

## ORDINANCE NO. NS - 2398

### **AN ORDINANCE AMENDING BEND DEVELOPMENT CODE (BDC) CHAPTERS 1.2, DEFINITIONS, 2.7, SPECIAL PLANNED DISTRICTS, REFINEMENT PLANS, AREA PLANS AND MASTER PLANS, 3.4, PUBLIC IMPROVEMENT STANDARDS, AND 4.7, TRANSPORTATION ANALYSIS.**

#### Findings:

- A. The application was processed in accordance with Bend Development Code (BDC) 4.1.500. The City provided timely and sufficient notice of the legislative changes pursuant to Section 4.1.515 of the Bend Development Code.
- B. The City submitted a Notice of Proposed Amendment to the Oregon Department of Land Conservation and Development on November 4, 2020.
- C. Notice of the December 14, 2020, Planning Commission public hearing was printed in the Bend Bulletin on November 22, 2020, emailed to the neighborhood associations on November 16, 2020, and mailed to the neighborhood associations on November 17, 2020. A notice of the February 3, 2021, City Council public hearing was printed in the Bend Bulletin on November 22, 2020, and emailed and mailed to the neighborhood associations on December 31, 2020.
- D. On November 9, 2020, the Planning Commission, along with members from the Affordable Housing Advisory Committee (AHAC), Neighborhood Leadership Alliance (NLA), and Bend Economic Development Advisory Board (BEDAB) held a joint work session and discussed the amendments.
- E. On December 14, 2020, the Planning Commission held a public hearing on Project Number PZ 20-0778 (PL20-0778), and began deliberation. The Planning Commission voted to recommend that the City Council approve the proposed text amendments in Exhibit A.
- F. The City Council held a public hearing on February 3, 2021, to accept evidence, receive public testimony, and consider the Planning Commission's recommendation. After considering the evidence, testimony and Planning Commission's recommendation, as well as the planning staff presentation, the City Council finds that the amendments satisfy the criteria for approval contained in Section 4.6.200 of the Bend Development Code and that the amendments to the Bend Development Code should be approved.

#### **Based on these findings, THE CITY OF BEND ORDAINS AS FOLLOWS:**

Section 1. The Bend Development Code is amended as depicted in attachment Exhibit A.

Section 2. In addition to the findings set forth above, the City Council adopts and incorporates the findings in Exhibit B.

First Reading: February 3, 2021

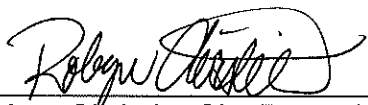
Second reading and adoption by roll call vote: February 17, 2021

YES: Mayor Sally Russell  
Mayor Pro Tem Gena Goodman Campbell  
Councilor Barb Campbell  
Councilor Melanie Kebler  
Councilor Anthony Broadman  
Councilor Megan Perkins  
Councilor Rita Schenkelberg

NO: none

  
\_\_\_\_\_  
Sally Russell, Mayor

Attest:

  
\_\_\_\_\_  
Robyn Christie, City Recorder

Approved as to form:

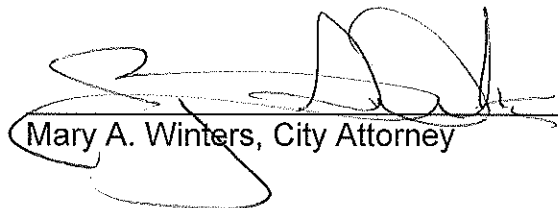
  
\_\_\_\_\_  
Mary A. Winters, City Attorney

Exhibit A  
DRAFT  
Development Code Update  
December 14, 2020

Prepared by:  
City of Bend Planning Division

Note:

Text in underlined typeface is proposed to be added

Text in ~~striketrough~~ typeface is proposed to be deleted

\*\*\*Indicates where text from the existing code has been omitted because it will remain unchanged.

Chapter 1.2  
DEFINITIONS

\*\*\*

Medical and dental laboratories mean labs designed for diagnostic testing and analysis for medical or dental purposes and the discovery, development, and manufacture of drugs and medications (pharmaceuticals).

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Chapter 2.7  
SPECIAL PLANNED DISTRICTS, REFINEMENT PLANS, AREA PLANS AND MASTER PLANS

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Article XI. Juniper Ridge Overlay Zone

2.7.2000 Juniper Ridge Overlay Zone.

2.7.2010 Purpose.

2.7.2020 Implementation.

2.7.2030 Employment Sub-District.

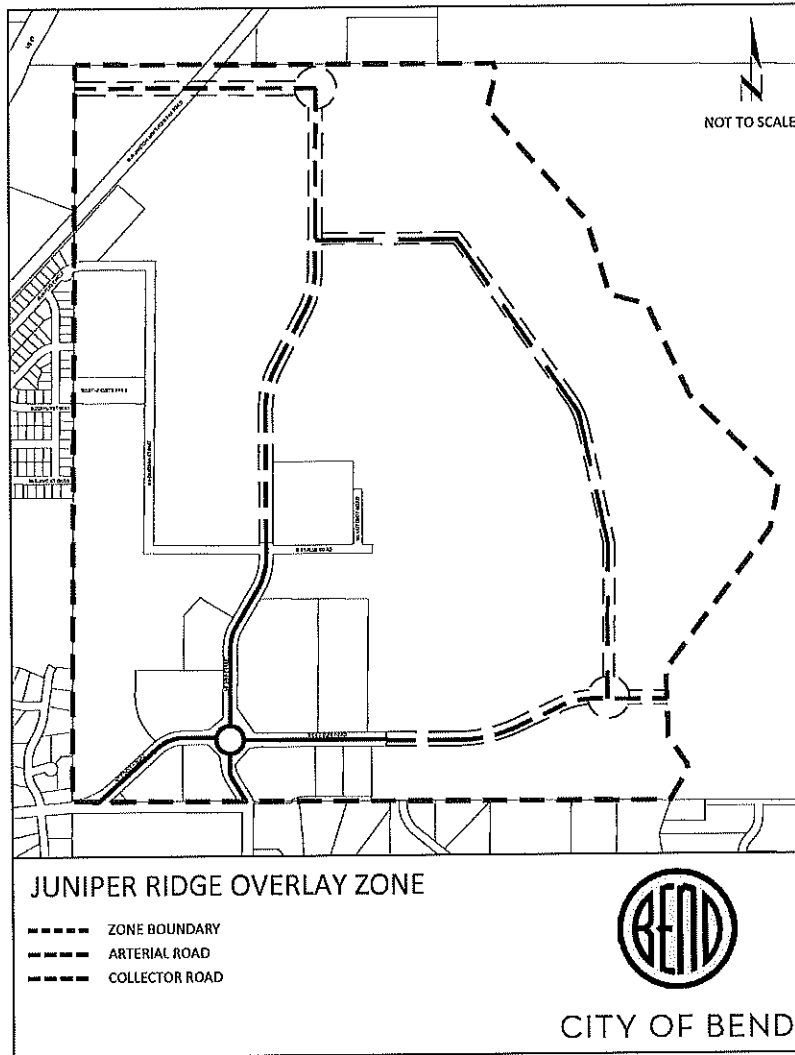
2.7.2040 ~~Town Center Sub-District~~—Reserved for Future Sub-District.

2.7.2050 ~~Educational Sub-District~~— Reserved for Future Sub-District.

2.7.2060 ~~Residential Sub-District~~— Reserved for Future Sub-District.

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**2.7.2030 Employment Sub-District.**

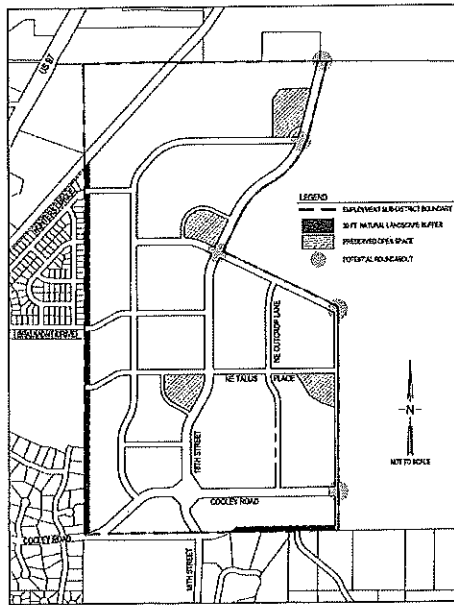
A. Purpose. The Juniper Ridge Employment Sub-District is a 306-acre area that is intended to promote economical, sustainable, and reasonable growth by allowing a mix of light industrial and commercial uses, ~~offices for research and development, corporate and regional headquarters and accessory uses to serve the needs of these primary uses~~ that support employment. The Employment Sub-District will:

- Provide a variety of employment opportunities.
- Promote efficient use of the land.
- Promote pedestrian and other multi-modal transportation options.
- Ensure compatibility of uses within the development and with the surrounding areas.

- Create an efficient, interconnected system of streets with standards appropriate to the intensity and type of adjacent use.
  - Create safe and attractive streetscapes that will meet emergency vehicle access requirements and enhance pedestrian and bicycle access.
- B. ~~Applicability.~~ The Employment Sub-District Overlay shall ~~apply~~ applies to all lands that are zoned Industrial Light (IL) and within the boundaries of the Juniper Ridge Overlay Zone depicted in Figure 2.7.2030.A. The standards of this section shall ~~supersede~~ those of the underlying zone unless no special standards within the sub-district are provided.
- ~~C. Infrastructure Implementation.~~ Development within the Employment Sub-District shall not occur unless adequate public facilities are in place to serve the property prior to occupancy.
- ~~D. Transportation Management Association (TMA).~~ A TMA organized to operate in a manner that is consistent with the Transportation Demand Management goals and policies in the City's Transportation System Plan and BDC Chapter 4.7 will be developed for the Employment Sub-District. All site development review applications within the Employment Sub-District that are subject to review under BDC Chapter 4.2 shall demonstrate conformance with Employment Sub-District TMA program requirements.
- ~~C.~~E. Permitted and Conditional Uses. The land uses listed in Table 2.7.2030.A are allowed in the Employment Sub-District, subject to the provisions of this chapter. Only land uses that are specifically listed in Table 2.7.2030.A and land uses that are approved as "similar" to those in Table 2.7.2030.A may be allowed.
- ~~F. Limitations on Permitted Uses.~~ Small-scale personal and professional service uses shall be limited to an aggregate area total within the Employment Sub-District not to exceed 30,000 square feet.
- ~~D. G.~~ Determination of Similar Land Uses. Similar use determinations shall be are made in conformance with the procedures in BDC 4.1.1400, Declaratory Ruling.

**Figure 2.7.2030.A Employment Sub-District Map**

Delete following figure



Add following figure

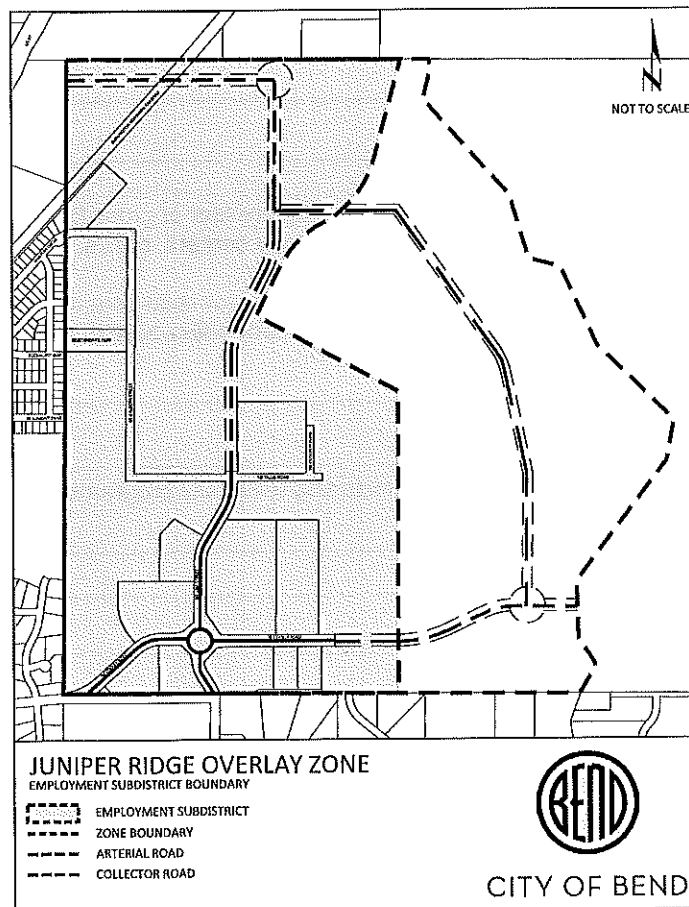


Table 2.7.2030.A Permitted Land Uses

Land Use	Employment Sub-District
Light manufacturing, fabrication, assembly and repair with incidental sales associated with a permitted use	P
Heavy manufacturing, assembly and processing of raw materials and recycling	C
Wholesale distribution, warehousing and storage	P
<u>Industrial service (e.g., cleaning, repair)</u>	<u>P</u>
Research and development facilities	P
Production office (e.g., IT support centers, biotechnology, software/hardware development, broadcast and production studios/facilities.)	P
Wholesale processing uses (e.g., dry cleaning, laundry)	C_P
<u>Retail Fuel Outlet</u>	<u>P</u>
<u>Fuel Distribution</u>	<u>C</u>
<u>Vehicle, equipment and boat repair, rental, storage, service</u>	<u>P</u>
<u>Outdoor commercial uses (e.g., outdoor storage, building and garden supply)</u>	<u>P</u>
Food and beverage processing and packaging	P
Medical and dental laboratories and veterinary clinics	P
Small-scale personal and professional services <ul style="list-style-type: none"> <li>• Within a freestanding or multi-tenant building, up to 2,500 <del>10,000</del> square feet of gross floor area (e.g., coffee shop/deli, dry cleaners, barber shops and salons, copy centers, banks, financial institutions, and similar uses)* shall be <del>are</del> allowed</li> <li>• <del>Within a freestanding or multi-tenant building, up to 10,000 square feet for child care, fitness center and similar uses shall be allowed when a site has frontage and/or direct access to an arterial or collector street.</del> <u>Childcare, no size limit</u></li> </ul>	P
Corporate headquarters/regional corporate office	P
Trade, vocational, technical, professional, business schools including university programs serving industrial needs	P
<u>Offices and Clinics</u>	<u>P</u>
Professional consulting services	P
Industrial and professional equipment and supply sales	P
Professional office accessory to a primary use, in the same building, up to 30% of the floor area of the primary use	P
<u>Convention Center/Meeting Rooms</u>	<u>P</u>
<u>Hospitals</u>	<u>P</u>
*Utilities (above ground)	P
Public park and <u>public</u> recreation facility (not including private open space)	C_P



Table 2.7.2030.A Permitted Land Uses

Land Use	Employment Sub-District
Recreation facility (privately owned)	P
Wireless and broadcast communication facilities	See BDC Chapter 3.7
Publicly owned buildings such as City Hall, County courthouse, administrative buildings, library, museum, fire station, public safety training facilities, and similar structures, but excluding correctional facilities	P
Government facilities where the public is generally not received (e.g., public safety, utilities, school district bus facilities, public works yards, transit and transportation, and similar facilities)	P
Residential Caretaker unit: 1 unit shall be permitted for each development	P

**Key to Permitted Uses**

P = Permitted

C = Conditional Use

\* In conformance with BDC 2.4.800, Special Development Standards. Special standards in conformance with BDC Chapter 3.6, Special Standards for Certain Uses.

E-H: Vehicle Trip Limit. Development within the Employment Sub-District shall be is limited to a maximum of 2,220 p.m. peak hour vehicle trips that will be allocated consistent with the terms of Intergovernmental Agreement No. 27115 and phased in accordance with the following mitigation table:

Table 2.7.2030.B Mitigation Improvements

PHASE	P.M. PEAK HOUR TRIPS	MITIGATION IMPROVEMENT
1	700	Empire Avenue/18th Street Roundabout
		Empire Avenue/US-97 Northbound Ramp Terminal
		Empire Avenue/US-97 Southbound Ramp Terminal Third Street to US-97
2	600	US-97 Improvements between Nels Anderson and Bowery Lane
3	580	18th Street Corridor Improvements Cooley Road to Empire Avenue
4	340	US-97 Southbound Improvements Empire Avenue to Butler Market Road
		Purcell Street Extension Cooley Road to Yeoman Road

1. The Vehicle Trip Limit shall ~~will~~ be the considered the Employment Sub-District Transportation Mitigation Plan and shall ~~will~~ apply to all land use applications that propose development that will generate peak hour vehicle trips. A p.m. peak hour trip is defined as a trip occurring between 4:00 p.m. and 6:00 p.m., as further defined by the Institute of Transportation Engineers Trip Generation Manual.
2. No land use application shall ~~will~~ be deemed complete unless it includes a Traffic Impact Analysis (TIA) that complies with the City of Bend standards for preparing a TIA identified in BDC Chapter 4.7, and includes an evaluation of Transportation Demand Management Measures (TDM) that will minimize peak hour vehicle trips generated by the proposed development.
3. The City shall ~~must~~ provide written notification to ODOT when a land use application is deemed complete at least 20 days before a decision is issued.
4. Peak hour vehicle trip allocations are committed upon City approval of the proposed land use action and will expire consistent with BDC 4.1.1310(B).
5. Land use applications in any phase that propose development that will generate peak hour trips that (a) exceed the peak hour trip thresholds identified in Table 2.7.2030.B, Mitigation Improvements, prior to the construction of local street improvements, or (b) prior to the execution of a Cooperative Improvement Agreement for the construction of improvements on State highway facilities, or (c) exceed the cumulative total vested peak hour vehicle trips for the phase in which the application is submitted, may be approved only if they meet the requirements of OAR 660-012-0060.

The City shall ~~will~~ not grant site plan approval for any development proposal that exceeds a cumulative site total of 2,050 peak hour trips until all Phase 4 mitigation improvements identified in Table 2.7.2030.B, Mitigation Improvements, are constructed or agreed to be constructed in Cooperative Improvement Agreement(s) or Development Agreement(s).

F.4. Development Standards.

**Table 2.7.2030.C Development Standards**

Maximum Building Height	65 feet
Minimum Front Yard Setback	10 feet
Maximum Front Setback on Primary Street Frontage	30 feet
Minimum Primary Street Frontage	50 feet
Minimum Side Yard Setback	0 feet (100 feet when abutting a Residential Zone)
Minimum Rear Yard Setback	0 feet (100 feet when abutting a Residential Zone)
Maximum Building Coverage	50 percent of total lot area

J. ~~Additional Development Standards.~~

1. Off-Street Parking and Loading. Off-street parking and loading spaces shall must be provided as required in BDC Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking. All off-street parking or loading areas and access drives shall must be paved and continually maintained.
2. Block Length and Perimeter. Figure 2.7.2030.B depicts the interconnected, multi-modal transportation network for the Employment Sub-District. Therefore, the block length and perimeter standards of BDC 3.1.200 are not applicable in the Employment Sub-District. If during development review it is determined that the street alignments shown in Figure 2.7.2030.B cannot be met due to topography, natural features or other development-related barriers, any development approval for such areas shall must provide walkways or access ways in conformance with the provisions of BDC 3.1.300, Multi-Modal Access and Circulation.
3. Parking and Loading Setback. Where the Employment Sub-District abuts a Residential Zone, any off-street parking and loading areas shall must be set back at least 30 feet from the abutting residential property line and the setback area shall must be landscaped a minimum of 30 feet to provide a buffer along the adjoining residential property. Landscaping shall must be maintained by the property owner and shall conform to the standards in BDC 3.2.200, Landscape Conservation, and 3.2.300, New Landscaping.
4. Maintenance of Undeveloped Property. All undeveloped property on a developed site shall must be either left in a natural state, or landscaped and continually maintained according to the requirements and standards in BDC 3.2.200, Landscape Conservation, and 3.2.300, New Landscaping.
- ~~5. Prohibition of Nuisance Activities. All development shall be designed and constructed so that operation of the uses on the property will not create a nuisance or hazard on any adjacent property or right-of-way from noise, vibration, heat, glare, dust, or odorous, toxic or noxious matter.~~
- ~~5.6. Parking and Circulation. No vehicle circulation or parking except for access driveways shall is be permitted within any minimum front yard setback area.~~
- ~~6.7. Corner Lots and Through Lots. For buildings on lots with more than one street frontage or through lots, the minimum front yard setback standards in Table 2.7.2030.C shall must be applied to all street frontages. The maximum setback standard shall must be applied to only one of the frontages. Where the abutting streets are of different classifications, the maximum setback standard shall must be applied to the higher classification of street.~~
- ~~7.8. Fencing and Screening. The standards and exceptions set in BDC Chapter 3.2.500, Fences and Retaining Walls, apply, unless otherwise specifically stated below.~~
  - a. Perimeter Fencing. Lot perimeter fencing is only permitted within the Employment Sub-District under the conditions set forth in Table 2.7.2030.D, Fencing and Screening Conditions.

- b. Standard Fencing. Standard nondecorative fencing may be installed in areas not visible from street rights-of-way or adjoining properties within the Employment Sub-District. Standard fencing also may be used as specified in Table 2.7.2030.D. A minimum quality of standard fencing shall must be black vinyl-coated chain link.
- c. Upgraded Fencing. Upgraded fencing shall must be provided as specified in Table 2.7.2030.D. Upgraded fencing is intended to provide limited security, discourage trespass, and provide an informative demarcation between uses (e.g., public/private, institutional/private/public, etc.). Design considerations for upgraded fencing shall must include:
- Simplicity as opposed to excessive ornamentation.
  - Low maintenance/ease of landscape maintenance on each side.
  - Respect for the design theme of established development on adjacent parcels.
  - A clear relationship to the building's architecture.
  - Consideration of a standard design where a large property shares a common boundary with several smaller properties.
- d. Architectural Screen Walls. Architectural screen walls shall must be used to screen service and loading areas; above-ground utilities such as transformers and generators, exterior material and equipment storage areas, work yards, and trash and/or recycling areas. Architectural screen walls may be used to screen other on-site amenities such as private patios and employee break areas. Architectural screen walls shall must be integrated into the overall building architectural statement, employing materials and colors drawn from the building design palette. The size of an area enclosed by an architectural screen wall shall must be the minimum necessary to accommodate the facility or operation that is to be screened.
- ~~e. Fencing and Screening on Steep Slopes. Properties with more extreme variations in topography (e.g., substantial slopes adjacent to relatively flat areas) shall employ fencing and/or screening design approaches that are thoughtfully integrated with the site's unique characteristics while fulfilling the overall functional intent of these features. Stair-step fence profiles shall be avoided.~~

Table 2.7.2030.D Fencing and Screening Conditions

Condition	Subcondition	Required Treatment (Minimum Standard)
Property line adjacent to a public right-of-way	Improved right-of-way	Upgraded Fencing
	Unimproved right-of-way	No requirement prior to development
Property line adjacent to the railroad line across the northwest corner of the site		Standard Fencing
Property line on the west and south perimeter of Juniper Ridge Employment Sub-District	Adjacent to residential zoned property	Standard Fencing
	Adjacent to commercial zoned property	Upgraded Fencing <u>Standard Fencing</u>
	Adjacent to permanent open space	Upgraded Fencing <u>Standard Fencing</u>
	Adjacent to public facility zoned property	Standard Fencing
Property line shared between two abutting lots	When properties share a common property line	No fencing allowed if it interferes with shared access/parking; <u>Upgraded Fencing Standard Fencing</u> if it does not interfere with shared access/parking; Architectural Screen Wall if exterior loading or storage
Property line adjacent <del>abutting</del> to a park <del>or open space</del>		Upgraded Fencing
Property line on the east perimeter of the Employment Sub-District	Adjacent to Residential or mixed-use	Upgraded Fencing
	Adjacent to higher education land uses	Upgraded Fencing
Fencing/screening around a loading or exterior storage area	Visible from right-of-way	Architectural Screen Wall
	Not visible from right-of-way	Standard Fencing
Screening around a trash and/or recycling enclosure or exterior storage		Architectural Screen Wall
Fencing around a secure parking lot	Visible from right-of-way	Upgraded Fencing
	Not visible from right-of-way	Standard Fencing

G. K. Employment Sub-District Street Alignments. Figure 2.7.2030.B, the Juniper Ridge Employment Sub-District Transportation Plan Map, depicts the conceptual alignment of the Sub-District transportation network. Precise street

alignments shall will be determined through the development review process. Alternate alignments may be approved in accordance with subsection (J)(2) of this section, or if it is demonstrated through the development review process that equivalent or improved safety and circulation will be achieved. ~~The final multi-use path alignment shall be established prior to either the associated land division or Site Development Review, whichever occurs first.~~ To ensure consistency, amendments to street classifications in the TSP are incorporated into Figure 2.7.2030.B, i.e., if the TSP is amended to reclassify a collector street as an arterial, Figure 2.7.2030.B is equally amended.

~~H. L. Employment Sub-District Street Cross-Sections.~~ Figures 2.7.2030.C.1 and 2.7.2030.C.2 depict the typical street cross-sections in the Employment Sub-District. Alternative cross-sections that respond to site-specific circumstances may be approved by the City Engineer through the development review process.

~~I. M. Employment Sub-District Access Standards.~~ Due to large block sizes and large lot sizes, multiple access points to each lot in the Employment Sub-District will be permitted, including accesses to higher order transportation facilities, as long as the standards of this section are met. The following additional access standards supersede the vehicular access management standards of BDC Chapter 3.1.

~~1. Minimum Access Spacing.~~

~~a. Access points on local streets shall be a minimum of 10 feet apart as measured from edge of driveway to edge of driveway.~~

~~b. Access points on collector streets shall be a minimum of 300 feet apart as measured from centerline of access to centerline of access.~~

~~c. Access points on arterial streets shall be a minimum of 300 feet apart as measured from centerline of access to centerline of access.~~

~~2. Additional Access Standards.~~

~~a. 1. The City may require Driveways onto arterials and collectors may have directional restrictions (i.e., right-in/right-out only) for driveways onto arterials and collectors depending on the roadway's characteristics, including number of lanes, queuing at nearby intersections/driveways, and locations of signals or roundabouts, and locations of conflicting accesses. Directional restrictions will be determined in compliance with BDC Chapter 4.7, Transportation Analysis.~~

~~b. Directional restrictions will be determined by the City Engineer after a review of the Transportation Impact Analysis provided by the applicant.~~

~~e. Crossing of the multi-use path by driveways shall not be allowed unless there are no other access options for the site. If allowed, a driveway access crossing a multi-use path shall be constructed to provide shared access to adjacent property, when applicable.~~

~~d. Driveways shall not be located within 300 feet of an intersection.~~

~~e. 2. Only one access is permitted per street frontage (including shared access); however, lots Lots may have multiple street access points, so long as minimum access spacing requirements are met and the total number of access points does not exceed three (3).~~

~~f. The centerlines of driveways are required to align across arterials and collectors to minimize conflicting turning movements and allow for adequate turn storage.~~

~~g. 3. Shared access may be required, in order to comply with these access requirements. All access driveways on local truck roads shall must provide shared access to adjacent property to the extent practicable. The City may require shared access.~~

~~3.4. Exceptions to the Access Standards of This Section. Alternate access may be approved by the City Engineer if operations and safety of the public road system, and AASHTO intersection sight distances are maintained as demonstrated in compliance with BDC Chapter 4.7, Transportation Analysis, all of the following criteria are met:~~

~~a. The minimum access spacing standards of this section cannot be met.~~

~~b. Shared access with an adjoining property cannot be established.~~

~~c. Access to the roadway at the proposed location is critical to the function of the development on the property.~~

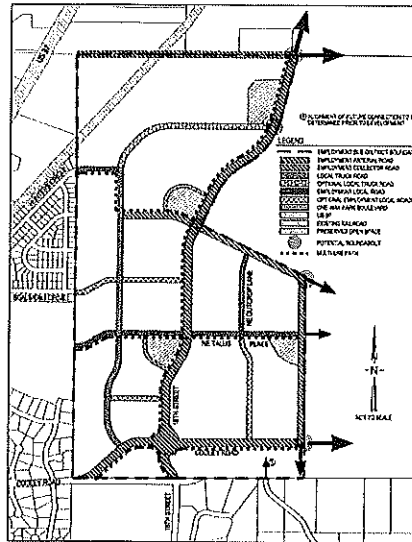
~~d. Operations and safety of the public road system is maintained for a minimum analysis period of 15 years as demonstrated in a Transportation Impact Analysis, including an assessment for the 95 percent queue. The queuing between the proposed driveway and an intersection shall must not overlap.~~

~~e. On arterial and collector streets, directional turn restrictions are applied.~~

~~f. AASHTO intersection sight distances are available at the proposed access point.~~

Figure 2.7.2030.B Employment Sub-District Transportation Plan Map

Delete following figure



Add following figure

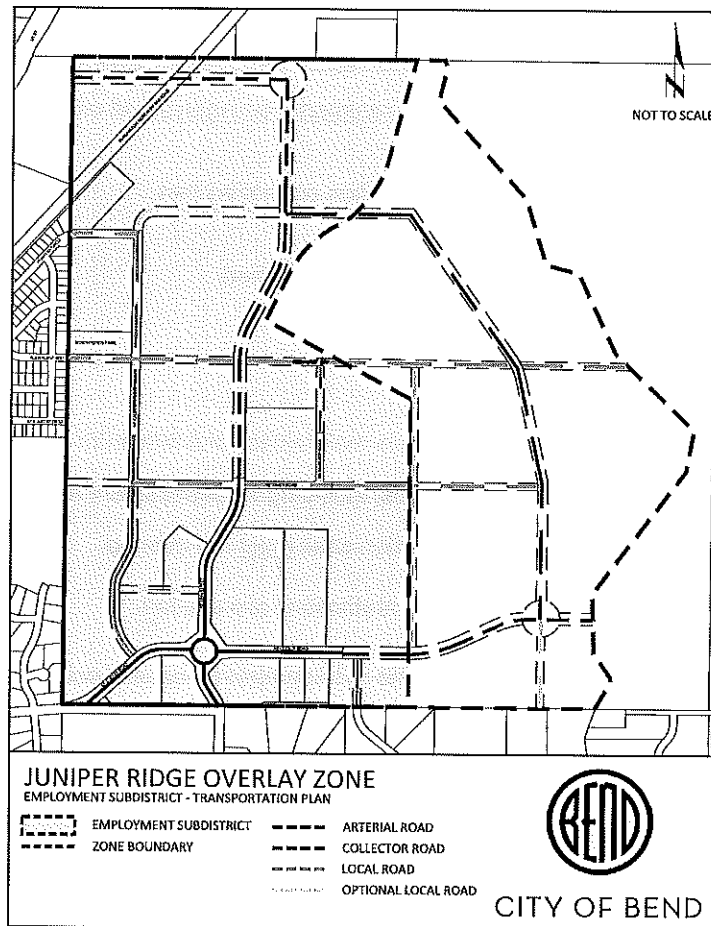
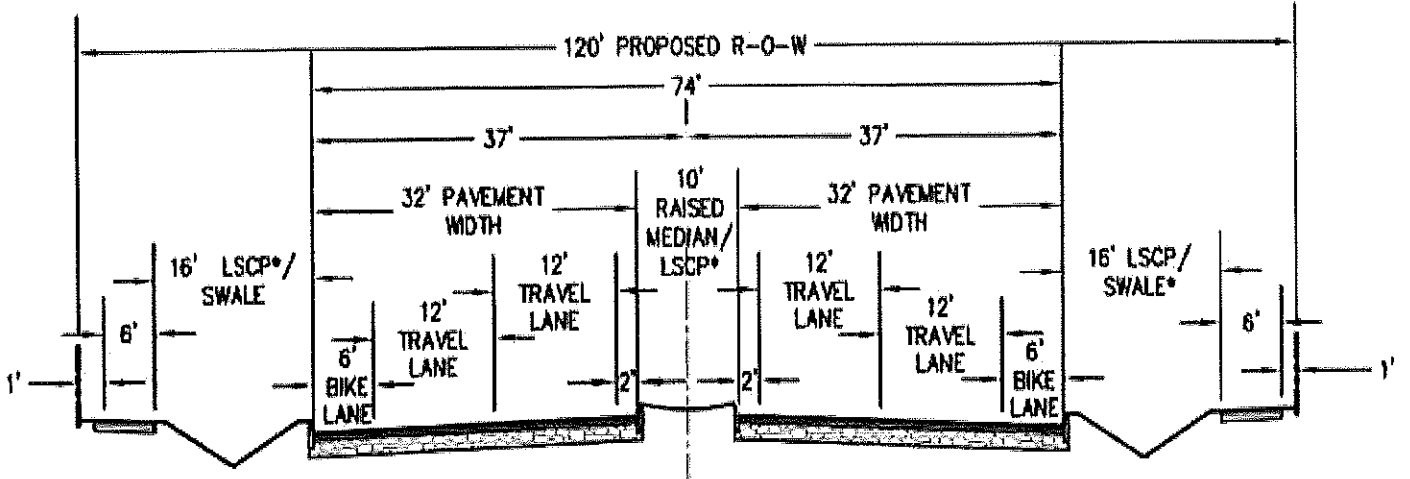




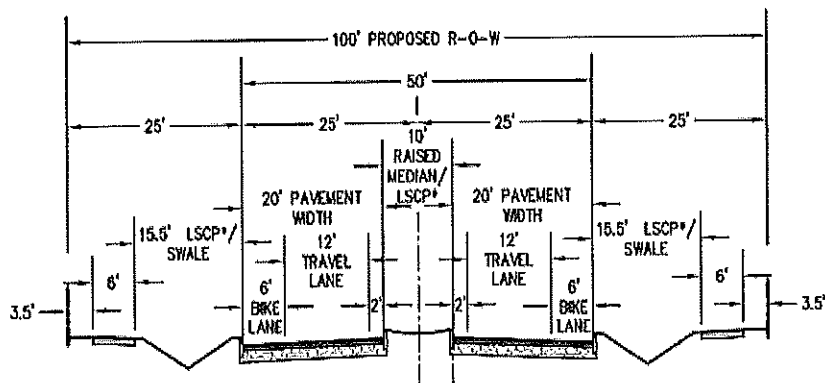
Figure 2.7.2030.C.4

Employment Sub-District Street Cross-Sections

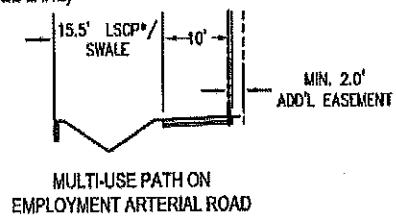
Delete following 120' proposed R-O-W cross section and Juniper Ridge Employment Sub-District Employment Arterial Road (Five Lane)



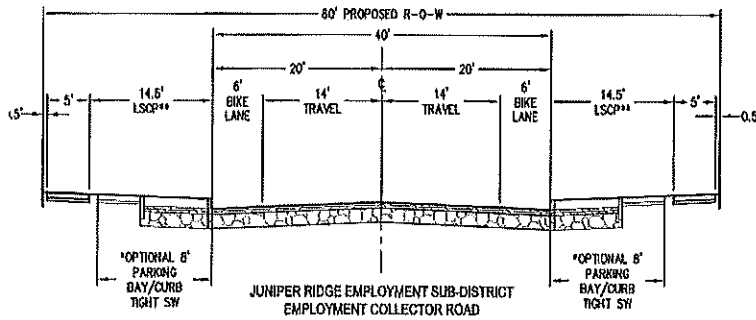
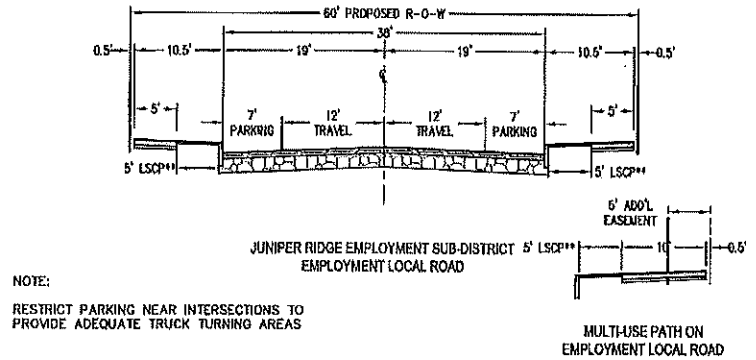
JUNIPER RIDGE EMPLOYMENT SUB-DISTRICT  
EMPLOYMENT ARTERIAL ROAD (FIVE LANE)



JUNIPER RIDGE EMPLOYMENT SUB-DISTRICT  
EMPLOYMENT ARTERIAL ROAD (THREE LANE)

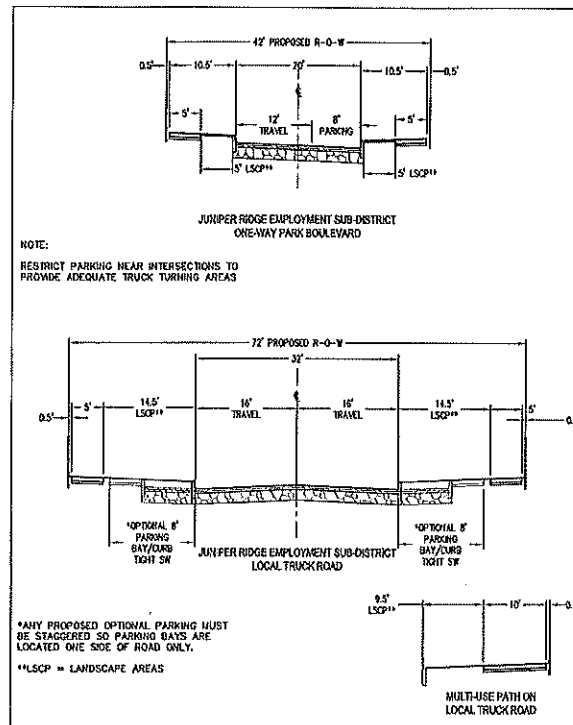


**Figure 2.7.2030.C.2  
Employment Sub-District Street Cross-Sections**



\*ANY PROPOSED OPTIONAL PARKING MUST BE STAGGERED SO PARKING BAYS ARE LOCATED ONE SIDE OF ROAD ONLY.  
\*\*LSCP = LANDSCAPE AREAS

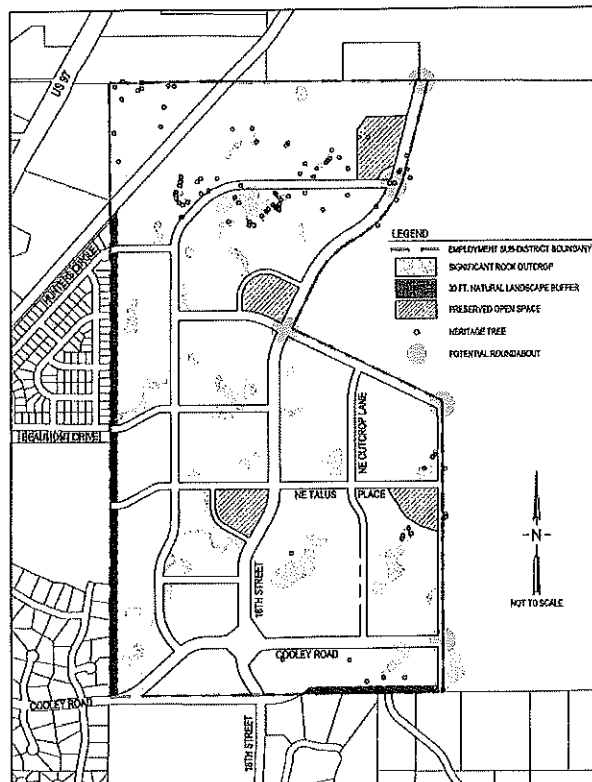
**Figure 2.7.2030.C.3  
Employment Sub-District Street Cross-Sections**



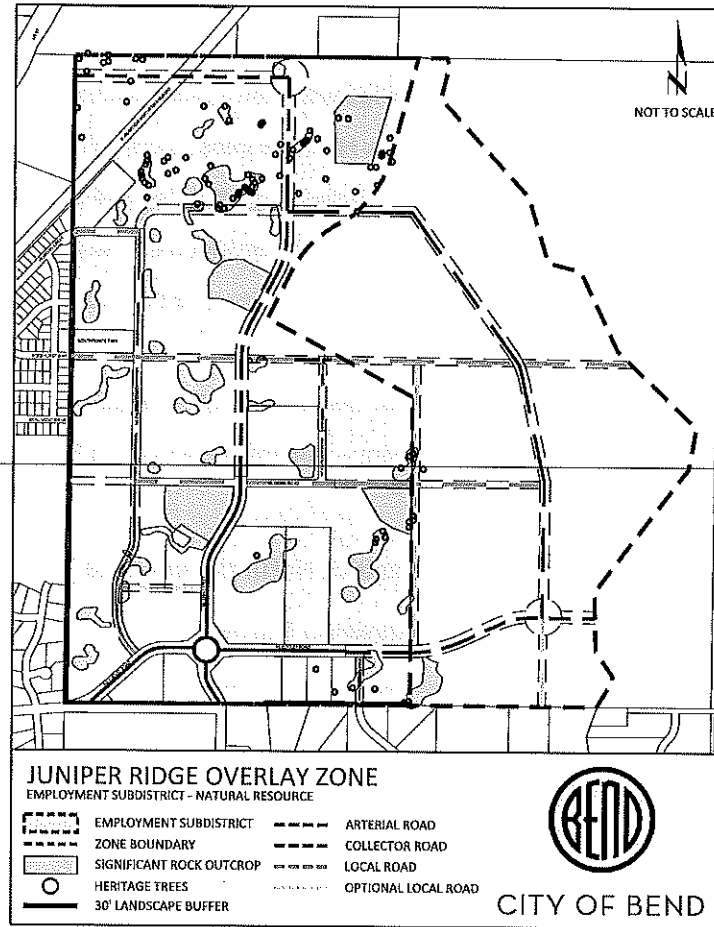
J. N. Employment Sub-District Natural Resource Areas. Heritage trees, significant rock outcrops, preserved open spaces and natural landscape buffers within the Employment Sub-District are identified in Figure 2.7.2030.D, Employment Sub-District Natural Resource Identification Map. Open space areas are required to be retained and no development will be allowed in them. Natural landscape buffers are required to be maintained with native landscaping or, if they are disturbed by adjacent site development, to be revegetated with native landscaping. Heritage trees and significant rock outcrops are defined in the ~~Juniper Ridge Design Guidelines, Chapter 1.1, Key Site Attributes, and identified in Figure 2.7.2030.D.~~ They are mapped solely with the intention of providing guidance to site design and site development, with the overall goal of preserving as many of these resources as is practicable. The City may allow one or more of the exceptions to development standards listed in BDC 3.2.200(D) (landscape conservation), if heritage trees and/or significant rock outcrops identified in Figure 2.7.2030.D are preserved by a proposed development. The identification of heritage trees in Figure 2.7.2030.D is based upon the Phase I: Juniper Ridge Ecological Site Assessment – Summary Report and Maps, prepared by Gene Hickman and Matt Shinderman, 2007.

**Figure 2.7.2030.D Employment Sub-District Natural Resource Identification Map**

**Delete following figure**



**Add following figure**



**2.7.2040 ~~Town Center Sub-District~~ – Reserved for Future Sub-District.**

(This section shall will be developed and codified at a future date to be determined.)

**2.7.2050 ~~Educational Sub-District~~ – Reserved for Future Sub-District.**

(This section shall will be developed and codified at a future date to be determined.)

**2.7.2060 ~~Residential Sub-District~~ – Reserved for Future Sub-District.**

(This section shall will be developed and codified at a future date to be determined.)

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**Chapter 3.4  
PUBLIC IMPROVEMENT STANDARDS**

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### 3.4.200 Transportation Improvement Standards

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F. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall must be the widths defined in Street Improvement Standards Tables A through E except as identified in BDC 3.4.200(F)(3)(b) below. Additional right-of-way may be required at intersections to accommodate intersection widening and roundabouts. ***(Amended by the Planning Commission on December 14, 2020)***

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#### 3. Exceptions to Minimum Rights-of-Way Standards.

- a. Where opposite sides of the street are designated on the Bend Comprehensive Plan with different land use zones, the zone with the greater requirement for right-of-way dedication and pavement width will govern both sides of the street.
- b. The following streets and intersections are not identified for lane expansion and therefore additional right-of-way is not required: ***(Amended by the Planning Commission on December 14, 2020)***

##### **West Central City:**

- NW 14th Street, between Newport and Galveston avenues
- NW Newport Avenue, between 14th Street and Wall Street
- NW Galveston Avenue, between 14th Street and Riverside Avenue

##### **Downtown Central City:**

- NW Greenwood Avenue, between Wall Street and the Parkway
- NW Riverside Avenue, between Tumalo and Franklin avenues & NW Franklin Avenue, between Wall Street and the Parkway
- NW Wall Street, between Greenwood and Franklin avenues & NW Bond Street, between Greenwood and Franklin avenues

##### **East Central City:**

• NE 8th Street, between Olney/Penn and Franklin avenues

• NE Olney Avenue, between 4th and 8th streets

• NE Franklin Avenue, between 4th and 11th streets & NE Bear Creek Road (including the 111h St. extension),  
between Franklin Avenue and 15th Street

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J. Special Setbacks.

1. Purpose. The purpose of this subsection is to ensure that adequate rights-of-way will be available for the appropriate street improvements as the City grows and that there will be no conflicts with the built environment.
2. Applicability. The special setback standards ~~shall be applied~~ apply to any lot or parcel that abuts a public right-of-way.

Exception. The special setback standards do not apply to intersections or streets that are already constructed consistent with the Bend Urban Area Transportation System Plan (TSP) including streets and intersections ~~identified by the TSP in BDC 3.4.200(F)(3)(b)~~ as "not being ~~authorized-identified~~ for lane expansion." (*Amended by the Planning Commission on December 14, 2020*)

3. Setback.

- a. Unless waived under BDC 3.4.150, all buildings or structures ~~shall~~ must be set back from planned future rights-of-way the minimum distance established in the applicable zoning district.
- b. Unless waived under BDC 3.4.150, the special setback from existing substandard width rights-of-way ~~shall~~ must comply with Table F.

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## Chapter 4.7

### TRANSPORTATION ANALYSIS

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#### 4.7.600 Significant Impacts and Mitigation Measures.

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D. Unique Situations.

1. Development proposals within Master Planned Developments or Special Planned Areas, as described in BDC Chapter 4.5, Master Planning and Development Alternatives, where a Transportation Mitigation Plan has been approved, may exceed the operation standards at affected intersections as long as the proposed development is consistent with the approved Transportation Mitigation Plan.
2. Widening to accommodate additional travel lanes will not be permitted in the following situations:
  - a. Clear and Objective Track and Discretionary Track. Intersections and streets that are already constructed consistent with the Bend Urban Area Transportation System Plan (TSP) including streets and intersections identified by the TSP in BDC 3.4.200(F)(3)(b) as "not being authorized identified for lane expansion": ***(Amended by the Planning Commission on December 14, 2020)***
  - b. Clear and Objective Track and Discretionary Track. Intersections and streets located within or directly adjoining the City's Central Business District or historic district;
  - c. Discretionary Track. Where no physical mitigation is available to improve intersection operations to the performance standard; or
  - d. Discretionary Track. Where improvements may result in unacceptable tradeoffs to other modes of travel.

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**EXHIBIT B  
FINDINGS OF FACT  
BEND DEVELOPMENT CODE (BDC) UPDATE  
AMENDMENT PZ 20-0778 (PL20-0778)**

**I. PROCEDURAL FINDINGS:**

**(1) PUBLIC NOTICE AND COMMENTS.**

Notice of the amendments was provided to the Department of Land Conservation and Development (DLCD) on November 4, 2020. On November 9, 2020, staff emailed the draft to the Bend Development Code Update Group for their review. A notice of the December 14, 2020, Planning Commission public hearing was printed in the Bend Bulletin on November 22, 2020, emailed to the neighborhood associations on November 16, 2020, and mailed to the neighborhood associations on November 17, 2020. A notice of the February 3, 2021, City Council public hearing was printed in the Bend Bulletin on November 22, 2020, and it was emailed and mailed to the neighborhood associations on December 31, 2020.

**(2) PROPOSAL:** Bend Development Code amendments to Chapters 1.2, Definitions, 2.7, Special Planned Districts, Refinement Plans, Area Plans and Master Plans, 3.4, Public Improvement Standards, and 4.7, Transportation Analysis.

**II. CRITERIA OF APPROVAL:**

(1) The Bend Comprehensive Plan

(2) Bend Development Code

(a) Chapter 4.6, Land Use District Map and Text Amendments;  
Section 4.6.200(B), Criteria for Legislative Amendments

**III. APPLICABLE PROCEDURES:**

(1) Bend Development Code

(a) Chapter 4.1, Land Use Review and Procedures

**IV. FINDINGS REGARDING COMPLIANCE WITH APPLICABLE CRITERIA:**

**CONFORMANCE WITH CITY OF BEND DEVELOPMENT CODE, CHAPTER 4.6,  
LAND USE DISTRICT MAP AND TEXT APMENDMENTS**

**4.6.200 Legislative Amendments.**

**A. Applicability, Procedure and Authority.** Legislative amendments generally involve broad public policy decisions that apply to other than an individual property owner. These include, without limitation, amendments to the text of the comprehensive plan and map, Development Code and changes in the zoning map not directed at a small number of properties. They are reviewed using the Type IV procedure in accordance with Chapter 4.1, Land Use Review and Procedures and shall conform to Section 4.6.600, Transportation Planning Rule Compliance. A Legislative Amendment may be approved or denied.

**FINDING:** The recommended amendments to the text of the BDC involve broad public policy rather than application to an individual property owner. Therefore, the Legislative Amendment Procedures of this section are the appropriate procedures for this review.

**B. Criteria for Legislative Amendments.** The applicant shall submit a written narrative which explains how the approval criteria will be met. A recommendation or a decision to approve or to deny an application for a Legislative Amendment shall be based on all of the following criteria:

1. The request is consistent with the applicable State land use law;

**FINDING:** The amendments are consistent with the applicable State land use law. In particular, they satisfy Goal 1: Citizen Involvement and Goal 2: Land Use Planning, and Goal 9: Economic Development.

**Goal 1, Citizen Involvement,** is satisfied by following the City's acknowledged text amendment process that includes a Planning Commission public hearing, followed by a City Council public hearing.

**FINDING:** On November 9, 2020, staff emailed the draft to the Bend Development Code Update Group for their review. On November 9, 2020, the Planning Commission, along with members from the Affordable Housing Advisory Committee (AHAC), Neighborhood Leadership Alliance (NLA), and Bend Economic Development Advisory Board (BEDAB) held a joint work session and discussed the amendments.

A notice of the December 14, 2020, Planning Commission public hearing was printed in the Bend Bulletin on November 22, 2020, emailed to the neighborhood associations on November 16, 2020, and mailed to the neighborhood associations on November 17, 2020. A notice of the February 3, 2021, City Council public hearing was printed in the Bend Bulletin on November 22, 2020, and it was emailed and mailed to the neighborhood associations on December 31, 2020. On December 14, 2020, the Planning Commission held a public hearing and recommended approval of the amendments to the City Council.

Therefore, Goal 1 has been met.

**Goal 2, Land Use Planning**, requires a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.

**FINDING:** The Goal is met because the City followed the land use planning process and policy framework established in the City's acknowledged Comprehensive Plan and BDC as a basis for the decisions and actions related to the new regulations regarding the use of land and to assure an adequate factual base for these decisions and actions. The amendments will be adopted by the City Council after a public hearing. Multiple opportunities were provided for review and comment by citizens and affected governmental units during the preparation of this ordinance.

Goal 2 specifically states that minor plan changes should be based on special studies or other information, which will serve as the factual basis to support the change. The public need and justification for the particular change should be established.

On December 19, 2018, the City Council approved a Resolution (No. 3143) that re-established the Juniper Ridge Management Advisory Board (JRMAB) which included seven members (and two alternates) with expertise in real estate, finance, industrial land development, economic development, business, and other fields relevant to the development of Juniper Ridge. The Council tasked the Board with a list of specific tasks related to the future development of the City-owned industrial site and business park, including the development of a 24-month work plan for review, consideration, and adoption by Council. This work plan is intended to include:

- A vision, land disposition strategy, and framework plan for Juniper Ridge for Council consideration and adoption.
- Review and recommend amendments and changes, as needed, to existing Juniper Ridge documents including the Employment Sub-District use table, CC&Rs, design guidelines, intergovernmental agreements, etc., after appropriate legal and planning review and any required consent of parties to existing agreements.
- An in-depth plan for the implementation on an approved Juniper Ridge vision and framework plan, including a subdivision plan timed to coincide with the construction timeline for the North Interceptor Sewer line.

The overarching goal of the JRMAB was to identify barriers to development within the Juniper Ridge Overlay Zone, and make recommendations to Council to alleviate in order to further subdivide and encourage employment based commercial and industrial development, as adopted in the 2016 Bend Comprehensive Plan.

Between June 2019 and October 2020, the Juniper Ridge Management Advisory Board met a total of eleven times to review and develop a work plan for Council. During a Council work session on November 4, 2020, the JRMAB presented the work plan, which detailed recommendations into three (3) phases. Phase I includes the JRMAB recommendations to revise BDC Section 2.7.2000 – Juniper Ridge Overlay Zone, BDC

Section 2.7.2030 – Employment Sub-District, and the Juniper Ridge Design Guidelines in order to foster development interest, address interest from businesses that may need to relocate to Juniper Ridge due to infrastructure improvements, and initiate the sale of existing platted property. On November 18, 2020, the City Council adopted the work plan and directed staff to take action to implement and advance recommendations.

The amendments are justified and will provide a public benefit since they will help foster development in the Juniper Ridge Overlay Sub-District. Therefore, the amendments are justified and needed, and compliance with Goal 2 is met.

**Goal 3, Agricultural Lands, Goal 4, Forest Lands, and Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces.** Goals 3 and 4 are not applicable because there are no Agricultural or Forest Lands in the City. Goal 5 is not applicable because these amendments do not affect any regulation that implements Goal 5 and the City's acknowledged regulations implementing Goal 5 remain in effect with no change in applicability.

**Goal 6, Air, Water and Land Resources Quality** is not applicable because the City's acknowledged regulations implementing Goal 6 remain in effect with no change in applicability.

**Goal 7, Areas Subject to Natural Hazards** is not applicable because the City's acknowledged regulations implementing Goal 7 remain in effect with no change in applicability.

**Goal 8, Recreational Needs** requires the City to satisfy the recreational needs of the citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts. This goal is not applicable as the amendments have no effect on the availability of or access to recreational opportunities.

**Goal 9, Economic Development,** is implemented through Oregon Administrative Rule (OAR) Division 9, which is intended to ensure that each jurisdiction maintain an adequate land supply for economic development and employment growth.

**FINDING:** Juniper Ridge holds much promise for the future of Central Oregon's economy. The relatively flat land, adjacent to a state highway, and accessible to workers from the community of Bend, Redmond, and beyond presents an ideal location for a variety of businesses. Although, historically luring new development to Juniper Ridge has been challenging. Much needed infrastructure like the North Interceptor has limited the amount of new development in recent years. But with that project underway, and in the face of other employment areas within the city of Bend reaching their development capacity, Juniper Ridge is more ready than ever to accommodate new growth. The following amendments are timely and will help foster development interest in Juniper Ridge:

- Remove limitations to Office, expand Small-scale Personal and Professional Services uses.
- Revise/Expand the Permitted Use Table to accommodate a broader use of employment based users (Commercial & Industrial).
- Revise Development Standards to be consistent with the BDC.
- Revise Access Standards to be consistent with the BDC.
- Reduce number of street cross-sections to three (3) – Arterial, Collector, Local.

Therefore, the amendments will help maintain an adequate land supply for economic development and employment growth.

Therefore, Goal 9 is met.

**Goal 10, Housing**, requires provisions to provide for the housing needs of citizens of the state. The Goal also requires cities to inventory its buildable residential lands, project future needs for such lands, and plan and zone enough buildable land to meet those needs. It also prohibits local plans from discriminating against needed housing types. Since this proposal is not related to housing or to land zoned for residential use, Goal 10 is not applicable.

**Goal 11, Public Facilities and Services**, requires the City to plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development. The amendments will not result in the need to adjust or amend existing policies or projects in the City's adopted facility plans. Therefore, compliance with Goal 11 is satisfied.

**Goal 12, Transportation**, requires the City to provide and encourage a safe and convenient and economic transportation system. The amendments are not site specific and therefore do not affect the functional classification of any street. The amendments will have no measurable impacts on the amount of traffic on the existing transportation system; therefore the amendments do not cause a "significant effect" under ORS 660-012-0060. Therefore, compliance with Goal 12 is satisfied.

**Goal 13, Energy Conservation** is not applicable because the City's acknowledged regulations implementing Goal 13 remain in effect with no change in applicability.

**Goal 14, Urbanization**, requires the City to provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

**Goal 15, Willamette River Greenway, Goal 16, Estuarine Resources, Goal 17, Coastal Shorelands, Goal 18, Beaches and Dunes, and Goal 19, Ocean Resources are not applicable to the BDC amendments.**

Based on the above discussion, the amendments to the BDC are consistent with the statewide planning goals and therefore comply with the requirement that the amendments be consistent with state land use planning law.

Because the code amendments are limited in scope, there are no other Administrative Rules applicable to this amendment. Likewise, there are no other applicable Oregon Revised Statutes that are criteria applicable to these amendments (Note, consistency with the Transportation Planning Rule (TPR) is discussed further in this document).

**2. The request is consistent with the applicable Bend Comprehensive Plan goals and policies;**

**FINDING:** The “goals” established in the Comprehensive Plan express the desires of the residents of Bend as the City progresses into the future. The “goals” are generally carried out through “policies,” which are statements of public policy. The following Goals and Policies are applicable:

**Chapter 1: Plan Management and Citizen Involvement  
Goals:**

- **Plan and Sustain a Strong Diverse Economy**  
Bend has a good supply of serviced land planned for employment growth that supports the City's economic development goals, provides a range of diverse jobs and industries, and supports innovation. Employment areas, large and small, have excellent transportation access. Opportunities are created for a stable, vital and diverse economy while sustaining Bend's environment/ecological support systems.
- **Promote Public and Civic Involvement**  
Encourage involvement by all citizens, corporate and individual, to keep the city vital and the Plan an “evolving vision”.
- **Create Clear and Consistent Implementing Ordinances.** Implement the plan through effective, clear and consistent ordinances and language that reflect the intent of the vision.

**FINDING:** As set forth in the City's Comprehensive Plan, Chapter 1, a community goal is to “Promote Public and Civic Involvement” by “Encouraging involvement by all citizens, corporate and individual, to keep the city vital and the Plan an “evolving vision”.

In 2018, City Council approved a resolution that re-established the Juniper Ridge Management Advisory Board (JRMAB) and provided the Board with a list of specific tasks related to the future development of the City-owned industrial site and business park in Juniper Ridge, including the development of a 24-month work plan for review,

consideration, and adoption by Council. Between June 2019 and October 2020, the JRMAB met a total of eleven times to review and develop a work plan for Council for Juniper Ridge. During a Council work session on November 4, 2020, the JRMAB presented the work plan, which detailed recommendations into three (3) phases which was subsequently approved on November 18, 2020 by Council. Phase I recommended revisions to BDC Section 2.7.2000 – Juniper Ridge Overlay Zone, BDC Section 2.7.2030 – Employment Sub-District, and the Juniper Ridge Design Guidelines.

The amendments are the result of citizen involvement and support economic development in Juniper Ridge. The amendments implement the Comprehensive Plan through effective, clear and consistent language.

## **Policies**

### ***Citizen Involvement***

**1-15.** The city shall continue to use advisory committees in their planning process, members of which are selected by an open process, and who are widely representative of the community.

**1-16.** The city will use other mechanisms, such as, but not limited to, meetings with neighborhood groups, planning commission hearings, design workshops, and public forums, to provide an opportunity for all the citizens of the area to participate in the planning process.

**FINDING:** In 2018, City Council approved a resolution that re-established the Juniper Ridge Management Advisory Board (JRMAB) and provided the Board with a list of specific tasks related to the future development of the City-owned industrial site and business park in Juniper Ridge, including the development of a 24-month work plan for review, consideration, and adoption by Council. Between June 2019 and October 2020, the JRMAB met a total of eleven (11) times to review and develop a work plan for Council for Juniper Ridge. During a Council work session on November 4, 2020, the JRMAB presented the work plan, which detailed recommendations into three (3) phases which was subsequently approved on November 18, 2020 by Council. Phase I recommended revision to BDC Section 2.7.2000 – Juniper Ridge Overlay Zone, BDC Section 2.7.2030 – Employment Sub-District, and the Juniper Ridge Design Guidelines.

Staff emailed the amendments to the Bend Development Code Update Group on November 9, 2020. The group includes community members comprised of architects, lawyers, developers, land use planners, and engineers and staff from COBA, Oregon LandWatch and Bend Park and Recreation District and representatives from City recognized neighborhood associations. On November 9, 2020, the Planning Commission along with members from the Affordable Housing Advisory Committee (AHAC), Neighborhood Leadership Alliance (NLA), and Bend Economic Development Advisory Board (BEDAB) held a work session to discuss the amendments.

A notice of the December 14, 2020, Planning Commission public hearing was printed in the Bend Bulletin on November 22, 2020, emailed to the neighborhood associations on November 16, 2020, and mailed to the neighborhood associations on November 17, 2020. A notice of the February 3, 2021, City Council public hearing was printed in the Bend Bulletin on November 22, 2020, and it was emailed and mailed to the neighborhood associations on December 31, 2020. On December 14, 2020, the Planning Commission held a public hearing and recommended approval of the amendments to the City Council.

Therefore, compliance with Chapter 1 has been met.

## **Chapter 6: Economy**

### **Goals:**

- Promote a vital, diverse and sustainable economy, while enhancing the community's overall livability.
- Ensure an adequate supply of appropriately zoned land for industrial, commercial, and mixed-use development opportunities.
- Strengthen Bend's position as a regional economic center.
- Create more opportunities in Bend for jobs that pay a higher than median wage.

**FINDING:** The amendments to the use table remove limitations to office uses, expand small-scale personal and professional services uses, and revise and expand the permitted use table to accommodate a broader use of employment based users (commercial & industrial). The expansion of uses will help promote a vital and diverse economy and continue to provide land zoned for commercial and industrial uses in the Juniper Ridge Employment Sub-district. This will help Juniper Ridge move toward a more diversified economy that provides professional services, high-skilled manufacturing, high-tech, and other high paying jobs to the area, strengthening Juniper Ridge's position as a regional employment center.

### **Policies**

#### **General Policies**

**6-1** Bend's economic lands (commercial, industrial and mixed use) serve Bend residents and the needs of a larger region.

**FINDING:** The 2016 Urban Growth Boundary ("UGB") expansion process designated Juniper Ridge as an "opportunity area" within the existing City boundary as a location suitable for development to help meet the City's needs for local and regional, long term



industrial and employment development. The amendments support this “opportunity area” by expanding the types of commercial and industrial developments that will serve the residents of Bend and the needs of a larger region.

**6-2** Bend is a regional center for health care, art and culture, higher education, retail, tourism, and employment. The economic land policies recognize Bend’s role in the region, and the need to support uses that bolster the local and regional economy:

- o The Medical District Overlay Zone provides economic lands for a variety of health care and related services to a population much larger than the City of Bend.
- o Commercial and Mixed Use-designated lands support retail, tourism, and arts and culture uses to serve a local and regional role.
- o Public Facility and Special Plan Districts support higher education to serve Bend residents and the needs of the region.
- o Industrial and Mixed Employment-designated land located at Juniper Ridge has a local and regional role.

**6-6** Employment lands for Bend’s target sectors will be provided and protected to promote expansion of existing businesses and attract new businesses.

**FINDING:** The amendments will help meet the goals established in the 2016 Bend Comprehensive Plan for employment and targeted sectors by expanding the list of permitted industrial and commercial uses. In addition, according to the July 31, 2020 Juniper Ridge Development Strategy prepared by ECONorthwest, recent manufacturing, industrial, and office trends indicate a need to modify land use regulations to meet the needs of modern businesses. The amendments address this by permitting offices, clinics and limited retail uses. The amendments also modify the square foot allowances for personal and professional services. Therefore, the amendments continue to provide employment opportunities for Bend’s targeted sectors and will help attract new businesses to the Juniper Ridge Employment Sub-District.

### **Industrial Development**

**6-16** The Juniper Ridge District inside the Bend UGB will be used to help meet the long-term need for future industrial and employment development.

**FINDING:** One of the goals of the JRMAB was to identify barriers to development within the Juniper Ridge Overlay Zone, and make recommendations to Council to alleviate barriers in order to further subdivide and encourage employment based commercial and industrial development, as adopted in the 2016 Bend Comprehensive Plan. The following amendments as supported by the JRMAB will help

foster development interest, address interest from businesses that may need to relocate to Juniper Ridge due to infrastructure improvements, and will help initiate the sale of existing platted property.

- Remove limitations to Office, expand Small-scale Personal and Professional Services uses.
- Revise/Expand the Permitted Use Table to accommodate a broader use of employment based users (Commercial & Industrial).
- Revise Development Standards to be consistent with the BDC.
- Revise Access Standards to be consistent with the BDC.
- Reduce number of street cross-sections to three (3) – Arterial, Collector, and Local.

**6-17** At least 30% of the total net buildable area of the portion of Juniper Ridge District inside the UGB should be reserved for sites of ten acres and larger in size.

**FINDING:** The amendments do not change the size of existing properties in the overlay district.

Therefore, the amendments satisfy Chapter 6 since they will help promote a vital, diverse and sustainable economy.

## **Chapter 7: Transportation Systems**

### **Goals**

**Increase System Capacity, Quality, and Connectivity for All Users (e.g., drivers, walkers, bicyclists, transit riders, mobility device users, commercial vehicles, and other forms of transportation)**

- Increase route choices and connections for all users
- Sidewalks: increase access and connectivity
- Bicycle facilities: increase total miles of bike routes/facilities

### **Ensure Safety for All Users**

- Design and build facilities and routes that maximize safety for pedestrians and bicyclists

### **Steward the Environment**

- Reduce carbon emissions from transportation

**FINDING:** As development occurs, the streets will be constructed to the Juniper Ridge Employment Sub-District cross-sections which require on-street parking on certain streets, and bicycle facilities and sidewalks and/or multi-use paths to accommodate pedestrians and bicycles.

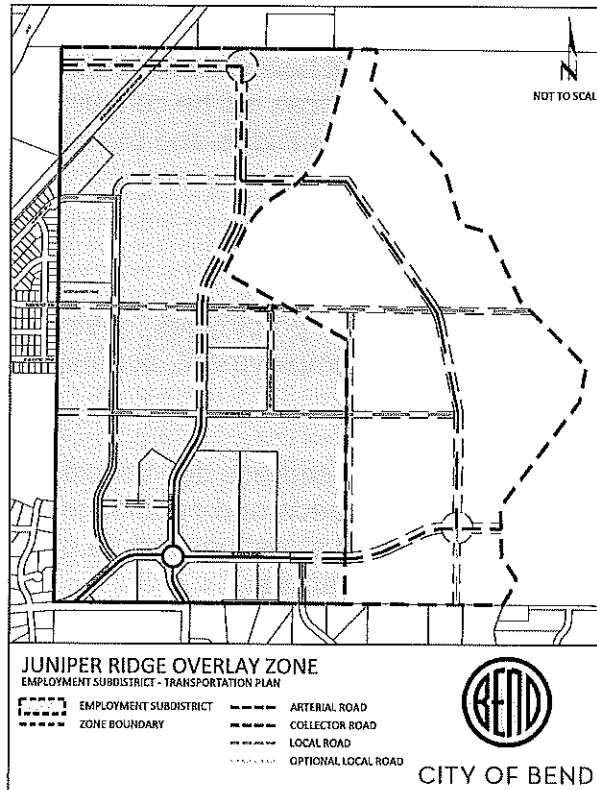
The amendments to the use table remove limitations to office uses, expand small-scale personal and professional services uses, and revise and expand the permitted use table to accommodate a broader use of employment based users (commercial & industrial). The expansion of personal and professional services will be complimentary and convenient to the commercial and industrial uses in Juniper Ridge and therefore will help reduce vehicle trips and miles traveled.

## **Mobility**

**7-7** The City will plan for efficient access for employees, customers, emergency services, and freight carriers to and from employment, commercial, and industrial lands by all modes of travel.

**7-8** The City will improve connectivity and address deficiencies in the street network with the understanding that connectivity needs and conditions may vary based on an area's existing and planned land uses and street network (e.g., large lot industrial areas may have different needs than residential areas).

**FINDING:** Figure 2.7.2030.B identifies the different types and locations of streets in the Juniper Ridge Employment Sub-District which is consistent with the 2020 Transportation System Plan figure 4-3 Functional Classification Map. The street cross-sections in the Juniper Ridge Employment Sub-District depict the typical street cross-sections for the Employment Sub-District. Alternative cross-sections that respond to site-specific circumstances may be approved by the City Engineer through the development review process.



**7-9** The City will limit the location and number of driveways and vehicular access points on higher order streets (arterials and collectors) to maintain public safety and future traffic carrying capacity, while preserving appropriate access to existing and future development.

**FINDING:** Due to large block sizes and large lot sizes, multiple access points to each lot in the Employment Sub-District will be permitted, including accesses to higher order transportation facilities, as long as the standards of this section are met. Lots may have multiple street access points, so long as minimum access spacing requirements are met and the total number of access points does not exceed three. In addition, the City may require shared access. Alternate access may be approved by the City Engineer if operations and safety of the public road system, and AASHTO intersection sight distances are maintained as demonstrated in compliance with BDC Chapter 4.7, Transportation Analysis.

In Juniper Ridge the City may require directional restrictions (i.e., right-in/right-out only) for driveways onto arterials and collectors depending on the roadway's characteristics, including number of lanes, queuing at nearby intersections/driveways, and locations of signals or roundabouts, and locations of conflicting accesses. Directional restrictions will be determined in compliance with BDC Chapter 4.7, Transportation Analysis.

**7-17** The City's policy is to manage congestion/corridor demand before adding motor vehicle lanes (not including center turn lanes). Adding travel lanes for motor vehicles will be considered only after the City has evaluated:

- The safety effects for all users and modes of travel;
- The potential to add capacity through intersection improvements;
- The potential to add capacity through increasing system connectivity with parallel routes;
- Whether appropriate transit, bicycle and pedestrian facilities, including safe crossings can be provided as part of a travel lane project;
- The effect of transportation demand management or other tools;
- The full cost of property acquisition in monetary and social terms, and.
- The potential to add capacity through technologies such as upgraded traffic control devices and other intelligent transportation system applications.

**FINDING:** The amendments to the BDC identify a list of streets and intersections "not identified for lane expansion" that used to reside in the previous Transportation System Plan:

**West Central City:**

- NW 14th Street, between Newport and Galveston avenues
- NW Newport Avenue, between 14th Street and Wall Street
- NW Galveston Avenue, between 14th Street and Riverside Avenue

**Downtown Central City:**

- NW Greenwood Avenue, between Wall Street and the Parkway
- NW Riverside Avenue, between Tumalo and Franklin avenues & NW Franklin Avenue, between Wall Street and the Parkway
- NW Wall Street, between Greenwood and Franklin avenues & NW Bond Street, between Greenwood and Franklin avenues

**East Central City:**

- NE 8th Street, between Olney/Penn and Franklin avenues
- NE Olney Avenue, between 4th and 8th streets
- NE Franklin Avenue, between 4th and 11th streets & NE Bear Creek Road (including the 111h St. extension), between Franklin Avenue and 15th Street

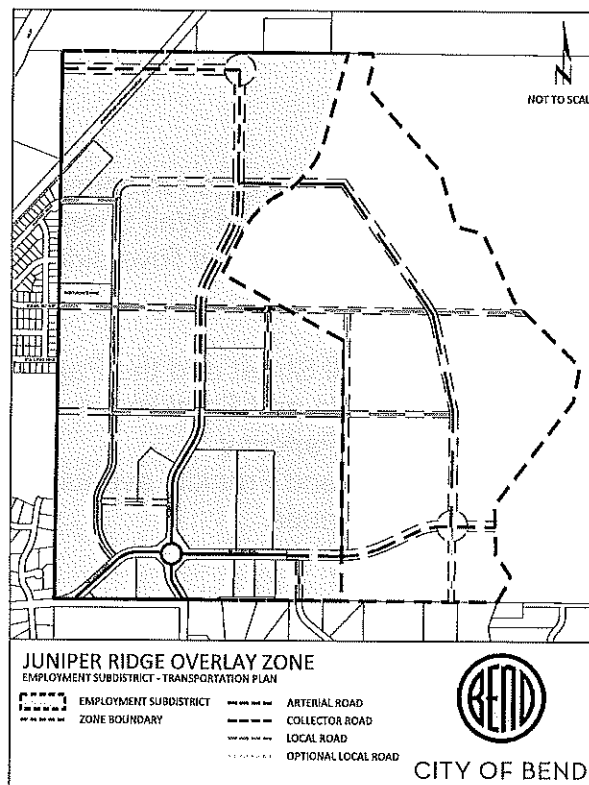
The BDC currently exempts corridors which have substandard ROW widths, from the special setback standards in Chapter 3.4, Public Improvement Standards if there is no plan to widen them further. However, the specific corridors are no longer identified in the TSP. Therefore it is necessary to include it in the BDC so that an applicant does not

have to apply for a Type II Waiver to Public Improvements Standards under BDC 3.4.150 which is a potential barrier to development.

**7-20** Where a subdivision or partition is adjacent to land likely to be divided in the future, streets, bicycle paths, and access ways shall continue through to the boundary line of the subdivision or partition in order to achieve connectivity within the grid system.

**FINDING:** Figure 2.7.2030.B identifies an arterial along the northern boundary of the Juniper Ridge Overlay Zone that will eventually connect to the future North Interchange with US 97, currently being evaluated by ODOT. This connectivity will enhance the safety and operations of US 97, as well as provide additional access to Juniper Ridge and other areas, both commercial and residential, on the northeast side of US 97. Figure 2.7.2030.B also identifies a collector along the east boundary of the Juniper Ridge Overlay Zone. This collector will provide additional circulation and access for future development within the Juniper Ridge Overlay Zone, and meets preferred spacing requirements between major intersections.

**Figure 2.7.2030.B**



### **Bicycles, Pedestrians, & Complete Streets**

**7-43** The City’s policy is that all streets should be “complete streets.” A complete street is one that is designed to allow everyone to travel safely and

comfortably along and across the street by all travel modes. Arterials, collectors, and most local streets will have buffered sidewalks. Arterials, collectors, and select local streets will have facilities in compliance with the Low Stress Network and the Pedestrian Master Plan.

**FINDING:** As development occurs, the streets will be constructed to the Juniper Ridge Employment Sub-District cross-sections which require on-street parking on certain streets, and bicycle facilities and sidewalks and/or multi-use paths to accommodate pedestrians and bicycles.

Therefore, compliance with Chapter 7 has been met.

## **Chapter 11: Growth Management Goals**

The following goal statements describe the future urban form and growth aspirations of the community and serve as the foundation for policy statements in this chapter. The citizens and elected officials of Bend wish to:

- Use Bend's existing urban land wisely, making efficient use of land inside the boundary, with infill and redevelopment focused in appropriate areas within the Central Core, along transit corridors, and in key opportunity areas (see Figure 11-1);

**FINDING:** Chapter 11 identifies Juniper Ridge as an opportunity area for a future industrial and professional office employment district. The amendments remove limitations to office uses, expand small-scale personal and professional services uses, and revising and expanding the permitted use table to accommodate a broader use of employment based users (commercial & industrial). The amendments will use Bend's existing urban land wisely and facilitate the efficient use of land within the Juniper Ridge Employment Sub-District by expanding the uses which will promote a vital and diverse economy.

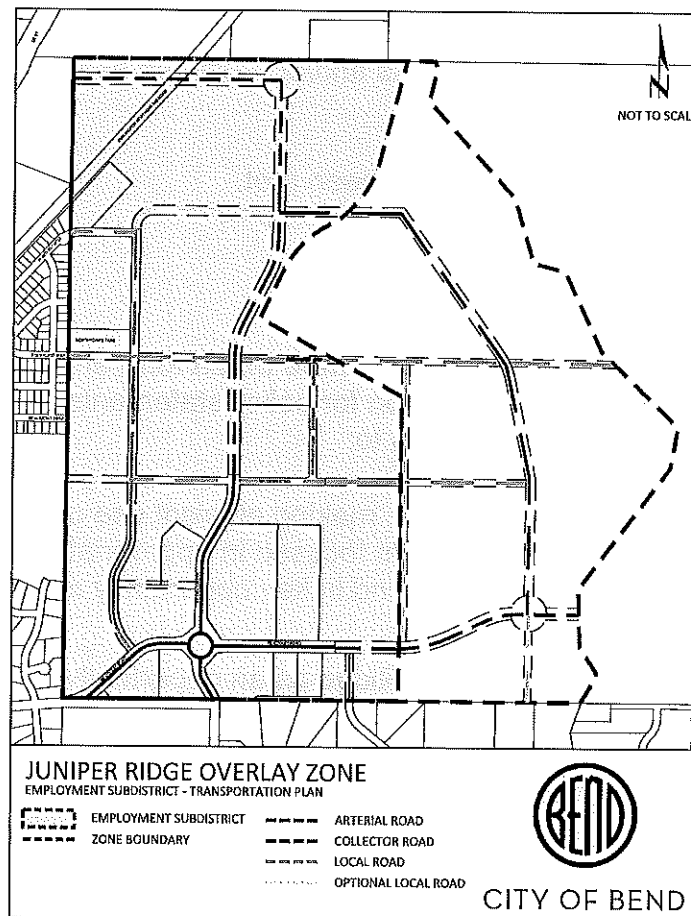
## **Policies for Land Use and Transportation**

**11-9** Developments at the edge of the urban area shall be designed to provide connectivity to existing and future development adjacent to the urban area.

**FINDING:** Figure 2.7.2030.B identifies an arterial along the northern boundary of the Juniper Ridge Overlay Zone that will eventually connect to the future North Interchange with US 97, currently being evaluated by ODOT. This connectivity will enhance the safety and operations of US 97, as well as provide additional access to Juniper Ridge and other areas, both commercial and residential, on the northeast side of US 97. Figure 2.7.2030.B also identifies a collector along the east boundary of the Juniper Ridge Overlay Zone. This collector will provide additional circulation and access for

future development within the Juniper Ridge Overlay Zone, and meets preferred spacing requirements between major intersections.

Figure 2.7.2030.B



**11-11** The City should be receptive to innovative development proposals, including zone changes, plan amendments, and text changes that promote alternatives to vehicular traffic thus reducing vehicle trips and reduced trip lengths.

**FINDING:** The text amendments to the use table remove limitations to office uses, expand small-scale personal and professional services uses, and revise and expand the permitted use table to accommodate a broader use of employment based users (commercial & industrial). The expansion of uses will support the existing and future uses in Juniper Ridge and therefore will help reduce vehicle trips and miles traveled.

**Policies for Special Site Needs**

**11-35** The City has identified a need for two large lot (at least 50-acre) industrial sites for targeted industries specified in the EOA. This need will be met through the



opportunity for one large lot industrial site in the eastern portion of Juniper Ridge and one large lot industrial site on the DSL property (see Figure 11-3).

**FINDING:** The amendments have no effect on this policy.

Therefore, the amendments satisfy Chapter 11.

Based on the findings stated above, staff concludes that the amendments are consistent with the applicable Bend Comprehensive Plan Goals and Policies.

**3. The applicant can demonstrate a public need or benefit for the proposed amendment.**

**FINDING:** There is a public need and benefit for the amendments since they will remove barriers and add new uses which will help encourage employment based commercial and industrial development.

Therefore, the amendments to the BDC meet this criterion.

**4.6.500 Record of Amendments.**

**The City Recorder shall maintain a record of amendments to the text of this Code and the land use districts map in a format convenient for public use.**

**FINDING:** In the event the amendments are adopted by ordinance, the City Recorder will maintain a record of the amendments and the revised provisions will be included as part of the BDC available to the public on the City's website.

**4.6.600 Transportation Planning Rule Compliance.**

**When a development application includes a proposed comprehensive plan amendment or land use district change, or both, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060.**

**FINDING:** The new text amends the BDC which is a functional component of the Bend Comprehensive Plan and is an amendment to a land use regulation as noted in OAR 660-012-0060. The amendments are not tied to any one development application and do not affect the functional classification of any street. These amendments do not change allowable uses or change regulations that result in the generation of additional vehicle trips; therefore, the amendments will have no measurable impacts on the amount of traffic on the existing transportation system. Because of this, the text amendments do not cause a "significant effect" under ORS 660-012-0060.

**V. CONCLUSIONS:**

Based on the above Findings, the BDC amendments meet all applicable criteria for adoption.

**VI. RECOMMENDATION:**

The Planning Commission recommends approval of the amendments to the City Council.