

process, supportive of this goal. Staff finds that the Applicant's proposed plan amendment and zone change are consistent with Goal 13 for these reasons.

Goal 14 Urbanization – “To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.”

FINDING: Goal 14 requires local governments to provide for an orderly and efficient transition from rural to urban land uses, and to accommodate urban population and employment inside urban growth boundaries, while ensuring efficient use of land. Staff finds that the proposal is consistent with Goal 14, as the subject property is located within the urbanized city limits and the proposal will facilitate future development that will use existing public facilities and services (which will be reviewed in subsequent site development applications) in an efficient and functional land use pattern. Given that the proposal does not expand the urban growth boundary, this goal is not relevant to the proposed amendment.

Goals 15 through 19 –

FINDING: Staff finds that these goals only pertain to areas in western Oregon and are not applicable for this application.

La Pine Comprehensive Plan -

Introduction

This chapter highlights basic information related to comprehensive plans, including the history of La Pine, the definition of a comprehensive plan, a summary of Oregon's Statewide Planning Goals, the purpose and intent of the Comprehensive Plan, the process and the methodology, along with a summary, recommendations, and a process for amending the plan. This Introduction section of the Plan does not include any policy directives, thus does not include any elements by which measure the proposal's conformance. Notably, through the visioning process, the City indicated that “affordable housing” is desirable to the community (page 12 of Comp Plan). The Applicant states that the proposed Comprehensive Plan Map Amendment and Zone Change is being requested as the first step to entitle the property to accommodate affordable housing.

Chapter 1 – Community Characteristics

After detailing the history of La Pine, from demographics, to development groups, and land use patterns, this chapter goes on to note that, “These historic types of land uses do not currently support sustainability and the reduction of vehicle miles traveled.” (Page 19 – La Pine Comprehensive Plan). The chapter ends with a series of bullet points, identifying imbalances that the community wants to correct, to improve neighborhoods. The stated imbalances that relate to the current proposal include the following:

- ***Better access and pedestrian ways that connect people to open spaces, parks, and recreational lands closer to where they live.***
- ***Additional employment and commercial service nodes closer within neighborhood areas so that people do not have to drive long distances to get “a gallon of milk” or other daily consumable items.***
- ***Schools that are within shorter walking distances from residential areas.***
- ***Reduced reliance on energy consumption in an effort to make the community energy neutral.***

The requested Comprehensive Plan Map Amendment and Zone Change is the first step to entitle the subject property for the Applicant's intended future development of affordable housing. The Applicant notes in their burden of proof that, if the entitlement process is successful, their intent is to proceed with the development of an affordable housing project on the property within the next 12 months and that additional residential or mixed-use developments are anticipated thereafter. The Applicant asserts that these developments will result in services provided to and through the property, including access and pedestrian ways, in accordance with development standards. Staff agrees with this assertion, as all mixed use and multi-family developments will be required to go through a site plan review process which includes significant attention to pedestrian circulation and connectivity.

Additionally, Staff agrees with the Applicant's statement that the proposed CMX zone will provide for a variety of uses, including the potential for employment and commercial uses, which could address the second bullet point above (creating employment and commercial service nodes). Mixed-use zones provide flexibility for mixed but compatible uses in one area, providing opportunities for reduced reliance on vehicles, in turn, providing an opportunity to reduce energy consumption, aligning with broad goals of the Comprehensive Plan. Finally, the development of the proposed residential facility within ¼ mile of La Pine schools addresses the third bullet above to have schools within walking distances of residential areas.

Chapter 2 – Citizen Involvement Program

This chapter identifies State rules related to citizen involvement, along with the community's purpose and intent with regard to citizen involvement. Furthermore, this chapter identifies issues and goals, policies and programs, it establishes roles and responsibilities, and establishes specific Citizen Advisory Committees (CACs).

One of the CACs that are identified in this chapter is a Planning Commission, which the City has established for Planning and Land Use purposes. This application and request has been processed, reviewed and publicly notified in accordance with the La Pine Procedures Code. Public noticed welcomed public comment and properly noticed the public regarding the logistics of the public hearing. A hearing will be held before the Planning Commission on November 9, providing opportunity for public input. As such, the application will be reviewed by the appropriately established citizen advisory committee, in accordance with the adopted notification procedures, and will be consistent with this chapter.

Chapter 3 – Agricultural Lands

This chapter addresses agricultural lands. As the Applicant notes, La Pine is an urban area and is not required to plan for agricultural lands. Additionally, the subject parcel is currently designated and zoned Public Facilities with the La Pine UGB and is not identified as agricultural land; therefore this chapter does not apply to the current request.

Chapter 4 – Forest Lands

This chapter address forest lands within the City of La Pine. As the Applicant notes, La Pine is an urban area and is not required to plan for agricultural lands. Additionally, the subject parcel is currently designated and zoned Public Facilities with the La Pine UGB and is not identified as agricultural land; therefore this chapter does not apply to the current request.

Chapter 5 – Natural Resources and Environment

This Comprehensive Plan chapter is intended to address Oregon Statewide Planning Goals 5, 6, and 7 which address natural resources, historic area, and open spaces, air water and land resources and protection from natural hazards.

The subject property is vacant and has not been identified as having any protected natural resources or historic elements. Additionally, the current request is to amend the Comprehensive Plan Map and Zone to CMX, but does not include any development, thus will not result in specific impacts to air, water or land resources; future development will be reviewed through the implementing ordinances and site plan review. The property is not known to be subject to any significant natural hazards, including this under Goal 7. The site is not within the 100-year flood plain of the Little Deschutes (or an other waterway) and there are no known geologic faults in the area and the earthquake hazard is considered to be moderate. There is no designation of the property that makes it more of a hazard than other properties in the area.

As noted in the introduction to this chapter “These goals together protect the basic fabric of what citizens of La Pine have deemed the underlying foundation of the community.” This chapter establishes that under Goal 5, the state identifies specific resources are required to be inventoried, and once inventoried, appropriately protected. The resources that require inventories by the state are:

- Riparian Corridors, including water and riparian areas and fish habitat;
- Wetlands;
- Wildlife Habitat;
- Federal Wild and Scenic Rivers;
- State Scenic Waterways;
- Groundwater Resources;
- Approved Oregon Recreation Trails;
- Natural Areas;
- Wilderness Areas;
- Mineral and Aggregate Resources;
- Energy Sources; and,
- Cultural Areas.

The subject property is not situated within an inventoried riparian corridor, wetlands, federal wild and scenic river area, state scenic waterway, approved Oregon Recreation trails, Natural Area, Wilderness Area, or Mineral and Aggregate Resource. The property is vacant, and is not listed as a site that contains cultural or historical significance.

The Comprehensive Plan indicates that the City does not have an inventory of wildlife habitat, but rather utilizes a safe harbor and recognizes significant sites where:

- *The habitat has been documented to perform a life support function for a wildlife species listed by the Federal government as a threatened or endangered species or by the State of Oregon as a threatened, endangered, or sensitive species;*
- *The habitat has documented occurrences of more than incidental use by a wildlife species listed by the Federal government as a threatened or endangered species or by the State of Oregon as a threatened, endangered, or sensitive species;*
- *The habitat has been documented as a sensitive bird nesting, roosting, or watering resource site for osprey or great blue herons;*
- *The habitat has been documented to be essential to achieving policies or population objectives specified in a wildlife species management plan adopted by the Oregon Fish and Wildlife Commission pursuant to ORS Chapter 496; or*
- *The area is identified and mapped by ODFW as habitat for a wildlife species of concern (e.g., big game winter range and migration corridors, golden eagle and prairie falcon nest sites, or pigeon springs).*

The Site does not contain any of these protected wildlife features, thus complies with the Goal 5 requirement. Although the staff agrees that the proposal complies with the Goal 5 Safe Harbor, the Comprehensive Plan (p. 37) continues on to note that:

Wildlife is another primary natural resource of the region. The citizens of La Pine have identified

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wildlife protection, including trails for migration corridors, as a primary component of the community. Within the urban area, the primary habitat is located within the floodplain/riparian corridor along the Little Deschutes River to the west of the City, and the large tracts of forested land to the east. Such areas provide year-round habitat for big game, such as deer and elk, as well as for smaller animals and game, and birds. Various routes have been identified through La Pine as deer and elk migration corridors between summer grounds to the west and winter grounds to the east. Deschutes County has created an inventory of wildlife native to the region, including La Pine, as well as habitat and special protection areas. As state above, such areas have been mapped and migration corridors run through the City.

The Goals and Policies at the end of the chapter establishes how these resources are to be preserved:

Goal # 1: Protect and enhance identified Goal 5 resources and other features of the natural environment using a variety of methods and strategies.

A corner of the subject property is identified as Park and Open Space on the Comprehensive Plan Map and Zoning Map. As noted above, the property does not fall into a Goal 5 category that specifically requires protection. While there is no indication as such, it is important to understand whether the Park/Open Space identification was to signify an "other feature" of the natural environment that the City would like to protect under this chapter. Upon further research, staff finds that the subject lot is not included on any inventories for "other features" or natural resources. Staff agrees with the Applicant's assertion that the Park/Open Space designation/zone was likely carried over to City mapping from an old County Zoning Map and that it does not apply (or impact) the subject property, and it is not a resource that is identified as necessitating additional protection under this Chapter and Goal.

- ***The City shall delineate open space and trail areas to serve as wildlife migration corridors. This will allow migrating deer and elk to cross US Highway 97. The Plan map shows where the primary corridor is to be located via a 500 foot green- colored strip running east-west through the Newberry Neighborhood. This location was jointly agreed upon with Deschutes County - the property owner in this case.***

The Comprehensive Plan Map identifies green spaces (Park/Open Space) along Hwy 97 as well as a series of east-west connections and the large 500-foot wide connection north of the subject property. The subject property (and associated Park/Open Space zoning) is not located near these migration corridors nor identified elsewhere as being part of a wildlife management plan, and staff finds it reasonable to understand that it is not being identified to serve a wildlife migration purpose.

- ***The City recognizes that open spaces and natural areas within the community function together in a synergistic fashion. Thus, they need to be inventoried and networks of open space within the community shall be maintained and enhanced, including wildlife habitat corridors, storm water management areas, trails and other sensitive areas.***

The subject property includes a corner that is designated/zoned Park/Open Space, however, the subject property is not inventoried for any particular purpose. Staff agrees with the Applicant's assertion that the Park/Open Space designation/zone does not represent an inventoried resource, and/or suggest that the property or surrounding properties with the same shading serve as a migration corridor, or an area that is intended to protect or preserve wildlife habitat.

V. Programs

The City shall:

3. Coordinate with the La Pine Park and Recreation District to develop:

- a. ***an inventory of open spaces that can complement the system of parks and other recreational spaces.***
- b. ***develop a system of linking open spaces, cultural/historic areas, natural areas, recreational areas, and public parks in coordination with the La Pine Park and Recreation***

District and other affected agencies.

c. create an educational program that better informs the community about the importance of natural systems, cultural/historic areas, and open spaces. This may include collaborative efforts educational providers and parks district.

d. keep the community Parks and Recreation Plan Comprehensive Plan updated, regarding current and future requirements for open space and related Goal 5 resources within the City limits.

e. leverage funding for habitat improvements by applying for grants to develop and protect natural areas, build trails, and sustain wildlife as appropriate.

As noted below, the La Pine Park District has existed since 1990 and has an adopted a Parks & Recreation Comprehensive Plan (2005), which identifies park needs, locational needs, desires and deficiencies. This Plan is currently under revision and an updated draft is expected soon. The currently adopted version (2005) notes that parks should be spaced ¼- ½ mile from residential neighborhoods. LPRD owns a 5-acre parcel approximately ¼ mile to the west of the subject property, which the LPRD Director noted is intended for a park/ball field facility in the future.

The LPRD Director commented on this application and noted that the Parks Comp Plan does not include a park on the subject property, nor does it intend to pursue one. He further noted that there are four other parks planned to the north of the subject parcel that will appropriately serve the residents of the area. Additionally, he noted that the LPRD owns a 5-acre parcel approximately ¼ mile to the west of the subject parcel, which the LPRD intends to develop in the future as ball fields. To sum his comments, the Director noted that the LPRD is supportive of this Comprehensive Plan Map Amendment and Zone Change and noted that La Pine is "well covered" with parks appropriately spaced throughout.

Staff finds no records that the subject property has been identified as being needed to meet recreational needs of the City and the LPRD Director supports the requested change in designation and zone of the parcel to Mixed Use Commercial, given the ample park services nearby and throughout the city. As such, staff believes that the intent of this Chapter is being met throughout the city and that this request does not negatively impact the City's ability to meet the goals of this chapter.

Chapter 6 - Parks, Recreation, and Open Space

This Chapter is intended to carry out Statewide Planning Goal 8, Parks, Recreation and Open Space. Recognizing that quality of life is impacted by the location and function of area parks, natural areas and open spaces, this chapter encourages cooperation between the City, the La Pine Park and Recreation District, County, State and Federal Agencies, in an effort to develop an appropriate park system for the City.

A portion of the northeast corner of the subject property (approx 1.2 acres) is currently zoned "Park/Open Space." This chapter notes that "the specific goals and objectives for meeting the City's open space and recreational requirements are based on identified needs, desires, and other issues as specified by the citizens and conveyed through the La Pine Park and Recreation District (LPRD)."

The La Pine Park District has existed since 1990 and has an adopted a Parks & Recreation Comprehensive Plan (2005), which identifies park needs, locational needs, desires and deficiencies. This Plan is currently under revision and an updated draft is expected soon. The currently adopted version (2005) notes that parks should be spaced ¼- ½ mile from residential neighborhoods. LPRD owns a 5-acre parcel approximately ¼ mile to the west of the subject property, which the LPRD Director noted is intended for a park/ball field facility in the future.

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parks planned to the north of the subject parcel that will appropriately serve the residents of the area. Additionally, he noted that the LPRD owns a 5-acre parcel approximately ¼ mile to the west of the subject parcel, which the LPRD intends to develop in the future as ball fields. To sum his comments, the Director noted that the LPRD is supportive of this Comprehensive Plan Map Amendment and Zone Change and noted that La Pine is “well covered” with parks appropriately spaced throughout.

Staff finds no records that the subject property has been identified as being needed to meet recreational needs of the City and the LPRD Director supports the requested change in designation and zone of the parcel to Mixed Use Commercial, given the ample park services nearby and throughout the city. As such, staff believes that the intent of this Chapter is being met throughout the city and that this request does not negatively impact the City’s ability to meet the goals of this chapter.

Chapter 7 – Public Facilities and Services

This chapter is intended to carry out Statewide Planning Goal 11. Given the current population of 1,687 (PSU 2015 Population Estimate), Goal 11 does apply to the City of La Pine. Nonetheless, the Comprehensive Plan includes a comprehensive review of service providers, development reviewing entities, health providers, recreation providers, street details, water and sewer elements, school, library, solid waste, storm water, power, gas, communication and broadcasting providers. This Chapter includes goals and policies directed at coordination, provider details, expansion needs, development restrictions, along with conservation practices. Some of the policies of this chapter are directed at development and are implemented through the Zoning Ordinance standards.

The policies of this section do not apply to the current request, as it is a Comprehensive Plan map amendment, without development. Similarly, the Comprehensive Plan map amendment does not impact the City’s ability to meet the goals and policies of this chapter. The elements of this chapter that have been incorporated into the Zoning Ordinance will be imposed upon future development review(s), which will ensure consistency with this Chapter.

Chapter 8 – Transportation

This chapter is intended to carry out Statewide Planning Goal 12. This chapter provides details of the transportation elements of La Pine, including roads, bicycle ways, pedestrian routes, and public transit. Furthermore, this chapter addresses long range planning needs, air and rail, pipelines, and funding.

The majority of the policies of this section have been incorporated into the Zoning Ordinance and implementing regulations, which will be imposed upon future site development. The current proposal includes a Comprehensive Plan Map Amendment and Zone Change only and does not include development. Therefore, the policies of this chapter do not apply to the current proposal but instead will be imposed upon future development through the applicable implementing regulations.

Chapter 9 – Economy

This Chapter is intended to carry out Statewide Planning Goal 9, Economic Development. This Chapter includes an analysis of the La Pine economy, noting that “La Pine’s focus on economic development is a key component of its vision to be a “complete” community...the concept of creating a complete community begins with providing enough jobs, education, services, and industry to sustain the community without heavy reliance upon other nearby cities such as Bend and Redmond. (La Pine Comprehensive Plan Page 87)

The Applicant states that the requested Comprehensive Plan Map Amendment and Zone Change to Commercial Mixed Use (CMX) will facilitate their plans to develop an affordable housing facility on a portion of the property. The CMX zone offers a wide range of commercial and residential uses that could be

implemented on the remainder of the parcel, which could provide opportunity for economic development toward “complete community” goals in support of this chapter. This chapter further provides reasons that La Pine is desirable for economic development, it identifies key industrial areas, commercial areas, and it addresses mixed-use areas, drivers of the economy, existing conditions, trends statistics industries and employers, along with desired industries. Beyond those elements, the chapter provides details of land inventory and needs, ultimately concluding that there is an adequate supply of employment lands within the City to meet the 20-year need.

This chapter also specifically addresses Commercial/Mixed Use opportunities, noting “There are many opportunities to add commercial or mixed use zone designations to various area throughout the community in an effort to balance neighbors and improve mixed uses as well as deepen existing areas so redevelopment can easily accommodate new commercial centers (La Pine Comprehensive Plan, Page 113).

This Chapter further notes:

“... commercial or mixed-use designations within the City limits will occur as a result of the following actions:

- Addition of new commercial/mixed-use lands to deepen the strip commercial areas
- Addition of commercial/mixed lands to serve neighborhoods and employment areas

The subject property, situated on the east side of town, is located away from the primary Hwy 97 commercial strip. There is a developed residential area nearby along with a senior center, the Little Deschutes Lodge and the school campus. Furthermore, the property to the north and east is undeveloped but zoned residential (thus expected to accommodate future residential development). The proposed Comprehensive Plan map amendment, Zone Change, and intended affordable housing facility will broaden the community base in this area, and provide for a variety of services to the existing and future residential uses, enhancing the “complete community” concept in this area of town, in accordance with this chapter.

Policies

- ***Frequent updates to the inventories may be required in response to redevelopment, proposed zone changes, mixed-use development techniques and planned unit developments that enable “Complete Neighborhood” concepts and economic development opportunities.***

FINDING: As noted above, a complete community provides enough jobs, education, services, and industry to sustain the community without heavy reliance upon other nearby cities such as Bend and Redmond. The Applicant states that the intent is to develop an affordable housing facility on a portion of the property, and potentially other mixed uses thereafter, thereby enhancing the complete community nature of the area. This policy acknowledges the need for zone changes and mixed-use developments that enable “Complete Neighborhood” concepts. The requested Comprehensive Plan Map Amendment and Zone Change would therefore be consistent with this policy.

- ***Planning for workforce housing will also attract target industries***

FINDING: The Applicant states that the first intended use of part of the subject property is to construct an affordable housing facility, and other mixed uses later, with the potential to enhance the complete community nature of the area. Staff agrees that the Commercial Mixed Use zone could provide opportunity for uses that could support a complete community. More specific to this policy, the thoughtful design and construction of an affordable housing facility on the property can support this policy to plan for workforce housing, which is attractive to target industries. The future development will be required to go through site plan review and the City will work with the Applicant to ensure that it will contribute to a complete community setting and be deliberate to encourage desirable affordable

housing.

Chapter 10 – Housing

This chapter addresses housing and State Planning Goal 10. The proposed Comprehensive Plan Map Amendment and Zone Change will not, on its own, decrease the availability of housing or residential lands in La Pine. The property does not exist as a residentially designated parcel, and the proposed designation is Commercial Mixed Use (CMX), which is not primarily residential, but does include a wide range of allowable uses, including the potential for residential uses. The proposal on its own does not add or remove any residential lands from the La Pine Urban Growth Boundary, however, the Applicant states that their intent is to provide affordable housing for households earning less than 60% of the area median income. The proposal is consistent with this chapter, as it does not remove residential lands from the La Pine Urban Growth Boundary, and, based on the Applicant's stated intent to provide affordable housing on the property, it will further support this chapter in the future by adding to the availability of residential lands.

Goal #1: Encourage a wide range of housing types satisfying the urban development needs of the La Pine community.

Policies

- **It is essential to develop strategies that increase the variety of housing choices in the community. These strategies must include an inventory and analysis of needed housing types, existing housing supplies, and strategies for meeting the changing community demographic.**

FINDING: The Applicant states that "housing that is affordable to households earning below the area median income is challenging to meet with standard market products. The current proposal is to provide affordable housing to households earning less than 60% of the area median, which will be provided by Housing Works, the Central Oregon Regional Housing Authority." While the requested Comprehensive Plan Map Amendment and Zone Change will not directly increase the variety of housing choices in the community, staff agrees that approval of the request will enable the applicant to support this policy in their future plans and applications. As currently designated and zoned (PF and Park/Open Space), this policy cannot be achieved on this lot as residential uses are not currently allowed, but the proposed designation and zone change to CMX would allow residential development and a variety of housing choices, consistent with this policy.

- **Residential developments shall be located in close proximity to employment and shopping opportunities.**

FINDING: The proposed Comprehensive Plan Map Amendment and Zone Change to CMX would provide an opportunity for mixed-use developments, with the potential for residential areas to be located near employment and shopping areas, consistent with this policy. The subject property is bordered by commercial, public facility, and residential properties, which further supports this policy focused on complete communities.

- **La Pine desires to encourage and sustain affordable housing while protecting the physical characteristics of land relating to the carry capacity of the land, drainage, natural features, and vegetation.**

FINDING: While the proposed Comprehensive Plan Map Amendment and Zone Change to CMX does not directly provide affordable housing, it is the first step necessary to provide the opportunity for the Applicant's intended use of part of the property for affordable housing. The current proposal does not include development, but any development on the CMX parcel will require site plan review, which will include review of all infrastructure, drainage, landscaping and preservation of natural features as reasonable. This future review will ensure the carrying capacity of the land is maintained, drainage is

managed on site and that the natural features and vegetation are appropriately protected. As such, the proposed application supports this policy.

- **A range of housing types, including housing for the elderly, disabled, developmentally challenged and low-income citizens of the community should be dispersed throughout those residential neighborhoods, which are close to schools, services, parks, shopping and employment centers rather than concentrating these dwellings in just a few areas.**

FINDING: The Applicant notes in their burden of proof that the Comprehensive Plan Map Amendment and Zone Change are the first step in their intended project to entitle the land to be able to provide affordable housing on a portion of the property for low-income citizens of La Pine. The subject property is located near schools, a senior center, commercially zoned property and a La Pine Park & Recreation District property intended for a future park. Consistent with this policy, the intended use of the property will provide a needed housing type that is conveniently located near a variety of uses.

- **Higher density developments should be in close proximity to schools, services, parks, shopping, employment centers, and public transit.**

FINDING: The Applicant notes in their burden of proof that the Comprehensive Plan Map Amendment and Zone Change are the first step in their intended project to entitle the land to be able to provide affordable housing on a portion of the property for low-income citizens of La Pine. The subject property is located near schools, a senior center, commercially zoned property and a La Pine Park & Rec District property intended for a future park. Consistent with this policy, the intended use of the property will provide a needed housing type that is conveniently located near a variety of uses.

Goal #5: Promote quality affordable housing and recognize that lack of affordable housing is an economic issue negatively affecting the vitality and sustainability of La Pine.

Policies

- **Affordable housing should be available for all income levels in the community. This issue affects all citizens because the economic health of the community is tied to providing greater choices in housing types.**

FINDING: The Applicant has noted numerous times that the intent for a portion of the property is for development of affordable housing for low-income citizens. Staff recognizes the need for this type of housing in La Pine and agrees with the Applicant that this Comprehensive Plan Map Amendment and Zone Change are the first step to entitle the property appropriately for affordable housing, consistent with this policy.

- **It is necessary for the public health, safety, and economic values of the community to improve awareness of affordable housing problems and to encourage affordable housing for all income levels.**

FINDING: The Applicant has noted numerous times that the intent for a portion of the property is for development of affordable housing for low-income citizens. Staff recognizes the need for this type of housing in La Pine and agrees with the Applicant that this Comprehensive Plan Map Amendment and Zone Change are the first step to entitle the property appropriately for affordable housing, consistent with this policy. Additionally, when the site is developed as affordable housing, the project will be a mechanism to inform the community on the needs for affordable housing.

- **The profit margin on affordable housing projects is very thin. Barriers to affordable housing will need to be removed from local regulations and land use processes to enable property owners and developers to pursue affordable housing projects.**

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FINDING: The Applicant has noted numerous times that the intent for a portion of the property is for development of affordable housing for low-income citizens. Staff recognizes the need for this type of housing in La Pine and agrees with the Applicant that this Comprehensive Plan Map Amendment and Zone Change are the first step to entitle the property appropriately for affordable housing. City staff has worked with the Applicant for several months to outline a process that will enable the Applicant to pursue the affordable housing project, consistent with this policy. Additionally, the County is a collaborating partner that is working with Housing Works to provide them the land, significantly reducing land costs, consistent with this policy.

- **The City and County should encourage subsidized housing to be located at a variety of locations in close proximity to support services and/or near transit.**

FINDING: The Applicant has noted numerous times that the intent for a portion of the property is for development of affordable housing for low-income citizens. While the current request does not, in itself, place subsidized housing in close proximity to support services, it is the first step to entitle the property to allow subsidized housing on the subject property, which is close to support services. Nearby support services include a senior center, La Pine schools, a future park, commercial properties and a planned St. Charles Medical Clinic.

Goal #6: Promote quality affordable housing and recognize that lack of affordable housing is an economic issue negatively affecting the vitality and sustainability of La Pine.

Policies

- **The greatest housing needs include a more diverse base of affordable rental opportunities signified by range of rent and housing type, particularly smaller sized structures such as duplexes and triplexes. However, the ability to take advantage of low interest rates has moved many people into homeownership where they are paying more than 30% of income on mortgages.**

FINDING: The Applicant has noted numerous times that the intent for a portion of the property is for development of affordable housing for low-income citizens. This requested Comprehensive Plan Map Amendment and Zone Change will provide the zoning for the subject property that will allow an affordable housing complex to be constructed, consistent with this policy. The Applicant states that the intent is to construct townhouse-style apartments, which will increase the amount of affordable housing in La Pine and will also provide increased diversity of housing types/styles, consistent with this policy.

- **The community needs more affordable single-family homes. Some potential homebuyers are being priced out of the market due to insufficient income and escalating real estate prices. For renters, the census data and other information suggests that there is a high demand for units serving people under 80% of median income. It also appears there are very few apartment units affordable to people at median income or less, and yet many households are paying more than 30% of household income for housing.**

FINDING: The Applicant has noted the intent for a portion of the property is for development of affordable townhouse-style housing for that will serve people earning less than 60% of the area median income. This requested Comprehensive Plan Map Amendment and Zone Change will provide the zoning for the subject property that will allow an affordable housing complex to be constructed, consistent with this policy.

Chapter 11 – Energy Conservation

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This chapter carries out Oregon State Planning Goal 13. After providing background, purpose and intent, this Chapter identifies issues with travel, existing development patterns, and energy supply opportunities. The policies of this chapter address residential density, along with development and design desires, including development of pedestrian/bicycle facilities and alternative energy sources. The proposal does not include any development, thus the policies of this chapter do not apply to the current proposal. Some of the policies of this section may be imposed during future site plan review, as some of the policies of this chapter are implemented through adopted Zoning Ordinance provisions. In particular, consistent with this chapter, any site plan will be reviewed for its accommodation of pedestrian/bicycle facilities and building permit will review proper weatherization and energy conservation requirements of the building code, consistent with the policies of this chapter.

Chapter 12 – Urbanization

This chapter carries out State Planning Goal 14, which requires that cities provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities. This chapter provides details of Buildable Lands, residential and commercial land needs, ultimately determining that the amount of land within the City Limits is sufficient to accommodate the twenty land needs.

In addition to detailing land needs, this chapter provides guidance and direction on future development within the UGB area. This chapter notes, "The City of La Pine currently contains over a thousand acres of forest and BLM lands. These acres are located on the eastern part of the community and mostly east of the BNSF rail line. These acres will be used for public facilities such as sewer expansion, ROW for the ODOT overpass, energy production and other public use." With over 1000 acres of available public lands designated PF, the City has a substantial oversupply. Furthermore, in addition to the referenced federally owned properties on the east side of La Pine, there are significant amount of other PF designated properties in the vicinity of the subject property, including properties to the north, west and south. Policies of this section that may apply to the current proposal:

Policies:

- ***Land use patterns shall enhance the development of "Complete Neighborhoods."***
- ***Lands needed for supplementing housing, economic development, or other land uses shall be processed based upon need and balancing the urban form for the benefit of the community in its goal to establish a "Complete Community."***
- ***The need for new mixed use areas within the City shall be explored on an as needed basis for the purpose of furthering the Complete Neighborhood planning concepts envisioned by the Plan.***

FINDING: The property is located on the west side of town away from the primary Hwy 97 strip of commercially zoned and developed properties. There is a developed residential community nearby, as well as a senior center, the Little Deschutes Lodge and the schools campus. Furthermore, much of the property to the east is undeveloped but zoned residential and is expected to accommodate future residential development in the future. The requested Comprehensive Plan Map Amendment and Zone Change to CMX will encourage mixed-use development, supportive of "Complete Neighborhoods." The Applicant's intended construction of an affordable housing complex will broaden the community base in this area and diversify the housing types in the area. The remainder of the property that is not utilized for the intended affordable housing complex could accommodate commercial or residential uses. All development on the CMX-zoned lot(s) will require site plan review, which will include specific review of pedestrian and bicycle connectivity and other "Complete Neighborhood" features.

Evidence of need or benefit

The Comprehensive Plan Map Amendment and Zone Change is requested by the Applicant to address a

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need for affordable housing in the community. As clearly noted in the Comprehensive Plan, the community and City recognize the need for a diversified housing stock, as well as affordable housing options. As currently designated and zoned (PF and Park/Open Space), the subject property could not include affordable housing. The Comprehensive Plan Map Amendment and Zone Change is the first step to entitle the property to address this need and provide a benefit to the community. The CMX zone provides the additional opportunity for mixing of residential uses and compatible commercial uses, which can provide community benefit through providing opportunities for Complete Neighborhood concepts and increased commercial potential.

Details of Need

The Comprehensive Plan states that the community has a need and desire for a diversity of housing types and affordable housing. This need is documented throughout the Comprehensive Plan and addressed in the section above. In addition to City documents addressing the need, the Applicant, Housing Works, states that it has conducted extensive studies, interviews and assessments, to identify underserved areas throughout Central Oregon. In so doing, Housing Works conducted feasibility studies and interview of housing providers, community leaders, and City staff and found that the need for affordable housing is justified. City staff agrees with this assessment.

In addition to surveys and interviews, Housing Works states that they conducted market and financial analyses for anticipated grant applications, to understand the supply, demand and ultimately whether they could secure funding to support an affordable housing project in La Pine. The Applicant further states that, after studying the need, they found there to be a shortage of affordable housing products in La Pine, and the shortage is sufficient to support a significant investment in the community.

Details of Benefits

The requested Comprehensive Plan Map Amendment and Zone Change will entitle the subject property so that affordable housing can be developed. Through coordination with the County and City, Housing Works has committed to utilizing the property for affordable housing, provided the land use entitlements and grant applications are successful. Housing Works noted in their application that they intend to provide a housing project for people earning below 60% of the area median income. Affordable housing assists households so they are not overburdened by housing costs. As a Regional Housing Authority, Housing Works has a long history of providing affordable housing in Central Oregon. City staff, a few Planning Commissioners and a few City Councilors toured an existing Housing Works project and have commented that the developments were attractive and well planned, contributing nicely to their community. The remaining property that is not developed for affordable housing could accommodate other mixed-uses that are compatible with the housing development. The mixed-use nature of the subject property and adjacent areas can contribute to complete neighborhood concepts, which ultimately can reduce vehicle miles traveled, increase pedestrian/bicycle activity and increase community integration.

Mistake when Plan Designation was Applied

The Applicant suggests in their burden of proof that a mistake was made when the City applied a Public Facilities designation to the subject property during the Comprehensive Plan adoption process. When under County jurisdiction, the subject property was zoned "Community Facility District" of the Neighborhood Planning Area, which was less restrictive than the City's Public Facilities zone. When the City incorporated and adopted its Comprehensive Plan and land use designations, the City applied the more restrictive Public Facilities designation to the property. The Applicant asserts that the County's Community Facility zone allowed multi-family housing; the City's Public Facilities zone does not. The Applicants argument states:

- "Under the prior [County] zoning, the subject property was located within a "Community Facility District" of the Neighborhood Planning Area in the Southwest Quadrant of Neighborhood 1, an area identified as Neighborhood [One Quadrant] 1C. A Quadrant Plan was approved by Deschutes County for this area ... with development standards and approval criteria...that were very similar to the Master Plan Residential Zone (RMP)/County Newberry Neighborhood section of the adopted La Pine Zoning Ordinance." The

RMP zone Community Facilities District allows multi-family housing.

While staff cannot confirm that a mistake occurred during the transition in zoning from County to City regulations, as staff has been unable to find specific written reasoning for the change, staff does agree that the general intent of the zone may have changed unintentionally, as the two jurisdictions' zone designations did not provide the same uses. Additionally, the La Pine Zoning Ordinance states in the RMP "Additional Regulations for the Newberry Neighborhood Planning Area" on page 36 that "Quadrant 1C shall be zoned as Community Facility District." It appears that this refers the quadrant that contains the subject parcel that is currently designated and zoned Public Facilities and Park/Open Space. Staff does not believe the adoption of the Public Facilities zone for the subject property was an indication of the City or community's desire to change the allowed uses of the property or to not allow multi-family and an RMP Community Facility District designation/zone would have been appropriate.

3. Conformance With La Pine Zoning Ordinance:

Section 2 – Purpose and Authority

This Zoning Ordinance and its regulations are adopted by authority granted to the city of La Pine by the State of Oregon and are made in accordance with the following purpose:

To implement the City of La Pine Comprehensive Plan by various means including but not limited to the following:...

Section 3 - Community Development Objectives

A. This article shall serve as the statement of community development objectives for the City of La Pine Zoning Ordinance. The Zoning Ordinance reflects the policy goals of the La Pine Comprehensive Plan "Plan" as stated in the following community development objectives. The ordinance has been developed as a legislative and administrative tool of the City to implement the goals, policies, and programs of the Plan.

FINDING: As noted above, the Zoning Ordinance implements relevant elements of the Comprehensive Plan. The majority of the Zoning Ordinance is focused on allowed uses, development and associated reviews and subsequent site plan reviews will be conducted in accordance with this document.

B. Specific objectives

...

- 4. Provide opportunities for types of development beneficial to the economy, but ensure that such development maintains a scale and character compatible with the City's desired community character.**

FINDING: The currently requested Comprehensive Plan Map Amendment and Zone Change is planned to entitle a property so that it can initially be developed with an affordable housing facility on a portion of the site and complementing mixed uses thereafter. As stated above, through the Comprehensive Plan visioning process, the community demonstrated the desire and need for a diversity of housing and affordable housing options. Additionally, the requested CMX designation and zone can provide for economic opportunities on the remaining portion of the property, which could result in jobs, development and an improved tax base. Staff finds the requested amendments consistent with this objective.

Regarding scale and character, the Zoning Ordinance has been designed with standards and criteria that will control for size, scale, setback and general design; ensuring development is appropriate for the area and the zone. The future Site Plan Review process will review the proposed future development for conformance with all applicable Zoning Ordinance provisions, maintaining an appropriate scale as

prescribed in section standards.

5. **Provide opportunities for mixed development so that residents can have close-to-home access to needed goods and services.**

FINDING: The request is to change the Comprehensive Plan designation to Mixed Use Commercial (CMX) from Public Facilities and Park/Open Space. The CMX zone allows for mixed development, and the property is situated near developed single-family homes, a senior center, a senior living facility, school property, and an area that is planned for future residential development. Staff finds that the location will provide the existing and anticipated residents "close-to-home" access to the CMX zone, which is consistent with this objective.

Section 4 - Scope

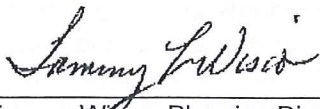
The Zoning Ordinance regulates and restricts land uses within the boundaries of the City of La Pine and Urban Growth Boundary by managing:

1. The height, number of stories and size of buildings and other structures
2. Their construction, alteration, extension, repair and maintenance
3. All facilities and services in or about such buildings and structures
4. The percentage of lot that may be covered by structures and/or uses
5. The size of yards, courts and other open spaces
6. The density of population
7. The location and use of buildings, structures and land for trade, industry, residence or other purposes
8. The establishment and maintenance of building lines and setback building lines upon any or all public roads or highways
9. Mitigation of development impacts upon public facilities, services, and public

FINDING: The Zoning Ordinance is generally intended to inform and review Site Development. The current requests are a Comprehensive Plan Map Amendment and a Zone Change; standards and approval criteria for the current proposal are not established within the scope of this ordinance. Future Site Development will be required to be reviewed for conformance with this Ordinance.

IV. Summary and Conclusion:

The Applicant has documented that the request to amend the Comprehensive Plan Designation of the property and to amend the Zoning Map to Mixed Use Commercial (CMX) meets the applicable approval criteria for a Comprehensive Plan map amendment. Staff recommends that, after public hearings and review, the Planning Commission and City Council approve the Comprehensive Plan Map Amendment and Zone Change as proposed.



Tammy Wilco, Planning Director

11/2/16

Date