

City of Prineville

ORDINANCE NO. 1199

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN MAP  
AND ZONING MAP TO CHANGE THE COMPREHENSIVE PLAN DESIGNATION  
OF THE OCHOCO LUMBER SITE FROM HEAVY INDUSTRIAL TO MIXED USE  
AND THE ZONING DESIGNATION FROM HEAVY INDUSTRIAL (M2) TO  
COMMERCIAL MIXED USE (CMU)

**WHEREAS**, Prineville Code establishes the policy and procedure allowing the Planning Commission to initiate amendments to change the zoning and Comprehensive Plan Map designation of a property to a mixed use designation as long as the site is identified in a City master plan as a future mixed use site and permission is provided in writing by the owner of the subject property; and

**WHEREAS**, the Prineville Comprehensive Plan identifies the Ochoco Lumber site (tax lots 151604B007200, 151604B007202 & 151604C002900) as a future mixed use development site; and

**WHEREAS**, the owner of the property has provided a letter of support, attached as Exhibit C; and

**WHEREAS**, all required notice was provided in accordance with state law and city ordinance, including notice to the State Department of Land Conservation and Development, newspaper notice and notice to neighboring property owners; and

**WHEREAS**, the City Planning Commission held a joint public hearing at the end of which they recommended that the City Council approve the proposed UGB amendment, Comprehensive Plan amendment and zone change;

**WHEREAS**, the Planning Commission held public hearings on April 16, 2013 and August 6, 2013 in order to solicit comments from neighbors of the Ochoco Lumber site and other members of the community; and

**WHEREAS**, after hearing citizen input and considering the staff report and all items in the record the Planning Commission voted unanimously to initiate the zone change and Comprehensive Plan Map amendment and recommend that Council approve these amendment;

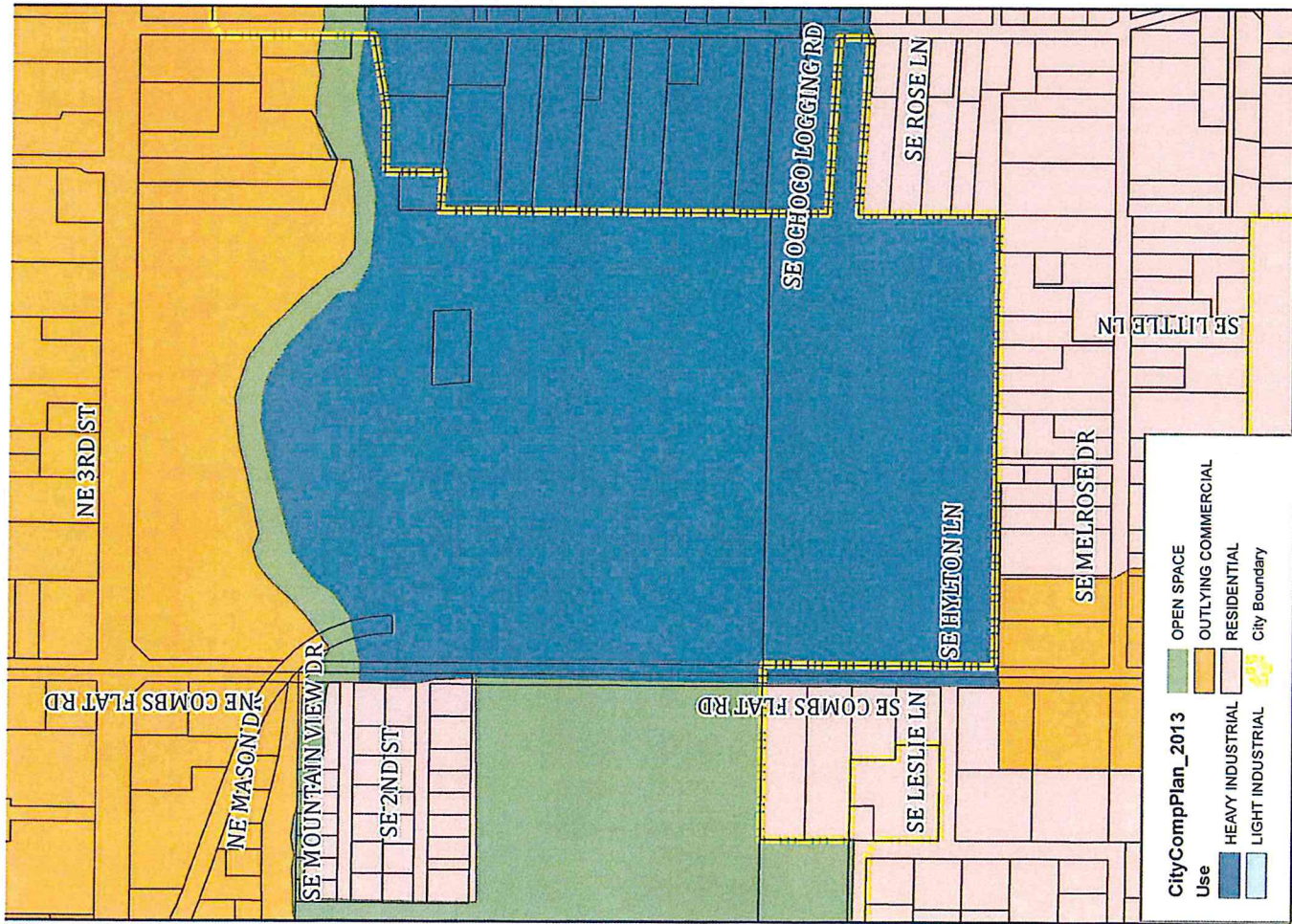
**NOW, THEREFORE, THE PEOPLE OF THE CITY OF PRINEVILLE ORDAIN  
AS FOLLOWS:**

1. The Comprehensive Map designation of the Ochoco Lumber site is changed from Heavy Industrial to Mixed Use in accordance with Exhibit A.
2. The Zoning Map designation of the Ochoco Lumber site is changed from Heavy Industrial (M2) to Commercial Mixed Use (CMU) in accordance with Exhibit B.

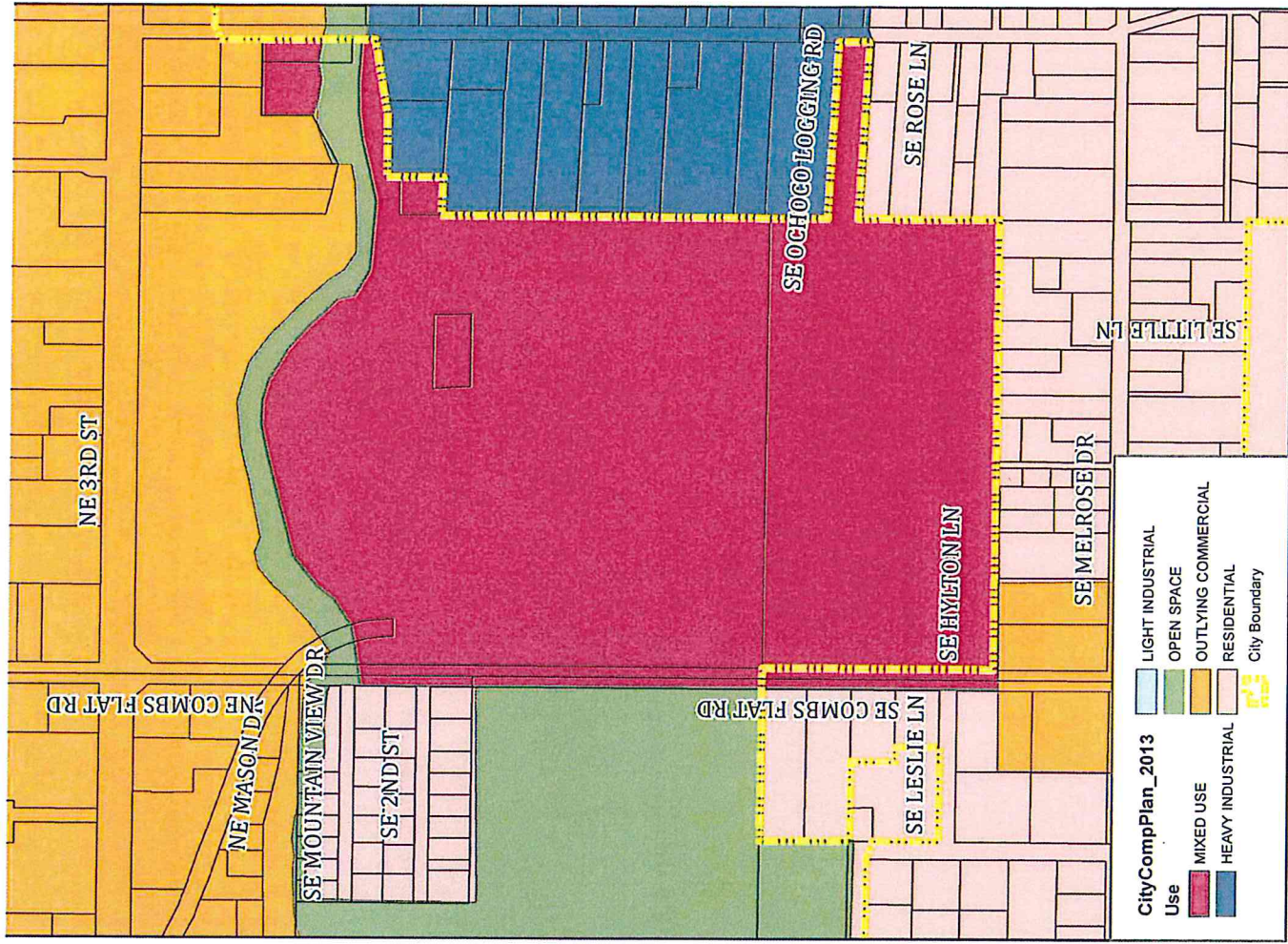
APPROVED BY THE CITY COUNCIL ON THE 13th DAY OF August, 2013.

\_\_\_\_\_  
Betty J. Roppe, Mayor

Attest: \_\_\_\_\_  
Lisa Morgan, City Recorder



Current Comprehensive Plan



Comprehensive Plan after Amendment

## Exhibit 'A'







## Ochoco Lumber Company

May 24, 2013

Scott Edelman  
Planning Director  
City of Prineville  
387 NE Third Street  
Prineville, Oregon 97754

Dear Mr. Edelman,

As the property owner of Ochoco Lumber Mill Property, I am writing this letter in support of Pacific Crest Affordable Housing's request for a Planning Commission Initiative to rezone a portion of this property from Heavy Industrial (M2) to Mixed Use (MU), more particularly classified as Commercial Mixed Use (CMU).

Ochoco Lumber is interested in the redevelopment of the Mill Property as a mixed use project including commercial, housing, open space and the new St. Charles Medical Center. Our vision includes affordable housing for seniors to be located near the to-be-built medical center. An effort is currently under way to develop a mixed use master plan for the entire site. To facilitate this development, an application will also be submitted to rezone the M2 portion of the property to MU under the commercial classification.

Pacific Crest is pursuing funding through the State of Oregon for the development of an affordable housing project for low-income seniors on a portion of this site. While the current M2 zoning does not allow for multi-family residential development, the proposed MU zoning will.

We understand that the deadline for Pacific Crest's application for funding to the State of Oregon is August 23, 2013, and that the appropriate zoning is required to be in place at the time of application. To enable Pacific Crest to move forward with their application, and to facilitate the development of this valuable project, the site must be rezoned before August 23, 2013.

We believe that Pacific Crest's proposed affordable housing project would be an appropriate and desirable use for the site, and that it would be a benefit to the community of Prineville. Please consider Pacific Crest's request to rezone the subject property from M2 to MU through a Planning Commission Initiative.

Please feel free to contact me if you have any questions regarding this matter.

Sincerely,

Bruce Daucsavage  
President

Ochoco Lumber Company  
Malheur Lumber Company  
Deschutes Pine Sales

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**Proposal:** In accordance with Prineville Code 153.063(F), the Planning Commission has initiated a zone change and comprehensive map amendment on its own initiative. This action would change the comprehensive plan and zoning map designation of the Ochoco Lumber site (see map below) from heavy industrial to mixed use. A restriction would be placed upon the property prohibiting any development until a regulating master plan is approved by the Planning Commission in accordance with Prineville Code 153.063(H). Any public improvements (water, sewer, streets, etc.) would be deferred to approval of the regulating master plan. The portion of tax lot 7200 to the north of Ochoco Creek is already zoned C2 General Commercial and is not part of this proposed amendment.



### **Summary**

The Ochoco Lumber Site is the former location of one of Prineville's once thriving lumber mills, at one time employing 147 workers on site. The mill was shut down in 2001 and the majority of the structures on the site were removed in 2004. The only remaining building is the Ochoco Lumber Company office. Since decommissioning of the mill, the owners have put significant resources into site cleanup and improvements to Ochoco Creek which runs through the property.

Both the Comprehensive Plan Map and Zoning Map designate the property as heavy industrial. This was appropriate when the mill was running but now that the site has been cleared the city intends to rezone it to better fit in with the surrounding residential and commercial uses. The Prineville Comprehensive Plan (adopted in 2007) removed this site from industrial acreage calculations, stating that it is now "inappropriately designated industrial" due to conflicts with these surrounding uses. The Comprehensive Plan includes a section specifically discussing the desire of the city and property owner to redevelop the Ochoco Lumber Site into a mixed use project.

The Prineville Code allows two methods for rezoning this property to a mixed use designation. The first is owner/developer initiated and would require approval of a regulating master plan, detailing uses, development patterns and standards for the entire site. The second method is Planning Commission initiated in which case a regulating master plan is not required; however, no development is allowed to take place on the site until the approval of a regulating master plan. This second option is only allowed when a site is identified as a future mixed use site in one of the City's master plans (in this case the Comprehensive Plan) and it allows public infrastructure requirements to be delayed until the approval of the regulating master plan.

In this case, the Planning Commission is proposing to initiate the zone change in order to help meet the goals of the Comprehensive Plan to develop a mixed-use project on this site. The owner has agreed to this approach and has submitted a support letter to that effect.

After conducting two public hearings and discussing the merits of this zone change, the Planning Commission unanimously voted to recommend that Council rezone the Ochoco Lumber site in accordance with the findings of this report.

### **EXHIBITS**

Exhibit A – Comparison of Current and Proposed Comprehensive Plan Map

Exhibit B – Comparison of Current and Proposed Zoning Map

Exhibit C – Letter of Support from Property Owner

### **Staff Findings**

The following findings are intended to support the proposed Zoning Map and Comprehensive Plan Map amendment by demonstrating compliance with the City of Prineville Comprehensive Plan and Zoning Ordinance and state law.

The following section of the City of Prineville Zoning Ordinance is applicable to this proposal in regard to the procedures to be followed in considering the zone change and map amendment.

## **SECTION 1: City of Prineville Code of Ordinances – Chapter 153, Land Use Code**

### **153.063 MIXED USE (MU) ZONE.**

In an MU Zone, the following regulations shall apply.

(A) Purpose. Mixed Use (MU) districts allow the emergence of complete neighborhoods with a mix of residential, retail, service, office and employment activities. These districts de-emphasize land-use regulations, and instead permit a broader range of uses subject to design standards established in this section. Urban design standards are required in order to maintain a neighborhood commercial scale, to promote bicycle and pedestrian activity, and to maintain the unique character of the center. There are a number of benefits that could result from appropriately sited mixed use zones, including:

- (1) Provides a transition from one single-use zone to another (i.e. residential to commercial);
- (2) Reduces dependence on automobile travel;
- (3) Increases the vitality and convenience of formerly single-use zones by adding complimentary uses (for example, restaurants or dry cleaners to a residential area or high density housing in proximity to a commercial center);
- (4) Offers residents, including seniors and youth the opportunity to meet some of their daily needs by walking or biking;
- (5) Enhances the nighttime and weekend security of commercial areas through the presence of residents;
- (6) Efficiently utilizes public investments of streets, parking, infrastructure and services through a higher intensity and mix of uses;
- (7) Increases the amount of land available for housing in areas with high housing demand, lessening development pressure on nearby open space and agricultural land;
- (8) Provides for more efficient transit operations by providing a higher density and greater variety of uses within a reasonable distance of a transit stop.

**FINDING 1A: Staff finds that the current zoning of M1 (heavy industrial) is not appropriate for the Ochoco Lumber site, as stated in the Comprehensive Plan due to conflicts with surrounding uses. Staff finds that a mixed use zoning designation will contribute to each of the purpose statements listed above.**

(B) Designation of Mixed Use Zone. Properties may be designated with the MU zone in accordance with the procedures set forth for a quasi-judicial zone change in section 153.250. Application for the MU zone on a specific property or conglomeration of

properties may be made by either the property owner or the Planning Commission on its own initiative. If the application is made by a property owner, a Regulating Master Plan for the site shall be submitted and reviewed in conjunction with the zone change.

**FINDING 1B: This zone change and comprehensive plan amendment is being initiated by the Planning Commission so no regulating master plan shall be required.**

(C) Mixed Use Zone Classifications. The following shall be the mixed use zone classifications. A zone change proposal may include any mix of these mixed use zones as well as traditional zones or may include a single mixed use zone. While there are no specific standards attached to each zone, the following purpose statements are intended to serve as a guideline for developers in preparing Regulating Master Plans and for the Planning Commission in reviewing zone change proposals. Add open space or Public Square to the description of each zone.

(1) Commercial Mixed-Use District (CMU). The CMU District is established where a mix of commercial with residential uses is intended to be compatible with existing nearby zoning and uses. Development within the CMU District shall have a significant commercial element, along with medium to high density residential uses. Single family uses are also allowed but should be constructed as high-density attached homes (i.e. townhomes) or used to buffer the development from adjacent single-family neighborhoods. The layout of development within the CMU District should have a central focus around the commercial and public areas (public buildings, community facilities, parks, etc.), providing clear access to these elements from the residential uses. While uniformity is not required throughout a development in and CMU District, there should be recognizable themes either throughout the development or within sub-areas of the development. Such themes should include architectural and landscape design, street layout, open space patterns and other elements that reflect the visual character of a neighborhood. The primary development objectives of the CMU District are to expand housing opportunities; allow businesses to locate in a variety of settings; provide options for living, working and shopping environments in close proximity; facilitate more intensive use of land while minimizing potentially adverse impacts; and to provide options for pedestrian-oriented lifestyles.

(2) Employment Mixed Use District (EMU). The EMU District is established where a mix of industrial uses with commercial or medium to high density residential uses is intended and compatible with existing nearby zoning and uses. Development within the EMU District shall have an employment (industrial) emphasis, but may include supporting commercial, public and/or high density residential uses. The scale of commercial uses should be designed primarily to serve employees of other commercial and industrial uses within the development and on nearby properties; commercial uses within the EMU are not intended to serve the greater Prineville area. Likewise, residential uses in an EMU District should be designed and scaled specifically to provide housing for the employees of the commercial and industrial uses within the development. Such residential uses should be carefully located to avoid conflicts with industrial uses in the development and on adjacent properties and, when possible, should be used to as a transition area between industrial/commercial in the development and residential uses on adjacent properties. EMU Districts above the grade in the southwest portion of the City shall not include permanent housing due to the proximity to the airport; however, hotels and housing directly associated with an industrial development (i.e. caretaker housing,

penthouse for visiting executives, etc.) may be included as part of a development proposal. Centralized public space (parks, plazas, community buildings, etc.) are a key feature of development in the EMU zone in order to provide amenities for the employment base. The primary development objectives of the EMU District are to expand employment opportunities by allowing businesses to locate in a variety of locations, provide services for employees in close proximity to their work place, to increase options for workforce housing near employment centers; facilitate more intensive use of land while minimizing potentially adverse impacts; and to provide greater options and flexibility in the development of land for industrial and supporting commercial purposes.

**FINDING 1C: Staff finds the most appropriate zone for this site is the Commercial Mixed-Use District (CMU) as the focus is not on industrial employment but on residential, commercial and service uses.**

(D) Mandatory Inter-Agency Pre-Application Meeting. Any applicant requesting a zone change shall be required to attend a pre-application meeting which will be facilitated by the City. At a minimum, the applicant shall submit a draft Regulating Master Plan as described in subsection (G) below. Any additional information that is required as part of the zone change and Regulating Master Plan approval may also be submitted by the applicant in order to obtain preliminary comments. The applicant shall submit the required form and information to the City a minimum of 10 days prior to the pre-application meeting.

**FINDING 1D: As this action is being initiated by the Planning Commission, no pre-application meeting is required. An inter-agency pre-application meeting shall be required prior to the owner/developer submitting a regulating master plan.**

(E) Optional Pre-Application Commission Meeting. At the request of the applicant, the City will conduct a pre-application meeting with the Planning Commission. The purpose of this meeting would be for the applicant to obtain a general sense of the Commission's receptiveness to a zone change on a specific property and to identify primary issues prior to investing significant resources into preparation of a full quasi-judicial zone change application. Any such pre-application meeting with the Planning Commission will be held as a public hearing in accordance with Section 153.250 (Admin. & Enforcement).

(F) Consideration of Mixed Use Zone by Planning Commission Initiative. The Planning Commission, on its own initiative, may recommend to City Council that a specific property or conglomeration of properties be changed to a mixed use zone based on the following criteria and conditions:

(1) The property must be identified as a future mixed use site in the City's Comprehensive Plan or other adopted plan, such as a framework plan or area plan;

(2) The City must obtain written consent from all owners of property under consideration for the zone change;

(3) Once the zone is changed to mixed use, no development shall take place on the subject site(s) until a Regulating Master Plan has been reviewed and approved in accordance with this section. All infrastructure impacts (water, sewer, traffic, stormwater, etc.) shall be considered at the time of review of the Regulating Master Plan;

therefore no vesting of rights to infrastructure capacity shall be allowed, nor shall any exactions for these purposes be required, prior to the approval of a Regulating Master Plan.

(4) Review of a zone change proposal shall be conducted in accordance with the land use action procedures in section 153.250 (Admin. & Enforcement).

**FINDING 1E: This amendment is being initiated by the Planning Commission in order to achieve compliance with the Comprehensive Plan which includes the following excerpt in regard to the Ochoco Lumber Site:**

***THE OCHOCO LUMBER MILL PROPERTY - A REDEVELOPMENT SITE***

*A few industrial areas such as the former Ochoco Lumber Mill site lie adjacent to the UGB and along Highway 126. The redevelopment of these types of sites will require careful planning and use of mixed-use development techniques as a way to avoid the negative effects of additional strip commercial development patterns. The Ochoco Lumber Mill site is too close to residential uses to continue as heavy manufacturing. Thus, a new type of zone, one that is compatible with adjacent development patterns, is more appropriate.*

*Numerous discussions with the owner of the Ochoco Lumber Mill property have revealed that they wish to potentially develop a mixed-use project on the site. This would include commercial, industrial, open space and housing activities. The owners have stated that they also intend to enhance the alignment of Ochoco Creek and its floodplain where it crosses the site and develop suitable buffers and separation from the nearby existing neighborhoods. This type of redevelopment is consistent with Plan objectives and helps to diversify the economy as it further transitions from lumber to other needed business types.*

Staff finds that this excerpt meets the requirement that the site is identified as a future mixed use site in the City's Comprehensive Plan. Staff has received written consent from the Property owner (included as Exhibit C). As a condition of this amendment, no development will be allowed to take place on the site until a Regulating Master Plan has been approved. In accordance with this section, evaluation of all infrastructure impacts shall be considered during review of the Regulating Master Plan. Compliance with section 153.250 is demonstrated below. Staff finds the criteria for consideration of a mixed use zone by the Planning Commission have been met.

**§153.256.030. Decision on plan amendments and zone changes.**

A. Except as set forth herein, the Planning Commission when acting as the Hearings Body shall have authority to make decisions on all quasi-judicial zone changes and plan amendments. Prior to becoming effective, all quasi-judicial plan amendments and zone changes shall be adopted by the City Council.

B. In considering all quasi-judicial zone changes and those quasi-judicial plan amendments on which the Planning Commission has authority to make a decision, the City Council shall, in the absence of an appeal or review initiated by the Council, adopt the Planning Commission decision. No argument or further testimony will be taken by the Council.

**Finding 1F: This proposal is for a Comprehensive Plan Map and Zoning Map amendment. As such it is subject to the process outlined above. The purpose of the public hearing is to make a decision on the proposed amendment based on this staff report, the materials submitted by the applicant, and all comments and considerations raised through the land use application and hearings process.**

## **SECTION 2: City of Prineville Code of Ordinances, Title XV – Chapter 154, Comprehensive Plan**

The chapters of the City of Prineville Comprehensive Plan which are relevant and applicable to the proposed Comprehensive Plan Map and Zoning Map amendment are discussed below. Specific items within these chapters which are not relevant to this proposal are not listed in order to achieve maximum clarity and efficiency.

### ***City of Prineville Comprehensive Plan - Chapter 1: Community Characteristics***

*Goal # 1: Improve the function and appearance of the community's residential neighborhoods, commercial and industrial areas.*

### **Residential Neighborhood Values and Policies**

Residential neighborhoods shall include the following features:

Master plan required. Before any required land division approval or design review approval, a master plan shall be prepared for all parcels and sites over 5 acres in size as of the date of adoption of this plan. Other types of development proposals may require master plans and/or master planning techniques.

"Complete neighborhood" land use and design standards. Neighborhood Master Plans shall be evaluated based on the adopted land division and zoning ordinance criteria as applicable, and shall also contain the following neighborhood design elements:

- Development of residential neighborhood lots shall use planned unit development techniques or zoning overlays to permit and control mixing of uses.
- Neighborhood lots shall be designed to be within 1200 feet of open spaces, parks or other recreational areas. Trails and sidewalks are considered to be basic infrastructure and may not to be considered as open spaces for meeting this requirement unless they are located in special preservation areas such as riparian areas, etc. The 1200-foot distance

shall be measured along the proposed or existing walking surfaces such as ADA accessible sidewalks, trails, and streets.

- Neighborhoods shall include a mix of housing types to achieve at least 60% of the maximum density designated for the underlying zones, including non-residential lands. The mix of housing types shall not exceed the density for the underlying zone unless a public park greater than 3 acres in size is proposed to be within the neighborhood. In no case, shall the density exceed 10 % of the maximum density for the underlying zone and in no case shall the higher density dwellings be located next to existing lower density dwellings unless separated by a setback twice the requirement established for the residential dwellings.
- Neighborhoods shall include designation of public use lands necessary for schools, trails, emergency services, infrastructure support systems, transit amenities, and natural resource protection in accordance with this Plan and State law.
- Neighborhoods shall contain small blocks not exceeding 660 feet in length; with a maximum perimeter of 1,600 feet unless separated by open spaces and other recreational uses or when the City has approved an exception to block length.
- Neighborhoods shall contain open spaces, typical municipally-sized parks, in addition to trails, pocket parks, pavilions, squares, plazas, greenbelts, natural resource protection areas, structured and unstructured open space, etc as appropriate to the setting and density of the area.
- Neighborhoods shall contain employment/shopping/service opportunities located in areas that can be served by transit and easily accessed by residents in the neighborhood. Residentially oriented services (i.e. convenience stores, laundromats, cafés, etc.) shall not exceed a distance greater than 2640 feet (1/2 mile) from one another unless as approved by exception.
- The required neighborhood design elements shall be included in all master planned neighborhoods unless it can be proven that the abutting and/or adjacent developed lands include the elements necessary to meet the intent of this section. Adequate proof shall include studies, demographic data, and other suitable information to provide the City with factual data to support findings for approval. The expense for supplying the proof shall be borne solely by the property owner or applicant. The proof shall provide reliable evidence that the adjacent and/or abutting properties contain the elements necessary to create or complement the proposed neighborhood.

**Finding 2A: As a mixed-use project this site will require a Regulating Master Plan. This will ensure compliance with these values and policies, including following a master plan, exhibiting complete neighborhood principles, providing access to recreation and open space, and providing access to employment, shopping and services. Staff finds that application of the Commercial Mixed Use (CMU) Zone will provide for consistency with this section of the Comprehensive Plan.**

## Commercial and Industrial Area Values and Policies

New commercial and industrial areas shall include the following features:

Commercial and industrial area development plan required. Before any required land division or design review approval, a development plan shall be prepared for all parcels and sites contemplated for development. The intent of these policies is to create "complete commercial and industrial areas" and avoid piecemeal development practices that can lead to unnecessary community subsidy and sprawl.

Land use and design standards. Commercial and Industrial development plans shall be evaluated based on the adopted land division and zoning ordinance criteria and shall also contain the following design elements:

- Planned unit development techniques or zoning overlays to permit and control mixing of uses. This may include access to sidewalks, trails, transit, open space, parks or other recreational areas.
- Architectural features that articulate the exteriors of large buildings to reduce the visual mass and enhance the architecture of the community.
- Outdoor amenities in the form of pocket parks, plazas, exercise facilities, on site cafes, day care facilities or other features that enhance the working experience for employees and reduce vehicle trips.
- Techniques to provide and implement design features that minimize the negative effects of infill development by improving compatibility with existing structures and land uses.
- Orienting the building primary access point to a public sidewalk or street.
- Planting and maintenance of suitable street trees.
- New parking areas shall, to the greatest extent practical, be placed around new buildings in order to avoid concentrations of parking and excessive walking distances from the street to the primary access point.
- Adequate off-street parking for bicycles.
- Adequate buffers from incompatible uses. *i.e. If new commercial and industrial uses are proposed to be located next to existing residential dwellings they must be separated by a side or rear yard setback twice the requirement established for the use.*
- Designation of public use lands necessary for schools, trails, emergency services, infrastructure support systems, transit amenities, and natural resource protection in accordance with this Plan.

- New development of commercial lots shall contain, at a minimum, 51% commercial use to minimize the exclusive use of a commercial lot as primarily residential
- Area studies containing analysis of the land uses contained within the perimeter of the development site. This may include demographic data necessary to show the quality and quantity of the existing commercial and industrial types, mixed-uses, open space and recreation areas, public use lands, trails and sidewalks, and utility needs. The City staff, in collaboration with the applicant proposing the development, shall jointly evaluate the commercial/industrial area study and determine what land uses are necessary to promote and implement the "complete industrial and commercial area" concept. The City may require certain missing commercial/industrial to be developed on or adjacent to the redevelopment property or require a pro rata cash contribution to the future development of such elements. The required "complete" design elements shall be included in all (re)development proposals unless it can be proven that the abutting and/or adjacent developed lands include the elements necessary to meet the intent of this section.

**Finding 2B: As a mixed-use project this site will include commercial elements. The requirements of the Regulating Master Plan will ensure consistency with these values and policies. The Regulating Master Plan will include architectural review, outdoor amenities, approval of building orientation and landscaping, buffering from neighboring uses and dedication of land necessary for public purposes. Staff finds that the CMU Zone, once fully implemented through the Regulating Master Plan, is the best avenue to ensure these commercial values and policies are met.**

***City of Prineville Comprehensive Plan - Chapter 2: Urban Land Uses and Zoning Designations***

***Goal # 1: Create land use regulations that enhance Prineville without sacrificing community values.***

**Residential Zone Values and Policies**

- Residential zones should be places where citizens can raise their families in a safe and nurturing environment.
- Residential zones that include amenities promoting family living environments and safe places for children to play walk to school, and experience natural resources are highly desired.
- Residential zones that include compatibility standards to facilitate transitions between new and established uses will help to alleviate the pressures of growth upon existing community residents.
- Residential zones that provide for a broad range of densities and housing choices avoid creating imbalances that require remedies using community subsidy or tax dollars.

- Residential zones must include outright permitted and conditional uses adequate to develop "complete" neighborhoods and suitable living environments.
- New residential developments shall analyze the impact of the new development upon community infrastructure, natural resources, and local cultural attributes before development can proceed. Any necessary mitigation plan shall be examined for feasibility and effectiveness in remedying the impacts. No new development shall be permitted which creates the need for subsidy by community members, in other words, "new development shall pay its' own way."
- Prineville has many natural features worthy of preservation and enhancement. New residential developments shall incorporate where practical, existing natural features into new projects as a way to protect the natural beauty of Prineville.
- Residential zones shall promote walk ability and connectivity to adjacent neighborhoods, open spaces, parks, and commercial nodes.
- Residential zones shall incorporate affordable housing concepts.

**Finding 2C: Staff finds that the mixed use zone will contribute to these values and policies by allowing families to live in close proximity to amenities and natural resources and will provide a transition between neighboring residential and commercial uses. The impact on community infrastructure, natural resources and local cultural attributes shall be deferred until review of the Regulating Master Plan.**

### **Commercial Zone Values and Policies**

- Commercial zones shall be places that provide a wide range of services and goods to citizens in a convenient manner and without creating unnecessary subsidies.
- Commercial areas, nodes, and zones should be located throughout the community to provide convenient shopping, employment, and services to citizens in an efficient manner.
- Commercial zones must include outright permitted and conditional uses adequate to fully support the needs of the Prineville community.
- Commercial zone regulations should be flexible and include incentives to attract businesses to create a self-supporting community and competitive business environment.
- Commercial zones should provide adequate opportunities to locate and operate businesses so Prineville can be as self-sufficient as possible without requiring citizens to make excessive vehicle trips to other communities.
- Commercial zones should receive high priority for improved infrastructure and other government capital improvement programs.

- The downtown business commercial core area is a key feature of Prineville and should be enhanced to provide a draw for all citizens and visitors alike. Convenient and plentiful transportation and parking opportunities are necessary for the success of the downtown area.
- Commercial areas should provide not only service and shopping opportunities but adequate supplies of employment opportunities.
- Commercial projects that contain quality architecture, reflective of the locale and environment, mixed-uses, open spaces, pedestrian amenities, and adequate parking areas shall be required and promoted throughout the community as the city grows.
- Commercial projects that are aesthetically designed to blend in with the environment and are compatible with mixed-uses and residential areas will be encouraged over commercial developments that require large acreages and private parking fields.
- Commercial projects that maximize land spaces and are multi-storied with opportunities for upper-floor and/or offices and housing should be encouraged as a way to utilize valuable lands efficiently.
- Existing strip commercial areas can be unsightly, unsafe, and create excessive vehicle trips. Successful development strategies should include methods for redeveloping and improving the curbside appearance and function of existing strip areas.
- New extensions of commercial strip areas shall be developed only when it can be proven that needed services could not be provided to the community without developing lands at the ends of the exiting strips. Such new extensions shall be designed as centers with shopping streets or lanes instead of direct highway access. Building setbacks in commercial strip areas shall be such as to minimize distances onto sidewalks and streets, thus encouraging safe and easy pedestrian and bicycle access.
- New commercial areas, not at the ends of existing strips shall be designed as commercial nodes or centers to avoid creating new strip areas.
- Commercial areas should allow for service, repair and small manufacturing as a way to preserve industrial parcels in large acreages. Special incentives may be needed to control land prices for these uses.
- New commercial zones should be in areas where commercial and support services are needed and will thrive.

**Finding 2D: Staff finds that the mixed use zone will contribute to these values and policies by allowing flexibility for future development of the site, locating businesses and services in close proximity to residential uses, reducing vehicle trips, and ensuring quality architecture through the Regulating Master Plan. The impact on community infrastructure, natural resources and local cultural attributes shall be deferred until review of the Regulating Master Plan.**

### ***City of Prineville Comprehensive Plan - Chapter 3: Natural Environment***

*Goal # 1: Protect and enhance identified Goal 5 resources and other features of the natural environment using a variety of methods and strategies*

#### **Natural Environment Values and Policies**

- Local citizens desire to be good stewards of their community's natural resources, including significant natural resource sites and natural hazards shown on the Prineville Goal 5 and 7 inventory.
- The local economy can benefit from efforts to protect the natural environment. Prineville considered the economic consequences of resource and hazard protection in its analysis of economic, social, environmental and energy (ESEE) consequences of alternative resource protection programs.
- Programs are needed to address the protection of the natural environment in a balanced and fair fashion given the urban development goals of the City. Prineville's limited protection program achieves an appropriate balance between urban development needs (employment, housing, schools, parks and institutions), conservation of significant natural resources, and protection of life and property from natural hazards.
- Riparian and wetland areas support important wildlife and ecology and should be retained and enhanced to the greatest extent possible. Wildlife habitat associated with rivers, creeks and wetlands will be protected by maintaining and enhancing riparian vegetation within significant riparian corridors.
- The creeks and rivers that traverse the community need special setback protection and corridor enhancement. Prineville has applied a three-tiered protection program that recognizes different levels of development that have occurred near Ochoco Creek, Crooked River, and the Hudspeth and Ryegrass Drainages.
- The cliffs and rimrock areas should be preserved and local regulations should be crafted to limit development intrusion into these areas. Prineville will continue to apply Crook County scenic setbacks along rimrock canyons as land is annexed to the City, and new local regulations will protect the rimrock face and talus slopes below.
- Barnes Butte provides the scenic backdrop and identity to Prineville, and is recognized as the community's defining scenic resource site. Prineville will allow for an appropriate residential development, while protecting Barnes Buttes and associated steep slopes, dry washes and raptor habitat through a three-tiered protection program.
- The Prineville community has long experience with damaging floods. Prineville will amend the floodplain ordinance to incorporate a "no net loss of flood storage capacity" standard. Significant riparian corridors and wetlands within the 100-year floodplain will have a high level of protection.

- Air inversion policy ...[no change, or we could add language noting that tree conservation in riparian/wetland/habitat areas will have positive benefits for local air quality]
- The local water table is high in many areas of the community. To avoid further contamination of local aquifers, Prineville shall protect inventoried groundwater resources through adoption of a well-head protection ordinance as recommended by the Oregon Department of Environmental Quality.
- The open spaces and natural areas within the community need to be inventoried and networks of open space within the community shall be maintained and enhanced, including wildlife habitat corridors, storm water management areas, trails and other sensitive areas. Prineville will maintain updated inventories of Goal 5 natural resource and Goal 7 hazard areas.
- The local urban forest helps to create shade, improve respite areas, enhance drainage ways, and beautiful the community.
- Citizens should have convenient access to natural areas when practical and as long as sensitive areas are not diminished by such access.
- Children and other citizens will benefit from learning about and understanding the special characteristics of urban wildlife and natural habitats.

**Finding 2E: Ochoco Creek meanders through the northern portion of the Ochoco Lumber site, separating the commercially zoned area to the north from the proposed rezone area to the south. The property owner has recently completed significant improvements to the creek, increasing flood storage and improving fish and wildlife habitat. This area will continue to be protected through the review of the Regulating Master Plan. Staff finds that the mixed use designation will help the site to continue to comply with the natural environment values and policies.**

***City of Prineville Comprehensive Plan - Chapter 4: Parks, Recreation and Open Space***

***Goal # 1: Create a system of parks, recreational facilities, and open space areas that provide quality active and passive recreational experiences for all urban area residents.***

**Policy 1. Parks, Open Space, and Recreation Values and Policies**

- The natural environment and developed parks provide respite areas for citizens.
- Prineville's citizens cherish the natural environment and the recreational opportunities the community offers to residents and visitors alike.
- The community of Prineville defines "open space" as: land that is preserved solely for pedestrians and bicyclists consisting of, but not limited to, parks, trails, natural areas, landscaped areas over 600 square feet in area, and plazas.

- Prineville's citizens have benefited from the efforts of the local community groups, City, CCPRD, County State, and Federal government as it relates to open space, parks, and recreational facility development.
- Given the various agencies involved in providing open space, parks, trails, and recreational opportunities – a high level of coordination and planning will be required in order to maximize efficiency and reduce duplication.
- The community will benefit from the addition of new parks and recreational opportunities in the most cost effective way possible.
- Development of a comprehensive master plan examining current and future, parks and recreation needs will benefit the community.
- Local parks and recreational opportunities tend to be distributed throughout the community without connecting links other than streets; Prineville's citizens desire to connect existing and future parks and recreation facilities by sidewalks, trails, and other mechanisms. Such connections provide greater opportunities for citizens, particularly children, to safely access parks without vehicle use.
- Open space and/or recreational areas should be available to residents within 1200 feet of their homes unless an exception is granted by the City.
- New parks and recreational facilities should be incorporated into new developments as a way to distribute resources throughout the community and reduce vehicle miles traveled.
- Older neighborhoods and redevelopment areas should consider incorporating parks, trails, and other recreational facilities as a way to enhance the community.
- New parks should be developed without community subsidy, while new trails and community recreational facilities may require additional funding through those sources available to the City and CCPRD.
- The school district and community college should participate in the discussion about new parks and be willing to link school and college resources to the community park system as a way to leverage open space opportunities.
- Local development codes should include analysis of new resident impacts as it relates to the need for parks and recreation facilities beyond the collection of CCPRD SDC's. Such codes should require open space, parks, and recreational opportunities where justifiable and appropriate.
- New trails are important elements that link open spaces and parks.
- Riparian habitats and other natural areas may be used for recreational and open space opportunities.

**Finding 2F:** Staff finds that the mixed use zone will be the most effective way to ensure that the Ochoco Lumber Site provides parks, open space and recreational opportunities. As an industrial or commercial site, the city would be very limited in its ability to require these amenities. The mixed use zone requires these to be provided and shown on the regulating master plan.

***City of Prineville Comprehensive Plan – Chapter 5: Economy***

*Goal # 1: Provide adequate industrial and commercial land inventories to satisfy the urban development needs of Prineville for at least the 20 year planning horizon.*

*Economic Values and Policies*

- *Updates to inventories and analysis of needed industrial and commercial land types, existing land supplies, and economic development strategies for meeting the requirements of the community are essential. It is necessary to provide adequate buildable industrial and commercial land for at least 20 years.*
- *Updates to the inventories may be required in response to redevelopment, proposed zone changes, mixed-use development techniques and planned unit developments that enable "complete neighborhood" concepts and economic development opportunities.*
- *State, local, and nationwide trends are not adequate to properly estimate needed industrial and commercial lands. Other local information and economic development targeting goals must be used to properly evaluate future land needs.*
- *Adequate public facilities must be planned, funded, and installed to serve industrial sites and commercial areas.*
- *Preservation of large industrial parcels over 20 acres in size will attract target industries and new manufacturing businesses.*
- *Additional land is needed to support commercial and industrial uses. Where there are particular locational requirements for certain activities, amendments to the Comprehensive Plan may be necessary. Amendments should be evaluated in relation to all applicable policies of the Comprehensive Plan.*

*Programs:*

*The City shall:*

- *Regularly monitor and analyze commercial and industrial land inventories. When new lands are needed, the City Council shall authorize expansion of the UGB or other methods to ensure that at least a 20-year inventory of land for each category is available within the urban area.*
- *Update and manage all public facilities planning to meet community and economic development goals while encouraging additional public and private investment in the community.*
- *Explore and initiate methods for preserving large industrial parcels to meet projected demand.*

**Finding 2F:** This section of the Comprehensive Plan considers industrial and commercial land needs. It addresses the Ochoco Lumber Site specifically from three

different angles in relation to these needs. First, this chapter indicates that the Ochoco Lumber Site has been identified as unsuitable for industrial development and, therefore, removed from the industrial lands inventory. Second, it identifies an unmet commercial need of approximately 200 acres. Third, as stated previously, this chapter identifies the Ochoco Lumber Site for a future mixed-use project. Staff finds that the application of the mixed use zone on this site is consistent with the values and policies of this chapter as it will provide for additional commercial land to meet the city's 20-year need.

*City of Prineville Comprehensive Plan – Chapter 6: Transportation and Circulation*

*Goal # 1: Create a functional transportation system to maximize and extend the life of transportation facilities and improve livability throughout the Prineville community.*

**Transportation Choices and Vehicle Alternative Values and Policies**

**General Transportation Street Network**

- A transportation system that includes alternate modes in addition to vehicle needs is a State requirement. The term "Alternate Mode" includes anything, besides single occupant vehicles, capable of moving people and goods such as rail, pedestrian facilities, bike lanes, air transport, transit, and the like.
- Vehicle use is the primary form of transportation for the majority of its citizens, but increased alternate mode use is essential to the livability of the community and to preserve valuable resources.
- The street system shall be fully functional for the safe and efficient delivery of emergency services.
- Alternate mode use is essential for providing a full complement of transportation choices and that land use regulations need to include an analysis of transportation impacts, needs, and mitigation options.
- The highway systems contribute to the local economy and bring goods and services into the community bolstering local commerce and tourism.
- Balancing the needs of the local community with regional transportation needs must include open dialogue with citizens, state agencies, Crook County, local business interests, special interest groups, and tourism professionals.
- Traffic calming measures in core commercial areas and residential neighborhoods can reduce vehicular speeds on roadways and create a safe pedestrian/bicycle environment.

- Transportation problems will require comprehensive planning, regular monitoring and analysis, a systematic approach to problem solving.
- The vitality of the community is dependent upon a fully functional transportation system that provides a variety of mobility options and consolidates multiple transportation modes in a way that encourages multi-modal travel.
- The community, as a whole, will benefit from transportation systems that provide sidewalks, trails, open spaces, connections between open space, bike lanes, land uses that support transit, transit amenities, alternatives to signals or stop signs, pedestrian amenities, and protected sidewalks to encourage alternate mode use and promote a high level of livability.
- The City is required, by law, to design and implement a transportation system that meets the applicable TSP and TPR requirements for the 20-year planning period.
- The community will benefit from streets that are designed to permit emergency service vehicles to access all parts of the community in an efficient manner.
- The community will benefit from allowing the development of public and private streets to supply needed transportation systems.
- The City has limited funds to use for the maintenance of public streets.
- The ability to require the development of private streets systems, where appropriate and where they are guaranteed to be maintained by parties other than the City will reduce the overall funding need for street maintenance and the need to seek additional tax revenues from city. Private streets are legitimate components of the transportation system when designed properly and maintained to at least City standards.
- Transportation demand management (TDM) and transportation system management (TSM) techniques are useful tools in the design of the transportation system.
- Safe streets, particularly for pedestrians, children, seniors, and the disabled are essential to addressing all community transportation needs.
- Street trees, pedestrian amenities, separated sidewalks; curb extensions, traffic calming, and other related devices can be useful design elements especially when supported by a cost benefit analysis showing they are appropriate.
- The Prineville community desires to balance the highway needs of regional users with the local users in order to avoid creating highway improvements that sacrifice local values and damage economic interests.
- The Prineville community desires to maximize the Rights-of-way (ROW) for the use of pedestrians, shoppers, parking where appropriate, and add public directional signage including but not limited to streets, alleys and canal right-of-ways.

- Innovative intersection designs such as roundabouts can reduce cost and improve livability.

**Finding 2G: Many of these values and policies will be addressed through the Regulating Master Plan. Staff finds that the mixed use zone will be the best tool to ensure transportation connectivity and maximize opportunities for alternate modes of transportation by putting employment, shopping and services in close proximity to residential uses.**

### **Taxi and Bus Policies**

- Investigate the possibility of a shuttle bus and staggered shifts with Prineville's major employers.
- Encourage private efforts to supply forms of inter and intra city transit to the commuter.
- Add loading zones in downtown core area and other commercial areas to facilitate loading and unloading of Senior Bus and other mass transportation options
- Ensure proper facilities are in place to allow for safe operation of mass transportation vehicles

### **Bicycle and Pedestrian Policies**

- Encourage pedestrian and bicycle movement as a safe, feasible alternative to the automobile.
- Avoid conflicts (combining intersections) among differing transportation modes.
- Require that all proposed subdivisions consider bicycle and pedestrian paths, integrated with the City Area bicycle and pedestrian path network, within the plat design, and to encourage these paths outside of the street right-of-ways preferably along preserved open spaces.
- Insure that bicycle and pedestrian paths, not along street right-of-ways are well lit and provide visual surveillance from the street.
- Preserve space along existing and proposed principal and minor arterials and require at least one combined bicycle and pedestrian path.
- Require all proposed activity centers generating large amounts of traffic to provide safe and convenient off-street bicycle parking space and routes in their design.
- Insure neighborhoods and activity centers, including public loading and pickup areas, are served by pedestrian and bicycle routes.
- Provide curb cuts at all corners, intersections, or locations where bicycle and pedestrian routes and paths intersect with streets.
- Provide for paving of pedestrian and bicycle ways where appropriate.
- Work with OID to promote pedestrian and bicycle connections along piped portions of the canal system.
- Consider bicycle and pedestrian paths among the improvements for properties that wish to be annexed to the city.
- Improve signs, markings, and safety features on existing bicycle and pedestrian paths.

**Finding 2H: Staff finds that the mixed use zone will be the best tool for encouraging multiple modes of transportation, including bus, bicycle and pedestrian. The requirements of a Regulating Master Plan include providing at least one bus stop facility and sufficient bicycle and pedestrian facilities to provide for efficient non-vehicular transportation both through and within the site.**

*Goal # 3: Create a supportable method for determining adequate and consistent transportation impact analyses, mitigation procedures, and transportation improvement options*

### **Impact Analysis and Mitigation Values and Policies**

- It is important to analyze the impact of development upon the community.
- Growth should pay its own way without community subsidy.
- All new projects must be evaluated to determine the impact of such development upon the transportation system in a fair and equitable manner. The cost of this analysis may be borne by the developer unless adequate information is already contained within a recent study available to the City.
- The current edition of the Institute of Traffic Engineers manual should be used for determining traffic impacts on the local street system. However, alternate sources of data may be accepted when the ITE manual does not supply adequate information to do a proper analysis.
- There will be situations where typical traffic analysis will include subjective analyses and flexibility to achieve community goals. It is understood that traffic impact studies and analyses are very complex. Such studies are often more often than not, an art, rather than science.
- Transportation mitigation shall be proposed by the developer; and evaluated and determined to be acceptable by the City before issuance of any development permit.
- Transportation mitigation costs may be refunded for transportation improvements, cash contributions, right of way dedications, transfer of development credits and development rights, real property and other significant contributions as the City sees fit to accept.

**Finding 2I: As the Planning Commission is initiating this zone change and plan amendment, transportation impact analysis and mitigation will be deferred to the review of the Regulating Master Plan. Since the Regulating Master Plan is what defines allowed uses on the site, in its absence there are effectively no uses allowed; therefore, there are no impacts to mitigate until the Regulating Mater Plan is approved. Through the Transportation Systems Plan (TSP) analysis, currently underway, the City has confidence that mitigation measures can be put into place to handle projected traffic volumes.**

## ***City of Prineville Comprehensive Plan – Chapter 7: Housing***

*Goal # 1: Encourage a wide range of housing types satisfying the urban development needs of the Prineville community.*

### **Housing Values and Policies**

- It is essential to develop strategies that increase the variety of housing choices in the community. These strategies must include an inventory and analysis of needed housing types, existing housing supplies, and strategies for meeting the changing community demographic.
- It is necessary to provide adequate buildable residential land for the 20 year planning horizon.
- It is necessary to accommodate growth and provide mechanisms to ensure that a variety of housing options for all income levels are available in both existing neighborhoods and new residential areas.
- It is necessary to encourage development and redevelopment of residential areas to make them safe, convenient, and attractive places to live and located close to schools, services, parks, shopping and employment centers.
- The community should maintain the feel of a small community through careful design of new and redeveloping residential areas.
- A regular housing analysis shall be the basis for understanding and projecting housing needs. City staff will need to manage the calibration data in order to accommodate local cultural characteristics and anomalies.
- The Prineville community needs a full range of housing types to sustain a healthy community.
- Development code regulations will need to be modified to encourage needed housing types within the UGB.
- The Prineville community desires to encourage and sustain affordable housing while protecting the physical characteristics of land relating to soils, slope, erosion, drainage, natural features, and vegetation.

**Finding 2J: Staff finds that the application of the mixed use zone on the Ochoco Lumber site will increase the variety of housing choices for Prineville. The mixed use zone offers much greater flexibility to provide a variety of housing types than other zones. This includes second floor housing (over commercial uses), townhomes, live/work arrangements, high density developments and affordable housing options that might not be allowed or more difficult to approve in other zones.**

*Goal # 4: Promote and protect neighborhood qualities that reflect the small town appeal of Prineville and improve compatibility between various uses.*

## Compatibility Values and Policies

- Compatibility standards are effective tools for making sure neighborhood uses are consistent with community goals and design standards.
- It is necessary for the public health and safety of the community to monitor and manage neighborhood uses.
- The Prineville community desires to preserve, protect, and strengthen the vitality and stability of existing neighborhoods while permitting uses that make neighborhoods more "complete" and reduce vehicle miles traveled.
- Developments that border underdeveloped urban lands and/or rural lands at the edges of the Urban Growth Boundary (UGB) shall include design techniques to reduce the impact of new, denser urban development on abutting lower density lands. Examples of such techniques include the use of buffer areas, designing projects that work with the natural features of the site, shadow plats, and redevelopment plans that extend 300 feet off site, density transition zones, increased landscaping, master planning areas larger than the project site, etc.
- New residential developments in areas without an established character or quality should be permitted maximum flexibility in design and housing type consistent with densities and goals and objectives of this Plan.
- New developments in existing residential areas where there is an established character deemed desirable by community standards should use a variety of compatibility techniques to blend in with surrounding developments, including landscaping, traffic patterns, mass, height, screened parking areas, public facilities, visual impact, architectural styles and lighting.
- "Complete neighborhoods" include private and public nonresidential uses for the convenience and safety of the neighborhood residents. These uses should be permitted within residential areas. Such facilities shall be compatible with surrounding developments, and their appearance should enhance the area.
- Multi-modal access should be provided internally and to adjacent new and existing neighborhood developments.
- Where alleys are available, garages or parking areas in neighborhoods should be accessed from alleys instead of driveways connecting to public streets.
- Residential units should be permitted above or as an incidental use in conjunction with certain commercial and industrial uses as a way to improve compatibility between uses and zones.
- A range of housing types, including housing for the elderly, disabled, developmentally challenged and low income citizens of the community should be dispersed throughout those residential neighborhoods which are close to schools, services, parks, shopping and employment centers rather than concentrating these dwellings in just a few areas.

- A range of lot sizes should be dispersed throughout the community to provide space for a full spectrum of housing types.
- Higher density developments should be in close proximity to schools, services, parks, shopping, employment centers, and public transit.
- Smaller lot sizes may be appropriate and should be encouraged with flexible Planned Unit Development (PUD) ordinances allowing a mix of lot sizes.
- It is necessary to allow residential areas near the urban growth boundary to develop in a more efficient manner. A clustered approach or PUD style of development will provide a buffer between the rural resource lands and the urban area. This technique can blend the uses and soften the edge between agriculture and urban residential densities.
- The City and County have agreed that no development can occur in the unincorporated residential areas until compatibility and transition issues are resolved by use of community planning and/or master planning techniques. Such techniques ensure proper development of the urban area and help protect existing neighborhood qualities and livability. New developments in existing residential neighborhoods (especially those not contiguous to the incorporated City) may provide for less density. New developments on larger parcels, not within established neighborhoods, are anticipated to develop a mixture of higher densities and other non-residential uses to support the development of new "complete neighborhoods."
- Areas developed or designated for multi-family development should be compatible with adjoining land uses and not detract from the character of existing residential areas.
- The location of most multi-family housing will be best suited near the City core, major transportation corridors, schools, services, parks, shopping, employment centers, and transit corridors.
- The Prineville community demands a quality living experience for all residents and multi-family developments. Thus, site plans for multi-family developments or attached single-family housing are required to provide for adequate yard space for residents and play space for children which have distinct area and definite shape, appropriate for the proposed use, and are not just the residue left after buildings are designed and placed on the land.

**Finding 2K: Staff finds that the application of the mixed use zone on the Ochoco Lumber site is the best tool to ensure maximum compatibility with surrounding uses. Clearly the existing M1 Heavy Industrial zoning is not compatible with surrounding residential uses. The criteria for Regulating Master Plans includes special provisions for transitioning from neighboring residential properties. It specifically requires that development on the edges of the mixed use site are similar in size and character to adjacent residential uses. The mixed use zone provides the maximum flexibility on the part of the City to ensure neighboring residences are not negatively impacted by uses on the Ochoco Lumber site.**

***City of Prineville Comprehensive Plan – Chapter 8: Public Services and Facilities***

***Goal # 1: Coordinate intra-agency efforts and create a system of public facilities for the planning horizon.***

**Public Facility Values and Policies**

- Local plans for providing urban levels of services to all land within the UGB must be comprehensive.
- Providing needed services in an economic and effective manner is good business and a good growth management tool.
- Plans providing for public facilities and services should be coordinated with plans for designation of urban boundaries, zoning, urbanizable land, rural uses and for the transition of rural land to urban uses.
- Entities other than the City of Prineville may be allowed to use the surface, subsurface and air above City right of ways provided that all applicable rules and regulations are adhered to. In no event, shall these entities create a situation whereby the City must subsidize activity or repair damage caused by other service providers.
- Public facilities and services in urban areas should be provided at levels necessary and suitable for urban uses without reducing service levels of existing residents.
- Public facilities and services in urbanizable areas should be provided at levels necessary and suitable for existing uses. The provision for future public facilities and services in these areas should be based upon: (1) the time required to provide the service; (2) reliability of service; (3) financial cost; (4) levels of service needed and desired; and (5) economic benefit to the community.
- A public facility or service should not be provided to outlying urbanizable areas unless there is provision for the coordinated development of all the other urban facilities and services appropriate to that area.
- All utility lines and facilities should be located on or adjacent to existing public or private rights-of-way to avoid dividing existing farm units. Other locations may be approved if they are part of a planned development or master plan.
- Plans providing for public facilities and services should consider as a major determinant the carrying capacity of the air, land and water resources of the planning area. The land conservation and development action provided for by such plans should not exceed the carrying capacity of such resources.
- Recognize that there are two aquifers serving the community. The older, Prineville/Ochoco aquifer is smaller than the Deschutes aquifer located near the airport.

- Recognize that alternate water sources exist. Water from various irrigation districts may be available for urban uses.

**Finding 2I:** As the Planning Commission is initiating this zone change and plan amendment, water and sewer impact analysis and mitigation will be deferred to the review of the Regulating Master Plan. Since the Regulating Master Plan is what defines allowed uses on the site, in its absence there are effectively no uses allowed; therefore, there are no impacts to mitigate until the Regulating Master Plan is approved. Initial water and sewer analyses, completed for pre-application purposes, have demonstrated available capacity to serve a mixed-use development on the Ochoco Lumber Site conditioned upon certain off-site and on-site improvements to be made by the owner/developer.

### **SECTION 3: *State Planning Goals***

#### *Goal 1- Citizen Involvement*

*To ensure the opportunity for citizen involvement in all phases of the planning process.*

**Finding 3A:** Processing of this Comprehensive Plan Map and Zoning Map amendment is following the City of Prineville Code requirements which includes 35-day notice to DLCD, published newspaper notice, mailed notice to neighboring property owners, a public hearing before the City Planning Commission and a hearing before the City Council and County Court. The process for this amendment meets the goal for citizen involvement. Staff finds the City's citizen involvement process to be consistent with Goal 1.

#### *Goal 2- Land Use Planning*

*To establish a land use planning process and policy framework as a basis for all decisions and actions related to the use of land and to assure an adequate factual base for such decisions and actions.*

**Finding 3B:** The purpose of this proposed amendment is to bring the zoning of this property into compliance with the goals of the Comprehensive Plan in order to encourage mixed-use development that will be compatible with surrounding uses and stimulate economic development. The record, including this report, establishes the factual basis by which this decision will be made. Staff finds the City's land use planning actions to be consistent with Goal 2

#### *Goal 3 - Agricultural Lands*

*To preserve agricultural lands for agricultural use.*

**Finding 3C:** There are no agricultural lands involved in this amendment, nor are there any adjacent agricultural lands that could be impacted. Staff finds Goal 3 to be not applicable to this proposal.

*Goal 4 - Forest Lands*

*To preserve forest lands for forest use.*

**Finding 3D:** There are no forest lands involved in this amendment, nor are there any adjacent forest lands that could be impacted. Staff finds Goal 4 to be not applicable to this proposal.

*Goal 5 - Open Space, Scenic and Historic Areas, and Natural Resources*

*To conserve open space and protect natural and scenic resources.*

**Finding 3E:** The Ochoco Creek meanders through the northern portion of the Ochoco Lumber site. This natural features is protected both by the park reserve (PR) zone and by the City's Goal 5 ordinance which protects the creek as well as 50-feet from the top of each side of the bank from development. The Ochoco Lumber Company has invested significant time and money into improving the quality of the creek and riparian area through this site. Staff finds these measures and protections to be sufficient to ensure compliance with Goal 5.

*Goal 6 -Air, Water, and Land Resources Quality*

*To maintain and improve the quality of the air, water and land resources of the state.*

**Finding 3F:** The City of Prineville has sufficient regulatory measures in place to ensure that subsequent development of the subject property will not produce unanticipated impacts resulting from the proposed amendment. Any identified potential impacts on air, water and land resources quality will be addressed and mitigated through review and approval of the Regulating Master Plan - it is only at time of actual project review and approval that the true impacts of such development can be identified, evaluated, and effectively mitigated. Therefore, staff finds the proposed UGB amendment is consistent with Goal 6. Staff finds this amendment to be in compliance with Goal 6.

*Goal 7- Areas Subject to Natural Disasters and Hazards*

*To protect life and property from natural hazards.*

**Finding 3G:** With the improvements made to the Ochoco Creek by the property owner, the entire 100-year floodplain is now contained within the creek and the protected riparian area. The rest of the site is within the 500-year floodplain which is not regulated by the City or the Federal Emergency Management Agency (FEMA). Staff finds this amendment is consistent with Goal 7.

*Goal 8 - Recreational Needs*

*To satisfy the recreational needs of the citizens of the state.*

**Finding 3H:** The Ochoco Creek Trail is one of the community's most significant recreational amenities. This paved trail currently extends from Harwood Ave. southeast to Third St. (Hwy 26), approximately 1000 feet to the northwest of the Ochoco Lumber Site. Long term plans for this trail include extending it to and through the subject site. This will be developed through the Regulating Master Plan. The utilization of a mixed use zone on this site will only increase the accessibility and use of this recreational resource. Staff finds that this proposed amendment is consistent with Goal 8.

*Goal 9 - Economy of the State*

*To diversify and improve the economy of the State.*

**Finding 3I:** The Statewide Economic Development Goal requires that local land use plans "provide for an adequate supply of sites of suitable sizes, types, locations, and service levels for a variety of industrial and commercial uses consistent with plan policies." Goal 9 is intended to be applied on a community wide basis and requires that future economic growth be accommodated, in part, by ensuring that there is sufficient suitable land planned and zoned for commercial and industrial uses. As stated previously, the city's Comprehensive Plan demonstrates a need for at least 200 additional acres of commercially zoned property. It also states that the current heavy industrial designation of the site is inappropriate and that the site has been removed from the industrial land inventory of the city. As it is not viable for industrial purposes, changing the zone will result in no loss of industrial land but it will result in a significant addition to the city's inventory of commercial land. Staff finds that this amendment is consistent with Goal 9.

*Goal 10 • Housing*

*To provide for the housing needs of the citizens of the state.*

**Finding 3J:** While the city does not have an additional need for residential land, the city does have a demonstrated need for a broader diversity of housing options. The vast majority of residences in Prineville are single family homes built on lots ranging in size from 4,000 s.f. to 15,000 s.f. One of the requirements of a Regulating Master Plan is that it provides for a variety of housing options. It is anticipated that a mixed-use development on this site will help to increase the City's inventory of much needed housing types including affordable, senior, and high density housing. Staff finds this amendment is consistent with Goal 10.

*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.*

**Finding 3K:** Impact on public facilities and services will be evaluated through review and approval of the Regulating Master Plan. Initial water, sewer and traffic analyses have indicated that this site can be served by these public facilities with reasonable off-site and on-site improvements made by the developer/property owner. Staff finds this amendment to be consistent with Goal 11.

*Goal 12- Transportation*

*To provide and encourage a safe, convenient, and economic transportation system.*

**Finding 3L:** ODOT staff have been notified of the city's intent to pursue this amendment on the initiative of the Planning Commission. Initial review of traffic through the city's current TSP update have indicated that traffic volumes created by a mixed-use development can likely be mitigated through off-site and on-site improvements made by the owner/developer of the site. Review of impact and mitigation requirements of this amendment will be deferred to review and approval of the Regulating Master Plan. Compliance with the state Transportation Planning Rule (TPR) is discussed below. As the city's mixed use zone does not have any uses specifically allowed, as these are identified in the Regulating Master Plan, this amendment will effectively allow no uses on the site whatsoever until such time as the Regulating Master Plan is approved. Therefore, the TPR is met as there are no allowed uses to evaluate and no impacts to mitigate against.

*Goal 13 - Energy Conservation*

*To conserve energy.*

**Finding 3M:** Specific energy conservation policies and development standards are included within the Comprehensive Plan and Land Use and Development Ordinances to ensure that the Statewide Energy Conservation Goal is implemented on a site specific basis at the time of property development. As there is no specific development proposal for the subject property currently, it is completely uncertain what, if any, impact the proposed amendment will have on energy usage. The potential for compact, high density, mixed-use development has great potential to reduce vehicle trips and create efficiencies that will help to conserve energy. Staff finds this amendment is consistent with Goal 13.

*Goal 14- Urbanization*

*To provide for an orderly and efficient transition from rural to urban land use.*

**Finding 3N:** The proposed amendment will allow for a smooth transition from neighboring residential uses to the commercial corridor along Third St. (Hwy 126) and Combs Flat Rd. The Ochoco Lumber Site is right on the edge of the primary commercial corridor for the City and, as such, it is a key development site for the city. Application of the mixed use zone will only help this site develop in a manner that provides for an orderly and efficient transition between surrounding uses. Staff finds this proposal is consistent with Goal 13.

**SECTION 4: *Transportation Planning Rule***

The following excerpts from OAR 660 (Transportation Planning Rule) which justify delaying the evaluation and mitigation measures for potential traffic impacts to the review and approval of the Regulatory Master Plan.

660-012-0060

**Plan and Land Use Regulation Amendments**

(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.

**Finding 1A: Staff finds that this is an amendment to the Comprehensive Plan Map and Zoning Map that will likely affect the City's transportation system. However, such impacts cannot be adequately determined by this proposed amendment alone as there are no uses allowed under a mixed use zoning designation. Uses are defined by an approved Regulating Master Plan. Until such time as the Regulating Master Plan is approved, no uses at all will be allowed on the site.**

- (2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.
- (a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.
  - (b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

- (c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.
- (d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.
- (e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if the provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards.

**Finding 1B: Item (2)(a) above requires allowed uses “to be consistent with the planned function, capacity and performance standards of the transportation facility” and item (2)(b) also refers to adequacy of the system to “support the planned land uses.” As this amendment will effectively allow no uses on the subject site, it is consistent with this policy. At the time of review of the Regulating Master Plan, all potential impacts and mitigation measures will be evaluated. The City is currently working on an update to its TSP, anticipated to be completed prior to submittal of the Regulating Master Plan. The TSP update is treating the Ochoco Lumber Site as a mixed use site and will be a great tool in informing the evaluation of the impacts of such development. Staff finds that this amendment is consistent with these policies due to the lack of any uses allowed in a mixed use zone prior to approval of a Regulating Master Plan.**

### **Conclusions and Recommendation**

Based on the findings above, the Planning Commission has determined that the proposed Comprehensive Plan Map and Zoning Map amendments are consistent with the City's Zoning Ordinance and Comprehensive Plan as well as state Planning Goals, statutes and administrative rules. Therefore, the Planning Commission recommends that City Council approves the proposal as presented in this report.

  
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Scott Edelman, Planning Director