



CITY OF BEND

BUILDING ON OUR PAST  
SERVING THE PRESENT  
SHAPING BEND'S FUTURE

## Agenda

Community Building Council Subcommittee

August 17, 2020, 3:00 p.m. – 5:00 p.m.

Virtual Meeting - Webex

This meeting will be convened on-line due to COVID-19 concerns.

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### VIRTUAL MEETING NOTICE

To support Governor Brown's order for physical distancing, the City of Bend Council will conduct this meeting virtually through Cisco Webex.

#### Public Comment Information:

Toll-Free: 1-855-828-6330

Access code: 146 553 2239

**Public Comment – Line opens at 3:00 PM to allow callers to sign up for comment. Please be advised that times in the agenda are estimates only; meetings can run longer or be delayed for multiple reasons. The waiting time to provide your comment could be substantial.**

#### Listen Only Information:

Listen-only Phone Number: 1-855-282-6330

Access code: 146 326 1170

YouTube Link: <https://youtu.be/KG5rRrqaGI>

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### 3:00 p.m. Community Building Subcommittee Meeting

1. **Convene Subcommittee Meeting** - Councilors Justin Livingston, Gena Goodman-Campbell, and Mayor Sally Russell
2. **Public Comment** *submit written comments by email [sjulber@bendoregon.gov](mailto:sjulber@bendoregon.gov)*  
*Members of the public who wish to offer public comment may do so telephonically.*

Toll-Free: 1-855-828-6330

Access code: 146 553 2239

*The public comment phone line will be accessible starting at 3:00 PM. 3 minutes per person (may be adjusted based on number of speakers).*

3. **Approval of the February 26, 2020 Meeting Minutes**
4. **Bend Development Code Updates: HB 2001 amendments, Micro-Unit Developments, Small Dwelling Unit Developments, Zero Lot Line Developments, and HB 3450 Urban Dwelling Sites (Pauline Hardie, AICP, Senior Code Planner)**
5. **Old Bend Neighborhood Parking Benefit District (Tobias Marx, Parking Services Manager)**

## 6. Adjourn



### **Accessible Meeting Information**

This meeting/event location is accessible. Sign language interpreter service, assistive listening devices, materials in alternate format such as Braille, large print, electronic formats and CD formats, or any other accommodations are available upon advance request. Please contact Kayla Duddy at [kduddy@bendoregon.gov](mailto:kduddy@bendoregon.gov) or (541) 388-5505. Providing, at least, 3 days' notice prior to the event will help ensure availability.

**Community Building Council Subcommittee Meeting  
February 26, 2020**

The meeting of the Community Building Council Subcommittee was called to order at 1:30 p.m. on Wednesday, February 26, 2020, in the City Council Chambers at Bend City Hall, 710 NW Wall Street.

**1. Convene Subcommittee Meeting** - Councilors Justin Livingston, Gena Goodman-Campbell and Chris Piper (covering for Mayor Russell)

**Also Attended:** Jon Skidmore, Allison Platt, Russell Grayson, Brian Rankin, Kayla Duddy, Mary Winters, Matt Stuart, Carolyn Eagan, Damian Szyrnyk, Ryan Oster

Jon Skidmore, Chief Operations Officer, opened the meeting and gave an overview of the agenda.

**2. Approval of minutes from the October 21, 2019 meeting**

Councilor Livingston made a motion to approve the October 21, 2019 meeting minutes. Councilor Piper seconded, the motion passed unanimously (3-0).

**3. Core Area Plan Update (Allison Platt & Brian Rankin; 20 minutes)**

Allison Platt, Senior Planner, Brian Rankin, Long Range Planning Manager, and Matthew Stuart, Urban Renewal Project Manager, gave an update on the Core Area Plan. The following slides were presented:

- Background: 2016 UGB
- Project Schedule: URAB Meetings & Outreach
- Guiding Principles + Urban Design
- Final Products
- CORE Area Report
- Implementation Plan Recommendations
- Recommended Boundary
- Preliminary URBA Recommendations
- Tax Increment Fund Projections
- Tax Increment Fund Projections Graph
- Tax Revenue Impact – Total Revenue
- Tax District Concerns
- Adoption Schedule
- Get Involved

Councilor Livingston asked by updating the street standards, mobility guidelines, and managing parking, would that be put above the cross section in the Development Code. Ms. Platt shared that the cross section is not currently applied to streets like Third Street, Franklin Avenue and Revere Avenue.

Mary Winters, City Attorney, shared that the City makes conscious decisions when removing standards from the Development Code to help developers navigate better. She also mentioned that City staff are looking for direction from Council on what the City's scope should be for the Bend Central District as well as other areas in the City.

Ryan Oster, City Engineer, mentioned that having the code language be more general allows the City the flexibility in the standards to do something unique.

Councilor Piper asked if the 30-year mark was put in for an incentive purpose. Mr. Stuart stated that the City models all financials at 30 years and that it was not a big shift in what the city was doing so far. He also mentioned it is really about the legal technical language.

#### **4. Childcare Policy Direction (Carolyn Eagan & Russell Grayson; 20 minutes)**

Carolyn Eagan, Economic Development Director, and Russell Grayson, Community Services Director, discussed future Council action for the Childcare Policy. The following slides were presented:

- Future Council Actions to Support Childcare

Councilor Piper asked what the reasons were for businesses not contributing to childcare. Ms. Eagan explained that businesses do not have the financial resources to contribute.

Councilor Goodman-Campbell asked if business contributing guarantee their employee a spot. Ms. Eagan confirmed that would be the case.

Mr. Grayson explained that the margins are thin on childcare and that traditional financing is hard to get for commercial developers. He also shared that commercial developers are trying to get some commitments and help to change the financial package for childcare.

Councilor Livingston asked if there was any uncertainty around the tax issue and the task force. Ms. Eagan explained that they are probably not connected. She also mentioned that she has not heard of many employers mixing the tax and the task force issues.

Mr. Grayson mentioned that the City is working with the state to line up licensing and permitting requirements for childcare.

Mr. Grayson mentioned that the City has some healthy reserves in the fund to bring on a liaison to help with childcare.

Councilor Piper asked if the childcare liaison would work within the Community Development Department. Mr. Grayson confirmed that the Childcare liaison would report directly to him.

Councilor Livingston asked where the funds would come from to establish a fund to subsidize building permit fees for childcare providers. Ms. Eagan shared that there are substantial funds in the building reserves.

Councilor Livingston mentioned that the building reserves should be held for the next recession or down turn. Mr. Grayson confirmed that the Community Development Department is working with the Finance Department to make sure there is enough in the building reserves.

Councilor Piper asked what percentage of funds are going to be forecasted. Ms. Eagan mentioned that it would be a small percentage.

#### **5. Southeast Area Plan Infrastructure Finance Options (Russell Grayson & Brian Rankin; 40 minutes)**

Mr. Grayson, Mr. Rankin and Damian Syrnyk, Senior Planner, presented Finance Options for the Southeast Area Plan Infrastructure. The following slides were presented:

- Refined Land Use Plan Approved for Modeling
- Refined Streets and Trails Plans
- Sewer Concept Plan & Sewer Infrastructure Summary Costs
- Land Use Concept

Councilor Livingston asked if there would be intersection improvements at Ferguson Road and the new North/South Collector as well as at 27<sup>th</sup> Street and Ferguson Road. Mr. Syrnyk confirmed that the intersections would be improved. He also mentioned that one of the improvements will be a roundabout and one will be a lesser intersection improvement.

Councilor Livingston asked if it was evaluated to run sewer down 27<sup>th</sup> Street to the interceptor at Reed Market Road instead of what is shown on the sewer concept map presented. Mr. Oster explained that at the intersection of 15<sup>th</sup> Street and Ferguson Road is considered a low point. He also mentioned that to get sewer up 27<sup>th</sup> Street, the City would be looking at a 30 to 40 foot deep interceptor line to get it all up to Reed Market Road and 27<sup>th</sup> Street.

Councilor Goodman-Campbell asked which of the property owners are the most motivated about this project. Councilor Livingston shared that the Bend Pet Resort is the most motivated.

Ms. Winters stated in regards to a supplemental SDC funding a specific improvement, \$15M is considered high for the amount of property owners and that staff should come back to the subcommittee with a more realistic supplemental SDC fee.

Mr. Syrnyk discussed next steps, which includes a meeting with the Bend Parks and Recreation District on March 12, 2020.

**6. Adjourned at 3:03 p.m.**

Respectfully submitted,

Deputy City Recorder  
Kayla M. Duddy

DRAFT



**COUNCIL SUBCOMMITTEE**

**HOUSE BILL 3450**

**BEND DEVELOPMENT CODE TEXT AMENDMENT**

**AUGUST 17, 2020**



**Intent:** “Allow for high density . . . housing within areas zoned . . . (for) economic development . . . commercial, service, retail and other employment uses”

### **Criteria:**

- No more than 40 total, cumulative acres citywide
- Does not include Industrial zones
- Ensure adequate supply of employment lands within the UGB

### **Process:**

- Atypical review process – submit code changes to LCDC for review and approval
- “in consultation with the Department of Transportation”



## *EXISTING CODE:*

- Allows for multifamily residential in economic zoned areas (CL, CG, ME) but generally, the ground floor is required to be an employment use (i.e. commercial, service, retail, or similar type of use)

## *PROPOSED CODE (VS. EXISTING CODE):*

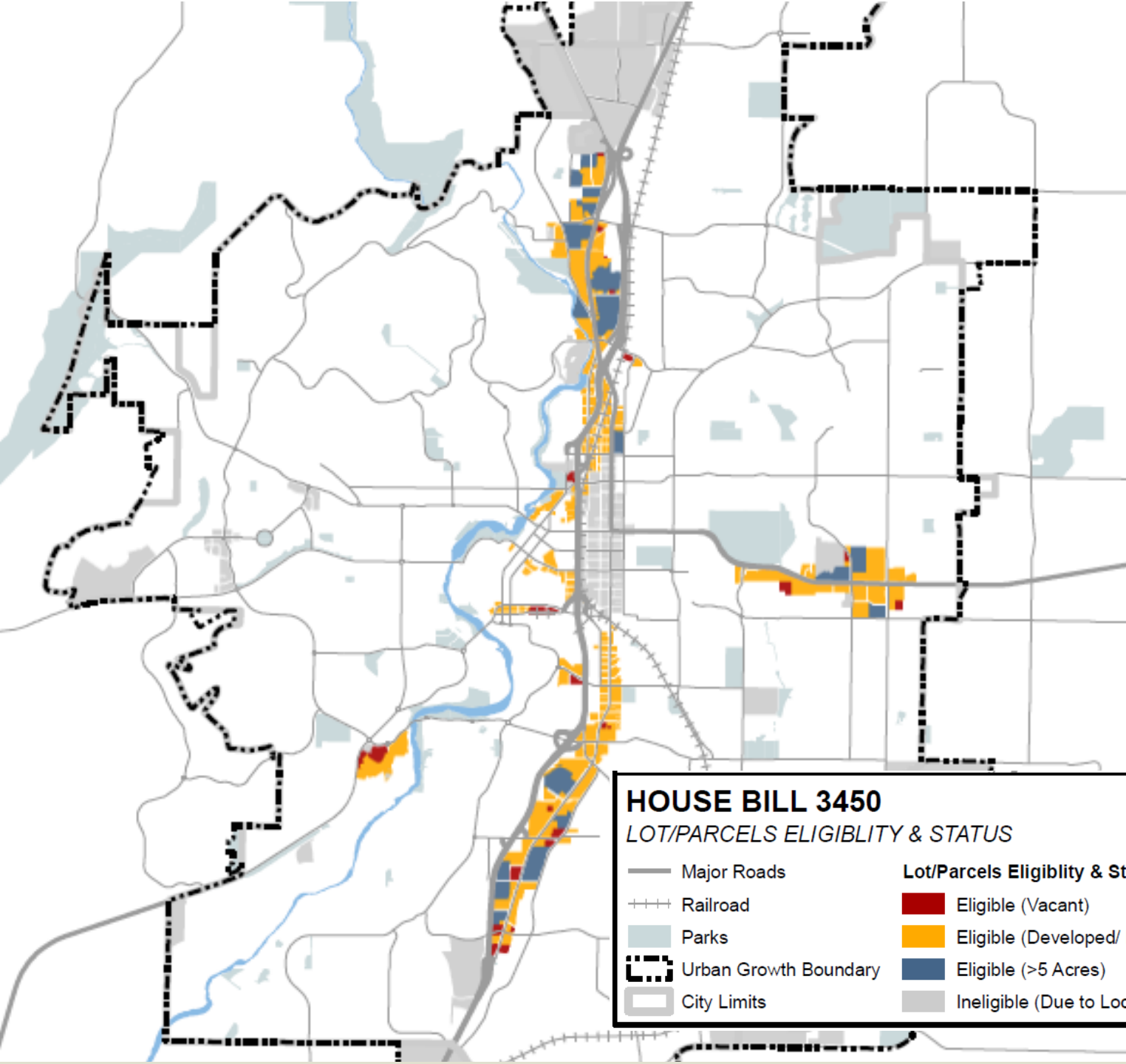
- Removes requirement for ground floor to be an employment use (on up to 40 cumulative acres citywide).



## Eligibility standards for “Urban Dwelling Sites”:

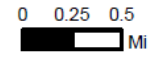
- Located in the CL, CG and ME Zoning Districts
- ≤ 5 acres (note, properties over 5 may be partitioned/subdivided to meet the threshold and become eligible)
- Located within a 1/4 of a mile of transit
- Not located in a UGB Expansion Area, Opportunity Area, or any Special Planned District, Refinement Plan, Area Plan or Master Plan Area.
- Located south of Empire Avenue (with some exceptions)

# ELIGIBLE SITES



## HOUSE BILL 3450 LOT/PARCELS ELIGIBILITY & STATUS

- |                           |                                   |
|---------------------------|-----------------------------------|
| — Major Roads             | Lot/Parcels Eligibility & Status* |
| ++++ Railroad             | ■ Eligible (Vacant)               |
| ■ Parks                   | ■ Eligible (Developed/ No Status) |
| --- Urban Growth Boundary | ■ Eligible (>5 Acres)             |
| □ City Limits             | ■ Ineligible (Due to Location)    |



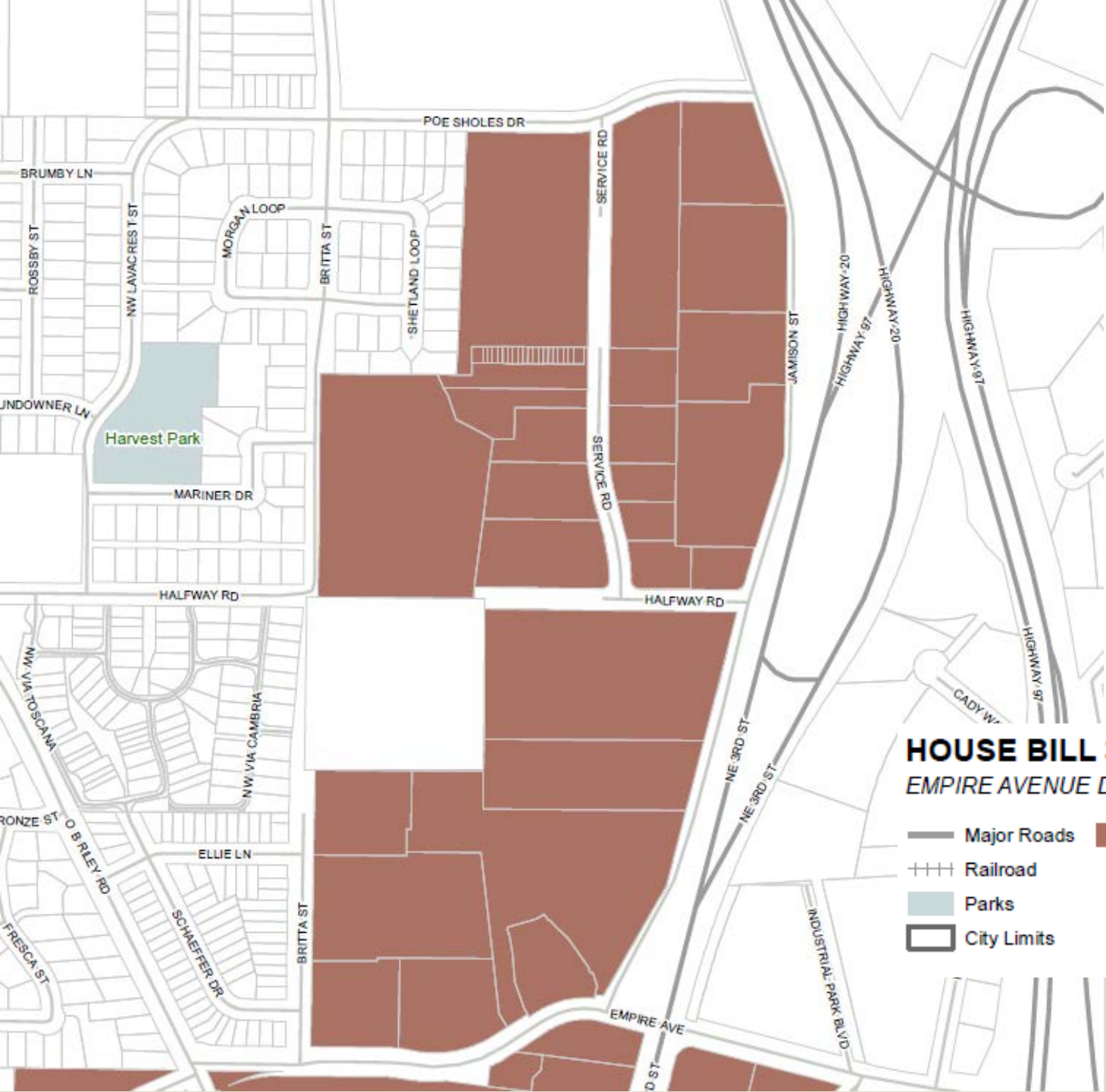
Map prepared by T. Scrivens, City of Bend  
Print Date: Mar 23, 2020  
Sources: City of Bend, Deschutes County



## CITY OF BEND

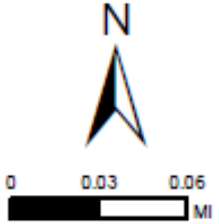
This map is for reference purposes only. Care was taken in the creation of this map, but it is provided "AS IS." Please contact the City of Bend to verify map information or to report any errors.

# ELIGIBLE PARCELS



## HOUSE BILL 3450 EMPIRE AVENUE DETAIL MAP

- Major Roads
- Railroad
- Parks
- City Limits
- HB 3540 Eligible Areas



Map prepared by T. Scrivens, City of Bend  
Print Date: May 27, 2020  
Sources: City of Bend, Deschutes County



- **Permitted Uses:**
  - ADUs, single-family attached townhomes, duplexes, triplexes and multi-family
- **Density**
  - RH – 21.7 units/acre minimum
- **Approval Process**
  - Step 1. The approval of a development application in conformance with [BDC Chapter 4.2](#). (Type II process)
  - Step 2. The site will be shown on the Zoning Map as an Urban Dwelling Site.
- **Duration of Approval**
  - The development approval is void 1 year after the date the decision becomes final if building permits have not been issued. A 1-year extension may be approved, except at 2-year extension may be approved for affordable housing developments.

# DEVELOPMENT STANDARDS



Standards	CL	CG	ME
Minimum lot area	No minimum	No minimum	No minimum
Maximum lot area	5 acres	5 acres	5 acres
Lot width	15 feet	15 feet	15 feet
Minimum front setback	10 feet	10 feet	None
Maximum front setback	10 feet	10 feet	10 feet
Rear and side setback	None	None	None



- Building & entry orientation
- Transparency requirements
- Building Articulation. One or more of the following must be on each level of all street-facing facades:
  - Building offsets
  - Upper level balconies
  - Building canopies, awnings, pergolas, sun shade structures, etc.
  - Additional transparency
  - Recessed building entries
  - Masonry material
  - Use of 2 or more façade materials &/or façade colors

# MINIMUM PARKING REQUIREMENTS



- Single-family attached townhome, duplex, triplex and multifamily residential - 1 space per dwelling unit.
- Affordable housing projects in accordance with BDC 3.6.200(C)(1-3) - 0.5 spaces per affordable dwelling unit.
- The number of parking spaces provided by any particular use in ground surface parking lots must not exceed the required minimum number of spaces provided by Table 3.3.300 by more than 50%



- Urban Dwelling Sites are subject to the provisions in BDC 2.1.1000 with the following exception:
  1. The common open space requirement in BDC 2.1.1000(B)(1) does not apply to any property with a residential building located within one-quarter mile of a public park; and there is a direct, accessible, and maintained trail or sidewalk between the development and the park that does not cross an arterial or collector street.



Planning Commission Public Hearing August 24, 2020

City Council Work Session – September 16, 2020

City Council Public Hearing – October 7, 2020

City Council Second Reading – October 21, 2020

Effective Date –November 20, 2020

Questions?



**COMMUNITY BUILDING SUBCOMMITTEE**  
**AUGUST 17, 2020**



HB2001 was passed in the 2019 Oregon Legislature to help provide current & future Oregonians with more housing choices. Specifically, the bill requires a city with a population of 25,000 or more to allow the development of:

***Duplexes “on each lot or parcel zoned for residential use that allow for the development of detached single family dwellings”***

***Triplexes, quadplexes, cottage clusters, and townhomes “in areas zoned for residential use that allow for the development of detached single family dwellings”.***



Goal of increasing the supply of shovel ready land available for housing & employment in alignment with the City's Comprehensive Plan by:

***Permitting 3,000 units with the target of 1,170 single family units, 390 single family attached units & 1,440 multi-family units by 06/30/2021***

Strategy to “Increase the supply of shovel-ready residential land & decrease development costs for needed housing through public investment leveraging private development, City policy & procedural adjustments.”

- To implement this strategy Council has identified a need to audit the BDC to identify barriers in constructing needed housing, including mobility & parking standards.

Strategy to “Explore alternative housing types & necessary funding sources.”

- To implement this strategy Council wants to adopt policies for alternative housing models, such as four-plexes, tiny homes & single room occupancies.



**11/25/19** - Planning Commission, in its role as the City's Citizen Involvement committee (CCI), approved a HB 2001 Stakeholder Advisory Group to assist staff with amendments.

- Representatives from the CC, PC, AHAC, NLA, COBA & Central Oregon Landwatch & developers, architects & designers. Additional members of the public also attended.
- Meetings were held on 01/15/20, 01/30/20 & 02/25/20. (03/17/20 was cancelled due to COVID-19)

**03/25/20** - Staff emailed draft for micro-units & small dwelling unit developments to HB 2001 Stakeholder Advisory Group

**06/18/20** - Staff emailed the amendments to the HB 2001 Stakeholder Advisory Group & to the BDC Update Group & to people who have expressed an interest in the amendments.

**07/31/20** – Mailed notice to neighborhood associations

# PROPOSED CODE UPDATES



- New & revised definitions for consistency.
- Permits duplexes in the RL District & reduces lots sizes in the RL & RS Districts.
- Adds clarification that allows a sink in a garage or laundry room
- Revises review procedures for several master plans.
- Creates clear & objective criteria for driveway approaches for duplexes & triplexes.
- Creates Chapter 3.8, Development Alternatives
  - Relocates Mid-Block Developments, Flag Lots, T-courts, Shared Courts, Cottage Housing & Courtyard Housing (minor revisions)
  - Includes new alternatives: Micro-Unit Developments, Small Dwelling Unit Developments, & Zero Lot Line Developments.
- Updates to MDS approval criteria for clarity.
- Amendments regarding reconstruction after destruction for non-conforming structures.



- The proposed amendments to Table 2.1.200 & 2.1.500 are consistent with HB 2001:

***(2) Except as provided in subsection (4) of this section, each city with a population of 25,000 or more and each county or city within a metropolitan service district shall allow the development of:***

- *(a) “All middle housing types in areas zoned for residential use that allow for the development of detached single-family dwellings; and*
- ***(b) A duplex on each lot or parcel zoned for residential use that allows for the development of detached single-family dwellings.***

- **Proposed amendments**

- Permit duplexes in the RL District
- Reduce the minimum lot size in the RL from 20,000 sq. ft. to 10,000 sq. ft.
- Reduce the minimum lot size in the RS from 6,000 sq. ft. to 4,000 sq. ft.

# MICRO-UNIT DEVELOPMENTS



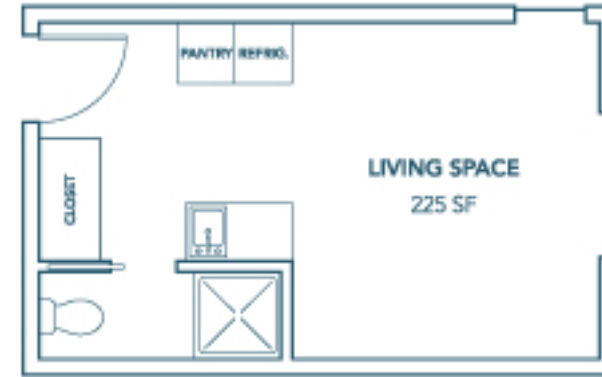
- **Micro-Unit.** Typically, a micro-unit consists of a one-room living space designed to include seating, a bed, a bathroom, storage, & a food preparation area.
- **Permitted Zoning Districts.** Low Density Residential (RL), Standard Density Residential (RS), Medium Density Residential (RM), Medium-10 Residential (RM-10), High Density Residential (RH), Mixed-Use Urban (MU) & Mixed-Use Neighborhood (MN) & in the Bend Central District . Micro-unit developments are also permitted as part of a mixed-use development in the Commercial & Mixed-Use Zoning Districts or part of a neighborhood commercial development.
- **Maximum Density.** The maximum density must not exceed that of the relevant zoning district & is based on the following calculation:
  - 4 micro-units = 1 dwelling unit.
  - Exception. Affordable housing.
- **Minimum Lot Area.**
  - RL: 10,000 for the first 4 units + 2,500 sq. ft. per additional unit.
  - RS & RM-10: 4,000 sq. ft. for the first 4 units plus 1,000 sq. ft. per additional unit.
  - RM: 2,500 sq. ft. for the first 4 units plus 625 sq. ft. per additional unit.
  - RH, MU & MN: None

# MICRO-UNITS



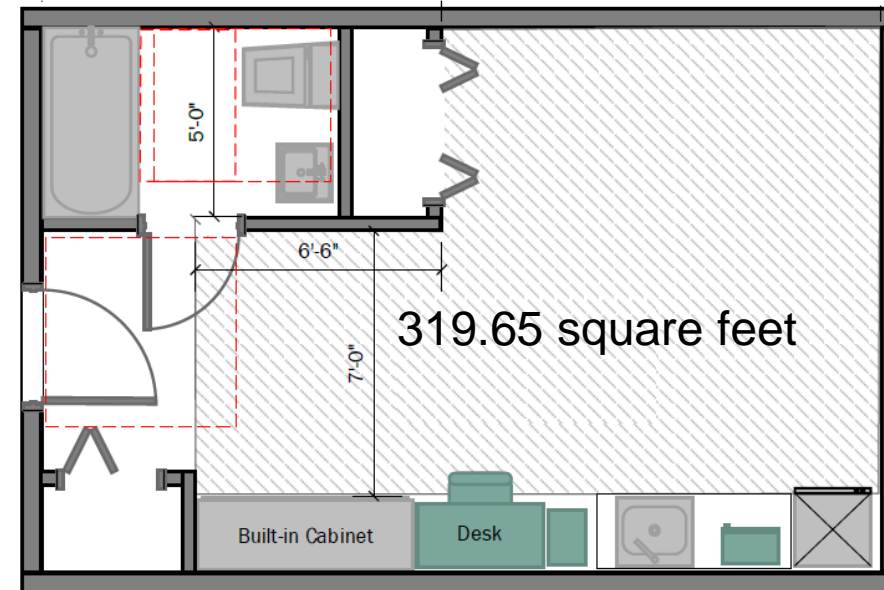
- **Micro-Unit Size**

- Minimum Floor Area: 150 sq. ft.
- Maximum Floor Area: 400 sq. ft., exclusive of lofts
- Exception: Accessible units may be 450 sq. ft., exclusive of lofts



- **Private Facilities**

- Food preparation area - Under the counter refrigerator w/a dedicated outlet, contiguous countertop work area of not less than 4 sq. ft.; & a 20 amp small appliance branch circuit located above the countertop work area.
- Sink
- Bathroom that contains a toilet & a shower and/or bathtub.





- **Common Kitchen**

- 1 common kitchen must be provided for every 10 micro-units or portion thereof.
- Must include a sink larger than 18" X 18", a refrigerator, & a stove, range top, or oven & be a minimum of 120 sq. ft. in area.

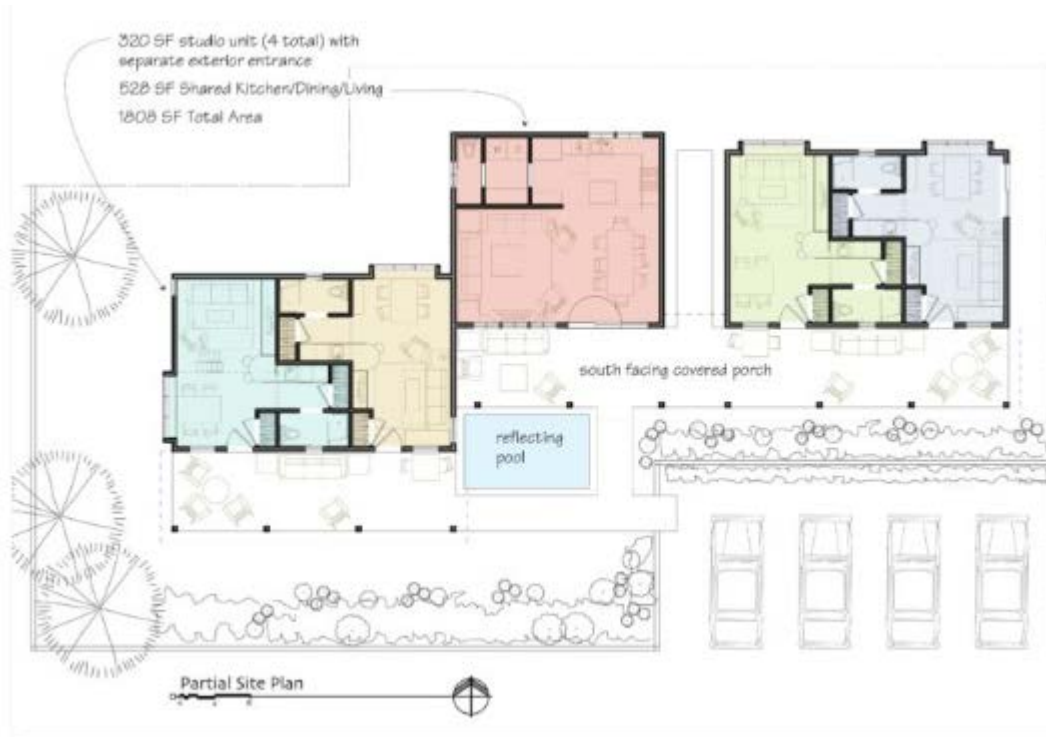
- **Private & Common Space**

- Must contain private space (balconies, courtyards, decks/roof top decks, gardens & patios) &/or common space (atriums, balconies, courtyards, decks/roof top decks, gardens, patios, playgrounds/tot lots, swimming pools, gyms/exercise rooms, living rooms and dining rooms).
- Private space must have a minimum dimension of 5' & the common space must have a minimum dimension of 10'.
- RL: Minimum 20 sq. ft. of private space or 30 sq. ft. of common space per micro-unit.
- RS, RM & RH: Minimum 10 sq. ft. of private space or 20 sq. ft. of common space per micro-unit.



- **Garage & Orientation Standards**
  - There are garage door standards to reduce the prominence of the garage
  - Orientation standards that require at least 1 front door to face the street or a covered walkway or porch for the micro-unit development.
- **Parking Requirements**
  - RL: Minimum 1 space/unit
  - RS, RM, RH, Mixed Use Districts & Commercial Districts: Minimum 0.5 spaces/unit
  - The maximum is 150% of 1/unit
  - When 4 or more required spaces are provided, up to 50% of the required off-street parking spaces may be developed as compact parking spaces.
  - Parking is prohibited between the street & the units when more than 3 parking spaces are provided.
  - When more than 3 parking spaces are provided, backing onto the street is not allowed.
- **Short-term Rentals (STR)**
  - Micro-unit STRs are prohibited.

# 4-MICRO-UNIT DEVELOPMENT



ROSS CHAPIN ARCHITECTS  
Microhouse House  
Lansing, Washington  
V1



320 sq. ft. each (total 1,808 sq. ft.)

Kitchenette with under counter fridge & small sink – no stove

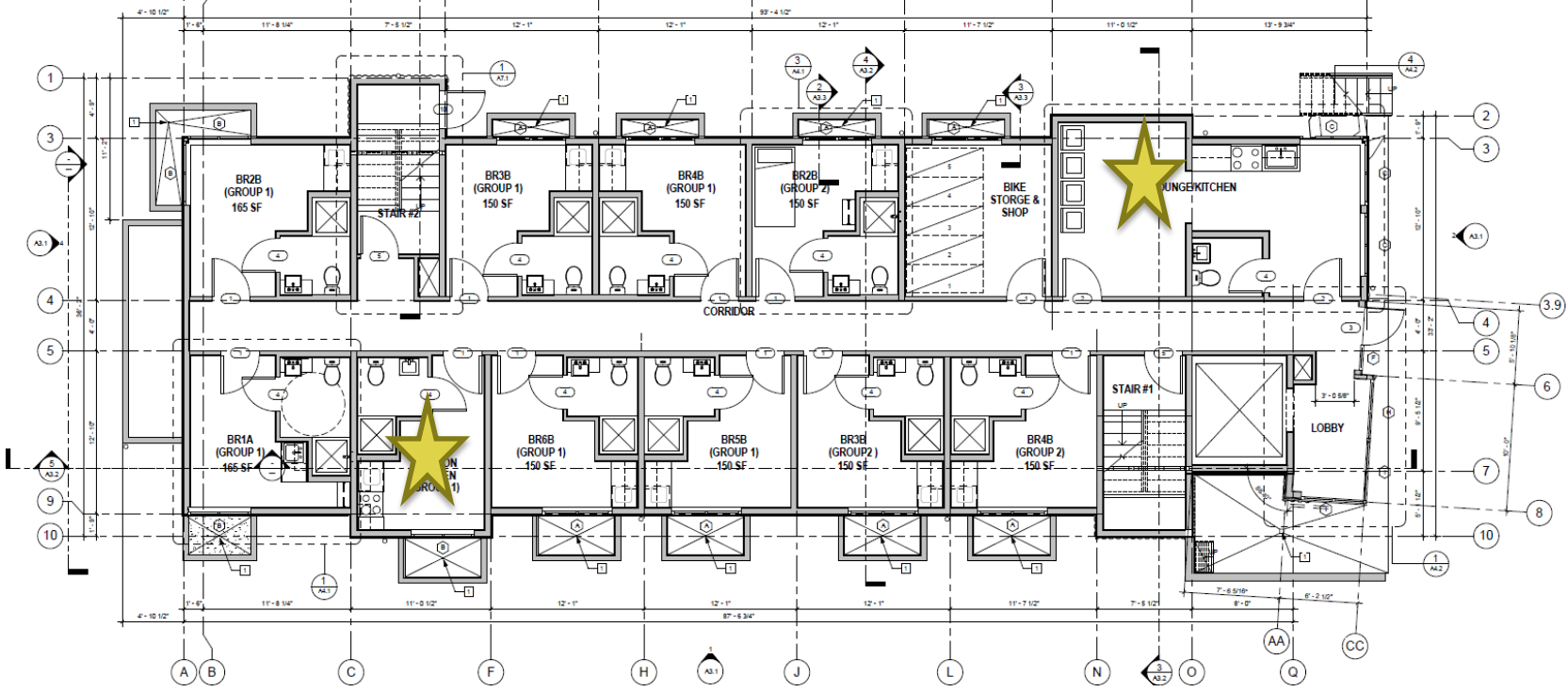
Large common area includes a shared kitchen



# MICRO-UNITS



Portland  
55 units



# SMALL DWELLING UNIT DEVELOPMENT

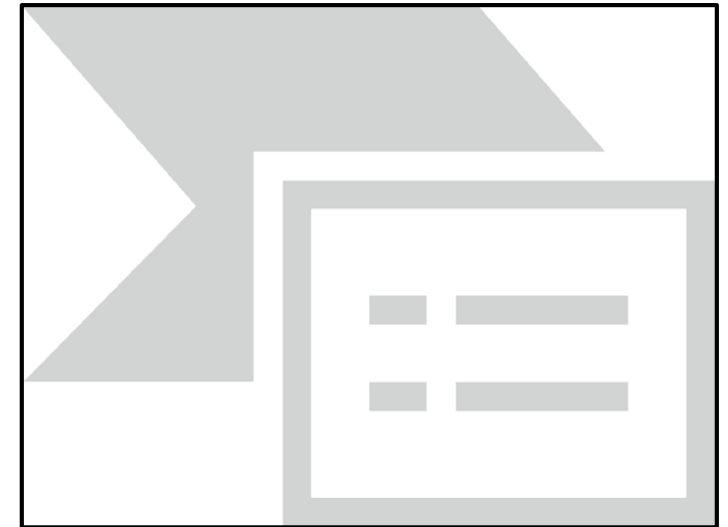


- **Permitted Uses:** Single-family detached dwelling units, ADUs & duplexes.
- **Permitted Zoning Districts.** Standard Density Residential (RS), Medium Density Residential (RM) & Medium-10 Residential (RM-10) Districts.
- **Maximum Density.** Density is calculated on the following floor area:
  - Dwelling units 600 sq. ft. or smaller: 0.25 of a dwelling unit.
  - Dwelling units 601 to 800 sq. ft.: 0.50 of a dwelling unit.
- **Lot Size.** Reduced lot size from 4,000 sq. ft. to 1,500 sq. ft. in the RS & RM-10 Districts & from 2,500 sq. ft. to 1,500 sq. ft. in the RM District.
  - RM – doesn't have a minimum lot size for duplexes. They can choose to use this & the reduced setbacks or build to the regular RM standards.
- **Lot Width.** 20'

# SMALL DWELLING UNIT DEVELOPMENTS



- **Maximum Floor Area.** Maximum floor area for any dwelling unit is 800 sq. ft., except ADUs must not exceed 600 sq. ft. When 2 dwelling units are developed onsite (i.e., a duplex or a single-family detached dwelling unit with an ADU) the maximum total floor area permitted for all dwelling units is 1,200 sq. ft., cumulatively.
- **Setbacks.**
  - Side setback: 3'
  - Rear setback: 3' for a dwelling unit or accessory structure not exceeding 25' in height.
  - Eave Exception. Eaves can be no closer than 2' to the side & rear property lines.
- **Garage Standards.** Reduce the prominence of the garage.
- **Parking Requirements.** 1 space/dwelling unit except ADUs.

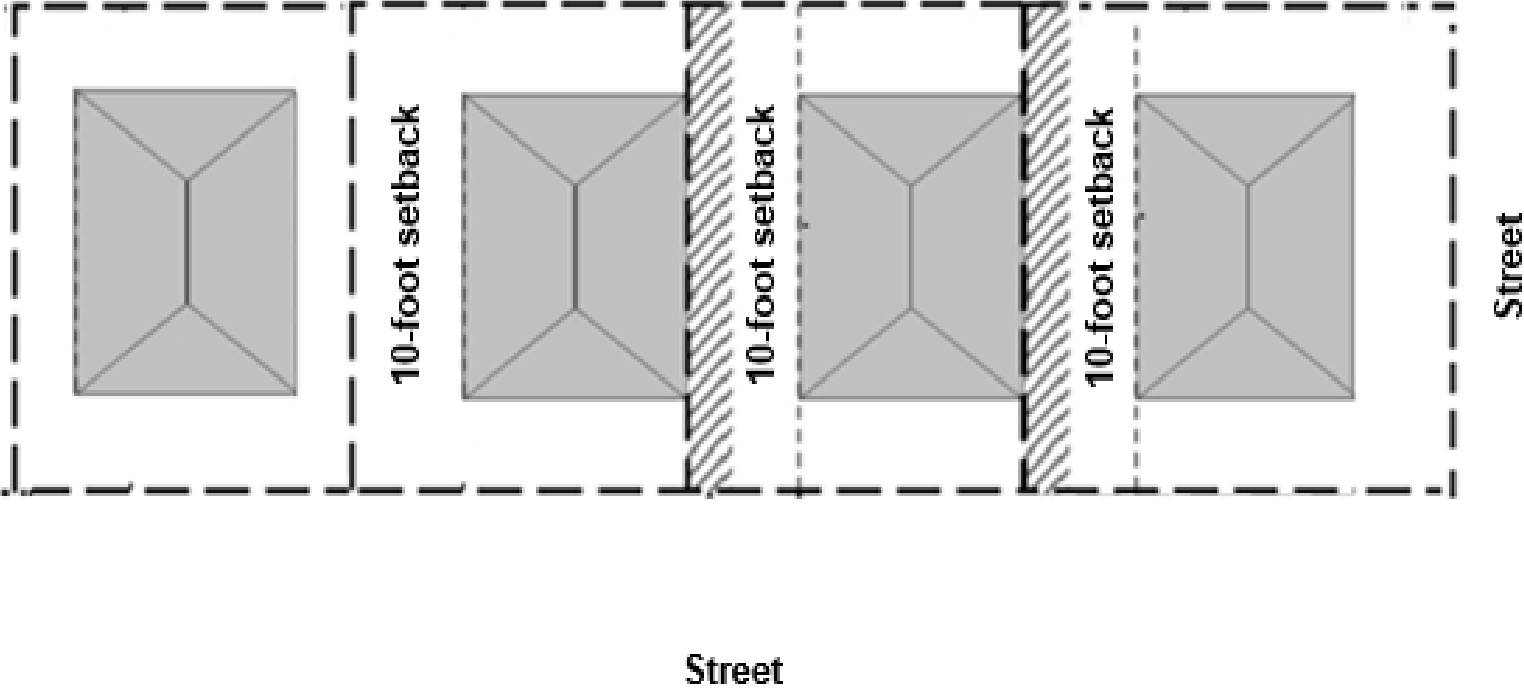


## ZERO LOT LINE DEVELOPMENT



- **Zero Lot Line Developments.** Allows single-family detached dwelling units, duplexes & ADUs to be constructed with a zero side setback while maintaining a 10' setback on the other side (except small dwelling unit developments would require a 6' setback). This concept is intended to provide more usable yard area & provide development flexibility.
- **Permitted Zoning Districts.** Standard Density Residential (RS), Medium Density Residential (RM) & Medium-10 Residential (RM-10) Districts.
- **Privacy Standard.** In order to maintain privacy, no windows, doors, air conditioning units, or any other types of openings in the walls along a zero lot line will be allowed.
- **Maintenance and Drainage Easement.** A five foot maintenance and drainage easement will be required on the lot or parcel abutting the zero lot line property line.

# ZERO LOT LINE DEVELOPMENT



 5-foot easement



**08/10/20** – PC work session with AHAC, NLA and BEDAB

**08/24/20** - Planning Commission Public Hearing

**09/16/20** - City Council Work Session

**10/07/20** - City Council Public Hearing

**10/21/20** - City Council Second Reading

**11/20/20** - Effective Date

Questions?