



Date: May 16, 2024

To: Planning Commission

From: Matthew Martin, Principal Planner

Subject: Continued Public Hearing: Tourist Commercial District Text Amendments - File No. TA 24-01

I. BACKGROUND

Ernie Larrabee of Lake House, LLC, filed an application for text amendments to Sisters Development Code Chapter 1.3 (Definitions) and Chapter 2.12 (Sun Ranch Tourist Commercial (TC) District). The purpose of the amendments is to expand and clarify the types of uses allowed in the TC District to reflect changes in the community and tourism industry. The Commission held a public hearing on April 18, 2024¹. At the conclusion of testimony, the Commission voted unanimously to continue the public hearing to May 16, 2024.

At the public hearing on April 18, it became apparent to staff that aspects of the proposed amendments intended to provide clarification of standards and formatting consistency with other sections of the Sisters Development Code resulted in potential misunderstanding and distraction from the primary and substantive amendments proposed. Staff acknowledges that many of the proposed clarifying and formatting amendments were recommended by staff based on the perspective that this current process provides an opportunity to address non-substantive “housekeeping” amendments.

The misunderstanding and distraction may also be attributed to the fact that much of the presentations, testimony, and discussion was directed at a specific development concept. Staff wants to emphasize that no specific development application has been submitted with this application. Instead, the applicant has proposed legislative amendments to the Sisters Development Code that will apply to future development of all properties in the TC District. Review of future development of the properties is a separate process completed in compliance with the applicable standards and criteria of the Development Code at the time of the application. As such, testimony and discussion should be directed at the proposed amendments and not a specific development concept.

In response to the outcome of the public hearing, the applicant has coordinated with staff to revise the proposal to reduce the scope of the amendments to the substantive changes previously proposed by the applicant. In addition, the applicant has addressed the topics raised by the Planning Commission. The revised proposal is discussed in Section II below.

¹ 4/25/24 Planning Commission Meeting: <https://www.ci.sisters.or.us/bc-pc/page/planning-commission-85>

II. SUPPLEMENTAL APPLICATION MATERIALS

The applicant has submitted Application Addendum 2 (Attachment 1) that revises the proposal based on review of the project record, testimony and comments provided at the public hearing, and input from staff. The amendments identified in Application Addendum 2 represent the entirety of proposed changes and replaces those previously presented.

In summary, the proposal going forward includes the following:

- **New Uses:**
 - Retail sales establishment
 - Hostel
 - RV Park including caretaker’s quarters (Staff Note: Previous proposal included caretaker’s residence, not quarters)

- **Other Provisions:**
 - Adds Special Use standards to address square footage requirements for the Neighborhood Market and Retail Sales Establishment uses.
 - Adds requirements for hostels that are included in the Highway Commercial District.
 - Adds Special Use standards for the RV Park use to address the length of stay concern.
 - Adds the following Special Use standard for the RV Park use: “A maximum of 65% of the gross area of any property in the TC zone shall be developed for an RV Park use.”
 - Adds required amenities to complement the RV Park use.
 - Changes “Restaurant, bar, and food services” to “Eating and drinking establishments” for consistency with the remainder of the SDC.
 - Makes minor changes to the purpose statement
 - Changes to the setback requirements proposing a 10-foot front yard setback.
 - Adds a definition of existing “Lodging Facility” use to Section 2.12.1000, Special Standards for Certain Uses.

Staff notes the applicant has removed the addition of “Lodging Establishment” definition to Chapter 1.3 from the proposal. The result is the proposed amendments are limited only to Chapter 2.12 and the Sun Ranch TC District, not the entirety of the Development Code and city.

Staff finds the proposed revisions to the proposal do not result in an increase in intensity or type of use that warrants additional or new evaluation of compliance with the applicable Oregon Land Use Goals, Comprehensive Plan Policies, and Development Code review criteria.

Attached is an Amendment Summary Matrix (Exhibit A) to assist in the evaluation process. The matrix includes the following categories:

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

III. PROJECT RECORD

The record was presented in its entirety with the staff report prior to and at the public hearing on April 18, 2024. Since the public hearing on April 18, the following comments have been submitted into the project record and are attached (Attachments 2-6) to this report for consideration:

- Public Comment - 5-1-24 Ramirez Email
- Public Comment - 5-3-24 Benson Email
- Public Comment - 5-3-24 King Email
- Public Comment - 5-4-24 Haken Email
- Application Materials – 5-9-24 Skidmore Email

IV. NEXT STEPS

At the conclusion of the testimony, the Planning Commission can consider the following options:

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

EXHIBITS

- A. Amendment Matrix

ATTACHMENTS

1. Application Materials – Application Addendum 2
2. Public Comment - 5-1-24 Ramirez Email
3. Public Comment - 5-3-24 Benson Email
4. Public Comment - 5-3-24 King Email
5. Public Comment - 5-4-24 Haken Email
6. Application Materials – 5-9-24 Skidmore Email

Staff Report – Exhibit A
Amendment Summary Matrix

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

Staff Report – Exhibit A
Amendment Summary Matrix

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

Staff Report – Exhibit A
Amendment Summary Matrix

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

Matt Martin

From: jonski826@gmail.com
Sent: Tuesday, May 7, 2024 2:24 PM
To: Matt Martin
Subject: TA 24-01 Addendum 2
Attachments: 050724 Addendum #2 Memo.pdf; 050724 Sun Ranch Tourist Commercial Zone.pdf; 050724 Sun Ranch Tourist Commercial Zone.docx

Hi Matt,

Please submit the attached documents to the record for City of Sisters file TA 24-01. Addendum 2 consists of the attached memo and the attached proposed text amendments to the Sun Ranch Tourist Commercial zone. I attached a pdf and a word version of the proposed text amendments.

Thank you for your assistance and coordination to date. Contact me with any questions.

Thanks!

Jon Skidmore

Skidmore Consulting, LLC

To: Matthew Martin, AICP, Principal Planner
Members of the City of Sisters Planning Commission

From: Jon Skidmore, Skidmore Consulting, LLC

Date: May 7, 2024

Subject: Addendum 2 for City of Sisters File TA 24-1

Addendum 2

Please accept this memo and the attached addendum document and add them to the record for City of Sisters file TA 24-1.

Initially, the text amendment application sought to add a few specific permissible uses within the Sun Ranch Tourist Commercial (TC) zone and to reformat a large portion of the text and structure of the zoning district language for consistency with other sections of the Sisters Development Code (SDC). The volume of proposed changes, which are overwhelmingly non-substantive, has confused the conversation. Based on feedback from the Planning Commission at the 04/18/24 public hearing and conversations with city staff, this addendum reduces the volume of proposed changes and focuses on the proposed uses to add to the TC zone.

Addendum 2 proposes to add three uses:

- Retail sales establishment.
- Hostel.
- RV Park including caretaker's quarters.

Further, the addendum proposes the following:

- Relies on the Special Use standards to address square footage requirements for the Neighborhood Market and Retail Sales Establishment uses.
- Adds requirements for hostels that are included in the Highway Commercial zone.
- Replaces the proposed "RV Park including caretaker's residence" with "RV Park including caretaker's quarters."
- Adds Special Use standards for the RV Park Use to address the length of stay concern.
- Adds the following Special Use standard for the RV Park Use: "A maximum of 65% of the gross area of any property in the TC zone shall be developed for an RV Park use."
- Adds required amenities to complement the RV Park use. This was done to address concerns that Commissioner McDougall raised related to the originally proposed "Park" use.
- Changes "Restaurant, bar, and food services" to "Eating and drinking establishments" for consistency with the remainder of the SDC.
- Makes minor changes to the purpose statement and other sections including proposing a 10-foot front yard setback.

Skidmore Consulting, LLC

- Adds a definition of “Lodging Facility.”

If you recall, the reason this Text Amendment application was submitted was because city staff found that the undefined term “Lodging Facility” in the TC zone did not include the RV Park use. This was not the view of the property owners, but the owners were willing to work with the city to clarify that the RV Park use is permissible within the TC zone. To address that issue, the submitted application contained the request to add the RV Park use.

Further, the initial text amendment application contained a proposed “Hotel and lodging establishment” use to replace the undefined “Lodging Facility” use. The proposed “Hotel and lodging establishment” use could apply to the TC zone and the entirety of the SDC so that there was a common use defined in the code that would apply citywide. However, as evidenced through the process to date, that proposed addition has complicated this process. Therefore, this addendum removes the proposed “Hotel and lodging establishment” term and in its place, provides a definition of the original “Lodging Facility” term to be used only in the TC zone.

There were discussions with city staff about replacing the “Lodging Facility” use in the TC zone with “Hotel and motel” as used elsewhere in the SDC. Based on those conversations, the direction chosen was to define “Lodging Facility.” Again, that use and definition will only apply within the TC zone. The definition provides for various types of overnight accommodations to be provided on site – from traditional hotel structures, to cabins, to permanently sited RVs.

Our team appreciates your attention to this proposal and the continued conversation. Due to the limited area of the TC zone and because it only exists in one area of the city, adding the desired uses and changing only a few other items was deemed most appropriate in this situation.

The reasoning and data in the narrative submitted with the original application support this proposed text amendment package as well.

If you have any questions, please contact me.

Thank you!

Chapter 2.12 – Sun Ranch Tourist Commercial (TC)

Sections:

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

2.12.100 Purpose

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

2.12.200 Applicability

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

2.12.300 Permitted Uses

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

Staff Memo - Attachment 1
Addendum 2 – May 7, 2024

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

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

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

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

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

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

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

Key: P = Permitted SP = Special Provisions

MCU = Minor Conditional Use Permit CU = Conditional Use Permit

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

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

2.12.400 Lot Requirements

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

2.12.500 Height Regulations

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

2.12.600 Setbacks and Buffering

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

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

A. Front Yard Setback

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

B. Side Yard Setback

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

C. Rear Yard Setback

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

D. Buffering

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

2.12.700 Lot Coverage

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

2.12.800 Off-Street Parking

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

2.12.900 Landscape Area Standards

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

2.12.1000 Special Standards for Certain Uses

A. Neighborhood Market and Laundry Establishment

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

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

B. Retail Sales Establishment

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

~~B. Cottages~~

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

C. RV Parks:

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

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

~~2.12.1100 Design Theme~~

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

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

Staff Memo - Attachment 1
Addendum 2 – May 7, 2024

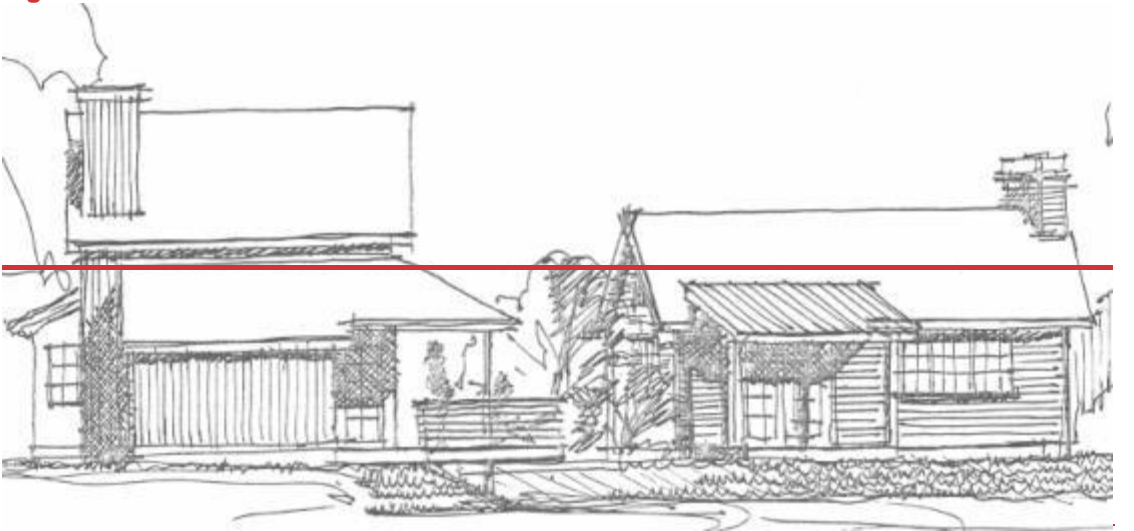
3. ~~Exterior Materials.~~ Rough sawn boards and/or board and batten walls, rough stone and brick.
Dimensional composition shingle roofs.

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

Figure 2.12.1100-A



Figure 2.12.1100-B



Matt Martin

From: Rigo Ramirez <rigo@shopdixies.com>
Sent: Wednesday, May 1, 2024 11:30 AM
To: Matt Martin
Cc: jonski826@gmail.com; amylarrabee@yahoo.com
Subject: Support Letter
Attachments: Document_2024-05-01_112611.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Please see an attached support letter relating to the proposed code change by Lake House Inn, LLC.

Rigo
owner
Dixie's

City staff, Planning Commission Members and City Councilors,

I write in support of the proposed text amendments to the Sun Ranch Tourist Commercial zoning district proposed by Lake House Inn, LLC for the property at 69013 Camp Polk Road. The Sun Ranch Tourist Commercial (SRTC) zoning district was created almost 20 years ago to develop with uses that would attract tourists, business travelers, and Sisters locals. The proposed amendments, including an RV park will cater to a changing tourism market while staying consistent with the original intent of the zone.

A mix of uses on site like food courts, a tap house or restaurant and lodging abilities will revitalize a commercial property that has sat idle for years. The proposal to ensure that an RV Park is a permissible use on site warrants your support. A well-designed, higher end RV Park in this location will not only be compatible with surrounding uses, it also provides a more affordable option for tourists to stay in Sisters. Our community relies heavily on the tourism sector of our economy. Revising the SRTC zone to attract a wider array of tourists to our community is a good idea that contributes to our tourism industry. Please support these amendments.

Please place this letter of support into the record for City of Sisters file TA 24-01.

Thank you.



Rigo Ramirez
owner

Dixie's LLC

5/1/24

Matt Martin

From: William Benson <woowooz@mac.com>
Sent: Friday, May 3, 2024 10:39 AM
To: Matt Martin
Subject: TA24-01 Conklin House Property

Follow Up Flag: Follow up
Flag Status: Flagged

Mr. Martin.

We have read all the comments submitted. We live in the area (Grand Peaks) and what happens is important to us.

We think we should find a way to preserve and restore the Conklin Guest House.

Some really good suggestions as to how this may be done may be found here (*Credit to Charlie Stevens*)

https://www.ci.sisters.or.us/sites/default/files/fileattachments/community_development/page/23280/3-21-24_stephens_email_public_comment.pdf

2) There are far better and more appropriate uses for the property, most of which are allowed by current language. In the best of all possibilities, the Conklin home would be restored and house something like the following:

a) Cafe

b) Museum/gift store with an area for coffee/food.

c) Multiple, independently owned stalls or rooms for various goods, preferably locally made.

With the right amenities, it would be a great community resource for the nearby neighborhoods, the airport, and the commercial and industrial businesses in the Sun Ranch development and along Barclay Drive, and a useful stop for travelers along the "alternate route" envisioned for Barclay Drive.)

d) d) Create an Agrihood (<https://agrihoodliving.com>), which would provide homes and a mini-farm, with produce for sale from a store at the Conklin house.

e) A Cottage development is already allowed, and the property is large enough to accommodate cottages on part of it. As tiny homes, they are a good way for singles or a couple to actually own a home. There are Tiny Home communities in several states. Bend even has one (<https://www.hiatushomes.com>).

We agree it very important to get the right specialists, for for their opinions on feasibility and for for a restoration. (*Credit to ShannonThorson*)

I have been actively restoring homes and commercial properties for over 30 years. It causes great concern to hear the Conklin home may be demolished. Historic restoration is a specialty and often cities allow professionals that don't specialize in this area to render opinions on a building's viability. Structural engineers and building contractors (at large) are absolutely not qualified to discuss the viability of restoration unless they specialize in this arena. So often cities allow non-specializing professionals to declare a building is not viable when this is absolutely not the case. At times folks who purchase properties are looking for opportunities to remove structures that don't meet their capital plans and seek professionals to justify this. It's critical there are non-biased professional opinions brought in. The State of Oregon has fantastic resources in regards to historic restoration and there are plenty of professionals that could help cast of clear light on this particular situation.

Based on a simple exterior observation, it appears this building is very much viable and is a relatively simple restoration. The ground under it is stable and the foundation appears functional. The roofline remains straight and the building is generally constructed in a straightforward fashion.

Bill & Judi Benson

Matt Martin

From: stephen king <stephenjking@outlook.com>
Sent: Friday, May 3, 2024 11:40 AM
To: Matt Martin
Cc: Amy Larrabee
Subject: Sun Ranch

Follow Up Flag: Follow up
Flag Status: Flagged

City staff, Planning Commission Members and City Councilors,

I write in support of the proposed text amendments to the Sun Ranch Tourist Commercial zoning district proposed by Lake House Inn, LLC for the property at 69013 Camp Polk Road. The Sun Ranch Tourist Commercial (SRTC) zoning district was created almost 20 years ago to develop with uses that would attract tourists, business travelers, and Sisters locals. The proposed amendments, including an RV park will cater to a changing tourism market while staying consistent with the original intent of the zone.

A mix of uses on site like food courts, a tap house or restaurant and lodging abilities will revitalize a commercial property that has sat idle for years. The proposal to ensure that an RV Park is a permissible use on site warrants your support. A well-designed, higher end RV Park in this location will not only be compatible with surrounding uses, it also provides a more affordable option for tourists to stay in Sisters. Our community relies heavily on the tourism sector of our economy. Revising the SRTC zone to attract a wider array of tourists to our community is a good idea that contributes to our tourism industry. Please support these amendments.

Please place this letter of support into the record for City of Sisters file TA 24-01.

Thank you.
Stephen King

Matt Martin

From: Jennifer Haken <haken6@gmail.com>
Sent: Saturday, May 4, 2024 8:40 PM
To: Matt Martin
Cc: jonski826@gmail.com
Subject: Updating current codes for Commercial properties

Follow Up Flag: Follow up
Flag Status: Flagged

I am reaching out and showing my support to making some changes to the current codes regarding commercial properties in Sisters, Oregon. Ernie and Amy Larrabee have a beautiful piece of property that could, in turn bring families/tourists to our amazing town. The Larrabee's (or future owners of their property) talk of allowing RV sites in an upscale version within the property. One thing we hear often at our gift shop in town is that they miss an RV park in town where they could walk to restaurants and gift shops. Many, many years ago we had one, where Ray Grocers sits now. I know there is one near Creekside Park, but it is just not the same. It's definitely not kept up on the nicer side where someone in a beautiful RV would feel comfortable staying. Having an upscale RV park with many amenities would draw the crowds this town is looking for, and those customers would be supporting our gift shops, grocery stores, restaurants, and gas stations. Plus being walking distance to town would free up many of our parking spots for other customers instead of taking up multiple spots to park a large RV while they go shopping/eating.

In making your decision, my hopes are that you will consider some of the points I have mentioned.

Jennifer Haken
Garden of Eden
Sent from my iPhone

Matt Martin

From: jonski826@gmail.com
Sent: Thursday, May 9, 2024 2:32 PM
To: Matt Martin
Cc: 'Smith, Adam'; 'ernest larrabee'
Subject: Deschutes County Campground Feasibility Study Excerpts and Memo - Sisters File TA 24-01
Attachments: DC Campground Feasibility Excerpt 1.pdf; DC Campground Feasibility Excerpt 2.pdf; County Memo re RV Parks.pdf

Hi Matt,

At the April 18 Planning Commission for the proposed Sun Ranch Tourist Commercial Zone text amendment, Adam Smith testified regarding Deschutes County's campground planning efforts and the challenges to siting RV parks on rural or resource lands versus inside urban growth boundaries (UGBs). The County hired ECONorthwest to conduct a feasibility study. The [study](#) is comprehensive considering a variety of items such as entitlement and permitting issues, costs for development and other items. I have attached two excerpts from that study and a memo from County staff regarding the regulatory issues associated with permitting RV parks on rural or resource lands to be entered into the record.

Collectively, these documents summarize difficulty of siting RV Parks on lands outside of UGBs in Oregon due to Oregon Statewide Planning Goal 14. The case law suggests such uses are more urban than rural and are therefore more appropriate within UGBs. They also speak to the demand for such types of facilities and the realities of not having enough spaces to meet demand which can result in dispersed camping which negatively impacts the national forest lands (and others) we all cherish.

If you have any questions related to this, please contact me.

Thanks!

Jon Skidmore

Executive Summary

The rapid growth in the demand for outdoor recreational activities in our region necessitates a comprehensive assessment of potential sites for campground and RV park development. The purpose of this detailed report is to provide Deschutes County insights into the feasibility of establishing new campgrounds at three specific locations: Crooked River Ranch, Fort Thompson Lane, and Drafter Road.

Deschutes County has long been recognized for its natural beauty and its hub for outdoor enthusiasts. Over recent years, Deschutes County has witnessed a substantial increase in visitation, particularly among locals. While camping has grown steadily, other activities like downhill skiing, hiking, and nature exploration have outpaced it. This surge in interest underscores the need for expanded camping and recreational facilities to serve our residents and visitors. Housing scarcity, including short-term opportunities, is an increasing issue in the region as well.

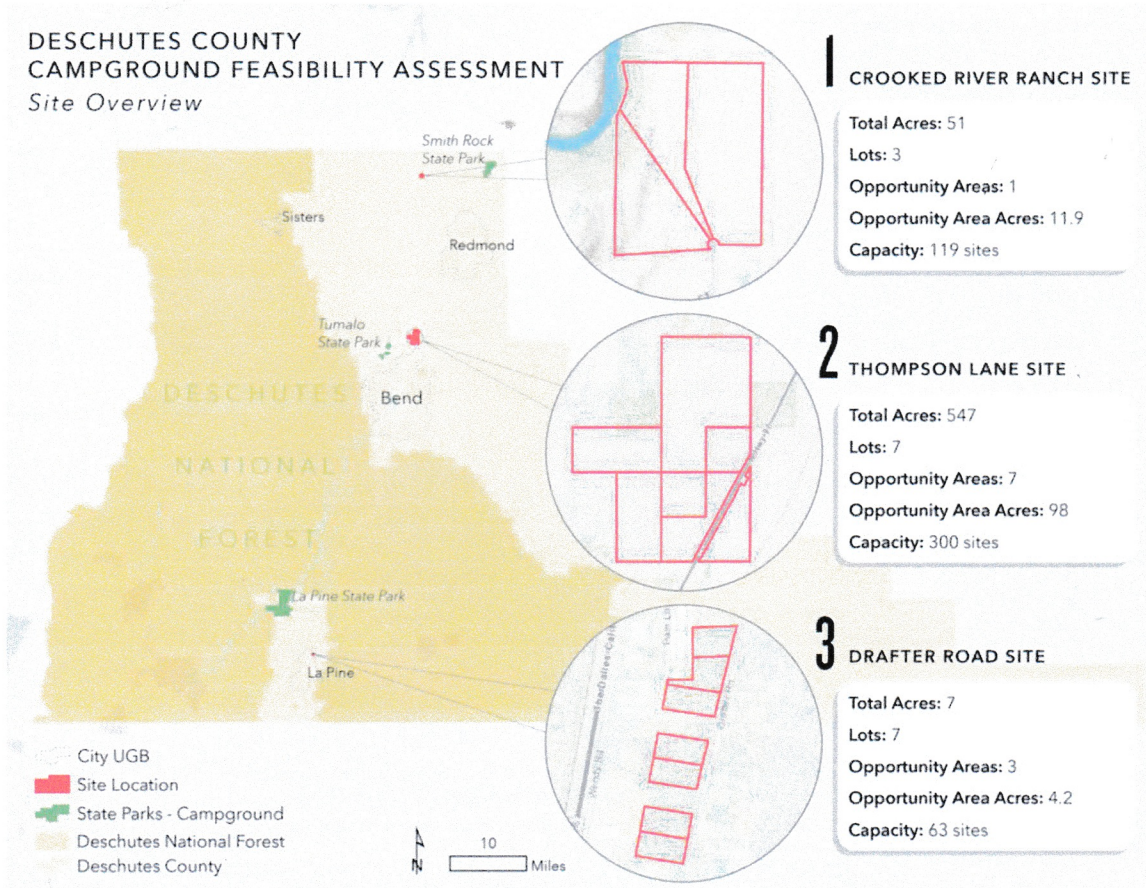
Starting with **Drafter Road within La Pine's city limits**, our analysis indicates this site has some of the most attractive conditions to host an RV park development. Several factors contribute to this suitability: its ample size, direct highway access, conducive zoning conditions, and existing infrastructure. Moreover, the location of Drafter Road could also serve as a solution to seasonal housing needs for temporary workers and visitors. However, it's crucial to note potential challenges, such as attempting to obtain Goal exceptions, the site's limited capacity for development and the necessity for obtaining specific use permits. The projected development cost here is around \$3.7 million, but with an expected return between 9.9 percent and 11 percent, the investment seems justifiable.

The **Fort Thompson Lane** location offers an expansive space that aligns well with a traditional campground setup. However, there are inherent challenges and risks associated with developing this site that pertain to obtaining Goal exceptions, amending the comprehensive plan map zoning, and land use regulation requirements, as well as canal access, which effectively bisects the property. Two distinct zones within this site, termed as Opportunity Areas 1 and 2, appear ideal for tent camping. That said, before moving forward, it's paramount to consider the great challenges that exist with state and county code requirements which create substantial risk of appeal. Like the Drafter Road site, an appeal could have significant costs and result in delays. Moreover, given the complexity of goal exceptions related to comprehensive plan amendments, there is no guarantee that the county would prevail on appeal. With a higher development cost of \$21.6 million modeled for a 300-site RV park, it's crucial to consider the longer-term financial implications and the anticipated demand.

Lastly, **Crooked River Ranch** presents a set of unique challenges that make it the least feasible for typical campground development. The site's rugged terrain, coupled with a lack of utility infrastructure and prevailing zoning regulations against camping, are significant barriers. However, a potential reimagining of the site could see it serving as a trailhead or designated

area for walk-in tent camping. This, of course, would require revisiting the current zoning regulations and addressing challenging and potentially costly access issues. Moreover, the Crooked River Ranch site is outside an established UGB and is zoned RR-10 (rural residential, 10-acre). Similar to the Fort Thompson Lane Site, are inherent challenges and risks associated with developing this site that pertain to obtaining amending the comprehensive plan map, zoning, and land use regulation requirements. Before moving forward, it's paramount to consider the substantial challenges that exist with state and county land use requirements which create risk of appeal. Like the Fort Thompson site, an appeal could have significant costs and result in delays. Moreover, given the complexity of goal exceptions related to comprehensive plan amendments, there is no guarantee that the county would prevail on appeal. Given the limited development potential and space constraints, a more conservative approach to investment is recommended here.

When considering funding avenues, several viable options emerge. The county could leverage its own funds or tap into the revenue generated by transient lodging taxes. Furthermore, the possibility of securing grants, specifically those aimed at promoting tourism and outdoor recreation, should not be overlooked. As for operational strategies, the county could take the lead in management, or explore public-private partnerships, which have proven successful in other regions.



1. Introduction

Deschutes County, a prominent and growing region of Oregon for tourism and residents, attracts over four million visitors annually, largely for outdoor recreation including overnight camping experiences. Tourism remains a major industry in Central Oregon, providing jobs to over 9,250 residents and contributing over \$1.41 billion to the local economy each year.¹ This sector not only fuels economic growth but also enhances quality of life and attracts new businesses and a skilled workforce to the region. However, Deschutes County faces a challenge as it grapples with a shortage of short-term lodging capacity that caters to outdoor recreationists, preventing visitors from extending their stays and corresponding economic impact, limiting the area's economic growth potential.

A scarcity of camping opportunities in Central Oregon, including for recreational vehicles (RV), not only reduces total visitation but also contributes to increased dispersed camping in undeveloped forestland and along roads. While visitation and population have both rapidly grown over recent decades, there has been no corresponding increase in camping capacity. This, in turn, results in added forest maintenance and damage to natural habitats, such as sanitation issues, problems with trash management, and increased fire risk.² Furthermore, affordable RV and tent campgrounds could help address the short-term housing needs of seasonal workers in recreational areas during peak seasons or provide support for the growing demand to accommodate the unhoused or homeless who often rely on RV parks as an affordable housing option.³

Despite its tourism appeal, Deschutes County has not introduced a new county-run campground in over four decades.⁴ Now, after careful planning, the county is poised to conduct an exploratory feasibility assessment for a new county-run campground. The complexity of this endeavor, influenced by state and local land-use laws, community objectives, economic risks, financial *pro-formas*, and site-specific environmental considerations, has prompted the county to enlist the expertise of ECONorthwest and Environmental Science Associates (ESA), a private economic consulting firm and a private environmental consulting firm, respectively.

In collaboration, ECONorthwest and ESA conducted a thorough site analysis, financial assessment, and operations feasibility study for RV campgrounds in three designated county sites. The work includes a comprehensive Deschutes County campground market analysis and the development of financial and operations plans based on land use zoning and environmental opportunities and constraints.

¹ "Visit Central Oregon Annual Report: FY21-22". Oregon Tourism Commission by Dean Runyan Associates (Oregon Travel Impacts). 2021.

² "Dispersed camping in state forests temporarily banned". Central Oregon Daily. May 8th, 2020. Website accessed: <https://centraloregondaily.com/dispersed-camping-in-state-forests-closes-temporarily/>.

³ "For some, RV parks a last chance at housing: 'We are homeless, not seasonal campers'". RVtravel. February 18, 2023. Website accessed: <https://www.rvtravel.com/campground-crowding-1092b/>.

⁴ Memo: Recreational Vehicle Park Expansion/Assessment. Peter Gutowsky, Deschutes CDD. September 1, 2021.

5. Site Assessments

Environmental Science Associates (ESA) collaborated with ECONorthwest for the Deschutes County Camping Feasibility Study, focusing on the County's three sites of interest: Fort Thompson Lane, Drafter Road, and Crooked River Ranch. Their work included preliminary site and environmental analysis, gathering essential background information from various sources, conducting site visits, and assessing the sites for development potential, considering environmental impact, infrastructure requirements, easements and regulatory requirements, and potential neighboring concerns.

ESA's analytical approach encompassed a desktop analysis of current natural resource and land use data for three identified development sites suitable for RV parks or traditional campgrounds. Additionally, ESA sought insights from Deschutes County and La Pine land use planners regarding code interpretations. Notably, no technical field investigations were carried out as part of this assessment.

Current Regulatory Environment and Campground Development Considerations

Oregon Administrative Rules (OARs) and Oregon Revised Statutes (ORSs)

A stakeholder interview with Deschutes County indicated that several OARs (Oregon Administrative Rules) and ORSs (Oregon Revised Statutes) might apply the Fort Thompson Land and Drafter Rd sites. These rules and statutes were documented in a memo (**Appendix 5**. CDD Memo - Review of Opportunities and Constraints! Reference source not found.) from Will Groves, Planning Manager at Deschutes County, dated September 21, 2023. Two administrative rules require additional clarification and consideration:

- Proximity to an Urban Growth Boundary: OAR 660-033-0130 (19) - Private campgrounds shall not be allowed within three miles of an urban growth boundary (UGB) unless an exception is approved pursuant to ORS 197.732 and OAR chapter 660, division 4. Any application on the Fort Thompson Ln or Drafter Rd properties would require a Goal Exception. The outcome of this process is unknown and may add significant time, risk, and cost to the process.

Implication to the feasibility of campground development: This OAR referenced "private" campgrounds, which may not apply to the proposed project. Additional clarification of ownership and management of the campground is recommended. The Fort Thompson Ln and Drafter Rd sites are within 3 miles of an UGB.

- Proximity to Natural/Recreational Amenity: OAR 660-033-0130 (19) requires campgrounds to be established on a site or contiguous to lands with a park or other

outdoor natural amenity this is accessible for recreational use by the occupants of the campground.

Implication to the feasibility of campground development: If other regulatory obstacles could be achieved, this standard may be met by the establishment of an on-site park or natural amenity for the Fort Thompson Ln and Drafter Rd sites as they are not currently adjacent or contain these types of features.

State and County Land Use Regulations

Both the Crooked River Ranch and Fort Thompson sites are located in unincorporated Deschutes County and are subject to a range of state statutes as well the Deschutes County Code (DCC). Deschutes County Planning staff summarized relevant state statutes, administrative rules, and caselaw in a September 1, 2021 memorandum to the Deschutes County Board of Commissioners.⁶ Staff provided the following assessment of issues related to recreational vehicle park expansion;

“Assessment: In coordination with County Legal Counsel, based on recent Land Use Board of Appeals (LUBA) case law (see Section V), it will be extremely difficult to entitle RV park expansions. Even if Goal 14 exceptions are attained, the entitlement, infrastructure costs, and in most areas, groundwater conditions, will present significant challenges to resolve, leading to a time consuming and expensive process at the outset.”

While the memorandum pertained to seven existing RV parks in unincorporated Deschutes County, the assessment also pertains to the two study sites outside of UGBs (Fort Thompson Lane and Crooked River Ranch). The key point to underscore here is that obtaining the comprehensive plan amendments and zone changes for these sites is far from certain and may represent an unacceptable risk. Appeals could result in costly delays as well as impacting public perceptions.

DCC 18.128.015, which outlines General Standards Governing Conditional Uses, encompasses compatibility criteria for campgrounds. These criteria include:

- A. Suitability of the proposed use based on factors such as site characteristics, transportation access, and natural features.
- B. Compatibility of the proposed use with existing and projected uses on surrounding properties.

Moreover, DCC 18.128.016 and DCC 18.124 require Site Plan Review for any Conditional Use, addressing various aspects, including site landscaping, visual impacts, natural feature

⁶ Memo from Peter Gutowsky, AICP, Planning Manager to Deschutes County Board of Commissioners, September 1, 2021.

preservation, safety, ADA design compliance, on-site access, circulation, parking, and transportation.

Specific conditional use standards under DCC 18.128.320 pertain to campgrounds and cover outdoor recreation, access, water supply, and sewage disposal. These standards encompass:

- Maintaining a minimum of 65 percent open space/undeveloped.
- Campsite minimum size of 1,600 square feet.
- Providing at least one parking space for each campsite.
- Ensuring direct access from designated streets or roads.
- Establishing specific roadway width requirements.
- Adhering to setback regulations, with exceptions possible based on screening and buffering.
- Demonstrating availability of adequate potable water and sewage disposal systems, subject to approvals by relevant authorities.

Additionally, the project may be subject to further conditions imposed by the Planning Director or Hearing's Officer, as outlined in 18.128.020. These conditions could encompass various aspects, including operational hours, noise and lighting limitations, lot size adjustments, building specifications, street improvements, and protection of natural resources.

Deschutes County Comprehensive Plan

In Deschutes County, most rural areas are reserved for agricultural, forestry, or other resource-based purposes and are safeguarded as outlined in the Resource Management section of the Comprehensive Plan. The intent of this section of the plan is to steward the county's agricultural, forested, natural, and cultural resources efficiently, catering to current needs while preserving their benefits for future generations. The Fort Thompson project site includes Agricultural lands (Ag) and Open Space and Conservation (OS&C) resources.

Agricultural Lands – As mandated by Statewide Planning Goal 3, counties must conserve and sustain agricultural lands. Deschutes County acknowledges that much of its farmland is suboptimal, particularly without the aid of irrigation. The climate, marked by a brief growing season, poses significant challenges to commercial agriculture. Statewide Planning Goal 3 does not fully reflect Deschutes County's unique conditions, leading to agricultural zoning on lands without a history of farming and with scant prospects for profitable agriculture. There is substantial pressure to repurpose agricultural land for residential or other developments. This issue is intricate, with potential repercussions for the agricultural community when land is diverted to non-agricultural uses. For instance, farmers with residential neighbors may face challenges due to the noise, odor, or dust generated by farming activities. Any proposed campground development must consider the objectives and policies of Agricultural Lands (Section 2.2) detailed in the Plan, conducting a farmland assessment pursuant to DCC 18.16.040.

These policies aim to provide, within the parameters of State guidelines, the flexibility to ensure a diverse array of viable paths to profitability.

Open Spaces – These areas are protected by the Open Space and Conservation map designation and corresponding zoning district. The Plan's open space objectives promote development designs that harmonize with the natural terrain. The design for the proposed campground development should align with the Open Space policies (Section 2.7) of the Plan, fostering integration with the surrounding landscape.

City of La Pine Development Code

The Drafter Road Site falls within the La Pine city limits and is subject to the City of La Pine Development Code. It holds a Commercial-Mixed Use zoning, with camping and RV parks designated as conditional uses. The City of La Pine Development Code (Section 15.14.200) defines campgrounds and RV parks as follows:

- A. Definition. Campgrounds and recreational vehicle parks are park-like facilities containing sites or spaces for the temporary and recreational occupancy of persons in tents and/or recreational vehicles. Such a facility may also contain recreation and other support facilities subordinate to and serving only the camping occupants.
- B. Examples. Examples are limited to campgrounds and recreational vehicle parks.
- C. Accessory uses. Accessory uses may include common bathrooms and showers, common laundry facilities, offices, a caretaker dwelling, and recreational amenities.

Furthermore, the City of La Pine Development Code (15.108.020) outlines specific use standards for campgrounds, which encompass the following:

1. Recreational vehicles may not stay within the campground for more than 30 days within any 60-day period.
2. Required building spaces must meet specific criteria, including lighting, ventilation, heating, flooring, sanitary surfaces, and floor drainage.
3. A well-kept appearance must be maintained at all times, with no external storage of materials or equipment, excluding vehicles.
4. The project must provide evidence of eligibility for a sanitation certificate, as required by state law.

The project's compliance would extend to the conditional use approval criteria detailed in Chapter 15.316. These criteria comprise:

1. Adherence to specific standards, conditions, and limitations within the primary zone.
2. Evaluation to ensure the proposed use remains within resource and public facility carrying capacities, covering aspects such as transportation, water, sewer, and utility systems.

MEMORANDUM

TO: Deschutes County Board of Commissioners
FROM: Peter Gutowsky, AICP, Planning Manager
DATE: September 1, 2021
SUBJECT: Recreational Vehicle Park Expansion / Assessment

This memorandum provides an assessment of expanding existing Recreational Vehicle (RV) Parks in rural Deschutes County on non-federal land.

I. Background

Earlier this spring, the Board of County Commissioners (Board) requested information regarding the land use entitlement process for siting campgrounds, RV parks, and manufactured home parks in rural Deschutes County. On July 7, 2021, staff summarized the existing conditions, regulations, land use fees, and regulatory obstacles associated with those three uses. This cursory review however, did not evaluate case law as it pertains to RV park expansions. All seven existing RV parks discussed below were established more than 40 years ago, prior to Oregon's statewide land use planning system taking effect in the mid to late 1970s.

II. RV Park Expansion Assessment

The matrix starting on page 4 summarizes the seven RV parks in rural Deschutes County, and the corresponding land use fees and onsite wastewater treatment conditions associated with any expansion. A map attached with this memorandum depicts their location.

Assessment: In coordination with County Legal Counsel, based on recent Land Use Board of Appeals (LUBA) case law (see Section V), it will be extremely difficult to entitle RV park expansions. Even if Goal 14 exceptions are attained, the entitlement, infrastructure costs, and in most areas, groundwater conditions, will present significant challenges to resolve, leading to a time consuming and expensive process at the outset.

III. RV Park Expansion / Land Use Criteria

All RV park expansions are subject to discretionary conditional use compatibility criteria and site plan review. Deschutes County Code (DCC) requires an RV park expansion to provide piped potable water and sewage disposal service, limitations on vehicle stays (no more than 30 days in any 60-day period), toilets, lavatories, and showers for each sex, and access, among others. DCC 18.128.170(P) also requires an expansion of a RV

park to bring the existing area up to current code requirements to ensure adequate water pressure, wastewater treatment and internal access for emergency vehicles.

For RV parks that were established on a parcel in use prior to 1979 and/or operational and configured since 1996, expansion requires a nonconforming use verification and/or alteration. DCC 18.120.010(E)(2) requires a finding demonstrating the alteration will have no greater adverse impact on the neighborhood. While a fee is not charged for a conditional use permit, an applicant must also address conditional use criteria referenced above.

IV. RV Park Expansion / Fees

Land use fees are highlighted in the matrix. Regarding wastewater, it is a complex process to update a Water Pollution Control Facility (WPCF) permit for an onsite wastewater treatment system and therefore difficult to estimate the permitting fees. Each RV park has unique site conditions. In southern Deschutes County for example, the Department of Environmental Quality (DEQ) will require a hydrologic study as part of the WPCF permit process.

Deschutes County also applies a one-time transportation system development charge (SDC) on land developments that will generate traffic on the County road system. The most recent edition of the ITE Trip Generation Manual indicates RV park (Land Use #416) generates 0.27 p.m. peak hour trips per occupied site. The current SDC rate is \$4,757 per peak hour trip. Therefore the SDC for an RV park would be \$1,284 per site (0.27 X \$4,757). County practice for motels, hotels, campgrounds and similar itinerant lodging is to assume 100% occupancy.

V. Land Use Board of Appeal Decisions

LUBA has issued a series of decisions relatively recently on RV parks that may complicate expansion opportunities. In certain circumstances, LUBA has determined RV parks are considered an urban use requiring an exception to Goal 14, Urbanization.¹

- Urbanization/ Goal 14 Rule – Urban Uses on Rural Land. A proposed RV Park with permanently stationed recreational vehicles is an urban use of rural land under the first factor set out in *1000 Friends of Oregon v. LCDC (Curry Co.)*, 301 Or 447, 724 P2d 268 (1986). *Baxter v. Coos County*, 58 Or LUBA 624 (2009).
- Urbanization/ Goal 14 Rule – Urban Uses on Rural Land. A proposed RV Park with a density of 6 units per acre on land zoned recreation and exclusive farm use is an urban use of rural land. *Baxter v. Coos County*, 58 Or LUBA 624 (2009).
- Urbanization/ Goal 14 Rule – Urban Uses on Rural Land. A proposed RV Park on land zoned recreation and exclusive farm use, with 179 permanent spaces for stationary trailers, is more similar to permanent residential occupancy found in a high-density residential subdivision than to temporary or seasonal uses found in an RV Park, and thus is an urban use of rural land. *Oregon Shores Conservation Coalition v. Coos County*, 55 Or LUBA 545 (2008).

¹ <https://www.oregon.gov/LUBA/docs/Headnotes/18.5.pdf>

- Urbanization/ Goal 14 Rule – Urban Uses on Rural Land. A proposed RV Park with a density of 7 to 12 units per acre on land zoned recreation and exclusive farm use that is located approximately one mile from a city’s urban growth boundary functions more like a residential suburb that would undermine the effectiveness of the city’s UGB to contain high density residential development within the UGB, and is an urban use of rural land. *Oregon Shores Conservation Coalition v. Coos County*, 55 Or LUBA 545 (2008).
- Urbanization/ Goal 14 Rule – Urban Uses on Rural Land. A proposed development that includes on-site water and sewer systems that are designed to support a high intensity, dense collection of residential uses is an urban use of rural land. *Oregon Shores Conservation Coalition v. Coos County*, 55 Or LUBA 545 (2008).
- Goal 3, Agricultural Lands, ORS 215.283(2), OAR 660-033-0130(19), Private Campgrounds on Agricultural lands. *Scott v. Josephine County* (LUBA No. 2020-080). LUBA remanded a decision by Josephine County approving a private campground for recreational vehicles on land zoned Exclusive Farm Use (EFU). LUBA remanded the decision to the County based upon one of the petitioner’s assignments of error. The County approved the private campground and allowed separate water and sewer hookups to each other camp/recreational vehicle sites. The County justified this decision, seemingly in violation of OAR 6690-033-0130(9)(b), based upon LUBA’s allowance of separate hookups for a campground in another case, *Linn County Farm Bureau v. Linn County*, 63 Or LUBA 347 (2011). However, LUBA noted that the Linn County case involved a public campground, which is not subject to the same administrative rule. The case was remanded to the County for reconsideration on this count. Other aspects of the decision underscored that one must apply the *Oregon Shores Conservation Coalition v. Coos County* factors on a case-by-case basis. High density park models with permanent residences and extensive infrastructure however, are considered an urban use.

Attachment

Map of Existing RV Parks

Table 1 – RV Park Expansion Assessment

RV Parks	Background Information	Land Use Application Fees	Onsite Wastewater Comments
Bend/Sisters Garden RV Resort (Sisters KOA)	<p>Consists of 27 acres and contains 105 asphalt sites and 11 cabins. The RV resort was established in 1974.</p> <p>Subject property is zoned Exclusive Farm Use (EFU). It is recognized as a lawful non-conforming use.</p>	<ul style="list-style-type: none"> • Nonconforming use alteration: \$1,723 (with prior nonconforming use verification). • Site plan review fees vary based on the percentage of the enlargement. Fees range from \$1,050 (25% or less) to \$3,476 (over 100%). Site Plan Review fees also include \$55 per 1,000 square feet of structure and \$131 per developed acres (over 1 acre). 	<p>It has an active WPCF Permit through DEQ.</p>
Cascade Meadows RV Resort	<p>Consists of 5 acres and was originally established in 1966. It includes 100 lots and has received several land use approvals starting in 1972.</p> <p>Subject property is zoned Rural Residential 10 (RR10) and Flood Plain. It is recognized as a lawful non-conforming use.</p>	<ul style="list-style-type: none"> • Same as above. 	<p>It has an active WPCF Permit through DEQ. There are significant site limitations to serve the entire facility as well as groundwater concerns.</p>
Thousand Trails RV Resort	<p>Consists of 170 acres and contains 317 sites. It was established prior to 1980. Land use records are incomplete.</p> <p>Subject property is zoned EFU and Flood Plain It is recognized as a lawful non-conforming use.</p>	<ul style="list-style-type: none"> • Same as above. 	<p>It has an active WPCF Permit through DEQ.</p>
Hidden Pines RV Park	<p>Consists of 2 acres and contains 18 spaces for RVs. It was established prior to 1980. Land use records are incomplete.</p> <p>The subject property is zoned RR10. An RV expansion will require a non-conforming use verification and alteration.</p>	<ul style="list-style-type: none"> • Nonconforming use verification: \$1,723 • Nonconforming use alteration: \$2,164 (without prior nonconforming use verification). • Site plan review fees vary based on the percentage of the enlargement. Fees range from \$1,050 (25% or less) to \$3,476 (over 100%). Site Plan Review fees also include \$55 per 1,000 square feet of structure and \$131 per developed acres (over 1 acre). 	<p>Relies on a substandard system monitored by Deschutes County. It is located in a groundwater area that is very sensitive to loading from septic systems creating concerns for impacts to drinking water wells. Any expansion would trigger a WPCF permit through DEQ.</p>

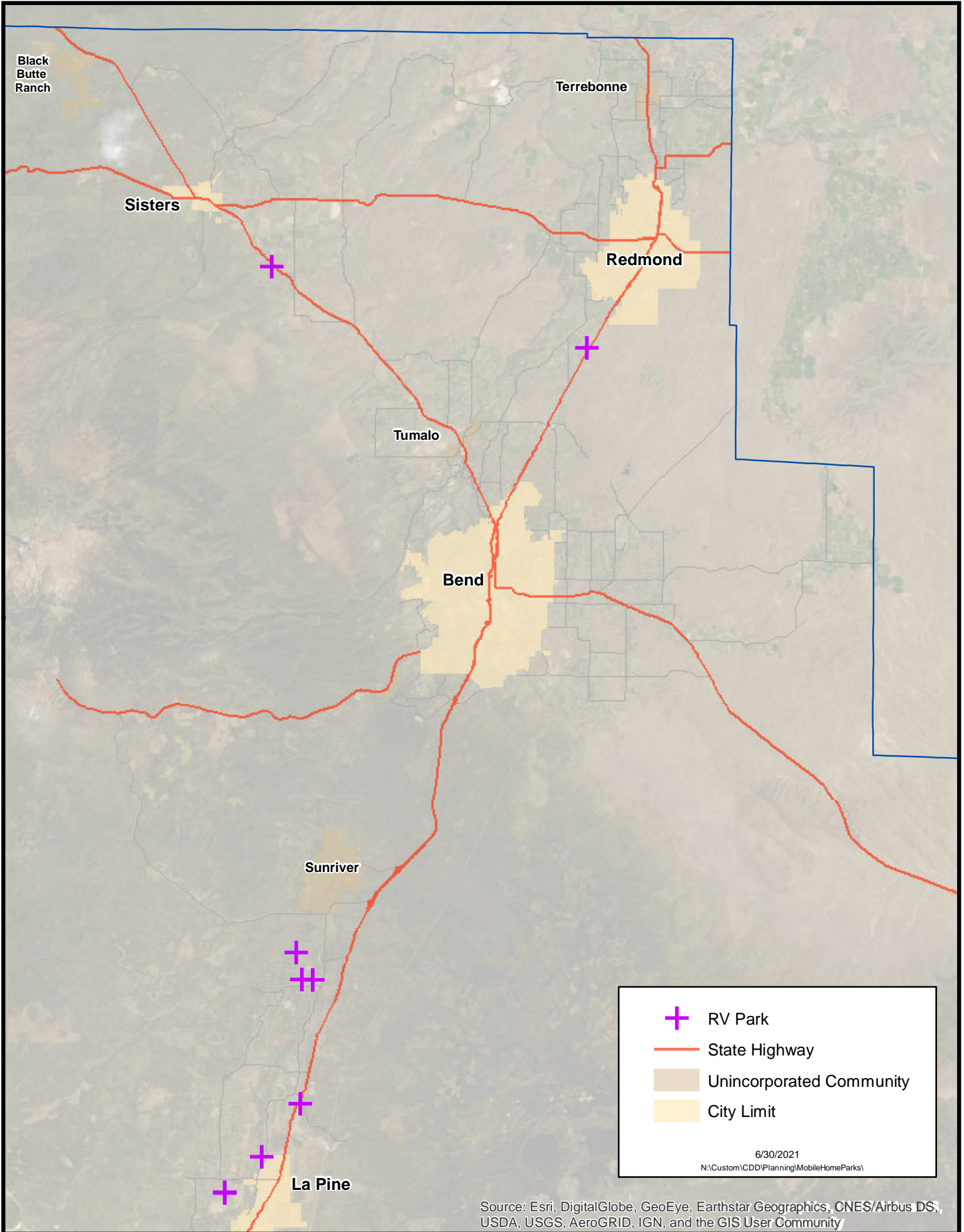
RV Parks	Background Information	Land Use Application Fees	Onsite Wastewater Comments
Riverview RV Park	<p>Consists of 18 acres and contains 19 sites. It was established prior to 1980. Land use records are incomplete.</p> <p>The subject property is zoned RR10 and Flood Plain. An RV expansion will require a non-conforming use verification and alteration.</p>	<ul style="list-style-type: none"> • Nonconforming use verification: \$1,723 • Nonconforming use alteration: \$2,164 (without prior nonconforming use verification). • Site plan review fees vary based on the percentage of the enlargement. Fees range from \$1,050 (25% or less) to \$3,476 (over 100%). Site Plan Review fees also include \$55 per 1,000 square feet of structure and \$131 per developed acres (over 1 acre). 	<p>Deschutes County oversees their onsite wastewater system. It is located in an area that is very sensitive to nitrate loading. Any expansion would trigger a WPCF permit through DEQ.</p>
Snowy River RV Park	<p>Consists of 1 acre and contains 6 spaces and is recognized as a lawful non-conforming use. It was established prior to 1980.</p> <p>The subject property is zoned Flood Plain. It is recognized as a lawful non-conforming use.</p>	<ul style="list-style-type: none"> • Nonconforming use alteration: \$1,723 (with prior nonconforming use verification). • Site plan review fees vary based on the percentage of the enlargement. Fees range from \$1,050 (25% or less) to \$3,476 (over 100%). Site Plan Review fees also include \$55 per 1,000 square feet of structure and \$131 per developed acres (over 1 acre). 	<p>Deschutes County oversees their onsite wastewater system. It is located in a high groundwater area. Any expansion would trigger a WPCF permit through DEQ.</p>
Green Acres RV Park	<p>Consists of 8 acres and contains 55 spaces. It was established prior to 1980. Land use records are incomplete.</p> <p>The subject property is zoned Multiple Use Agricultural (MUA10). It is recognized as a lawful non-conforming use.</p>	<ul style="list-style-type: none"> • Same as above. 	<p>It has an active WPCF Permit through DEQ. There is limited space for an expansion.</p>



1" = 5 Mi

RV Parks

Staff Memo - Attachment 6



	RV Park
	State Highway
	Unincorporated Community
	City Limit

6/30/2021
N:\Custom\CDD\Planning\MobileHomeParks\

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community