



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

Date: June 02, 2016
Jurisdiction: City of La Pine
Local file no.: 2016-12IF
DLCD file no.: 004-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 06/01/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

Notice of the proposed amendment was submitted to DLCD less than 35 days prior to the first evidentiary hearing.

Appeal Procedures

Eligibility to appeal this amendment is governed by ORS 197.612, ORS 197.620, and ORS 197.830. Under ORS 197.830(9), a notice of intent to appeal a land use decision to LUBA must be filed no later than 21 days after the date the decision sought to be reviewed became final. If you have questions about the date the decision became final, please contact the jurisdiction that adopted the amendment.

A 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).

If the amendment is not appealed, it will be deemed acknowledged as set forth in ORS 197.625(1)(a). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

DLCD Contact

If you have questions about this notice, please contact DLCD's Plan Amendment Specialist at 503-934-0017 or plan.amendments@state.or.us



NOTICE OF ADOPTED CHANGE TO A COMPREHENSIVE PLAN OR LAND USE REGULATION

FOR DLCD USE
File No.: 004-16 {24354}
Received: 6/1/2016

Local governments are required to send notice of an adopted change to a comprehensive plan or land use regulation **no more than 20 days after the adoption.** (See [OAR 660-018-0040](#)). The rules require that the notice include a completed copy of this form. **This notice form is not for submittal of a completed periodic review task or a plan amendment reviewed in the manner of periodic review.** Use [Form 4](#) for an adopted urban growth boundary including over 50 acres by a city with a population greater than 2,500 within the UGB or an urban growth boundary amendment over 100 acres adopted by a metropolitan service district. Use [Form 5](#) for an adopted urban reserve designation, or amendment to add over 50 acres, by a city with a population greater than 2,500 within the UGB. Use [Form 6](#) with submittal of an adopted periodic review task.

Jurisdiction: City of La Pine

Local file no.: **2016-121F**

Date of adoption: May 18, 2016

Date sent: 5/31/2016

Was Notice of a Proposed Change (Form 1) submitted to DLCD?

Yes: Date (use the date of last revision if a revised Form 1 was submitted): May 3, 2016
No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No
If yes, describe how the adoption differs from the proposal:

NO

Local contact (name and title): Tammy Wisco, City Planner

Phone: 210-896-3432

E-mail: twisco@ci.la-pine.or.us

Street address: 16345 6th Street

City: La Pine

Zip: 97739-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

Identify the sections of the plan that were added or amended and which statewide planning goals those sections implement, if any:

For a change to a comprehensive plan map:

Identify the former and new map designations and the area affected:

- | | | | |
|-------------|----|--------|--|
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |
| Change from | to | acres. | A goal exception was required for this change. |

Location of affected property (T, R, Sec., TL and address):

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

If the comprehensive plan map change is a UGB amendment including less than 50 acres and/or by a city with a population less than 2,500 in the urban area, indicate the number of acres of the former rural plan designation, by type, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

If the comprehensive plan map change is an urban reserve amendment including less than 50 acres, or establishment or amendment of an urban reserve by a city with a population less than 2,500 in the urban area, indicate the number of acres, by plan designation, included in the boundary.

Exclusive Farm Use – Acres:	Non-resource – Acres:
Forest – Acres:	Marginal Lands – Acres:
Rural Residential – Acres:	Natural Resource/Coastal/Open Space – Acres:
Rural Commercial or Industrial – Acres:	Other: – Acres:

For a change to the text of an ordinance or code:

Identify the sections of the ordinance or code that were added or amended by title and number:

Zoning Ordinance, 2012-05:
Section 8. Definitions
Section 10. Permitted Uses

For a change to a zoning map:

Identify the former and new base zone designations and the area affected:

Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:
Change from	to	Acres:

Identify additions to or removal from an overlay zone designation and the area affected:

Overlay zone designation:	Acres added:	Acres removed:
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Location of affected property (T, R, Sec., TL and address):

List affected state or federal agencies, local governments and special districts: City of La Pine

Identify supplemental information that is included because it may be useful to inform DLCD or members of the public of the effect of the actual change that has been submitted with this Notice of Adopted Change, if any. If the submittal, including supplementary materials, exceeds 100 pages, include a summary of the amendment briefly describing its purpose and requirements.

ORDINANCE NO. 2016-05

AN ORDINANCE FURTHER AMENDING ORDINANCE NO. 2012-05; REVISING CERTAIN DEFINITIONS AND USES PERMITTED IN CERTAIN ZONES; AND SUPERSEDING ALL OTHER ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

WHEREAS, the City of La Pine ("City") adopted Ordinance No. 2012-05 establishing land use zones and development regulations to govern the location of buildings, structures, and the uses of land within the City; and

WHEREAS, City adopted Ordinance Nos. 2015-03 and 2016-03 amending Ordinance No. 2012-05 (Ordinance No. 2012-05, as amended, is referred to herein as the "City of La Pine Zoning Ordinance"); and

WHEREAS, City provided appropriate notice to the Department of Land Conservation and Development and all other parties entitled to notice of certain proposed amendments to the City of La Pine Zoning Ordinance; and

WHEREAS, City's Planning Commission, after receiving public testimony, and deliberating fully on the proposed amendments, voted unanimously to recommend approval of the amendments to the La Pine City Council (the "Council") on April 26, 2016; and

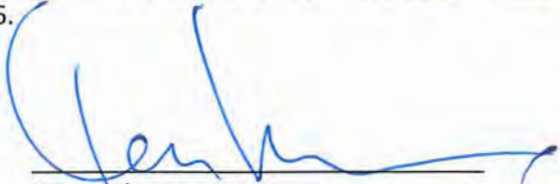
WHEREAS, a draft of this Ordinance No. 2016-05 (this "Ordinance") was available for public inspection seven days prior to the Council's May 18, 2016 meeting; and

WHEREAS, after receiving public testimony on the proposed amendments during a scheduled public hearing on May 18, 2016, the members of the Council present unanimously voted to approve the recommended amendments by adopting this Ordinance.

NOW, THEREFORE, the City of La Pine ordains as follows:

1. Findings. The above-stated findings are hereby adopted.
2. Amendments. The amendments to the City of La Pine Zoning Ordinance provided on the attached Exhibit A and incorporated herein by this reference are hereby approved and adopted. The foregoing amendments are hereby made part of the City of La Pine Zoning Ordinance. The provisions of the City of La Pine Zoning Ordinance that are not amended or modified by this Ordinance shall remain unchanged and in full force and effect. The foregoing amendments supersede any ordinance and/or resolution provisions, and/or policies in conflict with the amendments.
3. Severability; Savings; Corrections. If any section, subsection, sentence, clause, and/or portion of this Ordinance is for any reason held invalid, unenforceable, and/or unconstitutional, such invalid, unenforceable, and/or unconstitutional section, subsection, sentence, clause, and/or portion will (a) yield to a construction permitting enforcement to the maximum extent permitted by applicable law, and (b) not affect the validity, enforceability, and/or constitutionality of the remaining portion of this Ordinance. Nothing in this Ordinance affects the validity of any criminal or civil enforcement actions commenced prior to the adoption of this Ordinance; all City ordinances existing at the time that such actions were filed will remain valid and in full force and effect for purposes of those actions. This Ordinance may be corrected by order of the Council to cure editorial and/or clerical errors.

This Ordinance was PASSED and ADOPTED by the La Pine City Council by a vote of 3 for and 0 against and APPROVED by the mayor on May 18, 2016.



Ken Mullenex, Mayor

ATTEST:



Richard L. Allen, Interim City Manager

Exhibit A
Amendments to City of La Pine Zoning Ordinance

[attached]



CITY OF LA PINE
 PO BOX 2460 LA PINE, OR 97739
 541-536-1432
 INFO@CI.LA-PINE.OR.US

Mayor
 Ken Mullenex
Council Members
 Kathy Agan
 Stu Martinez
 Dennis Scott
 Karen Ward

EXHIBIT A to Ordinance No. 2016-05

Double Underlined words are words added
~~Strikethrough~~ words are words deleted

Amendment 1: Section 8. Definitions

Amend definition: “Agriculture. The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, aquaculture, and animal and poultry husbandry, provided that specialized animal raising, care, and processing is separately defined and regulated by this ordinance. Agriculture includes the necessary accessory uses for packing, treating, or storing the produce, provided that the operation of any such accessory uses shall be secondary and accessory to that of normal agricultural activities. Agriculture does not include the sale, cultivation, production, or processing of marijuana or marijuana products where such activities require registration, licensing, or other approval with or from the State.”

Insert definition: “Agriculture, Indoor. Agriculture, as defined in this code as well as the cultivation and production of marijuana plants and flowers, provided such use is contained within permanent, rigid structures designed to withstand snow and wind loads and not broadcast indoor lighting. Such structures do not include canopies, hoop houses, sheds, shipping containers, trailers and similar structures. No retail sales are permitted in association with Indoor Agriculture and this use is only permitted in the zone(s) where it is expressly authorized as a principal or conditional use.”

Amendment 2: Section 10. Permitted Uses

Section 10. Permitted Uses, Industrial Zone, amend table to:

I Industrial Zone

Principal uses

- Industrial establishments for assembly, fabrication, manufacturing, processing, packing & bottling
- Industrial research & development, computer sciences, software, and other related establishments
- Call Centers
- Wholesale and warehousing
- Storage and distribution facilities
- Sawmills
- Agricultural processing establishments
- Truck transportation and loading terminals

Personal storage units

- Government buildings & services
- Essential services
- Power and/or Energy generation facilities
- Forestry activities, including but not limited to timber harvesting

Conditional uses

- Mineral excavation
- Parks and Recreation, trails
- Indoor Agriculture



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Accessory uses to a Primary Use*

Clearly incidental & subordinate uses and where retail functions shall occupy less than 50% of the total structure area

*Accessory uses shall be constructed after or in conjunction to the construction of the property's primary use. No retail functions are permitted with Indoor Agriculture.



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STAFF RECOMMENDATION TO PLANNING COMMISSION

CASEFILE: 2016-12IF
HEARING DATE: April 26, 2016, 6:00 pm, Planning Commission
REQUEST: Type IV Legislative amendments to City of La Pine Zoning Ordinance No. 2012-05
STAFF CONTACT: Tammy Wisco, Planning Consultant, (210) 896-3432

I. INTRODUCTION

The City proposed legislative text amendments to the City of La Pine Zoning Ordinance No. 2012-05 to add a definition of indoor agriculture and insert the use as a conditional use within the industrial zone. The proposed amendments are listed in Exhibit A.

II. APPLICABLE CRITERIA

1. City of La Pine Ordinances:
 - a. La Pine Land Use Procedures Code, Section 3.0.0
2. City of La Pine Comprehensive Plan
3. Oregon Administrative Rules (OARs)
 - a. 660-015, Oregon Statewide Planning Goals

III. PROPOSED AMENDED SECTIONS

Proposed Amendments to La Pine Zoning Ordinance, 2012-05:

AMENDMENT 1: Section 8. Definitions

AMENDMENT 2: Section 10. Permitted Uses

IV. FINDINGS OF FACT

Proposed Amendments: The attached amendments are proposed to update the City of La Pine Zoning Ordinance, 2012-05, following a periodic review, as required from time to time by the comprehensive plan.

Public Notice and Comments: Public notices were posted at the La Pine City Hall, Deschutes County Library - La Pine Branch, Ace Hardware Store and on the City's website on March 31, 2016. Notice was also published in the local newspapers, *Wise Buys* and *Frontier Advertiser*, in their April 5, 2016 weekly edition. No written comments were received at the time of the staff report drafting.

V. CONCLUSIONARY FINDINGS

1. Conformance with the La Pine Land Use Procedures Code, Ordinance 2011-03

SECTION 3.0.0. LEGISLATIVE PROCEDURES

Section 3.1.0. Hearing required

Section 3.2.0. Notice

Section 3.3.0. Initiation of legislative changes

Section 3.4.0. Hearings Body

Section 3.5.0. Final decision

Section 3.1.0. Hearing required.

No legislative change shall be adopted without review by the Planning Commission and a public hearing before the City Council. Public hearings before the Planning Commission shall be set at the discretion of the Planning Director or other designated City representative, unless otherwise required by state law.

FINDING: A public hearing will be held before the Planning Commission on April 26, 2016 at 6:00 pm. If Planning Commission votes to recommend approval of the amendments to the City Council, a second public hearing before City Council will be scheduled.

Section 3.2.0. Notice

1. Notice of a legislative change shall be published in a newspaper of general circulation.

2. The notice shall state the time and place of the hearing and contain a statement describing in general detail the nature of the proposed change.

A. Posted Notice. Notice shall be posted at the discretion of the Planning Director or other duly designated City representative and where necessary to comply with ORS 203.045.

B. Individual Notice. Individual notice to property owners, as defined in Section 2.2.0 (A), shall be provided at the discretion of the Planning Director or other duly designated City representative, except as required by ORS 215.503

FINDING: Notice of the public hearings to consider the proposed zoning ordinance amendments was posted at La Pine City Hall, Deschutes County Library - La Pine Branch, Ace Hardware Store and the City's website on March 31, 2016. Notice was published in the local newspapers, *Wise Buys* and *Frontier Advertiser*, in the April 5, 2016 weekly edition. The notices stated the time and place of hearings, as well as a general description of the nature of the proposed changes.

Section 3.3.0. Initiation of legislative changes

Legislative Changes may be initiated by application of individuals upon payment of required fees as well as by the City Council or the Planning Commission with the consent of the City Council.

FINDING: The proposed text amendments were initiated by the City and are being presented to the Planning Commission for consideration.

Section 3.4.0. Hearings body

A. The following shall serve as hearing or review body for legislative changes in this order:

- 1. The Planning Commission.**
- 2. City Council.**

B. Any legislative change initiated by the City Council should be reviewed by the Planning Commission prior to action being taken by the City Council.

FINDING: A public hearing will be held before the Planning Commission on April 26, 2016 at 6pm. If the Planning Commission votes to recommend the amendments for approval by City Council, a hearing before City Council will be scheduled.

Section 3.5.0. Final decision

All legislative changes shall be adopted by ordinance.

FINDING: If approved by Planning Commission, the proposed legislative changes will be contained in an ordinance, for consideration and adoption by City Council.

2. Conformance with the La Pine Comprehensive Plan

Chapter 2, Citizen Involvement Program

This chapter identifies State rules related to citizen involvement, along with the community's purpose and intent with regard to citizen involvement. This chapter identifies issues and goals, policies and programs, it establishes roles and responsibilities, and establishes specific Citizen Advisory Committees (CACs). One of the CACs that are identified in this chapter is a Planning Commission, which the City has established for planning and land use purposes. *This application and request has been processed and reviewed in accordance with the public notification procedures that have been established in the Procedures Ordinance, and a hearing will be held before the Planning Commission on April 26, 2016. As such, the application will be reviewed by the appropriately established citizen advisory committee, in accordance with the adopted notification procedures, and will be consistent with this chapter.*

Chapter 3, Agricultural Lands

This chapter addresses agricultural lands within counties. Although La Pine is not required to plan for agricultural lands in the City, there continue to be agricultural uses in some areas within the city limits and the City's Comprehensive Plan sets out goals and policies related to agriculture. *The proposed amendments do not impact the City's ability to achieve the goals and policies within this chapter, as the proposed amendments address uses on industrial lands, not agricultural lands.*

Chapter 4, Forest Lands

Chapter 4 implements State Planning Goal 4, which defines "forest lands" and requires counties to inventory and conserve such lands. However, planning for forest lands is not required within city limits. *This chapter does not apply to the proposed amendments.*

Chapter 5, Natural Resources and Environment

This Comprehensive Plan chapter is intended to address Oregon Statewide Planning Goals 5, 6, and 7 which address natural resources, historic area, and open spaces, air water and land resources and protection from natural hazards. *The proposed amendments do not impact the City's ability to implement this chapter or Statewide Planning Goals 5, 6, and 7, as they are not related to natural resources, historic areas, open spaces, air, water and land resources protection from natural hazards.*

Chapter 6, Parks, Recreation and Open Space

This Chapter is intended to carry out Statewide Planning Goal 8, Parks, Recreation and Open Space. Recognizing that quality of life is impacted by the location and function of area parks, natural areas and open spaces, this chapter encourages cooperation between the City, the La Pine Park and Recreation District, County, State and Federal Agencies, in an effort to develop an appropriate park system for the City. *The proposed amendments do not impact the City's ability to implement this chapter or Statewide Planning Goal 8, as they are not related to parks, recreation and open space.*

Chapter 7, Public Facilities and Services

This chapter is intended to carry out Statewide Planning Goal 11. Given the current population of 1,687 (PSU 2015 Population Estimate), Goal 11 does apply to the City of La Pine. Nonetheless, this Chapter includes goals and policies directed at coordination, provider details, expansion needs, development restrictions, along with conservation practices. *The policies of this chapter do not apply directly to the proposed amendments, which are not associated with specific development. However, the proposed amendments include indoor agriculture as a conditional use, which includes this general review criterion: "That no approval be granted for any use which is or expected to be found to exceed resource or public facility carrying capacities, including but not limited to: transportation water, sewer, and utility systems." Any indoor agriculture conditional use application must demonstrate the proposal's compliance with this criterion.*

Chapter 8, Transportation

This chapter is intended to carry out Statewide Planning Goal 12. This chapter provides details of the transportation elements of La Pine, including roads, bicycle ways, pedestrian routes, and public transit. Additionally, this chapter addresses long range planning needs, air and rail, pipelines, and funding. *The majority of the policies of this section have been incorporated into the Zoning Ordinance and implementing regulations, which will be imposed upon site plan application of any indoor agriculture use. At this time, the policies of this chapter do not specifically apply to the proposed text amendments.*

Chapter 9, Economy

This Chapter is intended to carry out Statewide Planning Goal 9, Economic Development, which requires local jurisdictions to plan for and provide adequate opportunities for a variety of economic activities vital to the health, welfare and prosperity of its citizens. The overall intent is to ensure that there are adequate lands and infrastructure for new business and industry, as well as identifying any obstacles. This Chapter includes an analysis of the La Pine economy,

noting that “La Pine’s focus on economic development is a key component of its vision to be a “complete” community. *The goals of this chapter relate to strategic planning and land inventories to satisfy urban development needs of the City. While the proposed amendments do not relate specifically to these goals, the addition of indoor agriculture as a conditional use increases opportunities within the City for a variety of businesses, supporting the overall intent of the chapter.*

Chapter 10, Housing

This chapter addresses housing and Statewide Planning Goal 10 to ensure the provision of appropriate types and amounts of land within the La Pine urban growth boundary - UGB (city limits in this case) to support a range of housing types necessary to meet current and future needs. *The proposed text amendments do not affect housing as they only address a use within the industrial zone.*

Chapter 11, Energy Conservation

This chapter carries out Oregon State Planning Goal 13. This chapter identifies issues with travel, existing development patterns, and energy supply opportunities. The policies of this chapter address residential density, along with development and design desires. *The proposed text amendments do not include any development, thus the policies of this chapter do not apply to the current proposal. Some of the policies of this section may be imposed during future site plan review, as some of the policies of this chapter are implemented through adopted Zoning Ordinance provisions.*

Chapter 12, Urbanization

This chapter addresses Statewide Planning Goal 14 to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. The chapter highlights that the data shows that there is an excess of acreage available within the current city limits to accommodate the projected housing need. *The proposed text amendments do not impact the City’s ability to provide an orderly and efficient transition from rural to urban land or to manage the balance of types of land, as the proposed amendments relate to a use and do not include changes in zones or comprehensive plan designations.*

3. Conformance with the State Administrative Rules (OARs)

OAR 660-015, Statewide Planning Goals

Goal 1 - Citizen Involvement

Statewide planning Goal 1 requires that the City provide the opportunity for citizens to be involved in the planning process.

FINDING: Notice of the public hearing to consider the proposed zoning ordinance amendments was posted at La Pine City Hall, Deschutes County Library - La Pine Branch, Ace Hardware Store and on the City’s website on March 31, 2016. Notice was also published the local newspapers, *Wisebuys* and *Frontier Advertiser*, in the April 5, 2016 weekly edition. Citizens are provided the opportunity to comment on the proposed amendments at the public hearings before the Planning Commission and the City Council, or in writing in advance of the hearings.

Goal 2 - Land Use Planning

Goal 2 outlines the basic procedures of Oregon's statewide planning program. Land use decisions are to be made in accordance with a comprehensive plan, and that suitable "implementation ordinances" to put the plan's policies into effect must be adopted. It requires that plans be based on "factual information"; that local plans and ordinances be coordinated with those of other jurisdictions and agencies; and that plans be reviewed periodically and amended as needed.

FINDING: As required by Goal 2, the City has adopted criteria and procedures (zoning ordinance, land use procedures code) to evaluate and make land use decisions. Goal 2 requires periodic review and amendments to ordinances as needed and in accordance with the Comprehensive Plan. The proposed amendments meet the requirements of Goal 2 by following the appropriate procedures for amendments and by considering the goals and policies outlined in the Comprehensive Plan.

Goal 3 - Agricultural Lands

Goal 3 requires counties to inventory agricultural lands and to "preserve and maintain" them through farm zoning outside of urban growth boundaries.

FINDING: Goal 3 is not required for compliance within the Urban Growth Boundary. Additionally, the proposed amendments do not adversely impact the ability of the City to plan for agricultural transition opportunities within the City.

Goal 4 - Forest Lands

This goal defines forest lands and requires counties to inventory them and adopt policies and ordinances that will "conserve forest lands for forest uses."

FINDING: The proposed amendments are consistent with Forest Lands (Goal 4) and Goal policies, as they do not adversely impact the ability of the City to plan for the appropriate transition of Forest lands within La Pine.

Goal 5 - Open Spaces, Scenic and Historic Areas and Natural Resources

Goal 5 covers more than a dozen natural and cultural resources such as wildlife habitats and wetlands. It establishes a process for each resource to be inventoried and evaluated. If a resource or site is found to be significant, a local government has three policy choices: preserve the resource, allow proposed uses that conflict with it, or strike some sort of a balance between the resource and the uses that would conflict with it.

FINDING: The proposed amendments are consistent with Goal 5 and the Goal policies, as they do not adversely impact the ability of the City to protect the important natural resource and environmental elements within the City.

Goal 6 - Air, Water and Land Resources Quality

This goal requires local comprehensive plans and implementing measures to be consistent with state and federal regulations on matters such as groundwater pollution. All waste and process discharges from future development, when combined with such discharges from existing development shall not threaten to violate, or violate applicable state or federal environmental quality statutes, rules and standards.

FINDING: The intent of the amendments are consistent with Air, Water, and Land Resources goal policies, as indoor agriculture is proposed to be a conditional use, which requires demonstrated compliance with other state and federal regulations. The addition of indoor agriculture in the Industrial Zone as a conditional use does not relieve the applicant from compliance with the City, State or Federal air, water or land resource requirements.

Goal 7 - Natural Hazards

Goal 7 focuses on local government planning to protect people and property from natural hazards.

FINDING: The proposed amendments do not impact the City's ability to plan for natural hazards and mitigate risks.

Goal 8 - Recreational Needs

This goal calls for each community to satisfy the recreational needs of the citizens and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

FINDING: The proposed amendments do not impact the City's ability to plan for the recreational needs of the citizens and visitors.

Goal 9 - Economic Development

Goal 9 calls for diversification and improvement of the economy. It requires communities to inventory commercial and industrial lands, project future needs for such lands, and plan and zone enough land to meet those needs.

FINDING: The proposed amendments are consistent with Economic Development (Goal 9) and Goal policies by increasing and diversifying economic development opportunities through expanding allowable uses within the zoning ordinance.

Goal 10 - Housing

This goal specifies that each city must plan for and accommodate needed housing types, such as multifamily and manufactured housing. It requires each city to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types.

FINDING: The proposed amendments do not adversely impact the City's ability to provide for the housing needs of its citizens. The proposed amendments will not reduce residential inventories, as Indoor Agriculture is proposed only for the Industrial Zone.

Goal 11 - Public Facilities and Services

Goal 11 calls for efficient planning of public services such as sewers, water, law enforcement, and fire protection. The goal's central concept is that public services should to be planned in accordance with a community's needs and capacities rather than be forced to respond to development as it occurs.

FINDING: The proposed amendments do not adversely impact the City's ability to plan and develop a timely, orderly and efficient arrangement of public facilities.

Goal 12 - Transportation

The goal aims to provide "a safe, convenient and economic transportation system." It requires communities to address the needs of the "transportation disadvantaged."

FINDING: The proposed amendments do not adversely impact the City's ability to provide a safe convenient and economic transportation system. The proposed amendments are not site specific and therefore do not affect the functional classification of any street. The proposed amendments will not have measurable impacts on the amount of traffic on the existing transportation system; therefore the proposed text amendments do not cause a "significant effect" under ORS 660-012-0060. As such, compliance with Goal 12 is maintained.

Goal 13 - Energy Conservation

Goal 13 requires that "land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles."

FINDING: The proposed amendments do not adversely impact the City's ability to create an arrangement and density of land uses to encourage energy conservation. Indoor agriculture could potentially require additional energy for lighting, however, these uses should not require any form of energy, or at higher levels, than current, existing uses allowed in the Industrial Zone. As such, compliance with Goal 13 is maintained.

Goal 14 - Urbanization

This goal requires cities to estimate future growth and needs for land and then plan and zone enough land to meet those needs. It calls for each city to establish an "urban growth boundary" (UGB) to "identify and separate urbanizable land from rural land." It specifies seven factors that must be considered in drawing up a UGB. It also lists four criteria to be applied when undeveloped land within a UGB is to be converted to urban uses.

FINDING: The proposed amendments do not adversely impact the City's ability to accommodate urban populations and employment inside the urban growth boundary. The proposed amendments do not encourage sprawl or lower than targeted densities, or uncoordinated development. The management of the City's land use inventories is unaffected by the proposed amendments and therefore compliance with Goal 14 is maintained.

Goals 15-19

FINDING: These goals pertain only to areas in western Oregon and are not applicable to these amendments.

V. RECOMMENDATION and CONCLUSION

Conclusion

Based on the above findings, the proposed indoor agriculture amendments to the zoning ordinance meet the La Pine Land Use Procedures Code criteria, La Pine Comprehensive Plan goals and policies, and are consistent with applicable State land use laws.

Recommendation

Based on findings and evidence available at the time this report was prepared, staff recommends that the Planning Commission recommend the indoor agriculture proposed amendments for approval to City Council.

END of STAFF REPORT