

GROWTH MANAGEMENT

CERTIFICATE OF NOTICE BY MAIL

FILE NO: PZ-07-361

DOCUMENT MAILED: Notice of August 25, 2016 Joint Hearing of the Bend City Council and the Deschutes County Board of Commissioners

I certify that on the 5th day of August, 2016, the attached notice/report, dated August 5, 2016, was mailed by first class mail, postage prepaid, to the person(s) and address (es) set forth on the attached list.

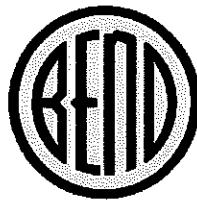
DATED this 5th day of August, 2016.

By:

A handwritten signature in black ink, appearing to read "Damian Syrnyk".

Damian Syrnyk, Senior Planner

Matt Denney P.O. Box 2204 Bend, OR 97709	Justin Livingston 61149 S Hwy 97, PMB 303 Bend, OR 97702	Jim Beauchemin P.O Box 8151, Bend, OR 97709-8151
Warren Glenn 2843 NE Waller Dr Bend OR 97701	Bob Brell 61130 Bachelor View Dr Bend, OR 97702	Terry Reynolds P.O. Box 1853 Bend OR, 97709
Susan Sullivan Larkspur NA 61149 S Hwy 97, Bend, OR 97702 PMB 303	Bill Galaway 60313 Sage Stone Loop Bend, OR 97702	Mark Weers, Land Use 367 NW Riverfront St. #2 Bend, OR 97701
Trygve Bolken 2690 NE Jill Ct. Bend, OR 97701	Bryan Smith P.O. Box 5095 Bend OR 97708-5095	Mike Lovely 60886 Granite Dr. Bend, 97702



GROWTH MANAGEMENT

Dated and Mailed August 5, 2016

709 NW WALL STREET

PO BOX 431

BEND, OR 97709

541-388-5505 TEL

Relay Users Dial 7-1-1

541-385-6676 fax

bendoregon.gov

MAYOR

Jim Clinton

MAYOR PRO TEM

Sally Russell

CITY COUNCILOR

Nathan Boddie

Barb Campbell

Victor Chudowsky

Doug Knight

Casey Roats

CITY MANAGER

Eric King

DIRECTOR

Nick Arnis

BEND UGB REMAND PROJECT NOTICE OF AUGUST 25, 2016 PUBLIC HEARING

The Bend City Council and the Deschutes County Board of Commissioners will hold a joint public hearing on Thursday, August 25, 2016 in the Barnes/Sawyer Room of the Deschutes Services Building, located at 1300 NW Wall Street, Bend. The purpose of the hearing is for the City Council and Board of Commissioners to receive evidence and testimony regarding proposed amendments to the comprehensive plans, land use regulations, and planning and zoning maps of the City and the County that would approve an expansion of the Bend Urban Growth Boundary (UGB).

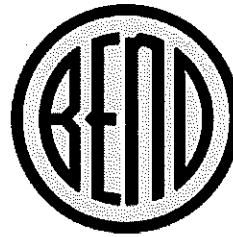
The public hearing will be held in two sessions. An afternoon session will start at 1:00 pm. An evening session will start at 6:00 pm. Attendance at both hearings is not required. The Staff Report will be available one (1) week before this hearing. Interested persons will be able to download the Staff Report from the City of Bend's website using this URL: www.bendoregon.gov/bendugb.

For more information, please visit the project website at www.bendoregon.gov/bendugb or contact either Brian Rankin at brankin@bendoregon.gov or Damian Syrnyk at dsyrnyk@bendoregon.gov.



Accessible Meeting Information

This meeting event/location is accessible. Sign language, interpreter service, assistive listening devices, materials in alternate format, such as Braille, large print, electronic formats, or any other accommodations are available upon advance request. Please contact Damian Syrnyk at 541-312-4919 or dsyrnyk@bendoregon.gov. Providing at least 3 days notice prior to the event will help ensure availability.



GROWTH MANAGEMENT

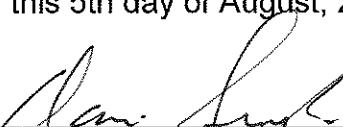
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The public hearing will be held in two sessions. An afternoon session will start at 1:00 pm. An evening session will start at 6:00 pm. Attendance at both hearings is not required. The Staff Report will be available one (1) week before this hearing. Interested persons will be able to download the Staff Report from the City of Bend's website using this URL: www.bendoregon.gov/bendugb.

For more information, please visit the project website at www.bendoregon.gov/bendugb or contact either Brian Rankin at brankin@bendoregon.gov or Damian Syrnyk at dsyrnyk@bendoregon.gov.



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MONTE F.

11273



Community Development Department

Planning, Building Safety, Environmental Soils, Code Enforcement
PO Box 6005, Bend, Oregon 97708-6005
117 NW Lafayette Avenue
www.deschutes.org/cd

MEMORANDUM

TO: Deschutes County Board of County Commissioners

FROM: Matthew Martin, AICP, Associate Planner

DATE: August 3, 2016

SUBJECT: City of Bend Urban Growth Boundary Amendment / Work Session

BACKGROUND

The City of Bend proposes an amendment to the Bend Urban Growth Boundary (UGB) to add 2,380 acres for needed housing, employment opportunities, and other urban uses.¹ The work session on August 10 prepares the Board of County Commissioners (Board) for the upcoming joint public hearing with Bend City Council on August 25.² The public hearing will take place in the Barnes and Sawyer rooms located at the Deschutes Service Center, 1300 NW Wall Street, in Bend. The hearing will be conducted in two sessions. An afternoon session will start at 1:00 pm and end no later than 5:00 pm. An evening session will start at 6:00 pm and end no later than 9:00 pm.

PROPOSED AMENDMENTS TO DESCHUTES COUNTY CODE

The City of Bend's UGB expansion requires Deschutes County to amend its Comprehensive Plan and Title 19, Bend Urban Area Zoning. The proposed ordinances are summarized below and attached for reference.

- Ordinance Nos. 2016-020 and 021 repeal Ordinance Nos. 2009- 001 and 002, adopted by the Deschutes County Board of Commissioners in February 2009, because the 2016 UGB expansion requires substantially different amendments to the Deschutes County Comprehensive Plan, Comprehensive Plan Map, and Bend Urban Area Zoning than the City of Bend's 2009 proposal.
- Ordinance Nos. 2016-022 and 023 recognize the City of Bend's current UGB amendment in the County's Comprehensive Plan and Comprehensive Plan Map and delete obsolete zoning references in Title 19 pertaining to urban unincorporated zones.

¹ On April 16, 2009, the City of Bend and Deschutes County submitted an adopted UGB amendment proposing a boundary expansion of 8,943 acres to the Department of Land Conservation and Development. On January 8, 2010, the Department Director issued a report and order remanding the proposal back to the city and county. Several parties, including the City of Bend, filed appeals of this order to be heard by the Land Conservation and Development Commission (LCDC). LCDC held public hearings on March 18 and 19, April 23, and May 12, 2010. At the Commission's final hearing in Bend on May 12, 2010, the Commission approved a motion to remand the proposal back to the City. The Commission issued its final partial acknowledgement/remand order on November 2, 2010.

² A complete copy of the City of Bend UGB proposal, totaling approximately 1,800 pages will be provided to the Board on August 10. The proposal can also be downloaded from the City's website: <http://www.bend.or.us/index.aspx?page=1290>

DESCHUTES COUNTY PLANNING COMMISSION

Deschutes County Code, 18.12.040(B) requires legislative amendments to be reviewed by the Deschutes County Planning Commission prior to action being taken by the Board. On July 28, staff conducted the first of two work sessions with the Planning Commission summarizing the proposed UGB expansion and County amendments, Ordinance Nos. 2016-020, 2016-021, 2016-022, and 2016-023. On August, 11, City of Bend staff will conduct a second work session with them focusing on the details of the City's proposal.

Attachments:

Draft Ordinances 2016-020 through 2016-023
City of Bend Findings Excerpt: Section 7 – UGB Location



Deschutes County Board of Commissioners
1300 NW Wall St., Bend, OR 97703-1960
(541) 388-6570 - Fax (541) 385-3202 - www.deschutes.org

WORK SESSION AGENDA

DESCHUTES COUNTY BOARD OF COMMISSIONERS

1:30 P.M., WEDNESDAY, AUGUST 10, 2016

Pursuant to ORS 192.640, this agenda includes a list of the principal subjects anticipated to be addressed at the meeting. This notice does not limit the ability of the Board to address additional subjects. Meetings are subject to cancellation without notice. This meeting is open to the public and interested citizens are invited to attend.

Work Sessions allow the Board to discuss items in a less formal setting. Citizen comment is not allowed, although it may be permitted at the Board's discretion. If allowed, citizen comments regarding matters that are or have been the subject of a public hearing process will NOT be included in the official record of that hearing. Work Sessions are not normally video or audio recorded, but written minutes are taken for the record.

1. Redmond Economic Development Inc. Presentation and Update – *Jon Stark*

2. “Welcome to Deschutes County” Veterans’ & First Responders’ Signage
Proposal – *Chris Doty*

3. Discussion of Widgi Creek (Fairway and Pool) Decision Points – *Will Groves*

4. Discussion of Land Use Process for Bend UGB Expansion – *Matt Martin and Peter Gutowsky*

Meeting dates, times and discussion items are subject to change. All meetings are conducted in the Board of Commissioners' meeting rooms at 1300 NW Wall St., Bend, unless otherwise indicated. If you have questions regarding a meeting, please call 388-6572.

Deschutes County encourages persons with disabilities to participate in all programs and activities. To request this information in an alternate format, please call (541) 617-4747, or email ken.harms@deschutes.org.

5. Other Items

These can be any items not included on the agenda that the Commissioners wish to discuss as part of the meeting, pursuant to ORS 192.640.

At any time during the meeting, an executive session could be called to address issues relating to ORS 192.660(2)(e), real property negotiations; ORS 192.660(2)(h), litigation; ORS 192.660(2)(d), labor negotiations; ORS 192.660(2)(b), personnel issues; or other executive session categories.

Executive sessions are closed to the public; however, with few exceptions and under specific guidelines, are open to the media.

6. Adjourn

Meeting dates, times and discussion items are subject to change. All meetings are conducted in the Board of Commissioners' meeting rooms at 1300 NW Wall St., Bend, unless otherwise indicated. If you have questions regarding a meeting, please call 388-6572.

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Community Development Department

Planning Division Building Safety Division Environmental Soils Division

P.O. Box 6005 117 NW Lafayette Avenue Bend, Oregon 97708-6005

Phone: (541) 388-6575 Fax: (541) 385-1764

<http://www.deschutes.org/cd>

AGENDA

DESCHUTES COUNTY PLANNING COMMISSION

DESCHUTES SERVICES CENTER

1300 NW WALL STREET, BEND, OREGON, 97701

JULY 28, 2016 – 5:30 P.M.

Planning Commission/Staff:

Steve Swisher ♦ Sisters (Chair)

Dale Crawford ♦ At Large (Vice Chair)

Jim Beeger ♦ Bend

Les Hudson ♦ At Large

Maggie Kirby ♦ Bend

Hugh Palcic ♦ South County

Susan Tunno ♦ Redmond

Nick Lelack ♦ Planning Director

I. CALL TO ORDER

Approval of July 14, 2016 minutes.

II. PUBLIC COMMENTS

III. UPDATE: MARIJUANA REGULATIONS – Matt Martin, Associate Planner; Peter Gutowsky, Planning Manager; Nick Lelack, Director

IV. WORK SESSION: BEND URBAN GROWTH BOUNDARY
(focusing on County amendments; City amendments will be discussed in a work session on August 11) – Matt Martin, Associate Planner

V. PLANNING COMMISSION & STAFF COMMENTS

VI. ADJOURN

NOTE: Items included in the packet for Planning Commission meetings can be located at:

<http://www.deschutes.org/calendar>

Deschutes County encourages persons with disabilities to participate in all programs and activities.

This event/location is accessible to people with disabilities.

If you need accommodations to make participation possible, please call the ADA Coordinator at (541) 617-4747.



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<http://www.co.deschutes.or.us/cdd/>

MEMORANDUM

TO: Deschutes County Planning Commission

FROM: Nick Lelack, AICP, Director
Peter Gutowsky, AICP, Planning Manager

DATE: July 21, 2016

SUBJECT: Overview of July 28 Planning Commission Meeting

Next Thursday, July 28, the Planning Commission will receive a debriefing on marijuana regulations and the City of Bend Urban Growth Boundary (UGB) Amendment.

Marijuana Regulations

Attached is a memorandum for the Board of County Commissioner's (Board) work session on Wednesday, July 27. The Board will discuss "Opting-Out" of Ordinance No. 2015-009 to regulate marijuana related land uses in unincorporated Deschutes County. Staff will update the Planning Commission on the outcome.

City of Bend UGB Amendment

Next week, the Planning Commissioners will also obtain copies of the Deschutes County ordinances relating to Bend's UGB amendment.

- Deschutes County through Ordinance Nos. 2016-020 and 021 is repealing Ordinance Nos. 2009-001 and 002, adopted by the Deschutes County Board of Commissioners in February 2009, because the 2016 UGB expansion requires substantially different amendments to the Deschutes County Comprehensive Plan, Comprehensive Plan Map, and Bend Urban Area Zoning than the City of Bend's 2009 proposal.
- Ordinance Nos. 2016-022 and 023 recognize the City of Bend's UGB amendment in the County's Comprehensive Plan and Comprehensive Plan Map and delete obsolete zoning references in Title 19 pertaining to urban unincorporated zones. The Bend UGB is being expanded to include properties currently regulated by Deschutes County.

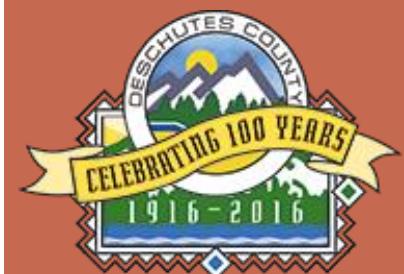
The City of Bend will provide the Planning Commission with a detailed presentation of their proposal on August 11.

Attachment: Board of County Commissioners Work Session Memorandum (July 27, 2016)

DESCHUTES COUNTY PLANNING COMMISSION

July 28, 2016

WORK SESSION:
AMENDMENTS TO DESCHUTES COUNTY CODE
RELATED TO CITY OF BEND
URBAN GROWTH BOUNDARY EXPANSION



BACKGROUND

- 2007 – City of Bend initiated process to expand the Bend Urban Growth Boundary (UGB).
- 2009 - Amendments related to the originally proposed UGB expansion approved by Bend City Council and Deschutes County Board of County Commissioners.
- 2010 - Oregon Land Conservation and Development Commission (LCDC) remanded the Bend UGB for revisions needed to conform with state requirements.
- 2016 – Bend formally reinitiated the land use process to amend the UGB.

PROPOSED AMENDMENTS

- **Ordinance No. 2016-020**
 - Repeal of Ordinance No. 2009-001
- **Ordinance No. 2016-021**
 - Repeal of Ordinance No. 2009-002
- **Ordinance No. 2016-022**
 - Amendment to the Deschutes County Comprehensive Plan
- **Ordinance No. 2016-023**
 - Amendment to Deschutes County Code Title 19, Bend Urban Growth Area Zoning

ORDINANCE NO. 2016-020

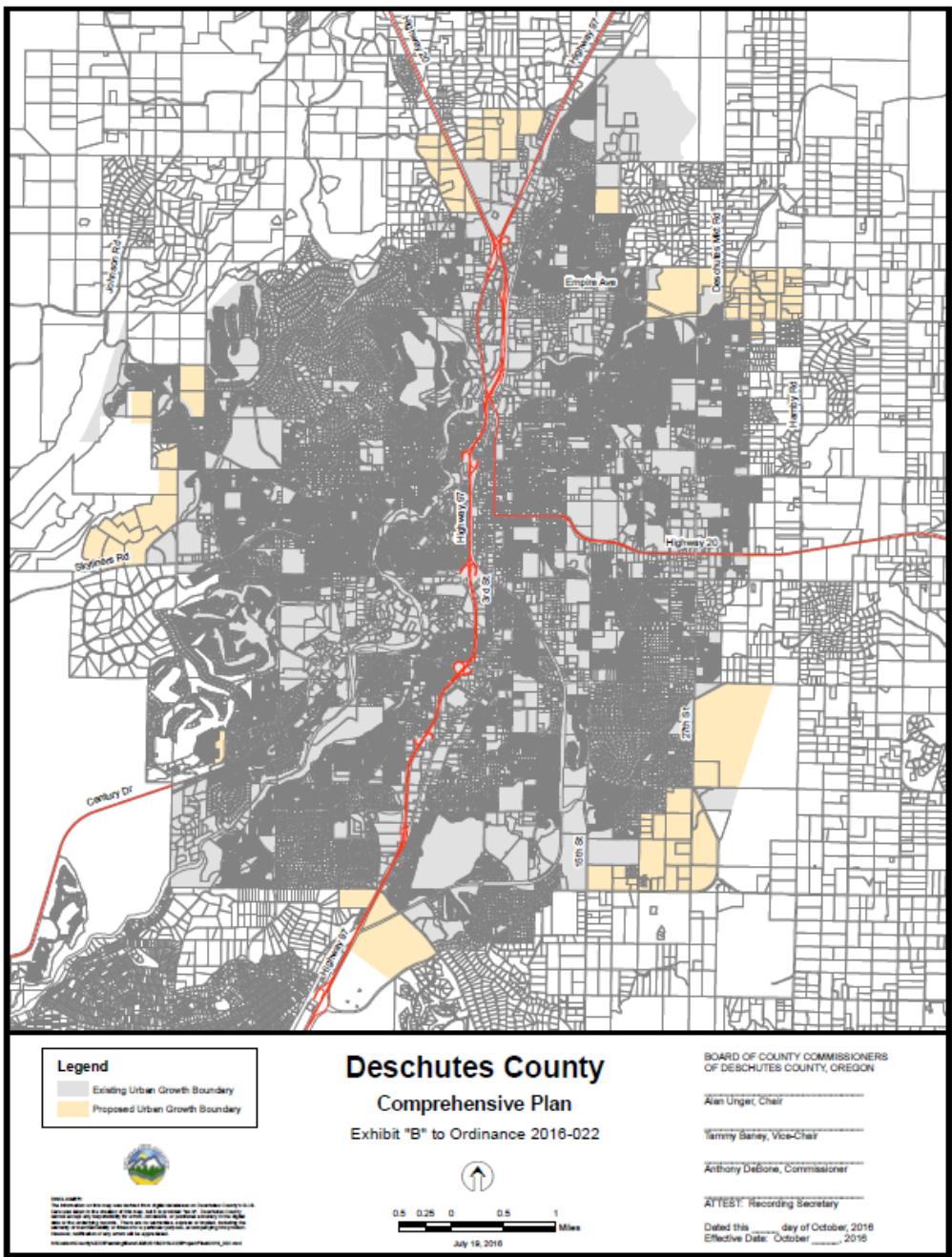
- Repeal of Ordinance No. 2009-01
 - Amendment to Deschutes County Comprehensive Plan related to the UGB expansion approved in 2009.
 - The amendments are no longer accurate or valid.

ORDINANCE NO. 2016-021

- Repeal of Ordinance No. 2009-002
 - Amendment to Title 19, Bend Urban Area Zoning, related to the UGB expansion approved in 2009.
 - The amendments are no longer accurate or valid.

ORDINANCE NO. 2016-022

- Amends the Deschutes County Comprehensive Plan
 - Section 1.3 Land Use Planning
 - Bend Urban Area Reserve Jurisdictional Change
 - From Bend General Plan to Deschutes County Comprehensive Plan
 - Section 4.2 Urbanization
 - Urban Growth Boundary Amendments
 - Acknowledges the justification and acreage related to the current UGB expansion project.
 - Includes reference to a previous site specific expansion for Pacific Crest Middle school completed in 2014.



**ORDINANCE
NO. 2016-22
(EXHIBIT B)**

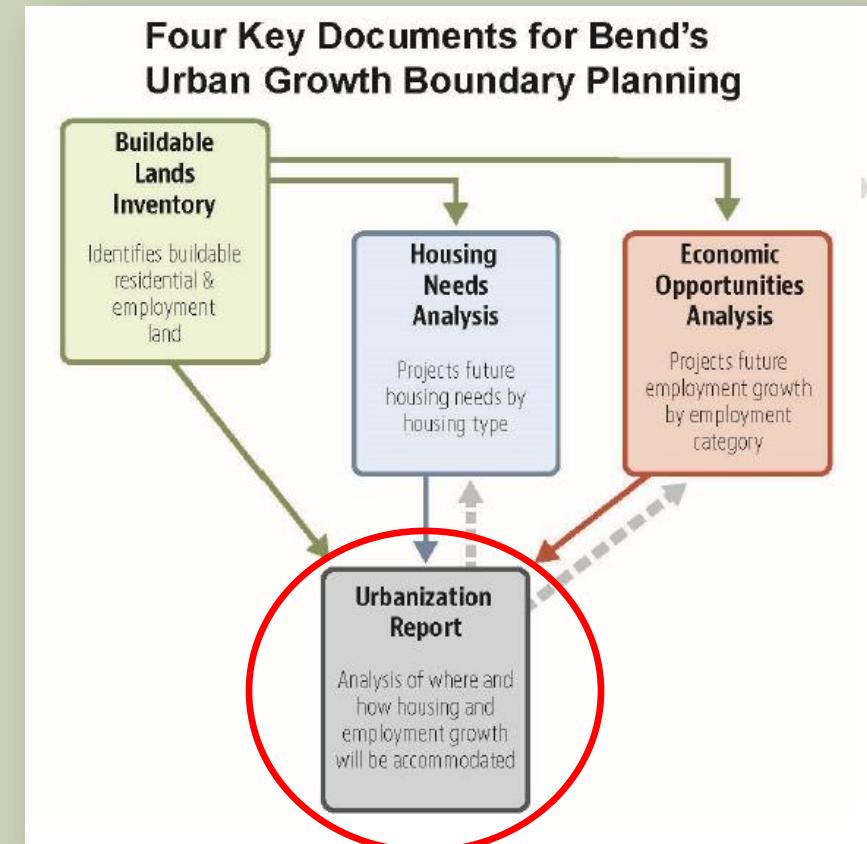
**PROPOSED
BEND UGB
EXPANSION
AREAS**

ORDINANCE NO. 2016-023

- Amendment to Deschutes County Code Title 19, Bend Urban Growth Area Zoning
 - Repeal of zones no longer under the jurisdiction of Deschutes County.
 - Removes unnecessary purpose statement.
 - Remove language related to Bend Area General Plan.
 - Upon approval of the UGB expansion, the Deschutes County Comprehensive Plan is the guiding plan document.

FINDINGS

- City of Bend providing lands analysis and justification
 - Findings Report
 - Section 7 UGB Location
 - Urbanization Report
- City of Bend Weblink to proposal:



<http://www.bend.or.us/index.aspx?page=1290>

City of Bend : Urban x

www.bend.or.us/index.aspx?page=1290

Apps Dial CDD insideDC Build with Chrom Webcasts | Utah County FTP Site Strategic Plan Up Whaddaya Think » Other bookmarks

BEND OREGON
1905

ABOUT BEND I WANT TO... BUSINESS RESOURCES COMMUNITY ONLINE SERVICES DEPARTMENTS

Departments » Growth Management » Urban Growth Boundary Demand

URBAN GROWTH BOUNDARY DEMAND

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URBAN GROWTH BOUNDARY DEMAND

MAKING BEND EVEN BETTER

Did you receive a notice in the mail?
[Click here!](#)

Public Hearing Documents for Bend UGB Demand

The adoption proceedings will begin with a public hearing scheduled for August 25, 2016, at the Deschutes Services Center, Barnes/Sawyer Room, 1300 NW Wall Street, Bend.

Proposed Ordinance and UGB Hearing Materials

<u>Exhibit A</u>	Findings – addressing compliance with applicable law
<u>Exhibit B</u>	New Bend Comprehensive Plan Chapter 5, Housing
<u>Exhibit C</u>	New Bend Comprehensive Plan Chapter 6, Economy
<u>Exhibit D</u>	Amended Bend Comprehensive Plan Chapter 7, Transportation

NEWS

Annual Water Quality Report
[Read More...](#)

EVENTS

Bend UGB Demand Informational Meeting
5:30 PM - 8:00 PM

Car Seat Clinic
11:30 AM - 2:30 PM

Joint City Council and Board of Commissioners Public Hearing on UGB expansion
1:00 PM - 5:00 PM

Joint City Council and Board of Commissioners Public Hearing on UGB expansion
6:00 PM - 9:00 PM

Car Seat Clinic
11:30 AM - 2:30 PM
[Read More...](#)

<http://www.bend.or.us/index.aspx?page=1290>

NEXT STEPS

- July 28 – City of Bend Open House
- August 11 - Planning Commission Work Session
 - City of Bend Staff to Present Overall Proposal
- August 25- Public Hearing
 - Joint Hearing of the Board of County Commissioners and Bend City Council

QUESTIONS?



7. UGB LOCATION

7.1. Introduction

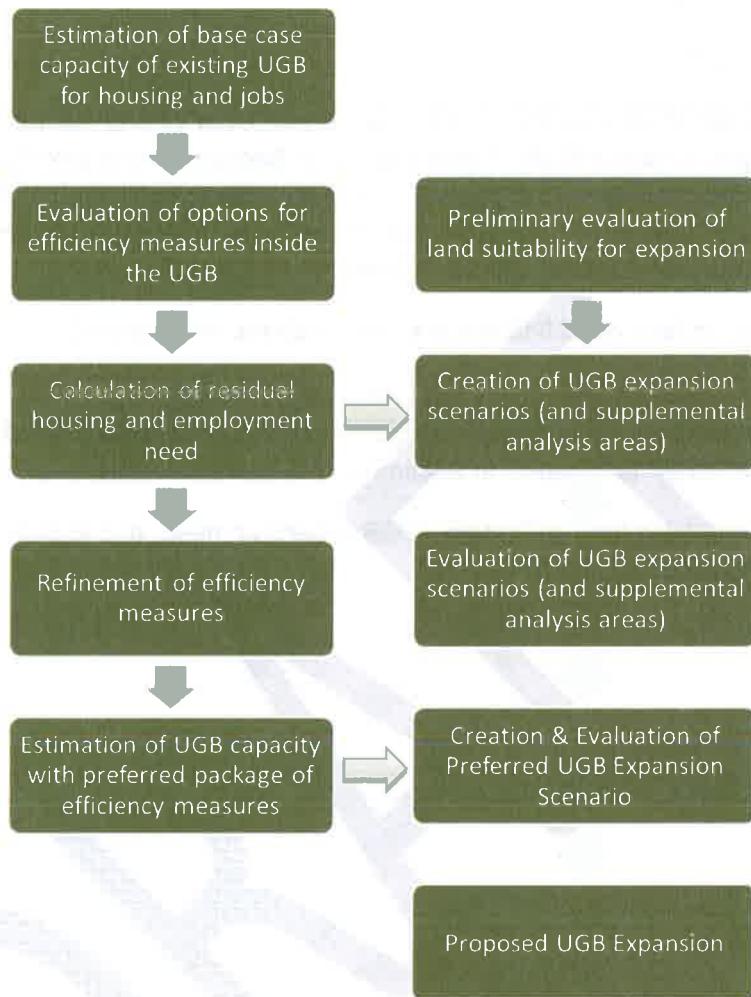
The findings in Section 7 address Bend's compliance with Goal 14 and related legal standards for the location of the proposed UGB. These findings in Section 7 document the process, steps, and rationale that Bend followed to: (1) establish a study area to evaluate land for inclusion in the UGB; and, (2) evaluate land in the study area for inclusion in the UGB based on statutory priorities and the boundary location factors of Goal 14.

Section 7 builds on the land need findings in earlier sections of this report:

- Findings for needed housing and residential land need in Section 4
- Findings for employment and economic development land need in Section 5
- Findings for “other” land needs in Section 6

The process of determining land sufficiency, UGB expansion need, and location of the UGB is summarized in Figure 7-1.

Figure 7-1: UGB Expansion Analysis Process Summary



7.2. Summary of Relevant Legal Standards

The findings in this section address the relevant legal standards that apply to Bend's determination of *where* to expand the UGB.

7.2.1. Applicability of Recent Amendments to Statute and Rule

OAR 660, Division 24 has been amended several times since the City first began the process of expanding the UGB. Statutes pertaining to amendment of UGBs were also amended in 2013. This section addresses the applicability of these amendments to the current UGB expansion proposal.

The City initially provided notice of a UGB expansion proposal along with related amendments on October 8, 2008. The City adopted the proposal on January 5, 2009. The current proposal is a response to the LCDC Remand. As stated in the LCDC Remand, "the city's decision is

subject to the version of the commission's rules in effect at the time of its decision, unless the rules specifically provide otherwise."

OAR 660-024-0000 contains an applicability stating the applicable version of the rule is tied to the date a city initiates its UGB amendment. Under the rule, the date the City initiated its UGB amendment is the date it sent 45-day notice of the proposed amendment to the Department. The City initiated the UGB amendment on October 8, 2008. DLCD and the City agreed that the version of OAR 660-024 in effect on April 5, 2007 applies to the city's decision.¹

Applicability of ORS 197A is addressed by Chapter 81 of Oregon Laws 2016, which states:

Notwithstanding ORS 197A.320, a city outside of Metro that submitted to the Director of the Department of Land Conservation and Development, pursuant to ORS 197.610, a proposed change to an acknowledged comprehensive plan or a land use regulation that included an evaluation or an amendment of its urban growth boundary, or that received approval of a periodic review work program that included a work task to amend or evaluate its urban growth boundary pursuant to ORS 197.633, prior to January 1, 2016, but did not complete the evaluation or amendment of its urban growth boundary prior to January 1, 2016, may complete the evaluation or amendment pursuant to statutes and administrative rules in effect on June 30, 2013.

As stated above, the City submitted notice to DLCD on October 8, 2008. Therefore, the City may complete the amendment pursuant to the statutes and administrative rules in effect on April 5, 2007 because this version was in effect and pertained to the City's submittal to DLCD, and are also prior to June 30, 2013. This is the version that governs this UGB amendment.

7.2.2. Organization of Findings

In an effort to address all relevant legal standards and to "tell the compliance story" in a logical way, the findings are organized to follow the steps, priorities and requirements set out in ORS 197.298 (the version in effect on April 5, 2007) and OAR 660, Division 24 (the version of that was adopted by LCDC on 10/5/06; effective 4/5/07). Table 7-1 summarizes the organization of the findings and the relevant legal standards.

Table 7-1: Relevant Legal Standards

Section Heading in Findings	Applicable Oregon Revised Statutes (ORS) ²	Applicable Statewide Planning Goal(s)	Applicable Oregon Administrative Rule(s) (OAR) ³
7.4.1 Establishment of Preliminary Study Area		Goal 14	660-024-0060(4)

¹ Note, however, that the UGB study area and analysis satisfy the new Division 24 rules.

² Version in effect on April 5, 2007.

³ Version adopted by LCDC on 10/5/06; effective 4/5/07.

Section Heading in Findings	Applicable Oregon Revised Statutes (ORS) ²	Applicable Statewide Planning Goal(s)	Applicable Oregon Administrative Rule(s) (OAR) ³
7.4.2 Land Excluded from Preliminary Study Area	197.298(3); 197.295	Goal 14	660-024-0060(1); 660-024-0050(5); 660-008-0005(2); 660-009-0005
7.4.3 Priority Categories	197.298	Goal 14	660-024-0060(1)
7.4.4 Evaluation of Land in the Study Area for Inclusion in the UGB		Goal 14	660-024-0060
7.4.5 Overall Conclusion Regarding UGB Location		Goal 14	

7.3. Substantial Evidence

Table 7-2 summarizes the key evidence that supports the findings in this section. Access to the record is available on the City's website for the UGB Remand Project.

Table 7-2: Key Record References

Description	Date	Page #
2011-2016 Record on Remand		<i>Record (Rem)</i>
2016 Urbanization Report	7/20/16	Rem Rec 10814
Scenario Evaluation Report & Technical Appendices	10/20/15	Rem Rec 4547, 6209, 6637, 6737, 6851
Scenario 2.1G Evaluation Technical Memos	7/20/16	Rem Rec.10183, 10223, 11201, 11223
Evidence supporting Refinements	4/26/2016	Rem Rec 9929, 9957, 9961, 9973 (see also Findings in Response to testimony)
Map of all alternatives evaluated in UGB location alternatives analysis	7/18/16	10874, 10875, 10877

7.4. Findings

7.4.1. Establishment of Preliminary Study Area

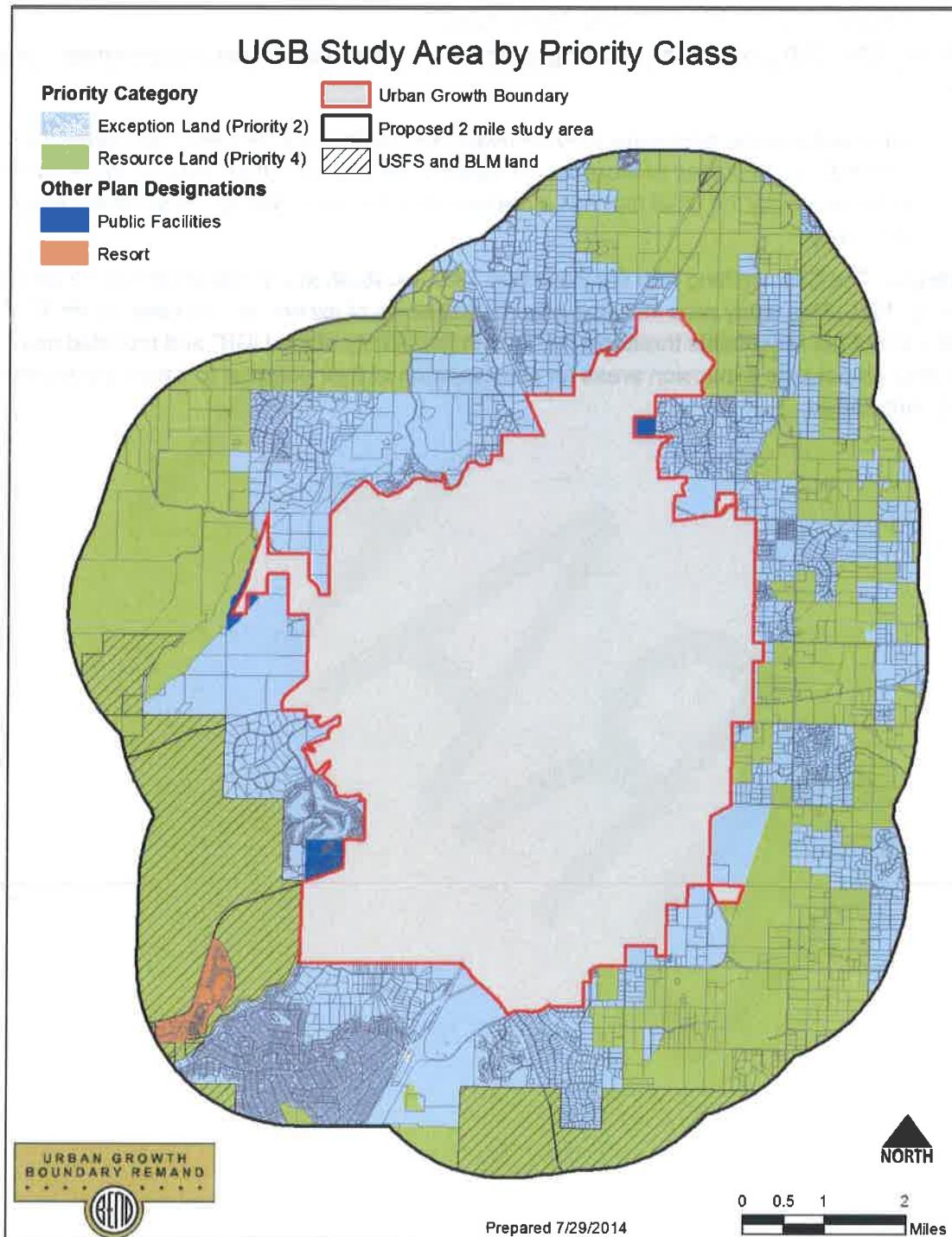
OAR 660-024-0060 provides the following guidance on the establishment of a preliminary study area:

(4) In determining alternative land for evaluation under ORS 197.298, "land adjacent to the UGB" is not limited to those lots or parcels that abut the UGB, but also includes land in the vicinity of the UGB that has a reasonable potential to satisfy the identified need deficiency.

Findings: The City, working with the Boundary TAC, established a 2-mile study area from the existing UGB. This study area included over 18,000 acres of exception land (see Figure 7-2)⁴. It set a broad but reasonable threshold for "land in the vicinity of the UGB" and provided more than enough possible expansion areas for consideration of their potential to satisfy the identified need deficiencies.

⁴ Exception land refers to land designated either Urban Reserve on the Bend Area General Plan map or Rural Residential Exception Area on the Deschutes County Comprehensive Plan map.

Figure 7-2: UGB Two-Mile Study Area by Priority Class



7.4.2. Land Excluded from Preliminary Study Area

OAR 660-024-0060(1) requires that local governments identify "suitable" land to meet need deficiencies, and provides the following guidance as to how to determine suitability:

(a) Beginning with the highest priority of land available, a local government must determine which land in that priority is suitable to accommodate the need deficiency determined under 660-024-0050.

(e) For purposes of this rule, the determination of suitable land to accommodate land needs must include consideration of any suitability characteristics specified under section (5) of this rule, as well as other provisions of law applicable in determining whether land is buildable or suitable.

The suitability characteristics referenced in OAR 660-024-0050(5) include "characteristics such as parcel size, topography, or proximity that are necessary for land to be suitable for an identified need."

ORS 197.295 includes the following definition of "Buildable lands":

(1) "Buildable lands" means lands in urban and urbanizable areas that are suitable, available and necessary for residential uses. "Buildable lands" includes both vacant land and developed land likely to be redeveloped.

Other provisions of law applicable in determining whether land is buildable or suitable include the definition of buildable land specific to residential land in OAR 660-008-0005(2):

(2) "Buildable Land" means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses. Land is generally considered "suitable and available" unless it:

- (a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7;*
- (b) Is subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18;*
- (c) Has slopes of 25 percent or greater;*
- (d) Is within the 100-year flood plain; or*
- (e) Cannot be provided with public facilities.*

OAR 660-009-0005 provides the following definitions relevant to identifying suitable land for employment uses:

(12) "Suitable" means serviceable land designated for industrial or other employment use that provides, or can be expected to provide the appropriate site characteristics for the proposed use.

(9) "Serviceable" means the city or county has determined that public facilities and transportation facilities, as defined by OAR chapter 660, division 011 and division 012, currently have adequate capacity for development planned in the service area where the site is located or can be upgraded to have adequate capacity within the 20-year planning period.

(11) "Site Characteristics" means the attributes of a site necessary for a particular industrial or other employment use to operate. Site characteristics include, but are not limited to, a minimum acreage or site configuration including shape and topography, visibility, specific types or levels of public facilities, services or energy infrastructure, or proximity to a particular transportation or freight facility such as rail, marine ports and airports, multimodal freight or transshipment facilities, and major transportation routes.

In addition, ORS 197.298(3) provides several reasons why higher priority land may be found inadequate to meet identified needs:

- (a) Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;
- (b) Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; ...

The Court of Appeals decision on the McMinnville UGB addressed the application of suitability screening criteria. In addition to the reasons listed in 197.298(3), the Court reasoned that Goal 14 Factor 3 (Comparative environmental, social, economic and energy consequences, or ESEE) and Factor 4 (Compatibility with nearby farm and forest activities), but not other Goal 14 Factors, are applied to determine whether higher priority land "is inadequate to accommodate the amount of land needed" under ORS 197.298(1).

In sum, the following factors can be applied to exclude higher priority lands from further consideration as candidate areas to include in the UGB:

- Lands that are not buildable (defined in OAR 660-008-0005(2))
- Lands that are not suitable for identified employment uses (defined in OAR 660-009-0005)
- Specific land needs (197.298(3)(a))
- Inability to reasonably provide urban services due to topographic or other physical constraints (197.298(3)(b))
- Analysis of ESEE consequences (Goal 14, Factor 3)
- Analysis of compatibility with agricultural & forest activities (Goal 14, Factor 4)

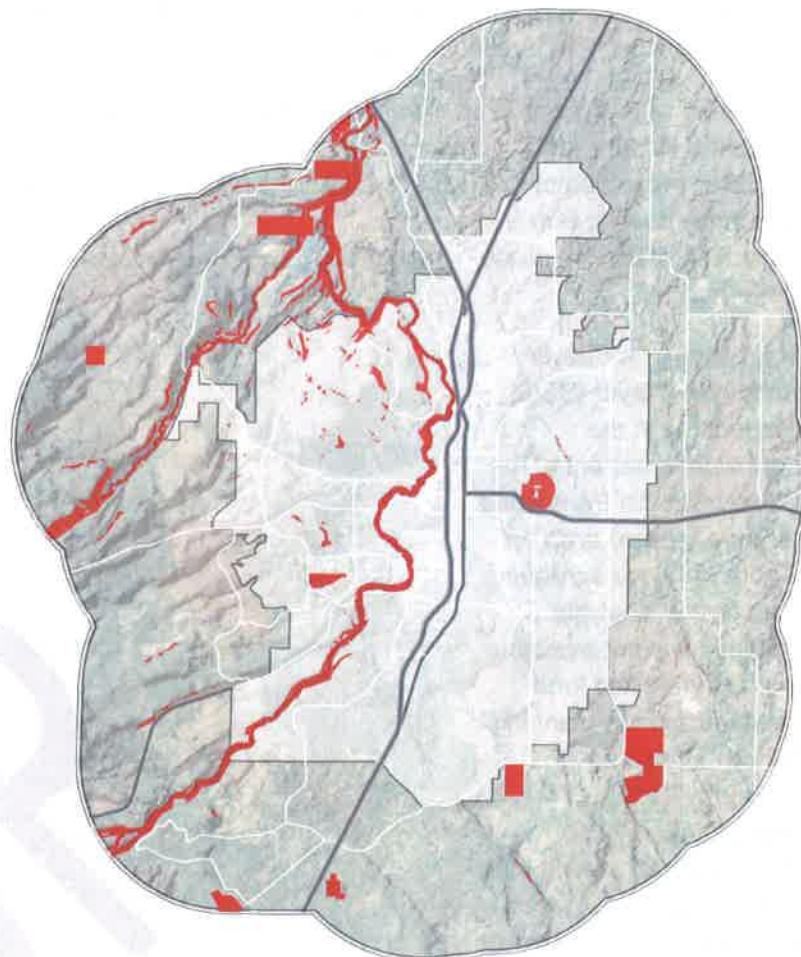
Findings: The City's approach to screening land from further consideration prior to applying the Goal 14 evaluation is summarized in the Urbanization Report (pages 49 through 50) [Rem Rec. 10863-10864]. The findings below draw on that summary.

7.4.2.1. *Exclude lands that are not buildable*

The following lands were identified as unbuildable:

- 100-year floodplain
- Steep slopes (25% and greater)
- Upper Deschutes River State & Federal Scenic River Overlays (100 feet from ordinary high water or OHW)
- Middle Deschutes State Scenic Waterway (100 feet from OHW)
- Deschutes River & Tumalo Creek Riparian Corridors (100 feet from OHW)
- Significant aggregate sites in Deschutes County Goal 5 inventory with Surface Mining plan designation

Figure 7-3: Unbuildable land in UGB Expansion Study Area



The 100-year floodplain and slopes of 25 percent or greater are listed explicitly in the exclusions contained

within the definition of buildable land in OAR 660-008-0005(2). The scenic river overlays and riparian corridors as well as the significant aggregate sites in the Deschutes County inventory are subject to resource protection measures under Statewide Planning Goal 5, another listed exclusion from buildable land in OAR 660-008-0005(2).

Unbuildable lands were not automatically precluded from being brought into the UGB (for example, when part of a larger buildable property); however, they are not considered suitable and available to meet identified land needs. The lands identified as unbuildable in the expansion areas are shown in red on Figure 7-3.

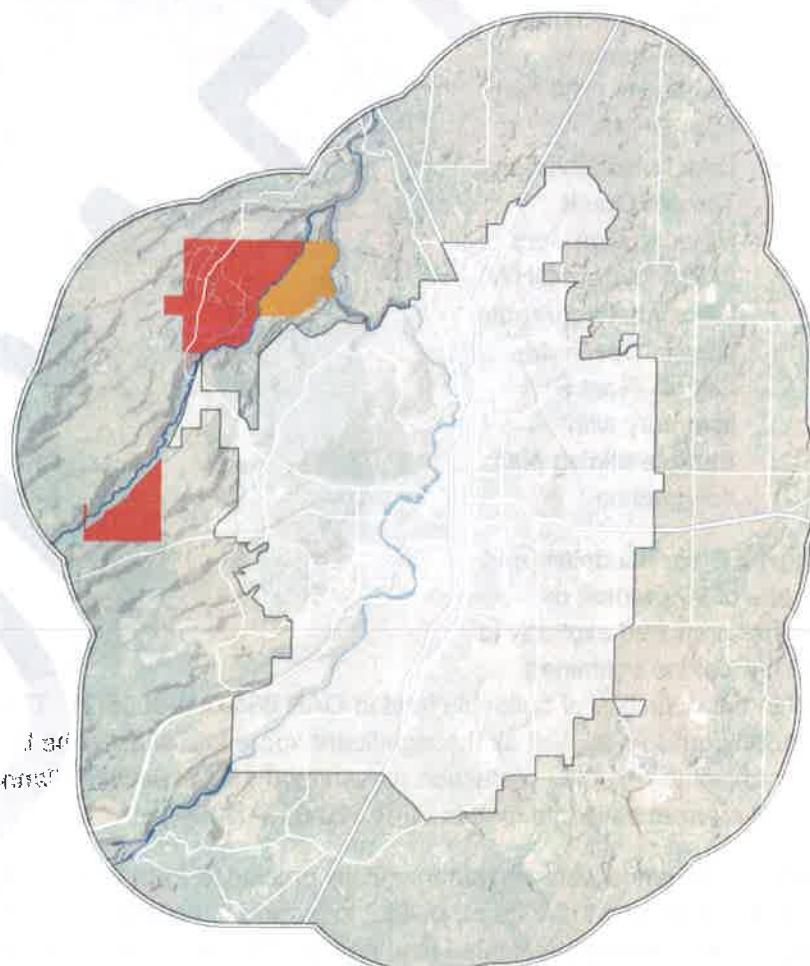
7.4.2.2. Exclude lands that are incompatible with urbanization

Exception lands within the acknowledged Deschutes County Wildlife Combining Zone (deer winter range) were screened from further analysis based on consideration of ESEE consequences (Goal 14, Factor 3) as allowed under the McMinnville decision as well as because they are subject to resource protection measures under Statewide Planning Goal 5, a listed exclusion from buildable land in OAR 660-008-0005(2).

These areas are considered significant habitat by ODFW. The Goal 5 "program" to protect the big game winter range is based in large part on restricting densities, requiring clustering and requiring protection of open space (50% of site). Potential urbanization of these lands would inherently conflict with protection of the big game winter range.

In addition, the Shevlin Sand and Gravel (SSG) site located in the northwest quadrant of the City on Shevlin Park Road (orange-colored area on Figure 7-4) was screened from further analysis because it is not available to meet identified land needs within the planning period. Based on testimony from the property owner representative stating that the aggregate resources at the Shevlin Sand & Gravel site are not expected to be exhausted and the site reclaimed during the planning period (2008-2028), the portion of the site under DOGAMI Permit 09-0018 was excluded from consideration for UGB expansion. This did not affect consideration of the remainder of the property.

Figure 7-4: Land screened from consideration for UGB expansion



The lands excluded are shown in red (wildlife overlay) and orange (aggregate site) on Figure 7-4.

7.4.2.3. Results and Conclusions

After excluding the lands listed above, the total acreage of exception land that was advanced for further consideration and evaluation using the Goal 14 factors was roughly 16,200 acres. No land was excluded on the basis of inability to reasonably provide urban services, specific land needs, or analysis of compatibility with agricultural and forest activities.

Conclusion: The land excluded from the preliminary study area is minimal, and the justifications are consistent with the allowed suitability criteria under OAR 660-024-0060; the definitions of buildable land under other state laws and administrative rules, including ORS 197.295; and the case law established in the McMinnville decision.

7.4.3. Priority Categories

ORS 197.298 identifies the following priorities for inclusion of land within an urban growth boundary:

- (a) *First priority is land that is designated urban reserve land under ORS 195.145 (Urban reserves), rule or metropolitan service district action plan.*
- (b) *If land under paragraph (a) of this subsection is inadequate to accommodate the amount of land needed, second priority is land adjacent to an urban growth boundary that is identified in an acknowledged comprehensive plan as an exception area or nonresource land. Second priority may include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland as described in ORS 215.710 (High-value farmland description for ORS 215.705).*
- (c) *If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate the amount of land needed, third priority is land designated as marginal land pursuant to ORS 197.247 (1991 Edition).*
- (d) *If land under paragraphs (a) to (c) of this subsection is inadequate to accommodate the amount of land needed, fourth priority is land designated in an acknowledged comprehensive plan for agriculture or forestry, or both.*

OAR 660-024-0060(1) echoes this process:

- (a) *Beginning with the highest priority of land available, a local government must determine which land in that priority is suitable to accommodate the need deficiency determined under 660-024-0050.*
- (b) *If the amount of suitable land in the first priority category exceeds the amount necessary to satisfy the need deficiency, a local government must apply the location factors of Goal 14 to choose which land in that priority to include in the UGB.*
- (c) *If the amount of suitable land in the first priority category is not adequate to satisfy the identified need deficiency, a local government must determine which land in the next priority is suitable to accommodate the remaining need, and proceed using the same method specified in subsections (a) and (b) of this section until the land need is accommodated.*

(d) Notwithstanding subsection (a) through (c) of this section, a local government may consider land of lower priority as specified in ORS 197.298(3).

ORS 197.298(3), in addition to providing reasons why higher priority land may be found inadequate (see section 7.4.2), provides that land of a lower priority may be included in an urban growth boundary if:

(c) Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.

Findings: Within the initial two-mile study area, evaluation was based on a tiered approach, in which higher priority lands (i.e. exception lands) were evaluated first for each identified land need, as required under OAR 660 Division 24 and ORS 197.298. There are no Priority 1 or Priority 3 lands in the study area, only Priority 2 and 4 lands. Only Priority 2 lands were considered and included in the expanded UGB. No lower priority lands (Priority 4) are included in the expanded UGB.

The amount of suitable exception land (Priority 2) exceeds the amount necessary to satisfy the need deficiency; therefore, the City applied the Goal 14 location factors to determine which land to include in the UGB, as described in the following section.

7.4.4. Evaluation of Land for Inclusion in the UGB

Statewide Planning Goal 14 (as amended April 28, 2005) requires the following:

The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with 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.*

OAR 660-024-0060(1), (3), and (6) provide guidance on the evaluation of alternative boundary locations using the Goal 14 factors, including when they are applicable, how they relate to one another, and how parcels and areas may be grouped for evaluation:

(1) When considering a UGB amendment, a local government must determine which land to add by evaluating alternative boundary locations. This determination must be consistent with the priority of land specified in ORS 197.298 and the boundary location factors of Goal 14, as follows: ...

(b) If the amount of suitable land in the first priority category exceeds the amount necessary to satisfy the need deficiency, a local government must apply the location factors of Goal 14 to choose which land in that priority to include in the UGB.

...

(3) The boundary location factors of Goal 14 are not independent criteria. When the factors are applied to compare alternative boundary locations and to determine the UGB location, a local government must show that all the factors were considered and balanced.

(6) The adopted findings for UGB adoption or amendment must describe or map all of the alternative areas evaluated in the boundary location alternatives analysis. If the analysis involves more than one parcel or area within a particular priority category in ORS 197.298 for which circumstances are the same, these parcels or areas may be considered and evaluated as a single group.

OAR 660-024-0060(7) and (8) provide further guidance on the evaluation of public facilities and services in considering alternative boundary locations:

(7) For purposes of Goal 14 Boundary Location Factor 2, "public facilities and services" means water, sanitary sewer, storm water management, and transportation facilities.

(8) The Goal 14 boundary location determination requires evaluation and comparison of the relative costs, advantages and disadvantages of alternative UGB expansion areas with respect to the provision of public facilities and services needed to urbanize alternative boundary locations. This evaluation and comparison must be conducted in coordination with service providers, including the Oregon Department of Transportation with regard to impacts on the state transportation system. "Coordination" includes timely notice to service providers and the consideration of evaluation methodologies recommended by service providers. The evaluation and comparison must include:

- (a) The impacts to existing water, sanitary sewer, storm water and transportation facilities that serve nearby areas already inside the UGB;
- (b) The capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB; and
- (c) The need for new transportation facilities, such as highways and other roadways, interchanges, arterials and collectors, additional travel lanes, other major improvements on existing roadways and, for urban areas of 25,000 or more, the provision of public transit service.

Findings: The creation and evaluation of UGB expansion alternatives represent "alternative boundary locations" required to be analyzed, and is summarized in the Urbanization Report, Chapter 5 [Rem Rec. 10863]. The findings in Section 7.4.4 draw on and include excerpts from that summary. It is important to note the requirements are focused on "alternative boundary locations" and the allowance that "parcels may be considered and evaluated as a single group." These requirements do not suggest or require a parcel-by-parcel analysis. A parcel-by-parcel (or smaller) analysis would be practically impossible given the amount of suitable land in the analysis area, and the nearly infinite number of possible combinations of individual parcels to meet anticipated needs. An additional complexity which makes a parcel-by-parcel analysis nearly impossible, is to consider the additional variations introduced due to the wide variety of

the types of land uses that must be analyzed to meet documented land needs. The city's methodology analyzed "alternative boundary locations" as required. The McMinnville decision verifies this approach, and even acknowledges the need to make revisions and refinements to the eventual proposed UGB expansion based on the results of analysis during the planning process.

7.4.4.1. *Creating Alternative Boundaries*

This stage of the analysis is described in the Urbanization Report (see pages 49-62) [Rem Rec.10814-10949]. The findings in this section draw on that portion of the Urbanization report.

Preliminary Goal 14 analysis – Indicators

Because the pool of available exception lands within the study area was so large relative to the land need, additional information was needed in order to identify better performing lands to consider for the UGB expansion alternatives analysis. It would not have been possible to develop alternatives to encompass all of the exception lands for evaluation. In the Base Mapping stage, the Boundary TAC recommended using a few key indicators of the Goal 14 factors to help identify the best land to include in boundary scenarios. This stage of analysis helped to narrow the scope of the study area to focus on the areas that ranked higher and also informed the development of scenarios.

Using available GIS and other data, a series of maps were prepared to illustrate the relative ranking of parcels based on the key indicators associated with each of the four factors of Goal 14. The Boundary TAC reviewed and suggested refinements to the base maps over a series of meetings, and ultimately approved roughly 25 base maps. The indicators included in Stage 2 Base Mapping for each of the goal 14 factors are listed below.

Factor 1: Efficient accommodation of identified land needs

- Parcel size
- Improvement to land value ratio
- Proximity to existing UGB – adjacency more efficient than edge of study area
- Topography (25% slopes or greater)
- Existing that CC&Rs prohibit or limit additional development

Factor 2: Orderly and economic provision of public facilities and services

Transportation

- Barriers: Consideration of physical barriers to connectivity (new river crossings, railroad crossings, steep slopes, etc.).
- Reliance on Congested Corridors: Consideration of key congested highway corridors based on the recently completed Bend MPO MTP. Using the Bend 2040 travel demand model, identify which exception lands have a higher reliance on a congested corridor.
- System Connectivity: Consideration of whether the existing major roadway network meets ideal grid-spacing (e.g., one-mile spacing for arterials and half-mile spacing for collectors). Rank exception areas with a more subjective approach based on ability to

extend collectors into the study area. Also consider if subareas in the study area are adjacent or near well connected streets inside the current UGB.

Water

- Gravity system (City of Bend): Consideration of exception areas that could be served by gravity by City of Bend

Sewer

- Gravity system: Consideration of areas that can be served via gravity. This would be illustrated with a map showing areas in the study area that can be served with gravity sewer vs. areas requiring additional pumping.
- Maximize existing/planned improvements: Consideration of areas with capacity or planned short-term improvements. This would be illustrated with a map showing any areas in the study area outside the current UGB that could be served with sewer without major new investments in addition to planned facilities in the Collection System PFP.

Stormwater

- Drinking water protection areas: Consider proximity to drinking water protection areas (DWPA)
- Surface geology: Consider presence of surface geology (welded tuff) that limits on-site stormwater management.

Factor 3: Comparative environmental, social, economic and energy consequences (ESEE)

- Presence of significant Goal 5 resources or other resources (consider Greenprint mapping or other data sources)
- Relative wildfire risk and presence of other natural hazards (floodplains)
- Proximity to existing or planned parks, trails, elementary schools
- Proximity to irrigation districts, irrigated lands and canals in study area
- Presence of water quality limited streams (303d) in study area

Factor 4: Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

- Proximity to designated forest land
- Proximity to designated high-value agricultural land (irrigated)

The project team prepared one composite map for each of the four Goal 14 factors and a composite map combining indicators for all four factors. The approach was to prepare “un-weighted” composite maps, so the information was displayed without value judgments about what factors are more important than others. However, the Stage 2 Base Mapping revealed certain exception lands that were highly problematic based on one or more of the Goal 14 factors, and that, on balance, were not as ideal as other exception lands after a weighing and balancing the factors, as summarized below:

- Properties with recorded CC&Rs that preclude land divisions and additional dwellings (based on Factor 1 considerations and inability to accommodate identified land needs)
- Heavily parcelized areas with smaller parcels (less than 2 acres) and numerous dwellings that severely limit capacity for new development (based on Factor 1 considerations and inability to efficiently accommodate identified land needs)
- Rural residential subdivisions (generally less than 5 acre lots) with higher improvement to land value ratios that severely limit capacity for new development within the 2028 planning horizon (based on Factor 1 considerations and inability to efficiently accommodate identified land needs)
- Lands that are separated from the existing UGB by resource lands (based on Factor 4 considerations and impact to resource lands)

The combined results of the Stage 2 Base Mapping are shown on Figure 7-5.

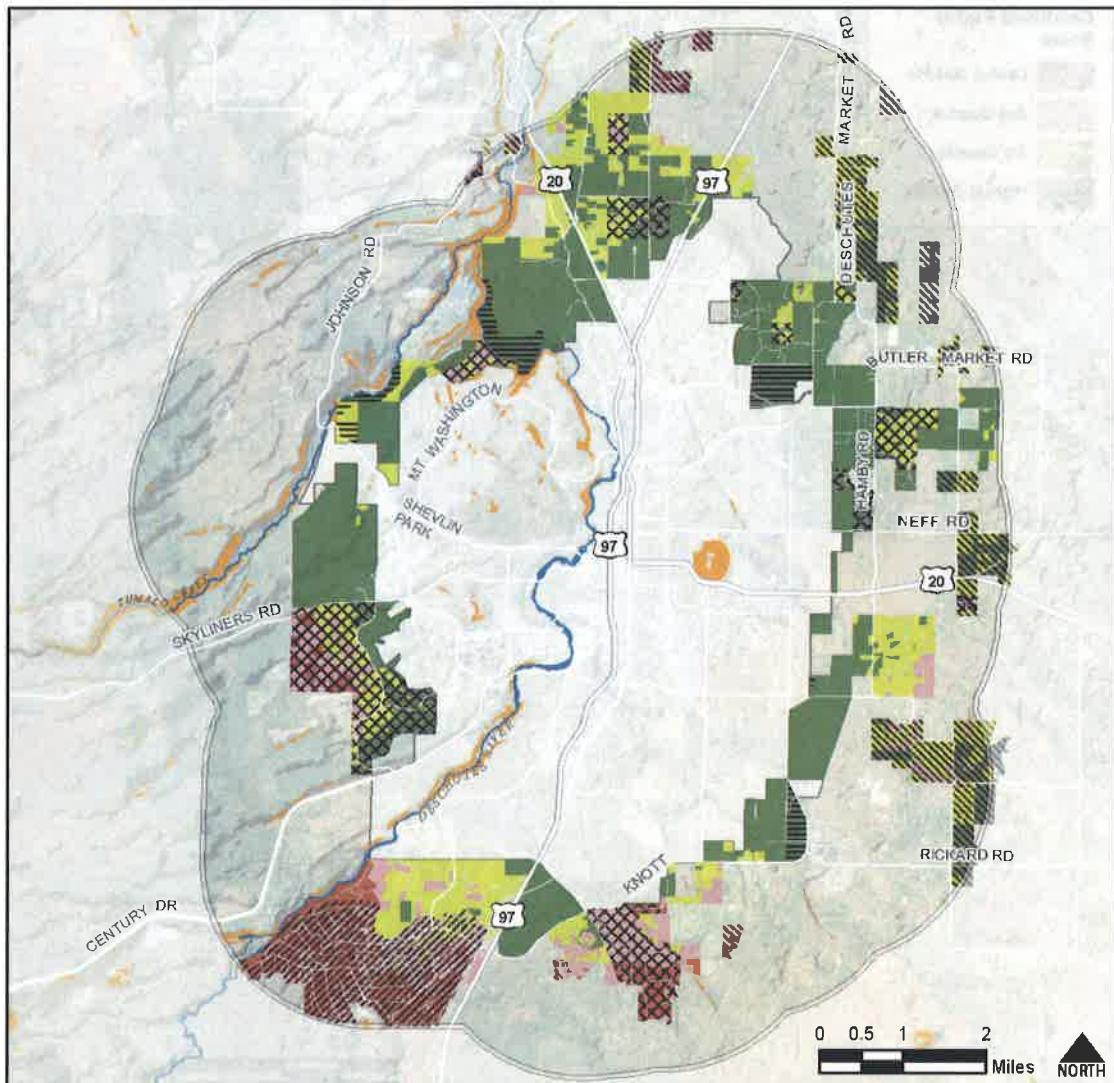
Further consideration of the Stage 2 Base Mapping results in Phase 2 of the project highlighted additional areas that were, on balance, less appropriate to bring forward for further evaluation. The brief summaries below are keyed to specific locations on the map on Figure 7-6: Further Narrowing of Exception Lands.

1. A large rural residential exception area (just under 1,600 acres) located north of Cooley Road generally between Hwy 97 and Hwy 20. A relatively large rural residential subdivision (about 220 acres) with restrictive CC&R's is located at the southerly boundary of this area that represents a barrier to efficient expansion to the north.
2. Several small subdivisions in the northeast - the portion west of Hamby Road is subdivided into small lots (average lot size is a half-acre) with a relatively high improvement to land value ratio. The portion east of Hamby is separated from the UGB by a mix of land with restrictive CC&Rs and resource land.
3. An area located between Hwy 20 and Stevens Road surrounding Hamby Road that is relatively far from the UGB and would further surround zoned resource land.
4. Several large rural residential exception areas that overall did not score well based on the balancing of the Goal 14 factors.
5. A small area associated with common open space tracts for Cascade Highlands and Tetherow destination resort that should not be considered buildable or suitable for urbanization.
6. The portion of the Miller Tree Farm rural cluster subdivision property that was not screened out based on the County's wildlife overlay zone.

This left 5,400 remaining acres of exception land for further evaluation. See additional details regarding this aspect of the evaluation process, incorporated herein (Rem Rec 03743-03793).

Figure 7-5: Stage 2 Mapping Combined Results

Bend UGB Land Suitability Composite (Annotated)



Service Layer Credits: Deschutes County GIS (2014)
Disclaimer: This map represents an equally-weighted sum of the four Bend UGB Goal 14 Factors. For informational purposes only.

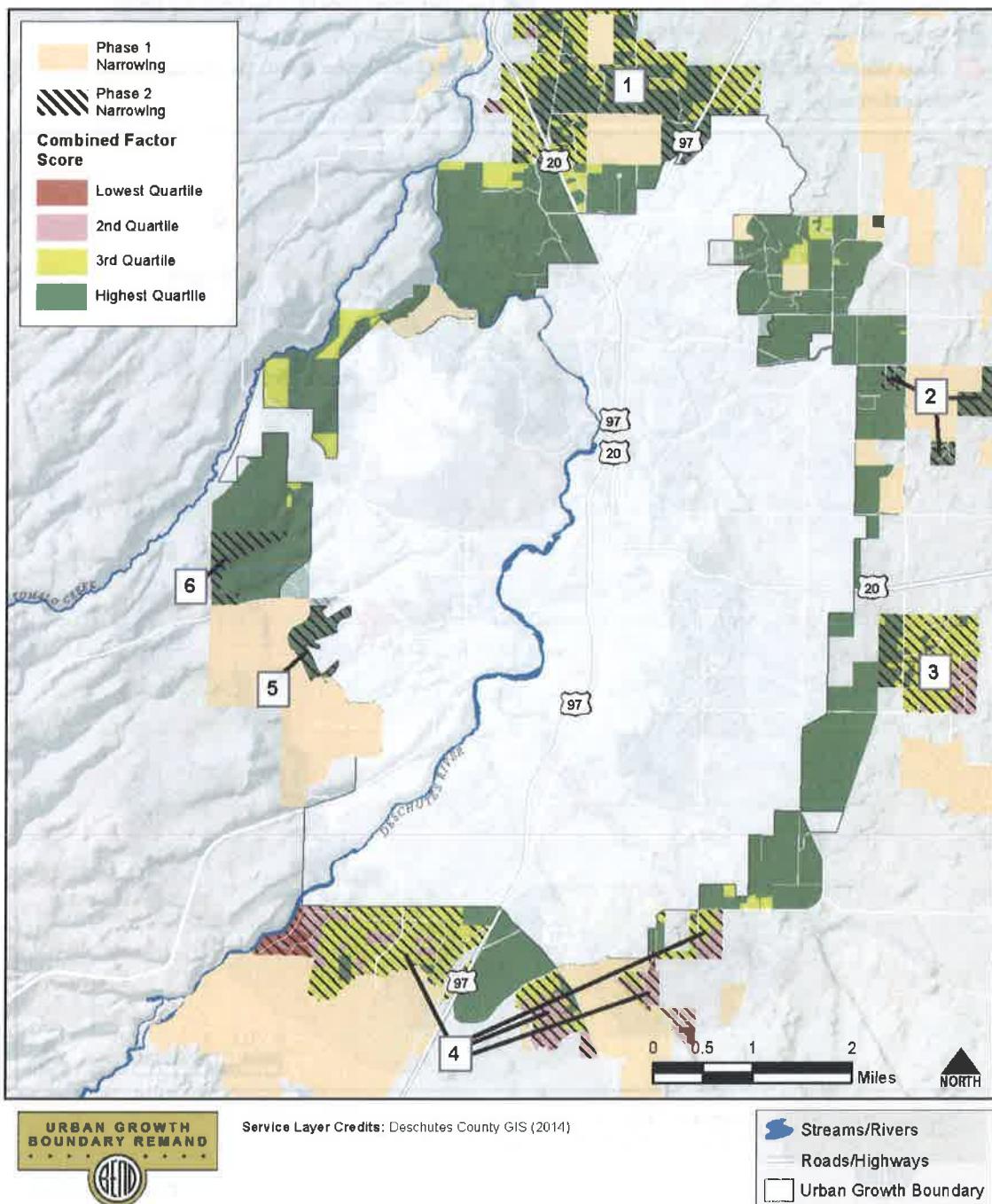
Prepared 4/10/2015

Figure 7-6: Further Narrowing of Exception Lands

Bend UGB

Phase 2 Narrowing of Exception Lands

Prepared 6/18/2015



Generating Alternatives for Analysis

Initially, three geographically specific UGB expansion scenarios to meet anticipated land needs were created based on input from all three TACs and the USC in a workshop (Rem Rec. 3811, 3843). These scenarios were brought to the Boundary TAC and USC for review and refinement⁵. The Boundary TAC recommended and USC approved three specific UGB Expansion Scenarios for evaluation, but also asked the project team to evaluate all land that had been given the top rating (i.e. scored in the top quartile when all indicators were combined) during the base map evaluation of exception land within the two-mile study area and had not been excluded by subsequent refinements and narrowing. The areas that met those tests and were not included in one of the three UGB Expansion Scenarios were identified as “Supplemental Analysis Areas”.

Some of the models used for scenario evaluation (such as the transportation model) require “budgeted” land use assumptions in order to do a full evaluation and an “apples to apples” comparison against land included in the three UGB Expansion Scenarios. In order to respond to the direction for equal evaluation, the team created three Supplemental Analysis Area Maps (“SAAMs”) that collectively incorporate all the land in the Supplemental Analysis Areas in packages with roughly the same total levels of employment and residential growth and the same assumptions about the amount and type of development that can be accommodated inside the UGB as the UGB Expansion Scenarios. The SAAMs were intended to test full utilization of certain geographic areas rather than distributed growth across a variety of potential expansion areas. The level of analysis for the SAAMs was identical to that done for the Scenarios.

The Scenarios and SAAMs are organized around eight general geographic areas that were identified as the most suitable to meet the identified land needs:

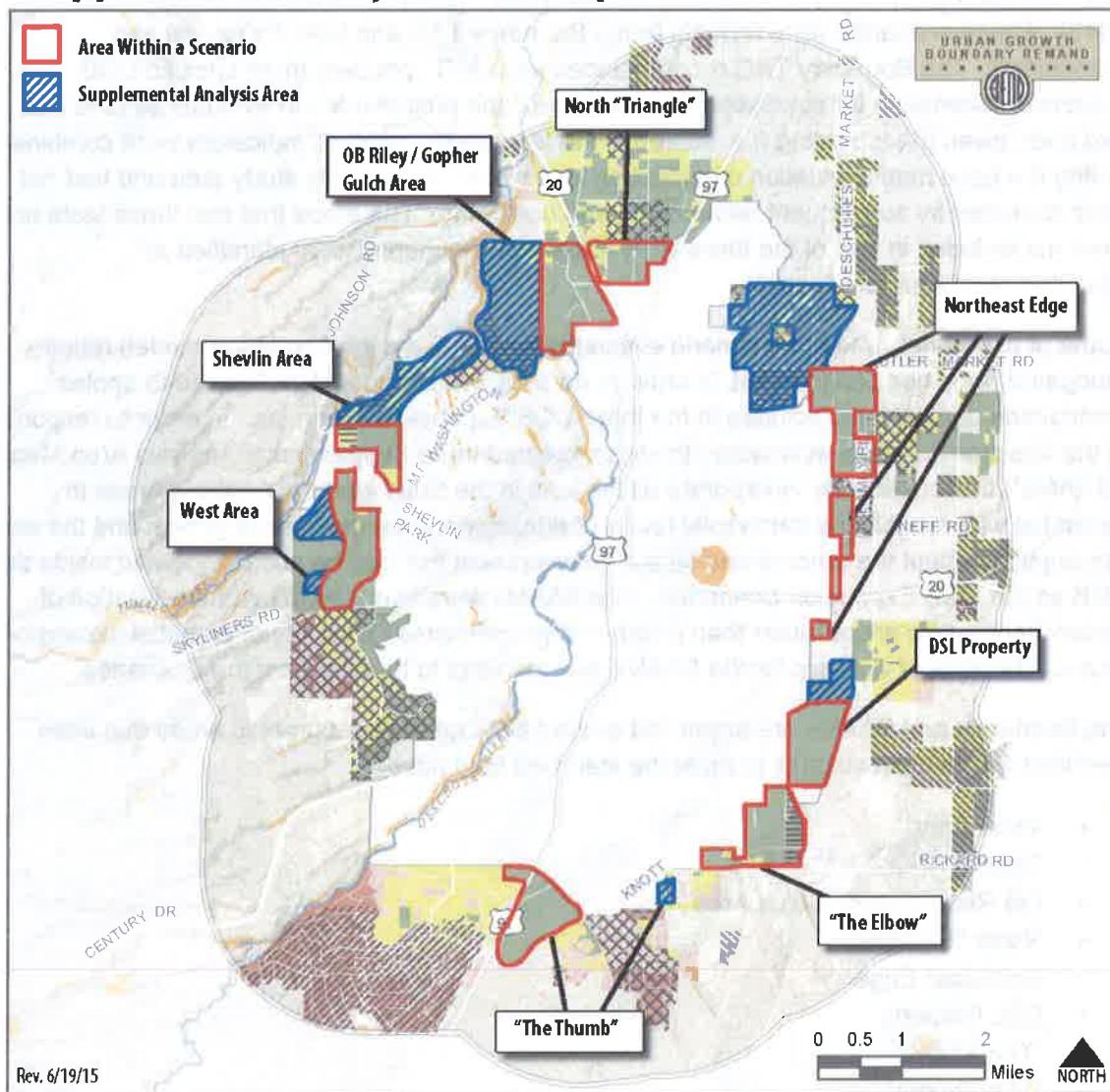
- West Area
- Shevlin Area
- OB Riley/Gopher Gulch Area
- North “Triangle”
- Northeast Edge
- DSL Property
- “The Elbow”
- “The Thumb”

These subareas are shown on Figure 7-7. Figure 7-7 also identifies the portions that were included in scenarios and those that were part of the Supplemental Analysis Areas.

⁵ See meeting minutes of June 24, 2015 Boundary TAC (Rem Rec. 6621) and June 25, 2015 USC meetings (Rem Rec. 5665).

Figure 7-7: Subareas, Scenario Areas, and Supplemental Analysis Areas

Supplemental Analysis Area Map

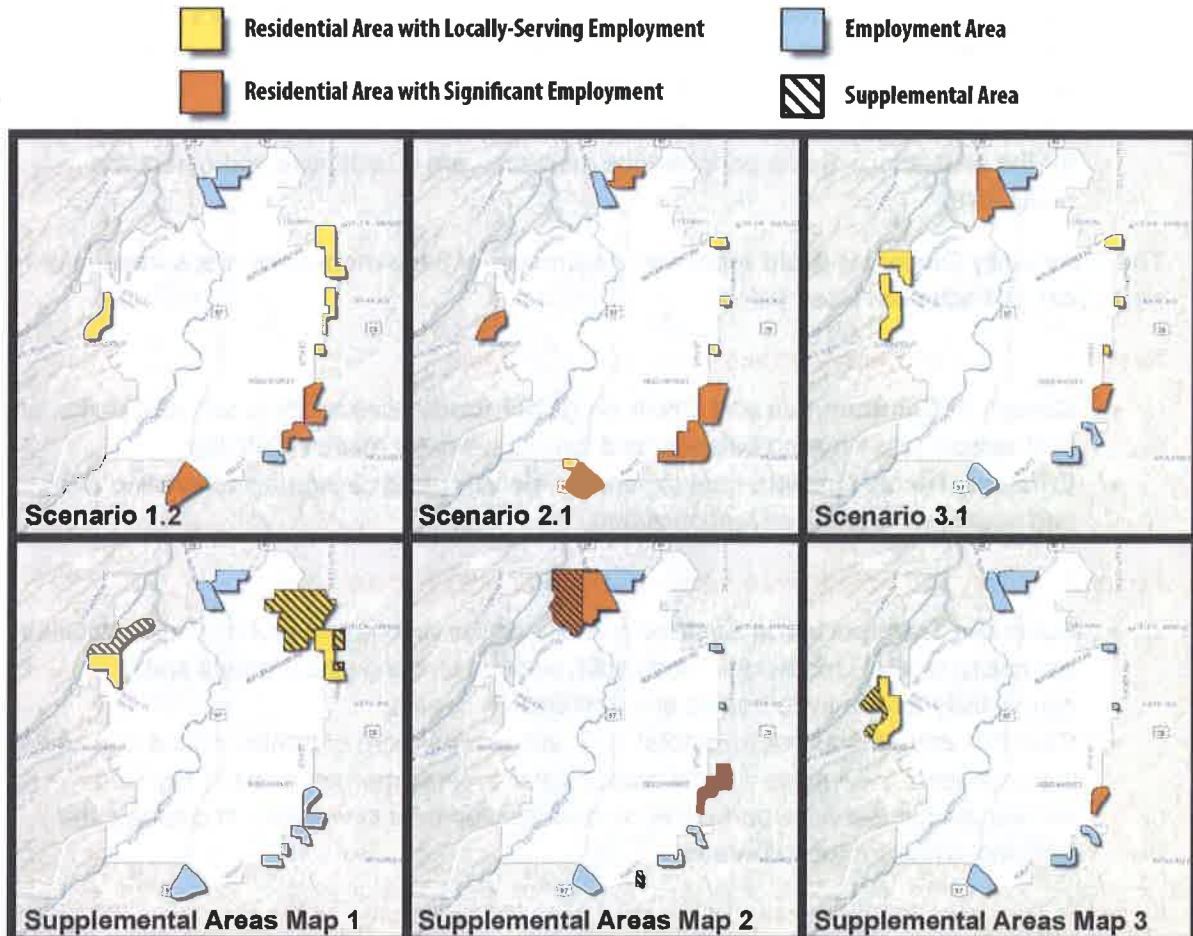


The UGB Expansion Scenarios and SAAMs are illustrated below. The categories shown on the generalized scenario maps are as follows:

- Residential area with locally-serving employment: Predominately residential uses, with supportive uses such as parks, schools, and local commercial centers.
- Residential area with significant employment: A full mix with residential uses, parks and/or schools, and commercial and employment areas.

- Employment area: Employment-focused area providing for a mix of jobs (retail, office, and/or industrial) with little or no residential use.

Figure 7-8: UGB Expansion Scenarios and SAAMs



The alternative areas evaluated in the boundary location alternatives analysis are mapped above, and described in greater detail in the Urbanization Report (see Pages 61-63) [Rem Rec. 10874] and in the Scenario Evaluation Report, dated October 20, 2015 (Pages 8-15) [Rem Rec4557-4564].

7.4.4.2. Operationalizing Goal 14 factors to Evaluate Alternatives

Overview

The approach to operationalizing the Goal 14 factors is summarized in the Urbanization Rrt (Pages 63-74) [Rem Rec. 10877-10888] and detailed in the Scenario Evaluation Report, dated October 20, 2015 (Pages 29 through 44) [Rem Rec 4578 to 4593]. The findings in this section draw on the summary in the Urbanization Report.

The comparison, evaluation and balancing of Bend's UGB expansion alternatives was based on the following hierarchy of considerations:

- **Goal 14 Factors** – The legal requirements for what must be considered and balanced.
- **Community Outcomes** – Eight intended outcomes that reflect the city's goals for the project, articulate what the Goal 14 factors mean for Bend, and provide a way to summarize results for performance measures.
- **Performance Measures** – Detailed measures for each Goal 14 factor: the factual base for the evaluation. Some performance measures are quantitative and others are qualitative.

The Community Outcomes (**bold type**) and a summary of the performance measures under each Goal 14 Factor are listed below.

Factor 1: Efficient accommodation of identified land needs

- **Complete Communities and Great Neighborhoods:** walkability to schools, parks, and businesses; jobs/housing balance, and opportunities for master planning
- **Efficient, Timely Growth:** total expansion, density, land contiguous to existing UGB, and vacant vs. developed land included

Factor 2: Orderly and economic provision of public facilities and services

- **Balanced Transportation System:** reliance on the automobile (vehicle miles traveled per capita or VMT, trip length, mode split, walk trips), congestion, safety and connectivity, proximity to transit, and intersection density
- **Cost Effective Infrastructure:** total cost and cost per acre of transportation and sewer improvements, new miles of local roads, water system improvements in city water service area, impervious surface area, and development in welded tuff geology and Drinking Water Protection Areas

Factor 3: Comparative environmental, social, economic and energy consequences (ESEE)

- **Quality Natural Environment (Environmental and Energy Consequences):** development in wildlife areas, development adjacent to riparian areas, wildfire hazard, greenhouse gas emissions, energy use, and water consumption
- **Housing Options and Affordability (Social Consequences):** cost and mix of new housing
- **Strong Diverse Economy (Economic Consequences):** site suitability for commercial and industrial uses and for the large lot special site need

Factor 4: Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

- **Compatibility with Farms and Forests:** farm practices on high value farm land adjacent to expansion areas, impact to irrigation districts, and proximity to forest land

Costs, Advantages and Disadvantages for Public Facilities and Services

The evaluation of water, sanitary sewer, and transportation included evaluation of impacts to existing facilities that serve nearby areas already inside the UGB and capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB, consistent with OAR 660-024-0060(8), because they included a city-wide analysis of needed improvements to existing facilities and need for new facilities in expansion areas.

Transportation

The transportation analysis was conducted in coordination with the Oregon Department of Transportation (ODOT) Transportation Planning Analysis Unit (TPAU) with input from other ODOT and DLCD staff. It utilized the Bend Metropolitan Planning Organization (MPO) regional travel demand model, which includes land use inputs for the entire future UGB (inside and outside the current UGB) as well as adjacent rural areas. It was used to identify impacts (in terms of congestion, expressed as volume to capacity or v/c ratio) to existing facilities and the need for new transportation facilities, including additional travel lanes and other major improvements to existing roadways. The transportation analysis also used recommended arterial and collector street spacing standards to identify the need for new arterial and collector roads in growth areas. The need for additional public transit service was considered as part of developing Bend's Integrated Land Use and Transportation Plan [Rem Rec. 10994-11144]; however, no additional service was identified as needed by 2028 beyond the recent "mid-term" service expansion completed by Cascades East Transit in 2016. These demonstrate that cost, benefits, advantages, and disadvantages have been considered and balanced. This demonstrates that the transportation evaluation of UGB expansion alternatives satisfies OAR 660-024-0060(8).

Sanitary Sewer

Evaluation of sanitary sewer facilities and services needed to serve UGB expansion areas built on work completed in 2014 on the City's Collection System Master Plan (CSMP). Using a long-term optimization approach, the sewer evaluation identified the least-cost improvements consistent with the long-term infrastructure plan. The evaluation focused on assessing additional improvement alternatives not considered in the CSMP that are required to serve growth outside of the existing UGB and re-evaluating alternatives that were considered in the CSMP that are likely to be affected by expanding the UGB. The UGB expansion scenarios were rated for relative cost, based on improvements consistent with the long-term infrastructure analysis. (See October 1, 2015 memorandum titled "UGB Expansion – Sanitary Sewer Analysis" from Murray, Smith & Associates [Rem Rec. 6783].)

The Initial Capital Cost and Equivalent Uniform Annual Cost (EUAC) methods were used for comparing various alternatives in the optimization analysis. The Initial Capital Cost method estimates capital investment, but excludes operation and maintenance costs. The EUAC calculates the cost per year of constructing, operating and maintaining an asset over its entire lifespan. As noted previously the goal of the optimization is to minimize the overall life cycle

costs while identifying a solution that meets the identified hydraulic criteria. The EUAC approach allows for the comparison of different types of assets (e.g. lift stations, gravity mains, satellite treatment, etc) with varying design lives on an equivalent yearly basis. [Rem. Rec. 11201-11222]

These demonstrate that cost, benefits, advantages, and disadvantages have been considered and balanced. This demonstrates that the sanitary sewer evaluation of UGB expansion alternatives satisfies OAR 660-024-0060(8).

Drinking Water

Evaluation of drinking water facilities needed to serve UGB expansion areas built on work completed in 2011 on the City's Water System Master Plan. The evaluation considered the lowest available fire flow serving new growth through intermediate pressure zone expansion improvements, supply needed to offset storage requirements to serve new growth, and low pressure results of serving new growth using intermediate pressure zone expansion improvements. These factors were combined to provide an overall assessment of the water system infrastructure improvements needed to serve new growth.

In addition, development within Drinking Water Protection Areas was evaluated as a consideration of how alternative UGB expansion locations could impact existing groundwater facilities to serve nearby areas already inside the UGB.

This demonstrates that the water evaluation of UGB expansion alternatives satisfies OAR 660-024-0060(8).

Stormwater

Stormwater infrastructure impacts were evaluated through the lens of impervious surface area and geology. Impervious surface area associated with new development was estimated and compared using the Envision Tomorrow model. Geology – specifically, the presence of welded tuff formations – was also considered, because on-site retention and treatment are required in such areas rather than a community stormwater system.

This demonstrates that the stormwater evaluation of UGB expansion alternatives satisfies OAR 660-024-0060(8).

Weighing and Balancing

Not all performance measures identified equally important advantages or disadvantages. A handful of performance measures identified truly significant differences between the alternatives – differences that would meaningfully affect the community in 2028 and/or that are critical to meeting the legal requirements for this UGB expansion. These included residential land efficiency, total VMT per capita, transportation improvement costs, efficiency of sewer system improvements, and housing affordability. The project team evaluated overall results using both an equally-weighted and an unequally-weighted approach, including several variations of weighting. The different approaches to weighting were presented and considered by the Boundary TAC as well. Using or not using weighting and the degree of weighting had minimal

impact on the overall results: the top performing scenarios were found to rank in the same order regardless of whether and how the performance measures were weighted (see Scenario Evaluation Report for details).

7.4.4.3. *Results of Alternatives Evaluation*

The results of the alternatives evaluation are summarized in the Urbanization Report (Pages 75-82) [Rem Rec. 10889-10896] and in the Scenario Evaluation Report, dated October 20, 2015 (See Pages 29-34)⁶. An excerpt from these reports is provided below.

Factor 1: Efficient accommodation of identified land needs

Complete Communities and Great Neighborhoods

Top Tier

Scenario 2.1 performed the best overall on this Community Outcome, particularly on access to schools and commercial services, because it was created with the intention of providing for complete communities (neighborhoods with a mix of housing, jobs, commercial services, parks, and schools) in all quadrants of the city.

Middle Tier

Scenario 3.1 and, to a lesser extent, **Scenario 1.2** and **SAAM-2**, also performed well. These alternatives all have some subareas that are fairly complete, and others that are less so.

Scenario 3.1 performed well on walk access to both schools and commercial; nearly all new residential expansion areas in each include at least a small commercial center and many include a school. Scenario 3.1 did the best at increasing the walk access of housing inside the existing UGB to commercial services. This appears to be due to the placement of commercial areas in a few key locations. For example, within "The Thumb", placing commercial adjacent to China Hat Road provides walkable access to neighborhoods at the southern edge of the city that currently lack it. In the Shevlin Area, placing commercial along Shevlin Park Road provides walk access to portions of Awbrey Butte.

Bottom Tier

SAAM-1 and **SAAM-3** had mixed results on this Community Outcome, with performance below that of the other alternatives. In part, this is because they include one or two large, primarily residential expansion areas and fragmented employment areas elsewhere. SAAM-1 was the only alternative that did not perform well on park/trail access, because the northernmost extent of the Northeast Edge would not have walkable park/trail access. SAAM-3 performed poorly on school and commercial access, because of the large amount of new housing in the outer portion of the west area, away from existing and future commercial uses and schools. Because of the nature of the areas included in SAAM-1 and SAAM-3, it would be difficult to improve their performance on these measures – there are few or no suitable locations for additional schools, parks, or commercial areas in either one.

⁶ See Rem Rec 6637 for the complete report.

Efficient, Timely Growth

Top Tier

Scenario 1.2 performed the best overall on this Community Outcome, with high ratings across the board, because it provides a mix of large, vacant properties and smaller parcels contiguous to the existing UGB. **Scenarios 2.1 and SAAM-3** also performed well on this Community Outcome. Both do well on measures of density and efficiency because of their reliance on larger, vacant parcels, but both have a lower percentage of land under 20 acres and contiguous to the existing UGB.

Middle Tier

SAAM-2 and **Scenario 3.1** performed moderately well, though not as well as the others mentioned above. This is in part because lower residential densities were assumed in parts of the West Area and the Shevlin Area due to topography and the possible need for cluster development in order to allow for natural resource/wildlife habitat protection. Both also include a number of developed parcels between OB Riley Road and Gopher Gulch, which are less efficient to develop than vacant parcels.

Bottom Tier

SAAM-1 performed the worst on this Community Outcome, because the outer Northeast Edge and the Shevlin area both had lower residential densities; the outer Northeast edge includes quite a few developed properties, particularly in the subdivisions south of Juniper Ridge; and, while the parcels are smaller in the Northeast Edge, the outer portion is not contiguous to the current UGB.

Factor 2: Orderly and economic provision of public facilities and services

Balanced Transportation System

Top Tier

Across the various performance measures included in this Community Outcome, **Scenario 2.1** performed the best overall, with the lowest VMT per capita, the best overall walk/bike safety and connectivity, and the best system connectivity and progression of system hierarchy.

Middle Tier

Scenario 1.2, Scenario 3.1, SAAM-1 and SAAM-3 all performed moderately well – the relative ranking among these depends on which measures are given most importance, although differences are subtle. Scenario 1.2, SAAM-1 and SAAM-3 do fairly well on congestion, with relatively low overall congestion; they also do fairly well on walk/bike safety and connectivity, with no major barriers identified. It is worth noting that SAAM-1 does poorly on VMT, but well on congestion (because there is relatively little existing congestion near the Shevlin area) and walk/bike safety and connectivity (because including the full extent of the Shevlin area provides for better connections to the existing road and trail system).

Bottom Tier

SAAM-2 does the worst on this Community Outcome overall, with poor performance on VMT, mode split, average trip length, and a number of other factors. It also performs less well on walk/bike safety and connectivity because the river forms a barrier with connections to the west.

Cost-Effective Infrastructure

Top Tier

Scenario 2.1 performed the best overall on this Community Outcome, in particular because of the low cost of transportation improvements required (low cost for connecting growth areas and low cost for projects to increase capacity). It also performed fair to well on measures of sewer system cost-effectiveness as well as new linear miles of local streets, water system improvements within the Bend water service area, and total impervious area for new development. It had only one negative rating, on new development within a Drinking Water Protection Area, because of the amount of development in The Thumb.

Middle Tier

SAAM-2 performed somewhat poorly on sewer, though it was not the worst performer; it takes advantage of major trunk infrastructure to the north but the DSL property and The Elbow are not cost-effective due to small area included and fixed costs to serve those areas. It had moderate transportation costs, with low costs for connecting growth areas but high costs for required capacity improvements (including the need to widen US 20 from Robal Rd to 3rd Street). Its only other drawback is having a relatively high proportion of development in areas with potentially challenging geology (welded tuff).

Bottom Tier

Scenarios 1.2 and 3.1, SAAM-1 and SAAM-3 all had at least one significant drawback on transportation and/or sewer infrastructure, though most had mixed results overall. **Scenario 3.1** performed acceptably across most performance measures in this group, but performed poorly on transportation costs due to high cost for connecting growth areas and the need to widen US 20 from Robal Rd to 3rd Street. **Scenario 1.2** also performed poorly on transportation infrastructure, due to high cost for connecting expansion areas and high cost for capacity improvements, but performed the best on sewer infrastructure, because it focuses more growth on the Northeast edge, which is efficient for sewer service. **SAAM-3** had high costs for sewer improvements because of the need for a new regional pump station to serve the northwest portion of the West Area, but low costs for transportation improvements due to low cost for connecting growth areas and moderate cost for congestion mitigations (including the need to widen US 20 from Robal Rd to 3rd Street). SAAM-3 also has the greatest amount of development in areas with welded tuff geology, which can add to the cost of excavation. **SAAM-1** had high costs for sewer because of the need for a new regional pump station to serve the Shevlin Area (though it does take advantage of cost-effective sewer in the Northeast edge), and also had relatively high transportation costs due to high costs for connecting expansion areas as well as high costs for intersection improvements.

Quality Natural Environment (Environmental and Energy Consequences)

Top Tier

Scenario 1.2 and **Scenario 2.1** are rated fair to very good across all performance measures under this Community Outcome. Neither has development adjacent to riparian areas, and both have limited total expansion in elk and deer range, with no expansion into ODFW areas of potential concern. Neither has features that prevent mitigation of wildfire hazard in any expansion areas. Both had reasonably good performance on energy consumption, greenhouse gas, and water consumption measures as well.

Middle Tier

Scenario 3.1, **SAAM-2** and **SAAM-3** had mixed results. SAAM-2 performed fair to well on all measures except greenhouse gas emissions and energy use. Scenario 3.1 rated poorly on development in wildlife areas and wildfire hazard due to the inclusion of the Shevlin area, which is both an ODFW area of potential concern and has topographic features that make it difficult to fully mitigate wildfire risk. SAAM-3 rated poorly on development in wildlife areas because so much growth was focused in the West area, but performed fairly or well on other performance measures.

Bottom Tier

SAAM-1 performed poorly on many of the performance measures, and did not perform well on any. It rated very low on development in wildlife areas and lower also on wildfire hazard because it includes the full Shevlin area (see reasons noted above). It also rated lower than other scenarios on development adjacent to riparian areas because of the inclusion of the upper portion of the Shevlin Area.

Housing Options and Affordability (Social Consequences)

Top Tier

Scenario 2.1 and **SAAM-1** performed the best on this Community Outcome, though there were only two performance measures. Scenario 2.1 had good housing mix in nearly all subareas and good housing affordability with significant housing growth in the southeast. SAAM-1 had good housing mix in both primary residential expansion areas and had moderately affordable housing due to the heavy expansion in the Northeast Edge.

Middle Tier

Scenario 1.2 performed well on affordability, but less well on housing mix, with most subareas somewhat imbalanced (too much single family or too little). **SAAM-2** performed well on housing mix, but less well on affordability, with growth focused on the northwestern side of the city.

Bottom Tier

Scenario 3.1 and **SAAM-3** performed poorly on affordability due to the heavy focus on the west side of the city. SAAM-3 also did not perform well on housing mix because there were small residual areas of almost exclusively multifamily housing.

Strong Diverse Economy (Economic Consequences)

Top Tier

Nearly all alternatives – **Scenario 1.2, Scenario 3.1, SAAM-1, SAAM-2, and SAAM-3** -- performed well or very well across all performance measures in this Community Outcome.

Middle Tier

Scenario 2.1 rated somewhat lower, because it places employment and commercial uses in more of the expansion areas (e.g. the West Area) where they are somewhat less well suited.

Factor 4: Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

Compatibility with Farms and Forests

Top Tier

Scenario 1.2 rated the highest on farm and forest compatibility because it affects the fewest irrigation district customers and has no forest land within a mile of any expansion area.

Middle Tier

Scenario 2.1, SAAM-3, and, to a lesser extent, **SAAM-1** also rated fair to good on this Community Outcome. SAAM-3 has less farm impacts but more forest adjacency than other alternatives. Scenario 2.1 and SAAM-1 both have moderate levels of farm impacts, moderate impacts to irrigation districts, and little to no forest land adjacency.

Bottom Tier

Scenario 3.1 and SAAM-2 rated the lowest on farm and forest compatibility because they are proximate to the greatest number of working farms and also affect the greatest number of irrigation district customers. Scenario 3.1 also has some forest land between a mile and a quarter-mile away from the expansion in the West Area.

Subarea Advantages and Disadvantages

This section provides a summary of findings from the evaluation on the key advantages and disadvantages of each subarea (those that are either inherent to the geography or that do not vary appreciably between the alternatives).

North Triangle

Key Advantages

- Cost-effective sewer
- Fairly close to existing transit
- Well-suited to commercial uses
- No commercial farms or forest lands nearby

Key Disadvantages

- Contributes to congestion on 97 & 20
- Canals create barriers
- Industrial / rural residential compatibility concerns
- Large format retail reduces attractiveness for housing
- Impacts Swalley Irrigation District
- New collector roads relatively costly

OB Riley / Gopher Gulch

Key Advantages

- Master planning opportunities (Gopher Gulch)
- Proximity to planned parks on west
- Eastern portion generally well-suited to industrial & commercial uses
- Close to transit on SE corner

Key Disadvantages

- Many developed parcels in south
- Connectivity limited in west
- Requires extension of major sewer line
- Wildfire hazard difficult to mitigate adjacent to river
- Impacts Swalley Irrigation District

Northeast Edge

Key Advantages

- Cost-effective sewer
- Well-suited to commercial uses adjacent to major roads
- Mid-size parcels, possibility for near-term development
- Housing affordability

Key Disadvantages

- Limited connectivity
- Canals create barriers
- Not near transit
- Some commercial farms nearby

DSL Property (& Darnell Estates)

Key Advantages

- Master-planning opportunity (DSL)
- No irrigation district impacts (DSL)
- Housing affordability
- Relatively close to transit
- Well-suited for commercial & employment uses along major roads (DSL)

Key Disadvantages

- Potential impacts to bat caves on DSL property
- Darnell Estates requires additional sewer extension – not cost-effective

The “Elbow”

Key Advantages

- Existing school & possible future park site
- Housing affordability
- Fairly well-suited to commercial and employment along 27th / Knott Rd.

Key Disadvantages

- Connectivity limited unless connection built from Rickard to 15th near Murphy
- New collector roads relatively costly
- Requires interim pump station for sewer
- Partially in Elk/Deer Range
- Farm adjacency, including feed lot along Knott Rd.
- Not near transit
- Impacts Arnold Irrigation District

The “Thumb” (& southwest area)

Key Advantages

Key Disadvantages

Key Advantages

- Master planning opportunities
- Housing affordability
- Well-suited to a wide range of uses (Ward)
- South end of US 97 relatively uncongested

Key Disadvantages

- Connectivity limited unless full collector system built from China Hat to Knott (highway & railroad barriers)
- Canal creates barriers
- Reliant on US 97
- Long average trip lengths
- Fully in Elk/Deer Range
- Impacts Arnold Irrigation District
- Drinking Water Protection Areas – concern for certain industrial uses

West Area

Key Advantages

- Master planning opportunities
- Relatively close to transit on eastern edge
- No irrigation district impacts

Key Disadvantages

- Largely welded tuff geology
- Entirely within Deer & Elk Winter Range
- Housing likely to be more expensive
- Limited suitability for industrial & commercial uses

Shevlin Area

Key Advantages

- Master planning opportunities
- Includes planned school site
- Relatively close to transit at SE corner
- Minimal congestion
- Proximity to existing/planned parks & trails
- No irrigation district impacts

Key Disadvantages

- Long trip lengths
- Difficult to build connected local streets
- Entirely within Deer & Elk Winter Range, largely within ODFW Areas of Potential Concern
- Housing likely to be more expensive
- Limited suitability for industrial & commercial uses
- NW edge adjacent to Tumalo Creek
- Outer portions may be difficult to reduce fire hazard
- Proximity to forest land in western corner

Scenario Evaluation Conclusion and Balancing

Based on the full alternatives evaluation, in considering and balancing the four Goal 14 Factors as required under Statewide Planning Goal 14 and OAR 660-024-0060, Scenario 2.1 performed the best of the alternatives overall, regardless of whether and to what degree weighting is applied to distinguish between the more and less important performance measures. It provided complete communities in all quadrants of the city; focused growth primarily on large, vacant

parcels; provided enhanced transportation connections; was fairly cost-effective for sewer infrastructure; avoided riparian areas; limited expansion in wildlife areas; avoided areas where topographic features prevent mitigation of wildfire risk; had good housing mix in nearly all subareas; and offered opportunities for relatively affordable housing with significant housing growth in the southeast.

No other alternative had as strong a performance on as many community outcomes, and each of the other alternatives has at least one important weakness identified through the evaluation, as documented in the Scenario Evaluation Report. As a result, the UGB Steering Committee selected Scenario 2.1 as the preferred scenario for further evaluation and refinement. The USC chose Scenario 2.1, in brief, to balance growth on both the east and the west sides of the city, reduce the traffic impact on the west, include the area referred to as the "Perfect Rectangle", and reduce the risk of wildfire on the west. The USC discussion also noted community survey results where Scenario 2.1 rated well in an online survey.⁷

7.4.4.4. Preferred Scenario Refinement Process

Overview

As stated above, Scenario 2.1 was selected as the starting point for creating a preferred scenario due to its performance in the alternatives evaluation. The refinement process addressed arrangement of land uses and changes to boundary location in certain subareas. It also included adjustments to assumptions about yield from efficiency measures and capacity of land inside the current UGB in order to ensure that these assumptions were "reasonably likely" to be implemented. The refinements included:

- removing small areas that performed poorly or would not be cost-effective to urbanize;
- refining the land uses within some sub-areas in order to address compatibility concerns and ensure an appropriate mix and intensity of uses in each area, given its context and the potential for additional future expansions that would build on the current expansion;
- distributing growth across more of the land in the west and northwest rather than relying on a single property owner in this area;
- consolidating growth in the northeast to a single larger block of land where a new complete community is possible rather than multiple small expansion areas;
- inclusion of park land as requested by the Park District in their testimony; and
- including specific properties that offered commitments to provide affordable housing, in order to ensure that housing will be available to meet the needs of residents at all income levels.

The Boundary TAC and USC provided input at multiple meetings, and directed refinements based on public testimony in the context of balancing the four Goal 14 factors. In considering whether to add land that was not included in Scenario 2.1, the USC, city staff, and consultant team considered whether the scenario evaluation provided evidence that a certain area

⁷ See Rem-Rec-5665 for the minutes of the October 22, 2015 meeting of the USC for their discussion and decision selecting Scenario 2.1.

performed better with the land in question included, and any public testimony providing new evidence of a compelling advantage of including the land. The USC, city staff, and consultant team also ensured that components of Scenario 2.1 that were essential to its strong performance in the scenario evaluation (e.g. emphasis on complete communities, strong growth in the southeast area of the city, and moderate amounts of expansion in the south, west, and northwest) were retained throughout the refinement process. The consideration of refinements was a balancing process where the USC considered whether project's scenario evaluations and public testimony supported inclusion of the refinement because it, on balance, was consistent with the Goal 14 factors and Community Outcomes.

Public Testimony and Response

The record includes a significant amount of public testimony that argued for several properties being included in the UGB. To summarize this testimony briefly, a number of property owners and/or their representatives argued for their property's inclusion in the UGB, their merits, and any feedback as to whether the process of evaluation was conducted in their view according to state law. Several pieces of testimony offered specific incentives and benefits for certain property being included in the UGB, including certain properties that would be part of a transect, several that offered the development of affordable housing, and several that argued for being included because they were included in a large group. The following findings respond to the public testimony directed at the boundary and the location analysis by area and subject. The City notes that the UGB project team provided responses to some of this testimony in Appendix E to the USC Meeting Packet for their June 25, 2015 meeting (Rem Rec. 8273). Appendix E is located at Rem Rec. 8335.

North

Overview of Refinements

The following refinements were made to Scenario 2.1 in the north area:

- land uses re-arranged and employment uses modified in the North Triangle subarea in order to provide compatibility with rural residential to the north;
- two properties initially removed from the North Triangle subarea in order to shift residential uses to other areas and balance land uses; one subsequently added back to the scenario based on a commitment to provide affordable/workforce housing;
- residential uses included in the OB Riley subarea in order to provide a more complete community and transition to adjacent rural residential uses;
- land uses re-arranged and employment uses modified in the OB Riley subarea in order to take advantage of visibility along Highway 20 for commercial uses.

Several property owners and interested parties submitted testimony regarding the North Triangle and/or OB Riley subareas.

Carpenter Property

- Bayard (Rem Rec. 9954)
- Barker (Rem Rec. 9955)

The neighborhood association to the North provided written and oral testimony regarding appropriate land uses on this property, raising concerns about compatibility of industrial uses, especially heavy / General Industrial uses, in this location with homes to the north.

Based on the testimony, the USC approved modifying the land uses on this property from General Industrial to a mix of residential, mixed employment, and light industrial for Scenario 2.1G.

Bell Property

- Colucci for the Golden Triangle Area Consortium (GTAC)/Bell (Rem Rec. 8379, 9961)
- Dickson (Rem Rec 6079, 6083, 9035)

This property was removed from the draft preferred scenario during part of the refinement process, in order to reduce development in the North Triangle overall and limit the amount of urban development abutting the rural residential neighborhood to the north. The property owner, along with several adjacent property owners in the North Triangle, provided written and oral testimony that the Bell property (tax lot 171208D0 TL 100) should be included in the preferred scenario⁸.

GTAC/Bell/Colucci/Dickson proposed dedicating 25% of the minimum number of calibrated housing units for their area for affordable housing. The USC considered the additional social benefits of providing more land for affordable housing, along with this commitment of the property owners. Based on the testimony, the USC approved including the Bell property in the UGB for Scenario 2.1G.

Northeast

Overview of Refinements

The following refinements were made to Scenario 2.1 in the northeast area:

- Including the entire area referred to in testimony as either Butler Market Village or the Perfect Rectangle
- Including Rock Ridge and Pine Nursery Parks

Public Testimony and Response

Several property owners and interested parties submitted testimony regarding the Northeast subarea.

The Perfect Rectangle

- Murphy (Rem Rec. 4325, 5420)
- Lane (Rem Rec. 3917, 3921, 6156)
- Bend Metro Parks and Recreation District (Rem Rec. 4948, 4968)

⁸ See oral testimony from Liz Dickson (Rem Rec 10150) and Ann Marie Colucci (Rem Rec. 10151) from April 21, 2016 USC Meeting. See also written testimony from Ann Marie Colucci at Rem Rec 9961.

Murphy and several other parties testified that a larger area in the northeast should be considered for UGB expansion. This particular area is referred to as either Butler Market Village or the Perfect Rectangle. The Boundary TAC and then the USC proposed including this area in Scenario 2.1 for analysis because of the many benefits it provided. These benefits included, but are not limited to, a large and relatively level area within which to master plan, a working group of property owners, the close proximity of public infrastructure (sewer), and the potential to mix land uses to achieve the needed housing mix and with jobs, schools, and parks. This area has been included in Scenario 2.1G as the Northeast and includes 465 total acres of which 222 acres are for housing, 22 acres for jobs, with another 196 acres of nearby park land that will be included in the UGB.

East/Southeast

Overview of Refinements

The following refinements were made to Scenario 2.1 to the East and Southeast:

- Inclusion of small fragment of Burns/Pacwest property on East Highway 20 for affordable housing
- reduction of size of large lot site on DSL
- refinement of land uses in Elbow to respond to testimony and promote compatibility
- swap of land uses between Elbow and Thumb Ward properties in response to testimony

Public Testimony and Response

Several property owners and interested parties submitted testimony regarding the East and Southeast.

Burns/Pacwest Property

- Hopp (Rem Rec. 3914, 8230, 9957)

Hopp/Burns/Pacwest proposed developing their entire property with multi-family housing, and targeting households earning 80% AMI. The USC included this property in the UGB for the social benefit of providing additional land for affordable housing, along with a commitment of the land owner to develop.

DSL Property

- Russell for DSL (Rem Rec. 4926)

The DSL representative testified requesting that the large lot industrial site designation on the property be limited to 50 acres (consistent with the Regional Large Lot Industrial Land provisions for Crook, Deschutes and Jefferson Counties in Oregon Administrative Rules, Chapter 660, Division 24), rather than 56 acres (as initially identified in the EOA). The USC included the entire portion of Section 11 (aka DSL property) in the UGB, and included one of the large lot industrial sites on this property, but reduced the designation to 50 acres as requested.

Ward Property

- Wise/Ward for JL Ward Company (Rem Rec. 4142, 5321, 6076)

The Ward Family provided testimony on their property in the Elbow and asked that 12.8 acres of residential from the Thumb be swapped with 12.8 acres of commercial. The USC approved this swap, with 12.8 acres of residential lands for housing added to the 15th Street/Elbow property outside the UGB and 12.8 acres of commercial land added to the Thumb.

South/Southwest

Overview of Refinements

The following refinements were made to Scenario 2.1 to the South and Southwest:

- swap of land uses between Elbow and Thumb Ward properties in response to testimony
- Baney property removed from scenario then brought back based on testimony and affordable housing commitment

Public Testimony and Response

Several property owners and interested parties submitted testimony regarding the South and the Southwest

Baney Property

- Baney/McMahon for Baney (Rem Rec. 3911, 9929)

Baney/McMahon were among a group of parties that testified before the USC at their April 21, 2016 meeting. Their testimony argued for including Baney's property on Rocking Horse Road in the UGB, and if included, the future development of this property would include a component of affordable housing. They proposed developing a mix of housing types on his property and ensuring 25% of the units would be made available for affordable housing. This testimony further clarified that this housing would be targeted for citizens earning \$15.00 an hour, roughly \$16,000 to \$22,000 annually. This would correspond to 30% of area median income (AMI). Based on this testimony, previous analysis on the parcel showing its suitability plus the additional social benefit of providing affordable housing, the USC directed staff to include the Baney property in the preferred UGB Scenario.

Ward Property

- Wise/Ward for JL Ward Company (Rem Rec. 4142)

Wise/Ward provided testimony in support of including the "Thumb" in the UGB expansion, and the arrangement of land uses. The USC responded to this testimony by supporting the swap of land between the Ward property in the Thumb with the Ward property in the Elbow on 15th Street. More land for housing was provided in their opportunity area on 15th Street, and more land for employment and commercial services was allocated to the Thumb.

West / Northwest

Overview of Refinements

The following refinements were made to Scenario 2.1 to the West and Northwest:

- Including additional land in the West Area for the transect and for the extension of Skyline Ranch Road
- Including additional land in the West Area for development of affordable housing
- Including additional land on Shevlin Park Road for housing and a commercial node

Public Testimony and Response

Several property owners and interested parties submitted testimony regarding the West and the Northwest.

Day/Rio Lobo Property

- Conway (Rem Rec. 4861, 6095, 8221, 9973)

Day/Rio Lobo/Conway proposed dedicating 20% of their multi-family residential units for affordable housing, and further clarified that these units would be affordable based on the definition used in the Bend Development Code. The USC approved the addition of 40 acres of the Day/Rio Lobo property based on prior evaluation results and the social benefits associated with the designation of some of their property in the West Area to be dedicated for affordable housing, based on their testimony.

Coats Property

- Lewis (Rem Rec. 3926, 5352, 6204, 9942)

Lewis, on behalf of Coates, testified that the southern portion of the Coates property should be included in the UGB because it fills an existing “notch” between developed areas, improving connectivity in that area. The USC approved the inclusion of an additional 80 acres of the Coates (represented by Lewis) property for additional housing and for a small, commercial node on Shevlin Park Road.

West Area / Transect

- Miller (Rem Rec. 4094, 4933)
- Schueler (Rem Rec 4965)
- Schueler, Dewey, Swisher, Miller (Rem Rec 6070).
- Swisher (Rem Rec. 4937)

The Boundary and Growth Scenarios TAC heard testimony that proposed a boundary and land use concept for the West Area. The land use concept proposed a “transect” – the gradual reduction in residential densities as development moved closer to the boundary between the UGB and the undeveloped forest lands on Bend’s west side. The Boundary TAC and USC both heard testimony on this proposal. The benefits articulated of including this area in the UGB included allowing for the extension of Skyline Ranch Road within the planning horizon, providing for cohesive wildlife corridors and wildfire mitigation strategies throughout the area, providing a gradual and appropriate transition to public park land to the west, and the area having ready access to necessary infrastructure. The proposal for the transect from Dewey, Miller, Schueler, and Swisher was presented to the Boundary TAC at their January 20, 2016 meeting (See meeting minutes at Rem Rec. 5965). The USC considered this proposal as well and directed staff to include it in the UGB scenario during their February 2016 meeting (See meeting minutes

at Rem Rec. 9209). This area is included in Scenario 2.1G. The proposed Growth Management Chapter includes policies that include housing mix for specific areas of development, areas designated for wildlife travel, and area within which fire mitigation treatments will take place (See Growth Management Chapter at Rem Rec 10362).

Goal 14 analysis: Why certain properties included, why others not included

- Colucci (Rem Rec. 8379)
- Conway (Rem Rec. 4861, 6095, 8221)
- Dickson (Rem Rec. 6079, 6083, 9035)
- Hopp (Rem Rec. 8230)
- Lewis (Rem Rec. 5352, 6204, 9942)
- UGB Team – Comment Log of Public Testimony (Rem Rec. 8335)

The City documented the process through which properties were evaluated for the UGB amendment in several resources, including the UGB Scenario Evaluation Report (Rem Rec. 6209), the Urbanization Report (Rem Rec. 9679), and the Findings in this section. The record includes testimony from a number of individuals and groups testifying in support of certain property being included, and testifying against property on the West side of Bend being included. The record does not include testimony that argues against expansion into other geographic directions (e.g. East or Southeast).

The City understands this testimony to argue that certain properties should have been included in the UGB, and because these properties were already adjacent to the UGB, could be served with infrastructure, and/or provided some benefit to the City.

State law (OAR 660-024, Goal 14, and ORS 197.298), governs how the City must go about determining land needs for urban uses, and then evaluating properties if a need has been shown for additional land. These laws include several key sideboards on the determination of whether a UGB expansion is needed and was properly evaluated.

Goal 14 outlines that the establishment and change of urban growth boundaries shall be based on a demonstrated need to accommodate long range urban population. This population is based on the coordinated population forecast Deschutes County adopted in 2004⁹. The population forecast for the City in 2028 is 115,063, and is based on the acknowledged population forecast of 109,389 for Bend in 2025. No evidence has been submitted to the record to cause the re-evaluation of this forecast and the consideration of another forecast that should be adopted and acknowledged in its place. This forecast, and the employment forecast in the EOA provided the bases upon which the land need estimates were developed. The City needed approximately 2,300 acres of land, and had to select this amount from 5,400 acres of land that performed the best against the performance measures.

The City has documented the process through which a study area was formed, properties were evaluated based on performance measures recommended by the Boundary TAC and approved

⁹ The 2004 Coordinated Forecast Report is the 2009 UGB Record at Rec. 1980. The City and County coordinated on the development of the forecast between 2002 and 2004.

by the USC, and then organized into potential UGB expansion subareas. These same subareas were considered in different configurations in different scenarios before the USC recommended Scenario 2.1A as the scenario for which additional evaluation would be conducted. The USC then considered several potential versions of this scenario, before deciding on April 21, 2016 to forward Scenario 2.1G to a public hearing. State law (OAR 660-024-0060) does not require the City to prepare findings explaining how each property in a study area was rated, whether it was to be included in the UGB or not, with additional findings explaining why not. State law allows, the City chose, to consider larger geographic areas consisting of multiple properties to better allow needed housing and jobs in different configurations. State law also does not require the City to explain its decision of considering larger geographic areas instead of conducting a property by property comparison, which in this case is practically impossible given the amount of needed acres of expansion and numbers of parcels in the study area.

The City decided early in the process to focus the analysis of potential areas for expansion on those rural residential, exception, and non-resource lands that were considered Priority 2 lands under ORS 197.298(1)(b). This means that the City would not consider any lands designated as resource lands – those lands designated for agriculture or forest uses – under the Deschutes County Comprehensive Plan. None of these lands are included in the proposed UGB expansion. In Bend's case, there was more Priority 2 land than the City needed for UGB expansion, and the City used the Goal 14 factors to evaluate, weigh, and balance which areas would best meet the City's needs.

In October 2015, the USC directed the team to use Scenario 2.1, with certain changes of theirs, as the scenario to use for further infrastructure evaluation and refinement. This scenario went through multiple modifications between the Boundary TAC's next meeting on December 14, 2015, and the final version of Scenario 2.1 (2.1G), considered by the USC at their April 21, 2016 meeting. Each round of changes came at the direction of the Boundary TAC and/or the USC, none of which reflected a final decision on the boundary. The project team presented changes to the scenario at each public meeting based on factual information and policy direction (of the Boundary TAC and USC), and each committee received public comment at their respective meetings that included comment directed at changes to Scenario 2.1 and why they should or should not have been made.

Why certain adjustments were made

Transect

- Schueler (Rem Rec 4965)
- Schueler, Dewey, Swisher, Miller (Rem Rec 6070).

The Boundary and Growth Scenarios TAC heard testimony that proposed a boundary and transect for the West Area UGB expansion area. This proposal included the gradual reduction in residential densities as development moved closer to the boundary between the UGB and the forest lands on Bend's west side. The Boundary TAC and USC both heard testimony on this proposal. The proposal for the transect from Dewey, Miller, Schueler, and Swisher was

presented to the Boundary TAC at their January 20, 2016 meeting (See meeting minutes at Rem Rec. 5965). The USC considered this proposal as well and directed staff to include it in the UGB scenario during their February 2016 meeting (See meeting minutes at Rem Rec. 9209). This area is included in Scenario 2.1G. The proposed Growth Management Chapter includes policies that include housing mix for specific areas of development, areas designated for wildlife travel, and area within which fire mitigation treatments will take place (See Draft Growth Management Chapter at Rem Rec 9233).

Affordable Housing

- Baney, McMahon (Rem Rec ##) for Baney (Rem Rec. 9929)
- Conway (Rem Rec ##) for Rio Lobo (Rem Rec. 9973)
- Colucci (Rem Rec ##) for the Golden Triangle Area Consortium (GTAC)/Bell (Rem Rec. 9961)
- Hopp (Rem Rec ##) for Burns/Pacwest (Rem Rec. 9957)
- See also oral testimony from these parties in the April 21, 2016 USC Meeting Minutes (Rem Rec ##).

The above-listed parties testified at the April 21, 2016 USC meeting that either their or their clients' should be included in the UGB based on their individual proposals to provide what they described as affordable housing. In addition to these parties, both Paul Dewey and Elizabeth Dickson provided oral testimony that the City needed to do more to satisfy Goal 10, and that including this additional land was necessary for the development of affordable housing, and would assist the City in complying with Goal 10.

Baney/McMahon proposed developing multi-family units on his property and ensuring 25% of these multi-family units would be made available for work force housing. This testimony further clarified that this housing would be targeted for citizens earning \$15.00 an hour, roughly \$16,000 to \$22,000 annually. This would correspond to 30% of area median income (AMI).

Day/Rio Lobo/Conway proposed dedicating 20% of their proposed multi-family residential units for affordable housing, and further clarified that these units would be affordable based on the definition used in Section 3.6.200(C) of the Bend Development Code.

GTAC/Bell/Colucci/Dickson proposed dedicating 25% of the minimum number of calibrated housing units for their area for affordable housing, targeting 30% of AMI with a recommended target of 80% owner occupancy.

Hopp/Burns/Pacwest proposed developing their entire property with multi-family housing, and targeting households earning 80% AMI.

The City has provided findings in Section 9 of this report addressing compliance with Statewide Planning Goal 10, Housing. The City has also provided findings explaining that these properties were included due to their commitments to provide affordable housing.

The City found, in Section 4 of the findings report, that the City's work has already satisfied Goal 10. To summarize briefly, the City's work on remand satisfies Goal 10 because the City has

inventoried buildable lands for housing, completed a housing needs analysis, proposed efficiency measures that would not only add capacity for housing in the current UGB, but for the purpose of providing additional zoned land for needed types of housing. In addition, the City's work complies with Goal 10 because the proposed UGB expansion provides the land needed for future population growth and has been plan designated so that housing is developed to help achieve the City's needed mix of 55% single family detached, 10% single family attached, and 35% multi-family housing.

The additional land to the UGB specifically for affordable housing helps secure needed housing at specific income levels. The City finds that while these additional lands will help the achieve its needed housing mix of 35% for multi-family, the benefit they provide is the provision of housing that will be affordable to those households earning 30% to 80% of AMI because this level of affordability will be provided through the implementation of Area Planning policies related to specific percentages of units being made affordable to specific income levels. The City also finds that these same areas have the added benefit of being located in areas that are close to jobs, schools, parks, and services.

The City has proposed policies in the draft Housing chapter of the Comprehensive Plan to ensure such housing is developed once these respective areas are in the UGB and annexed to the City.

Perfect Rectangle

- Murphy (Rem Rec 4325, 5420)
- Lane (Rem Rec. 3917, 3921, 6156).

Parties Murphy and several others testified that a larger area in the northeast should be considered for UGB expansion. This particular area is referred to as either Butler Market Village or the Perfect Rectangle. The Boundary TAC and then the USC proposed including this area in Scenario 2.1 for analysis because of the many benefits it provided. These benefits included, but are not limited to, a large and relatively level areas within which to master plan, a working group of property owners, the close proximity of public infrastructure (sewer), and the potential to mix land uses to achieve the needed housing mix and with jobs, schools, and parks. This area has been included in Scenario 2.1G as the Northeast and includes 465 total acres of which 222 acres are for housing, 22 acres for jobs, with another 196 acres of nearby park land that will be included in the UGB.

Public Process

- Smith (Rem Rec. 4958)
- Van Valkenburg (Rem Rec. 4963)
- Schueler (Rem Rec. 4965)
- Dewey (Rem Rec. 5311, 5313, 5315)

The City received a significant amount of testimony regarding the public process used to determine the UGB scenario between the USC's October 22, 2015 meeting and their December 14, 2015 meeting. The public process used to determine the UGB expansion, particularly the work of the Boundary and Growth Scenarios TAC that was approved by the USC, was the topic

of a number of pieces of public testimony. The testimony cited above is a sample of this testimony. The purpose of this finding is to better document the work of the Boundary TAC in both Phases 1 and 2, including how their work was approved and/or modified by the USC, to show that the steps taken to identify potential expansion areas and compare and contrast them occurred in an open and public process.

The Boundary TAC began Phase 1 of their work in August 2014. Between August 2014 and February 2015, the TAC met six times with the focus of their work to identify suitable lands for UGB expansion and to identify performance measures that would be used in Phase 2 for evaluating alternative UGB scenarios. The USC approved the recommendations of the Boundary TAC for Phase 1 at their March 19, 2015 meeting (Rem Rec. 3551; See 3/19/15 meeting minutes at Rem Rec. 8275).

The Boundary TAC began Phase 2 of their work in April 2015. During the spring of 2015, they also participated with the other TACs and the USC in the Boundary Workshop on April 30, 2015. From this meeting, the project team got feedback from the workshop on which areas to consider for UGB expansion of those areas identified as suitable for expansion in Phase 1.

During May and June of 2015, the Boundary TAC met and worked with the project team to develop several potential UGB expansion scenarios for evaluation, along with a supplemental analysis area (SAAM) map that the team used to arrange expansion areas into three additional scenarios. The Boundary TAC recommended these three scenarios and the SAAM to the USC at their June 24, 2015 meeting. The USC approved the slate of scenarios and SAAM for evaluation over the summer at their June 25, 2015 meeting (Rem Rec. 8273; see meeting minutes at Rem Rec. 5665).

During the months of July, August, and September the project team worked to evaluate the six (6) total scenarios against the performance measures approved in Phase 1. The team released the UGB Scenarios Evaluation Report (2015) and included it in the meeting packet of the Boundary TAC's October 8, 2015 meeting (Rem Rec. 6619). The materials provided to the Boundary TAC also included a transportation study (Rem Rec. 6851) and appendices that presented the results of the evaluation of the scenarios against all the performance measures (Rem Rec. 6737).

The Boundary TAC conducted two meetings in October of 2015 to review the scenario evaluation, and then make a recommendation on a final scenario to the USC for final evaluation. The TAC recommended a Scenario 2.3, Scenario 2.1 with several changes, to the USC at their second meeting on October 24, 2015. The USC considered this scenario at their meeting, held the same day on October 24, 2015, and made a difference decision to go forward with Scenario 2.1 along with several changes.

Between December 2015 and April 2016, the Boundary TAC and the USC met in different months to consider the final scenario, and potential changes to the boundary. Between the two committees, they held a total of six public meetings, with the Boundary TAC meeting twice in March. The two committees considered seven (7) different versions of Scenario 2.1 between December 2015 and April 2016. The Boundary TAC recommended Scenario 2.1F to the USC

at their March 30, 2016 meeting. The USC approved this scenario, along with several additions to the boundary, to develop Scenario 2.1G at their April 21, 2016.

The Boundary TAC held a total of eight (8) public meetings over Phase 2 of the Remand Project, during which they provided input to the project team and recommended UGB scenarios to the USC. Each meeting was publicly noticed, and public input was solicited at each meeting. The USC met five times over Phase 2, and like the Boundary TAC, asked for public input before making decisions and/or providing direction to the project team on the UGB scenario evaluation. These findings demonstrate the planning process and resulting proposed UGB expansion integrated citizen involvement, a factual basis, and applicable legal requirements.

7.4.4.5. Preferred Scenario Description

The preferred scenario is described and mapped in the Urbanization Report (82-101)¹⁰. The findings in this section draw on that summary.

The proposed 2016 UGB expansion (the “preferred scenario”) is for a total of 2,380 acres:

- 1,142 gross acres of residential land (including land for future schools and future parks not yet in BPRD or school district ownership);
- 815 gross acres of employment land;
- 285 acres of land for public facilities currently in BPRD or school district ownership; and,
- 138 acres of existing right-of-way within and fronting UGB expansion areas, needed to provide urban street improvements to support growth in the expansion areas.

Like previous expansion scenarios, the preferred scenario focuses future growth in opportunity areas within the existing UGB and in new complete communities in expansion areas. Nearly all expansion areas include a mix of housing, employment areas, shopping/services, and schools and parks. A “transect” concept in the West Area reduces the density of development near the west edge of the city in recognition of the natural resources and open spaces to the west.

¹⁰ See Rem Rec 10896-10915.

Figure 7-9: Preferred UGB Expansion Scenario

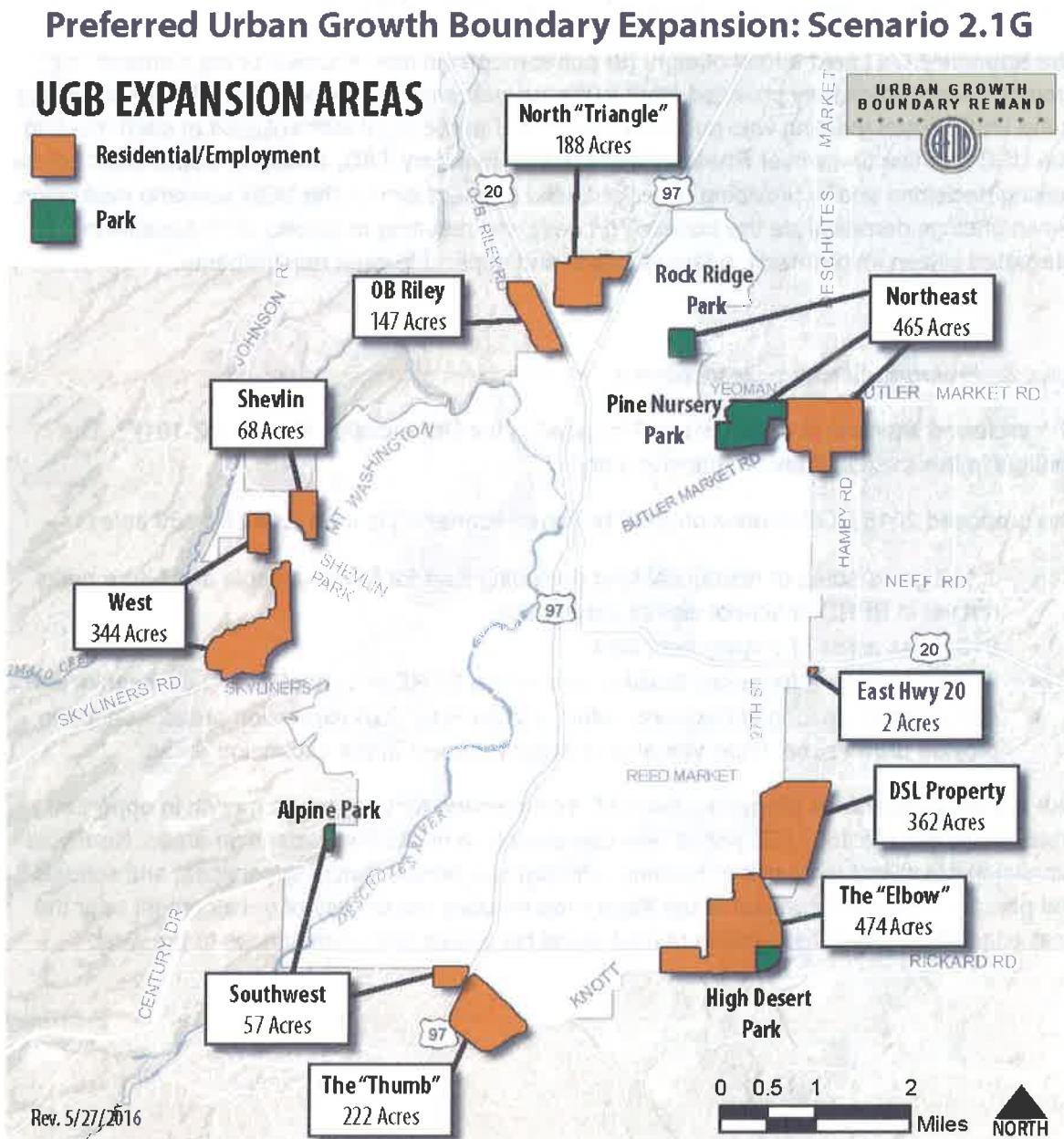
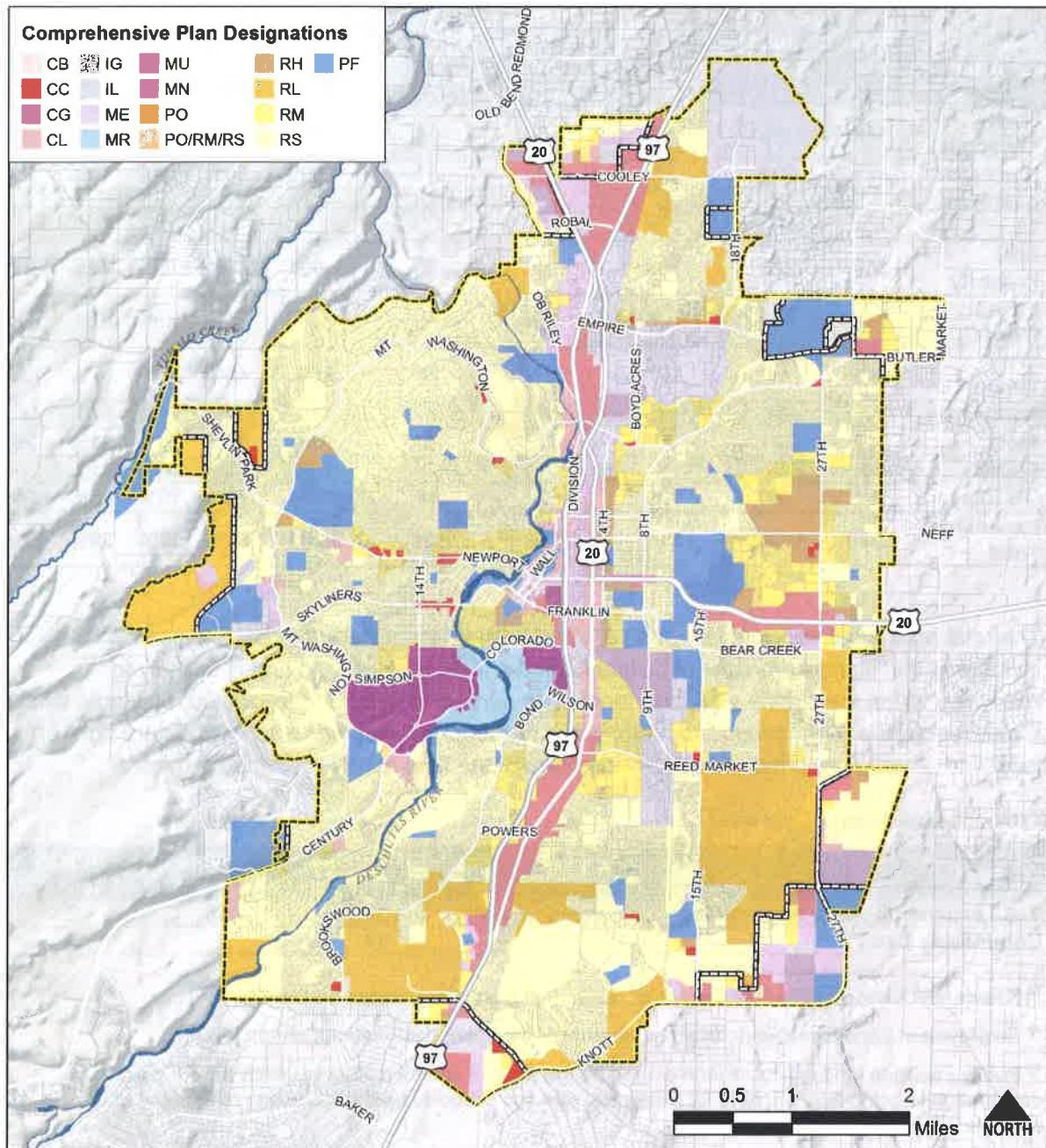


Figure 7-10: Proposed Comprehensive Plan Designations



Disclaimer: Land uses are subject to refinement during master planning and City-initiated area planning.

Service Layer Credits: Deschutes County GIS (2014)

Streams/Rivers	Urban Growth Boundary
Roads/Highways	Proposed
	Current

Table 1: Preferred UGB Expansion - Key Metrics

Expansion Area	Total Acres	Residential Land (ac) ¹¹	Employment Land (ac) ¹²	Public Facilities Land (ac) ¹³	Existing Right of Way (ac)	Housing Units ¹⁴	Housing Mix ¹⁵			Est. Jobs
							SFD	SFA	MF	
North "Triangle"	188	86	88	0	14	505	44%	13%	42%	835
Northeast	471	222	22	196	31	1,099	50%	10%	40%	214
East Hwy 20	2	2	0	0	0	70	0%	14%	86%	0
DSL Property	368	223	139	0	6	1,001	49%	11%	41%	880
"The Elbow"	479	122	246	75	36	819	36%	17%	47%	2,274
"The Thumb"	245	44	177	0	24	266	49%	15%	37%	1,573
Southwest	57	34	5	14	4	240	24%	16%	60%	80
West	347	321	21	0	5	983	69%	10%	21%	261
Shevlin	68	60	8	0	0	174	69%	10%	21%	74
OB Riley	154	28	109	0	17	125	70%	10%	20%	990
Expansion Total	2,380	1,142	815	285	138	5,282	50%	12%	38%	7,181

The total residential, employment and park and school land need in the UGB expansion includes within it small amounts of buildable land and developed land that is unlikely to redevelop within the planning horizon located on parcels that have other vacant, buildable land. It also includes land for things like future parks and open space, future schools, future right-of-way, and other future urban uses. A breakdown of the land need is provided in Table 2.

Table 2: Components of Land Need

	Residential Land	Employment Land	Public Facilities
Total expansion acres on parcels by plan designation	1,142	815	285
Unbuildable Land¹⁶	11	2	3

¹¹ Residential Land identifies total acres of residential plan designations on tax lots.

¹² Employment Land identifies total acres of employment plan designations on tax lots.

¹³ Public Facilities land indicates land owned by the park or school district to which the PF plan designation is being applied; land for additional parks & schools is provided within residential land acreage.

¹⁴ Housing units are modeled capacity estimates. Policies in the new Growth Management chapter of the Comprehensive Plan specify minimum and/or maximum housing capacities for each expansion area that are based on the modeled capacity estimates, but may be rounded slightly or incorporate slight refinements based on negotiated agreements.

¹⁵ SFD = Single Family Detached; SFA = Single Family Attached; MF = Multifamily (includes duplex & triplex). Housing mix reflects policy requirements for the expansion area in total; individual properties may vary.

¹⁶ See page 46 for an explanation of lands identified as unbuildable.

	Residential Land	Employment Land	Public Facilities
Developed Land Not Expected to Redevelop¹⁷	13	13	152
Vacant and Redevelopable Buildable Acres	1,119	800	130
Land for future right of way, future parks & open space, future schools, and other urban uses	475	255	130
Net Buildable Residential / Employment Acres	644	545	0

7.4.4.6. Evaluation of the Preferred Scenario

The evaluation of the preferred scenario is summarized in the Urbanization Report (See pages 90-101, Rem Rec 10904-10915). The findings in this section draw on that summary, as well as additional detailed information in the supporting technical memoranda evaluating the preferred scenario (See Rem Rec 11223-11250, 11201-11222, 10183-10218, 10223-10263).

Overview

The purpose of this section is to summarize the evaluation of the Preferred UGB Expansion Scenario relative to the four Goal 14 factors. This summary draws on technical memoranda prepared by Angelo Planning Group, Fregonese Associates, DKS Associates, and Murray Smith Associates addressing specific topics and provides a summary of key findings from those evaluations.

The evaluation of the preferred scenario was based on the same "Community Outcomes" and largely the same set of "Performance Measures" used to evaluate the original scenarios and SAAMs (see page 7-21 of this section). The methodology used to evaluate each performance measure was generally similar to previous evaluations for the initial scenarios and SAAMs. Some refinements to land use and transportation assumptions have been applied in order to more accurately reflect elements such as current and proposed development code regulations, updates to the BLI, street and block size standards, and housing cost factors. In addition, the details of the methodology were refined for a few of the performance measures in order to make the results more informative. This is noted in the summary below where applicable. In some cases, these refinements, while more accurately capturing the performance of Scenario 2.1G, cannot be directly compared to the results of the original scenarios and SAAMs because the differences are not a result of the alternative boundary locations. In cases where results are not comparable to the original scenarios and SAAMs, other reference points (e.g. existing conditions, or an average for the current UGB) have been provided where possible.

¹⁷ A quarter acre of land on each property with an existing home(s) was assumed to be developed. Redevelopment assumptions are the same as those for developed land inside the UGB (based on the plan designation / development type). For existing schools and parks, the area developed with existing uses was estimated based on aerial photography.

Factor 1: Efficient accommodation of identified land needs

Complete Communities and Great Neighborhoods

Scenario 2.1G efficiently accommodates the land need through a focus on complete communities and using expansion areas to complete existing neighborhoods inside the UGB. Access to schools, parks, and commercial services is among the highest of all scenarios considered:

- 62% of all future housing units (existing plus new, throughout the existing UGB and expansion areas) in Scenario 2.1G are within a half-mile of existing or future school sites.
- 99% of all future housing units in Scenario 2.1G are within a half-mile of existing or future parks.
- 86% of all future housing units are projected to be within a half-mile of commercial services in the preferred scenario.

Nearly all subareas have a mix of residential and employment land. Only the small East Hwy 20 expansion area is exclusively residential, and it is very small and adjacent to existing commercial areas. The OB Riley area has a high ratio of jobs to housing, due to its good transportation access (Hwy 20, Cooley Road, Hwy 97, OB Riley Road), generally flat topography, and larger parcel sizes.

The efficient accommodation of land needs in Scenario 2.1G is supported by new proposed policies that require area planning (see "Specific Expansion Area Policies" in the draft Growth Management Chapter of the Comprehensive Plan). The proposed area planning policies require that all expansion areas will be subject to either new City-initiated area plans or property-owner led master planning under the Bend Development Code, Chapter 4.5. The policies and code will regulate new development to implement, through adopted area plans and master plans, the identified land needs, specifically: the amounts, types, and mix of housing; the amounts and types of employment; and lands for parks, schools and other needs. Area planning and master planning will coordinate the land use with needed transportation facilities, natural resource protection, and compatibility with adjacent uses. Taken together, the area planning policies will support complete communities which will efficiently accommodate identified land needs.

A significant expansion in the West area and expansions on other large sites make this scenario mostly (over 75%) large property owners. This is among the highest shares of growth that will be subject to master planning requirements of all the alternatives considered.

Efficient, Timely Growth

Scenario 2.1G achieves a distribution of residential density across many subareas. East Hwy 20 has a very high housing density (estimated at over 23 units per gross acre), because it is small (just over two acres) and dedicated to providing affordable housing. The West and Shevlin areas have wildlife and wildfire considerations that make high densities inappropriate. A "transect" concept was applied in these areas to address transitions to natural resource areas;

the transect reduces density at the western edge in order to reduce environmental impacts as compared to medium- and high-density development. As a result, the gross density for these areas is a little over 3 units per gross acre of residential land. Other subareas range from 4.3 to 8.7 units per gross acre of land in residential and mixed use plan designations.

Net densities for new residential development are much higher – close to 10 units per net residential acre on average for the UGB expansion area. The difference is due to land needed for right of way, parks and open space, and other non-residential uses within residential plan designations. This is substantially higher net density than the existing UGB, which had an overall average net residential density of 4.4 units per net acre as of 2008 (see Appendix C).

Overall residential densities are somewhat lower than for the initial set of scenarios and SAAMs due to refinements to assumptions about the yield for efficiency measures inside the UGB and refinements to the recommended minimum density threshold for master plans in the RS zone. These refinements result in more “reasonably likely” assumptions about density, market response to efficiency measures, and redevelopment rates in opportunity areas.

The proposed recommendations and assumptions about efficiency measures inside the UGB, as well as the inclusion of additional land to meet the need for future parks and the inclusion of adjacent right of way abutting UGB expansion areas, translates to a larger total expansion than the initial set of scenarios and SAAMs (2,380 acres in total). The additional land is needed to meet identified land needs.

Scenario 2.1G includes very little land in expansion areas that is currently developed (only 5% of acres, primarily located in the Northeast Edge and the Elbow). It includes a greater proportion of development on vacant land than nearly all previous scenarios/SAAMs.

Factor 2: Orderly and economic provision of public facilities and services

Balanced Transportation System

Scenario 2.1G retains a focus on walkable mixed use redevelopment in the core and complete communities in expansion areas, which are important elements of reducing reliance on the automobile.

Vehicle Miles Traveled Per Capita

As measured with the regional travel demand model, Scenario 2.1G performs better than the prior scenarios and SAAMs, with 9.76 daily VMT per capita versus 9.92 to 10.13 daily VMT per capita for the initial scenarios. This is attributable mostly to refinements to demographic and land use inputs, with some influence of land use patterns and improved connectivity in expansion areas. Projected VMT growth in Scenario 2.1G results in a 1.2% increase over 2010 and 4.1% increase over 2003 (after accounting for all of the nuances of the TPR requirements).¹⁸ This meets the requirement that VMT is unlikely to increase by more than 5%

¹⁸ Percent change relative to 2003 incorporates credit for connectivity improvements since 1990. See Attachment 6 of Bend's Integrated Land Use and Transportation Plan for details.

over the planning horizon.¹⁹ However, Scenario 2.1G generated a higher average daily round trip length than the prior scenarios. This is due to additional growth in non-centralized areas, including the West and Thumb areas. This impact is compounded by The Thumb having the highest average trip distance of the subareas.

Looking solely at household VMT (only trips that begin or end at home, as measured using the Envision "7D" travel behavior model), the preferred scenario has an overall average of 9.41 household vehicle miles traveled per capita in 2028. Because there were several minor adjustments to the methodology (including the calculation of activity density and fine-tuning household income assumptions) between the analysis of the original scenarios and SAAMs and Scenario 2.1, the results are not directly comparable to previous results. As in the previous analysis, the expansion areas and areas on the fringe of the city generally are projected to generate more vehicle miles traveled per capita than areas closer to the city's existing major activity centers, even with the emphasis on complete communities in the expansion areas.

Mode Split, Walk Trips, and Transit Access

The preferred scenario is projected to result in an 8% non-auto share and a 92% auto share for all household trips. Despite the minor changes to methodology mentioned previously, this is nearly indistinguishable from the previous scenarios at the full future UGB scale. There was little variation in mode split at that level for the original scenarios and SAAMs, and the preferred scenario continues to show the same pattern. The estimate for Scenario 2.1G is also essentially unchanged from the ET model estimate of existing conditions (using 2014 built environment and demographic data and 2016 transit service), which estimates an 8.5% non-auto share and a 91.5% auto share for all household trips UGB-wide (including existing population in proposed UGB expansion areas). However, these results do not capture additional strategies and policies that the City has committed to through its Integrated Land Use and Transportation Plan, which would be expected to improve mode split beyond what is reflected in the model.

Weekly walk trips per capita are down slightly from the original scenarios and SAAMs, but the variation is minimal at the full future UGB scale. Walk trips are also slightly below the existing (2014) average. However, analysis of walk trip frequencies at a smaller geographic scale reveals that the complete communities approach to UGB expansion will encourage greater walking, biking, and transit usage in many peripheral areas inside the current UGB and adjacent to UGB expansion areas. These areas will have new opportunities to walk and bike to parks, schools, and commercial services.

An estimated 49% of all future housing units and 65% of all future jobs (existing and new, throughout the existing UGB and expansion areas) are projected to be within a quarter mile of transit in Scenario 2.1G. While this is a decrease relative to 2014 (due to the expansion areas being mostly outside of transit corridors), this is a higher proportion of housing and employment

¹⁹ See Bend's Integrated Land Use and Transportation Plan for additional discussion of VMT growth relative to requirements in the TPR.

than in any of the other scenarios and SAAMs. This level of transit access does not depend on expansions to the current transit network, which would further increase access.

Safety and Connectivity

As in all prior scenarios, the primary connections from the expansion areas to the rest of the city will be via collector and arterial roads. Scenario 2.1G provides enhanced connectivity in west and northeast relative to Scenario 2.1 due to the inclusion of Skyline Ranch Road and Yeoman Road extensions. It also retains and enhances the important new connections in the southeast that were part of Scenario 2.1. In the North Triangle, fewer collector roads are proposed than in Scenario 2.1, which somewhat reduces connectivity in this area, but key connections remain. East Highway 20 is a very small expansion area with access directly onto Highway 20; making other connections to the east will depend on coordination with undeveloped land inside the UGB. Most other subareas are similar to Scenario 2.1.

Congestion

Overall, Scenario 2.1G would include 12.14 peak hour miles of congested network, which is a ten percent decrease from the prior lowest scenario. While Scenario 2.1G was shown to generate longer trips in some growth areas, there are two primary reasons for the reduction in congested corridors:

- Growth was emphasized in some UGB expansion subareas that were less reliant on congested corridors. These areas made use of existing under-utilized capacity in the transportation system.
- The mix of uses (including employment uses in non-centralized areas) created a reverse commute in some cases that would take advantage of remaining roadway capacity on routes that experience congestion in one direction.

Cost-Effective Infrastructure

Transportation

Capital costs for transportation infrastructure for Scenario 2.1G are lower than the preliminary estimates for the initial scenarios and SAAMs reported as part of the scenario evaluation in October 2015. This is due to more detailed consideration of and refined assumptions about railroad and canal crossing needs, and functional classifications and alignments for new roads. Scenario 2.1G includes additional connectivity improvements relative to Scenario 2.1, including Skyline Ranch Road and Yeoman Road. The transportation improvements needed to support Scenario 2.1G, beyond those already planned for and funded as part of the City's existing Transportation System Plan (TSP), include:

- \$119 million for close to 12 miles of new collector roadways to serve and link expansion areas as well as the large vacant opportunity area in southeast Bend; and
- \$2.4 million for intersection improvements (at two intersections) and \$2.5 million for capacity improvements (on one road segment), based on increased traffic volumes.

This results in a total cost estimate, using consistent methodology with the analysis of the original scenarios and SAAMs, of \$126.3 million.

In addition to repeating the scenario evaluation methodology originally used for the initial scenarios and SAAMs²⁰, which focused on identifying roads where volumes are projected to exceed roadway capacity,²¹ a more detailed analysis (sometimes referred to as “TPR analysis” because it is required by OAR 660-012-0060, a section of the Transportation Planning Rule or TPR) was done for Scenario 2.1G. TPR analysis is required to identify whether any parts of the state highway system in Bend would both exceed ODOT’s adopted mobility standards (which are generally below the physical capacity of the roadway) and experience more traffic volume based on Scenario 2.1G than based on the City’s current UGB and current adopted comprehensive plan designations.²² TPR analysis was not done for the six initial scenarios and SAAMs because of the level of effort and detail involved and because identifying appropriate mitigation for impacts to the state highway system can require negotiations with ODOT that are more appropriately focused on the preferred alternative. See Section 8 for complete TPR findings.

Scenario 2.1G is also expected to result in a greater amount of local road lane-miles than Scenario 2.1 in the expansion areas due to the increased overall acreage of development. (The Envision Tomorrow model was also calibrated with more precise roadway assumptions for Scenario 2.1G, which may account for some of the difference.)

Sanitary Sewer

In terms of total initial capital costs for sanitary sewer, Scenario 2.1G falls between the least-cost and highest-cost initial alternatives, and is more expensive than Scenario 2.1. Comparing cost per acre, it is slightly higher than Scenario 2.1 and other low-cost initial alternatives.

The main reason for the increased cost is a larger expansion in the West area, especially the northern portions, and the inclusion of a portion of the Shevlin area. These areas contribute to additional improvements beyond those identified in Scenario 2.1, including a lengthy gravity line to convey wastewater from the northern West area to the Awbrey Glen pump station, and capacity improvements of the Awbrey Glen pump station. These areas also rely on pumping rather than gravity conveyance, which is less efficient in the long run than other expansion subareas. However, Scenario 2.1G avoids an expensive new pump station in the northwest plus constructing the extension of the Northeast Interceptor from the north of the city, across the Deschutes River, and southward by keeping growth in that area within the capacity of the existing Awbrey Glen force main.

Scenario 2.1G continues to make efficient use of the Hamby alignment with growth in the northeast and southeast; avoids an additional pump station to serve the Bear Creek Road area;

²⁰ See “Scenario Evaluation: Transportation Analysis Technical Memorandum” from DKS Associates to the Urban Growth Boundary and Growth Scenarios Technical Advisory Committee, dated October 7, 2015, for a detailed explanation of the methodology used for the scenario evaluation.

²¹ On the state highway system, if corridor demand was forecasted to exceed capacity, but the volumes were less than those in the Bend MPO MTP, additional mitigations were not recommended.

²² The methodology and assumptions for the TPR analysis are documented in a memo titled “Bend UGB Expansion – TPR Evaluation For Changes Within the Current UGB” from DKS Associates, dated July 14, 2016.

and is otherwise largely comparable to Scenario 2.1 in those areas. The Northeast Edge relies on the Hamby alignment, as in Scenario 2.1. Growth in this area is focused around Butler Market Road, so it does not need to contribute to the cost of the portion of the Hamby alignment south of Butler Market Road. This reduces the costs assigned to the subarea slightly (there is no change to the total cost of the Hamby alignment). The Thumb, Elbow, and DSL all require similar improvements to Scenario 2.1 – contributions to the Southeast Interceptor and the Hamby alignment as well as gravity line extensions to connect to existing lines. As in Scenario 2.1, the eastern portion of The Elbow requires an interim lift station and force main to connect to the Southeast Interceptor. The East Highway 20 area can be served by short connections to existing gravity sewer lines and does not require an interim lift station.

As in Scenario 2.1, the Southwest area requires extension of a new gravity line, which may also provide service to adjacent areas inside the UGB that are on septic currently. In addition, the Southwest service area requires up-sizing of existing gravity lines above the sizing recommended in the CSMP and increased sizing of unconstructed portions of the Southeast Interceptor. This would require modifying the design of the most upstream segment of the Southeast Interceptor between Highway 97 and Parrell Rd.

The North Triangle and OB Riley also require the same improvements as Scenario 2.1 which include contributions to the Northeast Interceptor east of Highway 97 to the Wastewater Treatment Plant (including increasing sizing relative to the CSMP) and extension of the Northeast Interceptor to the west to serve these areas.

Drinking Water

Because few distinctions were identified between the initial scenarios and SAAMs, a detailed analysis of the water system was not conducted for Scenario 2.1G. However, interpolating based on how the land use in Scenario 2.1G compares to prior scenarios, minimal concerns are anticipated for the drinking water storage or distribution system assuming implementation of the WMP capital improvement program including a major perimeter transmission pipeline in the northwest and additional system storage. The one exception includes the highest elevations of the West subarea, which may experience pressures below 40 psi during peak hour demands. These higher elevation water customers may require individual booster pumps to improve system pressure.

Like all of the six initial scenarios and SAAMs, Scenario 2.1G includes development within Drinking Water Protection Areas (DWPA). The Thumb, Southwest, portions of the West area, and portions of the existing UGB lie within the DWPA. The total acreage of development within DWPA in Scenario 2.1G is less than any of the initial scenarios and SAAMs (partly due to modifications to BLI assumptions inside the UGB).

Stormwater and Geology

Scenario 2.1G has a greater amount of total impervious area than Scenario 2.1 in the expansion areas due to the increased overall acreage of development, but less impervious area within the existing UGB because the COID property is not expected to develop within the planning horizon

and larger portions of the River Rim area are expected to be preserved for open space than previously assumed.

Expansion areas in Scenario 2.1G contain somewhat greater development in Welded Tuff areas than Scenario 2.1 – primarily in the West Area. However, there is less development in Welded Tuff areas overall due to changes in development assumptions within the existing UGB, specifically the COID property and areas in the southwestern part of the city. In such areas, on-site retention and treatment are required rather than a community stormwater system.

Factor 3: Comparative environmental, social, economic and energy consequences (ESEE)

Quality Natural Environment (Environmental and Energy Consequences)

Development in Wildlife Areas

Scenario 2.1G strikes a balance between urban development and protection of wildlife habitat on the outskirts of Bend. Protected areas within the Deschutes County "Wildlife Combining Zone" were not part of any growth scenario analyzed, but Scenario 2.1G does include land labeled by the Oregon Department of Fish and Wildlife (ODFW) as big game winter range in the Shevlin Area, the West Area, the Southwest Area, the "Thumb," and the "Elbow." In addition to the winter range areas, an ODFW biologist identified general areas that the agency believes may be particularly important for wintering elk and deer, which have been identified as "Potential Elk/Deer Range."

The original six scenarios evaluated contained between 325 and 1,400 acres of mapped big game winter range in the expansion areas. Scenario 2.1G includes about 820 acres of mapped big game winter range in the expansion areas, roughly at the midpoint of other scenarios evaluated. Scenario 2.1G also includes a small portion of the Shevlin area, which is partially included in the "Potential Elk/Deer Range" identified by ODFW biologists. The portion of the Shevlin area included in Scenario 2.1G is smaller than the portion included in Scenario 3.1 and SAAM-1, the original alternatives that included that area, and is surrounded on three sides by urban development. It is also only partially within the general area identified as Potential Elk/Deer Range. Currently, this portion of the site has numerous buildings which are associated with the surface mining operation to the north. These uses will be replaced with lower density housing. The City has provided a Goal 5 ESEE report describing the included areas in detail and recommending a protection program for these areas. Many areas included in the proposed expansion are generally adjacent to urbanized areas and roadways, or disturbed by existing industrial activity. The West neighborhood will be developed at a low density, using the "transect" concept to transition to the lowest density at the western edge, and is expected to provide habitat corridors and other features that will be as friendly to wildlife as possible. It is also important to note the presence of a large (400+ ft.) rural buffer between the existing UGB (Shevlin Commons) and the 40 acre expansion on the west just south of Shevlin Road, which provides a natural corridor in this area to facilitate north/south movement of large game.

Development along Riparian Corridors

Scenario 2.1G does not include any proposed development adjacent to identified Goal 5 riparian areas of Tumalo Creek. This is the same as Scenario 2.1, and better than the scenarios that included the full extent of the Shevlin Area and the Gopher Gulch area.

Wildfire Hazard

The City conducted analysis of wildfire hazard for each potential expansion subarea using a mix of aerial photography and on-the-ground evaluation by wildfire experts. Wildfire risk was evaluated as high to extreme around the entire UGB. However, the evaluation concluded that proper vegetation management and imposition of mitigation measures (e.g. special building codes) could minimize risk in nearly all areas. The combination of topography and adjacent vegetation bordering Tumalo Creek in the Shevlin area creates a mitigation challenge. Scenario 2.1G avoids development along steep slopes adjacent to Tumalo Creek. In addition, areas of particular concern to some TAC and community members – the West Area and Shevlin Area – will use the Rural-Urban Transect to provide better wildfire hazard mitigation and development under the “Firewise” standards on the edge of the City. The lower density in conjunction with fuel reduction and fire resistant building practices plus enhanced road access (Skyline Ranch Road) and access to municipal water sources further reduce the threat from wildfire in the West and Shevlin Areas. In addition, the City is adopting a policy addressing wildfire into both the new Growth Management chapter of the Comprehensive Plan and Chapter 10 (Natural Forces):

The City will adopt strategies to reduce wildfire hazard on lands inside the City and included in the Urban Growth Boundary. These strategies may include the application of the International Wildland-Urban Interface Code with modifications to allow buffers of aggregated defensible space, or similar tools, as appropriate.

Water Use, Energy Use, and Greenhouse Gas Emissions

The household carbon emissions, energy use, and water consumption showed little variation between the original scenarios because they are strongly correlated with housing mix. As a result they can be expected to be roughly the same as Scenario 2.1 and the other scenarios and SAAMs.

Greenhouse gas emissions are linked to VMT, but these also showed little variation among the original scenarios and SAAMs. Scenario 2.1G falls within the range of the original scenarios and SAAMs.

Housing Options and Affordability (Social Consequences)

Housing Mix

Scenario 2.1G continues to provide a mix of housing types in all subareas, even the relatively low-density West Area and Shevlin Area. East Highway 20 and the Southwest Area contain a high percentage of multifamily housing, but they are small properties that are expected to help “complete” nearby single-family neighborhoods. By providing a mix of housing types in each subarea, and increasing the housing mix in opportunity areas within the existing UGB, Scenario 2.1G distributes new housing opportunities to all areas of the city.

Housing Cost

Due to the complexity of the housing affordability analysis done for the original scenarios and SAAMs, and the fact that changes to building assumptions would have meant that results were not directly comparable to prior scenarios, this evaluation was not repeated for Scenario 2.1G. Based on the areas where growth is focused in Scenario 2.1G relative to Scenario 2.1, there are several hundred more housing units in the expansion areas west and northwest of the City that are likely to have relatively higher costs. However, there are also more housing units that will be built in relatively lower cost areas in the north, northeast, southeast, and south.

A comparison of projected housing costs to Bend income levels (not done for the original scenarios and SAAMs, but useful as an absolute indicator of affordability) shows that roughly 29% of new housing units in Scenario 2.1G as a whole are projected to be affordable to households making at or below the median family income for Bend (\$59,400). Under the Base Case, only about 20% of new housing units within the current UGB would be projected to be affordable at or below the MFI. In addition, affordable housing commitments by several property owners in UGB expansion areas will provide income-restricted housing units affordable to those below the area median income, which will further contribute to housing affordability in Scenario 2.1G.

Strong Diverse Economy (Economic Consequences)

Site Suitability for Large Lot Industrial

Scenario 2.1G includes Industrial Large Lot sites at Juniper Ridge and at the southern portion of the DSL property. An ideal site for this use is large and under a single ownership, flat, and with good transportation access. Each scenario included one site at Juniper Ridge and one additional site elsewhere within the UGB expansion areas. The Employment TAC recommended the DSL site as the preferred location of the Large Lot Industrial site outside of the existing UGB (as originally evaluated in Scenario 1.2, and incorporated into Scenario 2.1G) due primarily to its public ownership. Thus, the two sites identified in Scenario 2.1G are the best performing sites evaluated.

Site Suitability for Other Industrial and Mixed Employment Land

Other industrial sites have similar needs to the Large Lot Industrial sites, but are less reliant on large tracts of land in single ownerships.²³ Scenario 2.1G performs very similarly to Scenario 2.1 in this evaluation, but arrangement of land uses and creation of urbanization of policies aim to address the compatibility issues of industrial land adjacent to existing and planned residential development. Scenario 2.1G has intentionally provided better buffers between industrial areas and residential areas in the North Area. Sizing of other industrial areas (i.e. Mixed Employment in the West area) refined to be more context-sensitive.

²³ See Bend EOA, Table 15.

Site Suitability for Commercial Land

Commercial sites have similar needs to industrial sites, but can tolerate somewhat greater topography and site-preparation costs, and have more need of visibility from pass-by traffic.²⁴ Scenario 2.1G is very similar to Scenario 2.1. Commercial uses are generally supported by surrounding land uses and transportation network. The West area and Shevlin Area lack a large amount of pass-by traffic, so commercial uses will likely be locally-serving.

Factor 4: Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

Compatibility with Farms and Forests

Impact to Farms

Scenario 2.1G is similar to Scenario 2.1 in the amount of development near high value farm lands. The Northeast Edge properties, East Highway 20, DSL Property, and the "Elbow" include development within $\frac{1}{4}$ mile of EFU land. The Northeast Edge and DSL properties are within $\frac{1}{4}$ mile of commercial farms and low-impact hay fields. The "Elbow" properties are within $\frac{1}{4}$ mile of two commercial farms, one of which is an active operation that includes a feed lot for beef along Knott Rd. To aid in compatibility, Scenario 2.1G limits residential uses near the feed lot.

Impact to Irrigation Districts

Scenario 2.1G is similar to Scenario 2.1 in the amount of development that may impact irrigation district lands. Scenario 2.1G contains somewhat more development in the OB Riley area and the Northeast Edge than Scenario 2.1, but less development in impacted areas than other scenarios evaluated. By not including any highly-parcelized areas served by these irrigation districts, Scenario 2.1G lessens its overall impact to irrigation districts.

Impact to Forest Land

Scenario 2.1G continues to avoid development in close proximity to designated forest land. Only a very small portion of the West Area is within $\frac{1}{4}$ mile of designated forest land (see map), and this area is expected to implement a "transect" concept, providing an appropriate transition to natural areas West of the city.

Preferred Scenario Evaluation Conclusion

The preferred scenario offers a balance of:

- strong focus on complete communities to improve access to schools, parks and commercial areas within existing neighborhoods as well as in expansion areas;
- area planning policies to support complete communities and efficient development;
- highly efficient land use in areas with few constraints, and an overall increase in residential density relative to existing conditions;
- a sensitive approach to development in areas adjacent to natural resources to improve environmental consequences and reduce natural hazard risk;

²⁴ See Bend EOA, Table 15.

- expansion areas that provide a mix of housing types and costs and that will leverage voluntary affordable housing commitments from property owners in order to improve social consequences and ensure that housing is available to meet the needs of residents at all income levels;
- new employment land focused in suitable areas where it will contribute to Bend's economic growth;
- cost-effective use of recent and future sewer investments;
- an orderly and connected network of new roads that will support efficient travel by all modes; and
- minimal concerns for farm and forest compatibility.

This demonstrates consideration and balancing of the required Goal 14 location factors, consistent with the requirements of Statewide Planning Goal 14 and OAR 660 Division 24.

7.4.4.7. Alternatives Evaluation Conclusion

The City has considered and balanced all four Goal 14 location factors required under Statewide Planning Goal 14 and OAR 660 Division 24 in evaluating alternative UGB locations and selecting the preferred scenario, as documented in this section. The relative costs, advantages and disadvantages of the preferred scenario and all other alternative UGB expansion areas and scenarios with respect to the provision of public facilities and services were evaluated and compared, consistent with OAR 660-024-0060(7) and (8). These costs, advantages and disadvantages were given due consideration, and also balanced against ESEE consequences, efficient land use, and compatibility with nearby farm and forest land for each alternative.

7.4.5. Overall Conclusion Regarding UGB Location

As demonstrated in this section, Bend has:

- established a reasonable study area, and eliminated very little land from consideration prior to applying the Goal 14 location factors;
- provided an amount of UGB expansion that is matched to land need;
- expanded solely onto exception land, avoiding lower priority farm and forest land entirely;
- considered and balanced the Goal 14 location factors at each point from narrowing the pool of potential expansion areas to refining the final UGB proposal to identify the best performing exception land for UGB expansion; and
- assigned appropriate urban plan designations to the added land, consistent with identified land needs.

The proposed UGB expansion accommodates the projected land needs through 2028, and complies with Goal 14, relevant state statutes, and administrative rules.



Community Development Department

Planning Division Building Safety Division Environmental Soils Division

P.O. Box 6005 117 NW Lafayette Avenue Bend, Oregon 97708-6005

Phone: (541) 388-6575 Fax: (541) 385-1764

<http://www.deschutes.org/cd>

AGENDA

DESCHUTES COUNTY PLANNING COMMISSION

DESCHUTES SERVICES CENTER

1300 NW WALL STREET, BEND, OREGON, 97701

AUGUST 11, 2016 – 5:30 P.M.

Planning Commission/Staff:

Steve Swisher ♦ Sisters (Chair)
Dale Crawford ♦ At Large (Vice Chair)
Jim Beeger ♦ Bend
Les Hudson ♦ At Large
Maggie Kirby ♦ Bend
Hugh Palcic ♦ South County
Susan Tunno ♦ Redmond
Nick Lelack ♦ Planning Director

I. CALL TO ORDER

II. PUBLIC COMMENTS

III. WORK SESSION: Bend UGB – Nick Lelack, Director; Peter Gutowsky, Planning Manager; City Staff

IV. PLANNING COMMISSION & STAFF COMMENTS

V. ADJOURN

Next Meeting:
August 25, 2016, 5:30 p.m.
Deschutes Services Center
1300 NW Wall Street
Bend, OR 97701

NOTE: Items included in the packet for Planning Commission meetings can be located at:

<http://www.deschutes.org/calendar>

Deschutes County encourages persons with disabilities to participate in all programs and activities.

This event/location is accessible to people with disabilities.

If you need accommodations to make participation possible, please call the ADA Coordinator at (541) 617-4747.

URBAN GROWTH BOUNDARY REMAND

MAKING BEND EVEN BETTER



Deschutes County Work Sessions

Bend UGB Remand Project

August 10-11, 2016

Purpose



- Overview of UGB amendment adoption package
- Joint City-County Hearings: coordinated adoption of updated Bend UGB and related implementation

Refresher: How we got here



2007-2009: First UGB proposal initiated, adopted, submitted to DLCD

2010: Director's Report & LCDC Remand

2011-2013: Remand Task Force – narrow reconsideration directed by Remand

2014-2016: Extensive public process to re-evaluate land needs, expansion areas, UGB and implementation

Refresher: How we got here



2014-2016 UGB Remand process:

- 3 Technical Advisory Committees (41 meetings)
- UGB Steering Committee (9 meetings)
- 3 community meetings
- Outreach through established groups & presentations



Key Remand Issues & New Approaches: Residential Land



- Buildable Lands Inventory
- Housing Needs Analysis
 - Needed Housing Mix & Density
- Land Use Efficiency Measures
 - Opportunity Areas
 - Code Changes
- Land Needs for Schools, Parks, Other Urban Uses

Key Remand Issues & New Approaches: Employment Land



- Buildable Lands Inventory
- Economic Opportunities Analysis
 - Redevelopment rate
 - “Market factor”
- Special Sites
 - Large lot industrial sites
 - OSU
- Ensuring adequate short-term supply

Key Remand Issues & New Approaches: UGB Expansion



- Approach to Evaluating Expansion Areas
 - 24 different performance measures
 - Six different expansion scenarios
- Urbanization Report
- Prioritizing Exception Land
- Consideration of Vehicle Miles Traveled (VMT) & reducing reliance on autos

Project Goals

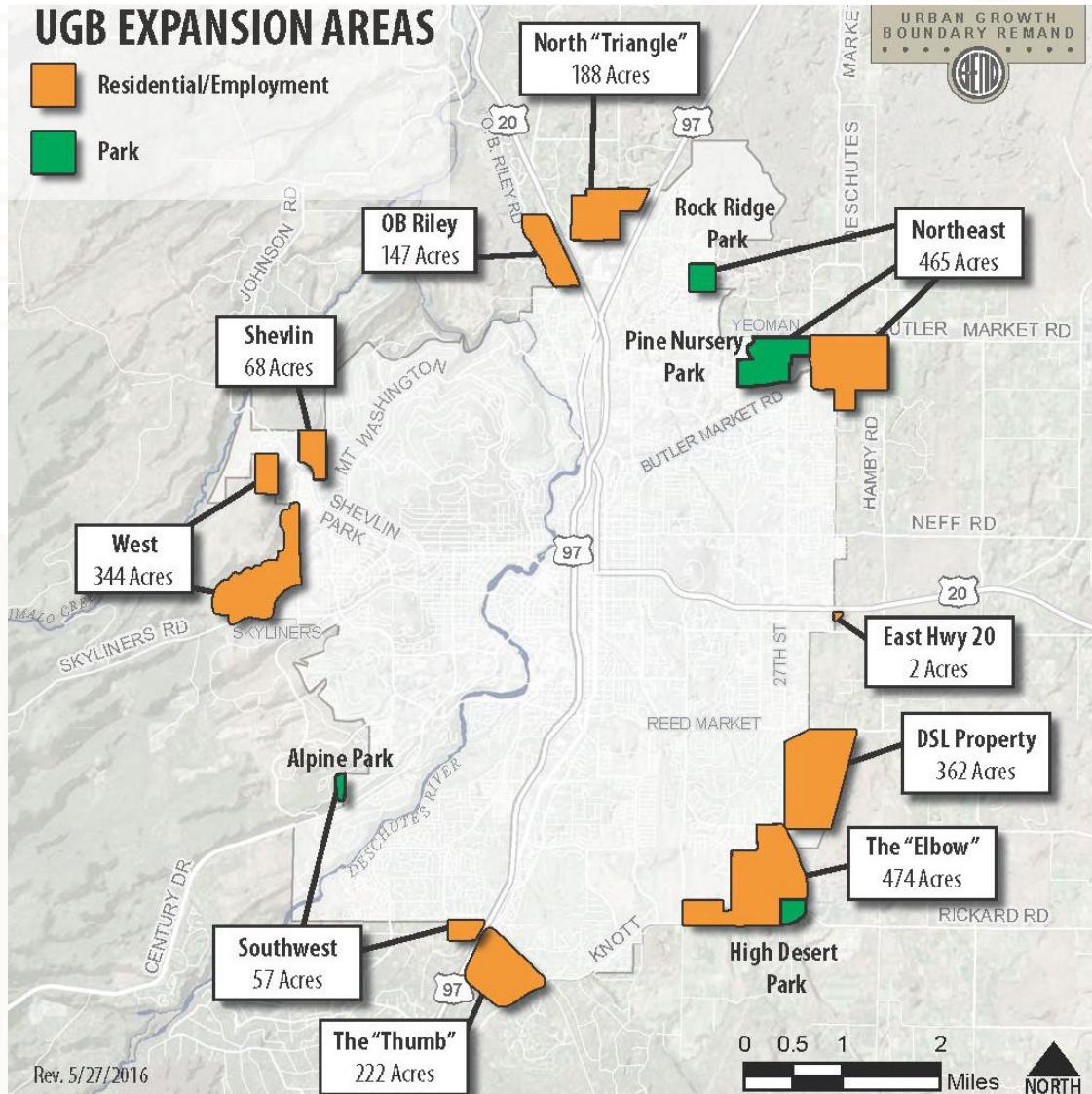


- A Quality Natural Environment
- Balanced Transportation System
- Great Neighborhoods
- Strong Active Downtown
- Strong Diverse Economy
- Connections to Recreation and Nature
- Housing Options and Affordability
- Cost-Effective Infrastructure

The UGB Proposal

UGB EXPANSION AREAS

- Residential/Employment
- Park



2,380 total acres:

- 1,142 acres residential land (including future schools & parks)
- 815 acres employment land
- 285 acres for public facilities in district ownership
- 138 acres existing right-of-way

The UGB Proposal



- **No expansion on resource land**, minimal farm/forest compatibility concerns
- **Sensitive development** near natural resources
- **Efficient development** in areas with few constraints
- Focus on **complete communities**
- Overall increase in **housing variety** and density

The UGB Proposal



- Voluntary **affordable housing commitments**
- Employment land supports **economic growth**
- **Cost-effective sewer** investments
- Network of **roads to support growth**
- **Area planning** for coordinated growth

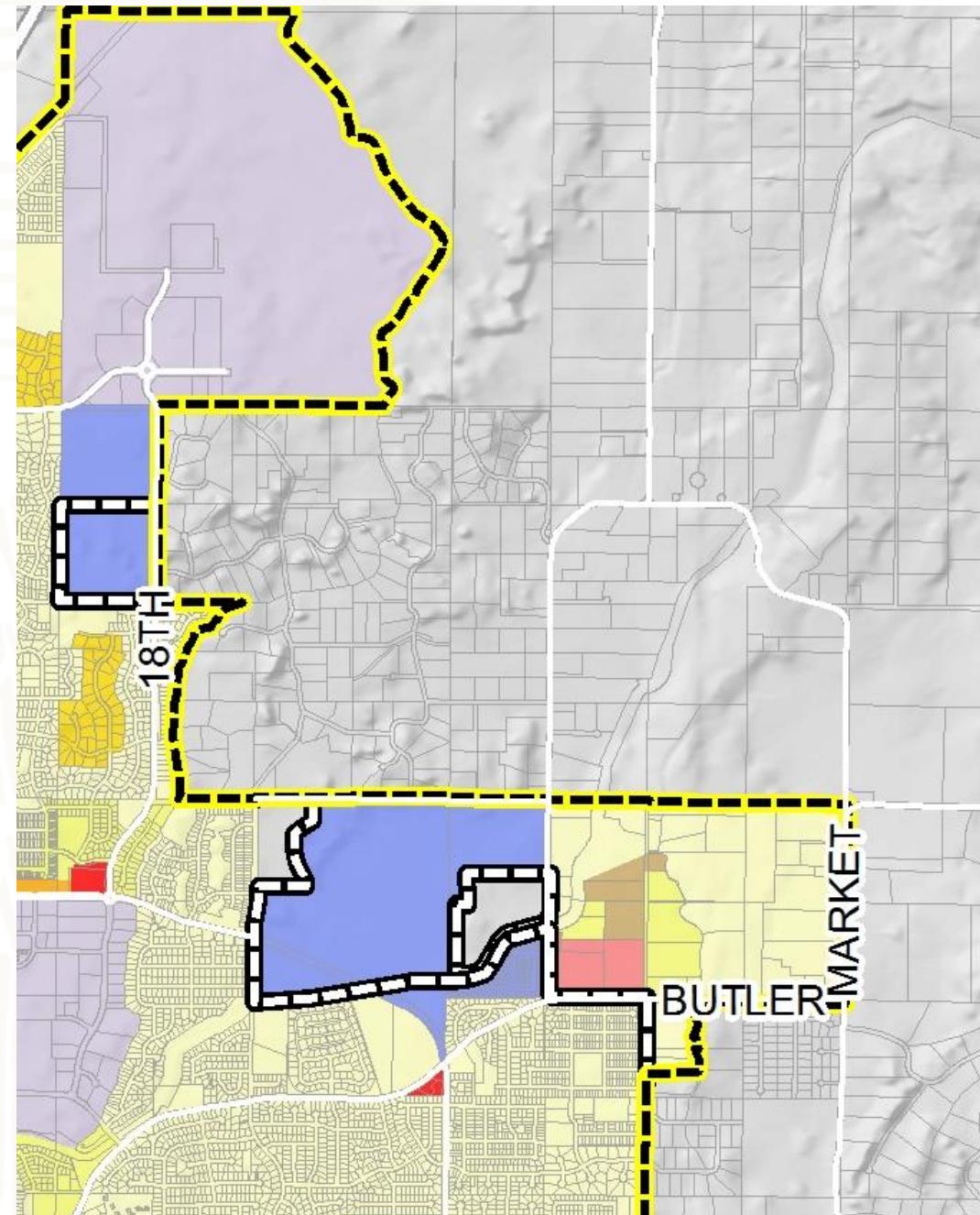
Proposed Expansion Areas: Northeast

What:

- Pine Nursery Park
- Rock Ridge Park
- 222 acres residential land
- 22 acres commercial land

How:

- New, complete community
- Node sets the stage for additional urban growth in the future
- Help complete existing neighborhoods



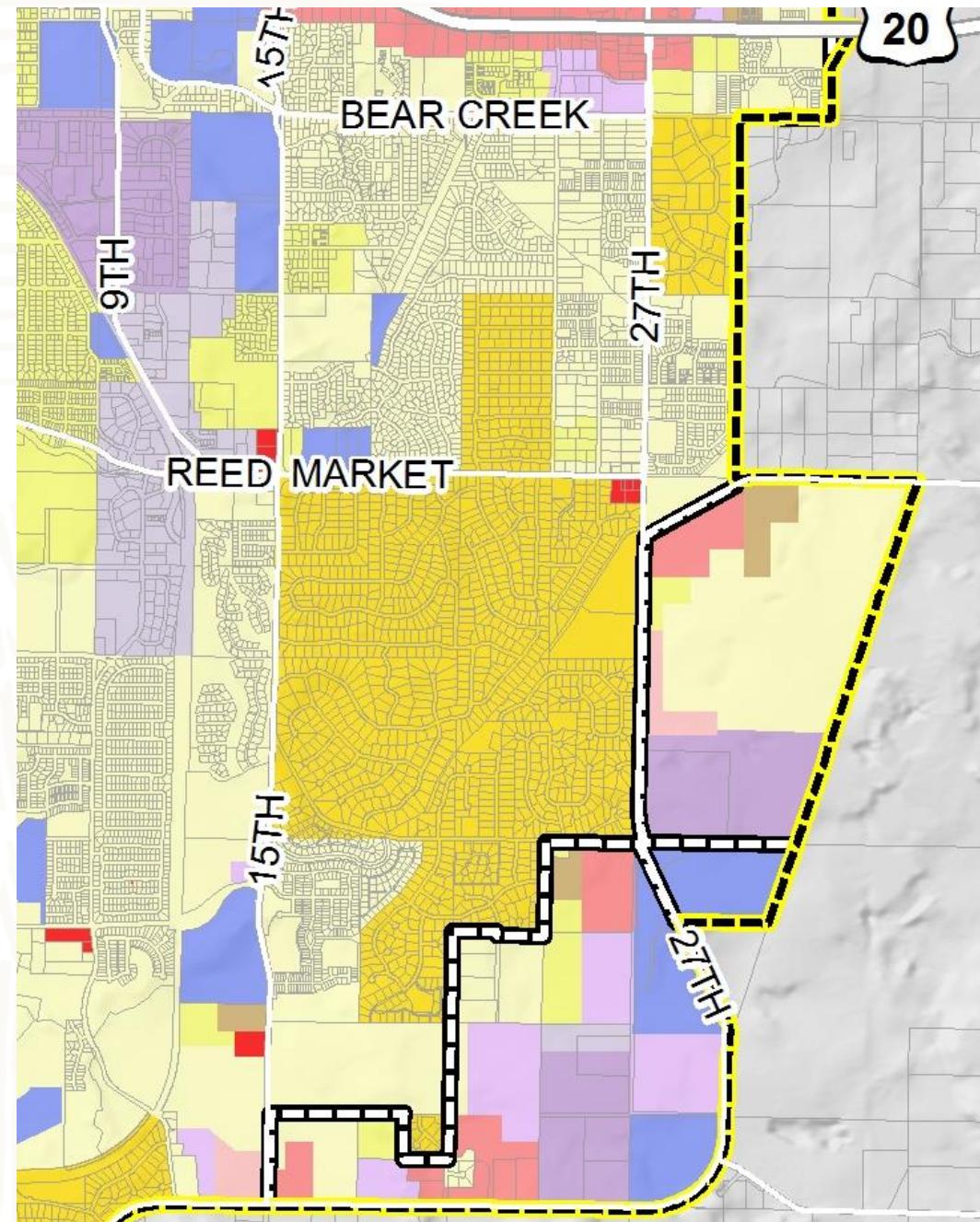
Proposed Expansion Areas: Southeast

What:

- High Desert Middle School
- High Desert Park
- 347 acres residential land
- 385 acres employment land

How:

- More complete communities
- Diverse mix of housing and employment
- Potential large-lot industrial site
- Transition to existing neighborhoods



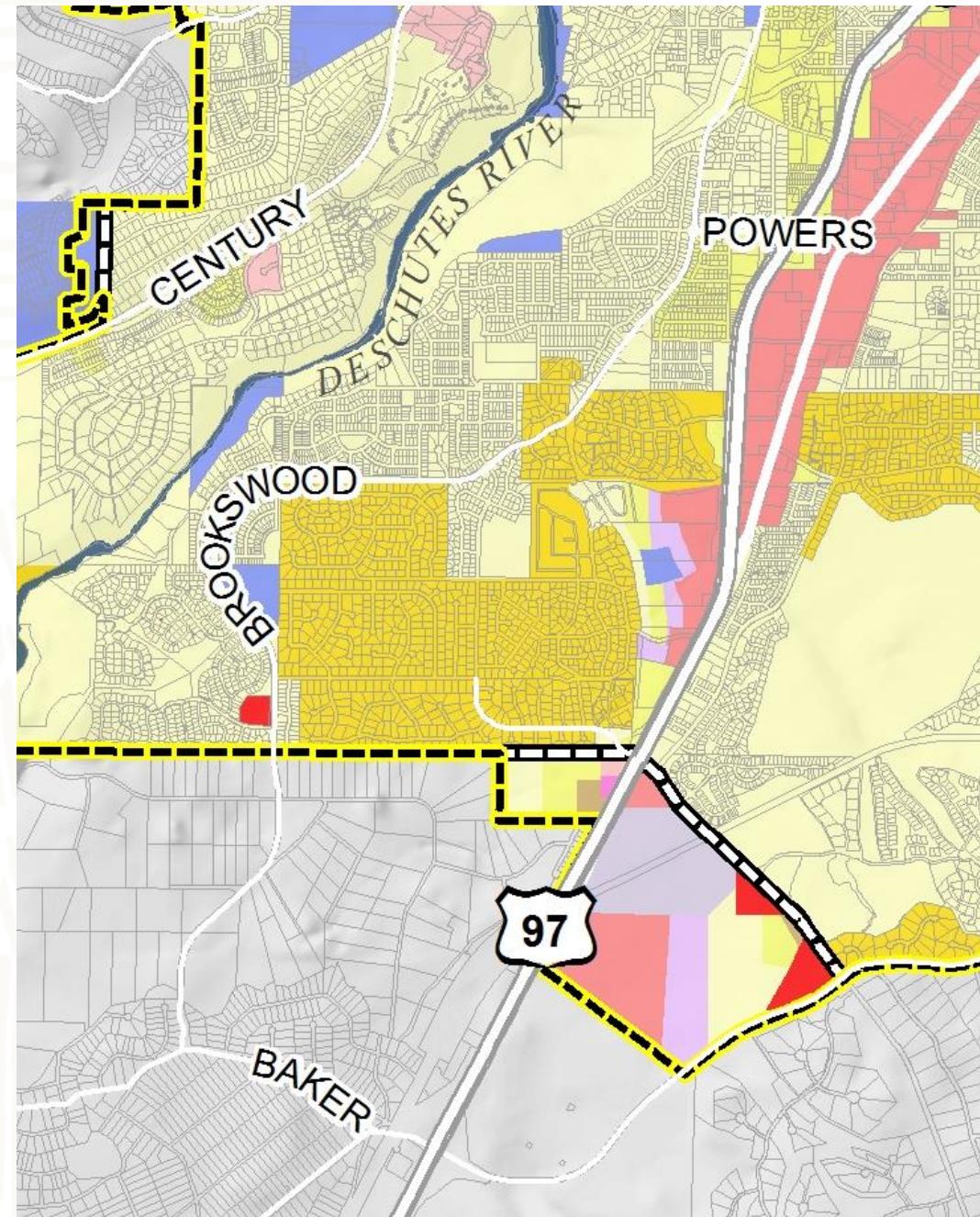
Proposed Expansion Areas: South & Southwest

What:

- Alpine Park
- 78 acres residential land
- 182 acres employment land

How:

- Complete existing neighborhoods
- Commercial services & employment opportunities
- Transitions to existing development
- Affordable housing opportunities



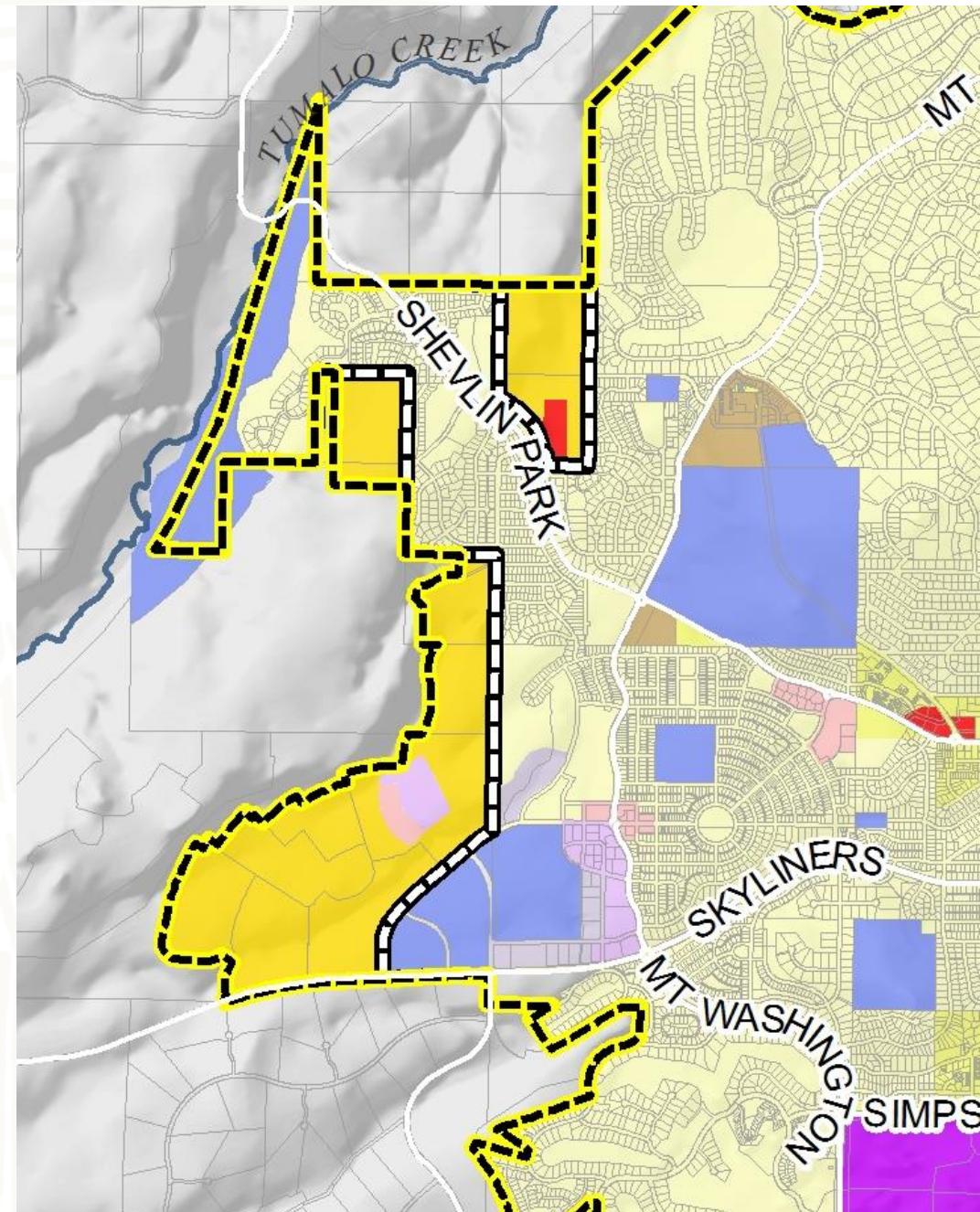
Proposed Expansion Areas: West & Northwest

What:

- 381 acres residential land
- 29 acres employment land

How:

- “Transect” concept – transition from urban to rural density
- Complement existing development
- Buffers for wildlife and wildfire



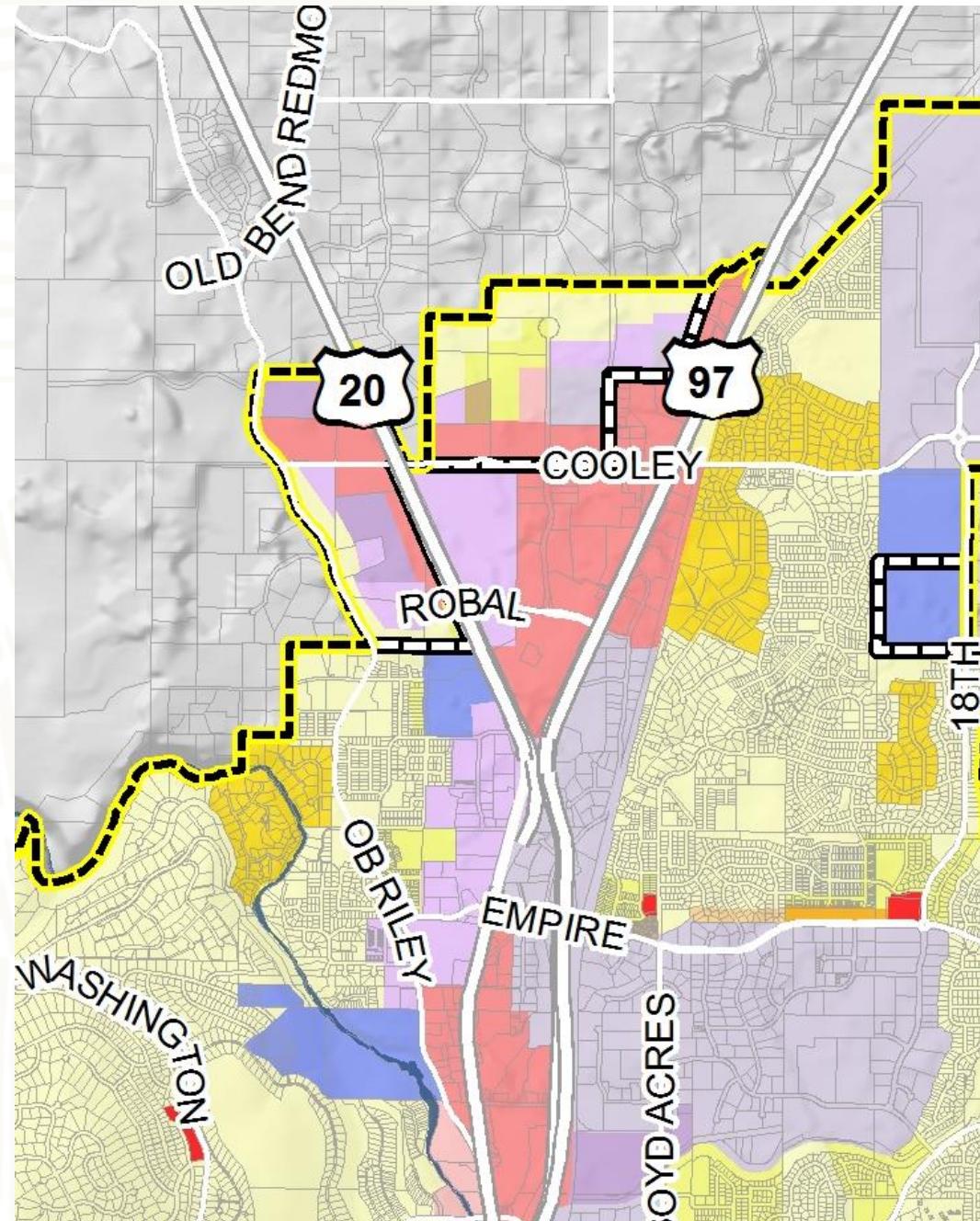
Proposed Expansion Areas: North

What:

- 114 acres residential land
- 197 acres employment land

How:

- Build on successful employment areas
- Add residential uses to balance employment
- Transition to rural residential



UGB Adoption Package Overview: City of Bend



Bend Policy & Regulatory Documents

- Comprehensive Plan text
 - New Growth Management Chapter
 - Updated Housing Chapter
 - Updated Economy Chapter
 - Re-format & policy-neutral clean up of other Chapters
- Comprehensive Plan map amendments
- Zoning map amendments
- Development Code Updates

UGB Adoption Package Overview: City of Bend



Supporting Documents to Bend Comprehensive Plan

- Integrated Land Use & Transportation Plan (ILUTP)
- Transportation System Plan (TSP) Updates
- Buildable Lands Inventory (BLI)
- Housing Needs Assessment (HNA)
- Economic Opportunities Analysis (EOA)
- Urbanization Report
- Urban Form Report

In Conclusion...



- Established realistic & justifiable land needs
 - Satisfied land needs for housing and jobs
- Proposed a robust package of efficiency measures
 - Encouraging development in certain areas of Bend
- Matched UGB expansion to land need
 - We've mapped 2,380 acres
- Followed state law & rules for evaluation of expansion areas

In Conclusion...

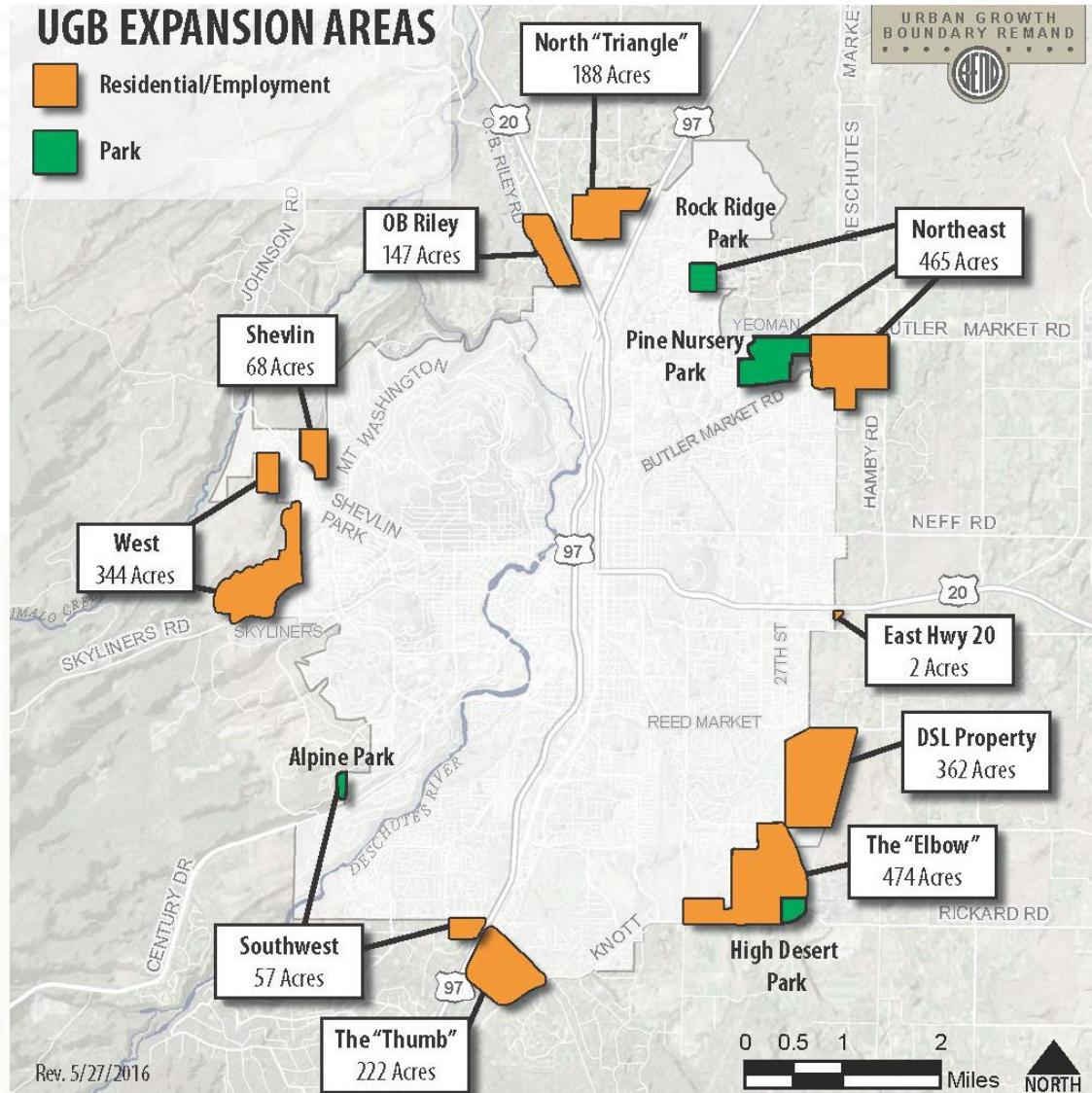


- Expanded solely onto exception land
 - Only UAR10, MUA10 included
- Considered and balanced Goal 14 location factors at several points to identify best performing land
- Assigned appropriate urban plan designations, consistent with land needs
- Engaged stakeholders & the public to build support & consensus

In Conclusion....

UGB EXPANSION AREAS

- Residential/Employment
- Park



The proposed UGB expansion:

- Accommodates projected land needs through 2028
- Complies with Goal 14, and state statutes and rules
- Incorporates extensive community input

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending the Deschutes County
Comprehensive plan To Expand the City of Bend
Urban Growth Boundary. * * * ORDINANCE NO. 2016-022

WHEREAS, on February 11, 2009, the Board of County Commissioners (“Board”) adopted Ordinance 2009-001 to amend Title 23 of the Deschutes County Code to expand the City of Bend (“Bend”) Urban Growth Boundary (“UGB”); and

WHEREAS, the Oregon Land Conservation and Development Commission issued a final order on November 2, 2010, remanding the Bend UGB for revisions needed to conform with state requirements; and

WHEREAS, in July of 2016, the City of Bend (“Bend”) reinitiated the land use process to expand the Bend Urban Growth Boundary (“UGB”); and

WHEREAS, the expansion of the Bend UGB requires amendments to the Deschutes County Comprehensive Plan for Urbanization and the Deschutes County Comprehensive Plan Map; and

WHEREAS, the Deschutes County Planning Commission reviewed this ordinance at a work session on August 11, 2016 and, on that same date, forwarded to the Board a recommendation to adopt Ordinance No. 2016-022; and

WHEREAS, the Board considered this matter after a duly noticed joint public hearing with the Bend City Council on August 25, 2016, and concluded that the public will benefit from the repeal of Ordinance No. 2009-001; and

WHEREAS, the Board finds it in the public interest to adopt the following Comprehensive Plan amendments; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. AMENDMENT. Deschutes County Code 23.01.010, Introduction, is amended to read as described in Exhibit “A,” attached and incorporated by reference herein, with new language underlined and deleted language set forth in ~~strikeout~~.

Section 2. AMENDMENT. The Deschutes County Comprehensive Plan Map is amended to change the plan designation for certain property depicted on the map set forth as Exhibit “B” with the exhibit attached and incorporated by reference herein.

Section 3. AMENDMENT. Deschutes County Comprehensive Plan Chapter 1, Comprehensive Planning, is amended to read as described in Exhibit “C,” attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikeout~~.

Section 4. AMENDMENT. Deschutes County Comprehensive Plan Chapter 4, Urban Growth Management, is amended to read as described in Exhibit "D," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 5. AMENDMENT. Deschutes County Comprehensive Plan Chapter 5, Supplementary Sections, is amended to read as described in Exhibit "E," attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strikethrough~~.

Section 6. FINDINGS. The Board adopts as its findings Exhibit "F," attached and incorporated by reference herein.

Section 7. EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Dated this _____ of _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ALAN UNGER, Chair

TAMMY BANEY, Vice Chair

ATTEST:

Recording Secretary

ANTHONY DeBONE, Commissioner

Date of 1st Reading: _____ day of _____, 2016.

Date of 2nd Reading: _____ day of _____, 2016.

Record of Adoption Vote

Commissioner	Yes	No	Abstained	Excused
Alan Unger	____	____	____	____
Tammy Baney	____	____	____	____
Anthony DeBone	____	____	____	____

Effective date: _____ day of _____, 2016.

ATTEST:

Recording Secretary

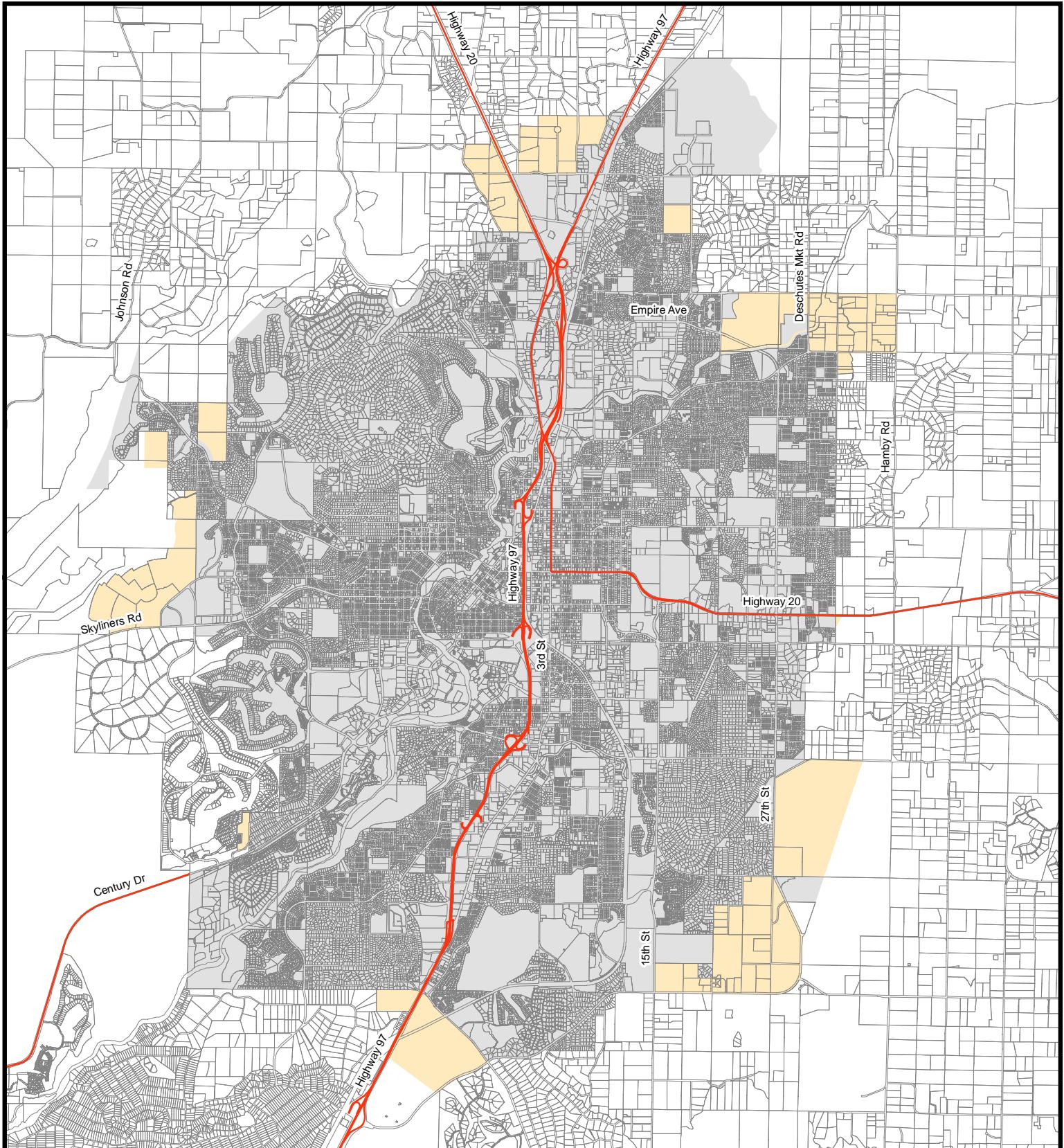
Chapter 23.01 COMPREHENSIVE PLAN

23.01.010. Introduction.

- A. The Deschutes County Comprehensive Plan, adopted by the Board in Ordinance 2011-003 and found on the Deschutes County Community Development Department website, is incorporated by reference herein.
- B. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2011-027, are incorporated by reference herein.
- C. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-005, are incorporated by reference herein.
- D. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-012, are incorporated by reference herein.
- E. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-016, are incorporated by reference herein.
- F. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-002, are incorporated by reference herein.
- G. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-009, are incorporated by reference herein.
- H. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-012, are incorporated by reference herein.
- I. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-007, are incorporated by reference herein.
- J. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-005, are incorporated by reference herein.
- K. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-006, are incorporated by reference herein.
- L. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-012, are incorporated by reference herein.
- M. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-021, are incorporated by reference herein.
- N. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-027, are incorporated by reference herein.
- O. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-005, are incorporated by reference herein.
- P. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-020, are incorporated by reference herein
- Q. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-022, are incorporated by reference herein

(Ord. 2016-022 § 1, 2016; Ord. 2016-020 repealed Ord. 2009-001; Ord. 2016-005 § 1, 2016; Ord. 2014-027 § 1, 2014; Ord. 2014-021 §1, 2014; Ord. 2014-012 §1, 2014; Ord. 2014-006 §2, 2013; Ord. 2014-005 §2; Ord. 2013-012 §2, 2013; Ord. 2013-009 §2, 2013; Ord. 2013-007 §1, 2013; Ord. 2013-002 §1, 2013; Ord. 2013-001 §1, 2013; Ord. 2012-016 §1, 2012; Ord. 2012-013 §1, 2012; Ord. 2012-005 §1, 2012; Ord. 2011-027 §1 through 12, 2011; Ord. 2011-017 repealed; Ord. 2011-003 §3, 2011)

To view the Comprehensive Plan, type <http://www.deschutes.org/compplan> into your web browser.
[Laserfiche can't do links.]



Legend

- Existing Urban Growth Boundary
- Proposed Urban Growth Boundary

Deschutes County Comprehensive Plan

Exhibit "B" to Ordinance 2016-022



DISCLAIMER:
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BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

Alan Unger, Chair

Tammy Baney, Vice-Chair

Anthony DeBone, Commissioner

ATTEST: Recording Secretary

Dated this _____ day of October, 2016
Effective Date: October _____, 2016



July 19, 2016

Section 1.3 Land Use Planning

Background

This section establishes the overall framework for the development and implementation of plans and policies for land use within the County. Statewide planning guidelines require each county to establish a land use planning process based on current issues and factual information. The policies in this section assure that the County's land use policies are current, fact-based and responsive to change. The policies recognize the need for coordination between the cities and the County and provide full public access to Plan documents and the information upon which land use decisions are based.

As noted throughout this Plan, there are two important things to remember. First, the Oregon land use system draws a bright line between rural and urban lands and promotes new growth and infrastructure in urban areas. Growth on rural lands is limited in order to protect farms, forests, open spaces and natural resources. Deschutes County is required to plan in compliance with the State planning system in order to promote orderly and efficient growth and protect the resources important to Oregonians.

Second, land use is often controversial because ultimately it can intermix community values with private property rights and expectations. A property owner may choose to keep pigs, or start a day care center or build a windmill. For each of those uses there may be impacts on the neighbors in the form of odors, traffic or blocked views. Land use regulations attempt to achieve a balance between giving property owners the freedom to use their property however they choose while maintaining the livability of the neighborhood and wider community. This Plan recognizes those tensions that occur when creating land use policies.

Land Use

Statewide Planning Goal 2 Land Use Planning, requires a fact-based land use planning process and policy framework to guide land use decisions. It requires comprehensive planning that identifies issues and complies with Statewide Planning Goals. Goal 2 also addresses the process to allow exceptions to Statewide Goals (see also Section 5.10).

In 1979 the County complied with the Statewide planning system by writing a Comprehensive Plan. From 1988-2003 the County underwent State mandated Periodic Review to ensure the Plan was still in compliance with changing State regulations. The 2008-2011 update was done outside of Periodic Review, which is no longer required for Oregon counties. Instead, the County recognized that to remain valid the Comprehensive Plan needed to be completely rewritten and updated. For historic reference, a copy of the Comprehensive Plan replaced by this Plan will remain available on the County website. This Plan is a policy document based on existing facts and community values. No specific land use designation changes are included in the 2008-2011 Plan update. Instead, this Plan revisits each Statewide Goal, its existing Goals and Policies, community values and new issues requiring policy direction. It lays out a blueprint for the future and defines what matters to County residents and businesses through updated Goals and Policies.

The Comprehensive Plan is implemented primarily through zoning and the zoning code must be regularly reviewed for compliance with the Plan. However, there are other tools for implementation, such as capital improvement plans, partnerships or incentive programs. To assure this Plan remains useful, an action plan identifying various ideas for implementing Comprehensive Plan policies will be created. The action plan will be annually updated and reviewed to identify and prioritize work plans for the coming year.

Land Ownership and Jurisdiction

When considering land use in Deschutes County two important factors are the amount of public ownership and which lands are under County jurisdiction. Table 1.3.1 shows nearly 80% of land in the County is publicly owned. The implications of the large tracts of public land range from the loss of tax revenue to having vast open lands available for recreation for both tourists and residents.

Table 1.3.1 – Public Land in Deschutes County 2010

Ownership	Acres*	Percent
Total County Acres	1,913,482	100%
Federal Government	1,466,067	76.6%
State Government	53,051	2.8%
County Government	10,434	0.6%
Total Public Lands	1,529,552	79.9%

* Acres of parcels – does not include roads, right-of-ways, lakes, rivers or other publicly-owned parcels such as cities or park districts

Source: County Geographical Information System

Table 1.3.2 shows jurisdictional responsibilities. Note that the federal government, primarily through the Bureau of Land Management and the U.S. Forest Service, owns over 76% of the land in the County. Federal lands are not required to conform to local regulations, such as zoning. They rely on their own resource plans. This means a majority of lands in the County are not under County jurisdiction. However, they remain in this Plan to encourage intergovernmental policy coordination.

Table 1.3.2 – 2010 Land Jurisdiction in Deschutes County 2010

Jurisdiction	Acres*	Percent
Total County Acres	1,913,482	100%
Federal Government	1,466,067	76.6%
Bend Urban Growth Boundary	17,534	0.9%
La Pine Urban Growth Boundary	4,008	0.2%
Redmond Urban Growth Boundary	10,733	0.6%
Sisters Urban Growth Boundary	1,023	0.1%
Total Cities	33,298	1.7%
Total Other Jurisdiction	1,499,365	78.4%

* Acres of parcels – does not include roads, right-of-ways, lakes and rivers

Source: County Geographical Information System

In addition to Federal lands, four cities have primary jurisdiction over less than 2% of lands in the County. This includes lands outside the incorporated city boundaries, but inside urban growth boundaries. The urban growth boundaries define a municipality's 20-year land supply to accommodate future growth. These lands are managed by the cities through intergovernmental

agreements between the cities and the County. The bottom line is that the County has land use jurisdiction over approximately 22% of the land base.

Comprehensive Plan Map Designations

The Comprehensive Plan Map (Map) illustrates the County's goals and policies. The Map describes land use categories that provide for various types of development and conservation for the rural area during the 20-year planning period.

Each Comprehensive Plan map designation provides the land use framework for establishing zoning districts. Zoning defines in detail what uses are allowed for each area. The Deschutes County Comprehensive Plan and Zoning Maps exist in official replica form as an electronic map layer within the County Geographic Information System. Other maps illustrating various Comprehensive Plan areas, such as rural commercial properties, are available to the public for informational purposes.

The Comprehensive Plan map designations are defined below.

Agriculture: To preserve and maintain agricultural lands for farm use.

Airport Development: To allow development compatible with airport use while mitigating impacts on surrounding lands.

Destination Resort Combining Zone: To show lands eligible for siting a destination resort.

Forest: To conserve forest lands for multiple forest uses.

Open Space and Conservation: To protect natural and scenic open spaces, including areas with fragile, unusual or unique qualities.

Rural Residential Exception Areas: To provide opportunities for rural residential living outside urban growth boundaries and unincorporated communities, consistent with efficient planning of public services.

Surface Mining: To protect surface mining resources from development impacts while protecting development from mining impacts.

Resort Community: To define rural areas with existing resort development that are not classified as a destination resort, based on Oregon Administrative Rule 660-22 or its successor.

Rural Community: To define rural areas with limited existing urban-style development, based on Oregon Administrative Rule 660-22 or its successor.

Rural Service Center: To define rural areas with minimal commercial development as well as some residential uses, based on Oregon Administrative Rule 660-22 or its successor.

Urban Unincorporated Community: To define rural areas with existing urban development, based on Oregon Administrative Rule 660-22 or its successor.

Rural Commercial: To define existing areas of isolated rural commercial development that do not fit under Oregon Administrative Rule 660-22.

Rural Industrial: To define existing areas of isolated rural industrial development that do not fit under Oregon Administrative Rule 660-22.

Urban Growth Boundaries: To define land that provides for urban development needs and identifies and separates urban and urbanizable land from rural land

Bend Urban Area Reserve: To define lands outside of Bend's Urban Growth Boundary ~~that were under the jurisdiction of the but within Bend Area its~~ General Plan. ~~These areas were removed in September 2016 through the 2016 amendment to the Bend Urban Growth Boundary. These areas are now under the jurisdiction of the County's Comprehensive Plan area that are expected to be brought into the Urban Growth Boundary.~~

Redmond Urban Reserve Area: To define Redmond's additional 30-year growth boundary for lands expected to be brought into the Urban Growth Boundary.

Comprehensive Plan Map Designations and Associated Zoning

Table 1.3.3 lists existing Comprehensive Plan designations and related Zoning districts. Some Plan designations apply County-wide and some only apply to designated areas of existing development. The Destination Resort designation is a combining zone that supplements the underlying zoning. Most of the area-specific designations fall under the State rules for Unincorporated Communities and are detailed in Chapter 4 of this Plan. The Rural Commercial and Rural Industrial areas are detailed in Chapter 3 under Rural Economy.

Table 1.3.3 - Comprehensive Plan and Zoning Code Designations

Comprehensive Plan Designation	Associated Deschutes County Zoning Code
<i>County-wide designations</i>	
Agriculture	Title 18 - All EFU subzones
Airport Development	Title 18 - AD, AS
Destination Resort Combining Zone	Title 18 - DR
Forest	Title 18 - F-1, F-2
Open Space and Conservation	Title 18 - OS&C
Rural Residential Exception Area	Title 18 - RR-10 and MUA-10
Surface Mining	Title 18 - SM
<i>Area specific designations</i>	
Resort Community	Title 18 - All Black Butte Ranch and Inn of the 7 th Mountain/Widgi Creek subzones
Rural Community	Title 18 - All Tumalo and Terrebonne subzones
Rural Service Center	Title 18 - All RSC zones
Urban Unincorporated Community	Title 18 - All Sunriver subzones
Rural Commercial	Title 18 - Rural Commercial
Rural Industrial	Title 18 - Rural Industrial
Bend Urban Growth Area	Title 19 - UAR-10, SM, SR 2 1/2, RS, IL, PF , FP
Redmond Urban Growth Area	Title 20 - UH-10
Sisters Urban Growth Area	Title 21 - UAR-10, OA, FP
Redmond Urban Reserve Area	Title 18 - RURA

Source: County Geographical Information System and Deschutes County Code

Intergovernmental and Other Coordination

Regional Coordination

Deschutes County is responsible for coordinating all planning activities affecting land uses within the County.

- Coordinating population forecasts
- Coordinating with special districts, including irrigation districts, park districts, school districts, sewer districts, and water districts
- Establishing Cooperation Agreements with special districts that provide an urban service in a UGB
- Coordinating with the U.S. Forest Service and Bureau of Land Management
- Joint Management Agreements with municipalities for managing urban growth areas (areas outside city limits, but inside a UGB)
- Establishing Urban Reserve Areas

The County recognizes the importance of working closely and cooperatively with the cities of Bend, La Pine, Redmond and Sisters, as well as special districts and state and federal agencies, to ensure a coordinated approach to future growth and conservation.

Cooperative Agreements

Cities are required to enter into a cooperative agreement with each special district that provides an urban service within a UGB. The appropriate city may also enter into a cooperative agreement with any other special district operating within a UGB.

Urban Service Agreements

Deschutes County has the responsibility for negotiating urban service agreements with representatives of all cities and special districts that provide, or declare an interest in providing, urban services inside an Urban Growth Boundary. Urban service means:

- Sanitary sewers;
- Water;
- Fire protection;
- Parks;
- Open space;
- Recreation; and
- Streets, roads and mass transit.
- Special Districts

Special Districts

Special districts are defined in ORS 198.010 and are recognized as government bodies. Special districts include the following.

Table 1.3.4 - Special Districts

Utility district	Rural fire protection district
Water supply district	Irrigation district
Cemetery maintenance district	Drainage district
Park and recreation district organized	Water improvement district
Mass transit district	Water control district
Metropolitan service district organized	Vector control district
Special road district	9-1-1 communications district
Road assessment district	Geothermal heating district
Highway lighting district	Transportation district
Health district	Library district

Sanitary district	Soil & water conservation district
Sanitary authority, water authority or joint water and sanitary authority	

Other Coordination

Besides intergovernmental coordination, Deschutes County generally supports coordination and partnerships with non-profits and other organizations that are working with residents to improve the quality of life in the County. There are groups working to address issues from affordable housing to clean rivers, from economic development to fire-free neighborhoods.

Two examples of community projects that were completed from 2006-2010 are the Bend 2030 Plan and the Deschutes County Greenprint, both created after extensive public outreach. Note that the nature and extent of the County's role will vary based on County priorities at any given time and that coordination on a project does not ensure County support of every action undertaken on that project. Still, partnering is an efficient and effective method of addressing important issues.

County-Owned property

When considering land use it is important to consider County-owned lands, which are managed through Deschutes County Code Title 11. As of 2009 there were nearly 700 individual parcels owned by the County, totaling almost 8,000 acres. Management of these properties consists of defining appropriate uses for different parcels, cleaning up illegal dumpsites, fire hazard reduction and public auction. Many of these properties were acquired through foreclosure for non-payment of property taxes. It is anticipated that the County will continue to acquire lands through foreclosure.

Starting in 1994 the County began to designate certain sensitive properties along rivers, creeks or streams or with wildlife, wetlands or other values, as park lands. The intent was not to develop these lands for park use but rather to preserve lands with valuable resources. The park designation means that the lands would be retained in public ownership unless there was a public hearing and the Board of County Commissioners determined that selling was in the best interest of the public. ORS 275.330 governs the disposal of these lands, stating that if they are sold the proceeds must be dedicated to park or recreation purposes. As of 2009, there were approximately 70 properties designated as park lands under the following Orders.

Order #
 94-138
 96-071
 97-147
 97-151
 98-127
 2004-001
 2004-037
 2006-019

Section 1.3 Land Use Planning Policies

Goals and Policies

Goal 1 **Maintain an open and public land use process in which decisions are based on the objective evaluation of facts.**

Policy 1.3.1 Protect the limited amount of privately-owned land in Deschutes County through consideration of private property rights and economic impacts to property owners and the community when creating and revising land use policies and regulations.

- Evaluate tools such as transfer of development rights programs that can be used to protect private property.

Policy 1.3.2 Consider sustainability and cumulative impacts when creating and revising land use policies and regulations.

Policy 1.3.3 Involve the public when amending County Code.

Policy 1.3.4 Maintain public records which support the Comprehensive Plan and other land use decisions.

Policy 1.3.5 Review the Comprehensive Plan every five years and update as needed, in order to ensure it responds to current conditions, issues and opportunities, as well as amended State Statute, Oregon Administrative Rules and case law.

Policy 1.3.6 Maintain and enhance web-based property-specific information.

Policy 1.3.7 The Deschutes County Comprehensive Plan Map will be retained in official replica form as an electronic map layer within the County Geographic Information System and is adopted as part of this Plan.

Policy 1.3.8 Implement, as appropriate, recommendations in the Final Report from the Oregon Task Force on Land Use Planning dated January 2009.

Policy 1.3.9 A list of actions to implement this Comprehensive Plan shall be created, maintained and reviewed yearly by the Community Development Department and the Board of County Commissioners.

Goal 2 **Promote regional cooperation and partnerships on planning issues.**

Policy 1.3.10 Regularly review intergovernmental and urban management agreements, and update as needed.

Policy 1.3.11 Participate in and, where appropriate, coordinate regional planning efforts.

- Provide affected agencies, including irrigation districts, an opportunity to comment and coordinate on land use policies or actions that would impact their jurisdictions.

Policy 1.3.12 Support non-profit or public acquisition of lands determined through an extensive public process to have significant value to the community.

Policy 1.3.13 Support implementation of the Bend 2030 Plan and incorporate, as appropriate, elements from the Bend 2030 Plan into this Plan.

Goal 3 Manage County owned lands efficiently, effectively, flexibly and in a manner that balances the needs of County residents.

Policy 1.3.14 Where feasible, maintain and manage County owned properties as follows:

- a. Manage designated park lands to preserve the values defined in the park designation;
- b. Permit public access to County owned lands designated as parks unless posted otherwise;
- c. Encourage properties located along rivers, streams or creeks or containing significant wildlife, scenic or open space values to be designated as park land.

Chapter 1 Primary References

References¹

1. Oregon Department of Land Conservation and Development. Goal 1: Citizen Involvement. Oregon's Statewide Planning Goals and Guidelines.
2. Putting the People in Planning: A Primer on Public Participation in Planning, produced by Oregon's Citizen Involvement Advisory Committee – Third Edition – May 2008
3. Oregon. Department of Land Conservation and Development. Goal 2: Land Use Planning. Oregon's Statewide Planning Goals and Guidelines.
4. Oregon Task Force on Land Use Planning, Final Report to the 2009 Oregon Legislature, January 2009
5. Oregon Revised Statute 197, particularly:
 - a. 197.173-197.200 Comprehensive Planning Responsibilities
 - b. 197.201-197.283 Goals Compliance
 - c. 197.610-197-651 Post-Acknowledgement Procedures
6. Oregon Administrative Rules Chapter 660, particularly:
 - a. 660-003 Acknowledgement of Compliance
 - b. 660-004 Goal 2 Exceptions Process
 - c. 660-015 Statewide Planning Goals and Guidelines
 - d. 660-018 Post-Acknowledgement Amendments
7. Bend 2030 at <http://bend2030.org>
8. Oregon's Playground Prepares for the Future: A Greenprint for Deschutes County. The Trust for Public Land. 2010

¹ The references listed are provided for the convenience of the public and are not legally adopted into this Plan.

Section 4.2 Urbanization

Background

This section describes the coordination between the County and the cities of Bend, La Pine, Redmond and Sisters on Urban Growth Boundaries (UGBs) and Urban Reserve Areas (URAs). Statewide Planning Goal 2 recognizes the importance of coordinating land use plans.

“City, county, state and federal agency and special district plans and actions related to land use shall be consistent with the comprehensive plans of cities and counties and regional plans adopted under ORS Chapter 268.”

Oregon Revised Statute 197.015(5) goes further to define comprehensive plan coordination.

“A plan is “coordinated” when the needs of all levels of governments, semipublic and private agencies and the citizens of Oregon have been considered and accommodated as much as possible.”

Population

An important basis for coordinating with cities is adopted population projections. Having an estimate of anticipated population is the first step to planning for future growth and conservation. ORS 195.025(1) requires counties to coordinate local plans and population forecasts. The County oversees the preparation of a population forecast in close collaboration with cities. This is important because the population of the County has increased significantly in recent decades and a coordinated approach allows cities to ensure managed growth over time.

Table 4.2.1 – Population Growth in Deschutes County 1980 to 2010

Sources	1980	1990	2000	2010
Population Research Center July 1 estimates	62,500	75,600	116,600	172,050
US Census Bureau April 1 counts	62,142	74,958	115,367	157,733

Source: As noted above

In 1996 Bend, Redmond, Sisters and the County reviewed recent population forecasts from the Portland State University Center Population and Research Center (PRC) and U.S. Census Bureau, Department of Transportation, Woods and Poole, Bonneville Power Administration and Department of Administrative Services Office of Economic Analysis. After reviewing these projections, all local governments adopted a coordinated population forecast. It was adopted by Deschutes County in 1998 by Ordinance 98-084.

The results of the 2000 decennial census and subsequent population estimates prepared by the PRC revealed that the respective populations of the County and its incorporated cities were growing faster than anticipated under the 1998 coordinated forecast. The cities and the County re-engaged in a coordination process between 2002 and 2004 that culminated with the County adopting a revised population forecast that projected population to the year 2025. It was adopted by Ordinance 2004-012 and upheld by the Land Use Board of Appeals on March 28, 2005.

The following table displays the 2004 coordinated population forecast for Deschutes County and the UGBs of the cities of Bend, Redmond, and Sisters.

Table 4.2.2 – Coordinated Population Forecast 2000 to 2025

Year	Bend UGB	Redmond UGB	Sisters UGB	Unincorporated County	Total County
2000	52,800	15,505	975	47,320	116,600
2005	69,004	19,249	1,768	53,032	143,053
2010	81,242	23,897	2,306	59,127	166,572
2015	91,158	29,667	2,694	65,924	189,443
2020	100,646	36,831	3,166	73,502	214,145
2025	109,389	45,724	3,747	81,951	240,811

Source: 2004 Coordinated Population Forecast for Deschutes County

The process through which the County and the cities coordinated to develop the 2000-2025 coordinated forecast is outlined in the report titled "Deschutes County Coordinated Population Forecast 2000-2025: Findings in Support of Forecast."

The fourth city in Deschutes County is the City of La Pine. Incorporated on November 7, 2006, the City of La Pine's 2006 population estimate of 1,590 was certified by PRC on December 15, 2007. As a result of La Pine's incorporation, Deschutes County updated its Coordinated Population Forecast with Ordinance 2009-006.

The purpose of this modification was to adopt a conservative 20 year population forecast for the City of La Pine that could be used by city officials and the Oregon Department of Land Conservation and Development to estimate its future land need and a UGB.

The following table displays the coordinated population forecast for Deschutes County, the UGBs of the cities of Bend, Redmond, and Sisters, and La Pine from 2000 to 2025. By extending the growth rate to the year 2025, La Pine's population will be 2,352. The non-urban unincorporated population decreases by 2,352 from its original projection of 81,951, to 79,599.

Table 4.2.3 – Coordinated Population Forecast 2000 to 2025, Including La Pine

Year	Bend UGB	Redmond UGB	Sisters UGB	La Pine UGB	Unincorporated County	Total County
2000	52,800	15,505	975	-	47,320	116,600
2005	69,004	19,249	1,768	-	53,032	143,053
2010	81,242	23,897	2,306	1,697	57,430	166,572
2015	91,158	29,667	2,694	1,892	64,032	189,443
2020	100,646	36,831	3,166	2,110	71,392	214,145
2025	109,389	45,724	3,747	2,352	79,599	240,811

Source: 2004 Coordinated Population Forecast for Deschutes County – updated 2009

2030 Population Estimate

This Comprehensive Plan is intended to manage growth and conservation in the unincorporated areas of the County until 2030. Because the official population forecast extends only to 2025, County staff used conservative average annual growth rates from the adopted population forecast to estimate population out to 2030. The following table estimates Deschutes County population by extending the adopted numbers out an additional five years.

Table 4.2.4 – Deschutes County 2030 Population Forecast

Year	Bend UGB	Redmond UGB	Sisters UGB	La Pine UGB	Unincorporated County	Total County
2030	119,009	51,733	4,426	2,632	88,748	266,538

Source: County estimates based on the 2004 Coordinated Population Forecast as shown below

Bend's average annual growth rate from 2025 to 2030 is 1.70%

Redmond's average annual growth rate from 2025 to 2030 is 2.50%

Sisters' based their population on forecasted rates of building growth, residential housing units, and persons per dwelling unit

La Pine's average annual growth rate from 2025 to 2030 is 2.20%

Deschutes County's unincorporated area average annual growth rate from 2025 to 2030 is 2.20%

As the pie chart below indicates, if population occurs as forecasted, 67% of the County's population will reside in urban areas by 2030.

In 2030

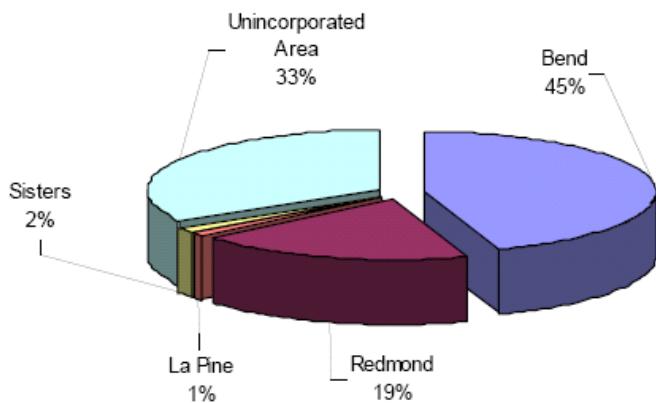


Figure 4.1 Deschutes County 2030 Estimated Population

Such growth will undoubtedly require strategically managing the provision of public services and maintaining adequate amounts of residential, commercial and industrial lands. Growth pressures will also require programmatic approaches to maintain open spaces, natural resources, and functional ecosystems that help define the qualities of Deschutes County.

Urban Growth Boundary Amendments

Bend

The City of Bend legislatively amended its UGB as part of a periodic review acknowledgment in December 2004. The Bend City Council and the Board of County Commissioners adopted concurrent ordinances that expanded the Bend UGB by 500 acres and satisfied a 20 year demand for industrial land.

In July 2007, the Bend-La Pine School District received approvals to expand the City of Bend UGB to include two properties for the location of two elementary schools, one at the Pine Nursery, the other on Skyliner Road. In 2014, the Bend-La Pine School district received approval to include a 33-acre site within the UGB near Skyliners Road to facilitate the construction of a public middle school.

The Bend City Council and the Board of County Commissioners approved a legislative amendment to the Bend UGB in September 2016. The adopted amendment added 2,380 acres of land intended to satisfy a 20-year land need for needed housing, employment, and public uses from 2008 to 2028. The adopted UGB amendment also satisfied the terms of a 2010 Remand

[Order from the Oregon Land Conservation and Development Commission \(10-REMAND-PARTIAL ACKNOW-001795\).](#)

Sisters

The City of Sisters legislatively amended its UGB in September 2005 when its City Council and the Board of County Commissioners adopted respective ordinances. The Sisters UGB expansion covered 53 acres and satisfied a 20 year demand for residential, commercial, light industrial, and public facility land. In March 2009, Sisters amended their UGB to facilitate the establishment of a 4-acre fire training facility for the Sisters/Camp Sherman Fire District.

Redmond

The City of Redmond legislatively amended its UGB in August 2006 when its City Council and the Board of County Commissioners adopted respective ordinances. The Redmond UGB expansion covered 2,299 acres and satisfied a 20 year demand for residential and neighborhood commercial land.

La Pine

In 2012 La Pine adopted its first Comprehensive Plan. La Pine established a UGB that matches the city limits, because the City contains sufficient undeveloped land for future housing, commercial and industrial needs over a 20-year period. The Plan map includes land use designations intended to provide an arrangement of uses to ensure adequate and efficient provision of public infrastructure for all portions of the City and UGB.

Urban Reserve Area

Redmond

In December 2005, Redmond City Council and the Board of County Commissioners adopted a 5,661 acre URA for the City. It is the first URA in Central Oregon because most cities find planning farther into the future than the 20-year UGB timeframe, challenging.

Coordination

As noted above, Statewide Goal 2 and ORS promote land use planning coordination. The purposes of the urbanization goals and policies in this section are to provide the link between urban and rural areas, and to provide some basic parameters within which the urban areas of Deschutes County can develop, although the specific comprehensive plan for each community remains the prevailing document for guiding growth in its respective area. These policies permit the County to review each city's comprehensive plan to ensure effective coordination.

The Redmond and Deschutes County Community Development Departments received the Oregon Chapter of American Planning Association's (OAPA) Professional Achievement in Planning Award in 2006 for the "Redmond Urban Reserve Area / Urban Growth Boundary Expansion Project." The following quote taken from the Oregon Chapter of the American Planning Association's 2006 Awards Program shows why the Redmond Community Development Department was chosen for this award. "An outstanding effort to address Redmond's rapid population growth, including the successful designation of an Urban Reserve and the imminent designation of an Urban Growth Boundary, a "Framework Plan" with a requirement for master planning, and the establishment of "Great Neighborhood Principles."



Section 4.2 Urbanization Policies

Goals and Policies

Goal 1 **Coordinate with cities, special districts and stakeholders to support urban growth boundaries and urban reserve areas that provide an orderly and efficient transition between urban and rural lands.**

Policy 4.2.1 Participate in the processes initiated by cities in Deschutes County to create and/or amend their urban growth boundaries.

Policy 4.2.2 Promote and coordinate the use of urban reserve areas.

Policy 4.2.3 Review the idea of using rural reserves.

Goal 2 **Coordinate with cities, special districts and stakeholders on urban growth area zoning for lands inside urban growth boundaries but outside city boundaries.**

Policy 4.2.4 Use urban growth area zoning to coordinate land use decisions inside urban growth boundaries but outside the incorporated cities.

Policy 4.2.5 Negotiate intergovernmental agreements to coordinate with cities on land use inside urban growth boundaries and outside the incorporated cities.

Policy 4.2.6 Develop urban growth area zoning with consideration of the type, timing and location of public facilities and services provision consistent with city plans.

Policy 4.2.7 Adopt by reference the comprehensive plans of Bend, La Pine, Redmond and Sisters, as the policy basis for implementing land use plans and ordinances in each city's urban growth boundary.

Goal 3 **Coordinate with cities, special districts and stakeholders on policies and zoning for lands outside urban growth boundaries but inside urban reserve areas.**

Policy 4.2.8 Designate the Redmond Urban Reserve Area on the County Comprehensive Plan Map and regulate it through a Redmond Urban Reserve Area (RURA) Combining Zone in Deschutes County Code, Title 18.

Policy 4.2.9 In cooperation with the City of Redmond adopt a RURA Agreement consistent with their respective comprehensive plans and the requirements of Oregon Administrative Rule 660-021-0050 or its successor.

Policy 4.2.10 The following land use policies guide zoning in the RURA.

- Plan and zone RURA lands for rural uses, in a manner that ensures the orderly, economic and efficient provision of urban services as these lands are brought into the urban growth boundary.
- New parcels shall be a minimum of ten acres.
- Until lands in the RURA are brought into the urban growth boundary, zone changes or plan amendments shall not allow more intensive uses or uses that

generate more traffic, than were allowed prior to the establishment of the RURA.

- d. For Exclusive Farm Use zones, partitions shall be allowed based on state law and the County Zoning Ordinance.
- e. New arterial and collector rights-of-way in the RURA shall meet the right-of-way standards of Deschutes County or the City of Redmond, whichever is greater, but be physically constructed to Deschutes County standards.
- f. Protect from development existing and future arterial and collector rights-of-way, as designated on the County's Transportation System Plan.
- g. A single family dwelling on a legal parcel is permitted if that use was permitted before the RURA designation.

Policy 4.2.11 Collaborate with the City of Redmond to assure that the County-owned 1,800 acres in the RURA is master planned before it is incorporated into Redmond's urban growth boundary.

Section 5.12 Legislative History

Background

This section contains the legislative history of this Comprehensive Plan.

Table 5.11.1 Comprehensive Plan Ordinance History

Ordinance	Date Adopted/Effective	Chapter/Section	Amendment
2011-003	8-10-11/11-9-11	All, except Transportation, Tumalo and Terrebonne Community Plans, Deschutes Junction, Destination Resorts and ordinances adopted in 2011	Comprehensive Plan update
2011-027	10-31-11/11-9-11	2.5, 2.6, 3.4, 3.10, 3.5, 4.6, 5.3, 5.8, 5.11, 23.40A, 23.40B, 23.40.065, 23.01.010	Housekeeping amendments to ensure a smooth transition to the updated Plan
2012-005	8-20-12/11-19-12	23.60, 23.64 (repealed), 3.7 (revised), Appendix C (added)	Updated Transportation System Plan
2012-012	8-20-12/8-20-12	4.1, 4.2	La Pine Urban Growth Boundary
2012-016	12-3-12/3-4-13	3.9	Housekeeping amendments to Destination Resort Chapter
2013-002	1-7-13/1-7-13	4.2	Central Oregon Regional Large-lot Employment Land Need Analysis
2013-009	2-6-13/5-8-13	1.3	Comprehensive Plan Map Amendment, changing designation of certain property from Agriculture to Rural Residential Exception Area
2013-012	5-8-13/8-6-13	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary
2013-007	5-29-13/8-27-13	3.10, 3.11	Newberry Country: A Plan for Southern Deschutes County

2013-016	10-21-13/10-21-13	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Sisters Urban Growth Boundary
2014-005	2-26-14/2-26-14	23.01.010	Comprehensive Plan Map Amendment, including certain property within City of Bend Urban Growth Boundary
2014-012	4-2-14/7-1-14	3.10, 3.11	Housekeeping amendments to Title 23.
2014-021	8-27-14/11-25-14	23.01.010, 5.10	Comprehensive Plan Map Amendment, changing designation of certain property from Sunriver Urban Unincorporated Community Forest to Sunriver Urban Unincorporated Community Utility
2016-005	TBD	23.01.010, 2.2, 3.3	Comprehensive Plan Amendment recognizing non-resource lands process allowed under State law to change EFU zoning
<u>2016-022</u>	<u>TBD</u>	<u>23.01.010, 1.3, 4.2</u>	<u>Comprehensive plan Amendment, including certain property within City of Bend Urban Growth Boundary</u>

FINDINGS

NOTE: This document serves as a placeholder. The final findings document will be added when completed.

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance Amending Title 19, Bend Urban *
Growth Area Zoning, of the Deschutes County Code. *

ORDINANCE NO. 2016-023

WHEREAS, on February 11, 2009, the Board of County Commissioners (“Board”) adopted Ordinance 2009-002 to repeal Title 19 and adopt a new Title 19 of the Deschutes County Code to implement the City of Bend (“Bend”) Urban Growth Boundary (“UGB”); and

WHEREAS, the Oregon Land Conservation and Development Commission issued a final order on November 2, 2010, remanding the Bend UGB for revisions needed to conform with state requirements; and

WHEREAS, in July of 2016, the City of Bend (“Bend”) reinitiated the land use process to expand the Bend Urban Growth Boundary (“UGB”); and

WHEREAS, the expansion of the Bend UGB requires amendments to Title 19, Bend Urban Growth Area Zoning; and

WHEREAS, the Deschutes County Planning Commission reviewed this ordinance at a work session on August 11, 2016 and, on that same date, forwarded to the Board a recommendation to adopt Ordinance No. 2016-023; and

WHEREAS, the Board considered this matter after a duly noticed joint public hearing with the Bend City Council on August 25, 2016, and concluded that the public will benefit from the adoption of Ordinance No. 2016-023; and

WHEREAS, the Board finds it in the public interest to adopt the following amendments to Title 19 of the Deschutes County Code; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. REPEAL. The following Deschutes County Code (“DCC”) Title 19, Chapters are hereby repealed;

- 19.24 Urban Low Density Residential Zone - RL
- 19.32 Urban Medium Density Residential Zone - RM
- 19.36 Urban High Density Residential Zone - RH
- 19.40 Neighborhood Commercial Zone - CN
- 19.44 Limited Commercial Zone - CL
- 19.48 Convenience Commercial Zone - CC
- 19.52 Highway Commercial Zone - CH
- 19.56 General Commercial Zone - CG
- 19.60 Industrial Park Zone - IP
- 19.68 Industrial General - IG

19.70 Public Facilities Zone – PF

Section 2. AMENDMENT. DCC Chapter 19.04, Title, Purpose, Compliance and Definitions, is amended to read as described in Exhibit “A,” attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strike~~through.

Section 2. AMENDMENT. DCC Chapter 19.08, Establishment of Zones and Zoning Maps, is amended to read as described in Exhibit “B,” attached hereto and by this reference incorporated herein, with new language underlined and language to be deleted in ~~strike~~through.

Section 3. FINDINGS. The Board adopts as its findings Exhibit “F,” attached to Ordinance 2016-022 and incorporated by reference herein.

Section 4 EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Dated this _____ of _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ALAN UNGER, Chair

TAMMY BANEY, Vice Chair

ATTEST:

Recording Secretary

ANTHONY DeBONE, Commissioner

Date of 1st Reading: _____ day of _____, 2016.

Date of 2nd Reading: _____ day of _____, 2016.

Commissioner	Record of Adoption Vote			
	Yes	No	Abstained	Excused
Alan Unger	_____	_____	_____	_____
Tammy Baney	_____	_____	_____	_____
Anthony DeBone	_____	_____	_____	_____

Effective date: _____ day of _____, 2016.

ATTEST:

Recording Secretary

Chapter 19.04. TITLE, PURPOSE, COMPLIANCE AND DEFINITIONS

19.04.010. Title.

~~19.04.020. Purpose.~~

~~19.04.025. Bend Unincorporated Urban Area.~~

~~19.04.0230. Compliance with Title Provisions.~~

19.04.040. Definitions.

19.04.010. Title.

DCC Title 19 shall be known as the "Zoning Ordinance" of the Bend Urban Area of Deschutes County, Oregon.

(Ord. 90-038 §1, 1990)

~~19.04.020. Purpose.~~

- ~~A. DCC Title 19 has been designed in accordance with the goals, policies and statements of intent of the Bend Area General Plan, the officially enacted comprehensive plan for the City of Bend and its environs. It is the general purpose of DCC Title 19, therefore, to provide one of the principal means for implementation of the Bend Area General Plan.~~**
- ~~B. DCC Title 19 is designed to classify, designate and regulate the location and use of buildings, structures and land for residential, commercial, industrial or other uses in appropriate places and for said purposes; to divide the Bend Urban Area into districts of such number, shape and area as may be deemed best suited to carry out these regulations and provide for their enforcement; to encourage the most appropriate use of lands; to conserve and stabilize the value of natural resources; to provide adequate open spaces for light and air and prevention of fire; to prevent undue concentrations of population; to lessen congestion of streets; to facilitate adequate provisions for community utilities, such as transportation, water, sewerage, schools, parks and other public requirements; and to promote the public health, safety and general welfare.~~**
- ~~C. To regulate placement, height and bulk of buildings, and the placement and growth of vegetation within the County to insure access to solar energy by reasonably regulating interests in property within the County, as authorized under ORS 215.044 and ORS 105.880 through 105.890; to promote and maximize the conservation of energy by preserving the option to utilize solar energy and to implement the Comprehensive Plan policies relating to solar energy.~~**
- ~~D. To encourage the design of new buildings, structures and developments which use solar energy and protect future options to use solar energy by protecting solar access.~~**

(Ord. 83-041 §1, 1983)

~~19.04.025. Bend Unincorporated Urban Area.~~

- ~~A. Except for specific provisions of Title 19 identified herein, DCC Title 19 shall not apply to lands lying outside the city limits of the City of Bend and within the Bend Urban Growth Boundary, as that term is defined in that certain intergovernmental agreement entered into between the City of Bend and the County dated February 18, 1998. The City of Bend Zoning Ordinance, No. NS 1178, as adopted by the Board of County Commissioners as DCC Title 19A, and as supplemented by specifically identified provisions of this title and additional supplemental provisions identified in County Ordinance 98-040, and such other supplementing and/or amending ordinances as might from time to time be adopted, shall apply to those lands instead.~~**

~~B. The following sections of this title shall remain in effect for the lands lying within the Urban Growth Boundary outside the city limits of the City of Bend: DCC 19.04.020, Purposes; DCC 19.04.030, Compliance With Title Provisions; DCC 19.08.010, Classification of Zones; DCC 19.08.020, Application of Regulations to Zones Generally; DCC 19.08.030, Zoning Map; DCC 19.08.040, Interpretation of Zoning Boundaries.~~

~~C. DCC Title 19 shall remain in effect for those lands referred to as the Urban Reserve lands in that certain intergovernmental agreement entered into between the City of Bend and the County dated February 18, 1998.~~

~~(Ord. 98-040 §1, 1998)~~

19.04.0320. Compliance with title provisions.

~~A. Except as provided in DCC 19.76, no building or other structure shall be constructed, improved, altered, enlarged or moved, nor shall any use or occupancy of premises within the Bend Urban Area be commenced to be changed, nor shall any condition of or upon real property be caused or maintained after the effective date of DCC Title 19, except in conformity with DCC Title 19.~~

~~B. Any application for land use permit received prior to the adoption of DCC Title 19 which has not received preliminary approval by the effective date hereof, shall comply with DCC Title 19. Applications for land use permit for which preliminary approval notices have been mailed on or before the effective date hereof need not comply with DCC Title 19, but shall comply with the City and County Zoning Ordinances which DCC Title 19 supersedes. DCC Title 19 supersedes County Zoning Ordinance PL 5 and the Zoning Ordinance of the City of Bend, NS 796 on the date DCC Title 19 is adopted by the governing bodies of the County and City, respectively.~~

[\(Ord. 2016-023 §1, 2016; Ord. 90-038 §1, 1990\)](#)

“****” Denotes portions of this Section not amended by Ordinance 2016-023.

Section 19.08.010. Classification of Zones.

For the purpose of this title, the Bend Urban Area is divided into zones designated as follows:

Zone	Map Symbols and Abbr. Designations
Urban Area Reserve	UAR-10
Surface Mining	SM
Residential Suburban	
Low Density	SR-2 1/2
Residential	
Urban Low Density	RL
Residential Urban	
Standard Density	RS
Residential Urban	
Medium Density	RM
Residential	
Urban High Density	RH
Commercial	
Neighborhood	CN
Commercial	
Convenience	CC
Commercial	
Limited	CL
Commercial	
Highway	CH
Commercial	
General	CG
Industrial	
Park	IP
Industrial	
Light	IL
Industrial	
General	IG
Flood Plain	FP
Public Facility	PF

(Ord 2016-023 §2, 2016; Ord. 96-042 §1, 1996; Ord. 80-217 §1 Exhibit A, 1980)

7. UGB LOCATION

7.1. Introduction

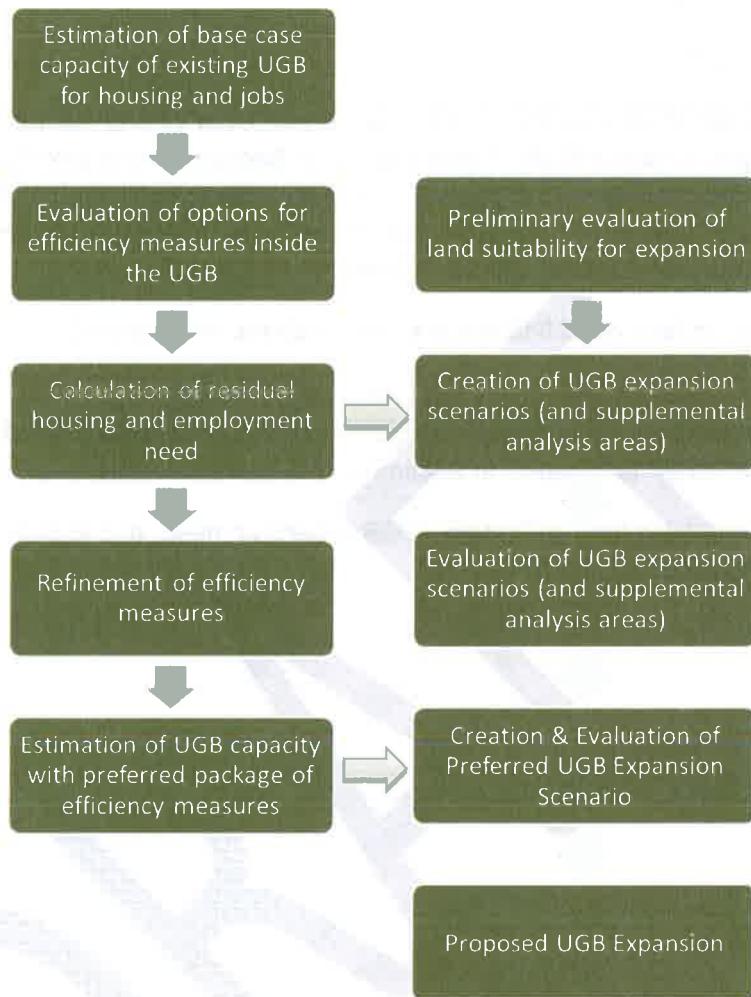
The findings in Section 7 address Bend's compliance with Goal 14 and related legal standards for the location of the proposed UGB. These findings in Section 7 document the process, steps, and rationale that Bend followed to: (1) establish a study area to evaluate land for inclusion in the UGB; and, (2) evaluate land in the study area for inclusion in the UGB based on statutory priorities and the boundary location factors of Goal 14.

Section 7 builds on the land need findings in earlier sections of this report:

- Findings for needed housing and residential land need in Section 4
- Findings for employment and economic development land need in Section 5
- Findings for “other” land needs in Section 6

The process of determining land sufficiency, UGB expansion need, and location of the UGB is summarized in Figure 7-1.

Figure 7-1: UGB Expansion Analysis Process Summary



7.2. Summary of Relevant Legal Standards

The findings in this section address the relevant legal standards that apply to Bend's determination of *where* to expand the UGB.

7.2.1. Applicability of Recent Amendments to Statute and Rule

OAR 660, Division 24 has been amended several times since the City first began the process of expanding the UGB. Statutes pertaining to amendment of UGBs were also amended in 2013. This section addresses the applicability of these amendments to the current UGB expansion proposal.

The City initially provided notice of a UGB expansion proposal along with related amendments on October 8, 2008. The City adopted the proposal on January 5, 2009. The current proposal is a response to the LCDC Remand. As stated in the LCDC Remand, "the city's decision is

subject to the version of the commission's rules in effect at the time of its decision, unless the rules specifically provide otherwise."

OAR 660-024-0000 contains an applicability stating the applicable version of the rule is tied to the date a city initiates its UGB amendment. Under the rule, the date the City initiated its UGB amendment is the date it sent 45-day notice of the proposed amendment to the Department. The City initiated the UGB amendment on October 8, 2008. DLCD and the City agreed that the version of OAR 660-024 in effect on April 5, 2007 applies to the city's decision.¹

Applicability of ORS 197A is addressed by Chapter 81 of Oregon Laws 2016, which states:

Notwithstanding ORS 197A.320, a city outside of Metro that submitted to the Director of the Department of Land Conservation and Development, pursuant to ORS 197.610, a proposed change to an acknowledged comprehensive plan or a land use regulation that included an evaluation or an amendment of its urban growth boundary, or that received approval of a periodic review work program that included a work task to amend or evaluate its urban growth boundary pursuant to ORS 197.633, prior to January 1, 2016, but did not complete the evaluation or amendment of its urban growth boundary prior to January 1, 2016, may complete the evaluation or amendment pursuant to statutes and administrative rules in effect on June 30, 2013.

As stated above, the City submitted notice to DLCD on October 8, 2008. Therefore, the City may complete the amendment pursuant to the statutes and administrative rules in effect on April 5, 2007 because this version was in effect and pertained to the City's submittal to DLCD, and are also prior to June 30, 2013. This is the version that governs this UGB amendment.

7.2.2. Organization of Findings

In an effort to address all relevant legal standards and to "tell the compliance story" in a logical way, the findings are organized to follow the steps, priorities and requirements set out in ORS 197.298 (the version in effect on April 5, 2007) and OAR 660, Division 24 (the version of that was adopted by LCDC on 10/5/06; effective 4/5/07). Table 7-1 summarizes the organization of the findings and the relevant legal standards.

Table 7-1: Relevant Legal Standards

Section Heading in Findings	Applicable Oregon Revised Statutes (ORS) ²	Applicable Statewide Planning Goal(s)	Applicable Oregon Administrative Rule(s) (OAR) ³
7.4.1 Establishment of Preliminary Study Area		Goal 14	660-024-0060(4)

¹ Note, however, that the UGB study area and analysis satisfy the new Division 24 rules.

² Version in effect on April 5, 2007.

³ Version adopted by LCDC on 10/5/06; effective 4/5/07.

Section Heading in Findings	Applicable Oregon Revised Statutes (ORS) ²	Applicable Statewide Planning Goal(s)	Applicable Oregon Administrative Rule(s) (OAR) ³
7.4.2 Land Excluded from Preliminary Study Area	197.298(3); 197.295	Goal 14	660-024-0060(1); 660-024-0050(5); 660-008-0005(2); 660-009-0005
7.4.3 Priority Categories	197.298	Goal 14	660-024-0060(1)
7.4.4 Evaluation of Land in the Study Area for Inclusion in the UGB		Goal 14	660-024-0060
7.4.5 Overall Conclusion Regarding UGB Location		Goal 14	

7.3. Substantial Evidence

Table 7-2 summarizes the key evidence that supports the findings in this section. Access to the record is available on the City's website for the UGB Remand Project.

Table 7-2: Key Record References

Description	Date	Page #
2011-2016 Record on Remand		<i>Record (Rem)</i>
2016 Urbanization Report	7/20/16	Rem Rec 10814
Scenario Evaluation Report & Technical Appendices	10/20/15	Rem Rec 4547, 6209, 6637, 6737, 6851
Scenario 2.1G Evaluation Technical Memos	7/20/16	Rem Rec.10183, 10223, 11201, 11223
Evidence supporting Refinements	4/26/2016	Rem Rec 9929, 9957, 9961, 9973 (see also Findings in Response to testimony)
Map of all alternatives evaluated in UGB location alternatives analysis	7/18/16	10874, 10875, 10877

7.4. Findings

7.4.1. Establishment of Preliminary Study Area

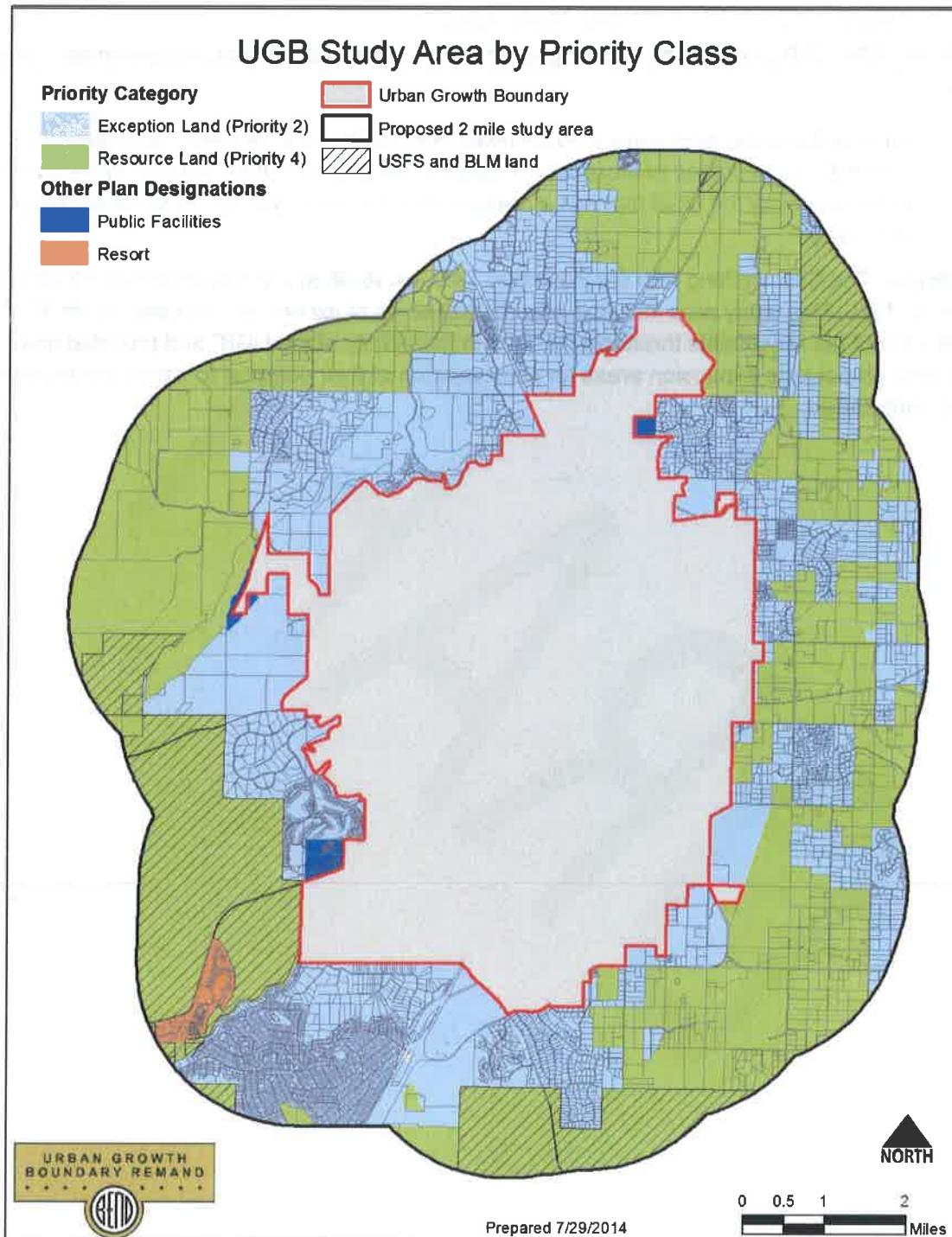
OAR 660-024-0060 provides the following guidance on the establishment of a preliminary study area:

(4) In determining alternative land for evaluation under ORS 197.298, "land adjacent to the UGB" is not limited to those lots or parcels that abut the UGB, but also includes land in the vicinity of the UGB that has a reasonable potential to satisfy the identified need deficiency.

Findings: The City, working with the Boundary TAC, established a 2-mile study area from the existing UGB. This study area included over 18,000 acres of exception land (see Figure 7-2)⁴. It set a broad but reasonable threshold for "land in the vicinity of the UGB" and provided more than enough possible expansion areas for consideration of their potential to satisfy the identified need deficiencies.

⁴ Exception land refers to land designated either Urban Reserve on the Bend Area General Plan map or Rural Residential Exception Area on the Deschutes County Comprehensive Plan map.

Figure 7-2: UGB Two-Mile Study Area by Priority Class



7.4.2. Land Excluded from Preliminary Study Area

OAR 660-024-0060(1) requires that local governments identify "suitable" land to meet need deficiencies, and provides the following guidance as to how to determine suitability:

(a) Beginning with the highest priority of land available, a local government must determine which land in that priority is suitable to accommodate the need deficiency determined under 660-024-0050.

(e) For purposes of this rule, the determination of suitable land to accommodate land needs must include consideration of any suitability characteristics specified under section (5) of this rule, as well as other provisions of law applicable in determining whether land is buildable or suitable.

The suitability characteristics referenced in OAR 660-024-0050(5) include "characteristics such as parcel size, topography, or proximity that are necessary for land to be suitable for an identified need."

ORS 197.295 includes the following definition of "Buildable lands":

(1) "Buildable lands" means lands in urban and urbanizable areas that are suitable, available and necessary for residential uses. "Buildable lands" includes both vacant land and developed land likely to be redeveloped.

Other provisions of law applicable in determining whether land is buildable or suitable include the definition of buildable land specific to residential land in OAR 660-008-0005(2):

(2) "Buildable Land" means residentially designated land within the urban growth boundary, including both vacant and developed land likely to be redeveloped, that is suitable, available and necessary for residential uses. Publicly owned land is generally not considered available for residential uses. Land is generally considered "suitable and available" unless it:

- (a) Is severely constrained by natural hazards as determined under Statewide Planning Goal 7;*
- (b) Is subject to natural resource protection measures determined under Statewide Planning Goals 5, 6, 15, 16, 17 or 18;*
- (c) Has slopes of 25 percent or greater;*
- (d) Is within the 100-year flood plain; or*
- (e) Cannot be provided with public facilities.*

OAR 660-009-0005 provides the following definitions relevant to identifying suitable land for employment uses:

(12) "Suitable" means serviceable land designated for industrial or other employment use that provides, or can be expected to provide the appropriate site characteristics for the proposed use.

(9) "Serviceable" means the city or county has determined that public facilities and transportation facilities, as defined by OAR chapter 660, division 011 and division 012, currently have adequate capacity for development planned in the service area where the site is located or can be upgraded to have adequate capacity within the 20-year planning period.

(11) "Site Characteristics" means the attributes of a site necessary for a particular industrial or other employment use to operate. Site characteristics include, but are not limited to, a minimum acreage or site configuration including shape and topography, visibility, specific types or levels of public facilities, services or energy infrastructure, or proximity to a particular transportation or freight facility such as rail, marine ports and airports, multimodal freight or transshipment facilities, and major transportation routes.

In addition, ORS 197.298(3) provides several reasons why higher priority land may be found inadequate to meet identified needs:

- (a) Specific types of identified land needs cannot be reasonably accommodated on higher priority lands;
- (b) Future urban services could not reasonably be provided to the higher priority lands due to topographical or other physical constraints; ...

The Court of Appeals decision on the McMinnville UGB addressed the application of suitability screening criteria. In addition to the reasons listed in 197.298(3), the Court reasoned that Goal 14 Factor 3 (Comparative environmental, social, economic and energy consequences, or ESEE) and Factor 4 (Compatibility with nearby farm and forest activities), but not other Goal 14 Factors, are applied to determine whether higher priority land "is inadequate to accommodate the amount of land needed" under ORS 197.298(1).

In sum, the following factors can be applied to exclude higher priority lands from further consideration as candidate areas to include in the UGB:

- Lands that are not buildable (defined in OAR 660-008-0005(2))
- Lands that are not suitable for identified employment uses (defined in OAR 660-009-0005)
- Specific land needs (197.298(3)(a))
- Inability to reasonably provide urban services due to topographic or other physical constraints (197.298(3)(b))
- Analysis of ESEE consequences (Goal 14, Factor 3)
- Analysis of compatibility with agricultural & forest activities (Goal 14, Factor 4)

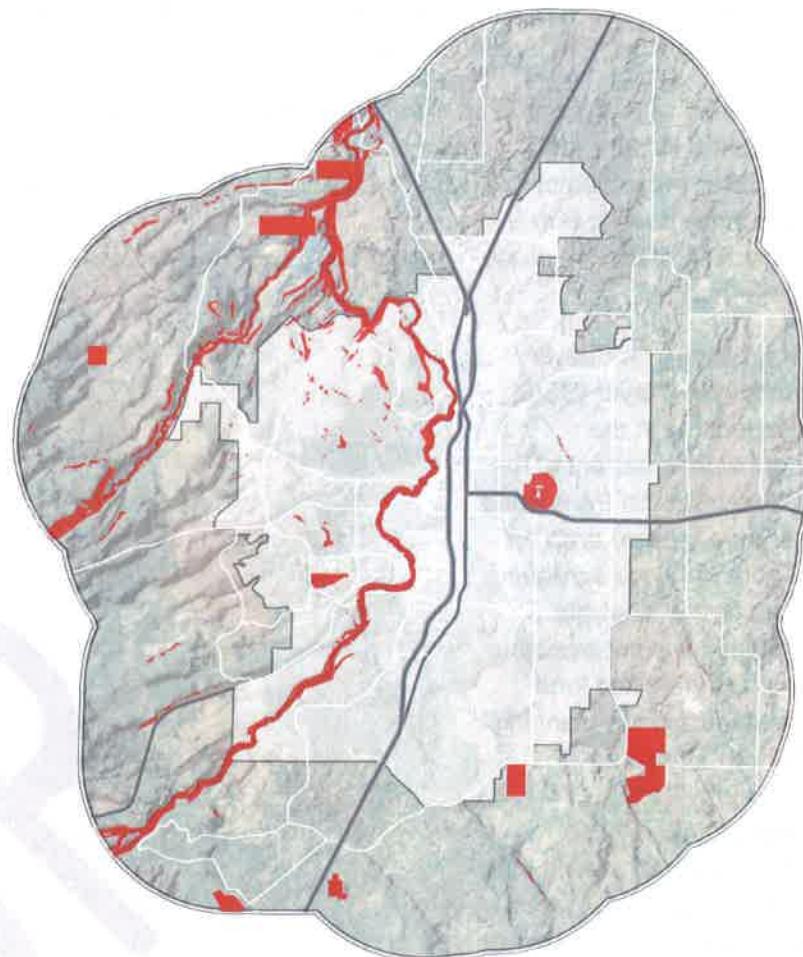
Findings: The City's approach to screening land from further consideration prior to applying the Goal 14 evaluation is summarized in the Urbanization Report (pages 49 through 50) [Rem Rec. 10863-10864]. The findings below draw on that summary.

7.4.2.1. *Exclude lands that are not buildable*

The following lands were identified as unbuildable:

- 100-year floodplain
- Steep slopes (25% and greater)
- Upper Deschutes River State & Federal Scenic River Overlays (100 feet from ordinary high water or OHW)
- Middle Deschutes State Scenic Waterway (100 feet from OHW)
- Deschutes River & Tumalo Creek Riparian Corridors (100 feet from OHW)
- Significant aggregate sites in Deschutes County Goal 5 inventory with Surface Mining plan designation

Figure 7-3: Unbuildable land in UGB Expansion Study Area



The 100-year floodplain and slopes of 25 percent or greater are listed explicitly in the exclusions contained

within the definition of buildable land in OAR 660-008-0005(2). The scenic river overlays and riparian corridors as well as the significant aggregate sites in the Deschutes County inventory are subject to resource protection measures under Statewide Planning Goal 5, another listed exclusion from buildable land in OAR 660-008-0005(2).

Unbuildable lands were not automatically precluded from being brought into the UGB (for example, when part of a larger buildable property); however, they are not considered suitable and available to meet identified land needs. The lands identified as unbuildable in the expansion areas are shown in red on Figure 7-3.

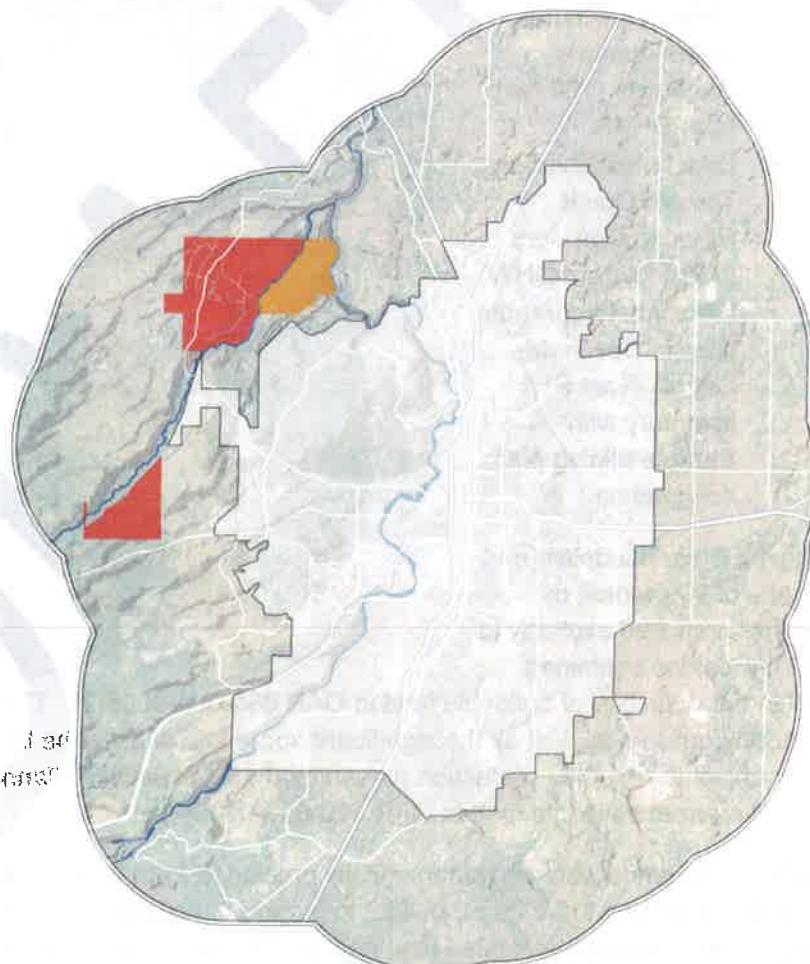
7.4.2.2. Exclude lands that are incompatible with urbanization

Exception lands within the acknowledged Deschutes County Wildlife Combining Zone (deer winter range) were screened from further analysis based on consideration of ESEE consequences (Goal 14, Factor 3) as allowed under the McMinnville decision as well as because they are subject to resource protection measures under Statewide Planning Goal 5, a listed exclusion from buildable land in OAR 660-008-0005(2).

These areas are considered significant habitat by ODFW. The Goal 5 "program" to protect the big game winter range is based in large part on restricting densities, requiring clustering and requiring protection of open space (50% of site). Potential urbanization of these lands would inherently conflict with protection of the big game winter range.

In addition, the Shevlin Sand and Gravel (SSG) site located in the northwest quadrant of the City on Shevlin Park Road (orange-colored area on Figure 7-4) was screened from further analysis because it is not available to meet identified land needs within the planning period. Based on testimony from the property owner representative stating that the aggregate resources at the Shevlin Sand & Gravel site are not expected to be exhausted and the site reclaimed during the planning period (2008-2028), the portion of the site under DOGAMI Permit 09-0018 was excluded from consideration for UGB expansion. This did not affect consideration of the remainder of the property.

Figure 7-4: Land screened from consideration for UGB expansion



The lands excluded are shown in red (wildlife overlay) and orange (aggregate site) on Figure 7-4.

7.4.2.3. Results and Conclusions

After excluding the lands listed above, the total acreage of exception land that was advanced for further consideration and evaluation using the Goal 14 factors was roughly 16,200 acres. No land was excluded on the basis of inability to reasonably provide urban services, specific land needs, or analysis of compatibility with agricultural and forest activities.

Conclusion: The land excluded from the preliminary study area is minimal, and the justifications are consistent with the allowed suitability criteria under OAR 660-024-0060; the definitions of buildable land under other state laws and administrative rules, including ORS 197.295; and the case law established in the McMinnville decision.

7.4.3. Priority Categories

ORS 197.298 identifies the following priorities for inclusion of land within an urban growth boundary:

- (a) *First priority is land that is designated urban reserve land under ORS 195.145 (Urban reserves), rule or metropolitan service district action plan.*
- (b) *If land under paragraph (a) of this subsection is inadequate to accommodate the amount of land needed, second priority is land adjacent to an urban growth boundary that is identified in an acknowledged comprehensive plan as an exception area or nonresource land. Second priority may include resource land that is completely surrounded by exception areas unless such resource land is high-value farmland as described in ORS 215.710 (High-value farmland description for ORS 215.705).*
- (c) *If land under paragraphs (a) and (b) of this subsection is inadequate to accommodate the amount of land needed, third priority is land designated as marginal land pursuant to ORS 197.247 (1991 Edition).*
- (d) *If land under paragraphs (a) to (c) of this subsection is inadequate to accommodate the amount of land needed, fourth priority is land designated in an acknowledged comprehensive plan for agriculture or forestry, or both.*

OAR 660-024-0060(1) echoes this process:

- (a) *Beginning with the highest priority of land available, a local government must determine which land in that priority is suitable to accommodate the need deficiency determined under 660-024-0050.*
- (b) *If the amount of suitable land in the first priority category exceeds the amount necessary to satisfy the need deficiency, a local government must apply the location factors of Goal 14 to choose which land in that priority to include in the UGB.*
- (c) *If the amount of suitable land in the first priority category is not adequate to satisfy the identified need deficiency, a local government must determine which land in the next priority is suitable to accommodate the remaining need, and proceed using the same method specified in subsections (a) and (b) of this section until the land need is accommodated.*

(d) Notwithstanding subsection (a) through (c) of this section, a local government may consider land of lower priority as specified in ORS 197.298(3).

ORS 197.298(3), in addition to providing reasons why higher priority land may be found inadequate (see section 7.4.2), provides that land of a lower priority may be included in an urban growth boundary if:

(c) Maximum efficiency of land uses within a proposed urban growth boundary requires inclusion of lower priority lands in order to include or to provide services to higher priority lands.

Findings: Within the initial two-mile study area, evaluation was based on a tiered approach, in which higher priority lands (i.e. exception lands) were evaluated first for each identified land need, as required under OAR 660 Division 24 and ORS 197.298. There are no Priority 1 or Priority 3 lands in the study area, only Priority 2 and 4 lands. Only Priority 2 lands were considered and included in the expanded UGB. No lower priority lands (Priority 4) are included in the expanded UGB.

The amount of suitable exception land (Priority 2) exceeds the amount necessary to satisfy the need deficiency; therefore, the City applied the Goal 14 location factors to determine which land to include in the UGB, as described in the following section.

7.4.4. Evaluation of Land for Inclusion in the UGB

Statewide Planning Goal 14 (as amended April 28, 2005) requires the following:

The location of the urban growth boundary and changes to the boundary shall be determined by evaluating alternative boundary locations consistent with 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.*

OAR 660-024-0060(1), (3), and (6) provide guidance on the evaluation of alternative boundary locations using the Goal 14 factors, including when they are applicable, how they relate to one another, and how parcels and areas may be grouped for evaluation:

(1) When considering a UGB amendment, a local government must determine which land to add by evaluating alternative boundary locations. This determination must be consistent with the priority of land specified in ORS 197.298 and the boundary location factors of Goal 14, as follows: ...

(b) If the amount of suitable land in the first priority category exceeds the amount necessary to satisfy the need deficiency, a local government must apply the location factors of Goal 14 to choose which land in that priority to include in the UGB.

...

(3) The boundary location factors of Goal 14 are not independent criteria. When the factors are applied to compare alternative boundary locations and to determine the UGB location, a local government must show that all the factors were considered and balanced.

(6) The adopted findings for UGB adoption or amendment must describe or map all of the alternative areas evaluated in the boundary location alternatives analysis. If the analysis involves more than one parcel or area within a particular priority category in ORS 197.298 for which circumstances are the same, these parcels or areas may be considered and evaluated as a single group.

OAR 660-024-0060(7) and (8) provide further guidance on the evaluation of public facilities and services in considering alternative boundary locations:

(7) For purposes of Goal 14 Boundary Location Factor 2, "public facilities and services" means water, sanitary sewer, storm water management, and transportation facilities.

(8) The Goal 14 boundary location determination requires evaluation and comparison of the relative costs, advantages and disadvantages of alternative UGB expansion areas with respect to the provision of public facilities and services needed to urbanize alternative boundary locations. This evaluation and comparison must be conducted in coordination with service providers, including the Oregon Department of Transportation with regard to impacts on the state transportation system. "Coordination" includes timely notice to service providers and the consideration of evaluation methodologies recommended by service providers. The evaluation and comparison must include:

- (a) The impacts to existing water, sanitary sewer, storm water and transportation facilities that serve nearby areas already inside the UGB;
- (b) The capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB; and
- (c) The need for new transportation facilities, such as highways and other roadways, interchanges, arterials and collectors, additional travel lanes, other major improvements on existing roadways and, for urban areas of 25,000 or more, the provision of public transit service.

Findings: The creation and evaluation of UGB expansion alternatives represent "alternative boundary locations" required to be analyzed, and is summarized in the Urbanization Report, Chapter 5 [Rem Rec. 10863]. The findings in Section 7.4.4 draw on and include excerpts from that summary. It is important to note the requirements are focused on "alternative boundary locations" and the allowance that "parcels may be considered and evaluated as a single group." These requirements do not suggest or require a parcel-by-parcel analysis. A parcel-by-parcel (or smaller) analysis would be practically impossible given the amount of suitable land in the analysis area, and the nearly infinite number of possible combinations of individual parcels to meet anticipated needs. An additional complexity which makes a parcel-by-parcel analysis nearly impossible, is to consider the additional variations introduced due to the wide variety of

the types of land uses that must be analyzed to meet documented land needs. The city's methodology analyzed "alternative boundary locations" as required. The McMinnville decision verifies this approach, and even acknowledges the need to make revisions and refinements to the eventual proposed UGB expansion based on the results of analysis during the planning process.

7.4.4.1. *Creating Alternative Boundaries*

This stage of the analysis is described in the Urbanization Report (see pages 49-62) [Rem Rec.10814-10949]. The findings in this section draw on that portion of the Urbanization report.

Preliminary Goal 14 analysis – Indicators

Because the pool of available exception lands within the study area was so large relative to the land need, additional information was needed in order to identify better performing lands to consider for the UGB expansion alternatives analysis. It would not have been possible to develop alternatives to encompass all of the exception lands for evaluation. In the Base Mapping stage, the Boundary TAC recommended using a few key indicators of the Goal 14 factors to help identify the best land to include in boundary scenarios. This stage of analysis helped to narrow the scope of the study area to focus on the areas that ranked higher and also informed the development of scenarios.

Using available GIS and other data, a series of maps were prepared to illustrate the relative ranking of parcels based on the key indicators associated with each of the four factors of Goal 14. The Boundary TAC reviewed and suggested refinements to the base maps over a series of meetings, and ultimately approved roughly 25 base maps. The indicators included in Stage 2 Base Mapping for each of the goal 14 factors are listed below.

Factor 1: Efficient accommodation of identified land needs

- Parcel size
- Improvement to land value ratio
- Proximity to existing UGB – adjacency more efficient than edge of study area
- Topography (25% slopes or greater)
- Existing that CC&Rs prohibit or limit additional development

Factor 2: Orderly and economic provision of public facilities and services

Transportation

- Barriers: Consideration of physical barriers to connectivity (new river crossings, railroad crossings, steep slopes, etc.).
- Reliance on Congested Corridors: Consideration of key congested highway corridors based on the recently completed Bend MPO MTP. Using the Bend 2040 travel demand model, identify which exception lands have a higher reliance on a congested corridor.
- System Connectivity: Consideration of whether the existing major roadway network meets ideal grid-spacing (e.g., one-mile spacing for arterials and half-mile spacing for collectors). Rank exception areas with a more subjective approach based on ability to

extend collectors into the study area. Also consider if subareas in the study area are adjacent or near well connected streets inside the current UGB.

Water

- Gravity system (City of Bend): Consideration of exception areas that could be served by gravity by City of Bend

Sewer

- Gravity system: Consideration of areas that can be served via gravity. This would be illustrated with a map showing areas in the study area that can be served with gravity sewer vs. areas requiring additional pumping.
- Maximize existing/planned improvements: Consideration of areas with capacity or planned short-term improvements. This would be illustrated with a map showing any areas in the study area outside the current UGB that could be served with sewer without major new investments in addition to planned facilities in the Collection System PFP.

Stormwater

- Drinking water protection areas: Consider proximity to drinking water protection areas (DWPA)
- Surface geology: Consider presence of surface geology (welded tuff) that limits on-site stormwater management.

Factor 3: Comparative environmental, social, economic and energy consequences (ESEE)

- Presence of significant Goal 5 resources or other resources (consider Greenprint mapping or other data sources)
- Relative wildfire risk and presence of other natural hazards (floodplains)
- Proximity to existing or planned parks, trails, elementary schools
- Proximity to irrigation districts, irrigated lands and canals in study area
- Presence of water quality limited streams (303d) in study area

Factor 4: Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

- Proximity to designated forest land
- Proximity to designated high-value agricultural land (irrigated)

The project team prepared one composite map for each of the four Goal 14 factors and a composite map combining indicators for all four factors. The approach was to prepare “un-weighted” composite maps, so the information was displayed without value judgments about what factors are more important than others. However, the Stage 2 Base Mapping revealed certain exception lands that were highly problematic based on one or more of the Goal 14 factors, and that, on balance, were not as ideal as other exception lands after a weighing and balancing the factors, as summarized below:

- Properties with recorded CC&Rs that preclude land divisions and additional dwellings (based on Factor 1 considerations and inability to accommodate identified land needs)
- Heavily parcelized areas with smaller parcels (less than 2 acres) and numerous dwellings that severely limit capacity for new development (based on Factor 1 considerations and inability to efficiently accommodate identified land needs)
- Rural residential subdivisions (generally less than 5 acre lots) with higher improvement to land value ratios that severely limit capacity for new development within the 2028 planning horizon (based on Factor 1 considerations and inability to efficiently accommodate identified land needs)
- Lands that are separated from the existing UGB by resource lands (based on Factor 4 considerations and impact to resource lands)

The combined results of the Stage 2 Base Mapping are shown on Figure 7-5.

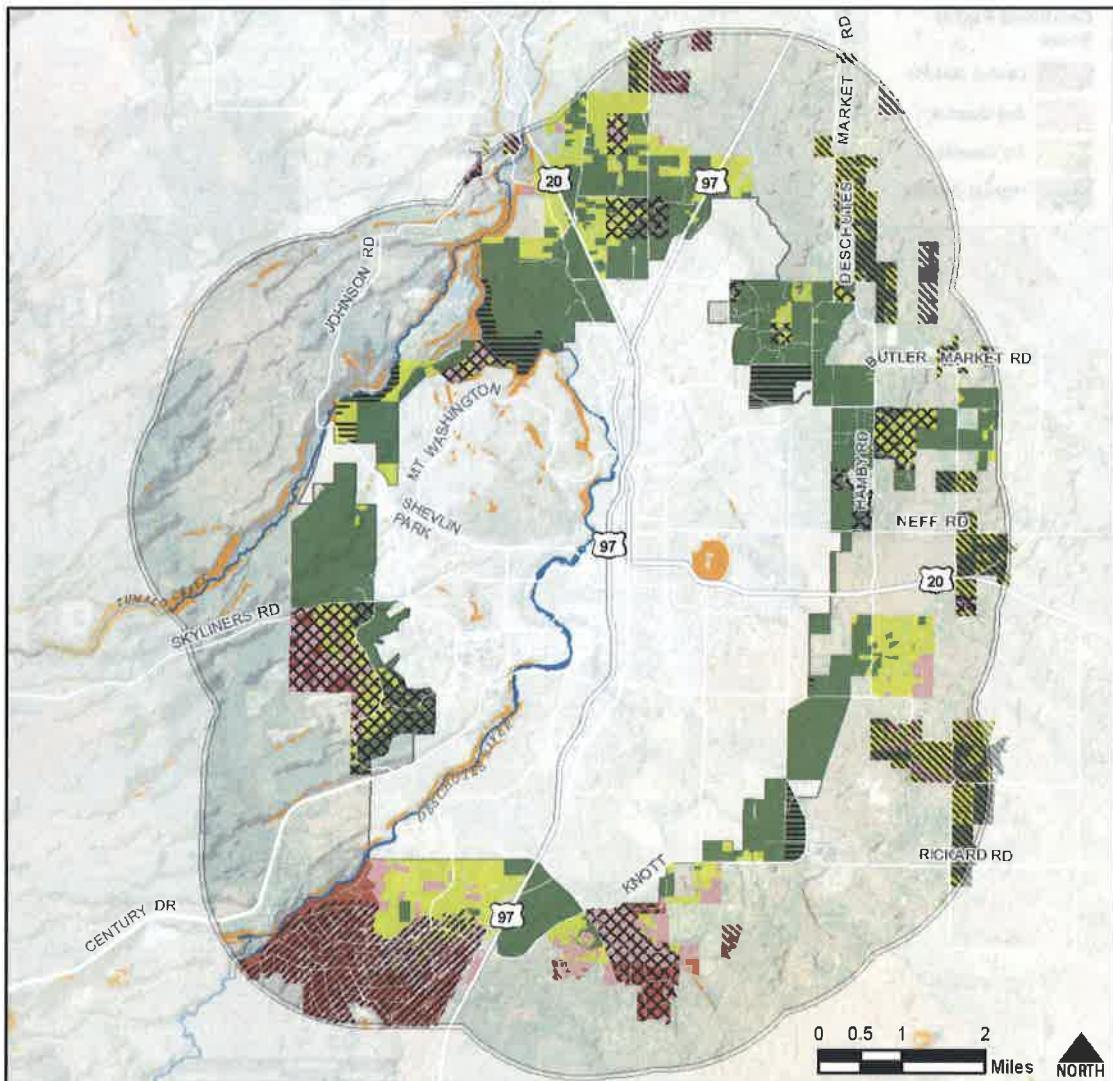
Further consideration of the Stage 2 Base Mapping results in Phase 2 of the project highlighted additional areas that were, on balance, less appropriate to bring forward for further evaluation. The brief summaries below are keyed to specific locations on the map on Figure 7-6: Further Narrowing of Exception Lands.

1. A large rural residential exception area (just under 1,600 acres) located north of Cooley Road generally between Hwy 97 and Hwy 20. A relatively large rural residential subdivision (about 220 acres) with restrictive CC&R's is located at the southerly boundary of this area that represents a barrier to efficient expansion to the north.
2. Several small subdivisions in the northeast - the portion west of Hamby Road is subdivided into small lots (average lot size is a half-acre) with a relatively high improvement to land value ratio. The portion east of Hamby is separated from the UGB by a mix of land with restrictive CC&Rs and resource land.
3. An area located between Hwy 20 and Stevens Road surrounding Hamby Road that is relatively far from the UGB and would further surround zoned resource land.
4. Several large rural residential exception areas that overall did not score well based on the balancing of the Goal 14 factors.
5. A small area associated with common open space tracts for Cascade Highlands and Tetherow destination resort that should not be considered buildable or suitable for urbanization.
6. The portion of the Miller Tree Farm rural cluster subdivision property that was not screened out based on the County's wildlife overlay zone.

This left 5,400 remaining acres of exception land for further evaluation. See additional details regarding this aspect of the evaluation process, incorporated herein (Rem Rec 03743-03793).

Figure 7-5: Stage 2 Mapping Combined Results

Bend UGB Land Suitability Composite (Annotated)



Service Layer Credits: Deschutes County GIS (2014)
Disclaimer: This map represents an equally-weighted sum of the four Bend UGB Goal 14 Factors. For informational purposes only.

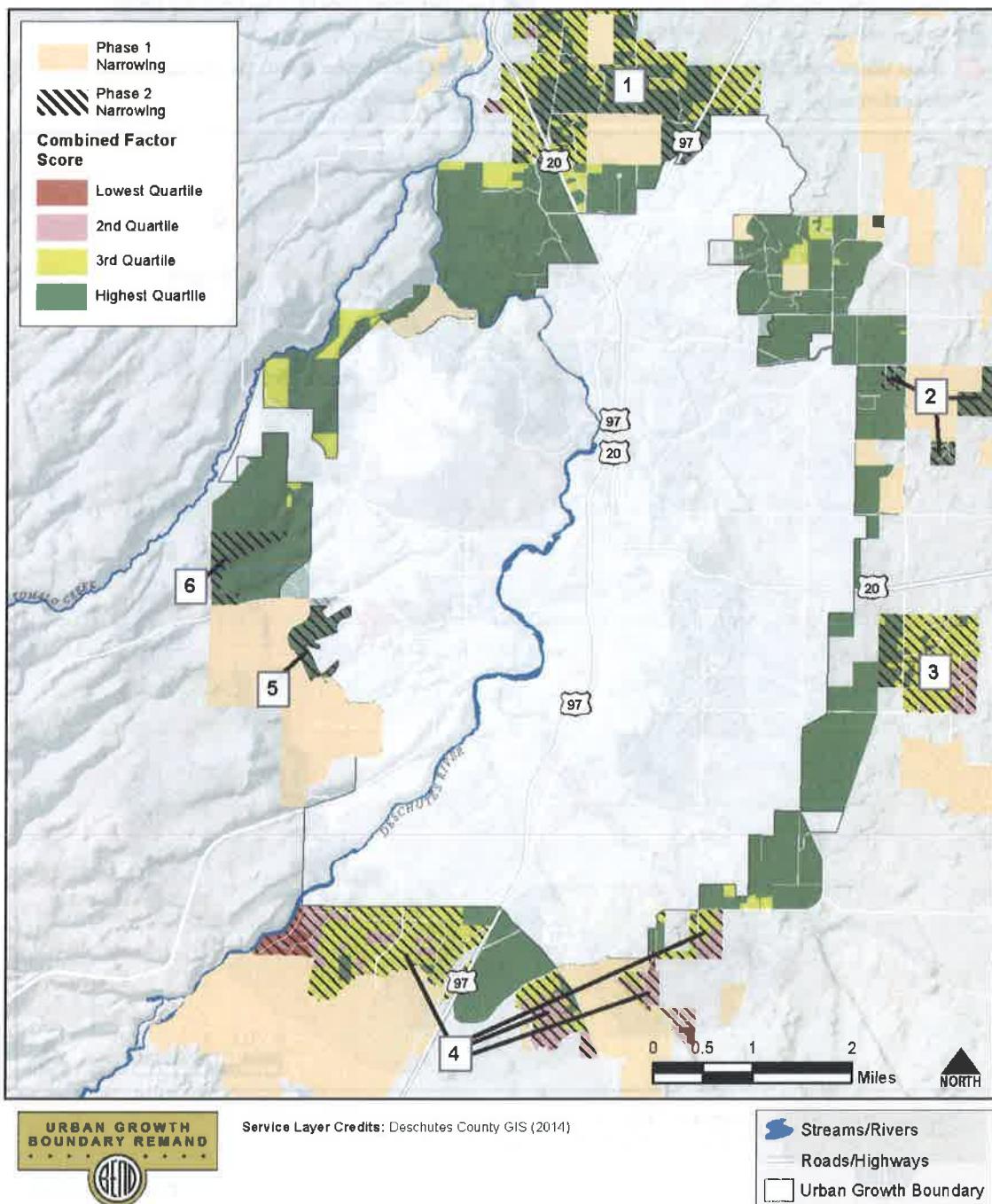
Prepared 4/10/2015

Figure 7-6: Further Narrowing of Exception Lands

Bend UGB

Phase 2 Narrowing of Exception Lands

Prepared 6/18/2015



Generating Alternatives for Analysis

Initially, three geographically specific UGB expansion scenarios to meet anticipated land needs were created based on input from all three TACs and the USC in a workshop (Rem Rec. 3811, 3843). These scenarios were brought to the Boundary TAC and USC for review and refinement⁵. The Boundary TAC recommended and USC approved three specific UGB Expansion Scenarios for evaluation, but also asked the project team to evaluate all land that had been given the top rating (i.e. scored in the top quartile when all indicators were combined) during the base map evaluation of exception land within the two-mile study area and had not been excluded by subsequent refinements and narrowing. The areas that met those tests and were not included in one of the three UGB Expansion Scenarios were identified as "Supplemental Analysis Areas".

Some of the models used for scenario evaluation (such as the transportation model) require "budgeted" land use assumptions in order to do a full evaluation and an "apples to apples" comparison against land included in the three UGB Expansion Scenarios. In order to respond to the direction for equal evaluation, the team created three Supplemental Analysis Area Maps ("SAAMs") that collectively incorporate all the land in the Supplemental Analysis Areas in packages with roughly the same total levels of employment and residential growth and the same assumptions about the amount and type of development that can be accommodated inside the UGB as the UGB Expansion Scenarios. The SAAMs were intended to test full utilization of certain geographic areas rather than distributed growth across a variety of potential expansion areas. The level of analysis for the SAAMs was identical to that done for the Scenarios.

The Scenarios and SAAMs are organized around eight general geographic areas that were identified as the most suitable to meet the identified land needs:

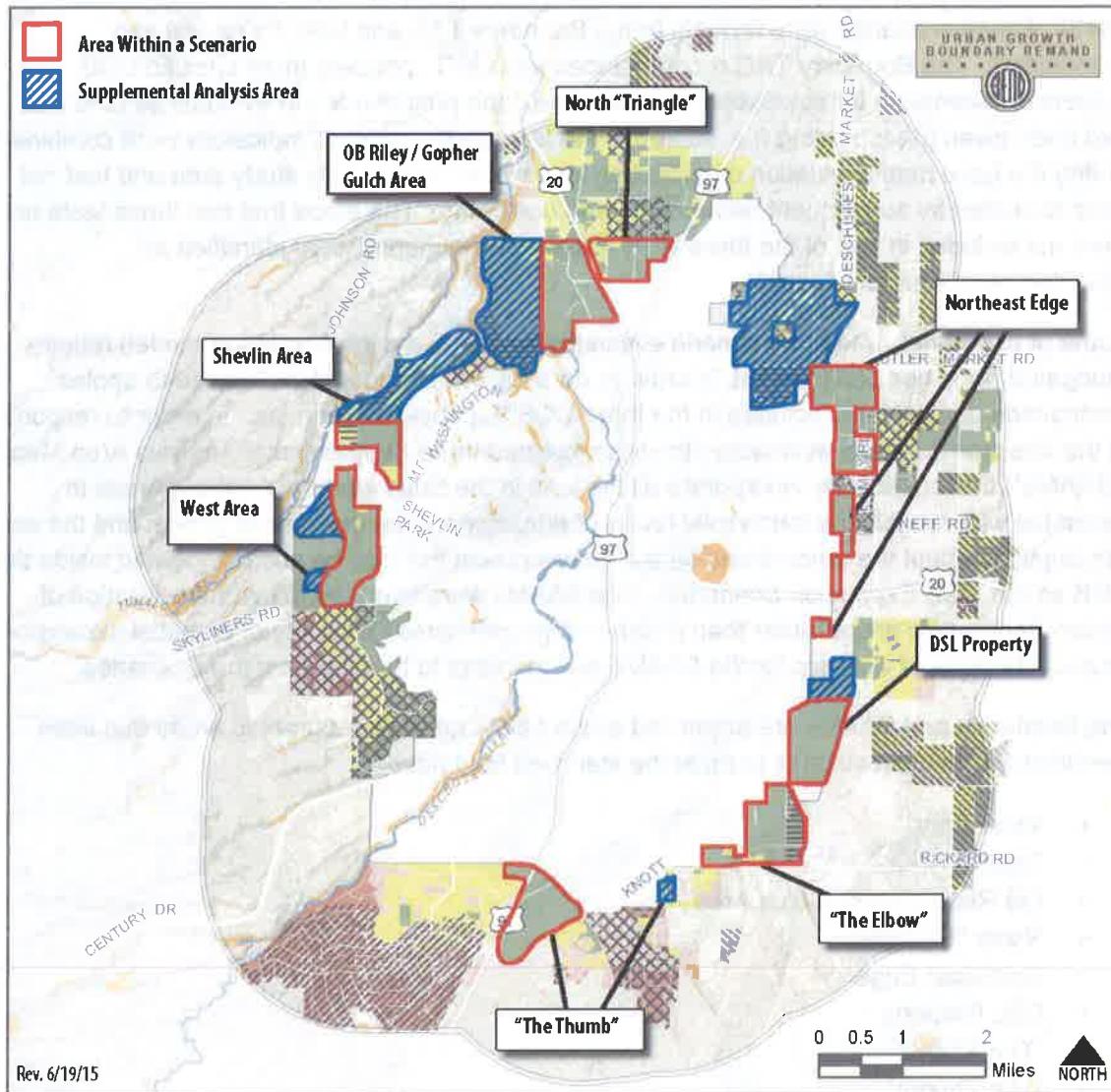
- West Area
- Shevlin Area
- OB Riley/Gopher Gulch Area
- North "Triangle"
- Northeast Edge
- DSL Property
- "The Elbow"
- "The Thumb"

These subareas are shown on Figure 7-7. Figure 7-7 also identifies the portions that were included in scenarios and those that were part of the Supplemental Analysis Areas.

⁵ See meeting minutes of June 24, 2015 Boundary TAC (Rem Rec. 6621) and June 25, 2015 USC meetings (Rem Rec. 5665).

Figure 7-7: Subareas, Scenario Areas, and Supplemental Analysis Areas

Supplemental Analysis Area Map

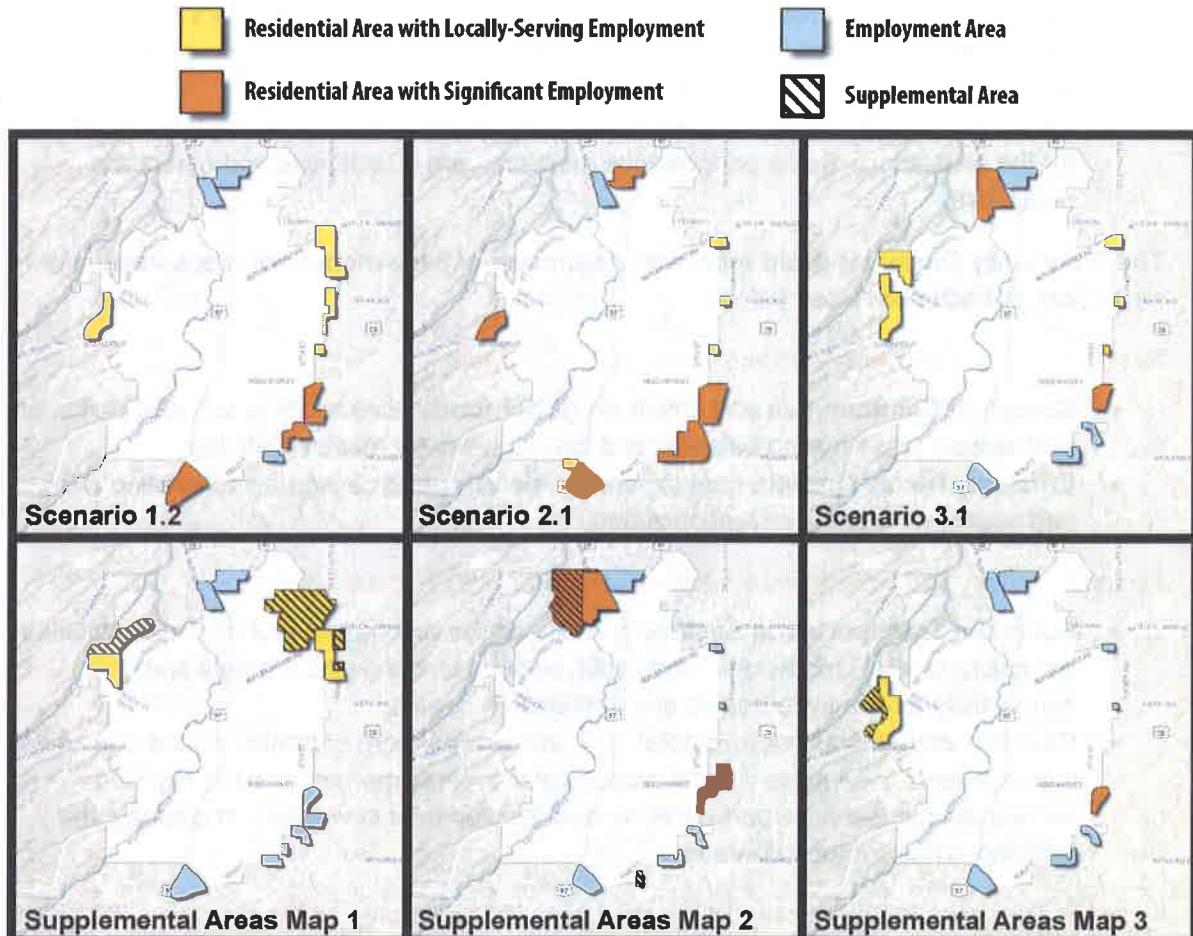


The UGB Expansion Scenarios and SAAMs are illustrated below. The categories shown on the generalized scenario maps are as follows:

- Residential area with locally-serving employment: Predominately residential uses, with supportive uses such as parks, schools, and local commercial centers.
- Residential area with significant employment: A full mix with residential uses, parks and/or schools, and commercial and employment areas.

- Employment area: Employment-focused area providing for a mix of jobs (retail, office, and/or industrial) with little or no residential use.

Figure 7-8: UGB Expansion Scenarios and SAAMs



The alternative areas evaluated in the boundary location alternatives analysis are mapped above, and described in greater detail in the Urbanization Report (see Pages 61-63) [Rem Rec. 10874] and in the Scenario Evaluation Report, dated October 20, 2015 (Pages 8-15) [Rem Rec4557-4564].

7.4.4.2. Operationalizing Goal 14 factors to Evaluate Alternatives

Overview

The approach to operationalizing the Goal 14 factors is summarized in the Urbanization Rrt (Pages 63-74) [Rem Rec. 10877-10888] and detailed in the Scenario Evaluation Report, dated October 20, 2015 (Pages 29 through 44) [Rem Rec 4578 to 4593]. The findings in this section draw on the summary in the Urbanization Report.

The comparison, evaluation and balancing of Bend's UGB expansion alternatives was based on the following hierarchy of considerations:

- **Goal 14 Factors** – The legal requirements for what must be considered and balanced.
- **Community Outcomes** – Eight intended outcomes that reflect the city's goals for the project, articulate what the Goal 14 factors mean for Bend, and provide a way to summarize results for performance measures.
- **Performance Measures** – Detailed measures for each Goal 14 factor: the factual base for the evaluation. Some performance measures are quantitative and others are qualitative.

The Community Outcomes (**bold type**) and a summary of the performance measures under each Goal 14 Factor are listed below.

Factor 1: Efficient accommodation of identified land needs

- **Complete Communities and Great Neighborhoods:** walkability to schools, parks, and businesses; jobs/housing balance, and opportunities for master planning
- **Efficient, Timely Growth:** total expansion, density, land contiguous to existing UGB, and vacant vs. developed land included

Factor 2: Orderly and economic provision of public facilities and services

- **Balanced Transportation System:** reliance on the automobile (vehicle miles traveled per capita or VMT, trip length, mode split, walk trips), congestion, safety and connectivity, proximity to transit, and intersection density
- **Cost Effective Infrastructure:** total cost and cost per acre of transportation and sewer improvements, new miles of local roads, water system improvements in city water service area, impervious surface area, and development in welded tuff geology and Drinking Water Protection Areas

Factor 3: Comparative environmental, social, economic and energy consequences (ESEE)

- **Quality Natural Environment (Environmental and Energy Consequences):** development in wildlife areas, development adjacent to riparian areas, wildfire hazard, greenhouse gas emissions, energy use, and water consumption
- **Housing Options and Affordability (Social Consequences):** cost and mix of new housing
- **Strong Diverse Economy (Economic Consequences):** site suitability for commercial and industrial uses and for the large lot special site need

Factor 4: Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

- **Compatibility with Farms and Forests:** farm practices on high value farm land adjacent to expansion areas, impact to irrigation districts, and proximity to forest land

Costs, Advantages and Disadvantages for Public Facilities and Services

The evaluation of water, sanitary sewer, and transportation included evaluation of impacts to existing facilities that serve nearby areas already inside the UGB and capacity of existing public facilities and services to serve areas already inside the UGB as well as areas proposed for addition to the UGB, consistent with OAR 660-024-0060(8), because they included a city-wide analysis of needed improvements to existing facilities and need for new facilities in expansion areas.

Transportation

The transportation analysis was conducted in coordination with the Oregon Department of Transportation (ODOT) Transportation Planning Analysis Unit (TPAU) with input from other ODOT and DLCD staff. It utilized the Bend Metropolitan Planning Organization (MPO) regional travel demand model, which includes land use inputs for the entire future UGB (inside and outside the current UGB) as well as adjacent rural areas. It was used to identify impacts (in terms of congestion, expressed as volume to capacity or v/c ratio) to existing facilities and the need for new transportation facilities, including additional travel lanes and other major improvements to existing roadways. The transportation analysis also used recommended arterial and collector street spacing standards to identify the need for new arterial and collector roads in growth areas. The need for additional public transit service was considered as part of developing Bend's Integrated Land Use and Transportation Plan [Rem Rec. 10994-11144]; however, no additional service was identified as needed by 2028 beyond the recent "mid-term" service expansion completed by Cascades East Transit in 2016. These demonstrate that cost, benefits, advantages, and disadvantages have been considered and balanced. This demonstrates that the transportation evaluation of UGB expansion alternatives satisfies OAR 660-024-0060(8).

Sanitary Sewer

Evaluation of sanitary sewer facilities and services needed to serve UGB expansion areas built on work completed in 2014 on the City's Collection System Master Plan (CSMP). Using a long-term optimization approach, the sewer evaluation identified the least-cost improvements consistent with the long-term infrastructure plan. The evaluation focused on assessing additional improvement alternatives not considered in the CSMP that are required to serve growth outside of the existing UGB and re-evaluating alternatives that were considered in the CSMP that are likely to be affected by expanding the UGB. The UGB expansion scenarios were rated for relative cost, based on improvements consistent with the long-term infrastructure analysis. (See October 1, 2015 memorandum titled "UGB Expansion – Sanitary Sewer Analysis" from Murray, Smith & Associates [Rem Rec. 6783].)

The Initial Capital Cost and Equivalent Uniform Annual Cost (EUAC) methods were used for comparing various alternatives in the optimization analysis. The Initial Capital Cost method estimates capital investment, but excludes operation and maintenance costs. The EUAC calculates the cost per year of constructing, operating and maintaining an asset over its entire lifespan. As noted previously the goal of the optimization is to minimize the overall life cycle

costs while identifying a solution that meets the identified hydraulic criteria. The EUAC approach allows for the comparison of different types of assets (e.g. lift stations, gravity mains, satellite treatment, etc) with varying design lives on an equivalent yearly basis. [Rem. Rec. 11201-11222]

These demonstrate that cost, benefits, advantages, and disadvantages have been considered and balanced. This demonstrates that the sanitary sewer evaluation of UGB expansion alternatives satisfies OAR 660-024-0060(8).

Drinking Water

Evaluation of drinking water facilities needed to serve UGB expansion areas built on work completed in 2011 on the City's Water System Master Plan. The evaluation considered the lowest available fire flow serving new growth through intermediate pressure zone expansion improvements, supply needed to offset storage requirements to serve new growth, and low pressure results of serving new growth using intermediate pressure zone expansion improvements. These factors were combined to provide an overall assessment of the water system infrastructure improvements needed to serve new growth.

In addition, development within Drinking Water Protection Areas was evaluated as a consideration of how alternative UGB expansion locations could impact existing groundwater facilities to serve nearby areas already inside the UGB.

This demonstrates that the water evaluation of UGB expansion alternatives satisfies OAR 660-024-0060(8).

Stormwater

Stormwater infrastructure impacts were evaluated through the lens of impervious surface area and geology. Impervious surface area associated with new development was estimated and compared using the Envision Tomorrow model. Geology – specifically, the presence of welded tuff formations – was also considered, because on-site retention and treatment are required in such areas rather than a community stormwater system.

This demonstrates that the stormwater evaluation of UGB expansion alternatives satisfies OAR 660-024-0060(8).

Weighing and Balancing

Not all performance measures identified equally important advantages or disadvantages. A handful of performance measures identified truly significant differences between the alternatives – differences that would meaningfully affect the community in 2028 and/or that are critical to meeting the legal requirements for this UGB expansion. These included residential land efficiency, total VMT per capita, transportation improvement costs, efficiency of sewer system improvements, and housing affordability. The project team evaluated overall results using both an equally-weighted and an unequally-weighted approach, including several variations of weighting. The different approaches to weighting were presented and considered by the Boundary TAC as well. Using or not using weighting and the degree of weighting had minimal

impact on the overall results: the top performing scenarios were found to rank in the same order regardless of whether and how the performance measures were weighted (see Scenario Evaluation Report for details).

7.4.4.3. *Results of Alternatives Evaluation*

The results of the alternatives evaluation are summarized in the Urbanization Report (Pages 75-82) [Rem Rec. 10889-10896] and in the Scenario Evaluation Report, dated October 20, 2015 (See Pages 29-34)⁶. An excerpt from these reports is provided below.

Factor 1: Efficient accommodation of identified land needs

Complete Communities and Great Neighborhoods

Top Tier

Scenario 2.1 performed the best overall on this Community Outcome, particularly on access to schools and commercial services, because it was created with the intention of providing for complete communities (neighborhoods with a mix of housing, jobs, commercial services, parks, and schools) in all quadrants of the city.

Middle Tier

Scenario 3.1 and, to a lesser extent, **Scenario 1.2** and **SAAM-2**, also performed well. These alternatives all have some subareas that are fairly complete, and others that are less so.

Scenario 3.1 performed well on walk access to both schools and commercial; nearly all new residential expansion areas in each include at least a small commercial center and many include a school. Scenario 3.1 did the best at increasing the walk access of housing inside the existing UGB to commercial services. This appears to be due to the placement of commercial areas in a few key locations. For example, within "The Thumb", placing commercial adjacent to China Hat Road provides walkable access to neighborhoods at the southern edge of the city that currently lack it. In the Shevlin Area, placing commercial along Shevlin Park Road provides walk access to portions of Awbrey Butte.

Bottom Tier

SAAM-1 and **SAAM-3** had mixed results on this Community Outcome, with performance below that of the other alternatives. In part, this is because they include one or two large, primarily residential expansion areas and fragmented employment areas elsewhere. SAAM-1 was the only alternative that did not perform well on park/trail access, because the northernmost extent of the Northeast Edge would not have walkable park/trail access. SAAM-3 performed poorly on school and commercial access, because of the large amount of new housing in the outer portion of the west area, away from existing and future commercial uses and schools. Because of the nature of the areas included in SAAM-1 and SAAM-3, it would be difficult to improve their performance on these measures – there are few or no suitable locations for additional schools, parks, or commercial areas in either one.

⁶ See Rem Rec 6637 for the complete report.

Efficient, Timely Growth

Top Tier

Scenario 1.2 performed the best overall on this Community Outcome, with high ratings across the board, because it provides a mix of large, vacant properties and smaller parcels contiguous to the existing UGB. **Scenarios 2.1 and SAAM-3** also performed well on this Community Outcome. Both do well on measures of density and efficiency because of their reliance on larger, vacant parcels, but both have a lower percentage of land under 20 acres and contiguous to the existing UGB.

Middle Tier

SAAM-2 and **Scenario 3.1** performed moderately well, though not as well as the others mentioned above. This is in part because lower residential densities were assumed in parts of the West Area and the Shevlin Area due to topography and the possible need for cluster development in order to allow for natural resource/wildlife habitat protection. Both also include a number of developed parcels between OB Riley Road and Gopher Gulch, which are less efficient to develop than vacant parcels.

Bottom Tier

SAAM-1 performed the worst on this Community Outcome, because the outer Northeast Edge and the Shevlin area both had lower residential densities; the outer Northeast edge includes quite a few developed properties, particularly in the subdivisions south of Juniper Ridge; and, while the parcels are smaller in the Northeast Edge, the outer portion is not contiguous to the current UGB.

Factor 2: Orderly and economic provision of public facilities and services

Balanced Transportation System

Top Tier

Across the various performance measures included in this Community Outcome, **Scenario 2.1** performed the best overall, with the lowest VMT per capita, the best overall walk/bike safety and connectivity, and the best system connectivity and progression of system hierarchy.

Middle Tier

Scenario 1.2, Scenario 3.1, SAAM-1 and SAAM-3 all performed moderately well – the relative ranking among these depends on which measures are given most importance, although differences are subtle. Scenario 1.2, SAAM-1 and SAAM-3 do fairly well on congestion, with relatively low overall congestion; they also do fairly well on walk/bike safety and connectivity, with no major barriers identified. It is worth noting that SAAM-1 does poorly on VMT, but well on congestion (because there is relatively little existing congestion near the Shevlin area) and walk/bike safety and connectivity (because including the full extent of the Shevlin area provides for better connections to the existing road and trail system).

Bottom Tier

SAAM-2 does the worst on this Community Outcome overall, with poor performance on VMT, mode split, average trip length, and a number of other factors. It also performs less well on walk/bike safety and connectivity because the river forms a barrier with connections to the west.

Cost-Effective Infrastructure

Top Tier

Scenario 2.1 performed the best overall on this Community Outcome, in particular because of the low cost of transportation improvements required (low cost for connecting growth areas and low cost for projects to increase capacity). It also performed fair to well on measures of sewer system cost-effectiveness as well as new linear miles of local streets, water system improvements within the Bend water service area, and total impervious area for new development. It had only one negative rating, on new development within a Drinking Water Protection Area, because of the amount of development in The Thumb.

Middle Tier

SAAM-2 performed somewhat poorly on sewer, though it was not the worst performer; it takes advantage of major trunk infrastructure to the north but the DSL property and The Elbow are not cost-effective due to small area included and fixed costs to serve those areas. It had moderate transportation costs, with low costs for connecting growth areas but high costs for required capacity improvements (including the need to widen US 20 from Robal Rd to 3rd Street). Its only other drawback is having a relatively high proportion of development in areas with potentially challenging geology (welded tuff).

Bottom Tier

Scenarios 1.2 and 3.1, SAAM-1 and SAAM-3 all had at least one significant drawback on transportation and/or sewer infrastructure, though most had mixed results overall. **Scenario 3.1** performed acceptably across most performance measures in this group, but performed poorly on transportation costs due to high cost for connecting growth areas and the need to widen US 20 from Robal Rd to 3rd Street. **Scenario 1.2** also performed poorly on transportation infrastructure, due to high cost for connecting expansion areas and high cost for capacity improvements, but performed the best on sewer infrastructure, because it focuses more growth on the Northeast edge, which is efficient for sewer service. **SAAM-3** had high costs for sewer improvements because of the need for a new regional pump station to serve the northwest portion of the West Area, but low costs for transportation improvements due to low cost for connecting growth areas and moderate cost for congestion mitigations (including the need to widen US 20 from Robal Rd to 3rd Street). SAAM-3 also has the greatest amount of development in areas with welded tuff geology, which can add to the cost of excavation. **SAAM-1** had high costs for sewer because of the need for a new regional pump station to serve the Shevlin Area (though it does take advantage of cost-effective sewer in the Northeast edge), and also had relatively high transportation costs due to high costs for connecting expansion areas as well as high costs for intersection improvements.

Quality Natural Environment (Environmental and Energy Consequences)

Top Tier

Scenario 1.2 and **Scenario 2.1** are rated fair to very good across all performance measures under this Community Outcome. Neither has development adjacent to riparian areas, and both have limited total expansion in elk and deer range, with no expansion into ODFW areas of potential concern. Neither has features that prevent mitigation of wildfire hazard in any expansion areas. Both had reasonably good performance on energy consumption, greenhouse gas, and water consumption measures as well.

Middle Tier

Scenario 3.1, **SAAM-2** and **SAAM-3** had mixed results. SAAM-2 performed fair to well on all measures except greenhouse gas emissions and energy use. Scenario 3.1 rated poorly on development in wildlife areas and wildfire hazard due to the inclusion of the Shevlin area, which is both an ODFW area of potential concern and has topographic features that make it difficult to fully mitigate wildfire risk. SAAM-3 rated poorly on development in wildlife areas because so much growth was focused in the West area, but performed fairly or well on other performance measures.

Bottom Tier

SAAM-1 performed poorly on many of the performance measures, and did not perform well on any. It rated very low on development in wildlife areas and lower also on wildfire hazard because it includes the full Shevlin area (see reasons noted above). It also rated lower than other scenarios on development adjacent to riparian areas because of the inclusion of the upper portion of the Shevlin Area.

Housing Options and Affordability (Social Consequences)

Top Tier

Scenario 2.1 and **SAAM-1** performed the best on this Community Outcome, though there were only two performance measures. Scenario 2.1 had good housing mix in nearly all subareas and good housing affordability with significant housing growth in the southeast. SAAM-1 had good housing mix in both primary residential expansion areas and had moderately affordable housing due to the heavy expansion in the Northeast Edge.

Middle Tier

Scenario 1.2 performed well on affordability, but less well on housing mix, with most subareas somewhat imbalanced (too much single family or too little). **SAAM-2** performed well on housing mix, but less well on affordability, with growth focused on the northwestern side of the city.

Bottom Tier

Scenario 3.1 and **SAAM-3** performed poorly on affordability due to the heavy focus on the west side of the city. SAAM-3 also did not perform well on housing mix because there were small residual areas of almost exclusively multifamily housing.

Strong Diverse Economy (Economic Consequences)

Top Tier

Nearly all alternatives – **Scenario 1.2, Scenario 3.1, SAAM-1, SAAM-2, and SAAM-3** -- performed well or very well across all performance measures in this Community Outcome.

Middle Tier

Scenario 2.1 rated somewhat lower, because it places employment and commercial uses in more of the expansion areas (e.g. the West Area) where they are somewhat less well suited.

Factor 4: Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

Compatibility with Farms and Forests

Top Tier

Scenario 1.2 rated the highest on farm and forest compatibility because it affects the fewest irrigation district customers and has no forest land within a mile of any expansion area.

Middle Tier

Scenario 2.1, SAAM-3, and, to a lesser extent, **SAAM-1** also rated fair to good on this Community Outcome. SAAM-3 has less farm impacts but more forest adjacency than other alternatives. Scenario 2.1 and SAAM-1 both have moderate levels of farm impacts, moderate impacts to irrigation districts, and little to no forest land adjacency.

Bottom Tier

Scenario 3.1 and SAAM-2 rated the lowest on farm and forest compatibility because they are proximate to the greatest number of working farms and also affect the greatest number of irrigation district customers. Scenario 3.1 also has some forest land between a mile and a quarter-mile away from the expansion in the West Area.

Subarea Advantages and Disadvantages

This section provides a summary of findings from the evaluation on the key advantages and disadvantages of each subarea (those that are either inherent to the geography or that do not vary appreciably between the alternatives).

North Triangle

Key Advantages

- Cost-effective sewer
- Fairly close to existing transit
- Well-suited to commercial uses
- No commercial farms or forest lands nearby

Key Disadvantages

- Contributes to congestion on 97 & 20
- Canals create barriers
- Industrial / rural residential compatibility concerns
- Large format retail reduces attractiveness for housing
- Impacts Swalley Irrigation District
- New collector roads relatively costly

OB Riley / Gopher Gulch

Key Advantages

- Master planning opportunities (Gopher Gulch)
- Proximity to planned parks on west
- Eastern portion generally well-suited to industrial & commercial uses
- Close to transit on SE corner

Key Disadvantages

- Many developed parcels in south
- Connectivity limited in west
- Requires extension of major sewer line
- Wildfire hazard difficult to mitigate adjacent to river
- Impacts Swalley Irrigation District

Northeast Edge

Key Advantages

- Cost-effective sewer
- Well-suited to commercial uses adjacent to major roads
- Mid-size parcels, possibility for near-term development
- Housing affordability

Key Disadvantages

- Limited connectivity
- Canals create barriers
- Not near transit
- Some commercial farms nearby

DSL Property (& Darnell Estates)

Key Advantages

- Master-planning opportunity (DSL)
- No irrigation district impacts (DSL)
- Housing affordability
- Relatively close to transit
- Well-suited for commercial & employment uses along major roads (DSL)

Key Disadvantages

- Potential impacts to bat caves on DSL property
- Darnell Estates requires additional sewer extension – not cost-effective

The “Elbow”

Key Advantages

- Existing school & possible future park site
- Housing affordability
- Fairly well-suited to commercial and employment along 27th / Knott Rd.

Key Disadvantages

- Connectivity limited unless connection built from Rickard to 15th near Murphy
- New collector roads relatively costly
- Requires interim pump station for sewer
- Partially in Elk/Deer Range
- Farm adjacency, including feed lot along Knott Rd.
- Not near transit
- Impacts Arnold Irrigation District

The “Thumb” (& southwest area)

Key Advantages

Key Disadvantages

Key Advantages

- Master planning opportunities
- Housing affordability
- Well-suited to a wide range of uses (Ward)
- South end of US 97 relatively uncongested

Key Disadvantages

- Connectivity limited unless full collector system built from China Hat to Knott (highway & railroad barriers)
- Canal creates barriers
- Reliant on US 97
- Long average trip lengths
- Fully in Elk/Deer Range
- Impacts Arnold Irrigation District
- Drinking Water Protection Areas – concern for certain industrial uses

West Area

Key Advantages

- Master planning opportunities
- Relatively close to transit on eastern edge
- No irrigation district impacts

Key Disadvantages

- Largely welded tuff geology
- Entirely within Deer & Elk Winter Range
- Housing likely to be more expensive
- Limited suitability for industrial & commercial uses

Shevlin Area

Key Advantages

- Master planning opportunities
- Includes planned school site
- Relatively close to transit at SE corner
- Minimal congestion
- Proximity to existing/planned parks & trails
- No irrigation district impacts

Key Disadvantages

- Long trip lengths
- Difficult to build connected local streets
- Entirely within Deer & Elk Winter Range, largely within ODFW Areas of Potential Concern
- Housing likely to be more expensive
- Limited suitability for industrial & commercial uses
- NW edge adjacent to Tumalo Creek
- Outer portions may be difficult to reduce fire hazard
- Proximity to forest land in western corner

Scenario Evaluation Conclusion and Balancing

Based on the full alternatives evaluation, in considering and balancing the four Goal 14 Factors as required under Statewide Planning Goal 14 and OAR 660-024-0060, Scenario 2.1 performed the best of the alternatives overall, regardless of whether and to what degree weighting is applied to distinguish between the more and less important performance measures. It provided complete communities in all quadrants of the city; focused growth primarily on large, vacant

parcels; provided enhanced transportation connections; was fairly cost-effective for sewer infrastructure; avoided riparian areas; limited expansion in wildlife areas; avoided areas where topographic features prevent mitigation of wildfire risk; had good housing mix in nearly all subareas; and offered opportunities for relatively affordable housing with significant housing growth in the southeast.

No other alternative had as strong a performance on as many community outcomes, and each of the other alternatives has at least one important weakness identified through the evaluation, as documented in the Scenario Evaluation Report. As a result, the UGB Steering Committee selected Scenario 2.1 as the preferred scenario for further evaluation and refinement. The USC chose Scenario 2.1, in brief, to balance growth on both the east and the west sides of the city, reduce the traffic impact on the west, include the area referred to as the "Perfect Rectangle", and reduce the risk of wildfire on the west. The USC discussion also noted community survey results where Scenario 2.1 rated well in an online survey.⁷

7.4.4.4. Preferred Scenario Refinement Process

Overview

As stated above, Scenario 2.1 was selected as the starting point for creating a preferred scenario due to its performance in the alternatives evaluation. The refinement process addressed arrangement of land uses and changes to boundary location in certain subareas. It also included adjustments to assumptions about yield from efficiency measures and capacity of land inside the current UGB in order to ensure that these assumptions were "reasonably likely" to be implemented. The refinements included:

- removing small areas that performed poorly or would not be cost-effective to urbanize;
- refining the land uses within some sub-areas in order to address compatibility concerns and ensure an appropriate mix and intensity of uses in each area, given its context and the potential for additional future expansions that would build on the current expansion;
- distributing growth across more of the land in the west and northwest rather than relying on a single property owner in this area;
- consolidating growth in the northeast to a single larger block of land where a new complete community is possible rather than multiple small expansion areas;
- inclusion of park land as requested by the Park District in their testimony; and
- including specific properties that offered commitments to provide affordable housing, in order to ensure that housing will be available to meet the needs of residents at all income levels.

The Boundary TAC and USC provided input at multiple meetings, and directed refinements based on public testimony in the context of balancing the four Goal 14 factors. In considering whether to add land that was not included in Scenario 2.1, the USC, city staff, and consultant team considered whether the scenario evaluation provided evidence that a certain area

⁷ See Rem-Rec-5665 for the minutes of the October 22, 2015 meeting of the USC for their discussion and decision selecting Scenario 2.1.

performed better with the land in question included, and any public testimony providing new evidence of a compelling advantage of including the land. The USC, city staff, and consultant team also ensured that components of Scenario 2.1 that were essential to its strong performance in the scenario evaluation (e.g. emphasis on complete communities, strong growth in the southeast area of the city, and moderate amounts of expansion in the south, west, and northwest) were retained throughout the refinement process. The consideration of refinements was a balancing process where the USC considered whether project's scenario evaluations and public testimony supported inclusion of the refinement because it, on balance, was consistent with the Goal 14 factors and Community Outcomes.

Public Testimony and Response

The record includes a significant amount of public testimony that argued for several properties being included in the UGB. To summarize this testimony briefly, a number of property owners and/or their representatives argued for their property's inclusion in the UGB, their merits, and any feedback as to whether the process of evaluation was conducted in their view according to state law. Several pieces of testimony offered specific incentives and benefits for certain property being included in the UGB, including certain properties that would be part of a transect, several that offered the development of affordable housing, and several that argued for being included because they were included in a large group. The following findings respond to the public testimony directed at the boundary and the location analysis by area and subject. The City notes that the UGB project team provided responses to some of this testimony in Appendix E to the USC Meeting Packet for their June 25, 2015 meeting (Rem Rec. 8273). Appendix E is located at Rem Rec. 8335.

North

Overview of Refinements

The following refinements were made to Scenario 2.1 in the north area:

- land uses re-arranged and employment uses modified in the North Triangle subarea in order to provide compatibility with rural residential to the north;
- two properties initially removed from the North Triangle subarea in order to shift residential uses to other areas and balance land uses; one subsequently added back to the scenario based on a commitment to provide affordable/workforce housing;
- residential uses included in the OB Riley subarea in order to provide a more complete community and transition to adjacent rural residential uses;
- land uses re-arranged and employment uses modified in the OB Riley subarea in order to take advantage of visibility along Highway 20 for commercial uses.

Several property owners and interested parties submitted testimony regarding the North Triangle and/or OB Riley subareas.

Carpenter Property

- Bayard (Rem Rec. 9954)
- Barker (Rem Rec. 9955)

The neighborhood association to the North provided written and oral testimony regarding appropriate land uses on this property, raising concerns about compatibility of industrial uses, especially heavy / General Industrial uses, in this location with homes to the north.

Based on the testimony, the USC approved modifying the land uses on this property from General Industrial to a mix of residential, mixed employment, and light industrial for Scenario 2.1G.

Bell Property

- Colucci for the Golden Triangle Area Consortium (GTAC)/Bell (Rem Rec. 8379, 9961)
- Dickson (Rem Rec 6079, 6083, 9035)

This property was removed from the draft preferred scenario during part of the refinement process, in order to reduce development in the North Triangle overall and limit the amount of urban development abutting the rural residential neighborhood to the north. The property owner, along with several adjacent property owners in the North Triangle, provided written and oral testimony that the Bell property (tax lot 171208D0 TL 100) should be included in the preferred scenario⁸.

GTAC/Bell/Colucci/Dickson proposed dedicating 25% of the minimum number of calibrated housing units for their area for affordable housing. The USC considered the additional social benefits of providing more land for affordable housing, along with this commitment of the property owners. Based on the testimony, the USC approved including the Bell property in the UGB for Scenario 2.1G.

Northeast

Overview of Refinements

The following refinements were made to Scenario 2.1 in the northeast area:

- Including the entire area referred to in testimony as either Butler Market Village or the Perfect Rectangle
- Including Rock Ridge and Pine Nursery Parks

Public Testimony and Response

Several property owners and interested parties submitted testimony regarding the Northeast subarea.

The Perfect Rectangle

- Murphy (Rem Rec. 4325, 5420)
- Lane (Rem Rec. 3917, 3921, 6156)
- Bend Metro Parks and Recreation District (Rem Rec. 4948, 4968)

⁸ See oral testimony from Liz Dickson (Rem Rec 10150) and Ann Marie Colucci (Rem Rec. 10151) from April 21, 2016 USC Meeting. See also written testimony from Ann Marie Colucci at Rem Rec 9961.

Murphy and several other parties testified that a larger area in the northeast should be considered for UGB expansion. This particular area is referred to as either Butler Market Village or the Perfect Rectangle. The Boundary TAC and then the USC proposed including this area in Scenario 2.1 for analysis because of the many benefits it provided. These benefits included, but are not limited to, a large and relatively level area within which to master plan, a working group of property owners, the close proximity of public infrastructure (sewer), and the potential to mix land uses to achieve the needed housing mix and with jobs, schools, and parks. This area has been included in Scenario 2.1G as the Northeast and includes 465 total acres of which 222 acres are for housing, 22 acres for jobs, with another 196 acres of nearby park land that will be included in the UGB.

East/Southeast

Overview of Refinements

The following refinements were made to Scenario 2.1 to the East and Southeast:

- Inclusion of small fragment of Burns/Pacwest property on East Highway 20 for affordable housing
- reduction of size of large lot site on DSL
- refinement of land uses in Elbow to respond to testimony and promote compatibility
- swap of land uses between Elbow and Thumb Ward properties in response to testimony

Public Testimony and Response

Several property owners and interested parties submitted testimony regarding the East and Southeast.

Burns/Pacwest Property

- Hopp (Rem Rec. 3914, 8230, 9957)

Hopp/Burns/Pacwest proposed developing their entire property with multi-family housing, and targeting households earning 80% AMI. The USC included this property in the UGB for the social benefit of providing additional land for affordable housing, along with a commitment of the land owner to develop.

DSL Property

- Russell for DSL (Rem Rec. 4926)

The DSL representative testified requesting that the large lot industrial site designation on the property be limited to 50 acres (consistent with the Regional Large Lot Industrial Land provisions for Crook, Deschutes and Jefferson Counties in Oregon Administrative Rules, Chapter 660, Division 24), rather than 56 acres (as initially identified in the EOA). The USC included the entire portion of Section 11 (aka DSL property) in the UGB, and included one of the large lot industrial sites on this property, but reduced the designation to 50 acres as requested.

Ward Property

- Wise/Ward for JL Ward Company (Rem Rec. 4142, 5321, 6076)

The Ward Family provided testimony on their property in the Elbow and asked that 12.8 acres of residential from the Thumb be swapped with 12.8 acres of commercial. The USC approved this swap, with 12.8 acres of residential lands for housing added to the 15th Street/Elbow property outside the UGB and 12.8 acres of commercial land added to the Thumb.

South/Southwest

Overview of Refinements

The following refinements were made to Scenario 2.1 to the South and Southwest:

- swap of land uses between Elbow and Thumb Ward properties in response to testimony
- Baney property removed from scenario then brought back based on testimony and affordable housing commitment

Public Testimony and Response

Several property owners and interested parties submitted testimony regarding the South and the Southwest

Baney Property

- Baney/McMahon for Baney (Rem Rec. 3911, 9929)

Baney/McMahon were among a group of parties that testified before the USC at their April 21, 2016 meeting. Their testimony argued for including Baney's property on Rocking Horse Road in the UGB, and if included, the future development of this property would include a component of affordable housing. They proposed developing a mix of housing types on his property and ensuring 25% of the units would be made available for affordable housing. This testimony further clarified that this housing would be targeted for citizens earning \$15.00 an hour, roughly \$16,000 to \$22,000 annually. This would correspond to 30% of area median income (AMI). Based on this testimony, previous analysis on the parcel showing its suitability plus the additional social benefit of providing affordable housing, the USC directed staff to include the Baney property in the preferred UGB Scenario.

Ward Property

- Wise/Ward for JL Ward Company (Rem Rec. 4142)

Wise/Ward provided testimony in support of including the "Thumb" in the UGB expansion, and the arrangement of land uses. The USC responded to this testimony by supporting the swap of land between the Ward property in the Thumb with the Ward property in the Elbow on 15th Street. More land for housing was provided in their opportunity area on 15th Street, and more land for employment and commercial services was allocated to the Thumb.

West / Northwest

Overview of Refinements

The following refinements were made to Scenario 2.1 to the West and Northwest:

- Including additional land in the West Area for the transect and for the extension of Skyline Ranch Road
- Including additional land in the West Area for development of affordable housing
- Including additional land on Shevlin Park Road for housing and a commercial node

Public Testimony and Response

Several property owners and interested parties submitted testimony regarding the West and the Northwest.

Day/Rio Lobo Property

- Conway (Rem Rec. 4861, 6095, 8221, 9973)

Day/Rio Lobo/Conway proposed dedicating 20% of their multi-family residential units for affordable housing, and further clarified that these units would be affordable based on the definition used in the Bend Development Code. The USC approved the addition of 40 acres of the Day/Rio Lobo property based on prior evaluation results and the social benefits associated with the designation of some of their property in the West Area to be dedicated for affordable housing, based on their testimony.

Coats Property

- Lewis (Rem Rec. 3926, 5352, 6204, 9942)

Lewis, on behalf of Coates, testified that the southern portion of the Coates property should be included in the UGB because it fills an existing “notch” between developed areas, improving connectivity in that area. The USC approved the inclusion of an additional 80 acres of the Coates (represented by Lewis) property for additional housing and for a small, commercial node on Shevlin Park Road.

West Area / Transect

- Miller (Rem Rec. 4094, 4933)
- Schueler (Rem Rec 4965)
- Schueler, Dewey, Swisher, Miller (Rem Rec 6070).
- Swisher (Rem Rec. 4937)

The Boundary and Growth Scenarios TAC heard testimony that proposed a boundary and land use concept for the West Area. The land use concept proposed a “transect” – the gradual reduction in residential densities as development moved closer to the boundary between the UGB and the undeveloped forest lands on Bend’s west side. The Boundary TAC and USC both heard testimony on this proposal. The benefits articulated of including this area in the UGB included allowing for the extension of Skyline Ranch Road within the planning horizon, providing for cohesive wildlife corridors and wildfire mitigation strategies throughout the area, providing a gradual and appropriate transition to public park land to the west, and the area having ready access to necessary infrastructure. The proposal for the transect from Dewey, Miller, Schueler, and Swisher was presented to the Boundary TAC at their January 20, 2016 meeting (See meeting minutes at Rem Rec. 5965). The USC considered this proposal as well and directed staff to include it in the UGB scenario during their February 2016 meeting (See meeting minutes

at Rem Rec. 9209). This area is included in Scenario 2.1G. The proposed Growth Management Chapter includes policies that include housing mix for specific areas of development, areas designated for wildlife travel, and area within which fire mitigation treatments will take place (See Growth Management Chapter at Rem Rec 10362).

Goal 14 analysis: Why certain properties included, why others not included

- Colucci (Rem Rec. 8379)
- Conway (Rem Rec. 4861, 6095, 8221)
- Dickson (Rem Rec. 6079, 6083, 9035)
- Hopp (Rem Rec. 8230)
- Lewis (Rem Rec. 5352, 6204, 9942)
- UGB Team – Comment Log of Public Testimony (Rem Rec. 8335)

The City documented the process through which properties were evaluated for the UGB amendment in several resources, including the UGB Scenario Evaluation Report (Rem Rec. 6209), the Urbanization Report (Rem Rec. 9679), and the Findings in this section. The record includes testimony from a number of individuals and groups testifying in support of certain property being included, and testifying against property on the West side of Bend being included. The record does not include testimony that argues against expansion into other geographic directions (e.g. East or Southeast).

The City understands this testimony to argue that certain properties should have been included in the UGB, and because these properties were already adjacent to the UGB, could be served with infrastructure, and/or provided some benefit to the City.

State law (OAR 660-024, Goal 14, and ORS 197.298), governs how the City must go about determining land needs for urban uses, and then evaluating properties if a need has been shown for additional land. These laws include several key sideboards on the determination of whether a UGB expansion is needed and was properly evaluated.

Goal 14 outlines that the establishment and change of urban growth boundaries shall be based on a demonstrated need to accommodate long range urban population. This population is based on the coordinated population forecast Deschutes County adopted in 2004⁹. The population forecast for the City in 2028 is 115,063, and is based on the acknowledged population forecast of 109,389 for Bend in 2025. No evidence has been submitted to the record to cause the re-evaluation of this forecast and the consideration of another forecast that should be adopted and acknowledged in its place. This forecast, and the employment forecast in the EOA provided the bases upon which the land need estimates were developed. The City needed approximately 2,300 acres of land, and had to select this amount from 5,400 acres of land that performed the best against the performance measures.

The City has documented the process through which a study area was formed, properties were evaluated based on performance measures recommended by the Boundary TAC and approved

⁹ The 2004 Coordinated Forecast Report is the 2009 UGB Record at Rec. 1980. The City and County coordinated on the development of the forecast between 2002 and 2004.

by the USC, and then organized into potential UGB expansion subareas. These same subareas were considered in different configurations in different scenarios before the USC recommended Scenario 2.1A as the scenario for which additional evaluation would be conducted. The USC then considered several potential versions of this scenario, before deciding on April 21, 2016 to forward Scenario 2.1G to a public hearing. State law (OAR 660-024-0060) does not require the City to prepare findings explaining how each property in a study area was rated, whether it was to be included in the UGB or not, with additional findings explaining why not. State law allows, the City chose, to consider larger geographic areas consisting of multiple properties to better allow needed housing and jobs in different configurations. State law also does not require the City to explain its decision of considering larger geographic areas instead of conducting a property by property comparison, which in this case is practically impossible given the amount of needed acres of expansion and numbers of parcels in the study area.

The City decided early in the process to focus the analysis of potential areas for expansion on those rural residential, exception, and non-resource lands that were considered Priority 2 lands under ORS 197.298(1)(b). This means that the City would not consider any lands designated as resource lands – those lands designated for agriculture or forest uses – under the Deschutes County Comprehensive Plan. None of these lands are included in the proposed UGB expansion. In Bend's case, there was more Priority 2 land than the City needed for UGB expansion, and the City used the Goal 14 factors to evaluate, weigh, and balance which areas would best meet the City's needs.

In October 2015, the USC directed the team to use Scenario 2.1, with certain changes of theirs, as the scenario to use for further infrastructure evaluation and refinement. This scenario went through multiple modifications between the Boundary TAC's next meeting on December 14, 2015, and the final version of Scenario 2.1 (2.1G), considered by the USC at their April 21, 2016 meeting. Each round of changes came at the direction of the Boundary TAC and/or the USC, none of which reflected a final decision on the boundary. The project team presented changes to the scenario at each public meeting based on factual information and policy direction (of the Boundary TAC and USC), and each committee received public comment at their respective meetings that included comment directed at changes to Scenario 2.1 and why they should or should not have been made.

Why certain adjustments were made

Transect

- Schueler (Rem Rec 4965)
- Schueler, Dewey, Swisher, Miller (Rem Rec 6070).

The Boundary and Growth Scenarios TAC heard testimony that proposed a boundary and transect for the West Area UGB expansion area. This proposal included the gradual reduction in residential densities as development moved closer to the boundary between the UGB and the forest lands on Bend's west side. The Boundary TAC and USC both heard testimony on this proposal. The proposal for the transect from Dewey, Miller, Schueler, and Swisher was

presented to the Boundary TAC at their January 20, 2016 meeting (See meeting minutes at Rem Rec. 5965). The USC considered this proposal as well and directed staff to include it in the UGB scenario during their February 2016 meeting (See meeting minutes at Rem Rec. 9209). This area is included in Scenario 2.1G. The proposed Growth Management Chapter includes policies that include housing mix for specific areas of development, areas designated for wildlife travel, and area within which fire mitigation treatments will take place (See Draft Growth Management Chapter at Rem Rec 9233).

Affordable Housing

- Baney, McMahon (Rem Rec ##) for Baney (Rem Rec. 9929)
- Conway (Rem Rec ##) for Rio Lobo (Rem Rec. 9973)
- Colucci (Rem Rec ##) for the Golden Triangle Area Consortium (GTAC)/Bell (Rem Rec. 9961)
- Hopp (Rem Rec ##) for Burns/Pacwest (Rem Rec. 9957)
- See also oral testimony from these parties in the April 21, 2016 USC Meeting Minutes (Rem Rec ##).

The above-listed parties testified at the April 21, 2016 USC meeting that either their or their clients' should be included in the UGB based on their individual proposals to provide what they described as affordable housing. In addition to these parties, both Paul Dewey and Elizabeth Dickson provided oral testimony that the City needed to do more to satisfy Goal 10, and that including this additional land was necessary for the development of affordable housing, and would assist the City in complying with Goal 10.

Baney/McMahon proposed developing multi-family units on his property and ensuring 25% of these multi-family units would be made available for work force housing. This testimony further clarified that this housing would be targeted for citizens earning \$15.00 an hour, roughly \$16,000 to \$22,000 annually. This would correspond to 30% of area median income (AMI).

Day/Rio Lobo/Conway proposed dedicating 20% of their proposed multi-family residential units for affordable housing, and further clarified that these units would be affordable based on the definition used in Section 3.6.200(C) of the Bend Development Code.

GTAC/Bell/Colucci/Dickson proposed dedicating 25% of the minimum number of calibrated housing units for their area for affordable housing, targeting 30% of AMI with a recommended target of 80% owner occupancy.

Hopp/Burns/Pacwest proposed developing their entire property with multi-family housing, and targeting households earning 80% AMI.

The City has provided findings in Section 9 of this report addressing compliance with Statewide Planning Goal 10, Housing. The City has also provided findings explaining that these properties were included due to their commitments to provide affordable housing.

The City found, in Section 4 of the findings report, that the City's work has already satisfied Goal 10. To summarize briefly, the City's work on remand satisfies Goal 10 because the City has

inventoried buildable lands for housing, completed a housing needs analysis, proposed efficiency measures that would not only add capacity for housing in the current UGB, but for the purpose of providing additional zoned land for needed types of housing. In addition, the City's work complies with Goal 10 because the proposed UGB expansion provides the land needed for future population growth and has been plan designated so that housing is developed to help achieve the City's needed mix of 55% single family detached, 10% single family attached, and 35% multi-family housing.

The additional land to the UGB specifically for affordable housing helps secure needed housing at specific income levels. The City finds that while these additional lands will help the achieve its needed housing mix of 35% for multi-family, the benefit they provide is the provision of housing that will be affordable to those households earning 30% to 80% of AMI because this level of affordability will be provided through the implementation of Area Planning policies related to specific percentages of units being made affordable to specific income levels. The City also finds that these same areas have the added benefit of being located in areas that are close to jobs, schools, parks, and services.

The City has proposed policies in the draft Housing chapter of the Comprehensive Plan to ensure such housing is developed once these respective areas are in the UGB and annexed to the City.

Perfect Rectangle

- Murphy (Rem Rec 4325, 5420)
- Lane (Rem Rec. 3917, 3921, 6156).

Parties Murphy and several others testified that a larger area in the northeast should be considered for UGB expansion. This particular area is referred to as either Butler Market Village or the Perfect Rectangle. The Boundary TAC and then the USC proposed including this area in Scenario 2.1 for analysis because of the many benefits it provided. These benefits included, but are not limited to, a large and relatively level areas within which to master plan, a working group of property owners, the close proximity of public infrastructure (sewer), and the potential to mix land uses to achieve the needed housing mix and with jobs, schools, and parks. This area has been included in Scenario 2.1G as the Northeast and includes 465 total acres of which 222 acres are for housing, 22 acres for jobs, with another 196 acres of nearby park land that will be included in the UGB.

Public Process

- Smith (Rem Rec. 4958)
- Van Valkenburg (Rem Rec. 4963)
- Schueler (Rem Rec. 4965)
- Dewey (Rem Rec. 5311, 5313, 5315)

The City received a significant amount of testimony regarding the public process used to determine the UGB scenario between the USC's October 22, 2015 meeting and their December 14, 2015 meeting. The public process used to determine the UGB expansion, particularly the work of the Boundary and Growth Scenarios TAC that was approved by the USC, was the topic

of a number of pieces of public testimony. The testimony cited above is a sample of this testimony. The purpose of this finding is to better document the work of the Boundary TAC in both Phases 1 and 2, including how their work was approved and/or modified by the USC, to show that the steps taken to identify potential expansion areas and compare and contrast them occurred in an open and public process.

The Boundary TAC began Phase 1 of their work in August 2014. Between August 2014 and February 2015, the TAC met six times with the focus of their work to identify suitable lands for UGB expansion and to identify performance measures that would be used in Phase 2 for evaluating alternative UGB scenarios. The USC approved the recommendations of the Boundary TAC for Phase 1 at their March 19, 2015 meeting (Rem Rec. 3551; See 3/19/15 meeting minutes at Rem Rec. 8275).

The Boundary TAC began Phase 2 of their work in April 2015. During the spring of 2015, they also participated with the other TACs and the USC in the Boundary Workshop on April 30, 2015. From this meeting, the project team got feedback from the workshop on which areas to consider for UGB expansion of those areas identified as suitable for expansion in Phase 1.

During May and June of 2015, the Boundary TAC met and worked with the project team to develop several potential UGB expansion scenarios for evaluation, along with a supplemental analysis area (SAAM) map that the team used to arrange expansion areas into three additional scenarios. The Boundary TAC recommended these three scenarios and the SAAM to the USC at their June 24, 2015 meeting. The USC approved the slate of scenarios and SAAM for evaluation over the summer at their June 25, 2015 meeting (Rem Rec. 8273; see meeting minutes at Rem Rec. 5665).

During the months of July, August, and September the project team worked to evaluate the six (6) total scenarios against the performance measures approved in Phase 1. The team released the UGB Scenarios Evaluation Report (2015) and included it in the meeting packet of the Boundary TAC's October 8, 2015 meeting (Rem Rec. 6619). The materials provided to the Boundary TAC also included a transportation study (Rem Rec. 6851) and appendices that presented the results of the evaluation of the scenarios against all the performance measures (Rem Rec. 6737).

The Boundary TAC conducted two meetings in October of 2015 to review the scenario evaluation, and then make a recommendation on a final scenario to the USC for final evaluation. The TAC recommended a Scenario 2.3, Scenario 2.1 with several changes, to the USC at their second meeting on October 24, 2015. The USC considered this scenario at their meeting, held the same day on October 24, 2015, and made a difference decision to go forward with Scenario 2.1 along with several changes.

Between December 2015 and April 2016, the Boundary TAC and the USC met in different months to consider the final scenario, and potential changes to the boundary. Between the two committees, they held a total of six public meetings, with the Boundary TAC meeting twice in March. The two committees considered seven (7) different versions of Scenario 2.1 between December 2015 and April 2016. The Boundary TAC recommended Scenario 2.1F to the USC

at their March 30, 2016 meeting. The USC approved this scenario, along with several additions to the boundary, to develop Scenario 2.1G at their April 21, 2016.

The Boundary TAC held a total of eight (8) public meetings over Phase 2 of the Remand Project, during which they provided input to the project team and recommended UGB scenarios to the USC. Each meeting was publicly noticed, and public input was solicited at each meeting. The USC met five times over Phase 2, and like the Boundary TAC, asked for public input before making decisions and/or providing direction to the project team on the UGB scenario evaluation. These findings demonstrate the planning process and resulting proposed UGB expansion integrated citizen involvement, a factual basis, and applicable legal requirements.

7.4.4.5. Preferred Scenario Description

The preferred scenario is described and mapped in the Urbanization Report (82-101)¹⁰. The findings in this section draw on that summary.

The proposed 2016 UGB expansion (the “preferred scenario”) is for a total of 2,380 acres:

- 1,142 gross acres of residential land (including land for future schools and future parks not yet in BPRD or school district ownership);
- 815 gross acres of employment land;
- 285 acres of land for public facilities currently in BPRD or school district ownership; and,
- 138 acres of existing right-of-way within and fronting UGB expansion areas, needed to provide urban street improvements to support growth in the expansion areas.

Like previous expansion scenarios, the preferred scenario focuses future growth in opportunity areas within the existing UGB and in new complete communities in expansion areas. Nearly all expansion areas include a mix of housing, employment areas, shopping/services, and schools and parks. A “transect” concept in the West Area reduces the density of development near the west edge of the city in recognition of the natural resources and open spaces to the west.

¹⁰ See Rem Rec 10896-10915.

Figure 7-9: Preferred UGB Expansion Scenario

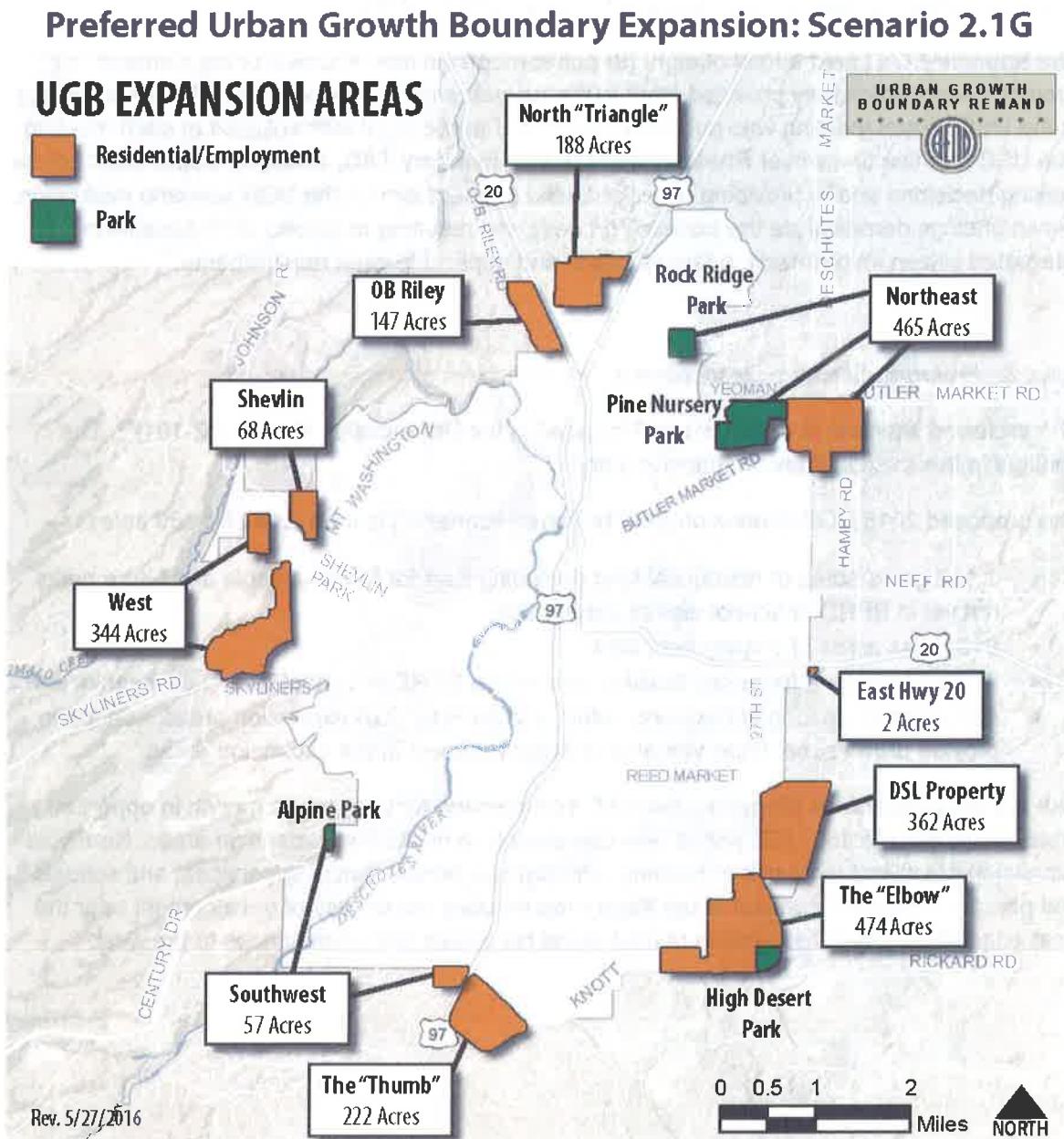
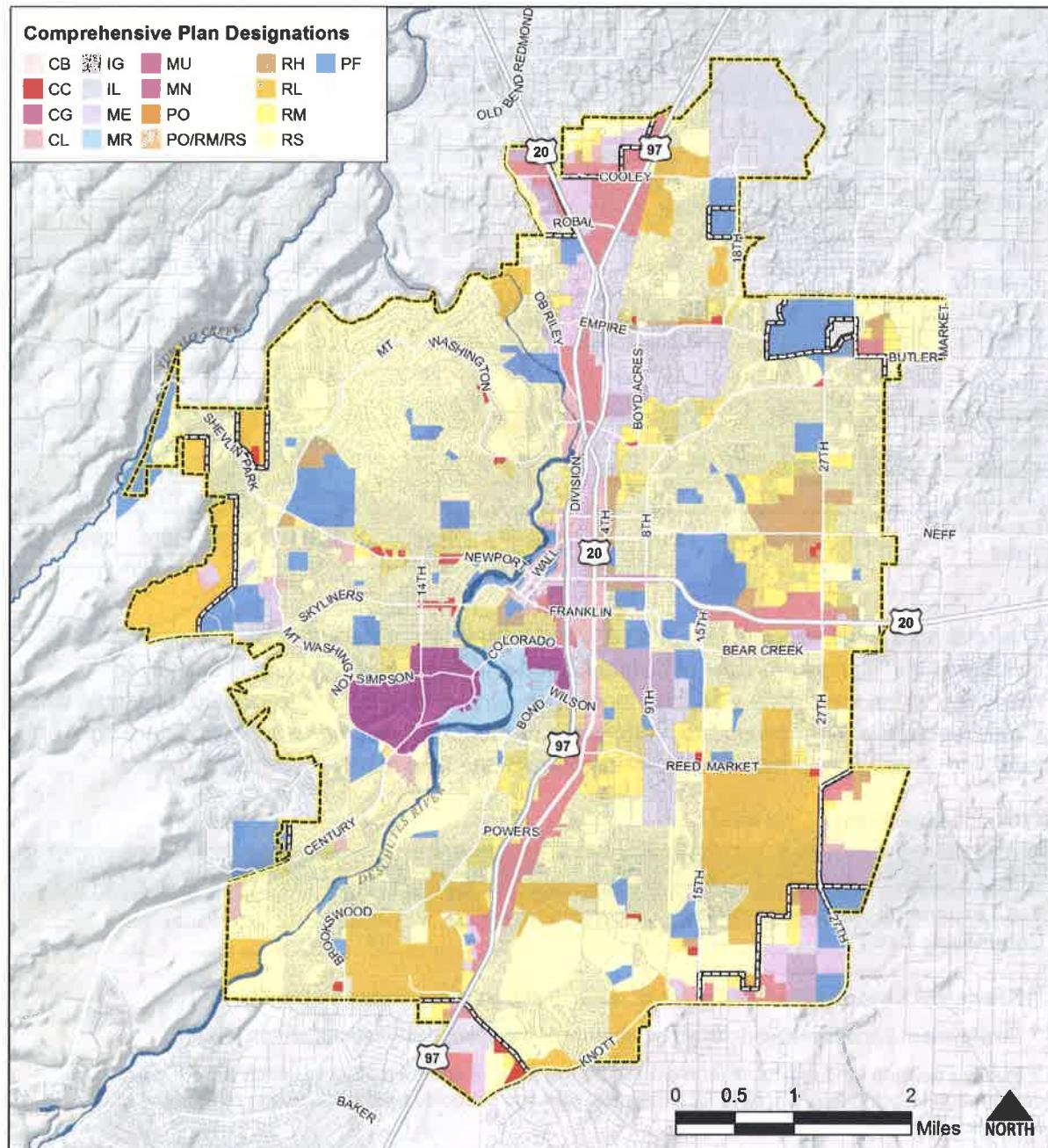


Figure 7-10: Proposed Comprehensive Plan Designations



Disclaimer: Land uses are subject to refinement during master planning and City-initiated area planning.

Service Layer Credits: Deschutes County GIS (2014)

Streams/Rivers	Urban Growth Boundary
Roads/Highways	Proposed
	Current

Table 1: Preferred UGB Expansion - Key Metrics

Expansion Area	Total Acres	Residential Land (ac) ¹¹	Employment Land (ac) ¹²	Public Facilities Land (ac) ¹³	Existing Right of Way (ac)	Housing Units ¹⁴	Housing Mix ¹⁵			Est. Jobs
							SFD	SFA	MF	
North "Triangle"	188	86	88	0	14	505	44%	13%	42%	835
Northeast	471	222	22	196	31	1,099	50%	10%	40%	214
East Hwy 20	2	2	0	0	0	70	0%	14%	86%	0
DSL Property	368	223	139	0	6	1,001	49%	11%	41%	880
"The Elbow"	479	122	246	75	36	819	36%	17%	47%	2,274
"The Thumb"	245	44	177	0	24	266	49%	15%	37%	1,573
Southwest	57	34	5	14	4	240	24%	16%	60%	80
West	347	321	21	0	5	983	69%	10%	21%	261
Shevlin	68	60	8	0	0	174	69%	10%	21%	74
OB Riley	154	28	109	0	17	125	70%	10%	20%	990
Expansion Total	2,380	1,142	815	285	138	5,282	50%	12%	38%	7,181

The total residential, employment and park and school land need in the UGB expansion includes within it small amounts of buildable land and developed land that is unlikely to redevelop within the planning horizon located on parcels that have other vacant, buildable land. It also includes land for things like future parks and open space, future schools, future right-of-way, and other future urban uses. A breakdown of the land need is provided in Table 2.

Table 2: Components of Land Need

	Residential Land	Employment Land	Public Facilities
Total expansion acres on parcels by plan designation	1,142	815	285
Unbuildable Land¹⁶	11	2	3

¹¹ Residential Land identifies total acres of residential plan designations on tax lots.

¹² Employment Land identifies total acres of employment plan designations on tax lots.

¹³ Public Facilities land indicates land owned by the park or school district to which the PF plan designation is being applied; land for additional parks & schools is provided within residential land acreage.

¹⁴ Housing units are modeled capacity estimates. Policies in the new Growth Management chapter of the Comprehensive Plan specify minimum and/or maximum housing capacities for each expansion area that are based on the modeled capacity estimates, but may be rounded slightly or incorporate slight refinements based on negotiated agreements.

¹⁵ SFD = Single Family Detached; SFA = Single Family Attached; MF = Multifamily (includes duplex & triplex). Housing mix reflects policy requirements for the expansion area in total; individual properties may vary.

¹⁶ See page 46 for an explanation of lands identified as unbuildable.

	Residential Land	Employment Land	Public Facilities
Developed Land Not Expected to Redevelop¹⁷	13	13	152
Vacant and Redevelopable Buildable Acres	1,119	800	130
Land for future right of way, future parks & open space, future schools, and other urban uses	475	255	130
Net Buildable Residential / Employment Acres	644	545	0

7.4.4.6. Evaluation of the Preferred Scenario

The evaluation of the preferred scenario is summarized in the Urbanization Report (See pages 90-101, Rem Rec 10904-10915). The findings in this section draw on that summary, as well as additional detailed information in the supporting technical memoranda evaluating the preferred scenario (See Rem Rec 11223-11250, 11201-11222, 10183-10218, 10223-10263).

Overview

The purpose of this section is to summarize the evaluation of the Preferred UGB Expansion Scenario relative to the four Goal 14 factors. This summary draws on technical memoranda prepared by Angelo Planning Group, Fregonese Associates, DKS Associates, and Murray Smith Associates addressing specific topics and provides a summary of key findings from those evaluations.

The evaluation of the preferred scenario was based on the same “Community Outcomes” and largely the same set of “Performance Measures” used to evaluate the original scenarios and SAAMs (see page 7-21 of this section). The methodology used to evaluate each performance measure was generally similar to previous evaluations for the initial scenarios and SAAMs. Some refinements to land use and transportation assumptions have been applied in order to more accurately reflect elements such as current and proposed development code regulations, updates to the BLI, street and block size standards, and housing cost factors. In addition, the details of the methodology were refined for a few of the performance measures in order to make the results more informative. This is noted in the summary below where applicable. In some cases, these refinements, while more accurately capturing the performance of Scenario 2.1G, cannot be directly compared to the results of the original scenarios and SAAMs because the differences are not a result of the alternative boundary locations. In cases where results are not comparable to the original scenarios and SAAMs, other reference points (e.g. existing conditions, or an average for the current UGB) have been provided where possible.

¹⁷ A quarter acre of land on each property with an existing home(s) was assumed to be developed. Redevelopment assumptions are the same as those for developed land inside the UGB (based on the plan designation / development type). For existing schools and parks, the area developed with existing uses was estimated based on aerial photography.

Factor 1: Efficient accommodation of identified land needs

Complete Communities and Great Neighborhoods

Scenario 2.1G efficiently accommodates the land need through a focus on complete communities and using expansion areas to complete existing neighborhoods inside the UGB. Access to schools, parks, and commercial services is among the highest of all scenarios considered:

- 62% of all future housing units (existing plus new, throughout the existing UGB and expansion areas) in Scenario 2.1G are within a half-mile of existing or future school sites.
- 99% of all future housing units in Scenario 2.1G are within a half-mile of existing or future parks.
- 86% of all future housing units are projected to be within a half-mile of commercial services in the preferred scenario.

Nearly all subareas have a mix of residential and employment land. Only the small East Hwy 20 expansion area is exclusively residential, and it is very small and adjacent to existing commercial areas. The OB Riley area has a high ratio of jobs to housing, due to its good transportation access (Hwy 20, Cooley Road, Hwy 97, OB Riley Road), generally flat topography, and larger parcel sizes.

The efficient accommodation of land needs in Scenario 2.1G is supported by new proposed policies that require area planning (see "Specific Expansion Area Policies" in the draft Growth Management Chapter of the Comprehensive Plan). The proposed area planning policies require that all expansion areas will be subject to either new City-initiated area plans or property-owner led master planning under the Bend Development Code, Chapter 4.5. The policies and code will regulate new development to implement, through adopted area plans and master plans, the identified land needs, specifically: the amounts, types, and mix of housing; the amounts and types of employment; and lands for parks, schools and other needs. Area planning and master planning will coordinate the land use with needed transportation facilities, natural resource protection, and compatibility with adjacent uses. Taken together, the area planning policies will support complete communities which will efficiently accommodate identified land needs.

A significant expansion in the West area and expansions on other large sites make this scenario mostly (over 75%) large property owners. This is among the highest shares of growth that will be subject to master planning requirements of all the alternatives considered.

Efficient, Timely Growth

Scenario 2.1G achieves a distribution of residential density across many subareas. East Hwy 20 has a very high housing density (estimated at over 23 units per gross acre), because it is small (just over two acres) and dedicated to providing affordable housing. The West and Shevlin areas have wildlife and wildfire considerations that make high densities inappropriate. A "transect" concept was applied in these areas to address transitions to natural resource areas;

the transect reduces density at the western edge in order to reduce environmental impacts as compared to medium- and high-density development. As a result, the gross density for these areas is a little over 3 units per gross acre of residential land. Other subareas range from 4.3 to 8.7 units per gross acre of land in residential and mixed use plan designations.

Net densities for new residential development are much higher – close to 10 units per net residential acre on average for the UGB expansion area. The difference is due to land needed for right of way, parks and open space, and other non-residential uses within residential plan designations. This is substantially higher net density than the existing UGB, which had an overall average net residential density of 4.4 units per net acre as of 2008 (see Appendix C).

Overall residential densities are somewhat lower than for the initial set of scenarios and SAAMs due to refinements to assumptions about the yield for efficiency measures inside the UGB and refinements to the recommended minimum density threshold for master plans in the RS zone. These refinements result in more “reasonably likely” assumptions about density, market response to efficiency measures, and redevelopment rates in opportunity areas.

The proposed recommendations and assumptions about efficiency measures inside the UGB, as well as the inclusion of additional land to meet the need for future parks and the inclusion of adjacent right of way abutting UGB expansion areas, translates to a larger total expansion than the initial set of scenarios and SAAMs (2,380 acres in total). The additional land is needed to meet identified land needs.

Scenario 2.1G includes very little land in expansion areas that is currently developed (only 5% of acres, primarily located in the Northeast Edge and the Elbow). It includes a greater proportion of development on vacant land than nearly all previous scenarios/SAAMs.

Factor 2: Orderly and economic provision of public facilities and services

Balanced Transportation System

Scenario 2.1G retains a focus on walkable mixed use redevelopment in the core and complete communities in expansion areas, which are important elements of reducing reliance on the automobile.

Vehicle Miles Traveled Per Capita

As measured with the regional travel demand model, Scenario 2.1G performs better than the prior scenarios and SAAMs, with 9.76 daily VMT per capita versus 9.92 to 10.13 daily VMT per capita for the initial scenarios. This is attributable mostly to refinements to demographic and land use inputs, with some influence of land use patterns and improved connectivity in expansion areas. Projected VMT growth in Scenario 2.1G results in a 1.2% increase over 2010 and 4.1% increase over 2003 (after accounting for all of the nuances of the TPR requirements).¹⁸ This meets the requirement that VMT is unlikely to increase by more than 5%

¹⁸ Percent change relative to 2003 incorporates credit for connectivity improvements since 1990. See Attachment 6 of Bend's Integrated Land Use and Transportation Plan for details.

over the planning horizon.¹⁹ However, Scenario 2.1G generated a higher average daily round trip length than the prior scenarios. This is due to additional growth in non-centralized areas, including the West and Thumb areas. This impact is compounded by The Thumb having the highest average trip distance of the subareas.

Looking solely at household VMT (only trips that begin or end at home, as measured using the Envision "7D" travel behavior model), the preferred scenario has an overall average of 9.41 household vehicle miles traveled per capita in 2028. Because there were several minor adjustments to the methodology (including the calculation of activity density and fine-tuning household income assumptions) between the analysis of the original scenarios and SAAMs and Scenario 2.1, the results are not directly comparable to previous results. As in the previous analysis, the expansion areas and areas on the fringe of the city generally are projected to generate more vehicle miles traveled per capita than areas closer to the city's existing major activity centers, even with the emphasis on complete communities in the expansion areas.

Mode Split, Walk Trips, and Transit Access

The preferred scenario is projected to result in an 8% non-auto share and a 92% auto share for all household trips. Despite the minor changes to methodology mentioned previously, this is nearly indistinguishable from the previous scenarios at the full future UGB scale. There was little variation in mode split at that level for the original scenarios and SAAMs, and the preferred scenario continues to show the same pattern. The estimate for Scenario 2.1G is also essentially unchanged from the ET model estimate of existing conditions (using 2014 built environment and demographic data and 2016 transit service), which estimates an 8.5% non-auto share and a 91.5% auto share for all household trips UGB-wide (including existing population in proposed UGB expansion areas). However, these results do not capture additional strategies and policies that the City has committed to through its Integrated Land Use and Transportation Plan, which would be expected to improve mode split beyond what is reflected in the model.

Weekly walk trips per capita are down slightly from the original scenarios and SAAMs, but the variation is minimal at the full future UGB scale. Walk trips are also slightly below the existing (2014) average. However, analysis of walk trip frequencies at a smaller geographic scale reveals that the complete communities approach to UGB expansion will encourage greater walking, biking, and transit usage in many peripheral areas inside the current UGB and adjacent to UGB expansion areas. These areas will have new opportunities to walk and bike to parks, schools, and commercial services.

An estimated 49% of all future housing units and 65% of all future jobs (existing and new, throughout the existing UGB and expansion areas) are projected to be within a quarter mile of transit in Scenario 2.1G. While this is a decrease relative to 2014 (due to the expansion areas being mostly outside of transit corridors), this is a higher proportion of housing and employment

¹⁹ See Bend's Integrated Land Use and Transportation Plan for additional discussion of VMT growth relative to requirements in the TPR.

than in any of the other scenarios and SAAMs. This level of transit access does not depend on expansions to the current transit network, which would further increase access.

Safety and Connectivity

As in all prior scenarios, the primary connections from the expansion areas to the rest of the city will be via collector and arterial roads. Scenario 2.1G provides enhanced connectivity in west and northeast relative to Scenario 2.1 due to the inclusion of Skyline Ranch Road and Yeoman Road extensions. It also retains and enhances the important new connections in the southeast that were part of Scenario 2.1. In the North Triangle, fewer collector roads are proposed than in Scenario 2.1, which somewhat reduces connectivity in this area, but key connections remain. East Highway 20 is a very small expansion area with access directly onto Highway 20; making other connections to the east will depend on coordination with undeveloped land inside the UGB. Most other subareas are similar to Scenario 2.1.

Congestion

Overall, Scenario 2.1G would include 12.14 peak hour miles of congested network, which is a ten percent decrease from the prior lowest scenario. While Scenario 2.1G was shown to generate longer trips in some growth areas, there are two primary reasons for the reduction in congested corridors:

- Growth was emphasized in some UGB expansion subareas that were less reliant on congested corridors. These areas made use of existing under-utilized capacity in the transportation system.
- The mix of uses (including employment uses in non-centralized areas) created a reverse commute in some cases that would take advantage of remaining roadway capacity on routes that experience congestion in one direction.

Cost-Effective Infrastructure

Transportation

Capital costs for transportation infrastructure for Scenario 2.1G are lower than the preliminary estimates for the initial scenarios and SAAMs reported as part of the scenario evaluation in October 2015. This is due to more detailed consideration of and refined assumptions about railroad and canal crossing needs, and functional classifications and alignments for new roads. Scenario 2.1G includes additional connectivity improvements relative to Scenario 2.1, including Skyline Ranch Road and Yeoman Road. The transportation improvements needed to support Scenario 2.1G, beyond those already planned for and funded as part of the City's existing Transportation System Plan (TSP), include:

- \$119 million for close to 12 miles of new collector roadways to serve and link expansion areas as well as the large vacant opportunity area in southeast Bend; and
- \$2.4 million for intersection improvements (at two intersections) and \$2.5 million for capacity improvements (on one road segment), based on increased traffic volumes.

This results in a total cost estimate, using consistent methodology with the analysis of the original scenarios and SAAMs, of \$126.3 million.

In addition to repeating the scenario evaluation methodology originally used for the initial scenarios and SAAMs²⁰, which focused on identifying roads where volumes are projected to exceed roadway capacity,²¹ a more detailed analysis (sometimes referred to as “TPR analysis” because it is required by OAR 660-012-0060, a section of the Transportation Planning Rule or TPR) was done for Scenario 2.1G. TPR analysis is required to identify whether any parts of the state highway system in Bend would both exceed ODOT’s adopted mobility standards (which are generally below the physical capacity of the roadway) and experience more traffic volume based on Scenario 2.1G than based on the City’s current UGB and current adopted comprehensive plan designations.²² TPR analysis was not done for the six initial scenarios and SAAMs because of the level of effort and detail involved and because identifying appropriate mitigation for impacts to the state highway system can require negotiations with ODOT that are more appropriately focused on the preferred alternative. See Section 8 for complete TPR findings.

Scenario 2.1G is also expected to result in a greater amount of local road lane-miles than Scenario 2.1 in the expansion areas due to the increased overall acreage of development. (The Envision Tomorrow model was also calibrated with more precise roadway assumptions for Scenario 2.1G, which may account for some of the difference.)

Sanitary Sewer

In terms of total initial capital costs for sanitary sewer, Scenario 2.1G falls between the least-cost and highest-cost initial alternatives, and is more expensive than Scenario 2.1. Comparing cost per acre, it is slightly higher than Scenario 2.1 and other low-cost initial alternatives.

The main reason for the increased cost is a larger expansion in the West area, especially the northern portions, and the inclusion of a portion of the Shevlin area. These areas contribute to additional improvements beyond those identified in Scenario 2.1, including a lengthy gravity line to convey wastewater from the northern West area to the Awbrey Glen pump station, and capacity improvements of the Awbrey Glen pump station. These areas also rely on pumping rather than gravity conveyance, which is less efficient in the long run than other expansion subareas. However, Scenario 2.1G avoids an expensive new pump station in the northwest plus constructing the extension of the Northeast Interceptor from the north of the city, across the Deschutes River, and southward by keeping growth in that area within the capacity of the existing Awbrey Glen force main.

Scenario 2.1G continues to make efficient use of the Hamby alignment with growth in the northeast and southeast; avoids an additional pump station to serve the Bear Creek Road area;

²⁰ See “Scenario Evaluation: Transportation Analysis Technical Memorandum” from DKS Associates to the Urban Growth Boundary and Growth Scenarios Technical Advisory Committee, dated October 7, 2015, for a detailed explanation of the methodology used for the scenario evaluation.

²¹ On the state highway system, if corridor demand was forecasted to exceed capacity, but the volumes were less than those in the Bend MPO MTP, additional mitigations were not recommended.

²² The methodology and assumptions for the TPR analysis are documented in a memo titled “Bend UGB Expansion – TPR Evaluation For Changes Within the Current UGB” from DKS Associates, dated July 14, 2016.

and is otherwise largely comparable to Scenario 2.1 in those areas. The Northeast Edge relies on the Hamby alignment, as in Scenario 2.1. Growth in this area is focused around Butler Market Road, so it does not need to contribute to the cost of the portion of the Hamby alignment south of Butler Market Road. This reduces the costs assigned to the subarea slightly (there is no change to the total cost of the Hamby alignment). The Thumb, Elbow, and DSL all require similar improvements to Scenario 2.1 – contributions to the Southeast Interceptor and the Hamby alignment as well as gravity line extensions to connect to existing lines. As in Scenario 2.1, the eastern portion of The Elbow requires an interim lift station and force main to connect to the Southeast Interceptor. The East Highway 20 area can be served by short connections to existing gravity sewer lines and does not require an interim lift station.

As in Scenario 2.1, the Southwest area requires extension of a new gravity line, which may also provide service to adjacent areas inside the UGB that are on septic currently. In addition, the Southwest service area requires up-sizing of existing gravity lines above the sizing recommended in the CSMP and increased sizing of unconstructed portions of the Southeast Interceptor. This would require modifying the design of the most upstream segment of the Southeast Interceptor between Highway 97 and Parrell Rd.

The North Triangle and OB Riley also require the same improvements as Scenario 2.1 which include contributions to the Northeast Interceptor east of Highway 97 to the Wastewater Treatment Plant (including increasing sizing relative to the CSMP) and extension of the Northeast Interceptor to the west to serve these areas.

Drinking Water

Because few distinctions were identified between the initial scenarios and SAAMs, a detailed analysis of the water system was not conducted for Scenario 2.1G. However, interpolating based on how the land use in Scenario 2.1G compares to prior scenarios, minimal concerns are anticipated for the drinking water storage or distribution system assuming implementation of the WMP capital improvement program including a major perimeter transmission pipeline in the northwest and additional system storage. The one exception includes the highest elevations of the West subarea, which may experience pressures below 40 psi during peak hour demands. These higher elevation water customers may require individual booster pumps to improve system pressure.

Like all of the six initial scenarios and SAAMs, Scenario 2.1G includes development within Drinking Water Protection Areas (DWPA). The Thumb, Southwest, portions of the West area, and portions of the existing UGB lie within the DWPA. The total acreage of development within DWPA in Scenario 2.1G is less than any of the initial scenarios and SAAMs (partly due to modifications to BLI assumptions inside the UGB).

Stormwater and Geology

Scenario 2.1G has a greater amount of total impervious area than Scenario 2.1 in the expansion areas due to the increased overall acreage of development, but less impervious area within the existing UGB because the COID property is not expected to develop within the planning horizon

and larger portions of the River Rim area are expected to be preserved for open space than previously assumed.

Expansion areas in Scenario 2.1G contain somewhat greater development in Welded Tuff areas than Scenario 2.1 – primarily in the West Area. However, there is less development in Welded Tuff areas overall due to changes in development assumptions within the existing UGB, specifically the COID property and areas in the southwestern part of the city. In such areas, on-site retention and treatment are required rather than a community stormwater system.

Factor 3: Comparative environmental, social, economic and energy consequences (ESEE)

Quality Natural Environment (Environmental and Energy Consequences)

Development in Wildlife Areas

Scenario 2.1G strikes a balance between urban development and protection of wildlife habitat on the outskirts of Bend. Protected areas within the Deschutes County "Wildlife Combining Zone" were not part of any growth scenario analyzed, but Scenario 2.1G does include land labeled by the Oregon Department of Fish and Wildlife (ODFW) as big game winter range in the Shevlin Area, the West Area, the Southwest Area, the "Thumb," and the "Elbow." In addition to the winter range areas, an ODFW biologist identified general areas that the agency believes may be particularly important for wintering elk and deer, which have been identified as "Potential Elk/Deer Range."

The original six scenarios evaluated contained between 325 and 1,400 acres of mapped big game winter range in the expansion areas. Scenario 2.1G includes about 820 acres of mapped big game winter range in the expansion areas, roughly at the midpoint of other scenarios evaluated. Scenario 2.1G also includes a small portion of the Shevlin area, which is partially included in the "Potential Elk/Deer Range" identified by ODFW biologists. The portion of the Shevlin area included in Scenario 2.1G is smaller than the portion included in Scenario 3.1 and SAAM-1, the original alternatives that included that area, and is surrounded on three sides by urban development. It is also only partially within the general area identified as Potential Elk/Deer Range. Currently, this portion of the site has numerous buildings which are associated with the surface mining operation to the north. These uses will be replaced with lower density housing. The City has provided a Goal 5 ESEE report describing the included areas in detail and recommending a protection program for these areas. Many areas included in the proposed expansion are generally adjacent to urbanized areas and roadways, or disturbed by existing industrial activity. The West neighborhood will be developed at a low density, using the "transect" concept to transition to the lowest density at the western edge, and is expected to provide habitat corridors and other features that will be as friendly to wildlife as possible. It is also important to note the presence of a large (400+ ft.) rural buffer between the existing UGB (Shevlin Commons) and the 40 acre expansion on the west just south of Shevlin Road, which provides a natural corridor in this area to facilitate north/south movement of large game.

Development along Riparian Corridors

Scenario 2.1G does not include any proposed development adjacent to identified Goal 5 riparian areas of Tumalo Creek. This is the same as Scenario 2.1, and better than the scenarios that included the full extent of the Shevlin Area and the Gopher Gulch area.

Wildfire Hazard

The City conducted analysis of wildfire hazard for each potential expansion subarea using a mix of aerial photography and on-the-ground evaluation by wildfire experts. Wildfire risk was evaluated as high to extreme around the entire UGB. However, the evaluation concluded that proper vegetation management and imposition of mitigation measures (e.g. special building codes) could minimize risk in nearly all areas. The combination of topography and adjacent vegetation bordering Tumalo Creek in the Shevlin area creates a mitigation challenge. Scenario 2.1G avoids development along steep slopes adjacent to Tumalo Creek. In addition, areas of particular concern to some TAC and community members – the West Area and Shevlin Area – will use the Rural-Urban Transect to provide better wildfire hazard mitigation and development under the “Firewise” standards on the edge of the City. The lower density in conjunction with fuel reduction and fire resistant building practices plus enhanced road access (Skyline Ranch Road) and access to municipal water sources further reduce the threat from wildfire in the West and Shevlin Areas. In addition, the City is adopting a policy addressing wildfire into both the new Growth Management chapter of the Comprehensive Plan and Chapter 10 (Natural Forces):

The City will adopt strategies to reduce wildfire hazard on lands inside the City and included in the Urban Growth Boundary. These strategies may include the application of the International Wildland-Urban Interface Code with modifications to allow buffers of aggregated defensible space, or similar tools, as appropriate.

Water Use, Energy Use, and Greenhouse Gas Emissions

The household carbon emissions, energy use, and water consumption showed little variation between the original scenarios because they are strongly correlated with housing mix. As a result they can be expected to be roughly the same as Scenario 2.1 and the other scenarios and SAAMs.

Greenhouse gas emissions are linked to VMT, but these also showed little variation among the original scenarios and SAAMs. Scenario 2.1G falls within the range of the original scenarios and SAAMs.

Housing Options and Affordability (Social Consequences)

Housing Mix

Scenario 2.1G continues to provide a mix of housing types in all subareas, even the relatively low-density West Area and Shevlin Area. East Highway 20 and the Southwest Area contain a high percentage of multifamily housing, but they are small properties that are expected to help “complete” nearby single-family neighborhoods. By providing a mix of housing types in each subarea, and increasing the housing mix in opportunity areas within the existing UGB, Scenario 2.1G distributes new housing opportunities to all areas of the city.

Housing Cost

Due to the complexity of the housing affordability analysis done for the original scenarios and SAAMs, and the fact that changes to building assumptions would have meant that results were not directly comparable to prior scenarios, this evaluation was not repeated for Scenario 2.1G. Based on the areas where growth is focused in Scenario 2.1G relative to Scenario 2.1, there are several hundred more housing units in the expansion areas west and northwest of the City that are likely to have relatively higher costs. However, there are also more housing units that will be built in relatively lower cost areas in the north, northeast, southeast, and south.

A comparison of projected housing costs to Bend income levels (not done for the original scenarios and SAAMs, but useful as an absolute indicator of affordability) shows that roughly 29% of new housing units in Scenario 2.1G as a whole are projected to be affordable to households making at or below the median family income for Bend (\$59,400). Under the Base Case, only about 20% of new housing units within the current UGB would be projected to be affordable at or below the MFI. In addition, affordable housing commitments by several property owners in UGB expansion areas will provide income-restricted housing units affordable to those below the area median income, which will further contribute to housing affordability in Scenario 2.1G.

Strong Diverse Economy (Economic Consequences)

Site Suitability for Large Lot Industrial

Scenario 2.1G includes Industrial Large Lot sites at Juniper Ridge and at the southern portion of the DSL property. An ideal site for this use is large and under a single ownership, flat, and with good transportation access. Each scenario included one site at Juniper Ridge and one additional site elsewhere within the UGB expansion areas. The Employment TAC recommended the DSL site as the preferred location of the Large Lot Industrial site outside of the existing UGB (as originally evaluated in Scenario 1.2, and incorporated into Scenario 2.1G) due primarily to its public ownership. Thus, the two sites identified in Scenario 2.1G are the best performing sites evaluated.

Site Suitability for Other Industrial and Mixed Employment Land

Other industrial sites have similar needs to the Large Lot Industrial sites, but are less reliant on large tracts of land in single ownerships.²³ Scenario 2.1G performs very similarly to Scenario 2.1 in this evaluation, but arrangement of land uses and creation of urbanization of policies aim to address the compatibility issues of industrial land adjacent to existing and planned residential development. Scenario 2.1G has intentionally provided better buffers between industrial areas and residential areas in the North Area. Sizing of other industrial areas (i.e. Mixed Employment in the West area) refined to be more context-sensitive.

²³ See Bend EOA, Table 15.

Site Suitability for Commercial Land

Commercial sites have similar needs to industrial sites, but can tolerate somewhat greater topography and site-preparation costs, and have more need of visibility from pass-by traffic.²⁴ Scenario 2.1G is very similar to Scenario 2.1. Commercial uses are generally supported by surrounding land uses and transportation network. The West area and Shevlin Area lack a large amount of pass-by traffic, so commercial uses will likely be locally-serving.

Factor 4: Compatibility of proposed urban uses with nearby agricultural and forest activities occurring on farm and forest land outside the UGB

Compatibility with Farms and Forests

Impact to Farms

Scenario 2.1G is similar to Scenario 2.1 in the amount of development near high value farm lands. The Northeast Edge properties, East Highway 20, DSL Property, and the "Elbow" include development within $\frac{1}{4}$ mile of EFU land. The Northeast Edge and DSL properties are within $\frac{1}{4}$ mile of commercial farms and low-impact hay fields. The "Elbow" properties are within $\frac{1}{4}$ mile of two commercial farms, one of which is an active operation that includes a feed lot for beef along Knott Rd. To aid in compatibility, Scenario 2.1G limits residential uses near the feed lot.

Impact to Irrigation Districts

Scenario 2.1G is similar to Scenario 2.1 in the amount of development that may impact irrigation district lands. Scenario 2.1G contains somewhat more development in the OB Riley area and the Northeast Edge than Scenario 2.1, but less development in impacted areas than other scenarios evaluated. By not including any highly-parcelized areas served by these irrigation districts, Scenario 2.1G lessens its overall impact to irrigation districts.

Impact to Forest Land

Scenario 2.1G continues to avoid development in close proximity to designated forest land. Only a very small portion of the West Area is within $\frac{1}{4}$ mile of designated forest land (see map), and this area is expected to implement a "transect" concept, providing an appropriate transition to natural areas West of the city.

Preferred Scenario Evaluation Conclusion

The preferred scenario offers a balance of:

- strong focus on complete communities to improve access to schools, parks and commercial areas within existing neighborhoods as well as in expansion areas;
- area planning policies to support complete communities and efficient development;
- highly efficient land use in areas with few constraints, and an overall increase in residential density relative to existing conditions;
- a sensitive approach to development in areas adjacent to natural resources to improve environmental consequences and reduce natural hazard risk;

²⁴ See Bend EOA, Table 15.

- expansion areas that provide a mix of housing types and costs and that will leverage voluntary affordable housing commitments from property owners in order to improve social consequences and ensure that housing is available to meet the needs of residents at all income levels;
- new employment land focused in suitable areas where it will contribute to Bend's economic growth;
- cost-effective use of recent and future sewer investments;
- an orderly and connected network of new roads that will support efficient travel by all modes; and
- minimal concerns for farm and forest compatibility.

This demonstrates consideration and balancing of the required Goal 14 location factors, consistent with the requirements of Statewide Planning Goal 14 and OAR 660 Division 24.

7.4.4.7. Alternatives Evaluation Conclusion

The City has considered and balanced all four Goal 14 location factors required under Statewide Planning Goal 14 and OAR 660 Division 24 in evaluating alternative UGB locations and selecting the preferred scenario, as documented in this section. The relative costs, advantages and disadvantages of the preferred scenario and all other alternative UGB expansion areas and scenarios with respect to the provision of public facilities and services were evaluated and compared, consistent with OAR 660-024-0060(7) and (8). These costs, advantages and disadvantages were given due consideration, and also balanced against ESEE consequences, efficient land use, and compatibility with nearby farm and forest land for each alternative.

7.4.5. Overall Conclusion Regarding UGB Location

As demonstrated in this section, Bend has:

- established a reasonable study area, and eliminated very little land from consideration prior to applying the Goal 14 location factors;
- provided an amount of UGB expansion that is matched to land need;
- expanded solely onto exception land, avoiding lower priority farm and forest land entirely;
- considered and balanced the Goal 14 location factors at each point from narrowing the pool of potential expansion areas to refining the final UGB proposal to identify the best performing exception land for UGB expansion; and
- assigned appropriate urban plan designations to the added land, consistent with identified land needs.

The proposed UGB expansion accommodates the projected land needs through 2028, and complies with Goal 14, relevant state statutes, and administrative rules.

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance repealing Ordinance 2009-001,
and Declaring an Emergency.

*
*

ORDINANCE NO. 2016-020

WHEREAS, on February 11, 2009, the Board of County Commissioners (“Board”) adopted Ordinance 2009-001 to amend Title 23 of the Deschutes County Code to expand the City of Bend (“Bend”) Urban Growth Boundary (“UGB”); and

WHEREAS, the Oregon Land Conservation and Development Commission issued a final order on November 2, 2010, remanding the Bend UGB for revisions needed to conform with state requirements; and

WHEREAS, in July of 2016, Bend formally reinitiated the land use process to expand the UGB; and

WHEREAS, the expansion of the Bend UGB requires substantially different amendments to the Deschutes County Comprehensive Plan for Urbanization and the Deschutes County Comprehensive Plan Map; and

WHEREAS, the Deschutes County Planning Commission reviewed this ordinance at a work session on August 11, 2016 and, on that same date, forwarded to the Board a recommendation to repeal Ordinance No. 2009-001; and

WHEREAS, the Board considered this matter after a duly noticed joint public hearing with the Bend City Council on August 25, 2016, and concluded that the public will benefit from the repeal of Ordinance No. 2009-001; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. REPEALED. Ordinance 2009-001 is hereby repealed in its entirety.

Section 2. AMENDMENT. Deschutes County Code 23.01.010, Introduction, is amended to read as described in Exhibit “A,” attached and incorporated by reference herein, with new language underlined and deleted language set forth in ~~strikethrough~~.

///

Section 2. EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Dated this _____ of _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ALAN UNGER, Chair

TAMMY BANEY, Vice Chair

ATTEST:

Recording Secretary

ANTHONY DeBONE, Commissioner

Date of 1st Reading: _____ day of _____, 2016.

Date of 2nd Reading: _____ day of _____, 2016.

Record of Adoption Vote

Commissioner	Yes	No	Abstained	Excused
Alan Unger	____	____	____	____
Tammy Baney	____	____	____	____
Anthony DeBone	____	____	____	____

Effective date: _____ day of _____, 2016.

Chapter 23.01 COMPREHENSIVE PLAN

23.01.010. Introduction.

- A. The Deschutes County Comprehensive Plan, adopted by the Board in Ordinance 2011-003 and found on the Deschutes County Community Development Department website, is incorporated by reference herein.
- B. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2011-027, are incorporated by reference herein.
- C. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-005, are incorporated by reference herein.
- D. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-012, are incorporated by reference herein.
- E. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2012-016, are incorporated by reference herein.
- F. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-002, are incorporated by reference herein.
- G. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-009, are incorporated by reference herein.
- H. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-012, are incorporated by reference herein.
- I. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2013-007, are incorporated by reference herein.
- J. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-005, are incorporated by reference herein.
- K. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-006, are incorporated by reference herein.
- L. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-012, are incorporated by reference herein.
- M. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-021, are incorporated by reference herein.
- N. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2014-027, are incorporated by reference herein.
- O. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-005, are incorporated by reference herein.
- P. The Deschutes County Comprehensive Plan amendments, adopted by the Board in Ordinance 2016-020, are incorporated by reference herein

| (Ord. 2016-020 repealed Ord. 2009-001; Ord. 2016-005 § 1, 2016; Ord. 2014-027 § 1, 2014; Ord. 2014-021 §1, 2014; Ord. 2014-012 §1, 2014; Ord. 2014-006 §2, 2013; Ord. 2014-005 §2; Ord. 2013-012 §2, 2013; Ord. 2013-009 §2, 2013; Ord. 2013-007 §1, 2013; Ord. 2013-002 §1, 2013; Ord. 2013-001 §1, 2013; Ord. 2012-016 §1, 2012; Ord. 2012-013 §1, 2012; Ord. 2012-005 §1, 2012; Ord. 2011-027 §1 through 12, 2011; Ord. 2011-017 repealed; Ord. 2011-003 §3, 2011)

To view the Comprehensive Plan, type <http://www.deschutes.org/compplan> into your web browser.
[Laserfiche can't do links.]

REVIEWED

LEGAL COUNSEL

For Recording Stamp Only

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON

An Ordinance repealing Ordinance 2009-002,
and Declaring an Emergency.

*

ORDINANCE NO. 2016-021

WHEREAS, on February 11, 2009, the Board of County Commissioners (“Board”) adopted Ordinance 2009-002 to repeal Title 19 and adopt a new Title 19 of the Deschutes County Code to implement the City of Bend (“Bend”) Urban Growth Boundary (“UGB”); and

WHEREAS, the Oregon Land Conservation and Development Commission issued a final order on November 2, 2010, remanding the Bend UGB for revisions needed to conform with state requirements; and

WHEREAS, in July of 2016, Bend formally reinitiated the land use process to expand the UGB; and

WHEREAS, the expansion of the Bend UGB no longer requires these amendments to Title 19 of the Deschutes County Code; and

WHEREAS, the Deschutes County Planning Commission reviewed this ordinance at a work session on August 11, 2016 and, on that same date, forwarded to the Board a recommendation to repeal Ordinance No. 2009-002; and

WHEREAS, the Board considered this matter after a duly noticed joint public hearing with the Bend City Council on August 25, 2016, and concluded that the public will benefit from the repeal of Ordinance No. 2009-002; now, therefore,

THE BOARD OF COUNTY COMMISSIONERS OF DESCHUTES COUNTY, OREGON, ORDAINS as follows:

Section 1. REPEALED. Ordinance 2009-002 is hereby repealed in its entirety.

///

Section 2. EMERGENCY. This Ordinance being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this Ordinance takes effect on its passage.

Dated this _____ of _____, 2016

BOARD OF COUNTY COMMISSIONERS
OF DESCHUTES COUNTY, OREGON

ALAN UNGER, Chair

TAMMY BANEY, Vice Chair

ATTEST:

Recording Secretary

ANTHONY DeBONE, Commissioner

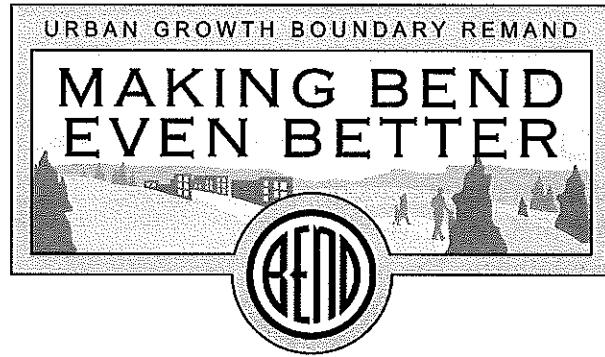
Date of 1st Reading: _____ day of _____, 2016.

Date of 2nd Reading: _____ day of _____, 2016.

Record of Adoption Vote

Commissioner	Yes	No	Abstained	Excused
Alan Unger	____	____	____	____
Tammy Baney	____	____	____	____
Anthony DeBone	____	____	____	____

Effective date: _____ day of _____, 2016.



Informational Open House

July 28, 2016

OUR PURPOSE AND FORMAT TONIGHT

Welcome and thank you for coming. The purposes of this meeting are to:

- Learn about recommendations for the proposed UGB expansion and related plans, policies and codes
- Ask questions of project team members
- Learn about future opportunities to comment on the proposal UGB expansion

The meeting format is an informal and informational open house. Please view the displays – staff are available at each station to answer your questions. You also may visit a UGB “planning counter” where you can find out how your property may (or may not) be affected by the proposed boundary decision. No formal presentation is planned but there are plenty of opportunities for discussions with team members.

HOW CAN I COMMENT ON THE UGB PROPOSALS?

- Written comments go to Damian Syrnyk, dsyrnyk@bendoregon.gov, 541-312-4919.
- Verbal testimony will be accepted at the public hearings, which begin on August 25th.

WHAT HAPPENS NEXT?

- Step 1 – public hearings and adoption by the Bend City Council and Deschutes County Board of County Commissioners (starting August 25th)
- Step 2 – submittal to, and review by, the Oregon Department of Land Conservation and Development (this coming fall and winter)

Visit <http://www.bend.or.us/bendugb> for more information

WHERE WE ARE IN THE PROCESS

The Bend UGB project team and advisory committees completed the first two phases of work in this two-year effort and are in the midst of the third (adoption) phase. The first phase focused on determining the amount and types of housing, employment and other lands needed by the year 2028, the capacity of the land within the existing UGB to accommodate the identified needs, and the approximate UGB expansion needed.

In the second phase of the project, the team worked with the project technical advisory committees (TACs) and UGB Steering Committee (USC) to develop and evaluate alternative scenarios for expansion. Evaluation of these scenarios included analysis related to infrastructure (transportation, water and sewer), land use, economic, social, and environmental factors.

On April 30, 2016 UGB Steering Committee approved the “preferred scenario”, known as Scenario 2.1G. The proposal received strong support from project stakeholders and a number of local community groups. Since that time, project team members have been working on a set of implementing amendments to the City’s Comprehensive Plan, Transportation System Plan and Development Code.

The proposed UGB expansion and implementing Plan and Code amendments will be presented to the Bend City Council for adoption, with a first public hearing scheduled for August 25. People wishing to comment on the proposal should submit comments in writing to the City and/or attend the hearing to testify. Thank you!

DEFINING UGB EXPANSION TODAY

Expansion Areas – These are areas outside of the current UGB that are proposed to be included in an expanded UGB. They were the subject of extensive analysis in Phase 2 of the project.

Opportunity Areas – These areas inside the current UGB have been identified as places where future development or redevelopment can help meet community goals, including more efficient use of land.

Efficiency Measures – These strategies will help meet community goals related to transportation, shopping, recreation, community services and other activities within Opportunity Areas and throughout the City. Several of them require changes to the City’s Development Code.

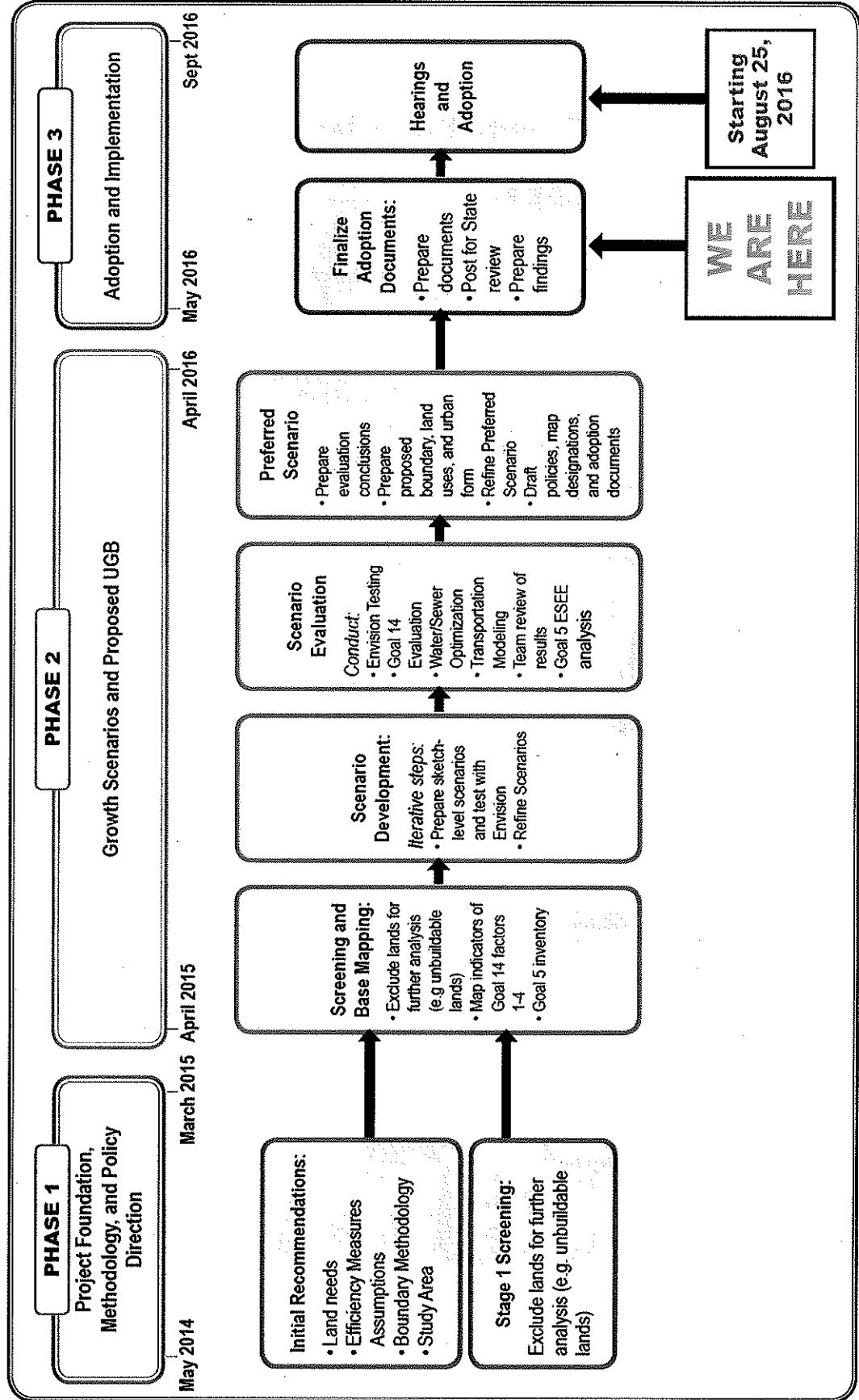
Comprehensive Plan – This is the City’s overarching policy document and map, which guides future decisions related to land use, transportation, housing, the economy and public facilities and services. A variety of new and updated policies are proposed for this plan to implement the UGB recommendation.

Transportation System Plan – This document guides the continued development of the City’s transportation network. A number of changes are proposed to ensure that the transportation system supports future development of Expansion and Opportunity Areas.

Development Code – This document includes detailed standards for how land is developed in Bend. A variety of changes to this document will be proposed to implement recommendation for future development and redevelopment.



UGB Process and Schedule

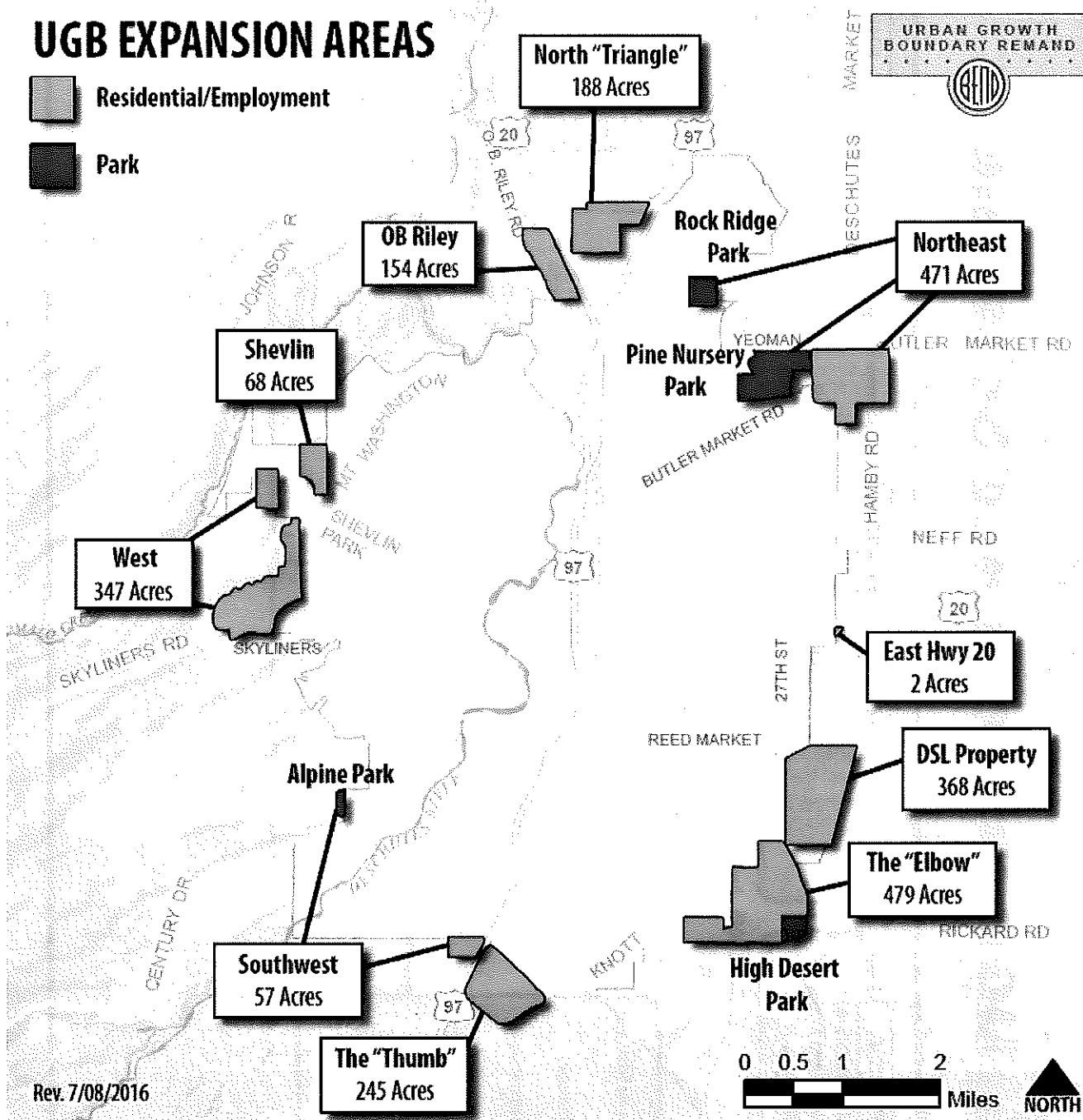


Preferred Urban Growth Boundary Expansion: Scenario 2.1G

UGB EXPANSION AREAS

Residential/Employment

Park



URBAN GROWTH
BOUNDARY REMAND



Sign in Sheet

Meeting:

UGB Info

Date:

7/28/16

Location:

Sky View

Name	Organization	Email Address
Shu Janet	SELF	you have
Alanna & Ryan McElroy	SELF	alanna.mcelroy@gmail.com
Roger Freed		WB7CBC@yahoo.com
Emily Weiers	SELF	e.weiers5@gmail
Andy Aut		GRASS1@YAHOO.NBT
Stephen Katz		Stevekatz@AOL.COM
Brian Meeks	UGotIt!	
Jim Moran	SELF	JimD@PETROPROPERTY.com
D. McDowell	me	dmcwid@YAHOO
Robert Kiern		RKiern@Comcast.Net
Doule GJ		
Kari Bunn		
K. Shapt	SELF	
Samuel McLaughlin		Samlaughlin@bendbroadband.com
STEVEN M. WILSON	SELF	sw28390@gmail.com
James Beauchemin		jb.beauchemin@gmail.com

URBAN GROWTH
BOUNDARY REMAND



Sign in Sheet

Meeting:

UGB Info

Date:

7/28/16

Location:

SkyView

Name	Organization	Email Address
JOHN WOODS	N/A	JohnJ@ORETEX1.com
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Shellic Pierce	None	golf4shel@gmail.com
Dale Kessler	None	skipah@mac.com
Karina Gustafson	none	Kgustaf@UBBLawyers.com
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Tom Pedersen	Ø	tr.Pedersen@bendcable.com
Eileen Katz	Ø	eileenkatz@aol.com
Phil Henderson	Candidate for Deschutes County Commission	phil.henderson@bendbroadband.com
Carolyn Clontz	MVNA	carolynclontz14@gmail.com
Tim Ellingsen	Anderson Ranch	Tim@ernattorney.com
Brenda Hendeix	63750 OB Riley	Brenda.097@gmail.com
Judi McCrae	— — —	JKmac5910@gmail.com
Christina Gist	20015 Chaney Rd	bendfirst@gmail.com
JONATHON KEITH	MERLIN PARTNERS	JK@THUNDERCREEKUSA.com
Sarah Bod	N/A	bodosarah@gmail.com
Janelle Barton	N/A	janelle.barton@gmail.com



Sign in Sheet

Meeting: UGB
 Date: 7/28/16
 Location: Sky View

Name	Organization	Email Address
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John Colthaus		colthaus.1432@gmail.com
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Karen Allen		kallen@gmail.com
Jen Brigdon		Jbrigdon@KW.com
Audrey Collier		orb137abc@gmail.com
R. Johans		r.johans.jr@gmail.com
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Kathy & Mike Kutansky		m.k.kutansky@yahoo.com
Peter Sjelding		peter@bendsonpieces.com
Susan Brody		
Wayne Heigel		wayneheigel@gmail.com
Doris Heigel		dkheigel@gmail.com
Jerry Mitchell		jeremy.mitchell.500@outlook.com

URBAN GROWTH
BOUNDARY REMAND

Sign in Sheet

Meeting:

UGB Info

Date:

7/28/16

Location:

Sky View

Name	Organization	Email Address
Syene Gilette		SEDONA.SPIRIT@GMAIL.COM
Howard Gorman		candyhouse@aol.com
Chris Gorman		—
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Ron FLEMING DIANA DREW-FLEMING		DDREW.FLEMING@GMAIL.COM
Dave & Miriane Deeth		md_deeth@msn.com
Phil MARTIN		PMARTIN@PHILMARTINASSOCIATES.COM
GERRY SUYEMATSU		lastpine@G-mail.com
Tyler Niese	CoAR	tyler@coar.com
PAUL PEWEY	C.C. LandWatch	paul.e.central.oregon.landwatch.org
AL JOHNSON		ajj250@gmail.com
NANCY COLEMAN	Bureau of Reclamation	ncoleman@usbr.gov
Dale Van Alphenburg		dkb@bendresources.com
Molly Newbold	COLW	molly@centraloregonlandwatch.org

URBAN GROWTH
BOUNDARY REMAND



Sign in Sheet

Meeting:

UGB

Date:

7/28/16

Location:

Sky View

Name	Organization	Email Address
Audrey Auen	CONTRACTING Auen DESIGN Studio	KAUEN@BENDBROOKAND.COM
ANN MARIE COLucci	SOTHEBY'S	ANNMARIE@BENDPATRICK.COM
JIM KRESS		JKRESS@COCC.EDU
KEN SHERRILL		KENSHERR@EARTHLINK.NET
ELLEN Musgrave	○	ellie1133@mac.com
Rick Root	Citizen	bendroot2@usn.com
Cal Gabert	Property owner	cal.gabert@trammappraisal.com
Ryan Johnston	Monte Vista Homes	RyanJ@MonteVistaHomes.com
Jody Lindemann	Duke Warner	jody@dukewarner.com
Leonard Pevzner	Citizen	—



GROWTH MANAGEMENT

709 NW WALL STREET
PO Box 431
BEND, OR 97709
541-388-5505 TEL
Relay Users Dial 7-1-1
541-385-6676 fax
bendoregon.gov

MAYOR
Jim Clinton

MAYOR PRO TEM
Sally Russell

CITY COUNCILOR
Nathan Boddie
Barb Campbell
Victor Chudowsky
Doug Knight
Casey Roats

CITY MANAGER
Eric King

DIRECTOR
Nick Arnis

HOW TO SUBMIT TESTIMONY

We are happy to add testimony to the record, which will be provided to the City Council at the Hearing on August 25.

If you'd like to submit testimony, please to the following:

- Attach your testimony as a pdf to an email directed to Damian Syrnyk, Senior Planner, dsyrnyk@bendoregon.gov
- In the subject heading, please put: "UGB Testimony"

If you would like your testimony to be included into the Council packet, we will need to receive it by 5:00 pm on August 17. After that time, we will make sure that the Council receives your testimony, but it will not be included in their review packet.

	Standard	Change
RL, Urban Low Density Residential	Maximum Density:	Increase from 2 dwellings/acre to 4 dwellings/acre when sewer is available
	Minimum Lot Area:	Single Family - reduced from 15,000 sq. ft. to 10,000 sq. ft. Duplex on corner lot - reduced from 30,000 sq. ft. to 20,000 sq. ft.
	Building Mass and Scale:	Floor Area Ratio (FAR) of .55 (building size limited to 55% of lot size) applies to all new Residential Development and replaces Lot Coverage requirements
	Master Planning in the RL Zone:	<p>New Permitted Uses</p> <p>Single Family Courtyard Housing, Single Family Attached Townhomes, Duplex / Triplex, Multi-family</p> <p>Minimum Lot Area (<i>can vary if approved through master plan</i>)</p> <p>Duplex/Triplex – 20,000 sq. ft. Single Family Attached – 2,000 sq. ft. per unit Multi-Family – 4,000 sq. ft. per unit</p> <p>Minimum Density Required Housing Mix</p> <p>a required minimum density of 2 dwellings/acre 10% of dwelling units must be duplexes, triplexes, townhomes, and/or multi family.</p>
RS, Urban Standard Density Residential	Minimum Density Range:	Increase from 2.0 dwellings/acre to 4.0 dwellings/ acre
	Building Mass and Scale:	Floor Area Ratio (FAR) of .55 (building size limited to 55% of lot size) applies to all new Residential Development and replaces Lot Coverage requirements
	Changed Land Uses	Single Family Courtyard Housing, Single Family Attached Townhomes, Duplex and Triplex (changed from Conditional Use Permit to permitted outright where density and lot size standards are met)
	Maximum Density for Manufactured Homes Parks	10 dwellings / acre
RM, Urban Medium Density Residential	Master Planning in the RS Zone:	<p>New Permitted Uses</p> <p>Multi-family</p> <p>Minimum Lot Area (<i>can vary if approved through master plan</i>)</p> <p>Multi-Family – 4,000 sq. ft. per unit</p>
	Minimum Density Required Housing Mix	70% of the maximum gross density or 5.11 units/acre 10% of dwelling units must be duplexes, triplexes, townhomes, and/or multi family.
	Minimum Lot Area:	Single Family (detached) - Reduced from 3,000 to 2,500 sq. ft. Single Family (attached) Townhomes – Reduced from 2,000 to 1,600 sq. ft. per unit Duplex / Triplex – no minimum lot area Multi-Family – No minimum lot area
	Building Mass and Scale:	Floor Area Ratio (FAR) of .55 (building size limited to 55% of lot size) applies to all new Residential Development except large-scale multifamily development and replaces Lot Coverage requirements
RH, Urban High Density Residential	Housing Mix:	At least 50% of the total units on properties 3 – 20 acres in size must be duplexes, triplexes, townhomes and/or multi-family
	Master Planning in the RM Zone:	60% of the maximum gross density or 13.02 units/acre
	Minimum Density Required Housing Mix	At least 67% of the total dwelling units must be duplexes, triplexes, attached townhomes and/or multi-family.
	Land Uses:	New single family dwellings – Not allowed New Single Family Courtyard Housing – Not allowed New manufactured home parks – Not allowed
All Residential Zones	Minimum Lot Area:	Duplex, Triplex, Multi-family – no minimum lot area Townhomes – reduced from 2,000 to 1,200 sq. ft. per unit Multi-family Housing – no minimum lot area
	Lot Coverage:	Residential Uses – no lot coverage maximum and no FAR
All Residential Zones	Minimum and Maximum Density are calculated differently	<ul style="list-style-type: none"> • Minimum – total site excluding sensitive lands, fire breaks, canals and associated easements and land to be developed with non-residential uses. • Maximum – total site excluding land to be developed with non-residential uses
	Exemptions to minimum density:	<ul style="list-style-type: none"> • Public, Institutional , Misc. uses that do not include a dwelling unit • Redevelopment limited to maintaining the same number of existing units. • Infill on lot consistent with approved land division • Partitions on properties large enough to divide into 4 or more lots where future land division can meet minimum density
	Neighborhood Master Planning:	Applicability changed from properties 40 acres or larger to properties 20 acres or larger

	Standard	Change
CC, Convenience Commercial	<p>Maximum Building Size:</p> <p>Residential Frontage Limitation:</p>	<p>Simplified to a max of 50,000 sq. ft. regardless of the number of tenants</p> <p>On arterial and collector streets, ground floor residential uses are limited to 25% of the street frontage; except for entrances or breezeway for housing located above or behind a non-residential storefront.</p>
CL, Limited Commercial	Residential Frontage Limitation:	On arterial and collector streets, ground floor residential uses are limited to 25% of the street frontage; except for entrances or breezeway for housing located above or behind a non-residential storefront.
CG, General Commercial	Residential Frontage Limitation:	On arterial and collector streets, ground floor residential uses are limited to 25% of the street frontage; except for entrances or breezeway for housing located above or behind a non-residential storefront.
All Commercial Zones	<p>Mixed Use Development</p> <p>Residential Density:</p>	<p>Non-residential uses must occupy at least the floor area equivalent of the entire ground floor of the development, but are no longer also required to occupy at least 20% of the total floor area.</p> <p>Ground floor residential uses within 660 feet of a transit route and in mixed use developments in which non-residential uses occupy less than the equivalent of the entire ground floor area must meet RM zone minimum density</p>
PO, Professional Office	Residential Uses:	<ul style="list-style-type: none"> • New Single Family Detached housing, Townhomes, Triplex, Duplex and Multi-family – permitted only as part of a mixed use development • New Temporary Housing - permitted only as part of a mixed use development
	Residential Density	Ground floor residential uses within 660 feet of a transit route and in mixed use developments in which non-residential uses occupy less than the equivalent of the entire ground floor area must meet RM zone minimum density
	Front Yard Setback:	Maximum front setback on corner lots must be applied to both frontages regardless of street classification.
ME, Mixed Employment	Land Use Changes: <i>(Note: overlay districts and special plan districts may regulate these uses differently)</i>	<ul style="list-style-type: none"> • New Single Family – Not Permitted • New Townhomes, Triplex, Duplex and Multi-family – permitted only as part of a mixed use development • New Temporary Housing - permitted only as part of a mixed use development • New and expanded auto dependent retail, service and restaurants with drive-thru require a Conditional Use Permit
	Front Yard Setback	No minimum setback; maximum front setback on corner lots must be applied to both frontages regardless of street classification.
	Lot Coverage	No maximum lot coverage
	Building Height	Maximum height can increase by 10' when developing affordable housing or housing on upper floors
	Residential Density	Ground floor residential uses within 660 feet of a transit route and in mixed use developments in which non-residential uses occupy less than the equivalent of the entire ground floor area must meet RM zone minimum density
MR, Mixed Use Riverfront	Land Use Changes	Duplex, Triplex and townhomes - Permitted outright (currently not listed)

	Standard	Change
MN, Mixed Use Neighborhood – New Zone	Land Uses – Permitted or Conditional:	<ul style="list-style-type: none"> • Townhouses, duplexes, triplexes, and multifamily housing permitted • Temporary housing conditionally permitted • Retail sales & service uses shall not exceed 50,000 sf of ground floor; • Parking as a stand-alone use is conditionally permitted • Commercial storage limited to an upper floor; at least 50% of the ground floor must be active use (e.g. retail or restaurant) • Enclosed entertainment is permitted up to 50,000 square feet per building (conditional use permit required for larger uses) • Hotels and motels are conditionally permitted; lodging and short-term rentals permitted • Government buildings serving a portion of the city, small schools (<2 acres), clubs, and places of worship are permitted • Institutions for higher learning, government offices serving the entire city, and large schools (>2 acres) are conditionally permitted • New manufacturing & production are limited to 5,000 sf with a retail outlet
	Land Uses - Not Permitted:	<ul style="list-style-type: none"> • New single family dwellings not permitted • New wholesale sales; production offices; warehousing; industrial services; and transportation, freight and distribution are not permitted • New auto-dependent uses not permitted including drive-thru's • New outdoor entertainment is not permitted • New hospitals are not permitted
	Building Height	<ul style="list-style-type: none"> • 45 ft. building height; max height may be increased by 10 ft. when residential units are provided above the ground floor or for affordable housing • Building "step back" standards apply to buildings over 35' abutting residential zones
	Building Orientation	<ul style="list-style-type: none"> • Buildings must be oriented to the street; other design standards apply
	Parking	<ul style="list-style-type: none"> • No limitation on counting on-street parking abutting the development towards off-street parking requirements
MU, Mixed Use Urban – New Zone	Land Uses – Permitted or Conditional:	<ul style="list-style-type: none"> • Townhouses, duplexes, triplexes, and multifamily housing permitted • Temporary housing permitted • Retail sales & service permitted, except for auto-dependent and drive-thru • Offices and clinics, broadcasting studios, and production offices and businesses are permitted • Surface parking as a stand-alone use is conditionally permitted; parking structures are permitted • New commercial storage limited to an upper floor; at least 50% of the ground floor must be active use (e.g. retail or restaurant) • Enclosed entertainment is permitted; outdoor entertainment is conditionally permitted • Hotels, motels, lodging, and short-term rentals permitted • Government buildings, small schools (<2 acres), institutions for higher learning, clubs, and places of worship are permitted • Hospitals and large schools (>2 acres) are conditional uses • New manufacturing & production are limited to 5,000 sf with a retail outlet
	Land Uses - Not Permitted:	<ul style="list-style-type: none"> • New single family dwellings not permitted • New auto-dependent uses not permitted including drive-thru's • New public storage yards are not permitted • New wholesale sales; warehousing; industrial services; and transportation, freight and distribution are not permitted
	Building Height	<ul style="list-style-type: none"> • 65 ft. building height, max height may be increased by 10 ft. when residential units are provided above the ground floor or for affordable housing • Building "step back" standards apply to buildings over 35' abutting residential zones
	Building Orientation	<ul style="list-style-type: none"> • Buildings must be oriented to the street; other design standards apply
	Parking	<ul style="list-style-type: none"> • Special parking ratios apply: 1 space per dwelling unit (regardless of type or bedrooms); 1 space per 500 square feet of gross area for all commercial uses • No limitation on counting on-street parking abutting the development towards off-street parking requirements

UGB Affected Property Inquiry Web Application

<https://maps.ci.bend.or.us/html5viewer/?viewer=ugblookup#>



UGB Affected Properties Inquiry Application

Home

Search...



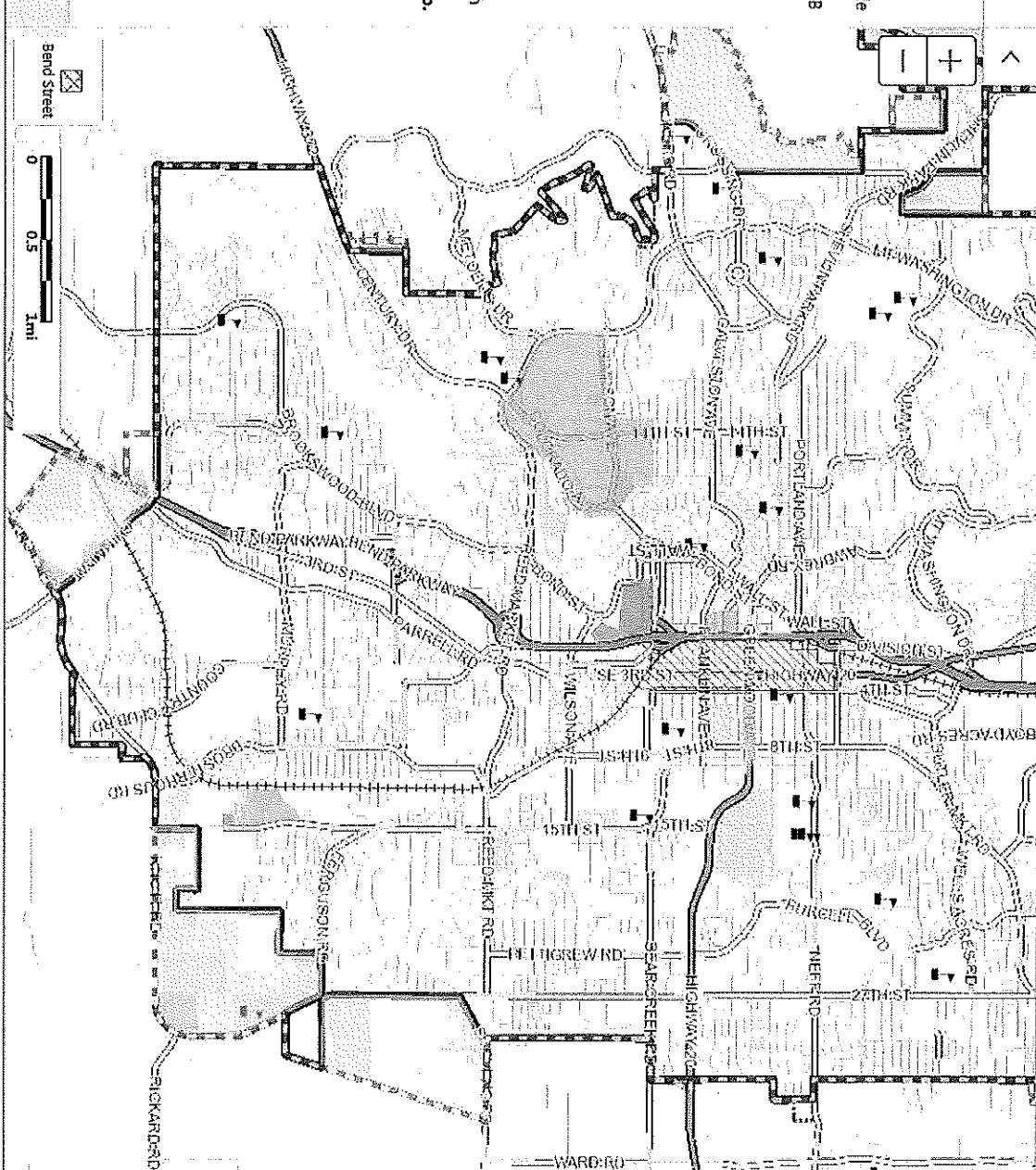
UGB Affected Property Inquiry Application

The City has proposed zoning and comprehensive plan amendments and changes to the Bend Development Code concurrent with the Urban Growth Boundary Expansion. These proposed changes are an important part of the UGB project to help minimize the area needed for expansion.

This application is intended to provide users with the information necessary to understand the proposed changes for property within the existing city and the proposed expansion areas. An overview of the project is available [HERE](#).

HOW TO USE THIS APPLICATION:

1. **Search for a property** by Address, Taxlot#, or Owner.
2. **Select a search result** from this left panel to zoom the map to the general result area.
3. Verify the property and **click on it within the map**.
4. **View the results** in the pop up window. You can switch between the property and zoning information.



TECHNICAL MEMORANDUM

DATE: August 11, 2016

PROJECT: Bend UGB Expansion

TO: City of Bend, Oregon

FROM: Murray, Smith & Associates, Inc.

RE: UGB Expansion – Water System Analysis, Scenario 2.1G

Background

The City of Bend (City) is studying the potential expansion of their existing Urban Growth Boundary (UGB) to facilitate future growth. Murray, Smith & Associates, Inc. (MSA) was contracted to evaluate the water distribution system infrastructure impacts associated with long-term and incremental UGB expansion. The City's Water Master Plan (WMP, 2011), associated water system hydraulic model, and capital improvement program (CIP) was used as the basis for the evaluation. An analysis was performed to identify a long-term infrastructure plan within a two-mile buffer around the City's existing UGB and within the City's water service area (excludes areas served by private companies). The long-term infrastructure plan was documented in a memorandum entitled "UGB Expansion – Water System Analysis – Long-term Analysis," [February 2016, MSA].

After understanding the infrastructure requirements for the two-mile buffer, the UGB analysis then considered various incremental expansions that focused on solutions consistent with the longer-term infrastructure plan. Requirements were determined for two (2) generalized UGB expansion scenario packages (Scenarios 4A and 4B). The generalized UGB expansion scenario packages were analyzed to select the most hydraulically efficient improvements consistent with the long-term infrastructure plan and a select set of short-term improvement alternatives. Six (6) distinct UGB expansion scenarios (Scenario 1.2, 2.1, 3.1, and SAAM 1, 2, 3) were rated assuming infrastructure improvements from either Scenario 4A or Scenario 4B. The generalized and distinct expansion scenario analysis was documented in a memorandum entitled "UGB Expansion – Water System Analysis" [October 2015, MSA].

The UGB Technical Advisory Committee and City staff developed several composite incremental UGB expansion scenarios which implemented the most advantageous components of the previous analysis for a wide range of parameters including the water system. This technical memorandum documents a summary of the previous ranking of the six (6) distinct UGB expansion scenarios and specifically summarizes ranking of composite Scenario 2.1G. Improvements highlighted for Scenario 2.1G are selected from the more general Scenario 4A and Scenario 4B analysis and assume a service area consistent with growth in the composite area considered for near-term UGB expansion. Refined improvement alignment and sizing should be considered during the City's next WMP update.

Executive Summary

The expansion areas within Scenario 2.1G can be adequately served with the implementation of the full set of pipeline capital improvements including the perimeter transmission pipeline as recommended in the City's WMP. An analysis was completed for general expansion Scenarios 4A and 4B to include intermediate pressure zone expansion improvements prior to full construction of the perimeter transmission pipeline. The expansion areas in Scenario 2.1G can be served by constructing all capital improvements identified in the WMP with the exception of portions of the perimeter transmission pipeline, and construction of additional looped piping connections identified in the general expansion scenarios. Specific interim pipeline looping and critical transmission pipeline segments are summarized below and highlighted in Figure 1 (page 17).

- 2,400 feet of 8-inch pipeline looping to serve the West Area through Pressure Zone 3.
- 1,700 feet of 16-inch piping from the WMP Capital Improvement Program (CIP) to serve the West Area through Pressure Zone 3.
- 8,800 feet of 30-inch piping from the CIP to serve the West Area through Pressure Zone 3.
- 3,000 feet of 16-inch pipeline from the CIP to serve the Shevlin Area through Pressure Zone 3 to Pressure Zone 4E.
- 3,000 feet of 8-inch pipeline looping and a pressure reducing valve (PRV) to serve the Shevlin Area through Pressure Zone 4E.
- 4,400 feet of 8-inch pipeline looping to serve the OB Riley/Gopher Gulch Area through Pressure Zone 5D.
- 4,300 feet of 18-inch pipeline from the CIP to serve the North Triangle and OB Riley/Gopher Gulch Area through Pressure Zone 6.
- 4,300 feet of 12-inch pipeline from the CIP to serve the North Triangle and OB Riley/Gopher Gulch Area and PRV through Pressure Zone 6.

All sub-areas may experience high pressures greater than 80 psi which is typically accommodated by the City through individual service PRVs.

Approximately 0.52 million-gallons-per-day (mgd) supply is required above the supply recommended in the City's WMP to offset storage requirements and serve the expansion areas.

Improvement Analysis

The primary objective of the improvement analysis is to determine the combination of system improvements that satisfy the specified hydraulic performance criteria for the potential UGB expansion scenarios. The UGB expansion analysis builds on the optimization analysis performed for the WMP.

Improvement alternatives to serve the existing UGB and UGB expansion include the following:

- Improvements identified in the City's WMP and currently in the City's Capital Improvement Program (CIP).
- A major transmission pipeline improvement northwest of the existing UGB identified in the WMP and CIP. The transmission pipeline conveys water from the Outback Facility through key UGB expansion areas between pressure zones 3 and 6. The improvement project covers approximately 7 miles of piping ranging in size from 12-inch to 36-inch. The transmission pipeline runs north from Skyliners Road, near Crosby Road and follows the periphery of the existing system to Johnson Road north of Bull Springs Road. It then follows Stag Drive south of Doe Lane, before crossing over to Skyline Ranch Road. Finally, the transmission pipeline crosses the river and reaches the intersection of Cooley Road and OB Riley Road making a connection with pressure zone 6 on Cooley Road through a flow control valve.
- Interim looped piping connections from the existing infrastructure out to the main transmission pipeline, but an incomplete connection of the transmission pipeline between pressure zones 3 and 6. This alternative is referred to as the intermediate improvement alternative because it considers the potential for phased pressure zone expansion prior to full investment in the transmission pipeline.

Demand Development

The water system is analyzed for the ability to provide adequate service pressures during varied demand conditions as defined below:

1. Average Day Demand (ADD): This is the average annual water demand in the system. It represents the lowest rate of demand analyzed and is used to identify the highest potential pressures expected in the system
2. Maximum Day Demand (MDD): This is the average daily demand on the day of highest demand during the year or years analyzed. Often the design maximum day demand is identified by looking at the ratio between the ADD and the MDD for more

than one year. A design ratio is selected and that ratio is applied to the design ADD to determine the design MDD.

3. **Peak Hour Demand (PHD):** This represents the average demand on the hour of highest usage during the year. This value is also determined typically by looking at system wide diurnal usage patterns during periods of high use. The peaking factor of PHD to the daily average determines the ratio of PHD to MDD.

The peaking factors for MDD and PHD were developed as part of the WMP, based on data from 2008 and 2009, and are shown in Table 1.

Table 1| Summary of Demand Peaking Factors

Demand Ratio	Value
MDD:ADD	2.25
PHD:MDD	1.8

Demand Estimates

As part of the WMP, land use and unit demand rates (ADD) were attributed to all tax lots within the existing UGB. Future demand within the existing UGB was extrapolated based on unit demand rates as presented in Table 2.

Table 2| Unit Demand Rates for Average Day

Land Use Category	Units per Net Acre	Average Day Unit Demand (gpad) ^{1,2}
Very Low Density Residential	2	836
Low Density Residential	4	1,672
Medium Density Residential	6	2,508
High Density Residential	10	4,180
Non-Residential	-	4,000
Schools	-	4,000

Note 1. Gallons-per-acre-per-day (gpad)

Note 2. Residential loading based on 418 gallons-per-unit-per-day x number of units.

Average day demand was developed for the potential UGB expansion areas using the unit demand rates shown in Table 2. Numbers of estimated units were applied to expansion areas where unit projections were available. Based on the statistical analysis, current development trends within the existing UGB, and input from City staff, a density of 4 units per acre was applied where unit projections or other land use data was unavailable.

The UGB expansion areas were grouped into eight (8) geographic sub-area (four applicable

to water service). These sub-areas became the basis for comparative ratings of potential expansion areas. The total acreage and demand estimates are summarized in Table 3 for the six (6) scenarios and Scenario 2.1G.

Table 3| Scenario Area and Average Day Demand by Sub-area

Sub-area	Buildable Area (net acres) ¹						
	Scenario 2.1G	Scenario 1.2	Scenario 2.1	Scenario 3.1	SAAM-1	SAAM-2	SAAM-3
West	249	102	132	259	0	0	513
Shevlin	49	0	0	134	332	0	0
OB Riley/Gopher Gulch	108	89	94	305	89	576	122
North Triangle	36	43	43	71	43	71	71
Total	442	234	269	768	464	647	705
Sub-area	Average Day Demand (gpm) ²						
	Scenario 2.1G	Scenario 1.2	Scenario 2.1	Scenario 3.1	SAAM-1	SAAM-2	SAAM-3
West	332	329	348	565	0	0	1,059
Shevlin	69	0	0	220	455	0	0
OB Riley/Gopher Gulch	276	246	220	763	246	1,102	359
North Triangle	102	121	112	196	121	196	196
Total	779	695	680	1,744	822	1,298	1,614

Note 1. Excludes unbuildable lands and 21-30% of gross area for ROW. Note 2. Gallons-per-minute (gpm)

Design and Performance Criteria

The relevant design and performance criteria applied in the UGB expansion analysis are consistent with the criteria applied in the WMP including system pressure during ADD, MDD, and PHD demands, available fire flow during MDD, and available storage. Specific design criteria are summarized in Tables 4 thru 7.

Table 4| Summary of Design Criteria - Pressure

Category	Water System Master Plan Criteria	Applicability or Exceptions
Minimum Allowable Service Pressure	40 psi	To be maintained under ADD, MDD and PHD demand conditions at service locations.
Maximum Allowable Service Pressure	80 psi	Existing service pressure maximum without individual PRVs
Maximum Allowable Service Pressure New Development	120 psi	The CIP pipeline from Outback to Zone 6 represents a transmission line that may have pressures exceeding 120 psi. Individual or area specific PRV's are used to reduce pressure from this transmission line as needed.
Minimum Service Pressure During Fire Flow Conditions	20 psi	Evaluated under MDD conditions. This criteria is considered applicable where service connections exist.

Notes: psi = pounds per square inch pressure. PRV = pressure reducing valve.

Existing minimum pressures are lower than 40 psi at several locations throughout the system. These include the areas near water storage tanks and near the suction side of booster pump stations. Where high elevation service connection locations experience pressures below 40 psi under existing demands, improvements were identified to maintain pressures equal to existing conditions.

Table 5| Summary of Design Criteria – Storage

Category	Water System Master Plan Criteria
Standby Storage	Available standby storage volume must be equal to twice the average day demand (ADD) served. Storage requirements may be offset by redundant supply equipped with standby power and SCADA. Standby storage may be served to lower zones through PRVs.
Emergency Storage	The fire flow requirements used in this analysis are consistent with those identified in the Master Plan. Requirements vary by zone according to the largest fire flow requirement in the zone and the size of the area served. Storage tanks serving more than one zone were assigned a total requirement adequate to serve more than the single largest fire flow requirement.
Equalization Storage	Storage must be adequate to provide required supply when system demand is greater than MDD. To account for this requirement, the lowest tank level expected to occur during a day of MDD was used to identify available standby storage. The minimum expected water level in storage tanks during MDD was identified using extended period simulation (EPS) model analysis. An EPS model simulates distribution system performance and demands at a regular time interval (minutes to hours) typically over the course of one or more days.
Operational Storage	Operational storage represents the volume between on/off settings for facilities that fill the storage tank. This volume is accounted for with use of the minimum tank level on a day of MDD as the volume used to identify available standby and emergency storage.
Dead Storage	Dead storage is any part of a tanks volume that is either above the over flow level (upper dead) or below the minimum tank level that can provide adequate pressure to the zones served by the tank. Upper dead storage is accounted for with the use of the minimum tank level on a day of MDD, but lower dead storage is not. Lower dead storage was identified in the master plan and is subtracted from the remaining available volume to identify available standby storage.
Storage Offset from Supply	Redundant supply that is equipped with backup power and SCADA can be used to offset storage requirements. This means that the supply will be available from these sources in the event of an emergency and can be activated automatically based on continuously monitored system pressure or tank level.

A water storage facility often serves several pressure zones by conveying flow through pressure reducing valves (PRVs). The required storage volume is calculated using the sum of average day demand placed on the available storage, within all pressure zones that the storage facility serves. The lowest “storage zone” or zone that supplies storage, is zone 5. This zone serves lower zones 6 and 7, and their demands are included in the calculated required storage that is held in zone 5. The required emergency, operational, equalization and dead storage for each facility were consistent with the volumes used in the WMP. The

standby storage requirement is the component impacted by this analysis due to changes in the average day demand in each storage zone. The other volume components are the same as those used in the WMP.

Table 6| Summary of Design Criteria – Supply

Category	Water System Master Plan Criteria
Firm Capacity Supply	The supply available with the largest source out of service. Must at least equal MDD. The City's largest supply is the surface water source.
Supply for Storage Offset	Supply that is redundant by location, but also must be equipped with backup power and SCADA

Overall firm capacity supply required in comparison with MDD was not evaluated as part of this analysis since it does not serve as a significant differentiator between the expansion scenarios.

Table 7| Summary of Design Criteria – Fire Flow

Category	Requirement (gpm)	Description
Residential	1,500	Development Types: RH-BC, RL, RM, RM-BC, RS, RS Hillside, RS Masterplan, RS-CCR
Non-Residential (Commercial, Industrial, Institutional, Mixed Use)	2,500	Development Types: CC2, CG, CL, IG, IL, Institutional, IP, Large Lot Industrial, MDOZ, ME, MR, MU 1, MU 2a, PF
School	2,500	School
Central Business District	3,500	CBD
UAR	2,500	UAR (Urban Area Reserve)
Park	2,500	Park

Note: gpm = gallons-per-minute.

The Central Business District development type does not occur in the areas evaluated as part of this analysis. As a result, the maximum required available fire flow was 2,500 gpm. Multiple fire flows occurring at the same time were not evaluated as part of this analysis.

Capital Improvements

The analysis of the six (6) distinct scenarios and the refined Scenario 2.1G indicate that the City can serve the near-term UGB expansion utilizing the improvements from the WMP including the major transmission pipeline improvement northwest of the existing UGB. The transmission pipeline conveys water from the Outback Facility through key UGB expansion

areas between pressure zones 3 and 6. Alternately, interim improvement connections and portions of the transmission main can be constructed to serve UGB expansion areas. The critical improvements required to serve expansion areas for Scenario 2.1G are highlighted below and in Figure 1 (page 17). Improvements highlighted for Scenario 2.1G are selected from the more general Scenario 4A and Scenario 4B analysis and assume a service area consistent with growth in the composite area considered for near-term UGB expansion. Refined improvement alignment and sizing should be considered during the City's next WMP update.

- 2,400 feet of 8-inch pipeline looping to serve the West Area through Pressure Zone 3.
- 1,700 feet of 16-inch piping from the WMP Capital Improvement Program (CIP) to serve the West Area through Pressure Zone 3.
- 8,800 feet of 30-inch piping from the CIP to serve the West Area through Pressure Zone 3.
- 3,000 feet of 16-inch pipeline from the CIP to serve the Shevlin Area through Pressure Zone 3 to Pressure Zone 4E.
- 3,000 feet of 8-inch pipeline looping and a pressure reducing valve (PRV) to serve the Shevlin Area through Pressure Zone 4E.
- 4,400 feet of 8-inch pipeline looping to serve the OB Riley/Gopher Gulch Area through Pressure Zone 5D.
- 4,300 feet of 18-inch pipeline from the CIP to serve the North Triangle and OB Riley/Gopher Gulch Area through Pressure Zone 6.
- 4,300 feet of 12-inch pipeline from the CIP to serve the North Triangle and OB Riley/Gopher Gulch Area and PRV through Pressure Zone 6.

The WMP highlights new storage and new supply required to serve the existing UGB as 3 million gallons and 13.2 mgd respectively. With the near-term UGB expansion the new storage requirements remain constant at 3 million gallons and the new supply requirements increase to approximately 16 mgd for service of all UGB expansion areas under consideration. The new supply requirements for Scenario 2.1G expansion areas increase from 13.2 to 13.8 mgd (0.52 mgd above WMP).

Scenario Results

Key findings regarding system performance are summarized by sub-area below.

1. Shevlin Area – This area is developed in SAAM-1, Scenario 3.1, and Scenario 2.1G. The southern portions of the Shevlin area is the only section developed in Scenario 3.1 and 2.1G. This area is not adjacent to the major transmission CIP pipeline, and can be served through interim pipeline connections. Prior to construction of the major transmission pipeline fire flow may be limited to 1,500 gpm. SAAM-1 includes development in both areas that utilize the transmission pipeline as well as the southern areas that do not utilize the transmission pipeline. Both of these areas can be

served with intermediate pressure zone expansion improvements without negative impacts to the system.

2. West Area – Scenarios 1.2, 2.1, and 2.1G develop the lower portions of zone 3 which can be supplied with construction of a pipeline loop in zone 3, utilizing a portion of the major transmission CIP pipeline alignment. SAAM-3 and Scenario 3.1 include high elevation areas that may experience pressures of 30-40 psi during PHD conditions.
3. North Triangle – This area is near existing facilities, however the additional demand in this area without construction of the major transmission CIP pipeline to convey flow across the system may contribute to pressures in the range of 30-40 psi during PHD. SAAM-1, Scenario 1.2, Scenario 2.1, and Scenario 2.1G minimize demand in the North Triangle area. SAAM- 2, SAAM- 3 and Scenario 3.1 develop this entire area more fully and place more demand on the east side of the Deschutes.
4. OB Riley/Gopher Gulch – Additional demand in this area without construction of the major transmission CIP pipeline may contribute to pressures in the range of 30-40 psi during PHD. Scenarios that limit development and therefore minimize demand in this area are preferred unless the major transmission CIP pipeline is constructed. SAAM-1, Scenario 1.2, Scenario 2.1, and Scenario 2.1G minimize the demand. SAAM-2, and Scenario 3.1 develop this entire area more fully and place more demand immediately east of the Deschutes River. The higher elevation portions of the development served by zone 5 in SAAM-2 and Scenario 3.1 require two river crossings to serve the area with looped facilities.

All areas of service may experience high pressures greater than 80 psi which is typically accommodated by the City through individual service PRVs.

Scenario Ratings

Consistent with the approach for analyzing other infrastructure and land use data for the UGB Remand, the six (6) scenarios and Scenario 2.1G were rated as “Good”, “Fair” or “Poor” by sub-area. These ratings were developed qualitatively for overall performance. The qualitative ratings were combined with the key findings from the task and scenario summaries to provide an overall quantitative rating. Additionally, each scenario was given an overall rating on a scale of one (1) to five (5) to indicate overall performance with five (5) being the highest performance with fewest additional improvements. The qualitative and quantitative ratings are shown in Tables 8 thru 11. For visual review a “Good,” “Fair,” and “Poor” rating are highlighted in green, yellow, and red respectively. The rating in the tables compare the development scenarios analyzed under intermediate expansion from existing pressure zones, without full construction of the major transmission CIP pipeline. With the construction of the full transmission CIP pipeline, all scenarios are rated “Good.”

Factor 2: Orderly and Economic Provision of Public Facilities and Services Community Outcome B. Performance Measure Related to Relative Cost Effectiveness						Author:	Murray, Smith & Associates	
						Date:	08/09/2016	
Performance Measure S2	Table 8. Pressure results serving expansion areas using intermediate pressure zone expansion improvements							
<i>Brief Description of Evaluation:</i>	This table presents low pressure results with intermediate pressure zone expansion improvements during ADD, MDD, and PHD. "Good" rating given to areas with lowest pressures greater than 40 psi. "Fair" rating given to areas with lowest pressures lower than 40 psi. With construction of the major CIP transmission pipeline from Outback to zone 6, all areas experience pressures greater than 40 psi. The high pressure criteria are met under both build-out and intermediate pressure zone expansion improvement conditions.							
<i>Interpretation and Key</i>	"Good"	"Fair"	"Poor"	No Data	Not appropriate to rank			
Evaluation Geography	Scenario 2.1G	Scenario 1.2	Scenario 2.1	Scenario 3.1	SAAM-1	SAAM-2	SAAM-3	
Low Service Pressure (PSI)	Value	Units	Value	Units	Value	Units	Value	Units
North Triangle	40	PSI	41	PSI	41	PSI	37	PSI
West Area	56	PSI	56	PSI	41	PSI	35	PSI
Shevelin Area	40	PSI	41	PSI	41	PSI	37	PSI
Shevelin Area	57	PSI	N/A	N/A	57	PSI	35	PSI
OB Riley / Gopher Gulch Area	57	PSI	57	PSI	57	PSI	35	PSI
Overall Score	5		5		5		4	

Factor 2: Orderly and Economic Provision of Public Facilities and Services Community Outcome B. Performance Measure Related to Relative Cost Effectiveness							Author:	Murray, Smith & Associates									
							Date:	08/09/2016									
Performance Measure S3	Table 9. Lowest available fire flow serving expansion areas through intermediate pressure zone expansion improvements																
<i>Brief Description of Evaluation:</i>	This table presents the lowest available fire flow with intermediate pressure zone improvements during maximum day demand and while maintaining 20 psi at service connections throughout the system. "Good" rating given where adequate fire flow is available based on land use fire flow requirements. With construction of the major CIP transmission pipeline from Outback to zone 6, all areas experience adequate fire flow of at least 2,500 gpm.																
<i>Interpretation and Key</i>	<table border="1"> <tr> <td>"Good"</td><td>"Fair"</td><td>"Poor"</td><td>No Data</td><td>Not appropriate to rank</td><td></td><td></td><td></td><td></td></tr> </table>								"Good"	"Fair"	"Poor"	No Data	Not appropriate to rank				
"Good"	"Fair"	"Poor"	No Data	Not appropriate to rank													
Evaluation Geography	Scenario 2.1G	Scenario 1.2	Scenario 2.1	Scenario 3.1	SAAM-1	SAAM-2	SAAM-3										
	Value	Units	Value	Units	Value	Units	Value	Units									
Lowest Available Fire Flow	1,500	gpm	3,500	gpm	4,000	gpm	1,500	gpm									
Subareas																	
North Triangle	5,000	gpm	5,000	gpm	5,000	gpm	5,000	gpm									
West Area	3,500	gpm	3,500	gpm	3,500	gpm	N/A	N/A									
Shevlin Area	1,500	gpm	N/A	N/A	1,500	gpm	1,500	gpm									
OB Riley / Gopher Gulch Area	4,000	gpm	4,000	gpm	4,000	gpm	4,000	gpm									
Overall Score	5		5		5		5										

Factor 2: Orderly and Economic Provision of Public Facilities and Services Community Outcome B. Performance Measure Related to Relative Cost Effectiveness						Author:	Murray, Smith & Associates														
						Date:	08/11/2016														
Performance Measure S3	Table 10. Supply needed to offset storage requirements to serve expansion areas																				
Brief Description of Evaluation:	This table presents the new supply needed to offset storage requirements. "Good" rating given where new supply is within the facility improvements established for the City's Water Master Plan.																				
Interpretation and Key	"Good"	"Fair"	"Poor"	No Data	Not appropriate to rank																
Evaluation Geography	Scenario 2.1G	Value	Units	Scenario 1.2	Value	Units	Scenario 2.1	Value	Units	Scenario 3.1	Value	Units	SAAM-1	Value	Units	SAAM-2	Value	Units	SAAM-3	Value	Units
Needed Supply to Offset Storage Requirements	0.52	MGD	0.28	MGD	0.26	MGD	1.79	MGD	0.46	MGD	1.15	MGD	1.60	MGD	0.2	MGD					
Subareas																					
North Triangle	0.04	MGD	0.05	MGD	0.04	MGD	0.20	MGD	0.07	MGD	0.17	MGD	0.2	MGD							
West Area	0.13	MGD	0.13	MGD	0.13	MGD	0.58	MGD	N/A		N/A		1.05 MGD								
Shevlin Area	0.18	MGD	N/A		N/A		0.23	MGD	0.26	MGD	N/A		N/A								
OB Riley / Gopher Gulch Area	0.17	MGD	0.10	MGD	0.08	MGD	0.78	MGD	0.14	MGD	0.98	MGD	0.36	MGD							
Overall Score	5		5		5		5		5		5		5								

Factor 2: Orderly and Economic Provision of Public Facilities and Services Community Outcome B. Performance Related to Relative Cost Effectiveness					Author:	Murray, Smith & Associates											
					Date:	08/11/2016											
Performance Measure S1	Table 11. Water Distribution System Infrastructure Improvements																
Brief Description	Efficiency of drinking water distribution system infrastructure improvements required to serve new expansion areas (considers system pressures, fire flow, and storage/supply). "Good" rating provided for adequate pressure, fire flow, and storage/supply with incremental pressure zone expansion improvements and storage/supply established in the City's Water Master Plan. "Fair" rating provided for low pressures of 30-40 psi during PHD with incremental pressure zone expansion improvements. All scenarios are rated "Good" with the full set of capital improvements established in the City's Water Master Plan including the perimeter transmission pipeline.																
Interpretation and Key	<table border="1" style="margin-left: auto; margin-right: auto;"> <tr> <td>"Good"</td> <td>"Fair"</td> <td>"Poor"</td> <td>No Data</td> <td>Not appropriate to rank</td> <td></td> <td></td> <td></td> <td></td> </tr> </table>								"Good"	"Fair"	"Poor"	No Data	Not appropriate to rank				
"Good"	"Fair"	"Poor"	No Data	Not appropriate to rank													
Evaluation Geography	Scenario 2.1G <i>Qualitative Evaluation</i>	Scenario 1.2 <i>Qualitative Evaluation</i>	Scenario 2.1 <i>Qualitative Evaluation</i>	Scenario 3.1 <i>Qualitative Evaluation</i>	SAAM-1 <i>Qualitative Evaluation</i>	SAAM-2 <i>Qualitative Evaluation</i>	SAAM-3 <i>Qualitative Evaluation</i>										
Subareas																	
North Triangle	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Pressures may be 30-40 psi during Peak Hour demands without additional supply or transmission.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.									
West Area	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Pressures may be 30-40 psi during Peak Hour demands without additional supply or transmission.	N/A	N/A	Pressures may be 30-40 psi during Peak Hour demands without additional supply or transmission.	Pressures may be 30-40 psi during Peak Hour demands without additional supply or transmission.									
Shevlin Area	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	N/A	N/A	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	N/A	N/A	N/A									
OB Riley / Gopher Gulch Area	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Demand contributes to the potential for pressures below 40 psi in zone 6 during Peak Hour demands without additional supply or transmission. Higher areas may be served from zone 5 with the use of two river crossings.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Pressures may be 30-40 psi during Peak Hour demands without additional supply or transmission. Higher areas may be served from zone 5 with the use of two river crossings.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.	Requires incremental expansion & extension of existing pipelines that utilize the planned capital improvement program.									
Overall Score	5	5	5	4	5	4	5	5									

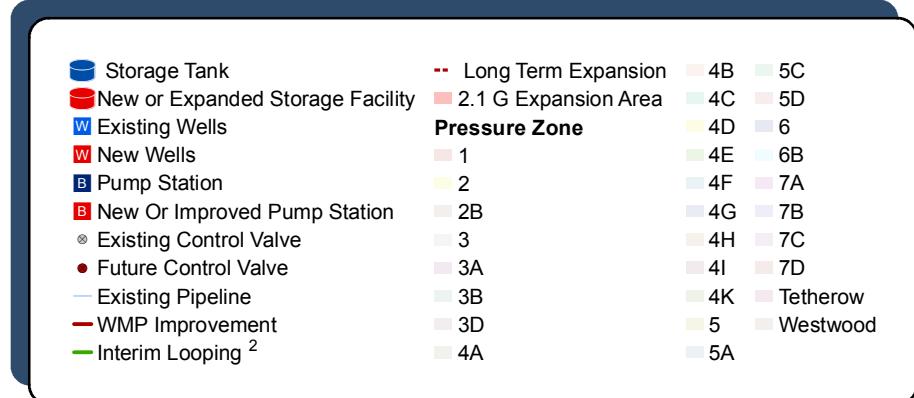
Key rating considerations related to each scenario are described below.

1. Scenario 2.1G – Rated high (5) because the scenario places relatively low overall demand on zone 6 in the intermediate pressure zone expansion improvement alternative, and does not develop higher elevation areas of zone 3. It also does not require two river crossings to serve the higher elevation areas of OB Riley/Gopher Gulch.
2. Scenario 1.2 – Rated high (5) because the scenario places relatively low overall demand on zone 6 in the intermediate pressure zone expansion improvement alternative, and does not develop higher elevation areas of zone 3. It also does not require two river crossings to serve the higher elevation areas of OB Riley/Gopher Gulch.
3. Scenario 2.1 – Rated high (5) because the scenario places relatively low overall demand on zone 6 in the intermediate pressure zone expansion improvement alternative, and does not develop higher elevation areas of zone 3. It also does not require two river crossings to serve the higher elevation areas of OB Riley/Gopher Gulch.
4. Scenario 3.1 – Rated moderately high (4) because the scenario places larger demands on zone 6 potentially contributing to pressures in the range of 30-40 psi during PHD in the intermediate pressure zone expansion improvement alternative. The scenario develops some higher elevation areas of OB Riley/Gopher Gulch that would require two river crossings to provide redundancy in connection to zone 5. This scenario does avoid the higher elevation areas of zone 3 that may result in lower pressure during PHD conditions.
5. SAAM-1 – Rated high (5) because the scenario places relatively low overall demand on zone 6 in the intermediate pressure zone expansion improvement alternative, and does not develop higher elevation areas of zone 3. It also does not require two river crossings to serve the higher elevation areas of OB Riley/Gopher Gulch.
6. SAAM-2 – Rated moderately high (4) because the scenario places larger demands on zone 6 potentially contributing to pressures in the range of 30-40 psi during PHD in the intermediate pressure zone expansion improvement alternative. It develops some higher elevation areas of OB Riley/Gopher Gulch that would require two river crossings to provide redundancy in connection to zone 5. This scenario does avoid the higher elevation areas of zone 3 that may result in lower pressures during PHD conditions.
7. SAAM-3 – Rated high (5) because the scenario places relatively low overall demand on zone 6 in the intermediate pressure zone expansion improvement alternative. It also does not require river crossings to serve the higher elevation areas of OB Riley/Gopher Gulch. The scenario does develop higher elevation areas in the West

areas within zone 3 that may experience pressures of 30-40 psi during PHD; however, development of this area within zone 3 does not impact the performance of the rest of the system.

All scenarios include areas of service that may experience high pressures greater than 80 psi which is typically accommodated by the City through individual service PRVs.

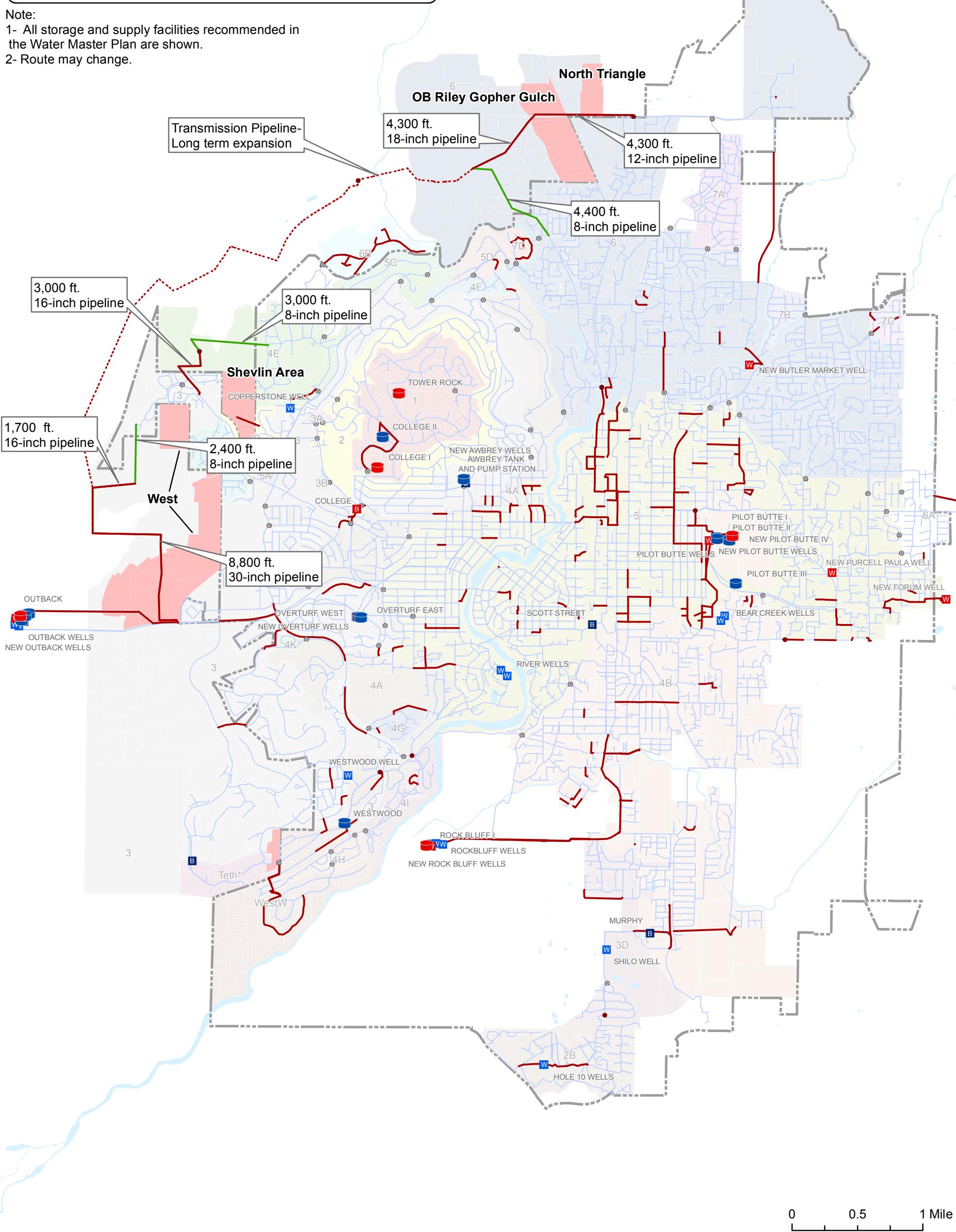
All of the evaluated scenarios can be adequately served with the implementation of the full set of capital improvements including the perimeter transmission pipeline as recommended in the City's WMP, with the exception of the highest elevation areas of zone 3. The intermediate pressure zone expansion improvement alternative is used to differentiate performance between the expansion scenarios. SAAM-2 and Scenario 3.1 may place high enough demand on zone 6 to result in pressures between 30-40 psi during PHD conditions without additional transmission or supply improvements. All other scenarios satisfy the water design criteria including Scenario 2.1G for the intermediate pressure zone expansion improvement alternative.



Note:

1- All storage and supply facilities recommended in the Water Master Plan are shown.

2- Route may change.



Damian Syrnyk

From: Damian Syrnyk
Sent: Friday, August 05, 2016 8:56 AM
To: Anne Aurand
Subject: Bend UGB Remand Project - Notice of August 25, 2016 Hearing

BEND UGB REMAND PROJECT

NOTICE OF AUGUST 25, 2016 PUBLIC HEARING

The Bend City Council and the Deschutes County Board of Commissioners will hold a joint public hearing on Thursday, August 25, 2016 in the Barnes/Sawyer Room of the Deschutes Services Building, located at 1300 NW Wall Street, Bend. The purpose of the hearing is for the City Council and Board of Commissioners to receive evidence and testimony regarding proposed amendments to the comprehensive plans, land use regulations, and planning and zoning maps of the City and the County that would approve an expansion of the Bend Urban Growth Boundary (UGB).

The public hearing will be held in two sessions. An afternoon session will start at 1:00 pm. An evening session will start at 6:00 pm. Attendance at both hearings is not required. The Staff Report will be available one (1) week before this hearing. Interested persons will be able to download the Staff Report from the City of Bend's website using this URL: www.bendoregon.gov/bendugb.

For more information, please visit the project website at www.bendoregon.gov/bendugb or contact either Brian Rankin at brankin@bendoregon.gov or Damian Syrnyk at dsyrnyk@bendoregon.gov.



Accessible Meeting Information

This meeting event/location is accessible. Sign language, interpreter service, assistive listening devices, materials in alternate format, such as Braille, large print, electronic formats, or any other accommodations are available upon advance request. Please contact Damian Syrnyk at 541-312-4919 or dsyrnyk@bendoregon.gov. Providing at least 3 days notice prior to the event will help ensure availability.

Damian Syrnyk

From: Damian Syrnyk
Sent: Friday, August 05, 2016 8:58 AM
To: Joe Dills; Brian Rankin
Subject: Bend UGB Remand Project - Notice of August 25, 106 Public Hearing

BEND UGB REMAND PROJECT

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Damian Syrnyk

From: Damian Syrnyk
Sent: Friday, August 05, 2016 11:20 AM
To: 'aaron@tsweekly.com'; 'bendnewsroom@gmail.com'; 'bewert@gmail.com'; 'blerten@ktvz.com'; 'calendar@tsweekly.com'; 'dallasbrown@gmail.com'; 'editor@cascadebusnews.com'; 'Erin Rook'; 'fulkerson.carol53@gmail.com'; 'info@knlr.com'; 'jamie@bendchamber.org'; Kevin Riper; 'leads@norcalnews.com'; 'mvanmeter@newsprose.org'; 'news@evmmmedia.info'; 'news@kbnd.com'; 'News@KLCC.org'; 'news@kpov.org'; 'rl@bendradiogroup.com'; Robyn Christie; 'The Bulletin'
Subject: Bend UGB Remand Project - August 25, 2016 Public Hearing

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Damian Syrnyk

From: Katherine Austin <kaaustin@pacbell.net>
Sent: Thursday, August 11, 2016 5:57 PM
To: Damian Syrnyk
Subject: UGB Testimony
Attachments: Pacwest Builders.pdf

Follow Up Flag: FollowUp
Flag Status: Flagged

Dear Mr Syrnyk,

I have attached a one page letter regarding the request from Mr. Carl W. Hopp, Jr to annex 2.5 ac into the UGB for the Porter/Kelly Burns Land Holdings, LLC. Would you please enter this into the public record? My concerns are for the canal and pond on the larger property to be preserved as amenities and hopefully retained as Bend City Park area and public path along the canal. I am not opposed to the annexation for affordable housing but am concerned about the conceptual plan proposed that appears to pave over the canal and pond. Thank you for your consideration.

Sincerely

Katherine Austin, AIA, Architect
179 SE Rice Way
Bend, OR 97702
P 707-529-5565
kaaustin@pacbell.net
www.austinaia.com

August 11, 2016

Mr. Damian Syrnyk
Senior Planner
City of Bend, OR



Re: UGB Testimony on the Porter/Kelly Burns Land Holdings, LLC, & Pacwest Development proposed on Highway 20.

I have read the letter from Attorney Carl W. Hopp, Jr. dated April 19, 2016 regarding the annexation of 2.5 ac of the approximately 40 acre parcel on the east side of Bend which is designated Urban Area Reserve and is located to the west of the canal that diagonally crosses the property. I also understand that it is the desire of the applicants to eventually bring the rest of the 40 acres into the UGB at a future date and at that time develop affordable housing per a document they have submitted showing a conceptual site design of multifamily and single family homes.

I have no argument against using the 2.5 ac parcel for affordable housing but I caution the City to carefully consider the overall plan for the site with regards to recognizing unique natural features that should be preserved and provide a needed park amenity to the east side of Bend should this parcel be developed.

The canal that divides the proposed 2.5 ac parcel from the rest of the site as well as the continuation of that canal to the south should be preserved and become part of the trail system of Bend administered by the Parks Department. The existing larger pond that is just south of the extension of Livingston Drive should also be preserved and integrated into the path system and be deeded to the Bend Parks District to provide an amenity to the existing and future development there. While this would change the conceptual site plan of Pacwest Builders, it would create a tremendous amenity for that future development and add value. It is possible to convert some of the single family homes to town homes and increase the density on the south west part of the site to help make up the difference in density lost to the pond/park.

I am concerned about the conflict between the site plan presented and the triangular shape of the UAR and the fact that their plan appears to pave over the canal. I do not believe that is in the best interests of the City, Water District or Parks District. Should you decide to allow the annexation of the 2.5 ac I request that you stipulate that the canal be preserved and that the site plan be revised to show a different design that responds to the natural conditions present. I thank you for your consideration.

Katherine Austin, AIA, Architect

179 SE Rice Way, Bend, OR 97702
kaaustin@pacbell.net 707-529-5565

**Mike and Kathleen Kutansky
19756 Buck Canyon Road
Bend, Oregon 9770**

July 28, 2016

City of Bend Council and Staff:

Please add this letter to the record for the UGB expansion. We own the property at 19756 Buck Canyon Road. This parcel is located just south of the UGB line as shown on the attached map and described as T18-R12-S19A TL 200. This 5-acre property abuts the Baney property.

We have submitted letters throughout the UGB expansion process and want to continue to advocate for our property to be included to the new UGB, if possible. We understand that the UGB process is nearing completion and things can change. As you finalize your documents, should there be an opportunity to identify additional lands, please consider us a candidate.

We propose only residential uses and could easily transition density in this area of the Bend community. We would also agree to master planning concepts and work closely with you on development issues.

Moreover, as the City proceeds to develop an Urban Area Reserve we ask that you add our property to the land under consideration.

In summary, the southern edge of the UGB, north of Buck Canyon Road lends itself to urbanization and provides a good area for master planned developments and a buffer to lower density uses. Thus, we believe that lands in this area, including our property, can provide development areas at an urban level of development.

Thank you for your consideration of our request.

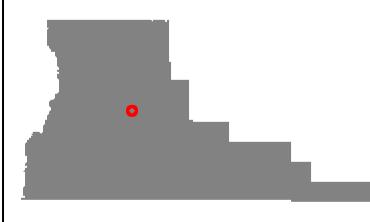
Mike and Kathy Kutansky

Deschutes County Property Information - Dial

Zoning Map for account 110020



Map and Taxlot: 181219A000200



3/17/2016

1" = 200'

[SEE MAP](#)

1/4 COR

SEE MAP 18 12 18DC

100
38.73 AC

PT 89

1165.03

988.95

973.82

418.96

200

300

962.11

906.92

400 500 600 700

PT 91

110.58 110.58 110.57

475.00

PT 92

800

1526.75

770.24

PT 92

PT 93

1000

PT 93

1100

PT 94

1200

PT 95

1300

PT 96

1400

PT 97

1500

PT 98

1600

PT 99

1700

PT 100

1800

PT 101

1900

PT 102

2000

PT 103

180.72

288.39

32.85

38.88

PT 104

PT 105

PT 106

1157.27

215.00

235.10

2200

2100

60

60

611.10

OR212-207

258.96

475.81

PT 106

700.00

OR172-0616

75.00

1/4 COR

SEE MAP 18 12 18D

SEE MAP 18 12 19B

SEE MAP 18 12 19D

SEE MAP 18 12

1-3
(1-4)

1-51
(1-50)

BUCK CANYON ROAD

RIVER BEND ESTATES

ROCKING HORSE ROAD

PUBLIC WAY

US HIGHWAY 97 THE DALLES-CALIFORNIA HIGHWAY

RAILROAD

ROCKING HORSE COURT

BURLINGTON

CHINA HAT ROAD

PONDEROSA STREET

NORTHERN

CEN COR

18

17

19

20

SEE MAP 18 12 19

18 12 19A0

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19756 Buck Canyon Road
Bend, Oregon 97702**

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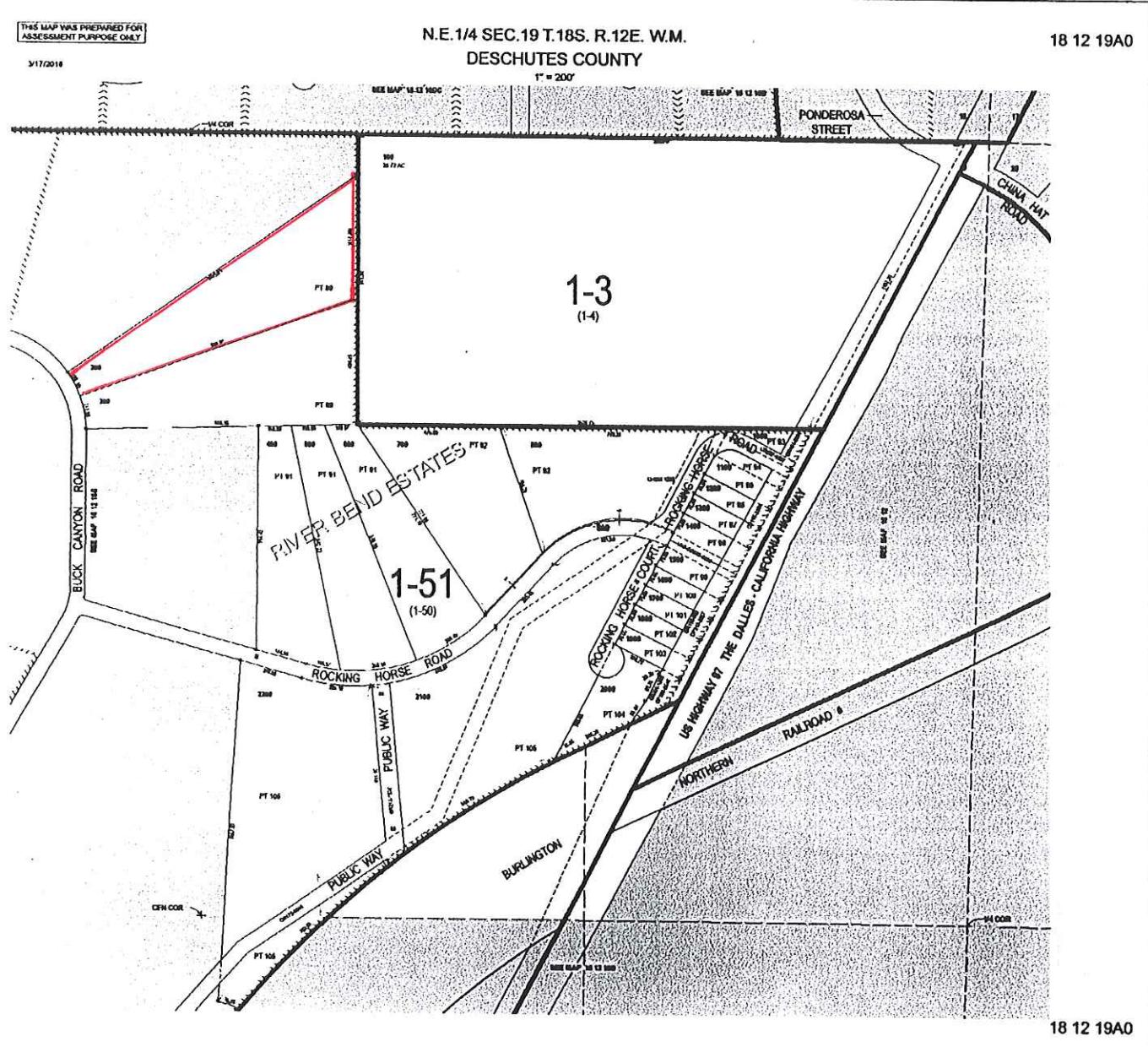
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In summary, the southern edge of the UGB, north of Buck Canyon Road lends itself to urbanization and provides a good area for master planned developments and a buffer to lower density uses. Thus, we believe that lands in this area, including our property, can provide development areas at an urban level of development.

Thank you for your consideration of our request.

Mike Kutansky Kathy Kutansky
Mike and Kathy Kutansky



Deschutes County Property Information - Dial

Zoning Map for account 110020



Map and Taxlot: 181219A000200



Damian Syrnyk

From: Therese Madrigal <theresemadrigal@gmail.com>
Sent: Wednesday, August 10, 2016 5:01 PM
To: Damian Syrnyk
Subject: UGB testimony
Attachments: no to ordinance 2271.pdf

Follow Up Flag: Follow up
Flag Status: Completed

Please see attached PDF and include in the City Council packet. Thank you.

Therese Madrigal
541-280-4874

August 8, 2016

Damian Syrnyk, Senior Planner
City of Bend Growth Management Department
709 NW Wall Street, Suite 102
Bend, OR 97701

RE: UGB Testimony

I'm responding to the notice I've received as a property owner in an area likely to be affected by the proposed UGB expansion, and specifically City of Bend Ordinance Number 2271. In my neighborhood, an opportunity area, Ordinance 2271 would change land use zoning and designation to allow for higher density housing, primarily by increasing the allowable number of homes from 2 to 4 dwellings/acre and provide outright permitting, instead of the current Conditional Use Permitting, of "Single Family Courtyard Housing, Single Family Attached Townhomes, Duplex and Triplex units."

As a 20 year Bend resident, I've witnessed the incredible surge in population and popularity of our community. Along with the increase in people have come the inevitable challenges that fast-growing small towns face; heavy traffic, lack of parking, more crime, a higher cost of living, etc. As a community, we are already experiencing these problems and as indicated in recent news articles on this topic, are quickly becoming disillusioned with the lack of strategic planning by City leaders to balance future growth with livability and quality of life.

It is in this context that I oppose Ordinance 2271. It is more of the same careless land use and transportation planning that has plagued Bend for the last 10 years and allowed for rampant growth without the necessary infrastructure to mitigate accompanying problems.

The fact that Ordinance 2271 has made it this far in the adoption process is simply added evidence of the complete ignorance or more likely, monetary influence, that is overshadowing good judgment and common sense decision-making by City leaders. It's time to stop saying yes to a bigger Bend and instead, begin thoughtfully planning for a better Bend.

I say, "Absolutely NO," to Ordinance 2271.

Therese Madrigal

Therese Madrigal
541-280-4874

August 14, 2016

Maria Rodgers
P. O. Box 9485
Bend, Oregon 97708

City of Bend
AUG 15 2016
Received Administration

Mr. Victor Chudowski, Bend City Council

Dear Mr. Chudowski:

I am writing to you for direction on an issue recently brought to my and my neighbor's attention. Your honesty in voicing the truth about our recent gas tax issues respectfully draws me to you for help. Thank you for expanding the citizen's knowledge.

So, with trust in you, I am asking you for help and will attempt to keep on point. My neighbors and I received notices of two issues. One from the City regarding a 2-acre late addition to the UGB on which 60 Affordable Housing units may be built. This is located on a triangle shaped piece of land bounded by Highway 20, Landsystems Nursery and a fast moving irrigation canal as borders. This late addition was included in the Steering Committee Approval of preferred Scenario dated May 2016.

I am having difficulty making sense of this approval. Down the street there is a Brewery. A little further down the street there is a Pot Dispensary. There is no public transportation to the site. Shopping requires getting in a car or walking along Highway 20. There are no parks or play areas. Schools are a ways away. A school bus stop will have to be on Highway 20. The posted speed limit on Highway 20 is 55mph at that location and, although the road is straight in that area, there is reduced line of sight visibility because of a slight crown in the road. This will create a highly dangerous entry onto Highway 20.

This last minute addition of the 2-acre addition did not come to the attention of the surrounding landowners until July 29, 2016, the day after the Open House. The access issues from Highway 20 will certainly lead the Affordable Housing residents to seek an alternate access. That could only be through the adjoining neighborhood to the south. The streets in that neighborhood are designed for a minimal amount of traffic. The streets are so narrow parking is only allowed on one side of the streets. Adding traffic to those streets will overwhelm the neighborhood.

We believe the City can find a better place to put high-density housing than at that 2-acre parcel with all of its drawbacks.

Regarding the County issue, after the 2 acres are split off, the Developer is proposing to the County for a change in zoning for the rest of the Lot, Tax Lot 1500, from EFU to MUA-10. Although that is not significant, the cumulative effect will have significant effects. Neighbors have been told that, although it will take time, the goal of the Developer is to again rezone, fill the large pond, and build 160 homes. A large number of nesting birds and waterfowl rely on that pond. The pond is significant enough that it is identified and listed in the Federal Wetland Inventory.

There needs to be a strategy to protect areas like this. I realize this is outside of City's authority, but we could use some ideas on how to redirect the development.

So, back to my request. It would be very much appreciated if you would take the time to drive by this location so as to view my concerns. Please feel free to call if you have any questions for me.

Thank you

Sincerely,

A handwritten signature in black ink that reads "Maria Rodgers". The signature is fluid and cursive, with "Maria" on the top line and "Rodgers" on the bottom line, slightly overlapping.

Maria Rodgers

541-948-6997

Damian Syrnyk

From: Levi McClain <Levi@lathamexcavation.com>
Sent: Friday, July 29, 2016 6:59 AM
To: Damian Syrnyk
Subject: UGB Follow up for Becky

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Damian,

I was at the open house last night and spoke with Becky Hammond. We discussed a few items specifically on the Westside expansion. She was going to get back to me to clarify the Swisher property, adjacent to Anderson Ranch and South of Shevlin Ridge. There is a 2.5 acre piece that was designated open space from Skyline Ranch Rd up to the first house (roughly triangular shaped). I see that this piece is included in the in UGB. It was my understanding that this open space was tied to the county approved PUD associated with the 4 approved parcels that houses are currently on in Anderson Ranch. Please clarify what can be done with this piece.

Also, she mentioned that the 40 acre piece west of the new Three pines ridge subdivision owned by Rio Lobo will be zoned RL. What is the max density available under this zoning, my understanding was 20000-40000 sq ft lots? Will there need to be additional sewer capacity for this to be feasible? How would the city allow access to this site? McClain Drive is only partially approved, and I'm sure that the Three Pines and Shevlin Commons citizens will throw a fit if proposed access is through their subdivisions.

Thank you,

Levi McClain | Latham Excavation
☎: 541-382-8267 | F: 541-382-4367 | C: 541-480-9694
84 SE 5th St. #100 | Bend, OR 97702
✉: levi@lathamexcavation.com

August 14, 2016

Maria Rodgers
P. O. Box 9485
Bend, Oregon 97708

City of Bend
AUG 15 2016
Received Administration

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Bend, Oregon 97708

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I am writing to you for direction on an issue recently brought to my and my neighbor's attention. Your honesty in voicing the truth about our recent gas tax issues respectfully draws me to you for help. Thank you for expanding the citizen's knowledge.

So, with trust in you, I am asking you for help and will attempt to keep on point. My neighbors and I received notices of two issues. One from the City regarding a 2-acre late addition to the UGB on which 60 Affordable Housing units may be built. This is located on a triangle shaped piece of land bounded by Highway 20, Landsystems Nursery and a fast moving irrigation canal as borders. This late addition was included in the Steering Committee Approval of preferred Scenario dated May 2016.

I am having difficulty making sense of this approval. Down the street there is a Brewery. A little further down the street there is a Pot Dispensary. There is no public transportation to the site. Shopping requires getting in a car or walking along Highway 20. There are no parks or play areas. Schools are a ways away. A school bus stop will have to be on Highway 20. The posted speed limit on Highway 20 is 55mph at that location and, although the road is straight in that area, there is reduced line of sight visibility because of a slight crown in the road. This will create a highly dangerous entry onto Highway 20.

This last minute addition of the 2-acre addition did not come to the attention of the surrounding landowners until July 29, 2016, the day after the Open House. The access issues from Highway 20 will certainly lead the Affordable Housing residents to seek an alternate access. That could only be through the adjoining neighborhood to the south. The streets in that neighborhood are designed for a minimal amount of traffic. The streets are so narrow parking is only allowed on one side of the streets. Adding traffic to those streets will overwhelm the neighborhood.

We believe the City can find a better place to put high-density housing than at that 2-acre parcel with all of its drawbacks.

Regarding the County issue, after the 2 acres are split off, the Developer is proposing to the County for a change in zoning for the rest of the Lot, Tax Lot 1500, from EFU to MUA-10. Although that is not significant, the cumulative effect will have significant effects. Neighbors have been told that, although it will take time, the goal of the Developer is to again rezone, fill the large pond, and build 160 homes. A large number of nesting birds and waterfowl rely on that pond. The pond is significant enough that it is identified and listed in the Federal Wetland Inventory.

There needs to be a strategy to protect areas like this. I realize this is outside of City's authority, but we could use some ideas on how to redirect the development.

So, back to my request. It would be very much appreciated if you would take the time to drive by this location so as to view my concerns. Please feel free to call if you have any questions for me.

Thank you

Sincerely,

A handwritten signature in black ink that reads "Maria Rodgers". The signature is fluid and cursive, with "Maria" on the top line and "Rodgers" on the bottom line, slightly overlapping.

Maria Rodgers

541-948-6997