

Approved Minutes

Bend Planning Commission

Monday, April 14, 2025, 5:30 P.M. Regular Meeting



The hybrid meeting started at 5:30 P.M., in-person and online.

The public was invited to watch online at: www.bendoregon.gov/planningcommission

1. ROLL CALL:

- Margo Clinton – Chair
- Scott Winters – Vice Chair
- Bob Gressens
- Suzanne Johannsen
- John LaMotte
- Erin Ludden
- Nathan Nelson

Commissioners Present: All Commissioners were present except Chair Margo Clinton

2. **Staff Present:** Ian Leitheiser, City Attorney; Colin Stephens, CDD Director; Renee Brooke, Planning Manager; Michelle Patrick, Associate Planner; Aaron Henson, Senior Planner; Jason Bolen, Deputy Fire Marshal; Elizabeth Oshel, Senior Assistant City Attorney; Jonathan Taylor, Urban Renewal Manager

3. VISITORS:

The Vice Chair opened the floor for comments on non-agenda items. Attendees were encouraged to fill out a speaker slip and approach the podium, or raise their hand online, to provide comments.

No public comment was given.

4. QUASI-JUDICIAL PUBLIC HEARING:

4.1 [PLWOZ20240711](#): Proposal for a new single-unit dwelling in the Waterway Overlay Zone at 1714 NW Steidl Road.

Associate Planner, Michelle Patrick – mpatrick@bendoregon.gov

Vice Chair Winters convened the hearing at 5:32 PM and asked the Commission if anyone had pre-hearing contacts, bias, prejudice, or personal interest. Commissioners LaMotte and Johannsen mentioned that they both visited the site. The Vice Chair then asked meeting attendees if there was any challenge with respect to Commissioners' bias, prejudgment, or personal interest. There were no challenges.

Planning Manager Brooke explained the quasi-judicial procedural requirements of State law.

Associate Planner Michelle Patrick presented on the application for a new 5,201 square foot single unit detached dwelling with a 994 square foot attached garage, located at 1714 NW Steidl Road within the Waterway Overlay Zone.

Patrick explained that the proposed development is entirely outside the 40-foot Deschutes River Corridor boundary and the 30-foot riparian corridor setback. She reviewed the applicable standards from the Bend Development Code, including sections on tree removal, riparian corridor protection, floodplain management, and the Deschutes River Corridor Design Review. She noted that the project would also need to meet minimum development and design standards at the time of building permit submittal.

A key component of the application involved tree removal. Of the 12 trees on site, 10 are proposed for removal, including tree number 12—a 30-inch diameter blue spruce located outside the building footprint. Although the tree is in good health, the applicant's arborist cited concerns about its non-native status, shallow root system, and vulnerability to wind and storm events.

Patrick briefly addressed the floodplain subzone, confirming that no construction is proposed within it and that the application complies with all relevant standards.

Commissioner LaMotte sought clarification on the landscape plan, particularly regarding the area around tree number 12 and whether new turf would be replaced. Patrick confirmed that while the backyard turf will remain, any area disturbed by tree removal should be revegetated with native species.

Vice Chair Winters asked about the process for removing tree number 12 if the Commission does not approve its removal as part of the current application. Patrick explained that the applicant would still need to meet the tree removal standards of the WOZ and could pursue removal through a Type II administrative review if the tree is found to be diseased, hazardous, or otherwise meets the criteria.

Commissioner Johannsen inquired whether the City had an arborist on staff. Staff responded that a full-time arborist had been hired and would begin work on May 27. Until then, arborist reports are provided by consultants, but the new staff member will be able to review and verify future reports.

Commissioner Ludden asked for more information about the claim that similar blue spruces had been removed from the river corridor. Staff noted that this was mentioned in the arborist report but not substantiated with additional documentation.

Commissioner Nelson confirmed that the Planning Commission has the authority to impose additional landscaping requirements as conditions of approval.

Greg Blackmore presented on behalf of the applicant team. Regarding the conditions of approval, the primary concern was Condition 5, related to the removal of tree number 12, a large Colorado blue spruce. He emphasized that while the applicant valued the tree, the arborist deemed it hazardous due to its isolated position, shallow roots in saturated soil, and vulnerability to wind. The applicant requested its removal based on safety and liability concerns.

Todd Taylor, speaking for the applicant, reiterated the safety concerns and shared past experiences with similar trees falling on nearby properties. He emphasized that the request for removal was not made lightly and was based on professional advice and personal responsibility for potential future damage.

Blackmore argued that if tree number 12 is removed, the area should be restored with turf to match the surrounding landscape, rather than introducing a patch of native vegetation. He noted that the tree is outside the riparian corridor and not a native species, and therefore the condition requiring native revegetation may not be applicable.

Commissioner Ludden asked about the number of trees being removed and replaced. Becky Shaw, landscape architect from the applicant team, responded that three new trees would be planted in the backyard and two in the front yard, along with ornamental trees in the courtyard. None of the new trees are native, as they are not located in the riparian zone.

Commissioner Gressens asked whether a replacement tree would be planted if tree number 12 were removed. The applicant was open to planting a more suitable species but reiterated concerns about liability and the challenges of maintaining isolated trees. Gressens asked whether the construction timeline could accommodate a review by the City's new arborist, who would begin work in late May. Todd Taylor, representing the applicant, responded that they hoped to submit building plans in early May, and a delay could impact their schedule.

Vice Chair Winters questioned the proximity of the proposed structure to the river and the tree canopy. Jason Bauer, architect from the applicant team, confirmed that part of the patio would be under the canopy of tree number 12.

Vice Chair Winters opened the public testimony portion of the hearing. No members of the public, either in person or online, provided testimony. The applicant declined to offer rebuttal.

Vice Chair Winters closed the public hearing at 6:13 PM and the Commissioners deliberated.

Commissioner Johanssen expressed appreciation for the upcoming addition of a City arborist and the thoughtful discussion around tree preservation. She emphasized the need for a community-wide conversation about the role of trees in Bend's urban landscape, noting that development often leads to tree isolation and removal.

City Attorney Ian Leitheiser clarified that while the City's new arborist will be a valuable resource, the Planning Commission remains the decision-making body. The arborist will inform staff recommendations but will not make final determinations.

Commissioner Ludden raised concerns about the project's overall footprint, its proximity to the riparian corridor, and the loss of habitat. She advocated for replacing turf with native landscaping to better support wildlife and mitigate environmental impacts.

Commissioner Nelson expressed general agreement with the staff report and the proposed conditions of approval. He found the applicant's justification for removing tree number 12 to be reasonable and supported the removal. He emphasized that any additional conditions should be narrowly scoped to the area surrounding the tree, rather than applying broadly to the entire site.

Commissioners discussed two possible approaches: (1) requiring a replacement tree or native vegetation specifically in the area where tree number 12 is removed, or (2) expanding the condition to require the replacement of a larger portion of turf grass with native landscaping. Planning Manager Renee Brooke pointed out that Condition 4 of the staff report already requires that if tree number 12 is removed, the area must be revegetated with native plants. Commissioners considered whether to expand this condition to include a broader area of turf.

Commissioner Ludden proposed expanding the scope of Condition 4 to require that a larger portion of the turf grass surrounding tree number 12 be replaced with native vegetation. She argued that this would provide greater ecological benefit and visual consistency with the riparian corridor, while still allowing for some turf to remain for recreational use.

Commissioner LaMotte moved to approve PLWOZ20240711 for a new single-unit dwelling at 1714 NW Steidl Road, including the removal of tree number 12, with a revised condition of approval requiring that the area currently occupied by turf—particularly the larger section near the river frontage—be revegetated with native plantings.

Commissioner Ludden discussed the scope of the revised condition, stating that this area, which has significant river frontage, should be restored with native vegetation to enhance habitat and visual continuity with the river corridor.

Before the motion was seconded, City Attorney Leitheiser mentioned that the applicant stated they would be willing to keep the tree. He clarified that the Planning Commission could approve the application with a condition requiring the tree to remain.

Commissioner Gressens disclosed that he was familiar with the landscape architect involved in the project, and that he was confident in their quality of work, and that he felt replacing the tree with a new native tree seemed appropriate. Leitheiser asked Commissioner Gressens to confirm whether he could remain impartial and apply the development code objectively. Gressens affirmed that he could.

Commissioners ultimately agreed that Condition 4 in the staff report already required native revegetation if tree number 12 is removed. Commissioner LaMotte withdrew his first motion.

Commissioner Johannsen moved to approve Waterway Overlay Zone application PLWOZ20240711 for a new single-unit dwelling at 1714 NW Steidl Road, based on the findings and subject to the conditions recommended by staff. Commissioner Nelson seconded the motion.

Commissioner Nelson moved to amend the motion to include permission to remove tree number 12, with the understanding that the area would be restored with native vegetation as outlined in the staff report. Commissioner Johannsen seconded the amendment. Commissioner Gressens asked about adding a condition that a native tree be planted in place of the removed tree. Commissioner Ludden made the point that there is not a native riparian tree that is not invasive.

A brief discussion followed regarding whether a native tree should also be planted in place of the removed spruce. While there was some support for this idea, Commissioner Gressens ultimately decided not to add a separate condition requiring a replacement tree, opting instead to rely on the existing language in Condition 4. The amendment passed on a 5-1 vote, with Commissioner Ludden dissenting.

The Commission confirmed that the motion permits the removal of tree number 12 but does not require it, and that the area must be revegetated with native plants if removal occurs.

The final motion, as amended, was approved by the Commission, on a 5-1 vote, with Commissioner Ludden dissenting.

4.2 [PLDR20240213](#): Proposal for a second, detached single-unit dwelling in the Waterway Overlay Zone at 659 NW Silver Buckle

Senior Planner, Aaron Henson – ahenson@bendoregon.gov

Vice Chair Winters convened the hearing at 6:51 PM. and asked the Commission if anyone had pre-hearing contacts, bias, prejudice, or personal interest. Commissioners Gressens, Johannsen, and LaMotte all mentioned that they had visited the site. The Vice Chair then asked meeting attendees if there was any challenge with respect to Commissioners' bias, prejudice, or personal interest. There were no challenges made.

Planning Manager Brooke explained the quasi-judicial procedural requirements of State law.

Senior Planner Aaron Henson presented the staff report for the proposed second, detached single-unit dwelling at 659 NW Silver Buckle, located within the Waterway Overlay Zone (WOZ). He provided an overview of the site's unique history, including a property line adjustment in 1996 that consolidated two platted lots in the Rimrock West subdivision with a piece of adjacent property extending to the centerline of the Deschutes River.

Henson explained the various subzones within the WOZ, including the riparian corridor, area of special interest (ASI), floodplain, and design review subzones. Details about the specific setbacks and design requirements associated with each subzone were provided. He noted that the applicant had hired a wetlands expert to delineate the wetland boundary, which informed the placement of the 50-foot riparian setback.

Henson addressed the design review subzone criteria, as well as the tree removal plan, which proposed the removal of approximately 13 trees within the immediate development footprint. He acknowledged that the applicant had claimed some of the criteria were not clear and objective, as required under state law for all applications for needed housing.

Henson addressed public concerns regarding storm water management and fire code compliance. He mentioned that the Bend Fire Marshal was present to answer questions regarding fire safety and access but noted that meeting fire code was not an approval criterion for a WOZ application. Some standards are intentionally left to building permit review when plans are finalized to be reviewed by experts in those fields.

Henson concluded by outlining three recommended conditions of approval: (1) submission of Oregon State Scenic Waterway approval prior to building permit issuance, (2) compliance with outdoor lighting standards, and (3) submission of a final stormwater drainage plan. He affirmed that staff believed the application met or could meet all applicable criteria with conditions.

Commissioner Gressens inquired about the visual impact of the proposed home and the preservation of trees in the foreground. Henson confirmed that the home would be located between two existing structures and that the most visible trees from across the river would remain.

The discussion covered the applicability of the 40-foot and 100-foot setbacks and interpretation of the design review subzone. Henson mentioned that in this case, the proposal meets the setback from the area of special interest, it falls outside the floodplain, and it exceeds the design review subzone setback.

Commissioner LaMotte asked questions about access, parking, and the use of the shared private drive, particularly in relation to HOA permissions. Staff clarified that the applicant was not proposing changes to the existing private drive and that off-street parking is not required under current city code. LaMotte expressed concern about the preliminary nature of the stormwater plan and the potential for future modifications if the plan proved infeasible. Henson reiterated that such issues would be addressed during building permit review and that any substantial changes would require a modification of approval.

Commissioner Johannsen sought clarification on whether this site resided within the Rimrock West subdivision. Henson highlighted that there are dueling legal opinions on this matter. While the property is one legal lot of record, the applicant argues that the portion of the property in question has never been in the subdivision and is therefore not subject to the HOA's rules and regulations.

The discussion concluded with additional questions about fire code compliance, the definition of needed housing under state law, and the applicability of HOA covenants, conditions, and restrictions (CC&Rs). City Attorney Ian Leitheiser emphasized that private CC&Rs are not enforceable by the Planning Commission and that the Commission must apply the standards in the Bend Development Code.

CDD Director Colin Stephens provided a procedural clarification regarding the nature of the quasi-judicial proceeding. He referenced Oregon Revised Statute (ORS) 197.763(6)(a), which requires that if any participant requests the opportunity to submit additional evidence, arguments, or testimony before the close of the initial evidentiary hearing, the local hearings authority must grant that request by continuing the public hearing or leaving the record open.

Stephens noted that a letter was submitted prior to the hearing, including a formal request to keep the record open due to the complexity and significance of unresolved concerns. As a result, the Commission would not deliberate on the application during the April 14 meeting. Instead, the record would remain open to allow for additional written testimony and rebuttal, with deliberations scheduled for the May 12, 2025, meeting.

The applicant's engineer of record, Dirk Duryee, provided a brief overview of the technical aspects of the proposal. He explained that his role focused on site planning and stormwater management rather than architectural design. Duryee described the process of delineating the floodplain, wetlands, and ordinary high water mark, which informed the placement of the proposed home. He

emphasized that the stormwater plan submitted was preliminary and intended to demonstrate the feasibility of managing runoff on-site.

Commissioners asked clarifying questions about the stormwater design, including the intensity and duration of the modeled storm event. Duryee confirmed that the plan was based on a 25-year, 60-minute storm using the Bowstring method, which is consistent with City of Bend standards. He reiterated that final engineering would occur during the building permit review process.

Vice Chair Winters then opened the public testimony portion of the hearing. Testimony was provided by those who indicated they favor the application.

Ernest Joe Jubela, owner of property: Emphasized his long-standing residence in the neighborhood and his commitment to complying with all applicable regulations. Jubela noted that the property has a 30-foot-wide easement providing access from Silver Buckle Road. He commented on the importance of understanding the full context of the project, suggesting that some opposition may stem from misinformation.

Ron Henderson: Expressed conditional support for the project, provided that all environmental and stormwater criteria were met. He emphasized the importance of protecting the river corridor and wildlife habitat, and noted that the proposed stormwater improvements could potentially benefit the area.

Public testimony was then provided by those who indicated they oppose the application

Martita Marx: Argued that the proposed home would permanently alter the scenic and ecological character of the river corridor. She urged the Commission to consider the spirit of the regulations and prioritize preservation of the natural environment over incremental housing gains. Marx presented a hand-drawn visual simulation of the proposed home's impact on the view from her property.

Gabrielle Yuro: Raised concerns about the legality of constructing a second dwelling on a lot governed by CC&Rs that prohibit multiple units. She argued that the applicant's consolidation of parcels should not exempt the property from HOA restrictions and warned that approval could set a precedent for increased density in the neighborhood.

Jerry Wein: Expressed concerns about the erosion of environmental protections and the potential for increased fire risk and evacuation challenges. He emphasized the importance of adhering to the Bend Development Code, which outlines measures of protecting the Deschutes River Corridor.

David Schaefer: Clarified that the portion of the property proposed for development was not part of the original Rimrock West plat and had never been formally incorporated into the subdivision.

Diane Doroski: Concerned about egress during a fire evacuation, claiming there would be too many houses trying to exit onto Archie Briggs.

Max Merrill: Echoed concerns about protecting the natural environment.

Vic Doroski: Added to the concerns about fire evacuation. He brought up the city's regulations allowing up to 4 dwelling units on one lot, stating that this sets a precedent. He argued that this area is not in need of more housing and that destroying the natural environment is not the solution to the housing demand.

Dan Capozzola: Identified himself as a stormwater expert. He expressed strong concerns about the feasibility of the proposed stormwater system, citing dense basalt rock beneath the site that would inhibit infiltration. He warned that the current design would likely not meet Department of Environmental Quality standards. He noted the presence of a nearby side channel that serves as habitat for the federally threatened Oregon spotted frog, suggesting that development could trigger federal permitting requirements.

Christopher Koback: Legal representative for residents Jerry Wein and Martita Marx, argued that the CC&Rs should be considered relevant in this case, citing legal precedent that private restrictions may be applicable if they prevent compliance with approval criteria. He contended that the applicant's property was legally consolidated into the subdivision and thus subject to the CC&Rs, which prohibit multiple dwellings.

Stephanie Marshall: Representing the Rimrock West HOA Board, raised concerns about emergency evacuation and fire safety. She argued that the application does not comply with the 2019 Fire Code, which requires a second access point for subdivisions with more than 30 homes. Marshall contended that approving the application without addressing this issue would endanger residents and set a problematic precedent for future development, citing compatibility concerns under BDC 2.7.650.E.2.

Jefferson Jacobs: A wildlife biologist and riparian restoration ecologist, emphasized the ecological significance of the site, describing it as exceptional wildlife habitat within city limits. Jacobs cited evidence of mink, beaver, and other wildlife in the area and called the proposal precedent-setting, asking the Commission to consider whether the development truly aligns with the intent of the city's environmental protections.

Elaine Kitagawa: Reiterated concerns about tree removal, stormwater management, and the potential for legal conflicts with the HOA. She also formally requested that the written record remain open to allow for additional

public comment, citing the complexity of the issues and the volume of new information presented during the hearing.

CDD Director Stephens affirmed that it is common and appropriate to leave the record open in such cases to allow all parties the opportunity to respond. This process ensures that decision-makers have adequate time to review and consider all information before deliberating, ultimately supporting a well-informed and fair decision.

Following the conclusion of public testimony, the applicant's attorney, Jamie Howsley, provided rebuttal remarks. He emphasized that the application met all applicable criteria and reiterated the importance of evaluating the proposal under the clear and objective standards required by state law for housing applications. He reiterated the request to leave the record open, citing the volume and complexity of testimony received. He responded to the applicability of HOA covenants and the status of the parcel in relation to the Rimrock West subdivision. He argued that the portion of the property proposed for development was not subject to the Rimrock West CC&Rs, and that the Commission was not the appropriate venue for resolving private legal disputes.

Commissioner LaMotte asked for clarification regarding the parcel's legal status and its relationship to the subdivision boundaries. Howsley confirmed that the parcel had been consolidated for tax purposes but was not formally incorporated into the Rimrock West subdivision. He committed to submitting a color-coded map to clarify ownership and subdivision boundaries as part of the applicant's written rebuttal.

Vice Chair Winters clarified whether the property would be subject to the 100-foot minimum setback. Planning Manager Brooke clarified that it would not, explaining that the Bend Development Code specifies the 100-foot setback only applies to the east bank of the Deschutes River between the southern boundary of Sawyer Park and the southern boundary of the Rimrock West subdivision. Since the subject property is located on the west bank, the applicable setback remains 40 feet, regardless of its subdivision status.

The Commission invited Fire Marshal Jason Bolen to address questions related to fire access and emergency response. Bolen clarified that the applicable code was the 2022 Oregon Fire Code, not the 2019 version referenced earlier. He explained that fire access roads do not need to be public streets and that any improved surface could qualify as a compliant access route. He also noted that the fire code does not address wildfire evacuation routes or broader Firewise planning efforts.

Commissioner Johanssen sought clarification of whether the proposed development would trigger the 30-home threshold for requiring a second point of access and the potential for future code changes to address wildfire risk more comprehensively. Commissioner LaMotte expressed concern about the

cumulative impact of additional development in areas with limited egress. Fire Marshal Bolen acknowledged these concerns and noted that future code cycles may incorporate more robust wildland-urban interface standards. He mentioned that alternative methods of compliance with the fire code could be considered by the City's Building Official in consultation with the Fire Department during the building permit stage.

CDD Director Stephens outlined the procedural steps for continuing the hearing. In response to requests from the public and the applicant, the Commission voted to leave the written record open under a "7-7-7" schedule:

April 21, 5 p.m.: Deadline for submission of new written testimony and evidence by all parties.

April 28, 5 p.m.: Deadline for rebuttal to new evidence by all parties.

May 5, 5 p.m.: Deadline for final argument by the applicant only.

The Commission scheduled deliberations for the May 12, 2025 meeting. No additional testimony will be accepted at that time. Commissioners were advised to thoroughly review the written record in advance and come prepared to deliberate. Staff indicated they would provide limited additional commentary at the May 12th meeting to avoid reopening the hearing. Commissioners requested that staff and the applicant provide clear documentation regarding subdivision boundaries and the applicability of setback standards.

The meeting concluded with a unanimous vote to continue the public hearing to May 12, 2025.

4.3 Public Hearing/Recommendation to Council – Site-Specific Tax Increment Finance Plans

Urban Renewal Manager, Jonathan Taylor – jtaylor@bendoregon.gov

Vice Chair Winters convened the hearing at 9:38 PM. and asked the Commission if anyone had pre-hearing contacts, bias, prejudice, or personal interest. Commissioner LaMotte mentioned that he visited all three sites. Vice Chair Winters mentioned that his firm worked on one of the sites a few years ago and identified this relationship as a potential conflict. He excused himself from the hearing in response. Commissioner Johannsen stepped in as Chair for the rest of the hearing. Johannsen asked meeting attendees if there was any challenge with respect to Commissioners' bias, prejudgment, or personal interest. No challenges were made.

Planning Manager Brooke explained the quasi-judicial procedural requirements of State law.

Elizabeth Oshel, with the City Attorney's office, and Urban Renewal Project Manager Jonathan Taylor presented the staff report. Oshel explained that the Bend Urban Renewal Agency (BURA) had adopted a policy to support housing developments serving households at or below 90% of the Area Median Income (AMI) through property tax rebates. The proposed Tax Increment Finance (TIF) plans would provide 12 to 30 years of assistance, with longer durations available for projects that meet additional criteria.

Taylor outlined the three proposed TIF areas, providing detail on each location: Britta Ridge, Century, and Veridian. Each TIF plan was evaluated for conformance with the Bend Comprehensive Plan, particularly policies related to growth management, housing, infill development, and access to transit and services. The proposed developments already have site plan approval, which provides added certainty regarding their alignment with city goals.

Taylor highlighted the public process to adopt a new urban renewal TIF area, which includes an upcoming City Council public hearing on May 21st.

Commissioner LaMotte asked about transit corridors. Oshel mentioned that the corridors were identified in the 2016 Comprehensive Plan update and are intended to support a range of transportation modes.

LaMotte inquired about the ownership of land near the church on Mount Washington Drive. Oshel clarified that the City does not own any of the parcels in question; Veridian is publicly owned by Central Oregon Community College (COCC).

Commissioner Gressens asked when traffic impact analyses (TIAs) are conducted. Oshel responded that TIAs are required during the development review process, which has already occurred for each of the four projects included in the TIF proposals.

Commissioner Johannsen sought clarification on the meaning of "maximum indebtedness" in the context of these TIF plans. Oshel explained that this term refers to the projected amount of property tax revenue that will be rebated to the developers over the life of the plan. Rebates are only issued after developers certify annual compliance with standards outlined in their development agreements.

Commissioner Nelson asked whether the TIF policy was attracting any commercial development proposals. Taylor noted that while there had been interest from two commercial projects in the Juniper Ridge area, both had withdrawn due to economic uncertainty. The current proposals are all residential in nature.

Commissioner Ludden asked about the construction timelines for the proposed developments. Taylor shared that Britta Ridge is expected to begin construction in June 2025, with occupancy anticipated in 2027. Veridian Ridge is also

targeting a 2027 completion, while the Century projects are expected to be completed between 2028 and 2029.

No public testimony was provided in favor, neutral, or in opposition to the proposals. No rebuttal was offered.

Commissioner Johannsen closed the public hearing at 10:04 PM and the Commissioners deliberated.

Commissioners expressed strong support for the proposals, noting their clear alignment with the Comprehensive Plan and the opportunity to advance affordable housing goals.

Commissioner Nelson moved to recommend that the City Council approve the Britta Ridge TIF, the Century TIF, and Veridian TIF plans based on draft findings that the plans conform to the City of Bend Comprehensive Plan. The motion was seconded by Commissioner LaMotte. The motion passed unanimously on a 5–0 vote.

Commissioner John LaMotte was nominated to present the Planning Commission's recommendation to the City Council at the May 21, 2025, hearing.

Upon conclusion of the public hearing, Vice Chair Winters returned to the dais to rejoin the Planning Commission meeting.

5. APPROVAL OF MINUTES:

The Planning Commission approved the [February 10, 2025 Meeting Minutes](#).

6. COMMUNICATIONS:

6.1. Reports From Planning Commissioners

Commissioner LaMotte raised a question about a recent site plan application that was elevated to the Hearings Officer, which involved tree preservation standards.

Leitheiser clarified that it is not a direct challenge to the tree code but includes arguments about its applicability. He confirmed that the Planning Commission has no role in responding during the open record period. Commissioner Gressens confirmed that he testified at the hearing in a personal capacity, not on behalf of the Planning Commission.

Commissioner LaMotte also raised concerns about the state's mandate for 32,000 new housing units in Bend, questioning the basis for the number and its implications. Planning Manager Brooke noted a future work session will address the City's upcoming work on the housing capacity analysis.

Commissioner Gressens brought up the cumulative impact of development projects, particularly traffic, and how the city evaluates and coordinates infrastructure planning. Stephens acknowledged these concerns and explained that while each project undergoes a transportation impact analysis (TIA) during site plan review, broader impacts are addressed through the city's Transportation System Plan. He noted that mitigation measures are required when a project's impacts exceed established thresholds, though the ability to require off-site improvements is limited by proportionality standards.

Commissioners expressed interest in a future work session to better understand how different departments coordinate on development review and how the city evaluates cumulative impacts.

Report From Planning Manager

Renee Brooke, Planning Manager noted that a legislative hearing is scheduled for the April 28th meeting to consider development code amendments related to housing options, including additional ADUs, second kitchens, and row houses.

6.2. Report From Community and Economic Development Director

Colin Stephens, CEDD Director, had nothing to report.

6.3. Report From City Attorney

Ian Leitheiser, Assistant City Attorney, had nothing to report.

The meeting was adjourned at 10:22 p.m.

Minutes submitted by Maggie St. Onge