

ORDINANCE NO. NS - 2486

AN ORDINANCE AMENDING THE BEND DEVELOPMENT CODE TO ADOPT THE CARAWAY MAJOR COMMUNITY MASTER PLAN

Findings:

- A. On March 16, 2023, Pahlisch Homes at North Triangle LP, submitted a Type III Quasi-judicial application for a Development Code amendment to create the Caraway Major Community Master Plan.
- B. On August 28, 2023, the Planning Commission held a public hearing and issued a recommendation that the City Council adopt an Ordinance to amend Chapter 2.7 of the Development Code to include the Caraway Master Planned Development, with changes to the use table to allow the same uses as allowed in residential and commercial zones citywide.
- C. Public notice for the City Council hearing was provided in accordance with the requirements of Bend Development Code 4.1.423-4.1.425. On August 31, 2023, notice was mailed by the Planning Division to surrounding owners of record and addresses of property within 750 feet of the subject properties, and to the Boyd Acres Neighborhood Association representative. On August 31, 2023, *Notice of Proposed Development* signs were posted by the applicant along the property frontages at five locations, visible from adjacent rights-of-way.
- D. The Bend City Council held a public hearing on September 20, 2023, to consider the Planning Commission recommendation.
- E. The Development Code amendment for the Caraway Major Community Master Plan approved by this Ordinance meets all applicable Development Code criteria, policies of the Bend Area Comprehensive Plan, and Oregon Statewide Planning Goals.

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The Bend Development Code is amended to include the Caraway Master Planned Development code as contained in Exhibit A, and as recommended by the Bend Planning Commission and amended by the City Council.

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

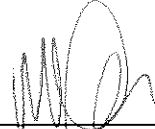
Section 3. If any provision, section, phrase or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

First Reading: October 4, 2023

Second reading and adoption by roll call vote: October 18, 2023

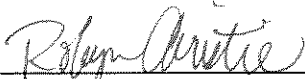
YES: Mayor Melanie Kebler
Mayor Pro Tem Megan Perkins
Councilor Barb Campbell
Councilor Anthony Broadman
Councilor Ariel Méndez
Councilor Mike Riley
Councilor Megan Norris

NO: none



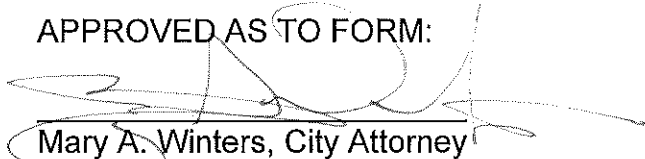
Mayor Kebler

ATTEST:



Robyn Christie, City Recorder

APPROVED AS TO FORM:



Mary A. Winters, City Attorney

PROPOSED CARAWAY DEVELOPMENT CODE

Article XXIX. Caraway Master Planned Development.

2.7.4810 Purpose.

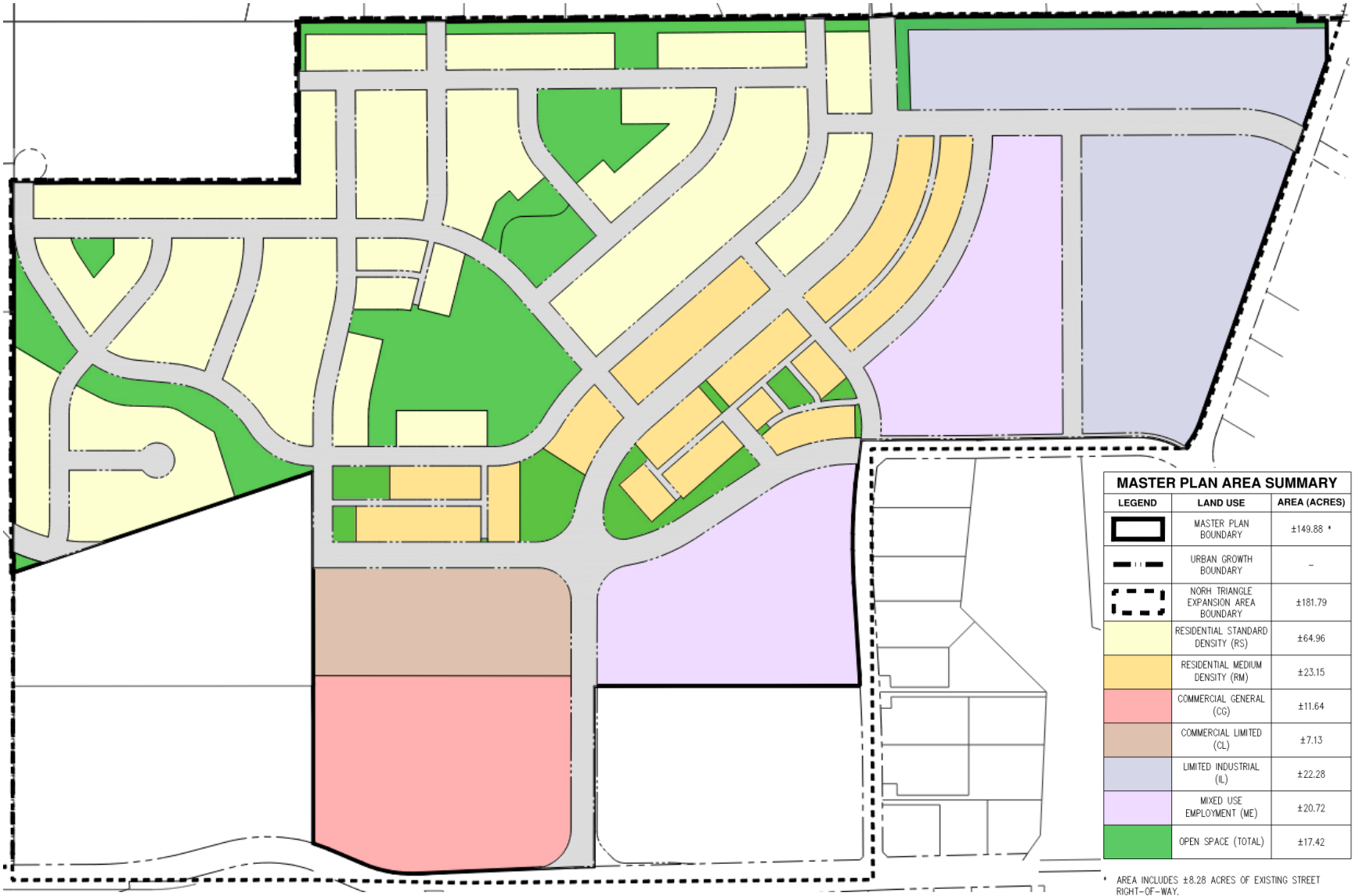
The purpose of the Caraway Master Planned Development is to implement the policies of Chapter 11 – Growth Management of the Bend Comprehensive Plan (BCP) regarding the North Triangle Expansion Area, and to create a new, innovative, mixed-use community that sets the stage for future urban growth within the Expansion Area. The development standards will:

- A. Create the opportunity for a complete community with housing in close proximity to employment and commercial services that are scaled to serve the frequent needs of neighborhood and area residents.
- B. Implement BCP Policy 11-145 by providing a proportional share of the minimum amount of housing and mix of housing required for the North Triangle Expansion Area.
- C. Provide a mix of housing types for owners and renters of multiple lifestyles and income levels, including deed-restricted affordable housing and workforce housing.
- D. Establish design standards for streets and blocks in order to create safe, functional, and attractive streetscapes.
- E. Create safe, attractive, and efficient pedestrian routes and other multi-modal transportation options.
- F. Preserve open space for a neighborhood-scale park, trail system, multiple pocket parks, and other community amenities.

2.7.4820 Applicability.

The Caraway Master Planned Development standards apply to the property identified in Figure 2.7.4820. The special standards of the Master Plan supersede the standards of the underlying zones and other applicable standards of the Bend Development Code. Where there is a conflict between the provisions of the Caraway Master Plan and those of the underlying zone or other portions of the Development Code, the provisions of this district will control. The final determination of the zone or district boundary will be established at the time of subdivision platting and right-of-way dedication.

Figure 2.7.4820 – Caraway Master Plan



2.7.4830 Definitions.

- A. **Lot line, front** means the property line abutting a street or open space tract.
1. **Primary front lot line** means the shortest front lot line abutting a street or open space. If there is more than one such lot line of equal length, then the applicant or property owner must choose which lot line is to be the primary front lot line.
 2. **Secondary front lot line** means all other front lot lines except the primary front lot line.

2.7.4840 Review.

The following review procedures are applicable to uses and structures within the Caraway Master Planned Development:

- A. Single-unit dwellings, accessory dwelling units, townhomes, duplexes, triplexes, and quadplexes are subject to BDC [4.2.400](#), Minimum Development Standards Review. BDC [4.2.500](#), Site Plan Review, and BDC [4.2.600](#), Design Review, do not apply. A Minimum Development Standards Review application is not required; however, compliance with BDC [4.2.400](#), Approval Criteria, is required and will be verified through the building permit process.
- B. All other uses are subject to BDC [4.2.500](#), Site Plan Review or BDC [4.2.600](#), Design Review pursuant to BDC [4.2.200](#).

2.7.4850 Residential Zoning Districts.

- A. *Permitted Uses.*
1. All uses listed as permitted in the underlying zone are permitted. All uses listed as conditionally permitted in the underlying zone are conditionally permitted.

- B. *Setbacks.*

Table 2.7.4850.B - Setbacks

	Primary Front	Secondary Front	Rear	Side
RS, RM	10 ft.*	8 ft.*	5 ft.**/**	5 ft., except 8 ft. when side abuts an alley***

* Garages and/or carports must maintain a minimum front setback of 20 feet.

** Garages and/or carports that access an alley must have a driveway with a minimum length of 18 feet.

*** When multi-unit buildings containing five or more units or nonresidential uses abut a detached single-unit dwelling or duplex on land designated RS, any side or rear setback abutting the RS land must increase one-half

foot for each foot by which the building height exceeds 20 feet. Where a fractional number results, the number may be rounded down to the nearest whole number.

1. Setback exceptions in the underlying zone apply.

C. *Lot Area and Dimensions.* Lot areas and lot dimension standards for residential uses are listed in the following table. Lot area and dimensions exceptions for affordable housing, see BDC [3.6.200\(C\)](#).

Table 2.7.4850.C - Lot Areas and Dimensions in Caraway by Housing Type and Zone

Residential Use	Zone	Minimum Lot Area	Lot Width/Depth
Single-Unit Detached Dwellings	RS	2,700 sq. ft.	Minimum width: 30 ft. at front property line Minimum lot depth: 50 ft.
	RM	2,500 sq. ft.	Minimum width: 30 ft. at front property line Minimum lot depth: 50 ft.
Duplexes, Triplexes, and Quadplexes	RS	Duplex: 2,700 sq. ft. Triplex: 4,000 sq. ft. Quadplex: 4,000 sq. ft.	Duplexes: Minimum width: 30 ft. at front property line Minimum lot depth: 50 ft. Triplexes and Quadplexes: Minimum width: 40 ft. at front property line Minimum lot depth: 50 ft.
	RM	None	Minimum width: 30 ft. at the front property line Minimum lot depth: 50 ft.
Townhomes	RS	Average minimum lot or parcel size: 1,500 sq. ft. for each unit	Minimum width: 20 ft. at front property line Minimum lot depth: 50 ft.
	RM		
Multi-Unit Dwellings (5+ Units)	RS	Not applicable	Not applicable
	RM	None	Minimum width: 30 ft. at front property line Minimum lot depth: 50 ft.

Exceptions:

1. Except for townhomes, corner lots or lots where a side lot line abuts an alley must be at least four feet more in width than the minimum lot width required in the zone.
2. Frontage on a public street or open space tract is required. Lots where open space tracts provide the only frontage must take access from a rear alley, and the property line fronting open space must be considered a front property line.

3. Other exceptions permitted in the underlying Residential District are also permitted.

D. *Residential Density and Housing Mix.* Based on the zoning implementing the required land use designations in the North Triangle, the Caraway Master Plan must ensure capacity for a minimum of 401 housing units, including at least 67 townhomes, and 106 multi-unit, duplex, triplex, and/or quadplex units. Of the minimum 401 housing units, at least 77 must be deed-restricted affordable housing units, as defined in BDC Chapter 1.2.

E. *Maximum Lot Coverage.* The following maximum lot coverage standards apply to all development within the Residential Districts as follows:

Table 2.7.4850.D - Residential Lot Coverage

Residential Zone	Lot Coverage
Standard Density Residential (RS)	50% for lots with 2+ story single-unit detached dwellings and/or 2+ story accessory structures
Medium Density Residential (RM)	55% for lots with single-story single-unit detached dwellings and single-story accessory structures
	60% for lots with townhomes, duplexes, triplexes, quadplexes, and multi-unit

F. Floor area ratio does not apply to any uses.

G. *Maximum Building Height.*

1. Buildings within the RS District may be no more than 35 feet in height.
2. Buildings within the RM District may be no more than 40 feet in height.

H. *Additional Standards for Townhomes.* Townhomes not accessed by an alley must comply with the following standards:

1. Townhomes located on lots that meet the minimum width requirement for detached single-unit homes are not subject to BDC [3.6.200\(D\)](#), but must comply with the following standards:
 - a. Driveway approaches must be separated by a minimum of seven feet.
 - b. Driveway approaches must not exceed 20 feet in width.
2. The maximum combined garage door width facing the street is 55 percent of the total building width. As shown in Figure 2.1.950.B, the maximum combined garage door width facing the street may be up to 65 percent of the total building width if the front door entrance is within 10 feet of the longest street-facing wall of the dwelling unit.

I. *On-Site Surface Water Drainage.*

1. On-site surface water drainage may be addressed in the following ways. Alternatives may be approved by the City Engineer:

- a. Roof drainage originating from residential properties may be conveyed to a public street and/or public storm drain collection and disposal system by subsurface piping, or curb weepholes, as approved by the City Engineer during permit review.
 - b. Roof drainage originating from residential properties may be commingled with drainage originating from public streets and/or alleys and conveyed to a non-UIC system located within a private tract to be owned by a homeowners' association with a Stormwater Maintenance agreement (SWMA) between the homeowner's association (HOA) and the City outlining operational and maintenance responsibilities. The City may allow for commingled drainage to be conveyed to a non-UIC system located in the public right-of-way if deemed appropriate by the City and maintenance agreements are executed between the homeowners' association and the City.
 - c. Roof and surface drainage originating from residential properties may be conveyed to a private storm drain collection and disposal system located in a private tract or easement. Private drainage systems will not be permitted within dedicated right of way or public utility easements unless otherwise approved by the City Engineer during right-of-way permit review. If approved by the City Engineer, a SWMA between the HOA and the City must be recorded.
 - d. Private drainage facilities must be contained within the same or previous subdivision phase, or a stormwater easement must be provided for the stormwater facilities.
 - e. City Stormwater easements must be provided for public drainage facilities located on private property.
 - f. A homeowners' association must be responsible for installing and maintaining any required landscaping in private facilities located in a private tract.
 - g. Surface water drainage from non-residential lots must be maintained on individual property. Storm facilities in the right of way must be designed and tested in accordance to City of Bend standards and Central Oregon Stormwater Manual (COSM) guidelines.
 - h. A stormwater maintenance agreement, prepared and recorded by the City, must be recorded with the final plat of the subdivision phase.
- J. Fences. On lots with more than one street frontage, only one front setback area restriction applies relative to the three and one-half feet fence height restriction in BDC [3.2.500\(C\)](#). The fence along the nonfront designated area must not exceed six feet in height from the area subject to the front setback to the rear property line.

2.7.4860 Commercial General.

- A. Where no special standards are provided, the applicable standards of the CG Zone apply.
- B. *Permitted Uses.*
 - 1. All uses listed as permitted in the underlying zone are permitted. All uses listed as conditionally permitted in the underlying zone are conditionally permitted.
 - 2. Live-work townhomes.
 - 3. Kennel with or without overnight boarding enclosed in a building.

2.7.4870 Mixed Employment.

- A. Where no special standards are provided, the applicable standards of the ME Zone apply.
- B. *Permitted Uses.*
 - 1. All uses listed as permitted or conditionally permitted in the underlying zone are permitted.
 - 2. Affordable housing as described in ORS 456.270 to 456.295.
 - i. A minimum 50-year affordability duration and compliance with Policy 5-20 is required for the 77 units required to satisfy BCP Policy 11-146.
 - ii. The limitations on new residential uses in BDC 2.3.200.C.1. do not apply to affordable housing as described in ORS 456.270 to 456.295.
 - 3. Kennels with or without overnight boarding enclosed in a building.
- C. Maximum Building Height: 55 feet, exclusive of additional height bonuses allowed in BDC 2.3.300(B).

2.7.4880 Light Industrial.

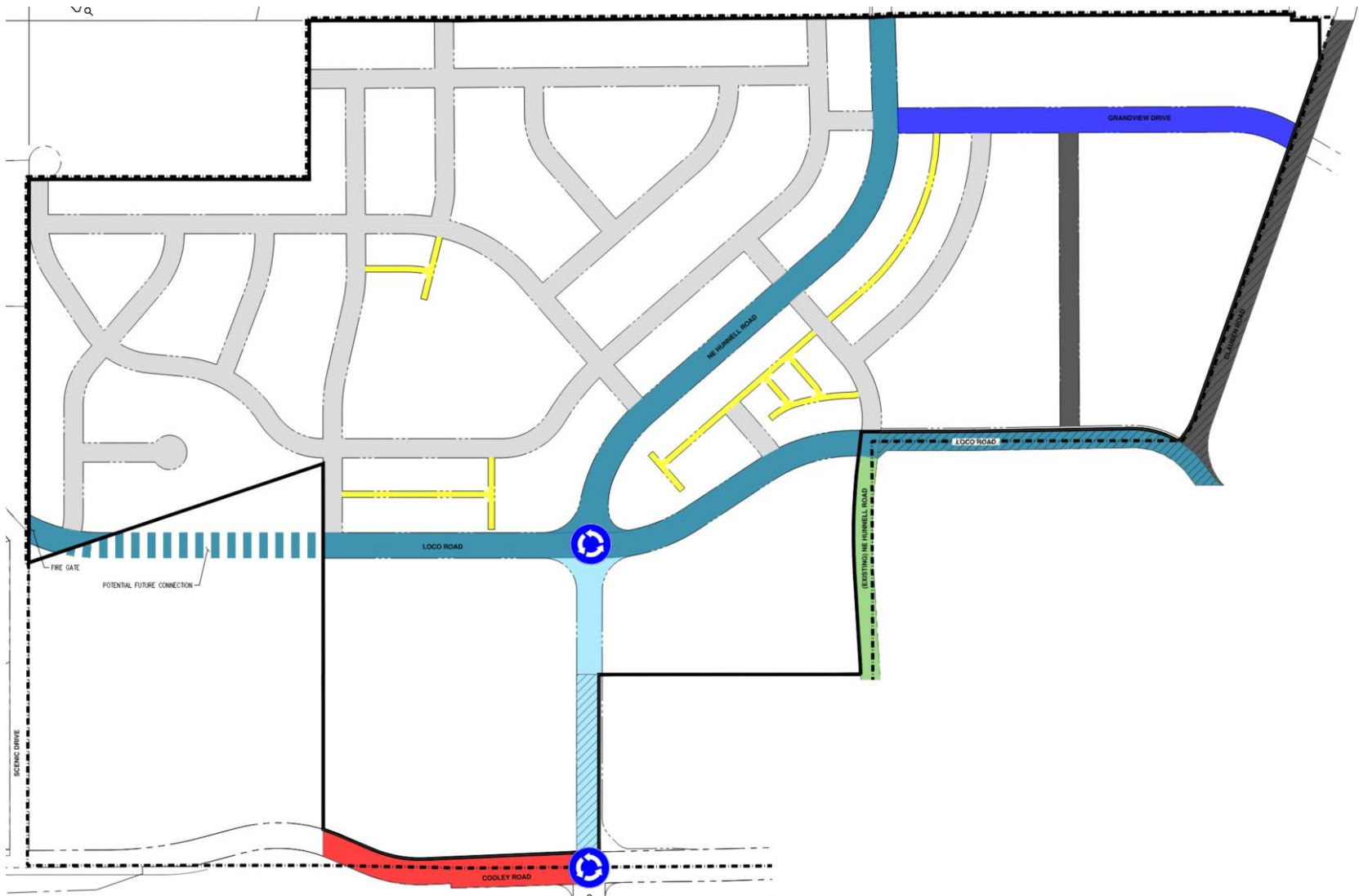
- A. Where no special standards are provided, the applicable standards of the IL Zone apply.
- B. *Permitted Uses.* All uses listed as permitted or conditionally permitted in the underlying zone are permitted, and Restaurant/Food and Beverage Services are permitted when accessory to the primary industrial use and are limited to no more than 10 percent of the industrial development or 2,500 square feet (whichever is greater).






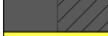
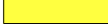
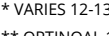
2.7.4890 Special Street Standards.

A. Figure 2.7.4890 depicts the street type, tentative street location and alignment in the Caraway Master Planned Development and the standards to correspond to each street type. The precise street alignment will be established through the land division process. The Caraway Master Planned Development Street Type Plan and the Caraway Master Planned Development Street Standards, Figure 2.7.4890, will be applied to the Caraway Master Planned Development as illustrated except when an alternate standard is permitted under this section or through the land division process.

B. Any City street standard adopted after the effective date of the ordinance codified in this chapter, which permits a lesser street standard, may be applied to the Caraway Master Planned Development during the land division process.

Figure 2.7.4890 - Caraway Street Type Plan and Standards



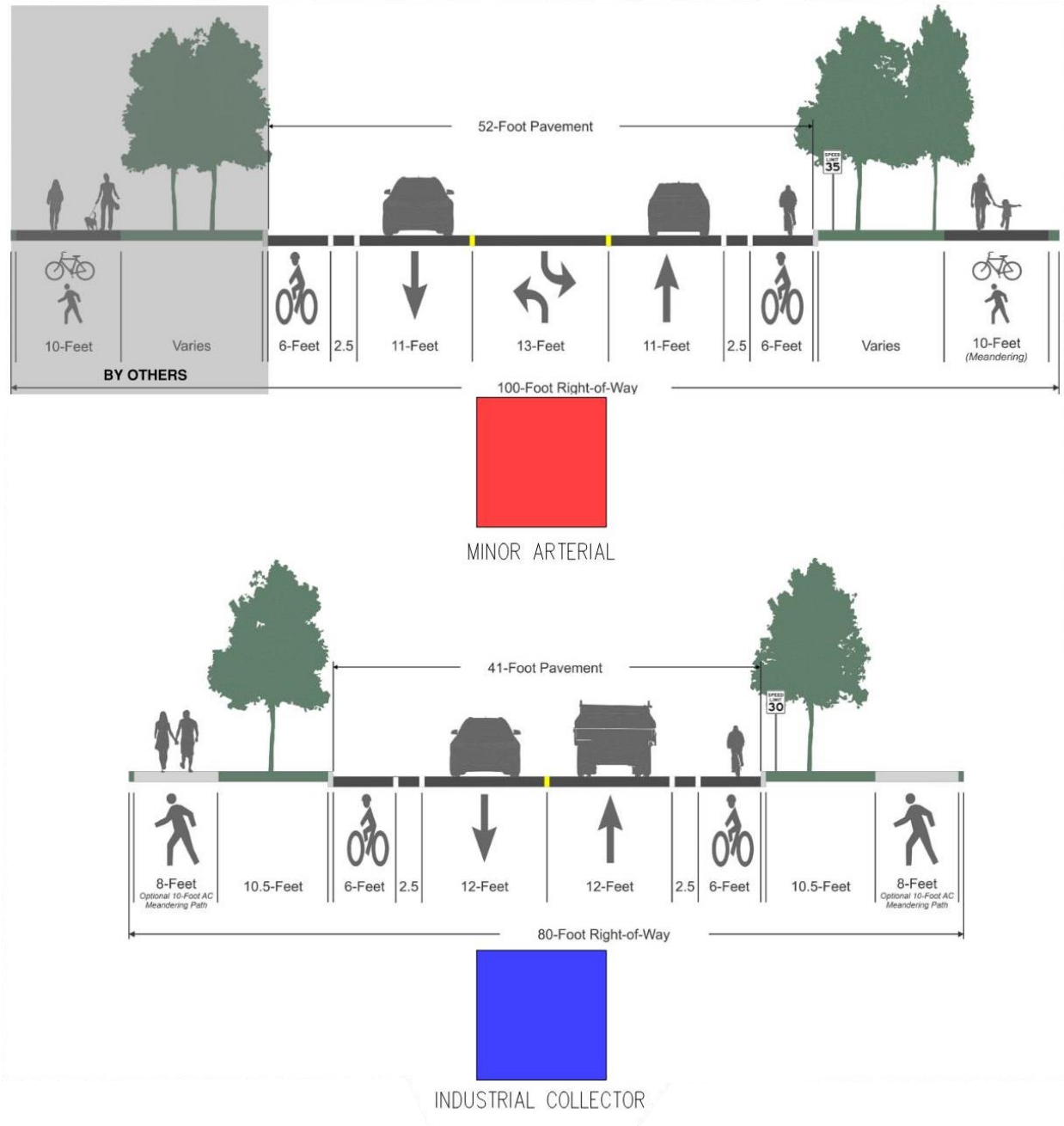
STREET LEGEND AND SPECIFICATIONS									
LEGEND	STREET TYPE	ROW	PAVEMENT	TRAVEL LANE	BIKE LANE	PARKING	PLANTER	MULTI-USE PATH	SIDEWALK
	MINOR ARTERIAL	100 FT	52 FT	11 FT	6 FT	-	12 FT *	10 FT (MEANDERING)	-
	RESIDENTIAL COLLECTOR	80-84 FT	55 FT	10.5 FT	5 FT	8 FT	5.5 FT	8 FT**	-
	INDUSTRIAL COLLECTOR	80 FT	41 FT	12 FT	6 FT	-	10.5 FT	8 FT**	-
	COMMERCIAL COLLECTOR	80 FT	51 FT	11 FT	6 FT	-	5.5 FT	8 FT	-
	RESIDENTIAL LOCAL	60 FT	32 FT	16 FT	-	-	7 FT	-	6 FT
	RESIDENTIAL LOCAL – MODIFIED	60 FT	36 FT	10 FT	-	8 FT	5 FT	-	6 FT
	COMM/INDUSTRIAL LOCAL	60 FT	36 FT	18 FT	-	***	5 FT	-	6 FT
	PUBLIC ALLEY	20 FT	19 FT	9.5 FT	-	-	-	-	-

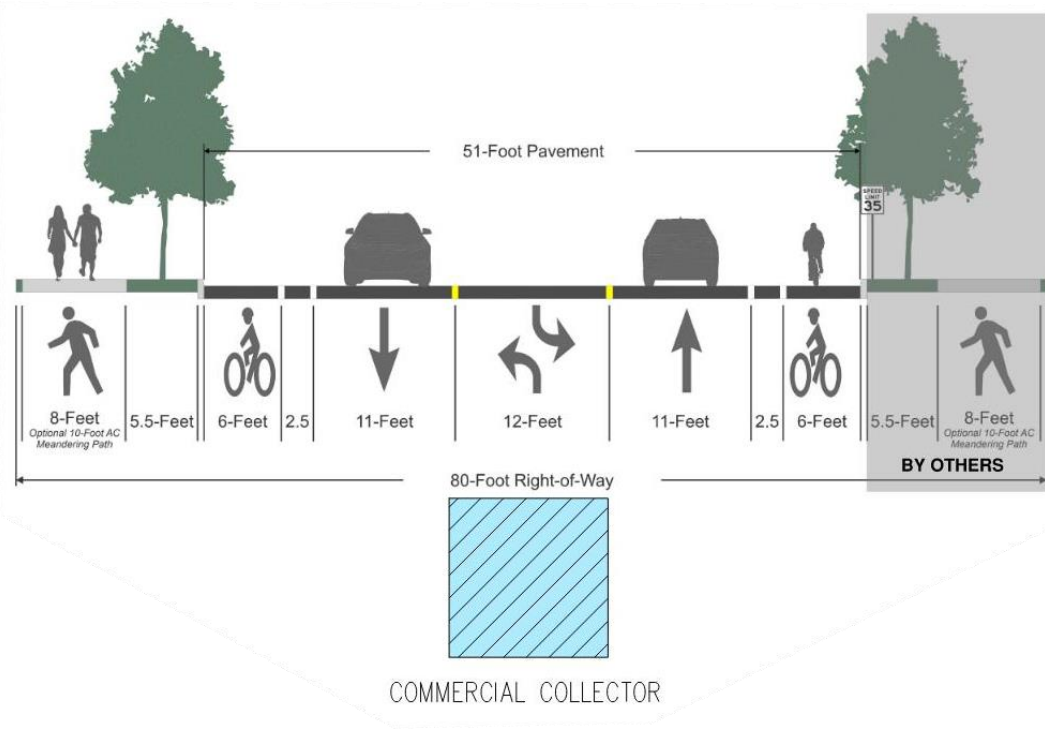
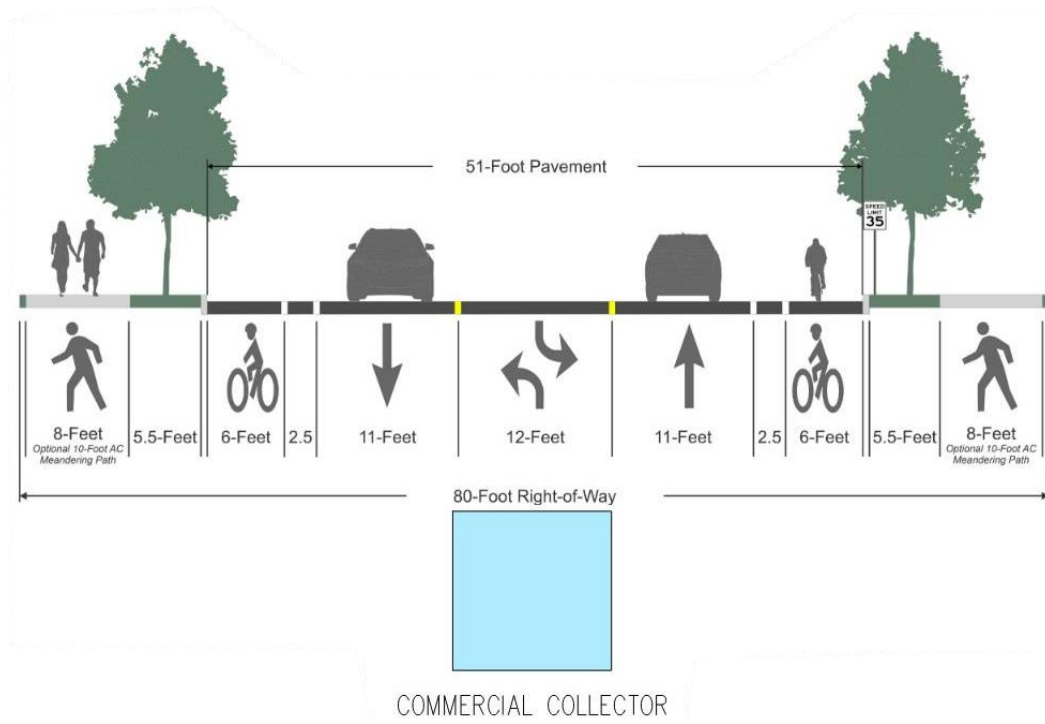
* VARIES 12-13.5 FT

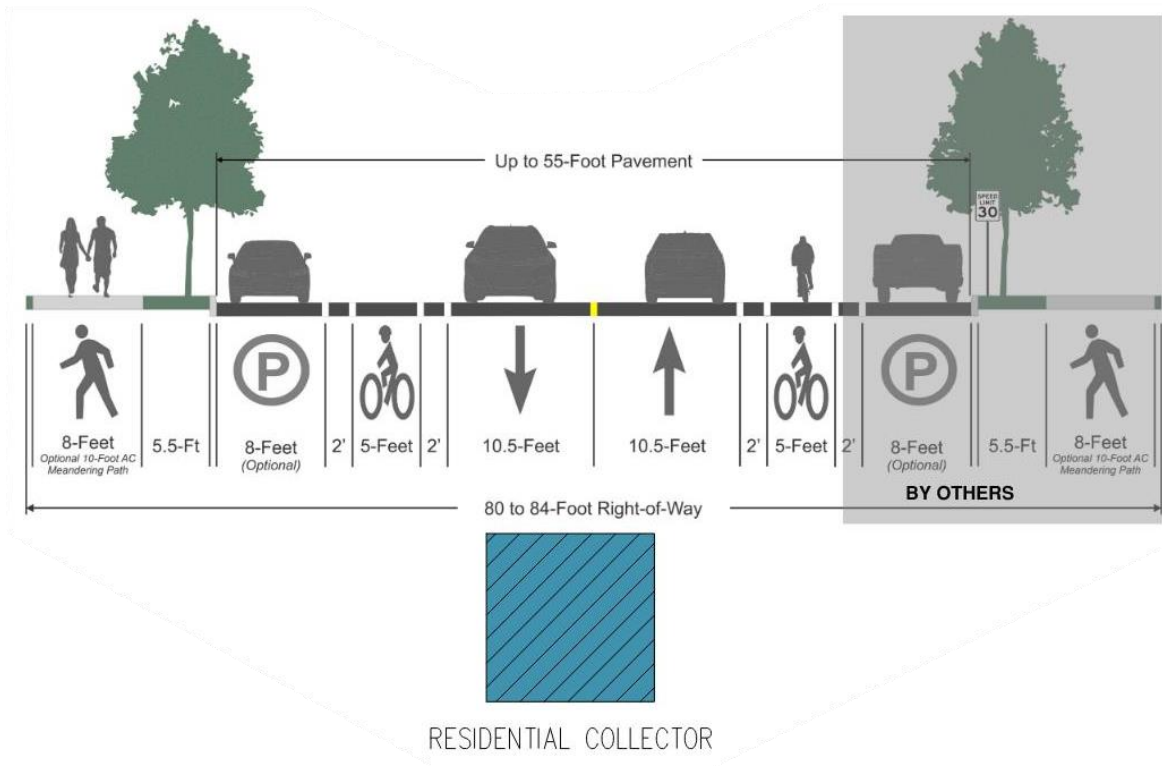
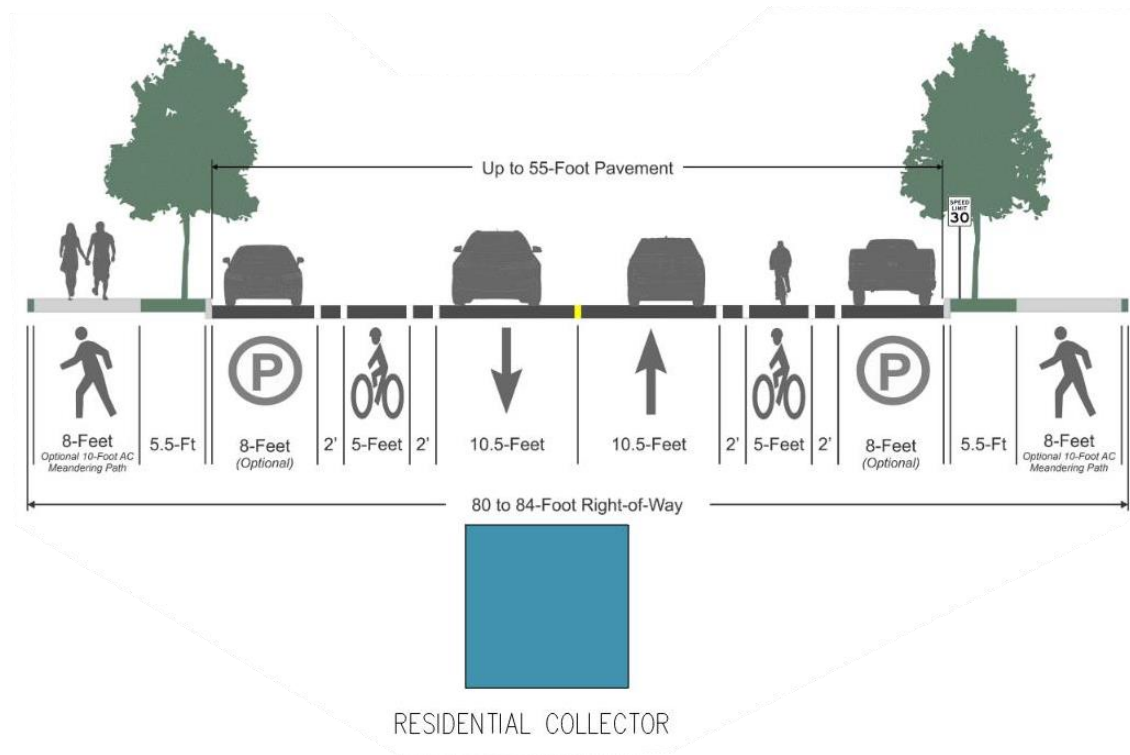
** OPTINOAL 10 FT MEANDERING PATH

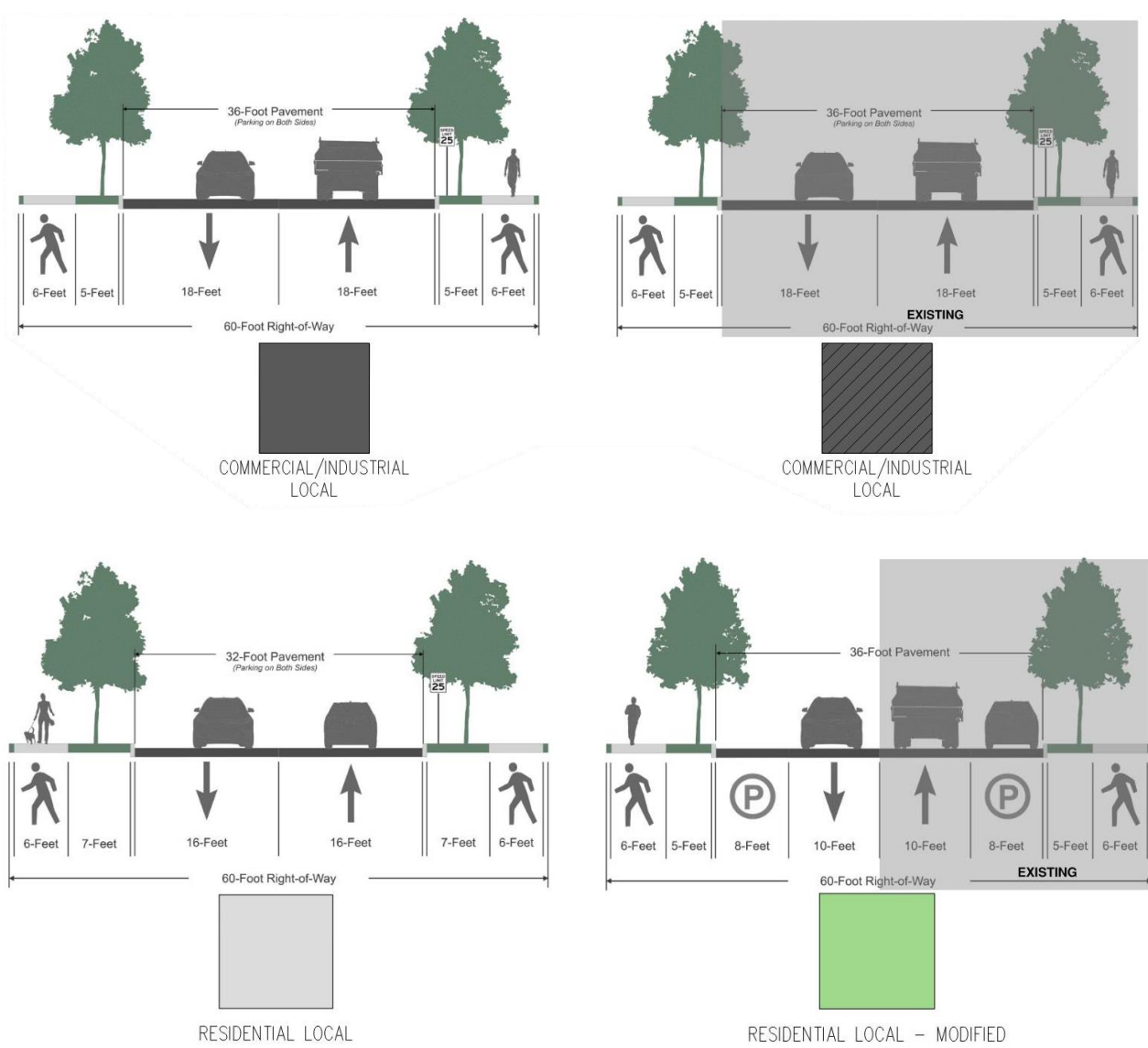
*** OPTIONAL PARKING ON BOTH SIDES

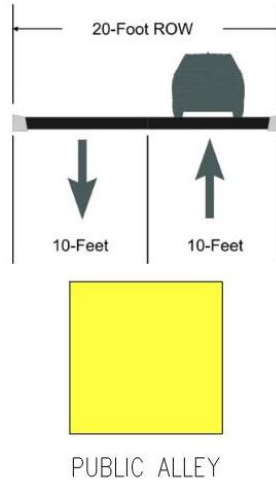
HATCHING INDICATES A PORTION OF STREET SECTION IS EITHER EXISTING OR WILL BE CONSTRUCTED BY OTHER AS NOTED ON THE STREET SECTION BELOW.











2.7.4900 Transportation Mitigation Plan.

A. *Applicability.* The following Transportation Mitigation Plan applies to all development within the Caraway Master Planned District. The Transportation Mitigation Plan is adopted and implemented pursuant to BDC [4.7.600\(D\)\(1\)](#).

B. *Alternate Transportation Design Standards.* Transportation facilities within the Caraway Master Planned District must comply with the standards set forth in BDC 2.7.4890 and Figure 2.7.4890.

C. *Transportation Mitigation.* The following transportation mitigation measures must be constructed pursuant to the deadlines set forth in Table 2.7.4900 below. The timing of the mitigation measures is tied to the phases depicted on Figure 2.7.4900; the phasing does not need to occur in any specific order.

Table 2.7.4900

Trigger	Mitigation Requirement
All Phases	<ul style="list-style-type: none"> • Dedicate and construct ROW per City standards for all included streets within the applicable phase. Roundabout dedications must follow engineered design plans. • During review of the right of way permits, plans must be provided to show how nearby residents reliant on existing County roads will have maintained access to Cooley Road. Access must accommodate vehicular, walking and cycling trips. • At all intersections with City of Bend arterials, collectors and roundabouts, luminaires must be constructed to illuminate the crossings. Where luminaires are within ODOT right of way, if

Trigger	Mitigation Requirement
	<p>applicable, an ODOT permit is required, and illumination levels are set by the ODOT Lighting Design Manual.</p> <ul style="list-style-type: none"> • Where mid-block crossings for pedestrian/multi-modal users are proposed and approved by the City of Bend, the crossing(s) must be signed, striped and illuminated. Where applicable, curb extensions must be constructed at these crossings to narrow the road, prevent parking, and increase visibility. • At all enhanced crossings (marked or crossings having median refuges), luminaires must be installed. The location of enhanced crossings will be determined during subsequent land use reviews. • Coordinate any required detours/closures with the City and ODOT, with the detour sequencing potentially altering the timing of required improvements. • Where dead end roads exceed 150 feet in length, a fire turn around must be constructed in conformance to Oregon Fire Code. If the turnaround cannot be constructed within the available right of way, a temporary access easement must be recorded over the turnaround until the road is extended. • Each phase must identify compliance with Oregon Fire Code Appendix D addressing multiple ingress/egress points. • Compliance monitoring will be required at the Cooley Road/Hunnell Road roundabout following 1) submittal of Site Plan applications for commercial phases; and 2) following submittal of tentative plan applications phases that contribute 50% (725 PM Peak trips), 75% (1088 PM Peak trips) and 100% (1,451 PM Peak trips) of the development's allocated trips, or upon tentative plan application of the final phase. Monitoring of the roundabout performance will determine how the roundabout is functioning and if the construction of the slip lane(s) are needed. • A trip debit letter must be provided to the City of Bend at the time of each site plan review application, showing proposed deduction of allowable trips for the development from the maximum 1,451 PM Peak trips. Exceeding the banked trips for the development will require further review of the remaining development and functionality of the affected intersections. • Location of site access driveways will be determined at time of site plan review. • The Swalley irrigation canal must be piped through each phase in accordance to Swalley Irrigation standards and in conformance to City of Bend standards where crossing right of way. A crossing

Trigger	Mitigation Requirement
	<p>agreement must be completed between the City of Bend and Swalley Irrigation prior to right of way permit approval to pipe the canal within the right of way.</p> <ul style="list-style-type: none"> • A multi-use path, not less than 8-feet paved width, must be constructed from Cooley Road to the north boundary of the Caraway development. Another multi-use path, not less than 8-feet paved width, must be constructed to the western boundary of the master plan. The path must be within a public access easement if located outside of public right-of-way. The location of the paths will be determined during tentative plan review but will generally follow the open space tracts and park. Where the path crosses a higher order street, enhanced crossings (sign and striped and/or pedestrian refuge median installation) may be required and will be determined during tentative plan review.
Prior to Occupancy of Initial Phase	<ul style="list-style-type: none"> • If a connection from existing Hunnell Road at the UGB limits to Clausen Road can be provided within Caraway by December 31, 2024 (subject to timeline modification if approved by the Deschutes County Engineer), the County may alter the limits of the County's in-progress Hunnell Road project (Loco Road to Tumalo Road improvements) to reduce, or eliminate, construction of the Hunnell segment within Caraway and support vacating the existing Hunnell Road ROW within Caraway. If a suitable connection cannot be provided within the necessary timeframe, the County will continue to retain the Hunnell ROW and may complete construction of Hunnell Road to Loco Road to a County roadway design standard within the existing ROW. • Until a single-lane roundabout is installed at the Cooley Road/Hunnell Road intersection, access from the Hunnell Road collector alignment will be limited to construction and/or emergency use only.
Prior to final plat of IL1	<ul style="list-style-type: none"> • 80-foot ROW dedication and completion of $\frac{3}{4}$ street improvements along Grandview Drive frontage. • 80-foot ROW dedication and completion of $\frac{3}{4}$ street improvements along Hunnell Road frontage, connecting to the existing county Hunnell Road at the north property line. • Complete $\frac{3}{4}$ street improvements along Clausen Road frontage.
Prior to final plat of IL2	<ul style="list-style-type: none"> • 80-foot ROW dedication and completion of $\frac{3}{4}$ street improvements along the Grandview Drive frontage.

Trigger	Mitigation Requirement
	<ul style="list-style-type: none"> • Complete ¾ street improvements along Clausen Road frontage • 80-foot ROW dedication and completion of ¾ street improvements along the Loco Road frontage. • 60-foot ROW dedication and completion of ¾ street improvements along the frontage of the commercial/industrial local street connecting Loco Road and Grandview Drive.
Prior to final plat of CG1	<ul style="list-style-type: none"> • Construct a single-lane roundabout at Cooley Road/new Hunnell Road and dedicate necessary ROW for roundabout and future slip lane(s) prior to occupancy within CG1. • 80-foot ROW dedication and completion of new Hunnell Road ¾ street improvements to collector street standards per the community master plan street section. • Construct a mobility hub along the west side of Hunnell Road serving the adjacent commercial uses. Features may include a transit shelter, informational kiosk, bench, and pull-out area at least 75-feet long for use by CET or other shuttle/rideshare users as appropriate. The applicant must coordinate with the City and CET for final location and scope of the mobility hub. • Dedicate 50' ROW from centerline and complete ¾ street improvements (if not already completed by Gateway North) along NE Cooley Road frontage to the adopted street standard codified under the Gateway North Master Plan (BDC 2.7.4590) prior to occupancy. • A multi-modal path must be constructed to create a connection between the park and open spaces north of Loco Road and Cooley Road and to continue the path from the Gateway North Master Plan. • An illuminated, striped and signed enhanced crossing of Cooley Road must be constructed to align with Road B or the public path/sidewalk proposed along the west property line of the gas station in the Gateway North Master Plan. Location of the multi-modal path (see above) and crossing will be determined at time of tentative plan or site plan review but must be aligned to prevent out of direction travel.
Prior to final plat of CL1	<ul style="list-style-type: none"> • Construct a single-lane roundabout at Cooley Road/new Hunnell Road and dedicate necessary ROW for roundabout and future slip lane(s). • Complete all improvements listed for Phase CG1, excluding Cooley Road frontage, to provide a complete Hunnell Road corridor.

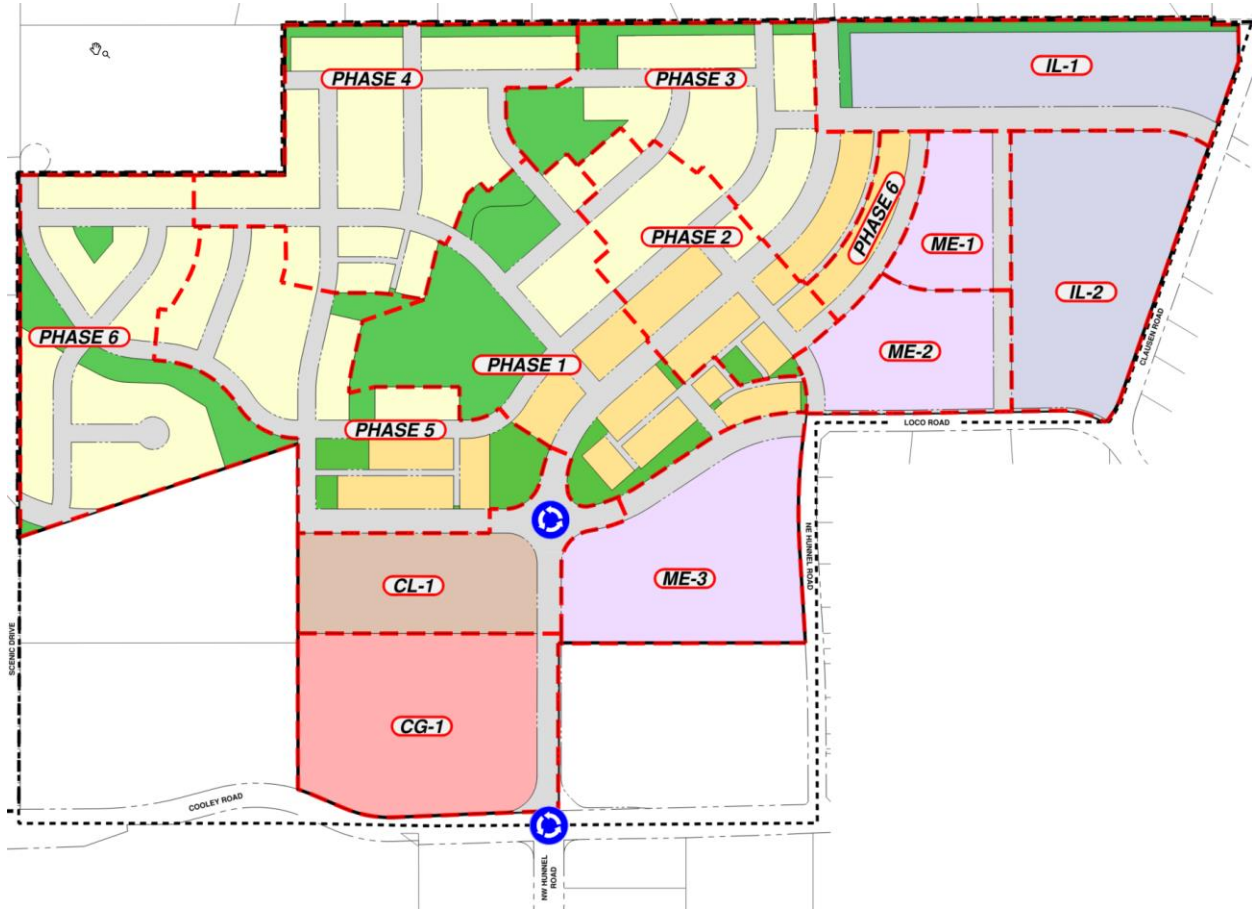
Trigger	Mitigation Requirement
	<ul style="list-style-type: none"> • 80-foot ROW dedication and completion of $\frac{3}{4}$ street improvements along Loco Road • Construct a single-lane roundabout at Hunnell Road/Loco Road and dedicate necessary ROW for roundabout. • A multi-modal path, aligning with the requirement for CG1, must be constructed through the property to Loco Road, connecting to the open space and trail north of Loco Road. The path must be continuous from Cooley Road to the open space, constructed to City standards within a public access easement.
Prior to final plat of ME3	<ul style="list-style-type: none"> • Construct a single-lane roundabout at Cooley Road/new Hunnell Road and dedicate necessary ROW for roundabout and future slip lane(s). • Complete all improvements listed for CG1, excluding Cooley Road $\frac{3}{4}$ frontage improvements • Construct a single-lane roundabout at Hunnell Road/Loco Road and dedicate necessary ROW for roundabout. • 80-foot ROW dedication and completion of $\frac{3}{4}$ street improvements along Loco Road, connecting it to the existing Hunnell Road • Complete $\frac{3}{4}$ street improvements along the existing Hunnell Road frontage • Construct a raised median at the existing Hunnell Road/Cooley Road to restrict southbound movements to a right-in, right-out maneuver. Construct a signed, striped, and illuminated enhanced crossing at or in the vicinity of the intersection.
Prior to final plat of ME2	<ul style="list-style-type: none"> • 80-foot ROW dedication and completion of Loco Road $\frac{3}{4}$ street improvements along the southern frontage • Complete existing Hunnell Road $\frac{3}{4}$ street improvements on the western frontage • 60-foot ROW dedication and completion of the commercial/industrial local street connecting Loco Road and Grandview Drive with $\frac{3}{4}$ street improvements on the eastern frontage
Prior to final plat of ME1	<ul style="list-style-type: none"> • 60-foot ROW dedication and completion of the commercial/industrial local street connecting Loco Road and Grandview Drive with $\frac{3}{4}$ street improvements on the eastern frontage • 80-foot ROW dedication and completion of $\frac{3}{4}$ Grandview Drive street improvements along north frontage

Trigger	Mitigation Requirement
	<ul style="list-style-type: none"> • Prior to occupancy of any uses with access from Loco Road, complete the Hunnell Road/Loco Road single-lane roundabout.
Prior to final plat of Phase 1	<ul style="list-style-type: none"> • Construct a single-lane roundabout at Cooley Road/Hunnell Road and dedicate necessary ROW for roundabout and future slip lane(s) prior to occupancy of Phase 1. • Construct a single-lane roundabout at Loco Road/Hunnell Road and Cooley Road/Hunnell Road and dedicate necessary ROW for roundabout prior to occupancy within Phase 1. • Complete $\frac{3}{4}$ street improvements (path on the west side, south of phase. Path both sides of the street within the phase limits.) and 80 foot right of way dedication along Hunnell Road from Cooley Road north through Phase 1 boundary. • 80-foot ROW dedication and completion of $\frac{3}{4}$ street improvements along Loco Road frontage adjacent to the Phase. • Dedicate 60-foot right of way for local streets and 20-foot ROW for alleys, where applicable. Complete local street and alley construction, where applicable, within the phase limits. • Complete multi-modal path within public access easement through park/open space.
Prior to final plat of Phase 2	<ul style="list-style-type: none"> • Dedicate 60-foot right of way for local streets and 20-foot ROW for alleys, where applicable. Complete local street and alley construction, where applicable, within the phase limits. • Complete $\frac{3}{4}$ street improvements (path on the west side, south of phase. Path both sides of the street within the phase limits.) and 80 foot right of way dedication along Hunnell Road from Cooley Road north through Phase 2 boundary. • Construct roundabouts at Loco Road/Hunnell Road and Hunnell Road/Cooley Road intersections. • Complete multi-modal path within public access easement through park/open space.
Prior to final plat of Phase 3	<ul style="list-style-type: none"> • Complete $\frac{3}{4}$ street improvements (path on the west side, south of phase. Path both sides of the street within the phase limits.) and 80 foot right of way dedication along Hunnell Road from Cooley Road to the Grandview Drive intersection. • Roundabouts at Loco Road/Hunnell Road and Hunnell Road/Cooley Road intersection must be constructed.

Trigger	Mitigation Requirement
	<ul style="list-style-type: none"> • Dedicate 60-foot right of way for local streets and 20-foot ROW for alleys, where applicable. Complete local street and alley construction, where applicable, within the phase limits. • Complete multi-modal path within public access easement through park/open space. • A safety and performance analysis must be performed at the intersection of Business 97 and Robal Lane.
Prior to final plat of Phase 4	<ul style="list-style-type: none"> • Dedicate 60-foot right of way for local streets and 20-foot ROW for alleys, where applicable. Complete local street and alley construction, where applicable, within the phase limits. • All improvements of Phase 1 – 3 must be complete to provide utilities and access for this phase. • Complete multi-modal path within public access easement through park/open space.
Prior to final plat of Phase 5	<ul style="list-style-type: none"> • Construct a single-lane roundabout at Cooley Road/Hunnell Road and dedicate necessary ROW for roundabout and future slip lane(s) prior to occupancy of Phase 5. • Construct a single-lane roundabout at Hunnell/Loco Road and dedicate necessary ROW for roundabout prior to occupancy of Phase 5. • Complete street improvements along Hunnell Road from Cooley Road north through the Hunnell Road/Loco Road roundabout. • Dedicate 60-foot right of way for local streets and 20-foot ROW for alleys, where applicable. Complete local street and alley construction, where applicable, within the phase limits. • Complete multi-modal path within public access easement through park/open space. • 80-foot ROW dedication and completion of ¾ street improvements along the Loco Road frontage.
Prior to final plat of Phase 6	<ul style="list-style-type: none"> • 80-foot ROW dedication and completion of Loco Road frontage. The Loco Road and Scenic Drive intersection must be gated for emergency access only, until Scenic Drive is annexed and constructed to City standards. • Dedicate 60-foot right of way for local streets and 20-foot ROW for alleys, where applicable. Complete local street and alley construction, where applicable, within the phase limits.

Trigger	Mitigation Requirement
	<ul style="list-style-type: none"> • Phase 5's conditions must be constructed prior to Phase 6. • Complete multi-modal path within public access easement through park/open space.

Figure 2.7.4900 Phasing Plan



2.7.4910 Future Capacity Reservation.

A. The Caraway Master Plan reserves infrastructure capacity (sewer, water, and transportation) through and including November 3, 2038, for all site plan review and subdivision applications filed pursuant to the phasing plan through November 3, 2038. Site plan review and subdivision applications submitted after November 3, 2038, will be subject to new utility and transportation analyses.

EXHIBIT B

PLANNING COMMISSION RECOMMENDATION TO THE CITY COUNCIL



COMMUNITY
DEVELOPMENT

PROJECT NUMBER: PLSPD20230175

HEARING DATE: September 20, 2023

APPLICANT: Pahlisch Homes, Inc.
210 SW Wilson Ave #100
Bend, OR 97702

OWNERS: Pahlisch Homes at North Triangle LP and others
(see owner list on Exhibit A of application)

**PLANNING/
ENGINEERING:** AKS Engineering & Forestry, LLC
2777 NW Lolo Drive, Suite 150
Bend, OR 97703

TRANSPORTATION: Joe Bessman, PE
Transight Consulting, LLC

LOCATION: East of Highway 20, west of Highway 97, north of Cooley
Road, within the North Triangle Urban Growth Boundary
Expansion Area

Deschutes County Assessor's Map:
Map 17 12 08D0 Tax Lots 100, 101, 102, 201, 202
Map 17 12 09C0 Tax Lots 100, 200
Map 17 12 09D0 Tax Lot 93

REQUEST: Type III Quasi-judicial amendment to Bend Development
Code Chapter 2.7, Special Planned Districts, to create the
Caraway Master Planned Development; a 149.88-acre Major
Community Master Plan, with a mix of residential, commercial,
mixed-employment and light industrial uses, including
approximately 17.6 acres of open space.

STAFF REVIEWERS: Karen Swenson, AICP, Senior Planner
(541) 388-5567; kswenson@bendoregon.gov
Chris Henningsen, PE, Principal Engineer
(541) 693-2134, chenningesen@bendoregon.gov

APPLICABLE REVIEW CRITERIA, STANDARDS AND PROCEDURES:

Bend Development Code (BDC)

Criteria

Chapter 4.5, Master Plans

Standards

Chapter 2.1, Residential Districts (RS, RM)

Chapter 2.2, Commercial Zoning Districts (CL, CG)

Chapter 2.3, Mixed-Use Zoning Districts (ME)

Chapter 2.4, Industrial Zoning Districts (IL)

Chapter 2.8, Urbanizable Area District (UA)

Chapter 3.1, Lot, Parcel and Block Design, Access and Circulation

Chapter 3.4, Public Improvement Standards

Chapter 4.7, Transportation Analysis

Procedures

Chapter 4.1, Development Review and Procedures

Bend Comprehensive Plan

Chapter 11, Growth Management

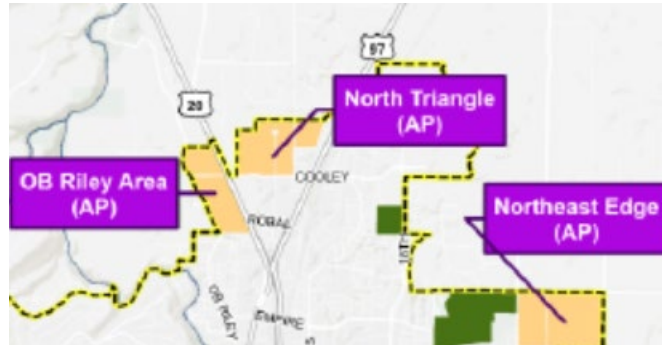
Oregon Administrative Rules

Chapter 660 Division 15 - Statewide Planning Goals and Guidelines

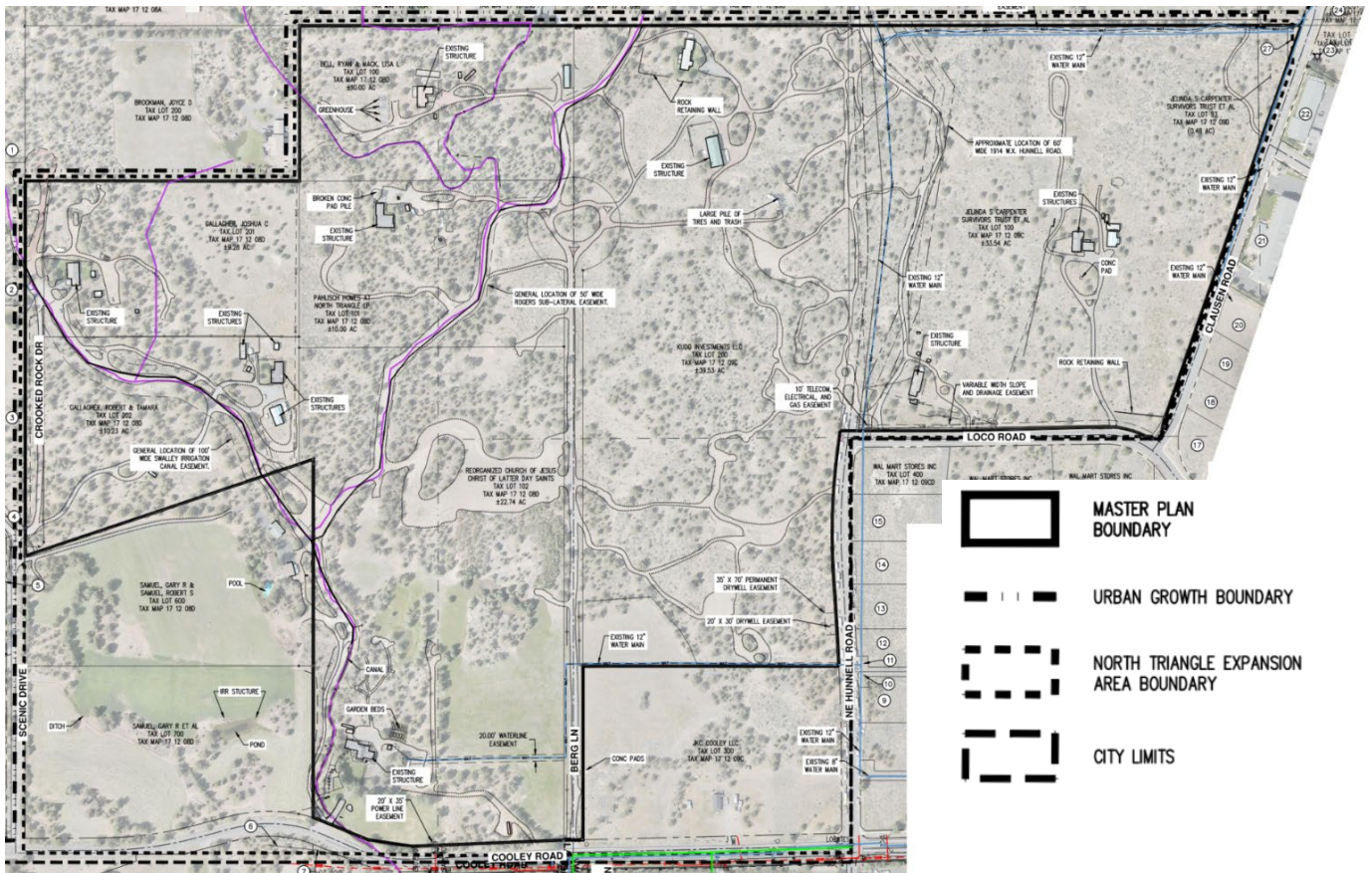
FINDINGS OF FACT:

- 1. LOCATION:** The Caraway Master Plan encompasses 149.88 acres of the 181.79-acre North Triangle Urban Growth Boundary (UGB) Expansion Area. The site is comprised of eight tax lots, bounded by Scenic Drive (a local road) to the west, Cooley Road (a minor arterial) to the south, and Clausen Road (a local road) to the east. To the north, the Caraway Master Plan area abuts land within the County jurisdiction that is subdivided into large lots and developed with single-unit homes.
- 2. SITE DESCRIPTION:** The site is relatively flat, and the submitted Existing Conditions and Ownership Map shows the Swalley Irrigation Canal stretching from the northwest corner of the Master Plan area (in a southeasterly direction) to the southern boundary of the Caraway Master Plan area, where it crosses under Cooley Road. About halfway to the southern boundary of the Caraway Master Plan area, the canal splits and runs northeasterly to the northern boundary of the Master Plan area. Existing vegetation is typical of the north side of Bend and includes coniferous trees, primarily juniper, of varying heights and maturities. There are a number of homes, a church, and accessory structures spread across the subject property, which will be removed during construction.

The Caraway Master Plan includes three segments of unimproved rights-of-way within the County: Crooked Rocks Road along the western edge, Berg Lane extends north from Cooley Road, and the portion of Hunnell Road north of Loco Road. The applicant is in the process of vacating these unimproved rights-of-way through Deschutes County.

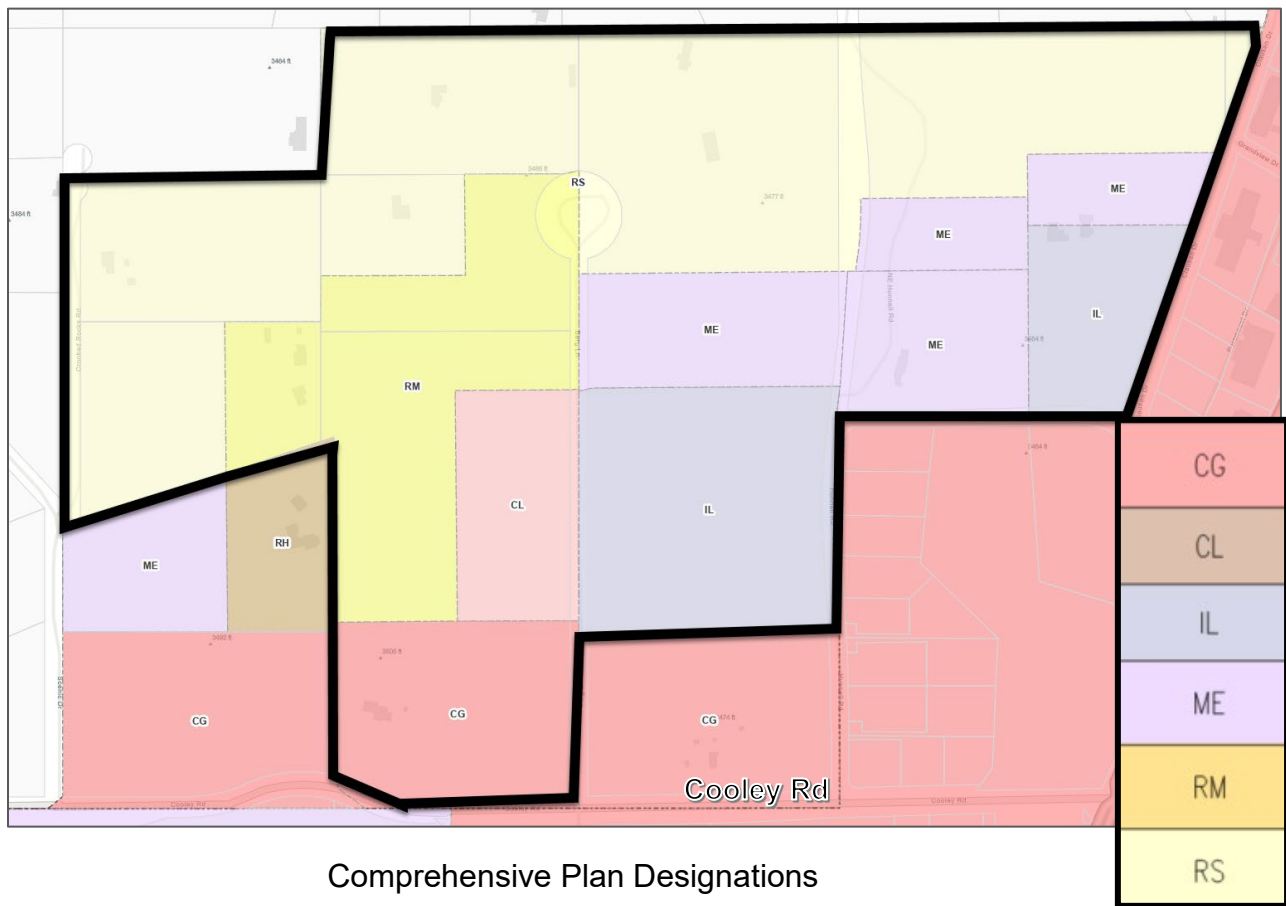


Bend Comprehensive Plan – North Triangle Expansion Area



2022 Aerial – Caraway Master Plan subject property

3. ZONE AND PLAN DESIGNATION: The Caraway Master Plan is located within the North Triangle UGB Expansion Area. The Bend Comprehensive Plan (BCP) designations of the North Triangle include Residential, Commercial, Mixed Employment and Industrial. Residential zones comprise approximately half of the property and include Residential Standard Density (RS) and Residential Medium Density (RM). Commercial zones include Limited Commercial District (CL) and General Commercial (CG) abutting and just north of Cooley Road. The Industrial zone designation is Light Industrial (IL) and located in the center and eastern portions of the property. Finally, the Mixed Employment (ME) zone is located in the center eastern portion of the property. The current zone of the subject property is Urbanizable Area (UA).



The eight tax lots within the Caraway Master Plan are listed below along with their address, acreage, and Comprehensive Plan designations:

Table 1: Caraway Master Plan properties

Map and Tax Lot	Address	Acreage	Comprehensive Plan Designation
171208D000100	63775 Berg Lane	±10.00	RS
171208D000101	63765 Berg Lane	±10.00	RS, RM
171208D000102	20380 Cooley Road	±22.74	RM, CL, CG
171208D000201	63700 Crooked Rocks Road	±9.28	RS
171208D000202	63678 Crooked Rocks Road	±10.23	RS, RM
171209C000100	20522 Loco Road	±33.54	RS, ME, IL
171209C000200	63660 Berg Lane	±39.53	RS, ME, IL
171209D00093	No Situs Address	±0.48	RS

The abutting properties to the east and southeast are located within the city limits and are zoned General Commercial. The Gateway North Master Plan, which includes both multifamily and commercial uses, is located to the southwest of the Caraway Master Plan, south of Cooley Road, and inside the City Limits.

There are four properties outside of the proposed master plan but within the North Triangle Expansion Area. To the southeast, abutting Cooley Road, is a 10.38-acre property designated General Commercial. To the southwest are two properties – the northern 10.76-acre property has a split designation of High Density Residential (RH – 5.0 acres) and Mixed Employment (ME – 5.76 acres) and the southern 11.44-acre property is designated General Commercial. Finally, a small 0.05-acre property in northeast corner of the North Triangle Expansion Area abutting Clausen Road is designated RS and is not within the master plan boundary.

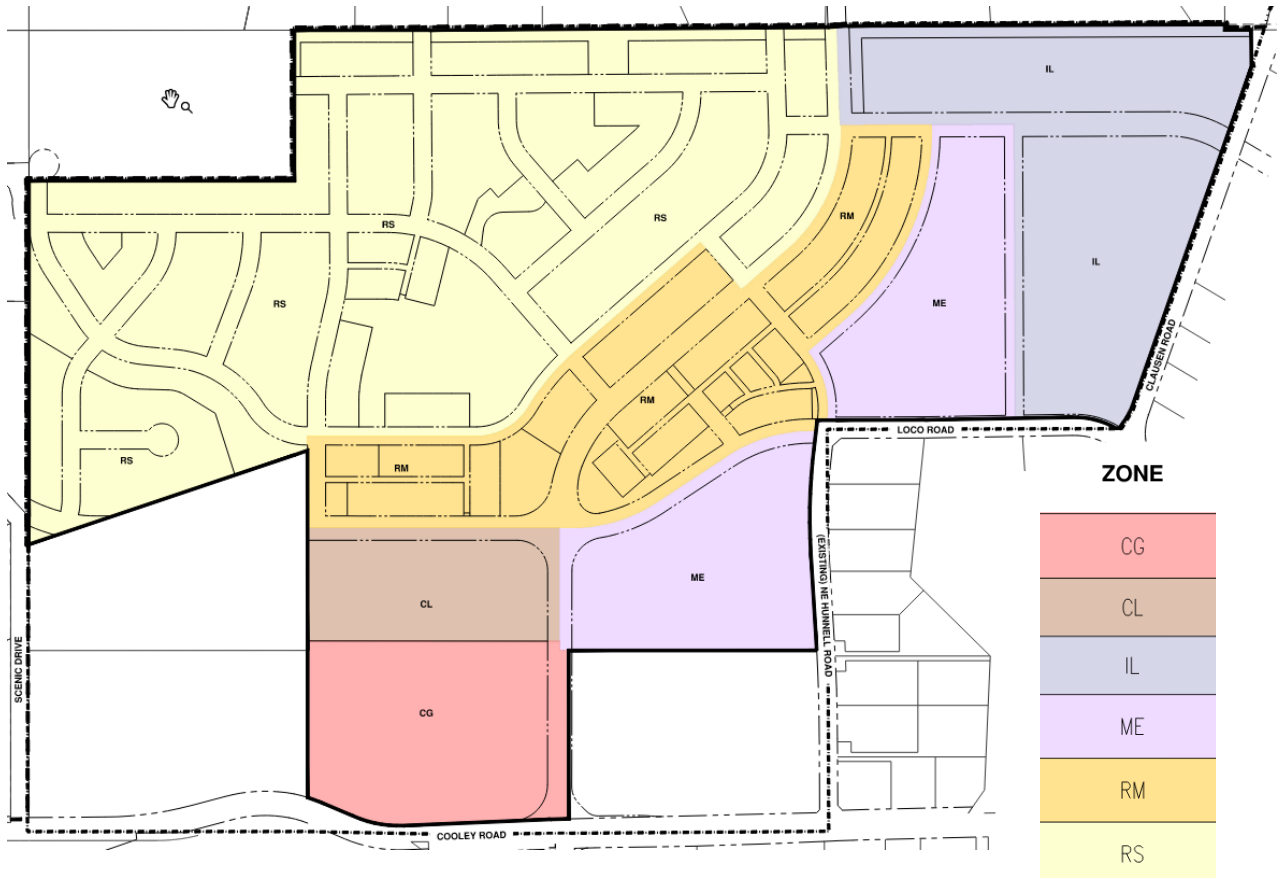
The remaining abutting properties to the west and north are outside of the urban growth boundary and are zoned Multiple Use Agricultural (MUA-10) and Urban Area Reserve 10 Acre Minimum (UAR-10) in the County.

- PROPOSAL:** The applicant proposes a Major Community Master Plan to be known as Caraway located on approximately 150 acres within the 182-acre North Triangle subarea of the 2016 UGB expansion area, including amendments to both the text and maps in BDC Chapter 2.7 to provide specific development provisions, maps, and diagrams of the new districts and roadway and trail network.

The Caraway Master Plan will provide for a mix of residential and commercial uses including approximately 88 gross acres of residential plan designations that contain parks and open space, almost 19 gross acres of commercial plan designations, and approximately 22 gross acres of industrial plan designations, and approximately 20 acres of mixed employment designation. At least ten percent of the master plan area

will be comprised of open space, including parks, an interconnected trail system and common area. The development will occur in a series of phases over time dependent upon market demand and design layout of utilities and road systems within each of the zoning designations.

Caraway includes rearrangements to the Comprehensive Plan Map placeholder designations to create a diverse and interconnected community that meets the identified BCP policies for this area (BCP Chapter 11).



Proposed Master Plan

The key components of the Caraway Master Plan include:

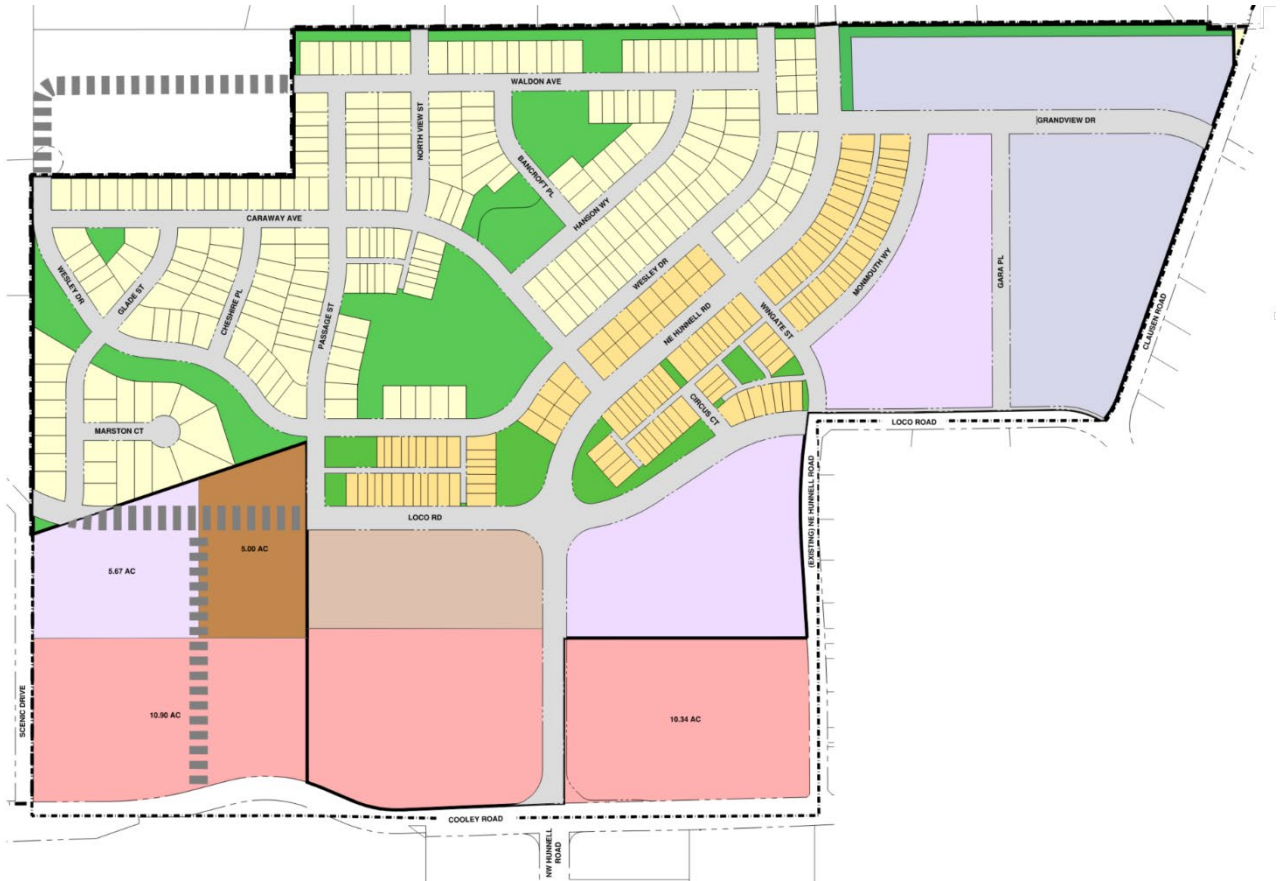
- **Transportation System Improvements:** Subject to the Annexation Agreement, the planned transportation improvements, combined with the internal circulation system and street cross-sections, will support the mix of uses within Caraway while also improving connectivity and functionality of critical transportation facilities on the north side of Bend.
 - **Hunnell Road Realignment:** Consistent with Bend’s Transportation System Plan (TSP), the realignment of Hunnell Road forms the north-south “spine” through Caraway and connects rural residential lands to the north to Cooley

Road and surrounding commercial lands. This new collector street includes 8-foot-wide multiuse pathways along both sides, supporting multiple modes of transportation.

- Roundabout at Cooley Road and Hunnell Road: A single-lane roundabout at the gateway into the community will facilitate regional transportation, provide safe multimodal crossings, and support local access needs.
 - Roundabout at Hunnell Road and Loco Road: The single-lane roundabout at the entrance to the residential portion of the community marks the transition in uses and will mitigate neighborhood congestion, provide safe multimodal crossings, and support local access needs.
 - Extension of Grandview Drive from Clausen Drive to Hunnell Road: This new east-west route, built to Industrial Collector standards, will connect residential and light industrial areas in Caraway to US 97 and the existing commercial corridor.
 - Extension of Loco Road from Hunnell Road to Scenic Drive: This new main east-west collector separates the residential and commercial areas in Caraway. Eight-foot-wide multiuse pathways run along both sides, providing multimodal connections to Hunnell Road and the internal pathway network. Loco Road's full public connection to Scenic Drive is predicated on the future annexation of Scenic Drive into the City of Bend, requiring improvement to Scenic Drive to City of Bend standards by adjacent landowners with frontage on Scenic Drive. Until Scenic Drive is annexed into the City in the future, the Loco Road connection will be for emergency access only.
 - Mobility Hub: Construction of a Mobility Hub along the commercial frontage on Hunnell Road provides a transit pad, shelter, bench, and space for bicycle parking, rideshare, and transit and shuttle parking. Specifics of the mobility hub will be determined through the conversation with Cascade East Transit (CET) during future subdivision and permit review.
- Commercial, Mixed-Use Employment, and Light Industrial Areas: Caraway includes 18.76 acres of commercial-zoned land, 20.73 acres of mixed-employment-zoned land, and 22.28 acres of light industrial-zoned land, which ensures employment and commercial services are scaled to serve the needs of the neighborhood.
 - Community Amenities and Trail Network: Caraway will have a centralized private community center with amenities ranging from swimming pools to lawn games and firepits. A network of trails winding through Caraway's open spaces and along designated local and collector streets will provide additional low stress pedestrian links for residents and visitors to access the community's amenities and planned features as well as reach adjacent areas outside the Master Plan.

- **Open Space and Neighborhood Park:** The Caraway Master Plan preserves 17.6 acres (11.8 percent) as open space, including a new 5.3-acre neighborhood park located near the center of the community and the North Triangle Expansion Area. Identified in Bend Parks and Recreation District's (BPRD) 2018 Comprehensive Plan, this public facility will provide recreational opportunities for individuals of all ages. The ultimate design will be refined in coordination with BPRD, but the location will be well connected to the network of trails and multiuse paths throughout Caraway intended for public and private use.
- **Multiple Types of Needed Housing:** Caraway includes a mix of housing types that will implement both the City's Comprehensive Plan policies for the North Triangle Expansion Area and the City Council's goal to increase the supply of needed housing—both rental and owner-occupied—across a range of income levels and price points. Planned housing types include townhomes, urban rear-loaded homes, traditional front-loaded homes, village homes, and larger-lot single-level homes. Many of these housing types constitute the so-called “missing middle” that sits between detached single-unit homes and mid-rise apartments. Caraway will also provide 77 units of affordable housing as required per Comprehensive Plan Policies 11-146 and 11-147.

The proposed North Triangle Land Use Plan (Attachment C) encompasses the Caraway Master Plan and includes four additional properties: two 10+-acre CG-designated properties abutting Cooley Road, a split-zoned property designated ME and RH in the southwestern portion of the North Triangle Expansion Area, and a sliver of RS in the very northeastern corner. The North Triangle Land Use Plan and Utility Plan show how these properties outside of the Caraway Master Plan can be served with future infrastructure.



Proposed North Triangle Land Use Plan

5. **CONCURRENT APPLICATIONS:** The applicant has applied for annexation of the subject property into the Bend City limits (PLANX20230177) to be reviewed and considered concurrently with this Master Plan by the Bend City Council.

6. **PUBLIC NOTICE AND COMMENTS:** In accordance with BDC 4.1.215, the applicant held a neighborhood meeting on January 11, 2023 via Zoom. Documentation of the public meeting, including a signed verification of compliance form from the Boyd Acres neighborhood association representative, a roster of the Zoom meeting attendees, copies of materials provided to neighbors within 500-feet of the Caraway site, and copies of mailing receipts were submitted with the application. Approximately 13 people attended the virtual public meeting, which lasted a little under one hour. Concerns identified by attendees included impacts to and access from Scenic Drive, Crooked Rocks Road and properties to the north, sewer/water/electricity availability, and irrigation facilities. Other questions were raised including the common space/open space requirement, overall density, affordable housing/average home cost, use of green materials and solar panels, and plans for the mixed employment lands.

On August 31, 2023, Notice of Proposed Development signs were posted by the applicant along the property frontages at five locations, visible from adjacent rights of way. These notices were posted for more than 10 days prior to the September 20,

2023 hearing date.

On August 31, 2023, the City of Bend Planning Division mailed notice of the City Council public hearing for the application to surrounding owners of record and addresses of property within 750 feet of the subject properties, as shown on the most recent property tax assessment roll, and to the Boyd Acres Neighborhood Association representative. The notice for the public hearing was mailed more than 10 days prior to the hearing, in accordance with BDC 4.1.423. There will be at least two evidentiary hearings for this application; one that was held before the Planning Commission on August 28, 2023, and another before the City Council on September 20, 2023.

One written comment from the public was received in response to these public notices, expressing concern about the compatibility with the rural residential uses to the north. Three individuals spoke at the Planning Commission public hearing. One individual representing the Unity Center west of the master plan area indicated a desire for inclusion in the urban growth boundary in order to expand, and another individual expressed concerns about bicycles and pedestrians at roundabouts. One landowner north of the master plan boundary expressed concern about continued irrigation service with development over her existing private lateral; the applicant assured her that her service will be maintained but will likely be piped to the master plan boundary.

Various agencies were also sent notice, and the following agencies provided written comments: Bend Parks and Recreation District, Deschutes County Wastewater, Central Oregon Irrigation District and Swalley Irrigation District. Their comments are contained in the project file and considered in this decision. The Deschutes County Road Department and the Oregon Department of Transportation (ODOT) provided written and oral comments on the Transportation Analysis Memo prior to completion of that document. The required notice to the Department of Land Conservation and Development (DLCD) was provided on July 24, 2023, 35 days prior to the first public hearing as required.

- 7. APPLICATION ACCEPTANCE DATE:** This Type III Major Community Master Plan application and associated submittal materials were submitted on March 16, 2023. The application was deemed incomplete on April 4, 2023. Additional information was submitted May 24 and 25, 2023 and the application was deemed complete on May 25, 2023. The applicant submitted materials to clarify the application on July 10, 2023. In accordance with BDC 4.1.430, applications for major master plans are exempt from the 120-day review time limitation for final decision.

APPLICATION OF THE CRITERIA:

Bend Development Code

Chapter 4.5, Master Planning and Development Alternatives

4.5.100 Master Plan General Provisions.

B. Applicable Standards and Criteria. There are three categories of master plans (community master plan, institutional master plan, and employment master plan) each with a distinct set of standards and criteria. The determination of master plan category will be made by the City based on the most prominent use(s) proposed by the master plan or development proposal. Each master plan or development proposal must only fall into one master plan category and only the standards and criteria applicable to the category of master plan determined by the City are applicable to a proposed master plan or development proposal.

FINDING: The most prominent use proposed in the Caraway Master Plan is residential; therefore, the Community Master Plan category is the most appropriate master plan provisions to apply. The standards and criteria for the Community Master Plan are addressed below in Section 4.5.200 of the Bend Development Code.

C. Uses. The uses are the same as those permitted within the zoning district except as follows:

- 1. Density transfers may be permitted as part of a major community master plan 20 acres or larger, or as part of a major employment or major institutional master plan in an opportunity area that is 20 acres or larger; however, the density must comply with the density standards in BDC 4.5.200(E)(3);**

FINDING: No density transfers are contemplated or proposed in the Caraway Master Plan.

- 2. Uses in the zoning district may be modified and may prohibit uses or include uses not permitted when consistent with the Bend Comprehensive Plan designation's characteristics; and**

FINDING: With annexation into the Bend City limits, Caraway will be re-zoned from its current UA designation to residential (RS and RM), commercial (CL and CG), mixed employment (ME) and Industrial (IL) zones reflecting the Comprehensive Plan designations associated with the North Triangle Expansion Area. All uses permitted in each zoning district are consistent with the characteristics of the plan designation.

- 3. Private recreational facilities and private open space areas in compliance with BDC 4.5.200(E)(4) are permitted as part of a community master plan.**

FINDING: BDC 4.5.200(E)(4) requires a minimum of 10 percent of the gross area as public or private open space. The Preliminary Open Space and Trails Plan shows 17.6 acres of open space (11.8 percent), including a 5.3-acre neighborhood park that will be owned and maintained by the Bend Parks and Recreation District (BPRD). Included in the application is a letter from BPRD that acknowledges the outline of a draft development agreement between the applicant and BPRD for a new neighborhood park and associated trails and open space to be conveyed to BPRD. The community center amenity northeast of the neighborhood park will be owned and maintained by a homeowners association (HOA) and is planned to include a clubhouse, pool complex, and outdoor activity area. Any

additional open space areas not transferred to BPRD will be owned and maintained by the HOA, in compliance with BDC 4.5.200(E)(4). Further findings of compliance with BDC 4.5.200(E)(4) is described below. This criterion is met.

D. Consistency with ORS 227.178. A major master plan is an amendment to an acknowledged Comprehensive Plan and/or land use regulation and is therefore not subject to the 120-day review period under ORS 227.178. The City will use all reasonable resources to render a final decision on all major master plans within 180 days of receiving a complete application. Approval or denial of the major master plan application will be based on the standards and criteria at the time the major master plan was first submitted to the City.

FINDING: The applicant acknowledges that the Caraway major community master plan is not subject to the 120-day review period specified in ORS 227.178.

E. Submittal Requirements. The following information must be submitted as deemed applicable by the Community and Economic Development Director based on the size, scale, and complexity of the master plan:

FINDING: BDC 4.5.100(E) provides for the specific contents of the Master Plan. The submitted project narrative and related exhibits, as listed below, address and provide the submittal requirements for the master plan.

- Exhibit C: Caraway Major Community Master Plan (Sheets P1-P10)
- Exhibit G: Bend Parks and Recreation District Letter
- Exhibit H: Bend-LaPine School District Letter
- Exhibit I: Utility Availability Memo (PRSWA202205790)
- Exhibit J: Transportation Element
- Exhibit K: Will-Serve Letters
- Exhibit L: Verification of Public Meeting Form
- Exhibit M: Neighborhood Public Meeting Documentation
- Exhibit N: Caraway Draft Development Code
- Exhibit O: Swalley Irrigation District Correspondence
- Exhibit P: Cascades East Transit Support Letter
- Exhibit Q: Preliminary Phase 1 Tree Protection Plan
- Exhibit R: Traffic Analysis Memo (PRTRF202204414)

4.5.200 Community Master Plan.

A. Purpose. The community master plan is intended to provide complete neighborhoods with varied housing options, services, and amenities needed for daily living, including public schools, parks and open spaces, shops, and services, all within a convenient walking or biking distance. The community master plan is also intended to provide convenient access to public

transportation and employment areas.

B. Applicability.

- 1. Community master plans in conformance with this section may be submitted for any property or combination of properties three acres or larger in size.**
- 2. Community master plans are required for any property or combination of adjacent properties under common ownership totaling 20 acres or larger at the date of adoption of this code, unless exempted below.**

FINDING: The subject property comprises 149.88 acres, and therefore, a community master plan is required for the property.

C. Review Process.

- 1. Needed Housing. If the community master plan includes needed housing as defined by State statutes, the written narrative submitted with the community master plan application must clearly state whether the applicant is electing to use a process with clear and objective standards (minor master plan) or is electing to use a deviation process with changes proposed to one or more of the Bend Development Code standards and/or zoning district requirements and/or with changes proposed to the Bend Comprehensive Plan Map designations and/or zoning (major master plan).**

FINDING: The Oregon State Statutes, ORS 197.303(1)(a), defines “Needed housing” to mean:

197.303 “Needed housing” defined. (1) As used in ORS 197.286 to 197.314, “needed housing” means all housing on land zoned for residential use or mixed residential and commercial use that is determined to meet the need shown for housing within an urban growth boundary at price ranges and rent levels that are affordable to households within the county with a variety of incomes, including but not limited to households with low incomes, very low incomes and extremely low incomes, as those terms are defined by the United States Department of Housing and Urban Development under 42 U.S.C. 1437a. “Needed housing” includes the following housing types:

(a) Attached and detached single-family housing and multiple family housing for both owner and renter occupancy;

(b) Government assisted housing;

(c) Mobile home or manufactured dwelling parks as provided in ORS 197.475 to 197.490;

(d) Manufactured homes on individual lots planned and zoned for single-family residential use that are in addition to lots within designated manufactured dwelling subdivisions; and

(e) Housing for farmworkers.

**** * ****

The Caraway Master Plan includes approximately 593 residential needed housing units, including 333 detached single-unit housing units, 68 townhomes, and 192 middle and multi-housing units (including duplex, triplex, and fourplex unit types). The applicant elects to use a deviation process in order to modify one or more Development Code standards and rearrange the placeholder Comprehensive Plan land use designations. Therefore, a major master plan is proposed.

3. Major Community Master Plans. Major community master plans are processed as follows:

- a. Step 1. The Planning Commission makes a recommendation to the City Council on an application for a major community master plan. The text of a major community master plan must be included in BDC Chapter 2.7, Special Planned Districts, Refinement Plans, Area Plans and Master Plans, in compliance with BDC Chapter 4.6, Land Use District Map and Text Amendments. The City Council is the final review authority on such applications (Type III process).**
- b. Step 2. Upon approval of the major community master plan, and prior to the commencement of Step 3, the applicant must submit a final major community master plan to the City in an electronic format specified by the City. The final major community master plan must depict the proposal as approved and must incorporate all conditions of approval contained in the decision. The major community master plan denotation for the subject site will be shown on the Zoning Map. The denotation on the Zoning Map may be added or removed administratively by staff upon approval or withdrawal of the major community master plan.**
- c. Step 3. The approval of a land division(s) and/or site plan review application(s) (Type II process).**

FINDING: The applicant acknowledges the three step process described above and is seeking to compress the time schedule by providing all information necessary for approval of Steps 1 and 2 concurrently. The applicant intends to submit land divisions and/or site plan applications upon approval of the master plan.

D. Community Master Plan Approval Criteria.

- 1. Minor or Major Community Master Plan. The City may approve, approve with conditions, or deny a proposed minor or major community master plan application based on meeting all of the following criteria:**
 - a. The community master plan complies with subsection (E) of this section, Standards and Regulations.**

FINDING: Subsection (E) is addressed below. The Caraway Master Plan is designed to comply with the standards and regulations of subsection (E) below.

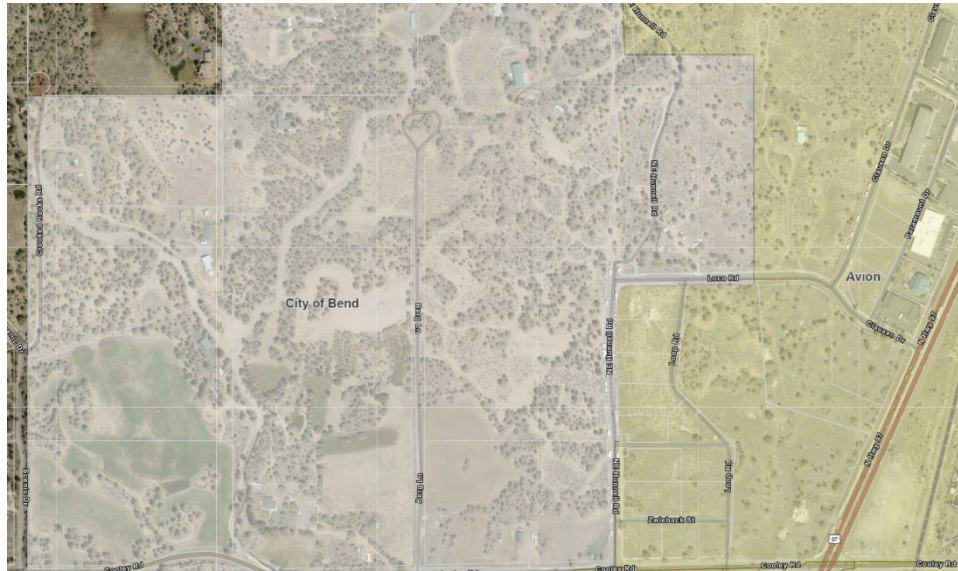
- b. Existing water and sewer facilities have adequate capacity to serve the proposed development in compliance with the Collection Systems Master Plan and the Water System Master Plan, latest editions, or adequate facilities will be installed prior to occupancy or use.**

FINDING: The Utility Availability Memo issued by the City of Bend Engineering Division (PRSWA202205790) is submitted as part of this application.

The proposed utility plan includes extending the North Interceptor sewer main to and through the subject property from the existing North Interceptor sewer main on Clausen Drive south and west to the intersection of Cooley Road and Hunnell Road/Berg Lane. The Gateway North development (separate project) to the southwest of Caraway is required to construct a section of the North Interceptor sewer main in Cooley Road along its lot frontage, to which the Caraway master plan will connect. Smaller and shallower gravity sewer mains will be extended from the North Interceptor throughout the new streets to provide services to all lots.

With completion of the North Interceptor, Caraway must decommission and remove the temporary sewer lift station north of Cooley Road (on 20380 Cooley Road) being constructed by Gateway North. Sewer must be redirected from the Highland and the Holiday sewer lift stations with flows diverted to the North Interceptor.

This area was previously Avion Water District's service area, but was recently transferred to the City of Bend water service area. Through the process of the transfer, the development must determine Avion Water District's requirements to maintain existing adjacent Avion customers through looping of mains while making the determination of what needs to be removed through the construction of the rights of way. No properties being developed within the Caraway master plan will remain on Avion water unless identified in the Water Service Area map as shown below. A 12-inch City water main will be extended from the 12-inch main in Cooley Road to the intersection of Berg Lane/Hunnell Road and Loco Road. If not already constructed by the Gateway North project, a 12-inch main must be installed along the Cooley Road property frontage and extended west and connect into the 12-inch main near Scenic Drive. The development must extend 8-inch mains throughout the development within the new roads and connect them to the new mains at the Berg Lane/LoCo Road intersection and Hunnell Road/LoCo Road intersection. Water mains must be looped whenever possible.



Water Service Area map

The Utility Availability Memo demonstrates that water and sewer facilities are currently adequate or will be adequate once facilities are installed with construction and prior to occupancy or use.

c. The community master plan complies with BDC Chapter 4.7, Transportation Analysis.

Chapter 4.7, Transportation Analysis

4.7.600 Significant Impacts and Mitigation Measures.

E. Timing of Improvements.

2. 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, must refer to the Plan for the extent and timing of improvements.

FINDING: The *Caraway Master Plan, Transportation Element*, dated November 2022 and prepared by traffic engineer, Joe Bessman of Transight Consulting LLC is included as Exhibit J of this application. The City reviewed this report and issued Traffic Analysis Memo PRTFR202204414 which outlined the required transportation mitigation requirements for the Caraway Master Plan. These mitigation requirements are incorporated into the Transportation Mitigation Plan as a table in the Caraway code (Attachment F). Future development proposals within Caraway Master Plan will refer to the Transportation Mitigation Plan for the extent and timing of improvements.

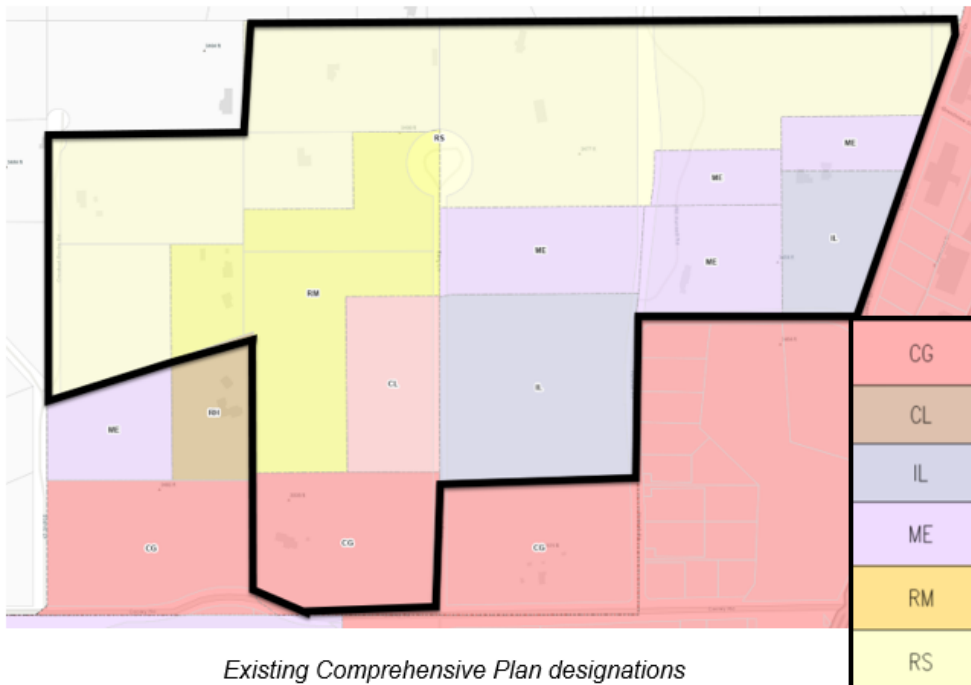
In addition, an annexation agreement is being prepared to identify the specific timing, responsibilities, and allocation of costs between various agencies and affected property owners for the public facilities and services necessary to serve the property. The

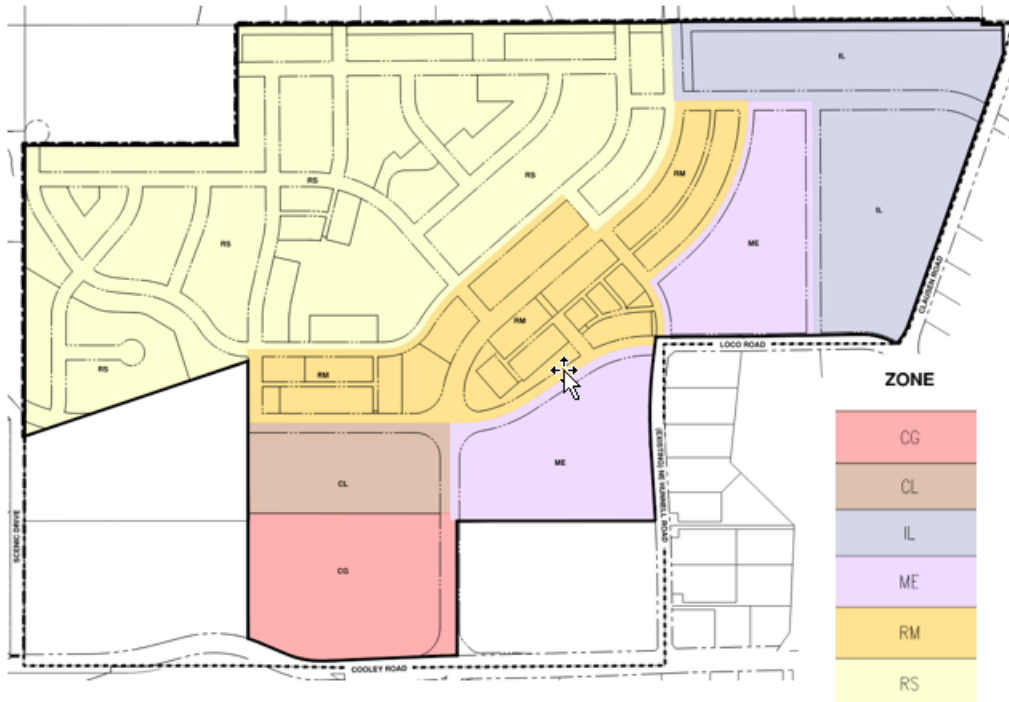
Annexation Agreement and Annexation application (PLANX20230176) for the subject property has been submitted for concurrent review of the Caraway Master Plan by the City Council.

3. Major Community Master Plan. In addition to the approval criteria in subsection (D)(1) of this section the City may approve, approve with conditions, or deny a proposed major community master plan application based on meeting all of the following criteria:

- a. The community master plan land uses and densities must be consistent with the Bend Comprehensive Plan Map designations. If rearranging the plan designation locations and/or zoning is proposed as part of the master plan application, the master plan must retain the same total area of all plan designations on the subject site or within one percent of the same total acreage and maintain the density/housing numbers consistent with the allocations prescribed by the existing plan designations except as provided in subsection (E)(3) of this section. Any other changes to the plan designations and density/housing numbers, or other changes to the Comprehensive Plan Map designations, require a Comprehensive Plan and Zoning Map amendment to be processed concurrently in accordance with BDC Chapter 4.6, Land Use District Map and Text Amendments.**

FINDING: The current and proposed Bend Comprehensive Plan Map designation locations for Caraway are shown below. The applicant proposes to rearrange the Comprehensive Plan map designations consistent with the proposed street system network.





Proposed Master Plan

Rearranging the plan designations are within the parameters provided in BDC 4.5.200 and either retain the same total area of plan designations or are within one percent of the same total acreage. The Preliminary Zoning Map (Attachment E) shows the amount of residential, commercial, mixed employment, and light industrial plan designations are consistent with BCP Policies 11-144 and 11-145. Housing density and mix is addressed in findings below regarding compliance with BCP Policies 11-144, 11-145, and 11-147. Subsection (E)(3) is also addressed below. The applicable criteria are met.

b. The applicant has demonstrated that the standards and zoning district requirements contained in BDC Title 2, Land Use Districts, and BDC Title 3, Design Standards, are capable of being met during site plan or land division review, except as proposed to be modified by the applicant as part of a major community master plan. Where the applicant has proposed deviations to the above standards and/or zoning district requirements, the applicant has demonstrated:

- i. That granting a deviation to the BDC standards and/or zoning district requirements will equally or better meet the purpose of the regulation proposed to be modified; or
- ii. That granting a deviation to the BDC standards and/or zoning district requirements is necessary due to topographical constraints or other unique characteristics of the property or specific development type proposed by the master plan; and

iii. That any impacts resulting from the deviation are mitigated to the extent reasonably practical.

FINDING: The Caraway Master Plan will be codified in BDC Chapter 2.7 and establish unique standards for each plan district that help ensure efficient use of land, an appropriate housing mix, and land use compatibility across the entire master plan. Proposed Development Code language creating the Caraway Master Planned Development in BDC Chapter 2.7 is included as Attachment F to this report. Determination of general compliance with BDC Titles 2 and 3 and proposed deviations to existing BDC standards are described further below.

Chapter 2.1 – Residential Zoning Districts

The Preliminary Zoning Map (Attachment E) shows 64.96 gross acres of RS, 23.15 gross acres of RM, and 5 acres of RH. The RS area includes 5.3 acres for a potential neighborhood park, the location and size of which has been coordinated with BPRD. Comments from BPRD are included as Exhibit G of the application. Since the park site has not yet been acquired by BPRD, it remains designated as RS.

The RS plan map designation makes up most of the northern and western portions of the North Triangle Expansion Area, and the Preliminary Zoning Map (Attachment E) shows the planned location of the RS zoning districts. The planned RS zoning district in this location is designed to provide a buffer between the more rural and agricultural lands outside the UGB to the west and north from the higher-density RM zoning districts and commercial/mixed employment uses further south and east. It should be noted that conflicting housing densities are unavoidable where the UGB meets agricultural or rural residential land. This has been mitigated to some extent by locating the most intensive uses internally to the site or abutting collector or arterial streets, other intensive uses, or open space.

The placeholder RM designated lands are clustered generally in the center-west of the North Triangle Expansion Area. The planned RM zoning district remains in the same general area and abuts the new Hunnell Road alignment north of Loco Road. The RM zoning district serves as a transition between the less-dense planned RS zoning district to the northwest and the more-intensive ME, CL/CG, and IL zoning districts to the south and east within the Caraway Master Plan. This location is equally aligned with the purpose of the residential districts and the characteristics of the RM zoning district, as sewer and water service will be readily available and the planned location functions as a transition between lower densities (to the north and west) and more-intensive uses and/or higher-classification streets (to the east and south).

BDC 4.5.100.C.2 allows an applicant to prohibit uses or includes uses not permitted in the underlying zone when consistent with the Bend Comprehensive Plan designation's characteristics. The submitted master plan code for Caraway had proposed disallowing manufactured homes, micro-units, and cottage housing in the residential zones, as these housing types are not proposed to be constructed by the applicant. However, these types of residential units are needed housing types for all income levels and, therefore, the

code proposed to Council allows the same uses in residential zones citywide.

In the residential zoning districts, the proposed development code contains deviations from the underlying BDC standards to create a cohesive site and architectural arrangement that simultaneously provides a wide range of housing types, styles, and price points. Deviations from current BDC standards are necessary to prioritize meeting anticipated demands for housing as well as integrating the City's objectives for housing diversity. Consistent with the requirement, these deviations support a project that provides benefits that equally or better meet the purpose of the modified regulation.

The primary impact from the planned deviation is that a portion of the lots for detached single-unit homes, duplexes, triplexes, and quadplexes may be smaller or narrower than the standard RS zoning district would allow.

Residential Setbacks

The planned deviation to the typical setback standards would allow an 8-foot secondary front setback rather than the 10 feet required in RS and RM zones. BDC 2.1.300(A) states that residential "setbacks provide private outdoor living space, building separation for fire protection/ security, building maintenance, and sunlight and air circulation. The setback standards encourage placement of residences close to the street for public safety and neighborhood security." The planned 2-foot reduction in secondary front setbacks (from 10 feet to 8 feet), which was approved in the Petrosa and Easton Master Plans, is mitigated by a community design that includes 17.6 acres of open space for public outdoor living space, additional building separation, and sunlight and air circulation. Conversely, in situations where a side lot line abuts an alley, the proposed minimum side setback for Caraway would increase from the BDC standard of 5 feet to 8 feet. On balance, the deviations will equally or better meet the purpose of the underlying standard.

Residential Lot Dimensions

The planned deviations to the typical lot dimensions would reduce the minimum lot area in the RS zone for a unit of detached single-family housing from 4,000 square feet to 2,700 square feet in order to provide additional types of workforce housing. Additionally, the minimum lot width in the RS zone for detached single-family home would be reduced from 40 feet to 30 feet.

While no purpose of the lot dimension standards is explicitly stated in BDC 2.1.500, they are generally understood to ensure adequate space is provided for the type of residential use and structure, appropriate to the scale and character of the surrounding neighborhood. In the absence of an explicit purpose stated for lot dimension standards, it should be noted that BDC 2.1.100 provides broader guiding principles of the residential districts, including: "Accommodate a range of housing needs, including owner-occupied and rental housing." In a master planned community, strategically integrating different types of homes, including those on smaller or narrower lots, helps define the scale and character of the surrounding neighborhood as inherently appropriate for a range of housing. On balance, the deviations will equally or better meet the purpose of the

underlying standard.

Chapter 2.2 - Commercial Zoning Districts

BCP Policy 11-144 assigns 40 gross acres of commercial plan designations within the North Triangle Expansion Area; approximately 19 acres of commercial plan designations will be accommodated within the Caraway Master Plan. The Preliminary Zoning Map (Attachment E) shows only minor adjustments are planned to the placeholder locations of the CL plan map designation and corresponding zoning district; there will be no changes to the CG plan map designation of 11.6 acres. Within the Caraway Master Plan, the 7.1-acre CL portion is shifted in its orientation and moved slightly south to the southwest corner of Hunnell Road and Loco Road, allowing for the planned RM zoning to be separated from the more intensive CG zoning districts to the south. The remaining 21 acres of existing commercial plan designations are located outside of the Caraway Master Plan boundary within the North Triangle Expansion Area abutting Cooley Road.

The Preliminary Street Circulation Plan (in Exhibit C of the application) shows the commercial area within the Caraway Master Plan is well served by three higher-classification streets (Cooley Road, Loco Road, and Hunnell Road). A 10-foot-wide multiuse pathway will be provided along the southern commercial frontage along Cooley Road and an 8-foot-wide multiuse pathway will be provided along the Hunnell Road frontage. The planned cross-sections reinforce streets as public rights-of-way for multiple modes—including pedestrians and bicycles—and provide multimodal connections to residential areas. A new roundabout at Hunnell Road and Cooley Road (southeast of the commercial land within Caraway Master Plan) provides a prime access and focal point for future commercial amenities, including the CG-zoned land east of Hunnell Road, outside of the Caraway Master Plan boundary.

BDC 4.5.100.C.2 allows an applicant to prohibit uses or includes uses not permitted in the underlying zone when consistent with the Bend Comprehensive Plan designation's characteristics. Per BDC 2.2.200, the CL zone "*provides for a wide range of retail, service, and tourist commercial uses in the community along highways or in new commercial centers*" and the CG zone "*provides a broad mix of commercial uses that have large site requirements, are oriented to the higher classification roadways and provide services to the entire City and surrounding area.*" The submitted master plan code for Caraway had proposed disallowing trailer parks/campgrounds, mortuaries, marijuana uses, and several industrial uses in the commercial zones. However, these proposed prohibited uses are compatible with the underlying Comprehensive Plan commercial designations and, therefore, are included as allowed uses in the code proposed to Council.

Future development of the commercial areas will be subject to City site plan review. The Caraway Master Plan code, as amended by the Planning Commission, proposes the same permitted and conditional uses allowed in commercial zones citywide and would allow kennels in an enclosed building (to allow overnight boarding in addition to the currently permitted veterinary clinics). Live-work townhomes are also specifically listed as an allowed use in the proposed code, which can be interpreted as a mixed-use development, which is

an allowed use in the underlying zone. No deviations are proposed to the development standards in Chapter 2.2.

Chapter 2.3 – Mixed Use Zoning Districts

BCP Policy 11-144 assigns 26 gross acres of mixed-use employment plan map designations, currently shown as Mixed Employment (ME) on the City’s Comprehensive Plan Map, within the North Triangle Expansion Area. Approximately 20.7 acres of the ME plan designation will be accommodated within the Caraway Master Plan and the remaining 5.7 acres of existing ME plan designation is located outside and southwest of the master plan boundary within the North Triangle Master Plan. The Preliminary Zoning Map (Attachment E) shows an adjustment to the planned placeholder locations of the ME designation within Caraway, and corresponding zoning district. Specifically, the ME is realigned in between the RM designation and the IL designation in the eastern portion of Caraway, but also abutting the existing CG within the city limits to the east.

The proposed Caraway Master Plan code allows the same permitted or conditionally permitted uses as the underlying ME zone with the addition of stand-alone affordable housing (not in a mixed use development). Affordable housing is permitted in any commercial or mixed-use zone under Oregon Senate Bill 8, so this code deviation is consistent with state law. At least 77 units of deed-restricted affordable housing will be provided within the Caraway Master Plan area, pursuant to BCP Policy 11-146 and consistent with BCP Policies 5-20 and 5-21. While the design and configuration of the affordable housing will be specified through future Site Plan Review application, guarantees (in a form acceptable to the City) will ensure that these affordable housing units will meet the affordability requirements for not less than 50 years.

Kennels are also proposed as a permitted use in the ME zone to allow overnight boarding in addition to the currently permitted veterinary clinics.

Specific uses within the ME zone will be established through future Site Plan Review applications, but they are anticipated to include a mix of housing and employment uses.

The single code deviation from the underlying BDC standard allows buildings in the ME zone to be built 10 feet higher than allowed under current code, exclusive of available height bonuses.

Mixed Employment Building Height

While no purpose of the building height standard is explicitly stated in BDC 2.3.300, it is generally understood to protect views and neighborhood character. In the underlying ME zone, buildings can be 45 feet in height with an additional 10-foot height bonus provided for vertical mixed-use buildings or affordable housing. The planned 10-foot height increase for buildings in the ME zoning district allows the flexibility to incorporate architectural features (pitched roofs, gables, roof offsets, etc.) that integrate well with surrounding single-family homes and create a cohesive community identity. For example, the existing 45-foot maximum height in the ME zoning district would allow a four-story building with a flat roof with minimal offsets or other architectural features. Increasing the

maximum height to 55 feet allows that same four-story building to incorporate architectural features that promote compatibility with the surrounding neighborhood without sacrificing an entire floor of employment uses. Therefore, the deviation will meet or exceed the purpose of the underlying standard.

Chapter 2.4 - Industrial Zoning Districts

BCP Policy 11-144 assigns 22 gross acres of industrial plan map designations, currently shown as Light Industrial (IL) on the City's Comprehensive Plan Map, within the North Triangle Expansion Area. The Preliminary Zoning Map (Attachment E) shows an adjustment to the planned placeholder locations of the IL designation and corresponding zoning district. Specifically, the IL lands shift to the northeast to provide easy access to higher-order streets, including US 97, and adjacent to the extension of Grandview Drive, an Industrial Collector. While uses are still unknown in the planned IL land, its function provides access to commercial corridors along US 97, at the same time as providing separation from a majority of the residential land planned in Caraway.

The Caraway Master Plan code allows the same permitted or conditionally permitted uses as the underlying zone (IL) and specifically allows restaurants (food and beverage services) when accessory to the primary industrial use and are limited to no more than 10 percent of the industrial development or 2,500 square feet (whichever is greater). This code addition mimics the allowance for small-scale personal and professional services in industrial zones in BDC 2.4.800.A.1.

Chapter 2.8 - Urbanizable Area (UA)

All of the North Triangle Expansion Area is currently zoned UA. Subsequent to Planning Commission review of the Caraway Master Plan, it is anticipated that City Council will review the Annexation Application concurrent with the Major Community Master Plan Application. Upon approval of the Annexation and Major Community Master Plan, the Caraway Master Plan property would be automatically re-zoned as shown on the Preliminary Zoning Map (Attachment E). Applicable procedures are addressed in BDC Title 4; master planning is addressed in the findings for BDC Chapter 4.5, and map amendments are addressed in the findings for BDC Chapter 4.6. The applicable criteria are met.

Chapter 3.1 – Lot, Parcel and Block Design, Access and Circulation

As shown on the Caraway Master Plan (Attachment A), the applicant has indicated proposed street and block design and the general circulation scheme. As shown in concept, the proposed master plan can meet the standards of BDC Chapter 3.1 during future land division review.

Chapter 3.2 – Landscaping, Street Trees, Fences and Walls

The proposed Preliminary Open Space and Trails Plan (Attachment B) show proposed open space, trails and conceptual street tree locations within the master plan. Existing

trees are shown on the underlying aerial map of the Existing Conditions map (Exhibit C, Sheet P2 of the application). Significant trees, as defined by this section, will be required to be identified with future Site Plan and/or subdivision review. A Preliminary Phase 1 Tree Protection Plan is included as Exhibit Q of the application, which will allow the proposed tree removal prior to recording of the platting of the first phase on lots that do not require further Site Plan Review. Future land use applications will address tree preservation in detail, as required in Chapter 3.2. Required landscaping will be addressed in future Site Plan Review for commercial, park and multi-unit residential development. Street tree plantings will be required with future subdivision and site plan review approvals. Any potential fences or walls will also be addressed in future land division and/or Site Plan review. Compliance with this chapter can be met.

Chapter 3.3 – Vehicle Parking, Loading and Bicycle Parking

Compliance with this section will be reviewed during future Site Plan review (for multi-unit residential or commercial development) or building permit review (for duplex/triplex/fourplex or single-unit housing). As proposed, compliance with this section can be met with the proposed land uses and overall site configuration.

Chapter 3.4 – Public Improvement Standards

As noted elsewhere in this report, required infrastructure (water, sewer and transportation) will be provided concurrent with each phase of development. The proposed Utility Plans (Exhibit C, Sheet P10 of this application) indicate how water and sewer will be provided to the blocks within the Caraway Master Plan. The City-issued Utility Availability Memo (PRSWA202205790) indicates water and sewer capacity will be available for the Caraway Master Plan and the associated mitigation for water and sewer improvements. The proposed Caraway development code addresses how stormwater will be detained within the boundaries of each phase of Master Plan buildout. Finally, a Transportation Analysis Memo (PRTFR202204414) has outlined the transportation mitigation necessary for the Caraway Master Plan, which will be codified in BDC 2.7. Details of compliance with Chapter 3.4 will be reviewed during future land use division application(s), with submittal of traffic debit letters and updated safety review, but the applicant has shown that the standards in this section can be met.

The Caraway Street Type Plan and Standards within the proposed code indicates the various street classifications within the Caraway Master Plan. The code includes a minor arterial (Cooley Road), three different types of collectors based on proximate land uses (residential, commercial and industrial), three different types of local streets (residential, residential – modified, and commercial/industrial). None of the street sections propose a right-of-way width less than the required right-of-way width in Table A of BDC 3.4.200, but provide slight variations on the street sections in the City Standards and Specifications. Street structural sections will remain consistent with the City Standards and Specifications.

Caraway will have a path system not only within the right of way, defined by the adopted street sections of this code, but also through path systems that will deviate from the right

of way to provide low stress public travel to and through the project's open spaces. The path system must extend from Cooley Road north to the northern boundary of the master plan and a separate but connected path system extending west to make connection to Scenic Drive. The location of these paths and the location of enhanced crossings as the path systems cross right of way will be determined at time of tentative plan land use review in cooperation with BPRD.

Finally, Cascades East Transit (CET) does not currently provide service this far north, but several recommendations for mid- or long-term transit needs are provided in the Cascades East Transit Master Plan, including current plans to build a new transit stop along Robal Lane near the Hunnell Road intersection and future modifications to transit service (Route 4) as the Gateway North Master Plan and the North Triangle lands develop. Caraway's planned employment areas, along with the total housing count, will help pull transit farther north by providing a concentration of riders and potentially making transit service more cost-effective. The Caraway design team has discussed the placement of a Mobility Hub with Cascades East Transit (CET) along the west side of Hunnell Road, almost equidistant between the Loco Road/Hunnell Road roundabout and the Cooley Road/Hunnell Road roundabout. No specific decisions have yet been made on transit routing, but CET is aware of the property and supports the transit concept addressed above.

D. Community Master Plan Approval Criteria. (*continued from page 18*)

3. Major Community Master Plan.

- c. In lieu of the approval criteria in BDC 4.6.300, Quasi-Judicial Amendments, major community master plan applications that do not propose a Bend Comprehensive Plan amendment must demonstrate compliance with the following:**

FINDING: The Major Community Master Plan application for Caraway does not include an amendment to the Bend Comprehensive Plan. The Master Plan proposes rearrangements of the Comprehensive Plan Map designations on the subject property as discussed in the application; however, the changes are within the parameters provided within BDC 4.5.200(D)(3)(a).

- i. Approval of the request is consistent with the relevant Statewide planning goals that are designated by the Planning Director or designee; and**

Goal 1, Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

FINDING: The City's acknowledged citizen involvement program for quasi-judicial amendments is codified in BDC Chapter 4.1. The process includes a public meeting to be

held by the applicant before submitting the application to the City, followed by a public hearing before the Planning Commission, and ultimately, a hearing before the City Council as the final review authority. As noted above, the applicant mailed notice and held a neighborhood public meeting on January 11, 2023 before submitting the application to the City (see Exhibit M of the application for Neighborhood Meeting documentation).

Type III land use applications are also noticed by the City pursuant to BDC 4.1.400, which ensures that citizens are informed of the opportunity to participate in a public hearing. As noted above, property owners and addresses within 750 feet of the subject property and the Boyd Acres Neighborhood Association representative were notified of the Planning Commission and Council public hearings via mail, and five public hearing notice signs were posted around the edges of the subject property for each hearing.

Conformance with Goal 1 is further achieved through compliance with Title 4 of the Bend Development Code, Applications and Review Procedures. Sections 4.5.200.C.3 and 4.6.300 of the Development Code establish that major community master plans shall follow a Type III procedure as governed by Chapter 4.1.

An initial public hearing before the Planning Commission preceded a second public hearing before the City Council. The public involvement procedures identified in the Development Code are being followed, which will ensure compliance with Statewide Planning Goal 1.

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

FINDING: The City has adopted development code for Master Planning (BDC Chapter 4.5) consistent with the Bend Comprehensive Plan that was acknowledged by the Oregon Department of Land Conservation and Development. This includes the structural framework for the subject property in Comprehensive Plan policies 11-142 to 11-151. The proposed community master plan and its associated Development Code text amendment serve to implement the applicable BCP Policies and do not alter the administration of the code or the established requirements which ensure a factual base for decisions and actions related to the subject application.

Goal 3, Agricultural Lands: To preserve and maintain agricultural lands.

Goal 4, Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

FINDING: Goals 3 and 4 do not apply as the subject property is not comprised of designated agricultural lands or forest lands.

Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces: To protect natural resources and conserve scenic and historic areas and open spaces.

FINDING: In the 2016 UGB expansion decision, the Bend City Council found that the subject properties do not include any of the following Goal 5 resources: riparian corridors, wetlands, Federal Wild and Scenic Rivers, State Scenic Waterways, groundwater resources, approved Oregon Recreation Trails, natural areas, wilderness areas, mineral and aggregate resources, energy sources, and cultural areas. Those findings note that the City relied on the inventory included in the Deschutes County Comprehensive Plan and available information from state and federal sources to make this determination. Furthermore, the subject property does not include current City inventories of natural resources, scenic and historic areas, and open spaces. Therefore, Goal 5 is satisfied.

Goal 6, Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

FINDING: Air and water quality are regulated by the Oregon Department of Environmental Quality. For areas within the Bend UGB, the Bend Development Code includes regulations for the Waterway Overlay Zone (WOZ) and Areas of Special Interest (ASI), which has been acknowledged by the Department of Land Conservation and Development. The subject properties are not located within the WOZ nor do they contain an ASI. Maintaining or improving the quality of the community's air, water and land resources will be assured through enforcement of state and local regulations. Noise levels will not exceed DEQ noise regulations.

Through the 2016 Bend UGB expansion, the City found that the UGB expansion satisfied Goal 6 for several reasons:

- “The proposal does not include new areas along the Deschutes River or Tumalo Creek; the proposed efficiency measures and areas for expansion direct growth away from these areas.
- The proposal will maintain and improve the quality of air resources because it has been designed to reduce the growth of vehicle miles traveled (VMT), which will help in limiting or avoiding new greenhouse gas emissions from auto and truck traffic.
- The planned housing mix makes a shift from single-family detached, to more attached housing types, which studies have shown typically consume less energy than single-family dwellings.”

The adopted Comprehensive Plan policies applicable to the Caraway Master Plan ensure compliance with Goal 6.

Goal 7, Areas Subject to Natural Hazards: To protect people and property from natural hazards.

FINDINGS: No 100-year floodplains or mapped landslide areas are located within this master plan area. A project team of staff from the Central Oregon Intergovernmental Council (COIC), the Deschutes County Sheriff's Office and representatives from the county and all four cities developed the 2021 Deschutes County Multi-Jurisdictional Natural Hazards Mitigation Plan Update. A Bend Addendum was adopted by the City Council by Resolution 3278 on November 3, 2021, which includes a mitigation strategy that describes potential actions for mitigation risks. Based on the foregoing, the proposal satisfies Goal 7.

Goal 8, Recreational Needs: To satisfy the recreational needs of citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

FINDING: The City adopted the Bend Comprehensive Plan and the Department of Land Conservation and Development has acknowledged that Plan. Chapter 2 of the BCP establishes Goals and Policies which address Natural Features and Open Space needs within the City of Bend and prescribes responsibilities of both the City and the Bend Park and Recreation District (BPRD), via Policy 2-2.

The Comprehensive Plan policies for Caraway Master Plan require coordination with Bend Park and Recreation district to identify a suitable site for a neighborhood park (Policy 11-145), and the provision of a path and bikeway network to provide connectivity within the property and connect to local roads (Policy 11-149).

As shown on Caraway Master Plan (Attachment A) and the Parks and Open Space Plan (Exhibit C of the application), the master plan includes at least 10% open space, including a neighborhood park, a community center for residents, and a network of trails and multi-use paths through the property.

Per Policy 11-145, the applicant and the Bend Park and Recreation District are working collaboratively towards an agreement on the final design, program, and financing of the neighborhood park, trails, and open space within the Master Plan. Exhibit G of the application is a letter from the Bend Park and Recreation District that confirms the coordination that has occurred to-date between the applicant and the Bend Park and Recreation District, satisfying Goal 8.

Goal 9, Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

FINDING: In the 2016 Bend UGB expansion findings, the City found compliance with Goal 9 as stated in part below:

The Council finds that the proposal satisfies Goal 9 because through the UGB expansion and related set of efficiency measures, the city will ensure an adequate

supply of land for economic opportunities in Bend by providing needed types and amounts of employment lands in suitable locations as required by Goal 9, and documented in the EOA and Urbanization Report.

Comprehensive Plan Policies for Caraway describe the concept for this area is to “provide for a mix of uses, including residential development to balance the mix of employment uses in this area and provide a transition to existing rural residential areas to the north.” (Policy 11-143). The policies specify that the master plan contain 40 gross acres of commercial plan designations, 22 gross acres of industrial plan designation, and 26 gross acres of mixed-employment designation (Policy 11-144).

As shown on the proposed North Triangle Land Use Plan (Attachment C), approximately 18.77 acres are designated commercial (CG and CL) within the Caraway Master plan with an additional 21.24 acres of land designated CG outside of the master plan boundary along Cooley Road. Approximately 22.28 acres of Light Industrial (IL) is proposed within the Caraway Master Plan. Approximately 20.72 acres of Mixed Employment (ME) is proposed within the Caraway Master Plan with an additional 5.67 acres outside of the master plan boundary. The locations of the commercial and industrial designations are interconnected with residential areas contributing to a vibrant community of housing and economic opportunities for residents of Caraway and the City of Bend, consistent with Goal 9.

Goal 10, Housing: To provide for the housing needs of the citizens of the state.

FINDING: The subject property was included as part of the City’s Goal 10 inventory of needed housing when the City of Bend expanded its Urban Growth Boundary in 2016. The property is also identified in the City’s Comprehensive Plan as appropriate for housing, commercial and industrial uses as stated in applicable Policies 11-144 and 11-145:

11-144 *This area shall provide for a mix of residential and commercial uses, including 86 gross acres of residential plan designations, 40 gross acres of commercial plan designations, and 22 gross acres of industrial designations, and 26 gross acres of mixed employment plan designations (excluding existing right of way).*

11-145 *In order to provide sufficient housing capacity and mix, the residential plan designations must include 60 gross acres of RS, 21 gross acres of RM, and 5 gross acres of RH. The acreage of RM includes 3 to 4 acres for a neighborhood park site, which may be designated PF if a site has been acquired by the Bend Park and Recreation District prior to completion of the Area Plan. Alternatively, the Area Plan may demonstrate that this area will provide capacity for a minimum of 510 housing units, including at least 13% townhomes and at least 42% multi-unit and duplex/triplex/quadplex housing types. The Area Plan may include and rely on plan designations, zones, special plan districts, and/or other binding development regulations to demonstrate compliance with the specified mix and capacity.*

Policy 11-145 requires that a minimum of 510 housing units be provided within the entire North Triangle area, including at least 67 townhomes (13 percent) and 215 middle and multi-unit housing units (42 percent). The Caraway Master Plan is expected to provide a total of 593 residential units, including 68 townhomes, 192 duplex, triplex, quadplex and multi-unit residential units, and 333 single-unit detached units. The Caraway Master Plan proposes to fulfill the total housing count and the townhome requirement of Policy 11-145 and almost 90 percent of the middle/multi-unit housing fix requirement of Policy 11-145. The 5 acres of RH-designated land within the North Triangle expansion area will eventually be developed with 109 middle or multi-units at the required minimum RH density, obligating the Caraway Master Plan to provide 410 total housing units, including 106 middle/multi-unit dwellings. The Master Plan reconfigures plan designations while maintaining the applicable gross areas, intensities, and housing unit count contemplated in the alternative option above in Policy 11-145. The Master Plan fulfills the townhome housing mix requirement and contributes a significant portion of the middle/multi-unit housing mix requirement in Policy 11-145

The North Triangle Land Use Plan is expected to cumulatively provide 702 housing units, including 68 townhomes (9.7%), 301 duplex/triplex/quadplex/multi-unit housing units (42.9%) and 333 single-unit detached homes (47.4%), meeting the requirements of Policy 11-145.

Policies 11-146 and 147 require a certain percentage or number of units of affordable housing within the central and eastern portion of the North Triangle expansion area.

- 11-146 The properties identified on Figure 11-9, below, shall provide for affordable housing, consistent with policies 5-20 and 5-21 of the Housing Chapter of the Comprehensive Plan, as follows:*
- o The minimum number of affordable housing units shall be 25% of all housing units approved by the City on each property.*
 - o The minimum required number of affordable housing units is satisfied when 77 units of affordable housing (in total on the properties identified on Figure 11-9) have been approved in land use applications, subject to phasing requirement acceptable to the City.*
 - o Guarantees, in a form acceptable to the City, shall be in place to ensure that affordable housing units will meet the affordability requirements for not less than 50 years.*
 - o Planning and phasing requirements for affordable housing units shall be established, in a form acceptable to the City.*
- 11-147 As an alternative to meeting the requirements of Policy 11-146, affordable housing, consistent with policies 5-20 and 5-21 of the Housing Chapter of the Comprehensive Plan and the requirements below, may be implemented within the North Triangle as a whole through an area plan, with prior written*

consent of affected property owners and guarantees in a form acceptable to the City.

- o The minimum number of affordable housing units shall be 77.*
- o Guarantees, in a form acceptable to the City, shall be in place to ensure that affordable housing units will meet the affordability requirements for not less than 50 years.*

The Caraway Master Plan will provide 77 affordable housing units as noted in the Density section of the proposed code and allowed as a permitted use/development standard in the Mixed Employment zone in the Caraway code, fulfilling the requirement of Policies 11-146 and 11-147.

Table 18 of the City’s Housing Needs Analysis (shown below) indicates the needed types of housing units in the City of Bend. As shown above, the proposed North Triangle Land Use Plan meets the needed housing mix shown in Table 18 of the Housing Needs Analysis.

Table 18. Needed housing by needed mix, Bend, 2014-2028

	Needed Units (2008 - 2014)	Units permitted 2009 to end of July 2014	Remaining Need (Mix applied to remaining total)	
			Units	Percent of New Units
Single-family detached	9,175	2,411	7,574	55%
Single-family attached	1,668	112	1,377	10%
Multi-family	5,838	389	4,819	35%
Total	16,681	2,912	13,770	100%

Source: ECONorthwest

The proposed Master Plan provides a density that is consistent with the RS and RM Comprehensive Plan designations of the property, thereby ensuring that the City is adequately providing for the housing needs of citizens of the state. As proposed, the Master Plan is consistent with Goal 10. Therefore, Goal 10 is satisfied.

Goal 11, Public Facilities and Services: 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.

FINDING: The City included the subject property in its evaluation of compliance with Goal 11 during its Urban Growth Boundary expansion in 2016 and found Goal 11 to be satisfied.

The applicant and City worked to identify the infrastructure necessary to serve the variety of planned uses within Caraway Master Plan as they are built out over the next decade

and beyond, as outlined in the Utility Availability Memo (PRSWA202205790, Exhibit I of the application). The sequencing and financing mechanisms for the needed infrastructure have been outlined and are presently being formalized in the Annexation Agreement with the City. The North Triangle Utility Plan (Exhibit C, Sheet P10 of the application) shows how public facilities, including sanitary sewer and potable water, are available and planned throughout the project site and can serve the properties within the master plan. With the Annexation Agreement, which has been submitted for concurrent review of this Master Plan by the City Council (PLANX20230176), Goal 11 is satisfied.

Goal 12, Transportation: To provide and encourage a safe, convenient and economic transportation system.

FINDING: The Transportation Planning Rule (TPR) (OAR 660-012-0000) implements Goal 12 and states the purpose is “to provide and encourage a safe, convenient and economic transportation system.” The TPR also supports mobility and accessibility, the availability of multimodal choices, efficient flow of freight, protection of existing and planned transportation facilities, and coordination among service providers. For areas not yet annexed into the City, the TPR is addressed at the time of annexation, under BDC 4.9.600.

Exhibit J of the application is *Caraway Master Plan, Transportation Element* dated November 2022. The Plan was prepared by Transight Consulting, LLC, and includes a Transportation Facilities Report, a Transportation Impact Analysis, a Transportation Funding Options section, and a TPR analysis. To address the impacts of urbanizing the Caraway UGB lands, an annexation agreement has been prepared to identify the specific timing, responsibilities, and allocation of costs between various agencies and affected property owners for the required transportation improvements. With the Annexation Agreement, which has been submitted for concurrent review of this Master Plan by the City Council (PLANX20220176), Goal 12 is satisfied.

Goal 13, Energy Conservation: Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

FINDING: Goal 13 generally imposes obligations on local governments to develop plans and implementing measures that conserve energy. In 2016, Council found that the 2016 UGB expansion, which brought the subject properties into the City’s UGB, satisfied Goal 13 because it was designed to conserve energy by directing more growth in housing and employment to opportunity areas inside the existing UGB, considering energy in the evaluation and arrangement of land uses in the UGB expansion areas (subject properties), and ensuring that the areas added to the UGB are well connected to the transportation system.

The Caraway Master Plan will accommodate a diverse mix of housing, employment and open space/park uses within a ½-mile walking distance of North Star Elementary School to the west and a 1-mile walking distance to Lava Ridge Elementary Schools and

SkyView Middle School to the east, as well as commercial services, providing multi-use paths and trails to enhance connections to surrounding areas, and reduce reliance on the automobile by making walking, bicycling and using transit more possible with shorter trips. Therefore, Goal 13 is satisfied.

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

FINDING: During the City's 2016 UGB expansion process, the City demonstrated a need to amend the UGB to accommodate future urban population and job growth within the Bend UGB, through several analyses, including the Urbanization Report and the UGB Scenario Evaluation Report. The City inventoried its buildable lands for both housing and employment and forecasted future needs for housing and employment based on the 20-year population forecast, determining that a UGB expansion was necessary. The 2016 UGB expansion, which included the subject property (North Triangle expansion area), was adopted in 2016. As such, the proposal is consistent with Goal 14.

Goal 15, Willamette River Greenway

Goal 16, Estuarine Resources

Goal 17, Coastal Shorelands

Goal 18, Beaches and Dunes

Goal 19, Ocean Resources

FINDING: Goals 15 through 19 are not applicable to the proposed Master Plan because the subject properties do not include any of the noted features and are not located within the coastal or Willamette Valley regions.

4.5.200.D.3.c. Major Community Master Plan (continued from page 25)

- ii. **Approval of the request is consistent with only the relevant policies of the Bend Comprehensive Plan Chapter 11, Growth Management, that are designated by the Planning Director or designee.**

FINDING: As part of the UGB expansion process that concluded in December 2016, the City brought 2,380 acres of land into the UGB in order to continue to provide a 20-year supply of residential, commercial, and industrial land. The process took more than a decade, with 70 public meetings, three technical advisory committees, and dozens of citizen volunteers. The North Triangle is one of the nine designated expansion areas illustrated in Figure 11-7 of the Comprehensive Plan. Along with the UGB lands, the City adopted new BCP policies in Chapter 11 - Growth Management intended to guide the development of the expansion areas.

Bend Comprehensive Plan Chapter 11, Growth Management

Specific Expansion Area Policies

Area-specific policies for land added to the UGB established in 2016 are intended to guide the development of Area Plans (including Master Plans) for expansion areas (see Figure 11-7). These areas are also subject to policies in this Chapter regarding urbanization and annexation.

Polices 11-142 to 11-151 are specifically applicable to the North Triangle expansion area:

11-142 The City will initiate an Area Plan for the North Triangle area. The Area Plan will address policies 11-143 through 11-151. Prior to completion of the Area Plan, annexations in this area must be a minimum of 40 contiguous acres and be the subject of a master plan application which includes a framework level Area Plan for the rest of the subarea. Following adoption of the Area Plan, annexation and development of individual properties or groups of properties of any size, consistent with the Area Plan, may be approved in compliance with the Bend Development Code.

FINDING: The Caraway Master Plan includes more than 40 contiguous acres within the North Triangle UGB Expansion Area. A framework-level area plan is included for the remaining properties within the North Triangle that are not subject to the Master Plan. Chapter 1.2 defines “Area plan, framework level” as “a conceptual plan that includes major transportation, sanitary sewer, and water network layout and general land use arrangements consistent with the Bend Comprehensive Plan.” The North Triangle Land Use Plan and North Triangle Utility Plan are included in Exhibit C of the application, and the submitted Transportation Element addresses transportation for the entire North Triangle area (Exhibit J of the application). While not binding upon these remaining properties, the framework-level area plan shows how—at such time that they choose to annex and subdivide—the properties within the North Triangle that are not participating in the Caraway Master Plan can be served with transportation and other public facilities, and satisfy BCP policies related to land use plan designations and housing mix. The policy is met.

11-143 The concept for this area, shown on Figure 11-7, is to provide for a mix of uses, including residential development to balance the mix of employment uses in this area and provide a transition to existing rural residential areas to the north.

FINDING: Caraway will be a complete community, with housing near commercial, mixed-use employment, and light industrial services that are scaled to serve the needs of neighborhood and area residents. A complete community is one that considers transportation options and connectivity, mixed and efficient uses of land, healthy environments, jobs and commercial activity, and residents who help define a unique character and sense of place.

Close to the geographical center of the Caraway Master Plan (and the North Triangle Expansion Area) is a new 5.3-acre neighborhood park. Identified in BPRD’s 2018

Comprehensive Plan, this facility will provide numerous recreational opportunities for residents of all ages. The neighborhood park will be well connected to the network of trails and multiuse paths, and is envisioned to include picnic shelters, a naturalistic playground, looped trails, a mix of lawns and natural landscapes, and other high-quality recreational amenities. The ultimate design of this park will be refined with additional input from BPRD.

Caraway will contain a variety of housing types including multi-unit residential apartments, townhomes, urban rear-loaded homes, traditional front-loaded homes, and village homes. Many of these housing types constitute “middle” housing that sits between detached single-family homes and mid-rise apartments. This variety will accommodate a wide spectrum of future residents in regard to age, income, and socioeconomic character.

While specific employment uses are not known at this time, the south, southeast, and eastern portion of the Caraway Master Plan will provide ample land for a variety of commercial, mixed-use employment, and light industrial uses. The most intense commercial uses are anticipated to be located at the southern edge of Caraway, along Cooley Road. Moving to the northeast, commercial uses will transition to the mixed-use employment areas, intended to allow for a broader mix of uses, including employment opportunities and residential units. Light industrial areas are located in the northeastern portion of Caraway, adjacent to Clausen Road, and close to the commercial corridor along US 97. An open space corridor running along the northern boundary of Caraway buffers existing rural residential areas to the north. The policy is met.

11-144 This area shall provide for a mix of residential and commercial uses, including 86 gross acres of residential plan designations, 40 gross acres of commercial plan designations, and 22 gross acres of industrial designations, and 26 gross acres of mixed employment plan designations (excluding existing right of way).

FINDING: The North Triangle Land Use Plan (Attachment C) shows a mix of RS, RM, RH, ME, CL, CG, and IL plan designations totaling 93.11 gross acres of residential designations (including 2.81 acres of existing Berg Lane right-of-way, 1.64 acres of existing Crooked Rocks Road right-of-way, and 1.82 acres of existing Hunnell Road right-of-way), 40.01 gross acres of commercial designation (including 1.07 acres of existing Berg Lane right-of-way), 26.39 acres of mixed-use employment designations (including 0.65 acres of existing Hunnell Road right-of-way), and 22.28 acres of industrial designations (including 0.29 acres of existing Hunnell Road right-of-way), which is within 1 percent of the listed residential, commercial, mixed-use employment, and industrial plan designation areas. The policy is met.

11-145 In order to provide sufficient housing capacity and mix, the residential plan designations must include 60 gross acres of RS, 21 gross acres of RM, and 5 gross acres of RH. The acreage of RM includes 3 to 4 acres for a neighborhood park site, which may be designated PF if a site has been acquired by the Bend Park and Recreation District prior to

completion of the Area Plan. Alternatively, the Area Plan may demonstrate that this area will provide capacity for a minimum of 510 housing units, including at least 13% townhomes and at least 42% multi-unit and duplex/triplex/quadplex housing types. The Area Plan may include and rely on plan designations, zones, special plan districts, and/or other binding development regulations to demonstrate compliance with the specified mix and capacity.

FINDING: BCP Policy 11-145 outlines two pathways for providing sufficient housing capacity and mix. The first pathway is based on the listed residential plan designations. Although the applicant does not elect to use this pathway, the North Triangle Land Use Plan (Attachment C) provides 64.96 gross acres of RS, 23.15 gross acres of RM and 5 acres of RH. The RS area includes 1.6 acres of existing Crooked Rocks Road right-of-way, 2.1 acres of existing Berg Lane right-of-way, 0.5 acres of existing Hunnell right-of-way, and 5.3 acres for a neighborhood park. The RM area includes 0.7 acres of existing Berg Road Lane right-of-way, and 1.3 acres of existing Hunnell Road right-of-way.

Table 2 below details the area of each residential zoning district within the Caraway Master Plan and framework-level area plan.

Table 2: North Triangle Expansion Area Zoning

Residential Zone	Master Plan (gross acres)	Area Plan (gross acres)	Total Area (gross acres)
RS	64.96*	0.00	64.96
RM	23.15**	0.00	23.15
RH	0.00	5.00	5.00
Total	88.11	5.00	93.11

*Area includes 1.64 acres of existing Crooked Rocks Road right-of-way, 2.07 acres of existing Berg Lane right-of-way, and 0.49 acres of existing Hunnell right-of-way

**Area includes 0.74 acres of existing Berg Lane right-of-way and 1.33 acres of existing Hunnell Road right-of-way

The applicant elects to use the second pathway provided in Policy 11-145 for housing capacity and mix, which requires a specific housing mix for the minimum number of housing units required. Additional housing units exceeding the minimum number of units required in Policy 11-145 are not subject to this housing mix requirement.

The second pathway is based on demonstrating that the North Triangle Expansion Area—the Caraway Master Plan and framework-level Area Plan together—can provide capacity for at least 510 housing units, including at least 13 percent (67 units) single-family attached housing (townhomes) and 42 percent (215 units) multi-unit and duplex, triplex, or quadplex housing.

Table 3, below, shows the mix of housing planned for construction within the Caraway Master Plan, based on the conceptual lot layout shown on the Preliminary Master Plan

(Attachment A). Generally, it is anticipated that the RS zoning district will contain most of the project’s detached single-family homes and the RM zoning district will contain most of the townhomes. Finally, it is anticipated that the ME zoning district will contain additional multi-unit residential units.

The North Triangle lands designated RH are not participating in the Caraway Master Plan but are anticipated to provide at least 109 units of multi-unit residential housing (based on the minimum RH density of 21.7 units/acre, times 5 acres of RH-designated property). In addition, the 5.67 acre ME zoned portion within the North Triangle Expansion Area outside the Caraway Master Plan may also include additional residential units as permitted in the ME zone.

Table 3: Proposed Housing Mix

Proposed Caraway Master Plan			
Residential Zone	Total Units	Townhomes	Duplex/Triplex/ Quadplex/Multi-unit
RS	261	0	0
RM	140	68	0
ME	192	0	192
Subtotal	593	68	192
Area Plan Minimum Capacity			
RH	109*	0	109*
Subtotal	109*	0	109*
Proposed Master Plan and Area Plan			
Total	702	68	301
Policy 11-145: North Triangle Area Plan			
Required	510	67	215

**Assumes minimum density required for the RH zone: 21.7 units per acre*

While the specific housing type and mix of uses will be determined with subsequent tentative subdivision or site plan applications, the Preliminary Land Use Plan (Attachment A) and Tables 2 and 3, above, show that the North Triangle Expansion Area—the Caraway Master Plan and framework-level Area Plan together—can provide capacity for at least 510 housing units, including at least 67 townhomes and 215 units of duplex, triplex, quadplex, or multi-unit housing. Therefore, the policy is met.

11-146 The properties identified on Figure 11-9, below, shall provide for affordable housing, consistent with policies 5-20 and 5-21 of the Housing Chapter of the Comprehensive Plan, as follows:

- o **The minimum number of affordable housing units shall be 25% of all housing units approved by the City on each property.**
- o **The minimum required number of affordable housing units is satisfied when 77 units of affordable housing (in total on the**

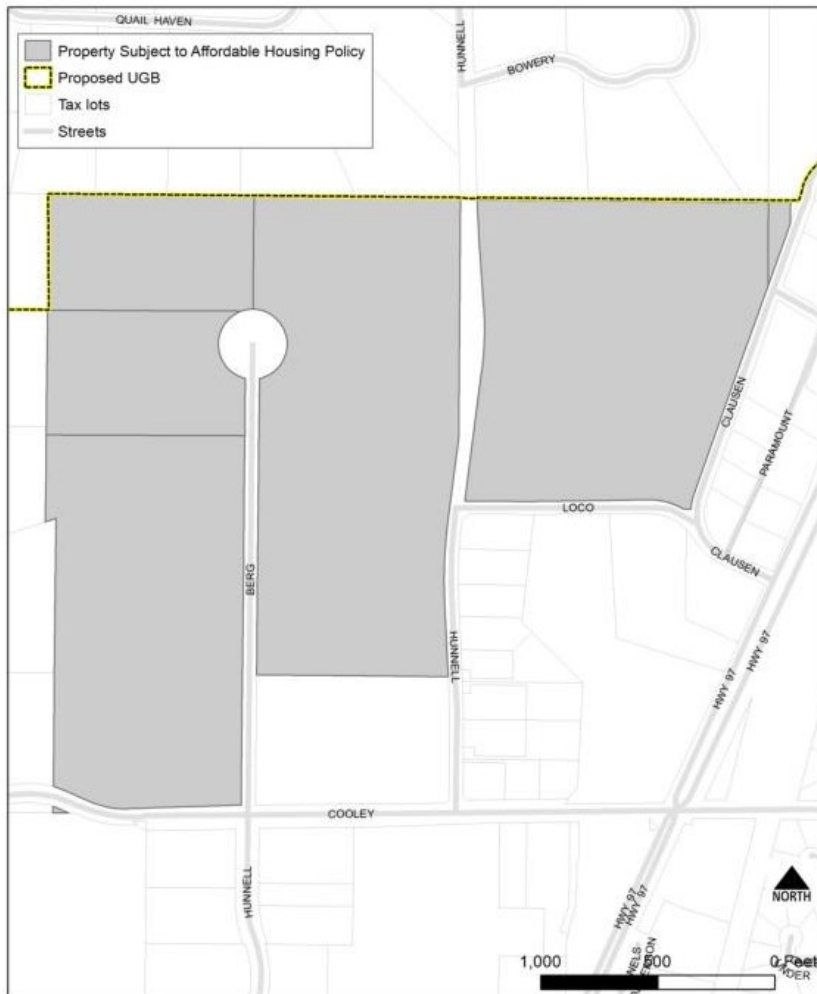
properties identified on Figure 11-9) have been approved in land use applications, subject to phasing requirement acceptable to the City.

- o Guarantees, in a form acceptable to the City, shall be in place to ensure that affordable housing units will meet the affordability requirements for not less than 50 years.**
- o Planning and phasing requirements for affordable housing units shall be established, in a form acceptable to the City.**

11-147 As an alternative to meeting the requirements of Policy 11-146, affordable housing, consistent with policies 5-20 and 5-21 of the Housing Chapter of the Comprehensive Plan and the requirements below, may be implemented within the North Triangle as a whole through an area plan, with prior written consent of affected property owners and guarantees in a form acceptable to the City.

- o The minimum number of affordable housing units shall be 77.**
- o Guarantees, in a form acceptable to the City, shall be in place to ensure that affordable housing units will meet the affordability requirements for not less than 50 years.**

Figure 11-9: Properties subject to policy 11-146



FINDING: The properties subject to the affordable housing policies above are located entirely within the proposed Caraway Master Plan area. The applicant is proposing to satisfy Policy 11-146 by providing a minimum of 77 units of affordable housing as stated in the Density section of the proposed Caraway code (consistent with BCP Policies 5-20 and 5-21). To fulfill this policy, the income limits and affordability duration must meet City requirements in Policy 5-20 as noted in the Caraway code.

The developer has indicated that the required deed-restricted affordable housing will be provided within the ME zone. While the design and configuration of the affordable housing will be specified through future Site Plan Review application, guarantees, in a form acceptable to the City, will ensure that these affordable housing units will meet the affordability requirements for not less than 50 years. This standard can be met.

11-148 Buffering measures are required between industrial uses and abutting residential uses within and adjacent to this area.

FINDING: The conceptual lot layout, shown on the Preliminary Land Use Plan (Attachment A), shows buffering measures (including streets or open space) between the planned Light Industrial zone and residential uses. In addition, the planned mixed-use employment designations are located to provide an appropriate density and use buffer between light industrial uses in the northeast corner of Caraway and abutting residential uses planned to the west. This standard is met.

11-149 The street, path and bikeway network shall provide connectivity throughout this area and connect to existing abutting local roads. Circulation plans for this area shall be coordinated with ODOT.

FINDING: The Street Circulation Plan (in Exhibit C of the application) shows the street and multimodal network that connects the Caraway Master Plan internally, but also to other properties within the North Triangle Expansion Area, the Gateway North Master Plan area to the south, and lands outside the UGB to the north and west. The major north-south (Hunnell Road) and east-west streets (Loco Road) through Caraway are both planned to include 8-foot-wide multi-use paths on each side (as shown in BDC Figure 2.7.4890 and related street cross-sections)

In addition, a 10-foot-wide multiuse path is planned for the north side of Cooley Road. The City's TSP map (Figure 5-1) identifies Cooley Road as part of the Bicycle Low Stress Network. The incorporation of multiuse pathways provides a level of cycling stress of "1" – which is the lowest level of stress for a roadside path.

The Transportation Element of the Caraway Master Plan and framework-level Area Plan is included as Exhibit J of the application. The Transportation Element shows that the roadways within and surrounding both the North Triangle Expansion Area and Caraway Master Plan meet the applicable block spacing and connectivity requirements and also address the multimodal functional goals. Detailed review of street block length and block perimeter will occur with subsequent land use applications. The Caraway Master Plan ensures that connections are available to serve all abutting lands, and the planned roadway system does not preclude future development opportunities.

The City coordinated its review of the submitted Transportation Element with Deschutes County and ODOT and these two agencies were also provided an opportunity to comment on the City's Transportation Analysis Memo (PRTFR202204414) before issuance. The policy is met.

11-150 Coordination with the Bend Park and Recreation District is required to identify a suitable site for a neighborhood park within this area.

FINDING: Exhibit G of the application is a letter from the BPRD acknowledging coordination that is leading toward a development agreement between the Applicant and BPRD for a new neighborhood park, and associated trails and open space within it, to be conveyed to BPRD. The policy is met.

11-151 Coordination with other special districts and utility providers is required within this area.

FINDING: Exhibit O of the application is a letter from the Swalley Irrigation District confirming ongoing coordination with the Applicant regarding existing irrigation pipes and ditches in a manner that facilitates planned construction phasing while maintaining sufficient delivery of water.

Will-serve letters from applicable utility providers (Pacific Power, Avion, Cascade Natural Gas, Lumen, CEC, TDS, etc.) are provided in Exhibit K of the application. A letter from Bend La-Pine School District is in Exhibit H of the application. The policy is met.

4.5.200.D.3. Major Community Master Plan. (Continued from page 32)

- d. If the major community master plan proposal contains a zone change request to bring the zoning into compliance with the Bend Comprehensive Plan designation, the zone change is subject to the approval criteria of BDC 4.6.300(C).**

4.9.700 Zoning of Annexed Areas.

The Bend Comprehensive Plan map provides for the future City zoning classifications of all property within the City's Urbanizable Area (UA) District. On the date the annexation becomes effective, the UA District will cease to apply and the zoning map will be automatically updated with the zoning district that implements the underlying Comprehensive Plan map designation.

FINDING: Prior to future development of the subject property, the land within Caraway Master Plan must be annexed into the City of Bend. An annexation application has been submitted (PLANX20230176) to be processed concurrently with this Master Plan proposal and considered with this application by the City Council. Upon annexation, the current UA zoning will cease to apply, and the zoning map will be automatically updated with the zoning district that implements the Comprehensive Plan Map designation, as shown on Attachment E.

- e. If the major community master plan proposal contains a proposed amendment to the Bend Comprehensive Plan Map or text, the amendment is subject to the approval criteria of BDC 4.6.300(B).**

FINDING: The Caraway Master Plan proposal does not contain an amendment to the Bend Comprehensive Plan Map or text amendment. Therefore, the approval criteria of BDC 4.6.300(B) do not apply.

E. Standards and Regulations. Minor and major community master plans must comply with the following standards:

1. Access to Commercial Goods and Services. Access to commercial goods and services must be provided in compliance with the following standards:

- a. The community master plan must have access to commercial goods and services by walking or biking a distance not greater than a one-half mile radius measured from all points along the perimeter of the master plan boundary to any land planned, zoned or developed for one or more such services. Such commercial uses may be provided within nearby neighborhoods or nonresidential districts as long as the minimum distance standard is met. In satisfying such distance standard, commercial goods and services that are not accessible by walking or biking because of physical or geographic barriers (e.g., rivers, Bend Parkway, canals, and railways) may not be used. Except for minor community master plans that are proposing needed housing as defined by state statutes, the Review Authority may find that this provision is met when the commercial uses are located further away than one-half mile but the purpose and intent of providing reasonable access to the commercial uses has been met.**

FINDING: The Caraway Master Plan includes 18.76 acres of commercial land, 20.73 of mixed employment land, and 22.28 of light industrial land. The entirety of the Caraway Master Plan boundary is within 0.5 miles of land providing commercial goods and services. CG-zoned land is also located immediately south and east of the Caraway Master Plan boundary, between Hunnell Road, Clausen Road and US 97. The standard is met.

2. Multimodal Connections. Multimodal connections must be provided on site in compliance with the Bend Urban Area Transportation System Plan (TSP) and the Bend Parks and Recreation District Parks, Recreation, and Green Spaces Comprehensive Plan, latest editions, and the existing and planned trail systems adjacent to the community master plan must be continued through the entire community master plan.

FINDING: Hunnell Road (a collector street) forms the primary north-south spine through the Caraway Master Plan, consistent with the TSP, while Loco Road (a collector street), Grandview Drive (a collector street), and Caraway Avenue (a local street) all provide key east-west routes through the master plan. The proposed Caraway Street Type Plan and Standards (BDC Figure 2.7.4890 and related street cross-sections) show these streets all include 8-foot-wide multiuse paths and the collector streets also include buffered bicycle lanes. A 10-foot-wide multiuse pathway is proposed along the north side of Cooley Road along the southern boundary of the master plan. The Caraway Master Plan provides

opportunities for vehicular, pedestrian, and bicycle connections through the master plan and to adjacent lands. The standard is met.

- 3. Housing Density and Mix. Community master plans 20 acres or larger must provide a mix of housing types and achieve minimum housing densities in conformance with the standards of subsections (E)(3)(a) and (b) of this section. To the extent that the Bend Comprehensive Plan Chapter 11, Growth Management, proposes a different mix of housing and/or density standards in the specific expansion area policies, then those policies apply.**

FINDING: This project meets the applicable density standards in BDC 4.5.200(E)(3) by showing that the North Triangle Expansion Area will contain the housing unit count and mix prescribed in BCP Policies 11-144, 11-145, and 11-146 and 11-147 (for affordable housing requirements). Housing density and mix is addressed further in the response to BCP Policies 11-144, 11-145, and 11-147, above. The applicable standard is met.

- 4. The community master plan must contain a minimum of 10 percent of the gross area as public or private open space such as parks, pavilions, squares and plazas, multi-use paths within a minimum 20-foot wide corridor, areas of special interest, tree preservation areas, or public and private recreational facilities and must comply with the following:**

- a. The open space area must be shown on the conceptual site plan and recorded with the final plat or separate instrument.**

FINDING: As shown on Figure 2.7.4820, the Caraway Master Plan will contain approximately 11.6% of gross area (17.42 acres) as both public and private open space including a neighborhood park, a private community center, and multi-use trail systems. This standard is met.

- b. The open space must be conveyed in accordance with one of the following methods:**
 - i. By dedication to the Park District or City as publicly owned and maintained open space. Open space proposed for dedication to the Park District or City must be acceptable with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities; or**
 - ii. By leasing or conveying title (including beneficial ownership) to a corporation, owners association or other legal entity. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City. Private open space must be located in a tract and include an open space easement.**

The Preliminary Master Plan (Attachment A) shows the gross area within the master plan boundary is 149.88 acres. The Preliminary Open Space and Trails Plan (in Exhibit C of the application shows 17.42 acres (11.6 percent of gross area) of open space, including a 5.3-acre neighborhood park that will be owned and maintained by BPRD. Exhibit G is a letter from BPRD acknowledging the outline of a draft development agreement between the applicant and BPRD for a new neighborhood park and associated trails and open space to be conveyed to BPRD. The Community Center, located to the northeast of the park across a planned local road, will be an HOA-owned and maintained amenity that is planned to include a clubhouse, pool complex, and outdoor activity area. Any additional open space areas not transferred to BPRD are planned be owned and maintained by the HOA. The standard is met.

- c. Adequate guarantee must be provided to ensure permanent retention of common open space and recreation areas which may be required as conditions of approval.**

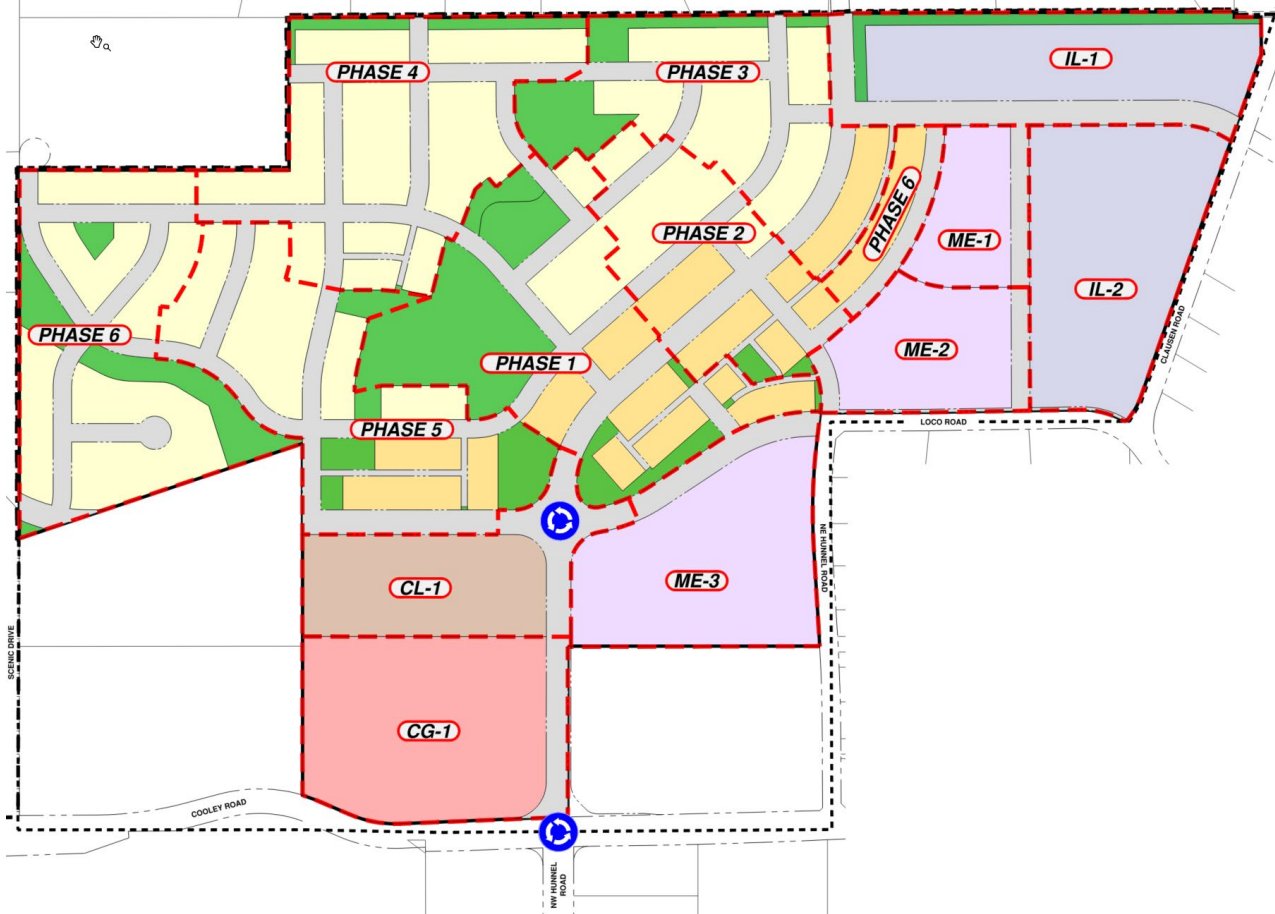
FINDING: The timeline of the BPRD's acquisition of the neighborhood parks and other public open space will be established in the final development agreement between the applicant and BPRD. HOA-owned and maintained open space will be designated as tracts (or similar) on the final subdivision plat for each corresponding phase, ensuring they will be permanently retained and maintained as open space for the community.

F. Duration of Approval.

- 1. An approved community master plan will remain valid indefinitely unless withdrawn by all owner(s) of property within the community master plan. The City may deny withdrawal when a switch to otherwise applicable standards would not be in the public interest because of sufficient development under the community master plan. Standards and regulations identified in the approved community master plan will control all subsequent site development as long as the approved community master plan is valid. If alternative standards and regulations are not specifically identified in the approved community master plan, the applicable City standard at the time any development application is submitted will apply.**
- 2. The duration of approval for a community master plan must coincide with the timeline outlined in the approved phasing plan and in accordance with the time frames studied in the transportation analysis and water and sewer capacity analysis for the community master plan. Site plan review or land division applications submitted consistent with or earlier than as provided in an approved phasing plan will not require an updated transportation analysis and water and sewer capacity analysis as part of the development application. Infrastructure capacity may be reserved for the community master plan site for up to 15 years or as specified in an approved phasing plan.**

3. The time period set forth in this subsection (F) will be tolled upon filing of an appeal to LUBA and must not begin to run until the date that the appellate body has issued a final order.

FINDING: Attachment D is a proposed phasing plan (shown below). The timing and sequence of the non-residential phases will be subject to market demand but several phases are anticipated early in the process. The residential phases will also be dependent on market demand as well as availability of infrastructure as it is built out to the northwest.



Proposed Phasing Plan

The timeframe studied in the transportation analysis extended to 2040; and the Water and Sewer Analysis Application assumed an open-ended timeline to achieve full build out. The phasing plan will be in accordance with the time frame studied in the infrastructure analysis. Thus, the duration of approval is through 2040.

PLANNING COMMISSION RECOMMENDATION: Based on the application materials submitted by the applicant, the findings in this report which are based on the applicant's narrative addressing the relevant criteria for approval, the Planning Commission recommends that the Bend City Council adopt an ordinance to amend Bend Development Code Chapter 2.7, Special Planned Districts, to create the Caraway Master Planned Development as proposed in Attachment F, with the following amendment: The permitted and conditional uses in all zones within the Caraway master plan must not be more restrictive than the underlying zone.