

## ORDINANCE NO. 1266

### AN ORDINANCE AMENDING CHAPTER 153 OF THE CODE OF PRINEVILLE ("CODE") TO UPDATE REVIEW PROCESS FOR ADUs & PARTITIONS.

WHEREAS, City of Prineville ("City") staff compiled amendments to the City's land use code (Chapter 153 of the Code) for review by the City Planning Commission during a workshop on April 20, 2021; and

WHEREAS, pursuant to Section 153.252.020 of the Code, required notice was submitted to the Department of Land Conservation and Development and published 10 days prior to the initial public hearing scheduled for May 18, 2021; and

WHEREAS, on May 18, 2021, the City Planning Commission held a public hearing, consented to the amendments, and recommended the City Council approve the proposed land use amendments as shown on Exhibit A attached hereto and by this reference made a part hereof; and


WHEREAS, pursuant to Section 153.252.020 of the Code, required notice was published 10 days prior to the City Council hearing of a legislative change scheduled for June 8, 2021; and

WHEREAS, on June 8, 2021 the City Council held a public hearing on the amendments shown on Exhibit A.

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

1. That Chapters 153 of the Code of Prineville are amended as shown on Exhibit A.
2. That this ordinance become effective thirty (30) days after its passage.

Presented for the first time at a regular meeting of the City Council held on June 22, 2021, and the City Council finally enacted the foregoing ordinance this 13<sup>th</sup> day of July, 2021.

  
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Rodney J Beebe  
Mayor

ATTEST:

  
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Lisa Morgan, City Recorder

**CHAPTER 153: LAND DEVELOPMENT CODE**  
**Updating review process for ADUs & Partitions.**

**Section 153.035 shall be amended as follows:**

**153.035 RESIDENTIAL USE TABLE**

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**RESIDENTIAL / ACCESSORY USES**

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Accessory Dwelling	0	0	0	0	0	153.080
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**Section 153.160(D) & (E) shall be amended as follows & Section (I) shall be deleted:**

**153.160 LAND PARTITIONING**

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(D) Exemption. Partitions resulting in the following are not subject to the land partitioning requirements or applicable zoning regulations set forth by this chapter. However a final plat map shall be required in accordance with State law.

(1) The partitioning of property for the purpose of transferring property or properties to a public or semi-public agency for a public road, street, railroad, electric substation, canal, utility right-of-way, public park, school, recreation facility, trail, bikeway, natural area or other similar public purpose.

(E) Filing procedures and requirements. Any person proposing a land partitioning, or the authorized agent or representative thereof, shall prepare and submit a copy of the tentative plan as specified under (E)(4) of this section, together with a digital copy and the prescribed application form and required filing fee, to the City Planning Official.

(1) Minor partitioning. The reviewing authority shall take action to either approve the application as submitted, approve with modifications or conditions, deny the application, or refer the subject application to the Planning Commission for review and action thereon. Review of a minor partition shall follow the procedures and policies for a land use action set forth in sections 153.250 et seq.

(2) Major partitioning. With an application and tentative plan for a major partitioning, the application shall be referred to the Planning Commission for review and action if 1 or more objections are received in writing during the required 14 day notice period for a land use action. The Planning Commission may approve the application as submitted, approve with modifications or conditions or deny the application.

(3) Series partitioning. Any division of land resulting in a series partitioning may be referred to the Planning Commission for review and approval. Applications for any series partitioning shall be made and processed in the same manner as a minor partitioning. Approval requirements shall be the same as for any partitioning, however, the reviewing authority shall deny any such series partitioning when it is determined that the partitioning is done for the purpose of circumventing applicable subdivision regulations.

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