

ORDINANCE NO. NS -2380

AN ORDINANCE AMENDING THE BEND AREA TRANSPORTATION SYSTEM PLAN TO ADD A MAJOR COLLECTOR STREET TO THE TSP CONNECTING HIGHWAY 20 AND HUNNELL ROAD BETWEEN COOLEY ROAD AND ROBAL LANE

Findings:

- A. This TSP amendment, PZ 20-0080, was initiated at the request of the applicants who will be the developers for the majority of the land through which the proposed major collector will pass through and serve. Because the proposed alignment will impact additional properties that are not a party to this application, the application was processed in accordance with Bend Development Code (BDC) Section 4.1.500 *Type IV Legislative Procedures*.
- B. The purpose of this amendment is to add a Major Collector Street to the TSP connecting Highway 20 and Hunnell Road between Cooley Road and Robal Lane. Due to the size of the surrounding property and Bend Development Code block length and perimeter requirements, there is a need for an additional street connection through the property to connect between Highway 20 and Hunnell Road to serve development of adjacent property. Only a major collector street or greater facility may obtain a grant of access to state highways from the Oregon Department of Transportation (ODOT). This TSP amendment will facilitate the grant of access necessary for this street connection which is needed for future development of this site and other properties in the vicinity. The street would not be constructed until the time of site development.
- C. The City provided timely and sufficient notice of the public hearing for the TSP amendment in accordance with the Type IV application procedures contained in BDC Section 4.1.515 *Notice*. Details of the notices are contained in the *Findings of Fact* in Exhibit B to this ordinance.
- D. A public hearing was held for before the Planning Commission on June 8, 2020, resulting in a recommendation by the Planning Commission that the City Council adopt an ordinance to amend the Bend Area Transportation System Plan to add a major collector street to the TSP map, connecting Highway 20 and Hunnell Road between Cooley Road and Robal Lane as proposed.
- E. The City Council held a public hearing on August 5, 2020, to accept evidence, receive public testimony and consider the Planning Commission recommendation. The City Council finds that BDC criteria contained in Chapter 4.6.200.B for approval of the proposed TSP Map amendment are met, and that the proposal complies with the relevant Bend Comprehensive Plan policies, as well as the Transportation Planning Rule and Statewide Planning Goals and Guidelines contained in OAR 660-12-0000 and 660-015-000. This conclusion is supported by the specific findings of fact contained in Exhibit B of this Ordinance.

Based on these findings, THE CITY OF BEND ORDAINS AS FOLLOWS:

- Section 1. The Bend Area Transportation System Plan Map is amended to add a major collector street to the TSP map, connecting Highway 20 and Hunnell Road between Cooley Road and Robal Lane as depicted on 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: August 5, 2020

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

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

NO: none



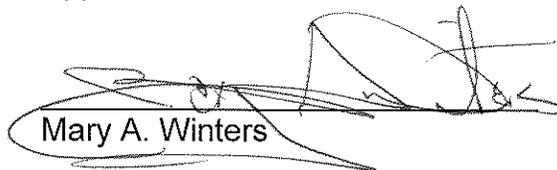
Sally Russell, Mayor

Attest:



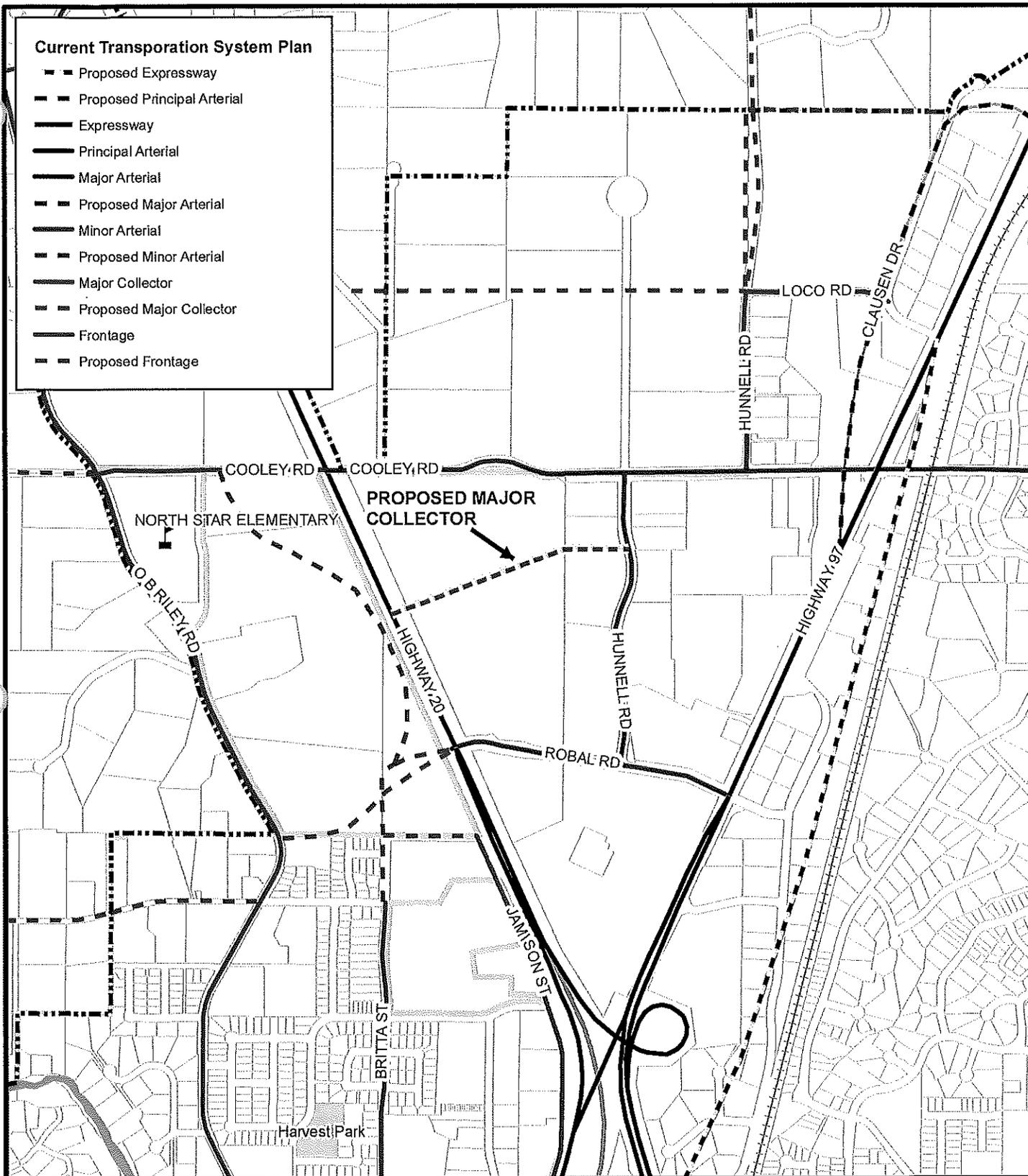
Robyn Christie, City Recorder

Approved as to form:



Mary A. Winters

EXHIBIT A - MAPS FOR TSP AMENDMENT

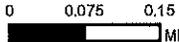


- Current Transportation System Plan**
- Proposed Expressway
 - Proposed Principal Arterial
 - Expressway
 - Principal Arterial
 - Major Arterial
 - Proposed Major Arterial
 - Minor Arterial
 - Proposed Minor Arterial
 - Major Collector
 - Proposed Major Collector
 - Frontage
 - Proposed Frontage

BEND URBAN AREA STREET SYSTEM

PROPOSED MAP AMENDMENT

- Proposed Major Collector
- Major Roads
- ++++ Railroad
- ▨ Parks
- Urban Growth Boundary
- City Limits



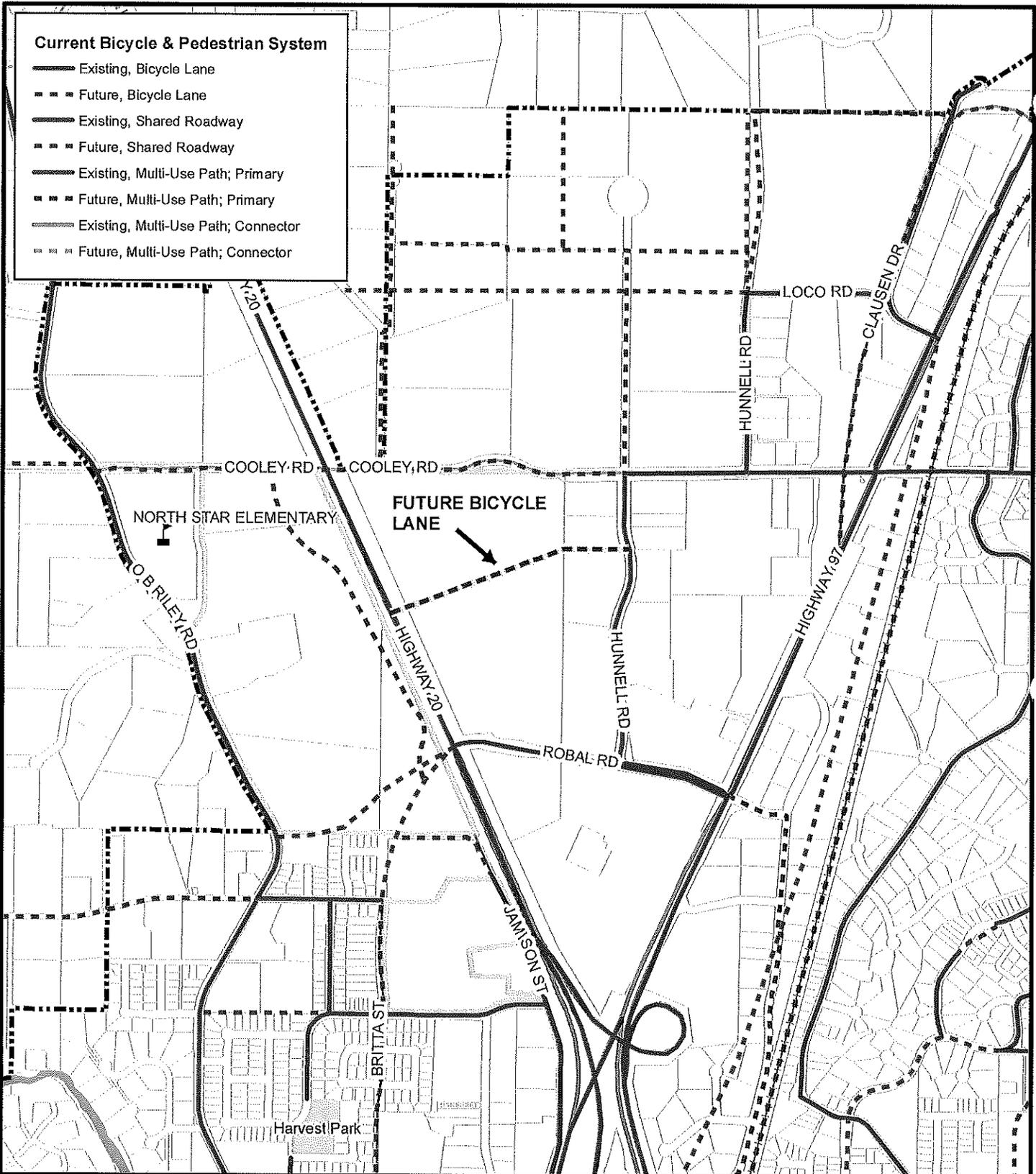
CITY OF BEND

Map prepared by T. Scrivens, City of Bend
 Print Date: May 20, 2020
 Sources: City of Bend, Deschutes County

This map is for reference purposes only. Care was taken in the creation of this map, but it is provided "AS IS." Please contact the City of Bend to verify map information or to report any errors.

Current Bicycle & Pedestrian System

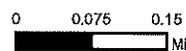
-  Existing, Bicycle Lane
-  Future, Bicycle Lane
-  Existing, Shared Roadway
-  Future, Shared Roadway
-  Existing, Multi-Use Path; Primary
-  Future, Multi-Use Path; Primary
-  Existing, Multi-Use Path; Connector
-  Future, Multi-Use Path; Connector



BEND URBAN AREA BICYCLE AND PEDESTRIAN SYSTEM

PROPOSED MAP AMENDMENT

-  Future Bicycle Lane
-  Urban Growth Boundary
-  Major Roads
-  City Limits
-  Railroad
-  Parks



Map prepared by T. Scrivens, City of Bend
 Print Date: May 20, 2020
 Sources: City of Bend, Deschutes County



CITY OF BEND

This map is for reference purposes only. Care was taken in the creation of this map, but it is provided "AS IS." Please contact the City of Bend to verify map information or to report any errors.

EXHIBIT B FINDINGS

PROJECT NUMBER: PZ 20-0080

APPLICANT: Powell Development Co., LLC

REQUEST: Type IV applicant initiated legislative amendment to the Bend Area Transportation System Plan (TSP), to add a Major Collector Street to the TSP connecting Highway 20 and Hunnell Road between Cooley Road and Robal Lane.

APPLICABLE CRITERIA, STANDARDS, AND PROCEDURES:

Criteria

Bend Development Code

Chapter 4.6 Land Use District Map and Text Amendments

4.6.200 Legislative Amendments

4.6.600 Transportation Planning Rule Compliance

Bend Comprehensive Plan

Chapter 1, Plan Management and Citizen Involvement

Chapter 6, Economy

Chapter 7, Transportation Systems

Oregon Administrative Rules

Chapter 660-012, Transportation Planning

Chapter 660-015, Statewide Planning Goals and Guidelines

Procedures

Bend Development Code

Chapter 4.1 Development Review and Procedures

4.1.500 Type IV Legislative Procedures

Oregon Administrative Rules

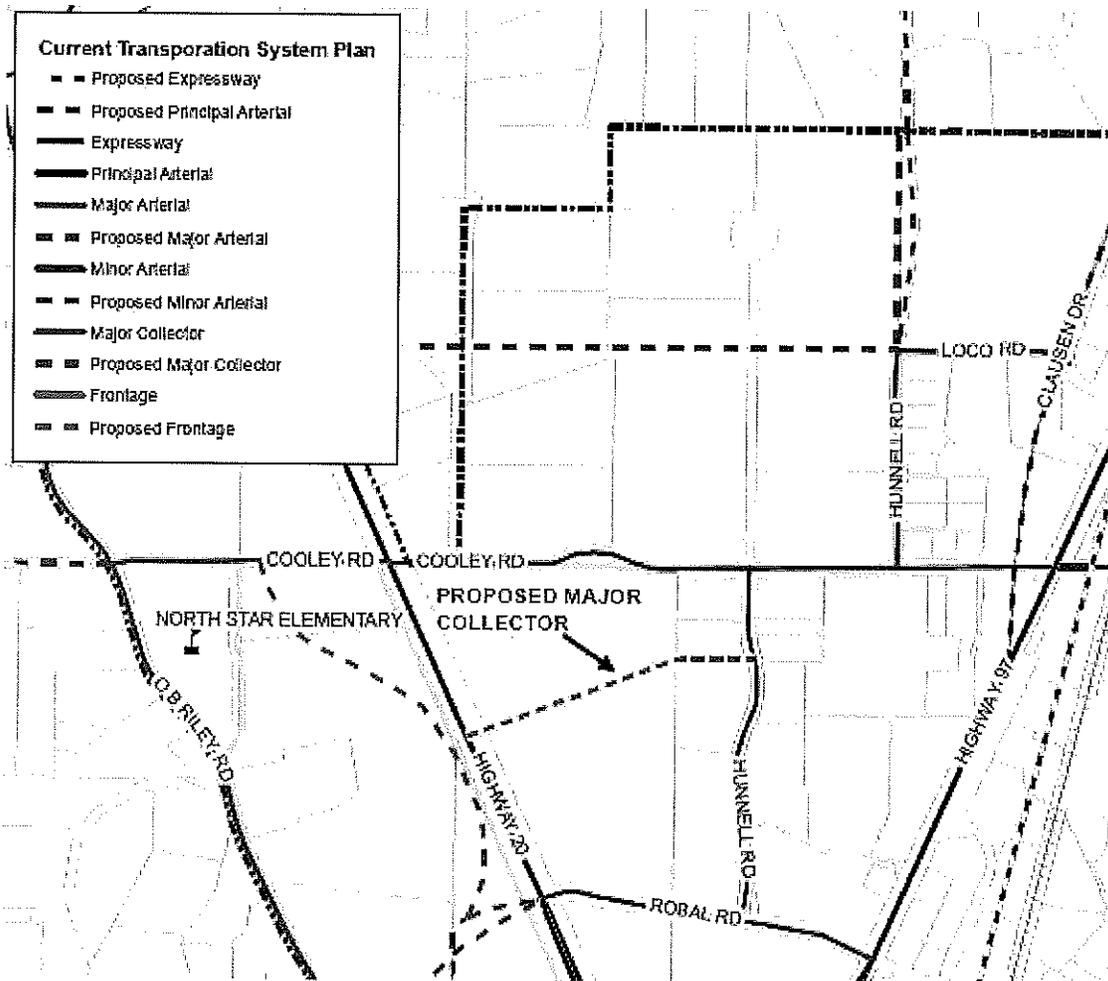
Chapter 660-018, Post-Acknowledgement Amendments

Oregon Revised Statutes

ORS 197.175 Cities' and counties' planning responsibilities; rules on incorporations; compliance with goals

FINDINGS OF FACT:

- 1. SITE DESCRIPTION AND LOCATION:** The proposed major collector street would connect Highway 20 and Hunnell Road through the Gumpert property (20319 Cooley Road) as well as through 63545 and 63575 Hunnell Road, as shown on the map below.



3. **ZONING AND COMPREHENSIVE PLAN DESIGNATIONS:** The properties through which the proposed major collector street will pass through are zoned Mixed Employment (ME) and Commercial General (CG) and are designated the same on the Bend Comprehensive Plan Map.
4. **BACKGROUND AND PROPOSAL:** The applicant's narrative states that the applicant intends to develop the 52 acre Gumpert property with a mixed-use commercial development and housing. Due to the size of the property and Bend Development Code block length and perimeter requirements, there is a need for an additional street connection through the property to connect between Highway 20 and Hunnell Road to serve development of the property. Only a major collector street or greater facility may obtain a grant of access to state highways from the Oregon Department of Transportation (ODOT). Therefore, the applicant proposes this TSP amendment to facilitate the grant of access necessary for this street connection which is needed for future development of this site and other properties in the vicinity. The street would not be constructed until the time of site development.
5. **PUBLIC NOTICE AND COMMENTS:** The applicant hosted public meetings on March 12, 2018, and April 9, 2020, in accordance with BDC 4.1.215. Documentation of public notice and verification of compliance forms for the public meetings were submitted with this application.

On April 2, 2020, the City provided notice of the proposed amendment to the Department of Land Conservation and Development (DLCD) in accordance with OAR 660-018-0020.

On May 13, 2020, the City mailed notice of the June 8, 2020 Planning Commission hearing to the applicant, the owners of land adjacent to the proposed major collector street alignment, and the Boyd Acres Neighborhood Association designated representative in accordance with BDC 4.1.515.D. Notice was also emailed to parties who requested notice via email.

On May 17, 2020, notice was published in The Bulletin, a newspaper of general circulation in the City. The notice was published at least 20 days prior to the Planning Commission hearing in accordance with BDC 4.1.515.A.

On July 9, 2020, the City mailed notice of the August 5, 2020 City Council hearing to the applicant, the owners of land adjacent to the proposed major collector street alignment, and the Boyd Acres Neighborhood Association designated representative in accordance with BDC 4.1.515.D. Notice was also emailed to parties who requested notice via email.

On July 12, 2020, notice was published in The Bulletin, a newspaper of general circulation in the City. The notice was published at least 20 days prior to the City Council hearing in accordance with BDC 4.1.515.A.

Staff received several calls and emails with questions as to the nature of the proposal. Two written comment letters were received at the time this recommendation was written, expressing support of the proposed amendment. Various agencies were also sent notice, and their comments are contained in the project file and considered in this decision.

6. **APPLICATION ACCEPTANCE DATE:** This Type IV legislative amendment to the Bend Area TSP was submitted on January 31, 2020, and the applicant completed the upload of their submittals to ePlans on February 4, 2020. The application was deemed complete on February 26, 2020, pending a new public meeting in accordance with BDC 4.1.215, as it had been two years since the applicant's initial public meeting was held. The applicant provided the meeting information and verification forms on April 15, 2020 following their April 9, 2020 public meeting, and the application was deemed complete on April 20, 2020. Legislative actions are not subject to any time limitation for final decisions.

APPLICATION OF THE CRITERIA:

BEND DEVELOPMENT CODE

Chapter 4.6 Land Use District Map and Text Amendments

4.6.200 Legislative Amendments.

- A. **Applicability, Procedure and Authority.** Legislative amendments generally involve broad public policy decisions that apply to other than an individual property owner. These include, without limitation, amendments to the text of the Comprehensive Plan and map, Development Code and changes in the Zoning Map not directed at a small number of properties. They are reviewed using the Type IV procedure in accordance with BDC Chapter 4.1, Development Review and Procedures, and shall conform to BDC 4.6.600, Transportation Planning Rule Compliance. A legislative amendment may be approved or denied.

FINDING: Although this is an applicant initiated amendment, the proposed TSP amendment affects properties beyond just the applicant's property. Therefore, this amendment is reviewed using the Type IV procedure in accordance with BDC Chapter 4.1. BDC 4.6.600, *Transportation Planning Rule Compliance*, is addressed further on in this staff recommendation.

B. Criteria for Legislative Amendments. The applicant shall submit a written narrative which explains how the approval criteria will be met. A recommendation or a decision to approve or to deny an application for a legislative amendment shall be based on all of the following criteria:

1. The request is consistent with the applicable State land use law;

Oregon Revised Statutes ORS 197.175

Cities' and counties' planning responsibilities; rules on incorporations; compliance with goals

(2) Pursuant to ORS chapters 195, 196 and 197, each city and county in this state shall:

(a) Prepare, adopt, amend and revise comprehensive plans in compliance with goals approved by the commission;

OAR 660-015 Statewide Planning Goals and Guidelines

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

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 legislative 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 applicants held a public meeting on April 9, 2020. Notice was provided to property owners located within 500 feet of the subject properties. Notice was also sent to Boyd Acres Neighborhood Association representative, 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 were submitted with these applications.

On May 13, 2020, notice was mailed to the applicant, the owners of land adjacent to the proposed major collector street alignment, and the Boyd Acres Neighborhood Association designated representative in accordance with BDC 4.1.515.D. Notice was also emailed to parties who requested notice via email.

On May 17, 2020, notice of the public hearing before the Planning Commission was published in The Bulletin, a newspaper of general circulation in the City. The notice was published at least 20 days prior to the Planning Commission hearing in accordance with BDC 4.1.515.A.

These notices ensure that citizens are informed of the opportunity to participate in a public hearing. The requirements of this goal are met.

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: As required by Goal 2, the City of Bend has adopted criteria and procedures to evaluate and make decisions regarding land use applications. The City reviews Comprehensive Plan amendment requests based on adopted regulations and policies and prepares detailed findings. These findings allow a decision based on factual data, for City Council consideration and ultimately, adoption. The City of Bend has adopted land use procedures as required by this Goal. The applicant submitted with this application factual evidence supporting the TSP amendment proposal, for review and consideration by the City. The City reviews all application materials and public and agency comments, then draft findings associated with the applicable criteria. Therefore, an adequate factual base is utilized to make a decision on this application. As such, this goal is met.

The exceptions process in Goal 2 and OAR 660, division 4, is not applicable unless a local government chooses to take an exception to a particular goal requirement. The applicant is not seeking any goal exceptions. All applicable statewide planning goals are addressed in the findings in this staff recommendation and the applicant's submittal materials.

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: 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.

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. The proposal is not anticipated to impact air, water or land resources and does not require an exception to compliance with Goal 6. Maintaining or improving the quality of the community's air, water and land resources will be assured through enforcement of state and local regulations.

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

FINDING: No 100-year floodplains or mapped hazard areas are located within areas of the subject properties affected by the proposed TSP and UGB amendments. Typically these types of natural hazard areas would not affect roadway construction.

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 Bend Parks and Recreation District (BPRD) adopted the *Bend Parks and Recreation District Parks, Recreation and Green Spaces Comprehensive Plan* which addresses the recreational needs of the community and serves as a guide for determining future recreational facility needs. The developers of the subject properties will be required to coordinate with BPRD through separate master plan processes, as required by the Bend Development Code. The proposed amendment does not impact recreational space nor land currently owned by or planned to be owned by BPRD. Further, there are no Goal 8 destination resorts within the vicinity of the subject properties.

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: Goal 9 imposes an obligation on local governments to adopt comprehensive plans and implementing policies that support a wide variety of economic development opportunities. As part of the UGB process, and in direct response to the requirements of Goal 9, the City adopted the 2016 Bend Economic Opportunities Analysis ("EOA"). The land surrounding the proposed major collector street includes areas designated in the Comprehensive Plan as Commercial General (CG) and Mixed Employment (ME). The proposed amendment to add a major collector street in this area will facilitate the economic development of the surrounding employment land as intended in the Comprehensive Plan, consistent with Goal 9 in this area.

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

FINDING: Goal 10 imposes obligations on local governments to provide an adequate supply of housing for all income levels. The 2016 UGB expansion process included a Housing Needs Analysis and a Buildable Lands Inventory to establish a need for housing land in the Urbanization Report. The City's 2016 Urban Growth Boundary expansion and related set of efficiency measures will ensure the City has an adequate supply of buildable land for needed housing. The lands surrounding the proposed major collector street are not included in the Housing Needs Analysis and are not a part of the residential buildable lands inventory.

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 purpose of the proposed amendment is to provide a plan for an orderly and efficient transportation street network, which also provides public rights of way to accommodate sewer, water, and other public facility infrastructure necessary to facilitate economic development in this area, in accordance with Goal 11.

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

FINDING: Goal 12 imposes a requirement on local governments to develop, maintain and update transportation plans consistent with the planning and implementation guidelines of Goal 12. Goal 12 requires that an amendment to an acknowledged TSP demonstrate that the amendment will result in a "safe, convenient and economic transportation system." Goal 12 defines a transportation system as "one or more transportation facilities that are planned, developed, operated and maintained in a coordinated manner to supply continuity of movement between modes, and within and between geographic and jurisdictional areas."

The City and the applicant have coordinated with ODOT regarding the application. In the event the application is approved and the City applies for an approach permit and a grant of access for the major collector street intersection with Highway 20, the major collector street will be limited to right-in/right-out turning movements on Highway 20, thus providing for a safe intersection by eliminating left turns. The major collector street will be constructed with a cross-section consistent with TSP standards resulting in safe travel for bicyclists, pedestrians and vehicles. The intersection of the major collector street with U.S. Highway 20 and Hunnell Road will meet applicable sight distance standards.

Providing a collector street in this area will serve the City's goal of having major collector street spaced at appropriate distances. Additionally, the street is needed to serve the future development of the Mixed Employment ("ME") zoning district that will be located on either side of the proposed collector street. Having a major collector street in this location will provide more a more efficient transportation network because vehicles can use the major collector street to reach both U.S. Highway 20 and Hunnell Road, reducing the vehicle trips through the intersections of Highway 20 and Cooley Road, and Highway 20 and Robal Road. For these reasons, the amendment will result in an efficient transportation system.

The developer of the property adjacent to the major collector street will construct the improvements to City collector street standards. While providing an additional public road benefitting the public street system, the City will not have to make public capital improvements for construction of this major collector street. Therefore, the proposed amendment will be economic as it will be a developer funded improvement.

Goal 12 is satisfied as the amendment to add a major collector street designation between Highway 20 and Hunnell Road will result in a safe, convenient and economic transportation system.

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. The addition of a major collector street in this location will allow for a redistribution of trips from other major intersections in the surrounding area, providing a more efficient street network, with alternate routes that can reduce out of direction travel and intersection congestion. For these reasons, the proposed amendment can help to conserve energy consistent with Goal 13.

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: The addition of this major collector street will facilitate development of urban land designated for economic development within the UGB. 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.

OAR 660-012 Transportation Planning

FINDING: The applicable administrative rule is known as the Transportation Planning Rule (TPR) in OAR Chapter 660, Division 12. The TPR implements Goal 12. OAR 660-012-0015 governs amendments to TSPs. OAR 660-012-0060 also governs amendments to TSPs. The Bend TSP provides City of Bend compliance with the requirements set out in OAR 660-12.

OAR 660-012-015 Preparation and Coordination of Transportation System Plans

(3) Cities and counties shall prepare, adopt and amend local TSPs for lands within their planning jurisdiction in compliance with this division:

(a) Local TSPs shall establish a system of transportation facilities and services adequate to meet identified local transportation needs and shall be consistent with regional TSPs and adopted elements of the state TSP;

FINDING: OAR 660-012-0015(3) requires cities to amend their TSPs in compliance with the TPR. OAR 660-012-0015(3)(a) requires TSPs to establish a system of transportation facilities and services adequate to meet identified local transportation needs and consistent with regional TSPs.

The proposed amendment meets the identified local transportation need of providing a major collector street connection between U.S. Highway 20 and Hunnell Road. This area is intended to be developed with a mix of commercial and residential uses. However, because of access limitations on Highway 20, topographical limitations on the north side of the Gumpert Property adjacent to Cooley Road and capacity limitations at the intersection of U.S. Highway 20 and Cooley Road, an additional access is necessary to serve the area. Only a major collector street level or above facility may obtain a grant of access to state highways from ODOT. OAR 734-051-2020(4)(C)(B)(i). OAR 660-012-0015(5) requires that TSPs be coordinated with affected state and federal agencies, local governments, special districts and private providers of transportation services. The City, through the Type IV legislative process, will provide notice of the TSP amendment and coordinate with ODOT and the City transit provider.

OAR 660-012-0060 Plan and Land Use Regulation Amendments

(1) If an amendment to a functional plan, an acknowledged comprehensive plan, or a land use regulation (including a zoning map) would significantly affect an existing or planned transportation facility, then the local government must put in place measures as provided in section (2) of this rule, unless the amendment is allowed under section (3), (9) or (10) of this rule. A plan or land use regulation amendment significantly affects a transportation facility if it would:

- (a) Change the functional classification of an existing or planned transportation facility (exclusive of correction of map errors in an adopted plan);***
- (b) Change standards implementing a functional classification system; or***
- (c) Result in any of the effects listed in paragraphs (A) through (C) of this subsection based on projected conditions measured at the end of the planning period identified in the adopted TSP. As part of evaluating projected conditions, the amount of traffic projected to be generated within the area of the amendment may be reduced if the amendment includes an enforceable, ongoing requirement that would demonstrably***

limit traffic generation, including, but not limited to, transportation demand management. This reduction may diminish or completely eliminate the significant effect of the amendment.

(A) Types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;

(B) Degrade the performance of an existing or planned transportation facility such that it would not meet the performance standards identified in the TSP or comprehensive plan; or

(C) Degrade the performance of an existing or planned transportation facility that is otherwise projected to not meet the performance standards identified in the TSP or comprehensive plan.

(4) Determinations under sections (1)–(3) of this rule shall be coordinated with affected transportation facility and service providers and other affected local governments.

FINDING: OAR 660-012-0060 applies to amendments to acknowledged comprehensive plans. The TSP is part the City's acknowledged comprehensive plan. An amendment to an acknowledged comprehensive plan requires a two-step process to satisfy OAR 660-012-0060(1) and (2).

First, an application must demonstrate that there will be no "significant affect" as defined in OAR 660-012-0060(1)(a)-(c). If there is no "significant affect" then the analysis ends. However, if there is a "significant affect," then a second step is required.

In this case, there will not be a "significant affect" caused by the TSP amendment to add the major collector street to the TSP. No "significant affects" are created at the two intersections of the proposed major collector street with Highway 20 or Hunnell Road, nor will the major collector street operate beyond its classification as a major collector street. Exhibit 5 in the record is a memorandum from Joe Bessman of Transight Consulting demonstrating how this application complies with OAR 660-012-0060(1) and (2).

Finally, OAR 660-012-0060(4) is satisfied because the City continues to coordinate review with ODOT and the City transit provider.

BDC 4.6.200.B. Criteria for Legislative Amendments. (Continued)

2. The request is consistent with the applicable Bend Comprehensive Plan goals and policies;

FINDING: The relevant goals and policies of the Bend Comprehensive Plan are addressed below.

BEND COMPREHENSIVE PLAN

Chapter 1: Plan Management and Citizen Involvement

Goals in the Comprehensive Plan express what our residents hope and want Bend to be like in the future. These goals were created through a major update of the Comprehensive Plan in 1995-1998 and further enhanced in 2016 with the UGB expansion. The goals set forth below provide general guidance for improving the character and quality of the Bend area as growth occurs. In addition to these goals, most of the other chapters in the Plan include goals that are specific to the chapter topic.

Community Goals

Foster a Balanced Transportation System

Bend's balanced transportation system incorporates an improved, well-connected system of facilities for walking, bicycling, and public transit, while also providing a reliable system for drivers. Bend's transportation system emphasizes safety and convenience for users of all types and ages. Transportation and land use are integrated to foster livability.

FINDING: The proposed major collector street will provide an additional connection through these employment lands with facilities for walking, bicycling, and opportunities for public transit service, as well as allowing for a better distribution of trips and reduction of out of distance vehicle trips, all of which will enhance safety and convenience for users of all types and ages as the area develops.

Build Cost Effective Infrastructure

Bend plans and builds water, wastewater, storm water, transportation, and green infrastructure in a cost-effective way that supports other project goals. Efficient use of existing infrastructure is a top priority.

FINDING: The proposed major collector street improvements will be constructed by the developer concurrent with development of the surrounding economic land, along with water, wastewater, and storm water infrastructure.

The transportation ↔ land use connection

Within the Bend urban area there are several physical features that constrict the development of the transportation system, thereby channeling street traffic to a few key routes. Any efforts the city and county can take to reduce or mitigate traffic congestion on the main routes will help Bend remain a place in which people enjoy living and working. The items below provide a brief overview of how the planning of land use and transportation are inter-connected in the Comprehensive Plan. Chapter 7, Transportation Systems, provides a more thorough and detailed description of the urban area transportation systems, and their relationship to land uses.

To support a cost effective and balanced land use and transportation system during the 20-year planning horizon the Comprehensive Plan provides for:

- *making other types of transportation systems more accessible and more functional through the development of a fixed-route or on-demand or other transit system, completion of the sidewalk system, and adding bike lanes and off-street trails;*
- *improving the connection of streets and/or pedestrian corridors within and through neighborhoods to reduce unnecessary out-of-direction trips;*

FINDING: The proposed major collector street will provide an additional connection through these employment lands with facilities for walking, bicycling, and opportunities for public transit service, as well as allowing for a better distribution of trips and reduction of out of distance vehicle trips, all of which will enhance safety and convenience for users of all types and ages as the area develops.

Development within the Urban Growth Boundary

- 1-6 *New developments shall pay to extend planned sewer, water, and transportation facilities to and through the property if the development occurs prior to the scheduled construction of those facilities shown in the capital improvement plan.*
- 1-7 *The City will encourage compact development and the integration of land uses within the Urban Growth Boundary to reduce trips, vehicle miles traveled, and facilitate non-automobile travel.*

FINDING: The sewer, water, and transportation system facilities improvements within the proposed major collector street alignment will be constructed by the developer at the time of development. The addition of this major collector street alignment will allow for a reduction of vehicle miles traveled by reducing out of direction travel as this area develops, and will provide sidewalks for pedestrians, bike lanes, and opportunities for additional transit corridors and transit stops, all of which facilitate non-automobile travel.

Citizen Involvement

- 1-16 *The City will use other mechanisms, such as, but not limited to, meetings with neighborhood groups, planning commission hearings, design workshops, and public forums, to provide an opportunity for all the citizens of the area to participate in the planning process.*

FINDING: The applicant held a public meeting in compliance with BDC 4.1.215 prior to the acceptance of this application by the City, providing the opportunity for citizen input on the proposed application. Additionally, all citizens are invited to participate in the planning process through the Planning Commission hearing and subsequent City Council hearings required for a Comprehensive Plan amendment.

Chapter 6, Economy

- 6-4 *Infrastructure will be planned, designed, and constructed to support continued economic growth and orderly development.*

FINDING: The proposed addition of a major collector street through these employment lands will provide needed infrastructure to facilitate commercial development of this land, supporting continued economic growth and orderly development.

Commercial Development

- 6-28 *The City will encourage development and redevelopment in commercial corridors that is transit-supportive and offers safe and convenient access and connections for all transportation modes.*

FINDING: The proposed major collector street will help achieve this goal by providing a safe and convenient access and connections for all transportation modes, thus encouraging development of this designated commercial area.

- 6-38 *Commercial development adjacent to arterial streets and highways shall be subject to City of Bend and/or Oregon Department of Transportation access management standards (as applicable) and shall provide for multimodal access.*

FINDING: Street connectivity is needed through this area to meet City of Bend connectivity and access management standards to facilitate commercial development in conformance with the Comprehensive Plan designations and BDC standards for development. ODOT access management standards require that connection to a state highway must be from a designated collector or higher street designation. Therefore, the proposed amendment to add this major collector street alignment is necessary to achieve the access management standards identified in this goal. Providing a major collector street in this area will also ensure that multimodal access is provided, as collector streets are required to provide pedestrian and bicycle infrastructure as well as allowing for transit route service.

Chapter 7, Transportation Systems

Plan Goals

Economic:

- *Implement transportation improvements to foster economic development and business vitality.*

FINDING: The proposed amendment and subsequent improvements will facilitate development of these employment lands, helping to achieve this goal of fostering economic development and business vitality.

Safety:

- *Design and construct the transportation system to enhance travel safety for all modes.*

FINDING: The proposed amendment will enhance travel safety for all modes by providing additional connectivity in this area, with safe infrastructure for vehicles, pedestrians, bicycles, and transit.

Transportation and Land Use

Objectives:

- *To promote land use patterns that support fewer vehicle trips and shorter trip lengths*

Policies

7-6 The City should be receptive to innovative development proposals, including zone changes, plan amendments, and text changes that promote alternatives to vehicular traffic thus reducing vehicle trips and reduced trip lengths.

FINDING: The proposed TSP amendment will provide additional connectivity in this area for vehicles, pedestrians, bicycles, and transit, alleviating out of distance travel to shorten trip lengths, and redistributing trips from other congested intersections.

7-13 The city of Bend shall continue to work with ODOT and Deschutes County to coordinate solutions to highway and non-highway road issues that cross over jurisdictional boundaries.

FINDING: The applicant and the City have continued to coordinate with ODOT through this process as the proposed major collector street will connect to the state highway system and will require a grant of access from ODOT for the street connection to Highway 20.

Pedestrian and Bicycle Systems

Policies:

7-30 The City shall develop safe and convenient bicycle and pedestrian circulation to major activity centers, including the downtown, schools, shopping areas and parks. East-west access to the downtown area needs particular emphasis across major obstacles, such as 3rd Street, the Bend Parkway and the railroad.

7-32 Bike lanes shall be included on all new and reconstructed arterials and major collectors, except where bikeways are authorized by the TSP. Bike lanes shall also be provided when practical on local streets within commercial and industrial areas. Bike lanes shall be added to existing arterial and major collector streets on a prioritized schedule. Specific effort shall be made to fill the gaps in the on-street bikeway system. An appropriate means of pedestrian and bicyclist signal actuation should be provided at all new or upgraded traffic signal installations.

7-33 Property-tight sidewalks shall be included on both sides of all new streets except where extreme slopes, severe topographical constraints, or special circumstances exist. Landscape strips shall separate curbs and sidewalks on new and reconstructed roads. Sidewalks shall be added to all existing arterial and collector streets to fill the gaps in the pedestrian system.

FINDING: The proposed major collector street will provide safe and convenient bicycle and pedestrian circulation to the surrounding shopping areas, as property-tight sidewalks and bike lanes are required to be constructed on both sides of all collector and arterial streets.

Public Transportation System

Policies:

7-46 To accommodate a fixed-route transit system, land use ordinances and other regulations shall be implemented that establish pedestrian and transit-friendly design along potential or existing transit routes.

FINDING: The City and applicant will continue to coordinate with the Central Oregon Intergovernmental Council (COIC) and Cascade East Transit (CET) during the design and construction phase of the proposed collector street, to ensure transit-friendly design along this potential transit route.

Street System

General Policies:

7-48 Streets shall be located, designed and constructed to meet their planned function and provide space for adequate planting strips, sidewalks, motor vehicle travel and bike lanes (where appropriate). Specific effort should be made to improve and enhance east-west circulation patterns for all modes of travel throughout the community.

7-49 Where a subdivision or partition is adjacent to land likely to be divided in the future, streets, bicycle paths, and accessways shall continue through to the boundary line of the subdivision or partition in order to achieve connectivity within the grid system.

7-50 Streets shall be classified and generally located according to the Bend Urban Area - Roadway System Plan (Figure 7-1), and the Street Functional Classification (Table 7-1). Transportation project development review and approval shall be subject to the provisions of the Bend Development Code.

7-53 City transportation system improvements shall comply with the Americans with Disabilities Act requirements.

FINDING: The proposed major collector street will provide connectivity through these employment lands from Highway 20 to Hunnell Road, to achieve connectivity within the grid system, at adequate spacing of approximately ¼ mile from the nearest collector or arterial streets (Cooley Road and Robal Lane). The collector will be designed to comply with major collector street standards in the Bend Development Code and City Standards and Specifications and PROWAG (ADA) guidelines, with planting strips, sidewalks, motor vehicle travel and bike lanes.

7-92 Any Bend TSP map that illustrates a dashed line for a proposed transportation facility may be updated administratively by staff upon the construction/completion of that facility. Updating of any affected maps shall convert any "dotted" lines into "solid" lines that follow as-built alignments, as much as practical, and shall not constitute a land use decision.

FINDING: The proposed major collector street will be added to the TSP map as a dotted line illustrating the planned future alignment. Per this Comprehensive Plan policy, the TSP map could then be updated administratively at the time the street is constructed, utilizing as-builts for the constructed alignment, which may need to shift as needed to accommodate topography and sight lines.

*Appendix C; Transportation System Plan and Integrated Land Use and Transportation Plan
Bend Urban Area Transportation System Plan*

6.5.1.6 Major Collectors

The major collector street linkages planned for the urban area are illustrated on the Roadway System Plan (Map Exhibit B). Collector streets are normally located at about every half mile. Additional collector streets may be determined necessary as vacant lands are developed or there are other changes in land use. The alignments of new collector streets on the Plan Map are general in nature and refinements may occur through the land development process, or as otherwise determined by the City.

The major collector street system provides both land access service and traffic circulation between the higher order arterial streets. The collector street system provides a connection between neighborhoods and the arterial street system. The majority of collector traffic is normally generated from the area that it passes through, but additional through trips can be anticipated in the collector volume totals.

FINDING: The TSP anticipates that additional collector streets may be determined necessary as vacant lands are developed. This is the case for the current proposal as the applicant intends to develop the majority of the area on either side of the proposed major collector street alignment, and the collector street is needed to provide land access service and traffic circulation connecting Highway 20 (expressway) and Hunnell Road (minor arterial) providing an interval between two other minor arterial road, Cooley Road and Robal Lane. This collector is needed to provide connections between these arterial and expressway street systems, to minimize direct access to these higher order streets.

6.9.2 Transportation System Management

Policies

- The City shall ensure that land use actions support the access management policies of the Oregon Department of Transportation along the state highways located in the urban area.

FINDING: The purpose of adding a collector street to the TSP in this location is to facilitate development of this employment land in a way that will support the access management policies of the City, by providing access to a lower order street (collector) for future development of the surrounding employment lands. Additionally, the amendment is needed to support the access management policies of ODOT as the street will connect to Highway 20, and ODOT will only support a grant of access to a collector or higher order street.

Table 7-1 (TSP Table 12)

Street Functional Classification System Typical Characteristics

Functional Classification	Projected Daily Traffic (Typical)	Functional Classification Spacing (Typical)	Trip Length (Typical)	Vehicle Lanes (Typical)	Bike Lanes	Sidewalks	Parking Permitted (Typical)
Expressway	20,000 – 45,000+	5+ miles	Over 5 miles	5	Yes	Yes both sides	No
Principal Arterial	15,000 – 40,000	2+ miles	Over 2 miles	5	Yes	Yes both sides	No
Major Arterial	10,000 – 30,000	1-2 miles	Over 1 mile	3-5	Yes	Yes both sides	No
Minor Arterial	5,000 – 18,000	½ - 1 miles	Over 1 mile	2-5	Yes	Yes both sides	No*
Major Collector	1,5000 – 9,000	½ mile	Under 1 mile	2-3	Yes	Yes both sides	No*
Industrial Street	500 – 3,000	Not applicable	Varies	2	Not required	Yes both sides	Yes
Local Street	<1,500	300 – 600 feet	Under ½ mile	2	Not required	Yes both sides	Yes
Frontage Road	Varies	Not applicable	Varies	2	Not required	Yes both sides	Yes** if adequate width provided
Alley	<400	Not Applicable	Not Applicable	1 ½	Not applicable	Not applicable	Yes** if adequate width provided

FINDING: The proposed street will meet the typical characteristics for a major collector street identified in the table above as it will carry 1,500 to 9,000 average daily vehicle trips per day and is located between one-quarter and one-half mile from other major collector streets or arterials. It will be designed to collector street standards with bike lanes and sidewalks on both sides of the street.

BDC 4.6.200.B Criteria for Legislative Amendments. (Continued)

3. The applicant can demonstrate a public need or benefit for the proposed amendment.

FINDING: As stated in previous findings, the TSP anticipates that additional collector streets may be determined necessary as vacant lands are developed. This is the case for the current proposal as the applicant intends to develop the majority of the area on either side of the proposed major collector street alignment. The collector street is needed to provide access and traffic circulation for this vacant land, connecting Highway 20 (expressway) and Hunnell Road (minor arterial), providing an interval between two other minor arterial roads, Cooley Road and Robal Lane. Providing a collector street through this development area will minimize direct access to these surrounding higher order streets. The additional street systems will also reduce out of direction trips, and will reduce trips through high volume intersections at Highway 20 and Cooley Road, and Highway 20 and Robal Lane.

This street connection is needed to meet the street connectivity, block length and block perimeter requirements, and access management standards of BDC Chapter 3.1, in order for the employment land in this area to be developed. Because the future street alignment will connect to a highway, an ODOT grant of access is needed to make this street connection to the highway system. ODOT will only grant access for collector or higher street designations. For this reason, there is a public need and benefit of the proposed amendment, as the street system necessary for development of these employment lands would not be feasible without the amendment.