

ORDINANCE NO. NS -2363

AN ORDINANCE AMENDING THE BEND DEVELOPMENT CODE TO ADOPT THE PETROSA MAJOR COMMUNITY MASTER PLAN

Findings:

- A. On July 12, 2019, Pahlisch Homes, Inc. submitted a Type III Quasi-judicial application for a Development Code amendment to create the Petrosa Major Community Master Plan.
- B. On December 9, 2019, the Planning Commission held a public hearing and issued a recommendation that the City Council adopt an Ordinance to amend Chapter 2.7 of the Development Code to include the Petrosa Master Planned Development.
- C. Public notice for the City Council hearing was provided in accordance with the requirements of BDC 4.1.423-4.1.425. On January 16, 2020, notice was mailed by the Planning Division to surrounding owners of record of property within 400 feet of the subject properties, and to the Mountain View and Boyd Acres Neighborhood Association representatives. On January 21, 2020, *Notice of Proposed Development* signs were posted by the applicant along the property frontages at five locations, visible from adjacent rights of way.
- D. The Bend City Council held a public hearing on February 5, 2020, to consider the Planning Commission recommendation.
- E. The Development Code amendment for the Petrosa Major Community Master Plan approved by this Ordinance meets all applicable Development Code criteria, policies of the Bend Area General Plan, and Oregon Statewide Planning Goals.

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The Bend Development Code is amended to include the Petrosa Master Planned Development as contained in Exhibit A.

Section 2. In addition to the findings set forth above, the City Council adopts and incorporates the findings in Exhibit B.

First Reading: February 5, 2020

Second reading and adoption by roll call vote: February 19, 2020

YES: Sally Russell, Mayor
Bruce Abernethy
Barb Campbell
Bill Moseley
Justin Livingston
Gena Goodman-Campbell
Chris Piper

NO: none



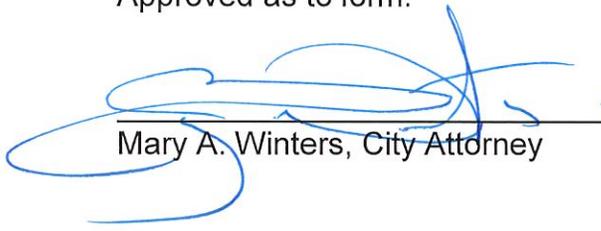
Sally Russell, Mayor

Attest:



Robyn Christie, City Recorder

Approved as to form:



Mary A. Winters, City Attorney

**BEFORE THE PLANNING COMMISSION
OF THE CITY OF BEND**

DEVELOPMENT CODE TEXT ()
AMENDMENT & MASTER PLAN ()
APPLICATION #PZ 19-0515 ()
RECOMMENDATION TO CITY COUNCIL ()

NATURE OF THE APPLICATION

A Development Code Text Amendment and Master Plan application for the Petrosa Master Plan.

1. The property subject to a Development Code Text Amendment and Master Plan review is within the Bend Urban Growth Boundary Northeast Expansion Area. The master plan area is comprised of the following tax lots: tax lots 104, 106, 200, 300, 301, 400, 401, 402 - 404, 700-707, 712-713 of Deschutes County Assessor Map 171223 and tax lots 99, 100, 199, 200, 300, 400, 500, 600, 700, 800, and 900 of Deschutes County Assessor Map 171223AB.
2. The applications were deemed complete when all application materials were submitted and the fee was paid on November 1, 2019.
3. The application was submitted in accordance with Section 4.1.220 of the Bend Development Code. Timely and sufficient notice of the public hearing, pursuant to Section 4.1.423 of the Bend Development Code, was provided.
4. The Bend Planning Commission conducted the public hearing on December 9, 2019. Four members of the public testified at the hearing. The staff report and recommendation, together with the testimony of the applicant and the public at this hearing, were considered and are part of the record of this proceeding. At the conclusion of the hearing, the Planning Commission voted to recommend for approval the application with the condition of approval listed in this Final Order.

CONCLUSION

On the basis of this record, this Development Code text amendment and master plan, PZ 19-0515 is consistent with the criteria of Section 4.5.300 of the Bend Development Code and all other applicable standards and criteria. This conclusion is supported by the specific findings of fact contained in the Staff Recommendation to the Planning Commission.

RECOMMENDATION

It is recommended by the Planning Commission of Bend that the City Council approve this Development Code Text Amendment and Master Plan application, PZ 19-0515.

This RECOMMENDATION was presented to and approved by the City of Bend Planning Commission on December 9, 2019.



Planning Commission Chair

Attest

Ayes: 7

Absent: 0

Nays: 0

Abstain: 0

Vacant: 0

**PLANNING COMMISSION
RECOMMENDATION TO THE CITY COUNCIL**



COMMUNITY
DEVELOPMENT

PROJECT NUMBER: PZ 19-0515

HEARING DATE: February 5, 2020

APPLICANT: Pahlisch Homes, Inc.
210 SW Wilson Ave #100
Bend, OR 97702

OWNERS: Pahlisch Homes, Inc.
Pahlisch Homes at Petrosa LP
Jeremiah 29 11 LLC
210 SW Wilson Ave #100
Bend, OR 97701

Cascade Ridge Estates LLC
16797 Kraeft Rd
Oregon City, OR 97045

Billy Dual Jr & Deborah Schomberg
PO Box 6417
Bend, OR 97708

Richard Hight
63180 Cole Road
Bend, OR 97701

David & Pamela Macgurn Trust
21444 Butler Market Rd
Bend, OR 97701

Michael McOmber
PO Box 1851
Bend, OR 97709

Danny Allen Nipper Trust
63140 Cole Rd
Bend, OR 97701

David & Tammy Nipper
63140 Cole Rd
Bend, OR 97701

Kathleen West
575 SW 55th PI
Redmond, OR 97756

21460 D LLC
15962 SE Harold Ave
Portland, OR 97267

John & Johnna Daniel
21650 Butler Market Rd
Bend, OR 97701

LOCATIONS: Bend Urban Growth Boundary Northeast Expansion Area; tax lots 104, 106, 200, 300, 301, 400, 401, 402 - 404, 700-707, 712-713 of Deschutes County Assessor Map 171223 and tax lots 99, 100, 199, 200, 300, 400, 500, 600, 700, 800, and 900 of Deschutes County Assessor Map 171223AB.

REQUEST: Type III Quasi-judicial amendment to Bend Development Code Chapter 2.7, Special Planned Districts, to create the Petrosa Master Planned Development; a 177 acre Major Community Master Plan, with approximately 1,100 housing units (including a variety of housing types), 19 acres of Commercial General (CG) land, 10 acres for an elementary school, and 22+ acres of open space including a 5.3-acre neighborhood park.

STAFF Karen Swenson, AICP, Senior Planner
REVIEWERS: (541) 388-5567; kswenson@bendoregon.gov
Chris Henningsen, Principal Engineer
(541) 693-2134, roster@bendoregon.gov

APPLICABLE CRITERIA, STANDARDS, AND PROCEDURES:

Bend Development Code

Criteria

Chapter 4.5, Master Planning and Development Alternatives

Standards

Chapter 2.1, Residential Districts
Chapter 2.2, Commercial Zoning Districts (CC)
Chapter 2.8, Urbanizable Area District (UA)
Chapter 3.1, Lot, Parcel and Block Design, Access and Circulation
Chapter 3.4, Public Improvement Standards
Chapter 4.7, Transportation Analysis

Procedures

Chapter 4.1, Development Review and Procedures

Bend Comprehensive Plan

Chapter 11, Growth Management

Oregon Administrative Rules

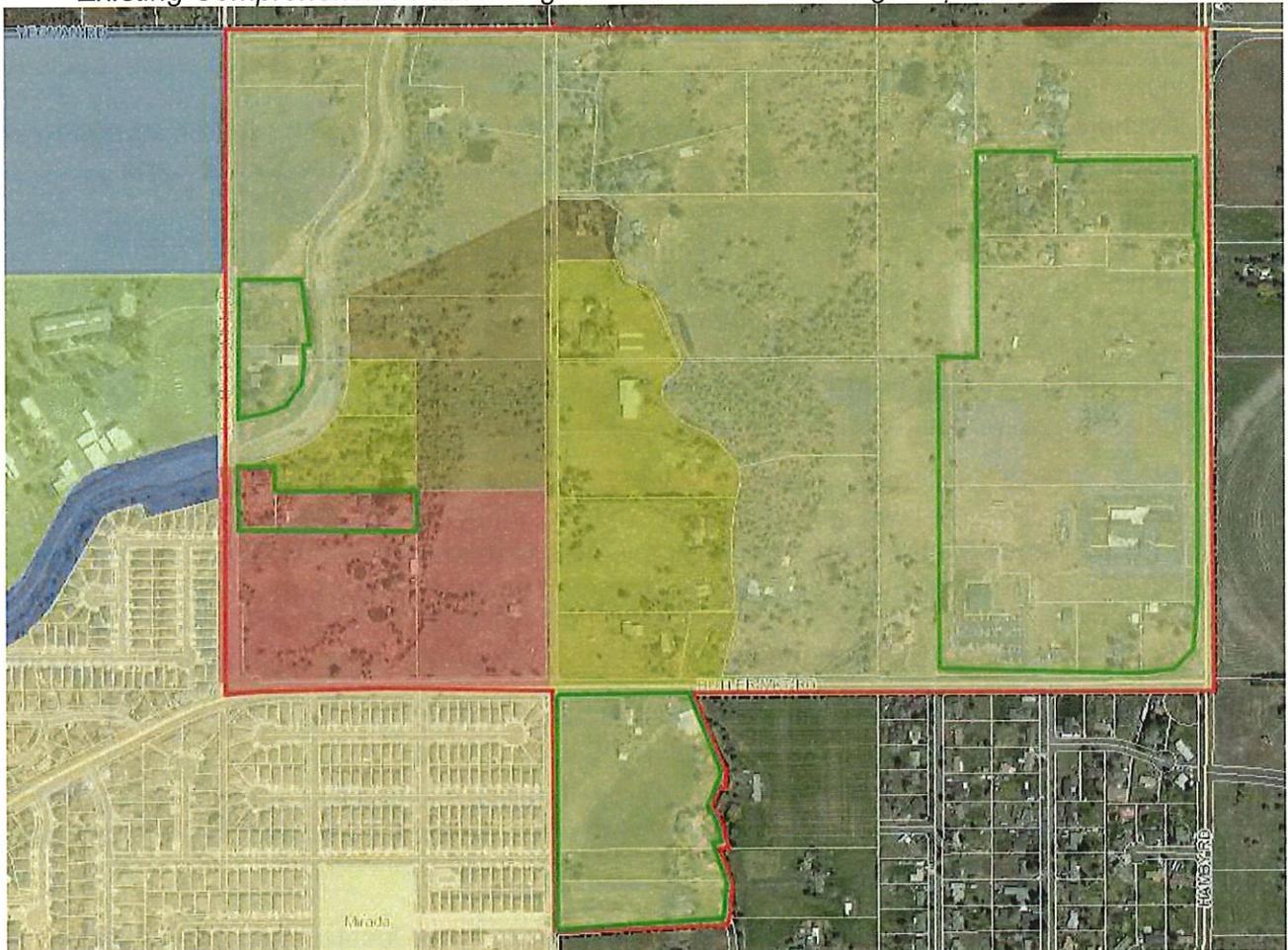
Chapter 660 Division 15 - Statewide Planning Goals and Guidelines

FINDINGS OF FACT:

- 1. LOCATION:** The Petrosa Master Plan encompasses ±177 acres of the ±261-acre Northeast Edge UGB Expansion Area. The master plan site comprises ±31 tax lots bounded by Deschutes Market Road (minor arterial) to the west, Butler Market Road (minor arterial) to the south and east, and the future extension of Yeoman Road (major collector) to the north.
- 2. ZONE AND PLAN DESIGNATION:** The Petrosa Master Plan property is within the Northeast Edge area of the 2016 Urban Growth Boundary (UGB) expansion. The overall Northeast Edge area consists of approximately 261 acres, currently zoned Urbanizable Area (UA), and designated Residential Standard Density (RS), Residential Medium Density (RM), Residential High Density (RH), and General Commercial (CG) by the Bend Comprehensive Plan Map (see figure below). The Comprehensive Plan specifies that the Northeast Edge area must be developed with a minimum of 1,100 total housing units, of which 10% must be attached single-family units (minimum of 110 units) and 40% must be multifamily units (minimum of 440 units) in addition to the 22 acres of Commercial General designated lands pursuant to Bend Comprehensive Plan (BCP) Policy 11-59. The Petrosa Master Plan property comprises approximately three-quarters of the Northeast Edge expansion area, as shown in the figure below.

Outside of the Petrosa Master Plan area, the remainder of the Northeast Edge expansion area (approximately 84 acres) is zoned Urbanizable Area (UA); these areas are outlined in green below. The eastern portion along the northern extension of Butler Market Road is designated RS as is the southern portion south of Butler Market Road. The western portion of the Northeast Edge expansion area along Deschutes Market Road is designated RS (light yellow) and CG (pink) in the Bend Comprehensive Plan.

Existing Comprehensive Plan Designations in Northeast Edge expansion area



*Red outline – Northeast Edge expansion area
Green outline – properties not within the Petrosa Master Plan*

3. **SITE DESCRIPTION & SURROUNDING USES:** The Petrosa Master Plan encompasses ±177 acres of the ±261-acre Northeast Edge UGB Expansion Area. The site comprises ±31 tax lots bounded by Deschutes Market Road (minor arterial) to the west, Butler Market Road (minor arterial) to the south and east, and the future extension of Yeoman Road (major collector) to the north. The Existing Conditions and Ownership Map (Exhibit B of the application) shows the site is relatively flat, generally gaining elevation from the northwest corner gently to the southeast corner. The NUID Main Canal crosses the northwest corner of the site and flows north, and a series of Central Oregon Irrigation District (COID) canals bisect the middle of the site flowing north. Existing vegetation is typical of the northeast side of Bend and includes coniferous trees—primarily juniper—of varying heights and maturities.

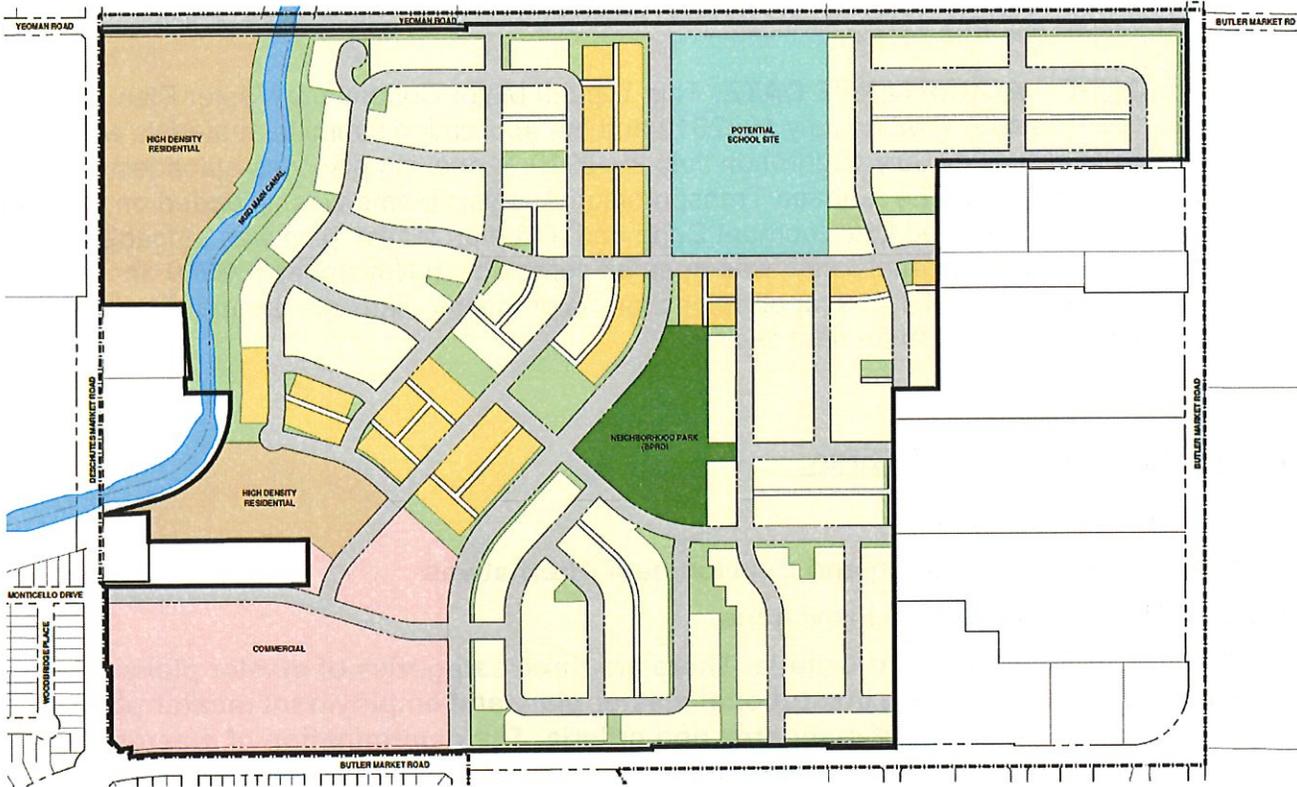
The Existing Conditions and Ownership Map (Exhibit B of the application) shows which properties within the Northeast Edge Expansion Area are participating in the Petrosa Master Plan and which are not. Four of the non-participating properties are residential tax lots fronting Deschutes Market Road. There are also two residential tax lots and one farm property south of Butler Market Road. The remaining non-participating properties are located at the eastern edge of the Expansion Area. Two churches are located at the southeast corner along Butler Market Road, north of which the remainder are undeveloped or large lot rural residential properties. All of the properties within the Northeast Expansion Area that are not included in the Petrosa Master Plan are currently zoned Urbanizable Area (UA), and all but two are designated Residential Standard Density (RS) in the City of Bend Comprehensive Plan. The two non-participating tax lots abutting Deschutes Market Road south of the canal are designated Commercial General (CG) in the City of Bend Comprehensive Plan.

Outside the UGB, land to the north and east is zoned Exclusive Farm Use (EFU), and land to the northwest is zoned Residential Suburban Low Density (SR 2 1/2). To the west, the U.S. Forest Service facility is zoned Urbanizable Area (UA) and is within the City limits. Pine Nursery Park, also to the west, is zoned Urban Area Reserve (UAR10) and is outside of the City limits but within the UGB. Two subdivisions are located to the southwest—Monticello Estates and Mirada—on land zoned RS by the City.

4. **PROPOSAL:** This proposal is for a Major Community Master Plan within the Northeast Edge expansion area that was included in the 2016 expanded UGB. The master plan is to be known as the Petrosa Master Plan. The applicant intends to accomplish the applicable Policies of Chapter 11 (Urbanization) of the Bend Comprehensive Plan through adoption of this Major Community Master Plan as required by Chapter 4.5 of the Bend Development Code (BDC). The proposal will involve amendments to both the text and maps in Chapter 2.7 to provide specific development provisions, maps, and diagrams of the new districts and roadway and trail network.

The Petrosa Master Plan will include approximately 1,100 housing units (including a variety of housing types), 19 acres of Commercial General (CG) land, 10 acres for an elementary school, and 22+ acres of open space including a 5.3-acre neighborhood park.

The Petrosa Master Plan includes planned changes to the location and configurations of the Comprehensive Plan Map designations. However, the proportional areas of each Plan Map designation inside the Master Plan Boundary (relative to the entire Northeast Edge expansion area) is within 1% of the areas listed in the Bend Comprehensive Plan Policies 11-58 and 11-59. Therefore, the expansion area will retain the same total area of all plan designations contemplated when it was brought inside the UGB.



An executive summary of the proposal is contained on pages 3-5 of the Applicant's narrative, and the proposed BDC text for the Petrosa Master Plan is contained in Exhibit D of the application.

5. **CONCURRENT APPLICATIONS:** The applicant will apply for annexation in the near future, with the intention that the master plan and annexation will be considered concurrently by the Bend City Council.
6. **PUBLIC NOTICE AND COMMENTS:** The applicant hosted a public meeting in accordance with BDC 4.1.215, on Monday, May 28, 2019, at 6 p.m. at the Fellowship at Bend Church (21530 Butler Market Road) in Bend. Documentation of public notices and verification of compliance forms were submitted with this application. According to the meeting sign-in sheets, approximately 24 people attended the public meeting, including the Mountain View Neighborhood Association Land Use Chair.

The Planning Commission held a public hearing for the Petrosa MPD on December 9, 2019, and issued a recommendation of approval to the Council. Public notice for the City Council hearing was provided in accordance with the requirements of BDC 4.1.423-4.1.425. On January 16, 2020, notice was mailed by the Planning Division to surrounding owners of record of property within 400 feet of the subject properties, and to the Mountain View and Boyd Acres Neighborhood Association representatives. On January 21, 2020, Notice of Proposed Development signs were posted by the applicant along the property frontages at five locations, visible from adjacent rights of way. Four comments were received in response to these notices at the time this summary was prepared, and five comments were received prior to the Planning Commission public hearing.

Various agencies were also sent notice, and their comments are contained in the project file

and considered in this decision.

- 7. APPLICATION ACCEPTANCE DATE:** This Type III Major Community Master Plan application was submitted on July 12, 2019 and the application submittal materials were uploaded to ePlans on July 19 through July 25, 2019. A phasing plan was uploaded on September 18, 2019. The required Transportation Analysis Memo was uploaded on October 17, 2019 and the revised Development Code and a tree protection plan was uploaded on October 31, 2019. The application was deemed complete on November 1, 2019. In accordance with BDC 4.1.430, applications for major master plans are exempt from the 120-day review time limitation for final decision.

APPLICATION OF THE CRITERIA:

Bend Development Code

Chapter 4.5, Master Planning and Development Alternatives

4.5.100 Master Plan General Provisions.

- B. Applicable Standards and Criteria.** There are three categories of master plans (community master plan, institutional master plan, and employment master plan) each with a distinct set of standards and criteria. The determination of master plan category will be made by the City based on the most prominent use(s) proposed by the master plan or development proposal. Each master plan or development proposal must only fall into one master plan category and only the standards and criteria applicable to the category of master plan determined by the City are applicable to a proposed master plan or development proposal.

FINDING: Given the relatively low ratio of employment use to residential uses (only 19 acres out of 177 total) for the Petrosa master plan, the community master plan category is most appropriate.

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

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

FINDING: No density transfers are contemplated or proposed in the Petrosa Master Plan. The proposed master plan will provide the housing count and mix and specified in Policy 11-59 of the Comprehensive Plan.

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

FINDING: While the current zoning is UA, the Comprehensive Plan Map and the Petrosa Master Plan anticipate re-zoning to RS, RM, RH, and CG with annexation. Live/Work Townhomes are the only new use planned that is not explicitly permitted as a use category in

the underlying zones (RH and CG), though they function essentially as a neighborhood commercial use or smaller scale mixed-use that could be permitted.

Table 5-1 of the Bend Comprehensive Plan lists the characteristics of the RH/Urban High Density designation:

The Urban High Density designation is intended to provide land for primarily high density multifamily residential, with opportunities for neighborhood commercial uses. It also provides opportunities for supporting public and institutional uses on a case-by-case basis.

It is generally suitable for locations in proximity to downtown, commercial areas and/or transit corridors.

Live/Work Townhomes are a higher density residential use that can be indistinguishable from multifamily, depending on the configuration of underlying lot lines. Based on the scale of commercial uses that can exist within such a configuration, they function similar to a neighborhood commercial use, are suitable in proximity to commercial areas, and are likely to function as a transition between larger-scale commercial and the surrounding residential neighborhoods.

Table 6-1 of the Bend Comprehensive Plan lists the characteristics of the GC/General Commercial designation:

The General Commercial designation provides a broad mixing of commercial uses that have large site requirements, are oriented to the higher classification roadways and provide services to the entire City and surrounding area.

Live/Work Townhomes are certainly on the smaller scale of the broad mixing of commercial uses appropriate for the CG designation. Other types of vertical and horizontal mixed-use are permitted in the CG zone, and Live/Work Townhomes are likely to be sited along the required "shopping street" and function as a transition between larger-scale commercial and the surrounding residential neighborhoods. The criteria are met.

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

FINDING: The Open Space and Trails Plan (Sheet P04 of the application) shows ±22.8 acres of open space, including a ±5.3-acre neighborhood park that will be owned and maintained by the Bend Parks and Recreation District (BPRD). Exhibit H of the application is a letter from BPRD which acknowledges the outline of a draft development agreement between Pahlisch Homes, Inc. and BPRD for a new neighborhood park and associated trails and open space to be conveyed to BPRD. The community center on the northwest side of Eagle Road due west of the neighborhood park will be a Homeowners Association (HOA)-owned and maintained amenity that is planned to include a clubhouse, pool complex, and outdoor activity area. Any additional open space areas not transferred to BPRD are planned to be owned and maintained by the HOA, in compliance with BDC 4.5.200(E)(4). The criterion is met.

D. Consistency with ORS 227.178. A major master plan is an amendment to an acknowledged Comprehensive Plan and/or land use regulation and is therefore not

subject to the 120-day review period under ORS 227.178. The City will use all reasonable resources to render a final decision on all major master plans within 180 days of receiving a complete application. Approval or denial of the major master plan application will be based on the standards and criteria at the time the major master plan was first submitted to the City.

FINDING: The Applicant acknowledges that the Petrosa major community master plan is not subject to the 120-day review period specified in ORS 227.178.

E. Submittal Requirements. The following information must be submitted as deemed applicable by the Development Services Director based on the size, scale, and complexity of the master plan:

FINDING: The Applicant's narrative provides descriptions of which exhibits submitted with the application address each of the submittal requirements listed in this section. Staff reviewed the application materials and determined that the applicable information was submitted and the application was complete on November 1, 2019. The following is a summary of the exhibits submitted with this application:

- Exhibit A – Application Forms
- Exhibit B – Petrosa Community Master Plan (Sheets P01-P10)
- Exhibit C – Transportation Element of the Petrosa Master Plan
- Exhibit D – Petrosa Development Code
- Exhibit E – Utility Availability Memo
- Exhibit F – Neighborhood Meeting Documentation
- Exhibit G – Preliminary Title Reports and Deeds
- Exhibit H – Petrosa BPRD Coordination Letter
- Exhibit I – BLSD Comments
- Exhibit J – COID Comments
- Exhibit K – Preliminary Architectural Concept and Design Guidelines
- Exhibit L – Cascades East Transit Comments
- Exhibit M – Tree Protection Plan

The applicant also submitted the required project narrative and the Transportation Analysis Memo (TAM) issued by the City in response to the submitted Transportation Element,

4.5.200 Community Master Plan.

A. Purpose. The community master plan is intended to provide complete neighborhoods with varied housing options, services, and amenities needed for daily living, including public schools, parks and open spaces, shops, and services, all within a convenient walking or biking distance. The community master plan is also intended to provide convenient access to public transportation and employment areas.

B. Applicability.

- 1. Community master plans in conformance with this section may be submitted for any property or combination of properties three acres or larger in size.**
- 2. Community master plans are required for any property or combination of adjacent**

properties under common ownership totaling 20 acres or larger at the date of adoption of this code, unless exempted below.

FINDING: Policy 11-56 of the Bend Comprehensive Plan allows annexations in the Northeast Edge Expansion Area that are at least 40 acres in area, subject to master plan application. This project is subject to the community master plan requirements because it includes adjacent properties totaling more than 40 acres.

C. Review Process.

1. **Needed Housing.** If the community master plan includes needed housing as defined by State statutes, the written narrative submitted with the community master plan application must clearly state whether the applicant is electing to use a process with clear and objective standards (minor master plan) or is electing to use a deviation process with changes proposed to one or more of the Bend Development Code standards and/or zoning district requirements and/or with changes proposed to the Bend Comprehensive Plan Map designations and/or zoning (major master plan).

FINDING: The Petrosa Master Plan includes approximately 1,100 units of needed housing as defined by Oregon Revised Statute (ORS) 197.303(1)(a) as it provides attached and detached single-family housing and multiple family housing for both owner and renter occupancy. However, the Applicant elects to use a deviation process in order modify one or more Development Code standards and realign the placeholder Comprehensive Plan land use designations.

3. **Major Community Master Plans.** Major community master plans are processed as follows:

- a. **Step 1.** The Planning Commission makes a recommendation to the City Council on an application for a major community master plan. The text of a major community master plan must be included in BDC Chapter 2.7, Special Planned Districts, in compliance with BDC Chapter 4.6, Land Use District Map and Text Amendments. The City Council is the final review authority on such applications (Type III process).
- b. **Step 2.** Upon approval of the major community master plan, and prior to the commencement of Step 3, the applicant must submit a final major community master plan to the City in an electronic format specified by the City. The final major community master plan must depict the proposal as approved and must incorporate all conditions of approval contained in the decision. The major community master plan denotation for the subject site will be shown on the Zoning Map. The denotation on the Zoning Map may be added or removed administratively by staff upon approval or withdrawal of the major community master plan.
- c. **Step 3.** The approval of a land division(s) and/or site plan review application(s) (Type II process).

FINDING: The Applicant is seeking to compress the time schedule by providing all information necessary for approval of Steps 1 and 2 concurrently. The Applicant further intends to proceed

to Step 3 with the submittal of a subdivision tentative plan for the initial phase(s). However, an application for subdivision tentative plan cannot be accepted until the Master Plan is adopted and the annexation process is final.

D. Community Master Plan Approval Criteria.

1. **Minor or Major Community Master Plan.** The City may approve, approve with conditions, or deny a proposed minor or major community master plan application based on meeting all of the following criteria:
 - a. **The community master plan complies with subsection (E) of this section, Standards and Regulations.**

FINDING: Subsection (E) is addressed below. The master plan has been designed to comply with the standards and regulations of that section.

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

FINDING: The Existing Utility and Easement Plan (Exhibit B, Sheet P09 of the application) shows existing water, sanitary sewer, overhead power, and irrigation facilities abutting and crossing through the site. The Utility Availability Memo (BP-18-4393; Exhibit E of the application) issued by the City of Bend Engineering Division shows that existing water and sewer facilities have adequate capacity to serve the Petrosa Master Plan or adequate facilities will be installed concurrent with construction and prior to occupancy or use. The applicable criteria are met.

The Utility Availability Memo is binding on both the Applicant and the City of Bend for a period of 15 years from the date of master plan approval.

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

Chapter 4.7, Transportation Analysis

4.7.600 Significant Impacts and Mitigation Measures.

D. Timing of Improvements.

2. **Development proposals within Master Planned Developments or Special Planned Areas, as described in BDC Chapter 4.5, Master Planning and Development Alternatives, where a Transportation Mitigation Plan has been approved, shall refer to the Plan for the extent and timing of improvements.**

FINDING: The Transportation Element (Exhibit C of the application) of the Petrosa Master Plan was prepared by Transight Consulting, LLC, and includes a Transportation Facilities Report and a Transportation Impact Analysis. To address the impacts of urbanizing the Northeast Edge UGB lands, an annexation agreement is being prepared to identify the specific timing, responsibilities, and allocation of costs between various agencies and affected property owners. The Annexation Agreement and Annexation application for the subject properties will be submitted for concurrent review of this Master Plan by the City Council.

3. **Major Community Master Plan.** In addition to the approval criteria in subsection

(D)(1) of this section the City may approve, approve with conditions, or deny a proposed major community master plan application based on meeting all of the following criteria:

- a. The community master plan land uses and densities must be consistent with the Bend Comprehensive Plan Map designations. If rearranging the plan designation locations and/or zoning is proposed as part of the master plan application, the master plan must retain the same total area of all plan designations on the subject site or within one percent of the same total acreage and maintain the density/housing numbers consistent with the allocations prescribed by the existing plan designations except as provided in subsection (E)(3) of this section.

FINDING: The Petrosa Major Community Master Plan meets the applicable density standards by showing that the Expansion Area will contain the housing unit count and mix prescribed in BCP Policy 11-59. Housing density and mix is addressed further in the response to BCP Policy 11-59, as noted in the findings for BDC 4.5.200.D.3.c.ii. below.

BCP Policy 11-59: In order to provide sufficient housing capacity and mix, the residential plan designations shall include 178 gross acres of RS, 21 gross acres of RM, and 16 gross acres of RH. Acreages exclude existing right of way. The acreage of RS includes roughly 14 acres for an elementary school site, which may be designated PF if a site has been acquired by the School District prior to completion of the Area Plan. Alternatively, the Area Plan may demonstrate that this area will provide capacity for a minimum of 1100 housing units, including at least 10% single family attached housing and at least 40% multifamily and duplex/triplex housing types. The Area Plan may include and rely on plan designations, zones, special plan districts, and/or other binding development regulations to demonstrate compliance with the specific mix and capacity.

BCP Policy 11-59 outlines two separate and distinct pathways for providing sufficient housing capacity and mix. The first pathway is based on the listed residential plan designations. While the Applicant does not elect to use this pathway, the Northeast Edge Land Use Plan (Exhibit B) shows areas equal to or greater than the acreages listed in BCP Policy 11-59 for each plan designation: ±188.3 gross acres of RS, ±21.7 gross acres of RM, and ±16.0 gross acres of RH.

The Applicant has elected to use the second pathway. The second pathway is based on demonstrating that the Northeast Edge Expansion Area—the Petrosa Master Plan and framework-level Area Plan together—can provide capacity for at least 1,100 housing units, including at least 10% (110 units) single-family attached housing and 40% (440 units) multifamily and duplex/triplex housing. Table 1 below details the area of each residential zone within the master plan and framework-level area plan.

Table 1: Northeast Edge Expansion Area Zoning

Residential Zone	Master Plan (Gross Acres)	Area Plan (Gross Acres)	Total Area (Gross Acres)
RS	±120.4*	±67.9*	±188.3*
RM	±21.7**	±0.0	±21.7**
RH	±16.0	±0.0	±16.0
TOTAL	±158.1	±67.9	±226.0

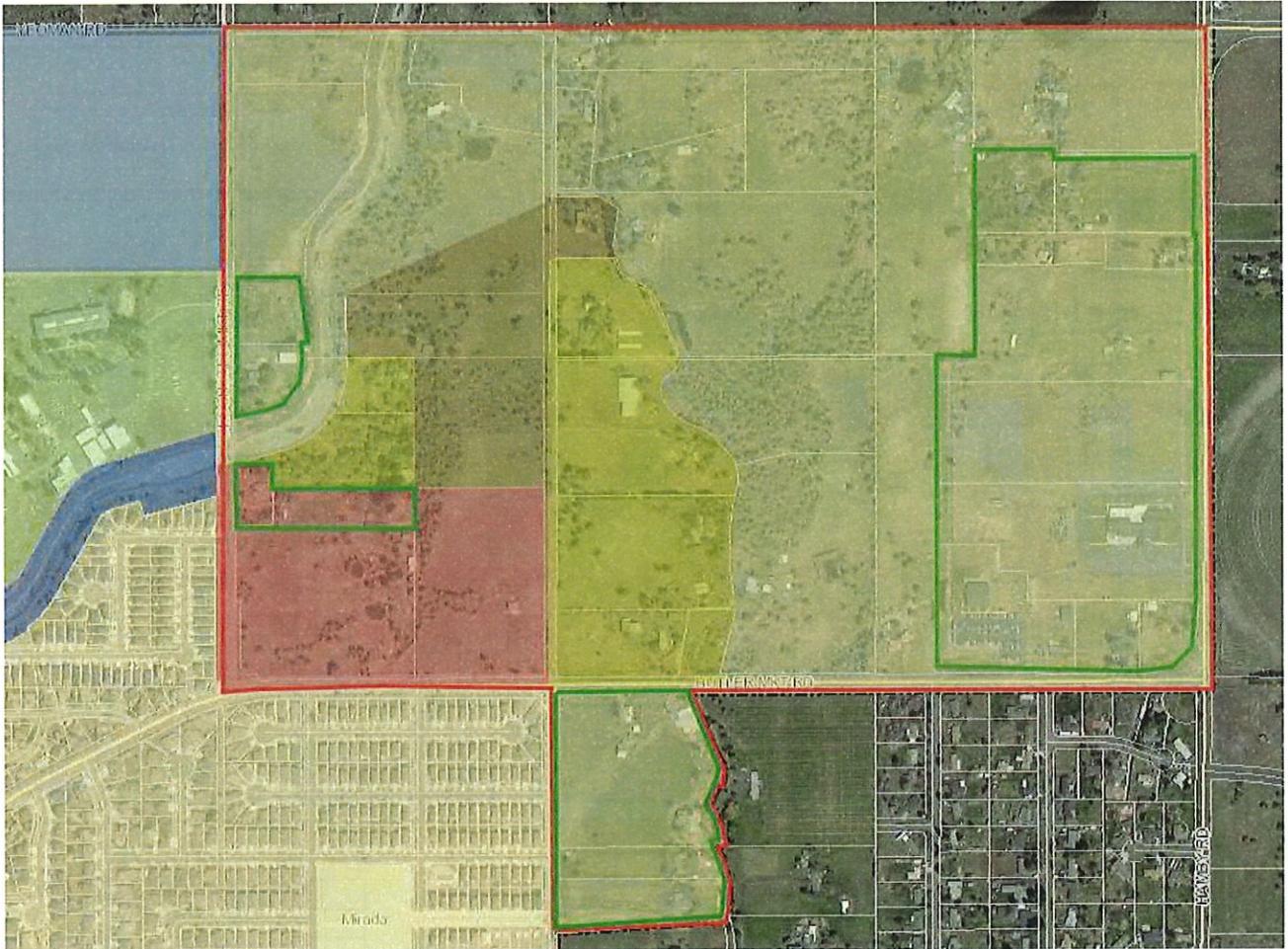
Table 2 below shows the mix of housing planned for construction within the Petrosa Master Plan, based on the conceptual lot layout shown on the Northeast Edge Land Use Plan (Exhibit B of the application). Generally, it is anticipated that the RS zone will contain the majority of the project's detached single-family homes; the RM zone will contain primarily single-family attached (townhomes), triplexes, and fourplexes; and the RH zone will contain larger multifamily buildings, potentially with some townhomes, triplexes, and fourplexes.

Table 2: Planned Housing Mix, Petrosa Master Plan

Master Plan			
Residential Zone	Total Units	Townhomes	Duplex/Triplex/Multi
RS	±481	±0	±0
RM	±189	±120	±18
RH	±424	±0	±424
Subtotal	±1,094	±120	±442
Area Plan			
RS	±347*	±35*	±0
Total	±1,441	±155	±442

While the specific housing type and mix of uses will be determined with subsequent tentative subdivision and/or site plan applications, the Northeast Edge Land Use Plan (submitted Exhibit B) with Tables 1 and 2, above, show that the Northeast Edge Expansion Area—the Petrosa Master Plan and framework-level Area Plan together—can provide capacity for at least 1,100 housing units, including at least 110 units single-family attached housing and 440 units multifamily and duplex/triplex housing, consistent with BCP Policy 11-59. Therefore, the Petrosa Master Plan and Northeast Edge Area Plan maintain the density/housing numbers consistent with the allocations prescribed by the applicable Comprehensive Plan policy.

This project includes planned changes to the location and configuration of the placeholder Comprehensive Plan designations for the Northeast Edge Expansion Area. However, the planned ±226 acres of residential (±223.1 acres excluding existing Cole Road right-of-way) and ±22 acres of commercial are within 1% of the 222 gross acres of residential plan designations and 22 gross acres of commercial plan designations (excluding existing right-of-way) listed in BCP Policy 11-58. Therefore, the Northeast Edge Expansion Area will retain the same total area of applicable Comprehensive Plan designations contemplated when it was brought inside the Urban Growth Boundary (UGB). Therefore, BDC 4.5.200(D)(3)(a) allows the planned changes to the location and configuration of Plan Map designations without a formal plan amendment. The applicable criteria are met.



The Northeast Edge Expansion Area will accommodate the full 22 acres of commercial land, but the boundaries of the Commercial General (CG) designations will be modified slightly as indicated on the master plan submitted on Sheet P08 to align with proposed roadways. The existing Comprehensive Plan designations outside of the Petrosa Master Plan will not change. The final acreage will be within one percent of the total acreage designated on the BCP Map, and thus will not require a concurrent Plan Amendment and Zone Change.

The specific number of lots and lot boundaries have not been finalized at this master planning stage; rather, the configuration and number of lots for all types of uses will be determined at the time of subdivision tentative plan for each phase or group of phases. The Applicant will keep a running tally of each housing type to be submitted with each tentative plan application, which will allow the city to confirm through subsequent land use review and approvals that the project is on track to meet the density and housing type targets set forth in the BCP. Deed restrictions will be placed on lots designated for multi-family and attached single-family uses to ensure the numbers and variety of housing types required by BCP Policy 11-59 are met.



- b. The applicant has demonstrated that the standards and zoning district requirements contained in BDC Title 2, Land Use Districts, and BDC Title 3, Design Standards, are capable of being met during site plan or land division review, except as proposed to be modified by the applicant as part of a major community master plan. Where the applicant has proposed deviations to the above standards and/or zoning district requirements, the applicant has demonstrated:
- i. That granting a deviation to the BDC standards and/or zoning district requirements will equally or better meet the purpose of the regulation proposed to be modified; or
 - ii. That granting a deviation to the BDC standards and/or zoning district requirements is necessary due to topographical constraints or other unique characteristics of the property or specific development type proposed by the master plan; and

iii. That any impacts resulting from the deviation are mitigated to the extent reasonably practical.

FINDING: A special plan district for the Petrosa Master Plan, to be codified in BDC Chapter 2.7, establishes unique standards for each plan district that help ensure efficient use of land, an appropriate housing mix, and land use compatibility across the entire master plan. Proposed Development Code language creating the Petrosa Master Planned Development in BDC Chapter 2.7 is included as Attachment E.

Chapter 2.1 - Residential Districts

BCP Policy 11-58 assigns ±222 gross acres of residential plan designations within the Northeast Edge Expansion Area. BCP Policy 11-59 provides greater detail designating ±178 gross acres of RS (including ±14 acres for an elementary school site), ±21 gross acres of RM, and ±16 gross acres of RH. The Northeast Edge Land Use Plan (submitted Sheet P08) shows a total of 226 acres of residential zoning, including ±188.3 gross acres of RS, ±21.7 gross acres of RM, and ±16.0 gross acres of RH. The RS area includes ±10.3 acres for a potential elementary school site, the location and size of which has been coordinated with Bend-La Pine School District. These acreages meet the requirements of BCP Policy 11-58.

The proposed Zoning Map (submitted Sheet P06) shows the placeholder location of the RH plan map designation is planned to be divided with ±10 acres relocated northwest of the NUID Main Canal fronting Yeoman Road and Deschutes Market Road (across from Pine Nursery Park), and ±6 acres relocated to the southwest between the commercial center and NUID Main Canal. These locations better align with the purpose of the residential districts and characteristics of the RH zone as they place higher density abutting collector and arterial streets, commercial lands, and/or public open space.

The placeholder RM designated lands are clustered in the center of the site along the eastern boundary of the existing Cole Road extending north from Butler Market Road. The planned RM zone generally tracks the extension of Eagle Road north/south through the middle of the Expansion Area, with an offshoot to the west where the RM serves as a transition between the CG and RH in the southwest corner and the RS further north. A second offshoot of RM to the east is located south of the potential school site along one of the primary east/west streets. These locations are equally aligned with the purpose of the residential districts and the characteristics of the RM zone, as sewer and water service will be readily available and the planned locations function as a transition between lower densities and more intensive uses and/or higher classification streets.

The RS plan map designation makes up the majority of the Expansion Area, and the Zoning Map (submitted Sheet P06) shows the planned locations of the RS zone buffer the Expansion Area lands to the south and east (also RS) that elected not to participate in the master plan. Additionally, the planned RS zone generally runs along the south side of Yeoman Road (except for the planned RH northwest of the NUID Main Canal) which serves to buffer the agricultural lands outside the UGB. It should be noted that conflicting housing densities are unavoidable where UGB meets agricultural or rural residential land. This has been mitigated to some extent by locating the most intensive uses internally to the site or abutting collector or arterial streets, other intensive uses, or open space.

BCP Policy 11-59 also provides an alternative method by which the Petrosa Master Plan and framework-level Area Plan can allocate residential zones, by showing that the area provides capacity for at least 1,100 housing units, including at least 10% (110 units) single-family attached housing and 40% (440 units) multifamily and duplex/triplex housing. As noted previously, the applicant will keep a running tally of each housing type to be submitted with each tentative plan application, which will allow the city to confirm through subsequent land use review and approvals that the project is on track to meet the density and housing type targets set forth in the BCP.

The Petrosa master plan code sets forth the permitted uses and development standards for these residential districts, which closely mimic the permitted uses and standards within BDC 2.1, except as noted in the code deviations below.

Chapter 2.2 - Commercial Zoning Districts

BCP Policy 11-58 assigns ±22 gross acres of commercial plan map designations, currently shown as Commercial General (CG) on the Comprehensive Plan Map, within the Northeast Edge Expansion Area. The Zoning Map (submitted Sheet P06) shows only minor adjustments are planned to the placeholder locations of the CG plan map designation and corresponding zone. Specifically, ±2 acres of CG are shifted slightly to the northeast to follow the planned curve of Eagle Road and provide a more logical transition to RH, RM, and RS zones.

With the minor shift, the location of the CG continues to meet the applicable purpose statements and characteristics for the zone. A special plan district for Petrosa to be codified in BDC Chapter 2.7 establishes unique standards for the CG zone that incentivizes efficient use of land and certain uses or site design elements that provide a public or community benefit. Future development of the commercial center will be subject to City site plan review, but design review will be enforced by the Petrosa Architectural Review Committee. Minimal changes are planned to the complementary mix of permitted uses in the CG zone. Local market analysis shows high demand in the area for a grocery-anchored retail center. Moving north from Butler Market Road, retail uses will transition to a more neighborhood scale with a pedestrian-friendly shopping street framed by mixed-use buildings, live-work townhomes, and outdoor spaces creating a vibrant, safe, and attractive pedestrian environment.

The Street Circulation Plan (submitted Sheet P07) shows the commercial area is surrounded and well-served by three higher classification streets that also provide 10-foot-wide multiuse pathways along the western and southern commercial frontages. The location of the commercial center provides a transition between the higher traffic minor arterials that intersect at its southwest corner, to the residential neighborhoods to the north and east. The planned cross-sections reinforce streets as public rights-of-way for multiple modes—including pedestrians and bicycles—and provide multimodal connections to residential areas.

Finally, Cascades East Transit (CET) does not currently provide service this far east, but they are currently in the initial stages of updating their Transit Master Plan. Petrosa's planned commercial center, along with higher-density housing and total housing count, will help pull transit farther into northeast Bend by providing a concentration of riders and making transit service more cost-effective. The Petrosa design team met with CET, and it was determined that a future transit stop along the Butler Market Road commercial frontage is the most appropriate way to support future transit service to this area. Comments from CET are included as Exhibit L

of the application. No specific decisions have yet been made on transit routing, but CET is aware of the property and supports the transit concept addressed above.

Chapter 2.8 - Urbanizable Area (UA)

All of the Northeast Edge Expansion Area lands are currently zoned UA. Subsequent to Planning Commission review of the Petrosa Master Plan, it is anticipated that City Council will review the Annexation Application and concurrent with the Major Community Master Plan Application. Upon approval of the Annexation and Major Community Master Plan, the Petrosa Master Plan properties would be automatically re-zoned as shown on the Zoning Map (submitted Sheet P06). The remainder of the Northeast Edge expansion area outside of the Petrosa Master Plan would remain zoned UA. Applicable procedures are addressed in the responses to Title 4, master planning is addressed in the responses to Chapter 4.5, and map amendments are addressed in the responses to Chapter 4.6. The applicable criteria are met.

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

As shown in the Northeast Edge Land Use Plan (submitted Sheet P08), the applicant has indicated preliminary lot lines for the intended uses, including the proposed blocks and access and circulation to each lot. As proposed, the proposed land use plan can meet the standards of BDC 3.1 during future land division review.

Chapter 3.2 – Landscaping, Street Trees, Fences and Walls

The proposed Preliminary Open Space and Trails Plan show conceptual street tree locations and proposed open space within the master plan. Fences and walls will be addressed in future land division review.

In terms of landscaping, the Applicant recognizes the value and importance of incorporating trees and other existing vegetation into new neighborhoods. However, necessary site grading, construction of public street infrastructure, underground utility connections, and storm drainage facilities often jeopardizes the health of existing vegetation and precludes the preservation of significant trees. Consequently, in addition to required street tree plantings that will be required with future subdivision and site plan review approvals, it is anticipated that onsite landscaping associated with future parks, multifamily projects, and single-family homes will incorporate additional trees into the overall landscape of the neighborhood.

BDC Chapter 1.2 defines “significant trees/vegetation” as individual trees with a specific trunk diameter (as indicated below) when measured 4 feet above the ground (known as DBH, for “diameter at breast height”).

1. Deciduous trees: 6 inches or greater.
2. Coniferous trees: 10 inches or greater.

The submitted Existing Tree Map in the submitted Exhibit M shows all trees 6-inches or greater within the Petrosa master plan. This exhibit shows that Petrosa was designed with tree preservation in mind. The school and future neighborhood park are intentionally located in areas that are densely treed.

Conversely, Phases 1 and 2 are located across areas that are far less densely treed. The attached Tree Protection Plan and Significant Tree Table inventories significant trees within Phases 1 and 2—as well as within future rights-of-way that will serve as secondary accesses through construction of the early phases of the project—consistent with BDC 3.2.200(C), and shows the location of existing trees to be removed and preserved by type and diameter at breast height (DBH).

Chapter 3.3 – Vehicle Parking, Loading and Bicycle Parking

Compliance with this section will be reviewed during future Site Plan review (for multi-family or commercial development) or building permit review (for duplex/triplex/fourplex or single-family housing). As proposed, compliance with this section can be met with the proposed land uses and configuration.

Chapter 3.4 – Public Improvement Standards

As noted elsewhere in this report, required infrastructure (water, sewer and transportation) will be provided concurrent with each phase of development. The proposed Northeast Edge Utility Plan indicates how water and sewer will be provided to each lot. Avion Water District has indicated that it has capacity to serve the master plan area, and the City-issued Utility Availability Memo (BP-18-4392) indicates sewer capacity will be available for the Petrosa Master Plan and the associated mitigation for sewer improvements. The applicant also discussed with City staff how stormwater will be detained within the boundaries of each phase as would be allowed under the proposed Petrosa code. Finally, a Transportation Analysis Memo (BP-19-3187) has outlined the transportation mitigation necessary for the Petrosa Master Plan, which will be codified in BDC 2.7. Details of compliance with Chapter 3.4 will be reviewed during future land use division, but the applicant has shown that the standards in this section can be met. A Preliminary Street and Circulation Plan (submitted Sheet P07) indicates the various street classifications within the Petrosa Master Plan. Minor code deviations from a few street sections are detailed below.

Code Deviations

In the residential zones, this code contains deviations from the underlying BDC standards to create a cohesive site and architectural arrangement that simultaneously provides a wide range of housing types, styles, and price points. The Master Plan and corresponding development code language have been developed strategically and in consideration of balancing the provision of needed housing with the realities of market demand anticipated over the full build out of the project. Deviations from current BDC standards are necessary in order to prioritize meeting anticipated demands for housing as well as integrating the City's objectives for housing diversity. Consistent with the requirement, these deviations support a project that provides benefits that equally or better meet the purpose of the modified regulation.

The primary impact from the planned deviation is that a portion of the lots for detached single-family homes, duplexes, triplexes, and fourplexes may be smaller and/or narrower than the standard RS zone would allow. Additionally, buildings in all residential districts would be allowed greater lot coverage. Finally, buildings in the RM and RH districts could be built 10 feet higher than allowed under the current code without a variance.

Residential Setbacks

BDC 2.1.300(A) states the purpose of residential setback standards: "Setbacks provide private outdoor living space, building separation for fire protection/security, building maintenance, and sunlight and air circulation. The setback standards encourage placement of residences close to the street for public safety and neighborhood security." The planned 1-foot reduction in side setbacks (from 5 feet to 4 feet) and 2-foot reduction in secondary front setbacks (from 10 feet to 8 feet) is mitigated by a community design that includes ±22.8 acres of open space providing public outdoor living space, additional building separation, and sunlight and air circulation. Additionally, in situations where a side lot line abuts an alley, the side setback is planned to increase from 5 feet to 8 feet. On balance, the deviations will equally or better meet the purpose of the underlying standard.

Residential Lot Dimensions

While no purpose of the lot dimension standards are explicitly stated in BDC 2.1.500, they are generally understood to ensure adequate space is provided for the type of residential use and structure, appropriate to the scale and character of the surrounding neighborhood. The minimum lot area in the RS zone for a unit of detached single-family housing is planned to be reduced to 2,800 square feet in order to provide additional types of workforce housing. Additionally, the minimum lot width in the RS zone for detached single-family home would be reduced from 40 feet to 30 feet, while corresponding lot depths would be increased from 50 feet to 75 feet. The planned lot sizes and widths appropriate to the scale and character of duplexes and triplexes (minimum 2,500 square feet per unit) and the width of townhome lots (minimum 20/24 feet) that would be permitted in the RS zone.

In a master planned community, strategically integrating different types of homes, including those on smaller or narrower lots, helps define the scale and character of the surrounding neighborhood which makes them inherently appropriate to that scale and character. On balance, the deviation will equally or better meet the purpose of the underlying standard.

Fourplexes

Fourplexes are considered multi-family residential developments in the current Bend Development Code and are not allowed in the RS zone. Under the proposed Petrosa Master Plan Code, fourplexes would be allowed in the RS zone with corresponding minimum lot sizes commensurate with the minimum lot sizes for duplexes and triplexes (minimum 2,500 square feet per unit, or 10,000 feet for a fourplex). The proposed lot width and depth for fourplexes in the RS zone would be the same as duplexes and triplexes in the existing RS code. This new allowed use in the RS zone would be similar in character with the allowed duplexes and triplexes in the existing code. Therefore, the deviations will equally or better meet the purpose of the underlying standard.

Live/Work Townhomes

Live/work townhomes are not explicitly allowed in the existing Development Code for residential districts, but are addressed in the Northwest Crossing Overlay zone. The proposed Petrosa master plan code allows live/work townhomes in the RH zone and limits the square footage of the commercial use to 50 percent of the building, excluding the garage. The existing RH zone allows mixed-use development which could result in the same product and use mix. Therefore, the deviations will equally or better meet the purpose of the underlying standard.

Lot Frontage

Under the existing Bend Development Code, all lots must front a public or private street. The proposed Petrosa Master Plan code allows lot to front an open space tract if vehicular access is provided from a rear alley. The property line fronting the open space would be considered a front property line for setback purposes. This lot arrangement is similar to the provisions in the existing cottage code (BDC 4.5.500) and will equally or better meet the purpose of the underlying standard.

Minimum and Maximum Densities

As noted above, BCP Policy 11-59 outlines two separate and distinct pathways for providing sufficient housing capacity and mix. The first pathway is based on the listed residential plan designations. The second pathway is based on demonstrating that the Northeast Edge Expansion Area—the Petrosa Master Plan and framework-level Area Plan together—can provide capacity for at least 1,100 housing units, including at least 10% (110 units) single-family attached housing and 40% (440 units) multifamily and duplex/triplex housing. As noted in Table 1 and 2 above, the proposed Petrosa Master Plan and the accompanying Northeast Edge area plan meets the residential unit requirements and housing mix requirements set forth in BCP Policy 11-59. Therefore, rather than the application of minimum and maximum densities set forth in the zones corresponding to the underlying Comprehensive Plan designations, the Petrosa Master Plan will meet the overall provision of the number and mix of housing units set forth in BCP Policy 11-59. As noted above, the applicant will keep a running tally of each housing type to be submitted with each tentative plan application, which will allow the city to confirm through subsequent land use review and approvals that the project is on track to meet the density and housing type targets set forth in the BCP. This second pathway set forth the Bend Comprehensive Plan equally or better meets the purpose of the underlying standard.

Lot coverage

The maximum lot coverage in the RS and RM zones for single-story and 2+-story single-family detached homes would increase by five percent under the proposed Petrosa Master Plan code. The maximum lot coverage for townhomes, duplexes and triplexes would remain the same as the existing code. This additional lot coverage for single-family detached homes would provide flexibility in housing architecture and layout while retaining the character of the overall development. Therefore, the deviations will equally or better meet the purpose of the underlying standard.

Building height

The maximum building height in the existing RM and RH zones is 35 and 45 feet, respectively. The proposed Petrosa Master Plan code increases the maximum building height in these zones by 10 feet. The additional height allows for architectural features such as pitched roofs, gables and roof offsets that that integrate well with surrounding single-family homes. For example, the existing 45-foot maximum height in the RH zone would allow a four-story building, but with flat roof with minimal offsets or other architectural features. Increasing the maximum height to 55 feet allows that same four-story building to incorporate architectural features that promote compatibility with the surrounding neighborhood without sacrificing an entire floor of needed housing.

In the CG zone, the maximum height would remain the same as the existing code, but a 10-foot height bonus is provided in the proposed Petrosa code for the inclusion of certain features that

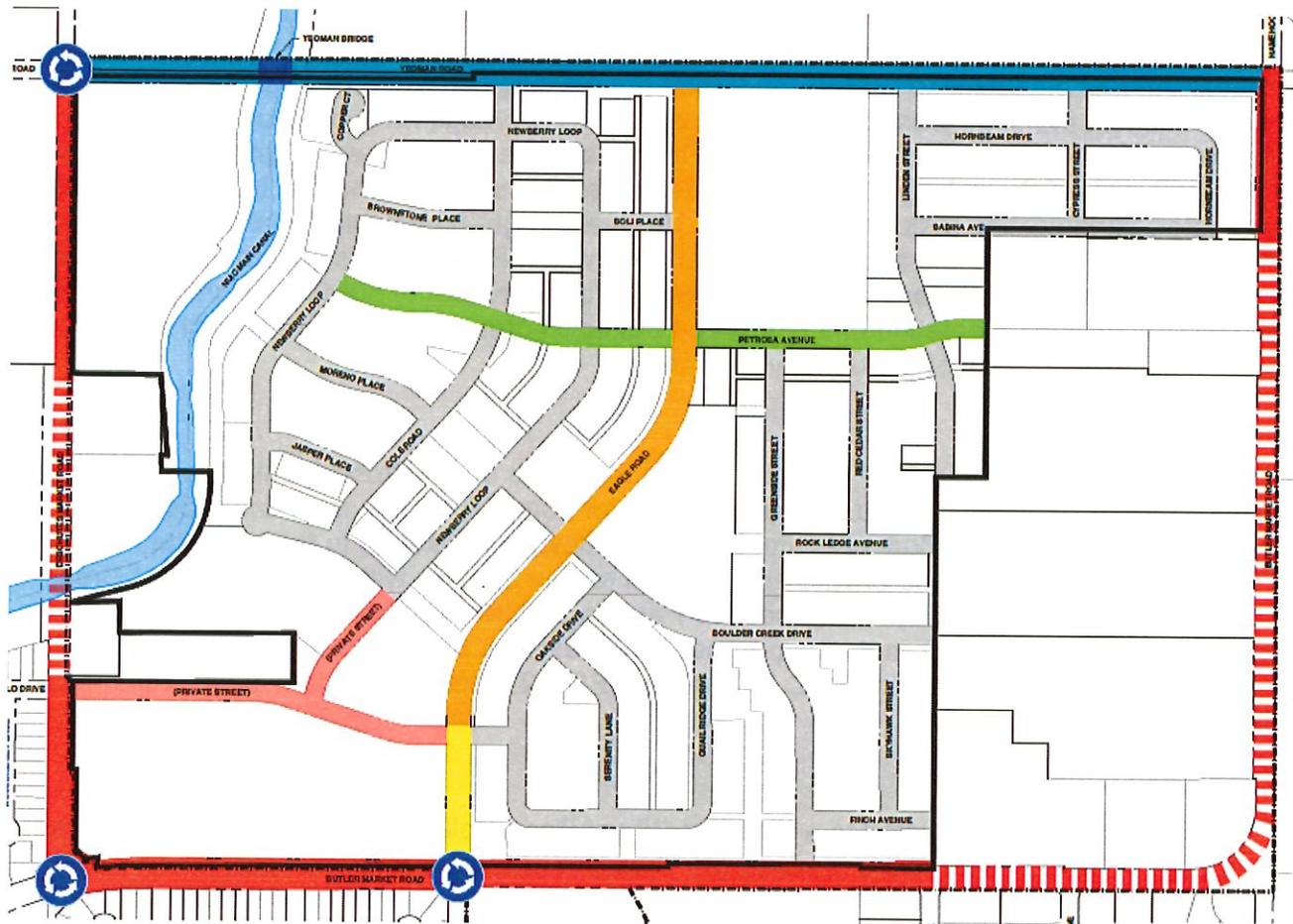
provide a public or community benefit, such as a large usable open space or plaza or additional pedestrian cover over pathways or sidewalks. In no case would the maximum height in the Petrosa master plan exceed 20 feet more than the existing CG code. Petrosa's commercial center anchors the southwest corner of the project with frontage on two minor arterials—Deschutes Market Road and Butler Market Road—and the Eagle Road neighborhood route. Therefore, should these height bonuses be implemented, taller commercial buildings will be separated from existing residential areas by 100 feet of right-of-way plus applicable setbacks. Where commercial building abut a residential zone within Petrosa, existing standards require a stepped setback that increases proportionally with for every foot of building height above 25 feet as well as implementation of a landscape buffer. Therefore, the deviations will equally or better meet the purpose of the underlying standard.

Architectural standards

The proposed Petrosa Master Plan includes the formation of a Petrosa Architectural Review committee. This committee would be responsible for compliance with the standards set forth in the Petrosa Architectural Concepts and Design Guidelines, as set for in the submitted Exhibit K. This process is similar to the private architectural review process within the Northwest Crossing Overlay Zone (BDC 2.7.300). The proposed Petrosa architectural concepts and design guidelines equally or better meet the purpose of the existing architectural standards set forth in the Bend Development Code in BDC 2.1.900 and BDC 2.2.600 for residential and commercial development, respectively.

Street Standards

Eagle Road will be constructed to a modified City of Bend Collector standard with a multi-use pathway on the east side of the roadway (as shown in orange and yellow below). The overall right-of-way width will meet the requirements of BDC 3.4 for a collector street. The proposed private commercial street (as shown in pink below) will vary between 60 and 80 feet of right-of-way, providing flexibility on the provision and type of on-street parking (parallel or angled) based on abutting development. All other proposed streets will be built out to City of Bend Standards and Specifications as each phase of the master plan develops, including the minor arterials (red – Deschutes Market and Butler Market Roads) and the proposed major collector (blue – Yeoman Road). The proposed east-west local street (green – Petrosa Avenue) will include a wider 10-foot paved pathway on one side of the street in place of a standard sidewalk. Therefore, the deviations will equally or better meet the purpose of the underlying standard.



- c. In lieu of the approval criteria in BDC 4.6.300, Quasi-Judicial Amendments, major community master plan applications that do not propose a Bend Comprehensive Plan amendment must demonstrate compliance with the following:

FINDING: The Petrosa Major Community Master Plan does not include an amendment to the Bend Comprehensive Plan text, though it does rearrange the locations of the placeholder Comprehensive Plan Map designations while maintaining continuity in the total areas of residential and commercial designations as contemplated in BDC 4.5.200(D)(3)(a). The City Council has previously interpreted (PZ 18-1015) BDC 4.5.200(D)(3)(a) to allow for rearranging of plan designations within master plan area boundaries as a component of the master plan review in accordance with the provision of Chapter 4.5 in lieu of the quasi-judicial process outlined in in BDC 4.6.300.

- i. Approval of the request is consistent with the relevant Statewide planning goals that are designated by the Planning Director or designee; and

FINDING: Given the urban intent of the land located within the UGB, several of the Statewide Planning Goals do not apply to this proposal. As discussed under each goal, the Statewide Planning Goals largely impose obligations on local governments to develop programs, policies and implementation measures consistent with the requirements of the Statewide Planning Goals.

Goal 1, Citizen Involvement: To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

FINDING: The City's acknowledged citizen involvement program for quasi-judicial amendments is codified in BDC Chapter 4.1. The first step for citizen involvement is the public meeting required by BDC 4.1.215. The applicant held a public meeting on May 28, 2019, at the The Fellowship at Bend Church located at 21530 Butler Market Road, which is located within the Northeast Edge Expansion Area. Notice was provided to property owners located within 500 feet of the subject properties, as well the Mountain View Neighborhood Association, in compliance with BDC 4.1.215. The required City forms for Verification of Compliance and Verification of Neighborhood Meeting, as well as documentation of the mailing of notices are included in submitted Exhibit F. Type III land use applications are also noticed by the City pursuant to BDC 4.1.400, which ensures that citizens are informed of the opportunity to participate in a public hearing. The notification area was expanded from 250 to 400 feet per the discretion of the Planning Director as allowed under BDC 4.1.420.A.5, and notification was also provided to the nearby Boyd Acres Neighborhood Association. The requirements of this goal have been met.

Conformance with Goal 1 is further achieved through compliance with Title 4 of the Bend Development Code, Applications and Review Procedures. Section 4.6.300 of the Development Code establishes that major community master plans shall follow a Type III procedure as governed by Chapter 4.1.

An initial public hearing before the Planning Commission will precede a second public hearing before the City Council. The public involvement procedures identified in the Development Code are being followed, which will ensure compliance with Statewide Planning Goal 1.

Goal 2, Land Use Planning: To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

FINDING: The proposal is a major community master plan that includes an amendment to add new text to the BDC to add a new Petrosa Master Planned Development district and rearranges the location of the Comprehensive Plan land use designations. The proposed text amendments are within a Development Code that has been crafted to be consistent with the Bend Comprehensive Plan policies specific to the subject property, BCP 11-58 and 11-59. The Bend Comprehensive Plan was acknowledged by the Oregon Department of Land Conservation and Development (DLCD). The proposed community master plan and its associated text and map amendments serve to implement the applicable BCP Policies and do not alter the administration of the code or the established requirements which ensure a factual base for all decisions.

This Goal is applicable to the application for a Master Plan rearranging the locations of the placeholder plan designations, which will be subject to BDC 4.5.200(D)(3)(c) in lieu of the typical quasi-judicial criteria in BDC 4.6.300. The City will review and process this application consistent with the procedures detailed in the BDC Chapter 4.1, including consideration of any agency and public comments received regarding the application. Therefore, consistency with this Statewide Planning Goal is established.

Goal 3, Agricultural Lands: To preserve and maintain agricultural lands.

Goal 4, Forest Lands: To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

FINDING: There are no designated agricultural lands or forest lands within the project area. Therefore, Goals 3 and 4 do not apply.

Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces: To protect natural resources and conserve scenic and historic areas and open spaces.

FINDING: In the 2016 UGB expansion decision, the Bend City Council found that the subject properties do not include any of the following Goal 5 resources: riparian corridors, wetlands, Federal Wild and Scenic Rivers, State Scenic Waterways, groundwater resources, approved Oregon Recreation Trails, natural areas, wilderness areas, mineral and aggregate resources, energy sources and cultural areas. Those findings note that the City relied on the inventory included in the Deschutes County Comprehensive Plan and available information from State and Federal sources to make this determination. For the above reasons, the requirements of Goal 5 are met.

Goal 6, Air, Water and Land Resources Quality: To maintain and improve the quality of the air, water and land resources of the state.

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

Through the 2016 Bend UGB expansion, the City found that the UGB expansion satisfied Goal 6 for several reasons:

- *"The proposal does not include new areas along the Deschutes River or Tumalo Creek; the proposed efficiency measures and areas for expansion direct growth away from these areas.*
- *The proposal will maintain and improve the quality of air resources because it has been designed to reduce the growth of vehicle miles traveled (VMT), which will help in limiting or avoiding new greenhouse gas emissions from auto and truck traffic.*
- *The planned housing mix makes a shift from single-family detached, to more attached housing types, which studies have shown typically consume less energy than single-family dwellings."*

The adopted Comprehensive Plan policies ensure compliance with Goal 6.

Goal 7, Areas Subject to Natural Hazards: To protect people and property from natural hazards.

FINDING: No 100-year floodplains or mapped landslide areas are located within this master plan area or the overall Northeast Edge expansion area. Therefore, Goal 7 is satisfied.

Goal 8, Recreational Needs: To satisfy the recreational needs of citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts.

FINDING: The City adopted the Bend Comprehensive Plan and the Department of Land Conservation and Development has acknowledged that Plan. Chapter 2 of the BCP establishes Goals and Policies which address Natural Features and Open Space needs within the City of Bend and prescribes responsibilities of both the City and the Bend Park and Recreation District (BPRD), via Policy 2-2.

An important part of the Master Plan is a new ±5-acre neighborhood park in the center of the Northeast Edge Expansion Area. Identified in BPRD's 2018 Comprehensive Plan, this facility will provide numerous recreational opportunities for residents of all ages. The neighborhood park will be well-connected to the network of trails and multiuse paths and is envisioned to include picnic shelters, a naturalistic playground, looped trails, a mix of lawn and natural landscape, and other high-quality recreational amenities. Three trailheads on the east side of the NUID Main Canal will connect to the growing BPRD canal trail network. BPRD identifies the North Unit Canal Trail as a high priority in their 2018 Comprehensive Plan, and the City of Bend's TSP also identifies this facility as a primary multiuse path.

The applicant and the BPRD have been working collaboratively towards an agreement on the final design, program, and financing of the planned neighborhood park, trails, and open space within the Master Plan. It is anticipated that parks and open space will be improved in conjunction with abutting residential or commercial construction. Because the proposal is consistent with the adopted Bend Development Code, and the acknowledged Bend Comprehensive Plan, it is also consistent with this Statewide Planning Goal. Therefore, Goal 8 is satisfied.

Goal 9, Economic Development: To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

FINDING: The subject properties have been identified in the City's Comprehensive Plan as appropriate for housing and commercial uses. The Master Plan reconfigures the placeholder plan designations while maintaining the applicable gross areas contemplated in BCP Policies 11-58. The ±22-acre commercial center anchors the southwest corner of the project with frontage on two minor arterials—Deschutes Market Road and Butler Market Road—and the Eagle Road neighborhood route. Local market analysis shows high demand in the area for a grocery-anchored retail center. Moving north from Butler Market Road, higher intensity retail uses will transition to a more neighborhood scale with a pedestrian-friendly shopping street framed by mixed-use buildings, live-work townhomes, and outdoor spaces creating a vibrant atmosphere ideal for hosting festivals, farmers markets, and similar civic events. The location and configuration of the commercial and residential areas within the Master Plan are interrelated and will work together to encourage economic development. Therefore, Goal 9 is satisfied.

Goal 10, Housing: To provide for the housing needs of the citizens of the state.

FINDING: The subject property was included as a part of the City's Goal 10 inventory of needed housing when the City of Bend expanded its Urban Growth Boundary in 2016. The

subject properties have been identified in the City's Comprehensive Plan as appropriate for housing and commercial uses. The Master Plan reconfigures the placeholder plan designations while maintaining the applicable gross areas, intensities, unit count, and housing mix contemplated in BCP Policies 11-58 and 11-59. Consistent with BCP Policy 11-59, the Master Plan sets the stage to ensure that the Northeast Edge Expansion Area can provide capacity for at least 1,100 housing units, including at least 10% (110 units) single-family attached housing and 40% (440 units) multifamily and duplex/triplex housing. Therefore, Goal 10 is satisfied.

Goal 11, Public Facilities and Services: To plan and develop a timely, orderly and efficient arrangement of public facilities and services to serve as a framework for urban and rural development.

FINDING: The applicant and City staff worked to identify the infrastructure necessary to serve the variety of planned uses within the entire Northeast Edge Expansion Area as they are built out over the next decade and beyond. The sequencing and financing mechanisms for the needed infrastructure have been outlined and are presently being formalized in the Annexation Agreement with the City. The Northeast Edge Utility Plan (submitted Exhibit B) shows how public facilities, including sanitary sewer and potable water, are available and planned throughout the project site and can serve the properties within the Northeast Edge that are not participating in the Petrosa Master Plan. With the Annexation Agreement, which will be submitted for concurrent review of this Master Plan by the City Council, Goal 11 is satisfied.

Goal 12, Transportation: To provide and encourage a safe, convenient and economic transportation system.

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

The Transportation Element (submitted Exhibit C) of the Petrosa Master Plan was prepared by Transight Consulting, LLC, and includes a Transportation Facilities Report, a Transportation Impact Analysis, and a TPR analysis. To address the impacts of urbanizing the Northeast Edge UGB lands, an annexation agreement is being prepared to identify the specific timing, responsibilities, and allocation of costs between various agencies and affected property owners for the required transportation improvements. With the Annexation Agreement, which will be submitted for concurrent review of this Master Plan by the City Council, Goal 12 is satisfied.

Goal 13, Energy Conservation: Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

FINDING: Goal 13 generally imposes obligations on local governments to develop plans and implementing measures that conserve energy. In 2016, Council found that the 2016 UGB expansion, which brought the subject properties into the City's UGB, satisfied Goal 13 because it was designed to conserve energy by directing more growth in housing and employment to opportunity areas inside the existing UGB, considering energy in the evaluation and

arrangement of land uses in the UGB expansion areas (subject properties), and ensuring that the areas added to the UGB are well connected to the transportation system. Therefore, Goal 13 is satisfied.

Goal 14, Urbanization: To provide for an orderly and efficient transition from rural to urban land use, to accommodate urban population and urban employment inside urban growth boundaries, to ensure efficient use of land, and to provide for livable communities.

FINDING: During the City's 2016 UGB expansion process, the City demonstrated a need to amend the UGB to accommodate future urban population and job growth within the Bend UGB, through several analyses, including the Urbanization Report and the UGB Scenario Evaluation Report. The City inventoried its buildable lands for both housing and employment and forecasted future needs for housing and employment based on the 20-year population forecast, determining that a UGB expansion was necessary. This UGB expansion, which included the Northeast Edge expansion area, was adopted in 2016. As such, the proposal is consistent with Goal 14.

Goal 15, Willamette River Greenway

Goal 16, Estuarine Resources

Goal 17, Coastal Shorelands

Goal 18, Beaches and Dunes

Goal 19, Ocean Resources

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

- ii. **Approval of the request is consistent with only the relevant policies of the Bend Comprehensive Plan Chapter 11, Growth Management, that are designated by the Planning Director or designee.;**

FINDING: As part of the UGB expansion process that concluded in December 2016, the City brought ±2,380 acres of land into the UGB in order to continue to provide a 20-year supply of residential, commercial, and industrial land. The process took more than a decade, with 70 public meetings, three technical advisory committees, and dozens of citizen volunteers. The Northeast Edge is one of the nine designated expansion areas illustrated in Figure 11-4 of the Comprehensive Plan. Along with the UGB lands, the City adopted new BCP policies in Chapter 11—Growth Management intended to guide the development of the expansion areas.

Bend Comprehensive Plan Chapter 11, Growth Management

Specific Expansion Area Policies

Area-specific policies for land added to the UGB established in 2016 are intended to guide the development of Area Plans (including Master Plans) for expansion areas (see Figure 11-4). These areas are also subject to policies in this Chapter regarding urbanization and annexation.

Polices 11-56 and 63 are specifically applicable to the Northeast Edge expansion area:

11-56 *The City will initiate an Area Plan for the Northeast – Butler Market Village area. The Area Plan will address policies 11-57 through 11-63. Prior to completion of the Area Plan, annexations in this area must be a minimum of 40 contiguous acres and be the subject of a master plan application, which includes a framework level Area Plan for the rest of the subarea. Following adoption of the Area Plan, annexation and development of individual properties or groups of properties of any size, consistent with the Area Plan, may be approved.*

FINDING: The Petrosa Master Plan includes more than 40 contiguous acres within the Northeast Edge UGB Expansion Area. A framework-level area plan is included for the remaining properties within the Northeast Edge that are not subject to the Master Plan. Chapter 1.2 defines “Area plan, framework level” as “a conceptual plan that includes major transportation, sanitary sewer and water network layout and general land use arrangements consistent with the Bend Comprehensive Plan.” The Northeast Edge Land Use Plan and Northeast Edge Utility Plan are included in the submitted Exhibit B, and the submitted Transportation Element and the associated City-issued Transportation Analysis Memo addresses transportation for the entire Northeast Edge. While not binding upon these remaining properties, the framework-level area plan shows how—at such time that they choose to annex and subdivide—the properties within the Northeast Edge that are not participating in the Petrosa Master Plan can be served with transportation and other public facilities. The policy is met.

11-57 *Within the area identified on Figure 11-4, the central planning concepts are to: create a new, complete community as a node that sets the stage for additional urban growth in the future; and increase the mix of housing and land uses in the area to increase the completeness of the existing neighborhoods inside the UGB.*

FINDING: Petrosa will be a complete community, with housing in close proximity to employment and commercial services that are scaled to serve the frequent needs of neighborhood and area residents. A complete community is one that considers transportation options and connectivity, mixed and efficient uses of land, healthy environments, jobs and commercial activity, and residents that help define a unique character and sense of place.

The southwest corner of the project is anchored by a ±22-acre commercial center with frontage on two minor arterials—Deschutes Market Road and Butler Market Road—and the Eagle Road neighborhood route. Local market analysis shows high demand in the area for a grocery-anchored retail center. Moving north from Butler Market Road, retail uses will transition to a more neighborhood scale with a pedestrian-friendly shopping street framed by mixed-use buildings, live-work townhomes, and outdoor spaces creating a vibrant atmosphere ideal for hosting festivals, farmers markets, and similar civic events.

Farther north and across Eagle Road is a new ±5-acre neighborhood park in the center of the Northeast Edge Expansion Area. Identified in BPRD’s 2018 Comprehensive Plan, this facility will provide numerous recreational opportunities for residents of all ages. The neighborhood park will be well-connected to the network of trails and multiuse paths and is envisioned to include picnic shelters, a naturalistic playground, looped trails, a mix of lawn and natural landscape, and other high-quality recreational amenities. The ultimate design of this park will be refined with additional input from BPRD.

Along the northern edge of the project sits a ±10.3-acre site for a new elementary school. Multiuse pathways run along the school's northern, western, and southern boundaries, ensuring safe routes to the school, and providing direct connections to the new neighborhood park, BPRD's canal trail network, and Pine Nursery Park to the west. Vehicle access to the school will be provided along its western and southern frontages.

Petrosa will contain a variety of housing types to serve a diverse housing market. Planned housing types include multifamily apartments, duplexes, triplexes, fourplexes, townhomes, urban rear-loaded homes, traditional front-loaded homes, and larger-lot single-level homes. Many of these housing types constitute the so-called "missing middle," that sits between detached single-family homes and mid-rise apartments. This variety will accommodate a wide spectrum of future residents in regard to age, income, and socioeconomic character.

The regional multiuse trail along the NUID Main Canal, the neighborhood park and local trails, and multiuse pathways connecting to Pine Nursery Park, the elementary school, and beyond will provide high-quality recreational opportunities for area residents and visitors and connections to the commercial and residential uses that make Petrosa a complete community. The policy is met.

11-58 *This area shall provide for a mix of residential and commercial uses, including 222 gross acres of residential plan designations and 22 gross acres of commercial plan designations (excluding existing right of way).*

FINDING: The Northeast Edge Land Use Plan (submitted Exhibit B) shows a mix of RS, RM, and RH plan designations totaling ±226 gross acres of residential designations, and ±22 gross acres of CG designation, which is within 1% of the listed residential and commercial plan designation areas. The policy is met.

11-59 *In order to provide sufficient housing capacity and mix, the residential plan designations shall include 178 gross acres of RS, 21 gross acres of RM, and 16 gross acres of RH. Acreages exclude existing right of way. The acreage of RS includes roughly 14 acres for an elementary school site, which may be designated PF if a site has been acquired by the School District prior to completion of the Area Plan. Alternatively, the Area Plan may demonstrate that this area will provide capacity for a minimum of 1100 housing units, including at least 10% single family attached housing and at least 40% multifamily and duplex/triplex housing types. The Area Plan may include and rely on plan designations, zones, special plan districts, and/or other binding development regulations to demonstrate compliance with the specified mix and capacity.*

FINDING: BCP Policy 11-59 outlines two separate and distinct pathways for providing sufficient housing capacity and mix. The first pathway is based on the listed residential plan designations. While the applicant does not elect to use this pathway, the Northeast Edge Land Use Plan (submitted Exhibit B) shows areas equal to or greater than the acreages listed in BCP Policy 11-59 for each plan designation: ±188.3 gross acres of RS, ±21.7 gross acres of RM, and ±16.0 gross acres of RH. The RS area includes ±10.3 acres for a potential elementary school site, the location and size of which has been coordinated with Bend-La Pine School District. Comments from Bend-La Pine School District are included as Exhibit I of the application. Since the potential school site has not yet been acquired by the School District, it remains designated as RS, but is not included in the count of residential units below. The RS

area also includes ±2.2 acres of existing Cole Road right-of-way and the RM area includes ±0.7 acres of existing Cole Road right-of-way.

The applicant elects to use the second pathway. The second pathway is based on demonstrating that the Northeast Edge Expansion Area—the Petrosa Master Plan and framework-level Area Plan together—can provide capacity for at least 1,100 housing units, including at least 10% (110 units) single-family attached housing and 40% (440 units) multifamily and duplex/triplex housing.

Petrosa has been designed to contain a variety of housing types to serve a diverse housing market. Planned housing types include multifamily apartments, duplexes, triplexes, fourplexes, townhomes, urban rear-loaded homes, traditional front-loaded homes of both single- and two-stories, and larger-lot single-level homes. Many of these housing types constitute the so-called “missing middle” that sits between detached single-family homes and mid-rise apartments. This variety will accommodate a wide spectrum of future residents in regard to age, income, and socioeconomic character.

Table 1 below details the area of each residential zone within the master plan and framework-level area plan.

Table 1: Northeast Edge Expansion Area Zoning

Residential Zone	Master Plan (Gross Acres)	Area Plan (Gross Acres)	Total Area (Gross Acres)
RS	±120.4*	±67.9*	±188.3*
RM	±21.7**	±0.0	±21.7**
RH	±16.0	±0.0	±16.0
TOTAL	±158.1	±67.9	±226.0

Table 2 below shows the mix of housing planned for construction within the Petrosa Master Plan, based on the conceptual lot layout shown on the Northeast Edge Land Use Plan (Exhibit B of the application). Generally, it is anticipated that the RS zone will contain the majority of the project’s detached single-family homes; the RM zone will contain primarily single-family attached (townhomes), triplexes, and fourplexes; and the RH zone will contain larger multifamily buildings, potentially with some townhomes, triplexes, and fourplexes.

Table 2: Planned Housing Mix, Petrosa Master Plan

Master Plan			
Residential Zone	Total Units	Townhomes	Duplex/Triplex/Multi
RS	±481	±0	±0
RM	±189	±120	±18
RH	±424	±0	±424
Subtotal	±1,094	±120	±442
Area Plan			
RS	±347*	±35*	±0
Total	±1,441	±155	±442

*Assumes density of 5.11 units/acre and 10% townhome housing mix

While the specific housing type and mix of uses will be determined with subsequent tentative subdivision and/or site plan applications, the Northeast Edge Land Use Plan (submitted Exhibit B) with Tables 1 and 2, above, show that the Northeast Edge Expansion Area—the Petrosa Master Plan and framework-level Area Plan together—can provide capacity for at least 1,100 housing units, including at least 110 units single-family attached housing and 440 units multifamily and duplex/triplex housing. Therefore, the policy is met.

11-60 *The street, path and bikeway network shall provide connectivity throughout this area, connect to existing abutting local roads, and provide opportunities for connections to adjacent undeveloped land both inside and outside the UGB. The transportation network shall be consistent with the Bend Transportation System Plan.*

FINDING: The Street Circulation Plan (submitted Exhibit B) shows the street and multimodal network that connects the Petrosa Master Plan internally, but also to other properties within the Northeast Edge and lands outside the UGB. The Petrosa Master Plan is bounded on three sides by minor arterial streets—Deschutes Market Road to the west and Butler Market Road to the south and east—and a major collector—Yeoman Road—to the north. The major north/south and east/west streets through Petrosa are planned to include 12- and 10-foot-wide (respectively) multiuse paths meeting the low-stress street facilities envisioned by the City but not yet adopted into the TSP.

The Transportation Element of the Petrosa Master Plan and framework-level Area Plan is included as Exhibit C of the application. The Transportation Element identifies shows that the roadways within and surrounding both the Northeast Edge Expansion Area and Petrosa Master Plan meet the applicable block spacing and connectivity requirements and also address the multimodal functional goals. The Petrosa Master Plan ensures that connections are available to serve all abutting lands, and the planned roadway system does not preclude future development opportunities. The policy is met.

11-61 *Coordination with the Bend-LaPine School District is required in order to identify a suitable site for an elementary school within this area.*

FINDING: Exhibit I of the application is a letter from the Bend-La Pine School District indicating that the ±10.3-acre potential school site can meet their needs for a future elementary school site. The policy is met.

11-62 *Coordination with Bend Park and Recreation district is required in order to address provision of parks and trails within this area.*

FINDING: Exhibit H of the application is a letter from the BPRD acknowledging coordination that is leading towards a development agreement between Pahlisch Homes, Inc. and BPRD for a new neighborhood park and associated trails and open space to be conveyed to BPRD. The policy is met.

11-63 *Coordination with Central Oregon Irrigation District is required in order to address circulation and access issues related to the existing canals in this area and to identify opportunities for trails to be co-located with canal easements or right of way.*

FINDING: Exhibit J of the application is a letter from COID confirming ongoing coordination with the applicant and its consultants on the plan to reroute existing irrigation pipes and ditches in a manner that facilitates planned construction phasing while maintaining sufficient delivery of water. The policy is met.

4.5.200.D.3. Major Community Master Plan. (Continued)

- d. If the major community master plan proposal contains a zone change request to bring the zoning into compliance with the Bend Comprehensive Plan designation, the zone change is subject to the approval criteria of BDC 4.6.300(C).

4.9.700 Zoning of Annexed Areas.

The Bend Comprehensive Plan map provides for the future City zoning classifications of all property within the City's Urbanizable Area (UA) District. On the date the annexation becomes effective, the UA District will cease to apply and the zoning map will be automatically updated with the zoning district that implements the underlying Comprehensive Plan map designation.

FINDING: Prior to future development of the subject property, the land within the Petrosa Master Plan must be annexed into the City of Bend. Upon annexation, the current UA zoning will cease to apply, and the zoning map will be automatically updated with the zoning district that implements the Comprehensive Plan Map designation.

- e. If the major community master plan proposal contains a proposed amendment to the Bend Comprehensive Plan Map or text, the amendment is subject to the approval criteria of BDC 4.6.300(B).

FINDING: The Petrosa Master Plan rearranges the locations of the placeholder Comprehensive Plan Map designations while maintaining continuity in the residential and commercial designations outlined in BCP Policy 11-59. Pursuant to BDC 4.5.200.D.3.a, this rearranging of plan designations is allowed as a part of the master plan as long as the master plan retains the same (within 1%) total area of all plan designations on the subject site. The following BCP Policies also address this issue:

- 11-26** *Area Plans for land within UGB expansion areas shall comply with the policies of this chapter. There is flexibility to refine the spatial arrangement of plan map designations provided that identified land and housing needs are still met. Where specific expansion area policies identify acreages of specific plan designations or general categories of plan designations (e.g. commercial) are identified, compliance is defined as providing the required acreages of gross buildable land to the nearest acre. Where expansion area policies identify a required minimum housing capacity and mix, compliance is defined as providing no less than the required number of units and providing the housing mix specified to the nearest percentage point (e.g. 37%).*
- 11-27** *Where changes are proposed to the arrangement of plan designations, the proposed arrangement must comply with the relevant policies of this Chapter.*

The Petrosa Master Plan and the overall Northeast Edge expansion area will provide the 226 acres of residential zoning (and the required mix of housing types) and 22 acres of CG specified in the BCP for the Northeast Edge expansion area. Thus, the proposal is not subject to the approval criteria of BDC 4.6.300(B).

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

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

FINDING: The subject property is located at the far northeastern edge of the City's UGB. As such, the closest existing commercial goods and services are the gas station and commercial strip located at the intersection of Butler Market Road and NE 27th Street. Within the Northeast Edge Expansion Area, the placeholder location of the CG plan map designation is logically clustered at its southwest corner, with significant frontage on both Deschutes Market Road and Butler Market Road. Unfortunately, the large size of the Expansion Area means the northeast corner of boundary is more than 0.6 miles from the placeholder CG designation. While the Petrosa Master Plan shifts ± 2 acres of CG slightly to the northeast to follow the planned curve of Eagle Road, $\pm 1,748$ feet ($\pm 12.3\%$) of the master plan perimeter stills falls outside the 0.5 mile radius.

Where the minimum distances set forth in this standard cannot be met, the standard expressly allows the review authority to find the standard is met where the intent and purpose of the standard are adequately addressed. Here, the purpose and intent of the standard—that a community master plan must have close and convenient access to commercial goods and services by walking or biking—can still be met. Specifically, the relatively small number of future residents who live outside the 0.5-mile radius will have multiple routes where either the entirety or majority of their route to commercial goods and services will be on 10- or 12-foot-wide, curb and grade-separated multiuse paths. These low-stress facilities provide an advantage to pedestrians and bicyclists travelling within and through Petrosa. Therefore, the criteria are met.

- 2. Multimodal Connections. Multimodal connections must be provided on site in compliance with the Bend Urban Area Transportation System Plan (TSP) and the Bend Parks and Recreation District Parks, Recreation, and Green Spaces Comprehensive Plan, latest editions, and the existing and planned trail systems adjacent to the community master plan must be continued through the entire community master plan.**

FINDING: Three trailheads on the east side of the NUID Main Canal will connect to the growing BPRD canal trail network. BPRD identifies the North Unit Canal Trail as a high priority in their 2018 Comprehensive Plan, and the City of Bend's TSP also identifies this facility as a primary multiuse path. The Street Circulation Plan (submitted Exhibit B) shows bicycle lanes and 10-foot-wide multiuse pathways running along Petrosa's frontage on Yeoman Road, Deschutes Market Road, and Butler Market Road. This meets or exceeds the required multimodal facilities for these streets. Within the City's on-going TSP update, the City is developing a network of routes that provide a low-stress pedestrian and bicycle environment. While not currently adopted into the TSP, Petrosa is voluntarily incorporating these low-stress facilities into the internal street section with a 12-foot-wide multiuse pathway along the east side of the north/south Eagle Road extension, and a 10-foot-wide multiuse pathway along the north side of the east/west street south of the elementary school site. The criteria are met.

- 3. Housing Density and Mix. Community master plans 20 acres or larger must provide a mix of housing types and achieve minimum housing densities in conformance with the standards of subsections (E)(3)(a) and (b) of this section. To the extent that the Bend Comprehensive Plan Chapter 11, Growth Management, proposes a different mix of housing and/or density standards in the specific expansion area policies, then those policies apply.**

FINDING: This proposal meets the applicable density standards in BDC 4.5.200(E)(3) by showing that the Expansion Area will contain the housing unit count and mix prescribed in BCP Policy 11-59. Housing density and mix is addressed further in the response to BCP Policy 11-59, above. The applicable criteria are met.

- 4. The community master plan must contain a minimum of 10 percent of the gross area as public or private open space such as parks, pavilions, squares and plazas, multi-use paths within a minimum 20-foot wide corridor, areas of special interest, tree preservation areas, or public and private recreational facilities and must comply with the following:**
 - a. The open space area must be shown on the conceptual site plan and recorded with the final plat or separate instrument.**

FINDING: The Master Plan (submitted Sheet P03) shows the gross area within the master plan boundary is ±177.0 acres. The Open Space and Trails Plan (submitted Sheet P04) shows ±22.8 acres (12.9% of gross area) of open space, including a ±5.3-acre neighborhood park that will be owned and maintained by BPRD. The Community Center on the northwest side of Eagle Road due west of the neighborhood park will be an HOA-owned and maintained amenity that is planned to include a clubhouse, pool complex, and outdoor activity area. The criteria are met.

- b. The open space must be conveyed in accordance with one of the following methods:**
 - i. By dedication to the Park District or City as publicly owned and maintained open space. Open space proposed for dedication to the Park District or City must be acceptable with regard to the size, shape, location, improvement, environmental condition, and budgetary and maintenance abilities; or**
 - ii. By leasing or conveying title (including beneficial ownership) to a corporation, owners association or other legal entity. The terms of such**

lease or other instrument of conveyance must include provisions (e.g., maintenance, property tax payment, etc.) acceptable to the City. Private open space must be located in a tract and include an open space easement.

FINDING: The Open Space and Trails Plan (submitted Sheet P04) shows ±22.8 acres (12.9% of gross area) of open space, including a ±5.3-acre neighborhood park that will be owned and maintained by BPRD. Exhibit H of the application is a letter from BPRD which acknowledges the outline of a draft development agreement between Pahlisch Homes, Inc. and BPRD for a new neighborhood park and associated trails and open space to be conveyed to BPRD. The Community Center on the northwest side of Eagle Road due west of the neighborhood park will be an HOA-owned and maintained amenity that is planned to include a clubhouse, pool complex, and outdoor activity area. Any additional open space areas not transferred to BPRD are planned to be owned and maintained by the HOA, in compliance with BDC 4.5.200(E)(4). The criterion is met.

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

FINDING: The timeline of the BPRD's acquisition of the neighborhood park and other public open space will be established in the final development agreement between Pahlisch Homes, Inc. and BPRD. HOA-owned and maintained open space will be designated as tracts (or similar) on the final subdivision plat for each corresponding phase. The criterion is, or can be, met.

F. Duration of Approval.

- 1. An approved community master plan will remain valid indefinitely unless withdrawn by all owner(s) of property within the community master plan. The City may deny withdrawal when a switch to otherwise applicable standards would not be in the public interest because of sufficient development under the community master plan. Standards and regulations identified in the approved community master plan will control all subsequent site development as long as the approved community master plan is valid. If alternative standards and regulations are not specifically identified in the approved community master plan, the applicable City standard at the time any development application is submitted will apply.**
- 2. The duration of approval for a community master plan must coincide with the timeline outlined in the approved phasing plan and in accordance with the time frames studied in the transportation analysis and water and sewer capacity analysis for the community master plan. Site plan review or land division applications submitted consistent with or earlier than as provided in an approved phasing plan will not require an updated transportation analysis and water and sewer capacity analysis as part of the development application. Infrastructure capacity may be reserved for the community master plan site for up to 15 years or as specified in an approved phasing plan.**
- 3. The time period set forth in this subsection (F) will be tolled upon filing of an appeal to LUBA and must not begin to run until the date that the appellate body has issued a final order.**

FINDING: The time frame studied in the transportation analysis extended to 2040, and the Type III Petrosa Major Community Master Plan
PZ 19-0515
Page 35 of 36

Water and Sewer Analysis Application assumed an open-ended timeline to achieve full build out. The Phasing Plan (submitted Sheet P05) will be supplemented by an approved Annexation Agreement detailing the various triggers and timelines for infrastructure improvements, as well as reserved capacity. The applicant requests the maximum approval duration, 15 years, as allowed by this section.

PLANNING COMMISSION RECOMMENDATION: Based on the application materials submitted by the Applicant, and the findings in this recommendation which are based on the Applicant's narrative addressing the relevant criteria for approval, the Planning Commission recommends that the Bend City Council adopt an ordinance to amend Bend Development Code Chapter 2.7, Special Planned Districts, to create the Petrosa Master Planned Development as proposed in Attachment E.

Chapter 2.7
SPECIAL PLANNED DISTRICTS, REFINEMENT PLANS,
AREA PLANS AND MASTER PLANS

2.7.3900 Petrosa Master Planned Development

2.7.3910 Purpose.

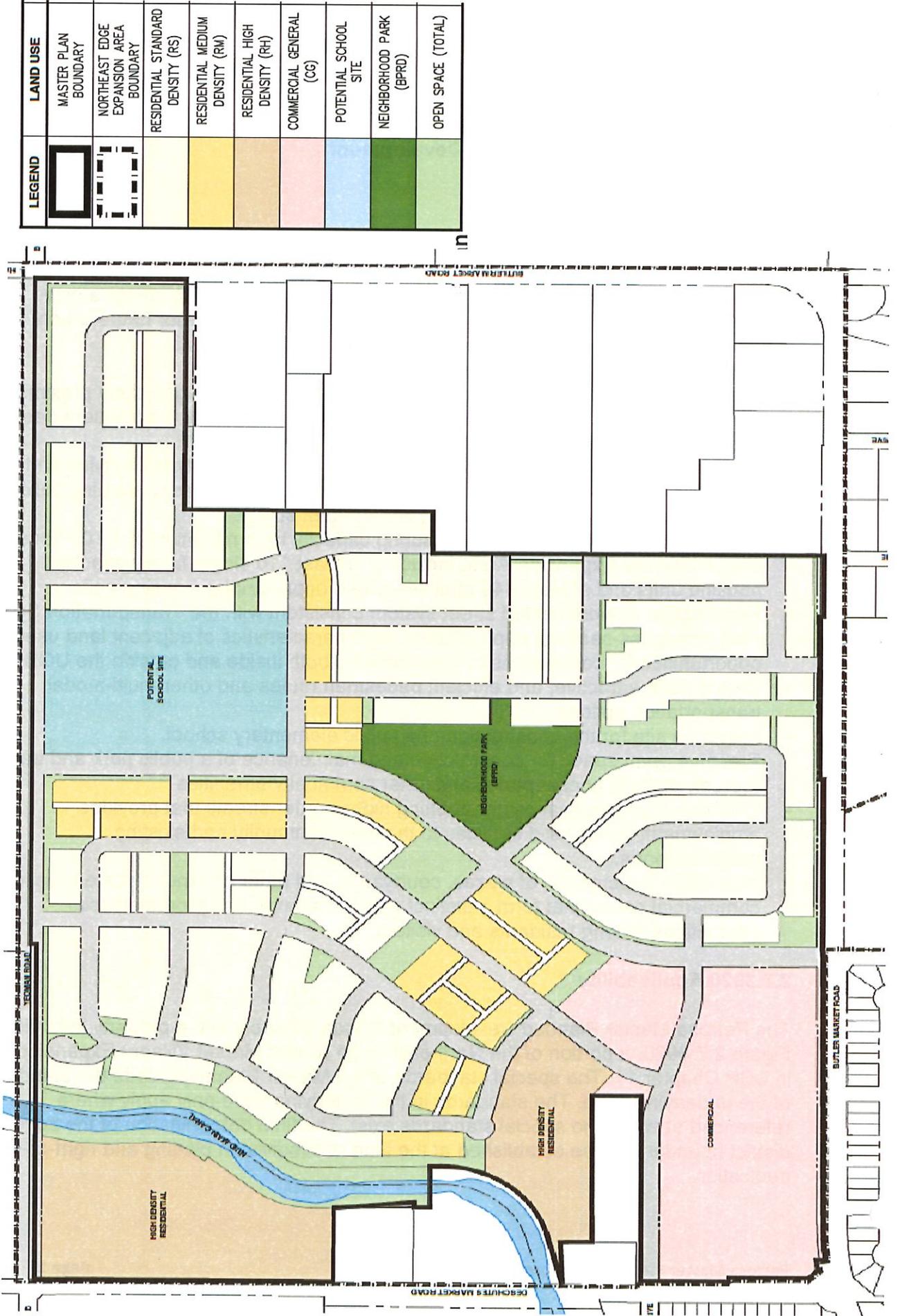
The purpose of the Petrosa Master Planned Development is to implement the policies in Chapter 11 – Growth Management of the Bend Comprehensive Plan (BCP) regarding the Northeast Edge (Butler Market Village) Expansion Area, and to create a new, creative, innovative, and complete community that sets the stage for future urban growth within the Expansion Area. The development standards will:

- Create the opportunity for a complete community, with housing in close proximity to employment and commercial services that are scaled to serve the frequent needs of neighborhood and area residents.
- Provide a mix of housing types for owners and renters of multiple lifestyles and income levels – including workforce housing – with higher density abutting collector or arterial streets, commercial lands, and/or open space.
- Implement BCP Policy 11-59 by ensuring capacity for a minimum of 1,100 housing units within the Expansion Area, including at least 110 single-family attached housing units and at least 440 multifamily and duplex/triplex housing units.
- Establish an interconnected street system consistent with the Transportation System Plan with cross-sections appropriate to the characteristics of adjacent land uses, and opportunities for connections to adjacent land both inside and outside the UGB.
- Create safe, attractive, and efficient pedestrian routes and other multi-modal transportation options.
- Provide a site for the construction of a public elementary school.
- Preserve open space for construction and maintenance of a public park and trail system, multiple pocket parks, and other community amenities.
- Establish a commercial center abutting higher-order streets that provides employment, goods, and services to the new community and existing neighborhoods.
- Incentivize the creation of plazas, courtyards, and other community amenities in the commercial center that form a distinct urban character and promote social interactions among residents and visitors.

2.7.3920 Applicability

The Petrosa Master Planned Development standards apply to the property identified in Figure 2.7.3920, a portion of the Northeast Edge (Butler Market Village) Expansion Area in BCP Chapter 11. The special standards of the Master Plan supersede the standards of the underlying zone. The standards in the underlying zone only apply where referenced or where no special standards exist. The final determination of the zone or district boundary will be established at the time of subdivision platting and right-of-way dedication.

Figure 2.7.3920



2.7.3930 Definitions.

- A. **Fourplex** means a type of housing with four attached dwelling units on one lot or parcel. For permitting purposes, units may be attached vertically or horizontally.
- B. **Live/Work Townhome** means a residential townhome in which a business may be operated.
- C. **Lot Line, Front** means the property line abutting a street or open space tract.
- **Primary Front Lot Line** means the shortest front lot line abutting a street or open space. If there is more than one such lot line of equal length, then the applicant or property owner must choose which lot line is to be the Primary Front Lot Line.
 - **Secondary Front Lot Line** means all other front lot lines except the Primary Front Lot Line

2.7.3940 Review Procedures.

The following review procedures are applicable to uses and structures within the Petrosa Master Planned Development:

- A. **Design Review.** Single-family dwellings, live/work townhomes, duplexes, triplexes, and fourplexes are subject only to design review through the Petrosa Architectural Review Committee and BDC 4.2.400 *Minimum Development Standards*. BDC 4.2.500 *Site Plan Review*, and BDC 4.2.600 *Design Review* do not apply. These uses that meet the standards of 4.2.400(3) are exempt from BDC 4.2.400 *Minimum Development Standards Review*.
- B. **Site Plan/Design Review.** Multi-family development with five or more units and buildings in the Commercial District are subject only to design review through the Petrosa Architectural Review Committee and BDC 4.2.500, *Site Plan Review*. BDC 2.2.600 *Commercial Design Review* and BDC 4.2.600 *Design Review* do not apply.

2.7.3950 Residential Zoning Districts

- A. **Permitted Uses.** The land uses listed in Table 2.7.3950 are permitted in the Residential Districts, subject to the provisions of this chapter. Only land uses that are specifically listed in Table 2.7.3950, land uses that are incidental and subordinate to a permitted use, and land uses that are approved as "similar" to those in Table 2.7.3950 may be permitted.

Table 2.7.3950 – Permitted and Conditional Uses

Land Use	RS	RM	RH
Residential			
Single-Family Detached Housing	P	P	N
*Accessory Dwelling Units (ADUs)	P	P	P
*Attached Single-Family Townhomes	P	P	P
Live/Work Townhomes	N	N	P
Duplexes, Triplexes, Fourplexes	P	P	P
**Cottage Developments	P	P	P
Residential Care Home (5 or fewer residents)	P	P	P
Adult Day Care	P	P	P
*Residential Care Facility (6 or more residents)	N	P	P
Family Childcare Home (16 or fewer children)	P	P	P
Multifamily Residential (5 or more units)	N	P	P
Mixed-Use Residential Development, including food and beverage services, retail goods and services, and personal services	N	N	P
*Home Business (Class A/Class B)	P	P	P
*Accessory Uses And Structures	P	P	P
*Public and Institutional			
Parks	P	P	P
Recreational Facilities	P	P	P
***Schools	P	P	P
Miscellaneous Uses			
*Short-Term Rental	P	P	P

* Subject to special standards as described in BDC Chapter 3.6, Special Standards and Regulations for Certain Uses.

** Subject to BDC 4.5.500.

*** Schools are permitted in the RS, RM, and RH Districts, subject to the provisions of BDC 2.6.300 Public Facilities Zoning District (PF).

B. Setbacks.

	Primary Front	Secondary Front	Rear*	Side
RS, RM, and RH	10 ft.*	8 ft.*	5 ft.**/**	4 ft.**, except 8 ft. when side abuts an alley

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

**When multifamily buildings containing 5 or more units or nonresidential uses abut a detached single-family dwelling on land designated RS, any side or rear setback abutting the RS land must increase one-half foot for each foot by which the building height exceeds 20 feet. Where a fractional number results, the number may be rounded down to the nearest whole number.

***Garages and/or carports that access an alley must have a driveway with a minimum length of 18 feet.

Setback Exceptions.

1. Residential Compatibility Standards do not apply.
2. Attached Single-Family (Townhomes). Interior side setbacks are zero feet.
3. Architectural Features. The following architectural features are allowed to encroach into the front, side and rear setbacks by no more than two feet provided a minimum setback of three feet is provided from the property line: eaves, chimneys including fireplace enclosures and chimney chases, bay windows up to eight feet in width, window wells, and similar architectural features.
4. Front Setback Encroachments. The following may encroach into the front setback:
 - a. An unenclosed covered or uncovered porch, patio, deck or stoop with a maximum floor height not exceeding 18 inches may be set back a minimum of six feet from the front property line, as long as it does not encroach into any easement. No portion of the structure may encroach closer than six feet to the front property line including the architectural features in subsection (B)(3) of this section.
 - b. As shown in Figure 2.1.300, side entry garages that access a street must have a driveway with a minimum length of 20 feet from the front and side property lines.
 - c. Stairs, ramps and landings that are not roofed or enclosed above or below the steps may be in the front setback when they follow the grade.
5. Side and Rear Setback Encroachments. The following may encroach into side and rear setbacks:
 - a. An uncovered porch, patio, deck or stoop located above finished grade with a maximum floor height not exceeding 18 inches must be set back a minimum

of 18 inches from the side and rear property lines, as long as it does not encroach into an easement.

- b. Uncovered patios at finished grade are exempt from setbacks as long as it does not encroach into an easement.

C. Floor area ratio does not apply to any uses in the residential zones.

D. Lot Area and Dimensions. Lot areas and lot dimension standards for residential uses are listed in the following table. For other uses permitted in each zone, the lot area and dimensions are subject to the type of residential structure being occupied. Lot area and dimensions exceptions for affordable housing, see BDC 3.6.200(C).

Lot Areas and Dimensions in Petrosa Residential Districts by Housing Type and Zone

Residential Use	Zone	Lot Area	Lot Width/Depth
Single-Family Detached Housing;	RS	Minimum area: 2,800sq. ft.	Minimum width: 30 ft. at front property line Minimum lot depth: 75 ft.
	RM	Minimum area: 2,500 sq. ft.	Minimum width: 30 ft. at the front property line Minimum lot depth: 50 ft.
	RH	Not applicable	Not applicable
Duplexes, Triplexes, and Fourplexes	RS	Minimum areas – Duplex: 5,000 sq. ft. Triplex: 7,500 sq. ft. Fourplex: 10,000 sq. ft.	Minimum width: 40 ft. at front property line Minimum lot depth: 50 ft.
	RM	None	Minimum width: 30 ft. at the front property line Minimum lot depth: 50 ft.
	RH	None	
Single-Family Attached	RS	Minimum area: 2,000 sq. ft. for each unit	Minimum width: 20 ft. at front property line for interior townhome lots

Residential Use	Zone	Lot Area	Lot Width/Depth
Housing (Townhomes)	RM	Minimum area: 1,600 sq. ft. for each unit	and 24 ft. at front property line for exterior townhome lots Minimum lot depth: 50 ft.
	RH	Minimum area: 1,200 sq. ft. for each unit	
Multifamily Housing (5+ Units)	RS	Not applicable	Minimum width: 30 ft. at front property line Minimum lot depth: 50 ft.
	RM, RH	None	

Exceptions:

1. Bulb of a cul-de-sac or knuckle corner minimum width: 30 ft. at the front property line;
2. Corner lots or lots where a side lot line abut an alley must be at least four feet more in width than the minimum lot width required in the zone.
3. Frontage on a public street, private street, or open space tract is required. Lots fronting open space tracts must take access from a rear alley, and the property line fronting open space must be considered a front property line.
4. Other exceptions permitted in the underlying Residential District are also permitted.

E. Residential Density. The Petrosa Master Planned Development implements BCP Policy 11-59 by ensuring capacity for a minimum of 1,100 housing units within the Northeast Edge Expansion Area and including at least 110 single-family attached housing units and at least 440 multifamily and duplex/triplex housing units within the Master Plan boundary itself. Therefore, minimum and maximum densities for each zone do not apply.

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

Residential Lot Coverage

Residential Zone	Lot Coverage
Standard Density Residential (RS) and	50% for lots with 2+ story homes 55% for lots with single-story homes
Medium Density Residential (RM)	50% for lots with 2+ story homes 55% for lots with single-story homes

Residential Zone	Lot Coverage
	60% for lots with attached single-family townhomes, duplexes, triplexes and multifamily
High Density Residential (RH)	None

- G. Building Height. The following building heights apply to all development within the Residential District:
1. Buildings within the RS District may be no more than 30 feet in height.
 2. Buildings within the RM District may be no more than 45 feet in height, except single-family homes may be no more than 35 feet in height.
 3. Buildings within the RH District may be no more than 55 feet in height.
- H. Architectural Design Standards. All buildings are subject only to the architectural and/or design standards of the Petrosa Architectural Review Committee.
- I. Multifamily Residential Districts (RM, RH). In addition to the required setbacks, a minimum of 10 percent of the site area must be designated and permanently reserved as usable common open space in multiple-family developments of 20 dwelling units or more. The minimum required usable common open space must be reduced to five percent of site area when the development is located within one-quarter mile walking distance of a public park along an accessible, maintained trail or sidewalk.
- J. Additional Standards for Live/Work Townhomes.
1. The commercial or office portion of the building may not exceed 50 percent of the square footage of the entire building, excluding any garage.
 2. Vehicle and bicycle parking must be in accordance with BDC Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking. No more than 4 off-street parking spaces are required for each Live/Work Townhome.
 3. If the business is open to the public, public access must be through the commercial area front door and the business may not be open to clients or the public before 7:00 a.m. or after 7:00 p.m.
 4. The following commercial uses are allowed in Live/Work Townhomes:
 - a. Offices and Clinics
 - b. Child care facility (13 or more children)
 - c. Retail goods and services
 - d. Personal services (e.g., barber shops, salons, similar uses)
 - e. Repair services, conducted entirely within building; excluding vehicle repair, small engine repair and similar services
 - f. Home Business (Class A and B) subject to the provisions of BDC 3.6.200.N

K. Additional Standards for Duplexes, Triplexes and Fourplexes. Duplex and triplex development must comply with the following standards, which replace the standards in BDC 3.6.200(H):

1. Driveway approaches must comply with the following standards:

- a. The total width of all driveway approaches must not exceed 32 feet per frontage. For lots or parcels with more than one frontage, see subsection (K)(1)(c) of this section.
- b. Driveway approaches may be separated when located on a local street. If approaches are separated, they must be separated by a minimum of seven feet.
- c. In addition, lots or parcels with more than one frontage must comply with the following:
 - i. Lots or parcels must access the street with the lowest classification.
 - ii. Lots or parcels with frontages only on collectors and/or arterial streets may have one driveway approach. The City Engineer will determine which frontage may have one driveway approach when lots or parcels only have frontages on collector streets or only on arterial streets.
 - iii. Lots or parcels with frontages only on local streets must comply with the following:
 - (A) Duplexes may have two driveway approaches not exceeding 32 feet in total width on one frontage or one maximum 16-foot-wide driveway approach per frontage.
 - (B) Triplexes may have three driveway approaches not exceeding 32 feet in total width on one frontage or two driveway approaches not exceeding 32 feet in total width on one frontage and one maximum 16-foot-wide driveway approach on one other frontage.
 - (C) Fourplexes may have four driveway approaches not exceeding 32 feet in total width on one frontage or two driveway approaches not exceeding 32 feet in total width on one frontage and one maximum 16-foot-wide driveway approach on one other frontage.
- d. Clear vision standards do not apply between driveway approaches for duplexes and triplexes on local streets. All other standards in BDC 3.1.500, Clear Vision Areas, apply.

- e. For lots or parcels abutting an alley, access may be required to be taken from the alley in accordance with BDC 3.1.400(F)(3).

L. Additional Standards for Residential Mixed Use Development

1. Automobile-dependent and automobile-oriented, drive-in, and drive-through uses are not permitted.
2. Building Setbacks. All new mixed use buildings must have a maximum front yard building setback of 20 feet, notwithstanding the underlying zone requirements.
3. Hours of Operation. Commercial uses must not exceed the following hours of operation: 7:00 a.m. to 10:00 p.m.
4. Parking. Off-street parking is optional for commercial uses located where on-street parking is available adjacent to the mixed use site, except for food and beverage service uses. Parking for food and beverage service uses is subject to the standards in BDC Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking. Off-street parking for commercial uses is subject to the following standards:
 - a. Off-street parking, driveways and other vehicular use and circulation areas must not be placed between a building and the street.
 - b. Where off-street parking is adjacent to a street, the parking and maneuvering area must be separated from the right-of-way by a three-foot minimum landscape planter.
 - c. In no instance may there be more than six off-street parking spaces per site.

M. Other Design Standards.

1. On-site surface water drainage may be addressed in the following ways. Alternatives may be approved by the City Engineer:
 - a. Roof drainage originating from residential properties may be conveyed to a public street and/or public storm drain collection and disposal system by subsurface piping, or curb weepholes.
 - b. Roof and surface drainage originating from residential properties may be conveyed to a private storm drain collection and disposal system located in a Private Tract or easement. The City may allow for private drainage systems in the public right-of-way if deemed appropriate by the City and maintenance agreements are executed between the homeowner's association and the City.

- c. Roof drainage originating from residential properties may be comingled with drainage originating from public streets, private streets, and/or alleys and conveyed to a non-UIC system located within a private tract to be owned by a homeowners association with a maintenance agreement between the homeowners association and the City outlining operational and maintenance responsibilities. The City may allow for comingled drainage to be conveyed to a non-UIC system located in the public right-of-way if deemed appropriate by the City and maintenance agreements are executed between the homeowner’s association and the City.
 - d. Private drainage facilities must be contained within the same or previous subdivision phase, or a stormwater easement must be provided for the stormwater facilities.
 - e. Stormwater easements must be provided for public drainage facilities located on private property.
 - f. An owners association must be responsible for installing and maintaining any required landscaping in private facilities located in a private tract.
 - g. A storm water maintenance agreement must be signed with the City prior to final plat of the subdivision phase.
2. Outdoor lighting must be subject only to the standards of, and review by, the Petrosa Architectural Review Committee.

2.7.3960 Commercial General

- A. Where no special standards are provided, the applicable standards of the CG zone apply.
- B. **Permitted Uses.** The land uses listed in Table 2.7.3960 are permitted in the Commercial General District, subject to the provisions of this chapter. Only land uses that are specifically listed in Table 2.7.3960, land uses that are incidental and subordinate to a permitted use, and land uses that are approved as “similar” to those in Table 2.7.3960 may be permitted.

Table 2.7.3960 – Permitted and Conditional Uses

Land Use	CG
*Residential use as part of a mixed-use development	P
Live/Work Townhomes	P

Land Use	CG
Retail Sales and Service	P
Restaurants/Food and Beverage Services	P
Offices and Clinics	P
Production Office	P
Convention Center/Meeting Rooms	P
Lodging (e.g., hotels, motels, *bed and breakfast inns, *short-term rentals, hostels)	P
Hospitals	P
Commercial and Public Parking	P
Commercial Storage	P
Entertainment and Recreation	P
Day Care	P
Redemption Center	P
Wholesale Sales (more than 75% of sales are wholesale)	P
Veterinary Clinic (small animal)	P
*Mixed-Use Commercial (residential with commercial/civic/industrial) Mixed-use developments must be subject to the use limitations prescribed for the respective individual uses	P
Government (point of service, branch service)	P
Parks and Open Space	P
Schools	P
Institution of Higher Education	P
*Clubs and Places of Worship	P
*Utilities (above ground)	P
*Manufacturing and Production less than 5,000 sq. ft. with retail outlet	P
Wireless and Broadcast Communication Facilities	See BDC Ch. 3.7

* Subject to special standards as described in BDC Chapter 3.6, Special Standards and Regulations for Certain Uses.

C. Height Bonus. Inclusion of the features listed below allow additional building height as an incentive for certain uses or site design that provide a public or community benefit. For each feature incorporated into a project, in addition to any such features otherwise required, a 10-foot height bonus will be granted. This height bonus is in addition to existing exceptions for inclusion of residential uses in BDC 2.2.400(B) and incentives for affordable housing in BDC 3.6.200(C). Height bonuses, exceptions, and other incentives can be combined so long as the building height does not exceed 75 feet.

1. Usable Open Space or Plaza. For each square foot of open space or plaza provided for public use, three square feet of building footprint is eligible for a 10-foot height bonus. For example, establishing a 2,000 square foot plaza would allow 10 additional feet of height over 6,000 square feet of floor area or 20 additional feet over 3,000 square feet of floor area. To qualify for this bonus, the following requirements must be met:
 - a. The open space or plaza must be at least 2,000 square feet in area and located in the CG zone within the Petrosa Master Planned Development.
 - b. Plazas must be at least ten feet in width with a building façade on at least one side.
 - c. No more than 33% of the area of any plaza may include outdoor seating, displays, or other uses associated with abutting businesses.
 - d. Open space and plazas must provide portable or permanent seating – in addition to any associated with abutting businesses – such as café tables, benches, movable chairs, or edges along landscape planters or other design elements.
 - e. Open spaces and plazas must be open to the public from 7am-10pm, at a minimum, and hours must be indicated on signage permitted under BC Chapter 9.50.
2. Pedestrian Cover. Canopy covering at least 50% of the linear footage of abutting public sidewalk or other pedestrian facilities. The canopy must be a permanent architectural element projecting out from the building over a pedestrian facility. The canopy must project out from the building at least five feet. Canopy coverage of at least 80% grants a 20-foot height bonus.

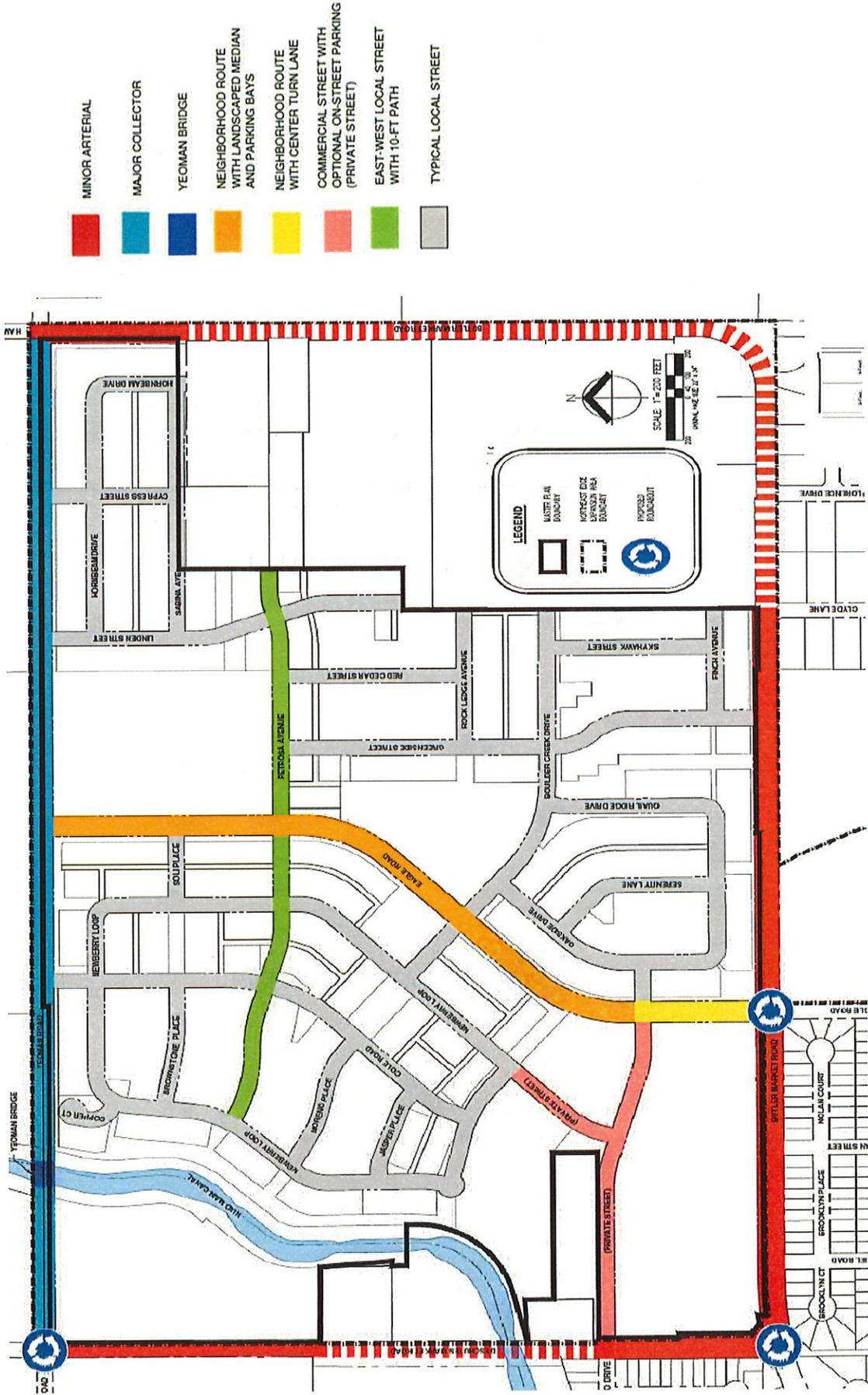
D. Additional Standards for Live/Work Townhomes. In the CG zone, Live/Work Townhomes must be located within 200 feet of an RH zone and meet the requirements in BDC 2.7.3950(J).

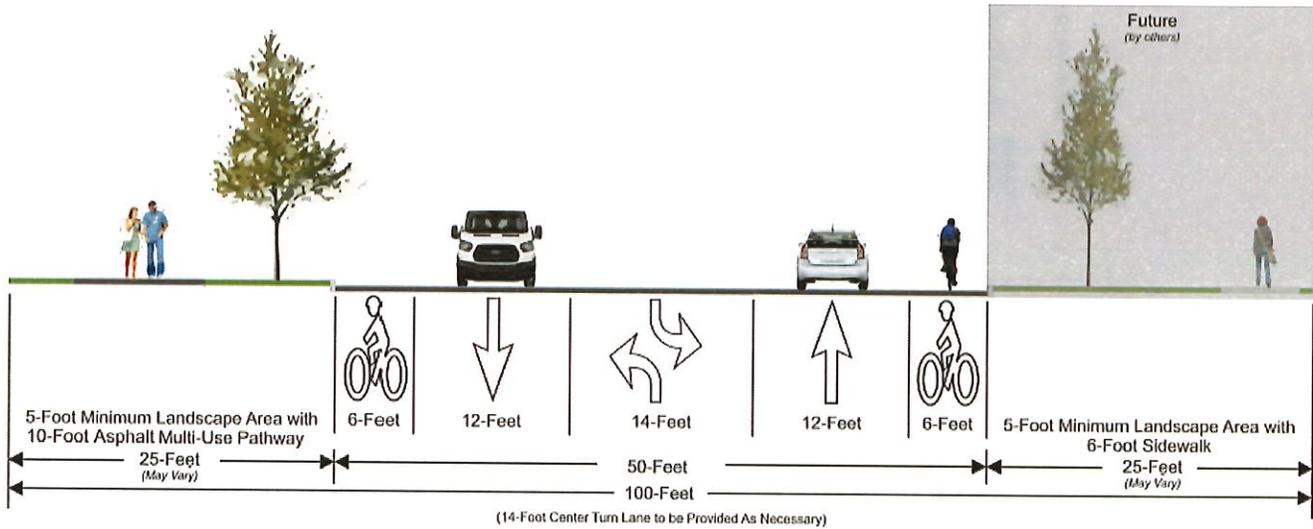
2.7.3970 Special Street Standards

- A. Figure 2.7.3970 depicts the street type, tentative street location and alignment in the Petrosa Master Planned Development and the standards to correspond to each street type. The precise street alignment will be established through the approval of tentative subdivision plans. The Petrosa Master Planned Development Street Type Plan and the Petrosa Master Planned Development Street Standards, Figure 2.7.3970, will be applied to the Petrosa Master Planned Development as illustrated except when an alternate standard is permitted under this section or through the tentative plan approval process.

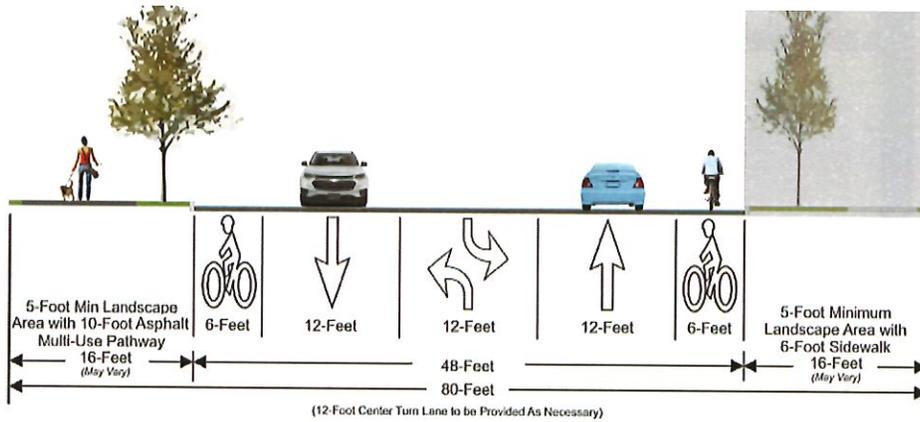
- D. Any City street standard adopted after the effective date of the ordinance codified in this chapter, which permits a lesser street standard, may be applied to the Petrosa Master Planned Development during the subdivision review process.

Figure 2.7.3970
Petrosa Street Type Plan and Standards

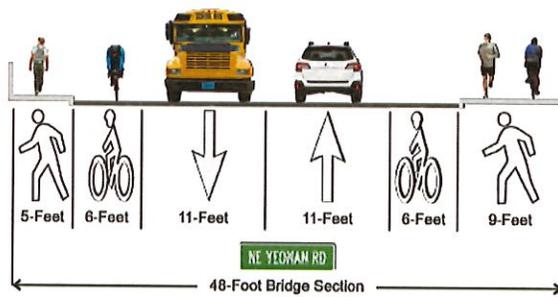




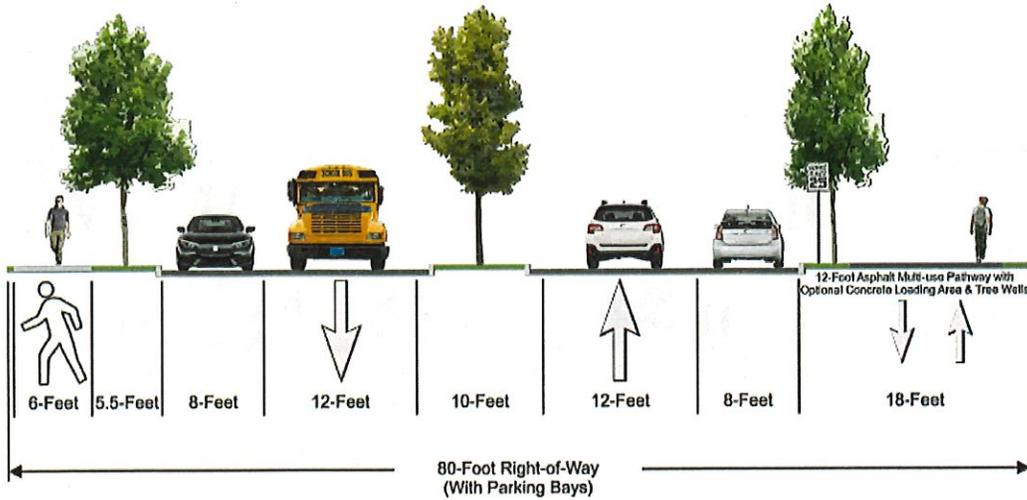
MINOR ARTERIAL



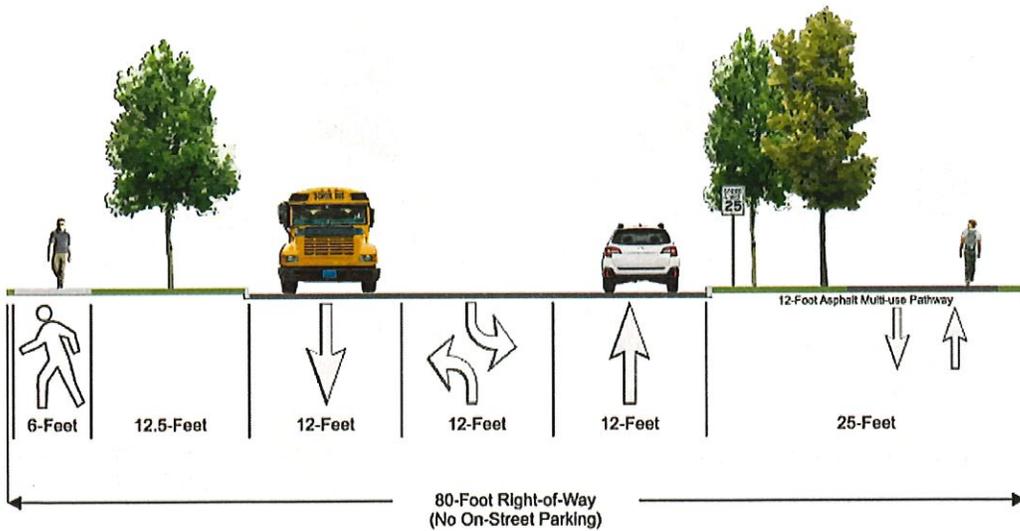
MAJOR COLLECTOR



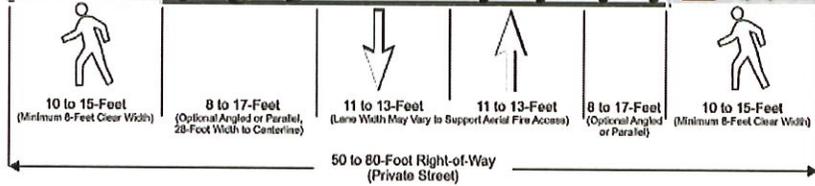
YEOMAN BRIDGE



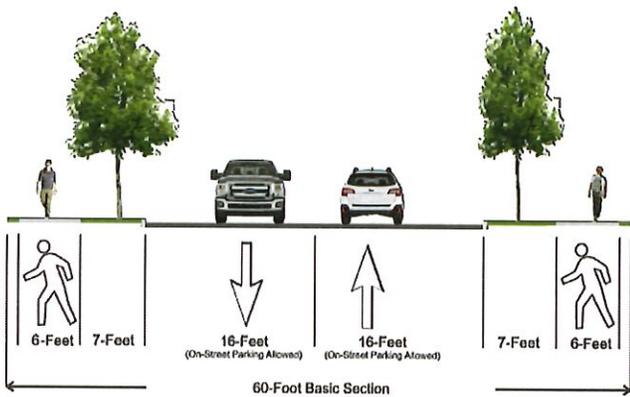
NEIGHBORHOOD ROUTE WITH LANDSCAPED MEDIAN AND PARKING BAYS



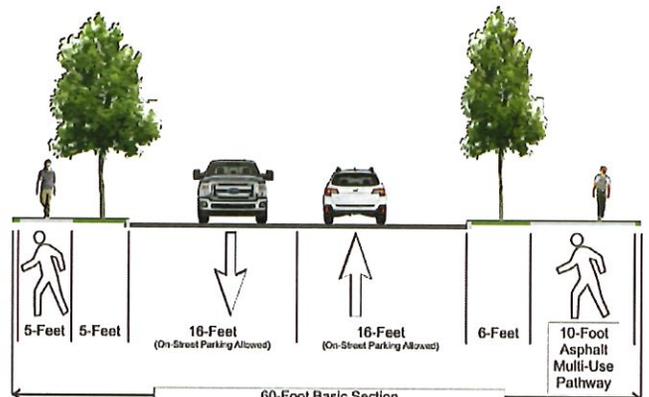
NEIGHBORHOOD ROUTE WITH CENTER TURN LANE



**COMMERCIAL STREET WITH
OPTIONAL ON-STREET PARKING
(PRIVATE STREET)**



TYPICAL LOCAL STREET



**EAST-WEST LOCAL STREET
WITH 10-FT PATH**

2.7.3980 Transportation Mitigation Plan

- A. Applicability. The following Transportation Mitigation Plan applies to all development within the Petrosa Master Planned District. The Transportation Mitigation Plan is adopted and implemented pursuant to [BDC 4.7.600\(D\)\(1\)](#).
- B. Alternate Transportation Design Standards. Transportation facilities within the Petrosa Master Planned District must comply with the standards set forth in BDC 2.7.3970 and Figure 2.7.3970.
- C. Transportation Mitigation. The following transportation mitigation measures must be constructed pursuant to the deadlines set forth in Table 2.7.3980 below.

Table 2.7.3980

Mitigation Requirements	Trigger
Construct frontage improvements and dedicate right-of-way with each RS and RM residential phase, RH developments and commercial developments	Prior to Final Plat of the RS and RM residential phases and prior to occupancy of the first building of the RH and commercial developments. If RH-1 develops prior to Residential Phase 6, the future Yeoman Road frontage improvements along RH-1 must be bonded for and constructed with Residential Phase 6
Construct a single-lane roundabout at the intersection of Butler Market Road and Deschutes Market Road.	Prior to final plat of 1 st residential phase or occupancy of 1 st building of RH developments or commercial developments, whichever comes first
Dedicated right-of-way for the roundabout at the intersection of Butler Market and Eagle Road	Prior to Final Plat of Residential Phase 1
Realign Eagle Road with the southern approach. Construct a westbound left-turn lane bay on Butler Market Road and install stop sign control on north-south approaches, if a roundabout is not previously constructed.	Prior to Final Plat of Residential Phase 1

Mitigation Requirements	Trigger
Coordinate with BPRD and construct a multi-use pathway along the NUID canal frontage of each abutting phase.	Prior to Final Plat of Residential Phase 1, 3, 4 and 6
<p>Construct an enhanced pedestrian crossing with a raised median south of the southernmost proposed driveway location along Deschutes Market Road.</p> <p>Dedicate right-of-way for a future roundabout at the Deschutes Market Road and Yeoman Road intersection.</p> <p>Provide a slope easement along Yeoman Road for the future Yeoman extension bridge.</p>	Prior to occupancy of the first building of RH-1
Construct a secondary fire access to Deschutes Market Road.	Prior to Final Plat of a Residential Phase, if a Residential Phase precedes the commercial site.
Construct a single-lane roundabout at the intersection of Butler Market Road and Eagle Road	Prior to Final Plat of Residential Phase 2 or prior to the 325 th northern PM peak hour trip, whichever comes first.
Establish an enhanced pedestrian crossing for the future school and trail system across Eagle Road.	Prior to Final Plat of Residential Phase 4
Install left-turn lane on Butler Market Road at new intersection and extend eastward the multi-use pathway on Petrosa Avenue.	Prior to Final Plat of Residential Phase 5
<p>Extend Yeoman Road, including a multi-use pathway, from Deschutes Market Road to Eagle Road.</p> <p>Accommodate a multi-use trail crossing the southern Deschutes Market Road / Yeoman Road roundabout approach.</p> <p>Construct Eagle Road to Yeoman Road.</p> <p>Provide right-of-way for a future roundabout at the Eagle Road and Yeoman Road intersection.</p>	Prior to Final Plat of Residential Phase 6 and if not already complete

Mitigation Requirements	Trigger
Construct the NUID Canal bridge crossing, east of Deschutes Market Road.	Prior to Final Plat of Residential Phase 6 or Phase 7 or prior to occupancy of the school, whichever occurs first
Construct a single-lane roundabout at the intersection of Deschutes Market Road and Yeoman Road	Prior to Final Plat of Residential Phase 6 or Phase 7, or prior to occupancy of the School or prior to the 335 th Phased (Phases 1-8) housing unit, whichever comes first
Construct Yeoman Road from Deschutes Market Road to and through the school frontage.	Prior to occupancy of the school if prior to Final Plat of Residential Phase 6.
Construct Eagle Road to Yeoman Road.	Prior to occupancy of the school if the school develops prior to final plat of any of the residential phases along future Eagle Road.
<p>Construct Yeoman Road from Purcell Boulevard to 18th Street to a modified City of Bend Collector standard cross-section per BDC 2.7.3790.</p> <p>Construct stop controlled intersection improvements at Yeoman Road and 18th Street.</p> <p>Construct a pathway connection from the northern Pine Nursery Park entrance to the existing sidewalk to the west along Yeoman Road.</p>	Prior to Final Plat of Residential Phase 6 or Phase 7, or prior to occupancy of the School or prior to the 335 th Phased (Phases 1-8) housing unit, whichever comes first.
<p>Extend Yeoman Road from Deschutes Market Road to Butler Market Road.</p> <p>Construct a multi-use pathway from Deschutes Market Road to Butler Market Road.</p>	Prior to Final Plat of Residential Phase 7 and if not already complete

Mitigation Requirements	Trigger
<p>Reconfigure the Butler Market Road and Yeoman Road intersection by adding eastbound and westbound left-turn lanes.</p> <p>Provide right-of-way for a future roundabout at the Butler Market Road and Yeoman Road intersection.</p> <p>Modify control and/or reconfigure the Butler Market Road and Hamby Road intersection to only stop eastbound travel.</p>	
<p>Provide a Cascades East Transit stop along the southern commercial frontage along Butler Market Road.</p> <p>Construct an enhanced pedestrian crossing on Deschutes Market Road south of the existing Deschutes Market Road bridge.</p> <p>Construct sidewalks from the Butler Market Road and Deschutes Market intersection to the Butler Market Road and NE 27th Street intersection to complete the sidewalk system and provide area connections to the retail area and the future elementary school.</p>	<p>Prior to occupancy of the first building of the commercial development</p>
<p>Install school speed zone signs in accordance with the MUTCD and City of Bend Standards and Specifications,</p> <p>Extend the east-west multi-use pathway along the southern and western school frontages.</p> <p>Construct Yeoman Road to and through from Deschutes Market Road to the eastern property line.</p> <p>Construct Eagle Road to Yeoman Road.</p> <p>Provide right-of-way for a future roundabout at the Eagle Road and Yeoman Road intersection.</p>	<p>Prior to occupancy of the school</p>

Mitigation Requirements	Trigger
Reconstruct all County roads that are onsite and contiguous to the properties to City of Bend Standards and Specifications as each phase of each property develops per City of Bend Development Code section BDC 4.9.600(8).	General Requirement
Construct all local and higher classification streets, private or public, to City of Bend Standards and Specifications as each phase of each property develops.	General Requirement
Construct Eagle Road to a modified City of Bend Collector standards with a multi-use pathway on the east side per BDC 2.7.3790	General Requirement
Construct Yeoman Road to a modified City of Bend Collector standard cross-section per BDC 2.7.3790	General Requirement
Provide a secondary emergency access at each residential phase.	General Requirement
All property owners must pay the Transportation System Development Charge (TSDC) assessed by the City at the time of development.	General Requirement

2.7.3990 Future Capacity Reservation

- A. The Petrosa Master Plan reserves infrastructure capacity (sewer, water, and transportation) through and including **March 6, 2035**, for all site plan review and subdivision applications filed pursuant to the phasing plan through **March 6, 2035**. Site plan review and subdivision applications submitted after **March 6, 2035** will be subject to new utility and transportation analyses.

