



Oregon

Theodore R. Kubongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

4/5/2010

TO: Subscribers to Notice of Adopted Plan
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Sisters Plan Amendment
DLCD File Number 006-09

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Friday, April 16, 2010

This amendment was submitted to DLCD for review prior to adoption pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

*NOTE: The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Laura Lehman, City of Sisters
Gloria Gardiner, DLCD Urban Planning Specialist

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**FORM 2****DLCD****Notice of Adoption** In person electronic mailedDATE
STAMP**DEPT OF****MAR 29 2010****LAND CONSERVATION
AND DEVELOPMENT**

For Office Use Only

This Form 2 must be mailed to DLCD within 5-Working Days after the Final Ordinance is signed by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Sisters**Local file number: **TA09-02**Date of Adoption: **03/25/2010**Date Mailed: **03/26/2010**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: **10/29/2009** Comprehensive Plan Text Amendment Comprehensive Plan Map Amendment Land Use Regulation Amendment Zoning Map Amendment New Land Use Regulation Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

The proposal is an amendment to the text of Sections 4.2.800, 4.3.120, and 4.5.140 to allow an extension of time for Land Division, Master Plan, and Site Design Review land use approvals. This amendment would automatically extend the expiration date for these types of land use permits that were effective on or before October 01, 2009, to December 31, 2011. This amendment does not affect other types of land use permits of City approvals that are not land use permits.

Does the Adoption differ from proposal? **No, no explanation is necessary**

Plan Map Changed from:

to:

Zone Map Changed from:

to:

Location:

Acres Involved:

Specify Density: Previous:

New:

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
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Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

 Yes No

If no, do the statewide planning goals apply?

 Yes No

If no, did Emergency Circumstances require immediate adoption?

 Yes No

DLCD File No. 006-09 (17929) [16069]

DLCD file No. _____

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Laura Lehman**

Address: **PO Box 39**

City: **Sisters**

Phone: **(541) 323-5214** Extension:

Fax Number: **541-549-0561**

E-mail Address: **llehman@ci.sisters.or.us**

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 5 days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s)

per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting, please print this Form 2 on light green paper if available.
3. Send this Form 2 and One (1) Complete Paper Copy and One (1) Electronic Digital CD (documents and maps) of the Adopted Amendment to the address in number 6:
4. **Electronic Submittals: Form 2 – Notice of Adoption will not be accepted via email or any electronic or digital format at this time.**
5. The Adopted Materials must include the final decision signed by the official designated by the jurisdiction. The Final Decision must include approved signed ordinance(s), finding(s), exhibit(s), and any map(s).
6. **DLCD Notice of Adoption must be submitted in One (1) Complete Paper Copy and One (1) Electronic Digital CD via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.** (for submittal instructions, also see # 5)] **MAIL the PAPER COPY and CD of the Adopted Amendment to:**

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**
7. Submittal of this Notice of Adoption must include the signed ordinance(s), finding(s), exhibit(s) and any other supplementary information (see ORS 197.615).
8. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) of adoption (see ORS 197.830 to 197.845).
9. In addition to sending the Form 2 - Notice of Adoption to DLCD, please notify persons who participated in the local hearing and requested notice of the final decision at the same time the adoption packet is mailed to DLCD (see ORS 197.615).
10. **Need More Copies?** You can now access these forms online at <http://www.lcd.state.or.us/>. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518.

ORDINANCE NO. 396

AN ORDINANCE OF THE CITY OF SISTERS AMENDING THE SISTERS DEVELOPMENT CODE CHAPTER 4 BY ADOPTING REGULATIONS THAT ALLOW AN AUTOMATIC EXTENSION OF TIME FOR CERTAIN TYPES OF LAND USE PERMITS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Sisters adopted the Development Code for the City of Sisters on June 28, 2001, by Ordinance No. 324; and

WHEREAS, economic conditions have not been favorable for development and have prevented or delayed completion of approved land use projects in the City of Sisters; and,

WHEREAS, the City of Sisters finds that an amendment to Sections 4.2.800, 4.3.120, and 4.5.140 of the Sisters Development Code is necessary to provide an extension of time for Land Division, Master Plan, and Site Design Review land use approvals; and,

WHEREAS, the purpose of this update is to provide an automatic extension of time to approved land use applications that were unexpired on October 01, 2009, to December 31, 2011, in recognition of current economic conditions; and,

WHEREAS, the proposed amendment will apply to all Land Division, Master Plan, and Site Design Review land use approvals that were unexpired on October 01, 2009, regardless of whether the applicant had previously obtained an extension of time in accordance with the provisions of the Sisters Development Code; and,

WHEREAS, in accordance to the provisions found in the Sisters Development Code Table 4.1.200 and Section 4.1.160, the proposed Development Code amendments are processed as a Type IV application; and,

WHEREAS, the Department of Land Conservation and Development (DLCD) received the Notice of Proposed Development Code Amendments at least 45-days prior to the first evidentiary hearing; and,

WHEREAS, after due notice a hearing was held before the City of Sisters Planning Commission on December 17, 2009, at which time the Planning Commission recommended that the City Council adopt the subject text amendment; and,

WHEREAS, after due notice, a public hearing on the proposed project was held before the Sisters City Council on March 25, 2010, at which time the City Council found that the amendment meets all applicable approval criteria, including all notice requirements, and that the ordinance will benefit the City of Sisters.

NOW, THEREFORE, the City Council of the City of Sisters ordains as follows:

1. The Sisters Development Code is amended as provided in the attached Exhibit A, which is incorporated into this Ordinance by reference.

2. In support of the Code text amendment in Section One, the City Council hereby adopts the findings which are attached hereto as Exhibit B, which were prepared by City staff and demonstrate compliance with the Sisters Development Code, the City's Comprehensive Plan, and the applicable statewide planning goals.

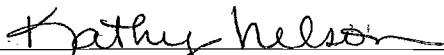
3. The City Council finds that immediate adoption of this ordinance is in the best interest of the city and that it is necessary for the immediate preservation of the peace, health and safety of the community. Therefore, the City Council declares an emergency and this Ordinance shall take effect upon passage.

PASSED by the Common Council of the City of Sisters this 25TH day of MARCH, 2010 and APPROVED by the Mayor of the City of Sisters.



Lon Kellstrom, Mayor

ATTEST:



Kathy Nelson, City Recorder

Exhibit A

TA09-02 Proposed Text Amendment

Proposed text is shown in **bold, underlined** font.

4.2.800 Development in Accordance With Permit Approval

Development shall not commence until the applicant has received all of the appropriate land use and development approvals (i.e., site design review approval) and building permits. Construction of public improvements shall not commence until the City has approved all required public improvement plans (e.g., utilities, streets, public land dedication, etc.). The City may require the applicant to enter into a development agreement (e.g., for phased developments and developments with required off-site public improvements), and may require bonding or other assurances for improvements, in accordance with Section 4.2.700. Development Review and Site Design Review approvals shall be subject to all of the following standards and limitations:

- A. Modifications to Approved Plans and Developments. Minor modifications of an approved plan or existing development, as defined in Section 4.6, shall be processed as a Type I procedure and require only Site Review. Major modifications, as defined in Section 4.6, shall be processed as a Type II or Type III procedure and shall require site design review. For information on Type I, Type II and Type III procedures, please refer to Chapter 4.1. For Modifications approval criteria, please refer to Chapter 4.6.
- B. Approval Period - General. Development Review and Site Design Review approvals shall be effective for a period of two (2) years from the date of approval for a single-phased development, and up to two (2) additional years for all subsequent phases. In no case however shall any approval exceed 4 years for single phase development, including extensions, and 6 years for multi phased development, including extensions, from the original approval date. The approval shall lapse if:
 1. A building permit has not been issued within the time period stated herein; or
 1. Construction on the site is in violation of the approved plan.
- C. Single-Phased Project Extension.
 1. The Community Development Director or designee may, upon written request by the applicant, grant a single one-year extension per project; provided that:
 - a. No changes are made on the original approved site design review plan;
 - b. The applicant can show intent of initiating construction on the site within the extension period;
 - c. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required;
 - d. The applicant demonstrates that failure to obtain building permits and substantially begin construction within **two** years of site design approval was beyond the applicant's control.
 2. Additional Extension by Original Decision-Making Body. The original decision-making body may or may not grant a single additional one-year extension at their discretion. In no case however shall extensions combined with original approval durations exceed four years for single phased development from the original approval date.

D. Phased Development. Phasing of development may be approved with the Site Design Review application, subject to the following standards and procedures:

1. Approval Procedures and Durations.

- a. A phasing plan shall be submitted with the Site Design Review application.
- b. The Community Development Director or designee shall approve a time schedule for developing a site in phases, but in no case shall the total time period for all phases be greater than 2 years from the original date of approval for the first phase, and 2 additional years from the original date of approval for all subsequent phases without reapplying for site design review.
- c. Approval of a phased site design review proposal requires satisfaction of all of the following criteria:
 - i. The public facilities required to serve each phase are constructed in conjunction with or prior to each phase;
 - ii. The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required public improvements, in accordance with Section 4.2.4. A temporary public facility is any facility not constructed to the applicable City or district standard, subject to review by the Public Works Director or designee;
 - iii. The phased development shall not result in requiring the City or other property owners to construct public facilities that were required as part of the approved development proposal; and
 - iv. An application for phasing may be approved after Site Design Review approval as a modification to the approved plan, in accordance with the procedures for minor modifications (Chapter 4.6).

2. Extensions.

- a. The Community Development Director or designee may, upon written request by the applicant, grant a single one-year extension per project provided that:
 - i. No changes are made on the original approved site design review plan;
 - ii. The applicant can show intent of initiating construction on the site within the extension period;
 - iii. There have been no changes to the applicable Code provisions on which the approval was based. If there have been changes to the applicable Code provisions and the expired plan does not comply with those changes, then the extension shall not be granted; in this case, a new site design review shall be required;
 - iv. The applicant demonstrates that failure to obtain building permits and substantially begin construction within two years of site design approval was beyond the applicant's control.
- d. Additional Extension by Original Decision-Making Body. The original decision-making body may or may not grant a single additional one-year extension at their discretion. In no case however shall extensions combined with original approval durations exceed four years for single phased development, and six years from the original approval date for subsequent phases within a multiple-phased development.

E. Additional Approval Time Extension. Notwithstanding Sections B, C and D, above, all City Site Design Review approvals, including approvals for which the City has granted an extension of time, that were due to expire after October 01, 2009, are hereby automatically and exceptionally extended to December 31, 2011. Site Design Review approvals that were approved after October 01, 2009 shall comply with Sections B, C, and D, above. Approvals that have been

automatically extended by this regulation may apply for an additional extension of time in accordance with Sections C and D, above.

4.3.120 Approvals Process

- A. Review of Preliminary Plat. Review of a preliminary plat with 2 or 3 lots (partition) shall be processed by means of a Type II procedure, as governed by Chapter 4.1.4. Preliminary plats with more than 3 lots (subdivision) shall be processed with a Type III procedure under 4.1.500. All preliminary plats shall be reviewed using approval criteria contained in Section 4.3.140. An application for subdivision may be reviewed concurrently with an application for a Master Planned Development under Chapter 4.5.
- B. Review of Final Plat. Review of a final plat for a subdivision or partition shall be processed using the approval criteria in Section 4.3.160.
- C. Preliminary Plat Approval Period – Single Phased Development. Preliminary plat approval shall be effective for a period of two (2) years from the date of approval for single-phased land divisions. The preliminary plat shall lapse if a final plat has not been submitted within a 2-year period.
- D. Preliminary Plat Approval Period – Multi Phased Development.
1. The City may approve a time schedule for developing a subdivision in phases, but in no case shall the actual construction time period (i.e., for required public improvements, utilities, streets) for any partition or subdivision phase be greater than two years for the first phase, and up to two additional years for all subsequent phases from the original approval date without reapplying for a preliminary plat. In no case however shall approval durations exceed six years from the original approval date (including extensions) for any phase of a multiple phase development.
 2. The criteria for approving a phased land division proposal are:
 - a. Public facilities shall be constructed in conjunction with or prior to each phase;
 - b. The development and occupancy of any phase dependent on the use of temporary public facilities shall require City Council approval. Temporary facilities shall be approved only upon City receipt of bonding or other assurances to cover the cost of required permanent public improvements, in accordance with Section 4.3.180. A temporary public facility is any facility not constructed to the applicable City or district standard;
 - c. The phased development shall not result in requiring the City or a third party (e.g., owners of lots) to construct public facilities that were required as part of the approved development proposal; and
 - d. The application for phased development approval shall be reviewed concurrently with the preliminary plat application and the decision may be appealed in the same manner as the preliminary plat.
- E. Modifications and Extensions. The applicant may request changes to the approved preliminary plat or conditions of approval following the procedures and criteria provided in Chapter 4.6 - Modifications.
1. The Community Development Director or designee may, upon written request by the applicant and payment of the required fee, grant a total of one extension of the approval period not to exceed one year per project; provided that:

- a. Any changes to the preliminary plat follow the procedures in Chapter 4.6;
 - b. The applicant has submitted written intent to file a final plat within the one-year extension period;
 - c. An extension of time will not prevent the lawful development of abutting properties;
 - d. There have been no changes to the applicable Code provisions on which the approval was based. If such changes have occurred, a new preliminary plat application shall be required; and
 - e. The extension request is made before expiration of the original approved plan.
2. Additional Extension by Original Decision-Making Body. The original decision-making body may or may not grant a single additional one-year extension at their discretion. In no case however shall extensions combined with original approval durations exceed four years for single phased development from the original approval date, and six years for subsequent phases within a multiple-phased development from the original approval date.

F. Additional Approval Time Extension. Notwithstanding Sections C, D, and E, above, all City Subdivision and Partition approvals, including approvals for which the City has granted an extension of time, that were due to expire after October 01, 2009, are hereby automatically and exceptionally extended to December 31, 2011. Subdivision and Partition approvals that were approved after October 01, 2009 shall comply with Sections C, D, and E, above. Approvals that have been automatically extended by this regulation may apply for an additional extension of time in accordance with Section E, above.

4.5.140 Overlay Zone and Concept Plan Approval Criteria

The City shall make findings that all of the following criteria are satisfied when approving or approving with conditions, the overlay zone and concept plan. The City shall make findings that all of the criteria are not satisfied when denying an application:

- A. **Land Division Chapter.** All of the requirements for land divisions, as applicable, shall be met (Chapter 4.3);
- B. **Chapter 2 Land Use and Design Standards.** All of the land use and design standards contained in Chapter 2 for the Industrial Service Commercial District are met, except as modified in Section 4.5.140
- C. **Requirements for Common Open Space.** Thirty (30) percent of the total buildable site area shall be designated as Common Open and shall be privately maintained by the owner, homeowner's association, or other responsible private interest.
- D. **Time limit on filing of detailed development plan.** Within 3 years after the date of approval of the concept plan, the applicant or his or her successor shall prepare and file with the City a detailed development plan, in conformance with Section 4.5.190.
- E. **Extension.** The City shall, upon written request by the applicant and payment of the required fee, grant an extension of the approval period not to exceed one year provided that:
 - 1. No changes have been made on the original conceptual development plan as approved;
 - 2. The applicant can show intent of applying for detailed development plan review within the one year extension period;
 - 3. There have been no changes to the applicable Comprehensive Plan policies and ordinance provisions on which the approval was based; and,
 - 4. The extension request is made before expiration of the original approval period.
- F. **Additional Approval Time Extension. Notwithstanding Sections D, and E, above, all City Detailed Development Plan approvals, including approvals for which the City has granted an extension of time, that were due to expire after October 01, 2009, are hereby automatically and exceptionally extended to December 31, 2011. Detailed Development Plan approvals that were approved after October 01, 2009 shall comply with Sections D, and E, above. Approvals that have been automatically extended by this regulation may apply for an additional extension of time in accordance with Section E, above.**



CITY OF SISTERS

Exhibit B – City Council Staff Report

File #: TA09-02

Applicant/Owner: City of Sisters

Request: The proposal is a Development Code text amendment, which is a Type IV legislative action. This amendment would automatically extend the expiration date for these types of land use permits that were effective on or before October 01, 2009, to December 31, 2011. This amendment will affect the text of Sisters Development Code Sections 4.2.800, 4.3.120, and 4.5.140 to provide an extension of time for Land Division, Master Plan, and Site Design Review land use approvals. This amendment does not affect other types of land use permits or City approvals that are not land use permits.

Planner: Laura Lehman, Associate Planner

Applicable Criteria: City of Sisters Development Code: Chapter 4.0 Applications and Review Procedures, Chapter 4.1 Types of Applications and Review, Sisters Comprehensive Plan, and Oregon Statewide Planning Goals.

Hearing Date: March 25, 2010, 5:30 p.m.

Location: City of Sisters Council Chambers; City Hall, 520 E. Cascade Ave., Sisters

I. Planning Commission Recommendation

The proposal to amend the Sisters Development Code to provide extensions to previously approved Land Divisions, Master Plans, and Site Design Review applications meets all of the applicable standards of the Development Code, Sisters Comprehensive Plan, and Statewide Planning Goals. The Planning Commission adopted a resolution recommending that the City Council adopt the proposed amendment on December 17, 2009.

II. Analysis

The current economic downturn has made development funding difficult to obtain. This has led to delays in a number of approved land use projects. The Community Development Department has issued at least five extensions in 2009, and expects several applicants for extensions in the near future. In addition, one commercial project (RP08-01) has expired. The New Sisters Village Hotel (SP08-01) is due to expire in January 2010, and the Brooks Camp Townhomes project (SUB08-04) will expire in April 2010. UPDATE: Since this report was written, the New Sisters Village Hotel applicant has obtained a 1-year extension from CDD, and additional extension applications have been received from Tim Bretz, developer of 696 W Jefferson Ave (SUB07-01/MOD08-06), and Peter Hall, developer of the North Park Master Plan (MP07-02/SUB07-04).

The cities of Redmond and Portland, among others, have instituted blanket extensions to land use approvals within their jurisdictions in recognition of the real estate and overall economic downturn. The duration of the downturn is unknown, but the intent behind the blanket extensions is to give

CITY OF SISTERS
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developers additional time to complete approved development projects in hopes that economic and financing conditions will improve.

During 2009, the City of Sisters Planning Commission and City Council approved an amendment to the Development Code which provides longer approval time frames for new land use approvals. This amendment, however, does not apply to land use approvals that were processed prior to the adoption of the amendment, and very few applications have been processed since the amendment was adopted. In recognition of the need to extend previously approved land use actions, the Planning Commission held a workshop on October 01, 2009, to discuss the possibility of adopting an amendment similar to those adopted by other cities, which would automatically extend certain land use approvals. At that meeting the Planning Commission directed staff to prepare a text amendment that would provide such an extension. The Planning Commission selected the timeframe of this proposed extension as extending all relevant approvals that were valid on October 01, 2009 to December 31, 2011. Relevant approvals were identified at the workshop as Land Divisions, Site Design Review, and Master Plans.

In summary, the proposed text amendment provides an automatic extension of time to all Land Division, Site Design Review, and Master Plan approvals that were unexpired on October 01, 2009. These approvals will be automatically extended to December 31, 2011 if the proposal is adopted.

III. Conclusionary Findings

Sisters Development Code Section 4.1.120 states that a Development Code text amendment is a Type IV decision. Code section 4.1.160 provides procedure requirements and approval criteria for Type IV land use actions. Pursuant to the Sisters City Code Section 4.1.160, the City may approve or not approve a Development Code text amendment based on the following:

1. Approval of the request is consistent with the Statewide Planning Goals;

The Sisters Development Code required that all text amendments comply with the requirements of the Statewide Planning Goals. Compliance with the relevant Statewide Planning Goals is evaluated below.

Goal 1- Citizen Involvement. To develop a citizen involvement program that ensures the opportunity for citizens to be involved in all phases of the planning process.

The proposal complies with this statewide planning goal. The proposed language does not affect the provisions in the Development Code that require citizen involvement. In addition, notice was sent to the Department of Land Conservation and Development more than 45 days prior to the first evidentiary hearing, and Planning Commission and City Council public hearings will be held on this matter. The hearing before the Planning Commission on this matter was held on December 17, 2009, and notice of this public hearing was published in the Nugget Newspaper 15 days prior to the hearing date. The City Council hearing on this matter is scheduled for March 25, 2010, and notice was published in the Nugget Newspaper on March 10, also 15 days prior to the hearing.

Goal 2- Land Use Planning. To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

As stated in the Sisters Urban Area Comprehensive Plan, section 2.2, "Statewide Planning Goal 2...is the foundation for all the City's adopted planning processes." The proposed amendment is a small change to the City's adopted land use processes that is intended to help facilitate the development process during a difficult economic time by providing an automatic extension of time to certain land use approvals. This automatic extension of time will not require any action by the developer.

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Goal 9- Economic Development. To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

The proposed text amendment will automatically extend the approval duration for all Land Division, Site Design Review, and Master Plan approvals that were valid on October 01, 2009, to December 31, 2011. This amendment will likely prevent some approvals from expiring and provide opportunities to develop under those approvals. Development within the City of Sisters provides opportunities for individuals working in the development industry during the project, and may create additional opportunities for employment after construction is complete as well, depending on the type of project. At the Planning Commission workshop held October 01, 2009 and again at the hearing held December 17, 2009, the Commission indicated that they believe that the proposed amendment supports economic development efforts already underway in Sisters.

Goal 10- Housing. To provide for the housing needs of citizens of the state. Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate numbers of needed housing units at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type and density.

At least two of the approvals which will be automatically extended is for a housing project. For example, the Brooks Camp Townhomes project (SUB08-04) includes both townhomes and apartments, and will add to the variety of housing stock available in Sisters if built.

2. Approval of the request is consistent with the Comprehensive Plan;

The following provides the relevant policies of the Sisters Urban Area Comprehensive Plan and evaluates the proposal's compliance with each:

1.4 POLICIES

1. The City of Sisters shall seek out and encourage public participation in all aspects of the City planning process.

Tasks –

- a. Planning Commission and City Council meetings shall be held on a regularly scheduled basis.**
- b. Planning Commission and City Council meeting agendas shall be publicized in a manner that makes this information widely available.**

This matter has been heard before the Planning Commission and will be heard before the City Council in accordance with this policy. The agendas for Planning Commission and City Council meetings are publicized widely via email and publication, also in conformance to this policy.

2.4 POLICIES

1. The City of Sisters shall develop land use codes and ordinances that are based on an adequate factual basis as well as applicable local, state, and federal regulations.

Tasks –

- a. Codes and ordinances shall spell out responsibilities for administering and enforcing land use policies.**
- b. The City of Sisters Development Code shall be used to facilitate the development process and to implement the land use goals outlined in this Plan.**

The proposed amendment is intended to help facilitate the development process by providing an automatic extension of time to certain land use approvals. This automatic extension of time will not require any action by the developer. The Comprehensive Plan outlines policies and tasks for meeting the Statewide Planning Goals, and as previously discussed in these findings, the proposed amendment complies with the Goals and therefore will help to achieve the goals as outlined in state statute and in the Comprehensive Plan.

CITY OF SISTERS
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Title: TA09-02
Hearing Date: March 25, 2010

9.4 POLICIES

2. The City shall support the tourist industry and special events that have a positive year-round economic impact on the community.

4. The City should support efforts to attract businesses providing family-wage employment opportunities.

The proposed amendment is intended to support development of all appropriate uses that have obtained land use approval through the city. These include developments that will potentially house tourist-oriented uses or family-wage employment opportunities. The proposed text amendment complies with all relevant policies provided by the Comprehensive Plan.

3. The property and affected area is presently provided with adequate public facilities; and

The proposed text amendment does not concern a particular property or affect a specific area; therefore this criterion does not apply.

4. 4.7.600 Transportation Planning Rule Compliance.

Because the proposed text amendment does not pertain to a specific development proposal or affect a specific transportation facility, Criteria 4 does not apply to the application. Potential impacts to transportation facilities are considered for each individual application as part of the review process.

IV. Public Comments

The proposed text amendment was noticed in accordance with the requirements of Development Code Section 4.1.160; no comments on the proposal were received from members of the public.

V. Composition of the Record

The following exhibits make up the record in this matter (these are contained in file TA09-02 and are available for review at the City of Sisters City Hall):

1. Application dated December 04, 2009.

CITY OF SISTERS
PO BOX 39
SISTERS, OR 97759

ATTN: PLAN AMENDMENT SPECIALIST
DEPT. OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540



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