

Matt Martin

From: Charles Stephens <cmstephens14@icloud.com>
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To: Matt Martin
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Good afternoon, Matt. Attached are some initial comments on this docket from the group of folks who used to be known as CATS. I'm sorry it's later than we wanted it to be, but it takes a little while to grasp what's going on and respond appropriately. See you later this afternoon. Charlie

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Memo for the Record

Date: March 21st, 2024

To: Matt Martin, Principal Planner, City of Sisters

From: Dave Bachtel, Zenia Kuzma, Therese Kollerer, Mercedes Murillo, Cathy Russell, Charlie Stephens, Monica Tomosy, and Linda Warnholtz

Re: TA24-01; Proposed Amendments to the Sun Ranch Tourist Commercial Zone regulations in the Sisters Development Code (SDC); Community Input

After a review of the City's public records in this docket and after consideration of the Planning Commission's and City Council's discussion with regard to this docket so far, we offer the following observations, concerns, and questions, while strongly recommending approval of the proposed changes to the SDC.

One can characterize the applicant's proposed SDC changes as making the rules less specific about the types of development the City and presumably its citizens wish to see there. The current code provisions have nothing to do with "the market" (whatever that may be). They are expressions of what the City wishes to see developed in that particular part of the community.

The current Section 2.12.100 is quite clear about certain things.

The term "landmark" in the first sentence is not an accident - it has a specific meaning. According to the American Heritage Dictionary, it means "a prominent identifying feature of a landscape. While a landfill can be a prominent identifying feature of a landscape, when applied to term lodging or dining or recreation, we believe it was meant to have more positive connotations.

This section also notes that this plot is a "transition" property, at the boundary between commercial and light industrial uses and residential uses. It is highly likely that all of the land to the south and east of this property will be developed as residential neighborhoods, as was the land to the north of this property. Based on the proposed SDC changes and applicant's discussion from the Commission's March 7th workshop, the developer proposes to plop a luxury RV park into the middle of all of this.

The current language also states an intent for new development in this zone to "complement" adjacent residential, light industrial and commercial uses. An RV park, no matter how upscale the RVs, in no way complements the existing development or that likely to occur to the south and east.

This section also highlights special design standards, expressing a desire of the community for the type of design that would complement nearby uses while lending itself to commercial use. The listed examples of favored accessory uses are clear enough to express the community's desired accessory uses. So there is no reason to remove Section 2.12.200 (Applicability).

If one looks at the uses allowed in the existing SDC, from Table 2.12.300, one finds there almost all of the kinds of development desires for this Zone. The only, and most pertinent, omission is a category that would allow some or all of it to become a park, which should probably be an allowed use in every zone, except perhaps industrial zones. Many of the permitted or conditional uses are a far better use of this land than anything resembling a “lodging establishment” that is an RV park. If a project would in any way resemble an RV park, no matter how much development accessory lipstick is applied, it would be a tragic use of this important piece of Sisters ground.

The proposed change in definition from “Lodging Facilities” to “Lodging Establishments” seems subtle but is problematic. A “facility” implies a permanent physical structure. An “establishment” simply implies a “business,” leaving the type of physical facility wide open, a situation that Section 2.12.100 was written to prevent. We presume that is intentional. We read this change as absolutely contrary to the current stated community development intent in Section 2.12.100.

An RV park and related uses are problematic for the City and its citizens in a number of ways:

- 1) Any development that does not build and use permanent structures, that are used year-round, is an exceedingly poor use of the property or contrary to current SDC rules, or both:
 - a) RVs (and food trucks, or any portable vehicle) provide no property tax revenue for the City. They are taxed as chattel property, not a part of the land they sit on.
 - b) RVs cannot be used as rental property or as an STR (see SDC Section 2.15.2700(D)) and cannot be used as a permanent residence (whether this is a desirable regulation or not). Lodging permits require the owners to provide services that protect the public from unsafe or unsanitary conditions (e.g., maintenance, cleaning, and laundry services). These services are not typically provided in commercial RV parks.
 - c) Any development that does not have some substantial permanent structure(s) as its anchor (such as The Barn development downtown) will be at most a 3-season operation, resulting in serious under-utilization of the property and contributing to a lack of winter amenities for the citizens of Sisters, in the heart of what will likely be a surrounding area of residential development. At least some of the allowed retail uses would serve both tourists and the community. Assuming the new language designating a “lodging establishment” doesn’t technically exempt the development from paying the City’s lodging taxes because of language incompatibility, the amount of lodging tax collected would be very limited, both by the number “lodgings” being leased (each RV is a small house on wheels, taking up considerably more space than a hotel or motel room, all necessarily at ground level), but also because the use would be highly seasonal. One only

has to observe the amount of winter use at the RV park adjacent to the fairgrounds to grasp the highly seasonal nature of such uses.

- d) An RV park development will create almost no new employment, as opposed to many of the desired uses listed in Section 2.12.100.
 - e) Under what regulations will the City apply its lodging tax in this case, given that RVs are not licensable as an STR (by current regulations), and they are not a hotel or motel? How does a luxury RV owner who spends winters in Arizona and summers in Sisters at such an RV park development pay the lodging tax when they bring their own lodging?
- 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>).

So in summary, any sort of RV park development would be entirely contrary to the expressed desires of the citizens of Sisters in the current SDCs (Section 2.12.100), would not be a transition type of development relative to the surrounding uses, would provide the City and local schools very little tax revenue, would be almost entirely a fair weather use and so grossly underutilize this important property, and adds very little of permanent value to the City. The current zones where RV parks are allowed make some sense. As one can observe in the RV park at the east end of town, RV parks can be made to be compatible with saving our forest canopy if done well. For all of the reasons cited here, this type of development has no place in the Sun Ranch Tourist Commercial District, and so the proposed changes to the SDC are subversive of the intent of the current language – the expressed desires of the citizens of Sisters, which we support. While the proposed use of this property may benefit the developer and owners, it would provide very limited benefit to the City or

its community members. It wouldn't even provide that much of a benefit to the City's tourist trade, compared to a development conducted under the present SDC rules.

We strongly recommend that the Planning Commission and City Council reject all of the proposed TA24-01 changes to the SDC as contrary to the intent of the current Code language, which we support.