



Oregon

Kate Brown, Governor

Department of Land Conservation and Development

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

Date: May 11, 2016
Jurisdiction: City of La Pine
Local file no.: 2016-04IF
DLCD file no.: 001-16

The Department of Land Conservation and Development (DLCD) received the attached notice of adopted amendment to a comprehensive plan or land use regulation on 05/06/2016. A copy of the adopted amendment is available for review at the DLCD office in Salem and the local government office.

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

Appeal Procedures

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

A notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR chapter 661, division 10).

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

DLCD Contact

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



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

FOR DLCD USE

File No.: 001-16 {24301}

Received: 5/6/2016

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

Jurisdiction: City of La Pine

Local file no.: **2016-041F**

Date of adoption: April 27, 2016

Date sent: 5/6/2016

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

Yes: Date (use the date of last revision if a revised Form 1 was submitted): 2/25/16

No

Is the adopted change different from what was described in the Notice of Proposed Change? Yes No

If yes, describe how the adoption differs from the proposal:

YES: To Section 10. Permitted Uses - Additional Commerical Use Regulations, bullet 4, Council added "or as otherwise approved by the City."

Local contact (name and title): Tammy Wisco

Phone: 210-896-3432

E-mail: twisco@ci.la-pine.or.usStreet address: 16345 6th Street

City: La Pine

Zip: 97739-

PLEASE COMPLETE ALL OF THE FOLLOWING SECTIONS THAT APPLY

For a change to comprehensive plan text:

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

For a change to a comprehensive plan map:

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

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

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

The subject property is entirely within an urban growth boundary

The subject property is partially within an urban growth boundary

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

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

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

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

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

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

- Zoning Ordinance, 2012-05:
- Table of Contents
- Section 8. Definitions
- Section 10. Permitted Uses
- Section 13. Site Plan Review

For a change to a zoning map:

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

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

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

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

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

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

ORDINANCE NO. 2016-03

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

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

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

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

WHEREAS, City's Planning Commission, after receiving public testimony, and deliberating fully on the proposed amendments, voted unanimously to recommend approval of the amendments to the La Pine City Council on March 16, 2016 (the "Council"); and

WHEREAS, a draft of this Ordinance No. 2016-03 (this "Ordinance") was available for public inspection seven days prior to the Council's April 13, 2016 meeting.

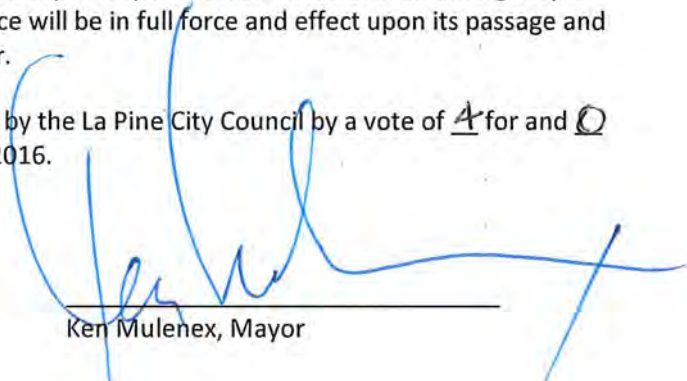
WHEREAS, after receiving public testimony on the proposed amendments during a scheduled public hearing on April 13, 2016, the members of the Council present unanimously voted to approve the recommended amendments by adopting this Ordinance.

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

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

4. Emergency Declaration. The Council finds that passage of this Ordinance is necessary for the immediate preservation of the peace, health, and safety of City's citizens. Therefore, an emergency is hereby declared to exist. This emergency Ordinance will be in full force and effect upon its passage and adoption by the Council and approval of the mayor.

This Ordinance was PASSED and ADOPTED by the La Pine City Council by a vote of 4 for and 0 against and APPROVED by the mayor on April 27, 2016.



Ken Mullenex, Mayor

ATTEST:



Richard L. Allen, Interim City Manager

Exhibit A
Amendments to City of La Pine Zoning Ordinance

[attached]

EXHIBIT A TO ORDINANCE NO. 2016-03

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

Amendment 1: Table of Contents

Table of Contents

amend Section 3 title: “Community Development Objectives”

...

amend Section 7 title: “Application for Land Use Zoning Permit, Certificate of Use, and Occupancy”

...

amend Section 19 title: “Off-Street Loading and Parking ~~Parking and Loading~~”

...

remove “Special Note” at the end of the Table of Contents: ~~Special Note – Given that the City Transportation System Plan, (TSP) is not yet complete, any property that must retain current Deschutes County Zoning until the TSP is adopted and the City has rezoned the properties.~~

...

Update page numbers in Table of Contents and pagination throughout document.

Amendment 2: Section 8. Definitions

Insert definition: “Fairgrounds. A facility utilized as an event venue for spectator and non-spectator field or arena events, such as rodeos, animal shows, equestrian events, festivals, as well as uses accessory to the main events, including concerts, parking, concessions sales, souvenir sales and amusement rides.”

...

Amend definition: “Recreation, Large Land Area Commercial. A for-profit or fee-based recreation facility located on 10 or more acres, in whole or as an accumulation of individual parcels, in which the recreation activity is primarily outdoors and conducted on land typically requiring large land area, including, but not limited to a golf course, horse-back riding area, fairgrounds, hunting or fishing preserve, or paint-ball.”

...

Amend definition: “Yard. ~~An unoccupied space, other than a court, on the same lot with a building, unobstructed artificially from the ground to the sky, except as otherwise provided herein~~ The space contained within the area along the horizontal distance measured at right angles between the property lot line and the nearest wall of a building structure on the lot.”

Amendment 3: Section 10. Permitted Uses

**RSF and RMF
Single Family and Multi-Family Residential Zones**

Principal uses

Single-family & multi-family dwellings
Mobile home parks
Public, non-commercial parks & recreation
Public & private schools
Bed & breakfast establishments
Forestry activities, including but not limited to timber harvesting
Essential services

Conditional uses

Large land area commercial recreation
Agriculture, farms & agricultural services
Residential Care Facility
Veterinary clinics, kennels or stables
Churches, cemeteries
Clubs, lodges & fraternal organizations
Personal storage units ~~on a minimum lot area of 5 acres~~
Government buildings & services
Specialized animal raising, care & processing
Campgrounds & recreational vehicle parks

Accessory uses to a Primary Use*

Garage, storage shed, swimming pool
Home occupation & home-based business
Family day care home, group day care home
Shelter for domestic pets
Accessory dwellings
Farm buildings as part of normal operations
On-site farm produce sales
Other clearly incidental & subordinate uses

*Accessory uses shall be constructed after or in conjunction to the construction of the property's primary use.

A. Additional regulations for Single-Family Zones:

1. No dwelling structures shall have visible, unclosable openings, which allow penetration of air, outside elements, or animals into the structure's interior – except for screened-in porches.

2. All dwelling structures shall be placed on a basement foundation, concrete pad or piers, or other permanent foundation and secured, anchored, or tied down in accordance with the current International Building Code and all other applicable FHA requirements.

3. No metal shipping containers shall be utilized as a dwelling at anytime or as storage structures for greater than 30 days.”

...

C

Traditional Commercial Zone

Principal uses

Retail sales and/or product service, including auto sales/service establishments, including auto related sales/services
Public, non-commercial parks & recreation
Eating & drinking establishments
Personal & health service establishments such as Health clubs and training
Business, professional &, government offices
Hotels and lodging
Transit Facilities
Commercial recreational uses
Multi-family dwellings

Clinic

Veterinary clinic
~~Public, non-commercial parks & recreation~~
Public & private schools
Residential Care Facilities & nursing homes
Family day care home, group day care home
Churches
Cemeteries
Bed & breakfast establishments
Clubs and lodges

...

Government buildings & services
Forestry activities, including but not limited to timber harvesting
Essential services
Day care centers
Funeral homes

Conditional Uses

Single-family dwellings (701.1)
Parking lots not associated with a principal use
Any use that emits fumes or noxious odors such as paint booths, refinishing, sand blasting, food processing, animal processing, tanneries, composting, and the like
Any use that requires a DEQ air quality permit
Any use that emits noise beyond 20 dB

Accessory uses

Garage, storage shed, swimming pool
Home occupation & home-based business
Shelter for domestic pets
Other clearly incidental & subordinate uses

CMX
Mixed-use Commercial Zone

Principal uses

All uses in the RSF, RMF, and RMP zones
Retail sales and/or product service, including
show rooms
Personal & health service establishments
Eating and drink establishments
Business, professional &, government
offices including business parks
Passenger transportation terminals
Parking lots and structures
Motels and hotels
Clubs, lodges & fraternal organizations
Commercial recreation and amusement
Funeral homes
Clinic
Veterinary clinic
Government buildings & services

Forestry activities, including but not limited
to timber harvesting
Essential services

Conditional uses

Automobile, RV & truck sales and/or
service uses
Accessory dwellings

Accessory uses to a Primary Use*

Clearly incidental & subordinate uses
*Accessory uses shall be constructed after or
in conjunction to the construction of the
property's primary use.

...

Additional Commercial Use Regulations

1. Any permitted principal and/or accessory commercial use shall be subject to the following use regulations.
2. For commercial uses located on corner lots where one street is predominantly residential and one street is predominantly commercial, any commercial structure shall front on the street that is predominantly commercial.
3. Any business, servicing, or processing shall be conducted within a completely enclosed building, except for parking and loading facilities, ~~and for "drive-in" type establishments offering goods or services to customers waiting in parked motor vehicles~~ restaurant patios, drive-thrus for services or goods, or as otherwise approved by the City."
4. All accessory storage of junk, waste, discarded or salvaged material, machinery or equipment, including automobile, truck or other vehicle parts shall not be permitted except within a completely enclosed structure. Metal shipping containers shall not be placed on site, with the exception of short-term use for construction or relocations (30 days or less), or as otherwise approved by the City."
5. Any business establishment shall deal directly with the consumer only and any manufacturing done on the premises shall be for sale on the premises; using commercial structures for only non-public wholesaling is prohibited.
6. Any display of goods shall be located behind the building setback line.

...

Buffering and Screening Requirements

Where any permitted principal and/or accessory use abuts any land zoned RSF, RMF, RMP, CRMX, or CMX the following buffer and screening shall be required. These requirements shall apply in instances where such use is being newly developed on vacant land, expanded in floor area by 50% or greater, or removed and a new use developed.

1. A buffer strip at least 10 feet wide shall be provided and maintained along the entire length of a side or rear yard where it abuts an RSF, RMF, RMP, CRMX, CMX, or TA zone. Buffer strips shall not be used for parking, storage of vehicles, equipment, or materials, nor for any other use incompatible with their purpose as a visual, noise, dust, and pollution barrier.

...

Section 10. Permitted Uses, Transition Areas amend first line of Principal Uses to:

TA Transitional Areas

Principal uses

All ~~permitted~~ principal residential and commercial uses
Forestry activities, including but not limited to timber harvesting

These uses shall be implemented as transitional uses between different zones as shown on the zoning map. Development in the TA requires master planning to assess uses and transitional needs given the specific area of development.

Conditional uses

All conditional uses in the residential and commercial zones

Accessory uses to a Primary Use*

Clearly incidental & subordinate uses

*Accessory uses shall be constructed after or in conjunction to the construction of the property's primary use.

...

Amendment 4: Section 13. Site Plan Review

Remove first "Section 13. Site Plan Review" heading and move "General Conditions" to under the second "Section 13. Site Plan Review" as bullet (D). Reassign new bullet letters accordingly for subsequent headings.

...

Section 13. Site Plan Review (E) Site Plan Review Criteria (2) Site Plan evaluation criteria, modify bullet g, insert bullets i, j, k:

"(2) Site Plan evaluation criteria. The following criteria shall be used in evaluating site development plans.

(a) The arrangement of all functions, uses and improvements has been designed so as to reflect and harmonize with the natural characteristics and limitations of the site and adjacent sites.

(b) In terms of setback from streets or sidewalks, the design creates a visually interesting and compatible relationship between the proposed structures and/or adjacent structures.

(c) The design incorporates existing features, such as streams, rocks, slopes, vegetation and the like, as part of the overall design.

(d) Where appropriate, the design relates or integrates the proposed landscaping/open space to the adjoining landscape/open space in order to create a pedestrian/bike pathway and/or open system that connects several properties or uses.

(e) The arrangement of the improvements on the site do not unreasonably degrade the scenic values of the community and the surrounding area in particular.

(f) Where appropriate, the design includes a parking and circulation system that encourages a pedestrian and/or bicycle rather than vehicular orientation, including a separate service area for delivery of goods.

(g) The design gives attention to the placement of storage, mechanical equipment, utilities or waste collection facilities so as to screen such from view, both from within and from outside the site. Metal shipping containers shall not be placed on site, with the exception of storage uses within the Industrial zone.

(h) The proposed Site Plan conforms to the standards within the adopted La Pine Transportation System Plan (TSP), as may be amended from time to time, unless other design standards are specifically approved by the City.

(i) The proposed Site Plan conforms to the La Pine sewer and water standards, as may be amended from time to time, unless other design standards are specifically approved by the City. All sewer improvements must comply with Oregon Administrative Rules Chapter 340 Division 52 requirements, including Appendix A - Sewer Pipelines.

(j) The proposed Site Plan conforms to the Central Oregon Stormwater Manual (COSM), as may be amended from time to time, unless other design standards are specifically approved by the City.

(k) All utilities shall be installed underground, unless otherwise specifically approved by the City.”

...

Section 13. Site Plan Review Landscaping Requirements, amend:

“LANDSCAPING REQUIREMENTS.

The following minimum landscape requirements are established for all developments subject to site plan approval, unless approved otherwise by the reviewing authority.

(A) Exemption. The provisions of this section may be exempted for uses existing on or before the effective date of this ordinance that are a permitted use in a specific zone in an existing building or buildings on a lot or parcel of land of the scale that there is no remaining room for landscaping; this exemption shall also apply to the exterior remodeling and/or expansion of not more than 25% of the total square footage of all enclosed structures on a lot or parcel existing under a unit ownership on or before the effective date of this ordinance.

(B) Area required. Except as approved otherwise by the City, the following minimum percent of a parcel area shall be landscaped for the following uses.

- (1) Duplexes and triplexes: 25%
- (2) Multi family dwelling complexes containing four or more units and commercial residential mixed uses (CRMX): 20%
- (3) Commercial uses ~~not in the C Zones~~ including mixed use commercial (CMX): 15%.
- (4) Industrial uses: A minimum five-foot landscaped buffer along any adjoining public right-of-way of a collector or arterial street or highway, which may be computed toward an overall requirement of 10%.
- (5) Minimum area requirements may include landscaping around buildings, in parking and loading areas, outdoor recreational use areas, screening and buffering areas, and surface water drainage areas.”



CITY OF LA PINE

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Mayor

Ken Mulenex
Council Members
Dennis Scott
Stu Martinez
Kathy Agan
Karen Ward

STAFF RECOMMENDATION TO CITY COUNCIL

CASEFILE: 2016-04IF

HEARING DATE: March 16, 2016, 6:00 pm, Planning Commission
April 13, 2016, 6:00 pm, City Council

REQUEST: Type IV Legislative amendments to City of La Pine Zoning Ordinance No. 2012-05

STAFF CONTACT: Tammy Wisco, Planning Consultant, (210) 896-3432

I. INTRODUCTION

City staff proposes legislative amendments to the City of La Pine Zoning Ordinance No. 2012-05 to revise certain definitions; add definitions; remedy clerical errors; add uses to commercial zones; refine landscaping, sewer, water and stormwater site plan requirements; limit permanent use of metal shipping containers to the industrial zone; and add Transportation System Plan (TSP) requirements to site plan review. Proposed amendments are listed in Exhibit A.

II. APPLICABLE CRITERIA

1. City of La Pine Ordinances:
 - a. La Pine Land Use Procedures Code
2. Conformance with Oregon Administrative Rules (OARs)
 - a. Oregon Statewide Planning Goals

III. PROPOSED AMENDED SECTIONS

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

AMENDMENT 1: Table of Contents

AMENDMENT 2: Section 8. Definitions

AMENDMENT 3: Section 10. Permitted Uses

AMENDMENT 4: Section 13. Site Plan Review Criteria & Landscaping Requirements

IV. FINDINGS OF FACT

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

Public Notice and Comments: Public notices were posted at the La Pine City Hall, Deschutes County Library - La Pine Branch, and Ace Hardware Store on February 24, 2016. Notice was also posted on the City's website and in the local newspapers, *Wise Buys* and *Frontier Times*. Written comments on the proposed amendments were received by one La Pine resident (Scott Henderson) and are included in the Council packet.

Planning Commission Meeting: A public hearing was held at the City's Planning Commission meeting on March 16, 2016, 6:00pm. Planning Commission voted to recommend approval of the amendments to City Council.

V. CONCLUSIONARY FINDINGS

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

SECTION 3.0.0. LEGISLATIVE PROCEDURES

Section 3.1.0. Hearing required

Section 3.2.0. Notice

Section 3.3.0. Initiation of legislative changes

Section 3.4.0. Hearings Body

Section 3.5.0. Final decision

Section 3.1.0. Hearing required.

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

FINDING: A public hearing was held before the Planning Commission on March 16, 2016 at 6:00 pm. Following the public hearing, the Planning Commission voted to recommend approval of the amendments to the City Council. A public hearing before City Council is scheduled for April 13, 2016 at 6:00pm in Council Chambers.

Section 3.2.0. Notice

- 1. Notice of a legislative change shall be published in a newspaper of general circulation.**
- 2. The notice shall state the time and place of the hearing and contain a statement describing in general detail the nature of the proposed change.**

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

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

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

Section 3.3.0. Initiation of legislative changes

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

FINDING: The proposed text amendments were initiated by the City and approved by the Planning Commission for consideration by the City Council.

Section 3.4.0. Hearings body

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

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

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

FINDING: A public hearing was held before the Planning Commission on March 16, 2016. After the public hearing, the Planning Commission voted to recommend the amendments for approval by City Council. A hearing before City Council is scheduled for April 13, 2016 at 6:00 pm.

Section 3.5.0. Final decision

All legislative changes shall be adopted by ordinance.

FINDING: The proposed legislative changes are contained in Ordinance 2016-03, for consideration and adoption by City Council.

Conformance with the State Administrative Rules (OARs)

OAR 660-015, Statewide Planning Goals

Goal 1 - Citizen Involvement

FINDING: Statewide planning Goal 1 requires that the City provide the opportunity for citizens to be involved in the planning process. Notice of the public hearing to consider the proposed zoning ordinance amendments was posted at La Pine City Hall, Deschutes County Library - La Pine Branch, and Ace Hardware Store. Notice was also posted on the City's website and in the local newspapers, *Wisebuys* and *The Frontier*. Citizens are provided the opportunity to comment on the proposed

amendments at the public hearings before the Planning Commission and the City Council, or in writing in advance of the hearings. *The requirements of Goal 1 have been met.*

Goal 2 - Land Use Planning

FINDING: As required by Goal 2, the City has adopted criteria and procedures to evaluate and make land use decisions. Goal 2 requires periodic review and amendments to ordinances as needed; *the proposed amendments meet the requirements of Goal 2.*

Goal 3 - Agricultural Lands

FINDING: The proposed amendments are consistent with the Agricultural Lands (Goal 3) and Goal policies, as they do not adversely impact the ability of the City to plan for agricultural opportunities within the City. *The proposed amendments meet the requirements of Goal 3.*

Goal 4 - Forest Lands

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

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

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

Goal 6 - Air, Water and Land Resources Quality

FINDING: The proposed amendments are consistent with Air, Water, and Land Resources (Goal 6) and Goal policies, as they would require approved water, sewer and stormwater management practices and design standards for all site plan applications, providing improved oversight of the site design elements affecting air, water and land resources. *The proposed amendments meet the requirements of Goal 6.*

Goal 7 - Natural Hazards

FINDING: The proposed amendments are consistent with Natural Hazards (Goal 7) and Goal policies, as they would require approved water, sewer and stormwater management practices and designs for all site plan applications. By requiring specific validated design standards, the City can strengthen the infrastructure to better withstand natural hazards. Appropriately designed stormwater controls on individual properties can reduce impacts due to flooding. *The proposed amendments meet the requirements of Goal 7.*

Goal 8 - Recreational Needs

FINDING: The proposed amendments are consistent with Recreational Needs (Goal 8) and Goal policies by encouraging increased recreation open to the public by including fairgrounds in the definition of large land area commercial recreation. *The proposed amendments meet the requirements of Goal 8.*

Goal 9 - Economic Development

FINDING: The proposed amendments are consistent with Economic Development (Goal 9) and Goal policies by explicitly calling out “clinic” as a principal use in commercial and mixed-use commercial zones. The proposed amendments also open opportunities for more outdoor businesses, such as restaurant patios and drive-thrus. *The proposed amendments meet the requirements of Goal 9.*

Goal 10 - Housing

FINDING: The proposed amendments are consistent with Housing (Goal 10) and Goal policies as they do not adversely impact the City’s ability to provide for the housing needs of its citizens. *The proposed amendments meet the requirements of Goal 10.*

Goal 11 - Public Facilities and Services

FINDING: The proposed amendments are consistent with Public Facilities and Services (Goal 11) and Goal policies as they do not adversely impact the City’s ability to plan and develop a timely, orderly and efficient arrangement of public facilities. *The proposed amendments meet the requirements of Goal 11.*

Goal 12 - Transportation

FINDING: The proposed amendments are consistent with Transportation (Goal 12) and Goal policies to provide and encourage a safe, convenient and economic transportation system by requiring site plan applications to conform to the standards within the adopted La Pine Transportation System Plan (TSP). The TSP standards address safe, convenient and economic transportation through roadway designations with appropriate cross-sections, including pedestrian and bicycle facilities. *The proposed amendments meet the requirements of Goal 12.*

Goal 13 - Energy Conservation

FINDING: The proposed amendments are consistent with Energy Conservation (Goal 13) and Goal policies as they do not adversely impact the City’s ability to create an arrangement and density of land uses to encourage energy conservation. *The proposed amendments meet the requirements of Goal 13.*

Goal 14 - Urbanization

FINDING: The proposed amendments are consistent with Urbanization (Goal 14) and Goal policies as they do not adversely impact the City’s ability to accommodate urban populations and employment inside the urban growth boundary. *The proposed amendments meet the requirements of Goal 14.*

V. RECOMMENDATION and CONCLUSION

Conclusion

Based on the above findings, the proposed amendments to the zoning ordinance, represented in Ordinance 2016-03, meet the La Pine Land Use Procedures Code criteria and are consistent with applicable State land use laws.

Recommendation

Based on findings and evidence available at the time this report was prepared, staff recommends that the City Council unanimously approve Ordinance 2016-03 for adoption in a single meeting.

END of STAFF REPORT