



LAND USE REGULATORY RECOMMENDATIONS

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Bend Central Area Plan – Land Use Regulatory Recommendations

Introduction

Before the City of Bend’s Central Area can grow into the vision created by the Central Area Plan (CAP), the City must ensure that the appropriate Bend Area General Plan policies and zoning ordinances (Bend’s Development Code) are in place to help carry out the community’s public policy objectives. This Land Use Technical Memorandum provides guidance to the City of Bend by identifying existing regulatory conditions that should be changed to implement the CAP. This memo suggests conceptual level additions or changes that facilitate the desired development types as stated in the Central Area Plan Vision (CAP Vision).

The CAP Vision is summarized as follows:

The economic leader and social focal point of the region, the Bend Central Area is comprised of several districts with their own distinct identity, character and unique collection of uses.

These districts represent a land use, transportation, and economic system that preserves and enhances the best parts of the Central Area while supporting revitalization where needed. Each district contributes to the overarching identity and overall sense of place for what is “Bend.”¹

This memo suggests changes to create a community with quality urban design that integrates a variety of development types. A key to the CAP Vision is redevelopment of areas east of the Parkway and along 3rd Street. Allowing additional flexibility, greater density, and higher building heights by rezoning parts of the Central Area to mixed-use and expanding the Central Business District (CBD) boundaries will encourage this redevelopment. Additionally, reconfiguring 2nd and 4th Streets as a couplet to allow a main street boulevard along 3rd Street will encourage a pedestrian friendly environment. Finally, creativity can be fostered by allowing developers the option of demonstrating they meet Bend Central Area Performance Guidelines rather than meeting prescriptive design standards. As redevelopment occurs, it is important to ensure new development complements existing and future structures while allowing changes to density, heights, and land uses. Flexible zoning and guidelines that focus on the interaction of people and places will best respond to market demands and result in quality design and desirable communities.

This memo describes the overarching characteristics of the CAP, as well as land uses, Area General Plan and zoning designations within the Central Area. This memo concludes with recommendations for changes to the regulatory environment to aid in implementing the CAP.

Central Area Plan Characteristics

The CAP includes three big ideas for transforming the Central Area; city form, neighborhood district identity and the reinvention of 3rd Street.

¹ Source: Bend Central Area Plan, 2005

City form is transformed over time through zoning code changes and design performance guidelines. Several factors associated with city form were considered during the planning study and incorporated into the CAP Vision. These include:

- Consideration of topography and geologic structure when considering building heights;
- Establishing harmony between existing and desired built forms;
- Respecting the symbolism of form and landmarks (i.e., prominent corners, plazas or buildings);
- Preserving or enhancing existing texture and fabric of environment (dense urban residential or sparse commercial);
- Incorporating icons, remembrances and Bend specific character elements into development design; and,
- Preserving the “view from the road” or view corridors to maximize the visual quality of Bend’s natural and built environment.

The CAP recommends considering City Form through the application of Development Performance Guidelines to ensure development collectively functions according to the CAP Vision.

The CAP identifies preliminary **neighborhood districts** while acknowledging the need to further review and develop neighborhood plans for some of these areas. Because of the existing residential nature of some of these neighborhood districts, it is recommended that community and property owners be engaged in smaller groups to develop individual neighborhood plans for the Central Neighborhood North, Division Street Commercial area, and Central Neighborhood South, in accordance with the CAP vision for these areas.

A key element of the CAP is the **reinvention of 3rd Street** as a “Great Street”. Great Streets are memorable civic spaces rather than just thoroughfares. Great streets are inviting pedestrian spaces and activity centers featuring a variety of uses and interesting places that foster the idea of extended hours of use throughout the week. Great Streets facilitate a variety of activities including small retail, restaurants with and without outdoor seating, mid-sized commercial uses, public spaces, public art, and cultural sites.

The reinvention of 3rd Street and surrounding areas will strengthen connections with the Historic Downtown Core primarily through the east-west streets of Greenwood and Franklin Avenues. A 3rd Street transformation requires changes to current traffic and land use patterns. This can be accomplished through the reconfiguration of 2nd and 4th Street into a couplet. This would decrease traffic along 3rd Street and allow an increase in the variety of activity types, and encourage redevelopment of areas between 3rd Street and the Parkway. Key points in this transformation include:

- Increased emphasis on streetscape design, and pedestrian friendly environments;
- Master planning for key areas of activity within the 3rd Street/Bend Central area;
- Store front orientation to 3rd Street;
- A second story presence allowing for office and residential uses;
- Shared parking areas to allow for auto access; and,

- Increased focus on pedestrian and other non-vehicular modes within the 3rd Street/Bend Central area.

The CAP Vision includes the possibility for a medium to high-density residential area east of the Parkway and west of 3rd Street. This area is envisioned to provide seven to twelve-story residential towers with underground or structured parking and ample open, green space or public plazas. Areas along Great Streets such as 3rd Street, NE Greenwood Avenue, and NE Franklin Avenue would provide a pedestrian scale environment with mid-rise building heights of three to six stories. Refer to Appendix E for a map showing proposed building height increases.

In addition to the recommendations on the layout of Central Area land uses and functions, the Project Advisory Committee appointed by the City of Bend and the Bend community-at-large also incorporated an overarching environmental responsibility, or “green ladder” within the Bend Central Area that would aid in stormwater retention for the area while providing integrated green spaces between the Parkway and 3rd Street. This area will draw upon Bend’s location amidst natural resources, vistas, and geologic characteristics for inspiration.

The organization of unique elements of the CAP promotes greater density, greater transit use, shared parking, successful commerce, and community enjoyment, all vital to a vibrant central area and downtown. A critical element to this transition is providing the flexibility in regulatory standards to allow development to respond to market demand for a well-designed, urban, multi-purpose community.

Existing Land Uses and Regulations

Overview of Current Area General Plan and Zoning Designations

This section summarizes existing land use conditions within the Bend Central Area Plan District, and provides an overview of existing zoning designations as well as Area General Plan designations. Maps detailing the existing Bend Area General Plan and Bend Zoning are provided in Appendices C and D, respectively. The Central Area is a diverse composite of Area General Plan and zoning map designations.

Area General Plan changes are recommended for portions of the Historic Downtown Core, the Bend Central District and the Industrial and Employment District. Descriptions of Area General Plan designations found within these districts are summarized below.

- The Industrial Light designation provides for heavier commercial and light industrial uses in built-up areas of the urban area.
- The Industrial General designation provides for light and heavier industrial uses with a minimum conflict between uses.
- The Mixed Employment designation provides for mixed light industrial and commercial uses in areas that already exhibit a pattern of mixed development.
- The General Commercial designation provides a broad mixing of commercial uses in older, close-in sections of the community.
- The Limited Commercial designation provides locations for a wide range of retail, service, and tourist commercial uses in the community along highways or in new centers.

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- The Central Business District designation is only applied to several blocks of downtown.
- The High Density Residential designation provides between 21.7 and 43.0 dwellings per gross acre and is primarily used for any attached housing, manufactured homes, and park, offices/clinics.
- The Public Facility designation provides land in Central Bend for civic and public buildings.

Throughout the study, public participants and stakeholders made it very clear that the the Northern and Southern Central Neighborhood residential areas should be preserved as they currently exist. Existing zoning designations for the Northern and Southern Central Neighborhoods are predominantly Standard Residential (RS) and Medium Residential (RM) within the Southern Downtown Neighborhoods. The Division Commercial District is predominantly Limited Commercial (CL). Because the Division Commercial District has a strong boundary at the Parkway to the east, the project team feels it is important to encourage this area to re-develop with a broad mix of employment uses in a manner that is compatible with the Northern Downtown Neighborhood. In order to afford proper time for adequate public outreach and neighborhood involvement, the project team recommends that neighborhood plans be developed concurrently for these areas and involve stakeholders from both districts. Further information on the Central Neighborhood North and South, and Division Commercial District is available in Technical Memo #2.

Zoning changes are recommended for portions of the Historic Downtown Core, the Bend Central District and the Industrial and Employment District. Descriptions of zoning designations found within these areas and are fully described in Chapters 2.1, 2.2, and 2.4 of the Bend Development Code, and highlighted below.

- High Density Residential (RH) allows for high density multiple family housing developments with a range of approximately 21 to 43 units per gross acre.
- Light Industrial (IL) provides for heavier commercial and light industrial uses with easy access to collector and arterial streets.
- Central Business District (CBD) encompasses the historic downtown and central business district that has commercial and/or mixed-use development with a storefront character.
- Limited Commercial District (CL) provides for a wide range of retail, service, and tourist commercial uses in the community along highways or in new commercial centers.
- General Commercial District (CG) provides a broad mixing of commercial uses that have large site requirements, are oriented to the highway and provide services to the traveling public.

The following section describes the districts where regulatory changes are recommended to help implement the CAP.

Historic Downtown Core

The Area General Plan designations within the Historic Downtown Core include Central Business (CB), General Commercial (CG), Public Facility (PF), and Limited Commercial (CL).

Commercial land uses are predominant in the Historic Downtown Core and range from boutique retail in the Central Business District Zone (CBD) to a variety of general commercial uses in the General Commercial Zone (GC) and remnant single-family residential uses to the west of the Parkway. The Southern area of the Historic Downtown Core is zoned for Limited Commercial (CL) and Higher Density Residential (RH) but is dominated by public and government office uses. Small professional offices often occupy single-family homes surrounding the CBD. The CBD extends east along Greenwood Avenue until it reaches the Parkway, where zoning changes to CL.

Areas within the Historic Downtown Core that are not designated as CBD by the Area General Plan or zoning map are inconsistent with the CAP Vision.

Bend Central District

The Bend Central District is bound by Butler Market Road to the north, 4th Street to the east, the Bend Parkway to the west, and the Burlington Northern Santa Fe (BNSF) railroad overpass to the south. The intersections of 3rd Street with Greenwood and Franklin Avenues carry a great deal of traffic into downtown and across the Deschutes River. Existing uses include a large chain grocery store, several automobile lots, fast food restaurants, and other regional highway type businesses that currently utilize large parking areas that lend no dominant character or prominent visibility to the corridor. There are various commercial developments along these east-west connections. Greenwood Avenue is also designated as US Highway 20 east of 3rd Street. The intersection of Greenwood Avenue and 3rd Street is a key gateway opportunity for this area, as commercial development along Greenwood Avenue is in the early stages of revitalization.

The Area General Plan designations for this area consist of Limited Commercial (CL) and Mixed Employment (ME). The CL designation allows for a mix of auto-oriented commercial uses. The ME designation allows a mix of development types including “vertical” and “horizontal” uses. The area immediately east of the Parkway designated as ME is generally consistent with much of the CAP Vision in land use types; however, heights are limited to 45 feet which may be inconsistent with the CAP Vision.

This area is predominantly zoned for Limited Commercial (CL) land uses along 3rd Street and Light Industrial (IL) land uses between the Parkway and 2nd Street. Exceptions to this are the blocks fronting Greenwood Avenue between 2nd Street and the Parkway which are also zoned CG. While new development in commercial zones must adhere to standards concerning allowed uses, building heights, densities, parking, and building setbacks, as well as other standards, much of the commercial and industrial uses in this area were developed prior to current development code standards. Because this district is a long linear area, it contains a great variety of development types and character.

Areas along 4th Street are zoned for either Higher Density Residential (RH) or Limited Commercial (CL) throughout the project area, with commercial uses concentrated on the west side of the street. The CL designation is inconsistent with the CAP and does not allow the development flexibility that would support the Plan’s Vision.

The existing Area General Plan designations of ME within the Central Bend District are generally consistent with the CAP vision, but zoning in this area is IL which is much more restrictive.

Industrial and Employment District

The Area General Plan designations for this area consist of Limited Commercial (CL), Light Industrial (IL), and Mixed Employment (ME). Similar to the IL zoning district, the IL Area General Plan designation allows for a mix of heavier commercial and light industrial uses. The ME allows greater flexibility in land use types; however, heights are limited to 45 feet which may be inconsistent with the CAP Vision.

The Industrial and Employment District in the area north of Revere Avenue transitions into a mixture of residential, commercial and industrial businesses and is zoned with a combination of General Commercial (CG), Light Industrial (IL), and Limited Commercial (CL). The CG district allows a great variety of commercial uses and, like the CL district, is oriented to the highway and the provision of services to the traveling public; however, it allows larger lot sizes. The IL zone allows a variety of mixed industrial uses ranging from warehouses to research campuses.

While many aspects of the zoning designations within the Industrial and Employment District are consistent with the CAP, the area lacks design cohesion and integrated function.

Recommended Changes to the Land Use Regulatory Environment

The three main themes of the Central Area Plan are City Form, Defined Neighborhood Districts, and a 3rd Street Reinvention. These big ideas will contribute to an ongoing vibrant downtown character and while revitalizing the central area, but several changes to the existing land use regulatory environment are needed to implement these themes.

Bend Area General Plan

The Bend Area General Plan was updated by the City in 1998 and provides directives to the City for making decisions and preparing plans. Much of the Bend Area General Plan is consistent with the CAP Vision; however there are a few sections where changes are recommended to ensure consistency between the plans.

The changes are focused on acknowledging the adopted CAP districts, recognizing the new characteristics associated with the reinvention of 3rd Street, increasing flexibility of uses in some areas of the Central Area to include higher density housing, and improving transportation and other infrastructure to support projected growth.

Policy recommendations are made to guide the Bend Central District east of the Parkway toward a high-density residential and mixed use area that is inviting to pedestrians. The CAP includes several key implementation elements, including changes to the Area General Plan. For further information on the implementation strategies, please refer to the Implementation Memo that is attached as an appendix to the CAP. Recommendations for changes to the Bend Area General Plan, Development Code, and TSP are described in greater detail and categorized by geographic area in the sections below. Tables 1 and 2 summarize these recommendations.

Bend Development Code

The Bend Development Code recently underwent a substantial revision that was adopted in August 2006. The changes in the revised code include expanded standards for development and design, as well as updated purpose statements for many of the zoning districts. The revisions are generally consistent with the CAP Vision within the Central Business District; however, CAP implementation strategies include zone changes in the Bend Central District, the Industrial and Employment District, and the Historic Downtown Core.

Areas requiring zoning designation changes within these areas are currently zoned as Central Business District (CBD), Limited Commercial (CL), General Commercial (CG), Light Industrial (IL), and High Density Residential (RH).

The Central Business District

The purpose statement and the allowed uses and basic development standards of the CBD zone are generally appropriate for several districts proposed in the CAP, but the CL and CG zones are inconsistent with an interactive, multi-functioning downtown as seen in the CAP Vision. Therefore, this Plan recommends the expansion of the area covered by the City's CBD zone. The expanded area would include all areas referred to by the CAP as the Historic Downtown Core, as well as commercial districts north to Revere Avenue west of the Bend Parkway. This expansion would require amending the Area General Plan and Map designations in some areas from Public Facility and CL to a CBD designation, as well as amending the zoning map from CL, CG and PF to CBD.

The Bend Central District

The CAP Vision includes a new mixed-use area in the Bend Central District that will fill in missing spaces and provide greater density feeding onto a "new" 3rd Street. Because the 3rd Street re-invention will carry less automobile traffic, it can transition into a boulevard with greater levels of pedestrians socializing in community plazas, dining in local restaurants, shopping in a variety of mid-sized businesses, and working in a variety of professional offices. 3rd Street will become a passageway through medium to high density, compact, mixed-use residential areas with cafes and shops; it will be a street full of public spaces linking with the employment/industrial district to the north, the employment/office districts in Bend Central, the Historic Downtown Core via Greenwood and Franklin Avenues, and the Mill District to the south. Third Street will play a key role in connecting the local bus system and the potential transit center. Activity will also be dispersed into internal activity areas accessed on adjacent east-west Streets such as Hawthorne Avenue.

As noted earlier, much of the Bend Central District is zoned CL which allows residential developments to occur, as long as they adhere to the base zone development standards for height and setbacks as well as the applicable sections of the Special Standards for Certain Uses Chapter in the Bend Development Code (Chapter 3.6). Height restrictions in this area are 55 feet and minimum setbacks are 10 feet in the Limited Commercial district.

Other areas within the Bend Central District are zoned as Light Industrial which prohibits the development of residential mixed uses. The Area General Plan designations within the Bend Central District include CL and Mixed Use Employment. The Mixed Use Employment Area General Plan designation is applied to much of the area that is zoned Light Industrial in the Bend Central District.

The project team recommends two options to bring the Bend Central District into consistency with the CAP.

The first option includes establishing a new Central Area mixed-use base zone in Development Code Chapter 2.3 specifically for the Bend Central District. While the City of Bend already has two mixed-use zones that are specifically tailored to meet the needs of other areas in Bend, the new mixed use zone for the Bend Central District is proposed to achieve mixed-used development appropriate for areas surrounding the reinvention of 3rd Street.

Prior to adopting these new zones, new text and a new General Plan map will need to be adopted into the Area General Plan. The proposed mixed-use zone is highlighted below.

CAP-MCEN: Bend Central District – In order to achieve the vision for the Bend Central District east of the Parkway and west of 4th Street, this new mixed-use zone proposes:

- Greater density development with a mix of uses
- Retail and entertainment at street level
- A mix of housing options
- Design elements to encourage a pedestrian friendly environment
- Development compatible with a future transit hub in this area

A second option is to adopt a Central Area Plan Refinement Overlay as a special district plan in Development Code Chapter 2.7. This Special Plan District would coincide with the boundaries of the Central Area Plan and could “package” several zone changes and specific design standards within the plan to make the area consistent with the CAP Vision and Framework. As noted earlier, the City of Bend already has two mixed-use zones that can be tailored through design standards to achieve development appropriate to meet area-specific goals surrounding 3rd Street. Adoption of a Central Area Plan Refinement Overlay as a special district plan would also require adoption of new text and map changes to the Area General Plan.

As an interim step, the City should consider rezoning areas within the Bend Central District so that zoning is consistent with the Bend Area General Plan designation of Mixed-Use Employment (ME). Stakeholder interviews have indicated that the burden of applicant initiated zone changes to the ME zone are a potential hindrance to redevelopment in this area. It is recommended that the City initiate zone changes in this area in the near future while new zones or a Central Area Plan Refinement Overlay as a special district plan is developed for the Central Area. Because the current ME zone only allows heights of 45 feet and up to 50 percent lot coverage this rezoning should be considered a temporary measure because it would restrict development to a lower density than what is envisioned in the CAP for this area.

The Industrial and Employment District

The Bend Central Area Vision for the Industrial and Employment District, north of the Bend Central District, includes a creative mix of uses, ranging from light industrial to live-work spaces. This is also an area that is envisioned as a possible receiving area for light industrial and automobile oriented business relocation from Bend Central. This area is seen as a multi-use area that supports both existing businesses and encourages the location of micro-business

ventures, artists, and light industrial with accompanying retail. It is also envisioned that a mix of housing may be included in areas of the District as appropriate, depending on adjacent existing land uses.

Large portions of the Industrial and Employment District are zoned General Commercial, Limited Commercial, and Light Industrial. Much like the zoning environment in the Bend Central District, residential mixed-use development is either prohibited or restricted by base zone heights and setbacks, and requires adhering to applicable sections of the Special Standards for Certain Uses Chapter in the Bend Development Code (Chapter 3.6). For these reasons, the project team recommends two options to bring the Central Area Industrial and Employment District into consistency with the CAP.

The first option would include establishing a new Central Area mixed-use base zone in Development Code Chapter 2.3. The new Mixed-Use Industrial and Employment zone which would be applied to the CAP Industrial and Employment District. While the City of Bend already has two mixed-use zones they are specifically tailored to meet the needs of other areas in Bend. Prior to adopting this new zone, new text identifying the zone and a revised General Plan map will need to be adopted into the Area General Plan. The proposed mixed-use zone is highlighted below.

CAP-MINEX: Industrial and Employment District – In order to achieve the vision for the Industrial and Employment District this zone retains some of the characteristics of the current light industrial zoning but also provides:

- Greater density development with a mix of uses
- A mixture of live/work spaces (artists lofts, for example)
- Mixed-employment uses that are vital for micro-enterprises
- A mix of housing options
- Areas for relocation of light industrial businesses from the Bend Central District

The second option for this area is consistent with the second option of the Bend Central District of adopting a Central Area Plan Refinement Overlay as a special district plan in Development Code Chapter 2.7. The refinement plan could “package” several zone changes and specific design standards within the plan to make the area consistent with the CAP Vision and Framework. The existing Mixed-use Employment zone can be tailored through design standards to achieve development appropriate for the Industrial and Employment neighborhood district. Adoption of a Central Area Plan Refinement Overlay as a special district plan would also require adoption of new text and map changes to the Area General Plan.

The new mixed-use zone or Central Area Plan Refinement Overlay should guide uses and foster development and encourage preservation of industrial land for a variety of uses. Appendices A and B provide draft samples of language that may be incorporated as Central Area Plan Development Performance Guidelines and new mixed-use zone guidelines for the Development Code Chapter 2.3.

Transportation System Plan

General recommended changes to the Transportation System Plan (TSP) are stated within Table 1 of this memo under the Chapter 7: Transportation Systems heading. Of particular

note is the recommendation for a 3rd Street Traffic Refinement Study. This study will provide the detailed analysis required to determine access point changes, signaling, and the feasibility of a 2nd/4th Street Couplet and boulevard treatment of 3rd Street as is proposed in the conceptual CAP. Other changes to the TSP include new street classifications for Great Streets and Green Ladder Streets. Detailed changes recommended for the TSP can be found in the Bend Central Area Technical Memo #6 – Future Conditions.

Summary Tables of Recommended Area General Plan and Development Code Changes

Bend Area General Plan recommended changes applicable to the CAP area are shown in Table 1. General recommended development code changes are shown in Table 2. Based on conversations with the PAC, the public, and city staff, much consideration was given to height limitations in the Central Area. Greater heights are necessary to fulfill higher density and design goals. Proposed guidelines specific to building heights are outlined in Appendix E.

Bend Central Area Plan – Land Use Regulatory Recommendations

Table 1: Bend Area General Plan Recommended Changes		
Bend Area General Plan Chapter	Current Policy Language	Recommended Changes
Chapter 5: Housing and Residential Lands	5. Of necessity, nonresidential uses will have to abut residential areas in different parts of the community. In these instances, any nonresidential use shall be subject to special development standards in terms of setbacks, landscaping, sign regulations, and building design.	This policy currently addresses buffering and transitions between nonresidential uses and residential areas. It is recommended that this language be strengthened to include specific reference to buffering requirements for all types of development, including high density residential or mixed-use development abutting lower density or historic residential neighborhoods.
	General	Add: High density residential in combination with vertical mixed uses shall be encouraged within the CAP boundaries.
	General	Add: The CAP and designation of individual districts within is adopted as part of the Bend Area General Plan.
Chapter 6: The Economy and Lands for Economic Growth	Addition of mixed use designations	Add: It is the intent of the MCEN and the MINEX designations within the Central Area Plan boundaries to: <ul style="list-style-type: none"> ▪ Promote a pedestrian friendly and multi-modal environment along 3rd Street between NE Revere Avenue to the north and the BNSF railroad crossing south of NE Burnside Avenue; ▪ Promote a variety of employment opportunities and a wide range of density housing types; ▪ Ensure functionally coordinated, aesthetically pleasing and cohesive site planning and design; and, ▪ Ensure compatibility of mixed-use development with the surrounding area and minimize off-site impacts associated with the development.
	#28: The city shall continue the revitalization process in the Central Business District through rehabilitation or redevelopment of existing areas.	The Bend Area General Plan map should be amended to show an expansion of the CBD boundaries to include current commercial areas north to NW Revere Avenue, south to include both sides of NW Franklin Avenue, and east to the Parkway. (Refer to Map of Proposed Zones for recommended boundaries.)
	General	New policies or implementation strategies should recognize that change in the Central Area will occur gradually and that when possible, flexibility can be employed to foster the development of catalyst projects identified in the CAP. This chapter should also recognize that new funding mechanisms, including urban renewal, be used to help carry out implementation of the CAP.

Table 1: Bend Area General Plan Recommended Changes		
Bend Area General Plan Chapter	Current Policy Language	Recommended Changes
Chapter 7: Transportation Systems	General	Add: Several corridors within the CAP boundaries are designated “Great Streets” which act as Gateways to adjoining central areas, exhibit special design characteristics, and allow low to mid-rise building heights: <ul style="list-style-type: none"> ▪ 3rd Street from NE Revere Avenue to NE Burnside Avenue; ▪ Olney Avenue from NW Wall Street to NE 4th Street; ▪ Greenwood Avenue from NW Wall Street to NE 4th Street ;and, ▪ Franklin Avenue from NW Wall Street to NE 4th Street.
	Mapping	Redesignate 2nd Street to a minor arterial or major collector to distribute north/south traffic within the revitalized corridor. (It is recommended that a 3 rd Street Traffic Refinement Plan be conducted prior to this redesignation.)
	Section 7.5	Add: policy language to consider priority funding for a master transportation impact study within the Bend Central and Employment and Industrial Districts to aid in streamlining traffic impact analyses for development review in this area of the CAP.
	General	Add: General recommended location specific changes to the transportation system as noted in the Central Area Plan Tech Memo #6.
Chapter 8: Public Facilities and Services	General	Add: General recommended changes to the Public Facilities and Services chapter consistent with the Central Area Plan Tech Memo #6.
Chapter 9: Community Appearance	Add a new Policy 13 as noted to the right.	Special design consideration shall be given to development within the Central Area Plan Area, and particular design performance guidelines shall apply to the Central Business District, Bend Central, and the Industrial and Employment District. Similar special design considerations should be developed during future neighborhood planning efforts within the CAP.

Table 2: Bend Development Code Recommended Changes

Development Code Section	Current Policy Language	Recommended Changes
<p>Chapter 1</p>	<p>Section 1.2</p>	<p>Definitions for the following terms should be added:</p> <ul style="list-style-type: none"> ➤ Buffer buildings – 2 to 3 story buildings sited between higher density residential and low density residential or historic districts. ➤ Central Area Plan Development Performance Guidelines – Development guidelines which ensure community areas provide an experience consistent with the CAP Vision. ➤ Gateways – Intersections that signify transitions or seams between districts within the Central Area. ➤ Great Streets – Great Streets are memorable civic spaces rather than just thoroughfares. Great streets are inviting pedestrian spaces and activity centers featuring a variety of uses and interesting places. Land uses along Great Streets should foster the idea of extended hours of use throughout the week. Where uses are subject to “business hour” operation, the development should include amenities that provide for external enjoyment of buildings at all times of day. Great Streets facilitate a variety of activities including small retail, restaurants with and without outdoor seating, mid-sized commercial uses, public spaces, public art, and cultural sites with linkage to Bend Central and the downtown core. Great Streets include: <ul style="list-style-type: none"> ○ NE 3rd Street ○ NE Greenwood Avenue ○ NE Franklin Avenue ○ NE Portland/Olney Avenue <p>Great Streets should be an added street classification within the TSP and also reflected in any special district plans adopted within Development Code Chapter 2.7.</p> ➤ Green Ladder Streets – Green Ladder Streets are east-west streets within the Bend Central District that incorporate stormwater management within the right of way to reduce the amount of runoff that flows onto NE Greenwood Avenue, NE Franklin Avenue, and other Great Streets. The Green Ladder Streets will utilize storm management techniques that utilize vegetation, street trees, stormwater planters and permeable surfaces to reduce the impact of development on surrounding areas. Green Ladder Streets will be integrated into the community aesthetics with linear parks and green spaces incorporated into sidewalk and parking strip designs. Green Ladder Streets include: <ul style="list-style-type: none"> ○ NE Norton Avenue ○ NE Marshall Avenue

Table 2: Bend Development Code Recommended Changes		
Development Code Section	Current Policy Language	Recommended Changes
		<ul style="list-style-type: none"> ○ NE Lafayette Avenue ○ NE Kearney Avenue ○ NE Irving Avenue ○ NE Hawthorne Avenue ○ NE Greeley Avenue ○ NE Emerson Avenue ○ NE Dekalb Avenue ○ NE Clay Avenue ○ NE Burnside Avenue <p>Green Ladder Streets should be an added street classification within the TSP and also reflected in any special district plans adopted within Development Code Chapter 2.7.</p> <ul style="list-style-type: none"> ➤ High rise buildings – 6 to 12 story ➤ Intersections of Character - Intersections that include outside public spaces and rooms and serve as landmarks and facilitate better wayfinding. Buildings surrounding the intersection should be low rise, but complimentary to each other. Lighting should emphasize activity and public art is encouraged. Pedestrian and vehicular zones should be delineated to ensure safe and secure passage for all. The following Intersections of Character should be adopted into the TSP and also reflected in any special district plans adopted within Development Code Chapter 2.7: <ul style="list-style-type: none"> ○ NE Revere Avenue and NE 3rd Street ○ NE Olney Avenue and NE 3rd Street ○ NW Olney Avenue and NW Wall Street ○ NE Greenwood Avenue and NE 3rd Street ○ NE Greenwood Avenue and NE First Street ○ NW Greenwood Avenue and NW Hill Street ○ NW Greenwood Avenue and NW Wall Street ○ NE Franklin Avenue and NE 3rd Street ○ NE Franklin Avenue and NE 1st Street ○ NW Franklin Avenue and NW Hill Street ➤ Low rise buildings – 1 to 2 story

Table 2: Bend Development Code Recommended Changes		
Development Code Section	Current Policy Language	Recommended Changes
		➤ Mid rise buildings – 3 to 5 story
Chapters 2.2 and 2.3	<p>General Comment: These chapters include provisions for the CBD and Mixed Use districts; however existing code language does not reflect the CAP Vision.</p>	<p>Add language to include an interim Central Area Plan Design Overlay for the Central Area. Language should include:</p> <p>The purpose of the Overlay should include support of the Central Area and protection of the planned land uses and regulations. The overlays should be effective immediately in the interim period until new zones for these areas are adopted. New zones can either incorporate requirements of the overlay zones or maintain the overlay in addition to the new zone.</p> <p>The Central Area Plan Overlay includes the application of the Central Area Plan Development Performance Guidelines for the Bend Central District. Preliminary demonstration of conformance with these Guidelines which must be addressed during a mandatory pre-application meeting. These Performance Guidelines may be used to obtain an exception to the design standards associated with base zones through a Type III Hearing Process before the City of Bend Planning Commission upon recommendation by an appointed Central Area Review Sub-Committee subject to findings of compliance with the purpose of the CAP.</p> <p>The Central Area Plan Development Performance Guidelines shall apply to lands within the CAP identified as the Bend Central District for which new zoning designations are proposed. The purpose of the Development Performance Guidelines is to require early coordination between the City and a developer to ensure new development is consistent with the CAP.</p> <p>To achieve the purpose of the CAP, the City of Bend will not approve zone changes inconsistent with the CAP within the boundaries of the Overlays during the interim period before CAP zones are prepared and adopted. Zone changes consistent with the existing Area General Plan Map Mixed Use designations should be pursued by the City of Bend in the interim period to allow added flexibility in the Bend Central and the Industrial and Employment Districts.</p> <p>Language should be added indicating that nothing in the overlay section shall be construed as a waiver or suspension of the provisions of any underlying zoning district, or any other applicable overlay district.</p> <p>To protect the overlay area from development that is inconsistent with the new Central Area zones, the following uses within the CL, CG, and IL Districts should be prohibited within the boundaries of the Central Area Plan Overlay:</p> <p style="padding-left: 40px;">billboards; distribution centers; retails sales and services that are solely auto dependent; drive-through restaurants; trailer park / campground; mortuary; wholesale only sales; manufacturing and production greater than 5,000 sq. ft.; warehouse; transportation and freight, manufactured home sales; surface parking fronting Great Streets, massive scale individual commercial uses;</p>

Table 2: Bend Development Code Recommended Changes		
Development Code Section	Current Policy Language	Recommended Changes
		<p>or any other use that is inconsistent with the Central Area Plan Framework and Vision as adopted into the Bend General Area Plan.</p> <p>Minimum and maximum setbacks should be between 0 and 10 feet and established in accordance with newly recommended right-of-way requirements.</p>
Chapter 2.2 – Commercial Districts (CBD, CC, CL, CG)	General	<p>Add language to expand the CBD east to the Parkway and south to include both sides of Franklin Avenue.</p> <p>Add language to expand the CBD north to Revere along the Parkway and west to the River to include current CL and RM zoning.</p>
	General	Amend zoning map to show an expanded CBD area in the Historic Downtown Core.
Chapter 2.3 Mixed – Use Districts	General	Adopt two new Mixed-Use Districts: 1) Bend Central (MCEN), and 2) Industrial and Employment (MINEX) with boundaries congruent with the proposed neighborhood districts of the same name. These new districts should either maintain the Bend Central Area Overlay and require the Bend Central Area Development Performance Guidelines, or incorporate these guidelines into the zoning language. Sample language for these new zones are included as Appendix B.
Chapter 2.7 Special Planned Districts	General	<p><i>(If the City chooses to implement a new Special Planned District as opposed to creating new mixed-use zones in Chapter 2.3, these changes should be considered)</i> As an alternative to adopting new mixed-use districts it is recommended the City adopt a new Special Planned District with boundaries congruent with the CAP. This new district should be based on neighborhood plans for each of the Central Area Plan Neighborhood Districts.</p> <p>The Central Area Plan should establish overlay zoning standards for the residential, commercial and mixed use districts within the plan area that identify and coordinate utility locations; develop a street plan that identifies new street classifications (Great Streets, Green Ladder Streets, and the 2nd/4th Couplet) and specific design standards for streets in the plan area; identifies open spaces, intersections of character, and density development standards that will increase flexibility for property owners.</p> <p>The Bend Central Area Development Performance Guidelines and specific neighborhood design standards should be developed and adapted as guidelines into the special CAP district zoning language.</p>

Recommendation Summary and Preferred Timing

The project team recognizes that implementing the recommended changes may take a great deal of staff time, planning commission and city council review, as well as public input. Several steps are needed in order to incorporate the recommended changes into the Comprehensive Plan and Bend Development Code. These general steps are identified below and a recommended time frame is provided.

Table 3: Implementation Timing

Action	Year 1	Year 2	Year 3
Rezone areas of the Bend Central District to Mixed Use Employment, consistent with existing Area General Plan designations.	√		
Initiate a 3rd Street Traffic Refinement Plan to analyze feasibility of the 2nd/4th Street Couplet concept.	√		
Expand the CBD boundaries through a Area General Plan and zoning amendment, consistent with the CAP Vision and Framework.	√	√	
Refine Comprehensive Plan Policies	√		
Amendment the TSP to incorporate new street classifications for Great Streets and Green Ladder Streets. Adopt new street design standards consistent with the intent of these new street designations.		√	
Amend the TSP to reflect findings of the 3rd Street Traffic Refinement Plan and incorporate the 2nd/4th Street Couplet if appropriate.			√
Refine and adopt either new mixed-use zones into Chapter 2.3 of the development code or a Special Planned District into Chapter 2.7 of the development code; development applications should be reviewed under the conditional use provisions in the interim period before new base zones or a special planned district for the Central Area are adopted.			√
Measure 37 Analysis of Zoning Recommendation	√		

Concurrent with the adoption of the overlay zones, the City will need to conduct a Measure 37 analysis of the recommended zoning for the Central Area. Following these actions, adjustments to the Comprehensive Plan should be refined and adopted to set the framework to guide the future refinement and adoption of the changes to the Bend Development Code, including the new mixed-use base zones.

Summary

This memorandum provides concept level recommendations for adjusting the existing regulatory framework to facilitate development of the Central Area as recommended in the CAP. In general, existing commercial and industrial zones in the plan area represent barriers to the CAP in the Bend Central and the Industrial and Employment District, while the existing Central Business District can be used as model with modifications to accommodate the unique character planned for Central Area.

The City of Bend currently has two mixed-use zones applicable to the riverfront and specific employment areas. These mixed-use zones can be used as models for the new mixed-use

Bend Central Area Plan – Land Use Regulatory Recommendations

zones (see Appendix B); however, more specific guidance for uses and development standards is needed in order to ensure that the Central Area develops according to the CAP. Recommendations are provided for new base zones, overlay zones, development performance guidelines standards, and adjustments to the Comprehensive Plan.

APPENDIX A

Bend Central Performance Guideline Recommendations

APPENDIX A

Bend Central Performance Guideline Recommendations

The following Performance Guidelines are meant as general recommendations to describe elements of urban form that must be addressed in ongoing development to achieve the desired Vision. These draft guidelines include concepts that should be refined and developed into Performance Guidelines that can be adopted into the zoning code as a design overlay within the MCEN zone or as part of the Central Area Plan Refinement Overlay adopted as a special district plan in Development Code Chapter 2.7. Whichever zoning option the City implements, Performance Guidelines for the Bend Central District can be used as a tool to inform developers and designers of the expectations of the city early in the process by requiring demonstration of general adherence during the pre-application meeting process.

These are suggested Performance Guidelines that focus on the area indicated as the Bend Central District. While not all guidelines may apply to every development, a majority of these should be addressed in a manner that reflects the vision for each of these districts. In addition to the development of Central Area Plan Performance Guidelines, the plan recommends that a two-track review process should be implemented to aid development flexibility. The Plan recommends that the Central Area Plan Performance Guidelines be refined and adopted as an alternative to design standards in the mixed-use plan areas. The two-track process would allow two review options: 1) adherence to prescriptive design standards; or, 2) demonstration, through a conditional use process, that proposed developments meet the intent of the CAP through the Performance Guidelines.

The plan recommends that the review system for approval of conformance with the Central Area Plan Performance Guidelines include a special review body specifically focused on Central Area issues.

Similar performance guidelines should be developed for the Industrial and Employment District during the development of a new mixed-use zoning district as part of Development Code Chapter 2.3 or the Special Central Area Plan District in Development Code Chapter 2.7.

Guidelines should be performance oriented and not prescriptive. They address the general look, feel, and function of the Bend Central Area and should be applied to the district as it develops. They create an environment for design excellence to occur, for small actions to have a major cumulative effect, and a mechanism for checking the progress of the Vision implementation. If the Guidelines are properly followed, each and every development increment will contribute to a better-defined and coordinated urban form. These guidelines guide developers, city officials, and the community in their efforts to achieve the vision for Bend's Central Area.

Contributing to Community

1.1 Draw People & Activity Into the Bend Central District

Developments should attract a variety of pedestrian activities in Bend Central with linkages to adjacent neighborhoods and downtown core. Entry points into Bend Central should establish a sense of arrival.

1.2 Encourage Further Development

Buildings and spaces should be designed with future adjacent development as a consideration. Designs should not be “islands,” but should create design opportunities for future abutting development.

1.3 All Seasons City

Building uses and exterior spaces should lend themselves to use throughout all four seasons. Designs should include protected spaces and pathways to enable year-round use by visitors and inhabitants.

1.4 24 Hour / 7 Day City

Developments should foster the idea of extended hours of use throughout the week. Where uses are subject to “business hour” operation, the development should include amenities that provide for external enjoyment of buildings at all times of day.

1.5 Sustainable Design

New development should embody current green building techniques wherever possible. Energy efficient design options should be explored as well as alternative building products, which have less impact on the local and world environment. Strive for LEED® (Leadership in Energy and Environmental Design) certification of development.

1.6 Buildings as Good Neighbors

Each building should be designed to fit into, and contribute to the future vision of Bend Central. Each building should enhance the public experience of itself and of the abutting buildings. Undesirable elements of buildings should either be screened or hidden from view.

1.7 A Place of Multiple Activities

When practicable, developments should include multiple uses in building structures, as well as using exterior spaces as extensions of interior uses. Create combinations of public rights of way and open space within blocks to create places that can accommodate multiple activities.

1.8 Scale of The Street

Building heights adjacent to a street edge should be at least as tall as half the width of the right of way. Existing buildings would improve the street scale with vertical expansion. Street trees can also be used in meeting the height goal. A combination of taller buildings and trees will create the appropriate scale for the street.

1.9 Building Setbacks

A continuous street edge contributes to the pedestrian health of Bend Central. Buildings should front the sidewalk. In addition, buildings placed close to side and rear property lines should be designed with sensitivity to future development on adjacent properties and to potential public spaces within the block.

1.10 Pedestrian Interaction

Buildings and exterior space should foster activity and interaction of citizens at a pedestrian scale. Encourage a variety of uses within walking distance for residents, employees, and visitors. Employ appropriate sidewalk widths and weather protection to encourage use and activity.

Interconnectivity

2.1 Visual Linkages

Design interior and exterior spaces that recognize and promote visual linkages to other defining elements, such as monuments, civic spaces, outlooks, water features and other natural and man-made landmarks that orient the user.

2.2 Attraction of Attractors

Future attractors should be located strategically in Bend Central, providing a sense of “this is where it’s happening,” making Bend Central the new destination in the city - unique, but complimentary to the Historic Downtown Core and the Mill District.

2.3 Axial Relationships and Monuments

Recognize existing and potential axial relationships of places and buildings. In building form, monuments, or in water features, incorporate extensions or terminations of these relationships. Developments should recognize culturally valued characteristics of the community.

2.4 Places and Connections

Provide a safe, inviting series of interconnected places, both interior and exterior to the building structures. Provide linkages to adjacent neighborhoods for pedestrians, bicycles, and automobiles.

2.5 Driving and Parking

In the design of streets and parking areas, functional requirements of vehicular activity should not compromise, but should enhance, the pedestrian environment.

2.6 Pedestrian Opportunities

Integrate pedestrian circulation systems with existing and planned systems, both indoor and outdoor, that connect public rights-of-way and spaces, activities and uses. Design systems to use paving, furniture, and landscaping that are handicap and stroller accessible, convenient to use, and in character with the public improvements.

2.7 Green Streets

Promote creation of green streets and surface parking areas utilizing features like permeable paving, solar powered lighting, and native landscaping. City design standards should be flexible to allow designs that have a minimal impact on non-renewable natural resources.

2.8 Connections Through Buildings

Architectural design should allow for public interaction between buildings. Pedestrian walkways through and connections between clusters of buildings should be encouraged.

Bend Central Open Spaces and Landscapes

3.1 Civic Rooms

Development of public spaces within and around Bend Central should contribute to the formation of civic rooms. Within these rooms, specific commercial and public uses,

circulation patterns, public art, and cultural recognition shall be encouraged to reinforce the room and its linkage to Bend Central and the downtown core.

3.2 Areas of Many Functions

Pathways, open spaces and enclosed or sheltered public spaces should be flexible to accommodate a number of functions, whether organized or casual.

3.3 The Street

Streets should be considered as a linear room with building faces, landscaping, lighting and signing appropriate to the function of the street and the area of Bend Central it serves. Street trees should be spaced at no more than 30 feet on center and are critical to establishing the character of a street.

3.4 The Intersections

Intersections should be considered as rooms within the city. Maintain vehicular flow requirements while providing safe and convenient pedestrian access. When possible, use the location of building entries, building details, street lighting, and signage to enhance the concept of the intersection as a room.

3.5 Courtyards And Plazas

Private development should include design courtyards and plazas that provide a continuity of experience between the inside and outside of the building and between the public and private realm.

3.6 Open Space Defined By Buildings

The spaces in-between buildings should enhance the public experience through building design, form and organization. The character of the spaces in-between should add to the texture and scale of the pedestrian environment.

3.7 Inside And Outside

Ground floor activities in buildings within Bend Central should present an interesting and enticing addition to the pedestrian experience. Exterior walls abutting public rights of way shall have more than 50% of the surface in windows, showcases, displays, art or pedestrian access elements.

3.8 Roofscaping

The rooftops of buildings within Bend Central present an opportunity for green design and upper level activities. New development should be encouraged to create eco-roofs and/or opportunities for places where activity could enhance the street.

3.9 Street Trees

Selection of trees along street edges should create a unifying canopy for the street. Trees should be chosen to ensure commercial views from the street. Trees with strong vertical shapes should be used sparingly to avoid a discontinuous or lollipop appearance.

3.10 Signage

Business identity signs, while conforming to requirements of the sign ordinance, should add to the quality and character of the street. Signs should also relate to the building's character

and provide identity and focus for the use. Signs should be readable from vehicular as well as pedestrian views.

3.11 Public Art

Public art can enhance the landscape and provide focus within public spaces. Public art should be incorporated in strategic locations to create a better visual environment and provide interactive and interpretive experiences for both children and adults. The design work of artists, with a focus on local artists, should be integrated into new development.

3.12 Safe Environments

New development and civic improvements should use crime prevention techniques wherever possible. Design options that reduce the opportunity for crime and nuisance activities should be explored, such as eyes on the street and the principles of Crime Prevention Through Environmental Design (CPTED), to create a safer environment.

Bend Central District Development Form

4.1 Building Form

Single-purpose buildings should be treated as unique structures with style and size appropriate to the intended use. Mixed-use buildings should be designed to relate contextually to the surrounding buildings.

4.2 Adaptable Design

As the Bend Central District evolves over time, the market will dictate changes in uses and densities. Design of buildings should consider flexibility in use and density over the life of the building.

4.3 Active Buildings along Pedestrian Oriented Streets

Where pedestrian oriented Great Streets are identified within Bend Central, active uses should be developed to support them. The street edges should help to reinforce the pedestrian link between focal points or attractors.

4.4 Activate Buildings Along Paths & Linkage Streets

Where possible, maximize use of deep building lots and the alleys. Businesses that do not require high exposure street frontage may develop along improved alleys and open space internal to blocks, giving the most important exposure to retail and businesses requiring street front identity.

4.5 Craft of Building

In designing buildings, recognize the craft of building as fundamental in creating appropriate building detail. Proportion, attention to detail and quality design should be stressed. Lasting materials are strongly encouraged and the way buildings are assembled contributes to the texture and fabric of Bend Central.

4.6 The Outside Wall

The outside wall, the building's presentation both to passers-by and to users, should invite participation. Upper levels of buildings facing the street should incorporate decks, balconies

or other devices that activate the wall enclosing the street, any open space, pathways, or lanes.

4.7 Building Entrances

Building entrances should support and enhance the pedestrian oriented quality of Bend Central. Design entrances to give identity to buildings and uses therein. Entrances to upper level uses should be located mid-block with corner entrances reserved for retail uses.

4.8 Parking Relationship To Building

Parking areas and structures are to be integrated into new building designs. Surface parking should be limited to short-term parking along the streets where possible to maintain an active street-front. Delineate surface parking from pedestrian ways by low vertical screening elements, such as masonry walls, fences or landscaping.

4.9 Service Areas

Since service access and trash holding areas are expected to be in the alley or adjacent to roadways and open spaces, care must be taken to avoid a back-door appearance to the building faces that are adjacent to pedestrian areas and other buildings. Employ screening and landscaping to reduce the visual impact of service areas.

4.10 Interior Environments

Interior design of buildings in Bend Central should recognize the need for quality living and working environments for all its users. Natural lighting and ventilation should be utilized to the maximum extent possible.

APPENDIX B

General Recommendations for New Zone Language

The following is an example of possible additions to Chapter 2.3. It is anticipated that specific language will be refined before adoption to ensure clarity and objectivity. Similar elements should be incorporated into Chapter 2.7 if the City chooses adopt a Central Area Refinement Overlay as a Special Planned District.

Chapter 2.3 Mixed - Use Districts (ME, MR, MCEN, MINEX, and PO)

Sections:

- 2.3.100 Purpose**
- 2.3.200 Permitted Land Uses**
- 2.3.300 Development Standards**
- 2.3.400 Building Orientation**
- 2.3.500 Architectural Standards**
- 2.3.600 Special Development Standards for the Mixed-use Riverfront District**

2.3.100 Purpose

The Mixed Use Districts are intended to provide a balanced mix of residential and employment opportunities. These mixed-use areas provide a transition between existing urban environments and both existing and future residential developments. The mixed-use districts support service commercial, employment, and housing needs of a growing community. The Mixed-Use district standards are based on the following principles:

- Ensure efficient use of land and public services
- Create a mix of housing and employment opportunities
- Provide transportation options for employees and customers
- Provide business services close to major employment centers
- Ensure compatibility of mixed-use developments with the surrounding area and minimize off-site impacts associated with development.
- Provide maximum development flexibility to respond to market demands while ensuring quality, integrated development.

The Mixed-use Districts ME, MR, MCEN, MINEX, and PO are identified on the City’s official zoning map. The districts serve distinctly different purposes as described below.

Zone District	Location and Characteristics
Mixed Employment District (ME)	The Mixed Employment zone is intended to provide a broad mix of uses that offer a variety of employment opportunities. Where Mixed Employment Districts occur on the edge of the city, their function is more transitional in nature providing service commercial businesses

	and supporting residential uses in an aesthetic mixed environment. In this instance, when residential units are provided, the units shall be within easy walking distance to the commercial and employment uses.
Mixed Use Riverfront District (MR)	<p>The Mixed Use Riverfront District is intended to implement the General Plan policies for the creative redevelopment of mill site properties adjacent to the Deschutes River. It is intended to allow for a mix of uses that:</p> <ul style="list-style-type: none"> ▪ Provide a variety of employment opportunities and housing types; ▪ Foster pedestrian and other non-motor vehicle activity; ▪ Ensure functionally coordinated, aesthetically pleasing and cohesive site planning and design; ▪ Ensure compatibility of mixed-use development with the surrounding area and minimize off-site impacts associated with the development; and ▪ Encourage access to, and enjoyment of, the Deschutes River.
Mixed Use Bend Central District (CAP-MCEN)	<p>The Mixed Use Bend Central District is intended to implement Bend Area General Plan policies for the creative redevelopment of the Central Third Street Corridor and surrounding areas west to the Parkway and east to and including 4th Street. It is intended to:</p> <ul style="list-style-type: none"> ▪ Provide for a wide range of mixed residential, commercial and office uses, throughout the area and, depending on the parcel and its surroundings, vertical mixed use (i.e., a mix of uses within the same structure) and with an emphasis on pedestrian access wherever possible. ▪ Provide for greater density development with a mix of housing and office with retail and entertainment at street level. ▪ Provide for development that is complementary to a future transit center by encouraging a pedestrian friendly environment.
Industrial and Employment District (CAP-INEX)	<p>This zone retains some of the characteristics of the current light industrial zoning but it is also intended to:</p> <ul style="list-style-type: none"> ▪ Provide for a mixture of live/work spaces (artists lofts, etc.). ▪ Provide for mixed-employment uses that are vital for micro-enterprises.
Professional Office District (PO)	<p>The Professional Office zone is intended to provide for professional offices in locations near arterial or collector streets and to provide a transition of uses between residential areas and other more intensive zones. Through design standards, the Professional Office zone is intended to create a mix of high density residential housing, office and service commercial developments that are pedestrian oriented and provide a positive contribution to the streetscape.</p>

2.3.200 Permitted Land Uses

A. Permitted Uses. The land uses listed in Table 2.3.200 are allowed in the Mixed Use Districts, subject to the provisions of this Chapter. Only land uses that are specifically listed in Table 2.3.200 and land uses that are approved as similar to those in Table 2.3.200 may be permitted or conditionally allowed. The land uses identified with a “C” in Table 2.3.200 require Conditional Use Permit approval prior to development, in accordance with Chapter 4.4.

B. Determination of Similar Land Use. Similar use determinations shall be made in conformance with the procedures in Chapter 4.1.1400, Declaratory Ruling.

C. Exceptions. Existing uses and buildings lawfully established prior to the adoption of this ordinance shall be permitted. Expansion or enlargement of an existing uses and buildings not identified as permitted or conditional uses below shall be subject to the Conditional Use criteria, standards and conditions within Chapter 4.4.

**Table 2.3.200
Permitted Land Uses**

Land Use	ME	MR	MCEN	MINEX	PO
Residential					
Single Family / as primary use	C	P	N	C	C
as secondary use	P	P	N	C	P
Multi-family housing */ as primary use	C	P	P	C	C
as secondary use	P	P	P	C	P
Temporary Housing* as a secondary use	P	N	C	C	P/C
Commercial					
Retail Sales and Service					
• Not to exceed 20,000 sq ft gross floor area	P	N	N	P	NN
• not to exceed 20,000 sq ft ground floor per lease space	N	P	P	N	P
• ground floor only / not to exceed 2500 sq ft for single use / 5000 sq ft for multiple users	N	N	N	N	
Commercial (continued)					
Retail Sales and Service (auto dependent*)	P	N	C	P	N
Retail Sales and Service (auto oriented*)	P	N	N	P	N
Restaurants/Food Services					N
- with drive-through*	P	N	N	P	
- without drive-through	P	P	P	P	
Offices and Clinics	P	P	P	P	P
Conference Centers/Meeting facility associated with a hotel / motel	C	P	P	P	N
Lodging (bed and breakfast inns, vacation rentals, boarding houses timeshare)	P	P	C	N	N
Hotel / Motels	P	P	P	P	N
- with conference center	P	P			
Commercial and Public Parking as primary use**	P	P	C	C	C
Commercial Storage					
- enclosed in building and on an upper story	P	P	P	P	N
- not enclosed in building	N	N	N	P	N
- enclosed in building on ground floor (i.e., mini-	P	P	N	P	N

storage)					
Entertainment and Recreation					
- enclosed in building (e.g., theater)	P	P	P	P	C
- not enclosed (e.g., amusement)	P	C	N	P	C
Wholesale Sales (more than 75% of sales are wholesale)	P	P	C	P	N
Broadcasting/production studios and facilities	P	P	P	P	N
Hospital	P	C	C	C	C
Public & Institutional					
Government - point of service (e.g., library)	P	P	P	P	C
Government – limited point of service ;(e.g., public works yards, vehicle storage etc.)	N	N	N	P	N
Parks and Open Space	P	P	P	P	P
Schools					
-- pre-school, daycare, and primary, secondary	P	P	P	P	C
-- colleges, and vocational schools	P	P	P	P	P
Clubs and Religious Institutions	P	P	P	P	P
Industrial					
Manufacturing and Production					
- greater than 5,000 sq. ft.	P	P	C	P	N
- less than 5,000 sq. ft. with retail outlet	P	P	P	P	N
Warehouse	P	P	C	C	N
Transportation, Freight and Distribution	C	C	C	C	N
Production businesses (e.g., IT Support Centers, biotechnology, software/hardware development Broadcast and Production studios/facilities.)	P	P	P	P	C
Industrial Service (e.g., cleaning, repair)	P	N	N	P	N

Key to Districts

ME = Mixed Employment
 MR = Mixed Use Riverfront
 PO = Professional Office

Key to Permitted Uses

P = Permitted; subject to Chapter 4.1
 N = Not Permitted;
 C = Conditional Use, subject to Chapter 4.4

* Special Standards for Certain Uses subject to Chapter 3.6 and 2.1.900

** No new surface parking lots are permitted in the MCEN District

2.3.300 Development Standards

The following table provides the numerical development standards within the Mixed Use Districts. Additional standards specific to each district follow within a separate sub-section of this Chapter.

Building setback standards provide building separation for fire protection/security, building maintenance, sunlight and air circulation, noise buffering, and visual separation. Building setbacks are measured from the building foundation to the respective property line.

No new building or modification of an existing building shall exceed the development standards provided herein without receiving approval of a Variance application in accordance with the criteria listed in Chapter 5.1

**Table 2.3.300
Mixed Use District Development Standards**

Standard	ME	MR	MCEN	MINEX	PO
Minimum Front Yard Setback	10'	0' **	0' **	0' **	10'
Maximum Front Yard Setback	10'/80'*	None**	10'***	None**	10'
Rear Yard Setback	0' / 10' (see standards below)	0' **	0' **	0' **	0' / 10' (see standards below)
Side Yard Setback	0' / 10' (see standards below)	0' **	0' **	0' **	0' / 10' (see standards below)
Lot Coverage	50%	None **	None ***	None ***	50%
Building Height	45'	35'***	Refer to Central Area Height Map	Refer to Central Area Height Map	45'

* Subject to special standards in 2.3.400

**Subject to special standards in 2.3.600

***Except at Intersections of Character for which the maximum coverage must allow for outdoor public space.

A. Applicability. The setback standards outlined in Table 2.3.300 above shall apply to all new and expanded buildings. The setback standards apply to both primary structures and accessory structures. The standards may be modified only by approval of a variance, in accordance with Chapter 5.1; Variances.

B. Front Yard Setbacks.

1. General Standards. See Table 2.3.300; Mixed Use District Development Standards.
2. Double Frontage Lots. For buildings on lots with double frontage, the minimum front yard setback standards in Table 2.3.300 shall be applied to both frontages. In the ME and PO zoning districts, the maximum setback standard of 10 feet shall be applied to only one of the frontages, provided that where the abutting streets are of different street classification, the maximum setback standard shall be applied to the street with the higher classification.
3. Exceptions. The following exceptions apply to ME and PO zoned properties.
 - a. For buildings on corner lots at the intersection of two arterial streets, the maximum front yard setback standard specified in Table 2.3.300 shall be met for one frontage and for the other frontage, a maximum setback of 160 feet shall be allowed. Off-street parking, driveways and other vehicular use and circulation areas may be placed between a building and the 10 foot wide required landscape setback adjacent to the street when the 160 foot maximum setback option is applied.

- b. When the street fronting the development does not allow on-street parking, the maximum front yard setback of 80 feet shall apply.
- c. Other special setbacks in conformance with Chapter 3.5.300; Special Setbacks.

C. Side and Rear Yard Setbacks.

1. ME, MCEN, and MINEX Zones. There is no rear yard setback required (*i.e.* 0 feet), except when abutting a lot in a residential zone, the rear yard setback shall be 15 feet for all portions of the structure less than 35 feet in height. For portions of the building 35 feet in height or greater, the setback shall set back an additional 1 foot for each foot the building exceeds 35 feet, however, developments within the MCEN and MINEX Zones, may demonstrate alternative means of buffering through design elements.
2. PO Zone. There is no rear yard setback required (*i.e.* 0 feet), except when abutting a residential zone, the rear year setback distance shall be a minimum of 10 feet and the rear yard setback shall be increased by 1 foot for each 1 foot by which the building height exceeds 25 feet.
3. When a public alley abuts a side or rear yard of property within the PO or ME zones, the width of the alley can be included in the additional setback calculation as described above in subsections (1) and (2) above for the purpose of offsetting the impacts of the building height over 35 feet. The alley does not eliminate the required 10 foot building setback.

D. Other Requirements.

1. Buffering. A 10-foot minimum landscape buffer shall be required along the side and rear property lines between industrial use development listed in Table 2.3.200 and any adjacent Residential District. The buffer zone is in addition to the required side and rear setbacks required in section 2.3.300(C) above. The buffer shall provide landscaping to screen parking, service and delivery areas; and walls without windows or entries, as applicable. The buffer may contain pedestrian seating but shall not contain any trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in Chapter 3.2, Landscaping, Streets Trees, Fences and Walls, provide other buffering requirements where applicable. Developments within the MCEN and MINEX Zones, may demonstrate alternative means of buffering through design elements.
2. Building and Fire Codes. All developments shall meet applicable fire and building code standards. Larger setbacks than those listed above may be required due to the proposed use and/or storage of combustible materials.

2.3.400 Building Orientation

All of the following standards shall apply to new and expanded development within the Mixed Use Districts, unless otherwise specified in this code, in order to reinforce streets as public spaces and encourage alternative modes of transportation, such as walking, bicycling and future transit.

- A. Building Entrances.** All buildings shall have an entrance(s) visible or oriented to a street. Oriented to a street means that the building entrance faces the street, or is visible to the street and connected by a direct and convenient walkway. Building entrances may include entrances to

individual units, lobby entrances, entrances oriented to pedestrian plazas, or breezeway/courtyards. Streets used to comply with this standard may be public streets or private streets and shall contain sidewalks and street trees, in accordance with the standards in Chapter 3.0; Development Standards. The building entrance orientation standard is met when the following criteria are met:

1. When on-street parking is permitted on the street fronting the development, the front yard maximum setback shall be 10 feet.
2. When the street fronting the development does not allow on-street parking, the maximum front yard setback shall be 80 feet, except in the MR Zone.
3. Corner Lot Standard. Buildings on corner lots are encouraged to have an entrance oriented to the street corner. The minimum front yard setback specified in 2.3.400 A(1) above shall be met for both street frontages.

B. Walkway Connections. Walkways shall be placed through yard setbacks as necessary to provide direct and convenient pedestrian circulation between developments and neighborhoods. Walkways shall conform to the standards in Chapter 3.1; Access, Circulation and Lot Design.

C. Parking. Parking and maneuvering areas shall be prohibited between the street and the building when on-street parking is allowed on the street fronting the development property. Parking shall be provided in conformance with Chapter 3.3; Vehicle Parking, Loading and Bicycle Parking. Developments within the MCEN and the MINEX Zones are required to site off-street parking behind, below grade, or beside the development. Shared parking arrangements may be approved upon provision of legal agreements with abutting properties with which the parking will be shared. Developments within the MCEN Zone may pay an in-lieu of fee to be applied to city provided structured parking.

2.3.500 Architectural Standards

All developments in the Mixed Use Districts shall be subject to Commercial Design Review, Chapter 2.2.800 and be reviewed for conformance with the criteria in A and B below unless otherwise specified in this code. Note: Developments within the MCEN and the MINEX Zones are required to demonstrate compliance with the alternative Bend Central Area Development Performance Guidelines instead of the architectural standards shown in 2.3.500.

A. Building Mass. Where building elevations are oriented to the street in conformance with Chapter 2.2.600; Block Layout and Building Orientation, architectural features such as windows, pedestrian entrances, building off-sets, projections, detailing, a change in materials or similar features, shall be used to break up and articulate large building surfaces and volumes greater than 50 linear feet in length. A minimum of 15% of the horizontal building façade shall contain a variety of architectural features

B. Pedestrian-Scale Building Entrances. Recessed entries, canopies, and/or similar features shall be used at the entries to buildings in order to create a pedestrian-scale.

2.3.600 Special Development Standards for the MCEN and MINEX Zones.

The Mixed Use Bend Central District is divided into several corridor areas or sub-districts which are suited for different types of development. Great Streets which act as Gateways to adjoining central areas, are designated as:

- 3rd Street from NE Revere Avenue to NE Burnside Avenue;
- Olney Avenue from NW Wall Street to NE 4th Street;
- Greenwood Avenue from NW Wall Street to NE 4th Street; and,
- Franklin Avenue. from NW Wall Street to NE 4th Street.

Design characteristics are intended to maintain view corridors along Great Streets within the Bend Central Area by allowing only low to mid -rise building heights along these streets.

In addition to Great Streets, the Mixed Use Bend Central District contains special Intersections of Character which are reserved for future redevelopment that includes outside public spaces and rooms that shall serve as landmarks and facilitate better way finding. Buildings surrounding the intersection shall be low rise, but complimentary to each other. Lighting shall emphasize activity and pedestrian and vehicular zones should be delineated to ensure safe and secure passage for all. The following Intersections of Character are identified in the Bend Central area:

- NE Revere Avenue and NE 3rd Street
- NE Olney Avenue and NE 3rd Street
- NW Olney Avenue and NW Wall Street
- NE Greenwood Avenue and NE 3rd Street
- NE Greenwood Avenue and NE First Street
- NW Greenwood Avenue and NW Hill Street
- NW Greenwood Avenue and NW Wall Street
- NE Franklin Avenue and NE 3rd Street
- NE Franklin Avenue and NE 1st Street
- NW Franklin Avenue and NW Hill Street

A. Development Plans Required. The Mixed-use Bend Central and Industrial and Employment zones shall only be applied to the area designated on the Bend Area General Plan Map. Before development of properties can occur in the MCEN and MINEX zones, a Facilities Plan shall be reviewed and approved. The Facility Plan shall be processed as a Type II Activity. The Bend Planning Commission shall review and approve the Master Development Plan.

B. Facilities Plan. Prior to or concurrent with submitting a Master Development Plan the owners shall submit for review and approval a Facilities Plan that shows how the area will be served by roads and utilities.

1. The Facilities Plan shall, at a minimum, include:

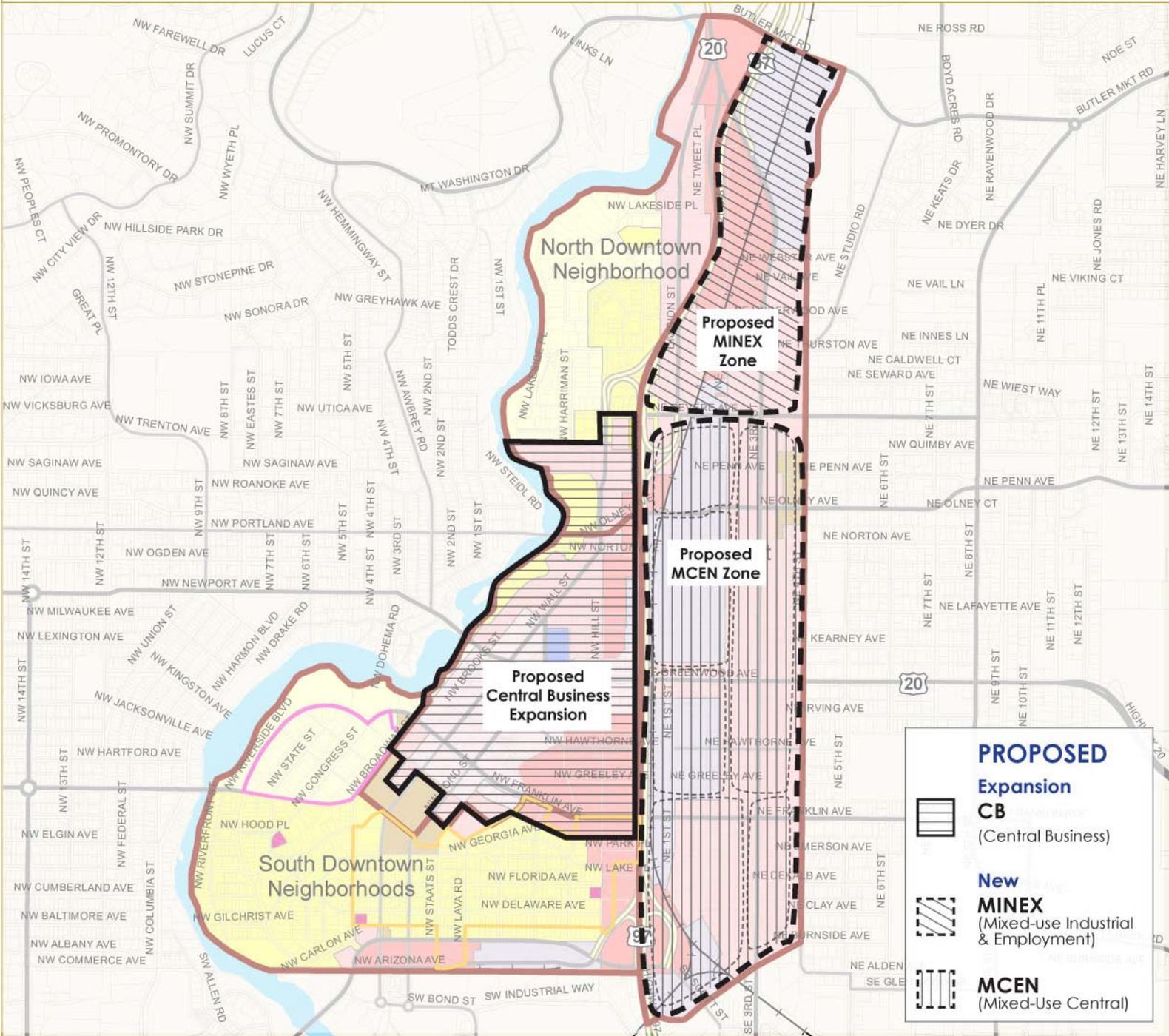
- a. A map of existing and planned water and sewer facilities to serve the sub-area including line sizes, general location or routes, and how the lines will tie in with areas adjacent to the MCEN or the MINEX zone.
- b. A map of existing and planned collector and arterial streets adjacent to the sub-area and of the general route of planned collector, arterial, and major local streets through the sub-area and where the streets will connect with the existing collector or arterial street system.
- c. Such other utility or transportation information as the City may determine.

- d. A written narrative that explains or describes:
 - i. How the proposed water, sewer, and street system will be adequate to serve the type and size of development planned for the area;
 - ii. How the location and sizing of facilities on-site will be consistent with the existing and planned utilities;
 - iii. How adequate water flow volumes will be provided to meet fire flow and domestic demands; and
 - iv. The function and location of any private utility systems.
- 3. The Facilities Plan shall be approved if it is determined to be consistent with the Utilities Master Plan and the Transportation Element of the Bend Area General Plan and other information required by the City.



BEND CENTRAL AREA PLAN

Proposed New Zones & CB Expansion



PROPOSED

- Expansion CB** (Central Business) [Solid line pattern]
- New MINEX** (Mixed-use Industrial & Employment) [Hatched pattern]
- MCEN** (Mixed-Use Central) [Dashed line pattern]

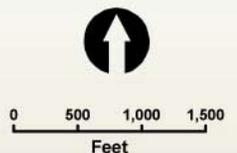
Zoning

CB	IG	PO	SM	Drake Park Neighborhood Historic District
CC	IL	PO/RM/RS	SR2-1/2	Old Town Historic District
CG	IP	RH	UAR10	City of Bend Central Area Plan
CH	ME	RL		
CL	MR	RM		
CN	PF	RS		

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Data Source(s):
City of Bend, NAIP, Parametrix

Geographic Data Standards:
Projected Coordinate System:
State Plane - Oregon South
Units: US Foot



Parametrix

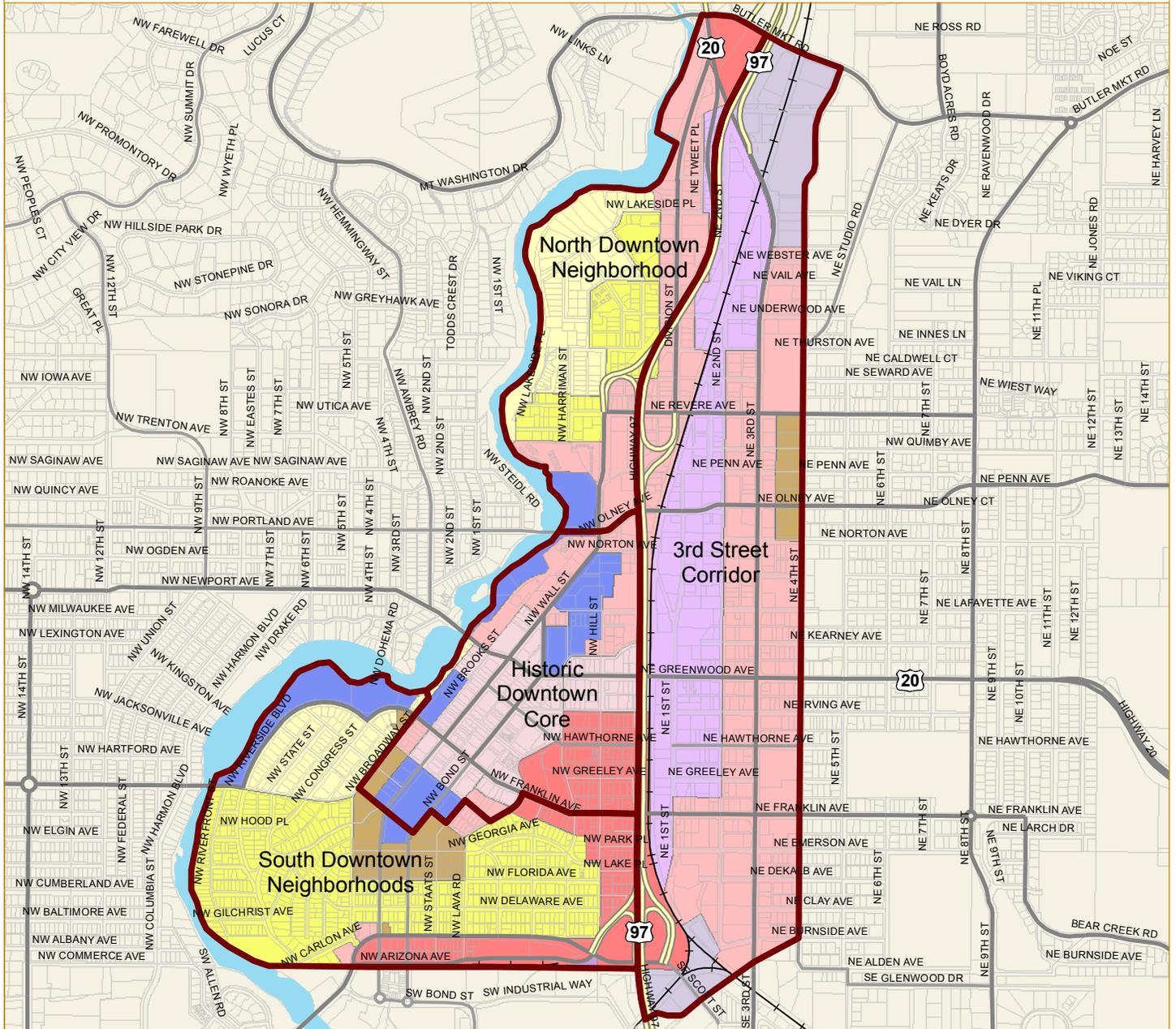
APPENDIX C

Bend Area General Plan Map



BEND CENTRAL AREA PLAN

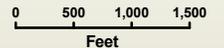
General Plan



General Plan

CB	CL	IR	PO	RM
CC	IG	ME	PO/RM/RS	RS
CG	IL	MR	RH	SM
CH	IP	PF	RL	URA

City of Bend Central Area Plan



Geographic Data Standards:

Projected Coordinate System:
State Plane - Oregon South
Units: US Foot

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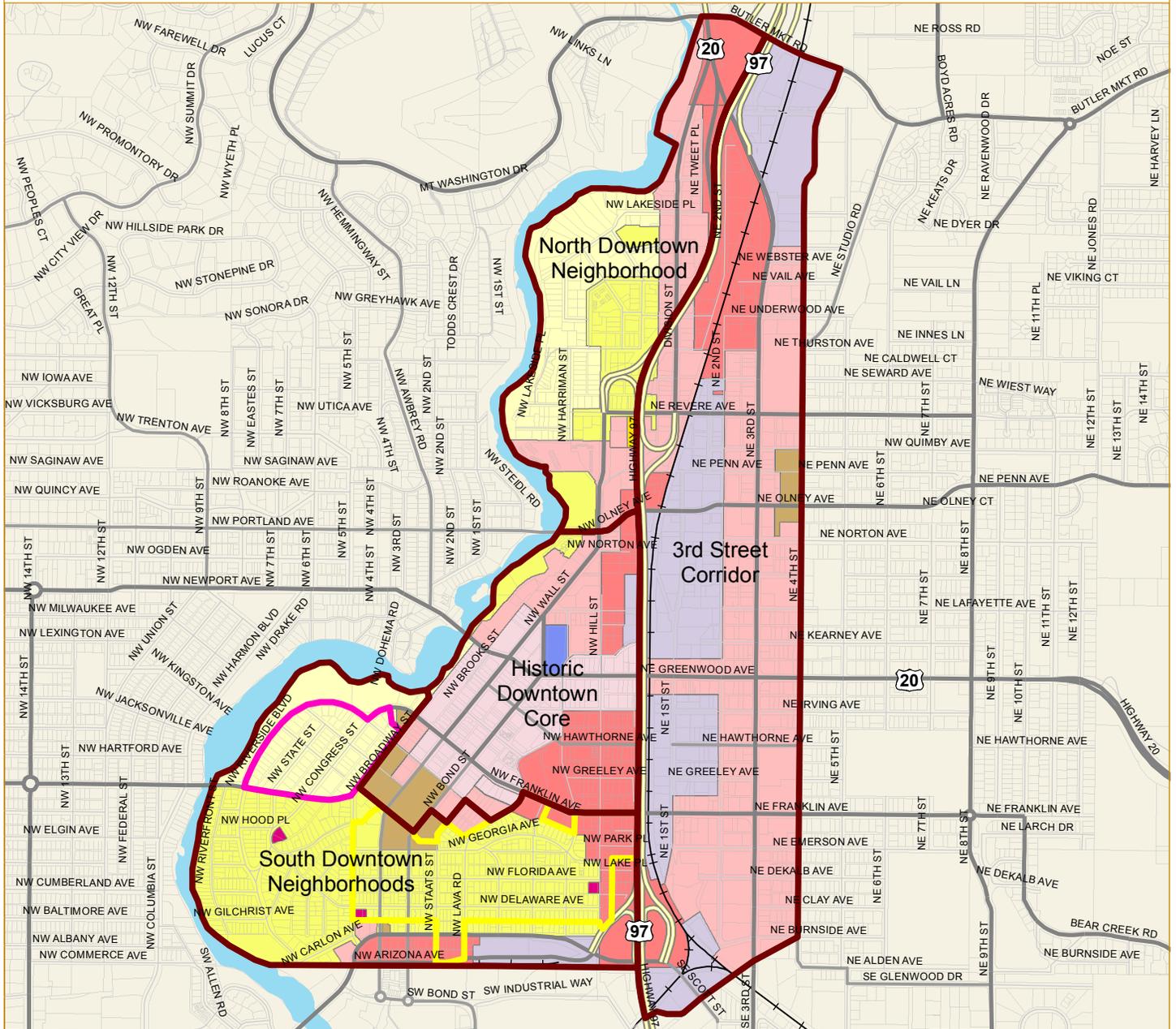
Parametrix

APPENDIX D
Bend Zoning Map

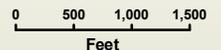


BEND CENTRAL AREA PLAN

Existing Zoning and Historic Districts



Zoning



Geographic Data Standards:

Projected Coordinate System:
State Plane - Oregon South
Units: US Foot

Parametrix

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Data Source(s):
City of Bend, NAIP, Parametrix

APPENDIX E

Proposed Building Height Increases

Recommended Changes to Building Heights within the Central Area

Building Heights

1. Everything west of the Parkway retains current height requirement.
2. Everything east of the Parkway would have the following maximum height restrictions:
 - a. 35 feet along east/west “great streets” to build pedestrian scale.
 - b. 35 feet bordering (1/2 block both sides) 4th Street to provide a transition scale to neighborhood.
 - c. 65 feet on both sides of 3rd Street to facilitate redevelopment of current parking lots, such as the Safeway redevelopment between Newport/Franklin & 3rd and 4th Streets.
 - d. Within the Tall Building District, the height limit would be 50 feet but would have opportunities in designated areas to go up to 100 and 150 feet if certain criteria are met.

Tall Building District

Area of Bend Central designated as the location for taller buildings.

Intent:

1. Provide opportunities for development of taller, more slender buildings if conditions met
2. Floor plate limitations coincide with housing towers, not office. The texture of a housing tower is different than an office tower due to need for outdoor space (balconies, terraces).
3. Buildings are placed with their long dimension E/W, therefore creating and maintaining view corridors from east to west mountains.
4. Buildings are set back from property lines on the east and west, allowing positioning of taller buildings to minimize view blockage on/from neighboring properties.

Conditions:

1. Base Condition
 - 1.1. Base height limitation – 50 feet
 - 1.2. Setbacks – front: zero, side: zero, rear: 20 feet
 - 1.3. F.A.R. – minimum 2:1
2. Sites less than 40,000 square feet
 - 2.1. Height limitation: 100 feet
 - 2.2. Total site area is greater than 20,000 square feet
 - 2.3. Average floor area (total floor area of all levels divided by number of floors) is less than 15,000 square feet
 - 2.4. Building has longest axis in east/west direction
 - 2.5. Setbacks – north/south property lines: zero, east/west property lines: 20 feet
3. Sites greater than 40,000 square feet
 - 3.1. Height limitation – 150 feet

- 3.2. Total site area is greater than 40,000 square feet
- 3.3. Average floor area (total floor area of all levels divided by number of floors) is less than 20,000 square feet
- 3.4. Building has longest axis in the east/west direction
- 3.5. Setbacks – north/south property lines: zero, east/west property lines: 25 feet



BEND CENTRAL AREA PLAN

Proposed Building Heights

