

ORDINANCE NO. NS-2561

AN ORDINANCE OF THE CITY COUNCIL ADOPTING A BINDING CONCEPTUAL PLAN FOR THE CALDERA RANCH SITE BY AMENDING THE COMPREHENSIVE PLAN TEXT AND MAP TO ADOPT POLICIES AND USE DESIGNATIONS; AND EXPANDING THE URBAN GROWTH BOUNDARY.

Findings

- A. In 2024, the Oregon legislature passed Senate Bill 1537 ("SB 1537" or the "2024 Act"), which provides qualifying local governments a one-time option to add up to 100 acres of net residential land to their urban growth boundary ("UGB"). In 2025, the Oregon legislature adopted Senate Bill 28 ("SB 48") amending certain provisions of SB 1537. The process adopted by SB 1537 and SB 48 is intended to bring housing, including affordable housing, online more quickly than would otherwise occur under a typical UGB expansion.
- B. On December 18, 2024, the City adopted Resolution 3411, selecting the Caldera Ranch site, consisting of 93 acres of land south of Knott Road and east of Woodside Road, adjacent to the current City of Bend UGB (the "Caldera Ranch Site"), for inclusion into the UGB under the SB 1537 process. Resolution 3411 required the applicant apply for Comprehensive Plan text and map amendments constituting a binding conceptual plan consistent with the preliminary draft plan and other provisions of Resolution 3411. Following approval of Comprehensive Plan amendments and UGB expansion, a master plan implementing the Comprehensive Plan will be required prior to development of the Caldera Ranch Site.
- C. On June 30, 2025, Woodside Ventures, LLC and Caldera Holdings (together, the "Applicant") submitted applications for a Comprehensive Plan Map Amendment (PLCPMA20250370), a Comprehensive Plan Text Amendment (PLTEXT20250371), and an Urban Growth Boundary (UGB) Expansion (PLUGB20250372) for the Caldera Ranch Site. Together, PLCPMA20250370 and PLTEXT20250371 form the binding conceptual plan for the Caldera Ranch site and are consistent with the requirements of SB 1537 and Resolution 3411.
- D. Resolution 3411 required submission of complete applications for a UGB amendment and Comprehensive Plan text and map amendment by December 18, 2025, unless the time for application was extended by Council by motion. On September 2, 2026, the City Council by motion approved an extension of time for submission of complete applications and accepted the applications as submitted.



- E. The Planning Commission held a public hearing on July 13, 2026, to consider the applications as proposed and issued a recommendation to the City Council to adopt the binding conceptual plan as proposed in PLCPMA20250370 and PLTEXT20250371, in Chapter 11 of the Comprehensive Plan proposed under (including amendments to the Transportation System Plan in Chapter 7) and the comprehensive plan map, and expand the UGB as proposed in PLUGB20250372.
- F. The Bend City Council held a public hearing on September 2, 2026, to consider the application requests and the Planning Commission's recommendation.
- G. By this ordinance, the City adopts the final binding conceptual plan as an amendment to its Comprehensive Plan per SB 1537 Section 55. These applications have been processed as set forth in SB 1537, which includes Council review and approval, as well as opportunities for public comment. Under SB 1537, Section 50, notwithstanding ORS 197.626, this action by the City under the 2024 Act is not a land use decision as defined in ORS 197.015. The UGB Amendment and Comprehensive Plan Text and Map Amendments will be submitted to the Department of Land Conservation and Development (DLCD) for review and issuance of a final order if DLCD finds that the submittal complies with the 2024 Act. Judicial review of their final order may only be initiated by the City or an owner of the Caldera Ranch Site per SB 1537 section 57.
- H. Resolution 3411 anticipated that the process for amending the comprehensive plan and adoption of the conceptual plan would require the applicant to submit its application for annexation of the project site into the City and Master Plan application within two years of the final DLCD Order, unless Council determines otherwise at the time. Applications for annexation and a master plan for the Caldera Ranch Site were submitted to the City on June 29, 2026, and the City Council finds that no additional deadline for submission is necessary at this time.

Ordinance

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

- Section 1.** Chapter 11, Growth Management of the Bend Comprehensive Plan is amended as shown on the attached Exhibit D, as recommended by the Bend Planning Commission.
- Section 2.** The Bend Comprehensive Plan Map is amended as shown on the attached Exhibit E to redesignate land Standard Density Residential, Medium Density Residential, High Density Residential, and Commercial Convenience.
- Section 3.** Together, the text and map amendments to the Bend Comprehensive Plan adopted by Section 1 and Section 2 of this ordinance constitute the binding conceptual plan for the Caldera Ranch site, as required by Senate Bill 1537.



- Section 4.** In addition to the findings set forth above, the City Council adopts and incorporates the findings in Exhibit C.
- Section 5.** Following adoption of the binding conceptual plan as described in Section 1 and Section 2 of this ordinance, the Bend Urban Growth Boundary is amended to add the area described and shown on the attached Exhibits A and B and the Bend Comprehensive Plan, Chapter 1, Plan Management and Citizen Involvement, Chapter 7, Transportation Systems, Chapter 11, Growth Management, and Appendix C, Transportation System Plan, are amended as shown on the attached Exhibit F.
- Section 6.** Section 1 and Section 2 of this ordinance adopting a binding conceptual plan take effect when approved on review by the Department of Land Conservation and Development pursuant to Section 57 of SB 1537. If the amendments made by this ordinance or any section are partially approved, those portions that are approved become effective on approval. Section 5 of this ordinance expanding the urban growth boundary takes effect following approval by the Department of Land Conservation and Development.
- Section 7.** 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 8.** All other provisions of the Bend Comprehensive Plan are unchanged by this ordinance and remain in effect.

First Reading

September 2, 2026

Second Reading

September 16, 2026

Adoption by Roll Call Vote

Yes: Kebler, Franzosa, Méndez, Norris, Platt, Riley

No:

Melanie Kebler, Mayor



Attest:

Ashley Bontje

Ashley Bontje, City Recorder

Approved as to form:

Ian M. Leitheiser

Ian Leitheiser, City Attorney



AKS ENGINEERING & FORESTRY

2777 NW Lolo Drive, Suite 150, Bend, OR 97703

P: (541) 317-8429

AKS Job #9013

EXHIBIT A

UGB Amendment Description

A tract of land located in the Northeast Quarter of Section 21, Township 18 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, being more particularly described as follows:

Beginning at the southwest corner of Lot 11 of "Brightenwood Estates IV", recorded July 30, 1980, as Instrument Number 1980-00029, Deschutes County Official Records, located on the easterly right-of-way line of Woodside Road (30.00 feet from centerline); thence along the southerly line of said plat, North 72°31'55" East 454.06 feet to the easterly line of said plat; thence along said easterly line, North 00°14'29" East 609.55 feet to the southerly right-of-way line Knott Road (20.00 feet from centerline), per Deschutes County Commissioner's Journal 1, Page 375; thence along said right-of-way line on the following courses: on a non-tangent curve to the right, with a Radius of 1412.63 feet (Radius Point bears South 11°44'58" East), a Central Angle of 11°22'09", an Arc Length of 280.31 feet, and a Chord of North 83°56'06" East 279.85 feet; thence North 89°37'11" East 1021.97 feet to the easterly line per Dedication Deed, recorded March 18, 1985, as Instrument Number 1985-03885, Deschutes County Official Records; thence continuing along said southerly right-of-way line (varying in width from centerline) and continuing along the westerly line of "Skylandia", recorded July 23, 1975, as Instrument Number 1975-00011, Deschutes County Official Records, South 00°15'05" West 2212.68 feet to the northerly line of Major Land Partition 79-2, recorded May 22, 1979, as Instrument Number 1979-31759, Deschutes County Official Records; thence along said northerly line and continuing along the northerly line of Instrument Number 2012-11687, recorded March 30, 2012, Deschutes County Official Records, North 89°56'16" West 1736.92 feet to said easterly right-of-way line; thence along said easterly right-of-way line, South 00°25'47" West 49.24 feet to the northerly line of "Woodside Ranchettes", recorded April 10, 1978, as Instrument Number 1978-00027, Deschutes County Official Records; thence along said northerly line, North 89°56'16" West 444.93 feet to the easterly line of "Brightenwood Estates II" recorded January 18, 1978, as Instrument Number 1978-00100, Deschutes County Official records; thence along said easterly line and continuing along the easterly line of "Brightenwood Estates", recorded August 2, 1977, as Instrument Number 1977-00033, Deschutes County Official Records, North 00°25'16" East 1212.60 feet to the southerly right-of-way line of Brightenwood Lane (30.00 feet from centerline); thence along said southerly right-of-way line and its easterly prolongation, South 89°34'44" East 445.10 feet to said easterly right-of-way line; thence along said easterly right-of-way line, North 00°25'47" East 268.03 feet to the Point of Beginning.

The above tract of land contains 93.13 acres more or less.

The basis of bearings for this description are based on the Central Oregon Coordinate System.

3/12/2020

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Signature

OREGON
MAY 11, 2021
JACOB ALLEN CARSON
94570PLS

RENEWS: 12/31/27

A TRACT OF LAND LOCATED IN THE NE 1/4 OF
SEC. 21, T18S, R12E, W.M.,
DESCHUTES COUNTY, OREGON



CURVE TABLE

SCALE: 1" = 500 FEET



500 0 100 250 500

RENEWS: 12/31/27

AKS

9013

B

EXHIBIT C

STAFF REPORT AND DRAFT FINDINGS



CITY OF BEND

COMMUNITY
DEVELOPMENT

PROJECT NUMBERS:	PLCPMA20250370 (Comprehensive Plan Map Amendment) PLTEXT20250371 (Comprehensive Plan Text Amendment) PLUGB20250372 (Urban Growth Boundary Expansion)
HEARING DATE:	September 2, 2026 at 6:00 p.m. City of Bend Council Chambers (hybrid) 710 NW Wall Street, Bend, OR 97703
REPORT DATE:	August 24, 2026
APPLICANT/ OWNER:	Woodside Ventures PO Box 7695 Bend, OR 97708
AGENT:	AKS Engineering Attn: Joey Shearer 2777 NW Lolo Drive Bend, OR 97703
PROJECT LOCATION:	Tax Lot 200 on Deschutes County Assessor's Map 18-12-21-00 (60650 Woodside Drive) and Tax Lot 300 on Deschutes County Assessor's map 18-12-21-00 (No Situs Address); south of Knott Road and west of Tekampe Road.
REQUESTS:	<u>PLCPMA20250370</u>: A Quasi-Judicial Comprehensive Plan Map Amendment to designate ±93 acres of the Caldera Ranch development as Standard Density Residential, Medium Density Residential, High Density Residential and Commercial Convenience. <u>PLTEXT20250371</u>: A Quasi-Judicial Comprehensive Plan Text Amendment to establish Comprehensive Plan Policies for development of the Caldera Ranch Concept Plan, including amendments to the Transportation System Plan in Chapter 7. <u>PLUGB20250372</u>: A ±93-acre Urban Growth Boundary expansion for Caldera Ranch pursuant to Senate Bill 1537 (2024) as amended by Senate Bill 48 (2025).



Type III-CC Quasi-Judicial Applications (Planning Commission recommendation to the City Council)

STAFF:

Michelle Patrick, AICP, Associate Planner
(541) 788-5562; mpatrick@bendoregon.gov

Joe Giannetto; Engineering Associate
(541) 323-8553; jgiannetto@bendoregon.gov

REVIEW PROCEDURES:

Senate Bill 1537 (2024)

Sections 48 – 60

Bend Development Code (BDC) – Version effective date 6/6/25

Chapter 4.1, Development Review and Procedures

APPROVAL CRITERIA:

Senate Bill 1537 (2024)

Sections 48 – 60

Senate Bill 48 (2025 - revising Senate Bill 1537)

Sections 4-8

Oregon Administrative Rules

Chapter 660 Division 15, Statewide Planning Goals and Guidelines

City of Bend Resolution No. 3411

Bend Development Code (BDC) – Version effective date 6/6/25

Chapter 4.6, Land Use District Map and Text Amendments

Chapter 4.7, Transportation Analysis

Bend Comprehensive Plan Policies

Chapter 2, Natural Features and Open Space

Chapter 3, Community Connections

Chapter 5, Housing

Chapter 6, Economy

Chapter 7, Transportation

Chapter 8, Public Facilities,

Chapter 9, Community Appearance,

Chapter 10, Natural Forces

Chapter 11, Growth Management

FINDINGS OF FACT:

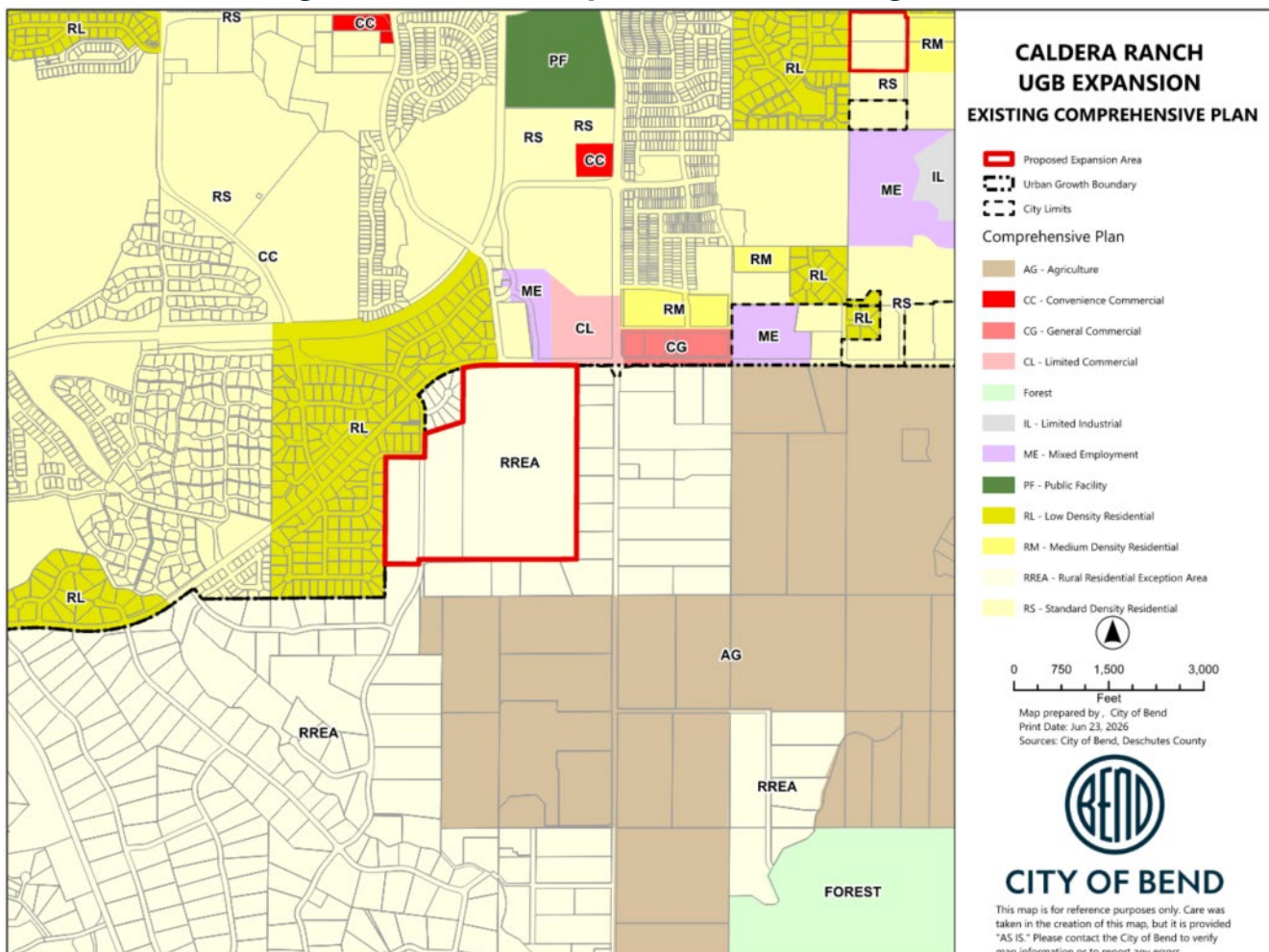
1. **LOCATION:** The site consists of two Tax lots: Tax Lot 200 on Deschutes County Assessor's Map 18-12-21-00 (60650 Woodside Drive) and Tax Lot 300 on Deschutes County Assessor's map 18-12-21-00 (No Situs Address).
2. **ZONING AND PLAN DESIGNATION:** The site is outside the City of Bend's City Limits and Urban Growth Boundary (UGB) and is instead within the jurisdiction of Deschutes County. The site is designated Rural Residential Exception Area (RREA) and zoned Multiple Use Agriculture (MUA10).
3. **SITE DESCRIPTION AND SURROUNDING USES:** The site abuts the City of Bend's UGB to the north and is just south of Knott Road (minor arterial). Surrounding properties to the east, south, and northwest are within Deschutes County. These properties are designated RREA, zoned MUA10, and are developed with a variety of rural residential and agricultural uses. Except for properties located off Radcliff Circle (located in Deschutes County), properties to the west are within the City of Bend's City Limits and UGB, zoned and designated Low Density Residential and developed primarily with single-unit detached dwellings. The western portion of the subject property is bisected by Woodside Road, which runs north-south, connecting Knott Road to rural residential lands in Deschutes County further south.

Figure 1: 2026 Aerial Imagery of Subject Property with UGB/City Limits



Tax lot 200 is the site of a former cinder cone previously mined between the 1940s and the 1970s. According to the Oregon Department of Geology and Mineral Industries, the site has been voluntarily reclaimed and the site remains vacant. Tax lot 300 to the west has never been developed and is also vacant. According to the applicant's narrative, the property is characterized by slopes typically less than eight percent and existing vegetation is typical of southeast Bend, including juniper trees, sagebrush, and bitterbrush. No water rights exist on the property, and it is not irrigated. An existing Avion water transmission main runs north-south through the center of the property and east-west along the south side of Knott Road as shown on the existing conditions plan included on page 2 in Exhibit B (of the submitted materials uploaded by the applicant in the project files). The submitted title report indicates both sections of Avion water lines are contained within easements (Document 1977-2600488 and Document 1999-12943).

Figure 2: Current Comprehensive Plan Designation



4. PROPOSAL: The applicant's proposal includes three requests:

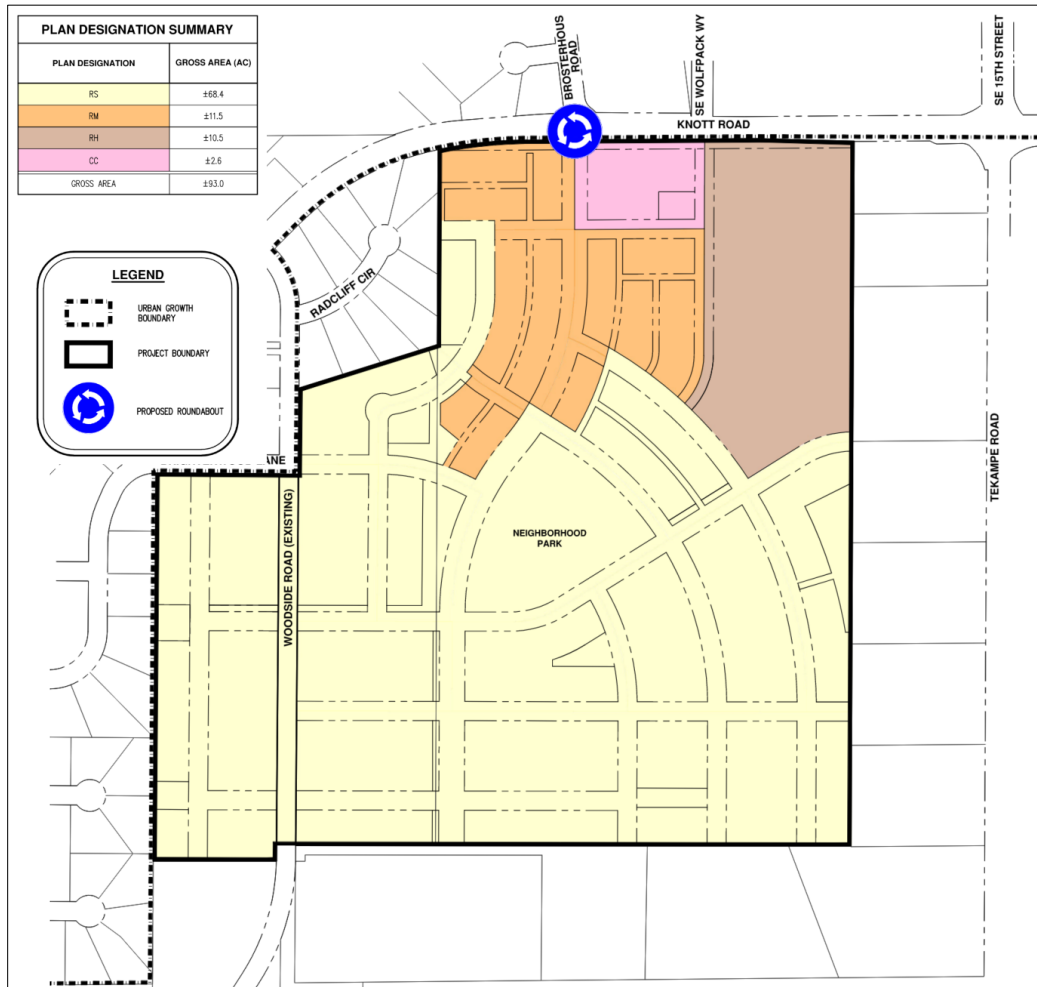
PLCPMA20250370: A Quasi-Judicial Comprehensive Plan Map Amendment to designate ±93 acres of the Caldera Ranch development as Standard Density Residential (RS – ±68.5 acres); Medium Density Residential (RM – ±11.5 acres); High Density Residential (±10.5 acres);

acres); Commercial Convenience (± 2.6 acres).

PLTEXT20250371: A Quasi-Judicial Comprehensive Plan Text Amendment to establish Comprehensive Plan Policies for development of the Caldera Ranch Concept Plan, including amendments to the Transportation System Plan in Chapter 7.

PLUGB20250372: A ± 93 -acre UGB expansion for Caldera Ranch pursuant to Senate Bill 1537 (2024) as amended by Senate Bill 48 (2025).

Figure 3: Proposed Comprehensive Plan Designations (Standard Density Residential, Medium Density Residential, High Density Residential, and Commercial Convenience)

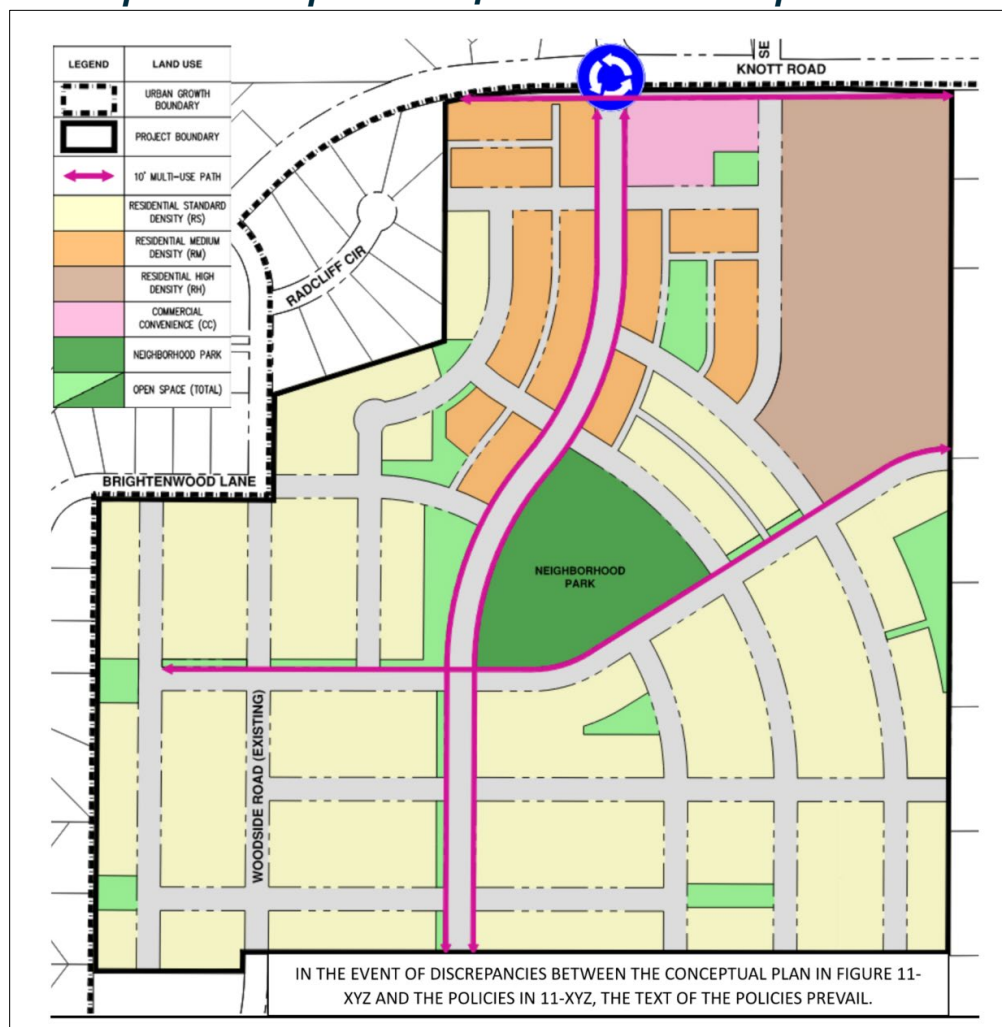


- 5. BACKGROUND:** In 2024, the state legislature passed Senate Bill 1537 (later amended under Senate Bill 48 in 2025), which provides qualifying local governments a one-time option to add up to 100 net residential acres to their Urban Growth Boundary (UGB) through a more streamlined process. SB 1537 was approved as an alternative UGB expansion process created with the intention of bringing affordable housing online more quickly than would otherwise be allowed with a typical UGB expansion process. Any land added to the city through SB 1537 requires a minimum of 30% of housing units to be deed-restricted Affordable Housing, and include provisions for minimum net density, housing types,

commercial lands, open space, and a well-connected transportation network. SB 1537 directed cities to solicit site applications which included an accompanying concept plan; on June 20, 2024, the Bend City Council directed staff to proceed with requesting site applications. Two submissions were received, and an online open house was held for the public to review the site proposals and provide input. The City Council held a public hearing on December 4, 2024, and selected the Caldera Ranch site as eligible to move forward with the UGB expansion application process; this decision was formalized by Resolution 3411 on December 18, 2024, at a public City Council meeting. Resolution 3411 and SB 1537 and SB 48 are included in the record; compliance with each are addressed in further detail below.

The applications were presented at a Planning Commission public hearing on July 15, 2026. After the close of the hearing, the Planning Commission deliberated and voted to forward the proposed amendments to the City Council with a recommendation for approval. Public Testimony received during the Planning Commission hearing largely pertained to the submitted Transportation Impact Analysis (and subsequent mitigation requirements) as well as wildfire risk.

Figure 4: Proposed Conceptual Plan for Inclusion in Comprehensive Plan Policies





- 6. PUBLIC NOTICE AND COMMENTS:** Under SB 1537, Section 50, notwithstanding ORS 197.626, an action related to these applications by the City is not a land use decision as defined in ORS 197.015. Nonetheless, these applications closely follow the public notice process required for a typical Type III-CC Quasi-Judicial Application (Planning Commission recommendation to the City Council).

In accordance with BDC 4.1.215, the applicant held a virtual neighborhood public meeting via Zoom on May 29, 2025. Approximately 10-15 people attended, including the designated representative of the Southeast Bend Neighborhood District at that time. Attendees inquired about the process, asked questions regarding whether notice to the Old Farm District was required, location and buffering of uses, wildfire risk and mitigation, phasing, traffic, tree protection, dust and noise mitigation, and home prices and affordability.

On June 23, 2026, the Planning Division mailed notice of the Planning Commission 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 Southeast Bend and Old Farm Neighborhood Districts. Nine "Proposed Development" signs were also posted on the site on June 23, 2026. Seven written comments were submitted either prior to or at the Planning Commission hearing. Verbal testimony was also provided.

On August 11, 2026, the Planning Division mailed notice of the City 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 Southeast Bend and Old Farm Neighborhood Districts. Nine "Proposed Development" signs were also posted on the site on August 13, 2026. As of August 21, 2026, a total of 26 written public comments since the application was initially noticed on June 23, 2026.

A notice to the Department of Land Conservation and Development (DLCD) was provided on June 1, 2026, more than the required 35 days prior to the first public hearing. Notices were also sent to participating City Departments and other affected agencies for comment. The agency comments and recommendations that the Planning Division received in response are contained in the project files and were considered in this staff report.

- 7. APPLICATION ACCEPTANCE DATE:** PLCPMA20250370, PLTEXT202506371, and PLUGB20250372 were submitted on June 30, 2025. Pursuant to SB 1537 and BDC 4.1.413, the applications are not subject to a 120-day statutory review period.
- 8. RECORD:** The documents in CityView for PLCPMA20250370, PLTEXT202506371, and PLUGB20250372 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 respective project number in the search bar to find the project.



- 9. RELATED APPLICATIONS:** Applications for Annexation (PLANX20260327) and a Major Master Plan (PLSPD20260328) were submitted to the City on June 29, 2026. These applications will be reviewed for compliance once the subject site is within the City of Bend UGB. The applicant has also filed for a Plan Amendment Zone Change with Deschutes County (247-25-000428-PA and 247-25-000429-ZC) to amend the UGB and rezone the site Urbanizable Area (UA).

FINDINGS REGARDING COMPLIANCE WITH APPLICABLE CRITERIA:

SENATE BILL 1537 (2024) & SENATE BILL 48 (2025)

ONE-TIME SITE ADDITIONS TO URBAN GROWTH BOUNDARIES

SECTION 48. Sections 49 to 59 of this 2024 Act are added to and made a part of ORS chapter 197A.

SECTION 49. Definitions. As used in sections 49 to 59 of this 2024 Act:

(1) “Net residential acre” means an acre of residentially designated buildable land, not including rights of way for streets, roads or utilities or areas not designated for development due to natural resource protections or environmental constraints.

~~(2) “Site” means a lot or parcel or contiguous lots or parcels, or both, with or without common ownership.~~

Amended by Senate Bill 48 (2025) to read:

(2) “Site” means a lot or parcel or any combination of lots and parcels that are contiguous or separated from one another by a street or road with or without common ownership.

SECTION 50. City addition of sites outside of Metro.

(1) Notwithstanding any other provision of ORS chapter 197A, a city outside of Metro may add a site to the city’s urban growth boundary under sections 49 to 59 of this 2024 Act, if:

(a) The site is adjacent to the existing urban growth boundary of the city or is separated from the existing urban growth boundary by only a street or road;

FINDING: The site, consisting of Tax lots 00200 and 00300 on Deschutes County’s Assessor’s map 18122100, is adjacent to the existing Urban Growth Boundary (UGB) to the west, where it abuts Brightenwood Estates subdivision (Phases I, II, and V). The site is also separated from the existing UGB to the north by Knott Road, a minor arterial. Therefore, this requirement is met.

(b) The site is:

(A) Designated as an urban reserve under ORS 197A.230 to 197A.250, including a site whose designation is adopted under ORS 197.652 to 197.658;

(B) Designated as non-resource land; or



(C) Subject to an acknowledged exception to a statewide land use planning goal relating to farmland or forestland;

FINDING: The site is currently under the jurisdiction of Deschutes County, where it is designated as Rural Residential Exception Area (RREA) and Zoned Multiple Use Agriculture (MUA-10). As documented in the Deschutes County Comprehensive Plan and Map Amendment and Zone Change applications filed by the applicant under 247-23-000547-PA and 247-23-000548-ZC, this designation and zoning are not subject to Statewide Planning Goal 3 (Agricultural Lands) or Statewide Planning Goal 4 (Forest Lands) and are therefore non-resource land in Deschutes County. Therefore, this requirement is met.

(c) The city has not previously adopted an urban growth boundary amendment or exchange under sections 49 to 59 of this 2024 Act;

FINDING: The City of Bend has not previously adopted an UGB amendment or exchange under sections 49 to 50 of this 2024 Act.

(d) The city has demonstrated a need for the addition under section 52 of this 2024 Act;

FINDING: This requirement is addressed and found to be satisfied under section 52, below.

(e) The city has requested and received an application as required under sections 53 and 54 of this 2024 Act;

FINDING: This requirement is addressed and found to be satisfied under section 53, below.

(f) The total acreage of the site:

(A) For a city with a population of 25,000 or greater, does not exceed 100 net residential acres; or

(B) For a city with a population of less than 25,000, does not exceed 50 net residential acres; and

FINDING: The City of Bend has a population that exceeds 25,000; therefore, the site is required to not exceed 100 net residential acres. The total gross acreage for the entire site as shown in the conceptual plan is approximately 91.4 acres (93 acres when including existing public Woodside Road). The total proposed net residential acres do not exceed 55.9 acres, meeting the requirement of this section.

(g) (A) The city has adopted a binding conceptual plan for the site that satisfies the requirements of section 55 of this 2024 Act; or

(B) The added site does not exceed 15 net residential acres and satisfies the requirements of section 56 of this 2024 Act.

FINDING: Under Resolution 3411, the Bend City Council adopted a draft conceptual plan for the site. A binding conceptual plan has been submitted under PLTEXT20250371 and PLCPMA20250370 and is being adopted by City Council with this action. Compliance of the



concept plan with section 55 is addressed and found to be satisfied as discussed in the findings below.

(2) A county shall approve an amendment to an urban growth boundary made under this section that complies with sections 49 to 59 of this 2024 Act and shall cooperate with a city to facilitate the coordination of functions under ORS 195.020 to facilitate the city's annexation and the development of the site. The county's decision is not a land use decision.

(3) Notwithstanding ORS 197.626, an action by a local government under sections 49 to 59 of this 2024 Act is not a land use decision as defined in ORS 197.015.

FINDING: The City of Bend has met with the applicant and Deschutes County staff to coordinate the development of the site in compliance with the requirements of SB 1537. The applicant submitted a Comprehensive Plan Map Amendment and Zone Change applications to Deschutes County filed under 247-25-000428-PA and 247-25-000429-ZC to amend the UGB and rezone the site to Urbanizable Area (UA), indicating the applicant's understanding of the process. The City of Bend acknowledges that neither Deschutes County's decision, nor the City of Bend's decision on the requested UGB expansion, is a land use decision.

SECTION 51. Petition for additions of sites to Metro urban growth boundary.

FINDING: This section is not applicable to the City of Bend.

SECTION 52. City demonstration of need.

A city may not add, or petition to add, a site under sections 49 to 59 of this 2024 Act, unless:

(1) The city has demonstrated a need for additional land based on the following factors:

- (a) (A) In the previous 20 years there have been no urban growth boundary expansions for residential use adopted by a city or by Metro in a location adjacent to the city; and**
- ~~**(B) The city does not have within the existing urban growth boundary an undeveloped, contiguous tract that is zoned for residential use that is larger than 20 net residential acres; or**~~

Amended by Senate Bill 48 (2025) to read:

- (B) The city does not have within the existing urban growth boundary a tract that:**
 - (i) Is larger than 20 net residential acres;**
 - (ii) Is undeveloped; and**
 - (iii) Consists of one or more lots or parcels with or without common ownership and that abut each other or are separated by only a street or a road; or**



- (b) **Within urban growth boundary expansion areas for residential use adopted by the city over the previous 20 years, or by Metro in locations adjacent to the city, 75 percent of the lands either:**

(A) Are developed; or

(B) Have an acknowledged comprehensive plan with land use designations in preparation for annexation and have a public facilities plan and associated financing plan.

FINDING: The City of Bend has demonstrated a need for additional land based on compliance with section 52(1)(b). At the time of site selection, of the UGB expansion areas for residential use adopted by the City over the previous 20 years, 82.9% (1468.9 of the 1770.9 acres) of these lands were developed or had an acknowledged comprehensive plan with land use designations in preparation for annexation and a public facilities plan and associated financing plan.

(2) The city has demonstrated a need for affordable housing, based on:

(a) Having a greater percentage of severely cost-burdened households than the average for this state based on the Comprehensive Housing Affordability Strategy data from the United States Department of Housing and Urban Development; or

(b) At least 25 percent of the renter households in the city being severely rent burdened as indicated under the most recent housing equity indicator data under ORS 456.602 (2)(g).

Amended by Senate Bill 48 (2025) to include:

(3) The evaluation of the demonstrations required under this section and the evaluation of criteria in an application under sections 49 to 59, chapter 110, Oregon Laws 2024, must be based on the evidence, data and factors as of the time a public notice is issued under section 53 (1), chapter 110, Oregon Laws 2024.

FINDING: The City has demonstrated a need for affordable housing based on compliance with section 52(2)(a). At the time of the site selection in 2024, of the 40,160 households in the City of Bend, 6,010 (or 14.96%) were severely cost-burdened compared to the state average of 14.49% (240,420 of Oregon's 1,658,090 households). These figures are based on 2017-2021 American Community Survey Comprehensive Housing Affordability Strategy (CHAS) data from the United States Department of Housing and Urban Development (HUD).

For context, based on the City of Bend's Draft 2024 Oregon Housing Needs Analysis estimates, the City will need 31,833 additional housing units over the next 20 years. Of those units, 19,975 will need to be affordable to households earning 120% of the Area Median Income (AMI) or less.

The public notice for solicitation of site applications under section 53 (1), chapter 110, Oregon Laws 2024 was issued on August 8, 2024 and the evaluation of the demonstrations required under this section and the evaluation of criteria in an application under sections 49 to 59,



chapter 110, Oregon Laws 2024, are based on the evidence, data and factors as of the time said notice was issued.

SECTION 53. City solicitation of site applications.

- (1) Before a city may select a site for inclusion within the city's or Metro's urban growth boundary under sections 49 to 59 of this 2024 Act, a city must provide public notice that includes:**
- (a) The city's intention to select a site for inclusion within the city's urban growth boundary.**
 - (b) Each basis under which the city has determined that it qualifies to include a site under section 52 of this section.**
 - (c) A deadline for submission of applications under this section that is at least 45 days following the date of the notice.**
 - (d) A description of the information, form and format required of an application, including the requirements of section 55 (2) of this 2024 Act.**

FINDING: The City of Bend issued a notice of solicitation of site applications for inclusion in the UGB in the Bend Bulletin, on August 8, 2024. The notice provided a statement of how the City of Bend qualifies under the requirements of section 52 above, and included a deadline of October 14, 2024, providing 67 days for submittal. The notice included the minimum application submittal requirements for site selection, meeting the requirements of section 55, including submittal of a conceptual plan. The City received two complete site applications meeting the minimum requirements (filed under CityView records PLCITY20240560 and PLCITY20240575).

(2) A copy of the notice of intent under this section must be provided to:

- (a) Each county in which the city resides;**
- (b) Each special district providing urban services within the city's urban growth boundary;**
- (c) The Department of Land Conservation and Development; and**
- (d) Metro, if the city is within Metro.**

FINDING: The City issued notices of intent under this section to DLCD on August 7, 2024 and to Deschutes County and special districts providing urban services in the Bend UGB on August 8, 2024. Additionally, on October 17, 2024, the City provided notice to urban service providers, special districts, and Deschutes County of the opportunity to consult with and provide written comment to the City as required under this section. Staff coordinated and/or met with Oregon Department of Transportation (ODOT), Deschutes County, Bend Parks and Recreation District (BPRD), the Department of Land Conservation and Development (DLCD), and Avion Water Company, Inc., to receive feedback on the two submitted proposals. The preliminary comments



received from external agencies are included in the application files PLCITY20240560 and PLCITY20240575.

SECTION 54. City review of site applications.

- (1) After the deadline for submission of applications established under section 55 of this 2024 Act, the city shall:**
- (a) Review applications filed for compliance with sections 49 to 59 of this 2024 Act.**
 - (b) For each completed application that complies with sections 49 to 59 of this 2024 Act, provide notice to the residents of the proposed site area who were not signatories to the application.**
 - (c) Provide opportunities for public participation in selecting a site, including, at least:**
 - (A) One public comment period;**
 - (B) (i) One meeting of the city's planning commission at which public testimony is considered;**
 - (ii) One meeting of the city's council at which public testimony is considered; or**
 - (iii) One public open house; and**
 - (C) Notice on the city's website or published in a paper of record at least 14 days before:**
 - (i) A meeting under subparagraph (B) of this paragraph; and**
 - (ii) The beginning of a comment period under subparagraph (A) of this paragraph.**

FINDING: Upon receipt of applications submitted by the deadline of October 14, 2024, applications were reviewed for compliance with the minimum requirements set forth under SB 1537. Notice was mailed to owners and residents of the selected sites on November 7, 2024. The City provided opportunities for public participation in selecting a site, including a public comment period and a public meeting of the Bend City Council on December 4, 2024, at which public testimony was considered consistent with section 54(1)(c). Notice for the public hearing was also provided on the City of Bend's website and published in the Bend Bulletin on November 10, 2024, and November 17, 2024. Additionally, the City conducted a public online open house and survey beginning on November 1, 2024, which remained open until the opening of the public hearing on December 4, 2024. A summary of the comments submitted via the online open house was presented to council at the December 4 public hearing. A summary of public comments received at the December 4, 2024, public hearing was uploaded to both application files PLCITY20240560 and PLCITY20240575. The opportunities for input and public comment exceeded the minimum requirements for public participation.

- (d) Consult with, request necessary information from and provide the opportunity for written comment from:**



- (A) The owners of each lot or parcel within the site;**
- (B) If the city does not currently exercise land use jurisdiction over the entire site, the governing body of each county with land use jurisdiction over the site;**
- (C) Any special district that provides urban services to the site; and**
- (D) Any public or private utility that provides utilities to the site.**

FINDING: As stated above under section 53(2), on October 17, 2024, the City provided notice to owners of each lot or parcel within the site, Deschutes County, special districts, and urban service providers, and public and private utility providers of the opportunity to consult with and provide written comment to the City as required under this section. Staff coordinated and/or met with ODOT, Deschutes County, BPRD, DLCD, and Avion Water to receive feedback on the proposals. Staff communicated with applicants and owners who were provided the opportunity to discuss the two proposals as needed.

(2) An application filed under this section must:

- (a) Be completed for each property owner or group of property owners that are proposing an urban growth boundary amendment under sections 49 to 59 of this 2024 Act;**
- (b) Be in writing in a form and format as required by the city;**
- (c) Specify the lots or parcels that are the subject of the application;**
- (d) Be signed by all owners of lots or parcels included within the application; and**
- (e) Include each owner's signed consent to annexation of the properties if the site is added to the urban growth boundary.**

FINDING: Both site applications were submitted in compliance with this section; required documentation was uploaded to respective application files PLCITY20240560 and PLCITY20240575. All owners of properties within both sites authorized the submittal of applications.

(3) If the city has received approval from all property owners of such lands, in writing in a form and format specified by the city, the governing body of the city may select an application and the city shall adopt a conceptual plan as described in section 55 of this 2024 Act for all or a portion of the lands contained within the application.

FINDING: As indicated above, the owner of the owner Caldera Ranch site authorized the submittal of the application. At the December 4, 2024, City Council meeting, Council passed a motion selecting the Caldera Ranch Site (PLCITY20240575) and the accompanying draft concept plan as the site application that qualifies for a one-time UGB expansion under SB 1537. This motion was formalized on December 18, 2024, under Resolution 3411. The City will adopt the conceptual plan, as described in section 55, for all lands contained within the application through application numbers PLCPMA20250370 (Comprehensive Plan Map Amendment), PLTEXT20250371 (Comprehensive Plan Text Amendment), and PLUGB20250372 (Urban Growth

Boundary Expansion).

(4) A conceptual plan adopted under subsection (3) of this section must include findings identifying reasons for inclusion of lands within the conceptual plan and reasons why lands, if any, submitted as part of an application that was partially approved were not included within the conceptual plan.

FINDING: The staff report and findings outline the reasons for inclusion of all of the lands within the conceptual plan area into the City's Comprehensive Plan and UGB through PLCPMA20250370 (Comprehensive Plan Map Amendment), PLTEXT20250371 (Comprehensive Plan Text Amendment), and PLUGB20250372 (Urban Growth Boundary Expansion). The conceptual plan submitted as part of this application are substantially consistent with the conceptual plan submitted with PLCITY20240575, which was selected as the site that qualifies for a one-time UGB expansion under SB 1537.

The site is comprised of Tax Lot 200 on Deschutes County Assessor's Map 18-12-21-00 (60650 Woodside Drive) and Tax Lot 300 on Deschutes County Assessor's map 18-12-21-00, lands both designated RREA and zoned MUA-10 in Deschutes County, and together total approximately ±93 acres, just under the maximum outlined in section 50(1)(f). These lands meet the requirements as stated under section 50(1)(a) and 50(1)(b) of SB1537; both properties are adjacent to the urban growth boundary and designated as non-resource land. As described in detail in the submitted narrative uploaded to all three current project files (PLCPMA20250370, PLTEXT20250371, PLUGB20250372), a significant portion of the site was previously vetted for inclusion in the City of Bend's 2016 UGB Expansion process but ultimately excluded as Tax Lot 300 was inventoried as a Statewide Goal 5 aggregate resource at the time, a classification which has since been removed from the property. The applicant's narrative further described the site as ideal for inclusion in the UGB as it does not abut any Exclusive Farm Use (EFU) zoned land, but rather other MUA-10 zoned lands, which provides a natural transition to farmland further south and east. The site is situated just south of Knott Road, which abuts Caldera High School to the north, and the Easton Master Plan commercially-zoned lands are located to the northeast. The two Tax Lots are currently vacant, not irrigated, and do not have water rights. Water and sewer are readily available for the site: an existing Avion Water transmission main runs from the southern property boundary to Knott Road, and additional Avion transmission mains are in Knott Road along the property frontage. Existing Avion wells are located less than ±150-feet from the southeastern corner of the property, reducing timing and dependency concerns with improvements required for other developments. The natural grade of the site makes gravity sewer possible, avoids the need for pump stations, and directs flow to a future sewer connection in Knott Road. The public hearing on December 4, 2024, (documented in PLCITY20240575) further substantiates the reasons the lands in the Caldera Ranch site were included in the concept plan. This provision is found to be satisfied.

SECTION 55. Conceptual plan for added sites.

(1) As used in this section:



(a) “Affordable units” means residential units described in subsection (3)(f)(A) or (4) of this section.

(b) “Market rate units” means residential units other than affordable units.

(2) Before adopting an urban growth boundary amendment under section 50 of this 2024 Act or petitioning Metro under section 51 of this 2024 Act, for a site larger than 15 net residential acres, a city shall adopt a binding conceptual plan as an amendment to its comprehensive plan.

FINDING: The Bend City Council is adopting a binding conceptual plan as Comprehensive Plan Text and Map amendments submitted under PLTEXT20250371 and PLCPMA20250370, and, subject to that concept plan, adopting a UGB amendment submitted under PLUGB20250372. Based on the order of operations in the adopting ordinance, this requirement will be met.

(3) The conceptual plan must:

(a) Establish the total net residential acres within the site and must require for those residential areas:

(A) A diversity of housing types and sizes, including middle housing, accessible housing and other needed housing;

FINDING: As outlined in the applicant’s submitted narrative uploaded to all three current project files (PLCPMA20250370, PLTEXT20250371, PLUGB20250372), the concept plan includes ±55.9 net residential acres within the site, providing a diversity of housing types including middle housing, accessible housing, and other needed housing. Figure 5 below, prepared by the applicant, summarizes the proposed housing types, and Figure 6 compares these figures to the housing mix identified in the City of Bend’s 2016 Housing Needs Analysis (HNA). These tables are also included on page 13 of the submitted narrative.

Figure 5 (below): Housing Mix Summary

HOUSING TYPE	TOTAL UNITS	NET AREA (AC)	NET DENSITY (UNITS/AC)	30% AMI	80% AMI	130% AMI	TOTAL AFFORDABLE
Single-Unit Detached Homes	±366	±39.2	±9.3	±0	±0	±10	±10
Townhomes	±120	±7.1	±16.9	±0	±0	±14	±14
Multi-Unit Homes	±230	±9.6	±22.3	±38	±192	±0	±230
TOTAL	±716	±55.9	±12.5	±38	±192	±24	±254

Figure 6 (below): Proposed Housing Mix compared to City’s 2016 Housing Needs Analysis



HOUSING TYPE	TOTAL UNITS	PERCENT	HNA PERCENT 2014-2028
Single-Unit Detached Homes	±366	±51	55
Townhomes	±120	±17	10
Multi-Unit Homes	±230	±32	35
TOTAL	±716	±100	±100

FINDING (continued from above): As proposed, ±51 percent of the total units will be single unit detached, ±17 percent will be townhomes, and ±32 percent will be multi-unit; this housing mix is consistent with the housing mix proposed by the applicant during the site selection process and adopted under Resolution 3411. As shown in Table 2 above, the proposed mix includes a higher percentage of townhomes than what was identified as being needed in the 2016 HNA, but townhomes provide a middle-housing type, which is specifically identified in SB 1537. Accessible housing is required by section 55(3)(a)(A) of this bill; multi-unit dwellings will be required to include accessible housing and addressed in future land use reviews. The applicant's narrative states that a variety of unit sizes and bedroom-counts are anticipated, and will likely depend on market conditions like interest rates, construction costs, and consumer demand. However, if trends continue, single unit homes are anticipated to contain 3-4 bedrooms and range in size from ±1,800 to ±2,800 square feet, townhomes are anticipated to contain 2-3 bedrooms and range in size from ±1,000 to ±1,600 square feet, and multi-unit homes would contain 1-3 bedrooms. The range in square footage was not provided for multi-unit dwellings.

The applicant has also noted that they have coordinated with Bend La-Pine School District to identify opportunities to help meet workforce housing needs for the District (while maintaining compliance with applicable fair housing laws).

As required with section 55(3)(f), discussed in more detail on Pages 25 and 30 of this report, at least 30 percent of the units in the development must be designated affordable. As shown in Table 1 above, of the ±716 units proposed with the development, ±254 units will be designated affordable (approximately 35 percent); this is consistent with the units proposed with the concept plan adopted with the site selection process with Resolution 3411. Further discussion on the deed-restricted affordable housing requirements of section 55(3)(f) (including timing and delivery of affordable units) is discussed below. As proposed, this requirement is satisfied, and found to be consistent with Resolution 3411.

(B) That the development will be on lands zoned for residential or mixed-use residential uses; and



FINDING: The submitted conceptual plan (Exhibit B of the submitted materials uploaded by the applicant in the project files) shows that the planned dwellings will be located on land designated for residential development (RS, RM, and RH). Upon annexation into the City, these designations will implement residential zoning districts. The proposed Comprehensive Plan Map designations are substantially consistent with those shown on the concept plan adopted with Resolution 3411. This requirement is met.

(C) The development will be built at net residential densities not less than:

...

(ii) Ten units per net residential acre if sited in a city with a population of 30,000 or greater;

...

FINDING: The submitted conceptual plan (Exhibit B of the submitted materials uploaded by the applicant in the project files) proposes a net density of over ten units per acre as required for a city with a population of over 30,000. The concept plan submitted during the site selection process included a net density of 12.8 units per acre. The overall density of the site will be finalized with the master plan application (PLSPD20260328), and the submitted materials demonstrate this requirement can be met.

(b) Designate within the site:

(A) Recreation and open space lands; and

FINDING: The submitted concept plan shows ± 9.2 acres to be provided as open space with the proposed development, including a ± 4.5 -acre neighborhood park. The applicant has coordinated with Bend Parks and Recreation District (BPRD). During the site selection process, this central park was presented as a public neighborhood park; therefore, as the urban service provider for parks within the UGB, the applicant will be required to coordinate with BPRD for park development and ownership as stated in the proposed comprehensive plan policies. Exhibit G (of the submitted materials uploaded by the applicant in the project files) includes BPRD Resolution No. 2025-02 endorsing a petition for annexation of Caldera Ranch into the District, subject to a future park district annexation agreement. The resolution demonstrates BPRD's capacity and willingness to provide urban services related to open space and recreation. The proposed open space and neighborhood park are substantially consistent with the concept plan adopted with Resolution 3411. As proposed, this provision is met.

(B) Lands for commercial uses, either separate or as a mixed use, that:

(i) Primarily serve the immediate surrounding housing;

(ii) Provide goods and services at a smaller scale than provided on typical lands zoned for commercial use; and

(iii) Are provided at the minimum amount necessary to support and integrate viable commercial and residential uses;

FINDING: The submitted conceptual plan shows ± 1.5 acres designated as Commercial Convenience (CC), located just south of the adjacent Knott Road and east of the planned extension of Brosterhous Road. The Bend Comprehensive Plan states that the Commercial Convenience designation *"is intended for relatively small commercial areas adjacent and connected to the residential districts they serve"*, therefore being an appropriate mechanism to implement the intent of the provisions listed in this bill, including providing small-scale commercial uses at the minimum necessary to serve the immediate surrounding neighborhoods. The conceptual plan adopted under Resolution 3411 originally included a designation of Commercial Limited (CL); staff subsequently requested the applicant change the designation to CC to better align with the requirement under this section. Statewide concerns over the development of commercial lands with affordable housing as allowed under Senate Bill 8 (2021) have led to amendments to ORS 197A.460 by House Bill 4037 (2026). With the passage of HB 4037, no more than 20 percent of these commercial lands are eligible to be developed with qualifying affordable housing, providing assurance that at least 1.28 of the 1.5 acres will be developed with commercial uses. Additional assurances, if required, can be implemented with the review of the master plan (PLSPD20260328).

(c) If the city has a population of 5,000 or greater, include a transportation network for the site that provides diverse transportation options, including walking, bicycling and transit use if public transit services are available, as well as sufficient connectivity to existing and planned transportation network facilities as shown in the local government's transportation system plan as defined in Land Conservation and Development Commission rules;

FINDING: The City of Bend has a population of well over 5,000 people; therefore, this provision is required to be met. The site is outside the current UGB; therefore, there are no current planned transportation facilities planned on the site in the City's adopted Transportation System Plan (TSP). Abutting streets include Woodside Road, a public County road bisecting the western portion of the site, and Knott Road, an existing public street under the jurisdiction of the City of Bend. Knott Road is classified as a minor arterial in the City's TSP and designated as a Low Stress Network (LSN). A full description of the existing conditions of abutting and nearby streets are identified in the Traffic Analysis Memo (TAM) under PLTFR202501591, uploaded to all three project files.

The submitted conceptual plan shows intended street connections, multi-use pathways, and planned improvements including a single-lane roundabout at the intersection of Brosterhous Road and Knott Road. Per the submitted narrative, the internal circulation system and street cross-sections will support both residential and commercial uses within Caldera Ranch, while also improving connectivity and functionality of transportation facilities in the southeast quadrant of Bend. The Transportation Memorandum prepared by Transight Consulting (Exhibit U of the submitted materials uploaded by the applicant in the project files) analyzes the transportation network and summarizes the transportation features of the Caldera Ranch Conceptual Plan. A full Transportation Impact Analysis is also included as Exhibit H of the submitted materials uploaded by the applicant in the project files. Both documents were

reviewed in depth by the City of Bend's Private Development Engineering Division in the Traffic Analysis Memo (TAM), where anticipated mitigations were listed.

The proposed single-lane roundabout at Knott Road and Brosterhous Road will provide safe pedestrian crossings, reduce high travel speeds, and support local access needs. The southward extension of Brosterhous Road is proposed as a collector and will serve as the north-south corridor through Caldera Ranch, with a local street network extending from it. Ten-foot-wide multi-use paths are shown on both sides of the Brosterhous Road extension as required with Resolution 3411; this will extend the existing LSN into the Caldera Ranch site. The LSN will also be extended east-west along the central local street in the site. The extension of the higher order roadway (Brosterhous) and the extension of the LSNs must be added to the figures in the TSP as discussed below. Resolution 3411 specifically notes that the concept plan presented during the site selection process included minimal vehicular crossings and alley-loaded units where abutting the north-south multi-use paths. These pathways will help facilitate non-motorized access to the Bend Lava Trail (formally referred to as the Arnold Canal Trail).

A letter to the file from Cascades East Transit (CET) confirms there is an existing, active route adjacent to the site along Knott Road (Route 9), though service remains limited. Frontage improvements for existing streets and extensions of all proposed streets will be required to comply with all provisions in the Bend Development Code and City of Bend Standards and Specifications with each phase of development.

As proposed, this requirement is met and is substantially consistent with Resolution 3411.

(d) Demonstrate that protective measures will be applied to the site consistent with the statewide land use planning goals for:

(A) Open spaces, scenic and historic areas or natural resources;

FINDING: This section requires that the conceptual plan include protective measures consistent with Statewide Land Use Planning Goal 5. The purpose of Statewide Land Use Planning Goal 5 is to protect natural resources and conserve scenic and historic areas and open spaces. According to the Deschutes County Comprehensive Plan, including its Goal 5 inventories, the subject property does not contain significant resources related to energy sources, habitat, natural areas, scenic views, water areas or watersheds, wilderness areas, historic areas, cultural areas, or aggregate resources.

The submitted applicant narrative notes that while tax lot 200 was previously used for mining, it was removed from Deschutes County's Goal 5 inventory as an aggregate resource in 2024 with the approval of Deschutes County application 247-23-000547-PA and 247-23-000548-ZC. Documentation from the Oregon Department of Geology and Mineral Industries (DOGAMI) states that the site has been fully reclaimed (Exhibit S of the submitted materials uploaded by the applicant in the project files).

The applicant's narrative states: "Deschutes County DIAL property information and Interactive Map show the subject property contains a small strip of potential "wetland" along the southeastern edge of the mined area on Tax Lot 200. According to the Deschutes County



Comprehensive Plan (Chapters 2, Resource Management and 5, Supplemental Sections), in 1992 Deschutes County Ordinance 92-045 adopted all wetlands identified on the US Fish and Wildlife Service National Wetland Inventory (NWI) Maps as the Deschutes County wetland inventory. However, as described in the Comprehensive Plan, the NWI Map 'shows an inventory of wetlands based on high-altitude aerial photos and limited field work. While the NWI can be useful for many resource management and planning purposes, its small scale, accuracy limitations, errors of omission that range up to 55 percent (existing wetlands not shown on NWI), age (1980s), and absence of property boundaries make it unsuitable for parcel-based decision making'."

Included with the submittal is an Offsite Wetland Determination Report (Exhibit Q of the submitted materials uploaded by the applicant in the project files) from the Department of State Lands (DSL) which reinforces that the site does not contain significant wetlands. The determination indicates that while a pond is shown on the National Wetlands Inventory (NWI), "It is unlikely that there are jurisdictional wetlands or waterways on the property based upon a review of wetlands maps, the county soil survey and other information. An onsite investigation by a qualified professional is the only way to be certain that there are no wetlands". Comments from the DSL official on this Offsite Wetland Determination Report state, "The NWI shows a linear pond feature within one of the existing cinder mining areas on-site. Based on a review of aerial imagery and the 'excessively drained' mapped soil series, it appears that this NWI-mapped pond area does not currently hold water or meet wetland criteria. It is unlikely that waters of this state are present on the site." According to the report, a state permit is not required because it appears that wetlands are not present on the site. The applicant further clarifies in the narrative that no drainages or wetlands were identified on site by a wetland scientist, certified professional soil scientist, or a geotechnical engineer.

Therefore, open spaces, scenic and historic areas or natural resources are sufficiently protected by the conceptual plan in a manner consistent with Goal 5.

(B) Air, water and land resources quality;

FINDING: This section requires that the conceptual plan include protective measures consistent with Statewide Land Use Planning Goal 6. The purpose of Statewide Land Use Planning Goal 6 is to maintain and improve the quality of the air, water and land resources of the state and instructs local governments to consider protection of these resources from pollutants (solid waste, water waste, noise, industry-related contaminants, and air, noise, and thermal pollution).

The submitted narrative states that the planned housing mix (of which nearly half will be townhomes and multi-unit dwellings) will help utilize the land more efficiently than if entirely developed with single-unit detached dwellings, which are still the prominent dwelling type in Bend. The narrative notes that studies show that attached housing types typically consume less energy than single unit detached dwellings.

The proposal is not located along the Deschutes River or Tumalo Creek. As noted above with Goal 5, tax lot 200 was previously mined as an aggregate resource; however, the site has been fully reclaimed as confirmed by DOGAMI.

The applicant also points to the Transportation Memorandum prepared by Transight Consulting which concludes that since the site is located within walking and biking distance to several potential destinations (Caldera High School, Alpenglow Park, Bend Lava Trail, several places of worship, as well as lands zoned commercial/mixed use in the Easton Master Plan and Southeast Area Plan) there is potential that the site will produce fewer vehicular trips than a site without such nearby amenities, and trips that are taken have potential to be shorter. Consequently, the project may maintain and/or improve the quality of air resources due to reduction in growth of Vehicle Miles Traveled (VMT) than if entirely developed with single-unit detached dwellings. No industry is proposed on the site that may increase industry-related pollution; additionally, no noise or thermal pollution is anticipated beyond what is typical for similar residential development. Sewer mains are planned and will be required to extend throughout the development to collect wastewater and storm drainage will be required to be managed with the development of the site in compliance with the Bend Development Code and City of Bend Standards and Specifications. Air and water quality are regulated by the Oregon Department of Environmental Quality. 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; however, 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 ultimately be assured through enforcement of state and local regulations. Noise levels will not exceed DEQ noise regulations.

Staff finds that as proposed, air, water and land resources quality are sufficiently protected by the conceptual plan in a manner consistent with Goal 6.

(C) Areas subject to natural hazards;

FINDING: This section requires that the conceptual plan include protective measures consistent with Statewide Land Use Planning Goal 7. The purpose of Statewide Land Use Planning Goal 7 is to protect people and property from natural hazards, including floods, landslides, earthquakes, tsunamis, coastal erosion, and wildfires. The site does not include areas subject to flooding, landslide activity, tsunamis, or coastal erosion. No fault lines bisect the site according to US Geological Survey data.

According to the Deschutes County Property Information (DIAL) Interactive Map, the entirety of Deschutes County, including the subject property, is in a Wildfire Hazard Area. During the site selection hearing on December 4, 2024, surrounding residents and property owners testified to having significant concerns about wildfire risk in this area and how the proposed development may impact that risk. As a result, Resolution 3411 required that the Comprehensive Plan policies and future master plan for the site include enhanced wildfire mitigation measures (including the creation of defensible space, landscaping/hardscaping, arrangement of land

uses, construction/building materials, and development patterns). Additionally, the future master plan is required to incorporate wildfire risk mitigation actions (which may include a wildfire mitigation plan if required by the City). The proposed comprehensive plan policies, in compliance with Resolution 3411, states that “The [future] Master Plan must show that wildfire risk will be mitigated through one or more of the following methods: creation of defensible space, landscaping and hardscaping, arrangement of land uses, construction and building materials, and/or development patterns based on a Wildfire Mitigation Plan prepared by a professional forester, emergency management consultant, or similar professional”. If adopted as proposed, this policy will ensure that future development mitigates wildfire risk.

Additionally, the subject property is currently located in Rural Fire Protection District #2 and would be served by the City of Bend upon annexation. The proposed development will be required to meet all applicable fire code standards upon development, including sufficient access points based on unit count. Any future development of the subject property will have to demonstrate compliance with applicable local and state health, environmental quality, and wildfire regulations. More recently, the City of Bend adopted Section R327 of the Oregon Residential Specialty Code, establishing home-hardening requirements for new residential construction intended to improve wildfire resilience in Bend, which development on this site will be required to comply with upon building permit review.

As proposed, areas subject to natural hazards are sufficiently protected by the conceptual plan, in a manner consistent with Goal 7.

(D) The Willamette River Greenway;

(E) Estuarine resources;

(F) Coast shorelands; or

(G) Beaches and dunes;

FINDING: This section requires that the conceptual plan include protective measures consistent with Statewide Land Use Planning Goal 15 (Willamette River Greenway), Goal 16 (Estuarine Resources), Goal 17 (Coastal Shorelands), and Goal 18 (Beaches and Dunes). Since these resources are not located in Central Oregon, these are not required to be addressed.

~~**(e) Include a binding agreement among the city, each owner within the site and any other necessary public or private utility provider, local government or district, as defined in ORS 195.060, or combination of local governments and districts that the site will be served with all necessary urban services as defined in ORS 195.065, or an equivalent assurance; and**~~

Amended by Senate Bill 48 (2025) to read:

(e) Include assurances that the site will be served with all necessary urban services as defined in ORS 195.065, including through:

(A) Agreements among the city, each owner within the site and any other necessary public or private utility provider, local government or district,



as defined in ORS 195.060, or combination of local governments and districts

(B) Letters from utility providers showing a capacity and willingness to provide services; or

(C) Equivalent Assurances

FINDING: Urban Services are defined in ORS 195.065 as sanitary sewers, water, fire protection, parks, open space, recreation, streets, roads, and mass transit. The applicant has uploaded letters from Urban Service Providers (Exhibit G of the submitted materials uploaded by the applicant in the project files). The City of Bend is the urban service provider for sewer, fire protection, and streets/roads, and has indicated a willingness and capacity to provide these services as demonstrated through a letter to the applicant from the City of Bend. Pages 1 and 2 of Exhibit G includes references to City of Bend Utility Availability Memo PRSWA202406668 (Exhibit J of the submitted materials uploaded by the applicant in the project files) and City of Bend Traffic Analysis Memo (TAM) PRTFR202501591 (Exhibit I of the submitted materials uploaded by the applicant in the project files), confirming capacity on the City of Bend systems. The conceptual plan includes a Preliminary Utility Plan (Page 8 of Exhibit B of the submitted materials uploaded by the applicant in the project files) showing existing City sewer facilities accessible to Caldera Ranch, and a Preliminary Street Circulation Plan (Page 7 of Exhibit B) showing connectivity to existing and planned transportation facilities in the City's Transportation System Plan (TSP). The analysis in the Transportation Impact Analysis prepared by Transight Consulting (Exhibit H of the submitted materials uploaded by the applicant in the project files) was reviewed in the TAM by Private Development Engineering staff confirming that the surrounding transportation system can operate effectively with mitigations that will be conditioned or codified through the subsequent master plan process.

Water services in this vicinity are provided by Avion Water Company, Inc. The applicant has uploaded a letter from Avion Water (Page 3 of Exhibit G) which summarizes the existing facilities that are within and around the site. Avion states that they are willing and able to provide domestic water service for the project and provide adequate flows for the purposes of fire protection.

BPRD provides urban services that encompass parks, open space, and recreation. The conceptual plan shows a total of ± 9.2 acres of the site will be preserved as permanent open space, including a central, ± 4.5 -acre neighborhood park. During the site selection process, this central park was presented as a public neighborhood park; therefore, as the urban service provider for parks within the UGB, the applicant will be required to coordinate with BPRD for park development and ownership. Coordination with BPRD indicates that BPRD is willing to own and maintain the neighborhood park; additionally, Pages 4 and 5 of Exhibit G include Resolution 2025-02 which states BPRD's endorsement of future annexation and urban service agreement for the site. While the other portions of open space will likely be owned and maintained privately, the central neighborhood park is consistent with Resolution 3411.

Cascades East Transit (CET) provides transit services for Central Oregon, including the City of Bend. During the site selection process in 2024, CET submitted a letter of support for the project, confirming that Route 9 operates along Knott Road, abutting the Caldera Ranch development. An updated letter was submitted by the applicant with the documentation in the project file dated June 2026 (page 6 of Exhibit G); this letter notes that while Route 9 is active and existing, transit service within the vicinity provides only limited services and stops. As noted in the letter, CET has goals to improve the level of service, however this may not occur until there is a commensurate demand for service. With the knowledge that Bend's UGB expansion areas are often furthest from the city center, staff find that the current level of service is reasonable. Additionally, section 55(3)(c) requires a transportation network with the site that includes transit use if transit use is available – acknowledging that transit may or may not be present in eligible cities.

Per Resolution 3411, "the concept plan must include a binding agreement among the city, each owner within the Site and any other necessary public or private utility provider, local government or district, as defined in ORS 195.060, that the Site will be served with all necessary urban services as defined in ORS 195.065 (an urban services provider agreement), or an equivalent assurance per SB 1537 section (3)(e)". Given that SB 1537 was amended by SB 48 to include more flexible language, staff finds that the submitted documentation satisfies the requirements of this section.

(f) Include requirements that ensure that:

(A) At least 30 percent of the residential units are subject to affordability restrictions, including but not limited to affordable housing covenants, as described in ORS 456.270 to 456.295, that require for a period of not less than 60 years that the units be:

(i) Available for rent, with or without government assistance, by households with an income of 80 percent or less of the area median income as defined in ORS 456.270; or

(ii) Available for purchase, with or without government assistance, by households with an income of 130 percent or less of the area median income;

FINDING: The submitted conceptual plan shows that Caldera Ranch will provide over 30 percent of the total new units (± 254 units) subject to affordability restrictions; these figures are consistent with conceptual plan presented during the site selection process and as documented in Resolution 3411. A total of ± 230 units would be affordable to rent, including ± 192 for households with incomes up to 80 percent Average Median Income (AMI), and an additional ± 38 for households with incomes up to 30 percent AMI. Approximately 24 homes are planned to be available for purchase throughout the community by households with an income of 130 percent AMI. This includes ± 10 single-unit detached homes and ± 14 townhomes. The applicable requirements can be met.

(B) The construction of all affordable units has commenced before the city issues certificates of occupancy to the last 15 percent of market rate units;

FINDING: The applicant's narrative states, "[t]he Preliminary Phasing Plan and Preliminary Utility Plan (Page 8 of Exhibit B of the submitted materials uploaded by the applicant in the project files) show that affordable units can be provided with the first phase of Caldera Ranch. In fact, the ±9.6-acre multi-unit housing site is intentionally located at the northeast corner of the community, in part, to remove infrastructure barriers to providing most of the project's affordable housing". This requirement is a key component of delivering affordable housing with SB 1537, and to ensure this is met, the proposed comprehensive plan amendment includes the following policy: "The construction of all affordable units above must commence before the city issues certificates of occupancy to the last 15 percent or 69 market rate units, whichever is greater." Subsequent development on the site, including the future master plan, and subdivision and Site Plan Review applications, will be required to comply with these policies implementing the conceptual plan per Resolution 3411. Therefore, this requirement can be met.

(C) All common areas and amenities are equally available to residents of affordable units and of market rate units and properties designated for affordable units are dispersed throughout the site; and

FINDING: The submitted conceptual plan shows a ±4.5-acre neighborhood park centrally located in the development and commercially designated lands along the northern property boundary, at the corner of Knott Road and the Brosterhous Extension. Since the park is centrally located and connected via multi use paths that run east west and north south in the site, connecting to the commercial area as well, these large amenities will be equally available to all residents. The park is required to be dedicated as a public park in accordance with the proposed comprehensive plan policies and will be managed and maintained by Bend Parks and Recreation District (versus being a private park). This will ensure that the park is accessible by all residents. The applicant's narrative asserts that the multi-unit development is less than 350 feet from the edge of the park, which will be connected via a 10-foot-wide multi-use path along the park's southern boundary. The commercial area is located at the primary entrance to the development at the corner of Knott Road and the extension of Brosterhous and is connected via a 10-foot-wide multi-use path to the south and east.

The conceptual plan and preliminary phasing plan submitted by the applicant show affordable units dispersed throughout the site with affordable units located in all of the proposed residential designations (RH, RM, and RS).

Timing of affordable housing does factor into location and dispersion. During the site selection public hearing on December 4, 2024, City Council saw significant value in constructing the deed-restricted affordable housing units (in particular, the units designated for ≤30% AMI) earlier in the development rather than in the later phases. As a result, Resolution 3411 contained a distinct provision (R) which required "...affordable housing units for households



earning 80% AMI or less" to be built "in the first phases of development". To ensure the intent of the resolution is met, a comprehensive plan policy is proposed which requires that all of the affordable housing units for households earning 80% AMI or less to be built in the first half of the development as a whole. As proposed, the policy states, *"Prior to the recording of the plat that creates the 243rd residential lot on the Caldera Ranch Site, the following units must be under construction: a minimum of 230 units of affordable to households making 80% AMI or below, and a minimum of 16 for-sale units affordable to households making 130% AMI or below"*. The 243rd lot represents half of the total combined single unit attached dwellings and single unit detached dwellings. In other words, the second half of the market rate housing cannot be developed until all of the $\leq 80\%$ AMI affordable housing is underway.

This proposed comprehensive plan policy ensures that a majority of the affordable units are built in the first phases of development in order to get affordable housing built faster. As a result, the first phases of development, which are located on the northern portion of the site and closer to the existing UGB boundary, will have a greater share of the affordable housing, with later phases containing affordable for sale units at a lower frequency.

Furthermore, an additional comprehensive plan policy is proposed to ensure affordable units are dispersed throughout the site, stating, *"Required for-sale units affordable to households making up to 130% AMI must be built in each residential RS and RM phase until all required for-sale affordable units have been constructed."*

This requirement is met and is substantially consistent with Resolution 3411.

(D) The requirement for affordable housing units is recorded before the building permits are issued for any property within the site, and the requirements contain financial penalties for noncompliance.

FINDING: The applicant's narrative acknowledges compliance with this provision is required. The City will coordinate with the applicant to ensure this is met prior to future land use entitlements.

(4) A city may require greater affordability requirements for residential units than are required under subsection (3)(f)(A) of this section, provided that the city significantly and proportionally offsets development costs related to:

- (a) Permits or fees;**
- (b) System development charges;**
- (c) Property taxes; or**
- (d) Land acquisition and predevelopment costs.**

FINDING: The City of Bend is not pursuing greater affordability requirements as allowed under this section; therefore, this provision does not apply.

SECTION 56. Alternative for small additions.



FINDING: The City of Bend has not pursued this optional component of SB 1537 under section (50)(1)(g)(B) since the City is eligible under section 50(1)(g)(A). This section does not apply.

SECTION 57. Department approval of site additions.

1) Within 21 days after the adoption of an amendment to an urban growth boundary or the adoption or amendment of a conceptual plan under sections 49 to 59 of this 2024 Act, and the approval by a county if required under section 50 (2) of this 2024 Act, the conceptual plan or amendment must be submitted to the Department of Land Conservation and Development for review. The submission must be made by:

(a) The city, for an amendment under section 50 or 58 of this 2024 Act; or

(b) Metro, for an amendment under section 51 or 58 of this 2024 Act.

FINDING: If the proposed conceptual plan and UGB amendment (as submitted under PLTEXT20250371, PLCPMA20250370 and PLUGB20250372) are approved by Bend City Council and Deschutes County, City of Bend Staff will coordinate with DLCD to submit for review within 21 days of adoption. This requirement can be met.

(2) Within 60 days after receiving a submittal under subsection (1) of this section, the department shall:

(a) Review the submittal for compliance with the provisions of sections 49 to 59 of this 2024 Act.

(b) (A) If the submittal substantially complies with the provisions of sections 49 to 59 of this 2024 Act, issue an order approving the submittal; or

(B) If the submittal does not substantially comply with the provisions of sections 49 to 59 of this 2024 Act, issue an order remanding the submittal to the city or to Metro with a specific determination of deficiencies in the submittal and with sufficient detail to identify a specific remedy for any deficiency in a subsequent resubmittal.

FINDING: The City of Bend and the applicant acknowledge this procedural requirement.

(3) If a conceptual plan is remanded to Metro under subsection (2)(b) of this section:

....

FINDING: The City of Bend is not in the Metro area. This requirement does not apply.

(4) Judicial review of the department's order: (a) Must be as a review of orders other than a contested case under ORS 183.484; and (b) May be initiated only by the city or an owner of a proposed site.

FINDING: The City of Bend and the applicant acknowledge this procedural requirement.

(5) Following the approval of a submittal under this section, a local government must include the added lands in any future inventory of buildable lands or determination of housing capacity under ORS 197A.270, 197A.280, 197A.335 or 197A.350.



FINDING: The City of Bend acknowledges this procedural requirement.

SECTION 58. Alternative urban growth boundary land exchange.

FINDING: The City of Bend has not pursued this optional component of SB 1537.

SECTION 59. Reporting on added sites. A city for which an amendment was made to an urban growth boundary and approved under sections 49 to 59 of this 2024 Act shall submit a report describing the status of development within the included area to the Department of Land Conservation and Development every two years until:

- (1) January 2, 2033; or**
- (2) The city determines that development consistent with the acknowledged conceptual plan is deemed complete.**

FINDING: The City of Bend acknowledges this procedural requirement.

SECTION 60. Sunset. Sections 49 to 59 of this 2024 Act are repealed on January 2, 2033.

FINDING: The City of Bend acknowledges this provision of SB 1537.

CITY OF BEND RESOLUTION 3411

Items A-L contain contextual and procedural findings demonstrating compliance with SB1537 as reviewed above in this staff report. Review of compliance with Resolution 3411 will be specific to the site, beginning with Item M.

M. The Site is adjacent to the City's existing UGB and is comprised of two tax lots that are zoned Multiple Use Agricultural (MUA-10) and designated Rural Residential Exception Area (RREA) by Deschutes County. The zoning and designation apply to the entire Site and it is not subject to Statewide Planning Goal 3 (Agricultural Lands) or Goal 4 (Forest Lands). It is therefore non-resource land, meeting the eligibility requirements in SB 1537 Section 50. Map and Taxlot 1812210000200 was designated RREA and zoned MUA-10 in 2023 by Deschutes County per Deschutes County file numbers 247-23-000547-PA and 247-23-000548-ZC. Map and Taxlot 1812210000300 has had a residential zoning designation since 1978.

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 include the same two tax lots presented during the site selection process: taxlot 1812210000300 and taxlot 1812210000200). The two lots remain designated RREA and zoned MUA-10 and therefore maintain a non-resource land status. The proposal is consistent with the Resolution.

N. The Site and accompanying concept plan meet the minimum concept plan requirements of SB 1537 section 55(3)(c), including but not limited to:

- i. A total of 55.9 net residential acres within the site which is less than 100 net residential acres;**



FINDING: The conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes 55.9 net residential acres, which is less than 100 net residential acres. The proposal is consistent with the Resolution.

ii. A diversity of needed and accessible housing types and sizes, including multi-unit attached units, single-unit attached units, and single-unit detached units in varying sizes;

FINDING: The conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes a diversity of housing types. As proposed, ± 51 percent of the total units will be single unit detached, ± 17 percent will be townhomes, and ± 32 percent will be multi-unit; this housing mix is consistent with the housing mix proposed by the applicant during the site selection process and adopted under Resolution 3411. Multi-unit dwellings will include accessible housing. The applicant's narrative states that a variety of unit sizes and bedroom-counts are anticipated, and will likely depend on market conditions like interest rates, construction costs, and consumer demand. However, if trends continue, single unit homes are anticipated to contain 3-4 bedrooms and range in size from $\pm 1,800$ to $\pm 2,800$ square feet, townhomes are anticipated to contain 2-3 bedrooms and range in size from $\pm 1,000$ to $\pm 1,600$ square feet, and multi-unit homes would contain 1-3 bedrooms. The proposal is consistent with the Resolution.

iii. Residential zoning designations for the proposed units including Residential Standard Density (RS), Residential Medium Density (RM) and Residential High Density (RH);

FINDING: The conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 shows that 55.9 net residential acres are proposed with the development, including designations for RS, RM, and RH. The proposal is consistent with the Resolution.

iv. A net residential density of 12.8 units per net residential acre which is greater than ten units per net residential acre;

FINDING: The conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes a total net density of over 10 units per acre. The overall number of units is consistent with the resolution at 716, and there has been no reduction in the proposed net residential acres (55.9). The proposal maintains compliance with SB 1537, which requires a net density of over 10 units and acre, which will be reinforced by the proposed comprehensive plan policy which states, *"the Master Plan must demonstrate an overall minimum density of 10 units per net residential acre. The densities may exceed the maximum densities in BDC 2.1.600."* Thus, the proposal is found to be substantially consistent with the Resolution.

v. Area designated within the Site for:

1. Recreation and open space lands, including 9.2 total acres of open space with 4.5 acres identified for a centrally located neighborhood park; and



FINDING: The conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes ± 9.2 acres of open space, including ± 4.5 acres for a neighborhood park located at the center of the community. The proposal is consistent with the Resolution.

- 2. One and a half acres of land for commercial use zoned as Commercial Limited (CL) that is sized and located to primarily serve the immediate surrounding housing, indented to provide goods and services at a smaller scale than provided on typical lands zoned for commercial uses and is the minimum amount necessary to support and integrate viable commercial and residential uses; and**

FINDING: The conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes ± 1.5 acres designated for commercial uses at the northern portion of the site, located at the corner of Knott Road and the extension of Brosterhouse Road; this size and location is consistent with what was presented during the site selection process in 2024. After the site selection process, City staff recommended that the planned Commercial Limited (CL) designation be updated to Commercial Convenience (CC), which is a commercial zone more appropriately scaled to serve immediate surrounding housing, of which the uses are more small-scale than the uses permitted in the CL zone. Ten-foot-wide multi-use paths will abut the commercial area on both the north and west sides, providing for bike and pedestrian access as well as vehicular access to the immediate surrounding residential designations. The proposal is therefore substantially consistent with the Resolution. Additionally, statewide concerns over the development of commercial lands with affordable housing as allowed under Senate Bill 8 have led to amendments of this bill by House Bill 4037. With the passage of HB 4037 (2026), no more than 20 percent of these commercial lands are eligible to be developed with housing, providing assurance that at least 1.28 of the 1.5 acres will be developed with commercial uses. Additional assurances, if required, can be implemented with the review of the future master plan.

- vi. Requirements to ensure that at least 30 percent of the residential units are subject to affordability restrictions, including affordable housing covenants as described in ORS 456.270-456.290, that require that the units are affordable as set forth in SB 1537 section 55(3)(f)(A) for a period of not less than 60 years, recorded before the building permits are issued for any property within the site. In addition, all common areas and amenities must be equally available to residents of affordable units and of market rate units and properties designated for affordable units must be dispersed throughout the site as shown in the draft concept and phasing plan.**

FINDING: The conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes policies which require 30 percent of the total housing units, or 254 units (whichever is greater) to be deed-restricted affordable housing in compliance with the provisions of SB 1537, which include restrictions that ensure the units will be affordable for at least 60 years. The City will prepare the restrictions



which must be recorded prior to the issuance of any building permits within the site. The proposed policies states that "all common areas and amenities on the Caldera Ranch Site must be equally available to residents of affordable units and of market rate units and properties designated for affordable units must be dispersed throughout the site as shown in the Caldera Ranch Site conceptual plan". The proposal is therefore consistent with the Resolution.

O. Consistent with the requirements in SB 1537 section 55(3)(d), the proposed transportation network provides diverse transportation options, including walking, bicycling and transit use as well as sufficient connectivity to existing and planned transportation network facilities as shown in the City's transportation system plan. Proposed improvements include enhanced multi-modal connectivity and a well-connected Low-Stress Network (LSN) of multi-use paths as shown in the concept plan. Transportation network improvements include:

- i. A north-south LSN route on Brosterhous Rd with 10' wide, separated multi-use paths on both sides of the street and minimal vehicular crossing attributed to the street configuration and alley-loaded units. These LSN improvements will greatly facilitate non-motorized access between the Arnold Canal Trail and the proposed park site. While these trails will not be owned or maintained by Bend Parks and Recreation District (BPRD), the District is very supportive of the proposed trail connections identified in the concept plan.**
- ii. Knott Rd frontage improvements with the provision of on-street bicycle lanes and extensions of the planned, off-street multi-use paths on the north and south sides of Knott Rd. The 12' multi-use path on the north side of Knott Rd is an identified BPRD trail segment known as the Bend Lava Trail (formerly the Arnold Canal Trail). These improvements will enhance connectivity to the existing and planned LSN routes adopted in the City's Transportation Systems Plan (SE 15th St Key Route/LSN) and BPRD's Bend Lava Trail.**
- iii. Access to transit, including Cascade East Transit (CET) Route 9, which runs along the Knott Road frontage and has a stop directly across Knott Rd from the Site.**

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes a north-south Low Stress Network (LSN) route on the extension of Brosterhous Road with 10-foot-wide, separated multi-use paths on both sides of the street. The plan also shows 10-foot-wide, separated multi-use paths along the southerly frontage of Knott Road (Bend Lava Trail) and along the northern side of the central, east-west street proposed on the south side of the centrally located neighborhood park. With the extension of the LSN in the site, the TSP must be amended, as proposed under this application. Full frontage improvements along Knott Road will be required with the development of the site. As confirmed by CET, Route 9 remains active and runs along the property frontage of Knott Road. Additionally, the proposed comprehensive plan policies state that the future master plan "must include diverse transportation options and connectivity to the existing and planned transportation network facilities including a well-connected extension of the City's LSN with



LSN multi-use paths located adjacent to open space". The proposal is therefore consistent with the Resolution.

P. Protective measures will be applied to the Site consistent with SB 1537 section 55(3)(d) and the statewide land use planning goals for open spaces, scenic and historic areas or natural resources (Goal 5); air, water and land resources quality (Goal 6); and areas subject to natural hazards (Goal 7). Future UGB expansion and development will be subject to review under the applicable provisions of the BDC and protective measures will be applied, if needed, to the Site consistent with the applicable statewide land use planning goals.

Q. The City Council also considered testimony related to concerns in the area over wildfire risk. Recognizing that fire risk is best determined on a site-by-site basis, the recent Oregon Department of Forestry Wildfire Risk Explorer-Draft Risk Map from the State of Oregon presented by staff shows that this area (as much of the surrounding areas around Bend) is a moderate hazard zone. Based on this classification, the state does not require any additional wildfire protection measures. According to testimony from the Bend Fire Chief, the Fire Department will use the Fire Code as its guide for access and egress routes, as it does for all development, and emphasized proactively using the Deschutes County alert system as the response to fire incidents are highly coordinated efforts and depend on fire conditions. There will be additional egress routes due to the transportation system being proposed for this development. That being said, Council directed that staff review the requirements considered during the approval of the Westside Transect Zone from the Urban Area Reserve in 2018.

FINDING: As reviewed and discussed above on pages 20 through 23 of this staff report, statewide land use planning goals were found to be met, or able to be met through future review, consistent with the Resolution. In particular, compliance with Goal 7 (natural hazards) will be addressed through compliance with the proposed policy which states, "the Master Plan must show that wildfire risk will be mitigated through one or more of the following methods: creation of defensible space, landscaping and hardscaping, arrangement of land uses, construction and building materials, and/or development patterns based on a Wildfire Mitigation Plan prepared by a professional forester, emergency management consultant, or similar professional". Future development on the site will be required to comply with all proposed comprehensive policies, as well as applicable standards of the Bend Development Code, Building Code, and Fire Code. The submitted narrative also states that the preliminary circulation plan shows multiple points of access and transportation facilities extended to and through the property. The proposal is therefore consistent with the Resolution.

R. The Site and accompanying concept plan were selected based on the proposed elements including:

- **254 deed-restricted affordable housing meeting the requirements of the bill, including:**
 - **±38 units affordable to families making 30% AMI or below**



- **±192 units affordable to families making up to 80% AMI**
- **±24 for sale units affordable to families making up to 130% AMI**
- **716 total housing units including with the following housing mix:**
 - **230 multi-unit attached (32%)**
 - **120 single unit attached (townhomes) attached (17%)**
 - **366 single unit detached (51%)**

FINDING: The conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes a total of 716 housing units, of which 254 (or 30 percent, whichever is greater) are planned to be deed-restricted, consistent with the Resolution. The policies state, consistent with the resolution, that a minimum of 38 units will be deed-restricted affordable to households making 30 percent Average Median Income (AMI) or less; 192 units will be deed-restricted affordable to households making up to 80 percent AMI; and 24 units will be deed-restricted affordable to households making up to 130 percent AMI. The policies also include, consistent with the resolution, that of the total 716 units, at least 120 units must be middle housing (which includes townhomes), and at least 230 units must be multi-unit housing. This requirement of the Resolution is met.

- **Proposed timing and phasing for affordable housing, as outlined in the concept plan, including the affordable housing units for households earning 80% AMI or less being built in the first phases of development.**

FINDING: The conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 include 230 units affordable to households making 80% AMI or less are included in the first phases of development. This is implemented with a policy which requires that prior to the recording of the plat that creates the 243rd residential lot, the following units must be under construction: a minimum of 230 units of affordable to households making 80% AMI or below, and a minimum of 16 for-sale units affordable to households making 130% AMI or below. This policy enforces the 80% AMI and 30% AMI housing (intended to be multi-unit development) will be under construction in the first half of the project, before Phase 6 can be platted as shown on the Preliminary Phasing Plan (Page 5 of Exhibit B of the submitted materials uploaded by the applicant in the project files). The timing and phasing of affordable housing will be further refined through the master plan and annexation agreement. The proposal is therefore consistent with the Resolution.

- **Proposed land use approval and pre-development timing, with an estimated vertical construction date in mid-2027.**

FINDING: The narrative submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 acknowledge that the future master plan and annexation cannot be reviewed for approval until the conceptual plan and UGB amendment are approved by DLCD. Despite this, the narrative indicates that the applicant will continue to submit for entitlements to expedite this process to the extent practical. However expedited, it is unlikely that vertical

construction will occur in 2027 as originally claimed by the applicant, as the conceptual plan took longer to refine than anticipated. The applicant has indicated that vertical construction is now planned to be underway by 2028 and presented an updated schedule to staff. Staff find this schedule more realistic given the subsequent applications in the process for the project. The proposal is therefore substantially consistent with the Resolution.

- **Proposed types and general arrangements of land uses/zoning designations and multi-modal connections, as shown in the draft concept plan, including:**
 - **A minimum of 10% (9.2 acres) of total open space**
 - **A 4.5 acre centrally located neighborhood park, accessible to all residents**
 - **Accessible open space adjacent to the commercial area and proposed north-south low-stress network multi-use path**
 - **For-sale affordable housing at or below the 130% AMI level dispersed throughout mid- and low- density zones**
 - **A well-connected low-stress network of multi-use paths as shown in the concept plan, including minimal vehicular crossing and alley-loaded units for the north-south multi-use paths.**

FINDING: As discussed previously in this staff report, the conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 include 9.2 acres of open space, including a centrally located neighborhood park accessible to all residents in the development. Multi-use pathways extending the City's LSN are shown along the northern and western boundaries of the commercially designated lands, and open space is directly adjacent to the commercial lands. Ten-foot-wide multi-use pathways are shown on both sides of the north-south extension of Brosterhous Road, as well as on the northern side of the east-west street running centrally through the site. With the extension of the LSN in the site, the TSP must be amended, as proposed under this application. Future development of the site is intended to limit vehicular crossings and include alley-loaded units where abutting these pathways. As proposed in the comprehensive policies, 24 for-sale deed-restricted affordable units available for households making 130 percent AMI or less will be dispersed throughout the proposed RM and RS zones, in compliance with the proposed timing and delivery policies. The proposal is therefore substantially consistent with the Resolution.

THE CITY COUNCIL OF THE CITY OF BEND RESOLVES AS FOLLOWS:

- 1. The concept plan selected by Council is based on the attached preliminary draft plan (Attached A) submitted by the applicant and presented to Council on December 4, 2024. The final binding concept plan must be substantially consistent with the draft concept plan submitted with the application (Attachment A) and described above, including but not limited to the number, affordability levels, and timing of delivery of the proposed affordable housing units.**



FINDING: As discussed previously in this staff report, the conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 are found to be substantially consistent with Resolution 3411.

2. Consistent with the Council direction and decision on December 4, 2024 and SB 1537, future implementing comprehensive plan text amendments and the future master plan for the Site must include enhanced wildfire mitigation measures, including but not limited to:

- a. **A new comprehensive plan policy accompanying the UGB amendment requiring wildfire risks be mitigated through one or more of the following methods, as required by the City in consultation with the applicant: creation of defensible space, landscaping and hardscaping, arrangement of land uses, construction and building materials, and/or development pattern; and**
- b. **The future master plan and any future special planned district code proposed for regulating development of the land uses within the concept plan area and master plan area, must incorporate wildfire risk mitigation actions, which may include a Wildfire Mitigation Plan prepared by a professional forester, emergency management consultant, or similar professional, if required by the City.**

Changes to the proposed concept plan lot and/or land use configuration are not required but may be allowed to satisfy this requirement. Wildfire mitigation may be achieved through one or more of the mitigation measures above.

FINDING: As discussed previously in this staff report, the conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371 include a proposed policy which requires the master plan to provide wildfire mitigation through the "...creation of defensible space, landscaping and hardscaping, arrangement of land uses, construction and building materials, and/or development patterns based on a Wildfire Mitigation Plan prepared by a professional forester, emergency management consultant, or similar professional". This policy is found to satisfy the requirements imposed with the Resolution.

3. The concept plan includes some but not all of the required transportation improvements. Required transportation improvements, including a roundabout at Brosterhous Rd and Knott Rd and an enhanced safe pedestrian crossing at Knott Rd, may be the responsibility of the applicant depending on the timing of School District responsibility for these improvements and will be determined upon future master planning, annexation, and subsequent land use approvals. Other transportation improvements may be required including those identified by the Traffic Impact Analysis and as set forth in Bend Development Code Section 3.4.200.

FINDING: Overall, the conceptual plan and implementing comprehensive policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 show a well-connected street network. With the extension of the Brosterhous as a collector street, and the LSN in the site, the TSP must be amended, as proposed under this application. As stated in the proposed

comprehensive plan policies, the future master plan “must include diverse transportation options, and connectivity to the existing and planned transportation network facilities including a well-connected extension of the City’s LSN...”. New development within the City of Bend is subject to the requirements of BDC 4.7, Transportation Analysis, and must subsequently comply with the requirements of BDC 3.4.200, Transportation Improvement Standards. The documentation included with the submittal includes a Transportation Impact Analysis reviewed under a Traffic Analysis Memo prepared by the city (PLTFR202501591), which lists potential mitigations that may be required with future development. This requirement of the Resolution is found to be met, or can be met with the review of future applications.

- 4. Prior to inclusion within the City’s UGB, the applicant will be required to adopt a binding conceptual plan as an amendment to its comprehensive plan. The concept plan must include a binding agreement among the city, each owner within the Site and any other necessary public or private utility provider, local government or district, as defined in ORS 195.060, that the Site will be served with all necessary urban services as defined in ORS 195.065 (an urban services provider agreement), or an equivalent assurance per SB 1537 section (3)(e).**

FINDING: To comply with this provision, the Comprehensive Plan policies implementing the conceptual plan proposed under PLTEXT20250371 must be adopted prior to the UGB expansion (proposed under PLUGB20250372) and Comprehensive Plan Map amendment (proposed under PLCPMA20250370).

As discussed on pages 23-24 of this staff report, SB 1537 was amended by SB 48 to include more flexible language to the requirements of providing urban services to the site – notably eliminating the requirement for “binding agreements” and instead allowing the process to proceed with will-serve letters from utility providers, agreements between relevant parties, or equivalent assurances. The City of Bend is the urban service provider for sewer, fire protection, and streets/roads, and has indicated a willingness and capacity to provide these services as demonstrated through a letter to the applicant from the City of Bend (citing details provided in Utility Availability Memo PRSWA202406668 (Exhibit J of the submitted materials uploaded by the applicant in the project files) and Traffic Analysis Memo PRTFR202501591 (Exhibit I of the submitted materials uploaded by the applicant in the project files I), confirming capacity on the City of Bend systems). Documentation was provided by Avion Water, the water service provider for the area, (Page 3 of Exhibit G of the submitted materials uploaded by the applicant in the project files) stating that they are willing and able to serve the site. BPRD, the urban service provider for parks, has indicated a willingness to own and maintain the neighborhood park (Pages 4 and 5 of Exhibit G). Lastly, CET, the transit provider for the region, has confirmed that Route 9 operates along Knott Road and there is an existing stop on the north side of Knott Road across the street from the Caldera Ranch development. As noted previously, CET has indicated that transit service in this area and city-wide needs improvement (Page 6 of Exhibit G).



The documentation provided as part of the conceptual plan meets the requirements of SB 1537 as amended by SB 48 and therefore meets the intent of this provision of Resolution 3411.

- 5. In order to be included in the City's UGB, the applicant of the Site will be required to submit a complete application for a UGB Amendment and Comprehensive Plan Text and Map Amendment within one year of this Resolution, including the concept plan as required under SB 1537 section 55(2) and this Resolution. If the application is not submitted within one year of the date of this Resolution, this Site selection approval becomes void unless extended for additional time as specified by the City Council, by motion, at a public meeting.**

FINDING: Resolution 3411 was adopted by City Council on December 18, 2024; therefore, a complete application was required to be submitted by December 18, 2025. Applications PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 were submitted and paid for on June 30, 2025; however, all required information was not received until June 16, 2026. Since the application was not accepted as complete within one year of the passage of the resolution, staff recommend that the application be extended by council prior to the adoption of the concept plan and the amendment to expand the UGB. With an extension, this requirement can be met.

- 6. Before adopting an urban growth boundary amendment, the City shall adopt the final binding concept plan as an amendment to its comprehensive plan per SB 1537 Section 55. These applications will be processed as set forth in SB 1537, which includes future Council review and approval, as well as opportunities for public comment. Under SB 1537, Section 50, notwithstanding ORS 197.626, this action by the City under the 2024 Act is not a land use decision as defined in ORS 197.015. The UGB Amendment and Comprehensive Plan Text and Map Amendment are submitted to the Department of Land Conservation and Development (DLCD) for review and issuance of a final order if DLCD finds that the submittal complies with the 2024 Act. Judicial review of their final order may only be initiated by the City or an owner of a proposed site per SB 1537 section 57.**

FINDING: To comply with this provision, the Comprehensive Plan policies implementing the conceptual plan proposed under PLTEXT20250371 must be adopted prior to the UGB expansion (proposed under PLUGB20250372) and Comprehensive Plan Map amendment (proposed under PLCPMA20250370). While not a land use decision, the submitted applications are being processed as typical Type III-CC applications, with public hearings scheduled and noticed before Planning Commission and City Council which will allow for opportunities for public comment. If approved by Council (and concurrent Plan Amendment and Zone Change applications are approved by Deschutes County), the proposal will be submitted to DLCD for review and issuance of a final order if DLCD finds that the submittal complies with the provisions of SB 1537 and as amended by SB 48.

- 7. Following DLCD review, the applicant will be required to apply for annexation, master**



plan, and other related land use approvals per the Bend Development Code prior to development.

FINDING: The submitted documentation provided by the applicant indicates an acknowledgement that in order to proceed, subsequent applications and entitlements (including master plan, annexation, and land division) must be submitted and approved. At the time of this report, a master plan application (PLSPD20260328) and an annexation application have been submitted (PLANX20260327); full review will only commence upon approval of the current applications.

8. It is anticipated that the process for amending the comprehensive plan and adoption of the concept plan will require the applicant to submit its application for annexation of the project site into the City and Master Plan application within two years of the final DLCD Order, unless Council determines otherwise at the time.

FINDING: The master plan and annexation applications were submitted on June 30, 2026.

FINDINGS REGARDING COMPLIANCE WITH APPLICABLE CRITERIA (continued):

BEND COMPREHENSIVE PLAN

CHAPTER 1: PLAN MANAGEMENT AND CITIZEN INVOLVEMENT

Development within the Urban Growth Boundary

1-6 New developments shall pay to extend planned sewer, water, and transportation facilities to and through the property if the development occurs prior to the scheduled construction of those facilities shown in the capital improvement plan.

FINDING: The narrative submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 states that the proposal does not constitute new development. However, the narrative acknowledges that the applicant accepts responsibility to provide the future development site with water, sewer, and transportation services if the development occurs prior to the scheduled construction of those facilities shown in the capital improvement plan. Additionally, the narrative notes that future development of the Caldera Ranch site will be subject to review of the applicable provisions of the BDC that are consistent with this policy, and shows water, sewer, and transportation improvements on the proposed conceptual plan. Implementing Comprehensive Plan policies submitted with PLTEXT20250371 will ensure that urban services are provided to the site. The proposal will comply with this policy.

CHAPTER 2: NATURAL FEATURES AND OPEN SPACE

Natural Features and Open Space

2-2 The city and Bend Park and Recreation District shall share the responsibility to inventory, purchase, and manage public open space, and shall be supported in its efforts by the city and county. The City recognizes the Park and Recreation District as the urban service provider of parks within the UGB.

FINDING: BPRD provides urban services related to parks, open space, and recreation. The Conceptual Plan shows ± 9.2 acres of the site preserved as permanent open space, including a ± 4.5 -acre neighborhood park. During the site selection process, this central park was presented as a public neighborhood park; therefore, as the urban service provider for parks within the UGB, the applicant will be required to coordinate with BPRD for park development and ownership. The applicant has submitted BPRD Resolution No. 2025-02 endorsing a petition for annexation of Caldera Ranch into the District, subject to a future annexation agreement. The resolution demonstrates BPRD's capacity and willingness to provide urban services related to open space and recreation. This policy is met.

- 2-6 Major rock outcrops, stands of trees, or other prominent natural features identified in the Comprehensive Plan shall be preserved as a means of retaining the visual character and quality of the community.**
- 2-7 Natural tree cover should be retained along streets in new developments to retain the natural character of Central Oregon within the urban area as the community grows.**
- 2-8 All residential development should respect the natural ground cover of the area, and the city shall work with developers to preserve mature trees within the subdivision.**

FINDING: As acknowledged by the applicant, tax lot 200 on the Caldera Ranch site has been significantly disturbed through its previous use as an aggregate mining site. Consequently, there are no major significant rock outcrops, according to the submitted narrative. The narrative also states that there are no significant stands of trees; however, no tree inventory was submitted to identify trees of significance. Tree preservation requirements will be required to be met with future land use applications. As shown on the conceptual plan, 9.2 acres including the centrally located 4.5-acre park are required with the development and will provide opportunities to preserve existing trees. These policies can be met with the review of future land use applications.

- 2-12 The City shall evaluate and adopt standards for the types of landscape materials and amount of open area buffers around structures that reduce the risk of loss from wildfires at the edge of the urban area.**

FINDING: This policy is largely directed towards the City of Bend to address wildfire prevention at the edge of the urban area. The City of Bend recently adopted Section R327 of the Oregon Residential Specialty Code, establishing home-hardening requirements for new residential construction intended to improve wildfire resilience in Bend. No new standards have been adopted to address landscaping materials and open space buffers to reduce wildfire risk prior to the submittal of this application; however, future land use applications and building permits will be required to comply with applicable standards at the time of their submittal. As discussed previously in this staff report, the conceptual plan and implementing Comprehensive Plan policies submitted with PLTEXT20250371 include a proposed policy which requires the master plan to provide wildfire mitigation through the "...creation of defensible space, landscaping and



hardscaping, arrangement of land uses, construction and building materials, and/or development patterns based on a Wildfire Mitigation Plan prepared by a professional forester, emergency management consultant, or similar professional". This policy is met to the extent practical.

Wetlands and Riparian Areas

2-25 Wetland areas that are significant Goal 5 resources to be protected through the city's riparian corridor standards are those areas listed and mapped in the Comprehensive Plan.

FINDING: There are no significant wetlands on the site that are significant Goal 5 resources to be protected through the city's riparian corridor standards, as discussed above on Page 17 of this staff report. While a pond is shown on the National Wetlands Inventory (NWI), it is unlikely that there are jurisdictional wetlands or waterways on the property based on comments from DSL on the submitted Offsite Wetland Determination Report (Exhibit Q of the submitted materials uploaded by the applicant in the project files). The applicant also notes in the narrative that no drainages or wetlands were identified on site by a wetland scientist, certified professional soil scientist, or a geotechnical engineer. This policy is met.

CHAPTER 3: COMMUNITY CONNECTIONS

Parks and Recreation Facilities

3-7 Sites for small neighborhood parks are not shown on the Land Use Plan Map, but the city shall encourage private or public parties to develop small neighborhood parks.

3-8 The City shall refer to the Bend Park and Recreation District, for its review and recommendations, all development proposals that include or are adjacent to existing or proposed parks or trails. Development proposals include, but are not limited to, master plans, land divisions, and replats.

FINDING: The Conceptual Plan shows ±9.2 acres of the site preserved as permanent open space, including a ±4.5-acre neighborhood park. During the site selection process, this central park was presented as a public neighborhood park; therefore, as the urban service provider for parks within the UGB, the applicant will be required to coordinate with BPRD for park development and ownership. The applicant has submitted BPRD Resolution No. 2025-02 endorsing a petition for annexation of Caldera Ranch into the District, subject to a future annexation agreement. The resolution demonstrates BPRD's capacity and willingness to provide urban services related to open space and recreation. The City will coordinate and request input from BPRD with future applications involving the park. This policy is met.

CHAPTER 5: HOUSING

Housing Mix, Density, and Affordability

5-12 To promote complete neighborhoods and the integration of other supporting uses, the City will employ a master planning process for large development sites

which are 20 acres or greater. The master plan process will offer two options for approval: 1) applying clear and objective standards or 2) applying discretionary standards for more flexibility.

FINDING: The applicant acknowledges that the development will be subject to master planning requirements upon approval of the proposed applications, including the amendment of the UGB. The applicant anticipates the submittal of a major master plan which will apply discretionary standards for more flexibility. This application will be subject to the review procedures, criteria, and standards of the Bend Development Code. This policy will be met.

5-20 When affordable housing development is required by City policy or code or to meet eligibility criteria for a City incentive program or a policy requirement, affordable housing means housing with a sales price or rental amount that is within the means of a household that may occupy moderate- and low-income housing. Unless otherwise specified, affordable housing must meet one of the thresholds defined below. Nothing in this policy prevents the city from providing support for housing at other levels of affordability.

In the case of dwelling units for sale, affordable means housing in which the mortgage, amortized interest, taxes, insurance, and condominium or association fees, if any, constitute no more than 30 percent of such gross annual household income for a family at 80% of the area median income, based upon most recent HUD Income Limits for the Bend Metropolitan Statistical Area (Bend MSA).

In the case of dwelling units for rent, affordable means housing for which the rent and utilities constitute no more than 30 percent of such gross annual household income for a family at 60% of the area median income, based upon most recent HUD Income Limits for the Bend MSA.

FINDING: Applications PLTEXT20250371, PLCMPA20250371 and PLUGB20250372 have been submitted by the applicant to realize the development of the Caldera Ranch site, which was selected by City Council and is subject to the requirements and allowances built into SB 1537. The bill establishes specific affordability requirements; in accordance with Resolution 3411, the proposal is obligated to ensure that 30 percent of all units (or 254, whichever is greater) are deed-restricted affordable units for no less than 60 years. The conceptual plan and implementing Comprehensive Plan policies submitted with PLTEXT20250371 further specifies a minimum of 38 units will be deed-restricted affordable to households making 30 percent Average Median Income (AMI) or less; 192 units will be deed-restricted affordable to households making up to 80 percent AMI; and 24 for-sale units will be deed-restricted affordable to households making up to 130 percent AMI. While these figures differ slightly from the thresholds set forth in the Comprehensive Plan, the requirements of SB 1537 prevail.

5-21 In order to ensure the continued affordability of affordable housing that has been committed by a property owner or required by the City, the City may:

- **Specify a minimum number of years that affordability must be maintained;**

- **Require an applicant to demonstrate how affordability will be ensured throughout the specified period, including addressing how units will be made available to households meeting the targeted income level, resale/recapture for ownership units, and/or rent increases for rental units, as applicable;**
- **Establish phasing requirements for construction of affordable housing units;**
- **Condition land use approvals to implement affordable housing requirements;**
- **Require restrictive covenants, deed restrictions, and/or related instruments**
- **as deemed necessary by the City; and/or**
- **Require other measures deemed necessary by the City.**

FINDING: Applications PLTEXT20250371, PLCMPA20250371 and PLUGB20250372 have been submitted by the applicant to realize the development of the Caldera Ranch site, which was selected by City Council and is subject to the requirements and allowances built into SB 1537. The proposed Comprehensive Plan policies follow the requirements of Resolution 3411 and SB 1537 which establish the minimum years the units must be deed restricted affordable, phasing requirements for the affordable units, and minimum benchmarks the developer must reach in order to finalize the last 15 percent of market rate units. While the requirements of SB 1537 prevail over the specific Comprehensive Plan requirements established above, the intent and purpose behind City of Bend policy 5-21 are satisfied to the extent the affordable housing will be guaranteed and committed. Therefore, this policy is met.

Residential Compatibility

- 5-22 Private and public nonresidential uses are necessary and will be encouraged within residential areas for the convenience and safety of the residents. Such facilities shall be compatible with surrounding developments, and their appearance should enhance the area.**
- 5-23 Of necessity, nonresidential uses may abut residentially planned and zoned areas in different parts of the community. In these instances, nonresidential uses will be subjected to special development standards such as setbacks, landscaping, sign regulations, and building design that harmonize and provide transitions consistent with the primary purposes of the adjacent zones.**

FINDINGS: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 is primarily residential but includes 1.5 acres of commercially designated land (at the intersection of two higher order streets, Knott Road and extension of Brosterhous Road) and a centrally located 4.5-acre neighborhood park. These nonresidential areas are located along the primary north-south route through the site, and each is bordered on two frontages by 10-foot-wide multi-use pathways to provide safe and convenient access. The applicant's narrative states that "[t]he ±1.5-acre commercial site frames the primary entrance into Caldera Ranch with frontage on two higher order streets, Knott Road (minor arterial) and the planned Brosterhous Road extension (collector). It is separated from residential areas by surrounding streets, which mitigate impacts on surrounding homes, though it is anticipated that future commercial uses will be neighborhood in scale. At the time of development, the park and

commercial area will be subject to all applicable Bend Development Code standards.

5-31 Residential areas will offer a wide variety of housing types in locations best suited to a range of housing types, needs and preferences.

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 show 716 units anticipated with the development. Of these, ± 51 percent will be single unit detached, ± 17 percent will be townhomes, and ± 32 percent will be multi-unit housing types. These units will largely follow the plan designations of RS, RM, and RH. The RH and RM designated areas are located towards the northern portion of the site, closer to the commercially designated area, the transit stop along Knott Road, and to Caldera High School across Knott Road to the north.

The proposed Comprehensive Plan policies state that of the total 716 units, at least 120 units must be middle housing, and at least 230 units must be multi-unit housing (multi-unit dwellings will include accessible housing). The applicant's narrative states that a variety of unit sizes and bedroom-counts are anticipated, and will likely depend on market conditions like interest rates, construction costs, and consumer demand. However, if trends continue, single unit homes are anticipated to contain 3-4 bedrooms and range in size from $\pm 1,800$ to $\pm 2,800$ square feet, townhomes are anticipated to contain 2-3 bedrooms and range in size from $\pm 1,000$ to $\pm 1,600$ square feet, and multi-unit homes would contain 1-3 bedrooms. The range in square footage was not provided for multi-unit dwellings. The applicant has also noted that they have coordinated with Bend La-Pine School District to identify opportunities to help meet workforce housing needs (while maintaining compliance with applicable fair housing laws). As required with SB 1537 and with Resolution 3411, at least 30 percent of the units in the development must be designated affordable (or 254, whichever is greater).

Neighborhood Appearance

5-33 All new developments shall include trees in the road right of way, as practical, in the planter strip between the curb and sidewalk.

5-34 Walls and fences along arterial or collector streets shall be subject to special design standards. The area between the fence or wall and the curb or pavement shall be landscaped.

5-35 All residential development will respect the natural ground cover of the area and existing and mature trees within the community should be preserved where practicable.

FINDINGS: The applicant's narrative response to these policies generally state that neighborhood appearance requirements can be implemented through BDC standards regulating street trees, wall and fences along higher order streets, and tree preservation. Staff is inclined to agree; these policies are better enforced with corresponding BDC standards during the review of future land use applications (master plan, site plan review, land division). The Conceptual Plan shows a general land use and street program that can meet City standards. These policies are satisfied.

Transportation connectivity

5-38 Medium- and high-density residential developments should have good access to transit, K-12 public schools where possible, commercial services, employment and public open space to provide the maximum access to the highest concentrations of population.

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 show 716 units anticipated with the development. Of these, ± 51 percent will be single unit detached, ± 17 percent will be townhomes, and ± 32 percent will be multi-unit. These units will largely follow the plan designations of RS, RM, and RH. The RH and RM designated areas are located towards the northern portion of the site, closer to the commercially designated area, the transit stop along Knott Road, and to Caldera High School across Knott Road to the north. The applicant's narrative response states, "The Easton commercially-zoned lands are located ± 530 feet to the east, and the planned employment lands within the Southeast Area Plan are located approximately one-third mile to the east. An existing path and trail network along Knott Road and SE 15th Street connect the site farther north to the future Bend-La Pine Schools middle school site (± 0.4 miles) and BPRD's Alpenglow Park (± 0.6 miles). The southern terminus of the Bend Bikeway project sits ± 300 feet to the east of the project site and will provide a safer and more accessible bike and pedestrian connection north to Pine Nursery Park and east-west across the City". As proposed, this policy is satisfied.

5-39 Street widths on residential local streets shall be as narrow as reasonably possible to preserve safety, and limit the effects of surface runoff and excessive vehicle speed.

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes four street profiles anticipated to be utilized with the development of the site. Two of these cross-sections are designed to be consistent with the minimum local street right of way width of 60 feet, showing street pavement widths at 32 feet and 36 feet in width. The applicant's narrative response to this policy state that the future master plan for this site will be developed consistent with these policies, the proposed Comprehensive Plan amendments, and the applicable standards of the Bend Development Code at the time of Master Plan, Annexation, and Land Division application submittals.

5-42 Schools and parks may be distributed throughout the residential sections of the community, and all types of dwelling units should have safe and convenient access to schools and parks.

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 shows one centrally located neighborhood park (4.5-acres in size) and multiple other small areas of open space dispersed throughout the development. No schools are proposed with the concept plan. As discussed throughout this staff report, 716 units are anticipated with the development of the site: of these, ± 51 percent of will be single unit detached, ± 17 percent will be townhomes, and ± 32 percent will be multi-unit. Most single-unit detached units will be in the RS designation (southern portion of the site); most multi-unit



dwelling will be in the RH designation in the northeast corner of the site; and most single-unit attached dwellings (townhomes) will be in the northwest corner of the site. The concept plan shows a well-connected local street network for vehicular, bicycle, and pedestrian travel; the primary north-south and east-west routes through the development will include 10-foot-wide multi-use paths to extend the City's LSN. The applicant's narrative response adds, "The existing path and trail network along Knott Road and SE 15th Street connect the site farther north to the future Bend-La Pine Schools middle school site (± 0.4 miles) and BPRD's Alpenglowl Park (± 0.6 miles). The southern terminus of the Bend Bikeway project sits ± 300 feet to the east and will provide a safer and more accessible bike and pedestrian connection north to Pine Nursery Park and east-west across the city". As proposed, this policy is satisfied.

5-43 Sidewalks will be required in all new developments. Separated sidewalks will be required on all new streets. However, an alternative system of walkways that provide adequate pedestrian circulation may be approved.

5-45 Residential local streets shall be developed whenever practicable to increase connectivity within and between neighborhoods.

FINDING: The conceptual plan and implementing policies submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 show 10-foot-wide multi-use paths along the primary north-south and east-west routes through the development to extend the City's LSN. Overall, the development consists of a well-connected local street network which connects to the existing street network as practical. Local streets are shown to connect to the edge of the development site to facilitate development of abutting site in the future. With the review of future land use applications, sidewalks will be required on all streets. These policies will be met.

5-47 The City will consider the need for emergency equipment access for any new development.

FINDING: The applicant's narrative response to this policy states, "The Caldera Ranch Conceptual Plan shows an interconnected street and block network with multiple routes to and through the community. This provides multiple options for emergency access." Significant public comment was received during the Council's site selection process from the surrounding neighborhood concerning wildfire evacuation routes and providing ample access for fire department response. Further details of street connections and timing of street development will be reviewed with subsequent land use applications and will be required to meet all requirements of the Fire Code. This policy will be met.

Public Utilities and Services

5-48 All residential areas will be provided with community water and sewer services and other facilities necessary for safe, healthful, convenient urban living consistent with the density of development.

5-49 Residential development shall be coordinated with other land use elements and community facilities which are consistent with projected housing densities.



5-50 Electric power, telephone, and cable TV distribution and service lines shall be located underground in new developments.

5-51 New street names shall be unique within the County.

FINDINGS: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 include a preliminary street plan and preliminary utility plan showing water, sewer, and transportation facilities serving the site. As discussed at length above in this staff report, the applicant has provided copies of assurances and will-serve letters from urban service providers confirming that water, sewer, transportation, transit, fire protection, and parks can serve the site.

While undergrounding of power and telecommunications facilities will be addressed with future Tentative Subdivision and Site Plan Review applications, Exhibit G (of the submitted materials uploaded by the applicant in the project files) contains a letter from Central Electric Cooperative (CEC) confirming they are willing and able to serve Caldera Ranch. The applicant has also provided will-serve letters from internet and waste disposal providers which state a willingness and ability to serve the development. At the time of final plat of any land division, the City of Bend will coordinate with Deschutes County to ensure unique street names are provided. The applicable standards are, or can be, met.

CHAPTER 6: ECONOMY

Commercial Development

6-30 New commercially designated areas are encouraged to develop with mixed-use centers to include housing, open space, commercial development, and other employment uses.

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes a 1.5-acre commercially designated area (CC) at the northern boundary of the site, along minor arterial Knott Road and the extension of Brosterhous Road. This area is sized and located with an intent to serve the immediate surrounding residential areas, and includes an abutting open space. The commercially designated area within the Easton Master Plan is approximately 530 feet to the east and the planned employment lands within the Southeast Area Plan are located approximately one-third mile to the east. The applicant notes that Alpenglow Park is only 0.6 miles to the north, just past Caldera High School, across the Knott Road from the development site. Collectively, the proposed development meets the intent of the complete community with a variety of surrounding destinations. This policy is met.

6-33 All commercial developments shall be subject to development standards relating to setbacks, landscaping, physical buffers, screening, access, signs, building heights, parking areas, and design review.

6-35 Unless otherwise approved through an Area Plan, new Convenience Commercial Comprehensive Plan designations should be limited to five acres and should be at least one mile from another commercial Comprehensive Plan designation.

6-36 Commercial developments that abut residential zones or residential uses shall be subject to special setback and screening provisions.

FINDING: If the UGB expansion is approved, the development site will be subject to future applications including master plan, annexation, and subsequent entitlements (site plan review and land division). Associated development standards will be implemented at such time, including but not limited to: setbacks, special setbacks, screening, landscaping, physical buffers, screening, access, signs, building heights, parking areas, and design review.

The proposed 1.5-acre commercial designation is proposed as Commercial Convenience (CC). This area is less than five acres; however, it is under one mile from another commercial comprehensive plan designation (Easton commercially-designated lands are only 530 feet to the east). The applicant originally proposed the commercial designation of CL (Commercial Limited) during the site selection process; however, at the request of staff, the current proposal includes the designation of CC due largely to the provisions of SB 1537. The provisions of SB 1537 state that lands for commercial uses “primarily serve the immediate surrounding housing; provide goods and services at a smaller scale than provided on typical lands zoned for commercial use; and are provided at the minimum amount necessary to support and integrate viable commercial and residential uses.” The purpose of the CC zone more closely aligns with the intent of SB 1537, which lists characteristics such as, “...intended for relatively small commercial areas adjacent and connected to the residential districts they serve” and “intended to provide for primarily commercial uses to meet the frequent shopping and service needs of nearby residents.” The CC Zone does not allow auto-dependent retail uses. In contrast, the CL zone provides for a “...wide range of retail, service, and tourist commercial uses in the community along highways or in new centers” and allows auto-dependent retail uses. Since the development is subject to this subset of provisions as outlined in SB 1537, the requirements of the bill prevail, and these policies are found to be satisfied to the extent practical.

6-39 Commercial development adjacent to arterial streets and highways shall be subject to City of Bend and/or Oregon Department of Transportation access management standards (as applicable) and shall provide for multimodal access.

FINDING: The commercial development area is located on the south side of Knott Road, a designated minor arterial in the City of Bend’s Transportation Plan, and on the east side of the planned extension of Brosterhous Road. The preliminary street plan submitted as part of the conceptual plan demonstrates an applicable scale of compliance for this application; multi-use paths are shown on the frontage, a single-lane roundabout is shown at the intersection of Knott Road and Brosterhous Road. Each application file (PLTEXT20250371, PLCPMA20250370 and PLUGB20250372) includes a copy of the Transportation Impact Analysis and the accompanying City of Bend Traffic Analysis Memo, showing potential mitigations for the development which will be required to comply with City of Bend standards for vehicular and multi-modal access. This policy will be met with further review of subsequent land use applications.

CHAPTER 7: TRANSPORTATION



Safety

- 7-6 Emergency response time goals will be considered in all transportation planning, design, and maintenance activities, including the capacity and design of roads and intersections (including roundabouts), traffic calming devices, and installation of traffic signals that allow preemption for emergency vehicles.**

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes a street network that includes the extension of Brosterhous to the south and appropriately spaced local streets connecting the surrounding blocks, connecting to existing streets where feasible and stubbing all proposed streets to the property boundary to allow for public and emergency vehicle access. While this policy is applied to city-wide planning practices, in general, the proposed development can provide for adequate emergency access as proposed or with conditions of approval in subsequent land use decisions.

The applicant's narrative response states, "the Transportation Impact Analysis prepared by Transight Consulting (Exhibit H of the submitted materials uploaded by the applicant in the project files) analyzes connectivity to existing and planned transportation facilities in the City's Transportation System Plan (TSP), and confirms that the surrounding transportation system can operate effectively with mitigations that will be conditioned or codified through the subsequent master plan process. Exhibit G of the submitted materials uploaded by the applicant in the project files includes a letter from the City of Bend confirming the City has capacity and a willingness to provide urban services, including fire protection, streets, and roads". This policy can be met.

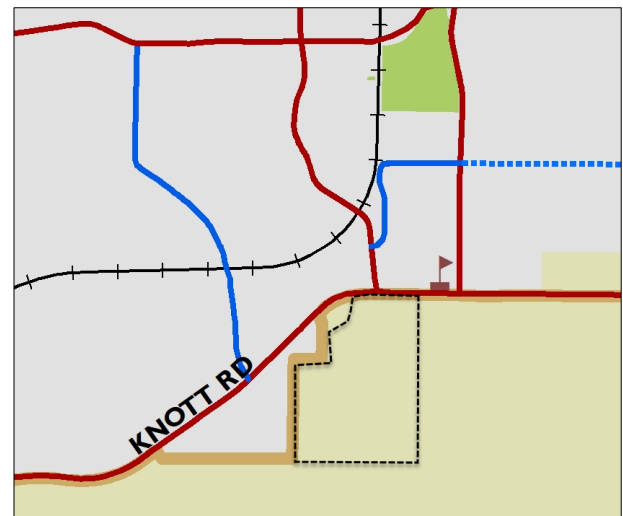
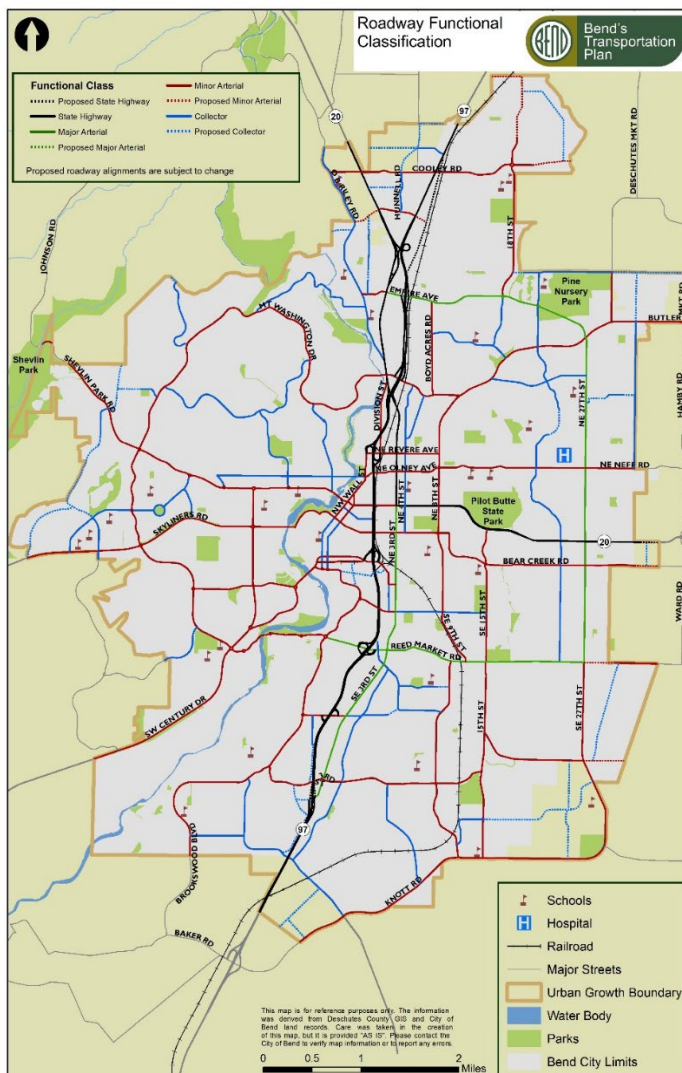
Mobility

- 7-11 The City's policy is to reduce the impact of cut-through traffic in residential neighborhoods.**
- 7-15 The City requires applicants with new land use proposals to assess the adequacy of the transportation system and ensure safe and efficient transportation for people using all modes. The City will assess the motor vehicular adequacy of the transportation system based on a peak hour analysis unless specified by the City Engineer. The City currently uses volume to capacity (v/c) targets and safety to evaluate intersection performance for motor vehicles. The City may adjust the v/c target, temporarily or permanently, for a specific intersection based on locational constraints, safety concerns, road classification, and/or surrounding existing or planned land uses. The City may impose reasonable conditions and mitigation requirements on development in proportion to their impacts. The City may use a measurement other than v/c in the future.**
- 7-19 The road system is based generally on a spacing of one mile for arterials and one-half mile for collectors. The precise alignment for new streets will be defined as development occurs.**
- 7-20 Where a subdivision or partition is adjacent to land likely to be divided in the**

future, streets, bicycle paths, and accessways shall continue through to the boundary line of the subdivision or partition in order to achieve connectivity within the grid system.

- 7-21 New residential block lengths shall not exceed 600 feet without a connecting cross street. When existing conditions or topography prevent a cross street, a pedestrian accessway to connect the streets shall be required.

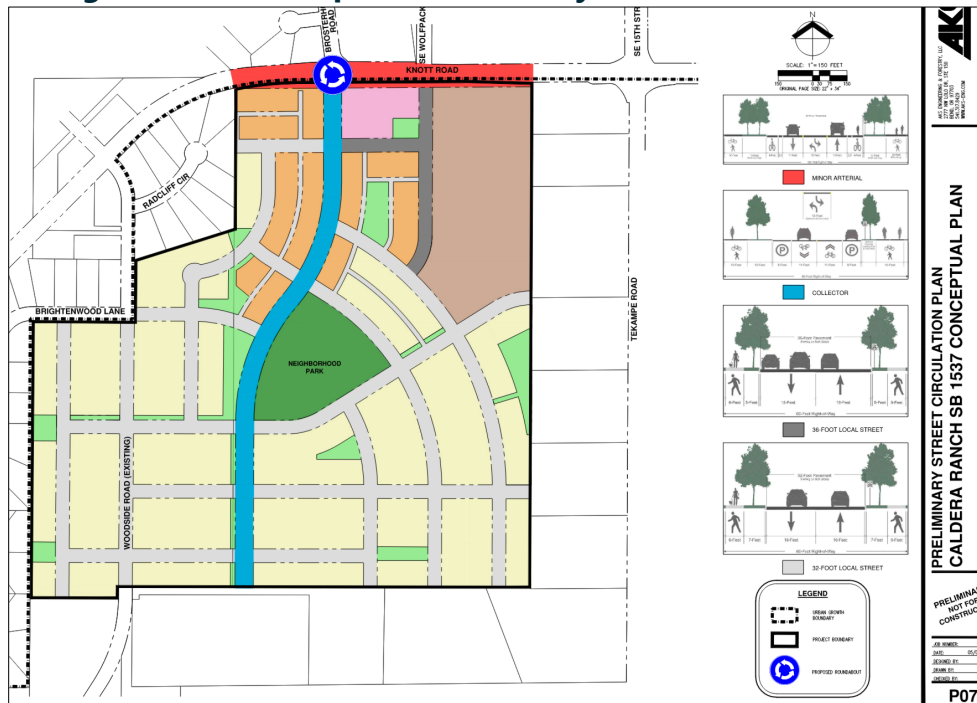
TSP Figure 7-1 Functional Classification Map



FINDING: The concept plan submitted with applications PLTEXT20250371, PLCPMA20250370 ,

and PLUGB20250372 includes a preliminary street plan, showing the extension of Brosterhous Road (proposed as a collector) running north-south in the center of the development side, with separated 10-foot-wide multi-use paths along either side and local streets extending east-west to provide adequate block length and connectivity for the site while discouraging cut-throughs on neighborhood streets. Brosterhous Road is classified on the Transportation System Plan (TSP) map as a minor arterial roadway. The extension of Brosterhous Road is an organic continuation of the existing street pattern and will require a change to the TSP map under this application. The conceptual street plan shows connections to existing roads (Knott Road, Woodside Road, Brightenwood Lane) and stubs to the property boundaries for alignment with future redevelopment. Multi-modal pathways are also shown east-west in the middle of the site and along the southerly boundary of Knott Road, implementing the requirements from Resolution 3411 and SB 1537. As stated in the proposed Comprehensive Plan policies, the future master plan "must include diverse transportation options, and connectivity to the existing and planned transportation network facilities including a well-connected extension of the City's LSN...". New development within the City of Bend is subject to the requirements of BDC 4.7, Transportation Analysis, and must subsequently comply with the requirements of BDC 3.4.200, Transportation Improvement Standards. The documentation included with the submittal includes a TIA reviewed under a Traffic Analysis Memo prepared by the city (PLTFR202501591), which lists potential mitigations that may be required with future development, including a single-land roundabout at the intersection of Knott Road and Brosterhous Road. These policies are met or will be met with subsequent land use applications.

Figure 7 (of this report) Preliminary Street Circulation Plan



Bicycles, Pedestrians, and Complete Streets

7-43 The City's policy is that all streets should be "complete streets." A complete street



is one that is designed to allow everyone to travel safely and comfortably along and across the street by all travel modes. Arterials, collectors, and most local streets will have buffered sidewalks. Arterials, collectors, and select local streets will have facilities in compliance with the Low Stress Network and the Pedestrian Master Plan.

- 7-45** The City will establish a network of low stress bikeway facilities (level of traffic stress 1 or 2; see Bikeway Design Guideline) as shown on the bicycle Low Stress Network map, to provide connections to schools, parks, and other destinations, as well as cross-city travel. It will accommodate small-wheeled vehicles, including shared micromobility transportation solutions, within local regulation and legal requirements. Implementation will focus on the key routes shown on the bicycle Low Stress Network map. The routes depicted should be considered general in nature. Flexibility should be permitted during the development and design of private lands and transportation construction projects to locate these to align with streets, fit the context of the natural terrain, to minimize grade, to consider street crossings and other safety issues, to account for the pattern and design of the development, and/or to consider right-of-way extents and any other topographic or geographic barriers or issues.
- 7-49** The City recognizes the BPRD Urban Trails map, as represented in BPRD's Comprehensive Plan, as an element of the transportation system and will collaborate with the BPRD for bikeway and pedestrian facility planning and construction within the City.
- 7-52** The City will work with BPRD to acquire, develop, and maintain the trails designated on the Bikeway Low Stress Network and Urban Trails maps. Construction and dedication of these trails for public use will be required as part of new development and capital transportation projects whenever possible. The alignments depicted should be considered general in nature. Flexibility should be permitted during the development and design of private lands and transportation construction projects to locate these trails to fit the context of the natural terrain, to minimize trail grade, to consider street crossings and other safety issues, to account for the pattern and design of the development, and/or to consider right-of-way extents and any other topographic or geographic barriers or issues.

FINDING: The conceptual plan submitted with applications PLTEXT20250371, PLCPMA20250370, and PLUGB20250372 includes a preliminary street plan which integrates bicycle and pedestrian infrastructure with vehicular infrastructure, and shows the existing LSN along Brosterhous Road to extend into the site with the development of the Brosterhous vehicular extension. A second LSN is shown along the central east-west local street. The extension of these LSNs requires a change to the LSN map under this application. The proposed alignment of the new LSNs are shown in Figure 8 below in pink, and upon approval, will be added to the LSN map.

Four street profiles are included on the preliminary street plan; while these will be reviewed in detail with the future master plan and subsequent land use applications, each includes sidewalks and facilities for biking. The main north-south roadway through the site includes 10-foot-wide multi-use pathways on both sides; Knott Road includes a 10-foot-wide multi-use pathway on the south side (which will help connect and improve the Bend Lava Trail), and the main east-west street in the center of the site includes a 10-foot-wide multi-use pathway on the north side.

The multi-use pathways extend the City's existing LSN and are a key component of the site's ability to provide access for all residents to the centrally located park and northern commercial area. These shared use connections are a requirement of the proposed Comprehensive Plan policies as discussed above in this staff report. While BPRD indicates support to operate and manage the centrally located park, the proposed multi-use pathways shown in the city of Bend right of way will most likely be accepted as part of the City of Bend infrastructure. Details on roadway maintenance will be reviewed in further detail at the time of future land use applications.

TSP Figure 7-2. Key Walking and Bicycling Routes and Low Stress Network Map (below)

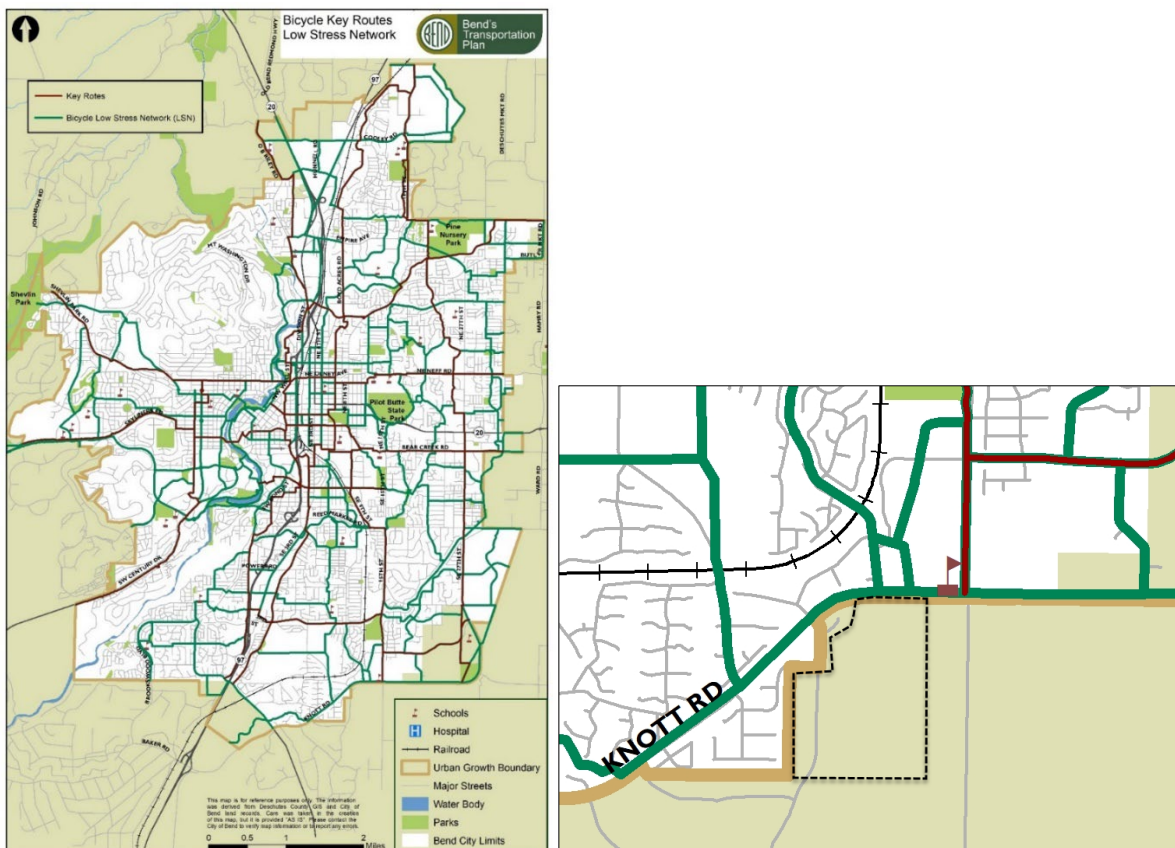
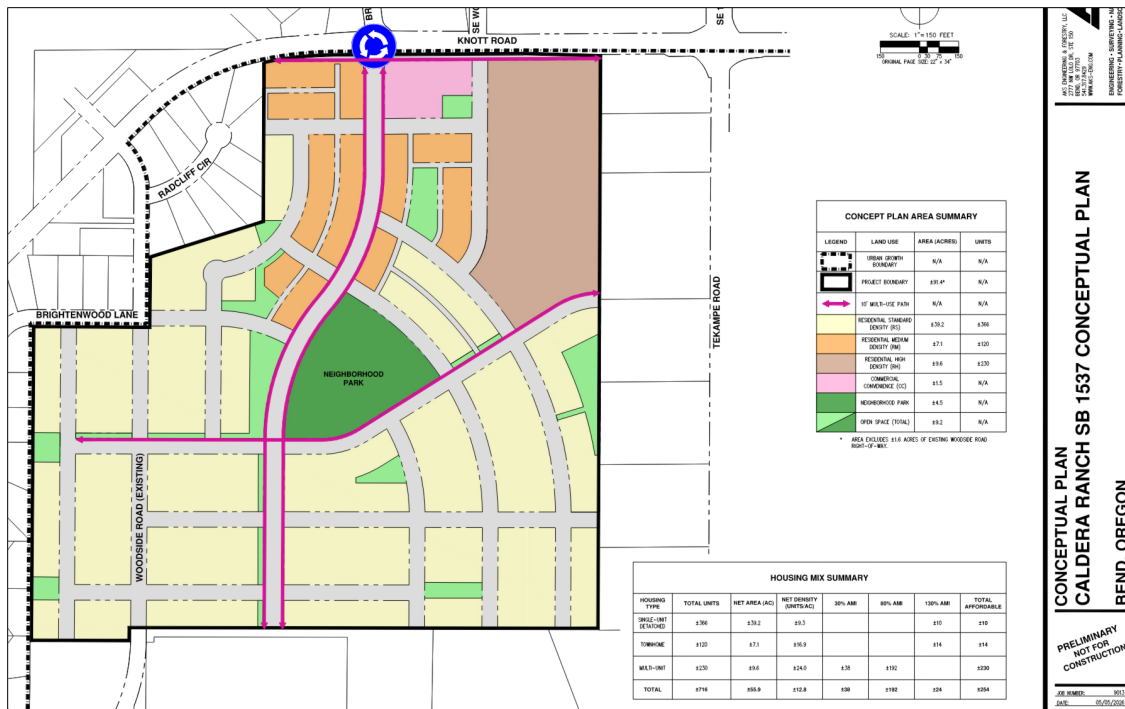


Figure 8 (of this report) Conceptual Plan



CHAPTER 8: PUBLIC FACILITIES AND SERVICES

Sewer Collection Facilities

- 8-1 All new development within the City Limits should be connected to City sewer.**
- 8-8 The preference of the City is to serve development through gravity conveyance and use of the Water Reclamation Facility.**
- 8-9 If lift stations are required to serve new development, regional pump stations shall be relied upon to the extent practicable versus individual or smaller lift stations.**

FINDINGS: The submitted conceptual plan and associated documentation in the files show the development connecting to the gravity sewer main in Knott Road to serve the site. Based on the City of Bend Utility Availability Memo PRSWA202406668, there is capacity in the sewer system and flow will be directed to the Southeast Regional Pump Station. The applicant's narrative response states that the natural grade of the site avoids the need for pump stations. Based on the information available, these policies can be met.

Water Facilities and Systems

- 8-16 Avion Water Company is the provider of water service for its franchise area under Statewide Planning Goal 11 and pursuant to the franchise agreement between the City and Avion adopted under Ordinance NS 1514, as amended.**
- 8-18 Within the urban planning area, public and private water systems shall be consistent with City Standards and Specifications for construction and service capabilities.**

FINDINGS: The conceptual plan submitted with applications PLTEXT20250371,



PLCPMA20250370, and PLUGB20250372 includes a preliminary utility plan that shows the site utilizing Avion water mains to serve the site. As the water utility for the vicinity, Avion has provided a will-serve letter indicating a willingness and ability to serve the proposed development. Per the submitted narrative, “an existing Avion Water transmission main runs from the southern property boundary to Knott Road. Additional Avion transmission mains are located in Knott Road along the property frontage, and existing Avion wells are located less than ±150 feet from the southeastern corner of the property”. The applicant will be required to continue coordinating with the private water utility as plans for the development continue; all work on water facilities within the City of Bend’s right-of-way will be required to meet City of Bend Standards as applicable. These policies can be met.

Storm Drainage Facilities and Systems

- 8-24 Due to the lack of a defined drainage pattern for most of the urban area, development shall, to the extent practicable, contain and treat storm drainage on-site. In instances where containing storm drainage on-site would not be safe or practicable, the developer shall enter into a formal and recorded arrangement with the City or a private party to adequately address the storm drainage off site such as a regional control.**
- 8-25 The use of stormwater disposal systems shall be coordinated with the Oregon Department of Environmental Quality and Water Resources Department to protect ground water and surface water.**
- 8-27 All public and private stormwater facilities shall be designed and operated in accordance with the City’s Stormwater Master Plan and shall meet appropriate drainage quantity and quality requirements, including, but not limited to, the requirements of the City’s National Pollutant Discharge Elimination System (NPDES) MS4 Stormwater Permit, Integrated Stormwater Management Plan, WPCF UIC Permit and any applicable Total Maximum Daily Load requirements (TDML) requirements. Underground injection and surface discharges to the Deschutes River or Tumalo Creek shall only be approved when other alternatives, such as retention basins or bioinfiltration swales, are not reasonably available. Low impact site designs shall be a required part of all new development and redevelopment projects.**
- 8-31 All developments shall evaluate the potential of a land parcel to detain excess stormwater runoff and require incorporation of appropriate controls, for example through the use of detention facilities to address quantity, flow, and quality concerns.**

FINDINGS: The applicant’s response to these policies provided in the submitted narrative are largely aligned with the position of staff – that these policies can be best addressed at the time of future land use application review based on the implementing standards of the Bend Development Code, Municipal Code, and Standards and Specifications. According to the applicant, given the natural grade of the site and the required 9.2 acres of open space, multiple



options are available for stormwater maintenance. These policies will be met.

8-33 Hazard and resource areas with the following characteristics shall be considered unsuitable for urban development:

- o flood zones;
- o water supply watersheds; and
- o riparian corridors and natural drainageways.

FINDING: The site is not within a flood zone or riparian corridor. As discussed throughout this staff report, no significant wetlands exist on the subject property. While a pond is shown on the National Wetlands Inventory (NWI), it is unlikely that there are jurisdictional wetlands or waterways on the property based on comments from DSL on the submitted Offsite Wetland Determination Report (Exhibit Q of the submitted materials uploaded by the applicant in the project files). The applicant also notes in the narrative that no drainages or wetlands were identified on site by a wetland scientist, certified professional soil scientist, or a geotechnical engineer. This policy is met.

8-34 Development on slopes in excess of 10 percent shall require special consideration to prevent construction-related and post-construction erosion.

FINDING: The conceptual plan set submitted with applications PLTEXT20250371, PLCPMA20250370, and PLUGB20250372 includes an existing conditions plan suggesting slopes may exceed 10 percent in certain areas of the site; however, the applicant's narrative response states that this is likely based on the prior use as a surface mine, and significant grading will be required with the development and areas of ten percent slopes will be minimized. Since the area was found to not contain special rock outcroppings or natural features, and the property no longer contains protections as a Goal 5 resource, grading of this nature will be appropriate. The development will be required to follow all erosion control measures at the time of construction and grading. This policy will be met.

8-36 Land uses that pose a major threat to water quality, including commercial and industrial uses such as automobile dismantlers, waste transfer disposal facilities, light industries, and other uses that have a significant potential for pollution, shall not be located within the vicinity of stream, percolation facilities, reservoirs, drill holes or where pollutants could easily come in contact with flood waters, high groundwater, flowing rivers, or reservoirs. Such uses shall be required to reduce any threat of pollution to an insignificant level as a condition of approval.

FINDING: The conceptual plan submitted with applications PLTEXT20250371, PLCPMA20250370, and PLUGB20250372 shows proposed commercial designated lands 1.5 acres in size abutting Knott Road at the northernmost boundary of the development site and abutting the extension of Brosterhous Road to the west. The proposed commercial designation is CC, which allows small-scale commercial uses intended to serve the surrounding residences. Permitted and conditional uses in the corresponding CC zone include light-industrial uses and retail sales and service that are automobile oriented (drive-throughs), but prohibit automobile dependent uses (gas stations) and heavy industrial uses (wrecking yards and waste transfer

facilities). The permitted uses alone in the corresponding zone are sufficient to find this policy met.

CHAPTER 9: COMMUNITY APPEARANCE

9-2 Community appearance shall continue to be a major concern and the subject of a major effort in the area. Major natural features, such as rock outcrops or stands of trees, should be preserved as a community asset as the area develops.

FINDING: As shown on the existing conditions plan included as part of the Conceptual Plan set and described in detail in the submitted narrative, tax lot 200 was previously used as an aggregate mining site and has been significantly disturbed. As such, the site contains no significant rock outcroppings or natural features, and the applicant states that there are no significant stands of trees; however, no tree inventory was submitted to identify trees of significance. Tree preservation requirements will be required to be met with future land use applications. As shown on the conceptual plan, 9.2 acres including the centrally located 4.5-acre park are required with the development and will provide opportunities to preserve existing trees. These policies can be met with the review of future land use applications.

CHAPTER 10: NATURAL FORCES

Wildfire

10-18 The City will adopt strategies to reduce wildfire hazard to lands inside the City and included in the Urban Growth Boundary. These strategies may, among others, include the application of the International Wildland-Urban Interface Code with modifications to allow buffers of aggregated defensible space or similar tools, as appropriate, to the land included in the UGB and annexed to the City of Bend.

FINDING: This policy is specific to strategies the City will adopt to reduce wildfire hazard. According to the Deschutes County Property Information (DIAL) Interactive Map, the entirety of Deschutes County, including the subject property, is in a Wildfire Hazard Area. During the site selection process, wildfire risk and mitigation were a major concern of surrounding property owners of the Caldera Ranch site, many of whom provided testimony at the public hearing before council on December 4, 2024. Upon selection of this site, staff were directed to include specific provisions in Resolution 3411 requiring the applicant to address wildfire mitigation as part of the master plan. The conceptual plan submitted with applications PLTEXT20250371, PLCPMA20250370, and PLUGB20250372 includes Comprehensive Plan policies directly related to wildfire mitigation, stating “the [future] Master Plan must show that wildfire risk will be mitigated through one or more of the following methods: creation of defensible space, landscaping and hardscaping, arrangement of land uses, construction and building materials, and/or development patterns based on a Wildfire Mitigation Plan prepared by a professional forester, emergency management consultant, or similar professional”. If adopted as proposed, this policy will ensure that future development address and mitigate wildfire risk to the extent practical.



The proposed development will be required to meet all applicable Fire Code standards upon development, including sufficient emergency vehicle access points based on unit count. Any future development of the subject property will have to demonstrate compliance with applicable local and state health, environmental quality, and wildfire regulations. More recently, the City of Bend adopted Section R327 of the Oregon Residential Specialty Code, establishing home-hardening requirements for new residential construction intended to improve wildfire resilience in Bend, which development on this site will be required to comply with upon building permit review. This policy will be met.

CHAPTER 11: GROWTH MANAGEMENT

Policies for Land Use and Transportation

11-6 Medium and high-density residential development should have good access to transit, K-12 public schools where possible, commercial services, employment and public open space to provide the maximum access to highest concentrations of population.

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 show 716 units anticipated with the development: of these, ± 51 percent of will be single unit detached, ± 17 percent will be townhomes, and ± 32 percent will be multi-unit. These units will largely follow the plan designations of RS, RM, and RH. The RH and RM designated areas are located towards the northern portion of the site, closer to the commercially designated area, the transit stop along Knott Road, and to Caldera High School across Knott Road to the north. The applicant's narrative response states, "The Easton commercial lands are located ± 530 feet to the east, and the planned employment lands within the Southeast Area Plan are located approximately one-third mile to the east. An existing path and trail network along Knott Road and SE 15th Street connect the site farther north to the future Bend-La Pine Schools middle school site (± 0.4 miles) and BPRD's Alpenglow Park (± 0.6 miles). The southern terminus of the Bend Bikeway project sits ± 300 feet to the east and will provide a safer and more accessible bike and pedestrian connection north to Pine Nursery Park and east-west across the City". As proposed, this policy is satisfied.

11-9 Developments at the edge of the urban area shall be designed to provide connectivity to existing and future development adjacent to the urban area.

11-13 As areas that are currently beyond Bend's existing Urban Growth Boundary (UGB) are urbanized, the city, property owners, developers and all applicable service districts shall work cooperatively to develop appropriate plans for extensions and connections of the transportation system, including but not limited to: roads, sidewalks, trails and/or public transportation. The objective of this planning effort will be to ensure that the new areas promote and facilitate the development of urban land use densities and systems that will fulfill the goals and objectives of the Transportation System Plan.

11-21 Transportation facilities currently located on rural lands shall not be constructed

to an urban standard until the area is brought into the UGB.

FINDING: The concept plan submitted with applications PLTEXT20250371, PLCPMA20250370, and PLUGB20250372 includes a preliminary street plan, showing the extension of Brosterhous Road (proposed as a collector) running north-south in the center of the development side, with separated 10-foot-wide multi-use paths along either side and local streets extending east-west to provide adequate block length and connectivity for the site while discouraging cut-throughs on neighborhood streets. The extension of Brosterhous Road is an organic continuation of the existing street pattern. The street plan shows connections to existing roads (Knott Road, Woodside Road, Brightenwood Lane) and stubs to the property boundaries to the east and south for alignment with future redevelopment. Multi-modal pathways are also shown east-west in the middle of the site and along the southerly boundary of Knott Road, implementing the requirements from Resolution 3411 and SB 1537. As stated in the proposed Comprehensive Plan policies, the future master plan “must include diverse transportation options, and connectivity to the existing and planned transportation network facilities including a well-connected extension of the City’s LSN”. The extension of the higher order roadway (Brosterhous) and the extension of the LSNs into the site must be added to the appropriate TSP figures as discussed above and below. The applicant has provided coordination letters from urban service providers (CET, ODOT, City of Bend) and has also coordinated with Deschutes County. Comments from Deschutes County note that all existing roads within the development area will be transferred to the City upon annexation. At the point the roadways are annexed to the City of Bend, they will be required to be improved to City of Bend Standards. These policies are or will be met.

Policies for Centers and Corridors

11-26 New commercially designated areas are encouraged to develop with mixed-use centers to include housing, open space, commercial development, and other employment uses.

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 includes a 1.5-acre commercially designated area (CC) at the northern boundary of the site, along minor arterial Knott Road and the extension of Brosterhous Road. This area is intended to serve the immediate surrounding residential areas, and includes an abutting open space. The commercially designated area within the Easton Master Plan is approximately 530 feet to the east and the planned employment lands within the Southeast Area Plan are located approximately one-third mile to the east. The applicant notes that Alpenglow Park is only 0.6 miles to the north, just past Caldera High School, across the Knott Road from the development site. Collectively, the proposed development meets the intent of the complete community with a variety of surrounding destinations. This policy is met.

11-29 Unless otherwise approved through an Area Plan, new Convenience Commercial Comprehensive Plan designations should be limited to five acres and should be one mile from another commercial Comprehensive Plan designation.

FINDING: The proposed 1.5-acre commercial designation is proposed as Commercial



Convenience (CC). This area is less than five acres; however, it is under one mile from another commercial comprehensive plan designation (Easton commercially-designated lands are only 530 feet to the east). The applicant originally proposed the commercial designation of CL (Commercial Limited) during the site selection process; however, at the request of staff, the current proposal includes the designation of CC due largely to the provisions of SB 1537. The provisions of SB 1537 state that lands for commercial uses “primarily serve the immediate surrounding housing; provide goods and services at a smaller scale than provided on typical lands zoned for commercial use; and are provided at the minimum amount necessary to support and integrate viable commercial and residential uses.” The purpose of the CC zone more closely aligns with the intent of SB 1537, which lists characteristics such as, “...intended for relatively small commercial areas adjacent and connected to the residential districts they serve” and “intended to provide for primarily commercial uses to meet the frequent shopping and service needs of nearby residents.” The CC Zone does not allow auto-dependent retail uses. In contrast, the CL zone provides for a “...wide range of retail, service, and tourist commercial uses in the community along highways or in new centers” and allows auto-dependent retail uses. Since the development is subject to this subset of provisions as outlined in SB 1537, the requirements of the bill prevail, and these policies are found to be satisfied to the extent practical.

Policies for Residential Areas and Neighborhoods

- 11-33 Neighborhood Commercial shopping areas may be located within residential districts and have development standards that appropriately limit their scale and recognize their residential setting.**
- 11-34 Medium-and high-density residential developments should have good access to transit, K-12 public schools where possible, commercial services, employment, and public open space to provide the maximum access to the highest concentrations of population.**

FINDING: The conceptual plan submitted with PLTEXT20250371, PLCPMA20250370 and PLUGB20250372 shows 716 units anticipated with the development: of these, ±51 percent will be single unit detached, ±17 percent will be townhomes, and ±32 percent will be multi-unit. These units will largely follow the plan designations of RS, RM, and RH. The RH and RM designated areas are located towards the northern portion of the site, closer to the commercially designated area, the transit stop along Knott Road, and to Caldera High School across Knott Road to the north. As a CC designated area, the commercial lands allow more small-scale uses appropriate for neighborhood settings and will be required to meet transitional standards when abutting residential uses and residentially-designated areas in accordance with applicable standards upon development. Table 15 of the City’s 2016 Economic Opportunities Analysis, adopted with the 2016 UGB expansion, identifies site characteristics needed for commercial uses at different scales. The typical site size ascribed to “small commercial” is less than two acres, and is identified as compatible with other commercial, mixed uses, and residential uses.



Additionally, the applicant's narrative response states, "The Easton commercial lands are located ± 530 feet to the east, and the planned employment lands within the Southeast Area Plan are located approximately one-third mile to the east. An existing path and trail network along Knott Road and SE 15th Street connect the site farther north to the future Bend-La Pine Schools middle school site (± 0.4 miles) and BPRD's Alpenglowl Park (± 0.6 miles). The southern terminus of the Bend Bikeway project sits ± 300 feet to the east and will provide a safer and more accessible bike and pedestrian connection north to Pine Nursery Park and east-west across the City". As proposed, this policy is satisfied.

General UGB Expansion Policies

The following policies are intended as local policy guidance to evaluating alternative future UGB expansions in the context of meeting state laws and administrative rules and balancing the factors established in state regulations. The emphasis on "guidance" above recognizes that the City will define goals and evaluation criteria to be applied for each unique UGB expansion process.

- 11-69 The City will consider the value of balancing and distributing UGB expansions geographically around the city consistent with State of Oregon laws and rules to distribute the benefits (and impacts) of growth and to provide more options for new neighborhoods.**
- 11-71 The City will take into consideration the context of land beyond a single UGB expansion to inform the type and intensity of uses that are appropriate in each potential expansion area.**
- 11-72 The City will consider applying the concept of a "transect" to appropriate areas. The transect is a series of zones that transition from urban to rural which can reduce the risk of wildfire and provide an appropriate transition from urban uses to national forest lands and other resource areas, such as wildlife habitat, that will not be urbanized within the long-range future.**
- 11-73 The City will consider the relative ability of proposed expansion areas to address the city's affordable housing needs in balancing the social and economic consequences of bringing alternative expansion areas into its urban growth boundary.**

FINDINGS: The policies above are intended to guide evaluating alternative future UGB expansions in the context of meeting state laws and administrative rules and balancing the factors established in state regulations. As stated above, the policy emphasizes that these policies are truly "guidance", recognizing that the City will define goals and evaluation criteria to be applied for each unique UGB expansion process.

SB 1537 was approved by the state legislature as an alternative UGB expansion process created with the intention of bringing affordable housing online more quickly than would otherwise be allowed with a typical UGB expansion process. SB 1537 established housing affordability requirements across multiple income levels (in which a minimum of 30 percent of all housing



was required to be deed-restricted affordable), minimum required densities, and required the inclusion of open space and commercially designated lands. Since the City of Bend was experiencing [and continues to experience] an acute housing crisis, the Bend City Council directed staff to proceed with requesting site applications in June 2024, including draft concept plans, from interested and eligible applicants under SB 1537. Ultimately, two sites submitted applications for consideration, both located east of Highway 97 in Bend.

During the site selection process, in addition to numerous other factors, the City considered the location of both sites relative to the existing UGB and previous expansion areas from 2016, concentrations of existing affordable housing developments in the City, benefits and drawbacks of a transect concept, and the intensity of the overall development. Ultimately, the Caldera Ranch conceptual plan was selected to proceed with the determination that it more closely followed the policies listed above as well as meeting the requirements of SB 1537.

BEND DEVELOPMENT CODE

Chapter 4.6 – LAND USE DISTRICT MAP AND TEXT AMENDMENTS

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: Per SB 1537, the three proposed applications (Comprehensive Plan text amendment PLTEXT20250371, Comprehensive Plan Map amendment PLCPMA20250370, and UGB expansion PLUGB20250372) are not land use decisions; however, in the interest of transparency and accountability the City of Bend is reviewing the applications under these criteria to ensure that the proposal follows the City's standard process as closely as possible. Thus, the three applications are following the Type III-City Council (CC) process as Quasi-Judicial amendments given that the proposal affects a limited number of properties in a factual setting.

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:

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

FINDING: Review of applicable statewide planning goals were reviewed above in this staff -



report on pages 20-23; the proposal was found to comply with the applicable goals. This criterion is met.

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: The relevant Comprehensive Plan policies were reviewed above in this staff report on pages 38-60; the proposal was found to comply with the relevant policies, or able to comply with the review and approval of subsequent land use applications (master plan, annexation, land division, site plan review). Therefore, this criterion is satisfied.

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: As discussed on pages 20-22 and elsewhere in this staff report, SB 1537 requires the applicant to demonstrate that urban service providers are willing and able to provide public facilities to the site, including but not limited to services for water, sewer, roads, fire protection, parks, open space, recreation, and transit. Documentation uploaded to the files includes will-serve letters from utility providers, agreements between relevant parties, and equivalent assurances showing the site can be adequately served with the development of the site.

Specifically, the City of Bend is the urban service provider for sewer, fire protection, and streets/roads, and has indicated a willingness and capacity to provide these services as demonstrated through a letter to the applicant from the City of Bend (citing details provided in Utility Availability Memo PRSWA202406668 (Exhibit J of the submitted materials uploaded by the applicant in the project files) and Traffic Analysis Memo PRTFR202501591 (Exhibit I of the submitted materials uploaded by the applicant in the project files), confirming capacity on the City of Bend systems). Documentation was provided by Avion Water, the water service provider for the area, (Page 3 of Exhibit G of the submitted materials uploaded by the applicant in the project files) stating that they are willing and able to serve the site. BPRD, the urban service provider for parks, has indicated a willingness to own and maintain the proposed 4.5-acre neighborhood park (Pages 4 and 5 of Exhibit G). Lastly, CET, the transit provider for the region, has confirmed that Route 9 operates along Knott Road and there is an existing stop on the north side of Knott Road across the street from the Caldera Ranch development (Page 6 of Exhibit G). As noted previously, CET has indicated that transit service in this area and city-wide needs improvement; however, the existing services will provide the opportunity for Caldera Ranch residents to utilize transit. This criterion is met.

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: SB 1537 was approved by the state legislature as an alternative UGB expansion process created with the intention of bringing affordable housing online more quickly than

would otherwise be allowed with a typical UGB expansion process. Caldera Ranch was selected as the approved site in December 2024 to move forward, subject to the specific requirements of SB 1537. As formalized in Resolution 3411, the City of Bend qualifies for the SB 1537 UGB expansion under Section 52, in part, due to a demonstrated need for both additional land and affordable housing. Consequently, the passing of SB 1537 itself constitutes recognition by the legislature of the affordable housing crisis state-wide. The City's ability to demonstrate a need for more affordable housing based on the percentage of cost-burdened households (14.96 percent) and the City's decreasing supply of land for housing (9,1468.9 of the 1,770.9 acres identified in the 2016 UGB expansion are developed or prepared for annexation) both constitute changes in the neighborhood or community and justify the amendments to expand the UGB to include the Caldera Ranch site and apply urban Comprehensive Plan Map designations of CC, RS, RM, and RH. This 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: The submitted proposal includes PLCMPA20250371 and PLTEXT20250371, a Comprehensive Plan Map amendment and Comprehensive Plan Text amendment. Therefore, the proposal should be reviewed to determine whether it significantly affects a transportation facility per OAR 660-012-0060; "should" instead of must, since the proposal does not yet constitute a land use application as established in SB 1537.

SB 1537 does not require the City to address Goal 12, as it is implemented by the Transportation Planning Rule at OAR 660-012. Section 50 of SB 1537 sets out the standards in the bill apply to including the Caldera Ranch site into the Bend UGB in lieu of statewide planning goals; Section 55 provides the standards for adoption of a concept plan which may then be implemented through a UGB expansion under the bill. Section 55(3)(c) provides the standards for transportation applicable to the concept plan. Section 55(3)(d) lists the applicable statewide land use planning goals and does not include Transportation.

If the proposed UGB amendment is approved, the site will be brought into the City of Bend with designations of RS, RM, RH, and CC. Since the property will be in the UGB but not yet annexed, the corresponding zoning will not yet be applied, and instead all properties will be automatically zoned Urbanizable Area (UA). The current Deschutes County designation of the site is RREA, and the current zoning is MUA-10. As detailed in the applicant's narrative, "Until master planning under BDC 4.5.200 and annexation under BDC Chapter 4.9 occur, the UA zone requires minimum lot sizes of 20 acres and does not allow any more trips than the current MUA-10 zone. Therefore, the TPR requirements of OAR 660-012-0060 need not be applied. Furthermore, SB 1537 Section 55(3)(d) does not require that the Conceptual Plan and

corresponding comprehensive plan amendments comply with Goal 12 and its implementing rules.” Staff agrees with the applicant and finds that this requirement will be more appropriately addressed at the time of master plan and annexation, when the development is subject to land use application requirements and is proposing additional trips; this criterion will be met with future applications.

CHAPTER 4.7 – TRANSPORTATION ANALYSIS

4.7.200 Applicability.

A. Applicability. An applicant must submit a Transportation Facilities Report and follow the steps in BDC 4.7.300 when a proposed development involves one or more of the following applications:

- 1. Subdivision application;**
- 2. Site Plan Review application;**
- 3. Master Plan;**
- 4. Bend Comprehensive Plan map amendment;**
- 5. Other development proposals as determined by the City Engineer that do not include needed housing (e.g., commercial, industrial and institutional development proposals).**

FINDING: The submitted proposal includes PLCMPA20250371, a Comprehensive Plan Map amendment. Therefore, a Transportation Facilities Report was required to be submitted with the application. The Transportation Impact Analysis prepared by Transight Consulting in compliance with BDC 4.7.300 is included in Exhibit H of the submitted materials uploaded by the applicant in the project files. Traffic Analysis Memo PRTFR202501591 (Exhibit I of the submitted materials uploaded by the applicant in the project files), issued by the City, confirms that the surrounding transportation system can operate with mitigations. Per the applicant’s narrative, “Until master planning under BDC 4.5.200 and annexation under BDC Chapter 4.9 occur, the UA zone requires minimum lot sizes of 20 acres and does not allow any more trips than the current MUA-10 zone.” Staff agrees with the applicant and finds that this requirement will be more appropriately addressed at the time of master plan and annexation review, when the development is subject to land use application requirements and is proposing additional trips. Requirements of BDC 4.7 will therefore be met with future applications.

CONCLUSION

Based on the findings throughout this report, the proposed amendments to the Bend Comprehensive Plan and Bend Comprehensive Plan Map meet all applicable criteria to recommend a UGB Expansion for City Council adoption. The proposal is in substantial compliance with Resolution No. 3411 and SB 1537 (as amended by SB 48).

RECOMMENDATION:



Staff recommends that the Planning Commission recommend approval of the proposed Bend Comprehensive Plan Amendments, Bend Comprehensive Plan Map Amendments, and UGB Expansion to the City Council.



Accommodation Information for People with Disabilities & Language Assistance Services

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

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

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

DRAFT
Comprehensive Plan Text Update
September 2, 2026

Prepared by: Community Development Department

Note:

Text in underlined typeface is proposed to be added

Text in strikethrough typeface is proposed to be deleted

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

Bend Comprehensive Plan

Chapter 11: Growth Management

11-48 Master plans in expansion areas are subject to policies 11-75 to 11-183 of this chapter.

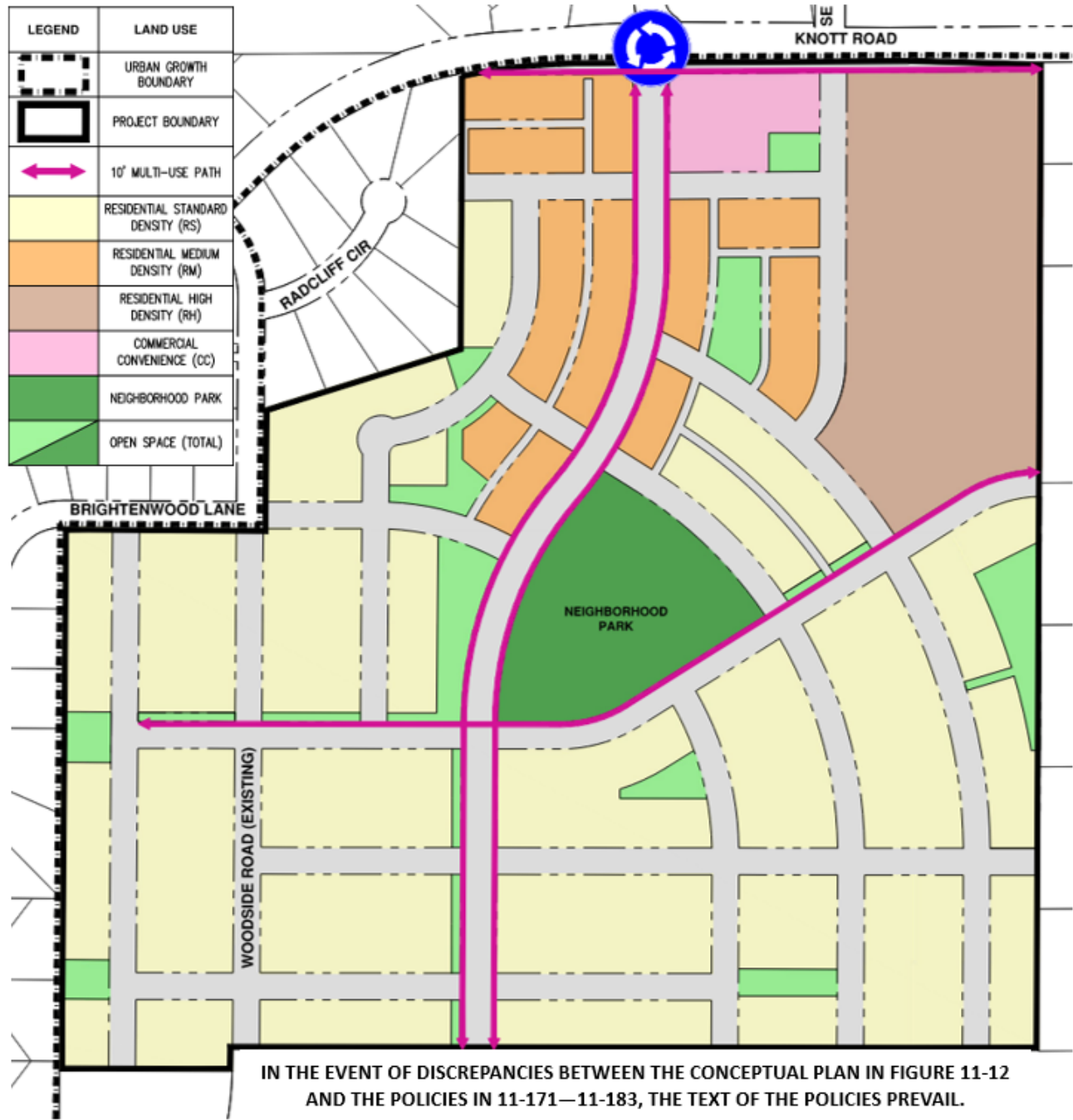
Caldera Ranch

11-171 The Caldera Ranch concept plan and site (“Caldera Ranch Site”) is shown in Figure 11-12 and includes 91.4 gross acres. The concept plan includes a total of 55.9 net residential acres with a diversity of housing types and sizes including middle and needed housing with over 30% of units as affordable to households making 130% AMI or less. It includes Convenience Commercial located near Knott Road, a centrally located open space, and a well-connected multi-modal system.

11-172 Master planning is required for this area and must be consistent with the conceptual plan in Figure 11-12 in the general layout, size and location of plan designations. The master plan must provide for a mix of residential uses, commercial uses sized to primarily serve the immediate surrounding housing, and open space. The master plan must be consistent with both the applicable master plan standards in the Bend Development Code and Policies 11-171 through 11-183, below, which implement the Caldera Ranch Site conceptual plan.

11-173 The conceptual plan for the Caldera Ranch Site development, shown in Figure 11-12 and is adopted as part of this comprehensive plan and is implemented through policies 11-171—11-183. The Caldera Ranch Site is a binding conceptual plan as defined by Section 55 of SB 1537 (One-Time Site Addition to Urban Grown Boundaries). All development on the Caldera Ranch Site must be substantially consistent with Resolution 3411, adopted by City Council to implement SB 1537 (2024), as later amended by SB 48 (2025) (together, “SB 1537”), as well as the following implementing policies.

Figure 11-12. Caldera Ranch Conceptual Plan



11-174 In order to provide sufficient housing capacity for a minimum of 716 housing units, including at least 120 middle housing units and at least 230 multi-unit attached units, the Caldera Ranch Site includes, at a minimum, the following comprehensive plan designations: 66 acres of Residential Standard Density, 10 acres of Residential Medium Density, and 9 acres of Residential High Density.

11-175 The Master Plan must demonstrate an overall minimum density of 10 units per net residential acre. The densities may exceed the maximum densities in BDC 2.1.600.

11-176 Thirty percent of the total housing units or 254 units, whichever is greater, must be deed-restricted affordable housing units meeting the requirements of SB 1537 (2024) including a minimum of:

- 38 units affordable to households making 30% AMI or below
- 192 units affordable to households making up to 80% AMI
- 24 for-sale units affordable to households making up to 130% AMI

11-177 The affordable housing units in policy 11-176 above must meet the following:

- Affordable housing units must meet the requirements of SB 1537 (2024).
- All affordable housing units must be subject to affordability restrictions, in a form acceptable to the City, to ensure that the units will meet the affordability requirements for not less than 60 years from the date of certificate of occupancy. The affordable housing restrictions must comply with ORS 456.270 to 456.295, must contain financial penalties for noncompliance, and must be recorded before the building permits are issued for any property within the Caldera Ranch Site.
- Planning and timing requirements for the affordable housing units must be established in the master plan and an annexation agreement and must include the following:
 - Prior to the recording of the plat that creates the 243rd residential lot on the Caldera Ranch Site, the following units must be under construction: a minimum of 230 units of affordable to households making 80% AMI or below, and a minimum of 16 for-sale units affordable to households making 130% AMI or below.
 - Required for-sale units affordable to households making up to 130% AMI must be built in each residential RS and RM phase until all required for-sale affordable units have been constructed.
 - The construction of all affordable units in policy 11-176 above must commence before the city issues certificates of occupancy to the last 15 percent or 69 market rate units, whichever is greater.

11-178 All common areas and amenities on the Caldera Ranch Site must be equally available to residents of affordable units and of market rate units. Properties designated for affordable units must be dispersed throughout the site.

11-179 Coordination with Bend Park and Recreation District is required to address provision of parks and/or trails within this area. The Master Plan must include a minimum of 9.2 acres of open space, which includes a minimum of 4.5 acres, centrally located and consistent with the Conceptual Plan shown in Figure 11-12, to be dedicated to Bend Parks and Recreation District for the purposes of a neighborhood park.

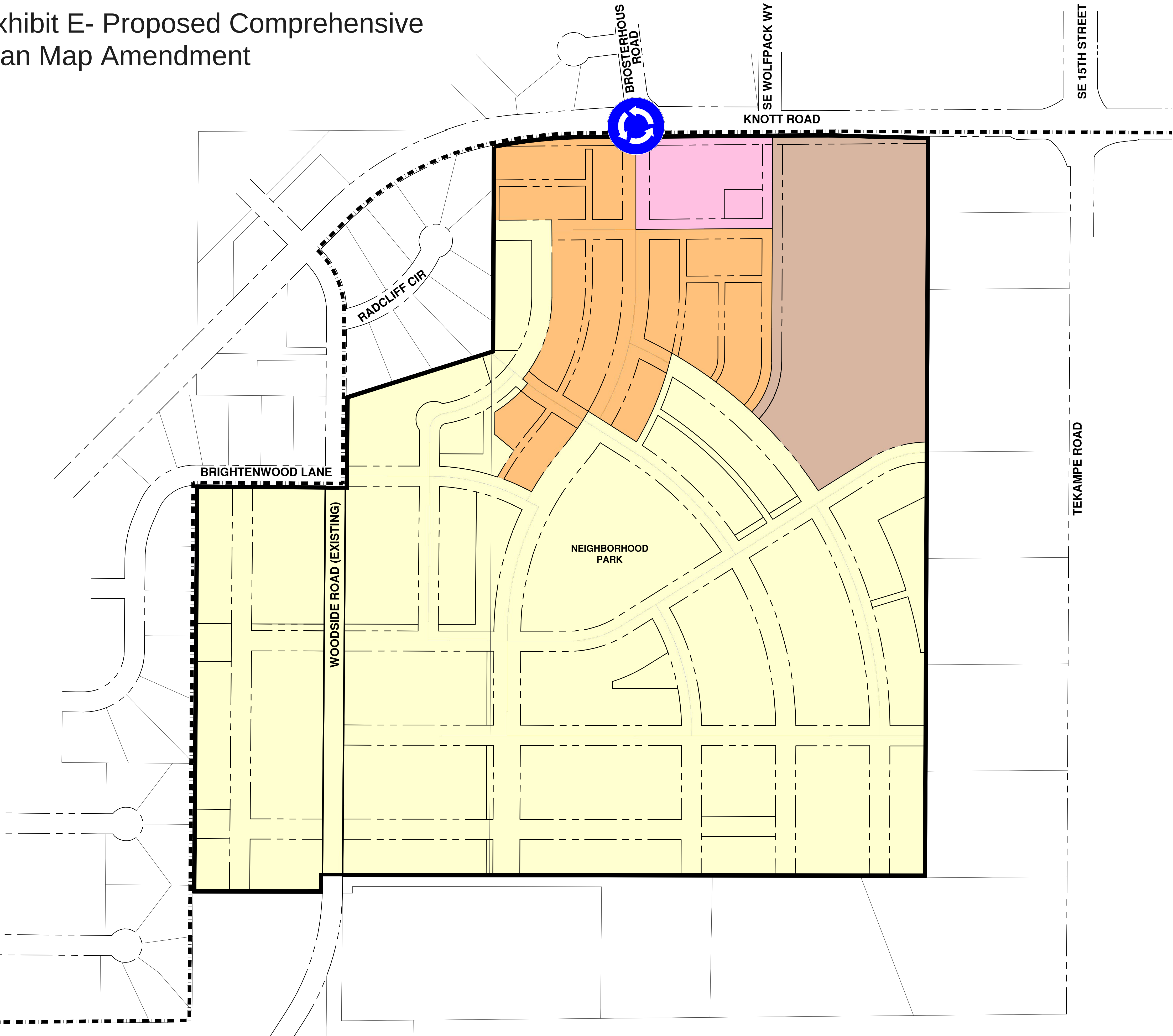
11-180 The Comprehensive Plan designations include approximately 1.5 acres of Commercial Convenience designated lands for commercial uses, as shown on the conceptual plan, that will provide a range of small and medium sized businesses and services as a convenience to the neighboring residential areas.

11-181 The Master Plan must include diverse transportation options and connectivity to the existing and planned transportation network facilities including a well-connected extension of the City's Low-Stress Network (LSN) with LSN multi-use paths located adjacent to open space, as shown in the conceptual plan in Figure 11-12.

11-182 The Master Plan must show that urban wildfire risk will be mitigated through an Urban Wildfire Mitigation Plan prepared by a professional forester, emergency management consultant, or similar professional that includes creation of defensible space, as adopted and defined by City Council, and one or more of the following methods: landscaping and hardscaping, arrangement of land uses, construction and building materials beyond the minimum required, and/or development patterns.

11-183 The Master Plan will include assurances that the site will be served with all necessary urban services as defined in ORS 195.065, including through letters from urban service and utility providers showing a capacity and willingness to provide services; or equivalent assurances.

Exhibit E- Proposed Comprehensive
Plan Map Amendment

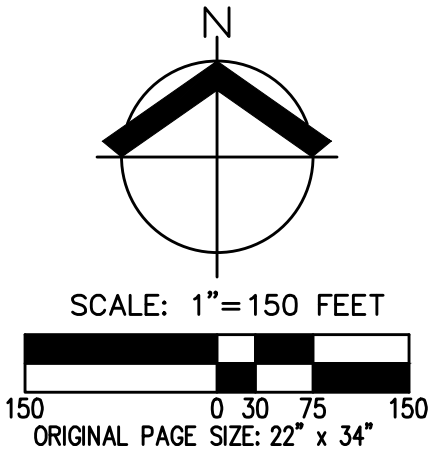


PLAN DESIGNATION SUMMARY	
PLAN DESIGNATION	GROSS AREA (AC)
RS	±68.4
RM	±11.5
RH	±10.5
CC	±2.6
GROSS AREA	±93.0


URBAN GROWTH
BOUNDARY


PROJECT BOUNDARY


PROPOSED ROUNDABOUT



PRELIMINARY PLAN DESIGNATIONS
CALDERA RANCH SB 1537 CONCEPTUAL PLAN
BEND, OREGON

PRELIMINARY
NOT FOR
CONSTRUCTION

JOB NUMBER:	9013
DATE:	05/05/2026
DESIGNED BY:	JS
DRAWN BY:	PE
CHECKED BY:	BW

DRAFT
Comprehensive Plan Text Update
September 2, 2026

Prepared by: Community Development Department

Note:

Text in underlined typeface is proposed to be added

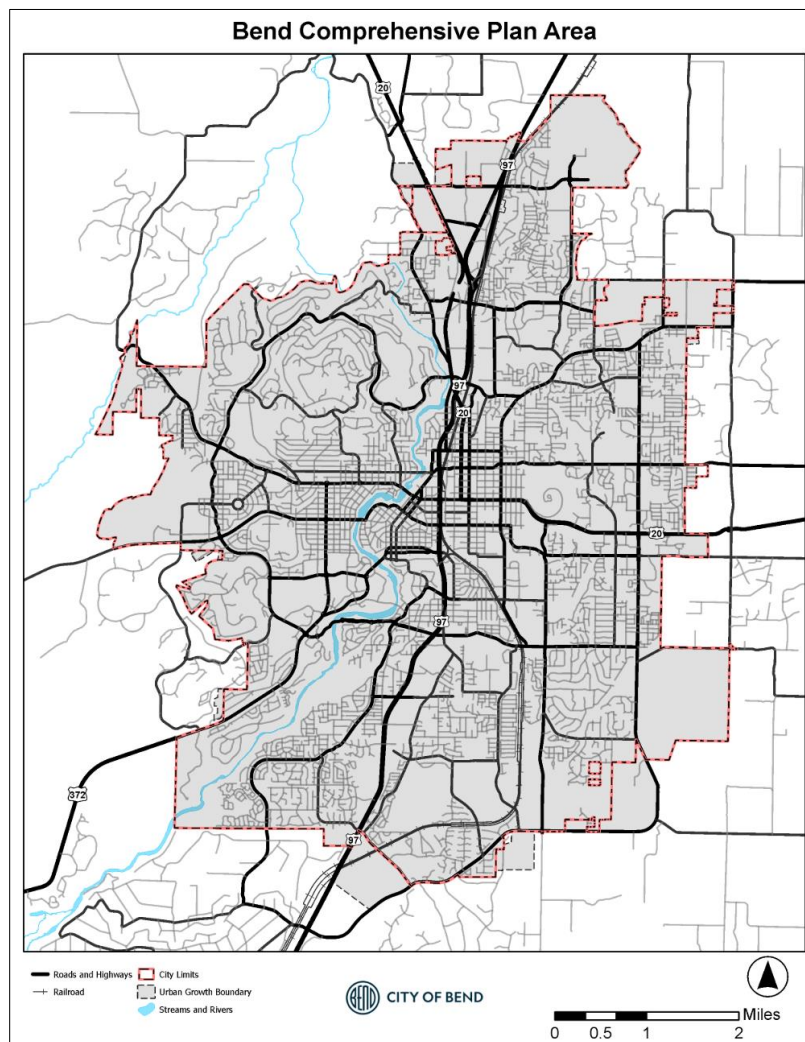
Text in strikethrough typeface is proposed to be deleted

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

Bend Comprehensive Plan

Chapter 1: Plan Management and Citizen Involvement

Figure 1-1. Bend Urban Planning Area
(Replaces existing Figure 1-1)



Chapter 7: Transportation Systems

Figure 7-1. Functional Classification Map
(Replaces existing Figure 7-1)

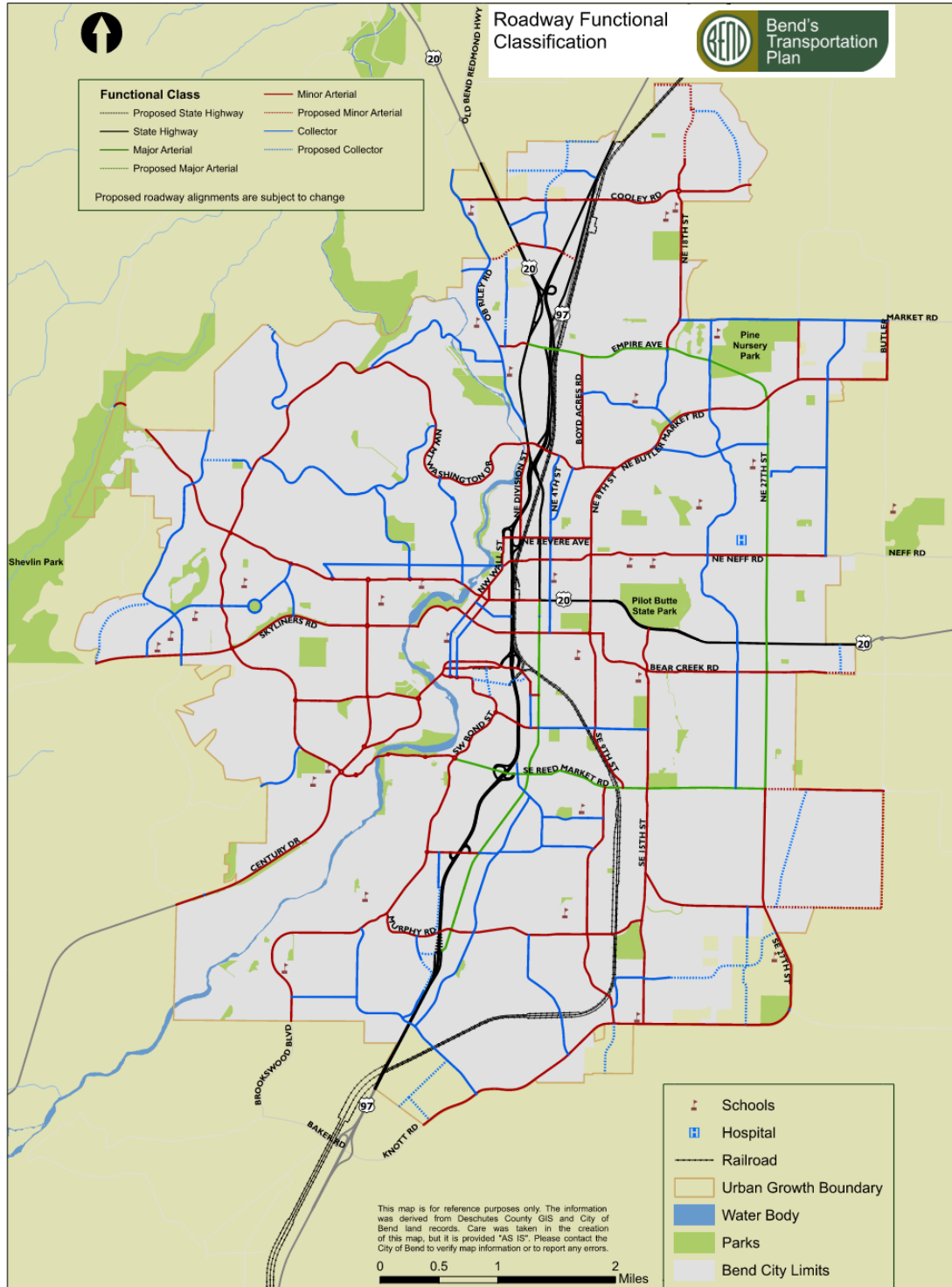
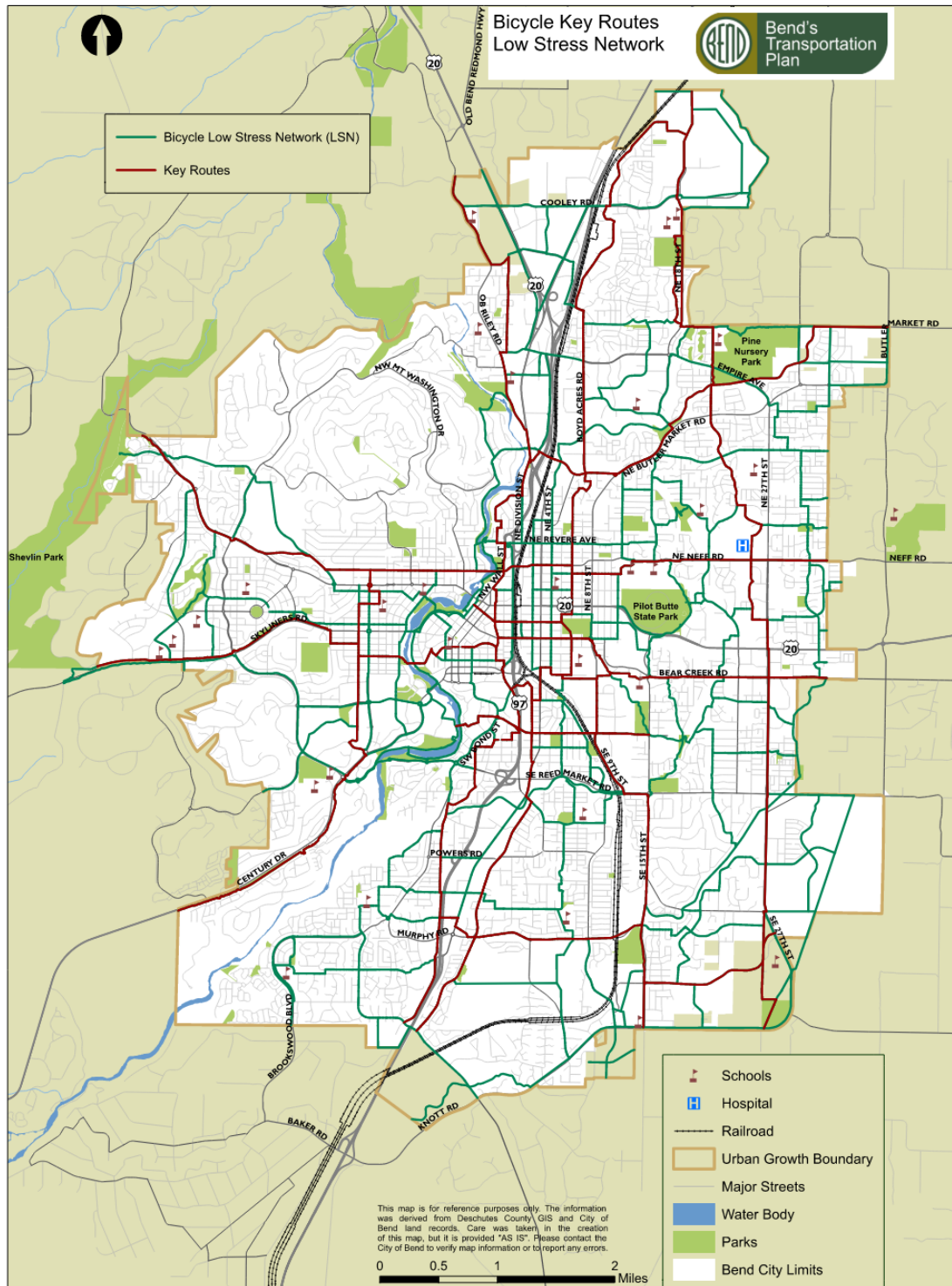
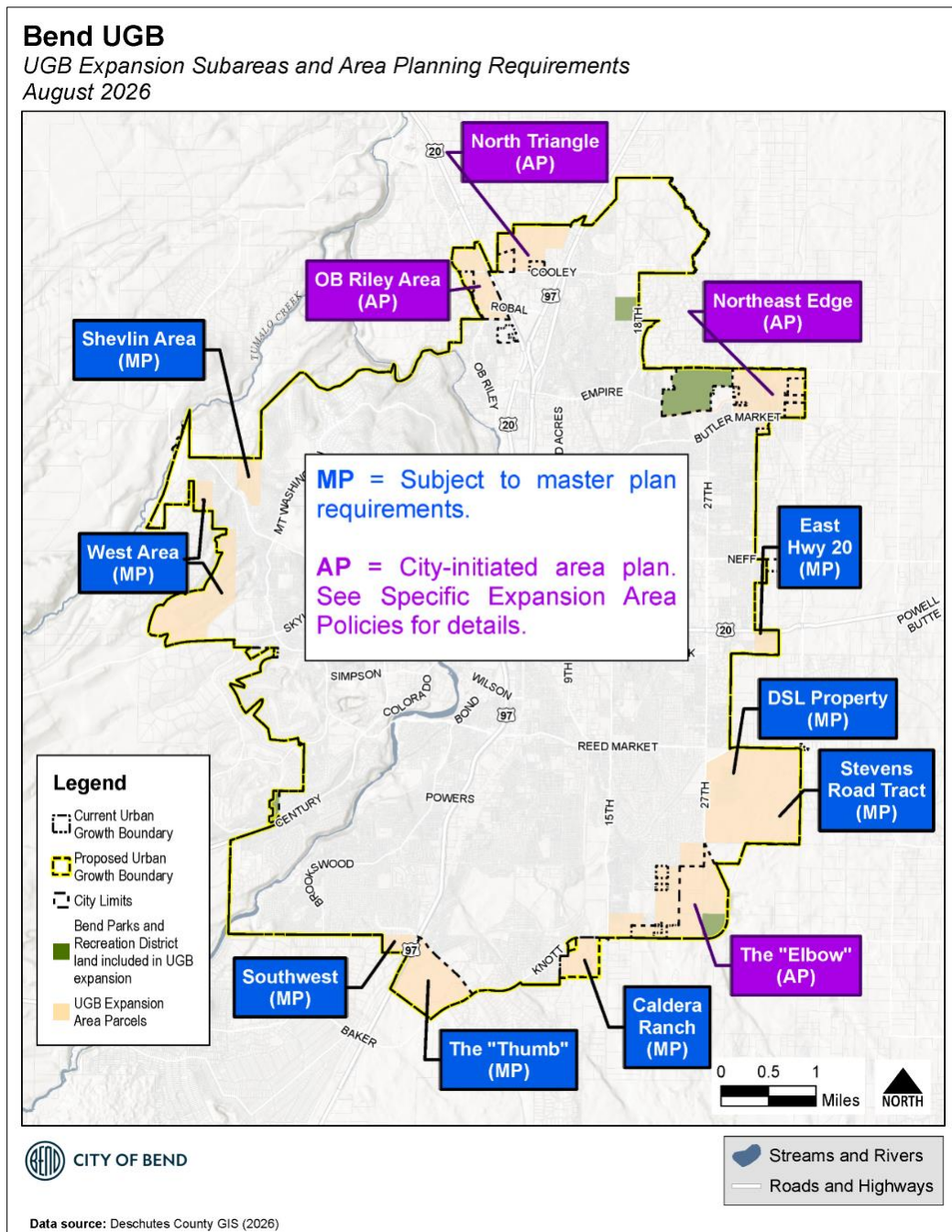


Figure 7-2. Key Walking and Bicycling Routes and Low Stress Network.
(Replaces existing Figure 7-2)



Chapter 11: Growth Management

Figure 11-7: UGB Expansion Subareas and Area Planning Requirements
(Replaces existing Figure 11-7)



Appendixes

Appendix C; Transportation System Plan (2020)

Figure 4-3. Functional Classification Map
(Replaces existing Figure 4-3)

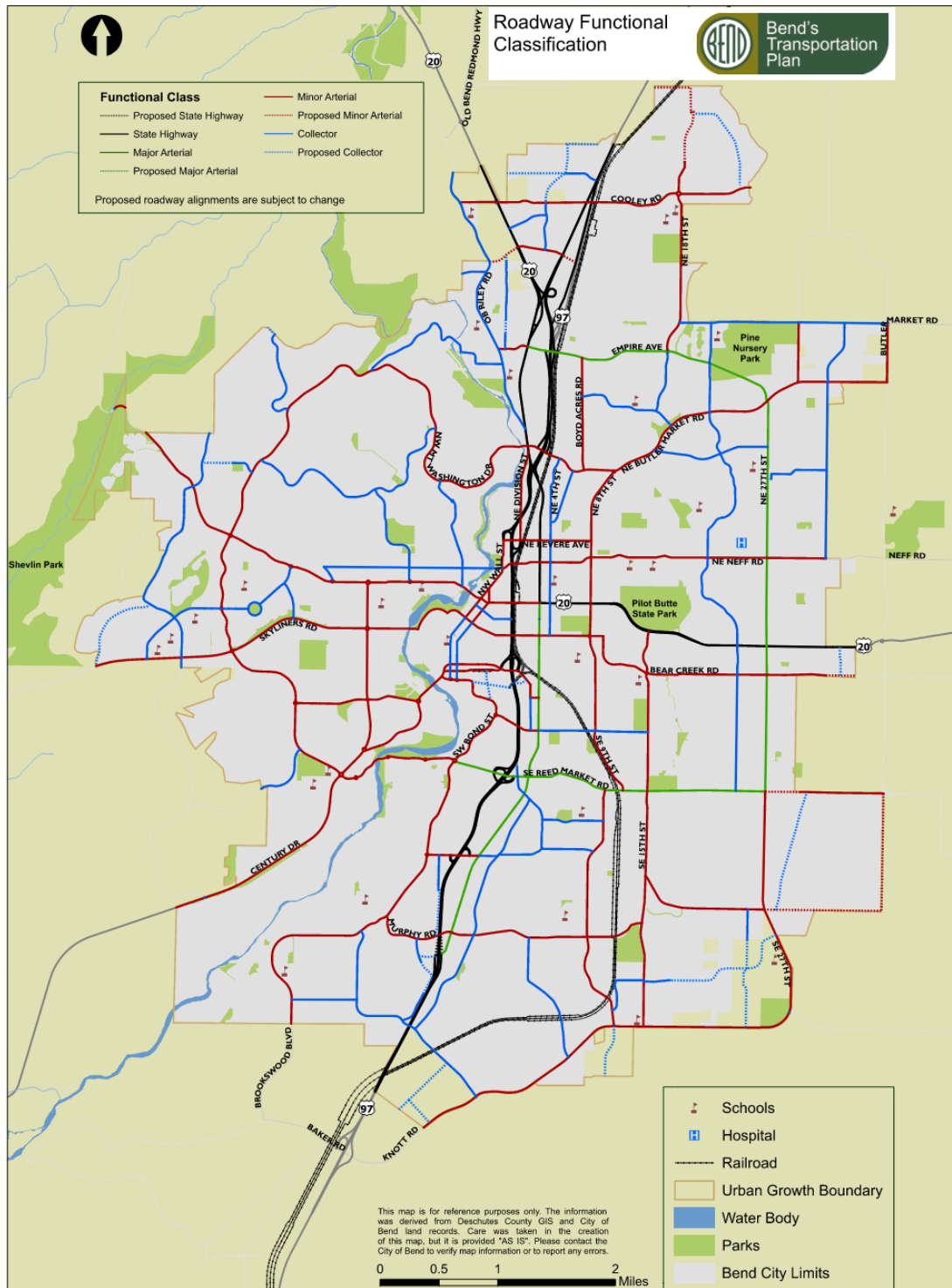


Figure 5-1. Low Stress Bicycle Network
(Replaces existing Figure 5-1)

