



Oregon
Theodore R. Kulongoski, 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

08/19/2013

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 002-13

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Due to the size of amended material submitted, a complete copy has not been attached. 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: Thursday, September 05, 2013

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: Pauline Hardie, City of Sisters
Gordon Howard, DLCD Urban Planning Specialist
Karen Swirsky, DLCD Regional Representative
Thomas Hogue, DLCD Economic Development Policy Analyst
Gary Fish, DLCD Transportation Planner

<paa> Y



FORM

2

DLCD

Notice of Adoption

In person electronic mailed

DATE STAMP

DEPT OF

AUG 16 2013

LAND CONSERVATION AND DEVELOPMENT

For Office Use Only

This Form 2 must be mailed to DLCD within **20-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: **CP 13-01**

Date of Adoption: **8/8/2013**

Date Mailed: **8/14/2013**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? Yes No Date: 6/19/2013

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other: **UGB Amendment**

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

The applicant proposes to expand the City of Sisters UGB to include a 34.3-acre portion of land (and ultimately into the city limits) for the Sisters Eagle Airport property. Oregon rules require the City of Sisters to hold a hearing to adopt findings that support this UGB amendment and Comprehensive Plan map amendment to Urban Area Reserve (UAR). Page 65 of the current City of Sisters Comprehensive Plan acknowledges that the property has begun the process of being annexed into the City.

Does the Adoption differ from proposal? Yes, Please explain below:

The DLCD notice of proposed amendment was for a Comprehensive Plan amendment to UAR 10, but it should have said UAR.

Plan Map Changed from: **Rural Residential 10**

to: **Urban Area Reserve**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **15820 Barclay Drive, see attached legal**

Acres Involved: **34.3**

Specify Density: Previous: **1 unit/ 10 acre**

New: **1 unit/ 10 acre**

Applicable statewide planning goals:

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19

Was an Exception Adopted? YES NO

Did DLCD receive a Notice of Proposed Amendment...

35-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. _____

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

Army Corps, ODF&W, DSL, Deschutes County, FAA, HCD, ODA, DEQ, ODOT, OWRD, Sisters School District, Sisters Ranger District, TSID, Post Master, Deschutes National forest, US Fish & Wildlife & National Marines Fisheries.

Local Contact: **Pauline Hardie**

Phone: **(541) 323-5208** Extension:

Address: **520 E Cascade Ave, PO Box 39**

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

City: **Sisters**

Zip: **97759-**

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

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working 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 the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

AGENDA ITEM SUMMARY



CITY OF SISTERS SISTERS CITY COUNCIL

Meeting Date: August 8, 2013

Staff: Pauline Hardie

Type: Regular Meeting

Dept: Community Development

Subject: CP 13-01, Comprehensive Plan and Urban Growth Boundary (UGB) Amendment for the Sisters Eagle Airport

Action Requested: Conduct a public hearing and consider the adoption of Ordinance No. 425: AN ORDINANCE ADOPTING AN URBAN GROWTH BOUNDARY AND COMPREHENSIVE PLAN MAP AMENDMENT TO URBAN AREA RESERVE TO ADD APPROXIMATELY 34.3 ARCRES OF LAND KNOWN AS THE SISTERS EAGLE AIRPORT PROPERTY AND TO ADD THE ADJACENT EASTERN 30 FEET OF CAMP POLK ROAD

Summary:

- The applicant, Sisters Airport Property LLC and Sisters Runway, Inc., proposes to expand the City of Sisters Urban Growth Boundary (UGB) to include Tax Lots 141033D001300, 151004A001100 and 151004A000800 and the adjacent eastern 30 feet of Camp Polk Road. The applicant also proposes to amend the Comprehensive Plan to designate these properties as Urban Area Reserve (UAR). Combined the properties are approximately 34.3-acres in size and include the Sisters Eagle Airport (Airport).
- The Planning Commission held a public hearing on July 31, 2013 for the proposed Urban Growth Boundary and Comprehensive Plan amendments. The Planning Commission recommended the City Council approve Ordinance 425 based on the following factors. The findings to these factors are located in Exhibit A.
 1. Approval of the request is consistent with the Statewide Planning Goals;
 2. Approval of the request is consistent with the Comprehensive Plan; and
 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property. The applicant must demonstrate that the property and affected area shall be served with adequate public facilities, services and transportation networks to support maximum anticipated levels and densities of use allowed by the District without adversely impacting current levels of service provided to existing users; or applicant's proposal to provide concurrently with the development of the property such facilities, services and transportation networks needed to support maximum anticipated level and density of use allowed by the District without adversely impacting current levels of service provided to existing users. (Attachment B - Water and wastewater Impact Analysis)
 4. Compliance with 4.7.600, Transportation Planning Rule (TPR) Compliance. (Attachment C - Transportation Study)

5. Statewide Planning Goal 14 as required by the Department of Land Conservation and Development including analysis of the Urban Growth Boundary, Land Needs, Boundary Location and Urbanizable Lands.
6. Oregon Administrative Rule, Division 24, Urban Growth Boundaries
 - A. Section 660-024-0000, Purpose and Applicability
 - B. Section 660-024-0020, Adoption or Amendment of a UGB
 - C. Section 660-024-0030, Population Forecasts
 - D. Section 660-024-0040, Land Need
 - E. Section 660-024-0050, Land Inventory and Response to Deficiency
 - F. Section 660-024-0060, Boundary Location Alternatives Analysis
7. ORS 197.298, Priority of Land to be Included within Urban Growth Boundary

Options:

1. Approve Ordinance No. 425
2. Reject Ordinance No. 425

Attachments:

A – Ordinance No. 425: AN ORDINANCE ADOPTING AN URBAN GROWTH BOUNDARY AND COMPREHENSIVE PLAN MAP AMENDMENT TO URBAN AREA RESERVE TO ADD APPROXIMATELY 34.3 ARCRES OF LAND KNOWN AS THE SISTERS EAGLE AIRPORT PROPERTY AND TO ADD THE ADJACENT EASTERN 30 FEET OF CAMP POLK ROAD

Including:



Exhibit A - Planning Commission Resolution No. PC 2013-01 with staff report and findings

Exhibit B - UGB Amendment Legal Descriptions of Sisters Eagle Airport Project

Exhibit C - Comprehensive Plan Amendment Map Area with UAR Designation

B - Water and wastewater Impact Analysis

C – Transportation Study

Concurrence:  CM _____ F&A  CDD _____ PW

Attachment A
Ordinance No. 425

ORDINANCE NO. 425

AN ORDINANCE ADOPTING AN URBAN GROWTH BOUNDARY AND COMPREHENSIVE PLAN MAP AMENDMENT TO URBAN AREA RESERVE TO ADD APPROXIMATELY 34.3 ARCRES OF LAND KNOWN AS THE SISTERS EAGLE AIRPORT PROPERTY AND TO ADD THE ADJACENT EASTERN 30 FEET OF CAMP POLK ROAD

WHEREAS, the applicant, Sisters Airport Property LLC and Sisters Runway, Inc., proposes to expand the City of Sisters Urban Growth Boundary (UGB) to include a 34.3-acre portion of land (and ultimately into the City limits) for the Sisters Eagle Airport property. Oregon rules require the City of Sisters to hold a hearing to adopt findings that support this UGB amendment and Comprehensive Plan map amendment to Urban Area Reserve (UAR). Page 65 of the current City of Sisters Comprehensive Plan acknowledges that the property has begun the process of being annexed into the City; and,

WHEREAS the subject properties are approximately 34.3 acres in size and include Tax Lots 141033D001300, 151004A001100, 151004A000800 and also the adjacent eastern 30 feet of Camp Polk Road; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 are in compliance with Sisters Development Code Chapter 4.1 (Types of Applications and Review Procedures) and Chapter 4.7 (Land Use District Map and Text Amendments); and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 are in compliance with Goal 14 and ORS 197.298; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 are consistent with the Statewide Planning Goals 1, 2, 6, 7, 8, 9, 11, 12,13 and 14; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 are consistent with the Comprehensive Plan; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 and their affected areas are presently provided with adequate public facilities, services and transportation networks to support the uses; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 will not have a significant effect on a transportation facility in the region and so the project is in compliance with 4.7.600, Transportation Planning Rule (TPR); and,

WHEREAS, DLCD received the Notice of Proposed UGB and Comprehensive Plan Amendment 13-01 at least 35-days prior to the first evidentiary hearing; and,

WHEREAS, after due notice a public hearing was held before the City of Sisters Planning Commission on July 31,2013, at which time findings were reviewed, witnesses were heard and evidence was received and the Planning Commission recommended that the City Council adopt the UGB and Comprehensive Plan amendment to UAR; and,

WHEREAS, after due notice, a public hearing on the proposed project was held before the Sisters City Council on August 8, 2013, at which time findings were reviewed, witnesses were heard and evidence was received and the City Council found that the Urban Growth Boundary and Comprehensive Plan amendments meet 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:

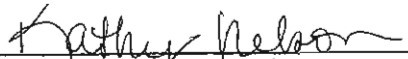
1. The Sisters Urban Growth Boundary and Comprehensive Plan are amended as provided in the attached Exhibit B and C which is incorporated into this Ordinance by reference.
2. In support of the Urban Growth Boundary and Comprehensive Plan amendment in Section One, the City Council hereby adopts the findings which are attached hereto as Exhibit A, 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 and statutes.

PASSED by the Common Council of the City of Sisters this 8th day of August 2013, and APPROVED by the Mayor of the City of Sisters.



Brad Boyd, Mayor

ATTEST:



Kathy Nelson, City Recorder

Exhibit A
Planning Commission Resolution No. PC 2013-01 with staff report and findings



**A RESOLUTION OF THE SISTERS PLANNING COMMISSION
OF THE CITY OF SISTERS, STATE OF OREGON
PLANNING COMMISSION RESOLUTION PC 2013-03**

THE SISTERS PLANNING COMMISSION DOES HEREBY FIND AND RESOLVE THAT:

WHEREAS, the applicant, Sisters Airport Property LLC and Sisters Runway, Inc., proposes to expand the City of Sisters Urban Growth Boundary (UGB) to include a 34.3-acre portion of land (and ultimately into the City limits) for the Sisters Eagle Airport property. Oregon rules require the City of Sisters to hold a hearing to adopt findings that support this UGB amendment and Comprehensive Plan map amendment to Urban Area Reserve (UAR). Page 65 of the current City of Sisters Comprehensive Plan acknowledges that the property has begun the process of being annexed into the City; and,

WHEREAS the subject properties are approximately 34.3 acres and includes Tax Lots 141033D001300, 151004A001100, 151004A000800. The UGB amendment also includes the adjacent eastern 30 feet of Camp Polk Road; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 are in compliance with Sisters Development Code Chapter 4.1 (Types of Applications and Review Procedures) and Chapter 4.7 (Land Use District Map and Text Amendments); and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 are in compliance with Goal 14 and ORS 197.298; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 are consistent with the Statewide Planning Goals 1, 2, 6, 7, 8, 9, 11, 12,13 and 14; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 are consistent with the Comprehensive Plan; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 and their affected areas are presently provided with adequate public facilities, services and transportation networks to support the uses; and,

WHEREAS, the proposed UGB and Comprehensive Plan Amendment 13-01 will not have a significant effect on a transportation facility in the region and so the project is in compliance with 4.7.600, Transportation Planning Rule (TPR); and,

WHEREAS, DLCDC received the Notice of Proposed UGB and Comprehensive Plan Amendment 13-01 at least 35-days prior to the first evidentiary hearing; and,

WHEREAS, after due notice, a public hearing on the proposed project was held before the Sisters Planning Commission at the City of Sisters Council Chambers (520 E Cascade Avenue, Sisters, 97759) on July 31, 2013 at which time findings were reviewed, witnesses were heard and evidence was received; and,

WHEREAS, at the public hearing held on July 31, 2013, the Planning Commission recommended that the City Council adopt the proposed UGB and Comprehensive Plan Amendment 13-01.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY OF SISTERS PLANNING COMMISSION FINDS THAT:

1. All required notices have been sent in the time and in the manner required by state law and city code; and,



CITY OF SISTERS
Planning Commission Resolution

APPROVED BY THE PLANNING COMMISSION ON JULY 31, 2013

2. The findings of fact in this matter are located in the staff report attached and by this reference incorporated herein as Exhibit A.

NOW THEREFORE, BE IT FURTHER RESOLVED THAT BASED ON THE FINDINGS, THE PLANNING COMMISSION HEREBY FINDS AND RECOMMENDS THAT THE CITY COUNCIL ADOPT THE UGB AND COMPREHENSIVE PLAN MAP AMENDMENT TO URBAN AREA RESERVE (UAR) (CP13-01) SUBJECT TO THE FOLLOWING EXHIBITS:

Exhibit A - Staff Report with Findings dated July 24, 2013

Exhibit B - UGB Amendment Legal Descriptions of Sisters Eagle Airport Project

Exhibit C - Comprehensive Plan Amendment Map Area with UAR Designation

THE FOREGOING RESOLUTION IS HEREBY ADOPTED THIS 31ST DAY OF JULY 2013.

AYES: Holzman, Roberts, Gentry, Skelton and Wright

(5)

NOES: None

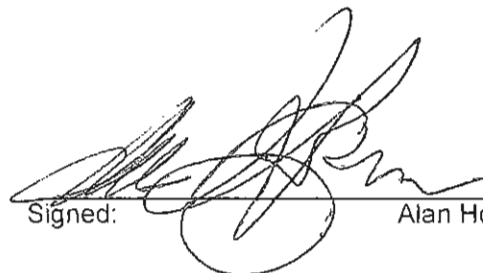
(0)

ABSENT: Layne and Tewart

(2)

ABSTAIN: None

(0)

Signed:  7/31/13
Alan Holzman, Chairman



CITY OF SISTERS
Planning Commission Resolution

APPROVED BY THE PLANNING COMMISSION ON JULY 31, 2013

Exhibit A

Staff Report with Findings dated July 24, 2013



STAFF REPORT

Exhibit A

File #: CP 13-01, Comprehensive Plan and Urban Growth Boundary (UGB) Amendment

Applicant: Sisters Airport Property LLC and Sisters Runway, Inc.

Request: The applicant proposes to expand the City of Sisters Urban Growth Boundary (UGB) to include a 34.3-acre portion of land (and ultimately into the City limits) for the Sisters Eagle Airport property. Oregon rules require the City of Sisters to hold a hearing to adopt findings that support this UGB amendment and Comprehensive Plan map amendment to Urban Area Reserve (UAR). Page 65 of the current City of Sisters Comprehensive Plan acknowledges that the property has began the process of being annexed into the City.

Hearing Date: July 31, 2013, 5:30 pm, Sisters City Council Chambers, 520 E. Cascade Avenue, Sisters, Oregon

Location: The Airport is approximately 34.3 acres and includes Tax Lots 141033D001300, 151004A001100, 151004A000800. The UGB amendment also includes the adjacent eastern 30 feet of Camp Polk Road.

Planner: Pauline Hardie

I. Staff Recommendation

Planning Commission recommendation to City Council to adopt the proposed Urban Growth Boundary (UGB) and Comprehensive Plan map amendment to Urban Area Reserve (UAR).

II. Applicant and Property Description

The applicant and property owners for this application are Sisters Airport Property LLC and Sisters Runway, Inc. Julie Benson is the President of Sisters Runway, Inc. and Energyneering Solutions, Inc. is the Manager of Sisters Airport Property, LLC. According to records filed with the Secretary of State, Benny Benson is the President of Energyneering Solutions, Inc. and Julie Benson is the Secretary. Energyneering Solutions, Inc. is an Oregon corporation with its corporate headquarters located at Sisters Eagle Airport. As a pilot with a complementary business, Mr. and Mrs. Benson are personally invested in planning a safe and functional airport.

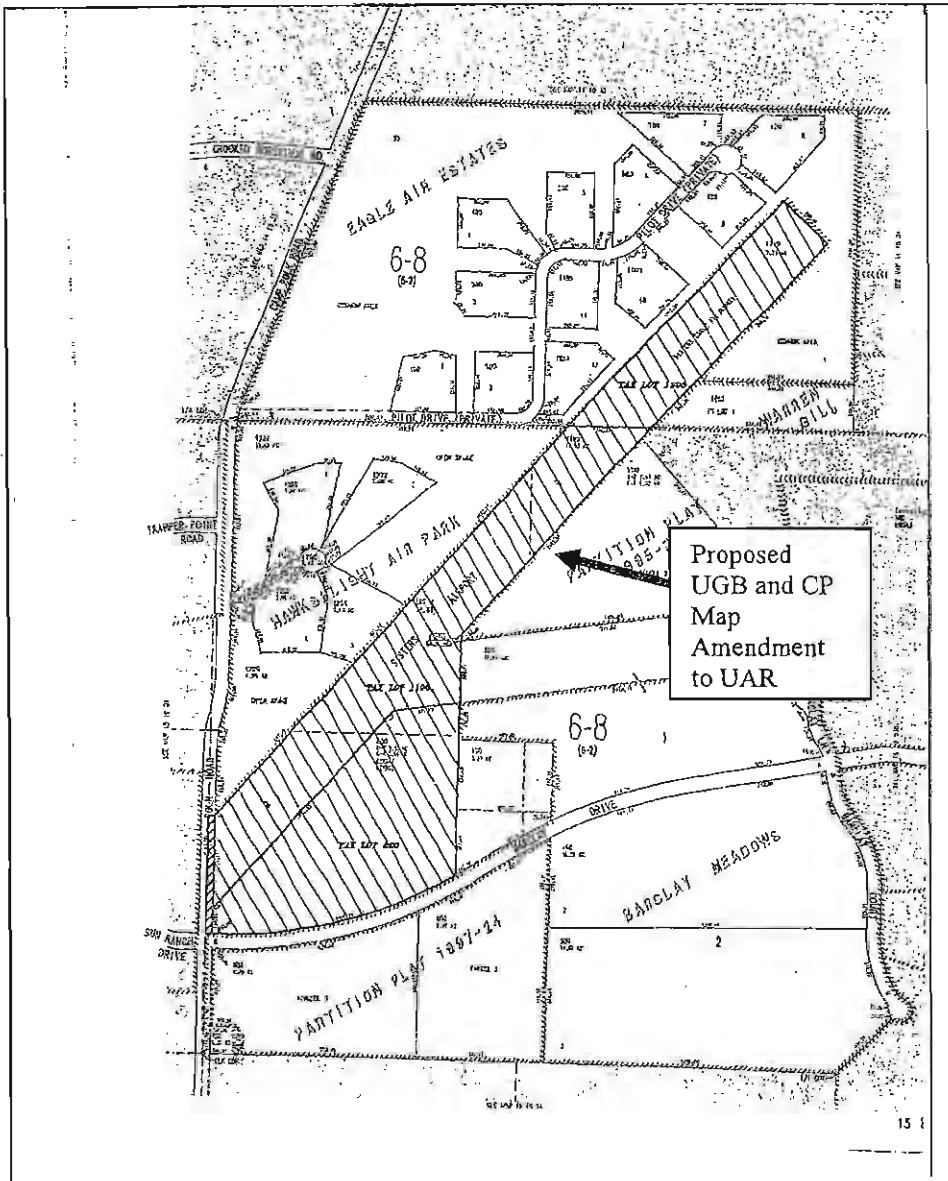
The Airport is approximately 34.3 acres that include Tax Lots 141033D001300, 151004A001100, 151004A000800 and the adjacent eastern 30 feet of Camp Polk Road.

CITY OF SISTERS
Recommendation to the Planning Commission

Title: UGB & CP13-01
Report Date: July 24, 2013
Hearing Date: July 31, 2013

The property is located north of Barclay Drive and east of Camp Polk Road, and consists of Sisters Airport and Business Park. The subject property is generally level, fenced and vegetated with grass and scattered pines in the northern portion of the property. The Business Park includes Energyneering Solutions, Inc., an engineering and manufacturing firm specializing in renewable energy development and engaged in biomass energy reclamation.

The surrounding land uses include scattered rural residences to the north, south and east; and light industrial development within the City limits of Sisters, to the west. Camp Polk Road, running north/south abuts the property on the west and forms the boundary between the City of Sisters and rural Deschutes County.



CITY OF SISTERS
Recommendation to the Planning Commission

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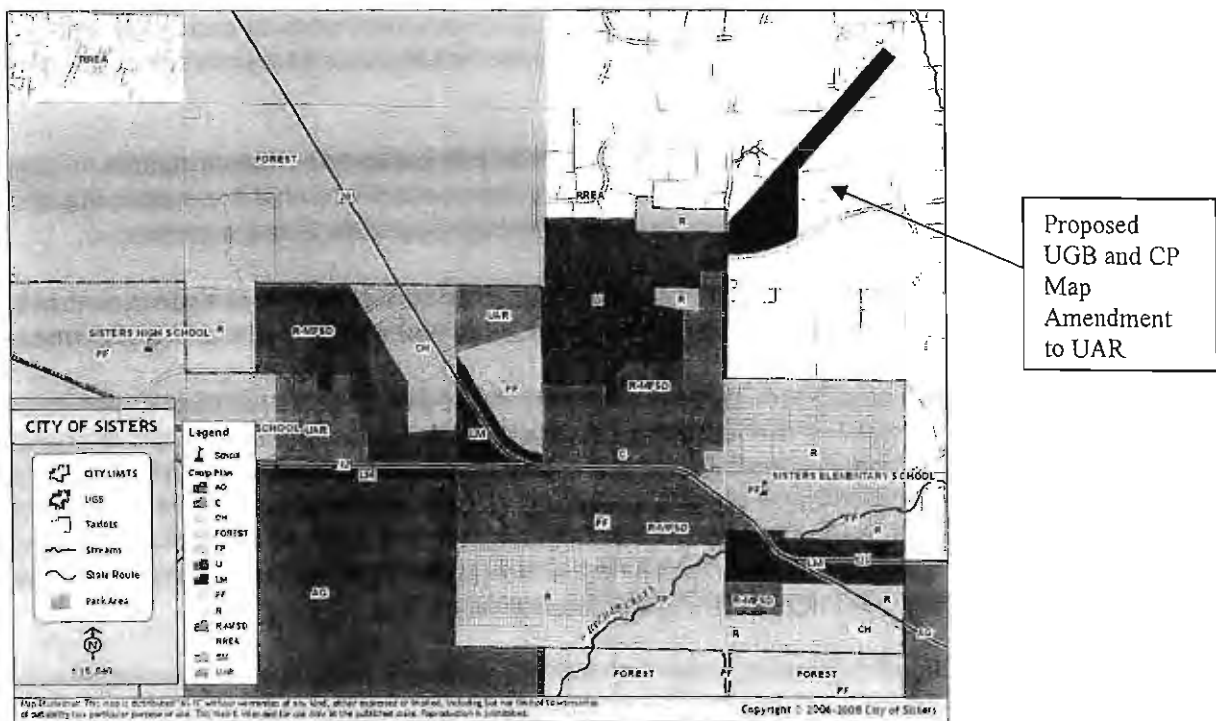
III. Project Request

The applicant is ultimately proposing to annex the Sisters Eagle Airport into City limits. Annexing the Airport to the City involves several steps. The first step requires the citizens of Sisters to pass a ballot measure which authorizes the Sisters City Council to consider the annexation. This measure was placed on the November 2012 General Election ballot, titled Measure 9-87 Authorizes Annexation of 34.3 acres to the City of Sisters. Measure 9-87 passed by 84.8%, evidencing broad support for annexing the Airport to the City.

The applicant is now proposing the next step which requires approval of the UGB and Comprehensive Plan map amendment by the City of Sisters, Deschutes County and the Department of Land Conservation and Development. Once the UGB amendment is completed and the Comprehensive Plans identify the property as UAR, the annexation can be approved by the Sisters City Council.

The applicant has submitted their application to Deschutes County requesting an amendment to their Comprehensive Plan to (1) release the subject property from the County and include it inside the Sisters UGB and (2) change the Comprehensive Plan designation of the subject property from Rural Residential Exception Area to Urban Reserve. The applicant also requests approval to rezone the Sisters Airport from RR-10 to UAR – 10.

The Applicant desires status as a permitted use in order to better serve the City of Sisters by making improvements to the nearest public use airport adjacent to the City. It is proposed that following approval of the UGB and Comprehensive Plan amendments by the City, County and DLCD, that the property would be annexed and rezoned to an appropriate airport district.



CITY OF SISTERS
Recommendation to the Planning Commission

Title: UGB & CP13-01
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IV. Background

The Sisters Eagle Airport is outside the City of Sisters in Deschutes County and zoned Rural Residential 10 acre minimum, which categorizes airports as a non-conforming use. Recent Land Use History from Deschutes County includes the following:

- **SP-74-33:** Site plan approval for a 7,400 square foot hangar/shop.
- **SP-75-4:** Site plan approval for a hangar.
- **AD-91-2:** A determination that a remodel of the building authorized under SP-74-33 did not constitute an alteration of a nonconforming use. This decision also documents the nonconforming use of the property for a construction-related business.
- **NCU-12-4/SP-12-16:** Approval to expand a nonconforming use and site plan approval for a modular office building.

V. Conclusionary Findings

Chapter 4.1 Types of Reviews and Procedures

Amending the UGB and Comprehensive Plan map are a Type IV Legislative action because the final decision needs to be made by the City Council. Notice of the July 31, 2013 Planning Commission public hearing was published in the Nugget newspaper on July 10, 2013. In addition, staff mailed noticed to surrounding property owners within 250 feet of the subject tax lots, all affected agencies and recognized neighborhood groups and/or associations affected by the proposed amendments on July 11, 2013 and staff also posted the property on July 11, 2013. Staff also noticed DLCD on June 19, 2013.

4.1.600.E. Decision-Making Considerations. The recommendation by the Planning Commission and the decision by the City Council shall be based on consideration of the following factors:

- 1. Approval of the request is consistent with the Statewide Planning Goals.** The proposed UGB and Comprehensive Plan amendments are consistent with the applicable Statewide Planning Goals as discussed below, and only the applicable Goals are listed.

a. 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.

Applicant has complied with Goal 1 by informing the public and providing opportunities for the public to be involved in the planning process. The Applicant presented the annexation at the Sisters City Council meeting and at the Sisters Planning Commission public meeting. Prior to the November 2012 general election, the City posted notice in the Nugget that the annexation would be on the ballot. Shortly thereafter, the citizens of the Sisters voted to annex the Airport by popular vote during the November 2012 general election. This was the first step in moving forward with the UGB amendment.

Sisters Development Code Section 4.1.600(B) requires a minimum of two hearings for a Type IV procedure. Since the UGB and Comprehensive Plan map amendment are

CITY OF SISTERS
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Title: UGB & CP13-01
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categorized as a Type IV procedure there will be two additional hearings: one before the Planning Commission and one before the City Council. In addition, the Community Development Director will provide notice of the hearings as required by the Sisters Development Code. Staff sent notices to Army Corps Engineers, Oregon Department of Fish and Wildlife, Department of State Lands, Deschutes County, Federal Aviation Administration, High Country Disposal, Oregon Department of Aviation, Department of Environmental Quality, Oregon Department of Transportation (ODOT), Oregon Department Water Resources, Sisters School District, Sisters Ranger District, Three Sisters Irrigation District, Post Master, Deschutes National Forest, US Fish & Wildlife & National Marines Fisheries. In addition, notices were sent to the neighborhood associations and/or representatives including Steve Harris (Hawks Flight), Jack McGilvary (Barclay Meadows), Shane Lundgren (Sun Ranch) and Mike Morgan (Eagle Air Estates) and neighboring properties within 250 feet of the project site. Because the City has ensured the opportunity for citizens to be involved in all phases of the planning process, the project has complied with Goal 1.

b. 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.

The City of Sisters has adopted code provisions for these actions. These have been acknowledged. The applicant has submitted the application requirements in accordance with these Code provisions and therefore, the Applicant has complied with Goal 2.

c. Goal 3 Agricultural Lands: To preserve and maintain agricultural lands.

This criterion is not applicable because there are no designated agricultural lands on the subject property.

d. Goal 4 Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

This criterion is not applicable because there are no designated forest lands on the subject property.

e. Goal 5 Open Space, Scenic and Historic Areas, natural Resources: To protect natural resources and conserve scenic and historic areas and open spaces.

According to the Sisters Comprehensive Plan and the Deschutes County Goal 5 Inventory, there are no Goal 5 resources located on or near the Airport. Sisters Comprehensive Plan, pages 32 –37. Therefore, this goal is not applicable to this proposal.

CITY OF SISTERS
Recommendation to the Planning Commission

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f. Goal 6 Air, Water, Land Resource Quality: To maintain and improve the quality of the air, water and land resources of the City.

There are several reasons to amend the UGB and Comprehensive Plan map to allow for annexing the Airport into the City that protect Goal 6 resources. One reason to annex the Airport is to provide and improve upon an alternative means of transportation for visitors and residents to travel to Sisters. By providing an alternative to vehicular transportation, there may be a reduction in demand on resources and vehicle traffic thereby helping to maintain and improve air quality in Sisters. A full service community is more sustainable and does not require its citizens to make unnecessary or longer distance trips than necessary. These amendments are consistent with Goal 6 because they are part of the land use process necessary to annex the Airport into the City.

g. Goal 7 Natural Disasters and Hazards: To protect people and property from natural hazards.

Another reason to amend the UGB and Comprehensive Plan map is to allow for the future annexation of the Airport. Annexing the airport will provide a location and resource for firefighting operations in the region as a permitted use. In addition to firefighting, the Airport meets the terms of Goal 7 by providing a site that will aid in protecting people and property from other natural disasters and hazards that threaten the City including: floods in Whychus Creek, earthquakes, and volcanic activities and the spread of diseases from insects. Sisters Comprehensive Plan, page 42. The Airport could be used for fire suppression, evacuation, or for aerial spraying to prevent the spread of diseases from insects. Thus, the amendments are consistent with Goal 7 because they are part of the land use process necessary to annex the Airport into the City and protects Goal 7 resources.

h. Goal 8 Recreational Needs: To satisfy the recreational needs of the citizens of the City and visitors, and, where appropriate, to provide for the siting of necessary recreational facilities.

The Airport provides a location and service in order to meet Goal 8 recreational needs. The Airport is a resource for pilots, passengers and tourists to enjoy flying in Central Oregon. In addition to flight access, the Airport serves as a portal for visitors participating in non-flight recreation such as events like the Sisters Rodeo and the Sisters Outdoor Quilt Show, skiing, hiking and fishing. Therefore, these amendments are consistent with Goal 8 because they are part of the land use process necessary to annex the Airport into the City and provide continued Goal 8 recreation needs.

i. Goal 9 Economic Development: To provide adequate opportunities for a variety of economic activities vital to the health, welfare, and prosperity of the City's citizens.

The amendments are necessary to implement Goal 9 because they serve a role in annexing the property into City limits which will provide for the continued vitality of the Airport. Once the UGB and Comprehensive Plan map amendments are approved by DLCD, the property can be annexed into the City and rezoned to an appropriate airport zone. As a permitted use in the new zone within City limits, the Airport and associated businesses will be able to develop and provide living wage jobs to members of the community.

CITY OF SISTERS
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In addition to on-site development, the Airport provides access for businesses within the community who may benefit from air service. This application is consistent with Goal 9 because it increases and provides a variety of economic opportunities for the City's citizens.

j. Goal 10 Housing: To provide for the housing needs of citizens of the state.

The Sisters Eagle Airport does not intend to provide permanent housing for citizens, thus this criteria is not applicable. The City of Sisters has adequate lands available for housing needs and these are located appropriately for said use.

k. Goal 11 Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

Once the property is annexed into the City, the Airport will connect to City water and sewer. According to a Water and Wastewater Impact Analysis prepared by Tim Weishaupt with Sun Country Engineering there is adequate water and waste water capacity to support the existing airport. At the time of future development review (Master Plan) staff will review and condition additional improvements if needed.

According to a transportation study submitted by Kettelson & Associates, Inc, the City of Sisters has planned well for growth in this area of the City. The City's Transportation System Plan contemplated increased traffic at the north leg of the Barclay/Locust intersection (including both northbound and southbound trips), increasing from 400 vehicles to 1,030 vehicles, equivalent to approximately 4 percent annual growth. This assumption accounts for growth within the Sun Ranch area and the Airport. As these levels of growth have already been assumed, the impacts associated with the proposal have already been planned and accounted for within the City's long-term plans.

This request complies with Goal 11 Public Facilities and Services because public facilities including water, wastewater and streets are in place.

l. Goal 12 Transportation: To provide and encourage a safe, convenient and economic transportation system.

The Airport will provide and encourage a safe, convenient and economic transportation system because air service offers an efficient method of delivery for time sensitive material. The Airport may also offer flight instruction, which will provide and encourage safe air travel. The UGB and Comprehensive Plan map amendments are consistent with Goal 12 Transportation. Further discussion addressing the Transportation Planning Rule is discussed below.

m. Goal 13 Energy Conservation: To conserve energy.

The Airport is a transportation mode that is a complement to the community and provides choices for Sisters. By having a full complement of transportation choices the community

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conserves energy because more choices are available close-by rather than forcing citizens to travel to other communities and waste energy in doing so. Also, an associated business at the Airport is Energyneering Solutions Inc (ESI). ESI is a design and build engineering business that specializes in bio-gas and renewable energy development. Through the UGB and Comprehensive Plan map amendments and annexation the property can ultimately be rezoned to an airport district and ESI can become a permitted use. As a permitted use ESI will be a conforming use which will enable ESI to develop renewable energy, thereby conserving energy in compliance with Goal 13. Thus because one of the associated businesses at the Airport is directly engaged in developing ways to conserve energy, amending the UGB and Comprehensive Plan map to include the Airport is consistent with Goal 13, energy conservation.

n. Goal 14 Urbanization: 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 Airport is compliant with Goal 14 because the inclusion of the Airport into the City provides an orderly and efficient transition from rural to urban land use of the airport and businesses located on site. The existing Airport is approximately one and a half miles from downtown Sisters, which due to the short distance provides efficient access to the Airport from the city center. The UGB and Comprehensive Plan map amendments allow the Airport to support the community and business of Sisters inside the UGB, thereby ensuring the efficient use of land. This UGB and Comprehensive Plan map amendments are being processed in order to comply with the requirements of Goal 14.

Urban Growth Boundaries

Urban growth boundaries shall be established and maintained by cities, counties and regional governments to provide land for urban development needs and to identify and separate urban and urbanizable land from rural land. Establishment and change of urban growth boundaries shall be a cooperative process among cities, counties and, where applicable, regional governments. An urban growth boundary and amendments to the boundary shall be adopted by all cities within the boundary and by the county or counties within which the boundary is located, consistent with intergovernmental agreements, except for the Metro regional urban growth boundary established pursuant to ORS chapter 268, which shall be adopted or amended by the Metropolitan Service District.

The above criteria requires cities to establish and maintain a UGB to provide land for urban development needs. Expanding the Sisters UGB to include the Sisters Airport is compliant with this criteria because the Airport is an urban use, thus expanding the Sisters UGB to provide land for urban development needs helps the City comply with this criteria. The Applicant is compliant with this criteria because the Applicant has coordinated with and submitted applications to both the City and County. In addition, the Applicant has followed the procedure in the applicable Intergovernmental Agreement.

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Land Need

Establishment and change of urban growth boundaries shall be based on the following:

- 1. Demonstrated need to accommodate long range urban population, consistent with a 20-year population forecast coordinated with affected local governments; and**
- 2. Demonstrated need for housing, employment opportunities, livability or uses such as public facilities, streets and roads, schools, parks or open space, or any combination of the need categories in this subsection (2).**

In determining need, local government may specify characteristics, such as parcel size, topography or proximity, necessary for land to be suitable for an identified need.

Prior to expanding an urban growth boundary, local governments shall demonstrate that needs cannot reasonably be accommodated on land already inside the urban growth boundary.

The City has adopted a coordinated population projections as detailed in County Ordinance 2004-012. Based upon these projections, the City identified the need to accommodate an urban population and provide opportunities for employment for 3,747 residents expected by 2025.

The City of Sisters also has a Commercial and Industrial Land Needs Analysis ("Analysis"), prepared February 2, 2003. The Land Needs Analysis inventories current land and projects commercial and industrial land needs through the year 2025. While the Analysis provides a snapshot of current and future commercial and industrial land needs for the City of Sisters, it is not entirely applicable to the Airport because the Airport is a public facility and public facilities are generally not considered a part of a commercial and industrial land needs analysis. See OAR 660-011-0000, which requires a public facilities plan for public facilities and OAR 660-011-0005(7)(d)(F) which identifies airport facilities as a public facility system. The rules regulating public facilities are found in OAR Chapter 660 Division 11 Public Facilities Planning, meanwhile the rules regarding inventories for commercial and industrial land needs are contained in OAR Chapter 660 Division 9 Economic Development. Division 9 does not identify airports as a part of commercial or industrial land needs in contrast to Division 11. Furthermore, as a public facility the Airport is not considered employment land but provides services and amenities that are critical to an urban community. The Sisters Airport will complement job creation and local economic activity.

This section in Goal 14 requires demonstration that the need for an Airport cannot reasonably be accommodated on land already inside the UGB. As mentioned above, since the Airport is a public facility it is exempt from this criteria, however, the Applicant provides the following alternative land availability analysis in the interest of completeness. In this case, the need cannot reasonably be accommodated because the Airport requires a large amount of space due to the protected imaginary surfaces

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surrounding the Airport and the need for a long flat runway. Overlay maps of the imaginary surfaces are attached as Attachment C and by this reference incorporated herein. Specifically, an airport requires approximately three-quarters of a mile of flat, open space with restricted development due to the protected imaginary surfaces zones. The Airport runway is 3,550 feet and the Runway Protection Zone (an imaginary surface) extends for 200 feet beyond each end of the runway, for a total length of 3,950 feet (three-quarters of a mile is 3,960 feet).

The City of Sisters Zoning map, as published on the City's website depicts two UAR Zones and one UAR-10 Zone, attached as Attachment D. None of these sites meet the location and development criteria needed for an airport and therefore land outside the existing UGB must be considered. The sites are not reasonable alternatives for the following reasons:

- The zoning of the UAR does not permit airports according to the Sisters Development Code Chapter 2.9.
- The UAR land along McKinney Butte is the location of several churches which are incompatible with an airport due to the prohibition on places of public assembly of 50 or more people within the first 1,500 feet of the Approach Safety Zone. Sisters Development Code 2.11.500(1).
- The UAR land along Barclay Drive is located near the City's sewage treatment plant and an airport would not be allowed because it is an incompatible adjacent use.
- Although depicted on the map as UAR-10, this site was recently rezoned to Multi-Family Residential (MFR) and is no longer an available UAR zone.

Because there is not adequate space within the UGB which can meet the location and development criteria for an airport, the need cannot be reasonably accommodated on land already inside the UGB and it is appropriate to expand the City UGB to include the existing Airport.

Boundary Location

The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197.298 and with consideration of the following factors:

1. Efficient accommodation of identified land needs;

Expanding the UGB to include the Airport is an efficient accommodation of identified land needs because it will allow the community to use an existing resource that has been developed historically adjacent to the City and is approved by the Oregon Department of Aviation (ODA). As described above there is no other available location to develop an airport within the UGB. It is more efficient to use an already developed airport rather than develop a redundant airport to meet the community's needs. Also, there is adequate infrastructure for water and sewer connectivity for the existing airport. Annexing the airport will permit the City to capture their investment cost in this already developed infrastructure.

2. Orderly and economic provision of public facilities and services;

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Once the property is annexed into the City, the Airport will connect to city water and sewer. According to a Water and Wastewater Impact Analysis prepared by Tim Weishaupt with Sun Country Engineering there is adequate water and waste water capacity to support the existing airport. At the time of future development review (Master Plan) staff will review and condition additional improvements if needed.

According to a transportation study submitted by Kettelson & Associates, Inc, the City of Sisters has planned well for growth in this area of the City. The City's Transportation System Plan contemplated increased traffic at the north leg of the Barclay/Locust intersection (including both northbound and southbound trips), increasing from 400 vehicles to 1,030 vehicles, equivalent to approximately 4 percent annual growth. This assumption accounts for growth within the Sun Ranch area and the Airport. As these levels of growth have already been assumed, the site rezone impacts have already been planned and accounted for within the City's long-term plans.

This request complies with Goal 11 Public Facilities and Services because public facilities including water, wastewater and streets are in place.

3. Comparative environmental, energy, economic and social consequences; and

The environmental, energy, economic and social consequences are summarized below:

Environmental: As explained in Goal 5, there are no identified Goal 5 resources on the subject property. The property also does not contain any significant natural features such as wetlands, waterways or rimrock. There are some trees at the north end of the runway, however the ODA has allowed them to remain because they provide a wind block, thereby balancing wind and clearance safety concerns of the Airport.

Energy: The subject property is not known to contain energy resources such as known deposits of oil or natural gas, or geothermal resources. The Airport is adjacent to existing transportation facilities and encourages alternative modes of transportation such as bicycles and electric vehicles.

Economic: Expanding the UGB and ultimately annexing the Airport into the City provides a distinct economic advantage because the Airport provides greater access to the City, thereby promoting economic development within the City. Once the Airport is a permitted use it is anticipated that construction of additional hangars and a business park will commence (via additional land use and building permits), which will provide additional jobs. The business park also houses a growing engineering firm which provides living wage jobs for members of the community.

Social: The Statewide Planning Goals define "social consequences" as:

The tangible and intangible effects upon people and their relationships with the community in which they live resulting from a particular action or decision.

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A tangible effect from the proposed UGB and Comprehensive Plan map amendment would be the future improvements to be made at the Airport including new facilities, additional hangars and landscaping which provide needed social benefits to the City. The use of the Airport is not precluded regardless of whether it is in or out of the UGB and it is likely that many citizens regard the Airport as a part of Sisters already. An intangible benefit of expanding the UGB is that it will then officially be a part of the City which will conform to the likely held belief and expectation of many of the citizens, and give City government control over expansion and use changes in the future.

4. Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

The Airport is compatible with area farming and forest activities. For example, if there are forest fires nearby, the Airport can serve as an emergency access point for helicopters. The Airport may also be beneficial for farms if pilots need an airport for farm services such as aerial spraying. There have been no negative effects identified in relation to farming or forest activities in the region.

Urbanizable Land

Land within urban growth boundaries shall be considered available for urban development consistent with plans for the provision of urban facilities and services. Comprehensive plans and implementing measures shall manage the use and division of urbanizable land to maintain its potential for planned urban development until appropriate public facilities and services are available or planned.

As discussed under Goal 11 the subject property can be efficiently served by all necessary public facilities and services.

- **Unincorporated Communities**
- **Single-Family Dwellings in Exception Area**
- **Rural Industrial Development**
- **Guidelines**

The four criteria above are not applicable because the Airport is not located within an unincorporated community, no single-family dwellings are proposed, and no rural industrial development is proposed. The Applicant is requesting a site-specific UGB expansion, therefore the Guidelines section does not apply to this application.

In summary, the Airport is compliant with Goal 14 because the inclusion of the Airport into the City provides an orderly and efficient transition from rural to urban land use of the airport and businesses located on site. The Airport is approximately one and a half miles from downtown Sisters, which due to the short distance provides efficient access to the Airport from the City center. As a public facility the Airport will help meet transportation and urban development needs. Once annexed, the Airport will be located within the Sisters UGB, which will also serve the public need for employment and business inside the UGB by

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supporting commercial and industrial lands thereby ensuring the efficient use of land. The UGB and Comprehensive Plan map amendments are part of the process, which is compliant with Goal 14 Urbanization.

Oregon Administrative Rule, Division 24, Urban Growth Boundaries

A. Section 660-024-0000, Purpose and Applicability

1. The rules in this division clarify procedures and requirements of Goal 14 regarding a local government adoption or amendment of an urban growth boundary (UGB).
3. The rules in this division adopted on October 5, 2006, are effective April 5, 2007. The rules in this division amended on March 20, 2008, are effective April 18, 2008. The rules in this division adopted March 13, 2009, and amendments to rules in this division adopted on that date, are effective April 16, 2009, except as follows:
 - a. A local government may choose to not apply this division to a plan amendment concerning the evaluation or amendment of a UGB, regardless of the date of that amendment, if the local government initiated the evaluation or amendment of the UGB prior to April 5, 2007.

These rules became effective April 5, 2007. This application for a proposed UGB amendment was submitted in May 2013, therefore these rules apply.

B. Section 660-024-0020, Adoption or Amendment of a UGB

1. All statewide goals and related administrative rules are applicable when establishing or amending a UGB, except as follows:
 - a. The exceptions process in Goal 2 and OAR chapter 660, division 4, is not applicable unless a local government chooses to take an exception to a particular goal requirement, for example, as provided in OAR 660-004-0010(1);

This rule is not applicable to the proposed UGB expansion because the Applicant is not seeking a goal exception.
 - b. Goals 3 and 4 are not applicable;

Based on this paragraph Goals 3 and 4 are not applicable.
 - c. Goal 5 and related rules under OAR chapter 660, division 23, apply only in areas added to the UGB, except as required under OAR 660-023-0070 and 660-023-0250;

As discussed under Goal 5 there are no Goal 5 resources on the subject property and the UGB expansion will not affect any Goal 5 resources.

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- d. The transportation planning rule requirements under OAR 660-012-0060 need not be applied to a UGB amendment if the land added to the UGB is zoned as urbanizable land, either by retaining the zoning that was assigned prior to inclusion in the boundary or by assigning interim zoning that does not allow development that would generate more vehicle trips than development allowed by the zoning assigned prior to inclusion in the boundary;**

The transportation planning rule requirements under OAR 660-012-0060 do not need to be applied to this UGB amendment because the land being added to the UGB will be zoned as urbanizable land. The Applicant has requested the land be rezoned to UAR-10 by Deschutes County as an interim zoning and does not request development that will generate more vehicle trips than was allowed under the RR-10 Zone. Following approval of these amendments and ultimate annexation it is proposed that the Airport will be rezoned to an airport district. Although for the aforementioned reasons the transportation planning rule is not applicable to this proposed UGB amendment, a traffic analysis has been completed and is discussed in this staff report.

- e. Goal 15 is not applicable to land added to the UGB unless the land is within the Willamette River Greenway Boundary;**
- f. Goals 16 to 18 are not applicable to land added to the UGB unless the land is within a coastal shorelands boundary;**
- g. Goal 19 is not applicable to a UGB amendment.**

The above Goals are not applicable to this UGB amendment because the land is not within the Willamette River Greenway boundary or within a coastal shorelands boundary.

- 2. The UGB and amendments to the UGB must be shown on the city and county plan and zone maps at a scale sufficient to determine which particular lots or parcels are included in the UGB. Where a UGB does not follow lot or parcel lines, the map must provide sufficient information to determine the precise UGB location.**

This criterion requires the UGB amendment be identified on a map at a scale sufficient to determine which lots will be included in the UGB. This criterion is satisfied because the Applicant has included detailed maps at a scale sufficient to determine which lots are being proposed to inclusion in the UGB. One can readily determine from the map that the Tax Lots include 141033D001300, 151004A001100, 151004A000800 and the adjacent eastern 30 feet of Camp Polk Road. The total area is approximately 34.3 acres and is located north of Barclay Drive and east of Camp Polk Road. Detailed maps are attached in this report as well as in the Resolution.

C. Section 660-024-0030, Population Forecasts

- 1. Counties must adopt and maintain a coordinated 20-year population forecast for the county and for each urban area within the county consistent with statutory**

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requirements for such forecasts under ORS 195.025 and 195.036. Cities must adopt a 20-year population forecast for the urban area consistent with the coordinated county forecast, except that a metropolitan service district must adopt and maintain a 20-year population forecast for the area within its jurisdiction. In adopting the coordinated forecast, local governments must follow applicable procedures and requirements in ORS 197.610 to 197.650 and must provide notice to all other local governments in the county. The adopted forecast must be included in the comprehensive plan or in a document referenced by the plan.

It is generally understood that the adoption and maintenance of a coordinated 20-year population forecast as required by this paragraph does not relate to site-specific expansions. However, the County has adopted a coordinated population forecast through 2025 on September 8, 2004 (County Ordinance No. 2004-12).

D. Section 660-024-0040, Land Need

1. The UGB must be based on the adopted 20-year population forecast for the urban area described in OAR 660-024-0030, and must provide for needed housing, employment and other urban uses such as public facilities, streets and roads, schools, parks and open space over the 20-year planning period consistent with the land need requirements of Goal 14 and this rule. The 20-year need determinations are estimates which, although based on the best available information and methodologies, should not be held to an unreasonably high level of precision. Local governments in Crook, Deschutes or Jefferson Counties may determine the need for Regional Large-Lot Industrial Land by following the provisions of OAR 660-024-0045 for areas subject to that rule.

This rule contemplates legislative UGB amendments, however, Subsection 3 of this section authorizes applications for need-specific UGB expansions, such as this one.

2. If the UGB analysis or amendment is conducted as part of a periodic review work program, the 20-year planning period must commence on the date initially scheduled for completion of the appropriate work task. If the UGB analysis or amendment is conducted as a post-acknowledgement plan amendment under ORS 197.610 to 197.625, the 20-year planning period must commence either:
 - a. On the date initially scheduled for final adoption of the amendment specified by the local government in this initial notice of the amendment required by OAR 660-018-0020; or
 - b. If more recent than the date determined in subsection (a), at the beginning of the 20-year period specified in the coordinated population forecast for the urban area adopted by the city and county pursuant to OAR 660-024-0030, unless ORS 197.296 requires a different date for local governments subject to that statute.

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This criterion has been held not to apply to site-specific amendments that are not as a part of a period work review program. (See Bend-La Pine Schools Miller Elementary, PA-07-5 and Unitarian Universalist Fellowship of Central Oregon, PA-12-6.) Based upon these holdings the Applicant does not believe this criterion applies to this UGB amendment.

- 3. A local government may review and amend the UGB in consideration of one category of land need (for example, housing need) without a simultaneous review and amendment in consideration of other categories of land need (for example, employment need).**

The Applicant requests a site and need specific UGB amendment pursuant to this subsection for the specific purpose of expanding the UGB to bring in the existing Airport.

- 4. The determination of the 20-year residential land needs for an urban area must be consistent with the adopted 20-year coordinated population forecast for the urban area, and with the requirements for determining housing needs in Goals 10 and 14, OAR chapter 660, division 7 or 8, and applicable provisions of ORS 197.295 to 197.314 and 197.475 to 197.490.**

This criterion does not apply because the proposed UGB expansion is not for the purpose of meeting residential land needs.

- 5. Except for a metropolitan service district described in ORS 197.015(3), the determination of 20-year employment land need for an urban area must comply with applicable requirements of Goal 9 and OAR, chapter 660, division 9, and must include a determination of the need for a short-term supply of land for employment uses consistent with 660-009-0025. Employment land need may be based on an estimate of job growth over the planning period; local government must provide a reasonable justification for the job growth estimate but Goal 14 does not require that job growth estimates necessarily be proportional to population growth. Local governments in Crook, Deschutes or Jefferson Counties may determine the need for Regional Large-Lot Industrial Land by following the provisions of 660-024-0045 for areas subject to that rule.**

The primary purpose of the proposed UGB and Comprehensive Plan map amendments are to allow for future annexation and rezoning of the Airport property to an airport district zone which will allow the Airport to make improvements and operate as a permitted urban use. Because the proposed UGB and Comprehensive Plan map amendments are not for the primary purpose of meeting employment land needs, this criterion is not applicable.

- 7. The determination of the 20-year land needs for transportation and public facilities for an urban area must comply with applicable requirements of Goals 11 and 12, rules in OAR chapter 660, divisions 11 and 12, and public facilities requirements in ORS 197.712 and 197.768. The determination of school facility needs must also**

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comply with 195.110 and 197.296 for local governments specified in those statutes.

The Applicant has demonstrated compliance with Goals 11 and 12 above and has demonstrated that there are adequate public facilities to serve the Airport. ORS 197.712 and 197.768 require an analysis of general public facilities including sewer and water to be included in City and County Comprehensive Plans, this is a requirement that the City and County must comply with, not the Applicant.

E. Section 660-024-0050, Land Inventory and Response to Deficiency

- 1. When evaluating or amending a UGB, a local government must inventory land inside the UGB to determine whether there is adequate development capacity to accommodate 20-year needs determined in OAR 660-024-0040. For residential land, the buildable land inventory must include vacant and redevelopable land, and be conducted in accordance with OAR 660-007-0045 or 660-008-0010, whichever is applicable, and ORS 197.296 for local governments subject to that statute. For employment land, the inventory must include suitable vacant and developed land designated for industrial or other employment use, and must be conducted in accordance with OAR 660-009-0015.**

The primary need identified and evaluated in this UGB amendment is the need for land which will accommodate an airport. Currently there are no lands within the UGB which will accommodate an airport, thus expanding the UGB to include the existing and already developed Airport will best serve the 20-year needs of the community.

- 6. When land is added to the UGB, the local government must assign appropriate urban plan designations to the added land, consistent with the need determination. The local government must also apply appropriate zoning to the added land consistent with the plan designation or may maintain the land as urbanizable land until the land is rezoned for the planned urban uses, either by retaining the zoning that was assigned prior to inclusion in the boundary, or by applying other interim zoning that maintains the land's potential for planned urban development. The requirements of ORS 197.296 regarding planning and zoning also apply when local governments specified in that statute add land to the UGB.**

It is proposed that following annexation the City will rezone the Airport to an airport district zone and will change the Comprehensive Plan designation to an airport zone as well. Because the City currently does not have an airport district zone in the Comprehensive Plan or Code, as part of the annexation process, the Applicant applied for a Comprehensive Plan and Code Text Amendment and proposed an airport district zone. The Applicant has since received comments from the City regarding the proposed airport zone and has provided a revised draft to the City on July 11, 2013.

F. Section 660-024-0060, Boundary Location Alternatives Analysis

- 1. When considering a UGB amendment, a local government must determine which land to add by evaluating alternative boundary locations. This determination must**

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be consistent with the priority of land specified in ORS 197.298 and the boundary location factors of Goal 14, as follows:

- a. Beginning with the highest priority of land available, a local government must determine which land in that priority is suitable to accommodate the need deficiency determined under OAR 660-0024-0050.**
- b. If the amount of suitable land in the first priority category exceeds the amount necessary to satisfy the need deficiency, a local government must apply the location factors of Goal 14 to choose which land in that priority to include in the UGB.**

As discussed in Goal 14, there are no adequate first priority lands that will accommodate an airport within the UGB. Therefore, it is appropriate to amend the UGB to include the subject property since it is designated by the County Comprehensive Plan as Rural Residential Exception land, is second priority land. Because there are no adequate first priority lands, expanding the UGB to include second priority land is consistent with the above criteria.

- 2. Notwithstanding OAR 660-024-0050(4) and subsection (1)(c) of this rule, except during periodic review or other legislative review of the UGB, a local government may approve an application under ORS 197.610 to 197.625 for a UGB amendment proposing to add an amount of land less than necessary to satisfy the land need deficiency determined under OAR 660-024-0050(4), provided the amendment complies with all other applicable requirements.**

This section authorizes a local government to approve an application for a specific piece of property UGB amendment for an amount less than necessary in order to satisfy a specific need as proposed by the Applicant.

- 3. The boundary location factors of Goal 14 are not independent criteria. When the factors are applied to compare alternative boundary locations and to determine the UGB location, a local government must show that all the factors were considered and balanced.**

The Applicant has addressed alternative boundary locations under Goal 14 and demonstrated that amending the UGB to include the subject property is compliant with all the factors of Goal 14.

- 4. In determining alternative land for evaluation under ORS 197.298, "land adjacent to the UGB" is not limited to those lots or parcels that abut the UGB, but also includes land in the vicinity of the UGB that has a reasonable potential to satisfy the identified need deficiency.**
- 5. If a local government has specified characteristics such as parcel size, topography, or proximity that are necessary for land to be suitable for an identified need, the local government may limit its consideration to land that has**

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the specified characteristics when it conducts the boundary location alternatives analysis and applies ORS 197.298.

The subject property abuts the UGB and has the most potential to satisfy the need for an airport because the land has already been developed as an airport. Because the subject property meets the size and development requirements, it is preferable to all the other sites reviewed. The property is the highest priority land available under ORS 197.298. It is close to existing municipal public facilities and services such as water, sewer and transportation, all of which have been shown to have adequate capacity to accommodate the existing Airport and are extendable at minimal cost. Further, the subject property is already approved by the ODA.

- 6. The adopted findings for UGB adoption or amendment must describe or map all of the alternative areas evaluated in the boundary location alternatives analysis. If the analysis involves more than one parcel or area within a particular priority category in ORS 197.298 for which circumstances are the same, these parcels or areas may be considered and evaluated as a single group.**

The Airport site requirements and the City of Sisters map showing the alternative areas evaluated are attached as Attachment D. Because the Applicant has provided a map and description of the alternative sites, the Applicant is compliant with this criteria.

- 7. For purposes of Goal 14, Boundary Location Factor 2, “public facilities and services” means water, sanitary sewer, storm water management, and transportation facilities.**

The Applicant has established that there are adequate public facilities and services for the subject property under Goal 11 above.

- 8. The Goal 14 boundary location determination requires evaluation and comparison of the relative costs, advantages and disadvantages of alternative UGB expansion areas with respect to the provision of public facilities and services needed to urbanize alternative boundary locations. This evaluation and comparison must be conducted in coordination with service providers, including the Oregon Department of Transportation with regard to impacts on the state transportation system. “Coordination” includes timely notice to service providers and the consideration of evaluation methodologies recommended by service providers. The evaluation and comparison must include:**
 - a. The impacts to existing water, sanitary sewer, storm water and transportation facilities that serve nearby areas already inside the UGB;**
 - b. The capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB; and**
 - c. The need for new transportation facilities, such as highways and other roadways, interchanges, arterials and collectors, additional travel lanes, other**

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major improvements on existing roadways and, for urban areas of 25,000 or more, the provision of public transit service.

The impacts to and capacity of existing facilities have been documented in the Traffic Impact Study and the Water and Wastewater Impact Analysis discussed under Goal 11 above and throughout this report. The Applicant has demonstrated that there is adequate capacity and infrastructure to handle the impact of expanding the UGB to include the Airport.

For the aforementioned reasons, the Applicant has demonstrated that the proposed UGB expansion is compliant with all applicable administrative rule provisions.

IV. ORS 197.298, Priority of Land to be Included within Urban Growth Boundary

- 1. In addition to any requirements established by rule addressing urbanization, land may not be included within an urban growth boundary except under the following priorities:**
 - a. First priority is land that is designated urban reserve land under ORS 195.145, rule or metropolitan service district action plan.**
 - b. If land under paragraph (a) of this subsection is inadequate to accommodate the amount of land needed, second priority is land adjacent to an urban growth boundary that is identified in an acknowledged comprehensive plan as an exception area or nonresource land. Second priority may include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland as described in ORS 215.710.**

Currently there is no first priority land that is adequate to accommodate the amount of land and configuration needed. As discussed above the urban reserve land within the City is not large enough to accommodate an airport. Pursuant to ORS 197.298(b) when first priority land is inadequate, then second priority land is to be included within the UGB. Second priority includes land adjacent to an urban growth boundary that is an exception area or nonresource land. The Airport is adjacent to the UGB and is currently designated by the Comprehensive Plan as Rural Residential Exception land. Because the first priority land is inadequate and the subject property qualifies as second priority land, it is appropriate to expand the UGB to include the second priority land.

o. Goals 15, 16, 17, 18, and 19 Willamette River Greenway, Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources.

Goals 15, 16, 17, and 19 concern resources that are not present within the area affected by this proposal (Willamette River Greenway, Estuarine Resources, Coastal Shorelands, Beaches and Dunes, and Ocean Resources), nor are they listed in the Sisters Comprehensive Plan.

- 2. Approval of the request is consistent with the Comprehensive Plan.** The proposed

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UGB and Comprehensive Plan map amendments are consistent with the Comprehensive Plan Goals as discussed below, and only the applicable sections are listed.

Part I
Introduction

The 2005 Sisters Comprehensive Plan is intended to be an adaptable, living document. The following findings demonstrate that the proposed UGB and Comprehensive Plan map amendments comply with and implement many of the Plan's existing findings and policies.

Part II
Citizen Involvement

As provided under a previous finding addressing compliance with Statewide Planning Goal 1, the applicant has complied with Goal 1 by informing the public and providing opportunities for the public to be involved in the planning process.

The Applicant presented the annexation at the Sisters City Council meeting and at the Sisters Planning Commission public meeting. Prior to the November 2012 general election, the City posted notice in the Nugget that the annexation would be on the ballot. Shortly thereafter, the citizens of Sisters voted to annex the Airport by popular vote during the November 2012 general election. This was the first step in moving forward with the UGB amendment.

Part III
General Goals and Objectives

Part III General Goals and Objectives of the Comprehensive Plan discusses that as part of the update in 2005, the Sisters Urban Area Advisory Committee added a transportation goal to determine future needs and requirements for airport facilities. This shows support for the Airport dated back to 2005.

Part V
Comprehensive Plan Goals, Findings, & Policies

The City of Sisters Comprehensive Plan Part V: Comprehensive Plan Goals and Policies mirrors the Statewide Planning Goals. The proposed UGB and Comprehensive Plan map amendments comply with the Statewide Planning Goals as previously discussed and therefore it also complies with the City's Comprehensive Plan.

Goal 7: Natural Disasters and Hazards has a finding that states "emergency evacuation service is provided to the area by Airline located in Bend. There is currently a heliport pad available at the Sisters Eagle Air Airport." Over the years the airport has provided essential services that serve this area. Amending the UGB and ultimately annexing this property into City limits will allow the airport to improve upon these services because it will be a conforming use.

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Goal 9: Economic Development recognizes and finds that the existing airport, Sisters Eagle Airfield, does have an impact on the development of industrial uses, as the Runway Protection Zone overlays a portion of a few lots in the industrial area. The Runway Protection Zone precludes uses including structures and water features. However, the airfield also creates opportunities by enabling corporate aircraft to use the facility as well as encouraging aviation-related businesses. An Airport Overlay District has been adopted in conformance with the Land Conservation and Development Commission Transportation Planning Rule. It also states that the owner of the Sisters Eagle Airfield has begun the process of annexing the Airport.

In addition, the section Business Recruitment and Outreach Activities of Goal 9 identifies that the Airport provides convenient small engine aircraft service to two light-industrial subdivisions in the northern portion of the City (Sun Ranch and Three Sisters Business Parks).

Amending the UGB and ultimately annexing this property into City limits will allow the Airport to make much needed improvements to the site. These improvements will provide more amenities that could attract businesses to the area.

Goal 12: Transportation has a finding that states Section 660-12-045(2) of the TPR requires that jurisdictions protect future operation of transportation corridors. In addition, the proposed function of a future roadway and other transportation facilities such as airports must be protected from incompatible land uses. Including the Airport within City limits provides the City more opportunities to protect the Airport from incompatible uses.

- 3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property. The applicant must demonstrate that the property and affected area shall be served with adequate public facilities, services and transportation networks to support maximum anticipated levels and densities of use allowed by the District without adversely impacting current levels of service provided to existing users; or applicant's proposal to provide concurrently with the development of the property such facilities, services and transportation networks needed to support maximum anticipated level and density of use allowed by the District without adversely impacting current levels of service provided to existing users.**

Currently the applicant has adequate facilities to support the use at the Airport, however once annexed the Airport will connect to city water and sewer. Sufficient supplies are available as documented by statement of Tim Weishaupt, Sun Country Engineering. This documents that there will be adequate sewer and water capacity to support the use at the Airport once annexed according to the applicant's engineers. The same holds true for transportation. The applicant's transportation engineer has shown that the current network of facilities is adequate to support the Airport and its uses.

- 4. Compliance with 4.7.600, Transportation Planning Rule (TPR) Compliance**

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The proposed UGB and Comprehensive Plan amendments comply with the TPR as documented in specific responses below.

SDC Section 4.7.600 Transportation Planning Rule Compliance

A. When a development application includes a proposed comprehensive plan amendment or land use district change, the proposal shall be reviewed by the City to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060. Significant means the proposal would:

- 1. Change the functional classification of an existing or planned transportation facility. This would occur, for example, when a proposal is projected to cause future traffic to exceed the capacity of "collector" street classification, requiring a change in the classification to an "arterial" street, as identified by the Transportation System Plan; or**
- 2. Change the standards implementing a functional classification system; or**
- 3. Allow types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or**
- 4. The effect of the proposal would reduce the performance standards of a public utility or facility below the minimum acceptable level identified in the Transportation System Plan.**

This is an application for a UGB and Comprehensive Plan map amendment. Therefore, the Comprehensive Plan Amendment must comply Section 4.7.600. The amendment would add the Airport to the City of Sisters under an airport district zone. The Applicant has retained Kittelson and Associates, professional transportation engineers, to conduct a Traffic Impact Study. The result of the traffic analysis shows that amending the Comprehensive Plan to include the Airport would not: 1) change the functional classification of an existing or planned transportation facility, 2) change the standards implementing a functional classification system, 3) allow types or levels of land use that would result in levels of travel that are inconsistent with the functional classification of a transportation facility, or 4) reduce the performance standards of a public utility or facility below the minimum acceptable level identified in the Transportation System Plan. Because the UGB and Comprehensive Plan map amendments will not have any of the listed effects on the transportation system the amendments will not have a "significant effect" on a transportation facility in the region, and so complies with this standard.

B. Amendments to the Comprehensive Plan and land use standards which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and level of service of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

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- 1. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or**
- 2. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or**
- 3. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes of transportation.**

Because this proposed UGB and Comprehensive Plan map amendments does not significantly affect a transportation facility these requirements do not apply to the application. The proposed amendments have been routed to ODOT and they didn't have any comments (Email received June 19, 2013).

Chapter 4.7 Land Use District Map and Text Amendments

4.7.100 Purpose

The purpose of this Chapter is to provide standards and procedures for legislative and quasi-judicial amendments to this Code and the Land Use District map. These amendments will be referred to as "map and text amendments." Amendments may be necessary from time to time to reflect changing community conditions, needs and desires, to correct mistakes, or to address changes in the law.

Chapter 4.7 is applicable to this application for the UGB and Comprehensive Plan map amendments because the purpose of Chapter 4.7, per Section 4.7.100, is to provide standards and procedures for amendments to the Sisters Development Code and the Land Use District map. Through this application, the applicant seeks to amend the Comprehensive Plan to recognize the addition of the airport property to the City of Sisters as UAR. The UGB and Comprehensive Plan map amendments are the first steps in the process to ultimately annex the land and rezone the property to Airport District.

4.7.200 Legislative Amendments

Legislative amendments are policy decisions made by City Council. They are reviewed using the Type IV procedure in Chapter 4.1, Section 600 and shall conform to Section 4.7.600 as applicable.

According to Table 4.1.200 in the Development Code, a Comprehensive Plan amendment is processed as Type IV procedure. Because this is an application for a UGB and Comprehensive Plan map amendments pursuant to Table 4.1.200, this application should be processed as a Type IV procedure because the City Council has to make the decision on the applications. The findings above address the approval criteria for 4.1.600 Type IV Procedures. Section 4.7.600 is discussed in detail above.

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Oregon Revised Statutes (ORS)

1. **ORS 836.600 – 836.630, Local Government Airport Regulation ORS 836.600 Policy. In recognition of the importance of the network of airports to the economy of the state and the safety and recreation of its citizens, the policy of the State of Oregon is to encourage and support the continued operation and vitality of Oregon's airports. Such encouragement and support extends to all commercial and recreational uses and activities described in ORS 836.616(2).**

Amending the UGB and Comprehensive Plan map is the first step to ultimately allow the Airport to be annexed into the City limits and it also allows the City to create an appropriate zone for the Airport. This is consistent with the policy of the State statute because it is the policy of the State to recognize the importance of airports and to support the continued operation and vitality of Oregon's airports. Thus, the Applicant is compliant with the State's policy and this standard.

ORS 836.608 Airport operation as matter of state concern; local planning documents to recognize airport location; limitations on use; expansion of facility. (1) The continued operation and vitality of airports registered, licensed or otherwise recognized by the Department of Transportation on December 31, 1994, is a matter of state concern.

The Applicant may apply to amend the City's UGB amendment and Comprehensive Plan to create to ultimately annex the airport into City limits. Once annexed into City limits, the property will be zoned to an airport district that will recognize the location and use of the Airport, the limitations on use and the expansion of the Airport, in compliance with ORS 836.608.

(7) A local government may adopt standards and requirements for the establishment of new airports, the expansion of existing airports and the regulation of uses and activities at airports serving as the base for two or fewer aircraft on December 31, 1994, as shown in the records of the Department of Transportation. The standards and requirements shall comply with applicable statewide land use planning laws.

Amending the UGB and Comprehensive Plan map is the first step to ultimately allow the airport to be annexed into the City limits and it also allows the City to create an appropriate zone for the airport. ORS 836.608(7) permits local governments to adopt standards and requirements for the expansion of existing airports and the regulation of uses at airports serving as the base for two or fewer aircraft on December 31, 1994. The Sisters Eagle Airport was the base for two or fewer aircraft on December 31, 1994, as shown in the records of the Department of Transportation. Because the Airport was the base for two or fewer aircraft on December 31, 1994 the City of Sisters may adopt the proposed Airport District pursuant to this statute. The adoption of the airport district will be in conformance with the state statute because it will establish standards for the expansion of existing uses and regulate current uses and activities.

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Oregon Administrative Rules, Chapter 660

1. **Division 12, Transportation Planning Rule (TPR)**
 - a. **OAR 660-12-060, Plan and Land Use Regulation Amendments**

The Sisters Development Code requires compliance with the Transportation Planning Rule in Section 4.7.600. This section is substantially similar to OAR 660-12-060. Applicant has demonstrated compliance with the TPR in the response to the TPR requirement under Criteria and Standards Section 4.7.600.

2. **Division 13, Airport Planning**
 - a. **OAR 660-013-0010 Purpose and Policy**

(1) This division implements ORS 836.600 through 836.630 and Statewide Planning Goal 12 (Transportation). The policy of the State of Oregon is to encourage and support the continued operation and vitality of Oregon's airports. These rules are intended to promote a convenient and economic system of airports in the state and for land use planning to reduce risks to aircraft operations and nearby land uses.

(2) Ensuring the vitality and continued operation of Oregon's system of airports is linked to the vitality of the local economy where the airports are located. This division recognizes the interdependence between transportation systems and the communities on which they depend.

The UGB and Comprehensive Plan map amendments are consistent with the purpose and policy of OAR Division 13, Airport Planning because the amendments ensure the vitality and continued operation of Sisters Eagle Airport.

- b. **OAR 660-013-0160 Applicability**

This division applies as follows:

(2) Amendments to plan and land use regulations may be accomplished through plan amendment requirements of ORS 197.610 to 197.625 in advance of period review where such amendments include coordination with and adoption by all local governments with responsibility for areas of the airport subject to the requirements of this division.

The UGB and Comprehensive Plan map amendments are compliant with OAR 660-013-0160(2) because they are being accomplished in accordance with the plan amendment requirements of ORS 197.610 to 197.625.

(3) Compliance with the requirements of this division shall be deemed to satisfy the requirements of Statewide Planning Goal 12 (Transportation) and OAR 660, division 12 related to Airport Planning.

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The proposed UGB and Comprehensive Plan map amendments include applicable Division 13 requirements, thus these amendments are deemed to satisfy the requirements of Goal 12 Transportation and OAR 660, Division 12.

(5) Notwithstanding the provisions of OAR 660-013-0140 amendments to acknowledged comprehensive plans and land use regulations, including map amendments and zone changes, require full compliance with the provisions of this division, except where the requirements of the new regulation or designation are the same as the requirements they replace.

////////////////////////////////////END OF FINDINGS////////////////////////////////////

VI. Public Comments

The City received comments from DLCD, ODOT, ODA and Deschutes County.

Karen Swirsky with DLCD requested additional information pertaining to Goal 14 and ORS 197.298. On July 16, 2013, the applicant submitted the requested material and staff forwarded it onto DLCD for their review. Swirsky emailed staff on July 24, 2013 and stated "I've received the supplemental Burden of Proof addressing Goal 14 and ORS 197.298. The application appears to be complete and meet the requirements of the statute and rule. Thanks!"

On June 19, 2013, Jim Bryant with ODOT stated that they didn't have any comments.

On May 29, 2013, Planner Kevin Harrison from Deschutes County submitted this comment. "Pauline: Thank you for the opportunity to comment on the proposal from Sisters Airport Property LLC and Sisters Runways, Inc. to annex their property at 15820 Barclay Drive to the City of Sisters. According to the Joint Management Agreement between the City and the County, dated November 12, 1998, city annexations shall only occur within the officially adopted Urban Growth Boundary (See: Section 11(A)(1)). Since the property is not now located within the UGB, the County has the authority to review and process any application to amend the UGB (See: Section 5(B)). Moreover, state law applies to the amendment of an established UGB (See: Goal 14 and OAR 660-004-0010). Therefore, the applicant's property should be included within the UGB before annexation occurs."

On July 25, 2013 Jeff Caines sent an email and stated that they have no comments on the proposed amendments.

No other comments were received during the comment period.

VII. Exhibits

The following exhibits make up the record in this matter (these are contained in file CP 13-01 and are available for review at the City of Sisters City Hall):

1. Application with fee dated May 13, 2013

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2. Burden of Proof
3. Supplement Burden of Proof (emailed July 16, 2013)
4. ODOT email dated June 19, 2013
5. Karen Swirsky email dated July 15, 2013
6. Karen Swirsky email dated July 24, 2013
7. Kevin Harrison email dated May 29, 2013
8. Jeff Caines email dated July 25, 2013
9. Legal Description of Sisters Eagle Airport Project Site
10. Maps of Sisters Overlay Zones
11. Traffic Impact Study
12. Water and Wastewater Impact Analysis
13. Illustration of Annexation Area
14. Department of Transportation Records
15. Deschutes County and City of Sisters Joint Management Agreement
16. Coordinated Population Forecast, Ordinance No. 2004-012
17. City of Sisters Commercial and Industrial Land Needs Analysis

VIII. Attachments

- A. Exhibit B of Resolution - UGB Amendment Legal Descriptions of Sisters Eagle Airport Project
- B. Exhibit C of Resolution - Comprehensive Plan Amendment Map Area with UAR Designation
- C. Overlay Map
- D. UAR Zones

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Attachment C
Overlay Map

Page 4 of 4
Exhibit D

City of Sisters Airport Overlay Zone Map

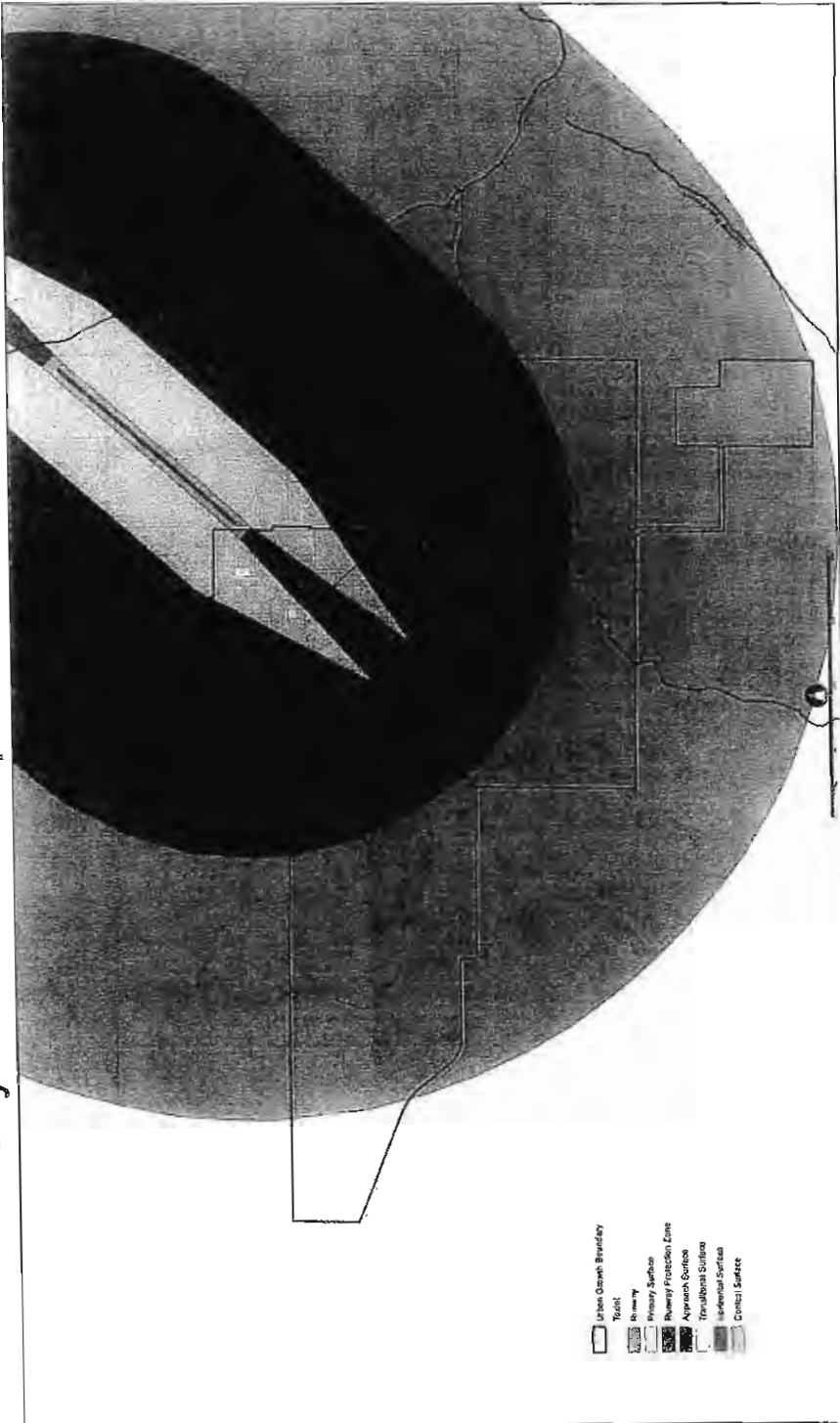
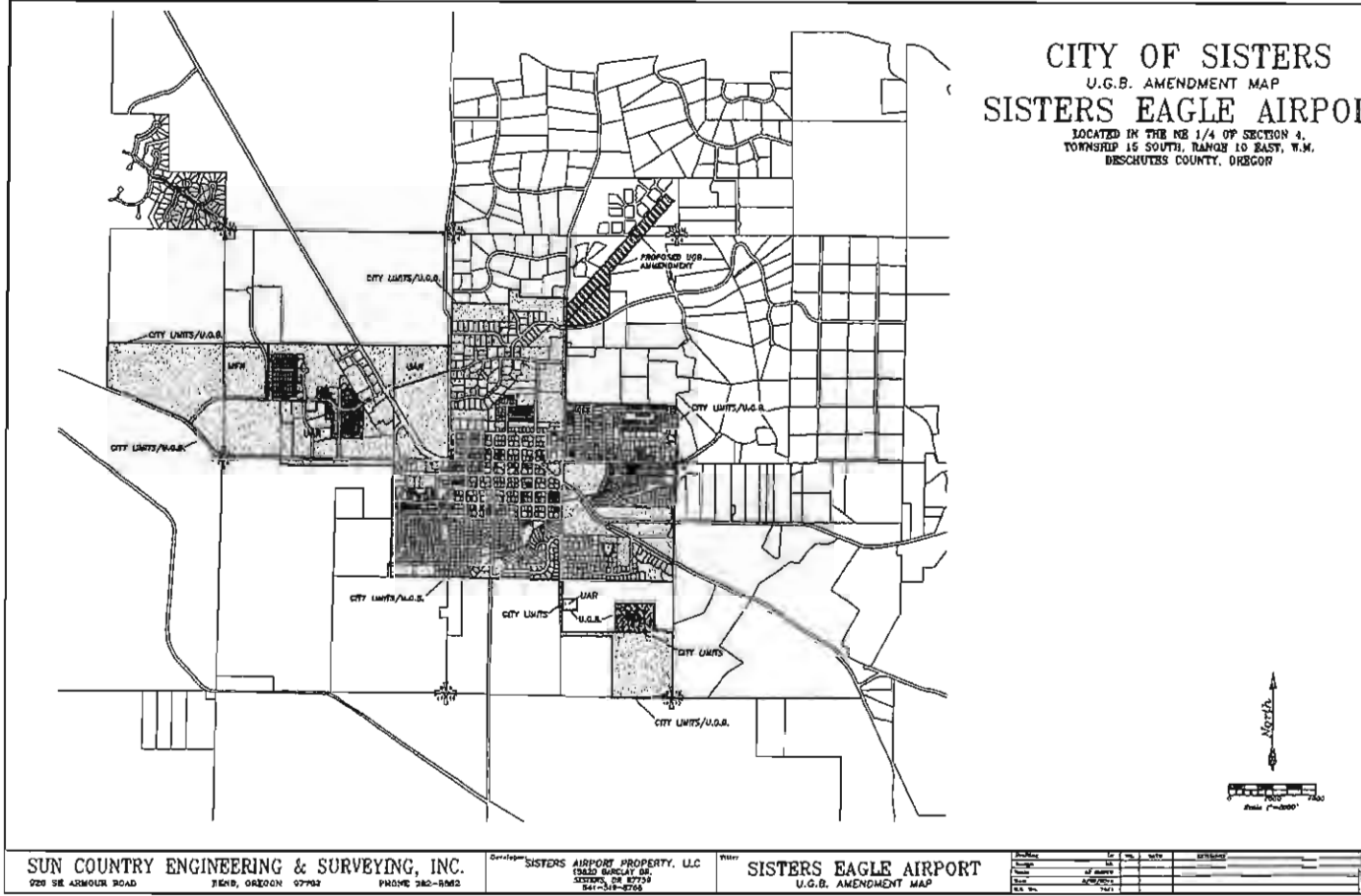


EXHIBIT D

**CITY OF SISTERS
Recommendation to the Planning Commission**

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**Attachment D
UAR Zones**



SUN COUNTRY ENGINEERING & SURVEYING, INC.
 929 SE ARMOUR ROAD BEND, OREGON 97702 PHONE 360-8862

Developer: **SISTERS AIRPORT PROPERTY, LLC**
 13625 BANCAY DR. SISTERS, OR 97739 541-518-8768

Title: **SISTERS EAGLE AIRPORT**
 U.G.B. AMENDMENT MAP

NO.	DATE	BY	REVISION
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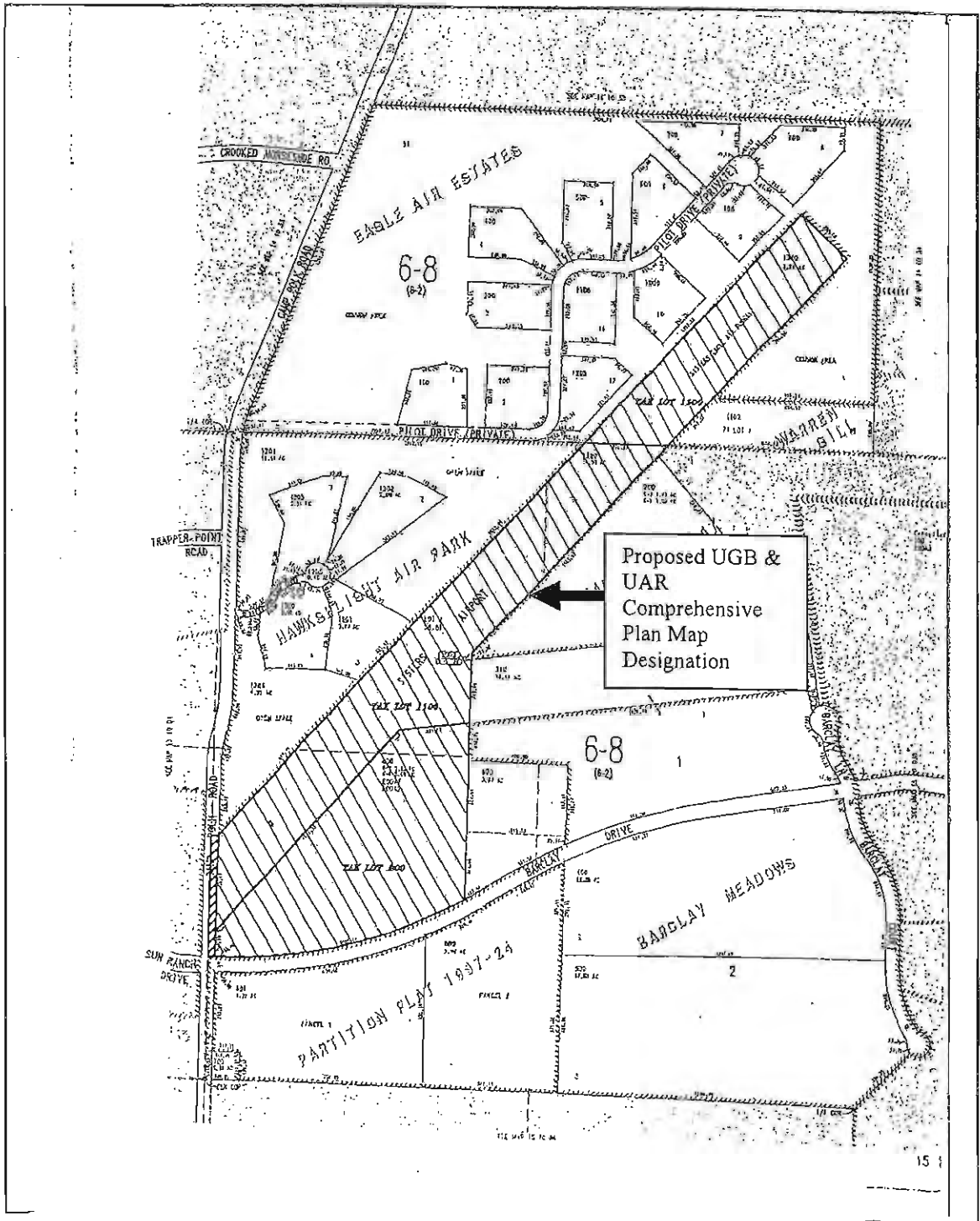


CITY OF SISTERS
Planning Commission Resolution

APPROVED BY THE PLANNING COMMISSION ON JULY 31, 2013

Exhibit B

UGB Amendment Legal Descriptions of Sisters Eagle Airport Project





**CITY OF SISTERS
Planning Commission Resolution**

APPROVED BY THE PLANNING COMMISSION ON JULY 31, 2013

**Exhibit C
Comprehensive Plan Amendment Map with UAR Designation**

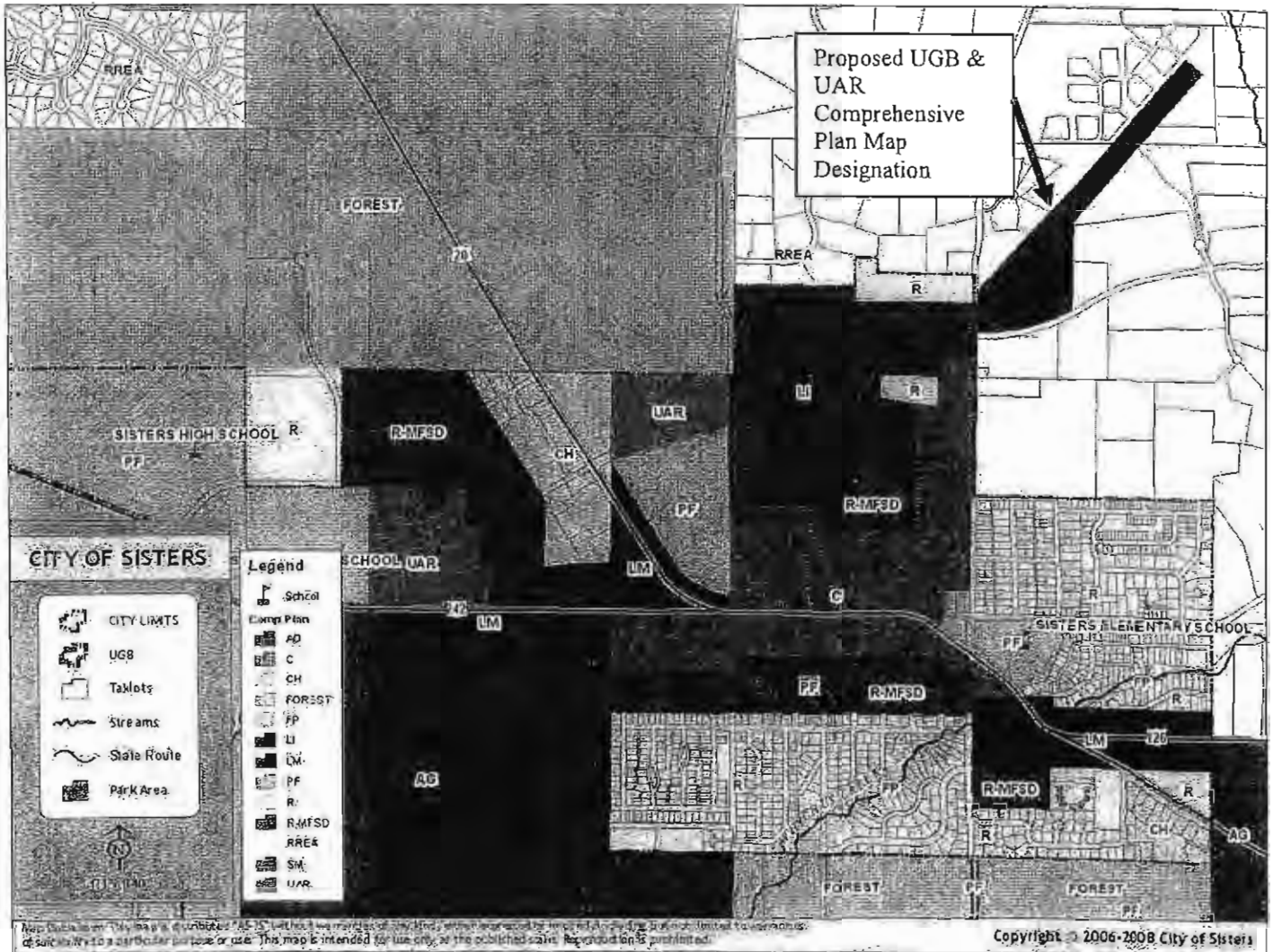
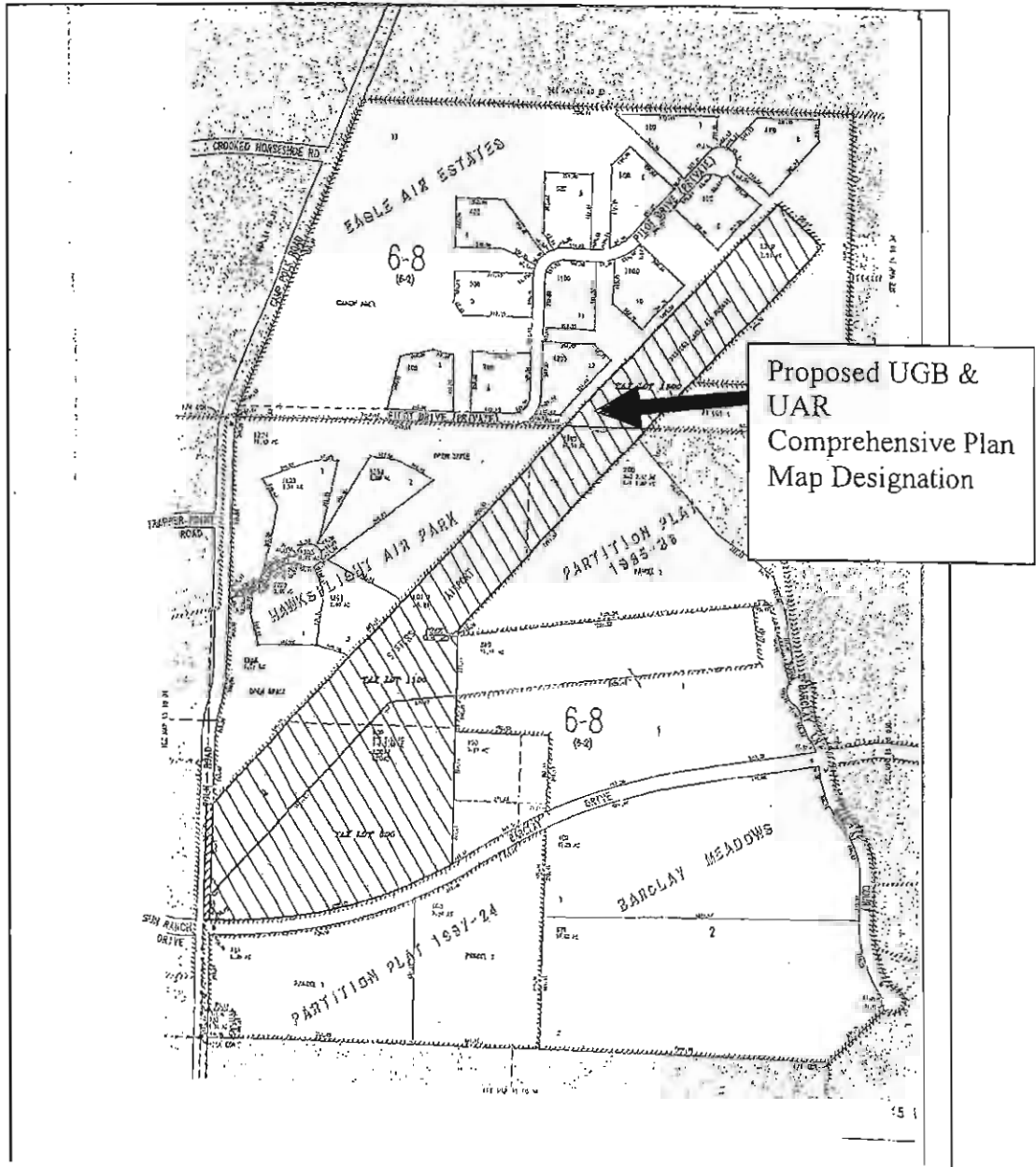


Exhibit B
UGB Amendment Legal Descriptions of Sisters Eagle Airport Project



Legal Description
of
Sisters Eagle Airport
Project Site

Sisters Airport

Current Tax Lot 15-10-04A-1100

A Strip of land 250 feet in width located in the Northeast One-Quarter (NE 1/4) of Section Four (4), Township Fifteen (15) South, Range Ten (10) East, Willamette Meridian, Deschutes County, Oregon, lying 125 feet on each side of the following described centerline.

Commencing from the North One-Quarter corner of said Section 4, thence South $89^{\circ}49'$ East 41.10 feet; and South $00^{\circ}43''$ West 1171.05 feet; and South $02'40''$ West 678.10 feet to the TRUE POINT OF BEGINNING of said centerline; thence along said centerline North $41^{\circ}26'$ East 2500 feet, more or less, to a point on the North line of said Section 4; intercepted by the side lines of said strip being the Northeasterly boundary of said strip and that portion of the East line of Wilt Road intercepted by said side lines of said strip being the Southwesterly boundary of said strip.

TOGETHER WITH a tract of land located in the Northeast One-Quarter (NE 1/4) of Section Four (4), Township Fifteen (15) South, Range Ten (10) East, Willamette Meridian, Deschutes County, Oregon, said tract being more particularly described as follows:

Commencing at a point on the North-South centerline of said Section 4, said point being South $00^{\circ}05'01''$ East 2102.13 feet when measured along said line from the North One-Quarter corner of said Section 4, thence North $89^{\circ}54'59''$ East 30.00 feet, said point further being a point of intersection of the East right-of-way line of Wilt Road (Camp Polk Road) and the North right-of-way line of Barclay Drive; thence along the said East right-of-way line North $00^{\circ}38'05''$ East 100.61 feet to a point of intersect with the Southeasterly right-of-way line of the Northeast-Southwest runway of the Sisters Airport; thence leaving said East right-of-way line of Wilt Road and along said Southeasterly runway right-of-way line North $41^{\circ}56'00''$ East 1097.08 feet to a point of intersection with the South right-of-way line of the East-West runway of the Sisters Airport, said point being the TRUE POINT OF BEGINNING; thence continuing along said Northeast-Southwest runway right-of-way line North $41^{\circ}56'36''$ East 386.33 feet to a point of intersection with the North right-of-way line of the said East-West runway right-of-way line; thence leaving said Northeast-Southwest runway right-of-way line and along said North runway right-of-way line North $82^{\circ}16'03''$ East 33.98 feet; thence leaving said North right-of-way line South $00^{\circ}43'54''$ West 252.75 feet to a point on the aforementioned South right-of-way line of the East-West runway; thence along said South runway right-of-way line South $82^{\circ}16'03''$ West 291.32 feet to the TRUE POINT OF BEGINNING.

Sisters Airport

Current Tax Lot 15-10-04A-800

A tract of land located in the Northeast One-Quarter (NE 1/4) of Section Four (4), Township Fifteen (15) South, Range Ten (10) East, Willamette Meridian, Deschutes County, Oregon, said tract being more particularly described as follows:

Commencing at a point on the North-South centerline of said Section 4, said point being South 00°05'01" East 2102.13 feet when measured along said line from the North One-Quarter corner of said Section 4, thence North 89°54'59" East 30.00 feet to the TRUE POINT OF BEGINNING, said point further being a point of intersection of the East right-of-way line of Wilt Road (Camp Polk Road) and the North right-of-way line of Barclay Drive; thence along the said East right-of-way line North 00°38'05" East 100.61 feet to a point of intersect with the Southeasterly right-of-way line of the Northeast-Southwest runway of the Sisters Airport; thence leaving said East right-of-way line of Wilt Road and along said Southeasterly runway right-of-way line North 41°56'00" East 1097.08 feet to a point of intersection with the South right-of-way line of the East-West runway of the Sisters Airport; thence leaving said Northeast-Southwest runway right-of-way line and along said South runway right-of-way line North 82°16'03" East 291.32 feet; thence leaving said South right-of-way line South 00°43'54" West 148.71 feet; thence South 00°40'50" West 552.94 feet to a point on the Northerly right-of-way line of aforementioned Barclay Drive; thence along said Northerly right-of-way line along an arc of a 1856.28 foot radius curve to the right 1005.18 feet, the chord of bears South 75°07'18" West 992.95 feet; and North 89°21'55" West 54.80 feet to the TRUE POINT OF BEGINNING.

Sisters Airport

Tax Lot 14-10-33D-1300

THE LAND WHICH LIES WITHIN 125 FEET OF EACH SIDE OF THE FOLLOWING DESCRIBED RUNWAY CENTERLINE AND LYING WITHIN SECTION 33, TOWNSHIP 14 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON. THE NORTHEAST-SOUTHWEST RUNWAY CENTERLINE DESCRIPTION: BEGINNING AT A POINT IN THE CENTERLINE OF WILT ROAD (A COUNTY ROAD), SAID POINT BEING 41.10 FEET SOUTH 89°49' EAST, 1171.05 FEET SOUTH 00°43' WEST AND 678.10 FEET SOUTH 02°40' WEST FROM THE QUARTER CORNER IN THE NORTH LINE OF SECTION 4, TOWNSHIP 15 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON; THENCE NORTH 41°26' EAST 3664.00 FEET TO AN IRON ROD SET AT THE POINT OF TERMINATION ON THE NORTHEAST END OF THE SAID NORTHEAST-SOUTHWEST RUNWAY.

EXCEPTING THEREFROM THAT PORTION OF THE SISTERS AIRPORT LYING EASTERLY OF THE RUNWAY CENTERLINE AND EXTENDING 200 FEET IN THE NORTHEASTERLY DIRECTION FROM THE POINT AT WHICH THE RUNWAY ENTERS INTO SECTION 33, TOWNSHIP 14 SOUTH, RANGE 10 EAST OF THE WILLAMETTE MERIDIAN, DESCHUTES COUNTY, OREGON.

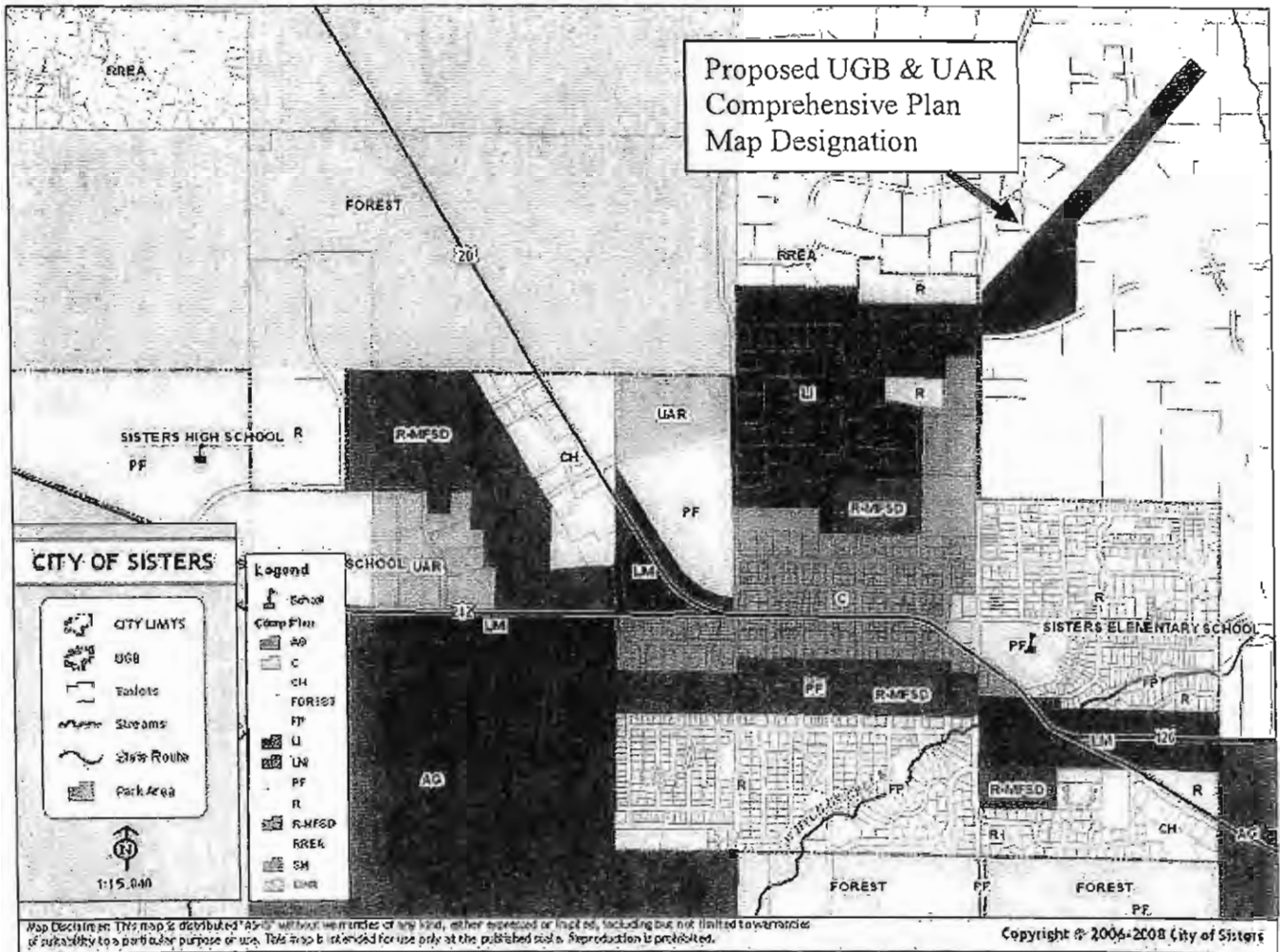
**EASTERLY 30 FEET OF CAMP POLK ROAD
ADJACENT TO THE SISTERS AIRPORT**
Sisters, Oregon

A tract of land located in the Southwest One-Quarter of the Northeast One-Quarter (SW 1/4 NE 1/4) of Section Four (4), Township Fifteen (15) South, Range Ten (10) East, Willamette Meridian, Deschutes County, Oregon, said tract being more particularly described as follows:

Commencing at the North One-Quarter corner of said Section 4, thence along the North-South Center section line of said Section 4 South $00^{\circ}05'01''$ East 1622.20 feet to the TRUE POINT OF BEGINNING; thence North $89^{\circ}54'59''$ East 30.00 feet to a point being the intersection of the East right-of-way line of Camp Polk Road and the Northwesterly right-of-way line of the Northeast-Southwest runway of the Sisters Airport; thence leaving said Northwesterly right-of-way line and along said East right-of-way line South $00^{\circ}05'01''$ East 479.68 feet to a point being the intersection of the East right-of-way line of Camp Polk Road and the Northerly right-of-way line of Barclay Drive; thence leaving both said right-of-way lines South $89^{\circ}54'59''$ West 30.00 feet to a point on the aforementioned North-South Center section line of said Section 4; thence along said North-South Center section line North $00^{\circ}05'01''$ West 479.68 feet to the TRUE POINT OF BEGINNING.

Exhibit C

Comprehensive Plan Amendment Map Area with UAR Designation



Attachment B

Water and wastewater Impact Analysis

July, 2013

WATER AND WASTEWATER IMPACT ANALYSIS: Sisters Airport SITE PLAN

UPDATE TO ANNEXATION ANALYSIS

Client- Hurley-Re, P.C.
Attn: Elizabeth Dickson
747 Mill View Way
Bend, Oregon 97702

Subject Property: Sisters Airport
15820 Barclay Dr.
Sisters, Or 97759

Deschutes County Tax Lots-
151004 A0 00800 and 151004 A0 01100 and
141033 D0 01300

Property Description:

The subject Property is located adjacent to and northeast of the City of Sisters, Oregon and consists of three separate tax lots at the intersection of Camp Polk Road and Barclay Drive. Tax Lot 1100 and 1300 is a strip of land 250 wide and approximately 3500 feet long, containing 14.5 and 6.75 acres and is currently used as an airstrip with approximately 30' of asphalt paving longitudinally on center and low scrub vegetation on either side maintained for aviation operations. Tax Lot 800 contains 12.55 acres and a 13,500 sf building in the southwest corner, that supports aircraft operations, including hanger and office spaces, and a single family home on the eastern portion, with mostly open pasture land and a few small clusters of trees.

Proposed Uses:

The proposed Site Plan contains 41,460 sf of general office and shop space, and 74,000 sf of aircraft hangar space. Development would be limited to the adjusted and partitioned tax lot 800, a total of 13.8 acres, with the assumption that tax lot 1100 and 1300 would continue to support the runway for aviation operations, and could not be developed due to FAA restrictions in the flight path and runway operation.

Projected Domestic Water and Required Fire Flows:

Domestic Flows-

The City of Sisters Water Capital Facilities Plan, Sept. 2005 does not specifically quantify demand flows for various uses or zoning designations. For purposes of this study, comparable demands developed by other local jurisdictions in the vicinity have been referenced. The most conservative estimate used below was developed in the City of Bend Water System Master Plan Update of 2007 by Murray Smith and Associates for use in the Juniper Ridge Area, which proposes a mix of commercial and light industrial uses that may be similar to those proposed in this application.

Thus: Average Daily Demand (ADD)=

$$4,500 \text{ gal/day/acre} * 13.8 \text{ acres} = 62,100 \text{ gal/day}$$

$$62,100 \text{ gal/day} * 1\text{day}/18 \text{ hr} * 1 \text{ hr}/60 \text{ min} = \mathbf{57.5 \text{ gal/min}}$$

Peak Hour Demand (PHD)=

From Table 5.2 Current Water Production Demands – 2003; City of Sisters Water Capital Facilities Plan, Section 5.2

Ratio of Demand Parameter to ADD- (to PHD) = 5.8

$$57.5 \text{ gal/min} * 5.8 = \mathbf{333.5 \text{ gal/min}}$$

Fire Flows-

The City of Sisters Water Capital Facilities Plan, Section 5.5 addresses the capability of the water system to provide fire flows. Generally, the Sisters-Camp Sherman Fire Protection District has set minimum flow requirements for commercial and industrial areas at 1,500 gpm. The Plan indicates that flow capabilities and duration are adequate for fire protection. Actual flow requirements at any particular site may vary due to construction type, size of building, and the presence of a built in fire suppression system.

Conclusion: A 12" water main was installed with the Sun Ranch Development just west of the subject property, across Camp Polk Road. Additionally, since the 2005 facilities plan was completed, Well No. 3 was added to the system, also located in the Sun Ranch Development. New hydrant flow data provided by the Sisters/Camp Sherman Fire District at the end of the 12" line calculates a flow of 2542 GPM with a residual pressure of 20 psi. With extension for service, and the provision of fire sprinklers in the proposed office building, this 12" line will provide more than adequate fire and domestic flows to the site. Additional detailed analysis

and design will be required prior to construction plan approvals to determine the extent and location of hydrants and service lines to the individual buildings and phases.

Projected Wastewater Flows:

From City of Sisters Wastewater Capital Facilities Plan, Nov. 2006-
Ch 6.2:

Table 6.1 EDU (Equivalent Dwelling Unit) Designation

Industrial- 20,000 square feet (sf)/Equivalent Dwelling Unit (EDU)

1 EDU (Equivalent Dwelling Unit)= 125 gallons (gal)/day

Peak Flow factor (PF) = 2.4

Therefore: 13.8 acres * 43,560 sf/ac ÷ 20,000 sf/EDU = 30.1 EDU

125 gal/day * 2.4(PF) = 9,030 gal/day

9,030 gal/day * 1day/18 hrs * 1 hr/60 min = **8.4 gal/min**

Conclusion: The proposed use is estimated to contribute 8.4 gal/min to the City of Sisters wastewater collection system. The nearest point of service is a 10" sewer main in Camp Polk Road (Locust St), approximately 850 feet south of the subject property. According to Table 6.2, City of Sisters Wastewater Capital Facilities Plan, Nov. 2006- System Flow Capacities, the projected year 2025 gravity flows in the 10" main is 138 gal/min plus combined force main peaks of up to 420 gal/min results in a flow of 558 gal/min, and the capacity of this main is 609 gal/min. The contribution of 8.4 gal/min from the proposed site results in a total of 566 gal/min, and therefore has no significant impact to the wastewater system. However, the physical location of the site will require pumping to reach the gravity extension. With the existing capacity in the 10" gravity line listed above, the total discharge from the pumps serving this site should not exceed 50 GPM, or telemetry and timing controls should be in place on the pump station(s) contributing to the line in order to avoid surcharging the gravity line.

Prepared by: Tim Weishaupt, P.E.
Principal Engineer
Sun Country Engineering & Surveying, Inc.



Reviews: 6/14

July 31, 2013

Attachment C
Transportation Study



KITTELSON & ASSOCIATES, INC.

TRANSPORTATION ENGINEERING / PLANNING

354 SW Upper Terrace Drive, Suite 101, Bend, Oregon 97702 P 541.312.8300 F 541.312.4585

April 8, 2013

Project #: 12963

Benny Benson
Energyneering Solutions, Inc.
15820 Barclay Drive
Sisters, Oregon 97759

RE: Sisters Eagle Airport Rezone

Dear Benny,

The purpose of this letter is to satisfy the Transportation Planning Rule requirements to incorporate the existing Sisters Eagle Airport into the City of Sisters Urban Growth Boundary and rezone the property from rural residential (RR-10) Deschutes County zoning to a newly developed City zoning code. These actions would address the non-conforming airport and office uses that are currently on the site and allow additional airport-related growth or expansion of existing uses to occur.

Project Description

Summary of Existing Conditions

Sisters Eagle Airport is privately owned and situated on three taxlots totaling approximately 34.3 acres. The property is located within Deschutes County and is zoned *Rural Residential* (RR-10). The airport is adjacent to the northeastern edge of the Sisters Urban Growth Boundary, as shown in Attachment "A". The airport is open to the public and has a landing fee. Daily use of the airport varies considerably, and as cited within the City's 2010 Transportation System Plan the airport runway was utilized approximately 27 times each week.¹

The primary use of the airport is general aviation, serving visitors and businesses in the area. The airport is home to several businesses focused on renewable energy, including ENERGYneering Solutions, Inc. and Mountain EDM. Sisters Eagle Airport is also an important emergency services link in the area. The airport is utilized for medical transport to hospitals, a staging area for emergency services, and Deschutes County Search and Rescue during summer months.² During the summer, the US Forest Service holds its fire suppression helicopters at the airport, and the airport has historically served as a staging area for firefighting activities.

¹ 2010 Sisters Transportation System Plan

² <http://www.sistersairport.com/whats-next.php>

Some residential activities are present on the site both on an on-going and temporary basis. A caretaker residence is located on the property to oversee site security and coordinate airport operations. Camping and other activities have occurred on the property both for inbound pilots and firefighters.

The Sisters Eagle Airport is currently planned for improvements through OregonConnect IV grants. The \$750,000 project includes improvements to the runway surface. Required pilot-activated lighting will also be installed as a safety feature. Detailed design plans are currently being finalized, with construction of these runway improvements anticipated to begin in May 2013.

Existing Zoning

The purpose of the current Deschutes County zoning designation RR-10 is as follows:

“to provide rural residential living environments; to provide standards for rural land use and development consistent with desired rural character and the capability of the land and natural resources; to manage the extension of public services; to provide for public review of nonresidential uses; and to balance the public’s interest in the management of community growth with the protection of individual property rights through review procedures and standards.”³

Conditional uses allowed within the RR-10 zoning include time-share units, bed and breakfast inns, recreation-oriented facility, personal use landing strip for airplanes and helicopter pads – including associated hangar and maintenance and service facility.

The designation of the airport as a non-conforming use within the RR-10 zoning limits the ability of the airport to expand or make changes, thereby limiting its ability to adapt.

Proposed Zoning

In order to incorporate the airport into the City and develop a new Airport zoning designation there are several required steps. The first step was passage of a public vote in November 2012 (85% passage) that identified broad support for annexation of the airport properties.

While a multi-step process that requires Deschutes County and City of Sisters approval, the general steps include a rezone from Deschutes County RR-10 to Urban Area Reserve (UAR), followed by establishment of a new Airport zoning code and rezoning. Given that the UAR zoning is temporary, this analysis will only evaluate the transportation system impacts of the final Airport zoning being established.

³ <http://www.deschutes.org/County-Code.aspx?TitleNumber=18>

The proposed zoning text is included within Attachment "A". This shows a variety of uses that are intended to support the airport operations. This includes typical airport items such as fuel storage, parking, aircraft hangers, medical support facilities, and other essential airport services. These provisions were largely based on review of other airport codes or surrounding communities and requirements for non-towered airports contained in Oregon Administrative Rule 660-013.

In addition to these typical uses, the proposed airport zoning text also allows expansion of historical residential uses such as on-site camping or limited temporary residences for pilots during stopovers, and some levels of airport-related industrial, commercial, and manufacturing.

Outright allowable uses that could represent a change from an expansion of the existing airport include the following:

- Airport Commercial Uses
- Public and Semi-Public Uses
- Airport and Aviation Industrial Use
- Residential Uses/Accessory Uses

Each of these uses is further described below to better identify and assess the potential impact.

Airport Commercial Uses

A range of airport-related commercial uses are included within the proposed text. These are intended to allow uses that cater toward airport users, such as a Pilot's Lounge, vending, snack shops, cafes, office space for support staff, or other convenience/hospitality services. The uses within this category are not intended to draw from the surrounding public roadway network or the City's commercial areas, but to provide basic services for pilots and crews during stopovers.

Public and Semi-Public Uses

This category contains items that are required through the Administrative Rules (pilot training, airplane sales and rentals, aeronautical recreation and sporting activities, law enforcement, and firefighting activities).

Also included within the zoning would be non-aeronautical related higher education, airport-related manufacturing, and community uses, ice rink, community garden, and community recreation uses. As stated in the zoning code, these types of uses are seasonal, temporal, and low-intensity from a transportation perspective. Owing to the temporal nature, no additional impacts should be assumed from a trip generation perspective.

Airport and Aviation Industrial Use

The provision of this use in the code was to allow the production of airport-related parts fabrication. This use is also identified within the Prineville Airport zoning code. This clause allows the airport to

fabricate repair parts as a supporting function of the airport's primary uses, or to provide other similar types of storage, warehousing, or limited office functions.

Residential Uses/Accessory Uses

Non-towered airports are required to allow some level of on-site residential, and historical residential uses for firefighting or other activities is allowed outright through the Oregon Administrative Rules. Consideration of a limited number of temporary housing units for pilots is not expected to have a measurable impact on the transportation network, and may provide a trip reducing benefit.

Summary of Uses

As summarized above, the airport uses as proposed are generally those that would support the City's development of a viable aviation mode. While a range of supporting uses would be conditionally allowed or allowed outright, these uses and functions would improve the primary purpose of the airport. Consistent with OAR 660-013-0110, commercial, industrial, and manufacturing uses may be permitted so long as they do not limit or interfere with other core airport functions.

Trip Generation Comparison

A trip generation comparison of "before" and "after" conditions is typically conducted to assess whether a rezone has an impact on the transportation system. However, in this case the purpose of the rezone is to better support the existing non-conforming uses and allow the airport to expand over time, and to support a new travel mode within the City.

The 9th Edition ITE Trip Generation manual has a *General Aviation Airport* land use (Land Use 022) that is similar to the proposed Sisters Airport. According to the ITE Trip Generation manual, "General aviation airports are designed primarily for use by small private and corporate aircraft, not for commercial passenger service. They are usually characterized by short runways, few or no terminal facilities, and many small aircraft." Data for this land use is extremely limited, with all surveys conducted in California in the early 1970's.

The *General Aviation Airport* land use definition would be appropriate both for the existing airport and for the airport facilities within the proposed rezone. The airport-related commercial, industrial, office, and manufacturing components of the site are not captured in this land use category, and would be additive elements.

Review of the site plan shows that of the three parcels that contain the airport, Parcel 1 and Parcel 3 (13.68 acres) could support these non-airport uses. Based on the master plan maps, it was assumed that about 37,600 additional square-feet of building space could be provided, with about 17,500 square-feet of light industrial uses and the remainder as office. It was assumed that 20% of trips would be internal to the airport operations or existing office functions. Table 1 summarizes the potential increase in trip generation.

Table 1. Trip Generation Potential

Land Use	ITE Code	Size (SF)	Daily Trips	Weekday PM Peak Hour		
				Total	In	Out
General Office Building (Average Rate) <i>Internal Trips (20%)</i>	710	20,100	222 (44)	30 (6)	5 (1)	25 (5)
General Light Industrial (Average Rate) <i>Internal Trips (20%)</i>	110	17,500	122 (24)	17 (3)	2 (0)	15 (3)
Total Trips			344	47	7	40
<i>Internal Trips</i>			(68)	(9)	(1)	(8)
Net New Trips			276	38	6	32

As shown, the proposed zoning code could allow approximately 38 additional weekday p.m. peak hour trips onto the public roadway system. The employment nature of these trips would create a distribution pattern generally dispersed throughout the City and into outlying areas, with trips generally dispersing at Barclay Drive to head both south and west.

Transportation System Plan Compliance

Growth assumptions within the City's adopted Transportation System Plan were reviewed to better understand whether the rezone would impact these plans.

Review shows limited congestion outside of the State highway system, with the Barclay/Locust intersection south of the site operating at Level of Service "B" during year 2006 design hour conditions. In the future, this intersection is shown to operate beyond City performance thresholds at Level of Service "E", with additional traffic impacts largely attributed to the planned alternate route.

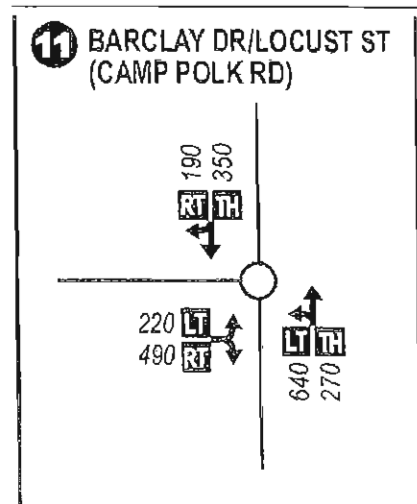
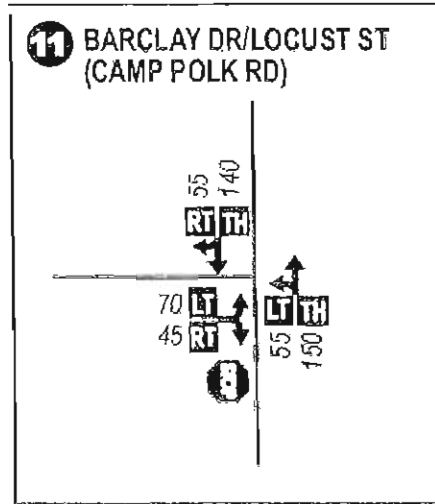


Exhibit 1. City of Sisters 2010 Transportation System Plan illustrations showing projected growth in 2006 (left) and 2030 (right).

A single-lane roundabout is identified as a long-term fix at this intersection with an approximate cost of \$1,000,000. The plan also identifies a shared-use path on the east side of Locust – Camp Polk Road that would connect to the airport property.

As shown in Exhibit 1, high levels of traffic growth from the area surrounding the airport were assumed within the City's Transportation System Plan, with the north leg of the Barclay/Locust intersection (including both northbound and southbound trips) increasing from 420 vehicles to 1,030 vehicles, equivalent to approximately 4 percent annual growth. This growth assumption accounts for industrial growth within the Sun Ranch area and any additional growth surrounding the airport. As these high levels of growth have already been assumed, the property rezone to accommodate the additional traffic from the airport has already been accounted for within the City's long-term plans.

Relevant Administrative Rule Purpose and Intent

Oregon Administrative Rule 660-012 provides requirements for transportation planning in Oregon, and 660-013 provides related requirements for airport planning. Within the Purpose section of Division 12, the following is relevant to this application:

660-12-0000(1)(d): Facilitate the safe, efficient, and economic flow of freight and other goods and services within regions and throughout the state through a variety of modes including road, air, rail, and marine transportation;

660-12-0000(1)(e): Protect existing and planned transportation facilities, corridors, and sites for their identified functions

Aviation and Airport Planning are specifically addressed in Division 13 (660-13, Purpose and Policy). Key elements of Division 13 include the following:

660-013-0100(1): This division implements ORS 836.600 through 836.630 and Statewide Planning Goal 12 (Transportation). The policy of the State of Oregon is to encourage and support the continued operation and vitality of Oregon's airports. These rules are intended to promote a convenient and economic system of airports in the state and for land use planning to reduce risks to aircraft operations and nearby land uses.

660-013-0100(2): Ensuring the vitality and continued operation of Oregon's system of airports is linked to the vitality of the local economy where the airports are located. This division recognizes the interdependence between transportation systems and the communities on which they depend.

Other sections of OAR 660-013 identify the types of uses that shall be allowed at airports, and note that allowance of other uses should not limit or create a safety hazard for the core airport uses.

Transportation Planning Rule Compliance

Specific to the Transportation Planning Rule, determination of whether or not the proposed rezone creates a “significant affect” is the primary consideration:

OAR 660-12-0060(1): *If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:*

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

As the City of Sisters Transportation System Plan assumes high growth on Camp Polk Road north of Barclay the expansion of the airport property has already been accounted for. The levels and types of development that would be allowed within the property would create up to 38 additional weekday p.m. peak hour trips as compared to the existing zoning/site uses. Between 2006 and 2013 the high growth projected in this northern portion of Sisters has not materialized, and while a roundabout at the Locust/Barclay was identified as a needed project between 2009 and 2013, observation of the intersection indicates the performance currently remains at approximately Level of Service “B”. Long-term, it is expected that the current stop-control at the intersection would remain adequate to

support the 2030 needs, and the identified single-lane roundabout shown in the City's Transportation System Plan would provide significant reserve capacity.

No additional infrastructure or changes to the City's adopted plans would be required to support the rezone; all roadway facilities surrounding the airport will continue to operate in accordance with their intended classification and function. Adoption of the airport into City limits would require minor changes to the Transportation System Plan narrative text that could be provided as part of the City's periodic updates.

Please let us know if you have any questions on this analysis at (541) 312-8300.

Sincerely,
KITTELSON & ASSOCIATES, INC.


Joe Bessman, PE, PTOE
Associate Engineer

Attachments:

- A. Taxlot Map
- B. Zoning Code Text

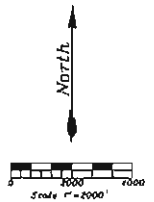
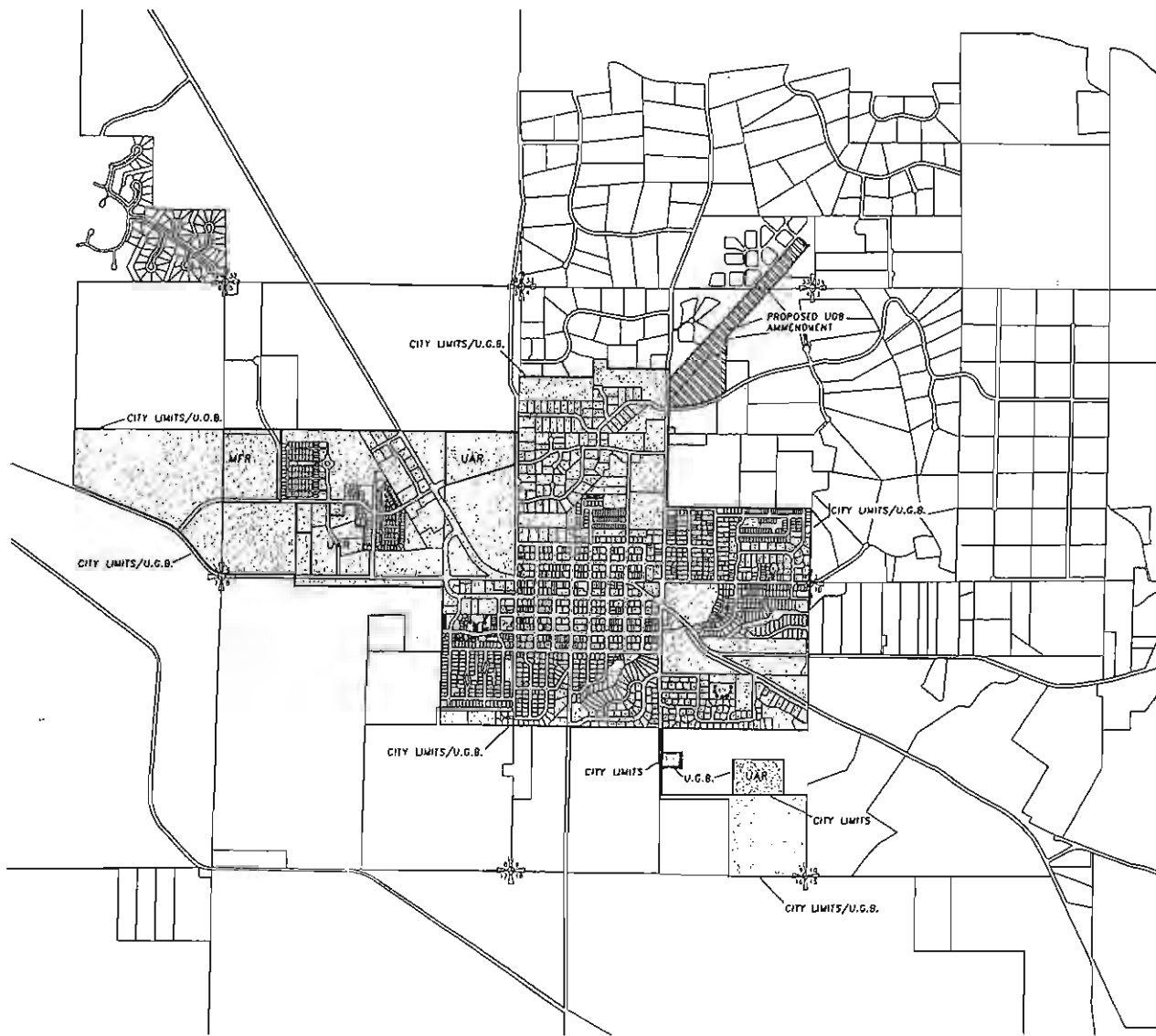
PLEASE SIGN IN FOR VISITOR COMMUNICATION

DATE: August 8, 2013

PLEASE PRINT

NAME	ADDRESS
Dennis Burts	14852 Doubletree, Sisters
Liz Dalm	747 SW Millers Dr. Bend

CITY OF SISTERS
 U.G.B. AMENDMENT MAP
SISTERS EAGLE AIRPORT
 LOCATED IN THE NE 1/4 DP SECTION 4,
 TOWNSHIP 15 SOUTH, RANGE 10 EAST, W.M.
 DESCHUTES COUNTY, OREGON



SUN COUNTRY ENGINEERING & SURVEYING, INC.
 920 SE ARMOUR ROAD BEND, OREGON 97702 PHONE 362-0862

Developer: **SISTERS AIRPORT PROPERTY, LLC**
 13820 BARCLAY, OK
 SISTERS, OR 97739
 541-549-0766

Title: **SISTERS EAGLE AIRPORT**
 U.G.B. AMENDMENT MAP

Sheet No.	NO.	DATE	REVISIONS	BY
1	1	04/20/2014		
2	2	5/27/2014		
3	3	7/11/2014		



City of Sisters, Oregon

CITY OF
PO BOX 300
SISTERS, OR 97759



AUG 16 2013

Department of Land Conservation and
Development
Attn: Plan Amendment Specialist
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540