

Draft Minutes

Bend Planning Commission

Monday, April 28, 2025 5:30 P.M. Regular Meeting



The hybrid meeting started at 5:32 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 Bob Gressens

Staff Present: Ian Leitheiser, City Attorney; Colin Stephens, CEDD Director; Renee Brooke, Planning Manager; Pauline Hardie, Senior Planner; Racheal Baker, Housing Division Manager; Brad Mandal, Assistant Building Official

VISITORS:

The 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.

2. LEGISLATIVE PUBLIC HEARING:

2.1. PLTEXT20250128:

Legislative public hearing on text amendments to the Bend Development Code (BDC) to facilitate housing options. The amendments are to BDC Chapters 1.2, Definitions, 2.1, Residential Districts, 3.6, Special Standards and Regulations for Certain Uses, and 3.8, Development Alternatives. There are also minor changes throughout for consistency and clarity. (Type IV Legislative Planning Commission recommendation to City Council)

Staff: Pauline Hardie, Senior Planner, phardie@bendoregon.gov

Chair Clinton convened the hearing at 5:35PM.

Senior Planner Hardie gave her [presentation](#) with assistance from Housing Division Manager Racheal Baker. The presentation outlined the background, goals, and anticipated impact of the proposed text amendments to the Bend Development Code (BDC). The changes include allowing a second kitchen within a dwelling while ensuring compliance with other regulations, expanding accessory dwelling unit (ADU) options by allowing up to two per lot with unit size limitations, and allowing row houses as single-unit detached dwellings with minimal to zero side setbacks. These revisions align with City Council goals to increase housing, support intergenerational living, and offer diverse housing choices.

The commissioners raised several clarifying questions regarding the proposed housing amendments. Commissioners sought clarification on whether second kitchens could be added without triggering ADU designation, how small lots could be utilized for infill development, and setback requirements for row houses.

Staff confirmed that ADUs are allowed on lots with a single-unit dwelling, but adding an ADU to a duplex would reclassify the property as a triplex. Commissioners inquired whether limiting ADUs to two per lot was necessary, suggesting that zoning density should determine the allowable number. Staff noted that ADUs receive exemptions from certain infrastructure requirements, making them distinct from multi-unit housing developments. Discussion also covered construction feasibility, fire safety, and frontage improvements for row houses, which must be structurally independent but follow townhouse-like design standards.

Additional questions focused on whether ADUs could be built in commercially zoned areas. Staff clarified that existing single-unit dwellings in commercial and mixed-use zones could already add one ADU, and confirmed that the amendment allowing two ADUs would extend to these zones.

Commissioners also examined the second kitchen provision, questioning whether requirements for internal accessibility were necessary to prevent unauthorized conversions into separate units. Staff explained that similar regulations from Portland and Springfield informed the approach to ensure compliance with both zoning and building codes.

Further discussion included building code classifications for attached versus detached ADUs, the definition of "floor area" for measuring ADU space, and stormwater runoff calculations for new developments. Commissioners debated whether row houses should have a different naming convention due to their similarity to townhomes and discussed where row houses would best fit within Bend's existing zoning framework. They also explored developer concerns

related to liability for condominium construction and how state efforts could address these challenges.

Chair Clinton opened the public testimony portion of the hearing. Testimony was provided by the following persons:

Ryan Starr: Local architect Ryan Starr was in favor of the proposed text amendments. He supported the row house amendment, emphasizing its financial benefits for local property owners. Unlike townhomes, which require upfront investment for multiple units, row houses allow owners to develop and sell one unit at a time, keeping investment local. He noted that fluctuating interest rates can derail townhouse projects, whereas row houses offer flexibility to adjust plans.

Starr also highlighted that detached row houses enable easier expansion, allowing homeowners to modify units as their needs change, making them a more adaptable housing option.

David Walton: Representing Bend YIMBY and in favor of the proposed text amendments. He emphasized that the city's housing shortage is not just about numbers but about homes—places where people live, work, and build their lives. He highlighted the difficult choices residents face due to housing scarcity, such as relocating to nearby cities or leaving the area entirely, which carries social, economic, and environmental consequences. Walton commended the planning department's efforts to expand housing options and recognized row houses as a valuable infill strategy.

Austin Masalini: Expressed support for the proposed development code amendments. He emphasized that these changes would facilitate the construction of modest-sized homes and starter homes, which are critical to addressing Bend's housing needs. He noted that the amendments encourage greater land infill and density, helping to reduce urban sprawl. Masalini also praised the updated ADU requirements, stating that they are sensible and will promote new housing opportunities for both individual homeowners and larger developers. He urged the Planning Commission to support the changes, highlighting their potential to increase housing supply and meet community demand.

Chair Clinton closed the public hearing at 6:28 PM and the Commissioners deliberated.

Commissioners broadly supported the proposed code amendments, emphasizing flexibility and expanded options for homeowners. They praised the second kitchen provision for multi-generational living and welcomed row houses for infill development.

Commissioners questioned the requirement that one ADU be attached to the primary dwelling, advocating for more flexibility based on lot size. Staff clarified

that detached ADUs must maintain a six-foot separation. The commission considered modifying the language to simply allow two ADUs per lot while keeping spacing requirements.

Beyond ADUs, commissioners encouraged further innovation in housing solutions, discussed sidewalk infrastructure, and addressed Bend's housing deficit.

Commissioner LaMotte moved to recommend that City Council approve the legislative amendments to the Bend Development Code to facilitate housing options based on the draft findings provided by Staff. The motion was seconded by Commissioner Johannsen.

Vice Chair Winters moved to amend the proposed housing code changes by striking the requirement that at least one ADU be attached to the primary dwelling unit.

Both the amendment and the original motion passed unanimously.

Vice Chair Scott Winters was nominated to bring the recommendation of the Commission to the City Council.

3. APPROVAL OF MINUTES:

The Planning Commission approved the March 10, 2025, meeting minutes.

4. COMMUNICATIONS:

4.1. Reports From Planning Commissioners

Commissioner Johannsen reported on the City Council meeting regarding the OSU-Cascades Master Plan amendment. The Council continued the hearing until July 17, asking Bend Park and Recreation District and OSU to resolve outstanding issues.

Vice Chair Winters shared insights from a workforce housing discussion attended with Commissioner Johannsen, featuring representatives from Rooted Homes and Habitat for Humanity. The conversation highlighted the concept of inclusionary zoning, prompting Winter to reflect on whether Bend's master plans include affordable housing requirements.

Winters noted that current regulations don't mandate affordable housing for all projects, raising the question of whether the Planning Commission could establish its own inclusionary zoning approach.

Winters acknowledged that late-stage efforts to introduce affordability requirements in projects that weren't initially obligated to provide them could be problematic. The discussion underscored the need for structured policies to ensure affordable housing is integrated into future planning efforts.

Staff clarified that some master plans do incorporate affordability requirements, particularly in expansion areas set through the comprehensive plan policies.

4.2. Report From Planning Manager

Renee Brooke, Planning Manager, reminded commissioners that their next meeting on May 12 will be a continued hearing for the Silver Buckle Waterway Overlay Zone application. She also noted that the following meeting would be canceled due to the Memorial Day holiday, with the next scheduled session set for June.

4.3. Report From Community and Economic Development Director

Colin Stephens, CEDD Director had nothing to report

4.4. Report From City Attorney

Ian Leitheiser, Assistant City Attorney, had nothing to report

The meeting was adjourned at 6:59 p.m.

Minutes submitted by Cristopher Oliveira.