

ORDINANCE NO. 1278

AN ORDINANCE AMENDING CHAPTER 153 TO CHANGE THE C4 ZONE FROM A “NEIGHBORHOOD COMMERCIAL ZONE” TO A “CONVENIENCE COMMERCIAL ZONE”

Whereas, the City of Prineville (“City”) Code establishes the policy and procedure to change the Comprehensive Plan Map designation and the Zoning Map designation of a property. Pursuant to such policy and procedure a property owner or owner’s representative may initiate a request to change the zoning of a property: and

Whereas, Empire Construction and Development (Sally DeMoss) as authorized representative for Gary Bell, the owner of property described as lot 8 of the Tom McCall Industrial Park Subdivision (“property”) also known as T15, R15, S02DD Tax Lot 00500 has applied for a text amendment to the C4 zone; 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 ten (10) days prior to the initial public hearing scheduled for September 20, 2022; and

Whereas, on September 20, 2022, the City Planning Commission held a public hearing and consented to the amendments and recommended the City Council approve the proposed amendments to Chapter 153 shown in 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 ten (10) days prior to the City Council hearing of a legislative change scheduled for October 11, 2022; and

Whereas, the Prineville City Council conducted a public hearing on October 11, 2022, which consisted of the opportunity of written and oral testimony, review of staff reports, and consideration of the recommendations of the City of Prineville Planning Commission.

NOW, THEREFORE, the people of the City of Prineville ordain as follows:

1. That Chapter 153 of the City’s Code is hereby amended as shown on Exhibit A.
2. The City Recorder shall place a certified copy of this Ordinance in the City’s permanent records.
3. The Ordinance shall be effective 30 days following its passage by the City Council.

Presented for the first time at a regular meeting of the City Council held on October 25, 2022, and unanimously passed hereto.



Rodney J. Beebe
Mayor

ATTEST:


Lisa Morgan, City Recorder

CHAPTER 153: LAND DEVELOPMENT CODE
Update to the C4 zone.

The three dots “...” represent text that is not being changed.

Table of contents shall be amended as follows:

...

Specific Zone Requirements

...

153.053 Convenience Commercial C4 Zone

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Section 153.030 shall be amended as follows:

153.030 CLASSIFICATION OF ZONES.

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Section	Zone Title	Abbreviated Designation
153.053	Convenience Commercial	C4

...

Section 153.037 shall be amended as follows:

153.037 COMMERCIAL & INDUSTRIAL USE TABLE

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<u>Eating & Drinking</u>	C1	C2	C3	C4	C5	M1	M2	IP	Comments:
Brew Pub, Tap House (with Restaurant)	0	0		0	0				May include Food Vendors

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Café Restaurant, Espresso (Drive through)		0		T1	T1				
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<u>Automobile, Trucks, RV's</u>	C1	C2	C3	C4	C5	M1	M2	IP	Comments:
Auto Service Station (may include accessory convenience store & carwash)		0		0	T2	0	0	T1	Generally same day service, includes minor repairs.

...

<u>Office & Office Products</u>	C1	C2	C3	C4	C5	M1	M2	IP	Comments:
Office and Office Products	0	0	0	0					Medical, attorney, real estate etc.

...

Office for real estate & Insurance	0	0	0	0	0				
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<u>Retail Uses</u>	C1	C2	C3	C4	C5	M1	M2	IP	Comments:
Hardware Store	0	0		0					

...

Section 153.037 shall delete items as follows:

Video/Movie rental and sales	0	0	-	0	0	-	-	-	-
Travel agency	0	0	0	-	0	-	-	-	-

Section 153.053 shall be amended as follows:

153.053 CONVENIENCE COMMERCIAL C4 ZONE.

In a C-4 Zone, the following regulations shall apply.

(A) **Purpose.** The purpose of the Convenience Commercial C4 Zone is to provide for limited commercial services in areas that are in close proximity to or within non-commercially zoned areas. The purpose relative thereto is to provide opportunities for basic commercial conveniences without excessive vehicular travel.

(K) **Use limitations.** In a C4 Zone, the following use limitations shall apply to all uses permitted under this section.

(1) **Nuisance.** 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.

(2) The C4 zone is intended to compliment surrounding zones. However, some zones such as industrial or airport related zones, may have potential for increased nuisance-type impacts based on the nature of the zone. As a result, C4 zoned properties adjacent to industrial or airport zoned properties shall first consider additional design standards, as outlined in section (L) below. Additionally, C4 zoned properties adjacent to industrial or airport properties should be prepared to tolerate the same reasonable levels of nuisance causing issues consistent with the adjacent zones. Aircraft operating in and around the airport are exempt from noise standards. All other noise levels meeting DEQ standards are considered reasonable.

(L) **Additional standards and requirements.** In approving uses in a C4 Zone, the city may require additional standards and requirements considered necessary to protect the best interests of the surrounding and adjacent area. Such may include, but is not limited to the following.

- (1) Additional lot size or setback requirements.
- (2) Limitations on the placement of structures and the heights thereof.
- (3) Limitations on vehicular parking areas and ingress and egress.
- (4) Limitations on the placement and type of signs.
- (5) Require additional landscaping, screening and/or fencing.