

## Article XIV. Bend Central District

### 2.7.3200 Bend Central District (BCD)

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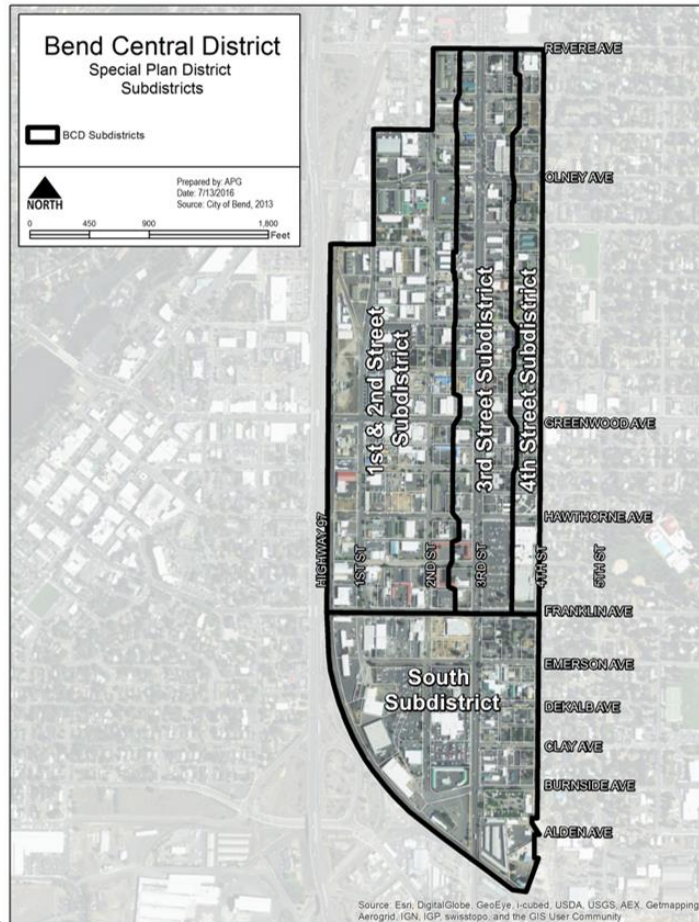
The Bend Central District is intended to implement the goals and objectives for the creative redevelopment of the central Third Street Corridor and surrounding areas west to the Parkway and east to and including 4th Street as indicated below:

- A. Provide for a wide range of mixed residential, commercial and office uses throughout the area and, depending on the parcel and its surroundings, vertical mixed use (i.e., a mix of uses within the same building), with an emphasis on retail and entertainment uses at the street level.
- B. Provide a variety of residential development types and greater density of development, with a transition area adjacent to the existing residential neighborhood east of 4th Street.
- C. Provide for development that is supportive of transit by encouraging a pedestrian-friendly environment.
- D. Provide development and design standards that support the goals of the Plan.
- E. Limit development of low-intensity uses while allowing continuation of existing industrial and manufacturing uses.
- F. Provide reduced parking standards and encourage alternative parking arrangements.

The Bend Central District has distinctly different characteristics within the Bend Central District boundary. Subdistricts that recognize and support these characteristics are established as follows:

1. 1st/2nd Street Subdistrict. Applies to properties in the vicinity of 1st and 2nd Streets within the BCD and is intended to provide for a mix of office, higher density residential, live/work and small-scale retail uses while also allowing for continuation of existing light industrial/manufacturing uses in the area.
2. 3rd Street Subdistrict. Applies to properties in the vicinity of 3rd Street between Revere and Franklin Streets and is intended to provide a range of mixed uses including large-scale commercial, retail and limited residential uses.

3. 4th Street Subdistrict. Applies to properties in the vicinity of 4th Street within the BCD and is intended to provide a transition between the more intense central area and existing residential neighborhoods to the east.
4. South Subdistrict. Applies to properties south of Franklin Avenue along and between 2nd and 3rd Streets and is intended to provide a range of mixed uses including high density multifamily and office space above ground floor retail/service uses.



**Figure 2.7.3210 Subdistrict Map**

[Ord. NS-2271, 2016]

**2.7.3210 Applicability.** Revised 3/18 [SHARE](#)

A. Applicability. In addition to the provisions of the underlying zone, the standards and requirements of this section apply to lands within the BCD boundary as depicted on Figure 2.7.3210. These provisions modify existing standards of the Bend Development Code by applying requirements, limiting allowable uses, or allowing exceptions to general regulations. Where there is a conflict between the provisions of the BCD and

those of the underlying zone or other portions of the Development Code, the provisions of this district will control. [Ord. NS-2303, 2018; Ord. NS-2271, 2016]

**2.7.3220 Land Uses.** Revised 3/18  

A. Permitted and Conditional Uses. The land uses listed in Table 2.7.3220 are allowed in BCD subdistricts, subject to the provisions of this chapter. Only land uses that are listed in Table 2.7.3220 and land uses that are approved as “similar” to those in Table 2.7.3220 may be permitted or conditionally allowed. The land uses identified with a “C” in Table 2.7.3220 require Conditional Use Permit approval prior to development, in accordance with [BDC Chapter 4.4](#). Land uses identified with an “L” in Table 2.7.3220 are allowed with limitations in accordance with subsection (D) of this section.

B. Existing Uses. Uses and structures that are not in conformance with the provisions in this section but that were lawfully established within the BCD prior to the adoption of this code are considered a permitted use. Expansion or enlargement 25 percent or less of the above referenced uses or structures that are nonresidential will be subject to the provisions of [BDC Chapter 4.2](#), Minimum Development Standards Review, Site Plan Review and Design Review. For expansion or enlargement greater than 25 percent, the conditional use criteria, standards and conditions within [BDC Chapter 4.4](#), Conditional Use Permits, will also apply. Conditions of prior approvals will continue to apply unless modified in conformance with [BDC 4.1.1325](#), Modification of Approval.

C. Determination of Similar Land Use. Similar land use determinations shall be made in conformance with the procedures in [BDC 4.1.1400](#), Declaratory Ruling.

**Table 2.7.3220**

**Permitted Uses in the Bend Central District by Subdistrict**

Land Use	1st/2nd Street	3rd Street	4th Street	South
<b>Residential</b>				
Single-Family Detached Dwelling	N	N	N	N
Attached Single-Family Townhomes	N	L (see subsection (D)(1) of this section)	P	P

**Table 2.7.3220**

**Permitted Uses in the Bend Central District by Subdistrict**

<b>Land Use</b>	<b>1st/2nd Street</b>	<b>3rd Street</b>	<b>4th Street</b>	<b>South</b>
Multifamily Residential	L (see subsection (D)(1) of this section)	L (see subsection (D)(1) of this section)	P	P
Residential as Part of Mixed-Use Development	P	P	P	P
<b>Commercial</b>				
Retail Sales and Service	L (see subsection (D)(2) of this section)	P	L (see subsection (D)(2) of this section)	P
Retail Sales and Service (Auto Dependent*)	N	N	N	N
Retail Sales and Service (Auto Oriented*)	N	C	N	N
*Medical Marijuana Dispensary and Marijuana Retailer	L (see subsection (D)(2) of this section)	P	L (see subsection (D)(2) of this section)	P
*Marijuana Wholesale (more than 75% of sales are wholesale)	P	P	C	C
*Marijuana Testing, Research and Development Facilities	P	P	L (see subsection (D)(3) of this section)	P
Restaurants/Food and Beverage Services				
– with drive-through*	N	C	N	N

Table 2.7.3220

Permitted Uses in the Bend Central District by Subdistrict

Land Use	1st/2nd Street	3rd Street	4th Street	South
– without drive-through	P	P	P	P
Offices and Clinics	P	P	L (see subsection (D)(3) of this section)	P
Production Businesses (e.g., IT support centers, biotechnology, software/hardware development, broadcast and production studios)	P	P	L (see subsection (D)(3) of this section)	P
Conference Centers/Meeting Facility Associated with a Hotel/Motel	C	P	N	C
Lodging (bed and breakfast inns, vacation rentals, boarding houses, timeshare)	P	P	P	P
Hotel/Motels	P	P	C	C
Commercial and Public Parking, structure	P	P	C	P
Commercial and Public Parking, surface lot	P	P	P	P
Commercial Storage				
– enclosed in building and on an upper story	C	C	P	N
– not enclosed in building	N	N	N	N
– enclosed in building on ground floor (i.e., mini-storage)	N	N	N	N
Entertainment and Recreation				
– enclosed in building (e.g., theater)	L/C (see subsection)	L/C (see subsection)	N	L/C (see subsection)

Table 2.7.3220

Permitted Uses in the Bend Central District by Subdistrict

Land Use	1st/2nd Street	3rd Street	4th Street	South
	(D)(6) of this section)	(D)(6) of this section)		(D)(6) of this section)
– not enclosed (e.g., amusement)	C	C	N	C
Wholesale Sales (more than 75% of sales are wholesale)	P	P	C	C
Hospital	C	C	C	C
<b>Public and Institutional</b>				
Government – point of service intended to serve the entire City (e.g., City Hall, main library, main post office, main Department of Motor Vehicles service center)	P	P	P	P
Government – branch service intended to serve a portion of the City	P	P	P	P
Government – limited point of service (e.g., public works yards, vehicle storage, etc.)	N	N	N	N
Parks and Open Space	P	P	P	P
Schools	P	P	P	P
Institutions of Higher Education	P	P	P	P
Child Care Facility	P	P	P	P
Clubs and Places of Worship	P	P	P	P
*Utilities (above ground)	P	P	P	P
<b>Industrial</b>				

**Table 2.7.3220**

**Permitted Uses in the Bend Central District by Subdistrict**

<b>Land Use</b>	<b>1st/2nd Street</b>	<b>3rd Street</b>	<b>4th Street</b>	<b>South</b>
Manufacturing and Production	L (see subsection (D)(4) of this section)	N	N	N
Warehouse	L (see subsection (D)(5) of this section)	N	N	N
Transportation, Freight and Distribution	C	N	N	N
Industrial Service (e.g., cleaning, repair)	L (see subsection (D)(3) of this section)	N	N	N
Marijuana Grow Sites And Marijuana Producing when Designated as Mixed-Employment, Industrial General or Industrial Light on the Bend Comprehensive Plan	L (see subsection (D)(4) of this section)	N	N	L (see subsection (D)(4) of this section)
*Marijuana Processing of Cannabinoid Concentrates and Cannabinoid Products When Designated as Commercial Limited, Mixed-Employment, Industrial General or Industrial Light on the Bend Comprehensive Plan	L (see subsection (D)(4) of this section)	L (see subsection (D)(4) of this section)	L (see subsection (D)(4) of this section)	L (see subsection (D)(4) of this section)
*Marijuana Processing of Cannabinoid Extracts When Designated as Mixed-Employment, Industrial General or Industrial Light on the Bend Comprehensive Plan	L (see subsection (D)(4) of this section)	N	N	L (see subsection (D)(4) of this section)

**Table 2.7.3220**

**Permitted Uses in the Bend Central District by Subdistrict**

<b>Land Use</b>	<b>1st/2nd Street</b>	<b>3rd Street</b>	<b>4th Street</b>	<b>South</b>
<b>Miscellaneous</b>				
Small Scale Alternative Energy Systems (i.e., rooftop wind turbine or solar panels)	P	P	P	P
*Small Hydroelectric Facility	P	P	P	P
Wireless and Broadcast Communication Facilities	See <a href="#">BDC Chapter 3.7</a>			

**Key to Permitted Uses**

P = Permitted

N = Not Permitted

C = Conditional Use

L = Permitted with limitations, subject to subsection (D) of this section.

\* Special standards for certain uses subject to Chapter 3.6 BDC.

D. Limitations. The following limitations apply to those uses identified as “L” in Table 2.7.3220:

1. New Residential Uses. In order to ensure that the subdistricts retain their established employment focused character, new residential uses in the 1st/2nd St and 3rd St subdistricts are limited as follows:

a. Residential uses that are part of a mixed-use development in which nonresidential uses occupy at least the floor area equivalent to the entire ground floor area of the development area permitted.



- b. Residential uses that are part of a mixed-use development in which nonresidential uses occupy less than the floor area equivalent to the entire ground floor area of the development area are conditional.
  - c. Residential uses that are not part of a mixed-use development are prohibited.
2. Retail Sales and Service. Retail sales and service uses must not exceed 30,000 square feet per business. Total area of retail sales and service uses combined must not exceed 50,000 square feet per building.
3. Offices and Clinics and Production Businesses. Offices and clinics and production businesses must not exceed 15,000 square feet per business.
4. Manufacturing, Production and Industrial Services. Uses must not exceed 20,000 square feet per business and must minimize potential external effects as follows:
- a. All operations must be conducted entirely within an enclosed building.
  - b. Potential nuisances such as noise, odor, electrical disturbances and other public health nuisances are subject to [BC Chapter 13.45](#).
  - c. Roof-mounted mechanical equipment, such as ventilators and ducts, must be contained within a completely enclosed structure that may include louvers, latticework, or other similar features. This screening requirement does not apply to roof-mounted solar energy systems or wind energy systems.
5. Warehousing. Warehousing must be accessory/secondary to a primary permitted use (it may not be a single use) and must not exceed 15,000 square feet per building.
6. Entertainment and Recreation. Entertainment and Recreation uses in all subzones of the BCD that are enclosed in a building shall not exceed 50,000 square feet without a conditional use permit. [Ord. NS-2303, 2018; Ord. NS-2271, 2016]

**2.7.3230 Development Standards.** Revised 3/18  

- A. The following table provides numerical development standards within the BCD:

Building setback standards apply to any new buildings and any building expansion, including primary structures and accessory structures. Setbacks provide opportunity for pedestrian amenities; building separation for fire protection and building maintenance; sunlight and air circulation; noise buffering; and visual separation.

**Table 2.7.3230**

**Development Standards in the Bend Central District by Subdistrict**

<b>Standards</b>	<b>1st/2nd Street</b>	<b>3rd Street</b>	<b>4th Street</b>	<b>South</b>
Minimum lot area	No minimum	No minimum	No minimum	No minimum
Lot width	30 feet	30 feet	30 feet	30 feet
Minimum front yard setback	5 feet <sup>1</sup>	10 feet <sup>1</sup>	5 feet <sup>1</sup>	5 feet <sup>1</sup>
Maximum front yard setback	10 feet	15 feet	10 feet	10 feet
Rear and side yard setback	None	None	None or 10 feet (see subsection (C) of this section)	None
Maximum building height	65 feet to 85 feet (see subsections (B) and (E) of this section)	65 feet or 85 feet (see subsection (E) of this section)	45 feet	65 feet to 85 feet (see subsections (B) and (E) of this section)

Notes:

1. In all subdistricts, the first five feet of setback will be a dedicated public access easement and will be developed according to the applicable cross-section for the fronting street.
2. Equipment used for small-scale alternative energy production does not count towards maximum building heights.

B. In the 1st/2nd Street, 3rd Street and South Subdistricts, buildings may be a maximum of 85 feet in height that:

1. Provide at least 10 percent of any residential units at affordable rates in conformance with BDC 3.6.200(C); or
2. For buildings that do not have a residential component, provide at least 75 percent of required parking within the building footprint of structures. Parking on the ground floor shall have a pedestrian-oriented active facade facing the primary street (see subsection (E)(2) of this section for examples).

C. Rear and Side Yard Setback.

1. There is no rear or side yard setback required, except when abutting a Residential Zone that is located outside of the BCD. In such cases, the rear or side yard setback is 10 feet for all portions of the building 35 feet in height or less. Step-backs or other architectural features such as vertical breaks, balconies, bays or stories within gable roofs are required for portions of a building that exceeds 35 feet in height or the height limit of the abutting residentially designated district, whichever is greater.
2. When a public alley abuts a side or rear yard of property, the width of the alley can be included in the additional step-back calculation as described in subsection (C)(1) of this section for the purpose of offsetting the impacts of the building height over 35 feet. The alley does not eliminate the required 10-foot building setback if applicable.

D. Multiple Frontage Lots. For buildings on sites with more than one frontage or through lots, the maximum front setbacks in Table 2.7.3230 apply as follows.

1. For corner lots with two frontages, the maximum setback applies to both street frontages.
2. For through lots with two frontages, the maximum setback applies to only one of the frontages; provided, that where the abutting streets are of different street classification, the maximum setback applies to the street with the higher classification.
3. For properties with three or more frontages, the maximum setback applies to two contiguous frontages. Where the streets are of different street classifications, one of the maximum setbacks must apply to the street with the highest classification.

E. Buildings exceeding 65 feet in height are allowed subject to the following provisions:

1. Buildings shall be constructed using a combination of architectural features and a variety of building materials. Landscaping should be planted adjacent to the curb line to create a streetscape as illustrated in Figures 2.7.3230 and 2.7.3260. Ground story walls that can be viewed from public streets shall be designed with nonreflective windows totaling a minimum of 25 percent of the wall area and using architectural features (see subsection (E)(2) of this section). For new buildings, the front building facade must be at the minimum setback for at least 50 percent of the lot frontage; outdoor public gathering spaces such as plazas are encouraged and count toward the setback requirement; off-street parking is not allowed between the front building facade and the street.

2. Architectural features include, but are not limited to, the following: recesses, projections, wall insets, arcades, window display areas, awnings, balconies, window projections, landscape structures or other features that complement the design intent of the structure and are acceptable to the Review Authority.

**Figure 2.7.3230**



F. Buffering. A 10-foot-wide landscape buffer is required along the side and rear property lines between nonresidential uses and any adjacent Residential Zones that are located outside of the BCD. The buffer is not

in addition to (may overlap with) the side and rear setbacks required in subsection (B) of this section. The buffer shall provide landscaping to screen parking, service and delivery areas and walls without windows or entries. The buffer may contain passive outdoor seating but must not contain trash receptacles or storage of equipment, materials, vehicles, etc. The landscaping standards in [BDC Chapter 3.2, Landscaping, Street Trees, Fences and Walls](#), provide other buffering requirements where applicable. [Ord. NS-2303, 2018; Ord. NS-2271, 2016]

### **2.7.3240 Design Standards.** Revised 3/18

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A. All Development. Development in the BCD is subject to the design guidelines in [BDC 2.2.800\(I\)](#) except as established below. The standards of this section are in addition to the regulations of [BDC Chapter 4.2, Minimum Development Standards Review, Site Plan Review and Design Review](#). The standards of this section are in lieu of the [BDC 2.2.600, Commercial Design Review Standards](#).

1. [BDC 2.2.800\(I\)\(3\)](#) – Physical, Visual and Experiential Connections. The intent and general approach of this section apply. However, the language referring to traditional business zones and traditional storefront buildings does not apply here.
2. [BDC 2.2.800\(I\)\(5\)](#) – Integrate Building Parapets and Rooftops. The intent and general approach of this section apply. However, the language referring to ornamentation on traditional CB Zone buildings does not apply here. In addition, rooftop solar panels and wind turbines are exempt from the screening requirement.
3. [BDC 2.2.800\(I\)\(10\)](#) – Urban Materials. Does not apply.

B. Single-Use Residential Buildings. Single-use residential buildings including duplexes, triplexes and multifamily are also subject to the provisions in [BDC 2.1.900](#) and [2.1.1000](#), with the following exception:

1. The common open space requirement in [BDC 2.1.1000\(B\)\(1\)](#) does not apply to any property with a residential building located within one-quarter mile of a public park.

C. Awnings, marquees, balconies, overhangs, fabric tensile structures, building appendages, or other projections may extend into the front setback and public access easement.

[Ord. NS-2303, 2018; Ord. NS-2271, 2016]

### **2.7.3250 Parking.** Revised 3/18

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A. In the BCD, the following parking requirements supersede parking requirements in BDC Table 3.3.300, Required Off-Street Vehicle Parking Spaces. Unless otherwise noted here, other sections of [BDC Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking](#), apply.

1. The minimum number of required off-street vehicle parking spaces is established below. Unless otherwise provided below, the number of parking spaces provided by any particular use in ground surface parking lots must not exceed the required minimum number of spaces provided by this section by more than 50 percent. Off-street parking spaces may include spaces in garages, carports, parking lots, and/or driveways if vehicles are not parked in a vehicle travel lane (including emergency or fire access lanes).

a. Residential uses: one space per unit. Tandem parking is permitted when the spaces are assigned to the same unit.

b. Commercial uses:

i. Retail or restaurant uses totaling less than 5,000 square feet of floor area: none.

ii. Retail or restaurant uses in excess of 5,000 square feet or more of floor area: one space per 1,000 square feet of gross floor area in excess of 5,000 square feet.

iii. The maximum for retail or restaurants is 150 percent of one per 1,000 square feet of gross floor area.

c. Entertainment uses: determined by conditional use.

d. Hotel/motel: one space per room.

e. Office uses: one and one-half spaces per 1,000 square feet of floor area.

f. Light industrial/manufacturing uses: 0.7 spaces per 1,000 square feet of floor area.

g. Public and institutional uses, government uses: one and one-half spaces per 1,000 square feet of floor area.

2. Mixed-Use Developments. If more than one type of land use occupies a single structure or property with no single use occupying more than 80 percent of the total square feet of the

building, the minimum off-street parking is 75 percent of the sum of the requirements for all uses.

3. The total number of required vehicle parking spaces for an industrial, commercial, or office use may be reduced by up to 10 percent in exchange for providing on-site public open space/green space at the following ratio: one vehicle parking space per 500 square feet of public open space/green space. This reduction is in addition to any reductions taken under [BDC 3.3.300\(D\)](#).

4. The amount of off-street parking required may be reduced by one off-street parking space for every on-street parking space abutting the development, up to 100 percent of the requirement. [Ord. NS-2303, 2018; Ord. NS-2271, 2016]

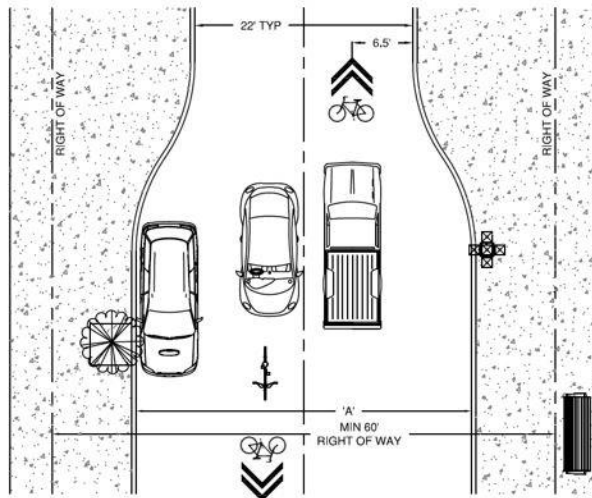
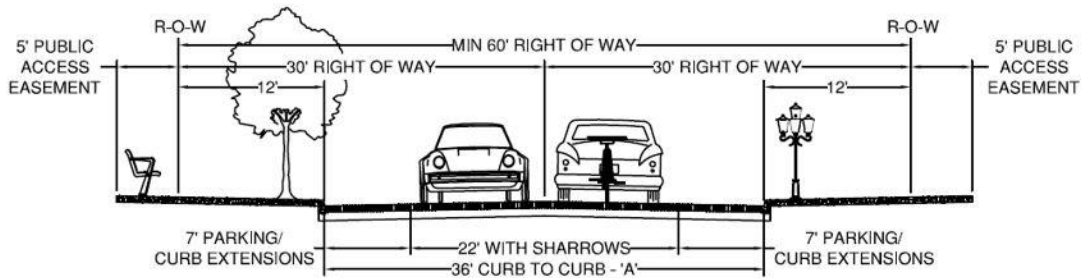
## **2.7.3260 Special Street Standards.** Revised 3/18

A. The BCD considered special street standards for streets inside the district. The intent of the special street standards is to develop complete streets that enable safe travel for all modes of travel including transit, motorists, pedestrians, cyclists and freight users. On-street parking, bicycle facilities and wider sidewalks were identified as elements necessary for safe travel. The following special street standards supersede the standards in [BDC 3.4.200\(F\)](#):

1. Figure 2.7.3260.A applies to 2nd Street north and south of Greenwood Avenue, 4th Street south of Greenwood Avenue and to all local streets in the BCD. Any of these blocks that are currently narrower than 36 feet wide must be widened to 36 feet.

Exception: Any block of 2nd Street that is currently 40 feet wide may remain 40 feet wide and use the 40-foot-wide cross-section provided for in Figure 2.7.3260.B.

Figure 2.7.3260.A

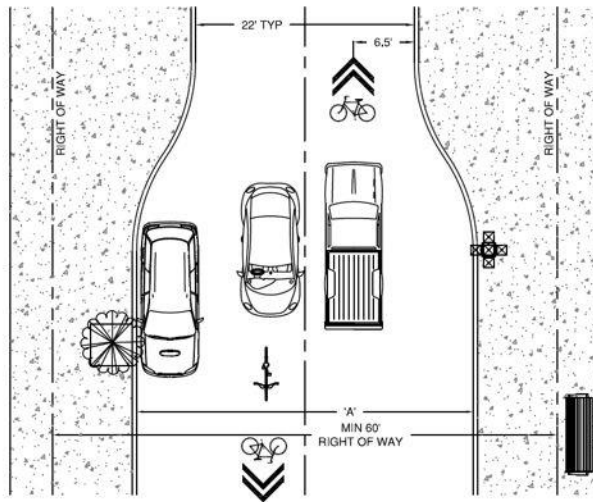
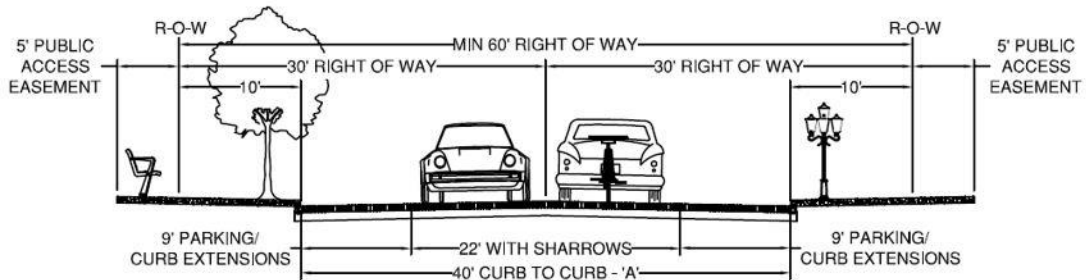


Note: Sharrows are not required on local streets.

2. Figure 2.7.3260.B applies to 4th Street north of Greenwood Avenue.



Figure 2.7.3260.B



B. To accomplish new streets, additional street widths and street improvements envisioned for the BCD the following requirements apply:

1. The required five-foot front setback along all street frontages must be dedicated as a public access easement with site plan approval. This is in addition to any additional right-of-way that may be required by [BDC Chapter 3.4](#). [Ord. NS-2303, 2018; Ord. NS-2271, 2016]

**2.7.3270 Low Impact Stormwater Management.**  

A. The use of low impact development (LID) techniques to manage stormwater on site is encouraged consistent with the City's Central Oregon Stormwater Manual. Techniques can include, but are not limited to, the following:

1. Use of on-site pervious paving materials to minimize impervious surfaces allowed within off-street and on-street parking areas and other areas within a development site.
2. Provision of an eco-roof or rooftop garden.

3. Use of drought tolerant species in landscaping.
4. Provision of parking integrated into building footprint (above or below grade).
5. Provision of rain gardens and bioretention areas on site to filter stormwater runoff.
6. Shared stormwater facilities between adjacent properties. [Ord. NS-2271, 2016]

### **2.7.3280 Landscaping.**

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- A. The landscaping standards of [BDC Chapter 3.2](#) apply to the BCD except as noted in this section.
- B. The minimum required landscaping shall equal 10 percent of the gross lot area for the following uses:
  1. Residential – duplex and triplex units and multiple-family developments.
  2. Commercial and office developments.
  3. Industrial developments. Seventy-five percent of the required 10 percent site landscaping shall be located within the front yard setbacks and parking areas or other areas visible to the public, unless otherwise required as a condition of approval.
  4. Mixed-use developments.
- C. Green roofs and rooftop gardens may be counted toward meeting up to 100 percent of the landscaping requirement.
- D. Landscaping in the public right-of-way (for example, street trees and bioswales) may be counted toward meeting the landscaping requirement. [Ord. NS-2271, 2016]