

## ORDINANCE NO. 1221

### AN ORDINANCE EXPANDING THE PRINEVILLE URBAN GROWTH BOUNDARY, AMENDING THE COMPREHENSIVE PLAN MAP AND ZONING MAP AND DECLARING AN EMERGENCY

WHEREAS, the State of Oregon allows for Cities to approve urban growth boundary (UGB) adjustments in accordance with ORS 197.298 and OAR 660 Division 24 and Division 25; and

WHEREAS, it is in the best interest of the City of Prineville ("City") to facilitate the Expansion described in Exhibit A and B in order to promote large lot economic development, particularly expansion of light industrial development; and

WHEREAS, Legacy Ranches, LLC has filed with City's Planning Department application AM-2015-103 requesting that the City's UGB be expanded to include a parcel of real property described as a parcel of land located in Section 10, Township 15 South, Range 15 East of the Willamette Meridian, a portion of Tax Lot 1210 in Crook County, Oregon, more particularly described as follows: Parcel 2 of Partition Plat 2015-17, containing 159.93 acres, more or less (the "Property");

WHEREAS this UGB expansion requires an amendment to the City's Comprehensive Plan reflecting the new urban growth boundary and changes the Comprehensive Plan Map designation and Zoning Map designation; and

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

WHEREAS, the City Planning Commission and the Crook County ("County") Planning Commission held a joint public hearing on December 15, 2015, and the City Planning Commission held a Planning Commission meeting on January 5, 2016, and the County Planning Commission held Planning Commission meetings on January 13, 2016, and January 20, 2016, and each Planning Commission recommended that the City Council and County Court approve the proposed UGB amendment and Comprehensive Plan Map amendment and Zone Map change based on testimony heard during the hearings, supporting documents submitted into and added to the record, and the Staff Report described on Exhibit C attached hereto and by this reference made a part hereof; and

WHEREAS, the City Council and the County Court held a joint public hearing on February 3, 2016, regarding the proposed UGB amendment and Comprehensive Plan Map amendment; and

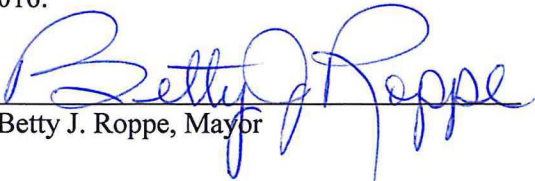
WHEREAS, Legacy Ranches, LLC has indicated its immediate need to have this action approved;

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

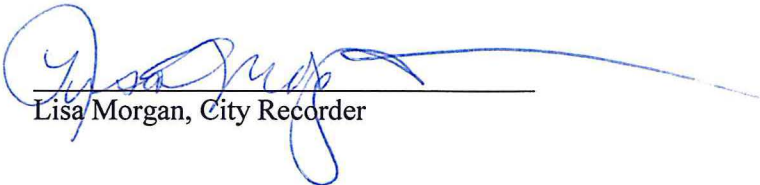
1. The Urban Growth Boundary Expansion, Comprehensive Plan Map Amendment and Zone Map described on the attached Exhibits A and B are hereby approved.
2. The Urban Growth Boundary is expanded to include the Property.
3. The Property is re-designated from the County Comprehensive Plan designation of Agriculture to the City Comprehensive Plan designation of Light Industrial on the City's Comprehensive Plan Map.

4. This Ordinance, being necessary for the immediate preservation of the public peace, health, and safety, an emergency is declared and this Ordinance shall take effect on its passage.

Passed by the City Council this 9<sup>th</sup> day of February, 2016.

  
Betty J. Roppe, Mayor

ATTEST:

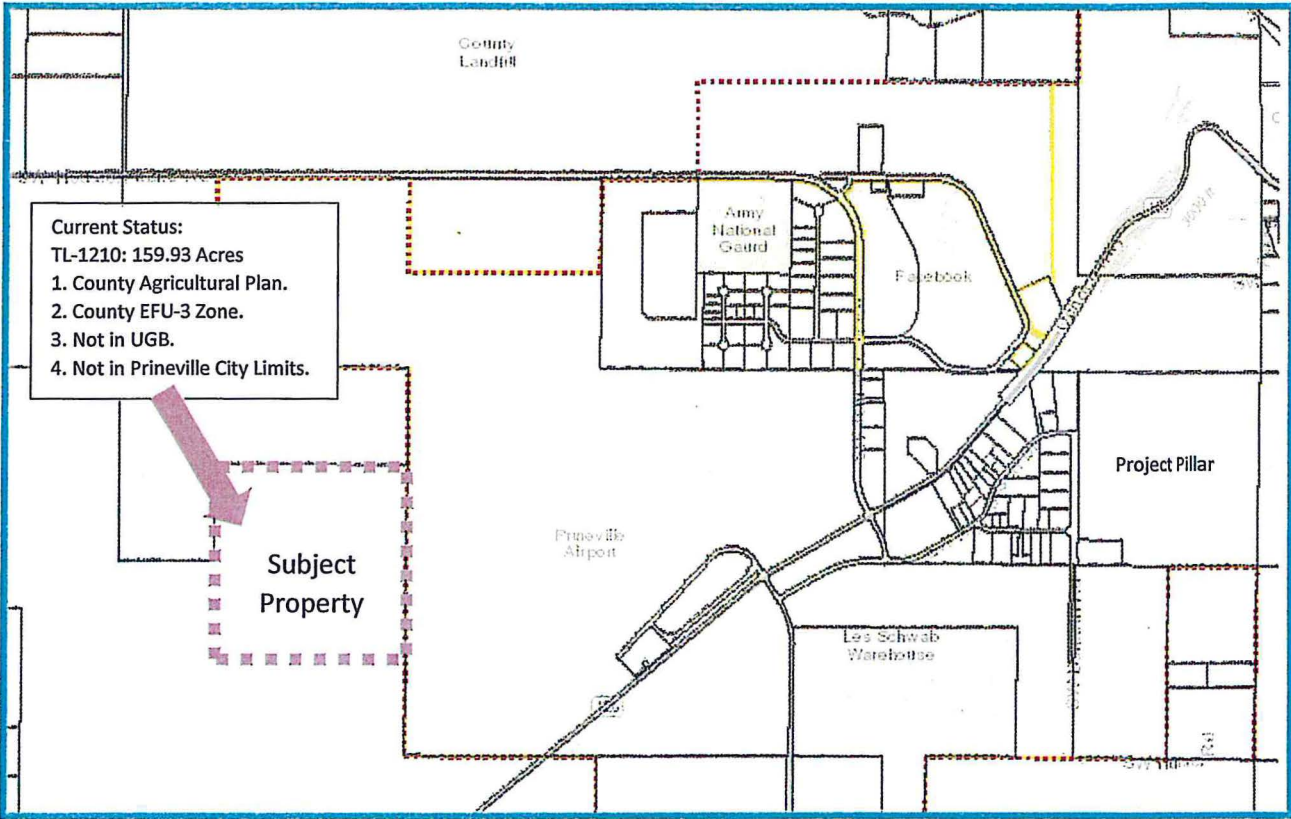
  
Lisa Morgan, City Recorder

Attachment: Exhibit A – Before and After map showing the changes.  
Exhibit B – Legal description of subject property.  
Exhibit C – City Council staff report.

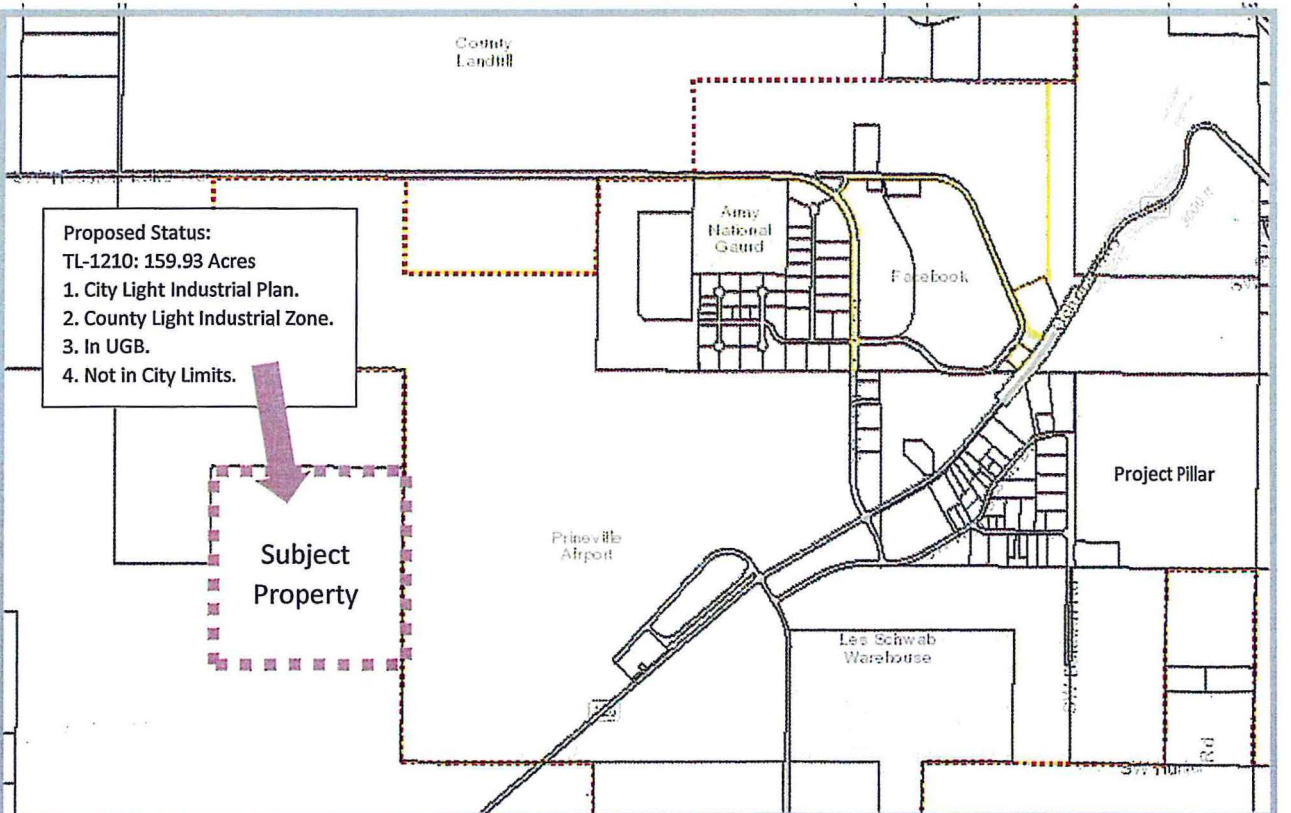


AM-2015-103 - Plan Amendment proposing a UGB Expansion, Comprehensive Plan and  
Zone Map Amendment and Annexation (ANX-2015-101)  
T15S, R16E, S07, TL 100 (159.93 acres more or less)  
Prineville/Crook County Airport Area

Before



After



# Ordinance No. 1221

## Exhibit B

4117-1

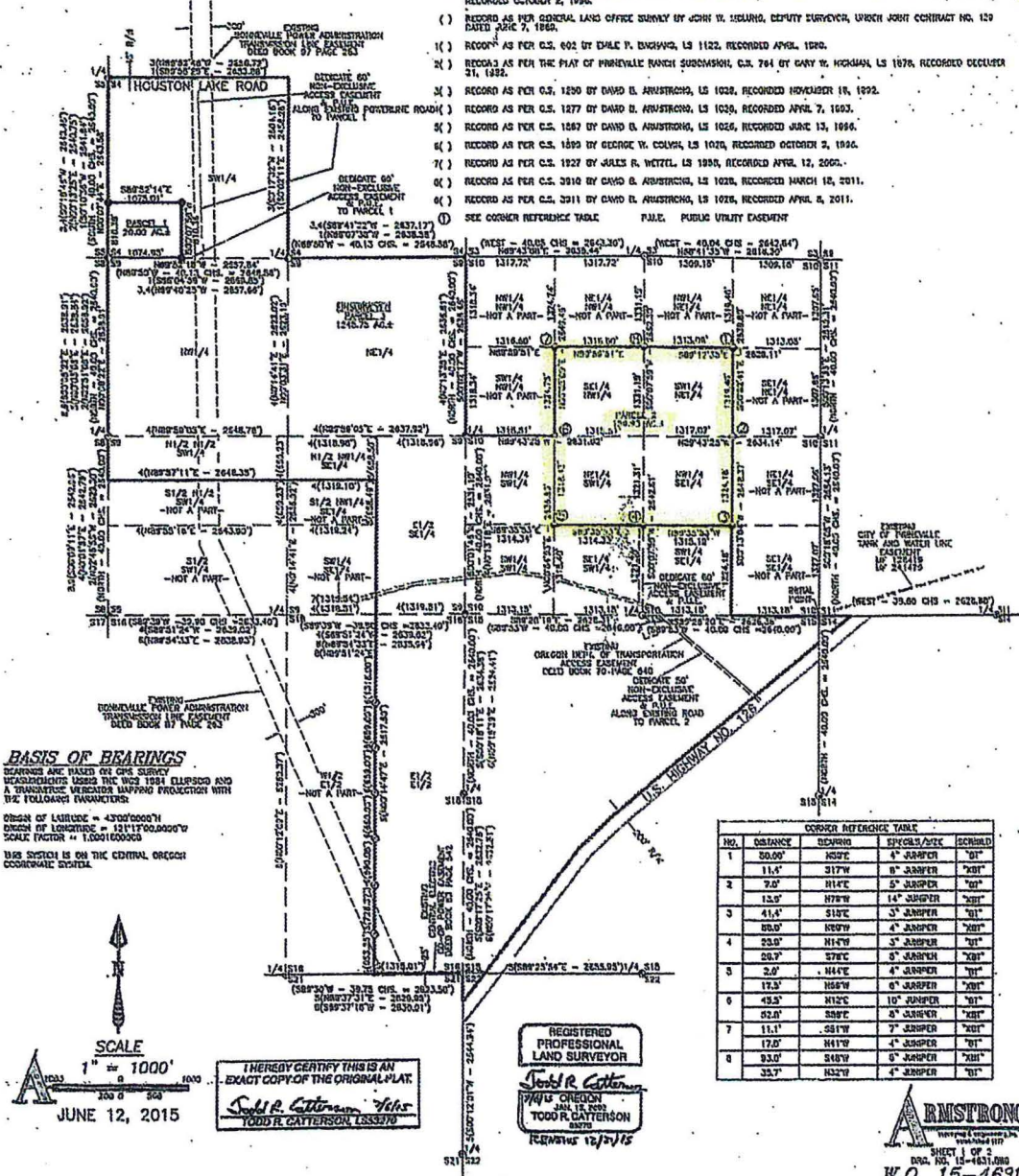
**PARTITION PLAT NO. 2015-17**  
**PARTITION PLAT OF A PARCEL OF**  
**LAND, LOCATED IN PORTIONS OF**  
**SECTIONS 4, 9, 10, 14, 15, 16, AND 22**  
**T.15S.,**  
**R.15E., W.M., CROOK COUNTY, OREGON**  
**217-15-000120-PLNG**  
**217-15-000121-PLNG**  
**W.O. 15-4631**

**SURVEY FOR** LEONET RANCHES, LLC.  
 215 W. USHWATER ST., STE. 2030  
 OREGON, 97041  
 (541) 410-1027

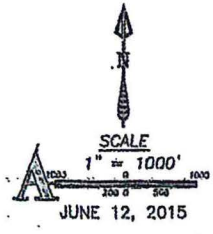
**SURVEY BY** TODD R. CATTERSON  
 215 W. USHWATER ST., STE. 2030  
 OREGON, 97041  
 (541) 410-1027

**LEGEND**

- SET 5/8" x 20" LONG IRON ROD WITH YELLOW PLASTIC CAP MARKED "ARMSTRONG 242", SET STEEL FENCE POST ALONGSIDE.
- SET 5/8" x 20" LONG IRON ROD WITH 1-1/2" ALUMINUM CAP MARKED "ARMSTRONG 242", SET STEEL FENCE POST ALONGSIDE.
- FOUND 2-1/2" ALUMINUM CAP AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED SEPTEMBER 4, 1920.
- FOUND 2-1/2" BRASS CAP AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED NOVEMBER 17, 1922.
- FOUND 2-1/2" ALUMINUM CAP AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED APRIL 7, 1923.
- FOUND 2-1/2" ALUMINUM CAP AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED JUNE 9, 1926.
- FOUND 2-1/2" ALUMINUM CAP AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED APRIL 4, 1926.
- FOUND 2" ALUMINUM CAP AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED DECEMBER 16, 1926.
- FOUND 2-1/2" ALUMINUM CAP AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED JULY 16, 2002.
- FOUND 2-1/2" BRASS CAP AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED NOVEMBER 30, 1920.
- FOUND 2-1/2" BRASS CAP AS PER C.R.L.C.M. FORM BY TERRY COOMAN, PLS 1929, RECORDED APRIL 16, 1926.
- FOUND 3" BRASS CAP AS PER C.R.L.C.M. FORM BY TERRY COOMAN, PLS 1929, RECORDED APRIL 16, 1926.
- FOUND 2" BRASS CAP AS PER C.R.L.C.M. FORM BY DAVID B. ARMSTRONG, LS 1026, RECORDED JUNE 12, 1926.
- FOUND 3" ALUMINUM CAP AS PER C.R.L.C.M. FORM BY WYNN J. BRUNO, LS 2236, RECORDED JUNE 23, 1926.
- FOUND 3/8" IRON ROD WITH RED PLASTIC CAP MARKED "S19120" AS PER C.S. 1256 BY GEORGE W. COLVIL, LS 1026, RECORDED OCTOBER 2, 1926.
- ( ) RECORD AS PER GENERAL LAND OFFICE SURVEY BY JOHN W. ISLAND, DEPUTY SURVEYOR, UNDER JOHN CONTRACT NO. 129 DATED JUNE 7, 1860.
- ( ) RECORD AS PER C.S. 602 BY EMILE P. ENGLISH, LS 1122, RECORDED APRIL 1920.
- ( ) RECORD AS PER THE PLAT OF FINEVILLE RANCH SUBDIVISION, C.S. 784 BY GARY W. HOGAN, LS 1878, RECORDED DECEMBER 31, 1921.
- ( ) RECORD AS PER C.S. 1250 BY DAVID B. ARMSTRONG, LS 1026, RECORDED NOVEMBER 19, 1922.
- ( ) RECORD AS PER C.S. 1277 BY DAVID B. ARMSTRONG, LS 1026, RECORDED APRIL 7, 1923.
- ( ) RECORD AS PER C.S. 1587 BY DAVID B. ARMSTRONG, LS 1026, RECORDED JUNE 13, 1926.
- ( ) RECORD AS PER C.S. 1599 BY GEORGE W. COLVIL, LS 1026, RECORDED OCTOBER 2, 1926.
- ( ) RECORD AS PER C.S. 1827 BY JAMES R. WETTEL, LS 1936, RECORDED APRIL 17, 2002.
- ( ) RECORD AS PER C.S. 2910 BY DAVID B. ARMSTRONG, LS 1026, RECORDED MARCH 15, 2011.
- ( ) RECORD AS PER C.S. 3211 BY DAVID B. ARMSTRONG, LS 1026, RECORDED APRIL 2, 2011.
- SEE CORNER REFERENCE TABLE. P.U.E. PUBLIC UTILITY EASEMENT



**BASIS OF BEARINGS**  
 BEARINGS ARE BASED ON GPS SURVEY MEASUREMENTS USING THE NAD 83 ELLIPSOID AND A TRANSVERSE MERCATOR MAP PROJECTION WITH THE FOLLOWING PARAMETERS:  
 ORIGIN OF LATITUDE = 43°00'00.00"N  
 ORIGIN OF LONGITUDE = 121°17'00.0000"W  
 SCALE FACTOR = 1.000100008  
 U.S. Spheroid is ON THE CENTRAL OREGON COORDINATE SYSTEM.



I HEREBY CERTIFY THIS IS AN EXACT COPY OF THE ORIGINAL PLAT.  
 Todd R. Catterson  
 TODD R. CATTERSON, LSS3370

REGISTERED PROFESSIONAL LAND SURVEYOR  
 Todd R. Catterson  
 TODD R. CATTERSON, LSS3370  
 REnewed 12/27/15

CORNER REFERENCE TABLE				
NO.	DISTANCE	Bearing	ENCLOSURE	COMMENT
1	50.00'	N02°E	4" JUMPER	"B"
2	11.4'	S17°W	8" JUMPER	"B"
	7.0'	N12°E	5" JUMPER	"B"
	15.0'	N75°W	14" JUMPER	"B"
3	41.4'	S12°E	3" JUMPER	"B"
	50.0'	N85°W	4" JUMPER	"B"
4	23.0'	N14°W	3" JUMPER	"B"
	20.0'	S7°E	8" JUMPER	"B"
5	2.0'	N44°E	4" JUMPER	"B"
	17.3'	N85°W	6" JUMPER	"B"
6	43.5'	N12°E	10" JUMPER	"B"
	52.0'	S8°E	8" JUMPER	"B"
7	11.1'	S81°W	7" JUMPER	"B"
	17.0'	N41°W	4" JUMPER	"B"
8	33.0'	S85°W	8" JUMPER	"B"
	32.7'	N32°W	4" JUMPER	"B"

**ARMSTRONG**  
 Surveyors & Engineers, Inc.  
 1100 NE Oregon St., Ste. 200  
 Portland, OR 97232  
 (503) 255-1100  
 SHEET 1 OF 2  
 DATE: 10-16-2015  
 W.O. 15-4631





# Ordinance No. 1221

## Exhibit C



### City of Prineville

#### COMMUNITY DEVELOPMENT DEPARTMENT

#### STAFF REPORT

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**Date:** February 3, 2016  
**To:** Prineville City Council  
**File No.:** AM-2015-103 and ANX-2015-101  
**Applicant/Owner:** Legacy Ranches, LLC  
**Location:** Township 15S, Range 15E, Section 10, a portion of Tax Lot 1210 (Parcel 2 of Partition Plat 2015-17).  
**Notice sent to DLCD:** 11/10/2015  
**Neighbor Notice:** 11/24/15  
**Newspaper Notice:** Planning Commission Notice – 12/1/15 and 12/8/15  
City Council Notice – 1/22/16 and 1/26/16  
**Public Hearing:** Planning Commission - 12/15/15 and 1/5/16  
City Council – 2/3/16  
**Staff:** Phil Stenbeck, CFM Planning Director

**Proposal:** Legacy Ranches, LLC ("Legacy Ranches") proposes to add 159.93 acres of land (for convenience referred to as 160 acres in this analysis) to the Urban Growth Boundary ("UGB") and City Limits. The request is to include the land within the UGB, change the Comprehensive Plan designation from County Agriculture to City Industrial, and change the County Zoning designation from Exclusive Farm Use-3 to County Light Industrial. A concurrent Annexation to the City is also requested which would reassign the County Light Industrial Zone designation to the City's Light Industrial designation in accordance with City/County Urban Growth Management Agreement (UGMA). The Subject Property is within the City/County designated Enterprise Zone.

#### Executive Summary

As mentioned above in the proposal, the applicant is requesting the 160 +/- acre parcel of land be included in the Prineville UGB and City Limits as Light Industrial land. The City Planning Commission has reviewed the application and has recommended approval of the UGB Expansion, Plan Amendment, Zone Change and Annexation with one caveat that is found in the City Planning Commission's recommendation (Exhibit O).

The Planning Commission made a decision based on the evidence found in the Planning Commission staff report (Exhibit I), Exhibits A through J entered into the record during the Planning Commission meeting, the power point presentation and testimony taken during the Planning Commission meeting.



One resident expressed a concern over additional traffic on Houston Lakes Road in the vicinity of where she (Tonya Joens) lives, and the Oregon Department of Transportation (ODOT) has requested the public hearing be continued twice. The Planning Commission granted the first request for a two week continuance, which continued the Planning Commission meeting from December 15, 2015 to January 5, 2016. On January 5, 2016 the ODOT requested a second continuance of the public hearing process which was denied by the Planning Commission, and at which time the Planning Commission made a recommendation of approval to the City Council, with the caveat that the questions from the ODOT be answered.

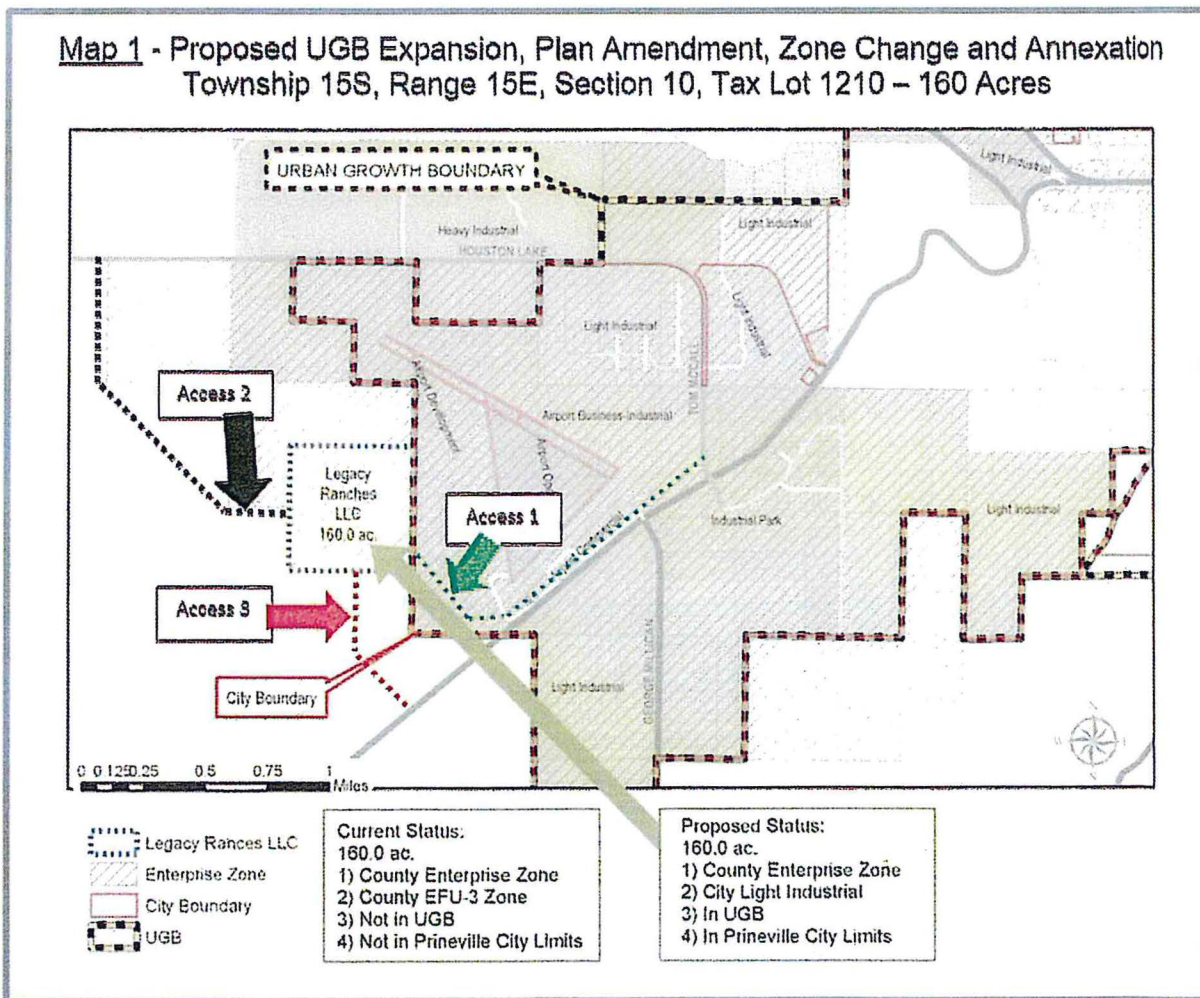
The applicant has been in communication with the ODOT and has submitted Exhibit N into the record for today's hearing which is their answer to the concerns raised by the ODOT.

The map below shows the subject property and the points of access to the subject property.

Access Point 1 on the map below is through the Airport and would help extended infrastructure to the west side of the Airport as found in the new proposed Airport Master Plan.

Access Point 2 on the map below is from Houston Lake Road and is entirely on land owned by the applicant. The applicant owns approximately 1400 acres on the west side of the Airport.

Access Point 3 on the map below is the properties current legal access.



### Conclusions and Recommendation

Based on the evidence in the record, the applicant requests the City Council approve the proposal for a UGB Expansion/Plan Map Amendment/Zone Reassignment and Annexation.

Respectfully submitted,



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Phil Stenbeck, CFM  
Planning Director

Attached:

- Exhibit A: AM-2015-103 and ANX-2015-101 Notice/Applications – Part 1.
- Exhibit B: AM-2015-103 Application – Part 2 (continued).
- Exhibit C: ANX-2015-101 Application.
- Exhibit D: Preliminary assessment of access (map) submitted by the applicant.
- Exhibit E: Pacific Power Electrical Assessment information from applicant.
- Exhibit F: Staff power point presentation.
- Exhibit G: Clemow Associates response dated December 15, 2015.
- Exhibit H: ODOT 1<sup>st</sup> request for continuance.
- Exhibit I: Prineville Planning Commission staff report dated December 8, 2015
- Exhibit J: ODOT 2<sup>nd</sup> request for continuance.
- Exhibit K: Applicant response to the second ODOT continuance request.
- Exhibit L: Applicant 2<sup>nd</sup> response to ODOT continuance request.
- Exhibit M: Planning Commission recommendation.
- Exhibit N: Applicant 3<sup>rd</sup> response to ODOT's 2<sup>nd</sup> request for continuance.
- Exhibit O: STIP information from the applicant.
- Exhibit P: City staff letter to County Planning Commission.