

ORDINANCE NO. NS - 2420

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

Findings:

- A. On March 25, 2021, Stevens Ranch, LLC, submitted a Type III Quasi-judicial application for a Development Code amendment to create the Petrosa Major Community Master Plan.
- B. On July 12, 2021, 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 Stevens Master Planned Development.
- C. Public notice for the City Council hearing was provided in accordance with the requirements of BDC 4.1.423-4.1.425. On August 5, 2021, notice was mailed by the Planning Division to surrounding owners of record of property within 500 feet of the subject properties, and to the Old Farm, Larkspur and Southeast Bend Neighborhood Association representatives. On August 6, 2021, *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 August 18, 2021, to consider the Planning Commission recommendation.
- E. The Development Code amendment for the Stevens 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 Stevens Master Planned Development as contained in Exhibit A.
- Section 2. In addition to the findings set forth above, the City Council adopts and incorporates the findings in Exhibit B.

First Reading: August 18, 2021

Second reading and adoption by roll call vote: September 1, 2021

YES: Mayor Sally Russell
Mayor Pro Tem Gena Goodman Campbell
Councilor Barb Campbell
Councilor Melanie Kebler
Councilor Anthony Broadman
Councilor Megan Perkins
Councilor Rita Schenkelberg

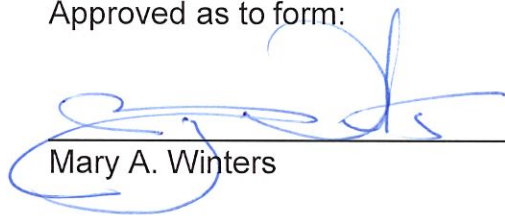
NO: none


Sally Russell, Mayor

Attest:


Robyn Christie, City Recorder

Approved as to form:


Mary A. Winters

Article XXIV. Stevens Ranch Master Planned Development

2.7.4200 Stevens Ranch Master Planned Development.

2.7.4210 Purpose.

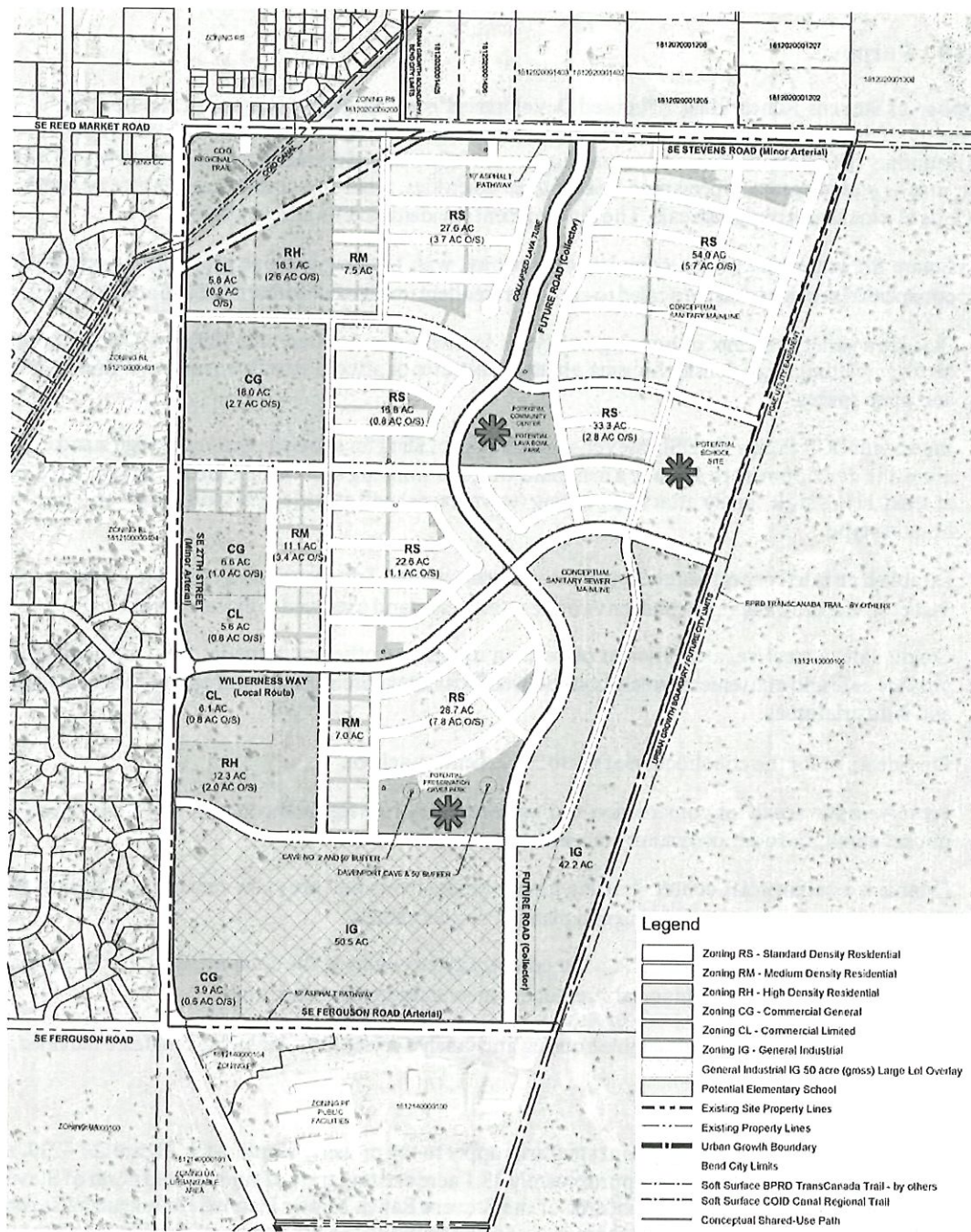
The purpose of Stevens Ranch Master Planned Development is to implement the policies in Chapter 11, Growth Management, of the Bend Comprehensive Plan (BCP) regarding the “DSL Property” subarea of the 2016 Urban Growth Boundary (UGB) Expansion, and to create a thoughtfully planned community with attainable and high quality housing, unique and integrated open space areas, public amenities, retail and commercial service opportunities and land for jobs at a local and regional scale. The development standards in this article 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. Provide a variety and mix of housing unit types for owners and renters with differing lifestyles and income levels, including high density housing abutting collector or arterial streets, commercial lands, and/or parks and open spaces.
- C. Implement BCP Policy for DSL/Stevens Ranch by providing for allowed uses and design standards that will allow the development to achieve a minimum of 1,000 housing units within the Expansion Area, including at least 11% single family attached housing (townhomes) and at least 41% multifamily and duplex/triplex housing types.
- D. Establish an interconnected street system consistent with the Transportation System Plan with cross-sections that consider the natural and built environment, adjacent land uses, and regional connectivity needs.
- E. Create safe, attractive, and efficient pedestrian routes and other multi-modal transportation options that provide safe and convenient connections between residential areas, parks and open spaces, and commercial and industrial areas.
- F. Provide a site for the construction of a public elementary school.
- G. Preserve open space for construction and maintenance of a neighborhood park and trail system, multiple pocket parks, and other community amenities.
- H. Establish a commercial center abutting higher-order streets that provides employment opportunities and goods and services to both existing and planned neighborhoods.
- I. Creation of plazas, courtyards, and other community amenities in the commercial center to form a distinct urban character and promote social interactions among residents and visitors.
- J. Incentivize affordable and attainable housing and family service uses, including childcare facilities.

2.7.4220 Applicability.

Stevens Ranch Master Planned Development standards apply to the property identified in Figure 2.7.4220, the DSL Property Area in BCP Chapter 11 and an approximately 13.1 acre existing tract of land located north of Stevens Road and east of SE 27th Street. The special standards of the Stevens Ranch Master Planned Development supersede the standards of the underlying zone. Where there is a conflict between the provisions of the BDC and those of the underlying zone or other provisions of the Development Code, the provisions of the Stevens Ranch Master Planned Development 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 2.7.4220



Local road and open space locations are conceptual. Final location and acreage will be established at subdivision and/or site plan approval. The minimum acreage for open space is 37.54 acres. The final minimum acreage will not change, but the location of open space areas may change.

2.7.4230 Definitions.

For the purpose of the Stevens Ranch Master Planned Development, the following definitions apply in lieu of those described in BDC Chapter 1.2 – Definitions:

- A. **Quadplex** means a type of housing with four attached dwelling units on one lot or parcel. For permitting purposes, units may be attached vertically or horizontally.
- B. **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.

2.7.4240 Review Procedures for Residential Dwellings.

Single-family detached dwellings, single-family attached dwellings (townhomes), duplexes, triplexes and quadplexes are subject to BDC 4.2.400 – Minimum Development Standards. BDC 4.2.500 – Site Plan Review, and BDC 4.2.600 – Design Review do not apply. Uses that meet standards of BDC 4.2.400(A)(3) are exempt from BDC 4.2.400 – Minimum Development Standards Review.

2.7.4250 Residential.

- A. **Permitted Uses.** The land uses listed in Table 2.7.4250.A. are permitted in the Residential Districts within the Stevens Ranch Master Planned Development area in lieu of those listed in BDC Chapter 2.1 and are subject to the provisions of this chapter. The land uses identified with a “C” in Table 2.7.4250.A. require conditional use permit approval prior to development, in accordance with BDC Chapter 4.4, Conditional Use Permits. Allowed uses also include land uses that are incidental and subordinate to a permitted use, and land uses that are approved as similar to those in Table 2.7.4250.A.

Table 2.7.4250.A. – Permitted and Conditional Uses

Land Use	RS	RM	RH
Residential			
Single-family detached housing	P	P	N
* Accessory dwelling units (ADUs)	P	P	P
* Manufactured homes on individual lots	P	P	N
* Manufactured home park	C	P	N
* Attached single-family townhomes	P	P	P
Live/Work Townhomes	N	P	P
Duplexes, Triplexes, Quadplexes	P	P	P
Micro-Unit Developments (See BDC Chapter 3.8.200)	N	P	P
Residential care home (5 or fewer residents)	P	P	P
Adult day care	P	P	P
* Residential care facility (6 or more residents)	N	P	P

Land Use	RS	RM	RH
Registered or Family childcare home (16 or fewer children)	P	P	P
Multifamily residential (5 or more units)	N	P	P
*Home business (Class A/Class B/Class C)	P	P	P
*Temporary housing	C	C	C
*Accessory uses and structures	P	P	P
*Public and Institutional (See 3.6.300(c))			
Places of worship	C	C	C
Clubs, lodges, similar uses	C	C	C
Government offices and facilities (administration, public safety, utilities, and similar uses)	C	C	C
Libraries, museums, community centers, and similar uses	C	C	C
Utilities (above ground)	C	C	C
Parks and Open Space (public and private)	P	P	P
Recreational facilities (public and private)	C	P	P
**Schools	P	P	P
Childcare facility (17 or more children)	P	P	P
Miscellaneous Uses			
*Bed and breakfast inn	C	C	C
Travel trailer/RV Park or campground when in conjunction with a permitted or conditional use.	C	P	P
Diagnostic testing, counseling, administrative offices, meeting facilities for nonprofit and public community service programs for children and families.	C	C	C
*Short-term rental	P	P	P
Wireless and Broadcast Communication Facilities	See <u>BDC Chapter 3.7</u>		

Key to Permitted Uses

P = Permitted

N = Not Permitted

C = Conditional Use

* Subject to special standards as described in BDC Chapter 3.6, Special Standards and Regulations for Certain Uses, except as otherwise set forth herein.

** Schools are permitted in the RS, RM and RH Districts, subject to the provisions of BDC 2.6.300, Public Facilities Zoning District (PF)

B. Setbacks

1. The following setbacks apply within the Residential Districts:

Table 2.7.4250.B.

Residential Setbacks

	Front	Front (Garage)	Rear	Side
RS, RM, and RH	8 ft.	20 ft.	4 ft.	4 ft.

2. Residential compatibility standards do not apply.
- C. Floor area ratio maximums do not apply to any uses in the residential zones.
- D. Lot Area and Dimensions. Lot areas and lot dimension standards for residential uses are listed in the following table. For other uses permitted in each zone, the lot area and dimensions are subject to the type of structure being occupied. For lot area and dimensions exceptions for affordable housing, see BDC 3.6.200(C).

Table 2.7.4250.D.

Lot Areas and Dimensions in the Stevens Ranch Residential Districts by Housing Type and Zone

Residential Use	Zone	Minimum Lot Area	Minimum Lot Width/Depth
Single-Family Detached Housing	RS	2,800 sq. ft.	Width: 40 ft. at front property line Depth: 50 ft.
	RM	2,500 sq. ft.	Width 30 ft. at front property line Depth: 50 ft.
	RH	Not applicable	Not applicable
Duplexes, Triplexes, Quadplexes	RS	2,800 sq. ft. (duplex) 4,000 sq. ft. (triplex) 4,000 sq. ft. (quadplex)	Width: 40 ft. at front property line Depth: 50 ft.
	RM	None	Width: 30 ft. at front property line Depth: 50 ft.
	RH		
Single-Family Attached Housing (Townhomes)	RS	Average minimum lot or parcel size: 1,500 sq. ft. for each unit	Width: 20 ft. at front property line for interior townhome lots Depth: 50ft.
	RM		
	RH	Average minimum lot or parcel size: 1200 sq. ft. for each unit	
Multifamily Housing (5+ units)	RM, RH	None	Width: 30 ft. at front property line. Depth: 50 ft.

1. Exceptions.
 - a. Bulb of a cul-de-sac or knuckle corner minimum width: 20 ft. at the front property line, except for townhomes.
 - b. Except for townhomes, corner lots where a side lot line abut an alley must be at least four feet more in width than the minimum lot width required in the zone.
- E. Lot Frontage. Frontage on a public street, private street, or open space tract is required. Lots fronting open space tracts must take access from a rear alley, and the property line fronting open space must be considered a front property line.
- F. Maximum Lot Coverage. The following maximum lot coverage standards apply to all development within the residential districts as follows:

Table 2.7.4250.F.

Residential Lot Coverage

Standard Density Residential (RS)	60% for all single-family detached, duplex, triplex, and quadplex. No maximum for single-family attached (townhomes).
Medium Density Residential (RM)	60% for all single-family detached, duplex, triplex, and quadplex. No maximum for single-family attached (townhomes) or multi-family.
High Density Residential (RH)	None

- G. Residential Density. The Stevens Ranch Master Planned Development implements the BCP residential density policy for DSL/Stevens Ranch by ensuring the capacity for at least 1,000 dwelling units within the Master Plan boundary, including at least 11% single family attached housing and at least 41% multifamily and duplex/triplex/quadplex housing types within the Master Plan boundary.
- H. Building height. The following building heights apply to all development within the Residential District:
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 45 feet in height, except single-family detached homes may be no more than 35 feet in height.
 3. Buildings within the RH District may be no more than 55 feet in height.
- I. Architectural standards. The buildings in the residential zones are not subject to the architectural design or development standards of BDC Chapter 2.1.900, or the design standards of the underlying zone.
- J. Attached Single-Family (Townhomes). Single-Family Attached Townhomes must comply with the following standards, which replace the standards in BDC 3.6.200(D):
1. Building Mass/Setbacks. Single Family Attached Townhomes. The number and width of single family consecutively attached townhomes on individual lots is not restricted.
 2. Frontage and Access. Individual lots for townhome developments need not have frontage on a public or private street if the lots front on common area and alley access is provided to each unit.
- K. Additional Standards for Live/Work Townhomes.
1. The commercial portion of the building must not exceed 50 percent of the floor area, excluding any garage.
 2. Vehicle and bicycle parking must be in accordance with BDC Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking. No more than four off-street parking spaces are required for each live/work townhome.
 3. If the business is open to the public, public access must be through the commercial area front door and the business may not be open to clients or the public before 7:00 a.m. or after 7:00 p.m.
 4. The following commercial uses are allowed in live/work townhomes:
 - a. Offices and clinics;

- b. Child care facility (13 or more children);
 - c. Retail goods and services;
 - d. Personal services (e.g., barber shops, salons, similar uses);
 - e. Repair services, conducted entirely within building; excluding vehicle repair, small engine repair and similar services;
 - f. Home business subject to the provisions of BDC 3.6.200(N).
- L. Duplex, Triplex, and Quadplex Standards. Duplex, triplex, and quadplex development must comply with the following standards, which replace the standards at BDC 3.6.200(H):
- 1. Driveway approaches must comply with the following standards:
 - a. The total width of all driveway approaches must not exceed 32 feet per frontage. For lots or parcels with more than one frontage, see subsection (L)(1)(c) of this section.
 - b. Driveway approaches may be separated when located on a local street. If approaches are separated, they must be separated by a minimum of seven feet.
 - c. In addition, lots or parcels with more than one frontage must comply with the following:
 - i. Lots or parcels must access the street with the lowest classification.
 - ii. Lots or parcels with frontages only on collectors and/or arterial streets may have one driveway approach. When lots or parcels only have frontages on collector streets or only on arterial streets, the City Engineer will determine which frontage may have one driveway approach based on the following:
 - (A) Distance from the nearest intersection;
 - (B) Clear vision areas;
 - (C) Topography;
 - (D) Utility conflicts; and
 - (E) Pedestrian and bike conflicts in the vicinity.
 - iii. Lots or parcels with frontages only on local streets must comply with the following:
 - (A) Duplexes may have two driveway approaches not exceeding 32 feet in total width on one frontage or one maximum 16-foot-wide driveway approach per frontage.
 - (B) Triplexes and quadplexes may have three driveway approaches not exceeding 32 feet in total width on one frontage or two driveway approaches not exceeding 32 feet in total width on one frontage and one maximum 16-foot-wide driveway approach on one other frontage.
 - d. Clear vision standards do not apply between driveway approaches for duplexes, triplexes and quadplexes on local streets. All other standards in BDC 3.1.500, Clear Vision Areas, apply.
 - e. For lots or parcels abutting an alley, access may be required to be taken from the alley in accordance with BDC 3.1.400(F)(3).
- M. Other Design Standards.
- 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.
 - b. 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. The City may allow for private drainage systems in the public right-of-way if deemed appropriate by the City and maintenance agreements are executed between the homeowner's association and the City.
 - c. Roof drainage originating from residential properties may be commingled with drainage originating from public streets, private 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 maintenance agreement between the homeowners association 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 homeowner's association and the City.
 - 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. Stormwater easements must be provided for public drainage facilities located on private property.
 - f. An owner's association must be responsible for installing and maintaining any required landscaping in private facilities located in a private tract.
 - g. A stormwater maintenance agreement must be signed with the City prior to final plat of the subdivision phase.
2. The standards of BDC 3.5.200, Outdoor Lighting Standards, do not apply.

2.7.4260 Commercial.

- A. Permitted Uses. The land uses listed in Table 2.7.4260.A are permitted in the Commercial Districts within the Stevens Ranch Master Planned Development area in lieu of those listed in BDC Chapter 2.2 and are subject to the provisions of this chapter. The land uses identified with a "C" in Table 2.7.4260.A require conditional use permit approval prior to development, in accordance with BDC Chapter 4.4, Conditional Use Permits. Allowed uses also include land uses that are incidental and subordinate to a permitted use, and land uses that are approved as similar to those in Table 2.7.4260.A.

Table 2.7.4260.A – Permitted and Conditional Uses

Land Use	CL	CG
Residential		
*Multifamily residential (5 or more units)	P	P
**Residential Use as Part of a Mixed-Use Development	P	P
Live/Work Townhomes	P	P
Commercial		
Retail Sales and Service	P	P
Restaurants/Food and Beverage Services	P	P
Offices and Clinics	P	P
Production Office	C	P

Land Use	CL	CG
Convention Center/Meeting Rooms	P	P
Lodging (e.g., hotels, motels, *bed and breakfast inns, hostels)	P	P
Hospitals	P	P
Commercial and Public Parking	P	P
Commercial Storage	P	P
Entertainment and Recreation (public and private)	P	P
Redemption Center	P	P
Travel Trailer/RV Park or Campground	C	C
Wholesale Sales (more than 75% of sales are wholesale)	P	P
Veterinary Clinic (small animal)	P	P
**Mixed-use (residential with commercial/civic/industrial)	P	P
**Medical Marijuana Dispensary and Marijuana Retailer		
• Building footprint 50,000 square feet or less	P	P
• Building footprint greater than 50,000 square feet	N	N
Public and Institutional		
**Government (point of service, branch service)	P	P
**Childcare Facility	P	P
Parks and Open Space (public and private)	P	P
***Schools	P	P
Institution of Higher Education	P	P
**Clubs and Places of Worship	P	P
**Utilities (above ground)	P	P
Industrial		
**Manufacturing and Production		
• Less than 5,000 sq. ft. with retail outlet	P	P
Miscellaneous Uses		
Wireless and Broadcast Community Facilities	See <u>BDC Chapter 3.7</u>	

Key to Permitted Uses

P = Permitted

N = Not Permitted

C = Conditional Use

*Subject to the provisions of BDC 2.7.4260.E.

** Subject to special standards for certain uses as described in BDC Chapter 3.6, except as otherwise set forth herein.

*** Subject to the provisions of BDC 2.6.300, Public Facilities Zoning District (PF).

- B. Commercial Development Standards. Except as otherwise modified herein, all uses in the commercial districts within the Stevens Ranch Master Plan are subject to the standards at BDC 2.2.400 through 2.2.700.
- C. Height Bonus. Inclusion of the features listed below allow additional building height as an incentive for certain uses or site design that provide a public or community benefit. For each feature incorporated into a project, in addition to any such features otherwise required, a 10-foot height bonus will be granted. This height bonus is in addition to existing exceptions for inclusion of residential uses in BDC 2.2.400(B) and incentives for affordable housing in BDC 3.6.200(C). Height bonuses, exceptions, and other incentives can be combined so long as the building height does not exceed 75 feet.
 - 1. Usable Open Space or Plaza. For each square foot of open space or plaza provided for public use, three square feet of building footprint is eligible for a 10-foot height bonus. For example, establishing a 2,000-square-foot plaza would allow 10 additional feet of height over 6,000 square feet of floor area or 20 additional feet over 3,000 square feet of floor area. To qualify for this bonus, the following requirements must be met:
 - a. The open space or plaza must be at least 2,000 square feet in area and located in the CG Zone within the Stevens Ranch Master Planned Development.
 - b. Plazas must be at least 10 feet in width with a building facade on at least one side.
 - c. No more than 33 percent of the area of any plaza may include outdoor seating, displays, or other uses associated with abutting businesses.
 - d. Open space and plazas must provide portable or permanent seating—in addition to any associated with abutting businesses—such as cafe tables, benches, movable chairs, or edges along landscape planters or other design elements.
 - e. Open spaces and plazas must be open to the public from 7:00 a.m. to 10:00 p.m., at a minimum, and hours must be indicated on signage permitted under BC Chapter 9.50.
 - 2. Pedestrian Cover. Canopy covering at least 50 percent of the linear footage of abutting public sidewalk or other pedestrian facilities. The canopy must be a permanent architectural element projecting out from the building over a pedestrian facility. The canopy must project out from the building at least five feet. Canopy coverage of at least 80 percent grants a 20-foot height bonus.
- D. Additional Standards for Live/Work Townhomes.
 - 1. The commercial portion of the building must be at least 50 percent of the floor area, excluding any garage.
 - 2. Live/work townhomes must meet the requirements in BDC 2.7.4250(K)(2)-(4).
- E. Additional Standards for Residential Uses.
 - 1. Standalone residential uses, including live/work townhome dwelling units, that are not a part of a mixed-use development must meet the following standards:
 - a. Location. Residential uses that are not part of a mixed-use development shall be located interior to the commercial district and shall not front on the public streets shown on the Master Plan, apart from public streets that separate CG and CL zoned land from land zoned RS and RM, which may have residential uses that are not part of a mixed-use development along their frontage. Residential uses that are not part of a mixed-use development must not utilize more than 50 percent of the commercial land within any blocks formed by public or private streets.

- b. Density. The minimum residential density standards of the RH Zone apply. There is no maximum density.
- c. Design Standards. These standards are in addition to the regulations of BDC 4.2, Minimum Development Standards Review, Site Plan Review and Design Review, but replace the design standards of the CG zoning district and all the standards in BDC 3.6.200(D), Single-Family Attached Townhomes, BDC 3.6.200(H), Duplex and Triplex Development and BDC 3.6.200(I), Residential Uses within Commercial Districts.
- d. Development Standards. Table 2.7.4260.E. provides numerical development standards for standalone residential uses, including live/work townhomes that are not part of a mixed-use development.

Table 2.7.4260.E.

Lot Areas and Dimensions for Standalone Residential Uses in the CG and CL Zones

Standards	CG	CL
Minimum lot area	No minimum	No minimum
Minimum lot width	15 feet	15 feet
Minimum front setback	10 feet	10 feet
Minimum rear and side setback	None	None

- i. Building and Entry Orientation. Each building must provide a primary building entrance oriented to each abutting street.
- ii. Transparency. Facades must include transparency/glazing (i.e. glass windows and/or glass doors) totaling a minimum of 25% of the ground level wall area and 20% on the upper level(s) wall area, as shown in Figure XXXX. Ground level wall area includes the exterior wall area up to 10 feet above the finished grade.

Figure 2.7.4260



- iii. Building Articulation. One or more of the following façade treatments must be incorporated on each level of all street-facing facades:
 - (A) Building offsets (projections or recesses) at least two feet deep and six feet wide;
 - (B) Upper level balconies (projecting or recessed) at least six feet wide;

- (C) Building canopies, awnings, pergolas, architectural sun and shade structures, or similar weather protection (minimum protection of four feet for overhead weather protection when located on the ground level and over a sidewalk or other pedestrian space);
- (D) Transparency at least five percent greater than the minimum required by BDC 2.7.4260(E)(1)(b)(ii).
- (E) Recessed building entries at least six feet wide;
- (F) On upper levels, use of two or more façade materials and/or façade colors.

2.7.4270 Industrial General.

- A. Permitted Uses. The land uses listed in Table 2.7.4270.A. are permitted in the Industrial General District within the Stevens Ranch Master Planned Development area in lieu of those listed in BDC Chapter 2.4 and are subject to the provisions of this chapter. The land uses identified with a “C” in Table 2.7.4270.A. require conditional use permit approval prior to development, in accordance with BDC Chapter 4.4, Conditional Use Permits. Allowed uses also include land uses that are incidental and subordinate to a permitted use, and land uses that are approved as similar to those in Table 2.7.4270.A.

Table 2.7.4270.A. – Permitted and Conditional Uses

Land Use	IG
Industrial	
Light manufacturing, fabrication, and repair (e.g., appliances, electronic equipment, printing, furniture, signs, and similar goods) with incidental sales associated with a permitted use.	P
Heavy manufacturing, assembly and processing of raw materials and recycling.	C
Research and development facilities	P
Wholesale warehousing, storage, and distribution	P
Production office	P
Wholesale processing uses (e.g., dry cleaning, laundry)	P
Food and beverage processing and packaging	P
Residential	
One caretaker unit is permitted for each development	P
Commercial	
Vehicle, equipment and boat repair, rental, storage, service	P
Industrial service (e.g., cleaning, repair)	P
Medical and dental laboratories and veterinary clinics	P
Outdoor commercial uses (e.g., outdoor storage, building and garden supply)	C
Retail fuel outlet; electric vehicle charging outlet.	P
Small-scale personal and professional services · Within a freestanding or multi-tenant building, up to 10,000 square feet of gross floor area (e.g., coffee shop/deli, dry cleaners, barber shops and salons, copy centers, banks, financial institutions, and similar uses) are allowed.	P

Table 2.7.4270.A. – Permitted and Conditional Uses

Land Use	IG
· Childcare, no size limit.	
Equipment rental and repair services	P
Corporate headquarters/office when co-located with a permitted or conditional use	P
Mini-storage	P
Contractor storage	P
Heavy equipment sales	P
Ambulance service/transportation yards	C
Recreation facility (private)	P
Redemption center	P
Travel trailer/RV park or campground when in conjunction with a permitted or conditional use	P
Public and Institutional	
Government facilities where the public is generally not received (e.g., public safety, utilities, school district bus facilities, public works yards, transit and transportation, and similar facilities)	P
*Utilities (above ground)	P
Special district facilities (e.g., irrigation district, and similar facilities)	P
Vocational and trade schools	C
Parks and Open Space (public and private)	P
Recreational Facility (public)	P

Key to Permitted Uses

P = Permitted

N = Not Permitted

C = Conditional Use

*Subject to special standards for certain uses subject to BDC Chapter 3.6, except as otherwise set forth herein.

- B. Industrial Development Standards. Except as otherwise modified herein, all uses in the Industrial General district in the Stevens Ranch Master Plan are subject to the standards at BDC 2.4.400 through 2.4.700.

2.7.4280 Industrial General (Large Lot) Overlay

- A. Permitted Uses. The land uses listed in Table 2.7.4280.A. are permitted in the Industrial General (Large Lot) Overlay within the Stevens Ranch Master Planned Development area in lieu of those listed in BDC Chapter 2.4 and are subject to the provisions of this chapter. Allowed uses also include land uses that are incidental and subordinate to a permitted use, and land uses that are approved as similar to those in Table 2.7.4280.A.

Table 2.7.4280.A. – Permitted and Conditional Uses

Land Use	IG-LL	Restrictions and Requirements
Industrial		
Traded-Sector Uses	P	Per ORS 285B.280, traded sector means industries in which member firms sell their goods or services into markets for which national or international competition exists. This includes manufacturing, research and development, higher education facilities, warehouse, production, distribution, data centers, renewable energy related manufacturing and production facilities, bioscience facilities, high technology facilities, and similar uses.
Subordinate Industrial Uses	P	After the primary traded-sector industrial use has been constructed, subordinate industrial uses are permitted. Subordinate means industries that rely upon and support the primary traded sector use.
Service Retail Uses	P	After the primary traded-sector industrial use has been sited, service commercial uses are permitted as an accessory use subject to the standards and limitation in subsection 2.7.____.B.3.b below.
Service Commercial Uses	P	After the primary traded-sector industrial use has been sited, retail uses are permitted as an accessory use to a permitted traded-sector use subject to the standards and limitations in subsection 2.7.____.B.3.c below.

Key to Permitted Uses

P = Permitted

N = Not Permitted

C = Conditional Use

B. IG-LL Regulations. The following regulations apply in the IG-LL Overlay:

1. Minimum lot size is 50 acres.
2. No property subject to the IG-LL overlay may be rezoned to another zoning district within ten years of the IG-LL designation being implemented.
3. Permitted uses are limited to Traded Sector Uses per ORS 285B.280 and Table 2.7.4280.A., except that accessory uses identified in Table 2.7.4280.A. may be permitted after, or concurrently with, and use approval of the primary industrial use that occupies the site, at that time the following uses are allowed with the following provisions:
 - a. Subordinate industrial uses are allowed that rely upon and support the primary traded sector.
 - b. Service commercial uses that support the primary industrial uses are limited to 5,000 square feet per use and may not be more than 5% of the net developable area of the site in combination with retail uses, and
 - c. Retail uses are allowed only as an accessory to a primary industrial use and are limited to 5,000 square feet and may not be more than 5% of the net developable area of the site in combination with service commercial uses
4. Conceptual Phased Site Development Plan. A Conceptual Phased Site Development Plan is required as part of the Site Plan Review process in addition to the criteria and requirements outlined in BDC Chapter 4.2.500. In addition to the requirements outlined in BDC Chapter 4.2.500, the following elements must be considered as part of the Conceptual Phased Site Development Plan:
 - a. Open Space. Generally, identify land provided for open space on the site.

- b. Connectivity and Trail Networks. Prepare a conceptual general transportation plan for streets, bicycle routes, and pedestrian paths. Provide a bicycle routes and pedestrian network of connectivity on the site for both utility and recreational purposes.
- c. Urban Design. Generally describe how the urban design elements (streets, open spaces, signage, and architecture) are integrated and coordinated throughout the site.
- d. Analysis of Anticipated Utility Consumption by Phase. The plan must include an analysis of the anticipated utility consumption by phase for wastewater, water, power, natural gas, and any other utility infrastructure necessary to support the development.

C. Setbacks. The following setbacks apply within IG-LL Overlay:

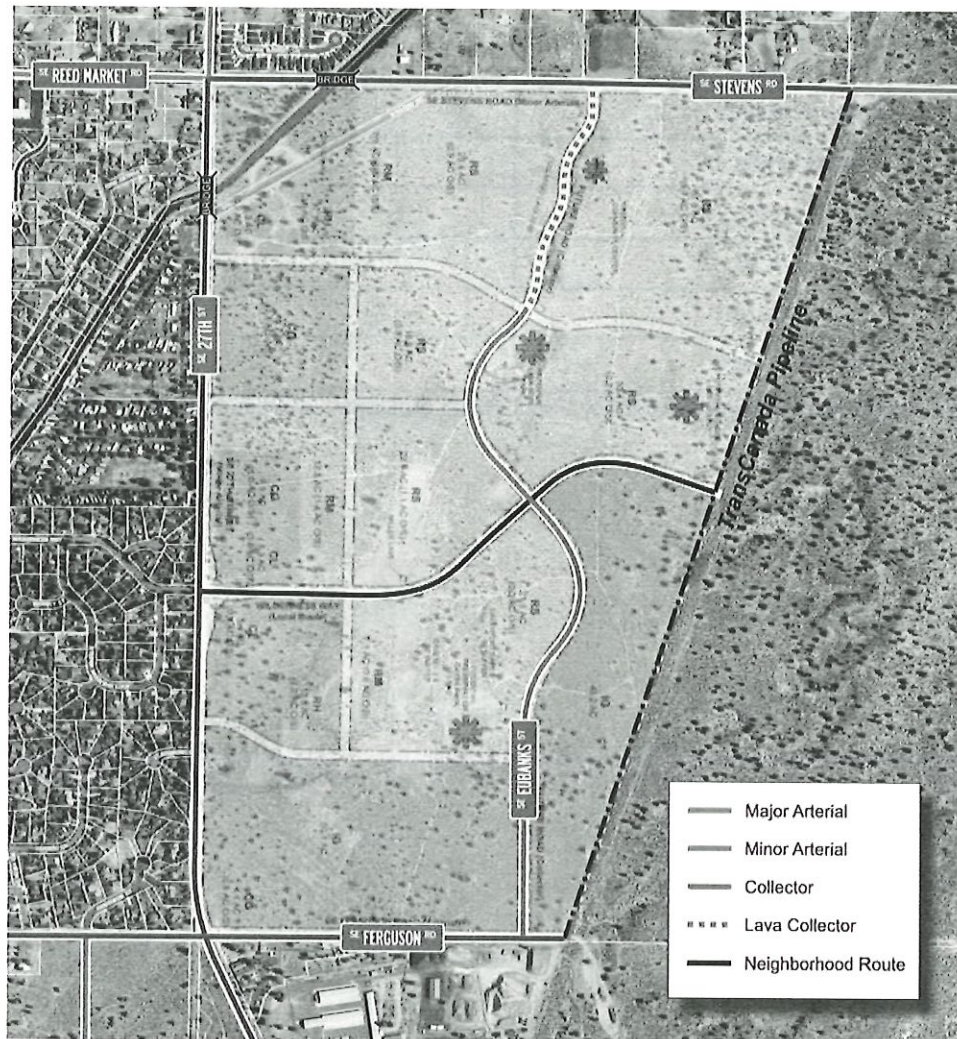
Minimum Setback	IG-LL
Front (Local)	10 ft.
Front (Collector)	25 ft.
Front (Arterial)	50 ft.
Interior Side	10-15*
Rear (Interior)	10 ft.
Rear (Local)	10 ft.
Rear (Collector)	25 ft.
Rear (Arterial)	50 ft.

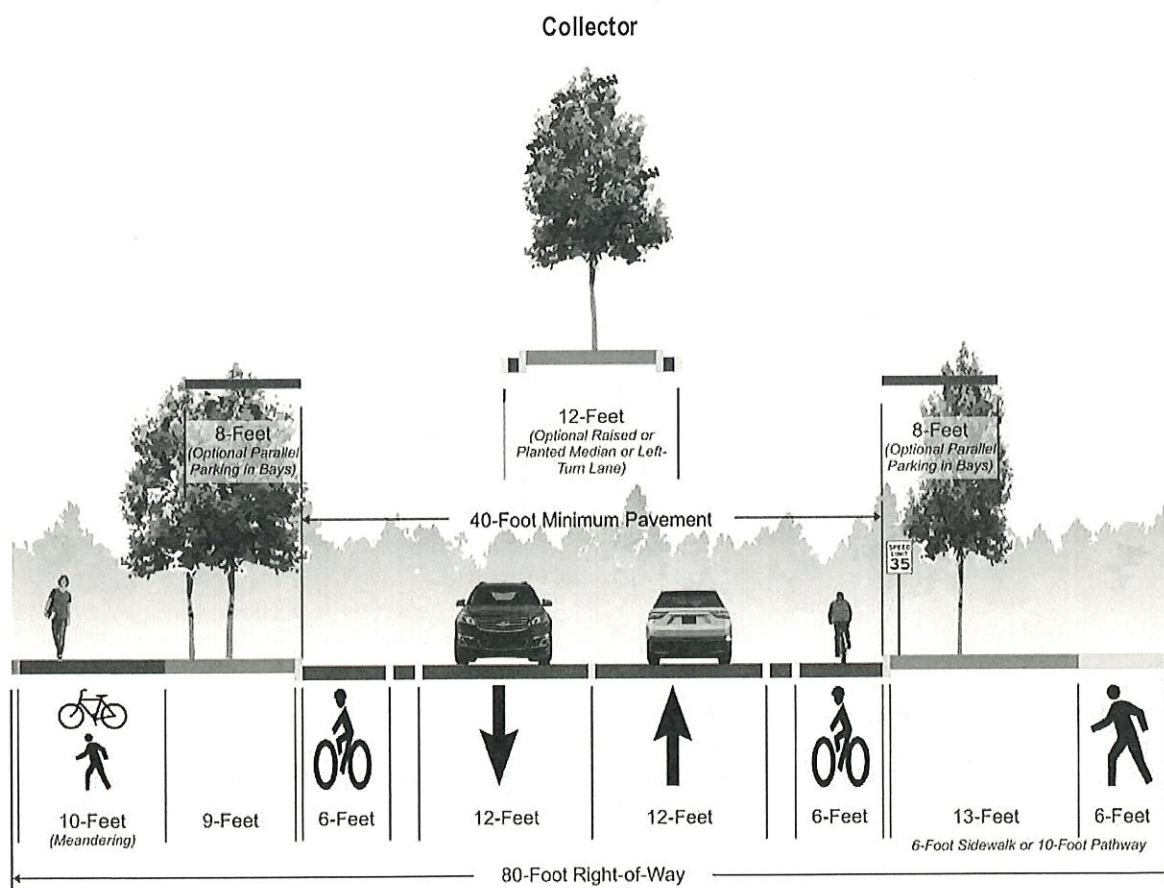
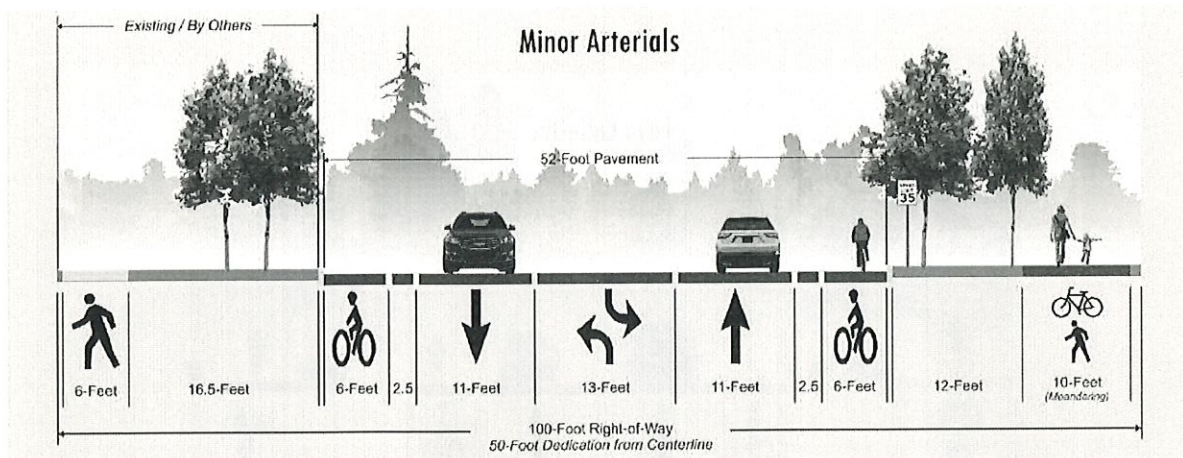
* The minimum interior side setback is 10 ft. for 1 and 2 story buildings, and 15 ft. for 3 story buildings.

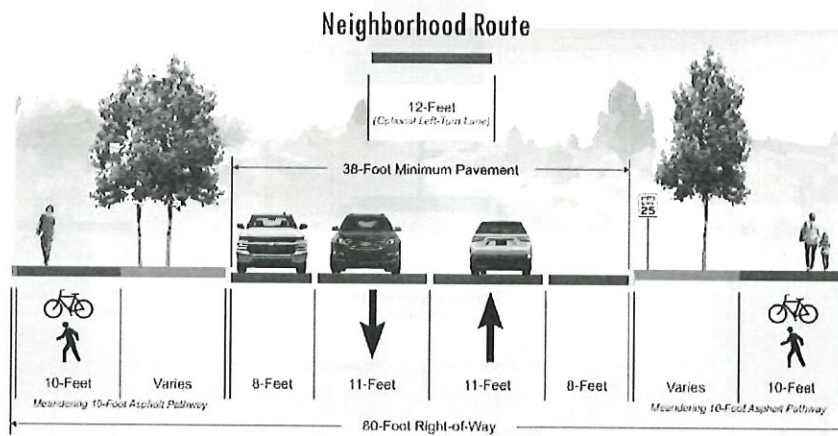
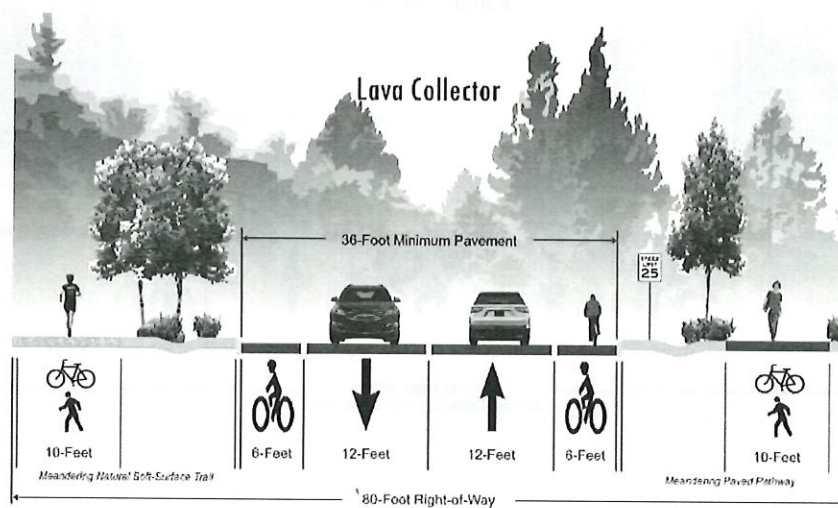
2.7.4290 Special Street Standards.

- A. Figure 2.7.4290 depicts the street type, tentative street location and alignment in the Stevens Ranch Master Planned Development and the standards to correspond to each street type.
- B. Any City street standard adopted after the effective date of the ordinance that adopts this chapter which permits a lesser street standard may be applied to the Stevens Ranch Master Planned Development during the subdivision review process.

Figure 2.7.4290 Stevens Ranch Street Type Plan and Standards







2.7.4300 Transportation Mitigation Plan.

- A. **Applicability.** The following Transportation Mitigation Plan applies to all development within the Stevens Ranch Master Planned Development. The Transportation Mitigation Plan is adopted and implemented pursuant to BDC 4.7.600(E)(2).
- B. **Alternate Transportation Design Standards.** Transportation facilities within the Stevens Ranch Master Planned Development must comply with the standards set forth in BDC 2.7.4290 and Figure 2.7.4290.
- C. **Transportation Mitigation.** The following transportation mitigation measures must be constructed pursuant to the deadlines set forth in Table 2.7.4300 below, in conjunction with Stevens Ranch phasing plan depicted in Figure 2.7.4300 below.

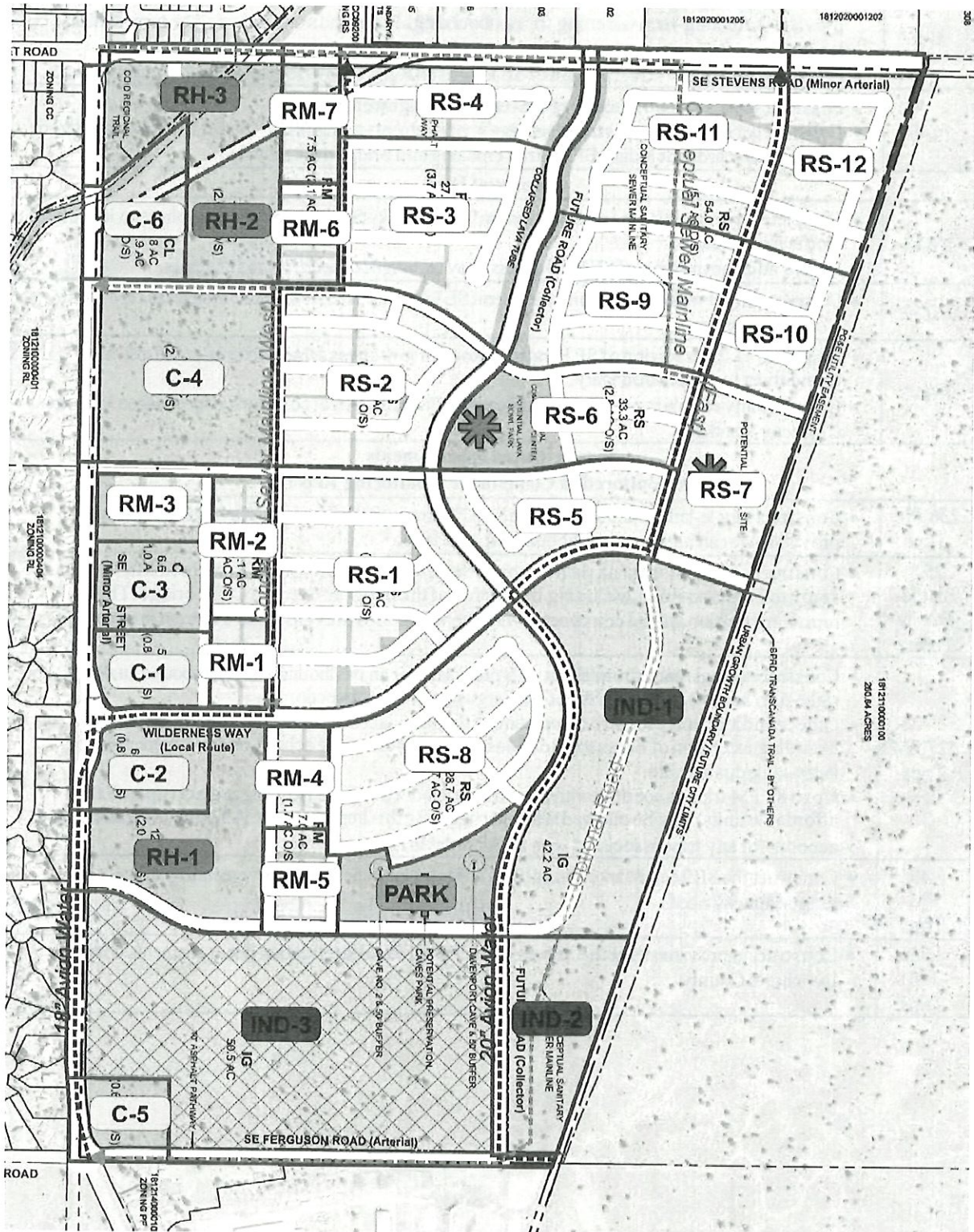
Table 2.7.4300 Transportation Mitigation Plan

Phase	Description
Standard Density Residential	
RS-1	<ul style="list-style-type: none"> • Extend Wilderness Way (<i>Neighborhood Route</i>) as a low-stress facility east to Eubanks Road. • Construct $\frac{3}{4}$ section of adjacent portion of Eubanks as a <i>Low-Stress Collector</i>, with provisions for bordering enhanced pedestrian crossings. • Construct local street along RM-3 to SE 27th Street. A pedestrian refuge will be constructed on the north side of the intersection. • Construct new single-lane roundabout at the SE 27th Street/Wilderness Way intersection and extend SE 27th Street frontage improvements north through RM-3 and south through C-2. • Coordinate with CET to identify ideal transit stop location and design for SE 27th Street frontage. • Extend western sidewalks the approximately 150' north from the new roundabout to the Country Sunset Mobile Home Park sidewalks. • Construct local streets along western edge of RS-1 to multifamily street standard.
RS-2	<ul style="list-style-type: none"> • Construct $\frac{3}{4}$ section of adjacent portion of Eubanks as a <i>Low-Stress Collector</i>, with provisions for enhanced pedestrian crossings. • Construct local streets along western edge to commercial standard.
RS-3	<ul style="list-style-type: none"> • Construct adjacent full-street section of Eubanks as a <i>Low-Stress Lava Collector</i> north to SE Stevens Road, providing right-of-way to accommodate a future roundabout. • Construct local streets along western edge to multifamily standard. • Identify location for pathway extension from RS-3 to Eubanks Street.
RS-4	<ul style="list-style-type: none"> • Vacate current alignment of Stevens Road extending south of the section line to SE 27th Street. • With removal of the intersection, reconstruct the SE 27th Street bridge decking to complete low-stress pathway, build BPRD trail crossing, and extend buffered bicycle lanes. • Construct $\frac{3}{4}$ section of realigned Stevens Road as a <i>Low-Stress Arterial</i> along RS-4. • Dedicate right-of-way at the Eubanks Street intersection for long-term single-lane roundabout. • Construct local streets along western edge to multifamily standard.
RS-5	<ul style="list-style-type: none"> • Construct surrounding local streets and extend southern Wilderness Way <i>Local Route</i>. • Complete required enhanced crossings at Eubanks Street/Wilderness Way intersection.
RS-6	<ul style="list-style-type: none"> • Construct surrounding local streets and complete required enhanced crossings of Eubanks Street. • Connect Eubanks pathway into park trails and sidewalks.
RS-7	<ul style="list-style-type: none"> • Construct surrounding local streets • If a school is sited within RS-7 develop and implement Safe Routes to School Plan including review of school crossing locations, school zones, and visibility treatments • Extend walkways to BPRD TransCanada trail system (if constructed)
RS-8	<ul style="list-style-type: none"> • Construct $\frac{3}{4}$ section of adjacent portion of Eubanks Street from local street connection north to Wilderness Way as a <i>Low-Stress Collector</i>. • Construct surrounding local streets, with those location along the western edge built to multifamily standard.
RS-9	<ul style="list-style-type: none"> • Complete full street improvements along Eubanks Street to <i>Lava Collector</i> standard. • Construct surrounding local streets • Review potential pedestrian connection location within RS-9 or RS-11 to Eubanks corridor
RS-10	<ul style="list-style-type: none"> • Construct surrounding local streets
RS-11	<ul style="list-style-type: none"> • Construct adjacent portion of Stevens Road corridor to low-stress <i>Minor Arterial</i> standards. • Construct surrounding local streets • Review potential pedestrian connections to Eubanks corridor within either RS-9 or RS-11. • Ensure adequate ROW is dedicated for long-term roundabout at Eubanks Street/Stevens Road intersection.

Phase	Description
RS-12	<ul style="list-style-type: none"> Construct adjacent portion of Stevens Road corridor to low-stress <i>Minor Arterial</i> standards. Construct surrounding local streets. Extend Stevens Road pathway system to connect with planned TransCanada pipeline trail in coordination with BPRD.
Park	
PARK	<ul style="list-style-type: none"> Complete surrounding local streets and coordinate with BPRD for on-street parking/loading area. Complete ¾ street improvements along Eubanks Street to low-stress <i>Collector</i> standards.
Medium Density Residential	
RM-1	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-2	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-3	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-4	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-5	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-6	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-7	<ul style="list-style-type: none"> Complete any remaining ¾ street improvements along SE Stevens Road frontage Construct surrounding local streets to multifamily standards
High Density Residential	
RH-1	<ul style="list-style-type: none"> Complete ¾ street improvements along SE 27th Street frontage Construct southbound left-turn lane on SE 27th Street into new full-access local street connection Construct surrounding local streets to multifamily standards
RH-2	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RH-3	<ul style="list-style-type: none"> Work with COID and City to identify canal crossing design needs. Complete remaining ¾ street improvements along SE Stevens Road and SE 27th Street to low-stress <i>Minor Arterial</i> standards, connecting with SE 27th Street/SE Reed Market Road intersection improvements and COID crossings. Incorporate pedestrian crossing of COID/BPRD canal trail along Stevens Road. Restrict Ivory Market to right-in, right-out with extension of a raised median.
Commercial Uses	
C-1	<ul style="list-style-type: none"> Construct surrounding local streets to commercial standards. Complete any remaining frontage improvements along SE 27th Street to low-stress <i>Minor Arterial</i> standards.
C-2	<ul style="list-style-type: none"> Construct surrounding local streets to commercial standards. Complete any remaining frontage improvements along SE 27th Street to low-stress <i>Minor Arterial</i> standards.
C-3	<ul style="list-style-type: none"> Construct surrounding local streets to commercial standards. Complete any remaining frontage improvements along SE 27th Street to low-stress <i>Minor Arterial</i> standards.
C-4	<ul style="list-style-type: none"> Construct surrounding local streets to commercial standards. Complete any remaining frontage improvements along SE 27th Street to low-stress <i>Minor Arterial</i> standards. Complete northern connection to SE 27th Street as a southbound left-in, right-out, right-out access with enhanced southern pedestrian refuge crossing pending closure of the current Stevens Road connection.

Phase	Description
C-5	<ul style="list-style-type: none"> • Dedicate adjacent right-of-way to support a future roundabout at SE Ferguson Road, with provisions for long-term widening for eastbound right-turn and southbound right-turn auxiliary lanes. • Construct adjacent $\frac{3}{4}$ street portion of SE Ferguson Road to low-stress <i>Minor Arterial</i> standards.
C-6	<ul style="list-style-type: none"> • Phase requires vacation of existing Stevens Road alignment. • Complete any remaining $\frac{3}{4}$ street frontage improvements along SE 27th Street to low-stress <i>Minor Arterial</i> standards, including BPRD trail crossing and bridge deck redesign.
Industrial Uses	
IND-1	<ul style="list-style-type: none"> • Complete any remaining portion of adjacent SE Eubanks Street corridor along phase to low-stress <i>Collector</i> standards. • Extend adjacent portion of SE Wilderness Way to <i>Neighborhood Route</i> standards.
IND-2	<ul style="list-style-type: none"> • Complete any remaining portion of adjacent SE Eubanks Street corridor along phase to low-stress <i>Collector</i> standards.
IND-3	<ul style="list-style-type: none"> • Construct $\frac{3}{4}$ street section of SE Ferguson Road to low-stress <i>Minor Arterial</i> standards from roundabout to eastern boundary. • Complete any remaining portion of adjacent SE Eubanks Street corridor along phase to low-stress <i>Collector</i> standards.
Impact Based Improvements (As monitored in Compliance Monitoring Report)	
236 PM Trips	<ul style="list-style-type: none"> • Construct single-lane roundabout at the SE 27th Street/SE Wilderness Way intersection with provisions for an auxiliary southbound left-turn lane.
250 th Single-Family Permit	<ul style="list-style-type: none"> • Construct a complete asphalt pathway on the east side of SE 27th Street from Reed Market Road south to Ferguson Road, excluding the portion of the pathway over the COID bridge. This remaining portion will be constructed with the vacation of Stevens Road's current intersection.
527 PM Trips	<ul style="list-style-type: none"> • Construct a single-lane roundabout with provision for an eastbound and southbound auxiliary right-turn lane at the SE 27th Street/SE Ferguson Road intersection. • Other conditions may require completion of the roundabout sooner than this trip threshold, including extension of Ferguson Road east, construction of the school, or development of the large-lot industrial site. • Up to 88 PM trips associated with a deed restricted Affordable Housing project (up to 200 affordable units) may be allowed without triggering this improvement. All other mitigations shall account for any trips associated with an Affordable Housing Project.
1,405 PM Trips	<ul style="list-style-type: none"> • Construct the SE Reed Market Road/SE 27th Street intersection improvements to support long-range capacity needs.
1,756 PM Trips	<ul style="list-style-type: none"> • Construct improvements at the Stevens Road/Ward Road intersection per agreements with Deschutes County.

Figure 2.7.4300 Stevens Ranch Phasing Plan



2.7.4310 Future Capacity Reservation.

A. Stevens Ranch Master Planned Development reserves infrastructure capacity (sewer, water, and transportation) through and including [Insert effective date], for all site plan review and subdivision applications filed pursuant to the master plan through [insert effective date]. Site plan review and subdivision applications submitted after [insert effective date], will be subject to new utility and transportation analyses.

**PLANNING COMMISSION
RECOMMENDATION TO THE CITY COUNCIL**



**COMMUNITY
DEVELOPMENT**

PROJECT NUMBER: PLSPD20210316

HEARING DATE: August 4, 2021

**APPLICANT/
OWNER:** Stevens Ranch LLC.
721 S. Brea Canyon Rd., Ste. 7
Diamond Bar, California 91789

ATTORNEY: Tia M. Lewis
Schwabe, Williamson & Wyatt
360 SW Bond Street, Suite 400
Bend, OR 97702

**PLANNING/
ENGINEERING:** Lynn Bruno, PLS
Read Stapleton, AICP
Matt Robinson
DOWL, LLC

TRANSPORTATION: Joe Bessman, PE
Transight Consulting, LLC

LOCATION: No situs address – east of 27th Street, south of Reed Market Road; Bend Urban Growth Boundary Expansion Area, DSL Property Subarea; tax lot 200 of Deschutes County Assessor Map 18-12-11

REQUEST: Type III Quasi-judicial amendment to Bend Development Code Chapter 2.7, Special Planned Districts, to create the Stevens Ranch Master Planned Development; an 375.4-acre Major Community Master Plan, with a mix of residential and commercial uses, including approximately 237 gross acres of residential plan designations with an elementary school site and parks and open space, approximately 46 gross acres of commercial plan designations, and approximately 93 gross acres of industrial plan designations, including one large 50-acre industrial lot.

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

APPLICABLE REVIEW CRITERIA, STANDARDS AND PROCEDURES:

Bend Development Code

Criteria

Chapter 4.5, Master Planning and Development Alternatives

Standards

Chapter 2.1, Residential Districts

Chapter 2.2, Commercial Zoning Districts (CC)

Chapter 2.4, Industrial District (IG)

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

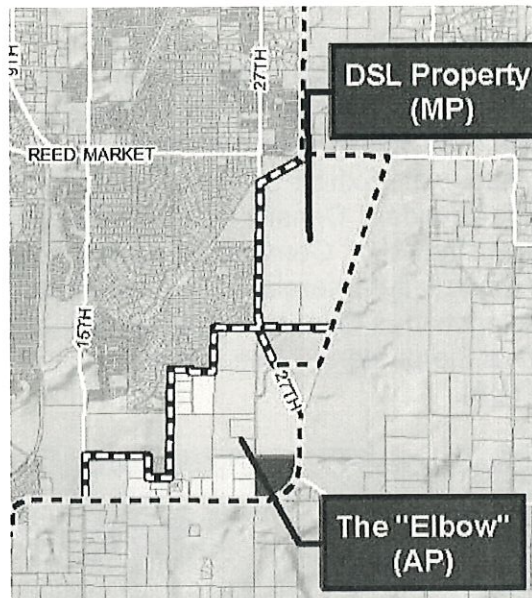
Statewide Planning Goals 5 (ESEE Analysis of Bat Habitat) and 7 (Housing)

Chapter 660 Division 46 - Middle Housing in Medium and Large Cities

FINDINGS OF FACT:

- 1. LOCATION:** The Stevens Ranch Master Plan encompasses 375.40 acres¹ of the "DSL Property" subarea of the 2016 Urban Growth Boundary (UGB) Expansion Area. The site is comprised of a single tax lot, tax lot 200 of Deschutes County Assessor Map 18-12-11, with an address of 21425 Stevens Road in Bend. The property is bounded by Steven's Road (future minor arterial) to the north, SE 27th Street (minor arterial) to the west, vacant State land and the TransCanada pipeline easement to the east, and the Humane Society of Central Oregon and Deschutes County facilities including Knott Landfill to the south as well as the future extension of Ferguson Road (future arterial) to the south.

¹ The 13.1 acre triangular area in the northwest corner of the site (north of Steven's Road) is included within the Steven's Ranch Master Planned Community but is already inside the City limits and zoned Standard Density Residential (RS). It is therefore not included in the acreage calculations for compliance with the City's Growth Management Comprehensive Plan policies.

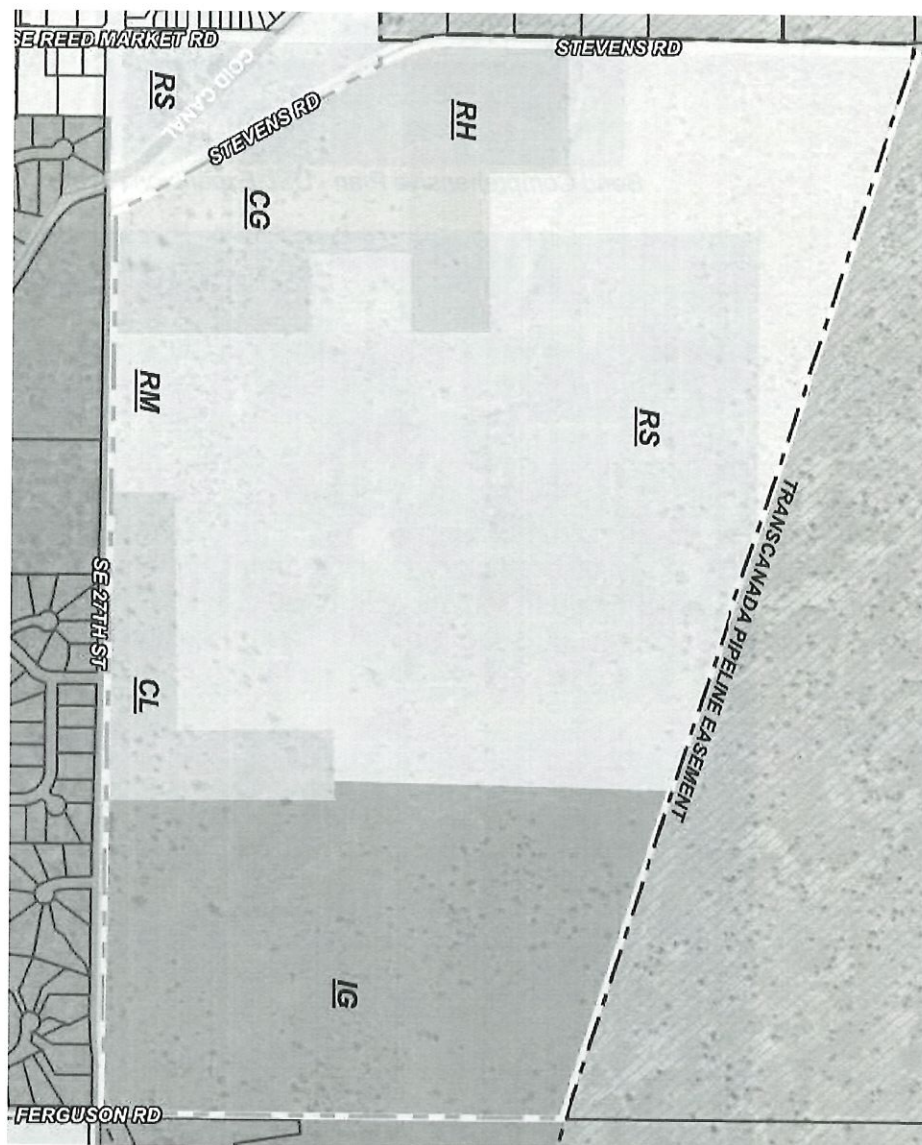


Bend Comprehensive Plan - DSL Expansion Area



2019 Aerial – Stevens Ranch Master Plan subject property

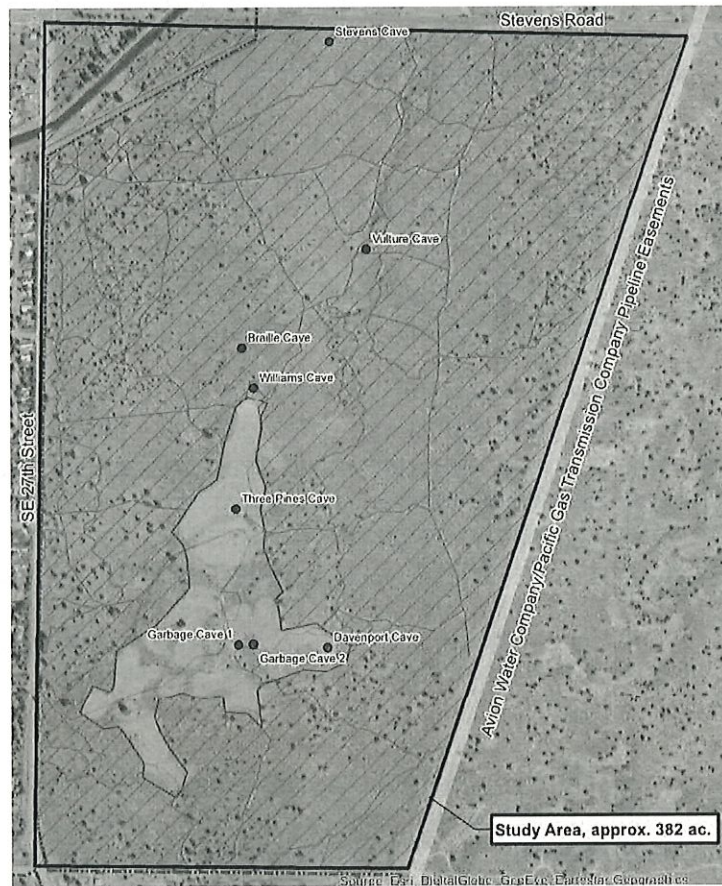
2. **ZONE AND PLAN DESIGNATION:** The Stevens Ranch Master Plan is located within the DSL Property Subarea Expansion Area of the 2016 UGB expansion (Exhibit 2). The Comprehensive Plan (BCP) designations of the DSL Property include Residential, Commercial, and Industrial (Exhibit 3). Residential zones comprise the majority of the property and include Standard Density (RS), Residential Medium Density (RM), and Residential High Density (RH). Commercial zones include Limited Commercial District (CL) and General Commercial (CG) situated along SE 27th Street. The Industrial zone designation is General Industrial (IG) and located in the southern and southeast portions of the property. The current zone of the DSL Property is Urbanizable Area (UA).



Existing Comprehensive Plan designations

4. **SITE DESCRIPTION & SURROUNDING USES:** The Stevens Ranch Master Plan 375.4-acre property is undeveloped. Topography is relatively level with a vegetative cover consisting of sagebrush, bitterbrush, and juniper trees. The site contains several caves of various sizes, eight of which are documented and studied as part of the required Environmental, Social, Economics and Energy (ESEE) analysis submitted as Exhibit 5 of this application.

Historical use of a portion of the property includes the site of the former Arnold Landfill and sewage disposal area located near the center of the property as described in the ESEE analysis (see figure below). The overall area containing the waste pods is approximately 35 acres, with approximately 18 cumulative acres of waste in the pod areas. The applicant has initiated the Voluntary Clean-Up Program (VCP) through the Department of Environmental Quality (DEQ) to implement a regulated remediation process for this area, which will be completed in phases as the site develops.



Legend

Stevens Road Tract	Landfill/Disturbed Area (Approx.)
Caves	Waste Areas (Approx.)
Informal Trails	Bend City Limits
Shrubland Habitat	Bend Urban Growth Boundary

Surrounding land uses include:

North: North of the property is Stevens Road (future minor arterial). North of Stevens Road are Deschutes County rural residential lots about 5-acres in size and zoned Multiple Use Agricultural Zone (MUA-10).

East: The Trans-Canada Natural Gas Pipeline, PG&E Utility easement, and vacant State land zoned MUA-10 are located east of the subject property.

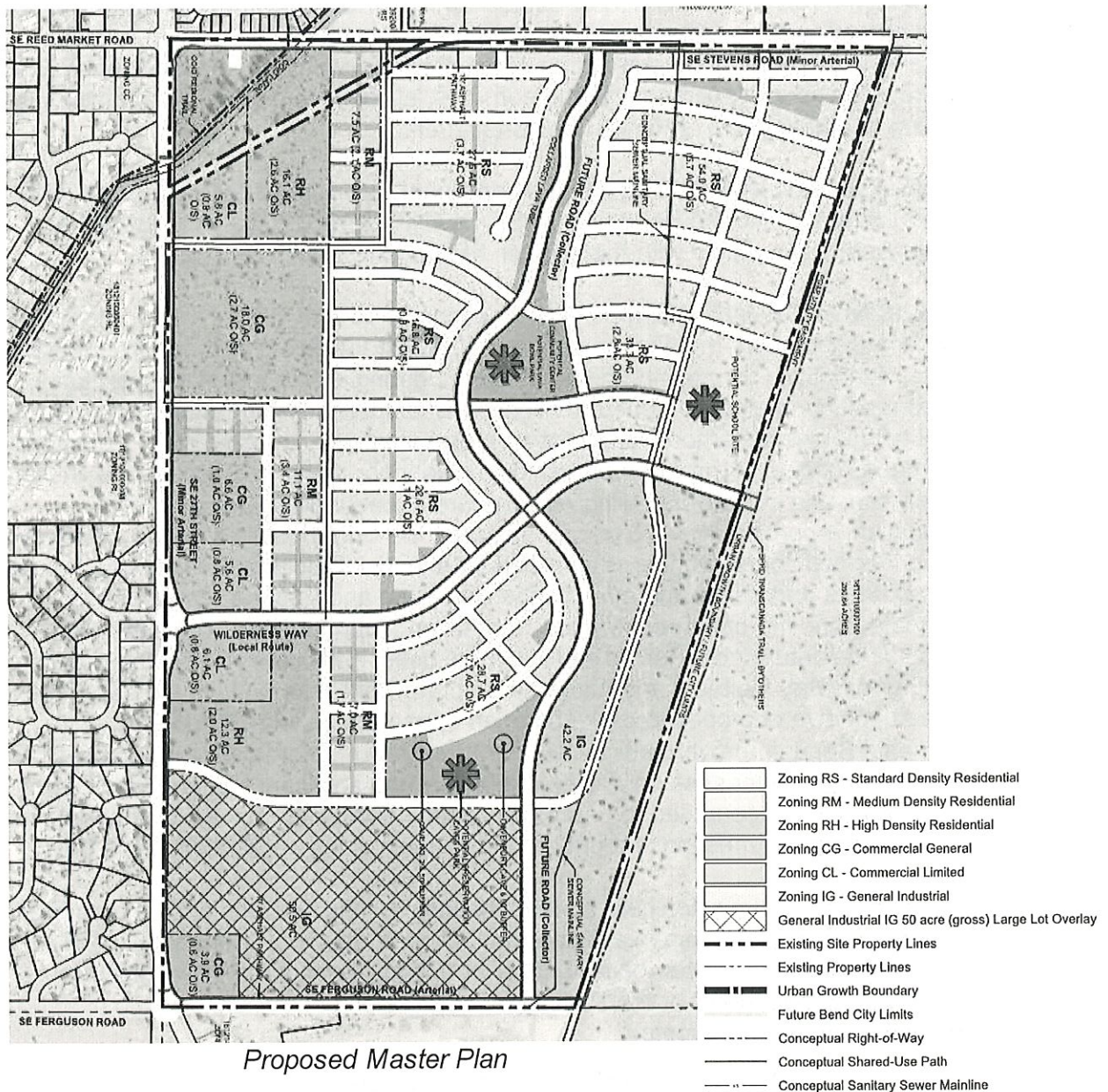
South: The Humane Society of Central Oregon and Deschutes County facilities including Knott Landfill are located south as well as the future extension of Ferguson Road (future arterial). The Humane Society and a portion of the Deschutes County facilities are within Bend City limits and zoned Public Facilities District (PF). The Knott Landfill is within Deschutes County and zoned Exclusive Farm Use (EFU-TRB)

West: Bend City limits and SE 27th Street (minor arterial) border the western property boundary. West of the City limits and SE 27th Street, is a manufactured home park and subdivisions zoned Low Density Residential (RL) and developed to City urban standards.

5. **PROPOSAL:** The applicant proposes a Major Community Master Plan to be known as Stevens Ranch located on approximately 375.4 acres within the “DSL Property” subarea of the 2016 UGB expansion area, including amendments to both the text and maps in Chapter 2.7 to provide specific development provisions, maps, and diagrams of the new districts and roadway and trail network.

The Stevens Ranch Master Plan will provide for a mix of residential and commercial uses including approximately 237 gross acres of residential plan designations that contain an elementary school site, parks and open space, approximately 46 gross acres of commercial plan designations, and approximately 93 gross acres of industrial plan designations, including one large 50-acre industrial lot. 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, beginning with Phase 1 along an easterly extension of Wilderness Way.

Stevens Ranch 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 11). The changes in the proposed designations reflect existing topographic conditions to be preserved throughout the development (such as the collapsed lava tube and rock walled bowl feature) and buffer residential uses from adjacent industrial uses to the south as well as traffic-generated noise along SE 27th Street.



Commercial uses are located along SE 27th Street to attract commercial users and provide convenient arterial access and circulation for parking and loading activities. The large lot industrial land is located at the southern boundary along the intersection of two arterial roads, providing convenient access and buffering it from residential uses. The remaining industrial land, expected to accommodate the smaller, higher tech industrial users common in the Bend market, is located on the eastern boundary across the street from a planned open space and park area, providing access and synergies with open space and trail connections to commercial uses. This industrial area will have higher

design standards to accommodate users with higher employment densities that seek more attractive settings for employees. Single family residential zoning is located primarily in the north and central area of the property, with medium and higher density adjacent to and interspersed with the commercial zones to provide opportunities for walking to employment, shops and entertainment.

6. **CONCURRENT APPLICATIONS:** The applicant has applied for annexation of the subject property into the Bend City limits (PLANX20210637) to be reviewed and considered concurrently with this Master Plan by the Bend City Council.
7. **PUBLIC NOTICE AND COMMENTS:** In accordance with BDC 4.1.215, the applicant held a neighborhood meeting on January 12, 2021 via Zoom and consistent with City recommendations for neighborhood meetings during COVID-19. Documentation of the public meeting, including signed verification of compliance forms from the Old Farm and Larkspur neighborhood association representatives, a roster of the Zoom meeting attendees, copies of materials provided to neighbors within 500-feet of the Stevens Ranch site, and copies of mailing receipts are submitted as Exhibit 9 of the application. Approximately 70 people attended the virtual public meeting, which lasted a little under two hours. Concerns identified by attendees included preservation of on-site natural areas and caves and compliance with State and Federal requirements, adequate park and open space areas, recreational opportunities, potential noise impacts from future commercial and industrial uses, traffic congestion and capacity of existing roadway facilities, and future development of State lands to the east. Attendees were supportive of proposed park and open space areas, increased services in southeast Bend, improvements to SE 27th Street, and job creation opportunities. A question and answer session was held following the applicant's presentation, and attendees were encouraged to communicate any additional concerns with the project team following the meeting and prior to submission of the application to the City.

The Planning Commission held a public hearing for the Stevens Ranch master plan on July 12, 2021, and issued a recommendation of approval to the Council. Six individuals provided written comments prior to that hearing; six individuals also provided oral comments at the Planning Commission public hearing (two of which also submitted written comments).

Public notice for the City Council hearing was provided in accordance with the requirements of BDC 4.1.423-4.1.425. On August 5, 2021, notice was mailed by the Planning Division to surrounding owners of record of property within 500 feet of the subject properties, and to the Old Farm, Larkspur and Southeast Bend Neighborhood Association representatives. On August 6, Notice of Proposed Development signs were posted by the applicant along the property frontages at five locations, visible from adjacent rights of way. Six additional comments were received in response to these notices at the time this summary was prepared; four individuals were in support of the master plan, two individuals from the Nottingham Square subdivision were concerned about the traffic impact on the intersection of Ferguson Road and SE 15th Street, and one individual was concerned about the loss of native landscaping and

existing habitat.

Various agencies were also sent notice, and their comments are contained in the project file and considered in this decision.

- 8. APPLICATION ACCEPTANCE DATE:** This Type III Major Community Master Plan application and associated submittal materials were submitted on March 25, 2021. The application was deemed incomplete on April 14, 2021. A revised master plan and parks and open space plan was uploaded on April 27, 2021 and a phasing plan and the required Transportation Analysis Memo was uploaded to CityView on May 24, 2021. A revised proposed Stevens Ranch code was uploaded on May 27, 2021. The application was deemed complete on May 27, 2021. 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 Stevens Ranch 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 Stevens Ranch Master Plan.

2. Uses not permitted in the zoning district may be allowed when consistent with the Bend Comprehensive Plan designation's characteristics; and

FINDING: With annexation into the Bend City limits, Stevens Ranch will be re-zoned from its current UA designation to residential (RS, RM, and RH), commercial (CL and CG), and Industrial (IG and IG-LL) zones reflecting the Comprehensive Plan designations associated with the DSL Property of the 2016 UGB expansion.

As proposed in the Stevens Ranch code, uses in the residential, commercial, and industrial zones are tailored to balance the different types of uses permitted in each zone with the overall master plan of Stevens Ranch complete community. In general, the proposed uses are similar or the same as the existing code, with some minor modifications, additions, or deletions to reflect the development plan and concept for the Stevens Ranch community.

This criterion addresses those uses currently not permitted in each of the zoning districts, but which are consistent with the Comprehensive Plan designation characteristics and have been added to Stevens Ranch master plan to broaden the opportunities for development within the residential, commercial, and industrial underlying zones. The Comprehensive Plan Growth Management Policies of Chapter 11 that guide the DSL Property (policies 11-83 to 11-92) describe the property as a complete community to be master planned, accommodating a diverse mix of housing and employment uses with varied housing options, services and amenities, including a public school, parks and open spaces, shops, and services within a convenient walking or biking distance. The additional uses described below complement the complete community of Stevens Ranch by providing additional options to existing housing, commercial, and industrial types of uses that are currently permitted in the zoning districts.

Uses to be added to each of the zones are described below demonstrating how they are consistent with the Comprehensive Plan designation's characteristics for each zoning district:

Residential District. Within Stevens Ranch master plan, three types of residential zones are allowed, including, the RS (Standard Density Residential), RM (Medium Density Residential), and RH (High Density Residential) residential zones.

Table 5-1 of the Bend Comprehensive Plan lists the characteristics of the base RS, RM and RH zones:

RS Zone:

The Urban Standard Density designation is intended to provide opportunities for a variety of residential housing types at the most common residential densities in places where sewer and water services are available. It is intended to provide for residential uses, with a mix of single family detached homes and other housing

types at a scale compatible with single family homes. It also provides opportunities for supporting public and institutional uses on a case-by-case basis.

RM Zone:

The Urban Medium Density designation is intended to provide for a mix of housing types, with an emphasis on multifamily residential and medium-scale attached housing types, and opportunities for limited neighborhood commercial uses. It also provides opportunities for supporting public and institutional uses on a case-by-case basis. It is suitable in areas where sewer and water service are available. It is most appropriate for areas in proximity to commercial areas and along or near major transportation and transit corridors.

RH Zone:

The Urban High Density designation is intended to provide land for primarily high density multifamily residential, with opportunities for neighborhood commercial uses. It also provides opportunities for supporting public and institutional uses on a case-by-case basis. It is generally suitable for locations in proximity to downtown, commercial areas and/or transit corridors.

The applicant proposes to allow a wider variety of residential housing types as outright uses in the residential zones to decrease permitting costs and provide flexibility to encourage development of needed housing with a mix of housing types. Specific uses currently not permitted within the BDC residential zoning districts, but proposed in the Stevens Ranch residential districts include the following:

Live/Work Townhomes: Allowed as a permitted use in the RH zone and not permitted in the RS or RM zones.

Fourplexes: Allowed as a permitted use in the RS, RM, and RH zones

The higher density zones (RH and RM) will be located along SE 27th Street near the commercial zones providing convenient access to amenities and public transportation for residents. The lower density RS zone will be located in the central and northern parts of the property within walking and biking distance to services and amenities.

Live/work townhomes and fourplexes, both provide opportunities for work force housing at lower cost than detached single family product and add to the diversity of housing types within the RS, RM and RH zones. These uses are consistent with the characteristics for those zones as described in the above-quoted Comprehensive Plan policies. Allowing these uses outright reduces permitting costs and time, thereby encouraging the development of needed housing to meet the immediate community needs.

Commercial District. Within the Stevens Ranch master plan, two types of commercial zones are allowed; these include, the CL (Limited Commercial District) and CG (General Commercial District). The commercial zones are located along the western boundary of the property fronting SE 27th Street.

Table 6-1 of the Bend Comprehensive Plan lists the characteristics of the Commercial, CL zone:

CL Zone:

The Limited Commercial designation provides locations for a wide range of retail, service, and tourist commercial uses in the community along highways or in new centers. This designation is intended for small and large commercial uses which may be more auto-oriented, yet also provide multi-modal access.

CG Zone:

The General Commercial designation provides a broad mixing 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.

Specific uses currently not permitted within the BDC commercial zoning districts, but proposed in the Stevens Ranch commercial zones include the following:

Multifamily residential (5 or more units): Permitted as an outright use in both the commercial zones, subject to net acreage limitations.

Live/Work Townhomes: Permitted as an outright use in both the commercial zones.

RV Park: Permitted as a conditional use in both commercial zones.

Multifamily and live/work townhomes in the commercial district are consistent with characteristics of the commercial zone described above in that they function similar to and have impacts similar to neighborhood commercial uses. To ensure sufficient commercial lands remain available for commercial uses, the applicant has limited any stand-alone multifamily development to no more than 50% of the net acreage in the commercial zones, and only interior to these zones and not fronting public streets. The RV park adds another option to the travel trailer or campground use that is currently permitted as a conditional use in the Commercial zones, expanding options for hosting tourist commercial uses, recreational, sporting events and accommodating visitors to the area.

Industrial District. The Stevens Ranch master plan will have a single industrial zone, IG (General Industrial) with two distinct land areas that will allow different types of uses within each of the areas. The two land areas are identified as Industrial General – (IG) and Industrial General Large Lot Overlay (IG-LL). The distinction between the two industrial

areas is made to allow the large lot industrial site of 50 acres to be retained for up to 10 years to accommodate a large lot industrial user to meet a regional need as originally identified in the Central Oregon Large Lot Industrial Land Need Analysis prepared in 2012. This analysis identified a need for larger, single lot industrial sites to meet local, state and national economic trends driven by demand for large and more modern warehouses and distribution centers, data centers, and various other high-tech and bioscience operations. The proposed 50 acre large lot site is intended to provide for this need. The location of the large lot industrial is along the southern boundary of the Stevens Ranch master plan adjacent to the County's public facilities.

Table 6-1 of the Bend Comprehensive Plan lists the characteristics of the Industrial, IG zone:

The Industrial General designation provides for light and heavier industrial uses in an industrial environment with a minimum conflict between industrial uses and nonindustrial uses.

Uses not currently permitted within the IG zone per BDC Table 2.4.300, but proposed in the Stevens Ranch master plan, include the following:

Small-scale personal and professional services within a freestanding or multi-tenant building, up to 10,000 square feet of gross floor area (e.g., coffee shop/deli, dry cleaners, barber shops and salons, copy centers, banks, financial institutions, and similar uses): A permitted use in the IG area, and an increase from 2,500 square feet of gross floor area to 10,000 square feet of gross floor area.

Retail fuel outlet; electric vehicle charging outlet: A permitted use in the IG area.

Travel trailer/RV Park or campground when in conjunction with a permitted or conditional use: A permitted use in the IG area.

The breadth of uses allowed in the IG area is intended to provide an opportunity for employment-based industrial uses to promote economical, sustainable, and reasonable growth during the master planning period. The large lot industrial area has restricted uses and will be preserved for a large lot industrial user. According to the market analysis prepared by Johnson Economics, included as Exhibit 11 of the application, the large lot industrial area may not develop during the master planning period. For these reasons, it is important to provide allowable uses in the IG area which will promote a variety of employment opportunities. The small-scale personal and professional services use within a freestanding or multi-tenant building up to 10,000 square feet of gross floor area, as well as the retail fuel outlet and electric vehicle charging outlet uses, will provide greater opportunities to locate business and employee services in closer proximity to the allowed industrial uses they will directly serve, including future users of the large lot industrial area. These specific uses were included in the Juniper Ridge Employment Sub-District to

accomplish the same purpose of providing a variety of employment opportunities and reasonable opportunities for industrial growth.

Similarly, the travel trailer/RV park or campground use, when in conjunction with a permitted or conditional use, will coordinate with and be similar to allowed uses such as recreational facilities and small scale, campus style industrial uses. This use is also included to provide for a mixture of uses to meet market demands and provide a synergy of uses with smaller industrial users, open space, parks, and trails. Allowing for a greater variety of business and employee service uses assists in attracting a variety of potential industrial users and furthers the City's identified goal of diversifying its industrial base. Business and employee service uses in closer proximity to the industrial users they serve also limits the length of travel necessary for employees and businesses to patronize these services, in turn minimizing the dependency on automobiles for local trips and increasing the number of people walking and riding a bike instead; this is also consistent with the goal of the Stevens Ranch Master Plan to provide a complete community that accommodates a variety of accessible and convenient employment opportunities and essential services.

The Market Analysis for the Stevens Ranch Master Plan Area, prepared by Johnson Economics establishes the need to provide flexibility and a variety of uses to meet changing market demands in the commercial and industrial markets based on demographic conditions and projections for future household and employment growth. This market analysis shows demand for smaller spaces with flexible design options and attractive settings for employees and customers is increasing in demand. Immediate proximity of industrial development to supporting uses, as well as open space and park areas, is conducive to providing an attractive setting for potential industrial users. Campus style industrial development patterns that result will create opportunities for minimizing conflict between uses, providing creative development opportunities to meet an assortment of demands, and allowing for a variety of business and employee amenities immediately adjacent to industrial users.

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. Open space, including public and private, is shown on the Stevens Ranch conceptual master plan and the Parks and Open Space exhibit, included as Exhibits 7 and 12 of the application. As shown, the Stevens Ranch Master Plan contains at least 10% of the gross area as either public or private open spaces. The private recreational facility, a Community Center for residents near the north end of the property, and all other private open space within the master plan will be located within common area tracts, lots or designated open space areas and owned and maintained by the Home Owner's Association (HOA) under the terms and requirements of the Planned Communities Act, ORS 94.625. A draft of the Declaration of Covenants, Conditions and Restrictions (CC&Rs) regulating the formation of the HOA and the maintenance of common areas and open space is included as Exhibit 13 of the application and includes provisions for the management, funding and ownership of common area and authority for the creation of and

transfer of title to the HOA to ensure permanent retention of common areas as open space for the community. 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 Stevens Ranch 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 Development Services 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. See Exhibit 15 of the application that addresses the contents of the master plan submittal requirements.

- Exhibit 1: Aerial Map of Property
- Exhibit 2: Bend UGB, UGB Expansion Subareas and Planning Requirements Map (July 18, 2016 – Figure 11-4 of City's Comp plan)
- Exhibit 3: Comprehensive Plan Map Designations
- Exhibit 4: Zoning Designation
- Exhibit 5: Goal 5 ESEE Analysis (Bat Habitat) for the Stevens Road Tract, Bend, Oregon, prepared by PBS (Dated August 31, 2020)
- Exhibit 6: Waste Area Boundaries Map
- Exhibit 7: Stevens Ranch Master Plan
- Exhibit 8: Proposed Comprehensive Plan Map Designations
- Exhibit 9: Neighborhood Meeting Documentation
- Exhibit 10: Stevens Ranch Master Planned Development Code
- Exhibit 11: Market Analysis for the Stevens Property Master Plan Area in Bend, Oregon prepared by Johnson Economics, LLC (Dated November 2020)
- Exhibit 12: Parks and Open Space, Concept Plan
- Exhibit 13: Declaration of Covenants, Conditions and Restrictions (CC&Rs)
- Exhibit 14: Stevens Ranch Design Guidelines
- Exhibit 15: Master Plan Submittal Requirements

- Exhibit 16: Utility Availability Memo
- Exhibit 17: Will Serve Letter from Avion
- Exhibit 18: Stevens Ranch Master Plan, Transportation Element, prepared by traffic engineer, Joe Bessman of Transight Consulting LLC (Dated January 2021)
- Exhibit 19: Letter from Bill Ryan, Deputy Director of the Department of State Lands (Dated November 19, 2020)
- Exhibit 20: Coordination Letter from Sarah Bodo, Park Planner at the Bend Park and Recreation District (Dated January 25, 2021)
- Exhibit 21: Stevens Ranch Sewer and Water Utility Plans
- Exhibit 22: Coordination Letter from Mike Tiller, Executive Director of Facility of the Bend-La Pine School District (Dated January 22, 2021)
- Exhibit 23: Willing to Serve Letters (Avion Water, COID, Cascade Natural Gas, CET)
- Exhibit 24: Existing Conditions and Ownership

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 375.4 acres under single ownership, and therefore, a community master plan is required for the property. In addition, Policy 11-83 of the Bend Comprehensive Plan also requires the subject property to be master planned. Because the most prominent use in Stevens Ranch is residential, a Community Master Plan is proposed.

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.

* * *

Stevens Ranch Master Plan includes approximately 1,710 residential needed housing units including 359 attached units, 650 detached single-family housing units, and 701 multiple family housing units (including duplex, triplex, and fourplex unit types) for both owner and renter occupancy. 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, 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 Stevens Ranch 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 (SWA 20-2186) is submitted as Exhibit 15 of this application.

The plan includes gravity sewer service throughout the entire 375.4-acre development by utilizing the existing terrain throughout the project to design an efficient gravity system. The project is located within City of Bend Sewer Basin 8 and utilizes the Southeast Sewer Interceptor while connecting at the intersection of SE Reed Market Road and SE 27th Street.

The main trunk sewer alignment is depicted on the City of Bend's Collection System Master Plan in figure 13 "Capital Improvement Program Overview" and identified as UGB Expansion. The City of Bend elected not to participate in the upsizing and deepening of this gravity line, using System Development Charges (SDCs) reimbursements, to accommodate gravity sewer service to the recently added Southeast Area Plan ("The Elbow") to the Urban Growth Boundary. It was determined that the construction of a

regional pump station to service the area would be more economical and better service the southeast basin than a deeper, more expensive, gravity solution.

A sewer trunk main, approximately 12-inches, will run along the alignment of the future easterly extension of SE Reed Market Road and Stevens Road alignments within the right of way, crossing the Central Oregon Irrigation District canal. After leaving the Stevens Road right-of-way, the mainline trunk sewer travels generally southerly while following the lowest elevations of the project area. The plan also includes a 12-inch sewer main that will terminate in 27th Street south of the existing COLD bridge, allowing for extension of the sewer main south in 27th Street to service adjacent properties and future phases of the site.

The project will be require to provide sewer to and through the site, stubbing mains to the Urban Growth Boundary and adjacent properties, determined during tentative plan review.

Stevens Ranch is located within the Avion Water Company's service area. The plan utilizes connections near the southerly end of the project to both the existing Avion 20-inch transmission line, which runs parallel to the easterly boundary of the project, and the existing Avion 18-inch waterline which runs along the westerly boundary of the project at the easterly right-of-way line of SE 27th Street. Two larger waterlines will be constructed from the southerly line to the northerly line of the project. These two larger lines will be phased in order to meet the demand of each development phase. The static water pressure in this area is approximately 110 PSI which will most likely require individual pressure reducing valves at each service connection. A Will Serve letter from Avion is included as Exhibit 16 of this application.

These documents demonstrate 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 *Stevens Ranch Master Plan, Transportation Element*, dated January 2021 and prepared by traffic engineer, Joe Bessman of Transight Consulting LLC is

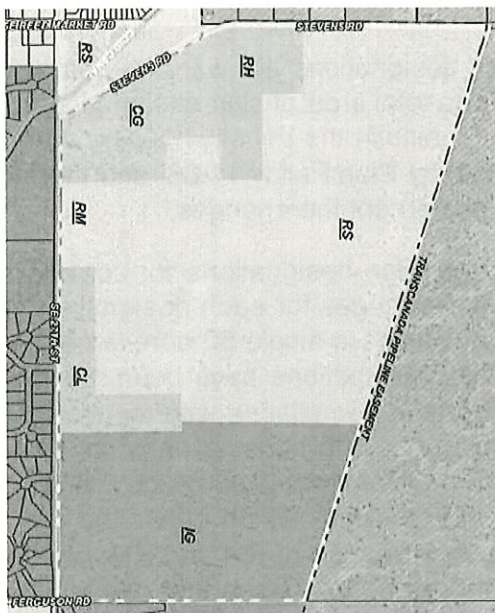
included as Exhibit 17 of this application. The City reviewed this report and issued Traffic Analysis Memo PRTFR202100198 which outlined the required transportation mitigation requirements for the Stevens Ranch Master Plan. These mitigation requirements are incorporated into the Transportation Mitigation Plan as a table in the Stevens Ranch code. Future development proposals within Stevens Ranch 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. The Annexation Agreement and Annexation application (PLANX20210637) for the subject property has been submitted for concurrent review of the Stevens Ranch Master Plan by the City Council.

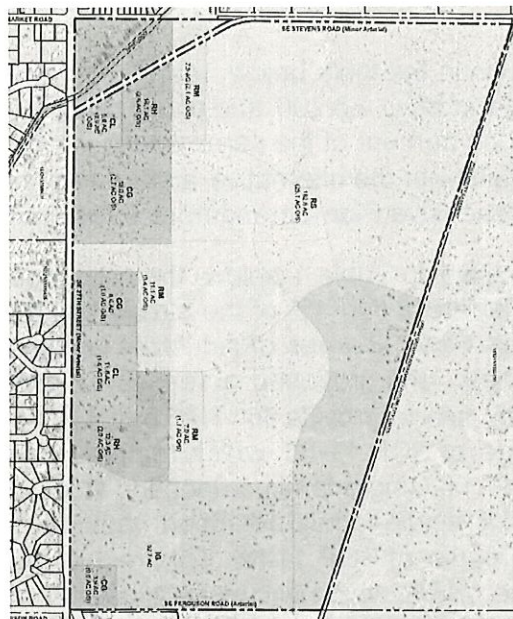
3. Major Community Master Plan. In addition to the approval criteria in subsection (D)(1) of this section the City may approve, approve with conditions, or deny a proposed major community master plan application based on meeting all of the following criteria:

- 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 Stevens Ranch are shown on Exhibit 3 and 8 of the application, respectively, and are shown below. The applicant proposes to rearrange the Comprehensive Plan map designations consistent with the proposed street system network.



Existing Comp Plan Designations



Proposed Comp Plan Designations

The current zoning designation of the entire Stevens Ranch property is Urbanizable Area (UA). Per BDC 4.9.700, "(o)n 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."

Bend Comprehensive Plan Policy's 11-85 to 11-87 for the DSL Property, address the housing density, mix, and acres for Stevens Ranch:

11-85 This area shall provide for a mix of residential and commercial uses, including 163 gross acres of residential plan designations, 60 gross acres of residential and/or public facility plan designations, 46 gross acres of commercial plan designations, and 93 gross acres of industrial plan designations, including one large-lot industrial site. (Gross acreages exclude existing right of way.)

11-86 In order to provide sufficient housing capacity and mix, the residential plan designations shall include 196 gross acres of RS, 9 gross acres of RM, and 19 gross acres of RH. Acreages exclude existing right of way. The acreage of RS includes roughly 21 acres for an elementary school site and up to 35 acres of parks and public open space, which may be designated PF if land has been acquired by the school or park district at the time of the master plan. Alternatively, the master plan may demonstrate that this area will provide capacity for a minimum of 1,000 housing units, including at least 11% single family attached housing and at least 41% multifamily and duplex/triplex housing types.

11-87 Subsequent planning for this area shall address preservation of at least 50 acres for a large lot industrial site in compliance with the policies in Chapter 6.

As shown in the table below, 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 and maintain the density/housing numbers consistent with the alternative allocation prescribed by Plan Policy 11-86, and therefore, no Comprehensive Plan amendment is required to implement the changes.

As identified in Table 1 below, the proposed master plan designations for commercial and industrial are within 1% of the already established acreages for each designation. The approximately 93 acres of industrial designation includes a single 50 acre large lot site. Additionally, the proposed acreages for residential designations have been rearranged to allow the site to provide for 1,710 total housing units in compliance with the alternative language of BCP 11-86, which requires a minimum of 1,000 housing units; as identified, at least 11% single-family attached, at least 41% multifamily/duplex/triplex, and no more than 48% single-family detached housing units are provided, which meets the requirements of BCP 11-86. This results in greater acreages of RH and RM, and less acreage of RS, which allows for a greater mix of housing unit types that can provide for greater overall density and flexibility for the site to better meet the goals of the Comprehensive Plan for increased housing.

**Table 1: Comparison of Comp. Plan Area and Density Policies
with Stevens Ranch Master Plan Proposal**

Zone	Comp. Plan Policies 11-85 to 11-87/Total Area of Plan Designations Gross Acres	Stevens Ranch Master Plan – Total Area of Plan Designations Gross Acres	Comp. Plan Policy 11-86/BDC 4.5.200(E)(3) or Table 5-1/ Density Range (dwellings per gross acre)*	Stevens Ranch Master Plan - Total Density/Housing
Residential (Total)	223**			
RS**	196	182.8	Alternatively, the master plan may demonstrate that this area will provide capacity for a minimum of 1,000 housing units, including at least 11% single family attached housing and at least 41% multifamily and duplex/triplex housing types. <i>Therefore, no more than 48% of housing units may be single-family detached.</i>	650 total units, or 38% of proposed housing units.
RM	9	25.6	Alternatively, the master plan may demonstrate that this area will provide	359 units, or 21% of proposed

Zone	Comp. Plan Policies 11-85 to 11-87/Total Area of Plan Designations Gross Acres	Stevens Ranch Master Plan – Total Area of Plan Designations Gross Acres	Comp. Plan Policy 11-86/BDC 4.5.200(E)(3) or Table 5-1/ Density Range (dwellings per gross acre)*	Stevens Ranch Master Plan - Total Density/Housing
			capacity for a minimum of 1,000 housing units, including at least 11% <i>single family attached housing</i> and at least 41% multifamily and duplex/triplex housing types.	housing units.
RH	19	28.4	Alternatively, the master plan may demonstrate that this area will provide capacity for a minimum of 1,000 housing units, including at least 11% single family attached housing and <i>at least 41% multifamily and duplex/triplex housing types.</i>	701 units, or 41% of proposed housing units.
Commercial (Total)	46		NA	
CG	28.5	28.5	--	
CL	17.4	17.4	--	
Industrial (Total)	93		NA	
IG	92.7***	92.7	--	

* As the applicant is electing to meet the alternative identified in BCP 11-86, the residential density requirements established in BDC 4.5(E)(3) are not applicable and BCP 11-86 controls.

* *The 223 gross acres of residential area includes 163 gross acres of residential plan designations plus 60 gross acres of residential and/or public facility plan designations (see BCP 11-85). Per Comp. Plan Policy 11-86, the RS designation includes 21 acres for an elementary school site and up to 35 acres of parks and public open space which may be designated PF.

***Acreages for industrial designations must include a single 50 acre large lot site, which is provided per the proposed Stevens Ranch Master plan map.

Table 2 below demonstrates the proposed master plan provides the housing count and mix specified in Policy 11-86 of the Comprehensive Plan: *Alternatively, the master plan may demonstrate that this area will provide capacity for a minimum of 1,000 housing units,*

including at least 11% single family attached housing and at least 41% multifamily and duplex/triplex housing types.

A total of 1,710 housing units are proposed. Of the total proposed units, 359 units are single-family attached townhomes, 701 units are multi-family, duplex or triplex, and 650 units are single-family detached. As shown, the unit requirements of Policy 11-86 are met.

Table 2: Stevens Ranch Housing Mix

Unit Type	Proposed	Required (per BCP 11-86)
Single-family attached (townhomes)	21% (359 units)	11% (Met)
Multifamily, duplex and triplex	41% (701 units)	41% (Met)
Single-family detached	38% (650 units)	No more than 48% (Met)
Total	100% (1,710 units)	

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

FINDING: A special plan district for Stevens Ranch Master Plan, to be codified in BDC Chapter 2.7, establishes 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 Stevens Ranch Master Planned Development in BDC Chapter 2.7 is included as Attachment E to this report.

Chapter 2.1 - Residential Districts

Stevens Ranch Master Plan includes approximately 236.8 acres of residential uses comprising approximately 182.8 acres of RS, approximately 25.6 acres of RM, and approximately 28.4 acres of RH. Higher density RH zones will be located near SE 27th Street and transition to lower density RM and RS zones. The RH zoned lands will be

located along SE 27th Street and likely be developed with multifamily multistory buildings, such as apartments and Live/Work Townhomes. The RM zoned lands will transition east from the RH zoned lands, with a 4-acre area along SE 27th Street, and the RS zoned lands will be located near the center of the property, to the north and northeast. The RS and RM zones will permit a variety of housing types including townhomes, single-family courtyard housing, manufactured homes, cottage developments, single-family detached housing, and other types.

The proposed acreages for residential designations have been rearranged to allow the site to provide for 1,710 total housing units in compliance with the alternative language of Comprehensive Plan Policy 11-86, which requires a minimum of 1,000 housing units; as identified, at least 11% single-family attached, at least 41% multifamily/duplex/triplex, and no more than 48% single-family detached housing units are provided, which meets the requirements of BCP 11-86. This results in greater acreages of RH and RM, and less acreage of RS, which allows for a greater mix of housing unit types that can provide for greater overall density and flexibility for the site to better meet the goals of the Comprehensive Plan for increased housing.

Per Comprehensive Plan Policy 11-86, the RS designation includes 21 acres for an elementary school site and up to 35 acres of parks and public open space which may be designated Public Facilities (PF). The proposed master plan provides 10 acres for an elementary school site (sized in coordination with the Bend La-Pine School District). No acreage has been designated as PF in the Stevens Ranch master plan.

The Stevens Ranch master plan code sets forth the permitted uses and development standards for these residential districts, which closely mimic the permitted uses and standards within BDC 2.1, except as noted in the code deviations below.

Chapter 2.2 - Commercial Zoning Districts

Commercially zoned lands, CG and CL, will be located along SE 27th Street near high density multifamily residential units and consist of approximately 46 acres, including approximately 28 acres of CG and 17 acres of CL, consistent with Comprehensive Plan Policy 11-85. Commercial uses will likely include various types of retail and office uses as well as restaurants, food and beverage services that support the surrounding residential areas (see the proposed Stevens Ranch code, Exhibit 10 of the application, for permitted commercial land use types). Also permitted in the Commercial zone will be multifamily residential use, mixed-use development, and Live/Work Townhomes adding to the diversity of housing options within close proximity of employment opportunities and services.

The proposed commercial area is surrounded and well-served by higher classification streets that also provide 10-foot-wide multiuse pathways along the commercial frontages. The location of the commercial center provides a transition between the higher traffic arterial to the residential neighborhoods to the north and east. 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.

The Stevens Ranch master plan code sets forth the permitted uses and development standards for these commercial districts, which closely mimic the permitted uses and standards within BDC 2.2, except as noted in the code deviations below.

Chapter 2.4 - Industrial Zoning Districts

Stevens Ranch will include approximately 93 acres of industrial zoned lands, IG, including one 50-acre large lot industrial site (IG-LL) located along the southern border of the property adjacent to the future extension of Ferguson Road. Another 43-acre Industrial area (IG) is located along the southeastern border of the property. As shown in the proposed Stevens Ranch code, industrial land use types include a variety of industrial, commercial and other types of uses in the IG zone. Commercial permitted in the Stevens Ranch IG zone are the same or similar to those uses permitted by the City in the Industrial Zoning Districts (Chapter 2.4), which are intended to ensure compatibility between industrial uses and nearby commercial areas.

The large 50-acre industrial site (IG-LL overlay) is anticipated to serve a single large-lot industrial tenant. The proposed 50-acre large lot site will provide a unique opportunity to adequately meet these needs in the Central Oregon market, where there is a deficiency in large lot industrial sites that can cater to more modern industrial uses and site needs.

The IG industrial area is anticipated to serve flex office/industrial production areas similar to those emerging in the southeast and westside of Bend. In addition to the proposed elementary school site in the adjacent RS zone, Bend La Pine School District has indicated an interest in a small, 2-5 acre parcel in the IG area for a trade-type high school. The Stevens Ranch master plan code sets forth the permitted uses and development standards for the IG district, which closely mimic the permitted uses and standards within BDC 2.4, except as noted in the code deviations below. The large-lot industrial site permitted uses and standards mimic the model code for the Regional Large Lot Industrial Program.

Chapter 2.8 - Urbanizable Area (UA)

All of the DSL Expansion Area is currently zoned UA. Subsequent to Planning Commission review of the Petrosa Master Plan, it is anticipated that City Council will review the Annexation Application and concurrent with the Major Community Master Plan Application. Upon approval of the Annexation and Major Community Master Plan, the Stevens Ranch Master Plan property would be automatically re-zoned as shown on the Proposed Comprehensive Plan Designation Map and the Stevens Ranch Master Plan (Exhibits 8 and 7 of the application, respectively). Applicable procedures are addressed in Title 4, master planning is addressed in the findings for Chapter 4.5, and map amendments are addressed in the findings for Chapter 4.6. The applicable criteria are met.

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

As shown on the Stevens Ranch Master Plan (Exhibit 7 of the application), the applicant

has indicated proposed blocks and access and circulation to each block. As proposed, the proposed land use plan can meet the standards of BDC 3.1 during future land division review.

Chapter 3.2 – Landscaping, Street Trees, Fences and Walls

The proposed Preliminary Open Space and Trails Plan show proposed open space within the master plan. Existing trees are shown on the Existing Conditions map (Exhibit 24 of the application). Significant trees, as defined by this section, will be required to be identified with future Site Plan and/or subdivision review. Required landscaping will be addressed in future Site Plan Review for commercial and multifamily 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 code section 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-family or commercial development) or building permit review (for duplex/triplex/fourplex or single-family housing). As proposed, compliance with this section can be met with the proposed land uses and 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 21 of this application) indicate how water and sewer will be provided to the blocks within the Stevens Ranch master plan. Avion Water District has indicated that it has capacity to serve the master plan area, and the City-issued Utility Availability Memo (SWA 20-2186) indicates sewer capacity will be available for the Stevens Ranch Master Plan and the associated mitigation for sewer improvements. The applicant also discussed with City staff how stormwater will be detained within the boundaries of each phase as would be allowed under the proposed Stevens Ranch code. Finally, a Transportation Analysis Memo (PRTFR202100198) has outlined the transportation mitigation necessary for the Stevens Ranch 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, but the applicant has shown that the standards in this section can be met.

The Stevens Ranch Street Type Plan and Standards within the proposed code indicates the various street classifications within the Stevens Ranch Master Plan. Minor code deviations from a few street sections are proposed. The major arterial standards for the portions of 27th Street, Ferguson Road and Reed Market Road will require a 10-foot multi-use path on the frontage of the master plan, rather than a 6-foot sidewalk. The cross section includes a 52-foot pavement width, rather than a 56-foot pavement width, with buffered bike lanes. The unique Lava Collector cross section, with the sunken lava tube portion of the site, will include a 36-foot pavement width and 10-foot multi-use paths on

both sides. Finally, the Neighborhood Route that runs east-west through the center of the site, is similar to a collector street in terms of right-of-way width with two travel lanes, parking on both sides, and 10-foot multi-use paths on both sides.

Finally, Cascades East Transit (CET) does not currently provide service this far east, but they are currently in the initial stages of updating their Transit Master Plan. Petrosa's planned commercial center, along with higher-density housing and total housing count, will help pull transit farther into southeast Bend by providing a concentration of riders and making transit service more cost-effective. The Stevens Ranch design team met with CET, and it was determined that a future transit stop along the 27th Street commercial frontage is the most appropriate way to support future transit service to this area. No specific decisions have yet been made on transit routing, but CET is aware of the property and supports the transit concept addressed above.

Residential Code Deviations

In the residential zones (RS, RM, RH), this code contains deviations from the underlying BDC standards to create a cohesive site and architectural arrangement that provides a greater variety of housing types, styles and price points. Deviations from current BDC standards are required in order to meet anticipated demands for housing while also integrating the City's objectives for housing diversity and greater affordability. As required, these deviations support a project that provides benefits that equally or better meet the purpose of the modified regulation.

*** Residential Setbacks and Design Standards**

BDC 2.1.300(A) states the intent of residential setbacks standards is to "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." A 1-foot reduction in side setbacks (from 5 feet to 4 feet) and 2-foot reduction in front setbacks (from 10 feet to 8 feet) is proposed in all residential zones; front setbacks for garages will continue to be a minimum of 20 feet in all residential zones to provide a full parking spaces in driveways. These deviations are similar to those adopted in the Petrosa and Easton master plans. The setback reductions are mitigated by a community design that includes over 30 acres of open space providing public outdoor living space, additional building separation, and sunlight and air circulation. All residential structures in the community must also be reviewed and approved by the Stevens Ranch Architectural Review Committee (ARC) and are subject to design standards contained in the CC&Rs and Design Guidelines, as respectively shown in Exhibits 13 and 14 of the application. For these reasons, the deviations will be subject to review and approval under the private community restrictions designed to maintain a consistent aesthetic for the Stevens Ranch

residential community. These review procedures will ensure design compatibility within the community and will equally or better meet the purpose of the underlying standard.

* Residential Lot Dimensions

While a purpose for specific lot dimension standards is not identified in BDC 2.1.500, they are generally understood to ensure adequate space is provided for the type of residential use and structure that is appropriate to scale and character of the surrounding neighborhood. The minimum lot area in the RS zone for single-family detached and multifamily housing units is proposed to be reduced to 2,800 square feet (from 4,000 square feet) in order to provide additional types of housing product at varying price points. Additionally, the minimum lot area in the RS zone for triplex housing units is proposed to be reduced to 6,000 square feet (from 9,000 square feet) to allow greater flexibility in lot layouts and increased utilization of triplex units throughout Stevens Ranch.

The minimum lot area in the RM and RH zone for single-family attached housing units (townhomes) is proposed to be reduced to 1,000 square feet (from 1,600 square feet for RM and 1,200 square feet for RH) in order to provide increased density and availability of single-family attached homes in Stevens Ranch. Townhomes also provide a more affordable single-family housing option and alternative to single-family detached housing.

While BDC 2.1.500 does not provide an explicit purpose for dimensional standards, BDC 2.1.100 includes more general guiding principles of the residential districts, including accommodating a range of housing needs, including owner-occupied and rental housing. The Stevens Ranch master plan integrates a greater variety of housing types, including smaller lot areas for detached and attached products. The CC&Rs and Design Guidelines, which will be enforced through the required ARC approval for all residential structures, will ensure appropriate building placement and adequate provision of light and compatibility of scale within the community. Therefore, these deviations will equally or better meet the purpose the underlying standard, while also providing for increased diversity in provided housing.

* Lot coverage

While a purpose for lot coverage standards is not identified in BDC 2.1.700, they are generally understood to ensure adequate space remains for greenspace and impervious surfaces, while also working in tandem with lot dimension standards to ensure adequate space is provided between structures that is appropriate to the scale and character of the surrounding neighborhood. The maximum lot coverage in the RS and RM zones for all single-family detached housing types, as well as duplexes and triplexes, is proposed to be increased to 60% in order to provide for increased utilization of a variety of housing types in Stevens Ranch in these zones. Additionally, the maximum lot coverage in the RS and RM zones for single-family attached (townhome) units, and multifamily structures, is proposed to be eliminated. As mentioned, townhomes, as well as duplexes and triplexes, and apartment units provide a more affordable housing alternative to single-family detached housing units, which will increase the variety and mix of housing provided by Stevens Ranch and also provide greater rental options. These deviations will also allow

Stevens Ranch to meet higher minimum densities that are proposed in the residential zones..

As with residential lot dimension standards, an explicit purpose for lot coverage maximums is not provided in BDC 2.1.700, but this deviation will meet the more general guiding principles of the residential districts contained in BDC 2.1.100 by accommodating a greater variety of housing in Stevens Ranch. Therefore, this deviation will equally or better meet the purpose the underlying standard, while also providing for increased diversity in provided housing.

* Residential Building height

BDC 2.1.800 states the intent of the building height standard is to “promote land use compatibility and support the principle of neighborhood-scaled design.” A 5-foot height increase for buildings in the RS (from 30 feet to 35 feet) is proposed to allow for utilization of a greater variety of housing types and plans, including more flexibility for single-family attached (townhome) products. Additionally, a 10-foot height increase for buildings in the RM (from 35 feet to 45 feet) and RH zone (from 45 feet to 55 feet) is proposed to allow flexibility to incorporate architectural features (i.e., pitched roofs, gables, roof offsets, etc.) that are more compatible with surrounding single-family homes and help establish a more cohesive community identity. This deviation will allow maximum three (RM) and four (RH) story buildings to utilize non-flat roofs in their design and incorporate the aforementioned architectural details while not sacrificing an entire floor (and additional housing units) to incorporate these details. Therefore, the deviation will equally or better meet the purpose of the underlying standard by promoting compatibility between buildings in the RM and RH zones and surrounding single-family housing.

Commercial Code Deviations

Specific uses currently not permitted within the BDC commercial zoning districts, but proposed in the Stevens Ranch commercial zones include the following:

Multifamily residential (5 or more units): Permitted as an outright use in both the commercial zones, subject to net acreage limitations.

Live/Work Townhomes: Permitted as an outright use in both the commercial zones.

RV Park: Permitted as a conditional use in both commercial zones.

Multifamily and live/work townhomes in the commercial district are consistent with characteristics of the commercial zone described above in that they function similar to and have impacts similar to neighborhood commercial uses. To ensure sufficient commercial lands remain available for commercial uses, the applicant has limited any stand-alone multifamily development to no more than 50% of the net acreage in the commercial zones, and only interior to these zones and not fronting public streets. The RV park adds another option to the travel trailer or campground use that is currently permitted as a conditional

use in the Commercial zones, expanding options for hosting tourist commercial uses, recreational, sporting events and accommodating visitors to the area.

Industrial Code Deviations

Uses not currently permitted within the IG zone per BDC Table 2.4.300, but proposed in the Stevens Ranch master plan, include the following:

Small-scale personal and professional services within a freestanding or multi-tenant building, up to 10,000 square feet of gross floor area (e.g., coffee shop/deli, dry cleaners, barber shops and salons, copy centers, banks, financial institutions, and similar uses): A permitted use in the IG area, and an increase from 2,500 square feet of gross floor area to 10,000 square feet of gross floor area.

Retail fuel outlet; electric vehicle charging outlet: A permitted use in the IG area.

Travel trailer/RV Park or campground when in conjunction with a permitted or conditional use: A permitted use in the IG area.

The breadth of uses allowed in the IG area is intended to provide an opportunity for employment-based industrial uses to promote economical, sustainable, and reasonable growth during the master planning period. The large lot industrial area has restricted uses and will be preserved for a large lot industrial user. According to the market analysis prepared by Johnson Economics, included as Exhibit 11 of the application, the large lot industrial area may not develop during the master planning period. For these reasons, it is important to provide allowable uses in the IG area which will promote a variety of employment opportunities. The small-scale personal and professional services use within a freestanding or multi-tenant building up to 10,000 square feet of gross floor area, as well as the retail fuel outlet and electric vehicle charging outlet uses, will provide greater opportunities to locate business and employee services in closer proximity to the allowed industrial uses they will directly serve, including future users of the large lot industrial area. These specific uses were included in the Juniper Ridge Employment Sub-District to accomplish the same purpose of providing a variety of employment opportunities and reasonable opportunities for industrial growth.

Similarly, the travel trailer/RV park or campground use, when in conjunction with a permitted or conditional use, will coordinate with and be similar to allowed uses such as recreational facilities and small scale, campus style industrial uses. This use is also included to provide for a mixture of uses to meet market demands and provide a synergy of uses with smaller industrial users, open space, parks, and trails. Allowing for a greater variety of business and employee service uses assists in attracting a variety of potential industrial users and furthers the City's identified goal of diversifying its industrial base. Business and employee service uses in closer proximity to the industrial users they serve also limits the length of travel necessary for employees and businesses to patronize these services, in turn minimizing the dependency on automobiles for local trips and increasing

the number of people walking and riding a bike instead; this is also consistent with the goal of the Stevens Ranch Master Plan to provide a complete community that accommodates a variety of accessible and convenient employment opportunities and essential services.

The large-lot industrial site permitted uses and standards mimic the model code for the Regional Large Lot Industrial Program, that was also adopted by the City of Redmond. This model code for the IG-LL overlay will supersede the underlying IG permitted uses and development standards.

Street Section Deviations

The Stevens Ranch Street Type Plan and Standards within the proposed code indicates the various street classifications within the Stevens Ranch Master Plan. Minor code deviations from a few street sections are proposed. The major arterial standards for the portions of 27th Street, Ferguson Road and Reed Market Road will require a 10-foot multi-use path on the frontage of the master plan, rather than a 6-foot sidewalk. The cross section includes a 52-foot pavement width, rather than a 56-foot pavement width, with buffered bike lanes. The unique Lava Collector cross section, with the sunken lava tube portion of the site, will include a 36-foot pavement width and 10-foot multi-use paths on both sides. Finally, the Neighborhood Route that runs east-west through the center of the site, is similar to a collector street in terms of right-of-way width with two travel lanes, parking on both sides, and 10-foot multi-use paths on both sides.

- 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 Stevens Ranch 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 12, 2021 before submitting the application to the City (see Exhibit 9 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 within 500 feet of the subject property were notified via mail and five public hearing notice signs were posted around the edges of the subject property.

Conformance with Goal 1 is further achieved through compliance with Title 4 of the Bend Development Code, Applications and Review Procedures. Section 4.6.300 of the Development Code establishes 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 will precede 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 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 11-83 to 11-92. The proposed community master plan and its associated text and map amendments 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: The site contains a bat habitat that per Bend Comprehensive Plan Policy 11-91 must be mapped and potentially added to the City's Goal 5 inventory as stated below:

11-91 Bat habitat shall be mapped and potentially added to the City of Bend's Goal 5 inventory. And Environmental, Social, Economic and Energy (ESEE) analysis shall be conducted to determine the significance of the resource and a management plan shall be provided as appropriate to protect the resource.

Exhibit 5 of the application is a Goal 5 ESEE analysis report for the subject property prepared by a professional wildlife biologist at PBS, an engineering and environmental firm. The purpose of the report was to provide an inventory of Goal 5 resources on the 375.4-acre property and complete a significance determination of those resources in accordance with applicable provisions of OAR Chapter 660, Division 023 and comply with BCP Policy 11-91. The objectives of the study included the following:

- Inventory of existing natural resources within the study area and determine whether they are significant;
- Determine impact areas associated with each significant natural resource;
- Identify potential conflicting uses;
- Conduct an ESEE consequence analysis that considers the impact of a decision to fully protect, fully allow, or limit the conflicting uses within an impact area; and
- Identify mitigation measures, as appropriate, to protect significant natural resources.

The report made the following findings on significant wildlife habitat on the property:

Based on the available data and information, Garbage Cave No. 2² and Davenport Cave are considered significant wildlife habitat with respect to Goal 5 (Table 2). Bats have been documented in each of these caves on more than one occasion, whereas, no use by bats has been documented in five other SRT caves and only one Townsend's big-eared bat has been observed in Williams Cave during multiple visits (Table 2). In general, the finding of "significance" for even these two caves is marginal as no bats have been observed in the caves since 2015 and all the SRT caves appear to provide marginally suitable habitat.

The report also conducted an ESEE analysis that identified positive and negative economic, social, environmental, and energy consequences resulting from a decision to allow, limit, or prohibit conflicting uses in the area of the two significant caves. The report's conclusions and recommendations are provided below:

² On the submitted Master Pln, the applicant renamed "Garbage Cave No. 2" to "Preservation Cave."
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Conclusions

The relative consequences of each option must be weighed and balanced to determine a preferred or recommended option. Prohibiting conflicting uses does protect the natural habitat of the bats in the significant caves, as well as preserving some of the natural aesthetics of the caves and their social connections to nature through the informal trail system that now exists. However, prohibiting any conflicting uses would reduce already limited residential development opportunities, increasing housing costs and housing and utility provision efficiencies, both of which have negative economic, social, and energy consequences. The net negative consequences of this alternative make it less attractive.

Allowing all conflicting uses has a mixed bag of consequences as well. Most dramatic are the negative environmental consequences of this option, which would eliminate the significant caves, and thus eliminate the bat habitat. There are positive social and energy consequences of this option, but the most compelling positive consequences are economic. The provision of residential land for needed housing and commercial and industrial land for businesses are compelling economic benefits of allowing all conflicting uses.

On balance, the ESEE consequences analysis supports limiting conflicting uses at the significant caves and their buffer areas. It is the determination of this analysis that both the significant caves and the conflicting uses are important and necessary. Limiting protection preserves positive consequences from both the "full protection" and "no local protection" options. By allowing parks, open space, and trails to be formally designated and developed around the significant caves, this serves to completely preserve the two caves, thus preserving the habitat of the bats, while allowing for development of the remainder of the SRT in accordance with the City of Bend's Comprehensive Plan.

Recommendation: *For the acreage upon which the two significant caves and their 50-foot buffers exist, it is recommended to develop as a combination of parks, open space, and trails. Public parks are a conditional use in the industrial zoning districts. Parks and open space are permitted uses in the commercial zoning districts. Neighborhood parks are permitted uses in the residential zoning districts, while community and regional parks are allowed conditionally. Whether allowed outright or conditionally, the site must be developed with a master plan, so there will be jurisdictional reviews and oversight of the parks, open spaces, and trails which will encompass the caves, thus ensuring appropriate preservation measures take place.*

Reduction in Buildable Lands Inventory: Per OAR 660-023-0070, protection of the significant wildlife habitat (Figure 4) would reduce the area of buildable land by 0.56 acres.

As depicted on the Stevens Ranch Master Plan (Exhibit 7), the Garbage Cave No. 2 (renamed Preservation Cave) and Davenport Cave each have a 50-foot buffer around them and are incorporated into an open space or park area, which is consistent with the PBS ESEE recommendation to ensure preservation of the two significant caves and bat habitat. The interior of these caves will not be accessible to the public to preserve the bat habitat potential. The applicant is currently working with BPRD to develop some or all of this area as a public park once the DEQ regulated remediation process for waste removal in the area is complete, which is permitted under DEQ ECSI #4295 and 4296.

When the State accepted ownership of the Stevens Road parcel in 1997 from the Bureau of Land Management, it agreed that should the cave resources pass to a successor in ownership, the State would continue to monitor the cave resources on the parcel. Exhibit 19 of the application is a November 19, 2020 letter from Bill Ryan, Deputy Director of the Department of State Lands (DSL). The letter indicates its review of the PBS ESEE Analysis, support of incorporating the ESEE recommendations into the Stevens Ranch master plan, and that it will continue to track the master planning process. City staff has also been in contact with DSL throughout the master plan review process. The applicant will continue to work with DSL on cave management plans as the property is developed in phases over the life of the master plan.

The Bureau of Land Management (BLM) submitted a letter to DSL during the master plan review, which has been uploaded to the project file. The letter acknowledges that "The patent for the Stevens Tract did not give specific guidance or direction regarding the caves. Instead it stated *"Cave resources, as generally depicted on Exhibit A, attached hereto, shall be secured, and conserved in a manner consistent with a management plan designed to maintain, to the extent practical, the significant biological, geologic, recreational and educational resource values present."* This should allow the current landowner a degree of flexibility in managing the cave resources per the Federal Caves Resources Protection Act of 1988 and 1997 Patent." The 2020 ESEE Report, which has been reviewed and accepted by DSL, is the effective means for cave protection and management moving forward.

BLM reviewed five identified caves on the site for biota, cultural, hydrological, recreation and/or educational/scientific significance. These caves include the Stevens Road Cave, Garbage Cave 1, Garbage Cave 2, Three Vulture Cave and Williams Cave; the other three caves analyzed in the ESEE report (Braille Cave, Three Pines Cave and Davenport Cave) were not identified by BLM. None of the caves were identified by BLM as significant per biota, cultural or hydrological criteria. If cultural material is discovered, DSL has developed an Inadvertent Discovery Plan which has been provided to the applicant. Three caves, Garbage Cave No. 1 and No. 2 and the Stevens Road cave, were identified as significant per geologic, mineralogic or paleontologic criteria due to glazing on the

ceiling and walls. All of the caves were identified as significant for recreation and education/scientific purposes.

As noted above, the geologic resources, as well as the bat habitat potential, will be preserved with the 50-foot buffer of Garbage Cave No. 2 (renamed Preservation Cave) and Davenport Cave, which will prohibit access to the caves. The interior of these two caves will not be accessible to the public to preserve the bat habitat potential. Stevens Cave just south of Stevens Road and Three Pines Cave (also known as Miller Cave) just north of the proposed Wilderness Way extension in the center of the site will be open to the public within open space tracts managed by the Stevens Ranch Homeowner's Association. The remainder of the caves will be preserved as geologic, mineralogic or paleontologic cave resources; public access will be restricted to these caves for safety purposes but will allow use of the caves as potential wildlife habitat. Bat gates are planned for installation and will be installed in a manner that will minimize disruption to the cave entry. The gates offer the best means to restrict human access to the non-publicly accessible caves, which is critical to avoid potential risks to humans who might otherwise attempt to access the caves.

The homeowners association (HOA) will be responsible for the management oversight of the caves. It is anticipated that the HOA will provide periodic review and assessments of the condition of the bat gates to ensure that they are in proper condition to restrict access and, if necessary, will make any necessary repairs. DSL will review and provide input on the HOA CC&Rs that specify the management and maintenance requirements for the caves.

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 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. Like all of Bend, the subject property is located in a wildfire hazard area. With respect to implementation, the Council finds that the proposed Growth Management Chapter (New Chapter 11) of the Comprehensive Plan includes policy language focused on mitigating the risk of wildfire. This new chapter includes the following Policy 11-5:

The City will adopt strategies to reduce wildfire hazard on lands inside the City and included in the Urban Growth Boundary. These strategies may include the application of the International Wildland-Urban Interface Code or equivalent with modifications to allow buffers of aggregated defensible space, or similar tools, as appropriate.

The City received a significant amount of public testimony during the 2016 UGB expansion process on the topic of wildfire, some of which focused on the risk of wildfire in the areas to the west of Bend. This testimony included, but was not limited to, Dewey (Rem Rec 3689, 3694), and Vora (Rem Rec 4038). While the record includes evidence and testimony that wildfire risk is high in the areas west of Bend, the City acknowledges that there is also evidence in the record that shows the risk of wildfire is high all around the City in all four directions (Rem Rec 3946, 3953). The City relied on a wildfire consultant to inform the City’s work and approach to wildfire in the boundary location analysis (Rem Rec 3946). The City chose to rely on this evidence and the work of the wildfire consultant to ensure the risk of wildfire could be considered in the evaluation of all UGB expansion subareas.

Based on the foregoing, the Council finds that 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 Stevens Ranch Master Plan require up to 35 acres of parks and public open space (Policy 11-86), coordination with Bend Park and Recreation district (Policy 11-89), and the provision of trails along canal easements and other open space when feasible (Policy 11-92). As shown on Stevens Ranch Master Plan and the Parks and Open Space exhibits (Exhibits 7 and 12 of the application), the master plan includes at least 10% open space, including two parks, a community center for residents, a network of trails and multi-use paths through the property and COID canal, and connecting to BPRD's planned trail systems outside of the subject property.

Per Policy 11-89, 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 parks, trails, and open space within the Master Plan. Exhibit 20 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.

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 Stevens Ranch describe the community as "a new complete community that accommodates a diverse mix of housing and employment uses, including the potential for a large-lot industrial site" (Policy 11-84). The policies specify that the master plan contain 46 gross acres of commercial plan designations and 93 gross acres of industrial plan designation, including one large-lot 50-acre industrial site (Policies 11-85 and 11-87).

As shown on the Stevens Ranch Master plan, approximately 46 acres are designated commercial (CG and CL) and 93 acres of Industrial (IG), including one large-lot 50-acre industrial site. 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 Stevens Ranch and the City of Bend.

As identified in the Central Oregon Large Lot Industrial Land Need Analysis (2012), there is a growing demand for large lot industrial sites that can accommodate more modern and

efficient industrial uses. Industrial employment is a primary source of middle-waged jobs, which have been shrinking regionally and nationally since 1980. Larger industrial sites that can provide for on-site inventory and trailer storage that are sought by users for warehousing and distribution centers are increasingly in-need as e-commerce use has expanded in the last year as a result of Covid-19. These large sites require adequate numbers of trailer parking stalls and truck queuing areas to avoid conflict with auto traffic and promote safer operations. The proposed 50-acre large lot site will provide a unique opportunity to adequately meet these needs in the Central Oregon market, where there is a deficiency in large lot industrial sites that can cater to more modern industrial uses and site needs.

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 and commercial uses as stated in applicable Policies 11-84 – 11-86:

***11-84** The overall planning concept for the DSL property as identified in Figure 11-4 is for a new complete community that accommodates a diverse mix of housing and employment uses, including the potential for a large-lot industrial site.*

***11-85** This area shall provide for a mix of residential and commercial uses, including 163 gross acres of residential plan designations, 60 gross acres of residential and/or public facility plan designations, 46 gross acres of commercial plan designations, and 93 gross acres of industrial plan designations, including one large-lot industrial site. (Gross acreages exclude existing right of way.)*

***11-86** In order to provide sufficient housing capacity and mix, the residential plan designations shall include 196 gross acres of RS, 9 gross acres of RM, and 19 gross acres of RH. Acreages exclude existing right of way. The acreage of RS includes roughly 21 acres for an elementary school site and up to 35 acres of parks and public open space, which may be designated PF if land has been acquired by the school or park district at the time of the master plan. Alternatively, the master plan may demonstrate that this area will provide capacity for a minimum of 1,000 housing units, including at least 11% single family attached housing and at least 41% multifamily and duplex/triplex housing types.*

Stevens Ranch Master Plan will provide a total of 1,710 residential units, including 359 single-family attached units (townhomes), 701 multifamily, duplex and triplex units, and 650 single-family detached units. The Master Plan reconfigures plan designations while maintaining the applicable gross areas, intensities, unit count, and housing mix contemplated in the alternative option above in Policy 11-86 and BCP Policies 11-66 – 11-86.

Table 18 of the City's Housing Needs Analysis (shown below) indicate the needed types of housing units in the City of Bend. The Stevens Ranch Master Plan provides 1,710 housing units with approximately 21% as townhomes (single-family attached) and 41% as duplex, triplex or multi-family units, with the remaining units (38%) as single-family detached units. This meets the needed housing mix shown in Table 18 of the Housing Needs Analysis. Therefore, Goal 10 is satisfied.

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

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 Stevens Ranch Master Plan as they are built out over the next decade and beyond, as outlined in the Utility Availability Memo (SWA 20-2186, Exhibit 16 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 Stevens Ranch Utility Plan (Exhibit 21 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 (PLANX20210637), 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 Type III Stevens Ranch Major Community Master Plan
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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 18 of the application is *Stevens Ranch Master Plan, Transportation Element* dated January 2021. 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 Stevens Ranch 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 (PLANX20210637), therefore, 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.

Stevens Ranch Master Plan will accommodate a diverse mix of housing and employment uses within walking distance of schools, parks, and commercial services reducing reliance on the automobile, by making walking, bicycling and using transit more possible with shorter trips. The master plan design also provides for connectivity between existing neighborhoods in the UGB and potential UGB expansion to the east. 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 ("DSL Property") 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 amendment 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*)

- 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 Stevens Ranch ("DSL Property") is one of the nine designated expansion areas illustrated in Figure 11-4 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 11-4). These areas are also subject to policies in this Chapter regarding urbanization and annexation.

Policies 11-83 to 11-92 are specifically applicable to the Stevens Ranch ("DSL Property") expansion area:

- 11-83 Master planning is required for this area. The master plan must be consistent with both master plan standards in the development code and policies 11-66 through 11-74,³ below.**

³ At the time of this application, BCP Policy 11-83 was not updated to reflect the revised policy numbers of 11-84 – 11-92, and reflects the prior policy numbers, 11-66 – 11-74. Subsequent to this application submittal, these policy numbers have been updated.

FINDING: The applicant submitted a Community Master Plan for the Stevens Ranch property. The Master Plan standards of Chapter 4.5 are addressed in prior findings and are incorporated herein and Policies 11-85 through 11-92 are addressed below. Based on the evidence in the record, the applicant believes the proposed Stevens Ranch Master Plan is consistent with both master plan standards in the development code and policies 11-84 through 11-92.

11-84 The overall planning concept for the DSL property as identified in Figure 11-4 is for a new complete community that accommodates a diverse mix of housing and employment uses, including the potential for a large-lot industrial site.

FINDING: Bend Comprehensive Plan, Chapter 11, describes “Complete Communities” as:

Complete Communities
Key Ingredients

Complete communities have varied housing options and many of the essential services and amenities needed for daily living, including quality public schools, parks and open spaces, shops and services, all within a convenient walking or biking distance. Complete communities should also have convenient access to public transportation and employment areas.

As shown on the Master Plan, Exhibit 7 of the application, Stevens Ranch will be a complete community accommodating a variety of housing options, including multifamily, townhomes, cluster and cottage development, and detached single-family homes, supported by essential services, that consist of commercial and industrial employment opportunities, and various amenities such as an elementary school, parks and trail systems, and open space throughout; all within convenient access by walking and biking, as well as access to public transportation.

11-85 This area shall provide for a mix of residential and commercial uses, including 163 gross acres of residential plan designations, 60 gross acres of residential and/or public facility plan designations, 46 gross acres of commercial plan designations, and 93 gross acres of industrial plan designations, including one large-lot industrial site. (Gross acreages exclude existing right of way.)

FINDING: As shown on the master plan (Exhibit 7 of the application), Stevens Ranch Master Plan provides for a mix of residential, commercial, and industrial uses. Table 3 below compares the current plan designations for residential, commercial, and industrial uses with Stevens Ranch Plan designations.

**Table 3: Comparing Comprehensive Plan Area Policies with
Stevens Ranch Master Plan Proposal**

Zone	Comp. Plan Policies 11-85 to 11-87/Total Area of Plan Designations Gross Acres	Stevens Ranch Master Plan – Total Area of Plan Designations Gross Acres
Residential (Total)	223 (163 residential + 60 residential or public facility)	236.8
RS*	196	182.8
RM	9	25.6
RH	19	28.4
Commercial (Total)	46	45.9
CG		28.5
CL		17.4
Industrial (Total)	93	92.7
IG – Large Lot (IG-LL)	50	50.5
IG (IG)		42.2

* Per Comp. Plan Policy 11-86, the RS designation includes 21 acres for an elementary school site and up to 35 acres of parks and public open space which may be designated PF.

The master plan consists of a mix of residential and commercial uses as described below and industrial plan designations, including one 50-acre large lot industrial site.

Residential: Stevens Ranch Master Plan includes approximately 236.8 acres of residential uses comprising of approximately 182.8 acres of RS, approximately 25.6 acres of RM, and approximately 28.4 acres of RH. Higher density RH zones will be located near SE 27th Street and transition to lower density RM and RS zones. The RH zoned lands will be located along SE 27th Street and likely be developed with multifamily multistory buildings, such as apartments and Live/Work Townhomes. The RM zoned lands will transition east from the RH zoned lands, with a 4-acre area along SE 27th Street, and the RS zoned lands will be located near the center of the property, to the north and northeast. The RS and RM zones will permit a variety of housing types including townhomes, single-family courtyard housing, manufactured homes, cottage developments, single-family

detached housing, and others (see the proposed Stevens Ranch code for permitted residential land use types in each zone). A 10-acre elementary school site is planned along the eastern boundary between the RS zoned and Industrial zoned lands located near roadways and parks.

Commercial: Commercially zoned lands, CG and CL, will be located along SE 27th Street near high density multifamily residential units and consist of approximately 46 acres, including approximately 28 acres of CG and 17 acres of CL. Commercial uses will likely include various types of retail and office uses as well as restaurants, food and beverage services that support the surrounding residential areas (see the proposed Stevens Ranch code for permitted commercial land use types). Also permitted in the Commercial zone will be multifamily residential use, mixed-use development, and Live/Work Townhomes adding to the diversity of housing options within close proximity of employment opportunities and services.

Industrial: Stevens Ranch will include approximately 93 acres of industrial zoned lands, IG, including one 50-acre large lot industrial site (IG-LL) located along the southern border of the property adjacent to the future extension of Ferguson Road. Another 43-acre Industrial area (IG) is located along the southeastern border of the property. As shown in the proposed Stevens Ranch code, industrial land use types include a variety of industrial, commercial and other types of uses.

The large 50-acre industrial site is anticipated to serve a single large-lot industrial tenant, similar to the Prineville data center. Additionally, as identified in the Central Oregon Large Lot Industrial Land Need Analysis (2012), there is a growing demand for large lot industrial sites that can accommodate more modern and efficient industrial uses. Industrial employment is a primary source of middle-waged jobs, which have been shrinking regionally and nationally since 1980. Larger industrial sites that can provide for on-site inventory and trailer storage that are sought by users for warehousing and distribution centers are increasingly in-need as e-commerce use has expanded in the last year as a result of Covid-19. These large sites require adequate numbers of trailer parking stalls and truck queuing areas to avoid conflict with auto traffic and promote safer operations. The proposed 50-acre large lot site will provide a unique opportunity to adequately meet these needs in the Central Oregon market, where there is a deficiency in large lot industrial sites that can cater to more modern industrial uses and site needs.

The IG industrial area is anticipated to serve flex office/industrial production areas similar to those emerging in the southeast and westside of Bend. In addition to the proposed elementary school site in the adjacent RS zone, Bend La Pine School District has indicated an interest in a small, 2-5 acre parcel in the IG area for a trade-type high school.

11-86 In order to provide sufficient housing capacity and mix, the residential plan designations shall include 196 gross acres of RS, 9 gross acres of RM, and 19 gross acres of RH. Acreages exclude existing right of way. The acreage of RS includes roughly 21 acres for an elementary school

site and up to 35 acres of parks and public open space, which may be designated PF if land has been acquired by the school or park district at the time of the master plan. Alternatively, the master plan may demonstrate that this area will provide capacity for a minimum of 1,000 housing units, including at least 11% single family attached housing and at least 41% multifamily and duplex/triplex housing types.

FINDING: As shown in the Stevens Ranch Master Plan, Exhibit 7 of the application, the Stevens Master plan meets or exceeds the total area of plan designations on the site described in Policy 11-86, utilizing the alternative provisions prescribing minimum housing units and types.

Table 2 below demonstrates the proposed master plan provides the housing count and mix specified in Policy 11-86 of the Comprehensive Plan: *Alternatively, the master plan may demonstrate that this area will provide capacity for a minimum of 1,000 housing units, including at least 11% single family attached housing and at least 41% multifamily and duplex/triplex housing types.*

A total of 1,710 housing units are proposed. Of the total proposed units, 359 units are single-family attached townhomes, 701 units are multi-family, duplex or triplex, and 650 units are single-family detached. As shown, the unit requirements of Policy 11-86 are met.

Table 2: Stevens Ranch Housing Mix

Unit Type	Proposed	Required (per BCP 11-86)
Single-family attached (townhomes)	21% (359 units)	11% (Met)
Multifamily, duplex and triplex	41% (701 units)	41% (Met)
Single-family detached	38% (650 units)	No more than 48% (Met)
Total	100% (1,710 units)	

The mix of housing types are distributed among the zoning designations as shown in Table 4 below.

Table 4: Planned Housing Mix by Zone

Zone	Detached Units	Townhomes	Duplex	Triplex	Multi	TOTAL
RS	650	0	44	26	0	720
RM	0	359	0	0	0	359
RH	0	0	0	0	486	486
CG	0	0	0	0	145	145
CL	0	0	0	0	0	0
Total Planned Housing Units All Zones						1,710

11-87 Subsequent planning for this area shall address preservation of at least 50 acres for a large lot industrial site in compliance with the policies in Chapter 6.

FINDING: The Master Plan includes the preservation of a 50-acre large lot industrial site located along the southern border adjacent to County public facilities and the future extension of Ferguson Road, a proposed arterial. The Industrial Development Policies of Chapter 6 of the Comprehensive Plan are set forth below followed by proposed findings demonstrating compliance.

Industrial Development Policies of the Comprehensive Plan

6-14 *Large-lot industrial sites, those sites 50 or more acres in size, are important to the overall inventory of available economic land. Any sites included in the UGB to meet this special site need will be protected with specific plan and/or code provisions.*

FINDING: Stevens Ranch Master Plan includes one 50-acre large-lot industrial site. The large-lot industrial site will be protected for at least 10 years for acquisition and development by a single, large lot industrial user by code provisions contained in the Stevens Ranch Master Plan Development code. This proposed code for the Industrial zone-Large Lot Overlay in Stevens Ranch is consistent with the Central Oregon .

6-15 *The City supports the redevelopment of brownfield sites to make efficient use of existing economic lands and improve the quality of the City's land and water resources.*

FINDING: This criterion is not applicable as the subject property is not a brownfield site.

6-16 *The Juniper Ridge District inside the Bend UGB will be used to help meet the long-term need for future industrial and employment development.*

6-17 *At least 30% of the total net buildable area of the portion of Juniper Ridge District inside the UGB should be reserved for sites of ten acres and larger in size.*

FINDING: These criteria are not applicable because the property is not part of the Juniper Ridge District.

6-18 *The City will work to preserve prime industrial lands for industrial purposes and protect them from incompatible commercial and residential uses.*

FINDING: Stevens Ranch Master Plan includes approximately 93 acres of Industrial zoned land. The industrial zoned land will be protected from incompatible commercial and

residential uses through site selection along the southern and south-eastern property boundaries that abut existing County public facilities, vacant public land to the east, and buffering by existing or future roadways within or along the boundaries of the property, such as SE 27th Street, the extension of Ferguson Road, and a proposed Major Collector interior local and future local road. In addition, commercial uses permitted in the Stevens Ranch Industrial zone are the same or similar to those uses permitted by the City in the Industrial Zoning Districts (Chapter 2.4), which are intended to ensure compatibility between industrial uses and nearby commercial and residential areas. The only exception are the code deviations addressed above, regarding increased floor area for small scale personal and professional services similar to the Juniper Ridge code and the allowance for a retail fuel/electric vehicle charging outlet.

6-19 *The community will attempt to diversify its industrial base.*

FINDING: Stevens Ranch Master Plan contributes to the community's industrial base by adding approximately 93 acres of industrial land (IG) to the City's industrial land base. Proposed uses in the Industrial Zone include a variety of uses that will promote a diverse set of industrial uses such as heavy manufacturing, light manufacturing, wholesale processing or warehousing sites, repair services, medical and dental laboratories, outdoor commercial uses, and others (see the proposed Stevens Ranch code).

6-20 *Existing industrial operations are encouraged to reduce waste discharge levels and improve air quality conditions.*

FINDING: This criterion does not apply as the site contains no existing industrial operations.

6-21 *Industrial developments along highways will be subject to special development standards relating to setbacks, landscaping, signs, and outside storage.*

FINDING: This criterion is not applicable as the entire site is not located along a highway.

6-22 *Wherever industrial uses abut residential uses or residential zoning, special development standards relating to setbacks, screening, signs, and building height will be established for the industrial uses.*

FINDING: As shown on the master plan, Stevens Ranch industrial zoned lands are separated from residential zoned lands by future interior road systems, including a collector and local roads. In addition, when proposed industrial development abuts a residential zone, BDC 2.4.400, Setbacks, requires 20-foot rear and side yard setbacks.

11-88 **Coordination with the Bend-La Pine School District is required in order to identify a suitable site for an elementary school within this area.**

FINDING: The applicant has coordinated with the Bend-La Pine School District to identify a suitable site for an elementary school within Stevens Ranch Master Plan. The proposed location of the elementary school will be an approximate 10-acre site located along the northeast boundary of the site as shown on the Master Plan. Exhibit 22 of the application is a coordination letter from the Bend-La Pine School District indicating their need for a school site in the area and their general support of the master plan.

11-89 Coordination with Bend Park and Recreation district is required in order to address provision of parks and/or trails within this area.

FINDING: The applicant has coordinated with the Bend Park and Recreation district to identify parks, open space and trail systems within the Master Planned community that will integrate into their trail and park plans. Proposed parks, open space and trail systems are shown on Exhibit 12 of the application. Exhibit 20 of the application is a letter from BPRD supporting the Stevens Ranch Master Plan and verifying coordination and continued collaboration to develop public trail connections and parks.

11-90 Coordination with other special districts and utility providers is required within this area.

FINDING: The applicant has coordinated with other special districts and utility providers including: Avion Water, Central Oregon Irrigation District, Cascade Natural Gas, ODOT, Deschutes County and Bend La Pine School District. See Exhibit 23 of the application for Willing to Serve letters.

11-91 Bat habitat shall be mapped and potentially added to the City of Bend's Goal 5 inventory. And Environmental, Social, Economic and Energy (ESEE) analysis shall be conducted to determine the significance of the resource and a management plan shall be provided as appropriate to protect the resource.

FINDING: Attached as Exhibit 5 is a Goal 5 ESEE analysis report for the subject property prepared by a professional biologist with PBS, an engineering and environmental firm. The purpose of the report was to provide an inventory of Goal 5 resources on the 375.4-acre property and complete a significance determination of those resources in accordance with applicable provisions of OAR Chapter 660, Division 023 and comply with BCP Policy 11-91.⁴ The objectives of the study included the following:

- Inventory of existing natural resources within the study area and determine whether they are significant;
- Determine impact areas associated with each significant natural resource;

⁴ The Bend Comprehensive Plan was revised in September 2020. As a result, the prior applicable DSL Property Policy numbers, 11-65 – 11-74, were revised to Policies 11-83 to 11-92. Some of the exhibits accompanying this application, for example the ESEE Analysis, were finalized prior to the September plan revision and therefore, reflect the original policy numbers of 11-65 – 11-74.

- Identify potential conflicting uses;
- Conduct an ESEE consequence analysis that considers the impact of a decision to fully protect, fully allow, or limit the conflicting uses within an impact area; and
- Identify mitigation measures, as appropriate, to protect significant natural resources.

The report made the following findings on significant wildlife habitat on the property:

Based on the available data and information, Garbage Cave No. 2 and Davenport Cave are considered significant wildlife habitat with respect to Goal 5 (Table 2). Bats have been documented in each of these caves on more than one occasion, whereas, no use by bats has been documented in five other SRT caves and only one Townsend's big-eared bat has been observed in Williams Cave during multiple visits (Table 2). In general, the finding of "significance" for even these two caves is marginal as no bats have been observed in the caves since 2015 and all the SRT caves appear to provide marginally suitable habitat.

The report also conducted a conflicting ESEE analysis that identified positive and negative economic, social, environmental, and energy consequences resulting from a decision to allow, limit, or prohibit conflicting uses at the 2 significant caves. The report's conclusions and recommendations are provided below:

Conclusions

The relative consequences of each option must be weighed and balanced to determine a preferred or recommended option. Prohibiting conflicting uses does protect the natural habitat of the bats in the significant caves, as well as preserving some of the natural aesthetics of the caves and their social connections to nature through the informal trail system that now exists. However, prohibiting any conflicting uses would reduce already limited residential development opportunities, increasing housing costs and housing and utility provision efficiencies, both of which have negative economic, social, and energy consequences. The net negative consequences of this alternative make it less attractive.

Allowing all conflicting uses has a mixed bag of consequences as well. Most dramatic are the negative environmental consequences of this option, which would eliminate the significant caves, and thus eliminate the bat habitat. There are positive social and energy consequences of this option, but the most compelling positive consequences are economic. The provision of residential land for needed housing and commercial and industrial land for businesses are compelling economic benefits of allowing all conflicting uses.

On balance, the ESEE consequences analysis supports limiting conflicting uses at the significant caves and their buffer areas. It is the determination of this

analysis that both the significant caves and the conflicting uses are important and necessary. Limiting protection preserves positive consequences from both the “full protection” and “no local protection” options. By allowing parks, open space, and trails to be formally designated and developed around the significant caves, this serves to completely preserve the two caves, thus preserving the habitat of the bats, while allowing for development of the remainder of the SRT in accordance with the City of Bend’s Comprehensive Plan.

Recommendation: *For the acreage upon which the two significant caves and their 50-foot buffers exist, it is recommended to develop as a combination of parks, open space, and trails. Public parks are a conditional use in the industrial zoning districts. Parks and open space are permitted uses in the commercial zoning districts. Neighborhood parks are permitted uses in the residential zoning districts, while community and regional parks are allowed conditionally. Whether allowed outright or conditionally, the site must be developed with a master plan, so there will be jurisdictional reviews and oversight of the parks, open spaces, and trails which will encompass the caves, thus ensuring appropriate preservation measures take place.*

Reduction in Buildable Lands Inventory: *Per OAR 660-023-0070, protection of the significant wildlife habitat (Figure 4) would reduce the area of buildable land by 0.56 acres.*

When the State accepted ownership of the Stevens Road parcel in 1997 from the Bureau of Land Management, it agreed that should the cave resources pass to a successor in ownership, the State would continue to monitor the cave resources on the parcel. Exhibit 19 of the application is a November 19, 2020 letter from Bill Ryan, Deputy Director of the Department of State Lands. The letter indicates its review of the PBS ESEE Analysis, support of incorporating the recommendations into the Stevens Ranch master plan, and that it will continue to track the master planning process. The applicant will continue to work with DSL on cave management plans as the property is developed in phases over the life of the master plan. The 2020 ESEE Report, which has been reviewed and accepted by DSL, is the effective means for cave protection and management moving forward.

As depicted on the Stevens Ranch Master Plan (Exhibit 7 of the application), the Garbage Cave No. 2 (renamed Preservation Cave) and Davenport Cave each have a 50-foot buffer around them and are incorporated into an open space or park area, which is consistent with the PBS ESEE recommendation to ensure preservation of the two significant caves and bat habitat. The applicant is working with BPRD to develop part of all of this area as a public park once the DEQ regulated remediation process for the waste removal is complete, as permitted under DEQ ECSI #4295 and 4296.

The homeowners association (HOA) will be responsible for the management oversight of the caves. It is anticipated that the HOA will provide periodic review and assessments of

the condition of the bat gates to ensure that they are in proper condition to restrict access and, if necessary, will make any necessary repairs. DSL will review and provide input on the HOA CC&Rs that specify the management and maintenance requirements for the caves.

11-92 Trails should be provided along canal easements and through other open space wherever feasible.

FINDING: The Parks and Open Space Exhibit (Exhibit 12 of the application) shows a trail crossing over the historic COLD canal located in the northwest corner of the property. In addition, the exhibit shows a complete multi use pathway along the east side of 27th Street from Ferguson to Reed Market, as well as a variety of connecting trail systems throughout the master planned area, including the open space areas.

4.5.200.D.3. Major Community Master Plan. (Continued)

- 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 Stevens Ranch Master Plan must be annexed into the City of Bend. An annexation application has been submitted (PLANX20210637) to be processed concurrently with this application at 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.

- 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: Stevens Ranch 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 subject property is located at the eastern edge of the City's UGB. The proposed commercial areas are located along 27th Street, which is the most economically viable location for these types of uses. At the northern boundary of the master plan, the distance from the proposed commercial area to the eastern boundary of the master plan exceeds one-half mile (approximately two-thirds of a mile). Where the express minimum distances in this standard cannot be met, it expressly allows for a finding of compliance if the intent and purpose of the standard are adequately addressed. The stated purpose is to provide close and convenient access for the residents within a master planned community to commercial goods and services by walking or biking. The Stevens Ranch Master Plan has 46 gross acres of commercially zoned land along 27th Street, a significant trail and sidewalk system providing multiple routes with a variety of sidewalks and separated use paths to access commercial goods and services.

- 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: The BDC defines "Multi-modal" to mean:

Multi-modal means a transportation system or right-of-way that plans for and provides for different transportation modes such as driving, walking, biking, and bus service.

Exhibit 18 of the application is *Stevens Ranch Master Plan Transportation Element* by traffic engineer, Joe Bessman of Transight Consulting, LLC. The report addresses Bend Development Code (BDC) 4.7.400 requirements for a Transportation Facilities Report, BDC 4.7.500 requirements for a Transportation Impact Analysis, BDC 4.7.600 requirements for an Area Plan, and Oregon Administrative Rule 660-12-0060 on Plan and Land Use Regulation Amendments and seeks to implement the City's Comprehensive Plan goals for Stevens Ranch with supportive transportation infrastructure.

The transportation report was prepared in coordination with the City of Bend, Oregon Department of Transportation, and Deschutes County. In addition, the plan was coordinated with Bend Parks and Recreation Department, the Bend La Pine School District, and Cascades East Transit.

Figure 1-15 of the submitted transportation report (which is also Exhibit 12 of the application) shows a multimodal system planned within the Stevens Ranch site that corresponds with the higher-order collector and arterial system and supports the City's identified Low Traffic Stress cycling environment and the BPRD parks and trail plans.

This figure/exhibit highlights the COID trail system through the northwest corner of the site, and internal shared use paths along the Wilderness Way alignment, the Eubanks north-south Collector, and the south side of Stevens Road. The 10-foot wide asphalt path along the east side of the entire SE 27th Street corridor will support the low-stress (Level of Traffic Stress "1") goals of the City. Additional school zone provisions will be located around the elementary school when these plans and the specific location are finalized.

As the figure shows, the pathway system will connect the future TransCanada Trail, the COID trail, the SE 27th Street frontage (linking to High Desert Middle School), and will connect the residential and commercial portions of the site as an integrated, mixed-use development.

The report explains in detail, existing and planned walking, biking, and transit connections, within Stevens Ranch Master Plan and those adjacent to the Stevens Ranch and how the master plan will continue the multimodal connections through the property.

- 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: Chapter 11 of the Bend Comprehensive Plan provides specific plan policies for the Stevens Ranch Master Plan property. Policies 11-83 – 11-92 guide the development of the Stevens Ranch Master Plan. The Bend Comprehensive Plan prescribes a different mix of housing and/or density standards in Policy 11-86. Therefore, BDC 4.5.200(E)(3)(a) and (b) do not apply. Policy 11-86 requires the following housing mix and density standards.

11-86 In order to provide sufficient housing capacity and mix, the residential plan designations shall include 196 gross acres of RS, 9 gross acres of RM, and 19 gross acres of RH. Acreages exclude existing right of way. The acreage of RS includes roughly 21 acres for an elementary school site and up to 35 acres of parks and public open space, which may be designated PF if land has been acquired by the school or park district at the time of the master plan. Alternatively, the master plan may demonstrate that this area will provide capacity for a minimum of 1,000 housing units, including at least 11% single family attached housing and at least 41% multifamily and duplex/triplex housing types

Stevens Ranch Master Plan will provide 237 acres of mix residential area and 1,710 residential units, including 359 single-family attached units (townhomes), 701 multifamily, duplex and triplex units, and 650 single-family detached units.

The Master Plan reconfigures plan designations while maintaining the applicable gross areas, intensities, unit count, and housing mix contemplated in the alternative option above in Policy 11-86.

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 the Master Plan and Parks and Open Space exhibits, Exhibit 12 of the application, Stevens Ranch Master Plan will contain approximately 11.6% of gross area as both public and private open space including two neighborhood parks, a private community center, and multi-use trail systems.

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 private Community Center in the north-central part of the master plan will be owned and maintained by the Home Owners Association. Any additional open spaces areas not transferred to BPRD will be platted as Common Area tracts or lots and will be owned and maintained by the HOA in compliance with the above criteria.

- 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: 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.

OAR 660, DIVISION 45 – MIDDLE HOUSING IN MEDIUM AND LARGE CITIES

FINDING: In response to the direction of House Bill 2001, the Department of Land Conservation and Development (DLCD) has adopted the above-cited middle housing rule to encourage the development of middle housing types (duplex, triplex, quadplex, townhomes) in middle to large cities. Under the rule, the City of Bend meets the definition of a “Large City” and is therefore subject to its applicable provisions. OAR 660-046.0020(8). The rule requires cities meeting the applicability requirements to adopt changes to their land use ordinances by June 2022. OAR 660-046.0040(4). If a local government does not adopt changes to its land use ordinances by the compliance date, the model code found in OAR 660-046-0010(4) shall apply directly. The language in this rule is consistent with the provisions of ORS 197.646 which specifically regulates the time frame within which local land use regulations must be amended to be brought into compliance with a new rule and provides for direct applicability of that rule only after the deadline for compliance has expired. ORS 197.643(3). The City of Bend has not adopted changes to its land use ordinances to implement this rule as of the date of this application. The present application is being submitted prior to the compliance date for the middle housing rule and therefore is not subject to its provisions.

PLANNING COMMISSION RECOMMENDATION: Based on the application materials submitted by the applicant, and the findings in this recommendation which are based on the applicant’s narrative addressing the relevant criteria for approval, the Planning Commission recommends that the City Council adopt an ordinance to amend Bend Development Code Chapter 2.7, Special Planned Districts, to create the Stevens Ranch Master Planned Development as proposed in Attachment A.