

ORDINANCE NO. 1248

AN ORDINANCE AMENDING CHAPTER 153 AND 153C OF THE CODE OF PRINEVILLE (“CODE”) TO SIMPLIFY, CORRECT ERRORS, AND PROVIDE CLARIFICATION OF LANGUAGE INTENT

WHEREAS, City of Prineville (“City”) staff compiled amendments to the City’s land use code (Chapter 153 and 153C of the Code) for review by the City Planning Commission at two workshops held on August 21, 2018 and September 18, 2018; and

WHEREAS, on September 18, 2018, the City Planning Commission on its own motion, directed staff to move forward with a public hearing on the proposed amendments; and

WHEREAS, pursuant to Section 153.233 of the Code, required notice was submitted to the Department of Land Conservation and Development and published once a week for two consecutive weeks prior to the hearing scheduled for October 16, 2018; and

WHEREAS, on October 16, 2018, the City Planning Commission held a public hearing and consented to the amendments and recommended the City Council approve the proposed amendments as shown on Exhibit A attached hereto and by this reference made a part hereof; and

WHEREAS, pursuant to Section 153.233 of the Code, required notice was published once a week for two consecutive weeks prior to the City Council hearing scheduled for November 13, 2018; and

WHEREAS, on November 13, 2018 the City Council held a public hearing on the amendments shown on Exhibit A; and

WHEREAS, the City Council’s approved the amendments to the code; and

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

1. That Chapter 153 & 153C of the Code of Prineville is amended as shown on Exhibit A
2. An emergency is declared to exist and this Ordinance shall go into effect immediately.

Presented for the first time at a regular meeting of the City Council held on November 13, 2018, and the City Council finally enacted the foregoing ordinance this ____ day of November, 2018.

Betty J. Roppe
Mayor

ATTEST:

Lisa Morgan, City Recorder

**CHAPTER 153.083(G): TEMPORARY MANUFACTURED DWELLING OR RV PARK.
CHAPTER 153C: TEMPORARY WORKER HOUSING**

**Final Draft Temporary Worker Housing Changes 2018
CC Ready**

Section 153.083(G) shall be amended as follows:

(G) Temporary Worker Housing. See Chapter 153C for Onsite or Offsite Temporary Worker housing.

Chapter 153C shall be amended as follows:

CHAPTER 153C: TEMPORARY WORKER HOUSING

153C.001

This chapter shall be known as the “TEMPORARY WORKER HOUSING” Ordinance for the City of Prineville, Oregon (“City”).

153C.002 PURPOSE.

The Prineville City Council takes seriously the economic conditions within the City. To this end, the City Council wants to ensure that economic investment and development of businesses within Prineville are supported by land use regulations which help them achieve their goals. The City Council also takes seriously the quality of life in Prineville and to this end wishes to create land use regulations which combine local business opportunities and quality of life in harmonious manner and at the same time preserves the history of Prineville.

Large construction projects that demand large populations of temporary workers can create short term pressure on the local housing market making homes less affordable for residents. Large volumes of temporary workers can occupy a large number of transient housing such as motels and RV parks limiting the number of those units available to visitors who are also an important economic contributor to the community.

In response to this, the City of Prineville has developed the following Temporary Worker Housing land use code. The intent of this code is to allow for the housing needs of a large temporary workforce while minimizing any adverse impacts on the local housing market.

153C.003 APPLICATION.

(A) The City of Prineville must be provided an application on a form acceptable to the City for development of a Temporary Working Housing Site.

(1) The written application shall come from either the land owner of the project, the company for whom the project is being built, or from one of the primary general contractors or sub-contractors for a project, here after referred to as (the “Applicant”).

(2) The term “project” shall mean the development for which the Temporary Worker Housing is for.

153C.004 GENERAL CRITERIA

(A) Approval of Onsite or Offsite Temporary Worker Housing may only be granted if the following conditions are met.

(1) There is no available space or inadequate space available in existing or planned housing developments, RV parks or other Temporary Worker Housing Sites for which construction has commenced within a reasonable distance.

(2) The temporary housing is necessary for the proper housing of the subject company's employees until the project is finished.

(3) The subject facility will not be occupied by any parties not employed by the project other than immediate family.

(4) There is an identified housing shortage in the area, due to the size of the subject project to be served.

(5) The facility shall not be permitted for a period to exceed the time required to provide temporary housing for the project to be served thereby, or for a period determined by the City, whichever is less. (see sections 153C.005 or 153C.006 for duration of approval)

153C.005 ONSITE TEMPORARY WORKFORCE HOUSING

The City may approve Onsite temporary housing including RV parks for the establishment of housing for the workers of a specific project that meets the following criteria. Temporary manufactured dwelling parks are allowed based on ORS 446.105 and require State and local approval.

(A) Approval of Onsite Temporary Worker Housing may only be granted if the general criteria and the following conditions are met.

(1) Each Temporary Worker Housing site:

(a) Shall be located on the property owned or occupied by the project requiring the temporary workforce.

(b) Shall be served by weekly trash removal service;

(c) Shall be located no closer than 600 feet from an industrial structure already built or being built unless approved otherwise by the Fire Marshall.

(d) Shall comply with City, County and State access permit requirements as applicable;

(e) Shall consider future development of the site in placement of required infrastructure.

(f) Shall pay City room tax if applicable for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements.

(g) Shall pay City System Development Charges (SDCs) as determined by the City Engineer.

(2) Each Temporary Worker Housing Site Space:

(a) May be a single unit structure, shared structure or RV space.

(b) Shall be occupied by at least one worker employed by the landowner of the project, the company for whom the project is being built, or from the primary general contractor or sub-contractor for the project being built;

(c) Shall be served by a road, electricity, water and sewer as approved by the City Engineer, in accordance with Oregon Building Code requirements as approved by the Building Official, in accordance with the Oregon Fire Code as approved by the Fire Marshall.

(d) Shall meet the City's standards for the health, safety and welfare of the occupants.

(B) Approval process.

(1) The approval process for Onsite Temporary Worker Housing shall follow City's "Outright" use application process with notice found in the City of Prineville Land Use Code Chapter 153. Onsite Temporary Worker Housing may also be approved as part of the development it will serve.

(C) Duration of Approval.

(1) The Temporary Worker Housing site may continue to operate until the project is deemed complete by the City Manager or its designee. Evidence of project completeness may include, but is not limited to, the issuance of a Certificate of Occupancy by the Crook County Building Department.

(2) At such time the project is deemed complete, the Temporary Worker Housing shall be removed and the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone.

153C.006 OFFSITE TEMPORARY WORKFORCE HOUSING

The City may approve an Offsite temporary RV park for the establishment of housing for the workers of a specific project that meets the following criteria.

(A) Approval of Offsite Temporary Worker Housing may only be granted if the general criteria and the following conditions are met.

(1) Offsite Temporary Worker Housing is only available for a project:

(a) With a projected value of \$10,000,000.00 or greater as calculated by the Building Official, not including land value and has a valid land use approval and building permit for the project;

(b) That currently employs more than 200 construction workers at the project site;

(2) Each Temporary Worker Housing Site:

(a) Shall be located in the Light Industrial (M1), Heavy Industrial (M2), or Industrial Park (IP) zones;

(b) Shall be served by weekly trash removal service;

(c) Shall be located on a parcel of land at least six acres in size;

(d) Shall be located no closer than 600 feet from an industrial structure already built or being built unless approved otherwise by the Fire Marshall.

(e) Shall comply with City, County and State access permit requirements as applicable;

(f) Shall consider future development of the site in placement of required infrastructure.

(g) Shall pay City room tax if applicable for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements.

(h) Shall pay City System Development Charges (SDCs) as determined by the City Engineer. Paid SDCs shall be credited toward future development in accordance with City policy.

(3) Each Temporary Worker Housing Site RV Space:

(a) Shall be occupied by at least one worker employed by the landowner of the project, the company for whom the project is being built, or from the primary general contractor or sub-contractor for the project being built;

(b) Shall be served by a road, electricity, water and sewer as approved by the City Engineer, in accordance with Oregon Building Code requirements as approved by the Building Official, in accordance with the Oregon Fire Code as approved by the Fire Marshall and Recreational Vehicle Park requirements as required by Oregon law;

(B) Approval process.

(1) The approval process for an Offsite Temporary Worker Housing Site shall follow City's Type 2 Conditional Use Permit process and fee structure found in the City of Prineville Land Use Code Chapter 153 and the City of Prineville adopted fee structure. (The Type 2 Conditional Use Permit requires Planning Commission review and approval.)

(C) Duration of Approval.

(1) The Temporary Worker Housing site may continue to operate until the project is deemed complete by the City Manager or its designee. Evidence of project completeness may include, but is not limited to, the issuance of a Certificate of Occupancy by the Crook County Building Department.

(2) At such time the project is deemed complete, and within 90 days, the Temporary Worker Housing shall be removed and the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone.

(3) The Temporary Worker housing Site may be reauthorized by the City for a new project that meets the same criteria for need, without a new application. Reauthorization shall require a letter of need from either the land owner of the project, the company for whom the project is being built, or from one of the primary general contractors or sub-contractors for a project.

(4) Approvals of Temporary Worker Housing projects prior to the adoption of this ordinance shall be allowed to comply with the new standards.

(5) In the event that a Temporary Housing Unit is not removed pursuant to Section 153C.006(C)(2); or reauthorized pursuant to Section 153C.006(C)(3), the City may in addition to other legal remedies, seek injunctive relief through Circuit Court of Crook County and if the City prevails, the offending party shall be responsible for all costs and attorney fees in the enforcement action.

CHAPTER 153.083(G): TEMPORARY MANUFACTURED DWELLING OR RV PARK.
CHAPTER 153C: TEMPORARY WORKER HOUSING

Final Draft Temporary Worker Housing Changes 2018
CC Ready

Section 153.083(G) shall be amended as follows:

(G) ~~Temporary Worker Housing. manufactured dwelling or RV park. See Chapter 153C for Onsite or Offsite Temporary Worker housing. With the exception of standards concerning access and driveway improvements, mail service, telephone, playground areas, patios and overall density set forth by division (F) of this section, the city may approve a temporary manufactured dwelling or RV park for the establishment of the facility for a construction company, timber company or farm or by exclusive use by such companies by a party independent thereof. The approval may only be granted if the following conditions are met. (O.R.S. 446.105)~~

~~—————(1)———— There is no available space or inadequate space available in existing or planned manufactured dwelling or RV parks for which construction has commenced within a reasonable distance.~~

~~—————(2)———— A manufactured dwelling or RV park is necessary for the proper housing of the subject company's employees until the construction, farm or logging project is finished.~~

~~—————(3)———— The subject facility will not be occupied by any parties not employed by the subject company or subcontractors thereto.~~

~~—————(4)———— There is an identified housing shortage in the area, due to the size of the subject project to be served.~~

~~—————(5)———— The facility shall not be permitted for a period to exceed the time required to provide temporary housing for the special use or project to be served thereby, or for a period determined by the City, whichever is less.~~

~~—————(6)———— If the facility is converted or proposed to be converted to a permanent facility at the end of the period, full compliance with the standards and set forth by division (F) of this section shall be required.~~

Purpose: *This section is being moved from Chapter 153 to Chapter 153C and being replaced with a reference. The code will be re-written into "General Criteria" for Chapter 153C outlined below. Only a reference to the ORS for manufactured homes will be provided. This section was originally only for onsite manufactured homes as provided for in ORS 446.105. Its real purpose is probably more County oriented back in the days of mining and timber camps. We added "RVs" to this section with Ord. 1229 in 2017 but it doesn't read well, competes with Chapter 153C and left too many unknowns. It seemed more practical to consolidate both codes and provide Onsite and Offsite Temporary worker housing options.*

Chapter 153C shall be amended as follows:

CHAPTER 153C: TEMPORARY WORKER HOUSING ~~SITE~~

153C.001

This chapter shall be known as the “TEMPORARY WORKER HOUSING” ~~SITE~~ Ordinance ~~of 2016~~ for the City of Prineville, Oregon (“City”).

153C.002 PURPOSE.

The Prineville City Council takes seriously the economic conditions within the City. To this end, the City Council wants to ensure that economic investment and development of businesses within Prineville are supported by land use regulations which help them achieve their goals. The City Council also takes seriously the quality of life in Prineville and to this end wishes to create land use regulations which combine local business opportunities and quality of life in harmonious manner and at the same time preserves the history of Prineville. ~~The rental housing market in Prineville appears to be unable to keep up with the demand for housing which appears to be brought on by a regional economic upturn and significant business investment in Prineville by new and existing businesses. Currently, millions of dollars in new construction are occurring within the City of Prineville, including but not limited to over 700,000 square feet of data center development alone. This construction activity is the catalyst for approximately 600 construction jobs with more construction jobs anticipated in the near future. Prineville’s and the regions rental housing market is struggling to accommodate the influx of employees in the construction industry with local workers staying in rental housing as far away as La Pine, Oregon. In response to this urgent identified need, the City of Prineville has developed the following Temporary Worker Housing Site land use code:~~

Large construction projects that demand large populations of temporary workers can create short term pressure on the local housing market making homes less affordable for residents. Large volumes of temporary workers can occupy a large number of transient housing such as motels and RV parks limiting the number of those units available to visitors who are also an important economic contributor to the community.

In response to this, the City of Prineville has developed the following Temporary Worker Housing land use code. The intent of this code is to allow for the housing needs of a large temporary workforce while minimizing any adverse impacts on the local housing market.

***Purpose:** Removed language specific to current conditions at that time and replaced with more general language explaining the purpose and intent of the temporary worker housing code.*

153C.003 APPLICATION.

(A) The City of Prineville must be provided an application on a form acceptable to the City for development of a Temporary Working Housing Site.

(1) — ~~The City of Prineville must be provided a written application for development of a Temporary Worker Housing Site.~~

(2) The written application shall come from either the land owner of the project, the company for whom the project is being built, or from one of the primary general contractors or sub-contractors for a project, here after referred to as (the “Applicant”).

(2) The term “project” shall mean the development for which the Temporary Worker Housing is for.

***Purpose:** Clarify who should apply and define terms for reference. There has been some confusion about which “project” was being referred to when discussing this code, the development or the temp housing project.*

The following section was moved from 153.083(G) and will be replaced by a reference to this Chapter

153C.004 GENERAL CRITERIA

~~(G) Temporary manufactured dwelling or RV park. With the exception of standards concerning access and driveway improvements, mail service, telephone, playground areas, patios and overall density set forth by division (F) of this section, the city may approve a temporary manufactured dwelling or RV park for the establishment of the facility for a construction company, timber company or farm or by exclusive use by such companies by a party independent thereof. The approval may only be granted if the following conditions are met. (O.R.S. 446.105~~

~~(A) Approval of Onsite or Offsite Temporary Worker Housing may only be granted if the following conditions are met.~~

~~(1) There is no available space or inadequate space available in existing or planned manufactured dwelling housing developments, or RV parks or other Temporary Worker Housing Sites for which construction has commenced within a reasonable distance.~~

~~(2) A manufactured dwelling or RV parkThe temporary housing is necessary for the proper housing of the subject company's employees until the construction; farm or logging project is finished.~~

~~(3) The subject facility will not be occupied by any parties not employed by the subject company or subcontractors thereto.project other than immediate family.~~

~~(4) There is an identified housing shortage in the area, due to the size of the subject project to be served.~~

~~(5) The facility shall not be permitted for a period to exceed the time required to provide temporary housing for the special-use or project to be served thereby, or for a period determined by the City, whichever is less. (see sections 153C.005 or 153C.006 for duration of approval)~~

~~(6) If the facility is converted or proposed to be converted to a permanent facility at the end of the period, full compliance with the standards and set forth by division (F) of this section shall be required.~~

Purpose: *The above section was moved from 153.083(G) and will be replaced by a reference to this Chapter 153C. We felt the bullet points from the original section 153.083(G) that allowed for Manufactured Dwelling Parks onsite was a good starting point to apply to both onsite and offsite temporary housing.*

153C.005 ONSITE TEMPORARY WORKFORCE HOUSING

The City may approve Onsite temporary housing including RV parks for the establishment of housing for the workers of a specific project that meets the following criteria. Temporary manufactured dwelling parks are allowed based on ORS 446.105 and require State and local approval.

Purpose: *Provide reference to the State's rules allowing Temporary Manufactured Dwelling Parks and add the local option of providing housing including RV parks. Simply adding "RV" to the original code (Ord. 1229) did not read well and left too many unknowns.*

(A) Approval of Onsite Temporary Worker Housing may only be granted if the general criteria and the following conditions are met.

(1) Each Temporary Worker Housing site:

- (a) Shall be located on the property owned or occupied by the project requiring the temporary workforce.
- (b) Shall be served by weekly trash removal service;
- (c) Shall be located no closer than 600 feet from an industrial structure already built or being built unless approved otherwise by the Fire Marshall.
- (d) Shall comply with City, County and State access permit requirements as applicable;
- (e) Shall consider future development of the site in placement of required infrastructure.
- (f) Shall pay City room tax if applicable for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements.
- (g) Shall pay City System Development Charges (SDCs) as determined by the City Engineer.

(2) Each Temporary Worker Housing Site Space:

- (a) May be a single unit structure, shared structure or RV space.
- (b) Shall be occupied by at least one worker employed by the landowner of the project, the company for whom the project is being built, or from the primary general contractor or sub-contractor for the project being built;
- (c) Shall be served by a road, electricity, water and sewer as approved by the City Engineer, in accordance with Oregon Building Code requirements as approved by the Building Official, in accordance with the Oregon Fire Code as approved by the Fire Marshall.
- (d) Shall meet the City's standards for the health, safety and welfare of the occupants.

(B) Approval process.

(1) The approval process for Onsite Temporary Worker Housing shall follow City's "Outright" use application process with notice found in the City of Prineville Land Use Code Chapter 153. Onsite Temporary Worker Housing may also be approved as part of the development it will serve.

(C) Duration of Approval.

(1) The Temporary Worker Housing site may continue to operate until the project is deemed complete by the City Manager or its designee. Evidence of project completeness may include, but is not limited to, the issuance of a Certificate of Occupancy by the Crook County Building Department.

(2) At such time the project is deemed complete, the Temporary Worker Housing shall be removed and the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone.

Purpose: *Provides parameters for Onsite Temporary Worker Housing that was lacking in the original code.*

Onsite vs Offsite: Onsite allows for buildings or RVs, there are no project size or zone requirements. Approval process is outright or part of development approval. Duration of approval is simplified.

153C.0064 OFFSITE TEMPORARY WORKFORCE HOUSING

The City may approve an Offsite temporary RV park for the establishment of housing for the workers of a specific project that meets the following criteria.

~~(A) — Applicable criteria. (A) Approval of Offsite Temporary Worker Housing may only be granted if the general criteria and the following conditions are met.~~

~~(1) A-Offsite Temporary Worker Housing Site is only available for a project:~~

~~(a) Located in the Light Industrial (M1) or Industrial Park (IP) zones;~~

~~(ab) With a projected value of \$10,000,000.00 or greater as calculated by the Building Official, not including land value and has a valid land use approval and building permit for the project;~~

~~(be) Which/That currently employs more than 200 construction workers at the project site;~~

~~(2) Each Temporary Worker Housing Site:~~

~~(a) Shall be located in the Light Industrial (M1), Heavy Industrial (M2), or Industrial Park (IP) zones;~~

~~(a) is limited to 100 spaces;~~

~~(b) Shall be served by weekly trash removal service;~~

~~(c) Shall be located on a parcel of land at least six acres in size;~~

~~(d) Shall be located no closer than 600 feet from an industrial structure already built or being built unless approved otherwise by the Fire Marshall.~~

~~(e) Shall comply with City, County and State access permit requirements as applicable;~~

~~(f) Shall consider future development of the site in placement of required infrastructure.~~

~~(g) Shall pay City room tax if applicable for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements.~~

~~(h) Shall pay City System Development Charges (SDCs) as determined by the City Engineer. Paid SDCs shall be credited toward future development in accordance with City policy.~~

Purpose: *The Temporary worker housing code passed in 2016 had the zoning requirement listed under the wrong heading. Zone designations were meant to be for the Temporary Worker Site not the project. The City also had a request to consider adding the M2 zone for Temporary worker housing.*

The 100 space limit seems arbitrary and unnecessary given the need requirements in the general criteria. Feels like we are handcuffing ourselves.

Section (f) was added to ensure consideration of future development. Sections (g) & (h) were moved from Section 4 below for simplification and the paid SDCs are fully credited to the property consistent with all other City development.

(3) Each Temporary Worker Housing Site RV Space:

(a) Shall be occupied by at least one worker employed by the landowner of the project, the company for whom the project is being built, or from the primary general contractor or sub-contractor for the project being built;

(b) Shall be served by a road, electricity, water and sewer as approved by the City Engineer, in accordance with Oregon Building Code requirements as approved by the Building Official, in accordance with the Oregon Fire Code as approved by the Fire Marshall and Recreational Vehicle Park requirements as required by Oregon law;

~~(4) — Requirements of Applicant:~~

~~(a) The Applicant shall pay City a room tax for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements for hotels and motels;~~

~~(b) Shall pay City System Development Charges (SDCs) as determined by the City Engineer. All paid SDC dollars are available as dollar credit (not EDU credit) in the future and run with the property.~~

Purpose: Moved to section 2 for simplification and allow full EDU credit of the facility.

~~(5) — Only one Temporary Worker Housing Site is allowed per project.~~

Purpose: As with the 100 space limit, this feels like we are handcuffing ourselves. There is other criteria that limits each potential site and there may be a reason to have more than one.

(B) Approval process.

(1) The approval process for an Offsite Temporary Worker Housing Site shall follow City's Type 2 Conditional Use Permit process and fee structure found in the City of Prineville Land Use Code Chapter 153 and the City of Prineville adopted fee structure. (The Type 2 Conditional Use Permit requires Planning Commission review and approval.)

(C) Duration of Site-Approval.

~~(1) Temporary Worker Housing Site approval is limited to two years, at which time the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone. Future development of the site shall be a consideration in placement of infrastructure on the site.~~

~~(2) The Temporary Worker Housing Site approval can be extended one time for up to 1 year with good cause by applying at least thirty days prior to the expiration of the approval. The Planning Commission shall have the authority to approve the one year extension of the Temporary Worker Housing Site approval.~~

(1) The Temporary Worker Housing site may continue to operate until the project is deemed complete by the City Manager or its designee. Evidence of project completeness may include, but is not limited to, the issuance of a Certificate of Occupancy by the Crook County Building Department.

(2) At such time the project is deemed complete, and within 90 days, the Temporary Worker Housing shall be removed and the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone.

(3) The Temporary Worker housing Site may be reauthorized by the City for a new project that meets the same criteria for need, without a new application. Reauthorization shall require a letter of need from either the land owner of the project, the company for whom the project is being built, or from one of the primary general contractors or sub-contractors for a project.

(4) Approvals of Temporary Worker Housing projects prior to the adoption of this ordinance shall be allowed to comply with the new standards.

(5) In the event that a Temporary Housing Unit is not removed pursuant to Section 153C.006(C)(2); or reauthorized pursuant to Section 153C.006(C)(3), the City may in addition to other legal remedies, seek injunctive relief through Circuit Court of Crook County and if the City prevails, the offending party shall be responsible for all costs and attorney fees in the enforcement action.

Purpose: *The restricted time limits and uncertainty about extensions were a major issue for developers of such projects. The Commission felt that limiting the temporary RV park to just workers of the construction project was enough to prevent negative influence on the normal housing market. The Commission also felt strongly that they didn't want to get too involved in determining ongoing demand for the worker housing once it was approved. They would instead prefer to allow it to continue through the completion of the construction project and in that period let the supply and demand of workers dictate whether it is equitable to continue to operate.*



City of Prineville
DEPARTMENT OF PLANNING & COMMUNITY DEVELOPMENT
PLANNING COMMISSION RECOMMENDATION

File No.: AM-2018-102
Applicant/Owner: City of Prineville
Location: City of Prineville and specifically the following zones:
Light Industrial (M1),
Heavy Industrial (M2)
Industrial Park (IP)
Notice to DLCD: 08/30/2018
PC Workshops: 08/21/2018 and 9/18/2018
Newspaper Notice: Planning Commission Notice – 10/2/2018 & 10/9/2018
PC Public Hearing: Planning Commission – 10/16/18
Staff: Joshua Smith,
Planning Director
Proposal: Amending the text of Land use code section 153.083(G): Temporary Manufactured Dwelling or RV Park, and Chapter 153C: Temporary Worker Housing Site.

Background

The City of Prineville is proposing text amendments to its land use code for section 153.083(G) Temporary Manufactured Dwelling or RV Park, and Chapter 153C Temporary Worker Housing Site. Chapter 153.083(G) was last updated in 2017 by Ordinance 1229, which added the reference to RV Parks. Chapter 153C was created in 2016 by Ordinance 1223 and has not been amended. The purpose of the proposed amendments are to correct errors, refine the code to be better understood, reduce restrictions, increase time constraints, add the Heavy Industrial(M2) Zone and combine all code related to Temporary Worker Housing into Chapter 153C.

The proposal flows from city staff experience attempting to utilize the current code in working with several potential developers of Temporary Workforce Housing. The initial code sections related to Temporary Worker Housing were implemented quickly in response to a housing shortage in the community combined with the need for a large temporary workforce due to several large concurrent construction projects. Since the original Chapter 153C was introduced, staff has benefited from the experience of approving one temporary worker housing site, working with other proposed sites, and receiving feedback from the industries needing the temporary workers.

To date only one offsite worker housing project has been approved but not constructed. The primary reason given for the delay in construction is the maximum 3 year duration of approval. The limitation of one worker housing site per project and size limitations were also a factor in not moving forward.

City staff held two Planning Commission workshops to update the code. The Commission agreed to most of the staff recommended changes but ultimately directed staff to eliminate the arbitrary time limits and just concentrate on limiting the temporary housing to the completion of the construction project.

AM-2018-102
Temporary Worker Housing Update

Consistency with the Comprehensive Plan

Oregon laws require that proposed changes to the land use code are consistent with the Comprehensive Plan.

Planning staff believe the citations shown below show how the amendments to Chapter 153.083(G) and Chapter 153C are consistent with the City's Comprehensive Plan.

Chapter 2 - Urban Land Use and Zoning Designations

Industrial Zone Values and Policies

- *Industrial areas that are served by adequate community transportation, convenient connections to highway access, workforce housing, water, and sewer, communication, power and gas systems will have a competitive advantage in the Central Oregon Region.*
- *Industrial zones should provide the greatest density of manufacturing jobs per acre, exclusive of workforce housing, and be located in places that do not disrupt the function of other land uses.*
- *Industrial activities should include buffers to protect any nearby neighborhoods and/or workforce housing from the negative effects of industrial activities. Heavy industrial uses should be located away from residential neighborhoods.*
- *Industrial areas that provide a wide choice of parcel sizes including workforce housing options are highly desirable.*

Public Hearing: No public comment was received at the hearing. During deliberations the Planning Commission agreed that the changes were what they asked for and recommended they be brought to Council for adoption. Priscilla Smith made a motion to approve the draft text amendments. Bob Orlando seconded the motion and the motion passed with 5 in favor and none opposed.

PC Conclusions and Recommendation

On occasion the City's Land Use Code should be reviewed and amended if needed. In this case there were a few items that City Staff wanted to address regarding work force housing. Knowing some amendments were needed, staff decided to use this opportunity to fully address the implementation issues with the Temporary Workforce Housing Code. The proposed changes will not negatively effect property values or impose new regulations, therefore; a Measure 56 notice is not required.

The proposed amendments are provided in track changes as "Exhibit A". Under each amendment section is a purpose statement explaining the reason for the change. The proposed amendments will simplify, clarify and correct errors in the City's Temporary Worker Housing codes. The Planning Commission recommends these amendments be adopted by City Council.

EXHIBITS

Exhibit A – Recommended Amendments (track Changes)

Exhibit B – Recommended Amendments (accepted track changes)

Marty Bailey:  Date: 10-18-18
Planning Commission Chair

CHAPTER 153.083(G): TEMPORARY MANUFACTURED DWELLING OR RV PARK.
CHAPTER 153C: TEMPORARY WORKER HOUSING

Final Draft Temporary Worker Housing Changes 2018
CC Ready

Section 153.083(G) shall be amended as follows:

(G) Temporary Worker Housing. ~~manufactured dwelling or RV park. See Chapter 153C for Onsite or Offsite Temporary Worker housing.~~ With the exception of standards concerning access and driveway improvements, mail service, telephone, playground areas, patios and overall density set forth by division (F) of this section, the city may approve a temporary manufactured dwelling or RV park for the establishment of the facility for a construction company, timber company or farm or by exclusive use by such companies by a party independent thereof. The approval may only be granted if the following conditions are met. (O.R.S. 446.105)

~~(1) There is no available space or inadequate space available in existing or planned manufactured dwelling or RV parks for which construction has commenced within a reasonable distance.~~

~~(2) A manufactured dwelling or RV park is necessary for the proper housing of the subject company's employees until the construction, farm or logging project is finished.~~

~~(3) The subject facility will not be occupied by any parties not employed by the subject company or subcontractors thereto.~~

~~(4) There is an identified housing shortage in the area, due to the size of the subject project to be served.~~

~~(5) The facility shall not be permitted for a period to exceed the time required to provide temporary housing for the special use or project to be served thereby, or for a period determined by the City, whichever is less.~~

~~(6) If the facility is converted or proposed to be converted to a permanent facility at the end of the period, full compliance with the standards and set forth by division (F) of this section shall be required.~~

Purpose: This section is being moved from Chapter 153 to Chapter 153C and being replaced with a reference. The code will be re-written into "General Criteria" for Chapter 153C outlined below. Only a reference to the ORS for manufactured homes will be provided. This section was originally only for onsite manufactured homes as provided for in ORS 446.105. Its real purpose is probably more County oriented back in the days of mining and timber camps. We added "RVs" to this section with Ord. 1229 in 2017 but it doesn't read well, competes with Chapter 153C and left too many unknowns. It seemed more practical to consolidate both codes and provide Onsite and Offsite Temporary worker housing options.

Chapter 153C shall be amended as follows:

CHAPTER 153C: TEMPORARY WORKER HOUSING SITE

153C.001

This chapter shall be known as the "TEMPORARY WORKER HOUSING" SITE Ordinance of 2016 for the City of Prineville, Oregon ("City").

153C.002 PURPOSE.

The Prineville City Council takes seriously the economic conditions within the City. To this end, the City Council wants to ensure that economic investment and development of businesses within Prineville are supported by land use regulations which help them achieve their goals. The City Council also takes seriously the quality of life in Prineville and to this end wishes to create land use regulations which combine local business opportunities and quality of life in harmonious manner and at the same time preserves the history of Prineville. ~~The rental housing market in Prineville appears to be unable to keep up with the demand for housing which appears to be brought on by a regional economic upturn and significant business investment in Prineville by new and existing businesses. Currently, millions of dollars in new construction are occurring within the City of Prineville, including but not limited to over 700,000 square feet of data center development alone. This construction activity is the catalyst for approximately 600 construction jobs with more construction jobs anticipated in the near future. Prineville's and the regions rental housing market is struggling to accommodate the influx of employees in the construction industry with local workers staying in rental housing as far away as La Pine, Oregon. In response to this urgent identified need, the City of Prineville has developed the following Temporary Worker Housing Site land use code.~~

Large construction projects that demand large populations of temporary workers can create short term pressure on the local housing market making homes less affordable for residents. Large volumes of temporary workers can occupy a large number of transient housing such as motels and RV parks limiting the number of those units available to visitors who are also an important economic contributor to the community.

In response to this, the City of Prineville has developed the following Temporary Worker Housing land use code. The intent of this code is to allow for the housing needs of a large temporary workforce while minimizing any adverse impacts on the local housing market.

***Purpose:** Removed language specific to current conditions at that time and replaced with more general language explaining the purpose and intent of the temporary worker housing code.*

153C.003 APPLICATION.

(A) The City of Prineville must be provided an application on a form acceptable to the City for development of a Temporary Working Housing Site.

~~(1) The City of Prineville must be provided a written application for development of a Temporary Worker Housing Site.~~

(2) The written application shall come from either the land owner of the project, the company for whom the project is being built, or from one of the primary general contractors or sub-contractors for a project, here after referred to as (the "Applicant").

(2) The term "project" shall mean the development for which the Temporary Worker Housing is for.

***Purpose:** Clarify who should apply and define terms for reference. There has been some confusion about which "project" was being referred to when discussing this code, the development or the temp housing project.*

EXHIBIT A

The following section was moved from 153.083(G) and will be replaced by a reference to this Chapter

153C.004 GENERAL CRITERIA

~~(G) Temporary manufactured dwelling or RV park. With the exception of standards concerning access and driveway improvements, mail service, telephone, playground areas, patios and overall density set forth by division (F) of this section, the city may approve a temporary manufactured dwelling or RV park for the establishment of the facility for a construction company, timber company or farm or by exclusive use by such companies by a party independent thereof. The approval may only be granted if the following conditions are met. (O.R.S. 446.105~~

~~(A) Approval of Onsite or Offsite Temporary Worker Housing may only be granted if the following conditions are met.~~

~~(1) There is no available space or inadequate space available in existing or planned manufactured dwelling housing developments, or RV parks or other Temporary Worker Housing Sites for which construction has commenced within a reasonable distance.~~

~~(2) A manufactured dwelling or RV park The temporary housing is necessary for the proper housing of the subject company's employees until the construction, farm or logging project is finished.~~

~~(3) The subject facility will not be occupied by any parties not employed by the subject company or subcontractors thereto. project other than immediate family.~~

~~(4) There is an identified housing shortage in the area, due to the size of the subject project to be served.~~

~~(5) The facility shall not be permitted for a period to exceed the time required to provide temporary housing for the special use or project to be served thereby, or for a period determined by the City, whichever is less. (see sections 153C.005 or 153C.006 for duration of approval)~~

~~(6) If the facility is converted or proposed to be converted to a permanent facility at the end of the period, full compliance with the standards and set forth by division (F) of this section shall be required.~~

***Purpose:** The above section was moved from 153.083(G) and will be replaced by a reference to this Chapter 153C. We felt the bullet points from the original section 153.083(G) that allowed for Manufactured Dwelling Parks onsite was a good starting point to apply to both onsite and offsite temporary housing.*

153C.005 ONSITE TEMPORARY WORKFORCE HOUSING

The City may approve Onsite temporary housing including RV parks for the establishment of housing for the workers of a specific project that meets the following criteria. Temporary manufactured dwelling parks are allowed based on ORS 446.105 and require State and local approval.

***Purpose:** Provide reference to the State's rules allowing Temporary Manufactured Dwelling Parks and add the local option of providing housing including RV parks. Simply adding "RV" to the original code (Ord. 1229) did not read well and left too many unknowns.*

EXHIBIT A

(A) Approval of Onsite Temporary Worker Housing may only be granted if the general criteria and the following conditions are met.

- (1) Each Temporary Worker Housing site:
- (a) Shall be located on the property owned or occupied by the project requiring the temporary workforce.
 - (b) Shall be served by weekly trash removal service.
 - (c) Shall be located no closer than 600 feet from an industrial structure already built or being built unless approved otherwise by the Fire Marshall.
 - (d) Shall comply with City, County and State access permit requirements as applicable.
 - (e) Shall consider future development of the site in placement of required infrastructure.
 - (f) Shall pay City room tax if applicable for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements.
 - (g) Shall pay City System Development Charges (SDCs) as determined by the City Engineer.

- (2) Each Temporary Worker Housing Site Space:
- (a) May be a single unit structure, shared structure or RV space.
 - (b) Shall be occupied by at least one worker employed by the landowner of the project, the company for whom the project is being built, or from the primary general contractor or sub-contractor for the project being built.
 - (c) Shall be served by a road, electricity, water and sewer as approved by the City Engineer, in accordance with Oregon Building Code requirements as approved by the Building Official, in accordance with the Oregon Fire Code as approved by the Fire Marshall.
 - (d) Shall meet the City's standards for the health, safety and welfare of the occupants.

(B) Approval process.

- (1) The approval process for Onsite Temporary Worker Housing shall follow City's "Outright" use application process with notice found in the City of Prineville Land Use Code Chapter 153. Onsite Temporary Worker Housing may also be approved as part of the development it will serve.

(C) Duration of Approval.

- (1) The Temporary Worker Housing site may continue to operate until the project is deemed complete by the City Manager or its designee. Evidence of project completeness may include, but is not limited to, the issuance of a Certificate of Occupancy by the Crook County Building Department.
- (2) At such time the project is deemed complete, the Temporary Worker Housing shall be removed and the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone.

Purpose: *Provides parameters for Onsite Temporary Worker Housing that was lacking in the original code.*

Onsite vs Offsite: Onsite allows for buildings or RVs, there are no project size or zone requirements. Approval process is outright or part of development approval. Duration of approval is simplified.

153C.0064 OFFSITE TEMPORARY WORKFORCE HOUSING

The City may approve an Offsite temporary RV park for the establishment of housing for the workers of a specific project that meets the following criteria.

~~(A) — Applicable criteria. (A) Approval of Offsite Temporary Worker Housing may only be granted if the general criteria and the following conditions are met.~~

(1) ~~A-Offsite~~ Temporary Worker Housing Site is only available for a project:

~~(a) Located in the Light Industrial (M1) or Industrial Park (IP) zones;~~

~~(ab) With a projected value of \$10,000,000.00 or greater as calculated by the Building Official, not including land value and has a valid land use approval and building permit for the project;~~

~~(be) Which That~~ currently employs more than 200 construction workers at the project site;

(2) Each Temporary Worker Housing Site:

(a) Shall be located in the Light Industrial (M1), Heavy Industrial (M2), or Industrial Park (IP) zones;

~~(a) is limited to 100 spaces;~~

(b) Shall be served by weekly trash removal service;

(c) Shall be located on a parcel of land at least six acres in size;

(d) Shall be located no closer than 600 feet from an industrial structure already built or being built unless approved otherwise by the Fire Marshall.

(e) Shall comply with City, County and State access permit requirements as applicable;

(f) Shall consider future development of the site in placement of required infrastructure.

(g) Shall pay City room tax if applicable for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements.

(h) Shall pay City System Development Charges (SDCs) as determined by the City Engineer. Paid SDCs shall be credited toward future development in accordance with City policy.

Purpose: *The Temporary worker housing code passed in 2016 had the zoning requirement listed under the wrong heading. Zone designations were meant to be for the Temporary Worker Site not the project. The City also had a request to consider adding the M2 zone for Temporary worker housing.*

The 100 space limit seems arbitrary and unnecessary given the need requirements in the general criteria. Feels like we are handcuffing ourselves.

Section (f) was added to ensure consideration of future development. Sections (g) & (h) were moved from Section 4 below for simplification and the paid SDCs are fully credited to the property consistent with all other City development.

(3) Each Temporary Worker Housing Site RV Space:

(a) Shall be occupied by at least one worker employed by the landowner of the project, the company for whom the project is being built, or from the primary general contractor or sub-contractor for the project being built;

(b) Shall be served by a road, electricity, water and sewer as approved by the City Engineer, in accordance with Oregon Building Code requirements as approved by the Building Official, in accordance with the Oregon Fire Code as approved by the Fire Marshall and Recreational Vehicle Park requirements as required by Oregon law;

EXHIBIT A

~~(4) Requirements of Applicant:~~

~~(a) The Applicant shall pay City a room tax for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements for hotels and motels;~~

~~(b) Shall pay City System Development Charges (SDCs) as determined by the City Engineer. All paid SDC dollars are available as dollar credit (not EDU credit) in the future and run with the property.~~

Purpose: Moved to section 2 for simplification and allow full EDU credit of the facility.

~~(5) Only one Temporary Worker Housing Site is allowed per project.~~

Purpose: As with the 100 space limit, this feels like we are handcuffing ourselves. There is other criteria that limits each potential site and there may be a reason to have more than one.

(B) Approval process.

(1) The approval process for an Offsite Temporary Worker Housing Site shall follow City's Type 2 Conditional Use Permit process and fee structure found in the City of Prineville Land Use Code Chapter 153 and the City of Prineville adopted fee structure. (The Type 2 Conditional Use Permit requires Planning Commission review and approval.)

(C) Duration of Site Approval.

- ~~(1) Temporary Worker Housing Site approval is limited to two years, at which time the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone. Future development of the site shall be a consideration in placement of infrastructure on the site.~~
- ~~(2) The Temporary Worker Housing Site approval can be extended one time for up to 1 year with good cause by applying at least thirty days prior to the expiration of the approval. The Planning Commission shall have the authority to approve the one-year extension of the Temporary Worker Housing Site approval.~~

(1) The Temporary Worker Housing site may continue to operate until the project is deemed complete by the City Manager or its designee. Evidence of project completeness may include, but is not limited to, the issuance of a Certificate of Occupancy by the Crook County Building Department.

(2) At such time the project is deemed complete, and within 90 days, the Temporary Worker Housing shall be removed and the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone.

(3) The Temporary Worker housing Site may be reauthorized by the City for a new project that meets the same criteria for need, without a new application. Reauthorization shall require a letter of need from either the land owner of the project, the company for whom the project is being built, or from one of the primary general contractors or sub-contractors for a project.

(4) Approvals of Temporary Worker Housing projects prior to the adoption of this ordinance shall be allowed to comply with the new standards.

(5) In the event that a Temporary Housing Unit is not removed pursuant to Section 153C.006(C)(2); or reauthorized pursuant to Section 153C.006(C)(3), the City may in addition to other legal remedies, seek injunctive relief through Circuit Court of Crook County and if the City prevails, the offending party shall be responsible for all costs and attorney fees in the enforcement action.

EXHIBIT A

Purpose: *The restricted time limits and uncertainty about extensions were a major issue for developers of such projects. The Commission felt that limiting the temporary RV park to just workers of the construction project was enough to prevent negative influence on the normal housing market. The Commission also felt strongly that they didn't want to get too involved in determining ongoing demand for the worker housing once it was approved. They would instead prefer to allow it to continue through the completion of the construction project and in that period let the supply and demand of workers dictate whether it is equitable to continue to operate.*

**CHAPTER 153.083(G): TEMPORARY MANUFACTURED DWELLING OR RV PARK.
CHAPTER 153C: TEMPORARY WORKER HOUSING**

**Final Draft Temporary Worker Housing Changes 2018
CC Ready**

Section 153.083(G) shall be amended as follows:

(G) Temporary Worker Housing. See Chapter 153C for Onsite or Offsite Temporary Worker housing.

Chapter 153C shall be amended as follows:

CHAPTER 153C: TEMPORARY WORKER HOUSING

153C.001

This chapter shall be known as the "TEMPORARY WORKER HOUSING" Ordinance for the City of Prineville, Oregon ("City").

153C.002 PURPOSE.

The Prineville City Council takes seriously the economic conditions within the City. To this end, the City Council wants to ensure that economic investment and development of businesses within Prineville are supported by land use regulations which help them achieve their goals. The City Council also takes seriously the quality of life in Prineville and to this end wishes to create land use regulations which combine local business opportunities and quality of life in harmonious manner and at the same time preserves the history of Prineville.

Large construction projects that demand large populations of temporary workers can create short term pressure on the local housing market making homes less affordable for residents. Large volumes of temporary workers can occupy a large number of transient housing such as motels and RV parks limiting the number of those units available to visitors who are also an important economic contributor to the community.

In response to this, the City of Prineville has developed the following Temporary Worker Housing land use code. The intent of this code is to allow for the housing needs of a large temporary workforce while minimizing any adverse impacts on the local housing market.

153C.003 APPLICATION.

(A) The City of Prineville must be provided an application on a form acceptable to the City for development of a Temporary Working Housing Site.

(1) The written application shall come from either the land owner of the project, the company for whom the project is being built, or from one of the primary general contractors or sub-contractors for a project, here after referred to as (the "Applicant").

(2) The term "project" shall mean the development for which the Temporary Worker Housing is for.

153C.004 GENERAL CRITERIA

(A) Approval of Onsite or Offsite Temporary Worker Housing may only be granted if the following conditions are met.

(1) There is no available space or inadequate space available in existing or planned housing developments, RV parks or other Temporary Worker Housing Sites for which construction has commenced within a reasonable distance.

(2) The temporary housing is necessary for the proper housing of the subject company's employees until the project is finished.

(3) The subject facility will not be occupied by any parties not employed by the project other than immediate family.

(4) There is an identified housing shortage in the area, due to the size of the subject project to be served.

(5) The facility shall not be permitted for a period to exceed the time required to provide temporary housing for the project to be served thereby, or for a period determined by the City, whichever is less. (see sections 153C.005 or 153C.006 for duration of approval)

153C.005 ONSITE TEMPORARY WORKFORCE HOUSING

The City may approve Onsite temporary housing including RV parks for the establishment of housing for the workers of a specific project that meets the following criteria. Temporary manufactured dwelling parks are allowed based on ORS 446.105 and require State and local approval.

(A) Approval of Onsite Temporary Worker Housing may only be granted if the general criteria and the following conditions are met.

(1) Each Temporary Worker Housing site:

(a) Shall be located on the property owned or occupied by the project requiring the temporary workforce.

(b) Shall be served by weekly trash removal service;

(c) Shall be located no closer than 600 feet from an industrial structure already built or being built unless approved otherwise by the Fire Marshall.

(d) Shall comply with City, County and State access permit requirements as applicable;

(e) Shall consider future development of the site in placement of required infrastructure.

(f) Shall pay City room tax if applicable for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements.

(g) Shall pay City System Development Charges (SDCs) as determined by the City Engineer.

(2) Each Temporary Worker Housing Site Space:

(a) May be a single unit structure, shared structure or RV space.

(b) Shall be occupied by at least one worker employed by the landowner of the project, the company for whom the project is being built, or from the primary general contractor or sub-contractor for the project being built;

(c) Shall be served by a road, electricity, water and sewer as approved by the City Engineer, in accordance with Oregon Building Code requirements as approved by the Building Official, in accordance with the Oregon Fire Code as approved by the Fire Marshall.

(d) Shall meet the City's standards for the health, safety and welfare of the occupants.

EXHIBIT B

(B) Approval process.

(1) The approval process for Onsite Temporary Worker Housing shall follow City's "Outright" use application process with notice found in the City of Prineville Land Use Code Chapter 153. Onsite Temporary Worker Housing may also be approved as part of the development it will serve.

(C) Duration of Approval.

(1) The Temporary Worker Housing site may continue to operate until the project is deemed complete by the City Manager or its designee. Evidence of project completeness may include, but is not limited to, the issuance of a Certificate of Occupancy by the Crook County Building Department.

(2) At such time the project is deemed complete, the Temporary Worker Housing shall be removed and the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone.

153C.006 OFFSITE TEMPORARY WORKFORCE HOUSING

The City may approve an Offsite temporary RV park for the establishment of housing for the workers of a specific project that meets the following criteria.

(A) Approval of Offsite Temporary Worker Housing may only be granted if the general criteria and the following conditions are met.

(1) Offsite Temporary Worker Housing is only available for a project:

(a) With a projected value of \$10,000,000.00 or greater as calculated by the Building Official, not including land value and has a valid land use approval and building permit for the project;

(b) That currently employs more than 200 construction workers at the project site;

(2) Each Temporary Worker Housing Site:

(a) Shall be located in the Light Industrial (M1), Heavy Industrial (M2), or Industrial Park (IP) zones;

(b) Shall be served by weekly trash removal service;

(c) Shall be located on a parcel of land at least six acres in size;

(d) Shall be located no closer than 600 feet from an industrial structure already built or being built unless approved otherwise by the Fire Marshall.

(e) Shall comply with City, County and State access permit requirements as applicable;

(f) Shall consider future development of the site in placement of required infrastructure.

(g) Shall pay City room tax if applicable for each space at a Temporary Worker Housing Site equal to and using the same process as the City's transient room tax requirements.

(h) Shall pay City System Development Charges (SDCs) as determined by the City Engineer. Paid SDCs shall be credited toward future development in accordance with City policy.

(3) Each Temporary Worker Housing Site RV Space:

(a) Shall be occupied by at least one worker employed by the landowner of the project, the company for whom the project is being built, or from the primary general contractor or sub-contractor for the project being built;

(b) Shall be served by a road, electricity, water and sewer as approved by the City Engineer, in accordance with Oregon Building Code requirements as approved by the Building Official, in accordance with the Oregon Fire Code as approved by the Fire Marshall and Recreational Vehicle Park requirements as required by Oregon law;

EXHIBIT B

(B) Approval process.

(1) The approval process for an Offsite Temporary Worker Housing Site shall follow City's Type 2 Conditional Use Permit process and fee structure found in the City of Prineville Land Use Code Chapter 153 and the City of Prineville adopted fee structure. (The Type 2 Conditional Use Permit requires Planning Commission review and approval.)

(C) Duration of Approval.

(1) The Temporary Worker Housing site may continue to operate until the project is deemed complete by the City Manager or its designee. Evidence of project completeness may include, but is not limited to, the issuance of a Certificate of Occupancy by the Crook County Building Department.

(2) At such time the project is deemed complete, and within 90 days, the Temporary Worker Housing shall be removed and the infrastructure for water, sewer and electrical shall be removed or capped if not designed for a future development allowed outright or by conditional use permit in the zone.

(3) The Temporary Worker housing Site may be reauthorized by the City for a new project that meets the same criteria for need, without a new application. Reauthorization shall require a letter of need from either the land owner of the project, the company for whom the project is being built, or from one of the primary general contractors or sub-contractors for a project.

(4) Approvals of Temporary Worker Housing projects prior to the adoption of this ordinance shall be allowed to comply with the new standards.

(5) In the event that a Temporary Housing Unit is not removed pursuant to Section 153C.006(C)(2); or reauthorized pursuant to Section 153C.006(C)(3), the City may in addition to other legal remedies, seek injunctive relief through Circuit Court of Crook County and if the City prevails, the offending party shall be responsible for all costs and attorney fees in the enforcement action.