

Exhibit A
DRAFT Development Code Update
April 7, 2021
Prepared by: Planning Division

Note:

Text in underlined typeface is proposed to be added

Text in ~~striketrough~~ typeface is proposed to be deleted.

***Indicates where text from the existing code has been omitted because it will remain unchanged.

Staff comments are ***bold and italicized***

BEND DEVELOPMENT CODE

Chapter 2.2

COMMERCIAL ZONING DISTRICTS (CB, CC, CL, CG)

Table 2.2.300 – Permitted and Conditional Uses

Land Use	CB	*CC	CL	CG
Residential				
*** *Temporary Housing ***	C	N	C <u>P</u>	C <u>P</u>

Chapter 2.7

SPECIAL PLANNED DISTRICTS, REFINEMENT PLANS, AREA PLANS AND MASTER PLANS

Article II. NorthWest Crossing Overlay Zone

2.7.320 Districts.

H. Commercial/Mixed Employment Overlay District.

1. Purpose and Applicability. This district applies to all land zoned Commercial Limited and Mixed Employment within the NorthWest Crossing Overlay District. The purpose of this district is to allow a special front yard setback that is not permitted in the underlying Commercial Limited and Mixed Employment Zones and to create parking districts. The purpose of the parking districts is to allow minimum parking needs to be met in common, shared, off-site parking lots. The special setback and parking districts will create a pedestrian-friendly, main-street environment.
2. Uses Permitted.
 - a. The permitted uses allowed in the underlying Commercial Limited, except temporary housing, and Mixed Employment Zones ~~shall be~~ are allowed unless otherwise specified in Table 2.7.320A, which ~~shall control~~ where conflicts exist.
3. Conditional Uses.
 - a. Conditional uses permitted in the underlying Commercial Limited and Mixed Employment Zones subject to a Conditional Use Permit and the provisions of BDC Chapter 4.4. Temporary housing is also a conditional use in the Commercial Limited (CL) District. In addition to the conditional uses identified in Chapter 2.3 for the Mixed Employment Zone, there are certain uses that require a Conditional Use Permit if sited on site-specific properties. These uses and properties are identified in Table 2.7.320A.

Article XIV. Bend Central District

2.7.3220 Land Uses.

Table 2.7.3220

Permitted Uses in the Bend Central District by Subdistrict

Land Use	1st/2nd Street	3rd Street	4th Street	South
Residential				
<u>*Temporary Housing</u>	<u>L (see subsection (D)(4) of this section)</u>	<u>L (see subsection (D)(4) of this section)</u>	<u>N</u>	<u>L (see subsection (D)(4) of this section)</u>

Key to Permitted Uses

P = Permitted

N = Not Permitted

C = Conditional Use

L = Permitted with limitations, subject to subsection (D) of this section.

* Special standards for certain uses subject to BDC Chapter 3.6, Special Standards and Regulations for Certain Uses.

D. Limitations. The following limitations apply to those uses identified as “L” in Table 2.7.3220:

4. Temporary Housing. Temporary Housing is permitted west of 3rd Street.

2.7.3250 Parking.

A. In the BCD the following parking requirements supersede parking requirements in BDC Table 3.3.300, Required Off-Street Vehicle Parking Spaces, and in BDC Chapter 3.6, Special Standards and Regulations

for Certain Uses. Unless otherwise noted here, other sections of BDC Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking, apply.

1. Required Off-Street Parking. The minimum number of required off-street vehicle parking spaces is established below. The number of parking spaces provided by any particular use in ground surface parking lots must not exceed the required minimum number of spaces provided by Table 3.3.300, Required Off-Street Vehicle Parking Spaces, by more than 50 percent. Spaces provided on-street, or within the building footprint of structures, such as in rooftop parking, or under-structure parking, or in multi-level parking above or below surface lots, do not apply toward the maximum number of allowable spaces. Parking spaces provided through “shared parking” also do not apply toward the maximum number.

- a. Residential Uses.

- i. Single-family attached townhomes: one space per dwelling unit.
- ii. Live/work dwelling unit: one space per live-work dwelling unit.
- iii. Residential uses in a mixed-use development, multifamily, micro-units and commercial-ready space used as residential: one-half space per dwelling unit.
- iv. Tandem parking is permitted when the spaces are assigned to the same dwelling unit.

- v. Temporary Housing: one space per 500 square feet of gross floor area.

- b. Nonresidential uses: one space per 1,000 square feet of floor area.

- i. Exception. Hotels/motels and entertainment uses may use the off-street parking requirements in BDC Table 3.3.300, Required Off-Street Parking Spaces.

Chapter 3.6

SPECIAL STANDARDS AND REGULATIONS FOR CERTAIN USES

3.6.200 Residential Uses.

O. Temporary Housing.

1. ~~Supervision~~ On-site Management. On-site ~~supervision~~ management must be provided at all times the facility is open for services. ~~At least one competent adult must be present for every 25 persons utilizing the facility.~~
2. ~~Loitering~~. ~~There shall be no loitering at the facility location.~~
3. ~~2. Outdoor Activities~~ Waiting and Intake Area. ~~All functions associated with a temporary housing use, except for children's play areas, outdoor recreation areas, parking and outdoor waiting must take place within the building proposed to house the temporary housing use. Outdoor waiting for clients, if any, may not be in the public right-of-way, must be physically separated from the public right-of-way and must be large enough to accommodate the expected number of clients. Waiting shall not take place beyond one hour before the facility opens or more than one hour after it has closed. If waiting or first-come, first-served services are provided, any outdoor, on-site, waiting and intake area must be sized to accommodate the expected number of people to be served.~~
4. ~~3. Development Standards~~. The development standards for the base zone and any overlay zone ~~shall~~ apply to temporary housing uses, unless superseded by standards in this section.
5. ~~4. Parking~~. The parking space requirements for temporary housing uses ~~shall be~~ are one space per 500 square feet of gross floor area, unless parking exemptions and reductions apply.
6. ~~Signs~~. ~~Signs shall comply with all applicable Oregon codes and City of Bend ordinances including, but not limited to, BC Chapter 9.50, Signs, and Design Review provisions in this code.~~
7. ~~Separation~~. ~~Any proposed temporary housing facility must be located at least 1,000 feet from any other temporary housing facility.~~
8. ~~5. Compliance~~. Any temporary housing facility must meet all other applicable requirements of Federal, State, and/or local authorities including but not limited to local Fire Department, building and Environmental Health requirements.
6. Facilities and Services. Temporary housing may provide facilities and services on site including, but not limited to, the following:

- a. Meals and dining areas
- b. Clothing/laundry facilities
- c. Restrooms and showers
- d. Day care facilities
- e. Case management services and information on or referral to other community resources
- f. Overnight and daytime accommodations.

3.6.400 Temporary Uses.

Unless otherwise permitted, temporary uses shall comply with this section. Temporary uses not specifically allowed under this section, including but not limited to temporary retail sales and services, in zones where retail sales and services are allowed, are prohibited. The use of a motor home, recreational vehicle, travel trailer, tent, or similar device as a dwelling unit is also prohibited. Provision of “Safe Parking” as described in the Bend Municipal Code is not considered a “dwelling unit” use prohibited by this section, and is allowed as set forth in the Bend Municipal Code. “Safe Parking” as described in the Bend Municipal Code is not a land use decision and is not subject to the Bend Development Code.
