

Chapter 2.7
SPECIAL PLANNED DISTRICTS, REFINEMENT PLANS,
AREA PLANS AND MASTER PLANS

Article XXII. Treeline Master Planned Development

2.7.4000 Treeline Master Planned Development

2.7.4010 Purpose.

The purpose of the Treeline Master Planned Development is to implement the policies in Chapter 11 – Growth Management of the Bend Comprehensive Plan (BCP) regarding the West Expansion Area, and to create appropriate development standards for the residential uses within the Treeline Master Plan area. The development standards will:

- Provide a variety of housing types and densities in a coordinated neighborhood.
- Implement BCP Policy 11-104 by providing capacity for up to 65 housing units within Master Plan Area 2, including at least 12 single family attached units. The minimum required units (total and by housing type) is 90% of the specified maximum.
- Ensure compatibility of uses within the master plan and the surrounding area.
- Create a transect where lower densities along the urban growth boundary transition to standard densities adjacent to existing neighborhoods.
- Preserve open space in order to provide buffers for wildlife and wildfire.
- Establish an interconnected street system consistent with the Transportation System Plan with cross-sections appropriate to the characteristics of adjacent land uses.
- Create safe, attractive, and efficient pedestrian routes and other multi-modal transportation options.

2.7.4020 Applicability

The Treeline Master Planned Development standards apply to the property identified in Figure 2.7.4020, a portion of the West Expansion Area in BCP Chapter 11. The special standards of the Master Plan supersede the standards of the underlying zone. Where no special standards exist, the standards of the underlying zoning district apply. The final determination of the overlay zone or district boundary will be established at the time of subdivision platting and right-of-way dedication.

2.7.4030 Districts.

A. Low Density Residential District

The purpose of the Low Density Residential (RL) District is to implement the low-density single-family residential lot component of the west side transect as identified in the BCP. Open space, lot sizes, and setbacks in this District are intended to minimize impacts on wildlife and reduce the risk of wildfire.

B. Standard Lot Overlay

The purpose of the Standard Lot Overlay (SLO) is to allow standard density single-family homes on smaller lots than otherwise permitted in the underlying RL zone in order to meet the unit and housing mix requirements in BCP Policy 11-104. This district allows attached and detached single-family homes and will accommodate at least 12 attached single-family units as required by BCP Policy.

2.7.4040 Review Procedures.

The following review procedures are applicable to uses and structures within the Treeline Master Planned Development:

- A. **Design Review.** Single-family dwellings are subject only to design review through the Treeline Architectural Review Committee. The following uses are exempt from Minimum Development Standards Review with existing full utility and full street frontage infrastructure:
1. Single-family detached housing.
 2. Attached single-family townhomes with vehicular access from an alley.

2.7.4050 Residential Zoning Districts

- A. **Permitted Uses.** The land uses listed in Table 2.7.4050 are permitted in the Residential Districts, subject to the provisions of this chapter. Only land uses that are specifically listed in Table 2.7.4050, land uses that are incidental and subordinate to a permitted use, and land uses that are approved as "similar" to those in Table 2.7.4050 may be permitted.

Table 2.7.4050 – Permitted and Conditional Uses

Land Use	RL	SLO
Single-Family Detached Housing	P	P
*Accessory Dwelling Units (ADUs)	P	P
*Attached Single-Family Townhomes	N	P
Family Childcare Home (16 or fewer children)	P	P
*Home Business (Class A/Class B)	P	P
*Accessory Uses and Structures	P	P
Parks	P	P
Recreational Facilities	P	P
*Short-Term Rental	P	P

* Subject to special standards as described in BDC Chapter 3.6, Special Standards and Regulations for Certain Uses.

B. Setbacks.

	Front*	Rear*	Side
RL	20 ft.	20 ft.	10 ft.
SLO	10 ft., except garages and/or carports must be set back 20 ft.	10 ft.	5 ft.

*On corner lots, one front setback may be subject to side setback requirements and rear setbacks may be subject to side setback requirements. Garages and/or carports must maintain a minimum front setback of 20 feet.

Lot Areas and Dimensions by Housing Type and Zone/Overlay

Residential Use	Zone/ Overlay	Lot Area	Lot Width/Depth
Single-Family Detached Housing	RL	Minimum area: 10,000 sq. ft.	Minimum lot width: 100 ft. Minimum lot depth: 100 ft.
	SLO	Minimum area: 4,000 sq. ft.	Minimum width: 40 ft. at front property line Minimum lot depth: 75 ft.
Single-Family Attached Housing (Townhomes)	SLO	Minimum area: 4,000 sq. ft. for each unit	Minimum width: 40 ft. at front property line Minimum lot depth: 100 ft.

Exceptions:

1. Lots that abut the bulb of a cul-de-sac or knuckle corner: minimum width 30 ft. at the front property line;
2. Corner lots must be at least five feet wider than the minimum lot width required in the zone or overlay.
3. Other exceptions permitted in the underlying Residential District are also permitted.

E. **Residential Density.** The Treeline Master Planned Development implements BCP Policy 11-104 by providing capacity for up to 65 housing units within Master Plan Area 2, including at least 12 single family attached units. The minimum required units (total and by housing type) is 90% of the specified maximum.

F. **Maximum Lot Coverage.** The following maximum lot coverage standards apply to all development within the Residential Districts as follows:

Residential Lot Coverage

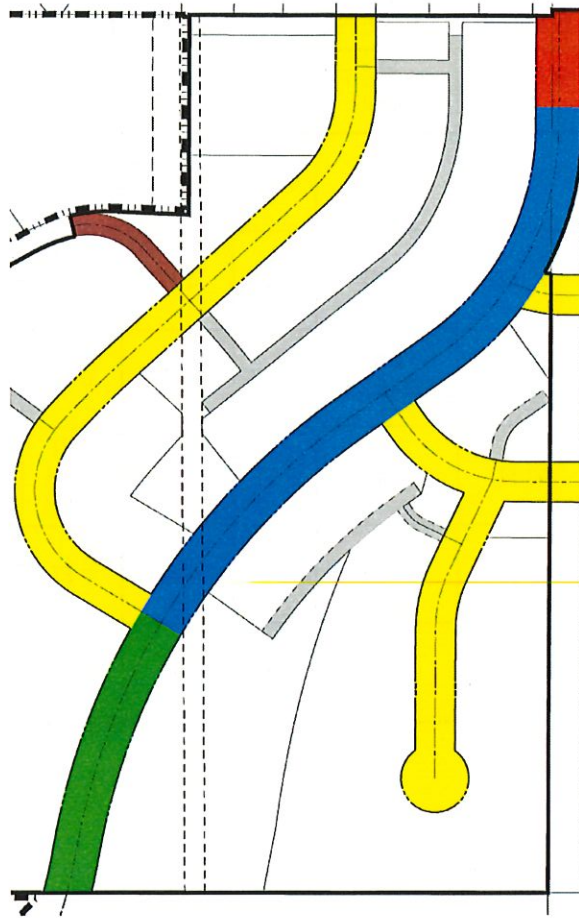
Zone/Overlay	Maximum Lot Coverage
Low Density Residential (RL)	35%
Standard Lot Overlay (SLO)	45% for lots with two-story homes 50% for lots with single-story homes

G. **Maximum Building Height:** 30 feet.

H. **On-Site Surface Water Drainage**

1. On-site surface water drainage may be addressed in the following ways. Alternatives may be approved by the City Engineer:
 - a. Roof drainage originating from residential properties may be conveyed to a public street and/or public storm drain collection and disposal system by subsurface piping, or curb weepholes.

Figure 2.7.4060
Treeline Street and Circulation Plan



**PLANNING COMMISSION
RECOMMENDATION TO THE CITY COUNCIL**



**COMMUNITY
DEVELOPMENT**

PROJECT NUMBER: PZ 19-0793

HEARING DATE: Monday, January 27, 2019 at 5:30 p.m.

APPLICANT: Pahlisch Homes, Inc.
210 SW Wilson Avenue, Suite 100
Bend, OR 97703

OWNER: Shevlin Heights Acquisitions, LLC (Dave Swisher)
Tax Lot 500 250 NW Franklin Avenue, Suite 401
Bend, OR 97703

OWNERS: Anderson Ranch Holding Co., LLC (Dave Swisher)
Tax Lots 100/700 250 NW Franklin Avenue, Suite 401
Bend, OR 97703

Susan Sacher, trustee of Kirk Trust (no address)

David Bone (no address)

Jeffrey R. Colker, trustee of Jeffrey R. Colker Trust (no address)

**PRIMARY
CONTACT:** Joey Shearer
AKS Engineering and Forestry, LLC
2777 NW Lolo Drive, Suite 150
Bend, OR 97703

LOCATION: Bend Urban Growth Boundary West Expansion Area
Master Plan Area 2; Tax lots 100, 500 and 700 on Deschutes County
Assessor Map 17112DD; 3095 NW Anderson Ranch Road (Tax Lot 700) no
situated address (Tax Lot 100), and Anderson Ranch Road – private (Tax Lot
500)

REQUEST: Type III Quasi-judicial amendment to Bend Development Code Chapter
2.7, Special Planned Districts, to create the Treeline Master Planned
Development; a 28.3 acre Major Community Master Plan, with 65 single-
family homes including 12 townhomes, and 6.9 acres of open space.

**STAFF
REVIEWERS:** Karen Swenson, AICP, Senior Planner
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Chris Henningsen, PE, Principal Engineer
(541) 388-5571, chenningsen@bendoregon.gov

APPLICABLE CRITERIA, STANDARDS, AND PROCEDURES:

Bend Development Code

Criteria

Chapter 4.5, Master Planning and Development Alternatives

- 2. ZONE AND PLAN DESIGNATION:** The Treeline Master Plan property is within the West Area of the 2016 Urban Growth Boundary (UGB) expansion, further identified as West Area Master Plan Area 2. The property consists of 28.3 total acres, currently zoned Urbanizable Area (UA), and designated Residential Urban Low Density (RL) by the Bend Comprehensive Plan Map. The Comprehensive Plan specifies that the property will be developed with a maximum of 65 total housing units, including 12 townhomes, pursuant to Bend Comprehensive Plan (BCP) Policy 11-104.
- 3. SITE DESCRIPTION & SURROUNDING USES:** As shown on the submitted Existing Conditions Plan and Existing Aerial View sheet, the property currently contains a private sports court but is otherwise devoid of structures. Topography on the site varies. Large areas along the western edge and southeastern corner slope up at 10 to 25 percent to the property boundary. A ravine at the southern portion of the property—the location of an old pumice mine—creates slopes greater than 25 percent before leveling off to the north. Existing vegetation is typical of the west side of Bend and includes coniferous trees—primarily Junipers and Ponderosa Pines—of varying heights and maturities.
- Abutting developed properties to the east of the Master Plan Area carry the Residential Standard Density (RS) zoning designation and include the Shevlin Meadows, Shevlin Ridge, and Shevlin Crest subdivisions.
- 4. PROPOSAL:** This proposal is for a Major Community Master Plan for the 28.3-acre West Area 2 that was included in the 2016 expanded Urban Growth Boundary, to be known as Shevlin West. The applicant intends to accomplish the applicable Policies of Chapter 11 (Urbanization) of the Bend Comprehensive Plan through adoption of this Major Community Master Plan as required by BDC Chapter 4.5. The proposal will involve amendments to both the text and maps in BDC Chapter 2.7 to provide specific development provisions, maps, roadway and trail network. The applicant is party to a development agreement with the City (Ordinance NS-2316) for the guarantee of water, sewer, and transportation infrastructure for the future urban development for the West and Shevlin UGB Expansion Areas, including the subject property. The development agreement provides for the timing, construction and funding of infrastructure necessary to support the urban development of these properties. This proposed major master plan does not increase the water, sewer or transportation infrastructure needs beyond the needs anticipated and evaluated in support of the Development Agreement. The applicant has provided a thorough narrative and documents in support of the application (Exhibits A through O), including the proposed Development Code text for the Treeline MPD contained in Exhibit J.

- 6. PUBLIC NOTICE AND COMMENTS:** The applicant hosted a public meeting on August 5, 2019 at the Unitarian Universalist Fellowship of Central Oregon. Verification of public meeting forms were included in the submittal to the City with the master plan application form. The documents show that approximately 19 people attended the neighborhood meeting. According to the documents, concerns at the meeting included construction traffic on local streets and safety of children in the area, as well as designing for safety on Skyline Ranch Road and the need to accelerate the construction of Skyline Ranch Road to the south.

The Planning Commission held a public hearing for the Treeline MPD on January 27, 2020, and issued a recommendation of approval to the Council. Two individuals testified at the Planning Commission public hearing and one individual submitted written comments immediately prior to the hearing. Public notice for the City Council hearing was provided in accordance with the requirements of BDC 4.1.423-4.1.425. On January 30, 2020, notice was mailed by the Planning Division to surrounding owners of record of property within 250 feet of the subject properties, and to the Summit West and Century West Neighborhood Association representatives. On February 7, 2020, Notice of Proposed Development signs were posted by the applicant along the property frontages at five locations, visible from adjacent rights of way. Two written comments were received in response to these notices at the time this summary was prepared, primarily focused on traffic mitigation through the existing neighborhoods but also about site drainage and existing and future trail connections.

Various agencies were also sent notice, and their comments are contained in the project file and considered in this decision.

- 8. APPLICATION ACCEPTANCE DATE:** This Type III Major Community Master Plan application was submitted on October 18, 2019 and most required submittal materials were uploaded on October 23, 2019. The application fee was paid on October 27, 2019. The Transportation Analysis Memo was completed and uploaded on November 15, 2019. The applicant completed the Fees Paid task in ePlans on December 3, 2019 at which point the application was deemed complete. In accordance with BDC 4.1.430, applications for major master plans are exempt from the 120-day review time limitation for final decision.

APPLICATION OF THE CRITERIA:

Bend Development Code

Chapter 4.5, Master Planning and Development Alternatives

4.5.100 Master Plan General Provisions.

- B. Applicable Standards and Criteria.** There are three categories of master plans (community master plan, institutional master plan, and employment master plan) each with a distinct set of standards and criteria. The determination of master plan category will be made by the City based on the most prominent use(s) proposed by the master plan or development proposal. Each master plan or development proposal must only fall into one master plan category and only the standards and criteria

application will be based on the standards and criteria at the time the major master plan was first submitted to the City.

FINDING: The applicant acknowledges that the Treeline major community master plan is not subject to the 120-day review period specified in ORS 227.178.

E. Submittal Requirements. The following information must be submitted as deemed applicable by the Development Services Director based on the size, scale, and complexity of the master plan:

1. Existing Conditions Submittal Requirements.

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2. Proposed Master Plan Submittal Requirements.

a. Narrative that describes the following:

- i. Development boundary subject to proposed Master Plan. May also reference submitted maps or diagrams;
- ii. Project description;
- iii. Description, approximate location, and approximate timing of each proposed phase of development. The phasing plan may be tied to necessary infrastructure improvements. May also reference submitted maps or diagrams;
- iv. How the proposed water, sewer, and street system will serve the size and type of development and uses planned for this area;
- v. How the location and sizing of water and sewer facilities on site will be consistent with existing and planned facilities;
- vi. How water flow volumes will be provided to meet fire flow and domestic demands;
- vii. The function and location of any private utility system;
- viii. Compliance with the applicable approval criteria set forth at BDC 4.5.200 Community Master Plan, BDC 4.5.300 Institutional Master Plan, and BDC 4.5.400 Employment Master Plan;
- ix. Types of residential uses and planned densities; and
- x. Bend Comprehensive Plan Map compliance analysis which explains how plan designation acreages in the Bend Comprehensive Plan Map designations for the subject site or sites, including minimum and maximum residential density ranges, are implemented by the Master Plan, including rearranging the plan designations and or zoning that retains the same total area of all plan designations on the subject site or within one percent of the same total acres. All other changes must be processed concurrently as a Comprehensive Plan amendment and zone change.

b. Scaled maps or diagrams that include the following information (as applicable):

c. Draft Development Code text, figures, and tables in a format prescribed by the City, which proposes changes to the development standards and zoning district requirements intended to implement the Major Master Plan. The draft

- Preliminary Zoning Map
- Preliminary Circulation Plan
- Preliminary Street Sections
- Preliminary Lot Layout and Phasing Plan
- Conceptual Grading Plan
- C. Preliminary Title Report and Deeds
- D. Utility Availability Memo
- E. Bend Park and Recreation District (BPRD) Letter
- F. Bend-La Pine School District Letter
- G. Verification of Neighborhood Meeting
- H. Traffic Facilities Report (TFR)
- I. Traffic Analysis Memo (TAM)
- J. Draft Treeline Development Code
- K. Wildfire Mitigation Plan
- L. Wildfire Consultant Letter
- M. Commercial Proximity Exhibit
- N. "Will-Serve" Letters
- O. Westside Infrastructure Group Development Agreement (WIG DA)

4.5.200 Community Master Plan.

A. Purpose. The community master plan is intended to provide complete neighborhoods with varied housing options, services, and amenities needed for daily living, including public schools, parks and open spaces, shops, and services, all within a convenient walking or biking distance. The community master plan is also intended to provide convenient access to public transportation and employment areas.

B. Applicability.

1. Community master plans in conformance with this section may be submitted for any property or combination of properties three acres or larger in size.
2. Community master plans are required for any property or combination of adjacent properties under common ownership totaling 20 acres or larger at the date of adoption of this code, unless exempted below.

FINDING: The subject property is 28.3 acres in size. The property does not qualify for any exemptions to the master planning requirements outlined in this section.

C. Review Process.

1. **Needed Housing.** If the community master plan includes needed housing as defined by State statutes, the written narrative submitted with the community master plan application must clearly state whether the applicant is electing to use a process with clear and objective standards (minor master plan) or is electing to use a deviation process with changes proposed to one or more of the Bend Development Code standards and/or zoning district requirements and/or with changes proposed to the Bend Comprehensive Plan Map designations and/or

and the Water System Master Plan, latest editions, or adequate facilities will be installed prior to occupancy or use.

FINDING: The Westside Infrastructure Group Development Agreement (WIG DA - Ordinance No. NS-2316, effective November 16, 2018, City file #PZ 18-0696) demonstrates compliance with this section. The West and Shevlin UGB expansion areas were incorporated in this development agreement at their maximum permissible development potential as specified in the Bend Comprehensive Plan to assess impacts on the sewer and water systems. The findings in support of PZ 18-0696 conclude that existing sewer and water facilities are currently adequate or will be made adequate with the installation of certain improvements specified in the WIG DA. The requirements of the WIG DA are binding on both the applicant and the City for a period of 15 years from enactment, until November 16, 2033. Those findings and conclusions adopted in support of Ordinance NS-2316 are incorporated herein by reference. In addition, the applicant submitted to the City a Sewer & Water Analysis Application. The signed Utility Availability Memo (SWA 19-4442) is in Exhibit D.

c. The community master plan complies with BDC Chapter 4.7, Transportation Analysis.

Chapter 4.7, Transportation Analysis

4.7.600 Significant Impacts and Mitigation Measures.

D. Timing of Improvements.

2. Development proposals within Master Planned Developments or Special Planned Areas, as described in BDC Chapter 4.5, Master Planning and Development Alternatives, where a Transportation Mitigation Plan has been approved, shall refer to the Plan for the extent and timing of improvements.

FINDING: Chapter 4.7 was addressed fully in PZ 18-0696 and the WIG DA. Transportation system deficiencies were identified through the combined TIA prepared for all West and Shevlin UGB expansion area properties based on the maximum development potential identified for each property in the Bend Comprehensive Plan. Specific transportation improvements and mitigation payments were identified and imposed through the terms of the WIG DA, which serves as the Transportation Mitigation Plan required under BDC 4.7.600.D.2. Those findings of compliance with BDC Chapter 4.7 in support of Ordinance No. NS-2316 demonstrate compliance with this criterion.

In addition, the applicant submitted a supplemental Transportation Facilities Report (Exhibit H of the application) which was reviewed by City staff. The City issued a Traffic Analysis Memo (BP-19-5174 TRFA) on October 28, 2019 outlining site-specific transportation mitigation requirements. Implementation of these mitigation measures indicates compliance with BDC 4.7.

3. Major Community Master Plan. In addition to the approval criteria in subsection (D)(1) of this section the City may approve, approve with conditions, or deny a proposed major community master plan application based on meeting all of the following criteria:

FINDING: Master Plan Area 2 is designated as Urban Low Density (RL) by the Bend Comprehensive Map and Policies. The RL zone implements this plan designation and prescribes setbacks, lot dimensions, lot coverage, and other development standards that would effectively prevent construction of the housing units and mix required under BCP Policy 11-104. Therefore, a special plan district to be codified in BDC Chapter 2.7 establishes unique standards for the Treeline master plan to ensure implementation of the transect framework, the housing mix required by BCP 11-104, and compatibility with existing homes in the surrounding neighborhoods. Draft development code language creating the Treeline Master Planned Development is included in Exhibit J of the application. Demonstration of compliance with the standards and regulations contained in Title 2 and 3 are included at the end of this report.

Residential Zones and Development Standards

While the RL zone contemplated with the Treeline Master Plan aligns with the City's standard RL zone, a new Standard Lot Overlay (SLO) would be established on a portion of the property generally east of the overhead transmission lines (see Figure 1 above and Exhibit B: Sheet P04).

The SLO contains the attached single-family homes required under BCP Policy 11-104 and establishes development standards similar to the City's RS zone, which abuts the site to the north and east. The primary impact of the SLO is that a portion of the lots for single-family homes may be smaller than the standard RL zone would allow, and it would include a required housing type (townhomes) not generally permitted in the RL Zone. Clustering of standard density housing in the eastern half of the site, adjacent to similar housing in existing neighborhoods, allows for an increased amount of open space to be preserved across the site, which minimizes impacts on wildlife and creates managed buffers that reduce the risk of wildfire.

The deviation from the RL standards, resulting in reduced lot dimensions, setbacks, and greater lot coverage, is mitigated by a community design that includes ± 6.9 acres of open space ($\pm 24.4\%$ of site area) providing additional building separation, sunlight and air circulation, and most importantly a housing mix required under BCP Policy 11-104. On balance, the deviations will equally or better meet the purpose of the underlying standard and are necessary due to BCP Policy 11-104 and other BCP policies implementing the transect concept.

Street Standards

The Preliminary Circulation Plan and Preliminary Street Sections (Exhibit B: Sheet P07) show planned street cross-sections for the various road classifications within the Treeline master plan. New and extended local streets will meet the standard in the Bend Development Code, but modified collector standards are planned for NW Skyline Ranch Road. A critical design consideration for the collector street is lowering vehicle speeds and supporting safe multimodal travel, both at marked crossings and north through the existing neighborhood. The modified cross-sections are summarized below:

Canyon Collector: NW Skyline Ranch Road will be located within a narrow ravine as it enters the site from the south. Lots will front the west side of the road but will take access from a rear alley instead of the collector street. The ± 38 -foot-wide paved section within a 70-foot-wide right-

Goal 1, Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

FINDING: The City's acknowledged citizen involvement program for quasi-judicial amendments is codified in BDC Chapter 4.1. The first step for citizen involvement is the public meeting required by BDC 4.1.215. The applicant hosted a public meeting on August 5, 2019. The required City forms for Verification of Compliance and Verification of Neighborhood Meeting, as well as documentation of the mailing of notices are included in the submittal. Type III land use applications are also noticed by the City pursuant to BDC 4.1.400, which ensures that citizens are informed of the opportunity to participate in a public hearing. The requirements of this goal have been met.

Conformance with Goal 1 is further achieved through compliance with Title 4 of the Bend Development Code, Applications and Review Procedures. Section 4.6.300 of the Development Code establishes that major community master plans shall follow a Type III procedure as governed by Chapter 4.1. An initial public hearing before the Planning Commission will precede a second public hearing before the City Council. The public involvement procedures identified in the Development Code are being followed, which will ensure compliance with Statewide Planning Goal 1.

Goal 2, Land Use Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

FINDING: The proposal is a major community master plan that includes an amendment to add new text to the BDC to add a new Treeline Master Planned Development district. The proposed amendments are within a Development Code that has been crafted to be consistent with the Bend Comprehensive Plan policies specific to the subject property, BCP 11-100 to 11-104, and 11-106 to 11-108. The Bend Comprehensive Plan was acknowledged by the Oregon Department of Land Conservation and Development (DLCD). The proposed community master plan and its associated text and map amendments serve to implement the applicable BCP Policies and do not alter the administration of the code or the established requirements which ensure a factual base for all decisions. Therefore, the proposal complies with Statewide Planning Goal 2.

Goal 3, Agricultural Lands: To preserve and maintain agricultural lands.

Goal 4, Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

FINDING: There are no designated agricultural lands or forest lands within the project area. Therefore, Goals 3 and 4 do not apply.

Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces: To protect natural resources and conserve scenic and historic areas and open spaces.

proposed efficiency measures and areas for expansion direct growth away from these areas.

- *The proposal will maintain and improve the quality of air resources because it has been designed to reduce the growth of vehicle miles traveled (VMT), which will help in limiting or avoiding new greenhouse gas emissions from auto and truck traffic.*

The adopted Comprehensive Plan policies ensure compliance with Goal 6.

Goal 7, Areas Subject to Natural Hazards: To protect people and property from natural hazards.

FINDING: No 100-year floodplains or mapped landslide areas are located within this master plan area. During the City of Bend's recent UGB expansion process, wildfire risk was identified as significant in the area of the subject properties of this application. As a result, the City included wildfire hazard as one of the performance measures in evaluating the UGB expansion scenarios. The City Council found that the proposed (now adopted) Growth Management Chapter 11 of the City's Comprehensive Plan included policy language focused on mitigating the risk of wildfire. Specifically, the adopted Policy 11-5 reads:

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

The City, in collaboration with a wildfire consultant, found that wildfire risks can be mitigated through implementation of the UGB expansion and future master plan and subdivision applications. There are three basic approaches to wildfire mitigation recognized by the City of Bend: development pattern, construction technique, and vegetation management. Each of these approaches is addressed in detail in the Treeline Wildfire Mitigation Plan (Exhibit K of the application). This plan is based on many of the National Fire Protection Association (NFPA) Wildfire Protection standards that were utilized in the Tree Farm subdivision and were approved with the Discovery West Master Plan. Plan elements include implementation of the transect concept, a well-connected transportation network, managed open space buffers, and fire-resistant building materials and construction methods. A letter endorsing this plan from Craig Letz, a wildfire mitigation consultant based in Central Oregon who advised the City of Bend on the 2016 UGB expansion is included as Exhibit L of the application. Therefore, the goal is met.

Goal 8, Recreational Needs: To satisfy the recreational needs of citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

FINDING: The City adopted the Bend Comprehensive Plan and the Department of Land Conservation and Development has acknowledged that Plan. Chapter 2 of the BCP establishes Goals and Policies which address Natural Features and Open Space needs within the City of Bend and prescribes responsibilities of both the City and the Bend Park and Recreation District, via Policy 2-2. The applicant notes that over 24% of park land and open space are included in the Treeline community master plan. Specific details for future programmed amenities within the open space tracts are not known at this time, however, the open space areas will likely be suitable for passive recreation uses and will create a transitional open space buffer from the natural areas to the west. Smaller open space pockets on the eastern edge of Treeline will

encourage coordination among transportation providers, protect facilities and corridors for their identified function, and facilitate movement of freight.

Oregon Administrative Rule Chapter 660, Division 12, is the Transportation Planning Rule (the TPR) adopted by the LCDRC. The TPR implements Goal 12, Transportation, and is an independent approval standard in addition to Goal 12 for map amendments. Oregon Administrative Rules 660-012-0060(1) and (2) apply to amendments to acknowledged land use regulation (including a zoning map), such as this major community master plan application.

The TPR requires a two-step analysis. First, under OAR 660-012-0060(1), the Applicant must determine if the application has a "significant affect," as that term is defined in OAR 660-012-0060(1). If not, then the analysis ends, and the TPR is satisfied. The City may rely on transportation improvements found in transportation system plans and planned facilities, as allowed by OAR 660-012-0060(4)(a), (b), and (c), to show that failing intersections are not made worse or intersections not now failing do not fail. If there is a "significant affect," then the Applicant must demonstrate appropriate mitigation under OAR 660-012-0060(2).

The planned transportation improvements, internal circulation system, and street cross-sections will support residential uses within the Treeline master plan while also improving connectivity and the functionality of critical transportation facilities on the west side of Bend. The project will extend NW Skyline Ranch Road, a collector street that includes dedicated facilities for vehicles, bicycles, and pedestrians. As the north/south spine through the community, a critical design consideration for this collector street is lowering vehicle speeds and supporting safe multimodal travel, both across the street and north through the existing neighborhood. Curb bulb-outs and a pedestrian island provide traffic calming and make pedestrian crossings safer and more comfortable. The project also extends local streets that improve the connectivity of the transportation system in the surrounding neighborhoods.

The transportation analysis (Exhibit H of the application) prepared by Transight Consulting includes a Transportation Facilities Report and addresses compliance with the WIG DA (Exhibit O of the application). The City's prior approval of the WIG DA addressed the City's formal Transportation Impact Analysis requirements as well as compliance with the Transportation Planning Rule for City facilities. This assessment and agreement included the impacts of multiple properties on Bend's west side and considered the cumulative transportation improvements on City and County major roadway facilities throughout the area.

In their findings supporting the WIG DA, the City Council concluded:

"The \$1.4 million dollar payment for off-site mitigation will be used by the City to make improvements to the 14th Street corridor. These off-site improvements have been determined by the City to off-set the significant effects at other City facilities. In addition, the DA requires the construction of two roundabouts (Shevlin Park Rd/Skyline Ranch Rd and Skyliners Rd/Skyline Ranch Rd). The combination of the payment for off-site improvements and the construction of these two roundabouts provides the mitigation necessary to satisfy the TPR and allow the properties to be rezoned to match their Comprehensive Plan designations at the time of annexation without additional off-site transportation improvements."

The planned transportation improvements within the Treeline master plan are consistent with the WIG DA. Therefore, Goal 12 is satisfied.

Code with modifications to allow buffers of aggregated defensible space or similar tools, as appropriate, to the land included in the UGB and annexed to the City of Bend

FINDING: Policy 11-5 precisely mirrors BCP Policy 10-18 from the Natural Forces chapter. The discussion regarding Wildfire in Chapter 11 is as follows:

Wildfire

Wildfire risk (the likelihood of a fire occurring based on historical fire occurrence and ignition sources) is identified by the Greater Bend Community Wildfire Protection Plan (2012), as high to extreme in the Bend area. Vegetation management, such as thinning and brush removal, may reduce the hazard (resistance to control, once a fire starts, based on weather, topography, and vegetation type) in some areas, but further mitigation measures are needed to protect new and existing development in the Wildland Urban Interface (WUI). Additional mitigation measures fall into two categories: development patterns and construction techniques.

Construction techniques are typically enforced through the use of building codes. For example, the building codes found in the 2012 International Wildland-Urban Interface Code (IWUIC) would provide a logical extension of the International Fire Code presently used by the City of Bend to protect commercial buildings. The IWUIC is directed toward the protection of residential development in the wildland-urban interface. The City will involve key stakeholders to determine the appropriate building code language necessary to reduce wildfire hazard to residential structures located in the WUI.

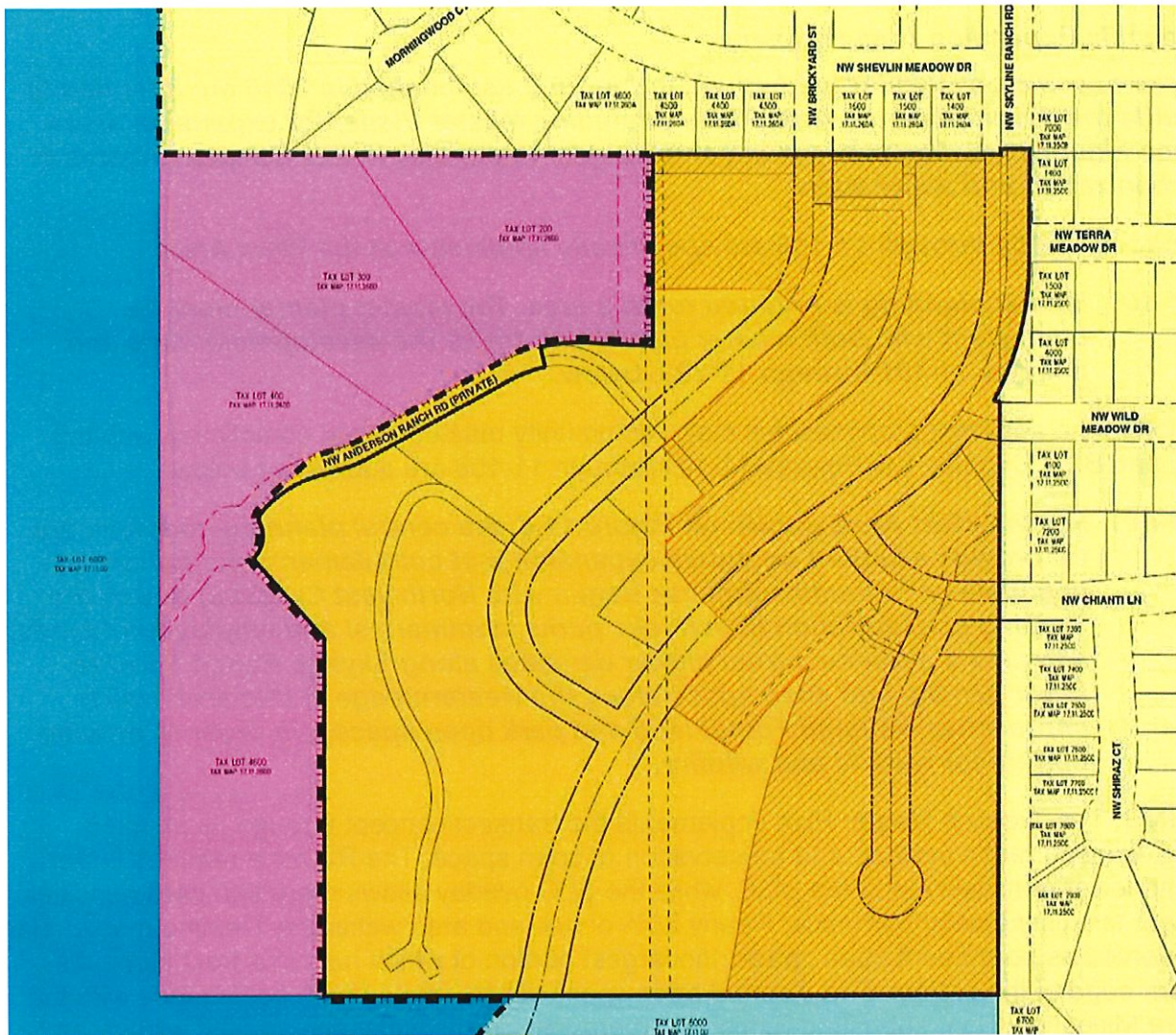
The IWUIC may require some modification to meet Bend's development pattern needs in the UGB expansion areas. The IWUIC depends on widely spaced buildings to provide defensible space against wildfire; however, this may not be an appropriate land use pattern in areas that are expected to expand in the future. Therefore, in expansion areas where greater land use efficiency (i.e., smaller lots and more closely spaced buildings) is appropriate, the City may consider allowing buffers of aggregated defensible space commensurate with wildfire hazard instead of widely spaced individual buildings.

This UGB policy applies to the subject property as a property with an Urban Growth Boundary expansion area. The Treeline Master Plan can be found to reduce wildfire risk through its planned development pattern, open space buffers, managed vegetation guidelines, and building construction methods as detailed in the Wildfire Mitigation Plan (Exhibit K of the application).

Exhibit L of the application includes a letter of endorsement from Craig Letz, a Central Oregon-based wildfire mitigation consultant who advised the City on the 2016 UGB expansion and collaborated with the Applicant on the Treeline Master Plan. The policy is met.

Development Density

Through application of a transect concept, the City designated a low-density development pattern for the subject master plan area, through a Comprehensive Plan designation (and future zoning) of low density residential (RL) for the entire property. This low-density development pattern is further required through specified density requirements (number of housing units) required in Comprehensive Plan Policy 11-104. The Treeline Master Plan implements the transect concept through its planned zoning, transportation system, and preservation of open space. The RL zone requires larger lots and lower densities along the urban growth boundary,



triplex). The required minimum of 870 housing units represents 90% of the maximum allowed number of units.

11-104 *In the absence of an approved Area Plan for this subarea as a whole, each property included in the 2016 UGB expansion in this subarea (see Figure 11-5 below) shall provide the maximum number and mix of units specified below. The minimum required units (total and by housing type) is 90% of the specified maximum.*

- *Master Plan Area 1: 650 housing units, including at least 60 single family attached units and at least 142 multifamily and duplex/triplex units.*
- *Master Plan Area 2: 65 housing units, including at least 12 single family attached units.*
- *Master Plan Area 3: 136 housing units, including at least 16 single family attached units and at least 59 multifamily and/or duplex/triplex units.*
- *Master Plan Area 4: 116 housing units.*

FINDING: Figure 11-5 of the Comprehensive Plan identifies the subject property (Treeline master plan) as Master Plan Area 2, which includes 28.3 acres and is designated Urban Low Density (RL). The submitted master plan includes 65 lots for single-family housing units, including 12 single-family attached units, as required by Policy 11-104. The Treeline Master Plan accommodates its proportionate acreage of residential plan designation, number and mix of housing units consistent with BCP Policies 11-102 through 11-104. The allowable housing ranges for Master Plan Area 2 are as follows:

Type	Minimum	Maximum
Single Family Detached	±48	±53
Single Family Attached	±11	±12
Total	±59	±65

A special plan district for the Treeline master plan to be codified in BDC Chapter 2.7 establishes standards for the Low Density Residential (RL) zone and creates a new Standard Lot Overlay (SLO) to reinforce the transect concept and ensure that future subdivision will contain lots meeting the required number and mix of housing units. The Preliminary Lot Layout and Phasing Plan (Exhibit B) shows the planned lot configuration complies with BCP Policy 11-104. The policies are met.

Exhibit K of the application contains the Treeline Wildfire Mitigation Plan. This plan is based on many of the National Fire Protection Association (NFPA) Wildfire Protection standards that were utilized in the Tree Farm and were approved with the Discovery West Master Plan. Plan elements include implementation of the transect concept, a well-connected transportation network, managed open space buffers, and fire-resistant building materials and construction methods. A letter endorsing this plan from Craig Letz, a wildfire mitigation consultant based in Central Oregon who advised the City on the 2016 UGB expansion, is included as Exhibit L of the application. The policy is met.

11-107 Coordination with Bend Park and Recreation district is required in order to address provision of parks and trails within this area.

FINDING: Exhibit E of the application is a letter from the Bend Park and Recreation District (BPRD) documenting the coordination between the applicant and BPRD. While it is not anticipated that open space will be owned or managed by BPRD, BPRD has indicated support for the incorporation of open space throughout the Treeline master plan. The policy is met.

11-108 Coordination with the Bend-La Pine Schools District is required during area planning for this subarea.

FINDING: Exhibit F of the application is a letter from the Bend LaPine School District. Since there are existing elementary, middle, and high schools proximate to the site, no additional school sites or facilities are contemplated within the Treeline master plan.

4.5.200.D.3. Major Community Master Plan. (Continued)

- d. If the major community master plan proposal contains a zone change request to bring the zoning into compliance with the Bend Comprehensive Plan designation, the zone change is subject to the approval criteria of BDC 4.6.300(C).

4.9.700 Zoning of Annexed Areas.

The Bend Comprehensive Plan map provides for the future City zoning classifications of all property within the City's Urbanizable Area (UA) District. On the date the annexation becomes effective, the UA District will cease to apply and the zoning map will be automatically updated with the zoning district that implements the underlying Comprehensive Plan map designation.

- e. If the major community master plan proposal contains a proposed amendment to the Bend Comprehensive Plan Map or text, the amendment is subject to the approval criteria of BDC 4.6.300(B).

FINDING: This master plan proposal does not include a zone change request, as the zone change to bring the zoning into compliance with the Comprehensive Plan designation (RL) will occur through the annexation application. The proposed master plan does not include a proposed amendment to the Bend Comprehensive Plan Map or text. This section is not applicable.

community master plan must have close and convenient access to commercial goods and services by walking or biking—can still be met. Specifically, the relatively small number of future residents who live outside the 0.5-mile radius will have multiple routes where either the entirety or majority of their route to commercial goods and services will be on a combination of 10-foot-wide multiuse pathways and curb- and grade-separated sidewalks. Therefore, the applicable standards are met.

- 2. Multimodal Connections.** Multimodal connections must be provided on site in compliance with the Bend Urban Area Transportation System Plan (TSP) and the Bend Parks and Recreation District Parks, Recreation, and Green Spaces Comprehensive Plan, latest editions, and the existing and planned trail systems adjacent to the community master plan must be continued through the entire community master plan.

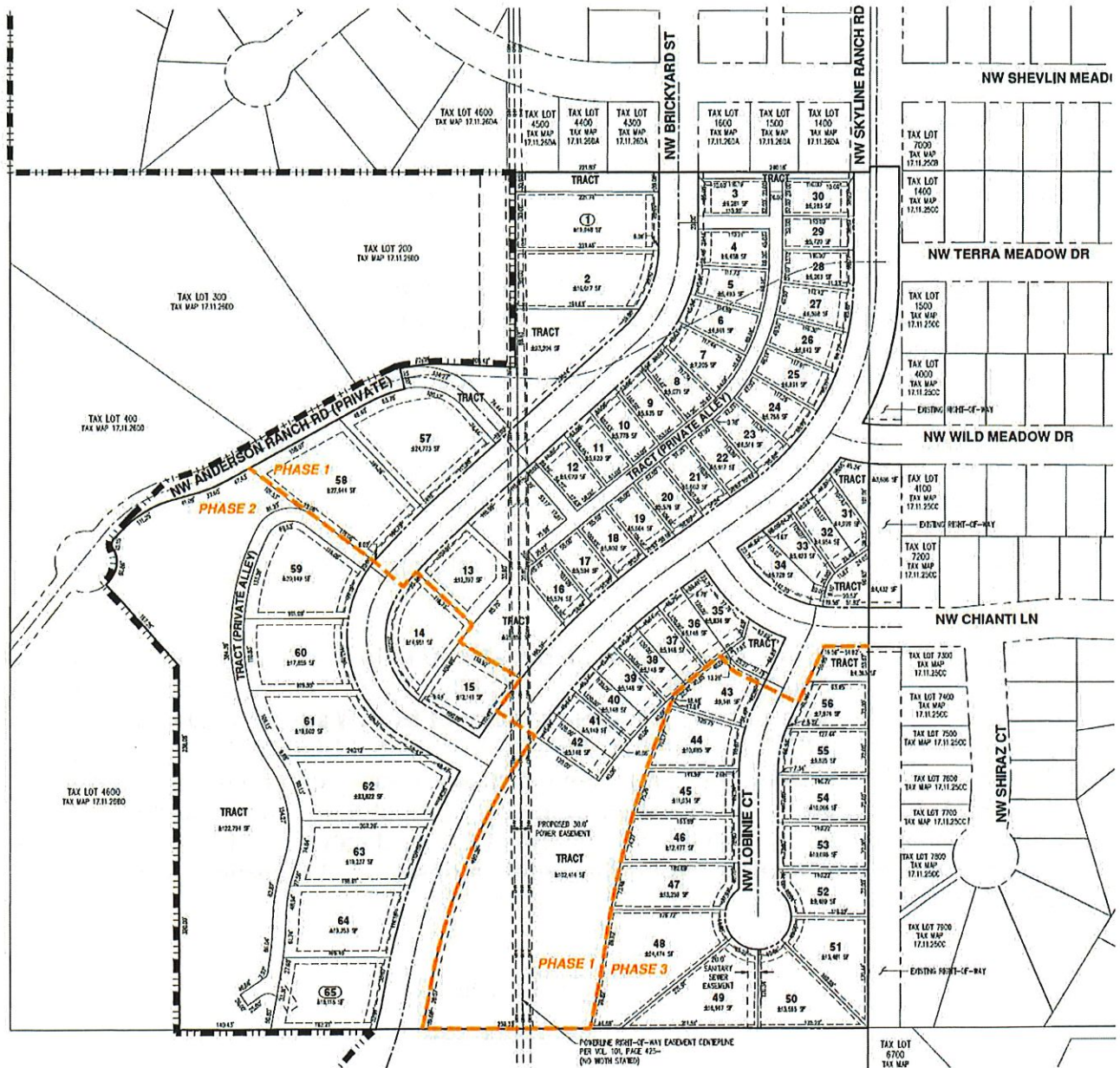
FINDING: The Preliminary Circulation Plan (Exhibit B: Sheet P07) shows bicycle lanes and a 10-foot-wide multiuse trail or 6.5-foot-wide sidewalks running along NW Skyline Ranch Road at the alignment for the future major collector shown in the City's TSP. There are no future trail connections on the subject property depicted on the BPRD Comprehensive Plan nor any trails proposed on the approved Westgate subdivision to the southwest. Consequently, there are no existing or planned trail systems adjacent to the project that must be continued through the project. The applicable standards are met.

- 3. Housing Density and Mix.** Community master plans 20 acres or larger must provide a mix of housing types and achieve minimum housing densities in conformance with the standards of subsections (E)(3)(a) and (b) of this section. To the extent that the Bend Comprehensive Plan Chapter 11, Growth Management, proposes a different mix of housing and/or density standards in the specific expansion area policies, then those policies apply.

FINDING: This project meets the applicable density standards in BDC 4.5.200(E)(3) by showing that the Master Plan Area 2 will contain the housing unit count and mix prescribed in BCP Policy 11-104. Housing density and mix is addressed further in the response to BCP Policy 11-104, above. The requirements of the BCP supersede the general provisions of this section. The applicable criteria are met.

- 4. The community master plan must contain a minimum of 10 percent of the gross area as public or private open space such as parks, pavilions, squares and plazas, multi-use paths within a minimum 20-foot wide corridor, areas of special interest, tree preservation areas, or public and private recreational facilities and must comply with the following:**
 - a. The open space area must be shown on the conceptual site plan and recorded with the final plat or separate instrument.**
 - b. The open space must be conveyed in accordance with one of the following methods:**
 - i. By dedication to the Park District or City as publicly owned and maintained open space. Open space proposed for dedication to the Park District or City must be acceptable with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities; or**

The WIG Infrastructure Agreement (Ordinance No. NS-2316) went into effect on November 16, 2018 and runs through November 16, 2033.



FINDING: The subject property is designated RL on the City's Comprehensive Plan map and will be automatically rezoned to RL through a future annexation process, therefore, the requirements of this zone must be demonstrated to be achievable through the community master plan. The proposed density is 65 units on a total of 28.3 acres, resulting in a density of 2.3 units per gross acre, in compliance with these requirements.

2.1.200 Permitted Land Use.

A. Permitted Uses. The land uses listed in Table 2.1.200 are permitted in the Residential Districts, subject to the provisions of this chapter. Only land uses that are specifically listed in Table 2.1.200, land uses that are incidental and subordinate to a permitted use and land uses that are approved as "similar" to those in Table 2.1.200 may be permitted.

Table 2.1.200 – Permitted and Conditional Uses

Land Use	RL
Residential	
Single-family detached housing	P
*Attached single-family townhomes	N/P**
Key to Permitted Uses	

P = Permitted, subject to BDC Chapter 4.1, Development Review and Procedures

N = Not Permitted

** Permitted as part of a master plan subject to [BDC Chapter 4.5](#).

FINDING: The applicant is proposing 53 single family detached housing unit in the RL zone, an outright permitted use. In addition, in compliance with BCP Policy 11-104, the applicant is proposing 12 units of single-family attached housing, which is a permitted use as part of a master plan. Therefore, the proposed uses are in compliance with this standard.

2.1.300 Building Setbacks.

FINDING: The subject property is designated RL on the Comprehensive Plan, which will be automatically adopted with the approval of the annexation request. As part of the Treeline master plan, the easterly portion of the master plan will be subject to the Standard Lot Residential (SLO) overlay. The Treeline Master Plan code which will adopted into BDC 2.7 sets forth the setbacks for this overlay zone, which provide greater rear and side setbacks than the RS zone applied citywide. The residential compatibility setbacks will not apply to the Treeline master plan.

...

proposed special planned district with this master plan application, as provided for in BDC 4.5.200 (D)(3), proposing a Standard Lot Residential (SLO) overlay, outlining a greater minimum lot area, lot width and lot depth for townhomes and a greater minimum lot depth for single-family detached homes than the citywide RS zone in BDC 2.1.500 (see table below). The RL zone in the Treeline master plan will also require a greater lot depth than the standard RL zone. As detailed in the narrative above for BDC 4.5.200, these deviations are requested due to topographical challenges, lot shape, and policy conflicts between the Bend Development Code and the Comprehensive Plan.

Lot Areas and Dimensions by Housing Type and Zone/Overlay

Residential Use	Zone/ Overlay	Lot Area	Lot Width/Depth
Single-Family Detached Housing	RL	Minimum area: 10,000 sq. ft.	Minimum lot width: 100 ft. Minimum lot depth: 100 ft.
	SLO	Minimum area: 4,000 sq. ft.	Minimum width: 40 ft. at the front property line Minimum lot depth: 75 ft.
Single-Family Attached Housing (Townhomes)	SLO	Minimum area: 4,000 sq. ft. for each unit	Minimum width: 40 ft. at front property line Minimum lot depth: 100 ft.

2.1.600 Residential Density.

A. Residential Density Standard. The following density standards apply to all new development in all of the Residential Districts, except as specified in subsection (B) of this section. The density standards shown in Table 2.1.600 are intended to ensure efficient use of buildable lands and provide for a range of needed housing, in conformance with the Bend Comprehensive Plan.

1. The density standards may be averaged over more than one development phase (i.e., as in a Master Planned Development).

**Table 2.1.600
Residential Densities**

Residential Zone	Density Range
Low Density Residential (RL)	1.1 – 4.0 units/gross acre

...

FINDING: The subject property is designated Low Density Residential (RL) on the Bend Comprehensive Plan Map and is identified as Master Plan Area 4 in Chapter 11 of the Comprehensive Plan. Upon future annexation after master plan approval, the subject property

for an exemption.

C. Density Calculation.

1. Maximum housing densities are calculated as follows:

- a. The area subject to maximum housing density is the total site area excluding any land to be developed with or dedicated for neighborhood commercial uses, public and institutional uses, and miscellaneous uses that do not include a dwelling unit.
- b. The area for future streets is included in the area subject to maximum housing density.
- c. Where no new streets will be created, the area of up to 30 feet of the abutting right-of-way width multiplied by the site frontage shall be added to the area subject to maximum housing density.
- d. Sensitive lands, fire breaks, and canals and their associated easements on the site are included in the area subject to maximum housing density.
- e. For purposes of calculating maximum density, fractional units are rounded down to the next whole unit.
- f. As an illustrative example, if the total site area is five acres, of which a half-acre is sensitive lands, and another acre will be developed with neighborhood commercial uses, and new streets will be created, the area subject to maximum housing density is four acres (total site area minus one acre of neighborhood commercial uses, but including the sensitive lands). If the maximum allowable density is 7.3 dwelling units per acre, then a maximum number of 29 units is allowed on the site.

2. Minimum housing densities are calculated as follows:

- a. The area subject to minimum housing density is the total site area excluding any land to be developed with or dedicated for neighborhood commercial uses, public and institutional uses, and miscellaneous uses that do not include a dwelling unit; sensitive lands; firebreaks; and canals and their associated easements.
- b. The area for future streets is included in the area subject to minimum housing density.
- c. For purposes of calculating minimum density, fractional units are rounded up to the next whole unit.
- d. As an illustrative example, if the total site area is five acres, of which a half-acre is sensitive lands, and another acre will be developed with neighborhood commercial uses, and new streets will be created, the area subject to minimum housing density is three and one-half acres (total site area minus one acre of neighborhood commercial uses, minus a half-acre of sensitive lands). If the minimum density is 4.0 dwelling units per acre, then a minimum number of 14 units is required on the site.

FINDING; The subject property is designated Low Density Residential (RL) on the Bend Comprehensive Plan Map and will be rezoned as such at the time of annexation. Per BDC

**Table 2.1.700
Residential Lot Coverage**

Residential Zone	Lot Coverage
Low Density Residential (RL)	35%
Standard Density Residential (RS)	50% for lots or parcels with single-story dwelling unit(s) and single-story accessory structures. 45% for all other lots or parcels.

- B. Lot Coverage Defined.** Lot coverage is defined as all areas of a lot or parcel covered by buildings (as defined by foundation perimeters) and other structures with surfaces greater than 18 inches above the finished grade, excluding unenclosed covered porches and uncovered decks up to five percent of the total lot area.
- C. Lot Coverage Compliance.** Compliance with other sections of this code may preclude development of the maximum allowed lot coverage for some land uses.
- D. Lot Coverage Exception.** For affordable housing developments where 50 percent or more of the dwelling units are deemed affordable in conformance with BDC 3.6.200(C), the entire development may develop with a 50 percent lot coverage.

FINDING: The proposed Treeline Special Planned District (Exhibit J of the application) includes the following standard in lieu of the lot coverage standards in BDC 2.1.700:

Zone/Overlay	Maximum Lot Coverage
Low Density Residential (RL)	35%
Standard Lot Overlay (SLO)	45% for lots with two-story homes 50% for lots with single-story homes

The RL maximum lot coverage for the Treeline master plan is identical to the RL maximum lot coverage in BDC 2.1.700. The maximum lot coverage for the SLO overlay is identical to the maximum lot coverage in the standard RS zone applied citywide.

2.1.800 Building Height.

The following building height standards are intended to promote land use compatibility and support the principle of neighborhood-scaled design:

- A. Standard.** The following building heights shall be observed unless a greater height is approved through a variance in conformance with BDC Chapter 5.1, Variances, or approved as part of a Master Planned Development in conformance with BDC Chapter 4.5.

- 1. Buildings within the UAR, RL, RS, RM-10 and RM Districts shall be no more than**

2. On steep slopes, increased lot or parcel sizes may be required to avoid excessive cuts, fills and steep driveways.
3. On tracts containing watercourses or rock outcroppings, increased lot or parcel sizes may be required to allow adequate room for development and protection of the topographic or natural feature.

FINDING: This application does not include any land division; no new lots are proposed at this time. However, the proposed master plan indicates the future intent to subdivide the subject property. While the site does not include watercourses or any rock outcroppings that have been identified as Areas of Significant Importance (ASI), the subject property does contain several areas of steep slopes and rock outcroppings, necessitating increased sizes of some lots to avoid preserve these features and avoid excessive cuts, fills and steep driveways. The necessity of some larger lots, combined with the Comprehensive Plan requirements for specific densities (through housing unit requirements), results in some lots necessarily smaller than the minimum lot size for the RL zone. These lots are included in the Standard Lot Residential Overlay (SLO) and are detailed and supported in the findings above for BDC 4.5.200.

4. Each lot or parcel shall abut upon a street other than an alley for the minimum width required for lots or parcels in the zone, except:
 - a. For lots or parcels fronting on the bulb of a cul-de-sac, the minimum frontage shall be 30 feet;
 - b. For approved flag lots or parcels, the minimum frontage shall be 20 feet;
 - c. For lots or parcels in zero lot line developments, the minimum frontage shall be 20 feet; and
 - d. In zones where a minimum frontage width is not specified, the minimum frontage requirement shall be 50 feet.

FINDINGS: This application does not include any land division; no new lots are proposed or created. However, the proposed master plan indicates the future intent to subdivide the subject property. A cul-de-sac is proposed in the southeast corner of the master plan due to topography constraints. Lots on the bulb of this cul-de-sac meet the minimum 40-foot lot frontage put forth in the Treeline master plan. No flag lots are proposed. All other lots are proposed with the minimum frontage along a public street, in compliance with these requirements.

5. All side lot or parcel lines shall be at right angles to the street lines or radial to curved streets for at least one-half the lot or parcel depth wherever practical.

FINDING: This application does not include any land division; no new lots are proposed or created, therefore, the proposal does not change the location or orientation of any side lot or parcel lines. However, the proposed master plan lays out approximate lot lines, which do meet street lines at right angles or radial to curved streets where practical.

6. Corner lots or parcels shall be at least five feet more in width than the minimum lot width required in the zone.

- b. Four hundred feet block length and 1,500 feet block perimeter in the Central Business District, Convenience Commercial, Mixed-Use Riverfront and Professional Office Districts;
- c. Six hundred sixty feet block length and 2,640 feet block perimeter for all other Commercial, Industrial and Mixed Employment Districts;
- d. An exception may be granted to the maximum block length and/or block perimeter by the Review Authority if the applicant can demonstrate that the block length and/or block perimeter cannot be satisfied due to topography, natural features, existing development or other barriers, or it is unreasonable to meet such standards based on the existing pattern of development, or other relevant factors. When an exception is granted, the Review Authority may require the land division or site plan to provide blocks divided by one or more access corridors in conformance with the provisions of BDC 3.1.300, Multi-Modal Access and Circulation. Access corridors shall be located to minimize out-of-direction travel by pedestrians and bicyclists and shall meet all applicable accessibility standards.

FINDING: Due to topography constraints, the block length and perimeter standards cannot be met in the Treeline master plan and access corridors between the streets are similarly unattainable due to the steep slopes. The proposed Treeline master plan code exempts the master plan from these block length and perimeter standards.

3. New street connections to arterials and collectors shall be governed by BDC 3.1.400, Vehicular Access Management.

FINDING: The proposed master plan area extends Skyline Ranch Road, a major collector, in accordance with the adopted TSP. The existing local streets to the west, Terra Meadow Drive, Wild Meadow Drive and Chianti Lane will be extended to intersect with this Skyline Ranch Road extension. Brickyard Street will parallel Skyline Ranch Road for the northern half of the master plan then turn eastward to intersect with Skyline Ranch Road south of Chianti Lane.

- 4. Except as otherwise provided in an approved Master Planned Development, private streets, where allowed by this code, shall be constructed to public standards and shall contain a public access easement along the length and width of the private facility if required to satisfy the block length and perimeter standards.

FINDING: Anderson Ranch Road, an existing private street, will remain and only serve the existing homes to the west of the Treeline Master Plan. If Lots 57 and 58 take access off of this private street, an access easement must be obtained or Anderson Ranch must become a public road requiring it to be reconstructed to City of Bend standards and full right-of-way. All other new roads are proposed to be public, constructed to City standards for dedication to the City.

E. New Lot and Parcel Access. In order to protect the operations and safety of arterial and collector roadways, access management is required during lot and parcel development. New lots and parcels created through land division that have frontage onto an arterial or collector street shall provide alternative options for access as indicated below:

- b. Connect all parking areas, storage areas, recreational facilities, common areas (as applicable), and adjacent development to the building's entrances and exits.
- c. Extend throughout the development site, and connect to all future phases of development, adjacent trails, public parks and open space areas whenever possible as described in subsection (C) of this section, Off-Site Multi-Modal Facilities.
- d. Connect or stub to adjacent streets and private property, in intervals no greater than the block perimeter standards.

FINDING: The proposed development is entirely for single-family residences; therefore, these requirements do not apply. However, connections to several adjacent streets via roadways with sidewalks (Brickyard Street, Terra Meadow Drive, Wild Meadow Drive, and Chianti Lane) are proposed in the submitted master plan.

- e. Provide pedestrian facilities within developments that are safe, accessible, reasonably direct and convenient connections between primary building entrances and all adjacent streets, based on the following:
 - i. Convenient and Direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for users.
 - ii. Safe. Bicycling and pedestrian routes that are free from hazards and safely designed by ensuring no hidden corners, sight-obscuring fences, dense vegetation or other unsafe conditions.
 - iii. Accessible. All pedestrian access routes shall comply with all applicable accessibility requirements.
 - iv. Primary Entrance Connection. A pedestrian access route shall be constructed to connect the primary entrance of each building to the adjacent streets. For commercial, industrial, mixed-use, public, and institutional building entrances, the primary entrance is the main public entrance to the building. In the case where no public entrance exists, connections shall be provided to each employee entrance. For multifamily and triplex dwellings, the "primary entrance" is the front door (i.e., oriented toward the street). For buildings in which each unit does not have its own exterior entrance, the "primary entrance" may be a lobby, courtyard or breezeway which serves as a common entrance for more than one dwelling and be accessible.

FINDING: The proposed master plan includes sidewalks on both sides of every street, for safe, accessible and reasonably direct connections through the neighborhood. This master plan is for a single-family subdivision and does not include commercial, industrial or multi-family uses, so pedestrian access routes to primary building entrances do not apply.

2. On-Site Pedestrian Facility Development Standards. On-site pedestrian facilities shall meet the following standards:

- g. Walkway Surface.** Walkway surfaces shall be concrete and conform to accessibility requirements. Asphalt, brick/masonry pavers, or other durable surface that makes a smooth surface texture, and conforms to accessibility requirements, may be allowed as determined by the City. Multi-use paths and trails (i.e., for bicycles and pedestrians) shall be the same materials. (See also BDC 3.4.200, Transportation Improvement Standards.)

FINDING: The applicant proposes concrete sidewalks throughout the master plan area. The 10-foot multi-use path on the southwestern portion of Skyline Ranch Road is proposed to be asphalt, to provide a durable smooth surface in compliance with accessibility standards.

- 4. Developments subject to development review shall construct sidewalks within and abutting the subject property along public and private streets.**

FINDING: The applicant proposes construction of sidewalks, per City and accessibility requirements, on both sides of every proposed street in the future Treeline subdivision, in compliance with this requirement.

C. Off-Site Multi-Modal Facilities.

- 1. Developments subject to development and having an access corridor alignment shown on the City of Bend Urban Area Bicycle and Pedestrian System Plan shall dedicate either right-of way or an access easement to the public for a primary or connector multi-use as outlined below.**

- a. Primary multi-use paths shall be in the alignment shown on the City of Bend Urban Area Bicycle and Pedestrian System Plan to the greatest degree practical unless, with consideration of recommendations from the Bend Park and Recreation District, an alternate alignment is approved by the City through the development review process.**

FINDING: The "Urban Area Bicycle and Pedestrian System", shown on 2016 TSP Figure 9.5, does not identify any primary or connector multi-use paths on the subject property. Therefore, this standard does not apply.

- b. Connector multi-use paths may be required for pedestrians and bicycles at or near mid-block where the block length exceeds the maximum length required by BDC 3.1.200, Lot, Parcel and Block Design. Connector multi-use paths may also be required where cul-de-sacs or dead-end streets are permitted, to connect to other streets, and/or to other developments.**

FINDING: As noted above, the topography of the subject property precludes the provision of connector paths where block length exceeds the maximum length required. The proposed Treeline master plan code exempts the master plan from maximum block length requirements.

- c. Primary and Connector Multi-Use Path Dedication and Construction. Primary and Connector multi-use path alignments shall be dedicated and constructed**

compliance with BDC Chapter 4.7. The City Engineer reviewed the TIA in a Transportation Analysis Memo dated August 3, 2018. City findings in support of PZ 18-0696 and the resulting improvements specified in the WIG DA demonstrate compliance with BDC Chapter 4.7. In particular, Section 5.2 of the WIG DA notes:

"5.2 Transportation. This Agreement is intended to serve as the Transportation Mitigation Plan under BDC Section 4.7.600D.1 for the future individual master plan applications that will be submitted by the respective Parties. The analysis from which these mitigation measures were derived followed the methodology required to ensure consistency with the Transportation Planning Rule for transportation facilities under the City's jurisdiction, which will allow the Properties to be rezoned to be consistent with the comprehensive plan designations upon future annexation with future transportation analyses. The Parties may rely on this Agreement for the purposes of master plan approval, and the City is bound to accept this Agreement and the evidentiary support referenced by exhibits as demonstrating compliance with the referenced code sections."

- E. Conditions of Approval.** To ensure the safe and efficient operation of the street and highway system, the City may require the closing, consolidation, or relocation of existing curb cuts or other vehicle access points, recording of reciprocal access easements (i.e., for shared driveways and cross access routes), development of frontage or backage streets, installation of traffic control devices, and/or other mitigation measures that comply with this code, the City's Standards and Specifications, and are approved by the City.

FINDING: No additional conditions are necessary at the master plan stage for conditions of approval imposing any of the above standards.

- F. Access Management Requirements.** Access to the street system shall meet the following standards:

1. Except as authorized under subsection (F)(4) of this section, lots and parcels in all zones and all uses shall have one access point. Single-family dwellings on corner lots at the intersection of two local streets may have one access point per frontage.
2. If a lot or parcel has frontage on two or more streets of different street classifications, the property shall access the street with the lowest classification.
3. For lots or parcels abutting an alley, access may be required to be taken from the alley. Outside of the Downtown Wall Street/Bond Street couplet, the City may determine that an alley is not an adequate roadway for primary access if both of the following criteria are met:
 - a. The alley does not provide adequate or sufficient access to the proposed development; and
 - b. Access to the higher classification roadway will be safe.
4. **Additional Access Points.** An additional access point may be allowed when it is demonstrated that the additional access improves on-site circulation, and does not adversely impact the operations of the transportation system. If the second

FINDING: No deviations are proposed for these requirements, which will be imposed at the time of building permit review. The proposed lots are large in size, providing ample opportunity for driveway designs to comply with City standards and specifications.

G. Shared Access. For traffic safety and access management purposes, the number of driveway and private street intersections with public streets shall be minimized by the use of shared driveways with adjoining lots where feasible. The City may require shared driveways as a condition of development approval in accordance with the following standards:

1. **Shared Driveways and Frontage Streets.** Shared driveways and frontage streets are encouraged, and may be required to consolidate access onto a collector or arterial street. When shared driveways or frontage streets are required, they shall be stubbed to adjacent developable land to indicate future extension. For the purpose of this code, stub means that a driveway or street temporarily ends at the property line, and shall be extended in the future as the adjacent property develops, and developable means that a property is either vacant or it is likely to redevelop.

FINDING: Specific driveway locations will be determined during the right of way and building permit process. No private streets are proposed within the master plan area. Private alleys are proposed to provide rear lot access to those lots fronting Skyline Ranch Road. Shared access driveways may be desired for some lots, however frontage streets are not relevant nor feasible within this master plan area. All driveway locations will be reviewed by the City during the future building permit processes.

2. **Access Easements.** Access easements for the benefit of affected properties shall be recorded for all shared driveways, including walkways, at the time of final plat approval or as a condition of development approval.

FINDING: No driveways are proposed at this time. If shared driveways are proposed in the future, associated access easements will also be proposed at that time.

3. **Cross Access.** Cross access is encouraged, and may be required between contiguous sites in the Public Facilities, Mixed-Use, Commercial and Industrial Zones and for multifamily housing developments in the Residential Zones in order to provide for direct circulation between sites and uses for pedestrians, bicyclists and drivers and to enable compliance with the collector and arterial access management requirements of this chapter.

FINDING: The subject property is designated Low Density Residential (RL) and does not include multifamily housing. This requirement does not apply.

H. Driveway Widths. Driveway openings (or curb cuts) shall be the minimum width necessary to provide the required number of vehicle travel lanes (10 feet minimum width for each travel lane). When obtaining access to off-street parking areas backing onto a public street shall not be permitted except for single-family, duplex or triplex

be constructed and placed within easements for emergency vehicles and access to public utilities for maintenance. If Skyline Ranch Road has not been constructed to the southern property limits by the Discovery west subdivision, a temporary turn around shall also be constructed at the southern property line, to be removed when Skyline Ranch Road become a through road.

J. Vertical Clearances. Driveways, private streets, aisles, turn-around areas and ramps shall have a minimum vertical clearance of 13 feet six inches for their entire length and width.

FINDING: The applicant has not proposed any deviations from this requirement. As such, the applicant will be subject to the regulations in effect at the time of tentative plan review. As a single-family development, the need for vertical clearance is not anticipated.

K. Barricades. Except as otherwise provided in an approved Master Planned Development, gates, barricades or other devices intended to prevent vehicular and/or pedestrian access shall not be installed across any approved driveway or private street that provides access to multiple properties except when required by the City to restrict vehicle access to an arterial or collector street.

RESPONSE: No barricades are proposed in this master planned development, in compliance with this requirement.

L. Construction. The following development and maintenance standards shall apply to all driveways and private streets. The City of Bend Standards and Specifications document shall prevail in the case of conflicting rules related to the design and construction of public infrastructure.

1. **Surface Options.** Driveways, required parking areas, aisles, and turn-arounds may be paved with asphalt, concrete or comparable surfacing or a durable nonpaving material (e.g., grass-crete, eco-stone) may be used to reduce surface water runoff and to protect water and air quality. Gravel is not allowed.
2. **Surface Water Management.** When an impervious surface is used, all driveways, parking areas, aisles and turn-arounds shall have on-site collection or infiltration of surface waters to prevent the flow of stormwater onto public rights-of-way and abutting property. Surface water facilities shall be constructed in conformance with City specifications. Durable nonpaving materials (e.g., grass-crete, eco-stone) are encouraged to facilitate on-site infiltration of stormwater.

FINDING: The applicant has not proposed any deviations from this requirement. As such, the applicant will be subject to the regulations in effect at the time of tentative plan review.

3.1.500 Clear Vision Areas.

A. Purpose. Clear vision areas are established to ensure that obstructions do not infringe on the sight lines needed by motorists, pedestrians, bicyclists and others approaching potential conflict points at intersections.

fire access lanes). In applying the exceptions and reductions listed in subsections (B), (C), and (D) of this section, reductions and exceptions may be combined except where otherwise specified. Where a fractional number of spaces results, the required number of spaces shall be rounded down to the nearest whole number.

**Table 3.3.300
Required Off-Street Vehicle Parking Spaces**

Use	Minimum Requirement
Residential ...	
Single-family, attached or detached, including a manufactured home on individual lot.	2 parking spaces per dwelling unit

FINDING: The applicant is not proposing any deviations from the off-street parking standards for the master plan area. These requirements will be reviewed by the City during the tentative plan and building permit processes. The proposed master plan includes standard and large residential lots, with ample opportunity to comply with the minimum off-street parking requirements for every lot.

...

CHAPTER 3.4, PUBLIC IMPROVEMENT STANDARDS

3.4.200 Transportation Improvement Standards.

A. Development Requirements. No development shall occur unless the development has frontage or approved access to a public or private street, in conformance with the provisions of BDC Chapter 3.1, Lot, Parcel and Block Design, Access and Circulation, and the following standards are met:

- 1. Streets within or adjacent to a development shall be improved in accordance with the Bend Urban Area Transportation System Plan (TSP), provisions of this chapter and other pertinent sections of this code.**

FINDING: All the proposed lots have frontage on, or access to, a proposed public street. The 2016 TSP identifies the extension of Skyline Ranch Road, a major collector, on the subject property. The proposed master plan includes this extension as well as the extension of all existing streets abutting the subject property, include Brickyard Street, Wild Meadow Drive and Chianti Lane, in compliance with City standards.

- 2. Development of new streets, and additional street width or improvements planned as a portion of an existing street, shall be improved in accordance with this section, and public street right-of-way and private street easements shall be dedicated to the City, Deschutes County or the Oregon Department of Transportation.**

Table A: Improvement Standards for Dedicated Public Roadways in Residential Zones
(UAR, RL, RS, RM-10, RM and RH)

Street Classification	Minimum Right-of-Way	Minimum Pavement Width	Planter Strips	Max. Grade (3)	Sidewalks Both Sides	Bike Lanes	Curbs
Residential Zones							
Alley	20'	20'	No	10%	None	No	No

Requirements:

1. Local Streets:
 - a. 24-foot-wide street – No parking allowed on either side of the street.
 - b. 28-foot-wide street – Parking allowed on one side.
 - c. 32-foot-wide street – Parking allowed both sides in UAR, RL, RS, and RM-10 Zones.
 - d. 36-foot-wide street – Parking allowed both sides in RM and RH Zones.
 - e. Special street widths (see subsection (J) of this section).

...

FINDING: The local streets in the master plan area are shown on the plans with 60-foot rights-of-way, in compliance with this requirement. All streets include curbs, 5-foot planter strips and 5-foot sidewalks. All of the streets are proposed to be constructed with 32 feet of pavement. As noted in findings above, the Treeline master plan modifies the collector standards to accommodate the topography and to slow speeds on this corridor, matching the corridor characteristics from the Discovery West master plan. The development proposes alleys for rear lot access. Public alleys must have dedicated 20 feet of right of way whereas private alleys must either be within a platted tract or within a private/public access easement. The minimum rights-of-way and street sections are set forth below and will be codified in BDC 2.7.

STREET LEGEND AND SPECIFICATIONS								*PARKING OPTIONAL
STREET TYPE	RIGHT-OF-WAY	PAVEMENT WIDTH	TRAVEL LANE	BIKE LANE	PARKING WIDTH	PLANTER WIDTH	SIDEWALK WIDTH	
CANYON COLLECTOR	70 FT	38 FT	11 FT	6FT + 2FT BUFFER	0 FT	VARIES (5FT OR 15.5FT)	10 FT ASPHALT TRAIL (1 SIDE)	
NEIGHBORHOOD COLLECTOR	70 FT	44 FT	10 FT	5 FT	7 FT (BOTH SIDES)*	5.5 FT	6.5 FT	
COLLECTOR TRANSITION	VARIES (70FT-80FT)	VARIES (30FT-55.5FT)	10 FT	5 FT	0 FT	VARIES (13FT-5.5 FT)	6 FT	
LOCAL STREET	60 FT	32 FT	9 FT	0 FT	7 FT (BOTH SIDES)	8 FT	5 FT	
PRIVATE STREET	32 FT TRACT	28 FT	14 FT	0 FT	0 FT	0 FT	0 FT	
ALLEY	20 FT TRACT/EASEMENT	20 FT	10 FT	0 FT	0 FT	0 FT	0 FT	

1. All cul-de-sacs shall terminate with a circular turnaround. Circular turnarounds shall have a curb radius of no less than 45 feet. Turnarounds may be larger when they contain a landscaped island or parking bay in their center. When an island or parking bay is provided, there shall be a fire apparatus access road of 20 feet in width.

FINDING: The proposed master plan includes one cul-de-sacs, which terminate with a circular turnaround. The cul-de-sac is necessary due to significant topography to the south. Topographical constraints beyond the cul-de-sac is such that construction of a roadway extension is not feasible. The cul-de-sac must meet the requirement of the City of Bend and Fire Code standards.

P. Grades and Curves. Grades shall not exceed those shown in Tables A through E in this section, unless approved through a waiver in accordance with BDC 3.4.150.

1. Centerline curve radii and vertical curves shall conform to the American Association of State Highway and Transportation Officials (AASHTO) design criteria.
2. At the intersections of arterial and/or collector streets, the approach grade shall average no more than +/- four percent for 250 feet from the edge of the intersecting roadway at full improvement. Local streets intersecting arterials or collectors shall provide a minimum of 50 feet of approach grade at no more than an average of +/- four percent.
3. Existing conditions may warrant additional design criteria. All streets and intersection designs shall be subject to the approval of the City Engineer.
4. Lesser grades may be required at intersections as per City specifications. Grades in excess of 10 percent are subject to Fire Department approval.

FINDING: All streets are proposed to be local streets, conforming to City specifications. No proposed street grades for local streets will exceed 10 percent, or 8 percent for Skyline Ranch Road. Detailed construction plans will be developed through the future tentative plan process.

Q. Curbs, Curb Cuts, Ramps, and Driveway Approaches. Concrete curbs, curb cuts, curb ramps, bicycle ramps and driveway approaches shall be constructed in accordance with BDC Chapter 3.1, Lot, Parcel and Block Design, Access and Circulation, City of Bend Standards and Specifications and the following standards:

1. Curb exposure shall be per City Standards and Specifications.
2. All public and private streets shall have curbs, except there shall be no curbs on alleys unless otherwise approved by the City Engineer.
3. Curb extensions at local residential street intersections are optional. If provided, the minimum width between the curb extensions shall be 24 feet. Curb extensions shall not be used on streets with bike lanes.

FINDING: All the proposed streets include concrete curbs, designed to City Standards and Specifications. No curb extensions are proposed. Curbs, curb cuts, curb ramps, bicycle ramps

agreed upon prior to approval of the development, or the reservation shall be released to the property owner.

FINDING: The applicant is required to reserve over 24% of the total project area for open space, which will be managed by the Treeline HOA.

3.4.400 Sanitary Sewer and Water Service Improvements.

A. Sewers and Water Mains Required. Sanitary sewers and water mains shall be installed to serve each new development and to connect developments to existing mains in accordance with the City's construction specifications as described in the City of Bend Standards and Specifications document and the applicable Bend Comprehensive Plan policies.

FINDING: The applicant submitted a sewer and water capacity analysis with estimated flows and mainline locations to the City for review. On January 2, 2020, the City provided a signed UAM Certificate (BP 19-4442-SWA), approving the proposed water and sewer facilities, with conditions. This water and sewer analysis, mapping, UAM Certificate and supporting documentation is included in the application. Detailed infrastructure construction plans will be submitted and reviewed as part of the future tentative plan application, and will address the mitigations required in the Utility Availability Memo.

B. Sewer and Water Plan Approval. Construction of sewer and water improvements shall not commence until the City Engineer has approved all sanitary sewer and water plans in conformance with City of Bend Standards and Specifications.

FINDING: Development of the subdivision will involve a Tentative Plan application, including construction plans. The applicant will obtain City approval for all sanitary sewer and water plans prior to construction.

C. Public Facility Plan Improvements. Proposed sewer and water systems shall be sized to accommodate additional development within the area as projected by the Water and Sewer Public Facility Plans. The developer may be entitled to system development charge credits and reimbursement for the improvements if eligible under the applicable provisions of the Bend Code.

FINDING: The applicant submitted a water and sewer capacity analysis with estimated flows and pipe sizes to the City for review. On January 2, 2020, the City provided a signed UAM Certificate (BP 19-4442-SWA), approving the proposed water and sewer facilities, with conditions. This water and sewer analysis, mapping, UAM Certificate and supporting documentation are included in the application. Both this criterion and the WIG Development Agreement provide allowances for system development charge credits for oversized water and/or sewer facilities, for which the developer plans to pursue at the appropriate time.

3.4.500 Storm Drainage Improvements.

A. Storm Drainage Improvements Required. Storm drainage facilities shall be depicted on City-approved engineered construction drawings and installed to serve each new

B. Easements. Easements shall be provided and recorded for all underground utility facilities where required by the City.

FINDING: The applicant has not proposed any deviations from these underground utility requirements. As such, the applicant will be subject to the regulations then in effect at the time of subdivision tentative plan review for each phase of the project.

3.4.700 Easements.

A. Requirement. Easements for sewer facilities, storm drainage, water facilities, street facilities, electric lines or other public/private utilities shall be dedicated on a final plat, or other instrument approved by the City.

FINDING: The applicant has not proposed any deviations from this easement requirement. Easements for public and private utilities will be dedicated on the final plat, or other instrument approved by the City.

B. Provision. The developer or applicant shall make arrangements with the City, the applicable district and each utility franchise for the provision and dedication of utility easements necessary to provide full services to the development.

FINDING: The applicant has received "Will Serve" letters from Pacific Power, Cascade Natural Gas, and Bend Broadband, which are included in Exhibit N of the application.

C. Standard Width. The City's standard width for exclusive public main line utility easements shall be 20 feet, unless otherwise specified by the utility company, applicable district, or City Engineer.

FINDING: The applicant has not proposed any deviations from this easement requirement. As such, the applicant will necessarily be subject to the regulations then in effect at the time of subdivision review for each phase of the project.

PLANNING COMMISSION RECOMMENDATION: Based on the application materials submitted by the applicant, and the findings in this staff report which are based on the applicant's narrative addressing the relevant criteria for approval, the Planning Commission recommends that the Bend City Council adopt an ordinance to amend Bend Development Code Chapter 2.7, Special Planned Districts, to create the Treeline Master Planned Development.