CITY PLANNING COMMISSION
520 E Cascade Avenue Sisters, OR 97759
Thursday, December 17, 2015– 5:30 P.M.

REVISED AGENDA

I. CALL TO ORDER

II. VISITOR COMMUNICATION
This is the time provided for individuals wishing to address the Planning Commission, at the Commissions discretion, regarding issues that are not already on the agenda. Citizens who wish to speak should sign up prior to the beginning of the meeting on the sign-up sheet at the podium. Please use the microphone and state your name and address at the time the Planning Commission calls on you to speak.

III. APPROVAL OF MINUTES- April 16, 2015, May 21, 2015, July 17, 2015 and November 19, 2015

IV. PUBLIC HEARINGS: None

V. WORKSHOPS:

1. TA #15-03: Various text amendments:

A. Revise Chapter 1.3 Definitions:
- Revise the definition of Formula Food Establishments

B. Revise Chapter 2.2 Residential District:
- Reduce front-loaded garage setbacks and clarify text for garage setbacks

C. Revise Chapter 2.3 Multi-Family Residential District:
- Reduce front-loaded garage setbacks and clarify text for garage setbacks
- Revise minimum density standards and require a Minor Conditional Use permit for projects consisting of 15-20 gross units per acre
- Increase maximum height for multifamily structures consisting of 5 or more units
- Revise minimum lot size requirements for fourplex dwellings and multifamily structures consisting of 5 or more units
- Revise open space requirements for multifamily structures consisting of 5 or more units

D. Revise Chapter 2.4 Downtown Commercial District:
- Reduce front-loaded garage setbacks and clarify text for garage setbacks.

E. Revise Chapter 3.2 Landscaping:
- Reduce minimum caliper size for required street trees

AGENDA ITEM SUMMARY

CITY OF SISTERS PLANNING COMMISSION

Meeting Date: December 17, 2015 **Staff:** Darcy Reed

Type: Workshop **Dept:** CDD

Subject: Text Amendments (TA #15-03) proposed by staff

Action Requested: Review proposed text amendments, receive public input, offer recommendations to be forwarded to City Council.

Summary:

The Community Development Department has determined an ongoing review of the Sisters Development Code is needed in order to establish clearer guidelines for future development and to support incentives to develop affordable housing.

Staff is seeking Planning Commission's recommendations on the attached Development Code revisions and requests the Planning Commission receive public input and discuss the proposed amendments. The Planning Commission's recommendations will be reviewed by the City Council in a workshop format prior to scheduling the application for a formal public hearing of a Type IV decision.

Proposed revisions to:

- **Chapter 1.3 - Definition for Formula Food Establishments**
  - Revising the definition of "substantially similar" minimum threshold from 3 to 20.
    - This would enable a smaller regional FFE to locate in the City

- **Chapter 2.2 – Residential**
  - Setbacks for alley loaded garages
    - Setbacks for front loaded garages in alleys are currently 20'. Prior proposal from 11/19/15 Workshop was to decrease setback to 10'. Discussion at workshop led to a new proposed setback of 15'. This would enable most vehicle types to park parallel to the garage openings while keeping out of the alley and making more efficient use of the lot.
    - Other text for setbacks is further clarified

- **Chapter 2.3 - Multi-Family Residential**
  - Setbacks for alley loaded garages: Identical revisions as proposed for Chapter 2.2.
  - Revising minimum density from 9 to 7 gross units per acre.
    - Currently the MFR zone is 9 units min-20 units max. per gross acre and the R zone is 3 units min- 8 units max. per gross acre density.
    - Currently, there is a gap in residential density between R zoning 8-DU/AC max and MFR 9 DU/AC minimum.
    - This would allow for a 1 unit per gross acre density overlap with the Residential zone
    -

WORKING DRAFT OF TEXT AMENDMENTS FOR TA # 15-03

➢ Chapter 1.3 — Definitions

Formula Food Establishment - An eating or drinking establishment that: (a) is required by contractual or other arrangements to offer standardized menus, ingredients, food preparation, employee uniforms, interior decor, signage or exterior design; or (b) adopts a name, appearance or food presentation format that causes it to be substantially identical to ~~three~~ twenty or more other establishments regardless of ownership or location.

➢ Chapter 2.2 Residential District (R)

Development Code Section 2.2.300 Development Standards is amended as follows:

Section 2.2.300 Development Standards

Table 2.2.2 Development Standards in the Residential District

Development Standard	Residential District	Comments/Other Requirements
Exterior Side Yard Setbacks		
Primary Building/Living Space (Enclosed habitable area)/Accessory Building		10 ft. min
Garage (front-loaded ~~street accessed~~) when accessed from a street		20 ft. min
Garage (side-loaded ~~street accessed~~) when accessed from a street		10 ft. min
Garage (front-loaded) when accessed from an alley		15 ft. min.
Garage (side-loaded) when accessed from an alley		3 ft. min.
Rear Yard Setbacks		
Primary Building/Living Space (Enclosed habitable area)/Attached garage (street accessed)		15 ft. min
Accessory Building		5 ft. per story min.
Detached Garage (street accessed)		5 ft. per story min.
Garage ~~setbacks~~ (front-loaded) when accessed from an alley		~~20~~ 15 ft. min.
~~Side loaded garages~~ Garage (side-loaded) when accessed from an alley		3 ft. min.
See also garage requirements 2.2.300.E		
Accessory dwelling units shall comply with living space setbacks		

EXHIBIT A

Continued - Table 2.3.2 Development Standards in the Multi-Family Residential District

Setbacks	
Exterior Side Yard Setbacks	
Primary Building/Living Space (Enclosed habitable area)/Accessory Building	10 ft. min
Garage (front-loaded ~~street accessed~~) when accessed from a street	20 ft. min
Garage (side-loaded ~~street accessed~~) when accessed from a street	10 ft. min
Garage (front-loaded) when accessed from an alley	15 ft. min.
Garage (side-loaded) when accessed from an alley	3 ft. min.
Rear Yard Setbacks	
Primary Building/Living Space (Enclosed habitable area)/Attached garage (street accessed)	15 ft. min
Accessory Building	5 ft. per story min.
Detached Garage (street accessed)	5 ft. per story min.
Garage ~~setbacks~~ (front-loaded) when accessed from an alley	~~20~~ 15 ft. min.
~~Side-loaded garages~~ Garage (side-loaded) when accessed from an alley	3 ft. min.
See also garage requirements 2.3.300.E	
Accessory dwelling units shall comply with living space setbacks	

G. Residential Density Standards. The following residential density standards apply to all land divisions in the Multi-Family Residential District and to multi-family housing on individual lots.

1. The density range for the Multi-Family Residential District shall be ~~9~~ 7 units per gross acre minimum and ~~20~~ 15 units per gross acre maximum; more than 15 units per acre up to 20 units per acre allowed via Minor Conditional Use

2. Minimum and maximum residential densities are calculated by multiplying the gross acres by the applicable density standard. For example, if the parcel size is 5 acres, the minimum density is 45 units and the maximum is 100 units. When calculating minimum and maximum densities, figures are rounded down to the closest whole number.

3. Accessory dwelling units are exempt from the minimum density standards.

K. Additional Design Standards for Multi-Family Housing. In addition to the design standards set forth in Section 2.3.300.H above, development of multi-family housing (~~4~~ 5 or more units) shall also comply with the following additional standards.

1. ~~Common~~ Usable open space shall be ~~A minimum of 15 percent of site area, inclusive of required setbacks but~~ exclusive of dedicated street right-of-ways, land dedicated to other public uses like parks and schools, and vehicular circulation and parking areas. Sensitive lands and historic buildings or landmarks open to the public and designated by the Comprehensive Plan may be counted toward meeting the common open space requirements.

Darcy Reed

From: Patrick Davenport
Sent: Monday, November 23, 2015 3:52 PM
To: Darcy Reed
Subject: FW: Text Amendment 15-03 Residential and Multi-Family Residential Building Heights Discussion - Workshop 11-19-2015
Attachments: Building Heights_0001.pdf

Follow Up Flag: Follow up
Flag Status: Completed

From: Robert Wright [mailto:riwright45@gmail.com]
Sent: Monday, November 23, 2015 3:51 PM
To: Patrick Davenport <pdavenport@ci.sisters.or.us>
Subject: Text Amendment 15-03 Residential and Multi-Family Residential Building Heights Discussion - Workshop 11-19-2015

Hi Patrick,

In the workshop on November 19, 2015, I presented a sketch and discussed building heights to accommodate an 8/12 roof pitch. The desired roof pitch by residential home builders in Sisters is 8 / 12, where snow loads and snow shedding are an important factor in the building/roof design, both from a structural perspective and from an architectural/historical ("Form") perspective. As noted, I presented this sketch of a typical 2 story residence designed by a well known home builder in Central Oregon whom was not able to build an 8 / 12 pitch due to the current code restriction of 30 ft building height. Based on the living space of 19 ft, a 8/12 pitch (on a span of approximately 50 feet), the building height exceeded the current code of 30 ft, estimated at 34.5 ft, 4.5 feet above the current code. Thus, the builder was forced to build a 4/12 pitch as shown.

On a three story apartment building, based upon 35 feet for the living space, an 8/12 pitch roof would result in a building height of approximately 50 ft. (35 ft-Living + 15 ft-Roof).

Based on this exhibit, I would like to request that for MFR building heights – 3 story apartment, that 50 ft height be considered vs 45 ft currently proposed in TA 15-03. I would also like to propose that the current residential building height of 30 feet be raised to 35 feet, consistent with commercial building heights.

Since this sketch was presented in the Planning Commission Workshop, I would request that it be entered into record and forwarded to the Planning Commissioners for their review prior to the next workshop.

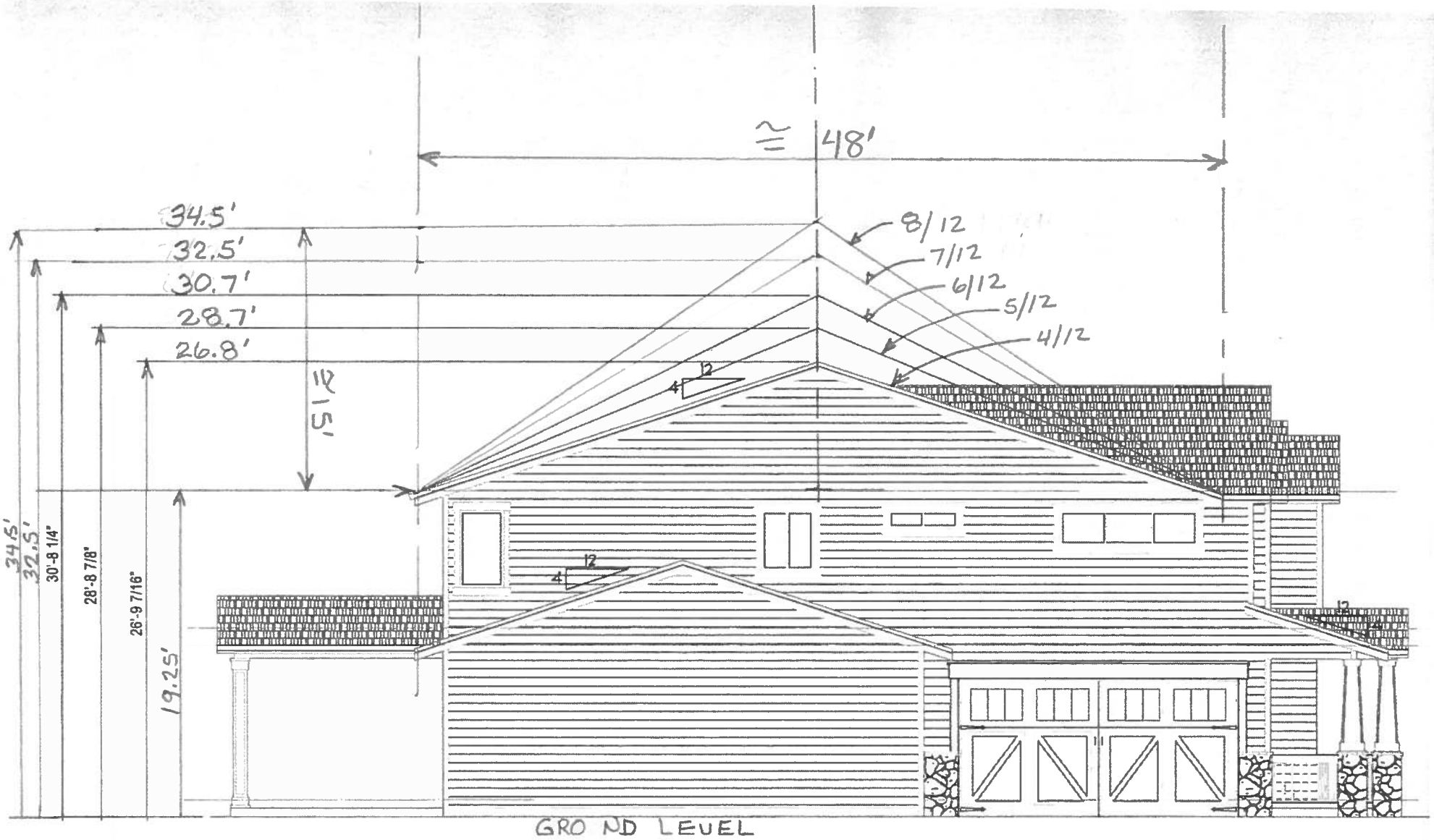
Have a Good Thanksgiving with your family.

Kindest regards,

Bob Wright

Sent from Mail for Windows 10

EXHIBIT B



PROPOSAL:

RESIDENTAL – 2 STORY HOME & RAISE CURRENT HEIGHT FROM 30' TO 35'

MULTI-FAMILY RES – 3 STORY & RAISE HEIGHT (35' + 15' = 50') TO 50'

NOTE: ROOF HEIGHT BASED ON APPROX 48'-50' SPAN

AGENDA ITEM SUMMARY

CITY OF SISTERS PLANNING COMMISSION

Meeting Date: December 17, 2015 **Staff:** Patrick Davenport

Type: Workshop **Dept:** CDD

Subject: Future Development Code Amendments: Mobile Food Units

Action Requested: Discuss options for potential Development Code revisions pertaining to Mobile Food Units; forward recommendations to City Council

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Summary: Several concerns have been forwarded to staff regarding concerns of insufficient regulations in the Development Code pertaining to Mobile Food Units (MFU's). MFU's offer a unique opportunity to offer a customized, rapidly prepared food service model and provides opportunities for existing business owners to receive additional income for MFU tenants located on their property. However, concerns have been raised that MFU's have an unfair competitive advantage over permanent non-corporately owned food service establishments. Examples of unfair competitive advantages may include the fact that MFU's do not directly pay property taxes, require much lower investments in their businesses compared to permanent food service establishments and currently have a less extensive development review process.

Staff has received direction to begin the process of discussing Development Code amendments with respect to regulating MFU's. The Planning Commission is being requested to discuss issues associated with MFU's and develop recommendations for revisions to the Development Code.

Issues for consideration:

- Does the Commission want new Mobile Food Units operating within the City?
  - Currently MFU's are allowed in DC and HC zoning Districts by default as "Eating and Drinking Establishments".
  - The current Development Code has insufficient requirements to reasonably regulate their time, place and manner.
- If new MFU's should continue to be permitted, how should they be regulated?
  - Specific zoning district with specific designation of Mobile Food Units
  - Special Provisions:
    - Permitted on vacant parcels or just parcels with existing development
    - Allow clusters (pods) of MFU's or only single units?
    - Site plan review requirements:
      - Requirements for MFU's on vacant property
      - Requirements on developed property
      - Western Frontier Architectural Design Theme
- Other recommendations

Table 1: Mobile Food Unit General Requirements and Limitations Requirements

Requirements	Class I	Class II	Class III	Class IV
Water Supply Required?	No	Yes	Yes	Yes
Handwashing System Required?	No	Yes[1] - Min 5 gallons	Yes[1] - Min 5 gallons	Yes[1] – Min 5 Gallons
Dishwashing Sinks Required?	No	No[2]	Yes – Or Licensed Comissary[2]	Yes – Min 30 Gallons[2]
Assembly or Preparation Allowed?	No	No	Yes	Yes
Cooking Allowed?	No	No	Yes[3]	Yes
BBQ Operation Allowed?	No	No	Yes- Reheating of fully cooked food[4]	Yes
Restroom required?	Yes	Yes	Yes	Yes
Examples	Prepackaged Sandwiches/ Dispensed Soda	Service of Unpackaged Food items	S'Up Dog	No Menu limitation

[1] The handwashing system must be plumbed to provide hot and cold running water.
[2] Must provide a minimum of 30 gallons of water for dishwashing or twice the capacity of the three compartment sinks, if provided.
[3] May cook only foods that are not potentially hazardous when raw (rice, pasta, etc.).
[4] With Class III units, the barbecue must be integral to the unit and only used to impart flavor.

- Activities Allowed Outside of the Unit:
  - All operations and equipment must be an integral part of the mobile food unit, unless your proposed activity meets one of the three exceptions, and specific conditions are met.
  - The three exceptions are the use of a barbecue unit, customer seating, and auxiliary storage.
    - A Class III unit may use a barbecue to impart flavor on fully cooked animal food items prior to putting the food item into hot holding or immediately prior to service. The barbecue unit may not be used for hot holding or any other use outside of this description.
    - On a Class III unit, the barbecue must be integral to the unit.
    - A Class IV mobile food unit may use a barbecue when:
      - It is in close proximity to the mobile food unit

AGENDA ITEM SUMMARY

CITY OF SISTERS PLANNING COMMISSION

Meeting Date: December 17, 2015 **Staff:** Patrick Davenport

Type: Workshop **Dept:** CDD

Subject: Future Development Code Amendments: Temporary Uses

Action Requested: Discuss options for potential Development Code revisions pertaining to Temporary Uses; forward recommendations to City Council

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Summary: Staff has been requested to work with the Planning Commission on developing recommendations for amending the Development Code requirements pertaining to Temporary Uses. Temporary uses are defined in the City's Development Code as short-term, seasonal, or intermittent uses. A temporary use is one established for a fixed period of time with the intent to discontinue such use upon the expiration of such time. Such uses do not involve the construction or alteration of any permanent structure.

Staff's review of the applicable sections in the Development Code reveals some insufficient clarity on the City's ability to appropriately regulate the time, place and manner of temporary uses.

The following issues under consideration are intended to correlate only with Temporary Uses and not intended to amend the permitting process transient merchants go through when they get approval for City-wide events, including but not limited to the Rodeo and Quilt Show.

Issues for consideration:

- Does the Commission want to continue to allow temporary uses in the City?
  - Only in specific zoning districts?
- Is the 180 day maximum period too long, of sufficient length, or is it insufficiently defined?
- Should a developed and/or vacant site be required to submit a formal site plan or modification application?
- Site Plan Review (SPR) section in the Development Code
  - The SPR section should further specify how temporary uses are regulated.
- Compliance with Western Frontier Architectural Design Theme
- Other recommendations

The Planning Commission's recommendations will be forwarded to City Council to be discussed in a future workshop. Once City Council provides input on Planning Commission recommendations, staff will return this issue to the Planning Commission for a formal public hearing if directed.

Attachments: Existing Development Code for Section 2.15.1900 Sepcial Provisions, Temporary Uses and Chapter 4.2 Site Plan Review

4. **Revocation**
   Any departure from approved plans not authorized by the Community Development Director or his/her designee shall be cause for revocation of applicable building and occupancy permits. Furthermore if, in the City's determination, a condition or conditions of TUP approval are not or cannot be satisfied, the TUP approval, or building and occupancy permits, shall be revoked.

D. **Signs.** All signs shall comply with Chapter 3.4.

E. **Seasonal sales.** The applicant shall pay the required fee as established by the City Council. The applicant is responsible for submitting a complete application which addresses all review criteria. Seasonal sales shall be subject to a Type I review procedure unless otherwise noted herein. The following standards shall apply to seasonal sales which are limited to:

1. **Fireworks Sales**
   Fireworks sales shall be consistent with the Municipal Code.

2. **Christmas Tree Sales**

   a. The annual season for Christmas tree sales shall commence no sooner than the day after Thanksgiving and shall continue no longer than December 27.

   b. A business license shall be required pursuant to the Municipal Code.

3. **Pumpkin Patch Sales**

   A. The annual season for pumpkin sales shall commence no sooner than September 25 and continue no longer than November 5.

   B. A business license shall be required pursuant to the Municipal Code.

4. **Signs.** All signs for seasonal sales shall comply with Chapter 3.4 and shall be removed no later than the day after the holiday.

5. **Non-profit fundraiser sales.** Temporary non-profit seasonal sales are permitted up to 30 consecutive days per calendar year and are not subject to City review. However, temporary non-profit seasonal sales that operate for more than 30 consecutive days per calendar year shall pay the required fee and shall undergo the Type I review process established in Chapter 4.1. Verification of the non-profit status shall be required prior to waiving the City review.

7. Home occupation; or

8. Residential accessory structures and accessory dwelling units.

9. Other Accessory structures 200 square feet or less

10. Landscaping, fences and similar developments/structures

4.2.300 Application Procedure

A. Application Review. Site Plan Review shall be conducted as a Type II procedure using the procedures in Chapter 4.1, and using the approval criteria contained in Section 4.2.500.

B. The Community Development Director shall have discretion to forward any site plan submitted for administrative approval to the Planning Commission for review.

4.2.400 Submittal Requirements

In addition to the submission requirements required in Chapter 4.1, the Community Development Director or designee shall require all of the following existing and proposed information as deemed applicable for Site Plan Review;

A. The scale, north arrow, date of preparation, name and address of project designer, street address and tax lot number;

B. Lot or site dimensions.

C. All existing and proposed buildings and structures: location, square footage and height.

D. Elevations, floor plans with dimensions, building materials, color, and details of all mechanical equipment screening.

E. Setbacks and space between buildings.

F. Walls and fences: location, height and materials.

G. Off-street vehicular and bicycle parking and off-street loading: location, number of spaces and dimensions of vehicular and bicycle parking and loading areas, internal circulation pattern.

H. Access - pedestrian, bicycle, vehicular, service: points of ingress and egress, internal circulation. Pedestrian and bicycle circulation areas, including sidewalks, internal pathways, pathway connections to adjacent properties, and any bicycle lanes or trails;

I. Signs: location, size, height and type of illumination.

J. Lighting in compliance with the Dark Skies Ordinance: location and general nature.

K. Name all adjacent streets, roads or alleys, showing right-of-way and dedication widths, reservation width, easements, utilities and all types of improvements existing or proposed.

L. Landscaping: location, type, and method of irrigation

1. Minor modifications are those which are in substantial compliance with the layout, uses and conditions of the original plan review. Minor adjustments are those that entail minor changes in dimensions or siting of structures and location of public amenities, but do not entail changes to the intensity or character of the use or changes to the required development standards. The Community Development Director or designee may approve a minor modification upon finding that the modification is substantially consistent with the approved plan review, is consistent with the provisions of this code and the conditions of approval, and do not have substantially greater impacts on surrounding properties than the original plan.

   Other modifications are major modifications. See Chapter 4.1

4.2.700 Approval Period, Expiration and Extension

A. Approval Period - General. Site Plan Review approvals shall be effective for a period of two (2) years from the date of approval for a single-phased development, and up to two (2) additional years for all subsequent phases. In no case however shall any approval exceed 4 years for single phase development, including extensions, and 6 years for multi phased development, including extensions, from the original approval date. The approval shall lapse if:

   1. A building permit has not been issued within the time period stated herein; or

   2. Construction on the site is in violation of the approved plan.

B. Single-Phased Project Extension.

   1. The Community Development Director or designee may, upon written request by the applicant prior to the expiration date, grant a single one-year extension per project; provided that:

      a. No changes are made on the original approved site plan;

      b. The applicant can show intent of initiating construction on the site within the extension period;

      c. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site plan review shall be required;

a. The Community Development Director or designee may, upon written request by the applicant prior to the expiration date, grant a single one-year extension per project provided that:

   i. No changes are made on the original approved site plan;

   ii. The applicant can show intent of initiating construction on the site within the extension period;

   iii. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site plan review shall be required;

   iv. The applicant demonstrates that failure to obtain building permits and substantially begin construction within two years of site plan approval was beyond the applicant's control.

b. Additional Extension by Original Decision-Making Body. Upon written request by the applicant prior to the expiration date of the extension granted by the Community Development Director, the original decision-making body may or may not, grant a single additional one-year extension at their discretion. In no case however shall extensions combined with original approval durations exceed four years for single phased development, and six years from the original approval date for subsequent phases within a multiple-phased development.

3. Additional Approval Time Extension. Notwithstanding Sections A, B and C, above, all City Site Plan Review approvals, including approvals for which the City has granted an extension of time, that were due to expire on or after December 31, 2014, are hereby automatically and exceptionally extended to June 30, 2015. Site Plan Review approvals that were approved after January 1, 2015 shall comply with Sections A, B, and C, above. Approvals that have been automatically extended by this regulation may apply for an additional extension of time in accordance with Sections B and C, above.

4.2.800 Bonding and Assurances

A. Performance Bonds for Public Improvements. On all projects where public improvements are required, the City shall require a bond in an amount not greater than 120% or other adequate assurances as a condition of site development approval in order to guarantee the public improvements;

B. Release of Performance Bonds. The bond or assurance shall be released when the Community Development Director, Public Works Director or designee finds the completed project conforms to the site development approval, including all conditions of approval.

AGENDA ITEM SUMMARY

CITY OF SISTERS PLANNING COMMISSION

Meeting Date: December 17, 2015 **Staff:** Darcy Reed

Type: Workshop **Dept:** CDD

Subject: Future Development Code Amendments: Vacation Rentals

Action Requested: Discuss options for direction on potential Development Code revisions pertaining to Vacation Rentals; forward recommendations to City Council

Summary: Several concerns have been forwarded regarding the regulations of Vacation Rentals (VR's). VR's offer a unique opportunity for private residences to provide lodging accommodations to tourists and visitors. However, concerns have been raised that VR's may be having a negative impact on the existing neighborhoods, specifically on the City's permanent residents. Examples of negative impacts may include excessive number of cars parked on the street and excessive noise. VR's impact on the City's housing stock is also a concern in that these short-term VR's may negatively impact the availability of long term rentals.

Staff has received direction to begin the process of discussing Development Code amendments with respect to regulating VR's. The Planning Commission is being requested to discuss issues associated with VR's and develop recommendations for revisions to the Development Code.

Issues for consideration:

- Does the Commission want new Vacation Rentals operating within the City?
  - Currently VR's are permitted in Residential, Multifamily Residential, and Sun Ranch Residential with Special Provisions (see SDC 2.15.2700 attached). In the Downtown Commercial and Highway Commercial zoning Districts, they are outright permitted with no special provisions required.

- If new VR's should continue to be permitted, how should they be regulated?
  - Allow VR's to be located anywhere in each of the permitted zones or establish a distance between VR's?
  - Parking requirements:
    - Requirements for number of vehicles
    - Requirements on location of parking

- Noise?
  - Current noise limitations are based on the City's Noise Standards contained in the Municipal Code.

- Maximum occupancy?
  - Current occupancy limitations are based on the Building Code's definition for R-3 Lodging House (16 people or less and no more than 5 guest rooms).

- Impact of VR's on other businesses?
  - Various businesses in the City provide services to VR's, thereby using VR's as a source of income. Examples of these businesses may include marketing/property management services and cleaning services.

Attachments:

Exhibit A - SDC regulations for Vacation Rentals requiring special provisions
Exhibit B - Vacation Rental Ordinance from Shady Cove, Oregon
Exhibit C - Existing Sisters Vacation Rental map
Exhibit D – Email correspondence from Assistant Building Official regarding maximum occupancy

2.15.2700 Vacation Rental Housing Units

A. **Type I Process**. Establishing a vacation rental housing unit in a Residential Zone and in the Urban Area Reserve zone is a Type I review process, however the approval of a vacation rental unit has a neighbor notice requirement that is not found in other Type I processes. Notice and process requirements are established in Chapter 4.1, 'Type I process', except as described herein:

1. *Neighbor notice*. A written notice shall be mailed to all neighboring properties within 100 feet of the subject site at least 14 days before the decision is issued. Any neighboring property owner who requests, shall receive notice of the decision. They may appeal the decision to the Planning Commission. Contents of the notice shall:

   a. Provide a 14 calendar day period for submitting written comments before a decision is made on the permit, and shall list the relevant approval criteria by name and code section number;

   b. State the place, date and time the comments are due, and the person to whom the comments should be addressed;

   c. Include the name and telephone number of a contact staff person regarding the action;

   d. Identify the specific request;

   e. Describe the street address or other easily understandable reference to the location of the site;

   f. State that if any person fails to address the relevant approval criteria with enough detail, they may not be able to appeal to the Land Use Board of Appeals or Circuit Court on that issue. Only comments on the relevant approval criteria are considered relevant evidence;

   g. State that all evidence relied upon by the Community Development Director or designee to make this decision is in the public record, available for public review. Copies of this evidence can be obtained at a reasonable cost from the City;

   h. State that after the comment period closes, the Community Development Director or designee shall issue a Type I Administrative Decision. The decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice;

   i. Contain the following notice: "Notice to mortgagee, lien holder, vendor, or seller: The City of Sisters Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser."

B. **Approval Criteria.** A vacation rental application review shall meet the following standards and criteria.

1. *Business license and Transient Room Tax*. The owner of the vacation rental unit shall annually renew a business license with the City, and shall coordinate with the City's Finance Department to pay the associated Transient Room Tax as is required by the City.

2. *Prohibited uses*. No recreational vehicle, travel trailer or other temporary shelter shall be inhabited in conjunction with vacation home rental.

3. *Pets*. Pets shall comply with the City's Municipal Code.

EXHIBIT A

PROPOSALS FOR A VACATION RENTAL ORDINANCE

Approval of this ordinance adds vacation rentals as a conditional use in all areas zoned residential.

Vacation rentals that were included in the City's trial between June 1, 2014 and December 31, 2014 will be grandfathered, and exempt from the conditional use requirement, provided that the owner of that property has a valid vacation rental Business License for fiscal year 2015-2016. Should the property owner of the grandfathered residence fail to meet the foregoing or expand the size of that residence, the conditional use process will be in effect.

STANDARDS

1. Maximum occupancy: 10 people
2. Maximum number of vehicles: 4
3. Vehicles must be parked on the rental property, not on the public right of way
4. Not more than 50% of the front yard setback area may be used for parking. The balance must be "landscaped" to prevent parking
5. No outdoor activities, constituting a nuisance or loud noise are permitted after 9:00pm
6. Vacation rentals must comply with all City policies, standards and ordinances
7. Animals, other than service animals, are not permitted
8. Vacation rental property owners must subscribe to a scheduled waste collection service and provide garbage and recycling receptacles on the property
9. With the exception of enclosed barbecues, any outside fire is prohibited

SAFETY REQUIREMENTS

1. Smoke alarms must be present and functioning. Smoke alarms 10 years and older must be replaced with new smoke alarms that have a 10-year battery and hush button. Smoke alarms must be installed on each floor of the residence, including basement and attached garage, if existing
2. At least one 2A-10BC rated fire extinguisher must be visible and readily accessible for each floor of the residence including basement, if existing. Portable fire extinguishers shall be fully charged and serviced annually
3. Exit doors cannot be blocked to prevent egress. Corridors and exit ways must be free of obstructions. Each sleeping room will have at least one operable window for use as a secondary means of escape
4. At least one plug-in rechargeable flashlight will be readily accessible on each occupied floor of the residence
5. If on the second floor, there is no other means of escape, two story vacation rentals must provide a roll out ladder for use as a secondary means of escape
6. A carbon monoxide alarm must be present and functioning in a structure having a carbon monoxide source as defined in ORS 105.836

GENERAL

1. A 500 foot minimum spacing between vacation rental properties, on the same side of the river, is required
2. A copy of the vacation rental standards shall be posted in a conspicuous place inside the vacation rental
3. Owners of vacation rental property must have a local contact, and provide the City Administrator with the name and telephone number for that contact
4. Written consent is required from affected property owners if the vacation rental property is accessed by a shared driveway. A copy of the written consent is to be provided to the City Administrator
5. Transient Occupancy Tax will apply to all rentals of 30 days or less

EXHIBIT B

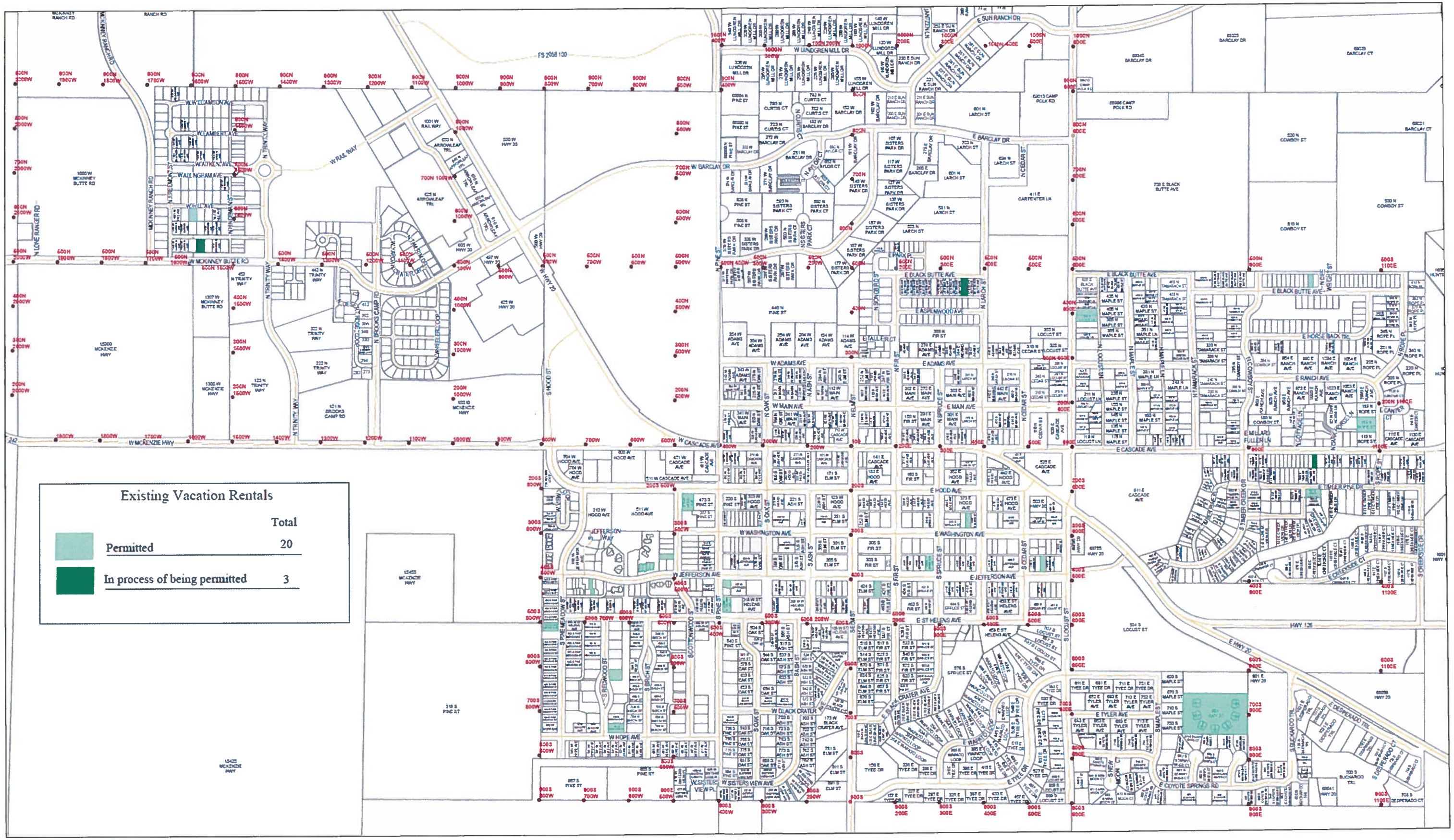
Existing Vacation Rentals
Total
Permitted 20
In process of being permitted 3

EXHIBIT C

Darcy Reed

From: Chris Gracia <Chris.Gracia@deschutes.org>
Sent: Tuesday, September 22, 2015 11:41 AM
To: Darcy Reed; 'Gary Marshall'
Cc: Randy Scheid
Subject: RE: Vacation Rental application - 856 E Black Butte Ave.

Follow Up Flag: Follow up
Flag Status: Flagged

Darcy,
As long as they meet the definition of a R-3 Lodging House (16 people or less and no more than 5 guest rooms) and they didn't do any work that requires permits then the Building Department will not be involved. Never fun dealing with angry neighbors. Good luck and have a great day.

Chris Gracia | **Assistant Building Official**
Deschutes County Community Development
117 NW Lafayette Ave. | Bend, Oregon 97701
Tel: (541) 388-6578

Enhancing the lives of citizens by delivering quality services in a cost-effective manner.

Every Time Standards

We respond in a timely and courteous manner, identifying customer needs and striving for solutions.

We set honest and realistic expectations to achieve optimum results.

We provide knowledgeable, timely, professional, respectful service.

We take ownership of customers' needs and follow through.

We value our customers and approach them with an open mind.

EXHIBIT D

AGENDA ITEM SUMMARY

CITY OF SISTERS PLANNING COMMISSION

Meeting Date: December 17, 2015 **Staff:** Patrick Davenport

Type: Workshop **Dept:** CDD

Subject: Preliminary Report of Community Development Department Activities for 2015

Action Requested: Review preliminary report of Department activities for 2015; Provide feedback to staff

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Summary: Please find below a preliminary report of CDD activities during calendar year 2015. The statistics presented should be considered as estimates since the calendar year is not yet finished. However, staff estimates that the statistics will not change significantly during the final two weeks of the year. A final 2015 CY Report will be provided during the January 21, 2016 regular Planning Commission meeting.

Building Permits Issued:

- Residential: 42 Total permits issued; 36 Single family detached; 2 SF attached; 1 multifamily (for three units); 3 mixed use

Adams Street Commons	1
Aspenwood	3
Coyote Springs	2
Davidson Addition	2
Hammond Place	2
Loe Bros.	4
McCaffery's First Addition	1
Pine Meadow	11
Roaring Springs	1
Saddlestone	7
South View	1
Timber Creek	2
Village Meadows	5

- Commercial: New Sister Village Hotel, Legacy mixed use (3 units), Wells Fargo ATM, Restroom @ Village Green Park,
- Trade permits
  - Electrical: 69
  - Mechanical: 47
  - Plumbing: 18
- Additions/tenant improvements: 31
- Demolitions: 12

Applications for Development Review approved:

- Text Amendments: 2
- Zone Changes: 1
- Comprehensive Plan Amendments: 2
- Master Plans: 1
- Subdivisions: 3 (for 119 lots)
- Final Plats: 4 (for 29 lots)
- Modifications: 6
- Site Plan Review: 3
- Temporary Use Permits: 1
- Minor Partitions: 1 (for 2 lots)
- Replat: 1
- Major Variances: 2
- Lot Line Adjustments: 4
- Code Interpretation: 1
- Appeals: 2
- Extensions: 2
- Accessory Dwelling Units: 1
- Home Occupations: 3
- Conditional Use Permits: 1 minor
- Vacation Rentals: 2

Code Enforcement

- 117 total cases opened, 111 closed

Grant applications submitted:

- OPRD: Restrooms at Clemens Park
- ODOT: TGM update Transportation System Plan
- DLCD Technical Assistance: complete Urbanization Study
- ODOT Connect VI grant: construct multiuse path along Locust St
- ODOT STIP Enhance funding grant: construct multiuse path along east side of Hwy 20
- Cycle Oregon Grant: Bike racks

Awards Received: Tree City USA and Growth (covering 2014), Big Chainring Award (biking)

Urban Renewal Grant applications:

- 19 Façade Improvement Projects – 5 awarded; 12 outstanding; 2 ineligible
- 3 Trash Enclosure Projects - 2 awarded; 1 outstanding

Front Counter Customer Contacts: Approximately 740

Special Projects:

- Housing Needs Analysis (ongoing nearing completion)
- Urbanization Study (ongoing)
- City Parks Master Plan (ongoing nearing completion of CPAB review)
- Creekside Park and Campground Master Plan (complete)

AGENDA ITEM SUMMARY

CITY OF SISTERS PLANNING COMMISSION

Meeting Date: December 17, 2015 **Staff:** Patrick Davenport

Type: Workshop **Dept:** CDD

Subject: Planning Commission Goals and Priorities for 2016

Action Requested: Develop Planning Commission Goals and Priorities for 2016

Summary: Staff is requesting the Planning Commission to develop goals/priorities for the 2016 calendar year. These goals/priorities will provide staff with direction for 2016. These goals (and accomplishments) will be updated for the 2016-17 fiscal year beginning July 1, 2016. Staff is proposing the following goals and the Planning Commission is requested to review and edit these goals as necessary.

- Complete Housing Needs Analysis and adopt policies related to Affordable/Workforce Housing Incentives
- Complete Urbanization/UGB Study
- Complete current text amendment (TA #15-03)
- Review City Parks Master Plan
- Begin Comprehensive Plan update
- Begin Transportation System Plan refinement
- Prioritize future Development Code text amendments
  - Mobile Food Units
  - Temporary Uses
  - Vacation Rentals
  - Master Plans
  - Site Plan Review
  - Convert table of uses to NAICS format
  - Reevaluate Table of Uses
  - Create new Mixed Use/Planned Development zone/Form Based Codes*
  - Convert Flood Plain District to Flood Plain Overlay*
  - Establish Hood Avenue Art District Overlay*
- Continue Planning Commission training opportunities

*Requires supporting policies/positive affirmation in Comprehensive Plan