



# City of Prineville

## DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT

### PLANNING COMMISSION STAFF REPORT

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<b>File No.:</b>	AM-2024-100
<b>Applicant:</b>	City of Prineville
<b>Notice to DLCD:</b>	1/9/2024
<b>PC Review:</b>	Initial review 1/17/2023, Final review 1/30/2024
<b>Public Notice:</b>	Newspaper Notice – 2/6/2024 Mailed Notice – 1/16/2024
<b>Public Hearing:</b>	Planning Commission – 2/20/2024
<b>Staff:</b>	Joshua Smith, Planning Director
<b>Proposal:</b>	Legislative Amendments to amend the City’s Comprehensive Plan Map and Zoning Map. The primary purpose of these amendments is to reconcile discrepancies between the Comprehensive Plan Map, Zoning Map and existing uses of multiple properties within the Urban Growth Boundary.
<b>Applicable Criteria:</b>	ORS – 227 & 197, OAR – 660-015 (Goal 2 & 10), City Comprehensive Plan, Land use Code Chapter 153 sections 153.230 – 153.236 & 153.252, 153.256.030

#### **Background:**

City zoning works on a two-map system, the Comprehensive Plan Map (Comp Plan) and a Zone Map. The Comp Plan Map provides basic designations of residential, commercial and industrial. The zoning map refines these designations into multiple zones within each designation. In 2007 the City adopted its first Comprehensive plan and map, separating itself from the County. At that time an existing County map from 1984 was used as the base map for the plan instead of the current zoning map. This created discrepancies where the zones do not align with their Comprehensive Plan designations. The 1984 map was of poor quality; therefore, many of the errors are on the zone boundaries where it was difficult to decipher where the line should be. Several areas have already been amended and more will need to be amended. These proposals focus on areas where the current and future use of the property is not in question.

#### **Findings:**

The following describes each exhibit and the reason for the change.

**Statewide Planning Goal 10, *To provide for the housing needs of citizens of the state.*** - These proposed changes have no impact on the housing capacity of the City. The purpose of these changes is to reconcile discrepancies between the comprehensive plan designation, zoning and existing uses. These discrepancies have created problems with property sales and lending primarily for residential uses. These amendments have no effect on the City’s Housing needs analysis as the changes are on properties that are already zoned residential or have existing residential or commercial developments.

**Area 1** – This area as described on Exhibit A, is designated as “Residential” in the Comprehensive Plan. The area has been zoned commercial for decades, other than a small residential lot associated with the Crystal Springs Subdivision. The Comprehensive plan is proposed to change from “Residential” to “Outlying Commercial” and the zone for the residential lot will change to “General Commercial”. All but tax lot 1000 (BLM building) are in the process of being consolidated. A commercial development has also been approved for the site and this proposed change was a condition of approval.

**Area 2** – This area as described in Exhibit A, is currently zoned residential in the County outside the City limits, but within the UGB. The City’s Comprehensive Plan for this area has a “Heavy Industrial” designation, presumably left over from when the Ochoco Lumber Mill was operating. That mill site has since been re-zoned to “Mixed Use” leaving this area designated for heavy industrial that is inappropriate for the area and the predominate residential uses. It is not likely the City will ever annex this area as heavy industrial and is therefore; proposing to change the Comprehensive Plan designation from “Heavy Industrial” to “Residential” to avoid this issue in the future, as the City grows.

**Area 3** – This area as described in Exhibit A, is currently designated as “Outlying Commercial” in the Comprehensive Plan. The area has been zoned “General Residential” and developed as residential for decades. Due to existing narrow roads and lack of City water, it is unlikely this area will become commercially viable without significant redevelopment. This proposal will change the Comprehensive plan designation for this area to “Residential” to match the current zone.

**Area 4** – This area as described in Exhibit A, is designated as “Residential” in the Comprehensive Plan and zoned Commercial (C2). The “Skate Park” Subdivision of 2016, was knowingly approved on properties that were zoned both residential and commercial. The City’s Commercial (C2) zone allows residential; however, the intent was to correct this zoning in combination with others zone corrections at a later date. The zoning for the five (5) lots that remain in the (C2) zone are proposed to be changed to Residential (R2), to match the use and the rest of the subdivision. The two City owned lots adjacent to the creek will be zone residential, but have a Comprehensive Plan designation of “Open Space”.

**Area 5** – This area as described in Exhibit A, is currently designated as “Outlying Commercial” in the Comprehensive Plan and zoned Recreational Commercial (C5). The “Rivers Edge” subdivision of 2006 was knowingly approved on properties that were zoned both residential and commercial. The majority zone of the original parcel was Residential (R2) and was used to justify the residential subdivision. The zoning for the seven (7) lots and a portion of the open space lot that remain in the (C5) zone are proposed to be changed to Residential (R2) and designated “Residential” on the Comprehensive Plan to match the use and the rest of the subdivision.

**Area 6** – This area as described in Exhibit A, is currently designated as “Open Space” and “Residential” on the Comprehensive Plan Map. The area has been zoned Commercial (C2) since 2004 (*Ordinance 1117*). This proposal will change the Comprehensive Plan Designation to “Outlying Commercial” to match the use and the zone.

**Area 7** – This area as described in Exhibit A, is currently designated as “Residential” on the Comprehensive Plan Map and zoned Residential (R2). The commercial storage facility (*Secure Storage*) was knowingly approved in 2014 on a property that is zoned both residential and commercial. The majority zone of the parcel is Commercial (C2) and was used to justify the Commercial development. The intent was to correct this zoning in combination with others zone corrections at a later date. This proposal will change the Comprehensive Plan Designation to “Outlying Commercial” and the zone to Commercial (C2), to match the use and zoning on the rest of the property.

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Amending Zoning and Comp Plan maps

**Area 8** – This area as described in Exhibit A, is currently designated as “Light Industrial” on the Comprehensive Plan Map. The area has been zoned Residential (R4) since at least the late 90’s and is developed as residential. This proposal will change the Comprehensive Plan Designation to “Residential”, to match the uses and current zoning.

**Area 9** – This area as described in Exhibit A, is not a correction and is being added to this process for efficiency purposes. If there is opposition to this change, Area 9 can be removed from this process and reviewed as a separate application. This area is currently zoned Residential (R2) and developed as residential with four older residential units and an unused, defunct single-wide trailer. The property to the south is zoned Commercial (C2) and has a new commercial development. These two lots are relatively narrow; the southern property is interested in purchasing the property for better access and to potentially expand the commercial use in the future. The existing use will remain until redeveloped.

**Staff Conclusions and Recommendation:**

Based on the findings stated above, Staff finds these changes to be necessary to preserve the integrity of our zoning maps and to prevent any unnecessary hardships for property owners. Staff supports recommending these zone changes to City Council for approval.

**EXHIBITS**

Exhibit A – Areas 1-9 showing existing plan designation and zoning and stating the change.