

Approved Minutes

Bend Planning Commission

Monday, June 9, 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 Commissioner Nathan Nelson

2. **Staff Present:** Ian Leitheiser, City Attorney; Renee Brooke, Planning Manager; Aaron Henson, Senior Planner; Amy Barry, Principal Planner; Kim Voos, Associate Planner

3. 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.

4. QUASI-JUDICIAL PUBLIC HEARING:

PLWOZ20250148: Waterway Overlay Zone application for the Columbia Park River Access and Restoration Project.

Staff: Senior Planner, Aaron Henson - ahenson@bendoregon.gov

Vice Chair Winters convened the hearing at 5:33 P.M. and asked the Commission if anyone had pre-hearing contacts, bias, prejudice, or personal interest. The Chair then asked meeting attendees if there was any challenge with respect to Commissioners' bias, prejudgment, or personal interest. Commissioners Gressens, Ludden, and LaMotte mentioned that they had all visited the site.

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

Senior Planner Henson gave his [presentation](#) on the Columbia Park River Access and Restoration Project, which aims to improve river access and restore the riverbank. The site falls within three regulatory subzones: the Design Review Subzone (100 feet from the high-water mark), the Floodplain Subzone, and the Riparian Corridor (30 feet from the ordinary high-water mark). Construction activities will include material stockpiling, trail reconstruction, and in-water work along the riverbank. Visuals from 2022 and 2025 highlighted existing erosion and deteriorated infrastructure.

Notifications were sent to relevant state agencies and nearby property owners, resulting in no agency comments and a mix of public feedback both supporting and opposing the project. Henson highlighted the applicable code sections for the development. Under the Riparian Corridor Subzone (2.7.620), the project qualifies as a water-dependent use and restoration effort. It must minimize disturbance and obtain necessary state and federal permits. In the Floodplain Subzone (2.7.640), a “no rise” analysis confirmed that the project would not negatively impact downstream areas. Under the Design Review Subzone (2.7.650), the project was evaluated for compatibility with the surrounding area, conservation of natural features, and appropriate materials. Design features include a reconstructed trail, handrails, anchored boulders, and a gradual river entry point.

Staff recommended approval of the project with six conditions: protection of tree root zones, submission of permits from the Army Corps of Engineers and Department of State Lands, a city grading permit, a right-of-way permit for stormwater pipe work, verification or establishment of a maintenance easement for the pipe, and another right-of-way permit for sidewalk work along Columbia Street. Staff recommends that the Planning Commission approve the removal of one elm tree located at the west end of the footbridge as part of the proposed project.

Ian Isaacson, landscape architect with Bend Park and Recreation District (BPRD), and Mason Lacey, professional engineer with Environmental Science Associates (ESA), presented the applicant’s proposal for the Columbia Park River Access and Restoration Project. Isaacson explained that this project, like the earlier Miller’s Landing project, was identified in BPRD’s River Access and Habitat Restoration Plan, which incorporated extensive public input. Columbia Park, located in a residential neighborhood along the Deschutes River, has long been used for river access. The original access point, installed in 2011 using large boulders, suffered significant erosion and was closed in 2020 due to safety concerns. The new access point, approved by the BPRD Board in 2023, is proposed downstream near the city’s stormwater outfall and is designed to be more durable and environmentally sustainable. The proposed design includes a concrete landing and steps, an ADA transfer system, grouted boulder terracing, and cedar split rail fencing with welded wire mesh to protect restored riparian areas.

Commissioner Ludden asked about the habitat restoration plans. Lacey explained that native riparian vegetation, including shrubs, trees, grasses, and aquatic plants, would be used. Given the steep slope of the bank, they plan to use root wads and

encapsulated soil lifts wrapped in biodegradable fabric to stabilize the slope until vegetation is established.

Commissioner LaMotte inquired about fencing near the playground slide to prevent children from entering the restoration area. Isaacson confirmed that fencing would be placed strategically, with the nearest access point about 70–80 feet from the slide. LaMotte asked about the status of the Gilchrist footbridge. Isaacson explained that conceptual designs for a new bridge are underway, funded by a grant, but any replacement decision lies with the city. The new bridge would be wider (10 feet), ADA-compliant, and will include jump deterrents.

Commissioner Gressens expressed concern that the current bridge poses a safety risk, and that the new river access might inadvertently encourage more jumping. His preference would be to address the issue with the bridge first and then complete the access and restoration project. Isaacson acknowledged the issue and noted that while fencing can help, people often find ways around barriers. He emphasized that providing a designated, safer access point may help reduce erosion and uncontrolled use. He also mentioned the distinction that the access point is a park facility, while the bridge is a city facility. While completing both projects simultaneously would be ideal, funding and timelines are unfortunately not aligned. Vice Chair Winters mentioned that despite design changes to the bridge, kids are likely to jump off the bridge no matter what, noting a safer egress should be provided.

Commissioner Gressens addressed the classification of a neighborhood park versus a community park. The applicants clarified that neighborhood parks are smaller (typically 3–5 acres), rely on street parking, and are intended for nearby residents, while community parks are larger and include on-site parking and broader amenities. Columbia Park is classified as a neighborhood park.

The depth of the river was also discussed. The applicants noted that the deepest part near the bridge is approximately 15 feet, and the new access point was intentionally placed downstream where the riverbed is shallower and the trail-to-river grade is more manageable. This location also provides more space for construction and ADA access.

Commissioner Johannsen asked about the success of similar access control efforts at Riverbend South. The applicants reported that those efforts have been very effective, with users sticking to designated access points and riparian areas recovering well. They emphasized that fencing works best when paired with clearly defined, easy-to-use access routes. Johannsen also inquired about the stormwater pipe easement. The applicants confirmed that no easement currently exists but that they are working with the city and the National Park Service to draft appropriate language, as the park is encumbered by multiple Land and Water Conservation Fund (LWCF) grants.

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

Dan Pilver expressed strong support for restoring river access. He cited a Parks and Rec survey showing 75% of neighborhood support and emphasized the alignment with Bend's vision for walkable communities. He argued that safe access would reduce trespassing and environmental degradation, and that bridge jumping will persist regardless of access changes.

Lauren Mork, an ecologist with the Deschutes Watershed Council, spoke in favor of the project, emphasizing the importance of connecting people to nature and described personal experiences of wildlife encounters that fostered community and ecological awareness. She supported safe access and habitat protection, and echoed the ineffectiveness of fencing in preventing bridge jumping.

Ulla Lundgren supported the project for safety and convenience. She noted that the lack of access points forces floaters to exit through private property, as the next place to get out isn't until Drake Park. She highlighted that opposition mostly comes from riverfront homeowners. She emphasized the personal value of nearby access for the surrounding neighbors and supported previous speakers' comments.

Lev Stryker shared his family's long-term use of Columbia Park for river access. He supported the new design for its durability and emphasized the importance of local access for neighboring families. He expressed full support for the project and appreciation for community-oriented planning.

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

Janice Schmidt opposed the project due to safety, noise, and trespassing concerns. She described past incidents of swimmers ending up on her property and expressed concern about increased nighttime disturbances and erosion. She recounted injuries from bridge jumping and argued that reopening access would worsen existing problems.

Ron Thomasson, a water resources engineer, opposed the project due to erosion risks and noise. He warned that construction and channel modifications could degrade their property and reduce its value. He also criticized the transformation of a neighborhood park into a community park and described frequent late-night disturbances.

David Markey opposed the project, arguing that it prioritizes popularity over legal and environmental concerns. He questioned the compatibility of the project with conservation goals and expressed concern about noise, property values, and the impact on neighborhood character. He cited state agency concerns and urged the commission to reconsider.

Kevin Porterfield opposed the project due to safety and quality-of-life concerns. He described frequent trespassing, late-night partying, and the erosion caused by uncontrolled access. He emphasized the unique risks of combining a playground

with water access and shared personal experiences of rescuing people and pets from the river.

Ron Jones noted that fencing reduced nighttime disturbances, but bridge jumping remains rampant. He argued that the project sequence is flawed and that the bridge should be addressed before park improvements. He urged the commission to reconsider the order of implementation.

The applicant was offered an opportunity to provide rebuttal to the public testimony. Isaacson clarified the comments from the Oregon State Marine Board (OSMB), explaining that their feedback was specifically related to watercraft launching facilities, not general river access. While Columbia Park received two grants from OSMB for design and construction, the proposed access point at Columbia is not intended to prioritize watercraft launching, unlike Miller's Landing. The Columbia design is smaller and focused on general public access.

Addressing concerns about erosion and river impacts, Mason explained that extensive hydraulic modeling was conducted. The modeling showed that shear stress levels along the bank—key indicators of erosion potential—remain low both before and after the project, due to the influence of upstream impoundments. The cofferdam used during construction will be installed during low winter flows, minimizing river disruption.

Commissioners Ludden and LaMotte inquired about the construction timeline. Isaacson explained that construction is expected to begin in fall, pending permit approvals, and be completed in time for next summer.

Commissioner LaMotte acknowledged that the temporary fencing installed in 2020 has helped deter some access but noted that erosion continues due to users entering from the river side. He asked about how the new landscaping is to be protected. Mason explained that the restoration plan includes removing these hazards, regrading the slope, and installing fencing to protect newly planted vegetation. To ensure long-term landscape protection, the applicants plan to use cedar split rail fencing with welded wire mesh, elevated slightly to allow wildlife passage. Temporary fencing will also be installed on the riverside to allow vegetation to be established. They emphasized that providing a designated access point improves the effectiveness of exclusion fencing and reduces uncontrolled foot traffic.

Commissioner LaMotte asked about the issue of safety and enforcement. The applicants confirmed that Columbia Park hours are 6 a.m. to 10 p.m. They acknowledged broader safety concerns and enforcement challenges, noting that these issues extend beyond the scope of the project but are important to consider.

Vice Chair Winters closed the public hearing at 6:51 PM and the Commissioners deliberated.

Planning Manager Renee Brooke reminded Commissioners to focus on the approval criteria for Waterway Overlay Zone applications and clarified that exceptions for public use are allowed under the code.

Chair Margo Clinton expressed support for the project, stating that channeling foot traffic to a designated access point would help protect the riparian corridor and improve the area. Commissioners agreed that the project would enhance safety, support native vegetation, and reduce erosion. Commissioner Ludden noted that providing more small, local access points could alleviate pressure on larger parks, especially as parking availability decreases.

Commissioner Gressens emphasized the importance of addressing the deteriorating conditions and encouraged the city and Bend Park and Recreation District (BPRD) to fast-track bridge improvements and address disturbances occurring outside of park hours.

Vice Chair Winters acknowledged that while the project meets planning criteria and offers public benefit, concerns about late-night activity and bridge jumping fall outside the Planning Commission's jurisdiction and should be addressed by the City Council and law enforcement. Commissioner LaMotte suggested consulting with crime-prevention specialists to improve the design for safety.

Commissioner Johannsen discussed the legal basis for approving the project, with Henson confirming that public access projects like this are permitted under existing code, even though similar improvements would not be allowed on private property.

Commissioner Johannsen moved to approve the Waterway Overlay Zone application PLWOZ20250148 for Columbia Park River Access and Restoration Project based on the findings and subject to the conditions recommended by staff. The motion was seconded by Commissioner LaMotte. The motion passed unanimously.

5. LEGISLATIVE PUBLIC HEARING

PLTEXT20250226: Sign Code Amendments for murals, portable signs, electronic signs, wall sign height, and other minor code clean up amendments.

Staff: Principal Planner, Amy Barry - abarry@bendoregon.gov, Associate Planner, Kim Voos - kvoos@bendoregon.gov

Vice Chair Winters convened the hearing at 7:09 PM.

Principal Planner Amy Barry and Associate Planner Kim Voos gave their [presentation](#) on the proposed legislative amendments to Bend Development Code Chapter 9.50 (Sign Code). The amendments were initiated by City Council and

focused on murals and portable signs, with additional cleanup items based on community and industry feedback.

Key proposed changes included:

Portable Signs: Allowing A-frame style signs citywide for non-residential businesses with a one-time registration. Signs must be placed outside pedestrian pathways (e.g., between landscape strips and tree wells), spaced 6 feet apart, and removed outside business hours. They cannot be attached to objects or placed in medians, roundabouts, or ADA ramps.

Murals: Allowing murals to be painted on panels up to 3 inches thick and mounted to buildings. Murals must be hand-painted and may be changed more frequently if agreed upon by the property owner and artist. The mural would still need to meet structural codes. Historic buildings are excluded from continuous repainting due to preservation concerns.

Electronic Signs: Permitting electronic components for drive-through menu boards and up to 25% of freestanding sign faces. Signs must remain static except for up to three changes per day, with brightness limits included.

Wall Sign Height: Increasing the maximum wall sign height from 24 feet to 30 feet for standard buildings, and up to 38 feet for buildings taller than 30 feet or three stories. This change reflects common adjustment requests and aims to streamline approvals.

Commissioner Ludden asked about the calculation of wall sign placement. Voos replied that signage location is determined by your signage band, which uses a tiered system.

Vice Chair Winters asked how wall sign square footage is calculated. Barry explained that the previous code capped total wall sign area at 200 square feet per building facade, which often limited signage for large buildings with many tenants. The maximum area is now per sign rather than per facade, allowing proportional signage for large tenants particularly in cases involving multi-tenant buildings. Voos explained that wall sign area is measured using eight straight, right-angled lines around the outer perimeter of the sign, which includes any logos or design elements. Freestanding signs are measured differently. The calculation excludes support posts and minor decorative caps, and only one side is counted if the sign is double-sided. The actual sign cabinet or panel is what contributes to the measured area.

Regarding murals, Commissioner LaMotte clarified whether the Building Department would review the anchoring mechanism for this sign type. Barry confirmed that they would need a permit to physically attach the sign. Vice Chair Winters inquired as to whether murals had to be original artwork. Barry responded that while it did not need to be original, it does need to be hand painted. City Attorney Leitheiser emphasized that the city cannot regulate the message or viewpoint of a sign, only its size, placement, and physical characteristics. This led to a broader conversation about

how architectural features, such as crosses or logos, might be interpreted as signs depending on their context and placement.

Commissioner Gressens asked which part of the proposed amendments might be most challenging or controversial, staff indicated that portable signs could be the biggest unknown. In larger complexes with many tenants, the potential for visual clutter from numerous portable signs could become a concern, depending on how the new rules are implemented and enforced.

Commissioner LaMotte asked about the use of blade signs, neon signs, and icon signs, and whether signs have design criteria. Voos clarified the permissible zones for each sign type and mentioned there is nothing in the code to promote design. LaMotte inquired about the sight lines on the monument signs. Voos answered that the monument sign setback is a 10- or 15-foot triangular setback from the property line. LaMotte inquired about whether the city has thought to get rid of billboards and what the process of achieving such a proposal would be. City Attorney Leitheiser responded that there was an attempt to achieve this before, which concluded with the one in – one out policy, resulting in a cap of 43 billboards citywide.

Vice Chair Winters inquired about the threshold for monument signs in multi-family developments, which is currently set at 10 units. He questioned whether this threshold was too high and whether smaller developments should be allowed modest signage. Staff explained that smaller developments can still have a six-square-foot sign at the entrance, even if they don't meet the 10-unit threshold. At 10 units, they can have the larger 32 square foot sign. Winters asked about the definition of "tenant" versus "entity" in the code and whether changing the terminology would affect eligibility for signage. Staff clarified that the change was made for consistency and would not restrict signage rights, as content cannot be regulated.

Commissioner Ludden asked how landscaping or elevation changes might affect visibility with monument signs. Voos explained that sign height is measured from street grade, not from artificially elevated berms, and that clear vision triangles are enforced to ensure safety at driveways and intersections. While the city regulates sign placement, it does not directly regulate landscaping unless it interferes with visibility or safety.

Vice Chair Winters opened the public testimony portion of the hearing. There was no public testimony.

Vice Chair Winters closed the public hearing at 7:54 PM and the Commissioners deliberated.

The Commissioners expressed strong support for the changes, noting the thoughtfulness of the amendment package.

Commissioner LaMotte moved to approve PLTEXT20250226 Legislative Amendment to Bend Code Chapter 9.50 for murals, portable signs, electronic signs, wall sign height and other minor code cleanup amendments as contained in Exhibit A and based on the findings recommended by staff.

The motion was seconded by Commissioner Johannsen. The motion passed unanimously.

Commissioner LaMotte was nominated to bring the recommendation of the Commission to the City Council.

6. APPROVAL OF MINUTES:

The Planning Commission approved the [April 14th, 2025 Meeting Minutes](#).

7. COMMUNICATIONS:

7.1. Reports From Planning Commissioners

Vice Chair Winters reported attending the recent City Council meeting where Accessory Dwelling Unit (ADU) code amendments were discussed. He noted that the Council approved the changes, including allowing two ADUs per property—one up to 800 square feet and the other up to 500 square feet. There was some discussion among Council members about increasing both to 800 square feet, but the proposal did not pass. He mentioned that Council agreed with the Planning Commission's recommendation not to require one ADU to be attached to the primary dwelling.

Report From Planning Manager

Renee Brooke, Planning Manager, informed the Commission that the June 23 meeting would likely be canceled due to a lack of agenda items, and the next scheduled meeting would be July 14. She also confirmed that items are already queued for that July meeting.

7.2. Report From Community and Economic Development Director

Colin Stephens, CEDD Director was absent from the meeting.

7.3. Report From City Attorney

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

The meeting was adjourned at 8:00 p.m.

Minutes submitted by Maggie St. Onge