



## PLANNING COMMISSION Agenda

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

### THURSDAY, JULY 18, 2024 – 5:30 PM AGENDA

This Planning Commission meeting is accessible to the public in person in the City Council Chambers at 520 E. Cascade Avenue, Sisters, OR 97759 and via the following Zoom link:

<https://us02web.zoom.us/j/87945407895>

#### I. CALL TO ORDER / DETERMINATION OF QUORUM / ADOPTION OF AGENDA

II. **VISITOR COMMUNICATION:** This is time provided for individuals wishing to address the Planning Commission regarding issues not already on the agenda.

#### III. APPROVAL OF MINUTES

April 4, 2024 (Exhibit A)

April 18, 2024 (Exhibit B)

#### IV. PUBLIC HEARING

1. **PROJECT NAME:** Modification of Sunset Meadows Master Plan Approval (Exhibit C)

**FILE NUMBER:** City File# MOD 24-01

**APPLICANT:** Todd Woodley

**OWNER:** WH Sisters, LLC

**REQUEST:** Modification of Condition of Approval #25 for the Sunset Meadows Master Plan (File Nos. MP 22-01/SUB 22-01/MNR 22-02) to allow recording of the plat for Phases 3 or 4 of the subdivision upon issuance of building permits for all multi-family buildings instead of upon obtaining certificates of occupancy for the multi-family residential development as currently required by the condition. No other modifications to the master plan approval are proposed.

#### V. STAFF AND COMMISSIONER COMMENTS

#### VI. ADJOURN

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Planning Commission Minutes  
Thursday, April 4, 2024 – 4:00 PM  
City Hall Council Chambers, 520 E. Cascade Avenue, Sisters, OR 97759

Vice Chairman: Jeremy Dickman  
Commissioners: Art Blumenkron, Sarah McDougall, Rick Retzman, Tom Ries  
Absent: Jeff Seymour  
City Staff: Scott Woodford, Community Development Director, Matt Martin,  
Principal Planner, Emme Shoup, Associate Planner  
Recording Secretary: Emme Shoup, Recording Secretary

I. CALL TO ORDER / DETERMINATION OF QUORUM / ADOPTION OF AGENDA

*Vice Chairman Dickman* called the workshop to order at 4:00 pm.  
A quorum was established. Adoption of Agenda – April 4, 2024.  
*Commissioner McDougall* made a motion to approve the Agenda for April 4, 2024, as proposed.  
*Commissioner Retzman* seconded. Motion passes.

II. VISITOR COMMUNICATION – None

III. WORKSHOP

A. Short-Term Rental Program Evaluation (Continued)

*Planner Martin* stated that the workshop today is to present draft development code amendments to Short-Term Rental standards. This is part of an on-going discussion regarding Short-Term Rentals in the City of Sisters and potential regulation amendments to the program and how it is administered. The goal is to provide an update on the outcome of the workshops that we have had with the City Council since we last met and wanted to provide that update as we work our way towards a formal amendment review process.

Summary Points:

The City Council identified “evaluation of the Short-Term Rental Code language to mitigate adverse impacts on the community” as a goal for the 2023-24 fiscal year. This evaluation has included staff research and analysis that has been presented to the Council and the Planning Commission for consideration. The purpose of this workshop is to present draft code amendments to the Short-Term Rental standards in Section 2.15.2700 of the Sisters Development Code (SDC). This staff report includes – Background, Draft Text Amendments, and Next Steps.

Background:

The Council and Commission have evaluated the Short-Term Rental (STR) over several workshops on the following dates:

September 13, 2023 – City Council Workshop  
October 5, 2023 – Planning Commission Workshop  
January 24, 2024 – City Council Workshop  
February 1, 2024 - Planning Commission Workshop  
February 14, 2024 – City Council Workshop

The previous workshops included presentations of an overview of the current program, analysis of associated data, and discussion of several potential amendments to the applicable standards. At the workshop on February 14, 2024, the Council directed staff to prepare a draft code amendment for the following:

- Expansion of the STR concentration limit from 250 feet to 500 feet.
- Applying STR concentration limit to dwelling units within a condominium.
- Prohibition of STR's in Urban Growth Boundary expansion/annexation areas.

Staff presented the draft code amendments to the Council at a workshop on March 13, 2024, for input. The Council expressed general support for the amendments as draft but requested refinement of the draft language to ensure the limits on permit transfer of SDC 2.15.2700(F) remain applicable to approval of STR applications submitted after December 28, 2024. In addition, the Council directed staff to draft amendments that apply the 500-foot concentration limits to residential only development overlay zones in the Downtown Commercial (DC) District.

These residential only development options include the full range of residential uses from single-family dwellings to multi-family residential developments. The Council stated that the purpose of the STR limitation in these overlay zones was to build on the work of the Land Use Efficiency Measures, which was to spur more housing within the existing city boundaries, ideally for more workforce housing. Having no concentration limit in this zone was seen as potentially contradictory to this goal. The Council explicitly indicated the concentration limit should not be applicable to mixed use buildings that include both commercial and residential uses.

Draft Text Amendments

Based on the direction of the Council, staff prepared draft text amendment language for discussion. Table 1 identifies the applicable SDC sections, a description of the amendment, and explanation of the reason for change.

SDC Section 2.15.2700(D)(2)

Amendment – Add prohibition of STRs in residential districts located in areas annexed into the city limits of Sisters after the effective date of ordinance, unless specifically permitted in an annexation agreement approved by the City Council.

Reason – The applicability to only residential districts is consistent with the current standards and allowance of STRs in commercial districts. In addition, allowing STRs as authorized by annexation agreement provides opportunity for future councils to exercise discretion at the time of annexation.

SDC Section 2.15.2700(E)(1)

Amendment – Expand concentration limit from 250 feet to 500 feet and relocate existing reference to non-conforming uses.

Reason – Limit additional approvals in proximity to existing STRs and reword section to accommodate new subsection applying the concentration limit to residential only development overlay zones in the Downtown Commercial District (DC).

SDC Section 2.15.2700(E)(1)(a)

Amendment – Add subsection with no change to applicable zone districts and relocate existing reference to non-conforming uses.

Reason – Reword section to accommodate the additional of applying the concentration limit to residential only development overlay zones in the Downtown Commercial District (DC).

SDC Section 2.15.2700(E)(1)(b)

Amendment – Add subsection to apply concentration limit to residential only development in the Downtown Commercial District (DC).

Reason – The concentration limit is currently not applicable in commercial districts. Applying the concentration limits to residential only developments in the DC District overlay zones will limit STRs and retain opportunity for potential long-term occupancy of dwelling units.

SDC Section 2.15.2700(E)(2)

Amendment – Add reference to condominiums.

Reason – In conjunction with the change to 2.15.2700(E)(3), the intent is to clearly state the limit of only one dwelling unit on the property that may be used as a short-term rental is applicable to dwelling units within a condominium.

SDC Section 2.15.2700(E)(3)

Amendment – Remove section exempting condominiums from concentration limits.

Reason – Removal of this section results in the concentration limit being applicable to dwelling units within a condominium in the zone districts specified on SDC2.15.2700(E)(1) and (2).

SDC Section 2.15.2700(E)(4)

Amendment – Expand concentration limit from 250 feet to 500 feet.

Reason – Limit additional approvals in proximity to existing STRs.

SDC Section 2.15.2700(J)(1)

Amendment – Change reference from “under the former 2013 SDC 2.15.2700” to” between February 1, 2013, and the effective date of the ordinance adopting these changes that does not comply with the current standards”.

Reason – Any changes may cause an existing lawfully established STR to not comply with the new standards (ex. STRs within 500 feet) and, thereby, become a non-conforming use. This section allows those lawfully established, non-conforming STRs to continue operations if they comply with this section and all other applicable standards. As amended, this criterion will be applicable to all STRs approved and permitted between adoption of the STR specific standards in 2013 and any new standards.

SDC Section 2.15.2700(J)(1)(d)

Amendment – Add requirement that approval of STRs applications submitted after December 18, 2018, shall comply with the transfer limits under subsection (F) of this section.

Reason – Referenced subsection (F) prohibits transfer of STRs approvals to new owners. This transfer limitation is applicable to only those approvals of STR applications submitted after December 28, 2018. The addition of this criteria provides clarity that the transfer limit remains applicable.

Next Steps:

Staff will initiate the formal text amendment adoption process including public hearings before the Commission and the Council. The date of the initial public hearing has not been scheduled. Notice of the public hearing will be provided in accordance with SDC 4.1.600.

Financial Impact:

None identified at this time.

Chapter 2.15 – Special Provisions

New text shown in Underline.

Removed text shown in ~~Strikethrough~~.

Sections – 2.15.2700 – Short-Term RentalsD. Prohibited Uses.

1. No recreational vehicle, travel trailer or other temporary shelter shall be inhabited as or used in conjunction with a short-term rental.

2. Short-term rentals in residential districts located in areas annexed into the city limits of Sisters after (insert effective date of ordinance), unless specifically permitted in an annexation agreement approved by the City Council.

E. Concentration Limits.

1. A short-term rental cannot be approved on a property within ~~250-500~~ feet of another property that has a valid short-term rental approval or is a legal non-conforming use approved under subsection (J) of this section and zoned;

~~a. R, MFR, SRR, UAR, and NSBP; or that has a valid short-term rental approval or is a legal non-conforming use approved under subsection (J) of this section.~~

b. DC and is a residential only development in one of the overlay zones in Figures 1 and 2 of Table 2.4.1 for the DC District. This is not applicable to commercial or mixed-use developments.

2. Where a property in the R, MFR, SRR, UAR, OR NSBP has multiple dwelling units (i.e. ADU's, duplexes, apartments, condominiums, etc.), only one dwelling unit on the property may be used as a short-term rental.

~~3. Notwithstanding anything herein to the contrary, dwelling units within a condominium are not subject to any concentration limits and are not considered when applying subsection (E)(1), whether as a property with an existing short-term rental or as a property proposed for a short-term rental.~~

4. "Within ~~250-500~~ feet" means a straight-line measurement in a radius extending for ~~250-500~~ feet or less in every direction from the closest point on the property line of the subject property to the closest point on the property line of the other property as determined by the Community Development Director.

J. Prior Existing Use.

1. Existing Type I Permits. Any short-term rental approved and legally permitted ~~under the former 2013 SDC 2.15.2700~~ between February 1, 2013, and (Insert effective date of ordinance) that does not comply with the current standards may continue as a legal non-conforming use provided:

a. That the use is not abandoned under subsection (H) of this section; and

b. That the owner obtains and maintains the operating license in accordance with SMC Chapter 5.50.

c. That the owner has the burden of establishing a valid prior approval and continuous operation when applying for an operating license or operating license approval.

d. Those approved after February 3, 2013, comply with the limits on permit transfer under subsection (F) of this section.

2. Legal Non-Conforming Uses. Any short-term rental that was lawfully established prior to February 1, 2013, when the initial short-term rental regulations were adopted, and has been lawfully and continually operating since that time, may continue as a legal non-conforming use provided:

a. The non-conforming use is verified through a declaratory ruling in accordance with SDC Chapter 4.9.

b. That the use is not abandoned under subsection (H) of this section; and

c. The owner obtains and maintains an operating license in accordance with SMC Chapter 5.50.

*Planner Martin* stated that this is the package of amendments that are in their draft form that the City Council has carried forward and gave direction to staff to initiate the formal review process. This has been the fact finding and discussion aspect of the goal and process of evaluating the short-term rental program, and with these identified amendments, it is time to carry it forward to creating and implementing the formal review process.

*Planner Martin* stated that the next steps that are planned with the Planning Commission following this workshop is the public hearing. Our target is still up in the air, but will possibly be later this spring, maybe May or likely June to have that public hearing. Following that public hearing, the Planning Commission provides a recommendation to the City Council that will be considered with the project record and any additional testimony and a public hearing before the City Council. The City Council is the final decision maker and adopts any changes or none via an Ordinance.

*Planner Martin* stated that no moratorium was pursued, and it was discussed with the City Council realizing that there were notice requirements, DLDC requires a 45-day notice prior to any public hearing considering a moratorium, public hearing, drafting of findings and then a decision. It was decided that the process and those resources allocated to that process could be better used to move forward with this formal adoption process.

#### IV. STAFF AND COMMISSIONER COMMENTS

*Planner Martin* stated that at the next meeting on April 18, 2024, will be the public hearing for the text amendments related to the Tourist Commercial District. We have a notice published in the Nugget Newspaper and mailed notice to participants have gone out. The staff is currently working on the staff report in preparation for the public hearing that will be issued no less than seven (7) days prior to the public hearing.

*Director Woodford* stated that after that we will be bringing back Defensible Space and Building Hardening. Those have been put on the back burner because these others are more pressing amendments, but they are still under consideration and still planning on bringing them back.

*Director Woodford* stated that we still have interviews for the Planning Commissioner candidates. It was supposed to happen this week, but it did not work out, so it will be next week which is the target date. We will hopefully have the 7<sup>th</sup> member on board here soon. We should know by the end of the month and should be in place for the May meetings.

*Planner Shoup* stated that Arbor Day is this month and is going to be on Friday, April 26, 2024, between 10:00 am and 10:30 am that day, and all of you are welcome to participate. We are working with a class of 20 students here in Sisters to plant over 100 tree seedlings at Creekside Park. It will be a mixture of ponderosa trees and some other riparian appropriate seedling species. It is something that we do every year as part of being a Tree City USA. The age group is from 4 to 11 and is a private school that we were able to connect with.

#### V. ADJOURN

*Vice Chairman Dickman* adjourned the meeting at 5:00 pm.

Respectfully submitted,

Carol Jenkins, Recording Secretary



Planning Commission Minutes  
Thursday, April 18, 2024 – 5:30 PM  
City Hall Council Chambers, 520 E. Cascade Avenue, Sisters, OR 97759

Chairman: Jeff Seymour  
Commissioners: Art Blumenkron, Sarah McDougall, Rick Retzman, Tom Ries  
Absent: Jeremy Dickman  
City Staff: Scott Woodford, Community Development Director, Matt Martin,  
Principal Planner, Emme Shoup, Associate Planner  
Recording Secretary: Carol Jenkins, Recording Secretary

I. CALL TO ORDER / DETERMINATION OF QUORUM / ADOPTION OF AGENDA

*Chairman Seymour* called the public hearing to order at 5:30 pm.  
A quorum was established. Adoption of Agenda – April 18, 2024.  
*Commissioner Retzman* made a motion to approve the Agenda for April 18, 2024, as proposed.  
*Commissioner McDougall* seconded. Motion passes.

II. VISITOR COMMUNICATION – None

III. APPROVAL OF MINUTES – December 07, 2024, and January 04, 2024.

*Commissioner McDougall* made a motion to approve the minutes for December 07, 2024, and January 04, 2024, as presented.  
*Commissioner Retzman* seconded the motion. Motion passes.

IV. PUBLIC HEARING

Project Name: Sun Ranch Tourist Commercial Zone District Text Amendments  
File Number(s): City File # TA 24-01  
Applicant: Ernie Larrabee – Lake House Inn, LLC  
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.

*Chairman Seymour* asked if any of the Planning Commissioners has had any conflicts of interest regarding this application, and whether or not they plan to participate.



*Commissioner Retzman* – No conflicts and plans to participate.

*Commissioner Blumenkron* – Has knowledge of the project and Larrabee’s live in the same development. He feels he could be fair and biased and plans to participate.

*Commissioner McDougall* – No conflicts and plans to participate.

*Commissioner Ries* – No conflicts and plans to participate.

*Chairman Seymour* – No conflicts and plans to participate.

*Planner Martin* stated that this hearing is a proposed text amendment to the Sisters Development Code Chapters 1.3 – Definitions, and Chapter 2.12 – Sun Ranch Tourist Commercial District. File No. TA 24-01 and acknowledging submitted by Jon Skidmore on behalf of Ernie Larrabee, Lake House, LLC. In the application materials, one point of clarification is those individuals are transposed on occasion but are one in the same representing the applicant. One omission from the script is for the applicant to provide their report following the staff report, but given this is an applicant-initiated project, as with all others, the applicant is afforded that first opportunity to testify after staff.

*Planner Martin* stated that what you have before you are a package of amendments to Chapter 1.3 and Chapter 2.12. The purpose of this proposal as indicated by the applicant is to expand and clarify the types of uses allowed in the Tourist Commercial District and implement a new vision and new opportunities within that district as well as make other non-substantive edits for consistency with formatting of other chapters of the Sisters Development Code. In coordination with staff, staff recommended that while the amendments are being proposed to the Tourist Commercial District that this serves as an opportunity to make those non-substantive amendments to the overall formatting of the chapters and be more consistent with most of the zone district chapters throughout the code.

*Planner Martin* wanted to acknowledge that the amendments in their latest draft are those included in addendum #1 to the application materials – the most recent application package of revisions submitted on March 14, 2024.

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:

File Nos. CP 06-01 / Z 06-01

Ordinances: 366/367 adopted April 26, 2007

Created Zone Districts: Sun Ranch Residential District, Sun Ranch Tourist Commercial District, and North Sisters Business Park. It is intended to be made up of a variety of zone districts and a transition from the employment areas to provide residential areas as well as these accommodations in other commercial and supportive uses in the Tourist Commercial District.

The staff report that was presented a week in advance of tonight’s proceeding is to capture a summary of those findings that are included in the staff report. He stated that it is important to highlight specifically those changes that staff found to be substantive.

Substantive Changes:Section(s):

## 1.3.300 – Definitions

Proposed Change – Add definition of “Lodging Establishment.”Staff Comment: Intended to encompass a variety of overnight commercial lodging types.

## 2.12.100 – Purpose

Proposed Change – Replace purpose statement.Staff Comment: The amendment is warranted to reflect the proposed amendments and vision for the district.~~2.12.300~~.200 – Permitted UsesProposed Change: Remove Cottages and Lodging FacilitiesStaff Comment: Would be permitted as “Lodging Establishment”.Proposed Change: Remove OfficeStaff Comments: Prohibits office building but office as an accessory use would be allowed.Proposed Change: Add Hotel and Lodging EstablishmentStaff Comments: See proposed definitions.Proposed Change: Add HostelStaff Comments: Specifically defined lodging type of use.Proposed Change: Add RV Park, including Caretaker’s Residence.Staff Comments: Existing specific use standards for RV Parks (2.15.1700) would apply.Proposed Change: Add ParkStaff Comments: A park can include a variety of amenities of increasing intensity and scale.Proposed Change: Remove Sauna, Laundry Establishment, Multi-Use Trail, Decks, etc.Staff Comment: Uses are recognized as accessory uses.~~2.12.300~~.200 – Permitted UsesProposed Change: Replace Amusement Use with Retail State Establishment Limited to 1000 square feet.Staff Comment: “Amusement Use” is a defined term in the SDC that encompasses a variety of uses. This amendment will instead allow small scale retail uses.Proposed Change: Replace “Special events/meeting facility, reception hall or community center” as a Conditional Use with “Community Centers and similar uses’ as a Permitted Use.Staff Comment: Change to permitted use no longer requires evaluation for compliance with the conditional use criteria (SDC 4.4).~~2.12.400~~.300 – Development StandardsProposed Change: Reduce setback from Barclay Drive/Camp Polk Road from 20 feet to 10 feet.Staff Comment: Proposed 10-foot street side setback same as other Commercial Districts.

## 2.12.1000 – Special Standards for Certain Uses

Proposed Change: Remove Special Standards for Neighborhood Markets, Laundry Establishments, and Cottages including – 50-foot setback from Barclay Drive/Camp Polk Road for Neighborhood Market – 1,000 square foot Maximum for Neighborhood Market.Staff Comment: Proposed 10-foot street setback would apply. The 6,000 square foot maximum for the neighborhood market would apply.

## 2.12.1100 – Design Standards

Proposed Change: Remove the 1900's Rural Farm/Ranch House Design Standards.

Staff Comment: The 1880's Western Frontier Design Standards would apply.

Public Comments:

- General Opposition to the Proposal  
Support for Existing Provisions of Tourist Commercial District  
Amendments not justified.
- Opposition to RV Park Use and Related Impacts  
Negative Impacts (Traffic, Noise, Light, Visual, etc.)  
Compatibility  
Long-Term Occupancy  
Limited Economic Value or Impact
- Existing Buildings should be Preserved and Refurbished.
- Support for Proposed Changes –  
Cater to Changing Tourism Market  
Mix of Uses will Revitalize Property  
RV Park Provides Affordable Options

Additional Correspondences: Since the staff report was prepared, the following record submittals have been received:

4/12/24 – Johnston email; 4/13/24 – Whitlatch email; 4/15/24 Pollard email

4/17/24 – Stephens' email; 4/17/24 – Brooks email; 4/18/24 Thorson.

Application: 4/18/24 Skidmore (Applicant) email Trip Generation Comparison.

Commission Recommendation: The Planning Commission recommendation options.

- Approve as Drafted
- Approve Portions as Drafted
- Approve with Amendments – Can include standards to address issues such as scale, intensity, and compatibility.
- Deny as Drafted

Next Steps:

- Continue the hearing to a date certain
- Close the hearing and leave the written record open to a date certain
- Close the hearing and set a date for deliberations; or
- Close the hearing and commence deliberations.

*Chairman Seymour* asked if there was additional correspondence on this matter other than those items included in the agenda materials.

*Planner Martin* stated that acknowledging those additional comments that he noted previously and provided printed copies as well.

*Chairman Seymour* asked the applicant to come forward and present their staff report.

Jon Skidmore, Skidmore Consulting, LLC for the applicants Ernie and Amy Larrabee

*Mr. Skidmore* stated that Ernie and Amy Larrabee are going to talk first about their vision for the property and what this text amendment will allow them to do. He wanted to introduce the other members of the team that have helped to develop this. Jen Bass is the Landscape Architect that puts together the story boards and conceptual layout. Melissa Webb is the Transportation Engineer as well as Adam Smith who is our Land Use Attorney with Schwabe Williamson, and Wyatt. Staff did a great job of talking about the specific amendments, the factors of consideration to consider those amendments are in Section 4.1.300 talking about consistency with Statewide Planning Goals, the Comprehensive Plan, adequate public facilities, and transportation facilities.

*Ernie and Amy Larrabee, Lake House, LLC* stated that they have lived in Sisters for nine (9) years and have four (4) children. Ernie owns a local roofing company here, and the three older kids have gone through the school system and are now done with one more child in school. Our kids are planting roots here, the oldest is marrying someone who has had a family business here for 25 years, our second child is in a serious relationship that has also had businesses here for 25 years, etc. It is important to let you know the heart of our intentions and goals for the property. We purchased the property as an owner carry in November 2017, and did not want to do much with it until it was paid off. We are proud to say that in December of 2023, we were able to pay off the property and are gathering an awesome team of super smart people who know what they are doing. Initially, when we bought the property, our heart was to restore the house and build cabins around the pond/lake – hence the name ‘Lake House Inn’. After talking with quite a few structural engineers who told us it would not be a great idea to renovate the house – we started having to brainstorm other ideas.

*Ms. Larrabee* continued to say that fast forward to covid hitting, the ideas of building cabins and the cost of lumber got our wheels turning to see if there were any other lodging establishments to do on the property that feasibility and financially in this kind of market when hotels were shutting down that we could do. We decided that an RV Park does offer an option for people coming in and not having to spend on an average \$200-\$400 a night to stay in Sisters. We believe it will bring in consumers for the business owners, especially May through September, but most exciting for us is the multi-use aspect of it. He had a heart to do something for the locals here – and what the Nugget skipped over is the whole aspect was to the locals. It would be for a community or gathering center, a tap house with firepits, food carts, fishing hole in the existing pond and stock it, the fenced dog park area, which Sisters does not have. We want to revitalize the property and provide lodging for guests coming through. There is the need for more affordable lodging, and we feel that an RV Park hits that and all the super fun stuff for the community to do and pickleball – a lot for everyone.

Jennifer Bass, Landscape Architect

*Ms. Bass* stated that there is screening around the left side of the property to the south and the west with existing juniper trees that will help screen the stalls, a children’s playground proposed, a stage, and a lot of multi-uses to bring in the community and tourism and will be a very vibrant space.

*Mr. Skidmore* stated that he wanted to list a few items with the scope of the proposed changes in terms of what is a new proposed use, there are only four (4) of them. The RV Park is gaining a lot of publicity and a lot of attention. Never have we veered from the intent of having mixed-use development on site. The proposal does have an RV Park, but we are looking to have other types of uses on site to appeal to the tourists as well as the locals. That is a key focus and was a key focus when we developed the Sun Ranch Tourist Commercial District almost 20-years ago. The whole mix of uses by having restaurants, lodging, and gathering spaces – none of that has been lost but a different chapter in the story of that property. The other uses that we have proposed that is new is a Hostel, Park, and the Amusement Use is meant to go and ride a bike, or get some tackle to fish in the pond, or rent a kayak – we were not looking to do a Chuck E Cheese, but a retail facility where people could rent bikes, etc.

Most of the overwhelming red lines are formatted based on conversations with staff and at their request – going from design standards that are in paragraphs to tables, it is more consistent with the rest of the Development Code. When asked to do that, he spoke with the Larrabee's and they were happy to do that, there is an expense to them, but they wanted to work with the city to update the code and easier to implement moving forward.

Another item is the special setbacks for the neighborhood market. When we designed this district 20-years ago, the concept was like the Camp Sherman Store. The special setbacks were put in place because the four most structures that we wanted to highlight were the Conklin Bed and Breakfast, but no longer a part of the plan. We felt going consistent with setbacks in other commercial districts – front, side, and rear made more sense. The design theme and going back to the 1880's design theme – the 1900's Rural Ranch design theme was something we developed with Shane Lundgren and wanted to have something different but is not a tried-and-true design standard at this point. The new Ski Inn came up as an example several times – they said that might work for us and why not revert to the 1880's.

The Lodging Establishment was another part of the proposal based on conversations with staff. We had the cabins in the Sun Ranch Tourist Commercial District, we had the Lodging Facilities, and in other commercial districts, we had the hotel/motel uses.

One of the conversations was that we would like to have something consistently applied throughout the city that is in our own Development Code. We wanted to simplify things and has been a confusing component of the conversation.

One thing that warrants some consideration and recognition is the success and contributions that certain developments throughout Sisters have provided to what is a unique and interesting culture and characteristics of Sisters that have been developed. Sun Ranch was proposed and brand new, worked hard with a team for several years to get that approved, and the concept with boutique industrial with residential units above industrial was foreign. EDCO and members of the community had a hard time with it but recognized that Light Industrial as we understood it did not fit in Sisters in that way. We were very intentional in designing that district, the residential district, Sun Ranch Tourist Commercial District around certain visions. People love coming to Sisters, spending money, and doing great things that you can, but cannot afford to stay here because of the cost of lodging.

There was concern about an applicant-initiated text amendment, but Sun Ranch is a result of one of those. We worked very hard with Five Pine to implement that Master Plan in a Highway Commercial District that did not contemplate what Five Pine even was. He stated that he was lucky to have worked with the Willitts family to implement a vision for property that is now a very important part of the Sisters story. Sun Ranch is as well, the Barn, Left Coast Lodge, and this is one more opportunity for Sisters' locals to do something very cool in this town that will contribute to the culture and to the economy. We should give members of this community credit for the great work they have done for the community and maybe be supportive of innovation when folks have different ideas. He stated that he has never seen an RV Park that has food carts, a tap house, pickleball courts, a fishing pond, and people can walk around town for many of the functions here in Sisters.

We are proposing the new language, but it comes down to the criteria in Section 4.1.600E which is the decision-making criteria for text amendments. He stated that their burden is to demonstrate consistency with Statewide Planning Goals, the Comprehensive Plan Policies, explaining and demonstrating that there is capacity of public services to serve the property as well as consistency with the Transportation Planning Rule. He continued explaining the Statewide Planning Goals – Goal 9, Economic Development and the adopted Comprehensive Plan has a supporting document called the Economic Opportunities Analysis, and the Sisters Country Vision. All these documents have a recognition of one of the focused target industries moving forward – it has been and will continue to be tourism with looking into getting more folks to come here and supporting the businesses in town. Tourism will continue to be an important part of Sisters economic future.

The survey that was done with tourists coming to town – people love coming here, they love spending money, and many folks cannot afford to stay here, etc. One thing that many destination marketing organizations have found is that if you can get heads in beds, people spend more money.

The Comprehensive Plan Section 2 stresses the need for a Land Use Planning process based on an adequate factual basis. A lot of data was provided from the RV Industry Association, Visit Central Oregon, and the survey done by Eco Northwest, etc. We have stated that what is being proposed is consistent with State Law and consistent with the Comprehensive Plan Policies relating to Economic Development. We have explained how travel behavior has changed, van life is a thing and a popular way for people to travel. RV sales have increased substantially in the past 20-years about 60 percent and a core buyer of these RV's are a younger demographic. The remote work opportunities that have come to play in the past few years, people can work from where they want. There was an increase in tourism and increase use of Short-Term Rentals, etc. in Central Oregon during the pandemic because people were free to leave the office and go to work where they want.

The economic impact of RV's is substantial – a study was provided that showed in 2022 that the RV industry contributed four billion dollars to Oregon's economy, manufacturing of RV's, sales, supplies, and to RV campgrounds, etc. Policy language in Chapter 8 of the Comprehensive Plan that encourages mixed-use development which we are very intentional about, if you want to have that conversation about how to secure that with some code language, we can have that conversation, but we have never varied from the idea of having mixed-use on that site.

On the adequacy of the public facilities with the wastewater system Capital Facility Plan from 2016, that analyzed the population projections as well as reasonable worst-case scenario uses on various properties and various zoning districts. The treatment facility, the 12-inch line in Camp Polk Rd. is adequate to serve this site. There is a 12-inch waterline on Barclay that is adequate to serve the site. On Transportation, a Transportation System Plan analysis was done by Melissa and more recently based on public feedback there were a few comments that RV parks generate more trips than a more traditional hotel, etc. She did an analysis comparing an 80-unit RV park compared to Five Pine which is a 44-unit hotel, as well as the Ponderosa Best Western Hotel with 78-units.

Melissa Webb, Lancaster Mobley

*Ms. Webb* stated that as part of this application, we looked at the Transportation Planning Rule and that is when we look to see that the Transportation System can support changes in traffic intensity that result from the proposed amendment. In this case, what we did was compare the trip generation potential of the site under both the existing allowable land uses as well as the proposed additional allowable land uses. For the existing uses, we looked in the code to see what is allowed in this site and chose the highest trip generator which ended up being a restaurant. For that, we estimated a good size for the restaurant and modeled it after Three Creeks Brewing which is about 6,000 square feet and since the lot is large that seemed like a reasonably sized restaurant. We did the trip generation of a 6,000 square foot restaurant and compared it to the campground/RV park with 80 camp sites, and to a public park which is approximately 4.6 acres. In comparing those two, we did find that the restaurant generated a significant number of trips more than what the campground or the park would generate. We were able to show that the existing uses generate more traffic than is currently being proposed.

*Mr. Skidmore* stated that it is noteworthy to add that the City's Transportation Engineer concurred with that analysis as well. We did amend it today, but *Ms. Webb* did a brief analysis of RVs versus more traditional hotels and is good to put in the record.

Adam Smith, Schwabe Williamson & Wyatt, 360 SW Bond St.

*Mr. Smith* stated that he wanted to reiterate that we were happy to provide some renderings and conceptual plans, but that is not what is being proposed tonight – it is just the text amendment. There is no proposal on the table yet and those are just conceptual plans at this point but wanted to let the Planning Commission and the members of the public have a general sense of the idea for the property. On that point, our comparison of 80 RV spots does not at all imply that we are looking to do 80 RV spots. When looking at the conceptual plan it is not near that many and is the worse case scenario for doing the traffic analysis. Another point is that he concurs with Planner Martin on the descriptions of the several options that you have going forward. If the Planning Commission is substantial or inclined to be considering substantive amendments to the code, we would request the opportunity to propose those amendments ourselves. We would love to get policy direction back from the Planning Commission and then work with staff directly to draft that language. There are better versions of code language when there is a single point of authorship. If the Planning Commission wanted to go down that one option suggested by Planner Martin where you wanted to propose meaty changes to what has been proposed, we would ask for that policy

direction and give us the opportunity to write those amendments for you and then for your consideration.

*Mr. Skidmore* stated that one item that did come up at the initial workshop and questions asked about how the applicant-initiated text amendment work, what is the process behind it and how does it flow – he then started thinking about the living nature of the planning documents in the community. It is appropriate and healthy for them to change as time goes on, the need to respond to different market conditions, and direction from the State, etc. If there was a more consistent format of the code that looked like the majority of the Development Code, we would have only come in with four (4) new uses to be propose as mentioned upfront – working with staff to try and update the code not only from a policy level, but of formatting which is a healthy exercise to go through routinely and we were happy to do that.

*Chairman Seymour* asked if the Commissioners if they had any questions of the applicant at this time.

*Commissioner Ries* asked about some of the intro materials where it referenced Landmark Lodging, Overnight Accommodations, Glamping Type Structures, and Boutique High-End RV Park. He stated he is looking for a definition of those items.

*Mr. Skidmore* stated that with a Boutique Park was a term that we used for the Sun Ranch Industrial District and the thought behind it was setting an intention of having a higher-level aesthetic, a higher-level of design, on-site etc. compared to the typical RV park where they may have a bathroom and a picnic table or two. This is something that is going to be more catering to the traveling public with a mix of uses, values on-site, as well as design considerations, enhanced landscaping, berms that provides a nice look, provides a nice feel, and more of an approach to the design, the feel, and the amenities that are provided there. Boutique does not have a specific definition, but that is the intention to have a higher level of design and amenities on-site. Glamping is an enhanced and higher-end approach to camping. It might be a nice canvas with 1-bedroom or 2-bedroom tents. It could be going camping and roughing it in the woods, but you have electricity, heat, and a kitchen to cook in as well.

*Commissioner Ries* asked for clarification on the street traffic and knows from experience that RVs are longer, larger, slower, and when there are more than two or three waiting to get into an RV park there could be problems with people parking on the street. He wanted to know if this was going to be addressed in the design, etc.

*Mr. Skidmore* stated that with specific site design, we would work with Ms. Webb on the turning radius, turning radii, throughout the facility, how to handle it on Camp Polk Road, RV spaces, etc.

*Ms. Larrabee* stated that on the exterior that is currently lined with all the trees and shrubby, we have 14 spots that are conducive for 40-foot RVs, and the rest of everything inside is going to be for the 24-foot Mercedes, Sprinter Vans, or the 12-foot conversion vans. Again, we do want to encompass that area to block the view of an RV Park going down Camp Polk Rd. but to create intimacy for the campers themselves.



*Mr. Skidmore* stated that the conceptual plan does have some of the airstreams, etc. It is a relatively small lot, it is not confined space, but it is not huge. The idea of having the largest RVs, being a 40-footer would reduce what could be an impact on the traveling public. These will operate more like a pickup truck and on a scale that is a lot more limited.

*Ms. Larrabee* stated that on the lines to get in, we do plan on having everything done on-line so people will know what spot they will be going to and not have to check into an office. They will be able to pull right in, and there will be signs directing them where to go. We do not anticipate being backed up in any way to get in.

*Commissioner Ries* stated that originally this was supposed to be a Bed & Breakfast and have 30 cabins. He asked if this would have been a hotel/motel, or a resort, and what would that definition be.

*Mr. Skidmore* stated that to go back to the initial vision for the Tourist Commercial Zone and that property. Yes, the Conklin structure was going to play a prominent role in it. Exactly how the property was going to be repurposed had not been determined, the house was in midst of renovations in 2007-2008 when the restaurant operator heard the rumblings of the great recession on the horizons and split. The idea was that there could be up to 30 cabins, but also the ability to do lodging facilities. It was never limited to just 30 cabins and no other units of overnight accommodation. We were very intentional in putting that in there so that if for some reason 10-15 cabins had been developed and the market went in a different way, the lodging facility was there allowing to develop other types of lodging facilities. The site had always been thought of originally with the vision of working as a resort with on-site amenities to rent a bike, go to the restaurant, etc.

*Chairman Seymour* stated that he had a question regarding the proposed change in the setbacks. Currently, being requested is a substantial diminishment of setbacks – a 50-foot setback on Barclay and Camp Polk and what is being proposed is 10 feet. Staff is also concurring with the applicant at 10feet.

*Mr. Skidmore* stated that he had not heard staff say that is a bad idea, but what he did hear is staff say that it is consistent with the other commercial zoning districts. Again, the idea of that enhanced setback was to have the structure play a prominent feature in terms of the visuals of the property. From an urban planning and urban form standpoint, it would be appropriate to have smaller setbacks so that as the traveling public come through, they see activity, they see businesses, and they are not doing 45 mph, but hitting the brakes and going slower.

*Chairman Seymour* asked if any of the Planning Commissioners had questions for staff.

*Commissioner Blumenkron* asked for clarification about adding the RV Park, and he understands that there are definitions elsewhere in the code.

*Planner Martin* stated that is correct and within the definitions of a recreational vehicle park there is no specificity on the duration of stay within a recreational vehicle park. The matrix provided was acknowledgement that if there was a concern or an interest in providing that frequency of turnover – limited duration of stay to provide that temporary overnight accommodation like a hotel or other short-term occupancy.

*Planner Martin* stated that now is the opportunity to speak about what the development and design criteria may be for a particular element of the package of amendments. We want to be mindful of speaking specifically to the conceptual plan that is being presented, but rather seeing that as a potential as we contemplate the overall design and development characteristics or operating characteristics of a particular use. The size limitations that are being proposed on retail uses that they are proposing of 1,000 square feet, existing in the code are hours of operation limitations for the neighborhood market that they are proposing to change, but another example of operating characteristics or time, place, and manner standards that could be considered as part of any recommendation.

*Planner Martin* stated that as you contemplate these amendments such as duration of stay, number of units if based on a formula of units per acre, or a footprint percentage of a property that may be occupied by the RV Park development portion of any development project. Those are considerations that would be prevue of the Planning Commission to consider.

*Commissioner McDougall* asked about the Land Use Table where it says RV Park including Caretaker's residence. When it includes the Caretaker's residence does that mean that it is required or optional.

*Planner Martin* stated that he interprets that to be optional, but it is not a standalone single-family dwelling as a standalone use, but rather it incorporates a caretaker residence option for on-site living quarters for the management of that use.

*Commissioner McDougall* asked about the cottages that were built on Adams Ave. and is that now categorized under hotel/motel – The Sisters Cottage Inn.

*Planner Martin* stated that for a point of clarification those cottages are on the corner of Main Ave. and Locust St. In the community there is a newly developed called the Sisters Cottage Inn that is multiple separate structures, but for the purposes of land use and the use category, it was reviewed as a hotel.

*Commissioner McDougall* asked if an allowed use was an RV park, would canvas structures be allowed in that use, or if it would be under any of the uses listed.

*Planner Martin* stated that the description of glamping and the use of canvas tents would fall under the proposed Lodging Establishment definition that incorporates any hotel/motel, resort building, or structure that is used to provide sleeping accommodations.

*Commission McDougall* asked for clarification on one of the potential changes that the existing buildings can be preserved and refurbished. There is nothing in the code or language that could require the applicant to do this.

*Planner Martin* stated that is correct for the purposes of it being 'historic' and recognizes the importance to the community and the history associated with the property and the structure itself, but for the purposes of required preservation it is not a designated historic resource that requires protection and preservation.

*Chairman Seymour* asked if staff could put up on the screen from the staff report, the main points that we are focusing on and asked for the 'setback' portion. With respect to the 50-foot proposed change and comments being 10-foot just to confirm that is consistent with other commercial zones within the city.

*Planner Martin* stated that it is located on page 1 of the Table. Initially, that is what the applicant proposed - the 10-foot setback, but confirming that, yes, the 10-foot setback is consistent with the highway and downtown commercial districts setback requirement. Currently, there is a 20-foot setback for all development/buildings, but there is a special increased setback of 50-foot for neighborhood markets.

*Planner Martin* stated that he wanted to acknowledge at the conclusion of all testimony, the opportunity for rebuttal is always afforded to the applicant.

*Chairman Seymour* stated that they would take a short five-minute break and then return for any public testimony.

Charlie Stevens, 1086 W. Collier Glacier Dr., Sisters, OR 97759

*Mr. Stevens* stated that he is speaking for a small group of citizens here tonight. They have spent a lot of time reviewing this, digging into the details, but found that the current code from a community perspective is quite good and adequate. We found no justification in any kind of market situation that would change this radically over the last 20 years. There have been some new things that have cropped up, but it does not comprise an overall market change that is worth Sisters paying attention to. The intent of the existing code was clearly to serve travelers and tourists and the local community. The term Lodging Establishment is already in the current code and used to refer to the business that operates a lodging facility, but not used in the way the applicant proposes to use it. Overall, the combination of all that is removed from the current code plus the addition of the RV Park removes any rationale that one might have in the future deeming other uses beside an RV Park more appropriate. We would suggest that an RV Park is a rather inappropriate use for this piece of ground. He gave examples and discussed the American Oil Companies, etc. He did not feel it appropriate to strike out all that code and wonders why the applicant did not apply to put RV Parks as a line item in the code.

Therese Kollerer, 1190 Jantzen Ct., Sisters, OR 97759

*Ms. Kollerer* stated that she is part of the group that just spoke and sincerely hopes that you take the time to read the document and go through in detail all the code changes and the responses to them. She walks her dog looking at this property daily and has been to many an RV Park. This is nothing that you want near residential districts. It will not be a Five Pine. She talked about the noise, generators, kids, and is not against RV Parks, but is against them in this location. She is against them in the future in Sisters where there will be more houses around there and hopefully there will be a mixed-use way to use this property by somebody somehow. She discussed the many emails and comments received over weeks and months and the community is not happy with this idea for the most part. She appreciates that they are getting a heads up that this is underway and can weigh in. Her hope is to either deny this application in its entirety or keep all comments open, think about it more and get more input.

Mercedes Murillo, 1310 W. Hill Ave., Sisters, OR 97759

*Ms. Murillo* stated that they moved to Sisters during the Covid scare in 2020, and we chose Sisters to live instead of Bend and Redmond because we read the Sisters Vision and that was the final closing for the future of Sisters. We want to ensure that the community has protection from adverse conditions that could be imposed on the community by these changes in the Development Code. The Development Code is being changed for one (1) parcel that will change wholesale – the nature of the future development for all time and for all of Sisters. Adverse conditions are not addressed – they are circumvented for this purpose but will affect any other type of future development plans. She addressed sanitation, conduct of guests, management oversight, infrastructure requirements, surrounding properties and residents. She stated that she would like more exposure, more time and consideration, more attention to the details, and address the adverse impacts, etc.

Nadine Sims, 150 W. Heising Dr., Sisters, OR 97759

*Ms. Sims* stated that she goes down this street every single day when leaving her home and feels vested in what happens. She looked at the Conklin property for years and wished that it had been brought back to life, or something that we could have used for our community. With this proposal, how does it benefit the Sisters community, nothing against RVs and it is a fun way to travel, but how is this property going to be used almost half of the year. The biggest problems in Sisters are additional housing and affordable housing and this is not housing. We need more employment opportunities, and this does not provide housing or employment. She discussed dogs and what can happen with areas of water play – they destroy it. It is a huge problem along the Deschutes River where the dogs had access, they wear it away, and a lot of restoring had to be done. She asked that this glamping and high-end RV idea overcome common sense and what is a benefit to our community and year-round.

Julie York, 1131 N. Jantzen Ct., Sisters, OR 97759

*Ms. York* stated that she lives in the Grand Peaks area and as many people travel in an RV and stays in a lot of different places. She said that she has never been in one that welcomed outside folks even if it was in a neighborhood situation. If the amenities are designed right, they are for the people that are there. If this business is doing well – it is going to compete with community folks coming in using the pickleball court, etc. We already have a stage and all the music that is going on downtown – she does support that, but we do not need another venue that is much closer to where she lives. There is talk about traffic, but we do not know how the roundabout is going to impact those two streets, but this is not normal traffic – these are huge vehicles. She stated that she loves the RV Park in Sisters/Bend RV and is a beautiful facility but is also in a location that is appropriate and is not in a neighborhood. She would support and could use affordable stays for folks visiting, just not in this neighborhood.

Torin Moray, 490 E. Diamond Peak Ave., Sisters, OR 97759

*Ms. Moray* stated that she agrees with the three (3) previous speakers – Charlie, Therese, and Julie. This is not an appropriate use of this plot of land in this area. She has also stayed in RV Parks including the one on Route 20 and it is lovely and much larger than this space. It is appropriate off a major highway as it is. The documents that Mr. Stevens has submitted to

the Commission should be read and considered in detail. He states very clearly what the concerns would be of this proposal in this area.

*Chairman Seymour* asked if anyone in the audience would like to give additional testimony. No one came forward.

*Chairman Seymour* asked the applicant if they had any rebuttal that they would like to share with us.

*Mr. Skidmore* stated that they would provide additional information and appreciate the feedback from the various folks. A few items that were raised need to be addressed right off the bat. We heard what a great spot this would be for affordable housing – this is commercially zoned and never meant to be developed with housing. There is an Economic Opportunities Analysis that identified the land needs for a variety of employment type uses, everything from traded sector to more food service and tourism related. It was included in the EOA and has been identified that there is a land need for these commercial uses. Affordable Housing is needed across the west, and the Larrabee's do not have any issues acknowledging that more housing is needed, but this property was brought into the city specifically for commercial purposes and it will be developed as such. It is not a candidate for affordable housing project.

In terms of benefits to the community, in terms of job creation, the whole Sun Ranch Master Plan did identify various areas for various uses. The residential area and the traded sector employment was aimed for the boutique industrial that the North Sisters Business Park and has always been focused on tourism, restaurants, and accommodations, etc. It is that type of job that would be created and generated on site. The city's occupancy rate and like everything in Central Oregon and other communities, they dip in the winter. Summer is big, the shoulder seasons are better, and winter tends to be tough. There is the ability for this to stay open year-round unlike the Creekside Campground. The other component that people need to keep in mind is this tap house, restaurant, or food carts will be open year-round as well as will the pickleball court, etc. In the winter there are opportunities to bridge those gaps and getting through this conversation of what uses are permissible is the first step and the programming elements that address those and winter seasons that is step 2 or 3 down the line. They are not ignoring that they are able to address that, but yes, occupancy for lodging facilities in Sisters is down in the winter, and we are trying to do something a little different that would attract folks at these times of the year that typically do not.

A comment was made about ignoring the Vision of the Sisters Country Vision. We are very consistent with it and have done a very good job of demonstrating how we are, and staff concurred with it. Part of that vision is to continue to focus on tourism and have tourism expanded to provide more options, more activities, and more interests for people to come here year-round. They do not take that obligation lightly. One other item was mentioned that they have stayed in a bunch of RV Parks and have never seen anything like what we are proposing. That is fantastic ~ we still have a way to get to before we put something on paper and come in with an application if we are successful in this process. Nobody has ever seen anything like Sun Ranch Business Park, nobody has ever seen residential in a business district, nobody has ever seen anything like Five Pine, nobody has ever seen anything like Shibui Spa with a gym and a very attention to detail hotel with cabins, the brewery, a barn for movies, all

these things are very innovative, this project is no different, and this will be something different but we are hoping to have the support where we can get to the point where we can do that detailed planning, but the first step is this Text Amendment.

Someone discussed having eliminated any ability to develop in a mixed-use fashion, that is not true. We made things more consistent with what you have throughout the rest of the Development Code – eating and drinking establishments, hostels, hotel, lodging establishments could be RVs or more traditional types of overnight accommodations. The intention and plan are mixed-uses, and we are going to stick with that. Neighborhoods within walking distance of existing RV campgrounds – an example would be Creekside Campground. It can be designed to be compatible and always been planned to be a component of the Sun Ranch Master Plan – we are not ignoring that and will continue to have that cohesiveness and asking for changes to the code to allow us to get to that planning.

*Mr. Smith* wanted to address some of the comments about the appropriateness of changing the code to allow an RV Park at this location. Mr. Steven's letter directly raised the issue of Goal 14 and if it was appropriate under Goal 14. Statewide Planning Goal 14 is intended to protect urbanization, to protect the UGB's, and the point is to keep urban uses inside UGB's and rural uses outside of UGB's. How does that play in the context of RV Parks – they are considered an urban use in Oregon. The State Land system is pushing RV Parks to within the UGB's. There have been several cases where people have tried to do large intensive RV Parks in rural unincorporated environments throughout the State, and those projects on multiple occasions have been defeated on Goal 14 grounds. Oregon Land Use Laws make it very difficult to establish any RV Park outside of city limits. Deschutes County has been working on this issue themselves, funded a study that was looking at the exact issue – there are seven (7) RV Parks in unincorporated Deschutes County – all were established more than 40 years ago prior to Oregon Statewide Land Use Laws. When it comes to the appropriateness of an RV Park next to a residential area within a UGB, that is the Statewide Land Use system and what is being anticipated. We are pushing these exact same kinds of uses to within the UGB.

*Mr. Smith* addressed the Commission saying that when the conversation comes up in terms of next steps and where you want to go from there, keeping the record open on any of those things, we request an opportunity to be heard on that issue.

*Commissioner Retzman* asked for clarification in that the only code that we are changing or even talking about changing is for the Tourist Commercial District which is 4.61 acres – it is not a citywide code and the only thing citywide is the definition for Lodging Establishments.

*Planner Martin* stated that is correct. The Tourist Commercial District is approximately a little over 6 acres incorporating the three (3) parcels and some right-of-way. Confirming that the only amendment outside of Tourist Commercial is the proposed definition of Lodging Establishment.

*Commissioner Ries* asked if there is any documentation from any other city's where RV Parks are included in Lodging Establishment definitions.

*Planner Martin* stated that he has not done that research into other communities.

*Commissioner Retzman* asked for clarification that the RV Park is not part of the Lodging Establishment – that is a separate thing.

*Planner Martin* stated that is correct. The RV Park is a separately defined term and use than a Lodging Establishment.

*Chairman Seymour* stated that he has not heard any Commissioner specify that they want to continue the hearing. The applicant has asked to participate in this aspect and asked staff for guidance. He asked what the next steps and options are going to be going forward.

*Planner Martin* stated that a scenario he hears playing out is that the Commission is considering closing the public hearing and moving to deliberations. Within the deliberations, you can begin to discuss the elements of the proposal. Approved as proposed, or with amendments, but we do not need specific language if contemplating some revisions, but rather some concepts that we can take back and prepare some specific language for your considerations as a follow-up.

*Mr. Smith* stated the applicant would request that if the Planning Commission were interested in proposing amendments to the code itself that you continue the hearing so that we can work with staff, we can take that feedback, tweak the code, and come back and present it. If you close the hearing in its entirety, the only form that we can communicate with you directly is via writing. If the Planning Commission is looking to tweak the code, we ask that you continue the entire hearing – we'll tweak the code and bring back those amendments to you.

*Chairman Seymour* stated that if they continue the public hearing and keep the public comments open so that the applicant can continue. If we go that route, he is inclined to listen to whatever changes or recommendations that the Commission has, but not go into deliberations due to the hour. He does want to have a robust discussion on this but is not sure tonight is appropriate for that.

*Planner Martin* stated that this is the opportunity to provide preliminary comments but not move to full deliberations. In that respect, we would have those ideas open and available and continue the public hearing meaning that the oral record, the entirety of the public hearing providing the opportunity for additional oral comments, or written comments to be provided at a later date. With some initial considerations of ideas and concepts that you are contemplating, we can incorporate that into any meeting materials prior to and leading up to the continued public hearing.

*Chairman Seymour* stated that we will continue the public hearing, the public comment will remain open, and we will need to define a specific time and date. Once that is complete, we will provide preliminary discussion and feedback for the applicant to have the opportunity to come back at the continued hearing and share their feedback.

*Commissioner McDougall* stated that she would propose removing the Lodging Establishment definition and adding back hotel/motel. She is uncomfortable with the word structure in the definition and would lead to the potential for yurts and other things that we would not want in this area. It also adds a level of complexity that is unnecessary right now. There was an addition of hostels to the allowed land uses, and in the other commercial districts there are

some other wordings in the table – accessory use to primary permitted use – 25 guest occupancy limits plus staff and a 14-day stay limit for each 30-day period. She wanted to suggest making this consistent with the other commercial uses in town. There is a section in the Municipal Code which we are not dealing with, but the current campground operates under and says that no person shall stay more than 14-days maximum in any 60-day period in any designated camping space or designated RV parking space. There should be some language that infers more specificity to the limited occupancy or temporary stays.

*Commissioner Blumenkron* stated that he agrees and thinks that we should have some kind of language that limits the stay because we do not want it to turn into a mobile home park. He is not sure of the time limit, but it should be temporary and some kind of language that guarantees that there is a minimal impact on the surrounding area so that there is screening and some kind of noise suppression with loud music for the neighborhood.

*Commissioner Ries* stated that he has nothing to add at this point and is still hung up on adding RV Park to this Tourist Commercial District which completely changes the aspect of what it originally was. The striking of so much of the code makes him uncomfortable and would like some explanation of how that works with staff. It sounds like the applicant has talked to staff and staff said to make some suggestions, and these are the suggestions. He would like some information on whether it is necessary to strike so much of the code because he does not like the idea of the setback change and does not like the idea of expanding the neighborhood market from 1,000 to 6,000 square feet.

*Commissioner McDougall* stated that there is an addition of parks to allow land use and currently there are no non-publicly owned parks or publicly managed parks in the city. Public or privately owned land set apart and devoted to the purpose of pleasure, recreation, ornamental light, and air for the public. Parks may include picnic areas, playgrounds, indoor recreation facilities, athletic fields, courts, amphitheaters, and open space. She would like if possible, to have a requirement for a caretaker on-site to watch over the park 24/7.

*Chairman Seymour* stated that it sounds like some good ideas, and some are more suitable to a development application if one were to come in.

*Planner Martin* stated that he confirmed with the applicant that they are agreeable to Thursday, May 16, 2024, at 5:30 pm to continue the public hearing and afford ample time to consider the concepts and ideas that are being proposed tonight and bring back with full vetting.

*Planner Martin* stated that one point of clarification for Commissioner McDougall was highlighting the concept of ownership of public and private and was there a specific element, design, or characteristics wanting to incorporate into those changes.

*Commissioner McDougall* stated that she had concerns originally about the word amphitheaters but acknowledged that the noise ordinances would help with the concerns she had.

*Planner Martin* stated that he wanted to acknowledge that this is a continued public hearing and will have full opportunity for testimony at that hearing, and any additional written



comments that folks would like to provide can be submitted in the intervening time-period. They can be submitted to Planner Martin and those will be included in the record.

*Chairman Seymour* wanted to make a comment to both staff and the applicant – tonight has been difficult because the lines have been blurred between a text amendment application and a potential development application especially with the props, photos, and the discussion regarding potential development applications and it has made it difficult for the Commission to hone down and focus on what we are here to make a decision on tonight. He wanted to make sure that everyone in the audience, the applicant, and the staff knows that we are very sensitive to that and at the continuation of the hearing, if we could not have the props and limit the discussion on what we are focused on with our decision-making process.

*Planner Martin* stated that one of the points of clarification that he wanted to offer is now that we have talked about the date – he wants to completely put it on the record that the public hearing is being continued to *Thursday, May 16, 2024, at 5:30 pm* to be held in the Council Chambers here at City Hall.

*Chairman Seymour* asked if staff had any comments or business at this time.

*Planner Shoup* stated that she wanted to highlight that Arbor Day is next Friday, April 26th and will be held at Creekside Park from 10am – 11:30 am. We have partnered with Upper Deschutes Watershed Council to host a tree planting event on Whychus Creek. They will give the creek history, and the nature of the riparian habitat here in Sisters, and we will plant some little seedlings. The public is welcome, and we will be focused on a class of around 20 students, but other people are welcome to join in with snacks, etc.

*Director Woodford* stated that they did an interview for the Planning Commission this week. The announcement will be made by the Major at the April 24<sup>th</sup> Council meeting. We will discuss when that person starts, and we will have a new member shortly with a term of 2026 finishing out an existing term. We have a kickoff meeting with the consultants for the Urban Growth Boundary (UGB) process and are getting the ball starting to move on that. One of the initial things is starting a project website and getting the information out to the public and finalizing a public engagement plan which will set out the tools and different techniques that we will use to get the word out about that process.

*Director Woodford* state that the Planning Commission will start to engage when one of the first steps is finalizing the land need and taking a lot of the information and analysis that we have been working on the last couple of years, but refining it, and making sure that we know what the total acreage need is and what type of land use, the different types of land use - residential employment and that will needs report will come out of that and something that we will review with the steering committee as well as the Planning Commission in the next couple of months.

*Planner Shoup* stated that C4C is hosting a community forum at the Sisters Fire Hall on Sunday, May 5, 2024, starting at 3:30 and going until 5:30. It will be a panel of local housing developers, a planner, Sisters Habitat for Humanity Director, and Councilor Letz. We will be there to talk about local housing issues and what efforts are underway to support workforce housing. All are welcome and spread the word.

*Chairman Seymour* adjourned the meeting at 8:10 pm.

Respectfully submitted,

Carol Jenkins, Recording Secretary



## STAFF REPORT

### Community Development Department

#### STAFF FINDINGS & RECOMMENDATION

**FILE NO:** MOD 24-01

**LOCATION:** 15510 McKenzie Hwy Sisters, OR 97759;  
Tax Map and Lots: Multiple – The Entire Sunset Meadows Master Plan Development

**APPLICANT:** Todd Woodley

**OWNER:** WH Sisters, LLC

**REQUEST:** Modification of Condition of Approval #25 for the Sunset Meadows Master Planned Development (File Nos. MP 22-01/SUB 22-01/MNR 22-02) to allow recording of the plat Phases 3 or 4 of the subdivision upon issuance of building permits for all multi-family buildings instead of upon obtaining certificates of occupancy for the multi-family residential development as currently required by the condition. No other modifications to the master plan approval are proposed.

#### APPLICABLE

**CRITERIA:** City of Sisters Development Code (SDC):  
Chapter 4.1 – Types of Applications  
Chapter 4.3 – Land Divisions and Lot Line Adjustments  
Chapter 4.5 – Types of Applications and Review Procedures

**HEARING DATE:** July 18, 2024

**STAFF REVIEWER:** Matthew Martin, Principal Planner

#### FINDINGS OF FACT:

**ZONING:** Multi-Family Residential (MFR) District

**COMPREHENSIVE PLAN DESIGNATION:** Multi-Family Residential (R-MFSD)

**SITE DESCRIPTION AND SURROUNDING LAND USES:** The subject 12.92-acre parent parcel is generally rectangle in shape. The topography is generally level throughout. The vegetative cover consists of scattered Western juniper, Ponderosa pine, and native groundcover and shrubs. The property is bound by Hwy 242 (a.k.a. OR 242/McKenzie Highway) to the south, Hood Street to the east, Brooks Camp Road to the west, and Felicity Lane to the northeast. The site is developed with street, alley, and pathway infrastructure associated with Phases 1 and 2 of the Sunset Meadows subdivision. There are also multiple single-family dwellings in Phases 1 and 2 and four (4) buildings of the multi-family residential development currently under construction.

To the west of the property is the Bishop of the Protestant Episcopal Church; to the east is city-owned public open space; to the south is the Pole Creek Ranch engaged in farm use; and to the north is the Oxbow Flats Apartments multi-family residential development and the Pines residential Planned Unit Development.



Figure 1. Subject property with Phases 3 and 4 Identified  
(Tax Lot and Aerial Photo Source: Deschutes DIAL)

**BACKGROUND:** On January 19, 2023, the Sisters Planning Commission approved the Sunset Meadows Master Planned Development (File No. MP 22-01/SUB 22-01/MNR 22-02). The approval consisted of 36 single-family detached dwellings, 24 attached (townhome) single-family dwellings, 72-124 multifamily units, approximately 3.15 acres of open space, as well as recreational amenities and supporting infrastructure in five (5) construction phases. The applicant originally proposed the multi-family residential development as the fifth and final phase of the Master Plan. The subject Condition #25 was added by the Planning Commission to ensure the multi-family residential development of the approved Master Plan was developed sooner to provide the city and the citizens needed housing. Condition #25 specifically states:

*25. The multi-family residential development proposed in this Master Plan shall be completed no later than as Phase 3 of Sunset Meadows. Certificates of Occupancy for the multi-family residential development shall be obtained prior to the recordation of the final plat for proposed Phases 3 or 4 of Sunset Meadows as identified on the revised phasing plan dated December 22, 2022.*

Figure 2. is a cropped portion of the referenced “revised phasing plan dated December 22, 2022.”

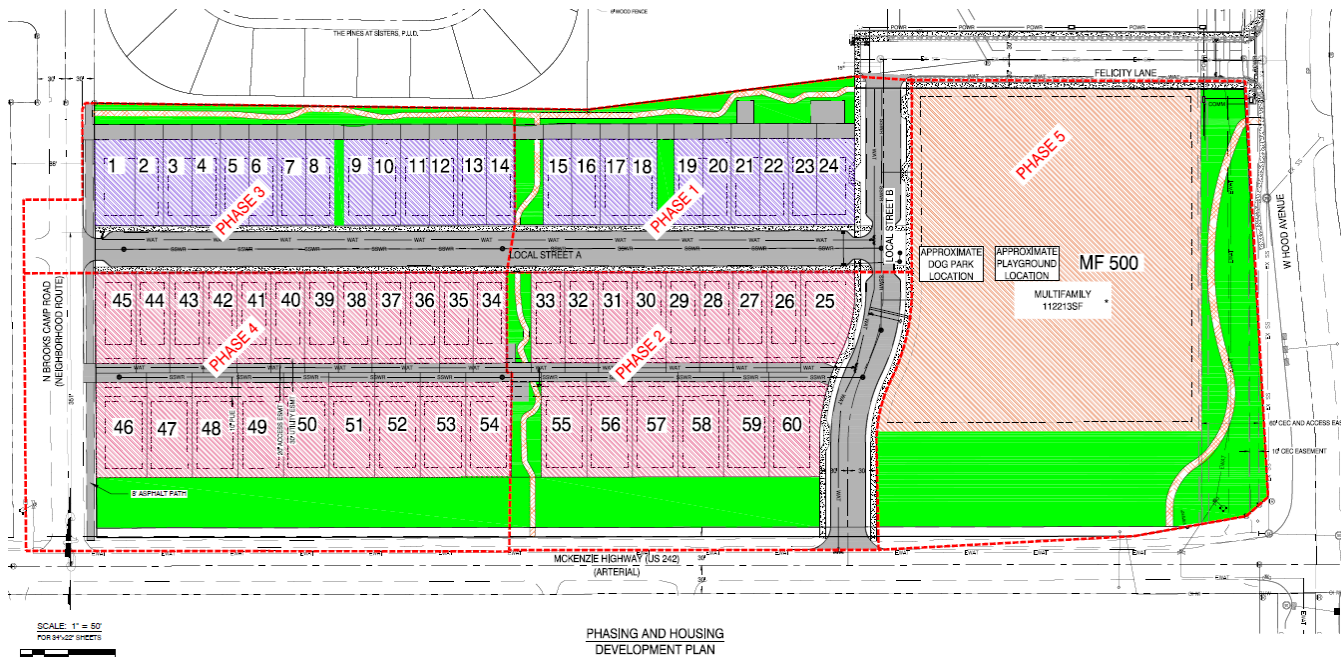


Figure 2. Revised phasing plan dated December 22, 2022.  
 (Source: Application Materials for File Nos. MP 22-01/SUB 22-01/MNR 22-02)

Since the preliminary approval of the master plan, the following actions relevant to the proposed modification have been taken:

- **October 24, 2023** - Site Plan Review approved for 84-unit multi-family residential development (File No. SP 23-02).
- **January 12, 2024** - Partition Plat (PP 2024-01) recorded creating the parcel for the multi-family residential development after receiving final plat approval (File No. FP 23-02).
- **March 5, 2024** - Subdivision plat for Phases 1 and 2 recorded after receiving final plat approval (File No. FP 23-04).
- The following building permits for the multi-family residential development have been issued and construction is underway with multiple approved inspections for each:
  - 247-23-006454-STR (Issued 4-16-24)
  - 247-23-004883-STR (Issued 4-23-24)
  - 247-23-006456-STR (Issued 4-29-24)
  - 247-23-004889-STR (Issued 6-5-24)
- The following building permits for the multi-family residential development have been applied for, associated system development charges have been paid, and plan review is underway:
  - 247-23-004891-STR
  - 247-23-006455-STR

The applicant provides the following justification and description of the proposed modification:

*The original intent of Condition #25 was well intended; however, it artificially delays completion of needed housing. Additionally, Condition #25 prolongs the development of Sunset Meadows which extends the*

*impact of construction for adjacent citizens. The intent of Condition #25 is satisfied; therefore, the applicant requests Condition #25 to read:*

*25. All building permits for multifamily buildings shall be issued prior to the recordation of the final plat for proposed Phases 3 or 4 of Sunset Meadows as identified on the revised phasing plan dated December 22, 2022.*

**SUMMARY OF CONCLUSIONARY FINDINGS:** Pursuant to the applicable chapters found in the Sisters Development Code (SDC), this modification request can either be approved, approved with conditions, or denied on the basis of whether the applicable standards and criteria can be satisfied either as submitted, or as mitigated through conditions of approval.

A detailed analysis of applicable standards and conclusionary findings specific to this requested Modification are contained in this report.

**STAFF RECOMMENDATION:** *Approve with Conditions*. Based on the information and findings contained in this staff report, staff concludes that the requested Modification satisfies the approval criteria and recommends that the Planning Commission approve the request with the Conditions in Exhibit C.

**EXHIBITS:**

The following Exhibits make up the record in this matter:

- A. Public Notice and Comments
- B. Agency Notice and Comments
- C. Draft Conditions of Approval
- D. Application Materials and Project Record

## **APPLICABLE CRITERIA AND STAFF FINDINGS**

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### **CONCLUSIONARY FINDINGS**

The following findings relate to compliance with applicable Development Code standards and criteria. The terms “subject property” or “site” refers to the subject site under consideration. The criteria applicable to this land use application are as follows:

- City of Sisters Development Code (SDC):
  - Chapter 4.1 – Types of Applications
  - Chapter 4.3 – Land Divisions and Lot Line Adjustments
  - Chapter 4.5 – Types of Applications and Review Procedures

### **CHAPTER 4.1 – TYPES OF APPLICATIONS AND REVIEW PROCEDURES**

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#### **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).

...

- C. **Type III Procedure (Quasi-Judicial).** Type III decisions are made by the Planning Commission after a public hearing, with appeals heard by the City Council. Type III decisions generally use discretionary approval criteria;

Table 4.1.200 Summary of Development Decisions/Permit by Type of Decision-making Procedure		
Action	Decision Type	Applicable Regulations
Subdivision	Type III	Chapter 4.3
Master Planned Development	Type III	Chapter 4.5

...

- E. **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 Findings:** The application is for a Major Modification of an approved Subdivision and Master Planned Development, which are subject to Type III review. The procedures will follow what is outlined in Chapters 4.3 and 4.5.

**4.1.700 General Provisions**

...

**J. Major Modification.**

1. **An applicant may apply to modify an approval at any time after a period of 60 days has elapsed from the time a development approval has become final.**

**Staff Findings:** The Planning Commission approval of File Nos. MP 22-01/SUB 22-01/MNR 22-02 became final February 2, 2023. The subject Modification of Approval application was submitted on May 30, 2024, more than 60 days after the original land use decision became final.

2. **Unless otherwise specified in this Code and is not considered a minor modification, the grounds for filing a modification shall be that a change of circumstances since the issuance of the approval makes it desirable to make changes to the proposal, as approved. A modification shall not be filed as a substitute for an appeal or to apply for a substantially new proposal or one that would have significant additional impacts on surrounding properties.**

**Staff Findings:** The applicant did not specifically address this criterion. With that said, the applicant explains the reason for the modification as follows:

*The condition was included by the Planning Commission as a mechanism to ensure the apartment component of the approved Master Plan was not indefinitely delayed. You may recall during the hearing, I stated the applicant did not want to delay construction of the apartments and intends to begin construction as soon as practical. The applicant has followed through and construction of the apartments has begun in earnest. The applicant has the means to complete the subdivision and wants to record the plat at the completion of infrastructure. Engineering plans for the final two phases of the subdivision are nearly approved and construction can take place this summer.*

*The original intent of Condition #25 was well intended; however, it artificially delays completion of needed housing. Additionally, Condition #25 prolongs the development of Sunset Meadows which extends the impact of construction for adjacent citizens.*

Staff infers the applicant's contention is the change in circumstance that makes it desirable to make changes to the approval is the subject condition delays the recording of the subdivision plat(s) for Phases 3 and 4 and related dwelling units more than originally contemplated and intended by the Planning Commission. The applicant further indicates the original intent of the condition to not delay the construction of the multi-family development has been achieved, which is supported by the issuance of permits and ongoing approved inspections described in the Background section of the Findings of Fact in this report.

Staff finds the proposed modification is not filed as a substitute for an appeal or to apply for a substantially new proposal or one that would have significant additional impacts on surrounding properties. In fact, the impact of the development, particularly on nearby residents, will likely reduce based on shorter anticipated construction timelines.

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

- 3. An application to modify an approval shall be directed to one or more discrete aspects of the approval, the modification of which would not amount to approval of a substantially new proposal or one that would have significant additional impacts on surrounding properties. Any proposed modification, as defined in this section, shall be reviewed only under the criteria applicable to that particular aspect of the proposal. Proposals that would modify an approval in a scope greater than allowable as a modification shall be treated as an application for a new proposal.**

**Staff Findings:** The requested modification addresses only the timing by which the subdivision plat for Phases 3 and 4 can be recorded relative to the timing of the multi-family residential development and does not amount to approval of a substantially new proposal. Approving this modification is not anticipated to have significant impact on surrounding properties. Based on this information, staff finds this criterion is met.

- 4. An application for a modification of a Type I approval shall be processed as a Type I application. An application for a modification of a Type II approval shall be processed as a Type II application. An application for a Type III approval shall be processed as a Type III application. The Community Development Director shall have the discretion to forward any Type I or Type II modification to the Planning Commission for review.**

**Staff Findings:** The subject application is for a modification to a subdivision and master plan approval, both of which are Type III applications. As such, the subject application shall be processed as a Type III application.



5. The effect, if any, of a modification upon the original approval time limitation shall be established in the modification decision.

**Staff Findings:** The proposed modification will not change the original approval time limitation. The only change will be with respect to the timing of the recording of the subdivision plat for Phase 3 and 4 relative to the development of the multi-family residential use.

## CHAPTER 4.3 – LAND DIVISIONS AND LOT LINE ADJUSTMENTS

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### 4.3.400 Approval Process

...

#### E. Preliminary Plat Approval Period – Multi Phased Subdivision.

1. The City, at its discretion, may approve a time schedule for developing a subdivision in phases, but in no case shall the expiration period for the initial subdivision phase be greater than two years from the date the preliminary plat approval became final or six years from the date that the preliminary plat approval became final for the final phase unless an extension is granted in accordance with SDC 4.3.400(F). The Community Development Director shall determine whether the approval, whether for the entire subdivision or any particular phase, has been initiated based on whether significant infrastructure improvements have been completed as of the date the approval expires. Such a determination will be made through either a Type II decision or, at the discretion of the Community Development Director, a Type III decision before the Planning Commission. Significant infrastructure includes but is not limited to site grading, streets, water, sewer, power and communications services construction sufficient in terms of time, labor, and/or money to demonstrate a good faith effort to complete the development or as otherwise specified as a condition of approval.
2. The criteria for approving a phased land division proposal are:
  - a. Public facilities shall be constructed in conjunction with or prior to each phase;
  - b. The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Section 4.3.800. A temporary public facility is any facility not constructed to the applicable City or district standard;
  - c. The phased subdivision shall not result in requiring the City or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved preliminary plat; and
  - d. A request for a phased land division shall be made as part of the preliminary plat application for a phased subdivision.

**Staff Findings:** The approved master plan included a multi-phased land division. The partition and subdivision are approved to be completed in five phases, as depicted in Figure 2 of this report. As previously discussed, the approval included the following condition of approval:

25. *The multi-family residential development proposed in this Master Plan shall be completed no later than as Phase 3 of Sunset Meadows. Certificates of Occupancy for the multi-family residential development shall be obtained prior to the recordation of the final plat for proposed Phases 3 or 4 of Sunset Meadows as identified on the revised phasing plan dated December 22, 2022.*

The applicant is proposing to modify this condition as follows:

25. *All building permits for multifamily buildings shall be issued prior to the recordation of the final plat for proposed Phases 3 or 4 of Sunset Meadows as identified on the revised phasing plan dated December 22, 2022.*

It is not explicitly clear to staff what the proposed condition means when using the term “multifamily buildings.” The approved multi-family residential development includes 6 buildings containing dwelling units and a community building. As such, the proposed term “multifamily building” can be interpreted to mean either only the 6 buildings containing dwelling units or all buildings including both the 6 buildings containing dwelling units and the community building. Staff request clarification from the applicant regarding this issue. In either instance, staff finds that the master plan approval with the proposed modification with requested clarification remains compliant with these criteria.

## **CHAPTER 4.5 – TYPES OF APPLICATIONS AND REVIEW PROCEDURES**

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### **4.5.800 Approval Durations, Extensions and Amendments**

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#### **D. Modifications to Master Plan.**

1. **The following minor modification examples may be approved administratively by the Community Development Director;**
  - a. **An increase to the amount of open space or landscaping;**
  - b. **Changes to dimensional standards identified in Section 4.5.400.B as long as the minimum requirements are satisfied. Changes to dimensional standards approved as part of a land division shall be reviewed using Chapter 4.3 Land Divisions and Lot Line Adjustments.**
  - c. **The location of buildings, proposed streets, parking and landscaping or other site improvements shall be as proposed, or as modified through conditions of approval. Changes in the location or alignment of these features by 25 feet or less or other changes of similar magnitude may be approved administratively. Changes to locations approved as part of a land division shall be reviewed using Chapter 4.3 Land Divisions and Lot Line Adjustments.**
2. **Other modifications are major modifications. See Chapter 4.1.**

**Staff Findings:** The request qualifies as a major modification, as it does not meet any of the examples in a-c above.

3. **The Community Development Director or the applicant shall have the right to refer a proposed amendment directly to the Planning Commission for their determination of whether or not the amendment creates a substantial adverse impact to the approved Master Plan.**

**Staff Findings:** Neither the Community Development Director nor the applicant have exercised their right to refer the proposed amendment to the Planning Commission as permitted by this section. With that said, as previously found under SDC 4.1.700(J)(4), the proposed modification is automatically subject to a Type III review process including review by the Planning Commission.

4. **Through the Type III decision process, the Planning Commission is authorized to reset the expiration date of the Master Plan approval as part of approving a major modification to an existing master plan.**

**The applicant must submit justification and supporting evidence to the Planning Commission that the additional time is warranted by the proposed modification. [Ord. 478 § 1 (Ex. A), 2017].**

**Staff Findings:** The applicant has not submitted a request to reset the expiration date of the Master Plan approval.

----- *End of Conclusionary Findings* -----

## **EXHIBIT A: PUBLIC NOTICE AND COMMENTS**

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**Public Notice & Comments:** Notice of the Public Hearing for the proposed Modification of Approval was mailed posted on the subject property and published in The Nugget newspaper on July 3, 2024, in accordance with SDC 4.1.500.B. At the time this staff report was completed, there were no public comments related to the requested Major Modification had been received and are included in this report.

## **EXHIBIT B: AGENCY NOTICE AND COMMENTS**

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Notice of application was sent to city departments and other affected agencies for comment on June 6, 2024. The following comments were received:

### **OREGON STATE FIRE MARSHAL (CLARA BUTLER):**

*Fire has no comments.*

**EXHIBIT C: STAFF RECOMMENDED CONDITIONS OF APPROVAL**

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**Staff Recommended Conditions of Approval for File No. MOD 24-01**

The following conditions of approval are associated with the land use application file no. MOD 24-01. All conditions shall be met prior to recording the subdivision plat(s) unless otherwise stated within each condition of approval.

**Planning**

1. All conditions of approval specified in previously approved applications and agreements related to this site, not addressed in this application, remain in effect with the exception of Condition of Approval #25, which is modified as follows:

*25. All building permits for multifamily buildings shall be issued prior to the recordation of the final plat for proposed Phases 3 or 4 of Sunset Meadows as identified on the revised phasing plan dated December 22, 2022.*

----- **End of Conditions** -----

## **EXHIBIT D: APPLICATION MATERIALS AND PROJECT RECORD**

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Attached are the applicant materials submitted May 30, 2024, that are the subject of this review.

All application materials and record submittals are available for review at Sisters City Hall and formally presented by reference.



# Master Planning Application Form

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

- |                        |                            |                      |
|------------------------|----------------------------|----------------------|
| Accessory Dwelling     | Lot Consolidation          | Re-plat              |
| Annexation (III/IV)    | Lot Line Adjustment        | Short Term Rental    |
| Appeal                 | Lot of Record Verification | Site Plan Review     |
| Code Text Amendment    | Master Plan                | Subdivision          |
| Comp. Plan Amendment   | Minor Conditional Use      | Temporary Use Permit |
| Conditional Use Permit | Minor/Major Variance       | Time Extension       |
| Final Plat Review      | ■ Modification             | Zone Change          |
| Home Occupation        | Partition                  | Other _____          |

### Applicant Information

\* The applicant will be the primary contact for all correspondence and contact from the City unless other arrangements are made in writing.

**WH Sisters LLC** 503-931-3894

Name Phone

8215 SW Tualatin Sherwood Road #200, Tualatin, OR 97062 todd@cobaltbuilt.com

Address Email

### Property Owner Information

**Same as Applicant**

Name Phone

Address Email

### Property Information

15510 McKenzie Hwy, Sisters, OR 977059 12.85 acres

Address Property Size (Acres or Square Feet)

Multiple - Sunset Meadows Subdivision

Tax Lot Number(s)

MFR MFR

Existing Zoning of Property Comprehensive Plan Designation

Describe Project/Request: Modify Condition #25 to allow recording of plat for last two phases of subdivision upon issuance of all multifamily building permits in Sunset Meadows.

Applicant Signature: [Signature] Date: 5-23-24

Property Owner Signature: [Signature] Date: 5-23-24

### For Office Use Only

Date Received: <u>5/30/24</u>	File No.: <u>MOD24-01</u>	Check No.: <u>CC</u>
Cash: <u>-</u>	Amount Paid: <u>3,875.<sup>00</sup></u>	Receipt #: <u>219228</u>
Checked By: _____	<u>(see attached email 5/29/24)</u>	



## Application Requirements

The following application requirements shall be submitted, unless indicated otherwise. Applicant may be required to submit

- **APPLICATION** (one copy) with FEE. *Note: Please refer to fee schedule.*

all application materials listed in this section shall be provided at the time of application.

**BURDEN OF PROOF or NEEDS ANALYSIS.** Scope of this document will vary according to the complexity of the Code Standards and Criteria that are used to review each application. Burden of proof shall include references to all applicable code sections. Questions regarding which code sections apply shall be directed to the Community Development Department staff.

**OTHER STUDIES.** Other studies, such as a Traffic Study, Impact Study or Soils Study may be required by the Community the City will be identified clearly/in writing, and within 30 days from the date the application is submitted to the City.

**SITE PLAN (Existing Conditions).** One (1) 18 x 24-inch minimum site plan and one (1) 11 x 17 reduction of the site plan.

**SITE PLAN (Proposed Project).** One (1) 18 x 24-inch minimum site plan and one (1) 11 x 17 reduction of the site plan.

**ELEVATIONS.** One (1) 18 x 24 inch minimum elevation drawing, and one (1) 11 x 17 reduction of the elevation drawings.

**FLOOR PLANS.** One (1) 18 x 24 inch minimum floorplan drawing, and one (1) 11 x 17 reduction of the floorplan drawings.

**PRELIMINARY TITLE REPORT.** A preliminary title report, subdivision guarantee, deed or equivalent documentation not older than six (6) months which shows any and all easements affecting the project site. *Note: this document must disclose easements recorded on the subject property, or it will not be accepted as meeting the submittal criteria.*

**TENTATIVE PLAT.** One (1) copy of a tentative subdivision or parcel plat; 18 x 24 inches minimum. One (1) 11 x 17 reduced copy of the subdivision or partition plat shall also be provided.

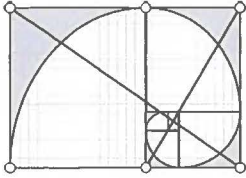
**LANDSCAPE PLAN.** One (1) 18 x 24-inch minimum landscape plan and one (1) 11 x 17 reduction of the landscape plan. Plan shall show tree / plant specie(s), coverage and sizes at time of planting, and approximate / type of irrigation system(s) to be used.

**GRADING AND DRAINAGE PLAN.** One (1) 18 x 24-inch minimum grading / drainage plans and one (1) 11 x 17 reduced version. Plan shall show on-site water retention, and shall be engineered to a 10 year / 24 hour event.

**LETTER OF AUTHORIZATION.** A letter signed by the property owner and containing the original signature which authorizes an agent or representative to act in the behalf of the owner during the planning review process.

**LEGAL DESCRIPTION.** A legal description of the entire project site (metes and bounds; subdivision or comparable acceptable legal description).

**DARK SKIES LIGHTING.** A cut-sheet and/or photometric study identifying any exterior lighting fixtures to be installed for the development. The information will be evaluated for compliance with the Dark Skies Ordinance (SDC 2.15.2400).



**H.A. M<sup>c</sup>COY**  
**ENGINEERING**  
**& SURVEYING, LLC**

PO Box 533 Redmond, OR 97756 · 541-923-7554 · www.ham-engr.com

May 23, 2024

Sisters Planning Commission  
c/o Mathew Martin  
Principal Planner  
City of Sisters  
P.O. Box 39  
Sisters, OR 97759

RE: Files no. MP 22-01/SUB 22-01/MNR 22-02 – Modification Request

Members of the Planning Commission:

On behalf of the applicant, please consider our proposed modification of Condition 25 of the above file's land use decision. The original condition reads:

*25. The multi-family residential development proposed in this Master Plan shall be completed no later than as Phase 3 of Sunset Meadows. Certificates of Occupancy for the multi-family residential development shall be obtained prior to the recordation of the final plat for proposed Phases 3 or 4 of Sunset Meadows as identified on the revised phasing plan dated December 22, 2022.*

The condition was included by the Planning Commission as a mechanism to ensure the apartment component of the approved Master Plan was not indefinitely delayed. You may recall during the hearing, I stated the applicant did not want to delay construction of the apartments and intends to begin construction as soon as practical. The applicant has followed through and construction of the apartments has begun in earnest. The applicant has the means to complete the subdivision and wants to record the plat at the completion of infrastructure. Engineering plans for the final two phases of the subdivision are nearly approved and construction can take place this summer.

The original intent of Condition #25 was well intended; however, it artificially delays completion of needed housing. Additionally, Condition #25 prolongs the development of Sunset Meadows which extends the impact of construction for adjacent citizens. The intent of Condition #25 is satisfied; therefore, the applicant requests Condition #25 to read:

*25. All building permits for multifamily buildings shall be issued prior to the recordation of the final plat for proposed Phases 3 or 4 of Sunset Meadows as identified on the revised phasing plan dated December 22, 2022.*

Sincerely,

Hayes A. McCoy - PE