

LAND USE NOTIFICATIONS

Frequently Asked Questions

What is a land use notification and what is its purpose?

A land use notification is a mailed document sent to property owners and [Neighborhood Associations](#) within a certain distance of a proposed project site, informing them of a land use application. The State of Oregon requires land use notifications to ensure compliance with [Statewide Planning Goal 1](#), which requires Cities to provide an opportunity for the public to influence land use planning in their community.

What are the different types of land use notifications?

There are four types of land use notifications mailed to neighbors of a proposed development project, and emailed and mailed to the affected Neighborhood Association(s). The four types of land use notifications are:

- **Public Meeting with Neighborhoods:** Some [land use applications](#) require the applicant to first hold a [public meeting with neighborhoods](#) in which the community can learn of a development proposal prior to the application being submitted to the City of Bend. This meeting is the most direct opportunity that the public has to converse with the applicant before they have finalized their development proposal. This meeting is an informal meeting between the applicant and the public to engage in a discussion about the proposed development. Community members can share their concerns and comments with the applicant for their consideration prior to submitting their plan to the City. Not all land use applications require a public meeting but for those that do, a notice is sent by the applicant to those who live within a set radius to the project, advertising the meeting.
- **Notice of Application:** The City of Bend sends this notice to property owners when an applicant's land use application has been submitted and deemed complete by an assigned City planner. This notice begins a 14-day public comment period for these property owners and the public to become a party to the record by providing written comments to the City planner.
- **Notice of Decision:** The City of Bend sends this notice to all "parties to the record," or commenting parties, for Type II and Type III applications. This notice begins a period in which the applicant or parties can [appeal the decision](#). The period for appealing a decision varies for each land use application as defined in the City's [Planning Application Processes](#).
- **Public Hearing Notice:** Type III applications require the City of Bend to send a notice to the public of an upcoming hearing in front of [Planning Commission](#), [Landmarks Commission](#) or



City Council. It must include an established date, time and place for the public to provide oral and/or written testimony on the proposed project.

Who receives land use notifications?

Each of the notifications listed above are mailed to property owners within a specified notification radius that is determined by the Bend Development Code (BDC). They are also mailed and emailed to the Neighborhood Association Land Use Chair, or designated representative, in the Neighborhood Association where the project is located.

- **Public Meeting with Neighborhoods:** 500 feet of proposed project site (BDC 4.1.215).
- **Notice of Application:** Type II radius is 250 feet from proposed project site, Type III radius is 500 feet, Type IV depends on the nature and scope of the proposal (BDC 4.1.400).
- **Notice of Decision & Appeal Public Hearing Notice:** All parties who have been previously notified and who provided written or verbal comments or have requested to be placed on the notification list.

Are land use notifications posted on the property?

Yes. A version of the Notice of Application for Type II and Type III land use applications is required by the Bend Development Code (BDC) to be posted on the proposed project site by the property owner during the duration of the 14-day public comment period. This signage must be within 10 feet of the public way and include a plain-language description of the project as well as an application number for reference (BDC 4.1.425).

How do I find out about land use applications and decisions if I'm a renter or outside of the notification radius?

There are a few ways for renters and/or those located outside of the notification radius to stay informed about land use applications and decisions:

- Using the Community Development Data Explorer to search for projects in areas of interest.
- Reaching out to the project's assigned Planning Division staff and requesting to be included in notifications regarding the project. You can locate the assigned staff using the Community Development Data Explorer, navigating to the "Planning App Viewer" tab, locating the project and clicking on it for more information.
- Communicating with a property owner who receives notices.
- Seeing the posted notification sign on the proposed project site.



- Becoming a member of their [Neighborhood Association](#) who also receive these notifications and often share with their membership.

Do notices go to community members for reasons other than close proximity, such as traffic impacts?

No. Both applicants and the City follow the notification requirements written in the code, which does not include notifying community members based on criteria other than location radius. The best alternative is for the public to become familiar with the capabilities of the City's [Online Permit Center](#), which hosts information on all land use applications citywide, or for individuals to find and register with their [Neighborhood Association](#).

How can notification requirements be enhanced to keep the community more informed?

The [Neighborhood Leadership Alliance \(NLA\)](#), a public advisory committee to City Council, is comprised of one representative from each of the Bend Neighborhood Associations. This committee regularly focuses on land use issues, and recently completed a project with the City that [amended sections of Bend Development Code \(BDC\) Chapter 4.1](#) as well as the Planning Department's administrative process. This is an ongoing project and undergoes periodic reviews. To connect with this committee and share your concerns or suggestions, attend an upcoming meeting and consider providing public comment.

What can I do if I didn't receive a notification and I'm within the notification radius?

Contact the City of Bend's [Planning Division](#) who can provide assistance at planning@bendoregon.gov or (541) 388-5580 ext. 3.



Accommodation Information for People with Disabilities

To obtain this information in an alternate format such as Braille, large print, electronic formats, etc. please contact Makayla Oliver, Community Relations Manager at moliver@bendoregon.gov or (541) 323-8571. Relay Users Dial 7-1-1.

