



**City of Prineville**  
**DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT**  
**STAFF REPORT**

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**HEARING DATE:** September 19<sup>th</sup>, 2017

**PROJECT NUMBER:** MOD-2017-100

**APPLICANT/OWNER:** Brooks Resource Corp.  
Dba Ironhorse Development LLC.  
409 NW Franklin Ave.  
Bend OR 97701

**SURVEYOR/ENGINEER:** DevTech Engineering Attn: Chris Chambers, PE  
Bend, Oregon 97702

**LAND USE CONSULTANT:** Walker Macy Attn: Ken Pirie  
111 SW Oak, Suite 200  
Portland OR 97204

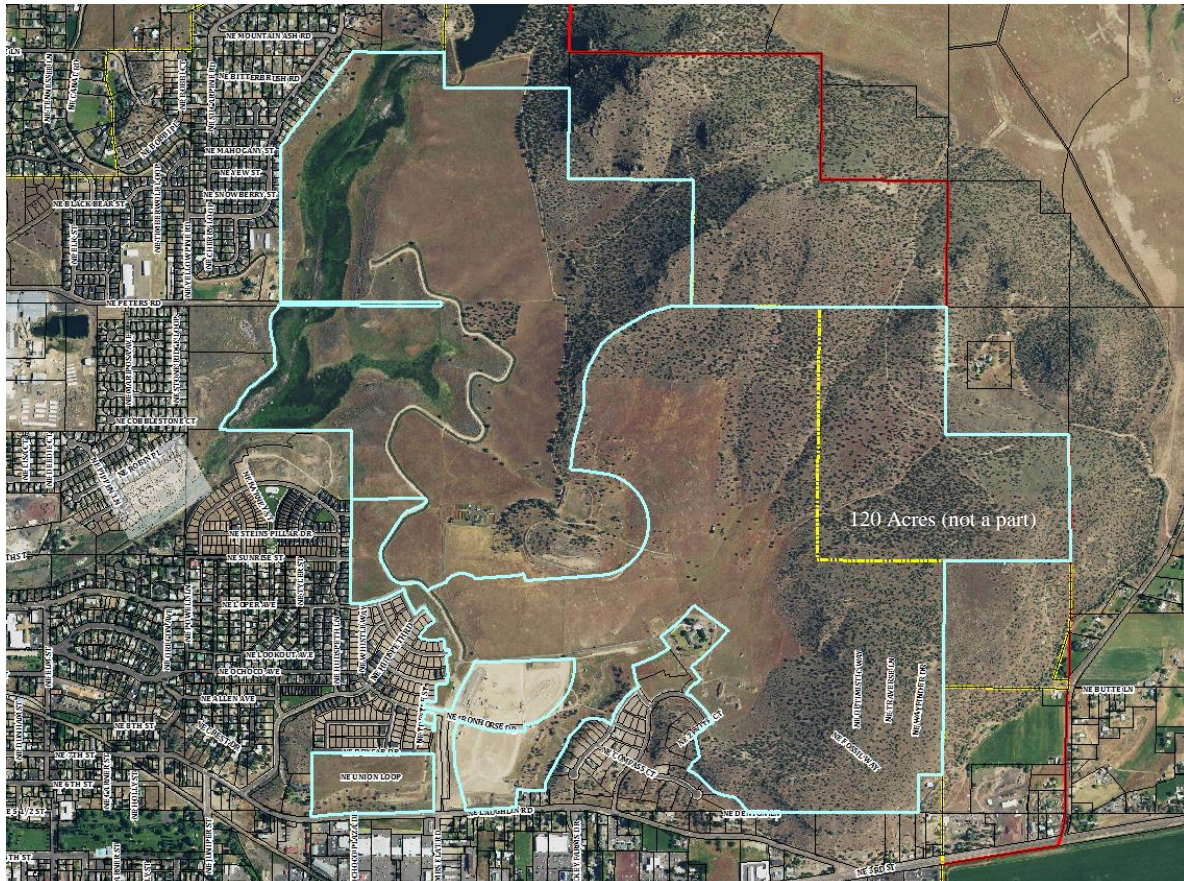
**STAFF:** Joshua Smith  
Senior Planner

**APPLICABLE CRITERIA:** City of Prineville Code of Ordinances, Title XV, section 153.259.030 (Modification of approval), 153.158 (PUD).

**FINDINGS OF FACT:**

1. **LOCATION:** The IronHorse Outline development Plan, consisting of 1020 acres located within the northeast corner of the City of Prineville's UGB (all but 120 acres are within city limits). Further identified as the IronHorse subdivision and tax lots 1600 – 1606 of Assessor's map 14-16-00.
2. **PROPOSAL:** The applicant is requesting a modification to the IronHorse Outline Development Plan to broaden the range of potential future uses of the Hudspeth Ranch House, eliminate the IronHorse Drive connection to Laughlin as shown on the 2013 ODP map and remove language pertaining to expiration of the approval for a senior housing project by Pacific Crest Affordable Housing project.
3. **ZONING:** The subject property is zoned Residential (R-2) for the 900 acres within the City Limits, and Exclusive Farm Use 2 (EFU2) for the 120 acres outside the city limits but within the Urban Growth Boundary.
4. **RELATED DOCUMENTS:** SUB-05-707 (Original ODP), SUB-05-06-710 (Subdivision), LP-2010-101 (PP. 2010-06 for Hudspeth house), LP-2013-102 (PP. 2014-08 for school), MOD-2013-101 (ODP modification), LP-2015-100 (PP. 2015-08 for Pacific Crest), BA-2016-100 (for Combs Flat landscaping), BA-2016-103 (for City property), LP-2017-101 (separate east side).

5. **SITE DESCRIPTION:** The IronHorse ODP encompasses 900 acres within the City Limits of Prineville, and an additional 120 acres outside of city limits that are conceptually planned but not a part of the approved ODP. The property is located on the southwest facing slope and base of Barnes Butte. The northern most parcel has recently been purchased by the City of Prineville.



6. **LOT OF RECORD:** The site is confirmed as a legal lot of record through multiple partition plats outlined in “Related Documents” above.

**Criteria: 153.259.030 Modification of approval**

(A) *An applicant may apply to modify an approval at any time after a period of six months has elapsed from the time a land use action approval has become final.*

(B) *Unless otherwise specified in a particular zoning ordinance provision, the grounds for filing a modification shall be that a change of circumstances since the issuance of the approval makes it desirable to make changes to the proposal, as approved. A modification shall not be filed as a substitute for an appeal or to apply for a substantially new proposal or one that would have significant additional impacts on surrounding properties.*

(C) *An application to modify an approval shall be directed to one or more discrete aspects of the approval, the modification of which would not amount to approval of a substantially new proposal or one that would have significant additional impacts on surrounding properties. Any proposed modification, as defined in this section, shall be reviewed only under the criteria applicable to that particular aspect of the proposal. Proposals that would modify an approval in a scope greater than allowable as a modification shall be treated as an application for a new proposal.*

(D) *An application for a modification shall be handled as a land use action.*

**Finding 1:** The applicant submitted a burden of proof and site maps that outline the proposed changes to the ODP.

**A)** It has been 12 years since the original approval and 4 years since the last modification in 2013. This criterion is met.

**B, C)** The proposed modification has been prompted by several changes in circumstance. The Hudspeth House as an amenity of the HOA is financially unviable, the proposed IronHorse Drive is no longer necessary and the Pacific Crest Affordable housing project has been initiated. The modification is directed at these three specific areas.

- Hudspeth House: The applicant's burden of proof explains the desire to broaden the potential uses of the Hudspeth House property to meet the majority of the City's existing R2 zone. The applicant states that the "intended use of the Hudspeth House as an HOA amenity is no longer viable due to the significant financial burden of converting and maintaining the very large 60-year old home to HOA community center use. The applicant would continue to use the site as private open space rather than public and provide deed restrictions to prevent land division and limit uses to the approved list.
- IronHorse Drive: The original intent of IronHorse drive was as an alternative route to access Barnes Butte Elementary School until Combs Flat road could be extended north into the IronHorse site. Subsequent to the ODP modification approval in 2013, Combs Flat road was extended north rendering Ironhorse Drive unnecessary. It should be noted that the City did not want the IronHorse Drive connection but was willing to accept it to get the school built.
- Pacific Crest Affordable Housing: A condition (23) was placed on the previous ODP modification in 2013 (MOD-2013-101) that reserved a 4.5 acre area for senior affordable housing to be developed by Pacific Crest Affordable Housing within 3 years. Since the project has been initiated on half of the property the 3 year time limit is no longer necessary. The property shall remain as designated in the previous modification without the time limit with the right to revert to the standard residential designation. This designation is consistent with the rest of the ODP and allows varying housing types to be determined at tentative plan approval for a subdivision.

Staff does not believe the proposed modifications will have a significant impact on surrounding properties. Nor do they constitute a substantially new proposal to warrant a new application. Future subdivisions or developments other than a single family home or duplex will require land use approval and public notice. This allows neighboring properties an additional public forum to express issues and concerns.

- D)** This application is following the standard public process for conditional uses. Notice for this application was sent on August 15<sup>th</sup> to all neighboring properties within 100ft. of the IronHorse property, as well as all lots already platted within the IronHorse development. A newspaper notice was published on September 8<sup>th</sup>.

**RECOMMENDED CONDITIONS OF APPROVAL:**

Based on the Findings stated above, those conditions contained within, and the following conditions of approval, Application MOD-2017-100, a modification to MOD-2013-101 and SUB-05-707 for the IronHorse Outline Development Plan is recommended for approval. This approval is subject to the conditions outlined in the findings section of this report, and the conditions of approval set forth below:

1. Approval is based on the submitted plan, and the improvements and physical conditions depicted thereon. Any substantial alteration to those plans, other than those that may be required by this decision, will require a new application. Any public Improvements proposed by the Applicant on the submitted plan or other submitted documents have been relied upon by the City in approving this PUD Outline Development Plan approval.
2. This modification of the Ironhorse ODP is limited to three items outlined in the applicant's burden of proof and this staff report. Those items include the following:

Hudspeth House – The open space designation will be converted from “open space general” to “open space private”. The uses of the property will be expanded to the list provided in the Applicant's burden of proof (Exhibit A) and the property will be subject to deed restrictions that prohibit land division.

Ironhorse Drive – This Street shown on the 2013 ODP update will be removed and replaced with some developable land and open space designations as depicted in the 2017 update maps.

Pacific Crest Affordable Housing – The 3 year time limit shall be removed from condition 23 of the 2013 ODP update. The property shall remain designated for senior housing developed by Pacific Crest Affordable Housing or be used as standard residential, as is the majority of the Ironhorse development.

3. The findings and conditions of approval; of the Outline Development Plan (SUB-05-707), the appealed decision approved by City Council on January 24<sup>th</sup>, 2006 and the 2013 update (MOD-2013-101) shall still apply. However any changes made to the conditions of approval by this modification shall take precedent.

Written By:



Joshua Smith  
Senior Planner

## Exhibit A

### 153.036 RESIDENTIAL USE TABLE (R-2 ZONE).

Use Classifications	R-1	R-2	R-3	R-4	R-5	Comments:
<b>EXISTING USES</b>						
Expansion of existing public use	O	O	O	O	O	
Replacement of an existing dwelling	O	O	O	O	O	
Expansion of an existing conditional use	T1	T1	T1	T1	T1	
<b>RESIDENTIAL/ACCESSORY USES</b>						
Child care home	O	O	O	O	O	
Single-family dwelling, excluding manufactured dwellings	O	O	O	O	O	
Accessory structure	O	O	O	O	O	See definition
Guest house	T1	T1	T1	T1	O	
Accessory dwelling	T1	T1	T1	T1	O	<a href="#">153.080</a>
Home occupation - Only employees of the immediate resident family, limited retail sales	T1	T1	T1	T1	T1	<a href="#">153.083(E)</a>
<b>PUBLIC/SEMI-PUBLIC/NONPROFIT USES</b>						
Houses of worship, including buildings and accessory uses essential to the operation thereof	T2	T2	T2	T2		<a href="#">153.083(O)</a>
Public or private school, including buildings and other uses essential to the operation thereof		T2	T2	T2		
Publicly or privately owned kindergarten or preschool, provided the residential character of the area is maintained	T2	T1		T1	T1	
Park, public or private for less intensive uses including picnic area, playground, and grass covered play areas, not including a recreation facility	T1	T1	T1	T1	T1	
Recreation facility (nonprofit or publicly owned)	T2	T2	T2	T2	T2	
Other government structure or land use not limited to a public park, playground, recreation building, fire station, library or museum	T2	T2	T2	T2	T2	
Community building or use owned and operated by a	T2	T2	T2	T2	T2	



Use Classifications	R-1	R-2	R-3	R-4	R-5	Comments:
public or nonprofit agency or organization						
Bikeways, footpaths and recreation trails	O	O	O	O	O	
<b>COMMERCIAL USES</b>						
Child care center	T2	T1		T1	T1	
Residential home/adult foster home (care for 5 or fewer individuals)	O	O	O	O	O	<a href="#">153.083(A)</a>
Residential facility (6 - 15 individuals)	T2	T2	T1	T1	O	<a href="#">153.083(A)</a>
Bed and breakfast facility in an existing residence		T1		T1	T1	<a href="#">153.083(C)</a>
Nursing home, convalescent home, retirement home or elderly assisted living complex	T2	T2	T2	T1	T1	<a href="#">153.083(O)</a>
Hospital and other medical service facilities	T2	T2	T2	T2	T2	
Golf course and other open land recreational use, but excluding intensive commercial amusement uses such as automobile or motorcycle race tracks or amusement parks			T2			
Professional commercial uses, such as offices for accountants, bookkeepers, attorneys, engineers, architects, doctors, dentists, real estate and insurance and medical or dental clinics		T2	T2	T2	T2	<a href="#">153.083(S)</a>
Crop cultivation or farm and truck gardens, including plant nurseries and on-premises sales of farm products grown on site						

**APPLICANT'S BURDEN OF PROOF STATEMENT**  
**IronHorse ODP Amendment**

**DATE SUBMITTED:** August 2, 2017

**PROJECT NUMBER:** TBD

**APPLICANT/  
OWNER:** Brooks Resources Corporation  
dba; IronHorse Development, LLC  
Attn: Dale Van Valkenburg  
409 NW Franklin Avenue  
Bend, OR 97703

**ENGINEER:** DevTech Engineering  
Attn: Chris Chambers, PE  
Bend, Oregon 97703

**PLANNER:** Walker Macy  
Attn: Ken Pirie  
111 SW Oak St #200  
Portland, OR 97204

**REQUEST:** The applicant is requesting a modification to the IronHorse Outline Development Plan to broaden the range of potential future uses of the Hudspeth Ranch House and to eliminate the IronHorse Drive connection to Laughlin as shown on the 2013 ODP map.

**LOCATION:** The IronHorse master planned development, consisting of 1020 acres located within the northeast corner of the City of Prineville's UGB (all but 120 acres are within city limits).

**PROJECT REVIEWER:** Josh Smith, Senior Planner  
City of Prineville Community Development Dept.

**APPLICABLE CRITERIA:**

- (1) City of Prineville Code of Ordinances, Title XV – Chapters 150-153, inclusive.
  - a. Section 153.046, General Residential R-2 Zone
  - b. Section 153.158, Planned Unit Development
- (2) Chapter 155, Natural Features Overlay District –
  - a. Section 155.090, Barnes Butte Scenic Area

## **FINDINGS OF FACT:**

1. **LOCATION:** The IronHorse Outline Development Plan encompasses 1,020 acres in the northeast quadrant of Prineville. The specific amendments proposed herein impact Tax Lots 1600, and 1603, Assessor's Map 14-16-00. The subject property is further identified as Parcel 1 of Partition Plan 2014-08 and Parcel 3 of Partition Plat 2010-06. The first developed phases of IronHorse are platted as IronHorse 1, Phase 1 located in the extreme southwest corner of the IronHorse ODP, and IronHorse 2, Phase 1, located in the south central portion of the overall site. The applicant (IronHorse Development LLC) owns approximately 520 undeveloped acres of the ODP, while the City of Prineville recently purchased approximately 396 undeveloped acres in the northwest corner of the ODP. Multiple owners exist within IronHorse 1 and 2.
2. **ZONING:** The subject property is zoned Residential (R-2) for the 900 acres within the City Limits, and EFU for the 120 acres outside the city limits but within the Urban Growth Boundary. Crook County has jurisdiction over that portion of the property outside city limits, but has previously agreed that the City of Prineville would be the lead agency. The approved IronHorse ODP does not extend beyond city limits, although the conceptual master plan does. In either event, no changes are proposed outside of city limits.
3. **SITE DESCRIPTION:** The IronHorse ODP encompasses 900 acres within the City Limits of Prineville, and an additional 120 acres outside of city limits that are conceptually planned but not a part of the approved ODP. The property is located on the southwest facing slope and base of Barnes Butte, with its low point along Laughlin Boulevard in the southwest property corner and the high point at the top of the ridge on Barnes Butte in the northeasternmost corner. The property is bordered by Laughlin Road and scattered homes to the south. The Ochoco Pointe subdivision is located to the west. To the north is public land administered by the Bureau of Land Management, and vacant or very low density developed private land to the east.
4. **PROPOSAL:** The applicant is requesting a modification to the IronHorse Planned Unit Development (PUD) Outline Development Plan (ODP) to allow three specific amendments:
  - i. Allow a broader range of uses for the Hudspeth Ranch House located on the 6-acre Parcel 3 of PP-2010-06. The original ODP Burden of Proof statement stated the following regarding the Hudspeth House:



***The existing ranch house, and its surrounding grounds, are intended to become a private common open space for a homeowner's association, to be used as a community center for an active adult residential development of approximately 425 dwelling units. This community center will include improved space for programmed events, recreation, fitness, and education. Remodeling and/or additional accessory buildings may be required to satisfy the intent.***

The applicant is seeking to broaden the range of potential uses to include most of the potential uses listed in the Land Use Table for the R2 zone. In addition, the property surrounding the Hudspeth Ranch House would be subject to deed restrictions prohibiting land division and limiting uses to the approved list (or similar) of uses.

- ii. The second amendment that is sought is to eliminate the "IronHorse Drive" connection to Laughlin Road that was added in the 2013 ODP update. That 2013 update was driven primarily by the siting of the Barnes Butte Elementary School in a location that was not previously contemplated in the original approval. While Combs Flat Road was intended to be the primary access to the new school, it was believed at that time that a major Ochoco Irrigation District pipeline would need to be relocated at significant cost in order to build that road. IronHorse Drive was proposed as an alternative connection to provide access to the school until Combs Flat could be completed at some future date. However, subsequent to the ODP approval but prior to construction, it was determined that Combs Flat could be realigned further to the east south of Laughlin Road in order to avoid the conflict with the OID pipe entirely. Combs Flat Road was constructed instead of the IronHorse Drive connection to Laughlin, and providing that connection would now serve no practicable purpose. This ODP update proposes to remove that connection as shown on the accompanying ODP maps.
- iii. The Applicant also proposes to remove the language pertaining to expiration of the approval for multi-family for Pacific Crest Affordable Housing if the project was not initiated within 3 years pursuant to condition of approval #23 of MOD-2013-101. IronHorse Lodge has been completed and is in operation on the site, thus obviating the need for this condition of approval and notation on the ODP.

The proposed amendments will result in no net change to the type or intensity of proposed uses in IronHorse, as the Hudspeth Ranch House was previously contemplated to serve as a community center and areas of similar office and commercial uses were planned throughout the project. Infrastructure impacts

were contemplated, studied, addressed and approved in the original ODP plan approved in file SUB-05-707 in 2006.

5. **SCOPE OF CHANGES:** The submitted application includes the following supporting drawings as a part of the IronHorse ODP 2017 Update drawing set prepared by Walker Macy:

Sheet 1 - Topographic Survey – NO CHANGE  
Sheet 2 - Aerial Photo/Site Context – NO CHANGE  
Sheet 3 - Land Use Plan update – Amended as Noted  
Sheet 4 - Open Space Plan update – Amended as Noted  
Sheet 5 - Street Plan update – Amended as Noted  
Sheet 6a - Street Sections - NO CHANGE  
Sheet 6b – Street Sections – NO CHANGE  
Sheet 6c - Street Sections – NO CHANGE  
Sheet 6d – Street Sections – NO CHANGE

The exhibits highlight the changes to the ODP proposed herein. The scopes of those changes have been addressed above, but will not result in an increase in density or intensity of uses, including the overall amount of open space.

6. **LOT OF RECORD:** The site is confirmed as a legal lot of record through Partition Plats 2010-06 and 2014-08.

### **APPLICABLE CRITERIA:**

#### **153.046 GENERAL RESIDENTIAL R-2 ZONE.**

In an R-2 Zone, the following regulations shall apply.

- (A) **Purpose.** It is the purpose of the R-2 Zone to provide for residential areas which permit a mixture of a variety of housing types at various densities in a more planned type of development design, including a minimum of nonresidential commercial convenience and service type uses in more accessible proximities for the purposes of providing for conveniences and services to the dominant intended residential users of the area.
- (B) **Specific Conditions.** Section 153.083 contains a list of uses with specific conditions that may apply to specific types of uses.
- (C) **Design Review.** Provisions set forth in 153.020. Except single family and two-family/duplex dwellings and their accessory structures.
- (D) **Off-street parking and loading.** Provisions set forth in 153.085 and 153.086.

- (E) Minimum landscaping requirements. When design review is required a minimum level of landscaping in accordance with 153.087 shall be required.
- (F) Streets & Public Facilities. When design review is required streets and public facilities shall be required in accordance with section 153.194 and the City's Standards and Specifications. These improvements include but are not limited to right-of-way dedication, streets, stormwater management, sidewalks, waterlines, sewer lines, access management and the like.
- (G) Chapter 155 Natural Features Overlay District. This chapter contains provisions for the protection of riparian areas, wetlands, rimrock, Barnes Butte and construction on steep slopes.
- (H) Minimum sidewalk requirements. Whether replacing or required by design review; sidewalks shall be constructed to City Standards and Specifications. The minimum sidewalk width in an R-2 Zone is 5ft., unless otherwise approved under section 153.194 (V)(1).
- (I) Signs. In an R-2 Zone, signs are permitted in accordance with the provisions set forth in Chapter 152 as amended.
- (J) Limitations on Use. No structure or land shall be occupied or used for any purpose which creates or causes to be created any public nuisance, including but not limited to excessive odor, dust, noise, vibration, flashing light or any hazard to the general health, safety and welfare of the area. Domestic livestock are permitted, but only in compliance those provisions set forth in 153.096 of this chapter. No animal is permitted to run at large, animals shall be confined to an individual owner's property. Any animals permitted to run at large are hereby declared a nuisance and may be abated as such.

**PROPOSED FINDING:** The applicant is proposing to broaden the potential uses that could occupy the existing Hudspeth Ranch House located on Parcel 3 of PP 2010-06. The original ODP Burden of Proof statement stated the following regarding the Hudspeth House:

*The existing ranch house, and its surrounding grounds, are intended to become a private common open space for a homeowner's association, to be used as a community center for an active adult residential development of approximately 425 dwelling units. This community center will include improved space for programmed events, recreation, fitness, and education. Remodeling and/or additional accessory buildings may be required to satisfy the intent.*

The 2013 ODP update was a bit less specific when generally discussing required open space within IronHorse:

**“and the existing Hudspeth Ranch House planned as a recreation/clubhouse occupies approximately a 5-acre site”**

Our development experience has led us to conclude that the original intended use of the Hudspeth House as an HOA amenity is no longer viable due to the significant financial burden of converting and maintaining the very large 60-year old home to HOA community center use. Our intent is to broaden the range of potential uses to allow for a variety of potentially viable economic uses to utilize the unique building while preserving its character and surrounding grounds for their scenic, historic and cultural value. The site would continue to serve as visual open space within the IronHorse development, albeit privately owned and not necessarily open to public use. The proposed amendments would not preclude the future use of the structure as an HOA amenity should conditions change.

We propose the following highlighted uses from the residential use table be permitted uses on Parcel 3 of PP 2010-06, the Hudspeth Ranch House:

**153.036 RESIDENTIAL USE TABLE (R-2 ZONE).**

Use Classifications	R-1	R-2	R-3	R-4	R-5	Comments:
<b>EXISTING USES</b>						
Expansion of existing public use	O	O	O	O	O	
Replacement of an existing dwelling	O	O	O	O	O	
Expansion of an existing conditional use	T1	T1	T1	T1	T1	
<b>RESIDENTIAL/ACCESSORY USES</b>						
Child care home	O	O	O	O	O	
Single-family dwelling, excluding manufactured dwellings	O	O	O	O	O	
Accessory structure	O	O	O	O	O	See definition
Guest house	T1	T1	T1	T1	O	
Accessory dwelling	T1	T1	T1	T1	O	<a href="#">153.080</a>
Home occupation - Only employees of the immediate resident family, limited retail sales	T1	T1	T1	T1	T1	<a href="#">153.083(E)</a>

Use Classifications	R-1	R-2	R-3	R-4	R-5	Comments:
<b>PUBLIC/SEMI-PUBLIC/NONPROFIT USES</b>						
Houses of worship, including buildings and accessory uses essential to the operation thereof	T2	T2	T2	T2		<a href="#">153.083(O)</a>
Public or private school, including buildings and other uses essential to the operation thereof		T2	T2	T2		
Publicly or privately owned kindergarten or preschool, provided the residential character of the area is maintained	T2	T1		T1	T1	
Park, public or private for less intensive uses including picnic area, playground, and grass covered play areas, not including a recreation facility	T1	T1	T1	T1	T1	
Recreation facility (nonprofit or publicly owned)	T2	T2	T2	T2	T2	
Other government structure or land use not limited to a public park, playground, recreation building, fire station, library or museum	T2	T2	T2	T2	T2	
Community building or use owned and operated by a public or nonprofit agency or organization	T2	T2	T2	T2	T2	
Bikeways, footpaths and recreation trails	O	O	O	O	O	
<b>COMMERCIAL USES</b>						
Child care center	T2	T1		T1	T1	
Residential home/adult foster home (care for 5 or fewer individuals)	O	O	O	O	O	<a href="#">153.083(A)</a>
Residential facility (6 - 15 individuals)	T2	T2	T1	T1	O	<a href="#">153.083(A)</a>
Bed and breakfast facility in an existing residence		T1		T1	T1	<a href="#">153.083(C)</a>
Nursing home, convalescent home, retirement home or elderly assisted living complex	T2	T2	T2	T1	T1	<a href="#">153.083(O)</a>
Hospital and other medical service facilities	T2	T2	T2	T2	T2	
Golf course and other open land recreational use, but excluding intensive commercial amusement uses such as automobile or motorcycle race tracks or amusement parks		I	T2			
Professional commercial uses, such as offices for accountants, bookkeepers, attorneys, engineers, architects, doctors, dentists, real estate and insurance and medical or dental clinics		T2	T2	T2	T2	<a href="#">153.083(S)</a>
Crop cultivation or farm and truck gardens, including						

Use Classifications	R-1	R-2	R-3	R-4	R-5	Comments:
plant nurseries and on-premises sales of farm products grown on site						

The applicant proposes that such uses be permitted subject to the standard land use permitting requirements outlined for the R2 zone.

### 153.158 PLANNED UNIT DEVELOPMENT (PUD)

***(A) Authorization. When a planned unit development is authorized pursuant to the provisions of the applicable zoning or by other provisions of this chapter, the development may be approved by the city in accordance with the provisions of this section and this chapter. A PLANNED UNIT DEVELOPMENT (PUD) is a development technique where the development of an area of land is developed as a single entity for a number and/or mixture of housing types, or a mixture of other types of uses, or a combination thereof, according to a specific development plan which does not necessarily correspond relative to lot sizes, bulk or types of dwelling units, density, lot coverage's or required open space as required by the standard provisions set forth by this chapter and the specific applicable zoning designation.***

**PROPOSED FINDING:** The IronHorse Planned Unit Development was approved by the Prineville City Council on January 24, 2006 in file SUB-05-707, incorporated herein by reference. The provisions of SUB-05-707 will remain applicable to the IronHorse PUD, except as specifically modified by MOD-2013-101 and as further modified in this proposed ODP amendment.

***(B) Applicability of regulations. The requirements for a planned unit development set forth in this section are in addition to the requirements set forth for a standard subdivision by 153.157 of this chapter, and in addition to those requirements set forth in 153.094.***

**PROPOSED FINDING:** While SUB-05-707 included a subdivision tentative plan, no land division is proposed in conjunction with this ODP modification.

***(C) Purpose. The purpose of the planned unit development provisions is to permit the application of innovative designs and to allow greater freedom in land development that is not possible under the strict application of the applicable zoning provisions and this chapter. In permitting such design and development freedom, the intent is to encourage more efficient uses of land and public facilities and services, to maximize community needs for a variety of housing, commercial and recreational needs and to maintain as high of a quality living environment.***

**PROPOSED FINDING:** The proposed amendments to the approved IronHorse PUD ODP are relatively minor in scope. As discussed at greater length above, the allowed uses for the Hudspeth Ranch House are sought to be broadened to allow potential uses that could be more economically viable.

The new school location approved in MOD-2013-101 precipitated several changes to road alignments and access points, including the addition of an additional connection to Laughlin Road via IronHorse Drive that was reflected in the IronHorse ODP 2013 Update. That connection was intended to work as a replacement for the northward extension of Combs Flat Road that was complicated by the location of an Ochoco Irrigation District pipeline. Subsequent to the MOD-2013-101 approval, a solution to the pipeline conflict at Combs Flat Road was worked out and that road was constructed to serve the school. As such, the IronHorse Drive connection to Laughlin is neither necessary nor desired, and this ODP amendment seeks to eliminate that connection.

The elimination of the statement on the ODP map pertaining to the timing of construction of the IronHorse Lodge (condition of approval #23 of MOD-2013-101) is no longer needed as the first phase of the lodge has been completed, thus vesting that use.

***(D) Principal and accessory uses.***

***(1) The principal uses permitted within a planned unit development may include any use permitted, outright or conditional in the zone in which the subject proposed development is located.***

**PROPOSED FINDING:** The principal use of the IronHorse ODP will remain residential, with the broadened range of potential uses for the Hudspeth Ranch House providing a compliment to the residences that will ultimately adjoin it.

***(2) Except for open land uses such as golf courses, parks, natural areas or natural resources and the like, accessory uses shall not occupy more than 25% of the total area of the development, must be approved as a part of the initial development approval and may include the following uses.***

***(a) Commercial uses such as a grocery store, convenience store, café, bakery, book store, salon, and professional offices.***

***(b) Tourist accommodations including convention or destination resort facilities.***

***(c) Recreation areas, buildings, clubhouse or other facilities of a similar use or type.***

***(d) Other uses which the city finds are designed to serve primarily the residents of the proposed development or are open to and of benefit to the general public, and are compatible to the overall design of the proposed development and with the city's Comprehensive Plan.***

**PROPOSED FINDING:** Accessory uses will not occupy more than 25% of the total ODP area, which exceeds 1,020 acres overall. While parks and natural open space areas are planned to occupy approximately 313 acres (in excess of 30% of the site), commercial areas are designated to occupy only 3.7 acres, and the existing Hudspeth



Ranch House planned occupies approximately a 5-acre site (both total less than 1% of the overall site). Sites and sizes for future civic uses (i.e.; churches, public buildings) have not been identified, but will most certainly result in a total of less than 25% of the total area to be verified through future land use applications.

***(E) Dimensional standards.***

***(1) The minimum lot area, width, depth, frontage and yard (setback) requirements otherwise applying to individual lots in the applicable zone may be altered for a planned unit development provided that the overall density factor calculated for the applicable zone is not exceeded by more than 25%.***

**PROPOSED FINDING:** No changes are proposed to the lot dimension and setback standards previously established for IronHorse. The IronHorse ODP was approved for a maximum of 2,771 residential units, well below the maximum allowed density of the R-2 zone.

***(2) Building heights exceeding those prescribed for by the applicable zone may only be approved if surrounding open space and building setbacks and other design features are used to avoid any adverse impacts due to the greater height. As a guideline, setback requirements should be required to be at least two-thirds of the height of a building.***

**PROPOSED FINDING:** SUB-05-707 approved 45 foot building heights for apartments and 40 feet for townhomes, in excess of the standard 35-foot height limit in the R-2 zone. A 45-foot height limit was also granted for the Barnes Butte elementary school in MOD-2013-101. No additional building height exceptions are proposed with this modification.

***(3) The building coverage for any PUD shall not exceed 40% of the total land area of the proposed development.***

**PROPOSED FINDING:** As noted in the prior approval, building coverage will not exceed 40% for the entire development.

***(4) Common open space and other community amenities such as community buildings, recreation buildings and school playgrounds, exclusive of streets, shall constitute at least 30% of the total land area of the development. Landscaped planter strips and medians within the street right-of-way may be approved by the Planning Commission as part of the open space requirement provided they are maintained by a Home Owners Association.***

***(a) At least half of the required open space shall be open to the general public.***

**PROPOSED FINDING:** As found in SUB-05-707, 295.8 acres (32.8%) of the 900-acre site was designated as either parks or open space in the original approval. With the size increase in Hudspeth Park approved in MOD-2013-101 and the addition of a City of Prineville landscaped drainage swale on Lot 55 in IronHorse 2 Phase 1 (previously intended for multi-family apartment uses), the percentage of open space has increased

to 313 acres. This constitutes in excess of 34.7% of the 900 acres within the city limits, and 30.6% of the overall 1,020-acre site.

As required by subsection (a), the majority of the open space will be open to the general public.

**(5) No PUD in a residential zone may be approved on a site with a total land area less than 5 acres, and in a commercial zone on a site less than 2 acres.**

**PROPOSED FINDING:** IronHorse greatly exceeds 2 acres in size, containing nearly 1,020 acres altogether (120 acres is outside of City Limits and not officially included as a part of the OPD at this time).

**(F) Project density approval. If the Planning Commission finds that any of the following conditions would be created by an increase in density permitted by this section for a PUD, it may either prohibit any increase or may limit the increase as deemed necessary to avoid the creation of any of the following conditions.**

**(1) Inconvenient or unsafe access to the proposed development or adjoining developments or properties.**

**(2) Generation of traffic loads in excess of the capacity of streets which adjoin or will serve the proposed development and in the overall street system in the area of the development.**

**(3) Creation of an excessive burden on sewage, water supply, parks, recreational facilities, areas or programs, schools and other public facilities which serve or are proposed to serve the proposed development.**

**PROPOSED FINDING:** The applicant did not seek an increase in density over that allowed in the R-2 zone with the original approval (up to 5,268 units could have been sought; the applicant requested and was granted approval for 2,771). No increase in density is sought with this proposed ODP amendment. It is likely with implementation of the provisions of the Barnes Butte Scenic Area that the overall density of IronHorse will actually decrease significantly, with density limits in the primary and secondary protection areas of only 1 unit and 2 units per acres respectively.

**(G) Common open space. No open area may be accepted as common open space within a PUD unless it meets the following requirements.**

**(1) The common open space is for an identified and designated amenity or recreational purpose(s), and the uses proposed or authorized therefore are appropriate to the scale and character of the proposed development.**

**(2) The common open space will be suitably improved for its intended use, except that the open space containing significant natural features worthy of preservation in the natural state may be left unimproved, but there shall be approved plans and/or provisions for the continued preservation thereof.**

**(3) The buildings, structures and improvements to be permitted in the open space are determined to be appropriate and accessory to the uses which are authorized for the open space.**

**(4) No common open space may be put to a use not authorized and approved in the final development plan of the subject development unless an amendment thereto is duly approved by the city.**

**PROPOSED FINDING:** No changes to the approved open space plan are proposed in conjunction with this ODP amendment; although indicated as open space on the ODP, the Hudspeth Ranch House parcel was not included in the original or amended open space calculations.

**(H) Application and procedures. The application for a PUD, and the procedures for the processing of the applications, shall be the same as set forth for a standard subdivision in 153.157 and for a conditional use as set forth in 153.135 et seq.**

**PROPOSED FINDING:** The procedural requirements are satisfied through the Planning Commissions review of the above identified approval criteria.

**Chapter 155, Natural Features Overlay District.  
Section 155.090, Barnes Butte Scenic Area.**

**(B) Boundaries defined. Elevation lines depicted on the Barnes Butte resource map are five-foot intervals provided by Crook County GIS. The primary boundary shall be defined by the 3,225-foot elevation line as shown on the resource map. The secondary boundary shall be defined by the 3,100-foot elevation line for the northwest, north, east and south facing boundaries. The west facing secondary boundary along the impact area shall be defined by the 3,200-foot elevation line as shown on the resource map.**

**(1) The points of transition from 3,100 to 3,200 elevation lines shall be defined as follows:**

**(a) Northern transition. At the termination point of the 3,100 elevation line (T14 R16 ~1,872 feet east from the NW corner of Section 33) move east to the termination point of the 3,200 elevation line (T14 R16 ~2,260 feet east from the NW corner of Section 33).**

**(b) Southern transition. At the termination point of the 3,100 elevation line (T14 R16 ~4,535 feet south and ~3,604 feet east from the NW corner of Section 33) move east to the termination point of the 3,200 elevation line (T14 R16 ~4,400 feet south and ~4,255 feet east from the NW corner of Section 33).**

**PROPOSED FINDING:** The upper extent of the IronHorse ODP was designated as Barnes Butte Scenic Area in 2009, subsequent to approval of the original ODP in 2006. The applicant acknowledges that future development within the IronHorse ODP, especially in the 120-acre portion of the property that is outside the city limits with no prior official ODP approval, will be subject to the development and design standards of Section 155.090.

**(E) Barnes Butte scenic area development and design standards. The following standards apply to site development and building construction in the Barnes Butte primary and secondary scenic areas, as mapped on the Natural Features**

***Inventory. The standards in subsection (E)(4) of this section may be modified by the Planning Commission, based on required studies and a joint finding by the City Engineer and Director, that the change will reduce adverse scenic impacts without increasing risks from slide or erosion hazards.***

***(1) Development intensity and spacing.***

***(a) Unless otherwise permitted by an outline development plan approved prior to August 1, 2008, residential development shall not exceed a density of two units per gross acre in the secondary scenic area; or one unit per gross acre in the primary scenic area.***

**PROPOSED FINDING:** The majority of the site affected by this section is currently zoned EFU and outside of city limits, and while it has been conceptually acknowledged as part of the 2006 ODP, this area has no protection under the original ODP approval. The applicant fully intends to comply with the density limitations of the primary and secondary scenic areas.

There are some areas of the property along the north and east property boundaries that are within the approved ODP that were approved for lots as small as 5,000 square feet in the 2006 ODP approval. These specific areas are now designated as either primary or secondary scenic areas with density limits of 1 per acre and 2 per acre respectively. These areas would qualify for the exception in 1(a) above; however, the applicant has previously agreed in MOD-2013-101 to comply with the density limitations of Section 155.090.E.1(a) for all areas of the property that are within the primary and secondary areas when they are developed in the future, even if they previously had approval for a density greater than what could now be permitted.

### **CONCLUSION:**

Based on the foregoing proposed Findings and Conclusions, Applicant respectfully requests approval of the proposed amendments to the IronHorse PUD Outline Development Plan.

Submitted this 31<sup>st</sup> Day of July, 2017

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Dale Van Valkenburg  
Director of Planning and Land Use  
Brooks Resources Corporation



# Land Use Plan

Sheet Number

I

Peters Rd.



Alternate Plan with Piped Canal

Peters Rd.



Plan with Open Canal

- Revised Plan Layout
- Open Space Public Parks
  - Open Space General
  - Open Space Private-easement
  - Mixed-Use Commercial
  - Multi-Family
  - Residential \*
  - School
  - Civic \*
  - Canal easement
  - Built/Platted

\* Varying housing types will be determined at the time of tentative plan approval, with a total housing number not to exceed what was approved in the original ODP. Locations for Civic uses will be determined with future development.





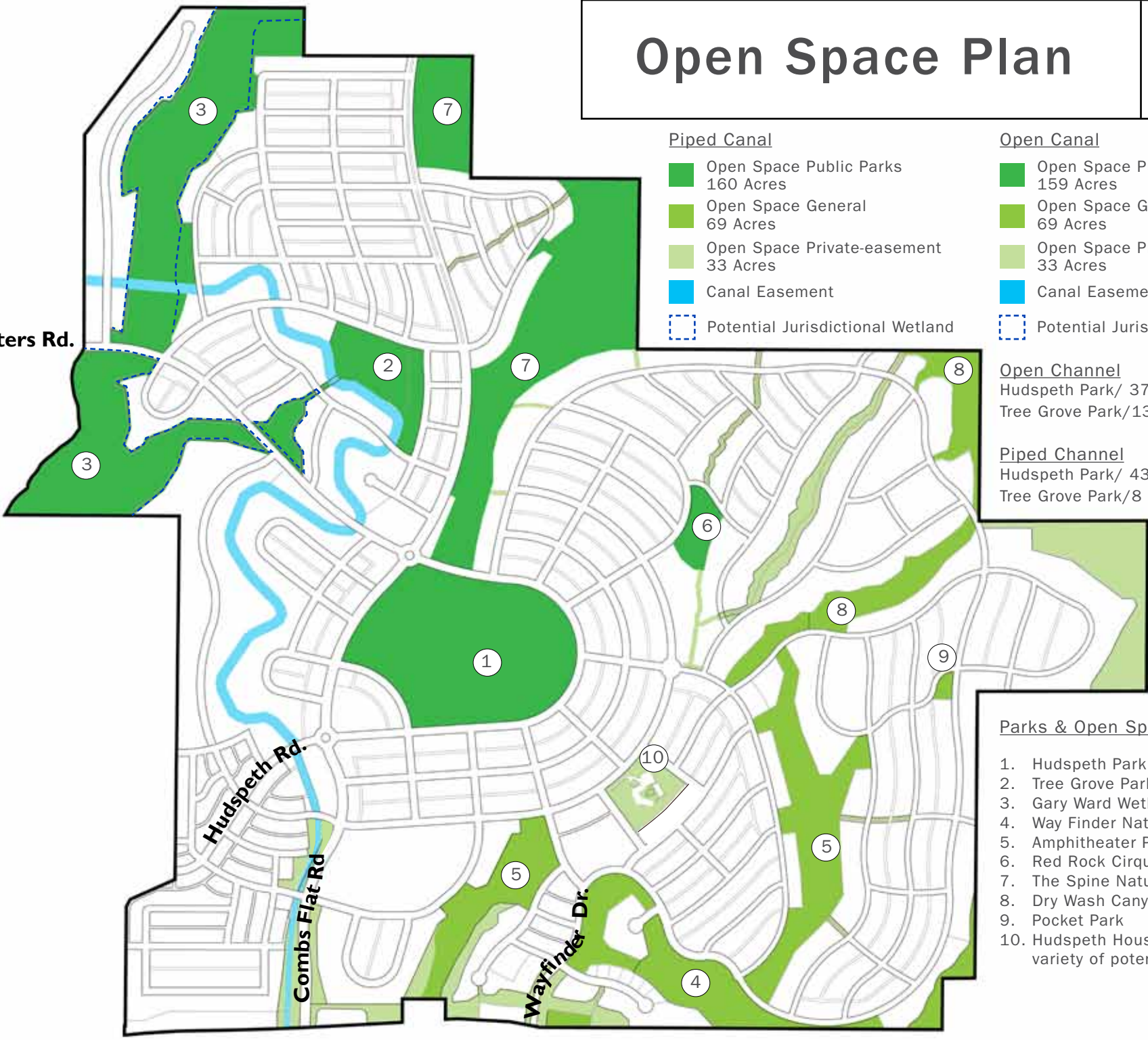
Open Space Plan

Peters Rd.



Alternate Plan with Piped Canal

Peters Rd.



Plan with Open Canal

Piped Canal

- Open Space Public Parks  
160 Acres
- Open Space General  
69 Acres
- Open Space Private-easement  
33 Acres
- Canal Easement
- Potential Jurisdictional Wetland

Open Canal

- Open Space Public Parks  
159 Acres
- Open Space General  
69 Acres
- Open Space Private-easement  
33 Acres
- Canal Easement
- Potential Jurisdictional Wetland

Open Channel

Hudspeth Park/ 37 ac  
Tree Grove Park/13 ac

Piped Channel

Hudspeth Park/ 43 ac  
Tree Grove Park/8 ac

Parks & Open Space

- Hudspeth Park
- Tree Grove Park
- Gary Ward Wetland Park
- Way Finder Natural Area
- Amphitheater Park
- Red Rock Cirque Park
- The Spine Natural Area
- Dry Wash Canyons & NE Ridge Park
- Pocket Park
- Hudspeth House (visual open space; variety of potential uses)

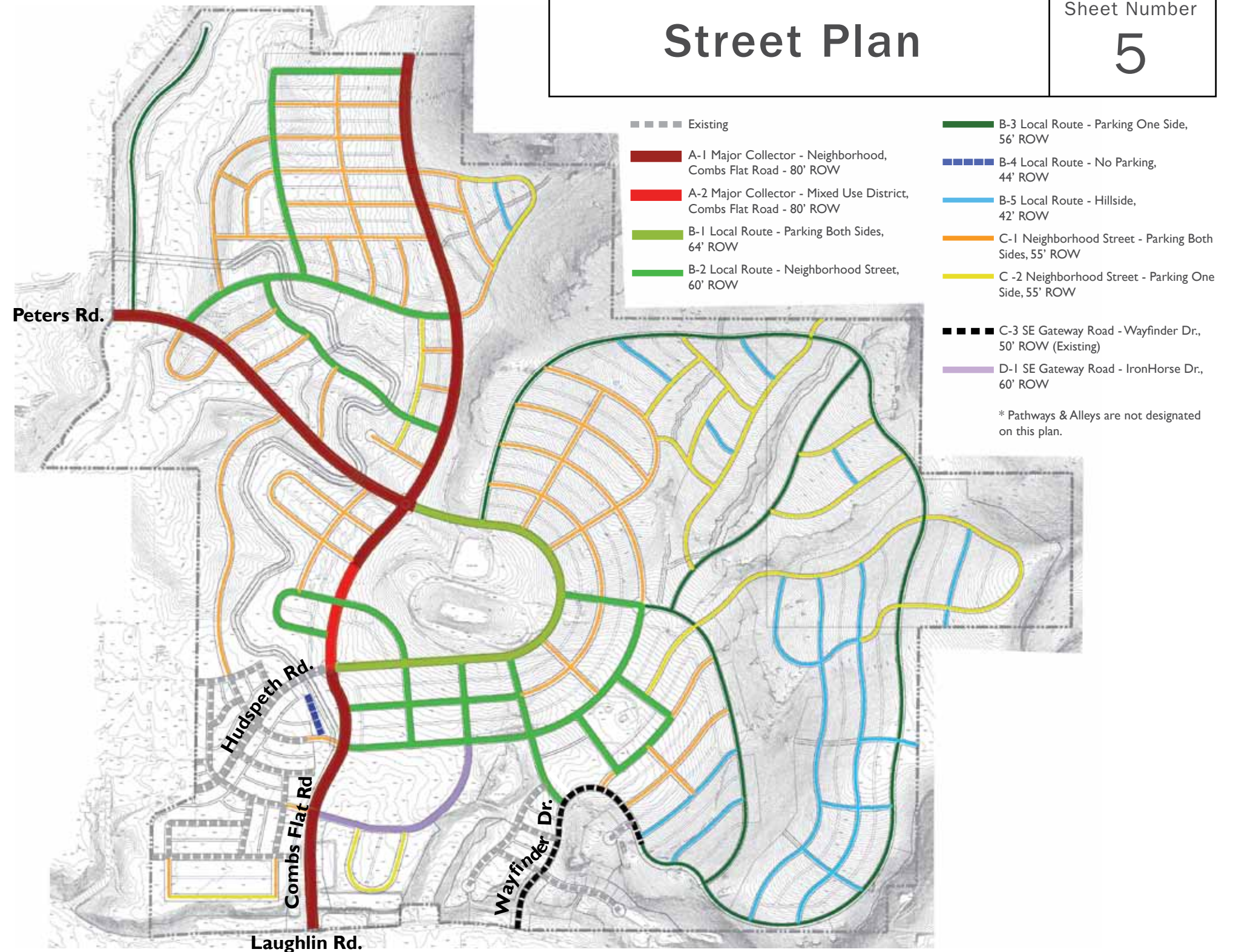
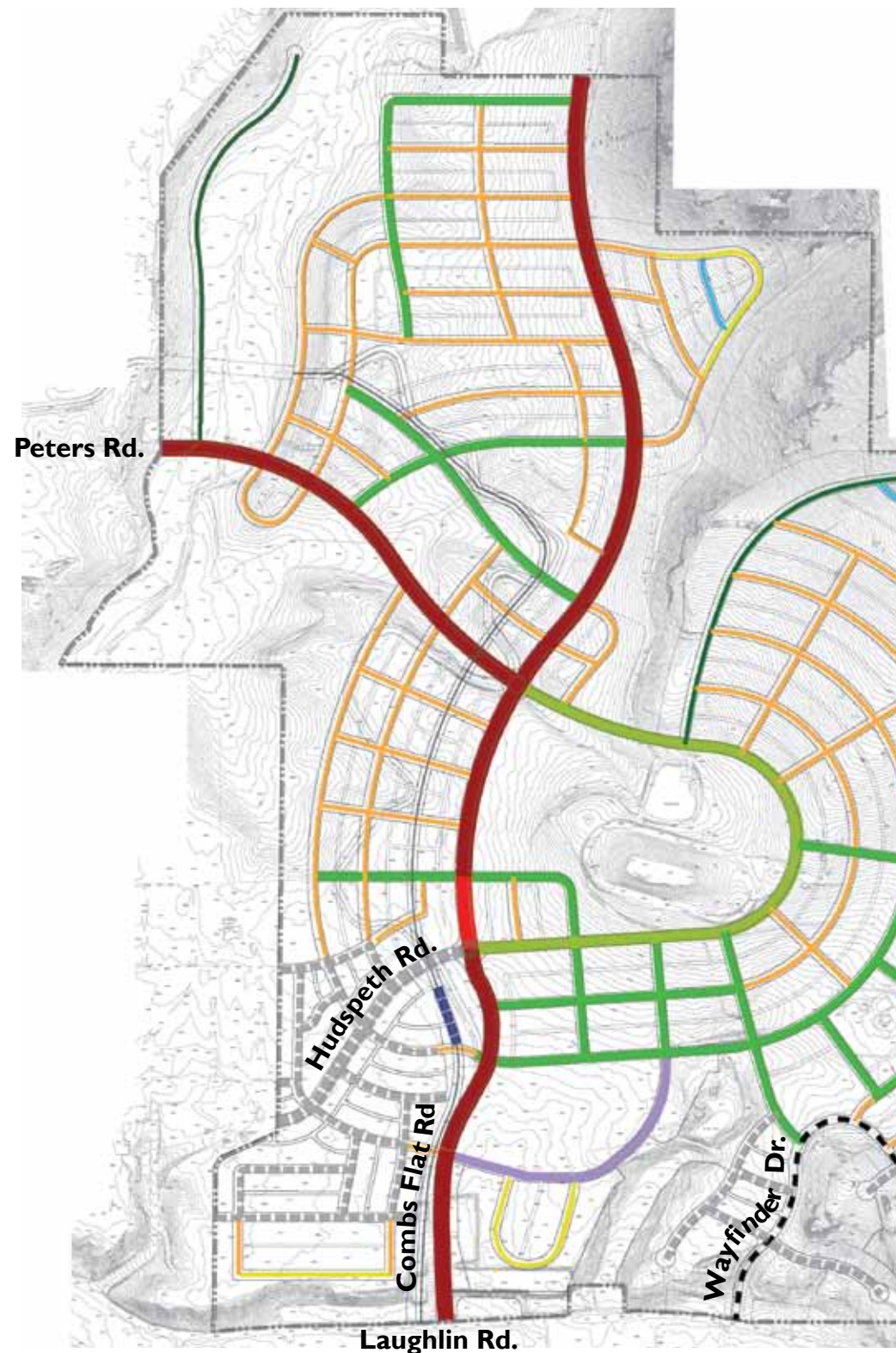




# Street Plan

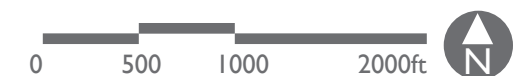
Sheet Number

5



Alternate Plan with Piped Canal

Plan with Open Canal



Brooks Resources - IronHorse ODP 2017 Update

PUD Outline Development Plan Submittal  
Brooks Resources Corporation

Walker | Macy

2017 Update



# Land Use Plan

Sheet Number

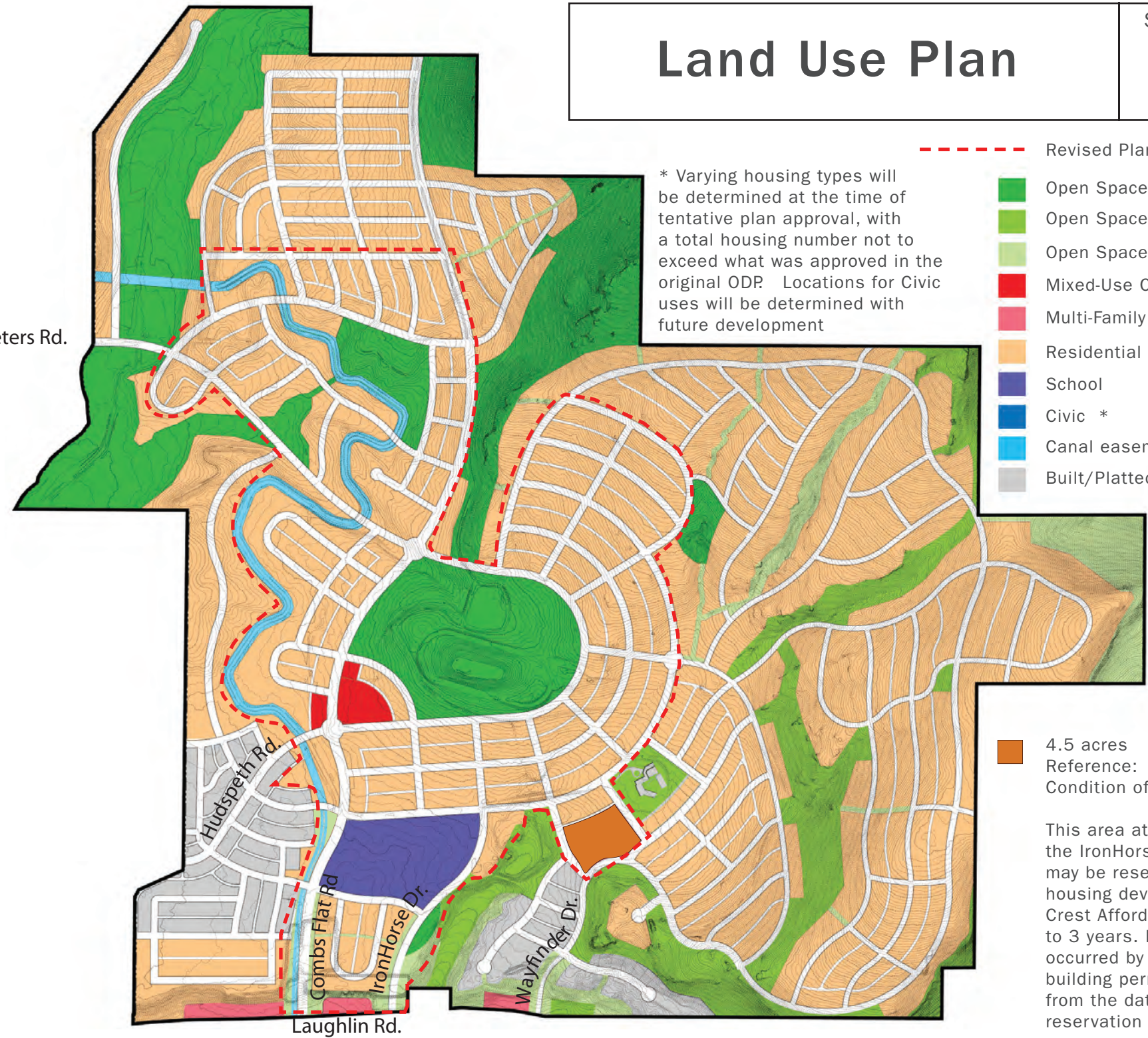
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Peters Rd.



Alternate Plan with Piped Canal

Peters Rd.



Plan with Open Canal

\* Varying housing types will be determined at the time of tentative plan approval, with a total housing number not to exceed what was approved in the original ODP. Locations for Civic uses will be determined with future development

- Revised Plan Layout
- Open Space Public Parks
- Open Space General
- Open Space Private-easement
- Mixed-Use Commercial
- Multi-Family
- Residential \*
- School
- Civic \*
- Canal easement
- Built/Platted

NOTE: If conflicts arise between previous submittals and new submittals, the proposed amendments of the new submittals will take precedent

4.5 acres  
Reference:  
Condition of approval #23

This area at the discretion of the IronHorse development may be reserved for a senior housing development by Pacific Crest Affordable Housing for up to 3 years. If no progress has occurred by evidence of an active building permit within 3 years from the date of approval the reservation is void.



Brooks Resources - IronHorse ODP 2013 Update

PUD Outline Development Plan Submittal  
Brooks Resources Corporation

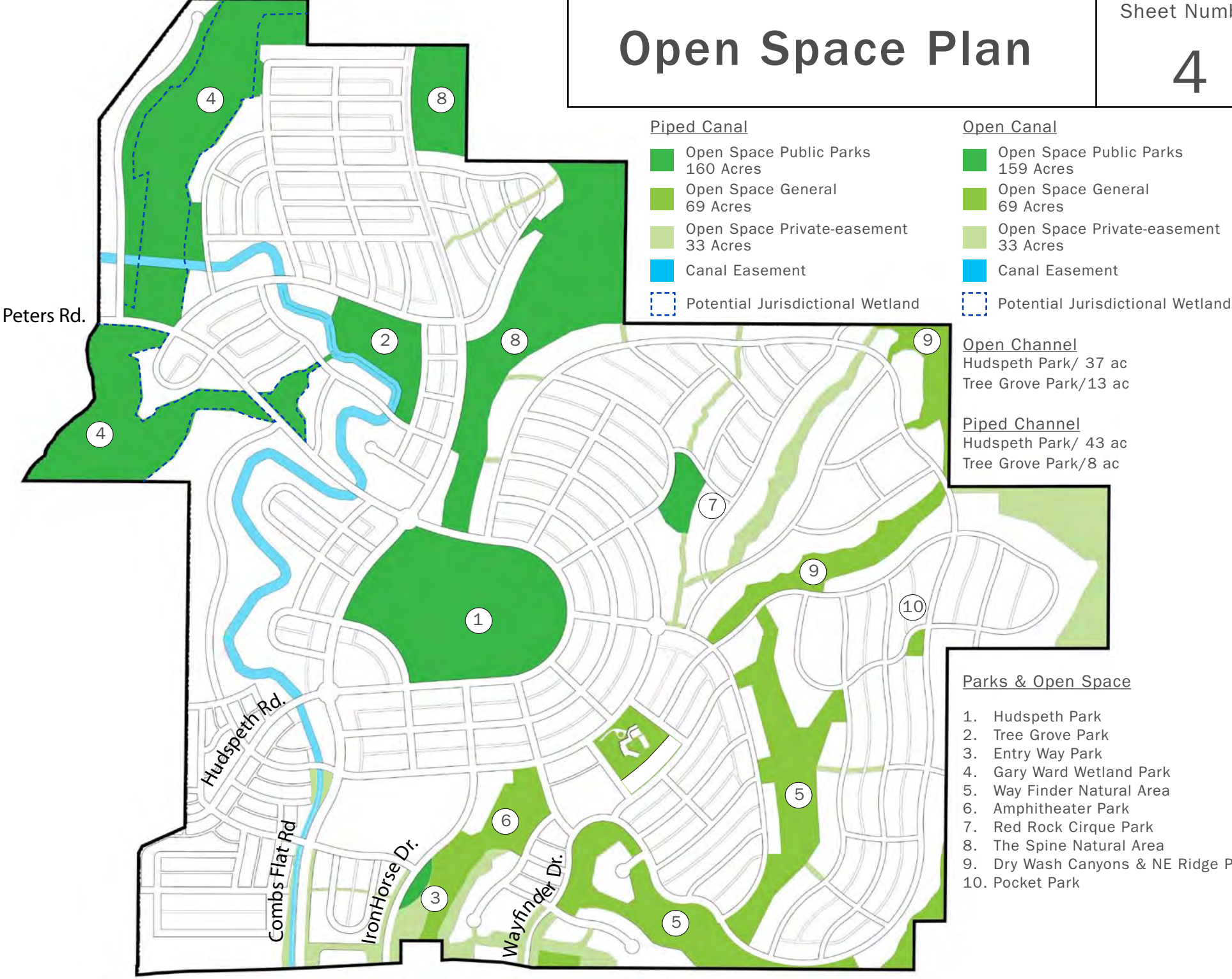
Walker | Macy  
WHPacific  
March 21, 2014



Open Space Plan



Alternate Plan with Piped Canal



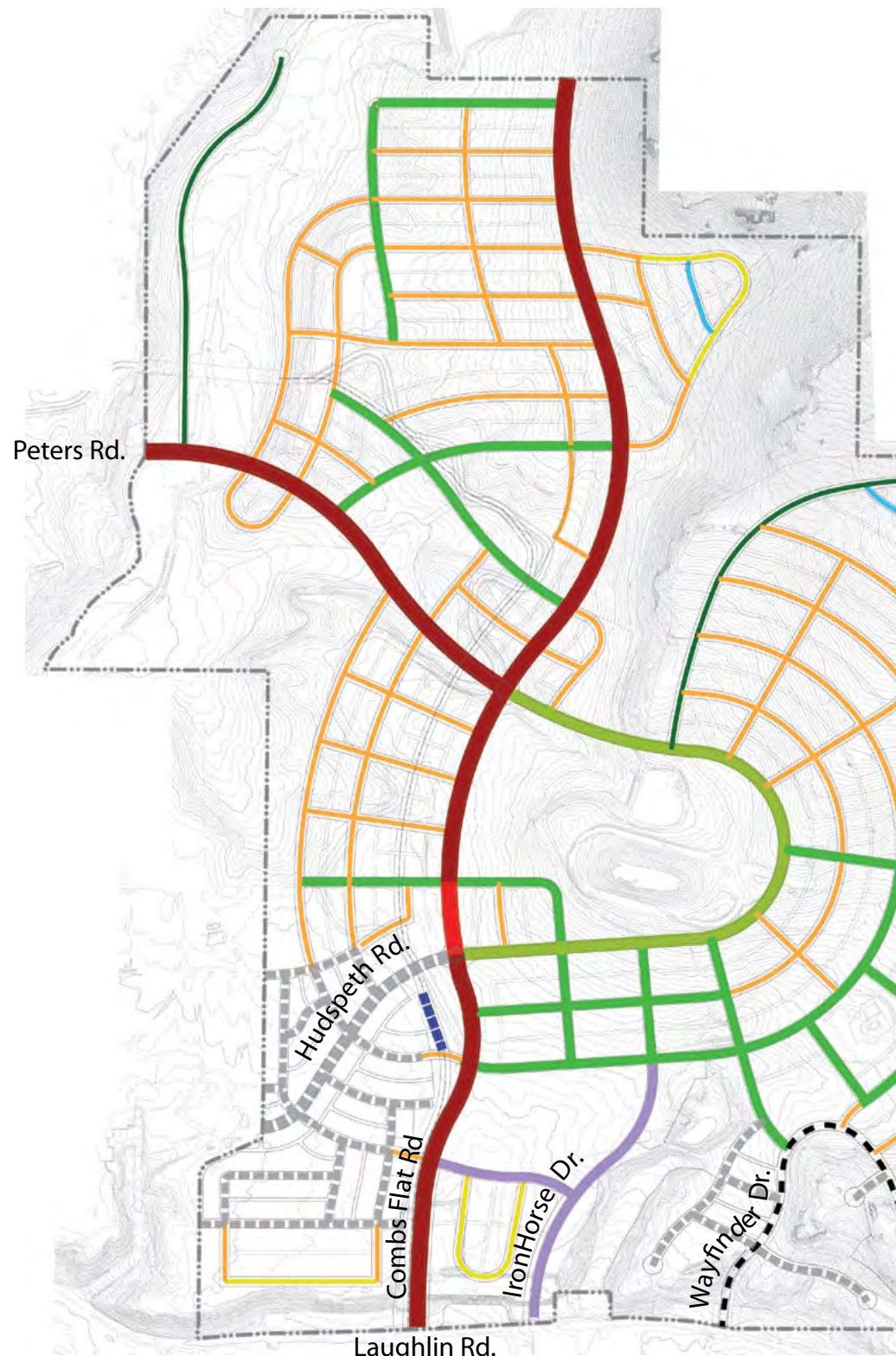
Plan with Open Canal





# Street Plan

Sheet Number  
**5**



Alternate Plan with Piped Canal



Plan with Open Canal

