



Planning Division
 City of Bend
 (541) 388-5580 ext. 3
 planning@bendoregon.gov
 710 NW Wall Street, Bend OR 97703

ADJUSTMENT TO STANDARDS REQUEST

Applicant Name: [Click or tap here to enter text.](#) Phone: [Click or tap here to enter text.](#)

Related development type and project number: [Click or tap here to enter text.](#)

Property Address: [Click or tap here to enter text.](#) Tax Map & Lot Number: [Click or tap here to enter text.](#)

Zoning District: [Click or tap here to enter text.](#) Comprehensive Plan Designation: [Click or tap here to enter text.](#)

Bend Development Code Chapter 5.3 Adjustments, implements Senate Bill 1537 which was adopted by the Oregon State Legislature in 2024 and signed into law on May 6, 2024. SB 1537 requires local governments to grant adjustments for specific development and design standards if the request for an adjustment in an application to develop housing meets certain conditions. Please complete this form and check the boxes that apply to your request.

Applicability. An application to develop housing qualifies for an adjustment only if all of the following requirements are met:

- The development is located on lots or parcels in Residential, Commercial or Mixed-Use Zoning Districts.
- The development is for a minimum of 10 dwelling units per net acre.
- The development is within the urban growth boundary and City limits.
- The development is for net new dwelling units (i.e., the replacement of one or more existing dwelling units does not qualify as net new dwelling units.)

Approval Criteria. An applicant must state in their project narrative how at least one of the following criteria apply:

- The adjustments will enable development of housing that is not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations.
- The adjustments will enable development of housing that reduces the sale or rental prices per residential unit.
- The adjustments will increase the number of dwelling units within the application.
- The adjustments will enable the provision of accessibility or visibility features in dwelling units that are not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations.

- All of the units in the application are subject to a zero equity, limited equity, or shared equity ownership model including resident-owned cooperatives and community land trusts making them affordable to moderate income households as described in ORS 456.270 to 456.295 for a period of 90 years.
- All dwelling units are subject to an affordable housing covenant to be affordable to moderate income (80 to 120 percent area median income) households for at least 30 years.
- At least 20 percent of units are subject to an affordable housing covenant to be affordable to low-income households (less than or equal to 80 percent area median income) for at least 60 years.

An applicant may request a maximum of 10 of the following distinct adjustments in accordance with BDC 5.3.700, Development and Design Standard Adjustment Options. Please check which of the following adjustments you are requesting.

Development Standards Adjustment Options. The following development standards may be adjusted:

- Side or rear setbacks not more than 10 percent.
- Common area, open space area or landscape area on the same lot or parcel as the proposed dwelling units of not more than a 25 percent reduction.
- Minimum lot or parcel sizes, not more than 10 percent, and including lot widths or depths not more than 10 percent.
- Building lot coverage requirements not more than 10 percent.
- The minimum number of bicycle parking spaces for use by residents of the project, provided the application includes at least one-half space per unit.
- The location of bicycle spaces for development that requires bicycle parking; provided, that lockable, covered bicycle parking spaces are located within the development site.
- Except for single-unit detached dwellings, adjustment to density maximums not more than an amount as necessary to account for other adjustments under this section. The maximum densities cannot be fully waived.
- Ground floor uses of a mixed-use building to allow:
 - Residential uses except for one face of the building that faces the street and is within 20 feet of the street; and
 - Nonresidential active uses that support the residential uses of the building, including lobbies, day care, passenger loading, community rooms, exercise facilities, offices, activity spaces or live-work spaces.

Building height maximums (except for single-unit detached dwellings, ADUs and cottage developments) that:

- Are in addition to existing applicable height bonuses; and
- Are not more than an increase of the greater of one story or a 20 percent increase to the corresponding zone height. Where a fractional number results, the number is rounded down to the next whole number. In no case can the height exceed both an increase of one story and 20 percent of the corresponding zone height.

Design Standards Adjustment Options. The following design standards may be adjusted:

- Facade materials, color or pattern.**
- Facade articulation.**
- Roof forms and materials.**
- Entry and garage door materials.**
- Window materials.**
- Total window area, not more than 30 percent, provided the application includes at least 12 percent of the total facade as window area.**
- Building orientation requirements, not including transit street orientation requirements.**
- Building height transition requirements, not more than 50 percent from the corresponding zone.**
- Balcony and porch requirements.**
- Recess and offset requirements.**