



FINDINGS AND DECISION

File #s: SP 22-06 / MOD 22-06
Applicant: BLRB Architects / Heidi Slaybaugh
Owner: Sisters School District #6 / Brett Hudson
Site Location: Address: 1700 W McKinney Butte Road Sisters, OR 97759;
Tax Maps and Lots: 15-10-6 100
Zoning: Public Facility (PF) District, Airport Overlay District (AO)
Request: Site Plan Review and Modification of Approval (file no. SP 02-04) to establish three (3) modular buildings at the Sisters High School campus to increase capacity at the school.

Applicable

Criteria: Sisters Development Code (SDC) Chapter 2.7 – Public Facility District (PF); Chapter 2.11 - Airport Overlay District (AO); Chapter 2.15 (Special Provisions); Chapter 3 (Design Standards); Chapter 4.1 (Types of Applications and Review); Chapter 4.2 (Site Plan Review).

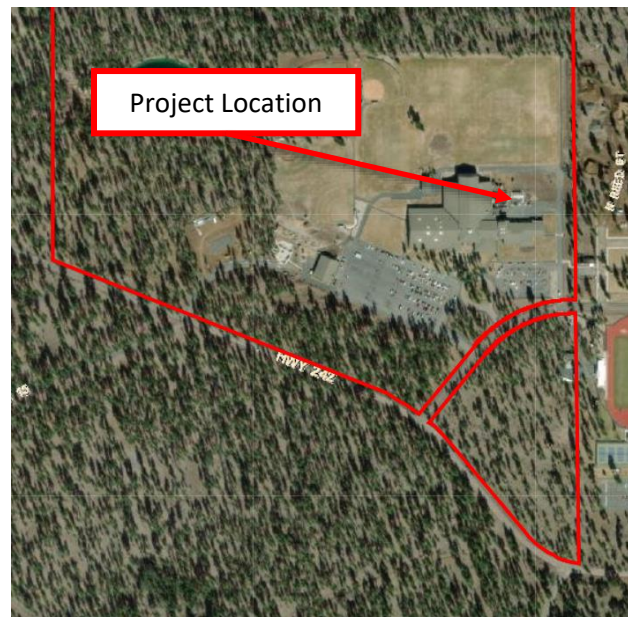
FINDINGS OF FACT:

ZONING: Public Facility District, Airport Overlay District

COMPREHENSIVE PLAN DESIGNATION: Public Facility

SITE DESCRIPTION & SURROUNDING LAND USES:

The subject property is located on the western edge of the City Limits and Urban Growth Boundary of Sisters. The proposed modular buildings are located to the northeast of and in close proximity to the existing high school. The subject property is bound by Highway 242 (a.k.a. OR 242/McKenzie Hwy) to the south and is bisected by McKinney Butte Road in the southeast. The topography of the site is generally level throughout and is vegetated with a moderate cover of ponderosa pine trees, native shrubs and groundcover, turf grass, and other introduced landscaping in the developed area. The northern and western portions of the property are undeveloped forested acres.



LAND USE HISTORY:

- **PA-01-4/ZC-01-4** Plan amendment to change the plan designation from Forest to Urban Area Reserve and zone change to change the zoning from Forest Use to Urban Area Reserve.
- **AX 02-01/ZC 02-01** Annexation of approximately 100 acres into the Sisters City Limits and to rezone and redesignate the annexed property from Urban Area Reserve (UAR-10) to Public Facilities (PF).
- **SP 02-04** Site plan review for public school and associated parking, fields, and utilities.
- **SP 03-09** Site plan review for Sisters Organization of Activities & Recreation (SOAR) activity center and associated athletic fields.
- **MOD 04-03** Minor modification to approved site plan for Sisters Middle School site for placement a modular building.
(Staff note: The project record is erroneously associated with tax map and lot 15-10-05 900, situs address 15200 McKenzie Highway. The correct project location is tax map and lot 15-10-6 100, situs address 15100 McKenzie Highway.)
- **SP 22-01/MOD 22-01** Site plan review and modification of approval for the development of a new elementary school. The modification of approval is for site changes to the parcel that includes the existing middle school.

SUMMARY OF CONCLUSIONARY FINDINGS: A detailed analysis of applicable standards and conclusionary findings are contained in Exhibit B. Staff has reviewed the requested Site Plan using the required Type II Administrative Procedure in Chapter 4.1 and found that the proposal meets the standards and criteria in Chapter 2.7 (PF); Chapter 2.11 (AO); Chapter 2.15 (Special Provisions); Chapter 3 (Design Standards); and Chapter 4.2 (Site Plan Review) and conditions of approval have been added where warranted.

EXHIBITS:

The following Exhibits make up the record in this matter:

- A. **Conclusionary Findings:**
 - Chapter 4.1 (Types of Applications and Review)
 - Chapter 4.2 (Site Plan Review)
 - Chapter 2.7 (Public Facilities District)
 - Chapter 2.11 (Airport Overlay District)
 - Chapter 2.15 (Special Provisions)
 - Chapter 3 (Design Standards)
- B. **Public Notice & Comments**
- C. **Agency Review Comments**
- D. **Conditions of Approval**
- E. **Site Plans & Elevations**

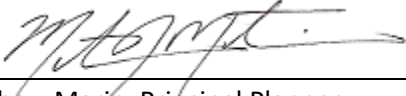
DECISION: Based upon the criteria and standards, and the facts contained within the record, the Community Development Director or designee **Approves with Conditions**, the requested Site Plan Review and Modification file nos. SP 22-06 / MOD 22-06. The approval is subject to the Conditions of Approval contained in Exhibit D.

This Type II Administrative decision is subject to a public hearing if appealed. The appeal of a Type II decision is heard by the Planning Commission. The appeal must be filed within 14 (fourteen) days of the date the final decision is mailed. Any appeal must be on a form provided by the City; must be accompanied by the required fee, and must be accompanied by a statement listing the specific reasons(s) for the appeal.

See the Sisters Development Code Chapter 4.1 for appeals procedures. For information regarding appeals, contact the Sisters City Hall, Community Development Department, at (541) 549-6022.

Failure to raise an issue with specificity within the appeal form may preclude an appeal to LUBA, and may prevent the ability of the appellant from collecting damages in Circuit Court.

NO PERMITS SHALL BE ISSUED UNTIL THE APPEAL PERIOD HAS EXPIRED. AN APPEAL SHALL AUTOMATICALLY STAY THE ISSUANCE OF PERMITS UNTIL SUCH APPEAL HAS BEEN COMPLETED.



Matthew Marin, Principal Planner

December 22, 2022

Date

Matthew Martin

E-Mailed by

December 22, 2022

Date E-mailed

CC: Planning Commissioners
File

EXHIBIT A: Conclusionary Findings

CONCLUSIONARY FINDINGS: Chapter 4.1 – Types of Applications and Review

Section 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).

...

B. *Type II Procedure (Administrative).* *Type II decisions are made by the Community Development Director or designee with public notice, and an opportunity for a public hearing if appealed. The appeal of a Type II decision is heard by the Planning Commission;*

Action	Decision Type	Applicable Regulations
Site Plan Review	Type II	Chapter 4.2

Staff Findings: The land use application has been reviewed as a Type II decision following the procedures in Chapter 4.1.

Section 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 Finding: The applicant is proposing to modify the land use approval for the existing development associated with the Sisters High School, originally approved over 20 years ago under file no. SP-02-04. This criterion is met.

- 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 Finding: The applicant is proposing to modify the previously approved site plan for the existing high school including the addition of three (3) modular buildings and associated improvements. Staff does not consider the request to be a substantially new proposal for the high school, although the change in the

use does require additional review for compliance with criteria and standards of the Sisters Development Code.

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 Finding: The proposed modification is directed to several discrete aspects of the prior approvals by adding improvements in association with establishing 3 modular buildings to provide additional capacity for the high school.

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

Staff Finding: The original site plan application was processed as a Type II application and, therefore, the modification will be processed as a Type II application. The originally approved high school use has been initiated and the building constructed. Therefore, the time limitation is not being altered as part of this modification decision.

CONCLUSIONARY FINDINGS: Chapter 4.2 – Site Plan Review

Section 4.2.200 Applicability

- A. ***Any new development, structure, building, or substantial alteration of an existing structure or use shall require Site Plan Review in accordance with Chapter 4.1 and 4.2.***

Staff Findings: The applicant is proposing the development of 3 modular buildings at the high school and related improvements. As specified in this section, the proposed development is subject to the site plan review.

Section 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.***

Staff Findings: This review is being conducted as a Type II procedure as specified above.

Section 4.2.500 Approval Criteria

Prior to issuance of building permits, the Community Development Director or designee shall approve, approve with conditions or disapprove the proposed site plan. In approving the plan, the Community Development Director or designee shall find that all provisions of the Development Code are met. The following criteria shall be considered:

A. Conformance with applicable Design Standards in Chapter 3.

Staff Finding: Compliance with applicable Design Standards in Chapter 3 is addressed below.

B. Adequacy of public and private facilities.

Staff Finding: Agency comments received did not express concern with the adequacy of the public and private facilities to serve the development if appropriate infrastructure improvements are established to specification and mitigation measures are addressed as specified in comments received.

C. Traffic safety, internal circulation and parking, including pedestrian and bicycle safety;

Staff Finding: The site has been designed to maximize traffic, pedestrian, and bicycle safety and provided adequate internal circulation and parking. Off-site traffic safety is addressed above. Greater discussion of the methods in which the applicant meets the requirements for on-site improvements is found in Chapter 3 below.

D. Provision for adequate noise and/or visual buffering from non-compatible uses.

Staff Finding: The proposal is for modular buildings to provide additional capacity at the high school. No change of use is proposed. The use of the modulars will have similar noise impacts as the existing high school use of the property.

Mechanical equipment is screened by existing and proposed buildings, landscaping, and fencing to lessen noise and visibility.

The proposed design incorporates existing landscaping to diminish any noise and visual elements of the site from impacting any nearby residential districts and other non-compatible uses.

The use is an allowed use in the PF District and, therefore, it has been previously determined to be sufficiently compatible with surrounding uses.

The application materials do not address outdoor lighting and compliance with the dark skies standards of SDCD 2.15.2400. Compliance with these standards shall be a condition of approval.

Staff finds the applicant has, as conditioned, adequately demonstrated noise and visual impacts will be buffered from non-compatible uses.

E. Conformance with applicable public works, building and fire code standards.

Staff Finding: Compliance with applicable standards will be verified upon plan review by Public Works and the Deschutes County Building Division.

F. Conformance with development requirements of the underlying zone.

Staff Finding: Conformance with applicable development requirements of the PF District is addressed below.

CONCLUSIONARY FINDINGS: Chapter 2.7 – Public Facility District (PF)

Section 2.7.200 Uses

- A. **Permitted uses.** *Uses permitted in the Public Facilities District are listed in Table 2.7.1 with a “P”. These uses are allowed if they comply with the development standards and other regulations of this Code.*

Table 2.7.1 Use Table for the Public Facility District		
Land Use Category	Permitted/Special Provisions/Conditional Use	References
Public and Institutional Uses		
Public or private schools	P	-

Key: P = Permitted SP = Special Provisions MCU = Minor Conditional Use Permit CU = Conditional Use Permit

Staff Findings: The applicant is proposing the addition of modular buildings as part of the existing high school, a permitted use in the PF District.

Section 2.7.300 Development Standards

The following property development standards shall apply to all land, buildings and uses in the Public Facility District:

- A. **Lot Area, lot frontage, setbacks, lot coverage and building height. See Table 2.7.2.**

Table 2.7.2 Development Standards in the Public Facility District		
Development Standard	Public Facilities District	Comments/Other Requirements
Front yard setback	10 foot minimum, unless abutting a residential zone	When abutting a lot in a residential zone, the front yard setback to a building or parking area shall be the required setback of the abutting residential zone
Side and rear yard setbacks		
a. Abutting non-residential district	No minimum	
b. Abutting residential district	20 foot minimum	
Lot coverage	80 percent maximum	-

Building height	35 feet maximum	Wireless communication facilities on T15 R10 S05 900, T15 R10 S06 103 and T15 R10 S09 1002 shall not exceed 120 feet height School facilities such as gymnasiums or auditoriums may exceed 35 foot height with Site Design approval.
-----------------	-----------------	---

Staff Finding: The minimum development standards have been met as follows:

Front yard setback: 10-foot minimum, unless abutting a residential zone (10 foot minimum, unless abutting a residential zone, the front yard setback to a building or parking area shall be the required setback of the abutting residential zone).

SDC 1.3.300, Meaning of Specific Words and Terms, includes the following definition:

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

Based on this definition, the location of the proposed development is abutting the Multi-Family Residential (MFR) zone to the east because it is joined by a common boundary line. Therefore, compliance with the MFR Zone 10-foot front yard setback is required and met.

Side and rear yard setbacks: No minimum abutting non-residential district; 20-foot minimum abutting residential district.

As previously found, the location of the proposed development abuts the MFR zone. Therefore, the minimum required 20-foot side or rear yard setbacks apply and are met.

Lot Coverage: 80 percent maximum.

The subject property is approximately 260.40 acres with no less than 160 acres, or approximately 61% of the total lot area, remaining undeveloped. Based solely on this undeveloped area, the lot coverage standard is met.

Building height: 35 feet maximum (School facilities such as gymnasiums or auditoriums may exceed 35-foot height with Site Design approval).

The proposed buildings are single story and less than 35 feet in height.

- B. Activities within enclosed building. All service, repair, processing or storage on property within the Public Facilities District that is abutting or across the street from a lot in a Residential District shall be conducted wholly within an enclosed building unless screened from the Residential District by a site-obscuring fence or wall.**

Staff Finding: The activities associated with the proposed modular buildings will take place within the enclosed buildings. No other activities associated with the existing school are proposed to be altered.

C. Openings to buildings abutting a Residential District. Where buildings in the PF District abut lots in the Residential Districts, openings to the buildings that face the Residential Districts shall be prohibited (e.g., doors and windows) if such openings would cause glare, excessive noise or similar conditions that would have an adverse affect on property in the Residential Districts.

Staff Finding: The nearby lots in the MFR District to the east are abutting the subject property. The applicant has not specified if opening will be present on the sides of the buildings facing the MFR District. As previously found, the use of the modulares will have similar noise impacts as the existing high school use of the property. No glare is anticipated from modulares. In addition, the units will be setback over 200 feet from the MFR District and there is an existing fence that will further buffer the structures and any impacts from openings that may face the MFR District. Based on this information, staff finds this criterion is met.

D. Access points. Access points from a public road to a use or building in the PF District shall be located to minimize traffic congestion and to avoid directing traffic onto streets of a primarily residential character.

Staff Finding: As shown on the submitted site plan, the existing high school includes three (3) accesses to McKinney Butte Road and one (1) access to Hwy 242. No changes to these accesses are proposed and there are no know issues that would warrant changes. Based on this information, this criterion is met.

E. Materials and grounds. All materials, including wastes, shall be stored and all grounds shall be maintained in a manner that will not attract or aid the propagation of insects or rodents or create a health or fire hazard.

Staff Finding: No change to the current maintenance practices is proposed or warranted.

F. Building mass. Where buildings in the PF District are accessible and open to the public and oriented to the public street, architectural features such as windows, pedestrian entrances, building off-sets, projections, detailing, a change in materials or similar features, shall be used to break up and articulate large building surfaces and volumes.

G. Pedestrian entrances. Recessed entries, canopies, and/or similar features shall be used at the main entries to buildings in the PF District that are accessible and open to the public.

Staff Finding: The proposed buildings are for classroom use and not accessible and open to the public. Further, the buildings are located to the rear of the existing high school and not oriented to the street. Therefore, these criteria are not applicable to this proposal.

H. Parking and loading areas. Where the parking and loading area for a use in the PF District is abutting or directly across the street from a Residential District, a minimum 10-foot front yard setback to the parking area shall be required. The parking and loading setback area shall be appropriately landscaped along the residential street frontage to protect the character of the adjoining residential property and to shield vehicle headlights.

Staff Finding: No new parking or loading is proposed or warranted as part of this proposed alteration to the development.

CONCLUSIONARY FINDINGS: Chapter 2.11 – Airport Overlay District

Section 2.11.400 Permitted Uses

- 1. Uses permitted in underlying zone district. Uses listed as permitted or conditional in the underlying zone are allowed within the Airport Overlay District unless prohibited in Section 2.11.500 or the development limitations of Section 2.11.600.**

Staff Findings: The school use is allowed within the underlying PF District and, therefore, also allowed in the Airport Overlay District.

Section 2.11.500 Prohibited Uses

- 1. New structures or buildings are not allowed within the Runway Protection Zone.**

Staff Findings: The subject property is located below the Conical Surface and not within the Runway protection Zone. Therefore, this standard is not applicable to this proposal.

- 2. New places of public assembly designed to accommodate 50 people or more are not allowed on land zoned Urban Reserve District (UR) within the first 1,500 feet of the Approach Safety Zone. Please see Chapter 2.9 Urban Reserve District (UR) for the specific regulations regarding this zone.**

Staff Findings: The subject property is located in the PF District. Therefore, this standard is not applicable to this proposal.

- 3. New wetland enhancements including migratory bird refuges, water impoundment(s), landfills, waste disposal sites, commercial bird farms or similar uses individually exceeding two (2) acres in size that attract and sustains flocks of birds are not allowed on land beneath the Horizontal Surface.**

Staff Findings: No wetland enhancements are included with this proposal.

- 4. New uses that interfere with aviation due to height of structures, glare from buildings, smoke, or safety considerations are not allowed. Specific evidence of aviation interference must be demonstrated before a use (not listed above) is prohibited. The evidence must show that the use will regularly produce an interference listed above, based on its normal operating characteristics.**

Staff Findings: The proposed structures are single-story and will not penetrate the Conical Surface above the location of the buildings. No elements of the proposed development are expected to produce glare, smoke, or other safety considerations. No comments were received that expressed concern with the proposed development is not in compliance with this standard.

Section 2.11.600 Use and Development Limitations

- 1. No new structure, except one customarily used for aeronautical purposes, shall penetrate into the Airport Imaginary Surfaces as defined in section 2.11.300.**

2. **No glare producing material (unpainted metal, reflective glass, and similar materials, etc.) shall be used on the exterior of structures within the Airport Approach Safety Zone.**
3. **In noise sensitive areas (within 1,500 feet of the airport runway) a Declaration of anticipated noise from aircraft shall be recorded against the property in the deed records of Deschutes County. Property owners or their representatives are responsible for providing the recorded instrument prior to issuance of building permits or final plat approval for land divisions.**
4. **Within the first 1500 feet of the Airport Approach Safety Zone, a Hold Harmless Agreement and Aviation and Hazard Easement shall be attached to any building permit for residential or places of public assembly, and shall be recorded against the property in the deed records of Deschutes County. Property owners or their representatives are responsible for providing the recorded instrument prior to issuance of building permits.**

Staff Findings: No new structures are proposed that will penetrate the Airport Imaginary Surfaces as defined in section 2.11.300. No glare producing material (unpainted metal, reflective glass, and similar materials, etc.) is proposed on the exterior of the structure. The proposed development is over 8,000 feet from the airport runway and is not within the first 1,500 feet within the Airport Approach Safety Zone. Therefore, these requirements do not apply.

Section 2.11.800 Procedures

1. **All proposed development and uses within the overlay zone are subject to site plan review to determine compliance with the provisions of this district. All land use and building permit applications shall provide a site plan showing:**
 - a. **Property boundary lines and elevations as they relate to the Airport Imaginary Surfaces.**
 - b. **Location and height of all existing and proposed structures, utility lines and roads.**

Staff Findings: The submitted site plan and related application materials includes the information required by the is criteria.

2. **All applications requiring site plan approval within the Airport Imaginary Surfaces and noise corridors shall be submitted to the Aeronautics section of the Oregon Department of Transportation for review. The Oregon Aeronautics has 10 days from date of receipt of an application to review and return comments to the Planning Department.**

Staff Findings: Notice of application was provided to the Oregon Department of Aviation (f.k.a. Aeronautics section of the Oregon Department of Transportation) on December 6, 2023, and the following comments were received:

ODAV has reviewed the proposal and prepared the following comments:

1. *In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposal may be required to undergo aeronautical evaluations by the FAA and ODAV, depending on the final height and location of the building(s). The aeronautical evaluations are initiated by the applicant providing notice to the FAA and ODAV to determine if the proposal poses an obstruction to aviation safety at Sisters Eagle Airport. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.*
2. *The height of any new structures, trees, and other planted vegetation shall not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV*

While this decision can not be conditioned upon receipt of specified aeronautical evaluation by FAA and ODAV, staff includes these comments here to emphasize the responsibility of the applicant to receive all applicable approvals from agencies with jurisdiction.

CONCLUSIONARY FINDINGS: Chapter 2.15 – Special Provisions

Section 2.15.2300 Vision Clearance

Vision clearance is defined by a triangle created as follows: starting at the intersection of the projections along the edge of the pavement or along curb lines into the intersection of two vehicular ways, measure out from this point along each way for the specified distance to create two legs of a triangle and connect these two legs across the corner of the intersection (as shown in Figure 2.15.2300 A.). The clear vision space is defined by this triangle between 3' and 8' in height from the ground; within this space, the line of sight must remain unobstructed.

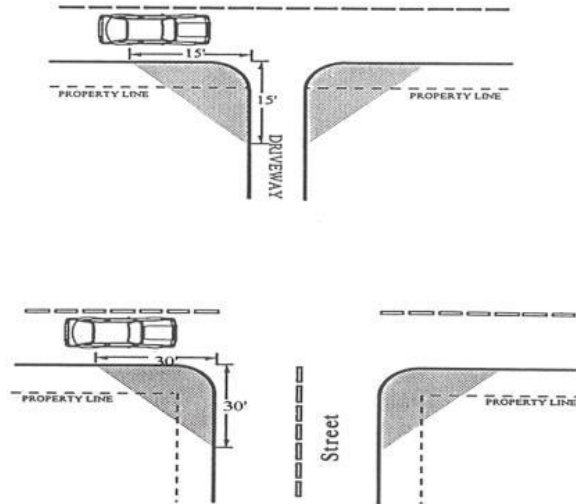
The legs of the triangles shall be determined as follows:

- 1. At the intersection of a street (public or private) and a driveway, alley, lane, or other vehicle way that is not a street, the minimum distance along each vehicular way as defined above shall be 15'.*
- 2. At an intersection of two streets (public or private) having 90-degree angles at the intersection, the minimum distance along each vehicular way as defined above shall be 30 feet.*
- 3. At traffic circles, acute or obtuse angles, and other non-conventional intersections of two streets, the vision clearance area may be determined by the Public Works Director. However, every attempt shall be made to ensure that the minimum distance measured along each vehicular way as defined above is 30 feet.*

Except as exempted below, no signs, structures or vegetation in excess of three feet in height shall be placed in "vision clearance areas," as shown in Figure 2.15.2300 A. This standard applies to the following types of roadways: streets, alleyways and railways. The minimum vision clearance area may be increased by the City Engineer upon finding that more sight distance is required (i.e., due to traffic speeds, roadway alignment, etc.).

The clear vision area provisions do not apply to the following;

- 1. Any sign, post, pole or similar structure installed and maintained by a public entity; or,*
- 2. Any private post or pole eight inches or less in diameter (width or length).*



Staff Findings: The proposal does not include alterations to or development within the existing clear vision areas. It shall be a condition of approval that the clear vision areas are maintained.

Section 2.15.2400 Dark Skies Standards

- A. **Requirements for installation.** *Except as exempted by provisions of this ordinance, as of the date of adoption, the installation of outdoor lighting fixtures shall be subject to the provisions of this ordinance and with the provisions of the applicable building code and electrical code, and with the sign chapter 3.4.*
- B. **Shielding.** *All nonexempt outdoor lighting fixtures shall have light directed luminaires or shielding so as to prevent direct light from the fixture shining beyond the property limits where the fixture is installed. This means that a person standing at the adjacent property line would not see the light emitting source. Shielding by design or external application directs light downward and limits direct line-of-sight of a fixture's lamp to the property upon which the fixture is installed and light directed upward is prohibited.*
- C. **Permitted.**
 1. **Maximum Lamp Wattage and Required Luminaire or Lamp Shielding:** *All lighting installations shall be designed and installed to be fully shielded (full cutoff), except as in exceptions below, and shall have a maximum lamp wattage of 250 watts High Intensity Discharge (HID) or lumen equivalent for commercial lighting and 100 watts incandescent, and 26 watts compact fluorescent lighting or lumen equivalent for residential lighting (or approximately 1,600 lumens).*
 2. **Landscape and Deck lighting.** *Low voltage landscape lighting, but such lighting shall be shielded in such a way as to eliminate glare and light trespass. Luminaries shall be mounted in or at grade (but not more than 3 feet above grade) and shall be used solely for landscape rather than any area lighting.*
- D. **Prohibitions.**
 1. **Laser Source Light.** *The use of laser source light or any similar high intensity light when projected beyond property lines is prohibited.*
 2. **Searchlights.** *The operation of searchlights for purposes other than public safety or emergencies is prohibited.*

Staff Finding: Staff will verify that any outdoor lighting installed as part of the proposed development complies with this section of code at the time of building permit. A condition of approval has been added to ensure compliance with this criterion.

CONCLUSIONARY FINDINGS: Chapter 3.1 – Access and Circulation

Section 3.1.300 Vehicular Access and Circulation

A. Traffic Study and Control Requirements

- 1. The City or other agency with access jurisdiction may require a traffic study prepared at applicant/developers expense by a qualified professional to determine access, circulation and other transportation requirements. A Traffic Impact Study shall be required for all development applications that will result in a traffic impact or increase in traffic impact of 200 or more average daily trips (ADT).**

Staff Finding: The proposal includes the relocation of the existing “Transition Building” from a different location on the subject property with the same staff that currently serve the students, resulting no additional trips to the property. The additional two modular buildings will serve as supplemental instruction space for the current instructional needs, also resulting in no additional trips to the property. Based on this information, a Traffic Impact Study (TIS) is not required.

- 2. Traffic control devices, subject to the approval of the Hearings Body, shall be required with development when traffic signal warrants are met, in conformance with the Oregon State Highway Capacity Manual, and Manual of Uniform Traffic Control Devices. The location of traffic control devices shall be noted on approved street plans. Where a proposed street intersection will result in an immediate need for a traffic signal or other traffic control device, a device meeting approved specifications shall be installed. The developer’s cost and the timing of improvements shall be included as a condition of development approval.**

Staff Finding: No additional trips will be generated by the proposal. Therefore, no traffic control devices are required in conjunction with the proposed development.

- 3. Traffic-calming features, such as curb extensions, narrow residential streets, and special paving shall be required where appropriate and in accordance with the Transportation System Plan and Public Works’ Standards and Specifications, latest edition, in order to slow traffic in neighborhoods and areas with high pedestrian traffic and to maximize a pedestrian friendly environment.**

Staff Finding: No additional trips will be generated by the proposal. Therefore, no traffic calming features are required in conjunction with the proposed development.

- B. Access Management. The City or other agency with access permit jurisdiction may require the closing or consolidation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways), development of a frontage street, installation of traffic control devices, and/or other mitigation as a condition of granting an access permit, to ensure the safe and efficient operation of the street and highway system.**

Staff Finding: No additional trips will be generated by the proposed development and no alterations to the existing accesses are proposed. Therefore, the requirements contemplated by this criterion are not warranted.

C. Fire Access and Turnarounds. *When required under the Oregon Fire Code, fire access lanes with turnarounds shall be provided. Except as waived in writing by the Fire Marshal, a fire equipment access drive shall be provided for any portion of an exterior wall of the first story of a building that is located more than 150 feet from an existing public street or approved fire equipment access drive. The drive shall contain unobstructed adequate aisle width (20 feet) and turn-around area for emergency vehicles. The Fire Marshal may require that fire lanes be marked as "No Stopping/No Parking."*

Staff Finding: The submitted site plan shows all exterior walls of the proposed building will be within 150 feet of a fire access drive aisle with an unobstructed width of no less than 20 feet. Comments received from the Sisters-Camp Sherman Fire District state, "Access to the site and water supply currently meet all Fire Department requirements and the proposed additional modular building will not change the current status." Therefore, additional fire access and/or a turnaround is not required in conjunction with of this decision.

D. Vertical Clearances. *Except for drive-through windows, all driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13' 6" for their entire length and width.*

Staff Finding: Compliance with this criterion shall be an ongoing condition of approval.

E. Vision Clearance. *Visual obstructions between three (3) feet and eight (8) feet in height are subject to Special Provisions, Vision Clearance.*

Staff Finding: As discussed in further detail under SDC 2.15.2300, this criterion is met.

F. Surface Options. *Required driveways, aprons, parking areas, aisles, and turn-arounds shall be paved with asphalt, concrete or comparable durable surfacing, subject to review and approval by the Community Development Director. Properties located in the Light Industrial (LI) District shall refer to Chapter 2.6.*

Staff Finding: There are no changes proposed to the existing vehicular access to the High School property. All approved driveways, parking areas, and turn-arounds are paved with asphalt.

G. Surface Water Management. *All driveways, parking areas, aisles and turn-arounds shall have on-site collection or infiltration of surface waters to eliminate sheet flow of such waters onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with City standards. Swales may be considered to control surface water.*

Staff Finding: There are no changes proposed to the existing approved driveways, parking areas, aisles, and turn-arounds associated the high school development.

H. Private Streets and Alleys. *Public and private streets and alleys shall conform to the standards in the City of Sisters Public Works Construction Standards, latest edition. While alley intersections and sharp changes in alignment shall be avoided, the corners of necessary alley intersections shall have*

a radius of not less than 20 feet.

Staff Finding: No private streets or alleys are proposed.

I. Access Standards

1. **Access spacing standards. Street intersection and driveway spacing shall comply with the table below (Figure 3.1.300.A):**

Figure 3.1.300.A. Access Spacing Standards

Street Facility	Maximum spacing* of roadways	Minimum spacing* of roadways	Minimum spacing* of roadway to driveway	Minimum Spacing* driveway to driveway
Arterial	1,000 feet	660 feet	330 feet	330 feet or combine
Collector:	600 feet	330 feet	100 feet	100 feet or combine
Neighborhood/Local	600 feet	150 feet	50 feet	10 feet

Notes: *Measured centerline to centerline

TSP January 2010

2. **Properties with Multiple Frontages.** Where a property has frontage on more than one street, access shall be limited to the street with lesser classification.
3. **Alley Access.** If a property has access to an alley or lane, direct access to a public street is not permitted.
4. **Closure of Existing Accesses.** Existing accesses that are not used as part of development or redevelopment of a property shall be closed and replaced with curbing, sidewalks/pathways, and landscaping, as appropriate.
5. **Shared Driveways on Arterial Streets.** The number of driveways onto arterial streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City shall require shared driveways as a condition of land division or site design review, as applicable, for traffic safety and access management purposes in accordance with the following standards:
 - a. Where there is an abutting developable property, a shared driveway shall be provided. When shared driveways are required, they shall be stubbed to adjacent developable parcels to indicate future extension. "Stub" means that a driveway temporarily ends at the property line, but may be accessed or extended in the future as the adjacent parcel develops. "Developable" means that a parcel is either vacant or it is likely to receive additional development (i.e., due to infill or redevelopment potential).
 - b. Access easements (i.e., for the benefit of affected properties) shall be recorded for all shared driveways, including pathways, at the time of final plat approval or as a condition of site development approval.
 - c. No more than two lots may access one shared driveway.
6. **Frontage Streets and Alleys.** The hearing body for a design review or subdivision may require construction of a frontage street to provide access to properties fronting an arterial or collector street.
- ...
8. **Access Management Plan.** In addition, all requests for an access spacing exception shall be

required to complete an access management plan for review and approval by the Public Works Director or City Engineer, which should include at a minimum the following items:

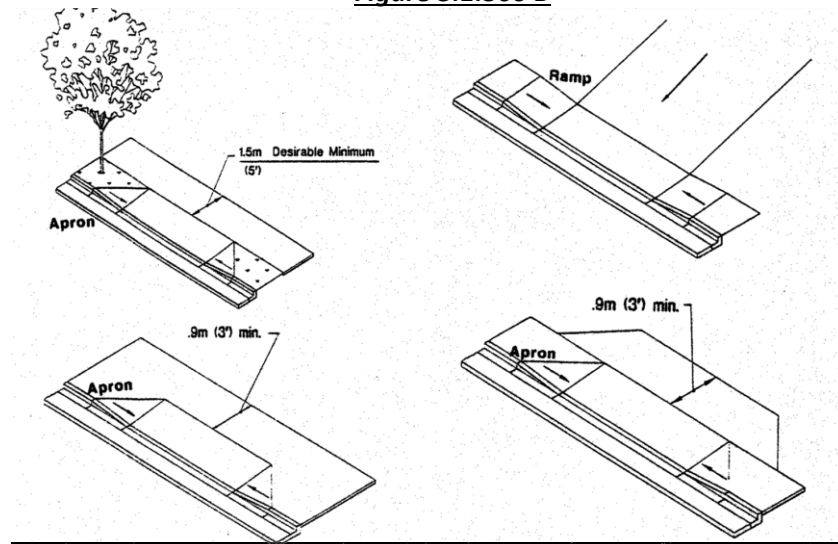
- a. Review of the existing access conditions within the study area (defined the property frontage plus the distance of the minimum access spacing requirement). This should include a review of the last three years of crash data, as well as collection of traffic volume information and intersection operations analysis.
- b. An analysis of the study area safety and operations with the proposed access configuration, as well as with a configuration that would meet access spacing standards. This scenario should also include consideration of the long-term redevelopment potential of the area and discussion of how access spacing standards may be achieved.

Staff Finding: As previously noted, the proposed development will not generate additional vehicle trips and no alterations to the circulation patterns proposed. Therefore, these criteria are not applicable to this proposal.

J. Driveways, Access Connections and Driveway Design

1. **Driveway Openings.** Driveway openings (or curb cuts) shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet minimum width for each travel lane). The following standards are required to provide adequate site access, minimize surface water runoff, and avoid conflicts between vehicles and pedestrians (as measured where the front property line meets the sidewalk or right-of-way):
...
 2. **Driveway Approaches.** Driveway approaches shall be designed and located to provide exiting vehicles with an unobstructed view of other vehicles and pedestrians, and to prevent vehicles from backing into the flow of traffic on the public street or causing conflicts with on-site circulation. Construction of driveway accesses along acceleration or deceleration lanes or tapers should be avoided due to the potential for vehicular conflicts. Driveways should be located to allow for safe maneuvering in and around loading areas.
 3. **Driveway Construction.** Driveway aprons (when required) shall be installed between the street right-of-way and the private drive, as shown in Figure 3.1.300.B. Driveway aprons shall conform to ADA requirements for sidewalks and pathways,

Figure 3.1.300 B



Staff Finding: No changes to the existing driveways are proposed or warranted with this proposal.

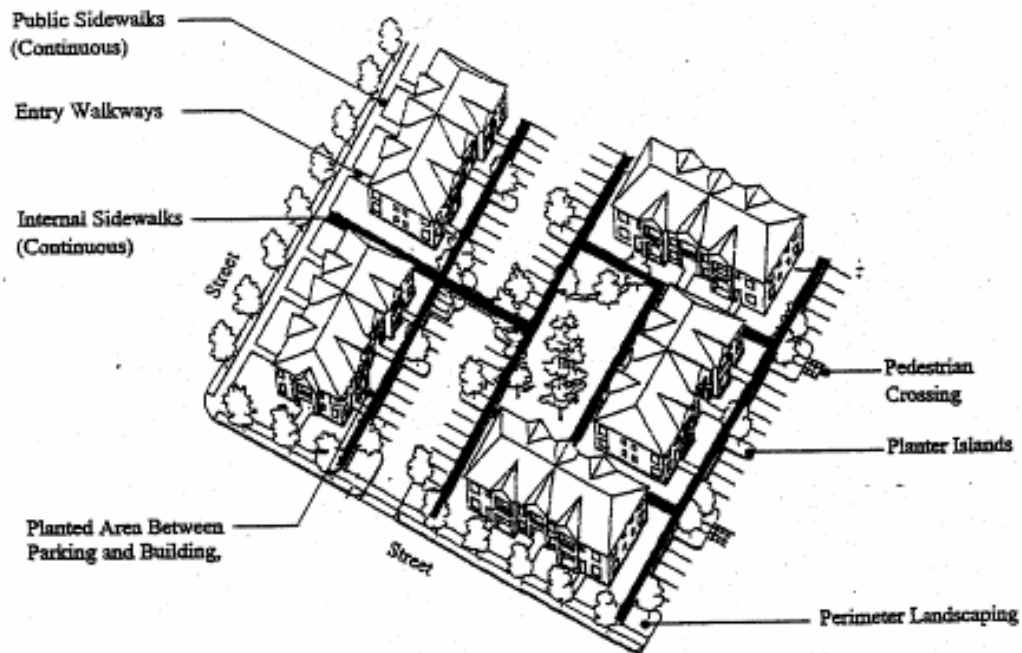
- K. No development may occur unless required public facilities are in place or are guaranteed in conformance with the provisions of this Code. Improvements required as a condition of development approval, when not voluntarily accepted by the applicant, shall be roughly proportional to the impact of development. Findings in the development approval shall indicate how the required improvements are roughly proportional to the impact. All public improvements shall be in conformance with the City of Sisters Public Works Construction Standards, latest edition.**

Staff Finding: No alterations to the public facilities are proposed or warranted with this proposal.

Section 3.1.400 Pedestrian/Bicyclist Access and Circulation

- A. Site Layout and Design. To ensure safe, direct, and convenient pedestrian circulation, all developments shall provide a continuous pedestrian system. The pedestrian system shall be based on the standards in subsections 1-3, below:**
- 1. Continuous Access and Circulation System. The pedestrian/bicycle circulation system shall extend throughout the development site and connect to all future phases of development, and to existing or planned off-site adjacent trails, public parks, and open space areas to the greatest extent practicable. The developer may also be required to connect or stub pathways or multi-use paths to adjacent streets and to private property with a previously reserved public access easement for this purpose.**
 - 2. Safe, Direct, and Convenient. Pathways and multi-use paths within developments shall provide safe, reasonably direct, and convenient connections between primary building entrances and all adjacent streets.**
 - 3. Pathway Connections within Development. Connections within developments shall conform to the following standards:
Pathways shall connect all building entrances to one another to the extent feasible;
a. Pathways shall connect all on-site parking areas, storage areas, recreational facilities and common areas, and shall connect off-site adjacent uses to the site to the extent feasible. Topographic or existing development constraints may be cause for not making certain pathway connections, as generally shown in Figure 3.1.400A; and**

Figure 3.1.400.A Pedestrian Pathway System (Typical)



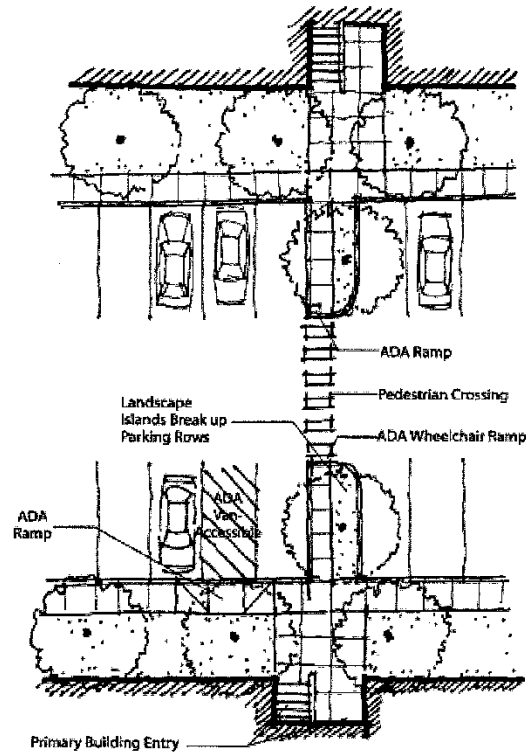
Staff Finding: As detailed on the submitted plans, the existing high school campus includes a pathway system that extends throughout the site to the trash area, parking areas, playing fields, various use areas, and nearby rights-of-way. These pathways will be retained and extended to serve the proposed modular buildings. Based on this information, staff finds these criteria have been met.

B. Pathways Design and Construction. Pathways and multi-use paths shall conform to the following standards:

- 1. Vehicle/ Pathway and Multi-use Path Separation. Except for crosswalks (subsection 2) and for properties in the Light Industrial Zone, where a pathway or multi-use path abuts a driveway or street, it shall be raised 6 inches and curbed along the edge of the driveway/street. Alternatively, the decision body may approve a pathway or multi-use path abutting a driveway at the same grade as the driveway if the pathway or multi-use path is protected from all vehicle maneuvering areas. An example of such protection is a row of decorative metal or concrete bollards designed to withstand a vehicle's impact, with adequate minimum spacing between them to protect pedestrians and bicyclists.**

Staff Finding: No new pathways or paths are proposed or warranted in areas abutting a driveway or street. Therefore, this criterion is not applicable.

Figure 3.1.400 Crosswalk Detail (Typical)



2. ***Crosswalks.*** *Where pathways and multi-use paths cross a parking area, driveway, or street (“crosswalk”), they shall be clearly marked with contrasting paving materials (e.g., light-color concrete inlay between asphalt), which may be part of a raised/hump crossing area. Painted or thermo-plastic striping and similar types of non-permanent applications may be approved for crosswalks not exceeding 24 feet in length.*

Staff Finding: No new pathways or paths are proposed or warranted in areas crossing a parking area, driveway, or street. Therefore, this criterion is not applicable.

3. ***Pathway and Multi-use Path Width and Surface.***
Pathway surfaces shall be concrete, asphalt, brick/masonry pavers, or other durable surface, as approved by the Public Works Director or designee, at least 6 feet wide, and shall conform to ADA requirements. Multi-use paths (i.e., for bicycles and pedestrians) shall be the same materials, at least 10 feet wide and shall conform to ADA requirements.

Staff Finding: The applicant indicates pathways are surfaced with concrete in compliance with this standard. Staff acknowledges there may be informal, unpermitted pathways traversing areas of the property that were not proposed nor subject to this requirement.

CONCLUSIONARY FINDINGS: Chapter 3.2 – Landscaping and Screening

Section 3.2.100 Purpose

The purpose of this chapter is to promote community health, safety and welfare by protecting existing trees and setting development standards for landscaping, street trees, fences and walls. Landscaped areas should help to control surface water drainage and can improve water quality.

Section 3.2.200 Landscape Requirements

A. ***Requirements by Zone.*** *In the following designated districts, not less than the stipulated percent of gross site area shall be occupied by landscaping.*

...

6. ***Public Facility (PF), ten (10%) percent***

B. ***Determination of Landscaped Area.*** *In determining landscaped area setbacks, private patios and all other areas not occupied by buildings, parking lots, vehicle storage areas, or driveways may be included.*

Staff Finding: There are no changes proposed to the landscaping of the area where these three modular buildings will be located. The applicant indicates the existing baren ground of the building sites was scraped and prepped for future tennis courts during the construction of the main school in 2002 that was not constructed. As such, staff finds the proposed development does not impact the previously approved landscaped areas.

C. ***Development Standards***

1. ***All landscaping within the City shall comply with the requirements of the Oregon Forestland-Urban Interface Fire Protection Act, also known as Senate Bill 360.***
2. ***Areas occupied by clubhouses, recreation buildings, pools, saunas, interior walkways and similar amenities may be also included as landscaped areas, up to fifty (50) percent of the required landscape area.***
3. ***A hard surface pedestrian plaza or combined hard surface and soft surface pedestrian plaza, if proposed shall be counted towards meeting the minimum landscaping requirement, provided that the hard-surface portion of the plaza shall not exceed twenty-five (25) percent of the minimum landscaping requirement, and shall be comprised of the following:***
 - a. ***Any permeable surface such as brick pavers, or stone, scored, or colored concrete; and,***
 - b. ***One (1) tree having a minimum mature height of at least twenty (20) feet for every three hundred (300) square feet of plaza square footage; and,***
 - c. ***Street furniture including but not limited to benches, tables, and chairs; and,***
 - d. ***Pedestrian scale lighting consistent with the City's Dark Skies Standards; and,***
 - e. ***Public trash receptacles.***
4. ***Bark dust, chips, aggregate and other non-plant ground covers may be used, but shall cover no more than 25 percent of the area to be landscaped.***

Staff Finding: No changes to the existing, previously approved landscaping are proposed or warranted in conjunction with this proposal.

...

8. ***All mechanical equipment, refuse area, outdoor storage and manufacturing, and service and delivery areas, shall be screened from view from all public streets and Residential districts. Properties located in the Light Industrial (LI) District shall refer to Chapter 2.6 for screening requirements.***

Staff Finding: The proposed buildings and any associated mechanical equipment are screened from view from all public streets by the existing high school building. The location of the buildings will be visible

from the MFR zoned properties abutting to the east. The location of any associated mechanical equipment serving the buildings is not identified. Therefore, compliance with the criterion shall be a condition of approval requiring compliance prior to issuance of the certificate of occupancy for each building.

- 9. Landscaping shall also be provided where practical in areas within a parking lot not used for the parking of vehicles, drives or turning area.**

Staff Finding: No changes to the parking lot are proposed or warranted in conjunction with this proposal.

- 10. Parking Areas. All parking areas containing more than 10 spaces and all parking areas in conjunction with an off-street loading facility shall provide landscaping and screening in accordance with the following standard;**

- a. Except for Light Industrial Zone properties, a minimum of 10 percent of the total paved area of all parking lot(s), as measured around the perimeter of all parking spaces and maneuvering areas, shall be landscaped. Such landscaping shall consist of an evenly distributed mix of trees with shrubs and/or ground cover plants. Evenly distributed means that the trees and other plants are distributed around the parking lot perimeter and between parking bays to provide a partial canopy. At a minimum, one tree per eight (8) parking spaces total shall be planted to create a partial tree canopy over and around the parking area. All parking areas with more than 50 spaces shall include landscape islands to break up the parking area into rows.**

All landscaped areas for trees shall have minimum dimensions of five feet by five feet to ensure adequate soil, water, and space for healthy plant growth. Where practical, landscape areas within parking lots shall be designed at a lower grade than the parking surface to allow surface water drainage to collect in the planter areas.

- b. Preservation of existing trees is strongly encouraged. At the sole discretion of the decision authority, the 10 percent requirement for landscaped areas may be reduced down to 5 percent if existing trees are preserved in parking areas.**

Staff Finding: No changes to the parking lot are proposed or warranted in conjunction with this proposal.

- 11. Buffering is required for parking areas containing four or more spaces, loading areas, and vehicle maneuvering areas. Boundary plantings shall be used to buffer these uses from adjacent properties and the public right-of-way. A minimum five (5) foot-wide perimeter landscaping buffer shall be provided around parking areas; and a minimum ten (10) foot-wide perimeter landscaping buffer shall be provided around trees. Additionally, where parking abuts this perimeter landscape buffer, either parking stops shall be used or landscape buffers shall be increased in width by three (3) feet.**

Staff Finding: No changes to the parking lot are proposed or warranted in conjunction with this proposal.

- 12. When a commercial or industrial site adjoins a Residential District, where fences are required, such fencing shall be landscaped as appropriate.**

Staff Finding: The proposed development is not a commercial or industrial site. Therefore, this criterion is not applicable.

- 13. All required building setbacks shall be incorporated in the landscape design, unless these areas are utilized in driveways, etc.**

Staff Finding: No changes to the landscaping in all required building setbacks is proposed or warranted in conjunction with this proposal.

14. A combination of trees, shrubs and ground covers shall be used for all planted areas, the selection of which shall be based on local climate, exposure, drought-tolerance, water availability, and drainage conditions; ground covers alone are not acceptable. As necessary, soils shall be amended to allow for healthy plant growth. The Community Development Director or designee may require the substitution of any plant material which they have reason to believe will not survive successfully under the particular conditions of the site in question.

Staff Finding: The existing landscape design uses the following combination of trees, shrubs, and ground cover.

15. Planted trees shall have a minimum caliper size of one and one half (1 1/2) inches and shall conform to the standards described by the ANSI A300 standards for nursery stock, latest edition.

Staff Finding: No new planted trees are included with this proposal.

16. Detention facilities, such as ponds, shall be graded so that the sides of the facilities are no steeper than 3:1. Additionally, the facilities shall be landscaped with plant materials that provide erosion control and biofiltration.

Staff Finding: No changes to the existing detention facilities is proposed.

Section 3.2.300 Screening, Fences, and Walls

- A. Screening. Screening refers to a wall, fence, hedge, informal planting, or berm, provided for the purpose of buffering a building or activity from neighboring areas or from the street. When required, screening may be provided by one or more of the following means:**
- 1. A solid masonry wall, board fence, or equivalent meeting the standards of the applicable building code.**
 - 2. An evergreen hedge.**
 - 3. An earth berm may be used in combination with any of the above types of screening, but not more than two-thirds (2/3) of the required height of such screening may be provided by the berm. The slope of a berm may not exceed 3:1. The faces of a berm's slope shall be planted with ground cover, shrubs, and trees.**

Staff Finding: This section is advisory and not a review criterion.

- B. All required screening, regardless of district or location, shall comply with the following requirements:**
- 1. Screening shall comply with the vision clearance standards in Chapter [2.15 Special Provisions](#).**

Staff Finding: No changes are proposed in the vicinity of the vision clearance areas. As previously found, compliance with the vision clearance standards in chapter 2.15 is a condition of approval.

- 2. In the areas within the Western Frontier Architectural Design Theme, wood, stone or iron or their visual equivalent shall be used consistent with Chapter [2.15](#) Special Provisions.*

Staff Finding: As specified in SDC 2.15.2600(B), the Western Frontier Architectural Design Theme standards apply to development in all Commercial Districts. The subject property is not located in a Commercial District and, therefore, the proposed development is not subject to this standard.

- 3. **Height and Location of Screening.** Unless otherwise specified, screening required by this Section shall be a minimum six (6) feet in height and shall be arranged within the boundaries of the lot as to substantially hide from adjoining properties the building, facility or activity required to be screened. Perimeter fencing or walls used for screening in residential or commercial Zoning Districts shall meet the standards in 3.2.300.C unless otherwise specified.*
- 4. Heights of plant screens or hedges specified herein indicate the height which may be expected within three (3) years of planting. The height at the time of planting shall be such that in accordance with good landscape practice the fully required height may be achieved within a three (3) year period.*
- 5. The standards set forth herein for location and height of landscaping or screening may be modified as directed by the Community Development Director whenever it appears that such landscaping or screening would result in an undesirable condition, would not meet the intent of the screening requirements, or would constitute a danger to traffic by reasons of impairment of vision at a street or driveway intersection.*

Staff Finding: No changes to the screening is proposed or warranted as part of this proposal.

C. Fences and Walls.

Staff Finding: No fences or walls are proposed with this application.

Section 3.2.500 Existing Trees

- A. **Applicability** – All development sites containing Significant Trees, shall comply with the standards of this Section. The purpose of this Section is to preserve significant trees within the city limits. The preservation of mature, native vegetation within developments is a preferred alternative to removal of vegetation and re-planting. Mature trees reduce air and water pollution, provides summer shade and wind breaks, and require less water than new landscaping plants having established root systems.*
- B. **Significant Trees** – Individual trees with a trunk diameter of eight (8) inches or greater as measured 4.5 feet above the ground (DBH), shall be identified as significant. Other trees may be deemed significant, when nominated by the property owner and designated by the City Council as “Heritage Trees” (i.e., by virtue of site, rarity, historical significance, etc.).*

Staff Finding: The site has a number of existing trees that conform with the above definition. Therefore, the standards of this section apply. However, there are no trees present in the proposed project area.

Section 3.2.600 Street Trees

Street trees shall be planted for all developments that are subject to Land Division or Site Design Review. Planting on unimproved streets shall be deferred until the construction of curbs and sidewalks. Street trees shall conform to the following standards and guidelines:

- A. **Street Tree Standards.** *Trees shall be selected based on growth characteristics and site conditions, including available space, overhead clearance, soil conditions, exposure, and desired color and appearance. The following applies to street tree planting and selection:*
1. *Street trees shall be planted between 5' and 15' of the curb, wherever possible.*
 2. *Street trees shall be placed at an average of 35' maximum distance apart from one another. Reduced separation may be required for smaller species of trees. Variety in tree placement using clusters of trees and uneven spacing is encouraged.*
 3. *An approved tree grate or other surface treatment acceptable to the Community Development Director or designee shall be used for street trees planted in paved or concrete areas.*
 4. *Except for immature trees of insufficient height to prune and retain a crown that is at least 2/3 the height of the tree, street trees that overhang city property and public rights-of-way shall be pruned to maintain at a minimum a clearance height of 8' over sidewalks and a clearance height of 14' over streets.*
 5. *Existing trees may be used to meet minimum street tree requirements if they are not killed or damaged during or as a result of development. Sidewalks of variable width and elevation may be used to save existing street trees.*
 6. *Existing street trees removed as the result of development shall be replaced by the developer with trees of a species appropriate to the site, as determined by the Community Development Director or designee.*
 7. *Low-growing trees shall be required for spaces under utility wires.*
 8. *Narrow or "columnar" trees may be used where awnings or other building features limit growth, or where greater visibility is desired between buildings and the street.*
 9. *Trees that are extremely susceptible to insect damage shall be avoided.*
 10. *Trees that produce excessive seeds or fruit are prohibited as street trees.*
 11. *Street trees shall be those species suitable for the location in which they are placed. Recommended tree species include the following tree types, and within these, consideration should be given to those that are most drought-resistant. Drought resistant trees are marked with an asterisk (*):*
- ...
- C. **Caliper Size.** *Planted trees shall have a minimum caliper size of one and one-half (1 1/2) inches and shall conform to the standards described by the ANSI A300 standards for nursery stock, latest edition.*
- D. **Location.** *Street trees shall be planted within existing and proposed planting strips and in sidewalk tree wells on streets without planting strips.*

Staff Finding: No street trees are proposed or warranted in conjunction with this proposal.

E. **Street Tree Maintenance**

1. *Except for trees located in medians within public rights-of-way, which shall be maintained by the City, it shall be the continuing duty and routine obligation of property owner(s) of land abutting public rights-of-way to perform activities required to maintain trees located within the abutting right-of-way in good health and vigor. Activities may include watering, pruning, protection against damage, and replacement if necessary.*
2. *Street tree removal and planting shall be the obligation of the adjacent property owner(s).*
3. *All maintenance activities shall be conducted in accordance with the City of Sisters Urban Forestry Ordinance and City of Sisters Public Works Construction Standards, latest edition.*

Staff Finding: This is a general policy of maintenance, which will be enforced after installation of the street trees. It is not an applicable review criterion.

CONCLUSIONARY FINDINGS: Chapter 3.3 – Vehicle and Bicycle Parking

Section 3.3.200 Applicability

- A. New Structures. When a structure is constructed, on-site vehicle and bicycle parking and loading spaces shall be provided in accordance with this chapter.**

Staff Finding: The proposal includes placement, or construction, of 3 new modular buildings. Therefore, the provisions of this chapter are applicable.

Section 3.3.300 General Provisions

- A. The number of required off-street vehicle parking spaces shall be determined in accordance with the following standards. Off-street parking spaces may include spaces in garages, carports, parking lots, and/or driveways if vehicles are not parked in a vehicle travel lane (including emergency or fire access lanes), public right-of-way, pathway or landscape area...**

...

- E. Maximum Parking. The number of parking spaces provided by any particular use in ground-level surface parking lots shall not exceed the following;**
- 1. 1 to 10 required parking spaces shall not exceed 20% or a maximum of 3 parking spaces**
 - 2. 11 to 100 required parking spaces shall not exceed 20% maximum**
 - 3. More than 100 required parking spaces shall not exceed 10% maximum**

Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, may not apply towards the maximum number of allowable spaces. Parking spaces provided through “shared parking” also do not apply toward the maximum number.

- F. More Than One Use On a Site. If more than one type of land use occupies a single structure or parcel of land, the total requirements for off-street automobile parking shall be the sum of the requirements for all uses, unless it can be shown that the peak parking demands are actually less (i.e., the uses operate on different days or at different times of the day). In that case, the total requirements shall be reduced accordingly.**

...

Table 3.3.300.A – Minimum Required Parking by Use

Use Categories	Minimum Parking per Land Use (Fractions rounded down to the closest whole number) (See 3.3.300 D Floor Area)
Schools	High schools, colleges, universities and trade schools: 6 spaces per classroom plus 1 space per 400 square feet of office, assembly or common floor area

Staff Finding: The proposal includes placement of 3 modular building for classroom use, including the relocation of an existing modular building from elsewhere on the subject property and the addition of 2

new buildings. This net increase of 2 buildings for classroom use requires 6 spaces for each building and totaling 12 spaces. The findings in the original decision for the high school found that 375 spaces were required and 389 spaces were provided. The surplus of 14 existing spaces is adequate to accommodate the additional 12 vehicle spaces required by this proposal.

Section 3.3.500 Off-Street Loading Facility Requirements

- A. ***Any building intended to be used for retail, wholesale, warehouse, freight, hospital, industrial, manufacturing uses and similar uses shall be provided with off-street loading berths according to this schedule:***
 - 1. ***One berth for each building containing 10,000 to 25,000 square feet of floor area.***
 - 2. ***Two berths for each building containing 25,000+ square feet of floor area.***
- B. ***Any building intended to be used for a hotel, eating or drinking establishments, community center, convention hall, medical clinics and other similar use shall be provided with off-street loading berths according to this schedule:***
 - 1. ***One berth for each building containing 20,000 to 50,000 square feet of floor area.***
 - 2. ***Two berths for each building containing 50,000+ square feet of floor area.***

Staff Finding: The applicant is proposing additional buildings as part of a high school use. A high school is not listed as use requiring loading facilities. Therefore, this section is not applicable.

Section 3.3.600 Bicycle Parking Requirements

All bicycle parking facilities required in conjunction with development shall conform to the standards in this Section.

- A. ***Number of Bicycle Parking Spaces.* *The following additional standards apply to specific types of development:***
 - ...
 - 3. ***Schools. Elementary and middle schools, both private and public, shall provide one bicycle parking space for every 10 students and employees. High schools shall provide one bicycle parking space for every 5 students and employees.***

Staff Finding: The applicant has indicated there will be no increase in the staff employed or students served by these additional modular units. Therefore, no additional bicycle parking is warranted with this proposal.

CONCLUSIONARY FINDINGS: Chapter 3.5 – Public Improvement Standards

Section 3.5.100 Purpose and Authority

- A. ***Purpose. The purpose of this chapter is to provide requirements for design and construction of public and private infrastructure including: transportation facilities; sewer, water and other utilities; and drainage features and activities. One of the primary purposes of this chapter is to provide standards for attractive and safe streets that can accommodate vehicle traffic from planned growth, and provide a range of transportation options, including options for driving, walking, bicycling, transit and other transportation modes.***
- B. ***Public Improvements Needed for Development. Development shall not occur unless the public improvements serving the development comply with the public facility requirements established or***

incorporated by this chapter, unless compliance is exempted by this code or unless the applicable standard is modified, waived, deferred, or a payment made in lieu.

- C. Compliance with Standards. All public improvements constructed as part of a development or to comply with a condition of development approval shall comply with all applicable standards, including but not limited to any public works standards and specifications.*
- D. Conditions of Development Approval. The City may deny an application for development approval or a request for a building permit if required public improvements are not in place, waived, modified, deferred, or a payment made in lieu in accordance with this Chapter. [Ord. 505 § 2 (Exh. D), 2020].*

Staff Finding: No public improvements are proposed or warranted in conjunction with this proposal.

Section 3.5.200 Transportation Improvement Standards

- A. Development Requirements. No development shall occur unless the development has frontage or approved access to a public or private street, in conformance with the provisions of SDC Chapter 3.1, and the following standards are met:*

...

Staff Finding: These criteria do not apply as no new streets, street improvements, or right-of-way dedication are proposed or warranted as part of this development

Section 3.5.250 Sanitary Sewer and Water Service Improvements

Section 3.5.550 Storm Drainage Improvements

Section 3.5.600 Utilities

Staff Finding: Compliance with these standards will be verified upon review of the building permits.

Section 3.5.650 Easements

Staff Finding: No need for easements for sewer facilities, storm drainage, water facilities, street facilities, electric lines or other public/private utilities have been identified.

Section 3.5.700 Construction Plan Approval and Assurances

Staff Finding: No public improvements are proposed or warranted with this development. Therefore, this section is not applicable.

Section 3.5.750 Installation

Staff Finding: The provisions of this section are advisory.

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

EXHIBIT B: Public Notice & Comments

Public Notice & Comments: Notice of the proposed Site Plan Review was posted on site on December 8, 2022. Mailed notice was also provide to all neighboring property owners located within 250 feet of the border of the subject site's property boundary on December 7, 2022, over two weeks before the date of this decision as required by the Sisters Development Code. No comments were submitted into the record.

EXHIBIT C: Agency Review Comments

Notices were sent to City Departments and other affected agencies for comment on December 7, 2022. The following Department and Agency comments were received:

OREGON DEPARTMENT OF AVIATION (BRANDON PIKE)

ODAV has reviewed the proposal and prepared the following comments:

- 1. In accordance with FAR Part 77.9 and OAR 738-070-0060, the proposal may be required to undergo aeronautical evaluations by the FAA and ODAV, depending on the final height and location of the building(s). The aeronautical evaluations are initiated by the applicant providing notice to the FAA and ODAV to determine if the proposal poses an obstruction to aviation safety at Sisters Eagle Airport. The applicant should receive the resulting aeronautical determination letters from the FAA and ODAV prior to approval of any building permits.*
- 2. The height of any new structures, trees, and other planted vegetation shall not penetrate FAR Part 77 Imaginary Surfaces, as determined by the FAA and ODAV.*

CENTRAL OREGON ELECTRIC COOPERATIVE (PARNELLI PERKINS):

CEC has no concerns but, if the district needs a new power service they will need to call 541-312-7778 and request a service for this new facility.

DESCHUTES COUNTY BUILDING SAFETY DIVISION (CHRIS GRACIA)

NOTICE: The Deschutes County Building Safety Divisions code mandates that Access, Egress, Setbacks, Fire & Life Safety, Fire Fighting Water Supplies, etc. must be specifically addressed during the appropriate plan review process with regard to any proposed structures and occupancies.

Accordingly, all Building Code required items will be addressed, when a specific structure, occupancy, and type of construction is proposed and submitted for plan review.

SISTERS/CAMP SHERMAN FIRE DISTRICT:

The Sisters Camp-Sherman Fire District has no additional requirements on this proposal. Access to the site and water supply currently meet all Fire Department requirements and the proposed additional modular building will not change the current status. All other fire safety requirements will be assessed through the building department's review process.

PUBLIC WORKS (PAUL BERTAGNA) & ENGINEERING (ERIK HUFFMAN):

No comments received.

TRANSPORTATION ENGINEERING (JOE BESSMAN)

No comments received.

EXHIBIT D: CONDITIONS OF APPROVAL

Conditions of Approval for SP 22-06/MOD 22-06

The following conditions of approval are associated with the land use application file SP 22-06/MOD 22-06.

Planning

1. Land use approval is limited to disclosed and approved uses, unless and until a change of use is approved by the City. Future uses not identified in this proposal may require additional approval processes by the City.
2. All conditions of prior land use approvals still apply where applicable.
3. The applicant is required to comply with all requirements of the Fire Marshal and Oregon Fire Code, latest edition. The applicant is also required to comply with all requirements of applicable Building codes at the discretion of the Deschutes County Building Official.
4. The clear vision area shall be maintained in accordance with SDC 2.15.2300.
5. All driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13' 6" for their entire length and width.
6. All mechanical equipment shall be screened from view from the MFR zone to the east.
7. Lighting shall be installed in accordance with the Dark Skies requirements in SDC 2.15.2400.

--- END OF CONDITIONS ---

