



ORDINANCE NO. NS-2550

An ordinance of the City Council amending Chapter 2.7 of the Bend Development Code to adopt the Legacy Village Major Community Master Plan.

Findings

- A. On November 21, 2025, Hayden Homes, as developer, with authorization from the Oregon Department of State Lands ("Owner"), the owner of real property, submitted through an agent a Type III Quasi-judicial application to amend the Bend Development Code to create the Legacy Village Major Community Master Plan within the Stevens Road Tract Urban Growth Boundary Expansion Area. The application (PLSPD20250647) was deemed complete on January 13, 2026.
- B. On February 9, 2026, the Planning Commission held a public hearing and issued a recommendation that the City Council adopt an Ordinance to amend Chapter 2.7 of the Bend Development Code to include the Legacy Village Master Planned Development.
- C. Public notice for the City Council hearing was provided in accordance with the requirements of BDC 4.1.423 - 4.1.425. On March 12, 2026, notice was mailed by the Planning Division to surrounding owners of record as shown on the most recent property tax assessment roll and to the addresses of property (based on the City's current addressing record) within 500 feet of the site, and to the designated representatives of the Old Farm and Larkspur Neighborhood Districts. On March 13, 2026, public hearing notice signs were posted by the applicant along the property frontage on Stevens Road and in the southwest corner of the Area, visible from adjacent rights of way.
- D. The Bend City Council held a public hearing on March 18, 2026, to consider the Planning Commission recommendation.
- E. The Development Code amendment for the Legacy Village Major Community Master Plan approved by this Ordinance meets all applicable Development Code criteria, policies of the Bend Area Comprehensive Plan, and Oregon Statewide Planning Goals.

Ordinance

Based on these findings, the City of Bend ordains as follows:



- Section 1.** The Bend Development Code is amended to include the Legacy Village Master Planned Development code as contained in Exhibit A, and as recommended by the Bend Planning Commission.
- Section 2.** In addition to the findings set forth above, the City Council adopts and incorporates the findings in Exhibit B.
- Section 3.** If any provision, section, phrase, or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.
- Section 4.** All other provisions of the Bend Development Code remain unchanged by this ordinance and remain in effect.

First Reading

04/01/2026

Second Reading

04/15/2026

Adoption by Roll Call Vote

Yes: Kebler, Méndez, Platt, Riley

No: Franzosa

Melanie Kebler, Mayor

Attest:

Ashley Bontje, City Recorder

Approved as to form:

Ian Leitheiser, City Attorney

Article XXIX. Legacy Village Master Planned Development

2.7.4800 Legacy Village Master Planned Development.

2.7.4810 Purpose.

The purpose of the Legacy Village Master Planned Development is to implement the policies of BCP Chapter [11](#), Growth Management, of the Bend Comprehensive Plan (BCP) regarding the Stevens Road Tract Expansion Area, and to create a new, complete community that provides affordable and market-rate housing. The development standards will:

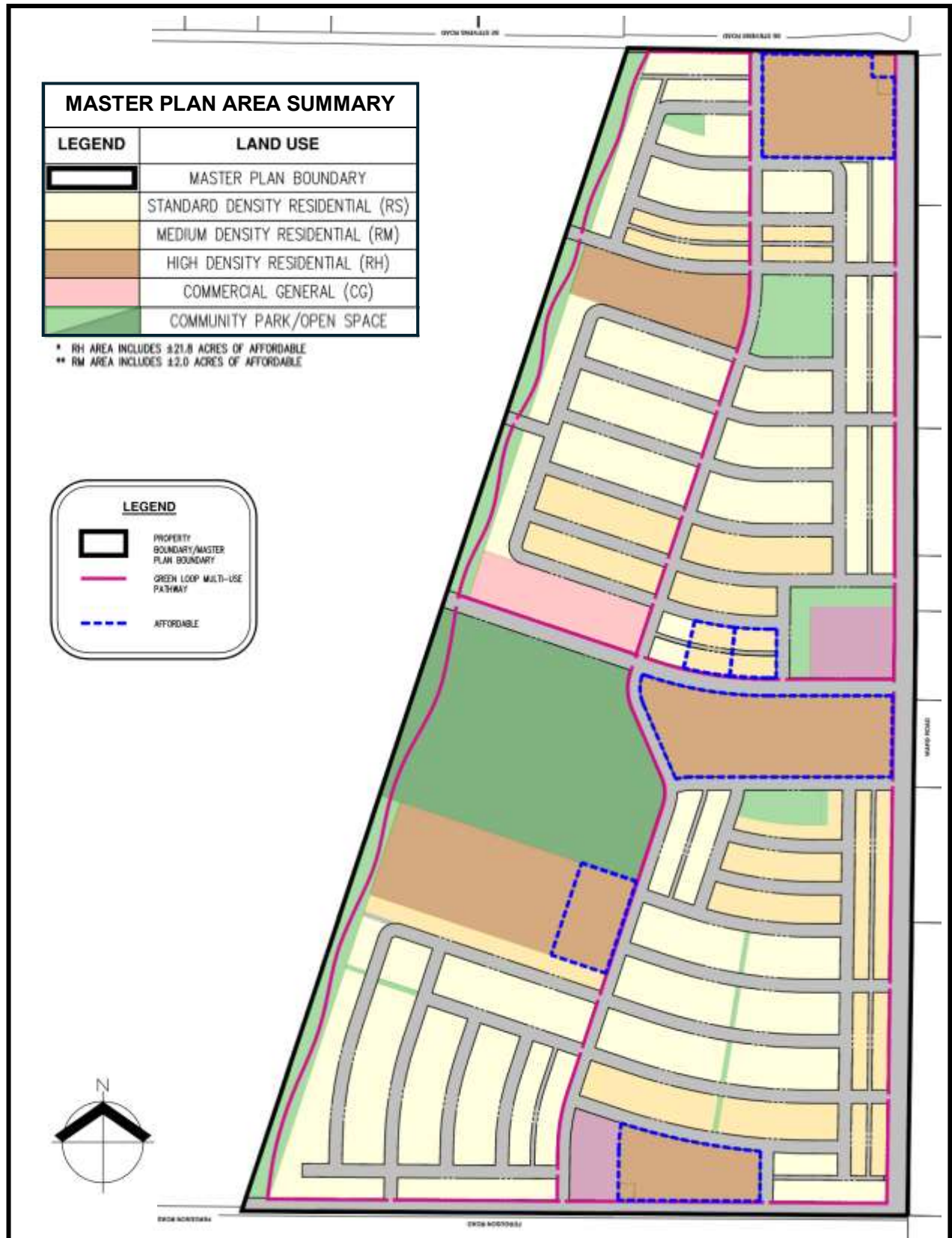
- A. Create the opportunity for a complete community with housing in close proximity to employment and commercial services that are scaled to serve the frequent needs of neighborhood and area residents.
- B. Provide a mix of housing types for owners and renters of multiple lifestyles and income levels, including deed-restricted affordable housing and workforce housing.
- C. Establish design standards for streets and blocks in order to create safe, functional, and attractive streetscapes.
- D. Create safe, attractive, and efficient pedestrian routes and other multi-modal transportation options.
- E. Preserve significant natural resources and open space for a community park, trail system, multiple pocket parks, and other community amenities.

2.7.4820 Applicability.

A. The Legacy Village Master Planned Development standards apply to the property identified in Figure 2.7.4820. The special standards of the Master Plan supersede the standards of the underlying zones and other applicable standards of the Bend Development Code. Where there is a conflict between the provisions of the Legacy Village Master Plan and those of the underlying zone or other portions of the Development Code, the provisions of this district will control. The final determination of the zone or district boundary will be established at the time of subdivision platting and right-of-way dedication.

B. Local road and open space locations in Figure 2.7.4820 are conceptual. Final location will be established at subdivision and/or site plan approval. The minimum total acreage that must be included in open space tracts is 39 acres.

Figure 2.7.4820. Legacy Village Master Plan



2.7.4830 Definitions.

- A. "Lot line, front" means the property line abutting a street or open space tract.
 - 1. "Primary front lot line" means the shortest front lot line abutting a street or open space. If there is more than one such lot line of equal length, then the applicant or property owner must choose which lot line is to be the primary front lot line.
 - 2. "Secondary front lot line" means all other front lot lines abutting a street except the primary front lot line.

2.7.4850 Residential Zoning Districts.

- A. *Permitted Uses.*
 - 1. All uses listed as permitted in the underlying zone are permitted. All uses listed as conditionally permitted in the underlying zone are conditionally permitted.
- B. Where no special standards are provided, the applicable standards of the underlying zone apply.
- C. *Setbacks.*

Table 2.7.4850.C. Setbacks

	Primary Front	Secondary Front	Rear	Side
RS, RM	10 ft.*	8 ft.*	4 ft.	4 ft

* Garages and/or carports must maintain a minimum front setback of 20 feet.

- 1. Setback exceptions in the underlying zone apply.
- D. *Lot Area and Dimensions.* Lot areas and lot dimension standards for residential uses are listed in the following table. For lot area and dimensions exceptions for affordable housing, see BDC [3.6.250\(C\)](#), Affordable Housing Strategies.

Table 2.7.4850.D. Lot Areas and Dimensions by Housing Type and Zone

Residential Use	Zone	Minimum Lot Area	Lot Width/Depth
Single-Unit Detached Dwellings and Single Room Occupancies	RS/RM	2,500 sq. ft.	Minimum width: 30 ft. at front property line Minimum lot depth: 50 ft.
Duplexes, Triplexes, and Quadplexes	RS/RM	Duplex: 2,500 sq. ft. Triplex: 4,000 sq. ft. Quadplex: 4,000 sq. ft.	Minimum width: 30 ft. at front property line Minimum lot depth: 50 ft.
Townhomes	RS/RM	Average minimum lot or parcel size: 1,500 sq. ft. for each unit	Minimum width: 20 ft. at front property line Minimum lot depth: 50 ft.

Exceptions:

1. Frontage on a public street or open space tract is required. Lots where open space tracts provide the only frontage must take access from a rear alley, and the property line fronting open space must be considered a front property line. Multi-unit housing located on lots where open space tracts provide the only frontage can take access from an access easement to a public street.
2. Other exceptions permitted in the underlying residential district are also permitted.

E. *Residential Density and Housing Mix.* Based on the zoning implementing the required land use designations in the Stevens Road Tract Expansion Area, the Legacy Village Master Plan must ensure capacity for a minimum of 2,487 housing units.

1. Capacity for a minimum of 1,548 market rate housing units must be provided, with the following minimum number of market rate units in each zone:
 - a. RH: 300 units;
 - b. RM: 440 units; and,

- c. RS: 808 units.
- d. Exception: The minimum number of units in the RM and RH zone may be increased, and the minimum number of units in the RS zone may be decreased proportionally.
- 2. More than 10 percent of the total minimum number of market-rate units must be single-unit attached (e.g., townhome) dwellings; and
- 3. More than 35 percent of the total minimum number of market-rate units must be duplex, triplex, quadplex, or multi-unit residential units.

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

Table 2.7.4850.F. Residential Lot Coverage

Residential Zone	Lot Coverage
RS/RM	60% for all single-unit detached, duplex, triplex, quadplex and single-room occupancy. No maximum for townhomes.

G. Floor area ratio does not apply to any uses.

2.7.4860 Commercial General.

A. *Permitted Uses.*

- 1. All uses listed as permitted in the underlying zone are permitted. All uses listed as conditionally permitted in the underlying zone are conditionally permitted.

B. *Prohibited Uses.*

- 1. Automobile-oriented uses.
- 2. Automobile-dependent uses.

C. *Setbacks.* In order to support a main street configuration, the maximum front yard setback is 15 feet.

2.7.4870 Mixed Employment.

A. *Permitted Uses.*

- 1. All uses listed as permitted or conditionally permitted in the underlying zone are permitted.

2.7.4880 Public Facility.**A. Permitted Uses.**

1. All uses listed as permitted in the underlying zone are permitted. All uses listed as conditionally permitted in the underlying zone are conditionally permitted.
2. Trails, natural areas, open space, future park sites, and similar privately-owned lands, with no or minimal improvements.

2.7.4890 Special Street Standards.

A. Figure 2.7.4890 depicts the street type, tentative street location and alignment in the Legacy Village Master Planned Development and the standards to correspond to each street type. The precise street alignment will be established through the land division process. The Legacy Village Street Type Plan and Standards, Figure 2.7.4890, will be applied to the Legacy Village Master Planned Development as illustrated except when an alternate standard is permitted under this section or through the land division process.

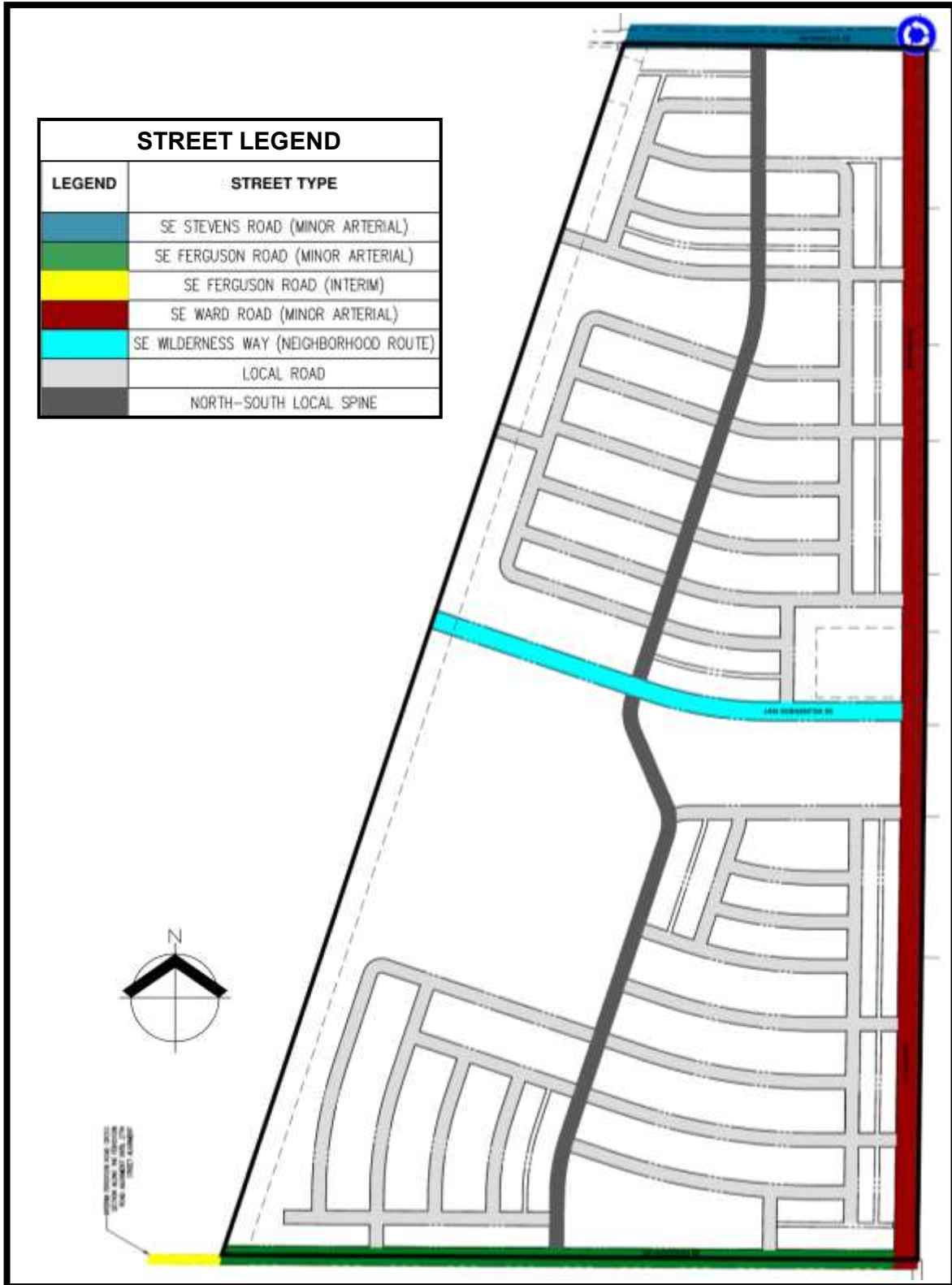
B. The following block lengths and perimeters standards apply:

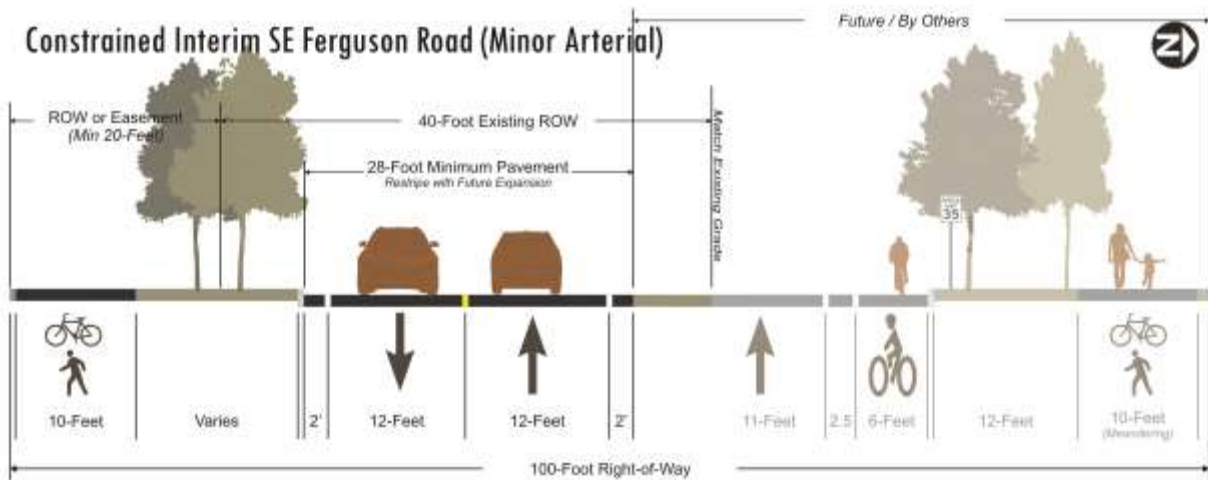
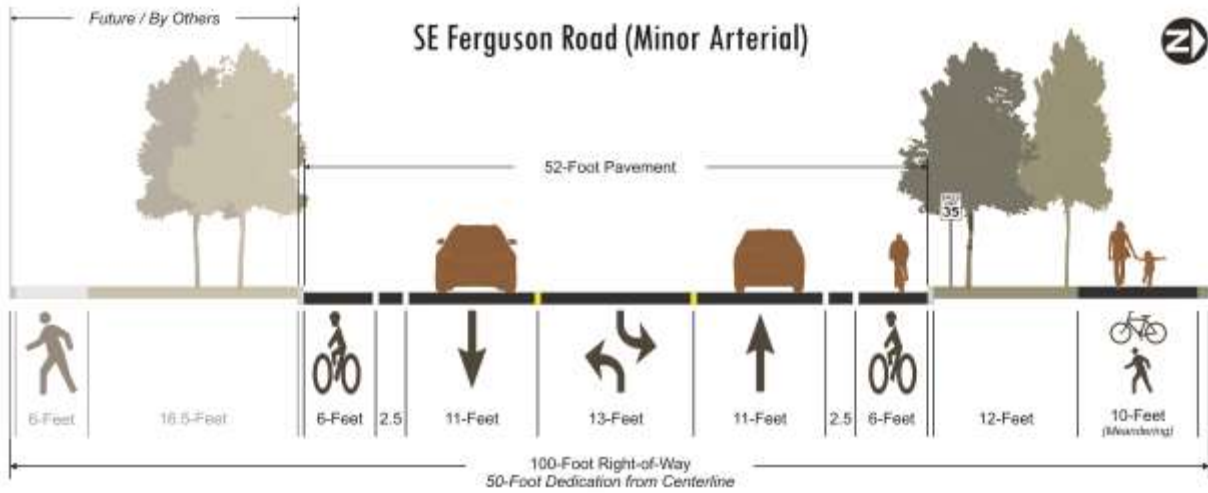
1. Block Length: 1,200-foot maximum;
 - a. Any block length exceeding 800 feet must provide a 20-foot-wide pedestrian corridor in a tract or easement at least every 660 feet; and
 2. Block Perimeter: 3,000-foot maximum;
 - a. Any block perimeter exceeding 2,640 feet must provide a 20-foot-wide pedestrian corridor in a tract or easement.
 3. Block length and perimeter standards do not apply to blocks containing RH-zoned land or the community park;
 4. Block lengths and perimeter standards do not apply to blocks containing the 100-foot-wide trail corridor.
 - a. Exceptions:
 - i. A 20-foot-wide pedestrian corridor in a tract or easement must be provided from a street or alley to the 100-foot-wide trail corridor at least every 800 feet.
 - ii. A street or 20-foot-wide pedestrian corridor in a tract or easement must be aligned to a street or pedestrian corridor connection from the west (Stevens Ranch) if approved prior to submittal of a tentative plan of the abutting phase of the Legacy Village Master Plan.
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C. Double frontage lots are allowed on blocks west of the North-South Local Spine along SE Ferguson Road. Access must be provided from the street with the lowest classification.

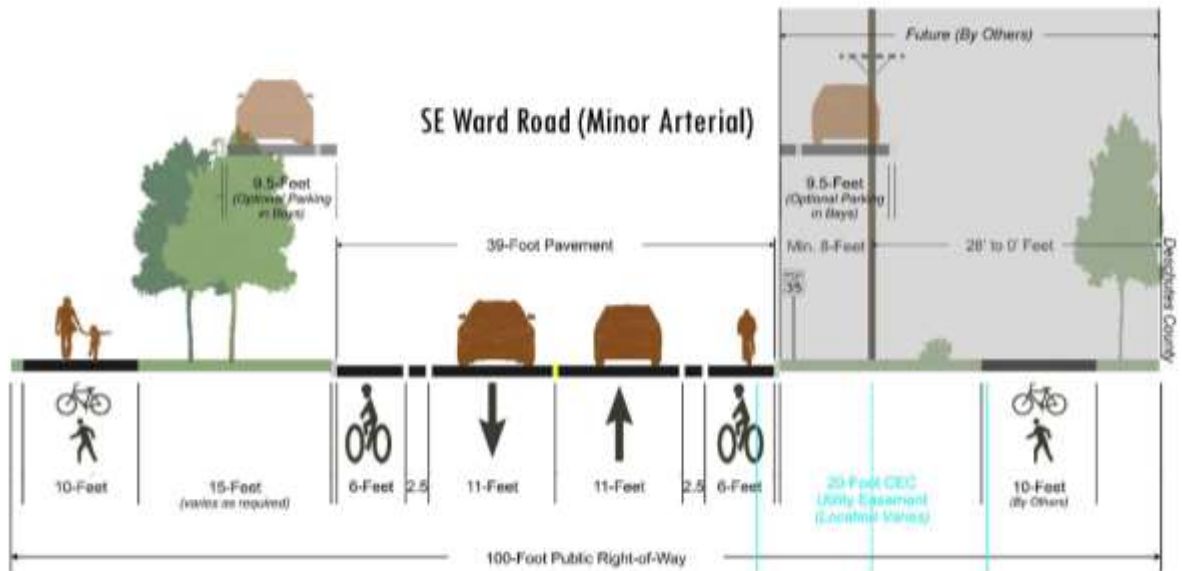
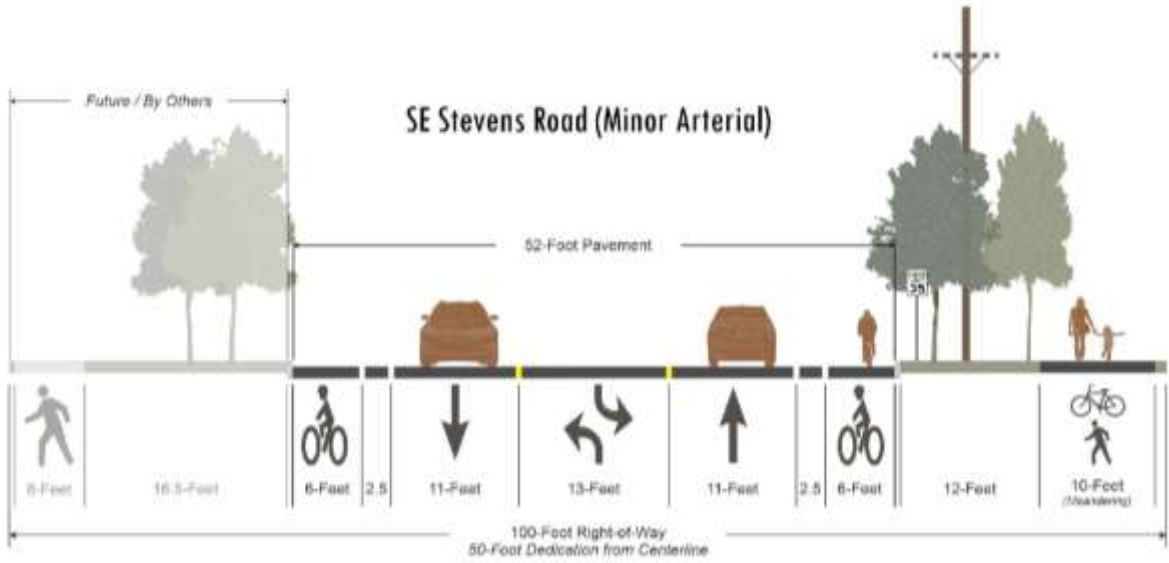
D. Any City street, block, and access standard adopted after the effective date of the ordinance codified in this article, which permits a lesser standard, may be applied to the Legacy Village Master Planned Development during the land division process.

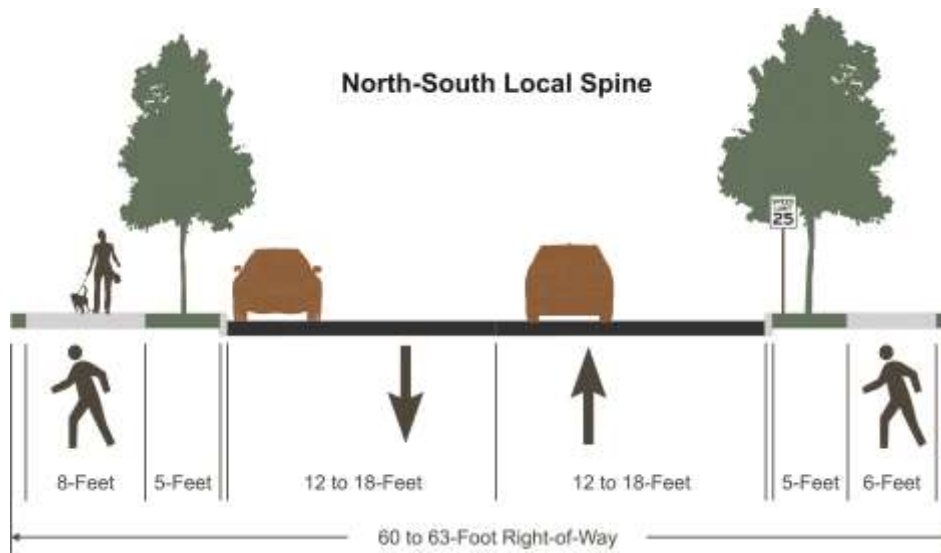
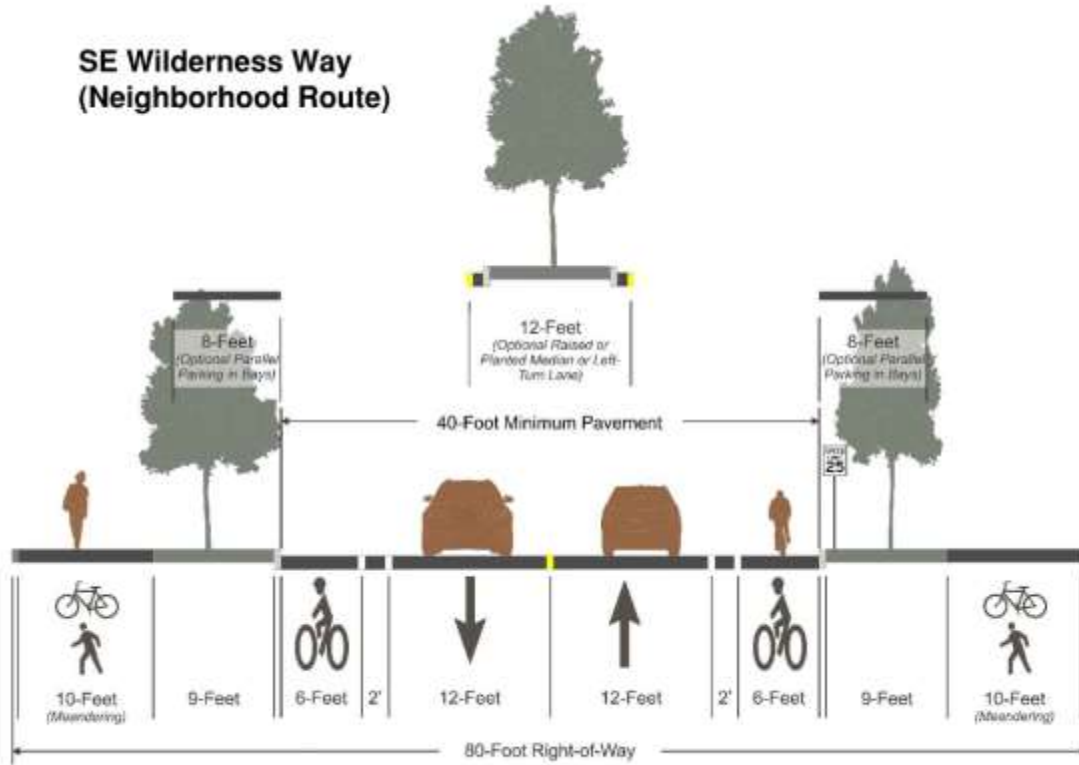
Figure 2.7.4890. Legacy Village Street Type Plan and Standards

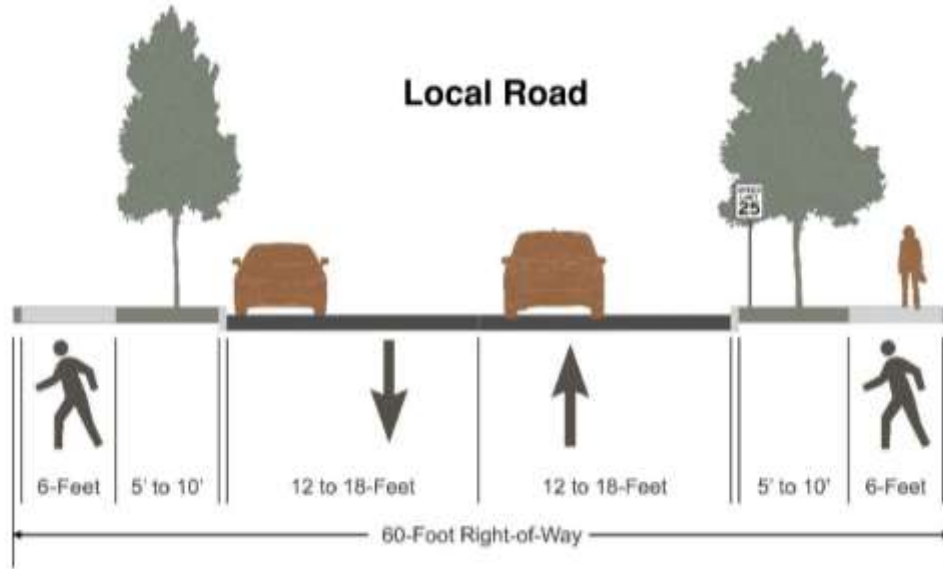




Constrained section permitted only if ROW/topography constraints prevent implementation of the "Preferred" interim Ferguson Road section.







2.7.4900 Transportation Mitigation Plan.

- A. *Applicability.* The following Transportation Mitigation Plan applies to all development within the Legacy Village Master Planned District. The Transportation Mitigation Plan is adopted and implemented pursuant to BDC [4.7.600\(D\)\(1\)](#).
- B. *Alternate Transportation Design Standards.* Transportation facilities within the Legacy Village Master Planned District must comply with the standards set forth in BDC [2.7.4890](#) and Figure 2.7.4890.
- C. *Transportation Mitigation.* The following transportation mitigation measures must be constructed pursuant to the deadlines set forth in Table 2.7.4900.

Table 2.7.4900. Transportation Mitigation

Mitigation Requirement	Trigger
<i>General Conditions</i>	
<p>Provide documentation of coordination with CET regarding where and when a transit stop should be constructed along the higher-order street system.</p> <p>Submit a transportation compliance report, including a trip generation table, with each Planning application to ensure that the project adheres to this mitigation table. If at any time the trip generation of the master plan exceeds the</p>	<p>With each Planning application</p>

Mitigation Requirement	Trigger
<p>18,220 ADT or 1,657 PM Peak trips total, the City will require an additional analysis to confirm current impacts caused by the development.</p> <p>For any transportation improvements within or crossing the gas transmission easement on the western boundary of the master plan, provide documentation of coordination and approval from the easement holder.</p>	
<p>Dedicate ROW 50-feet from centerline along all Minor Arterial Streets and 40-feet from centerline along Neighborhood Routes abutting each phase. Dedicate a 100-foot radius from intersection center point at each Roundabout ROW Reservation location (where a roundabout is not being constructed by the applicant) abutting each phase.</p> <p>Construct Neighborhood Route and Arterial streets, with improvements forming a continuous street abutting each phase.</p>	<p>Prior to Final Plat submittal of any Phase</p>
<p><i>Stevens Road Access</i></p>	
<p>Provide construction access and emergency vehicle access from Stevens Road with an all-weather surface compliant with Fire Code. The connection must include signage indicating the restricted use, with gates to prevent unauthorized/after-hours use. The connection to Stevens Road must include a 100-foot deep asphalt apron to prevent debris and gravel from entering the public ROW.</p>	<p>Prior to Final Plat submittal of any phase until Ward Road is constructed to City standards for its entire length between Ferguson Road and Stevens Road</p>
<p>Construct a single-lane roundabout at the Ward Road/Stevens Road intersection to City of Bend design</p>	<p>Prior to final plat submittal when Ward Road is proposed</p>

Mitigation Requirement	Trigger
<p>standards when Ward Road is extended north to Stevens Road.</p> <p>Construct an eastbound to southbound right-turn auxiliary lane at the US 20/Ward Road roundabout, with the design and construction subject to ODOT standards and permitting requirements. Initiation of this construction must occur within 18 months of the public Ward Road connection to Stevens Road.</p> <p>Provide a \$925,000 pro-rata contribution to the roadway authority toward the construction of a roundabout at the Ward Road/Bear Creek Road intersection.</p> <p>Provide \$7,720 to the City of Bend toward the Reed Market Road/Pettigrew intersection as a pro-rata payment.</p> <p>Construct a northbound to eastbound stop-controlled right-turn lane at the Stevens Road/Eubanks Road intersection.</p>	<p>to intersect with Stevens Road and its entire length between Ferguson Road and Stevens Road is constructed to City standards</p>
<p>Construct Ward Road to Stevens Road prior to construction of any local road connection to Stevens Road.</p>	<p>Prior to final plat submittal when any Street is proposed to intersect with Stevens Road</p>
<p><i>Ferguson Road Access</i></p>	
<p>Construct an initial single-lane roundabout at the SE 27th Street/SE Ferguson Road intersection to City standards, and connect the Ferguson Road multi-use path to the roundabout crossings. Completion of this project by others or incorporation into the City's CIP or other committed funding source will also satisfy this condition.</p>	<p>Prior to final plat submittal when any access is proposed to Ferguson Road</p>

Mitigation Requirement	Trigger
<p>Construct Ferguson Road from 27th Street to the western master plan boundary (can include one of three design options in BDC Figure 2.7.4890 depending on available ROW).</p>	
<p>If Ferguson Road is the only vehicular access point to the master plan boundary, expand the single-lane roundabout at SE 27th Street and SE Ferguson Road to include an eastbound to southbound right -turn lane and southbound to westbound right-turn lane.</p> <ul style="list-style-type: none"> • This expanded intersection can then support up to 1,369 PM trips before an alternative public route (Wilderness Way or Ward Road) is required. 	<p>When 866 PM trips are exceeded</p>
<p>When a Ferguson Road public connection is provided to the master plan boundary from 27th Street and a Ward Road public connection is provided to Stevens Road, but a Wilderness Way connection to 27th Street has not been made, expand the single-lane roundabout at SE 27th Street and SE Ferguson Road to include an eastbound to southbound right -turn lane and southbound to westbound right-turn lane.</p>	<p>When 1,030 PM trips are exceeded</p>
<p>When a Ferguson Road public connection is provided from 27th Street to the master plan boundary and a Ward Road public connection is provided to Stevens Road and a Wilderness Way connection is provided from 27th Street to the master plan boundary, expand the single-lane roundabout at SE 27th Street and SE Ferguson Road to</p>	<p>When 1,622 PM trips are exceeded</p>

Mitigation Requirement	Trigger
include an eastbound to southbound right -turn lane and southbound to westbound right-turn lane.	
<i>Reed Market Road Improvements</i>	
The Reed Market Road/SE 27th Street intersection must be converted to either a multilane (three-legged) roundabout or an expanded traffic signal. This mitigation can be deferred by the City Engineer if the transportation compliance reports indicate available capacity and acceptable safety performance at the intersection. Completion of this project by others or incorporation into the City's CIP or other committed funding source will also satisfy this condition.	When 500 PM trips are exceeded
Install a median in SE 27th Street to limit SE 27th Street/Stevens Road turning movements to right-in, right-out.	Prior to final plat submittal when any street is proposed to intersect with Stevens Road if Stevens Road is not yet realigned with Reed Market Road by others
If the skewed alignment of Stevens Road has not been realigned to the north by others to form a 90-degree intersection with SE Reed Market Road, the realigned street must be constructed.	When 1,490 PM trips are exceeded
<i>Wilderness Way Roundabout Expansion</i>	
Construct a dedicated southbound to eastbound left-turn lane at the SE 27th Street/Wilderness Way roundabout.	Within 24 months of final plat approval of the phase tentatively approved

Mitigation Requirement	Trigger
	<p>immediately following a publicly available reciprocal connection to Stevens Ranch via Wilderness Way and completion of Wilderness Way from SE 27th Street to the master plan boundary</p>
<p>*All cited trip thresholds reference net new weekday PM peak hour trips generated by Legacy Village. When any PM Peak trip threshold will be reached with development of a phase, the required transportation improvements must be completed prior to the earliest of either:</p> <ol style="list-style-type: none"> 1) Final plat approval of a non-multi-unit residential development phase, or 2) Final inspection approval of the first building on a non-residential lot or in a multi-unit development. 	

2.7.4910 Future Capacity Reservation.

The Legacy Village Master Plan reserves infrastructure capacity (sewer, water, and transportation) through and including **Month, Day, 2040**, for all site plan review and subdivision applications filed pursuant to the phasing plan through **Month, Day, 2040**. Site plan review and subdivision applications submitted after **Month, Day, 2040**, will be subject to new utility and transportation analyses.

EXHIBIT B

PLANNING COMMISSION RECOMMENDATION TO THE CITY COUNCIL



PROJECT NUMBER: PLSPD20250647 (Major Master Plan)
PLTEXT20250648 (Comprehensive Plan Text Amendment)

HEARING DATE: April 1, 2026 at 6:00 p.m.
City of Bend Council Chambers (hybrid)
710 NW Wall Street, Bend, OR 97703

REPORT DATE: March 13, 2026

APPLICANT: Hayden Homes
250 SE Timber Ave
Redmond, OR 97756

AGENT: AKS Engineer & Forestry
2777 NW Lolo Drive
Bend, OR 97703

OWNER: State of Oregon
Department of State Lands
775 Summer St NE #100
Salem, OR 97301-1279

PROJECT No situs address; South of Stevens Road, north of Ferguson Road, and east of the Stevens Ranch Master Plan

LOCATION: Deschutes County Assessor's Map 18-12-11, Tax Lot 00100

REQUEST: Bend Development Code (BDC) Text amendment to amend BDC Chapter 2.7 for a new 260.6-acre Major Community Master Plan in the Stevens Road Tract Urban Growth Boundary Expansion Area, and a Comprehensive Plan Text amendment to amend policies for the Stevens Road Tract Urban Growth Boundary Expansion Area (Type III Quasi-Judicial Planning Commission recommendation to City Council)

STAFF Karen Swenson, Senior Planner

REVIEWERS: (541) 388-5567; kswenson@bendoregon.gov
Alex Pelayo, Project Engineer
(541) 323-8556; apelayo@bendoregon.gov

I. APPLICABLE CRITERIA, STANDARDS, AND PROCEDURES:

Bend Development Code (BDC) - Version effective October 3, 2025

Approval Criteria

Chapter 4.5, Master Plans

Chapter 4.6, Land Use District Map and Text Amendments

Standards

Chapter 2.1, Residential Districts

Chapter 2.2, Commercial Zoning Districts

Chapter 2.3, Mixed-Use Zoning Districts

Chapter 2.8, Urbanizable Area District

Chapter 3.1, Lot, Parcel and Block Design, Access and Circulation

Chapter 3.4, Public Improvement Standards

Chapter 4.7, Transportation Analysis

Procedures

Chapter 4.1, Development Review and Procedures

Bend Comprehensive Plan Policies

Chapter 11, Growth Management

Oregon Administrative Rules

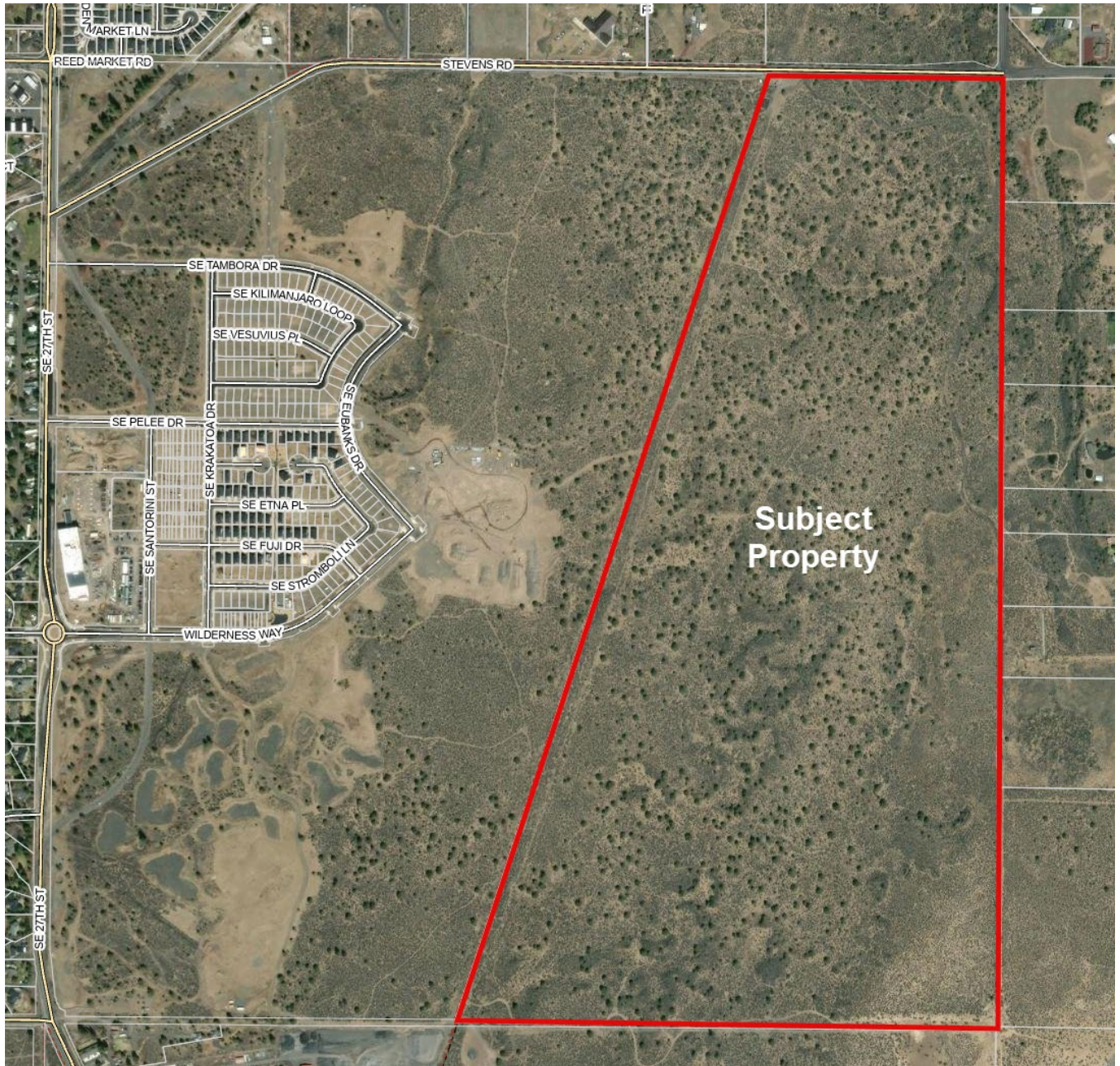
Chapter 660 Division 12, Transportation Planning

Chapter 660 Division 15, Statewide Planning Goals and Guidelines

II. FINDINGS OF FACT:

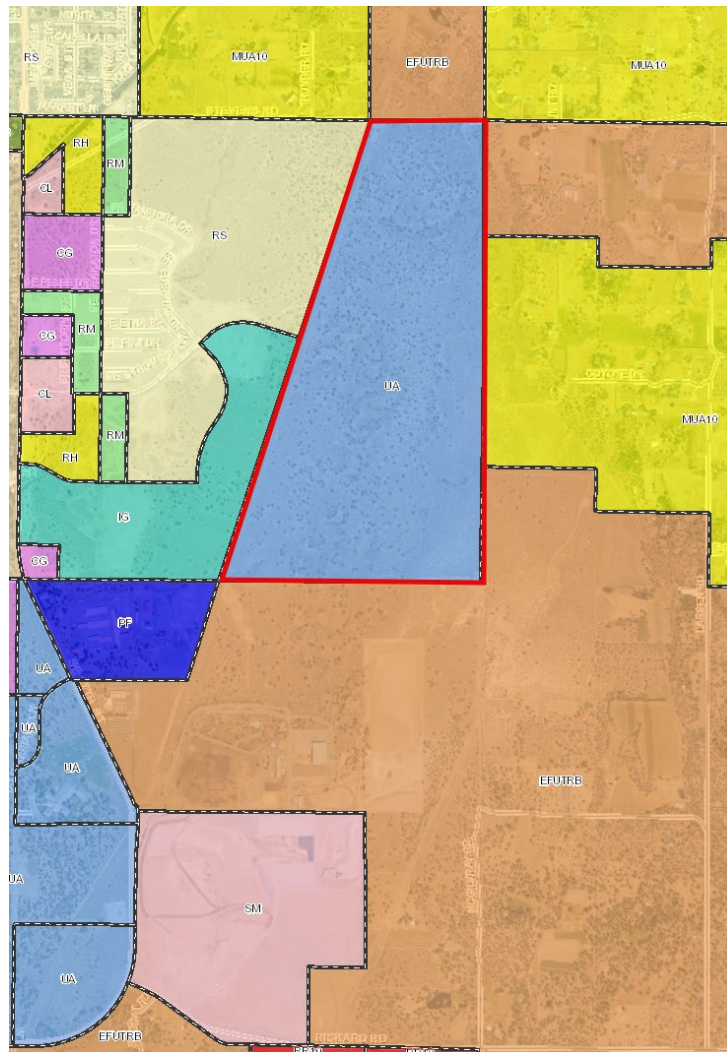
- 1. LOCATION:** The subject property is located south of Stevens Road, north of Ferguson Road, and east of the Stevens Ranch Master Plan and is further identified as Tax Lot 100 on the Deschutes County Assessor's Map 18-12-11.
- 2. ZONING AND PLAN DESIGNATION:** The subject property is zoned Urbanizable Area (UA) within the City's Urban Growth Boundary (UGB) and designated Standard, Medium and High Density Residential (RS, RM and RH, respectively), General Commercial (CG), Mixed Employment (ME) and Public Facilities (PF) on the City of Bend Comprehensive Plan Map. The property is also identified as being in the Stevens Road Tract Urban Growth Boundary Expansion Area.
- 3. SITE DESCRIPTION AND SURROUNDING USES:** The Stevens Road Tract Master Plan encompasses approximately 260.6 acres, all of which are within the Stevens Road Tract Expansion Area. The site comprises one tax lot bounded generally by Stevens Road (a Minor Arterial) to the north, SE Ferguson Road (a Minor Arterial) to the south, and the TC Energy natural gas transmission pipeline easement to the west. Abutting the site to the west is the Stevens Ranch Master Plan Area. The intersection of Stevens Road and SE Ward Road is the northeast corner of the property.

The property has irregular topography, including a plateau with steep sloped areas and rocky outcrops. Existing vegetation is typical of the high desert, including low-coverage understory grasses and shrubs with scattered coniferous trees of varying heights and maturities.

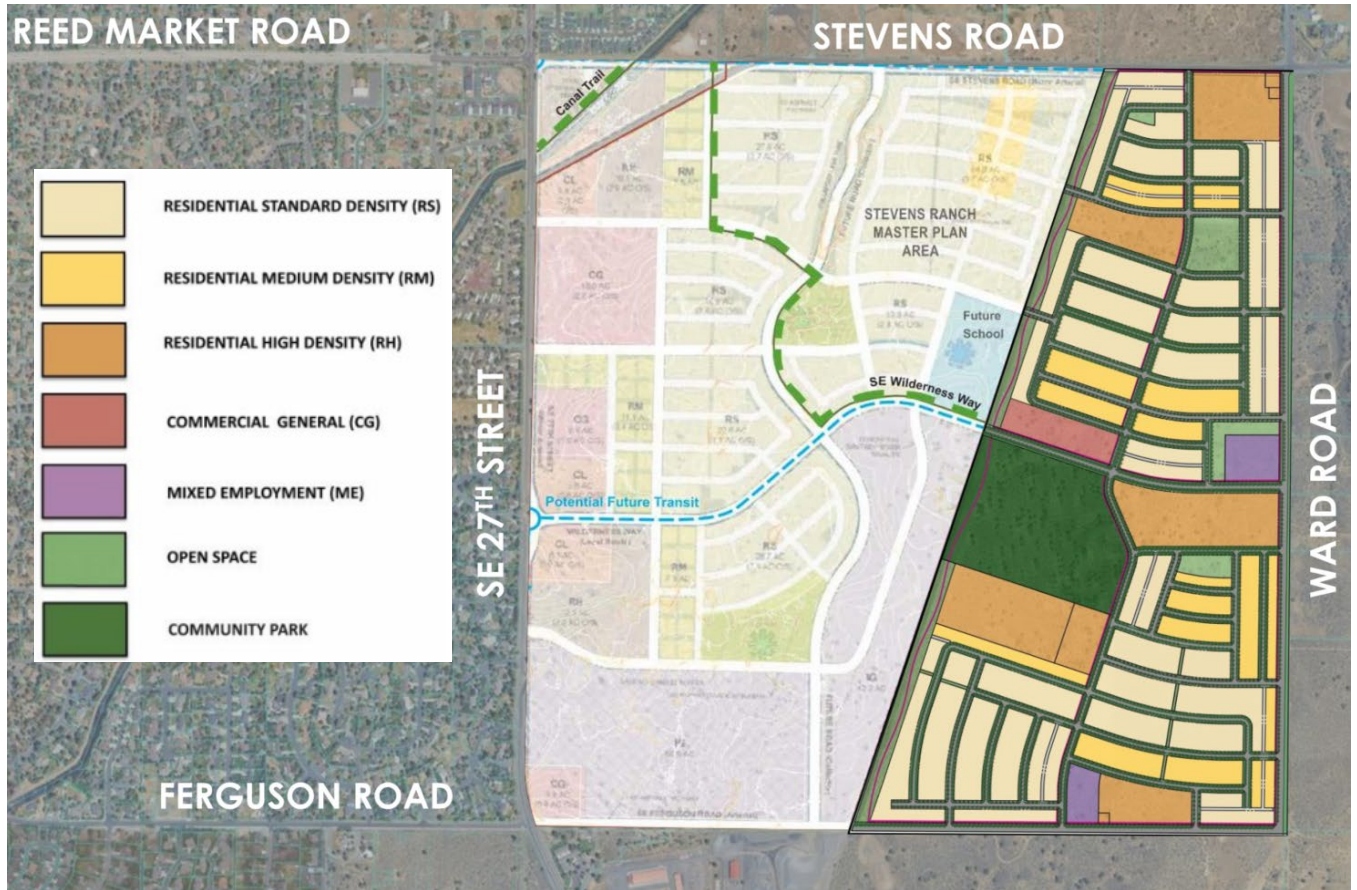


Land to the north, east, and south of the tax lot is outside of the UGB and is zoned Exclusive

Farm Use - Tumalo/Redmond/Bend Subzone (EFU-TRB) and Multiple Use Agricultural 10-Acre Minimum (MUA-10) within Deschutes County jurisdiction. The MUA-10-zoned properties to the north and east are subdivided and contain homes and several non-residential uses including the Bend Kitty Lodge and Hope City Church. Properties within the EFU-TRB zoning district are developed mostly with rural residential properties with existing single-unit detached dwellings and accessory structures, and some larger properties with pasture. To the south is land zoned EFU-TRB and Surface Mining Impact Area (SM) which includes the Knott Landfill and associated buildings. The land to the southwest is within the city limits and is zoned Public Facilities (PF) and includes Deschutes County Road Department buildings used for warehousing, vehicle maintenance, and offices. Land to the west is the Stevens Ranch Master Plan area and is also within the City of Bend city limits, containing a variety of residential, neighborhood commercial, and general industrial zoned land.



Existing Zoning (Source: Deschutes County DIAL)



4. **PROPOSAL:** The applicant proposes a Quasi-Judicial Bend Development Code (BDC) Text amendment to amend BDC Chapter 2.7 for a new 260.6-acre Major Community Master Plan in the Stevens Road Tract Urban Growth Boundary Expansion Area (PLSPD20250647), and a Comprehensive Plan Text amendment to amend policies for the Stevens Road Tract Urban Growth Boundary Expansion Area (PLTEXT20250648).
5. **BACKGROUND:** In 2021, the Oregon Legislature passed House Bill (HB) 3318, now Oregon Laws 2021 Chapter 552. This bill applied specifically to the Stevens Road Tract, a tract of land owned and managed by the Oregon Department of State Lands (DSL). At the time, the Stevens Road Tract was located outside of the Bend UGB and abutted the DSL Expansion Area, now the Stevens Ranch Master Plan. Through this bill, the Legislature outlined a process, including three specific steps, for the City to include only this land within the Bend UGB. The first step was development of a Concept Plan that was approved by the City Council in June 2022 (Resolution 3296, Exhibit A – Figure 19), and subsequently approved by the Department of Land Conservation and Development in September 2022. The second step was to include the Stevens Road Tract in the Bend UGB (Ordinance No. NS-2482, adopted September 20, 2023) and amend the Buildable Land Inventory to include the

buildable land within the Stevens Road Tract in the City's inventory. The third and final step was to develop planning amendments that would amend the Bend Comprehensive Plan to include policies, consistent with the Concept Plan, that would guide master planning of the Stevens Road Tract in a manner similar to that used for the other expansion areas. The Comprehensive Plan Text Amendments to establish policies for the Stevens Road Tract were adopted by the City Council on February 21, 2024 (Ordinance No. NS-2492), setting the stage for future master planning of the Stevens Road Tract.

6. PUBLIC NOTICE AND COMMENTS: In accordance with BDC 4.1.215, the applicant held a virtual neighborhood public meeting via Zoom on September 29, 2025. Approximately 17 people attended in addition to the applicant team, including the designated representative of the Old Farm and Larkspur Neighborhood Districts. Concerns and questions stated at the meeting included permitted uses in the Mixed Employment District, access management and anticipated trips on the extension of Ward Road, timing of the Stevens Road/Ward Road roundabout, location of primary utility connections to serve the site, and coordination with TC Energy to account for requirements of their gas line easement.

On January 16, 2026, the Planning Division mailed notice of the Planning Commission public hearing per BDC 4.1.423 and two "Proposed Development" signs were also posted on the site per BDC 4.1.425. The required notice to the Department of Land Conservation and Development (DLCD) was provided on December 31, 2025, more than the required 35 days prior to the first public hearing.

One individual submitted a written comment, the developer of Stevens Ranch to the west, expressing concern about "leapfrog" development before the completion of infrastructure in Stevens Ranch and the need for a secondary road for public access, in addition to fire and emergency access. An letter of support was submitted by the Department of State Lands.

On February 9, 2026, the City of Bend Planning Commission conducted a public hearing to consider both applications. One individual, representing the developer of the Stevens Ranch master plan, commented orally, addressing the same concerns raised in the submitted written comment by the developer.

On March 12, 2026, the Planning Division mailed notice of the Council public hearing to surrounding owners of record as shown on the most recent property tax assessment roll and to the addresses of property (based on the City's current addressing record) within 500 feet of the site, and to the designated representatives of the Old Farm and Larkspur Neighborhood Districts. A "Proposed Development" sign was also posted on the site abutting Stevens Road and in the southwest corner of the property near informal trails on March 13, 2026. Notices were also sent to participating City Departments and other affected agencies for comment.

As of the date of these findings, no additional public comments were received by the

Planning Division. The public and agency comments that the Planning Division received in response to these notices are contained in the project file and were considered in these findings.

- 7. APPLICATION ACCEPTANCE DATE:** This application was submitted on November 21, 2025 and deemed complete on January 13, 2026. The application is not subject to the 120-day statutory time limitation for review.
- 8. RELATED APPLICATION(S):** A concurrent annexation application (PLANX20250646) has been submitted and is under review. The City Council is the hearing body and review authority on annexation applications. The proposed master plan and Comprehensive Plan policy amendments will be considered concurrently with the annexation application by the City Council.
- 9. RECORD:** The documents in CityView for PLSPD20250647 and PLTEXT20250648 are made part of the record and are placed before the Planning Commission for consideration during the proceedings on the amendments. The documents are available for review and can be viewed in the Online Permit Center Portal at <https://cityview.ci.bend.or.us/Portal/Planning/Locator> on the City of Bend website by entering the project number PLSPD20250647 or PLTEXT20250648 in the search bar to find the project.
- 10. NOMENCLATURE:** After submittal of all application materials and while this staff report was being completed, the applicant changed the name of the master plan from Stevens Road Tract (which referred to the name of the UGB expansion area) to Legacy Village. This staff report refers to the master plan as the Stevens Road Tract master plan consistent with the submitted application materials. However, the proposed Development Code does reflect the new master plan name, Legacy Village Master Planned Development. Best efforts were made to refer to the new master plan name in any application materials submitted after January 12, 2026.

III. APPLICATION OF APPROVAL CRITERIA:

Chapter 4.5 – MASTER PLANS

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 applicable to the category of master plan determined by the City are

applicable to a proposed master plan or development proposal.

FINDING: The Stevens Road Tract Master Plan boundary contains 260.6 acres, of which the Preliminary Zoning Plan (Sheet P05 in Exhibit C) shows ±205.2 gross acres are designated for residential use, 7 acres are designated for mixed-employment uses, 5.3 acres are designated for commercial use, and 39.5 acres are planned for recreational uses within the public facility designation. Therefore, the most prominent uses within the Stevens Road Tract Master Plan are residential uses, and the project will be reviewed as a Major Community Master Plan.

C. Uses. The uses are the same as those permitted within the zoning district except as follows:

- 1. Density transfers may be permitted as part of a major community master plan 20 acres or larger, or as part of a major employment or major institutional master plan in an opportunity area that is 20 acres or larger; however, the density must comply with the density standards in BDC 4.5.200(E)(3);**

FINDING: No density transfers are necessary or contemplated with this project. The project meets the applicable density standards in BDC 4.5.200(E)(3) by showing that the Stevens Road Tract Master Plan will contain the housing unit count and mix prescribed in BCP Policies 11-155 through 11-160, as further discussed below. The applicable criteria are met.

- 2. Uses in the zoning district may be modified and may prohibit uses or include uses not permitted when consistent with the Bend Comprehensive Plan designation's characteristics; and**

FINDING: While the site is currently zoned UA, the Comprehensive Plan Map and the Stevens Road Tract Master Plan anticipate rezoning the site to RS, RM, RH, CG, ME, and PF with annexation, as shown in the Preliminary Zoning Plan (in Exhibit C of the application). All uses permitted in each proposed zoning district are consistent with the characteristics of the Comprehensive Plan designation, except in the CG zoning district. The proposed Stevens Road Tract Development Code (Exhibit N of the application) prohibits uses that are auto-oriented in the CG Zone, in compliance with BCP Policy 11-161. The criteria are met.

- 3. Private recreational facilities and private open space areas in compliance with BDC 4.5.200(E)(4) are permitted as part of a community master plan.**

FINDING: The Preliminary Open Space and Trail Plan (in Exhibit C of the application) shows 39.5 acres of open space (15.1 percent of the gross acreage), including a 23-acre community park. Exhibit G of the application is a letter from the Bend Parks and Recreation District (BPRD) documenting the coordination between the applicant and BPRD. The Stevens Road Tract Master Plan is within a Park Search Area per the 2024 Midterm BPRD Comprehensive Plan Update for a community park consistent with City of Bend's Comprehensive Plan Stevens Road Tract policies (specifically, BCP 11-169).

Additionally, BPRD has planned the extension of the TransCanada Trail from the south to and through the 100-foot-wide open space trail corridor on the western boundary of the subject property. An additional 6.6 net acres of open space is provided through various sized tracts distributed throughout the community to preserve natural features and provide additional opportunities for passive recreation and neighborhood amenities. Open space areas not transferred to BPRD will be owned and maintained by a homeowners' association (HOA) in compliance with BDC 4.5.200(E)(4), which is discussed further below. The criterion is met.

D. Consistency with ORS 227.178. A major master plan is an amendment to an acknowledged Comprehensive Plan and/or land use regulation and is therefore not subject to the 120-day review period under ORS 227.178. The City will use all reasonable resources to render a final decision on all major master plans within 180 days of receiving a complete application. Approval or denial of the major master plan application will be based on the standards and criteria at the time the major master plan was first submitted to the City.

FINDING: The Stevens Road Tract Master Plan application was submitted on November 21, 2025 and deemed complete on January 13, 2026. This review is based on the standards and criteria in effect on November 21, 2025; the most recent Development Code update prior to that date was on October 3, 2025. The application is not subject to the 120-day review period under ORS 227.178, however, the City will use all reasonable resources to render a final decision by July 12, 2026.

4.5.200 Community Master Plans

D. Community Master Plan Approval Criteria.

1. Minor or Major Community Master Plan. The City may approve, approve with conditions, or deny a proposed minor or major community master plan application based on meeting all of the following criteria:

a. The community master plan complies with subsection (E) of this section, Standards and Regulations.

FINDING: The applicable Standards and Regulations are addressed in the findings under Subsection (E), below.

b. Existing water and sewer facilities have adequate capacity to serve the proposed development in compliance with the Collection Systems Master Plan and the Water System Master Plan, latest editions, or adequate facilities will be installed prior to occupancy or use.

FINDING: The Utility Analysis (PRSWA202500480) (Exhibit Q of the application), issued by City of Bend Private Development Engineering Division, shows that existing sewer facilities have adequate capacity to serve the properties planned within the Stevens Road Tract

Master Plan or adequate facilities will be installed concurrent with construction and prior to occupancy or use of the structures. Avion Water Company provides water service to this portion of the city. Exhibit F of the application includes a will-serve letter from Avion Water Company, indicating they are willing and able to serve potable water to the project site. The applicable criteria are met.

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

FINDING: The Transportation Impact Analysis (Exhibit L of the application) was prepared by Transight Consulting LLC. A Traffic Analysis Memo (TAM) issued by the City of Bend provides a list of required mitigations based on anticipated transportation impacts, and the timing of mitigations, and addresses compliance with BDC Chapter 4.7 (Exhibit M of the application). Consistent with other major Community Master Plans, the required mitigation measures will be codified in BDC 2.7.4900, Transportation Mitigation Plan (Exhibit N of the application).

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:

- a. The community master plan land uses and densities must be consistent with the Bend Comprehensive Plan Map designations. If rearranging the plan designation locations and/or zoning is proposed as part of the master plan application, the master plan must retain the same total area of all plan designations on the subject site or within one percent of the same total acreage and maintain the density/housing numbers consistent with the allocations prescribed by the existing plan designations except as provided in subsection (E)(3) of this section. Any other changes to the plan designations and density/housing numbers, or other changes to the Comprehensive Plan Map designations, require a Comprehensive Plan and Zoning Map amendment to be processed concurrently in accordance with BDC Chapter 4.6, Land Use District Map and Text Amendments.**

FINDING: The acreages of the Comprehensive Plan Map designations are based on the Concept Plan in the Bend Comprehensive Plan Figure 11-10, which provides a visualization of the policy requirements for the Stevens Road Tract (Policies 11-156, 11-160 and 11-169) in a manner that is not-to-scale with the actual required acreages stated in BCP policies, resulting in some discrepancies between the BCP text and the adopted Comprehensive Plan Map designations. Therefore, the Preliminary Zoning Plan (Sheet P05 in Exhibit C of the application) provides the required zoning designations and acreages in a manner that is to-scale and consistent with the adopted policies and resolves the discrepancies in the

adopted Comprehensive Plan Map. Housing density and mix are addressed further in the findings of compliance with BCP Policies 11-155, 11-156, and 11-158, below. Subsection (E)(3) is addressed below. The applicable criteria are met.

b. The applicant has demonstrated that the standards and zoning district requirements contained in BDC Title 2, Land Use Districts, and BDC Title 3, Design Standards, are capable of being met during site plan or land division review, except as proposed to be modified by the applicant as part of a major community master plan. Where the applicant has proposed deviations to the above standards and/or zoning district requirements, the applicant has demonstrated:

- i. That granting a deviation to the BDC standards and/or zoning district requirements will equally or better meet the purpose of the regulation proposed to be modified; or**
- ii. That granting a deviation to the BDC standards and/or zoning district requirements is necessary due to topographical constraints or other unique characteristics of the property or specific development type proposed by the master plan; and**
- iii. That any impacts resulting from the deviation are mitigated to the extent reasonably practical.**

FINDING: The Stevens Road Tract Draft Development Code (Exhibit N of the application) contains minor deviations to BDC Title 2 appropriate for this specific site and context, explained further below. Future land use applications, including Tentative Phased Subdivision and Site Plan Review, will provide the required details demonstrating compliance with the applicable provisions of Title 3. However, the Stevens Road Tract Master Plan (Exhibit C of the application) shows that applicable BDC requirements are capable of being met, except as proposed to be modified in BDC Chapter 2.7, Article XXIX, as described below.

Chapter 3.1 – Lot, Parcel, and Block Design, Access, and Circulation

Chapter 3.1 of the Bend Development Code addresses minimum lot size and dimensions, maximum block length and perimeter, multi-modal access and vehicular access points. The Preliminary Street Circulation Plan (BDC Figure 2.7.4890 and Sheet P06 in Exhibit C of the application) shows the preliminary street and block design and the general circulation scheme. Proposed deviations to specific block lengths and perimeters are addressed below. Some blocks in the southern portion of the master plan exceed maximum block length and an access corridor near the middle of the block is planned to reduce out-of-direction travel, as shown on the Stevens Road Tract Master Plan (Sheet P03 in Exhibit C of the application), as allowed under Discretionary Track Review (BDC 3.1.200.D). A deviation to vehicular access for lots fronting an arterial road (BDC 3.1.200.E.), specifically Ferguson Road, is also

addressed below.

Chapter 3.2 – Landscaping, Tree Preservation, Fences, and Walls

Figure 2.7.4820 in the proposed Stevens Road Tract Master Plan code (also Sheet P03 in Exhibit C of the application) shows open spaces/parks and multi-use pathways. Fences and walls will be addressed in future land use applications, as necessary. In addition to required street tree and planter strip landscaping that will be required with future subdivision and Site Plan Review approvals, it is anticipated that on-site landscaping associated with the future community park and multi-unit residential projects will incorporate additional trees into the overall landscape of the neighborhood. Future land use applications will address tree preservation in detail, as required in Chapter 3.2.

Chapter 3.3 – Vehicle Parking, Loading, and Bicycle Parking

Compliance with Chapter 3.3 will be reviewed during future Site Plan Review (for multi-unit residential and commercial/mixed-employment development) or building permit review (for single-unit and duplex, triplex, and quadplex homes). As proposed, compliance with this section can be met with the planned land uses and configuration.

Chapter 3.4 – Public Improvement Standards

The applicant and City staff have worked together to identify the infrastructure necessary to serve the variety of planned uses within Stevens Road Tract as they are built out over the next decade and beyond. The Stevens Road Tract Utility Plan (Sheet P09 in Exhibit C of the application) shows that public facilities—including sanitary sewer, potable water, and transportation facilities—are capable of serving the project, which is confirmed by the City Engineering Division’s Utility Analysis Memo (Exhibit Q of the application), the will-serve letter from Avion Water Company (Exhibit F of the application), and the Transportation Analysis (Exhibit M of the application) which is also codified in the Transportation Mitigation Plan table of the Stevens Road Tract code in Chapter 2.7. Ongoing coordination with BPRD and Bend-La Pine School District is documented in Exhibits G and H of the application, respectively.

Future land use applications will address public improvement standards in detail, as required in Chapter 3.4. The preliminary plans and exhibits show that applicable requirements are capable of being met.

Proposed Deviations to BDC Titles 2 and 3

Chapter 2.1 – Residential Districts

In the residential zoning districts, the proposed Stevens Road Tract code (Exhibit N of the application) contains deviations from the underlying BDC standards to create a cohesive site and architectural arrangement that provide for a wide range of housing types, styles, and price points. As stated in the applicant’s project narrative, the Stevens Road Tract

Master Plan and corresponding development code language have been developed strategically and in consideration of balancing the provision of needed housing with the realities of market demand anticipated over the full buildout of the project. Deviations from current BDC standards are proposed to prioritize both meeting anticipated demands for housing and the City's objectives for housing diversity. Consistent with the criteria above, the deviations described below support a project that meets or exceeds the intended benefits of the underlying standard.

The primary impacts from the planned deviations are that a portion of the lots for detached single-unit homes, townhomes, duplexes, triplexes and quadplexes may be smaller or narrower than the standard RS and RM zoning districts would allow, with the allowance for lots that have secondary front setbacks to have a reduced minimum second front setback standard.

Residential Setbacks in RS and RM Zones

BDC 2.1.300(A) states that residential "setbacks provide private outdoor living space, building separation for fire protection/security, building maintenance, and sunlight and air circulation. The setback standards encourage placement of residences close to the street for public safety and neighborhood security." The planned 2-foot reduction in secondary front setbacks (from 10 feet to 8 feet) and the planned 1-foot reduction in rear and side setbacks (from 5 feet to 4 feet) in the RS and RM zones are mitigated by a community design that includes 39.5 net acres of community park space and trail corridors dispersed throughout the neighborhoods for public outdoor living space and a network of multiuse pathways that provide for additional building separation, and sunlight and air circulation. The planned deviation to typical setback standards has previously been approved for the Petrosa, Easton, Stevens Ranch, and Caraway Master Plans. On balance, the deviations will equally or better meet the purpose of the underlying standard.

Residential Lot Size and Dimensions in the RS Zone

While no purpose of the lot dimension standards is explicitly stated in BDC 2.1.500, they are generally understood to ensure adequate space is provided for the type of residential use and structure, appropriate to the scale and character of the surrounding neighborhood. The planned deviations establish a minimum lot area of 2,500 square feet (rather than 4,000 square feet) and a 30-foot minimum lot width at the front property line (rather than 40 feet) for single-unit detached dwellings and duplexes, effectively applying the existing RM standard to the RS zones. The planned lot sizes and widths are appropriate to the scale and character of the housing types, and provide for a cohesive design throughout the Master Plan area, while also supporting a greater variety of housing types. Therefore, the deviations will equally or better meet the purpose of the underlying standard.

In the absence of an explicit purpose stated for lot dimension standards, it should be noted that BDC 2.1.100 provides broader guiding principles of the residential districts, including:

“Accommodate a range of housing needs, including owner-occupied and rental housing.” In a master planned community, where proposed lots are intentionally arranged around other community features, strategically integrating different types of homes, including those on smaller or narrower lots, helps define the scale and character of the surrounding neighborhood which makes them inherently appropriate to that scale and character. On balance, the deviation will equally meet the purpose of the underlying standard.

Residential Lot Coverage in RS and RM Zones

In the RS zone, the maximum lot coverage is 50 percent for single-story dwelling units and 45 percent for other dwelling unit types, except for townhomes which have a maximum lot coverage of 60 percent. In the RM zone, the maximum lot coverage is 50 percent for single story, single-unit detached dwellings and 45 percent for all other single-unit detached dwellings. Middle and multi-unit housing have a maximum lot coverage of 60 percent.

The maximum lot coverage in the RS and RM zones for all single-unit detached housing types is planned to be increased to 60 percent (regardless of the number of stories) to provide for increased utilization of a variety of housing types in these zones. Additionally, the maximum lot coverage in the RS and RM zones for townhomes (currently 60 percent) is planned to be eliminated. The planned deviations to the typical lot coverage standards have previously been approved for the Stevens Ranch Master Plan.

Zone	BDC 2.1.700	Proposed Stevens Road Tract Code
RS	50% for lots or parcels with single-story dwelling unit(s) and single-story accessory structures and single-story single-room occupancies. 60% for lots or parcels with townhomes and accessory structures, regardless of the number of stories. 45% for all other lots or parcels.	60% for all single-unit detached, duplex, triplex, quadplex and single-room occupancy. No maximum for townhomes.
RM	50% for lots or parcels with single-story single-unit detached dwelling unit(s) and single-story accessory structures. 45% for all other lots or parcels with single-unit detached dwellings and accessory structures and nonresidential uses. 60% for lots or parcels with townhomes, duplexes, triplexes, quadplexes, single-room occupancies and multi-unit and accessory	60% for all single-unit detached, duplex, triplex, quadplex and single-room occupancy. No maximum for townhomes.

	structures.	
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While no purpose of the lot coverage standards is explicitly stated in BDC 2.1.700, they are generally understood to ensure adequate space is provided for the type of residential use and structure, appropriate to the scale and character of the surrounding neighborhood. In the absence of an explicit purpose stated for lot coverage standards, it should be noted that BDC 2.1.100 provides broader guiding principles of the residential districts, including: "Accommodate a range of housing needs, including owner-occupied and rental housing." In a master-planned community, strategically integrating different types of homes, including those of different sizes on smaller or narrower lots, helps define the scale and character of the surrounding neighborhood as inherently appropriate for a range of housing.

Furthermore, the Stevens Road Tract Master Plan sets aside more than 15 percent of the total gross site area for open space, exceeding the minimum requirement of 10 percent, which provides open space dispersed throughout the neighborhoods where residents and visitors can recreate, relax and have ample access to light and air. On balance, the deviations will equally meet the purpose of the underlying standard by accommodating a range of housing needs, including owner-occupied and rental housing, and making efficient use of land in Stevens Road Tract.

Chapter 2.2 – Commercial Districts

In the General Commercial (CG) zone, the Stevens Road Tract code contains deviations from the underlying BDC standards to encourage this commercial area to be developed as a main street with pedestrian-oriented design (with a maximum front yard setback of 15 feet) and commercial services that meet the needs of the neighborhood and visitors of the area (by prohibiting auto-oriented uses). This main street commercial area was identified in the City of Bend’s Stevens Road Tract Concept Plan and integrated into the Bend Comprehensive Plan as Policies 11-161 and 11-163. Being that these deviations are required by the BCP Policies, they meet or exceed the intended benefits of the underlying standard.

Permitted Uses

BCP 11-161 requires that auto-oriented commercial uses be prohibited in order to create a complete community with primarily neighborhood-serving commercial uses. Policy 11-163 also requires that the Commercial plan designation be configured as a "main street". The Bend Development Code defines automobile-oriented use as meaning "automobiles and/or other motor vehicles are an integral part of the use, such as drive-up, drive-in, and drive-through facilities." The Bend Development Code separately defines automobile-dependent use as "automobiles and/or other motor vehicles are served by the use and the use would not exist without them, such as vehicle repair, gas station, car wash or auto and truck sales." To be consistent with both of these policies, The proposed master plan Development Code

(Exhibit N) deviates from the underlying zone by prohibiting automobile-oriented and automobile-dependent uses in the commercial district. Being that this deviation is consistent with BCP 11-161 and 11-163, it meets or exceeds the intended benefits of the underlying standard.

Setbacks

BCP 11-163 requires that the CG-zoned land be configured as a main street, which is typically characterized by building form that is close to the street to create a vibrant pedestrian environment, provide a storefront character along the street, and encourage walking. Similar to the maximum front yard setback standard in the Central Business District, the planned maximum front yard setback of 15 feet deviates from the maximum 80-foot front yard setback (on streets without on-street parking) of the underlying zone to ensure commercial buildings are placed close to the street, while still providing adequate space to accommodate utility easements and separation from on-street parking. Consistent with the criteria above and BCP 11-163, this deviation supports a project that meets or exceeds the intended benefits of the underlying standard.

Chapter 3.1 – Lot, Parcel, and Block Design, Access, and Circulation

The site is unique in that the Stevens Road Tract Master Plan is bound by existing or planned minor arterial roads on its north, south, and eastern boundaries, and a 100-foot-wide trail corridor abutting the Stevens Ranch Master Plan to the west, which all together establish a fixed perimeter around the site and affect the number and spacing of future street connections. In addition, a Neighborhood Route/Collector Street (Wilderness Way) will be extended through the Stevens Ranch Master Plan to the western boundary of the Stevens Road Tract master plan and must be continued to the eastern boundary of the city. Local street connections from Stevens Ranch must also be extended into the Stevens Road Tract Master Plan street network.

Furthermore, the Stevens Road Tract Expansion Area is unique in that the applicable BCP Policies require the provision of specific acreages, lot sizes, and locational requirements for certain land uses, in addition to a minimum housing capacity, housing mix, and density requirements. Figure 2.7.4890, Stevens Road Tract Street Type Plan and Standards (also included in Exhibit C of the application) shows the preliminary street and block design and the general circulation scheme that accommodate the 39 net acres of open space, including the 23-acre community park, a multi-use pathway network throughout the site, capacity for approximately 2,500 homes that meet the housing mix and densities, and 6 parcels totaling 23.8 net acres to be dedicated to the City for future affordable housing. Proposed code deviations to the maximum block lengths and perimeters (BDC 2.7.4890.B. in Exhibit N of the application) provide alternative clear and objective standards specific to the Stevens Road Tract Master Plan. Given these conditions of the site, these minor deviations below are

necessary to ensure dense development in a new mixed-use, multi-modal community.

3.1.200.D. Street Connectivity and Formation of Blocks

In residential zones, the maximum block length is 660 feet and the maximum block perimeter is 2,000 lineal feet. In other zones, including CG, ME and PF zones, the maximum block length is also 660 feet but the maximum block perimeter is 2,640 lineal feet. For a land division or Site Plan Review application, an applicant may request a Discretionary Track review to make an exception to the maximum block length and/or block perimeter 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. However, if an exception is granted, an access corridor may be required to minimize out-of-direction travel by pedestrians and bicyclists. This Discretionary Track review option does not set a maximum additional distance of block length or perimeter that can be obtained, nor a minimum interval for access corridors if required.

The proposed Development Code for Stevens Road Tract contains deviations to the block dimension standards in accordance with the tentative street location and alignments shown in Figure 2.7.4890 in Exhibit N. Large blocks are created as a result of the required RH-zoned land intended for affordable and market rate multi-unit housing, the large community park, the 100-foot-wide trail corridor, and the approved development pattern in the Stevens Ranch Master Plan that do not accommodate practical through street connections. Given these unique characteristics of the site, it is necessary to not apply the typical block length and perimeter standards to these blocks. The deviation can be reasonably mitigated by the proximity to the multi-use pathway network, which runs through and along all of these blocks, effectively providing safer and more efficient travel for pedestrians and bicycles and reducing conflicts between different transportation modes. Furthermore, this deviation does not preclude the opportunity to provide additional site access to the RH-designated lots at the time of future site plan review. Allowing these blocks in their planned configurations provides the City and future affordable housing developers the necessary flexibility to locate access corridors where suitable within the site and for compliance with access standards to be further assessed at the time of future site plan review.

Other blocks that exceed the maximum block length standards have a narrow configuration (less than 250-foot block depth) such that the blocks do not exceed the maximum block perimeter standards and effectively maintain an *average* block length of less than 660 feet. Therefore, the deviation to these block lengths equally or better meet the standard by providing blocks that, on average, meet the underlying block length standard while ensuring orderly development of residential blocks that take access exclusively on local streets where out-of-direction travel is unlikely given that vehicular and non-vehicular users

of public ways have higher-order streets and multi-use pathways available.

Additionally, there are blocks predominantly within the southern half of the Master Plan that exceed the perimeter standards and have block lengths greater than 800 feet but not exceeding 1,200 feet (ranging from 900 to 1,200 feet). Within the southern blocks west of the North-South Local Spine road, the deviations to the block dimension standards are necessary due to the unique characteristics of the site resulting from limited vehicular access points to the west across the 100-foot-wide trail corridor to the approved Stevens Ranch Master Plan. These deviations are mitigated by planned mid-block access corridors that will provide pedestrians and bicyclists with connections to the multi-use pathway network in the trail corridor to the west, effectively providing safer and more efficient travel for pedestrians and bicyclists and reducing conflicts between different transportation modes. For the southern blocks east of the North-South Local Spine road, these deviations will equally or better meet the standard by ensuring any block length longer than 800 feet provides a mid-block access corridor, effectively creating much smaller blocks for pedestrians and bicyclists. Therefore, the applicable criterion is met.

3.1.200.E. New Lot and Parcel Access on Arterial and Collector Streets

Along the southern boundary of the Stevens Road Tract Master Plan (Exhibit C) are two residential blocks west of the North-South Local Spine street that have frontage along SE Ferguson Road (minor arterial). These blocks deviate from the BDC standard by designing for the future lots to take access from a local street, rather than an alley, essentially creating double frontage lots. The reason a local street is provided rather than an alley is because these lots are planned to have housing units with entrances that face north. If these lots were to orient housing units south to face SE Ferguson Road, they would have a direct view of the County Road Department and Solid Waste Landfill, which is generally not ideal. Given the existing development pattern on property to the south, it is better for the future homes on these two blocks to orient north, which in turn makes providing an alley impractical. Granting the deviation to allow for these double frontage lots with access from a local street, rather than an alley, provides an attractive streetscape and will equally or better meet the standard by ensuring access is available from a street with the lowest classification. The intent of the standard is met.

In summary, deviations from current BDC standards are necessary to prioritize meeting anticipated demands for housing, including deed-restricted affordable housing, as well as integrating the City's objectives for housing diversity. Consistent with the requirement, these deviations support a project that provides benefits that equally or better meet the purpose of the modified regulations or are necessary due to both the unique location characteristics of the property and the specific development type planned by the Stevens Road Tract Master Plan.

4.5.200 Community Master Plans

D. Community Master Plan Approval Criteria. (continued from page 10)

- c. In lieu of the approval criteria in BDC 4.6.300, Quasi-Judicial Amendments, major community master plan applications that do not propose a Bend Comprehensive Plan amendment must demonstrate compliance with the following:**
 - i. Approval of the request is consistent with the relevant Statewide planning goals that are designated by the Planning Director or designee; and**
 - ii. Approval of the request is consistent with only the relevant policies of the Bend Comprehensive Plan Chapter 11, Growth Management, that are designated by the Planning Director or designee.**

FINDING: The Stevens Road Tract Master Plan includes an amendment to the BCP text, therefore this subsection c does not apply; rather subsection 'd' and 'e' apply to the proposal as addressed below.

- 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).**
- 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: Prior to future development of the subject property, the land within the Stevens Road Tract Master Plan must be annexed into the City of Bend. Upon annexation, the current UA zoning will cease to apply, and the Bend Zoning Map will be automatically updated with the zoning district that implements the Comprehensive Plan Map designation.

The Stevens Road Tract Master Plan includes an amendment to the Bend Comprehensive Plan text, and a rearrangement of the locations of the placeholder plan designations, both of which maintain continuity in the residential, commercial, mixed-employment, and public facility designations outlined in BCP Policies 11-155, 11-156, 11-160, and 11-169. Pursuant to BDC 4.5.200(D)(3)(a), rearranging plan designations is allowed in conjunction with a master plan without triggering BDC 4.6.300(B), so long as the area of the plan designations in the master plan is within 1 percent of the area of the corresponding placeholder plan designation. Therefore, findings for compliance with BDC 4.6.300(B) are not required to rearrange the plan designations as proposed. However, the proposal also includes a Bend Comprehensive Plan text amendment to the Stevens Road Tract policies; the approval criteria for the Comprehensive Plan text amendments are addressed in BDC 4.6.300.B below.

E. Standards and Regulations. Minor and major community master plans must comply with the following standards:

1. Access to Commercial Goods and Services. Access to commercial goods and services must be provided in compliance with the following standards:

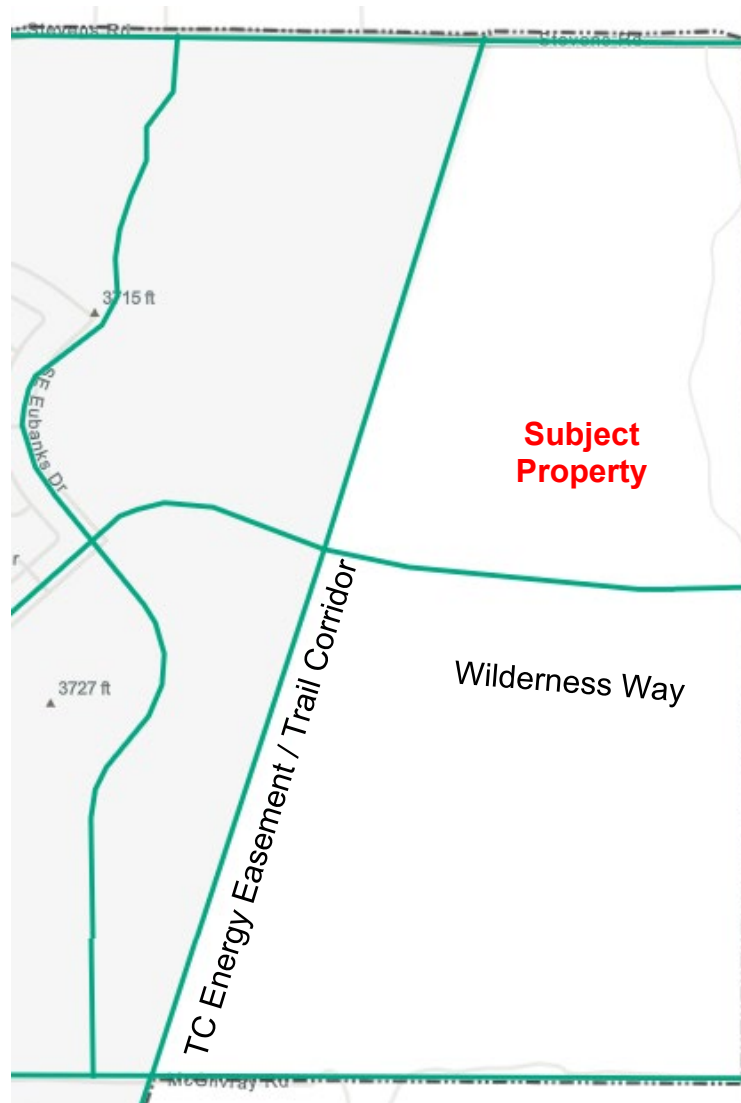
- a. The community master plan must have access to commercial goods and services by walking or biking a distance not greater than a one-half mile radius measured from all points along the perimeter of the master plan boundary to any land planned, zoned or developed for one or more such services. Such commercial uses may be provided within nearby neighborhoods or nonresidential districts as long as the minimum distance standard is met. In satisfying such distance standard, commercial goods and services that are not accessible by walking or biking because of physical or geographic barriers (e.g., rivers, Bend Parkway, canals, and railways) may not be used. Except for minor community master plans that are proposing needed housing as defined by state statutes, the Review Authority may find that this provision is met when the commercial uses are located further away than one-half mile but the purpose and intent of providing reasonable access to the commercial uses has been met.**

FINDING: The Stevens Road Tract Master Plan includes 5.3 gross acres of land designated for commercial uses and 7.0 gross acres of land designated for mixed-employment uses. The entirety of the Stevens Road Tract Master Plan perimeter is within a half-mile of land that will be zoned General Commercial (CG) in the center of the master plan, as well as those lands zoned Mixed Employment (ME). The total 12.3 acres of lands planned/zoned for commercial uses will provide reasonable access for residents via a safe, direct, convenient, and thorough network of multiuse pathways and sidewalks that encourage biking and walking as an alternative to vehicle travel. The standard is met. The purpose and intent of the standard is further met by the Limited Commercial (CL) and CG-zoned land in the Stevens Ranch Master Plan and the new Deschutes County Library to the west. Even though the existing and future developments are further than one-half mile from the perimeter of the Stevens Road Tract site, the areas are connected to Stevens Road Tract by a direct route via Wilderness Way.

- 2. Multimodal Connections. Multimodal connections must be provided on site in compliance with the City of Bend 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 extension of Stevens Road and Ferguson Road (both Minor Arterials) and

Wilderness Way (a Neighborhood Route) from Stevens Ranch Master Plan form the primary east-west corridors through the Stevens Road Tract Master Plan, while the extension of Ward Road (Minor Arterial) and a new north-south roadway (Local) that bisects through the center of the subject property provide key north-south routes through the master plan. As shown in the Stevens Road Tract Special Street Standards (BDC 2.7.4890), each of these roadways include a wide multi-use path providing a buffered trail network that connects to BPRD's TransCanada Trail¹ within the 100-foot-wide TC Energy easement on the western boundary of the subject property. The extensions of the arterial roadway network as well as Wilderness Way include on-street bicycle lanes as well. The Stevens Road Tract Master Plan provides opportunities for vehicular, pedestrian, and bicycle connections through the master plan and to adjacent lands. This standard is met.



TSP Figure 5-1: Low Stress Bicycle Network

¹ BPRD 2024 Comprehensive Plan Update, Map 4 Trail Plan, #27

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.

a. Density Calculations and Exceptions. Minimum and maximum densities must be calculated in conformance with BDC 2.1.600(C), except as follows:

i. Public and Institutional Uses and Miscellaneous Uses in Opportunity Areas. In opportunity areas as shown in the Bend Comprehensive Plan Figure 11-1, a maximum of 20 acres of residential designated land proposed for public and institutional uses and miscellaneous uses (BDC Table 2.1.200) may be excluded from the density calculation and housing mix. The density for the 20 acres must be taken from the residential designation with the lowest maximum density standard in the opportunity area.

The master plan must provide the density and housing mix for the residential designated property in excess of 20 acres. No more than 20 acres may be exempted from the density and housing mix in an opportunity area;

ii. Open Space. Open space in compliance with subsection (E)(4) of this section may be excluded from the applicable density calculation; and

iii. Comprehensive Plan Designations. Land designated as Commercial, Mixed-Use, Industrial and Public Facilities may be excluded from the applicable density calculation.

FINDING: The Stevens Road Tract Master Plan meets the applicable density standards in BDC 4.5.200(E)(3) by showing that the Stevens Road Tract Expansion Area will contain the housing unit count and mix prescribed in BCP Chapter 11, Growth Management Policies 11-155 through 11-169. A proposed revision to BCP Policy 11-156 reduces the required minimum unit count in the RH Zone from 480 to 300 units, but the overall unit count required by the BCP policies is retained. Housing density and mix are addressed further in the findings of compliance with BCP Policies 11-155 through 11-160, below. The applicable standards 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.

FINDING: The Stevens Road Tract Preliminary Zoning Plan (Sheet P05 in Exhibit C of the application) shows 43.8 gross acres of open space within the Public Facility (PF) designation, which includes half of the right-of-way abutting each open space tract designated PF. The net acreage that will be platted within open space tracts is 39.5 acres, which represents 15.1% of the total master plan area. These open space tracts are also labeled as "Community Park/Open Space" land use on Figure 2.7.4820, Stevens Road Tract Master Plan.

The Preliminary Open Space and Trail Plan (Sheet P010 in Exhibit C of the application) provides a conceptual layout and programming for these open space areas. Exhibit G is a letter from BPRD acknowledging the ongoing communication and coordination between the Applicant and BPRD regarding a new 23-acre community park. Any open space areas not transferred to BPRD are planned to be owned and maintained by the HOA. The standards are met.

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**
- ii. By leasing or conveying title (including beneficial ownership) to a corporation, owners association or other legal entity. The terms of such lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City. Private open space must be located in a tract and include an open space easement.**

FINDING: Exhibit G is a letter from BPRD acknowledging the ongoing communication and coordination between the Applicant and BPRD regarding the new community park near the center of the master plan. Any open space tracts not transferred to BPRD are planned to be owned and maintained by the HOA, in compliance with this subsection BDC 4.5.200(E)(4)(b). The standard is met.

c. Adequate guarantee must be provided to ensure permanent retention of common open space and recreation areas which may be required as conditions of approval.

FINDING: Exhibit G of the application is a letter from BPRD acknowledging the ongoing

communication and coordination between the Applicant and BPRD regarding the new community park that BPRD intends to own and construct in the center of the master plan. Any open space areas not transferred to BPRD are planned to be owned and maintained by the HOA, in compliance with BDC 4.5.200(E)(4)(b). Open space areas will be designated as tracts with open space easements on the final subdivision plat for each corresponding phase. The standard is, or can be, met.

d. The open space must be open to the public and must not be fenced-off unless it is related to a park or approved public or private recreational facility including, but not limited to, tennis courts, swimming pools, driving ranges and ball fields.

FINDING: As shown on Sheet P03 in Exhibit C of the application, and BDC Figure 2.7.4820, the provided open space areas are characterized by a mixture of both community-scale and neighborhood-scale open spaces located throughout the master plan, including the 23.0-acre community park to be owned and maintained by BPRD, three neighborhood-scale open spaces, and the 100-foot-wide trail corridor along the entire western boundary of the Tract, all connected by a publicly accessible network of multi-use pathways throughout the community.

Consistent with the definition in BDC 1.2 for “open space (common, active or passive),” these open space areas will be for public or private use for the purpose of active and passive recreation along the trail corridors and within the community park, and conserving areas with significant trees and rock outcroppings. The open space areas within the Master Plan area will remain open to the public and are not planned to be fenced off for other purposes. Any future planned recreational amenities in the community park will be determined by BPRD through a separate process. The standard is, or can be, met.

F. Duration of Approval.

- 1. An approved community master plan will remain valid indefinitely unless withdrawn by all owner(s) of property within the community master plan. The City may deny withdrawal when a switch to otherwise applicable standards would not be in the public interest because of sufficient development under the community master plan. Standards and regulations identified in the approved community master plan will control all subsequent site development as long as the approved community master plan is valid. If alternative standards and regulations are not specifically identified in the approved community master plan, the applicable City standard at the time any development application is submitted will apply.**
- 2. The duration of approval for a community master plan must coincide with the timeline outlined in the approved phasing plan and in accordance with the time frames studied in the transportation analysis and water and sewer capacity analysis for the community master plan. Site plan review or land division**

applications submitted consistent with or earlier than as provided in an approved phasing plan will not require an updated transportation analysis and water and sewer capacity analysis as part of the development application. Infrastructure capacity may be reserved for the community master plan site for up to 15 years or as specified in an approved phasing plan.

- 3. The time period set forth in this subsection (F) will be tolled upon filing of an appeal to LUBA and must not begin to run until the date that the appellate body has issued a final order.**

FINDING: The applicant requested the maximum approval duration, as allowed by this section. The time frame studied in the transportation analysis extends to 2040, and the Sewer Analysis Application assumed an open-ended timeline to achieve full buildout. The Preliminary Phasing Plan (in Exhibit C of the application) will be supplemented by an approved Annexation Agreement detailing the various triggers and timelines for infrastructure improvements, as well as reserved capacity.

4.6.300 Quasi-Judicial Amendments

A. Applicability, Procedure and Authority. Quasi-judicial amendments generally refer to a plan amendment or zone change affecting a single or limited group of properties and that involves the application of existing policy to a specific factual setting. Quasi-judicial amendments shall follow the Type III procedure, as governed by BDC Chapter 4.1, Development Review and Procedures, using the standards of approval in subsection (B) and/or (C) of this section, as applicable. Based on the applicant's ability to satisfy the approval criteria, the applicant may be approved, approved with conditions, or denied.

FINDING: The proposed amendments to the text of the Bend Comprehensive Plan and BDC affect a limited group of properties that involves the application of existing policy to a specific factual setting. Therefore, the Quasi-Judicial Amendment Procedures of this section are the appropriate procedures for this review.

B. Criteria for Quasi-Judicial Comprehensive Plan Map Amendments. The applicant shall submit a written narrative which explains how the approval criteria will be met. A recommendation or a decision to approve, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

FINDING: The application includes a Comprehensive Plan Text Amendment and a Comprehensive Plan Map Amendment. The Comprehensive Plan Map amendment is limited to compliance with the acreage requirements in the Bend Comprehensive Plan policies for the Stevens Road Tract, as the acreages shown on the existing Comprehensive Plan Map do not reflect the acreages required in the Comprehensive Plan policies. Per BDC 4.5.200.D.3.e, the criteria below apply to both types of amendments and are addressed

below.

1. Approval of the request is consistent with the relevant Statewide Planning Goals that are designated by the Planning Director or designee;

FINDING: While the adoption of the Comprehensive Plan policies specific to the Stevens Road Tract were exempt from compliance with the Statewide Planning Goals, per Section 9 of House Bill 3318, the proposed amendments to these Comprehensive Plan policies and to the text of the Bend Development Code to add the Stevens Road Tract (more recently titled “Legacy Village”) Master Plan to Chapter 2.7 must comply with the applicable Statewide Planning Goals, as addressed below.

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 held a neighborhood public meeting on September 29, 2025. Notice was provided to property owners located within 500 feet of the subject property, and the Old Farm Neighborhood District, in compliance with BDC 4.1.215. The required City forms for Verification of Compliance and Verification of Neighborhood Meeting, and documentation of the mailing of notices, were included in the submittal. Type III applications are also noticed by the City pursuant to BDC 4.1.423 and the applicant posted two Proposed Development signs on the site visible from adjacent street rights-of-way, which ensures that members of the public are informed in multiple ways 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, and Chapter 4.1, Development Review and Procedures. Section 4.6.300 of the Development Code establishes that quasi-judicial amendments must 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 Bend Comprehensive Plan was acknowledged by the Oregon Department of Land Conservation and Development (DLCD). The proposed Comprehensive Plan policy amendments are reviewed below for consistency with the statewide planning goals, and then the amendments to the Bend Development Code are reviewed for consistency with the amended policies.

The proposed text amendments to create a Special Planned District for the Stevens Road Tract Master Plan are within a Development Code (Exhibit N of the application) that has been drafted to be consistent with the Bend Comprehensive Plan policies specific to the subject property, BCP 11-152 through 11-170, as proposed to be amended under application PLTEXT20250648. The proposed 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.

The City will review and process this application consistent with the procedures detailed in BDC Chapter 4.1, including consideration of any agency and public comments received regarding the application. Therefore, consistency with this Statewide Planning Goal is established.

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 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

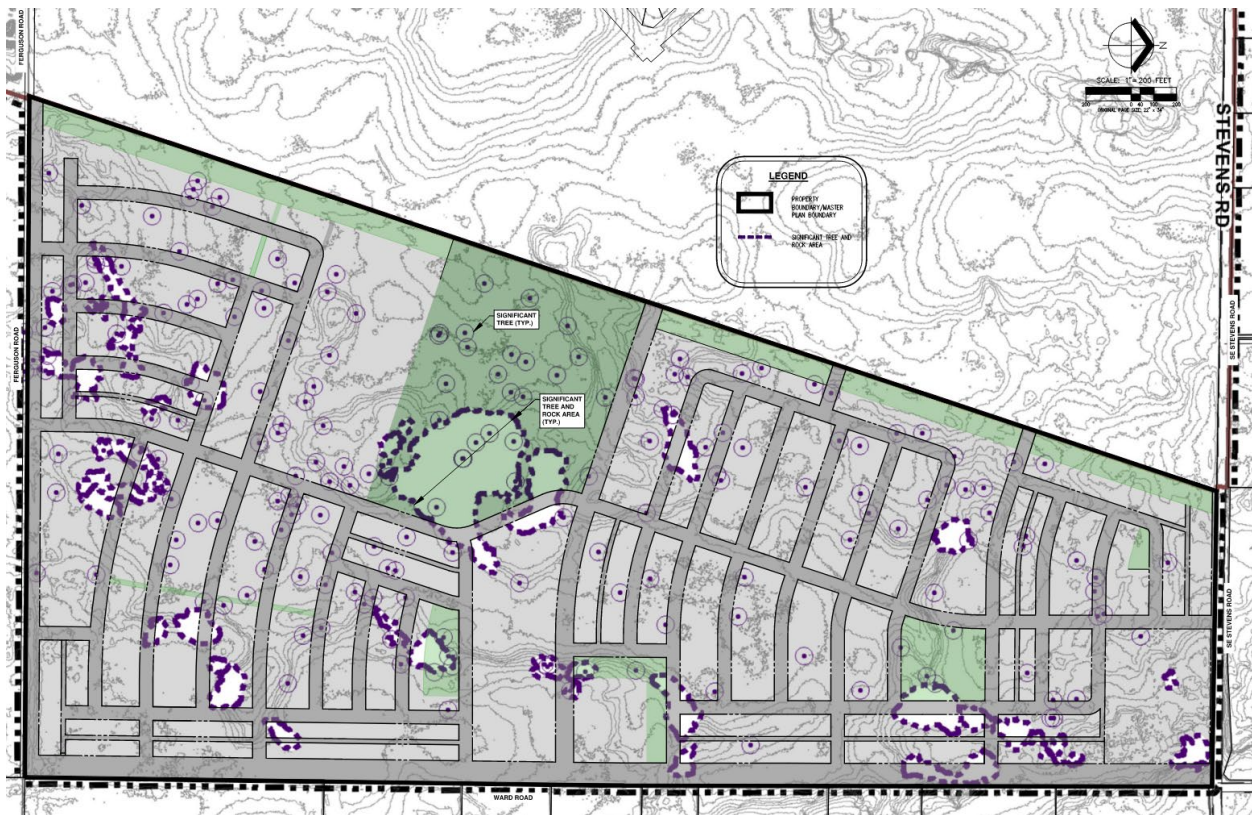
To protect natural resources and conserve scenic and historic areas and open spaces.

FINDING: In the 2022 UGB expansion decision, the Bend City Council found that the subject property does not include any of the following Goal 5 resources: riparian corridors, wetlands, Federal Wild and Scenic Rivers, State Scenic Waterways, groundwater resources, approved Oregon Recreation Trails, natural areas, wilderness areas, mineral and aggregate resources, energy sources, or cultural areas. Those findings note that the City relied on the inventory included in the Deschutes County Comprehensive Plan and available information from State and Federal sources to make this determination. Though there are no inventoried Goal 5 resources, the BCP policies identify other potential natural resources to be considered

The Oregon Department of State Lands (DSL) compiled a report of prior archaeological surveys, the most recent of which was completed in 1996 and did not cover the entire Stevens Road Tract area. The pedestrian archaeological survey for the Stevens Road Tract conducted by Caldera Archeology of the entire 261 acres of the Stevens Road Tract (April 7, 2023 report) identified a potential historic road identified as McGilvray Road. Accordingly, BCP Policy 11-166 requires that the developer coordinate with the State Historic Preservation Office (SHPO) regarding requirements, if any, for protection of, or mitigation of any impacts to, McGilvray Road. The applicant has coordinated with SHPO regarding McGilvray Road and to solicit comments regarding the master plan. SHPO has provided comments that acknowledge the need for ongoing coordination about the project, as documented in Exhibit U of the application.

Additionally, the Confederated Tribes of the Warm Springs (CTWS) recommended an inadvertent discovery plan (IDP) for artifacts and remains that may be discovered during excavation and/or earth movement, which is required in BCP Policy 11-167. The applicant has complied with this policy by preparing an IDP (Exhibit S of the application) and consulting with CTWS regarding the IDP and master plan. A meeting between the applicant and CTWS was held on August 25, 2025, and evidence of coordination with CTWS is provided in Exhibit T of the application.

Additionally, in accordance with BCP 11-168 and 11-169, the Natural Resources Overlay exhibit submitted with the application (shown below) demonstrates how the natural resources on the site (i.e., significant trees and rock outcrops) shown in BCP Figure 11-11 are incorporated and preserved in the recreational and open space areas, to the greatest extent possible, while also complying with required street network standards and minimum residential densities.



For the above reasons, the requirements of Goal 5 are met.

Goal 6, Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

FINDING: Air and water quality are regulated by the Oregon Department of Environmental Quality. For areas within the Bend UGB, the Bend Development Code includes regulations for the Waterway Overlay Zone (WOZ) and Areas of Special Interest (ASI), which has been acknowledged by the Department of Land Conservation and Development. The subject properties are not located within the WOZ nor do they contain an ASI. Maintaining or improving the quality of the community’s air, water and land resources will be assured through enforcement of state and local regulations. Noise levels will not exceed DEQ noise regulations. For the above reasons, the requirements of Goal 6 are met.

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 the subject property. As part of House Bill (HB) 3318 that approved the UGB expansion containing the Stevens Road Tract area, Section 9(1)(d) pertains to compliance with wildfire planning and development requirements, due to the history and impact of wildfire on the areas surrounding Bend. To address wildfire, the City adopted BCP Policy 11-170 that

consults Statewide Planning Goal 7 and Senate Bill (SB) 762 (2021) to incorporate methods aimed at reducing the risk and impacts of wildfire and best practices for development in and near areas subject to wildfire. The Stevens Road Tract Master Plan complies with BCP 11-170 by providing the Wildfire Mitigation Plan in Exhibit W of the application. Therefore, Goal 7 is satisfied.

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 Bend Comprehensive Plan 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 (BPRD), via Policy 2-2.

The Stevens Road Tract Master Plan includes 39.5 net acres of land (15.1 percent of the total site area) as permanent open space, including a 23-acre community park—centrally located and convenient to access by all future residents—planned to be owned and maintained by BPRD. The community park will provide recreational opportunities for residents of all ages and abilities. A continuous path system loops around the perimeter and down the east-west and north-south spines through the community, connecting homes, larger open spaces, and commercial lands. The applicant has coordinated with BPRD on the planned park and the trail along the western edge of the site, as evident in the letter provided in Exhibit G of the application. Therefore, Goal 8 is satisfied.

Goal 9, Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

FINDING: The employment land requirements for the Stevens Road Tract were framed by an Employment Land Assumptions analysis and Market Assessment for the Stevens Road Tract (January 2022, Concept Plan Technical Appendices, pgs 165-218), which acknowledged that the commercial and employment designated land in the Southeast Area Plan (SEAP) and in the Stevens Ranch Master Plan are better positioned to accommodate these employment uses along a major roadway (SE 27th Street) that provides high visibility with better freight access. Thus, BCP Policy 11-160 requires a modest amount of employment land in the Stevens Road Tract with at least 5 acres with a Commercial plan designation and 7 acres with a Mixed-Employment or Industrial plan designation.

Neighborhood-scale commercial uses in the Stevens Road Tract are contemplated in BCP Policies 11-160 through 11-163. BCP Policy 11-161 specifically calls for “primarily

neighborhood-serving commercial uses” and prohibits “auto-oriented commercial uses,” within the master plan and these requirements are incorporated into the Draft Development Code (Exhibit N of the application).

The Preliminary Zoning Plan in Exhibit C of the application shows the location of the planned commercial and employment zones. The 12.3 total acres of commercial and employment land is located along the path network and at key intersections throughout the community, providing the opportunity for employment and commercial services scaled to serve the needs of the neighborhood within an easy walk or biking distance for future residents as well as existing surrounding neighborhoods. The 5.3-acre commercial area located along SE Wilderness Way at the western gateway into the community will be configured as a main street with a maximum front setback of 15 feet, which will result in a pedestrian-oriented design and encourage commercial uses that can serve the neighborhood. Therefore, Goal 9 is satisfied.

Goal 10, Housing

To provide for the housing needs of the citizens of the state.

FINDING: The proposed substantive Comprehensive Plan policy amendments are limited to the minimum number of market rate units in the High Density Residential zone (see BCP Policy 11-156 in Exhibit R of the application), based on an achievable density for this location, and flexibility on the size of the deed-restricted affordable lots while maintaining the overall minimum acreage. The remainder of the policy amendments are limited to clarification of language and removal of a figure that is already described in text. These policy amendments do not alter the overall number of housing units, the required housing mix, or the acreage of deed-restricted affordable housing land, as detailed in HB 3318.

Bend’s housing needs are changing and key demographic changes are occurring in Bend and across the nation. According to the City’s Housing Needs Analysis (HNA), Baby Boomers may need affordable housing or may choose to downsize their housing, resulting in greater demand for small single-unit dwellings, cottages, accessory dwelling units, townhomes, apartments, and condominiums and growth in Millennial households will increase the need for affordable housing for renters and homeowners such as small single-unit dwellings, cottages, accessory dwelling units, duplexes, townhomes, garden apartments, and apartments.

Table 20 of the City’s most recent 2016 HNA (shown below) indicates the needed types of housing units in the City of Bend between 2014 and 2028. Per the City’s Housing Data Hub (Bend Housing Needs Dashboard), based on the building permits submitted since 2014, a need for 1,955 single-unit detached units, 539 single-unit attached (townhome) units and 144 multi-family units remains until the end of 2028. At the current annual production schedule (based on a 5-year average), approximately 1,438 single-unit dwellings, 343 townhomes and 1,249 multi-family units are anticipated to be permitted by the end of

2028, leaving a deficit of 517 single-unit dwellings and 196 townhome dwellings while the multi-family unit needs will be met by 2028. Technical work has begun in 2026 on a new Housing Needs Analysis for the next time horizon, likely 2029-2049.

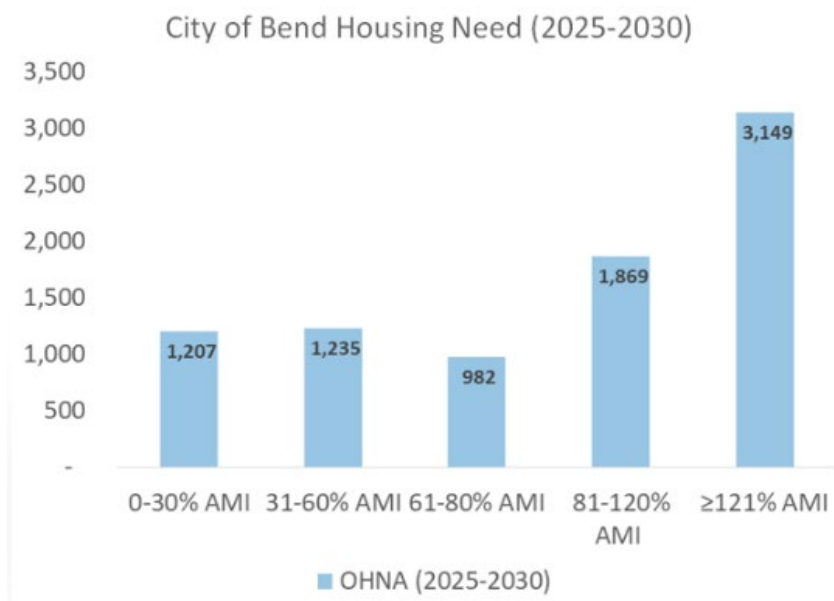
Table 20. Summary of All New Housing Units by Type and Category, Bend, 2014-2028

	2014-2028 Needed Housing Units		2014-2028 Needed Group Quarter Units	2014-2028 Second Homes	2014-2028 Total New Housing Units	
	Units	Mix	Units	Units	Units	% of Total Units
Single-family detached (including mobile homes)	7,574	55%		1,652	9,225	54%
Single-family attached	1,377	10%		300	1,677	10%
Multi-family	4,819	35%	461	1,051	6,331	37%
Total	13,770	100%	461	3,003	17,234	100%

Source: ECONorthwest

The Stevens Road Tract Master Plan provides capacity for approximately 2,500 homes, including 267 townhome units (11 percent) and 1,460 plexes (i.e. duplexes, triplexes and quadplexes) and multi-unit homes (58 percent). The proposed housing mix in the Stevens Road Tract master plan exceeds the middle and multi-unit housing mix need noted in Table 20 above. Given a typical buildout rate of master plans of this size, the proposed units within the Stevens Road Tract will likely be permitted in the time horizon of the HNA currently underway.

The 2024 Oregon Housing Needs Assessment (OHNA) Methodology Report indicates a need in Bend for 3,424 affordable units at or below 80 percent of the Area Median Income (AMI) from 2025-2030 (see chart below).



BCP Policy 11-158 implements the requirement in HB 3318 to provide a minimum of 20 net acres of residential land for deed-restricted affordable housing. HB 3318 specifically requires that at least 12 acres must be provided for deed-restricted affordable housing made available to households earning 60 percent of the Area Median Income (AMI) or less, another 6 acres must be provided for deed-restricted affordable housing made available to households earning 80 percent AMI or less, and a final 2 acres must be provided of which 80 percent of the units must be deed-restricted and made available to households earning 80 percent AMI or less.

Nearly 24 net acres of land designated as Medium and High Density Residential (RM and RH) will be dedicated to the City of Bend for future development of deed-restricted affordable housing, exceeding the minimum requirements in the BPC Policies 11-156 and 11-158 by nearly 20 percent, and providing the opportunity for approximately 900 units of deed-restricted affordable housing. Therefore, Goal 10 is satisfied.

Goal 11, Public Facilities and Services

To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

FINDING: With the proposed Comprehensive Plan Map amendment, the Stevens Road Tract Master Plan reconfigures the placeholder plan designations while maintaining the applicable gross areas, intensities, unit count, and housing mix contemplated in BCP Policies 11-155 through 11-169. The applicant, City staff, and utility service providers have worked to identify the infrastructure necessary to serve the variety of planned uses within the Stevens Road Tract Master Plan. The sequencing and financing mechanisms for the needed infrastructure are outlined and formalized in an Annexation Agreement with the City. The Preliminary Utility Plan (Sheet P09 in Exhibit C of the application) shows how public facilities, including sanitary sewer and potable water, are available and planned throughout the project site. With the Annexation Agreement, which will be reviewed concurrently by the City Council, Goal 11 is satisfied.

Goal 12, Transportation

To provide and encourage a safe, convenient and economic transportation system.

FINDING: The Transportation Planning Rule (TPR) (OAR 660-012-0000) implements Goal 12 and states the purpose is "to provide and encourage a safe, convenient and economic transportation system." The TPR also supports mobility and accessibility, the availability of multimodal choices, efficient flow of freight, protection of existing and planned transportation facilities, and coordination among service providers. For areas not yet annexed into the City, the TPR is addressed at the time of annexation, under BDC 4.9.600.

Figure 2.7.4890 (also shown on Sheets P06 - P08 in Exhibit C of the application) shows how transportation networks, including bike and pedestrian facilities, are planned throughout the Stevens Road Tract Master Plan. The planned transportation improvements, internal circulation system, and street cross sections will support residential and commercial uses within the Stevens Road Tract while also improving connectivity and the functionality of critical transportation facilities on the southeast side of Bend.

The Transportation Impact Analysis (TIA) (Exhibit L of the application) prepared by Transight Consulting LLC includes refinements to the TFR, TIA findings, and determines that build-out of the Stevens Road Tract Master Plan can occur with the improvements identified in the City of Bend Transportation System Plan, and with various off-site intersection safety and operational improvements. The Traffic Analysis Memo (TAM) issued by the City of Bend (PRTFR202504639) confirms this analysis and includes the final required mitigations.

The Transportation Mitigation Plan in the proposed Stevens Road Tract/Legacy Village master plan code (Table 2.7.4900) includes the required mitigation measures to address anticipated impacts from development of the master plan.

Deschutes County and the Oregon Department of Transportation (ODOT) reviewed the Traffic Analysis Memo, concurred with the conclusions, and identified impacts and required mitigations to transportation infrastructure under these two jurisdictions, specifically the intersection of Ward Road and Stevens Road and the roundabout at Highway 20 and Ward Road, respectively. These mitigation measures are included in BDC Table 2.7.4900, which ensures that subsequent land division and Site Plan Review applications will implement required mitigations when triggered, providing a safe, convenient and economic transportation system.

As such, Goal 12 is satisfied.

Goal 13, Energy Conservation

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

FINDING: Goal 13 generally imposes obligations on local governments to develop plans and implementation measures that conserve energy. The subject property is identified in the BCP as appropriate for a new community focused primarily on providing affordable and market-rate housing interconnected by a multimodal transportation network. The BCP amendments approved by the City Council in 2024 to establish the policies for the Stevens Road Tract effectively implemented the concept plan alternative having the “least impact per household for water usage, energy usage, and carbon emissions” (Stevens Road Tract Concept Plan page 70) of the three alternatives considered. On a per-acre basis, the mix and density of land uses within the master plan will result in it being amongst the most efficiently utilized UGB expansion lands in the City. Therefore, Goal 13 is satisfied.

Goal 14, Urbanization

To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

FINDING: House Bill 3318 identified the Stevens Road Tract as comprised of poor quality soils with no water rights, located directly adjacent to the City's UGB and an approved master plan (Stevens Ranch). The bill allowed expansion of the City's UGB to include the Stevens Road Tract to address the acute need for affordable and workforce housing, based on a Concept Plan approved by the City and Department of Land Conservation and Development (DLCD). The City expanded the UGB in 2024 to include the subject property, and adopted plan designations and BCP policies implementing the Concept Plan that itself implemented the requirements of House Bill 3318.

Consequently, the subject property is identified in the BCP as appropriate for residential, commercial, recreational, public facility, and employment uses. With the planned amendment, the Stevens Road Tract Master Plan reconfigures the placeholder plan designations while maintaining the applicable gross areas, intensities, unit count, and housing mix contemplated in BCP Policies 11-155 through 11-169. Therefore, Goal 14 is satisfied.

Goal 15, Willamette River Greenway

Goal 16, Estuarine Resources

Goal 17, Coastal Shorelands

Goal 18, Beaches and Dunes

Goal 19, Ocean Resources

FINDING: Goals 15 through 19 are not applicable to the proposed amendments because the subject properties do not include any of the noted features and are not located within the coastal or Willamette Valley regions.

2. Approval of the request is consistent with the relevant policies of the Comprehensive Plan that are designated by the Planning Director or designee;

FINDING: As part of the UGB expansion process for the Stevens Road Tract that followed HB 3318 and concluded following the adoption of the Concept Area Plan in June 2022, the City brought the subject area of land into the UGB in order to address Bend's acute housing crisis and need for affordable and workforce housing and provide large parcels available for subsidized affordable housing. The intended result is a dense, master-planned development focused primarily on providing needed housing in close proximity to commercial services and recreational opportunities.

The Stevens Road Tract Expansion Area is one of the 11 designated expansion areas within the Urban Growth Boundary. Along with the UGB lands, the City adopted new BCP policies in Chapter 11—Growth Management intended to guide the development of the expansion areas. BDC 4.5.200(D)(3)(c), addressed below, requires evaluation of relevant BCP Chapter 11 policies.

Stevens Road Tract

The policies listed in bold below are the adopted policies in the Bend Comprehensive Plan. Exhibit R of the application includes the amended policies as proposed under PLTEXT20250648. For those policies proposed to be amended, the findings below describe the reason for the proposed amendment and an explanation of how the revised policy continues to implement the intent of the original policy and HB 3318.

11-152 An Urbanizable Area plan designation is created and will be applied to the Stevens Road Tract once included in the Bend urban growth boundary. The purpose of the Urbanizable Area plan designation is to preserve large areas of undeveloped or rural land for future development prior to annexation.

FINDING: The Stevens Road Tract Area is included in the Bend UGB and was designated as Urbanizable Area (UA) at that time. On February 21, 2024, the City Council adopted BCP policies specific to the Stevens Road Tract Expansion Area and adopted Ordinance No NS-2492, which established the current placeholder Comprehensive Plan designations.

11-153 The City approved a Concept Plan for the Stevens Road Tract, on June 1, 2022, consistent with Oregon House Bill (HB) 3318 (2021), now Oregon Laws 2021 Chapter 552. The Concept Plan addresses the requirements of Oregon Laws 2021 Chapter 552. The master plan must be consistent with both the applicable master plan standards in the Bend Development Code and Policies 11-154 through 11-170, below, which implement the Concept Plan.

FINDING: The planned amendment to BCP 11-153 (in Exhibit R of the application) adds a reference to the City of Bend Resolution 3296 that approved the Concept Plan that was included as Figure 11-10. Policies 11-154 through 11-170 below were subsequently adopted by the City Council (Ordinance 2492) to guide future master planning of the Stevens Road Tract, consistent with the approved Concept Plan. At the direction of City staff, all references in the BCP to Figure 11-10, Stevens Road Tract Planning Concept, are proposed to be removed to reduce confusion with the master plan ultimately adopted for the expansion area. Figure 11-10 can otherwise be found in Exhibit A – Figure 19 of the Resolution. The Concept Plan, a visual representation of how the policies could be implemented, is no longer necessary; the policies provide the detailed requirements that must be achieved. This amendment does not alter the required housing mix, density, or acreages of specific plan designations, which are provided in the other policies.

The 260.6-acre Stevens Road Tract Master Plan includes the entirety of the Stevens Road Tract Expansion Area and represents the master planning for this area to be reviewed in accordance with applicable master plan standards in BDC Chapter 4.5. Policies 11-154 through 11-170 are addressed below.

11-154 The overall planning concept for the Stevens Road Tract property as identified in Figure 11-10 is for a new complete community that accommodates dense development focused primarily on providing affordable and market-rate housing in a mixed-use, multi-modal community.

FINDING: The proposed amendment to BCP 11-154 (in Exhibit R of the application) removes the reference to Figure 11-10, as explained above, and is non-substantial.

The Stevens Road Tract Master Plan is designed to provide a mix of affordable and market-rate housing in close proximity to employment and commercial services that can be scaled to serve the needs of neighborhood and area residents. A multi-modal transportation network connects homes, commercial areas, and common open spaces. The Stevens Road Tract Master Plan provides capacity for almost 2,500 homes, including 267 townhomes (11 percent) and 1,460 plexes (i.e., duplexes, triplexes, and quadplexes) and multi-unit homes (58 percent), as detailed further in the policies below. Nearly 24 net acres of RM and RH-designated land is planned to be dedicated to the City of Bend for future deed-restricted affordable housing, exceeding the minimum requirements in Policy 11-156 by nearly 20 percent, and providing the opportunity for approximately 900 units of deed-restricted affordable housing. The Stevens Road Tract Master Plan will contain a variety of housing types to serve a diverse housing market. Planned housing types include multi-unit residential apartments, townhomes, and rear-loaded and traditional front-loaded single-unit homes. Many of these housing types constitute the so-called “missing middle” that sits between detached single-unit homes and midrise apartments.

Near the geographical center of the Stevens Road Tract Master Plan is a new 23-acre community park, intended to provide numerous recreational opportunities for residents and visitors of all ages. The park will be well connected to the network of multiuse paths and is envisioned to include a mix of lawn and natural landscapes and recreational amenities. The final design will be determined by BPRD who is likely to develop, own, and maintain the facility, as indicated in Exhibit G of the application. There is an additional 16.4 net acres of trail corridors and open space provided throughout the master-planned development.

While it is premature to speculate specific commercial uses at this time, the CG-designated portion of the Stevens Road Tract Master Plan along SE Wilderness Way will provide an opportunity for a variety of neighborhood-scale commercial uses. The mixed-employment land on SE Ward Road is approved for a CEC substation. The remaining 3 acres of mixed-employment land is along the southern edge of the master plan, adjacent to Ferguson

Road, and is co-located with higher-density residential land. These areas are intended to allow for a broader mix of uses that can provide employment opportunities and commercial services closest to where people will reside, thereby encouraging use of multimodal transportation options to get there. The policy is met.

11-155 Within areas zoned for residential purposes, not counting the lands identified for affordable housing as required by Policy 11-158 below:

- **The density must exceed nine (9) residential units per gross residential acre;**
- **More than 10 percent of the total number of market-rate units must be single-unit attached (e.g., townhome) dwellings; and**
- **More than 35 percent of the total number of market-rate units must be duplex, triplex, quadplex, or multi-unit residential units.**

FINDING: BCP 11-155 requires a certain density and housing mix, specifically for market-rate units. The Stevens Road Tract Master Plan provides capacity for approximately 2,500 homes, consistent with BCP 11-156, of which 1,601 units are planned to be market-rate homes, including 267 attached townhomes (17 percent) and 561 multi-unit homes and plexes (35 percent), meeting or exceeding the minimum housing mix requirements. The Preliminary Zoning Plan (Sheet P05 of Exhibit C of the application) shows 205.2 gross acres of residential plan designations. For the purposes of calculating density, Policy 11-155 explicitly does not count the 32.2 gross acres (23.8 net acres plus their proportional amount of right-of-way) identified for affordable housing in BCP Policy 11-158. The resulting 173 gross market-rate residential acres accommodate 1,601 market rate units for a density of 9.2 residential units per gross acre. The proposed density is summarized in the table below.

Zoning & Uses	Minimum Required	Planned
Market-Rate Housing (Gross Acres)	-	±173
Market-Rate (Total Units)	1,548	±1,601
- Townhomes (Units)	155 (10%)	±267
- Plexes and Multi-Unit (Units)	542 (35%)	±561
Market-Rate Density	9 units/acre	±9.25 units/acre

While the specific housing type and mix of uses will be finalized upon subsequent tentative subdivision and/or future Site Plan Review, the Preliminary Master Plan (Sheet P03 in Exhibit C of the application) and the table above shows that the Stevens Road Tract Expansion Area can provide a residential density of 9.2 market-rate units per gross acre, more than 10

percent of market-rate homes as townhomes and 35 percent as multi-unit homes and plexes. Land use designations and density requirements for the affordable housing units are discussed below. Therefore, the policy is met.

11-156 In order to provide adequate opportunities for the development of all needed housing types, sizes, and densities of market-rate housing, the Master Plan must demonstrate that this area will provide capacity for a minimum of 2,487 total residential units (including the affordable housing units required by Policy 11-158 below) with the following specific plan designation and market rate residential unit requirements:

- ***Urban High Density (RH): A minimum of 30 total net acres of RH designation of which, 18 net acres must be identified for affordable housing as outlined in Policy 11-158 below, and a minimum of 12 net acres must be used to accommodate a minimum of 480 market-rate units.***
- ***Urban Medium Density (RM): A minimum of 24 total net acres of RM designation of which, two (2) net acres must be identified for affordable housing as outlined in Policy 11-158 below, and a minimum of 22 net acres must be used to accommodate a minimum of 440 market-rate units.***
- ***Urban Standard Density (RS): A maximum of 92.9 net acres of RS designation to accommodate a minimum of 808 market-rate units.***

The RM and RH designations may be increased, and the RS designation decreased proportionally, above the minimum sizes established in this policy in order to accommodate additional density if approved as part of a Master Plan.

FINDING: The proposed amendment to BCP 11-156 (in Exhibit R of the application) reduces the minimum number of RH-zoned market-rate units from 480 to 300. Ultimately, this change allows for a more realistic minimum density of 25 dwelling units per net acre for market rate units, consistent with HB 3318, while still providing the total required number of residential units throughout the master plan. The total 2,487 residential units required is not changing because additional market rate units will be provided in the RS and RM zones, and an additional 3.8 acres (21.8 acres versus 18 acres) of RH land will be provided by the developer to the City for affordable housing, totaling 23.8 acres of land dedicated for affordable housing versus the minimum 20 acres required in this policy.

The Stevens Road Tract Master Plan provides capacity for almost 2,500 total residential units. The Preliminary Master Plan (Sheet P03 in Exhibit C of the application) shows the location and net areas of zoning and plan designations, consistent with the minimum net acres for RM and RH and the maximum net acres for RS in this policy, and as shown below.

Comparison of Required and Planned Plan Designations for Housing (net acres)

Plan Designations	Total Required	Required Affordable	Required Market-Rate	Total Planned	Planned Affordable	Planned Market-Rate
RH	30 min.	18 min.	12 min.	35.6	21.8	13.8
RM	24 min.	2 min.	22 min.	28.9	2.0	26.9
RS	92.9 max.	0	92.9 max.	73.4	0	73.4

The Comprehensive Plan designations provide adequate area to meet the specific market-rate residential unit and affordable housing lands requirements, and the Draft Development Code (Exhibit N) creates the Stevens Road Tract Master Planned Development in BDC Chapter 2.7, establishing the development standards that ensure the required residential units and housing mix are provided during subsequent review of land division and Site Plan Review applications. The Preliminary Master Plan also shows the location of residential land designated for affordable housing, including the 2 net acres of RM-designated land and more than 18 net acres of RH-designated land. Therefore, the policy is met, as amended.

11-157 In order to meet the minimum unit density requirements in Policy 11-155 above, the densities may exceed the maximum densities in BDC 2.1.600.

FINDING: The Stevens Road Tract Master Plan provides capacity for 1,601 units of market rate housing within the RS, RM, and RH zoning districts. Excluding the 32.2 gross acres (23.8 net acres plus their proportional amount of right-of-way) identified for affordable housing in BCP Policy 11-158 (shown on Sheet P03 of Exhibit C of the application), there is a market rate density of 9.25 market-rate units per acre across the 173 net acres, which meets the minimum unit density requirement in Policy 11-155 for nine residential units per gross residential acre. As allowed in this policy, the maximum density in the RS zone (7.3 units per gross acre) in BDC 2.1.600 may be exceeded, which will be reviewed with each subsequent tentative plan application. The maximum density of the RM zone (21.7 units per gross acre) will not need to be exceeded in order to meet the minimum number of market rate units in the RM zone in Policy 11-156 above. This policy is met.

11-158 As required by Oregon Laws 2021 Chapter 552, in order to provide affordable housing, the master plan must include a minimum of 20 net acres of residential land for deed-restricted affordable housing consistent with the Purchase and Sale Agreement between the City and the Department of State Lands, recorded against the Stevens Road Tract, and configured as follows:

- ***Three (3) lots or parcels, each at least six (6) acres in size with an RH designation;***
- ***Two (2) lots or parcels, each at least one (1) acre in size, with an RM designation;***
- ***The applicant for the master plan must coordinate with the City's Housing***

Department to identify the final locations of these parcels.

FINDING: The proposed amendment to BCP 11-158 (in Exhibit R of the application) adjusts the prescribed individual lot or parcel sizes for RH-designated affordable lands from a minimum 6-acre size to a range between 2.5 and 10 acres, and ensures at least one lot or parcel is no less than 6 acres in size. These amendments do not reduce the minimum amount of residential land to be deed-restricted for affordable housing within the RM and RH plan designations. The intent of this change is to allow for variation of lot sizes which can expand the opportunities for a greater pool of affordable housing developers to develop on these lands, while maintaining consistency with HB 3318.

The Stevens Road Tract Preliminary Plan (BDC Figure 2.7.4820 and Sheet P03 in Exhibit C of the application) shows 23.8 net acres of residential land identified for deed-restricted affordable housing, comprised of four lots in the RH-designation totaling 21.8 acres in area, and two lots in the RM-designation totaling a minimum net area of 2 acres. This exceeds the minimum required 20 net acres of land dedicated to deed-restricted affordable housing.

At the time of the subsequent Tentative Plan review, the deed-restricted lands will be configured in a manner consistent with the amended policy standards outlined above. This policy can be met.

11-159 The lots or parcels for affordable housing identified in Policy 11-158 above, are to be transferred to the City following the recording of a final land division plat. They must be platted and transferred to the City in phases so that the lots or parcels for affordable housing identified in Policy 11-158 and market-rate lots or parcels are platted over time and in a ratio similar to the ratio of affordable and market-rate lots or parcels within the master plan as a whole. They must be subject to deed restrictions recorded by the City on a form agreed to between the City and the Department of State Lands that set the affordability levels and, for one of the six-acre lots or parcels and one of the one-acre lots or parcels, made available, to the extent permitted by law, in a manner that gives a priority to households in which at least one individual is employed by an education provider over other members of the public.

FINDING: The planned amendment to BCP 11-159 (in Exhibit R of the application) changes the references to the "six-acre" and "one-acre" deed-restricted parcels or lots to be referenced as the RM- and RH-designated lots or parcels, to acknowledge the flexibility in final lot sizes proposed to Policy 11-158, discussed above. This amendment does not substantially change the requirements within the policy itself but is intended to integrate language that is consistent with the planned amendments to BCP Policy 11-158.

The Preliminary Master Plan (BDC Figure 2.7.4820 and Sheet P03 of Exhibit C of the application) shows the lands identified for affordable housing, which are distributed throughout the entire community. The phased development of the Master Plan is intended

to begin at the southern boundary along Ferguson Road and then progress to the north. The planned configuration of affordable housing deed-restricted lands lends to being platted in a relatively proportional ratio to the market-rate lands, with the majority of the affordable housing lands allotted in the southern half of the development. If the phasing plan changes in the future, the configuration of affordable housing lands are dispersed across the Tract in a manner that would still maintain a relatively proportional ratio to the market-rate lands as platting occurs over time. The detailed deed restriction language in the second portion of this policy will be determined at the time of subsequent land division review. This policy can be met.

11-160 In order to provide adequate employment lands, the employment land plan designations must include a minimum of five (5) gross acres of Commercial plan designations and seven (7) gross acres of Mixed Employment or Industrial plan designations.

FINDING: The Stevens Road Tract Master Plan provides 5.3 gross acres of Commercial General-designated lands and 7 gross acres of Mixed Employment-designated lands, as shown on the Preliminary Zoning Plan (Sheet P05 in Exhibit C of the application). This policy is met.

11-161 In order to create a complete community with primarily neighborhood-serving commercial uses, the master plan must prohibit auto-oriented commercial uses.

FINDING: The Stevens Road Tract Master Plan, to be codified in BDC Chapter 2.7 (Exhibit N of the application), prohibits auto-oriented and auto-dependent commercial uses (defined in BDC Chapter 1.2, Definitions) in the CG Zoning District. This policy is met.

11-162 Commercial plan designations and at least one of the six-acre lots or parcels for deed-restricted affordable housing must be located adjacent to the community park.

FINDING: The proposed amendment to BCP 11-162 (in Exhibit R of the application) changes the reference to the "six-acre" deed-restricted parcels or lots to be referenced as the RH-designated lots or parcels without reference to acreage. This amendment does not substantially change the requirements within the policy itself but is intended to integrate language that is consistent with the planned amendments to BCP Policy 11-158.

BDC Figure 2.7.4820 in the Stevens Road Tract Master Plan code (also Sheet P03 in Exhibit C of the application) shows the CG-designated land directly north of the community park across the future extension of Wilderness Way, one RH-designated "Affordable" area (approximately 9.4 acres) directly east of the community park across the new North-South Road, and another RH-designated "Affordable" area (approximately 2.6 acres) directly south of the community park. This policy is met, as the total area for deed-restricted affordable housing adjacent to the community parks totals approximately 12 acres.

11-163 In order to provide sufficient areas designated for mixed-use development and to support equitable, integrated and viable commercial and residential uses along with transportation options (including walking, bicycling, and transit use), land use designations must be located as follows:

- **The affordable housing required in Policy 11-158 above, must be located within a block of the community park, and within one-quarter mile of the commercial land or SE Wilderness Way, providing equitable access to transit, open space, planned trails, and commercial uses. This does not apply to the affordable housing lot or parcel described above under Policy 11-162.**
- **Market-rate medium- and high-density housing will be dispersed throughout the master plan, integrated adjacent to the affordable housing and located on planned transit routes adjacent to the community park, SE Wilderness Way, and near SE Stevens Road.**
- **The required five acres of Commercial plan designation will be configured as a main street and must be located on the future western portion of the extension of SE Wilderness Way, abutting the TransCanada Trail and adjacent to the future community park.**

Figure 11-10 illustrates the above requirements.

Figure 11-10. Stevens Road Tract Planning Concept



FINDING: The proposed amendment to BCP 11-163 (in Exhibit R of the application) allows for the deed-restricted affordable housing lots to be within one-half mile rather than one-quarter mile of the commercial land or SE Wilderness Way, and to be located within a block of the community park or, alternatively, abutting a multiuse path that connects to the community park. The Stevens Road Tract Master Plan (BDC Figure 2.7.4820 and Sheet P03 in Exhibit C of the application) shows RH-zoned lots for deed-restricted affordable housing located along Ferguson Road and Stevens Road, more than a block away from the community park. These lots have frontage along the 10-foot-wide multi-use pathways that make up the green loop system which extends throughout the neighborhood and to the community park. This green loop system serves to provide all residents and visitors with convenient access to transit, open space, planned trails, and commercial uses. Ultimately, this amendment to Policy 11-163 allows for the affordable housing lands to be distributed across the Master Plan as a whole where they can be platted and transferred to the City's ownership at a proportional ratio to the amount of market-rate lots created overtime as stated in BCP 11-159. This amendment ensures consistency across policies while still ensuring proximity and connectivity to commercial and recreational opportunities for all affordable housing units.

The Stevens Road Tract Master Plan provides sufficient areas designated for mixed-use development through its planned re-assignment and distribution of land use designations shown in the Preliminary Zoning Plan (Sheet P05 in Exhibit C of the application). The lands designated for affordable housing are indicated on the Preliminary Master Plan (BDC Figure 2.7.4820 and Sheet P03 in Exhibit C of the application). All deed-restricted affordable housing lots are provided within one-half mile of commercial lands or SE Wilderness Way, consistent with the proposed policy amendment. Two of the deed-restricted affordable housing lots are more than a block away from the community park. However, all the affordable housing lots have frontage on the green loop multiuse path trail system that connect them to the community park, commercial lands, and SE Wilderness Way, and are within one half mile of SE Wilderness Way and commercial lands.

The Preliminary Master Plan (BDC Figure 2.7.4820 and Sheet P03 in Exhibit C of the application) shows the RM- and RH-designated lands dispersed throughout the master plan where there will be market-rate medium- and high-density housing integrated adjacent to the affordable housing, located adjacent to the community park, and accessible to the potential future transit route on SE Wilderness Way and Stevens Road via the green loop trail system. The 5.3-acre CG-zoned area is located along SE Wilderness Way at the western entrance of the Master Plan abutting the 100-foot-wide trail corridor and directly north of the future community park. This commercial area at the center of the community will have a maximum building setback of 15 feet (Draft Development Code in Exhibit N), which will result in a pedestrian-oriented design and encourage commercial uses that can serve the neighborhood. This policy is met.

The planned amendment to BCP 11-163 also removes Figure 11-10 Stevens Road Tract Planning Concept and the reference to the figure, consistent with BCP 11-153, and is non-substantial.

11-164 The street, path, and bikeway network must provide connectivity throughout the Stevens Road Tract, connect to existing and planned extensions of abutting roads, and provide opportunities for connections to adjacent undeveloped land both inside and outside the UGB. The transportation network must be consistent with the Bend Transportation System Plan. The white dashed line shown through the park on Figure 11-10 is intended to provide for a non-vehicular pedestrian connection through the park. The master plan must show a pedestrian route through the park that provides access to the future school site and residential designations adjacent to the park.

FINDING: The proposed amendment to BCP 11-164 (in Exhibit R of the application) removes the reference to Figure 11-10 Stevens Road Tract Planning Concept, consistent with BCP 11-153 and 11-163, and is non-substantial.

The Stevens Road Tract Preliminary Master Plan (BDC Figure 2.7.4820 and Sheet P03 in Exhibit C) provides a street, path, and bikeway network that provides connectivity throughout the community, along its perimeter, and to adjacent undeveloped land of the Stevens Ranch Master Plan to the west and land outside of the UGB to the north, east, and south via improvements to Stevens Road, Ward Road, and Ferguson Road. The green loop is a crucial component of the Master Plan layout that provides multiuse pathways that are convenient to access from all areas of the master plan. These multiuse pathways connect to the community park trail system along the western boundary of the site that provides additional pedestrian routes to the future school site and adjacent residential lands. The Transportation Impact Analysis (TIA) (Exhibit L) prepared by Transight Consulting LLC describes how the provided transportation network and street cross sections are consistent with the Bend Transportation System Plan (TSP). This policy is met.

11-165 In order to ensure the development of adequate infrastructure to support walking, bicycling, public transit, and motor vehicle movement, and to ensure transportation networks connect the Stevens Road Tract to other areas within the Bend UGB, the future master plan must include:

- ***A “green loop” of off-street trails in 20’ wide trail easements or multi-use trails around or near the perimeter of the master plan area with a centrally located path adjacent to SE Wilderness Way and a trail located in the TransCanada trail easement. Trails may be hard- or soft-surfaced. The trail surfacing for the TransCanada trail will be determined in collaboration with the City Engineer, Bend Parks and Recreation District, and TC Energy.***
- ***The extensions of SE Stevens Road (minor arterial), SE Ferguson Road (minor arterial), and SE Wilderness Way (neighborhood route) to the eastern edge of the***

Tract. Given the proximity of these roads near the edge of the current city limits, future master plan developers may coordinate with the City of Bend on interim roadway improvements for these facilities. Such improvements must build towards adopted City of Bend roadway standards and provide right-of-way consistent with functional classification requirements.

- **Plans to address the future potential extension of the SE Ward Road Alignment. The functional classification for SE Ward Road is a Minor Collector based on the City of Bend roadway spacing requirements. This designation will be confirmed and intersection type for the SE Ward/Stevens and SE Ward/Ferguson intersections shall be determined the review of the master plan.**
- **Construction of a new North-South street within the master plan area that provides a connection between SE Stevens Road to the north with SE Ferguson to the south.**

Figure 11-10 illustrates the above requirements.

FINDING: The proposed amendments to BCP 11-165 (in Exhibit R of the application) are intended to integrate recent changes in the City's TSP since the policy language was adopted and resolve an incongruency with the Master Plan deviation criteria in BDC 4.5 that allows for flexibility of development standards. Furthermore, the planned amendment to BCP 11-165 (in Exhibit R of the application) removes the reference to Figure 11-10 Stevens Road Tract Planning Concept, consistent with BCP 11-153 and 11-163, and is non-substantial.

In the first bullet point, the reference to "off-street trails in 20-foot-wide easements" is planned to be removed. Since the adoption of this policy language, the City updated its TSP to require arterial and collector street cross sections to include multiuse pathways within the street rights-of-way. This policy as it is currently written would require that an additional separate multiuse pathway be paved next to the multiuse pathways that are required to be constructed within the street rights-of-way. This proposed amendment does not eliminate or alter the green loop system required by this policy, and there will still be a minimum 20-foot-wide trail easement for the green loop segment that goes through the 100-foot-wide trail corridor on the western boundary of the master plan. The amendment will resolve the unintended redundancy of the policy by allowing the multiuse pathways required by street design standards to be considered as part of the green loop trail system.

In the second bullet point, the proposed amendment removes language for street right-of-way to be consistent with the functional classification requirements. SE Wilderness Way is a Neighborhood Route, which is technically a local street. Thus, the Wilderness Way right-of-way of 80 feet exceeds the 60-foot standard width for a local street standard. Though the Stevens Road Tract Concept Plan describes the Neighborhood Route as a street that "will generally function as a 2-lane collector road with pedestrian and bicycle facilities", it is not

identified as a collector street in the Transportation System Plan, the Concept Plan or Bend Comprehensive Plan policies. Therefore, the planned cross section for Wilderness Way is essentially not consistent with the City's functional classification requirements for a local street. This policy language is incongruent with the Master Plan deviation criteria that allows for flexibility of development standards, such as street design, and retaining this option is important for creating the Stevens Road Tract community that has several unique site characteristics. Allowing for reduced or partial right-of-way designs, where appropriate, can be an important tool for preserving significant trees and rock outcroppings, accommodating variable grade, large utility easements, and supporting future affordable housing that may benefit from deviations to the functional classification standards.

Finally, in the third bullet point, the proposed amendment is intended to correct the functional classification of Ward Road from a Minor Collector to a Minor Arterial to be consistent with the City of Bend's TSP. The Stevens Road Tract Preliminary Master Plan (BDC Figure 2.7.4890 and Sheet P03 in Exhibit C of the application) illustrates the improvements and extensions to the rights-of-way for Stevens Road, Ferguson Road, and SE Wilderness Way, the construction of a new north-south street that connects between Stevens Road and Ferguson Road, in addition to the location of the green loop pathways within the adjacent street rights-of-way and the ±100-foot-wide trail corridor. Ongoing coordination with TC Energy, the City Engineer, and BPRD on the location and surfacing of the planned TransCanada Trail extension through the trail corridor will ensure that all guidelines and standards are met. The TIA (Exhibit L of the application) prepared by Transight Consulting LLC describes how the provided transportation network and street cross-sections are consistent with the Bend TSP. This policy is met, as amended.

11-166 The City had a pedestrian archaeological survey completed for the Stevens Road Tract that identified a potential historic road identified as McGilvray Road. The road's location is identified in a May 2023 report from Caldera Archaeology, and this report has also been provided to the State Historic Preservation Office (SHPO). The master plan must be accompanied by documentation that the master plan developer has coordinated with SHPO and will comply with their requirements, if any, for protection of, or mitigation of any impacts to, McGilvray Road. The master plan must also show that the unit mix, counts, and density in Policies 11-155 and 11-156 will be met if SHPO requires preservation of McGilvray Road. The City shall provide notice of the proposed master plan and solicit comments from the SHPO.

FINDING: The Applicant states in their submitted written narrative that they have coordinated with the State Historic Preservation Office (SHPO) regarding McGilvray Road. Exhibit U of the application indicates preliminary coordination between the applicant and SHPO and an intent to solicit future comments from SHPO on development of the Master Plan. Coordination with SHPO will be ongoing at the appropriate times when further review

is applicable. The City will also provide notice to SHPO upon submittal of subsequent development applications.

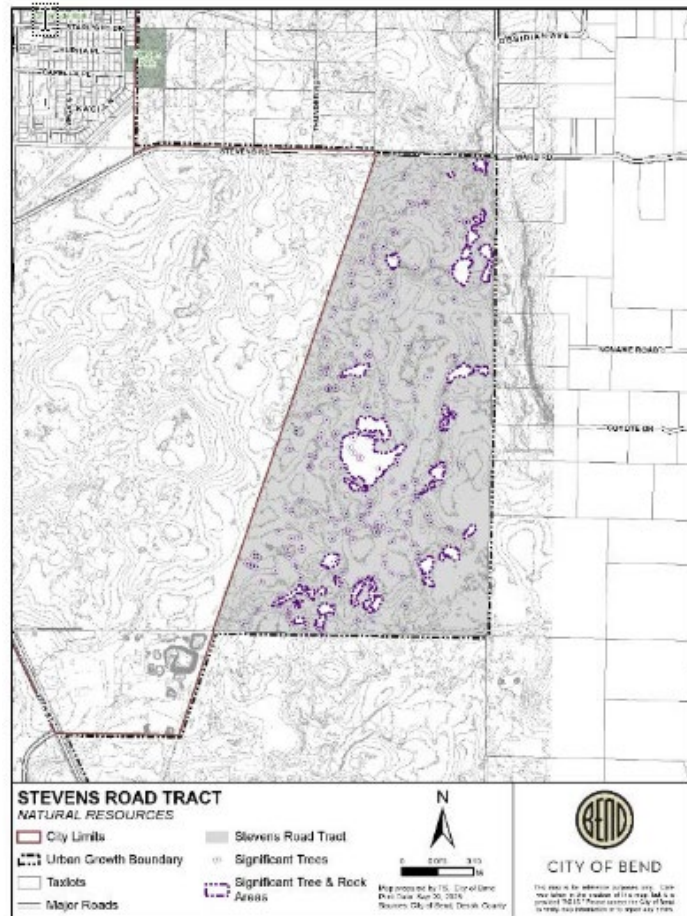
11-167 The master plan developer must coordinate and consult with the Confederated Tribes of Warm Springs prior to master plan approval and on-going, during development of the site.

- ***A master plan for the Stevens Road Tract must include an inadvertent discovery plan (IDP) that outlines how any artifacts or remains found during excavation or earth movement will be protected or otherwise addressed.***
- ***Applicable state and federal regulations regarding the discovery of artifacts or remains must be followed during construction activities.***
- ***The City shall provide notice of the proposed master plan and solicit comments from the Confederated Tribes of Warm Springs.***

FINDING: The Stevens Road Tract Master Plan includes an Inadvertent Discovery Plan (IDP) in Exhibit S of the application and is based on the template available from the Oregon Legislative Commission on Indian Services (LCIS) that outlines how any artifacts or remains found during construction activities will be protected or otherwise addressed in accordance with applicable state and federal regulations. The Confederated Tribes of Warm Springs (CTWS) were provided notice of the Master Plan and IDP, and these items were further discussed at a meeting the applicant had with representatives of the CTWS Branch of Natural Resources on August 25, 2025, as noted in Exhibit T of the application. Additional coordination and consultation with CTWS will be ongoing throughout the Stevens Road Tract project.

11-168 The City has completed an inventory of significant trees and rock outcrops shown in Figure 11-11. A master plan for the Stevens Road Tract must demonstrate how the significant trees and rock outcrops shown in Figure 11-11 located in the Community Park and open spaces distributed throughout the Tract as required under Policy 11-169 will be incorporated and preserved to the extent possible. Significant trees must be protected according to the City's regulations for tree preservation or under standards proposed with a master plan code that provide at least as much protection of significant trees as the generally applicable tree preservation regulations of the BDC.

Figure 11-11. Natural Resources



FINDING: The Stevens Road Tract Master Plan Preliminary Master Plan (BDC Figure 2.7.4820 and Sheet P03 in Exhibit C of the application) locates the 23-acre community park and open space tracts where there are significant trees and rock outcrops. The benefit to relocating the planned community park from where it is shown in the Stevens Road Tract Concept Plan is that it preserves the largest rock outcroppings and density of trees where they can be appreciated by both residents and visitors. The location for the community park was determined in coordination with BPRD where their future planned park can incorporate these features. The privately-owned open space tracts are distributed across the subject property and are designed with varying sizes and shapes around other natural features of the master plan. These open space tracts contain portions of rock outcroppings and significant trees. Further evaluation of site grading and preservation of natural resources will occur at the time of Tentative Plan and Site Plan Reviews, consistent with tree preservation standards in BDC 3.2.200. This policy is met.

11-169 A master plan for the Stevens Road Tract must include preservation of at least 39 acres for recreational and open space (designated as Public Facility) as follows:

A community park for active recreation and preservation of significant natural resources, must be centrally located and adjacent to the proposed pipeline trail and future school site planned in the neighboring Stevens Ranch Master Plan Area. Figure 11-10 illustrates the above requirements.

The park land must be dedicated to the District following the satisfaction of due diligence requirements for public property. As used in this policy, a “community park” has the meaning from the Bend Park and Recreation District 2018 Comprehensive Plan, and is a park intended to serve a wider area than neighborhood parks, and therefore are larger in size, averaging about 25 acres each. Due to their larger size, community parks include a greater variety of amenities, including one or more of the following: athletic fields, court sports, skate parks, bike skills courses, trails and natural areas.

- ***A minimum of 7 acres for trail corridors, and these trails may be located within public access easements or in public open space tracts that are a minimum of 20 feet in width.***
- ***A minimum of 3 acres of open space to maximize preservation of natural features including significant trees and rock outcrops. These open spaces must be protected in a tract or tracts.***
- ***Coordination with Bend Park and Recreation District is required to locate the community park and trails.***

FINDING: The planned amendment to BCP 11-169 (in Exhibit R) removes the reference to Figure 11-10 Stevens Road Tract Planning Concept, consistent with BCP 11-153, and is non-substantial.

The Preliminary Zoning Plan (Sheet P05 in Exhibit C of the application) shows that the Stevens Road Tract Master Plan provides 43.8 gross acres (39.5 net acres) for recreational and open space to be designated as Public Facility (PF). This total acreage includes the 23.0-acre community park that is centrally located and adjacent to the planned extension of the TransCanada Trail through the 100-foot-wide trail corridor on the western boundary of the Tract. This community park and trail corridor also function as part of the green loop trail system that connects throughout the master-planned development and to neighboring communities and uses, such as the future school site in the Stevens Ranch Master Plan to the west. The community park is tentatively planned to include a variety of amenities, including athletic fields, trails, and natural areas, with the final park plan to be determined by BPRD. Within the community park is over 5 acres of open space that preserves the significant trees and rock outcroppings as shown in Figure 11-11 Natural Resources.

A trail corridor runs along the entire western boundary of the tract within a 100-foot-wide publicly available open space tract that make up nearly 10 acres, not including the portion of the trail corridor that runs through the 23-acre community park, exceeding the 7 acres of

trail corridors required in this policy. Meandering throughout the trail corridor will be the planned TransCanada Trail that will be dedicated within a 20-foot-wide trail easement and maintained by BPRD. The 100-foot-wide trail corridor will be privately-owned and maintained where outside of the dedicated community park, but will be located within an open space easement. The community park dedication and trail easement have been discussed with BPRD as evident in the BPRD Coordination Letter in Exhibit G of the application. The additional 6.5 net acres of open space (to be maintained by a future HOA) is provided in several areas throughout the community to maximize preservation and protection of natural features, including significant trees and rock outcrops. The 20-foot-wide open space tracts providing mid-block pedestrian connections comprise 0.43 acres and are included in this acreage, but even without these mid-block access corridors, the minimum 39 acres of open space in the master plan will be met (39.07 acres). Given that a significant amount of privately-owned and maintained open space tracts will be included in the PF zone district, the draft BDC Chapter 2.7 text for the special planned district adds a permitted use category for privately-owned park facilities within the Public Facility District section, as provided in Exhibit N of the application. This policy is met.

11-170 The master plan must show that wildfire risk will be mitigated through one or more of the following methods: creation of defensible space, arrangement of land uses, construction and building materials, and/ or development pattern. Any special planned district code proposed for regulating development of the land uses within the master plan must incorporate the proposed wildfire risk mitigation actions.

FINDING: The Stevens Road Tract Wildfire Mitigation Plan (Exhibit W of the application) provides recommendations for mitigating wildfire risk based on three methods: development pattern, construction technique, and vegetation management. The development pattern established by the Stevens Tract Master Plan effectively creates a 100-foot-wide firebreak around the entire perimeter of the property through the managed open space of the trail corridor along the western boundary and the rights-of-way of higher order streets (Ferguson Road, Ward Road, Stevens Road) on the other three sides of the master plan. The future extension of SE Wilderness Way from Stevens Ranch and the new North-South Local Spine road bisecting Stevens Road Tract establish the foundation for a well-connected grid of improved streets that will provide efficient ingress and egress, disperse traffic on a variety of streets, and support circulation options and multiple evacuation routes. Being that the Master Plan fronts minor arterials on three sides and is within approximately one-half mile from SE 27th Street, another minor arterial, there are multiple close connections to higher order streets providing effective evacuation routes. Within the master plan, Avion water lines will provide ample supply of water to fire hydrants located throughout the community and Avion's commitment to serve the project demonstrates that adequate water capacity will be available to the future neighborhood.

Additionally, the recommendations in the Wildfire Mitigation Plan include a variety of construction techniques to reduce the risk of fire loss through home hardening and the creation of defensible space around structures. Examples include fire-resistant materials, non-combustible vents and gutters, and non-combustible fences and vegetation within 5 feet of each home. These recommendations will be implemented through the CC&Rs and enforced by an HOA.

The wildfire risk for the Stevens Road Tract master plan will be mitigated through multiple methods, including being subject to any updated Building or Development Code standards adopted by the City and applied during permit review. This policy is met.

B. Criteria for Quasi-Judicial Comprehensive Plan Map/Text Amendments (*Continued from page 24*)

3. The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property;

FINDING: The Applicant and City staff have worked to identify the infrastructure necessary to serve the uses within the Stevens Road Tract Master Plan, as discussed throughout these findings. The required transportation infrastructure to mitigate the traffic impacts of the proposed master plan is detailed the proposed Transportation Mitigation table in the Development Code (Exhibit N of the application). The necessary infrastructure, as well as sequencing and financing mechanisms, are also detailed in the draft City of Bend Annexation Agreement (Exhibit Y of the application) which will be reviewed by the City Council concurrently with the proposed master plan. The Stevens Road Tract Master Plan (Exhibit C of the application), in combination with the Annexation Agreement, provide substantial evidence that the necessary infrastructure planning has occurred, and the necessary facilities exist, or will be constructed, concurrently with master-planned development.

4. Evidence of change in the neighborhood or community or a mistake or inconsistency in the Comprehensive Plan or Land Use District Map regarding the property that is the subject of the application; and

FINDING: The Stevens Road Tract Master Plan (Exhibit C of the application) reconfigures the placeholder Comprehensive Plan designations while maintaining the applicable gross areas, intensities, unit count, housing mix and respective distances between land uses as contemplated in the Comprehensive Plan policies (BCP 11-152 through 11-170) and Oregon House Bill (HB) 3318 (2021). The Concept Plan in the Bend Comprehensive Plan Figure 11-10 provides a visualization of these policy requirements in a manner that is not-to-scale with the actual required acreages, resulting in some discrepancies between the BCP text and the adopted Comprehensive Plan map designations. Therefore, the Preliminary

Zoning Plan (Sheet P05 in Exhibit C of the application) provides the required zoning designations and acreages in a manner that is to-scale and consistent with the adopted policies and resolves the discrepancies in the adopted Comprehensive Plan Map.

Furthermore, text amendments to the Comprehensive Plan policies are included in Exhibit R of the application that respond to recent changes in the community and address mistakes or inconsistencies in the policies. These amendments are described under each respective BCP section and are summarized in the table below.

BCP Policy	Proposed Change	Evidence of change, mistake, or inconsistency
11-156	Min. 300 market-rate units in RH.	Allows for a minimum 25 dwelling units per net acre, consistent with HB 3318.
11-158	Broadening RH lot size range	Allows for a range of lot sizes, and at least one 6-acre lot or parcel, consistent with HB 3318.
11-159	Update verbiage referring to affordable lands.	See BCP 11-158.
11-162	Update verbiage referring to affordable lands.	See BCP 11-158.
11-163	Less restrictive locational standards for affordable lands.	Resolves inconsistency with BCP 11-159 by allowing affordable lands to be more equally distributed across phases for platting and transfer to City ownership in a proportional ratio with market-rate lands.
11-165	Multiple changes.	Eliminates inconsistencies and redundancy with the updated TSP. Fixes inconsistency with Master Plan criteria (BDC 4.5) that allows for deviations.
At the direction of City staff, all references to Figure 11-10 Stevens Road Tract Planning Concept are removed to prevent creating an inconsistency with the adopted Stevens Road Tract Master Plan. These non-substantial amendments are shown in Exhibit R for BCP Policies 11-153, 11-154, 11-163, 11-164, 11-165, and 11-169.		

Ultimately, the proposed BCP policy amendments maintain the minimum capacity for 2,487 units within the subject property and facilitate the creation of affordable housing by providing 32.2 gross acres of land to be dedicated to the City of Bend and deed-restricted,

in addition to providing commercial, employment, and recreational opportunities that will be accessible to residents and visitors of the community. Therefore, the criterion is met.

5. Approval of the request is consistent with the provisions of BDC 4.6.600, Transportation Planning Rule Compliance.

4.6.600 Transportation Planning Rule Compliance.

When a development application includes a proposed Comprehensive Plan amendment or annexation, the proposal must be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (OAR) [660-012-0060](#).

FINDING: Exhibit K of the application includes the Transportation Facilities Report (TFR) and Exhibit L of the application includes the Transportation Impact Analysis (TIA), both prepared by Transight Consulting. The Stevens Road Tract Master Plan reconfigures the placeholder Comprehensive Plan designations while maintaining the applicable gross areas, intensities, unit count, and housing mix contemplated in BCP Policies 11-155 through 11-169 and BDC 4.5.200(D)(3)(a). Importantly, no additional vehicle trips are anticipated beyond what is contemplated under the existing Comprehensive Plan map designations and arrangement, and no changes are planned to the functional classification of an existing or planned transportation facility.

For purposes of TPR compliance, the Oregon Department of Transportation (ODOT) and Deschutes County have provided written documentation supporting findings of no significant effect, as provided in Exhibit R of the application. The applicable standards are met. The Traffic Analysis Memo (Exhibit M of the application) prepared by the City summarizes the transportation impacts and recommended mitigation, and the triggered mitigation measures are included in the proposed Development Code (Exhibit N of the application). The Annexation Agreement will formalize the transportation improvements necessary to mitigate impacts to, and expand capacity within, the affected transportation facilities, and identifies the specific timing, responsibilities, and cost allocation. The applicable standards are met.

IV. PLANNING COMMISSION RECOMMENDATION: Based on the application materials submitted by the applicant, the findings in this 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 Legacy Village Master Planned Development as proposed, and recommends that the Bend City Council adopt an ordinance to amend the Stevens Road Tract policies in the Bend Comprehensive Plan as proposed.