or in master planned cottage developments.</p>	<p>Staff finds this amendment is SUBSTANTIVE. As discussed below, the applicant proposes a definition for the existing “Lodging Facilities” use that is currently undefined. The definition encompasses a variety of overnight accommodations thereby making “cottages” as a permitted use unnecessary.</p>
<p>Lodging Facilities Add reference to Section 2.12.1000, Special Use Standards for Certain Uses.</p>	<p>A definition of “Lodging Facilities” is proposed to be added to Section 2.12.1000, Special Standards for Certain Uses. This provides reference to the definition.</p>	<p>Staff finds this amendment is NOT SUBSTANTIVE. This only provides reference to other applicable sections.</p>	
<p>Restaurant, bar and food services “Change Restaurant, bar and food services” to “Eating and Drinking Establishments.”</p>	<p>The new language is proposed to provide language that is consistent with other sections of the Sisters Development Code. The City has interpreted the "Eating and Drinking Establishments" term to include a wide array of food service and drinking establishments including food carts, food cart lots, and more traditional "brick and mortar" food and beverage establishments.</p>	<p>Staff finds this amendment is NOT SUBSTANTIVE. This change provides consistency with the formatting of the use description used throughout the development code.</p>	
<p>Retail sales establishment Add “Retail sales establishment” as a permitted use. Add reference to Section 2.12.1000, special use standards for certain uses, that include size limits for this use.</p>	<p>The retail sales establishment use was proposed to permit a retail use, limited to 1,000 square feet per lot, that would appeal to visitors and would allow for rental and sales of recreational or other items.</p>	<p>Staff finds the addition of this use category is SUBSTANTIVE. This additional use will complement other uses within the district. The size limit will prevent a larger retail development that is out of character and intent of the TC District.</p>	
<p>Laundry Establishment... Remove “Laundry Establishment...” as a permitted use.</p>	<p>The use is a usual and customary accessory use associated with Lodging Facilities, Hostels, and RV Parks.</p>	<p>Staff finds this amendment is NOT SUBSTANTIVE. This is consistent with how such accessory uses are accommodated in other zone districts in the city.</p>	
<p>Multi-use trails and paths. Remove “Multi-use trails and paths” as a permitted use.</p>	<p>Trails, paths, and walkways are customary and accessory to uses and not a standalone permitted use.</p>	<p>Staff finds this amendment is NOT SUBSTANTIVE. This is consistent with how such accessory uses are accommodated in other zone districts in the city.</p>	
<p>Decks, docks...” Remove “Decks, docks...” as a permitted use.</p>	<p>These uses are accessory uses customary to properties that contain water features.</p>	<p>Staff finds this amendment is NOT SUBSTANTIVE. This is consistent with how such accessory uses are accommodated in other zone districts in the city.</p>	
<p>Hostel Add “Hostel” as permitted use. Add special use reference that specifies the accessory use to the primary permitted use, limits occupancy to 25 guest occupancy plus staff, and establishes 14 day stay limit for each 30-day period.</p>	<p>Hostel use is proposed as it is consistent with the purpose statement of the TC District and would be covered by the Lodging Facilities use. However, "Hostel" is a defined use in the Sisters Development Code and is therefore added as a separate use.</p>	<p>Staff finds the addition of this use category is SUBSTANTIVE. The inclusion expands the allowed overnight accommodation uses and is consistent with the intent of the TC District. Hostels are permitted in the Highway and Downtown Commercial Districts including the special use reference that is being added.</p>	

STAFF REPORT – ATTACHMENT 4
Amendment Summary Matrix

Code Section	Proposed Amendment	Explanation for Amendment	Staff Comment
	<p>RV Park, including caretaker’s quarters Add “RV Park, including caretaker’s quarters” as permitted use. Add reference to Section 2.12.1000, special standards for RV Parks in the TC District Add reference to Section 2.15.1700, special use standards for all RV Parks in the city.</p>	<p>According to the applicant, an RV Park would offer a more affordable form of overnight accommodations that cater to that growing segment of the tourism market and has the potential for providing a year-facility. Special use standards for RV Parks in the TC District are proposed that are in addition to the standards that are applicable to all RV Parks in the city.</p>	<p>Staff finds the addition of this use category is SUBSTANTIVE. SDC 2.15.1700 includes standards specific to RV Parks. The additional special use standards specific to the TC District ensure the size of the RV parking area is limited and amenities are provided in conjunction with the use. The inclusion of “caretaker’s quarters” allows for flexibility in how caretakers housing is provided, including a dwelling unit or use of an RV.</p>
<p>Table 2.12.300 Prohibited Uses</p>	<p>Auto-oriented uses and drive-through uses Replace “Auto-oriented uses” with “auto-dependent uses.”</p>	<p>The term “auto-oriented uses” is not defined in the Sisters Development Code. However, a similar term “auto-dependent use” is defined in the Sisters Development Code. The proposal incorporates this defined term.</p>	<p>Staff finds this amendment is NOT SUBSTANTIVE. Provides consistency with the formatting of the majority of the development code and use of the defined “auto-dependent use”. Ordinance 533 adopted staff-initiated text amendments (file no. TA 23-01) that included the change to “auto-dependent use” to several other sections of the development code. This proposed change would have been included if it had been identified at that time.</p>
<p>2.12.600 Setbacks and Buffering</p>	<p>A. Front Yard Setback. Remove 20-foot setback from Camp Polk Road or Barclay Drive.</p>	<p>The additional setback of 20-foot from Camp Polk Road or Barclay Drive are proposed to be removed and replaced with a minimum 10-foot setback, consistent with the Highway and Downtown Commercial Districts.</p>	<p>Staff finds the addition of this use category is SUBSTANTIVE. While the proposed standards are consistent with similar standards on the Downtown Commercial and Highway Commercial District, the proposed amendment removes the increased setback requirements currently applicable in the TC District. It is noteworthy that at the time the current setback standards were adopted in 2007, the setback standards in other commercial districts were zero minimum and 10-foot maximum.</p>
	<p>B. Side Yard Setback. Add 10-foot setback for side yards adjacent to a street. Remove 20-foot setback from Camp Polk Road or Barclay Drive.</p>	<p>The additional setback of 20-foot from Camp Polk Road or Barclay Drive are proposed to be removed. A 10-foot setback is proposed to be added to provide building setback from exterior side property lines.</p>	<p>Staff finds this amendment is SUBSTANTIVE. See staff comment above regarding setbacks.</p>
	<p>C. Rear Yard Setback. Remove 20-foot setback from Camp Polk Road or Barclay Drive.</p>	<p>The additional setback of 20-foot from Camp Polk Road or Barclay Drive are proposed to be replaced with no minimum setback allowed.</p>	<p>Staff finds this amendment is NOT SUBSTANTIVE. See staff comment above regarding setbacks.</p>
<p>2.12.1000 Special Standards for Certain Uses</p>	<p>A. Neighborhood Market and Laundry Establishment Remove reference to Laundry Establishment. Remove 50-foot setback from Camp Polk Road and Barclay Drive. Apply 1,000 square foot limit to use, not structures.</p>	<p>Reference to laundry establishment use is not needed because the use has been proposed to be removed. The removal of the 50-foot setback allows a neighborhood market to be closer to and oriented toward the streets.</p>	<p>Staff finds this amendment is SUBSTANTIVE. The removal of the 50-foot setback provides more flexibility with location of building on site. The resulting setbacks will be consistent with t other commercial districts in the city. Applying the 1,000 square foot limit to the use, not structures, will prevent the development of multiple neighborhood markets in separate structures on a property.</p>
	<p>B. Retail Sales Establishment New special standards section added and includes 1,000 square foot limit to such uses.</p>	<p>The 1,000 square foot size will limit the scale of retail uses on the site.</p>	<p>Staff finds this amendment is SUBSTANTIVE. Applying the 1,000 square foot limit to the use will prevent the development of multiple retail sales establishments in separate structures on a property.</p>

STAFF REPORT – ATTACHMENT 4
Amendment Summary Matrix

Code Section	Proposed Amendment	Explanation for Amendment	Staff Comment
	<p>B. Cottages Remove special use standards for Cottages.</p>	<p>Section removed because cottages use has been proposed to be removed.</p>	<p>Staff finds this amendment is NOT SUBSTANTIVE. The special use standards are no longer necessary.</p>
	<p>C. RV Park New special standards section added including several standards.</p>	<p>The special use standards address overall size and other development and operating standards including:</p> <ol style="list-style-type: none"> 1. The maximum stay in an RV space is 30 days in any 90-day period. 2. A maximum of 65% of the gross area of any property in the TC zone shall be developed for an RV Park use. 3. At least two amenities shall be provided and occupy at least 10,000 square feet combined. Examples provide a variety of passive and active recreational opportunities. 	<p>Staff finds this amendment is SUBSTANTIVE. The proposed special use standards will prevent long-term, residential occupancy of an RV, except for that of a caretaker. The maximum area will limit the overall development footprint on the property. The requirement of amenities will ensure variety use and visual aesthetic within the development beyond just RV pads and minimum development standards.</p>
	<p>D. Lodging Facility Definition New special standards section added and includes definition of "Lodging Facility."</p>	<p>The initial text amendment application contained a proposed "Hotel and lodging establishment" use to replace the undefined "Lodging Facility" use. However, as evidenced through the process to date, that proposed addition has complicated this process. Therefore, the proposed "Hotel and lodging establishment" use and term are no longer proposed. In its place, a definition of the original and existing "Lodging Facility" term is proposed to be used only in the TC zone. The definition provides for various types of overnight accommodations to be provided on site – from traditional hotel structures, to cabins, to permanently sited RVs.</p>	<p>Staff finds this amendment is SUBSTANTIVE. This definition is only applicable to the TC District and is intended to provide for variety and flexibility of overnight accommodation options. This definition is only applicable to development in the TC District.</p>
<p>2.12.1100 Design Theme</p>	<p>Remove section for 1900s Rural Farm/Ranch House design theme standards.</p>	<p>The applicant did not provide specific explanation for removing the requirements of this section but noted the intent is to instead implement the 1880s Western Design Theme for commercial structures on the property.</p>	<p>Staff finds this amendment is SUBSTANTIVE. The existing 1900s Rural Farm/Ranch House Design Theme is only applicable to the TC District. If removed, the Western Frontier Architectural Design Theme of SDC 2.15.2600 will be applicable to all new, reconstructed, or remodeled uses in the TC District. This is consistent with all other commercial districts. Staff notes that if this amendment is approved a corresponding amendment to SDC 2.15.2600(B) is required to remove reference to the exception for the TC District.</p>

SUPPLEMENTAL REPORTS & COMMUNICATIONS
CITY COUNCIL WORKSHOP
JUNE 26, 2024

Supplemental Reports & Communications indicate items received after the Agenda Packet was published or at the meeting.

Workshop 4. Tourist Commercial Text Amendments

1. Staff Presentation-Matt Martin

TEXT AMENDMENTS

Sisters Development Code

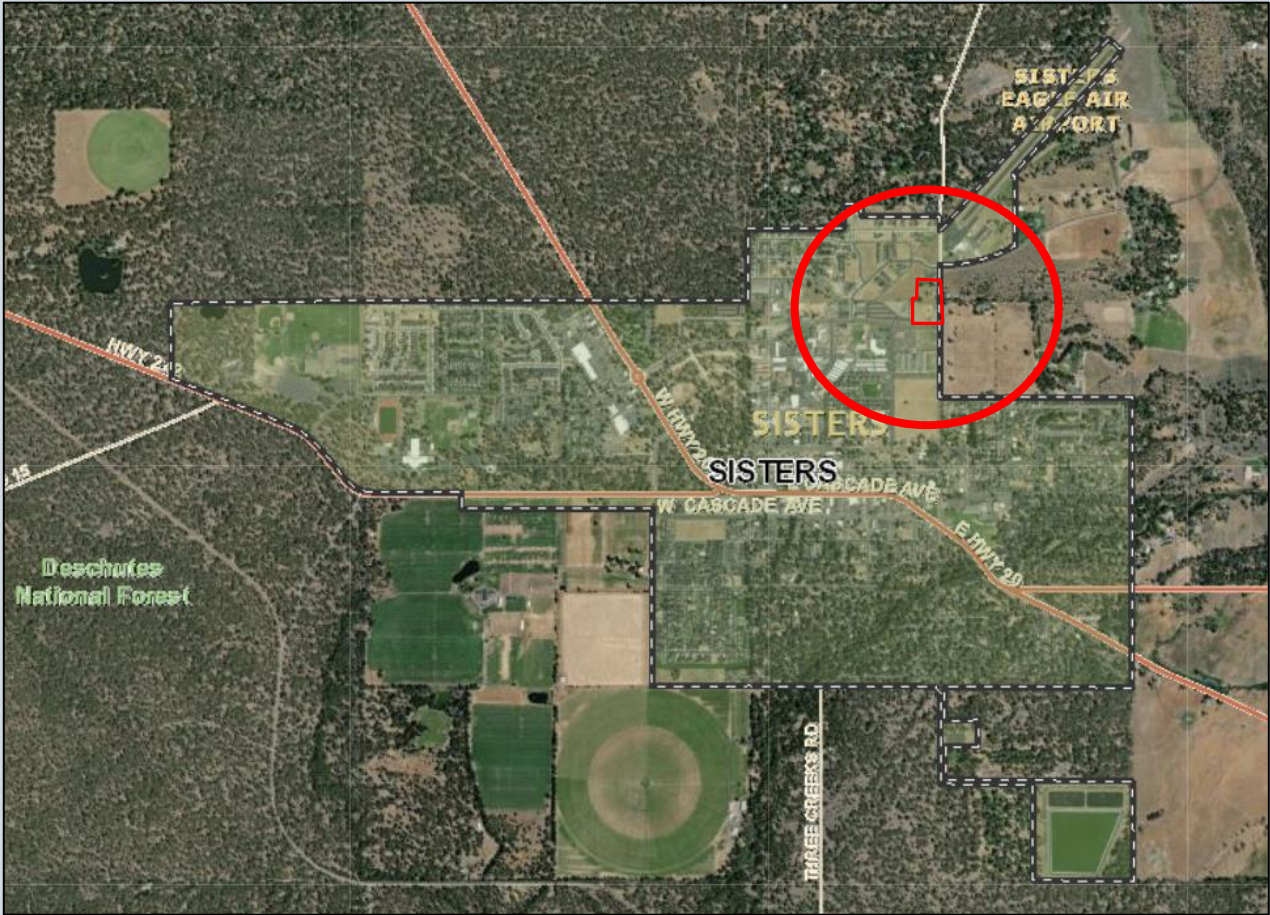
- Chapter 2.12 – Sun Ranch Tourist Commercial District

File No.: TA 24-01

Applicant: Jon Skidmore – Skidmore Consulting, LLC
Ernie Larrabee - Lake House, LLC



LOCATION



LOCATION



PROPERTIES

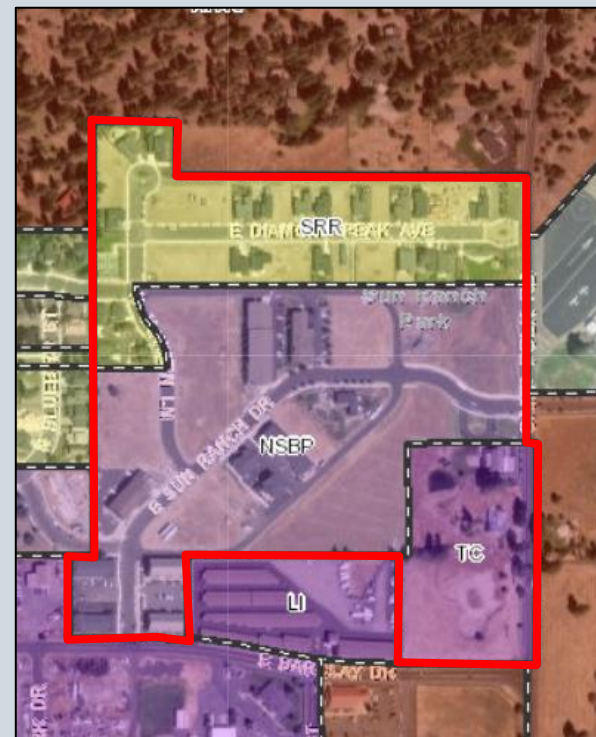
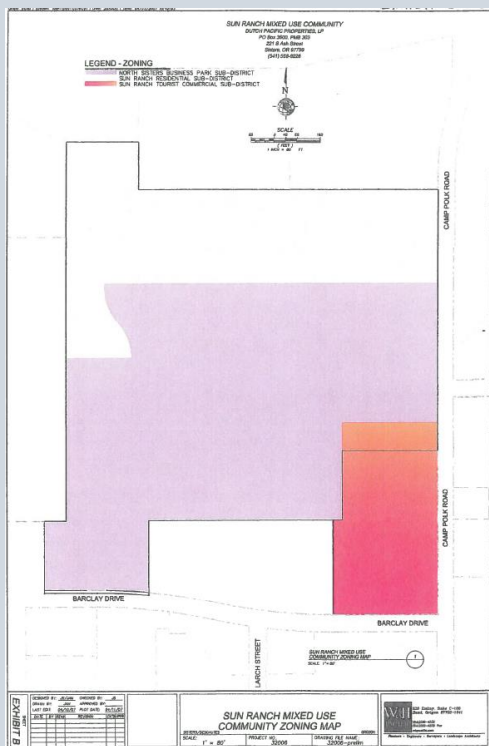
- The entirety of:
 - **Lot #1:** 69013 Camp Polk Road
- A portion of:
 - **Lot #2:** 575 E. Sun Ranch Drive
 - **Lot #3:** Unaddressed

DISTRICT AREA

- +/- 6.2 Acres

DISTRICT HISTORY

- Ordinances 366/367 adopted April 26, 2007
- Created Zone Districts:
 - Sun Ranch Residential District
 - Sun Ranch Tourist Commercial District
 - North Sisters Business Park



TC DISTRICT PURPOSE

PURPOSE SUMMARY (SDC 2.12.100)

- Establish landmark *lodging, dining, and recreation destinations and gathering places* for business travelers, tourists and the residents of the area.
- For *commercial properties* in transition areas between residential, light industrial and commercial areas.
- *Commercial uses* to complement adjacent mixed-use light industrial and residential districts.
- Provide *flexibility for expansion of lodging facilities* and improve accessory components of the commercial lodging establishment such as *meeting facilities, restaurant, bar, neighborhood market, etc.*



PROPOSAL

- Amendments to Development Code Chapter 2.12 that generally:
 - Expand and clarify the types of uses allowed in the TC District
 - Amend development standards for particular uses

Addendum 2 – May 7, 2024

Chapter 2.12 – Sun Ranch Tourist Commercial (TC)

Sections:

- 2.12.100 Purpose
- 2.12.200 Applicability
- 2.12.300 Permitted Uses
- 2.12.400 Lot Requirements
- 2.12.500 Height Regulations
- 2.12.600 Setbacks and Buffering
- 2.12.700 Lot Coverage
- 2.12.800 Off-Street Parking
- 2.12.900 Landscape Area Standards
- 2.12.1000 Special Standards for Certain Uses
- ~~2.12.1100 Design Theme~~

2.12.100 Purpose

The purpose of the Sun Ranch Tourist Commercial district is to establish landmark lodging, dining, and recreation destinations and gathering places for business travelers, tourists and the residents of the area. The district is for commercial properties in transition areas between residential, light industrial and commercial areas. This district establishes commercial uses to complement adjacent mixed-use light industrial and residential districts. ~~Special design standards apply to create a rural ranch setting separate from, but compatible with, the 1980s Western Frontier Architectural Design Theme.~~ Another purpose of this district is to provide flexibility for expansion of lodging facilities and improve accessory components of the commercial lodging establishment such as meeting facilities, restaurant, bar, neighborhood market, etc.

2.12.200 Applicability

The standards of the Sun Ranch Tourist Commercial district, as provided for in this section, shall apply to those areas designated Sun Ranch Tourist Commercial district on the City's Zoning Map. All structures within the Sun Ranch Tourist Commercial district shall meet the design requirements contained in the Special/Limited Use Standards in this chapter.

2.12.300 Permitted Uses

A. Permitted uses. Uses permitted in the TC District are listed in Table 2.12.300 with a "P." These uses are allowed if they comply with the development standards and other regulations of this Code. Being

SUBSTANTIVE AMENDMENTS

SECTION	PROPOSED CHANGE	STAFF COMMENT
2.12.100 Purpose	Remove reference to rural ranch design standards.	The amendment is warranted to reflect the removal of the 1900s rural ranch design standards.
2.12.300 Permitted Uses	Remove cottages	Would be permitted as “Lodging Facility.”
	Add Retail sales establishment	Includes size limit under special use standards.
	Add Hostel	Specifically defined lodging type of use.
	Add RV Park, including Caretaker’s Quarters	TC District specific special use standards apply along with existing specific use standards for any RV parks (2.15.1700).

SUBSTANTIVE AMENDMENTS

SECTION	PROPOSED CHANGE	STAFF COMMENT
2.12.600 Setbacks and Buffering	Reduce Setback from Barclay Drive/Camp Polk Road from 20 feet to 10 feet	Proposed 10-foot street side setback same as other Commercial Districts.
2.12.1000 Special Standards for Certain Uses	Neighborhood Market <ul style="list-style-type: none"> • Remove reference to Laundry Establishment. • Remove 50-foot setback from Camp Polk Road and Barclay Drive. • Apply 1,000 square foot limit to use, not structures. 	<ul style="list-style-type: none"> • Proposed 10-foot street setback would apply. • Prevents larger scale markets.
	Retail Sales Establishment <ul style="list-style-type: none"> • Apply 1,000 square foot limit to use. 	Prevents larger scale retail uses and multiple smaller tenant spaces.

SUBSTANTIVE AMENDMENTS

SECTION	PROPOSED CHANGE	STAFF COMMENT
<p>2.12.1000 Special Standards for Certain Uses</p>	<p>RV Park</p> <ul style="list-style-type: none"> • Maximum stay in an RV space is 30 days in any 90-day period. • Maximum of 65% of the gross area of any property in the TC District shall be developed for an RV Park use. • At least two amenities shall be provided and occupy at least 10,000 square feet combined. 	<ul style="list-style-type: none"> • The proposed special use standards will prevent long-term, residential occupancy of an RV, except for that of a caretaker. • The maximum area will limit the overall development footprint on a property. • The requirement of amenities will ensure variety use and visual aesthetic within the development beyond RV pads and minimum development standards.
	<p>Lodging Facility Definition</p> <ul style="list-style-type: none"> • New special standards section added and includes definition of “Lodging Facility.” 	<p>This definition is only applicable to the TC District and is intended to provide for variety and flexibility of overnight accommodation.</p>
<p>2.12.1100 Design Standards</p>	<p>Remove 1900’s Rural Farm/Ranch House Design Standards</p>	<p>1880’s Western Frontier Design Standards would apply.</p>

PROCEDURAL BACKGROUND

APRIL 18 & MAY 16, 2024 – PLANNING COMMISSION PUBLIC HEARING

- Between hearing dates, the applicant coordinated with staff and revised the proposal based on comments received.
- **Planning Commission recommended approval via 4-2 vote**



NEXT STEPS

JULY 10, 2024 - CITY COUNCIL PUBLIC HEARING

- The City Council will consider Planning Commission recommendation and all other record submittals at a hearing.
- At the conclusion of the hearing, the City Council will make a final decision via adoption of an ordinance.



QUESTIONS?

MATTHEW MARTIN, AICP

Principal Planner

mmartin@ci.sisters.or.us

541-323-5208

PROJECT WEBPAGE

City of Sisters Community Development → Land Use Planning Spotlight → Text Amendments – Sun Ranch Tourist Commercial District

<https://www.ci.sisters.or.us/community-development/page/text-amendments-sun-ranch-tourist-commercial-district-%C2%A0>





CITY COUNCIL Staff Report

Meeting Date: June 26, 2024
Type: City Council Meeting
Subject: City Council Meeting Minutes

Staff: R. Green
Dept: Administration

Consent Agenda: Approve the minutes from the June 12, 2024 City Council Workshop and the June 12, 2024 Regular City Council meeting.

Summary Points:

- Approve the minutes from the June 12, 2024 City Council Workshop and the June 12, 2024 Regular City Council meeting.

Financial Impact: None.

Attachments:

- 1- June 12, 2024, City Council Workshop
- 2- June 12, 2024, Regular City Council meeting

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
Joe O'Neill	Finance Director
Scott Woodford	CDD Director
Rebecca Green	Deputy Recorder

The meeting recording is available here:

<https://www.ci.sisters.or.us/bc-citycouncil/page/city-council-workshop-meeting-7>

Mayor Preedin called the workshop to order at 5:00 p.m.

1. Civic Leadership Academy Presentation

Assistant City Manager Prosser provided background to the presentation, stating that the first cohort of the Civic Leadership Academy (CLA) spent six weeks researching and developing recommendations to the City of Sisters regarding ways in which to improve community engagement and outreach. Prosser thanked the Ford Family Foundation, the Roundhouse Foundation, Citizens 4 Community (C4C) for their support. Prosser introduced the facilitators from Portland State University's National Policy Consensus Center at the Hatfield School of Government, local facilitator Mary Horton, and Sarah McDougall, Jane Paxson, and Kellen Klein of C4C.

Abhi Chaudhuri started the presentation by introducing the other members of the CLA team: Anna Rasmussen, Blake Blancett, Cheryl Pellerin, Erik Fitchett, Hannah Joseph, Marina Montañez, Molly Schultz, Spencer Hamiga, and Steve Jansen. The question before the cohort was: How can the City of Sisters improve its community engagement and outreach? Their assigned approach included researching key facts, identifying and interviewing stakeholders, and asking critical questions, which resulted in five key themes: 1) Stakeholders; 2) Communication Methods; 3) City Capacity; 4) Measuring Success; and 5) Building Trust. Abhi, Cheryl, and Spencer outlined the details of each theme.

Council discussed the quality and thoroughness of the final report. The values and accuracy of different information dissemination methods was discussed, including Facebook, Instagram, the City's website, and the Roundup Newsletter. Council discussed budgeting and labor for community engagement, issues of transparency in decision-making, and communications in the context of the unique characteristics of the Sisters area. Council indicated interest in more involvement by the public, as the Council Goal indicates, and appealing to the public for continued engagement and feedback. Staff will bring forth a Communication Plan to an upcoming workshop to further these directions.

2. Other Business – None.

The meeting was adjourned at 6:25 p.m.

Rebecca Green, Deputy Recorder

Michael Preedin, Mayor

MEMBERS PRESENT:

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

STAFF PRESENT:

Jordan Wheeler City Manager
Joe O’Neill Finance Director
Scott Woodford CDD Director
Rebecca Green Deputy Recorder

The meeting recording is available here:

<https://www.ci.sisters.or.us/bc-citycouncil/page/city-council-workshop-meeting-7>

1. CALL TO ORDER/PLEDGE OF ALLEGIANCE

The meeting was called to order by Mayor Preedin at 6:33 pm.

2. ROLL CALL

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

3. APPROVAL OF AGENDA

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

4. VISITOR COMMUNICATION- None.

5. CONSENT AGENDA

A. Minutes

1. May 15, 2024 – Budget Meeting
2. May 22, 2024 – Workshop
3. May 22, 2024 – Regular Meeting

B. Approve Resolution 2024-13: A RESOLUTION EXTENDING THE CITY OF SISTERS WORKERS COMPENSATION COVERAGE TO VOLUNTEERS OF THE CITY OF SISTERS

C. Approve Resolution 2024-14: A RESOLUTION DECLARING THE MUNICIPAL SERVICES PROVIDED BY THE CITY OF SISTERS.

Council President Blum 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 Resolution 2024-15: A RESOLUTION DECLARING THE CITY'S ELECTION TO RECEIVE STATE REVENUES.

Mayor Preedin opened the public hearing.

Director O'Neill reviewed there were two public hearings required for receiving state revenues. The first occurred in the Budget Committee meetings, and this was the second opportunity for the public to provide input on allocating state shared revenues.

Mayor Preedin asked for public comment; there was none. Mayor Preedin closed the public hearing.

Councilor Cobb moved to approve and adopt Resolution 2024-15. Councilor Ross seconded the motion. Preedin, Blum, Letz, Ross, and Cobb voted aye; the motion carried 5-0.

7. Public Hearing and Consideration of Resolution 2024-16: A RESOLUTION ADOPTING THE FISCAL YEAR 2024/25 BUDGET, APPROPRIATING FUNDS, APPROVING A TAX LEVY AND DIRECTING STAFF TO FILE THE BUDGET WITH THE COUNTY CLERK.

Mayor Preedin opened the public hearing.

Director O'Neill reviewed the resolution adopting the budget and appropriating funds. He explained how the budget numbers were broken down by department in the General Fund and by usage in other Funds categories. The total 2024/25 budget is \$33,036,541 with a tax levy rate of \$2.6417 per \$1,000.

Mayor Preedin asked for public comment; there was none. Mayor Preedin closed the public hearing.

Councilor Ross moved to approve and adopt Resolution 2024-16. Councilor Letz seconded the motion. Preedin, Blum, Letz, Ross, and Cobb voted aye; the motion carried 5-0.

8. OTHER BUSINESS

A. Urban Growth Boundary Steering Committee Appointments

Mayor Preedin indicated there were many great applicants. During the interview process, there was a decision to increase the number of community representatives from six to eight. Council discussed who might be represented from City Council. The following persons were appointed to the UGB Steering Committee: Mayor Preedin and Councilor Letz; Planning Commissioners Art Blumenkron and Rick Retzman; United States Forest

Service's Sisters District Ranger Ian Reid; Study Area Landowners John Tehan and Bill Willits; and six at-large members: Abhi Chaudhury, Anna Rasmussen, Morgan Greenwood, Susan Hallenberg, Therese Kollerer, and Brian Metolius. One additional member in the category of farm interest will be appointed at a later date.

B. Staff Comments

City Manager Wheeler updated Council for all departments. Wheeler asked Council and they affirmed favor of a letter of support for additional Oregon Department of Transportation funding for Central Oregon Intergovernmental Council's (COIC) Transportation Safety Action Plan Implementation project, specifically to help secure a Regional Transportation Safety Coordinator and to support public outreach and engagement options to reduce fatal and serious injury crashes in Central Oregon.

Wheeler talked about recent visits by Sisters Elementary School 3rd graders for a tour and education on local government. Students were asked what they would like to see at the Northwest Park, currently in development. The City welcomes additional educational tours and activities.

- The City Council election filing period is open and closes August 27.
- The survey on the Locust Roundabout Art theme had over 1000 responses, with the top choice of "Western Heritage and Culture," followed by "Natural Surroundings." The first Roundabout Art meeting is the week of June 17.
- Staff are scheduling and securing facilitation services for a July with community partners on homelessness - a Council Goal ("Leverage local and regional resources and partnerships to help the Sisters houseless community. Engage with COIC to facilitate community conversations and provide technical assistance for developing a community supported plan.").
- The Rodeo Parade was a success. City crew have been working on clean up, and next year more attention will be paid to the scheduling of a pooper scooper for the horses.
- The Finance Department's new online licensing platform is working well, with the first online renewals processing seamlessly.
- New Utility Technician I Brett Taylor has begun work in the Public Works Department. He comes to us with much previous experience.
- June events include: the Quilt show, Farmer's Market, Sisters Makers Grand Opening, the Barn Duster centered at Fir Street Park, the Summer Solstice Walk at the labyrinth, the Big Ponderoo at Village Green Park, and the Ham Radio event at Creekside Park.
- The 2024 Pavement Maintenance Project (Arrowleaf Trail, S. Redwood St., S. Cottonwood St., S. Sparkling Water Ct., 400 lineal feet of E. Coyote Springs Rd., S. Buckaroo Trail.) is complete.

REGULAR MEETING MINUTES
SISTERS CITY COUNCIL
520 E. CASCADE AVENUE
JUNE 12, 2024

- The League of Oregon Cities (LOC) recently put out a survey to determine funding strategies for improving street conditions. Streets in Sisters are in great condition, with a Pavements Conditions Index (PCI) of 81 (where 100 means a newly paved road). Cascade Avenue is a street owned by Oregon Department of Transportation (ODOT), which means we rely on them to upkeep the street; however, ODOT has an approximately \$1.8 billion shortfall on their operations budget. This shortage will have impacts on us, meaning we may need to supplement maintenance in the future.
- Bids will go out on June 18 and due July 9 for improvements to McKinney Butte Road. The work will be substantially completed by Labor Day, before school starts.
- The Westside Pumpstation design is in progress and flow monitoring has begun.
- The design for the new irrigation pivot for the Lazy Z is in progress, which will help save time and cost.
- The East Portal design is at 90% completion. The Public Works Advisory Board reviewed the plans on June 11. The design will come to Council soon.
- The City is applying for ODOT Small City Allotment Grants; the request is for \$250,000 for Barclay Drive improvements.
- The Community Development Department has now formed the Urban Growth Boundary Steering Committee. Outreach and engagement efforts will include tabling at events, providing information in various locations around town, and scheduling conversations with small groups. More information will be provided at the June 26 Council Workshop.
- The Short-Term Rental Program Text Amendment will be brought to the Planning Commission on June 20. The Sun Ranch Tourist Commercial District Text Amendments will be brought to the June 26 Council Workshop, with a potential Public Hearing on July 10. The Building Hardening Code will go back to the Planning Commission on July 18, and then be brought to City Council.
- Habitat for Humanity hosted a Workforce and Affordable Housing neighborhood meeting on June 7, with 6-10 people in attendance. Habitat will provide an update to Council on June 26. Outreach for the meeting included a Nugget Newspaper article and a 250 ft. radius neighborhood notification.
- The Dark Skies Committee met this week. They are working on certification, education efforts on the new lighting ordinance, and programs to help individuals and businesses gain compliance.
- The Deschutes County Building Services report indicated six new housing permits, mostly in The Woodlands and Sunset Meadows.
- The Civic Leadership Academy (CLA) presented an impressive report and dialog with Council. Their final report provides a roadmap for completing the Council Goal ("Create and implement a communications plan which includes expanded opportunities for community engagement and involvement. Convene at least three town halls per year.") Staff will work on the Communications Plan, incorporating

ideas from the CLA report, and bring it to an upcoming Council Workshop for review and action.

8. MAYOR/COUNCILOR BUSINESS

Councilor Cobb stated she looks forward to the Communications Plan that will be brought to an upcoming Council Workshop. Manager Wheeler clarified that staff would implement some of the suggestions immediately, and will discuss those items, along with longer-term items as part of the Communications Plan that will be brought to Council, likely in August. Councilor Cobb invited several people to tour the Sisters Community Garden (SCG) ahead of further discussion about a new location. Feedback received included the lack of a uniform and attractive look to the garden boxes. Cobb brought up questions related to requirements the City may place on SCG, to be discussed and decided at the time the SCG submits a proposal. Mayor Preedin suggested that, given the amount of work needing to be done, it's possible the SCG may need to wait a year before establishing their next location.

Councilor Ross stated that the Urban Forestry Board (UFB) reviewed the East Portal Mobility Hub tree removal map. Many changes have been made to the East Portal design in order to save trees, requiring vehicles to go around them. The tree removal plan has targeted smaller ponderosas and juniper trees. The UFB is also working on the Heritage Trees Nomination Form, which will come to a Council Workshop soon. Individuals can nominate trees on their own property, and the City can also nominate city trees. Tree mortality has decreased this year. The UFB is looking into planting a tree either at the fire station or Village Green Park in honor of Dave Moyer and his contributions to the City and to the fire department.

Councilor Letz attended the Deschutes-Ochoco Resource Advisory Committee ([RAC](#)), which is a collaboration between Deschutes and Ochoco National Forests and Crooked River National Grassland. Discussion addressed grant funding under the Secure Rural Schools Act, Title II funds for restoration of healthy conditions on public lands. Funding will be available to organizations doing projects on public lands, likely centered on recreation. Letz attended the first Farmer's Market; it was great to see the expanded space, as well as the 291 Main Avenue (Sisters Makers) building in operation. Letz attended the Sisters Quilt Show kickoff event, where she learned there were no entities in Sisters that provide sewing lessons to kids. Letz attended the Sisters School District Superintendent's Coffee. The new Elementary School is nearing completion. The School District is exploring options for having a one-stop location for all buses going to the Elementary, Middle, and High Schools, which may require some students walking from one school to another. Letz discussed water usage at the schools with the Superintendent. Letz attended the City Parks Advisory Board in Councilor Ross' absence. The Sisters Community Garden will meet at the library on June 29. Letz attended the Deschutes County Bicycle and Pedestrian Advisory Committee where they had

a presentation on the collaboration between City of Bend and Bird Bike Share, an E-Bike rental company. Letz suggested the City be proactive in terms of updating the code and considering infrastructure for electric bike usage in Sisters.

Council President Blum attended the Coordinated Houseless Response Office (CHRO) meeting who will be meeting with the United States Interagency Council on Homelessness in Central Oregon on June 20. It's unclear whether the Forest Service is already part of the Interagency Council, and whether the City should invite local Rangers Ian Reid and Jeremy Fields to the meeting. The first order of business for the meeting is the China Hat area of Bend, but Blum will also address our houseless population in the local forest. Blum stated that Doug Riggs of NW Policy Advocates attended the recent Central Oregon Area Commission on Transportation (COACT) meeting. Riggs, City of Bend Mayor Melanie Kebler, and Blum are working on a coordinated message for Central Oregon needs for the September ODOT meeting. The message will focus on the need for maintenance and safety, including plowing Santiam Pass and within the city. Blum reported recommendations about compliance measures for Dark Skies, including prizes and stickers for those who have made the accomplishment, as well as securing volunteers to reach out to residents and businesses.

Mayor Preedin reported that Jarod Gately won a Regional Emmy for his work on Central Oregon War Stories for Central Oregon Daily.

9. ADJOURN: 7:43 p.m.

Rebecca Green, Deputy Recorder

Michael Preedin, Mayor



Meeting Date: June 26, 2024
Type: Regular Meeting

Staff: P. Bertagna
Dept: Public Works

Subject: Amendment No. 4 to an existing Intergovernmental Agreement (IGA) with ODOT

Action Requested: Through approval of the Consent Agenda, approve Amendment No. 4 of Intergovernmental Agreement No. 73000-0012958 with the Oregon Department of Transportation for Improvements at US20@Locust Street.

Summary Points:

- The City and ODOT entered into an IGA in December of 2019 for preliminary planning and design engineering for the US20@Locust Roundabout project. This is the 4th amendment to that original agreement and the agreement will terminate upon project completion and final payment.
- Under this amendment ODOT will continue to perform the design and manage the construction of the intersection improvements.
- This amendment defines the post-construction maintenance responsibilities of the new roundabout and local street connections including the installation and maintenance of art and landscaping in the roundabout. This amendment commits the City to be responsible for all maintenance of the artwork and landscaping for the project.
- The amendment commits ODOT to be responsible for all snow and ice-removal within the roundabout including all approaches to the roundabout.
- Amendment No. 3 still maintains the total project cost of \$7,071,339 which includes the final \$473,649 contribution from the City that will be budgeted and expensed in the FY2024/25 budget.

Financial Impact: \$473,649 will be budgeted for in the FY24/25 budget and the funds will need to be deposited in the joint LGIP account by August 31, 2024.

Attachments:

1. ATTACHMENT 1: Amendment Number 04 to Agreement No. 73000-00012958 (Formerly No. 33887)

A136-G0092418

AMENDMENT NUMBER 04
INTERGOVERNMENTAL AGREEMENT
US20 at Locust Street (Sisters)
City of Sisters

This is Amendment No. 04 to the Agreement between the **State of Oregon**, acting by and through its Department of Transportation, hereinafter referred to as “State” or “ODOT” and the CITY OF SISTERS, acting by and through its elected officials, hereinafter referred to as “City” or “Agency”, both herein referred to individually or collectively as “Party” or “Parties” entered into on December 20, 2019, Amendment No. 1 entered into on May 17, 2021, Amendment No. 2 entered into on May 3, 2023 and amendment No. 3 entered into on December 15, 2023.

It has now been determined by State and Agency that the Agreement referenced above shall be amended to incorporate maintenance obligations and the installation of artwork at the Agency’s expense.

New Language is indicated by underlining and italics and deleted language is indicated by ~~strikethrough~~.

1. **Effective Date.** This Amendment shall become effective on the date it is fully executed and approved as required by applicable law.

2. **Amendment to Agreement.**

a). **Insert new Exhibits C and D.**

b). **Insert new Recitals, Paragraphs 12 and 13 to read as follows:**

12. The Parties wish to define the post-construction maintenance responsibilities of the Parties in connection with the roundabout located at the intersection of US20 and Locust Street, to include the installation and maintenance of ODOT approved art and aesthetic improvements, hereinafter referred to as ‘Artwork’ to be installed upon project completion.

13. For the purpose of this Agreement, Artwork shall be defined as any drawing, painting, sculpture, statue, or other item of creative or artistic nature intended or used to attract the interest or attention of travelers, but does not include roadside memorials, political advertising, or other unpermitted signs; and differs from the definition assigned to such term under the Highway Beautification program (OAR 734, Div 57).

c). **TERMS OF AGREEMENT, Paragraph 1, Page 3 shall be amended to read as follows:**

1. Under such authority, State and City agree to the following:
 - a. State performing the design and construction of intersection improvements at the intersection of US20 and Locust Street;
 - b. Agency selecting and installing permanent Artwork within the roundabout located at the intersection of US20 and Locust Street consistent with a permit to be issued by State, and;
 - c. Supporting aesthetic enhancements including landscaping and other appurtenances within the Project boundaries. For the purposes of this Agreement, the art and aesthetic enhancements are part of the Project.

d). Insert new TERMS OF AGREEMENT, Paragraphs 12 thru 16 to read as follows:

12. The Parties agree Artwork shall consist of but not be limited to the following:

- a) All Artwork within the roundabout;
- b) All decorative landscaping within the Project limits to include irrigation and drainage and;
- c) Other aesthetic appurtenances as agreed to by the Parties.

13. The Parties agree that City shall be responsible for the selection and installation of Artwork. Artwork shall be installed under a permit from ODOT District 10 Office as described in CITY OBLIGATIONS, Paragraph 6.

14. Regarding the Artwork, the Parties agree that:

- a) Safety is a primary concern, therefore Artwork allowed to be placed on the state highway system must be found by State to not diminish the safety of travelers or the state highway system;
- b) The design of the Artwork will be coordinated with the aesthetic desing of the highway system and all of its features taking into consideration the roadway design, the clear zone, travelers and the environment;
- c) The design of all Artwork must incorporate long lasting materials and construction techniques that will require minimal care and resist vandalism and must be no larger than a size and scale that is compatible with the surrounding area and landscape.
- d) The Artwork must adhere to the Roundabout Artwork Conditions included in Exhibits C and D, attached hereto and by this reference made a part hereof. In the event of a conflict between Exhibits C and D; Exhibit C shall take precedence over Exhibit D.

15. All maintenance obligations for the city installed Artwork shall survive termination of this Agreement.

16. State shall be responsible for snow and ice removal/treatment for all road surfaces on State right of way within the Project including all approaches to the roundabout.

e). **TERMS OF AGREEMENT, Paragraph 12 shall be hereinafter re-numbered as paragraph 17.**

f). **Insert new City Obligations, Paragraphs 6 thru 14 to read as follows:**

6. Agency shall obtain a permit to "Occupy or Perform Operations upon a State Highway" from assigned State District 10 Project Manager as well as land use permits, building permits, and engineering design review approval from State. Agency agrees to comply with all provisions of said permit(s), and shall require its developers, contractors, subcontractors, or consultants performing such work to comply with such permit and review provisions. Said permit shall be obtained prior to the commencement of any work by Agency.

7. Agency shall comply with all federal, state, and local laws, regulations, executive orders and ordinances applicable to the work under this Agreement, including, without limitation, the provisions of ORS 279C.505, 279C.515, 279C.520, 279C.530 and 279B.270 incorporated herein by reference and made a part hereof. Without limiting the generality of the foregoing, Agency expressly agrees to comply with (i) Title VI of Civil Rights Act of 1964; (ii) Title V and Section 504 of the Rehabilitation Act of 1973; (iii) the Americans with Disabilities Act of 1990 and ORS 659A.142; (iv) all regulations and administrative rules established pursuant to the foregoing laws; and (v) all other applicable requirements of federal and state civil rights and rehabilitation statutes, rules and regulations.

8. Agency shall construct the Project in accordance with the requirements of ORS 276.071 including the public contracting laws within ORS Chapters 279A, 279B and 279C.

9. Agency may perform any work necessary to complete Agency's obligations for the Artwork with its own forces or may retain one or more contractors including separate contractors for goods and services, personal services and public improvement.

10. If Agency chooses to assign its contracting responsibilities to a consultant or contractor, Agency shall inform the consultant or contractor of the requirements of ORS 276.071, to ensure that the public contracting laws within ORS Chapters 279A, 279B and 279C are followed.

11. Agency/Developer or its contractor shall follow the Oregon Locate Laws (ORS 757 and OAR 952).

12. Pursuant to the statutory requirements of ORS 279C.380 Agency shall require their contractor to submit a performance bond to Agency for an amount equal to or greater than the estimated cost of the Project.
13. If Agency enters into a construction contract for performance of work on the Project, then Agency will require its contractor to provide the following:
- a. Contractor shall indemnify, defend and hold harmless State from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature whatsoever resulting from, arising out of, or relating to the activities of Contractor or its officers, employees, subcontractors, or agents under the resulting contract.
 - b. Contractor and Agency shall name State as a third party beneficiary of the resulting contract.
 - c. Commercial General Liability. Contractor shall obtain, at Contractor's expense, and keep in effect during the term of the resulting contract, Commercial General Liability Insurance covering bodily injury and property damage in a form and with coverages that are satisfactory to State. This insurance will include personal and advertising injury liability, products and completed operations. Coverage may be written in combination with Automobile Liability Insurance (with separate limits). Coverage will be written on an occurrence basis. If written in conjunction with Automobile Liability the combined single limit per occurrence will not be less than \$ 1,000,000 for each job site or location. Each annual aggregate limit will not be less than \$ 2,000,000.
 - d. Automobile Liability. Contractor shall obtain, at Contractor's expense, and keep in effect during the term of the resulting contract, Commercial Business Automobile Liability Insurance covering all owned, non-owned, or hired vehicles. This coverage may be written in combination with the Commercial General Liability Insurance (with separate limits). Combined single limit per occurrence will not be less than \$1,000,000.
 - e. Additional Insured. The liability insurance coverage, except Professional Liability, Errors and Omissions, or Workers' Compensation, if included, required for performance of the resulting contract will include State and its divisions, officers and employees as Additional Insured but only with respect to Contractor's activities to be performed under the resulting contract. Coverage will be primary and non-contributory with any other insurance and self-insurance.
 - f. Notice of Cancellation or Change. There shall be no cancellation, material change, potential exhaustion of aggregate limits or non-renewal of insurance coverage(s) without thirty (30) days written notice from Contractor's or its insurer(s) to State. Any failure to comply with the reporting provisions of this clause will constitute a material breach of the resulting contract and will be grounds for immediate termination of the resulting contract and this Agreement.

14. City agrees to maintain at its expense all decorative landscaping and Artwork. Any improvements associated with the Artwork placed within State property shall be subject to applicable ODOT policies and standards not specifically mentioned herein. The City shall ensure that the Artwork will be kept clean and in good repair; and if damaged by vehicle crashes, vandalism (to include graffiti), acts of nature, or regular wear and again, will be repaired within 14 days of discovery (or offensive graffiti removed within 48 hours of discovery). City agrees that if the Artwork is not maintained, repaired or removed as agreed upon, after notice to city and reasonable opportunity to cure, State may remove said Artwork at City expense and without commitment by State for restoration, replacement, or compensation to City.

g. CITY OBLIGATIONS, Paragraphs 6 through 10, shall be hereinafter re-numbered as Paragraphs 15 through 19.

3. **Counterparts.** This Amendment may be executed in two or more counterparts (by facsimile or otherwise) each of which is an original and all of which when taken together are deemed one agreement binding on all Parties, notwithstanding that all Parties are not signatories to the same counterpart.
4. **Original Agreement.** Except as expressly amended above, all other terms and conditions of the original Agreement are still in full force and effect. Agency certifies that the representations, warranties and certifications in the original Agreement are true and correct as of the effective date of this Amendment and with the same effect as though made at the time of this Amendment.
5. **Electronic Signatures.** The Parties agree that signatures showing on PDF documents, including but not limited to PDF copies of the Agreement and amendments, submitted or exchanged via email are “Electronic Signatures” under ORS Chapter 84 and bind the signing Party and are intended to be and can be relied upon by the Parties. State reserves the right at any time to require the submission of the hard copy originals of any documents.

THE PARTIES, by execution of this Agreement, hereby acknowledge that their signing representatives have read this Agreement, understand it, and agree to be bound by its terms and conditions.

This Project is in the 2024-2027 Statewide Transportation Improvement Program (STIP), (Key No. 22072) that was adopted by the Oregon Transportation Commission on July 13, 2023 (or subsequently by amendment to the STIP).

CITY OF SISTERS, by and through its
elected officials

By _____
Mayor

Date _____

**LEGAL REVIEW APPROVAL (If
required in Agency's process)**

By _____
Agency Counsel

Date _____

Agency Contact:

Paul Bertagna - Public Works Director
520 East Cascade Avenue, Sisters,
Oregon 97759
541-549-6022
pbertagna@ci.sisters.or.us

State Contact:

Jim Scholtes - District 10 Manager
63055 N. Highway 97, Bldg K
Bend OR, 97701-5765
(541) 388-6458
James.scholtes@odot.oregon.gov

STATE OF OREGON, by and through
its Department of Transportation

By _____
Region 4 Manager

Date _____

APPROVAL RECOMMENDED

By _____
State Traffic Engineer

Date _____

By _____
District 10 Manager

Date _____

By _____
Region 4 Right of Way Manager

Date _____

**APPROVED AS TO LEGAL
SUFFICIENCY**

By _____
Assistant Attorney General

Date _____

EXHIBIT C

Oregon Department of Transportation



Highway Division DIRECTIVE

Highway Division



NUMBER HWY 01	SUPERSEDES New
EFFECTIVE DATE 10-1-2013	PAGE NUMBER 1 of 6
REFERENCE	

SUBJECT Placement of Artwork on State Highway Right of Way	APPROVED SIGNATURE
--	------------------------

PURPOSE:

To describe the process to allow artwork to be placed on state highway right of way either as part of ODOT's project development process or through the District Manager.

GENERAL:

There has been an increasing interest by local communities to incorporate artwork within the state highway system. The overall design of the state highway system should blend with the natural and cultural environment keeping in mind the intended traffic volume and preservation of valuable adjacent scenic lands and natural and historic resources. ODOT recognizes the effects of the state highway system on local communities and how artwork can enhance and reflect the historic and cultural character of the community.

This Directive provides a process for ODOT to allow for the enhancement of the state highway system by including local community artwork on state highway right of way and will apply to artwork requested or approved after the effective date of the Directive. Safety is of primary concern for ODOT; therefore any Artwork allowed to be placed on state highway right of way must be found by ODOT to not diminish the safety of motorists or the state highway system.

It should be noted that this Directive is intended to provide a means to guide ODOT decision makers in determining the appropriateness of allowing artwork to be placed on state highway right of way. It is not to imply ODOT's review or approval of the artwork itself. The content of the artwork is determined by the Local Government as described in this Directive.

After ODOT's review and approval of the proposed placement of artwork, ODOT will initiate an Intergovernmental Agreement (IGA) with the requesting Local Government. Should the Local Government desire to change the design, content or format of the Artwork during the term of the IGA, a new proposal must be submitted following the process outlined in this Directive.

Artwork on the state highway differs from the City/County Entrance Program and the Highway Beautification Program described in Oregon Administrative Rule Chapter 734, Division 57.

DEFINITIONS:

"Artwork" – Any drawing, painting, sculpture, statue, or other item of a creative or artistic nature intended or used to attract the interest or attention of motorists but does not include roadside memorials; political, advertising, or other unpermitted signs. For the purposes of this

Directive, "Artwork" also does not include standard architectural elements, whether structural or not, such as light poles, overpass screening, sound walls, or bridge components designed into the highway feature by ODOT during the project development process and are owned and maintained by ODOT.

"Local Government" – The City or County with jurisdiction in the area where the Artwork is proposed. When a state highway is on recognized tribal land, the Tribal Government with jurisdiction in the area will be considered the "Local Government" for purposes of this Directive.

MINIMUM CRITERIA:

A Local Government's proposal for the placement of Artwork on state highway right of way must address the following criteria. Each proposal will be evaluated by ODOT on a case-by-case basis as described in this Directive.

Safety

Artwork must not interfere with the operation, maintenance or use of the highway. It must not block sight distance of an intersection, road approach, or traffic control device or cause a distraction for motorists, therefore, the proposed Artwork must:

1. Be located outside the highway clear zone as described in the AASHTO Roadside Design Guide;
2. Be placed as far from the travel way or edge of the pavement as practical;
3. Not be attached to or imitate a traffic control device;
4. Not have moving elements or simulate movement;
5. Not have bold or vibrant colors, reflective or glaring materials or surface finishes, or have illumination or other elements that would cause the proposed Artwork to be a distraction to motorists. Any illumination must be shielded to prevent light from being directed at the highway and of such low intensity or brilliance as to not cause glare or to impair the vision of motorists on the highway. Flashing or blinking lights, are not allowed; and
6. Be of a size and scale so to not demand the attention of motorists to the point the driver is distracted by the Artwork.

The safety of the highway system and motorists is of utmost concern for ODOT. The following will be considered by ODOT in determining if the proposals to place Artwork on highway right of way meet this Directive. The Artwork:

1. Does not attract pedestrians to an area not designed or intended for pedestrian traffic or placed at a location that would cause motorists to stop or to enter or exit the highway in areas not designed for such use;
2. Is not placed on trees, rocks or other natural features (ground mounted, free standing artwork may be allowed);
3. Is not attached to any bridge structure, sound wall or other highway feature other than artwork that may be incorporated as part of the project development process. A mural painted on a bridge structure, sound wall or other highway feature may be allowed when located on a low speed highway and is part of an overall graffiti prevention strategy;

4. Does not interfere with the horizontal or vertical clearance of the roadway so as not to impede freight mobility or movement of motor vehicles, bicycles, or pedestrians;
5. Is not placed within 500 feet of traffic control devices or other signs, gores, decision points, or other Artwork; and
6. Does not adversely affect highway structures, drainage patterns or storm water runoff quality, landscaping, natural vegetation or other plantings.

Content and Format

The content or format of the Artwork is to be determined by the Local Government through a public review process. The Artwork must depict the historic or cultural characteristic of the community and blend with the surrounding area.

The Artwork shall not contain text, interpretation of the Artwork, information on the artist, or advertising or other form of a commercial message (business, product, or brand name, logo, phone number, web page, etc.). It shall not resemble or imitate a traffic control device, represent or pay tribute to a specific individual, or contain elements that move, shimmer, shake or contain other methods to attract the attention of motorists.

Design

The design of all Artwork must be coordinated with the aesthetic design of the highway system and all its features taking into consideration the roadway design, the clear zone, motorists, and the environment. The Artwork shall not be suspended over the highway.

Artwork must be designed using long lasting materials and construction techniques which will require minimal care and resist vandalism and must be no larger than a size and scale that is compatible with the surrounding area and landscape.

Maintenance

Maintenance of the proposed Artwork and the surrounding area will be the responsibility of the requesting Local Government as set out in the IGA. The Artwork must be kept clean and in good repair. Artwork damaged by vehicular crashes, vandalism including graffiti, acts of nature, or regular wear or aging must be repaired or removed by the Local Government in a timely manner.

Offensive graffiti must be removed promptly. All maintenance must be conducted in a manner to minimize interference with highway traffic. No direct access (ingress or egress) to the Artwork is allowed from the main travel way of an access controlled highway,

If the Artwork is not maintained, repaired, or removed as required, the Artwork may be removed by ODOT at the Local Government's expense without commitment by ODOT for restoration, replacement, or compensation to the Local Government. Any Artwork removed by ODOT will be stored for 30 days for recovery by the Local Government.

Compliance with State and Federal Regulations

The proposed Artwork must comply with all state and federal regulations including regulations for Outdoor Advertising, and the marking and signing of state highways.

Location

Artwork will be considered on primary and secondary state highways as part of the project development process or by the District Manager after first considering if it is more appropriate to transfer the roadway, sidewalk or the property to the Local Government.

Artwork will not be allowed on the Interstate highway system (along the mainline or the entrance and exit ramps) or in the median of any expressway, freeway or divided highway.

Artwork located on property outside the state highway right of way but visible from the highway must comply with Outdoor Advertising Sign regulations.

Artwork must be located within the territorial or zoning jurisdiction of the requesting Local Government.

Financial Responsibilities

All costs, including labor, materials, supplies, and traffic control for the design, engineering, testing, construction, installation, maintenance, repair and removal of the artwork will be the responsibility of the requesting Local Government. When illumination is included as part of the artwork, the Local Government will be responsible for the cost of the electricity and any necessary utility lines and permits.

ODOT will assume the administrative costs associated with reviewing the proposal for Artwork and for executing the IGA with the requesting Local Government if the proposal is approved.

APPLICATION PROCESS:

A proposal for Artwork on state highway right of way must be submitted in writing by the Local Government that has jurisdiction in the area where the Artwork is proposed to be located. When there is an ongoing project development process, the proposal request will be submitted to the Project Leader. Other proposals are to be submitted to the local District Manager.

The Local Government must ensure that the proposal is developed through a public process. The method of gathering local support will be determined by the Local Government.

The Artwork proposal must:

- include a full description or drawing of the proposed Artwork including the proposed materials and how it expresses the community's historic or cultural character;
- include the proposed location (highway and milepoint) for the Artwork;
- show how the proposal meets the criteria outlined in this Directive;
- include the name, address, and telephone number of the Local Government contact person responsible for the proposal;
- include an adopted resolution that describes the following:
 - the Local Government's jurisdiction in the area of the project site;
 - the Local Government's approval of the Artwork content;
 - the Artwork's proposed life span;

Highway Division
Directive HWY 01
Page 5 of 6

- the Local Government's commitment to ensure maintenance of the Artwork including timely graffiti removal/repair and removal of the Artwork at the end of its life span; and
- a schedule for commencing and completing the proposed Artwork installation.
- include design plans stamped by a licensed professional engineer registered in the State of Oregon demonstrating structural stability, the ability to withstand the necessary wind loads, the means or method of installation, and how the proposed Artwork meets the Safety criteria outlined above.

ODOT REVIEW:

The proposed site for installation of Artwork by a Local Government must be reviewed and approved by ODOT prior to development of an IGA. ODOT will apply the criteria in this Directive when reviewing proposals for placement of Artwork on state highway right of way. Considerations will include the location, potential for motorist distraction, impact to highway maintenance or operations, impact to motorist safety, and access for Artwork maintenance. Additional site specific criteria and conditions may be applied to the Artwork proposal as determined by the ODOT Project Leader or District Manager. The approval for placement of Artwork will be granted at ODOT's sole discretion.

When Artwork is proposed as part of the project development process, the Project Leader will coordinate the review with the Region Technical Center, the local District Manager, and the Federal Highway Administration; ensure the conditions of this Directive are met; and incorporate the Artwork into the highway project, if approved. If the proposal is approved, the Project Leader will be responsible to initiate an IGA to document the Local Government's responsibility for the Artwork. If the proposal is denied, the Project Leader will notify the Local Government in writing.

When the Artwork is proposed outside of the project development process, the District Manager will coordinate the review with the Region Technical Center and the Federal Highway Administration and ensure the criteria of this Directive are met. If the proposal is approved, the District Manager will be responsible to initiate an IGA to document the Local Government's responsibility for the Artwork. If the proposal is denied, the District Manager will notify the Local Government in writing.

DOCUMENTATION:

Upon approval by ODOT of the proposal for placement of Artwork on state highway right of way, ODOT will initiate an Intergovernmental Agreement (IGA) with the Local Government. The IGA must include:

- the location (highway and milepoint) and description of the Artwork;
- the duration the Artwork is allowed on the state highway right of way;
- a requirement that the Local Government, at no cost to ODOT, must move or remove the Artwork when:
 1. requested by ODOT;
 2. the Artwork interferes with construction, maintenance or operation of the state highway;

Highway Division
Directive HWY 01
Page 6 of 6

3. federal or state laws are interpreted in such a way that would prohibit Artwork on state highway right of way; or
 4. the IGA terminates.
- indemnification of ODOT by the Local Government from third party claims;
 - compliance with environmental regulations when conducting work on state highway right of way;
 - payment by the Local Government of any costs resulting from legal action involving ODOT regarding the Artwork;
 - the Local Government's responsibility to maintain the Artwork and any area surrounding the Artwork. Artwork damaged by crashes, vandalism, or acts of nature must be repaired or removed by the Local Government within 14 days of discovery. Offensive graffiti must be repaired or removed within 48 hours of discovery.
 - if the Artwork is not maintained, repaired, or removed as required, the Artwork may be removed by ODOT at the Local Government's expense without commitment for restoration, replacement, or compensation to the Local Government;
 - a requirement for a utility permit as necessary to address electric lines serving the Artwork;
 - notification of the District Manager at least 48 hours prior to any onsite work; and
 - traffic control according to Oregon Temporary Traffic Control Handbook (OTTCH) and the Manual on Uniform Traffic Control Devices (MUTCD).

06/14/13

EXHIBIT D

Definitions:

- The Artwork Design Clear Zone is measured from the inside edge of the circulating roadway towards the center of the central island and includes the truck apron. The Art Zone is the 50 foot diameter central area identified in Figure 1 which is determined to be outside of the Artwork Design Clear Zone.

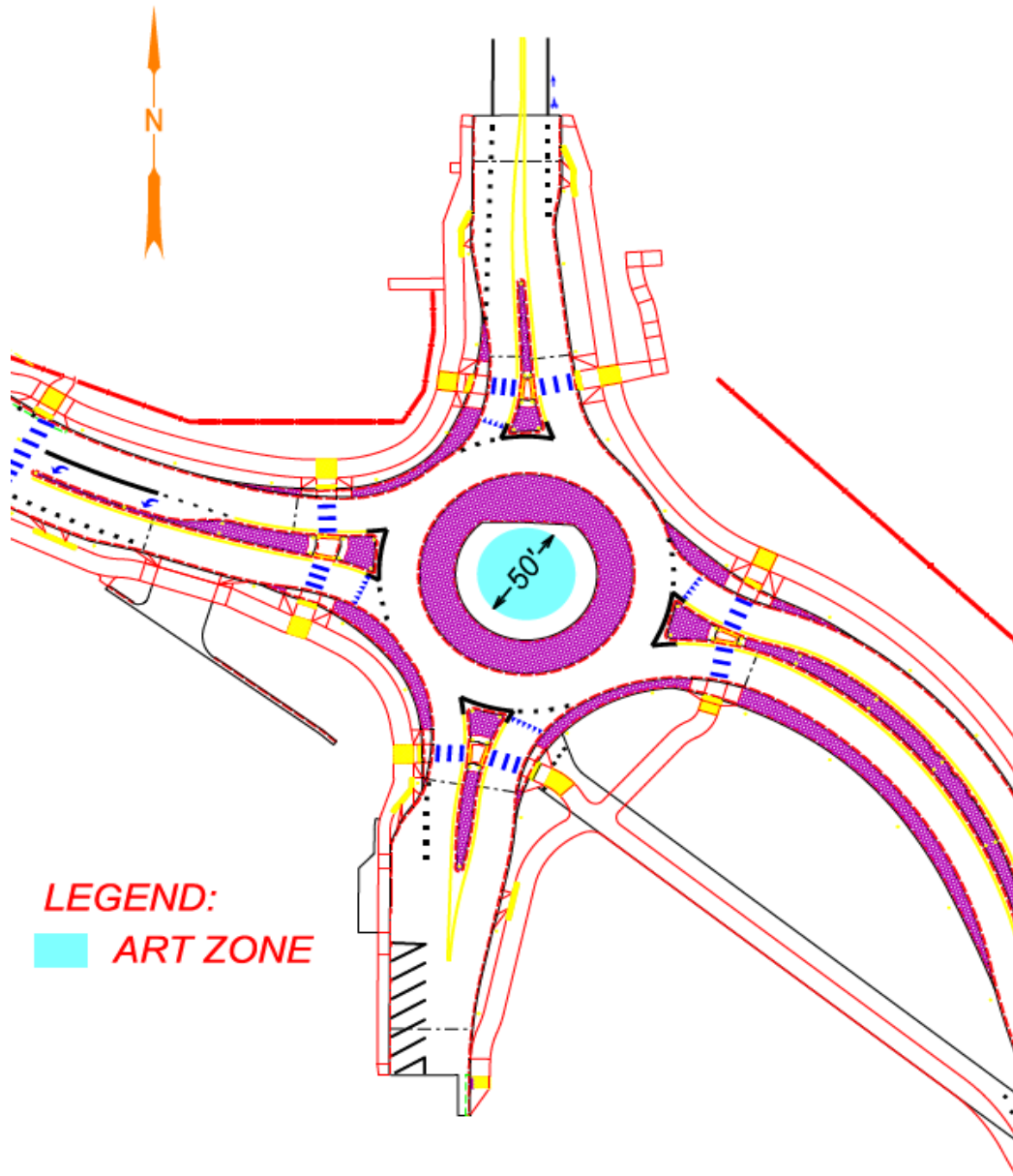


Figure 1. Roundabout Art Zone

Region 4 Roundabout Artwork Conditions:

- Artwork must:
 - Comply with the Placement of Artwork on State Highway Right of Way (Highway Division Directive Hwy 01) – Exhibit A.
 - Be of a size and scale that fits within the allowable area, must be coordinated to match the aesthetic design of the roundabout, and not demand a driver's attention to cause distraction from blinking or bright lights, glaring materials, or reflective surfaces.
 - Be placed in compliance with Artwork Design Clear Zone requirements as determined by ODOT. Not imitate a traffic control device.
 - Not have moving elements or water, nor simulate movement.
 - Not have elements that would cause the proposed Artwork to obscure the form of the roundabout, nor be a distraction to (e.g., not cause glare for, nor impair the safe vision of) motorists and other travelers.
 - Not attract pedestrians nor cyclists to the center island area.
 - Not contain text, interpretation of the Artwork, information on the artist, nor advertising or other form of a commercial message (business, product, or brand name, logo, phone number, web page, etc.), nor represent or pay tribute to a specific individual.
 - Utilize long lasting materials and construction techniques which will require minimal care and resist vandalism.
 - Must utilize shielded illumination to prevent light from being directed at the highway and of such low intensity or brilliance as to not cause glare or impair vision of motorists on the highway and must meet all state and local illumination codes.
 - Not have any foundation or base of the artwork installation exposed more than 4 inches above the ground.
 - Utilize breakaway features or frangible materials to the maximum extent feasible.
 -
- Elements within the Art Zone:
 - Shall consist of materials and features that are not likely to cause rapid and uncontrolled deceleration or redirection of a vehicle.
 - Shall be limited to a vertical height such that if the feature falls, it would not be anticipated to enter the Central Island Clear Zone.
- Elements within the Central Island Clear Zone:

- Shall have a maximum of 4" vertical projection unless the elements are crash worthy following standard breakaway requirements.
 - Shall be oriented to minimize potential impact from errant vehicles.
 - Shall consist of materials of size and scale that they are not likely to become a projectile hazard if struck by a vehicle.
 - May consist of low shrubs and vegetation that are easily traversable.
-
- Materials used within the roundabout must retain existing permeability for drainage. If materials will impact drainage, a drainage plan stamped by an Oregon Professional Engineer will be required.

 - Any foundations, supports, or grading/slope changes within the central island of the roundabout shall be stamped by an Oregon Professional Engineer.



Meeting Date: June 26, 2024
Type: Regular Meeting
Subject: Supplemental Budget – FY 2023/24

Staff: Joe O’Neill
Dept: Finance

Action Requested: Consideration of approval of Resolution No. 2024-17: A RESOLUTION OF THE CITY OF SISTERS ADOPTING A SUPPLEMENTAL BUDGET AND ESTABLISHING APPROPRIATIONS WITHIN THE FY 2023/24 BUDGET.

Background:

Budget adjustments are permitted under Oregon Revised Statute 294.471. Per Oregon Revised Statute 294.473(1)(b), if total fund expenditures change by more than ten percent, or a new appropriation category is created, a notice of a public meeting and the proposed budget adjustments need to be published at least 5 days prior to the meeting. The public notice appeared in the Nugget News on June 19, 2024.

This supplemental budget includes items that affect the General Fund and Sewer Fund, Street System Development Charge (SDC) Fund, Sewer SDC, and Water SDC Fund. The summary points are below:

General Fund

The agreement with Sisters Destination Marketing Organization (DMO), Explore Sisters, mandates the City to allocate 33% of restricted tourism funds to the organization. Projections for FY 2023/24 initially indicated a decrease in these funds to the DMO. However, during year-end analysis, it was forecasted that the allocation to the DMO would rise by approximately \$28,000. Consequently, staff proposes an increase in funding for the DMO to accommodate this projected growth.

In collaboration with Economic Development of Central Oregon (EDCO), the City of Sisters not only includes a local EDCO representative in its program but also sponsors EDCO. This year, the sponsorship increased by \$2,500, prompting staff to request additional resources to accommodate this adjustment.



Sewer Fund

During fiscal year 2023/24, unexpected repairs to the City's sewer system have primarily focused on critical components such as effluent dispersion systems and pumps. The cost associated with these repairs amounts to approximately \$45,000.

In the early stages of FY 2023/24, the City initiated a biosolids removal project at the treatment plant. As the project progressed, it became evident that additional biosolids required removal. City staff collaborated with the contractor to implement a change order, resulting in an adjustment to the project cost of approximately \$151,000.

Transportation SDC Fund

The Barclay Drive improvement design was a major project in FY 2022/23. Some components of that design project transferred into early FY 2023/24. The City is requesting an additional \$30,000 to account for that timing difference in the project.

Transportation, Wastewater (Sewer), and Water SDC Funds

In 2014, the property located at 511 W Hood was designated for a proposed hotel project. The applicant paid permit fees, land use fees, and SDCs for the site in anticipation of the project. However, the applicant did not proceed with constructing the project and has now requested a refund of the SDCs paid to the City of Sisters. The total amount paid was \$199,056.94, distributed as follows: Water SDC \$80,070.51, Sewer SDC \$95,008.83, and Transportation SDC \$23,977.60.

The City's SDC Code does not include a provision about refunds, but the League of Oregon Cities model SDC ordinance includes the language that "any system development charges paid to the city pursuant to [a] cancelled permit shall be refunded upon request of the applicant. Such a refund will be in the amount paid at the time of the payment to the city, unadjusted for inflation." While it is unusual for a refund to be requested so many years after the permit issuance, it is a standard practice for cities to refund SDCs for cancelled projects.

In consultation with our Auditor, the easiest course of action is to process the refund by reducing the revenue accounts in the SDC Funds rather than creating an expenditure line in each SDC Fund.

Attachments:

1. ATTACHMENT 1: Resolution No. 2024-17
2. ATTACHMENT 2: Supplemental Budget Worksheet

RESOLUTION NO. 2024-17

A RESOLUTION OF THE CITY OF SISTERS ADOPTING A SUPPLEMENTAL BUDGET AND ESTABLISHING APPROPRIATIONS WITHIN THE FY 2023/24 BUDGET.

WHEREAS, the City of Sisters will have unexpected and unbudgeted resources and expenditures for FY 2023/24.

RESOLUTION ADOPTING THE SUPPLEMENTAL BUDGET

THEREFORE, BE IT RESOLVED that the City Council of the City of Sisters hereby adopts the supplemental budget for fiscal year 2023/24. This budget is now on file at 520 E. Cascade Ave., in Sisters, Oregon.

RESOLUTION MAKING APPROPRIATIONS

THEREFORE, BE IT RESOLVED that the following adjustments to appropriation categories are authorized by supplemental budget:

<u>General Fund</u>		
Tourism Department	\$	28,000
Economic Development Department		2,500
Operating Contingency		(30,500)
<u>Sewer Fund</u>		
Sewer System Repairs		45,000
Capital Outlay		151,000
Reserve for Future Expenditures		(196,000)
<u>Street SDC Fund</u>		
Contracted Services		30,000
Revenue		24,000
Reserve for Future Expenditures		(54,000)
<u>Sewer SDC Fund</u>		
Revenue		95,009
Reserve for Future Expenditures		(95,009)
<u>Water SDC Fund</u>		
Revenue		80,071
Reserve for Future Expenditures		(80,071)

RESOLUTION NO. 2024-17

APPROVED and ADOPTED by the Sisters City Council on this 26th day of June 2024.

Michael Preedin, Mayor

Andrea Blum, Council President

Gary Ross, Councilor

Jennifer Letz, Councilor

Susan Cobb, Councilor

ATTEST: _____
Rebecca Green, Deputy Recorder

**City of Sisters
Supplemental Budget Worksheet
FY 2023/24**

06/26/2024

FUND CATEGORY	ACCOUNT #	REVENUE / EXPENSE DESCRIPTION	REASON	ADOPTED BUDGET	PROPOSED SUPPL.	REVISED BUDGET
GENERAL FUND						
Tourism Department	01-5-04-726	Contracted Services	Reflect restricted Lodging tax due	375,000	28,000	403,000
Economic Development	01-5-09-733	Materials and Services	Reflect Membership Due update	7,500	2,500	10,000
Operating Contingency	01-5-00-400	Operating Contingency		706,506	(30,500)	676,006
SEWER FUND						
Materials and Services	05-5-00-787	Sewer System Repairs	Unexpected repairs to system components	27,500	45,000	72,500
Capital Outlay	05-5-00-906	Capital Outlay	Change order for biosolids removal	235,000	151,000	386,000
Reserve for future expenditures	05-5-00-410	Reserve for Future Expenditures		1,612,714	(196,000)	1,416,714
STREET SDC FUND						
Materials and Services	07-5-00-726	Contracted services	Barclay drive improvements timing	110,000	30,000	140,000
Revenue	07-4-00-394	Transportation SDC	Refund of SDC	(350,000)	24,000	(326,000)
Reserve for future expenditures	07-5-00-410	Reserve for Future Expenditures		2,471,722	(54,000)	2,417,722
SEWER SDC FUND						
Revenue	10-4-00-394	Sewer SDC	Refund of SDC	(375,000)	95,009	(279,991)
Reserve for future expenditures	10-5-00-410	Reserve for Future Expenditures		3,400,382	(95,009)	3,305,373
WATER SDC FUND						
Revenue	10-4-00-394	Transportation SDC	Refund of SDC	(275,000)	80,071	(194,929)
Reserve for future expenditures	10-5-00-410	Reserve for Future Expenditures		2,732,361	(80,071)	2,652,290



Meeting Date: June 26, 2024

Staff: Joe O'Neill

Type: Regular Meeting

Dept: Finance

Subject: Master Fee Schedule update to Sisters Overnight Park Fees, Water and Wastewater Rates, Refuse and System Development Charge (SDC) rates.

Action Requested: A RESOLUTION OF THE CITY OF SISTERS AMENDING THE MASTER FEE SCHEDULE.

Summary Points:

Sisters Overnight Park (Creekside Campground) Fees

- Currently, the City provides a bundle (armful) of firewood to the campground campers for a \$5 fee. Staff is proposing to increase that charge to \$10 per bundle in order to recuperate staff time, processing time, and the market rate of firewood.

Water and Wastewater (Sewer) Utility Rates

- An independent Water and Wastewater rate study was finalized in May of 2024. The result of that study was a recommended 12% annual increase for the water utility. The main driver for the increase was the capital funding requirement for planned water capital projects. Also of note is the rising operating costs of the utility.
- A component of the utility study addressed the significant volume of bulk water usage and the need to establish a fair fee for bulk meter usage to maintain equity across the water utility. It was recommended that the bulk meter charge align with the fixed charge for a 3-inch meter, reflecting its indicative size.
- For the Wastewater utility, the study resulted in proposed annual increases of 4%, which the utility needs to keep up with cost inflation and cover capital funding requirements for its planned capital projects, similar to the Water utility.
- Both utilities and the respective rates will be analyzed annually to assure they are maintaining the projected fund requirements.

Refuse – Rates

- Republic Services, the City of Sisters solid waste hauler, has requested a 1.5% increase in their rates for both residential and commercial accounts. Republic Services attributed the request to an increase in disposal fees, labor costs, fuel costs, and repairs. The increases in costs are coupled with tempered residential and commercial account growth for 2024 and 2025.

Republic has also proposed seeking an addition of a flat rate for residential carryout services to customers who would like Republic to move their carts to the curb. Republic projects a \$20 per month fee to cover this additional service and



customers who are physically unable to move their cart to the curb will have this service at no charge.

Public Works – System Development Charge (SDC) Rates

- In the winter 2024, an independent Park, Water and Sewer SDC study was conducted to evaluate the SDC fees as a direct result of updated master plans to the respective funds.

For the Park SDCs master plan study, it was determined that the updated Level of Service (LOS) for the parks system is deficient. Meaning, not only is there no capacity with the given criteria to serve future growth, but also the current parks fall short of the LOS criteria. The updated SDC Capital Improvement Plan (CIP) coupled with the LOS deficiency increased the SDC from \$1,193 per housing unit to \$3,676 per single family detached unit and \$1,910 per dwelling unit.

The Water and Wastewater rates were revised following the adoption of new master plans in 2024. The Water SDC fund now encompasses additional capital projects beyond those in the current master plan, leading to an adjustment in Water SDC rates to accommodate these projects. Similarly, updates to the Wastewater capital projects under the master plan resulted in a more moderate rate adjustment compared to the Water SDC fund.

Attachments:

1. ATTACHMENT 1: Resolution 2024-18: Master Fee Schedule

RESOLUTION NO. 2024-18

A RESOLUTION OF THE CITY OF SISTERS AMENDING THE MASTER FEE SCHEDULE FOR SISTERS OVERNIGHT PARK, WATER AND WASTEWATER RATES, REFUSE RATES AND SYSTEM DEVELOPMENT CHARGES

WHEREAS, the City Council of the City of Sisters, may impose fees that recover the actual costs of providing the services and will do so by resolution modifying the City’s Master Fee Schedule; and

WHEREAS, the City Council, finds that amending the fee resolution in a manner that will assess fees that recovers the actual costs of providing the services is appropriate; and

WHEREAS, on June 26, 2024, the City Council took public comment on the amendment to the fee schedule and took such comment into consideration;

NOW, THEREFORE, BE IT RESOLVED the City Council of Sisters hereby adopts the amended fee schedule as provided in Exhibit A with an effective date as of July 1, 2024.

ADOPTED by the City Council of the City of Sisters and signed by the Mayor this 26th day of June 2024.

Michael Preedin, Mayor

ATTEST:

Rebecca Green, Deputy Recorder

**CITY OF SISTERS
MASTER FEE SCHEDULE**

ITEM NO.	DESCRIPTION	CURRENT FEE (\$)	AMENDED FEE (\$)	UNIT AND/OR COMMENT
SISTERS OVERNIGHT PARK				
<i>(All RV and Tent sites are for a maximum of 6 persons and 2 motor vehicles per site)</i>				
SOP 1	Additional Person	2.00		per night
SOP 2	Additional Motor Vehicle	5.00		per night
SOP 3	Fire Wood	5.00	10.00	per bundle
SOP 4	Non Hook-Up RV/Tent Site	25.00		per night, plus applicable state and local taxes
Maximum of 6 people and 2 motor vehicles per site				
SOP 5	Full Hook-Up RV Site - 30 AMP	50.00		per night, plus applicable state and local taxes
Maximum of 6 people and 2 motor vehicles per site				
SOP 6	Full Hook-Up RV Site - 50 AMP	55.00		per night, plus applicable state and local taxes
Maximum of 6 people and 2 motor vehicles per site				
SOP 7	Hiker/Cyclist Tent Site Rate	5.00		per night, plus applicable state and local taxes
SOP 8	RV Dump Fee	10.00		
SOP 9	Shower Fee	1.00		per 2 minutes
WATER AND WASTEWATER FEES				
<i>Existing Fee</i>				
Deposit - Utility Services				
Residential:				
DP 1	Within city limits	150.00		
DP 2	Outside city limits	90.00		
Commercial:				
DP 3	Within city limits	200.00		
DP 4	Outside city limits	113.00		
DP 5	Bulk Water Meter	250.00		
LIAP 1	Low Income Assistance Program			<i>Pays 75% times the water, sewer and garbage rates</i>
Wastewater				
Other Rates				
WW 1	Discharge Permit (Short duration discharge)			
	High Strength (kitchen/washing machine) Grey water only	0.30		/gallon
	Low Strength (shower/hand sink)	0.25		/gallon
WW 2	Flow Testing	395.00		per location
WW 3	Industrial Permit writing/monitoring	100.00		/annually
WW 4	Sewer line T.V. Inspection	383.00		
WW 5	Additional charge for over 400'	0.96		/ft.
WW 6	Source detection inspection	100.00		/hour
Tap Fee (Includes Right Of Way Trenching/Boring Fees)				
WW 7	4" Sewer	550.00		
WW 8	6" Sewer	575.00		
Sewer Rate				
WW 9	Sewer (per EDU)	41.60	43.26	monthly
Water				
Backflow Testing				
WTR 1	Commercial	19.85		
WTR 2	Repair and retesting	18.50		
WTR 3	Residential	12.85		
WTR 4	Repair and retesting	9.95		
Bulk water				
WTR 5	Per 1,000 gallons	3.30		
WTR 6	Bulk water meter	34.30	112.27	base rate per month
WTR 7	Bulk water meter account setup fee	105.00		one time fee per account
WTR 8	Outside City limits			<i>Pays 1 1/2 times water sewer and garbage rates</i>
Standby water service for fire service				
WTR 9	4" and smaller	10.00		/per service
WTR 10	6" supply	15.00		/per service
WTR 11	8" supply	20.00		/per service

**CITY OF SISTERS
MASTER FEE SCHEDULE**

ITEM NO.	DESCRIPTION	FEE (\$)	FEE (\$)	UNIT AND/OR COMMENT
Water Rate				
WTR 12	5/8" and 3/4" meters	19.37	20.84	base rate
WTR 13	1" and 1 1/2" meters	21.72	27.15	base rate
14	1 1/2" meters		42.91	base rate
WTR 15	2" meter	24.07	61.82	base rate
WTR 16	3", 4", 6", 8" meters	58.70	112.27	base rate
17	4" meter		169.01	base rate
18	6" meter		326.64	base rate
19	8" meter		515.80	base rate
WTR 20	Per 100 cu.ft.	1.00	1.24	
Water Meter				
WTR 21	4 inch meter	3,678.00		each
WTR 22	3 inch meter	2,213.00		each
WTR 23	2 inch meter	1,811.00		each
WTR 24	2 inch meter valve	324.00		each
WTR 25	1 1/2 inch meter	1,602.00		each
WTR 26	1 1/2 inch meter valve	255.00		each
WTR 27	1 inch meter	566.00		each
WTR 28	5/8 - 3/4 inch meter	425.00		each
Miscellaneous				
Turn on or turn off for repairs or other*				
WTR 29	During the business hours of 8:00 am to 3:30 pm**	45.00		/per trip
WTR 30	After business hours, weekend, holidays	90.00		/per trip
Turn on or turn off for delinquency				
WTR 31	During the business hours of 8:00 am to 3:30 pm**	45.00		/per trip
WTR 32	After business hours, weekend, holidays	90.00		/per trip
WTR 33	Utility Processing fee	20.00		
WTR 34	Utility Transfer fee	20.00		
WTR 35	Water Tap Fee (Includes Right Of Way Trenching/Boring Fees)	500.00		
WTR 36	Utility Penalty Fee for delinquent accounts			
	Assessed on the 25th of the month	10.00		/per month
	Assessed after the 25th of the month	1.00		/day
	Collection Agency Fee	23%		of outstanding balance
*Leak investigation, repair, home inspection and seasonal.				
** Reconnection payment is subject to availability of administrative staff to receive and record payment				
REFUSE				
City Managed Accounts (Regular Refuse rate, plus an administration fee of \$25.00)				
Monthly rates:				
<i>Residential:</i>				
CMA 1	32 Gal Cart Curb	45.07	45.37	
CMA 2	64 Gal Cart Curb	52.25	52.66	
CMA 3	90 Gal Cart Curb	62.33	62.89	
<i>Commercial:</i>				
CMA 4	32 Gal Cart Curb	45.41	45.72	
CMA 5	64 Gal Cart Curb	57.10	57.58	
CMA 6	90 Gal Cart Curb	70.56	71.24	
CMA 7	1 YD-1 WKLY	116.55	117.92	
CMA 8	1 YD-2 WKLY	209.22	211.98	
CMA 9	1YD-3 WKLY	295.97	300.03	
CMA 10	1 YD-2 WKLY	382.71	388.08	
CMA 11	1YD-3 WKLY	469.44	476.11	
CMA 12	1.5 YD-1 WKLY	156.50	158.47	
CMA 13	1.5 YD-2 WKLY	280.57	284.40	
CMA 14	1.5 YD-3 WKLY	401.17	406.81	
CMA 15	1.5 YD-3 WKLY	521.79	529.24	
CMA 16	1.5 YD-3 WKLY	642.38	651.64	
CMA 17	2 YD-1 WKLY	199.18	201.79	
CMA 18	2 YD-2 WKLY	360.89	365.93	
CMA 19	2 YD-3 WKLY	521.08	528.52	
CMA 20	2 YD-3 WKLY	681.26	691.10	

CITY OF SISTERS
MASTER FEE SCHEDULE

ITEM NO.	DESCRIPTION	FEE (\$)	FEE (\$)	UNIT AND/OR COMMENT
CMA 21	2 YD-3 WKLY	841.26	853.50	
CMA 22	3 YD-1 WKLY	268.79	272.45	
CMA 23	3 YD-2 WKLY	493.50	500.53	
CMA 24	3 YD-3 WKLY	718.05	728.45	
CMA 25	3 YD-3 WKLY	942.63	956.39	
CMA 26	3 YD-3 WKLY	1,167.18	1,184.31	
CMA 27	4 YD-1 WKLY	328.90	333.46	
CMA 28	4 YD-2 WKLY	609.81	618.58	
CMA 29	4 YD-3 WKLY	890.55	903.53	
CMA 30	4 YD-3 WKLY	1,171.27	1,188.46	
CMA 31	4 YD-3 WKLY	1,452.04	1,473.45	
CMA 32	5 YD-1 WKLY	383.95	389.33	
CMA 33	5 YD-2 WKLY	714.81	725.16	
CMA 34	5 YD-3 WKLY	1,045.44	1,060.75	
CMA 35	5 YD-3 WKLY	1,376.11	1,396.38	
CMA 36	5 YD-3 WKLY	1,706.75	1,731.98	
CMA 37	6 YD-1 WKLY	432.00	438.11	
CMA 38	6 YD-1 WKLY	803.56	815.24	
CMA 39	6 YD-1 WKLY	1,174.89	1,192.14	
CMA 40	6 YD-1 WKLY	1,546.23	1,569.05	
CMA 41	6 YD-1 WKLY	1,917.58	1,945.97	
	Allied Waste Transfer Services of Oregon DBA Republic Services of Oregon			
	Monthly rates:			
	<i>Residential:</i>			
REP 1	32 Gal Cart Curb	20.07	20.37	
REP 2	64 Gal Cart Curb	27.25	27.66	
REP 3	90 Gal Cart Curb	37.33	37.89	
REP 4	Walk up fee		20.00	
	<i>Commercial:</i>			
REP 5	32 Gal Cart Curb	20.41	20.72	
REP 6	64 Gal Cart Curb	32.10	32.58	
REP 7	90 Gal Cart Curb	45.56	46.24	
REP 8	1 YD-1 WKLY	91.55	92.92	
REP 9	1 YD-2 WKLY	184.22	186.98	
REP 10	1 YD-3 WKLY	270.97	275.03	
REP 11	1 YD-4 WKLY	357.71	363.08	
REP 12	1 YD-5 WKLY	444.44	451.11	
REP 13	1.5 YD-1 WKLY	131.50	133.47	
REP 14	1.5 YD-2 WKLY	255.57	259.40	
REP 15	1.5 YD-3 WKLY	376.17	381.81	
REP 16	1.5 YD-4 WKLY	496.79	504.24	
REP 17	1.5 YD-5 WKLY	617.38	626.64	
REP 18	2 YD-1 WKLY	174.18	176.79	
REP 19	2 YD-2 WKLY	335.89	340.93	
REP 20	2 YD-3 WKLY	496.08	503.52	
REP 21	2 YD-4 WKLY	656.26	666.10	
REP 22	2 YD-5 WKLY	816.26	828.50	
REP 23	3 YD-1 WKLY	243.79	247.45	
REP 24	3 YD-2 WKLY	468.50	475.53	
REP 25	3 YD-3 WKLY	693.05	703.45	
REP 26	3 YD-4 WKLY	917.63	931.39	
REP 27	3 YD-5 WKLY	1,142.18	1,159.31	
REP 28	4 YD-1 WKLY	303.90	308.46	
REP 29	4 YD-2 WKLY	584.81	593.58	
REP 30	4 YD-3 WKLY	865.55	878.53	
REP 31	4 YD-4 WKLY	1,146.27	1,163.46	
REP 32	4 YD-5 WKLY	1,427.04	1,448.45	
REP 33	5 YD-1 WKLY	358.95	364.33	
REP 34	5 YD-2 WKLY	689.81	700.16	
REP 35	5 YD-3 WKLY	1,020.44	1,035.75	
REP 36	5 YD-4 WKLY	1,351.11	1,371.38	
REP 37	5 YD-5 WKLY	1,681.75	1,706.98	
REP 38	6 YD-1 WKLY	407.00	413.11	
REP 39	6 YD-2 WKLY	778.56	790.24	
REP 40	6 YD-3 WKLY	1,149.89	1,167.14	
REP 41	6 YD-4 WKLY	1,521.23	1,544.05	

**CITY OF SISTERS
MASTER FEE SCHEDULE**

ITEM NO.	DESCRIPTION	FEE (\$)	FEE (\$)	UNIT AND/OR COMMENT
REP 42	6 YD-5 WKLY	1,892.58	1,920.97	
SYSTEM DEVELOPMENT CHARGES				
	Parks - Current SDC rate applies at point of payment	1,193.00		
SDC 1	Single Family Detached		3,676.00	/per housing unit
SDC 2	Multifamily / attached dwellings		1,910.00	/per dwelling unit
SDC 3	Transportation - Current SDC rate applies at point of payment	2,609.00		/per PM peak hour trip*
				*ask City Planner for trip calculation(s)
	Sewer - Current SDC rate applies at point of payment			
SDC 4	.75" Meter size	5,166.00	5,472.00	
SDC 5	1.0" Meter size	8,609.00	9,121.00	
SDC 6	1.5" Meter size	17,220.00	18,242.00	
SDC 7	2" Meter size	27,552.00	29,186.00	
SDC 8	3" Meter size	51,658.00	58,373.00	
SDC 9	4" Meter size	86,099.00	91,208.00	
SDC 10	6" Meter size	172,195.00	182,415.00	
SDC 11	8" Meter size	275,513.00	291,865.00	
SDC 12	10" Meter size	-	973,795.00	
	Water - Current SDC rate applies at point of payment			
SDC 13	.75" Meter size	3,951.00	7,229.00	
SDC 14	1.0" Meter size	6,588.00	12,049.00	
SDC 15	1.5" Meter size	13,175.00	24,097.00	
SDC 16	2" Meter size	21,079.00	38,556.00	
SDC 17	3" Meter size	39,525.00	77,112.00	
SDC 18	4" Meter size	65,873.00	120,487.00	
SDC 19	6" Meter size	131,748.00	240,974.00	
SDC 20	8" Meter size	210,796.00	385,558.00	
SDC 21	10" Meter size	-	554,240.00	