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# MEETING MINUTES

## Bend Planning Commission

Monday, 1/26/2026, 5:30 p.m. Regular Meeting

The hybrid meeting started at 5:30 p.m., in-person and online.

The public was invited to watch online at: [www.bendoregon.gov/planningcommission](http://www.bendoregon.gov/planningcommission)

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### 1. Roll Call:

- Margo Clinton – Chair
- Nathan Nelson – Vice Chair
- Bob Gressens
- Suzanne Johannsen
- Erin Ludden
- Katie Schnur
- Scott Winters

**Commissioners Present:** All Commissioners were present.

**Staff Present:** Ian Leitheiser, City Attorney; Colin Stephens, CDD Director; Renee Brooke, Planning Manager; Brian Rankin, Senior Strategist: Future Growth & Development; BreAnne Gale, Senior Planner; Damian Syrnyk, Senior Planner; Jennifer Knapp, Senior Planner; Susanna Julber, Transportation Planner; Elyse Vukelich, Associate Planner; Pauline Hardie, Senior Planner; Ian Gray, Urban Forester; Russel Grayson, Chief Operations Officer.

### 2. Visitors:

The Chair opened the floor for comments on non-agenda items. Attendees were encouraged to fill out a speaker slip and approach the podium, or raise their hand online, to provide comments.

No public comment was given.

### 3. Work Session:

**3.1 Growth Plan Overview:** Overview of the City's upcoming Growth Plan and associated project deliverables needed to meet state planning requirements. This project will result in an update to the City's Comprehensive Plan and appendixes, including an updated



Transportation System Plan (TSP), new Land Use Efficiency Measures (LUEMs), designation of Climate-Friendly Areas (CFAs), and an anticipated expansion of the Urban Growth Boundary (UGB).

**Staff:** Brian Rankin, Senior Strategist: Future Growth & Development; BreAnne Gale, Senior Planner; Damian Syrnyk, Senior Planner; Jennifer Knapp, Senior Planner; Susanna Julber, Transportation Planner; Elyse Vukelich, Associate Planner.

The Growth Management Division presented an overview of the City's multi-year **Growth Plan Update**, an effort that is driven by major changes to Oregon's land use laws. The update will integrate new state requirements—most notably the Climate Friendly and Equitable Communities (CFEC) rules and the Oregon Housing Needs Analysis (OHNA) rules—into Bend's long-range land use, housing, transportation, and economic planning frameworks. The Growth Plan will update the Comprehensive Plan and Transportation System Plan (TSP) to ensure the City can accommodate future housing and job needs while meeting state performance targets.

The state has allocated a need for 34,116 housing units in Bend by 2046, requiring the City to undertake a contextualized housing needs analysis, a buildable lands inventory, and a housing capacity analysis to determine how and where this housing can be produced. The project includes an economic opportunities analysis to evaluate employment trends, land supply, and future job growth needs. Much of the work focuses on integrating land use and transportation planning, identifying Climate Friendly Areas (CFA) where daily needs can be met without driving, and planning for potential Urban Growth Boundary (UGB) expansion if existing capacity is insufficient.

The update will be developed through three adoption packages, each containing key deliverables, and supported by a robust community engagement strategy centered on equity and participation from diverse groups. Staff emphasized that this is a major, multi-year planning effort and that the City Council will serve as the ultimate decision-making body, with advisory input from a Committee of Committees and other standing City committees and bodies. The next steps include finalizing consultant contracts and bringing initial materials to Council in the coming months.

Commissioner Johannsen asked how the City should plan for long-range growth when state legislation, such as Senate Bill 8, can introduce new housing requirements on commercial lands that potentially disrupt established planning frameworks. Senior Strategist Rankin responded that the City must plan according to the rules and statutes currently in place. Although it is impossible to fully predict legislative shifts, past trends can provide some guidance, allowing the City to adapt its planning strategies.

Commissioner Winters asked whether the housing and employment needs analyses required for the Growth Plan are conducted at a citywide scale or broken down into smaller geographies within the city, noting that the impacts of adding new commercial or employment areas may differ significantly depending on whether they are located in areas already dominated by commercial uses or in more neighborhood-oriented locations. Staff



explained that proximity factors are part of evaluating where different types of housing should be located and that through the urbanization phase of the project, the City can explore creating new proximity by arranging future land uses in a way that better supports access to daily needs. For employment land needs, the analysis is conducted at the citywide level, consistent with state rules. Once baseline land need and land supply assumptions are established, the City will use the land use arrangement phase to determine where employment uses can be accommodated in relation to housing, transportation obligations, and market realities.

Commissioner Winters asked what consequences the City could face if it fails to make sufficient progress toward the performance targets. Rankin explained that, on the transportation side, one of the most significant risks is that the City's TSP may not be acknowledged by the Department of Land Conservation and Development (DLCD), limiting its ability to implement transportation improvements or programs.

On the housing side, the State has more direct enforcement authority. If the City fails to meet its required housing production targets, DLCD may impose corrective actions, including suspending portions of the City's development code and replacing them with the State's model housing code. Senior Planner Gale emphasized that continuing to demonstrate good-faith efforts to meet these targets is in the City's best interest—both to avoid state intervention and to support community needs.

Commissioner Johannsen expressed concern that the City has been relying on the outdated 2016 Housing Needs Analysis, questioning whether the new state performance targets would allow the City to update its housing data more frequently instead of waiting for another long planning cycle. Staff explained that state rules now require the housing capacity analysis to be updated every eight years, ensuring more timely and accurate information. Additional efforts are in place for improved data systems and ongoing reporting will support more responsive planning and reduce reliance on infrequent, large-scale updates.

Vice Chair Nelson noted confidence in the City's ability to meet housing production targets but expressed concern about meeting state transit performance targets, given Bend's lower densities and the City's limited control over the regional transit system, asking what strategies or tools are available to help the City meet these requirements.

Transportation Planner Julber responded that the transit-related performance measures focus primarily on land use factors the City can influence—such as the share of households, low-income households, and key destinations located within one-half mile of a priority transit corridor—rather than direct increases in ridership. While the City does not operate its own transit system, it collaborates closely with Cascades East Transit (CET), which may seek additional funding through a future transit district. Efforts in rideshare partnerships, transit technology, and new mobility hubs will also contribute to meeting greenhouse gas reduction goals and expanding non-automobile travel options.



Vice Chair Nelson asked how public engagement would be structured across the phases of the Growth Plan and whether outreach would occur for each adoption package. Associate Planner Vukelich explained that engagement for Package 1 will span the full timeframe for that set of deliverables, though individual tasks within the package may require different outreach methods. Staff confirmed that engagement activities will include evenings and weekends and will expand beyond traditional in-person meetings to include online tools that allow people to participate on their own schedules.

Commissioner Ludden asked whether the City would work directly with Neighborhood Districts. Vukelich stated that these groups are one of the few geographically organized bodies in Bend and will be important partners, especially when outreach is needed in specific parts of the city. Staff emphasized that the City and its communications team intend to significantly broaden and diversify engagement strategies compared to past planning efforts.

Ludden asked whether the State's annually updated housing targets are publicly accessible and where that information can be found. Senior Planner Gale confirmed that the data is available through DLCD's online dashboard, which publishes updated housing estimates for all Oregon communities at the start of each year.

While the annual estimates may fluctuate, the State is working to smooth those year-to-year changes to provide a more stable target for long-range planning. Senior Planner Syrynk added that the underlying data is considered reliable, even if not as locally nuanced as Bend-specific analyses. In response to a follow-up question, staff confirmed that as the City collects its own data through the Growth Plan process, the information will be made available on the Growth Management webpage for public access.

#### **4. Legislative Public Hearing:**

**4.1 PLTEXT20250658** - Legislative text amendments to the Bend Development Code (BDC) relating to the tree preservation requirements in BDC 3.2.200, Tree Preservation.

**Staff:** Senior Planner Pauline Hardie – [phardie@bendoregon.gov](mailto:phardie@bendoregon.gov); Urban Forester Ian Gray – [igray@bendoregon.gov](mailto:igray@bendoregon.gov)

Chair Clinton convened the hearing at 7:17 p.m.

Senior Planner Hardie gave a [presentation](#) on the proposed legislative text amendments to Bend Development Code 3.2.200, Tree Preservation. The amendments brought forward were narrow in scope and focused on clarifying applicability, exemptions, and tree replacement provisions.

Additional exemptions include residential land division or middle housing land division applications when the parent parcel is one acre or smaller; applications for sites with no regulated trees would be explicitly exempt from preservation. Another exemption clarifies that when a land division results in new lots that are all larger than one acre, the



preservation standards will apply later when those lots undergo future development, rather than at the time of land division.

Hardie outlined new provisions allowing deferral of required replacement tree installation for up to eight months in cases of weather limitations, frozen ground, or seasonal unavailability of appropriate tree species. Additional clarifications were proposed to address Root Protection Zone (RPZ) measurements, encroachment thresholds, and the discretionary review process for alternative RPZ determination. The amendments also clarified how tree canopy requirements for Climate Friendly and Equitable Communities (CFEC) parking areas could be counted toward tree replacement mitigation.

The next steps in the process include a City Council public hearing and first reading on March 4<sup>th</sup>, the second reading would be March 18<sup>th</sup>, and if all goes as planned, the package of code amendments would go into effect on April 17th. In addition, the City Council will hold a separate work session on March 11<sup>th</sup>, specifically to discuss regulation of juniper trees, independent of the current code amendment package.

Vice Chair Nelson asked whether trees preserved under the discretionary track for RPZs are more or less likely to survive compared to those protected under the clear and objective standards. Urban Forester Gray explained that survival depends heavily on the individual tree—its species, age, root structure, soil conditions, and the extent of root disturbance. The discretionary track requires involvement from an ISA-certified arborist, whose oversight should improve the chances of successful preservation. However, survival can never be guaranteed, as large development sites often alter drainage, remove topsoil, and create harsher growing environments. Best practices such as fencing, monitoring, and supplemental irrigation can improve survival, but the decision to allow encroachment must be made case-by-case.

Commissioner Winters asked why the tree inventory requirement no longer includes genus and species information. Staff explained that the code does not prioritize trees differently based on species, so collecting only “deciduous” or “coniferous” classifications streamlines the process without affecting regulatory outcomes.

Commissioner Schnur asked who bears the cost when an arborist evaluation is needed. Gray responded that it depends on the stage of review. In early pre-application meetings, staff may visit the site to provide preliminary guidance. As the project moves into formal review, applicants may be responsible for arborist reports or supplemental assessments.

Schnur asked whether the need for field verification or arborist review could slow down permitting timelines. Staff acknowledged that processing times are uncertain because the discretionary track specifically for RPZs would be new. Land use applications are still subject to review timelines that staff will need to meet regardless if they choose the discretionary track. The intent is to provide flexibility without creating delays, and staff will monitor the



impacts over the next year to determine how the process affects permit timelines and code implementation.

Chair Clinton opened the public testimony portion of the hearing. Testimony was provided by the following persons:

Kirk Shueler, representing Brooks Resources, expressed concerns about regulating juniper trees on industrially zoned land and requested that they be excluded from regulated tree status due to potential effects on industrial site development and economic prosperity.

Roberta Silverman, Land Use Chair for the Southern Crossing Neighborhood District and Chair of Save Bend Greenspace, spoke in support of the proposed amendments, including the preservation of juniper trees, citing the health benefits of the urban tree canopy.

Chair Clinton closed the public hearing at 7:44 PM and the Commissioners deliberated.

The Commission asked what topics would be covered at the City Council's upcoming work session on juniper trees. Gray explained that the discussion will focus on issues that previously arose during the Tree Regulation Update Advisory Committee (TRUAC) process and have since been elevated through multiple letters from Central Oregon Builders Association, Hayden Homes, and Brooks Resources. The work session, scheduled for March 11<sup>th</sup>, will allow Council to take a deeper look at concerns related to regulating juniper trees and whether additional policy adjustments may be warranted.

Commissioners asked whether the discussion could extend to juniper tree preservation on industrial-zoned land. Hardie explained that the current code already provides a discretionary path that allows projects on industrially zoned land to retain less than five percent of regulated trees when site design, loading areas, parking needs, or circulation constraints make preservation difficult. Applicants using this option must still mitigate for tree loss. Johannsen clarified that CFEC requirements for 40 percent tree canopy over new paved parking areas would apply to industrial sites.

During deliberation, Johannsen expressed appreciation for the added flexibility provided by the proposed amendments, noting that the code is still new and that the City does not yet have enough data to justify major changes. Johannsen emphasized the importance of the provision prohibiting tree removal prior to a final land use decision, noting that it reinforces the City's intent to evaluate trees before development activity occurs.

Commissioner Winters expressed an unsupportive stance on the juniper issue, citing development issues with certain sites that have many junipers. Ultimately, Commissioners agreed that exploring juniper-specific considerations should occur at the upcoming City Council work session, where the topic will receive more detailed analysis.

Commissioner Gressens noted the annual review requirement for the tree code, which will provide future opportunities for broader refinements as more data becomes available.



Overall, the Commissioners expressed support for the updates as a measured and appropriate step while the City continues gathering information on how the code functions in practice.

Commissioner Johannsen moved to recommend that the City Council approve the legislative amendments to the Bend Development Code relating to tree preservation requirements in BDC 3.2.200. The motion was seconded by Commissioner Ludden. The motion passed unanimously.

Commissioner Gressens was nominated to bring the recommendation of the Commission to the City Council on March 4<sup>th</sup>.

## 5. Communications:

### 5.1. Reports From Planning Commissioners

Commissioners discussed approaches for strengthening relationships with Neighborhood Districts, including the potential for informal liaison roles and the possibility of establishing a more formalized roundtable structure. Staff explained that any formal roundtable would require City Council direction and noted that they have been working with Council to determine an appropriate framework for these discussions. The Commission emphasized the value of improved communication channels and expressed support for continuing to explore structured engagement opportunities.

### 5.2. Report From Planning Manager

Renee Brooke, Planning Manager, reported that City Council's January 14 work session on commercial strategies resulted in three key directives for staff. Council asked staff to pursue targeted amendments to Senate Bill 8 to help tailor the legislation to Bend's needs. As part of the Growth Plan, staff will conduct a broader review of neighborhood commercial uses, including how commercial land is allocated and the scale of these areas. The third request is for staff and the Planning Commission to explore whether standards in Bend Development Code Chapter 3.6 should be revised to facilitate more Neighborhood Commercial Sites. That will involve engaging with potential business owners and applicants who have struggled to meet current criteria to better identify which standards may require adjustment.

Brooke reminded Commissioners about the upcoming Advisory Body Summit on February 26<sup>th</sup>. Lastly, she noted that hyperlinks to online materials related to the Stevens Road Tract expansion area have been emailed in advance of the February 9th meeting. She encouraged Commissioners to review those resources and reach out with questions.

### 5.3. Report From Community Development Director



Colin Stephens, Community Development Director, addressed the memo that was sent outlining upcoming Commission topics for the next six months and beyond. He invited any questions regarding items highlighted in the memo.

#### **5.4. Report From City Attorney**

Ian Leitheiser, City Attorney, had nothing to report.

The meeting was adjourned at 8:30 p.m.

Minutes submitted by Maggie St. Onge



#### **Accommodation Information for People with Disabilities & Language Assistance Services**

You can obtain this information in alternate formats such as Braille, electronic format, etc. Free language assistance services are also available. Please email [accessibility@bendoregon.gov](mailto:accessibility@bendoregon.gov) or call 541-693-2198. Relay Users Dial 7-7-1. All requests are subject to vendor processing times and should be submitted 48-72 hours in advance of events.

#### **Servicios de asistencia lingüística e información sobre alojamiento para personas con discapacidad**

Puede obtener esta información en formatos alternativos como Braille, formato electrónico, etc. También disponemos de servicios gratuitos de asistencia lingüística. Póngase en contacto en correo electrónico [accessibility@bendoregon.gov](mailto:accessibility@bendoregon.gov) o número de teléfono 541-693-2198. Los usuarios del servicio de retransmisión deben marcar el 7-1-1. Por favor, envíe sus solicitudes con 48-72 horas de antelación al evento; todas las solicitudes están sujetas a los tiempos de procesamiento del proveedor.