

ORDINANCE NO. NS - 2471

AN ORDINANCE AMENDING THE BEND COMPREHENSIVE PLAN MAP AND ZONING MAP TO REDESIGNATE, REZONE, AND RELOCATE 4.8 ACRES FROM MIXED EMPLOYMENT TO RESIDENTIAL MEDIUM DENSITY, AND A TEXT AMENDMENT TO THE BEND DEVELOPMENT CODE ARTICLE XIII, WILDFLOWER MASTER PLANNED DEVELOPMENT.

Findings:

- A. On April 12, 2022, an agent of the owner of the subject property, Wilson One LLC, submitted a Type III Quasi-judicial application for a Comprehensive Plan Map Amendment and Rezone to redesignate, rezone, and relocate 4.8 acres of Mixed Employment (ME) to Residential Medium Density (RM) encompassing Tax Lots 181203CB01000, 181203CB01100, and 181203CB01200. The application (PLCPMA20220263) was deemed complete on September 14, 2022.
- B. On April 13, 2022, an agent of the owner of the subject property, Wilson One, LLC, submitted a Type III Quasi-judicial application for a Text Amendment to the Bend Development Code Article XIII, Wildflower Master Planned Development. The Wildflower Master Planned Development area encompasses 32.7 acres. The subject property is identified as Tax Lots 181203CB01000, 181203CB01100, and 181203CB01200. The application (PLCPMA20220269) was deemed complete on September 14, 2022.
- C. On February 13, 2023, the Bend Planning Commission held a public hearing. The Planning Commission issued a recommendation that the City Council deny the application to modify the Comprehensive Plan Map, with a concurrent zone map amendment, and issued a recommendation that the City Council adopt an Ordinance to amend the Bend Development Code Article XIII, Wildflower Master Planned Development.
- D. Public notice for the City Council hearing was provided in accordance with the requirements of BDC 4.1.423 to 4.1.425. On March 15, 2023, notice was mailed by the Planning Division to all property owners of record and to the addresses based on the City's current addressing record, for properties within 500 feet of the subject site, as well as the representative for the Larkspur Neighborhood Association. On March 14, 2023, a *Notice of Proposed Development* sign was posted by the applicant along the property frontages, visible from the abutting right of way.
- E. The Bend City Council held a public hearing on April 5, 2023, to consider the Planning Commission's recommendations.
- F. The Comprehensive Plan Map Amendment and Rezone and Bend Development Code Text Amendment to Article XIII approved by this Ordinance meets all applicable Development Code criteria, policies of the Bend Comprehensive Plan, and Oregon Statewide Planning Goals.

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The Bend Comprehensive Plan Map and Zoning Map is amended to redesignate, rezone, and relocate 4.8 acres from ME to RM as shown in Exhibit A.

Section 2. The Bend Development Code Article XIII, Wildflower Master Planned Development, is amended as shown in Exhibit B.

Section 3. In addition to the findings set forth above, the City Council adopts and incorporates the findings in Exhibit C.

Section 4. If any provision, section, phrase or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

First Reading: April 5, 2023

Second reading and adoption by roll call vote: April 19, 2023

YES: Mayor Melanie Kebler
Councilor Barb Campbell
Councilor Anthony Broadman
Councilor Megan Perkins
Councilor Ariel Méndez
Councilor Megan Norris
Councilor Mike Riley

NO: none



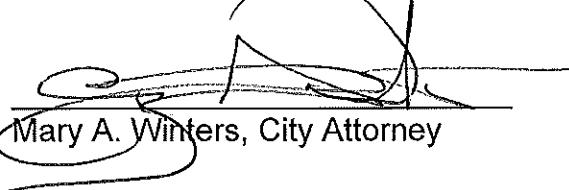
Melanie Kebler, Mayor

Attest:



Robyn Christie, City Recorder

Approved as to form:



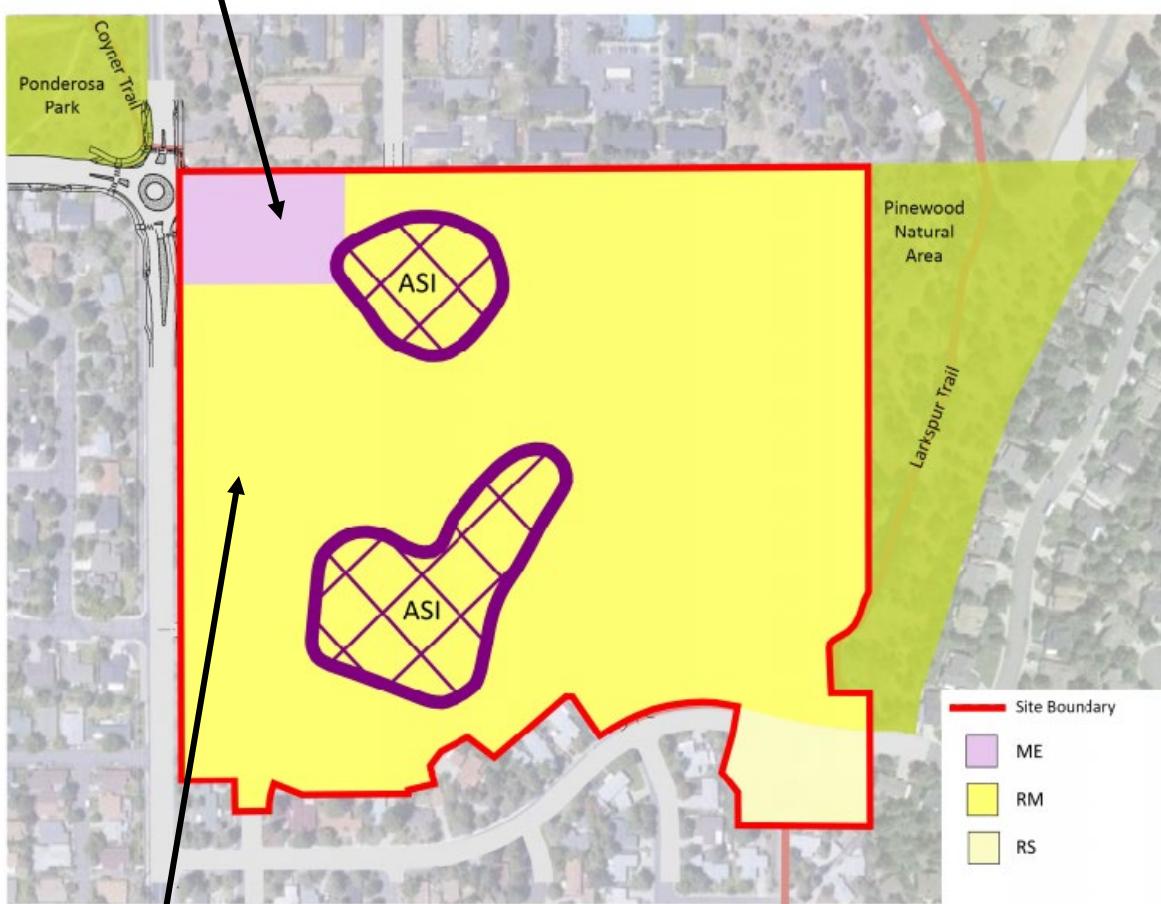
Mary A. Winters, City Attorney

Exhibit A

PLCPMA20220263

Wildflower Master Planned Development Comprehensive Plan Map and Zoning Map amendment

Relocated ME zone – reduced to 1.4 acres



Relocated RM zone-increased to 30.1 acres

Exhibit B

PLTEXT20220269

Development Code Text Amendment

NOTE:

Text in underlined typeface is proposed to be added

Text in ~~strikethrough~~ typeface is proposed to be deleted

Red font indicates Planning Commission Recommended edit (page 2)

Green font indicates edit by staff with applicant support after Planning Commission hearing (page 18)

***Indicates where text from the existing code has been omitted because it will remain unchanged.

Bend Development Code

Chapter 2.7, Planned Special Districts

Article XIII. Wildflower Master Planned Development

Chapter 2.7.3100 Wildflower Master Planned Development

2.7.3110 Applicability.

The area regulated by the Wildflower Master Plan is approximately ~~33~~ 32.69 acres of land east of SE 15th Street, west of the Pinewood Natural Area, and south of the future extension of SE Wilson Avenue. The area contains two mapped Upland Areas of Special Interest (ASI). ~~Conditions of approval pertaining to the timing of required public infrastructure improvements are contained in the ordinance codified in this article.~~

2.7.3115 Purpose.

The purpose of the Wildflower ~~Overlay Zone Master Plan~~ and Districts is to implement the ~~Wildflower Master Development Plan~~ and the Bend Comprehensive Plan policies and to create ~~overlay~~ standards for the residential and commercial areas within the Wildflower Master Development Plan boundaries. The overlay zone standards and Districts will:

- Provide housing types consistent with the RM Zone.
- Protect ASIs and trees within the primary ASIs boundaries.
(Amended by Planning Commission on February 13, 2023)
- Locate higher density housing adjacent to the ASIs, along and 15th Street, and/or within the interior of the site.
- Create opportunities for community commercial and small scale businesses in selected locations to foster a mixed-use residential neighborhood. Create opportunities for small-scale commercial and/or small-scale service-oriented business in a designated location that will foster a sense of place and help to create a destination for community residents and neighbors.
- Promote pedestrian and other multi-modal transportation options, including key trail connections and separated sidewalks.
- Create an interconnected system of private and public streets that will provide primary transportation connections through the Master Plan community and to the surrounding neighborhood, with modified public roadway standards appropriate to the unique enclave nature of the site.
- Create safe and interconnected network of public streets and private parking lot drive aisles and walkways to provide vehicular and pedestrian connections within the Master Plan community.
- Create safe and attractive public streetscapes and site access that will meet emergency access requirements and enhance pedestrian and bicycle access.

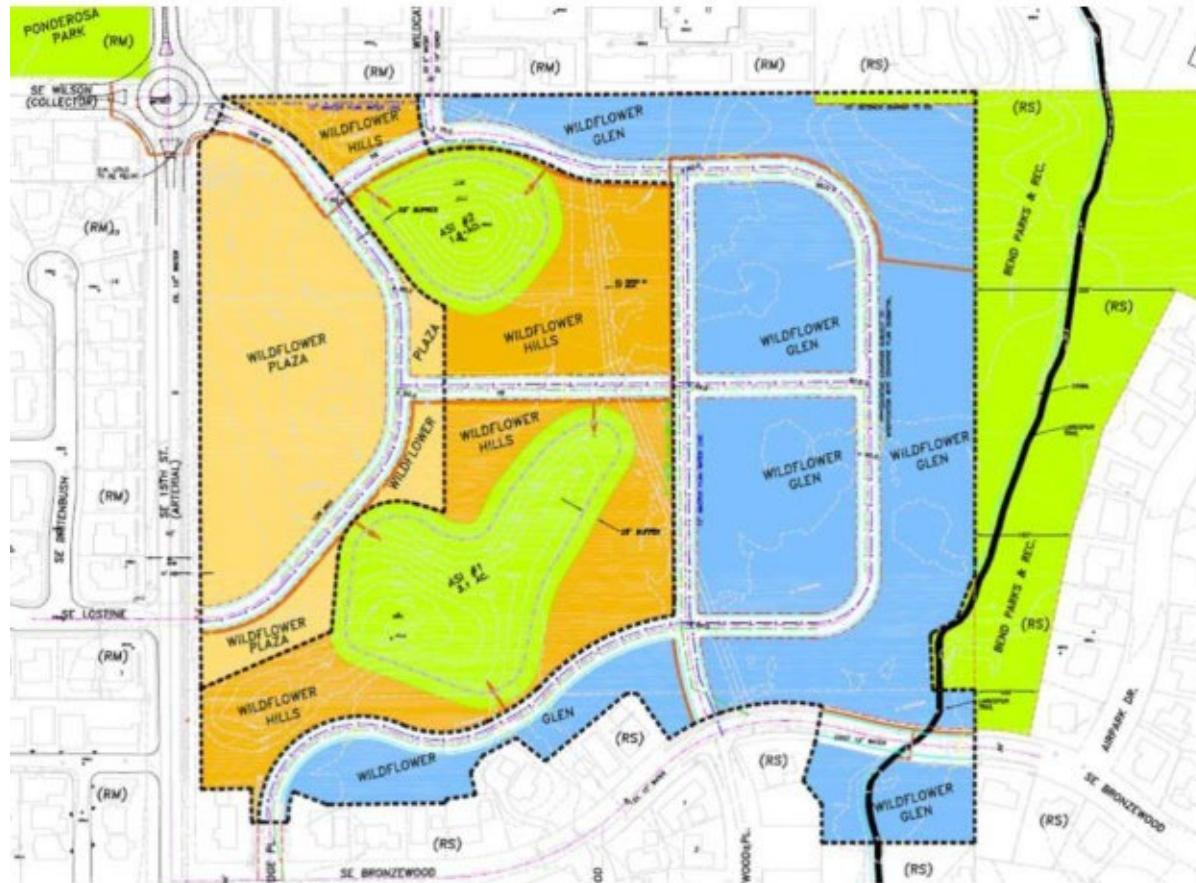
2.7.3125 Districts.

The development standards of the Wildflower Master Planned Development apply to the property identified in Figure 2.7.3125, Wildflower Master Planned Development Districts. The special standards of the Wildflower overlay districts shall Master Planned development and its Districts supersede the standards of the underlying zone unless as noted in this chapter and other applicable standards of the Bend Development Code. Where there is a conflict between the provisions of the Wildflower Master Plan and those of the underlying zone or other portions of the Bend Development Code, the provisions of this Master Plan control. Where no special standards are provided, the applicable standards of the underlying zone shall apply. The final determination of the zone or district boundary will be established at right-of-way dedication during land division or Site Plan Review, whichever occurs first.

The density and housing mix within the master plan as depicted on Figures 2.7.3150.A, 2.7.3150.B, 2.7.3150.C and 2.7.3170 are approximate and may be adjusted through site plan review provided that the master plan continues to meet the density and housing mix standards of BDC 4.5.200.E.3.

Figure 2.7.3125. Wildflower Master Planned Development Districts

Delete following map



Add following map



2.7.3127 Definitions.

The following definitions apply to uses, building types and standards that are specific to the Wildflower Planned Development:

Multi-unit residential means housing that provides five or more dwellings on an individual lot or parcel (e.g., multi-plexes, apartments, condominiums, etc.). For permitting purposes, units may be detached or attached vertically or horizontally and there is no minimum number of required attached units (i.e., units may be single-unit detached, or two or more attached units).

Primary, main building entrance means the main shared entrance or breezeway which pedestrians can access a building, structure or activity. Generally, smaller buildings have one main entrance. Main entrances may also be the widest of entrances provided for use by pedestrians. Buildings may also have main entrances opening directly into a reception or sales areas, a courtyard, or plaza.

2.7.3130 Wildflower Glen Housing District.

The purpose of the Wildflower Glen Housing District is to provide a transitional area between existing residential development and proposed development in the Master Plan area. This area The District will include a variety of housing types. Smaller lots with greater lot coverage will allow for preservation of trees in open space areas Greater lot coverage will be allowed, however private and shared open spaces will increase the opportunity for preservation of trees. This District is as shown in Figure 2.7.3125. This area is primarily on the eastern portion of the Wildflower MPD and adjacent to existing single-unit homes. The portion of the Wildflower Glen Housing District located south of Bronzewood Avenue is subject to the use table in BDC 2.1.200 and the associated development standards of the RS Zone, except the Residential Density listed below, which is applied to the entire District. All other areas within District are subject to the development standards of the RM zone except as modified below:

A. Permitted and Conditional Uses.

- 1. The Medium Density Residential (RM) District land uses in BDC Table 2.1.200 are permitted or conditionally permitted in the Wildflower Glen Housing District.**

- 2. Accessory Uses and Structures for Multi-Unit Residential Developments. See BDC 2.7.3145.F.**

B. Setbacks. The setbacks of the RM Zone apply, except:

1. Solar setbacks do not apply

B. Development Standards. The lot size and development standards of the RM Zone shall apply to all uses, except the area south of Bronzewood Avenue which is subject to the RS Zone lot sizes and development standards.

C. Residential Density. The maximum density is 21.7 units per gross acre and applies to the entire District, including the RM and RS zoned portions. Amendments to the Bend Development Code adopted after the effective date of the Wildflower Master Plan which allow for a maximum density in the RM zone greater than 21.7 units per gross acre may be applied to the Wildflower Glen Housing District without the need to amend the Wildflower Master Plan.

D. Maximum Lot Coverage and Floor Area Ratio.

1. Lot Coverage: The maximum lot coverage is 60%

2. Floor Area Ratio. None.

E. Maximum Building Height. 40-feet.

F. Architectural Design Standards. See BDC 2.7.3145.E.

2.7.3135 Wildflower Hills Multi-Unit Dwelling District.

The purpose of the Wildflower Hills Housing Multi-Unit Dwelling District is to provide higher density housing development, three attached units and greater, adjacent to the two ASIs in order to take benefit of the topography, shielding, and buffering effect of the ASIs, Wildflower Glen Housing District, and commercial node 15th Street corridor. Townhomes, apartments, and other forms of attached housing will allow a diversity of housing types and a mix of residential density. The District is subject to the development standards of the RM zone except as specified below:

A. Permitted and Conditional Uses.

1. Community buildings and recreational facilities.

2. ~~Live-work units.~~

3. ~~Ground floor service commercial when more than 10 upper story residential units are developed within the same structure.~~

1. The Medium Density Residential (RM) District land uses in BDC Table 2.1.200 are permitted or conditionally permitted in the Wildflower Hills Multi-unit Dwelling District.

2. Accessory Uses and Structures for Multi-Unit Residential Developments. See BDC 2.7.3145.F.

B. Development Standards. The lot size and development standards of the RM Zone shall apply except as listed below

1. Building Height. The maximum building height is 55 feet.

2. Lot Coverage. There is no maximum lot coverage.

B. Setbacks. The setbacks of the RM Zone apply, except

1. Solar setbacks do not apply

C. Residential Density. The maximum density is 42 units per gross acre, which includes the density transfer from the protected ASIs. Amendments to the Bend Development Code adopted after the effective date of the Wildflower Master Plan which allow for a maximum density in the RM zone greater 42 units per gross acre, which includes the density transfer from the protected ASIs, may be applied to the Wildflower Hills Multi-Unit Dwelling District without the need to amend the Wildflower Master Plan.

D. Maximum Lot Coverage and Floor Area Ratio. There is no maximum lot coverage or FAR.

E. Maximum Building Height. 55 feet.

F. Architectural Design Standards. See BDC 2.7.3145.E.

2.7.3140 Wildflower Plaza Mixed Employment (ME) District.

The purpose of the Wildflower Plaza ME District is to provide a service commercial area for nearby residents. ~~Residential units may be developed primarily on upper stories of commercial structures. The topography in this~~

~~area makes understory parking possible in certain areas. The nearby ASIs and commercial node areas provide a shielding and buffering effect on the higher density development in the Wildflower Hills Multi-Unit Dwelling District.~~

A. *Permitted Uses.* ~~Permitted uses shall be as contained in BDC Table 2.3.200 for the Mixed Employment District (ME), with the following exceptions and additional uses: The Mixed Employment (ME) District land uses in Table 2.3.200 are permitted or conditionally permitted in the Wildflower Plaza, with the following exceptions and additional uses:~~

1. ~~No drive-through windows are allowed except for coffee shops. with a maximum size of 100 square feet.~~
2. ~~Animal clinics, fully enclosed, may be allowed for small animals; no large farm animals.~~
3. ~~Temporary activities such as farmer's markets, specialty events, art walks, festivals, and holiday events on private property or in plazas subject to the development standards in BDC 3.6.400, Temporary Uses.~~

~~C. Density. There is no minimum or maximum density for the Wildflower Plaza ME District.~~

B. *Development Standards.* ~~The lot size and development standards of the ME Zone shall apply except as listed below: The development standards in BDC Table 2.3.300 Mixed-Use District Development Standards for the Mixed Employment District (ME) apply, except as follows:~~

1. *Building Height.* The maximum building height is 55 feet
2. *Lot Coverage.* There is no maximum lot coverage.

1. *Front Setbacks.*

- a. ~~A 20' maximum setback applies except where development standards allow for increased front setbacks or exemptions per BDC 2.3.300.A.~~
- b. ~~The maximum front setback is only applicable to one street frontage on a corner lot or lot with one or more public street frontages.~~

2. *Side and Rear Setbacks.* There are no side or rear setbacks except as follows:

- a. Where setbacks are required to meet applicable building code and fire code separation requirements.
- b. Trash enclosure areas, outdoor mechanical equipment, and portable toilets, must be set back a minimum of 10-feet from abutting residential structures.
3. Lot Coverage. There is no maximum lot coverage.
4. Maximum Building Height. 55 feet.
5. Density. There is no minimum or maximum density.
6. Buffering. A landscape buffer is not required along the side and rear property lines between nonresidential uses and any abutting residentially designated Districts within the Master Plan boundaries.

C. Density. There is no minimum or maximum density for the Wildflower Plaza ME District.

2.7.3145 Site Plan and Design Review Special Development Standards.

~~Type II site plan and design review is required for most development as specified under BDC Chapter 4.2. Type I minimum development standards review is required for ADUs, duplexes, triplexes, quadplexes or townhomes in the Wildflower Master Planned Development. Type II site plan review is required for certain types of housing options under BDC Chapter 3.8 if not addressed through a Type II land division. Special standards in BDC Chapters 3.6 and 3.8 may apply to certain types of residential development. (This is in BDC Chapter 4.2, Minimum Development Standards, Site Plan Review and Design Review)~~

- A. Block Lengths. Block length and perimeters are generally depicted on Figure 2.7.31XX, Vehicular Network Diagram, with additional multimodal connectivity provided as generally depicted on Figure 2.7.31XX Pedestrian Network Diagram. The block length and perimeter standards of BDC 3.1.200 are not applicable in the Wildflower Master Plan.
- B. Utilities.
 1. Existing overhead utility lines that run along the SE 15th Street property frontage are not required to be placed underground with development of the Master Plan area.
 2. Existing overhead utility lines that run along the north property line are not required to be placed underground with the development of the master plan area.

C. Bicycle Parking Standards. When provided within a covered enclosure, fifty percent of the required bicycle parking spaces may be provided via wall mounted racks that allow the bicycles to hang vertically. The wall mounted racks may also be vertically staggered to allow for bicycles to spaced more closely.

D. Accessory Uses and Structures. Accessory uses and structures for multi-unit residential developments must comply with the following standards, which replaces the standards in BDC 3.6.200.M, Accessory Uses and Structures:

1. Accessory Use and Structures are permitted in the Wildflower Master Plan area as follows:
 - a. Garages, carports, sheds, bike storage buildings, general storage buildings, and other private or shared community accessory structures. They may be for shared uses that are accessory to a portion of, or all of the Wildflower Master Plan area.
 - b. Community buildings including, but not limited to, clubhouse, pool house, mail kiosk, mail building; and community indoor and outdoor recreational facilities, including, but not limited to swimming pool, spa, gym, sports courts.
 - c. Buildings use by and for property management/property maintenance of the Master Plan area including, but not limited to, leasing/management office, maintenance building, storage building, maintenance garage.
2. The following standards apply to accessory uses and structures:
 - a. There is no limit to the number of accessory uses and structures on a lot or parcel.
 - b. There is no maximum square footage of individual accessory structures.
 - c. The maximum height of accessory structures is based on the Wildflower Master Planned Development District they are located in.
 - d. Full bathrooms are allowed in fitness center/gym buildings, clubhouses, and pool houses/pool maintenance buildings.
 - e. Kitchens and outdoor cooking areas are allowed as part of a community center/clubhouse or leasing/property management building.
 - f. Half bathrooms are permitted in buildings associated with property maintenance, such as but not limited to, garages, storage buildings, workshops, or similar buildings.
 - g. Dog wash rooms, which may include a pet wash basin/area, dryer, and/or grooming station, are allowed within community accessory structures.

E. Multi-Unit Residential Architectural Design Standards

1. Buildings with five or more attached dwelling units are subject to BDC 2.1.900, Architectural Design Standards except Building Orientation must comply with the following standards which replace BDC 2.1.900.C.2.:
 - a. Buildings must have a main primary building entrance oriented to a public street, common open space, courtyard or parking lot..
 - b. Buildings abutting a street right-of-way must comply with the following
 - i. When the primary main building entrance faces a public street, then the building elevation fronting the public street must provide doors, porches, balconies, and/or windows for a minimum 40 percent of the elevation area and all other elevations must provide these features for a minimum of 30 percent of each elevation area.
 - ii. If the primary main building entrance faces both a public street and common open space, a courtyard and/or parking lot, then the building elevation fronting the public street must provide doors, porches, balconies, and/or windows for a minimum 40 percent of the elevation area and all other elevations must provide these features for a minimum of 30 percent of each elevation area.
 - iii. When the primary main building entrance does not face a public street and it faces common open space, a courtyard and/or parking lot, then one of the elevations with the primary building entrance must provide doors, porches, balconies and/or windows for a minimum of 40 percent of the elevation area. All other elevations must provide these features for a minimum of 30 percent of each elevation area.
 - iv. Percent of elevation is measured as the horizontal plane (lineal feet) containing doors, porches, balconies, terraces and/or windows. The standard is applied to each full and partial building story.
2. Buildings with four or fewer units are subject to the following standards which replace BDC 2.1.900, Architectural Design Standards
 - a. Front Door Orientation Standards. The following front door orientation standards are required for dwelling units adjacent to a street. The front door entrance must either:
 - i. Face the street;
 - ii. Be at an angle of up to 45 degrees from the street;

- iii. Face a common open space that abuts the street and is abutted by dwellings on at least two sides;
- iv. Open onto a porch. The porch must be at least 20 square feet in area and have at least one entrance facing the street or have a roof. A covered walkway or breezeway is not a porch.

b. Windows and Doors. A minimum of 15 percent of the area of all street facing facades must include windows and/or doors. Gabled areas and garage doors (in blue) and roofs (in white) are not included in the base wall calculation when determining the minimum 15 percent calculation for windows/door areas. See Exhibit 2.7.3145 below for calculation of base wall area. Facades separated from the street property line by a dwelling are exempt from meeting this standard.

Exhibit 2.7.3145 – Calculation of base wall area for 2.7.3145.E.2.b.

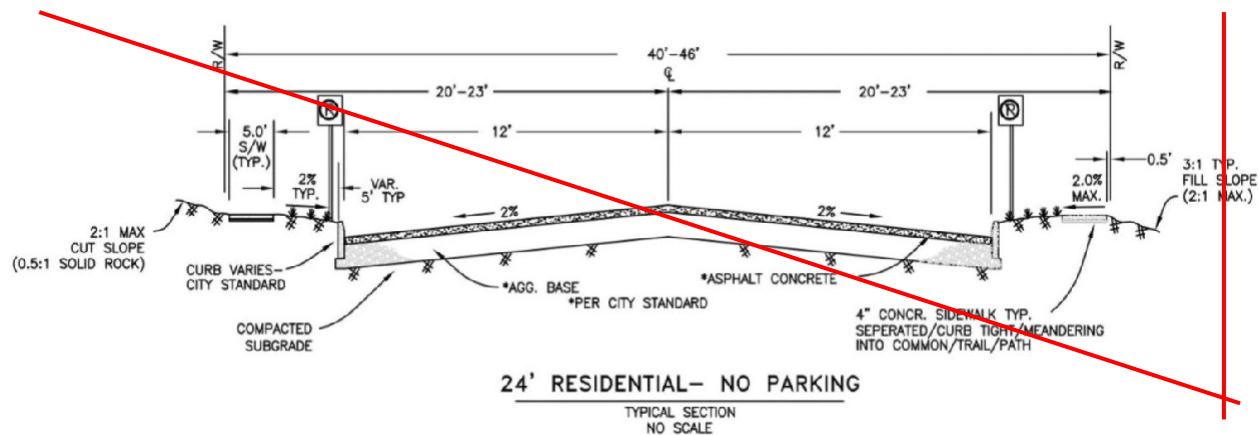


2.7.3150 Street and Pedestrian Standards.

The Wildflower Master Planned Development has limited access constrained by two ASIs, topographical constraints to the west, the Pinewood Natural Area to the east, and existing development to the north and south. Internal roads will be private, constructed to City standards and specifications, with public access consistent with BDC 3.4.200 Table D. Sidewalks will be provided on both sides of the street, separated from the roadway where feasible to provide a buffer between the curb and sidewalk. Street and pedestrian standards shall be consistent with the requirements of this code as set forth below, except that variations may be approved through the tentative plan review and/or site plan review processes to allow for meandering of sidewalks and variation in landscape buffer widths where necessary to develop drainage swales and/or preserve existing topography and trees.

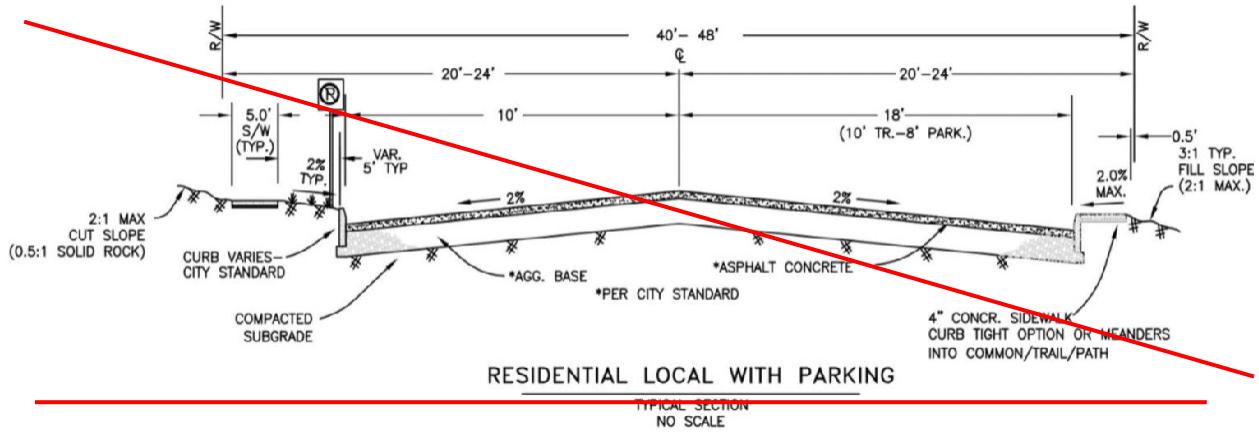
A. Private Road Standards.

1. Residential – No Parking. Two-way travel road 24 feet in width, with no on-street parking, and standard curbing. Sidewalks will be a minimum of five feet in width on both sides of the street, with a five-foot wide landscape buffer between the curb and sidewalk. Sidewalk location may meander, with a variable width landscape buffer to fit the need given trees, topography, drainage, and driveway access. The overall width of the street tract and public access easements may vary depending on the width of the landscape buffers.

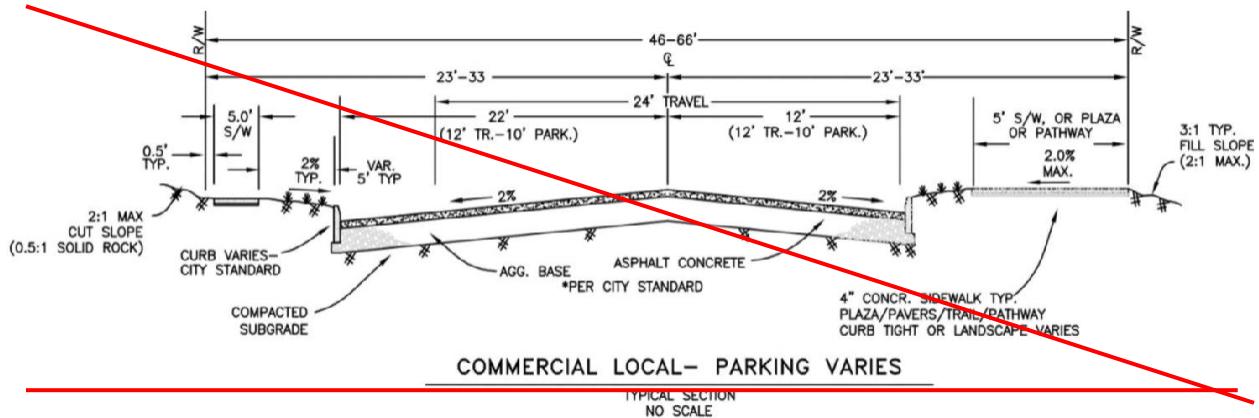


2. Residential with Parking on One Side. Two-way travel road 28 feet in width, with parking on one side, and standard curbing. Sidewalks will be a minimum of five feet in width on both sides of the street, with a five-foot wide landscape buffer between the curb and sidewalk. Sidewalk location may meander, with a variable width landscape buffer to fit the need given trees, topography, drainage, and driveway access.

The overall width of the street tract and public access easements may vary depending on the width of the landscape buffers.



3. Commercial. Two-way travel road 24 to 44 feet in width with alternate sections varying from no parking to parking on one or both sides of the street, with standard curbing. Sidewalks will be a minimum of five feet in width on both sides of the street, with a five-foot wide landscape buffer between the curb and sidewalk. Sidewalk location may meander, with a variable width landscape buffer to fit the need given trees, topography, drainage, on-street parking, and driveway access. The overall width of the street tract and public access easements may vary depending on the width of the landscape buffers and parking.



B. Public Street Standards.

1. Bronzewood Drive within the Wildflower Master Planned Development shall be dedicated as a 60-foot public right of way, built to City local residential street standards and specifications. A raised pedestrian crossing shall be constructed to City standards for the Larkspur Trail, including the appropriate striping and signage.

2. Fifteenth Street is an existing arterial street with bicycle lanes. Right of way shall be dedicated along the west boundary of the Wildflower Master Planned Development to provide 50 feet from centerline of the street, with additional right of way as needed to construct the roundabout at 15th and Wilson. ~~Sidewalks shall be constructed at the property line with a minimum width of six feet and a standard landscape buffer provided between the curb and sidewalk in conformance with City arterial street standards.~~

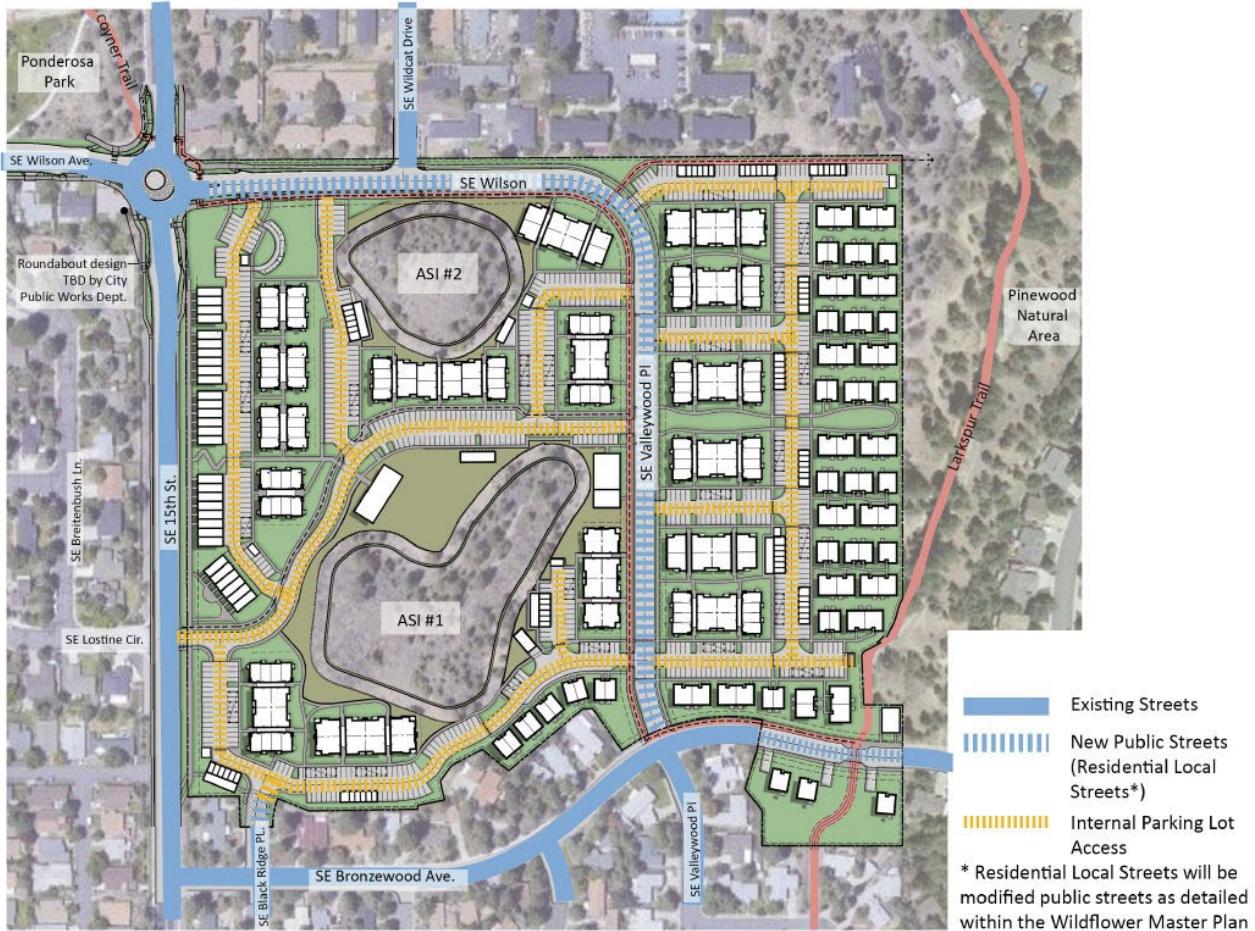
C. Connector Trail. The connector trail between the Coyner and Larkspur Trails shall be constructed from Penderosa Park at the 15th Street/Wilson Avenue intersection to the existing BPRD Larkspur Trail located to the east in the Pinewood Natural Area. The final alignment and timing of the construction of this trail will be determined through the land division and/or site plan review process, in coordination with the City and BPRD. In locations where the connector trail is integrated into the street system, the minimum sidewalk width shall be eight feet. Where the trail is separated from the sidewalk system, the trail shall be constructed to BPRD standards and shall be located within a 20 foot wide public access easement dedicated to BPRD.

A. Public Street Standards.

1. Figure 2.7.3150.A., Vehicular Network Diagram, depicts the street type, tentative street location and alignment in the Wildflower Master Plan area. The precise street alignment will be established through the approval of Site Plan Review or Land Division process, whichever occurs first. Public street standards are modified within the Wildflower Master Plan area as depicted in the street cross sections below and will be applied to the Wildflower Master area as illustrated.

Any City street standard adopted after the effective date of this master plan of the ordinance codified in this chapter, which permits a lesser street standard to be applied citywide, may be applied in Wildflower Master Plan area.

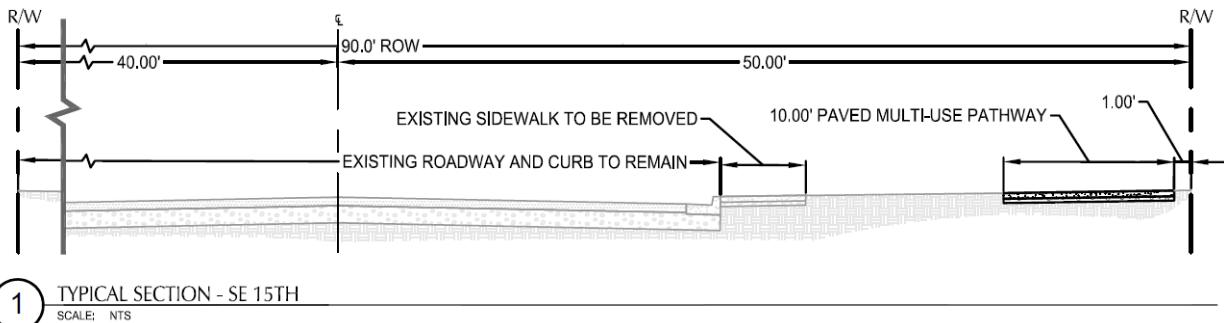
Figure 2.7.3150.A. - Vehicular Network Diagram



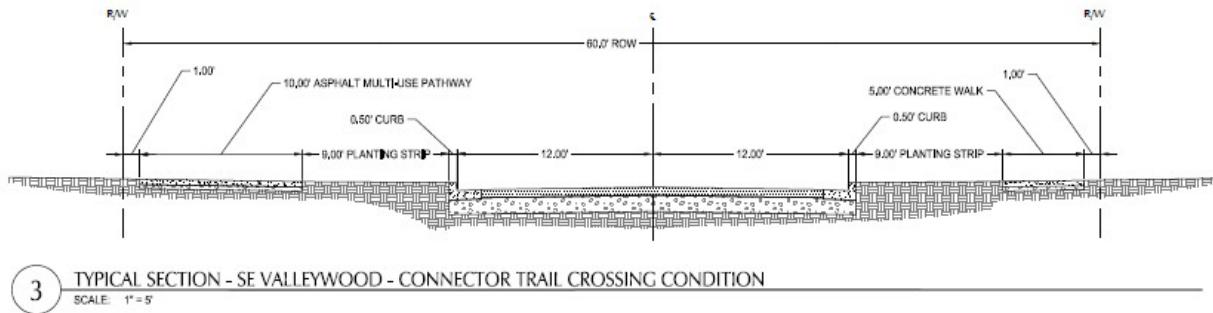
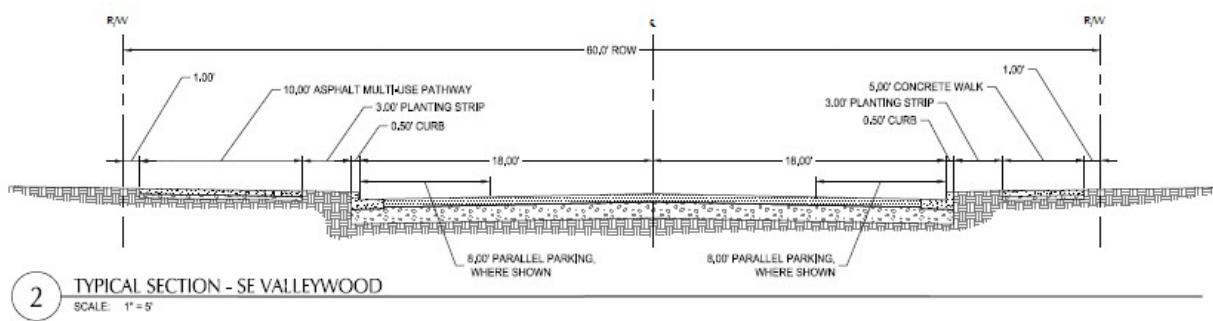
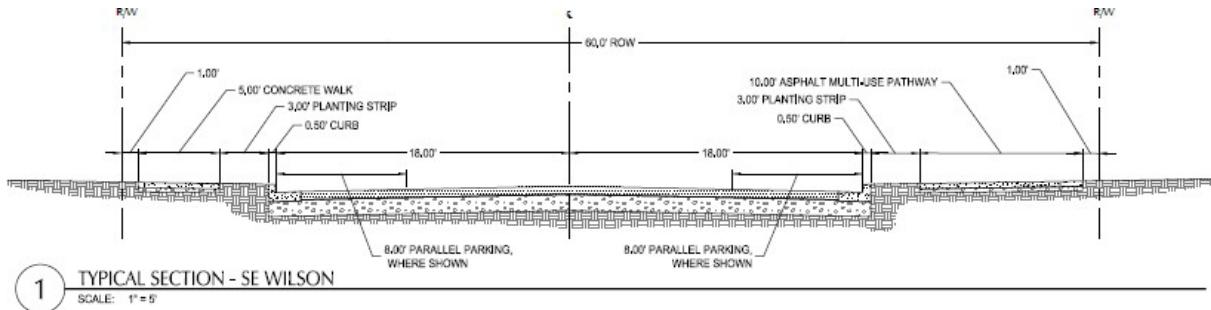
VEHICULAR NETWORK DIAGRAM

2. Modified Public Street Cross Sections

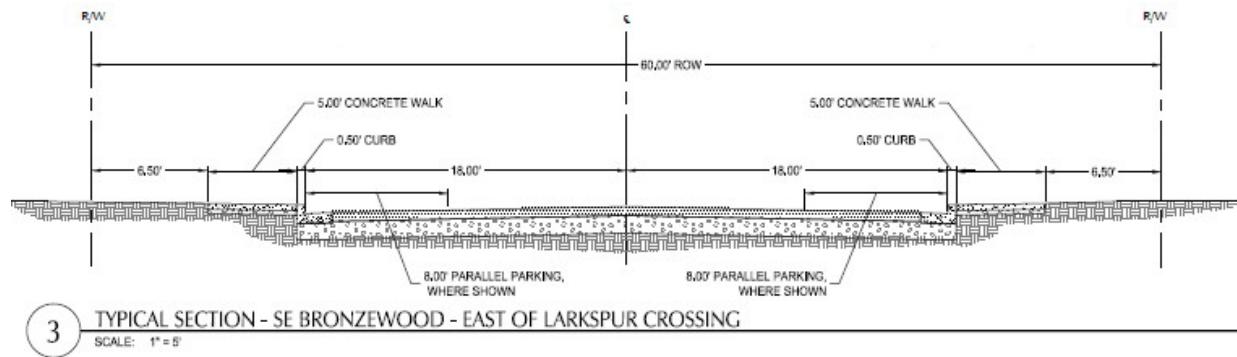
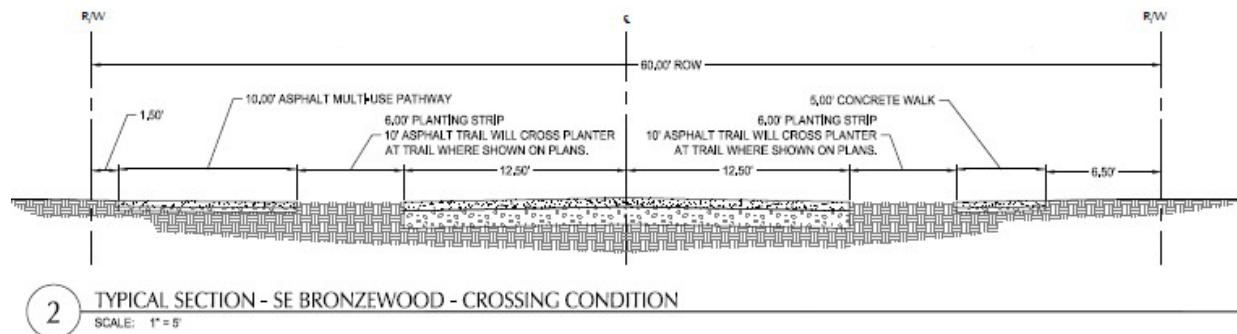
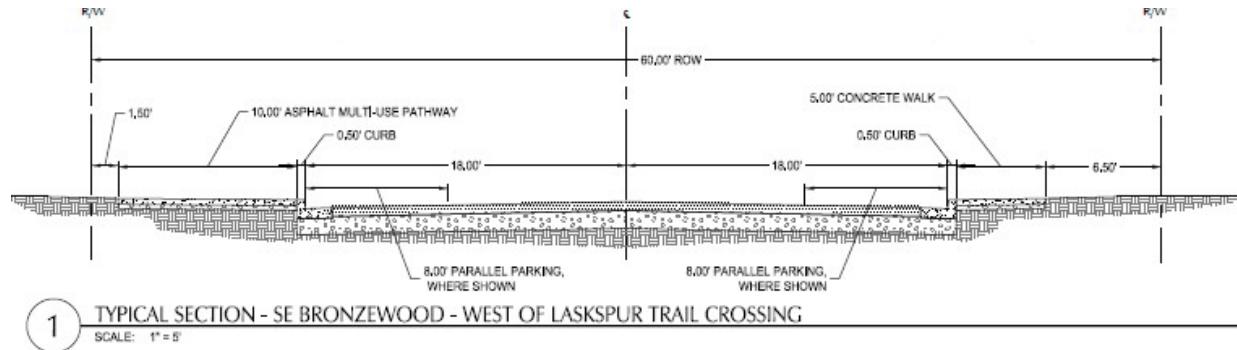
Public Road Section – SE 15th Street



Public Road Sections – SE Wilson/SE Valleywood Extension



Public Road Sections – Bronzewood



B. Vehicular Access Management.

1. Vehicular access to the City's street system will be permitted in the general locations depicted on Figure 2.7.3150.B., Vehicular Access Diagram. "Site Access Points" depict connections to the existing public roadway network. "Driveway Access Points" depict locations for driveways providing shared access points within the Master Plan area. The precise location and design will be refined during Site Plan Review or Land Division process, whichever occurs first. [Figure 2.1.3150.B., Vehicular Access Diagram](#) controls over any conflicting provisions of BDC 3.1.400, Vehicular Access Management.

(Amended by staff prior to April 5, 2023 City Council hearing)

Additionally, the provisions of BDC 3.1.400 are not applicable within the Master Plan Area except as noted below:

- a. The provisions of BDC 3.1.400.F.6., F.8, & F.9 are applicable.
- b. The provisions of BDC 3.1.400.H -L. are applicable.

Figure 2.7.3150.B. - Vehicular Access Diagram



VEHICULAR ACCESS DIAGRAM

C. Multi-Modal Access and Circulation.

1. Figure 2.7.3150.C., Pedestrian Network Diagram, depicts the location, alignment, width and other characteristics of the multi-modal access corridors in the Wildflower Master Plan and the standards to correspond to each type. The Figure replaces the standards in 3.1.300.B.1. The precise alignments will be established through the approval of Site Plan Review or Land Division process, whichever occurs first.
2. Requirements for On-Site Pedestrian Facility Development Standards are contained in BDC 3.1.300.B.2 except as follows:

- a. Housing/Walkway Separation requirements are not applicable to exterior areas, such as porches, decks, and patios.

Figure 2.7.3150.C. - Pedestrian Network Diagram



2.7.3170 Major Development Phases & Sub-phasing

- A. Major Development Phases. The Wildflower Master Planned Development is planned to be built out in two Major Development Phases, which may each be divided into smaller subphases as described in subsections B and C below. The two Major Development Phases are depicted in Figure 2.7.3170, Wildflower Master Planned Development, Development Phasing Plan below. The two Major Development

Phases may be modified or further refined during site plan review or land division review so long as the Transportation Improvements listed in Table 2.7.3170 are completed as outlined below.

B. Subphases - Additional development subphases may be created within the two major development phases so long as the public roadway improvements, public trail/walkway improvements, and public utility improvements for the major phase which that subphase is located within are completed. Subphases may include individual buildings or groups of buildings created for purposes of obtaining Site Plan Review approval, Land Division approval, Building Permit approval, or Certificates of Occupancy. There is no limit to the number of subphases that may be created within each major phase. Subphases may be detailed during Site Plan Review, or Land Division Review.

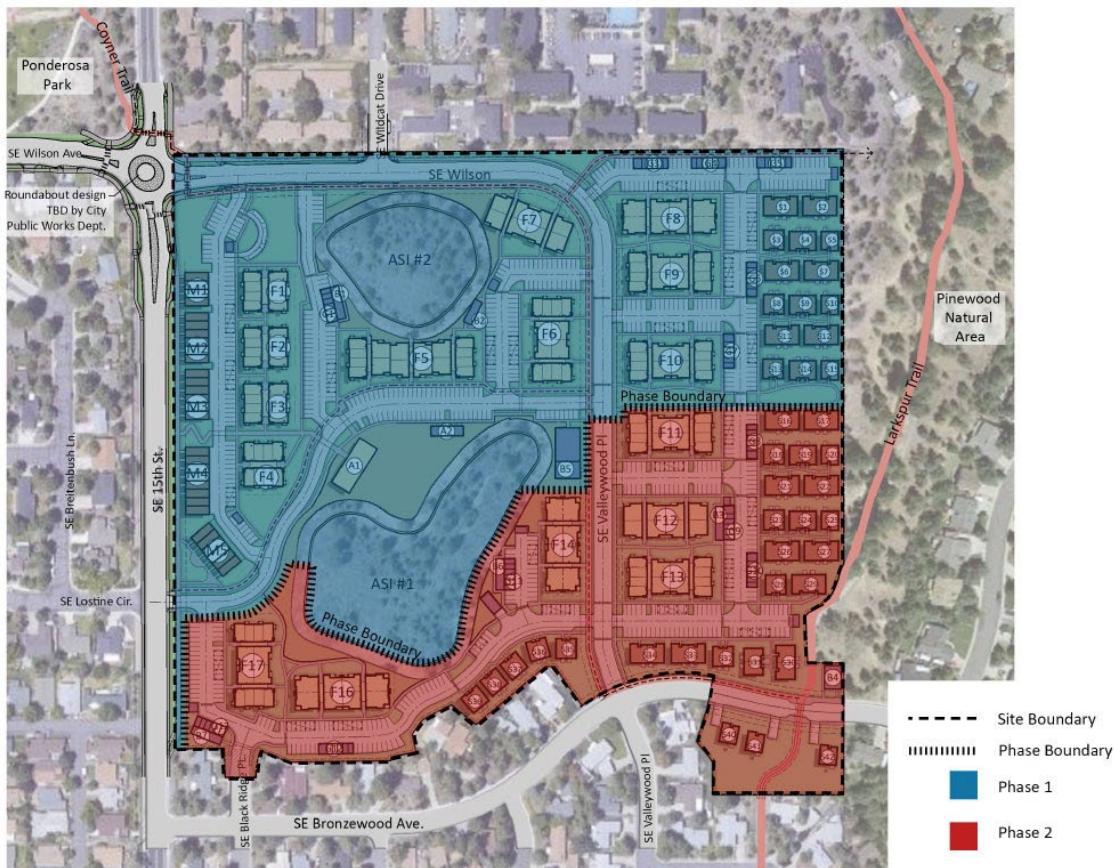
1. The portion of the property occupied by the proposed residential buildings M1 and F1 on Figure 2.7.3170 must be developed as a subphase of Phase 1. This subphase may not be developed until after the completion of the remainder of Phase 1.

(2.7.3170.B.1 added by City Council on April 5, 2023)

C. Development Standards Compliance - Major Development Phases and Sub-phases: Development standards are measured on a community wide basis based on the underlying zoning of each District. When evaluating these development standards for Site Plan Review approval, Building Permit approval, or for the purpose of issuing certificates of occupancy for buildings, multiple subphases may be created for individual buildings or groups of buildings, however the development standards for, Common Open Space (BDC 2.1.1000.B.1), Private Open Space (BDC 2.1.1000.B.2), Housing Mix Standards in the RM District (BDC 2.1.1000.C), Landscape Area Standards (BDC 3.2.300.C. minimum required landscaping), Landscape Design Standards (BDC 3.2.300.E.), Vehicle Parking Standards for On-Site Requirement (BDC 3.3.300), and Bicycle Parking Standards (BDC 3.3.600), will be reviewed on a cumulative basis, across the entire Master Planned community, including the ability to include a previously approved major development phase or subphase.

When reviewing the development standards on a cumulative basis, in no case will any one accumulated development standard be permitted to fall below the minimum development standards of the BDC sections listed above. Phases and Sub-phases must always meet or exceed the minimum development standards of the BDC sections listed above on a cumulative basis. Subphases may exceed the maximum development standards, however, the Master Plan, when fully completed may not exceed any maximum development standards within the Master Plan as a whole, unless permitted herein.

Figure 2.7.3170. Development Phasing Diagram



D. The table below outlines Transportation Improvements; both vehicular and pedestrian, required as part of each Major Development Phase.

Transportation Improvements – Table 2.7.3170

Transportation Improvements	Trigger
Phase 1	
60 feet of right of way dedication is required along the SE Valleywood Place and SE Wilson Avenue street extension within the Phase 1 limits.	Prior to occupancy of the first building in Phase 1.

<p>The SE Valleywood Place and SE Wilson Avenue street extension within Phase 1 limits shall be constructed to City of Bend local street standards with 36 feet of pavement width and property tight sidewalk. A City standard 10-foot multi-use path shall be constructed on the south and west side of the street in lieu of sidewalk to provide a continuation of the Coyner trail. Modifications to City standards for reduced planter widths on both sides of the street and a narrower sidewalk width on the north and east sides of the SE Valleywood Place and SE Wilson Ave extensions are permitted to accommodate the additional width needed for the 10-foot wide multi-use path within the 60 foot right of way.</p>	<p>Prior to occupancy of the first building in Phase 1.</p>
<p>SE Wildcat Drive shall be extended from the existing terminus of SE Wildcat Drive, near the north site boundary of the project site, to the SE Wilson Avenue extension. SE Wildcat Drive shall be constructed to City of Bend local street standards with 36 feet of pavement width and property tight sidewalk. A total of six new perpendicular directional curb ramps shall be installed at the new SE Wildcat and SE Wilson intersection in accordance with City standards and PROWAG guidelines.</p>	<p>Prior to occupancy of the first building in Phase 1.</p>
<p>Curb extensions shall be installed near the Wilson/Valleywood curve in order to limit parking along the curve, maximize site distances at the driveway approaches and reduce the pedestrian crossing distance. No parking signs shall be installed along the curb extensions. Curb ramps shall also be installed at the proposed multiuse path crossing location in accordance with City standards and PROWAG guidelines.</p>	<p>Prior to occupancy of the first building in Phase 1.</p>
<p>A City standard 6-foot wide connector trail shall be constructed along the property's northern boundary to connect the SE Wilson Avenue multi-use path to the eastern property line. A public pedestrian and cyclist access easement shall be recorded over the multi-use path.</p>	<p>Prior to occupancy of the first building in Phase 1.</p>

<p>All concrete driveway approach connections to public streets within the Phase 1 limits shall be constructed in accordance with City of Bend standards.</p>	<p>Prior to occupancy of the first building in Phase 1.</p>
<p>A City Standard concrete reinforced driveway approach shall be installed at the site's private drive aisle connection to SE 15th Street near SE Lostine Circle and at the private drive aisle connection to the SE Valleywood Place extension.</p>	<p>Prior to occupancy of the first building in Phase 1.</p>
<p>A 10-foot paved multi-use path shall be constructed on the north side of the private drive aisle that connects SE 15th Street at SE Lostine Circle to the SE Valleywood Place extension. A public pedestrian and cyclist access easement shall be recorded over the multi-use path between SE 15th Street right of way and the SE Valleywood Place extension right of way.</p>	<p>Prior to occupancy of the first building in Phase 1.</p>
<p>Six perpendicular directional curb ramps shall be installed at each of the three SE Valleywood Place extension crossings indicated by crosswalks on the site plan within the Phase 1 limits in accordance with City Standards and PROWAG guidelines. The exact location of the curb ramps is conceptual at this time and will be finalized during right of way permit review.</p>	<p>Prior to occupancy of the first building in Phase 1.</p>
<p>10 feet of right of way dedication is required along SE 15th Street to provide 50 feet of right of way width between property line and right of way centerline in accordance with City Arterial Street Standards.</p>	<p>Prior to occupancy of the first building in Phase 1.</p>
<p>Along SE 15th Street, between the 15th and Wilson roundabout and the southern extent of the property frontage, the project shall demolish the existing curb tight sidewalk and install a City standard 10-foot wide property tight multiuse pathway. The area between the back of curb and the new path shall be a landscape strip. The southernmost 30-feet of the project frontage may be used to accommodate a taper to the existing curb tight sidewalk to the south and to allow for a bicycle on</p>	<p>Prior to occupancy of the first building in Phase 1.</p>

<p><u>ramp that will allow northbound cyclists to transition from the existing on street bike lane to the 10-foot multi-use pathway.</u></p>	
<p><u>A fire department turn around must be constructed to City of Bend standards and Oregon Fire Code at the termination of the Phase 1 SE Valleywood Place extension. Where the turnaround extends outside the dedicated right of way, an emergency access easement must be recorded over the turnaround encroachment on private property under a separate document prepared and recorded by the City of Bend. The easement may be released once the SE Valleywood Place extension is completed under Phase 2 and dead end streets that are greater than 150 feet in length no longer exist.</u></p>	<p><u>Prior to occupancy of the first building in Phase 1.</u></p>
<p><u>Phase 2</u></p>	
<p><u>60 feet of right of way dedication is required along the SE Valleywood Place and SE Wilson Avenue street extension within the Phase 2 limits.</u></p>	<p><u>Prior to occupancy of the first building in Phase 2.</u></p>
<p><u>The SE Valleywood Place and SE Wilson Avenue street extension within the Phase 2 limits shall be constructed to City of Bend local street standards with 36 feet of pavement width and property tight sidewalk. A City standard 10-foot multi-use path shall be constructed on the west side of the street in lieu of sidewalk to provide a continuation of the Coyner trail. Modifications to City standards for reduced planter widths on both sides of the street and a narrower sidewalk width on the north and east sides of the SE Valleywood Place and SE Wilson Ave extensions, as proposed by the project, will be acceptable in order to accommodate the additional width needed for the 10-foot wide multi-use path within the 60 foot right of way.</u></p>	<p><u>Prior to occupancy of the first building in Phase 2.</u></p>
<p><u>All concrete driveway approach connections to public streets within the Phase 2 limits shall be constructed in accordance with City of Bend standards.</u></p>	<p><u>Prior to occupancy of the first building in Phase 2.</u></p>

<p><u>Four perpendicular directional curb ramps shall be installed at each of the two SE Valleywood Place extension crossings indicated by crosswalks within the Phase 2 limits on the site plan in accordance with City Standards and PROWAG guidelines. The exact location of the curb ramps is conceptual at this time and will be finalized during right of way permit review.</u></p>	<p><u>Prior to occupancy of the first building in Phase 2.</u></p>
<p><u>A total of eight new perpendicular directional curb ramps shall be installed at the SE Valleywood and SE Bronzewood intersection in accordance with City standards and PROWAG guidelines. The existing diagonal curb ramps on the south side of the intersection shall be removed and replaced with the new perpendicular directional curb ramps.</u></p>	<p><u>Prior to occupancy of the first building in Phase 2.</u></p>
<p><u>60 feet of right of way dedication is required over the existing SE Black Ridge Place street construction that exists on this property.</u></p>	<p><u>Prior to occupancy of the first building in Phase 2.</u></p>
<p><u>A concrete driveway approach shall be constructed at the private property connection to SE Black Ridge Place in accordance with City of Bend standards.</u></p>	<p><u>Prior to occupancy of the first building in Phase 2.</u></p>
<p><u>Existing sidewalks, along the property's SE Bronzewood Avenue frontage and the future Black Ridge Place right of way dedication must be reviewed and certified by the projects registered Professional Engineer to conform to City of Bend standards and PROWAG guidelines. The review must be provided to the City of Bend in an Engineered stamped memo indicating what is out of conformance prior to issuance of building permits. Anything found to be out of conformance must be removed and replaced prior to occupancy of the first building in the second phase. Where the sidewalk is installed over the existing water meters, valves or manholes, either the utility or the sidewalk must be relocated.</u></p>	<p><u>Prior to occupancy of the first building in Phase 2.</u></p>

<p>A City standard 10-foot wide multi-use path shall be constructed along the north side of Bronzewood Avenue between the Valleywood Place intersection and the existing Larkspur Trail to provide a continuation of the Larkspur trail. The existing Larkspur Trail at the southeast corner of the property shall be reconstructed to provide a perpendicular street crossing through the Bronzewood Avenue extension. A public pedestrian and cyclist access easement shall be recorded over the multi-use path where it crosses private property.</p>	<p>Prior to occupancy of the first building in Phase 2.</p>
<p>An enhanced pedestrian crossing shall be constructed across SE 15th Street at the SE Bronzewood Avenue intersection.</p>	<p>Prior to occupancy of the first building in Phase 2.</p>
<p>60 feet of right of way dedication is required along the SE Bronzewood Avenue extension.</p>	<p>Prior to occupancy of the first building in Phase 2.</p>
<p>The SE Bronzewood Avenue street extension shall be constructed to City of Bend local street standards with 36 feet of pavement width and curb tight sidewalks. Curb extensions, curb ramps and crosswalk striping shall also be installed at the proposed multi-use path crossing in accordance with City standards and PROWAG guidelines.</p>	<p>Prior to occupancy of the first building in Phase 2.</p>

2.7.3175 Future Capacity Reservation

The Transportation Impact Analysis and Circulation Study prepared for the Master Plan Amendment contemplates the build out of the Master Plan area over two major phases of development, Phase 1 and Phase 2, as discussed above and supports the buildout of Phases 1 and 2. The Wildflower Master Plan reserves infrastructure capacity (sewer, water, and transportation) through and including 2036, for all site plan review and land division applications filed pursuant to the phasing plan through 2036. Site plan review applications submitted after 2036 will be subject to new utility and transportation analyses

EXHIBIT C

**CITY OF BEND PLANNING DIVISION
DRAFT FINDINGS AND RECOMMENDATION
TO THE CITY COUNCIL**

**COMMUNITY
DEVELOPMENT**

PROJECT NUMBER: **PLTEXT20220269**
PLCPMA20220263

REPORT DATE: February 6, 2023

**CITY COUNCIL
HEARING DATE:** April 5, 2023

APPLICANT: Evergreen Housing Development Group LLC
PO Box 24787
Seattle, WA 98124

OWNER: One Wilson Development LLC
P.O. Box 24787
Seattle, WA 98124

LOCATION: 750 SE 15th Street and 850 SE 15th Street; Tax Lots 1000, 1100 and 1200 on Deschutes County Assessor's Map #18-12-03CB

REQUEST: Type III Quasi-Judicial amendment to the Comprehensive Plan Map and Zoning Map to adjust the Mixed Employment (ME) District and Medium Density Residential (RM) District boundaries. The ME zone will be reduced from 6.2 acres to 1.4 acres, and the RM zone will be increased from 25.3 acres to 30.1 acres (PLCPMA20220263)

Type III Quasi-Judicial amendment to modify Bend Development Code Article XIII, Wildflower Master Planned Development to create and revise standards for the residential and commercial areas (PLTEXT20220269)

**STAFF
REVIEWERS:** Elizabeth LaFleur, AICP, Senior Planner
541-330-4020, elafleur@bendoregon.gov

Jared Matthews, PE, Senior Project Engineer
541-323-8554, jmatthews@bendoregon.gov

APPLICABLE STANDARDS, PROCEDURES AND CRITERIA:

Bend Development Code (BDC)

Criteria

Chapter 4.5, Master Plans

Chapter 4.6, Land Use District and Text Amendments

Standards

Chapter 2.1, Residential Districts

Chapter 2.3, Mixed-Use Zoning Districts

Chapter 2.7, Special Planned Districts (Wildflower Master Planned Development)

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

Chapter 3.2, Landscaping, Street Trees, Fences and Walls

Chapter 3.3, Vehicle Parking, Loading and Bicycle Standards

Chapter 3.4, Public Improvement Standards

Chapter 3.5, Other Design Standards

Chapter 4.7, Transportation Analysis

Procedures

Chapter 4.1, Development Review and Procedures

Section 4.1.1325, Modification of Approval

Bend Comprehensive Plan

Oregon Administrative Rules

Chapter 660-012-060, Plan and Land Use Regulation Amendments

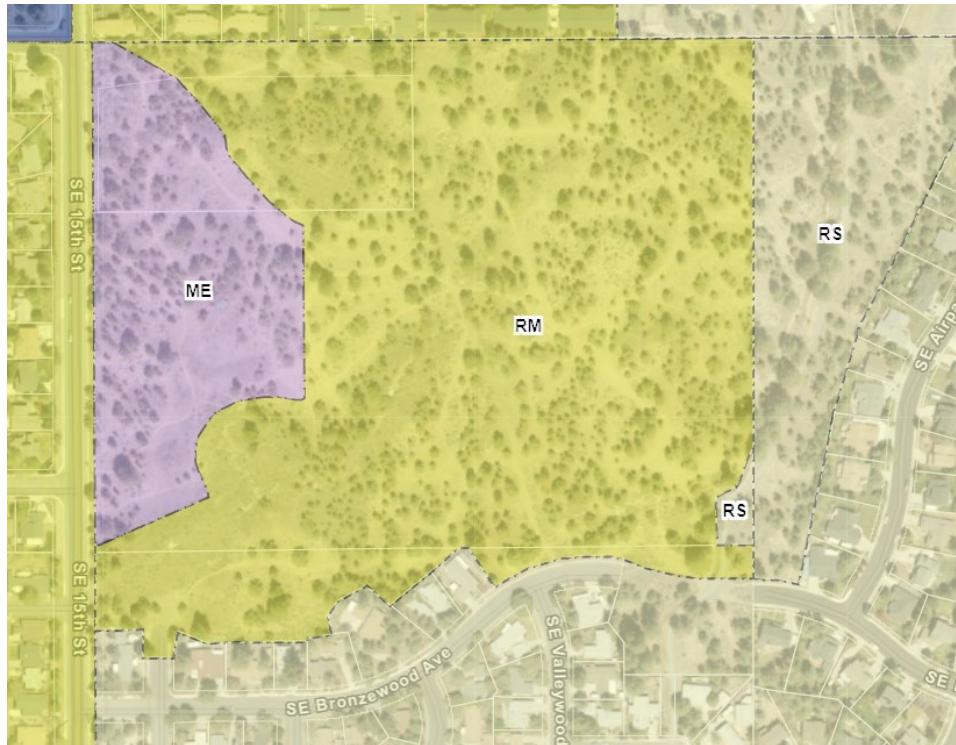
Chapter 660-015, Division 15, Statewide Planning Goals and Guidelines

FINDINGS OF FACT:

- LOCATION:** The property is approximately 32.69 acres located east of SE 15th Street, west of the Pinewood Natural Area, and south of the future extension of SE Wilson Avenue. The property is identified as 750 SE 15th Street and 850 SE 15th Street and is further identified as Tax Lots 1000, 1100 and 1200 on Deschutes County Assessor's Map #18-12-03CB.



2. ZONING AND PLAN DESIGNATION: The subject property is zoned and designated Standard Density Residential (RS) District, Medium Density Residential (RM) District and Mixed-Use Employment (ME) District, as shown below.



- 3. SITE DESCRIPTION & SURROUNDING USES:** The Site is approximately 32.69 acres of land east of SE 15th Street, west of the Pinewood Natural Area, and south of the future extension of SE Wilson Avenue, and includes a small area south of the undeveloped portion of SE Bronzewood Avenue. The area contains two mapped Upland Areas of Special Interest (ASI). Generally, grades slope downhill from west to east with the largest grade drop of approximately 30 feet occurring in the western third of the site. East of the two ASIs, the site is generally flat. There are a few smaller areas of rock outcroppings scattered throughout the Site. Currently, the property is largely undeveloped except for an existing public 8-inch sanitary sewer main that transects the Site, generally running north/south from the intersection of SE Bronzewood Avenue and SE Valleywood Place at the south, to the SE Wildcat Drive stub at the north boundary of the Site. There also appear to be several spoils piles comprised of smaller volcanic boulders and soil dispersed throughout the Site, but primarily flanking the sewer corridor. The site is primarily vegetated with Juniper trees and scrub shrubs. There are also Ponderosa Pine Trees scattered throughout the Site, with the majority being concentrated in the two ASI areas.
- 4. PROPOSAL:** The Wildflower Master Planned Development (BDC 2.7.3100) was approved and codified in 2015 (Ord. NS-2250, 2015). The applicant is proposing a Type III Quasi-Judicial amendment to modify the Wildflower Master Planned Development to revise and create standards for the residential and commercial areas. The proposal also includes a Comprehensive Plan Map and Zoning Map amendment to adjust the Mixed Employment (ME) District and Medium Density Residential (RM) District boundaries. The ME zone will be reduced from 6.2 acres to 1.4 acres, and the RM zone will be increased from 25.3 acres to 30.1 acres within the Master Plan area.



WILDFLOWER MASTER PLANNED DEVELOPMENT DISTRICTS (PROPOSED)

5. PUBLIC NOTICE AND COMMENTS: The applicant hosted a virtual public meeting via ZOOM on November 18, 2021, at 6:00 pm, in accordance with BDC 4.1.215, Public Meeting. Documentation of public notices and verification of compliance forms were submitted with the applications. According to the summary of the ZOOM meeting provided by the applicant, approximately 25 people attended the neighborhood meeting, including the Larkspur Neighborhood Association Land Use Chair.

On January 19, 2023, Notice of Proposed Development signs indicating the Planning Commission public hearing) were posted by the applicant along the property frontages at 9 locations, visible and within 10 feet of the abutting rights-of-way. These notices were posted for more than 10 days prior to the February 13, 2023 hearing date.

On January 23, 2023, the City of Bend Planning Division mailed notice of the Planning Commission public hearing for these applications to all property owners of record and to the addresses based on the City's current addressing record, for properties within 500 feet of the subject site, as well as the representative for the Larkspur Neighborhood Association. The notices for the public hearing were mailed more than 10 days prior to the first evidentiary hearing, in accordance with BDC 4.1.423. Furthermore, a notice of the proposed amendments was sent to the Department of Land Conservation and Development (DLCD) on October 18, 2022. Notices were sent via CityView to participating City Departments and other affected agencies for comment. On March 14,

2023, Notice of Proposed Development signs (indicating the City Council public hearing) were posted by the applicant along the property frontages at 9 locations, visible and within 10 feet of the abutting rights-of-way. On March 15, 2023, the City of Bend Planning Division mailed notice of the City Council public hearing for these applications to all property owners of record and to the addresses based on the City's current addressing record, for properties within 500 feet of the subject site, as well as the representative for the Larkspur Neighborhood Association, and all current parties to the record. The agency comments and recommendations that the Planning Division received in response are contained in the project file and were considered in this staff report.

As of March 15, 2023, 47 public comments have been submitted and 14 people spoke at the Planning Commission hearing in reference to the applications. The concerns include increased traffic and speed in the area, the reduction of ME zoning, removal of trees, parking congestion, and reduction of surrounding property values. Traffic as a result of future development is addressed within the submitted Traffic Analysis Memo, which is a submittal item for each of the applications. Reduction of ME zoning is addressed within this document. Tree removal for construction of required infrastructure and development will be addressed with subsequent infrastructure plan and development applications. Effective March 3, 2023, minimum on-site parking requirements were removed as a development standard from the Bend Development Code. Overflow on-street parking location is not a review criterion. Impacts on surrounding property values is not a review criterion. Written public comments can be viewed in the Online Permit Center Portal on the City of Bend website by opening the portal and selecting the Application Search link under the Planning & Historic header, then enter the project number PLCPMA20220263 or PLTEXT20220269 in the search bar to find the project.

6. APPLICATION ACCEPTANCE DATE: The Type III Comprehensive Plan Map and Zoning Map Amendment application was submitted on April 12, 2022. Application fees were paid on April 12, 2022 with additional fees paid on May 28, 2022. Application materials were uploaded between April 12, 2022 and January 20, 2023. The Type III Bend Development Code Text Amendment application was submitted on April 13, 2022. Application fees were paid on April 14, 2022. Application materials were uploaded between April 13, 2022 and January 20, 2023. In accordance with BDC 4.1.430, applications for major master plans are exempt from the 120-day review time limitation for final decision.

FINDINGS OF CONFORMANCE WITH APPLICABLE CRITERIA AND PROCEDURES

Bend Development Code

4.1.1325 Modifications of Approval

B. Modification Review Procedures.

1. A modification that does not have significant additional impacts on surrounding properties must be reviewed only under the criteria applicable to the aspect(s) of the proposal that are to be modified.
2. A modification that has significant additional impacts on surrounding properties must be reviewed under all criteria applicable to the entire approval and may, at the discretion of the City, require the filing of a new application.
3. A modification must not be considered to have significant additional impacts on surrounding properties if the identified impacts could be addressed under the applicable provisions of this code at the time of future development (e.g., a future site plan review or conditional use permit application).
4. A modification that is a new proposal must be filed as a new application.

FINDING: This project is being reviewed as a modification of an existing master plan and will be subject to the approval criteria of BDC 4.1.1325.F. Sewer, water, and transportation impacts are addressed in the findings below within the approval criteria for a Community Master Plan.

F. Modifications of a master plan, PUD or special planned district approved under land use regulations in place prior to April 14, 2017, must meet the approval criteria required in subsection (B) of this section in one of the following sections in BDC Chapter 4.5, Master Plans:

1. The modification of a master plan, PUD or special planned district that is primarily for residential uses is subject to the applicable approval criteria in BDC 4.5.200(D)

FINDING: The Wildflower Master Planned Development was adopted by the City Council through Ordinance NS-2250 on September 2, 2015. The proposed amendments modify the Wildflower Master Planned Development, which is primarily for residential uses, and is therefore subject to the applicable approval criteria in BDC 4.5.200(D).

Chapter 4.5, Master Plans

4.5.200 Community Master Plan

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.

The proposal provides needed housing as defined above. The applicant elected to use a deviation process in order modify one or more BDC standards. Therefore, a major master plan modification 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 application is a modification to the BDC 2.7.3125 Wildflower Master Planned Development. The applicant intends to submit land divisions and/or site plan applications upon approval of the master plan modifications.

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 4.5.200(E) is addressed below. The Wildflower Master Planned Development 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 property will be adequately served by City water and sewer; therefore, this criterion is met. Each of these facilities are addressed below, based on the City of Bend prepared Sewer and Water Analysis (PRSWA202103768) dated December 14, 2022.

Sewer – Existing Conditions:

- The development is not currently served by City of Bend sewer.
- There is an 8-inch PVC gravity main located within the property limits.
- There is an 8-inch PVC gravity main located south of the property within Bronzewood Avenue.
- There is an 8-inch Reinforced Concrete Pipe gravity main located west of the property within 15th Street.

The City of Bend Sewer and Water Analysis indicates the existing and planned infrastructure will have available capacity to serve the proposed development with mitigations identified in the Water and Sewer Analysis. Mitigation includes replacing all the 8-inch PVC gravity mains from manhole CMH002339 to CMH002761 with 12-inch PVC gravity mains. If approved by the City Engineer, the development may replace the existing main with 10-inch PVC gravity mains instead. If 10-inch PVC gravity mains are allowed, future land division applications and/or site plan review applications must include a request for a deviation to City of Bend Standards and Specifications. The new mains may be realigned and need to meet City of Bend Standards and Specifications and be located within the City of Bend right-of-way. If approved by the City Engineer to deviate outside the right-of-way, the sewer main must be within a minimum 20-foot

sewer easement centered over the main. Wider easements may be required based on design depth of the main. Final alignments of the sewer main and locations of manholes will be determined with future infrastructure plans based on final review by City Engineering. In addition, each new tax lot will need to be served by a single lateral that meets City of Bend standards.

Water – Existing Conditions:

- The development site is currently served by City of Bend water.
- There is a 12-inch ductile iron main located west of the property within 15th Street.
- There is a 6-inch cast iron main located north of the property within Wildcat Drive.
- There is an 8-inch ductile iron main located south of the property within Black Ridge Place.
- There is a 12-inch ductile iron main located south of the property within Bronzewood Avenue.
- All mains are located within Pressure Zone 4B.

The development must extend 8-inch ductile iron mains to and through the property limits. The new mains must be looped with the existing mains within 15th Street, Wildcat Drive, Bronzewood Avenue, and Black Ridge Place. The new mains need to meet City of Bend Standards and Specifications and must be located within the City of Bend right-of-way. If approved by the City Engineer to deviate outside the right-of-way, the water main must be within a minimum 20-foot water easement centered over the main. Final alignment of the water mains and the locations of waterline appurtenance's locations, such as valves, and fire hydrants will be finalized with future infrastructure plans based on final review by the Fire Marshal and City Engineer.

Based upon the above findings and the submitted exhibits, by completing the required improvements, public facilities will have adequate capacity to serve the proposed development. Final infrastructure plans will be reviewed at the time of future land division and/or site plan review application(s).

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.

A. Applicability. When significant impacts are identified as part of the Transportation Impact Analysis, mitigation measures must be included to address those impacts.

E. Timing of Improvements.

2. Development proposals within Master Planned Developments or Special Planned Areas, as described in BDC 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 *Transportation Facility Report and Transportation Impact Analysis*, dated February 10, 2022, and revised July 8, 2022, was prepared by Sandow Engineering and is included as Appendix C of the master plan application PLCPMA20220263. The City reviewed this report under a Transportation Review Application (PRTFR202201010) and issued a Traffic Analysis Memo (TAM), dated December 13, 2022, which outlined the required transportation mitigation requirements for the proposed Wildflower Master Planned Development, as modified. The mitigation requirements specific to the Wildflower Master Planned Development are incorporated into the Transportation Mitigation Plan as a table in the Wildflower Master Planned Development code. Future development proposals within the Wildflower Master Planned Development will be subject to the Transportation Mitigation Plan for the extent and timing of these specific improvements. The other mitigation requirements in the TAM are standard land division/site plan review requirements and will also be conditions of approval for future division/site plan review applications. This criterion is met.

4.5.200.D. Community Master Plan Approval Criteria (continued)

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 Applicant is proposing to reduce the amount of ME zoned land in favor of increasing the amount of RM zoned land within the area regulated by the Master Plan. The proposal includes a Comprehensive Plan Map and Zoning Map amendment to revise the boundaries of the ME and RM designations and zone boundaries. The ME zone will be reduced from 6.2 acres to 1.4 acres, and the RM zone will be increased from 25.3 acres to 30.1 acres. The criteria in BDC 4.6.300.B are addressed below for the proposed Comprehensive Plan Map Amendment.

- 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:

- i. 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
- ii. 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
- iii. That any impacts resulting from the deviation are mitigated to the extent reasonably practical.

FINDING: The Wildflower Master Planned Development is being amended to include unique standards for the development to ensure efficient use of land, vehicular, bicycle and pedestrian connectivity, and building orientation standards. The proposed amendments to BDC 2.7.3100 Wildflower Master Planned Development are attached as Exhibit B.

Chapter 2.1 - Residential Districts

The Wildflower Master Planned Development includes the Wildflower Glen Housing District and the Wildflower Hills Multi-Unit Dwelling District. The Wildflower Master Planned Development sets forth the development standards for these residential districts, which closely mimic the standards within BDC 2.1, except as noted in the code deviations below. The permitted uses within these residential districts remain the same as those outlined in BDC Table 2.1.200. Similarly, if a code deviation is not noted below and not included in the Wildflower Master Planned Development, the underlying code standard in that zone applies.

Architectural Design Standards. The Master Plan conceptual site plan includes a mix of building types and sizes. BDC 2.1.900, Architectural Design Standards for multi-unit developments require all building elevations adjacent to a street right-of-way to provide doors, porches, balconies, and/or windows. A minimum of 40 percent of front (i.e., street-facing) elevations, and a minimum of 30 percent of side and rear building elevations, must meet this standard. The standard applies to each full and partial building story.

The Wildflower Master Planned Development will include more than five units on a lot or parcel and these buildings would typically be subject to architectural design standards for multi-unit buildings (which per the BDC are buildings with five (5) or more attached dwellings). The applicant desires to provide more flexibility for the layout of the Master Plan by incorporating

amended Building Orientation standards, similar to the standards in BDC 2.1.900.C.2 for multi-unit developments with five or more attached dwelling units. The applicant proposes deviations to include applying Building Orientation standards only to buildings abutting a public street and when the building abuts a street, allowing flexibility to consider which elevation is considered the “front elevation” for purposes of providing doors, porches, balconies and/or windows. This only applies to buildings with 5 or more units.

The applicant proposes to incorporate standards appropriate for the smaller scale residential buildings with four (4) or less attached dwelling units. The applicant proposes to deviate from BDC 2.1.900 by exempting buildings with 4 or fewer units from this section. In lieu of BDC 2.1.900, the applicant proposes front door orientation standards and window/door standards such that any elevation that faces a street will have a minimum of 15% of doors or windows. The proposed architectural design standards are in line with the standards of BDC 2.1.950, which are design standards applied to Triplex, Quadplex, and Townhome building types within the City, rather than the standards of 2.1.900 which are more applicable to larger scale multi-unit buildings with 5 or more attached dwellings.

The above changes comply with the criteria of BDC 4.5.200.D.3.b.i. and iii. Granting these deviations will equally or better meet the purpose of the regulations that are proposed to be modified and there will not be any impacts resulting from the above deviations that would require mitigation. Therefore, the criterion for granting the above deviation is met.

Chapter 2.3 Mixed-Use Zoning Districts

The Wildflower Master Planned Development includes the Wildflower Plaza Mixed Employment (ME) District. The Wildflower Master Planned Development sets forth the development standards for this district, which closely mimic the standards within BDC 2.3, except as noted in the code deviations below. The permitted uses within these residential districts remain the same as those outlined in BDC Table 2.3.200, however, no drive-through windows are allowed except for coffee shops. Similarly, if a code deviation is not included in the Wildflower Master Planned Development, the underlying code standard in that zone applies.

Front Setback. The applicant is requesting to increase the maximum front setback from 10 feet to 20 feet along 15th Street and along the south side of Wilson east of the roundabout due to the proximity of the roundabout and the proposed 10-foot-wide multi-use trail. Allowing for a greater setback along the trail frontage along the south side of Wilson will allow for outdoor uses, such as outdoor dining, without needing to rely on street use to accommodate such uses. Increasing the maximum setback also provides a more comfortable buffer between the main building entry and multi-use trail, which is likely to have a higher percentage of use by other pedestrian means of transportation such as bicycles, scooters, etc.

In addition, the applicant is requesting that the maximum 20-foot setback applies to one frontage on a corner lot or a lot with more than one frontage. Due to the complexity of roundabout traffic at Wilson Avenue and 15th Street, both vehicular and pedestrian, requiring

building frontage on both streets is not desirable at this location nor would it be part of a conglomeration of ME-Zoned lots that would follow a similar design pattern fronting 15th Street and Wilson Avenue. Therefore, it makes sense that the front setback maximum should only be applied to one public street frontage.

The above changes comply with the criteria of BDC 4.5.200.D.3.b.ii. & iii. Granting the above deviations to the BDC standards and/or zoning district requirements is necessary due to the specific development type proposed by the Master Plan. There will not be any impacts resulting from the above deviation that would require mitigation as these deviations will not impact neighboring properties as they are specific to the development type proposed by the Master Plan. Therefore, the criterion for granting the above deviation is met.

Side and Rear Setback and Buffers. The Master Plan is envisioned to be an interconnected community and, therefore, minimal side and rear setbacks are proposed in the ME-zoned portion. Requiring setbacks and buffers from uses within the Master Plan boundaries may decrease the sense of community by requiring a separation of uses. Building and Fire Code building separation requirements will be applied as part of future Building Permit application review.

The above changes comply with the criteria of BDC 4.5.200.D.3.b.ii. & iii. Granting the above deviations to the BDC standards and/or zoning district requirements is necessary due to the specific development type proposed by the Master Plan. There will not be any impacts resulting from the above deviation that would require mitigation as these deviations will not impact neighboring properties as they are specific to the development type proposed by the Master Plan. Therefore, the criterion for granting the above deviation is met.

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

Block Lengths. BDC 3.1.200.D, Street Connectivity and Formation of Blocks includes block lengths and perimeters standards. Maximum block length for residential zones is 660 feet and block perimeter is 2,000 feet. Maximum block length for mixed-use zones is 660 feet and the block perimeter is 2,640 feet. An exception may be granted to the maximum block length and/or block perimeter by the Review Authority if the applicant can demonstrate that the block length and/or block perimeter cannot be satisfied due to topography, natural features, existing development or other barriers, or it is unreasonable to meet such standards based on the existing pattern of development, or other relevant factors. The proposal includes deviations to both maximum block length and perimeter. Due to the park land to the west and surrounding residential development, there is no foreseeable potential for an east/west street through the site to connect further east. Additionally, the two existing protected ASIs limit public street connections through the site to meet maximum block and perimeter standards. Therefore, the applicant is proposing an exception to the standard and will minimize out of direction travel by providing north/south and east/west pedestrian and vehicular connectivity to the maximum extent possible by providing public multi-use paths and trails, and on-site vehicular and pedestrian circulation.

The applicant provided a Transportation Impact Analysis together with a Connectivity Study in
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support of the proposed Street Connectivity and Formation of Blocks proposed within the Master Planned Community. The Connectivity Study details both the north-south and east-west block lengths, including justification for the proposed deviations. The existing concept diagram in Figure 2.7.3125, Wildflower Master Planned Development Districts, indicates a vehicular network in which there is an east-west vehicular connection across the site. The applicant is proposing to retain an east-west connection however rather than have the connection be a public or private local street, the applicant is proposing a private parking lot drive aisle. The drive aisle will have a narrower footprint, allow for more parking proximate to a future clubhouse and adjacent multi-unit buildings and allow for more middle housing dwelling units to be constructed within the Master Planned Area. The drive aisle will have an abutting 10-foot-wide multi-use path with public access easement over the path. In the context of these deviations being part of the proposed Master Plan amendment, the criteria for deviation from BDC 4.5.200.D.3.b.i., ii. & iii are applicable and fully discussed in the Connectivity Study. In summary, the above changes comply with the criteria of BDC 4.5.200.D.3.b.ii. & iii. Granting the above deviations to the BDC standards and/or zoning district requirements is necessary due to unique characteristics of the property and the specific development type proposed by the Master Plan, and there will not be any impacts resulting from the above deviation that would require mitigation. Therefore, the criterion for granting the above deviation is met.

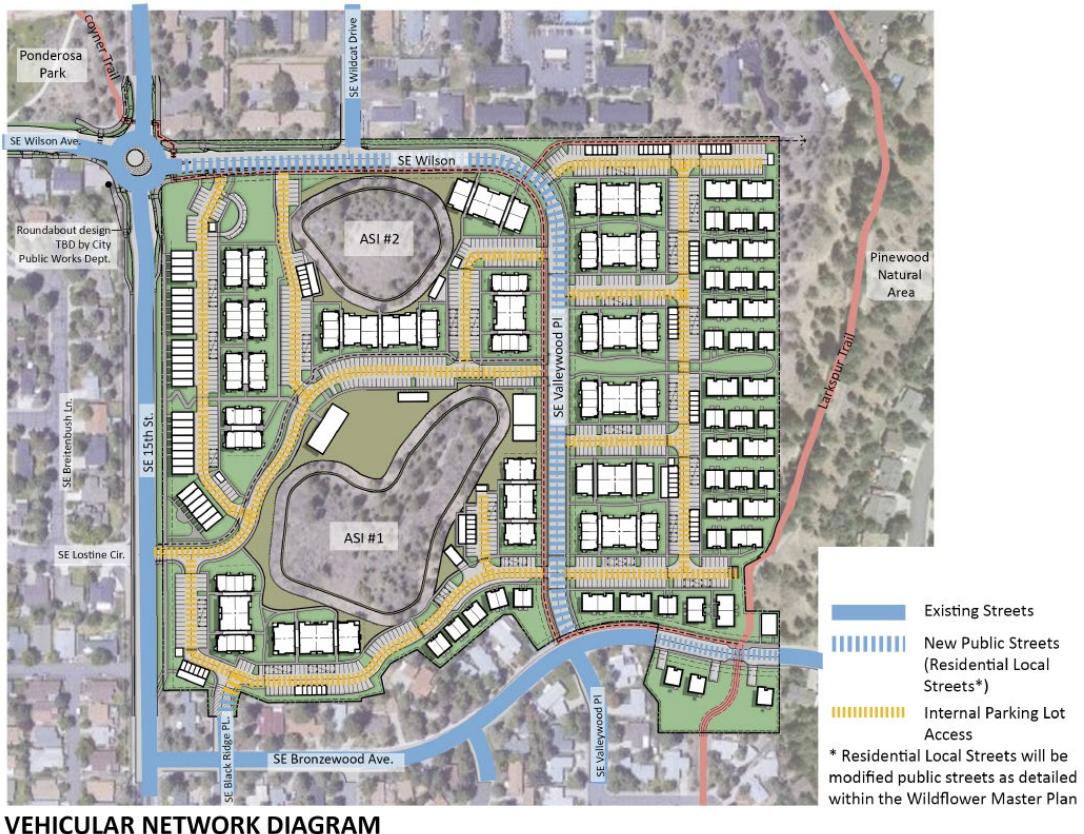


Figure 2.7.3150.C. - Pedestrian Network Diagram



Chapter 3.2 – Landscaping, Street Trees, Fences and Walls

There are two ASIs on site that will be preserved as private open space within the boundaries of the area regulated by the Master Plan. These two ASIs total 4.9 acres, which is 14.99% of the total area regulated by the Master Plan (32.69 acres) prior to any public right of way dedications.

The Applicant's submittal documents include an Existing Conditions Survey (Appendix A, Exhibit 1) and Tree Inventory Map & Table (Appendix A, Exhibit 6). Required landscaping will be addressed in future site plan reviews for the multi-unit 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 and there is nothing inherent in the proposed Master Plan amendments that would preclude compliance with BDC Chapter 3.2, Landscaping, Street Trees, Fences and Walls.

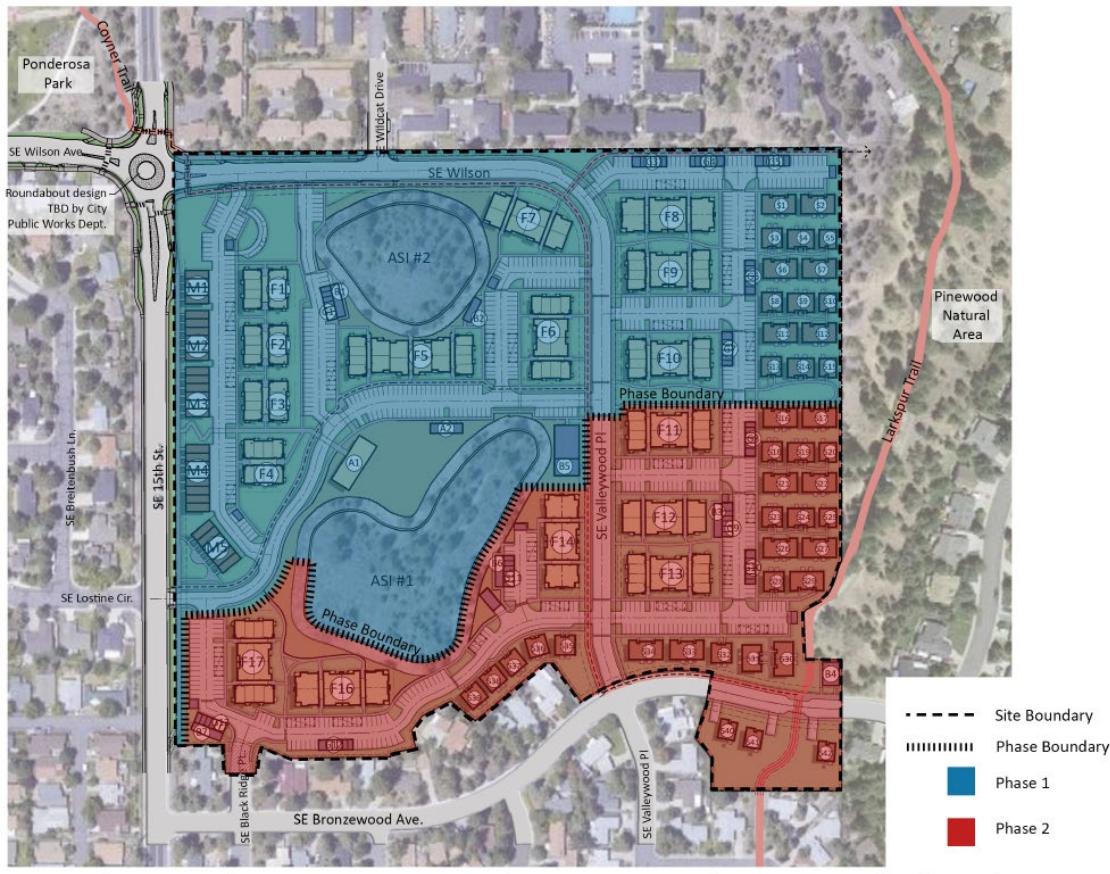
Chapter 3.3 – Vehicle Parking, Loading and Bicycle Parking

Compliance with this section will be reviewed during future site plan review (for multi-unit residential development) or building permit review (for any potential single-unit dwelling, duplex, triplex, or quadplex). The Master Plan will allow fifty percent of the required bicycle

parking spaces, when provided within a covered enclosure, to be provided via wall mounted racks that allow the bicycles to hung vertically. The wall mounted racks may also be vertically staggered to allow for bicycles to spaced more closely. As proposed, compliance with this section can be met with the proposed land uses and configuration.

Chapter 3.4 – Public Improvement Standards

The Wildflower Master Planned Development is planned to be built out in two Major Development Phases, which may each be divided into smaller subphases. The two Major Development Phases are depicted in the following Figure 2.7.3170, Wildflower Master Planned Development, Development Phasing Plan below. Required infrastructure (water, sewer and transportation) will be provided with the major development phases to ensure public improvements necessary to serve each phase are completed.



The Applicant applied for and received the results of a water/sewer analysis including an addendum (PRSWA202103768) prepared by the City of Bend. Upgrading the size of the existing sewer main that runs through the Site will be required to increase the sewer main capacity. The City has also requested that the sewer main be realigned to follow the proposed SE Valleywood Place right-of-way unless approved by the City Engineer to deviate

outside of the right-of-way. Sewer main upsizing and realignment will be completed with the development of the Site. The analysis also showed that sufficient water is available to serve the Wildflower Master Planned Development site and the development will be required to extend the mains to and through the property limits and the new mains must be looped with the existing mains within 15th Street, Wildcat Drive, Bronzewood Avenue, and Black Ridge place. The new mains must be located within the right-of-way unless approved by the City Engineer to deviate outside of the right-of-way.

Storm drainage will be reviewed at the time of land division and/or site plan review applications for compliance with City codes.

The *Transportation Facility Report and Transportation Impact Analysis*, dated February 10, 2022, and revised July 8, 2022, was prepared by Sandow Engineering and is included as Appendix C of the master plan application. The City reviewed this report and issued a Traffic Analysis Memo (TAM), PRTFR202201010 which outlined the required transportation mitigation requirements for the Wildflower Master Planned Development. The mitigation requirements specific to the Wildflower Master Planned Development are incorporated into the Transportation Mitigation Plan as a table in the proposed Wildflower Master Planned Development code. Future development proposals within the Wildflower Master Plan will refer to the Transportation Mitigation Plan for the extent and timing of these specific improvements. The other mitigation requirements in the TAM are standard land division/site plan review requirements and will also be conditions of approval for future division/site plan review applications.

Street Cross Sections. Street cross sections are included in the Wildflower Master Planned Development. The majority of the cross sections conform to Code Standards and do not necessitate deviations.

The frontage improvements along 15th Street will tie into the roundabout improvements under construction at 15th Street and Wilson Avenue, by the City of Bend, at the northwest corner of the site. The southernmost 30-feet of the project frontage may be used to accommodate a taper to the existing curb tight sidewalk to the south and to allow for a bicycle on-ramp that will allow northbound cyclists to transition from the existing on street bike lane to the 10-foot multi-use pathway.

The applicant will provide a 10-foot-wide multi-use path along the south side of the Wilson Avenue frontage and the west side of the Valleywood Place frontage as requested by Bend Park and Recreation District (BPRD). To facilitate the construction of the multi-use path within the right-of-way (ROW), the applicant is requesting a deviation to reduce the planter strip width on both sides of the street on each side and to reduce the sidewalk width on the north side of Wilson and east side of Valleywood. Additionally, the applicant is proposing to reduce the roadway width at the intersection of Wilson Avenue and Valleywood Place by providing curb extensions within the curve. The curb extensions will eliminate on-street parking within the curve, reducing the pavement width. The curb extensions will improve pedestrian safety for the multi-use path crossing by reducing pedestrian crossing distances, providing better

pedestrian refuge and visibility to drivers, and providing traffic calming. The curb extensions will reduce the pavement width from the 36-foot standard to 24 feet at the curb extensions, which is the minimum width standard for Local Streets without parking. The proposed deviation will provide overall improved pedestrian and bicycling safety at this crossing.

The applicant will also provide a 10-foot-wide multi-use path along the north side of the Bronzewood Avenue frontage, running from the Valleywood intersection east to the Larkspur Trail crossing, as requested by BPRD. To facilitate the construction of the multi-use path within the ROW, the applicant is requesting a deviation to eliminate the planter strips on both sides of Bronzewood, to reduce the sidewalk width on the south side of Bronzewood to 5 feet, and to reduce the sidewalk width on the north side, east of the Larkspur Trail, to 5 feet. Additionally, the applicant is proposing to reduce the roadway width at the intersection of Bronzewood Avenue and the Larkspur trail by providing curb extensions. The curb extensions will eliminate on-street parking within the vicinity of the Larkspur Trail crossing reducing the pavement width. The curb extensions will improve pedestrian safety of the Larkspur Trail crossing by reducing pedestrian crossing distances, providing better pedestrian refuge and visibility to drivers, and providing traffic calming. The curb extensions would reduce the pavement width from the 36-foot standard to 24 foot at the curb extensions, which is the minimum width standard for Local Streets without parking. The proposed deviation request will provide overall improved pedestrian and bicycling safety at this crossing. The modifications above comply with the criteria of BDC 4.5.200.D.3.b.ii. & iii. Granting the above deviations to the BDC standards and/or zoning district requirements is necessary due to the specific development type proposed by the Master Plan and proposed connectivity through the site to existing public space and trails.

Additional detail is provided in BDC 2.7.3170, Major Development Phases & Sub-phasing section of the proposed master plan text amendments in the Transportation Improvements – Table 2.7.3170, which further details out public improvements. The overall transportation plan, including the street, sidewalk, and trail locations and designs ensure a well-connected transportation system that will equally or better meet the purpose of the established public improvement standards.

Chapter 3.5 – Other Design Standards

Solar Standards of 3.5.400 would only be applicable to subdivisions for lots or parcels with one- and two-unit buildings. Although the applicant is not currently planning for any subdivisions that will have one-unit or two-unit buildings on small lots, the goal of modifying these standards is to preserve more design flexibility within the Master Plan boundaries. Setbacks established by the underlying zoning, and as modified herein, provide for minimum setback requirements to standardize development within the Master Plan. Imposing additional development standards on RM and RS zoned lands further complicates and restricts development options within the Master Plan boundaries. Less restrictive lot design requirements will ensure the Master Planned Community can provide meaningful development density to meet the City's goal of providing much needed housing of all types.

Conclusion:

Given the significant land area dedicated to ASIs, existing development patterns, and abutting park land to the east, compliance with all applicable development code standards, density requirements, and housing types is challenging. No impacts are anticipated from the proposed deviations/modifications and the proposed deviations will equally or better meet the purpose of the RS, RM and ME regulations to carry out the intent of the zone and satisfy Community Master Plan requirements.

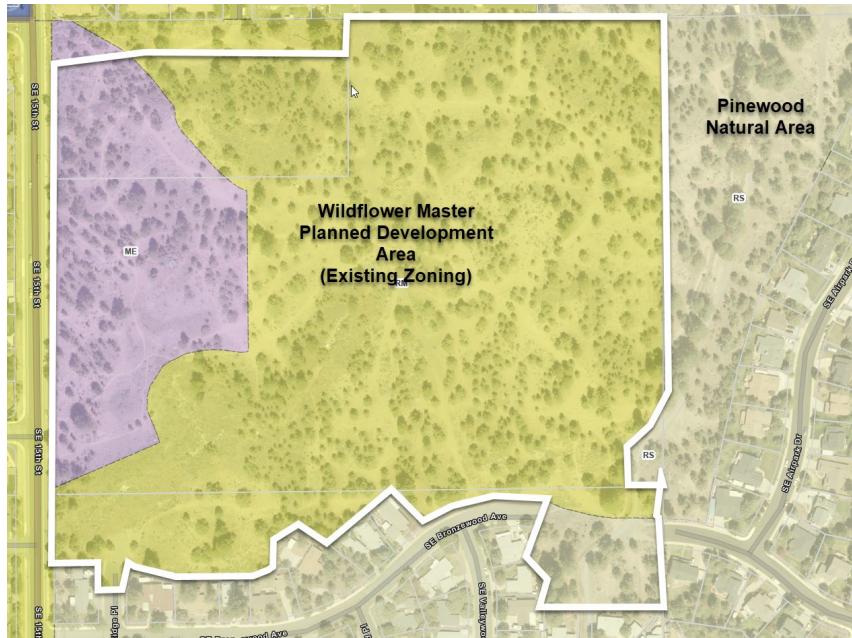
Other than the identified deviations, the proposal can conform to all applicable standards of Chapters 2 and 3.

4.5.200.D. Community Master Plan Approval Criteria (continued)

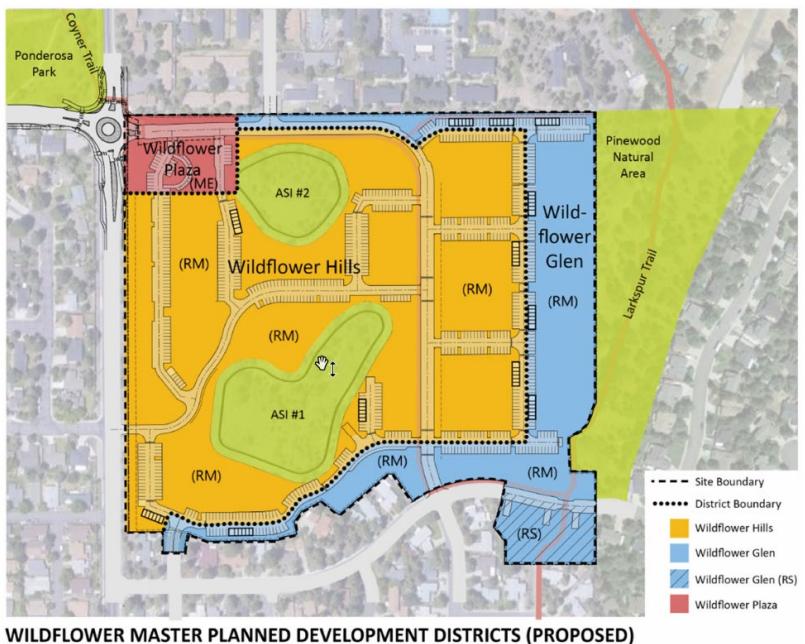
3. Major Community Master Plan (continued)

- 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:....**
- 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).**
- 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: The proposal includes changing the Comprehensive Plan designations on a portion of the property; therefore, a concurrent Comprehensive Plan Map amendment is proposed. The Comprehensive Plan Map Amendment; with Zone Map Amendment, proposes to adjust the Mixed Employment (ME) District and Medium Density Residential (RM) District boundaries within the Wildflower Master Planned Development. The ME zone will be reduced from 6.2 acres to 1.4 acres, while the RM zone will be increased from 25.3 acres to 30.1 acres.



PROPOSED



WILDFLOWER MASTER PLANNED DEVELOPMENT DISTRICTS (PROPOSED)

The criteria in BDC 4.6.300.B are addressed below for the proposed Comprehensive Plan Map amendment. The zoning amendment will implement the proposed Comprehensive Plan designation; thus, the criteria in BDC 4.6.300.C. are also addressed below.

B. Criteria for Quasi-Judicial Comprehensive Plan Map Amendments. The applicant shall submit a written narrative which explains how the approval criteria will be met. A recommendation or a decision to approve, approve with conditions or to

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deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

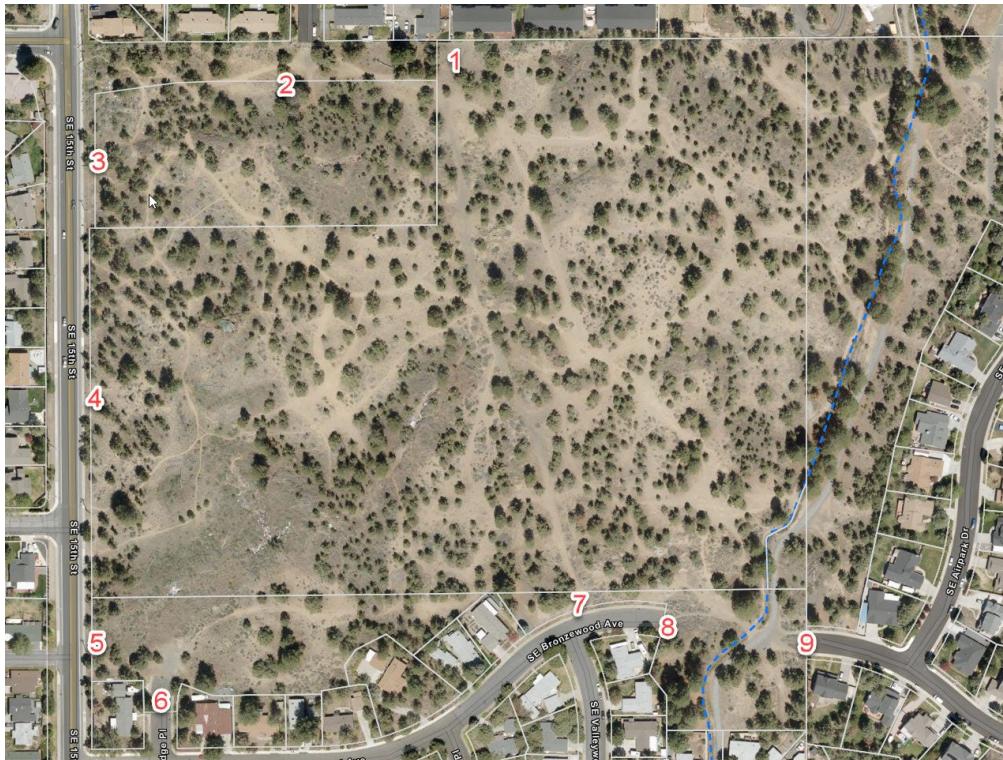
- 1. Approval of the request is consistent with the relevant Statewide Planning Goals that are designated by the Planning Director or designee;**

GOAL 1, CITIZEN INVOLVEMENT

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 November 18, 2021, before submitting the application to the City.

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, prior to this hearing, property owners and residents within 500 feet of the subject properties, as well as the representative of the Larkspur Neighborhood Association, were notified via mail and 9 public hearing notice signs were posted around the street edges of the subject properties.



Property frontage locations for posted notices

Conformance with Goal 1 is further achieved through compliance with Title 4 of the BDC, Applications and Review Procedures. Section 4.6.300 of the Development Code establishes that amendments to major community master plans must 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 BDC are being followed, which will ensure compliance with Statewide Planning Goal 1.

GOAL 2, LAND USE PLANNING

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 Wildflower Master Planned Development contains the City's adopted and acknowledged land use regulations for the subject area. All development within this area must comply with the BDC and state statutes. The goal of orderly land use planning is achieved through the implementation of the Bend Comprehensive Plan, the Bend Zoning Map and the BDC. Through this Quasi-Judicial application and compliance with the criteria and requirements of the BDC, this application will substantially comply with Goal 2. Therefore, this goal is found satisfied.

GOALS 3, AGRICULTURAL LANDS & 4, FOREST LANDS

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 are not applicable because the properties do not include any agricultural land or forest lands.

GOAL 5, NATURAL RESOURCES, SCENIC AND HISTORIC AREAS, AND OPEN SPACE

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: Areas of Special Interest (ASI) are designated on the City's Comprehensive Plan Land Use Map because they have features typical of Central Oregon or represent important wildlife areas. Keeping these features relatively intact will help retain the natural character of Central Oregon as the community grows. The ASI and other natural areas can be retained as either public or private open space. There are two ASI within the Wildflower Master Planned Development that will be preserved as private open space. These two ASIs total 4.9 acres. Therefore, this goal is found satisfied.

GOALS 6 AIR, WATER AND LAND RESOURCES QUALITY & 7 AREAS SUBJECT TO NATURAL HAZARDS

Goal 6, Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

Goal 7, Areas Subject to Natural Hazards: To protect people and property from natural hazards.

FINDING: The proposed map and text amendments will not have any impacts to air, water or land resources quality. Goals 7 is not applicable because the subject properties are not within an identified natural hazard area. Therefore, these goals are satisfied.

GOAL 8, RECREATIONAL NEEDS

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: Trail placement within the Site has been coordinated with BPRD to extend and

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connect existing trails (Larkspur Trail, Coyner Trail), focused on connectivity and neighborhood compatibility. Additionally, the Master Plan code amendments include a new connector trail that will branch off the northeasterly side of the curve of the Wilson/Valleywood extension and run parallel the north property line, to respond to a BPRD request for a secondary connection to the Pinewood Natural Area. These trails plus the two ASIs provide active and passive recreational facilities for the development and surrounding neighborhoods and therefore, this goal is satisfied.

GOAL 9, ECONOMIC DEVELOPMENT

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: The Wildflower Master Planned Development was adopted by the City Council through Ordinance NS-2250 on September 2, 2015. At that time, the plan designation and zoning on 6.2 acres of the original site was changed from RS to ME.

The 2016 Buildable Lands Inventory (See Appendix J to the Comprehensive Plan), included the Wildflower Master Planned Development area in the inventory of buildable residential land (See Figure 2 of 2016 BLI). The land was not included in the inventory of employment land that ultimately informed the city's future needs for sites for employment land identified in the 2016 Economic Opportunities Analysis (EOA) (See Appendix E to the Comprehensive Plan). Therefore, the proposal to reduce the 6.2 acres of ME-zoned land within the Wildflower Master Planned Development to 1.4 acres does not require an amendment of the EOA and/or the Comprehensive Plan. It is desirable, however, to retain some area for commercial uses in order to provide complete neighborhoods with nearby services and amenities needed for daily living, which this proposal can achieve with the remaining ME-zoned land.

Therefore, this goal will be satisfied.

GOAL 10, HOUSING

Goal 10, Housing: To provide for the housing needs of the citizens of the state.

FINDING: According to the adopted 2016 Bend Housing Needs Analysis (HNA), Bend is planning for growth of approximately 38,500 people between 2008 and 2028, requiring nearly 16,700 new dwelling units. Bend's housing needs are changing and key demographic changes are occurring in Bend and across the nation. Baby Boomers may need affordable housing or may choose to downsize their housing, resulting in greater demand for middle housing types and small single-family dwellings, cottages, accessory dwelling units, townhomes, apartments, and condominiums and growth in Millennial households will increase the need for affordable housing for renters and homeowners such as: small single-family dwellings, cottages, accessory dwelling units, duplexes, triplexes, townhomes, garden apartments, and apartments.

In addition to the HNA, The FY 2021-23 Council Goal Framework plan includes a housing goal to *“Take meaningful action to make this statement a reality: People who live and work in Bend can afford housing in Bend.”* This goal includes the following guiding principle:

Reduce regulatory barriers for housing development with an emphasis on incentivizing rent and price restricted affordable housing, middle income housing, and housing that serves vulnerable community members.

The Applicant is proposing to decrease the amount of ME-zoned land with the Wildflower Master Planned Development boundary in favor of increasing RM-zoned land. This will add 4.79 acres of RM-zoned land within the existing urban growth boundary for much-needed housing.

In addition, it is reasonable to anticipate that this map and text amendment request will increase the overall number of units realized on the site, and therefore contribute to the City's overall housing needs for multi-unit developments. Table 18 of the City's Housing Needs Analysis (shown below) indicates the needed types of housing units in the City of Bend. The Wildflower Master Planned Development contemplated units for this site are multi-units, which will contribute to the overall need of 4,819 units by 2028. The latest data regarding multi-units approved or under construction was not readily available, however, the number is well below the current goal as detailed by the HNA.

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

Note: The numbers do not balance going across because the needed mix was applied to the first and third columns, while the units permitted column reflects the actual percentage of what was permitted from 2009-2014.

*City of Bend Housing Needs Analysis, Table 18, Page 75

Therefore, this goal is satisfied.

GOAL 11, PUBLIC FACILITIES AND SERVICES

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 area subject to the proposed amendment will accommodate medium density residential development. The subject area can be served by public sanitary sewer, water, storm drainage, police, fire, schools, and parks.

The proposed amendments to the Wildflower Master Planned Development, along with the Comprehensive Plan and zoning map amendments, are consistent with the public facilities and services goal that requires the City to plan and develop land in a timely, orderly and efficient fashion, based upon the availability of public services. Infrastructure exists within the adjoining streets and all needed public facilities and services are available to serve the property when it develops. The master plan submittal includes the City of Bend Water and Sewer Analysis (submittal item labelled Appendix B in PLCPMA20220263) and the Traffic Impact Analysis, prepared by Sandow Engineering (submittal item labelled Appendix C in PLCPMA20220263) which show that the subject property can be served by public water, sanitary sewer, and transportation systems, and the applicant is committed to making the extensions needed to provide/extend the noted facilities and services in association with subdivision development. Upon approval, the applicant will undertake all required steps to design and extend services (as required through the Land Division and Site Plan processes), to accommodate the Wildflower Master Planned Development and the ultimate development of the site. The proposal is consistent with the current public facilities master plans and it has been shown that the property can be provided public facilities and services, concurrent with development.

Additionally, emergency services are available in the area through City of Bend Fire and Police Departments and the property is located within the Bend-LaPine School District, which has facilities to accommodate the planned development.

Following approval of the amendments to the master plan and related map amendments, associated subdivision and/or site plan review applications will be reviewed by the City of Bend. The Master Plan and supporting analyses document that the site can be designed in conformance with BDC requirements.

The proposal is therefore consistent with Statewide Planning Goal 11.

GOAL 12, TRANSPORTATION

Goal 12, Transportation: To provide and encourage a safe, convenient and economic transportation system.

FINDING: Goal 12 is implemented through the Transportation Planning Rule (TPR), OAR 660 Division 12. Compliance with the TPR is addressed elsewhere in this report.

GOAL 13, ENERGY CONSERVATION

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: The proposed Master Plan amendment will allow greater density in an area where goods and services are available to residents within walking distance or transit service,

thereby reducing vehicle trip distances and a reduction in vehicle miles traveled, thus potentially conserving energy. Therefore, this goal is satisfied.

GOAL 14, URBANIZATION

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: The subject area is currently within the Bend Urban Growth Boundary and designated for urban development. The resulting land use and zoning designations continue to provide a transition from Light Industrial (IL) and Medium Density Residential (RM) land west of the site to the Standard Density Residential (RS) land to the east. Therefore, this Goal is met.

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.

4.6.300 Quasi-Judicial Amendments (continued)

B. Criteria for Quasi-Judicial Comprehensive Plan Map Amendments

2. Approval of the request is consistent with the relevant policies of the Comprehensive Plan that are designated by the Planning Director or designee;

FINDING: As described below, the proposed Comprehensive Plan and Zoning Map Amendment and the amendments to the Wildflower Master Planned Development conform to all relevant Comprehensive Plan policies.

Relevant Policies of the Comprehensive Plan

Chapter 1 - Plan Management and Citizen Involvement

General Policy Guidance

1-1 The Goals stated within this Comprehensive Plan are intended to be guiding and aspirational; they are not regulatory policies. The Policies in the Comprehensive Plan are intended to provide standards for the City in adopting land use regulations, and compliance with the implementing regulations shall be deemed in compliance with the Comprehensive Plan.

FINDING: This policy provides general direction regarding the Comprehensive Plan Goals, Policies, and implementing regulations. As documented throughout these findings, the proposal conforms to all applicable implementing regulations; therefore, the application is consistent with this policy.

Development within the Urban Growth Boundary

1-6 *New developments shall pay to extend planned sewer, water, and transportation facilities to and through the property if the development occurs prior to the scheduled construction of those facilities shown in the capital improvement plan.*

FINDING: As documented on the submitted Street and Utility Plan, the applicant will extend sewer, water, and transportation facilities to and through the property. Furthermore, the application is supported by a Water and Sewer Analysis from the City of Bend, PRSWA202103768, issued Dec 14, 2022 and a Traffic Analysis Memo, PRTFR202201010 dated December 13, 2022. These documents show that there is (or will be, with the planned improvements) adequate capacity, that the property can be served by facilities with development, and that the applicant will extend said facilities to and through the property, consistent with this policy.

Citizen Involvement

1-16 *The City will use other mechanisms, such as, but not limited to, meetings with neighborhood groups, planning commission hearings, design workshops, and public forums, to provide an opportunity for all the citizens of the area to participate in the planning process.*

FINDING: Prior to this submittal, the applicant held informational meetings with the abutting neighborhood association. Furthermore, the applicant held the Public Meeting required under BDC 4.1.215 prior to submittal and this review process will involve public hearings before the Planning Commission and the City Council. The established Development Code review procedures ensure consistency with this Comprehensive Plan Policy.

Chapter 2 – Natural Features and Open Space

Natural Features and Open Space

2-5 *The City shall review proposed developments that include Areas of Special Interest and natural features identified on the Plan Map to ensure they follow the policies of this Plan.*

2-6 *Major rock outcrops, stands of trees, or other prominent natural features identified in the Comprehensive Plan shall be preserved as a means of retaining the visual character and quality of the community.*

FINDING: The proposed Master Plan text amendments and associated Comprehensive Plan map amendments/zone changes will continue to preserve the ASIs within the development. With no proposed changes in the Master Plan to these areas, BDC 2.7.700 *Upland Areas of Special Interest Overlay Zone* continues to implement this policy and will be addressed with future development applications as applicable. Therefore, the proposal is consistent with these policies.

2-7 Natural tree cover should be retained along streets in new developments to retain the natural character of Central Oregon within the urban area as the community grows.

2-8 All residential development should respect the natural ground cover of the area, and the city shall work with developers to preserve mature trees within the subdivision.

2-9 The City shall develop standards to conserve mature native trees and standards that describe the types of trees for commercial and industrial developments that are compatible with Central Oregon's climate.

FINDING: The site has varying degrees of topography, rock outcroppings and trees. Grading and tree removal details will be reviewed with the subsequent infrastructure permit applications and land division and/or site plan review application(s) for compliance with Bend Code Title 16, Grading, Excavation, and Stormwater Management, and BDC 3.2.200, Landscape Conservation. Street trees will be required prior to Certificate of Occupancy of abutting units. The proposal is consistent with these policies.

Chapter 3: Community Connections

Parks and Recreation Facilities

3-8 The City shall refer to the park district, for its review and recommendations, all development proposals that include or are adjacent to existing or proposed parks or trails.

FINDING: The Applicant has coordinated with BPRD regarding trail development and extension of a primary trail and connector trail through the Site, detailed further herein (See also snapshot of Exhibit 17 – Pedestrian Network Diagram below). The proposed applications do not impact the City's approach to coordination with the BPRD or the City's ability to encourage the development of neighborhood parks. Therefore, the proposal is consistent with this policy.



PEDESTRIAN NETWORK DIAGRAM

Chapter 4 - Population and Demographics

FINDING: This chapter addresses requirements for the City when calculating population and demographic data. The policies of this chapter are not relevant to the current application.

Chapter 5 – Housing

Housing Mix, Density, and Affordability

5-4 The City will apply plan designations, zoning districts and development code regulations to implement the mix of housing indicated in the adopted Housing Needs Analysis.

FINDING: Based on multiple factors, including Bend's "rapidly growing population", the City's Housing Needs Analysis (Section 8 of Ordinance 2271, Exhibit H, July 2016) forecasted a deficiency of residential land and a deficiency of dwelling units over the period of 2008 to

2028. More specifically, the Housing Needs Analysis highlights a demand for a wider range of housing types, including the need for smaller and less expensive units, noting that “[a] substantial portion of Bend’s residents will live in attached housing, such as townhouses, cottage housing, duplexes, garden apartments, or urban apartments” further noting “...a growing share of households will be renters...”.

A particularly salient point in Bend’s Housing Needs Analysis conclusions notes:

“Design of housing and neighborhoods is important. Well-designed multi-family and compact single-family located in a desirable neighborhood can provide opportunities for a wider range of housing options. Consumers are more likely to make the tradeoff of a smaller lot and home size when neighborhood parks, schools, and retail amenities are within walking distance. Therefore, there will be steady demand for multi-family and small-lot or attached single family housing in close-in locations proximate to Bend’s downtown amenities and jobs.”

The proposed Comprehensive Plan map amendment/zone change increases the amount of residential land by rezoning 4.79 acres of ME land to RM land, directly supporting the above housing policy. The proposed Master Plan modifications directly address the housing needs outlined in the Housing Needs Analysis, creating additional multi-family housing in a variety of building sizes and types just east of downtown in a desirable neighborhood located within walking distance of schools, natural amenities, and small commercial centers. Future site plan review will confirm consistency with minimum and maximum residential densities in the BDC. Therefore, the proposal is consistent with this policy.

5-12 To promote complete neighborhoods and the integration of other supporting uses, the City will employ a master planning process for large development sites which are 20 acres or greater. The master plan process will offer two options for approval: 1) applying clear and objective standards or 2) applying discretionary standards for more flexibility.

FINDING: The applicant proposes modifications to BDC Article XIII, Wildflower Master Planned Development. The Applicant is electing to use a “deviation process”. Although there is already an existing community Master Plan for the Site; *BDC 2.7.3100 Wildflower Master Planned Development* (Master Plan), as noted above, review criteria have changed, and the City has requested the Applicant respond to the current community Master Plan review criteria. The Applicant is proposing text amendments to the existing Master Plan, which constitute proposed changes to the BDC. The Applicant is also proposing additional text amendments be incorporated into the Master Plan that involve proposed changes to a number of BDC standards. The applicant has submitted text amendments to the existing master plan, using the discretionary path; consistent with this policy.

Residential Compatibility

5-28 Neighborhood commercial shopping areas may be located within

residential districts and have development standards that appropriately limit their scale and recognize their residential setting.

FINDING: The Applicant is not proposing any commercial shopping areas within any of the residential districts contained within the Master Plan boundaries. Therefore, this criterion is not applicable. However, there is existing ME-zoned land within the Master Plan which is considered a Mixed-Use District, not a residential district. The ME-zoned area was intended to provide a service commercial area for nearby residents and residents within the current Master Plan. The proposed Comprehensive Plan amendment/zone change refines the amount of ME-zoned land to a size and location within the Master Plan boundaries that is more appropriate in size and scale within the residential setting.

5-31 Residential areas will offer a wide variety of housing types in locations best suited to a range of housing types, needs and preferences.

FINDING: The proposed Comprehensive Plan map amendment/zone change decreases the amount of ME- zoned land in order to increase the amount of RM-zoned land. The land rezoned RM is planned to be developed with multi-unit dwellings, which will increase the overall amount and variety of housing in an area that is primarily composed of single-unit detached dwellings. Additionally, by increasing the size of the RM zoning, more multi-unit rental housing can be made available, and by increasing inventory, it supports the City in meeting its goal of providing more housing of all types.

Furthermore, the Master Plan area continues to be designed such that lower intensity development districts are planned along the periphery where the subject property borders existing lower density housing. The Master Plan districts then increase in development intensity moving to the interior parts of the development and toward existing RM-zoned land, addressing this policy of suitability for housing types. Therefore, the proposal is consistent with this policy.

Neighborhood Appearance

5-33 All new developments shall include trees in the road right of way, as practical, in the planter strip between the curb and sidewalk.

5-34 Walls and fences along arterial or collector streets shall be subject to special design standards. The area between the fence or wall and the curb or pavement shall be landscaped.

5-35 All residential development will respect the natural ground cover of the area and existing and mature trees within the community should be preserved where practicable.

5-36 The City encourages flexibility in design to promote safety, livability and preservation of natural features. To that end, the City will provide

development code standards to allow flexibility on dimensional standards, such as lot size and setbacks, to achieve these objectives.

FINDING: All of these policies are implemented by the adopted standards of the BDC. As documented throughout these findings, the proposal complies with all applicable provisions of the BDC and any proposed amendments to the Wildflower Master Planned Development. Furthermore, the subsequent land division and/or site plans will be required to conform to the applicable Code standards. The proposed application, in addition to the adopted Code standards, implement these polices.

Transportation Connectivity

5-38 Medium-and high-density residential developments should have good access to transit, K-12 public schools where possible, commercial services, employment and public open space to provide the maximum access to the highest concentrations of population.

FINDING: The Wildflower Master Planned Development area is located adjacent to SE 15th Street, with access to public schools and nearby transit, commercial services, and employment. The Master Plan area itself includes two ASIs, that will continue to be preserved as open space within the Master Plan. The Pinewood Open Space, owned by BPRD, borders on the majority of the Master Plan's eastern boundary, and Ponderosa Park is just northwest across the intersection of SE 15th Street and SE Wilson Avenue from the Master Plan. The proposed applications do not change the Wildflower Master Planned Development area's ability to comply with this policy.

5-39 Street widths on residential local streets shall be as narrow as reasonably possible to preserve safety, and limit the effects of surface runoff and excessive vehicle speed.

5-40 The City may require adjustments to the street design in order to discourage high speed traffic on local residential streets.

5-43 Sidewalks will be required in all new developments. Separated sidewalks will be required on all new streets. However, an alternative system of walkways that provide adequate pedestrian circulation may be approved.

5-44 The City will encourage pedestrian scale block length to encourage connectivity and pedestrian access. When existing conditions or topography prevent a cross street, a pedestrian accessway to connect the streets may be required.

5-45 Residential local streets shall be developed whenever practicable to increase connectivity within and between neighborhoods.

FINDING: The proposed Master Plan text amendments, detailed herein, include specific street

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and sidewalk design widths focused on pedestrian, bicycle and vehicular safety and circulation, in support of these Chapter 5 policies. Local neighborhood streets are kept as narrow as possible to complement the neighborhood setting. Curb tight sidewalks are proposed on Bronzewood Avenue to accommodate a multi-use path. Narrowed pavement width and curb extensions are proposed along the extension of SE Wilson Street to provide improved pedestrian visibility and safety at a crossing area on a curve such as at Wilson/Valleywood extension.

Trail placement within the Site has been coordinated with BPRD to extend and connect existing trails (Larkspur Trail, Coyner Trail), focused on connectivity and neighborhood compatibility. Additionally, the Master Plan code amendments include a new connector trail that will branch off the northeasterly side of the curve of the Wilson/Valleywood extension and run parallel to the north property line, to respond to a BPRD request for a secondary connection to the Pinewood Natural Area.

A combination of existing conditions and topography are among other reasons why a road (public or private) is not proposed to be constructed east-west through the portion of the Site west of SE Valleywood Place extension. Extending a road into the Site opposite the intersection of SE Lostine Court and SE 15th Street and running east between ASI #1 and ASI #2 to Valleywood Place does not provide for increased vehicular connectivity between the Master Plan and adjacent neighborhoods. It would only provide for connectivity within the Master Plan that can be achieved equally or better by a private parking lot drive aisle. However, in order to encourage pedestrian scale block length a 10-foot-wide public access easement will bisect the western portion of the Site generally following the northerly side of the above-described private parking lot access aisle, allowing for construction of a 10-foot paved multi-use pathway connection between the intersection of SE Lostine Circle and SE 15th Street, and Valleywood Place following the alignment generally described above. BPRD did not see the benefit of extending the pathway east beyond Valleywood Place as the Primary Trail connection to the Larkspur Trail at Bronzewood Avenue and the Connector Trail connection to the Pinewood Natural Area that will run along the north property line provide adequate opportunities for the public to connect to the Larkspur Trail and Pinewood Natural Area located at the Site's east boundary. (see Figure 2.7.3150.C. – Pedestrian Network Diagram)

The proposed Master Plan text amendments also address block length, extension of residential local streets and pedestrian connectivity.

The items summarized above are further detailed in the proposed BDC text amendment and supported by the Transportation Impact Analysis and Connectivity Study included in the applicant's submittal materials.

As summarized in this section, the proposal is consistent with these policies.

Public utilities and services

5-48 All residential areas will be provided with community water and sewer services and other facilities necessary for safe, healthful, convenient urban living consistent with the density of development.

5-49 Residential development shall be coordinated with other land use elements and community facilities which are consistent with projected housing densities.

5-50 Electric power, telephone, and cable TV distribution and service lines shall be located underground in new developments.

5-51 New street names shall be unique within the County.

FINDING: As detailed within the City of Bend Sewer and Water Utility Availability Memo and Transportation Analysis Memo, the site can be provided with water, sewer and other services and facilities. These policies are implemented through the established Code standards for this Master Plan, along with the subsequent Land Division and/or Site Plan Review reviews. The City procedures to implement the Master Plan will ensure consistency with these policies.

Chapter 6: Economy

Mixed Use Development

6-24 Mixed-use development may be regulated through one or more plan designations and zoning districts to encourage the development of a mix of employment, or a mix of employment and residential uses.

6-25 Mixed-use development will achieve the following purposes:

- provide a variety of employment opportunities and housing types;***
- foster pedestrian and other non-motor vehicle access within and to the site;***
- ensure compatibility of mixed-use development with the surrounding area and minimize off- site impacts associated with the development;***
- ensure the site planning, access, parking areas and building designs are functionally coordinated and aesthetically pleasing; and***
- where applicable, improve the natural conditions along the Deschutes River, and encourage access to and enjoyment of the Deschutes River.***

FINDING: The BDC outlines development standards the Mixed Employment (ME) District and the proposed ME area within the Wildflower Plaza Mixed Employment District will be subject to these requirements, except where specific deviations are approved through the submitted Master Plan modification. The proposed Comprehensive Plan Map Amendment/Zone Change

aims to directly support this policy by “right sizing” the ME zoned portion of Master Plan. The proposed modification decreases the ME-zoned property from 6.2 acres to 1.4 acres, which will create a commercial hub that is scaled to be neighborhood- focused, in compliance with this policy. Therefore, the above requirements are met.

Chapter 7: Transportation Systems

Mobility

7 -15 The City requires applicants with new land use proposals to assess the adequacy of the transportation system and ensure safe and efficient transportation for people using all modes. The City will assess the motor vehicular adequacy of the transportation system based on a peak hour analysis unless specified by the City Engineer. The City currently uses volume to capacity (v/c) targets and safety to evaluate intersection performance for motor vehicles. The City may adjust the v/c target, temporarily or permanently, for a specific intersection based on locational constraints, safety concerns, road classification, and/or surrounding existing or planned land uses. The City may impose reasonable conditions and mitigation requirements on development in proportion to their impacts. The City may use a measurement other than v/c in the future.

FINDING: The Applicant’s Traffic Impact Analysis was submitted to the City, which resulted in an issued Traffic Analysis Memo (TAM), dated August 19, 2022. The TAM was later updated on December 13, 2022. The TAM includes several “anticipated mitigation” requirements for the proposed Comprehensive Plan Amendment/Zoning amendment and Master Plan amendment, which have been incorporated into the modified Master Plan code. Therefore, the proposal is consistent with the above policy.

7-21 New residential block lengths shall not exceed 600 feet without a connecting cross street. When existing conditions or topography prevent a cross street, a pedestrian accessway to connect the streets shall be required.

FINDING: BDC 3.1.200.d allows for an exception to the block length and perimeter standards due to topography, natural features, existing development or other barriers. The proposed amendments to the Wildflower Master Planned Development include street and pedestrian connectivity layouts for the entire Master Plan area, which accommodate topography and two existing ASIs on site, alignment with adjacent streets, and connectivity through the community with a neighborhood scale. The pedestrian connectivity (access corridors) as shown on the following figure map are located to minimize out-of-direction travel by pedestrians and bicyclists.



PEDESTRIAN NETWORK DIAGRAM

The Applicant's Traffic Impact Analysis and Connectivity Study provide support for these deviations where they are requested. As detailed elsewhere in these findings, the proposed vehicular and pedestrian circulation system can be found consistent with this policy, given the existing open space to the east and on-site natural resources.

Bicycles, Pedestrians, and Complete Streets

7-49 The City recognizes the BPRD Urban Trails map, as represented in BPRD's Comprehensive Plan, as an element of the transportation system and will collaborate with the BPRD for bikeway and pedestrian facility planning and construction within the City.

FINDING: The Applicant has coordinated with BPRD regarding trail development and extension of a primary trail and connector trail through the Site, consistent with this policy.

Chapter 8: Public Facilities and Services Sewer

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Collection Facilities

8-1 All new development within the City Limits should be connected to City sewer.

Water Facilities and Systems

8-15 The City of Bend is the provider of water service for the City's service area under Statewide Planning Goal 11.

8-18 Within the urban planning area, public and private water systems shall be consistent with City Standards and Specifications for construction and service capabilities.

FINDING: The City of Bend provided a Utility Availability Memo, PRSWA202103768, addendum dated December 14, 2022, addressing the availability of water and sewer to serve the Master Plan area. The Utility Availability Memo is included as Appendix B as part of the application materials. This details water availability, necessary points of connection to the surrounding water system and also outlines upgrades required be made to the existing sanitary sewer main on site in order to provide adequate sewer capacity for development of the Master Plan area. The proposed amendments to the Master Plan, in addition to the adopted BDC requirements which implement these policies, will ensure that overall project is consistent with these policies.

Storm Drainage Facilities and Systems

8-29 The City shall reduce the quantity of runoff and discharge of pollutants to the maximum extent practicable by integrating stormwater runoff controls into new development and redevelopment land use decisions. Controls may be required to minimize illicit discharges or pollutants of concern.

8-30 The City shall implement and enforce requirements for an erosion and sediment control program for public and private construction and post-construction activities.

8-31 All developments shall evaluate the potential of a land parcel to detain excess stormwater runoff and require incorporation of appropriate controls, for example through the use of detention facilities to address quantity, flow, and quality concerns.

8-37 As part of site approval, or as a condition on tentative maps, as necessary, the City shall require permanent stormwater pollution control site design or treatment measures or systems and an ongoing method of maintenance over the life of the project.

8-38 The City shall minimize particulate matter pollution through controls over new and redevelopment (including erosion and sediment controls on grading, quarrying, vegetation removal, construction, and demolition),

industrial processes, parking lots and other activities that pose a threat to water quality.

8-39 The City shall require the following stormwater protection measures for all new development and redevelopment proposals during the planning, project review, and permitting processes...

FINDING: These policies are implemented via the approval criteria of BDC Chapters 4.5 Master Plans, 4.2, Minimum Development Standards Review, Site Plan Review and Design Review and 4.3, for Land Divisions and Property Line Adjustments. The adopted BDC requirements implement these policies and the associated development applications (for the subject property) must comply with the BDC; therefore, the overall proposal is consistent with these policies.

Chapter 9: Community Appearance

9-2 Community appearance shall continue to be a major concern and the subject of a major effort in the area. Major natural features, such as rock outcrops or stands of trees, should be preserved as a community asset as the area develops.

FINDING: The proposed Master Plan modification and associated comprehensive plan map amendments/zone changes will continue to preserve the ASIs within the development, with no proposed changes in the Master Plan to these areas. Therefore, the above requirements are met.

9-8 The city values design review for all development in the community with the exception of single-unit houses and duplexes.

FINDING: Buildings with five or more attached dwelling units are subject to BDC 2.1.900, Architectural Design Standards. The proposed Master Plan modification includes an exception for Building Orientation, which includes building orientation requirements and minimum requirements for doors, porches, balconies, and/or windows, to respond to the proposed conceptual site layout. As proposed, buildings with four or fewer units are subject to front door orientation standards and are required to have a minimum of 15% of the elevations facing the street to include windows and/or doors. As detailed elsewhere in these findings, the deviations proposed to existing BDC design standards can be found consistent with this policy.

9-9 The city shall seek opportunities to relocate existing overhead utility lines underground in all parts of the community, and especially along the commercial corridors.

FINDING: The existing overhead utility lines that run along SE 15th Street and along the northern property line are not required to be placed underground due to the high cost and significant amount of service interruptions to existing customers during the utility work. All new

utilities to serve the development are required to be installed underground.

Chapter 10: Natural Forces

FINDING: The proposal does not impact air quality, noise, energy conservation, natural hazards, or steep slopes. The only potential natural hazard on the site is wildfire. The City of Bend relies upon Building Code provisions for fire protection, which have been designed to sufficiently protect development from wildfire risk in the City of Bend. Future land division review will further assess facility capacity and location (water supply and fire hydrant location) and the Building Permit review ensures that structures are developed in a manner that adequately mitigates fire risk (including wildfire risk) to individual structures.

Chapter 11: Growth Management

General Growth Management Policies

11-3 The City will ensure that development of large blocks of vacant land makes efficient use of land, meets the city's housing and employment needs, and enhances the community.

FINDING: The current proposal is for the development of vacant land within the city limits. The proposal includes amending the Wildflower Master Planned Development, which provides standards for the efficient use of land. The proposal includes development standards for future multi-unit development along with a Comprehensive Plan and zone map amendment to reduce the size of the ME zoned property within the Master Plan area.

The Wildflower Master Planned Development was adopted by the City Council through Ordinance NS-2250 on September 2, 2015. At that time, the plan designation and zoning on 6.2 acres of the original site was changed from RS to ME.

The 2016 Buildable Lands Inventory (See Appendix J to the Comprehensive Plan), included this land in the inventory of buildable residential land (See Figure 2 of 2016 BLI). The land was not included in the inventory of employment land that ultimately informed the city's future needs for sites for employment land identified in the 2016 Economic Opportunities Analysis (EOA) (See Appendix E to the Comprehensive Plan).

Therefore, the adoption of Wildflower in 2015 provided an additional 6.2 acres of employment land that were not included in the 2016 EOA and the reduction from 6.2 to 1.4 acres does not require an amendment of the EOA and/or the Comprehensive Plan. It is desirable, however, to retain some area for commercial uses in order to provide complete neighborhoods with nearby services and amenities needed for daily living, which this proposal can achieve with the remaining ME-zoned land. Therefore, the proposed amendments will contribute to the housing and employment needs.

Policies for Land Use & Transportation

11-6 Medium and high-density residential development should have good

access to transit, K-12 public schools where possible, commercial services, employment and public open space to provide the maximum access to highest concentrations of population. (see also Policies for Residential Areas and Neighborhoods 11-34)

FINDING: The Wildflower Master Planned Development is located adjacent to SE 15th Street, with access to public schools and nearby transit, commercial services, and employment. The Master Plan area itself includes two ASIs, that will continue to be preserved as open space within the Master Plan. The Pinewood Open Space, owned by BPRD, borders on the majority of the Master Plan's eastern boundary, and Ponderosa Park is just northwest across the intersection of SE 15th Street and SE Wilson Avenue from the Master Plan. The proposed applications do not change the Wildflower Master Planned Development's ability to comply with this policy.

Policies for Centers and Corridors

11-28 The City will encourage the development of Neighborhood Commercial centers. Such centers should be scaled to serve the frequent needs of the residents of the neighborhood.

FINDING: In support of this policy, the proposed Comprehensive Plan Map Amendment/Zone Change continues to include an area of ME zoning, to create a small neighborhood commercial center at the intersection of 15th Street and Wilson Avenue. The proposal reduces the size of the ME-zoned land to 1.4 acres, a size appropriate for the area as a neighborhood center to serve the surrounding residents, based on several other commercial areas nearby.

Policies for Residential Areas and Neighborhoods (See related policies in Chapter 5, Housing.)

11-34 Medium-and high-density residential developments should have good access to transit, K-12 public schools where possible, commercial services, employment, and public open space to provide the maximum access to the highest concentrations of population.

FINDING: The Wildflower Master Planned Development is located adjacent to SE 15th Street, with access to public schools and nearby transit, commercial services, and employment. The Master Plan area itself includes two ASIs, that will continue to be preserved as open space within the Master Plan. The Pinewood Open Space, owned by BPRD, borders on the majority of the Master Plan's eastern boundary, and Ponderosa Park is just northwest across the intersection of SE 15th Street and SE Wilson Avenue from the Master Plan. The proposed applications do not change the Wildflower Master Planned Development's ability to comply with this policy.

Master Planning Policies

11-49 The purposes of master plans are to:

- o **promote and facilitate coordinated development and efficient use of land;**
- o **provide a process to consider future development on larger sites and to analyze future demand on public facilities; and**
- o **provide an opportunity for innovative and creative development while providing long-term predictability for the applicants, surrounding neighborhoods, and the entire community.**

FINDING: The purpose of the Wildflower Master Planned Development and Districts is to implement the Bend Comprehensive Plan policies and to create standards for the residential and commercial areas within the Wildflower Master Planned Development boundaries.

Consistent with this policy, the overlay zone standards and Districts will:

- Provide housing types and densities consistent with the RM Zone.
- Protect ASIs and trees within the primary ASIs boundaries.
- Locate higher density housing along 15th Street and adjacent RM-zoned land, and/or within the interior of the site.
- Create opportunities for small-scale commercial and/or small-scale service-oriented business in a designated location that will foster a sense of place and help to create a destination for community residents and neighbors.
- Promote pedestrian and other multi-modal transportation options, including key trail connections.
- Create an interconnected system of public streets that will provide primary transportation connections through the Master Plan community and to the surrounding neighborhood, with modified public roadway standards appropriate to the unique nature of the site.
- Create safe and interconnected network of public streets and private parking lot drive aisles and walkways to provide vehicular and pedestrian connections within the Master Plan community.
- Create safe and attractive public streetscapes and site access that will meet emergency access requirements and enhance pedestrian and bicycle access.

11-50 The City will provide the opportunity for master plans to proceed under clear and objective standards where the applicant does not seek to deviate from the standards of the development code, the adopted zoning map, or Comprehensive Plan map.

FINDING: The applicant proposes modifications to BDC Article XIII, Wildflower Master Planned Development. The Applicant is electing to use a “discretionary process” in order to deviate from several of the standards in the BDC.

11-51 Residentially designated land within master plans must meet higher minimum density standards than established for the residential plan designations generally and must provide for a variety of housing types. The City will set appropriate standards in the BDC for housing mix and density for master plans in each residential zone/plan designation. Such standards will ensure minimum densities and minimum housing mix that are no less than those listed

in Table 11-1.

FINDING: The existing Wildflower Hills Multi-Unit Dwelling District allows for a maximum density of 42 units per acre, which includes the density transfer from the protected ASIs, and the existing Wildflower Glen Housing District allows for a maximum of 21.7 units per acre. The existing densities for the Districts within the Wildflower Master Planned Development are not proposed to be changed.

4.6.300. Quasi-Judicial Amendments (continued)

B. Criteria for Quasi-Judicial Comprehensive Plan Map Amendments

- 3. *The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property;***

FINDING: As detailed above in these findings, the area subject to the proposed Master Plan amendment will accommodate medium density residential development. The subject area can be adequately served by public sanitary sewer, water, storm drainage, police, fire, schools and parks.

The Applicant applied for and received the results of a Sewer and Water Analysis including an addendum dated December 14, 2022 (PRSWA202103768) prepared by the City of Bend. Upgrading the size of the existing sewer main that runs through the Site will be required. The existing 8-inch main will need to be upsized to increase the sewer main capacity. The City has also requested that the sewer main be realigned to follow the future extended right-of-way unless approved by the City Engineer to deviate outside of the right-of-way. Sewer main upsizing and realignment will be completed with future development of the Site. The analysis also showed that sufficient water is available to serve the Wildflower Master Planned Development site and the development will be required to extend the mains to and through the property limits and the new mains must be looped with the existing mains within 15th Street, Wildcat Drive, Bronzewood Avenue, and Black Ridge place. The new mains must be located within the right-of-way unless approved by the City Engineer to deviate outside of the right-of-way.

Site-specific stormwater management plans will be reviewed with subsequent infrastructure and/or land division and/or site plan review applications.

City of Bend Police and Fire Departments currently serve the subject site. The Bend-La Pine School District and BPRD also serve the site.

Proposed transportation improvements will be installed per the project's Traffic Engineer and associated coordination with the City Engineer. These improvements are incorporated into the Master Plan code and include:

<u>Transportation Improvements</u>	
Phase 1	
60 feet of right of way dedication is required along the SE Valleywood Place and SE Wilson Avenue street extension within the Phase 1 limits.	
The SE Valleywood Place and SE Wilson Avenue street extension within Phase 1 limits shall be constructed to City of Bend local street standards with 36 feet of pavement width and property tight sidewalk. A City standard 10-foot multi-use path shall be constructed on the south and west side of the street in lieu of sidewalk to provide a continuation of the Coyner trail. Modifications to City standards for reduced planter widths on both sides of the street and a narrower sidewalk width on the north and east sides of the SE Valleywood Place and SE Wilson Ave extensions are permitted to accommodate the additional width needed for the 10-foot wide multi-use path within the 60 foot right of way.	
SE Wildcat Drive shall be extended from the existing terminus of SE Wildcat Drive, near the north site boundary of the project site, to the SE Wilson Avenue extension. SE Wildcat Drive shall be constructed to City of Bend local street standards with 36 feet of pavement width and property tight sidewalk. A total of six new perpendicular directional curb ramps shall be installed at the new SE Wildcat and SE Wilson intersection in accordance with City standards and PROWAG guidelines.	
Curb extensions shall be installed near the Wilson/Valleywood curve in order to limit parking along the curve, maximize site distances at the driveway approaches and reduce the pedestrian crossing distance. No parking signs shall be installed along the curb extensions. Curb ramps shall also be installed at the proposed multiuse path crossing location in accordance with City standards and PROWAG guidelines.	
A City standard 6-foot wide connector trail shall be constructed along the property's northern boundary to connect the SE Wilson Avenue multi-use path to the eastern property line. A public pedestrian and cyclist access easement shall be recorded over the multi-use path.	
All concrete driveway approach connections to public streets within the Phase 1 limits shall be constructed in accordance with City of Bend standards.	
A City Standard concrete reinforced driveway approach shall be installed at the site's private drive aisle connection to SE 15 th Street near SE Lostine Circle and at the private drive aisle connection to the SE Valleywood Place extension.	
A 10-foot paved multi-use path shall be constructed on the north side of the private drive aisle that connects SE 15 th Street at SE Lostine Circle to the SE Valleywood Place extension. A public pedestrian and cyclist access easement shall be recorded over the multi-use path between SE 15 th Street right of way and the SE Valleywood Place extension right of way.	
Six perpendicular directional curb ramps shall be installed at each of the three SE Valleywood Place extension crossings indicated by crosswalks on the site plan within the Phase 1 limits in accordance with City Standards and PROWAG guidelines. The exact location of the curb ramps is conceptual at this time and will be finalized during right of way permit review.	
10 feet of right of way dedication is required along SE 15 th Street to provide 50 feet of right of way width between property line and right of way centerline in accordance with City Arterial Street Standards.	
Along SE 15th Street, between the 15th and Wilson roundabout and the southern extent of the property frontage, the project shall demolish the existing curb tight sidewalk and install a City standard 10-foot wide property tight multiuse pathway. The area between the back of curb and the new path shall be a landscape strip. The southernmost 30-feet of the project frontage may be used to accommodate a taper to the existing curb tight sidewalk to the south and to allow for a bicycle on ramp that will allow northbound cyclists to transition from the existing on street bike lane to the 10-foot multi-use pathway.	
A fire department turn around must be constructed to City of Bend standards and Oregon Fire Code at the termination of the Phase 1 SE Valleywood Place extension. Where the turnaround extends outside the dedicated	

right of way, an emergency access easement must be recorded over the turnaround encroachment on private property under a separate document prepared and recorded by the City of Bend. The easement may be released once the SE Valleywood Place extension is completed under Phase 2 and dead end streets that are greater than 150 feet in length no longer exist.

Phase 2

60 feet of right of way dedication is required along the SE Valleywood Place and SE Wilson Avenue street extension within the Phase 2 limits.

The SE Valleywood Place and SE Wilson Avenue street extension within the Phase 2 limits shall be constructed to City of Bend local street standards with 36 feet of pavement width and property tight sidewalk. A City standard 10-foot multi-use path shall be constructed on the west side of the street in lieu of sidewalk to provide a continuation of the Coyner trail. Modifications to City standards for reduced planter widths on both sides of the street and a narrower sidewalk width on the north and east sides of the SE Valleywood Place and SE Wilson Ave extensions, as proposed by the project, will be acceptable in order to accommodate the additional width needed for the 10-foot wide multi-use path within the 60 foot right of way.

All concrete driveway approach connections to public streets within the Phase 2 limits shall be constructed in accordance with City of Bend standards.

Four perpendicular directional curb ramps shall be installed at each of the two SE Valleywood Place extension crossings indicated by crosswalks within the Phase 2 limits on the site plan in accordance with City Standards and PROWAG guidelines. The exact location of the curb ramps is conceptual at this time and will be finalized during right of way permit review.

A total of eight new perpendicular directional curb ramps shall be installed at the SE Valleywood Place and SE Bronzewood Avenue intersection in accordance with City standards and PROWAG guidelines. The existing diagonal curb ramps on the south side of the intersection shall be removed and replaced with the new perpendicular directional curb ramps.

60 feet of right of way dedication is required over the existing SE Black Ridge Place street construction that exists on this property.

A concrete driveway approach shall be constructed at the private property connection to SE Black Ridge Place in accordance with City of Bend standards.

Existing sidewalks, along the property's SE Bronzewood Avenue frontage and the future Black Ridge Place right of way dedication must be reviewed and certified by the projects registered Professional Engineer to conform to City of Bend standards and PROWAG guidelines. The review must be provided to the City of Bend in an Engineered stamped memo indicating what is out of conformance prior to issuance of building permits. Anything found to be out of conformance must be removed and replaced prior to occupancy of the first building in the second phase. Where the sidewalk is installed over the existing water meters, valves or manholes, either the utility or the sidewalk must be relocated.

A City standard 10-foot-wide multi-use path shall be constructed along the north side of Bronzewood Avenue between the Valleywood Place intersection and the existing Larkspur Trail to provide a continuation of the Larkspur trail. The existing Larkspur Trail at the southeast corner of the property shall be reconstructed to provide a perpendicular street crossing through the Bronzewood Avenue extension. A public pedestrian and cyclist access easement shall be recorded over the multi-use path where it crosses private property.

An enhanced pedestrian crossing shall be constructed across SE 15th Street at the SE Bronzewood Avenue intersection.

60 feet of right of way dedication is required along the SE Bronzewood Avenue extension.

The SE Bronzewood Avenue street extension shall be constructed to City of Bend local street standards with 36 feet of pavement width and curb tight sidewalks. Curb extensions, curb ramps and crosswalk striping shall also be installed at the proposed multi-use path crossing in accordance with City standards and PROWAG guidelines.

4. Evidence of change in the neighborhood or community or a mistake or

inconsistency in the Comprehensive Plan or Land Use District Map regarding the property that is the subject of the application; and

FINDING: Prior to the adoption of the original Wildflower Master Planned Development for this Site in 2015, the subject site was zoned Residential Urban Standard Density (RS) and designated Urban Standard Density (RS) on the Bend Urban Area General Plan Map. The original Master Plan for the subject Site envisioned a larger ME – Mixed Employment District within the boundaries of the Master Plan. Within the last few years, the City of Bend has turned its focus toward providing more housing opportunities within the City. Although the ME zoning has some provisions for providing housing, the provisions are conditioned upon providing employment, commercial, or retail uses first.

The Bend City Council recognizes the importance of housing and has established several goals, including prioritizing housing, so that “people who live and work in Bend can afford housing in Bend.” This Council goal and related strategies highlight the importance of partnerships, investments in infrastructure, and policy actions to increase the housing supply. The proposed Master Plan modifications and Comprehensive Plan and zoning map change directly support the Council’s goal by increasing the land available for housing, and more specifically, multi-unit housing which provides more affordable housing options within the City, with access to parks, transportation and schools.

Some minor retail/commercial service components are still desirable within the Master Plan to create a more complete community, which is why a portion of the ME zoning is being preserved as part of the proposed amendment. Moreover, the City of Bend did not inventory the ME zoned land contained within the Master Plan boundaries as employment-oriented uses during its buildable lands inventory process. If the ME zoned portions of the Master Plan were considered critical to the Comprehensive Plan, they would have been included in the buildable lands inventory. Because they were not considered, it provides evidence that the ME area within the Master Plan is low priority to the City of Bend, which provides evidence of a change in priority by the community. Therefore, this criterion is met.

5. Approval of the request is consistent with the provisions of BDC 4.6.600, Transportation Planning Rule Compliance.

4.6.600 TRANSPORTATION PLANNING RULE COMPLIANCE

When a development application includes a proposed comprehensive plan amendment or land use district change, or both, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) 660-012-0060.

FINDING: A Traffic Impact Analysis has been prepared for the proposed amendments to the Comprehensive Plan and zoning map and existing Master Plan. Based on the City’s Traffic Analysis Memo PRTRF202201010, dated December 13, 2022 and the Transportation Facilities Report (TFR) prepared by Sandow Engineering, dated February 10, 2022 and

revised July 8, 2022, the proposed amendments will not have any significant impacts on transportation facilities within the required study area. Furthermore, the amendments as proposed will result in fewer average daily trips, fewer PM Peak hour trips and fewer AM Peak hour trips than were envisioned under the existing Master Plan.

The 4.79 Acres of ME that is being converted to RM would have generated 199 PM Peak Hour Trips. That same 4.79 acres converted to RM zoning will generate only 86 PM Peak Hour Trips, a reduction of 113 PM Peak hour trips, which is typically considered the critical measure of transportation impacts. Below is a summary of the typical measures of transportation impacts looking at the entire existing Master Plan versus the proposed Master Plan with amendments:

Average Daily Trips (ADT) will be reduced by 1,014 trips

Existing Master Plan = 4,864

Proposed Master Plan following amendments = 3,850

AM Peak will be reduced by 79 trips

Existing Master Plan = *329

Proposed Master Plan following amendments = 250

PM Peak will be reduced by 112 trips

Existing = 427

Proposed = 315

* from the original Wildflower report. An AM analysis was not provided in the original report.

The above data provides evidence that there will be no additional significant impacts on any transportation facilities that were not already considered as part of the original Comprehensive Plan Amendment or Master Plan adoption. The City provided a Traffic Analysis Memo (TAM) for this project, dated December 13, 2022. The TAM identifies a number of “anticipated mitigations” for the project. However, the large majority of these pertain to roadway and pedestrian improvements to be constructed within the Master Plan or frontage improvements to be constructed along the Master Plan’s roadway frontages. The only offsite “anticipated mitigation” listed notes that *“Prior to occupancy of the first building in the second phase, an enhanced pedestrian crossing shall be constructed across SE 15th Street at the SE Bronzewood Avenue intersection.”* Therefore, the above criteria are met.

4.6.300. Quasi-Judicial Amendments

C. Criteria for Quasi-Judicial Zone Changes. The applicant must submit a written narrative which explains how the approval criteria will be met. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial zone change must be based on meeting

both of the following criteria:

- 1. The amendment will bring the zone map into conformance with the Comprehensive Plan map.***

FINDING: The applicant is proposing a Comprehensive Plan map amendment and related Zone Map Amendment, to adjust the Mixed Employment (ME) District and Medium Density Residential (RM) District within the Wildflower Master Planned Development. The ME District will be reduced from 6.2 acres to 1.4 acres, while the RM District will be increased from 25.3 acres to 30.1 acres. Upon approval of the application, the zoning district will conform to the Comprehensive Plan Map designation, as amended herein, consistent with this criterion.

- 2 The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.***

FINDING: This is the same criterion as BDC 4.6.300.B.3; see findings above for compliance with this criterion.

4.5.200 Community Master Plan. (Continued)

4.5.200.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 original Master Plan, adopted in 2015, includes ME zoning which permits commercial goods and service uses as listed in BDC Table 2.3.200, Permitted and Conditional Uses. This area located at the corner of SE Wilson and SE 15th Streets will provide commercial goods and services to all portions of the Master Plan area within less than one-half mile walking or biking distance. There is also existing Convenience Commercial (CC) zoned land within one-half mile to the south, at the northwest corner of the intersection of SE 15th Street and SE Reed Market Road. The proposed design, including the well-connected street, bicycle, and pedestrian system and open space amenities, will all function to improve connectivity and access to the commercial area, consistent with the requirements of this section. Additional commercial areas are not necessary.

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 original Wildflower Master Planned Development included provisions for multimodal connections in Section 2.1.3150. C, Connector Trail. In the Applicant's first pre-application meetings with the City and BPRD, and in a subsequent phone conference with BPRD, the Applicant was able to refine a trail layout for the trail that is planned to connect the Coyner Trail and Larkspur Trail. As proposed, there will now be a primary multi-use trail extending through the Site.

BPRD has also requested a connector trail spur to continue east along the north property line of the Site, beginning at the northeast side of the curve of the Wilson/Valleywood Place Extension and extending east to the Pinewood Natural Area. (See full description above under Master Plan Text Amendments).

Although not defined as a trail, per the City's TAM one of the anticipated mitigations also includes construction of a 10-foot paved public multi-use path which shall be constructed on the north side of the private drive aisle that connects SE 15th Street at SE Lostine Circle to the SE Valleywood Place extension. This multi-use pathway will be placed in a 10-foot-wide public pedestrian and bicyclist access easement. This will facilitate pedestrian connectivity envisioned by the City's block perimeter and block length standards as well as providing for an additional multi-modal connection within the Master Plan boundaries.

The above described BPRD trail connections as well as the 10-foot paved multi-use path to be constructed on the north side of the east-west private drive aisle are also discussed in the Applicant's Connectivity Study that was submitted to the City together with its Transportation Impact Analysis (TIA).

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.
 - a. **Density Calculations and Exceptions.** Minimum and maximum densities must be calculated in conformance with BDC 2.1.600(C), except as follows:
 - i. **Public and Institutional Uses and Miscellaneous Uses in Opportunity Areas.** In opportunity areas as shown in the Bend Comprehensive Plan Figure 11-1, a maximum of 20 acres of residential designated land proposed for public and institutional uses and miscellaneous uses (BDC Table 2.1.200) may be excluded from the density calculation and housing mix. The density for the 20 acres must be taken from the residential designation with the lowest maximum density standard in the opportunity area. The master plan must provide the density and housing mix for the residential designated property in excess of 20 acres. No more than 20 acres may be exempted from the density and housing mix in an opportunity area;
 - ii. **Open Space.** Open space in compliance with subsection (E)(4) of this section may be excluded from the applicable density calculation; and
 - iii. **Comprehensive Plan Designations.** Land designated as Commercial, Mixed-Use, Industrial and Public Facilities may be excluded from the applicable density calculation.

FINDING: The Wildflower Plaza Mixed Employment District within the existing Master Plan is subject to the Mixed Employment (ME) District, which is considered a Mixed-Use zone. The existing Master Plan notes that there is no minimum and maximum density within the Wildflower Plaza Mixed Employment District, which is consistent with section 3.a.iii above.

b. Minimum standards are as follows:

...

- ii. RS Comprehensive Plan Designation. At least 70 percent of the maximum gross density of the RS Comprehensive Plan designation, with two- and three-unit dwellings, townhomes, and/or multi-unit residential housing units comprising at least 10 percent of total housing units.**

FINDING: Within the Wildflower Glen Housing District the land that is south of Bronzewood Avenue is subject to the development standards of the RS zone, however the maximum density of 21.7 units/acre is applicable to the entire Wildflower Glen Housing District, which is consistent with the maximum density of the RM zoning district. Therefore, this criterion is not applicable to any portions of the Master Plan.

- iii. RM Comprehensive Plan Designation. At least 60 percent of the maximum gross density of the RM Comprehensive Plan designation, with two- and three-family housing, attached single-family townhomes, and/or multifamily residential housing units comprising at least 67 percent of total housing units.**

FINDING: The Wildflower Glen Housing District and the Wildflower Hills Multi-Unit Dwelling District overlay the RM Comprehensive Plan Designation. The density range for the RM zone is 7.3 to 21.7 units/gross acre. Although the approved Master Plan includes a higher maximum density for the Wildflower Hills Multi-Unit Dwelling District than presently allowed for in the RM zone, for the purposes of complying with this criterion, the maximum gross density used to calculate compliance with this criterion is based on the maximum density of the underlying RM zone, which is 21.7 units/gross acre. As proposed to be amended, the RM zoned portions of the Site will comprise 31.28 acres. Applying the maximum density to the 31.28 acres would allow for a maximum of 678 dwelling units. The conceptual site plan for the project proposes 586 units within the portions of the Site to be zoned RM, which is 86.4% of the maximum density, consistent with this criterion.

Multifamily residential housing units must comprise at least 67% of the total housing units in the RM zone (67% of the maximum density of 21.7 units/gross acre is 454 units, rounded down from 454.78). The conceptual site plan for the project proposes 510 of the units in the RM zone as multi-family residential housing units, which will comprise 87.03% of the maximum density for the purposes of compliance with this criterion. Therefore, this criterion is met.

- 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: There are two ASIs on site that will be preserved as private open space within the boundaries of the area regulated by the Master Plan. These two ASIs total 4.9 acres, which is 14.99% of the total area regulated by the Master Plan (32.69 acres) prior to any public right of way dedications. The open space areas are shown on the conceptual site plan and will be recorded with the final plat or separate instrument. Therefore, the Applicant has demonstrated that the Master Plan can comply with this requirement.

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.**

FINDING: The applicant is proposing to utilize the two ASIs to satisfy the open space standard, however the applicant is not proposing to dedicate the ASI private open space to the Park District or the City. Therefore, the open space title must be conveyed to a corporation, owners association or other legal entity. The terms of such lease or other instrument of conveyance must include provisions acceptable to the City. The ASI private open space must be located in a tract and include an open space easement. The open space areas will be located within a tract at the time of future land division. Therefore, the Applicant has demonstrated that the Master Plan can comply with this requirement.

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 Applicant has demonstrated that the Master Plan can comply with this requirement. The City may impose a condition of approval on a future land division or site plan review application, which requires the Applicant to comply with the applicable provisions of BCD 4.5.200.E.4.

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 initial transportation analysis extended to 2028; a supplemental memo submitted by the applicant extended the horizon year to 2036. The Water and Sewer Analysis Application assumed an open-ended timeline to achieve full build out of the Master Planned Development. Thus, the duration of approval for the infrastructure capacity is for 15 years from the effective date of the master plan.

STAFF RECOMMENDATION: Based on the application materials submitted by the applicant, and the findings in this staff report which are based on the applicant's narrative addressing the relevant criteria for approval, Staff recommends that the City Council adopt an ordinance to:

- Amend the Bend Comprehensive Plan Map and Zoning Map to redesignate and relocate 4.8 acres of Mixed Employment (ME) to Residential Medium Density (RM) within the Wildflower Master Planned Development proposed in Exhibit A.
- Amend BDC Chapter 2.7, Article XIII, Wildflower Master Planned Development, as amended by the Bend Planning Commission and as proposed in Exhibit B.