

ORDINANCE NO. NS-2516

AN ORDINANCE AMENDING THE BEND COMPREHENSIVE PLAN MAP AND ZONING MAP TO REDESIGNATE AND REZONE PROPERTY WITHIN THE STEVENS RANCH MASTER PLAN, AMENDING CORRESPONDING SECTIONS OF THE BEND DEVELOPMENT CODE, CHAPTER 2.7 ARTICLE XXIV, STEVENS RANCH MASTER PLANNED DEVELOPMENT, AND AMENDING THE SIGN DISTRICT MAP IN BEND MUNICIPAL CODE FIGURE 9.50.040.

Findings:

- A. On August 30, 2024, DOWL (“applicant”) on behalf of Stevens Ranch, LLC, the owner of property within the Stevens Ranch Master Plan (the “subject property”), submitted a Type III Quasi-judicial application for a Comprehensive Plan Map Amendment and Rezone to redesignate and rezone property within the subject property. The application (PLCPMA20240503) was deemed complete on September 3, 2024.
- B. On October 14, 2024, the Planning Commission held a public hearing and issued a recommendation that the City Council adopt an Ordinance to amend the Comprehensive Plan Map and Zoning Map, the Bend Development Code, and the Sign District Map, consistent with the applicant’s request.
- C. The amendments to the Bend Development Code correspond to the Comprehensive Plan Map Amendment and Zone Change. These amendments shift text from the legend in BDC Figure 2.7.4220 to an independent new code section in BDC 2.7.4220.B, modify the Stevens Ranch Master Plan Transportation Mitigation Table to align the transportation improvements to relocated phases in the Stevens Ranch Phasing Plan, and modify Figures 2.7.4220, 2.7.4290, and 2.7.4300 in the Stevens Ranch Master Plan to be consistent with the Comprehensive Plan Map Amendment and Zone Change requested in the application.
- D. The amendments to the Sign District map align with the Comprehensive Plan Map and Zoning Change.
- E. Public notice for the City Council hearing was provided in accordance with the requirements of BDC 4.1.423-4.1.425. On October 24, 2024, the Planning Division mailed notice to surrounding owners of record of property and addresses within 500 feet of the subject property, and to the Old Farm District and Larkspur Neighborhood District representatives. On October 24, 2024, the applicant posted *Proposed Development* signs at three locations along the subject property’s frontages, visible from abutting rights of way.
- F. The Bend City Council held a public hearing on November 20, 2024, to consider the Planning Commission’s recommendation.
- G. The Comprehensive Plan Map Amendment and Zone Change, Bend Development Code amendments, and Sign District Map amendment approved by this Ordinance meet 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 as contained in Exhibit A.
- Section 2.** The Bend Development Code, Chapter 2.7 Article XXIV, Stevens Ranch Master Planned Development, is amended as shown in Exhibit B.
- Section 3.** On the date the Comprehensive Plan Map Amendment and Rezone become effective, the Sign District Map, Bend Municipal Code Figure 9.50.040, will be automatically updated as reflected in Exhibit C.
- Section 4.** In addition to the findings set forth above, the City Council adopts and incorporates the findings in Exhibit D.
- Section 5.** 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.
- Section 6.** All other provisions of the Bend Municipal Code and the Bend Development Code remain unchanged by this ordinance and remain in effect.

First Reading Date: November 20, 2024

Second Reading and adoption by roll call vote: December 4, 2024

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

NO: None




Melanie Kebler, Mayor

ATTEST:



Morgen Fry, City Recorder

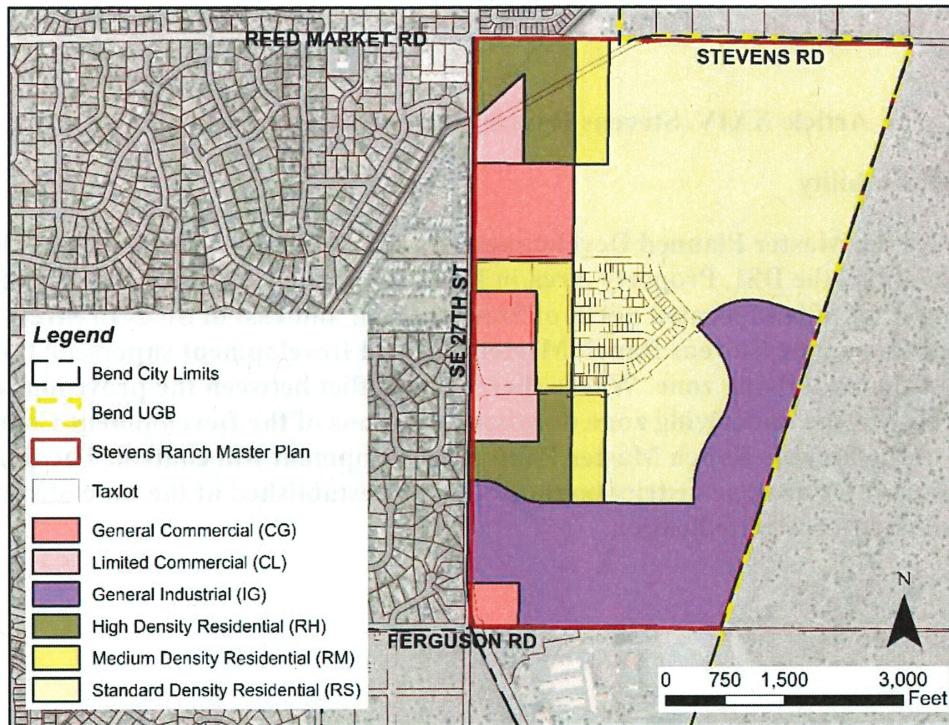
APPROVED AS TO FORM:



Mary A. Winters, City Attorney

Exhibit A

Existing Comprehensive Plan and Zoning Map



Proposed Comprehensive Plan and Zoning Map

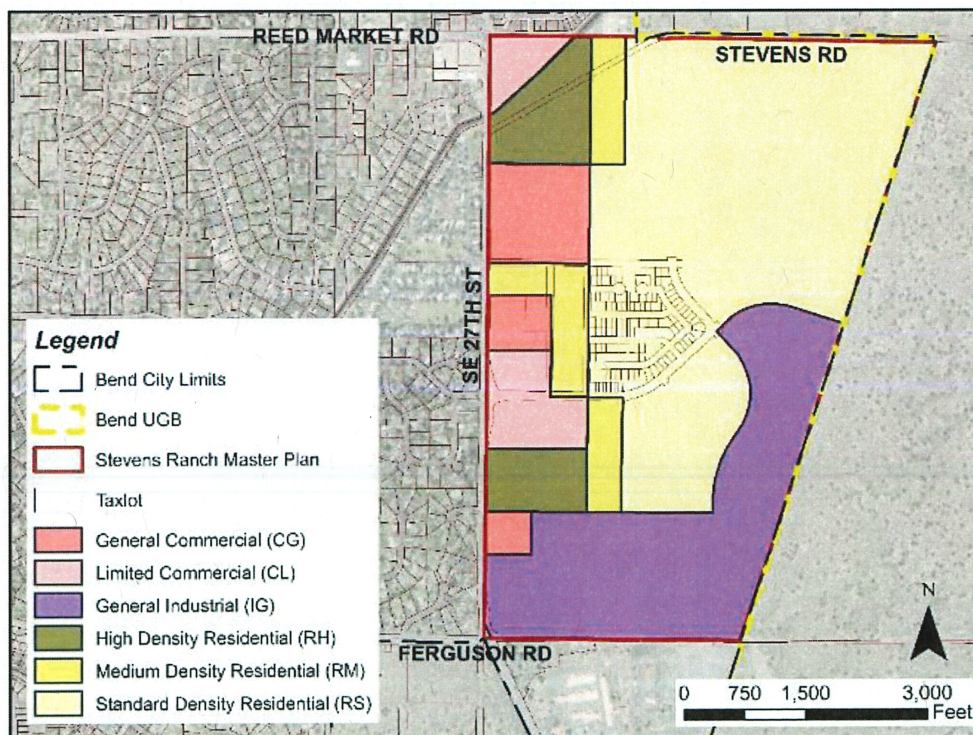


Exhibit B

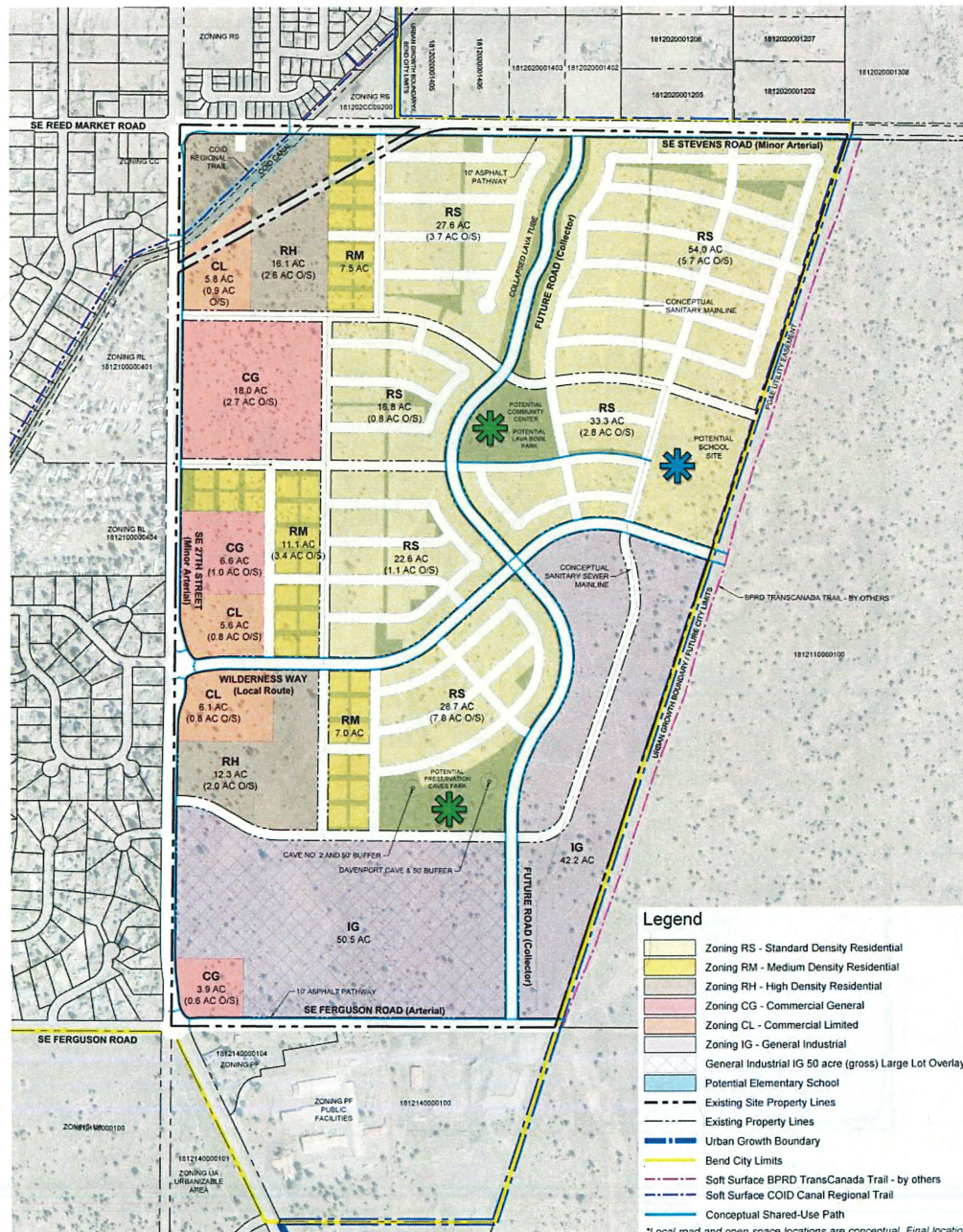
Article XXIV. Stevens Ranch Master Planned Development

2.7.4220 Applicability

A. Stevens Ranch Master Planned Development standards apply to the property identified in Figure 2.7.4220, the DSL Property Area in BCP Chapter 11 and an approximately 13.1-acre existing tract of land located north of Stevens Road and east of SE 27th Street. The special standards of the Stevens Ranch Master Planned Development supersede the standards of the underlying zone. Where there is a conflict between the provisions of the BDC and those of the underlying zone or other provisions of the Development Code, the provisions of the Stevens Ranch Master Planned Development will control. The final determination of the zone or district boundary will be established at the time of subdivision platting and right-of-way dedication.

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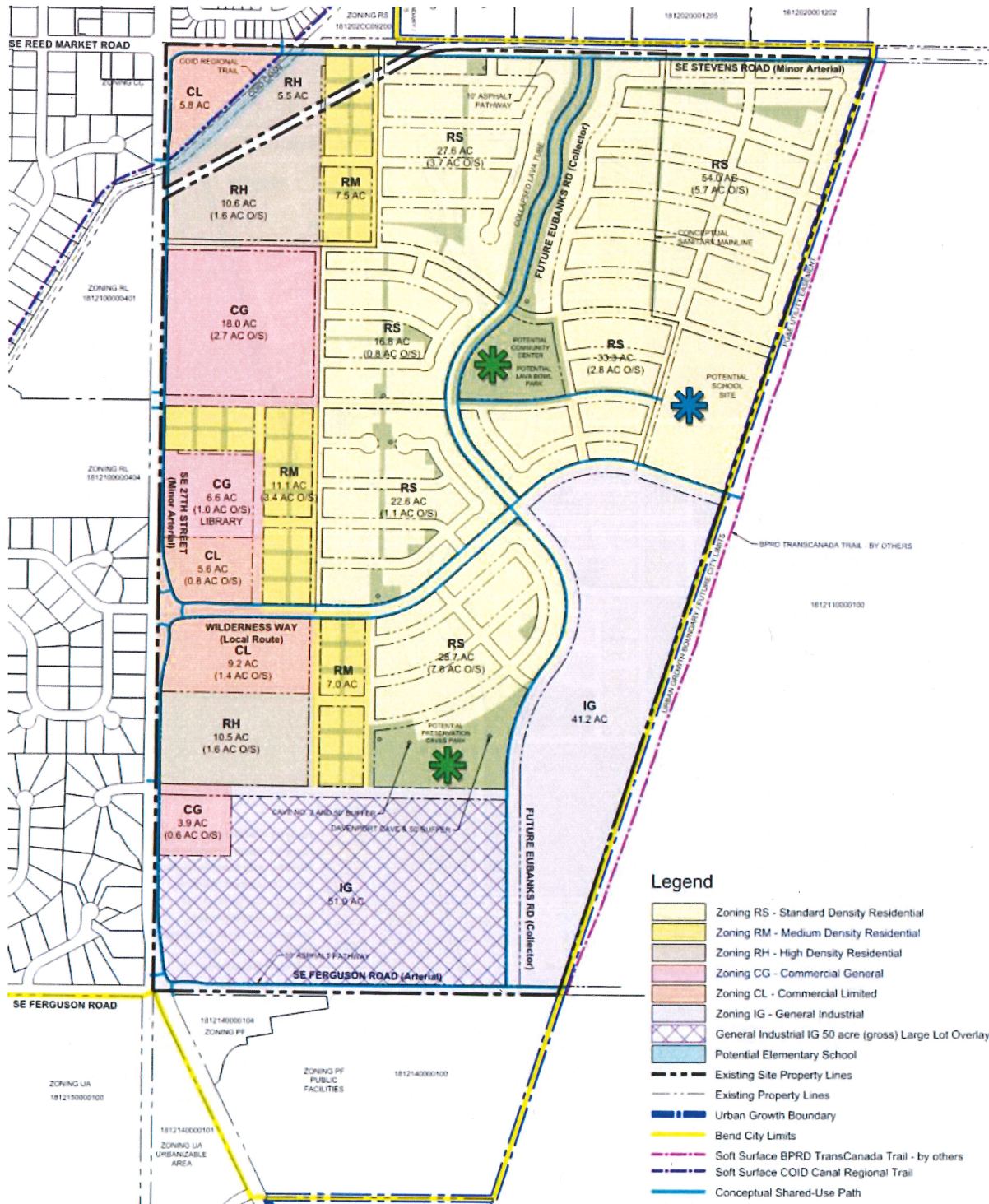
Figure 2.7.4220



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

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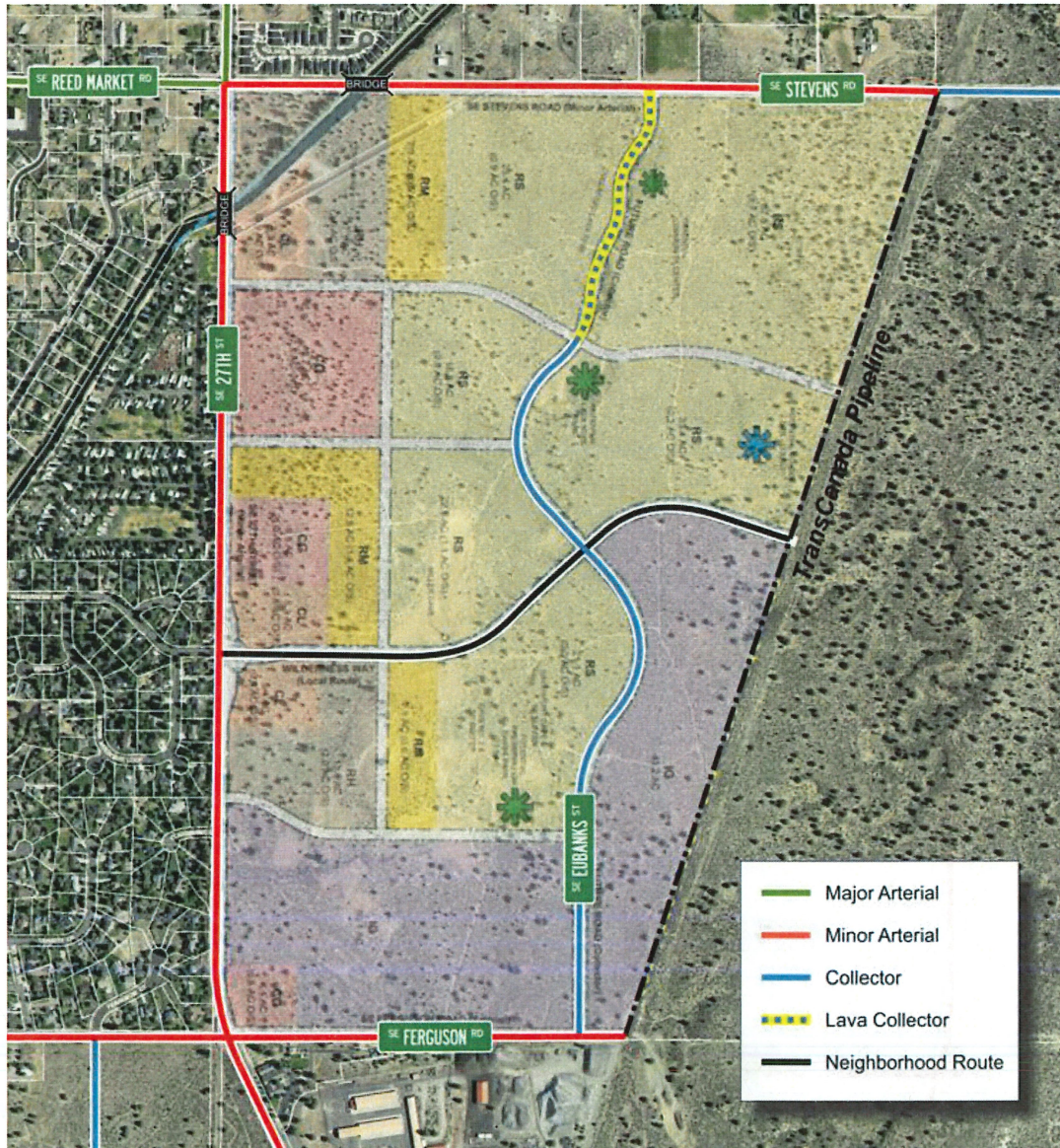
Figure 2.7.4220



B. Local road and open space locations in Figure 2.7.4220 are conceptual. Final location and acreage will be established at subdivision and/or site plan approval. The minimum acreage for open space is 37.54 acres. The final minimum acreage will not change but the location of the open space areas may change. [Moved from footnote of Figure 2.7.4220.]

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Figure 2.7.4290



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Figure 2.7.4290



Table 2.7.4300 Transportation Mitigation Plan

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

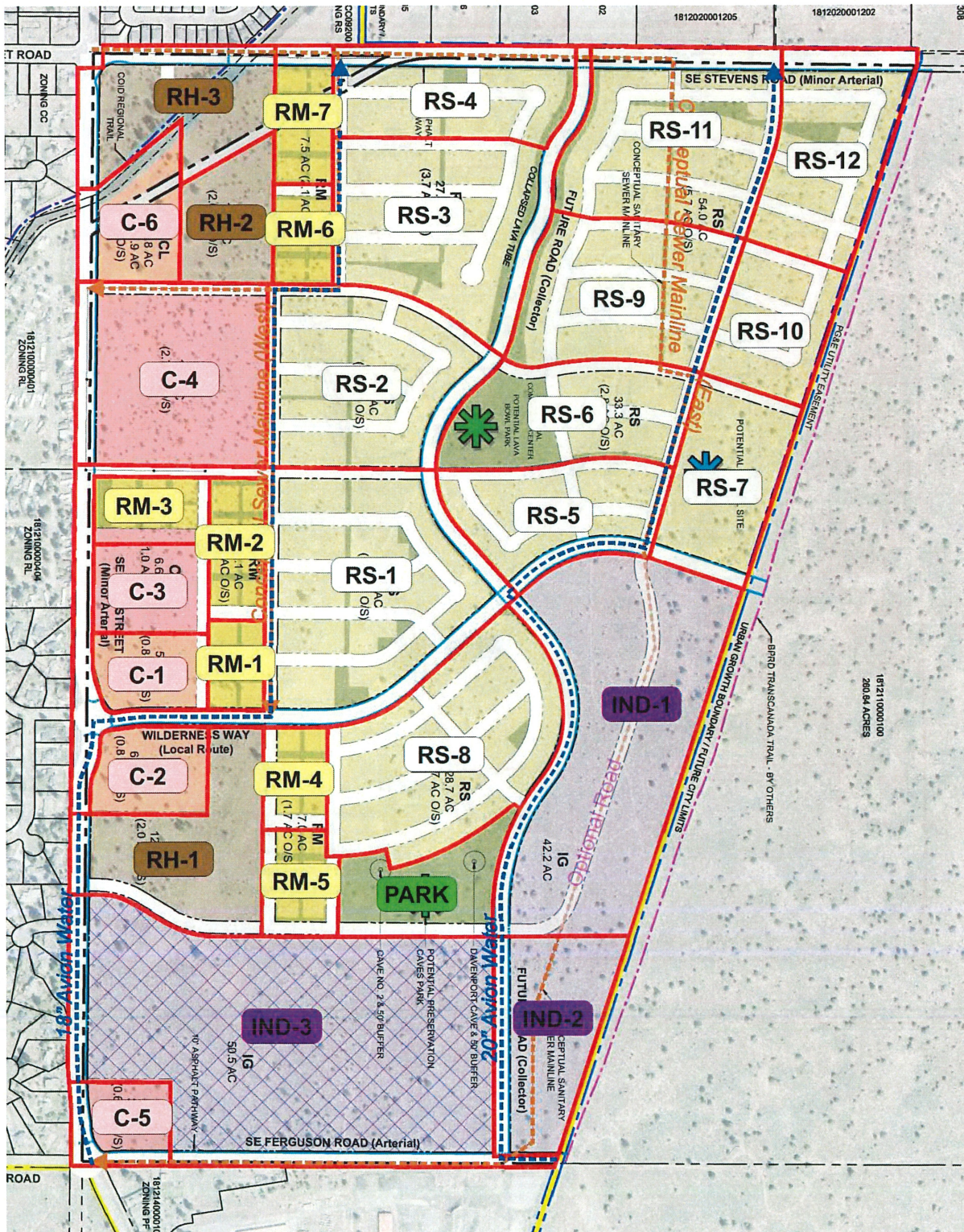
Phase	Description
RS-11	<ul style="list-style-type: none"> Construct adjacent portion of Stevens Road corridor to low-stress Minor Arterial standards. Construct surrounding local streets Review potential pedestrian connections to Eubanks corridor within either RS-9 or RS-11. Ensure adequate ROW is dedicated for long-term roundabout at Eubanks StreetDrive/Stevens Road intersection.
RS-12	<ul style="list-style-type: none"> Construct adjacent portion of Stevens Road corridor to low-stress Minor Arterial standards. Construct surrounding local streets. Extend Stevens Road pathway system to connect with planned TransCanada pipeline trail in coordination with BPRD.
Park	
PARK	<ul style="list-style-type: none"> Complete surrounding local streets and coordinate with BPRD for on-street parking/loading area. Complete $\frac{3}{4}$ street improvements along Eubanks StreetDrive to low-stress Collector standards.
Medium Density Residential	
RM-1	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-2	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-3	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-4	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-5	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-6	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards
RM-7	<ul style="list-style-type: none"> <u>Vacate current alignment of Stevens Road extending south of the section line to SE 27th Street. [Repeated requirement from RS-4 (diagonal Stevens Road bisects both phases)]</u> <u>Complete any remaining $\frac{3}{4}$ street improvements along SE Stevens Road frontage [Replaced with bullet below.]</u> <u>Complete $\frac{3}{4}$ street improvements along SE Stevens Road to low-stress Minor Arterial standards [Moved from RH-3.]</u> <u>Phase requires vacation of existing Stevens Road alignment. [Repeated from RH-2.]</u> Construct surrounding local streets to multifamily standards
High Density Residential	
RH-1	<ul style="list-style-type: none"> Complete $\frac{3}{4}$ street improvements along SE 27th Street frontage Construct southbound left-turn lane on SE 27th Street into new full-access local street connection Construct surrounding local streets to multifamily standards
RH-2	<ul style="list-style-type: none"> Construct surrounding local streets to multifamily standards <u>Phase requires vacation of existing Stevens Road alignment. [Moved from C-6]</u> <u>Complete any remaining $\frac{3}{4}$ street frontage improvements along SE 27th Street to low-stress Minor Arterial standards, including BPRD trail crossing and bridge surface redesign. [Repeated from C-6]</u>
RH-3 [consolidated with RH-2]	<ul style="list-style-type: none"> Work with COID and City to identify canal crossing design needs. <u>Complete remaining $\frac{3}{4}$ street improvements along SE Stevens Road and SE 27th Street to low-stress Minor Arterial standards, connecting with SE 27th Street/SE Reed Market Road intersection improvements and COID crossings [Since RH-2 and RH-3 are consolidated, SE 27th St requirement is addressed in 3rd bullet above. The consolidated phase boundary does not include Stevens Road; the Stevens Road improvements are moved to RM-7.]</u>

Phase	Description
	<ul style="list-style-type: none"> • Incorporate pedestrian crossing of COID/BPRD canal trail along Stevens Road. [Moved to C-6.] • Restrict Ivory Market to right-in, right-out with extension of a raised median. [Moved to C-6.]
Commercial Uses	
C-1	<ul style="list-style-type: none"> • Construct surrounding local streets to commercial standards. • Complete any remaining frontage improvements along SE 27th Street to low-stress Minor Arterial standards.
C-2	<ul style="list-style-type: none"> • Construct surrounding local streets to commercial standards. • Complete any remaining frontage improvements along SE 27th Street to low-stress Minor Arterial standards.
C-3	<ul style="list-style-type: none"> • Construct surrounding local streets to commercial standards. • Complete any remaining frontage improvements along SE 27th Street to low-stress Minor Arterial standards.
C-4	<ul style="list-style-type: none"> • Construct surrounding local streets to commercial standards. • Complete any remaining frontage improvements along SE 27th Street to low-stress Minor Arterial standards. • Complete northern connection to SE 27th Street as a southbound left-in, right-out, right-out access with enhanced southern pedestrian refuge crossing pending closure of the current Stevens Road connection.
C-5	<ul style="list-style-type: none"> • Dedicate adjacent right-of-way to support a future roundabout at SE Ferguson Road, with provisions for long-term widening for eastbound right-turn and southbound right-turn auxiliary lanes. [Moved to IND-3] • Construct adjacent ¾ street portion of SE Ferguson Road to low-stress Minor Arterial standards. [Moved to IND-3] • <u>Complete adjacent ¾ street improvements along abutting local street and SE 27th Street. [This phase shifted north to southeast corner of Claremont Court and 27th Street so no Ferguson Road triggers.]</u>
C-6	<ul style="list-style-type: none"> • Phase requires vacation of existing Stevens Road alignment. [Moved to RH-2] • Complete any remaining ¾ street frontage improvements along SE 27th Street to low-stress Minor Arterial standards, including BPRD trail crossing and bridge deck redesign. [Repeated in RH-2] • <u>Work with COID and City to identify canal crossing design needs. [Repeated from RH-2/RH-3 – canal border these phases and C-6]</u> • <u>Complete remaining ¾ street improvements along SE Stevens Road and SE 27th Street to low-stress Minor Arterial standards, connecting with SE 27th Street/SE Reed Market Road intersection improvements and COID crossings. [Repeated from RH-2/RH-3]</u> • <u>Incorporate pedestrian crossing of COID/BPRD canal trail along Stevens Road. [Moved from RH-3]</u> • <u>Restrict Ivory Market to right-in, right-out with extension of a raised median. [Moved from RH-3]</u>
Industrial Uses	
IND-1	<ul style="list-style-type: none"> • Complete any remaining portion of adjacent SE Eubanks Street Drive corridor along phase to low-stress Collector standards. • Extend adjacent portion of SE Wilderness Way to Neighborhood Route standards.
IND-2	<ul style="list-style-type: none"> • Complete any remaining portion of adjacent SE Eubanks Street Drive corridor along phase to low-stress Collector standards.
IND-3	<ul style="list-style-type: none"> • Construct ¾ street section of SE Ferguson Road to low-stress Minor Arterial standards from roundabout to eastern boundary.

Phase	Description
	<ul style="list-style-type: none"> • Complete any remaining portion of adjacent SE Eubanks Street Drive corridor along phase to low-stress <i>Collector</i> standards. • <u>Dedicate adjacent right-of-way to support a future roundabout at SE Ferguson Road, with provisions for long-term widening for eastbound right-turn and southbound right-turn auxiliary lanes. [Moved from C-5]</u> • <u>Construct adjacent ¾ street portion of SE Ferguson Road to low-stress <i>Minor Arterial</i> standards. [Moved from C-5]</u>
Impact Based Improvements (As monitored in Compliance Monitoring Report)	
236 PM Trips	<ul style="list-style-type: none"> • Construct single-lane roundabout at the SE 27th Street/SE Wilderness Way intersection with provisions for an auxiliary southbound left-turn lane.
250 th Single-Family Permit	<ul style="list-style-type: none"> • Construct a complete asphalt pathway on the east side of SE 27th Street from Reed Market Road south to Ferguson Road, excluding the portion of the pathway over the COID bridge. This remaining portion will be constructed with the vacation of Stevens Road's current intersection.
527 PM Trips	<ul style="list-style-type: none"> • Construct a single-lane roundabout with provision for an eastbound and southbound auxiliary right-turn lane at the SE 27th Street/SE Ferguson Road intersection. • Other conditions may require completion of the roundabout sooner than this trip threshold, including extension of Ferguson Road east, construction of the school, or development of the large-lot industrial site. • Up to 88 PM trips associated with a deed restricted Affordable Housing project (up to 200 affordable units) may be allowed without triggering this improvement. All other mitigations shall account for any trips associated with an Affordable Housing Project.
1,405 PM Trips	<ul style="list-style-type: none"> • Construct the SE Reed Market Road/SE 27th Street intersection improvements to support long-range capacity needs.
1,756 PM Trips	<ul style="list-style-type: none"> • Construct improvements at the Stevens Road/Ward Road intersection per agreements with Deschutes County.

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Figure 2.7.4300 Stevens Ranch Phasing Plan



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Figure 2.7.4300 Stevens Ranch Phasing Plan

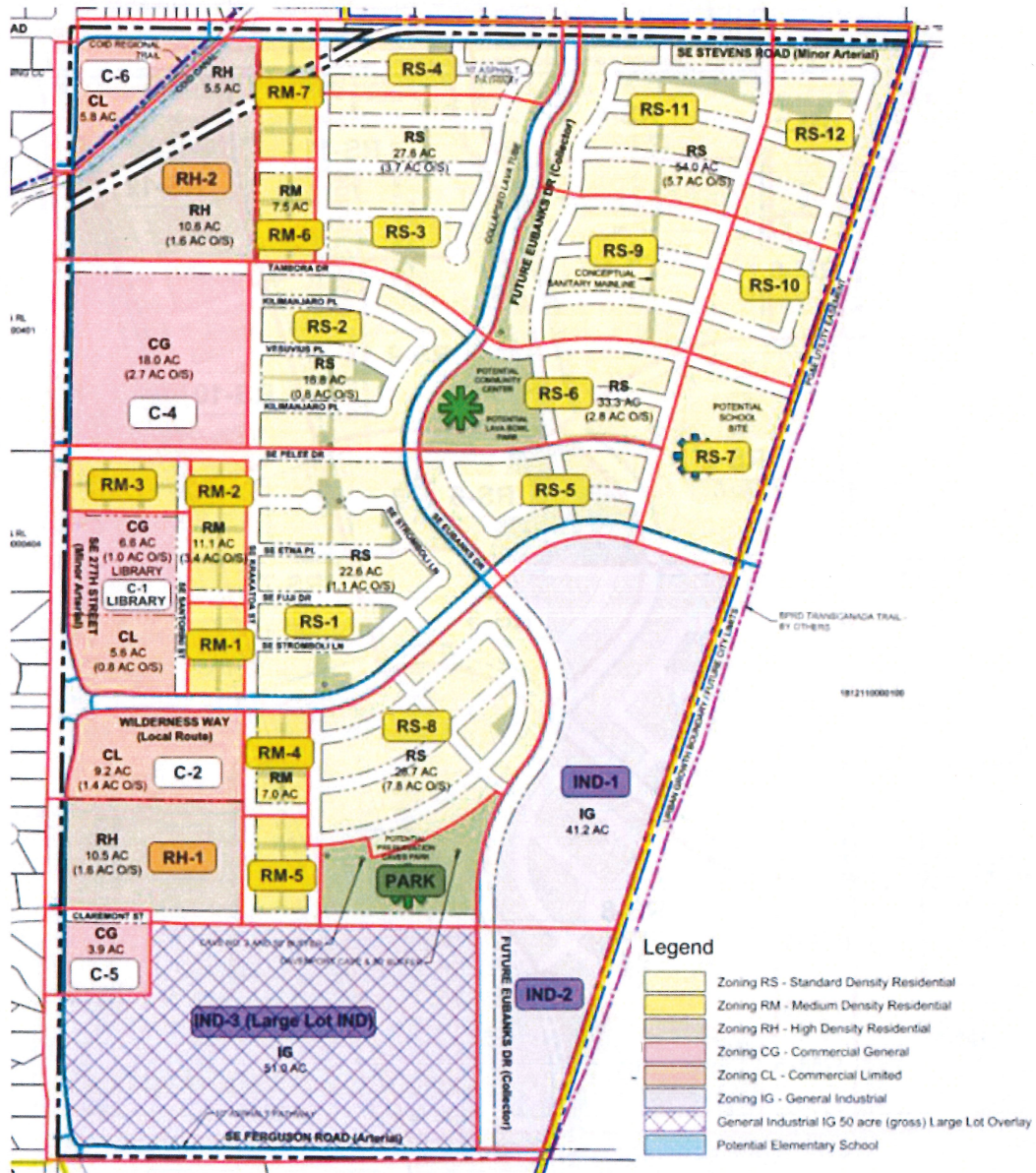
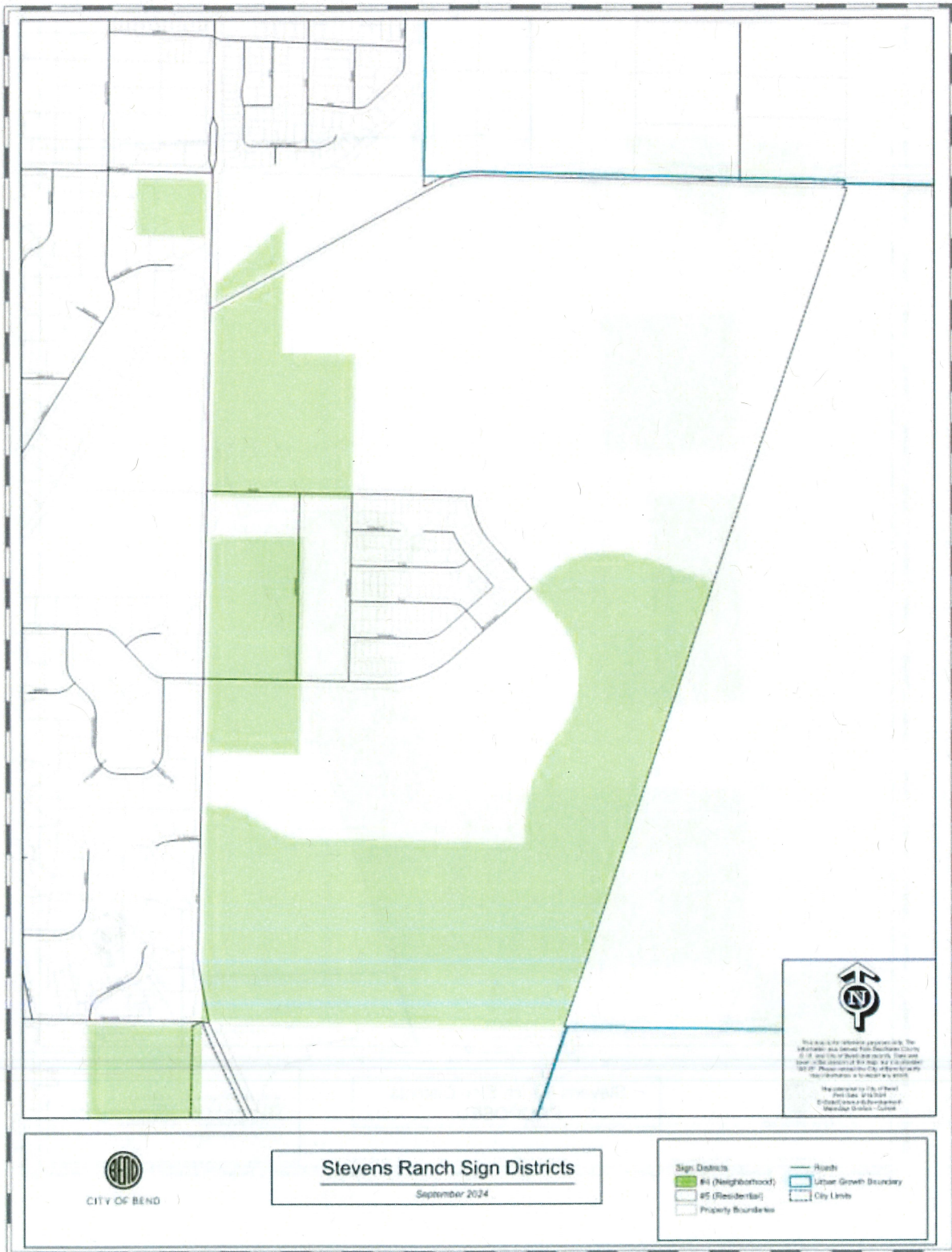


Exhibit C

Existing Sign District Map (Bend Code 9.50.040)



Proposed Sign District Map (Bend Code 9.50.040)

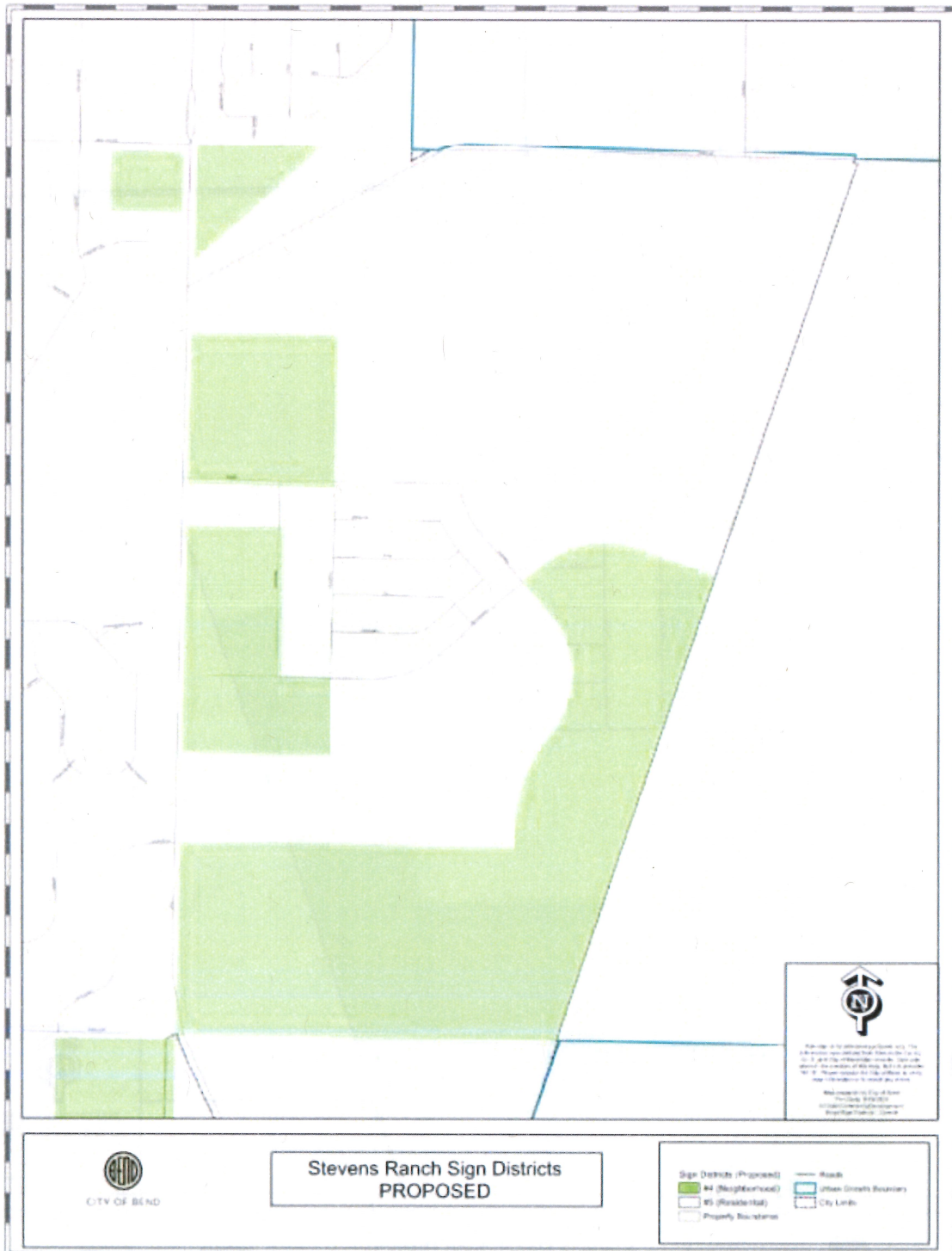


EXHIBIT D

CITY OF BEND PLANNING COMMISSION FINDINGS



COMMUNITY
DEVELOPMENT

PROJECT NUMBER: PLCPMA20240503

**HEARING DATE,
TIME & LOCATION:** October 14, 2024, 5:30 p.m.
City Hall Council Chambers

APPLICANT: DOWL
c/o Matthew Robinson
963 SW Simpson Ave
Bend, OR 97702

OWNER: Stevens Ranch LLC
721 S Brea Canyon Rd #7
Diamond Bar, CA 91789

LOCATION: 21425 Stevens Rd; Tax Lot 1812110000200

REQUEST: Comprehensive Plan Map Amendment and Zone Change to: modify the location of a 5.8-acre portion of existing High Density Residential (RH) and the 5.8 acres of existing Commercial Limited (CL) in the northwest portion of the Stevens Ranch Master Plan; move the location of 3.9 acres of existing Commercial General (CG) from the southwest portion of the Stevens Ranch Master Plan north approximately 750 feet; designate 1.3 acres of existing IG to RH with the proposed straightening of the planned local east-west street forming the northern boundary of the Industrial General (IG) designation abutting 27th Street; and designate 1.3 acres of existing RH to CL south of Wilderness Way. The proposal also includes associated amendments to the Stevens Ranch Transportation Mitigation Table (BDC 2.7.4300) to align the related transportation improvements to the relocated Phases. The Sign District map (Bend Code Figure 9.50.40) is also proposed to be updated to align with these Comprehensive Plan Map/Zoning changes. (Type III Quasi-Judicial application with Planning Commission recommendation to the City Council)

**STAFF
REVIEWERS:** Karen Swenson, AICP, Senior Planner; (541) 388-5567;
kswenson@bendoregon.gov

Chris Henningsen, Principal Engineer; 541-388-5571;
chenningesen@bendoregon.gov

APPLICABLE STANDARDS, PROCEDURES AND CRITERIA:

City of Bend Development Code

Chapter 2.7, Special Planned Districts (Stevens Ranch Master Planned Development)
Chapter 4.1, Development Review and Procedures
Chapter 4.6, Land Use District Map and Text Amendments

Chapter 4.7, Transportation Analysis

Bend Comprehensive Plan

Chapter 11, DSL Property

Oregon Administrative Rules

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

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

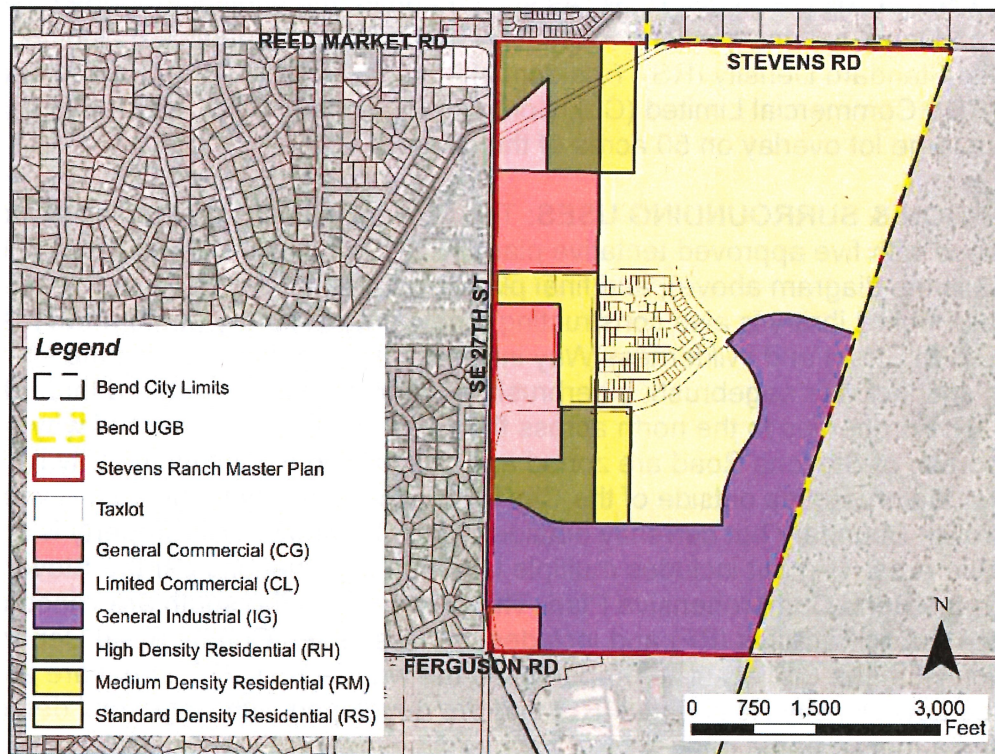
FINDINGS OF FACT:

- 1. LOCATION:** The Stevens Ranch master plan (the “subject property”) is located east of 27th Street, south of Reed Market Road and Stevens Road, north of Ferguson Road and the west of the eastern City limits. The non-platted property is currently addressed as 21425 Stevens Road and is further identified as Tax Lot 1812110000200; it is also recognized as part of Parcel 3 of Partition Plat 2024-9.

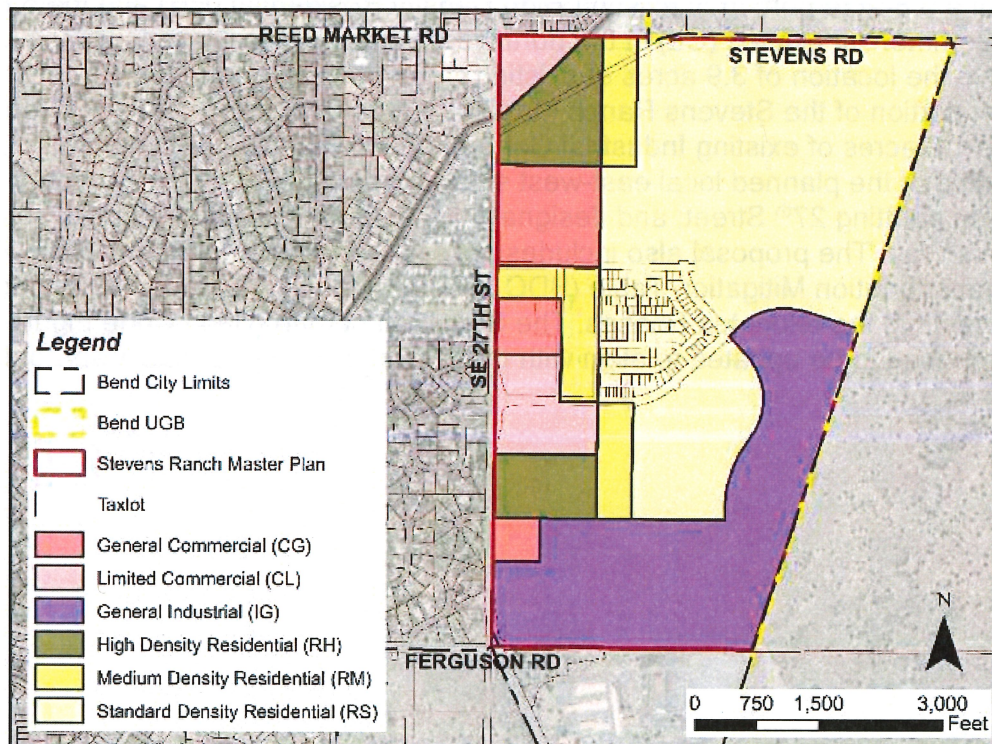


- 2. ZONING AND PLAN DESIGNATION:** As shown above, the subject property has a range of zones and land use designations to create a “complete community”, including: Residential Standard Density (RS), Residential Medium Density (RM), Residential High Density (RH), Commercial Limited (CL), Commercial General (CG), and Industrial General (IG) with a large lot overlay on 50 acres of the IG land.
- 3. DESCRIPTION & SURROUNDING USES:** The Stevens Ranch master plan is mostly undeveloped with five approved tentative plans (RS-1/RS-2, RS-3, C-1/C-3, RM-1/RM-3 and RM-2 in the diagram above), and final plats recorded for C-1/C-3 and RS-1). Deschutes Public Library is also constructing a new branch library at the northeast corner of the SE 27th Street and Wilderness Way intersection. Vegetation within the site is typical for Bend, and includes sagebrush, bitterbrush, and juniper trees scattered throughout the property. The properties to the north across the Reed Market Road right-of-way and parallel portion of Stevens Road are zoned and designated RS within the City limits and MUA10 for the properties outside of the City limits. The property to the east is within the Urban Growth Boundary but currently outside of the City limits. This property is zoned Urbanizable Area (UA) but includes multiple land use designations per the Stevens Tract policies in the Bend Comprehensive Plan. The properties to the south are zoned and designated Public Facilities (PF) and includes the Deschutes County Road Department and the Oregon Humane Society. The properties to the west across 27th Street are zoned and designated Low Density Residential (RL) and are developed with single-unit detached homes and a mobile home park.
- 4. PROPOSAL:** Comprehensive Plan Map Amendment and Zone Change to: modify the location of a 5.8-acre portion of existing High Density Residential (RH) and the 5.8 acres of existing Commercial Limited (CL) in the northwest portion of the Stevens Ranch Master Plan; move the location of 3.9 acres of existing Commercial General (CG) from the southwest portion of the Stevens Ranch Master Plan north approximately 750 feet; designate 1.3 acres of existing Industrial General (IG) to RH with the proposed straightening of the planned local east-west street forming the northern boundary of the IG designation abutting 27th Street; and designate 1.3 acres of existing RH to CL south of Wilderness Way. The proposal also includes associated amendments to the Stevens Ranch Transportation Mitigation Table (BDC 2.7.4300) to align the related transportation improvements to the relocated Phases. The Sign District map (Bend Code Figure 9.50.40) is also proposed to be updated to align with these Comprehensive Plan Map/Zoning changes.

Existing Comprehensive Plan and Zoning Map



Proposed Comprehensive Plan and Zoning Map



Legend

- Zoning RS - Standard Density Residential
- Zoning RM - Medium Density Residential
- Zoning RH - High Density Residential
- Zoning CG - Commercial General
- Zoning CL - Commercial Limited
- Zoning IG - General Industrial
- General Industrial IG 50 acre (gross)
- Potential Elementary School

Legend

- Zoning RS - Standard Density Residential
- Zoning RM - Medium Density Residential
- Zoning RH - High Density Residential
- Zoning CG - Commercial General
- Zoning CL - Commercial Limited
- Zoning IG - General Industrial
- General Industrial IG 50 acre (gross) Large Lot Overlay
- Potential Elementary School

Enlargement of Proposed Changes

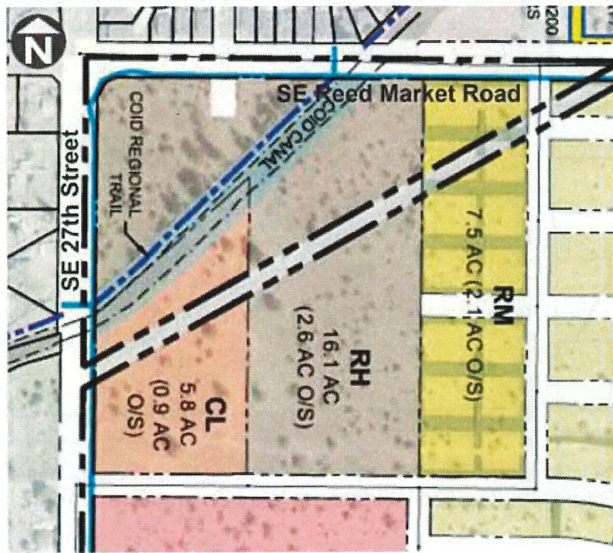


Figure 1a. Approved NW Corner

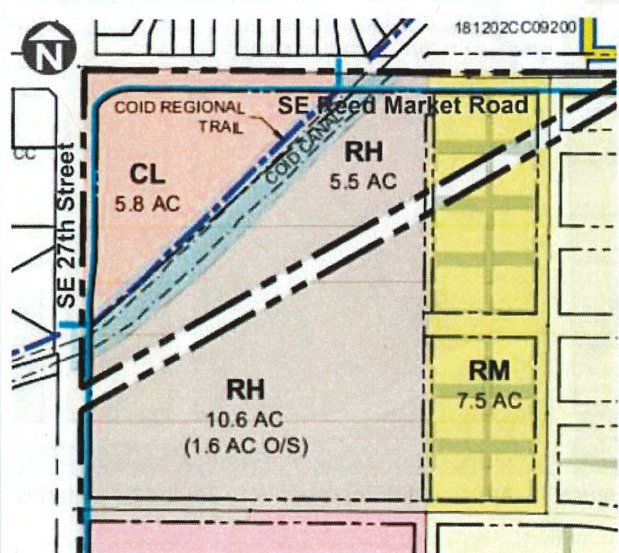


Figure 1b. Revised NW Corner

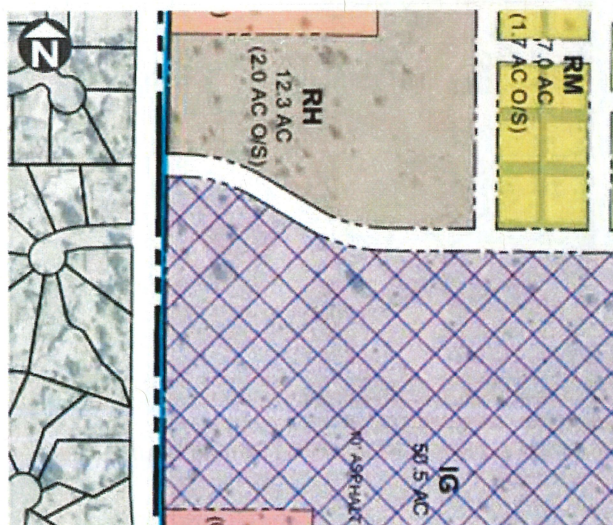


Figure 2a. Approved Positive Offset Claremont Ct Alignment

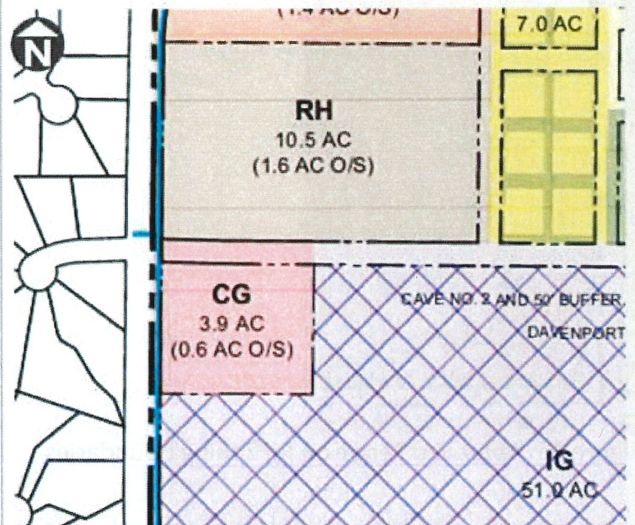


Figure 2b. Revised Claremont Ct Alignment

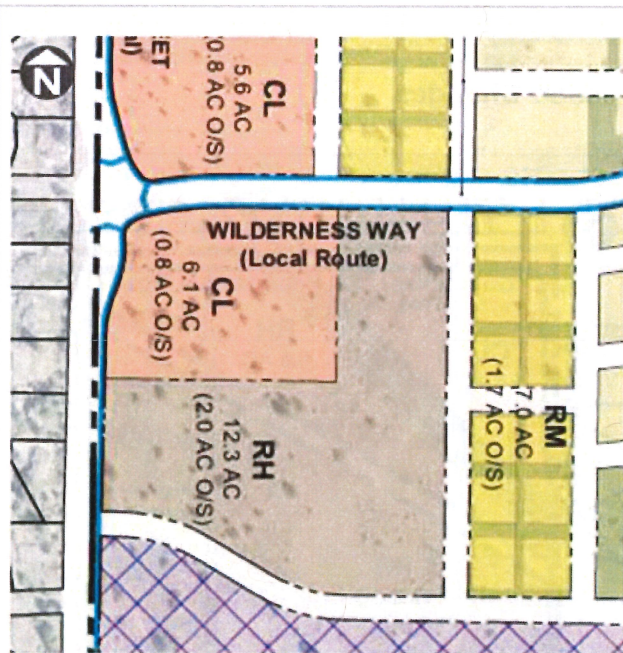


Figure 3a. Approved Wilderness Way Zoning Boundaries

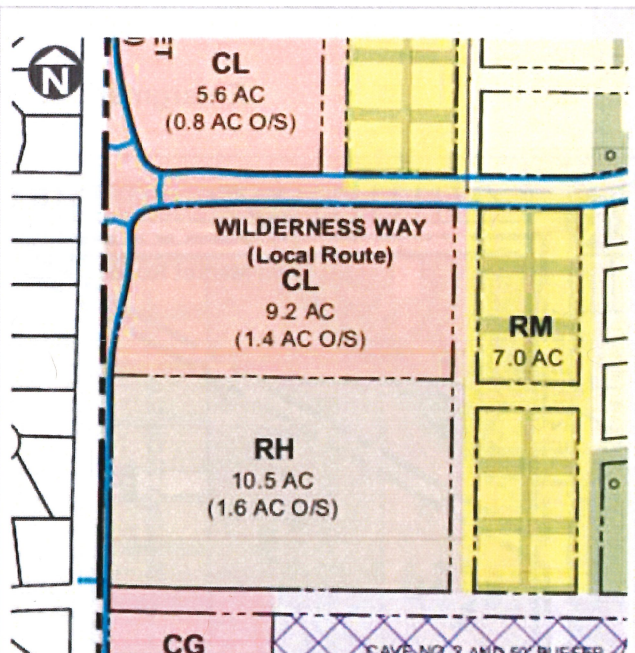


Figure 3b. Revised Wilderness Way Zoning Boundaries

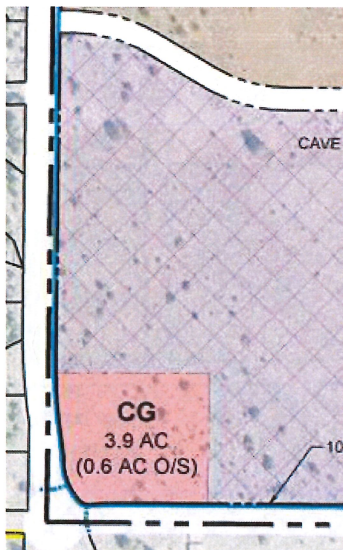


Figure 4a. Approved Ferguson Rd Zoning Boundaries

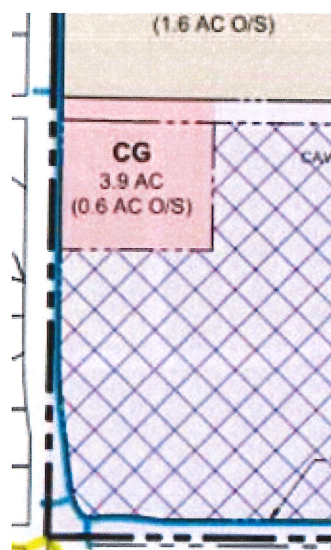


Figure 4b. Revised Ferguson Rd Zoning Boundaries

5. **PUBLIC NOTICE AND COMMENTS:** The applicant held a virtual public meeting via Zoom on August 22, 2024, in accordance with the requirements of BDC 4.1.215. The concerns raised at that meeting included building heights in the CL zone, roundabout construction timeline, new Reed Market Road extension and construction impacts on 27th Street.

A notice of the proposed Comprehensive Plan Map amendment was sent to the Department of Land Conservation and Development (DLCD) on September 4, 2024. Notice for the public hearing before the Planning Commission on October 14, 2024 was mailed on

September 20, 2024 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 master plan boundary, as well as the representatives for the Old Farm and Larkspur Neighborhood Districts. A public notice sign was also posted on the site in three locations: on 27th Street near Claremont Court, on 27th Street near Reed Market Road, and at the current southern terminus of Ivory Market Place.

Notice for the public hearing before the City Council on November 20, 2024 was mailed on October 24, 2024 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 master plan boundary, as well as the representatives for the Old Farm and Larkspur Neighborhood Districts. A public notice sign was also posted on the site in three locations: on 27th Street near Claremont Court, on 27th Street near Reed Market Road, and at the current southern terminus of Ivory Market Place.

As of the date of this report, one written public comment was received by the Planning Division, specifically in support of the placement of the commercial land use designation at the northwest corner of the site. Notices were sent to participating City Departments and other affected agencies for comment. The agency comments submitted to the Planning Division by BPRD and COID were not applicable to this amendment application, but future phases of the master plan.

6. **LEGAL LOT OF RECORD:** The subject property was created in its current configuration as part of Parcel 3 of Partition Plat 2024-9 (as shown on Deschutes County Record No. 2024-15229; CS 21332), thus it is a legal lot of record.
7. **APPLICATION SUBMITTAL:** This application was submitted on August 30, 2024 and deemed complete on September 3, 2024. Because it includes a Post Acknowledgement Plan Amendment (PAPA), it is not subject to the 120-day statutory time limitation for review.

FINDINGS OF CONFORMANCE WITH APPLICABLE CRITERIA AND PROCEDURES

Chapter 4.6 Land Use District Map and Text Amendments

4.6.300 Quasi-Judicial Amendments.

- A. **Applicability, Procedure and Authority.** Quasi-judicial amendments generally refer to a plan amendment or zone change affecting a single or limited group of properties and that involves the application of existing policy to a specific factual setting. Quasi-judicial amendments shall follow the Type III procedure, as governed by BDC Chapter 4.1, Development Review and Procedures, using the standards of approval in subsection (B) and/or (C) of this section, as applicable. Based on the applicant's ability to satisfy the approval criteria, the application may be approved, approved with conditions, or denied.

FINDING: The application includes an amendment to the Comprehensive Plan Map and corresponding zone changes affecting a single property and the application of existing policy to a specific factual setting. Therefore, the application requires a Type III review procedure, using the standards of approval in Subsection B (Criteria for Quasi-Judicial Comprehensive Plan Map Amendments) and Subsection C (Criteria for Quasi-Judicial Zone Changes).

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 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;**

FINDINGS: The applicable Statewide Planning Goals are addressed below. This criterion is met.

GOAL 1, CITIZEN INVOLVEMENT

The City of Bend has an established citizen involvement program. The application will be processed as a Type III application according to Chapter 4.1 of the BDC, which involves public notification and two public hearings, one before a Planning Commission and one before the Bend City Council, both of which provide opportunities for public involvement. Documentation for the required neighborhood meeting, held on August 22, 2024, is included in Exhibits H and I of the application. Therefore, Goal 1 is satisfied.

GOAL 2, LAND USE PLANNING

This Goal is intended “To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions.” The goal of orderly land use planning is achieved through the implementation of the adopted and acknowledged Bend Comprehensive Plan, the Bend Zoning Map and the Bend Development Code. 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 satisfied.

GOALS 3 and 4, AGRICULTURAL AND FOREST LAND

Goals 3, and 4 are not applicable because the property is not designated agricultural land or forest land.

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

The portion of the subject property affected by this application is undeveloped. Compliance with Goal 5 was demonstrated during the master planning process with respect to existing lava caves and tubes on the property and demonstrates compliance with Bend Comprehensive Plan Policy 11-91. As described in response to this policy, the adopted Stevens Ranch Master

Plan map (BDC Figure 2.7.4220) provided 50-foot buffers around both Garbage Cave No. 2 and Davenport Cave (just north of the IG designated area), the two caves determined to be significant as determined by the applicant's original Goal 5 Environmental, Social, Economic and Energy Analysis (ESEE) analysis (Exhibit 5 of the original master plan application PLSPD20210316) and are intended to be incorporated into open space or park areas, consistent with the ESEE's recommendation to ensure preservation of the two significant caves and associated bat habitat. As shown on the revised Stevens Ranch Master Plan map (Exhibit B), the proposed Comprehensive Plan Map Amendment continues to show these two caves with 50-foot buffers within planned open space and park areas and does not preclude compliance with the recommendations made in the applicant's ESEE analysis. Future land use applications on this property will be reviewed in accordance with the Bend Development Code standards, including tree preservation. Goal 5 is satisfied.

GOAL 6, AIR, WATER AND LAND RESOURCES QUALITY

The subject property has been identified in the City's Comprehensive Plan as appropriate for urban development. Furthermore, the BDC has established standards, requirements, and procedures for reviewing applications involving natural resources, including the Waterway Overlay Zone (WOZ) and Areas of Special Interest (ASI). The subject property is not located within the WOZ and do not contain ASI. Future land use applications on this property will be reviewed in accordance with the Bend Development Code standards. Therefore, Goal 6 is satisfied.

GOAL 7, NATURAL HAZARDS

The Stevens Ranch Master Plan does not contain any 100-year floodplains or mapped landslide hazard areas. Like all of Bend, the site is located in a wildfire hazard area (Deschutes County Multi-Jurisdictional Natural Hazards Mitigation Plan, 2021). Bend Comprehensive Plan Chapter 11 includes Policy 11-5, which directs the City to adopt strategies to reduce wildfire hazard on lands within the City and within Bend's UGB. The proposed Comprehensive Plan Map Amendment does not limit Bend from enacting policy in support of Policy 11-5 that aims to mitigate wildfire hazard on lands within the Bend UGB, including Stevens Ranch. Goal 7 is satisfied.

GOAL 8, RECREATION NEEDS

Chapter 2 of the Bend Comprehensive Plan establishes goals and policies which address natural features and open space needs within the City and prescribes responsibilities of both the City and Bend Parks and Recreation District (BPRD) via Policy 2-2.

The Bend Comprehensive Plan Policies for Stevens Ranch require up to 35 acres of parks and public open space (Policy 11-86), coordination with BPRD during the master planning process (11-89), and the provision of public trails along canal easements and other open space areas where feasible (Policy 11-92). Through coordination with BPRD, the applicant prepared a conceptual parks and open space plan (Exhibit 12 of the original master plan application) that identified future park locations and trail alignments, which were also shown on the Stevens Ranch Master Plan map. BPRD also provided a coordination letter (Exhibit 20 of the original master plan application) indicating their support for the master plan and verifying coordination

and continued collaboration to develop public trail connections and parks. As shown on the revised Stevens Ranch Master Plan map (Exhibit B), the proposed Comprehensive Plan Map Amendment does not preclude the provision of parks, open space and trail connections, which are shown in the same locations as on the approved master plan map. Goal 8 is satisfied.

GOAL 9, ECONOMIC DEVELOPMENT

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

As shown above and the revised Stevens Ranch Master Plan (Exhibit B), the revised Stevens Ranch Master Plan will provide approximately 49.07 gross acres of commercial land use designations (minimum of 46 gross acres required), and 92.16 gross acres of industrial land use designations (minimum of 93 gross acres required), which includes an approximately 51 acre large lot industrial site¹, demonstrating that the proposed Comprehensive Plan Map Amendment will continue to meet the employment goals of the applicable Bend Comprehensive Plan policies. Further, the applicant is proposing this Comprehensive Plan Map Amendment in part to rearrange the locations of commercial land uses within the site in order to better meet current economic conditions and align land use designations with future right-of-way alignments. Therefore, Goal 9 is satisfied.

GOAL 10, HOUSING

The Stevens Ranch master plan was included as a part of the City’s Goal 10 inventory of needed housing when the City expanded its UGB in 2016. Goal 10 was also addressed in the adopted of the Stevens Ranch master plan (PLSPD20210316) and included the following findings:

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

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

¹ Per BDC 4.7.600.E.3.a, master plan land use acreages must retain the same total area of all plan designations or within one percent of the total acreage. The proposed IG acreage (92.16 gross acres) is within one percent of the original IG land use designation acreage of 93 gross acres.

detached units. This meets the needed housing mix shown in Table 18 of the Housing Needs Analysis. Therefore, Goal 10 is satisfied.

Table 18. Needed housing by needed mix, Bend, 2014-2028

	Needed Units (2008 - 2014)	Units permitted 2009 to end of July 2014	Remaining Need (Mix applied to remaining total)	
			Units	Percent of New Units
Single-family detached	9,175	2,411	7,574	55%
Single-family attached	1,668	112	1,377	10%
Multi-family	5,838	389	4,819	35%
Total	16,681	2,912	13,770	100%

Source: ECONorthwest

Note: The Housing Needs/Capacity Analysis will be updated in 2025-2026.

The Comprehensive Plan Map Amendment does not propose any changes to the housing unit mix or total housing units in the Stevens Ranch master plan. Therefore, Goal 10 is satisfied.

GOAL 11, PUBLIC FACILITIES AND SERVICES

In 2021, the Bend City Council approved the Stevens Ranch Master Planned Development (PLSPD20210316; Ordinance No. NS-2420), which included documentation and analysis showing how the Stevens Ranch master plan can be served by necessary public facilities, including public water and sewer utilities, franchise utilities, public transit, public parks and open space areas, as well as multimodal transportation connections. The following findings demonstrated how necessary public facilities can be provided to the Stevens Ranch master plan in a manner that is adequate to serve the site's anticipated development.

Required infrastructure (water, sewer and transportation) will be provided concurrent with each phase of development. The proposed Utility Plans (Exhibit 21 of this application) indicate how water and sewer will be provided to the blocks within the Stevens Ranch master plan. Avion Water District has indicated that it has capacity to serve the master plan area, and the City-issued Utility Availability Memo (SWA 20-2186) indicates sewer capacity will be available for the Stevens Ranch Master Plan and the associated mitigation for sewer improvements. The applicant also discussed with City staff how stormwater will be detained within the boundaries of each phase as would be allowed under the proposed Stevens Ranch code. Finally, a Transportation Analysis Memo (PRTFR202100198) has outlined the transportation mitigation necessary for the Stevens Ranch Master Plan, which will be codified in BDC 2.7. Details of compliance with Chapter 3.4 will be reviewed during future land use division, but the applicant has shown that the standards in this section can be met.

As described above, Stevens Ranch can be provided with adequate public facilities that can be extended in an orderly and efficient manner as the site continues to develop. Further, the proposed Comprehensive Plan Map Amendment does not limit the applicant from complying with minimum open space requirements and multi-modal transportation improvements, and the

applicant has continued to coordinate with the Bend Park and Recreation District (BPRD) prior to submittal of land use applications for new development within Stevens Ranch. Goal 11 is met.

GOAL 12, TRANSPORTATION

For instances involving amendments to acknowledged land use designations, Goal 12 is implemented by the Transportation Planning Rule (TPR) per OAR 660-012. As described in the applicant's TPR compliance memorandum (Exhibit E of the application), which provides findings in response to OAR 660-012-0060, the proposed Comprehensive Plan Map Amendment show a negligible increase in the weekday daily trips (0.1 percent) and a decrease in weekday p.m. peak hour trips (2 trips) based on an updated trip generation estimate that follows the same methodology as the master plan's original estimate. Therefore, significant effects to the transportation system are not anticipated and the proposed Comprehensive Plan Map Amendment is compliance with TPR. Goal 12 is met.

GOAL 13, ENERGY CONSERVATION

Goal 13 generally imposes obligations on local governments to develop plans and implementing measures that conserve energy. In 2016, the Bend City Council found that the 2016 UGB expansion, which brought the Stevens Ranch property into the UGB, satisfied Goal 13 because it was designed to conserve energy by directing more growth in housing and employment to opportunity areas inside the existing UGB, considering energy in the evaluation and arrangement of land uses in the UGB expansion areas, and ensuring that these expansion areas being added to the UGB are well connected to the existing transportation system. Stevens Ranch will ultimately accommodate a diverse mix of housing and employment uses within walking distance of schools, parks, and commercial services which reduces dependence on personal automobiles by making walking, bicycling, and using transit more realistic with shorter trips. The master plan also provides for connectivity between existing neighborhoods within the UGB and the Stevens Road Tract to the east. The proposed Comprehensive Plan Map Amendment remains consistent with this initiative, and is proposing minor alterations and a reorientation of the master plan's land use designations, which will ultimately still stay connected through multimodal transportation connections. Goal 13 is satisfied.

GOAL 14, URBANIZATION

During the City's 2016 UGB expansion process, the City demonstrated a need to amend the UGB to accommodate future urban population and job growth within the Bend UGB, through several analyses, including the Urbanization Report and the UGB Scenario Evaluation Report. The City inventoried its buildable lands for both housing and employment and forecasted future needs for housing and employment based on the 20-year population forecast, determining that a UGB expansion was necessary. The 2016 UGB expansion, which included the subject property ("DSL Property") expansion area, was adopted in 2016. The proposed Comprehensive Plan Amendment does not change the original findings for Goal 14 compliance. As such, the proposal is consistent with Goal 14.

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

FINDINGS: The applicant and the City have identified the Comprehensive Plan policies that are applicable to the application. Consistency with these policies are described in findings below.

BEND COMPREHENSIVE PLAN PREFACE

FUTURE PLAN UPDATES

Changes proposed by individuals or other agencies. A proposal by an individual, corporation, or public agency to change to the Plan text, land use map, other exhibits, or policies shall be considered as determined by the procedures ordinance. A person or agency proposing a change has the burden to demonstrate a public need and benefit for the change.

FINDING: The applicant's proposed Comprehensive Plan Map Amendment will result in a minor increase in the master plan's commercial acreage, making up for commercial lands dedicated as public rights-of-way for the future roundabout at the intersection of 27th Street and Wilderness Way. Second, it will also move commercial lands to the southeast corner of the Reed Market Road and 27th Street intersection, which is supported by Comprehensive Plan Figure 11-5, which calls for a retail center at this intersection.

The Comprehensive Plan Map Amendment will also shift approximately 3.9 acres of commercial land from the 27th Street and Ferguson Road intersection to the north, to a location at the southeast corner of the intersection of 27th Street and Claremont Court in order to avoid the future loss of commercial land due to right-of-way dedications when a future roundabout is constructed at the 27th and Ferguson intersection.

Finally, the Comprehensive Plan Map Amendment will also adjust the shape of RH land use designations within the master plan, creating more uniformly shaped development blocks that are preferred by developers for multifamily residential projects. The master plan property can still accommodate well over 1,000 units at the housing mix required by Comprehensive Plan Policy 11-86. The proposed amendment will also ultimately create more viable commercial development opportunities on the master plan property, that will be needed as future neighborhoods in Stevens Ranch, as well as in other areas on Bend's east side, continue to develop. The proposed Comprehensive Plan Map Amendment ultimately provides a community benefit by ensuring sufficient commercial development opportunities exist within the Stevens Ranch master plan that are in close proximity to new neighborhoods and other services.

CHAPTER 1, PLAN MANAGEMENT AND CITIZEN INVOLVEMENT

POLICIES

Chapter 9: Community Appearance

- 9-4 Sign regulations should limit the size, location, and number of signs in residential, mixed-use, commercial, institutional and industrial areas and have amortization provisions to remove non-conforming signs within a reasonable period of time.**

FINDING: The Bend Sign Code regulates the types and sizes of signs that are allowed on a site based on which sign district they are located in. There are six sign districts that regulate signage in the City of Bend and they are identified on Figure 9.50.040, Sign District Map in BC Chapter 9.5, Signs. The proposed Sign District amendments are specific to Sign Districts 4 and 5; Sign District 4, Neighborhood Sign District, will apply to all commercial and industrial designations in Stevens Ranch, and Sign District 5 will apply to all residential designations, as modified with this Comprehensive Plan Map Amendment and Rezone.

Chapter 11: Growth Management

Specific Expansion Area Policies, DSL Property

- 11-83 Master planning is required for this area. The master plan must be consistent with both master plan standards in the development code and policies 11-84 through 11-92, below.**

FINDING: Master planning for the Stevens Ranch property was completed in 2021 with the approval of the Stevens Ranch Master Planned Development by the Bend City Council (PLSPD20210316 & Ordinance No. NS-2420), during which time the property was annexed into the City (Ordinance No. NS-2421). Development of the site is ongoing consistent with the provisions of BDC 2.7.4200. The following policies are addressed for compliance, demonstrating how the proposed Comprehensive Plan Map Amendment does not preclude continued compliance with these policies

- 11-84 The overall planning concept for the DSL property as identified in Figure 11-7 is for a new complete community that accommodates a diverse mix of housing and employment uses, including the potential for a large-lot industrial site.**

FINDING: Bend Comprehensive Plan, Chapter 11, describes “complete communities” as follows:

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

As shown on the revised Stevens Ranch Master Plan map (Exhibit B), Stevens Ranch will continue to meet this policy by accommodating a variety of housing options, including multifamily, townhomes, single-family detached, and duplexes/triplexes/quadplexes, supported by essential services that consist of commercial and industrial employment opportunities, as well as various amenities such as an elementary school, parks and trail systems, and open space areas throughout. All of these uses will be interconnected by a

thoughtfully planned transportation system that will provide for multiple modes of transportation, including walking and cycling, as well as public transportation. This policy is met.

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

FINDING: As shown on the revised Stevens Ranch Master Plan map (Exhibit B) and on the table below, the proposed Comprehensive Plan Map Amendment meets the minimum acreage requirements for the master plan's various land use designations.

Land Use	Proposed Land Use Acreages (gross)
RS	182.04
RM	25.57
RH	26.56
CG	28.48
CL	20.59
IG	92.16

As shown above, the revised Stevens Ranch Master Plan will provide approximately 234.17 gross acres of residential land use designations (minimum of 223 gross acres required), approximately 49.07 gross acres of commercial land use designations (minimum of 46 gross acres required), and 92.16 gross acres of industrial land use designations (minimum of 93 gross acres required), which includes an approximately 51-acre large lot industrial site². This policy is met.

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

² Per BDC 4.7.600.E.3.a, master plan land use acreages must retain the same total area of all plan designations or be within one percent of the total acreage. The proposed IG acreage (92.16 gross acres) is within one percent of the original IG land use designation acreage of 93 gross acres.

FINDING: As part of the master plan's original approval, the applicant elected to meet the alternative language of this policy. The following findings were provided in the master plan's staff report and approval:

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

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

Table 2: Stevens Ranch Housing Mix

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

As shown on the revised Stevens Ranch Master Plan map (Exhibit B), the Comprehensive Plan Map Amendment does not preclude compliance with this policy, and the master plan will continue to provide 1,710 housing units that can meet the housing mix requirements of this policy. Ultimately, the number of housing units planned for Stevens Ranch well exceeds the minimum requirement of this policy. This policy is met.

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

FINDING: As shown on the proposed Stevens Ranch Master Plan map (Exhibit B), the proposed Comprehensive Plan Map Amendment does not preclude the provision of a 50 acre large lot industrial site. As shown, a contiguous 51 acre area of land designated and zoned General Industrial (IG) continues to be provided in the southern portion of Stevens Ranch, which is subject to the Industrial Large Lot Overlay provisions per BDC 2.7.4280. This policy is met.

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

FINDING: During the master planning for the Stevens Ranch site in 2020, the applicant coordinated with the Bend-La Pine School District to identify a potential elementary school site within the master plan. The location selected is an approximately 10 acre site located on the north side of the future extension of SE Wilderness Way adjacent to the master plan's eastern

border and the Stevens Road Tract lands to the east. The Bend-La Pine School District provided a coordination letter (Exhibit 22 of the original master plan application) indicating their support for the master plan and memorializing the coordination between the school district and the applicant. As shown on the revised Stevens Ranch Master Plan map (Exhibit B), the proposed Comprehensive Plan Map Amendment does not preclude the provision of an approximately 10 acre school site, which is shown in the same location as on the approved master plan map. This policy is met.

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

FINDING: During the master planning for the Stevens Ranch property in 2020, the applicant coordinated with BPRD to identify potential locations for parks, open space and trail systems within Stevens Ranch that can integrate into BPRD's existing park and trail system. Through coordination with BPRD, the applicant prepared a conceptual parks and open space plan (Exhibit 12 of the original master plan application) that identified future park locations and trail alignments, which were also shown on the Stevens Ranch Master Plan map. BPRD also provided a coordination letter (Exhibit 20 of the original master plan application) indicating their support for the master plan and verifying coordination and continued collaboration to development public trail connections and parks. As shown on the revised Stevens Ranch Master Plan map (Exhibit B), the proposed Comprehensive Plan Map Amendment does not preclude the provision of parks, open space and trail connections, which are shown in the same locations as on the approved master plan map. This policy is met.

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

FINDING: The applicant coordinated extensively with other special districts and utility providers during the master planning process, including Avion Water, Central Oregon Irrigation District (COID), Cascade Natural Gas, the Oregon Department of Transportation (ODOT), Deschutes County, and the Bend-La Pine School District. Coordination and will-serve letters were provided from each of these affected agencies, which were included as Exhibit 23 of the original master plan application. The applicant will continue to coordinate with these agencies as Stevens Ranch develops. The proposed Comprehensive Plan Map Amendment does not preclude continued compliance with the requirements of each of these agencies. This policy is met.

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

FINDING: During the master planning process for the Stevens Ranch site in 2020, the applicant prepared a Goal 5 ESEE analysis (Exhibit 5 of the original master plan application) in order to inventory the site's Goal 5 resources and complete a significance determination of these resources in accordance with the applicable provisions of OAR Chapter 660, Division 023. The applicant's ESEE analysis provided the following findings on significant wildlife habitat within the property:

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

The approved Stevens Ranch Master Plan map provided 50-foot buffers around both Garbage Cave No.2 (renamed Preservation Cave) and Davenport Cave. The master plan has been designed to incorporate these buffers into open space or park areas, consistent with the ESEE's recommendation to ensure preservation of the two significant caves and associated bat habitat. As shown on the revised Stevens Ranch Master Plan map (Exhibit B), the proposed Comprehensive Plan Map Amendment continues to show these two caves with 50-foot buffers within planned open space and park areas and does not preclude compliance with the recommendations made in the applicant's ESEE analysis. This policy is met.

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

FINDING: During the master planning for the Stevens Ranch site in 2020, the applicant coordinated with BPRD to identify potential locations for parks, open space and trail systems within Stevens Ranch that can integrate into BPRD's existing park and trail system. Through coordination with BPRD, the applicant prepared a conceptual parks and open space plan (Exhibit 12 of the original master plan application) that identified future park locations and trail alignments, which were also shown on the Stevens Ranch Master Plan map, and included a trail crossing over the COID canal located in the property's northwest corner. As shown on the revised Stevens Ranch Master Plan map (Exhibit B), the proposed Comprehensive Plan Map Amendment does not limit the master plan from providing trail connections throughout the property and across the COID canal. This policy is met.

**BDC 4.6.300.B. Criteria for Quasi-Judicial Comprehensive Plan Amendments
(continued)**

- 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: In 2021, the Bend City Council approved the Stevens Ranch Master Planned Development (PLSPD20210316 & Ordinance No. NS-2420), which included documentation and analysis showing how Stevens Ranch can be served by necessary public facilities, including public water and sewer utilities, franchise utilities, public transit, public parks and open space areas, as well as multimodal transportation connections. The staff report and decision provided the following findings regarding the adequacy of public facilities to serve development of the site.

Required infrastructure (water, sewer and transportation) will be provided concurrent with each phase of development. The proposed Utility Plans (Exhibit 21 of this application) indicate how water and sewer will be provided to the blocks within the Stevens Ranch master plan. Avion Water District has indicated that it has capacity to serve the master plan area, and the City-issued Utility Availability Memo (SWA 20-2186) indicates sewer capacity will be available for the Stevens Ranch Master Plan and the associated mitigation for sewer improvements. The applicant also discussed with City staff how stormwater will be detained within the boundaries of each phase as would be allowed under the proposed Stevens Ranch code. Finally, a Transportation Analysis Memo (PRTFR202100198) has outlined the transportation mitigation necessary for the Stevens Ranch Master Plan, which will be codified in BDC 2.7. Details of compliance with Chapter 3.4 will be reviewed during future land use division, but the applicant has shown that the standards in this section can be met.

As described, Stevens Ranch can be provided with adequate public facilities that can be extended in an orderly and efficient manner as the site continues to develop. Further, the proposed Comprehensive Plan Map Amendment does not limit the applicant from complying with minimum open space requirements, and the applicant has continued to coordinate with the Bend Park and Recreation District (BPRD) prior to submittal of land use applications for new development within Stevens Ranch.

Transportation improvements within and adjacent to Stevens Ranch are ongoing in compliance with the master plan's current transportation mitigation plan, consistent with BDC 2.7.4300 (Stevens Ranch Transportation Mitigation Plan). In support of the Comprehensive Plan Map Amendment, the revised transportation mitigation plan and associated phasing plan reflect the proposed land use designation adjustments, relocating the required transportation improvements in the mitigation plan to the adjusted abutting phase, and demonstrates how transportation improvements can continue to be provided to various areas of Stevens Ranch as development continues. The applicant also prepared a memorandum describing the anticipated changes to traffic impacts and necessary mitigation improvements as a result of the proposed land use designation adjustments, which includes a TPR analysis, and is included as Exhibit E of the application. As described within that memorandum, the proposed land use designation adjustments will not materially impact the master plan's overall trip generation and does not warrant new on- or off-site transportation mitigation measures.

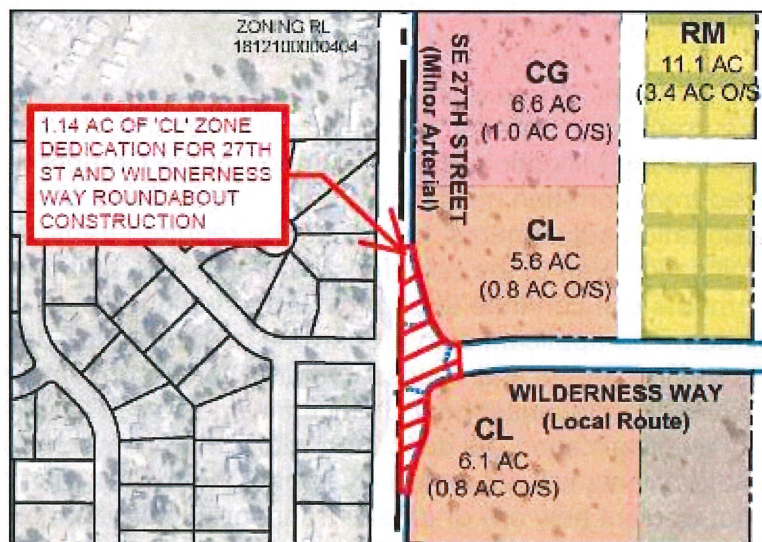
As described through this finding and referenced documents, and within the approval for the Stevens Ranch Master Planned Development, adequate public facilities that can support the master plan's anticipated uses can continue to be provided in an orderly and efficient manner, and the proposed Comprehensive Plan Map Amendment does not impact the ability for these facilities to be provided concurrently with development. This criterion is met.

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: The applicant is not asserting that a mistake was made when assigning the Stevens Ranch site its land use designations nor is there an inconsistency in the Comprehensive Plan or Land Use District Map regarding the property. Rather, the applicant is providing evidence

that changes in the community have occurred that necessitate the proposed alterations to the land use designations within Stevens Ranch.

Since the master plan's original approval in 2021, Stevens Ranch has begun to develop with uses contemplated with the master plan, and major infrastructure projects necessary for the site's complete build out have begun, including improvements to SE 27th Street consistent with the cross-section standard for a minor arterial per BDC Figure 2.7.4290. As a part of the improvements to SE 27th Street, a single-lane roundabout is being constructed at the intersection of SE 27th Street and SE Wilderness Way. As shown on the current Stevens Ranch Master Plan map (BDC Figure 2.7.4220), lands east of the new roundabout located on the north and south sides of SE Wilderness Way are currently designated Commercial Limited (CL). During the master planning process, exact details on the roundabout's design and ultimate right-of-way requirements were not known, but the design ultimately required the roundabout to be shifted to the east, requiring right-of-way dedications that were larger than anticipated that impacted adjacent CL lands. As shown on the figure below, approximately 1.14 gross acres of CL designated lands were ultimately dedicated as public right-of-way, which represents approximately 6.5 percent of the overall gross acreage of CL designated lands within Stevens Ranch.



In order to make up the CL acreage absorbed by right-of-way dedications, the applicant's proposed Comprehensive Plan Map Amendment will increase the CL acreage within Stevens Ranch by approximately 3 acres (net increase of 1.86 acres with 1.14-acre right-of-way dedication) with a compensatory reduction in RH designated acreage south of SE Wilderness Way as shown on the revised Stevens Ranch Master Plan map (Exhibit B). Maintaining adequate levels of commercial acreage within Stevens Ranch, specifically adjacent to SE 27th Street which serves as one of the main thoroughfares on Bend's east side, will be important as residential lands develop and demand for commercial services in close proximity to new neighborhoods increases. Further, the land use designation blocks south of SE Wilderness Way are also proposed to be rearranged in order to eliminate the "L" shaped RH block in order to maximize development potential, as the applicant's preliminary conversations with multifamily developers has indicated a preference for more rectangular shaped development

areas. While this change results in a slight reduction in RH designated lands within Stevens Ranch, the applicant has indicated this change will not limit the master plan from ultimately providing approximately 1,710 housing units through a mix of housing types as original proposed with the master plan's approval.

Another single-lane roundabout is also planned at the intersection of SE 27th Street and SE Ferguson Road, and while the design for this roundabout is still preliminary, the anticipated right-of-way dedications are likely to impact the developable acreage within the approximately 3.9 gross-acre block designated Commercial General (CG) at this intersection. In order to further limit impacts to developable commercial land within Stevens Ranch, the proposed Comprehensive Plan Map Amendment shifts this CG block north in order to align with the future intersection of SE 27th Street and SE Claremont Court. As shown on the revised master plan map (Exhibit B), this proposed relocation of the CG block does not impact the master plan's IG designated acreage, and an approximately 51 gross acre large-lot industrial site is still provided.

Finally, in the far northwest corner of Stevens Ranch, near the intersection of SE Reed Market Road and SE 27th Street, the applicant proposes to rearrange the blocks of CL and RH designated lands in order to create more uniformly shaped zoning blocks and provide greater development opportunities within this area. As shown on the revised master plan map, approximately 5.8 gross acres of CL designated lands would be placed at the southeast corner of the intersection of SE Reed Market and SE 27th Street, entirely north of the COID canal, and approximately 16.1 gross acres of RH designated lands are shifted to be located entirely south of the COID canal. As shown on the revised master plan map, the original acreages of CL and RH land in this area are retained with this change. There are two reasons for this change. First, the RH designated block is no longer bisected by the COID canal, which creates more opportunity for a cohesive multifamily residential development. Second, this places developable commercial land directly at the corner of SE Reed Market Road and SE 27th, which is supported by Bend Comprehensive Plan Figure 11-5 which calls for a major commercial center at this intersection. Additionally, the market analysis submitted with the original master plan application (Exhibit 11 of the original master plan application) recommended locating commercial land at this intersection so that access can be provided from either SE 27th Street or the future extension of SE Reed Market Road.

Ultimately, the applicant believes these changes in the location and acreages of commercial and residential lands within Stevens Ranch will result in more readily developable land that can better meet the demands of multifamily and commercial developers and future residents of Stevens Ranch, while also being responsive to commercial lands lost to extensive public infrastructure improvements and the desire for a commercial center at the intersection of SE Reed Market Road and SE 27th Street. 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: The TPR requires a two-step analysis. First, under OAR 660-012-0060(1), the applicant must determine if the application “significantly affects a transportation facility,” as that term is defined in OAR 660-012-0060(1). If not, then the analysis ends, and the TPR is satisfied. The City may rely on transportation improvements found in transportation system plans, as allowed by OAR 660-012-0060(4)(a), (b), and (c), to show that failing intersections are not made worse or intersections not now failing do not fail in the future. If the application “significantly affects a transportation facility,” then the Applicant must demonstrate appropriate mitigation under OAR 660-012-0060(2).

OAR 660-012-0060

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

(a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);

(b) Change standards implementing a functional classification system; or

(c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

(2) If a local government determines that there would be a significant effect, then the local government must ensure that allowed land uses are consistent with the identified function, capacity, and performance standards of the facility measured at the end of the planning period identified in the adopted TSP through one or a combination of the remedies listed in (a) through (e) below, unless the amendment meets the balancing test in subsection (2)(e) of this section or qualifies for partial mitigation in section (11) of this rule. A local government using subsection (2)(e), section (3), section (10) or section (11) to approve an amendment recognizes that additional motor vehicle traffic

congestion may result and that other facility providers would not be expected to provide additional capacity for motor vehicles in response to this congestion.

(a) Adopting measures that demonstrate allowed land uses are consistent with the planned function, capacity, and performance standards of the transportation facility.

(b) Amending the TSP or comprehensive plan to provide transportation facilities, improvements or services adequate to support the proposed land uses consistent with the requirements of this division; such amendments shall include a funding plan or mechanism consistent with section (4) or include an amendment to the transportation finance plan so that the facility, improvement, or service will be provided by the end of the planning period.

(c) Amending the TSP to modify the planned function, capacity or performance standards of the transportation facility.

(d) Providing other measures as a condition of development or through a development agreement or similar funding method, including, but not limited to, transportation system management measures or minor transportation improvements. Local governments shall, as part of the amendment, specify when measures or improvements provided pursuant to this subsection will be provided.

(e) Providing improvements that would benefit modes other than the significantly affected mode, improvements to facilities other than the significantly affected facility, or improvements at other locations, if:

(A) The provider of the significantly affected facility provides a written statement that the system-wide benefits are sufficient to balance the significant effect, even though the improvements would not result in consistency for all performance standards;

(B) The providers of facilities being improved at other locations provide written statements of approval; and

(C) The local jurisdictions where facilities are being improved provide written statements of approval.

FINDING: As described in the applicant's TPR compliance memorandum (Exhibit E of the application), which provides findings in response to OAR 660-012-0060, the proposed Comprehensive Plan Map Amendment shows a decrease in weekday daily and p.m. peak hour trips based on an updated trip generation estimate that follows the same methodology as the master plan's original estimate. Therefore, significant effects to the transportation system are not anticipated and the proposed Comprehensive Plan Map Amendment is in compliance with TPR and the applicable provisions of OAR 660-012-0060. This criterion is met.

Since there are no anticipated additional impacts, no mitigations or transportation improvements are necessary related to the Plan Map Amendment as required under OAR 660-012-0060(2).

(3) Notwithstanding sections (1) and (2) of this rule, a local government may approve an amendment that would significantly affect an existing transportation facility without assuring that the allowed land uses are consistent with the function, capacity and performance standards of the facility where:

(a) In the absence of the amendment, planned transportation facilities, improvements and services as set forth in section (4) of this rule would not be adequate to achieve

consistency with the identified function, capacity or performance standard for that facility by the end of the planning period identified in the adopted TSP;

(b) Development resulting from the amendment will, at a minimum, mitigate the impacts of the amendment in a manner that avoids further degradation to the performance of the facility by the time of the development through one or a combination of transportation improvements or measures;

(c) The amendment does not involve property located in an interchange area as defined in paragraph (4)(d)(C); and

(d) For affected state highways, ODOT provides a written statement that the proposed funding and timing for the identified mitigation improvements or measures are, at a minimum, sufficient to avoid further degradation to the performance of the affected state highway. However, if a local government provides the appropriate ODOT regional office with written notice of a proposed amendment in a manner that provides ODOT reasonable opportunity to submit a written statement into the record of the local government proceeding, and ODOT does not provide a written statement, then the local government may proceed with applying subsections (a) through (c) of this section.

FINDING: The applicant's TPR compliance memorandum (Exhibit E of the application) provides substantial evidence that the Comprehensive Plan Map Amendment and Zone Change will not have "significantly affect" transportation facilities under OAR 660-012-0060(1). The provisions under this subsection do not apply.

(4) Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

(a) In determining whether an amendment has a significant effect on an existing or planned transportation facility under subsection (1)(c) of this rule, local governments shall rely on existing transportation facilities and services and on the planned transportation facilities, improvements and services set forth in subsections (b) and (c) below.

(b) Outside of interstate interchange areas, the following are considered planned facilities, improvements and services:

(A) Transportation facilities, improvements or services that are funded for construction or implementation in the Statewide Transportation Improvement Program or a locally or regionally adopted transportation improvement program or capital improvement plan or program of a transportation service provider.

(B) Transportation facilities, improvements or services that are authorized in a local transportation system plan and for which a funding plan or mechanism is in place or approved. These include, but are not limited to, transportation facilities, improvements or services for which: transportation systems development charge revenues are being collected; a local improvement district or reimbursement district has been established or will be established prior to development; a development agreement has been adopted; or conditions of approval to fund the improvement have been adopted.

(C) Transportation facilities, improvements or services in a metropolitan planning organization (MPO) area that are part of the area's federally-approved, financially constrained regional transportation system plan.

(D) Improvements to state highways that are included as planned improvements in a

regional or local transportation system plan or comprehensive plan when ODOT provides a written statement that the improvements are reasonably likely to be provided by the end of the planning period.

(E) Improvements to regional and local roads, streets or other transportation facilities or services that are included as planned improvements in a regional or local transportation system plan or comprehensive plan when the local government(s) or transportation service provider(s) responsible for the facility, improvement or service provides a written statement that the facility, improvement or service is reasonably likely to be provided by the end of the planning period.

(c) Within interstate interchange areas, the improvements included in (b)(A)–(C) are considered planned facilities, improvements and services, except where:

(A) ODOT provides a written statement that the proposed funding and timing of mitigation measures are sufficient to avoid a significant adverse impact on the Interstate Highway system, then local governments may also rely on the improvements identified in paragraphs (b)(D) and (E) of this section; or

(B) There is an adopted interchange area management plan, then local governments may also rely on the improvements identified in that plan and which are also identified in paragraphs (b)(D) and (E) of this section.

(d) As used in this section and section (3):

(A) Planned interchange means new interchanges and relocation of existing interchanges that are authorized in an adopted transportation system plan or comprehensive plan;

(B) Interstate highway means Interstates 5, 82, 84, 105, 205 and 405; and

(C) Interstate interchange area means:

(i) Property within one-quarter mile of the ramp terminal intersection of an existing or planned interchange on an Interstate Highway; or

(ii) The interchange area as defined in the Interchange Area Management Plan adopted as an amendment to the Oregon Highway Plan.

(e) For purposes of this section, a written statement provided pursuant to paragraphs (b)(D), (b)(E) or (c)(A) provided by ODOT, a local government or transportation facility provider, as appropriate, shall be conclusive in determining whether a transportation facility, improvement or service is a planned transportation facility, improvement or service. In the absence of a written statement, a local government can only rely upon planned transportation facilities, improvements and services identified in paragraphs (b)(A)–(C) to determine whether there is a significant effect that requires application of the remedies in section (2).

FINDING: This section of the Transportation Planning Rule requires coordination with affected transportation service providers. All roads serving the subject property are under City of Bend jurisdiction. The City of Bend has reviewed the transportation analysis showing that the project will not have “significantly affect” on the affected streets under OAR 660-012-0060(1). The City is not required to coordinate with the Oregon Department of Transportation (ODOT) or Deschutes County (County) because no transportation facility controlled by ODOT or the County will be affected by this application. The City has complied with the provisions of this section in its determination.

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 Zoning Map into conformance with the Comprehensive Plan Map.

FINDING: This application includes a concurrent Zone Change to implement the Comprehensive Plan Map Amendment. With the concurrent zone change, the amendment will bring the zone map into conformance with the amended Comprehensive Plan Map. This criterion is met.

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: As described in findings above under BDC 4.6.300.B, adequate public facilities that can support the master plan's anticipated uses can continue to be provided in an orderly and efficient manner, and the proposed Comprehensive Plan Map Amendment does not impact the ability for these facilities to be provided concurrently with development. This criterion is met.

CONCLUSION: Based on the findings in this report, the proposed Comprehensive Plan Map Amendment and concurrent rezone will meet all applicable criteria in BDC 4.6.300.

RECOMMENDATION: Based on the application materials submitted by the applicant, and the findings in this report which are based on the applicant's narrative addressing the relevant criteria for approval, the Planning Commission recommends that the Bend City Council adopt an ordinance that amends the Comprehensive Plan Map and Zoning Map, with updated figures and corresponding changes to the Stevens Ranch Master Plan Transportation Mitigation Plan, as requested by the applicant, as well as a corresponding amendment to the Sign District Map.