

DEVELOPMENT CODE UPDATE JOINT WORKSHOP MEETING MINUTES  
SISTERS CITY COUNCIL, PLANNING COMMISSION, AND  
DEVELOPMENT CODE ADVISORY COMMITTEE  
520 E. CASCADE AVE., 8:00 A.M.  
JUNE 21, 2007

**COUNCIL PRESENT:**

Brad Boyd	Mayor
Bill Merrill	Council President
Lon Kellstrom	Councilor
Sharlene Weed	Councilor
Shawna Bell	Councilor

**STAFF PRESENT:**

Eileen Stein	City Manager
Brian Rankin	Planning Director
Gary Frazee	Public Works Director
Lisa Young	Finance Director
Laura Turner	Associate Planner
Kathy Nelson	City Recorder

**PLANNING COMMISSION:**

Dave Marlow	Chairman
John Rahm	Vice Chairman
Dominic Debari	Commissioner
Carey Tosello	Commissioner

**ADVISORY COMMITTEE:**

Paul Bennett	
Charles Humphreys	
Steve Rodgers	
Michelle Sims	
Mary Dorman	Angelo Planning Group
Bill Adams	Planning Consultant

The meeting was called to order at 8:02 a.m. by Mayor Boyd.

I. Introduction of Code Update Project and Agenda

**Planning Director Brian Rankin** welcomed members of the City Council, Planning Commission and Advisory Committee and briefed them on the agenda for the meeting. He also provided an explanation for the need of the Development Code update and a timeline of the project.

II. Overview and Process

**Bill Adams**, Planning Consultant for the City, stated that in the summer of 2004 Councilor Kellstrom brought to his attention that the Development Code was flawed in that it included inconsistencies and poor standards and was in need of updating. He stated that the work he performed for the City supported that claim and it was a struggle for all members of the Planning Department. He stated that when the updating of the Comprehensive Plan was complete attention was turned to updating the Development Code. He stated that he and Planning Director Rankin worked with the Planning Commission to come up with a list of issues that were the impetus for the project.

He directed meeting attendees to page two of the proposed amendments to the Development Code packet (copy attached) to discuss the minor and major code amendments. He stated that issues listed in the major code revision list had been addressed and were included in the changes and that some of the minor code revision had also been incorporated. He stated that he and Director Rankin had also identified street standards as an issue for the City but lack of time had not allowed those to be addressed. He stated the Committee met a total of eleven times with consensus on all

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issues but five that were identified on page six of the proposed amendments document. He stated the efforts of the Committee resulted in a better Development Code that will be easier to administer by staff, easier for developers to understand, and help to better implement the Comprehensive Plan.

**Mr. Adams** stated that the graphics had been removed for the presentation in order to better focus on the text but would be reinserted prior to adoption. He stated that the various sub-districts that were previously used have all been changed to their own separate district and as such the Comprehensive Map and Zoning Map will need to be updated to reflect those changes also. He stated the next step will be a public review draft with a public hearing to follow and adoption of the changes by ordinance. He thanked the Advisory Committee members for their efforts.

**Councilor Weed** asked for clarification as to whether the Planning Commission had approved the document yet and **Mr. Adams** stated it had not.

**Mr. Humphreys** stated he appreciated Mr. Adams efforts for preserving diverse viewpoints.

III. Summary of Key Changes Recommended to the Code

**Mary Dorman, Angelo Planning Group**, provided highlights of the recommended key changes to the Development Code. She stated that the key changes were to the format and structure of the code and that she agreed with staff that it was not a usable document in its present state. She stated the focus was to have separate land use districts and there were no changes in existing zoning designations. She stated there was a table created for each district outlining permissible uses. She stated creating the separate districts was more reflective of the current zoning map.

**Ms. Dorman** stated that all Special Use Standards (Chapter 2.12) have been included into one chapter and cross referenced into the applicable land use district. She stated this allowed a more concise and flexible code.

**Ms. Dorman** stated that the document reclassifies certain permitted and conditional uses, particularly in the Commercial District. She added that the Airport Overlay was the only overlay retained and that the boundary needed to be added to both the Comprehensive Plan and Zoning Map.

**Ms. Dorman** stated that a consistent format for use tables and development standards tables with specific cross-referencing to special use standards were provided with the revised code.

**Ms. Dorman** stated the Western Frontier Design Theme was included in the base design standards for the Downtown Commercial and Highway Commercial Districts. She added it also clearly establishes the design theme as applicable to all land uses in the two commercial districts.

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**Ms. Dorman** stated the Advisory Committee spent several meeting discussing the issue of drive-through/drive-up facilities and refined the standards to address buffer issues, spacing of facilities and an articulation of building design. She added that the recommendations generally reflect the same recommendations in the *Sisters Drive-Through Architectural Guidelines* prepared by a separate working group.

**Ms. Dorman** stated a major change was in the Master Plan chapter. She stated the recommendations provided clarification on applicability and more flexibility. She stated that open space requirements were more clearly defined with what can and cannot be counted towards open space.

She stated that overall a simpler format was employed to create an easier to use document. She opened the floor to questions.

IV. Discussion and Questions

**Commissioner Tosello** asked where gas stations facilities were covered since they are not included with drive-throughs. **Ms. Dorman** stated that gas stations are covered in Chapter 2.12.320. She added that new drive-throughs will only be allowed in the Highway Commercial zone. **Mr. Adams** stated that gas stations also need to meet the standards for drive-through facilities.

**Committee Member Humphreys** stated that the chapter that refers to gas stations does not provide any standards for the buildings associated with the gas stations, but there are standards listed in chapter 2.12.330. He stated it appeared there was a gap in the standards for buildings associated with gas stations. He stated he felt it was unnecessary to designate the number of deciduous versus evergreen trees in the buffer area.

**Commissioner Debari** asked if the revised Development Code document would come before the Planning Commission. **Director Rankin** explained the documents would come before the Planning Commission in a workshop with an opportunity for public input. He stated the Planning Commission would make a recommendation to the City Council who would in turn allow public input and eventually adopt the revised Development Code.

**Councilor Merrill** suggested changing the reference dictionary to an edition more readily available to the general public. **Councilor Merrill** asked about the Neighborhood Commercial Zone noted as an item of non-consensus with the Committee. He stated the handout stated the Committee generally agreed that Neighborhood Commercial is a good option but it appeared the zone had been deleted. **Ms. Dorman** explained that it was not the Neighborhood Commercial zone that had been deleted but rather the Neighborhood Center zone that had never been mapped.

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**Councilor Merrill** asked what had happened with the non-consensus items. **Director Rankin** explained that changes were made to the existing language to the degree that there was agreement with the Committee members. **Mayor Boyd** stated that knowing the document was going to the Planning Commission and City Council for refinement, the Committee had left some of the finer details to be addressed by those groups.

**Planning Commissioner Chairman Marlow** stated he felt it could require several months in order for staff, the Planning Commission, the public and the City Council to review, refine and adjust the necessary changes to the document. **Director Rankin** agreed with the time frame. He stated that if there were more differences of opinion it could take longer than expected. He stated that Code update projects generally take longer than would be expected.

**Mayor Boyd** stated he thought there was a new standard or code update that was required for flood plains also. **Director Rankin** explained that a new set of flood plain ordinances was mandated by the Federal Emergency Management Agency (FEMA) and required to be completed by September in order for the City to continue to offer flood insurance. As such, he stated that project was more pressing.

**Mayor Boyd** suggested that items that everyone agrees on and are straight forward could be folded into the FEMA requirement. He stated that way a two step process could be employed, saving the more difficult options for a later time. **Director Rankin** agreed stating the Master Plan and Special Use standards were the most controversial. He added that a few issues could hold up the entire process. **Councilor Merrill** stated that process also needed to incorporate the required public hearings into the Planning Commission and City Council meetings also.

**Commissioner Debari** asked if green building practices could be implemented into the code in the future. **Ms. Dorman** stated that in terms of building code there was nothing that constrains it. She stated that water quality, street standards and solar power were not addressed. **Commissioner Debari** asked if this was the right time to address such issues. **Ms. Dorman** stated she thought the best time to address green building practices such as solar is with new subdivisions as in in-fill areas it is more difficult. She added those standards could be added at the Master Plan level. **Mr. Adams**, providing the example of green building practices in Redmond, stated that some of the standards are required while others are added as incentives to developers. He added incorporating the practices will slow the adoption process. **Commissioner Tosello** suggested adding language that encouraged green building practices without setting specifics. **Director Rankin** stated there are many programs to use as models that set a minimum threshold for energy efficiency. **Commissioner Rahm** added that there is an initiative at the state level to apply *energy star standards* statewide and so those standards may soon become mandated at the state level. **Mayor Boyd** suggested addressing green building practices now if it is important to the Planning Commission.

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**Councilor Weed** stated she was expecting the code for cottages to be addressed and hoped the language could be added prior to approval. **Ms. Sims** stated she remembered discussing cottages also. **Ms. Dorman** asked if Councilor Weed was referring to smaller lots with smaller homes in the single family district. **Mr. Adams** stated it was a different process but cottages could be addressed through the Master Plan. **Director Rankin** agreed that cottages could be addressed through the Master Plan as the Master Plan now allows very specific reduction to lot size, set-backs and average lot height. **Councilor Weed** stated she thought that was for parcels larger than two acres or more. She cited an example in Langley, Washington where there are six detached cottages on a ½ acre parcel with common parking and green space. She stated she felt the allowed usage of property that she described would help with affordability issues and esthetics. **Ms. Dorman** stated she thought it would be appropriate to add to the multi-family zone in order to deal with the minimum density issue.

**Chairman Marlow** stated that several project applications of late had not complied with the City's Development Code and asked how changes of that nature would be addressed. **Director Rankin** stated that that changing the code or integrating a new zone into the code could be easily accomplished with the new structure. He added the two new zoning districts of Sun River and Three Sisters that allow housing units above light industrial space were specific to those properties. **Chairman Marlow** stated there would be no public review process to receive feedback in those types of applications. **Director Rankin** stated the Planning Commission meetings allowed a public hearing process.

*Mayor Boyd excused himself from the meeting at 9:05 p.m. and asked Council President Merrill to preside.*

**Paul Bennett** asked why houses are allowed to be built so close to the river, citing Timber Creek subdivision as an example. **Director Rankin** explained that code is dynamic and the code the City works with today is not the same code it worked under 10 years ago. He stated that a different set of standards existed when the homes set close to the river were built. He added that prior codes set the legal framework that the City is required to live by. He stated the City has to honor those subdivisions and the different set of rules by which they were developed. He added the City does not have the authority to change an old code and must live with the results of the old code. **Chairman Marlow** added that those homes are built on private property and are outside the flood plain. Mr. Bennett asked where the flood plain is located. **Council President Merrill** stated that there needs to be some mitigation for the channel of Whychus Creek north of the City, as there is not much that can be done to alleviate problems to the portion of Whychus Creek south of the City. **Director Rankin** stated that there is a new awareness on the dynamic nature of Whychus Creek and the stream migration channel. He stated that is why the City will be addressing the flood plain in the near future. He added a new flood plain code is needed and that none of the homes built on the banks of Whychus Creek were built in the flood plain according to

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surveyors. **Commissioner Debari** stated that he thought the City also had to comply with certain Federal Emergency Management Agency (FEMA) requirements regarding flood plains. **Director Rankin** stated that in order to be a part of the National Flood Insurance Program the City needs to comply with certain FEMA requirements. He stated there is standardized language needed in the Development Code and part of the process of this update is to include the necessary language.

**Council President Merrill** acknowledged that all the meeting attendees probably have issues that have not been brought up and stated the planning staff needs to hear them and suggested that attendees provide Director Rankin with their list of concerns. **Councilor Weed** stated she had a list of high level concerns to discuss. **Mr. Humphreys** asked what procedure could be used to let Director Rankin know about concerns and issues not addressed. Director Rankin stated that e-mails, letters and edited pages of code would all be acceptable forms of communicating concerns and issues, adding that he realized there would be a number of issues to address. **Commissioner Rahm** stated it would be helpful to the Planning Commission if Director Rankin sorted out the concerns to the applicable chapter in order for the Planning Commission to discuss the issues with the appropriate chapter.

**City Manager Stein** commented that if an issue is policy related it is best to be raised in a public meeting. **Councilor Kellstrom** suggested placing a time limit for Director Rankin to receive comments in order to facilitate moving forward with the project. **Director Rankin** stated that the packet represented a “best thinking” from the Committee but the document was heading into a completely open public process as part of the adoption process where he expects to hear from the real estate community, the development community and residents. He stated that comments and concerns he receives prior to the public process will become part of the public record. **Council President Merrill** added that anyone can appear before the Planning Commission, which he would encourage. **Director Rankin** added that all residents of Sisters would need to be notified of the process in order to allow them an opportunity to comment.

**Mr. Bennett** stated he felt it was a good idea to hear the concerns of other attendees in order to not duplicate those concerns to Director Rankin. He added he felt it was a better use of time to just hear the concerns with the knowledge that they would not attempt to address the concerns. **Council President Merrill** asked for attendees to list their foremost concern.

- **Councilor Weed** stated she felt that open space needs to be clarified as to whether it is public or private. She also wanted to know if the new requirement of a range of 10% to 20% that was more specific provided the same amount of open space as the former less specific language in the code provided.
- **Councilor Bell** stated she needed a better understanding of height restrictions.
- **Mr. Bennett** stated that set-backs are an important issue for the City to be pedestrian friendly.

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- **Mr. Humphreys** stated he was concerned that the Highway Commercial is not being coded in a way that makes it the most pedestrian friendly.
- **Council President Merrill** stated that he does not see how a grocery store fits in with a Downtown Commercial area. He sees a grocery store as auto oriented and not pedestrian friendly.

**Council President Merrill** reiterated that there will be plenty of opportunity to provide input to the Planning Department, Planning Commission and the City Council.

**Councilor Weed** asked for clarification on “big box” stores, stating she wanted assurance one would not be an option. **Mr. Adams** stated that the average “big box” stores are a minimum of 100,000 square feet, well over the City’s allowed square footage and as such would not be permitted.

**Councilor Weed** asked for clarification regarding drive-throughs. She asked, with the way the code has been rewritten, how many drive-throughs would be permitted between Coyote Creek Café and McDonalds. She stated that the previous number was 11, and wondered if that number would stay the same and asked for follow up on this question.

V. Next Steps and Schedule

**Council President Merrill** thanked all members of the Committee for their participation and asked that all comments and concerns be given to Director Rankin in three weeks time in order to be considered and addressed by the Planning staff, prior to going to the Planning Commission and ultimately the City Council.

The meeting was adjourned at 9:13 a.m.

Respectfully submitted,

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Kathy Nelson, City Recorder

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Brad Boyd, Mayor