



MEETING MINUTES

Bend Planning Commission

Monday, June 8, 2026 5:30 p.m. Regular Meeting

The hybrid meeting started at 5:31 p.m., in-person and online.

The public was invited to watch online at: www.bendoregon.gov/planningcommission

1. Roll Call:

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

Commissioners Present: All Commissioners were present.

Staff Present: Ian Leitheiser, City Attorney; Colin Stephens, Community Development Director; Renee Brooke, Planning Manager; Pauline Hardie, Senior Planner; Elizabeth Oshel, Senior Assistant City Attorney; Aaron Henson, Senior Planner; Karen Swenson, Senior Planner.

2. Visitors:

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

No public comment was given.

3. Work Session:

PLTEXT20260025: Bend Development Code Amendments

Work session on text amendments to the Bend Municipal Code (BMC) and Bend Development Code (BDC) to implement certain Oregon state laws to streamline housing



production. There are also proposed amendments for consistency and clarity throughout the codes.

Staff: Pauline Hardie, Senior Planner, phardie@bendoregon.gov

Senior Planner Hardie **presented** an overview of proposed amendments to the Bend Municipal Code and Bend Development Code intended to implement recent state legislation and streamline housing production. The amendments primarily respond to House Bill 2138, which expands allowances for middle housing, provides incentives for accessible and affordable units, and simplifies middle housing land division processes. The provisions of House Bill 4037 addresses additional requirements when affordable housing developments is proposed in commercial zones. The bill limits certain procedural requirements, including restricting public hearings and local appeals for qualifying housing applications, to reduce delays and facilitate housing development. The Planning Commission Public Hearing is scheduled for July 13th, with the City Council first reading on August 5th, the second reading on September 2nd, and an effective date of October 2nd.

The Commission discussed recent state housing legislation and its impacts on local regulations and processes. Commissioner Johannsen asked for clarification on how Covenants, Conditions, and Restrictions (CC&Rs) are treated under the new legislation. Elizabeth Oshel, Senior City Attorney, clarified that CC&Rs are not reviewed by the City and, under new state law effective July 17, 2025, cannot be enforced if they restrict middle housing or accessory housing. Johannsen noted reduced public involvement requirements, including limited notice, no required hearings, and restricted appeal rights, which Hardie confirmed are mandated by state law.

Vice Chair Nelson inquired about how the City is handling sewer and water for the shared utility lines. Planning Manager Brooke explained differences in utility requirements, noting shared sewer laterals are allowed with recorded maintenance agreements, while water typically requires separate connections due to metering and billing.

Commissioner Gressens raised questions about perceived impacts on neighborhood character and the extent of local control. While the City retains some authority to review infrastructure capacity, particularly for water and sewer systems, there is limited discretion with housing applications regarding public improvements and development intensity. Many middle housing projects may be reviewed at the building permit level, with minimal land use review.

Commissioner Schnur asked how these changes apply to existing and new lots. Staff noted that development standards such as setbacks apply to the overall site rather than individual units and that recent legislation is resulting in higher housing yields and more streamlined, permit-level review processes.

Nelson inquired about the implications for master planning and future development patterns. Brooke indicated that while master plans still guide overall land use and infrastructure planning, the increased flexibility in housing types has introduced greater variability in potential unit yields.



4. Quasi-Judicial Public Hearing:

5.1 PLWOZ20260197 (Gilchrist Pedestrian Bridge Replacement)

Waterway Overlay Zone application for the replacement of the Gilchrist Pedestrian Bridge just east of Columbia Park.

Staff: Aaron Henson, Senior Planner, ahenson@bendoregon.gov

Chair Clinton opened the hearing at 6:11 p.m. and asked the Commission if anyone had pre-hearing contacts, bias, prejudice, or personal interest. Commissioner Johannsen mentioned she was on the City Council during the construction of the previous bridge. The Chair then asked meeting attendees if there was any challenge with respect to Commissioners' bias, prejudice, or personal interest. No challenges were made.

Planning Manager Brooke explained the quasi-judicial procedural requirements of State law.

Senior Planner Henson gave his **presentation**. The proposed improvements include a widened bridge to support two-way travel, ADA-compliant approaches, enhanced safety features, and new abutments located above the high-water mark to improve durability and reduce environmental impacts. Henson reviewed the applicable Waterway Overlay Zone (WOZ) approval criteria, noting that the project is located within riparian corridor, floodplain, and design review subzones. The analysis concluded that the proposal meets applicable standards related to environmental protection, flood hazards, and design compatibility, with mitigation measures such as erosion control, limited tree removal, and riparian restoration. Henson indicated that the project meets applicable approval criteria and recommended approval of the proposal with conditions to ensure compliance with permitting, construction standards, and resource protection requirements.

Commissioner Schnur addressed the design and materials for the proposed bridge. She expressed concern about durability and accessibility, noting the current bridge surface is warped, and emphasized the importance of a smooth surface for users such as pedestrians, cyclists, and individuals using mobility devices. Henson responded that material selection has not yet been finalized but Bend Park and Recreation District (BPRD) will consider public feedback and accessibility needs in the design process.

Schnur sought information on anticipated usage. While specific pedestrian counts for the bridge were not readily available, regional recreation data suggests high and increasing usage, particularly with the popularity of river activities.



Schnur asked about the review process for conditions related to erosion control and stormwater management. Henson clarified that these elements will be addressed administratively through the City's engineering permit review process and will not return to the Planning Commission for further consideration.

Ian Isaacson, landscape architect for BPRD and Mason Lacey, design engineer from Environmental Science Associates (ESA), presented on behalf of the applicant team. They provided additional detail about the project, describing the new bridge design, materials, and construction approach. The bridge will include a weathering steel structure with cedar decking, improved clearance above the river, and anti-jumping cable barriers. The applicant explained that the project is coordinated with nearby Columbia Park improvements to minimize disruption and that most construction impacts will be temporary or underground.

Commissioner Ludden inquired about potential impacts to fish habitat and river conditions below the waterline and asked how the abutment removal will improve river habitat. Isaacson explained that removal of the existing abutments and concrete elements from the river will improve habitat conditions by restoring the river corridor with natural materials such as riprap and vegetation. No new concrete will be placed within the ordinary high-water mark. Lacey further noted that the new bridge will rely on deep foundation systems extending to bedrock well below the riverbed to meet current structural and seismic standards, with these elements located outside the active river channel and not visible upon project completion.

Vice Chair Nelson inquired about wayfinding near the project site, referencing an existing signpost that directs visitors to Drake Park and other destinations. Isaacson indicated that no new wayfinding elements are specifically included in the bridge project; however, broader coordination between the Park District and the City on future improvements to Riverfront Street may incorporate wayfinding signage as part of a larger corridor effort.

Isaacson revisited questions about bridge materials and accessibility. He confirmed that the bridge will utilize weathering steel with cedar decking, consistent with other bridges in the area. Cedar was selected for its durability, resistance to rot, and visual quality. The decking system will allow for relatively easy maintenance or replacement of individual boards and that annual inspections are conducted to ensure continued compliance with accessibility standards. A design consultant specializing in accessibility has also been involved in the project to address long-term usability concerns.

In response to questions about usage, Isaacson reported that while specific pedestrian counts for the bridge are not available, nearby trail counters indicate that this segment of the Deschutes River Trail is the most heavily used in Bend, suggesting high and increasing demand for the crossing.

Commissioner Winters raised concerns about safety measures intended to deter bridge jumping. Isaacson explained that cable systems and fencing are proposed as deterrents,



similar to other bridge locations in Bend. While acknowledging that such measures are not entirely foolproof, anecdotal evidence suggests that these features have reduced jumping activity at comparable sites.

Chair Clinton opened the public testimony portion of the hearing.

Daniel S. provided testimony, expressing concerns about project cost, the necessity of full replacement versus repair, and the effectiveness of anti-jumping features.

The applicant was offered an opportunity to provide rebuttal to the public testimony. Isaacson reported that a structural analysis conducted in 2022 found the existing bridge is not currently unsafe and is expected to remain stable in the near term, although the decking is in need of replacement. However, the timing of the full replacement is being coordinated with the Columbia Park project to avoid duplicative construction impacts and costs, noting that future replacement would otherwise require re-disturbance of recently improved park areas.

Lacey explained that there is limited information regarding the original abutments, which date back to the 1940s, and that these elements may not meet current structural or seismic standards. They noted that unknown foundation depths and unstable soils present risks in the event of seismic activity or erosion, which could compromise the structure over time.

Isaacson provided additional detail regarding project costs, indicating an estimated construction cost of approximately \$1.6 million. A significant portion of this cost is attributed to the need for a deep foundation system.

In response to questions about river access, the previously approved Columbia Park River Access Project will include formalized, accessible entry and exit points along this stretch of river, and that construction is anticipated to begin in mid-October. Staff noted that the bridge replacement is intended to align with these broader improvements and is expected to enhance both accessibility and connectivity along the river corridor.

Chair Clinton closed the public hearing at 6:59 p.m. and the Commissioners deliberated.

Commissioners generally supported the project, citing improved safety, accessibility, and habitat conditions, as well as coordination with other planned improvements.

Commissioner Winters expressed concerns regarding bridge aesthetics and the effectiveness of anti-jumping measures. Commissioner Ludden moved to approve the Waterway Overlay Zone application PLWOZ20260197 for the Gilchrist Pedestrian Bridge Replacement Project, with the findings and conditions provided by staff. The motion was seconded by Commissioner Johannsen. The motion passed on a 6-1 vote, with Commissioner Winters dissenting.

5.2 PLTEXT20250651 - Stevens Ranch Master Plan Amendment



Proposed Bend Development Code Text Amendment to Article XXIV, Stevens Ranch Master Planned Development, to move the location of the General Industrial (IG) Large Lot Overlay to the eastern boundary of the site.

Staff: Karen Swenson, Senior Planner, kswenson@bendoregon.gov

Chair Clinton opened the hearing at 7:13 p.m. and asked the Commission if anyone had pre-hearing contacts, bias, prejudice, or personal interest. The Chair then asked meeting attendees if there was any challenge with respect to Commissioners' bias, prejudgment, or personal interest. No challenges were made.

Planning Manager Brooke explained the quasi-judicial procedural requirements of State law.

Senior Planner Swenson gave her **presentation**. The amendment proposes to relocate the General Industrial Large-Lot (IG-LL) overlay within the existing Stevens Ranch Master Plan area. The applicant is proposing to relocate the IG-Large Lot overlay from its current location near the intersection of SE 27th Street and Ferguson Road to a new location within the eastern portion of the master plan, east of Eubanks Drive. The acreage and requirement for a single contiguous 50-acre site would be maintained, and the underlying General Industrial zoning and Comprehensive Plan designations would remain unchanged. The request is driven by a lack of market interest in the current location for a large lot industrial user. The proposed relocation is intended to better position the site for future large-scale industrial development while allowing smaller-scale industrial uses to develop more feasibly in the original location.

The proposed amendments include updates to multiple Stevens Ranch Master Plan figures and revisions to the Transportation Mitigation Plan to align required infrastructure improvements with the new location of the industrial overlay. Swenson reviewed the applicable approval criteria for a major community master plan amendment under the Bend Development Code, including standards related to consistency with Statewide Planning Goals, the Bend Comprehensive Plan, and master plan requirements. She explained that the amendment does not alter overall land use designations, housing capacity, density, open space, or infrastructure assumptions established under the approved master plan.

Swenson informed the Planning Commission that public comments had been received the day of the hearing from both a private party and the Oregon Department of State Lands. These comments raised several technical concerns related to the proposed amendment, including questions about the configuration and contiguity of the large lot industrial overlay, compliance with statewide planning Goal 9, and transportation-related considerations. The Department of State Lands formally requested a continuance of the hearing to provide additional written comments and allow more time for review of the proposal.

Commissioners acknowledged the request and asked clarifying questions regarding the nature of the concerns raised in these comments. Staff summarized that the issues were



largely technical and related to whether the proposed relocation of the overlay met applicable state planning requirements and criteria.

Tia Lewis, attorney at Schwabe, and Mathew Robinson, land use planner for DOWL, presented on behalf of the applicant team. They presented justification for the amendment, stating that the current overlay location has seen limited interest from users capable of meeting the large lot requirements, while the proposed relocation would free up prime industrial land for smaller-scale development and better support infrastructure investment and job growth. The proposal maintains compliance with applicable planning requirements and does not change the overall function of the master plan.

Lewis summarized concerns raised in public comments and stated that the proposal complies with applicable state rules. She expressed opposition to the continuance request, noting that the application process had been ongoing for several months and asserting that no substantive reason for delay had been provided.

Commissioner Ludden asked a clarifying question regarding the nature of traded sector uses. Robinson explained that these typically include manufacturing, research and development, and other industries that compete in regional, national, or international markets.

Ludden asked about the purpose and effect of relocating the overlay. Lewis explained that the change would allow smaller-scale industrial development to occur sooner in the more accessible western portion of the site, which in turn would help fund infrastructure and accelerate buildout of the master plan. Smaller industrial users are not currently able to develop the eastern portion of the site due to the cost of extending infrastructure and the longer timeline associated with buildout in that area.

Commissioner Johannsen raised concerns about the proposed configuration of the Large Lot site, including whether a less uniform or "irregular" site shape would be less suitable for large-scale industrial development. Lewis responded that large industrial campuses are typically composed of multiple buildings and can be accommodated on sites that are not strictly rectangular, and that internal roadways are common in such developments. Questions were also raised about access and circulation, including how industrial traffic would access major roadways if the overlay were relocated. Lewis stated that access would continue to be provided through the planned street network, including Ferguson Road and the SE 27th Street roundabout.

Commissioner Gressens focused on whether the proposal would improve the likelihood and timing of industrial development and associated infrastructure delivery. Lewis reiterated that the proposal is intended to unlock development opportunities, respond to current market conditions, and accelerate completion of infrastructure necessary to support the broader master plan buildout.

Chair Clinton opened the public testimony portion of the hearing.



Al Szymkowiak Sr. provided testimony in opposition to the proposal, expressing concerns about the location change, potential traffic impacts, and compatibility with nearby residential uses. He questioned whether the proposed configuration would be attractive for industrial development and expressed uncertainty about the types of uses that could occur in the future.

The applicant was offered an opportunity to provide rebuttal to the public testimony. They clarified that the intent of the proposal is to allow smaller-scale industrial and neighborhood-serving uses, such as those described in public testimony, to locate within the more accessible area near SE 27th Street and Ferguson Road.

Following applicant rebuttal, staff provided additional clarification regarding the existing development phasing and infrastructure within the Stevens Ranch Master Plan area.

Commissioners asked staff to further explain how the proposal complies with statewide planning Goal 9 related to economic development. CDD Director Stephens acknowledged that there are differing perspectives regarding the relative desirability of the existing and proposed locations for large lot industrial use. He explained that Goal 9 does not require a specific location for large lot industrial sites, but rather focuses on ensuring adequate acreage for employment uses.

Commissioners asked about the long-term implications of the 10-year large lot requirement. Staff clarified that the requirement expires in 2031, at which point the applicant could pursue amendments to change the designation; however, any such change would require a Comprehensive Plan amendment, Development Code amendment, and associated review process. While future conditions are uncertain, any proposal to modify the large lot designation after the expiration period would be evaluated against updated policy and planning documents.

At the conclusion of discussion, the Commission acknowledged the procedural requirement to grant a continuance upon request. Staff explained that the continued hearing would allow for submission of additional evidence and testimony, and that participants would have an opportunity to provide further input at the resumed hearing. The public hearing on PLTEXT20250651 was continued to July 13, 2026, at 5:30 p.m. with the record remaining open for further testimony.

6. Approval of Minutes:

The Planning Commission approved the **February 23, 2026 and March 9, 2026** meeting minutes.

7. Communications:

7.1. Reports from Planning Commissioners

Commissioner Johannsen mentioned she would not be attending the July 13th meeting. Commissioner Winters reported observing a potential compliance issue related to a prior



Planning Commission decision involving a property within the Waterway Overlay Zone. The case involved artificial turf, which had previously been the subject of a contentious hearing and was required to be removed within a specified timeframe. Staff indicated that the concern would be investigated and followed up internally.

7.2. Report from Planning Manager

Renee Brooke, Planning Manager, provided an update on upcoming Planning Commission meetings and scheduling. The June 22 meeting will be dedicated entirely to a roundtable discussion with Neighborhood District Land Use Chairs. The focus of the discussion will be on neighborhood-serving commercial uses. The July 13 meeting is expected to be a full agenda, with multiple items scheduled for consideration.

7.3. Report from Community Development Director

Colin Stephens, Community Development Director, had nothing to report.

7.4. Report from City Attorney

Ian Leitheiser, City Attorney, had nothing to report.

The meeting was adjourned at 8:34 p.m.

Minutes submitted by Maggie St. Onge.



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