



## PLANNING COMMISSION Agenda

520 E. Cascade Avenue - PO Box 39 - Sisters, Or 97759 | ph.: (541) 549-6022 | [www.ci.sisters.or.us](http://www.ci.sisters.or.us)

### THURSDAY, MAY 16, 2024 – 5:30 PM AGENDA

This Planning Commission meeting is accessible to the public in person in the City Council Chambers at 520 E. Cascade Avenue, Sisters, OR 97759 and via the following Zoom link:

<https://us02web.zoom.us/j/83124803752>

#### I. CALL TO ORDER / DETERMINATION OF QUORUM / ADOPTION OF AGENDA

II. **VISITOR COMMUNICATION:** This is time provided for individuals wishing to address the Planning Commission regarding issues not already on the agenda.

#### III. APPROVAL OF MINUTES

February 1, 2023 (Exhibit A)

February 15, 2024 (Exhibit B)

#### IV. PUBLIC HEARING

- PROJECT NAME:** Sun Ranch Tourist Commercial District Text Amendments (Exhibit C)  
**FILE NUMBER:** City File# TA 24-01  
**APPLICANT:** Ernie Larrabee - Lake House Inn, LLC  
**REQUEST:** Text Amendments to the Sisters Development Code Chapter 2.12 - Sun Ranch Tourist Commercial District. The purpose is to expand and clarify the types of uses allowed in the Sun Ranch Tourist Commercial District and other edits for consistency with the Sisters Development Code.

(Public Hearing continued from April 18, 2024)

#### V. STAFF AND COMMISSIONER COMMENTS

#### VI. ADJOURN

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Planning Commission Minutes  
Thursday, February 1, 2024 – 4:00 PM  
City Hall Council Chambers, 520 E. Cascade Avenue, Sisters, OR 97759

Acting Chairman: Cris Converse  
Commissioners: Jeremy Dickman, Sarah McDougall, Rick Retzman  
Absent: Jeff Seymour, Art Blumenkron, Tom Ries  
City Staff: Scott Woodford, Community Development Director, Matt Martin,  
Principal Planner, Emme Shoup, Associate Planner  
Recording Secretary: Carol Jenkins, Recording Secretary

## I. CALL TO ORDER / DETERMINATION OF QUORUM / ADOPTION OF AGENDA

*Acting Chair Converse* called the workshop to order at 4:00 pm.

A quorum was established.

Adoption of Agenda – February 1, 2024.

*Commissioner Retzman* made a motion to approve the Agenda for February 1, 2024, as proposed.

*Commissioner Dickman* seconded. Motion passes.

## II. VISITOR COMMUNICATION

There were three (3) attendees over Zoom.

- Aaron Carpenter – pass.
- Curtis Cook – wanting more inspections and maintenance done on the STR properties.
- RM – pass.
- Eric Strobel – pass.

## III. WORK SESSION

### A. Short-Term Rental Program Analysis (continued).

*Planner Martin* stated that this workshop is to present additional data and analysis of the current Short-Term Rental program and potential amendments. The Council and Commission were in general agreement that changes to the program should be considered, including increasing the concentration limit and limiting transferability to new owners. Staff finds it noteworthy that the Commission also identified increasing the minimum number of days rented as another change to consider. Before pursuing any formal action, both the City Council and Planning Commission requested additional data and analysis to better understand the impacts of the current STR program and potential changes.

*Planner Martin* gave the background of the Short-Term Rentals stating that in 2023/24 the City Council Goal was to evaluate the Short-Term Rental Code language to mitigate adverse impacts on the community for the availability on housing units for long-term occupancy and nuisances created by STRs. Previous workshops were held on 9/13/23 for the City Council and 10/05/23 for the Planning Commission discussing Regulatory Framework, Regulatory Impact, Next Steps with 01/24/24 with City Council. In response, staff has addressed the following aspects of the current and potential changes to the STR program:

- Deschutes County Sheriff STR Call Data
- STR Owner/Operation Survey Results
- Analysis of Increasing Concentration Limits

*Planner Martin* gave an overview of the Deschutes County Sheriff Call Data, Owner/Operator Survey Results, and an Analysis of Increasing Concentration Limits.

Deschutes County Sheriff Call Data:

- October 2018-2023 a total of 30,608
- Calls to STR Properties:
- Calls to Individual STR Properties – None
- Number of Properties – 49
- 258 Calls to STR Properties \*65 related to known long-term tenant.
- 193 Net Calls to STR Properties
- .06% Total Calls

*Acting Chair Converse* asked what the boundaries are for these calls, and if this information are calls directly from Sisters Country, or within the city limits, etc.

*Planner Martin* stated that when looking at these calls versus the total number of calls – it is all related to calls within the city limits of Sisters. All the 193 of the are those Short-Term Rental properties within the city limits, and when comparing that to the total number of calls to the City of Sisters, those 30,000 are all within the city limits. Acknowledging that of the overall calls less than one percent are related to the Short-Term Rental properties. Again, wanting to emphasize that we do not know if it is related to the actual occupants or the operation of the Short-Term Rental.

*Planner Martin* stated that the types of calls as expected are noise, parking complaints, loose animals, disputes, welfare checks, and suspicious behavior. Also compiled and noting that the overall number of calls to individual properties during that timeframe and noting that the large majority were less than four (4) and many of which received no complaints related to those calls.

*Commissioner Retzman* asked if this seems to be a non-issue when it comes to the Sheriff's calls and the Short-Term Rental properties here in Sisters.

*Planner Martin* stated that it is a takeaway as one component of this and is worth noting that the City Council members did note that this takes someone being compiled to call the Sheriff's office and rise to the level to reach out to law enforcement due to an issue. In many cases, they may reach out to city staff, of which was noted in the three (3) years of receiving 10 code enforcement complaints is a relatively low number. We are limited by our tools and the

threshold of how individuals will respond, but based on the data that is available it is relatively a low number.

## Owner/Operator Survey Results:

- December 2023 – 122 Survey Invitations – 59 (48%) Responses Received.

## Notable Results:

- 89% own only one (1) STR in the City of Sisters.
- 63 % live in Central Oregon.
- 45% rent the whole unit.
- 37% rent primary residence.
- 47% of occupancies are in the summer.
- 39% of renters are vacationers followed by 21% are traveling workers.
- Most renters are vacationers, followed by traveling workers.
- Occupancies are year-round with highest in the summer.
- Challenges to Renting Long-Term – Personal use of the property, cost/revenue, tenant issues/property damage, Landlord-tenant laws.
- Incentives to Renting Long-Term – Tax incentives, cash incentives, waive minimum rental requirement to retain STR Operating License.

*Planner Martin* wanted to go on record by thanking those that participated and engaged in that process. Clearly there was an interest, and it was a real opportunity to engage with those owner/operators as we initiated this conversation and will continue it to potential and formal actions and making changes to the program.

## Analysis of Increasing Concentration Limits:

- Current Standards – 250-Ft. Concentration Limit Buffer:
- Residential, Residential Pine Meadow Village, Multi-Family Residential, North Sisters Business Park, Sun Ranch Residential.

## No Concentration Limit Buffer:

- Downtown Commercial
- Highway Commercial
- Condominiums (any zone)

*Planner Martin* gave visuals (mapping) of the Analysis of Increasing Concentration Limits for a 250-Foot Concentration Limit and 500-Foot Concentration Limit.

- Eligibility Impact – 500-Ft Buffer in Residential Districts:
- Residential District 14% Eligible = 311 Lots (110 fewer)
- Multi-Family Residential District 18% Eligible – 389 Lots (144 Fewer).

Note: Does not account for HOA / CC&Rs. We do know that there are some neighborhoods that prohibit Short-Term Rentals. The city does not have jurisdiction or responsibility to enforce those CC&Rs, but that is a factor when looking at the accumulative number.

## Applying Buffer in Commercial Districts:

- Downtown Commercial Districts:
- 250-Ft Buffer = 47% Eligible
- 500-Ft Buffer = 11% Eligible

## City Council Input:

### Evaluation of Existing Standards:

- Expand concentration limit from 250 feet to 500 feet.
- Do not apply concentration limit to Commercial Zone Districts.
- Apply concentration limit to condominiums.
- Increasing minimum required number of days to be rented.
- Limit transferability of pre-existing STRs.

With all of this, we need to do a detailed legal analysis to look at the potential implications. This one may be challenging, but we are exploring it noting that the pre-existing Short-Term Rentals are identified as a non-conforming use or a vested right of that property. Therefore, if that non-conforming use continues in operation without abandonment, then you are allowed to continue with that operation and transfer to future owners.

### Evaluation of Other Standards and Actions:

- Prohibit Short-Term Rentals in Urban Growth Boundary expansion/annexation areas under the notion that those housing units are there to provide housing within the community to meet the need that has been identified in our Housing Needs Analysis. That prohibition of Short-Term Rentals would reserve that long term occupancy.
- Moratorium on Short-Term Rental permits while changes are under consideration. This would be an action by the City Council and the idea is that we put that 'pause' to get the analysis complete and make sure that we are not going down a path with unattended consequences while doing this study. That does come with additional legal analysis, and we will be bringing that back with more information.

*Acting Chair Converse* stated that clearly the City Council wants there to be way fewer Short-Term Rentals here in town. She asked if they thought it would help with the housing needs for people with middle income, what is driving that specifically, and what are they hoping the outcome is if they are eliminated.

*Planner Martin* stated that the goal here is to limit the increase in the number of units and not necessarily eliminate Short-Term Rentals. It goes back to the goal with concern of the availability of housing for long-term occupancy and the known or perceived nuisances associated with Short-Term Rentals – the livability factor and the impact on neighborhoods.

*Commissioner Retzman* asked if there has been any analysis done to show that if the number of Short-Term Rentals are reduced that those would transfer to be long-term rentals, etc., and if there has been any analysis done to see if that is going to be part of the answer to the housing issue.

*Planner Martin* stated that is the most valuable data that we do have available and if we limit the opportunities for Short-Term Rentals, then there would need to be some type of residential use either as their primary residence, a long-term rental, or their vacation or second homes. There is no guarantee that it would be available or used for long-term occupancy, but not limiting the Short-Term Rental potential would be available potentially for something different.

*Commissioner McDougall* stated that she thinks that everyone should have the opportunity to rent a room in their house if they want to. She asked if there was an opportunity to distinguish between somebody renting a room in their house for three (3) nights versus their whole house.

*Planner Martin* stated that in doing his research with other jurisdictions and how they address these concerns, there is the concept of hosted Short-Term Rentals meaning that you are only renting the primary residence, or that you are on-site during that rental situation as a room in the home, or an accessory dwelling unit, etc. and you would remain on-site. That is a concept that others have utilized to address their concerns within those communities.

*Director Woodford* stated that there are examples of that with the City of Bend that allows for 30-days or less out of the year. You still need a permit for those people renting out their homes while they are gone on vacation. They are not subject to the buffer requirements so they can do it on a small-scale basis. There is an opportunity to create some tiers if that is the direction that the City Council and Planning Commission want to go into.

*Commissioner McDougall* stated that in reading through the answers in the survey, there are people who use it to have enough income to be able to afford to live here. She thinks that makes a lot of sense and sees how the impact would be less than having a full-time long-term rental/roommate in your home. It would be worth looking into different ways of looking at the data – under the evaluation of other standards and actions that prohibit STRs in Urban Growth Boundary expansion and annexation areas. It's not the idea of having houses dedicated to being a Short-Term Rental, but if it meant that someone would be able to afford to buy there, that is different.

*Commissioner Dickman* stated that it looks as though there are people that live in their Short-Term Rental, which is interesting, and not necessarily a home that is going unoccupied unless there is a short-term vacationer there. The one that caught his eye is the Council wanting to apply the concentration limit to condo's, which is the second most rented Short-Term Rental outside of a single-family dwelling. A condo would be cheaper for someone to buy or rent long-term than a whole house in Sisters.

*Commissioner Retzman* stated that on page 24 of 28 in the comments – the last comment was talking about STRs serve a vital role to our tourism – Rodeo, Quilt Show, Folk Festival and is there some way to have STR's just for those weekends and not the rest of the year, etc. A limited use Short-Term Rental such as tiers as previously mentioned and be able to host those events here.

*Planner Martin* stated that maybe an identified window for those special weekends – such as a Temporary Use occupancy.

*Planner Martin* stated that he would like some consensus on the concept of hosted STRs, and we need to either have the owner present on site, a primary residence – the hosted on-site, or that it is occupied a certain percentage of the time knowing that it is available to rent when gone for the weekend or on vacation, but still limited to the 30-days that was mentioned earlier, or some other frame work like that. Maybe it is more in the concept of looking at ideas to provide opportunities for renting the primary residence.

*Commissioner Dickman* stated that the whole reason for looking at Short-Term Rentals as a potential problem is the lack of affordable housing, a lack of community, and both of those issues seem to be tackled by a rental that involves the primary resident still living in that home and renting it out when they are gone for the weekend, etc.

*Planner Martin* stated that the concept of applying the concentration limit to condo developments may be an affordable option for long-term, and looking to see if that is something worth continuing to explore.

*Commissioner Dickman* stated that he does not like the idea of pulling a license from somebody that currently has a Short-Term Rental condo – they bought it thinking they could have one and then going in and pulling the rug out from under them is not right.

A brief conversation by the Planning Commission regarding the possibility of not having Short-Term Rentals, applying the concentration limit increase to the non-owner occupied – not the primary residence, not applying the concentration limit to the downtown commercial, condo's, limiting the transferability, having a moratorium, and being very cautious of not takings, or with vested rights for the property, etc.

*Planner Martin* stated that with the concept of temporary event windows where it is more broadly allowed with a higher concentration limit with the Rodeo, Quilt Show, and the Folk Festival.

*Commissioner Retzman* stated that during those three (3) events that is where the businesses make 50 percent of their income during those three weekends, and that brings the tourism here to Sisters – and worded as such if the City were to come up with some other festival that could be brought into that as well to loosen up that language to allow for future events.

*Planner Martin* stated that he will bring some ideas back to see if they are workable, legal, and what those pros and cons are to further consider.

*Planner Martin* stated that all lodging units are subject to Transient Room Tax (TRT) here in the city limits, the rate that we have is 8.99 percent, and is a factor to consider related to revenue generated and utilized by the city. For 2022 and 2023, approximately \$260,000 in TRT were collected just for Short-Term Rentals.

*Director Woodford* stated that the (TRT) goes into the Affordable Housing Grant fund that we disburse every year.

*Acting Chair Converse* opened for public testimony at this time.

*Kurtis Cook, 750 Brooks Camp Rd., Cold Springs, Sisters, OR 97759*

*Mr. Cook* stated that most of the comments have been very positive about this agenda. He sees the concerns on both sides of this and just adding a couple of things as well to make sure we are keeping this moving and keeping the economy moving as well. There is more besides a one-story that meets the eye, and it is a great plan, but the concern is – we are limiting too much so the applicable taxes as well as the applicable opportunity for other vendors and opportunities can be profitable out there for people. People in Sisters rely on the vacationing

community as well. He asked if this is something that has been considered in going through this process. He asked to include inspections as well as safety opportunities for STRs.

*Planner Martin* stated that with a general overview within the Operators License criteria is an opportunity for an inspection by city staff with proper notice, and built in there are requirements for proper fire and safety provisions from fire extinguishers, smoke detectors, carbon monoxide, etc. Those opportunities for inspections are part of that through the renewal process or upon receiving a complaint or call of concerns, etc.

*Rick Murai*, 801 E. Hwy 20, Sisters, OR 97759

*Mr. Murai* asked about enforcement and there seems to be talk about a lot of changes and policies that require oversight and he is wondering how that is going to be enforced and what the financial and physical impacts are going to be for the city in reviewing all of this.

*Planner Martin* stated those are aspects of the program and any potential changes, we need to keep in mind with any policy making and financial, social environmental impacts with any of the changes. We are just having the initial conversation of what should be evaluated, and enforcement is a critical aspect of any regulation and permitting process. We do not want to explore or adopt standards that are difficult or impossible to enforce. Through our Land Use permitting and noting the Operator's License of the annual renewal that does have a lot of the reporting and confirmation that rentals are in compliance with those standards.

*Planner Martin* stated that we are now in fact finding of what we know, data collection, and ensuring and getting the impressions from City Council and Planning Commission. Next steps are to initiate a formal process and at that point we will develop any potential code language and evaluate those particular impacts.

*Director Woodford* stated that those are viable concerns, but concerns are the domain of the City Council – they oversee the community and are responsive to a wider variety of issues than just the Planning Commission who is responsible for looking at the Development Code and taking direction from Council. Those are good issues to bring up in the process once this progresses and something that they are best suited to weigh in on terms of potential reducing economic development, revenue, or increasing it, and the impacts to the Affordable Housing grant fund, etc.

*Kurtis Cook* stated that between the long-term tenants and short-term tenants – we have seen an extensive amount of damage for less than 10 properties that we have served that are long-term situations compared to 65 properties that we serve in the short-term basis by almost an appalling amount of damages seen last year close to 1.8 million dollars in damages to properties that are long-term. He stated that in his observations, the STR damages we have seen are less than \$10,000 damages in the year 2023 that we have experienced. We put our hands on the properties and make sure they are insured to be in the best condition possible, etc.

*Commissioner Retzman* asked for clarification in what Kurtis Cook said that there are ten times more damages done to long-term rentals than for short-term rentals.



*Planner Martin* stated that for acknowledging the group here and those in attendance, we are at the forefront of any review process. The next steps are scheduled to go back to the City Council for another workshop to provide the results of this conversation tonight as well as taking a deeper dive into those legal implications or considerations relative to that transferability restrictions and any kind of pause or moratorium and get those final thoughts before we move forward with any potential or actual changes to the code. He stated that his return trip to the Planning Commission will be more of a code writing workshop and draft some language followed by formal public hearings taking that recommendation from the Planning Commission and have a subsequent public hearing with the City Council for any formal adoption of those changes to the code.

*Commissioner Retzman* asked staff about part of the permitting process, and do we have anything built in there to ensure that we have an adequate number of accessible units – ADA type compliant Short-Term Rentals available, etc.

*Planner Martin* stated that he cannot speak to that with absolute certainty, but it is his understanding that these remain single-family dwellings with the rental component. Also, knowing that single-family dwellings are not required to follow ADA standards. If it is in a residential multi-family residential development – an apartment building, etc. there may be that component required as part of that development.

*Director Woodford* stated that we will hold a Planning Commission meeting on February 15, 2024, with another work session and the topic is Ethics Training. We do this as a refresher every year and will have our City Attorney, Garrett Chrostek to go over the Conflicts of Interest, Bias, Ex-Parte Communication, etc.

IV. STAFF AND COMMISSIONER COMMENTS

V. ADJOURN

*Acting Chair Converse* adjourned the meeting at 5:05 pm.

Respectfully submitted,

Carol Jenkins, Recording Secretary



Planning Commission Minutes  
Thursday, February 15, 2024 – 4:00 PM  
City Hall Council Chambers, 520 E. Cascade Avenue, Sisters, OR 97759

Acting Chairman: Cris Converse  
Commissioners: Sarah McDougall, Rick Retzman, Tom Ries  
Absent: Jeff Seymour, Art Blumenkron, Jeremy Dickman  
City Staff: Scott Woodford, Community Development Director, Matt Martin,  
Principal Planner, Emme Shoup, Associate Planner  
Visitor: City Attorney, Garrett Chrostek  
Recording Secretary: Emme Shoup, Recording Secretary

I. CALL TO ORDER / DETERMINATION OF QUORUM / ADOPTION OF AGENDA

*Acting Chairman Converse* called the workshop to order at 4:00 pm.  
A quorum was established. Adoption of Agenda – February 15, 2024.  
*Commissioner Ries* made a motion to approve the Agenda for February 15, 2024, as proposed.  
*Commissioner Retzman* seconded. Motion passes.

II. VISITOR COMMUNICATION - None

III. WORKSHOP

A. Planning Commission Ethics Training – City Attorney, Garrett Chrostek

*Director Woodford* stated that this is training that we do annually to keep everyone up to speed. We also do training with the new members and cover issues that are touched on during that time. There are some things that you may have had experienced out in the community with certain issues, and this is a great time to ask our legal counsel on how to react in certain situations where a member of the public might approach you on a current application, etc. This is going to be a workshop on ethics training, and if the Commissioners have any questions this would be a good time to get answers to the specific information.

*City Attorney, Chrostek* stated that he was going to go over the purpose and structure of the Planning Commission, talking about rendering decisions, and some of the ethical things that come up in the performance of your duties not only during hearings and meetings, but also extra circular's. The Planning Commission is formed for a variety of purposes – the first is that the City's Comprehensive Plan calls for a citizen input committee and that is one of the functions that the Planning Commission performs and is the body of citizens that advises the

city on various land use matters. It then has some additional responsibilities assigned to it through the Development Code to process various types of applications. Between those types of applications there are basically two primary types – Legislative Decisions which are those dealing with the text of both the Comprehensive Plan and the Development Code, and then there is the Quasi-Judicial Decisions which are when rendering a decision on a particular application. There are competing roles for both of those that will be discussed at a later point.

In going over the Roles and Responsibilities of the Planning Commission, one primary function of the Planning Commissioner is to sit on this body that makes recommendations that decides these decisions, acts in a judicial capacity on individual applications, and as part of that role what you need to be mindful of particularly in the Quasi-Judicial context is that you are supposed to be a neutral decision maker, and informed decision maker, and then need to be the party that implements at least portions of the procedures required for these types of decisions.

A neutral decision maker means that you do not have a conflict of interest, do not have any bias, and that you do not have communications that have occurred outside of the quasi-judicial process – the hearing. The conflict of interest – that does not mean you are free of conflicts, but what that necessarily means is that you do not have a financial interest – either you or an immediate member and the outcome of an application, or that you do not have a relationship directly with the applicant. It does not mean that you are friends with the applicant, does not mean that you go to the same church or in the same social club with an applicant, it literally means that you are going to stand the benefit, or your family is going to stand the benefit from a decision that is going before the Planning Commission. It is not a perception of bias, it is an actual conflict standard, but it is up to the Planning Commission whether you are going to participate, and if it is a close enough call that you do not feel comfortable, it is fine as long as you can maintain a quorum to sit out.

Neutral refers to not having any bias. If there is bias it is because either you have made up your mind about the application before it has been submitted, or that you acted in a manner that is hostile to one or more of the parties before the proceedings. That can play out in the form of having said comments in the public saying that you do not like this applicant, do not like this project and will never agree to these types of developments, etc. It does not mean more general statements such as there are concerns about growth, etc. If it is particularized to an application, then it is likely you have committed bias and that could result in having to recuse yourself.

The ex-parte communications unlike bias or conflicts of interest does not mean that you are going to have to recuse yourself. It may mean that you need to recuse yourself, but what the significance of the ex-parte communications is that it could taint the decision overall. This is communication that has occurred outside of the hearing process whether you talk to a party about the application when you saw them on the street, whether you have independently researched aspects of the application, the applicant, or the party, something that was said, and then looking at information that is not on the record, etc. Those do occur and people will stop you periodically and ask to talk about things, again that not necessarily require recusal, but it does require disclosure, and failure to disclose any of those contacts can ultimately jeopardize the decision if it turns out that the decision was made based on facts and communications outside of the record rather than what is in the record where everybody was

aware of and had an opportunity to refute. When conducting a Quasi-Judicial application – at the start of the hearing, it must be disclosed what conflicts of interest, bias, and ex-parte communications, and then people will be offered an opportunity to challenge not only the disclosure, but also the participation.

*Director Woodford* asked City Attorney Chrostek to explain how to distinguish between a Type IV Legislative application versus a Quasi-Judicial application in terms of conflicts, bias, ex-parte communications apply in those instances.

*City Attorney Chrostek* stated that up to now he has been speaking in the Quasi-Judicial context. In the Legislative context, the only thing that needs to be disclosed, and the only thing that could cause a recusal is a conflict of interest. In the Legislative process, it is understood that we are talking about policies, having citizens participate in those policies, and it is a more open process than the Quasi-Judicial which is acting as if you were a judge and need to be more neutral. You can have a strong position on a Legislative proposal whereas you could not do the same thing about a Quasi-Judicial development application.

*Director Woodford* asked if the conflict provision would still apply if it were Legislative, and if you have a direct financial benefit or a family member who does.

*City Attorney Chrostek* stated that is correct. It needs to be particularized and if we were looking at legislation dealing with Short-Term Rentals, and you owned a Short-Term Rental. That is obviously a conflict of interest. If we were talking about changing the setbacks in the residential zone just because you own a home in the residential zone probably not because it is so generalized basically to everybody in the town. It may implicate property values to some degree, but it is such a broad class that it is not going to rise to the level of conflict of interest.

Legislative is dealing with broad policy topics that are implemented in writing in the form of the amendments to the Comprehensive Plan or Development Code. Quasi-Judicial is a specific proposal, or even a Legislative act but specific to a handful of properties that is supposed to be generalized. Broad scale, re-zoning of the city might be Legislative, but a zone change of two or three properties would be Quasi-Judicial.

By going along with the ex-parte communications aspect, a topic that Director Woodford wanted me to hit on is deliberations outside of the record. Specifically, what we are talking about are email communications amongst the Commissioners. Emails to staff and legal counsel are not ex-parte communications and is understood that you should be able to reach out for technical assistance. Based on the nature of the request, staff and legal counsel need to decide how best to respond whether we want to be on the record in the response, or something that is legal in nature might not have to go on the record because it is privileged.

Communications amongst the Commissioner is always going to be problematic in a Quasi-Judicial and would suggest avoiding it in a Legislative context because the deliberations need to be on the record. Furthermore, you run the risk of violating public meetings law by having to establish a quorum by email, etc. It is best practice in responding to an issue that you want to have addressed whether it is Legislative or Quasi-Judicial context to send an email directly to staff and have staff resolve it rather than sending out a group email and responding a group

email. You are then creating communication outside of the record which could be problematic and certainly if deliberating that is very problematic.

*Acting Chair Converse* asked about two Commissioners sitting down and talking about an application or any other situations would that be alright.

*City Attorney Chrostek* stated that he would advise against it because even though you are not a quorum those are communications about the application and they are occurring outside of the record, and whether they are talking about the facts of the case, or what has not been addressed by the case – in either case you are either deliberating or creating communications that should be occurring in a public forum so that they can be evaluated in certain cases and responded to.

*Commissioner Ries* asked if an application has not come before the Planning Commission, is it ok to talk with a fellow Commissioner regarding an upcoming application.

*City Attorney Crostek* stated that in that context, it is not an ex-parte communication because it has occurred before an application has been filed, and that particular communication is not going to be too problematic, but again, question why you need to reach out when you know that it is likely to become before the Commission. If you do make up your mind and say something like you would not approve that, then you have bias and that is potentially jeopardizing your ability to act as a commissioner on an application that might come before you.

A brief discussion took place regarding land use laws in general in the State of Oregon.

*City Attorney Chrostek* stated that what is problematic is if you establish bias in the communications. Nonetheless, he is advising that when you recognize that it is a Quasi-Judicial application that it is likely to come before you and why take the risk of discussing it because the risk is that if you come out and say you do not like it and that comes to light, you are jeopardizing your ability to sit as a Commissioner in that application in a Quasi-Judicial context. When talking about the Oregon Land Use in general, then you are in the Legislative context and that issue is not an issue in the Legislative context. You can have opinions on policy and where the lines get blurry is if the policy is that we should prohibit this type of use, etc.

*Director Woodford* stated that this might be a good time to discuss the distinction between Legislative amendments where they are broadly applied to many properties and not all of them are created equal. We have an application before us for changes in the Tourist Commercial District which only applies to three (3) properties in town. He asked if this crossed the line into more site specific and maybe we need to adhere to the principles of the ex-parte communication relative to that.

*City Attorney Chrostek* stated that there is definitely not a bright lined rule when you cross over in terms of the number of properties, the number of acres, or something quantifiable, but there is the general principle that the more specific it is to individuals, individual property owners, individual properties, then you are in the Quasi-Judicial realm even if you are doing what is otherwise normally a Legislative act such as amending the Comprehensive Plan or the

Development Code. Yes, out of an abundance of caution, if it is close probably conduct yourselves in a manner more typical to Quasi-Judicial proceedings than Legislative proceedings.

*Director Woodford* stated that we do have an application submitted for some Legislative amendments to the Tourist Commercial zone. You may have read about it in the paper or from a neighbor, but what City Attorney Crostek is saying is to treat it like a Quasi-Judicial application and let the folks know that there is a time and a process for that and want to preserve the opportunities to participate in that and refer all the questions to staff.

*City Attorney Chrostek* stated that when approached by the community, it is a good idea to say that this matter is likely to come before me, or will come before me, and want to avoid creating an issue that might lead to my recusal, and do not want to discuss at this time, but happy to hear your thoughts at the proceedings.

Another topic is the Commissioners acting in an individual capacity. What we are talking about here is if someone wanted to individually testify before the City Council, or individually want to show up to some community event – noting prevents you from doing that, but what the concern is always going to be is the way you participate going to jeopardize future participation. As a commissioner on an application that deals with whatever you were communicating about, the other issue related to that is representing the Planning Commission. If you were going to testify before the City Council on something, you would need to identify that you are a Planning Commissioner but are not speaking for the Planning Commission unless the Planning Commission has given you authority to do so.

*City Attorney Chrostek* stated that another topic on his list is the mechanics of the extended hearing. When we get to the end of the public testimony, the applicant provides the rebuttal, staff makes any final comments, then at that point, the Planning Commission can either close the hearing or move onto deliberations, continue the hearing, etc. The first thing to know is that if any party to the proceedings requests a Quasi-Judicial hearing that the record be left open then the city needs to grant that at an additional evidentiary hearing. If someone does make that request, a decision will not be made that night. What will happen then is that the Planning Commission will have to decide whether they are just leaving it open to written communications from the parties, or if they are going to carry over to another meeting to receive additional oral testimony. Logistically, remember that if you flat out grant a continuation for additional oral testimony then that automatic seven (7) day request to leave the record open is still in play. Keep in mind that the city has a 120-day obligation to process applications so extending out the meetings can certainly eat up that clock. When leaving the record open just for written from a staff standpoint too, it also allows for a final decision to get formulated and adopted at a hearing because it is nice to have something in writing that can be adopted at the end of the hearing. He wanted to make everyone aware of the implications when that decision needs to be made at the end of any hearing, etc.

*Acting Chair Converse* asked for clarification that it is better for the Commission to not leave the record open for oral testimony.

*City Attorney Chrostek* stated that what he is trying to communicate is that when you carry over a meeting for additional oral testimony there is always the risk that there is going to be

yet another meeting because somebody can request that the record remain open. What might come off as a seemingly insignificant extension could be a two-month ordeal and is half of the 120-day right there.

*City Attorney Chrostek* stated that at this point he feels like he has hit most of the items on the list that Director Woodford wanted him to cover.

*City Attorney Chrostek* stated that he could cover one more thing before ending and that is when he shows up at the hearings, and he does not show up at all of them, but when asked to attend by staff. His personal physiology is that he is not conducting the meeting, that is the responsibility of the Chair, and he is there for a resource, to make sure things stay between the lines, but not standing in for the Chair, etc. He stated that he normally does not jump in until asked a question or it is his designated time just because he likes to defer to the Chair to run the meetings. When it is a clear-cut answer, he is happy to give it especially when it is about procedure, when it is on substance, and is very cautious when it is a gray area that it is not going on the record saying one thing and then having to defend a city decision that goes the other way. If there are questions that require legal opinion, he is always happy to answer those through email, or outside of the record because that is privileged. He stated that he is always happy to answer questions one way or another, but when it is in a public forum, he needs to be more careful of how strongly he comes out on the position.

#### IV. STAFF AND COMMISSION COMMENTS

*Director Woodford* stated that we will be having a work session on March 7, 2024, at 4:00 and a public hearing on March 21, 2024. As it stands now, the work session will be on the Tourists Commercial text amendments and then the public hearing will be on the Tourist Commercial text amendments.

*Planner Martin* stated that the Tourists Commercial is a unique district in town and Barclay Dr. and Camp Polk and commonly referred to as the Conklin House property. The purpose was to provide a variety of uses that are oriented to the tourist's economy and currently includes cabins, restaurants, and other associated types of uses. One of the prominent aspects of the proposed changes is to consider allowing an RV Park as one of those allowed uses.

*Commissioner Retzman* asked for clarification on why it only encompasses 1 ½ properties and why is there a special zone for those properties instead of putting them in where everybody else is.

*Planner Martin* stated that the City Council adopted an Ordinance that established that zone as part of the broader Sun Ranch development that extends through the business park area and was a larger holding that involved several zone changes, etc. and was an applicant-initiated proposal. It is kind of a Master Plan but using a broader look at various uses, zones, and districts for those intended development options.

*Commissioner Ries* asked if there is any possibility of getting the information to the Commission earlier than one week before the meeting.

*Planner Martin* stated that we will do our best and we are in the process of developing a website with all the application information on the record to direct the group to that and that will be available for review at any point.

*Director Woodford* stated that we try and do a work session format before a public hearing so that there is time to review the materials, etc. We are still working on the development code amendments including Short-Term Rentals, Defensible Space, and Building Hardening. We had a meeting with the City Council to try to figure out what their direction is in terms of what they want to see as far as changes, but they are needing additional time to do that. That will go back on March 13, 2024, to give them more time and code language to react to and once they get that direction, we will circle back with the Planning Commission.

*Director Woodford* stated that we did get a proposal for the Urban Growth Boundary amendment consultant. We only got one (1) in so it will not be an evaluation, but more of a confirmation whether that group meets the requirements to do the work. It is MIG/APG, Matt Hastie and his group that have done a lot of work for the city.

*Director Woodford* stated that this is the last Planning Commission meeting for Vice Chair Converse, and she will truly be missed. Thank you, Cris, for everything you do and have done for the city.

From Chair Seymour –

I would like to take a moment to recognize Cris Converse for her contributions to the Planning Commission and to the City of Sisters. Cris has served as a Planning Commissioner and Vice Chair since 2017 and has participated in countless impactful land use hearings and development code updates. I remember reading about her appointment in the Nugget where she said, “I actually enjoy reading code”. I knew right then; we had a solid Commissioner coming on board. Cris is a sisters’ institution and a long-time resident who is passionate about the city, she has always been a staunch supporter of the citizenry, she has been integral in the transformation of our little town and has seen more change than most. Cris’ greatest strength is the ability to listen and apply a commonsense approach to the issues at hand. This always resulted in the best decision being made for the city. More than a few times, I found myself listening to her wisdom causing me to question and even change my position. Her embrace of a long-term outlook facing the Commission and how they may impact the city was a welcomed and valuable perspective. As Vice Chair, Cris brought strong leadership to the Planning Commission and did a commendable job of leading hearings and work sessions in my absence. She also provided me with guidance, support, and occasionally, a much-needed shoulder to cry on. Cris, I commend you for your work with the city and the commission and for your contributions to the citizens both present and future – the city is lucky to have you as a volunteer and we are so grateful for your contributions. Best of luck in all your future endeavors. Thank you, Cris, you will be missed.

*Vice Chair Converse* said that she wanted to thank everyone and that the staff at the city is amazing. You are all wonderful to work with and just make everything so much easier. You are all constantly trying to do a better job and finding out what we need. You have added a lot, the city has grown, and have improved things.



V. ADJOURN

*Vice Chair Converse* adjourned the meeting at 5:00 pm.

Respectfully submitted,

Carol Jenkins, Recording Secretary.



**Exhibit C**  
**MEMORANDUM**  
Community Development Department

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**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

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**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, 2024<sup>1</sup>. 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.

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<sup>1</sup> 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 – 5-7-24 Skidmore Email
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

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 <b>SUBSTANTIVE</b> .  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	<b>Cottages</b> 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 <b>SUBSTANTIVE</b> .  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.
	<b>Lodging Facilities</b> 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 <b>NOT SUBSTANTIVE</b> .  This only provides reference to other applicable sections.
	<b>Restaurant, bar and food services</b> “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 <b>NOT SUBSTANTIVE</b> .  This change provides consistency with the formatting of the use description used throughout the development code.
	<b>Retail sales establishment</b> 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 <b>SUBSTANTIVE</b> .  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.
	<b>Laundry Establishment...</b> 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 <b>NOT SUBSTANTIVE</b> .  This is consistent with how such accessory uses are accommodated in other zone districts in the city.
	<b>Multi-use trails and paths.</b> 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 <b>NOT SUBSTANTIVE</b> .  This is consistent with how such accessory uses are accommodated in other zone districts in the city.
	<b>Decks, docks...”</b> Remove “Decks, docks...” as a permitted use.	These uses are accessory uses customary to properties that contain water features.	Staff finds this amendment is <b>NOT SUBSTANTIVE</b> .  This is consistent with how such accessory uses are accommodated in other zone districts in the city.
	<b>Hostel</b> 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 <b>SUBSTANTIVE</b> .  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.

Code Section	Proposed Amendment	Explanation for Amendment	Staff Comment
	<p><b>RV Park, including caretaker’s quarters</b> Add “RV Park, including caretaker’s quarters” as permitted use. Add reference to Section 2.12.1000, special standards for RV Parks in the TC District 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 <b>SUBSTANTIVE</b>. 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. 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><b>Table 2.12.300 Prohibited Uses</b></p>	<p><b>Auto-oriented uses and drive-through uses</b> 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 <b>NOT SUBSTANTIVE</b>. Provides consistency with the formatting of the majority of the development code and use of the defined “auto-dependent use”. 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><b>2.12.600 Setbacks and Buffering</b></p>	<p><b>A. Front Yard Setback.</b> 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 <b>SUBSTANTIVE</b>. 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. 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>B. Side Yard Setback.</b> Add 10-foot setback for side yards adjacent to a street. 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 <b>SUBSTANTIVE</b>. See staff comment above regarding setbacks.</p>
	<p><b>C. Rear Yard Setback.</b> 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 <b>NOT SUBSTANTIVE</b>. See staff comment above regarding setbacks.</p>
<p><b>2.12.1000 Special Standards for Certain Uses</b></p>	<p><b>A. Neighborhood Market and Laundry Establishment</b> Remove reference to Laundry Establishment. Remove 50-foot setback from Camp Polk Road and Barclay Drive. 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. 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 <b>SUBSTANTIVE</b>. 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. 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>B. Retail Sales Establishment</b> 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 <b>SUBSTANTIVE</b>. 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>

Code Section	Proposed Amendment	Explanation for Amendment	Staff Comment
	<p><b>B. Cottages</b> 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 <b>NOT SUBSTANTIVE</b>. The special use standards are no longer necessary.</p>
	<p><b>C. RV Park</b> 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"> <li>1. The maximum stay in an RV space is 30 days in any 90-day period.</li> <li>2. A maximum of 65% of the gross area of any property in the TC zone shall be developed for an RV Park use.</li> <li>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.</li> </ol>	<p>Staff finds this amendment is <b>SUBSTANTIVE</b>. 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><b>D. Lodging Facility Definition</b> 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 <b>SUBSTANTIVE</b>. 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><b>2.12.1100 Design Theme</b></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 <b>SUBSTANTIVE</b>. 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**

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**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

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
<b>Commercial</b>		
<del>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).</del>	P	See Section <a href="#">2.12.1000</a>
Lodging facilities.	P	
Office	P	
<del>Restaurant, bar and food services.- <a href="#">Eating and drinking establishments</a>.</del>	P	
Saunas, steam rooms, hot tubs, exercise equipment facilities and other spa-related uses.	P	

**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 <a href="#">2.12.1000</a>
<u>Retail sales establishment</u>	<u>P</u>	<u>See Section 2.12.1000</u>
<del>Laundry Establishment focusing on providing for needs of guests staying in the cottages or lodging facilities within the Sun Ranch Tourist Commercial district.</del>	P	<del>See Section <a href="#">2.12.1000</a></del>
<del>Multi-use trails and paths.</del>	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	
<del>Decks, docks and other areas to provide enjoyment of the ponds.</del>	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	

**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	
<b>Prohibited Uses</b>		
Auto- <del>oriented</del> <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 <a href="#">2.12.300</a>	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~~



~~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.~~

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

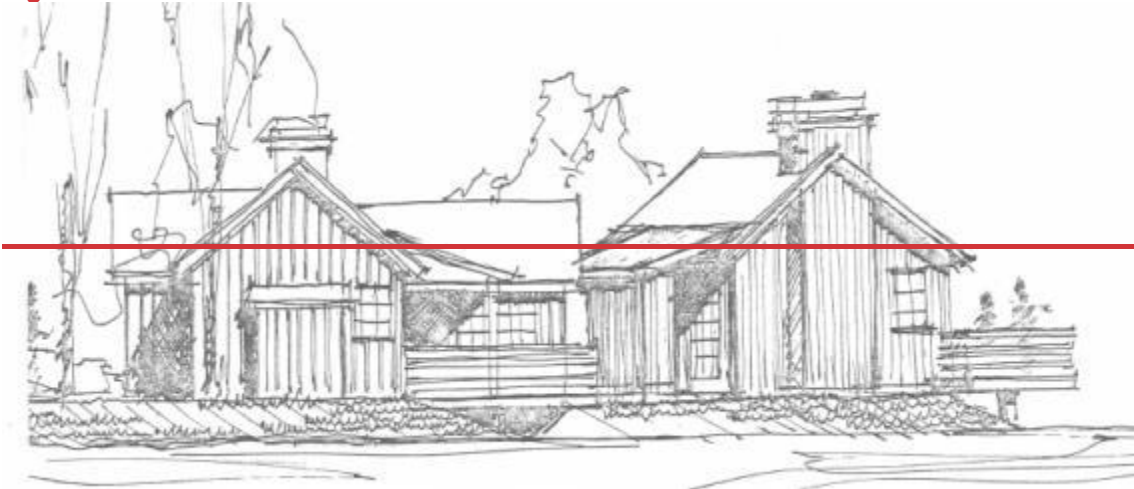
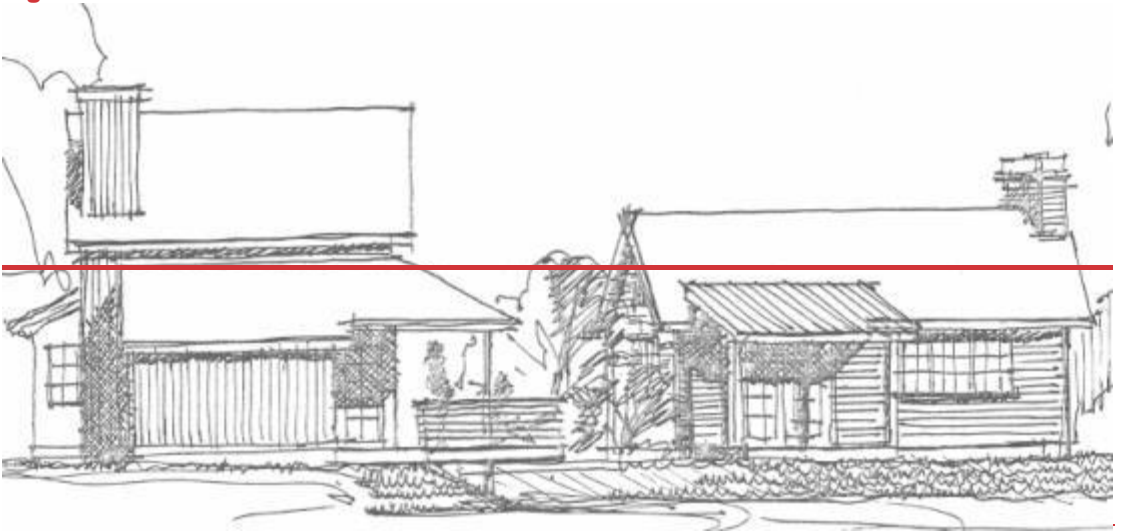


Figure 2.12.1100-B



**Matt Martin**

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**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](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**

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**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**

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**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

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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.

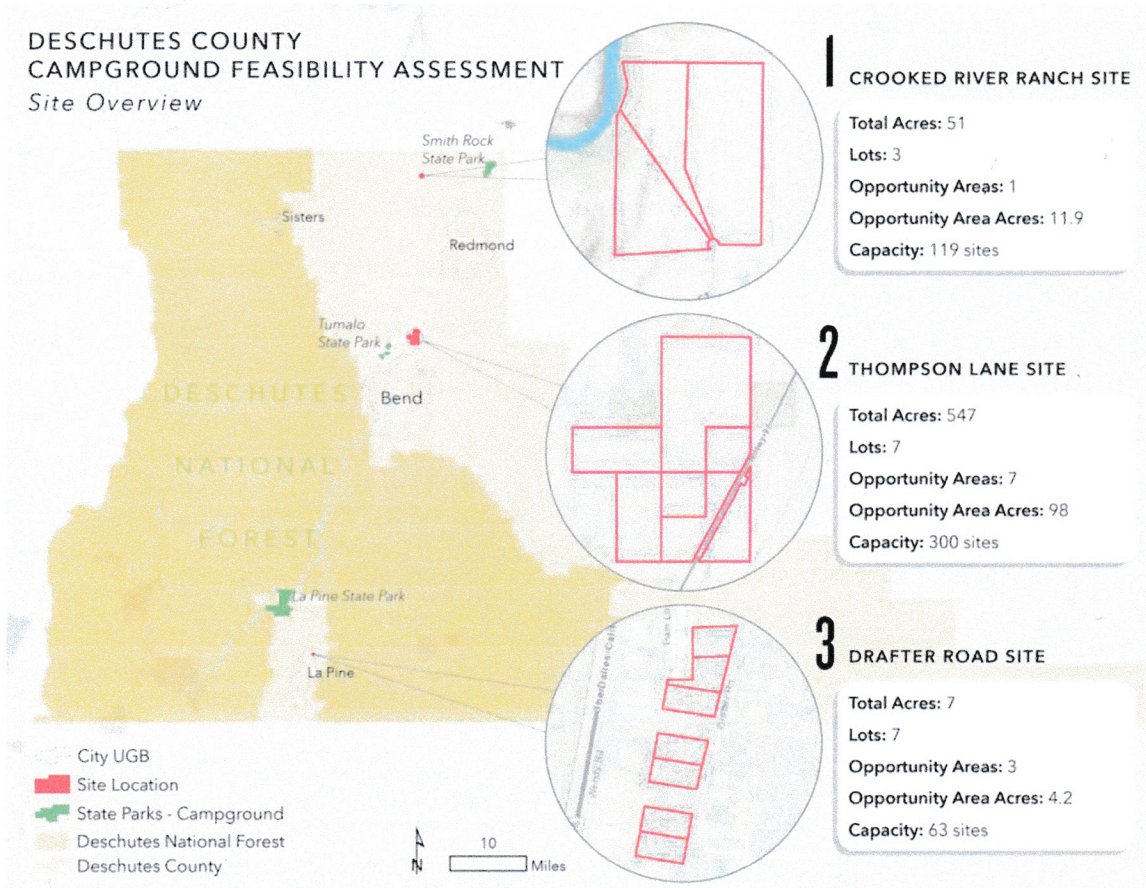
Starting with **Drafter Road within La Pine's city limits**, our analysis indicates this site has some of the most attractive conditions to host an RV park development. Several factors contribute to this suitability: its ample size, direct highway access, conducive zoning conditions, and existing infrastructure. 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

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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.<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup>

Despite its tourism appeal, Deschutes County has not introduced a new county-run campground in over four decades.<sup>4</sup> 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.

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

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

<sup>3</sup> "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/>.

<sup>4</sup> Memo: Recreational Vehicle Park Expansion/Assesment. 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 Error! 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.<sup>6</sup> 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

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<sup>6</sup> 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

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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.<sup>1</sup>

- 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).

<sup>1</sup> <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
<p><b>Bend/Sisters Garden RV Resort (Sisters KOA)</b></p>	<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"> <li>• Nonconforming use alteration: \$1,723 (with prior nonconforming use verification).</li> <li>• 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).</li> </ul>	<p>It has an active WPCF Permit through DEQ.</p>
<p><b>Cascade Meadows RV Resort</b></p>	<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"> <li>• Same as above.</li> </ul>	<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>
<p><b>Thousand Trails RV Resort</b></p>	<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"> <li>• Same as above.</li> </ul>	<p>It has an active WPCF Permit through DEQ.</p>
<p><b>Hidden Pines RV Park</b></p>	<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"> <li>• Nonconforming use verification: \$1,723</li> <li>• Nonconforming use alteration: \$2,164 (without prior nonconforming use verification).</li> <li>• 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).</li> </ul>	<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
<p><b>Riverview RV Park</b></p>	<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"> <li>• Nonconforming use verification: \$1,723</li> <li>• Nonconforming use alteration: \$2,164 (without prior nonconforming use verification).</li> <li>• 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).</li> </ul>	<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>
<p><b>Snowy River RV Park</b></p>	<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"> <li>• Nonconforming use alteration: \$1,723 (with prior nonconforming use verification).</li> <li>• 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).</li> </ul>	<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>
<p><b>Green Acres RV Park</b></p>	<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"> <li>• Same as above.</li> </ul>	<p>It has an active WPCF Permit through DEQ. There is limited space for an expansion.</p>

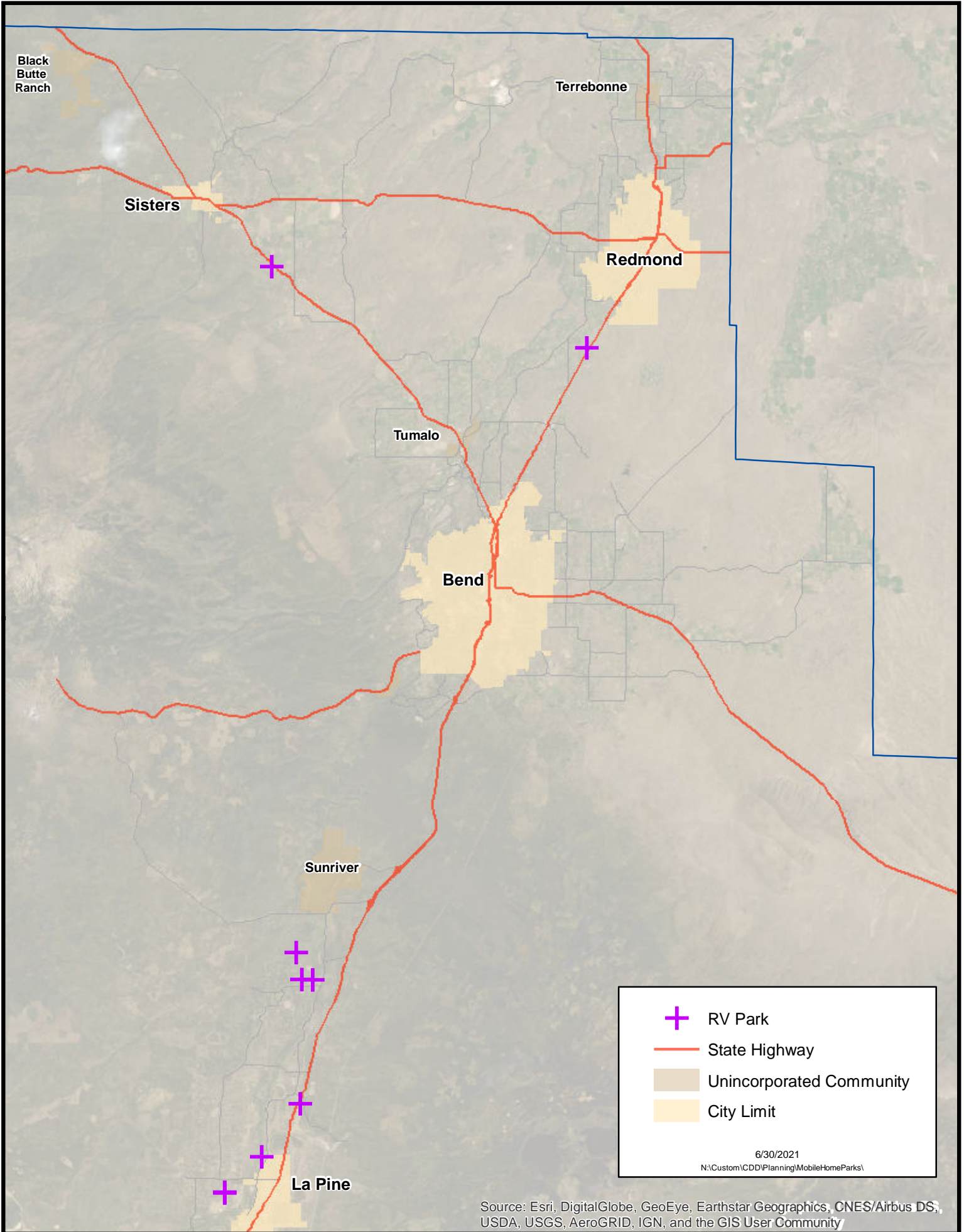


1" = 5 Mi

# RV Parks

Staff Memo - Attachment 6

# Exhibit C



	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