

Approved Minutes

Bend Planning Commission

Monday, August 25, 2025 5:30 P.M. Regular Meeting



The hybrid meeting started at 5:31 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.

2. Staff Present: Ian Leitheiser, City Attorney; Colin Stephens, CDD Director; Aaron Henson, Senior Planner; Carter Lawrence, Engineering Associate; Jason Suhr, Principal Engineer; Michael Selkirk, Senior Assistant City Attorney

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:

4.1. [PLWOZ20250363](#): Waterway Overlay Zone (WOZ) application for the Firerock Bridge Removal and Restoration Project, located on the Deschutes River, west of Firerock Road and east of Broken Arrow Road.

Senior Planner, Aaron Henson – ahenson@bendoregon.gov

Chair Clinton 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. No challenges were made.

CDD Director Stephens explained the quasi-judicial procedural requirements of State law.

Senior Planner Henson gave his [presentation](#) on the Waterway Overlay Zone Review for the Firerock Bridge Removal and Restoration Project. The presentation described the location and ownership of the subject properties, noting that the project spans two tax lots—one on the west side of the Deschutes River owned by the Rimrock West Homeowners Association, and one on the east side owned by the public. Henson explained the existing access routes to the bridge, including a stairway from Broken Arrow Road and a steep wooden staircase from Firerock Road.

The bridge, originally constructed in the 1970s to support a water line serving the Rimrock West subdivision, has since fallen into disrepair and the water line is no longer in use. The City's engineering team has planned for its removal. A previous iteration of the project proposed restoring access only on the west side of the river; however, the current proposal includes replacing the staircase on the east side as well.

Henson outlined the applicable sections of the Waterway Overlay Zone.

Maps and photos were presented showing the existing conditions and the proposed work area. The project involves removing the bridge, replacing the east-side staircase with a similar structure, and restoring the trail and potentially the west-side stairway if needed to accommodate equipment access. Only one tree—a mature 18-inch ponderosa pine—will be removed, and a replacement tree will be planted.

The project requires coordination with multiple state and federal agencies, including the Division of State Lands, Oregon Department of Fish and Wildlife, Oregon Parks and Recreation Department, Department of Environmental Quality, and the Army Corps of Engineers. Most permits have been obtained or are in progress.

The City has contracted Jacobs Engineering Group to prepare a restoration plan, which includes replanting disturbed areas with native vegetation. The plan meets the approval criteria for minimizing intrusion into the riparian corridor, protecting wetlands, controlling erosion and runoff, and maintaining the integrity of natural features.

Staff recommended two conditions of approval: (1) that the project be carried out in accordance with the submitted plans and supporting documents, and (2) that all required permits be obtained prior to construction, with copies provided to the City for recordkeeping.

Commissioner Lamotte questioned who was in charge of tracking the various permits with the different agencies. Henson clarified that it was the engineers that are in charge of the project.

Vice Chair Winters asked whether the Firerock footbridge was originally constructed by the City or another entity. Henson responded that the bridge

was built to support a water line serving the Rimrock West subdivision. At the time, the subdivision relied on on-site septic systems, and public sewer service was provided later. The City may not have built the bridge but eventually assumed ownership, and suggested that the applicant team could provide more detailed historical context regarding its background.

Commissioner Nelson asked for clarification on changes to the project since the last Planning Commission meeting, specifically regarding access from the east side of the river. Henson explained that the original proposal had called for removal of the east-side staircase, which had generated controversy. In response, City engineering revisited the project scope and engaged with neighboring property owners to develop an alternative access solution.

Carter Lawrence, Project Manager with the City of Bend Engineering Department, introduced the applicant team, which included fellow engineer Jason Suhr and consultants Brittany Hughes and Kim Wetzel from Jacobs Engineering Group. Lawrence provided background on the Firerock Bridge, explaining that it was originally constructed to support a water service line for the Rimrock West neighborhood prior to its annexation into the City. The infrastructure was inherited by the City's water services department when the area was incorporated. The bridge was closed to public use in 2015 due to safety concerns, and the water line it once supported has since been decommissioned.

Jacobs Engineering was hired to conduct a condition assessment of both the bridge and the associated staircases. Brittany Hughes presented the findings, noting that the bridge, now 40 to 50 years old, was structurally deficient. The timber structure lacked pressure-treated wood and had concrete footings with inadequate bearing support. The east-side staircase was also found to be in poor condition, with bowed and split stair treads and risers, and posts lacking proper structural attachment.

Hughes explained that the initial Waterway Overlay Zone (WOZ) permit application submitted in early 2024 was rescinded to allow for additional community outreach. Following that engagement, the project scope was revised to include replacement of the east-side staircase. The applicant team presented a map showing the WOZ boundary and the proposed disturbance area for bridge removal and staircase replacement.

The major scope elements of the project include:

- Removal of the entire bridge structure and its eight concrete piers.
- Replacement of the east-side staircase with a new structure that meets Oregon Structural Specialty Code, including an intermediate landing.

- Potential removal and replacement of the west-side staircase, depending on the contractor's chosen method of access and equipment use.

The design aims to minimize construction disturbance. The work is scheduled for the 2026 in-water work window (July 15 to October 15), pending permit approvals.

The proposed east-side staircase will be constructed with natural wood tones to blend into the surrounding cliff face. The west-side staircase may be removed and replaced if necessary for equipment access.

Erosion and sediment control measures were discussed. If equipment is used near the river's edge, removable erosion control mats will be implemented. Tree protection fencing will be installed around trees designated to remain, and silt fencing or straw wattles will be used to prevent runoff into the river. Restoration efforts will focus on the riparian corridor and upland areas and include native vegetation consistent with existing site conditions.

Hughes outlined the status of required permits. Coordination has already occurred with the US Army Corp of Engineers, Oregon Parks and Recreation, Department of Environmental Quality, and the Oregon Department of Fish and Wildlife. Permits for in-river work will be applied for in January 2026.

Lawrence concluded the presentation by summarizing the public outreach efforts. The City met with both east- and west-side residents. Feedback from the community influenced the decision to retain and replace the east-side staircase to preserve public access. The project timeline was adjusted to allow sufficient time for permitting, with construction planned for 2026.

Commissioner LaMotte asked whether the publicly owned parcel on the east side of the river would remain under City ownership or be transferred to the Bend Park and Recreation District. Staff confirmed that the parcel would remain with the City.

Vice Chair Winters inquired about the history of the bridge and whether its deterioration was due to poor initial construction. Senior Assistant City Attorney Michael Selkirk noted that a document from the 1990s annexation process exists but does not clearly define ownership or maintenance obligations. He emphasized that the City has taken responsibility for the bridge and is removing it due to its unsafe condition. The City has coordinated with neighbors to develop a workable plan.

Winters asked whether the bridge is still being used despite being chained off. Selkirk acknowledged that while signs and chains are in place to discourage use, there have been rumors of people bypassing the barriers, though no confirmed reports exist.

Commissioner Johannsen asked whether the public parcel at the base of the east-side staircase was large enough to accommodate visitors. Selkirk confirmed that while the area is steep and limited in size, it does provide enough space for people to access the river. The community feedback indicated a strong desire to retain access to the river, which influenced the decision to replace the staircase.

Selkirk clarified that there is an easement that provides access to the public parcel, which crosses private lots. The staircase is located within that easement. Without the staircase, the steep terrain would render the area essentially inaccessible. The City plans to install signs to clearly delineate public and private property lines, helping visitors understand where they can and cannot go. The City would be responsible for maintaining the east-side staircase, while the west-side staircase, located on private property, would not be maintained by the City or the Parks and Recreation District.

Commissioner Nelson asked whether the City had explored options to retain the bridge. Staff responded that retaining the bridge was not feasible due to both legal and structural issues. Rebuilding the bridge would require full compliance with current standards and would potentially facilitate trespassing onto private property.

Commissioner Ludden asked whether restoring public access via the new staircase would negatively impact vegetation or the riverbank. Selkirk responded that the area has been publicly accessible for decades and that maintaining access is not expected to cause additional degradation.

Chair Clinton opened the public testimony portion of the hearing.

Joseph Hesbrook expressed concerns about the safety of the structure, noting that despite signage and chains, people continue to cross the bridge. He emphasized the importance of restoring the area to its original condition following construction. He mentioned frustrations with the City regarding restoration work at a sewer pump station and urged the Commission to ensure that restoration is completed thoroughly and respectfully.

Jerry Wein echoed Mr. Hesbrook's concerns and provided photographs of the Silver Buckle pump station area, which he stated had not been adequately screened as promised. He described the project area as a protected and untouched natural space and expressed concern about the potential damage from heavy equipment. He recommended that the Planning Commission add a condition of approval requiring full restoration of the area to its current state, with oversight from the HOA. He also noted that the bridge, while controversial, serves as the only alternative egress from the neighborhood in the event of an emergency on Archie Briggs Road.

The applicant was offered an opportunity to provide rebuttal. Jason Suhr, Principal Engineer representing the City's Engineering Department, addressed concerns about the Silver Buckle pump station, explaining that the City had

upgraded the infrastructure to meet current standards and had worked with the HOA to install boulders and vegetation for screening. He clarified that the HOA had agreed to maintain the vegetation, including watering it via existing irrigation systems. Suhr also addressed emergency access concerns, stating that the bridge was never intended as an emergency egress and that the City coordinates with emergency services during construction to ensure access is maintained.

Regarding site restoration, Suhr reiterated that restoration will include careful handling of materials and reestablishment of the natural character of the area. The path, originally about two feet wide, will be widened to four feet per a request from the Rimrock West HOA during a site visit in December 2023.

Commissioner LaMotte asked about the restoration plan and expressed concern about past unmet commitments. Staff and the applicant emphasized that restoration is a formal part of the current proposal and will be carried out to the greatest extent possible to match existing conditions.

Chair Clinton closed the public hearing at 6:27 p.m. and the Commissioners deliberated.

During final staff comments, Henson reflected on the long history of the Firerock Bridge, noting that discussions about its future have spanned decades. He recalled meeting with Bend Park and Recreation District staff, and shared that the City had previously approached the District to explore whether it would be interested in taking ownership of the bridge. That inquiry was declined, and the City ultimately retained responsibility.

Commissioners all expressed support for the project, noting that it is long overdue and that the City has made meaningful adjustments in response to community concerns by revising the scope to include replacement of the east-side staircase.

Chair Clinton discussed the importance of restoring the west-side access area to its original condition following construction. While recognizing the inevitability of landscape disturbance due to equipment access, the applicant is committed to restoration and enhancement, including the three-year maintenance warranty.

Commissioners Nelson and Johannsen expressed regret over the loss of pedestrian connectivity across the river but acknowledged the legal and logistical challenges of maintaining a bridge that connects public and private land.

Commissioner Nelson acknowledged the minimal ecological impact, specifically the removal of only one regulated tree.

Commissioner Ludden commended the thoughtful planning and community engagement that shaped the final proposal and expressed appreciation for preserving natural public access on the east side.

Commissioner Johannsen made a motion to approve the proposed Waterway Overlay zone application for removal of the Firerock Bridge and related restoration work with the findings and conditions recommended by staff. The motion was seconded by Commissioner LaMotte. The motion passed unanimously.

5. APPROVAL OF MINUTES:

The Planning Commission approved the [June 9, 2025 Meeting Minutes](#).

6. COMMUNICATIONS:

6.1. Reports From Planning Commissioners

Commissioner Gressens raised a concern about the clarity of maps included in staff reports, particularly when multiple overlay zones are depicted. He requested that maps be presented with improved resolution or separated into individual layers to make them easier to interpret. Stephens acknowledged the issue and explained that planners often rely on existing GIS materials from project files, which may lose clarity when embedded in documents.

6.2. Report From Planning Manager

No reports from the Planning Manager.

6.3. Report From Community and Economic Development Director

Colin Stephens, CDD Director, discussed the upcoming Planning Commission meetings. The September 8th Work Session will focus on Senior Planner Pauline Hardie's Development Code update package, with a Legislative Public Hearing scheduled for September 22nd. While the agenda is not yet posted, a preliminary version of the code package may be available soon. Hardie has been coordinating with members of the development community to gather input prior to finalizing the draft.

6.4. Report From City Attorney

Ian Leitheiser, City Attorney noted that the evening's hearing and deliberation were a strong example of thoughtful public process. He emphasized that the deliberation demonstrated there is more than one way to approach a decision and appreciated the opportunity for all participants to engage.

The meeting was adjourned at 6:42 p.m.

Minutes submitted by Maggie St. Onge.