

December 15, 2015

Mr. Victor Chudowsky, City Councilor and Chair of the Bend UGB Steering Committee

Ms. Sharon Smith, Co-Chair – UGB Boundary Growth and Scenarios Technical Advisory Committee

Mr. Mike Riley, Co-Chair – UGB Boundary Growth and Scenarios Technical Advisory Committee

**SUBJECT:** Concerns associated with increased Westside expansion of Bend's UGB

Dear Mr. Chudowsky, Ms. Smith and Mr. Riley:

My name is Lew Becker. I live on Bend's west side at 1933 N.W. 2<sup>nd</sup> Street. My wife and I recently sold our house on the east side and bought the home we now live in with the goal of reducing the number of miles we drive. We can now almost exclusively walk or ride our bikes to work, shop, eat at restaurants, etc. This has improved the quality of our lives, enhanced our overall health and helped to reduce our "carbon footprint".

Bend is in the process of expanding its UGB and is serious about developing, redeveloping, and in-filling lands that exist within the existing UGB before going outside it to accommodate the projected need for residential and economic lands. Opting for density makes it much less costly to provide infrastructure and public services such as sewer, transportation, public transit, police and fire, etc. Infill and redevelopment also help to accommodate Bend's critical need for affordable housing. Rezoning land inside Bend's urban core might also help to address recent concerns about student housing, peak-hour traffic congestion and adequate parking.

While I'm happy with Bend's focus on growing within its existing boundary first, I am concerned about pushing Bend's UGB toward the Deschutes National Forest boundary. I spent my career with the U.S. Forest Service, and while the bulk of my focus was on wildlife management, more recently I've applied my knowledge of geographic information system (GIS) tools and on-the-ground observations to fighting major wildfires. When on a fire, my job is to assess it in terms of the areas of highest risk, greatest hazard, and the locations of valuable resources and help develop strategies to mitigate to the maximum degree possible the loss of life, property and the forest itself.

Even with managing forests to reduce fire risk, there are always those hot summer Bend days of dry winds, low humidity, high probability of ignition, and few resources to suppress a wildfire start. I have worked on wildfires in at least a dozen subdivisions, in Alaska, Montana, Oregon, Colorado, and California where homes were burned. The homes were in a forest setting with little understory vegetation, and most had "fire-safe" areas around them. My point is that homes in, or close to, forests are always at risk of burning; and the times that those areas burn come at a time when suppression resources are stretched to the limit, and may not be available.

As Bend's population grows, so do the risks that accompany wildfire. People moving here from low-fire-risk communities often use the forest differently than those who have experienced fire. Recreational tourism also increases risk. Recent insect infestations further up the odds wildfire will impact Bend at some point in our future.

Pressure is increasing to grow the number of westside acres included in Bend's expanded UGB, to add more houses and even to extend Skyline Ranch Road to accommodate more land and increased traffic. The UGB planning discussions now taking place in the safety of meeting rooms could lead us to a nightmare scenario if a devastating fire, accompanied by strong winds, parched forests and a shortage of firefighting resources strike our community. Please proceed with great caution as you consider including additional Westside lands in Bend's UGB.

Sincerely,

Lew Becker

## Damian Syrnyk

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**From:** Jeremy McPherson <Jeremy@killianpacific.com>  
**Sent:** Friday, January 08, 2016 2:17 PM  
**To:** Brian Rankin; Damian Syrnyk  
**Cc:** Noel Johnson; Lance Killian  
**Subject:** Killian Pacific UGB Letter for the Record  
**Attachments:** Bend UGB Letter.pdf

**Importance:** High

Brian & Damian – Happy New Year! Hope you had great holidays.

Attached is a letter I attempted to email a month ago ahead of the 14<sup>th</sup> meeting. Unfortunately I had written your email addresses incorrectly and only recently figured that out! Hopefully it is not too late to get this letter in the record – please let me know.

Many thanks,  
Jeremy

**Jeremy McPherson**

**KILLIAN PACIFIC**  
500 East Broadway, Suite 110  
Vancouver, WA 98660  
T: 360.567.0626  
C: 971.219.9647  
[www.killianpacific.com](http://www.killianpacific.com)

# KILLIAN PACIFIC

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December 3, 2015

Urban Growth Boundary Steering Committee  
C/O Brian Rankin, City of Bend  
City of Bend  
710 NW Wall St  
Bend, OR 97701

Regarding: UGB Remand Project, Efficiency Measures

Dear USC Members,

Killian Pacific is a family-owned company that has been building and investing in Oregon cities for 40 years. We are actively investing in Bend and believe in its future. Bend's creative energy, entrepreneurial spirit and quality of life set it apart amongst urban centers. To foster and expand such valuable attributes, we encourage the consideration of new zoning measures, parking standards and similar regulatory controls within the central areas of Bend. Without appropriate modifications to your current code, high quality, higher density, mixed-use buildings that enhance community and create a vibrant scene will be hampered.

For the past few years, we have been focused on restoring the Old Mill Marketplace (the big red barn) on NW Arizona Ave to better serve local businesses. We also own the adjacent vacant site to the east, on the south side of Arizona. We remain flexible as to what future development may look like on this larger, centrally located site; however, current zoning (as well as potential existing zones that could be adopted) notably limit, or explicitly disallow the myriad of potential uses local persons or firms tell us to develop there.

For example, our current zoning, which is industrial (IL), does not allow us to build neighborhood-scaled, mixed-use buildings. The allowed uses are things like tow truck yards, storage units, or manufacturing. Such uses do not serve the nearby neighborhoods, nor create synergies with the new Market of Choice grocery, or the walkable, bikeable housing, office and shops to the south.

We understand the Committee is considering a range of Efficiency Measures that would improve the zoning code and parking standards. We fully support this exploration and encourage the committee to consult with developers who have proven experience building what you want so that any new measures are functional. We are happy to be a resource in this process, and thank you in advance for your hard work.

Sincerely,

Noel A. Johnson  
Managing Director

Jeremy McPherson  
Project-Specific Developer for Old Mill Marketplace

## Damian Syrnyk

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**From:** Gregoire <gregoireklees@mac.com>  
**Sent:** Monday, January 11, 2016 1:10 PM  
**To:** Damian Syrnyk  
**Subject:** Bend UGB Steering Committee  
**Attachments:** Letter To Chair Chudowsky + Boundry TAC Members.pdf

Dear Damian Syrnyk,

Please forward the attached letter to the Bend UGB Steering Committee, with a copy to the UGB Boundary Growth Technical Advisory Committee (TAC).

Thank You!

Gregoire Klees  
18285 Pinehurst Road  
Bend, OR 97703

January 10, 2016

Victor Chudowsky; Chair—Bend UGB Steering  
Bend Urban Growth Boundary Growth and Scenarios Technical Advisory Committee

Dear Chair Chudowsky and Boundary TAC members:

My name is Gregoire Klees. My wife and I moved to Bend from Chicago. We wanted to raise our children in a cleaner environment with recreation opportunities and open space. We have not been disappointed with our choice of Bend, but do have concerns about how its UGB expansion might affect the community and its future.

We're lucky to be homeowners. Many in Bend can't be. There is a severe shortage of affordable housing for rent and sale. That puts undue hardships on those who work in lower-wage segments of our economy. Many who work in Bend live elsewhere. People have to spend a large percentage of their income on housing. Some live in cars, crowd roommates into tiny rentals, sleep on friends' couches and/or make long—and in the winter dangerous—commutes to work. Some are only a step away from being homeless if their rental property is sold or the rent increased. People in these circumstances lack the time and energy to participate in Bend's UGB expansion. Low income life is a daily survival game. Those with secure housing usually don't comprehend its challenges.

The affordability of housing is not simply determined by how much cheap land lies within a city's urban limits. Oversupply can make land cheap, but servicing sprawl is expensive. The cost to build and maintain public facilities and services is born by tax- and rate-pay citizens. Some profits from sprawl go to those whose land is urbanized, but most go to the developers who buy that land and build it out. There are costs to a community when the resulting development doesn't meet the true need. Bend's true need is for affordable housing. The need for more, higher-end homes on large, suburban lots in traffic congested westside areas is far less pressing.

Bend struggles to pay for infrastructure. It has an inadequate sewer system, a clogged transportation network, and insufficient funds to pay for road maintenance. Sprawl will make our lack of robust public transit that much harder to fix. The larger the urban footprint, the more costly is the cost to build and operate public transit. Sprawl increases vehicle trip frequency and lengths, generates more CO<sup>2</sup> emissions and eats up open space. These are problems that long-term citizens often complain about. As Bend grows, they will be amplified.

Bend's best bet is urban renewal, increased density along transit corridors, placing more development adjacent to existing employment centers and "vertical growth". City Councilors can't afford to ignore these needs, as they are backed by law. Bend's taxpayers and ratepayers can't afford inefficient growth. We need to prioritize our critical housing needs and bring into our UGB the right amount of land, in the right areas, to support it.

Bend should grow to the northeast. It already has an adequate sewer system and is closest to the edge-of-town treatment facility. Its grid-based road network will make public transit less costly to build and more efficient to operate. Its topology is flatter, cheaper, less treed, and not bisected by a river or creeks. It's the prime location for developing a mix of family-affordable housing. The northeast has good access to shopping, a community fitness center, a hospital and medical facilities, schools, parks, etc. The cost of westside land is far higher. It is adjacent to the Deschutes National Forest. Urbanizing this land increases the fire risk to our entire community.

In addition to the northeast area, the land owned by the Dept. of State Lands (southeast 27<sup>th</sup> and Stevens Road) is another ideal location for UGB expansion. It's also close to medical and community fitness facilities. Developing it would benefit Oregon's Common School Fund, returning millions to K-12 schools around Oregon.

I don't expect that many people will have, or take, the time, to write to you but my comments reflect the opinions of a number of others with whom I've spoken. Thank you for considering them.

Sincerely,



Gregoire Klees - 18285 Pinehurst Road, Bend, OR 97703



January 20, 2016 Bend UGB Boundary and Growth Scenarios Technical Advisory Committee meeting

Public Testimony **received** by January 14, 2016

- 1 Dale Van Valkenburg, November 29, 2015 letter and attachments (2)
2. Lew Becker, January 3, 2016 email and attached letter
3. Jeremy McPherson January 8, 2016 email and attached letter
4. Gregoire Klees, January 11, 2016 email and attached letter



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## Brooks Resources Corporation

December 29, 2015

Brian Rankin  
Project Manager, City of Bend UGB  
710 NW Wall Street  
Bend, OR 97701

### **RE: Buildable Lands Inventory**

Dear Mr. Rankin:

I have some concerns with the continued inclusion of the 160+/- acre property owned by the Central Oregon Irrigation District, referred to as “Opportunity Area 9”, on the city’s Buildable Land Inventory. As we have discussed previously, approximately 130 acres of this particular property is burdened by a scenic easement granted to Mount Bachelor Village that essentially prohibits any development until the year 2034, well beyond the planning period for this UGB expansion (see attached easement and map of easement area). In addition to the scenic easement, much of the COID property is also located within the Deschutes River Canyon, and has little or no development potential due to the City’s Areas of Special Interest and Waterway overlay zones.

As background, back in 1984 COID was pursuing approvals for their hydroelectric project on the property in question, which is located directly across the river from the Mount Bachelor Village Resort. In order to mitigate the impacts of the project and gain the support of the Resort, COID agreed to place a scenic easement on their property that prohibits development until at least 2019, or until April 1, 2034 as long as the property is still being used to generate power. The property is currently used to generate power, and conversations with COID representatives has indicated that this power generation operation is profitable for the District. They therefore have no intention of ceasing operation in the foreseeable future. While the scenic easement was granted to Brooks Resources, the developer of the Mount Bachelor Village Resort, the legal description for the benefitting property simply states “Mount Bachelor Village”. The easement also “runs with the land and shall be binding on and inure to the benefit of the parties and their successors and assigns.” This means each and every owner of property (including 5<sup>th</sup> shares) in Mount Bachelor Village, not just Brooks Resources, would need to sign a release in order to extinguish the easement prior to its 2034 expiration date. Thus, Brooks Resources does not have the unilateral ability to release the easement even if we were so inclined, and it is extremely unlikely that each of the hundreds of individual owners in Mount Bachelor Village would agree to the release. Thus, it is highly unlikely that the 130 acres of COID property affected by the easement could be developed prior to 2034.

This easement is a material fact because the COID property shows up on the Buildable Lands Inventory and in the Growth Scenarios as 160+/- acres of vacant developable land and is in fact considered an “Opportunity Area” that is slated for significant residential and employment use. Due to this scenic easement that extends to 2034, 6 years beyond the 2028 planning period, at least 130 acres of this property should not be considered developable during the planning period for this UGB expansion. These 130 acres should be categorized along with other lands subject to restrictive CCR’s that limit or prohibit further development, and taken out of the inventory of available lands.

In addition to the aforementioned scenic easement, much of this property is also located within the canyon of the Deschutes River, a designated Area of Special Interest on the city's Comprehensive Plan. Even if it were not burdened with the scenic easement, much of the property would be undevelopable in any event due to steep slopes and the ASI designation.

Thank you for your attention.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dale Van Valkenburg". The signature is fluid and cursive, with a large, stylized "V" at the beginning.

Dale Van Valkenburg  
Brooks Resources Corporation  
Boundary Alternatives TAC member

WHEREAS, BROOKS RESOURCES CORPORATION, hereinafter called "Brooks", is in the process of developing luxury condominiums on the real property described on Exhibit "A" attached hereto, and

WHEREAS, CENTRAL OREGON IRRIGATION DISTRICT, hereinafter called "District" is in the process of obtaining governmental licenses and permits for a hydroelectric development on the real property described on Exhibit "B" attached hereto, and

WHEREAS, the property described on Exhibit "B" is presently zoned SR-20 and RS, and

WHEREAS, all presently permitted and conditional uses for real property located in Deschutes County zoned SR-20 and RS are set forth on Exhibit "C" attached hereto, and

WHEREAS, Brooks is desirous of obtaining a scenic easement to insure that property uses made of the real property described on Exhibit "B" are compatible with its luxury condominium development,

NOW, THEREFORE, in consideration of the payment of \$10.00 and other valuable consideration, the parties agree as follows:

1. GRANT OF EASEMENT: District hereby conveys to Brooks a scenic easement over and across the real property described on Exhibit "B" on the following terms and conditions:

(a) Other than as required or directed by applicable licensing authorities or irrigation uses, District will not utilize the property described on Exhibit "B" for any of

-1- SCENIC EASEMENT

GRAY, FANCHER, HOLMES & HURLEY  
ATTORNEYS AT LAW  
40 N.W. GREENWOOD  
P.O. BOX 1151  
BEND, OREGON 97709-1151

Bend Title Company

the permitted or conditional uses as outlined on Exhibit "C".

(b) District will not attempt to obtain a zone change on the property described on Exhibit "B" without the written consent of Brooks. In the event public authorities change the zoning on the property described on Exhibit "B", District will not use the property, other than as required or directed by applicable licensing or irrigation uses.

(c) Except as required by applicable licensing authorities and for irrigation uses, District will maintain the surface of the property described on Exhibit "B" in its present configuration and appearance so as not to cause an unreasonable visual impact to the real property described on Exhibit "A".

2. TERM OF EASEMENT: The easement herein granted shall expire on April 1, 2019, unless grantor at that time is still generating power from its hydroelectric project, in which case the easement will not expire until grantor is no longer generating power from said project or April 1, 2034, whichever occurs first. Prior to said date, the covenants contained in this easement shall run with the land and shall be binding upon and inure to the benefit of the parties and their successors and assigns.

3. RIGHT TO ENFORCE: Grantee, its agents and employees, shall have the right to enter upon the real property described in Exhibit "A" for the sole purpose of enforcing the terms and conditions of this easement, together with the right to remove from the land any improvement, structure, or other offending article from said real property, provided, however,

GRAY, FANCHER, HOLMES & HURLEY

ATTORNEYS AT LAW

-2- SCENIC EASEMENT

40 N.W. GREENWOOD

P.O. BOX 1151

BEND, OREGON 97709-1151

that Grantee shall be required to utilize existing roads or other normally traveled routes in exercising this right and, provided, further, that this right of enforcement shall not extend to any improvement or structure placed on the property by Central Oregon Irrigation District, and provided, further, that Grantee agrees to indemnify, defend, and hold harmless Grantor from any loss, claim, or liability to Grantor accruing in any manner out of Grantee's exercise of this enforcement right.

DATED This 3rd day of April, 1984.

CENTRAL OREGON IRRIGATION  
DISTRICT

By Hal Meyer  
Chairman of the Board

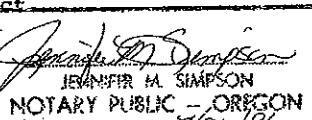
By Ron Nelson  
Secretary-Manager

BROOKS RESOURCES CORPORATION

By Michael P. Heller

STATE OF OREGON, County of Deschutes: ss.

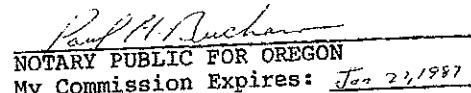
The foregoing instrument was acknowledged before me this 30 day of April, 1984, by Hal Meyer, Chairman of the Board and Ron Nelson, Secretary-Manager of CENTRAL OREGON IRRIGATION DISTRICT, on behalf of the District.



NOTARY PUBLIC FOR OREGON  
My Commission Expires: \_\_\_\_\_

STATE OF OREGON, County of Deschutes: ss.

The foregoing instrument was acknowledged before me this 3rd day of April, 1984, by Michael P. Heller, President of BROOKS RESOURCES CORPORATION, on behalf of the corporation.



-3- SCENIC EASEMENT GRAY, FANCHER, HOLMES & HURLEY

ATTORNEYS AT LAW  
40 NW. GREENWOOD  
P.O. BOX 1151  
BEND, OREGON 97709-1151

177 = 0764

MT BACHELOR VILLAGE, a planned unit development,  
located within the City of Bend, Deschutes County,  
Oregon.

EXHIBIT "A"

PARCEL 1: Those portions of the South half of the Northeast quarter, Southeast quarter of the Northwest quarter, North half of the Northwest quarter of the Southeast quarter, North half of the Northeast quarter of the Southwest quarter, and Southwest quarter of the Northeast quarter of the Southwest quarter of Section 7, Township 18 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, lying Southeasterly of the centerline of the Deschutes River. Except that portion described in the deed recorded March 29, 1976 in Book 229 Page 677 Deed Records.

PARCEL 2: A parcel of land located in the Southwest one-quarter of Section 7, Township 18 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the Northwest corner of the Southeast one-quarter of the Northeast one-quarter of the Southwest one-quarter (SE $\frac{1}{4}$ , NE $\frac{1}{4}$ , SW $\frac{1}{4}$ ) of said Section 7; thence along the North line of said Southeast one-quarter, Northeast one-quarter, Southwest one-quarter South 89° 55' 37" East 677.85 feet to the Northeast corner of said Southeast one-quarter, Northeast one-quarter, Southwest one-quarter, which is located on the Southeasterly rim of the Deschutes River Canyon; thence along said Southeasterly rim South 68° 29' 55" West 144.77 feet; and south 51° 57' 55" West 121.77 feet; and South 45° 41' 00" West 136.99 feet; and South 22° 42' 27" West 235.95 feet; and South 5° 15' 06" West 89.05 feet; and South 64° 09' 57" West 82.48 feet; and South 15° 53' 14" West 155.54 feet; and South 48° 11' 43" West 172.49 feet to the West line of the Northeast one-quarter of the Southeast one-quarter of the Southwest one-quarter (NE $\frac{1}{4}$ , SE $\frac{1}{4}$ , SW $\frac{1}{4}$ ) of the aforementioned Section 7; thence leaving the Southerly rim of the Deschutes River Canyon and following the West line of said Northeast one-quarter, Southeast one-quarter, Southwest one-quarter and the West line of the aforementioned Southeast one-quarter, Northeast one-quarter, Southwest one-quarter North 0° 12' 09" West 829.81 feet to the point of beginning.

Parcel 3: A tract of land in the NE $\frac{1}{4}$ , SE $\frac{1}{4}$  of Section 7, Township 18 South, Range 12 East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the E $\frac{1}{4}$  corner of said Section 7; thence North 89° 52' 20" West 695.25 feet along the E-W centerline to the true point of beginning; thence along the top of rim South 71° 11' 31" West 20.45 feet; thence continuing along the top of rim South 57° 47' 33" West 130.30 feet; thence continuing along the top of rim South 59° 31' 01" West 146.50 feet; thence continuing along the top of the rim South 59° 04' 08" West 218.75 feet; thence continuing along the top of the rim South 74° 27' 58" West 202.32 feet to the N-S centerline of SE $\frac{1}{4}$  of Section 7; thence along said N-S centerline North 00° 00' 12" West 318.40 feet to said E-W centerline; thence South 89° 52' 20" East 638.44 feet along said E-W centerline to the point of beginning. Containing 2.63 acres more or less, all being in Deschutes County, Oregon.

EXHIBIT "B"

PARCEL 4: A portion of the Southwest Quarter of Section Seven (7), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Commencing at the Southwest Corner of Parcel 12 as shown on the Survey for Waywest Properties by Emile P. Bachand in May, 1968; thence along the South line of Section 7, T. 18S, R. 12 EWM, South  $89^{\circ} 39'$  West, 1,352.49 feet; thence, leaving said South line North  $0^{\circ} 07'$  East, 330 feet, more or less, to a point on the Canyon Rim, the point of beginning of this parcel, thence, from said point of beginning, along said Rim the following courses: North  $57^{\circ} 56' 10''$  East, 51 feet; thence North  $70^{\circ} 11' 50''$  East, 26 feet; thence North  $44^{\circ} 07' 40''$  East, 92 feet; thence North  $33^{\circ} 24' 40''$  East 52 feet; thence North  $27^{\circ} 51' 30''$  East, 67 feet; thence North  $59^{\circ} 56' 20''$  East, 77 feet; thence North  $43^{\circ} 28' 20''$  East, 62 feet; thence North  $40^{\circ} 42' 00''$  East, 33 feet, more or less, to a point on the South line of the Northeast portion of Parcel 16; thence, along said boundary of said Parcel 16 South  $89^{\circ} 44' 00''$  West, 320 feet; thence South  $00^{\circ} 07' 00''$  West, 335 feet, more or less, to the point of beginning.

PARCEL 5: That portion of Tract Sixteen (16) of WAYWEST PROPERTIES, located within a part of Section Eighteen (18), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, and a portion of the Southeast Quarter of the Southwest quarter (SE $\frac{1}{4}$ , SW $\frac{1}{4}$ ) of Section Seven (7), Township Eighteen (18) South, Range Twelve (12) East of the Willamette Meridian, Deschutes County, Oregon, described as follows:

Beginning at the Section Corner common to Sections 12 and 13, Township 18 South, Range 11, EWM, and Section 7 and 18, Township 18 South, Range 12, EWM, thence following the survey for WAYWEST PROPERTIES by Emile P. Bachand in May of 1968, the following courses: South  $00^{\circ} 28' 00''$  West 430.67 feet to a point on the Centerline of Pine Drive; thence along said Centerline North  $60^{\circ} 30' 00''$  East 487.42 feet; thence, North  $80^{\circ} 03' 00''$  East 493.77 feet; thence, North  $63^{\circ} 27' 00''$  East 497.33 feet to a point on the Southeasterly line of Tract No. 16; thence, leaving Pine Drive and long said Southeasterly portion of Tract No. 16 North  $00^{\circ} 17' 00''$  East 557.53 feet; thence, North  $89^{\circ} 44' 00''$  East 320.00 feet, more or less, to a point on top of the Deschutes River Rim; thence, leaving the boundary of said Tract No. 16 and following the top of said Deschutes River Rim on the following courses; North  $42^{\circ} 42' 00''$  East 40.00 feet, more or less; thence, North  $26^{\circ} 21' 50''$  East 47.00 feet; thence North  $08^{\circ} 27' 00''$  East 36.00 feet; thence, North  $11^{\circ} 26' 10''$  East 55.00 feet; thence, North  $01^{\circ} 45' 20''$  West 69.00 feet; thence, North  $02^{\circ} 50' 30''$  East 84.00 feet; thence, North  $14^{\circ} 21' 00''$  West 56.00 feet; thence North  $57^{\circ} 37' 10''$  East 37.00 feet; thence, North  $67^{\circ} 36' 00''$  East 75.00 feet; thence, North  $80^{\circ} 33' 10''$  East 70.00 feet; thence North  $56^{\circ} 36' 10''$  East 138.00 feet; thence North  $59^{\circ} 28' 50''$  East 50.00 feet, more or less, to a point on the most easterly line of said Tract 16; thence, continuing around the boundary of said Tract 16 on the following courses;

thence, North  $00^{\circ} 07' 00''$  West 130.00 feet, more or less, to the Northeast Corner of said Tract 16; thence, South  $89^{\circ} 50' 00''$  West 450.00 feet to the Deschutes River; thence, along the Deschutes River South  $10^{\circ} 30' 00''$  West 416.09 feet; thence, South  $37^{\circ} 15' 00''$  West 298.00 feet; thence, South  $54^{\circ} 53' 00''$  West 280.00 feet; thence South  $68^{\circ} 47' 00''$  West 240.00 feet; thence South  $72^{\circ} 33' 00''$  West 287.00 feet; thence, South  $67^{\circ} 16' 00''$  West 640.00 feet to a point on the West Line of said Section 7, Township 18 S., Range 12 East of the Willamette Meridian; thence South  $00^{\circ} 35' 00''$  West 110.00 feet to the point of beginning. Containing 21.00 acres, more or less, and including a thirty (30.00) foot road easement along Pine Drive Except that portion described in the deed recorded June 11, 1982 in Book 358 Page 235 Deed Records.

Section 13. Suburban High Density Residential Zone or SR-20 Zone

(1) Purpose. SR-20 Zone is intended to provide large urban lots for development with a community water system and individual sewerage disposal systems in areas not planned for community sewerage disposal systems and where soils will accommodate individual disposal systems.

(2) Permitted Uses. The following uses are permitted:

- a. Single-family dwelling.
- b. Agriculture, excluding the keeping of livestock.
- c. Home occupations subject to the provisions of Sub-section (14) Section 26.
- d. Other accessory uses and accessory buildings and structures customarily appurtenant to a permitted use subject to Subsection (2) of Section 27.
- e. One private garage for each dwelling unit and the garage shall not exceed 720 square feet in floor area.

(3) Conditional Uses. The following conditional uses may be permitted subject to a Conditional Use Permit and the provisions of Section 24 and Section 29.

- a. Mobile home subdivision subject to standards of Sub-section (11) of Section 26.
- b. Churches subject to Subsection (4) of Section 26.
- c. Cemeteries and mausoleums, crematories, columbariums, and mortuaries within cemeteries, provided that no mortuary or crematorium is within 100 feet of a boundary street, or where no street borders the cemetery, within 200 feet of a lot in a residential district and subject to Subsection (3) of Section 26.
- d. Public, parochial, and private schools, including nursery schools, kindergartens and day nurseries; including business, dancing, trade, technical or similar schools and subject to Subsection (16) of Section 26.
- e. Parks and recreation facilities, fire stations, libraries, museums; but not including storage or repair yards, warehouses, or similar buses.
- f. Recreation facility, including country clubs, golf courses, swimming clubs, tennis clubs; but not including such intensive commercial recreation uses as a racetrack or amusement park.
- g. Utility substations or pumping stations with no equipment storage and sewage treatment facilities.
- h. Planned Unit Developments subject to provisions of Section 30.

## EXHIBIT "C"

- i. Temporary subdivision tract offices.
- j. Community buildings, lodge, and fraternal organizations, except those carried on as a business for profit and subject to Subsection (5) of Section 26.
- k. Keeping of livestock, subject to Subsection (7) of Section 26.
- l. Moving in a single-family dwelling built prior to January 1, 1961.
- m. Mobile home park, subject to Subsection (8) of Section 26.

(4) Height Regulations. No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed 30 feet in height.

(5) Lot Requirements. The following lot requirements shall be observed, provided that the Hearings Body may allow smaller lots or different housing types in a new subdivision approved pursuant to this Ordinance and consistent with the Comprehensive Plan designations for preservation of forested areas or significant rock outcroppings when these lots are internal to the subdivision or after hearing if they are located on the edge of the new plat.

- a. Lot Area: Every lot shall have a minimum area of 20,000 square feet.
- b. Lot Width: Every lot shall have a minimum average width of 100 feet.
- c. Frontage: Every lot shall have a minimum width at the street of 50 feet except that on an approved cul-de-sac this may be reduced to 30 feet.
- d. Front Yard: The front yard shall be a minimum of 30 feet.
- e. Side Yard: A side yard shall be a minimum of 5 feet and the sum of the two side yards shall be a minimum of 15 feet.
- f. Rear Yard: The rear yard shall be a minimum of 20 feet.
- g. Lot Coverage: Maximum lot coverage by buildings and structures shall be 35 percent of the lot area.

(6) Signs

- a. One non-illuminated name plate or home occupation sign not exceeding one-and-one half (1½) square feet in area for each dwelling unit.
- b. One non-illuminated temporary sign not exceeding six (6) square feet in area advertising the sale, lease, or rental of the property on which it is located.

- c. One non-illuminated temporary sign not exceeding 64 square feet in area advertising lots within that subdivision. Said sign shall be set back at least ten (10) feet from a property line.
- d. One non-illuminated sign not exceeding twenty-five (25) square feet in area identifying a conditional use on the property. Said sign shall be set back at least ten (10) feet from a property line.

(7) Off-Street Parking. Off-street parking shall be provided as required in Section 25.

(8) Other Required Conditions. See Section 26 applying to Special Uses and Section 24.

Section 14. Urban Standard Residential Zone - RS Zone

(1) Purpose; The RS Zone is intended to provide for the most common urban residential densities in places where community sewer services are or will be available and to encourage, accomodate, maintain, and protect a suitable environment for family living.

(2) Permitted Uses. The following uses are permitted:

- a. Single-family dwelling.
- b. Agriculture, excluding the keeping of livestock.
- c. Rooming and boarding of not more than two persons.
- d. Home occupation subject to the provisions of Sub-section (14) of Section 26.
- e. One private garage for each dwelling unit and the garage shall not exceed 720 square feet in floor area.
- f. Other accessory uses and buildings and structures customarily appurtenant to a permitted use subject to Subsection (2) of Section 27.

(3) Conditional Uses. The following uses may be permitted subject to a Conditional Use Permit and the provisions of Section 24 and Section 29.

- a. Mobile home subdivision subject to standards of Sub-section (11) of Section 26.
- b. Churches subject to Subsection (4) of Section 26.
- c. Cemeteries and mausoleums, crematories, columbariums, and mortuaries within cemeteries provided that no mortuary or crematorium is within 100 feet of a boundary street, or where no street borders the cemetery, within 200 feet of a lot in a residential district and subject to Subsection (3) of Section 26.
- d. Public, parochial, and private schools, including nursery schools, kindergartens and day nurseries; including business, dancing, trade, technical, or similar schools, and subject to Subsection (16) of Section 26.
- e. Parks and recreation facilities, fire stations, libraries, museums; but not including storage or repair yards, warehouses, or similar uses.
- f. Recreation facility, including country clubs, golf courses, swimming clubs, tennis clubs; but not including such intensive commercial recreation uses as a race-track or amusement park.
- g. Utility substations or pumping stations with no equipment storage and sewage treatment facilities.

- h. Planned Unit Developments subject to provision of Section 30.
- i. Temporary subdivision tract offices.
- j. Rear lot development subject to Site Plan Approval as provided in Section 24 and Subsection (13) of Section 26.
- k. Community buildings, lodge and fraternal organizations, except those carried on as a business for profit, and subject to Subsection (5) of Section 26.
- l. Duplex in areas designated RS provided that each lot occupied by a duplex shall have a minimum area of 12,000 square feet.
- m. Two single-family dwellings on one lot in areas designated RS provided that each lot occupied by two single-family dwellings shall have a minimum area of 12,000 square feet and also provided that all yard and coverage requirements set forth in Subsection (5) of Section 14, are observed. In addition, no dwelling unit shall be located within 10 feet of any other dwelling unit on the same lot. There shall be provided for the rear dwelling unoccupied and unobstructed access not less than 15 feet wide to the street fronting the lot.
- n. Keeping of livestock, subject to Subsection (7) of Section 26.
- o. Moving in a single-family dwelling built prior to January 1, 1961.
- p. Mobile home park, subject to Subsection (8) of Section 26.

(4) Height Regulations. No building or structure shall be hereafter erected, enlarged, or structurally altered to exceed 30 feet in height.

(5) Lot Requirements. The following lot requirements shall be observed, provided that the Hearings Body may allow smaller lots or different housing types in a new subdivision approved pursuant to this Ordinance and consistent with the Comprehensive Plan designations for preservation of forested areas or significant rock outcroppings when these lots are internal to the subdivision or after hearing if they are located on the edge of the new plat.

- a. Lot Area: Every lot shall have a minimum area of 6,000 square feet.
- b. Lot Width: Every lot shall have a minimum average width of 60 feet except that a corner lot shall be a minimum of 70 feet.
- c. Frontage: Every lot shall have a minimum width at the street of 50 feet except that on an approved cul-de-sac this may be reduced to 30 feet.

- d. Front Yard: The front yard shall be a minimum of 20 feet except an existing 40 or 50 foot corner lot may have one front yard of 10 feet provided that the garage or carport is at least 20 feet from the front.
- e. Side Yard: A side yard shall be a minimum of 5 feet and the sum of the two side yards shall be a minimum of 15 feet.
- f. Rear Yard: The rear yard shall be a minimum of 5 feet.
- g. Lot Coverage: Maximum lot coverage by buildings and structures shall be 35 percent of the lot area.

(6) Signs

- a. One non-illuminated name plate or home occupation sign not exceeding one-and-one-half (1½) square feet in area for each dwelling unit.
- b. One non-illuminated temporary sign not exceeding six (6) square feet in area advertising the sale, lease, or rental of the property on which it is located.
- c. One non-illuminated temporary sign not exceeding 64 square feet in area advertising lots within that subdivision. Said sign shall be set back at least ten (10) feet from a property line.
- d. One non-illuminated sign not exceeding twenty-five (25) square feet in area identifying a conditional use on the property. Said sign shall be set back as least ten (10) feet from a property line.

(7) Off-Street Parking. Off-street parking shall be provided as required in Section 25.

(8) Other Required Conditions. See Section 26 applying to Special Uses and Section 24.

STATE OF OREGON } SS.  
COUNTY OF DESCHUTES }  
BY. *Mary Sue Penhollow* DEPUTY  
RECORD OF CONVEYANCES, IN AND FOR SAID  
COUNTY, DO HEREBY CERTIFY THAT THE WITHIN  
INSTRUMENT WAS RECORDED THIS DAY:

89 JAN 17 AM 9:58

MARY SUE PENHOLLOW  
COUNTY CLERK

BY. *B. Buck* DEPUTY  
NO. 89-00944 FEE 70-  
DESCHUTES COUNTY OFFICIAL RECORDS

# EXHIBIT MAP

APPROXIMATE SCENIC EASEMENT AREA PER INST. NO. 89-00944  
BASED ON DESCHUTES COUNTY TAX ASSESSOR PARCEL LINES  
SECTIONS 7 & 18, TOWNSHIP 18 SOUTH, RANGE 12 EAST, W.M.  
CITY OF BEND, DESCHUTES COUNTY, OREGON



SCENIC EASEMENT AREA (INST. 89-00944)  
TAX LOT 18-12-07-00-00800 =  $96.6 \pm$  ACRES  
TAX LOT 18-12-07-00-00801 =  $33.6 \pm$  ACRES  
TOTAL =  $130.2 \pm$  ACRES



SCALE  
1000 0 500 1000  
(1 INCH = 1000 FT.)

*DevTech Engineering Inc.*

Site Planning · Civil Engineering

Land Surveying

3052 NW MERCHANT WAY, STE 107

Bend, OR 97701

Phone: (541) 317-8429

## Damian Syrnyk

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**From:** elkskicycle . <lewbecker.04@gmail.com>  
**Sent:** Sunday, January 03, 2016 9:20 AM  
**To:** Damian Syrnyk  
**Subject:** Bend Urban Growth Boundary  
**Attachments:** Becker - Urge caution in expanding Bends UGB to west.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Dear Damian,

Attached to this note are some comments about future growth of Bend. My comments deal primarily with the wildfire risk that exists on the west side of Bend, and the threat wildfire poses to residents close to the forest.

Could you please forward my comments to the Bend UGB Steering Committee, with a copy to the UGB Boundary Growth Technical Advisory Committee.

Thank you.  
Lew Becker

December 15, 2015

Mr. Victor Chudowsky, City Councilor and Chair of the Bend UGB Steering Committee

Ms. Sharon Smith, Co-Chair – UGB Boundary Growth and Scenarios Technical Advisory Committee

Mr. Mike Riley, Co-Chair – UGB Boundary Growth and Scenarios Technical Advisory Committee

**SUBJECT:** Concerns associated with increased Westside expansion of Bend's UGB

Dear Mr. Chudowsky, Ms. Smith and Mr. Riley:

My name is Lew Becker. I live on Bend's west side at 1933 N.W. 2<sup>nd</sup> Street. My wife and I recently sold our house on the east side and bought the home we now live in with the goal of reducing the number of miles we drive. We can now almost exclusively walk or ride our bikes to work, shop, eat at restaurants, etc. This has improved the quality of our lives, enhanced our overall health and helped to reduce our "carbon footprint".

Bend is in the process of expanding its UGB and is serious about developing, redeveloping, and in-filling lands that exist within the existing UGB before going outside it to accommodate the projected need for residential and economic lands. Opting for density makes it much less costly to provide infrastructure and public services such as sewer, transportation, public transit, police and fire, etc. Infill and redevelopment also help to accommodate Bend's critical need for affordable housing. Rezoning land inside Bend's urban core might also help to address recent concerns about student housing, peak-hour traffic congestion and adequate parking.

While I'm happy with Bend's focus on growing within its existing boundary first, I am concerned about pushing Bend's UGB toward the Deschutes National Forest boundary. I spent my career with the U.S. Forest Service, and while the bulk of my focus was on wildlife management, more recently I've applied my knowledge of geographic information system (GIS) tools and on-the-ground observations to fighting major wildfires. When on a fire, my job is to assess it in terms of the areas of highest risk, greatest hazard, and the locations of valuable resources and help develop strategies to mitigate to the maximum degree possible the loss of life, property and the forest itself.

Even with managing forests to reduce fire risk, there are always those hot summer Bend days of dry winds, low humidity, high probability of ignition, and few resources to suppress a wildfire start. I have worked on wildfires in at least a dozen subdivisions, in Alaska, Montana, Oregon, Colorado, and California where homes were burned. The homes were in a forest setting with little understory vegetation, and most had "fire-safe" areas around them. My point is that homes in, or close to, forests are always at risk of burning; and the times that those areas burn come at a time when suppression resources are stretched to the limit, and may not be available.

As Bend's population grows, so do the risks that accompany wildfire. People moving here from low-fire-risk communities often use the forest differently than those who have experienced fire. Recreational tourism also increases risk. Recent insect infestations further up the odds wildfire will impact Bend at some point in our future.

Pressure is increasing to grow the number of westside acres included in Bend's expanded UGB, to add more houses and even to extend Skyline Ranch Road to accommodate more land and increased traffic. The UGB planning discussions now taking place in the safety of meeting rooms could lead us to a nightmare scenario if a devastating fire, accompanied by strong winds, parched forests and a shortage of firefighting resources strike our community. Please proceed with great caution as you consider including additional Westside lands in Bend's UGB.

Sincerely,

Lew Becker

## Damian Syrnyk

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**From:** Jeremy McPherson <Jeremy@killianpacific.com>  
**Sent:** Friday, January 08, 2016 2:17 PM  
**To:** Brian Rankin; Damian Syrnyk  
**Cc:** Noel Johnson; Lance Killian  
**Subject:** Killian Pacific UGB Letter for the Record  
**Attachments:** Bend UGB Letter.pdf

**Importance:** High

Brian & Damian – Happy New Year! Hope you had great holidays.

Attached is a letter I attempted to email a month ago ahead of the 14<sup>th</sup> meeting. Unfortunately I had written your email addresses incorrectly and only recently figured that out! Hopefully it is not too late to get this letter in the record – please let me know.

Many thanks,  
Jeremy

**Jeremy McPherson**

**KILLIAN PACIFIC**  
500 East Broadway, Suite 110  
Vancouver, WA 98660  
T: 360.567.0626  
C: 971.219.9647  
[www.killianpacific.com](http://www.killianpacific.com)

# KILLIAN PACIFIC

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December 3, 2015

Urban Growth Boundary Steering Committee  
C/O Brian Rankin, City of Bend  
City of Bend  
710 NW Wall St  
Bend, OR 97701

Regarding: UGB Remand Project, Efficiency Measures

Dear USC Members,

Killian Pacific is a family-owned company that has been building and investing in Oregon cities for 40 years. We are actively investing in Bend and believe in its future. Bend's creative energy, entrepreneurial spirit and quality of life set it apart amongst urban centers. To foster and expand such valuable attributes, we encourage the consideration of new zoning measures, parking standards and similar regulatory controls within the central areas of Bend. Without appropriate modifications to your current code, high quality, higher density, mixed-use buildings that enhance community and create a vibrant scene will be hampered.

For the past few years, we have been focused on restoring the Old Mill Marketplace (the big red barn) on NW Arizona Ave to better serve local businesses. We also own the adjacent vacant site to the east, on the south side of Arizona. We remain flexible as to what future development may look like on this larger, centrally located site; however, current zoning (as well as potential existing zones that could be adopted) notably limit, or explicitly disallow the myriad of potential uses local persons or firms tell us to develop there.

For example, our current zoning, which is industrial (IL), does not allow us to build neighborhood-scaled, mixed-use buildings. The allowed uses are things like tow truck yards, storage units, or manufacturing. Such uses do not serve the nearby neighborhoods, nor create synergies with the new Market of Choice grocery, or the walkable, bikeable housing, office and shops to the south.

We understand the Committee is considering a range of Efficiency Measures that would improve the zoning code and parking standards. We fully support this exploration and encourage the committee to consult with developers who have proven experience building what you want so that any new measures are functional. We are happy to be a resource in this process, and thank you in advance for your hard work.

Sincerely,

Noel A. Johnson  
Managing Director

Jeremy McPherson  
Project-Specific Developer for Old Mill Marketplace

## Damian Syrnyk

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**From:** Gregoire <gregoireklees@mac.com>  
**Sent:** Monday, January 11, 2016 1:10 PM  
**To:** Damian Syrnyk  
**Subject:** Bend UGB Steering Committee  
**Attachments:** Letter To Chair Chudowsky + Boundry TAC Members.pdf

Dear Damian Syrnyk,

Please forward the attached letter to the Bend UGB Steering Committee, with a copy to the UGB Boundary Growth Technical Advisory Committee (TAC).

Thank You!

Gregoire Klees  
18285 Pinehurst Road  
Bend, OR 97703

January 10, 2016

Victor Chudowsky; Chair—Bend UGB Steering  
Bend Urban Growth Boundary Growth and Scenarios Technical Advisory Committee

Dear Chair Chudowsky and Boundary TAC members:

My name is Gregoire Klees. My wife and I moved to Bend from Chicago. We wanted to raise our children in a cleaner environment with recreation opportunities and open space. We have not been disappointed with our choice of Bend, but do have concerns about how its UGB expansion might affect the community and its future.

We're lucky to be homeowners. Many in Bend can't be. There is a severe shortage of affordable housing for rent and sale. That puts undue hardships on those who work in lower-wage segments of our economy. Many who work in Bend live elsewhere. People have to spend a large percentage of their income on housing. Some live in cars, crowd roommates into tiny rentals, sleep on friends' couches and/or make long—and in the winter dangerous—commutes to work. Some are only a step away from being homeless if their rental property is sold or the rent increased. People in these circumstances lack the time and energy to participate in Bend's UGB expansion. Low income life is a daily survival game. Those with secure housing usually don't comprehend its challenges.

The affordability of housing is not simply determined by how much cheap land lies within a city's urban limits. Oversupply can make land cheap, but servicing sprawl is expensive. The cost to build and maintain public facilities and services is born by tax- and rate-pay citizens. Some profits from sprawl go to those whose land is urbanized, but most go to the developers who buy that land and build it out. There are costs to a community when the resulting development doesn't meet the true need. Bend's true need is for affordable housing. The need for more, higher-end homes on large, suburban lots in traffic congested westside areas is far less pressing.

Bend struggles to pay for infrastructure. It has an inadequate sewer system, a clogged transportation network, and insufficient funds to pay for road maintenance. Sprawl will make our lack of robust public transit that much harder to fix. The larger the urban footprint, the more costly is the cost to build and operate public transit. Sprawl increases vehicle trip frequency and lengths, generates more CO<sup>2</sup> emissions and eats up open space. These are problems that long-term citizens often complain about. As Bend grows, they will be amplified.

Bend's best bet is urban renewal, increased density along transit corridors, placing more development adjacent to existing employment centers and "vertical growth". City Councilors can't afford to ignore these needs, as they are backed by law. Bend's taxpayers and ratepayers can't afford inefficient growth. We need to prioritize our critical housing needs and bring into our UGB the right amount of land, in the right areas, to support it.

Bend should grow to the northeast. It already has an adequate sewer system and is closest to the edge-of-town treatment facility. Its grid-based road network will make public transit less costly to build and more efficient to operate. Its topology is flatter, cheaper, less treed, and not bisected by a river or creeks. It's the prime location for developing a mix of family-affordable housing. The northeast has good access to shopping, a community fitness center, a hospital and medical facilities, schools, parks, etc. The cost of westside land is far higher. It is adjacent to the Deschutes National Forest. Urbanizing this land increases the fire risk to our entire community.

In addition to the northeast area, the land owned by the Dept. of State Lands (southeast 27<sup>th</sup> and Stevens Road) is another ideal location for UGB expansion. It's also close to medical and community fitness facilities. Developing it would benefit Oregon's Common School Fund, returning millions to K-12 schools around Oregon.

I don't expect that many people will have, or take, the time, to write to you but my comments reflect the opinions of a number of others with whom I've spoken. Thank you for considering them.

Sincerely,



Gregoire Klees - 18285 Pinehurst Road, Bend, OR 97703

## Damian Syrnyk

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**From:** Robin Vora <robinvora1@gmail.com>  
**Sent:** Friday, January 15, 2016 4:52 AM  
**To:** Damian Syrnyk  
**Cc:** Brian Rankin; Joe Dills  
**Subject:** Re: The January 20, 2016 Boundary TAC meeting packet is ready to download

Hello from Inle Lake, Myanmar (or Burma). I won't be making the Jan. 20 meeting. Please forward my comments to the Boundary TAC committee with a cc to the UGB Steering Committee. I am sorry I can't be there for the discussion. Thank you for the opportunity to comment.

A gracious hotel receptionist let download the meeting packet on his computer. It took 4-5 minutes. I could only scan it quickly. Please forgive me if my comments reflect that.

What I saw was disappointing to me. We spent considerable time following the State Goal 14 process. We keep dismissing it to arbitrarily favor 2-3 landowners whose interests appear to me to be well supported on the Boundary TAC committee.

My comments remain the same. I don't see how we have a defensible process under State Goal 14 direction when we include properties that have less affordability, and are located in areas that are in mule deer habitat and have higher fire risk as long as there are other landowners who would like their properties with fewer Goal 14 conflicts to come into the UGB.

Northwest Crossing is a nice development but more expensive single family housing like that does not serve the affordability problem of the present residents of Bend.

These new twists, Scenarios 2.1b and 2.1c, appear to be more than minor tweaks of Scenario 2.1 which has had much more analysis and review. I don't support 70 percent expensive single family homes on the West side while other areas have more multi-family housing. We don't need more westside exclusiveness.

All of the expansion areas should strongly support mixed-use that we have all agreed is important, and is strongly supported by Bend residents. Some areas should not be less mixed because of property owner desires, including profit motives, or neighborhoods wanting to be exclusive.

While I don't support the westside development even in Scenario 2.1 for the reasons I mentioned, I completely miss a logical explanation under State Goal 14 direction for Scenario 2.1c. I don't recall 2.1b well but didn't think it was not an improvement either. Scenarios 2.1b and 2.1c would have higher road costs, miles driven, and sewer costs than Scenario 2.1, in addition to the affordability, fire and mule deer habitat issues I mentioned. I don't see that as acceptable.

If the committee wants Westside development, it should not go beyond what is in Scenario 2.1.

Robin Vora  
1679 NE Daphne Dr  
Bend, OR 97701

On Friday, January 15, 2016, Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)> wrote:

Boundary TAC members,

You can now download the meeting packet for your January 20, 2016 meeting. Please use this link to download the materials:

<http://www.bendoregon.gov/index.aspx?page=52&parent=25690>.

You will also find a pdf of the public testimony received to date uploaded with the meeting packet.

Please also let me know if you would like a printed copy of the packet in advance.

Thanks,

Damian



Damian Syrnyk, AICP | Senior Planner

O: 541-312-4919 |



**PUBLIC RECORDS LAW DISCLOSURE:** Emails are generally public records and therefore subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. Emails can be sent inadvertently to unintended recipients and contain confidential or privileged information. If you are not the intended recipient (or authorized to receive for the recipient), please advise by return email and delete immediately without reading or forwarding to others. Thank you.

**Darcy Todd**

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**From:** Damian Syrnyk  
**Sent:** Wednesday, February 10, 2016 4:13 PM  
**To:** Cassie Walling  
**Subject:** FW: Items for STR meeting  
**Attachments:** Workforce Priced Out.doc; Magnet School access.doc; Transect Dos and Don'ts.doc; Goal and Plan excerpts re housing.doc

Please include in the UGB Remand record. Thanks, Damian

**From:** Al Johnson [mailto:[alj250@gmail.com](mailto:alj250@gmail.com)]  
**Sent:** Wednesday, February 10, 2016 11:59 AM  
**To:** Brian Rankin <[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)>; Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)>  
**Subject:** Items for STR meeting

Brian,

As you suggested, I will plan on speaking very briefly during the public comment segment toward the end of the meeting. I'm attaching 4 items that I may refer to. I'll bring some copies along. See you at 1.

-Al

# Bend's housing market too expensive for young labor force

## *Priced out of paradise*

By Will Rubin / The Bulletin

Published Jul 25, 2015 at 12:01AM / Updated Jul 27, 2015 at 11:27AM

Melissa Glidewell describes life in Bend as "poverty with a view."

The 35-year-old first moved to Bend in 1989 and attended Buckingham Elementary School starting in 1989. Aside from three years away at college, she has lived in Central Oregon ever since.

Glidewell has worked a variety of service industry jobs since moving back. Sometimes she juggles two or three at a time to make ends meet.

Those long hours in the hospitality world are no longer enough.

Standing behind the bar at Broken Top Bottle Shop, Glidewell uses her tattoo-covered arms to gesture why financial circumstances are forcing her to leave Bend and move to Portland within the next two years.

"The wages are here and the cost of living here is there," Glidewell said. Her left hand hit the counter while her right hand stretched above her eye level as she used them to illustrate the disparity.

Glidewell is far from an outlier; adults ages 20 to 34 made up 5 percent less of Bend's total population in 2013 than five years prior, according to the U.S. Census Bureau's American Community Survey.

That's not to say young adults are fleeing Bend. Their numbers have grown as the city's population has ballooned to nearly 80,000, but not nearly as fast as older demographics. Bend has the highest median age among Oregon's 10 most-populated cities.

Local business owner Josh Maquet owns the popular Astro Lounge in downtown Bend. He considers Bend to be a double-edged sword of boom and bust; the tourism surge is great for business, but wages in that industry make it hard to find long-term staff.

He cites a recent case where it took him two months to hire a line cook at \$12 per hour plus tips. Now the young man is unable to find housing in a city where less than 1 percent of all rental properties are vacant.

When Glidewell left Bend in 2008, her rent for a modest one-bedroom house was \$625 per month. When she returned in 2011, the same house cost \$1,325. She would work at G.I. Joe's during the day and wait tables at night to pay the bills.

The median income of home renters in Bend was \$27,800 in 2013, according to the Harvard Joint

Center for Housing Studies. The average monthly rent that year: \$870.

Even then, more than 55 percent of Bend residents bore what Harvard calls a "cost burden," which is when rent costs more than 30 percent of a person's income.

Adjusted for inflation, young adults ages 19-34 in Crook, Deschutes and Jefferson counties took home 10 percent less pay per month in 2014 than in 2007, according to data provided by the Oregon Employment Department.

Glidewell, who has a bachelor's degree in social science, is not content with a food-service career. The job market in Bend rarely has openings in her chosen field or the work she's qualified to do, which would do more than pay the bills.

"My goal when I went to school was to work with domestic violence victims — young women and children," Glidewell said. "I only know of one place in Bend where that's possible, and they don't have entry-level positions. I'd be answering a phone for less than I make now."

### Fewer higher-paying jobs

Not too long ago Bend provided a more stable economy for its young adults when there were many more manual labor jobs, primarily in construction. That changed with the Great Recession in 2008 when homebuilding in Bend came to a screeching halt.

In fact, jobs in construction are among the slowest growing for Deschutes County's youngest workers. Available data show that 8 percent fewer of Deschutes County's 19- to 34-year-olds held construction jobs in 2014 than in 2007, said State of Oregon economist Damon Runberg.

Runberg was surprised current data show young adult employment lagging behind its pre-recession peak, while other demographics are experiencing a more complete recovery.

"Many young folks (who are more mobile than other demographics) will sacrifice quality of life considerations in search of a good job in larger metro areas when they can't find a job here in Bend," Runberg said via email.

"Overall, this graph looks VERY [sic] similar to the countywide picture, however the drop in construction

jobs was more pronounced since older demographics aren't as keen on swinging hammers."

Sitting on a bench outside City Hall, Carolyn Egan gestured as a pair of legal interns walked into the building. As Bend's director of economic development, she's watched as the demand for entry-level jobs has fast outpaced supply.

"Those two," she said, "they know that if they wanted to enter legal practice, they'd need to look for associate attorney positions. There simply aren't many of those here, because those jobs have been filled and new ones aren't coming available."

Second-year University of Oregon law students Madison Simmons and Evan McDonough both had strong connections to Bend before interning for the city. Simmons' family moved here when she was 7, and McDonough's did the same after he graduated from high school in 2009.

Simmons worked as a waitress before enrolling in law school, par for the course for young adults in Bend.

"Entry-level career jobs are definitely harder to come by in Central Oregon," Simmons said. "It's very insular. It's almost like we need a starter job before we can come back and work here."

The service industry has seen the most job market growth in Bend since 2008, according to 2014 data from Portland State University's Population Research Center and the U.S. Census Bureau.

Jobs in food service, recreation, hospitality and entertainment have risen in line with Bend's increasing tourism profile. The median wages for those four sectors are not sufficient to rise above paying less than 30 percent of wages for rent.

"What we've seen more of recently is that for more kids who grow up here, graduate high school and decide to stay," Egan said, "they're set up to be around the poverty line or below the median income level for as long as they're in Bend."

Rachael Rees van den Berg is the communications director for the Bend Chamber of Commerce and a native of Bend.

She returned in 2011 after attending Wheaton College in Wharton, Massachusetts, and works with the Chamber's Young Professionals Network while also devoting time to her own horse training business.

The organization hosts quarterly events for enterprising Bend residents between the ages of 21 and 39. Participants range from young financial workers to startup founders, but the average

attendance has reduced by half over the last few years.

"It's a big struggle to be able to make ends meet here, let alone if you're going to school or just getting out," Van den Berg said. "People try to work two or three part-time jobs to make rent and maintain a lifestyle that drew them to Bend."

She and the council view the proposed OSU-Cascades campus as a critical tool for not only their own recruitment, but also the revitalization of Bend's young economy as a whole.

Research has shown that four-year colleges are among the most consistently positive contributors to an urban area's economy. A 2005 study of Claremont Graduate University in Claremont, California, showed the school brought more than \$10 million to the town of 34,000.

Colleges also provide a stable of young, educated workers, something Van den Berg and others believe Bend is in dire need of.

"We need a larger, local, educated workforce to draw from," Van den Berg said. "OSU will bring new business; they feed off each other. Young professionals are the future of Bend; they need to be the future of Bend."

As more modern, diverse markets such as the technology sector begin to take root in Bend, more jobs should emerge as area businesses grow to meet the requisite population demands.

Runberg's data show strong growth in Deschutes County's health care sector; entry-level jobs that don't necessarily pay well but have more opportunity for career advancement than waiting tables.

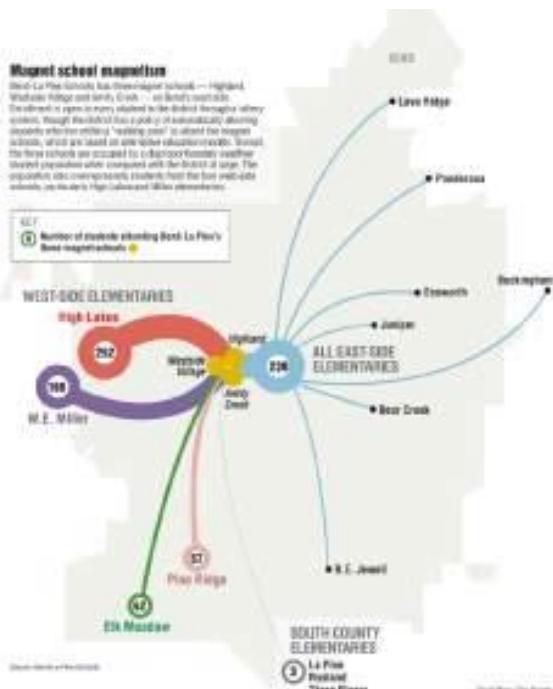
Today, however, Bend has become more of a second-job, second-home city, economists say. Population and economic growth are strong without a young workforce.

To some, it simply may not be in Bend's best interests to risk the demographic it can count on.

"Speaking personally," Egan said, "I wouldn't want to subsidize something if it just doesn't fit in here."

To others, Bend is teetering on becoming a commuter resort town in the same vein of Colorado's Aspen and Vail.

"If we want to make it an elitist community, we're well on track to do that," Maquet said, "but I don't know where these people are going to live. It doesn't need to be like that."



## Where magnet students come from

While a great number of students from Bend's west side attend the district's three magnet elementary schools, few from the district's most disadvantaged schools attend. Those schools are Ensworth and Bear Creek in Bend and La Pine Elementary and Rosland in La Pine. The district does not offer bus service between La Pine and the magnet schools.

	MAGNET SCHOOL		
	Amity Creek	Highland	Westside Village
NUMBER OF STUDENTS FROM FOUR WEST SIDE SCHOOLS IN BEND	112	292	107
NUMBER OF STUDENTS FROM FOUR MOST DISADVANTAGED SCHOOLS IN DISTRICT	8	14	14

Source: Bend-La Pine School District

Greg Cross / The Bulletin

# Bend's magnet schools disproportionately wealthy

By Tyler Leeds • The Bulletin Published Mar 1, 2015 at 12:01AM

Growing up, Jane Shein learned her coursework through role-playing, a component of the "storyline method" of education.

"I can still remember things I did in fourth grade, and I'm 37," Shein said. "I really, really want that for my kids."

Through Bend-La Pine's three-school magnet program, which is open to all district students through a lottery, Shein was able to do just that, enrolling her oldest at Highland Elementary, which employs the storytelling method. At Highland, students have become park rangers in charge of forest management and pizza parlor employees mastering the art of making change. The building even owns 20 fog machines to set the scene.

Shein did, however, have one hesitation.

"Unfortunately, Highland definitely is not a slice of Bend. It's fairly homogeneous, economically speaking," Shein said. "Through fifth grade, we're concerned about them being in a bubble, but we'll make sure to do the extra things to get them beyond that."

Highland has the lowest poverty rate among elementary schools in the district, and overall, the three-school magnet program is significantly less disadvantaged than the district at large. All three magnets — Highland, Amity Creek and Westside Village — are also disproportionately filled with students from the city's west side. Principals, school board members and district administrators point to many reasons why the magnet population fails to represent the district, but there are ideas to push the schools toward serving a more diverse range of students.

## School choice

Superintendent Ron Wilkinson said offering parents a choice of where to send their kids to school is "a top priority."

"Not everyone learns the same, not everyone goes from A to B and A to Z the same way," Wilkinson said. "Kids learn differently, and some kids really do need a different environment."

To this end, the district makes it easy for students to transfer to any of its neighborhood schools. Many of the neighborhood schools have a special focus, such as technology at Juniper and art at Elk Meadow. There is also a Spanish language immersion program for a small group of students at Bear Creek.

The three magnet schools, however, stand apart for the manner in which students are admitted and the degree to which their specialized approach is apparent throughout the school day.

Amity Creek, which was the district's smallest elementary school by enrollment at the start of the year, emphasizes interactions across ages and with parents, who are invited to join the school for a student-led assembly each morning. At Westside Village, which enrolls students from kindergarten through eighth grade, there's a similar emphasis on mixing ages, with the older kids often leading the younger. The school also bases its work around a schoolwide theme that students are able to explore as they wish.

"I think our model promotes self-advocacy, high levels of self-esteem and a sense of family," said Westside Village Principal Wendy Winchel.

How students are admitted to the magnets depends on where they live and where their siblings go to school. All of the three magnets has a "walking zone" around them, which grants any family living within it automatic acceptance. Because the three magnets are grouped closely together on the city's west side, these boundaries overlap in some spots, giving certain families the opportunity to send their kid to one of two magnet schools and their neighborhood school.

For a student outside of the attendance zone, admission is left up to a lottery. However, if a student's older sibling attends or is a graduate, they are generally admitted automatically.

Currently, the three magnet schools are dominated by students from the district's four west-side elementary schools, especially High Lakes and Miller, which make up more than half of the student population at Highland.

The magnets' students are also wealthier than the district at large, reflecting the fact that the student populations at High Lakes and Miller are the two least disadvantaged neighborhood elementary schools in the district, as measured by the rate of students receiving free and reduced lunches.

Overall, just more than 50 percent of the district's elementary-aged students qualify for free and reduced lunch. At the magnets, the rate is about 30 percent; at Highland it is about 9 percent. In total, only 36 students from the district's four most disadvantaged schools attend the three magnets, compared to 511 from the four west-side elementary schools.

Shein, who is the president of the Highland Parent-Teacher Organization, estimated that "99 percent" of parents don't even realize the school has a volunteer to help low income families.

"There's the perception that there isn't a need for someone like that," she said. "That's really the downfall of the school."

### Walking zones

Drafting the walking zones, Wilkinson said, was "a mix of art and science."

"By design and board policy, there's not equitable access to the magnets, because of the zones, which were made to address a revolt taking place from parents on the west side of town," Wilkinson said. "There was a huge interest in making sure people who live right across from the school could attend."

The zones, which overlap with the Miller and High Lakes attendance areas, are intended to only account for 20 percent of each magnet's population, a target Wilkinson estimated the district is hitting. At its greatest distance, the zone stretches about 1 1/4 miles from Westside Village, though typically the outer reaches are just under a mile from each building.

Ron Paradis, who was a school board member from 1999 to 2005, said the policy was implemented to "give people living next door some form of a preference."

"I think the policy, as it's interpreted today, takes that idea way further than it should have," Paradis said. "Because the schools are so close, some families can get their kids into almost any of them, and I think that hurts access for those left to the lottery. I would also question how many of the kids who do go there and are within the walking zones truly walk."

Amity Creek Principal Carol Hammett said, "if we were able to change any policy, it would be the zone around the school."

"If you look at the demographics around Amity, you have to have a pretty high income to own the condos, townhomes and houses down by Drake Park," she said. "We as a faculty believe the zone should be lifted to increase diversity."

Highland Principal Paul Dean said he sympathizes with those who pushed for the zones.

"If I put myself in the shoes of a parent who lives within walking distance, and I thought about road congestion or the environmental impact, I think I would want to be able to send my kid to the closest school," he said.

School board member Peggy Kinkade says the zones "seem bigger than I would have drawn them."

"I wasn't in the room doing it, so it's easy to say that now," she added. "I still support the notion of a walking zone, of them being accessible to people right there, but I understand how they may limit access across the district. It's tricky to balance that."

Making things worse, Kinkade said, is the fact that the three magnets are so close together.

"The district unintentionally created a monster there," she said.

The placement of the magnets was forced, in part, by rapid population growth on the west side. The three magnet programs were originally co-located within other schools, as Bear Creek's immersion program is today. To help with crowding, new schools were built on the west side, while the older, smaller buildings were left to the magnets, which also absorbed students crowded out of their neighborhood schools.

"The three of them located so close to each other has been problematic, because it does tend to draw a lot of students from a smaller geographical area," Wilkinson said.

"Unfortunately, once they're located, it's hard to relocate them. We've considered relocating, but there's been a lot of issues, including whether or not we have the capacity to take that on."

Wilkinson, however, said he thinks the sibling policy limits access even further than the walking zones, as younger brothers and sisters of current magnet school children nearly fill up new kindergarten classes before they are even open to the lottery.

"Take Amity, where over 50 percent of all the new slots are taken up by siblings; that really has a big impact," Wilkinson said.

Nonetheless, the three magnet principals said they generally support the sibling policy, as it helps develop a sense of community between the parents and schools.

"It's so important for us to build those ties with the families, some of them we have with us for nine years or more, and that's just been critical to developing our program," said Westside Village Principal Winchel.

### A long ride

Only two students attend Westside Village from the La Pine area, a number that has been falling, Winchel believes, because of the price of gas.

"We have buses, but they can sometimes take 90 minutes," Winchel noted. "It's super hard for some families, and I think we've lost some awesome families because they couldn't afford the gas and didn't want to put their kids on the bus for such a long ride."

The district has two routes that stretch more than an hour taking kids from across Bend to the magnet schools. Neither of the routes, however, serves the La Pine area.

Wilkinson said the lack of convenient busing "is a great limitation" and something he hopes to address, though he said the cost of getting a quick route from every corner of the district to the magnets would be prohibitive.

"I think we could absolutely be doing more in terms of transportation," said board cochairman Nori Juba. "I believe we're offering fair access in that everyone can put their name in the lottery, but if you don't have the means to get there, is that really fair?"

Juba noted wealthier families may have a greater ability to drive their kids, but he also said those families are also more likely to be aware of their options and engaged in their child's education.

"I'm not trying to say eastside families are not concerned, but I think to be involved, you need to be able to have the time and means," he said. "There's also the fact that if you live on the west side you may hear about these options from other parents. It's part of the social networks over there in a way it's likely not on the east side."

The district doesn't do anything specific for low-income families to make sure they know about the magnets, according to Director of Communication and Safety Julianne Repman. However, Repman noted information about the magnets is available in Spanish and distributed in all of the district's schools.

The principals at Amity Creek and Westside Village said they do outreach at day cares, including Head Start, but Highland's principal said his school relies on the district's efforts to get the word out.

School board co-chairwoman Cheri Helt said she doesn't think the district should have targeted advertising for low-income families.

"I think we should try to accommodate all children's needs, but that we shouldn't target based on (socioeconomic status)," she said. "I don't think this is about marketing, and I don't think the issue is whether or not everyone today has the same access. I think the question is, 'Do we have enough supply to meet our demand for choice options?' And I think we could do more."

Juba said he would like the district to study if east-side parents are as familiar with the magnets as those on the west side.

"I think it should be our goal to make sure parents are equally aware," he said. "We should definitely make an effort to create more diverse schools, I think that benefits all the students. We don't do it by busing kids, but we do do it by getting the word out and making sure we match the kids to the right school. I think I'm the most adamant board member supporting diversity, and I think the others are a little scared of the idea of forcing diversity, which sounds like making kids go where they don't want to go. But if we did a better job explaining what the magnet schools do, I think they would draw a more diverse population."

Kinkade said she thinks "there's certainly a perception, and likely a reality, that there's an awful lot of choice for certain kids that limits access for others."

"I think we need to not be afraid to look at transportation," she added. "We have to make a choice about how we allocate resources and how much we're willing to give to transportation. I'm open to the conversation and hope we can do what needs to be done."

— Reporter: 541-633-2160, [\(mailto:tleeds@bendbulletin.com\)](mailto:tleeds@bendbulletin.com)

## Ways to Fail at Form-Based Codes 03: Misapply the Transect (to the region rather than the neighborhood)

When it comes to misapplying — or, more commonly, overly simplifying — the Transect, we're all guilty on some level. For instance, I often speak generally about its inherent rural-to-urban spectrum and how, as you move through it, the landscape changes its character. The highways and byways whisking you through the wilderness and countryside get increasingly slower as you approach the city center, becoming streets of very specific proportions. Buildings change too, sitting on their lots in much more formal fashion as you move to the core, with trees and sidewalks dutifully matching the rhythms of their formality.



Image credit: Duany Plater-Zyberk & Company via CATS. Click for larger view.

This may lead you to believe that the Transect is like a fried egg, with the most urban T6 in the middle, slowly fanning out to the wilderness T1 along the edge. This sort of Jetson-like city is the Transect misapplied.

Unlike a rainbow where the colors of the spectrum remain faithfully at each other's side, the Transect well applied appears as neighborhood nodes connecting across the land at a very fine grain. And when different urban intensities interact, like where Central Park's civic (similar to T1) abuts Manhattan's T4, T5, and T6, deeply satisfying environments emerge. A fried-egg T6 where you have to go a long way to a wilderness T1 doesn't enhance well being and severely hampers free range kids.

The Transect is fractal to some extent, having a regional scale, neighborhood scale, and even a lot scale from the front to the back of the house. You can arrange almost anything based on what you'd do or wear or see in T1 versus what's appropriate for T6. No tuxedo at the square dance, please.

This fractal nature of the Transect is a nested series of coherent levels. So when the Transect Zones are correctly applied, they are done at the neighborhood scale, not at the regional scale.



Image credit [Miami 21](#) and [Duany Plater-Zyberk & Co.](#). Click for larger view.

Although each Transect Zone has some degree of mixed use, the Transect misapplied will give too much homogeneity, the very thing that form-based codes seek to repair. Then a Jetson's-like application will still require a rocketship to get from T6 to T1 in five minutes, and disable the possibility of walking to the majority of your daily needs should you choose to live in the T3 Sub-Urban Zone.

It's true that our Transect illustrations often reinforce this idea of the regional Transect, although their primary objective is to illustrate the change in character in the different zones, and not to imply that they cover the region.

To thwart this easy-to-make mistake, the following graphic shows different SmartCode Community Unit types for New Communities — CLD (Clustered Land Development), TND (Traditional Neighborhood Development), and RCD (Regional Center Development) — and the Transect Zones of which they are comprised.

#### THE TRANSECT AND COMMUNITY UNITS



Image credit: [Sandy Sorlien](#) via [CATS](#). Click for larger view.

The Ranson Sector Plan below is the primary policy tool in the Urban Growth Boundary for guiding future growth. Instead of allowing pods of separate land uses, the Sector Plan enables for complete Communities — compact, pedestrian-oriented, mixed use neighborhoods as well as identifying areas to remain suburban for the near term.

However, you'll note that Transect Zones aren't mapped to the region in the comprehensive plan, but rather to the neighborhood in the zoning code. Note that the Preferred Growth and Controlled Growth areas to the north end of the map have to do with the soon to be relocated Duffields Train Station that's moving from the middle of a field to a more accessible location.

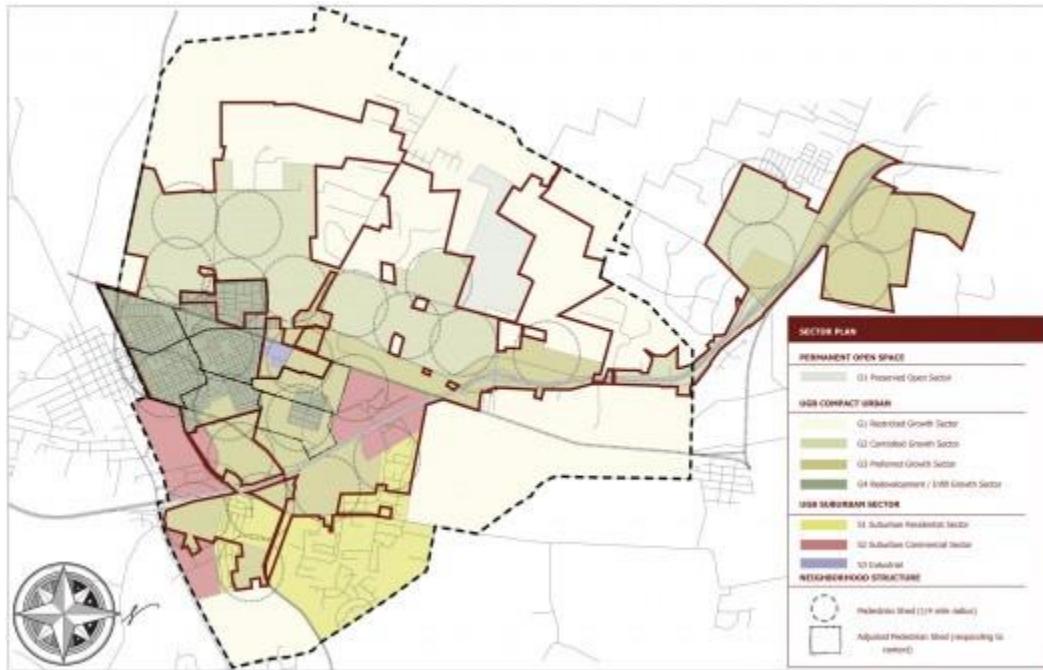


Image credit: [City of Ranson](#) and [PlaceMakers](#). Click for larger view.

If you want to rewind and learn more about Transect theory and the environmental roots of the idea, visit the Center for Applied Transect Studies [website](#) and [Facebook page](#). If you want to delve further into the subject, check out this 3-hour conversation from CNU 20, [The Misunderstood Transect](#), particularly starting at 54:51 with Sandy Sorlien, Andrés Duany, Emily Talen, and others.

#### Hazel Borys

Principal | Managing Director, Placemakers  
Winnipeg, MB

*"Belief creates the world we know.  
I help people see the possibilities."*

As PlaceMakers' Managing Principal, Hazel inspires the company to deliver an exceptional product to a developing marketplace. She guides governments through zoning reforms — allowing walkable, mixed-use, compact, resilient places to develop by-right — and helps developers get things built under the [increasingly prevalent](#) form-based codes and character-based land use laws of the new economy

## **Oregon Statewide Urbanization Goal (Goal 14):**

The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with ORS 197A.320 or, for the Metropolitan Service District, ORS 197.298, and with consideration of the following factors:

- (1) Efficient accommodation of identified land needs;
- (2) Orderly and economic provision of public facilities and services;
- (3) **Comparative environmental, energy, economic and social consequences;**  
and
- (4) Compatibility of the proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB.

## **Oregon Statewide Housing Goal (Goal 10):**

Goal: To provide for the housing needs of citizens of the state.  
Buildable lands for residential use shall be inventoried and plans shall encourage the availability of adequate number of housing units **at price ranges and rent levels which are commensurate with the financial capabilities of Oregon households and allow for flexibility of housing location, type, and density.**

“The housing goal clearly says that municipalities are not going to be able to do what they have done in metropolitan areas in the rest of the country. They are not going to be able to pass the housing buck to their neighbors on the assumption that some other community will open wide its doors and take in the teachers, police, firemen, clerks, secretaries and other ordinary folk who can’t afford homes in the towns where they work.”

## **LCDC Bend Remand, 2010:**

“Goal 10, the Goal 10 implementing rule, and the needed housing statutes also require that the City analyze needed housing types at particular price ranges and rent levels commensurate with the financial capabilities of present and future residents of area residents. The city's record contains much information on projected population and income levels, but neither its adopted plan policies nor its findings clearly tie together how the types and amounts of housing that it is planning for will be affordable for future residents of the area.”

“The city . . . fails to adequately consider regional housing needs and a fair allocation of housing types as required by OAR 660-008-0030. . . . The city is obligated under Goal 10 and the cited rule [OAR 660-0089-0030] to consider needed housing on a regional basis. The city's findings indicate that much needed housing for the City of Bend is being provided outside of the city, forcing the region's residents to drive long distances and creating imbalances between cities in Central Oregon. The City and the county must address these regional issues on remand.”

“The department found that the city failed to comply with the requirement in ORS 197.307 and Goal 10 to permit needed housing in one or more zoning districts with sufficient buildable lands to satisfy housing needs **at particular price ranges and rent levels.** The city's findings, studies and the Housing Element of its General Plan show a significant need for housing for low and moderate income households, along with a need for workforce housing. ”

## **Bend Comprehensive Plan:**

“While residents enjoy a variety of housing choices, they also face significant challenges in finding affordably priced housing in Bend as land and housing prices have increased significantly in the past decade, leaving fewer realistic housing options for many Bend residents and workers.”

‘The inadequate supply of land [in the UGB] has led to a lack of multi family units, \* \* \*.

“The rapid increase in population has resulted in growth in demand for workforce housing that has outpaced the production of workforce housing units. Between 2000 and 2005, job growth created a demand for 9,057 units of workforce housing while only 8,230 units were produced.”

“Affordable housing for service workers, both for individuals and families, is in short supply in Bend.”

“While the cost of rental housing has not increased as rapidly as house prices, recent rent increases are starting to place additional pressure on low-income households. Further complicating the issue is the seasonality of many jobs in the region \* \* \* making it difficult for the region to meet peak housing needs.”

“Rapid increases in home prices have combined with growth in the (low wage) service sector to make it difficult for much of Bend’s workforce to live in the city.”

“The lack of affordable housing for the workforce has a negative effect on employers in Central Oregon.”

“The increasing lack of housing affordable to low and moderate income households is resulting in many area workers purchasing homes and living in other communities, including Redmond, Prineville and others. \* \* \* This is exacerbating traffic congestion and other issues caused by rapid growth in the community. It also affects the ability of area employers to attract workers for jobs at many income levels, including service and professional workers.”

URBAN GROWTH BOUNDARY REMAND

**MAKING BEND  
EVEN BETTER**



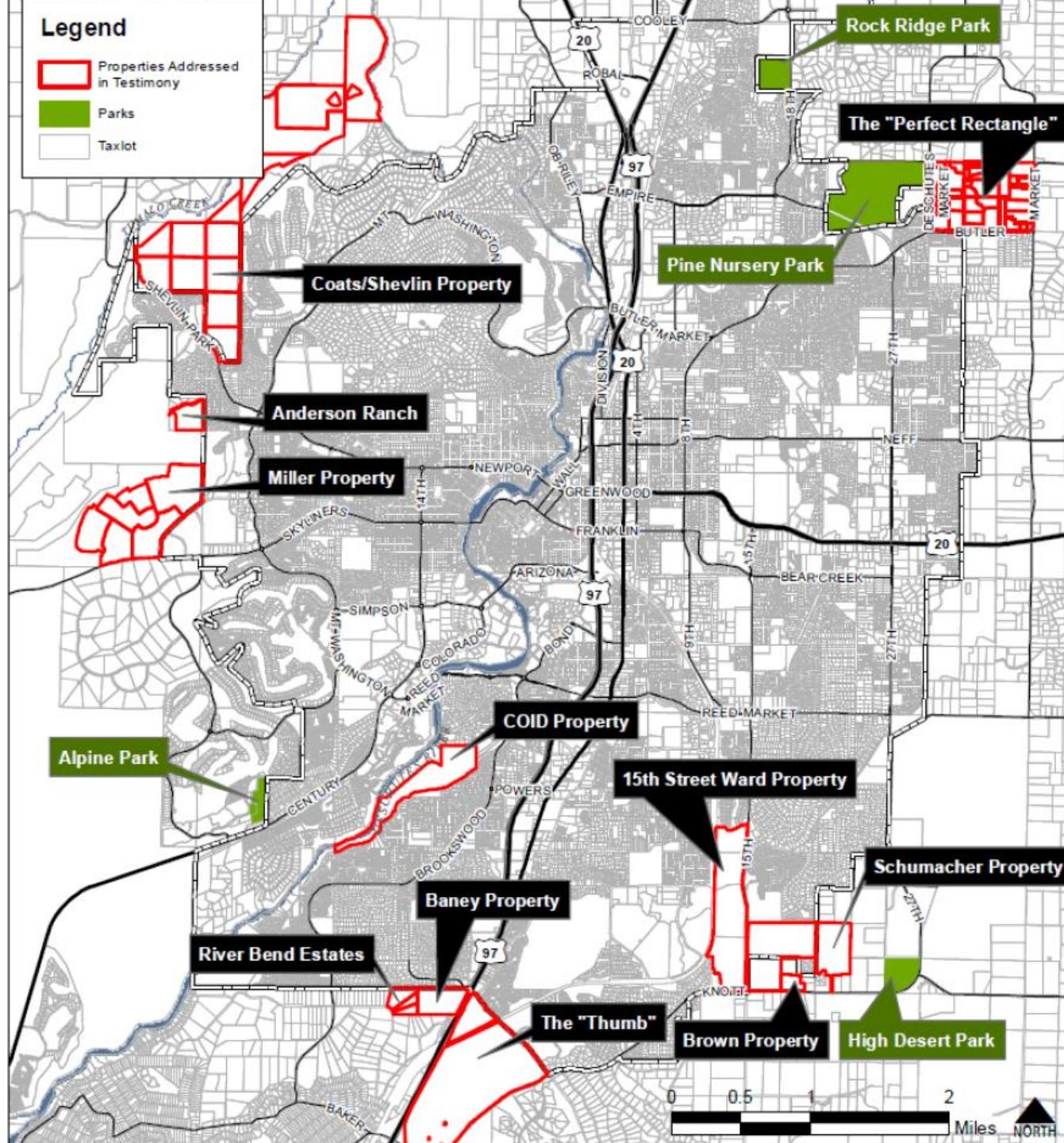
# **UGB Boundary TAC**

*Bend UGB Remand Project*

*January 20, 2016*

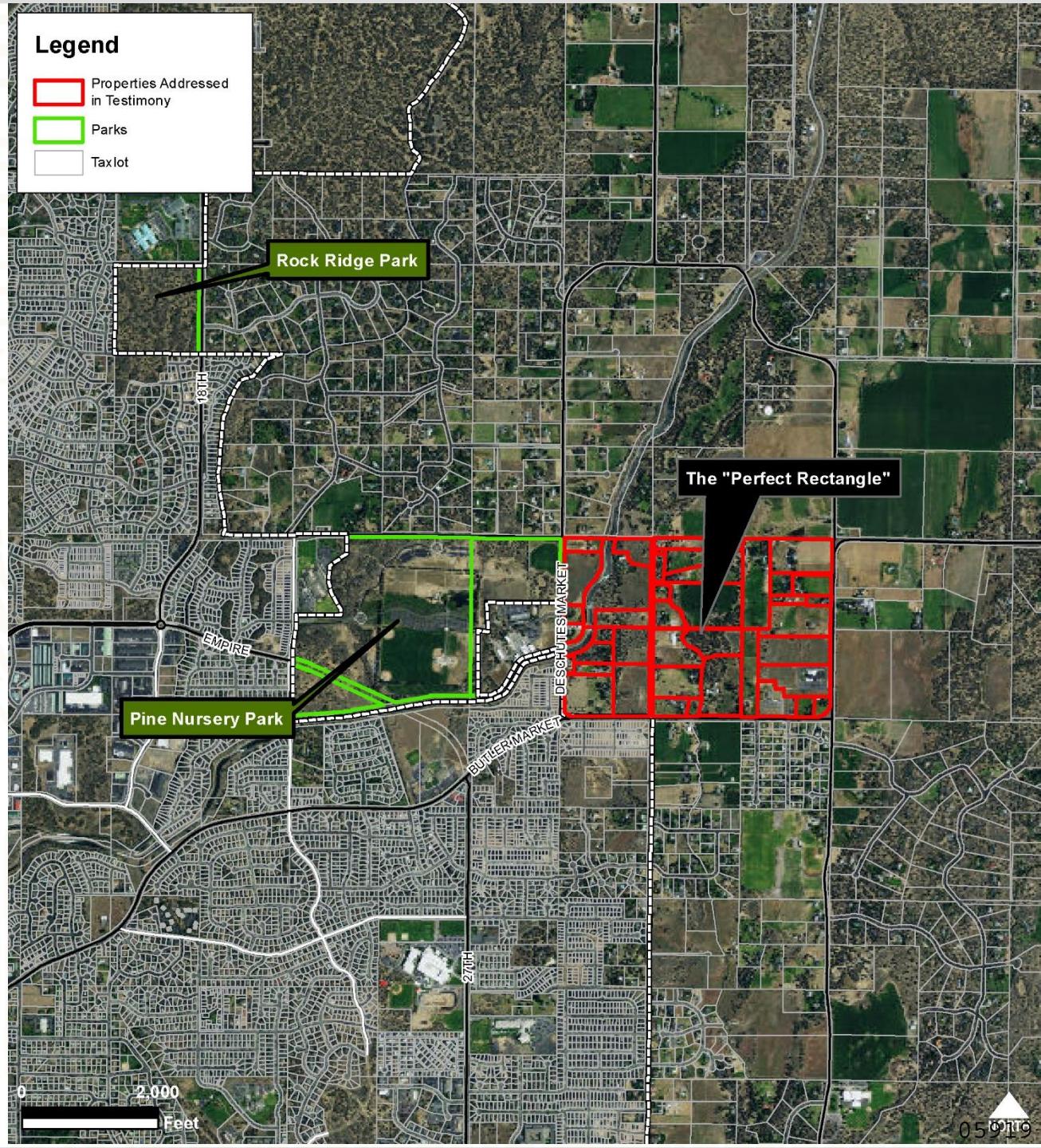
## Legend

- Properties Addressed in Testimony
- Parks
- Taxlot



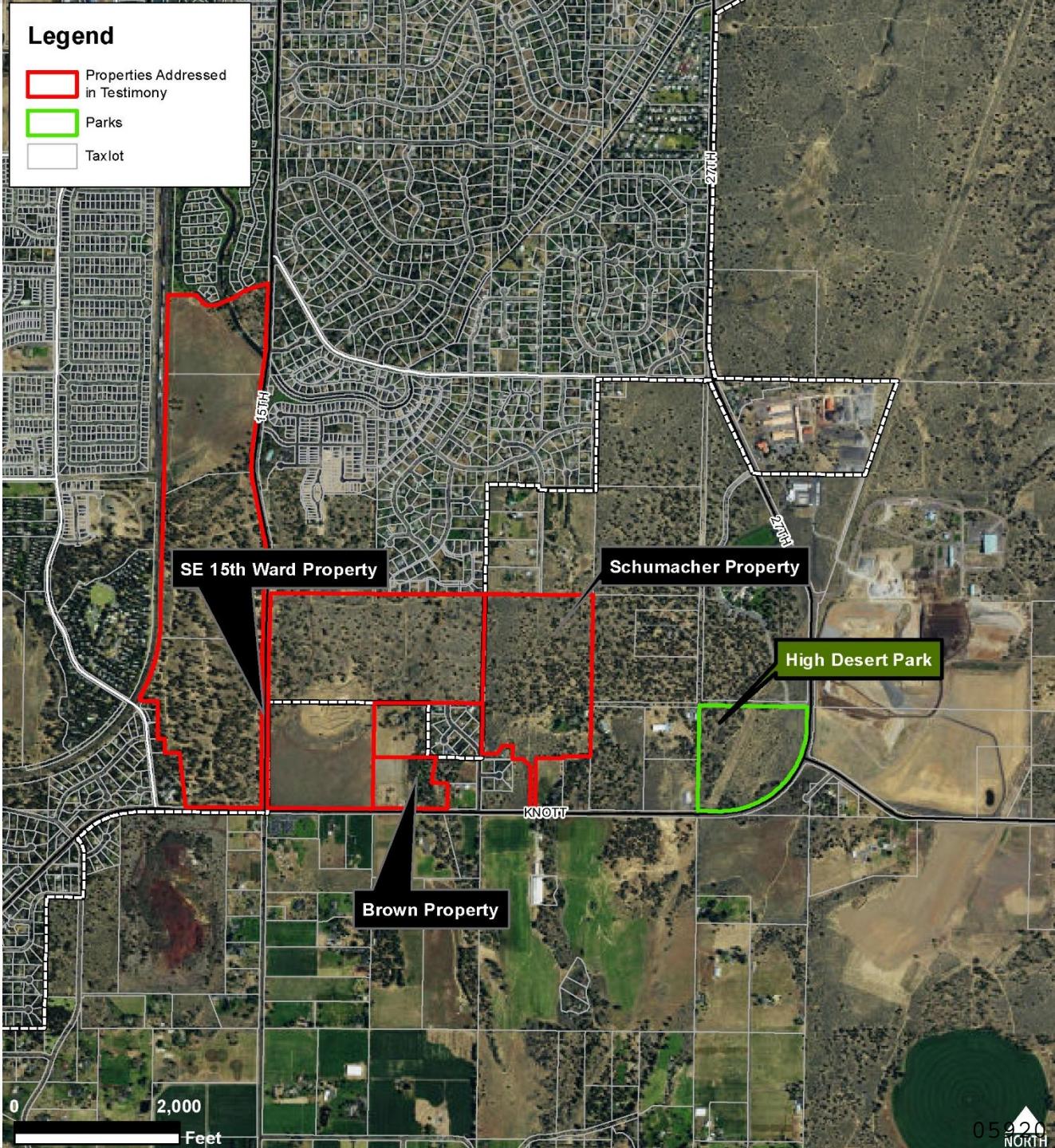
# Testimony Map

- Northeast Bend



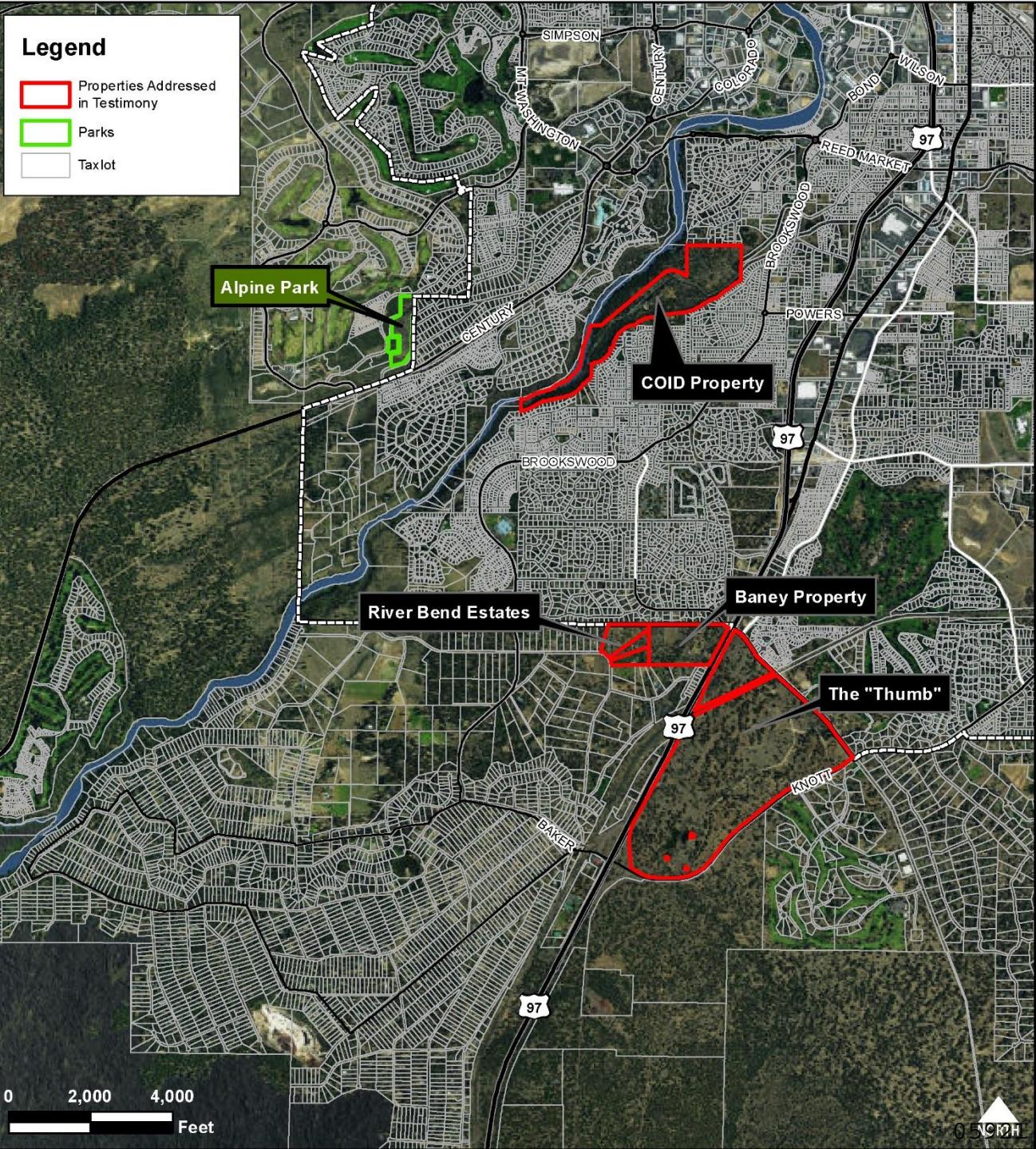
# Testimony Map

- Southeast Bend



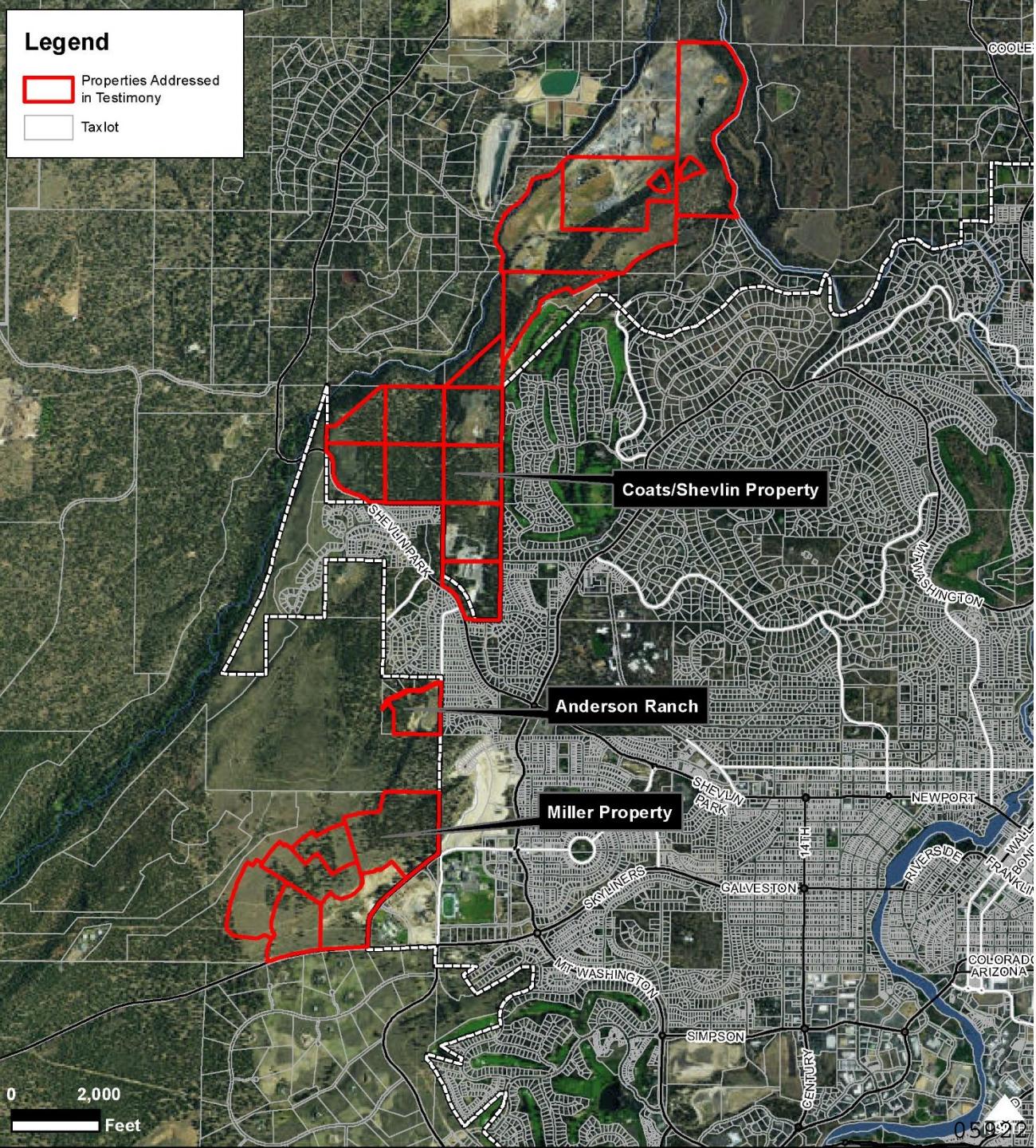
# Testimony Map

- Southwest Bend



# Testimony Map

- West Bend



# Scenario 2.1C

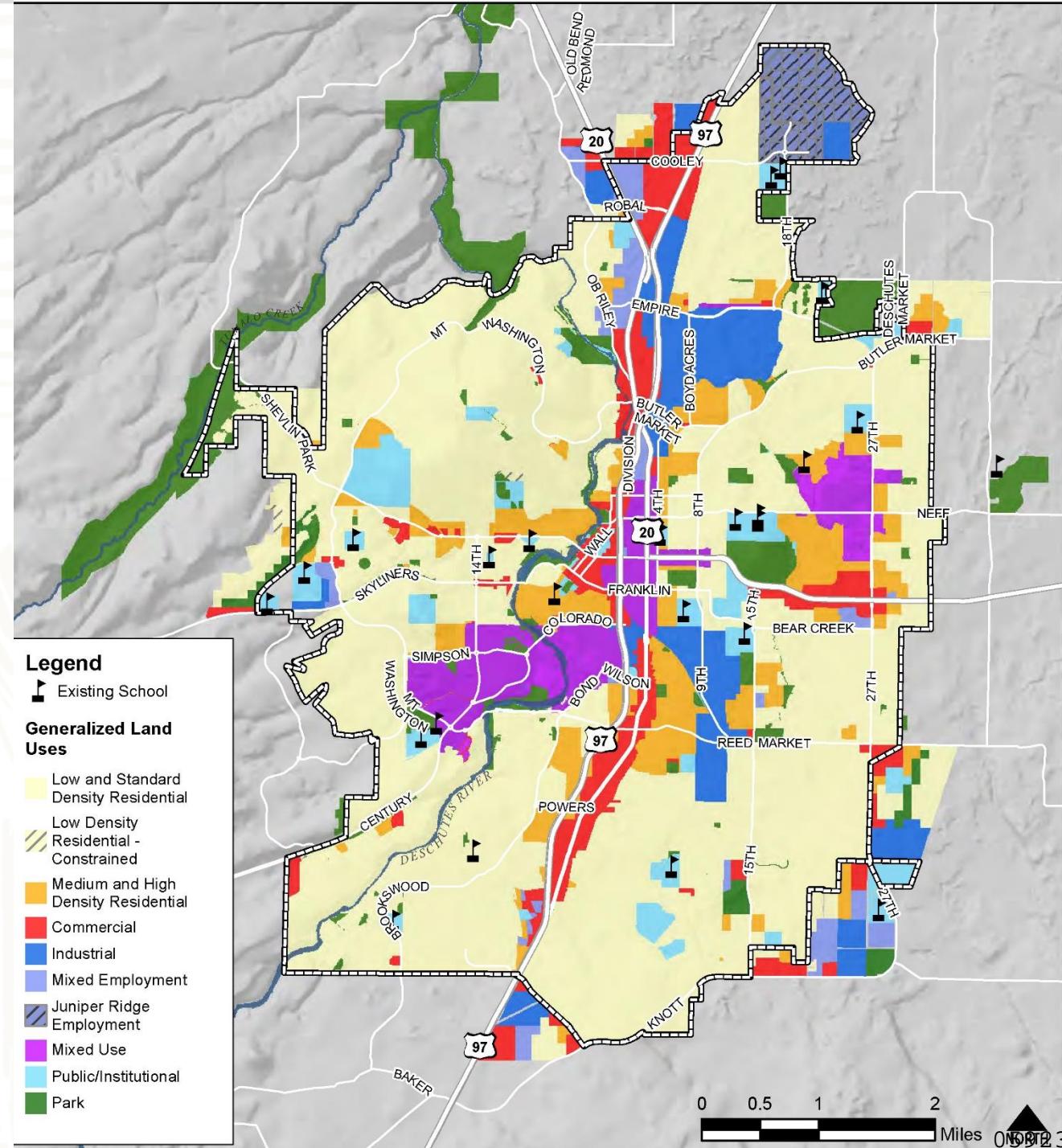
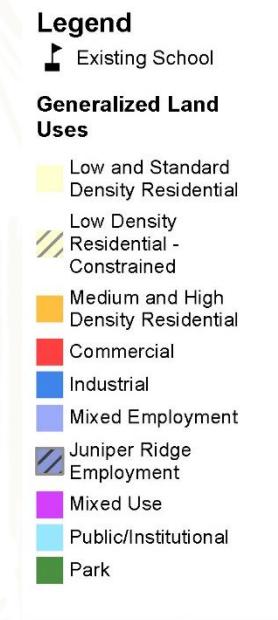
## Generalized Land Use Map\*

*Refinement to Scenario 2.1B that incorporates suggestions from Boundary TAC Leadership.*

### Significant Changes:

- Includes “Perfect Rectangle” area
- Does not include expansion along Neff road.
- Includes 70 acres in Shevlin “Notch”
- Reconfiguration of West Area

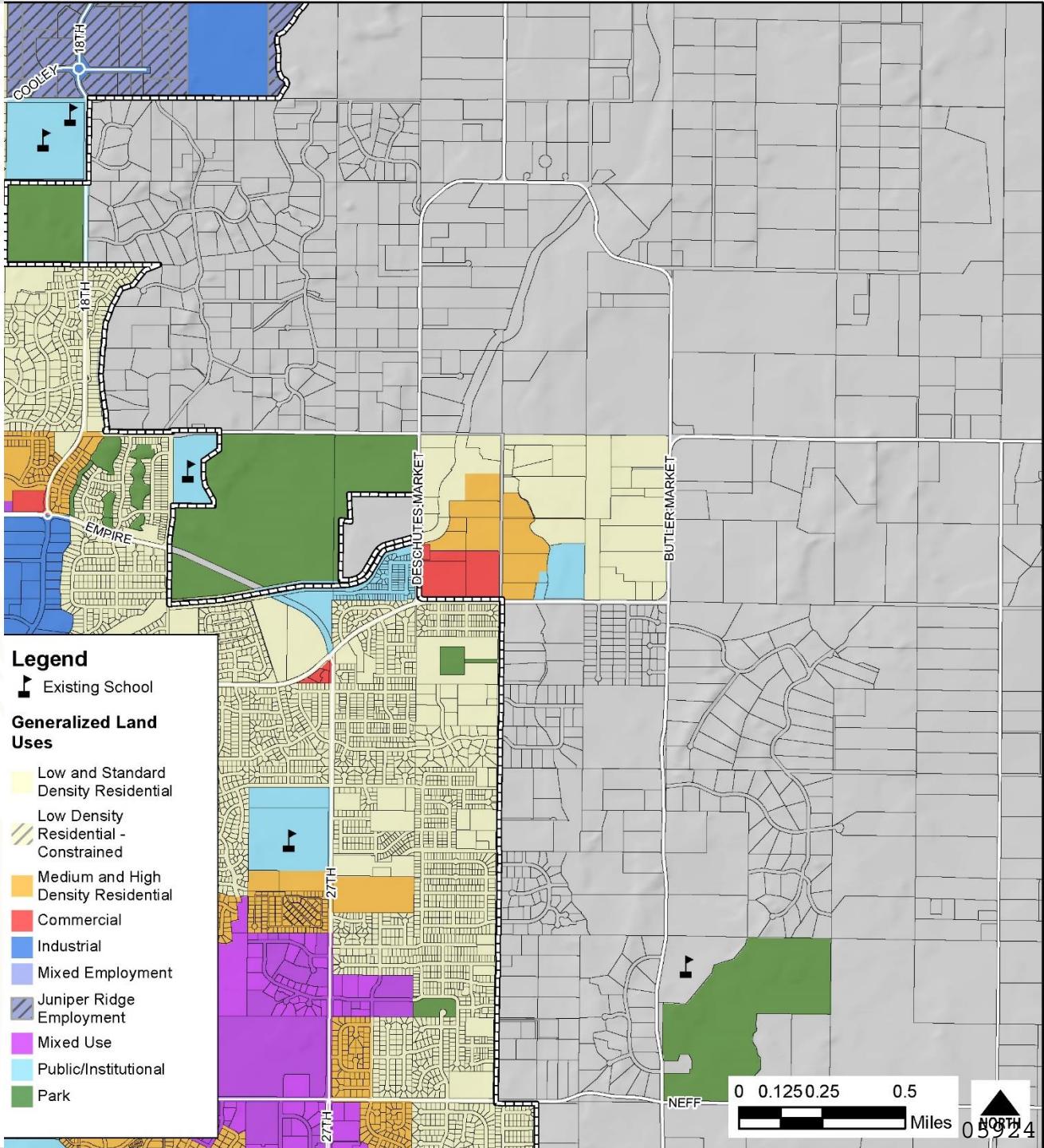
\*This map represents land use assumptions for modeling purposes only. This is not a proposal for specific comprehensive plan designations.



## Scenario 2.1C

### Northeast Edge

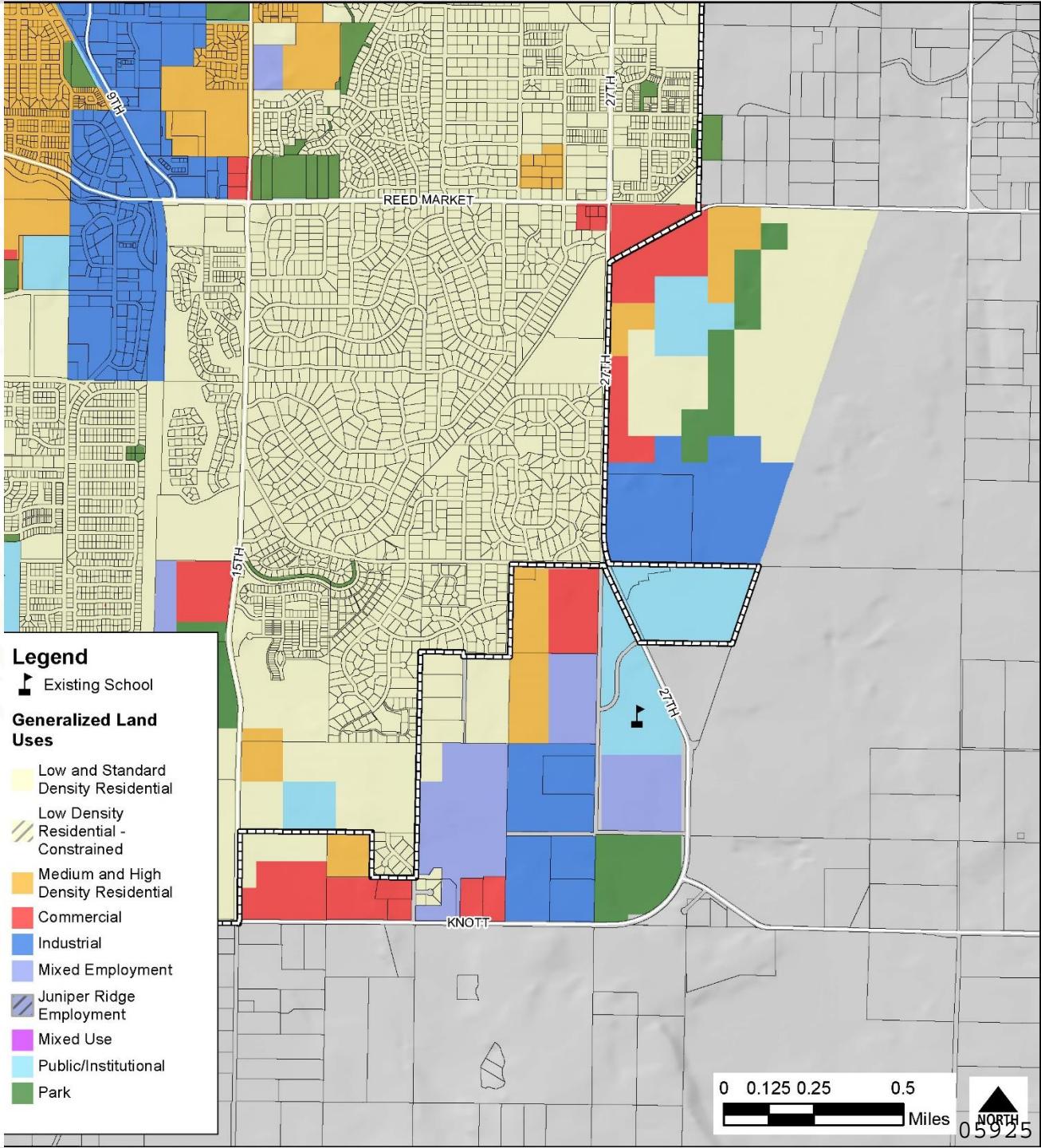
- Includes full Butler Market area (“Perfect Rectangle”)
- Does not include expansion at Neff Road
- Includes proposed school site



# Scenario 2.1C

## Southeast

- Slightly less Natural Area in DSL
- Increased Multifamily in DSL
- Increased residential land in Elbow, less Commercial land.

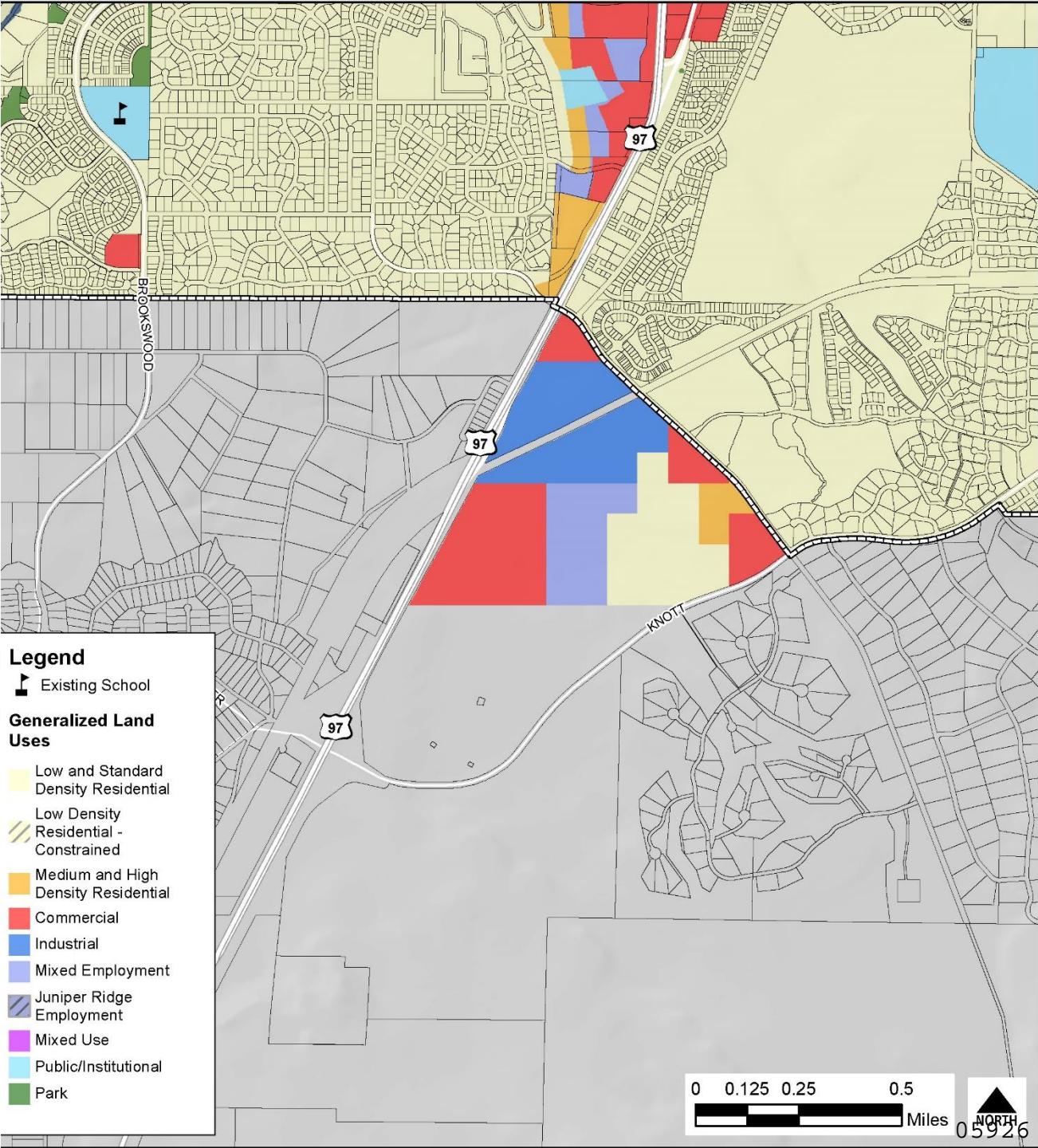


\*This map represents land use assumptions for modeling purposes only. This is not a proposal for specific comprehensive plan designations.

## Scenario 2.1C

### Thumb Area

- Slight increase in Multifamily housing

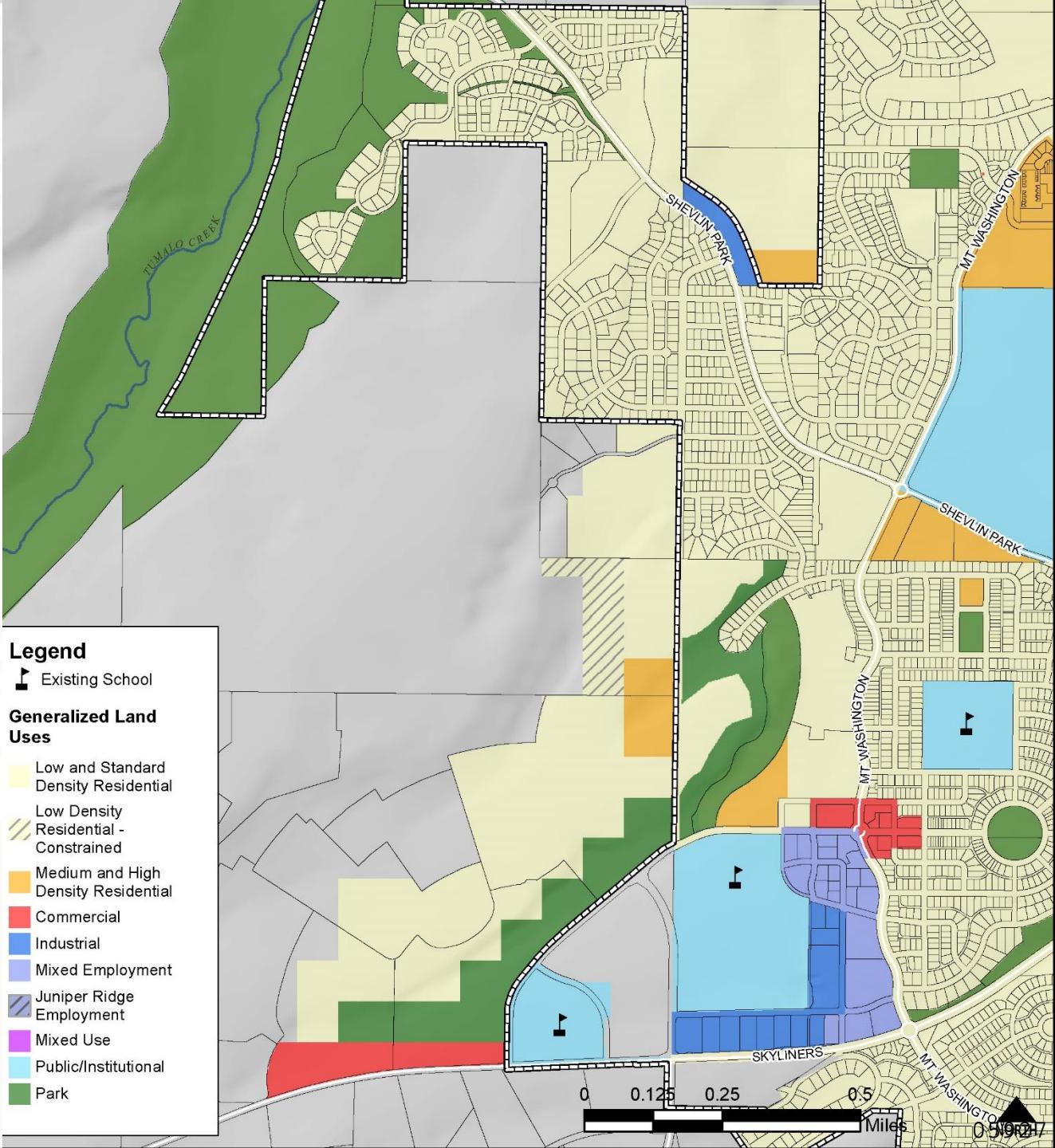


\*This map represents land use assumptions for modeling purposes only. This is not a proposal for specific comprehensive plan designations.

## Scenario 2.1C

### West Area

- Reconfigured to follow topography / Skyline Ranch Rd. alignment.
- Identifies open space extending to Discovery Park
- Reduced Multifamily

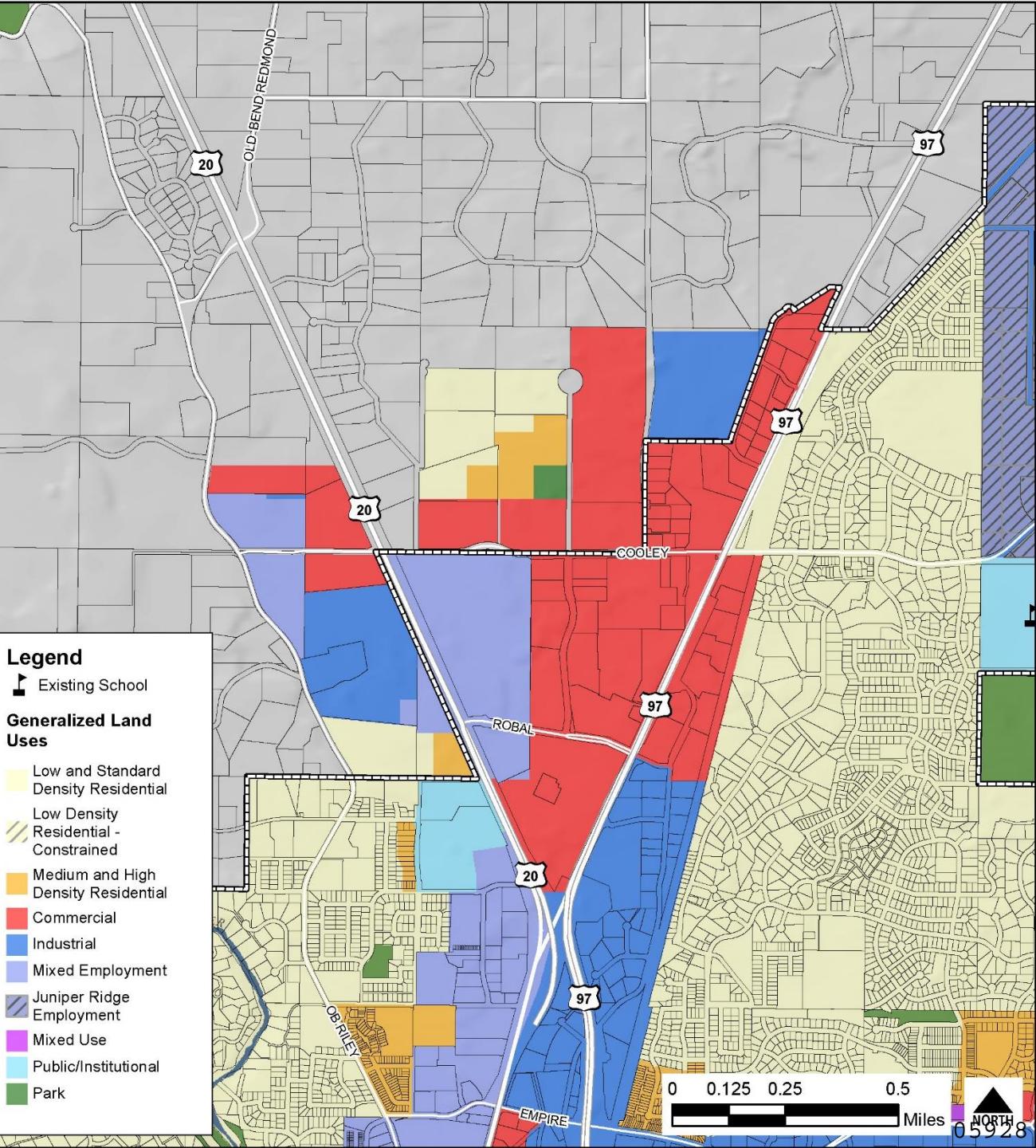


\*This map represents land use assumptions for modeling purposes only. This is not a proposal for specific comprehensive plan designations.

## Scenario 2.1C

### North Area

- Includes residential land at southern end of OB Riley area
- Increased Multifamily in, less residential land overall in North Triangle



\*This map represents land use assumptions for modeling purposes only. This is not a proposal for specific comprehensive plan designations.



Residential Area with Locally-Serving Employment



Residential Area with Significant Employment



Employment Area

#### Housing Mix Abbreviations

SF: Single Family Detached

ASF: Attached Single Family

MF: Multifamily

**Disclaimer:** Jobs and housing numbers / mix are based on projections of buildable land and development trends. While they have been calibrated to be consistent with existing and proposed development regulations, they do not represent regulatory minimums or maximums.

#### West Area

- 850 Housing Units /
- 165 Acres Residential Land
- 180 Jobs /
- 15 Acres Employment Land
- 40 Acres Civic Land

#### Housing Unit Mix:

72% SF, 8% ASF, 20% MF

#### OB Riley / Gopher Gulch Area

- 960 Jobs /
- 110 Acres Employment Land
- 100 Housing Units /
- 20 Acres Residential Land

#### Housing Unit Mix:

56% SF, 13% ASF, 31% MF

#### Shevlin Area

- 360 Housing Units / 70 Acres Residential Land

#### Housing Unit Mix:

71% SF, 8% ASF, 20% MF

#### North "Triangle"

- 370 Housing Units / 55 Acres Residential Land
- 920 Jobs / 105 Acres Employment Land
- 3 Acres Civic Land

#### Housing Unit Mix:

33% SF, 17% ASF, 50% MF

URBAN GROWTH  
BOUNDARY REMAND  
BEND



#### Northeast Edge

- 1,010 Housing Units / 195 Acres Residential Land
- 210 Jobs / 20 Acres Employment Land
- 15 Acres Civic Land

#### Housing Unit Mix:

49% SF, 11% ASF, 40% MF

#### DSL Property

- 1,130 Housing Units / 160 Acres Residential Land
- 820 Jobs / 140 Acres Employment Land (Includes Large Lot Industrial)
- 60 Acres Civic Land

#### Housing Unit Mix:

50% SF, 12% ASF, 38% MF

#### "The Elbow"

- 800 Housing Units / 105 Acres Residential Land
- 2,410 Jobs / 260 Acres Employment Land
- 70 Acres Civic Land

#### Housing Unit Mix:

32% SF, 19% ASF, 49% MF

#### "The Thumb"

- 370 Housing Units / 60 Acres Residential Land
- 1,460 Jobs / 160 Acres Employment Land

#### Housing Unit Mix:

55% SF, 13% ASF, 32% MF



# Meeting Agenda

## Urban Growth Boundary Steering Committee

Wednesday, February 10, 2016 1:00-4:00 PM

City Hall Council Chambers

Bend City Hall - 710 NW Wall Street, Bend

### Purpose of Meeting

The purpose of this meeting is for the Urban Growth Boundary Steering Committee (USC) to approve a draft preferred Urban Growth Boundary (UGB) Expansion Scenario. The Boundary and Growth Scenarios Technical Advisory Committee (Boundary TAC) has forwarded a package of recommendations that were crafted and approved at its meeting on January 20, 2016. The package includes a recommended UGB expansion scenario, identified as Scenario 2.1D, and a TAC-approved policy framework.

1. Welcome and Introductory Items	1:00 PM
a. Welcome by Victor Chudowsky	
b. Agenda overview (Joe Dills) and Opening Remarks (Brian Rankin)	Joe Dills, Brian Rankin
c. Approval of December 14, 2015 Minutes (See page 3 of 56)	
2. Draft Preferred Scenario – Boundary TAC Recommendation	1:20 PM
a. Briefing – overview of Scenario 2.1D as recommended by the Boundary TAC on January 20, 2016 and preliminary policy framework for expansion areas endorsed by Boundary TAC (See page 19 of 56)	Project team & Boundary TAC chairs
b. USC discussion: initial questions and comments from the USC; listing of additional potential refinements (if any) to the draft preferred scenario	

*Note: approval will follow the Public Comment agenda item.*

For additional project information, visit the project website at <http://bend.or.us> or contact Brian Rankin, City of Bend, at [brankin@bendoregon.gov](mailto:brankin@bendoregon.gov) or 541-388-5584



### Accessible Meeting/Alternate Format Notification

This meeting/event location is accessible. Sign and other language interpreter service, assistive listening devices, materials in alternate format such as Braille, large print, electronic formats, language translations or any other accommodations are available upon advance request at no cost. Please contact the City Recorder no later than 24 hours in advance of the meeting at [rchristie@ci.bend.or.us](mailto:rchristie@ci.bend.or.us), or fax 385-6676. Providing at least 2 days notice prior to the event will help ensure availability.

### 3. Public Comment

*Persons wishing to testify should fill out a comment card, located at the welcome table. Testimony will be limited to 2 minutes per person, depending on the number of people wishing to speak.*

2:20 PM

Public comment will be managed by the Chair.

### 4. Approval of Draft Preferred UGB Scenario

- a. USC discussion and action: approval of the draft preferred scenario, with specific refinements or modifications as necessary

*Action requested: approvals and direction as noted above*

2:50 PM

Chair

### 5. Next Steps and Adjourn

4:00 PM

**City of Bend**  
**Urban Growth Boundary Steering Committee**  
**Meeting Minutes**  
**Date: December 14, 2015**

The Urban Growth Boundary Steering Committee (USC) held its December 2015 meeting at 1:30 pm on Monday, December 14, 2015 in the Municipal Court Hearing Room of the Bend Police Station (555 NE 15<sup>th</sup> Street).

**Members present:** Mayor Jim Clinton, Councilor Victory Chudowsky (Chair), Councilor Doug Knight, Councilor Sally Russell, Councilor Casey Roats, Councilor Barb Campbell, Bill Wagner (Vice Chair), Rex Wolf, and Deschutes County Commissioner Tony DeBone.

**Technical Advisory Committee (TAC) Leadership:** Jade Mayer (Employment), Al Johnson (Residential), Mike Riley (Boundary), Sharon Smith (Boundary), and Sid Snyder (Residential).

### **1. Welcome and Introductory Items**

Chair Chudowsky called meeting to order at 1:33 pm. He welcomed everyone who attended, and briefly summarized the purposes of the meeting as a check in with the USC, and to provide direction to staff and consultants for the project. He then turned over the meeting facilitation to Joe Dills of Angelo Planning Group (APG). Mr. Dills gave a brief overview of the agenda, including a portion that will be devoted to accepting public comment around 3:10 pm. He then referred to a graphic projected onto an overhead screen that outlines Phase 2 of the UGB Remand Project. The next steps in the process are to determine the preferred scenario for a UGB, and then complete the products needed for adoption.

Brian Rankin of the City of Bend then provided some opening comments. He also provided a brief summary of where we are in the process. He noted that this is a complex project with lots of moving parts and pieces. He described the process to date, the committees involved and their respective work, and separate tracks. All this work needs to get woven together. He concluded by noting that everything is a work in progress, and encouraged those in attendance to stay tuned and involved.

### **Meeting Minutes**

Mr. Dills then asked for a motion to approve the USC meeting minutes for the October 22, 2015 meeting. He referred the USC to page 5 of the packet, and asked if there were any changes or clarifications to the minutes.

Councilor Russell noted that she found some typographical errors with the minutes and recommended some additional proof reading before their release.

Mr. Dills noted this direction and asked if the content was acceptable, and if so, if there was motion to approve the October 22<sup>nd</sup> minutes with staff correcting any errors. Council Russell moved approval, with Councilor Knight providing a second to the motion. The motion passed unanimously.

### **Project Schedule**

Mr. Dills then referred the committee to pages 24 and 25 of the meeting packet. He referred to the “Phase 2 Milestones-Finishing Phase 2” graphic. He provided a brief report on where we are in the process, and outlined an upcoming four-meeting sequence. He referred to a future meeting at which the project team needs a “soft lock” on the land uses of the proposed UGB in order to complete one additional run of the transportation model. The team needs the preferred scenario in hand for one more round of transportation modeling. He estimated that this needs to be accomplished in early January in order to stay on schedule. He then asked for any questions.

Mr. Rankin made an additional comment on the schedule. He acknowledged that the committees and the participants are working on an aggressive schedule. He reported recently raising the topic of schedule in discussions with TAC leadership and USC. He then opened the floor for comments from the USC and TAC leadership.

Ms. Smith addressed this issue first. She acknowledged representing the leadership for the Boundary TAC and their feedback in this process. There is a lot of information and a compressed time schedule, and she commented that the last meeting of the Boundary TAC felt uncomfortable and rushed. She commented that there was some process lost in having the recommendation of the Boundary TAC go to the Steering Committee on the same day. The process did not go as well as it could have, and the TAC leadership has asked how to fix this? She offered that the Boundary TAC would like one more opportunity to look at the proposed boundary, and suggested that there may be an opportunity for consensus.

Mr. Riley commented that between the Steering Committee and Boundary TAC meetings on October 22<sup>nd</sup>, there was no time to describe Scenario 2.3 as the TAC’s recommendation, and document areas of agreement and disagreement. There was also no opportunity for the TAC to explain their thinking and recommendation regarding Scenario 2.3. He asked for the opportunity to articulate areas of agreement and disagreement.

Ms. Smith acknowledged that the USC needs to make the ultimate decision, and also asked for the opportunity to articulate areas of Boundary TAC agreement and disagreement.

Councilor Knight noted that at the October 22 USC meeting, he heard much talk about certain areas that were included or not included, and thought there should have been more talk on the housing mix. He commented that he needs to understand the mix implications and how it telescopes to the ground, especially on the West side and in the Northeast.

Chair Chudowsky commented that he thought the Boundary TAC should have this extra meeting, and wanted to consider the implications of this meeting on schedule.

Mr. Dills noted that the steps shown in the projected graphic would help keep us to schedule. He noted that we're working toward public hearings in late April 2016. If another Boundary TAC meeting is added to the schedule, this meeting and preparation for it will add another three to four weeks to the schedule.

Councilor Campbell commented that the last USC meeting felt rushed. She asked if the scheduling was intended to accommodate team travel and schedule and maximize time with city and consultant team planners. Mr. Rankin replied that this was one of the considerations, and also helped to make efficient use of the budget.

Mr. Rankin also noted that the last meeting with the USC was intended as a check in. The project team had not had a check in with the USC from June 2015 until the October 22, 2015 meeting. The purpose of this meeting was to learn if the USC thought the team was heading in the right direction.

Councilor Campbell noted that there was another Boundary TAC meeting a few days before a USC meeting (in June 2015) and expressed a concern over meetings scheduled back to back or on the same day.

Mr. Wagner commented that he liked the idea of going back to the Boundary TAC. He noted that the USC can provide policy direction to the TAC. He acknowledged the potential benefit of the TAC coming up with a new consensus, and noted that there should be time to post a product so that the public has time to comment on the new consensus. He advocated for the time necessary for a new recommendation and time for comment.

Councilor Russell stated that she agreed with Mr. Wagner. She advocated for transparency and complete data. She noted the USC didn't have minutes from the Boundary TAC's October 8 meeting to review. She agreed with going back to the Boundary TAC with direction, and asked that any meeting minutes be produced within 7 to 10 days. She advocated that the minutes are important because in her situation she was not able to attend the October 22, 2015 meeting. She also noted that the USC will consider two types of maps and the USC needs to understand implications of each proposal.

Mr. Wolf asked when the team's recommendations would be presented, including the alternatives and basis for each alternative. Mr. Dills noted that we would be coming back to this later in the meeting.

Mr. Wagner asked if it is the intent to have the additional TAC meeting before the January 13, 2016 workshop.

Chair Chudowsky stated that he found it useful to watch the Boundary TAC's October 22, 2015 meeting. He suggested letting the Boundary TAC have this extra meeting and asked the Steering Committee members to go watch and listen. He acknowledged that the Boundary TAC will know the material better on a technical level. Mr. Wagner concurred with inviting the USC to the Boundary TAC meeting.

Mr. Dills acknowledged that the Boundary TAC will hold another meeting and asked the USC to consider this a consensus thought for now.

## **2. Adoption Package**

Mr. Dills and Mr. Rankin shared the presentation of this topic. Mr. Dills referred the committee to page 25 of the meeting packet, which included a memorandum that highlights the group of items in the adoption package. These include technical documents shared with the committee in advance of today's meeting (e.g. Buildable Lands Inventory, Housing Needs Assessment, and Economic Opportunities Analysis). Mr. Rankin noted that the technical documents serve as the factual base for the update of the plan. Councilor Russell clarified that staff has sent out a link to the city's website that anyone can use to access the documents.

Mr. Dills noted that there are two focus areas. One of these is the Comprehensive Plan. The team is proposing new policy updates to the Housing and the Economy chapters, and a new "Urbanization" chapter for the Comprehensive Plan. A total of three new chapters (two revised and one new) will be brought forward with the UGB adoption package. He further noted that the rest of the plan was developed in 1998, and is now dated. The team will propose updates to the format and some text to be consistent with the new chapters.

Mr. Wagner asked about the role of the planning commission in reviewing the plan chapters. He suggested that city staff provide a Planning Commission briefing on the revised Housing and Economy chapters.

Councilor Roats asked about urbanization and the direction from the State. He noted the types of urbanization considered in this process. He questioned whether there is the political will of

the community to urbanize with taller buildings. He commented that the political reality is that we lack some of the structure to make this work.

Mr. Rankin asked for clarification if Councilor Roats' question was what consequences there are if the city does not urbanize.

Councilor Roats commented that the city is preparing to make a small ask for land with the current emphasis on infill and redevelopment. He asked if the state can force the city to urbanize. He asked what tools we have to make the community realize the dream of this process.

Mr. Rankin noted that the city has tools. These tools include the Development Code, the efficiency measures, and the integrated land use and transportation plan (ILUTP). The ILUTP is new, and will require changes in behavior and additional work beyond this project.

City Attorney Mary Winters commented that the city is behind on urbanization and in updating the comprehensive plan. She commented that we're doing things a little bit backwards. She added that growth is coming and that we need to think about how we can remain a livable community.

Mr. Dills further noted that the city's tools include the city's comprehensive plan map, which will implement recommendations.

Mr. Rankin asked the committee to consider how far they are willing to go to implement the comprehensive plan at this time. Currently, the comprehensive plan map and zoning map do not match. He described the highest level of change is to change the development code, the zoning map, and the comprehensive plan map in one fell swoop. Some would argue we should follow up with changes in zoning, and he noted the risks on both sides. As a starting point, he offered that there are some areas we can rezone, such as larger properties, and in other areas the city may decide to change the comprehensive plan map, but defer zone map changes.

Mr. Johnson commented and provided some context. He expressed that the committee needs to understand that the city is in a special position. There is a state program that sets a lot of requirements. The program assumes we have 20 years; however, the city began this effort in 2004 and completed the initial proposal in 2008. He noted that we are still using a 2008-2028 planning period, and that we have to do things in 10 years which the Legislature assumed we'd have 20 years to do. He commented that we have to show that the land is reasonably likely to develop by 2028. If this is not realistic, he noted, we have to prove we can't do less. He recommended that the city go to the low hanging fruit first, and stay away from more complex things. He asked the committee to consider the context in which Bend is in; we don't have two

to five years for implementation. He noted that unless we have land zoned, we can't count that land as meeting a need.

Mr. Wagner directed a question to Mr. Rankin; how will annexation play into all of this? Mr. Rankin responded that annexation is a related subject, but the question of applying zoning is about changes inside the UGB.

Councilor Roats asked if there is something that's going to force us to grow. Is there any mechanism that would make us grow? What does it take to get done by April? Mr. Rankin responded by reiterating what Mr. Johnson had said and underscored that certain standards are very high.

Ms. Winters added that there is not a crystal clear legal answer; the discussion is more of a risk assessment. She suggested that the safest thing to do from a legal perspective is to rezone all of the opportunity sites. She added that there is problem with changing the comprehensive plan designation; some property owners may not like these decisions. Considering a change such as going from an industrial designation to a mixed employment designation does not give us time for nuances. The property owner may not want a particular use, and that leads to a question of potentially limiting the allowed uses in new zoning. She added that the city needs to establish a schedule and prepare detailed findings that describe the result with respect to efficiency measures.

Councilor Knight asked about whether the city should proceed by going zone by zone. He commented that he appreciated Mr. Johnson's comments. He suggested the city focus on those zones that might be less contentious. Ms. Winters suggested that the city could take a more blended approach; Mr. Rankin added that that is consistent with what we're proposing.

Councilor Knight added that he understood this was also sensitive to time schedule and wants to take on rezoning as part of the remand.

Mr. Dills acknowledged that the meeting was behind schedule, and that the discussion on rezoning land was important. He noted that the current approach is to recommend comprehensive plan designations in the spring, and defer some rezonings with a schedule. Councilor Russell commented that she thought a blended approach was a better way to go. She recommended that the city not go lot by lot, and stay on a high level. Mr. Wolf commented that he thought a blended approach makes sense. Mr. Dills commented that the team will need to go back to determine the appropriate blend.

Mr. Johnson addressed a question from Councilor Knight. He stated that we have a blended approach right now. The approach comes down to what supports the yield we're looking at. He added that if the city moves the blend toward deferral, the yield will drop. If we do things now

(such as zone changes for opportunity sites), the yield goes up. Many parties may appeal the blending.

Mr. Dills proposed closure on this topic. He recommended that staff bring back to the USC a proposal for the blend of rezonings, and what's realistic to accomplish given the project schedule.

Mr. Dills then turned Mary Dorman of APG to give a presentation on the proposed changes to the Housing and the Employment chapters of the Comprehensive Plan.

Ms. Dorman provided an overview of the changes in the plan text and policies, based on the work in the housing needs assessment and economic opportunities analysis. With respect to the comprehensive plan policies, the team has reviewed these to ensure no conflicts between existing policies and those proposed for new housing and employment chapters. The additional changes include a new mixed use zone, changes to parking standards and a new policy for a two-track path for approval of master plans.

Mr. Dills then asked if the committee had any questions regarding Mary's presentation or on this part of the packet. Hearing none, he asked for the next presentation from Becky Hewitt of APG.

Ms. Hewitt's presentation summarized the work on the Bend development code completed to date. She noted that the code work is based on the changes in policy, and is about 40 pages in length so far. She referred the committee to page 46 of the packet. The changes in code include, at a high level, changes to minimum residential densities in certain zones, changes to the range of densities in some zones, and how densities are applied. She also reported on recommendations from the Residential TAC, including new types of housing that would be allowed outright, changes in master plan requirements, lot size, and new mixed use zones – one neighborhood scale and one urban scale. In addition, the code changes include some targeted changes to parking standards and she acknowledged a parking study going on right now.

Mr. Wolf asked if the parking changes are a directive and whether the parking study will also go back to test what's proposed and change those standards. Ms. Hewitt confirmed that the parking study can refine the details, though there could be concerns if they change direction significantly.

Mr. Dills then introduced one more topic and referred the committee to page 37 of the packet. The topic was the integrated land use and transportation plan or ILUTP. Mr. Dills described the ILUTP as a component within the city's comprehensive plan that includes a set of strategies and standards for reducing vehicle miles traveled (VMT) per capita in the city. This requirement for reducing VMT is in the state transportation planning rule and memorialized in the remand. An

ILUTP is required if there's a projected growth in VMT per capita, and the team's work shows that this is the case.

Chris Maciejewski of DKS Associates then assisted in the presentation on VMT per capita. He noted that the team is working with two baselines. The first baseline is 2003; the second baseline is 2010. He indicated that the team is not sure to which baseline the city will be held to by DLCD, and referred to page 37 of the packet.

Mr. Dills described why the city needs to care about VMT. It's about livability. The ability to live closer to things gives people opportunities. He then turned to Alex Joyce of Fregonese Associates to give a brief presentation on the ILUTP and VMT.

Mr. Joyce referred to a powerpoint presentation that addressed the variables that drive VMT. These variables include design, density, destinations, diversity of land uses, distance of households to transit and jobs, and demographics. He summarized possible transportation strategies to address VMT such as transit, street connectivity, complete streets, and transportation demand management. He concluded by indicating the team has tested the impacts of these various strategies, and they appear to provide the opportunity to bend the curve and stop the increase in VMT.

Mr. Dills concluded on this topic by reminding the committee that the project "time stamp" is 2028, but that it's in the longer range period – out to 2040 - where many of these ILUTP strategies will have the greatest impact. We have to do reasonably likely by 2028; and then look at what can be done to keep pushing the needle to reduce VMT by 2040.

At the conclusion of this topic, Mr. Dills confirmed with the committee that the team has their "okay" to move forward.

### **3. Draft Preferred Scenario – Update and Refinements**

Ms. Hewitt then gave a brief presentation on the team's work on a draft preferred UGB scenario. She noted that last October, the team presented Scenarios 2.1, 2.2, and 2.3. The work presented today includes some updates to the assumptions for land inside the boundary. The team is bringing Scenario 2.1A up to date with TAC recommendations on efficiency measures; one of the purposes of which is to support good findings. In addition, doing so provides a better understanding of the capacity in the current UGB for the number and types of housing units. The recommendations for development code efficiency measures are incorporated into the scenario, including what uses can be built in what zones. With respect to Juniper Ridge, she mentioned that the assumptions have been calibrated to reflect the Employment Subdistrict on the western portion and a mix of office and industrial employment on the eastern portion. This work also includes some changes to the Mixed Employment (ME) zone, which may not make

sense for Juniper Ridge. She noted that the final changes include those to land needs for parks and schools, which have been coordinated with the respective districts, and are likely to mean less acres than previously estimated for these uses. She added that one of the questions the team answered was that the zones are flexible enough to meet the needed mix for housing and employment. She concluded by referring the USC to the tables in the meeting packet.

#### 4. Public Comment

Chair Chudowsky then opened up the meeting for public comment, and asked that every person providing comment limit the duration of their comments to three (3) minutes.

a. Bill Galaway, Chair of the Southeast Bend Neighborhood Association. Mr. Galaway indicated his testimony would focus on the geographic area referred to as the Thumb. He raised two issues. One issue was the proposal that cuts off half the Thumb. He noted his concerns about access to Thumb and the potential for cut through traffic through the neighborhood. In addition he noted a concern about traffic on Parrell Road. He also cited a figure of approximately \$20 million to improve the Baker Road interchange. His second comment was focused on what he described as few amenities in southeast Bend. He testified that adding this area as mixed use would allow the residents to have access to amenities. He also noted three golf courses within walking distance of the area, and recommended the entire Thumb be included in the expansion. At the conclusion of his testimony Mr. Johnson asked about a potential school site. Mr. Galaway pointed out the location of the school site on a map that was present for the meeting. Mr. Johnson then asked if this was part of the coordination process between the city and the school district, to which Mr. Dills replied yes.

b. Ken Atwell. Mr. Atwell cited a figure of \$20 million needed for improving connectivity. He testified that this figure is low if one looks at the 2009 Central Oregon rail crossing study. He also cited a figure of \$30 million for improving the intersection of Baker Road and Knott Road. He testified on what he described as the need for a southwest crossing type bond issue, or possibly seeking private funding to address this issue. He mentioned that he lives in Mountain High, and indicated that this development has what he described as buildable property, with 110 acres in open space for a golf course and another 60 acres that are developable. He referred the committee to the scenario map in the packet and recommended they visit the property and walk it to better understand its location and topography, in addition to the location of a canal. He concluded by referring to prior city council meetings regarding a water system, and recommended that the committee pay attention to the canal and the wetlands.

c. Lori Murphy, attorney with Miller, Nash, Graham, and Dunn, representing Sage Winds. She provided new written testimony to the record. She referred to one of the UGB scenario maps and testified that the area described as the Northeast Edge includes about half of the area she described as the Perfect Rectangle. She asked that the committee review her testimony again and include the Perfect Rectangle in the next UGB scenario. She testified to the benefits of the area, including its size, flat topography, ease of development, and potential for more affordable housing and commercial development. She commented that this area will be defensible before LCDC (the Oregon Land Conservation and Development Commission) and cited as a benefit the property's proximity to sewer. She concluded by noting the "Perfect Rectangle" is about 130 acres in size and would be easy to develop as one large piece or individual pieces.

d. Ruth Williamson. Ms. Williamson commented that many colleagues from the Boundary TAC are here to listen. She testified that the process up to this point has been remarkable, and described it as a good process. She commented that with some of the corrections the committee discussed earlier, the Boundary TAC can deliver good recommendations, and something substantial. She concluded by stating she welcomes the opportunity to make a recommendation.

e. Tia Lewis, an attorney with Schwabe, Williamson, and Wyatt, testified on behalf of the Coats family and Shevlin Sand and Gravel. She testified that she had submitted a letter along with 13 attached exhibits for the record. She noted that one of the exhibits is a wildlife study, and that the exhibits also included letters from the School District and others. She testified that the city needs to bring in another 200 acres on the west side, and with a mix of housing types and densities. She referred to her client's property on one of the UGB scenario maps and pointed to a "notch" that should be included in the UGB. She also added that she submitted evidence into the record that shows transportation connections to her client's property.

f. John Russell introduced himself as a member of the Boundary TAC and representing the Department of State Lands (Department). He gave a brief introduction to the Department and its purposes. His introduction also provided some background on the State Land Board and the Common School Fund. He referred the committee to a master plan for the site that was prepared in 2007 for all 640 acres. He noted that about 60% of the DSL property was rezoned two years ago, and emphasized the main points about the property the Department has made since 2007. He noted that in Scenario 2.1 it's a complete community, and he reiterated the Department's commitment to the master plan.

g. Toby Bayard, introduced herself as a member of the Boundary TAC. She testified that she agreed with the prior testimony of Ruth Williamson and echoed her sentiments.

h. Paul Dewey, Central Oregon Landwatch. He identified himself as a member of the Boundary TAC and noted that the TAC will have another meeting. He testified that it helped to hear about the properties identified as the Perfect Rectangle and the Thumb. He noted that the Boundary TAC has not had as much exposure to these public comments. He directed the committee to look page 59 of the meeting packet, which was a map of Scenario 2.1B. He commented that some people read the capacity estimates on these maps literally, and asked a question of whether someone could explain the range in the number of housing units that could be built in the expansion areas, so that the public could understand.

At the conclusion of public comments, Mr. Dills addressed Mr. Dewey's comments on the numbers. He commented that he and the team will need to do some work to come up with this information. He noted that the data shown on the maps are capacity estimates, and what is reasonably likely to occur. They (the estimates) represent the best capacity estimate for a given area on the map.

Councilor Russell asked a question on the map for Scenario 2.1B. Regarding the housing unit and jobs estimates, how did we get those numbers?

Mr. Rankin commented that the city regulates through the zoning map. He described how land could be developed, how hard it is to predict development on each piece of land.

Councilor Campbell asked if the City does this for new properties.

Mr. Rankin added that the city's plan designations are applied as part of this process. The current proposal is to keep county zoning in place. This zoning would stay in place until someone annexes to the city, which would need to be approved by the city council. Development would likely be required to be master planned, and address standards for density and road layout. The City Council would be looking at a concept plan with a request for annexation.

Councilor Campbell asked for clarification – when a property owner requests annexation and proposes a plan; could they do something different from what we've considered in this UGB process? Can we say no to such a proposal? Councilor Russell added another question - how does this link to the comprehensive plan work?

Mr. Rankin responded that the urbanization chapter work is coming up in next couple of meetings. He noted that the team has not brought urbanization policies to the committee yet. He also noted upcoming workshops where this would be addressed, and that the team needs to look at recent examples and state law. He added that the city can require a developer to provide for a mix of uses.

Mr. Wagner commented that Councilor Campbell had asked a good question. He asked about a situation in which a property owner was asking to be annexed to Bend, but asked for only RS zoning for a property. He asked if in that situation whether the City Council could say yes or no to the proposal. If the City Council were to say yes to such a request, who would be able to “slap the hand” of the City Council?

Mr. Dills started to address this question by referring to comprehensive plan policies, including those policies referring to the 2016 UGB expansion with an anticipated mix of uses. A future council would have to amend that language, and show that these changes were consistent with the plan and statewide planning goals.

Mr. Johnson then interjected to answer Mr. Wagner questions. Mr. Johnson noted that if a group or individual disagrees with the City Council’s decision, they can appeal. He offered an example that once land is inside a boundary (UGB), and is subject to a comprehensive plan that includes a buildable lands inventory, a housing advocate or group such as League of Women Voters could appeal a decision to downzone land. The system relies on the citizenry to enforce laws.

Mr. Wolf noted that the committee had heard some compelling testimony at prior meetings. This testimony addressed areas such as the Perfect Rectangle and the Thumb. He asked that when the Boundary TAC next meets to explicitly address why certain parcels were excluded. He commented that while less acres may be better, could some additional acres be added back in?

Chair Chudowsky commented that the committee needs clarity on the transportation situation, and referred to Mr. Gallaway’s earlier testimony. He recommended that this topic be added as an item for the Boundary TAC’s next meeting.

Commissioner DeBone asked whether we are setting up to have a successful system to come back in five years. He asked if so, this process should be easier in five years; whether we are setting up a system to do things more smoothly in the future. He noted that we can’t respond to all requests now, but asked the open question whether we could in five years. He further noted that this was an observation and a comment.

Councilor Roats asked about the potential to add more properties to the boundary, and whether it was possible to add an amount of around a couple hundred acres.

Councilor Knight asked about the idea of a transitional density. He noted the urban forest interface on the west side of our community. He asked that the team consider this with the proposed Westside expansion lands. He observed that we’re having difficulty with proposed housing mixes, and commented that there should be a difference in rationale in evaluating future lands on the west. He noted that he was not sure if full urbanization is the best fit

suppression, and raised the question of whether less dense development, like a transect, should be considered on the west side.

Mr. Dills acknowledged the previous direction and comments from the committee members and asked what else the Boundary TAC should look at. Chair Chudowsky asked about the testimony (letter) from the school district and indicated he would like to have consensus.

Councilor Campbell commented and addressed Councilor Roats' previous question. She observed that the size of the UGB expansion has changed and decreased from 8,000 acres to 1,800 acres. She noted that the Portland region is not adding any acres to its UGB, and that the current UGB work shows a number less than 1,800 acres. She commented that she does not understand how we started at 8,000 acres and went to 1,800 acres. She thought the answer was in the data.

Chair Chudowsky addressed this question by pointing out more refinements inside the boundary and with the buildable lands inventory (BLI).

Mr. Rankin commented that the figure of 8,400 acres was not a valid basis for comparison. He reminded the committee that the State did not approve the prior UGB expansion proposal. He noted that the team has updated the BLI and completed more work on efficiency measures. He also noted that more refinements have been made through the advisory committee process. This data informs the modeling. He pointed out that less land is required for schools and parks, and summarized the change is also due to better modeling, a shorter time period, and more efficiencies inside the boundary.

Mr. Johnson commented on the topic 8,000 acres and zero acres bookends. He offered for perspective that Portland is not expanding now, and that they (the region) are under a different statute. He stated that they are required to update their data every five years, and that they have added over 23,000 acres over the last five years.

Mr. Wagner asked a question regarding the Westside area. He appreciated Councilor Knight's comments, and questioned whether high density housing may benefit being closer to schools and the forest.

Councilor Knight responded by commenting that he respected Mr. Wagner position. He offered another perspective, which is that of locating higher density housing along transportation corridors. He questioned the proposal to add more residential density next to an inappropriately sited school. He stated that he wants to see high density closer to transportation corridors, and expressed concern about what he described as "donut development". He noted the capital and energy migrating to the periphery of the community

under such a proposal, and the relationship of urban development proximate to forest and wildfire.

Councilor Russell commented that she is looking forward to the Boundary TAC revisiting these discussions. She noted that the Comprehensive Plan includes the City's transportation system plan (TSP). The TSP includes routes on the periphery, and she cited development agreements that the City has relied upon to develop certain segments of roads. She also added that the other piece, in looking at Factor 1, is that the City use land inside the boundary most effectively. She added that the TAC consider the interface between the forest, county lands, and city in their discussion.

Councilor Roats asked a question in the form of a comment, which was how come all the growth is on the east side of the river. He offered that this is the initial comment he hears when showing someone the UGB scenario map, and he noted that he does not have a good answer. The only answer he has is a good email campaign before the last vote. He concluded by asking why does the east side of the town have to take one for the team?

Councilor Knight commented that he does not consider growth taking one for the team. He offered that he's hearing that people in the southeast want amenities and some growth. He's hearing from the eastside that people want some amenities.

Councilor Roats asked if we could enlighten the west side constituents. He then asked a different question of what if we punched through Skyline Ranch Road. He noted that at first glance we're going to have to answer why all the growth is on the east side and we will have to answer this question when asked.

Councilor Knight offered that he did not interpret this as the path of least resistance with respect to using our land more efficiently in the core.

Mr. Rankin commented that the Boundary TAC will have another meeting, and asked for direction from the committee for their perspective on what sweet spot(s) exist to bring the project together.

Mayor Clinton offered a suggestion on this point. He commented that it is a good and fine idea that the Boundary TAC meet and reconsider the boundary. He also noted that the Steering Committee has already supported one of the scenarios. If the Boundary TAC is not happy with that support, they should work out amongst themselves how they think it should be changed. He added that the recommendation should be one that's supported by everyone on the Boundary TAC. He concluded by stating he wants to see a single consensus recommendation from the Boundary TAC.

Mr. Dills offered that the team could approach this idea of trying to get consensus with the Boundary TAC. He offered that if they can't do that, then they can vote and send a recommendation on to the USC. Such a recommendation could indicate how many supported it and for those that didn't support it provide reasons for why they did not.

Councilor Roats responded to Mayor Clinton's idea by asking whether we are setting the TAC up to fail. He commented that demanding consensus from the Boundary TAC on a modified proposal was an easy way out.

Ms. Smith commented that the TAC's goal is to reach consensus, and to bring back those things on which we have consensus. She added that for those policy choices for which we don't have consensus, the TAC can bring those back to the USC to make the policy choice.

Councilor Knight added that it would be helpful to actually understand the process of refinement, and why the acreage went down. Mr. Rankin offered that as a team, we need to provide an answer. Councilor Knight asked for a refresher on this work.

Mr. Dills then addressed Mr. Wolf's prior comment. The Boundary TAC will go through the individual requests we have. If we put that together with a Scenario 2.1 starting point, then the Boundary TAC is in a position to say yes to some things and no to others. The Boundary TAC should be comprehensive in looking at those. He then asked the Committee members if this is how they wanted the Boundary TAC to proceed.

Mr. Wagner commented that this may take a huge time frame; he saw too many options on the table.

Mr. Wolf offered that we're only talking a handful of requests, and that he is interested in finding out from the Boundary TAC where they agreed.

Mr. Dills then attempted to summarize what he understood as the Steering Committee's direction to the Boundary TAC. This direction is to prepare their recommendation on a preferred scenario and through consensus. If they cannot reach consensus, then define policy choices that will go back to the USC. In addition, the Boundary TAC will prioritize and work through spatial changes proposed in testimony, including a look at the southeast transportation question, the potential for a west side transitional density, and a transect concept in the west. He also noted that the Boundary TAC consider the Perfect Rectangle as one of the requests.

Chair Chudowsky asked if staff can get a head start before the Boundary TAC meets.

Ms. Smith suggested that she and Mr. Riley meet with the team early to craft this process. In doing so, they should also determine what information should be presented to Boundary TAC for a productive meeting. Mr. Riley indicated he agrees with this approach.

Mr. Rankin commented that the team will need permission to prepare, and attempt to reconcile opposing directions. He stated he liked Ms. Smith's suggestion, and asked whether the committee was comfortable with this direction. Put another way does the team have permission to do the things Mr. Dills suggested.

Councilor Campbell asked that the team pay attention to public comments. She noted that she was nervous about setting a precedent and that the team consider those issues that came out of public comment. These issues included the Bat Caves, the Thumb, and the Perfect Rectangle.

Ms. Smith noted that the Boundary TAC has heard a lot of this testimony already at their meetings. Mr. Riley asked whether the Boundary TAC should go back and consider whether the areas raised in testimony should be considered candidates.

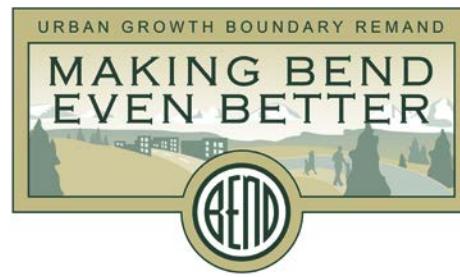
Councilor Knight asked that the team be responsive to public comment when going back through the technical analysis and considering refinements.

Mr. Dills then asked one more check-in question. The agenda for today's meeting included a series of refinements referred to as Scenario 2.1B. He noted that all of them are technical in their origin, and checked in with the Steering Committee to confirm that they were comfortable with this scenario being the platform on which the team would move forward. He asked for a nod of heads that the Committee would support the use of the 2.1B refinements, and the committee did so and confirmed that the team could move forward in this manner.

## **5. Adjourn**

With no further business, Chair Chudowsky adjourned the meeting at 4:26 pm.

# Memorandum



February 3, 2016

**To:** Urban Growth Boundary Steering Committee  
**Cc:** Boundary and Growth Scenarios Technical Advisory Committee, Residential and Employment Technical Advisory Committees  
**From:** Angelo Planning Group Team  
**Re:** Preferred Urban Growth Boundary Expansion Scenario – Recommendations from the Boundary and Growth Scenarios Technical Advisory Committee

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## INTRODUCTION

At its meeting on December 14, 2015, the Bend Urban Growth Boundary Steering Committee (USC) directed the Boundary and Growth Scenarios Technical Advisory Committee (Boundary TAC) to reconvene and prepare a recommendation to the USC regarding the preferred scenario. Specifically, the USC directed the Boundary TAC to:

- Work toward a consensus recommendation
- Define policy choices for the USC, if the Boundary TAC cannot achieve full consensus
- Prioritize and work through spatial changes requested in public testimony
- Address several specific issues raised at the USC meeting: southeast transportation issues; the potential for west side transitional density; a transect concept for the west; and consideration of the “Perfect Rectangle.”

The purpose of this memorandum is to describe a package of recommendations that were crafted and approved by the Boundary TAC at its meeting on January 20, 2016. All recommendations were unanimously approved, except for the West sub-area. For the West, the vote was 16-1 in favor of the recommendation, with one member not supporting the recommendation. Other changes were approved with the consensus of the Boundary TAC.

The recommended scenario is called Scenario 2.1D in this memo, and is accompanied by a Boundary TAC-approved policy framework.

## The Boundary TAC's Process in a Nutshell

The following were key steps of the process leading to the recommended Scenario 2.1D and policy framework.

### *Following the December 14, 2015 USC Meeting*

- The project team researched potential refinements to the buildable lands inventory (BLI), per USC direction to evaluate the potential for additional acreage in the expansion areas.
- The team compiled public testimony received between October 23, 2015 and December 31, 2015, and prepared a summary for use by the Boundary TAC. This allowed the process to direct changes to the UGB based on the policy direction from the USC on October 22, 2015.
- The co-chairs of the Boundary TAC (Mike Riley and Sharon Smith) met with city staff following the USC meeting to discuss how best to advance the Boundary TAC's discussions and work towards consensus. The co-chairs suggested creating a discussion draft of a Boundary TAC recommendation scenario that could provide a starting point for further refinements at the upcoming January meeting. The co-chairs offered a number of suggested refinements to Scenario 2.1B to address concerns raised by committee members and to respond to public testimony.
- A "starting point" scenario, Scenario 2.1C, was prepared as a basis for discussion by the Boundary TAC.
- Testimony from various parties was received prior to, and during, the January 20<sup>th</sup> Boundary TAC meeting. Of special note was a letter, dated January 19, 2016, describing a potential consensus for a part of the West sub-area, utilizing a "transect" planning concept and approach. The letter was signed by the parties supporting the approach: Kirk Schueler (representing Brooks Resources Corporation), Paul Dewey (representing Central Oregon Land Watch), Dave Swisher (representing Anderson Ranch Holding Company), and Charley Miller (representing Miller Tree Farm). This letter is included on page 68 of the packet of testimony from the January 20, 2016 Boundary TAC meeting.

### *The January 20, 2016 Boundary TAC Meeting*

- The Boundary TAC discussed the potential refinements to the BLI, the public comment summary, and the potential for the policy framework to be part of the recommendation. The Boundary TAC then listened to additional testimony from 9 people.
- The Boundary TAC had an extensive discussion regarding the proposed Westside consensus, as described by Kirk Schueler and Paul Dewey, and the transect concept generally. There was broad support for the proposal and recognition of the value of the collaborative process used to craft it. There was also a robust discussion of the relationship of the proposal to adjacent properties (Day and Coats) – the Boundary TAC looked at the West area as a whole in crafting its recommendation.
- The Boundary TAC then discussed, listed ideas, and crafted recommendations for each individual sub-area (West, OB Riley-North Triangle, Northeast, DSL, Elbow, and Thumb), using Scenario 2.1C as the starting point. In each case, the Boundary TAC worked toward full consensus support, achieving it in all subareas except the West. Please see page 8 for the descriptions of the recommendations and explanation of the minority position/policy issues in the West.
- The Boundary TAC discussed and approved the policy framework, adding the Transect as one of the planning strategies.
- DLCD staff attended the meeting and reported their support for the package of amendments resulting from the January 20<sup>th</sup>, 2016 Boundary TAC meeting.

For the discussions and recommendations described above, the Boundary TAC used the following definition of consensus: “Consensus means that members can support the recommendation even if it does not capture all favored elements; in short, you can either support it or can live with it as a reasonable compromise based on the issues considered and the requirements of Goal 14.”

## BACKGROUND - TOTAL LAND NEED

### Comparison to 2008

Several USC and Boundary TAC members have noted that the city’s 2008 UGB expansion proposal was for over 8,400 acres of land in total, and have questioned why the current draft expansion proposal is closer to 2,000 acres. The short answer is that the 8,400 acre expansion was legally indefensible on a number of levels, and is the primary reason the proposal was remanded to the city.

Highlights of some of the key factors that have reduced the size of the proposed expansion from the original 8,400 acre proposal are summarized below:

- No longer including rural residential land with no assumed development capacity (about 3,000 acres; *Remand Issue 2.6 and 9.6*)
- No longer using 50% “market factor” for employment land needs (about 400 acres; *Remand Issue 5.4*)
- Vacancy rate is now built into employment land need projections, no longer adding 15% vacancy rate on top of projections (about 200 acres; *Remand Issue 5.6*)
- New university and hospital expansion are now accommodated inside existing UGB (reduced special site needs by about 312 acres; *Director’s Report, page 68*)
- One large-lot industrial site is now accommodated inside existing UGB at Juniper Ridge (reduced special site need by about 56 acres; *Director’s Report, page 68*)
- Assumption regarding “other land needs” has been reduced from 15% to 12.8% based on evidence in the record (about 350-400 acres; *Remand Issue 4.1*)
- Increase in estimated housing capacity within the existing UGB and more efficient use of residential land based on:
  - Revisions to the Buildable Lands Inventory (BLI) to more closely follow state law (*Remand Issue 2.2*);
  - More accurately reflecting existing minimum density standards and past trends (*Remand Issue 2.2*);
  - Changes to assumed housing mix for remainder of planning period based on updated demographic trends and Housing Needs Analysis (*Remand Issues 2.3 and 2.4*); and
  - Introduction of a more robust package of efficiency measures thoroughly vetted by the TACs and USC (*Remand Issues 2.2, 3.1 and 3.2*).

### Proposed Adjustments to Land Need for Draft Preferred UGB Expansion Scenario

The USC asked the project team to re-check and verify whether the acreage proposed to be added to the UGB as of the December USC meeting would be sufficient, and whether any additional acreage

would be legally defensible. The team did additional research on constraints hindering development on certain key residential properties, checked the assumptions in the BLI, and re-evaluated development potential in the Central Area Plan / 3<sup>rd</sup> Street opportunity area. In addition, the team re-checked the projected average residential densities for each plan designation. No changes to the code amendment efficiency measures are proposed; however, the degree of market response has been re-evaluated. In some cases, the assumed impact of a given measure has been slightly reduced to ensure that adequate capacity is provided even if the market does not respond beyond meeting the new minimums. Importantly, these changes to capacity assumptions did not change the package of proposed Efficiency Measures. In addition, the changes do not modify prior decisions on housing mix for the planning period. Following these detailed evaluations, the project team is proposing the following refinements to the capacity estimates for the current UGB and the land need for the UGB expansion:

1. Reduce assumed development potential of land along Bachelor View Road in southwest Bend to one dwelling unit per lot except for lots with access onto Century Drive, based on inability to provide legal access for land divisions on other lots. Reduces capacity by about 170 units (mostly single family). The previous estimate was approximately 230 units in this area.
2. Remove assumed development potential for the Central Oregon Irrigation District property west of Brookswood Parkway during the planning horizon, due to a view easement (documented in testimony from Dale VanValkenburg on December 29, 2015) that is unlikely to be removed until 2035 and encumbers all 130 acres that were previously identified as an opportunity area. Reduces capacity by about 250 units (mostly single family), so that 0 housing units are assumed for the area encumbered by the easement during the planning period.
3. Update the BLI to exclude Areas of Special Interest (ASIs) based on further research showing no history of density transfers from these areas to buildable portions of the lot(s). Reduces capacity by about 50 housing units and 150 jobs along various parcels that have frontage or proximity to the Deschutes River where the ASI overlay applies. No new housing units or jobs are now assumed in these areas.
4. Reduce projected redevelopment potential in the Central Area Plan / 3<sup>rd</sup> Street opportunity area, based on the short remaining time within the planning horizon and the need for further work to implement the Central Area Plan, beyond the adoption of the UGB. Reduces capacity by about 100 units (mostly multifamily) and 120 jobs (mostly retail and office). Previous estimates were 490 housing units and 600 jobs. The revised estimates are 380 housing units and 480 jobs.
5. Reduce projected residential densities slightly in the RS and RM zones to just above their new minimums or just above historic averages (whichever is higher), because the market will have to adjust just to reach the new minimums in most cases, and it may not shift much beyond meeting the new minimums in the short remaining time within the planning horizon. This assumption refinement reduces capacity by about 450 units (mix of housing types, but majority single family) across the City, resulting in the need for approximately 100 additional acres in expansion areas.

In total, these adjustments add roughly 200 acres of residential land (mostly RS) to the land need for UGB expansion.

## RECOMMENDATIONS FROM THE BOUNDARY TAC – THE SCENARIO 2.1D PACKAGE

The Boundary TAC's recommendations include:

- A policy framework
- Refinements to Scenario 2.1C, which are captured in the Scenario 2.1D map and metrics

### Implementing the UGB Project Goals – A Policy Framework

Like its predecessors, from 2.1 to 2.1A though C, Scenario 2.1D is guided by the project goals. The goals, in short form, are listed below – please see Appendix A for the full text.

- A Quality Natural Environment
- Balanced Transportation System
- Great Neighborhoods
- Strong Active Downtown
- Strong Diverse Economy
- Connections to Recreation and Nature
- Housing Options and Affordability
- Cost Effective Infrastructure

For Scenario 2.1D, the goals are implemented through the growth strategies listed below that have been developed during the UGB process<sup>1</sup>. These strategies provide a high-level policy framework for the proposed UGB. They provide a starting point for the project team to draft policies for the new Urban Form and Growth Strategies chapter of the Comprehensive Plan.

The Boundary TAC recommends that the USC approve the following policy framework as the basis for Scenario 2.1D and Comprehensive Plan policies to be written:

- **Use Bend's existing urban land wisely.** Make efficient use of land inside the boundary, with infill and redevelopment focused in key opportunity areas.
- **Plan the City's urban form.** Focus the City's growth strategies to support great and diverse neighborhoods, centers and corridors, and employment districts.
- **Create new walkable, mixed use and complete communities.** Build complete communities in expansion areas by leveraging existing land use patterns inside the existing boundary and using expansion to create more complete communities.
- **Complement existing communities in Bend.** Utilize new growth in expansion areas as a strategy to help make existing neighborhoods, centers and corridors, and employment districts inside the boundary more "complete" by: diversifying the housing mix; providing local commercial services and jobs; increasing transportation connectivity; and providing needed public facilities such as parks and schools.
- **Locate jobs in suitable locations.** Plan new employment areas where there is access to transportation corridors, larger parcels, and good visibility for commercial uses.

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<sup>1</sup> Key steps have been TAC and USC discussions, the scenario workshops held in December, 2014 and April, 2015, and the MetroQuest community feedback surveys.

- **Plan Bend's infrastructure investments for the long term.** Plan the City's infrastructure systems so that they serve the City efficiently over both the short term (20 years) and the very long term (50-100 years).
- **Meet state requirements while implementing local goals.** Emphasize growth in areas that perform well relative to Statewide Planning Goal 14, Urbanization, so that Bend's growth strategies provide opportunities for efficient, cost-effective, environmentally-sensitive, and farm-/forest-compatible development.
- **Take a balanced approach.** Balance and distribute the UGB expansion geographically around the city to distribute the benefits (and impacts) of growth and to provide more options for new neighborhoods.
- **Lay the groundwork for the future growth of Bend.** Take into consideration the context of land beyond the current UGB expansion – ranging from lands with high suitability for future growth to other lands that may have low suitability to be urbanized in the future.
- **Utilize a transect approach where appropriate to establish a transitions to natural areas.** Plan transitions from higher to lower density where appropriate to: (1) recognize and respond to natural permanent edges (such as Federal land ownership near UGB expansion areas) of the city; and/or (2) promote compatibility with adjacent areas subject to wildlife, wildfire, public ownership (for recreation and/or preservation), and/or similar considerations. Transect planning will be used on a case-by-case basis, in response to the specific context of urban form, adjacent open space, and suitability for future urban growth.

To the extent that Scenario 2.1D differs from previous versions of Scenario 2.1, it is with the intent to balance the Goal 14 factors to: implement the project goals and above-listed policy concepts; and achieve a distribution of development potential that responds to public input while retaining the qualities that made Scenario 2.1 perform so strongly in the initial evaluation.

## Scenario 2.1D Maps, Metrics and Subarea Descriptions

At its meeting on January 20, 2016, the Boundary TAC crafted and approved recommendations in the form of direction to the project team for the update of the preferred scenario map and metrics. This section lists the recommendations from the Boundary TAC, by subarea, and describes how that direction is reflected in the Scenario 2.1D maps. A table of housing and employment metrics is also provided. Note that the arrangement of land uses shown on Figure 1 is intended to capture the concepts that have been articulated for each area, but is preliminary and subject to refinement through the master planning process.

### Northeast Edge

#### *Boundary TAC direction to the project team for this area*

Add some smaller landowners on the edge *if* extra land is needed.

#### *Scenario 2.1D subarea description*

The Northeast Edge includes the full extent of Butler Market Village / “the Perfect Rectangle” (more than in previous iterations of Scenario 2.1) for residential and employment uses, as well as a new school. It does not include the node at Neff Road. It does, however, include several properties just south of Butler Market Road and adjacent to Butler Market Village that were not previously included in Scenario 2.1. In addition, Pine Nursery Park and Rock Ridge Park are recommended for inclusion in

response to Park District comments and efficient urban development through public infrastructure such as transportation and sewer infrastructure.

The central planning concepts for this area are to: create a new, complete community north of Butler Market Road; and increase the mix of housing and land uses in the area to increase the completeness of the existing low density neighborhoods and in anticipation of additional urban growth in the future.

### *DSL Property*

#### *Boundary TAC direction to the project team for this area*

No change from Scenario 2.1C.

#### *Scenario 2.1D subarea description*

The DSL Property continues to include the full extent of the exception land on the DSL property (as in previous iterations of Scenario 2.1), but with a slightly shifted mix of land uses, including a smaller assumed natural area (sized to reflect a more reasonable assumption of protection for bat cave areas) and somewhat more land for housing.

The overall planning concept for the DSL property is for a new complete community that accommodates a diverse mix of neighborhood and employment uses. The DSL property also accommodates a large-lot industrial site.

### *The Elbow*

#### *Boundary TAC direction to the project team for this area*

- Compatible transitions to adjacent residential neighborhoods
- Less commercial, more ME (Brown & Reed)
- Move some commercial to Coats property

#### *Scenario 2.1D subarea description*

Scenario 2.1D continues to include the full extent of The Elbow (as in previous iterations of Scenario 2.1), but with a slightly shifted mix of uses – more residential land and less employment land. The employment focus is intended to take advantage of good transportation access on Knott Road and 27th (and future improved access with the Murphy Extension). Residential uses are intended to create a compatible transition from the employment lands to existing neighborhoods to the west. The High Desert Park site has been included in Scenario 2.1 and its subsequent refinements.

### *The Thumb*

#### *Boundary TAC direction to the project team for this area*

Be mindful of gateway (treed landscape at south entrance into Bend).

#### *Scenario 2.1D subarea description*

The Thumb includes roughly the same amount and mix of land use designations as in Scenario 2.1B, with a slight increase in multifamily housing. The planning concepts for the Thumb include: a new complete community; provision of needed local commercial services to serve the Thumb and existing

neighborhoods to the north; inclusion of industrial uses near the railroad line and to take advantage of good proximity to Hwy 97 and Knott Road.<sup>2</sup>

### West Area & Shevlin

#### *Boundary TAC direction to the project team for this area*

- Add neighborhood commercial to Coats property since the immediate area is under-served with this use.
- Cap total residential units on west (including Coats) to 1,000 in this UGB expansion and balance geographically. Limit residential to 200 units on Coats property.
- Schueler/Dewey/Swisher/Miller proposal with units as specified (maximum) in transect concept (see January 20 testimony packet page 68).

All but one Boundary TAC member supported the recommendations listed above. One member could not support the recommendation without the inclusion of the “North 40” – the northern-most portion of the Day property; a 40-acre parcel that is surrounded on three sides by the existing UGB. A motion to include this portion of the Day property received support from four members of the Boundary TAC, but did not achieve a consensus or a majority. The rationale articulated for inclusion of the North 40 was that it is: part of local urban reserves, which are cited in the General Plan as the first local priority for UGB expansion; and the Boundary TAC recommendation was not an equitable distribution of all the units on the West side. In further discussion, the Boundary TAC members supporting the recommendation noted the following policy considerations regarding the North 40: it did not support affordability; there is a limited land need and the North 40 could be part of future expansion; it was not consistent with the consensus proposed by Schueler/Dewey letter; and other properties in the West are more proximate to schools and existing/planned transportation links.

#### *Scenario 2.1D subarea description*

The West Area reflects the Schueler/Dewey/Swisher/Miller proposal shown in the packet of testimony from the January 20<sup>th</sup> Boundary TAC meeting (page 68 of that packet). The shape includes the full Miller property and a linear extension that includes a portion of the Day property and the vacant portion of Anderson Ranch, and allows for the extension of Skyline Ranch Road during the planning horizon. The shape of western edge of the UGB has been refined to avoid steep topography at the northern end of the West area. A linear open space, connecting Discovery Park to open space southwest of the sub-area, has been added to reflect testimony from Miller Tree Farm LLC regarding an intended open space and trail through this area.<sup>3</sup> Due to the location of the linear open space, the local commercial has been relocated to Skyliners Road. The total amount of development has been calibrated to achieve the 800 total housing units and the mix of housing types and employment uses proposed in the Schueler/Dewey letter and recommended by the Boundary TAC.

For the West Area, the central planning concepts are: provide a limited westward expansion that complements the pattern of complete communities that has begun with Northwest Crossing; and create

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<sup>2</sup> Note: Representatives from the Southeast Neighborhood Association met with staff outside the Boundary TAC process, and now understand and agree that including the full “Thumb” area (vs. the partial “Thumb” as proposed) would result in more traffic on the surrounding roadways.

<sup>3</sup> See Boundary TAC materials for October 22, Testimony received before October 21, 2015, page 10. <http://www.bend.or.us/Modules>ShowDocument.aspx?documentid=24826>

a transect from higher densities along Skyline Ranch Road to lower density and open space along the western edge of the new UGB. This is responsive to concerns raised by members of the Boundary TAC and USC regarding wildfire and wildlife impacts in this area and the opportunity for open space transition at the west edge of the City, and the “hard edge” to urban development established by Federal land ownership immediately west of the area. In addition, the specific direction of an 800-unit cap in the West subarea for this UGB expansion that is proposed in the Schueler/Dewey proposal will need to be captured through policy and/or other implementation measures.

South of the West Area, Alpine Park is recommended for inclusion in response to Park District comments.

The Northwest / Shevlin Area includes a small portion of the Coats property that is surrounded on three sides by the existing UGB (this area was not previously included in Scenario 2.1, Scenario 2.1A, or Scenario 2.1B). This addition promotes efficient land use by filling in the UGB “notch” while avoiding sensitive areas nearer to Tumalo Creek. The assumptions for this area reflect the Boundary TAC’s recommendation of a 200-unit cap on housing in this subarea with this UGB expansion. Note that the park land shown on this site is a placeholder for modeling purposes – the location and arrangement of open space on the site will be subject to master planning.

### *OB Riley / Gopher Gulch area*

#### *Boundary TAC direction to the project team for this area*

- Between OB Riley and Hwy 20, put residential on the east side of OB Riley (Blackmore testimony).
- More commercial on the west side of Hwy 20 – gateway concept (Blackmore testimony).

#### *Scenario 2.1D subarea description*

The OB Riley / Gopher Gulch area continues to focus on the area between Highway 20 and OB Riley Road, extending from the existing UGB to the properties just north of Cooley Road. The emphasis remains on employment uses due to relatively good transportation access, but with a mix of commercial, mixed employment, and industrial uses. In addition, residential uses have been included along the east side of OB Riley (in response to the Boundary TAC recommendation) and abutting the existing UGB, adjacent to the existing neighborhood.

### *North Triangle*

#### *Boundary TAC direction to the project team for this area*

- Address transition to rural residential along the north edge - consider re-arranging uses (or other transition use, i.e. civic land).

#### *Scenario 2.1D subarea description*

The North Triangle continues to include a mix of uses, including residential, commercial, industrial, and mixed employment uses. Residential uses are now shaped to provide a transition to rural residential uses to the north in addition to creating a residential node in the western portion of the subarea.

**Figure 1: Scenario 2.1D - Expansion Concepts Map**

## Expansion Scenario 2.1D

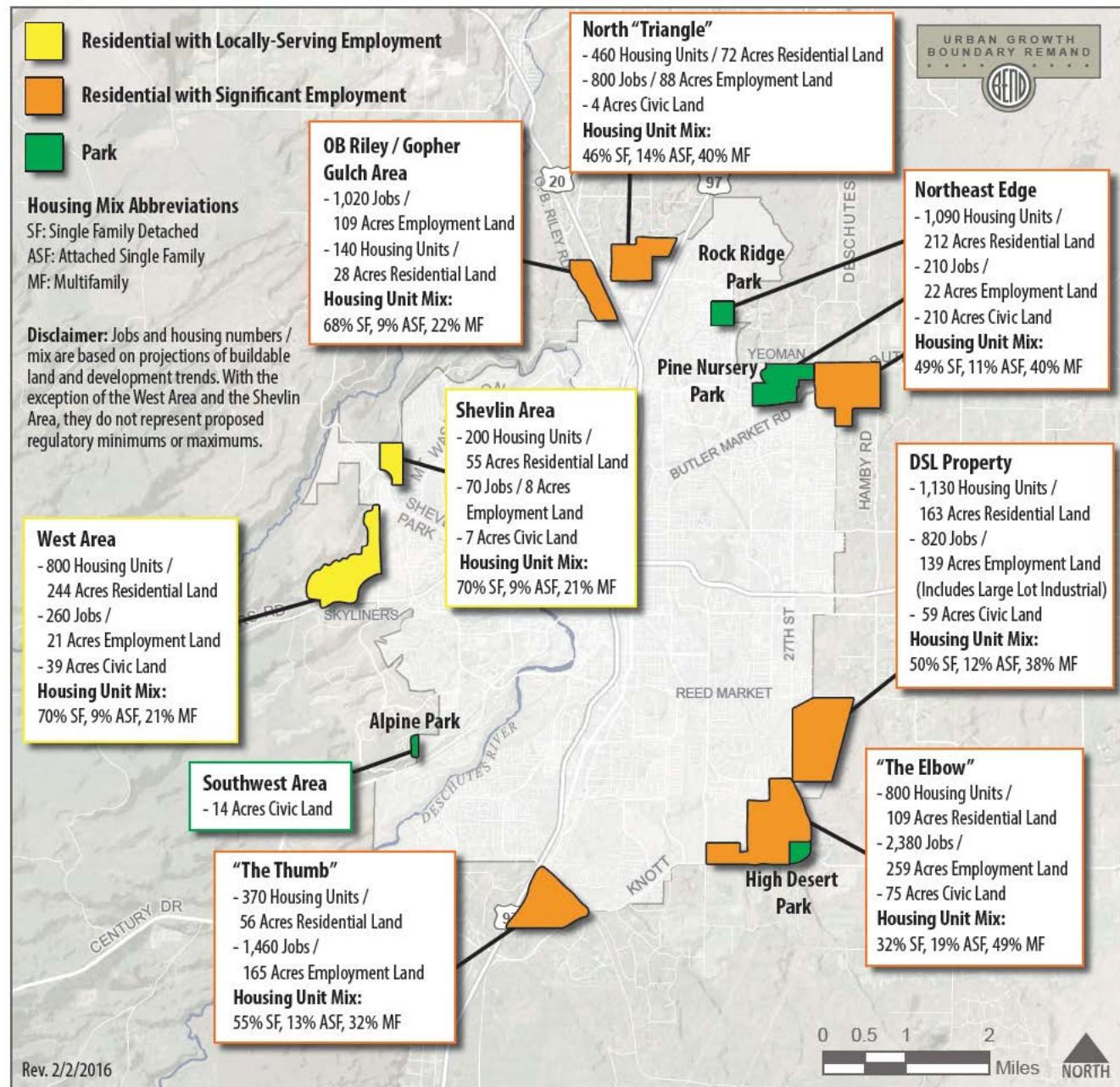
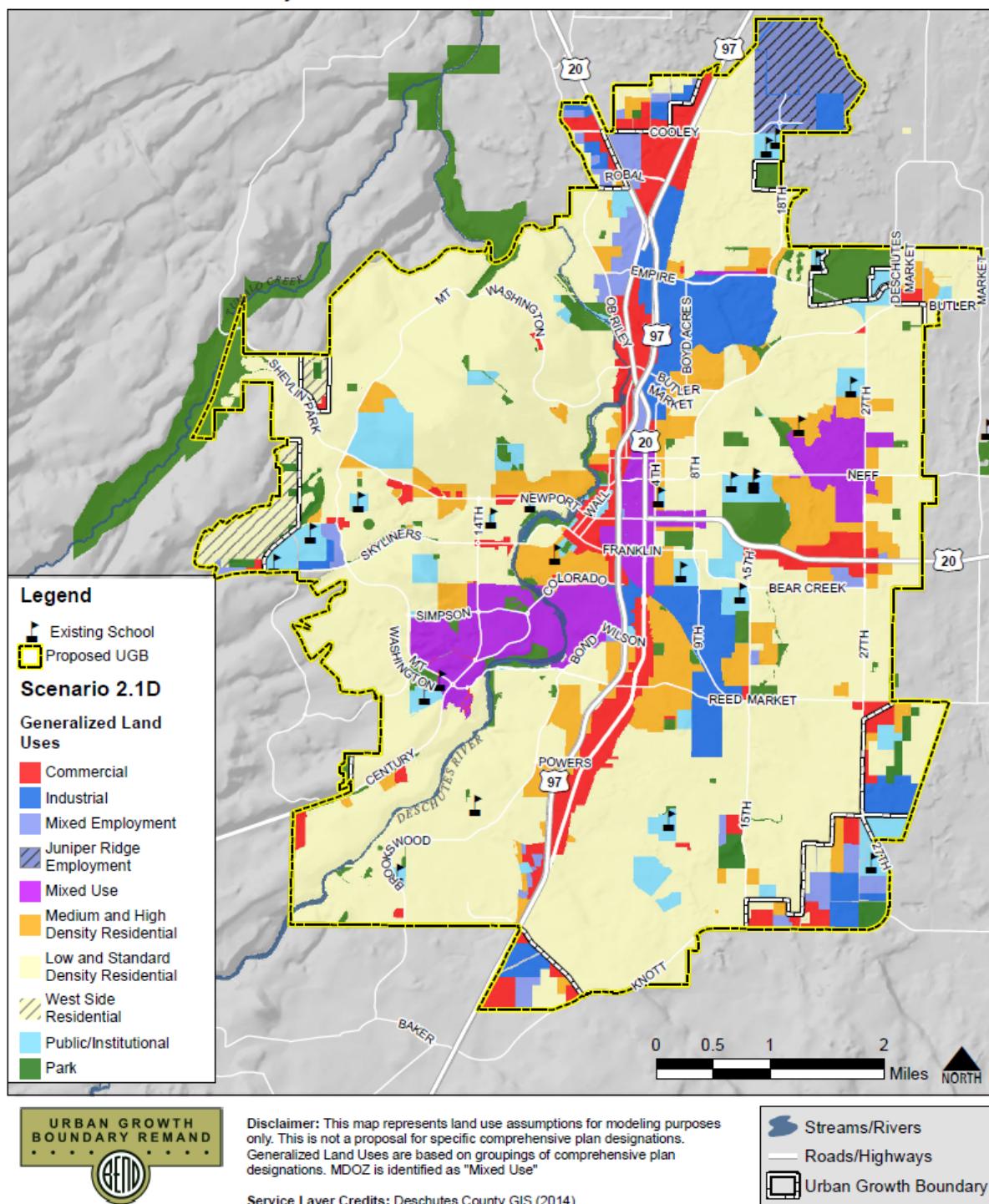


Figure 2: Scenario 2.1D - Generalized Land Use Map<sup>4</sup>**Bend UGB***Draft Revisions to Scenario 2.1**"Scenario 2.1D - Boundary TAC Recommendation"*

Prepared 1/28/2016



<sup>4</sup> Note that the arrangement of land uses shown on Figure 2 is intended to capture the concepts that have been articulated for each area, but is preliminary and subject to refinement through the master planning process.

## Summary Metrics

The table below summarizes key metrics by subarea and for the full UGB expansion for Scenario 2.1D. Areas are rounded to the nearest acre, and housing units and jobs are rounded to the nearest 10. Note that jobs and housing numbers and mix are based on projections of buildable land and development trends. While they have been calibrated to be consistent with existing and proposed development regulations, they do not represent regulatory minimums or maximums, except as otherwise specified in the table notes.

Table 1: Key Metrics for Scenario 2.1D

Metric	NE Edge	DSL	Elbow	Thumb	South-west	West***	Shevlin <sup>†</sup>	OB Riley	North Triangle	Total <sup>††</sup>
<b>Acres (Total Gross)</b>	444	362	443	221	14	304	69	137	164	<b>2,153</b>
<b>Residential Land</b>	212	163	109	56	0	244	55	28	72	<b>940</b>
<b>Employment Land</b>	22	139	259	165	0	21	8	109	88	<b>812</b>
<b>Civic Land*</b>	210	59	75	0	14	39	7	0	4	<b>402</b>
<b>Housing Units (Total)</b>	1,090	1,130	800	370	0	800	200	140	460	<b>4,990</b>
<b>% SF**</b>	49%	50%	32%	55%	-	70%	70%	68%	46%	<b>51%</b>
<b>% ASF**</b>	11%	12%	19%	13%	-	9%	9%	9%	14%	<b>13%</b>
<b>% MF**</b>	40%	38%	49%	32%	-	21%	21%	22%	40%	<b>36%</b>
<b>Jobs (Total)</b>	210	820	2,380	1,460	0	260	70	1,020	800	<b>7,020</b>

\* Civic Land = schools and parks.

\*\* SF = Single Family Detached; ASF = Attached Single Family; MF = Multifamily

\*\*\* The West Area is assumed to be subject to the Schueler/Dewey/Swisher/Miller agreement. For this area, 800 units is proposed to be a regulatory maximum.

<sup>†</sup> For the Shevlin area, 200 units is proposed to be a regulatory maximum.

<sup>††</sup> Totals may not equal sum of subareas due to rounding.

## INFRASTRUCTURE CONSIDERATIONS AND QUALITATIVE PERFORMANCE EVALUATION

To assist the USC with the consideration of Scenario 2.1D, the project team has conducted a comparison of Scenario 2.1D as presented in this memorandum against the original scenario 2.1. For the sake of this targeted update, this comparison focuses on several key performance measures, including the performance and total cost of transportation and sewer improvements, and Vehicle Miles Traveled (VMT). In considering the updates presented below, it is worth remembering that Goal 14 requires balancing all four factors, and that costs are one consideration.

An additional full modelling of transportation performance will be conducted on the final preferred scenario in order to provide the basis for findings – that process requires 4-6 weeks to run the regional

Travel Demand Model (TDM) and process the results. Together with the extensive TDM-based modelling conducted to date, the team is confident that the comparative analysis provided below provides a strong factual base for crafting the draft preferred alternative to be used as the basis for final modelling.

## Transportation Performance and Costs

Based on a comparison to the other scenarios and SAAMs that were evaluated, changes to identified intersection and corridor capacity improvements and costs have been identified for Scenario 2.1D. They will be verified when the preferred scenario is selected and the final transportation analysis is prepared.

With changes to the extent of expansion in several subareas, the needed connectivity improvements would change from what was originally identified for Scenario 2.1. These changes include:

### West Area:

- Add Skyline Ranch Road extension from NW Crosby Drive to south of NW Anderson Ranch Road (adds roughly \$5.8 million<sup>5</sup>)

### Shevlin Area:

- Extend Skyline Ranch Road north of Shevlin Park Road roughly 1,400 feet to connect with an extension of Regency Street (adds roughly \$2.5 million<sup>6</sup>)
- Extend Regency Street to connect with the Skyline Ranch Road connection (adds roughly \$2.3 million<sup>7</sup>)

### Northeast Edge:

- Add Yeoman Road extension from Deschutes Market Road to Hamehook Road / Butler Market Road (adds roughly \$14.7 million<sup>8</sup>)
- Drop new road connection to Bear Creek Road area (saves roughly \$8.4 million)

### North Triangle:

- Extension of Road 206 (future collector north/parallel to Cooley Road) would be shortened relative to 2.1. The portion east of Hunnel is about 30% of the original length (saves roughly \$8.8 million).

Taken together, these changes represent an increase of roughly \$8.1 million in transportation cost relative to Scenario 2.1, for a total of roughly \$161.9 million. It is worth noting that these costs bring the benefit of greater connectivity in some key areas around the city. New transportation improvement costs for UGB expansion (above and beyond costs for projects already identified in an adopted

<sup>5</sup> DKS Technical Memorandum, October 7, 2015, Road ID 201 from Scenarios 1.2 and 3.1.

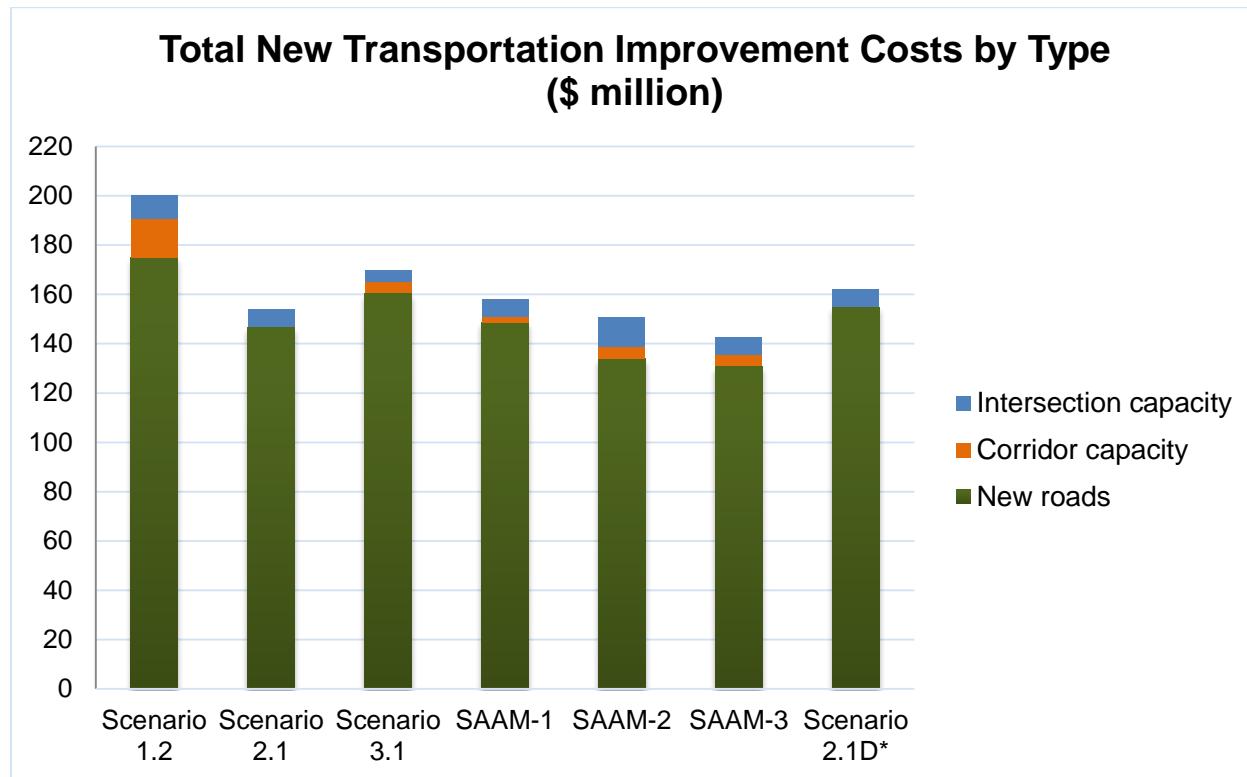
<sup>6</sup> DKS Technical Memorandum, October 7, 2015, Road ID 219 from Scenario 3.1, adjusted for reduced length.

<sup>7</sup> DKS Technical Memorandum, October 7, 2015, Road ID 230 from Scenario 3.1.

<sup>8</sup> DKS Technical Memorandum, October 7, 2015, Road ID 207a from SAAM-1.

transportation plan with reasonable likelihood of being funded) for Scenario 2.1 were originally estimated at \$153.8 million. The range of transportation costs for UGB expansion across all scenarios and supplemental analysis area maps (SAAMs) evaluated was from \$142.8 to \$200.2 million (see Figure 3 below).<sup>9</sup> In terms of cost per acre of expansion, the estimate for Scenario 2.1D is roughly \$75,000 per acre, compared to \$81,000 per acre for Scenario 2.1 and a range of \$53,000 to \$104,000 per acre across all original scenarios and SAAMs. (Note that there are roughly 200 additional acres of park land included in Scenario 2.1D relative to the original scenarios and SAAMs. If that acreage is excluded for a more “apples-to-apples” comparison, the cost per acre for Scenario 2.1D is roughly \$83,000.)

Figure 3: Transportation Cost Comparison - Original Scenarios and SAAMs and Scenario 2.1D



\*Note: Cost estimates for Scenario 2.1D are preliminary and subject to change with specific transportation modeling, particularly capacity improvement costs.

## Sanitary Sewer Costs

A precise estimate of sanitary sewer costs by subarea would require a more thorough re-analysis than the schedule allows at this time due to costs being apportioned based on how much flow would come from a given area, which is based on the amount and type of growth there. However, a simplified rough estimate of the change to costs based on the improvements needed to serve growth areas is provided below.

<sup>9</sup> An additional \$4 million cost was identified to serve growth inside the UGB; this cost was fixed across all scenarios and SAAMs.

- **The Thumb:** By dropping the Baney property, the Thumb would constitute an area somewhere between Scenario 3.1 and SAAM 1 in terms of development acreage, which would suggest that the sewer costs would likely be reduced by \$1.0 to \$1.7 million.
- **Shevlin:** This area would be somewhat less development than was modeled in Scenario 3.1, which identified a cost of roughly \$4.0 million to serve Shevlin and a portion of the West Area. The cost to serve the Shevlin Area included in 2.1D is estimated at approximately \$2.5 million. The total amount of development in Scenario 2.1D is 200 housing units, which would require the addition of gravity piping to convey flow to the Awbrey Glen Lift Station and could require upgrading the capacity of the pumps at the lift station. The Awbrey Glen Lift Station's force main would not require upsizing at the proposed level of development.
- **Northeast Edge:** Scenario 2.1D has an amount and distribution of growth in this area that falls somewhere between Scenario 3.1 and SAAM-1. Overall sewer costs attributable to this area are likely to be somewhat higher than in Scenario 2.1. This is due to there being more flow attributable to the area increasing the cost to serve, however no additional improvements would be required beyond those identified in Scenario 2.1, and the Bear Creek Road lift station and associated piping would be avoided, for a savings of roughly \$1.4 million.
- **West Area:** This area most closely resembles the option tested in Scenario 1.2, which had the same sewer costs as Scenario 2.1; therefore, costs are unlikely to change significantly for this area.

On the whole, Scenario 2.1D would likely result in somewhat higher sewer costs than Scenario 2.1, however the amount of increase would need to be verified through additional analysis. The initial capital cost of sanitary sewer infrastructure improvements for Scenario 2.1 was estimated at \$39.5 million. The range across all scenarios and SAAMs was \$38.0 to \$54.3 million.

## Vehicle Miles Traveled

A full transportation evaluation using the regional travel model will be prepared once the preferred scenario is approved for this step by the USC. This work will provide an analysis-based update of VMT per capita for the preferred scenario. Without that analysis, it is not possible to say with certainty how the VMT estimates will change given the current set of land use allocations and assumptions. However, it is possible to provide some general comments about the nature of possible changes to vehicle miles traveled (VMT) and other transportation considerations based on general patterns of how the land uses have changed since the original Scenario 2.1.

### Scenario 2.1B

As described in the memorandum to the USC regarding proposed revisions to Scenario 2.1A dated December 10, 2015, the updates and refinements to the capacity estimate of the existing UGB that created Scenario 2.1B in total meant that more of the housing need overall, especially the multifamily housing need in the Central Westside Area, could be met inside the UGB. This shift of multifamily housing to opportunity areas in central portions of the city would be expected to contribute to lowering VMT somewhat by focusing more growth in areas that are more walkable, have better transit service, and have lower average trip lengths. The removal of the Baney area is also likely to improve VMT somewhat, as that area had high average trip lengths in Scenario 2.1. Scenario 2.1B also retained a compact urban form with complete communities in virtually all expansion areas, and emphasized growth in expansion areas with comparatively short average trip lengths.

### ***Scenario 2.1C***

The update of assumptions in the Central Westside / Century Drive area (as part of creating Scenario 2.1B) increased the amount of multifamily housing assumed in that area, but the more recent recommendation (as part of creating Scenario 2.1C) to reduce the assumed yield for housing in the Central Area Plan / 3<sup>rd</sup> Street MMA and the estimated yield for certain residential lands inside the UGB meant more housing need being met outside the UGB. Overall, Scenario 2.1D directs more single family housing to expansion areas relative to Scenario 2.1, but accommodates somewhat more multifamily housing inside the existing UGB, mostly in core areas. The expansion areas generally have higher average trip lengths and fewer multi-modal options, even when developed as complete communities, relative to neighborhoods closer to the center of Bend. Scenario 2.1D also distributes growth to some expansion areas that had relatively higher average trip lengths in the previous scenario analysis. However, the slight shift in multifamily housing into central Bend may help counteract an increase in trip lengths somewhat. Preliminary indications (based on testing with Envision Tomorrow) indicate that Scenario 2.1D may be fairly comparable to the original Scenario 2.1 on VMT, though this will not be known for certain until updated modeling is completed.

## APPENDIX A: PROJECT GOALS

The City of Bend has entered the next phase of its Urban Growth Boundary (UGB) expansion to chart a path for Bend's future growth. The UGB is a line drawn on the City's General Plan map that identifies Bend's urban land. This land represents an estimated 20-year supply of land for employment, housing, and other urban uses. As the city continues to grow, we have an opportunity to develop a plan for future growth that reflects the community's goals and meets state planning requirements.



**The UGB Steering Committee approved the following Project Goals on September 4, 2014.**

### ***A Quality Natural Environment***

As Bend grows, it preserves and enhances natural areas and wildlife habitat. Wildfire risk management is a key consideration. Bend takes a balanced approach to environmental protection and building a great city.

### ***Balanced Transportation System***

Bend's balanced transportation system incorporates an improved, well-connected system of facilities for walking, bicycling, and public transit, while also providing a reliable system for drivers. Bend's transportation system emphasizes safety and convenience for users of all types and ages.

### ***Great Neighborhoods***

Bend has a variety of great neighborhoods that promote a sense of community and are well-designed, safe, walkable, and include local schools and parks. Small neighborhood centers provide local shops, a mix of housing types, and community gathering places. The character of historic neighborhoods is protected and infill development is compatible.

### ***Strong Active Downtown***

Bend's downtown continues to be an active focal point for residents and visitors with strong businesses, urban housing, civic services, arts and cultural opportunities, and gathering

places. Parking downtown is adequate and strategically located. Planning in other areas continues to support a healthy downtown.

### ***Strong Diverse Economy***

Bend has a good supply of serviced land planned for employment growth that supports the City's economic development goals, provides a range of diverse jobs and industries, and supports innovation. Employment areas, large and small, have excellent transportation access.

### ***Connections to Recreation and Nature***

Bend continues to enhance its network of parks, trails, greenbelts, recreational facilities, and scenic views inside and outside the city.

### ***Housing Options and Affordability***

Bend residents have access to a variety of high quality housing options, including housing affordable to people with a range of incomes and housing suitable to seniors, families, people with special needs, and others. Housing design is innovative and energy efficient.

### ***Cost Effective Infrastructure***

Bend plans and builds water, wastewater, storm water, transportation, and green infrastructure in a cost-effective way that supports other project goals. Efficient use of existing infrastructure is a top priority.

**City of Bend**  
**Boundary & Growth Scenarios Technical Advisory Committee**  
**Meeting Notes**  
**Date: January 20, 2016**

The Boundary & Growth Scenarios TAC held its regular meeting at 9:00 am on Wednesday, January 20, 2016 in the Municipal Court Hearing Room of the Bend Police Department (555 NE 15<sup>th</sup> Street). The meeting was called to order at 9:01 am by Sharon Smith.

**Roll Call**

<input type="checkbox"/> Toby Bayard	<input type="checkbox"/> Steve Hultberg	<input type="checkbox"/> John Russell
<input type="checkbox"/> Susan Brody	<input type="checkbox"/> Tom Kemper	<input type="checkbox"/> Sharon Smith
<input type="checkbox"/> Jim Bryant	<input type="checkbox"/> Nick Lelack	<input type="checkbox"/> Gary Timm
<input type="checkbox"/> Paul Dewey	<input type="checkbox"/> Brian Meece	<input type="checkbox"/> Rod Tomcho
<input type="checkbox"/> John Dotson	<input type="checkbox"/> Charlie Miller	<input type="checkbox"/> Dale Van Valkenburg
<input type="checkbox"/> Scott Edelman	<input type="checkbox"/> Wes Price	<input type="checkbox"/> Ruth Williamson
<input type="checkbox"/> Ellen Grover	<input type="checkbox"/> Mike Riley	

**1. Welcome and Introductory items**

Co-Chair Sharon Smith called the meeting to order at 9:01 am. Mr. Joe Dills of the Angelo Planning Group welcomed everyone. He thanked visitors for coming, and asked those that wanted to provide comments to compete and submit a comment card.

Mr. Dills introduced himself as the facilitator for today's meeting. He then asked for committee action on the minutes from their October 22, 2015 meeting. Mr. Tomcho noted one correction to the minutes on page 4 of 12. He noted testimony listed at item #12 and that the cost of homes in Northwest Crossing should be stated as \$300 to \$400 a square foot. Ms. Brody moved approval of the minutes as corrected, with Mr. Dotson providing a second to this motion. The committee approved the October 22, 2015 minutes with the correction noted.

Ms. Smith then made some introductory comments. She acknowledged the committee's last meeting was held on October 22, 2015 and explained why the committee was meeting today. Back in October, the Committee (Boundary TAC) made a recommendation to the Steering Committee after lots of discussion and not complete consensus. That same afternoon the USC met and did not follow the TAC recommendation and made their own changes to it. A number of people felt that things were not processed the way they should have been processed. She indicated that she spoke with USC Chair Victor Chudowsky, who then convened a meeting of the USC. The TAC got direction from the USC to reconvene, and she noted their (USC) meeting summary in the packet. Mayor Clinton asked if we could work together to reach consensus.

Co-Chair Mike Riley then added his introductory comments. He summarized the committee's tasks for this meeting, as directed by the USC. In the context of UGB Expansion Scenario 2.1, the committee needs to look strongly at the northeast part of town, around the area identified as the perfect rectangle. On the west side; change geography but stay with same number of housing units. Finally, he added the direction to staff to bring in a few more acres than those shown in Scenario 2.1B; and try to get to consensus. He expressed that he felt very dissatisfied after the October meeting, and referred to the summary in the meeting packet. With respect to proposed Scenario 2.1C, he noted several big differences between this scenario and Scenario 2.1B. Scenario 2.1C includes the land identified as the Perfect Rectangle; includes complete neighborhoods and does not include a node that was previously located off of Neff Road and Eagle Road. With respect to the DSL property, this subarea area is the same in size, but includes a decrease in the natural area, and more residential. With respect to the Elbow, Scenario 2.1C includes the full extent of the Elbow, but with more residential and less commercial. The West Area saw the biggest change. Scenario 2.1C increases the number of acres and keeps the housing units about the same as 2.1B for the purpose of employing a transition from urban to rural and uses the transect idea on the western edge. Skyline Ranch Road is also included in this scenario. He referred to testimony from westside land owners and Central Oregon Landwatch (COLW). He noted a new area is the "notch" north of Shevlin Park Road has been added and that the North Triangle was largely the same in acres, but with a change in the mix of uses.

## **2. Background and Draft Scenarios 2.1C**

Mr. Dills then directed the committee's attention to the next item on the agenda. He referred to the Background and Draft Scenario 2.1C, with a memorandum found at page 15 of 60 in the packet. He then turned the presentation over to Mary Dorman of the Angelo Planning Group.

### **a. Presentation and discussion of public comments and background**

Ms. Dorman summarized a compilation of public testimony that was presented in a memorandum in the meeting materials. She referred the TAC to page 37 of the packet that included maps that identified properties referenced in testimony. Starting with testimony focusing on properties in the northeast, she proceeded to summarize the testimony specific to properties outside the UGB, working in a clockwise direction. This presentation addressed the testimony on properties in the southeast in the Elbow, the south and the southwest, the neighborhood association chair testimony regarding future development of the Thumb, and the Central Oregon Irrigation District property referenced in testimony from Mr. Van Valkenburg. She then referenced the testimony of land owners and interested citizens regarding the West and the Northwest. At the conclusion of Ms. Dorman's presentation, Mr. Dills asked for questions regarding the materials at pages 15 through 44 of the meeting packet.

Mr. Van Valkenburg first asked about whether parks are being included in the scenario, citing the testimony from the parks district. Mr. Dills responded that the rationale for including parks shifts from land need to their role in the citywide parks system. Parks serve the urban area already. He directed the committee to look at the statewide recreational goal. Mr. Van Valkenburg inquired whether the parks properties would be included on top of the 1,800 acres in this scenario. Joe confirmed that they would be an addition to the 1,800 acres.

Mr. Rankin responded and referred to the park land need from the Parks District. He noted that rural parks are already providing for some of the district's recreational needs; bringing the requested parks into the UGB allows them to be connected to sewer.

Ms. Grover commented that the parks levels of service standards are based on an urban model and an urban level of service.

Mr. Van Valkenburg noted that he did not have an objection to having them included, and recommended a motion to include the parks in the UGB expansion.

Mr. Dills recommended that we address this during the list of refinements to 2.1C, and asked if there any other comments. Hearing none, he moved the committee on to the next agenda item.

#### **b. Presentation and discussion of Draft Scenarios 2.1C**

Mr. Dills referred the committee to page 45 of the meeting materials, which included a memorandum that described Scenario 2.1C. In their opening remarks, Ms. Smith and Mr. Riley outlined the mission for today's meeting. Mr. Dills began by summarizing the key differences between the 2008 UGB expansion proposal and Scenario 2.1C. He referred to the adjustments incorporated into Scenario 2.1C discussed on pages 46 and 47 and also addressed the question of whether additional acres could be identified for inclusion in 2.1C. He referenced the recent testimony regarding the Central Oregon Irrigation District property and the related view easement, and the revised project assumption regarding assumed minimum densities discussed under item 5 on page 47. The BLI adjustments in total add up to another 230 acres in 2.1C that were not included in 2.1B.

After his presentation, he asked the committee for any questions. Mr. Dewey asked whether the densities adjustment had been reviewed by the Residential TAC. Mr. Dills noted that there had been no intervening meeting of the Residential TAC between the last USC meeting and this meeting. Mr. Dewey cited the Central Area Plan and this new consideration that staff has brought forward. He further noted that minimum densities, both historical and new, have been discussed. He concluded by stating that the numerical change of 230 acres had not been brought back to the Residential TAC.

Mr. Rankin interjected that this was a question of time because another meeting of the Residential TAC could not be organized before this meeting. To address this question, he offered to meet with the leadership of the Residential TAC before the next USC meeting to brief them on the adjustments to the BLI and capacity assumptions.

Mr. Dills concluded his presentation by summarizing text on pages 48 and 49 of the meeting packet. He cited the strategies on pages 48 and 49 and how they have influenced work on this scenario. Ms. Grover asked for clarification on strategies, and whether these were culled out from the workshop? Mr. Dills noted that the workshop was the starting point for many of these strategies.

Ms. Smith specifically recommended adding the transect concept to the list of strategies. She reflected that these strategies are a compilation of all of our work. Ms. Grover agreed and acknowledged that we affirm these. Mr. Riley concurred that we also affirm these and with the addition of the transect concept and this needs to be articulated as part of the policy framework. Ms. Brody further supported incorporating the strategies in our motions at the end and having the committee formally adopt them.

Mr. Rankin also recommended that we add policies to the Urbanization Chapter so that the strategies are incorporated as policies going forward after this project. He mentioned that the next meeting of the Boundary TAC will include review of the Urbanization chapter and policies.

Mr. Dills acknowledged the nodding of committee members that affirmed the policy framework and strategies to help craft policies for the comprehensive plan. He acknowledged this as direction to move forward, and then turned over the agenda to Andrew Parish and Chris Maciejewski.

### **Scenario 2.1C – what's changed**

Mr. Parish began a presentation with a series of power point slides and reviewed the changes in the UGB expansion scenario reflected in Scenario 2.1C. These changes included more of the area along Butler Market Road referred to in testimony as the Perfect Rectangle. This change increased the amount of land included in the subarea identified as the Northeast Edge. In addition, the change included the removal of the expansion node on Neff Road and the addition of a notch of land in the Shevlin Area.

He noted that the Northeast Edge now includes 238 acres of land in the Perfect Rectangle. The arrangement of land uses in this subarea includes commercial land and land for medium and high density housing. Mr. Maciejewski added that the memorandum included in the meeting packet further discussed the transportation analysis. One key change is an extension of

Yeoman Road between Deschutes Market Road and Butler Market Road. He also identified a connection in the Bear Creek Road area.

Mr. Parish then addressed the areas in the southeast. With respect to the Department of State Lands (DSL) property, this area is largely the same. The land uses in this subarea included the addition of more multi-family housing, and the recognition of natural areas assumptions regarding the bat caves. With respect to the area identified as the Elbow, Scenario 2.1C includes the full extent of this area with the addition of more residential land and a reduced amount of commercial land. He referred to Ms. Dorman's presentation and testimony regarding the Schumacher property

Ms. Brody asked about mixed employment zoning and what land uses are allowed with this designation. Mr. Parish replied that it is primarily an employment designation that allows some residential development. Ms. Robinson of the City of Bend responded by describing the uses allowed in the mixed employment zone.

Mr. Parish then addressed the area identified as the Thumb. This area now includes more land for multi-family housing. Mr. Maciejewski made some additional comments regarding the transportation facilities necessary to serve the Thumb. With Scenario 2.1C, there are no modified transportation recommendations. He discussed a complete transportation system with the neighborhood association chair. This discussion addressed Parrell Road and increases in traffic volume on this road, turning restrictions on China Hat Road, and the examined Parrell Road volumes in traffic modeling.

Ms. Smith asked whether the neighborhood association chair requested that the UGB expansion include the entire Thumb. Mr. Maciejewski responded by referring to Scenario 1.2 in which all of the Thumb was included. He noted that if the full Thumb is included in the UGB expansion, Knott Road will need to be widened and that the analysis showed the same amount of traffic on Parrell Road. The inclusion of the full extent of the Thumb did not increase traffic on Parrell Road.

Mr. Van Valkenburg asked about the property referred to as the Baney piece. Mr. Maciejewski pointed out that access to Highway 97 is limited in this area to right in and right out. He added that to the south, the area includes rural roads to provide access to this property, but this access is very limited. To the north, he noted potential access through Brookswood Boulevard, which is not convenient or direct for the Baney property to use to reach the Murphy Road interchange.

Mr. Parish then turned to the West Area. This subarea now includes land for a proposed extension of Skyline Ranch Road. One of the elements of this proposal is to keep development in the West Area to the east side of the Skyline Ranch Road extension and west of the current

UGB. This current proposal adds greenspace to extend Discovery Park to the south, and he further cited residential land in the changes to West area. Mr. Maciejewski added that while Skyline Rand Road is not needed to reduce congestion, it is good for connectivity and the Shevlin portion allows Skyline Ranch Road to continue to the north.

Mr. Hultberg asked what the basis was for including land in the Shevlin Area but not any of the Day property. Mr. Parish replied that this decision largely had to do with need and the distribution of need on the west side. Mr. Dills added that there were only so many acres of land to work with.

Ms. Bayard commented that if one looks at the comments submitted into the record since October 23<sup>rd</sup>; a lot of people who had no skin in the game advocated against expanding to the west.

Mr. Meece asked whether the Coats property (Shevlin Area) was serviceable with sewer. Mr. Rankin responded by pointing out that gravity service to the Awbrey Pump Station is available for the notch in the Coats property.

Mr. Timm raised a concern about the Notch and the proposed density in this area. He commented that the density proposed of 360 units on 70 acres seemed awfully dense. He further inquired as to how the team arrived at putting that many homes in that area, and the potential impacts on transportation and affordable housing.

Mr. Parish responded by pointing out it's the number of units needed to be accommodated outside the UGB and a function of meeting master planning requirements. The RS master plan requirement is 80% of maximum, including some higher density residential can meet some of this need at this property.

Ms. Smith asked if we have a sense of the density of existing residential development around the Notch. Mr. Parish answered that we have no density data, but noted the surrounding area is developed with large residential lots.

Mr. Van Valkenburg noted that the committee had not discussed the Notch to a great extent, and asked the open question of whether we are missing an opportunity to support the development of a complete community in this area. Ms. Brody agreed and recommended that we include some neighborhood commercial if we bring in the Notch.

Mr. Parish then turned to the North Area and OB Riley Area on the map for Scenario 2.1C. He noted that some residential land was added to the OB Riley Area, and that the residential in the North Triangle was reduced. With respect to transportation, Mr. Maciejewski noted that a

collector corridor cost was included in the prior scenario, and not including certain parcels reduced the transportation costs.

Mr. Dewey commented on the concern over industrial uses in this area and referred to a potential residential buffer for existing neighborhoods to the north. Mr. Rankin asked for clarification, and Mr. Dewey clarified that he was suggesting a residential buffer at the northern end of the subarea.

Mr. Hultberg then inquired about the range of transportation projects and funding. Mr. Maciejewski referred to the City's transportation system plan (TSP) and the Regional Metropolitan Planning Organization (MPO) Metropolitan Transportation Plan (MTP). These projects include a grade separation at Cooley and 97; on OB Riley Road, widening to a three lane corridor to Empire Boulevard; additional turn lanes at Robal Road and Highway 20; a traffic signal at Cooley and Highway 20, and; an additional travel lane along Highway 20. He noted that connectivity to the area is a priority, and adding more to the collector grid with the series of improvements to Empire Boulevard including widening through interchange, signalizing, and turn lanes for capacity improvements.

Ms. Bayard asked about when transportation improvements are going to be programmed and when will they be required for development. She questioned the timing of improvements and whether and when they may be funded. Mr. Bryant of the Oregon Department of Transportation noted the North Corridor Project and two additional points. One, is that the MPO plan is considered financially constrained and considered fundable. The second is that we have a North Corridor project. No funding has been identified, but the project is in plans and that it's a safe assumption that the North Corridor will not be available in this time period.

Mr. Dills asked the committee for final comments on the North area; hearing none he asked about testimony and comment cards.

Mr. Kemper asked a final question about the Perfect Rectangle, and whether there would be an island to the west of this area if included in the UGB. City staff thought this area to the west was already included in the UGB and would check the maps. Mr. Dills then budgeted approximately ten (10) minutes for the TAC to discuss refinements to Scenario 2.1C. Ms. Smith stated that the TAC would take each area one at a time.

Ms. Brody began by starting with the West. She asked if the committee would have a presentation about the negotiation and discussion, and expressed that she wanted to hear about the agreement. She also commented about the notch on the West side; she said she likes what she sees on the West side and was thinking more about medium density and neighborhood commercial in the Notch. She thought some additional commercial in this area would reduce trips. She agreed with what she described as feathering out density as

development gets closer to the edge, but thought we should be accommodating some medium density residential. She concluded by stating that there is a demand for a range of prices of rental housing.

Mr. Dills asked if one of the testifiers was a signer to the west side proposal. Ms. Smith indicated that one of the people signed up to testify is and asked the committee if they wanted to hear about the proposal before further discussing the West Side. The Committee agreed to hear this testimony out of order and asked Kirk Schueler to go first.

Mr. Schueler began by distributing 20 copies of a map that outlined what he described as the West side proposal. He also noted that he submitted a letter earlier that included this map. He briefly described a planning tool that came out of the New Urbanist movement and referred to as the “transect.” He described it as densities feathering or becoming less as development moves away from a city toward a permanent, natural edge. In Bend’s case, this natural edge includes public forest lands managed by the Forest Service and Shevlin Park. He noted that Paul Dewey of Central Oregon Landwatch (COLW) submitted a letter into testimony that gave him the idea that they had ideas in common. He mentioned that he and Mr. Dewey had met and the presentation map is what came of these discussions. The proposal includes land owned by Anderson Ranch, Rio Lobo, and Miller, with the goal of including these land owners to develop a more comprehensive transect. He mentioned the role of topography and density of development in the process used to come to consensus, which represents a proposal from two groups – landowners and Central Oregon Landwatch.

Mr. Dewey of COLW followed and provided his testimony. He mentioned that he took to heart what the USC had directed. He stated that he really wanted the group to find consensus, and that they put a lot of effort into that. He stated that he thought Mr. Schueler summarized the process well. Mr. Schueler had introduced a planning tool (transect) that would help meet common interests, particularly his interests and concerns about wildfire, wildlife, and the potential for 400 housing units to be developed east of Miller School and 400 units to the West of Miller School. He added that what sealed the vision/deal is the transect within the proposed UGB, lower densities on the Miller Tree Farm development further to the west, and this combined with development on County lands. A combination of county land and city land incorporating the transect is incorporated in the proposal. He concluded by stating he was also looking for certainty, and thanked the other parties.

Mr. Dills opened up the discussion on this topic for committee comments. Ms. Williamson expressed a very positive reaction and said she found the proposed Westside transect inspiring, especially the collaborative aspect of it. She commented on what was happening around this particular area, including the broader mix of uses and the concerns expressed over medium density housing, topography, and landscaping. She concluded by recognizing the involvement

of Brooks Resources and a commitment to a complete community in this area, and expressed her thanks to all those involved.

Mr. Schueler added that a total of 238 multi-family and attached single family units are included in their proposal. Ms. Grover offered her reflections on this proposal, and commented that the transect provides an opportunity for leadership by the City of Bend in being responsive to urban growth policies and the larger region in which Bend is located. She concluded by noting that the city has a western edge, which involves greater wildfire risks and wildlife issues.

Mr. Tomcho commented that this is unique to the west as opposed to other parts of the City. He also noted that this is not a 20 year plan, and that this is now a hard edge going forward.

Mr. Lelack echoed the prior comments, and noted that county lands are incorporated in the transect and this needs to be recognized in county land use policies. This action creates a natural permanent edge, and he further noted that to attempt to do this in other areas around the city could make future expansion very difficult. He recommend the committee be mindful about this through future expansions.

Mr. Price commented that he wants to find out if DLCD will buy off on this concept. Mr. Edelman of the department (DLCD) mentioned that city staff had informed him of this concept. He mentioned that he also spoke with other DLCD staff, and added that this is another great aspect of a truly exceptional process. He added that DLCD staff would most likely not have an issue with this concept but clarified that this will need to get through the commission (LCDC). He added that the Commission likes consensus, and echoed Mr. Lelack's warning about not making future expansions difficult by doing this in other areas around the city. The City has already employed efficiency measures inside the current boundary, and DLCD will look at the whole package.

Mr. Riley cited the workshops held at Deschutes County. He noted that for this part of town a lot of the participants identified future land use to include lower density and cluster housing. He noted that we're now seeing it folded into this area for expansion.

Mr. Hultberg commented and referred to the prior consensus and noted that not all property owners in this area have signed off on this concept. He asked about the hard edge and what that means.

Mr. Dills directed this question to Mr. Schueler to explain what was meant by a hard edge. Mr. Schueler explained that this concept refers to a hard natural edge, and address the transition from urbanization to land that will not be urbanized.

Ms. Bayard expressed interest in this concept and noted she lives in the north. The area to the north of her includes properties covered with CCRs (covenants, conditions, and restrictions). She commented that it was not a good transition to have industrial transition to MUA10. Mr. Lelack added that the county will have to adopt a policy framework to support the transect.

Following the TAC's discussion, Mr. Dills then transitioned to the agenda item for public comments

### **3. Public Comment**

1. Myles Conway, representing Rio Lobo investments. Mr. Conway noted that the new Scenario 2.1C included 30 acres of Rio Lobo Property. He expressed their support for the extension of Skyline Ranch Road. He noted that the UGB process provides an opportunity to include this segment, and summarized the benefits for it. He noted contributions of developers, and cited a traffic report submitted by Swisher. He commented on the transect proposal, and commended the process using consensus as the best way to proceed. He stated that Rio Lobo supports the concept of reducing densities, but does not support only 30 acres of their property being included in the UGB. He stated that it's difficult to factually distinguish Rio Lobo from other properties, and cited prior testimony. He commented that there needs to be a more equitable sharing of development opportunities on the west side, and that what is currently proposed is not an adequate incentive for Rio Lobo to participate. He pointed out that Rio Lobo has a 40 acre parcel on the northern end of this property that currently abuts the UGB on three sides, and recommended that this parcel be included in the UGB. He asked that he and his client be allowed to discuss this with the other west side land owners and the city.

At the conclusion of Mr. Conway's testimony, Ms. Smith asked him about the topography in the 40 acre parcel to which he referred. Mr. Conway replied that the topography is flat and well-suited for development. Ms. Williamson asked him to describe Rio Lobo's vision and their intention for this property. Mr. Conway added that they (Rio Lobo) own a large piece of property, and that represents a significant master planning opportunity. He noted that after the chip exercise (at the April 30, 2015 workshop), his client's property was left out of subsequent UGB scenarios. He added that his client is well-funded to develop a plan for a well-developed community, and added that the transect proposal make some sense. Mr. Riley asked Mr. Conway about what level of development they are contemplating, with Mr. Conway commenting that they would propose RS (Standard Residential) development, at about four (4) units to the acre.

2. Tia Lewis, representing the Coats family. Ms. Lewis echoed some comments she heard today, and expressed her gratitude that her client's property was on the map. She testified that the Coats property is the quintessential property for a transect. She added that all of the Coats

property was on the 2008 map. She testified that she and her client began discussions with the county and the city on how to best develop their after the remand. These discussions included the park district and the school district, and potential development similar to the transect concept. She expressed her gratitude for the process to develop the transect, and agreed with some of the comments that the Coats property has an opportunity for a mix of uses beyond just single family residential. She testified that her client wants to see an additional 80 acres on top of the 70 acres included in the UGB proposal, with no increase in density, and an opportunity for mixed use. She commented that there is a collector corridor development opportunity with this additional land, for a total of 150 acres, with some mixed use, some medium density residential, and some civic land. She testified that she believes they can write findings that the state would support, and provided the map to the committee. She concluded by testifying that she and her client want to work with Landwatch and the parks district.

At the conclusion of her testimony, Mr. Timm asked about the neighborhood commercial proposed on the property? Ms. Lewis replied that 400 units are proposed, but her client can stay with 360 units of housing. She added that her proposal includes 12.5 acres planned on their property for mixed use and commercial and collector roadways.

3. Jacqueline Newbold. Ms. Newbold testified that she has lived in the Tumalo area for over 30 years. She expressed concerns about the traffic increase on the north side of Bend, and the potential for added traffic on Highway 20 with the widening of OB Riley Road. She testified that with the increase in traffic on Highway 20 that there has been an increase in deer deaths, and that it's becoming dangerous getting to Tumalo from OB Riley Road. She testified that ODOT needs to address this problem, and cited several benefits for living in area. She commented that elk are being squeezed from where they are living, and as a result are now coming into the Tumalo Area. She concluded by testifying she loves open space, and cited the benefits of living in the area and her concern over the potential impacts of development.

4. Chris Brown. Mr. Brown testified that he previously submitted a letter, and lives on Knott Road. He testified that the proposed Mixed Employment (ME) zoning doesn't interface with the proposed residential. He asked for ME zoning because we (the city) need to soften blow on Knott Road. He cited previous testimony from the Schumacher family, and added that he does not want multi-family zoning; wants mixed employment, not commercial. He noted that the amount of commercial land in the Elbow is larger than the amount that covers the Forum, implying that it may be excessive. He cited a site plan for a farm stand in the county, and that the proposed ME is intended to support the farm stand. He concluded that ME is a better neighbor than all of the commercial proposed, and asked the committee to consider the request for ME.

5. John Short. Mr. Short testified that he is a retired teacher, and thanked everyone involved for putting the perfect rectangle back on the table along with the Butler Market Village proposal. He concluded that it's a good thing.

6. Tim Elliott, represents Anderson Ranch holding company. Mr. Elliott testified that his client was a signatory to the transect proposal. He thanked Mr. Schueler and Central Oregon Landwatch, and stated he would make two comments. He testified that he was concerned about the fact that the Rio Lobo property is not included, he expressed concern about the limitations on their (Rio Lobo) land. He testified that he submitted a traffic assessment in November 2015 that addressed vehicle miles traveled (VMT) and why the Anderson Ranch connection of Skyline Ranch Road is important. He concluded by testifying that the study concluded that this road would reduce trips by several thousand trips per year. Ms. Brody asked if the road connection would reduce or redirect trips.

7. Greg Blackmore, representing the Brownrigg family. Mr. Blackmore testified about prior testimony that he submitted, and referred to the areas of special interest on the property. He testified in support of Scenario 2.1C. He asked the committee to please consider that the properties to the west are developed rural residential properties, and consider how to reduce impacts on these properties. He testified that this area is a gateway to the City of Bend, and asked the committee to consider this when considering commercial and mixed use development. Ms. Smith asked if he or his client has a specific request. Mr. Blackmore replied that he submitted a proposal in previous submittal of testimony.

8. Kevin Spencer, representing the Day property. Mr. Spencer expressed his appreciation for the Skyline Ranch Road proposal and the land for it. He testified that he and his partners proposed 85 units under the plan proposed by the westside land owners and Central Oregon Landwatch. He testified that the 40 acres referred to earlier in testimony should come into the boundary, and noted that density and green spaces were not well defined on Rio Lobo property. He also brought up the inclusion of the Coats property in Scenario 2.1C and testified in support of this. He further testified that this property is what he described as a fill in piece of property, and that Mr. Day has 120 acres of fill in property. He testified to his willingness to participate in developing a sewer line in Shevlin Park Road by having his property included. He concluded by testifying that he had seen the transect plan that was delivered to him 10 days ago and noted that he had not had enough time to review and to negotiate and come to an agreement that includes Matt Day.

9. Jeff Reed. Mr. Reed testified in support of Scenario 2.1C in the Elbow. He referred the TAC to property he and partners represent, which totals 75 acres on 27<sup>th</sup> Street and Ferguson Road. He testified that the property is adjacent to High Desert Middle School, and advocated for

including some commercial in this area. He emphasized the need for affordable housing and recommended less mixed use and more high and medium density housing.

At this time, the Committee agreed to take a break at 11:04 am, and reconvened at 11:11 am

#### **4. Working Towards Consensus – Scenario 2.1C**

Mr. Dills then introduced the next item on the agenda. The agenda includes one hour and 20 minutes for working toward consensus on Scenario 2.1C, and consider proposals in written and oral testimony on changes and refinements to this scenario. Mr. Dills started with proposing a first refinement to Scenario 2.1C; adding the four (4) parks proposed by the Bend Metro Parks and Recreation District in their testimony. These parks included the Pine Nursery Park, Rock Ridge, Alpine, and High Desert Park. Mr. Van Valkenburg moved approval of this refinement, with Mr. Meece providing a second to this motion. The motion passed unanimously.

Ms. Smith raised the question about moving or shuffling zoning around with a given area. Mr. Dills noted that the team is not finished with the exact locations of zoning, and this task cannot be completed today as a group. He added that as things progress, there can be some shifting, and confirmed with the committee that this was acceptable. Ms. Grover asked if this referred to meeting the overall land need. Mr. Van Valkenburg commented on proposed plans and master plans, such as one owner versus several property owners.

Mr. Dills clarified that today, the team is asking for the TAC to try to suggest refinements; if there is a need to balance one area from somewhere else, please state that. The team needs this feedback to go back and prepare a map.

Mr. Price inquired about potential changes inside the UGB affecting areas outside the UGB, and whether there was the potential for changes inside the UGB.

Mr. Rankin responded that the team has addressed these comments, and that there will be future opportunities to fine tune this work with master planning and multiple owners. He asked that the TAC to consider the land uses inside the UGB as set for the purposes of today's discussion.

Mr. Dills suggested that the TAC consider refinements on an area by area basis, with Mr. Parish using maps in a power point presentation to display an area for the TAC. Mr. Miller asked whether the TAC would be addressing questions from either Mr. Reed or Mr. Brown now.

Ms. Smith responded that those things will continue to be refined as we go forward. Mr. Dills added that Mr. Brown's request can be considered a potential refinement. Mr. Miller clarified that this could include the location of commercial zoning.

Mr. Dills started this discussion by referred in the TAC to the West Area.

### **West Area**

Mr. Timm raised the Coats property on Shevlin Park Road. He recommended the addition of some neighborhood commercial to the Notch on Shevlin Park Road, and made a motion that the TAC add neighborhood commercial. Ms. Brody provided the second to this motion. Ms. Smith asked if Mr. Timm was proposing a specific amount. She mentioned that Ms. Lewis has requested a specific amount. Mr. Timm replied no; he was not recommending a specific amount. Mr. Russell asked about the trade-off question, with Mr. Rankin responding that this involves taking land from area to give to another area, and that this is an option. Mr. Rankin then asked the TAC for direction to the team.

Mr. Dewey raised the Notch in the Shevlin Area. He noted that this area was included in Scenario 2.3, that the 370 units in this area are added on top of another 800 nearby. He mentioned that he discussed the notch with Ms. Lewis and that 150 units be the limit in this Notch and that other units be available for someone else. He commented that he was supportive of the Notch, but not at a level of development of 370 units. Mr. Dills commented that the housing assumed in the Notch would be reduced down by 150 units from 360. Mr. Dotson provided a second to this refinement.

Mr. Miller asked a question about sewer capacity for the Notch and the Day properties. Mr. Rankin responded to this question, and noted that he would need to follow up with the engineering team. Mr. Dills asked Tom Hickman, the city's Engineering and Infrastructure Planning Department Director, whether the sewer line had capacity to serve 360 Units? He also asked if the sewage would flow through the Awbrey Glenn Pump Station. Mr. Hickman confirmed this was correct.

Mr. Meece raised a question about the 40 acres of Rio Lobo mentioned in earlier testimony. He asked Mr. Dewey if it made sense to bring this property in the UGB, with Mr. Parish identifying the 40-acre parcel on the map. Mr. Dewey responded that his idea was not to give those units from Notch to someone else. He also expressed a concern about too much development loaded on the West side

Mr. Hultberg recommended that the TAC add density to the northern 40-acre parcel owned by Day. He indicated he was unconcerned as to where the density came from. Mr. Russell provided a second to this refinement.

Ms. Grover offered a friendly amendment this motion, in reference to Mr. Dewey's earlier comment. She recommended that the density for the 40-acre Day parcel come from

somewhere on the west side. Ms. Williamson asked for clarification on the Notch (Shevlin) and the 40-acre Day parcel.

Mr. Dills noted that the committee had received a friendly amendment clarification. Ms. Bayard seconded Ms. Grover's friendly amendment.

Mr. Van Valkenburg proposed what he referred to as the Schueler/Dewey amendment as a refinement, with Mr. Meece providing a second to this amendment. Mr. Riley commented that the number of housing units needed to be recognized as a maximum. Mr. Van Valkenburg confirmed that the 800 units would be a maximum allowed number of units, and further cited the goals and the transect idea. Mr. Dills recommended operationalizing these caps.

Mr. Kemper asked Mr. Dewey if the discussion was focusing on dropping the total number of housing units on the West side from 850 units to 800 units, which would include 50 units on the Coats' property/Notch. Mr. Dewey answered no. Ms. Brody clarified that 200 units from the Coats notch would need to be moved somewhere else. Mr. Dills asked about whether that would include a proportion of multi-family units being reduced and moved. Mr. Dewey answered that he did not consider that.

Ms. Smith commented that the committee was looking at about 1,000 housing units on the West side, which included 800 units in the Schueler/Dewey proposal, and 150 units for the Coats/Notch property. She then asked the TAC where the other 50 units would go. She offered for consideration of an increase in the number of units on the Coats property by allowing 200 units with some mixed use. Ms. Grover commented that from a general density standpoint, she was okay with 1,000 units on the West side, and would leave to staff to allocate. Ms. Smith then asked if the committee should allocate some commercial services to the Coats' notch, and/or in the 40-acre parcel owned by the Days. Mr. Riley asked if some of these 1,000 units will be allocated to the Day's north 40-acre parcel. Mr. Dills repeated the question for the TAC's consideration. Mr. Dewey responded first and commented that the additional units should be allocated to the Coats' property.

Mr. Timm raised a question regarding the number of units. He asked if the proposal is to allocate 800 units on the west side, with total of 1,000 units on west side. He asked if we (the TAC) will be allocating the other 200 units in the expansion. Mr. Hultberg commented that the Day's 40 acres would not be hard to master plan with residential, and that the Coats provided a simple plan. He offered that from a balancing and equity perspective, that the Day's 40-acre parcel should be included in the UGB.

Mr. Riley commented that the Coats' property is surrounded on all three sides by development. He further offered that the Day property has more conflicts, and that including the Coats' property made most sense right now.

Mr. Tomcho asked the question to clarify what he understood as the consensus package. This package would include all four (4) parks previously discussed, a total of 1,000 housing units on the west side, the Schueler/Dewey proposal (transect), and the Coats' property without the additional 80 acres they requested. In addition, he asked for clarification on whether 200 units would be allocated to the Coats property with some commercial.

Ms. Smith responded that the consensus package to which Mr. Tomcho was referring did include 1,000 housing units on West side; the Coats "notch" comes in with 200 units of some mix of housing units and with additional acreage for mixed use; the proposal outlined in the Schuler/Dewey letter, but does not include the Day's north 40-acre parcel.

Mr. Dills asked the committee if there was consensus support for what Ms. Smith just described. A total of 16 voting members supported this consensus point. Mr. Hultberg was the only member who did not support this consensus.

Ms. Smith then asked if there was consensus to support including the Day 40-acre parcel. Four (4) TAC members raised their hands; the rest did not.

Mr. Dills recommended that we close here. He noted that the TAC is only one vote short of consensus, and that this could be the TAC recommendation on the West. Mr. Rankin asked Mr. Hultberg to please explain his reasoning for not supporting the consensus so the team could convey this to the UGB Steering Committee. Mr. Hultberg offered that the Day property was included in areas identified as local urban reserves. These areas are cited in the comprehensive plan as first local priorities for UGB expansion. He further commented that this was not an equitable distribution of all the units on the West side.

Mr. Dills suggested closure on the West side. Ms. Smith followed this comment by stating that the USC needs to understand the policy considerations of why the Day property should not come in. Ms. Williamson responded first by stating she had no personal ax to grind on the Day property. She added that we're looking for near term solutions, which includes determining which lands we can develop meaningfully and move the remand forward to develop our developable land. She added that adding this property would not be a meaningful response to affordability, and suggested that it be incorporated in next UGB expansion.

Mr. Kemper then commented that if the TAC limits residential units to 1,000 we need to make choices, and this means the Coats property is better to bring in now. Ms. Grover added that this decision is largely a consensus recommendation driven by policy and strategies.

Mr. Tomcho commented that the proposal from Schueler/Dewey involves land located around schools and a future transportation link. Ms. Bayard added that exception land is exception land, and that we're playing by state laws now. Mr. Van Valkenburg commented that the current map doesn't reflect that there is another middle school. He noted that a gray area should be blue between Miller Elementary and Summit High School.

### **North Triangle/OB Riley**

Mr. Dills then turned the committee's attention to the North Triangle/OB Riley Road Area. Ms. Grover suggested some residential on the north end, some residential on OB Riley, and some commercial/mixed use on Highway 20. Mr. Dills clarified that the North end of the blue on the map and asked whether residential would be more compatible? Ms. Bayard offered the suggestion that the residential should be located more to the west.

Ms. Bayard moved and Mr. Dewey seconded a motion to add more residential on the North for a buffer. Several members discussed light industrial land located in the North Triangle, and commented that the development expected would be similar to what is seen in new industrial parks. Ms. Bayard raised a concern over the potential impacts on Cooley Road, and that the surrounding area is transportation constrained.

Mr. Dills asked for clarification that light industrial makes a difference. Ms. Bayard recommended the committee move on from this point of discussion. Mr. Dewey indicated he did not agree with locating industrial development in this area, and asked if it could be moved. Mr. Dills recommended the team get this on the list and work through this.

Mr. Russell added the comment that with respect to this area, adding low density residential next to people raising sheep would not be harmless either.

Mr. Tomcho raised the question of how do we continue to grow in this area. He asked a second open question of whether the committee was creating an edge and if so would we need to jump over it? Ms. Bayard cited areas to the north with CCRs that would act as an impediment to urbanization. Ms. Smith suggested that we ask the consultant team to look at a mix of zones and see if there's a better arrangement, perhaps mixed use; but keep a usable block of industrial.

Several members then had a brief discussion about a potential mix of uses in the North Triangle, use of a buffer, and a practical edge. They further considered other transitional uses such as civic lands.

Following this discussion, Ms. Williamson cited back to the Blackmore testimony. She raised the buffer idea that was expressed by Mr. Blackmore and the Brownriggs. Mr. Meece stated his

agreement with Ms. Williamson and recommended that the team put some more residential around OB Riley Road. Mr. Dills noted this proposal and second and that it is now on the list.

Mr. Van Valkenburg suggested more mixed use along OB Riley. Mr. Dills asked if the team could roll this into the idea the team works with for the North; this includes more mixed use along Highway 20/OB Riley for a gateway into Bend.

Mr. Dills then summarized the three ideas as a consensus package for North and asked if there was consensus on this package. The committee agreed to this package through consensus, with no member indicating they opposed or would abstain.

### **Northeast Edge**

Mr. Dills then turned the committee's attention to the Northeast Edge. Mr. Dewey observed that there was very little in between the Northeast and the Southeast. He noted that small landowners were not being included, and cited back to testimony from Laurie Craghead and Bill Hopp on this point. He recommended that the committee consider smaller pieces when shifting areas back in forth, and that this was a proposal. Mr. Dewey clarified his proposal by stating if there was extra acreage that needed to be allocated, that these acres be allowed on the eastern edge. Ms. Williamson then provided a second to this proposal.

Mr. Van Valkenburg asked if this area includes land owned by the Forest Service, and asked that the team check and confirm that the map is correct. Mr. Meece noted that the location of the city limits around property that is outside the UGB, zoned UAR10, and just south of Neff Road.

Mr. Dills clarified that Mr. Dewey's proposal was if the team finds that there is additional acreage to work with to allocate along the east as recommended by Mr. Dewey. He then asked the committee if there was consensus on this recommendation and the committee agreed to this by consensus with no members opposing or abstaining.

### **Department of State Lands (DSL)**

Mr. Dills noted that the team had no refinements to the DSL property. None were raised by the committee.

### **Elbow**

Mr. Van Valkenburg recommended several changes to this area. He recommended taking the commercial designation off of the Brown property and moving it to the Coats property; moving the mixed employment designation from the Reed property to the Brown property, and then allocating the extra residential designation to the Reed property.

Ms. Williamson commented that this area feels “clunky,” and that she wants to ensure that urbanization creates safe communities in this area. Mr. Dills offered that the team could look at compatible transitions with adjacent neighborhoods.

Mr. Dills summarized the generalized outcomes the Elbow. These outcomes included trying to accommodate the Brown proposal for less commercial and more mixed employment; use Brown and Reed designations and try to achieve what they are asking for, and; consider transitions with the existing neighborhoods.

After summarizing these outcomes, Mr. Dills asked the committee if there was consensus for these proposals for the Elbow. The committee came to consensus on these proposals, with no members opposing or abstaining.

### **The Thumb**

Mr. Dills then turned the committee’s attention to the Thumb. Ms. Williamson began by offering that the committee consider the gateway idea here, and consider what people see as they come into Bend. Mr. Dills commented the team can plan for a gateway along Highway 97 and be thoughtful and recognize the trees on this property as a refinement.

Ms. Dills asked if there was consensus on this refinement. The committee agreed to this refinement through consensus, with no members opposing or abstaining.

Ms. Smith recommended one last motion, which was to add to the implementation strategies a description of the transect concept for those situations when growth comes up against a hard edge. She recommended the team work with the county to implement the codes, and also identified the need to work with the Day and the Coats families for transects for their properties in the future. She concluded by recommending the team develop policies to implement these strategies. Following this proposal, Mr. Dills asked if there was consensus to support this motion, with all members supporting, and none opposing or abstaining.

Mr. Dills then asked for TAC affirmation of the strategies on pages 48 to 49 of the meeting packet, and adding to these a transect strategy along with a comment to continue to work with Day and Coats properties for transect planning.

Ms. Brody clarified that this transect would come into situations where a hard natural edge exists, and to ensure doing so would not preclude appropriate urbanization.

Ms. Bayard clarified that the strategies to which Ms. Smith was referring were those on pages 48 and 49 of the meeting packet. Ms. Smith clarified that was what she was proposing to include in her motion. These strategies are reproduced below as they were presented in the January 20, 2016 meeting packet:

- **Use Bend's existing urban land wisely.** Make efficient use of land inside the boundary, with infill and redevelopment focused in key opportunity areas.
- **Plan the City's urban form.** Focus the City's growth strategies to support great and diverse neighborhoods, centers and corridors and employment districts.
- **Create new walkable, mixed use and complete communities.** Build complete communities in expansion areas by leveraging existing land use patterns inside the existing boundary and using expansion to create more complete communities.
- **Complement existing communities in Bend.** Utilize new growth in expansion areas as a strategy to help make existing neighborhoods, centers and corridors, and employment districts inside the boundary be more "complete" by: diversifying the housing mix; providing local commercial services and jobs; increasing transportation connectivity; and, providing needed public facilities such as parks and schools.
- **Locate jobs in suitable locations.** Plan new employment areas where there is access to transportation corridors, larger parcels, and good visibility for commercial uses.
- **Plan the Bend's infrastructure investments for the long term.** Plan the City's infrastructure systems so that they serve the City efficiently over both the short term (20 years) and the very long term (50-100 years).
- **Meet state requirements while implementing local goals.** Emphasize growth in areas that perform well relative to Statewide Planning Goal 14, Urbanization, so that Bend's growth strategies provide opportunities for efficient, cost-effective, environmentally-sensitive, and farm/forest-compatible development.
- **Take a balanced approach.** Balance and distribute the UGB expansion geographically around the city to distribute the benefits (and impacts) of growth and to provide more options for new neighborhoods.
- **Lay the groundwork for future growth of the Bend.** Take into consideration the context of land beyond the current UGB expansion – ranging from lands with high suitability for future growth to other lands that may have low suitability to be urbanized in the future.

Mr. Dills clarified that this is the committee's final recommendation on the package, and there were no comments or motions to the contrary.

## 5. Project Information, Next Steps

Mr. Dills then outlined the project's next steps. He noted that the committee's recommendation will be written up and taken to the USC for their February 10 meeting.

Mr. Dills then mentioned that in March all three TAC's will convene for concluding meetings. Each committee will review the pieces appropriate to their committee. For the Boundary TAC, he noted that these final products will include the Urbanization policies and the adoption products. Mr. Dills added that these meetings would be the conclusion of the TAC's slate of meetings.

Mr. Dills informed the committee that the Steering Committee would meet in April with the goal of approving the total Phase 2 recommendations, then the process would move to public

hearings in Phase 3. He added that there would be one more round of transportation modeling on this next version of Scenario 2.1C, and that this would form the basis for conclusions on VMT and final TSP amendments. He concluded by pointing out that the modeling would take place once the Steering Committee approves this work at their February 10 meeting.

## **6. Adjourn**

Ms. Smith and Mr. Riley each thanked the Steering Committee for providing the Boundary TAC this last meeting. Mr. Rankin then thanked Mr. Riley and Ms. Smith for their leadership.

With no further business, Mr. Dills adjourned the meeting at 12:29 pm.

## Darcy Todd

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**From:** Nick Arnis  
**Sent:** Wednesday, January 20, 2016 11:53 AM  
**To:** Bill Galaway  
**Cc:** Brian Rankin; Victor Chudowsky; mitchell@bendcable.com; Cassie Walling  
**Subject:** RE: Road Improvements in Southeast Bend

Hi Bill, my responses for questions #2 and #3:

2. What improvements on Parrell Rd. between Murphy and China Hat are included in the TSP? There are none identified as part of the current UGB working scenario, 2.1C.

RESPONSE: The City TSP identifies city standard (sidewalks, drainage, lighting, bike lanes, landscaping, intersection improvements etc) for Parrell from Brosterhous to China Hat. The planning level estimated cost is \$10 to \$15 million for the entire section of Parell (Brosterhous to China Hat) . The section from Murphy to China Hat , also a city standard type of improvement is estimated to cost \$4-\$6 million. A planning level cost such as this could be plus or minus 50% to 100% cost estimate. Also, any funding for the road would most likely be done in sections or phases.

3. Under UGB scenario 1.2 (page 88 of the TAC Meeting #11 packet), there was identified \$2.5M for improvements to China Hat. Is this for widening China Hat to 3 lanes, adding a merge lane north to Highway 97, or both? With the additions to the Thumb area under scenario 2.1C, why isn't this felt to be necessary regardless of which scenario is implemented?

RESPONSE: The improvements would be to a City standard. The \$2.5 million is a planning level estimate and in scenario 1.2 includes a third lane. The \$2.5 million identified for China Hat you mentioned does not include a merge lane onto Highway 97. We review safety , land uses , traffic speeds, volumes etc when designing a road. The UGB analysis is a very high level planning process looking at road capacity according to the planned land uses such as scenario 2.1C to determine road capacity. If a two lane roadway carries the estimated traffic then the analysis will indicate no capacity improvements are needed. If there are improvements in the "thumb" area in the future, there is high probability that frontage improvements along China Hat would have to happen that would improve China Hat per the site development standards. Also another traffic study is conducted during a land use site plan to figure out the road improvements that are called "off site" and would have to be built for the site plan approval.

Please review my responses, let me know if you need more information or have additional questions.

-----Original Message-----

From: Nick Arnis

Sent: Tuesday, January 19, 2016 10:14 AM

To: 'Bill Galaway' <bgalaway@bendbroadband.com>

Cc: Brian Rankin <brankin@bendoregon.gov>; Victor Chudowsky <vchudowsky@bendoregon.gov>;

mitchell@bendcable.com; Cassie Walling <cwalling@bendoregon.gov>

Subject: RE: Road Improvements in Southeast Bend

Hi Bill,

My day is filled and tomorrow is the UGB Boundary Meeting, so will get the info to you between the meetings. I can answer the first question , please see attached Murphy Road Corridor Study summary (Volume 1 Refinement Plan ) .

Also go to the City website for the Murphy Road Corridor Planning and Projects- The attached document is from the Phase 2 section :

<http://bendoregon.gov/index.aspx?page=144>

1. The Murphy Road extension to 27th is part of the TSP, correct? Is there a description of what this would entail, how much it would cost, etc? I have heard something like \$20M, this includes an overpass over the railway. Is the overpass dictated by the City or by Burlington Northern. You told me about roundabouts at Country Club Rd and Brosterhous, is a turn lane between Brosterhous and Parrell included in the design?

RESPONSE: Please see attached Murphy Road Corridor Study Summary. The City TSP does not include an extension of Murphy Road to 27th. There is an extension of Murphy Road to 15th in the TSP. The cost for Murphy Road Improvements from Parrell to 15th are included in the Summary. There are bridge height design specifications from the railroad as an example that we have to follow and we will have to coordinate with them about not impacting their operations . Similar to the work we did on Reed Market at grade rail crossing recently we create an agreement for the work, who does what, who pays what etc. The Murphy Corridor Summary has two options for the section from Parrell to Brosterhous: one option is for a median turn lane the other is without the turn lane . There are significant cost differences . At the time of the Corridor Study we did not need to determine which option would be selected. It is better to select a two or three lane option when there is more information from a better more detailed design that includes the amount or right of way needed to install a third lane for instance. Between the two options, each going to 15th , there is a \$16 to \$25 million cost range.

-----Original Message-----

From: Bill Galaway [mailto:[bgalaway@bendbroadband.com](mailto:bgalaway@bendbroadband.com)]

Sent: Monday, January 18, 2016 10:08 AM  
To: Nick Arnis <narnis@bendoregon.gov>  
Cc: Brian Rankin <brankin@bendoregon.gov>; Victor Chudowsky <vchudowsky@bendoregon.gov>; mitchell@bendcable.com  
Subject: Road Improvements in Southeast Bend

Hi Nick;

A few questions concerning the road improvements for Southeast Bend, in particular what is included in the TSP and what is added as part of UGB.

1. The Murphy Road extension to 27th is part of the TSP, correct? Is there a description of what this would entail, how much it would cost, etc? I have heard something like \$20M, this includes an overpass over the railway. Is the overpass dictated by the City or by Burlington Northern. You told me about roundabouts at Country Club Rd and Brosterhous, is a turn lane between Brosterhous and Parrell included in the design?
2. What improvements on Parrell Rd. between Murphy and China Hat are included in the TSP? There are none identified as part of the current UGB working scenario, 2.1C.
3. Under UGB scenario 1.2 (page 88 of the TAC Meeting #11 packet), there was identified \$2.5M for improvements to China Hat. Is this for widening China Hat to 3 lanes, adding a merge lane north to Highway 97, or both? With the additions to the Thumb area under scenario 2.1C, why isn't this felt to be necessary regardless of which scenario is implemented?

After our meeting last week, I better understand the rationale for including only a portion of the Thumb into the UGB. However, it raises two significant concerns on my part. First, it presumes the Murphy Road extension plan is implemented, which is fine if done right, although the cost might be more than improving Knott. Second, it does not include any improvements to Parrell Road and China Hat, both of which I believe are necessary if scenario 2.1C is implemented.

Thanks for your consideration of these questions / input.

Bill

**City of Bend  
Boundary & Growth Scenarios Technical Advisory Committee  
Meeting Notes  
Date: October 22, 2015**

The Boundary & Growth Scenarios TAC held its regular meeting at 9:00 am on Thursday, October 22, 2015 in the Barnes/Sawyer meeting room of the Deschutes Services Building (1300 NW Wall Street). The meeting was called to order at 9:00 by Mike Riley.

**Roll Call**

<input type="checkbox"/> Susan Brody	<input type="checkbox"/> Tom Kemper	<input type="checkbox"/> Sharon Smith
<input type="checkbox"/> Jim Bryant	<input type="checkbox"/> Nick Lelack	<input type="checkbox"/> Rod Tomcho
<input type="checkbox"/> Paul Dewey	<input type="checkbox"/> Brian Meece	<input type="checkbox"/> Dale Van Valkenburg
<input type="checkbox"/> John Dotson	<input type="checkbox"/> Charlie Miller	<input type="checkbox"/> Robin Vora
<input type="checkbox"/> Rockland Dunn	<input type="checkbox"/> Wes Price	<input type="checkbox"/> Ruth Williamson
<input type="checkbox"/> Scott Edelman	<input type="checkbox"/> Mike Riley	
<input type="checkbox"/> Steve Hultberg		

**Discussion**

**1. Welcome and Introductory Items**

Mike called the meeting to order at 9:09 am. He then asked Joe Dills of Angelo Planning Group (APG) to take over facilitation. Joe welcomed everyone and mentioned that testimony has been distributed; maps presented have also been revised with land use descriptions. He then asked for a motion on the minutes of the TAC's October 8, 2015. Mike noted a correction on page 3 of 9, under "Cost Effective Infrastructure," the most expensive scenario should read 1.2 not 2.1. Dale moved approved of the October 8, 2015 minutes with this change with Tom providing a 2<sup>nd</sup> to the motion. All TAC members voted in favor with the exception of Rockland, who abstained.

After the approval of the minutes, Joe provided a recap of the TAC's meeting on October 8, 2015. The team thought the October 8 meeting was a high quality meeting; we got through questions, issues, concerns, and perspectives on how scenarios might evolve and get better. He asked an open question on how the team could be most responsive? The TAC leadership team met and this led to the slate of alternatives as shown in the packet. These scenarios include Scenario 2.1 as before, Scenario 2.2, which is a refinement of 2.1 based on the team's suggestions, and a Scenario 2.3, which takes the conversation from the October 8 meeting and rolls it into a scenario. The scenario maps include land uses inside and outside the UGB.

He outlined the process for today which is to work towards a base scenario along with any refinements to make it better. Then, the team will come back in December for the TAC to have another bite at the apple.

## **2. Public Comment.**

1. Sid Snyder. Sid provided comments on Scenarios 2.2 and 2.3. He expressed a visceral reaction on one element, which is the dramatic increase in the amount of housing on the west side; especially in Scenario 2.3. This expands the UGB onto forest lands and wildlife habitat. He does not like Scenario 2.3. He supported the addition of the northeast portion, and thought there was too much residential on the West area. The southeast was OK. Scenarios 2.2 and 2.3 place too much emphasis on residential on the west side, low density at that.

2. Bill Gallaway, Chair SE Bend Neighborhood Association. He testified that a group including him and a bunch of neighbors went to the October 1 community meeting and heard what was proposed for south end. He testified that 2.1 was the most advantageous. His neighborhood borders the Thumb and we have to drive a long ways to get to a park and commercial services. He commented that he prefers the Thumb be a mixed use development with restaurants, shops, and housing. He noted a concern over the proposed employment with 2,000 jobs and the traffic it would generate. Going down to Parrell and Knott – he commented that they are not in a condition to handle expected traffic.

3. Myles Conway, an attorney representing Rio Lobo Investments. He submitted written comments with map to the committee. He expressed his appreciation for the team's efforts to develop Scenario 2.3, and argued that including this road (Skyline Ranch Road) will help reduce VMT. He mentioned that he's already testified on reasons to include his client's property. The purpose of his testimony at today's meeting is to focus on remand process. He expresses his concern that the City developed expansion scenarios before doing the alternatives analysis. He cited state law – OAR 660-024 – and argued that the analysis consider different groupings of different scenarios and not individual properties as required by state law. With respect to Scenario 2.1, this scenario includes Miller; Scenario 3.1 includes most west side property. He recognizes infrastructure impacts of more Westside development, and referred the TAC to his testimony on why Rio Lobo property was excluded, including factors such as the Robal Road/Highway 20 intersection and comments from the Oregon Department of Fish and Wildlife (ODFW). He testified that there is no evidence in the record that this property would impact forestry uses. He also requested a direct look at each of the four Westside properties.

Following his testimony Sharon Smith asked Myles whether the rules (OARs) and Goal 14 require the city to look at individual properties. She commented that nothing in the rules require the city to consider individual properties; rather, the rules refers to areas. Myles commented that the scenarios were based upon the chip game, which was conducted before doing the analysis.

4. Kendall Brownrigg. She testified that her family has lived here since the 1960's. She supported Scenario 2.3, and requested the large lot industrial designation (LLI) be taken off private land. She described her family's property borders OB Riley Road, Cooley Road, and Highway 20, and is 61 acres in size. She further quoted visitor statistics from Visit Bend, and asked the TAC what they wanted visitors to see as they enter Bend. She referred the TAC to a plan already entered into the record from 10/1 letter (From Greg Blackmore) and asked them to consider what should the entrance to Bend should say about Bend.

5. Lori Murphy, an attorney representing Sage Winds Farms. She submitted a new letter for the record and requested that the City include Perfect Rectangle in the expansion area. She referred to a letter from Avion Water Company that indicated water service can be provided, including a map showing utility service connectivity. Since the last TAC meeting, she has contacted additional land owners for their participation. She referred the TAC to Page 2 of the letter – previously, owners of 110 acres of land supported being included in the UGB. She has now has owners of 120 acres of land owned by owners in support of being included. She mentioned that she will need to go door to door to obtain consent of a majority of the land owners in the Perfect Rectangle for a mixed use development. On her last point regarding SAAM-1; this property is in NE Area Property. If you segregate out NE properties from SAAM 1 they should score well.

6. Jeff Reed, submitted letter and conceptual site plan. He testified about the southeast portion of Bend (Elbow) that includes two (2) properties. One property is 36-acres in size and the other is a 39-acre parcel on Ferguson and 27<sup>th</sup>. The properties are near High Desert Middle School. These properties are included in Scenarios 2.1 and 2.3. He referred the TAC to his proposed site plan, and argued for including the properties because they can address a lack of commercial services and affordable housing in southeast Bend.

7. Matt Harrell. He submitted a letter to the TAC (Item 10 in one of packets from Mike Robinson). He referred to two of six testifiers referring to lands that should be looked at in an independent manner. He asked what analysis was completed to include any or all of the lands with easier development potentials or opportunities. He owns property on Eagle Road that has available sewer service, a 12-inch Avion Water line in Eagle Road. Why not this land included? Why lands with low barriers to improvement not been included? He concluded by summarizing his points from the letter.

8. Dean Wise, JL Ward Company. He referred to the Thumb and complete communities. He testified how important and why proportion of uses needs to be correct. The distribution of uses is weighted in a way that's difficult to accomplish. He recommended that the TAC look at Northwest Crossing – they provided proportions of different land uses in Northwest Crossing. It's important to get this proportion correct. He noted that the Thumb is about  $\frac{3}{4}$  of the size of NW Crossing. He recommended different land use proportions for Thumb, and will submit written comments.

9. Dixon Ward. He referred to his family's land on 15<sup>th</sup> street in an opportunity area. He asked whether the zoning proposed is either mandatory or voluntary. Is city going to change this? What if owners wants to continue with RS zoning and do not want to develop with proposed zoning. Brian Rankin responded that new plan designations on land inside the UGB and new designations on land outside the UGB are required to show we will meet the land needs. Dixon clarified that new plan designations will be mandatory, and that they will have the freedom to plan it but have to comply with amount of designations.

10. Tim Elliott, attorney representing Anderson Ranch Holding Company. He testified in support of Scenario 2.3. He commented that the scenario reflects the project team's refinements and TAC's direction from 10/8/2015 meeting. He also testified about a potential extension of Skyline Ranch Road. It's a lynch pin in the analysis for the Westside transportation system. The east border of his client's property abuts Skyline Ranch Road. Inclusion of his client's property will allow for a complete

transportation system. Skyline Ranch Road provides access to multiple locations, provides multiple connections and important pursuant to the TSP. He then referred the TAC to a Video link submitted by Mr. Dave Swisher. Following this testimony, Sharon Smith asked where the existing Skyline Ranch Road ends.

11. Jim Prestwood testified about Scenario 2.1. He asked whether the area within the scenario was expanded from last meeting. He commented on the location of his property next to the Baney's, and asked for additional parcels next to the Baney property to be included in the UGB expansion.

12. Wayne Purcell testified that he is not asking for property to be included. He referred to a letter he wrote for the record. He testified on the need for diversity in this process. He commented that Northwest Crossing is a great development, but costs approximately \$300 to \$400 a square foot for a house. He commented that the UGB expansion needs to include some 10 to 15 acre parcels so that a diversity of developers can create the housing we need. He cited that over 80 permits issued a month over the last six months for housing. He recommended looking long term – the sewer plant is on the northeast. Any development in northeast is closer to the sewer plant. There is also a big park in the northeast. He noted that mixed use reduces travel time – we have mixed use already like Neighborhood Commercial or Convenience Commercial. He cited Empire Road to the north for manufacturing and the location of Juniper Ridge on the north. He concluded by recommending the TAC look at these areas and diversity and not to put all our eggs into one basket.

### **3. Evaluation and Subarea Highlights**

Becky Hewitt of the Angelo Planning Group then gave the presentation on the next topic. She started with a brief recap of the scenario evaluation, including a summary of why Scenario 2.1 performed best on certain performance measures, and a summary of the key weakness of the other scenarios and supplemental analysis areas (SAAMs).

Following Becky, Andrew Parrish of APG then summarized the results of the recently completed online Metroquest survey. Roughly 1,700 participated in the survey, with Scenario 2.1 being scored the highest by the survey respondents.

They then provided an overview of Scenarios 2.1, 2.2, and 2.3. Scenarios 2.2 and 2.3 include different refinements to Scenario 2.1, and that have more effect on the housing mix. Scenario 2.2 was based on Scenario 2.1 along with the suggestions provided by the APG team at the Boundary TAC's October 8, 2015 meeting. Some of these changes include no residential uses in the North Triangle, with the housing moved to the West Area and some moved to the Northeast Edge. Scenario 2.3 is based on Scenario 2.1 with modifications proposed or recommended in comments from the TAC during their October 8, 2015 meeting. For each scenario they presented the overview map and the Generalized Land Use Map. The Generalized Land Use Maps for each scenario included land uses inside the current UGB and those in the proposed expansion areas.

Once the presentation was complete, the TAC had a series of questions and comments. The following summarizes the points of this discussion, including the team's responses to questions.

- Consistency of zoning in existing UGB across all three scenarios
  - Mostly, there are three categories of updates, with direction on efficiency measures, and the employment designation at Juniper Ridge
  - The team based the efficiency measures on Residential and Employment TAC direction.
- Scenarios 2.2 and 2.3 are identical inside the UGB. Scenario 2.1 includes old assumptions inside the UGB.
- Does the decision on land use inside the boundary need to be made before we settle on what land uses are assigned outside the boundary?
  - There are several issues to wrap up. This work needs to wrap up in December so the team can roll it into the TAC recommendations. Some areas may change such as the Central West Plan.
- Scenarios 2.1, 2.2, and 2.3 are not direct comparisons because 2.1, 2.2, and 2.3 have different assumptions inside the UGB
- Are we meeting the same housing needs in each scenario?
  - See page 23 of 37 of the meeting packet
  - One of the things the team needs to get from the TAC are conclusions on the assumptions on land use inside the boundary.

### **Review of subareas**

Becky then returned to the power point presentation to review the subareas with the Boundary TAC. The subareas included: the North Triangle; OB Riley/Gopher Gulch; Northeast Edge; the DSL Property and Darnell Estates; the Elbow; The Thumb; the West Area, and; the Shevlin Area. For each subarea, she reviewed the key advantages and key disadvantages, reviewed an aerial photograph of the area, and compared the generalized land uses for each subarea in Scenarios 2.1, 2.2, and 2.3.

Following Becky's presentation, the Boundary TAC had a series of questions for the team on the Scenarios and their land use assumptions for the subareas in each scenario. The following summarizes this discussion:

- References to Elk Range – was everything in Deer and Elk Range dropped out?
  - Becky and Brian – referred to ODFW maps for Stage 2 mapping; the areas mapped in yellow, blue, green
  - Lands dropped were those protected under County's Goal 5 program. Properties were rated but not dropped.
- In all three scenarios, is there a park next to landfill?
  - Existing ownership by parks district across 27<sup>th</sup> from landfill.
- Why more is better in the Southeast (Elbow)
  - Opportunity to extend Murphy to 27<sup>th</sup>/Knott Road.
  - Needs a sewer pump station; bring in more area then this investment is more cost effective.
  - None of it can come in without building the pump station. The Elbow includes some employment we need to place.
- Is the DSL property also served by pump station for Elbow?

- DSL served by gravity, below Reed Market Road.
- Murphy Road extension - where would it go through the Elbow?
  - Chris of DKS highlighted Murphy road extension corridor route and location.
- How does industrial make sense transportation wise?
  - Brian responded to the question by referring to traffic using Knott to get to Highway 97. Not much industrial land located to the south and the east – balancing by putting additional industrial in the most appropriate locations.
- Regarding proposal for DSL in Scenario 2.3 and the amount of residential land; does this make it difficult to do a complete community?
  - DSL property in 2.3 has a sizable residential component. Includes more multi-family.
- Regarding Thumb – Baney property is included in 2.1; dropped in 2.2 and 2.3 due to sewer and transportation access limitations. Canal runs through it. The team outlined differences in the Thumb in each scenario.

Joe then referred the TAC back to Scenario 2.3. This scenario reflects the post open-house thinking from the team. Shad Roundy of MSA addressed the West Area and sewer service. The Rio Lobo property is in the north of this subarea, and includes that portion that drains to the northwest through the Shevlin Area to the Awbrey Glen Pump Station. A lot of gravity pipe is needed to get to Awbrey Glen Pump Station. Shad added that there is a capacity limitation at the Awbrey Glen Pump Station. Chris Maciejewski of DKS and Associates then addressed questions on the extension of Skyline Ranch Road. The question had been raised to what extent is its development contingent on UGB expansion? Chris responded that the corridor is included in the City's TSP. He added that if you bring that area in it would provide connectivity. Shevlin Park Road and Skyliners Roads provide main transportation corridors. The team presentation then summarized some of the short comings of the Shevlin subarea, including transportation and wildlife concerns.

Joe then asked for any further TAC discussion and questions on subareas?

- Rod – schools on west side – does that impact VMT. Existing schools between Northwest Crossing and subareas. School location affects VMT. Better to be closer to existing close for VM
  - Chris (yes, but) a limiting effect but helpful.
- Susan – additional elementary school needed for 2.3; needed for 2.2 also?
  - Brian – see BLPS testimony – additional enrollment growth will require a new school, and they own school site outside UGB near Shevlin property.
- Scott – scenario 3.1 had most property on west side. Question – how much poor scoring
  - Becky – 3.1 did not have other huge drawbacks.
- Paul – what is the process from here?
  - Joe summarized post break straw polling.
- Paul – can we do comments before doing initial vote?
- Brian Meece – sewer capacity; pump station in southeast; north interceptor not built in 10 to 20 year range. How do we serve OB Riley Road – how do we serve the north with sewer and transportation problems?
  - Shad replied with the North Interceptor. To serve the southeast and the north – requires interceptors be constructed. OB Riley, North Triangle both require North interceptor.

- Brian Meece – if we buildout existing UGB, is there any capacity to serve anything in UGB expansion.
  - Shad – we need to extend the southeast interceptor to the existing plant interceptor. We need the Southeast Interceptor to serve land inside the UGB and ensure it is large enough to serve what's proposed in 2.1, 2.2, and 2.3. Key point – Southeast Interceptor needs to be constructed to serve areas inside UGB first before serving areas brought into the UGB. Infrastructure projects are 100-year projects that are designed without assumed UGB expansion. Need to confirm UGB expansion to verify whether projects are sized appropriately. The location of Southeast Interceptor along 27<sup>th</sup> may depend on expansion. One alignment continues north along 27<sup>th</sup> Street. The considerations for UGB expansion include an alternative alignment along Hamby Road.
- Ruth – Has funding been identified for sewer infrastructure? How does this effect discussion?
  - Brian – The current PFP for sewer envisioned these improvements, and they are funded with rate model. If a new set of improvements are needed; we need to amend the PFP and look at rate plan and SDC's. Existing scenarios can be served with existing improvements. Sewer is not a limiting factor on the west side until you reach a certain level of development.
  - Shad – Once Awbrey Glen Lift station reaches capacity it may be more cost effective to look at new regional pump station across the river.
- Sharon – regarding transportation and assumptions of VMT; do these include Skyline Ranch Road?
  - Chris replied no, a built Skyline Ranch Road is not included.
  - Brian added that the North Interceptor is on a 10 to 15 year plan.
- Jim – Regarding Scenarios 2.1, 2.2, and 2.3 – North Triangle; look at generalized land differences. More commercial – replacing land uses and trips; you may have increased impacts to this area with 2.2 and 2.3 by making these more employment focused.
  - Chris – responded that commercial and residential uses generate more trips than industrial. In 2.3, more residential on OB Riley is more beneficial from a capacity perspective.
- Jim – He noted one transportation improvement on state system and referred to Scenario 3.1. Were no other costs for improvements considered on state system?
  - Brian referred to improvements show in Regional Transportation Plan (RTP). This plan used a 2040 scenario with improvements scaled back to 2028. We assume that TSP projects are constructed, and that the projects will be constructed consistent with TSP and the RTP.
- Jim – What's the assumed baseline – timing of need? There are plans for the North area but no funding. Are we assuming costs the same across all three scenarios?
  - Brian – the improvements that are assumed are assumed to be constructed.
- Jim – asked about the “mid-term” improvements (for Cooley Road) and whether they were or not included in the scenarios?
  - Brian asked how we should consider those costs. Chris directed the TAC to the memorandum for the methodology. For the Bend Parkway, he noted that the team didn't see levels of congestion beyond those assumed in the MTP. Chris further added that we didn't get rid of congestion, but also didn't make it worse.
- Brian Meece – What improvements are needed in the North?

- Chris – responded by referring to the transportation memo and improvements needed in the North area, such as widening OB Riley Road to parallel Highway 20.
- Jim added that for the State system, one improvement is assumed.

The Committee took a break around 11:00 am and started again at 11:15 am.

#### 4. Draft UGB Scenario

Joe asked the TAC to straw poll on the scenario they're either thinking of or liking so far. He added that members could not have extra vote and that there would be no trading votes. He handed out a ballot for the committee members to complete. After the vote/straw poll, Joe asked for the ballots and Becky volunteered to count votes. The straw poll results were:

- Scenario 2.1 – 4.5 votes
- Scenario 2.2 – 3 votes
- Scenario 2.3 – 6.5 votes

Joe asked TAC members to think about what changes in subareas they're thinking of. Ruth added that she liked both 2.1 and 2.3.

#### Likes and Dislikes – what compelled your vote?

Joe then asked the TAC members to share their likes and dislikes of the scenarios and to explain what compelled their vote on a scenario.

- Paul – baby out with the bath water; not hot on 2.1 to begin with. Build complete communities. 2.1 did that relatively well. Summarized changes in housing units between scenarios 2.1, 2.2, and 2.3 – where housing was moved from and to. Cited Wayne's testimony. Liked the northeast Perfect Rectangle in 2.2 and 2.3 (better). Liked smaller land owners joining together in Perfect Rectangle.
- Sharon – small owners versus large owners tension. Trade off – certain areas require a lot of infrastructure to support a complete community. For southeast, cited several large improvements needed before land comes on line. Likes 2.3 with some refinements – Northeast Edge and West side not dependent on large infrastructure projects; wants a little bit around everywhere. Don't agree with those opposing west side development.
- Brian Meece – preferred 2.3 due to serviceability; beef up northeast corner more. Include Perfect Rectangle and nearby roads (butler market road). Serviceability on the north end a serious issue. Work in northeast.
- Robin – doesn't favor going to Westside; favors 2.1 because it includes less on west side; favors complete communities. One UGB expansion coming on the heels of this one.
- Rockland – chose 2.2 because he didn't like any in their entirety. Likes 2.2 because of the northeast and southeast made the most sense to a planning side. Costs are going to be high no matter what you bring in. Concern over 2.3 increases low density residential on the west side on the expense of the southeast. There is demand on the west side; but why not medium or high density or employment on west side?
- John Dotson – supports 2.1 until 24 hours ago. Noticed housing density doubling in 2.2 and 2.3; not sure about transportation issues in west side. One of things he's hearing is a nebulous

“affordable housing.” Hearing a lot of support for east side being lower cost. 2.2 and 2.3 more than tweaks. Supports 2.1 with modifications.

- Wes – just paint everything orange – mixed use – and let market decide. Can we make it all mixed use? Brian responded that we’re required to show a linkage between employment and housing. Linking land need to development types. Wes – zoning what was driving what was happening; commercial conversion happening in areas like Galveston. Demand and need pushed for zone changes to make things happen. Joe – perspective noted.
- Ruth – wants to keep on our hands on the wheel. Put some stakes in the sand; went back and forth between 2.1 and 2.3. A lot of attributes liked in 2.3. Concerned over increasing development on the west side. Think about parts of the community we want to connect. Affordable housing. Likes most of 2.3 without 1,450 units of housing on the west side. Move some to Northeast Edge and Thumb. Ok to start with 2.3, with some refinements.
- Mike – put 2.1 to start with. Parts of 2.1 and 2.3 he likes. Affordability, numbers of homes on west side. More affordability on the east side of the community. Likes the Perfect Rectangle and would like to see more development in this area. Equity issue. Concerned about livability issues with OSU, traffic, more housing, congestion. Transportation constraints. Likes North Triangle being more employment focused. Likes North Triangle and OB Riley as in 2.3. Less on the west, shift residential in the southeast to the northeast.
- Susan – Starting with 2.3, likes the Perfect Rectangle, would add more land to the DSL site – take some west residential and move to DSL; Having residential component in the Thumb like in 2.2 and 2.3.
- Charley – favors 2.3, likes Skyline Ranch Road extension; better uses of the Thumb, better uses in Thumb and OB Riley Road. Likes Perfect Rectangle. Where these mixes came up. Favors 2.2 version of the northeast corner. Some hybrid of 2.1, 2.2, and 2.3.
- Rockland – mix on the Westside too much single family. Based on units. How housing unit mix met? Minimum densities.
- Dale – supports 2.3 with caveat that the housing mix in 2.2 is better. The Northeast is the future; need urban reserves to address EFU lands. Perfect Rectangle – more like 2.2? Right now, Perfect Rectangle is more parcelized.
- Brian Meece – Northeast area need more jobs; Perfect Rectangle needs more jobs and not just housing. Flat land – lot of options.
- Susan – if we added mixed use to Perfect Rectangle better than industrial. Commercial has potential for mixed use.
- Steve – prefers 2.3 to start. Balancing of factors. Goal 14. Could make an argument for any of these scenarios. Personal preference. 2.3 more balanced approach. More residential on west side. Critical connection in Shevlin and Skyline. Demand for all kinds of housing high, including housing in higher price ranges. Favors 2.3 as a starting point.
- Rod – 2.3 with tweak that Elbow and Northeast goes to orange.
- Paul – Eagle Road; Joe – once sewer line is in Hamby, what’s east of Eagle can be served with sewer. North of Neff, between Neff and Butler Market.

## Starting Point

Joe then took a second straw poll on which scenario the TAC would recommend as a starting point. Following this poll, the TAC will discuss potential refinements.

- Scenario 2.1 received three (3) votes

- Scenario 2.2 received two (2) votes
- Scenario 2.3 received nine (9) votes

Joe confirmed that nine (9) of the 14 TAC members voted for 2.3 as starting point as a discussion for refinements.

### **Refinements to Scenario 2.3 and votes.**

Joe then facilitated a discussion of the TAC in which he asked for refinements to Scenario 2.3 that would be presented with a motion and second. Then the motion would be noted on the flipchart, followed by a TAC vote on each refinement. He made a few final comments on housing mix and minimum densities. The scenarios include housing within permitted densities; in the RS zone, closest to the maximum density of 7 units to the acres. The scenarios include a little bit of density and a little bit aspirational. He also explained why housing mix differed in the expansion scenarios. The housing mix was not 55% single family detached, 10% single family attached, and 35 percent multi-family attached in each expansion. They include a blended set of assumptions – different housing mixes in each expansion; different assumptions inside the UGB, and some judgements about what's appropriate in certain areas of expansion. Each proposed refinement is identified with a bulleted point and indicates where the proposed refinement received a second.

- Dale proposed the Northeast looks like it does in 2.2; seconded by Charley
- Mike proposed we detune on the west area and add it to the northeast; smaller west and larger northeast, include all the way out to the corner of the Perfect Rectangle, include the church. Add Skyline Ranch road.
  - Summary of Mike's proposal; Expand Northeast, detune some of the west, add to that to DSL and the Thumb; seconded by Brian Meece.
- Brian Meece proposed expansion to the northeast, more mixed use and/or jobs in northeast corner. More employment and more orange; seconded by Dale.
- Ruth proposed less on west side, and include what's needed for Skyline Ranch road.

There were several suggestions for removal of and on the west that may not support development of Skyline Ranch Road. Rockland asked if we can hold orange in the west with same acreage.

- Rockland proposed changing some of the yellow in 2.3 to orange (denser) same footprint but denser; seconded by Susan

Ruth, Paul, and Robin expressed a concern for more attached and multi-family on west side.

- Steve proposed keeping footprint on Westside but reducing density to more single family, and move units to the northeast; seconded by Sharon

Susan made a comment about potential traffic congestion with this proposal.

Joe did process check and asked if the TAC wanted to add extra time to the meeting to allow for a longer discussion. The TAC came to a quick consensus on a maximum of 15 minutes will be added to the meeting length.

- Robin commented that he doesn't support west side development. He proposed using the footprint of 2.1 on the west side of 2.3. Reduce single family; denser residential; use footprint from 2.2.
- John Dotson proposed removing everything north of Miller property on the west.
- Robin proposed utilizing entire DSL property and Elbow as in 2.1 or 2.2; seconded by Ruth.
- Mike – LLI in DSL not required by anyone, are we still putting it there in DSL? Joe – yes.

Brian Meece argued that we still need large blocks of land; we want to prevent large pieces from being chopped up. Thumb – left as is, yellow closest to the existing neighborhoods.

Susan commented that 2.3 reflects what we heard from SE neighborhood association. Team has not included Baney – VMT and access issues, and needs gravity sewer line extension. No proposals for Thumb or Baney. Agreement on North Triangle and OB Riley road.

Paul addressed the proposed residential in North Triangle. He commented that this area needs a park and a school.

- Paul proposed refinement – north end of north triangle like in 2.1; seconded by Robin

#### **Voting on list of refinements to 2.3**

Joe then facilitated a series of votes on the refinements that had a second and were recorded by Becky Hewitt. For the purpose of these minutes, there were 14 voting members of the TAC in attendance during this last part of the meeting. The following summarizes the different refinements proposed, and the vote for, against, and neutral on each refinement. Those that passed are shown in **bold** and underline.

1. Northeast becomes more like 2.2

Vote: Favor – 2, Oppose – 4, Neutral - 7

#### **2. Expand in NE, less in west more to DSL and Elbow**

Vote: Favor – 8 Oppose – 6, Neutral - 0

#### **3. More employment and more medium/high density in NE**

Vote: Favor – 10, Oppose – 0, Neutral - 4

4. Change some low density in West to medium and high density residential

Vote: Favor – 2, Oppose – 12, Neutral - 0

#### **5. Changes some medium/high density residential to low density residential in west – move to northeast (excess units to the northeast)**

Vote: Favor – 7, Oppose – 3, and Neutral - 4

6. Remove west area north of miller property (same footprint as 2.1)

Vote: Favor – 4, Opposed – 7, and Neutral - 3

7. Utilize full elbow and DSL (like 2.1 or 2.2)  
Vote: Favor – 6, Opposed – 7, and Neutral - 1

8. Put residential back in Triangle  
Vote: Favor – 4, Opposed – 9, and Neutral - 1

After the votes on the refinements, the TAC had a discussion on Skyline Ranch Road. Susan had posed a question on its location in relation to the subarea. Dale referred to map submitted by Charley Miller with a letter. Skyline Ranch Road was included in Scenarios 1.2 and 2.3.

The TAC then began discussion on Refinement #5. This refinement has the same footprint, but fewer housing units and a lower overall density. Steve asked for clarification that with the same footprint, the scenario would have a 55/10/35 housing mix.

After these discussions, Joe asked for a vote to reconcile Refinements #2 and #5. Refinement #2 detunes the west and moves housing units to the northeast with the result of less units in the West. This refinement would still retain the connection of Skyline Ranch Road. Joe then asked the TAC for a clarification; if the team holds the footprint, and change the mix, the refinement under discussion is like #5

Joe then asked for a vote on a Refinement #5 that would reduce the medium and high density units in the West and move these units to the Northeast. This refinement would have the same footprint for the West Area, but with fewer housing units. The team would move these housing units to the Northeast. The TAC approved this refinement with a vote of: Favor – 10, Oppose – 3, and Neutral – 1.

Joe then asked for another possible modification to Refinement #5. This modification would retain the north extension of Skyline Ranch Road, have a smaller footprint, would move housing units from the West Area to the Northeast, the DSL property, and the Elbow. The TAC did not approve this refinement with a vote of: Favor – 5; Oppose – 6, and Neutral – 3.

Joe then asked for a final vote on using Scenario 2.3 as a starting point, with Refinements #3 and #5 (as modified above) to bring back in December. Wes moved approved of this proposal with Rod providing a second to this motion. The vote was: Favor – 10, Oppose – 3, and Neutral – 1. The motion passed.

## **5. Project Information, Next Steps**

There were no further reports on the project other than the UGB Steering Committee meeting scheduled for 2:30 pm that afternoon.

## **6. Adjourn**

Joe adjourned the meeting at 1:07 pm.



# Meeting Agenda

Boundary and Growth Scenarios Technical Advisory Committee – Meeting 13

Wednesday, January 20, 2016 9:00 AM – 12:30 PM

**Municipal Court Room – Bend Police Department**

**555 NE 15<sup>th</sup> Street**

## Meeting Purpose and What is Needed from the TAC

The purpose of this meeting is to craft a recommendation to the Urban Growth Boundary Steering Committee (USC) on the preferred Urban Growth Boundary (UGB) scenario. In this meeting, the TAC will:

- Review public testimony received between October 23<sup>rd</sup> and December 31<sup>st</sup>, 2015
- Discuss a “starting point” Scenario 2.1C
- Prepare a preferred scenario to recommend to the USC

<b>1. Welcome and Introductory Items</b>	<b>9:00 AM</b>
a. Convene and welcome	Co-chairs
b. Approval of minutes	
c. Where we are in the process – a brief look back and look forward	Joe Dills, Brian Rankin, Co-chairs
<b>2. Background and Draft Scenario 2.1C</b>	<b>9:10 AM</b>
<i>Information, TAC Discussion</i>	
a. Presentation and discussion of public comments and background – <i>See memo on page 15 of 60 in the packet. A brief presentation will be given followed by discussion by the TAC.</i>	Project Team
b. Presentation and discussion of Draft Scenario 2.1C - <i>See memo on page 45 of 60 in the packet. Clarifying questions will be addressed during the presentation.</i>	

For additional project information, visit the project website at <http://bend.or.us> or contact Brian Rankin, City of Bend, at [brankin@bendoregon.gov](mailto:brankin@bendoregon.gov) or 541-388-5584



### Accessible Meeting/Alternate Format Notification

*This meeting/event location is accessible. Sign and other language interpreter service, assistive listening devices, materials in alternate format such as Braille, large print, electronic formats, language translations or any other accommodations are available upon advance request at no cost. Please contact the City Recorder no later than 24 hours in advance of the meeting at [rchristie@ci.bend.or.us](mailto:rchristie@ci.bend.or.us), or fax 385-6676. Providing at least 2 days notice prior to the event will help ensure availability.*

- c. TAC roundtable and discussion of Scenario 2.1C – issues, perspectives
- d. Listing of potential refinements

<b>3. Public Comment</b>	<b>10:30 AM</b>
	Co-chairs
<b>4. Working Toward Consensus – Scenario 2.1C</b>	<b>11:10 AM</b>
<i>TAC Discussion, Action</i>	
a. Further discussion of potential refinements	TAC
b. Action (votes) on individual refinements	
c. Roll up action: vote on recommendation to the USC	
<b>5. Project Information, Next Steps</b>	<b>12:25 PM</b>
a. Project information	Brian Rankin,
b. Next meeting dates	Joe Dills
<b>6. Adjourn</b>	<b>12:30 PM</b>

**City of Bend**  
**Boundary & Growth Scenarios Technical Advisory Committee**  
**Meeting Notes**  
**Date: October 22, 2015**

The Boundary & Growth Scenarios TAC held its regular meeting at 9:00 am on Thursday, October 22, 2015 in the Barnes/Sawyer meeting room of the Deschutes Services Building (1300 NW Wall Street). The meeting was called to order at 9:00 by Mike Riley.

**Roll Call**

<input type="checkbox"/> Susan Brody	<input type="checkbox"/> Tom Kemper	<input type="checkbox"/> Sharon Smith
<input type="checkbox"/> Jim Bryant	<input type="checkbox"/> Nick Lelack	<input type="checkbox"/> Rod Tomcho
<input type="checkbox"/> Paul Dewey	<input type="checkbox"/> Brian Meece	<input type="checkbox"/> Dale Van Valkenburg
<input type="checkbox"/> John Dotson	<input type="checkbox"/> Charlie Miller	<input type="checkbox"/> Robin Vora
<input type="checkbox"/> Rockland Dunn	<input type="checkbox"/> Wes Price	<input type="checkbox"/> Ruth Williamson
<input type="checkbox"/> Scott Edelman	<input type="checkbox"/> Mike Riley	
<input type="checkbox"/> Steve Hultberg		

**Discussion**

**1. Welcome and Introductory Items**

Mike called the meeting to order at 9:09 am. He then asked Joe Dills of Angelo Planning Group (APG) to take over facilitation. Joe welcomed everyone and mentioned that testimony has been distributed; maps presented have also been revised with land use descriptions. He then asked for a motion on the minutes of the TAC's October 8, 2015. Mike noted a correction on page 3 of 9, under "Cost Effective Infrastructure," the most expensive scenario should read 1.2 not 2.1. Dale moved approved of the October 8, 2015 minutes with this change with Tom providing a 2<sup>nd</sup> to the motion. All TAC members voted in favor with the exception of Rockland, who abstained.

After the approval of the minutes, Joe provided a recap of the TAC's meeting on October 8, 2015. The team thought the October 8 meeting was a high quality meeting; we got through questions, issues, concerns, and perspectives on how scenarios might evolve and get better. He asked an open question on how the team could be most responsive? The TAC leadership team met and this led to the slate of alternatives as shown in the packet. These scenarios include Scenario 2.1 as before, Scenario 2.2, which is a refinement of 2.1 based on the team's suggestions, and a Scenario 2.3, which takes the conversation from the October 8 meeting and rolls it into a scenario. The scenario maps include land uses inside and outside the UGB.

He outlined the process for today which is to work towards a base scenario along with any refinements to make it better. Then, the team will come back in December for the TAC to have another bite at the apple.

## 2. Public Comment.

1. Sid Snyder. Sid provided comments on Scenarios 2.2 and 2.3. He expressed a visceral reaction on one element, which is the dramatic increase in the amount of housing on the west side; especially in Scenario 2.3. This expands the UGB onto forest lands and wildlife habitat. He does not like Scenario 2.3. He supported the addition of the northeast portion, and thought there was too much residential on the West area. The southeast was OK. Scenarios 2.2 and 2.3 place too much emphasis on residential on the west side, low density at that.

2. Bill Gallaway, Chair SE Bend Neighborhood Association. He testified that a group including him and a bunch of neighbors went to the October 1 community meeting and heard what was proposed for south end. He testified that 2.1 was the most advantageous. His neighborhood borders the Thumb and we have to drive a long ways to get to a park and commercial services. He commented that he prefers the Thumb be a mixed use development with restaurants, shops, and housing. He noted a concern over the proposed employment with 2,000 jobs and the traffic it would generate. Going down to Parrell and Knott – he commented that they are not in a condition to handle expected traffic.

3. Myles Conway, an attorney representing Rio Lobo Investments. He submitted written comments with map to the committee. He expressed his appreciation for the team's efforts to develop Scenario 2.3, and argued that including this road (Skyline Ranch Road) will help reduce VMT. He mentioned that he's already testified on reasons to include his client's property. The purpose of his testimony at today's meeting is to focus on remand process. He express his concern that the City developed expansion scenarios before doing the alternatives analysis. He cited state law – OAR 660-024 – and argued that the analysis consider different groupings of different scenarios and not individual properties as required by state law. With respect to Scenario 2.1, this scenario includes Miller; Scenario 3.1 includes most west side property. He recognizes infrastructure impacts of more Westside development, and referred the TAC to his testimony on why Rio Lobo property was excluded, including factors such as the Robal Road/Highway 20 intersection and comments from the Oregon Department of Fish and Wildlife (ODFW). He testified that there is no evidence in the record that this property would impact forestry uses. He also requested a direct look at each of the four Westside properties.

Following his testimony Sharon Smith asked Myles whether the rules (OARs) and Goal 14 require the city to look at individual properties. She commented that nothing in the rules require the city to consider individual properties; rather, the rules refers to areas. Myles commented that the scenarios were based upon the chip game, which was conducted before doing the analysis.

4. Kendall Brownrigg. She testified that her family has lived here since the 1960's. She supported Scenario 2.3, and requested the large lot industrial designation (LLI) be taken off private land. She described her family's property borders OB Riley Road, Cooley Road, and Highway 20, and is 61 acres in size. She further quoted visitor statistics from Visit Bend, and asked the TAC what they wanted visitors to see as they enter Bend. She referred the TAC to a plan already entered into the record from 10/1 letter (From Greg Blackmore) and asked them to consider what should the entrance to Bend should say about Bend.

5. Lori Murphy, an attorney representing Sage Winds Farms. She submitted a new letter for the record and requested that the City include Perfect Rectangle in the expansion area. She referred to a letter from Avion Water Company that indicated water service can be provided, including a map showing utility service connectivity. Since the last TAC meeting, she has contacted additional land owners for their participation. She referred the TAC to Page 2 of the letter – previously, owners of 110 acres of land supported being included in the UGB. She has now has owners of 120 acres of land owned by owners in support of being included. She mentioned that she will need to go door to door to obtain consent of a majority of the land owners in the Perfect Rectangle for a mixed use development. On her last point regarding SAAM-1; this property is in NE Area Property. If you segregate out NE properties from SAAM 1 they should score well.

6. Jeff Reed, submitted letter and conceptual site plan. He testified about the southeast portion of Bend (Elbow) that includes two (2) properties. One property is 36-acres in size and the other is a 39-acre parcel on Ferguson and 27<sup>th</sup>. The properties are near High Desert Middle School. These properties are included in Scenarios 2.1 and 2.3. He referred the TAC to his proposed site plan, and argued for including the properties because they can address a lack of commercial services and affordable housing in southeast Bend.

7. Matt Harrell. He submitted a letter to the TAC (Item 10 in one of packets from Mike Robinson). He referred to two of six testifiers referring to lands that should be looked at in an independent manner. He asked what analysis was completed to include any or all of the lands with easier development potentials or opportunities. He owns property on Eagle Road that has available sewer service, a 12-inch Avion Water line in Eagle Road. Why not this land included? Why lands with low barriers to improvement not been included? He concluded by summarizing his points from the letter.

8. Dean Wise, JL Ward Company. He referred to the Thumb and complete communities. He testified how important and why proportion of uses needs to be correct. The distribution of uses is weighted in a way that's difficult to accomplish. He recommended that the TAC look at Northwest Crossing – they provided proportions of different land uses in Northwest Crossing. It's important to get this proportion correct. He noted that the Thumb is about  $\frac{3}{4}$  of the size of NW Crossing. He recommended different land use proportions for Thumb, and will submit written comments.

9. Dixon Ward. He referred to his family's land on 15<sup>th</sup> street in an opportunity area. He asked whether the zoning proposed is either mandatory or voluntary. Is city going to change this? What if owners wants to continue with RS zoning and do not want to develop with proposed zoning. Brian Rankin responded that new plan designations on land inside the UGB and new designations on land outside the UGB are required to show we will meet the land needs. Dixon clarified that new plan designations will be mandatory, and that they will have the freedom to plan it but have to comply with amount of designations.

10. Tim Elliott, attorney representing Anderson Ranch Holding Company. He testified in support of Scenario 2.3. He commented that the scenario reflects the project team's refinements and TAC's direction from 10/8/2015 meeting. He also testified about a potential extension of Skyline Ranch Road. It's a lynch pin in the analysis for the Westside transportation system. The east border of his client's property abuts Skyline Ranch Road. Inclusion of his client's property will allow for a complete

transportation system. Skyline Ranch Road provides access to multiple locations, provides multiple connections and important pursuant to the TSP. He then referred the TAC to a Video link submitted by Mr. Dave Swisher. Following this testimony, Sharon Smith asked where the existing Skyline Ranch Road ends.

11. Jim Prestwood testified about Scenario 2.1. He asked whether the area within the scenario was expanded from last meeting. He commented on the location of his property next to the Baney's, and asked for additional parcels next to the Baney property to be included in the UGB expansion.

12. Wayne Purcell testified that he is not asking for property to be included. He referred to a letter he wrote for the record. He testified on the need for diversity in this process. He commented that Northwest Crossing is a great development, but costs approximately \$3 to \$4 a square foot for a house. He commented that the UGB expansion needs to include some 10 to 15 acre parcels so that a diversity of developers can create the housing we need. He cited that over 80 permits issued a month over the last six months for housing. He recommended looking long term – the sewer plant is on the northeast. Any development in northeast is closer to the sewer plant. There is also a big park in the northeast. He noted that mixed use reduces travel time – we have mixed use already like Neighborhood Commercial or Convenience Commercial. He cited Empire Road to the north for manufacturing and the location of Juniper Ridge on the north. He concluded by recommending the TAC look at these areas and diversity and not to put all our eggs into one basket.

### **3. Evaluation and Subarea Highlights**

Becky Hewitt of the Angelo Planning Group then gave the presentation on the next topic. She started with a brief recap of the scenario evaluation, including a summary of why Scenario 2.1 performed best on certain performance measures, and a summary of the key weakness of the other scenarios and supplemental analysis areas (SAAMs).

Following Becky, Andrew Parrish of APG then summarized the results of the recently completed online Metroquest survey. Roughly 1,700 participated in the survey, with Scenario 2.1 being scored the highest by the survey respondents.

They then provided an overview of Scenarios 2.1, 2.2, and 2.3. Scenarios 2.2 and 2.3 include different refinements to Scenario 2.1, and that have more effect on the housing mix. Scenario 2.2 was based on Scenario 2.1 along with the suggestions provided by the APG team at the Boundary TAC's October 8, 2015 meeting. Some of these changes include no residential uses in the North Triangle, with the housing moved to the West Area and some moved to the Northeast Edge. Scenario 2.3 is based on Scenario 2.1 with modifications proposed or recommended in comments from the TAC during their October 8, 2015 meeting. For each scenario they presented the overview map and the Generalized Land Use Map. The Generalized Land Use Maps for each scenario included land uses inside the current UGB and those in the proposed expansion areas.

Once the presentation was complete, the TAC had a series of questions and comments. The following summarizes the points of this discussion, including the team's responses to questions.

- Consistency of zoning in existing UGB across all three scenarios
  - Mostly, there are three categories of updates, with direction on efficiency measures, and the employment designation at Juniper Ridge
  - The team based the efficiency measures on Residential and Employment TAC direction.
- Scenarios 2.2 and 2.3 are identical inside the UGB. Scenario 2.1 includes old assumptions inside the UGB.
- Does the decision on land use inside the boundary need to be made before we settle on what land uses are assigned outside the boundary?
  - There are several issues to wrap up. This work needs to wrap up in December so the team can roll it into the TAC recommendations. Some areas may change such as the Central West Plan.
- Scenarios 2.1, 2.2, and 2.3 are not direct comparisons because 2.1, 2.2, and 2.3 have different assumptions inside the UGB
- Are we meeting the same housing needs in each scenario?
  - See page 23 of 37 of the meeting packet
  - One of the things the team needs to get from the TAC are conclusions on the assumptions on land use inside the boundary.

### **Review of subareas**

Becky then returned to the power point presentation to review the subareas with the Boundary TAC. The subareas included: the North Triangle; OB Riley/Gopher Gulch; Northeast Edge; the DSL Property and Darnell Estates; the Elbow; The Thumb; the West Area, and; the Shevlin Area. For each subarea, she reviewed the key advantages and key disadvantages, reviewed an aerial photograph of the area, and compared the generalized land uses for each subarea in Scenarios 2.1, 2.2, and 2.3.

Following Becky's presentation, the Boundary TAC had a series of questions for the team on the Scenarios and their land use assumptions for the subareas in each scenario. The following summarizes this discussion:

- References to Elk Range – was everything in Deer and Elk Range dropped out?
  - Becky and Brian – referred to ODFW maps for Stage 2 mapping; the areas mapped in yellow, blue, green
  - Lands dropped were those protected under County's Goal 5 program. Properties were rated but not dropped.
- In all three scenarios, is there a park next to landfill?
  - Existing ownership by parks district across 27<sup>th</sup> from landfill.
- Why more is better in the Southeast (Elbow)
  - Opportunity to extend Murphy to 27<sup>th</sup>/Knott Road.
  - Needs a sewer pump station; bring in more area then this investment is more cost effective.
  - None of it can come in without building the pump station. The Elbow includes some employment we need to place.
- Is the DSL property also served by pump station for Elbow?

- DSL served by gravity, below Reed Market Road.
- Murphy Road extension - where would it go through the Elbow?
  - Chris of DKS highlighted Murphy road extension corridor route and location.
- How does industrial make sense transportation wise?
  - Brian responded to the question by referring to traffic using Knott to get to Highway 97. Not much industrial land located to the south and the east – balancing by putting additional industrial in the most appropriate locations.
- Regarding proposal for DSL in Scenario 2.3 and the amount of residential land; does this make it difficult to do a complete community?
  - DSL property in 2.3 has a sizable residential component. Includes more multi-family.
- Regarding Thumb – Baney property is included in 2.1; dropped in 2.2 and 2.3 due to sewer and transportation access limitations. Canal runs through it. The team outlined differences in the Thumb in each scenario.

Joe then referred the TAC back to Scenario 2.3. This scenario reflects the post open-house thinking from the team. Shad Roundy of MSA addressed the West Area and sewer service. The Rio Lobo property is in the north of this subarea, and includes that portion that drains to the northwest through the Shevlin Area to the Awbrey Glen Pump Station. A lot of gravity pipe is needed to get to Awbrey Glen Pump Station. Shad added that there is a capacity limitation at the Awbrey Glen Pump Station. Chris Maciejewski of DKS and Associates then addressed questions on the extension of Skyline Ranch Road. The question had been raised to what extent is its development contingent on UGB expansion? Chris responded that the corridor is included in the City's TSP. He added that if you bring that area in it would provide connectivity. Shevlin Park Road and Skyliners Roads provide main transportation corridors. The team presentation then summarized some of the short comings of the Shevlin subarea, including transportation and wildlife concerns.

Joe then asked for any further TAC discussion and questions on subareas?

- Rod – schools on west side – does that impact VMT. Existing schools between Northwest Crossing and subareas. School location affects VMT. Better to be closer to existing close for VM
  - Chris (yes, but) a limiting effect but helpful.
- Susan – additional elementary school needed for 2.3; needed for 2.2 also?
  - Brian – see BLPS testimony – additional enrollment growth will require a new school, and they own school site outside UGB near Shevlin property.
- Scott – scenario 3.1 had most property on west side. Question – how much poor scoring
  - Becky – 3.1 did not have other huge drawbacks.
- Paul – what is the process from here?
  - Joe summarized post break straw polling.
- Paul – can we do comments before doing initial vote?
- Brian Meece – sewer capacity; pump station in southeast; north interceptor not built in 10 to 20 year range. How do we serve OB Riley Road – how do we serve the north with sewer and transportation problems?
  - Shad replied with the North Interceptor. To serve the southeast and the north – requires interceptors be constructed. OB Riley, North Triangle both require North interceptor.

- Brian Meece – if we buildout existing UGB, is there any capacity to serve anything in UGB expansion.
  - Shad – we need to extend the southeast interceptor to the existing plant interceptor. We need the Southeast Interceptor to serve land inside the UGB and ensure it is large enough to serve what's proposed in 2.1, 2.2, and 2.3. Key point – Southeast Interceptor needs to be constructed to serve areas inside UGB first before serving areas brought into the UGB. Infrastructure projects are 100-year projects that are designed without assumed UGB expansion. Need to confirm UGB expansion to verify whether projects are sized appropriately. The location of Southeast Interceptor along 27<sup>th</sup> may depend on expansion. One alignment continues north along 27<sup>th</sup> Street. The considerations for UGB expansion include an alternative alignment along Hamby Road.
- Ruth – Has funding been identified for sewer infrastructure? How does this effect discussion?
  - Brian – The current PFP for sewer envisioned these improvements, and they are funded with rate model. If a new set of improvements are needed; we need to amend the PFP and look at rate plan and SDC's. Existing scenarios can be served with existing improvements. Sewer is not a limiting factor on the west side until you reach a certain level of development.
  - Shad – Once Awbrey Glen Lift station reaches capacity it may be more cost effective to look at new regional pump station across the river.
- Sharon – regarding transportation and assumptions of VMT; do these include Skyline Ranch Road?
  - Chris replied no, a built Skyline Ranch Road is not included.
  - Brian added that the North Interceptor is on a 10 to 15 year plan.
- Jim – Regarding Scenarios 2.1, 2.2, and 2.3 – North Triangle; look at generalized land differences. More commercial – replacing land uses and trips; you may have increased impacts to this area with 2.2 and 2.3 by making these more employment focused.
  - Chris – responded that commercial and residential uses generate more trips than industrial. In 2.3, more residential on OB Riley is more beneficial from a capacity perspective.
- Jim – He noted one transportation improvement on state system and referred to Scenario 3.1. Were no other costs for improvements considered on state system?
  - Brian referred to improvements show in Regional Transportation Plan (RTP). This plan used a 2040 scenario with improvements scaled back to 2028. We assume that TSP projects are constructed, and that the projects will be constructed consistent with TSP and the RTP.
- Jim – What's the assumed baseline – timing of need? There are plans for the North area but no funding. Are we assuming costs the same across all three scenarios?
  - Brian – the improvements that are assumed are assumed to be constructed.
- Jim – asked about the “mid-term” improvements (for Cooley Road) and whether they were or not included in the scenarios?
  - Brian asked how we should consider those costs. Chris directed the TAC to the memorandum for the methodology. For the Bend Parkway, he noted that the team didn't see levels of congestion beyond those assumed in the MTP. Chris further added that we didn't get rid of congestion, but also didn't make it worse.
- Brian Meece – What improvements are needed in the North?

- Chris – responded by referring to the transportation memo and improvements needed in the North area, such as widening OB Riley Road to parallel Highway 20.
- Jim added that for the State system, one improvement is assumed.

The Committee took a break around 11:00 am and started again at 11:15 am.

#### 4. Draft UGB Scenario

Joe asked the TAC to straw poll on the scenario they're either thinking of or liking so far. He added that members could not have extra vote and that there would be no trading votes. He handed out a ballot for the committee members to complete. After the vote/straw poll, Joe asked for the ballots and Becky volunteered to count votes. The straw poll results were:

- Scenario 2.1 – 4.5 votes
- Scenario 2.2 – 3 votes
- Scenario 2.3 – 6.5 votes

Joe asked TAC members to think about what changes in subareas they're thinking of. Ruth added that she liked both 2.1 and 2.3.

#### Likes and Dislikes – what compelled your vote?

Joe then asked the TAC members to share their likes and dislikes of the scenarios and to explain what compelled their vote on a scenario.

- Paul – baby out with the bath water; not hot on 2.1 to begin with. Build complete communities. 2.1 did that relatively well. Summarized changes in housing units between scenarios 2.1, 2.2, and 2.3 – where housing was moved from and to. Cited Wayne's testimony. Liked the northeast Perfect Rectangle in 2.2 and 2.3 (better). Liked smaller land owners joining together in Perfect Rectangle.
- Sharon – small owners versus large owners tension. Trade off – certain areas require a lot of infrastructure to support a complete community. For southeast, cited several large improvements needed before land comes on line. Likes 2.3 with some refinements – Northeast Edge and West side not dependent on large infrastructure projects; wants a little bit around everywhere. Don't agree with those opposing west side development.
- Brian Meece – preferred 2.3 due to serviceability; beef up northeast corner more. Include Perfect Rectangle and nearby roads (butler market road). Serviceability on the north end a serious issue. Work in northeast.
- Robin – doesn't favor going to Westside; favors 2.1 because it includes less on west side; favors complete communities. One UGB expansion coming on the heels of this one.
- Rockland – chose 2.2 because he didn't like any in their entirety. Likes 2.2 because of the northeast and southeast made the most sense to a planning side. Costs are going to be high no matter what you bring in. Concern over 2.3 increases low density residential on the west side on the expense of the southeast. There is demand on the west side; but why not medium or high density or employment on west side?
- John Dotson – supports 2.1 until 24 hours ago. Noticed housing density doubling in 2.2 and 2.3; not sure about transportation issues in west side. One of things he's hearing is a nebulous

“affordable housing.” Hearing a lot of support for east side being lower cost. 2.2 and 2.3 more than tweaks. Supports 2.1 with modifications.

- Wes – just paint everything orange – mixed use – and let market decide. Can we make it all mixed use? Brian responded that we’re required to show a linkage between employment and housing. Linking land need to development types. Wes – zoning what was driving what was happening; commercial conversion happening in areas like Galveston. Demand and need pushed for zone changes to make things happen. Joe – perspective noted.
- Ruth – wants to keep on our hands on the wheel. Put some stakes in the sand; went back and forth between 2.1 and 2.3. A lot of attributes liked in 2.3. Concerned over increasing development on the west side. Think about parts of the community we want to connect. Affordable housing. Likes most of 2.3 without 1,450 units of housing on the west side. Move some to Northeast Edge and Thumb. Ok to start with 2.3, with some refinements.
- Mike – put 2.1 to start with. Parts of 2.1 and 2.3 he likes. Affordability, numbers of homes on west side. More affordability on the east side of the community. Likes the Perfect Rectangle and would like to see more development in this area. Equity issue. Concerned about livability issues with OSU, traffic, more housing, congestion. Transportation constraints. Likes North Triangle being more employment focused. Likes North Triangle and OB Riley as in 2.3. Less on the west, shift residential in the southeast to the northeast.
- Susan – Starting with 2.3, likes the Perfect Rectangle, would add more land to the DSL site – take some west residential and move to DSL; Having residential component in the Thumb like in 2.2 and 2.3.
- Charley – favors 2.3, likes Skyline Ranch Road extension; better uses of the Thumb, better uses in Thumb and OB Riley Road. Likes Perfect Rectangle. Where these mixes came up. Favors 2.2 version of the northeast corner. Some hybrid of 2.1, 2.2, and 2.3.
- Rockland – mix on the Westside too much single family. Based on units. How housing unit mix met? Minimum densities.
- Dale – supports 2.3 with caveat that the housing mix in 2.2 is better. The Northeast is the future; need urban reserves to address EFU lands. Perfect Rectangle – more like 2.2? Right now, Perfect Rectangle is more parcelized.
- Brian Meece – Northeast area need more jobs; Perfect Rectangle needs more jobs and not just housing. Flat land – lot of options.
- Susan – if we added mixed use to Perfect Rectangle better than industrial. Commercial has potential for mixed use.
- Steve – prefers 2.3 to start. Balancing of factors. Goal 14. Could make an argument for any of these scenarios. Personal preference. 2.3 more balanced approach. More residential on west side. Critical connection in Shevlin and Skyline. Demand for all kinds of housing high, including housing in higher price ranges. Favors 2.3 as a starting point.
- Rod – 2.3 with tweak that Elbow and Northeast goes to orange.
- Paul – Eagle Road; Joe – once sewer line is in Hamby, what’s east of Eagle can be served with sewer. North of Neff, between Neff and Butler Market.

## Starting Point

Joe then took a second straw poll on which scenario the TAC would recommend as a starting point. Following this poll, the TAC will discuss potential refinements.

- Scenario 2.1 received three (3) votes

- Scenario 2.2 received two (2) votes
- Scenario 2.3 received nine (9) votes

Joe confirmed that nine (9) of the 14 TAC members voted for 2.3 as starting point as a discussion for refinements.

### **Refinements to Scenario 2.3 and votes.**

Joe then facilitated a discussion of the TAC in which he asked for refinements to Scenario 2.3 that would be presented with a motion and second. Then the motion would be noted on the flipchart, followed by a TAC vote on each refinement. He made a few final comments on housing mix and minimum densities. The scenarios include housing within permitted densities; in the RS zone, closest to the maximum density of 7 units to the acres. The scenarios include a little bit of density and a little bit aspirational. He also explained why housing mix differed in the expansion scenarios. The housing mix was not 55% single family detached, 10% single family attached, and 35 percent multi-family attached in each expansion. They include a blended set of assumptions – different housing mixes in each expansion; different assumptions inside the UGB, and some judgements about what's appropriate in certain areas of expansion. Each proposed refinement is identified with a bulleted point and indicates where the proposed refinement received a second.

- Dale proposed the Northeast looks like it does in 2.2; seconded by Charley
- Mike proposed we detune on the west area and add it to the northeast; smaller west and larger northeast, include all the way out to the corner of the Perfect Rectangle, include the church. Add Skyline Ranch road.
  - Summary of Mike's proposal; Expand Northeast, detune some of the west, add to that to DSL and the Thumb; seconded by Brian Meece.
- Brian Meece proposed expansion to the northeast, more mixed use and/or jobs in northeast corner. More employment and more orange; seconded by Dale.
- Ruth proposed less on west side, and include what's needed for Skyline Ranch road.

There were several suggestions for removal of and on the west that may not support development of Skyline Ranch Road. Rockland asked if we can hold orange in the west with same acreage.

- Rockland proposed changing some of the yellow in 2.3 to orange (denser) same footprint but denser; seconded by Susan

Ruth, Paul, and Robin expressed a concern for more attached and multi-family on west side.

- Steve proposed keeping footprint on Westside but reducing density to more single family, and move units to the northeast; seconded by Sharon

Susan made a comment about potential traffic congestion with this proposal.

Joe did process check and asked if the TAC wanted to add extra time to the meeting to allow for a longer discussion. The TAC came to a quick consensus on a maximum of 15 minutes will be added to the meeting length.

- Robin commented that he doesn't support west side development. He proposed using the footprint of 2.1 on the west side of 2.3. Reduce single family; denser residential; use footprint from 2.2.
- John Dotson proposed removing everything north of Miller property on the west.
- Robin proposed utilizing entire DSL property and Elbow as in 2.1 or 2.2; seconded by Ruth.
- Mike – LLI in DSL not required by anyone, are we still putting it there in DSL? Joe – yes.

Brian Meece argued that we still need large blocks of land; we want to prevent large pieces from being chopped up. Thumb – left as is, yellow closest to the existing neighborhoods.

Susan commented that 2.3 reflects what we heard from SE neighborhood association. Team has not included Baney – VMT and access issues, and needs gravity sewer line extension. No proposals for Thumb or Baney. Agreement on North Triangle and OB Riley road.

Paul addressed the proposed residential in North Triangle. He commented that this area needs a park and a school.

- Paul proposed refinement – north end of north triangle like in 2.1; seconded by Robin

#### **Voting on list of refinements to 2.3**

Joe then facilitated a series of votes on the refinements that had a second and were recorded by Becky Hewitt. For the purpose of these minutes, there were 14 voting members of the TAC in attendance during this last part of the meeting. The following summarizes the different refinements proposed, and the vote for, against, and neutral on each refinement. Those that passed are shown in **bold** and underline.

1. Northeast becomes more like 2.2

Vote: Favor – 2, Oppose – 4, Neutral - 7

#### **2. Expand in NE, less in west more to DSL and Elbow**

Vote: Favor – 8 Oppose – 6, Neutral - 0

#### **3. More employment and more medium/high density in NE**

Vote: Favor – 10, Oppose – 0, Neutral - 4

4. Change some low density in West to medium and high density residential

Vote: Favor – 2, Oppose – 12, Neutral - 0

#### **5. Changes some medium/high density residential to low density residential in west – move to northeast (excess units to the northeast)**

Vote: Favor – 7, Oppose – 3, and Neutral - 4

6. Remove west area north of miller property (same footprint as 2.1)

Vote: Favor – 4, Opposed – 7, and Neutral - 3

7. Utilize full elbow and DSL (like 2.1 or 2.2)  
Vote: Favor – 6, Opposed – 7, and Neutral - 1

8. Put residential back in Triangle  
Vote: Favor – 4, Opposed – 9, and Neutral - 1

After the votes on the refinements, the TAC had a discussion on Skyline Ranch Road. Susan had posed a question on its location in relation to the subarea. Dale referred to map submitted by Charley Miller with a letter. Skyline Ranch Road was included in Scenarios 1.2 and 2.3.

The TAC then began discussion on Refinement #5. This refinement has the same footprint, but fewer housing units and a lower overall density. Steve asked for clarification that with the same footprint, the scenario would have a 55/10/35 housing mix.

After these discussions, Joe asked for a vote to reconcile Refinements #2 and #5. Refinement #2 detunes the west and moves housing units to the northeast with the result of less units in the West. This refinement would still retain the connection of Skyline Ranch Road. Joe then asked the TAC for a clarification; if the team holds the footprint, and change the mix, the refinement under discussion is like #5

Joe then asked for a vote on a Refinement #5 that would reduce the medium and high density units in the West and move these units to the Northeast. This refinement would have the same footprint for the West Area, but with fewer housing units. The team would move these housing units to the Northeast. The TAC approved this refinement with a vote of: Favor – 10, Oppose – 3, and Neutral – 1.

Joe then asked for another possible modification to Refinement #5. This modification would retain the north extension of Skyline Ranch Road, have a smaller footprint, would move housing units from the West Area to the Northeast, the DSL property, and the Elbow. The TAC did not approve this refinement with a vote of: Favor – 5; Oppose – 6, and Neutral – 3.

Joe then asked for a final vote on using Scenario 2.3 as a starting point, with Refinements #3 and #5 (as modified above) to bring back in December. Wes moved approved of this proposal with Rod providing a second to this motion. The vote was: Favor – 10, Oppose – 3, and Neutral – 1. The motion passed.

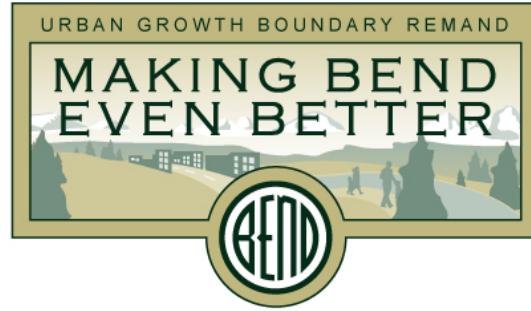
## **5. Project Information, Next Steps**

There were no further reports on the project other than the UGB Steering Committee meeting scheduled for 2:30 pm that afternoon.

## **6. Adjourn**

Joe adjourned the meeting at 1:07 pm.

# Memorandum



January 13, 2016

**To:** Boundary and Growth Scenarios Technical Advisory Committee  
**From:** Angelo Planning Group Team  
**CC:** Urban Growth Boundary Steering Committee  
Residential and Employment Technical Advisory Committees  
**Re:** Consideration of Public Testimony

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## INTRODUCTION

### Purpose

The purposes of this memorandum are to:

- summarize property specific testimony received between October 23 and December 31, 2015 regarding the scenarios and subarea evaluations
- provide responses that capture key facts in the record related to the testimony, and
- summarize pros and cons for the Boundary and Growth Scenarios Technical Advisory Committee (Boundary TAC) to consider as it crafts a recommendation to the Urban Growth Boundary Steering Committee (USC) .

This memo was prepared in response to direction from the USC at their meeting on December 14, 2015. It is intended for information purposes only. It does not provide specific project team recommendations for potential refinements to Scenario 2.1 and it does not constitute findings to support an Urban Growth Boundary (UGB) decision.

Additionally, it is important to emphasize that the preferred UGB scenario, including any refinements to Scenario 2.1 ultimately approved by the USC, will undergo a final round of technical analysis – with a specific focus on updating and verifying transportation and wastewater impacts.

### Approach

The project team has reviewed all testimony with property specific boundary and/or land use implications received between October 23 and December 31, 2015. On October 22<sup>nd</sup>, the USC voted on Scenario 2.1 as the best performing scenario and basis for further analysis and refinements. All public testimony submitted prior to October 22<sup>nd</sup> had been included in the packets to the Boundary TAC and the USC and was considered by the TAC and the USC in their respective recommendation (by the Boundary TAC) and action (by the USC). Therefore, testimony submitted before October 22, 2015 is not considered in this memo.

- **Consolidated Comments.** Several property owners and/or representatives submitted testimony multiple times regarding the same property. Some points were repeated, but new points and evidence were also introduced in different letters. For the purpose of this memo, comments from the same property owner and/or representative have been consolidated and addressed together. Cross-references are provided to the record (date of testimony and record page number).
- **Key Comments Paraphrased.** Several letters were lengthy and included numerous attachments. The project team has made an effort to highlight the key points considered most relevant to the evaluation of the subject property/subarea relative to Goal 14 factors. Copies of the full letters and emails are available on the project web site at the following link: [www.bendoregon.gov/bendugb](http://www.bendoregon.gov/bendugb) and proceed to “The 2011-2016 Record on Remand.”
- **Testimony Organized by Subarea Geography.** Some of the testimony includes a reference to a specific property by address or tax lot number. Other testimony refers more generally to a subarea, such as the “Thumb” or “The Perfect Rectangle”. The testimony is organized by geography, starting in the Northeast and then moving in a clock-wise fashion around the boundary. Bend Park & Recreation District requested that four properties owned by the District be considered for inclusion within an expanded UGB. In addition, public testimony was submitted regarding two opportunity sites inside the UGB. The requests relating to parks and opportunity sites are addressed following the subarea testimony. Maps are included and keyed to the public testimony.
- **Project Team Response.** The project team has provided brief responses to address the key comments raised in the public testimony related to specific properties/subareas. The responses draw from information in the record, primarily the *UGB Expansion Scenarios Evaluation Report* (October 1, 2015) that set the context for balancing the factors of Goal 14. In other cases, members of the team with specialized technical expertise (e.g. transportation and wastewater engineering) have reviewed and responded to evidence submitted by other technical experts on behalf of specific properties. The responses briefly summarize the pros and cons for the Boundary TAC to consider in light of specific testimony as potential refinements to Scenario 2.1.
- **General Comments.** A table is provided in Appendix A at the end of the memo to summarize general comments submitted after October 23<sup>rd</sup> that were not as property specific or that did not suggest a modification of Scenario 2.1 or specific land uses.
- **References to Scenarios.** References are made to various scenarios in the text below. Scenario 2.1 is one of the scenarios approved for evaluation by the USC on June 25, 2015, and subsequently approved (with refinements) by the USC on October 22, 2015. Scenario 2.1A refers to map of the USC’s October 22<sup>nd</sup> approval – it was included in the December 14, 2015 USC meeting packet. Scenario 2.1B refers to the technical refinements approved by the USC as part of their meeting on December 14, 2015.

## NORTHEAST AREA

### Butler Market Village / The “Perfect Rectangle”

Commenter	Date of Testimony	Property Location	Record Reference
Lori Murphy, on behalf of the “Perfect Rectangle”: Sage Wind Farm LLC	Letter & attachments dated December 14, 2015	About 240 acres between Deschutes Market & Butler Market Roads See Map 1	Rem Rec. 05421

**Status Relative to Scenario 2.1:** Approximately 55 acres of the “Perfect Rectangle” were included in Scenario 2.1. At the meeting on October 22<sup>nd</sup>, the USC recommended including additional land in this subarea, as permitted by the forecasted land need. Scenarios 2.1A and 2.1B included roughly 100 acres of land in this subarea. Scenario 2.1C includes 230 acres of the “Perfect Rectangle” designated as residential land surrounding a commercial node and school.

**Summary of Testimony/Request:** Recommend including 240-acre property in UGB – primarily to meet need for housing. Highlights of the testimony include:

- Priority exception lands; suitable for complete community/master planning.
- Close proximity to necessary infrastructure (sewer, water, transportation) and other facilities & services (parks, fire station, schools).
- Main sewer interceptor is deep enough to serve the area by a gravity system.
- Surrounded by major roads allowing access and connected transportation system in all directions; Yeoman Road could be extended along northern boundary.
- Avion Water confirmed water service for the entire “Perfect Rectangle”.
- Flat topography, less expensive to develop – parcels can be aggregated into at least 50 acre units.
- Lower wildfire risk relative to other areas.
- North Unit irrigation canal (COID) serves agricultural land in Jefferson County - irrigation water rights have no bearing on the development of exception lands.

**Response:** This property/subarea scored well on a variety of performance measures. Key advantages include:

- Majority of the area is cost-effective to serve with sewer because it relies on and leverages future investments in the Hamby alignment and eastern portion of the Northeast Interceptor.
- The eastern portion of this group of properties has good proximity to existing/planned parks & trails.

- The southern and eastern portions of this group of properties have good access to major roads connecting towards the center of Bend, e.g., Butler Market Road, and perform well for transportation and vehicle miles traveled per capita impacts.
- Mid-size parcels contiguous to the UGB could offer potential for near-term development if master planning is not required for this area prior to annexation / development.
- Avion has confirmed availability of water to serve the property.

## SOUTHEAST AREA

### The Elbow: Schumacher Property

Commenter	Date of Testimony	Property Location	Record Reference
Elizabeth Dickson, attorney representing Schumacher Revocable Living Trust	Letter dated December 8, 2015	64.56 acres on two adjoining lots to north side of Knott Road in The Elbow  See Map 2	Rem Rec. 05339

**Status Relative to Scenario 2.1:** The subject property was included in Scenario 2.1 and designated for Industrial/Professional Office use. Scenario 2.1A and Scenario 2.1B include this property and have a more flexible Mixed Employment (ME) designation. In Scenario 2.1C, the property is designated primarily ME with a small amount of RS.

**Summary of Testimony/Request:** Supports including subject property in the UGB. However, the commenter believes the property is more suitable for medium-density residential (MDR) designation that would be more compatible with RS and RL zoning of adjoining properties. Alternatively, property would also be better suited to commercial designation. Highlights of the testimony include:

- Neighborhoods in the vicinity were established with a reasonable expectation of compatible adjoining development.
- Industrial uses and development do not mesh well with these neighborhoods, and should not be promoted next to them by City action.
- Client believes their property may be more properly suited to Medium Density Residential or Commercial designations.
- Understand the need to make space for jobs in this area of Bend and to reduce trip lengths between housing and jobs. However, it is likely that the quality of life of Bend residents depends more on a peaceful home and compatible uses than a short commute.

**Response:**

- The portion of the property adjacent to Knott Road is fairly well-suited to commercial and industrial uses due to transportation access and visibility.
- The portion of the property further north of Knott Road is less suited to commercial uses because of its lack of visibility from the road, but may be suitable for other employment uses or for residential uses.
- There is a small amount of existing housing to the west and north of the property; industrial uses may be less suitable adjacent to existing homes (though existing buffering requirements may be sufficient for most light industrial uses).
- The portion of the property adjacent to Knott Road is also in close proximity to an existing commercial farm with a feed lot, making that area less suited for residential uses.
- There is a relatively large land need for these employment uses and a smaller pool of exception land that is suitable for those uses (relative to residential uses), so many of the properties that are suitable are needed for these employment uses.
- The portion adjacent to Knott Road should be designated for commercial or employment uses. Provided that any uses displaced from the property are accommodated elsewhere and that the specific land needs are met, the balance of the property could be designated for a mix of residential, commercial, and/or employment/industrial uses.

**The Elbow: Brown / Southgate Casper LLC Property**

Commenter	Date of Testimony	Property Location	Record Reference
Christen Brown	Letter and attachments dated 12/2/15	About 11 acres in the southwest portion of the Elbow  See Map 2	Rem Rec. 05324

**Status of Property Relative to Scenario 2.1:** The subject property was included in Scenario 2.1 and designated for commercial use. It is included in Scenario 2.1A, Scenario 2.1B, and Scenario 2.1C, also for commercial use.

**Summary of Testimony/Request:** Supports including subject property in the UGB. Requests reconsideration of 2.1 as it relates to proposed land uses. Suggests Mixed Employment (ME) is a more appropriate designation for the subject property.

- Issues with commercial and high density residential designations for the area.
- Recommends ME as more suitable designation for the area.

**Response:**

- The property in question has frontage on Knott Road. Land abutting Knott Road is fairly well-suited to commercial and industrial uses due to transportation access and visibility.
- There are a few existing homes to the north and east of the property; industrial uses may be less suitable adjacent to existing homes (though existing buffering requirements may be sufficient for most light industrial uses).
- A mixed employment designation is equally suitable for this property as a commercial designation along Knott Road with moderate- to high-density residential designations on the northern half of the property.

## SOUTH AREA

### The “Thumb”

Commenter	Date of Testimony	Property Location	Record Reference
Bill Galaway, Chair of SE Neighborhood Association	Letter dated 12/10/15	Comments generally address The “Thumb” as a whole  See Map 3	Rem Rec. 05348

**Status of Property Relative to Scenario 2.1:** Scenario 2.1 and Scenario 2.1A included approximately 280 acres of the Thumb for residential and employment uses, as well as a proposed high school site. Scenario 2.1B removed the proposed high school site after further coordination with the Bend-La Pine School District, as well as some employment land, and included roughly 230 acres of the Thumb. In Scenario 2.1C the Thumb is similar to 2.1B, with slightly less residential land and slightly more employment land.

**Summary of Testimony/Request:** Recommends including a larger portion of the Thumb down to the Baker/Knott interchange to facilitate transportation improvements and better traffic flow in the area. Highlights of testimony include:

- Two primary concerns 1) traffic in and out of the Thumb, and 2) amount of land designated for industrial use.
- Including more of the Thumb property in the UGB is critical for resolving many connectivity problems in SE Bend.
- Important to include enough land with the right zoning to support development of needed infrastructure, including upgraded railroad crossings.
- Access is difficult – recommends eliminating Parrell Road as primary feeder to the area and instead adding land to connect to the Baker/Knott interchange.

- Also commented that this area of Bend is devoid of amenities. Recommends designating 80% of the Thumb for residential and mixed uses instead of emphasizing industrial uses.

**Response:**

- Bringing in the full Ward property in the Thumb was evaluated as part of Scenario 1.2. Key trade-offs associated with this option were identified in the Evaluation Report, and are summarized in brief below.
  - Provides the opportunity for a complete collector network on that property that improves bicycle, pedestrian, and vehicular connectivity.
  - Generates enough traffic volume, combined with the Elbow and DSL subareas, that it requires expanding Knott Road and a portion of China Hat Road to three lanes plus intersection improvements at the Baker Road interchange and the intersection of China Hat and the new collector road.
  - Including the full Thumb property (Scenario 1.2) generated about 70% more peak hour trips (In+Out) relative to Scenario 2.1. The land use mix is just as significant as the number of acres to the trip generation.
  - Needed capacity improvements, plus the additional length of collector road to reach Knott Road would add roughly \$30 million to the cost of transportation improvements for Scenario 2.1 and are a key reason why Scenario 1.2 performed poorly.
  - Increased development in this area increases the VMT/capita for Bend, as the "Thumb" has the highest trip-length of the sub-areas.
- Development of half to two-thirds of the Ward property in the Thumb was evaluated as part of Scenario 2.1 and other scenarios in varying degrees. Key findings include:
  - While traffic volumes would increase, volumes would remain below roadway and intersection capacities and few or no capacity improvements would be needed.
  - Urban upgrades (e.g. sidewalks, curbs and gutters) on Knott Road and other existing rural roads are assumed for all newly developed frontages on those roads as part of development, even if the roads are not widened for capacity reasons.
  - New collector roads would be required that would provide an additional connection to both China Hat and Knott Road.
- Regardless of how much of the length of the property is included, the primary access point to the portion south of the railroad is assumed to be the new central north-south collector road. Access to the portion north of the railroad will be subject to intersection spacing standards but would be oriented north to China Hat Road (site access configuration would be determined during development review and could include multiple connections and possible turn restrictions near US 97). Parrell Road is a key collector corridor connecting to the Thumb sub-area under any scenario evaluated, but traffic volumes were found to vary less than 10% on Parrell Road between Scenario 1.2 and 2.1.
- New / upgraded railroad crossings are not assumed on the Thumb regardless of the amount of development in this area. Any additional crossings desired through development of the area would most likely require grade-separated improvements.
- The amount of land for industrial use has been reduced, with more Mixed Employment and commercial designations.

## The “Thumb”: Baney Property

Commenter	Date of Testimony	Property Location	Record Reference
Curt Baney	Letter dated 11/29/15	About 38 acres abutting the south side of the UGB and the west side of Hwy 97  See Map 3	Rem Rec. 05336

**Status of Property Relative to Scenario 2.1:** The subject property was included in Scenario 2.1 and designated for a mix of residential and commercial uses. Based primarily on the *Scenarios Evaluation Report*, the USC recommended that the Baney property be deleted from Scenario 2.1. The property was not included in either Scenario 2.1A or Scenario 2.1B, and is not included in Scenario 2.1C.

**Summary of Testimony/Request:** Requests reconsideration of the USC decision to exclude the subject property from Scenario 2.1 based on a few key points. Highlights of the testimony include:

- Priority exception lands; the property scored well in the Stage 2 mapping.
- USC decision removes the only parcel south of the UGB and west of Hwy 97.
- Many citizens in this particular area of Bend are likely to make shorter drives if services are available. They are not likely to cross the highway to get to services in the Thumb area east of Hwy 97.
- Property is proposed for mixed use, including a school site, multi-family housing, employment and commercial services. Plan to provide services to the many homes that already surround the property.
- Questioned the rationale for measuring VMT to downtown Bend. Emphasized that adding services in this location will reduce VMT for developed areas to the north.
- Subject property, when developed, will supply needed sewer improvements to existing City residents that only have access to septic now.
- Provided letter from engineer addressing viability of sewer. Including and developing this property would facilitate earlier fix of existing sewer problems for properties inside the UGB on septic systems.

**Response:** The Baney property was evaluated as part of Scenario 2.1 and also as part of “The Thumb” subarea. While Scenario 2.1 performed the best in terms of the overall scenario evaluation, two key disadvantages were identified for the Baney property:

- The Baney property has limited access to Hwy 97, making it less suitable for commercial and employment uses. The primary constraint is the right-in/right out on US 97.

- In addition, the other main access is via Ponderosa, which would require a significant travel distance to reach Brookswood and Murphy for access to the regional system. Access to the south is limited with because it is outside of the UGB and there isn't an established roadway grid there.
- Including the Baney property would require an additional gravity sewer main extension / improvement to connect the development to existing piping on Mahogany Street. This extension would provide a potential benefit by allowing adjacent septic system customers inside the UGB to connect to it. However, development in this area would also require upsizing several projects identified in the city's Collection System Master Plan (CSMP), some of which may require their construction schedule to be accelerated.<sup>1</sup> The Baney property would also rely on completion of the second phase of the SE Interceptor along with the downstream section of the NE Interceptor.

Additionally, more growth in "The Thumb" subarea hurts overall performance on VMT because of long average trip lengths from this area. While providing services in these areas does allow residents in existing adjacent neighborhoods to meet some needs closer to home, reducing average trip lengths slightly for those areas, a significant share of the trips both to and from the area would continue to be to and from other areas of the city. Since the area is relatively far from and not well connected to key other major destinations around the city, this impact outweighs the positive effect on trip lengths from adjacent neighborhoods.<sup>2</sup>

## River Bend Estates Property

Commenter	Date of Testimony	Property Location	Record Reference
Jim and Kathie Prestwood	Letter dated 11/11/15 and e-mail dated 11/12/15	About 23 acres west of the Baney property and Hwy 97  See Map 3	Rem Rec. 04959

**Status of Property Relative to Scenario 2.1:** The subject property was not included in Scenario 2.1. Further, it was not included as part of any UGB Expansion Scenarios or

<sup>1</sup> UGB expansion improvements have been identified assuming full development of the existing UGB, meaning that there may be capacity today, but that the city's policy is to reserve capacity for growth within the existing UGB first. The sewer analysis referenced in the testimony pre-dates the adoption of the CSMP and thus is no longer relevant to the analysis of sewer system needs.

<sup>2</sup> Note that the administrative rules regarding measurement of VMT specifically require the city to measure only travel within the UGB. Therefore, any benefits of reducing trip lengths from neighborhoods outside the UGB, such as Deschutes River Woods, are not measured.

Supplemental Analysis Areas and was not considered in the 10/1/15 *Scenarios Evaluation Report*.

**Summary of Testimony/Request:** Recommends including 23 acres contiguous with the Baney property in the UGB. Highlights of testimony include:

- Bringing in more land in this area of Bend provides the opportunity to spread the infrastructure costs over a larger area.
- Land in this area is more affordable than west side expansion.
- Also commented that he thinks projections for needed housing units outside the UGB are too conservative.

**Response:** This property was not considered or evaluated in the *Scenarios Evaluation Report*. This property did not score in the top quartile in the Stage 2 mapping. There is more than enough priority exception land that scored higher in the Stage 2 mapping (+5,000 acres) to meet identified land needs to 2028.

## WEST AREA

### Miller Property

Commenter	Date of Testimony	Property Location	Record Reference
Kirk Schueler, on behalf of Brooks Resources	Letter dated 11/6/15	About 260 acres west of Northwest Crossing (including portions of properties owned by Miller, Rio Lobo, and Anderson Ranch)  See Map 4	Rem Rec. 04965
Dale Van Valkenburg, on behalf of Brooks Resources	Letter dated 11/11/15	Same as above	Rem Rec. 04963

**Status of Property Relative to Scenario 2.1:** Scenario 2.1 and Scenario 2.1A included approximately 180 acres of the Miller property for a mix of housing, employment, and civic uses. Scenario 2.1B removed the proposed school on the site after discussion with the Bend-La Pine School District. Scenario 2.1C includes roughly 165 acres of this property, and incorporates roughly 40 acres of open space that extends across the property and connects with Discovery Park, while keeping the overall number of projected units in the West Area to roughly 850.

**Summary of Testimony/Request:** Recommend including about 260 acres in the UGB on the west side (including portions of properties owned by Miller, Rio Lobo, and Anderson Ranch) that provides a more appropriate land use mix consistent with “Transect” principles and facilitates Skyline Ranch Road connection. Highlights of testimony include:

- New Urbanist “transect” planning principles fit the west side of Bend where there is a clear Natural Zone consisting of national forest lands, a large regional public park, and an important waterway (Tumalo Creek) to the west. Other parts of Bend do not have this condition.
- Recommend housing mix for west lands of 75% SFD/5% ASF/20% MF as more suitable at the edge with the Natural Zone.
- Comments that locating large concentrations of higher density, affordable housing away from major transit corridors, centers of employment, or retail is not consistent with community planning principles.
- States that including larger footprint for the West subarea in the UGB is necessary to accommodate the completion of the Skyline Ranch Road collector that is currently on the Bend Urban Area Transportation System Plan.
- If appropriate lands are not included in the UGB, it will become unlikely that this roadway will be completed within the planning period. This will leave the planned arterial/collector circulation pattern incomplete in this subarea.

**Response:**

- The scenarios have always included an assumed density transition *within* the West Area expansion; this is an appropriate concept for the area.
- The natural amenities available in the West Area as well as the proximity to schools, parks, and commercial services make the area attractive for a variety of housing types, including multifamily and attached single family housing.
- The portion of the Miller property adjacent to Skyliners Road and closest to the UGB has good transportation access, is within a half-mile of transit, and within close proximity to other amenities and destinations as noted above, making it suitable for multifamily housing as well as other uses. Skyliners Road forms the southern edge of the West area.
- The housing mix in the residual housing need that cannot be met inside the UGB drives the overall housing mix across the expansion areas. Recent updates to UGB capacity estimates have shifted this mix, as have recent adjustments to the land use types identified for the West Area. To the extent that the mix in the West Area is shifted further, there may be a need to adjust other expansion areas accordingly.
- The outer western edge of the Miller property, as well as any other properties in the West Area included in the expansion, will likely need to provide for design treatments that address both wildfire risk and wildlife, such as fire breaks and habitat corridors.
- Skyline Ranch Road provides a valuable connection on the west side of the city, enhancing multi-modal connectivity, access to schools and parks, and providing redundancy for emergency response. While the corridor could provide an alternate route for those trips passing through the area during the limited-duration congested periods on Mt. Washington Drive (i.e., during spikes in traffic coinciding with school peak drop-off/pick-up patterns in the

morning and afternoon), transportation modeling did not find it would be required to meet the City's peak hour mobility target in the area for the weekday PM peak period. Therefore, while a beneficial connection, the requirement for the corridor is linked more closely to providing access to development if the area were to urbanize than as a required system capacity component.

## Anderson Ranch Property

Commenter	Date of Testimony	Property Location	Record Reference
Tim Elliot, attorney representing Anderson Ranch	Letter and attachments submitted 11/19/15	About 27 acres located south and west of Shevlin Park Road in the West Area  See Map 4	Rem Rec. 04980-04981

**Status of Property Relative to Scenario 2.1:** The Anderson Ranch property was not included in Scenario 2.1, Scenario 2.1A, or Scenario 2.1B. Its undeveloped portions (not subject to CC&R's) are included in Scenario 2.1C.

**Summary of Testimony/Request:** Recommends including the subject property in the UGB to accommodate housing and connection of Skyline Ranch Road. Highlights of testimony include:

- This property scores well for sewer infrastructure, owners have already paid for existing sewer capacity.
- Schools are located in close proximity to this property.
- Including this property in the UGB will facilitate the improvement and extension of Skyline Ranch Road.
- Missing link of Skyline Ranch Road across Anderson Ranch and Day properties – extends from Century Drive on south to Shevlin Park Road on the north.
- Important connection for schools, fire/emergency access, distribution of traffic.
- This property is the remaining 28 acres of 96 acre master plan for Shevlin Meadows.
- Property is bordered by rural 5-acre lots on the west; not adjacent to Forest Land.
- Developer participated in the Westside consortium, including roundabout installed at 14<sup>th</sup> & Newport.
- Also participated in upsize of sewer lift station to handle sewage from the property and that capacity still exists.

**Response:**

- Skyline Ranch Road provides a valuable connection on the west side of the city, enhancing multi-modal connectivity, access to schools and parks, and providing redundancy for emergency response. While the corridor could provide an alternate route for those trips passing through the area during the limited-duration congested periods on Mt. Washington Drive (i.e., during spikes in traffic coinciding with school peak drop-off/pick-up patterns in the morning and afternoon), transportation modeling did not find it would be required to meet the City's peak hour mobility target in the area for the weekday PM peak period. Therefore, while a beneficial connection, the requirement for the corridor is linked more closely to providing access to development if the area were to urbanize than as a required system capacity component.
- A gravity sewer extension would be required to serve this development (along with the eastern portion of the Day property and/or the Miller Property) that would ultimately connect to existing piping on Newport Avenue. Additional sewer improvements on Newport Avenue and downstream along the City's existing interceptor may also be triggered by development of this property and/or other properties in the inner portion of the West Area.<sup>3</sup>
- Phases I and II of the Anderson Ranch PUD have recorded CC&Rs that are in effect until 2032. Phase I (at the westerly edge) has 4 lots that are approximately 5 acres each. Phase II has 5 lots ranging from  $\frac{1}{2}$  to 1 acre each. The recorded CC&Rs are not applicable to Phases 3-6 (adjacent to the UGB and the subject of the testimony).
- Anderson Ranch property is not as close to schools, commercial services, and other destinations as other portions of the West Area, but still has relatively good access to those amenities.
- Arguments regarding developer participation in the Westside Consortium were addressed in the prior UGB proceedings through an August 18, 2008 memorandum from the city attorney to the Bend Planning Commission (Rec. 6280),

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<sup>3</sup> UGB expansion improvements have been identified assuming full development of the existing UGB, meaning that there may be capacity today, but that the city's policy is to reserve capacity for growth within the existing UGB first. It also assumes that improvements identified in the CSMP are constructed except where modified by the UGB expansion analysis.

## NORTHWEST AREA

### Shevlin Property

Commenter	Date of Testimony	Property Location	Record Reference
Tia Lewis, Attorney for Coats Revocable Trust and Shevlin Sand & Gravel	Letter and attachments dated 12/11/15	Approximately 416 acres, together with 34 acres owned by the School District shown in Conceptual Master Plan  See Map 4	Rem Rec. 05352

**Status of Property Relative to Scenario 2.1:** No portion of the Shevlin property was included in Scenario 2.1, Scenario 2.1A, or Scenario 2.1B. Scenario 2.1C includes the southern 70-acre portion of the property for residential use.

**Summary of Testimony/Request:** The Coats' property, or some portion of the Coats' property, should be included in the UGB expansion. Ms. Lewis provided findings and evidence to address the Goal 14 Rule. Highlights of the testimony include:

- Bend's General Plan treats UAR lands differently from other exception lands. LCDC lumped them together in the same priority category, but there is a local plan commitment to prioritize UAR lands.
- Demand for housing is highest on the west side – why constrain it unreasonably?
- Unique opportunity for complete community with trail connections to park and natural areas.
- The park district faces challenges in making park/trail improvements outside the UGB (for example, County Hearings Officer denied pedestrian bridge across the river to access Riley Ranch Park).
- Southern portion of the property is not constrained by steep slopes – with such a large site – opportunities are available to protect the steep slopes, riparian, and other resource values while still accommodating development. Property owner can work with the City and Park District to protect those values. No need to penalize the entire site.
- Not proposing any development along sensitive corridors (riparian, steep slopes, floodplains, etc.). Full protection or blanket restriction on development isn't warranted under Goal 5.
- Critical of transportation and sewer analysis. Need to look more closely at importance/benefits of transportation connections that could be provided with development.

- Harsh results of applying very loose ODFW input regarding big game winter range on the property. Not supported by evidence. Hiring wildlife biologist to assess the southerly 150 acres and will enter that into the record.
- Opportunities to work with multiple property owners on a cohesive management plan for big game winter range with ODFW (instead of a piecemeal approach).
- Also hired fire expert to conduct assessment of southerly portion of the property. Importance of transportation corridors for evacuation; can mitigate risk with commitment to use Firewise development/construction standards.

**Response:**

- The issue of whether UAR lands should be prioritized over other exception lands was raised in objections to the 2008 UGB proposal. The Bend Area General Plan includes a statement that “Lands in this Urban Reserve area (land zoned UAR) are considered first for any expansion of the Urban Growth Boundary”, however, this statement is inconsistent with state direction received in the Remand (see next response below). Because of this plan provision, the 2008 proposal ranked UAR-zoned land higher than other exception land and included it in the UGB expansion before considering other exception parcels zoned SR 2.5, MUA-10, and RR-10. [Record at 175, 1190].
- The Remand documented that the UAR lands for Bend were neither adopted nor acknowledged as Urban Reserves under OAR 660-024-0060(1) and ORS 197.298(1)(b). The Land Conservation and Development Commission found that Deschutes County did not adopt exceptions to Goals 3 (Agriculture) and 4 (Forest Lands) for the UAR lands so designated under the Bend Area General Plan (Rem Rec.). The 2008 proposal segregated exception parcels into two different groups – parcels zoned Urban Area Reserve and all other exception parcels – when all exception parcels (UAR, MUA-10, RR-10 and SR 2.5) are the same priority and must be treated alike under ORS 197.298(1)(b). [Director’s Report, page 123]. Based on the direction of the Remand, the City of Bend is considering UAR lands in the same priority category as other exception lands (MUA-10, RR-10 and SR 2.5), irrespective of the statement in the General Plan.
- Bend Metro Park and Recreation District has developed parks (such as Pine Nursery Park) and trail improvements inside and outside of the UGB. Trail improvements would not be precluded on the Shevlin property with the location outside of the UGB. However, permitting for park and trail improvements would be under Deschutes County jurisdiction. Additionally, park development outside of the UGB is typically limited to rural levels of infrastructure, such as septic systems. Title 19 of the Deschutes County Development Code (Bend UGB Zoning) applies to land outside of the Bend city limits and within the UGB. Title 19 also remains in effect for lands referred to as Urban Reserve lands in the IGA between Deschutes County and the City of Bend dated February 18, 1998. BMPRD has recent experience with permitting proposed improvements (including trails, overlooks, river access points and a pedestrian/maintenance bridge) at the 184-acre Riley Ranch Nature Reserve in the UAR zone. Conditional Use and Design Review approval were required, and setback standards were imposed for improvements within the Deschutes River Corridor (19.76.090).

- The fact that the area has not been identified as a priority for inclusion in the UGB at this time is made in the context of this UGB evaluation, where there are many alternative areas which do not have the constraints and resource values of the northern portion of the Shevlin property. The evidence indicates that development close to Tumalo Creek and its associated resource areas and constraints should be a lower priority than other suitable exception areas (this primarily affects the northern portion of the site).
- There is potential for local road connections across the southern portion of the site where it lies between two existing subdivisions, which would provide some connectivity benefit to that area, though the benefit is limited due to the small number of homes.
- The extension of Skyline Ranch Road to the north does not offer connections beyond the subject property within the planning horizon (i.e., without substantial additional urban expansion to the north and west).
- The existing information in the record from ODFW is the best currently available. If a more detailed assessment is provided by the property owner, it will be taken into consideration.
- A cohesive approach to wildlife management is an appropriate strategy for the west and northwest subareas regardless of which properties and how many acres of each are included in the UGB expansion.
- Fire risk was noted as being worst adjacent to the creek canyon. To the extent that fire breaks or other mitigation strategies are used to create defensible space between this area and any portions identified for development, the hazard to the southern portion may be reduced.

## BEND PARK & RECREATION DISTRICT

Commenter	Date of Testimony	Property Location	Record Reference
Don Horton, Director BPRD	Letter dated October 21, 2015	Four locations – see Maps 1-3	Rem Rec. 04968

**Status of Properties Relative to Scenario 2.1:** Scenario 2.1 included one undeveloped park site (High Desert Park – 33 acres) owned by BPRD. City staff has been coordinating with the District on an on-going basis to refine land needs for parks (particularly community parks) and geographic distribution relative to UGB expansion scenarios.

**Summary of Testimony/Request:** The District requests that the UGB TAC and USC consider including four District owned properties that are contiguous with the current UGB. Highlights of the testimony include:

- The properties the District would like considered for inclusion within an expanded UGB, in priority order are:
  1. Pine Nursery Community Park (developed, 147.3 acres)

2. Rock Ridge Community Park (undeveloped, 36.6 acres)
3. Alpine Neighborhood Park (undeveloped, 14.3 acres)
4. High Desert Community Park (undeveloped, 33.1 acres)

- These properties are already owned by the District and should not negatively affect the residential and employment land need calculations, nor impact the future park land calculations since they should already be considered in the expansion formulas.
- For any of the identified parks, the future provision of City water and sewer service can be integral to their ability to be developed or redeveloped as they have their master plans amended over time to adjust to changes in resident demands for new and/or different amenities.
- For example, Pine Nursery Park will likely have sewage capacity issues that will constrain development options as Bend's population grows, park visitation increases, and the on-site septic system reaches capacity thresholds.
- The District is prepared to coordinate with City staff to help bolster arguments for inclusion of these identified park properties as necessary to meet State requirements.
- The existing IGA between the City and the District will be reviewed and revised to ensure the equitable and efficient provision of services within the UGB after the new boundary has been adopted.

**Response:**

- BPRD adopted a Parks and Recreation Master Plan in 2012 that identified needs for additional neighborhood and community parks from 2012 to 2020 in order to meet adopted Level of Service (LOS) standards. The additional park land need from 2020 to 2028 can be estimated by extending the park need projection out to 2028 using the population forecast that is the basis for the UGB expansion and the Park District's adopted LOS standards. After accounting for parks developed since the publication of the Master Plan in 2012, the total need for additional parks to be developed from 2014 to 2028 is estimated to be:
  - 65.6 acres of neighborhood parks
  - 161.8 acres of community parks
- BPRD's adopted LOS standards measure need for developed parks. This need can and should be met on existing undeveloped land owned by BPRD whenever possible and appropriate. The three undeveloped park sites requested for inclusion in the UGB by the Parks District are contiguous to the existing UGB and sited to serve areas with additional growth potential inside or outside the current UGB. The total acreage of undeveloped park land requested to be added to the existing UGB by park category is well within the total need estimated above:
  - 14.3 acres of neighborhood parks
  - 69.7 acres of community parks
- As of the 2012 Master Plan, the Pine Nursery Community Park had already been developed, and had been used to close the gap in identified needs for community parks based on growth inside the UGB since 2008. Since it is already serving urban residents,

it should be managed as an urban park and brought into the UGB so that it can be more effectively and efficiently managed.

- Bringing in park land to meet identified Park District needs also supports Goal 2 (city-district cooperation and coordinated planning), Goal 8 (enhancing park facilities on lands that are already owned by BMPD), and Goal 14 social and environmental consequences by providing additional recreational opportunities and enhancement of these sites. Park and recreational facilities are a key component of Bend's livability and connections to recreation and nature are highlighted as one of the goals for the Remand Project.

## OPPORTUNITY SITES INSIDE THE UGB

### Ward Property – SE 15<sup>th</sup> Street

Commenter	Date of Testimony	Property Location	Record Reference
Dean Wise, on behalf of JL Ward Co.	Letter and Attachment dated December 4, 2015	Approximately 280 acres along SE 15 <sup>th</sup> Street, north of Knott Road  See Map 2	Rem Rec. 05321

**Status of Properties Relative to Scenario 2.1:** The subject property comprises the majority of “Opportunity Area 7” within the existing UGB and also includes a portion of “The Elbow” outside the UGB. A planned 40-acre community park splits the site south of a future Murphy Road alignment.

- Scenario 2.1 included the following land use designations on this property: roughly 18 acres of commercial land, and roughly 230 acres of residential land (170 acres RS, 40 acres RM, 15 acres RH).
- Scenario 2.1B included additional commercial land on this property, which had previously been located on the adjacent “Bridges at Shadow Glen” property, and a school site. Land use designations in 2.1B included: a 15-acre school site, roughly 45 acres of commercial land, and 183 acres of residential land (160 acres RS, 16 acres RM, 8 acres RH).
- Scenario 2.1C includes slightly less RM and RH than Scenario 2.1B, and a greater amount of RS on the portion of the property in “The Elbow”. The scenario also approximates the location of uses based on the site plan provided in testimony.

**Summary of Testimony/Request:** JL Ward Co has carefully studied the options to master plan 240 acres on SE 15<sup>th</sup> Street using the current zoning and code and compared this to the Efficiency Measures proposed for the property as part of the UGB project. Request refinements

to designations proposed for property to make sure the economics work to develop a complete community. Highlights of the testimony include:

- Committed to developing a complete community, including medium and high density housing and commercial uses in the appropriate quantities.
- Want to work with the City to achieve common goals. This is the largest undeveloped privately owned property within the City – it is critical to be able to plan and build this community with the correct proportion and mix of uses that will allow success.
- Planning and building a 240 acre project carries significant risk, and is an expensive and complex process that will likely take 10-15 years to complete.
- Intent and desire to create a high quality project with amenities similar to those at NorthWest Crossing.
- To accomplish this, the economics must work; and to make the economics work the acreages proposed for commercial uses and for medium and high density housing need to be adjusted from the acreages proposed for the Opportunity Site/Efficiency Measures.
- Contend the 15<sup>th</sup> Avenue opportunity site has been disproportionately burdened with higher density residential designations that should be distributed throughout the City in a more equitable way.
- Submitted a Conceptual Development Plan to graphically reflect the following requested changes to plan designations for the opportunity site:  
Add 21 acres of RS (for a total of 186 acres)  
Remove 16 acres of RM (for a total of 10 acres)  
Remove 8 acres of RH (for a total of 7 acres)  
Remove 1 acre of CC/GC/ME (for a total of 17 acres)

**Response:**

- The Ward property on 15<sup>th</sup> Avenue is the largest vacant site in the city, and is currently planned and zoned entirely RS.<sup>4</sup> It is one of the city's most significant opportunity sites within the current UGB to provide a greater mix of uses and housing types and to achieve more efficient use of residential land than the current policies and standards would provide.
- The site also has good potential to provide for commercial and employment uses, as it has good transportation accessibility and will have even greater visibility and accessibility with the extension of the east-west Murphy Road Corridor through the site. The project team understands the property owners' position regarding market feasibility, and has made adjustments to the acres by plan designation on the site to bring it more in line with the requested mix. However, because of the amount of commercial and employment land need and the suitability of the site for these uses, the team continues

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<sup>4</sup> The 240 acres addressed in the testimony includes a 38-acre parcel that is also owned by the Wards but is outside the existing UGB, on the northeast corner of 15<sup>th</sup> Avenue and Knott Road.

to recommend including commercial adjacent to Knott Road, for a greater amount of total commercial/ME land than they requested.

## COID Property

Commenter	Date of Testimony	Property Location	Record Reference
Dale Van Valkenburg, on behalf of Brooks Resources Corporation	Letter dated December 29, 2015 with Attachments	East side of Deschutes River across from Mount Bachelor Village  See Map 3	Rem Rec. 05475

**Status of Properties Relative to Scenario 2.1:** Roughly 78 acres of the COID property (the portion that is not adjacent to the Deschutes River) received an RS designation in Scenario 2.1 and Scenario 2.1B, but constraints on the site were expected to reduce its overall capacity. Scenario 2.1C does not assume any capacity from the site during the planning horizon.

**Summary of Testimony/Request:** Expressed concerns with the continued inclusion of the 160+- acre property owned by the Central Oregon Irrigation District (COID), referred to as Opportunity Area 9, in the city's Buildable Lands Inventory. States that property should be categorized along with other lands subject to restrictive CCR's that limit or prohibit further development, and taken out of the BLI. Highlights of the testimony include:

- About 130 acres of this property is burdened by a scenic easement granted to Mount Bachelor Village that essentially prohibits any development until the year 2034, well beyond the planning period for this UGB expansion.
- In addition to this scenic easement, much of the COID property is also located within the Deschutes River Canyon, and has little or no development potential due to the City's Areas of Special Interest and Waterway overlay zones.
- Brooks Resources does not have the unilateral ability to release the scenic easement even if so inclined, and it is extremely unlikely that each of the hundreds of individual owners in Mount Bachelor Village would agree to the release.
- The easement is a material fact because the COID property shows up on the BLI as 160+- acres of vacant developable land and is considered an Opportunity Area slated for significant residential and employment use.
- Due to the scenic easement that extends beyond the 2028 planning period, at least 130 acres of this property should not be considered developable and should be removed from the BLI.
- In addition to the scenic easement, much of this property is also located within the canyon of the Deschutes River, a designated Area of Special Interest on the city's Comprehensive Plan. Even if it were not burdened with the scenic easement, much of

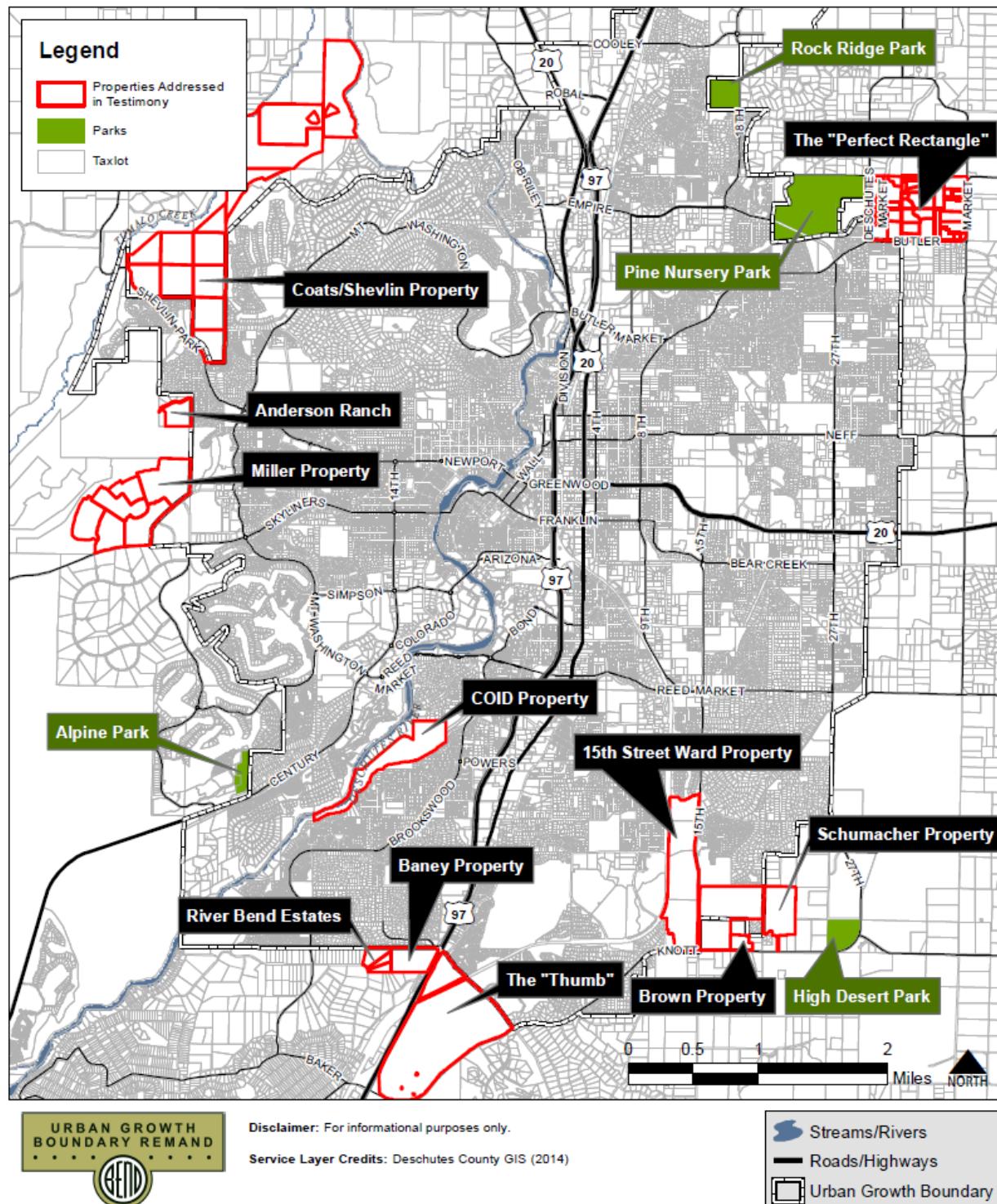
the property would be undevelopable in any event due to steep slopes and the ASI designation.

**Response:** The evidence provided in testimony clarifies the area that is subject to the easement, information that had not previously been available to the project team. With this additional information, the project team believes that there is substantial evidence that the COID property is not available for residential uses within the planning horizon, and proposes to remove it from the BLI.

## Bend UGB

Property-Specific Public Testimony received since October USC Meeting

Prepared 1/4/2016

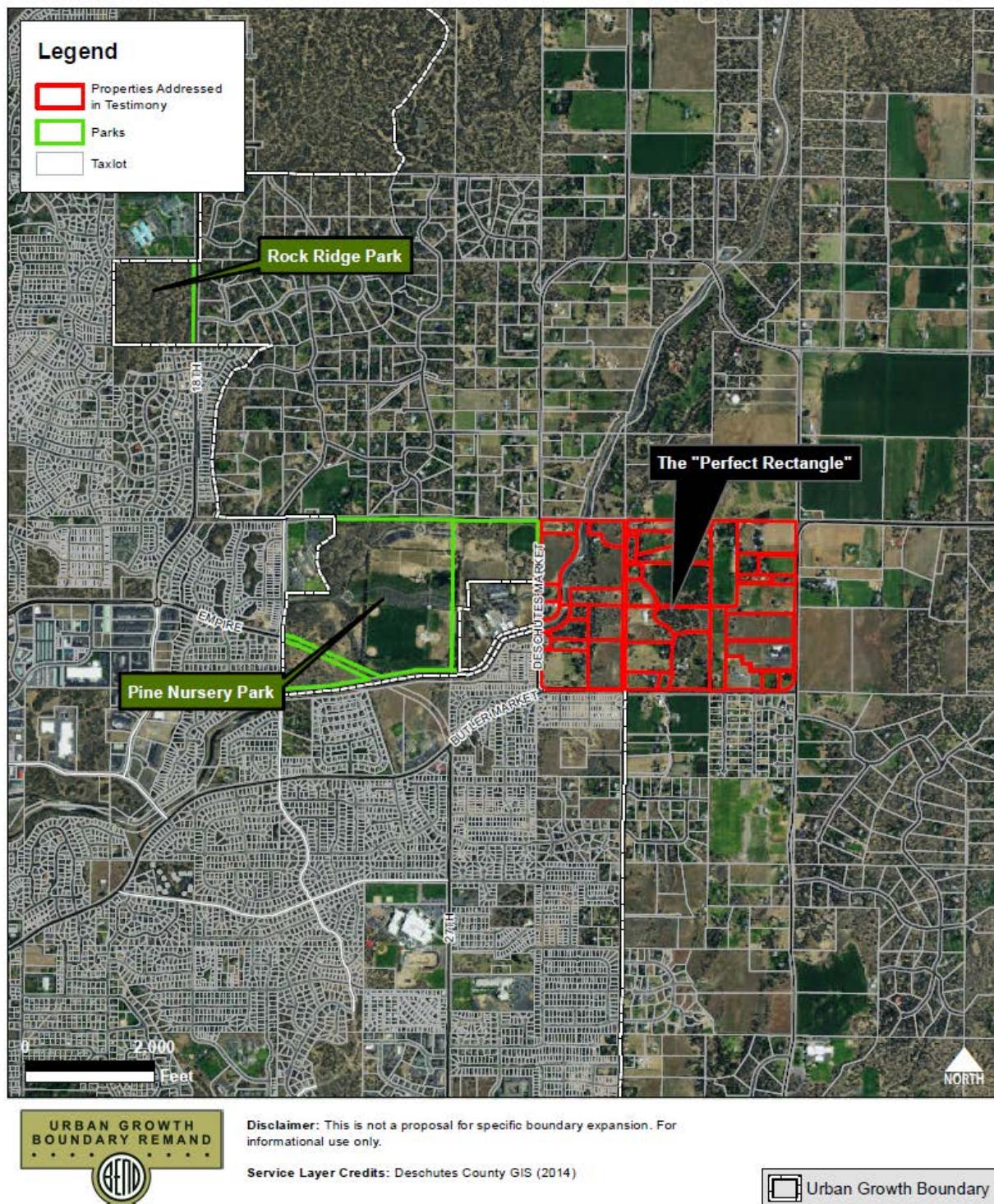


## Bend UGB

Property-Specific Public Testimony received since October USC Meeting

Map 1: Northeast Bend

Prepared 1/4/2016

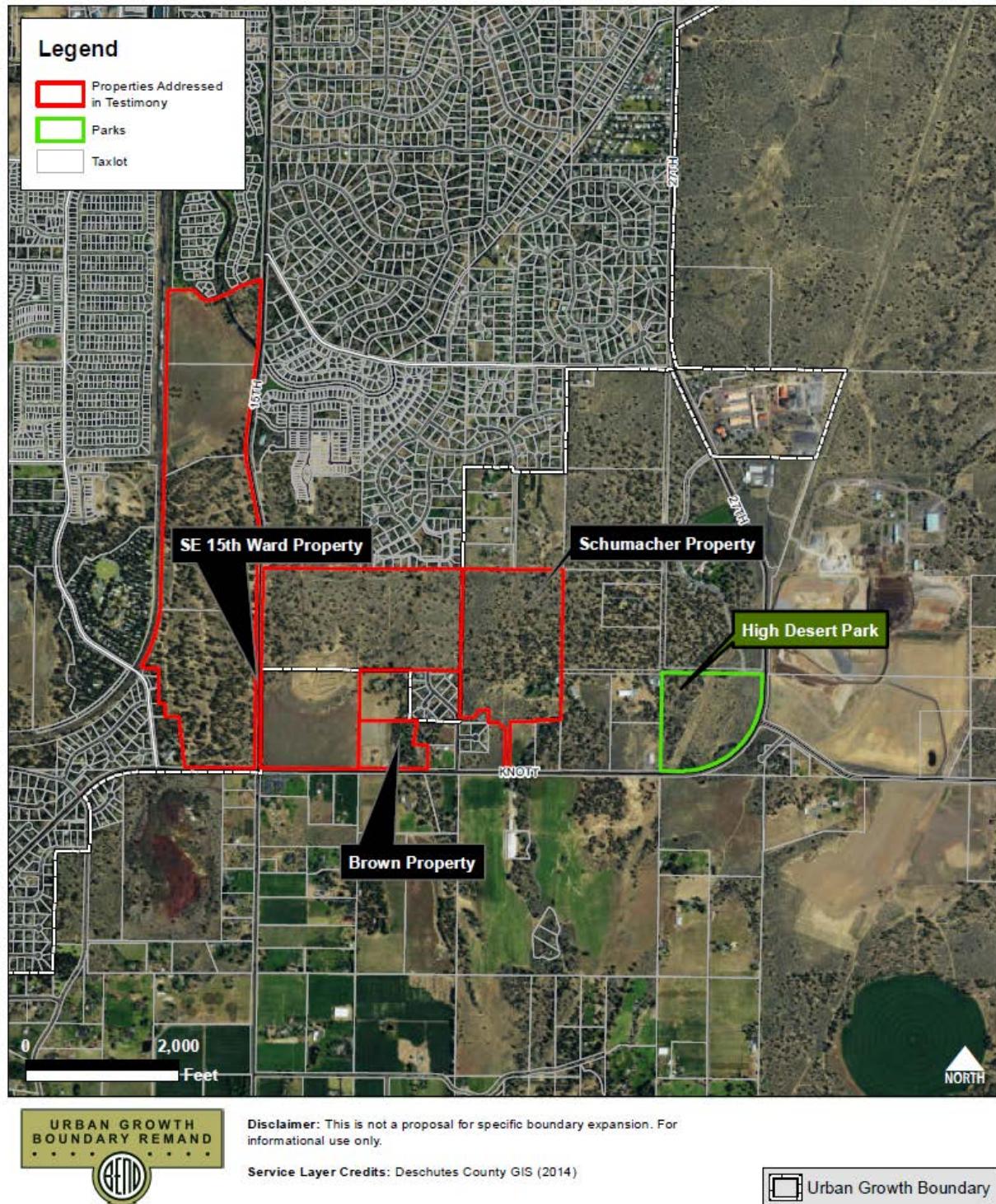


## Bend UGB

*Property-Specific Public Testimony received since October USC Meeting*

Map 2: Southeast Bend

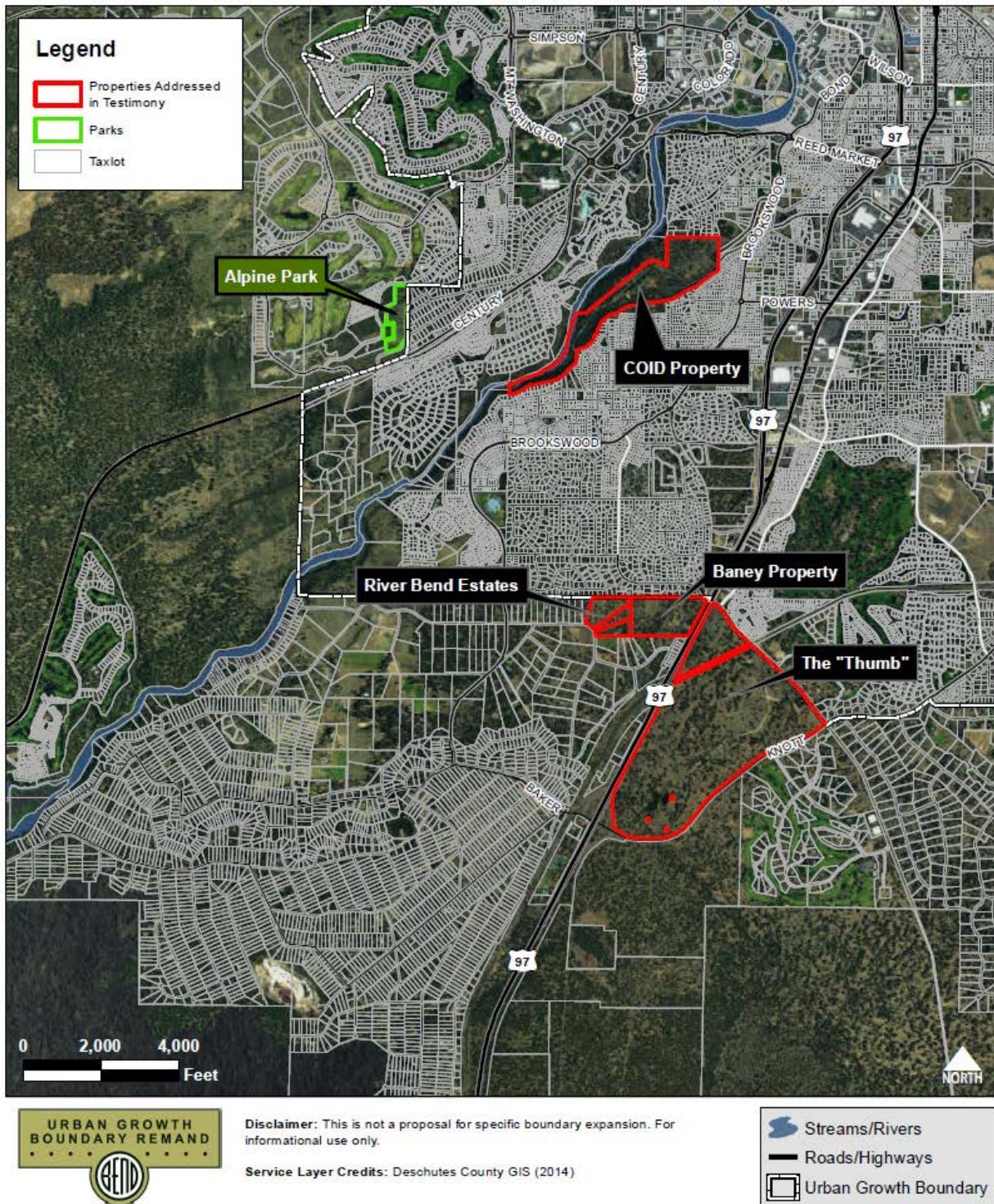
Prepared 1/4/2016



**Bend UGB***Property-Specific Public Testimony received since October USC Meeting*

Map 3: Southwest Bend

Prepared 1/4/2016

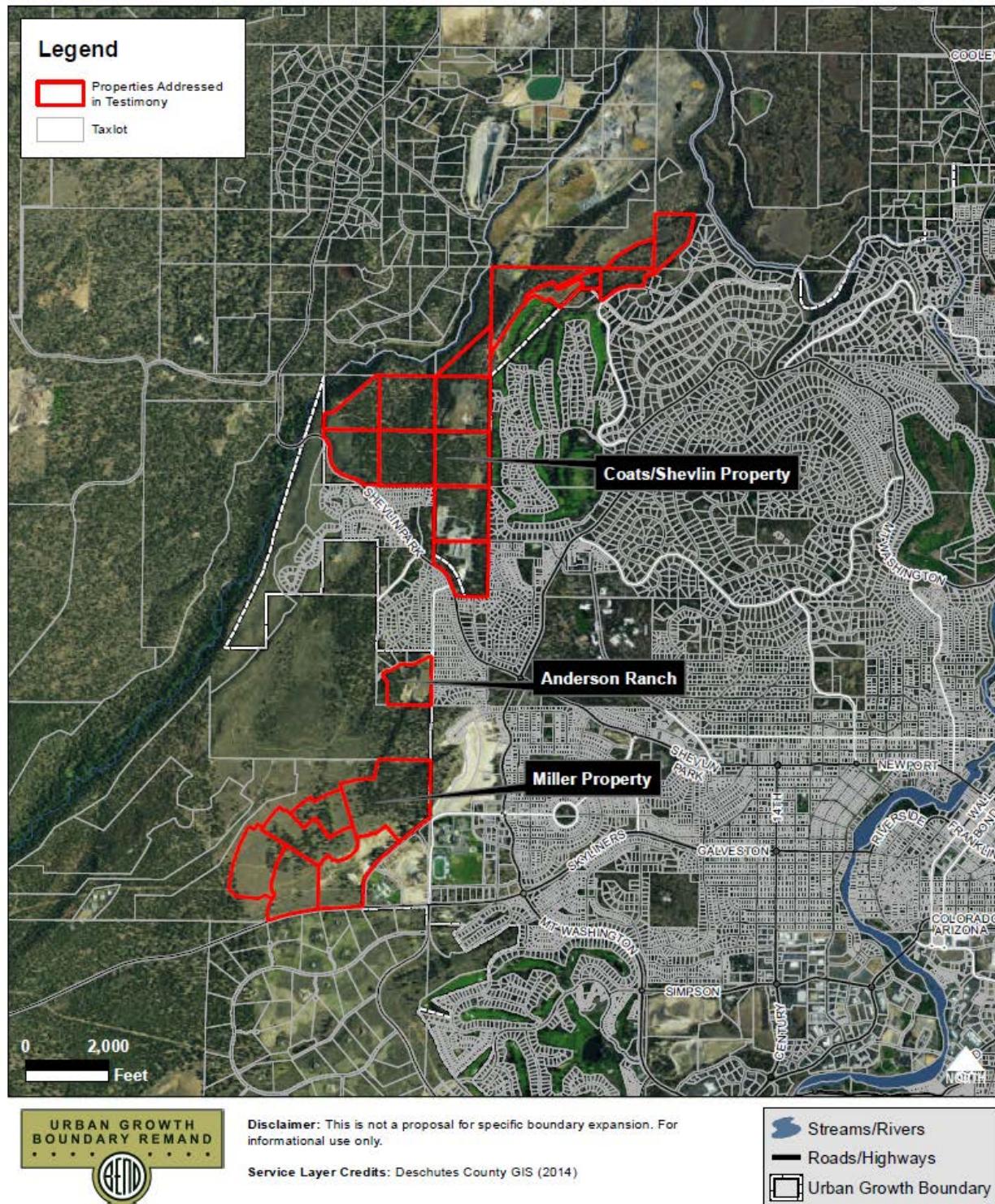


## Bend UGB

Property-Specific Public Testimony received since October USC Meeting

Map 4: West Bend

Prepared 1/4/2015



## APPENDIX A:

### OTHER TESTIMONY (NON-PROPERTY SPECIFIC)

Other public testimony submitted between October 23 and December 31, 2015 is briefly summarized in the following table.

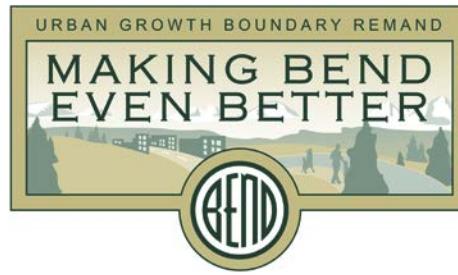
Commenter	Date of Testimony (Record reference)	Highlights of Testimony
Steve Bradford	October 30 and November 4, 2015 email messages (Rem Rec. 04976, 04978)	<ul style="list-style-type: none"> <li>• Latest mapping shows only 1800 acres for UGB expansion – seems way less than needed</li> <li>• Workers must go where their employer is located – whether across town or in outlying city.</li> <li>• If we only need 1800 acres, why bother with expansion at this time? Wait for more infill to occur.</li> </ul>
Toby Bayard	November 6, 2015 email message (Rem Rec. 04974)	<ul style="list-style-type: none"> <li>• Agrees with comments sent from Ellen Grover supporting more time to try to achieve consensus</li> </ul>
Ellen Grover	October 22, 2015 email message (Rem Rec. 04942)	<ul style="list-style-type: none"> <li>• Boundary TAC work/recommendation will be strongest if TAC can build the highest level of consensus possible (where there is a surplus of available land to meet the need)</li> </ul>
Sharon Smith	November 12, 2015 letter (Rem Rec. 04958)	<ul style="list-style-type: none"> <li>• Boundary TAC process resulted in 10-3-1 vote approving recommendation of Scenario 2.3, with some specific amendments intended to reduce the overall number of units in the west and increase the intensity of development in the east</li> <li>• Disappointed the USC rejected the recommendation hours later</li> <li>• Insufficient time between the two meetings; request more time and opportunity to reconsider recommendation</li> </ul>

Commenter	Date of Testimony (Record reference)	Highlights of Testimony
David Olsen	November 15, 2015 email message (Rem Rec. 05302)	Believes the importance of the Skyline Ranch Road connection should be reconsidered by the USC before making a final decision. Important for: 1) implementing the adopted TSP, 2) bike/ped/vehicle connectivity, 3) safety and emergency services
Ken Atwell	Testimony presented at November 19, 2015 Residential TAC meeting (Rem Rec. 04998)	<p>Addressed barriers to development on the west side (7 river crossings) and the east side (5 railroad crossings). States that MF affordable housing is inappropriately targeted to the east side.</p> <p>The “Thumb” property is at the center of resolving many of the connectivity problems for SE Bend. Advocates for including all of the Ward property to the Baker/Knott Road intersection with appropriate zoning to support the necessary investment in infrastructure.</p>
Paul Dewey	November 23, 2015 letter (Rem Rec. 05311)	<p>Responding to 11/6 letter from Kirk Schueler.</p> <ul style="list-style-type: none"> <li>• Believes MF is appropriate on the west side near schools</li> <li>• Supportive of appropriate zoning and housing mix with tapering of densities toward the natural edge</li> <li>• Level of suggested buildout (noted 2,100 houses) too high for this sensitive area</li> </ul>
Paul Dewey	November 23, 2015 letter (Rem Rec. 05313)	Comments in response to letter from Sharon Smith. Doesn't agree that TAC recommendation for 2.3 was summarily dismissed by the USC. Scenario 2.3 didn't have the same level of analysis as 2.1. Information was presented late. 2.3 represented more than “tweaks” to 2.1.

Commenter	Date of Testimony (Record reference)	Highlights of Testimony
Paul Dewey	November 23, 2015 letter (Rem Rec. 05315)	Comments in response to letter from Dale Van Valkenburg. Why was Skyline Ranch Road connection brought up so late in the process? No mention of it in the suitability ranking of lands. There are many proposed roads in Bend's TSP that aren't included in proposed UGB expansion.
Shay Mikalson & Brad Henry, Bend-La Pine Schools	December 1, 2015 letter (Rem Rec. 05317)	When the School District built Pacific Crest MS, had many discussions with staff regarding need to construct segment of Skyline Ranch Road. Road was described as an important link in the City TSP. Cost to build was significant. Asks USC to include property that will provide critical segment/completion of the road. Initially resistant to building this road – but would like to see the benefits of a complete link for connectivity as part of UGB expansion.
Toby Bayard	December 1, 2015 letter (Rem Rec. 05318)	Missed 11/8 Boundary TAC meeting – submitted comments supporting 2.1 before leaving. Concerned with process – rushing at this critical juncture. 2.3 didn't have the same level of analysis as 2.1. Asks that the Boundary TAC be given another opportunity to get to a true consensus.
Barb Rummer	December 8, 2015 letter (Rem Rec. 05343)	Critical of breakdown of public process – last minute introduction of 2.3 with little opportunity for public review. Concerned by expansion of housing units on the west side; fire risk.
Barb Pettersen	December 7, 2015 letter (Rem Rec. 05344)	Lives on west side – concerned about 2.3 and addition of units on the west side; issues with fire risk, transportation, affordability noted. Small acreage owners on the east side want to be included – she supports that.

Commenter	Date of Testimony (Record reference)	Highlights of Testimony
Chris Herrick	December 9, 2015 email (Rem Rec. 05345)	Lives in NW Crossing. Concerned re. traffic congestion on west side – wildfire risk and evacuation routes. Concerned with shift from 2.1 to 2.3; break down in public process, etc. Urgent need for affordable housing – more feasible with expansion to east.
Sue Vordenberg	December 10, 2015 email (Rem Rec. 05350)	Resident of Broken Top. Concerned with changes from 2.1 to 2.3 – particularly related to jump in potential number of housing units and associated traffic impacts. Also noted fire safety, affordable housing issues and well-connected developers.
Leslie Koc and Tom O'Brien	December 13, 2015 letter (Rem Rec. 05418)	Critical of Boundary TAC recommendation of 2.3 instead of 2.1. Poorly vetted, little opportunity for public consideration. Support moving more housing to the Perfect Rectangle, less in west side and in the thumb.
Robin Vora	December 13, 2015 email (Rem Rec. 05420)	Will be missing many meetings with travel – stepping down from Boundary TAC. Suggested a replacement. Recommends returning to 2.1 with minor refinements. Prioritize affordable, mixed use development over sprawl, less expansion in wildfire risk areas, protecting resources – mule deer habitat.
Josh Cook	December 4, 2015 letter (Rem Rec. 05425)	Very opposed to expansion to the west or NW. Said it wouldn't address critical need for affordable housing or address overloaded road infrastructure. Supports expansion to NE and SE – particularly if owners work together on master planning.

# Memorandum



January 14, 2016

**To:** Boundary and Growth Scenarios Technical Advisory Committee  
**Cc:** Urban Growth Boundary Steering Committee, Residential and Employment Technical Advisory Committees  
**From:** Angelo Planning Group Team  
**Re:** Preferred Urban Growth Boundary Expansion Scenario – Working Towards Consensus

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## INTRODUCTION

At their meeting on December 14, 2015, the Bend Urban Growth Boundary Steering Committee (USC) directed the Boundary and Growth Scenarios Technical Advisory Committee (Boundary TAC) to reconvene and prepare a recommendation to the USC regarding the preferred scenario. Specifically, the USC directed the TAC to:

- Work toward a consensus recommendation
- Define policy choices for the USC, if the TAC cannot achieve full consensus
- Prioritize and work through spatial changes requested in public testimony
- Address several specific issues raised at the USC meeting: southeast transportation issues; the potential for west side transitional density; a transect concept for the west; and, consideration of the “Perfect Rectangle.”

The purpose of this memorandum is to provide a starting point for the Boundary TAC to develop a consensus recommendation to the USC regarding a preferred UGB scenario. In this context, consensus means that members can support the recommendation even if it does not capture all of your favorite elements; in short, you can either support it or can live with it as a reasonable compromise based on the issues considered and the requirements of Goal 14.

As proposed at the USC meeting, the co-chairs of the Boundary TAC (Mike Riley and Sharon Smith) met with city staff following the USC meeting to discuss how best to advance the Boundary TAC's discussions and work towards consensus. The co-chairs suggested creating a discussion draft of a Boundary TAC recommendation scenario that could provide a starting point for further refinements at the upcoming January meeting. The co-chairs offered a number of suggested refinements to Scenario 2.1B to address concerns raised by committee members and to respond to public testimony. These refinements are captured in the discussion draft of “Scenario 2.1C”, which is described beginning on page 4.

The USC also directed the project team to describe the reasons for the expansion acreage estimates provided to date and to re-evaluate whether the proposed expansion would be sufficient. The project team's response and additional information regarding total acreage need is on page 2.

## TOTAL LAND NEED

### Comparison to 2008

Several USC and TAC members have noted that the city's 2008 UGB expansion proposal was for over 8,400 acres of land in total, and have questioned why the current draft expansion proposal is closer to 2,000 acres. The short answer is that the 8,400 acre expansion was legally indefensible on a number of levels, and is the primary reason the proposal was remanded to the city.

Highlights of and some of the key factors that have reduced the size of the proposed expansion from the original 8,400 acre proposal are summarized below:

- No longer including rural residential land with no assumed development capacity (about 3,000 acres; *Remand Issue 2.6 and 9.6*)
- No longer using 50% "market factor" for employment land needs (about 400 acres; *Remand Issue 5.4*)
- Vacancy rate is now built into employment land need projections, no longer adding 15% vacancy rate on top of projections (about 200 acres; *Remand Issue 5.6*)
- New university and hospital expansion are now accommodated inside existing UGB (reduced special site needs by about 312 acres; *Director's Report, page 68*)
- One large-lot industrial site is now accommodated inside existing UGB at Juniper Ridge (reduced special site need by about 56 acres; *Director's Report, page 68*)
- Assumption regarding "other land needs" has been reduced from 15% to 12.8% based on evidence in the record (about 350-400 acres; *Remand Issue 4.1*)
- Increase in estimated housing capacity within the existing UGB and more efficient use of residential land based on:
  - Revisions to the Buildable Lands Inventory (BLI) to more closely follow state law (*Remand Issue 2.2*);
  - More accurately reflecting existing minimum density standards and past trends (*Remand Issue 2.2*);
  - Changes to assumed housing mix for remainder of planning period based on updated demographic trends and Housing Needs Analysis (*Remand Issues 2.3 and 2.4*); and
  - Introduction of a more robust package of efficiency measures thoroughly vetted by the TACs and USC (*Remand Issues 2.2, 3.1 and 3.2*).

### Proposed Adjustments for "Scenario 2.1C"

The USC asked the project team to re-check and verify whether the acreage proposed to be added to the UGB in Scenario 2.1B would be sufficient, and whether any additional acreage would be legally defensible. The team did additional research on development constraints hindering development on certain key residential properties, checked the assumptions in the BLI, and re-evaluated development potential in the Central Area Plan / 3<sup>rd</sup> Street opportunity area. In addition, the team re-checked the projected average residential densities for each plan designation. No changes to the code amendment

efficiency measures are proposed; however, the degree of market response has been re-evaluated. In some cases, the assumed impact of a given measure has been reduced to ensure that adequate capacity is provided even if the market does not respond beyond meeting the new minimums. Following these detailed evaluations, the project team is proposing the following refinements to the capacity estimates for the current UGB and the land need for the UGB expansion:

1. Reduce assumed development potential of land along Bachelor View Road in southwest Bend to one dwelling unit per lot except for lots with access onto Century Drive, based on inability to provide legal access for land divisions on other lots. Reduces capacity by about 170 units (mostly single family). The previous estimate was approximately 230 units in this area.
2. Remove assumed development potential for the Central Oregon Irrigation District property west of Brookwood Parkway during the planning horizon, due to a view easement that encumbers the entirety of the property and is unlikely to be removed until 2035. Reduces capacity by about 250 units (mostly single family), so that 0 housing units are assumed for the area encumbered by the easement during the planning period. See testimony in packet from Dale VanValkenburg.
3. Update the BLI to exclude Areas of Special Interest (ASIs) based on further research showing no history of density transfers from these areas to buildable portions of the lot. Reduces capacity by about 50 housing units and 150 jobs along various parcels that have frontage or proximity to the Deschutes River where the ASI overlay applies. No new housing units or jobs are now assumed in these areas.
4. Reduce projected redevelopment potential in the Central Area Plan / 3<sup>rd</sup> Street opportunity area, based on the short remaining time within the planning horizon and the need for further work to implement the Central Area Plan, beyond the adoption of the UGB. Reduces capacity by about 100 units (mostly multifamily) and 120 jobs (mostly retail and office). Previous estimates were 490 housing units and 600 jobs. The revised estimates are 380 housing units and 480 jobs.
5. Reduce projected residential densities slightly in the RS and RM zones to just above their new minimums or just above historic averages (whichever is higher), because the market will have to adjust just to reach the new minimums in most cases, and it may not shift much beyond meeting the new minimums in the short remaining time within the planning horizon. This assumption refinement reduces capacity by about 450 units (mix of housing types, but majority single family) across the City, resulting in the need for approximately 100 additional acres in expansion areas.
6. Reduce assumed capacity of RS land on the outer edge of the West Area based on a transect or transition of density, potential for multi-use open space transition, Fire Wise standards or other wildfire mitigation requirements that would demand additional open space dedications in that area. Reduces capacity of West Area by roughly 150 units (mostly single family).

In total, these adjustments add roughly 230 acres of residential land (mostly RS) to the land need for UGB expansion.

## ABOUT SCENARIO 2.1C

### Implementing the UGB Project Goals – A Policy Framework

Like its predecessors, from 2.1 to 2.1A and 2.1B, Scenario 2.1C is guided by the project goals. The goals, in short form, are listed below – please see Appendix A for the full text.

- A Quality Natural Environment
- Balanced Transportation System
- Great Neighborhoods
- Strong Active Downtown
- Strong Diverse Economy
- Connections to Recreation and Nature
- Housing Options and Affordability
- Cost Effective Infrastructure

For Scenario 2.1C, the goals are implemented through the growth strategies listed below that have been developed during the USC process<sup>1</sup>. These strategies provide a high-level policy framework for the proposed UGB:

- **Use Bend's existing urban land wisely.** Make efficient use of land inside the boundary, with infill and redevelopment focused in key opportunity areas.
- **Plan the City's urban form.** Focus the City's growth strategies to support great and diverse neighborhoods, centers and corridors and employment districts.
- **Create new walkable, mixed use and complete communities.** Build complete communities in expansion areas by leveraging existing land use patterns inside the existing boundary and using expansion to create more complete communities.
- **Complement existing communities in Bend.** Utilize new growth in expansion areas as a strategy to help make existing neighborhoods, centers and corridors, and employment districts inside the boundary be more "complete" by: diversifying the housing mix; providing local commercial services and jobs; increasing transportation connectivity; and, providing needed public facilities such as parks and schools.
- **Locate jobs in suitable locations.** Plan new employment areas where there is access to transportation corridors, larger parcels, and good visibility for commercial uses.
- **Plan the Bend's infrastructure investments for the long term.** Plan the City's infrastructure systems so that they serve the City efficiently over both the short term (20 years) and the very long term (50-100 years).
- **Meet state requirements while implementing local goals.** Emphasize growth in areas that perform well relative to Statewide Planning Goal 14, Urbanization, so that Bend's growth strategies provide opportunities for efficient, cost-effective, environmentally-sensitive, and farm/forest-compatible development.

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<sup>1</sup> Key steps have been TAC and USC discussions, the scenario workshops held in December, 2014 and April, 2015, and the MetroQuest community feedback surveys.

- **Take a balanced approach.** Balance and distribute the UGB expansion geographically around the city to distribute the benefits (and impacts) of growth and to provide more options for new neighborhoods.
- **Lay the groundwork for future growth of the Bend.** Take into consideration the context of land beyond the current UGB expansion – ranging from lands with high suitability for future growth to other lands that may have low suitability to be urbanized in the future.

To the extent that Scenario 2.1C differs from previous versions of Scenario 2.1, it is with the intent to balance the Goal 14 factors to: implement the project goals and above-listed strategies; and, achieve a distribution of development potential that responds to public input while retaining the qualities that made Scenario 2.1 perform so strongly in the initial evaluation.

## Subarea Descriptions

Below is a brief summary description of Scenario 2.1C, subarea by subarea, including notes about how it compares to previous iterations of Scenario 2.1.

- **Northeast Edge:** includes the full extent of Butler Market Village / “the Perfect Rectangle” (more than in previous iterations of Scenario 2.1) for residential and employment uses, as well as a new school; does not include the node at Neff Road. Pine Nursery Park and Rock Ridge Park are recommended for inclusion in response to Park District comments<sup>2</sup>. The central planning concepts for this area are to: create a new, complete community north of Butler Market Road; and increase the mix of housing and land uses in the area to increase the completeness of the existing low density neighborhoods and in anticipation of future additional urban growth in the future.
- **DSL Property:** continues to include the full extent of the exception land on the DSL property (as in previous iterations of Scenario 2.1), but with a slightly shifted mix of land uses, including a smaller assumed natural area (sized to reflect a more reasonable assumption of protection for bat cave areas) and somewhat increased land for housing. The overall planning concept for the DSL property is for a new complete community that accommodates a diverse mix of neighborhood and employment uses. The DSL Property also accommodates a large-lot industrial site.
- **The Elbow:** continues to include the full extent of The Elbow (as in previous iterations of Scenario 2.1), but with a slightly shifted mix of uses – more residential land and less commercial land. The employment focus is intended to take advantage of good transportation access on Knott Road and 27th (and future improved access with the Murphy Extension). Residential uses are intended to create a compatible transition from the employment lands to existing neighborhoods to the west. The High Desert Park site has been included in Scenario 2.1 and its subsequent refinements.
- **The Thumb:** includes roughly the same amount and mix of land use designations as in Scenario 2.1B, with a slight increase in multifamily housing. The planning concepts for the Thumb include: a new complete community; provision of needed local commercial services to

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<sup>2</sup> Pine Nursery Park, Rock Ridge Park, and Alpine Park have not been included in acreage calculations for the UGB at this time.

serve the Thumb and existing neighborhoods to the north; inclusion of industrial uses near the railroad line and to take advantage of good proximity to Hwy 97 and Knott Roads.

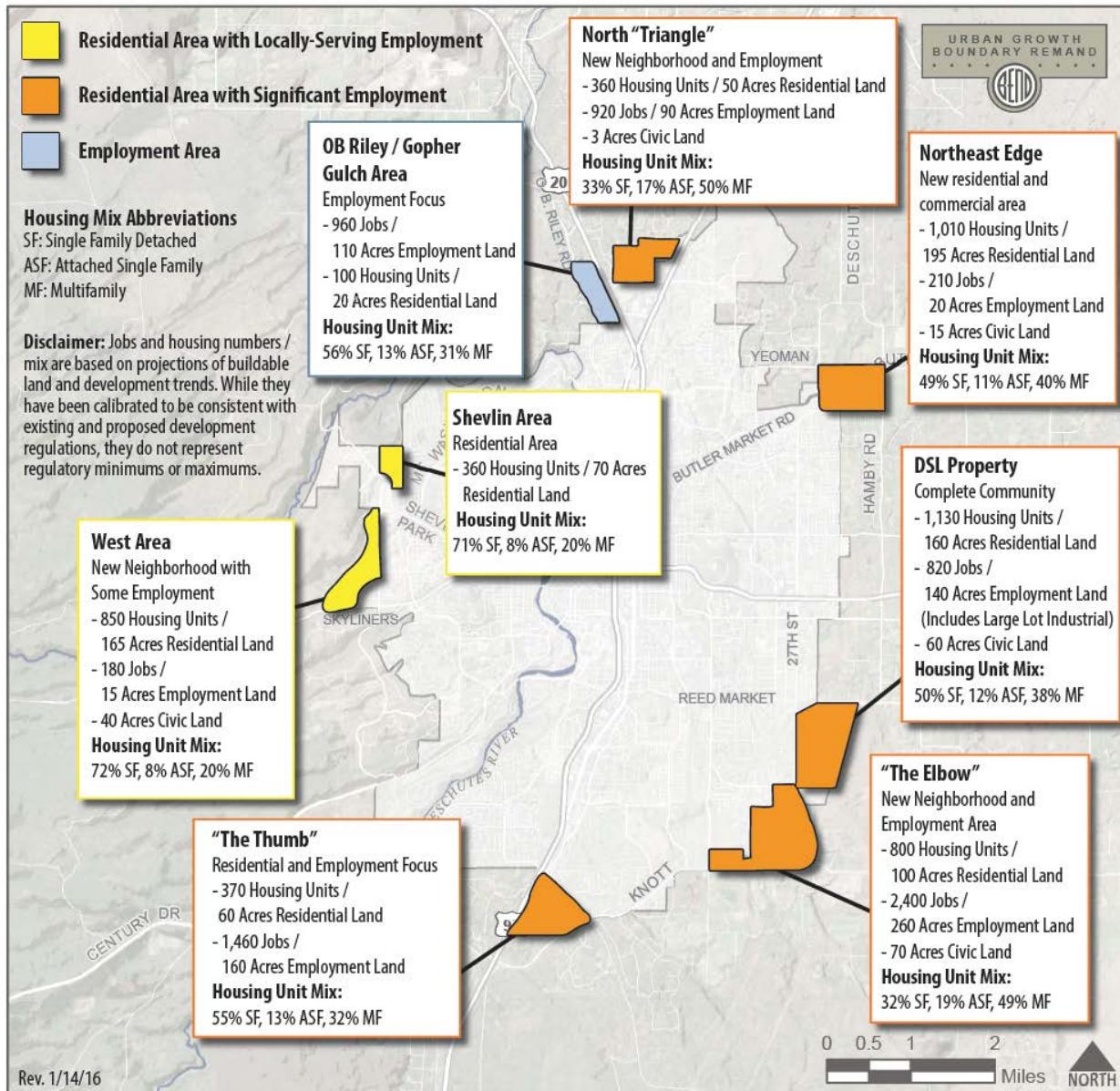
- **West Area:** includes a shape similar to the portion of this subarea that was included in Scenario 1.2 – a portion of the Miller property, and a linear extension that includes a portion of the Day property and a portion of Anderson Ranch, and allows for the extension of Skyline Ranch Road during the planning horizon. The shape of western edge of the UGB has been refined to avoid steep topography at the northern end of the West area. A linear open space, connecting Discovery Park to open space southwest of the sub-area, has been added to reflect testimony from Miller Tree Farm LLC regarding an intended open space and trail through this area.<sup>3</sup> Due to the location of the linear open space, the local commercial has been relocated to Skyliners Road. The total amount of development is similar to Scenario 2.1. For the West Area, the central planning concepts are: provide a limited westward expansion that complements the pattern of complete communities that has begun with Northwest Crossing; and create a transect from higher densities along Skyline Ranch Road and to lower density and open space along the western edge of the new UGB. This is responsive to concerns raised by members of the Boundary TAC and USC regarding wildfire and wildlife impacts in this area and the opportunity for open space transition at the west edge of the City, and the “hard edge” to urban development established by Federal land ownership immediately west of the area. South of the West Area, Alpine Park<sup>4</sup> is recommended for inclusion in response to Park District comments.
- **Northwest / Shevelin Area:** includes a small portion of the Coats property that is surrounded on three sides by the existing UGB (this area was not previously included in Scenario 2.1, Scenario 2.1A, or Scenario 2.1B). This addition promotes efficient land use by filling in the UGB “notch” while avoiding sensitive areas nearer to Tumalo Creek.
- **OB Riley / Gopher Gulch area:** continues to focus on the area between Highway 20 and OB Riley Road, extending from the existing UGB to the properties just north of Cooley Road. The emphasis remains on employment uses due to relatively good transportation access, but with a slightly greater amount of commercial / mixed employment versus industrial. Residential uses have been included in the southern portion of OB Riley, adjacent to the existing neighborhood.
- **North Triangle:** continues to include a mix of uses, including residential development, focused primarily in the eastern portion of the subarea. The overall amount of residential land has been reduced slightly compared to Scenario 2.1B and the proportion of multifamily housing is somewhat higher.

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<sup>3</sup> See Boundary TAC materials for October 22, Testimony received before October 21, 2015, page 10.  
<http://www.bend.or.us/Modules/ShowDocument.aspx?documentid=24826>

<sup>4</sup> Pine Nursery Park, Rock Ridge Park, and Alpine Park have not been included in acreage calculations for the UGB at this time.

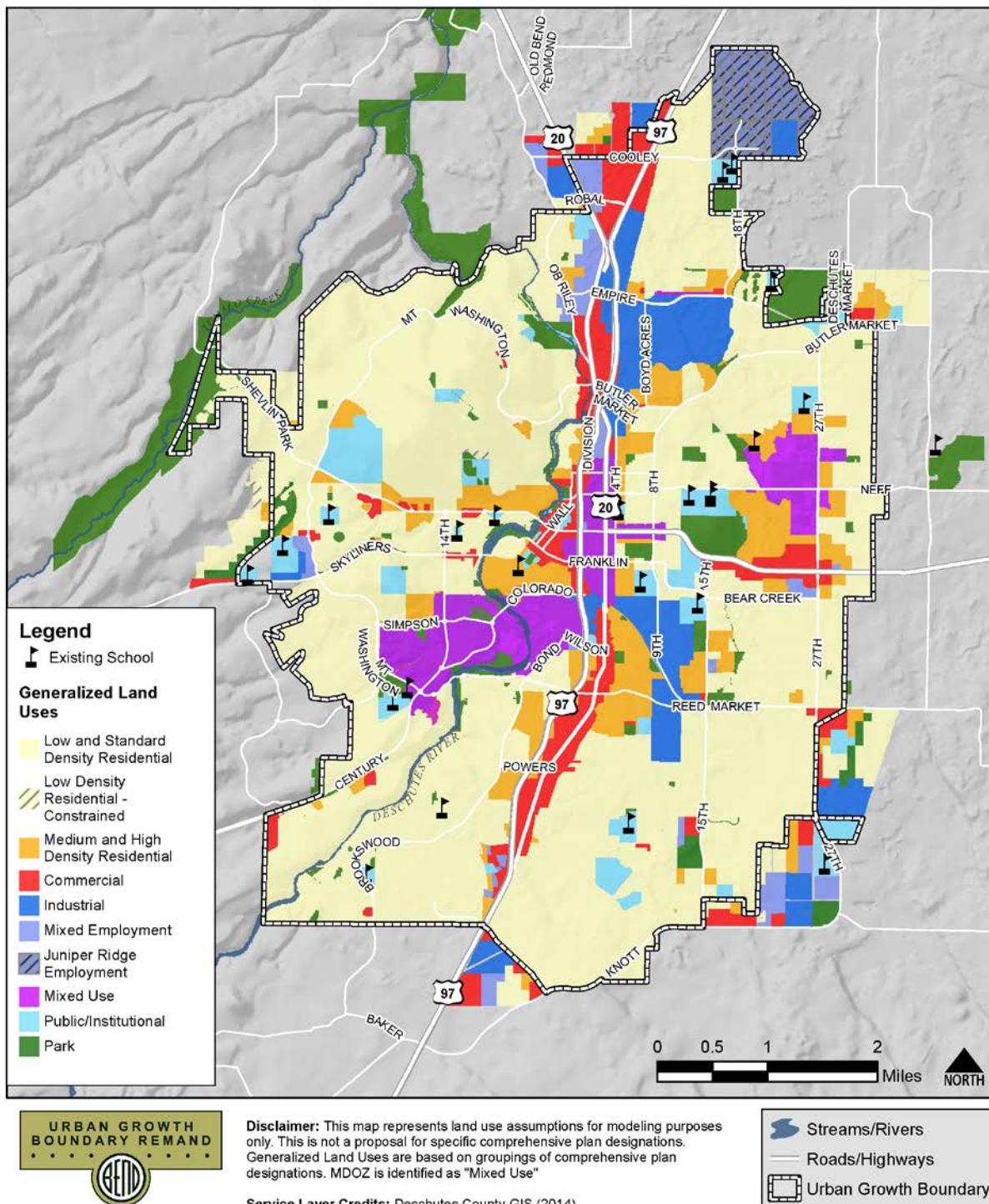
## Expansion Scenario 2.1C



## Bend UGB

Draft Revisions to Scenario 2.1

Scenario 2.1C Draft - January 13, 2016



## Summary Metrics

The table below summarizes key metrics by subarea and for the full UGB expansion for Scenario 2.1C. Housing units and jobs are rounded to the nearest 10. Note that jobs and housing numbers and mix are

### Preferred Urban Growth Boundary Expansion Scenario – Working Towards Consensus

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based on projections of buildable land and development trends. While they have been calibrated to be consistent with existing and proposed development regulations, they do not represent regulatory minimums or maximums.

Table 1: Key Metrics for Scenario 2.1C

Metric	NE Edge	DSL	Elbow	Thumb	West	Shevlin	OB Riley	North Triangle	Total
<b>Acres (Total Gross)</b>	230	360	440	220	220	70	130	165	1,830
<b>Residential Land</b>	195	160	105	60	165	70	20	55	830
<b>Employment Land</b>	20	140	260	170	15	0	110	105	815
<b>Civic Land*</b>	15	60	70	0	40	0	0	3	188
<b>Housing Units (Total)</b>	1,010	1,130	800	370	850	360	100	370	4,990
<b>% SFD**</b>	49%	50%	32%	55%	72%	71%	56%	33%	-
<b>% SFA**</b>	11%	12%	19%	13%	8%	8%	13%	17%	-
<b>% MF**</b>	40%	38%	49%	32%	20%	20%	31%	50%	-
<b>Jobs (Total)</b>	210	820	2,410	1,460	180	10	960	920	6,980

\* Civic Land = schools and parks. Does not include Pine Nursery Park, Rock Ridge Park, or Alpine Park.

\*\* SFD = Single Family Detached; SFA = Single Family Attached; MF = Multifamily

## INFRASTRUCTURE CONSIDERATIONS AND QUALITATIVE PERFORMANCE EVALUATION

To assist the Boundary TAC with the consideration of Scenario 2.1C, the project team has conducted a comparison of Scenario 2.1C as presented in this memorandum and Scenario 2.1B as approved by the USC on December 14<sup>th</sup> against the original scenario 2.1. For the sake of this targeted update, this comparison focuses on several key performance measures, including the performance and total cost of transportation and sewer improvements, and Vehicle Miles Traveled (VMT). An additional full modelling of transportation performance will be conducted on the final preferred scenario in order to provide the basis for findings – that process requires 4-6 weeks to run the regional Travel Demand Model (TDM) and process the results. Together with the extensive TDM-based modelling conducted to date, the team is confident that the comparative analysis provided below provides a strong factual base for crafting the draft preferred alternative to be used as the basis for final modelling.

### Transportation Performance and Costs

Based on a comparison to the other scenarios and SAAMs that were evaluated, changes to identified intersection and corridor capacity improvements and costs have been identified for Scenarios 2.1B and 2.1C. They will be verified when the preferred scenario is selected and the final transportation analysis is prepared.

### **Scenario 2.1B**

Scenario 2.1B included mostly the same geography as Scenario 2.1, except for dropping the Baney property and the Bear Creek Road area, with a small additional expansion in the Butler Market Village / "Perfect Rectangle". As a result, the only likely change to transportation costs is to drop the new road connection to Bear Creek Road area (saves roughly \$8.4 million). The total transportation cost would likely be about \$145.4 million.

### **Scenario 2.1C**

With changes to the extent of expansion in several subareas, the needed connectivity improvements would change from what was originally identified for Scenario 2.1. These changes include:

#### **West Area:**

- Add Skyline Ranch Road extension from NW Crosby Drive to south of NW Anderson Ranch Road (adds roughly \$5.8 million<sup>5</sup>)

#### **Shevlin Area:**

- Extend Skyline Ranch Road north of Shevlin Park Road roughly 1,400 feet to connect with an extension of Regency Street (adds roughly \$2.5 million<sup>6</sup>)
- Extend Regency Street to connect with the Skyline Ranch Road connection (adds roughly \$2.3 million<sup>7</sup>)

#### **Northeast Edge:**

- Add Yeoman Road extension from Deschutes Market Road to Hamehook Road / Butler Market Road (adds roughly \$14.7 million<sup>8</sup>)
- Drop new road connection to Bear Creek Road area (saves roughly \$8.4 million)

#### **North Triangle:**

- Extension of Road 206 (future collector north/parallel to Cooley Road) would be shortened relative to 2.1. The portion east of Hunnel is about 30% of the original length (saves roughly \$8.8 million).

Taken together, these changes represent an increase of roughly \$8.1 million in transportation cost relative to Scenario 2.1, for a total of roughly \$161.9 million. It is worth noting that these costs bring the benefit of greater connectivity in some key areas around the city.

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<sup>5</sup> DKS Technical Memorandum, October 7, 2015, Road ID 201 from Scenarios 1.2 and 3.1.

<sup>6</sup> DKS Technical Memorandum, October 7, 2015, Road ID 219 from Scenario 3.1, adjusted for reduced length.

<sup>7</sup> DKS Technical Memorandum, October 7, 2015, Road ID 230 from Scenario 3.1.

<sup>8</sup> DKS Technical Memorandum, October 7, 2015, Road ID 207a from SAAM-1.

## Sanitary Sewer Costs

A precise estimate of sanitary sewer costs by subarea would require a more thorough re-analysis than the schedule allows at this time due to costs being apportioned based on how much flow would come from a given area, which is based on the amount and type of growth there. However, a simplified rough estimate of the change to costs based on the improvements needed to serve growth areas is provided below.

### Scenario 2.1B

- **The Thumb:** By dropping the Baney property, the Thumb would constitute an area somewhere between Scenario 3.1 and SAAM 1 in terms of development acreage, which would suggest that the sewer costs would likely be reduced by \$1.0 to \$1.7 million.
- **Northeast Edge:** Scenario 2.1B most closely resembles Scenario 3.1 in this area, but without the Bear Creek Road area. The cost savings by avoiding this interim lift station and the associated piping is roughly \$1.4 million. Using Scenario 3.1 as a baseline and removing the cost of that lift station would suggest an overall cost for the subarea of roughly \$2.1 million.

Other subareas are largely similar to how they were modeled in Scenario 2.1, and differences in costs would likely be minor. On the whole, Scenario 2.1B likely offers some cost savings relative to Scenario 2.1 on sanitary sewer.

### Scenario 2.1C

As with Scenario 2.1B, Scenario 2.1C would have a cost savings from the exclusion of the Baney property and the Bear Creek Road area; however the inclusion of Shevlin and the larger NE Edge area would incur additional costs while, other subareas would likely have similar costs to 2.1.

- **Shevlin:** This area would be somewhat less development than was modeled in Scenario 3.1, which identified a cost of roughly \$4.0 million to serve Shevlin and a portion of the West Area. The cost to serve the Shevlin Area included in 2.1C is estimated at approximately \$2.5 million. The total amount of development in Scenario 2.1C is roughly 360 housing units, which would require the addition of gravity piping to convey flow to the Awbrey Glen Lift Station and could require upgrading the capacity of the pumps at the lift station. The Awbrey Glen Lift Station's force main would not require upsizing at the proposed level of development.
- **Northeast Edge:** Scenario 2.1C has an amount and distribution of growth in this area that falls somewhere between Scenario 3.1 and SAAM-1. Overall sewer costs attributable to this area are likely to be somewhat higher than in Scenario 2.1. This is due to there being more flow attributable to the area increasing the cost to serve, however no additional improvements would be required beyond those identified in Scenario 2.1, and the Bear Creek Road lift station and associated piping would be avoided.
- **West Area:** This area most closely resembles the option tested in Scenario 1.2, which had the same sewer costs as Scenario 2.1; therefore, costs are unlikely to change significantly for this area.

On the whole, Scenario 2.1C would likely result in somewhat higher sewer costs than Scenario 2.1, however the amount of increase would need to be verified through additional analysis.

## Vehicle Miles Traveled

A full transportation evaluation using the regional travel model will be prepared once the preferred scenario is approved for this step by the USC. This work will provide an analysis-based update of VMT per capita for the preferred scenario. Without that analysis, it is not possible to say with certainty how the VMT estimates will change given the current set of land use allocations and assumptions. However, it is possible to provide some general comments about the nature of possible changes to vehicle miles traveled (VMT) and other transportation considerations based on general patterns of how the land uses have changed since the original Scenario 2.1.

### *Scenario 2.1B*

As described in the memorandum to the USC regarding proposed revisions to Scenario 2.1A dated December 10, 2015, the updates and refinements to the capacity estimate of the existing UGB that created Scenario 2.1B in total meant that more of the housing need overall, especially the multifamily housing need in the Central Westside Area, could be met inside the UGB. This shift of multifamily housing to opportunity areas in central portions of the city would be expected to contribute to lowering VMT somewhat by focusing more growth in areas that are more walkable, have better transit service, and have lower average trip lengths. The removal of the Baney area is also likely to improve VMT somewhat, as that area had high average trip lengths in Scenario 2.1. Scenario 2.1B also retained a compact urban form with complete communities in virtually all expansion areas, and emphasized growth in expansion areas with comparatively short average trip lengths.

### *Scenario 2.1C*

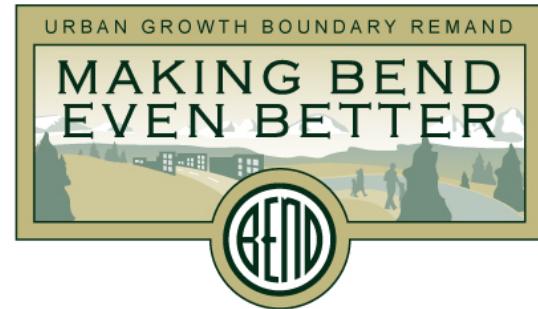
While Scenario 2.1C continues to rely on the increase in multifamily housing capacity in certain opportunity areas, such as the Central Westside Plan area, it also reduces the assumed yield for housing in the Central Area Plan / 3<sup>rd</sup> Street MMA and the estimated yield for certain residential lands inside the UGB. Overall, this means more housing in areas with higher average trip lengths and fewer multi-modal options in the short term, even with complete communities in the expansion areas. Scenario 2.1C also distributes growth to some expansion areas that had relatively higher average trip lengths in the previous scenario analysis. As a result, Scenario 2.1C is expected to perform slightly less well than Scenario 2.1B on VMT, and is likely to perform less well than the original Scenario 2.1.

Overall, the differences between the scenarios noted above are not considered significant in the larger consideration of the preferred scenario. VMT is important, but the balancing of land uses around the boundary that is driving 2.1C refinements is considered more important to the TAC's mission to forward a recommended scenario to the USC.

## APPENDIX A: PROJECT GOALS

The City of Bend has entered the next phase of its Urban Growth Boundary (UGB) expansion to chart a path for Bend's future growth. The UGB is a line drawn on the City's General Plan map that identifies Bend's urban land. This land represents an estimated 20-year supply of land for employment, housing, and other urban uses. As the city continues to grow, we have an opportunity to develop a plan for future growth that reflects the community's goals and meets state planning requirements.

**The UGB Steering Committee approved the following Project Goals on September 4, 2014.**



### **A Quality Natural Environment**

As Bend grows, it preserves and enhances natural areas and wildlife habitat. Wildfire risk management is a key consideration. Bend takes a balanced approach to environmental protection and building a great city.

### **Balanced Transportation System**

Bend's balanced transportation system incorporates an improved, well-connected system of facilities for walking, bicycling, and public transit, while also providing a reliable system for drivers. Bend's transportation system emphasizes safety and convenience for users of all types and ages.

### **Great Neighborhoods**

Bend has a variety of great neighborhoods that promote a sense of community and are well-designed, safe, walkable, and include local schools and parks. Small neighborhood centers provide local shops, a mix of housing types, and community gathering places. The character of historic neighborhoods is protected and infill development is compatible.

### **Strong Active Downtown**

Bend's downtown continues to be an active focal point for residents and visitors with strong businesses, urban housing, civic services, arts and cultural opportunities, and gathering places. Parking downtown is adequate and

strategically located. Planning in other areas continues to support a healthy downtown.

### **Strong Diverse Economy**

Bend has a good supply of serviced land planned for employment growth that supports the City's economic development goals, provides a range of diverse jobs and industries, and supports innovation. Employment areas, large and small, have excellent transportation access.

### **Connections to Recreation and Nature**

Bend continues to enhance its network of parks, trails, greenbelts, recreational facilities, and scenic views inside and outside the city.

### **Housing Options and Affordability**

Bend residents have access to a variety of high quality housing options, including housing affordable to people with a range of incomes and housing suitable to seniors, families, people with special needs, and others. Housing design is innovative and energy efficient.

### **Cost Effective Infrastructure**

Bend plans and builds water, wastewater, storm water, transportation, and green infrastructure in a cost-effective way that supports other project goals. Efficient use of existing infrastructure is a top priority.

## APPENDIX B: SCENARIO 2.1C MAPS

# Expansion Scenario 2.1C

Residential Area with Locally-Serving Employment

Residential Area with Significant Employment

Employment Area

## Housing Mix Abbreviations

SF: Single Family Detached

ASF: Attached Single Family

MF: Multifamily

**Disclaimer:** Jobs and housing numbers / mix are based on projections of buildable land and development trends. While they have been calibrated to be consistent with existing and proposed development regulations, they do not represent regulatory minimums or maximums.

### West Area

- 850 Housing Units / 165 Acres Residential Land
- 180 Jobs / 15 Acres Employment Land
- 40 Acres Civic Land

### Housing Unit Mix:

72% SF, 8% ASF, 20% MF

### "The Thumb"

- 370 Housing Units / 60 Acres Residential Land
- 1,460 Jobs / 160 Acres Employment Land

**Housing Unit Mix:**  
55% SF, 13% ASF, 32% MF

### OB Riley / Gopher

### Gulch Area

- 960 Jobs / 110 Acres Employment Land
- 100 Housing Units / 20 Acres Residential Land

### Housing Unit Mix:

56% SF, 13% ASF, 31% MF

### North "Triangle"

- 370 Housing Units / 55 Acres Residential Land
- 920 Jobs / 105 Acres Employment Land
- 3 Acres Civic Land

### Housing Unit Mix:

33% SF, 17% ASF, 50% MF

URBAN GROWTH  
BOUNDARY REMAND



### Northeast Edge

- 1,010 Housing Units / 195 Acres Residential Land
- 210 Jobs / 20 Acres Employment Land
- 15 Acres Civic Land

### Housing Unit Mix:

49% SF, 11% ASF, 40% MF

### DSL Property

- 1,130 Housing Units / 160 Acres Residential Land
- 820 Jobs / 140 Acres Employment Land (Includes Large Lot Industrial)
- 60 Acres Civic Land

### Housing Unit Mix:

50% SF, 12% ASF, 38% MF

### "The Elbow"

- 800 Housing Units / 105 Acres Residential Land
- 2,410 Jobs / 260 Acres Employment Land
- 70 Acres Civic Land

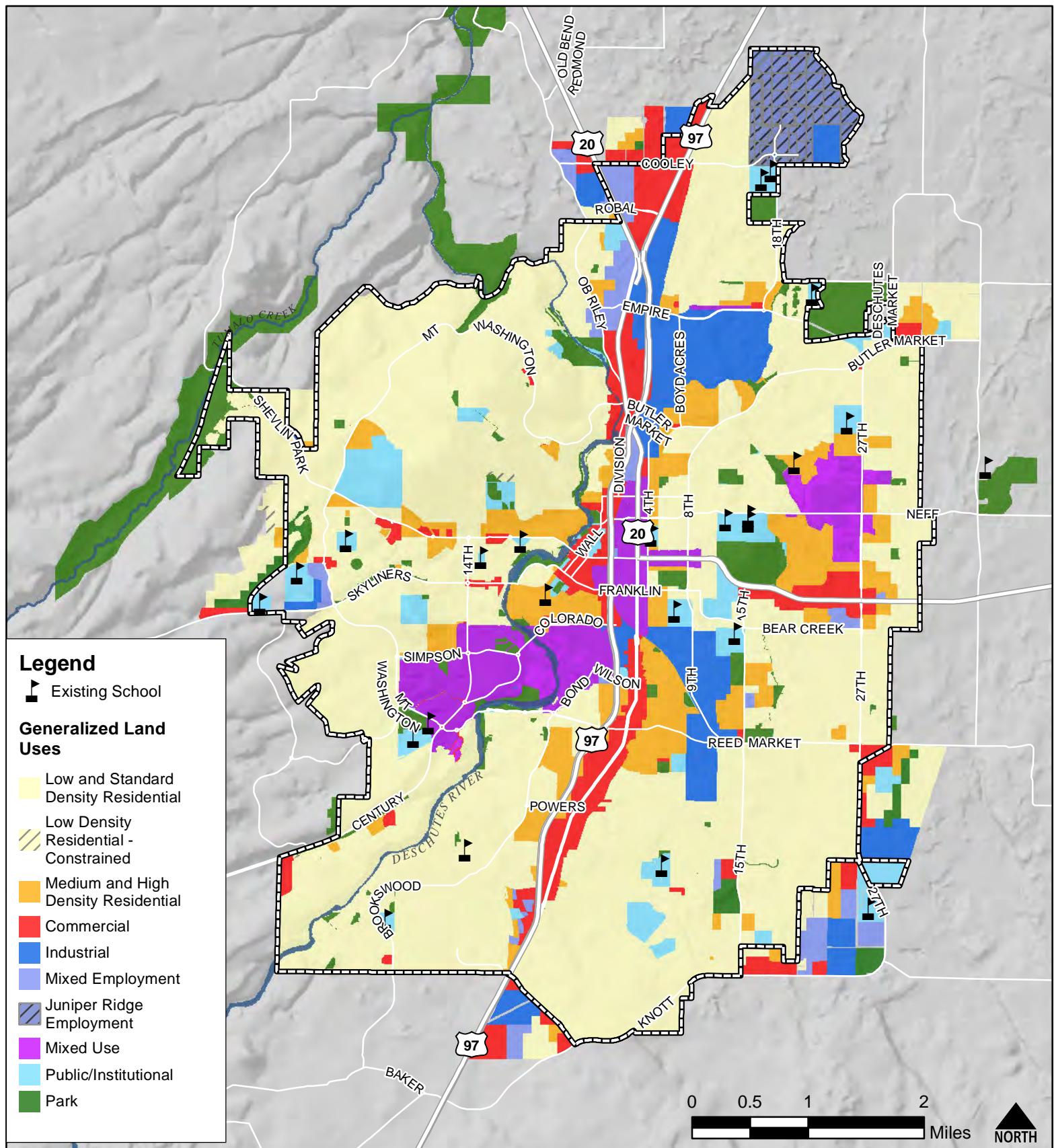
### Housing Unit Mix:

32% SF, 19% ASF, 49% MF

# Bend UGB

Draft Revisions to Scenario 2.1

Scenario 2.1C Draft - January 13, 2016



URBAN GROWTH BOUNDARY DEMAND



**Disclaimer:** This map represents land use assumptions for modeling purposes only. This is not a proposal for specific comprehensive plan designations. Generalized Land Uses are based on groupings of comprehensive plan designations. MDOZ is identified as "Mixed Use"

Service Layer Credits: Deschutes County GIS (2014)

Streams/Rivers  
Roads/Highways  
Urban Growth Boundary

06060

# Speaker's Sign Up Sheet

Name: Brenda Hendrix

Address: 63750 OB Riley Rd. Phone: \_\_\_\_\_

I live inside the City of Bend: yes  no

The topic I would like to speak to is:

OB RILEY PROPERTY INCLUSION



*Pres. 10*  
East of OB Riley  
West of Hwy 20  
North of Cooley

I am in support of this item  I am in opposition of this item

I would like to submit the following comments in writing. I do not wish to speak.

There is an existing (& natural) ingress & egress @ Old Bend Redmond junction. Those properties "sandwiched" to East of OB Riley / West of Hwy 20 should be included as mixed use commercial/ industrial as that already exists.

*Please return this form to a city staff person prior to the meeting.*

*When you begin your comments, please state your name and whether you live inside the City of Bend. A time limit of 3 minutes per person applies.*

## **Darcy Todd**

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**From:** Damian Syrnyk  
**Sent:** Thursday, January 21, 2016 3:21 PM  
**To:** Cassie Walling  
**Subject:** FW: UGB Boundary TAC Meeting  
**Attachments:** UGB Letter\_1\_19.docx

Hi Cassie, if I have not already asked you please do include this letter in the UGB record. Thanks, Damian

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**From:** Brian Rankin  
**Sent:** Tuesday, January 19, 2016 4:04 PM  
**To:** Damian Syrnyk <cdsyrnyk@bendoregon.gov>  
**Subject:** FW: UGB Boundary TAC Meeting

Could you please put this into the record. Thanks Damian.

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**From:** Greg Blackmore [<mailto:greg@blackmoreplanning.com>]  
**Sent:** Tuesday, January 19, 2016 3:26 PM  
**To:** Brian Rankin <[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)>  
**Subject:** UGB Boundary TAC Meeting

Hi Brian -

Please find attached a letter that we would like included in the record for tomorrow's Boundary TAC meeting. I plan on swinging by and dropping a hard copy too if that is needed.

Thanks and sorry for the last minute transmittal. I hope that you are well.

Greg Blackmore  
Blackmore Planning and Development Services, LLC  
541.419.1455  
[blackmoreplanning.com](http://blackmoreplanning.com)

# Blackmore Planning

AND DEVELOPMENT SERVICES, LLC

January 19, 2015

Via Email and Hand Delivered

City of Bend UGB Steering Committee &  
Boundary and Growth Scenarios Technical Advisory Committee  
c/o Brian Rankin, Planning Manager  
Growth Management Department  
710 NW Wall Street  
Bend, OR 97701

RE: Urban Growth Boundary Remand - Brownrigg Property

Dear Members of the UGB Steering Committee & Boundary TAC,

Thank you for your continued time and efforts in expanding the City of Bend Urban Growth Boundary. This letter follows an October 1, 2015 transmittal and requests a refined mix of Residential and Employment lands the northern portion of Bend's expansion areas.

**Background**

As stated in a October 1, 2015 transmittal, our office represents the Brownrigg Family, who owns a 61-acre property bordering the northwest quadrant of the current City of Bend UGB, between US Hwy 20 and OB Riley Road, south of Cooley Road. The Brownrigg family is a long-term Bend family; they owned and operated Cascade Disposal from 1965 to 2008. The Brownrigg family has resided on the property since 1970 and has been involved in the Bend community since 1965.

**Amenities**

As stated in the October 1, 2015 transmittal, the property owners have identified, and plan to preserve, unique amenities that exist on their property; including a potential Area of Special Interest (ASI) and a developed park area. Furthermore, the owners plan to ensure that their property is available to a diverse cross section of families. Should an adequate amount Residential land be available for development, the owners plan to provide "affordable housing" for a portion of the housing provided.

**Request**

In general, the owners agree with the initial assessments that have resulted in their property being identified as a suitable priority land for the UGB expansion scenarios. The property is well located for the expansion of public infrastructure, including water, sewer and transportation facilities. The City of Bend TSP identifies two planned collector streets that intersect the general area of the property (Cooley and Robal Roads), improvements that the Boundary TAC has concluded would lessen a known bottleneck in our community.

***To better buffer nearby rural residential uses (west of OB Riley Road) and conform to the UGB Project Goals, we are recommending that Residential land uses be established on the western portion of the property and the Hwy 20 corridor be a gateway, allowing for a variety employment uses.***

#### Residential Land and Buffering

Through the majority of the UGB Scenarios recommended to date (Scenario 2.1, 2.3, 2.1A and 2.1B), the Boundary TAC and the UGB Steering Committee have identified the need for Residential lands near the northern boundary of the Bend UGB, either within the OB Riley Road Area or the North "Triangle". As stated in prior correspondence, we agree with the assessment that Residential Lands are needed near the northern boundary. However, *we feel that the proposed Scenario 2.1C Generalized Land Uses could be refined to achieve a mix in the north that more effectively buffers nearby rural residential uses to the north and to west.*

The properties west of OB Riley Road are Zoned UAR 10 and developed with Rural Residential Uses. Scenario 2.1C includes Industrial, Mixed Use and Commercial Generalized Land Uses adjacent to these rural county zoned properties. *To better buffer the developed rural residential lands we recommend concentrating Employment uses near the Hwy 20 corridor, near the Hwy 97 corridor, and near existing Employment lands; moving Residential lands to the northern portion of the North "Triangle" and the western portion of OB Riley Area.*

#### Gateway - Variety of Employment Uses

The subject property is a gateway to Bend; it has a tremendous amount of visibility, which is a valuable amenity. For a new visitor to Bend, or a local resident returning home, a community gateway provides an opportunity to welcome passers-by, and in so doing highlight a few community features and Project Goals, particularly:

- Quality Natural Environment
- Connections to Recreation and Nature
- Great Neighborhoods

Industrial uses on this gateway property would not contribute to the referenced Project Goals. Instead, Industrial zoning designation would establish the community gateway, a potentially beautiful and inviting area, between Hwy 20 Bend and the mountains to the west, as an industrial landscape. To achieve Project Goals, the property owners are suggesting a mix of uses with the preservation of view corridors to the extent possible and practical. Furthermore, the owner would like to provide a welcoming feature like the existing Bend Flowers (at the intersection of the Bend Parkway and Division), which they currently maintain. If development can occur as indicated on the Conceptual Plan submitted October 1, 2015, the owners foresee a reference to a park in close proximity to the community gateway, and the possibility of an historic home site, both of which contribute the Project Goals and community goals.

**Conclusion**

In summary, this correspondence has been provided to request that the UGB Steering Committee and Boundary TAC refine the Generalized Land Use designations within the northern quadrant to better buffer nearby rural residential uses and ensure the Gateway to Bend supports the UGB project goals.

Again, thank you for your efforts of expanding the UGB and thank you for your thoughtful consideration in shaping Bend's future.

Sincerely,

Gregory C. Blackmore, Manager  
Blackmore Planning and Development Services, LLC

## Darcy Todd

---

**From:** Damian Syrnyk  
**Sent:** Wednesday, February 10, 2016 4:30 PM  
**To:** Cassie Walling  
**Subject:** FW: OB Riley Rd Urban Growth Boundary

Please include this in the UGB Remand record. Thanks, Damian

-----Original Message-----

From: CAROLYN BROOKS [mailto:[carolynb@bendbroadband.com](mailto:carolynb@bendbroadband.com)]  
Sent: Wednesday, February 10, 2016 2:39 PM  
To: Brian Rankin <[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)>; Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)>  
Subject: OB Riley Rd Urban Growth Boundary

OB Riley Rd between Cooley Rd and Old Bend-Redmond Hwy is zoned UAR-10. Currently there is an industrial site at the south corner of the Old Bend-Redmond Highway and OB Riley Rd while the north side of this same intersection is an edge to a housing development (Sunrise Circle). Your proposed changes to the UGB include rezoning two parcels at OB Riley and Cooley to commercial use backed by industrial and mixed employment, essentially sandwiching six parcels on the east side for OB Riley Rd UAR-10 between commercial, industrial, and residential properties. In addition, it should be noted that not all of the six properties meet the UAR-10 requirement any longer. Please reconsider your attention to these "sandwiched" properties. If they are going to be ignored in the UGB process a 10-acre minimum property adjacent to light industrial on both sides doesn't make any sense. A rezoning to standard density residential might make more sense unless you have a better fit for 14 acres situated next to light industrial and surrounded by mixed use and residential.

Thank you.

Carolyn Brooks

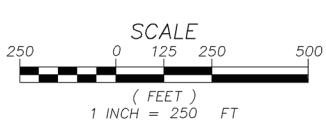
Judy McCreary

Brenda Schweitzer for

Betty Jean Hendrix

63750 OB Riley Rd

Bend OR 97701



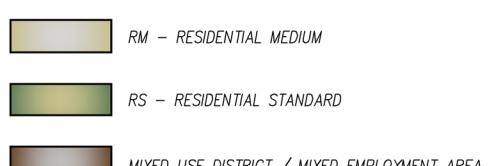
### *SHEVLIN AREA:*

- 400 HOUSING UNITS / 125 ACRES RESIDENTIAL LAND
- 115 JOBS / 12.5 ACRES EMPLOYMENT LAND
- 12.5 ACRES ELEMENTARY SCHOOL SITE

HOUSING UNIT MIX:  
71% SF, 12% ASF, 17% MF

## LEGEND

The legend consists of three horizontal rows. The top row shows a black line segment followed by three smaller black squares, with the text 'COATS PROPERTIES SUBJECT PROPERTY BOUNDARY' to its right. The middle row shows three yellow line segments, with the text 'LOCAL GRID ROADS' to its right. The bottom row shows a series of colored line segments (dark blue, light blue, purple, pink, and orange) followed by a short black line segment, with the text 'PLANNED OR EXISTING COLLECTOR ROADS' to its right.

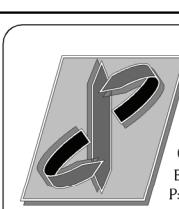


**COATS PROPERTIES**  
**CONCEPTUAL DEVELOPMENT PLAN**  
**SCENARIO 'C'**

BEND/DESCHUTES  
SCALE: 1" = 250'

## SCENARIO

DRAWING FILE NAME:  
COATS BASE



The logo for D'Agostino Parker, LLC. It features the company name in a large, bold, serif font. Below the name, the company's services are listed in a smaller, all-caps serif font: CIVIL ENGINEERING / PLANNING / LAND SURVEYING / CONSTRUCTION MANAGEMENT. At the bottom, the company's address is given: 1278 KING JEROBOAM DRIVE, END, OR 97702.

## **Darcy Todd**

---

**From:** Damian Syrnyk  
**Sent:** Friday, February 05, 2016 8:54 AM  
**To:** Cassie Walling  
**Subject:** FW: Summary of Settlement Agreement  
**Attachments:** Summary of Settlement Agreement.docx; West Area Dewey-Miller-Swisher-Schueler letter.pdf; Exhibit 1 - Transect and Boundary Map.pdf; Exhibit 2 - Transect Summary.pdf

Hi Cassie, please include these in the UGB record. Thanks, Damian

---

**From:** Dale Van Valkenburg [mailto:[Dale@brooksresources.com](mailto:Dale@brooksresources.com)]  
**Sent:** Thursday, February 04, 2016 8:47 AM  
**To:** Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)>; Brian Rankin <[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)>  
**Cc:** Victor Chudowsky <[vchudowsky@bendoregon.gov](mailto:vchudowsky@bendoregon.gov)>; Paul Dewey (paul@deweylaw.net) <[paul@deweylaw.net](mailto:paul@deweylaw.net)>; [kirkeschueler@gmail.com](mailto:kirkeschueler@gmail.com)  
**Subject:** Summary of Settlement Agreement

Damian and Brian –

Please include the attached summary document into the UGB record for the UGB Steering Committee meeting on February 10. It is a simple outline of the points of agreement between the named parties and is intended to serve as background.

The basis of the agreement is the transect concept outlined in the January 19 letter to the Boundary TAC signed by Kirk Schueler, Paul Dewey, Charley Miller, and Dave Swisher, which is also attached for reference.

Thanks.

Dale Van Valkenburg  
Director of Planning and Development  
Brooks Resources Corporation  
541-382-1662 x120  
[dale@brooksresources.com](mailto:dale@brooksresources.com)

## **Summary Miller/Tree Farm/Brooks/West Bend/COLW Agreement:**

In recent weeks, several west side land owners and developers, including Brooks Resources, and Miller Tree Farm, and Central Oregon LandWatch have had collaborative discussions and made agreements on a plan for future development on the western lands within the proposed Bend Urban Growth Boundary (UGB) expansion. Building on momentum from these UGB discussions, additional agreements were reached which resulted in settlement of the Tree Farm LUBA appeal and other points between the parties (Brooks, Miller, Tree Farm LLC, West Bend Property Company II LLC, and COLW), including:

### **Implementation of Transect Concept**

- The Parties will work in good faith to ensure that the Transect is implemented by the City of Bend through specific plan and code language. The Parties agree to support adoption of the Transect Concept during the currently pending UGB process as necessary to support implementation. Miller, West Bend, and Brooks have committed to develop the Miller Property in a manner consistent and in compliance with the Transect Concept, and will encourage other west area property owners to develop a compatible Transect Concept on County property outside of the UGB.

### **Implementation of the Central Area Plan**

- Brooks and COLW share a view on the importance of successful increased urbanization of the Central Area Plan, and both parties have agreed to support the concept of increased urbanization through infill and redevelopment in this area, and will work together to assist the City in developing and adopting zoning and regulations with UGB adoption that will enhance the success of the Central Area Plan. This includes a matching financial commitment by both parties to sponsor lectures and/or bring in expert consultants to assist in the development of code language and incentives that will facilitate investment in this area.

### **Resolution of the LUBA Appeal**

- COLW has withdrawn the LUBA Appeal of The Tree Farm land use approval, and Tree Farm has further affirmed that all open space in the project will be permanently preserved and its limitations will run through deed restriction and/or other legal means regardless of ownership.
- Limitations will be placed on the use of certain trails by bicycles during the winter months to protect mule deer winter habitat.
- COLW agrees to not oppose the extension of City of Bend domestic water service to the Tree Farm project or other potential nearby rural projects on the west side of Bend as long as the proposed rural development on those properties are clustered developments consistent with the Transect Concept.

January 19, 2016

Sharon Smith, Co-Chair  
Mike Riley, Co-Chair  
UGB Boundary and Growth Scenarios Technical Advisory Committee  
City of Bend  
710 NW Wall Street  
Bend, OR 97701

Dear Co-Chairs Smith and Riley:

The Urban Growth Boundary Steering Committee supported Expansion Scenario 2.1 at its December 14, 2015 meeting, but has asked the Boundary and Growth TAC to revisit that decision and develop a consensus around a new recommended expansion plan. Mayor Clinton noted that “the recommendation should be one that is supported by everyone on the Boundary TAC”.

At its December meeting, the Steering Committee discussed the idea of transitional zoning for the west side of Bend. Councilor Knight raised the potential benefits of a “de-densifying” of west side lands brought into the UGB. These benefits include improved resistance to catastrophic wildfires, improved wildlife habitat, and decreased impact on the existing transportation system. The strategy follows the New Urbanist planning concept of the “Transect” when development abuts permanent natural areas. This condition exists on the west side lands with US Forest Service and Bend Parks and Recreation lands abutting the privately owned exception lands west of the current UGB.

After hearing Mayor Clinton’s call for a consensus over any expansion recommendation from the Boundary TAC, Kirk Schueler, incoming CEO of Brooks Resources, and Paul Dewey, Executive Director of Central Oregon Landwatch (COLW), met to determine if the Transect strategy could be implemented on the west side lands in a way that the land owners and COLW could mutually support. Both supported the use of the Transect planning model for the west side, and worked together with the two of the owners of the undeveloped exception lands between Skyliners Road and Shevlin Park Road (Miller Tree Farm, LLC and Anderson Ranch Holding Company, LLC) to come to an agreement on the number of acres to be brought into the UGB, the acres of residential, employment, and civic land to be brought in, the mix of housing, and how the Transect would be implemented on those lands (Rio Lobo Investments LLC ‘s land was added into this proposal to be consistent with Expansion Scenario 2.1C, and includes our recommendation for a Transect density). The implementation of the Transect is depicted in a Transect Map and a corresponding Transect Summary accompanying this letter as Exhibits 1 and 2, respectively. A proposed Development Summary is included as Exhibit 3.

In order to insure that future development follows the principles of the Transect, the Transect Summary identifies the maximum number of housing units by Transect Zone, by landowner. The Development Summary identifies the overall housing mixes proposed for each landowner.

We have met with city planners to discuss the strategies necessary to change General Plan policies and zoning codes to implement the agreed upon development pattern. The city expressed support for the plan and has begun discussions to develop detailed strategies to adopt those changes.

The Bend UGB Project Team has provided a new expansion scenario, Expansion Scenario 2.1C, for consideration and discussion at your upcoming January 20, 2015 meeting. Included in the packet of materials for this meeting is a revised expansion proposal for the west side lands that includes 220 acres. The new proposal is for 165 acres of residential land with 850 housing units, 15 acres of employment land supporting 180 jobs, and 40 acres of civic land. A comparison between Expansion Scenario 2.1C and the plan supported by the property owners and COLW is as follows:

### Comparison of West Side Scenarios

	Expansion Scenario 2.1C	Owner/COLW Proposal	Difference
Total Acres	220	304	84
Residential Land - acres	165	244	79
Employment Land - acres	15	21	6
Civic Land - acres	40	39	(1)
Housing Units	850	800	(50)
% SFD	72%	70%	-2%
%SFA	8%	9%	1%
%MF	20%	21%	1%
Housing density per residential acre	5.2	3.3	-1.9
Ownership acres:			
Anderson Ranch	29	29	0
Rio Lobo	30	30	0
Miller Tree Farm	161	245	84
	220	304	84

In general, the Owner/COLW proposal is for 50 fewer households on 79 additional residential acres compared to Expansion Scenario 2.1C, resulting in a significantly lower overall residential density. The housing mix is very similar between the two scenarios, with slightly higher percentages of attached single family (ASF) and multi-family (MF) in the Owner/COLW proposal. The difference in residential density per acre is a product of implementing the Transect within the proposed expansion area. The furthest west 53 acres of the Miller Tree Farm land are planned to be developed in Transect zone T3, with a net density of 1.3 units per acre, as can be seen in Exhibit 2. The density in T3 is intended to be the least dense development abutting the Rural T2 zone.

Development of expansion lands in the denser T3.5 and T4 zones will allow multifamily and attached single family housing and employment lands in order to provide complete communities.

The land owners and COLW believe that the benefits to the Transect, where densities of housing get lower as development moves west towards the rural and natural areas, include the following:

- Preservation of the open space character of the permanent natural areas of the US Forest Service and BPRD lands;
- Separation of structures at the western edge of development to reduce the risk of catastrophic damage from wildfires;
- Increased open space for wildlife (development codes for T3 can include wildlife friendly fencing standards); and
- Reduction of transportation impacts on the existing west side transportation system.

Additionally, the Owner/COLW proposal, like Expansion Scenario 2.1C, allows for the development of Skyline Ranch Road, connecting Shevlin Park Road to Century Drive.

Beyond the proposed UGB will exist 347 acres of exception lands zoned UAR-10 owned by Rio Lobo, and the Tree Farm development, approved for a cluster development of 50 2-acre lots on 531 acres of Miller Tree Farms land, zoned UAR-10 and RR-10, and with permanently dedicated open space. With the existence of Tetherow and Cascade Highlands, and the development of the Tree Farm, there will be in effect a permanent solution for

any urbanization in this part of Bend. Rio Lobo's land would still have the possibility of urbanization in a future UGB expansion effort (assuming no additional land of theirs is brought into the UGB in this expansion).

We acknowledge that there is still a lot work to be done to develop the implementing General Plan policies and zoning, and gain DLCD approvals of the plan. The land owners and COLW commit to support the city's and county's efforts to implement the Transect concept on these lands.

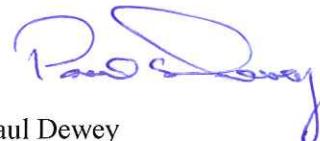
We believe it is significant that these parties have come together to support an expansion plan for the west side lands. Representatives from these parties will be available at your upcoming meeting to answer questions and discuss any issues. We request that the Boundary TAC modify Expansion Scenario 2.1C to reflect these proposed changes.



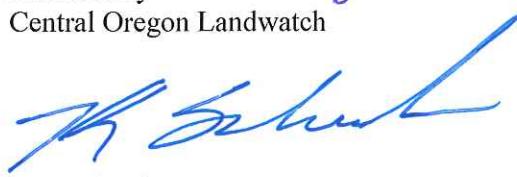
Charley Miller  
Miller Tree Farm, LLC



Dave Swisher  
Anderson Ranch Holding Company, LLC

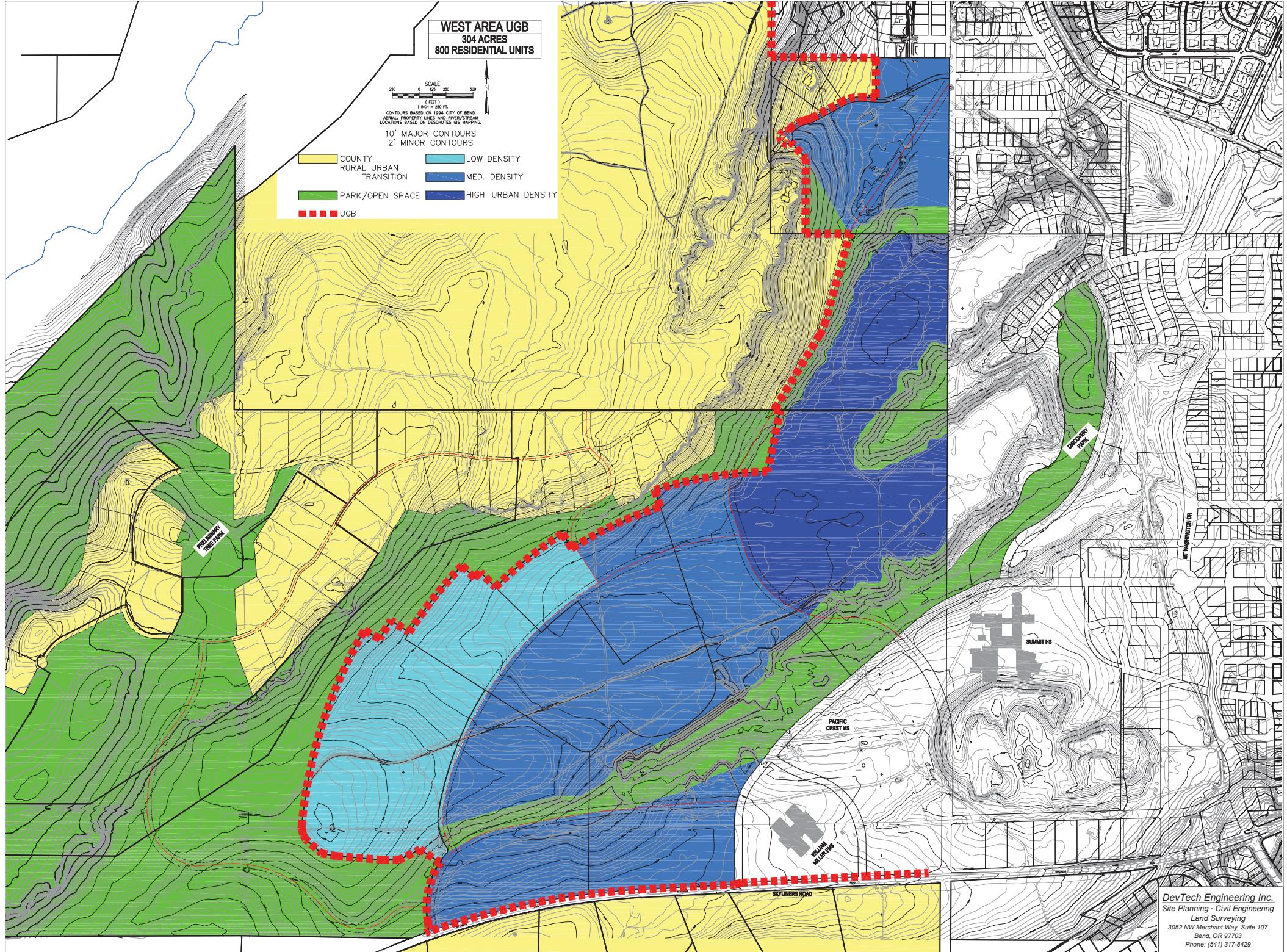


Paul Dewey  
Central Oregon Landwatch



Kirk Schueler  
Brooks Resources Corporation  
West Bend Property Company 2, LLC

CC: Brian Rankin, City of Bend  
Victor Chudowsky, Chair, UGB Steering Committee



## West Side Area

### Transect Summary

net acres factor	Inside UGB			Total UGB Expansion	Outside UGB		Total
	T4	T3.5	T3		T2	10%	
<u>Anderson Ranch (Swisher)</u>							
Acres	-	29	-	29	-	-	29
Units	-	65	-	65	-	-	65
density per gross acre		2.3		2.3			2.3
density per net acre		3.3					
<u>Rio Lobo (Day)</u>							
Acres	30	-	-	30	347	377	
Units	85	-	-	85	34	119	
density per gross acre	2.8			2.8	0.10	0.3	
density per net acre	4.6				0.11		
<u>Miller Tree Farm</u>							
Acres	50	142	53	245	531	776	
Units	220	380	50	650	50	700	
density per gross acre	4.4	2.7	0.9	2.7	0.1	0.9	
density per net acre	7.1	3.8	1.3		0.1		
<u>Total</u>							
Acres	80	170	53	304	878	1,182	
Units	305	445	50	800	84	884	
density per gross acre	3.8	2.6	0.9	2.6	0.10	0.7	
density per net acre	6.1	3.7	1.3		0.11		

## **Darcy Todd**

---

**From:** Brian Rankin  
**Sent:** Tuesday, February 09, 2016 10:24 AM  
**To:** Damian Syrnyk; Cassie Walling  
**Subject:** FW: Boundary TAC Public Testimony

Please place this in the new batch of public testimony and the record. Thanks!

---

**From:** Dan Pebbles [mailto:[pebbles@tyeeintl.com](mailto:pebbles@tyeeintl.com)]  
**Sent:** Monday, January 18, 2016 2:36 PM  
**To:** Brian Rankin <[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)>  
**Subject:** Boundary TAC Public Testimony

To whom it may concern,

I have lived in Bend for 8 years and have witnessed a lot of growth during that time. As a developer of affordable senior housing in Seattle, we worked hand in hand with the City to provide housing where it was needed most, close to major infrastructure, i.e. transportation centers, employment centers, hospitals, schools etc. Bend is a beautiful place to live because of our environment, containing our growth inside the UGB makes the most economic sense i.e. where the cost of infrastructure is the least, and the impacts on our beautiful environment are minimal.

Thank you for your consideration in this matter.

Dan Pebbles  
2435 NW Todds Crest Drive  
Bend, OR 97703  
206.618.8917



February 8, 2016

Mr. Victor Chudowsky, Chair  
City of Bend UGB Steering Committee  
710 NW Wall Street  
Bend, Oregon 97701

RE: Southeast 15<sup>th</sup> Street Planning

Dear Mr. Chudowsky,

The J L Ward Co has been exploring options to Master Plan our property on SE 15<sup>th</sup> Street under the existing RS zone. We were very pleased to have been treated with the highest levels of professionalism and courtesy by the City's Engineering and Planning staff. As a result of our meetings we've concluded we can get close enough to our development objectives, with some minor adjustments to the Efficiency Measures, along with swapping some of the proposed uses between our "Thumb" and "Elbow" properties. Furthermore, we recognize the significant effort and resources of City Staff, UGB committee members and consultants have invested in this process. We were concerned that if we pursued a Master Plan under the existing RS zone, it would likely create unintended difficulties to the UGB expansion process.

Our December 4, 2015 letter sought changes to the proposed Efficiency Measures on our 15<sup>th</sup> Street property and we were very pleased to see changes that are getting closer to J L Ward Co needs. Our recent meeting with Brian Rankin and Wendy Robinson provided an option we'd like to incorporate so we can create a meaningful complete community in southeast Bend.

We've modeled our proposal so it can be successful achieving both the City's and J L Ward Co's goals. We recognize the City must meet density and land use goals; and we need to have the ability to create a financially viable project. We believe we can accomplish both. To that end, it is very important that we can plan for the uses of all of our 15<sup>th</sup> Street property as a whole—this means including the 37.8 acres in the Elbow in our planning efforts. We recognize this area is currently outside of the UGB; however, to properly Master Plan our property we need to include all of our 15<sup>th</sup> Street property in the Master Plan to do the job correctly.



The following minor changes to the Efficiency Measures and exchange of uses between our "Thumb" and "Elbow" properties will meet our common development objectives:

- Take 12.8 acres of the RS land from the Thumb and replace it with 12.8 acres of CG from the Elbow—please refer to Exhibit A.

We've discussed this concept with Brian and Wendy and they felt this type of use exchange—between lands in the expansion area with common ownership—could work.

The following are the uses and their approximate associated acreages we feel will provide us the correct mix allowing us to effectively Master Plan all of our 15<sup>th</sup> Street Property:

Use/Zone	Acres
Elementary School	12.5
Park	7
RS	178.45
RM	12
RH	6
CC/CL	5
ME	10
CG	12
Total:	242.95

Because this proposal has proportions of uses and zones that are nearly identical to our previous request—and includes exchanging uses between our "Thumb" and "Elbow" properties—we're hopeful you'll agree this request is reasonable and will receive your support.

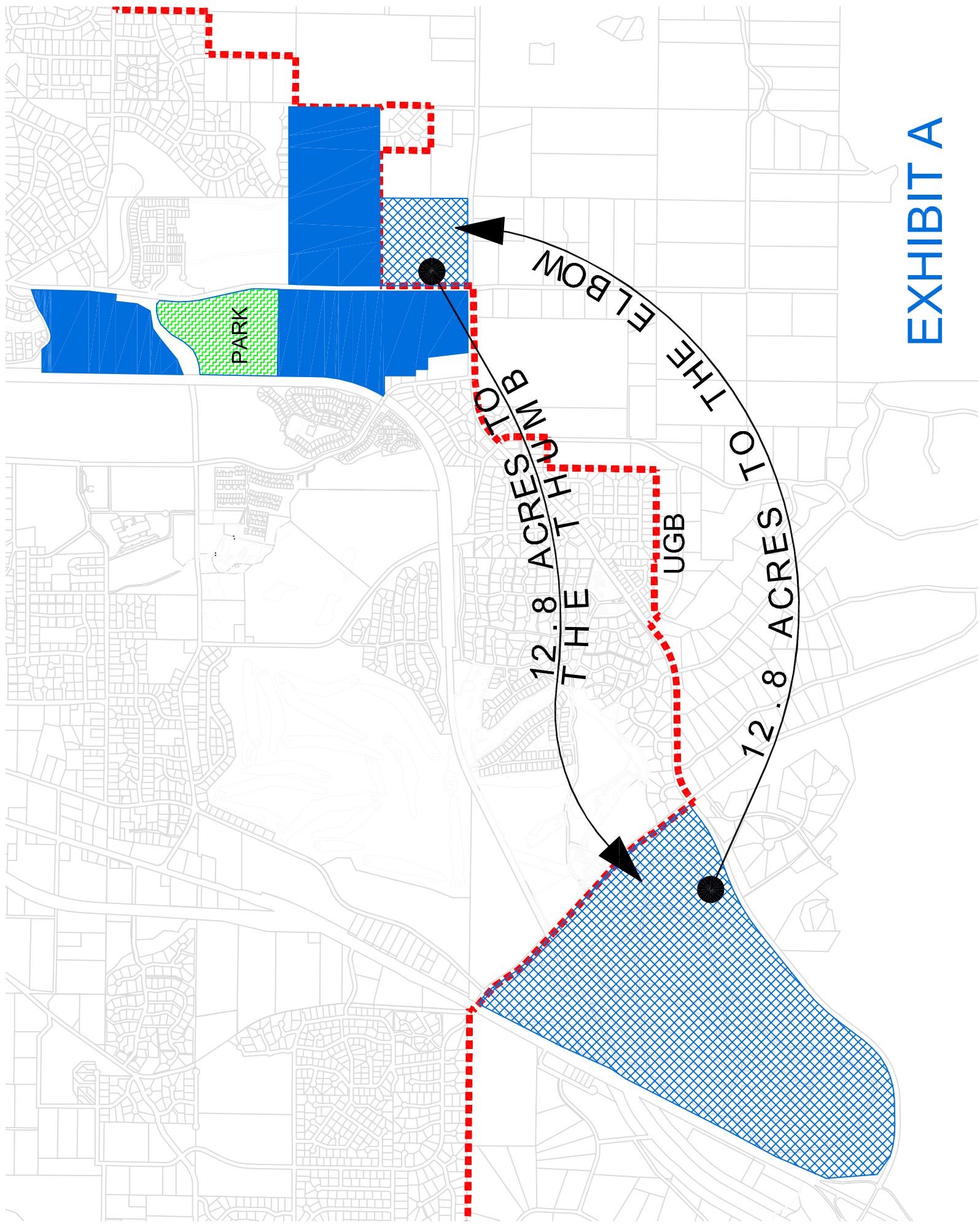
Sincerely,

A handwritten signature in black ink, appearing to read 'Dean Wise'.

Dean Wise

C: Brian Rankin  
Wendy Robinson  
USC Members  
TAC Members

# EXHIBIT A



## Darcy Todd

---

**From:** Chris Maciejewski <csm@dksassociates.com>  
**Sent:** Wednesday, February 17, 2016 2:13 PM  
**To:** Joe Dills  
**Cc:** Damian Syrnyk; Cassie Walling; Brian Rankin; Becky Hewitt; Andrew Parish  
**Subject:** Re: Bend UGB Expansion: Transportation reasons for removing 10 acres from North Triangle

We communicated to them verbally at the USC meeting that the road cost reduction was a convenient outcome of the change, not a driving factor.

--

Chris Maciejewski, P.E., PTOE | Principal

Ph: [503.243.3500](tel:503.243.3500) | Direct: [503.972.1213](tel:503.972.1213) | Mobile: [503.916.9610](tel:503.916.9610) | Email: [csm@dksassociates.com](mailto:csm@dksassociates.com)



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On Wed, Feb 17, 2016 at 11:16 AM, Joe Dills <[jdills@angeloplanning.com](mailto:jdills@angeloplanning.com)> wrote:

My request: Damian should contact Ms Dickson and determine next steps, and let her know the protocol for working through GM staff on inquiries.

BTW, the reason for removal of the 10 acres was not connected to transportation I believe. I think it occurred as part of the painting update to fulfill the Bdy TACs direction for the North Triangle, which was focused (from memory) on buffering and use compatibility at the north edge. Andrew can add.

Joe

**Joe Dills, AICP /** Senior Project Manager

[503.224.8225](tel:503.224.8225) / [jdills@angeloplanning.com](mailto:jdills@angeloplanning.com)

921 SW Washington St. Suite 468

Portland OR 97205

<http://www.angeloplanning.com>



**From:** Chris Maciejewski [mailto:[csm@dksassociates.com](mailto:csm@dksassociates.com)]  
**Sent:** Wednesday, February 17, 2016 10:58 AM  
**To:** Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)>; Cassie Walling <[cwalling@bendoregon.gov](mailto:cwalling@bendoregon.gov)>; Brian Rankin <[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)>; Joe Dills <[jdills@angeloplanning.com](mailto:jdills@angeloplanning.com)>; Becky Hewitt <[rhewitt@angeloplanning.com](mailto:rhewitt@angeloplanning.com)>  
**Subject:** Fwd: Bend UGB Expansion: Transportation reasons for removing 10 acres from North Triangle

Not sure how you want me to engage here (for now, I'm assuming I'm not engaging).

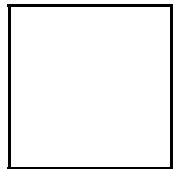
Thanks,

Chris

--

Chris Maciejewski, P.E., PTOE | Principal

Ph: [503.243.3500](tel:503.243.3500) | Direct: [503.972.1213](tel:503.972.1213) | Mobile: [503.916.9610](tel:503.916.9610) | Email: [csm@dksassociates.com](mailto:csm@dksassociates.com)



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----- Forwarded message -----

From: **Elizabeth A. Dickson** <[eadickson@hurley-re.com](mailto:eadickson@hurley-re.com)>  
Date: Wed, Feb 17, 2016 at 10:53 AM  
Subject: Bend UGB Expansion: Transportation reasons for removing 10 acres from North Triangle  
To: Chris Maciejewski <[csm@dksassociates.com](mailto:csm@dksassociates.com)>  
Cc: "Ann Marie Colucci ([annmarie@bendpatrick.com](mailto:annmarie@bendpatrick.com))" <[annmarie@bendpatrick.com](mailto:annmarie@bendpatrick.com)>

Chris,

I represent Ryan Bell and Tammy Lamb, cooperatively planning to develop their acreage at the edge of the north triangle. At the 11<sup>th</sup> hour, Ryan's 10 acres got cut from the expansion proposal. His is the parcel west of the cul de sac on Berg Lane. The cut leaves 3/4s of the land around the cul de sac in, but the NW quarter out, making a "to and through" connection to the edge of the UGB very problematic. A map is attached for ease of reference.

We understand that the change was made at the end of January to save \$8.8 million, the cost of road 206a that was planned to run east-west along the northern boundary and the path of the north sewer interceptor. Of course, the clients are scratching their heads, wondering why this road cost is critical when all the rest of the UGB expansion road costs are workable. We're thinking there's more to the story than we know.

Do you have time for a short meeting to give us background? We can meet you in Bend at my offices, or if you're not planning to be in Bend over the next week or so, the clients' realtor and TAC member, Ann Marie Colucci, can meet you in Portland. We are truly hoping for a better understanding of the City's goals and how this change serves those goals. And we know how the City relies on your counsel in such matters. Thanks, in advance, for any assistance you can provide.

Elizabeth A. Dickson

**HURLEY RE**  
ATTORNEYS AT LAW P.C.

747 SW Mill View Way

Bend, OR 97702

[541.317.5505](tel:541.317.5505)

[eadickson@hurley-re.com](mailto:eadickson@hurley-re.com) | [www.hurley-re.com](http://www.hurley-re.com)

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February 12, 2016

Brian Rankin  
City of Bend Principal Planner  
710 NW Wall Street  
Bend, OR 97701

*via First Class Mail & Email to*  
[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)

**RE: Urban Growth Boundary Expansion Scenario 2.1D with Relationship to 63765, 63660, and  
63775 Berg Lane, Bend, OR 97702**

Dear Brian,

Our offices represent Ryan Bell and Tammy Lamb in a joint capacity, as property owners planning to cooperatively develop adjoining properties at the northern edge of the City of Bend's current Urban Growth Boundary expansion area. The Bell/Lamb property has been split by the latest proposed Scenario 2.1D, so that the Lamb property is still proposed for inclusion, but the Bell property has been excluded in the 2.1C and 2.1D Scenarios floated in the last few weeks. This recent split is obviously problematic for their joint development plans. We think it is also problematic for the City's plans if transportation system workability is considered. We are writing to ask for a solution that works for both the City of Bend and the property owners.

The problem, and the solution, are in the details. A map is attached for ease of reference. Ryan Bell owns the property located at 63775 Berg Lane, Bend, Oregon 97702, also known as tax lot 171208D000100, west of Berg Lane at its north end. Tammy Lamb, as Personal Representative of the estate of Mark A. Anderson, deceased, owns the properties located at 63765 and 63660 Berg Lane, Bend, Oregon 97702, also known as tax lots 171208D000101 and 171209C000200, respectively, and located on both sides of Berg Lane, both south of the Bell property and the entire east side of Berg Lane. The map shows the north-south direction of Berg Lane, perpendicular to, and accessed from Cooley Road. It is currently improved with a stub out at the north end in the form of a cul-de-sac that does not reach to the northern boundary of the two properties.

These three properties have been planned to come into the City with the proposed UGB Expansion, until this latest version. This made sense because City transportation code requires "to and through" streets serving new development wherever possible. If the Lamb parcels are brought in, but the Bell parcel is not, replacement of the cul-de-sac with a compliant extension of Berg Lane will not be feasible.

Property on both sides of Berg Lane is needed for the extension. We are asking that the Bell property be brought back into the City plan so that this transportation development can occur in compliance with City Code.

Thank you for your attention to this issue. We are available to speak further if you have any questions or concerns. Please let us know if there is anything else we can do to assist you.

It's also interesting to note that other planned significant infrastructure improvements, such as the north sewer interceptor, are planned to run east-west along this north line where these properties end. If the Bell property is not included, will that not put the City in a position of placing urban improvements outside of the City's Urban Growth Boundary, requiring special exceptions under Statewide Planning Goals?

We are not aware of the specific reason that the slight notch was made in this sector on Scenarios 2.1C and 2.1D. The reason may be very persuasive. However, the possibly unintended consequences are significant for both these property owners and the City, and we ask that this change be given another look in light of the need to comply with infrastructure law. The City's street and sewer plans dictate that the Bell property be included in this expansion, by our understanding of the applicable codes.

Thanks, in advance, for your consideration of our thoughts on this latest scenario of what we know is a difficult project. Your continued earnest efforts are much appreciated.

Sincerely,



Elizabeth A. Dickson  
EAD/mls  
Encls. Map of Berg Lane Properties

SE1/4 SEC. 08 T.17S. R.12E. W.M.  
DESCHUTES COUNTY

DESIGN CONCERN

14

10

Bell Property  
Lamb Prope

Lamb Property as P.R. of the Estate of Mark A. Anderson

SW1/4 SEC. 09 T.17S. R.12E. W.M.  
DESCHUTES COUNTY  
1' = 300'

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SEE MAP 13 12 02A

CEFR MAP 17 13

SEE MAP 17 12 090

06085



File Code: 1500  
Date: February 8, 2016

Dear City of Bend Urban Growth Boundary Steering Committee, Victor Chudowsky – Chair,  
Karen Swirsky – Senior Planner:

Thank you for the opportunity to provide input to the City of Bend's Urban Growth Boundary Expansion Plan. The input from the Forest Service is expressed in a set of interests and suggestions for policy consideration.

Interests and Policy Recommendations:

- Soil disturbing land development has led to an increase of invasive plants in Bend and central Oregon. Establishment of invasive plants on disturbed development sites has led to the spread on to adjacent ownerships through wind and vehicle tire transport. The Forest Service would like to see an active (during and after construction) invasive plant plan that funds a preventive approach to establishment and funds an eradication plan after development and construction is completed.
- Proposed UGB parcels adjacent or near (0-2 miles) the Deschutes National Forest will lead to increased recreation and public use, (West Area, Shevlin, DSL, Elbow, Thumb). The Forest Service would like to see land development language that positions the City, Developer and the Deschutes NF into a collaborative dialogue and plan on how the potential increased use on public lands will be planned and managed for. This language must recognize that private land trail development that connects to potential trails on the National Forest creates a monetary cost for the federal taxpayer and should be borne in part by the users coming from the private land trails.
- The above listed UGB proposals are all within a high risk to wildfire zone. The Forest Service understands that it's risk and responsibility will increase with this development as the National Forest lies 0-2 miles from these parcels. The interests of the Forest Service is for the City of Bend and the developer to recognize this risk and develop fuels reduction and risk reduction practices in the newly developed areas on private land. There are very well known hazardous fuels reduction practices and community/home protection guidelines (Firewise and Community Wildfire Protection Plans) that can be followed. Consideration should be given for fire resistant materials and landscaping. In addition, protection of these UGB expansions will require a greater investment by the Forest Service to reduce fuels on the adjacent federal lands. The Forest Service would like to see policy language that required these neighborhoods to have wildfire risk reduction committees in partnership with the Forest Service and the City of Bend Fire. This action would help neighborhoods understand their own hazard reduction they

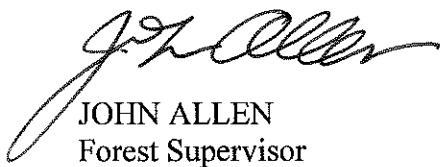


needed to do on their land and also encourage partnership with the Forest Service as there will be prescribed fire smoke and fuels reduction activities impacting their neighborhoods.

- Many of the above mentioned parcels have been historic winter range for mule deer. We understand that the City of Bend is working closely with Oregon Department of Fish and Wildlife. The Forest Service interest is that the City of Bend recognize the impacts that development will have on winter range habitat and try to avoid impacting the most critical habitat areas and travel corridors.

Thank you very much for the opportunity to provide input to the City of Bend Urban Growth Boundary proposed expansion.

Sincerely,



JOHN ALLEN  
Forest Supervisor

## Darcy Todd

---

**From:** Brian Rankin  
**Sent:** Thursday, January 28, 2016 11:04 AM  
**To:** Cassie Walling; Damian Syrnyk  
**Subject:** FW: UGB expansion on Skyliners  
**Attachments:** UGBletterKatieandRodBien.docx

Please add this to the record and include in the packet for the upcoming USC meeting. Thanks for doing both team!

**From:** katie@patagoniabend.com [mailto:katie@patagoniabend.com]  
**Sent:** Thursday, January 28, 2016 10:12 AM  
**To:** Damian Syrnyk <dsyrnyk@bendoregon.gov>; Brian Rankin <brankin@bendoregon.gov>  
**Cc:** rod@patagoniabend.com  
**Subject:** UGB expansion on Skyliners

Hi Damian and Brian,

My name is Katie Bien. My husband and I live across the street from a proposed UGB expansion area. I would love to send a letter to the UGB Steering Committee and the Boundary and Growth Scenarios TAC. Can you tell me if those email addresses are available and if there is a correct way to submit a letter for committee review? The letter is pasted below and attached.

Thank you so much for your time and for all of the hard work that you are doing to make sure Bend's growth is well-planned.

Sincerely,

Katie Bien

**Katie and Rod Bien  
61960 Ballantrae Ct  
Bend, Oregon 97702**

January 27, 2016

To Bend's UGB Steering Committee,

We are writing about the UGB expansion in the area off of Skyliners Road. Our property borders Skyliners road and is located in the Highlands at Broken Top community off of Skyline Ranch Road so we wanted to weigh in as we have unique insight to the area. We recognize that growth in Bend is inevitable, and hope that the next round of growth will enhance our city.

We strongly support putting low density housing in the west side expansion off of Skyliners Road based on the wildfire dangers, traffic limitations, environmental concerns and to reduce the city's costs.

The Two Bulls fire left a strong memory for us and hopefully for committee members as Skyliners road had to be closed to traffic because the fire was less than a mile from the proposed expansion. More development on the west next to a forest puts many people and properties in danger and increases the costs to the city and state significantly when wildfires occur.

The natural topography in Bend limits traffic on the west side. The river and forest provide natural barriers that limit the amount of traffic that can move efficiently. Nowhere is that more true than off of Skyliners road. There is currently only one exit for the many students and residents located there. The connection of Skyline Ranch Road would be a traffic imperative, but even with that connection, more people on Skyliners past the schools would create significant traffic problems that would hinder safety for students as well as everyone else in the area.

I'd love for everyone on this committee to take the time to drive out on Skyliners during school pickup on a school afternoon (2:40 for PCMS, 3:30 for Miller Elementary) so that you can see the traffic gridlock that currently occurs. Then, just imagine what hundreds of additional people in new housing or employment would do to that traffic. How would people evacuate in an emergency? In a wildfire, or an active shooter situation, or any other crisis, could people get out of the traffic bottleneck safely? More people means more every day emergencies. When one of the many new residents has a heart attack during the hour when school is released – can they get the help they need in time? Usually, when a school creates that kind of traffic, there are other exit routes for emergencies. Because of its unique location, that doesn't exist on Skyliners.

The topography of the area around Skyliners road increases the risk for wildfire affecting the community and really limits the number of people who can be located there safely.

Environmentally, the area off of Skyliners Road borders the forest and Phil's trail. These areas are both wildlife habitats and recreational highlights that make Bend such a great place to live. People are visiting Bend and moving here in droves to be in the outdoors near our beautiful natural resources. A major benefit to living in Bend is access to wilderness areas that are still wild. We hope that you are really careful to preserve those resources during this expansion.

The area is home to a variety of wildlife: Mountain Bluebirds, Bald Eagles, Osprey, many species of hawks, Downy Woodpeckers, elk, deer and much more. While we may be changing our city borders, wildlife will not get that memo. Offering density that tapers off towards the forest limits conflict and helps to protect the habitat for all of these animals.

We own the Patagonia @ Bend store in downtown Bend and are very aware that Phil's trail and Shevlin Park are huge draws for tourists to our area. Our city's economic strength is buoyed by these areas and it makes sense both environmentally and economically to protect our city's greatest treasures.

Finally, development on the western edge of town increases every single cost for the city. Building new roads to access these areas, utilities, public transportation, police

and fire, snow-plowing, and every other governmental cost in town is increased by putting a large number of homes and businesses off of Skyliners road. It simply does not make financial sense to put a high number of people in an area that is expensive to access. Increasing density in the center of the city is a much more cost-efficient solution for the city to increase housing numbers. I hope that developing a plan that reduces costs is something we can all agree upon.

We are not against growth. We love Bend as much now as we did when we moved here in 1998. We are happy with how the city has grown and there is no place we would rather call home. We hope the UGB Steering Committee will really look to preserve the things that make Bend special and unique and grow the west side with an eye towards limiting density to preserve some of the things that are so wonderful about Bend.

Thank you so much for listening.

Sincerely,

Katie and Rod Bien

## Darcy Todd

---

**From:** Damian Syrnyk  
**Sent:** Tuesday, January 19, 2016 9:19 AM  
**To:** Cassie Walling  
**Cc:** Brian Rankin  
**Subject:** FW: Bend UGB TAC testimony  
**Attachments:** TAC 1-18-16 ltr Ex A.pdf; Bend UGB TAC 1-18-16 ltr.pdf

Please include in the UGB Record. Thanks, Damian

---

**From:** Laurie E Craghead [mailto:[laurie.craghead@outlook.com](mailto:laurie.craghead@outlook.com)]  
**Sent:** Monday, January 18, 2016 6:01 PM  
**To:** Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)>  
**Subject:** Bend UGB TAC testimony

Hello, Damian,

Attached is the letter we spoke about last week. Sorry it took me so long to send it to you.

I will be attending the meeting on Wednesday. Should I bring copies to the committee or is this e-mail sufficient to get it to the members?

**LAURIE E. CRAGHEAD**

***Attorney at Law***

PO Box 5833  
Bend, OR 97708-5833  
(458) 206-6884

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# LAURIE E. CRAGHEAD

*Attorney at Law*

PO Box 5833, Bend, OR 97708

Ph. 458.206.6884

[laurie.craghead@outlook.com](mailto:laurie.craghead@outlook.com)

January 18, 2016

C/o Damian Syrnyk  
City of Bend  
UGB Boundary and Growth Scenarios  
Technical Advisory Committee

VIA E-MAIL: [dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)

RE: Another “Perfect Rectangle”

Dear Committee Members:

I represent Rodney Pack whose mother’s property, Akemi Wheeler, is located at 62590 Eagle Rd, Bend, OR 97701, just slightly north of the proposed Northeast expansion area at the corner of Neff and Eagle Rd. I am writing to request that the UGB Boundary and Growth Scenarios Technical Advisory Committee add to the preferred scenario a “Perfect Rectangle” in addition to the one proposed by Lori Murphy in her December 14, 2015 letter to the committee. This new proposed rectangle could be one of two configurations. Both of which would contain Ms. Wheeler’s property

The first configuration would include only the UAR10 on Eagle Rd between Butler Market and Neff. The second configuration would include all the land between Butler Market and Neff and between Eagle Road and Hamby, excluding, of course, the one small section zone EFU. See attached Exhibit A. The red line is the proposed first configuration and the blue line is the proposed second configuration.

Like Ms. Murphy’s Perfect Rectangle (“PR”), this area is relatively flat and the analysis of the various scenarios shows that urban services could easily be extended to this area given the location of those services just across Eagle Road. Also, like PR, this area is close to schools and medical services. St Charles hospital and other medical offices, including the Deschutes County Health and Behavioral Health offices are only a mile west of this location. This location will also be within walking distance of commercial areas once the proposed commercial areas are rezoned and constructed in the two Northeast Edge areas in Scenario 2.1.B.

Additionally, if the PR is included, including the first or the expanded configuration of the rectangle I propose would allow for a continuous development between the PR and Neff road. That would connect existing neighborhoods to the south, such as Glacier Ridge, to the PR to the north and, thereby, provide access to such areas as the Pine Nursery Park via alternative means such as bicycle or walking.

Bend UGB TAC  
January 18, 2016  
Page 2 of 2

Thank you for this opportunity to participate in this public process. If you have any questions or comments, please do not hesitate to contact me by phone or e-mail.

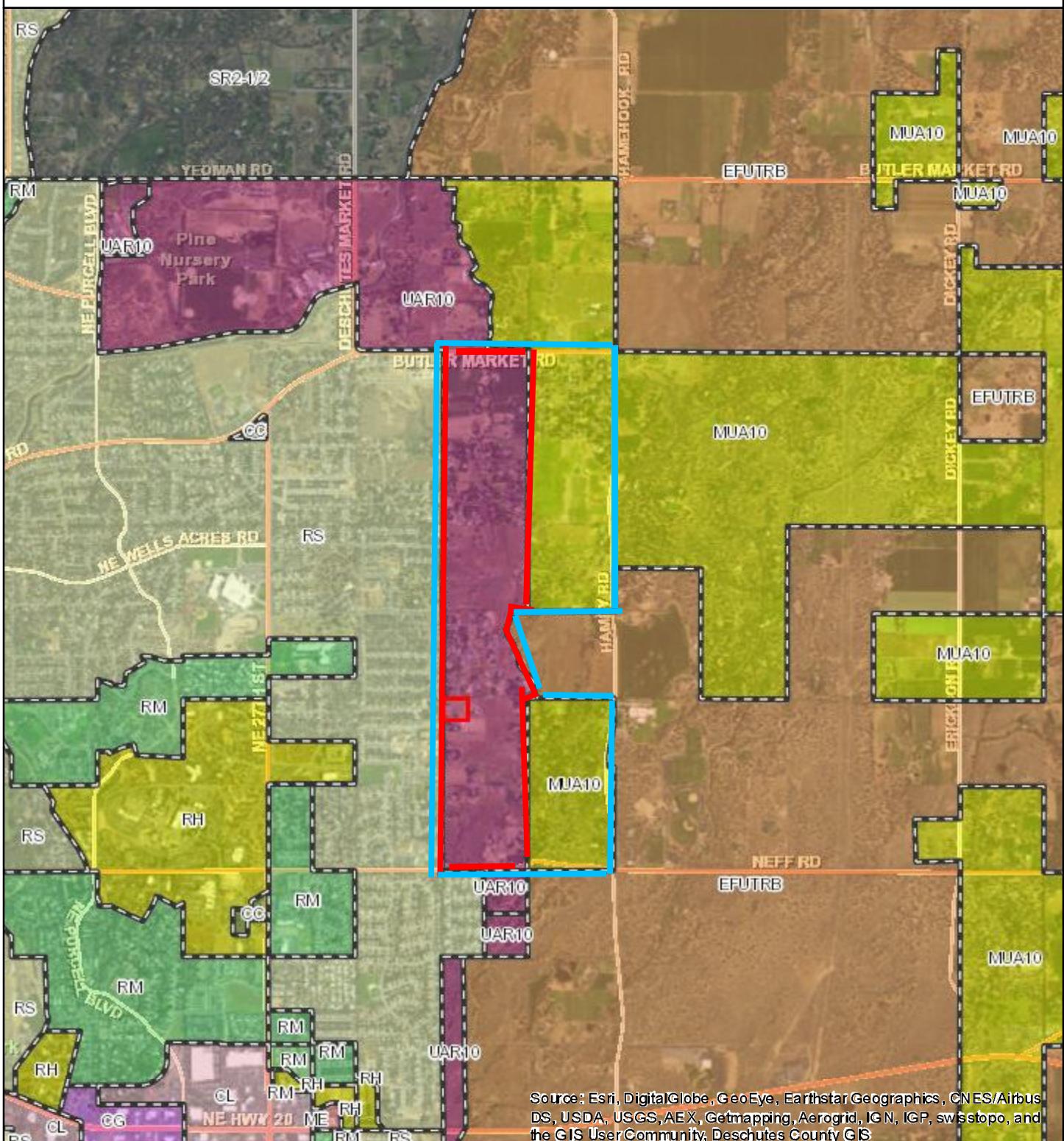
Sincerely,

*Laurie E. Craghead*  
Laurie E. Craghead

Enclosure

# Deschutes County Property Information - Dial

Zoning Map for account 149266



Map and Taxlot: 171226D003000

Exhibit A to Craghead/Pack submittal  
January 15, 2016



## Darcy Todd

---

**From:** Damian Syrnyk  
**Sent:** Monday, February 08, 2016 8:52 AM  
**To:** Cassie Walling  
**Subject:** FW: letter to the USC  
**Attachments:** Letter to UGB Steering Committee (2-10-16 Meeting) (00476779xA9955) (00476806xA9955).PDF

Please enter into the UGB record. Thanks, Damian

---

**From:** Myles A. Conway [mailto:[mconway@martenlaw.com](mailto:mconway@martenlaw.com)]  
**Sent:** Friday, February 05, 2016 3:27 PM  
**To:** Brian Rankin <[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)>; Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)>  
**Cc:** matt@hookercreek.net; 'kspencer@ksstone.com' <[kspencer@ksstone.com](mailto:kspencer@ksstone.com)>; Steven Hultberg (SHultberg@radlerwhite.com) <[SHultberg@radlerwhite.com](mailto:SHultberg@radlerwhite.com)>  
**Subject:** letter to the USC

Hello Brian and Damian- attached is a letter to the UGB Steering committee submitted on behalf of Rio Lobo Investments and Matt Day. Please submit this letter into the remand record for the upcoming meeting on February 10. Thank you. Myles

---

### **Myles A. Conway**

Partner

---

D - 541 . 408 . 9291  
C - 541 . 480 . 0811  
E - [mconway@martenlaw.com](mailto:mconway@martenlaw.com)

[martenlaw.com](http://martenlaw.com)  
404 SW Columbia St, Suite 212  
Bend, OR 97702

 MARTEN LAW

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## MARTEN LAW

February 5, 2016

Via Email

**UGB Steering Committee**

c/o Brian Rankin  
City of Bend, Long Range Planning

Re: Urban Growth Boundary Remand

Members of the UGB Steering Committee:

Our office represents Rio Lobo Investments, LLC (“Rio Lobo”) and the Day family, owners of an approximately 376 acre property in the urban reserve located on the west side of Bend. The property lies south of Shevlin Park Road and north of Skyliners Road in the area depicted on Exhibit A attached hereto. The entirety of the Rio Lobo Property is zoned Urban Reserve and characterized as “Priority Exception Land.” A small portion of this property (approximately 30-acres) is included within revised Scenario 2.1D as recommended by the Boundary TAC to facilitate the future extension of the Skyline Ranch collector roadway.

There are two reasons for our submittal. First, we are writing in support of the Boundary TAC’s recommendation to include a missing segment of the Skyline Ranch Road collector roadway within proposed Scenario 2.1D. Second, we are writing to request that an additional 40-acre portion of the Rio Lobo Property be added to the preferred expansion scenario to facilitate the continuation of the “transect” proposal that has been devised and implemented by various individual members of the Boundary TAC. The Rio Lobo Property borders directly on Shevlin Park and provides a critical component in any strategy to provide for the long term transition of density on the west side of Bend.

**Extension of Skyline Ranch Road**

Rio Lobo supports the inclusion of its Skyline Ranch Road parcel within Scenario 2.1D and the UGB. The “Skyline Ranch” major collector roadway is identified in the Transportation System Plan (“TSP”) and the Bend Urban Area Roadway System Plan as a facility necessary to accommodate planned growth on the west side of Bend. This important collector roadway provides an important vehicle connection for schools, fire, emergency access and the flow of west-side traffic. The City has required surrounding developments to contribute funds towards the development of this roadway segment and the public should receive the benefit of those contributions. The remand record contains a traffic report from Ferguson & Associates (commissioned by property owner Anderson Ranch/Swisher) that outlines the significant benefits associated with the construction of this road. The traffic analysis demonstrates that the completion of this roadway segment will significantly reduce vehicle miles travelled for the benefit of all west side properties. Annexation of properties surrounding Skyline Ranch Road (as proposed in Scenario 2.1D) provides the City with a cost effective means to insure the construction and

development of this critical roadway segment. We appreciate the Steering Committee's willingness to re-visit the importance of this roadway segment to the flow of west side traffic.

### **Incorporation of 40-acres of Rio Lobo Property**

Rio Lobo requests the preferred expansion scenario be revised to include an additional 40-acre portion of its property in order to effectuate its inclusion within the planned transect. The property proposed for inclusion within the expansion scenario is identified on Exhibit B attached hereto. The property is zoned Urban Reserve and long planned for urban development. The Bend Area General Plan provides that land in the urban reserve areas "are considered first for any expansion of the Urban Growth Boundary." Bend Area General Plan, Chapter 1, pages 1-4. The property is surrounded by the existing UGB on three sides, with roads and utility connections stubbed to the property boundary. A potential development plan for this 40-acre parcel is contained in Exhibit B. The plan contains 116 residential lots with areas of open space and trail connections to Shevlin Park.

The Rio Lobo Property has ranked favorably under every performance measure evaluated to date and cannot be distinguished (from a Goal 14 perspective) from the other west side properties included in Scenario 2.1D. The property scores very well in the City's analysis of potential infrastructure impacts. The property is located close to identified transit corridors and provides good opportunities to enhance City transit services. No issues have been identified for serving the property with City of Bend water service. The property can be cost effectively served through gravity extensions from existing City sewer infrastructure. A report from BECON Engineering demonstrating available sewer capacity is attached as Exhibit C. The property is served with multiple connections to the City road system and has been determined to have "good connectivity" and minimal reliance on "congested corridors" in the adopted "Factor 2 Maps." The property does not overlap with any ODFW "Areas of Potential Concern" related to deer and elk habitat. In addition, the "Wildfire Hazard Technical Memorandum, dated October 1, 2015" stated there is a reduced wildfire hazard on the property as the result of good vegetation management. The majority of the Rio Lobo Property burned in the 1990 "Awbrey Hall" fire. As a result of the intensity and very high temperatures associated with this fire, Ponderosa Pine trees have not re-generated within the footprint of the fire scar. Low fertility soils, the loss of organic materials and the limited available moisture significantly constrain the ability to re-establish a pine forest on the parcel. Incorporation of this portion of the Rio Lobo property into the UGB will provide additional fire protection to urbanized areas within the current City limits.

The remand record provides no basis to differentiate the Rio Lobo Property from the other west side land included in the preferred expansion scenario. Rio Lobo was excluded from the preferred scenario at the early stages of this process based on the "chip exercise" where members of the various technical committees (many of whom have a direct financial stake in the outcome of this process) devised preferred land configurations before the Goal 14 infrastructure analysis had even been performed. The property was then aggregated with other larger properties and studied as part of Scenario 3.1. As outlined in our letter to the Steering Committee dated October 20, 2015, the justifications utilized by the Boundary TAC to reject Scenario 3.1 cannot be attributed to the Rio Lobo Property. The attached letter from BECON Engineering demonstrates that this 40-acre portion of the Rio Lobo Property can be readily served with existing

sewer capacity without any major upgrades to public infrastructure. Sewer service can be provided through minor upgrades to the adjacent Shevlin Commons lift station and discharged through the Shevlin Park Road force main. The property would have no impacts whatsoever on the Awbrey Glen pump station (one of the major justifications utilized to reject Scenario 3.1). As a result of these factors, we ask the Steering Committee to take an independent look at this 40-acre portion of the Rio Lobo Property and consider its inclusion within the preferred expansion scenario.

### **Continuation of the Proposed “Transect”**

The joint letter from Charley Miller, Dave Swisher, Paul Dewey/Central Oregon Landwatch and Kirk Schueler/Brooks Resources (dated January 19, 2016) outlines a number of advantages associated with planning for the long term transition of density between urban development and public lands to the west bordering on Tumalo Creek-labelled as the “Transect” plan. This plan would facilitate the preservation of the open space character of the permanent natural areas managed by the U.S. Forest Service and BMPRD. The plan provides additional separation between urban development and forest land and can provide a wildfire benefit to the City of Bend. The plan also increases the amount of open space for wildlife and reduces impacts on the existing west side transportation system.

The size, location and topography of the Rio Lobo Property make it critical to the meaningful implementation of any long term density transition on the west side of Bend. Rio Lobo is currently working with affected stakeholders to discuss alternatives for extending west side transect planning efforts. Inclusion of Rio Lobo’s northern 40-acre parcel in the UGB is critical to its participation in efforts to expand the planned transect. We believe the Rio Lobo Property provides a unique opportunity to develop a long term plan for future west side growth and we urge the Steering Committee to include a 40-acre portion of the property in the preferred expansion scenario.

Sincerely,

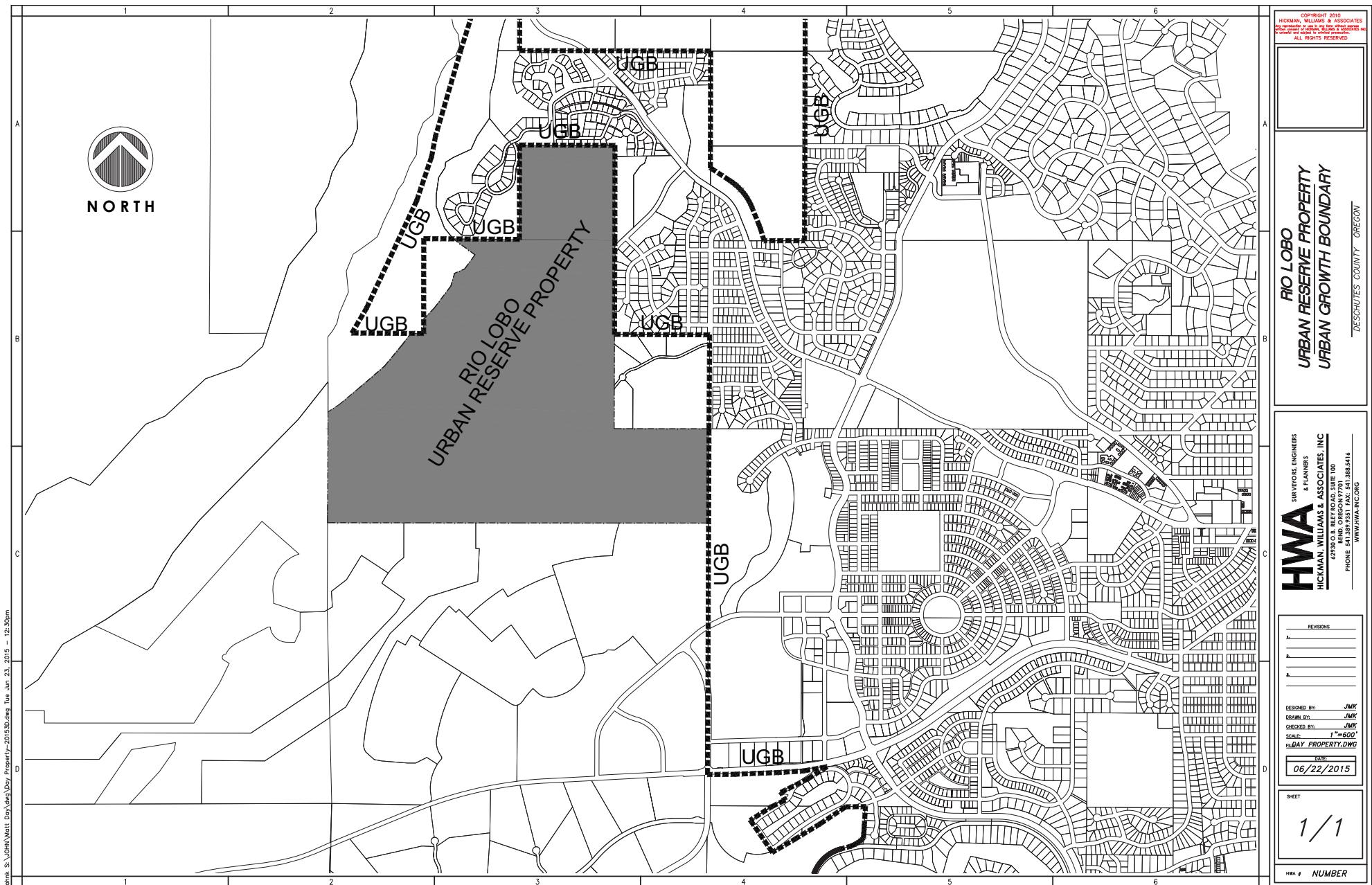


**Myles A. Conway**

cc: Clients

Enclosures

## Exhibit A



## Exhibit B



## LEGEND

**NORTH INFILL 40 ACRE PARCEL (SHEET 2)  
DENSITY 2.9 @ 40 ACRES = 116 DOORS  
AVERAGE LOT 6,000+ SF  
OPEN SPACE 8.5 ACRES**

BORDERING PROPERTIES DENSITY:  
THREE PINES RIDGE = 3 UNITS PER ACRE  
SHEVLIN COMMONS NORTH AVERAGE = 2.9 UNITS PER ACRE  
SHEVLIN COMMONS WEST AT PARK = 1 UNIT PER ACRE  
\*SEWER CAPACITY AVAILABLE CURRENTLY  
\*CONSISTENT WITH BORDERING PROPERTIES

- BENEFITS:
- OPEN SPACE BORDERING PARKS
- OPEN SPACE FOR CONNECTIVITY TO TOWN
- MORE PARK PROTECTION FROM HOUSES
- TRAILS THROUGH TO OTHER PARKS AND TRAILS ARE CLOSE

IF THESE PLANS ARE NOT  
SIGNED, CALL THE  
LANDSCAPE ARCHITECT TO  
ASSURE YOU HAVE THE  
CORRECT PLANS

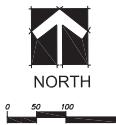
RIO LOBO  
TAX LOT 17-11-2600000 400  
TAX LOT 17-11-00000-6000  
DESCHUTES COUNTY, OREGON

EILEEN OBERMILLER  
(541) 350-7436  
P.O. Box 97  
Powell Butte, OR 97753  
541.350.7436

[www.DappledEarth.com](http://www.DappledEarth.com)

DRAWING DATE:  
2.5.16

## REVISIONS:



NOTE

1. TRAIL LOCATIONS ARE APPROXIMATE
2. THIS PLAN IS CONCEPTUAL ONLY - IT IS FOR DISCUSSION PURPOSES ONLY.
3. THE BASE MAP AND IMAGES WERE PREPARED BY HWA, DRAWING DATED 9.25.2-14.

# Exhibit C

BECON, LLC  
549 SW Mill View Way, Suite 105, Bend, OR 97702

[www.beconeng.com](http://www.beconeng.com)  
(541) 633-3140



February 5, 2016

Myles Conway  
Marten Law  
404 SW Columbia St., Suite 212  
Bend, OR 97702

delivered via email to [mconway@martenlaw.com](mailto:mconway@martenlaw.com)

Re: Sewer Capacity Analysis for 40-acre portion of Rio Lobo, LLC Property

Dear Myles:

I have analyzed sewer capacity for the approximately 40 acre Rio Lobo LLC property which adjoins the Shevlin Commons, Three Pines PUD, and Shevlin Bluffs subdivisions.

As part of the UGB Growth Boundary Remand process, this property had been included in the overall analysis of the larger West Area and Shevlin Area for purposes of sewer capacity. The resulting sewer solutions for those larger areas have been identified as a costly new gravity sewer main leading to the Awbrey Glen lift station, along with additional costly downstream sewer improvements.

Although analysis of the larger combined area may trigger large scale sewer infrastructure, this 40-acre property, when analyzed individually, has a much lower-impact sewer capacity solution utilizing the nearby Shevlin Commons lift station.

The Shevlin Commons lift station is located less than 1,500 feet from the 40-acre Rio Lobo, LLC property, and an existing gravity sewer main at the Rio Lobo, LLC property line provides an existing direct gravity sewer connection to the Shevlin Commons lift station along Mt. Hood Drive and Squirrel Tail Loop. The collection system pipeline infrastructure between the Rio Lobo, LLC property and the Shevlin Commons lift station is already in place today.

In addition, the Shevlin Commons lift station would need only minor improvements to pump all 2033 projected flows plus the anticipated flows from the Rio Lobo, LLC property. Per the Collection System Master Plan, the Shevlin Commons lift station has a current pumping capacity of 118 gallons per minute. The CSMP 2033 projection is for a peak flow of 106 gallons per minute. The addition of the Rio Lobo, LLC property would contribute an additional 45 gallons per minute, so the total peak flow at the Shevlin Commons lift station would be expected to reach  $(106\text{gpm} + 45\text{gpm}) = 151$  gallons per minute by 2033. Per our calculations, this

## Exhibit C

BECON, LLC  
549 SW Mill View Way, Suite 105, Bend, OR 97702

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increase in pump station peak flow could be accommodated by replacing the existing 20 horsepower pumps with marginally larger (~25hp) pumps.

Downstream of the Shevlin Commons lift station, the 4" common pressure line in Shevlin Park Road also has adequate capacity for sewer flows, including the Rio Lobo, LLC property. Pressure main discharge would then ultimately discharge to the east, rather than the north, eliminating the need to construct any infrastructure leading to or affecting the Awbrey Glen lift station.

In summary, if the 40-acre Rio Lobo, LLC property were considered on an individual basis, rather than as a part of a larger area, the 40-acre property by itself would not trigger large-scale infrastructure improvements. The 40-acre property could be served adequately using existing collection system pipelines, pressure main lines, and only minor upgrades to the Shevlin Commons lift station.

I recommend consideration of a low-impact sewer capacity solution utilizing the Shevlin Commons lift station which will maximize the efficiency of the existing infrastructure to serve the 40-acre portion of the Rio Lobo, LLC property.

Sincerely,



Erik Huffman, PE, PLS, CWRE, LEED AP  
Principal Engineer and Land Surveyor



50 SW Bond St., Ste. 4 | Bend, OR 97702  
Phone: (541) 647-2930  
[www.centraloregonlandwatch.org](http://www.centraloregonlandwatch.org)

February 9, 2016

UGB Steering Committee  
c/o Damian Syrnyk  
City of Bend  
710 NW Wall St.  
Bend, OR 97703

Dear Steering Committee:

As you know, the Boundary TAC achieved remarkable consensus at its January meeting, with a vote of approximately 17-0 for the north, south, northeast and southeast boundaries and near consensus of 16-1 for the west boundary. For those of you who were at that meeting, you know what a breakthrough those votes were, know all the compromises that were made, and know the spirit of achievement and optimism that resulted.

We had hoped that that spirit would carry over to the USC meeting this week and that all parties would respect those votes. Unfortunately, two west side landowners, Mr. Day and Mr. Coats, are apparently coming to you for more, reopening the debate.

They are putting at risk not only the substantial monetary investment you made in having another Boundary TAC meeting and a one-month delay in the process, but also the consensus/near-consensus that was achieved. TAC members settled for things they did not like because they wanted to compromise in order to get consensus. It was a package deal.

Also, please realize that what Mr. Day and Mr. Coats were primarily asking for at the time of the USC's approval for another meeting of the TAC was actually given to them at the January Boundary TAC meeting. Mr. Day was asking for his land on the proposed Skyline Ranch Road and Mr. Coats was asking for the "notch."

The argument will inevitably be made that Mr. Day and Mr. Coats are now just asking for a "little bit" more. That ignores that the Boundary TAC numbers were final compromise numbers; the "little bits" are already represented in those compromise numbers. It also ignores that those numbers are much more than what the public voted for in Scenario 2.1 for the west side, with 1,000 residential units instead of 750, and with 374 acres instead of 180 acres.

Further, there is no showing of any need for more land and more residential units to be added to the boundary. In fact, there is no basis for all the "additional land need" the City found at the last



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minute which enabled adding Mr. Coats's notch. That new need determination made by the City is questionable both procedurally (where the Residential Lands TAC had already set a significantly different number) and legally (particularly with regard to the drop in numbers for the Central Area Plan, considering that one reason for the State's remand was the City's lack of commitment to develop in the CAP). This "additional land need" determination also only considered where actual future development in the UGB may be less than anticipated and failed to account for foreseeable upzones in the UGB such as the College's development at Mt. Washington Drive and Shevlin Park Road. (See the attached map.) That rezone from RS to RM will result in over 100 new residential units than would occur under the current zoning the City is assuming in this UGB process. That upzoning is far more certain (being filed in just three weeks) than any basis to discount Central Area Plan development. If anything, Mr. Day's and Mr. Coats's residential units should be reduced by 100 units.

Given the upcoming college upzoning, the recently announced OSU-Cascades expansion and the recent loosening of ADU standards, the viability of the City's transportation system for the proposed west side expansion has yet to be determined. Needless to say, we are very concerned with how the Goal 14 locational analysis in terms of transportation impacts will turn out.

Thank you again for your consideration.

Very truly yours,



Paul Dewey,  
Executive Director

50 SW Bond St., Ste. 4 | Bend, OR 97702  
Phone: (541) 647-2930  
[www.centraloregonlandwatch.org](http://www.centraloregonlandwatch.org)



Protecting Central Oregon's Natural Environment And Working For Sustainable Communities

SHEVLIN PARK ROAD

BICYCLE PARKING: (116) SPACES MINIMUM REQUIRED  
ZONING: REZONE TO RM (MEDIUM DENSITY RESIDENTIAL)  
PROPOSED DENSITY: 17.9 UNITS PER ACRE

APTS. EAST SITE DA'

TOTAL APARTMENT UNITS = 66
TOTAL PARKING RATIO = 1.83:1
PROPOSED PARKING: (117) STAN 4 HRS. TOTAL PARKING: (121) TOTAL 12 HRS.
BICYCLE PARKING: 660 SPACE
SITE AREA: 1.60 ACRES, 116,694 ZONING: RM (MEDIUM DENSITY PROPOSED DENSITY: 21.9 UNIT



January 20, 2016 Bend UGB Boundary and Growth Scenarios Technical Advisory Committee meeting

Public Testimony **received** between January 15 and January 19, 2016

1. Robin Vora, January 15, 2016 email
2. Rick Lane, January 18, 2016 email with two attachments: October 7, 2015 letter and December 14, 2015 letter.
3. Laurie Craghead January 18, 2016 letter with one attachment: Deschutes County DIAL Map.
4. Terry Fournier, January 18, 2016 letter
5. Dale Van Valkenburg January 19, 2016 email with four (4) attachments: a) January 19, 2016 letter from Miller, Dewey, Swisher, and Schueler; b) Exhibit 1 – Transect and Boundary Map; c) Exhibit 2 - Transect summary, and; d) Exhibit 3 – Development Summary.

## Damian Syrnyk

---

**From:** Robin Vora <robinvora1@gmail.com>  
**Sent:** Friday, January 15, 2016 4:52 AM  
**To:** Damian Syrnyk  
**Cc:** Brian Rankin; Joe Dills  
**Subject:** Re: The January 20, 2016 Boundary TAC meeting packet is ready to download

Hello from Inle Lake, Myanmar (or Burma). I won't be making the Jan. 20 meeting. Please forward my comments to the Boundary TAC committee with a cc to the UGB Steering Committee. I am sorry I can't be there for the discussion. Thank you for the opportunity to comment.

A gracious hotel receptionist let download the meeting packet on his computer. It took 4-5 minutes. I could only scan it quickly. Please forgive me if my comments reflect that.

What I saw was disappointing to me. We spent considerable time following the State Goal 14 process. We keep dismissing it to arbitrarily favor 2-3 landowners whose interests appear to me to be well supported on the Boundary TAC committee.

My comments remain the same. I don't see how we have a defensible process under State Goal 14 direction when we include properties that have less affordability, and are located in areas that are in mule deer habitat and have higher fire risk as long as there are other landowners who would like their properties with fewer Goal 14 conflicts to come into the UGB.

Northwest Crossing is a nice development but more expensive single family housing like that does not serve the affordability problem of the present residents of Bend.

These new twists, Scenarios 2.1b and 2.1c, appear to be more than minor tweaks of Scenario 2.1 which has had much more analysis and review. I don't support 70 percent expensive single family homes on the West side while other areas have more multi-family housing. We don't need more westside exclusiveness.

All of the expansion areas should strongly support mixed-use that we have all agreed is important, and is strongly supported by Bend residents. Some areas should not be less mixed because of property owner desires, including profit motives, or neighborhoods wanting to be exclusive.

While I don't support the westside development even in Scenario 2.1 for the reasons I mentioned, I completely miss a logical explanation under State Goal 14 direction for Scenario 2.1c. I don't recall 2.1b well but didn't think it was not an improvement either. Scenarios 2.1b and 2.1c would have higher road costs, miles driven, and sewer costs than Scenario 2.1, in addition to the affordability, fire and mule deer habitat issues I mentioned. I don't see that as acceptable.

If the committee wants Westside development, it should not go beyond what is in Scenario 2.1.

Robin Vora  
1679 NE Daphne Dr  
Bend, OR 97701

On Friday, January 15, 2016, Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)> wrote:

Boundary TAC members,

You can now download the meeting packet for your January 20, 2016 meeting. Please use this link to download the materials:

<http://www.bendoregon.gov/index.aspx?page=52&parent=25690>.

You will also find a pdf of the public testimony received to date uploaded with the meeting packet.

Please also let me know if you would like a printed copy of the packet in advance.

Thanks,

Damian



Damian Syrnyk, AICP | Senior Planner

O: 541-312-4919 |



**PUBLIC RECORDS LAW DISCLOSURE:** Emails are generally public records and therefore subject to public disclosure unless exempt from disclosure under Oregon Public Records Law. Emails can be sent inadvertently to unintended recipients and contain confidential or privileged information. If you are not the intended recipient (or authorized to receive for the recipient), please advise by return email and delete immediately without reading or forwarding to others. Thank you.

## Damian Syrnyk

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**From:** Rick Lane <rlane47439@gmail.com>  
**Sent:** Monday, January 18, 2016 12:03 PM  
**To:** Brian Rankin; Damian Syrnyk  
**Subject:** NE Bend /Perfect Rectangle  
**Attachments:** Butler Market Village proposal.pdf; 3014\_001.pdf

**Follow Up Flag:** FollowUp  
**Flag Status:** Flagged

Dear Brian and Damian,

It came to my attention at the last meeting that several of the decision makers on the Boundary TAC and Steering Committee had not seen our proposal or heard some of the prior testimony regarding the benefits of growing Bend to the northeast, so I have attached a copy of our testimony from October and December as well as the original proposal.

In the long term 50 year planning horizon Bend will have to grow east. We need to recognize the reality of the future. We also need to understand that as we enter 2016 there are only 12 years left in this UGB planning window. It is imperative that the lands brought into the UGB now are truly the most efficient lands to develop.

Briefly, I would like to summarize the Goal#14 benefits of growing Bend to the northeast.

NE Bend is the most Cost Effective and Least Expensive area to grow. It provides the best location for truly orderly and efficient growth.

a. ***The sewer already runs through the NE area.*** Additionally, the Hamby sewer alignment is necessary to serve the east portion of Section 11 and other SE areas as well as relieve other more westerly sewer lines. In addition, expansion into some of the areas being considered will result in costly sewage pump stations having to be built. That would not be needed in the NE.

b. The ***maps clearly show the transportation connectivity in the NE***, roads that actually go somewhere as opposed to areas that have much worse connectivity. The NE provides connectivity to north hwy. 97 via Deschutes Market road as well as close proximity to hwy. 20 east. , St. Charles hospital Bend Research and many other large employers as well as the Bend Airport/Powell Butte hwy.

c. The area has ***relatively large flat tracts of land that will offer more affordable housing options*** than many other areas under consideration.

Finally, ***it is important to include the entire 240 acre rectangle in the northeast where there will be a natural synergy*** and connectivity of the existing and planned roads like the extension of Yeoman and Cole roads ...in all directions.

Thanks very much for your time and consideration,

Rick Lane/ Perfect Rectangle

**Lori K. Murphy**  
[lori.murphy@millernash.com](mailto:lori.murphy@millernash.com)  
541.749.3305 direct line

October 7, 2015

**VIA HAND-DELIVERY**

City of Bend Technical Advisory Committee on  
Urban Growth Boundary Remand

Subject: Perfect Rectangle: Sage Wind Farm LLC

Dear TAC Members:

A rectangular, relatively flat 240 acres of property at the northeast edge of Bend city limits deserves a second look as a valuable addition to the scenarios for urban growth boundary (UGB) expansion. The site is located between Butler Market Road and Deschutes Market Road. The acreage comprises a perfect rectangle and is a perfect place to expand the UGB. Since this is the year of shapes (the "elbow," the "thumb"), we suggest this location be called the "Perfect Rectangle".

While there is humor in naming the acreage, it is more important to select expansion areas that make financial sense; those areas that perform well under Goal 14 factors and those areas without significant adverse effects on the existing transportation, sewerage and water systems.

The Perfect Rectangle meets the criteria for an UGB expansion and is rated highly in the objective analysis. It was included in the UGB expansion plan in January 2009. All land within the Perfect Rectangle is zoned MUA-10, a non-resource designation, or UAR-10, Urban Reserves, another non-resource designation. Both designations are equal in priority for expansion. As exception lands, the landowners have expected urbanization to occur on their land for over twenty years. Neither designation requires protection like farm or forest lands. City planners and consultants seemed to believe the land was resource land or that UAR zoning (not approved by LCDC) which would trump MUA. That misconception seems to have originally eliminated the Perfect Rectangle from consideration.

The Perfect Rectangle is ideal for a self-contained complete community. It offers direct walkable access to Bend Park and Recreation District parks, including the adjacent Pine

Portland, OR  
Seattle, WA  
Vancouver, WA  
Bend, OR  
Long Beach, CA

City of Bend TAC on UGB Remand

October 7, 2015

Page 2

Nursery Park; easy access to schools with all three levels of schools located less than 5 minutes away; and efficient and timely growth due to the immediately adjacent developed communities in Monticello Estates and Mountain View neighborhoods.

The Perfect Rectangle offers an opportunity for master planning. The site is relatively flat with little development. Larger areas, like this 240-acre site, are easier and more efficient to plan and develop than small parcels and flat, rectangular land is easier to develop than hilly or oddly shaped parcels. Here, much of the land is cleared making it cost efficient to develop. Of all the scenario areas, it requires the least mitigation for wildfire danger.

The property offers ease in connectivity and access to employment centers. The site is currently surrounded by arterial roads, which include bike lanes on both sides. Because of the updated improvements to Butler Market Road, Deschutes Market Road, and Deschutes Junction in the past ten years, this area provides the best travel time from the east side sites to downtown, the Forum, Bend River Mall, Cascade Village Shopping Center, the Bend Parkway, Deschutes Junction, Redmond, Powell Butte, and Prineville.

The Perfect Rectangle offers cost effective infrastructure. The site is located at the northern end of the city sewerage system. The sewage flows north to the city's interceptor that delivers all the sewage to the sewage treatment plant. The primary interceptor crosses the Perfect Rectangle as it heads out of town to McGrath Road. Unlike the other sites being studied, sewage will not overload smaller pipes in southeast Bend or need lift stations such as sites to the west. The water reclamation plant is nearby. The area can be served by gravity and drain directly into the interceptor.

Selecting this site will support the city meeting the requirements for orderly and efficient UGB expansion and development. It is much more efficient and easier to plan and develop larger parcels of vacant land than subdivided or partitioned parcels that have already been developed. The state directs the city to look at parcels that can be aggregated into 50 acres or more. That can be done relatively easily in the Perfect Rectangle, which is sparsely developed.

The city planners also discounted the area when they noted the number of tax lots (45) in the 240-acre area. It is easier to identify large parcels owned by a single owner because we assume large acreage parcels will make development easier, quicker, and more affordable. Here, much of the ownership of the Perfect Rectangle is grouped with several owners owning multiple lots. The parcels can be aggregated to make it easier to

City of Bend TAC on UGB Remand  
October 7, 2015  
Page 3

plan and develop the area. This allows the owners to more easily cooperate to make their properties available in at least 50 acre units for efficient urbanization.

Including the Perfect Rectangle in the UGB is consistent with the state's procedure for expanding the UGB: the state encourages the aggregation of existing parcels not in the same ownership where the owners agree to make the land available as a unit of land of at least 50 acres.

The following report shows that bringing the area into the UGB meets the city's project goals and Oregon's requirements for selecting land for UGB expansion.

Best regards,



Lori K. Murphy

Attachment  
cc: Clients

Portland, OR  
Seattle, WA  
Vancouver, WA  
Bend, OR  
Long Beach, CA

**MILLERNASH.COM**

70054024.3

06112

**THE PERFECT RECTANGLE**

***Looking northwest into a 10.06 acre parcel, Map 171223, tax lot 106, near the intersection of Butler Market Road and Hamehook Road, at 21648 Butler Market Road, zoned MUA-10.***

**LOCATION**

The area is bounded on the south and east by Butler Market Road, which makes a 90 degree turn to the north at the northern edge of Hamby Road, and then runs along the eastern section line between Sections 23 and 24. At the northern Section line, between Sections 23 and 14, where it meets Hamehook Road, Butler Market Road turns 90 degrees to the east and heads to the Bend Airport and the intersection of the Powell Butte Highway. Butler Market Road forms the southern and eastern boundaries of the properties in the east half of the NW 1/4 and the entire NE 1/4 of Section 23.

The area is bounded on the west by Deschutes Market Road. The northern boundary of Section 23 forms the northern line. Yeoman Road and Butler Market Road follow the alignment of the northern section line. Easements for the future eastward extension of Yeoman Road to connect with Butler Market Road in a straight line are already attached to some of the deeds of properties along the northern section line. The future extension has been shown on maps.

The following page photo shows the 240 aggregated acres that comprise the Perfect Rectangle. The photo indicates the properties that are the subject of this request. The rectangular area is outlined in red. The North Unit Irrigation Canal that delivers irrigation water to Jefferson County is in the subject area. The water in the canal flows north and crosses the Crooked River. It serves users in Jefferson County, not in Deschutes County.

The dark green circular area just west of the Perfect Rectangle indicated with a red line is the off-leash dog park at Bend Pine Nursery Park. The area of grey "blacktop" inside the box at the lower right side is the parking lot for the new \$4,000,000 Seventh Day Adventist Church, at 21610 Butler Market Road. A driveway connects that church with the Fellowship at Bend Church located at 21530 Butler Market Road. The churches primarily serve Bend residents.

Portland, OR  
Seattle, WA  
Vancouver, WA  
Bend, OR  
Long Beach, CA

**MILLERNASH.COM**



***The Perfect Rectangle UGB expansion site is indicated by the red line. The North Unit Irrigation Canal passes through the western edge. The Bend Sewage interceptor also flows north in the western side. The Pine Nursery Park and Deschutes National Forest Headquarters are west of Deschutes Market Road on the western boundary. Butler Market Road forms the southern and eastern boundaries. Two churches are in the southeastern corner.***



***Looking northwest at the Seventh Day Adventist Church located in the southeast corner of the rectangle, at 21610 Butler Market Road.***



***Looking north at the Fellowship at Bend Church in the southeast corner of the rectangle.***

## BULLETED LIST OF KEY FEATURES OF THIS UGB EXPANSION SITE

- Better served by parks than nearly any area of the city.
- Already within the Bend Parks and Recreation District.
- Bend Pine Nursery Park is across the street to the west.
- The area has the best BPRD parks adjacent to it and within 1.5 miles.
- Relatively low cost of connecting to sewerage.
- Domestic water lines are across the streets to the west and south.
- City sewer interceptor runs across the subject area.
- Two and three-lane, well maintained, county arterial roads surround the area.
- Butler Market Road has good access to the Bend Parkway with existing overpass and on and off ramps to the Bend Parkway.
- Dedicated and striped bike lanes are on Butler Market and Deschutes Market Roads.
- Fast travel times to downtown Bend and three major shopping centers.
- Relatively flat terrain is desirable for development and for constructing and operating the urban infrastructure.
- A full service fire station is 1.2 miles away.
- Fire hydrants are in place along the eastern, southern and western boundaries.
- The site is more than ten miles from any forest and is surrounded on three sides by parks and residential subdivisions, resulting in less forest or wild fire danger.
- This is the best site for orderly and efficient development of urban services.
- Newer urban residential developments are located on south and east sides, just across the roads.
- Sparse houses and outbuildings as shown on aerial photos allow aggregated parcels.
- Parcels can be aggregated into 50 acre units for efficient development.
- Most of the land is in unimproved juniper scrub and other parcels of cleared land are no longer farmed.
- Two contiguous parcels are for sale now and other owners are ready to sell.
- Development can occur relatively quickly.
- No significant adverse effects on surrounding properties.
- Housing in the northeast can be affordable.
- Development can be mixed use.
- Rectangular shape enables more connectivity and ease of developing site.
- The subject area includes 240 acres, a manageable size.
- The elementary school, middle school, and high school are less than 5 minutes away.
- The new Ponderosa Elementary School and Buckingham School are on either side of the property.

## DESCRIPTION of SUBJECT AREA



***Looking north from Butler Market Road just west of Cole Road. Map 171223 Tax Lot 702, 9.28 acres.***

The site is generally flat. The highest point in the 240 acre Perfect Rectangle is a gentle rise just east of Cole Road and runs north-south. A beautiful view is seen from all locations in the UGB expansion area site. Views of the Cascades, Powell Butte, Awbrey Butte, Pilot Butte and Smith Rock can be seen.

A lateral of the Central Oregon Canal maintained by COID, that diverts water from the Deschutes River south of Bend, crosses the site from south to north at the highest point. The lateral is about three feet wide and 1.5 feet deep. Some properties have water rights, some don't. Some who don't farm have deeded the water rights back to COID. The concrete trapezoidal North Unit Canal crosses the site on the western side. It does not bring irrigation water to anyone in Deschutes County. The Bend Sewerage System Interceptor also crosses the site, where it is buried deeply. Utility poles mark the northern boundary.

Vegetation includes juniper trees, bitterbrush, sagebrush, rabbit brush, wild grasses and wild grains. Lawns and landscaping are around the homes and churches. A handful of properties include irrigated pastures. A few goats and some horses are the livestock observed.

Two churches are located in the southeast corner. Other than those structures the other parcels have homes that are generally more than 25 years old and some outbuildings. Most houses are one story and are set back from the roads in the rocky juniper scrub lands. A riding arena is on Cole Road.

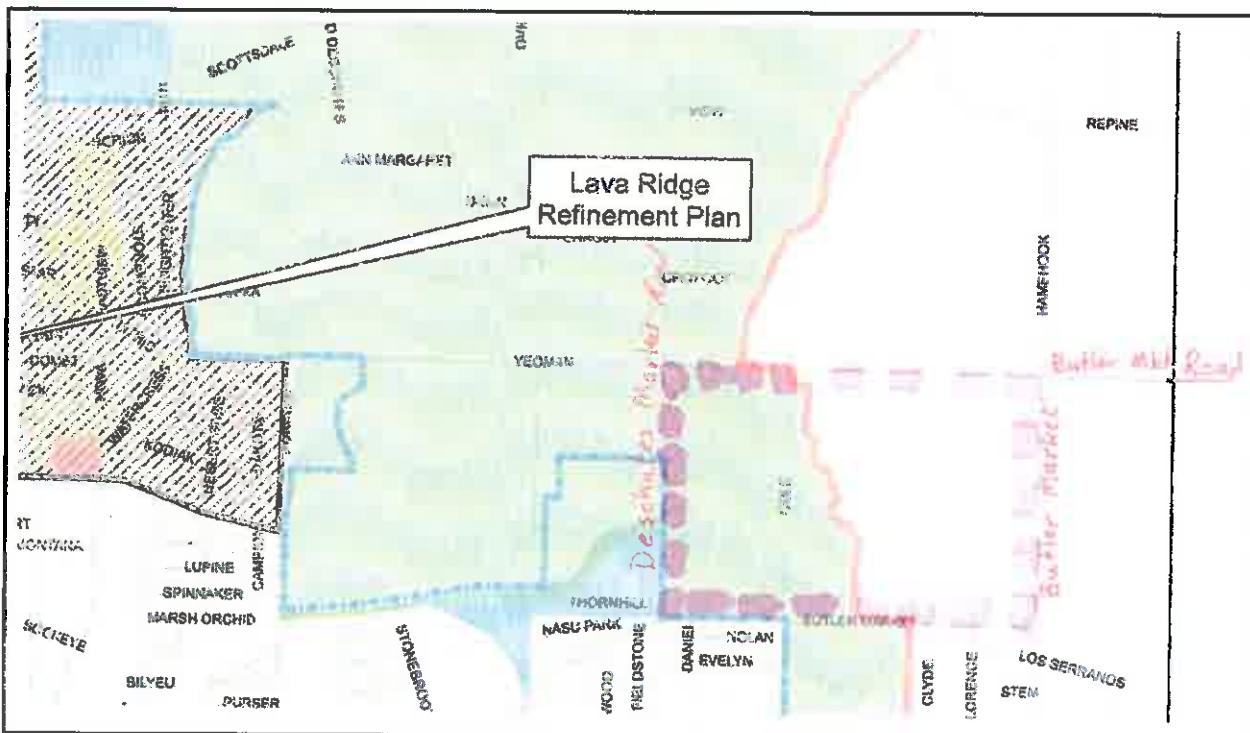
## TAX MAPS AND TAX LOTS in the RECTANGULAR UGB EXPANSION SITE

The following parcels are in the east half of the NW ¼ and the entire NE ¼ of Section 23, T 17 S, R 12 E: (East of Cole Road and adjacent to and south of northern section boundary)

TAX LOT NUMBER	ADDRESS	OWNERS NAMES	PARCEL SIZE in ACRES
99	No situs address	Deschutes County	0.08
100	63190 Cole Road	Kenneth E. Crenshaw Jr., Peggy Ann Crenshaw	5.06
200	No situs address	Charlene A. Cooper Revocable Trust	6.00
300	63184 Cole Road	Charlene A. Cooper Revocable Trust	4.12
400	63182 Cole Road	Charlene A. Cooper Revocable Trust	0.30
500	63180 Cole Road	Richard B. Hight III	1.38
600	63140 Cole Road	David C. and Tammy M. Nipper	2.87
700	63130 Cole Road	Charlene A. Cooper Revocable Trust	1.33
800	63110 Cole Road	Cascade Ridge Estates LLC, Oregon City	3.42
900	63130 Cole Road	Charlene A. Cooper Revocable Trust	15.50
99	No situs address	North Unit Irrigation District	2.29
100	21634 Butler Market Road	Guy Hamby ET AL	1.21
102	21626 Butler Market Road	John L. Scarborough ET AL	10.00
103	21550 Butler Market Road	Fellowship at Bend	0.85
104	21650 Butler Market Road	John E. and Johnna R. Daniel	12.14
105	21600 Butler Market Road	Gene R. and Nadine Smith	1.43
106	21648 Butler Market Road	Michael L. McOmber	10.06
110	21566 Butler Market Road	Dana and Deborah Parazoo	1.70
111	21644 Butler Market Road	Waterman Family Revocable Trust	3.91
112	21640 Butler Market Road	Bena R. Lechner	1.52
113	21646 Butler Market Road	Arnold T. and Adrienne R. Reinhart	2.50
115	21620 Butler Market Road	Sage Wind Farm LLC	10.00
116	21610 Butler Market Road	OR Conference Adventist Churches	10.14
200	21504 Butler Market Road	John F. and Elizabeth A. Short	7.17

300	21444 Butler Market Road	L & D INC	1.13
301	63010 Cole Road	Billy M. Dual Jr. and Deborah J. Shomberg	3.26
400	21460 Butler Market Road	Doug and Carol Suchy	11.86
401	63070 Cole Road	McQueen Partners	7.42
402	63030 Cole Road	Shannon Dale Heinlein ET AL	7.58
403	No situs address	Deschutes County	0.36
404	No situs address	McQueen Partners	7.05
700	63135 Cole Road	Jean Curl Trust	16.88
701	63070 Deschutes Market Road	Aune V. Helgesson Trustee	3.71
702	21389 Butler Market Road	Mark A. Neuman IRA ET AL	9.28
703	63190 Deschutes Market Road	Kathleen M. West	2.61
704	63175 Cole Road	Jean Curl Trust	4.15
705	No situs address	Aune V. Helgesson Trustee	6.43
706	63109 Cole Road	Vachir LLC	4.87
707	No situs address	Jean Curl Trust	8.30
708	63090 Deschutes Market Road	Barnhill Living Trust	1.78
709	63050 Deschutes Market Road	Michael A. Heath Trust	2.37
710	63110 Deschutes Market Road	Federal National Mortgage Association	1.85
711	63060 Deschutes Market Road	Magdelana Beth Harlow ET AL	0.97
712	63080 Deschutes Market Road	Jennifer F. Fahrenthold	1.50
713	21350 Butler Market Road	Denora and Elwood Costlett	9.64

**NORTHEAST PORTION OF THE BEND GENERAL PLAN MAP SHOWING THE SUBJECT PROPERTIES SURROUNDED BY PINK DOTS AND THE LAND DESIGNATED URBAN RESERVES IN LIGHT GREEN AND THE LAND DESIGNATED MUA-10 IN WHITE.**



## **BOUNDARIES**

West: The Perfect Rectangle is bordered on the west (left) by Deschutes Market Road.

North: Utility poles indicate the section line that forms the northern boundary. The northern line is the boundary line between Sections 23 and 14 in T 17 S, R 12 E. The northern section line is in line with Yeoman Road on the west (left) and Butler Market Road on the east (right.)

South: The Perfect Rectangle is bordered by Butler Market Road east/west on the south.

East: The Perfect Rectangle is bordered by Butler Market Road on the east. As Butler Market runs north/south, it forms the boundary line between Sections 23 and 24 in T 17 S R 12 E.



***COI lateral at northern edge of Butler Market Road at high point of site. Slope drops off to east and west. Residential lawn on right. Wild grains and juniper scrub lands along ridge.***

## **ROADS**

The road network is ideally suited for urbanization. The level of service on all roads is high. Butler Market Road has on and off ramps at an overpass of the Bend Parkway and has a signalized intersection with two dedicated left (southerly) turn lanes at Third Street. The road has dedicated and striped bike lanes for its length. It is three to four lanes between Cole/Eagle Roads and Third Street. From Cole/Eagle Roads to Hamby Road, it is two lanes with dedicated bike lanes. The middle lane of the three-lane sections is a dedicated turn lane. The middle lane between Deschutes Market Road and Cole/Eagle Roads is a raised landscaped median with pedestrian refuges.

Deschutes County rural arterial roads form the western, southern and eastern boundaries of the subject area. Public roads in the area include:

### **1. Deschutes Market Road.**

Deschutes Market Road forms the western boundary. It is a two-lane Deschutes County Rural Arterial with a 30-foot wide Macadam paved surface. Its County right-of-way is 60 feet. The 2011 traffic count on the road was 4,737 trips per day.

### **2. Butler Market Road.**

Butler Market Road forms the southern and eastern boundaries. Around the subject site, it is a two to three-lane Deschutes County Rural Arterial with an Asphaltic Concrete paved surface. The two-lane portion with bike lanes on the eastern and the southeastern sides consist of a paved surface width of 32 feet and the right-of-way is 60 feet. The 2010 traffic count on the east-west portion of the road, south of the subject properties, was 3,892 trips per day. The 2010 traffic count east of the properties in the north-south portion of the road was 3,163 vehicles per day.

### **3. Cole Road**

Cole Road is an un-striped road classified by Deschutes County as a Rural Local road. It's paved with a Macadam surface. Its surface width is 21 feet and its county right-of-way width is 50 feet. No traffic count has been done.

### **4. Waterman Way**

Waterman Way is classified by Deschutes County as a Rural Local road. It is a graded dirt and gravel road. It has an 11-foot wide lane. Its right-of-way is 30 feet. No traffic count has been done. The county does not currently maintain it.

## 1. DESCHUTES MARKET ROAD



**Deschutes Market Road looking north from intersection at Butler Market Road. Rectangular UGB Expansion area on right. Monticello Estates in City of Bend on the left (west).**



**Looking south from two-lane wide Deschutes Market Road to intersection of three-lane wide Butler Market Road. Rectangular UGB Expansion area is on left (east). Both roads have bike lanes. Subdivisions in City are at south and west of intersection.**

## 2. BUTLER MARKET ROAD



**Subject area is on the left. Butler Market Road, looking east from the intersection with Deschutes Market Road. The stretch of the road from this point to the intersection with Cole/Eagle Roads has a raised landscaped center median with pedestrian refuges. Striped, dedicated bike lanes are on each side.**



**Looking west on Butler Market Road from intersection with Hamby Road. The road is two lanes with bike lanes between this point and Cole/Eagle Roads. The site is on the right.**



***This photo is looking north on Butler Market Road between Hamby Road and Hamehook Road. The road is two lanes with dedicated bike lanes and a double yellow center stripe for the entire length. The subject site is on the left (west) side of photo.***

### **3. COLE ROAD**



***Cole Road looking north from Butler Market Road. Subject site is on both sides.***

#### 4. WATERMAN WAY



*Waterman Way looking west from Butler Market Road.*

#### DESCHUTES COUNTY ZONING

The 240 acres has two zones.

102.59 acres are zoned UAR-10, Urban Area Reserve, 10 acre minimum, a non-resource zone.

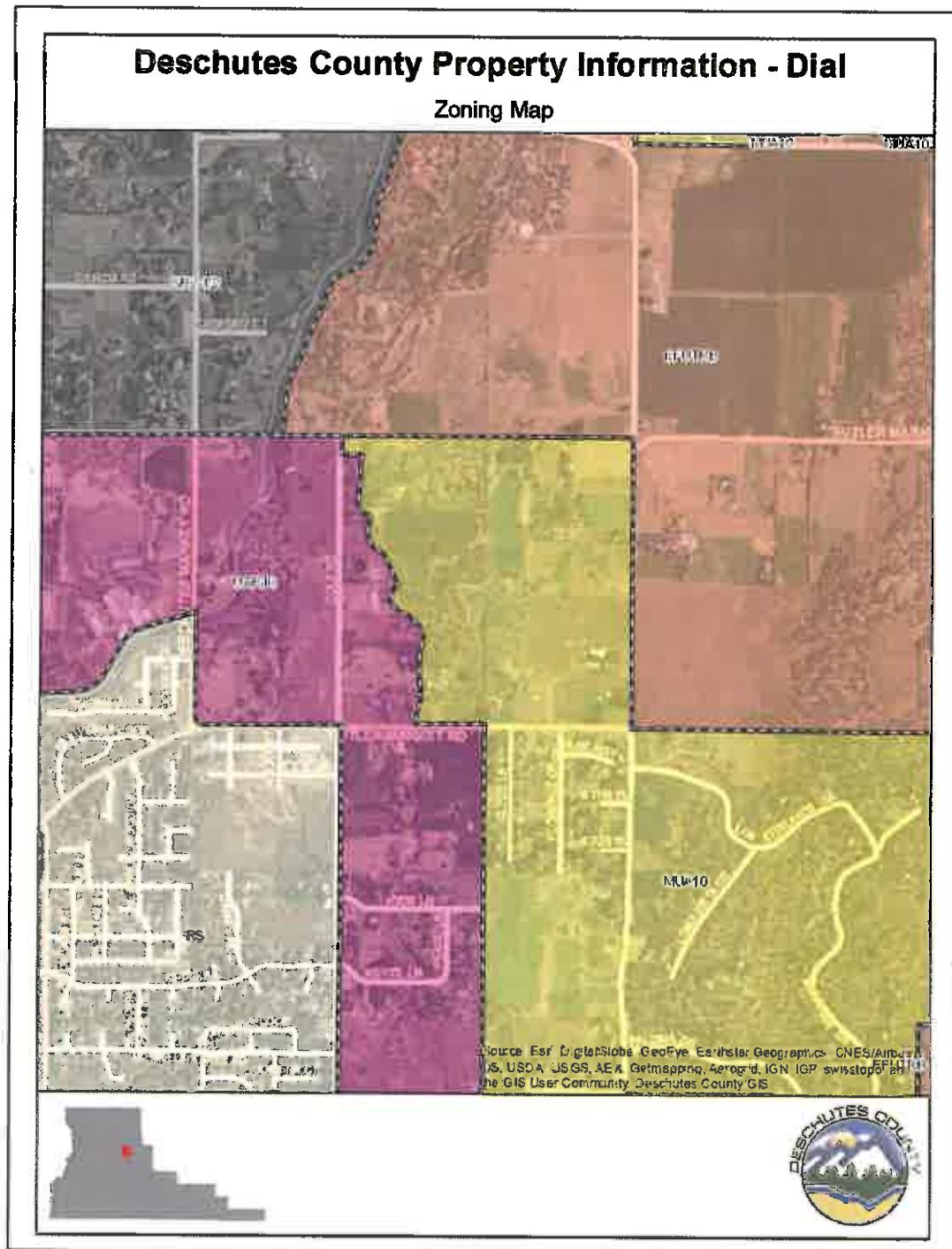
125.39 acres are zoned MUA-10, Multiple Use Agriculture, 10 acre minimum, a non-resource zone.

The balance of the acreage is dedicated road or utility right-of-ways.

The following zoning map shows the Deschutes County zoning of the area.

**SUBJECT PROPERTY: TWO ZONES**

Yellow is MUA-10, a non-resource zone. Magenta is UAR-10, Urban Area Reserve, another non-resource zone.



## **WETLANDS**

Urbanizing this area would have no adverse effects on the man-made wetlands.

The National Wetlands Inventory identifies freshwater storage at five locations in the subject area.

All of them are non-historic, man-made ponds. They are located on the following tax lots:

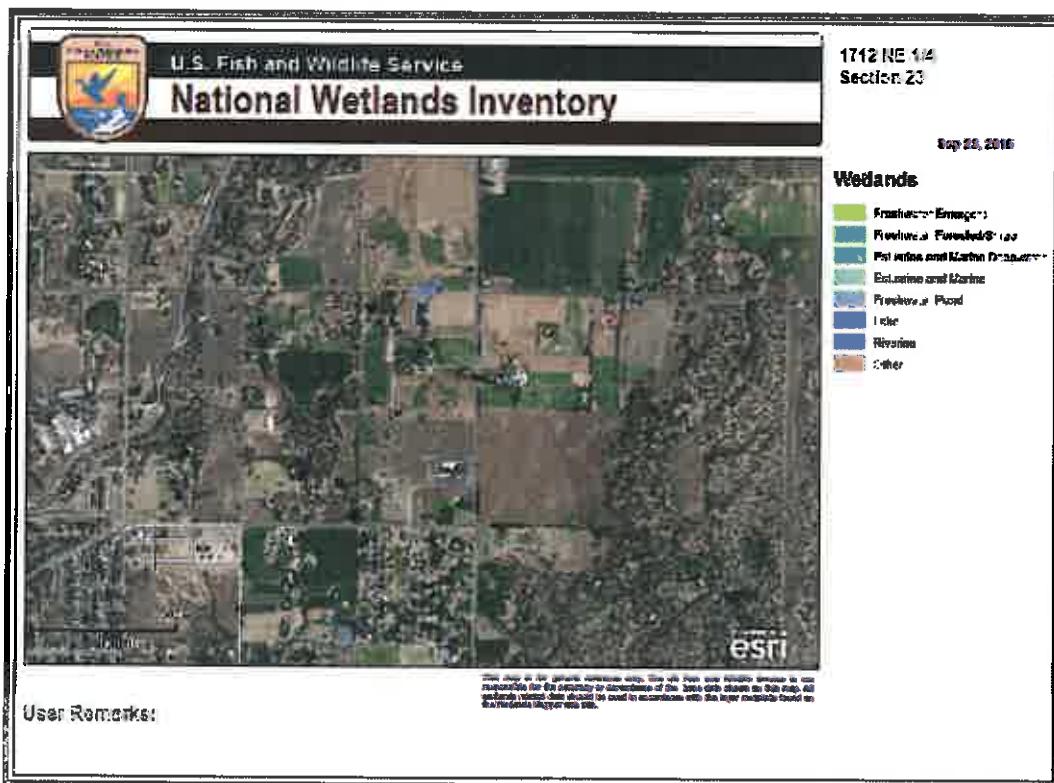
171223 tax lot 704 (one small pond)

171223 tax lot 713 (two small ponds)

171223 tax lot 400 (one small pond)

171223 tax lots 104 and 106 (shared large pond)

The identified wetlands are indicated in steel blue on the inventory map below:



The National Wetlands Inventory Site states,

*"Wetlands provide a multitude of ecological, economic and social benefits. They provide habitat for fish, wildlife and a variety of plants. Wetlands are nurseries for many saltwater and freshwater fishes and shellfish of commercial and recreational importance. Wetlands are also important landscape features because they hold and slowly release flood water and snow melt, recharge groundwater, recycle nutrients, and provide recreation and wildlife viewing opportunities for millions of people."*

## **WILDLIFE**

Urbanizing this area would have no adverse effects on wildlife.

The Oregon Department of Fish and Wildlife has lists of Sensitive Species in Oregon. The list is posted on the ODFW website. The list identifies the distribution of the sensitive and vulnerable species. The subject site is in the Oregon Ecoregion called "Blue Mountains".

The Compass Mapping System on the website classifies land within the state on a scale of 1-6, with 1 being the most crucial habitat to maintain and 6 having the least importance. The map shows 171223 Tax Lot 713 in the southwest corner at Deschutes Market Road and Butler Market Road as having a Class 5 assessment and the remainder of the properties as Class 6, the least important habitat. There is no critical habitat in the subject site and there are no vulnerable or sensitive species in T17S R 12 E, NE ¼ Section 23.

The Bend office of the Oregon Department of Fish and Wildlife provided the City with a wildlife assessment for the ring two miles around the current UGB as part of this UGB study. The information shows that the subject area is not a big game area and does not have important habitat for deer or elk. No other important species are found here.

## **WILDFIRE**

The area has a low wildfire risk. The prevailing winds blow from west to east. There is no forest within 10 miles.

To the south are urban residential subdivisions and irrigated small hobby farms.

To the west are urban residential subdivisions and the parking lots, trails and ball fields of the Bend Pine Nursery Park and dog park and Ponderosa Elementary School.

To the east are irrigated farmland s and cattle. To the north are irrigated hobby farms and scrub lands.

The City's assessment of fire risk classifies the area as "Mosaic" because it is a mixture of mostly open fields that were formerly cultivated, irrigated grasses and juniper scrub lands.

## **FIRE STATIONS**

A relatively new full service fire station is located 1.2 miles south of the subject area at 62420 Hamby Road.

Eight fire hydrants are along the eastern edge of the subject site along Butler Market Road and at the two churches. Urban areas to the south and west have fire hydrants on every block. Other fire hydrants are in the 1970s subdivision south of the site and east of Eagle Road.



***Fire Station 1.2 miles south of the subject area at 62420 Hamby Road***

## **PARKS**

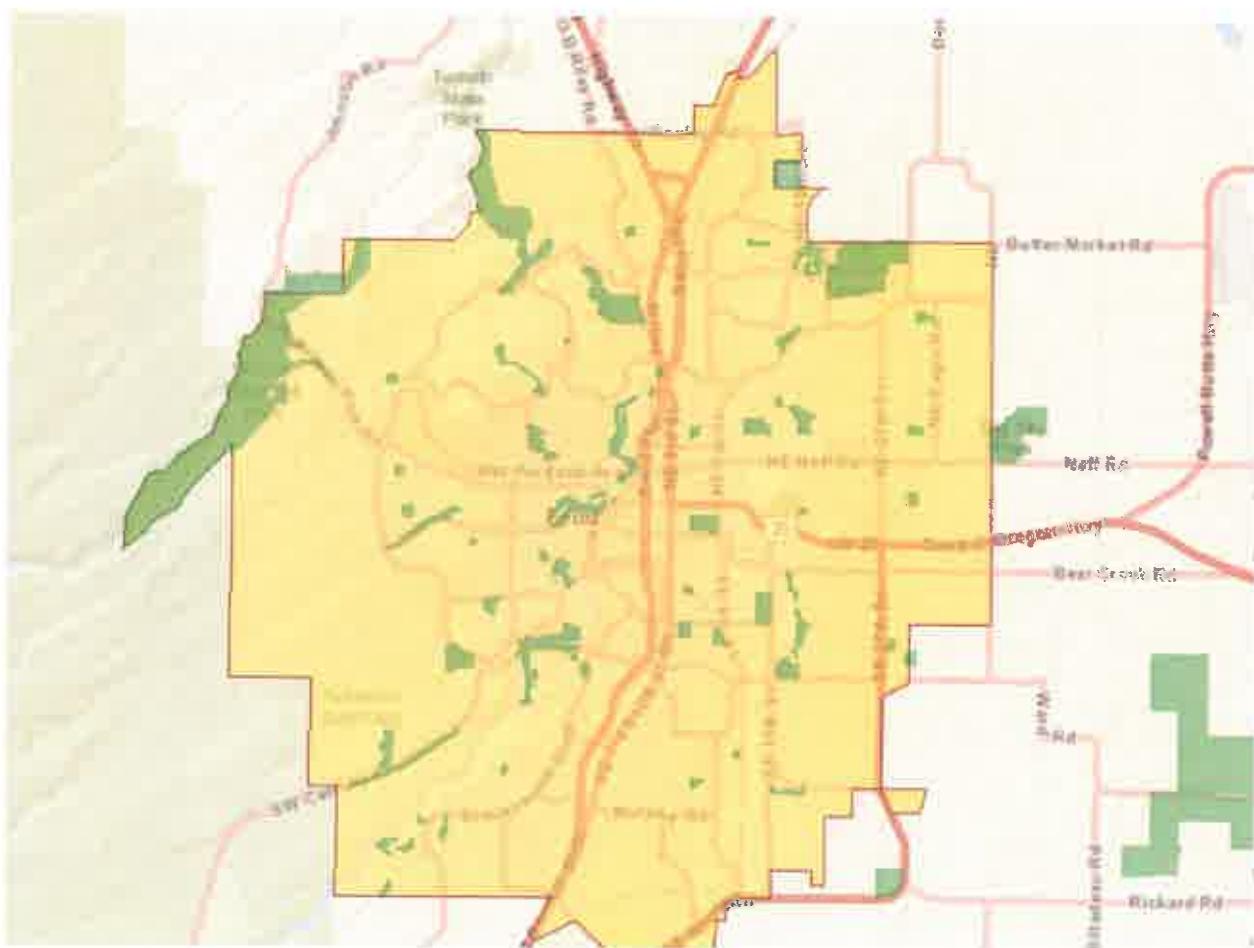
The subject area is better served by parks than nearly any area of the city. The following map shows that the subject area is within the Bend Metro Parks and Recreation District. The area in the district is indicated by yellow. The northern boundary to the subject area is also the boundary line for the parks district. Green indicates parks. All property owners in the subject area currently pay property taxes to the park district.

The subject area is adjacent to the district's flagship 159-acre Pine Nursery Community Park. The park is on its western side and runs between Deschutes Market Road, Yeoman Road and Purcell Boulevard.

The subject area is 1 mile north of the 72-acre Big Sky Park – Luke Damon Sports Complex on Neff Road.

Four other parks are within 1.5 miles of the subject area:

- The undeveloped Lava Ridges Park on Yeoman Road next to the Pilot Butte Canal,
- The undeveloped Rock Ridge Park at the corner of Egypt Drive and 18<sup>th</sup> Street,
- Boyd Park, 20750 NE Comet Lane, and
- Mountain View Park completed in 2007 at 1975 NE Providence near NE Connors Ave.



The 159 acre Pine Nursery Community Park and 15 acre Off Leash Dog Recreation Area is adjacent to the subject area. The following description of that flagship park is from the BPRD web site.

### ***"Pine Nursery Community Park"***

*"Pine Nursery Park is located in northeast Bend between Purcell, Deschutes Market, and Yeoman Roads and consists of 159 acres. With construction beginning in 2007, District plans call for developing community park facilities, a neighborhood park, sports complex, natural areas, fitness trails, bike trails, nature trails, fishing pond, support facilities, connections to surrounding residential lands, an off-leash recreation area, and room for future expansion. The Bend La Pine School District's Ponderosa Elementary School is next door on 15 acres at the Northwest corner of the park."*

*"So much to do! Phase one and two completed construction includes:*

- 4 Youth – Adult Softball Fields, 60-70 ft. baseline, 325 ft. outfield fence.
- Field house, dugouts and spectator amenities
- 4 Soccer Fields can be overlaid for seasonal/tournament play
- 8 Pickleball Courts with 8 additional courts under construction.
- Disc golf course
- 14-acre off-leash area for dogs including grass field, splash pad, walking trails and separate small dog area
- Paved bike/pedestrian loop (1.3 miles) and connections to existing roads.
- A fishing/irrigation pond for landscaping in partnership with Oregon Fish & Wildlife.
- Park space and landscaping for picnics and recreation
- Fencing and access for field maintenance area
- User trails through natural park areas.
- Dog stations, trash receptacles, drinking fountains, bike parking and signage
- Parking
- Restrooms
- Picnic shelters
- Two street entrances: one on Purcell and one on Yeoman"

### ***"Pine Nursery Park- Bob Wenger Memorial Dog Off-Leash Area"***

*"14 acres with walking trails, natural areas, grass field, splash pad and small dog area"*

*"Located at the corner of Deschutes Market Road and Yeoman Roads, the Bob Wenger Memorial Off-Leash Area is a great place for residents to take their pets to socialize, exercise and train. The area is self-managed by pet owners who clean-up and supervise their pet's behavior. Local pet groups partner with the district to provide additional clean-up, education and management of the off-leash areas provide throughout the district. The area can be accessed via paved trails from both parking lots."*

## **Big Sky Park – Luke Damon Sports Complex**

*Turf areas include space for four regulation soccer fields as well as a baseball field and a softball field. Big Sky is also home to a BMX track that was completed in 1995 and is currently leased out to High Desert BMX.*

*Thanks to a tremendous volunteer effort coordinated by the Bend Park and Recreation Foundation, two covered picnic shelters and one playground have been added to the park as well. Big Sky Park's most recent addition is the popular off-leash dog park. Big Sky Park Luke Damon Sports Complex is a full service sports facility, hosting District sports programs as well as those sponsored by local youth and adult sports associations.*



The off-leash area features:

- Fenced area with grassy play area and natural surfaces
- Walking trails
- Picnic tables
- Water Spigot
- Double gated entry
- Portable toilet

## **Rockridge Park Site**



**Boyd Park**  
20750 NE Comet Lane

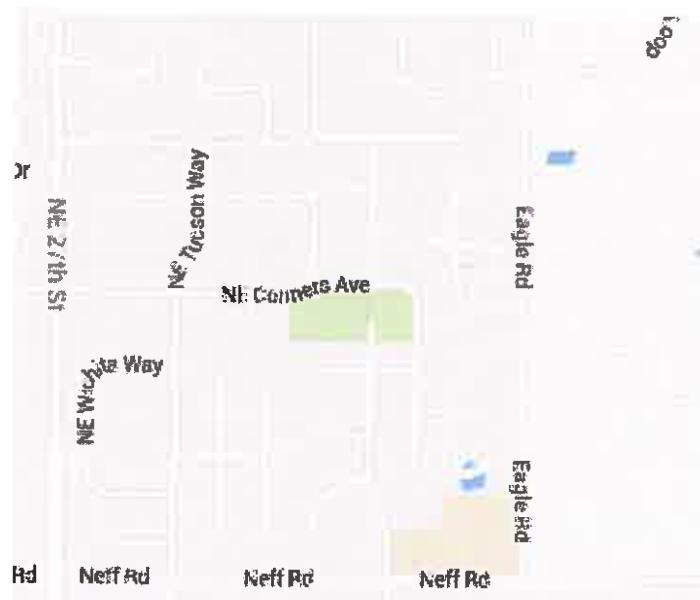
**Park Features**

- Basketball
- Large Picnic Shelter
- Natural Areas
- Playgrounds
- Seasonal Restrooms

**Mountain View Park**  
1975 NE Providence Drive at the corner of Connors.

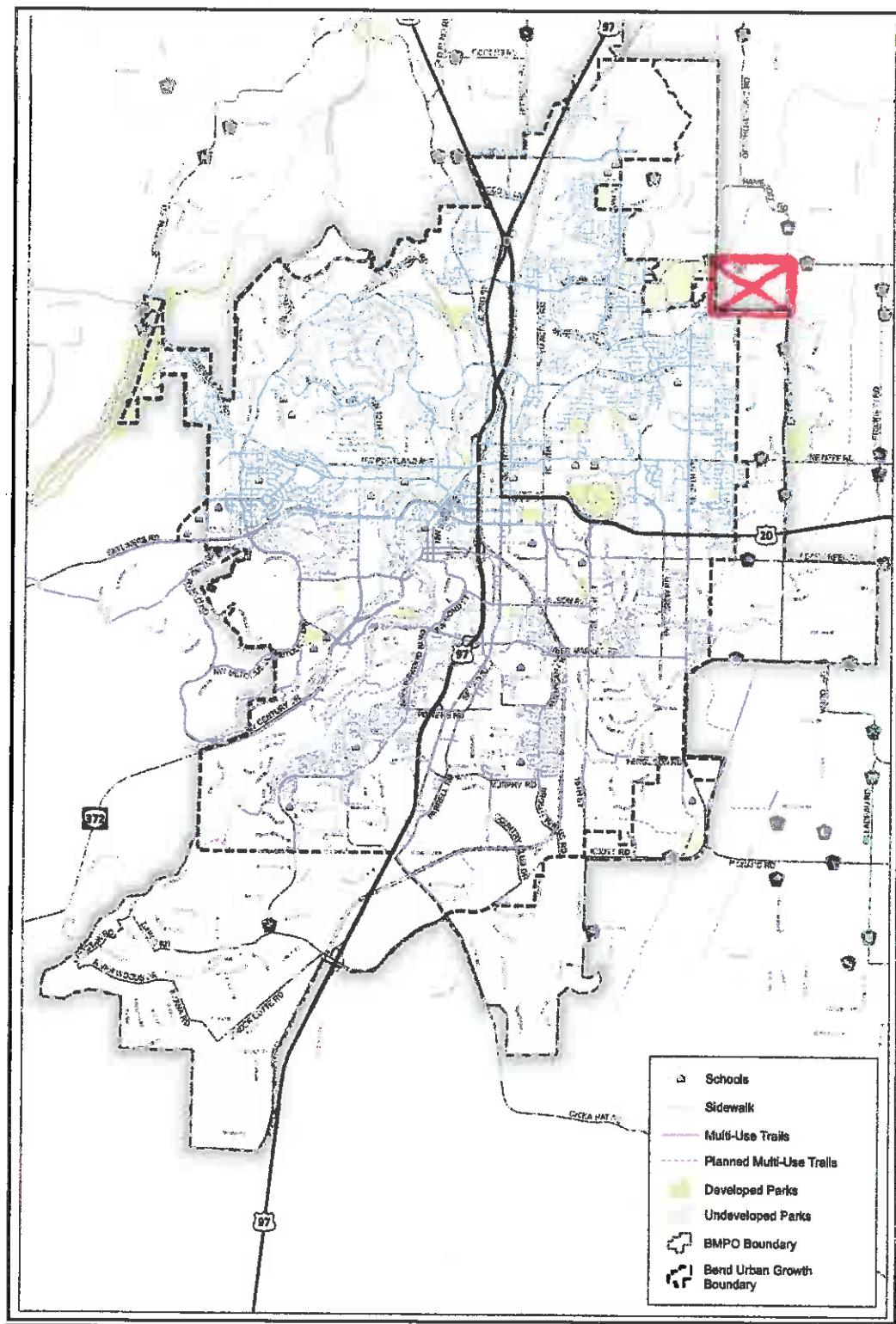


*Completed in 2007, this site is located in the midst of a rapidly growing area with a mix of single and multifamily housing. This park features large open lawn play areas, fully accessible walking trails, a play ground, picnic shelter with capacity for 8, and half-court basketball. Mountain views and views of Pilot Butte make this park perfect for picnics. A portable toilet is on site.*



## SCHOOLS, TRAILS, PARKS, SIDEWALKS

Bend MPO/MTP Map showing locations of schools, trails, parks, sidewalks and UGB. Subject area is indicated as a red rectangle with an "X". Schools, trails and parks are very close by.



## **SCHOOLS**

The area is served by the Bend-La Pine School District. The elementary school, middle school and high school are less than 5 minutes away.

Buckingham Elementary School is at 62560 Hamby Road, 1.1 mile due south of the southeastern corner of the subject area. It is a 4 minute drive.

Ponderosa Elementary School is at 3790 NE Purcell Boulevard, 0.7 mile due west of the northwestern corner of the subject area. It is a 3 minute drive.

The middle school serving the area is Sky View Middle School at 62555 18<sup>th</sup> Street. It is about 1.5 miles from the southwest corner of the subject area and is a five minute drive.

The high school serving the area is Mountain View High School, 2755 NE 27<sup>th</sup> Street. It is located exactly 1.0 mile away from the southwest corner of the subject area and is a 2 minute drive.

## **SEWERAGE SYSTEM EXPANSION**

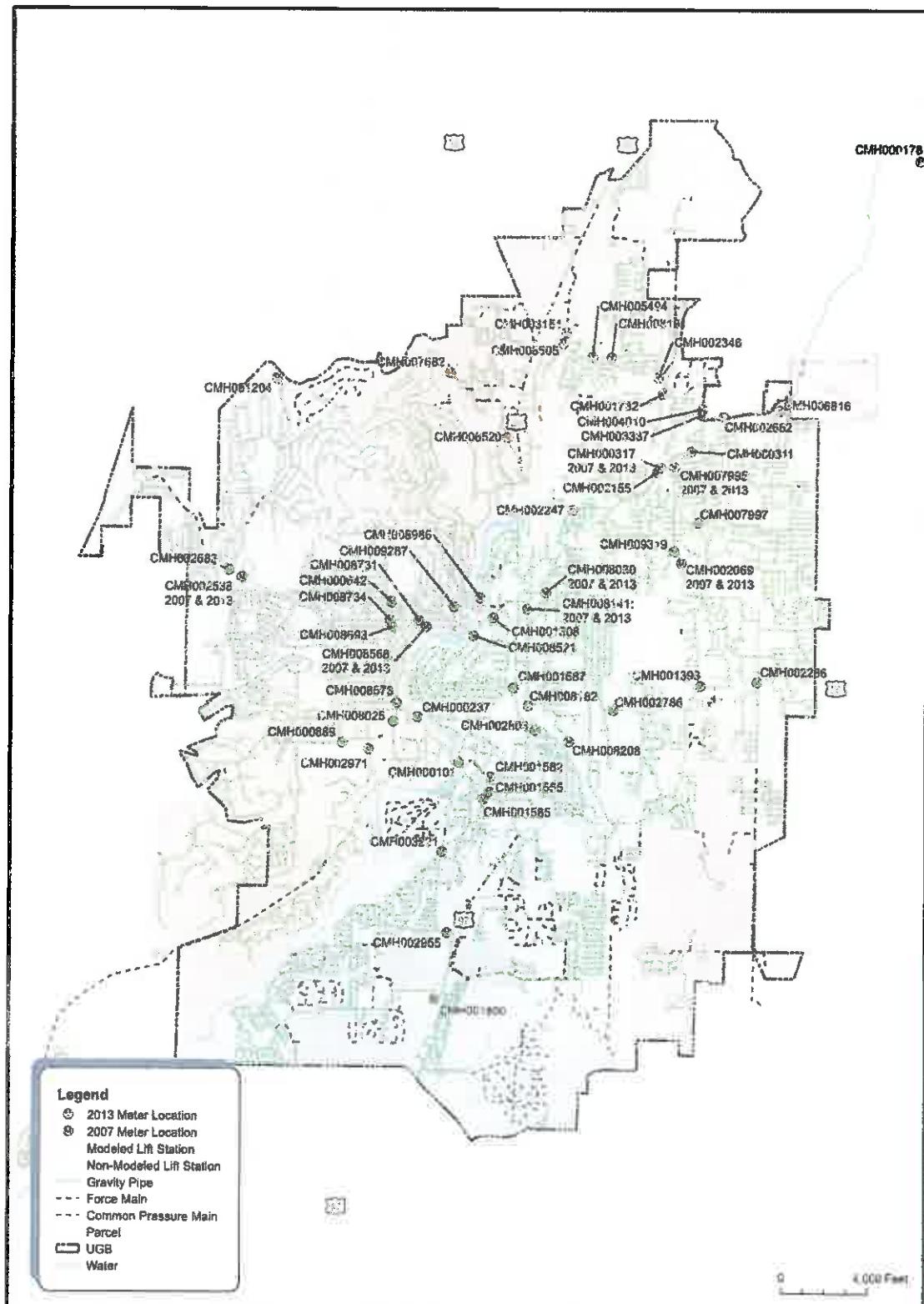
This site is ideal for orderly and efficient development of the sanitary sewerage system. Development of an urban sanitary sewerage system to serve areas brought into the UGB is a major expense. It is important that the cost, ease and efficiency of the new system be analyzed and calculated.

In this case, the interceptor that joins the entire City collection system to the treatment plant on McGrath Road runs through the subject area. It is deep enough at this location to serve the subject area by a gravity system, the least costly situation. Further, the planned Hamby Road sewer interceptor runs along the east boundary of the Perfect Rectangle. The study of relative costs and efficiency of developing the sewerage system in potential UGB expansion sites demonstrates the low cost in this area. No costly lift stations will be necessary.

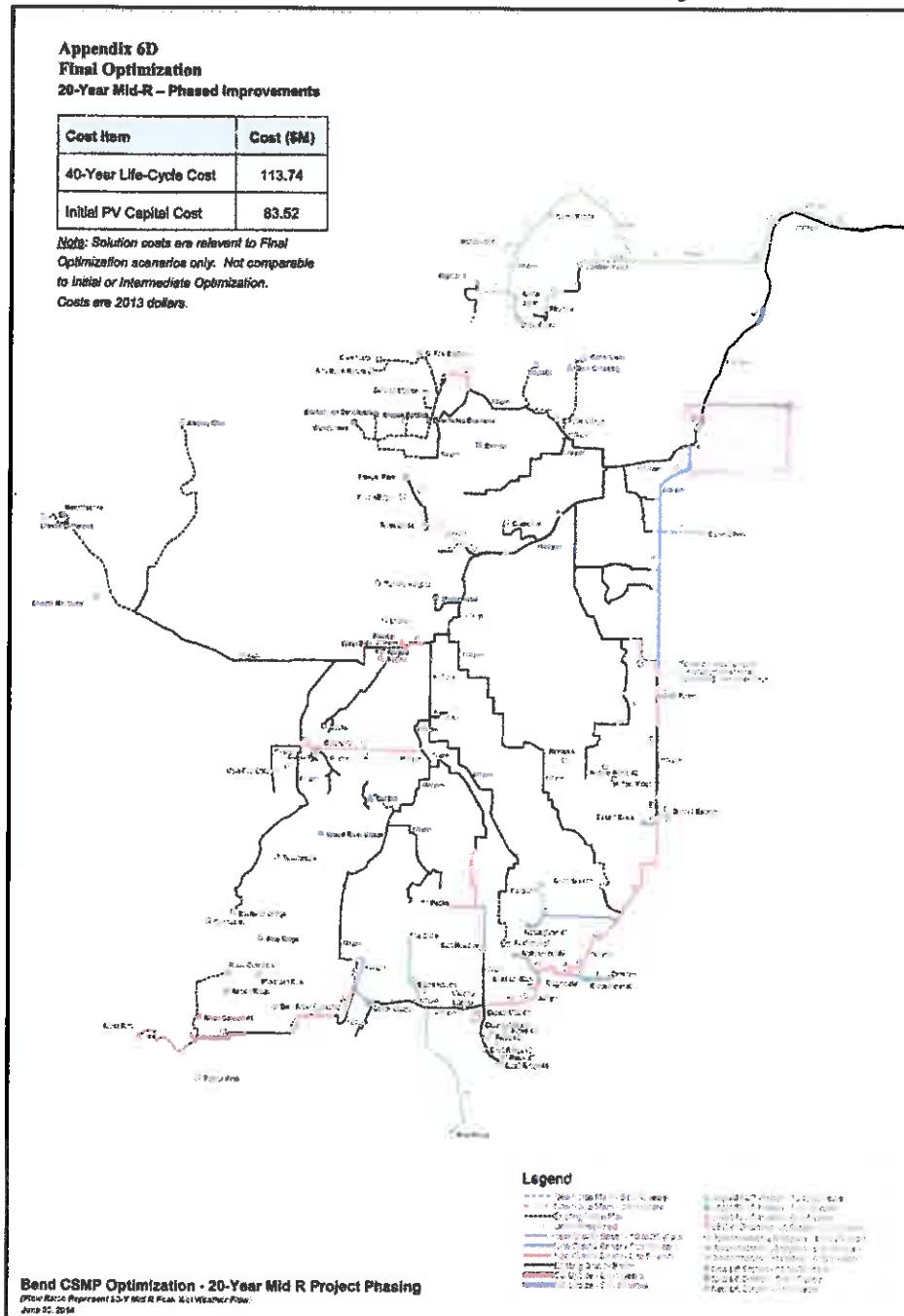
The terrain is nearly flat, which also keeps costs of a sewage collection system relatively lower than other areas. No pumping stations will be necessary.

The attached two figures from the City of Bend Collection System Master Plan show that the subject area drawn in pink adjoins the urban area that is currently served. The blue line is the interceptor taking all sewage northeast from the city collection system to the sewage treatment plant.

**City of Bend Collection System Master Plan Figure 4B-1, 2007-2013 Flow Meters.  
Rectangle outlined in pink shows the subject area on the upper right side.**



**Appendix 6D of the City of Bend Collection System Master Plan. North at top of figure.  
Rectangle outlined in pink shows the subject area.**



## **DOMESTIC WATER SYSTEM EXPANSION and STORMWATER COLLECTION**

This site is ideal for orderly and efficient development of the domestic water system. Avion currently serves the area. City water is available immediately south and west of the site.

The terrain allows a new City water system that flows by gravity, a much less costly alternative than pump stations. The area is relatively flat and has fewer surface rock and rock outcroppings than in many areas around Bend. A rocky area runs north-south just east of Cole Road, in an uncultivated area of scrub juniper. Also, the minimal level of development is an advantage. Some of the tax lots have no structures at all. Most tax lots include some cleared land and most has been farmed at one time or another. No intensive farming is going on in the area. Development consists of some rural homes and outbuildings, most over 25 years old.

Development of an urban domestic water distribution system and a stormwater collection system to serve areas brought into the UGB is a major expense. It is important that the cost, ease and efficiency of the new system be analyzed and calculated. The costs of this area are favorable to its development.

## **EXISTING IRRIGATION WATER**

Currently, although the North Unit Canal flows through the western portion of the subject area, it does not convey or distribute water in Deschutes County. The water is used in Jefferson County.

Irrigation water is provided to the area from a lateral of the Central Oregon Canal that primarily conveys water from a diversion point at the Deschutes River south of Bend to the Powell Butte area. Central Oregon Irrigation District distributes irrigation water to its users who have water rights in the subject area. An open shallow irrigation lateral about 3-feet wide and 1.5-foot deep flows under Butler Market Road and across the ridge in the subject area. A few irrigation ditches branch off of it along Butler Market Road and Cole Road. The lateral continues beyond the northern boundary of the subject site. The system flows northeast by gravity. Some of the water used in the subject area is stored in irrigation ponds in the area. Some of the tax lots do not have recorded rights to irrigation water. Others have chosen to give up a previous right and that change is recorded in their deeds. In this area, only a few small parcels as seen on the aerial photos in green are being irrigated for agriculture.

It is important to note that irrigation water rights have no bearing on the development of exception lands like MUA-10 and UAR-10. Owners may choose to make any beneficial use of that water. The Oregon Department of Water Resources defines the beneficial uses that can use irrigation water conveyed from the Deschutes River by COID. Approved beneficial uses of irrigation water conveyed by the canal include irrigating fields for agricultural crops, Bend Airport, lawns and landscaping in industrial parks, medical facilities, mobile home parks, cemeteries, recreational parks, school yards, and residences. Owners may also return water to the river.

After this area is brought into the UGB, irrigation water can be made available for these uses or conservation, instead of using more expensive City domestic water, which increases the desirability of this area for urbanization.

**Lori K. Murphy**  
lori.murphy@millernash.com  
541.749.3305 direct line

December 14, 2015

**VIA HAND-DELIVERY**

City of Bend  
UGB Steering Committee

Subject: The Perfect Rectangle: Sage Wind Farm LLC

Dear Committee Members:

The "Perfect Rectangle" is the 240 acres of property at the northeast edge of Bend city limits, also known as Butler Market Village. Please include this property in Expansion Scenario 2.1A, as part of the preferred scenario to be approved and adopted.

The Perfect Rectangle is part of the city's existing exception area and is first priority for inclusion in the UGB.

The Perfect Rectangle provides a 240-acre block, allowing the plan for a complete community. It provides the best location for orderly and efficient growth:

1. **Sewer:** The property is directly served by existing sewerage lines: (1) the city's interceptor crosses through the property; (2) the proposed Hamby Road Sewer Interceptor extends along the eastern Butler Market Road boundary line; and (3) a proposed extension of Yeoman Road could include an extension of the sewerage system. The city's main interceptor is deep enough at this site to serve the subject area by a gravity system, the least costly situation. No costly lift stations will be necessary.

Attached, please find a map showing the availability of sewer and transportation connectivity.

2. **Transportation:** The property is surrounded by major roads allowing access and connected transportation access in all directions. Butler Market Road/Hamby Road serves as an arterial to the Bend Airport, the Bend Sewer Plant, Prineville, and other points east. Deschutes Market Road serves as an

Portland, OR  
Seattle, WA  
Vancouver, WA  
Bend, OR  
Long Beach, CA

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City of Bend TAC on UGB Remand  
December 14, 2015  
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alternate route to points north such as Redmond and Highway 97, further alleviating congestion in the north part of the city. Most of the roads are currently developed to three lanes.

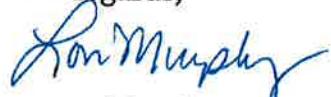
3. **Site Design:** The property is flat with a dirt base, which affords the property to be efficiently developed. Less expensive construction costs will result in affordable homes and affordable commercial sites.

Attached, please find a map showing the existence of predominately level, flat land.

4. **Schools, Parks:** The property is within walking distance of Pine Nursery Park and other parks and is within close proximity of all three levels of schools.
5. **Water:** Avion Water confirmed service for the entire Perfect Rectangle. Confirmation of that service was provided to the USC in the last written testimony.

In conclusion, the Perfect Rectangle scores high in all aspects of the urbanization evaluation. It makes the most sense and sound planning to include this property in the UGB due to its location, site makeup, and ability to provide a complete community for planning. We urge you to include the entire 240 acres to the Scenario Map for approval.

Best regards,



Lori K. Murphy

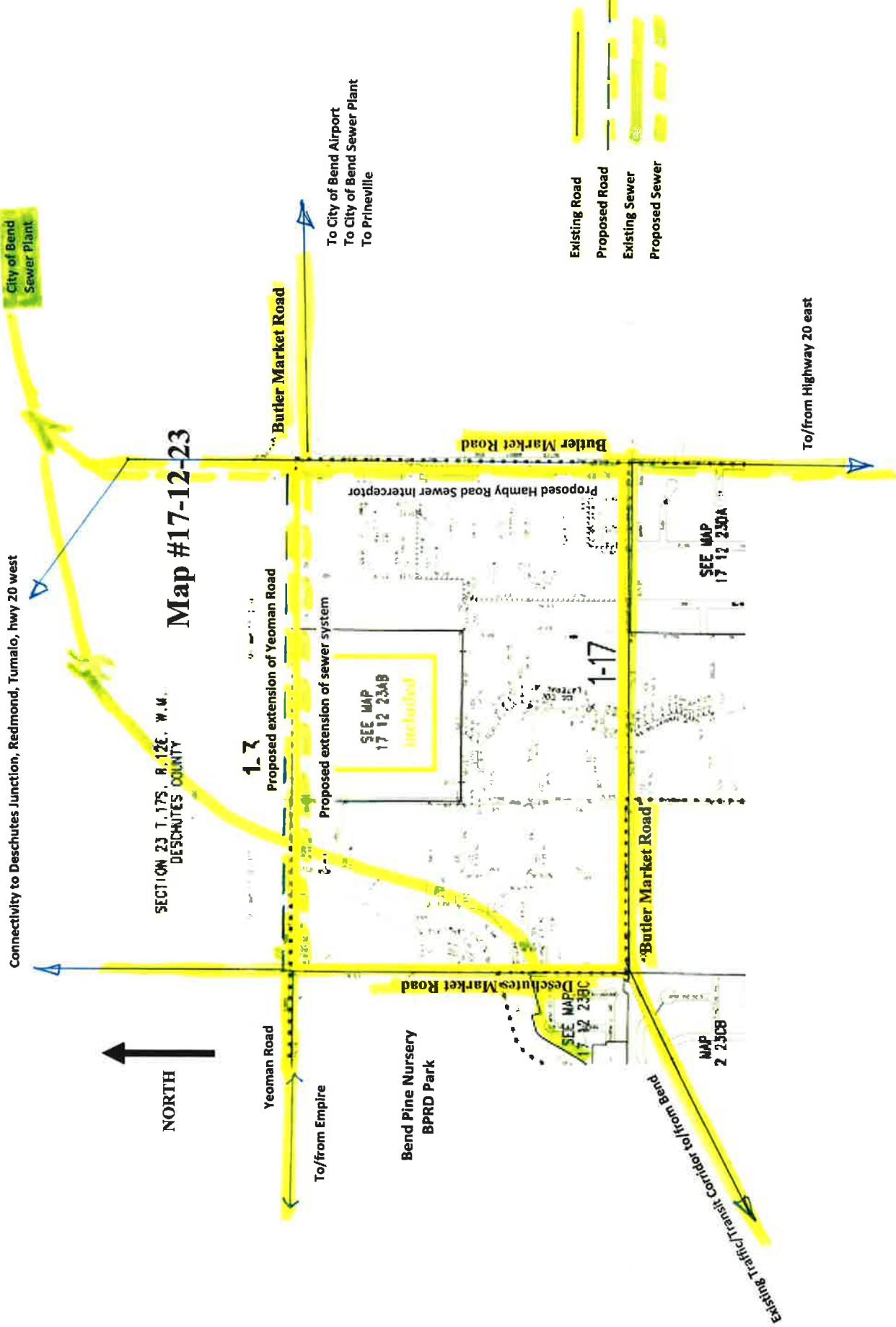
Attachment: Maps

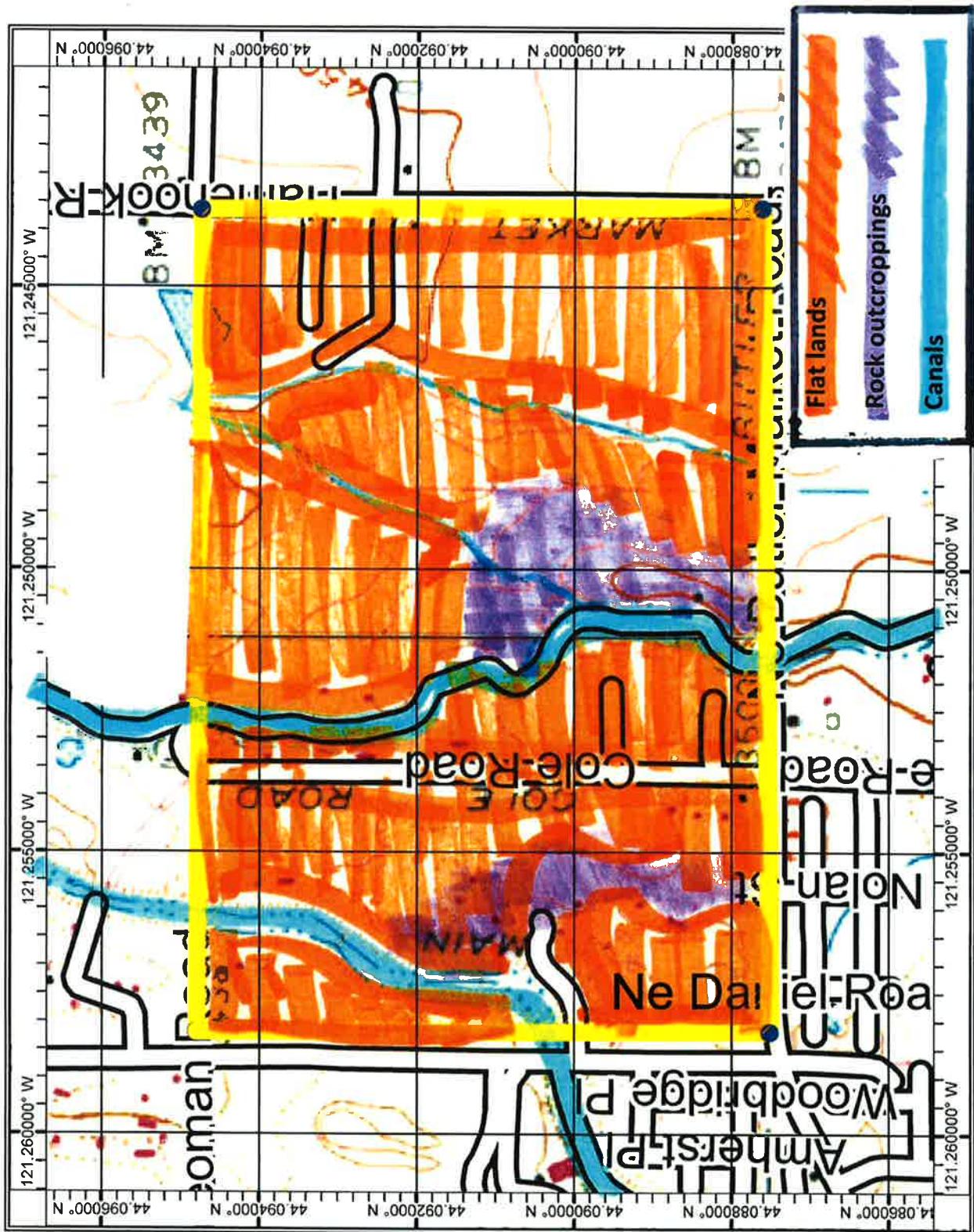
cc: Clients

Portland, OR  
Seattle, WA  
Vancouver, WA  
Bend, OR  
Long Beach, CA

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SCALE 1:8000

0 1000 2000 FEET

A scale bar for a map, indicating a scale of 1:8000. The bar is marked at 0, 1000, and 2000 feet. The word "FEET" is written vertically next to the 2000 mark.

# LAURIE E. CRAGHEAD

*Attorney at Law*

PO Box 5833, Bend, OR 97708

Ph. 458.206.6884

[laurie.craghead@outlook.com](mailto:laurie.craghead@outlook.com)

January 18, 2016

C/o Damian Syrnyk  
City of Bend  
UGB Boundary and Growth Scenarios  
Technical Advisory Committee

VIA E-MAIL: [dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)

RE: Another “Perfect Rectangle”

Dear Committee Members:

I represent Rodney Pack whose mother’s property, Akemi Wheeler, is located at 62590 Eagle Rd, Bend, OR 97701, just slightly north of the proposed Northeast expansion area at the corner of Neff and Eagle Rd. I am writing to request that the UGB Boundary and Growth Scenarios Technical Advisory Committee add to the preferred scenario a “Perfect Rectangle” in addition to the one proposed by Lori Murphy in her December 14, 2015 letter to the committee. This new proposed rectangle could be one of two configurations. Both of which would contain Ms. Wheeler’s property

The first configuration would include only the UAR10 on Eagle Rd between Butler Market and Neff. The second configuration would include all the land between Butler Market and Neff and between Eagle Road and Hamby, excluding, of course, the one small section zone EFU. See attached Exhibit A. The red line is the proposed first configuration and the blue line is the proposed second configuration.

Like Ms. Murphy’s Perfect Rectangle (“PR”), this area is relatively flat and the analysis of the various scenarios shows that urban services could easily be extended to this area given the location of those services just across Eagle Road. Also, like PR, this area is close to schools and medical services. St Charles hospital and other medical offices, including the Deschutes County Health and Behavioral Health offices are only a mile west of this location. This location will also be within walking distance of commercial areas once the proposed commercial areas are rezoned and constructed in the two Northeast Edge areas in Scenario 2.1.B.

Additionally, if the PR is included, including the first or the expanded configuration of the rectangle I propose would allow for a continuous development between the PR and Neff road. That would connect existing neighborhoods to the south, such as Glacier Ridge, to the PR to the north and, thereby, provide access to such areas as the Pine Nursery Park via alternative means such as bicycle or walking.

Bend UGB TAC  
January 18, 2016  
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Thank you for this opportunity to participate in this public process. If you have any questions or comments, please do not hesitate to contact me by phone or e-mail.

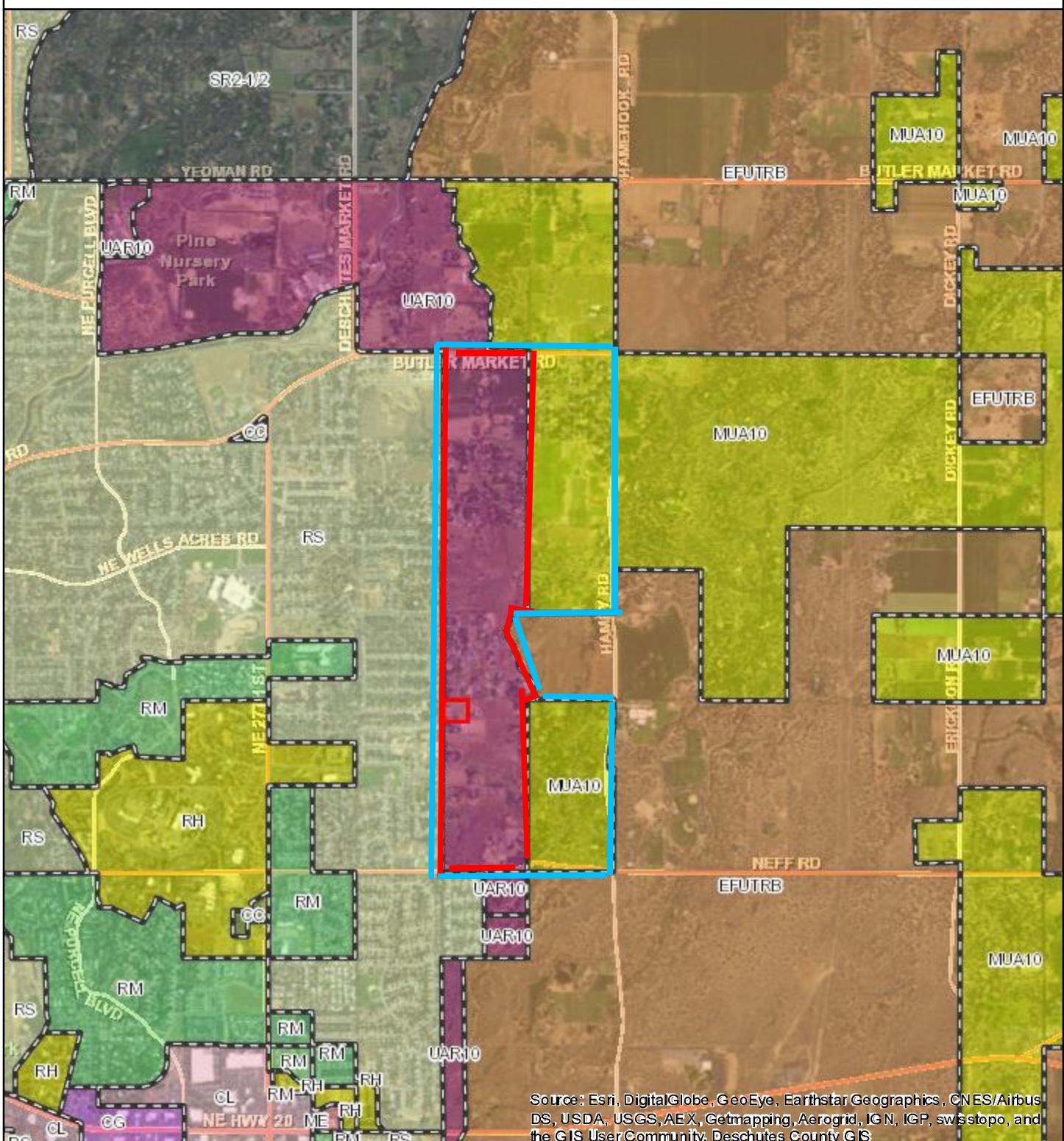
Sincerely,

*Laurie E. Craghead*  
Laurie E. Craghead

Enclosure

# Deschutes County Property Information - Dial

Zoning Map for account 149266



Map and Taxlot: 171226D003000

Exhibit A to Craghead/Pack submittal  
January 15, 2016



January 18, 2016

Received  
1/19/2016

To: Damian Syrnyk, AICP  
Community Development Department

From: Terry and Darla Fournier  
21483 Neff Rd  
Bend, OR 97701  
Tax Lot 1701

My name is Terry Fournier and I would like to present the following information to the Technical Advisory Committee regarding the inclusion of my property into the proposed UGB currently before the committee.

Our 10 acres located at 21483 Neff Rd. was in the county until 1988 at which time we were annexed into the city in exchange for being allowed to connect to city water. In speaking to the city about being allowed access to city water we were informed that we would in turn have to allow our property to be included in the city limits. In the mid 1990's we were made aware that while our property is included in the city limits the city neglected to also include us in the existing UGB. Ours is the only property within city limits to be excluded from the UGB. In discussing this situation with the city the explanation was that it was an oversite on the city's part to have not included our property at the time it was annexed.

In prior iterations of the proposed UGB boundaries this property has repeatedly been shown to be included, however, it appears that the current trend towards including only large parcels has left our moderately sized property as an island surrounded by properties that are to be included or already are.

In conclusion we respectfully request that our property be included in the new UGB per our expectations fostered by our earlier conversations with the city.

Respectfully,

Terry Fournier

## Damian Syrnyk

---

**From:** Dale Van Valkenburg <Dale@brooksresources.com>  
**Sent:** Tuesday, January 19, 2016 10:34 AM  
**To:** Damian Syrnyk  
**Cc:** Brian Rankin  
**Subject:** For the UGB Record  
**Attachments:** West Area Dewey-Miller-Swisher-Schueler letter.pdf; Exhibit 1 - Transect and Boundary Map.pdf; Exhibit 2 - Transect Summary.pdf; Exhibit 3 - Development Summary.pdf

Damian and Brian –

Attached is a letter signed by Paul Dewey, Charley Miller, Dave Swisher and Kirk Schueler regarding a proposed boundary and residential unit limit for the West Area. The letter includes as attachments a map and spread sheets. Please include in the UGB record and distribute to the Boundary TAC in advance of the January 20 meeting.

Thanks.

Dale Van Valkenburg  
Director of Planning and Development  
Brooks Resources Corporation  
541-382-1662 x120  
dale@brooksresources.com

January 19, 2016

Sharon Smith, Co-Chair  
Mike Riley, Co-Chair  
UGB Boundary and Growth Scenarios Technical Advisory Committee  
City of Bend  
710 NW Wall Street  
Bend, OR 97701

Dear Co-Chairs Smith and Riley:

The Urban Growth Boundary Steering Committee supported Expansion Scenario 2.1 at its December 14, 2015 meeting, but has asked the Boundary and Growth TAC to revisit that decision and develop a consensus around a new recommended expansion plan. Mayor Clinton noted that “the recommendation should be one that is supported by everyone on the Boundary TAC”.

At its December meeting, the Steering Committee discussed the idea of transitional zoning for the west side of Bend. Councilor Knight raised the potential benefits of a “de-densifying” of west side lands brought into the UGB. These benefits include improved resistance to catastrophic wildfires, improved wildlife habitat, and decreased impact on the existing transportation system. The strategy follows the New Urbanist planning concept of the “Transect” when development abuts permanent natural areas. This condition exists on the west side lands with US Forest Service and Bend Parks and Recreation lands abutting the privately owned exception lands west of the current UGB.

After hearing Mayor Clinton’s call for a consensus over any expansion recommendation from the Boundary TAC, Kirk Schueler, incoming CEO of Brooks Resources, and Paul Dewey, Executive Director of Central Oregon Landwatch (COLW), met to determine if the Transect strategy could be implemented on the west side lands in a way that the land owners and COLW could mutually support. Both supported the use of the Transect planning model for the west side, and worked together with the two of the owners of the undeveloped exception lands between Skyliners Road and Shevlin Park Road (Miller Tree Farm, LLC and Anderson Ranch Holding Company, LLC) to come to an agreement on the number of acres to be brought into the UGB, the acres of residential, employment, and civic land to be brought in, the mix of housing, and how the Transect would be implemented on those lands (Rio Lobo Investments LLC ‘s land was added into this proposal to be consistent with Expansion Scenario 2.1C, and includes our recommendation for a Transect density). The implementation of the Transect is depicted in a Transect Map and a corresponding Transect Summary accompanying this letter as Exhibits 1 and 2, respectively. A proposed Development Summary is included as Exhibit 3.

In order to insure that future development follows the principles of the Transect, the Transect Summary identifies the maximum number of housing units by Transect Zone, by landowner. The Development Summary identifies the overall housing mixes proposed for each landowner.

We have met with city planners to discuss the strategies necessary to change General Plan policies and zoning codes to implement the agreed upon development pattern. The city expressed support for the plan and has begun discussions to develop detailed strategies to adopt those changes.

The Bend UGB Project Team has provided a new expansion scenario, Expansion Scenario 2.1C, for consideration and discussion at your upcoming January 20, 2015 meeting. Included in the packet of materials for this meeting is a revised expansion proposal for the west side lands that includes 220 acres. The new proposal is for 165 acres of residential land with 850 housing units, 15 acres of employment land supporting 180 jobs, and 40 acres of civic land. A comparison between Expansion Scenario 2.1C and the plan supported by the property owners and COLW is as follows:

### Comparison of West Side Scenarios

	Expansion Scenario 2.1C	Owner/COLW Proposal	Difference
Total Acres	220	304	84
Residential Land - acres	165	244	79
Employment Land - acres	15	21	6
Civic Land - acres	40	39	(1)
Housing Units	850	800	(50)
% SFD	72%	70%	-2%
%SFA	8%	9%	1%
%MF	20%	21%	1%
Housing density per residential acre	5.2	3.3	-1.9
Ownership acres:			
Anderson Ranch	29	29	0
Rio Lobo	30	30	0
Miller Tree Farm	161	245	84
	220	304	84

In general, the Owner/COLW proposal is for 50 fewer households on 79 additional residential acres compared to Expansion Scenario 2.1C, resulting in a significantly lower overall residential density. The housing mix is very similar between the two scenarios, with slightly higher percentages of attached single family (ASF) and multi-family (MF) in the Owner/COLW proposal. The difference in residential density per acre is a product of implementing the Transect within the proposed expansion area. The furthest west 53 acres of the Miller Tree Farm land are planned to be developed in Transect zone T3, with a net density of 1.3 units per acre, as can be seen in Exhibit 2. The density in T3 is intended to be the least dense development abutting the Rural T2 zone.

Development of expansion lands in the denser T3.5 and T4 zones will allow multifamily and attached single family housing and employment lands in order to provide complete communities.

The land owners and COLW believe that the benefits to the Transect, where densities of housing get lower as development moves west towards the rural and natural areas, include the following:

- Preservation of the open space character of the permanent natural areas of the US Forest Service and BPRD lands;
- Separation of structures at the western edge of development to reduce the risk of catastrophic damage from wildfires;
- Increased open space for wildlife (development codes for T3 can include wildlife friendly fencing standards); and
- Reduction of transportation impacts on the existing west side transportation system.

Additionally, the Owner/COLW proposal, like Expansion Scenario 2.1C, allows for the development of Skyline Ranch Road, connecting Shevlin Park Road to Century Drive.

Beyond the proposed UGB will exist 347 acres of exception lands zoned UAR-10 owned by Rio Lobo, and the Tree Farm development, approved for a cluster development of 50 2-acre lots on 531 acres of Miller Tree Farms land, zoned UAR-10 and RR-10, and with permanently dedicated open space. With the existence of Tetherow and Cascade Highlands, and the development of the Tree Farm, there will be in effect a permanent solution for

any urbanization in this part of Bend. Rio Lobo's land would still have the possibility of urbanization in a future UGB expansion effort (assuming no additional land of theirs is brought into the UGB in this expansion).

We acknowledge that there is still a lot work to be done to develop the implementing General Plan policies and zoning, and gain DLCD approvals of the plan. The land owners and COLW commit to support the city's and county's efforts to implement the Transect concept on these lands.

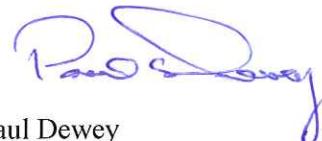
We believe it is significant that these parties have come together to support an expansion plan for the west side lands. Representatives from these parties will be available at your upcoming meeting to answer questions and discuss any issues. We request that the Boundary TAC modify Expansion Scenario 2.1C to reflect these proposed changes.



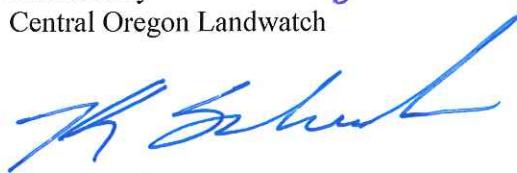
Charley Miller  
Miller Tree Farm, LLC



Dave Swisher  
Anderson Ranch Holding Company, LLC




Paul Dewey  
Central Oregon Landwatch



Kirk Schueler  
Brooks Resources Corporation  
West Bend Property Company 2, LLC

CC: Brian Rankin, City of Bend  
Victor Chudowsky, Chair, UGB Steering Committee



## West Side Area

### Transect Summary

net acres factor	Inside UGB			Total UGB Expansion	Outside UGB		Total
	T4	T3.5	T3		T2	10%	
<u>Anderson Ranch (Swisher)</u>							
Acres	-	29	-	29	-	-	29
Units	-	65	-	65	-	-	65
density per gross acre		2.3		2.3			2.3
density per net acre		3.3					
<u>Rio Lobo (Day)</u>							
Acres	30	-	-	30	347	377	
Units	85	-	-	85	34	119	
density per gross acre	2.8			2.8	0.10	0.3	
density per net acre	4.6				0.11		
<u>Miller Tree Farm</u>							
Acres	50	142	53	245	531	776	
Units	220	380	50	650	50	700	
density per gross acre	4.4	2.7	0.9	2.7	0.1	0.9	
density per net acre	7.1	3.8	1.3		0.1		
<u>Total</u>							
Acres	80	170	53	304	878	1,182	
Units	305	445	50	800	84	884	
density per gross acre	3.8	2.6	0.9	2.6	0.10	0.7	
density per net acre	6.1	3.7	1.3		0.11		

**West Side Area  
Development Summary**

	Residential			Employment			Civic		Total UGB Expansion	Exception Land UAR-10	Total
	SFD	ASF	MF	CL	IL	ME	Park/OS	Public			
<b>Anderson Ranch (Swisher)</b>											
Acres	21	1	-	-	-	-	7	-	29	-	29
Units	53	12	-	-	-	-	-	-	65	-	65
<i>density per gross acre</i>	2.5	12.0							2.2		
<b>Rio Lobo (Day)</b>											
Acres	20	-	2	-	-	-	8	-	30	347	377
Units	61	-	24	-	-	-	-	-	85	35	120
<i>density per gross acre</i>	3.1		12.0						2.8	0.10	
<b>Miller Tree Farm</b>											
Acres	182	7	11	7	-	14	18	6	245	531	245
Units	448	60	142	-	-	-	-	-	650	50	700
<i>density per gross acre</i>	2.5	8.6	12.9						2.7	0.1	
<b>Total</b>											
Acres	223	8	13	7	-	14	33	6	304	878	1,182
Units	562	72	166	-	-	-	-	-	800	85	885
<i>density per gross acre</i>	2.5	9.0	12.8	-	-	-	-	-	2.6	0.1	

**Summary**

Acres of Residential Land	244
Housing Units	800
Overall Density per gross residential acre	3.3 units
Housing Mix:	
SFD	70%
ASF	9%
MF	21%
Acres of Employment land	21
Acres of Civic Land	39
Total Acres of Expansion	304

**Employment Lands Impact**

Gross Acres	21.0
ROW Factor	23%
Net Acres	16.17
FAR	30%
Bldg SF	211,310
Jobs	252

## Darcy Todd

---

**From:** Damian Syrnyk  
**Sent:** Tuesday, January 19, 2016 9:18 AM  
**To:** Cassie Walling  
**Subject:** FW: NE Bend /Perfect Rectangle  
**Attachments:** Butler Market Village proposal.pdf; 3014\_001.pdf

Please include this email and attachments in the UGB record. Thanks, Damian

**From:** Rick Lane [mailto:[rlane47439@gmail.com](mailto:rlane47439@gmail.com)]  
**Sent:** Monday, January 18, 2016 12:03 PM  
**To:** Brian Rankin <[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)>; Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)>  
**Subject:** NE Bend /Perfect Rectangle

Dear Brian and Damian,

It came to my attention at the last meeting that several of the decision makers on the Boundary TAC and Steering Committee had not seen our proposal or heard some of the prior testimony regarding the benefits of growing Bend to the northeast, so I have attached a copy of our testimony from October and December as well as the original proposal.

In the long term 50 year planning horizon Bend will have to grow east. We need to recognize the reality of the future. We also need to understand that as we enter 2016 there are only 12 years left in this UGB planning window. It is imperative that the lands brought into the UGB now are truly the most efficient lands to develop.

Briefly, I would like to summarize the Goal#14 benefits of growing Bend to the northeast.

NE Bend is the most Cost Effective and Least Expensive area to grow. It provides the best location for truly orderly and efficient growth.

- a. ***The sewer already runs through the NE area.*** Additionally, the Hamby sewer alignment is necessary to serve the east portion of Section 11 and other SE areas as well as relieve other more westerly sewer lines. In addition, expansion into some of the areas being considered will result in costly sewage pump stations having to be built. That would not be needed in the NE.
- b. The ***maps clearly show the transportation connectivity in the NE,*** roads that actually go somewhere as opposed to areas that have much worse connectivity. The NE provides connectivity to north hwy. 97 via Deschutes Market road as well as close proximity to hwy. 20 east. , St. Charles hospital Bend Research and many other large employers as well as the Bend Airport/Powell Butte hwy.
- c. The area has ***relatively large flat tracts of land that will offer more affordable housing options*** than many other areas under consideration.

Finally, ***it is important to include the entire 240 acre rectangle in the northeast where there will be a natural synergy*** and connectivity of the existing and planned roads like the extension of Yeoman and Cole roads ...in all directions.

Thanks very much for your time and consideration,

Rick Lane/ Perfect Rectangle

**Lori K. Murphy**  
lori.murphy@millernash.com  
541.749.3305 direct line

December 14, 2015

**VIA HAND-DELIVERY**

City of Bend  
UGB Steering Committee

Subject: The Perfect Rectangle: Sage Wind Farm LLC

Dear Committee Members:

The "Perfect Rectangle" is the 240 acres of property at the northeast edge of Bend city limits, also known as Butler Market Village. Please include this property in Expansion Scenario 2.1A, as part of the preferred scenario to be approved and adopted.

The Perfect Rectangle is part of the city's existing exception area and is first priority for inclusion in the UGB.

The Perfect Rectangle provides a 240-acre block, allowing the plan for a complete community. It provides the best location for orderly and efficient growth:

1. **Sewer:** The property is directly served by existing sewerage lines: (1) the city's interceptor crosses through the property; (2) the proposed Hamby Road Sewer Interceptor extends along the eastern Butler Market Road boundary line; and (3) a proposed extension of Yeoman Road could include an extension of the sewerage system. The city's main interceptor is deep enough at this site to serve the subject area by a gravity system, the least costly situation. No costly lift stations will be necessary.

Attached, please find a map showing the availability of sewer and transportation connectivity.

2. **Transportation:** The property is surrounded by major roads allowing access and connected transportation access in all directions. Butler Market Road/Hamby Road serves as an arterial to the Bend Airport, the Bend Sewer Plant, Prineville, and other points east. Deschutes Market Road serves as an

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City of Bend TAC on UGB Remand  
December 14, 2015  
Page 2

alternate route to points north such as Redmond and Highway 97, further alleviating congestion in the north part of the city. Most of the roads are currently developed to three lanes.

3. **Site Design:** The property is flat with a dirt base, which affords the property to be efficiently developed. Less expensive construction costs will result in affordable homes and affordable commercial sites.

Attached, please find a map showing the existence of predominately level, flat land.

4. **Schools, Parks:** The property is within walking distance of Pine Nursery Park and other parks and is within close proximity of all three levels of schools.
5. **Water:** Avion Water confirmed service for the entire Perfect Rectangle. Confirmation of that service was provided to the USC in the last written testimony.

In conclusion, the Perfect Rectangle scores high in all aspects of the urbanization evaluation. It makes the most sense and sound planning to include this property in the UGB due to its location, site makeup, and ability to provide a complete community for planning. We urge you to include the entire 240 acres to the Scenario Map for approval.

Best regards,



Lori K. Murphy

Attachment: Maps

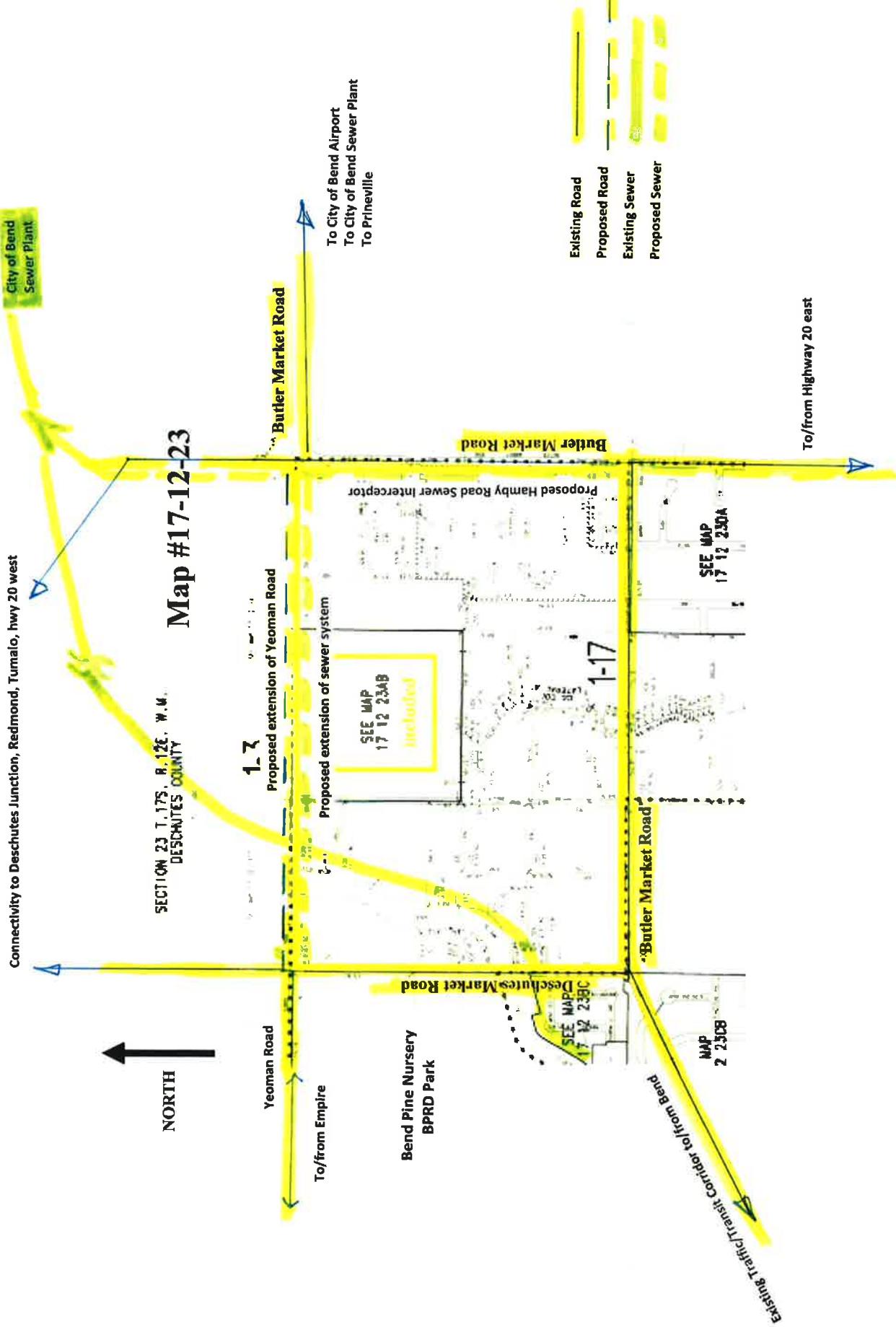
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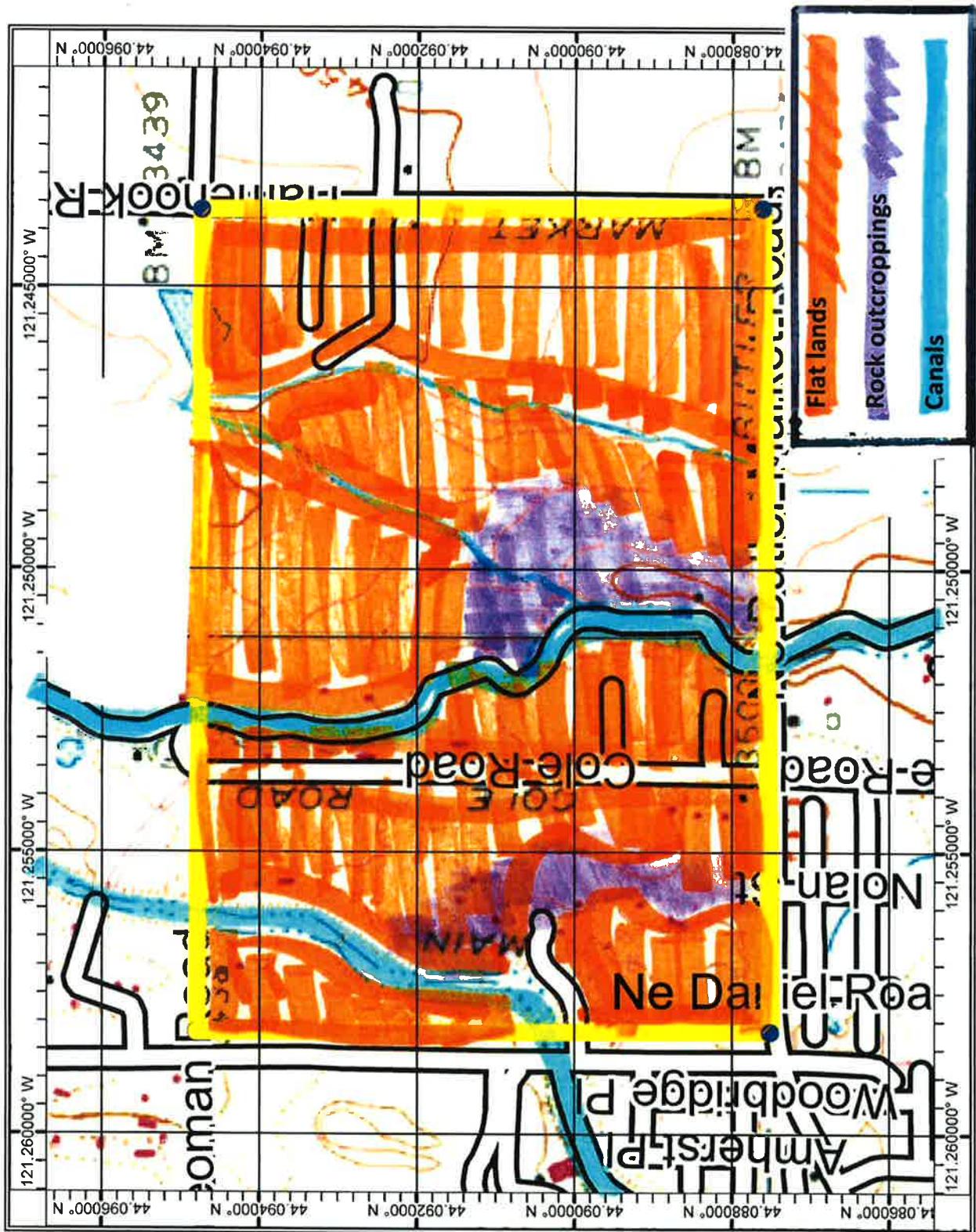
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SCALE 1:8000

0 1000 2000 FEET

A scale bar for a map. It features a horizontal line with tick marks. The text 'SCALE 1:8000' is at the top left. The number '0' is at the bottom left. The number '1000' is in the middle left. The number '2000' is at the top right. The word 'FEET' is at the bottom right.

**Lori K. Murphy**  
[lori.murphy@millernash.com](mailto:lori.murphy@millernash.com)  
541.749.3305 direct line

October 7, 2015

**VIA HAND-DELIVERY**

City of Bend Technical Advisory Committee on  
Urban Growth Boundary Remand

Subject: Perfect Rectangle: Sage Wind Farm LLC

Dear TAC Members:

A rectangular, relatively flat 240 acres of property at the northeast edge of Bend city limits deserves a second look as a valuable addition to the scenarios for urban growth boundary (UGB) expansion. The site is located between Butler Market Road and Deschutes Market Road. The acreage comprises a perfect rectangle and is a perfect place to expand the UGB. Since this is the year of shapes (the "elbow," the "thumb"), we suggest this location be called the "Perfect Rectangle".

While there is humor in naming the acreage, it is more important to select expansion areas that make financial sense; those areas that perform well under Goal 14 factors and those areas without significant adverse effects on the existing transportation, sewerage and water systems.

The Perfect Rectangle meets the criteria for an UGB expansion and is rated highly in the objective analysis. It was included in the UGB expansion plan in January 2009. All land within the Perfect Rectangle is zoned MUA-10, a non-resource designation, or UAR-10, Urban Reserves, another non-resource designation. Both designations are equal in priority for expansion. As exception lands, the landowners have expected urbanization to occur on their land for over twenty years. Neither designation requires protection like farm or forest lands. City planners and consultants seemed to believe the land was resource land or that UAR zoning (not approved by LCDC) which would trump MUA. That misconception seems to have originally eliminated the Perfect Rectangle from consideration.

The Perfect Rectangle is ideal for a self-contained complete community. It offers direct walkable access to Bend Park and Recreation District parks, including the adjacent Pine

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City of Bend TAC on UGB Remand

October 7, 2015

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Nursery Park; easy access to schools with all three levels of schools located less than 5 minutes away; and efficient and timely growth due to the immediately adjacent developed communities in Monticello Estates and Mountain View neighborhoods.

The Perfect Rectangle offers an opportunity for master planning. The site is relatively flat with little development. Larger areas, like this 240-acre site, are easier and more efficient to plan and develop than small parcels and flat, rectangular land is easier to develop than hilly or oddly shaped parcels. Here, much of the land is cleared making it cost efficient to develop. Of all the scenario areas, it requires the least mitigation for wildfire danger.

The property offers ease in connectivity and access to employment centers. The site is currently surrounded by arterial roads, which include bike lanes on both sides. Because of the updated improvements to Butler Market Road, Deschutes Market Road, and Deschutes Junction in the past ten years, this area provides the best travel time from the east side sites to downtown, the Forum, Bend River Mall, Cascade Village Shopping Center, the Bend Parkway, Deschutes Junction, Redmond, Powell Butte, and Prineville.

The Perfect Rectangle offers cost effective infrastructure. The site is located at the northern end of the city sewerage system. The sewage flows north to the city's interceptor that delivers all the sewage to the sewage treatment plant. The primary interceptor crosses the Perfect Rectangle as it heads out of town to McGrath Road. Unlike the other sites being studied, sewage will not overload smaller pipes in southeast Bend or need lift stations such as sites to the west. The water reclamation plant is nearby. The area can be served by gravity and drain directly into the interceptor.

Selecting this site will support the city meeting the requirements for orderly and efficient UGB expansion and development. It is much more efficient and easier to plan and develop larger parcels of vacant land than subdivided or partitioned parcels that have already been developed. The state directs the city to look at parcels that can be aggregated into 50 acres or more. That can be done relatively easily in the Perfect Rectangle, which is sparsely developed.

The city planners also discounted the area when they noted the number of tax lots (45) in the 240-acre area. It is easier to identify large parcels owned by a single owner because we assume large acreage parcels will make development easier, quicker, and more affordable. Here, much of the ownership of the Perfect Rectangle is grouped with several owners owning multiple lots. The parcels can be aggregated to make it easier to

City of Bend TAC on UGB Remand  
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plan and develop the area. This allows the owners to more easily cooperate to make their properties available in at least 50 acre units for efficient urbanization.

Including the Perfect Rectangle in the UGB is consistent with the state's procedure for expanding the UGB: the state encourages the aggregation of existing parcels not in the same ownership where the owners agree to make the land available as a unit of land of at least 50 acres.

The following report shows that bringing the area into the UGB meets the city's project goals and Oregon's requirements for selecting land for UGB expansion.

Best regards,



Lori K. Murphy

Attachment  
cc: Clients

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**THE PERFECT RECTANGLE**

***Looking northwest into a 10.06 acre parcel, Map 171223, tax lot 106, near the intersection of Butler Market Road and Hamehook Road, at 21648 Butler Market Road, zoned MUA-10.***

**LOCATION**

The area is bounded on the south and east by Butler Market Road, which makes a 90 degree turn to the north at the northern edge of Hamby Road, and then runs along the eastern section line between Sections 23 and 24. At the northern Section line, between Sections 23 and 14, where it meets Hamehook Road, Butler Market Road turns 90 degrees to the east and heads to the Bend Airport and the intersection of the Powell Butte Highway. Butler Market Road forms the southern and eastern boundaries of the properties in the east half of the NW 1/4 and the entire NE 1/4 of Section 23.

The area is bounded on the west by Deschutes Market Road. The northern boundary of Section 23 forms the northern line. Yeoman Road and Butler Market Road follow the alignment of the northern section line. Easements for the future eastward extension of Yeoman Road to connect with Butler Market Road in a straight line are already attached to some of the deeds of properties along the northern section line. The future extension has been shown on maps.

The following page photo shows the 240 aggregated acres that comprise the Perfect Rectangle. The photo indicates the properties that are the subject of this request. The rectangular area is outlined in red. The North Unit Irrigation Canal that delivers irrigation water to Jefferson County is in the subject area. The water in the canal flows north and crosses the Crooked River. It serves users in Jefferson County, not in Deschutes County.

The dark green circular area just west of the Perfect Rectangle indicated with a red line is the off-leash dog park at Bend Pine Nursery Park. The area of grey "blacktop" inside the box at the lower right side is the parking lot for the new \$4,000,000 Seventh Day Adventist Church, at 21610 Butler Market Road. A driveway connects that church with the Fellowship at Bend Church located at 21530 Butler Market Road. The churches primarily serve Bend residents.

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***The Perfect Rectangle UGB expansion site is indicated by the red line. The North Unit Irrigation Canal passes through the western edge. The Bend Sewage interceptor also flows north in the western side. The Pine Nursery Park and Deschutes National Forest Headquarters are west of Deschutes Market Road on the western boundary. Butler Market Road forms the southern and eastern boundaries. Two churches are in the southeastern corner.***



***Looking northwest at the Seventh Day Adventist Church located in the southeast corner of the rectangle, at 21610 Butler Market Road.***



***Looking north at the Fellowship at Bend Church in the southeast corner of the rectangle.***

## BULLETED LIST OF KEY FEATURES OF THIS UGB EXPANSION SITE

- Better served by parks than nearly any area of the city.
- Already within the Bend Parks and Recreation District.
- Bend Pine Nursery Park is across the street to the west.
- The area has the best BPRD parks adjacent to it and within 1.5 miles.
- Relatively low cost of connecting to sewerage.
- Domestic water lines are across the streets to the west and south.
- City sewer interceptor runs across the subject area.
- Two and three-lane, well maintained, county arterial roads surround the area.
- Butler Market Road has good access to the Bend Parkway with existing overpass and on and off ramps to the Bend Parkway.
- Dedicated and striped bike lanes are on Butler Market and Deschutes Market Roads.
- Fast travel times to downtown Bend and three major shopping centers.
- Relatively flat terrain is desirable for development and for constructing and operating the urban infrastructure.
- A full service fire station is 1.2 miles away.
- Fire hydrants are in place along the eastern, southern and western boundaries.
- The site is more than ten miles from any forest and is surrounded on three sides by parks and residential subdivisions, resulting in less forest or wild fire danger.
- This is the best site for orderly and efficient development of urban services.
- Newer urban residential developments are located on south and east sides, just across the roads.
- Sparse houses and outbuildings as shown on aerial photos allow aggregated parcels.
- Parcels can be aggregated into 50 acre units for efficient development.
- Most of the land is in unimproved juniper scrub and other parcels of cleared land are no longer farmed.
- Two contiguous parcels are for sale now and other owners are ready to sell.
- Development can occur relatively quickly.
- No significant adverse effects on surrounding properties.
- Housing in the northeast can be affordable.
- Development can be mixed use.
- Rectangular shape enables more connectivity and ease of developing site.
- The subject area includes 240 acres, a manageable size.
- The elementary school, middle school, and high school are less than 5 minutes away.
- The new Ponderosa Elementary School and Buckingham School are on either side of the property.

## DESCRIPTION of SUBJECT AREA



***Looking north from Butler Market Road just west of Cole Road. Map 171223 Tax Lot 702, 9.28 acres.***

The site is generally flat. The highest point in the 240 acre Perfect Rectangle is a gentle rise just east of Cole Road and runs north-south. A beautiful view is seen from all locations in the UGB expansion area site. Views of the Cascades, Powell Butte, Awbrey Butte, Pilot Butte and Smith Rock can be seen.

A lateral of the Central Oregon Canal maintained by COID, that diverts water from the Deschutes River south of Bend, crosses the site from south to north at the highest point. The lateral is about three feet wide and 1.5 feet deep. Some properties have water rights, some don't. Some who don't farm have deeded the water rights back to COID. The concrete trapezoidal North Unit Canal crosses the site on the western side. It does not bring irrigation water to anyone in Deschutes County. The Bend Sewerage System Interceptor also crosses the site, where it is buried deeply. Utility poles mark the northern boundary.

Vegetation includes juniper trees, bitterbrush, sagebrush, rabbit brush, wild grasses and wild grains. Lawns and landscaping are around the homes and churches. A handful of properties include irrigated pastures. A few goats and some horses are the livestock observed.

Two churches are located in the southeast corner. Other than those structures the other parcels have homes that are generally more than 25 years old and some outbuildings. Most houses are one story and are set back from the roads in the rocky juniper scrub lands. A riding arena is on Cole Road.

## TAX MAPS AND TAX LOTS in the RECTANGULAR UGB EXPANSION SITE

The following parcels are in the east half of the NW ¼ and the entire NE ¼ of Section 23, T 17 S, R 12 E: (East of Cole Road and adjacent to and south of northern section boundary)

TAX LOT NUMBER	ADDRESS	OWNERS NAMES	PARCEL SIZE in ACRES
99	No situs address	Deschutes County	0.08
100	63190 Cole Road	Kenneth E. Crenshaw Jr., Peggy Ann Crenshaw	5.06
200	No situs address	Charlene A. Cooper Revocable Trust	6.00
300	63184 Cole Road	Charlene A. Cooper Revocable Trust	4.12
400	63182 Cole Road	Charlene A. Cooper Revocable Trust	0.30
500	63180 Cole Road	Richard B. Hight III	1.38
600	63140 Cole Road	David C. and Tammy M. Nipper	2.87
700	63130 Cole Road	Charlene A. Cooper Revocable Trust	1.33
800	63110 Cole Road	Cascade Ridge Estates LLC, Oregon City	3.42
900	63130 Cole Road	Charlene A. Cooper Revocable Trust	15.50
99	No situs address	North Unit Irrigation District	2.29
100	21634 Butler Market Road	Guy Hamby ET AL	1.21
102	21626 Butler Market Road	John L. Scarborough ET AL	10.00
103	21550 Butler Market Road	Fellowship at Bend	0.85
104	21650 Butler Market Road	John E. and Johnna R. Daniel	12.14
105	21600 Butler Market Road	Gene R. and Nadine Smith	1.43
106	21648 Butler Market Road	Michael L. McOmber	10.06
110	21566 Butler Market Road	Dana and Deborah Parazoo	1.70
111	21644 Butler Market Road	Waterman Family Revocable Trust	3.91
112	21640 Butler Market Road	Bena R. Lechner	1.52
113	21646 Butler Market Road	Arnold T. and Adrienne R. Reinhart	2.50
115	21620 Butler Market Road	Sage Wind Farm LLC	10.00
116	21610 Butler Market Road	OR Conference Adventist Churches	10.14
200	21504 Butler Market Road	John F. and Elizabeth A. Short	7.17

300	21444 Butler Market Road	L & D INC	1.13
301	63010 Cole Road	Billy M. Dual Jr. and Deborah J. Shomberg	3.26
400	21460 Butler Market Road	Doug and Carol Suchy	11.86
401	63070 Cole Road	McQueen Partners	7.42
402	63030 Cole Road	Shannon Dale Heinlein ET AL	7.58
403	No situs address	Deschutes County	0.36
404	No situs address	McQueen Partners	7.05
700	63135 Cole Road	Jean Curl Trust	16.88
701	63070 Deschutes Market Road	Aune V. Helgesson Trustee	3.71
702	21389 Butler Market Road	Mark A. Neuman IRA ET AL	9.28
703	63190 Deschutes Market Road	Kathleen M. West	2.61
704	63175 Cole Road	Jean Curl Trust	4.15
705	No situs address	Aune V. Helgesson Trustee	6.43
706	63109 Cole Road	Vachir LLC	4.87
707	No situs address	Jean Curl Trust	8.30
708	63090 Deschutes Market Road	Barnhill Living Trust	1.78
709	63050 Deschutes Market Road	Michael A. Heath Trust	2.37
710	63110 Deschutes Market Road	Federal National Mortgage Association	1.85
711	63060 Deschutes Market Road	Magdelana Beth Harlow ET AL	0.97
712	63080 Deschutes Market Road	Jennifer F. Fahrenthold	1.50
713	21350 Butler Market Road	Denora and Elwood Costlett	9.64

**NORTHEAST PORTION OF THE BEND GENERAL PLAN MAP SHOWING THE SUBJECT PROPERTIES SURROUNDED BY PINK DOTS AND THE LAND DESIGNATED URBAN RESERVES IN LIGHT GREEN AND THE LAND DESIGNATED MUA-10 IN WHITE.**



## **BOUNDARIES**

West: The Perfect Rectangle is bordered on the west (left) by Deschutes Market Road.

North: Utility poles indicate the section line that forms the northern boundary. The northern line is the boundary line between Sections 23 and 14 in T 17 S, R 12 E. The northern section line is in line with Yeoman Road on the west (left) and Butler Market Road on the east (right.)

South: The Perfect Rectangle is bordered by Butler Market Road east/west on the south.

East: The Perfect Rectangle is bordered by Butler Market Road on the east. As Butler Market runs north/south, it forms the boundary line between Sections 23 and 24 in T 17 S R 12 E.



***COI lateral at northern edge of Butler Market Road at high point of site. Slope drops off to east and west. Residential lawn on right. Wild grains and juniper scrub lands along ridge.***

## **ROADS**

The road network is ideally suited for urbanization. The level of service on all roads is high. Butler Market Road has on and off ramps at an overpass of the Bend Parkway and has a signalized intersection with two dedicated left (southerly) turn lanes at Third Street. The road has dedicated and striped bike lanes for its length. It is three to four lanes between Cole/Eagle Roads and Third Street. From Cole/Eagle Roads to Hamby Road, it is two lanes with dedicated bike lanes. The middle lane of the three-lane sections is a dedicated turn lane. The middle lane between Deschutes Market Road and Cole/Eagle Roads is a raised landscaped median with pedestrian refuges.

Deschutes County rural arterial roads form the western, southern and eastern boundaries of the subject area. Public roads in the area include:

### **1. Deschutes Market Road.**

Deschutes Market Road forms the western boundary. It is a two-lane Deschutes County Rural Arterial with a 30-foot wide Macadam paved surface. Its County right-of-way is 60 feet. The 2011 traffic count on the road was 4,737 trips per day.

### **2. Butler Market Road.**

Butler Market Road forms the southern and eastern boundaries. Around the subject site, it is a two to three-lane Deschutes County Rural Arterial with an Asphaltic Concrete paved surface. The two-lane portion with bike lanes on the eastern and the southeastern sides consist of a paved surface width of 32 feet and the right-of-way is 60 feet. The 2010 traffic count on the east-west portion of the road, south of the subject properties, was 3,892 trips per day. The 2010 traffic count east of the properties in the north-south portion of the road was 3,163 vehicles per day.

### **3. Cole Road**

Cole Road is an un-striped road classified by Deschutes County as a Rural Local road. It's paved with a Macadam surface. Its surface width is 21 feet and its county right-of-way width is 50 feet. No traffic count has been done.

### **4. Waterman Way**

Waterman Way is classified by Deschutes County as a Rural Local road. It is a graded dirt and gravel road. It has an 11-foot wide lane. Its right-of-way is 30 feet. No traffic count has been done. The county does not currently maintain it.

## 1. DESCHUTES MARKET ROAD



**Deschutes Market Road looking north from intersection at Butler Market Road. Rectangular UGB Expansion area on right. Monticello Estates in City of Bend on the left (west).**



**Looking south from two-lane wide Deschutes Market Road to intersection of three-lane wide Butler Market Road. Rectangular UGB Expansion area is on left (east). Both roads have bike lanes. Subdivisions in City are at south and west of intersection.**

## 2. BUTLER MARKET ROAD



**Subject area is on the left. Butler Market Road, looking east from the intersection with Deschutes Market Road. The stretch of the road from this point to the intersection with Cole/Eagle Roads has a raised landscaped center median with pedestrian refuges. Striped, dedicated bike lanes are on each side.**



**Looking west on Butler Market Road from intersection with Hamby Road. The road is two lanes with bike lanes between this point and Cole/Eagle Roads. The site is on the right.**



***This photo is looking north on Butler Market Road between Hamby Road and Hamehook Road. The road is two lanes with dedicated bike lanes and a double yellow center stripe for the entire length. The subject site is on the left (west) side of photo.***

### **3. COLE ROAD**



***Cole Road looking north from Butler Market Road. Subject site is on both sides.***

#### 4. WATERMAN WAY



*Waterman Way looking west from Butler Market Road.*

#### DESCHUTES COUNTY ZONING

The 240 acres has two zones.

102.59 acres are zoned UAR-10, Urban Area Reserve, 10 acre minimum, a non-resource zone.

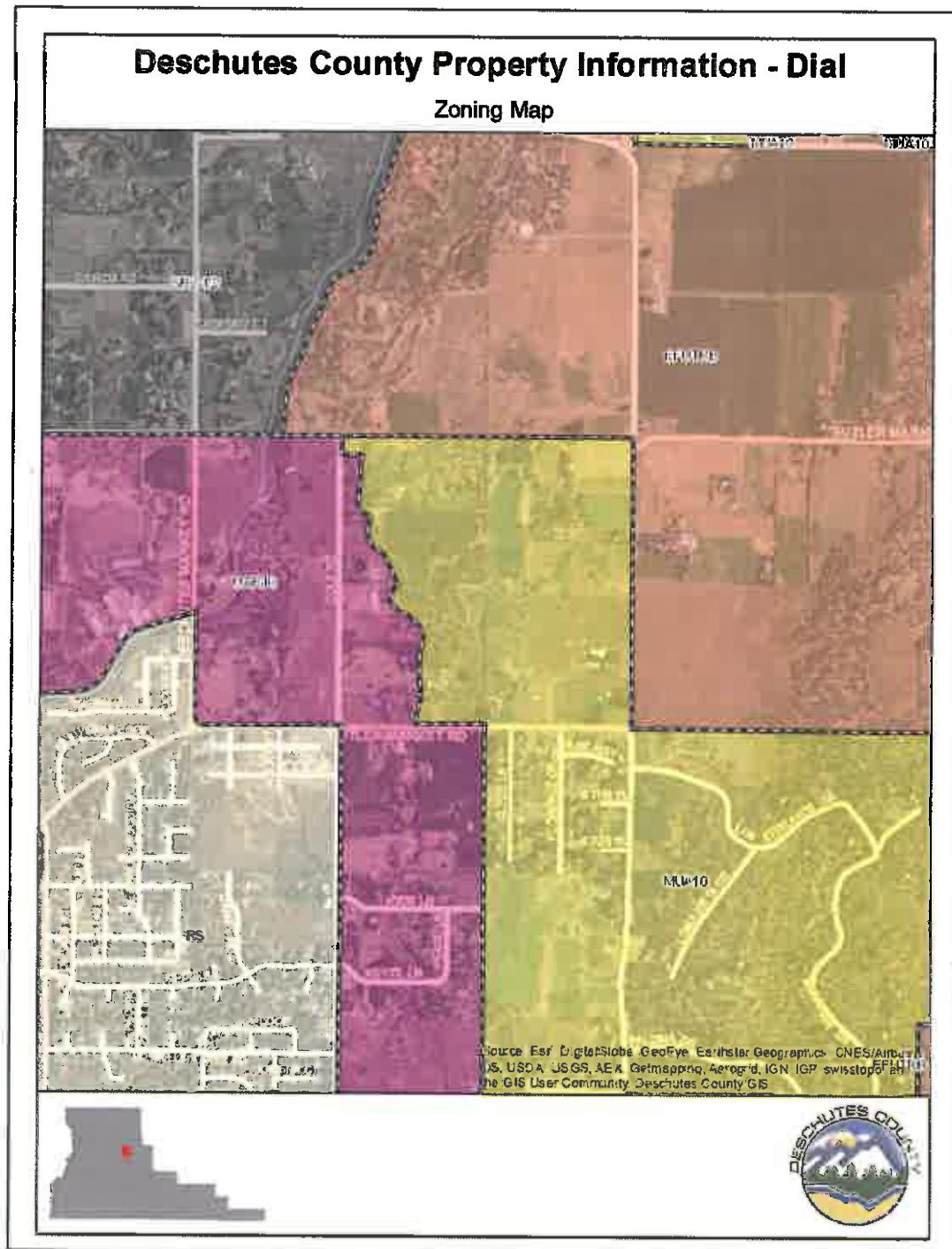
125.39 acres are zoned MUA-10, Multiple Use Agriculture, 10 acre minimum, a non-resource zone.

The balance of the acreage is dedicated road or utility right-of-ways.

The following zoning map shows the Deschutes County zoning of the area.

**SUBJECT PROPERTY: TWO ZONES**

Yellow is MUA-10, a non-resource zone. Magenta is UAR-10, Urban Area Reserve, another non-resource zone.



## **WETLANDS**

Urbanizing this area would have no adverse effects on the man-made wetlands.

The National Wetlands Inventory identifies freshwater storage at five locations in the subject area.

All of them are non-historic, man-made ponds. They are located on the following tax lots:

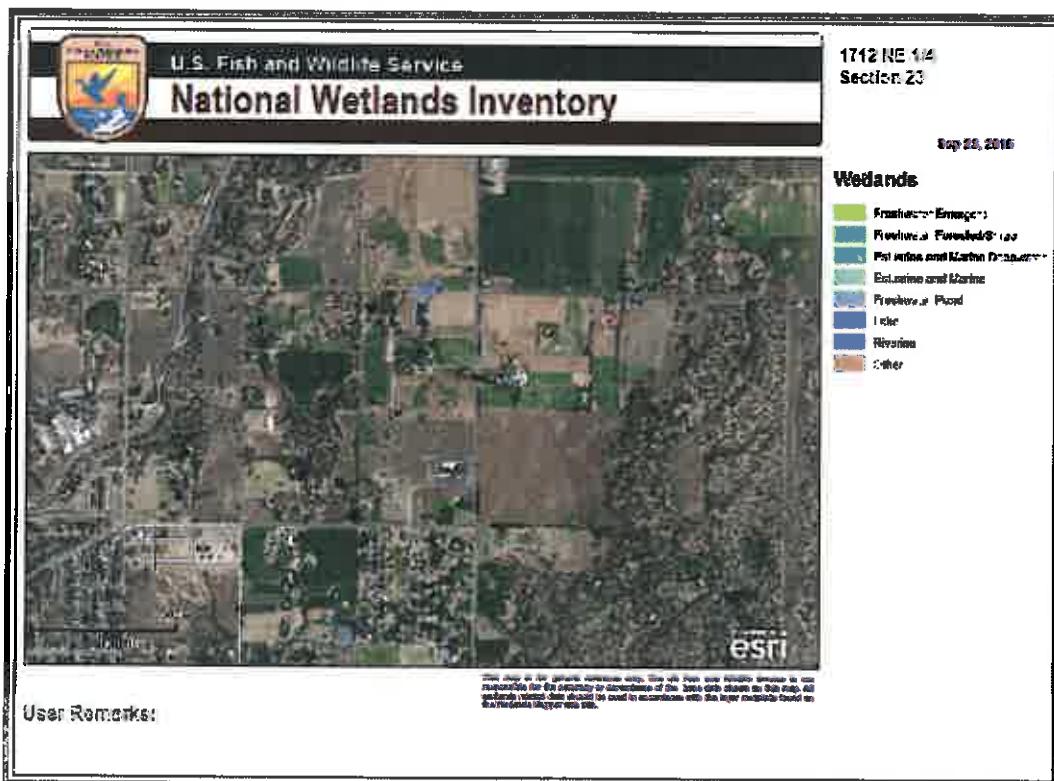
171223 tax lot 704 (one small pond)

171223 tax lot 713 (two small ponds)

171223 tax lot 400 (one small pond)

171223 tax lots 104 and 106 (shared large pond)

The identified wetlands are indicated in steel blue on the inventory map below:



The National Wetlands Inventory Site states,

*"Wetlands provide a multitude of ecological, economic and social benefits. They provide habitat for fish, wildlife and a variety of plants. Wetlands are nurseries for many saltwater and freshwater fishes and shellfish of commercial and recreational importance. Wetlands are also important landscape features because they hold and slowly release flood water and snow melt, recharge groundwater, recycle nutrients, and provide recreation and wildlife viewing opportunities for millions of people."*

## **WILDLIFE**

Urbanizing this area would have no adverse effects on wildlife.

The Oregon Department of Fish and Wildlife has lists of Sensitive Species in Oregon. The list is posted on the ODFW website. The list identifies the distribution of the sensitive and vulnerable species. The subject site is in the Oregon Ecoregion called "Blue Mountains".

The Compass Mapping System on the website classifies land within the state on a scale of 1-6, with 1 being the most crucial habitat to maintain and 6 having the least importance. The map shows 171223 Tax Lot 713 in the southwest corner at Deschutes Market Road and Butler Market Road as having a Class 5 assessment and the remainder of the properties as Class 6, the least important habitat. There is no critical habitat in the subject site and there are no vulnerable or sensitive species in T17S R 12 E, NE ¼ Section 23.

The Bend office of the Oregon Department of Fish and Wildlife provided the City with a wildlife assessment for the ring two miles around the current UGB as part of this UGB study. The information shows that the subject area is not a big game area and does not have important habitat for deer or elk. No other important species are found here.

## **WILDFIRE**

The area has a low wildfire risk. The prevailing winds blow from west to east. There is no forest within 10 miles.

To the south are urban residential subdivisions and irrigated small hobby farms.

To the west are urban residential subdivisions and the parking lots, trails and ball fields of the Bend Pine Nursery Park and dog park and Ponderosa Elementary School.

To the east are irrigated farmland s and cattle. To the north are irrigated hobby farms and scrub lands.

The City's assessment of fire risk classifies the area as "Mosaic" because it is a mixture of mostly open fields that were formerly cultivated, irrigated grasses and juniper scrub lands.

## **FIRE STATIONS**

A relatively new full service fire station is located 1.2 miles south of the subject area at 62420 Hamby Road.

Eight fire hydrants are along the eastern edge of the subject site along Butler Market Road and at the two churches. Urban areas to the south and west have fire hydrants on every block. Other fire hydrants are in the 1970s subdivision south of the site and east of Eagle Road.



***Fire Station 1.2 miles south of the subject area at 62420 Hamby Road***

## **PARKS**

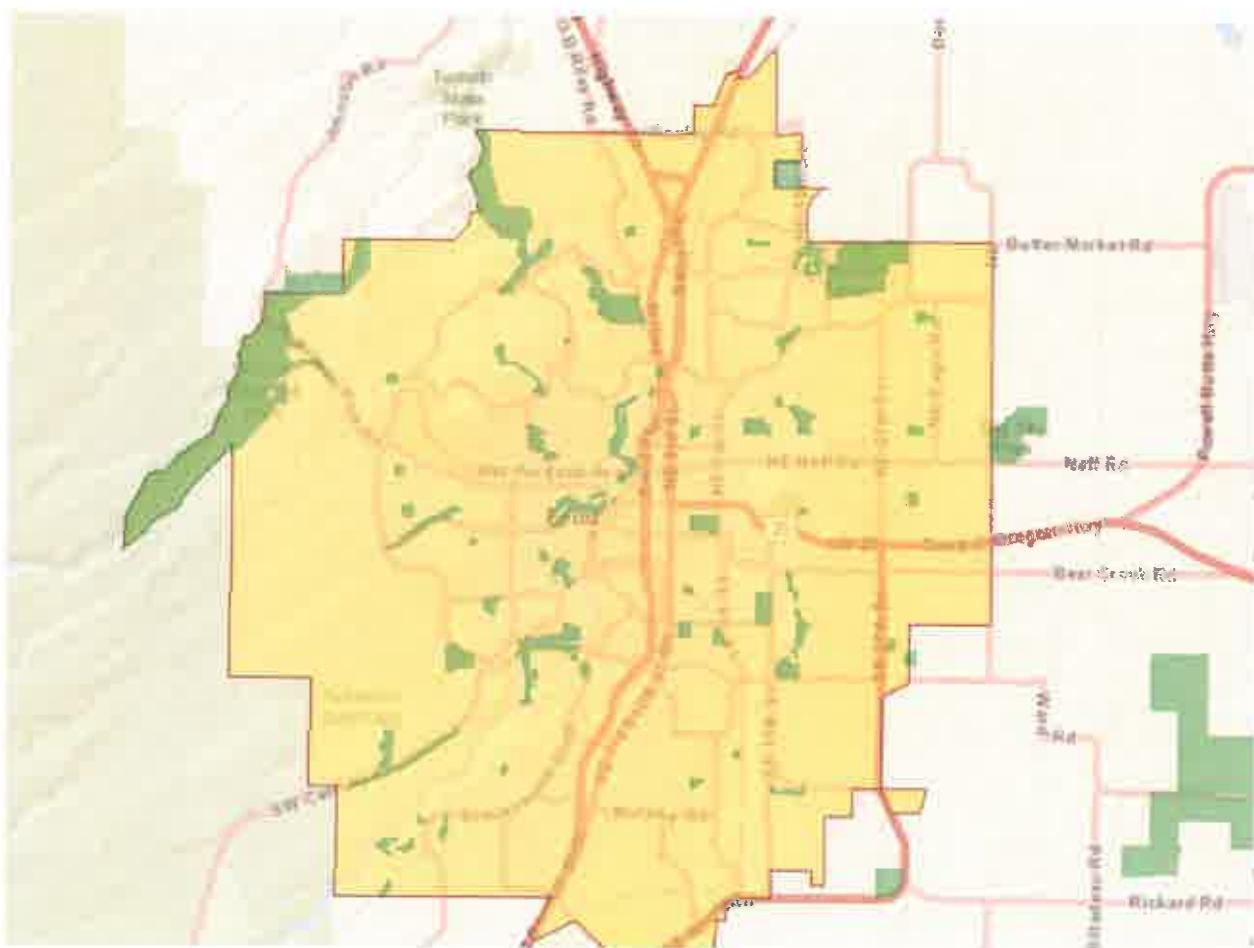
The subject area is better served by parks than nearly any area of the city. The following map shows that the subject area is within the Bend Metro Parks and Recreation District. The area in the district is indicated by yellow. The northern boundary to the subject area is also the boundary line for the parks district. Green indicates parks. All property owners in the subject area currently pay property taxes to the park district.

The subject area is adjacent to the district's flagship 159-acre Pine Nursery Community Park. The park is on its western side and runs between Deschutes Market Road, Yeoman Road and Purcell Boulevard.

The subject area is 1 mile north of the 72-acre Big Sky Park – Luke Damon Sports Complex on Neff Road.

Four other parks are within 1.5 miles of the subject area:

- The undeveloped Lava Ridges Park on Yeoman Road next to the Pilot Butte Canal,
- The undeveloped Rock Ridge Park at the corner of Egypt Drive and 18<sup>th</sup> Street,
- Boyd Park, 20750 NE Comet Lane, and
- Mountain View Park completed in 2007 at 1975 NE Providence near NE Connors Ave.



The 159 acre Pine Nursery Community Park and 15 acre Off Leash Dog Recreation Area is adjacent to the subject area. The following description of that flagship park is from the BPRD web site.

### ***"Pine Nursery Community Park"***

*"Pine Nursery Park is located in northeast Bend between Purcell, Deschutes Market, and Yeoman Roads and consists of 159 acres. With construction beginning in 2007, District plans call for developing community park facilities, a neighborhood park, sports complex, natural areas, fitness trails, bike trails, nature trails, fishing pond, support facilities, connections to surrounding residential lands, an off-leash recreation area, and room for future expansion. The Bend La Pine School District's Ponderosa Elementary School is next door on 15 acres at the Northwest corner of the park."*

*"So much to do! Phase one and two completed construction includes:*

- 4 Youth – Adult Softball Fields, 60-70 ft. baseline, 325 ft. outfield fence.
- Field house, dugouts and spectator amenities
- 4 Soccer Fields can be overlaid for seasonal/tournament play
- 8 Pickleball Courts with 8 additional courts under construction.
- Disc golf course
- 14-acre off-leash area for dogs including grass field, splash pad, walking trails and separate small dog area
- Paved bike/pedestrian loop (1.3 miles) and connections to existing roads.
- A fishing/irrigation pond for landscaping in partnership with Oregon Fish & Wildlife.
- Park space and landscaping for picnics and recreation
- Fencing and access for field maintenance area
- User trails through natural park areas.
- Dog stations, trash receptacles, drinking fountains, bike parking and signage
- Parking
- Restrooms
- Picnic shelters
- Two street entrances: one on Purcell and one on Yeoman"

### ***"Pine Nursery Park- Bob Wenger Memorial Dog Off-Leash Area"***

*"14 acres with walking trails, natural areas, grass field, splash pad and small dog area"*

*"Located at the corner of Deschutes Market Road and Yeoman Roads, the Bob Wenger Memorial Off-Leash Area is a great place for residents to take their pets to socialize, exercise and train. The area is self-managed by pet owners who clean-up and supervise their pet's behavior. Local pet groups partner with the district to provide additional clean-up, education and management of the off-leash areas provide throughout the district. The area can be accessed via paved trails from both parking lots."*

## **Big Sky Park – Luke Damon Sports Complex**

*Turf areas include space for four regulation soccer fields as well as a baseball field and a softball field. Big Sky is also home to a BMX track that was completed in 1995 and is currently leased out to High Desert BMX.*

*Thanks to a tremendous volunteer effort coordinated by the Bend Park and Recreation Foundation, two covered picnic shelters and one playground have been added to the park as well. Big Sky Park's most recent addition is the popular off-leash dog park. Big Sky Park Luke Damon Sports Complex is a full service sports facility, hosting District sports programs as well as those sponsored by local youth and adult sports associations.*



The off-leash area features:

- Fenced area with grassy play area and natural surfaces
- Walking trails
- Picnic tables
- Water Spigot
- Double gated entry
- Portable toilet

## **Rockridge Park Site**



**Boyd Park**  
20750 NE Comet Lane

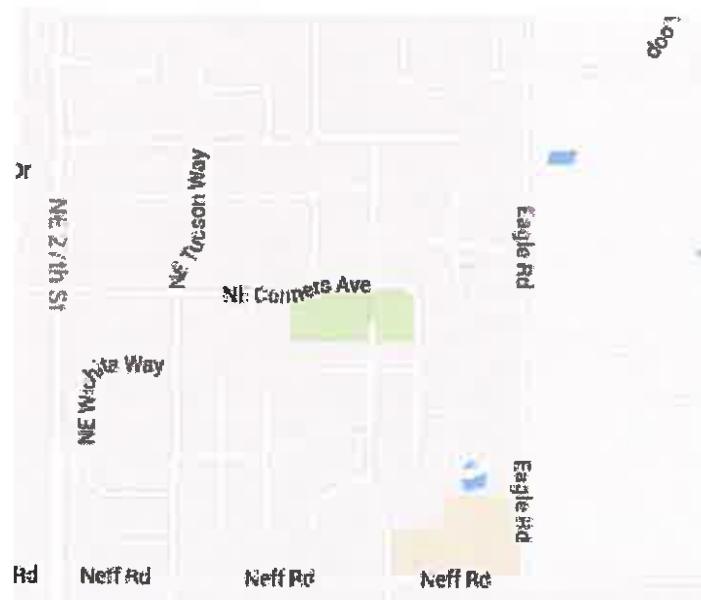
**Park Features**

- Basketball
- Large Picnic Shelter
- Natural Areas
- Playgrounds
- Seasonal Restrooms

**Mountain View Park**  
1975 NE Providence Drive at the corner of Connors.

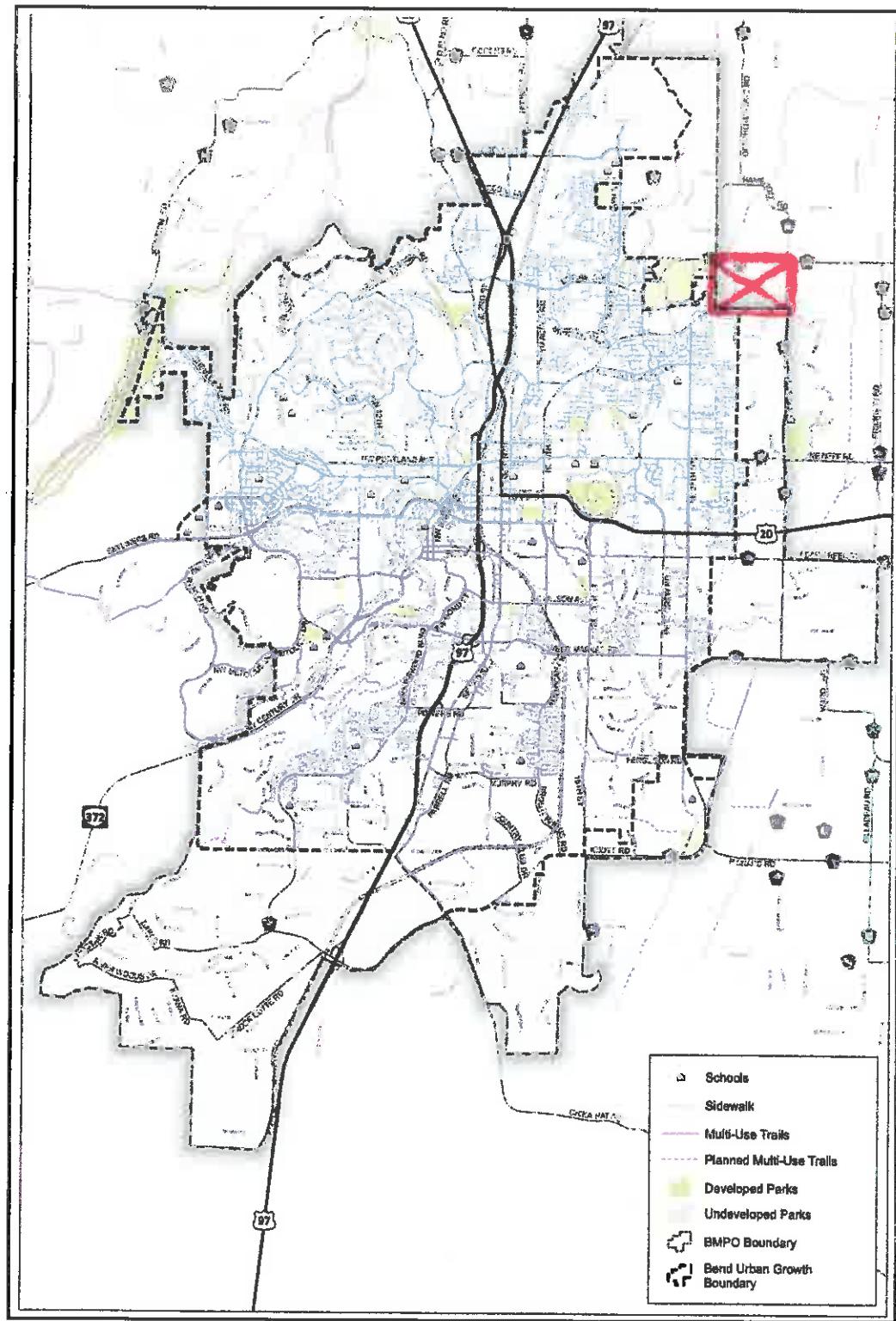


*Completed in 2007, this site is located in the midst of a rapidly growing area with a mix of single and multifamily housing. This park features large open lawn play areas, fully accessible walking trails, a play ground, picnic shelter with capacity for 8, and half-court basketball. Mountain views and views of Pilot Butte make this park perfect for picnics. A portable toilet is on site.*



## SCHOOLS, TRAILS, PARKS, SIDEWALKS

Bend MPO/MTP Map showing locations of schools, trails, parks, sidewalks and UGB. Subject area is indicated as a red rectangle with an "X". Schools, trails and parks are very close by.



## **SCHOOLS**

The area is served by the Bend-La Pine School District. The elementary school, middle school and high school are less than 5 minutes away.

Buckingham Elementary School is at 62560 Hamby Road, 1.1 mile due south of the southeastern corner of the subject area. It is a 4 minute drive.

Ponderosa Elementary School is at 3790 NE Purcell Boulevard, 0.7 mile due west of the northwestern corner of the subject area. It is a 3 minute drive.

The middle school serving the area is Sky View Middle School at 62555 18<sup>th</sup> Street. It is about 1.5 miles from the southwest corner of the subject area and is a five minute drive.

The high school serving the area is Mountain View High School, 2755 NE 27<sup>th</sup> Street. It is located exactly 1.0 mile away from the southwest corner of the subject area and is a 2 minute drive.

## **SEWERAGE SYSTEM EXPANSION**

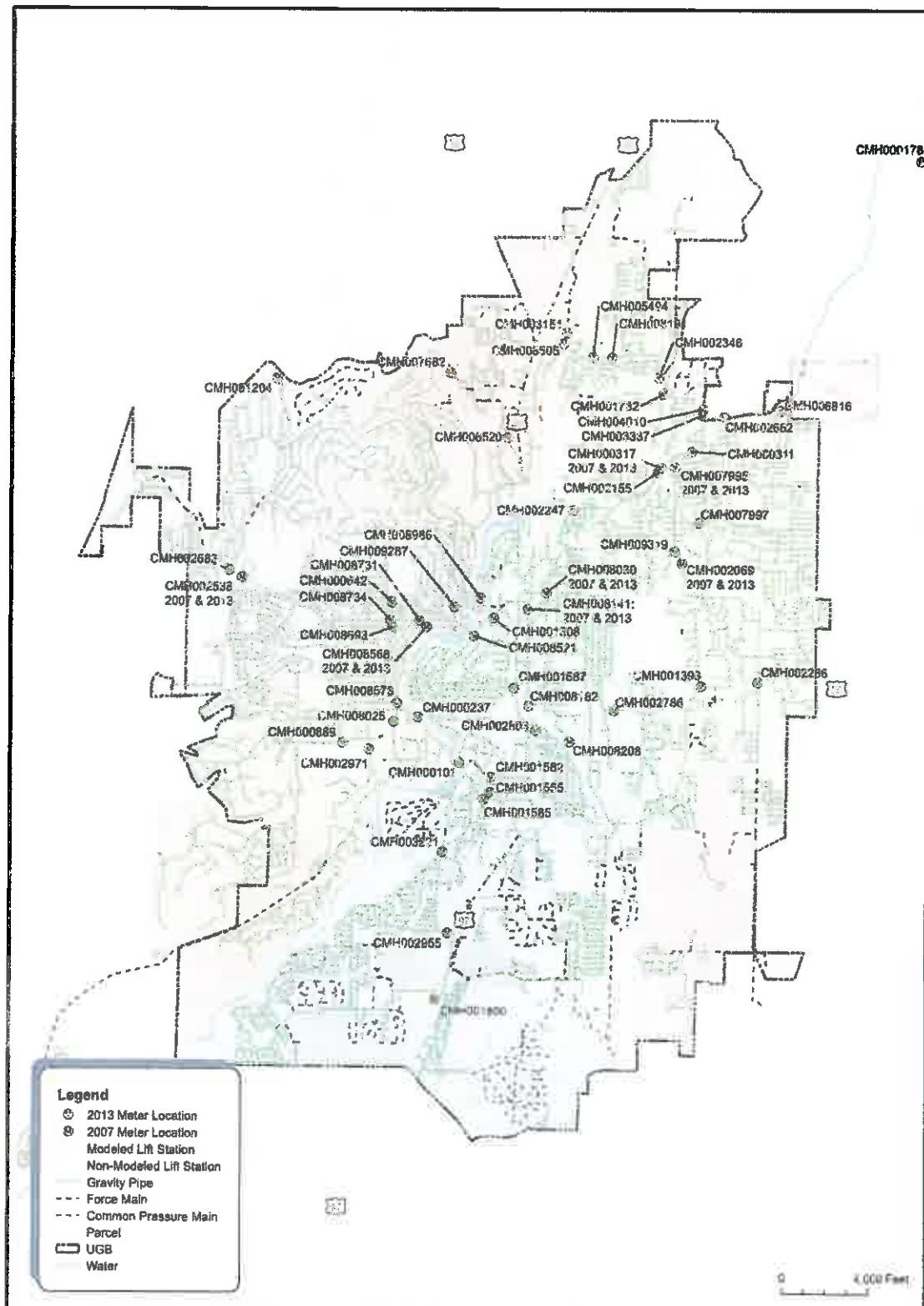
This site is ideal for orderly and efficient development of the sanitary sewerage system. Development of an urban sanitary sewerage system to serve areas brought into the UGB is a major expense. It is important that the cost, ease and efficiency of the new system be analyzed and calculated.

In this case, the interceptor that joins the entire City collection system to the treatment plant on McGrath Road runs through the subject area. It is deep enough at this location to serve the subject area by a gravity system, the least costly situation. Further, the planned Hamby Road sewer interceptor runs along the east boundary of the Perfect Rectangle. The study of relative costs and efficiency of developing the sewerage system in potential UGB expansion sites demonstrates the low cost in this area. No costly lift stations will be necessary.

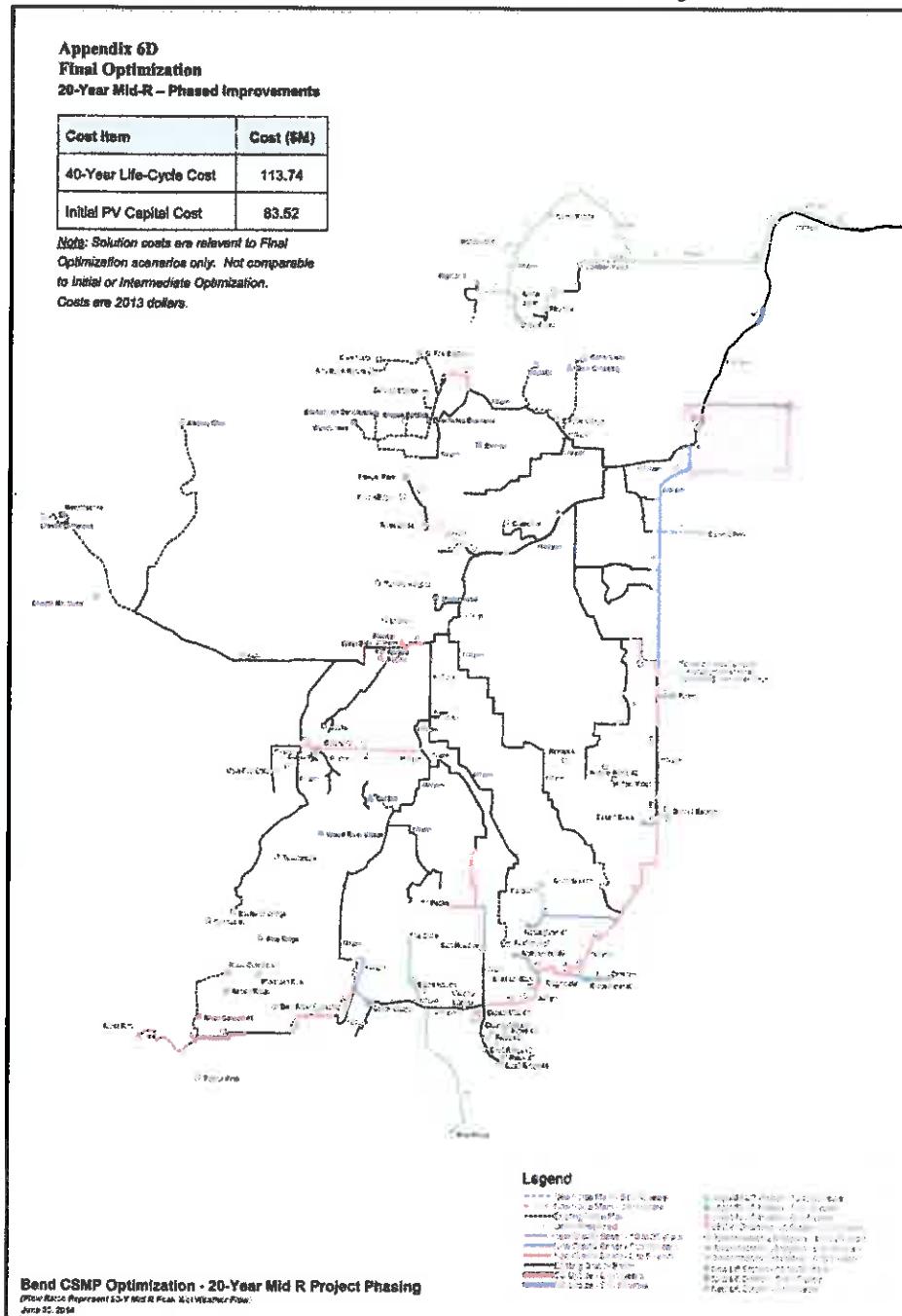
The terrain is nearly flat, which also keeps costs of a sewage collection system relatively lower than other areas. No pumping stations will be necessary.

The attached two figures from the City of Bend Collection System Master Plan show that the subject area drawn in pink adjoins the urban area that is currently served. The blue line is the interceptor taking all sewage northeast from the city collection system to the sewage treatment plant.

**City of Bend Collection System Master Plan Figure 4B-1, 2007-2013 Flow Meters.**  
**Rectangle outlined in pink shows the subject area on the upper right side.**



**Appendix 6D of the City of Bend Collection System Master Plan. North at top of figure.  
Rectangle outlined in pink shows the subject area.**



## **DOMESTIC WATER SYSTEM EXPANSION and STORMWATER COLLECTION**

This site is ideal for orderly and efficient development of the domestic water system. Avion currently serves the area. City water is available immediately south and west of the site.

The terrain allows a new City water system that flows by gravity, a much less costly alternative than pump stations. The area is relatively flat and has fewer surface rock and rock outcroppings than in many areas around Bend. A rocky area runs north-south just east of Cole Road, in an uncultivated area of scrub juniper. Also, the minimal level of development is an advantage. Some of the tax lots have no structures at all. Most tax lots include some cleared land and most has been farmed at one time or another. No intensive farming is going on in the area. Development consists of some rural homes and outbuildings, most over 25 years old.

Development of an urban domestic water distribution system and a stormwater collection system to serve areas brought into the UGB is a major expense. It is important that the cost, ease and efficiency of the new system be analyzed and calculated. The costs of this area are favorable to its development.

## **EXISTING IRRIGATION WATER**

Currently, although the North Unit Canal flows through the western portion of the subject area, it does not convey or distribute water in Deschutes County. The water is used in Jefferson County.

Irrigation water is provided to the area from a lateral of the Central Oregon Canal that primarily conveys water from a diversion point at the Deschutes River south of Bend to the Powell Butte area. Central Oregon Irrigation District distributes irrigation water to its users who have water rights in the subject area. An open shallow irrigation lateral about 3-feet wide and 1.5-foot deep flows under Butler Market Road and across the ridge in the subject area. A few irrigation ditches branch off of it along Butler Market Road and Cole Road. The lateral continues beyond the northern boundary of the subject site. The system flows northeast by gravity. Some of the water used in the subject area is stored in irrigation ponds in the area. Some of the tax lots do not have recorded rights to irrigation water. Others have chosen to give up a previous right and that change is recorded in their deeds. In this area, only a few small parcels as seen on the aerial photos in green are being irrigated for agriculture.

It is important to note that irrigation water rights have no bearing on the development of exception lands like MUA-10 and UAR-10. Owners may choose to make any beneficial use of that water. The Oregon Department of Water Resources defines the beneficial uses that can use irrigation water conveyed from the Deschutes River by COID. Approved beneficial uses of irrigation water conveyed by the canal include irrigating fields for agricultural crops, Bend Airport, lawns and landscaping in industrial parks, medical facilities, mobile home parks, cemeteries, recreational parks, school yards, and residences. Owners may also return water to the river.

After this area is brought into the UGB, irrigation water can be made available for these uses or conservation, instead of using more expensive City domestic water, which increases the desirability of this area for urbanization.

## Damian Syrnyk

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**From:** Robin Vora <robinvora1@gmail.com>  
**Sent:** Friday, January 15, 2016 4:52 AM  
**To:** Damian Syrnyk  
**Cc:** Brian Rankin; Joe Dills  
**Subject:** Re: The January 20, 2016 Boundary TAC meeting packet is ready to download

Hello from Inle Lake, Myanmar (or Burma). I won't be making the Jan. 20 meeting. Please forward my comments to the Boundary TAC committee with a cc to the UGB Steering Committee. I am sorry I can't be there for the discussion. Thank you for the opportunity to comment.

A gracious hotel receptionist let download the meeting packet on his computer. It took 4-5 minutes. I could only scan it quickly. Please forgive me if my comments reflect that.

What I saw was disappointing to me. We spent considerable time following the State Goal 14 process. We keep dismissing it to arbitrarily favor 2-3 landowners whose interests appear to me to be well supported on the Boundary TAC committee.

My comments remain the same. I don't see how we have a defensible process under State Goal 14 direction when we include properties that have less affordability, and are located in areas that are in mule deer habitat and have higher fire risk as long as there are other landowners who would like their properties with fewer Goal 14 conflicts to come into the UGB.

Northwest Crossing is a nice development but more expensive single family housing like that does not serve the affordability problem of the present residents of Bend.

These new twists, Scenarios 2.1b and 2.1c, appear to be more than minor tweaks of Scenario 2.1 which has had much more analysis and review. I don't support 70 percent expensive single family homes on the West side while other areas have more multi-family housing. We don't need more westside exclusiveness.

All of the expansion areas should strongly support mixed-use that we have all agreed is important, and is strongly supported by Bend residents. Some areas should not be less mixed because of property owner desires, including profit motives, or neighborhoods wanting to be exclusive.

While I don't support the westside development even in Scenario 2.1 for the reasons I mentioned, I completely miss a logical explanation under State Goal 14 direction for Scenario 2.1c. I don't recall 2.1b well but didn't think it was not an improvement either. Scenarios 2.1b and 2.1c would have higher road costs, miles driven, and sewer costs than Scenario 2.1, in addition to the affordability, fire and mule deer habitat issues I mentioned. I don't see that as acceptable.

If the committee wants Westside development, it should not go beyond what is in Scenario 2.1.

Robin Vora  
1679 NE Daphne Dr  
Bend, OR 97701

On Friday, January 15, 2016, Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)> wrote:

Boundary TAC members,

You can now download the meeting packet for your January 20, 2016 meeting. Please use this link to download the materials:

<http://www.bendoregon.gov/index.aspx?page=52&parent=25690>.

You will also find a pdf of the public testimony received to date uploaded with the meeting packet.

Please also let me know if you would like a printed copy of the packet in advance.

Thanks,

Damian



Damian Syrnyk, AICP | Senior Planner

O: 541-312-4919 |



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## Darcy Todd

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**From:** Damian Syrnyk  
**Sent:** Wednesday, February 03, 2016 9:38 AM  
**To:** Cassie Walling  
**Cc:** Brian Rankin  
**Subject:** FW: Matt Day UGB Appeal

Cassie, please include in the record. I'll pdf and incorporate with the other comments we've received. Thanks, Damian

---

**From:** Rowan Brown [mailto:Rowan.Brown@pacificsource.com]  
**Sent:** Wednesday, February 03, 2016 9:30 AM  
**To:** Damian Syrnyk <dsyrnyk@bendoregon.gov>  
**Cc:** Pz3r (pz3r@comcast.net) <pz3r@comcast.net>  
**Subject:** Matt Day UGB Appeal

**Rowan & Patty Brown**  
62761 Sand Lily Way  
Shevlin Commons

With regards to Matt Day's UGB and high lot density appeal:

Shevlin Commons is a wonderful example of the City and developers working in concert to create a housing development that has lower density, human-scale homes, sited to work with the natural landscape rather than assume to dominate it.

If I understand the history correctly, the City was increasingly concerned with the encroachment of larger scale home developments inevitably arriving all the way up to the edge of Shevlin Park, an important outdoor open space enjoyed by everyone.

Andy Crosby worked with the land owner at the time and the City of Bend to create a concept of landscape based development that takes a softer approach and places the emphasis on preserving open spaces as natural buffers. 40% of the development running along Shevlin Park was set aside to be preserved and will remain untouched.

Why not take a great idea that was well implemented... *and create more development projects like this.*

Please keep heading in this positive direction; More consideration towards open space-first development, no 'backyards', no curbs, low height human-scaled homes, reduce density where possible.

Thank you

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## **Darcy Todd**

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**From:** Damian Syrnyk  
**Sent:** Friday, February 19, 2016 1:44 PM  
**To:** Cassie Walling; Darcy Todd  
**Subject:** FW: letter to USC  
**Attachments:** Dear USC committee members.docx; ATT00001.htm; ruth\_williamson\_logo small.jpg; ATT00002.htm

Ruth Williamson letter for the record

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**From:** Ruth Williamson [mailto:[rwillbend@gmail.com](mailto:rwillbend@gmail.com)]  
**Sent:** Wednesday, February 03, 2016 12:59 PM  
**To:** Damian Syrnyk <[dsyrnyk@bendoregon.gov](mailto:dsyrnyk@bendoregon.gov)>  
**Cc:** Brian Rankin <[brankin@bendoregon.gov](mailto:brankin@bendoregon.gov)>  
**Subject:** letter to USC

Hi Damian,  
Could you please forward the attached letter to the USC regarding the Boundary TAC recommendations?  
THANK YOU!!



February 3, 2016

Dear USC committee members,

Please support the UGB Boundary TAC recommendations as forwarded to the USC for your February 10th meeting.

The Boundary TAC deliberated exhaustively over the past year plus to arrive at a nearly unanimous endorsement of these recommendations (15-0 on all areas, except 14-1 concerning westside expansion).

Speaking for myself, I am proud of the work done to find solutions by Central Oregon LandWatch and westside landowners—the Miller Family, the Coats Family, NWX, Anderson Ranch and Rio Lobo, and the compromise approved by the TAC. Though no one is getting all they wanted, everyone is getting something important to them.

Is it perfect? No. But it reflects many, many hours of open discussion and investigation, and offers an inspiring vision for future conversations regarding the expansion of our UGB—the next required update of which is a mere 10 years away.

Highlights from my point of view:

- We have a cap on the number of housing units on the westside of Bend. We know what the preferred housing mix looks like (consistent with the 'transect' model). We have addressed complex issues concerning fire mitigation, wildlife corridors, public access, expansion of parklands and transit connectivity.
- We are effectively triggering 'complete community' residential and mixed-use development of more affordable lands to the north, east, south and southeast of Bend.
- We are being as conservative as we can with this proposed expansion, awaiting key policy and code updates to support assumptions around UAR designations, annexation and density distributions within town.
- We realize there are landowners who feel their properties were excluded

unfairly; not everyone will be happy. We respectfully ask that these landowners move through the process of master planning the development of their assets in order to be included in the next UGB expansion conversation.

- We now have a process template that is grounded in stakeholder engagement, and is defensible and appropriate to the thoughtful build-out of our precious community.

To the project team and city leadership, I say: Well done!

Your adoption of the Boundary TAC's preferred scenario—2.1C, moves us confidently down the path of final approval by DLCD and on to the important work of implementation, responding with a near-term inventory of buildable lands to accommodate Bend's growing and diversifying population.

Many of the Boundary TAC members will be available to take your questions at the meeting on 2/10. If we can shed light on our deliberations or outcomes, just call on us!

THANK YOU for your measured approach to envisioning a livable and thoughtfully considered UGB boundary expansion for Bend. This work matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Ruth Williamson".

Ruth Williamson  
UGB Boundary TAC member

Received  
2/9/2014

January 18, 2016

For  
2/10/16 USC

To: Damian Syrnyk, AICP  
Community Development Department  
  
From: Terry and Darla Fournier  
21483 Neff Rd  
Bend, OR 97701  
Tax Lot 1701

My name is Terry Fournier and I would like to present the following information to the Technical Advisory Committee regarding the inclusion of my property into the proposed UGB currently before the committee.

Our 10 acres located at 21483 Neff Rd. was in the county until 1988 at which time we were annexed into the city in exchange for being allowed to connect to city water. In speaking to the city about being allowed access to city water we were informed that we would in turn have to allow our property to be included in the city limits. In the mid 1990's we were made aware that while our property is included in the city limits the city neglected to also include us in the existing UGB. Ours is the only property within city limits to be excluded from the UGB. In discussing this situation with the city the explanation was that it was an oversite on the city's part to have not included our property at the time it was annexed.

In prior iterations of the proposed UGB boundaries this property has repeatedly been shown to be included, however, it appears that the current trend towards including only large parcels has left our moderately sized property as an island surrounded by properties that are to be included or already are.

In conclusion we respectfully request that our property be included in the new UGB per our expectations fostered by our earlier conversations with the city.

Respectfully,

Terry Fournier

# West of Hwy 97

## New Bend expansion scenario

The city of Bend is working on a proposal to expand its urban growth boundary, or UGB, which separates urban growth governed by the city from rural development governed by the county. A steering committee overseeing the process has narrowed the expansion down from multiple proposals to one, shown below. However, the boundary is likely to be adjusted as the city continues to propose new development policies for land already within the boundary.

### O.B. Riley / Gopher Gulch

Employment focus

- 1,400 jobs

### Housing mix legend

SF: Single family detached

ASF: Attached single family

MF: Multifamily

### Northeast Edge

New residential and commercial areas

- 550 housing units

- 300 jobs

### Housing mix:

51% SF, 8% ASF, 41% MF

### North "Triangle"

New neighborhood and employment

- 550 housing units

- 950 jobs

### Housing mix:

30% SF, 9% ASF, 61% MF

### West Area

New neighborhood with some employment

- 750 housing units

- 700 jobs

Housing mix:

\*33% SF, 20% ASF, 48% MF

### DSL Property

Complete community

- 900 housing units

- 830 jobs

Housing mix:

\*45% SF, 15% ASF, 41% MF

### "The Elbow"

New neighborhood employment area

- 800 housing units

- 2,500 jobs

Housing mix:

32% SF, 1% A

### "The Thumb"

Residential and employment

- 350 housing units

- 1650 jobs

Housing mix:

25% MF

Percentages do not add to 100% due to rounding

## Google Maps



Imagery ©2016 DigitalGlobe, State of Oregon, Map data ©2016 Google 200 ft

Google Maps 21483 Neff Rd



Imagery ©2016 DigitalGlobe, State of Oregon, Map data ©2016 Google 200 ft



21483 Neff Rd

Bend, OR 97701





PATRON: Fournier, Terry/Darla



## NOTICE

THIS IS NOT A CERTIFICATION OF WATER RIGHTS  
NOR DOES THIS WARRANT THE SAME BUT SERVES  
ONLY TO PROVIDE INFORMATION AVAILABLE AT  
THIS OFFICE AS OF THIS DATE: 10/14/2015

## NOTICE

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHTS. IT IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

TRS: 171235  
TAXLOT: 1712350001701  
APPROX TL SIZE: 9.56 ac

$$1 \text{ inch} = 150 \text{ feet}$$

0      75      150      300  
Feet

## Legend



## PATRON'S PARCEL



Ergonomics 2020, 63, 5



## STREETS

## STREETS

06203

360 SW Bond Street, Suite 500, Bend, OR 97702 | Phone 541.749.4044 | Fax 541.330.1153 | [www.schwabe.com](http://www.schwabe.com)

**TIA M. LEWIS**  
Direct Line: 541-749-4048  
E-Mail: [tlewis@schwabe.com](mailto:tlewis@schwabe.com)

February 8, 2016

**VIA E-MAIL**

Brian Rankin  
Planning Manager / Growth Management  
City of Bend  
710 NW Wall Street  
Bend, OR 97701

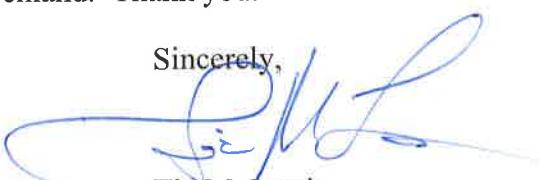
Re: UGB - Boundary & Growth Scenario Maps  
Evidence for Inclusion of Coats UAR Property  
Our File No.: 125457-188345

Dear Brian:

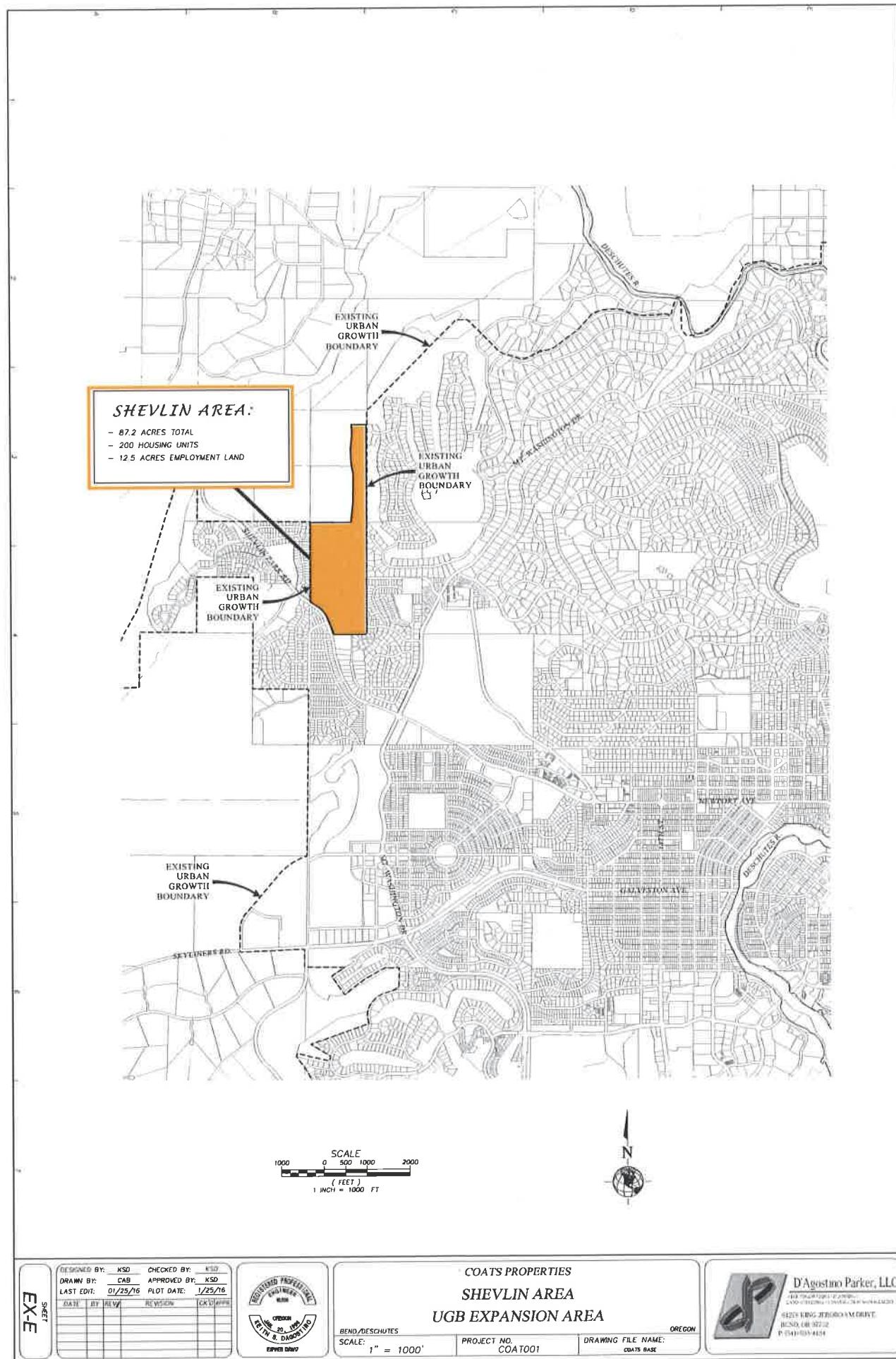
We are writing on behalf of the Joyce Coats Revocable Trust, Eric and Robin Coats, Shevlin Sand & Gravel and CCCC, LLC in support of the 2.1C map. In that respect, we would like to propose a slight adjustment to the Shevlin Area shown on the 2.1C map at the last meeting. As discussed in our prior submissions and testimony, the Coats have a sewer easement across the Awbrey Glen golf course to serve the acreage currently included on the 2.1C map. To utilize this easement and make the sewer service to this basin more economical, we suggest adding the additional area shown on the attached map to the 2.1C map (approximately 17.2 acres). We are not suggesting any increase in residential units (200 residential units was agreed upon at the meeting) but just the additional acreage necessary to utilize the sewer connection and easement at Hilton Court.

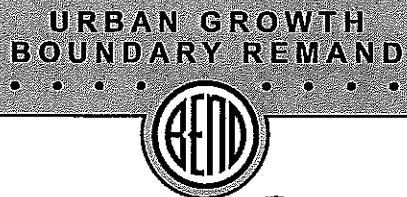
Please present the enclosed materials to the Boundary TAC and Steering Committee include them in the record for the UGB remand. Thank you.

Sincerely,

  
Tia M. Lewis

TML:ls  
Enclosures





# Sign in Sheet

Meeting:

Boundary TAC

Date:

1/20/2016

Location:

Name	Organization	Email Address
Christie M. Brown		christiebrown@bendtel.net
Rod Tomcho	UGB TAC	
Sharon Smith		
Ron W. McMillen	Curt Barney	dlts55@yahoo.com
Jody Waed	J. L. Wad	
Sid Snyder		
Charley Maria	UGB TAC Maria TF	
Tia Lewis		tlewis@schwabe.com
Brenda & Betty Hendrix	63750 DB Riley Rd. ANDERSON RANCH	Brendas097@gmail.com
Tim Elliott		tim@attorneys.com
Scott Edelma		
Jeff Reed	NAT Cascade	jeed@nacascade.com
Greg Blackmore	Blackmore Planning	greg@blackmoreplanning.com



## Sign in Sheet

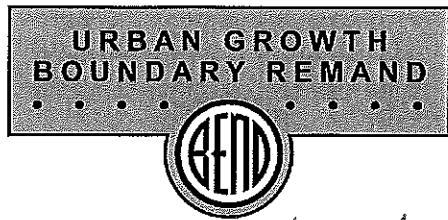
## Meeting:

## Boundary TAC

Date:

11/20/2016

Location:



## Sign in Sheet

Meeting: VGB Agency Coord - Scenario 2.1.D  
Date: 2/5/16  
Location: Council Chambers