



# Oregon

Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

(503) 373-0050

Fax (503) 378-5518

www.lcd.state.or.us



## NOTICE OF ADOPTED AMENDMENT

12/01/2010

TO: Subscribers to Notice of Adopted Plan  
or Land Use Regulation Amendments

FROM: Plan Amendment Program Specialist

SUBJECT: City of Bend Plan Amendment  
DLCD File Number 006-10

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. A Copy of the adopted plan amendment is available for review at the DLCD office in Salem and the local government office. This amendment was submitted without a signed ordinance.

Appeal Procedures\*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Monday, December 13, 2010

This amendment was submitted to DLCD for review prior to adoption with less than the required 45-day notice. Pursuant to ORS 197.830(2)(b) only persons who participated in the local government proceedings leading to adoption of the amendment are eligible to appeal this decision to the Land Use Board of Appeals (LUBA).

If you wish to appeal, you must file a notice of intent to appeal with the Land Use Board of Appeals (LUBA) no later than 21 days from the date the decision was mailed to you by the local government. If you have questions, check with the local government to determine the appeal deadline. Copies of the notice of intent to appeal must be served upon the local government and others who received written notice of the final decision from the local government. The notice of intent to appeal must be served and filed in the form and manner prescribed by LUBA, (OAR Chapter 661, Division 10). Please call LUBA at 503-373-1265, if you have questions about appeal procedures.

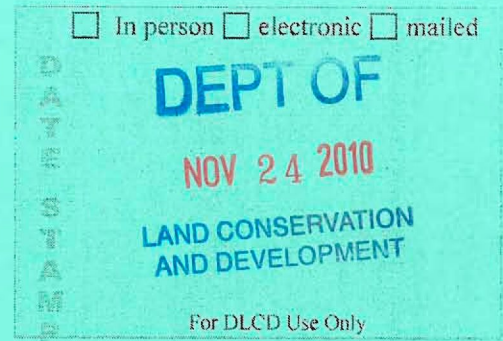
**\*NOTE:** The Acknowledgment or Appeal Deadline is based upon the date the decision was mailed by local government. A decision may have been mailed to you on a different date than it was mailed to DLCD. As a result, your appeal deadline may be earlier than the above date specified. NO LUBA Notification to the jurisdiction of an appeal by the deadline, this Plan Amendment is acknowledged.

Cc: Amy Barry, City of Bend  
Gloria Gardiner, DLCD Urban Planning Specialist  
Jon Jinings, DLCD Community Services Specialist  
Karen Swirsky, DLCD Regional Representative  
Gary Fish, DLCD Regional Representative  
Amanda Punton, Regional Representative

<paa> YA

# Notice of Adoption

THIS FORM MUST BE MAILED TO DLCD  
WITHIN 5 WORKING DAYS AFTER THE FINAL DECISION  
PER ORS 197.610, OAR CHAPTER 660 - DIVISION 18



Jurisdiction: **City of Bend**

Local file number: **PZ 10-288**

Date of Adoption: **11/17/2010**

Date Mailed: **11/19/2010**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: 9/9/2010

Comprehensive Plan Text Amendment

Comprehensive Plan Map Amendment

Land Use Regulation Amendment

Zoning Map Amendment

New Land Use Regulation

Other:

Summarize the adopted amendment. Do not use technical terms. Do not write "See Attached".

Development Code Text Amendment to the Juniper Ridge Overlay Zone for the Employment Sub-District previously approved under PZ 09-185. Amendment provides some minor corrections and clarifications, as well as the addition of a vehicle PM peak hour trip limitation, and detailed fencing and screening standards.

Does the Adoption differ from proposal? Yes, Please explain below:

Additional language was added to further detail the phasing of the trip cap proposed. The trip limitation language memorializes the transportation mitigation portions of the Intergovernmental Agreement (IGA) between the City and ODOT.

Plan Map Changed from: **N/A**

to: **N/A**

Zone Map Changed from: **N/A**

to: **N/A**

Location: **N of Cooley Road, E of BNSF Railroad**

Acres Involved: **306**

Specify Density: Previous: **1 dwelling/acre**

New: **N/A**

Applicable statewide planning goals:

- |                                     |                                     |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |                          |
|-------------------------------------|-------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
| <b>1</b>                            | <b>2</b>                            | <b>3</b>                 | <b>4</b>                 | <b>5</b>                 | <b>6</b>                 | <b>7</b>                 | <b>8</b>                 | <b>9</b>                 | <b>10</b>                | <b>11</b>                | <b>12</b>                | <b>13</b>                | <b>14</b>                | <b>15</b>                | <b>16</b>                | <b>17</b>                | <b>18</b>                | <b>19</b>                |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

45-days prior to first evidentiary hearing?

Yes  No

If no, do the statewide planning goals apply?

Yes  No

If no, did Emergency Circumstances require immediate adoption?

Yes  No

**DLCD file No.** \_\_\_\_\_

Please list all affected State or Federal Agencies, Local Governments or Special Districts:

Local Contact: **Amy Barry**

Phone: (541) 693-2114 Extension:

Address: 710 NW Wall Street

Fax Number: 541-388-5519

City: **Bend**

Zip: 97759-

E-mail Address: **abarry@ci.bend.or.us**

## ADOPTION SUBMITTAL REQUIREMENTS

This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

1. Send this Form and TWO Complete Copies (documents and maps) of the Adopted Amendment to:  
**ATTENTION: PLAN AMENDMENT SPECIALIST**  
**DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT**  
**635 CAPITOL STREET NE, SUITE 150**  
**SALEM, OREGON 97301-2540**
2. Electronic Submittals: At least **one** hard copy must be sent by mail or in person, but you may also submit an electronic copy, by either email or FTP. You may connect to this address to FTP proposals and adoptions: **webserver.lcd.state.or.us**. To obtain our Username and password for FTP, call Mara Ulloa at 503-373-0050 extension 238, or by emailing **mara.ulloa@state.or.us**.
3. Please Note: Adopted materials must be sent to DLCD not later than **FIVE (5) working days** following the date of the final decision on the amendment.
4. Submittal of this Notice of Adoption must include the text of the amendment plus adopted findings and supplementary information.
5. The deadline to appeal will not be extended if you submit this notice of adoption within five working days of the final decision. Appeals to LUBA may be filed within **TWENTY-ONE (21) days** of the date, the Notice of Adoption is sent to DLCD.
6. In addition to sending the Notice of Adoption to DLCD, you must notify persons who participated in the local hearing and requested notice of the final decision.
7. **Need More Copies?** You can now access these forms online at **http://www.lcd.state.or.us/**. Please print on **8-1/2x11 green paper only**. You may also call the DLCD Office at (503) 373-0050; or Fax your request to: (503) 378-5518; or Email your request to **mara.ulloa@state.or.us** - ATTENTION: PLAN AMENDMENT SPECIALIST.

## ORDINANCE NO. NS-2152

### AN ORDINANCE AMENDING THE CITY OF BEND DEVELOPMENT CODE SECTION 2.7.2030, JUNIPER RIDGE OVERLAY ZONE EMPLOYMENT SUB-DISTRICT

#### Findings

- A. The City of Bend initiated a legislative Development Code text amendment on September 9, 2010.
- B. The application was submitted in accordance with Chapter 4.1 of the Bend Development Code. Timely and sufficient notice of public hearing, pursuant to Section 4.1.515 of the Bend Development Code, were provided.
- C. On October 25, 2010, the City of Bend Planning Commission conducted a public hearing to accept testimony on the request. Following its deliberations, the Planning Commission voted to recommend that the Bend City Council approve the requested text amendment to the Juniper Ridge Overlay Zone Employment Sub-District. The Planning Division staff report and recommendation together with the testimony of the persons testifying at the hearing have been considered and are part of the record of this proceeding.
- D. On November 3, 2010 the Bend City Council conducted a public hearing, considered the testimony, the record, and the Planning Commission's Recommendation, and found that the request satisfies the applicable approval criteria Section 4.6.200 of the Development Code, the goals and policies of the Bend Urban Area General Plan, and Statewide Planning Goals. This general finding is supported by the specific findings contained in the Planning Commission Recommendation to the City Council; file number PZ 10-288.

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

- Section 1. Section 2.7.2030 of the Bend Development Code is amended as shown in Exhibit A.
- Section 2. In addition to the findings set forth above, the City adopts the Planning Commission Findings and Conclusion attached as Exhibit B as findings supporting this amendment.

First Reading: November 3, 2010

Second Reading: November 17, 2010

Adopted by roll call vote on November 17, 2010.

YES: 6

NO: 0

ABSTAIN: 0

Authenticated by the Mayor on November 17, 2010.

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Kathie Eckman, Mayor

Attest:

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Patricia Stell, City Recorder

Approved as to form:

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City Attorney's Office

## **Exhibit A**

### **Proposed Text Amendment**

#### **2.7.2000 Juniper Ridge Overlay Zone**

##### **Sections:**

**2.7.2010 Purpose**

**2.7.2020 Implementation**

**2.7.2030 Employment Sub-District**

**2.7.2040 Town Center Sub-District - reserved**

**2.7.2050 Educational Sub-District - reserved**

**2.7.2060 Residential Sub-District - reserved**

##### **2.7.2010 Purpose**

This chapter applies to all development within the Juniper Ridge Overlay Zone. The purpose of the Juniper Ridge Overlay Zone is to promote economical, sustainable, and reasonable growth in Juniper Ridge by creating unique overlay zoning sub-districts for residential, commercial, educational and industrial uses.

##### **2.7.2020 Implementation**

- A. The Juniper Ridge Overlay Zone consists of the area within the dashed line shown on Figure 2.7.2020 - Juniper Ridge District Map.

Figure 2.7.2020  
Juniper Ridge District Map

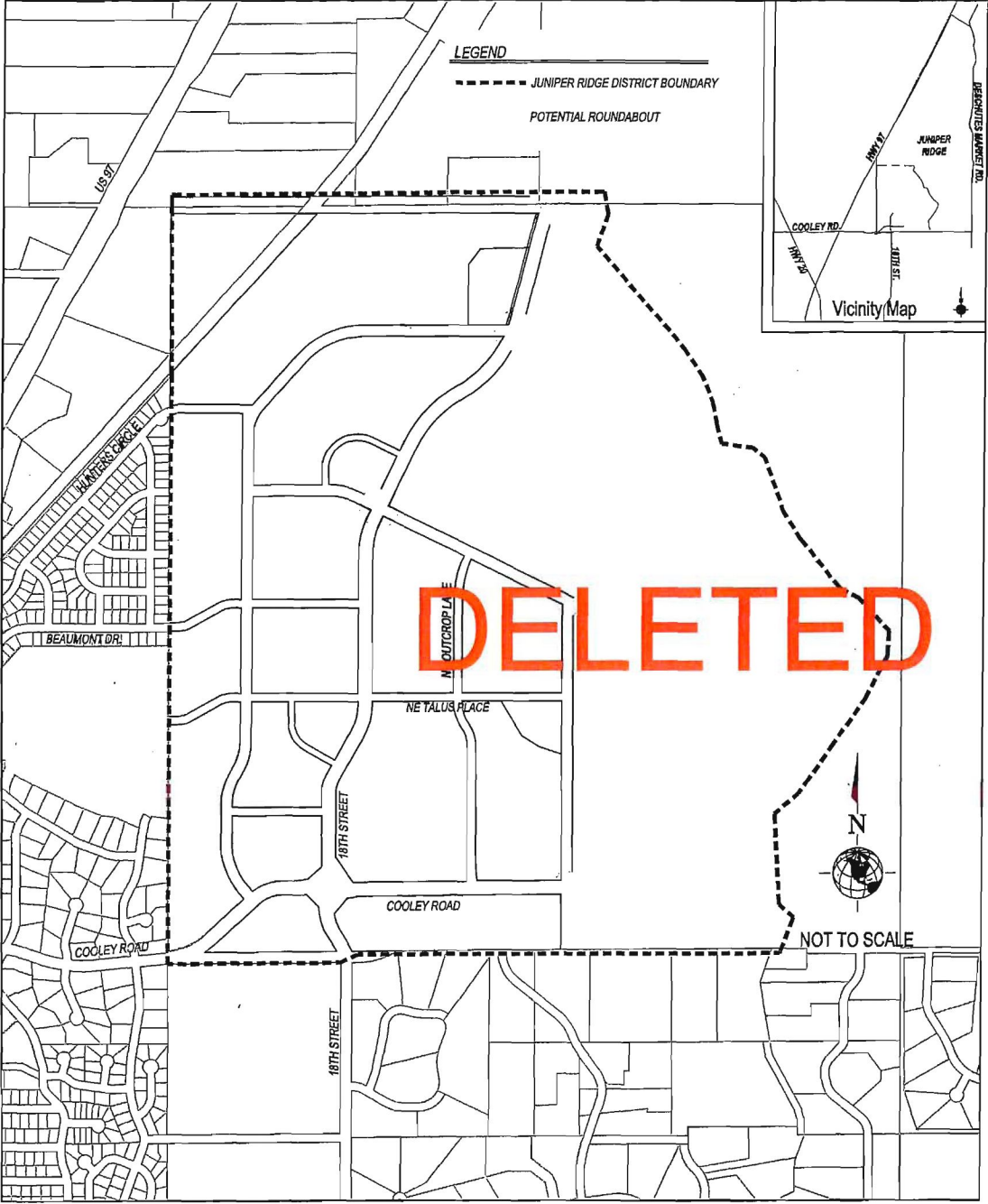
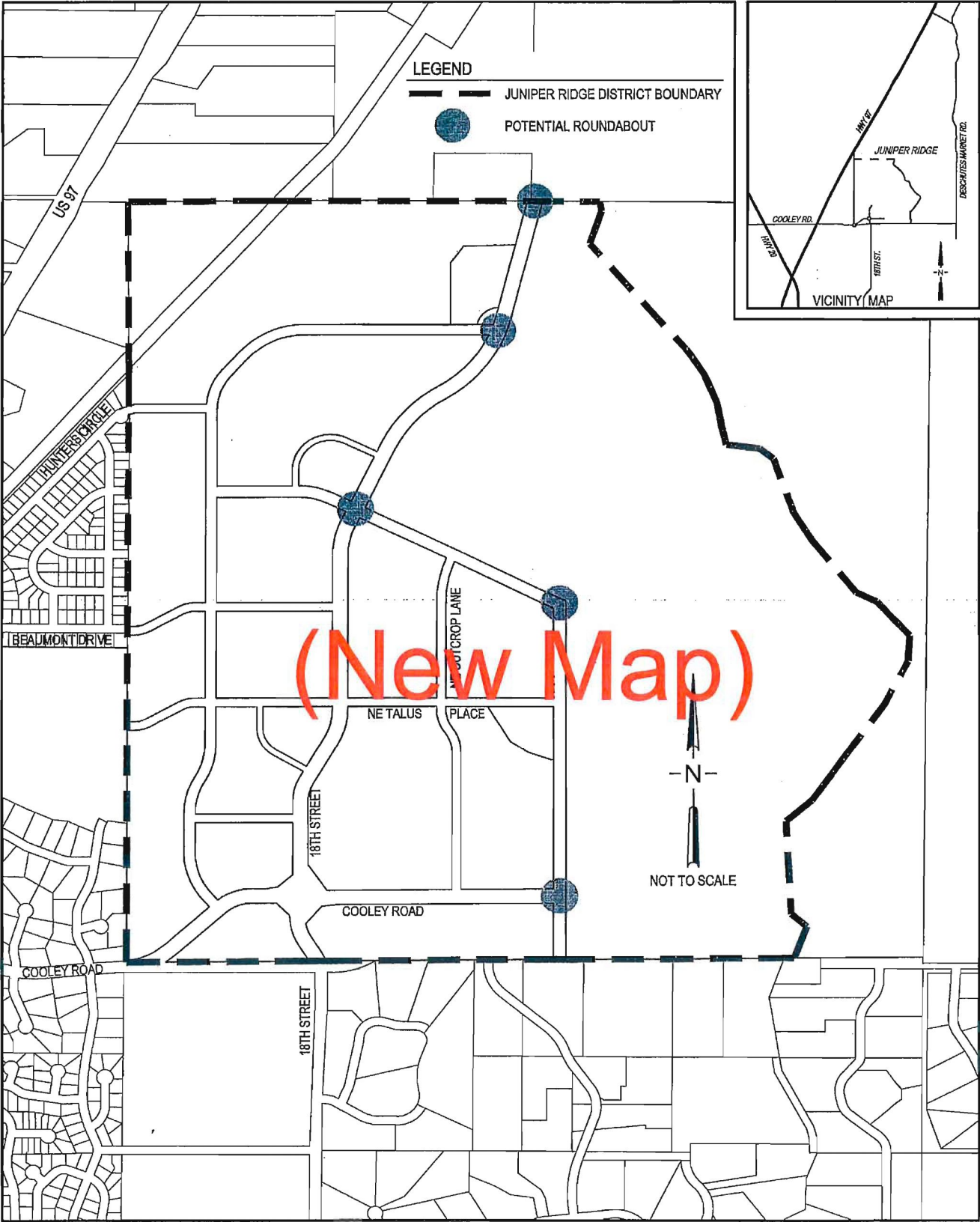


FIGURE 2.7.2020  
JUNIPER RIDGE DISTRICT MAP





## 2.7.2030 Employment Sub-District

**A. Purpose.** The Juniper Ridge Employment Sub-District is a ~~320~~ 306 acre area that is intended to promote economical, sustainable, and reasonable growth by allowing a mix of light industrial uses, offices for research and development, corporate and regional headquarters and accessory uses to serve the needs of these primary uses. The Employment Sub-District will:

- Provide a variety of employment opportunities
- Promote efficient use of the land
- Promote pedestrian and other multi-modal transportation options
- Ensure compatibility of uses within the development and with the surrounding areas
- Create an efficient, interconnected system of streets with standards appropriate to the intensity and type of adjacent use
- Create safe and attractive streetscapes that will meet emergency vehicle access requirements and enhance pedestrian and bicycle access

**B. Applicability.** The Employment Sub-District Overlay shall apply to all lands that are zoned Industrial Light (IL) and within the boundaries of the Juniper Ridge Overlay Zone depicted in Figure 2.7.2030.A. The standards of this section shall supersede those of the underlying zone unless no special standards within the sub-district are provided.

**C. Infrastructure Implementation.** Development within the Employment Sub-District shall not occur unless adequate public facilities are in place to serve the property prior to occupancy.

**D. Transportation Management Association (TMA).** A TMA organized to operate in a manner that is consistent with the Transportation Demand Management goals and policies in the City's Transportation System Plan and Section 4.7.500 will be developed for the Employment Sub-District. All site development review applications within the Employment Sub-District that are subject to review under Chapter 4.2 shall demonstrate conformance with Employment Sub-District TMA program requirements.

Figure 2.7.2030.A  
Employment Sub-District Map

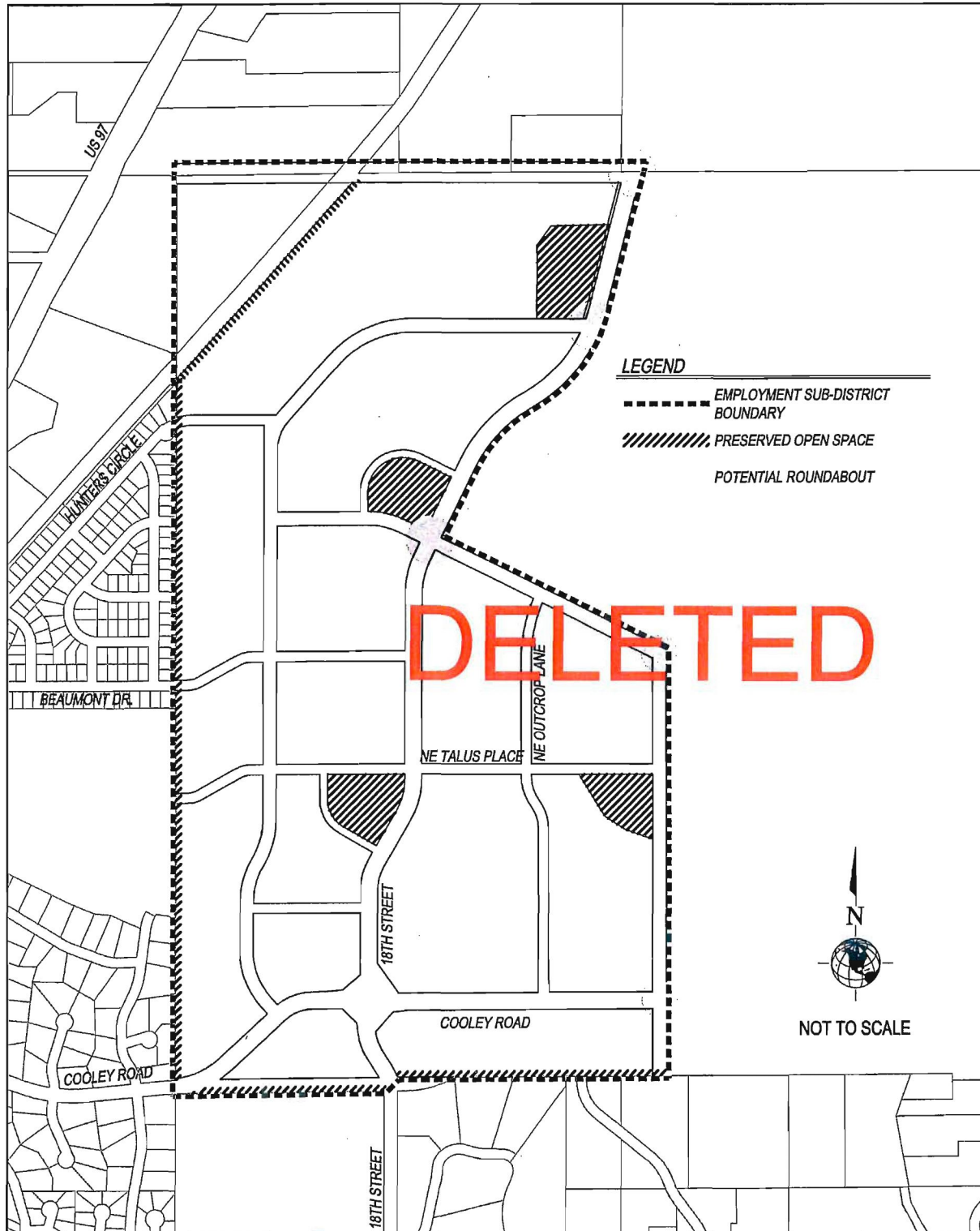
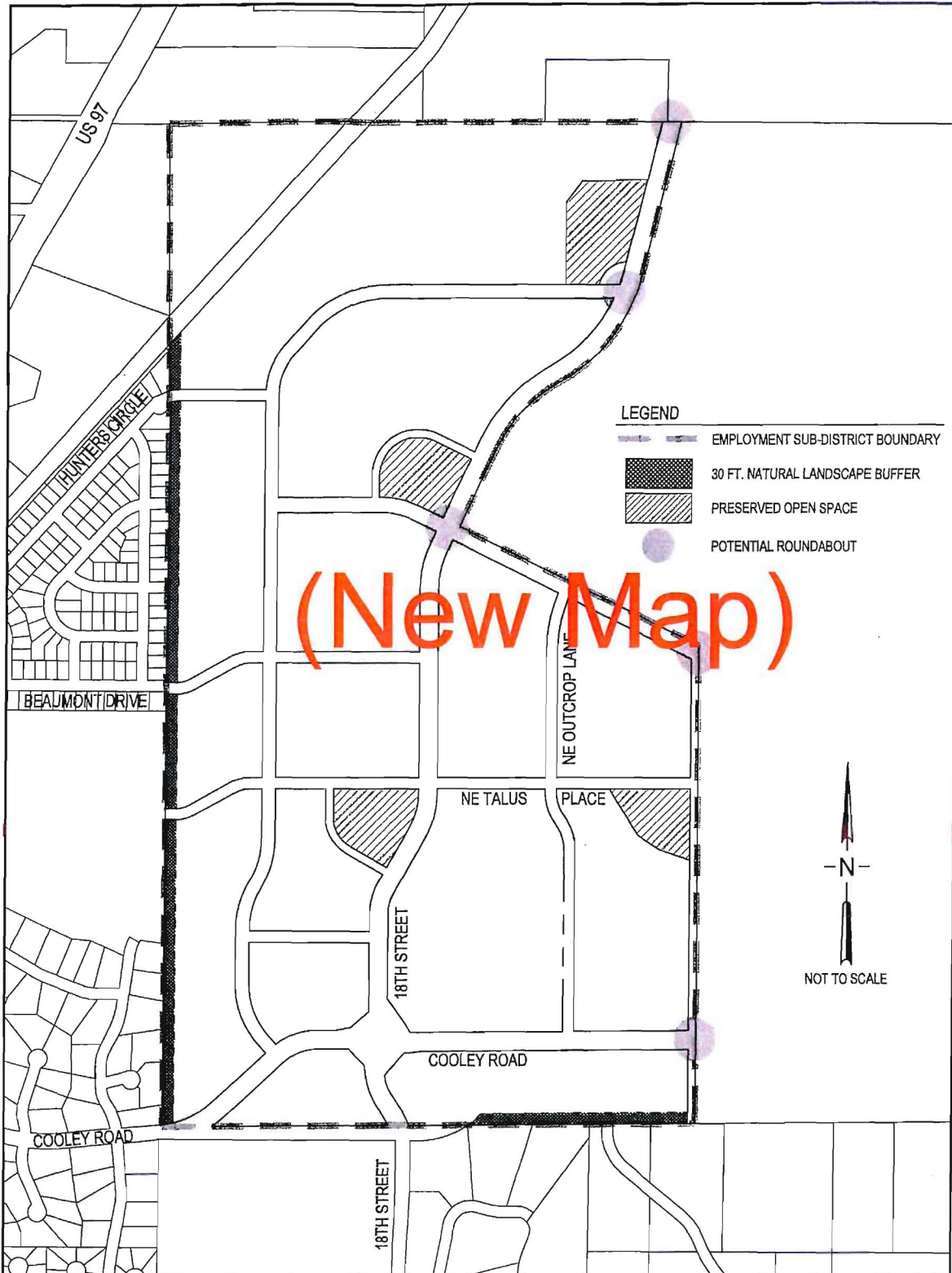


FIGURE 2.7.2030.A  
EMPLOYMENT SUB-DISTRICT MAP



- E. Permitted and Conditional Uses.** The land uses listed in Table 2.7.2030.A are allowed in the Employment Sub District, subject to the provisions of this Chapter. Only land uses that are specifically listed in Table 2.7.2030.A, and land uses that are approved as “similar” to those in Table 2.7.2030.A may be allowed.
- F. Limitations on Permitted Uses.** Small scale personal and professional service uses shall be limited to an aggregate area total within the Employment Sub-district not to exceed 30,000 square feet.
- G. Determination of Similar Land Uses.** Similar use determinations shall be made in conformance with the procedures in Chapter 4.1.1400, Declaratory Ruling.

**Table 2.7.2030.A Permitted Land Uses**

Land Use	Employment Sub-District
Light manufacturing, fabrication, assembly and repair with incidental sales associated with a permitted use	<b>P</b>
Heavy manufacturing, assembly and processing of raw materials and recycling	<b>C</b>
Wholesale Distribution, Warehousing and Storage	<b>P</b>
Research and development facilities	<b>P</b>
Production Office (e.g., IT support centers, biotechnology, software/hardware development, broadcast and production studios/facilities.)	<b>P</b>
Wholesale processing uses (e.g., dry cleaning, laundry)	<b>C</b>
Food and beverage processing and packaging	<b>P</b>
Medical and dental laboratories	<b>P</b>
Small-scale personal and professional services • Within a freestanding or multi-tenant building, up to 2,500 square feet of gross floor area (e.g., coffee shop / deli, dry cleaners, barber shops and salons, copy centers, banks, financial institutions, and similar uses) <sup>1*</sup> shall be allowed • Within a freestanding or multi-tenant building, up to 10,000 square feet for child care, fitness center and similar uses shall be allowed when a site has frontage and/or direct access to an Arterial or Collector street	<b>P</b>
Corporate Headquarters/Regional Corporate Office	<b>P</b>
Trade, vocational technical, professional, business schools including university programs serving industrial needs	<b>P</b>
Professional consulting services.	<b>P</b>
Industrial and professional equipment and supply sales	<b>P</b>
Professional office accessory to a primary use, in the same building, up to 30% of the floor area of the primary use.	<b>P</b>
*Utility Facilities (e.g., natural gas, electricity, telephone, cable, <del>T</del> telecommunication and similar facilities).	<b>P</b>
Public Park and Recreation Facility (not including private Open Space)	<b>C</b>

**Key to Permitted Uses**

- P** = Permitted; ~~subject to Chapter 4.1~~  
**C** = Conditional Use; ~~subject to Chapter 4.4~~

<sup>1\*</sup> ~~In conformance Special Standards in conformance~~ with Section 2.4.800, Special Development Standards

**H. Vehicle Trip Limit.** Development within the Employment Sub-District shall be limited to a maximum of 2,220 PM peak-hour vehicles trips that will be allocated consistent with the terms of Intergovernmental Agreement No. 27115 and phased in accordance with the following Mitigation Table:

**Table 2.7.2030.B Mitigation Improvements**

PHASE	PM PEAK HOUR TRIPS	MITIGATION IMPROVEMENT
1	700	Empire Avenue / 18 <sup>th</sup> Street Roundabout
		Empire Avenue / US-97 Northbound Ramp Terminal
		Empire Avenue / US-97 Southbound Ramp Terminal Third Street to US-97
2	600	US-97 Improvements between Nels Anderson & Bowery Lane
3	580	18 <sup>th</sup> Street Corridor Improvements Cooley Road to Empire Avenue
4	340	US-97 Southbound Improvements Empire Avenue to Butler Market Road
		Purcell Street Extension Cooley Road to Yeoman Road

1. The Vehicle Trip Limit shall be considered the Employment Sub-District Transportation Mitigation Plan and shall apply to all land use applications that propose development that will generate peak hour vehicle trips. A PM Peak Hour trip is defined as a trip occurring between 4:00 PM and 6:00 PM, as further defined by the Institute of Transportation Engineers Trip Generation Manual.
2. No land use application shall be deemed complete unless it includes a Traffic Impact Analysis (TIA) that complies with the City of Bend standards for preparing a TIA identified in Chapter 4.7, and includes an evaluation of Transportation Demand Management Measures (TDM) that will minimize peak hour vehicle trips generated by the proposed development.
3. The City shall provide written notification to ODOT when a land use application is deemed complete at least 20 days before a decision is issued.
4. Peak hour vehicle trip allocations are committed upon City approval of the proposed land use action and will expire consistent with Section 4.1.1310B of this Code.
5. Land use applications in any phase that propose development that will generate peak hour trips that (i) exceed the peak hour trip thresholds identified in Table 2.7.2030.B Mitigation Improvements prior to the construction of local street improvements, or (ii)

prior to the execution of a Cooperative Improvement Agreement for the construction of improvements on state highway facilities, or (iii) exceed the cumulative total vested peak hour vehicle trips for the phase in which the application is submitted, may be approved only if they meet the requirements of OAR 660-012-0060.

The City shall not grant site plan approval for any development proposal that exceeds a cumulative site total of 2,050 peak hour trips until all Phase 4 mitigation improvements identified in the above Table 2.7.2030.B Mitigation Improvements are constructed or agreed to be constructed in Cooperative Improvement Agreement(s) or Development Agreement(s).

**IH. Development Standards**

**Table 2.7.2030.B Development Standards**

Maximum Building Height	65 feet
Minimum Front Yard Setback	10 feet
Maximum Front Setback on Primary Street Frontage	30 feet
Minimum Primary Street Frontage	50 feet
Minimum Side Yard Setback	10 feet (100 feet when abutting a Residential Zone)
Minimum Rear Yard Setback	15 feet (100 feet when abutting a Residential Zone)
Maximum Building Coverage	50 percent of total lot area

**JI. Additional Development Standards**

1. **Off-Street Parking and Loading**. Off-street parking and loading spaces shall be provided as required in Chapter 3.3, Vehicle and Bicycle Parking. All off-street parking or loading areas and access drives shall be paved and continually maintained.
2. **Block Length and Perimeter**. Figure 2.7.2030.B depicts the interconnected, multi-modal transportation network for the Employment Sub-District. Therefore, the block length and perimeter standards of Section 3.1.200 are not applicable in the Employment Sub-District. If during development review it is determined that the street alignments shown in Figure 2.7.2030.B cannot be met due to topography, natural features or other development-related barriers, any development approval for such areas shall provide walkways or access ways in conformance with the provisions of Section 3.1.300, Pedestrian Access and Circulation.
3. **Parking and Loading Setback**. Where the Employment Sub-District abuts a residential zone, any off-street parking and loading areas shall be set back at least 30 feet from the abutting residential property line and the setback area shall be landscaped a minimum of 30 feet to provide a buffer along the adjoining residential property. Landscaping shall be maintained by the property owner and

shall conform to the standards in Sections 3.2.200, Landscape Conservation and 3.2.300, New Landscaping.

4. **Maintenance of Undeveloped Property.** All undeveloped property on a developed site shall be either left in a natural state, or landscaped and continually maintained according to the requirements and standards in Sections 3.2.200, Landscape Conservation and 3.2.300, New Landscaping.
5. **Prohibition of Nuisance Activities.** All development shall be designed and constructed so that operation of the uses on the property will not create a nuisance or hazard on any adjacent property or right of way from noise, vibration, heat, glare, dust, or odorous, toxic or noxious matter.
6. **Parking and Circulation.** No vehicle circulation or parking except for access driveways shall be permitted within any minimum front yard setback area.
7. **Corner Lots and Through Lots.** For buildings on lots with more than one street frontage or through lots, the minimum front yard setback standards in Table 2.2.2030.B shall be applied to all street frontages. The maximum setback standard shall be applied to only one of the frontages. Where the abutting streets are of different classifications, the maximum setback standard shall be applied to the higher classification of street.
8. **Fencing and screening.** ~~Continuous lot perimeter fencing shall not be allowed within the Employment Sub-District. Architectural screen walls shall be used to screen service, loading, and exterior material and equipment storage areas, and may be used to screen other on-site amenities such as private patios and employee break areas. Non-decorative fencing may be used to screen areas not visible from rights-of-way or adjoining properties.~~
  - a. **Perimeter Fencing:** Lot perimeter fencing is only permitted within the Employment Sub-District under the conditions set forth in Table 2.7.2030.C, Fencing and Screening Conditions.
  - b. **Standard Fencing:** Standard non-decorative fencing may be installed in areas not visible from street rights of way or adjoining properties within the Employment Subdistrict. Standard fencing also may be used as specified in Table 2.7.2030.C. A minimum quality of standard fencing shall be black vinyl-coated chain link.
  - c. **Upgraded Fencing:** Upgraded fencing shall be provided as specified in Table 2.7.2030.C. Upgraded fencing is intended to provide limited security, discourage trespass, and provide an informative demarcation between uses (e.g., public / private, institutional / private / public, etc.). Design considerations for upgraded fencing shall include:
    - Simplicity as opposed to excessive ornamentation.
    - Low maintenance / ease of landscape maintenance on each side.
    - Respect for the design theme of established development on adjacent parcels.

- A clear relationship to the building's architecture.
  - Consideration of a standard design where a large property shares a common boundary with several smaller properties.
- d. **Architectural Screen Walls:** Architectural screen walls shall be used to screen service and loading areas; above-ground utilities such as transformers and generators, exterior material and equipment storage areas, work yards, and trash and/or recycling areas. Architectural screen walls may be used to screen other on-site amenities such as private patios and employee break areas. Architectural screen walls shall be integrated into the overall building architectural statement, employing materials and colors drawn from the building design palette. The size of an area enclosed by an architectural screen wall shall be the minimum necessary to accommodate the facility or operation that is to be screened.
- e. **Fencing and Screening on Steep Slopes:** Properties with more extreme variations in topography (e.g., substantial slopes adjacent to relatively flat areas) shall employ fencing and/or screening design approaches that are thoughtfully integrated with the site's unique characteristics while fulfilling the overall functional intent of these features. Stair-step fence profiles shall be avoided.

**Table 2.7.2030.D Fencing and Screening Conditions**

<b>Condition</b>	<b>Subcondition</b>	<b>Required Treatment (Minimum Standard)</b>
Property line adjacent to a Public Right of Way	Improved right of way	Upgraded Fencing
	Unimproved right of way	No requirement prior to development
Property line adjacent to the railroad line across the northwest corner of the site		Standard Fencing
Property line on the west and south perimeter of Juniper Ridge Employment Subdistrict	Adjacent to Residential zoned property	Standard Fencing
	Adjacent to Commercial zoned property	Upgraded Fencing
	Adjacent to permanent open space	Upgraded Fencing
	Adjacent to Public Facility zoned property	Standard Fencing
Property line shared between two abutting lots	When properties share a common property line	No fencing allowed if it interferes with shared access/parking; Upgraded Fencing if it does not interfere with shared access/parking; Architectural Screen Wall if exterior loading or storage
Property line adjacent to a		Upgraded Fencing



park or open space		
Property line on the east perimeter of the Employment Sub-District	Adjacent to Residential or mixed use	Upgraded Fencing
	Adjacent to higher education land uses	Upgraded Fencing
Fencing/Screening around a Loading or Exterior Storage area	Visible from right of way	Architectural Screen Wall
	Not visible from right of way	Standard Fencing
Screening around a trash and/or recycling enclosure or exterior storage		Architectural Screen Wall
Fencing around a secure parking lot	Visible from right of way	Upgraded Fencing
	Not visible from right of way	Standard Fencing

**KJ. Employment Sub-District Street Alignments.** Figure 2.7.2030.B, the Juniper Ridge Employment Sub-District Transportation Plan Map, depicts the conceptual alignment of the Sub-District transportation network. Precise street alignments shall be determined through the development review process. Alternate alignments may be approved in accordance with 2.7.2030.I.2, or if it is demonstrated through the development review process that equivalent or improved safety and circulation will be achieved. The final multi-use path alignment shall be established prior to either the associated land division or Site Development Review, whichever occurs first. To ensure consistency, amendments to street classifications in the TSP, are incorporated into Figure 2.7.2030.B, i.e. if the TSP is amended to reclassify a collector street as an arterial, Figure 2.7.2030.B is equally amended.

**LK. Employment Sub-District Street Cross Sections.** Figures 2.7.2030.C.1 and 2.7.2030.C.2 depict the typical street cross-sections in the Employment Sub-District. Alternative cross sections that respond to site-specific circumstances may be approved by the City Engineer through the development review process.

**ML. Employment Sub-District Access Standards.** Due to large block sizes and large lot sizes, multiple access points to each lot in the Employment Sub-District will be permitted, including accesses to higher order transportation facilities, as long as the standards of this section are met. The following access standards supersede the vehicular access management standards of Chapter 3.1.

- 1) Minimum Access Spacing
  - a. Access points on local streets shall be a minimum of ten feet (10') apart as measured from edge of driveway to edge of driveway.
  - b. Access points on Collector Streets shall be a minimum of three hundred feet (300') apart as measured from centerline of access to centerline of access.
  - c. Access points on Arterial Streets shall be a minimum of three hundred feet (300') apart as measured from centerline of access to centerline of access.
- 2) Additional Access Standards
  - a. Driveways onto arterials and collectors may have directional restrictions (i.e. right-in/right-out only) depending on the roadway's characteristics, including

number of lanes, queuing at nearby intersections/driveways, and locations of signals or roundabouts, and locations of conflicting accesses.

- b. Directional restrictions will be determined by the City Engineer after a review of the Transportation Impact Analysis provided by the applicant.
  - c. Crossing of the multi-use path by driveways shall not be allowed unless there are no other access options for the site. If allowed, a driveway access crossing a multi-use path shall be constructed to provide shared access to adjacent property, when applicable.
  - d. Driveways shall not be located within 300 feet of an intersection.
  - e. Only one access is permitted per street frontage (including shared access), however lots may have multiple street access points, so long as minimum access spacing requirements are met.
  - f. The centerlines of driveways are required to align across arterials and collectors to minimize conflicting turning movements and allow for adequate turn storage.
  - g. Shared access may be required, in order to comply with these access requirements. All access driveways on Local Truck Roads shall provide shared access to adjacent property to the extent practicable.
- 3) Exceptions to the Access Standards of this Section. Alternate access may be approved by the City Engineer if all of the following criteria are met:
- a. The minimum access spacing standards of this section cannot be met.
  - b. Shared access with an adjoining property cannot be established.
  - c. Access to the roadway at the proposed location is critical to the function of the development on the property.
  - d. Operations and safety of the public road system is maintained for a minimum analysis period of 15 years as demonstrated in a Transportation Impact Analysis, including an assessment for the 95% queue. The queuing between the proposed driveway and an intersection shall not overlap.
  - e. On arterial and collector streets, directional turn restrictions are applied.
  - f. AASHTO intersection sight distances are available at the proposed access point.

Figure 2.7.2030.B  
 Employment Sub-District Transportation Plan Map

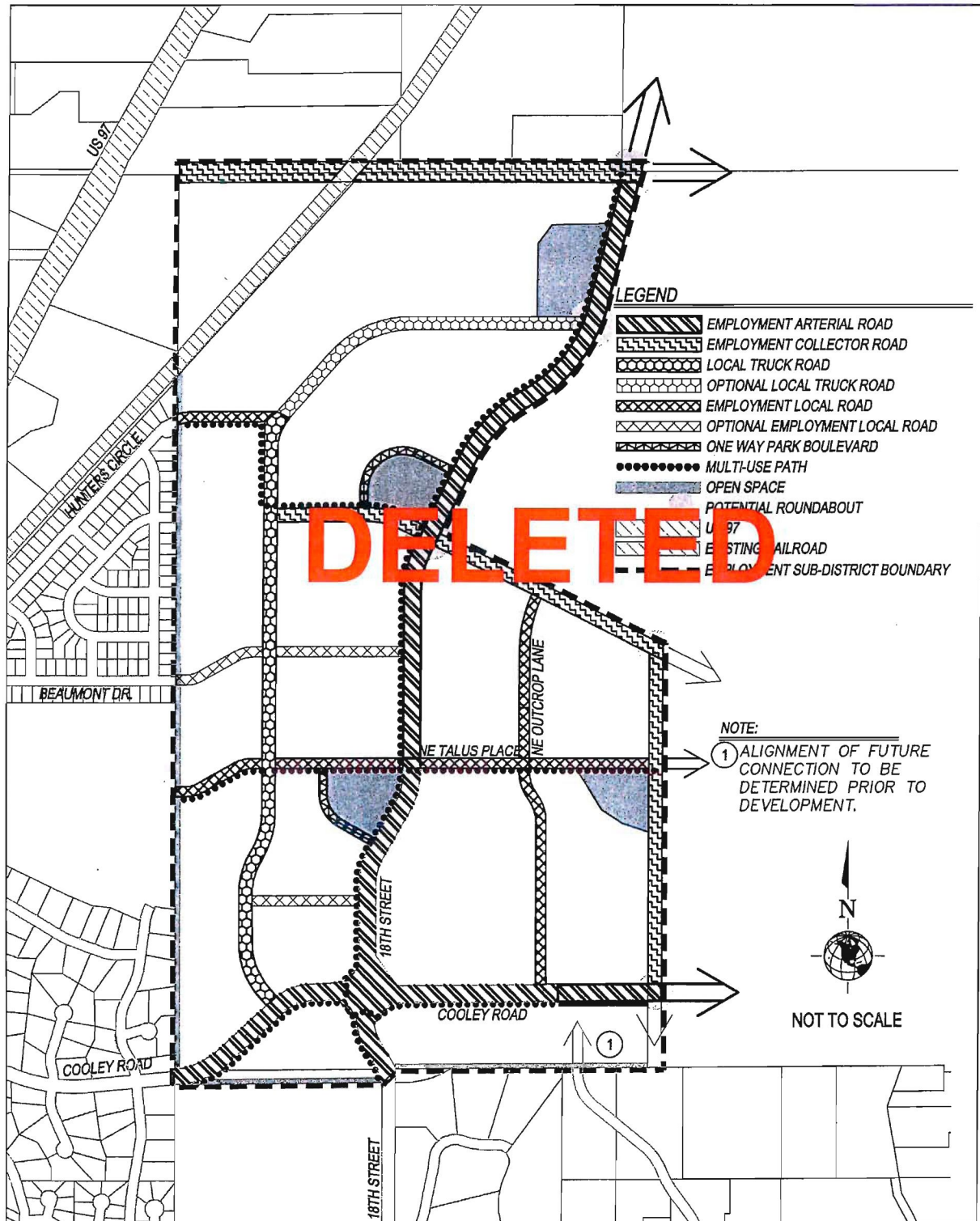


FIGURE 2.7.2030.B  
EMPLOYMENT SUB-DISTRICT TRANSPORTATION PLAN MAP

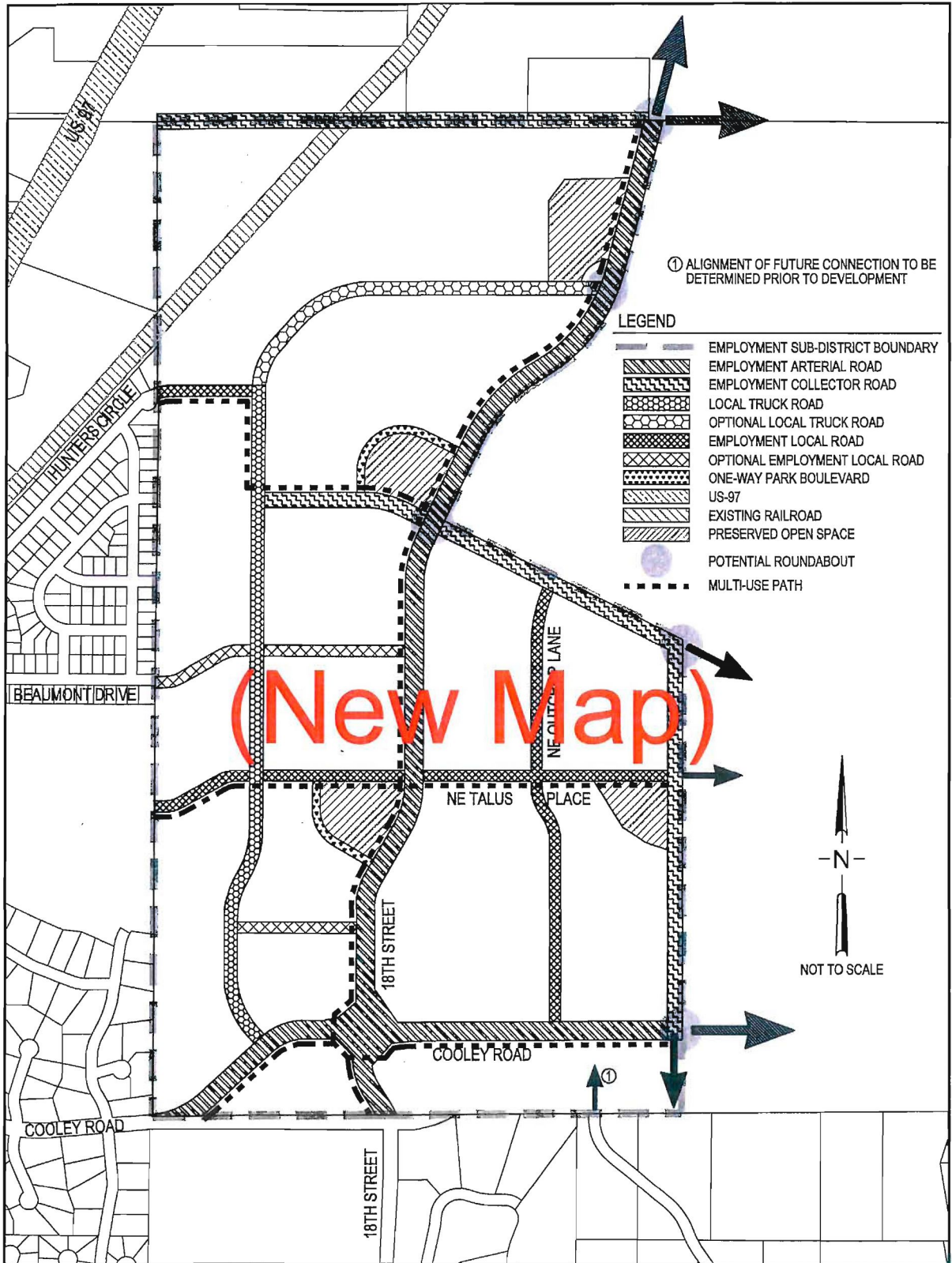


Figure 2.7.2030.C.1  
 Employment Sub-District Street Cross Sections

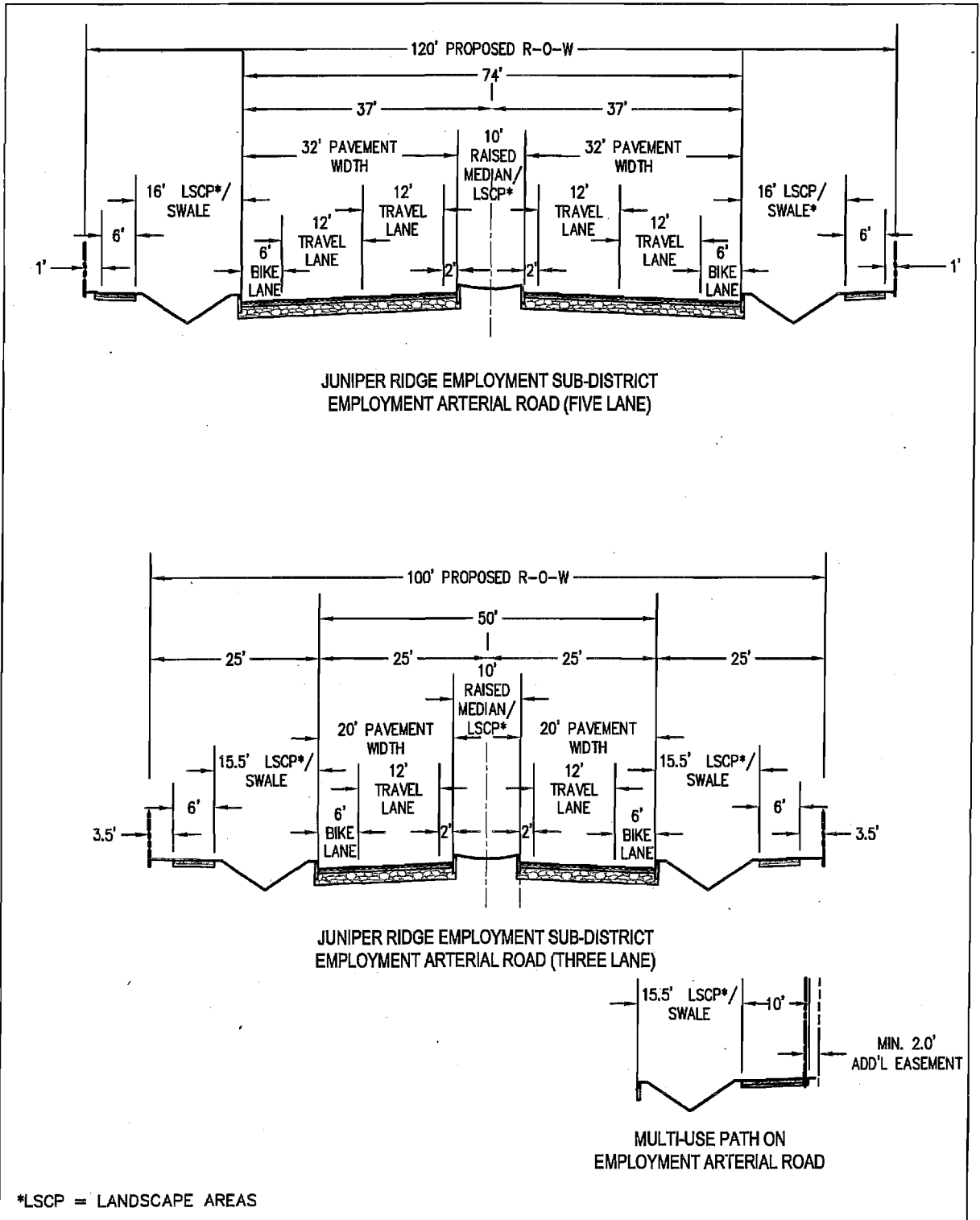


Figure 2.7.2030.C.2  
 Employment Sub-District Street Cross Sections

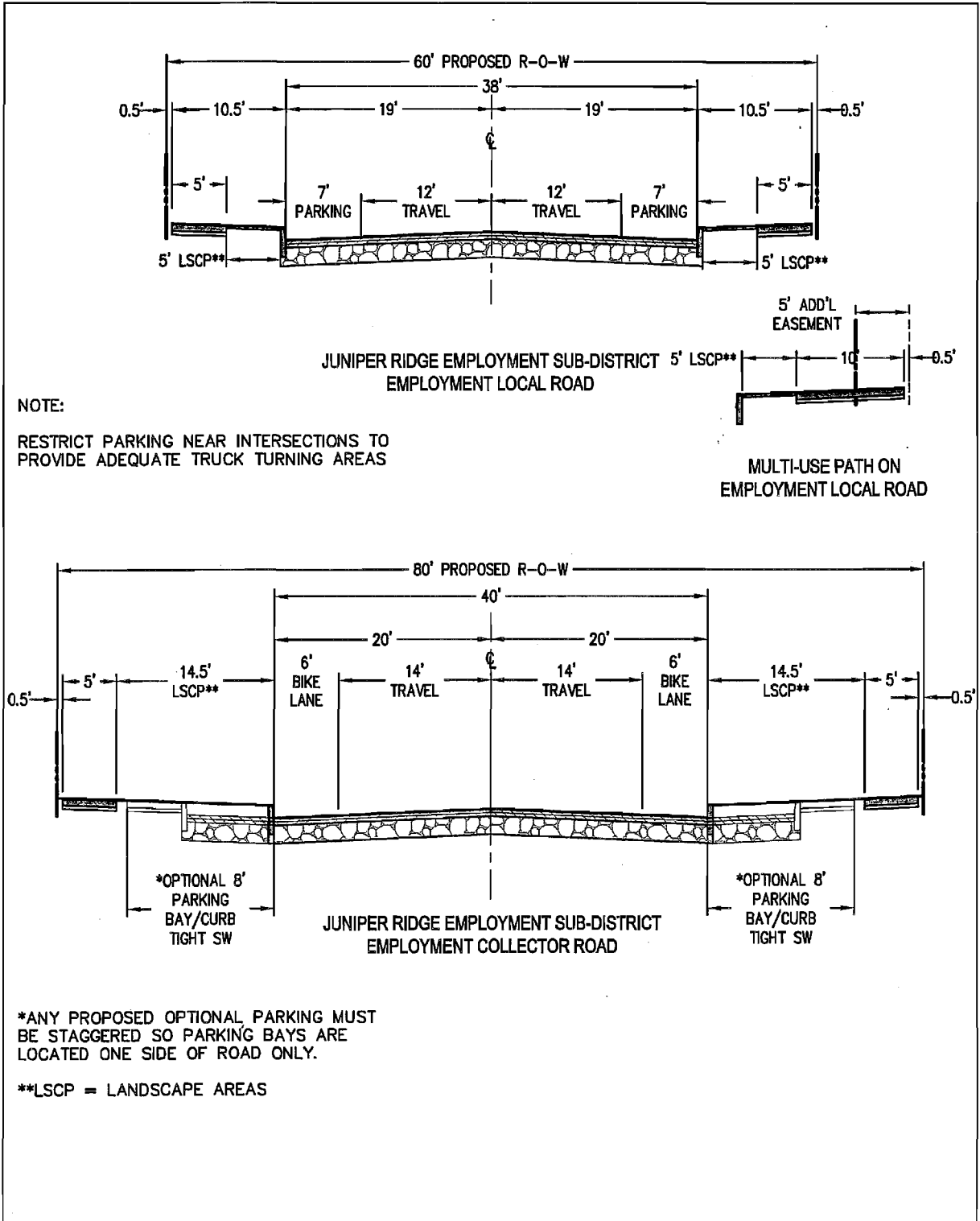
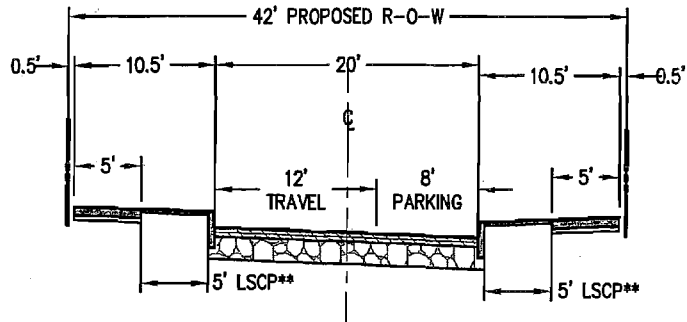


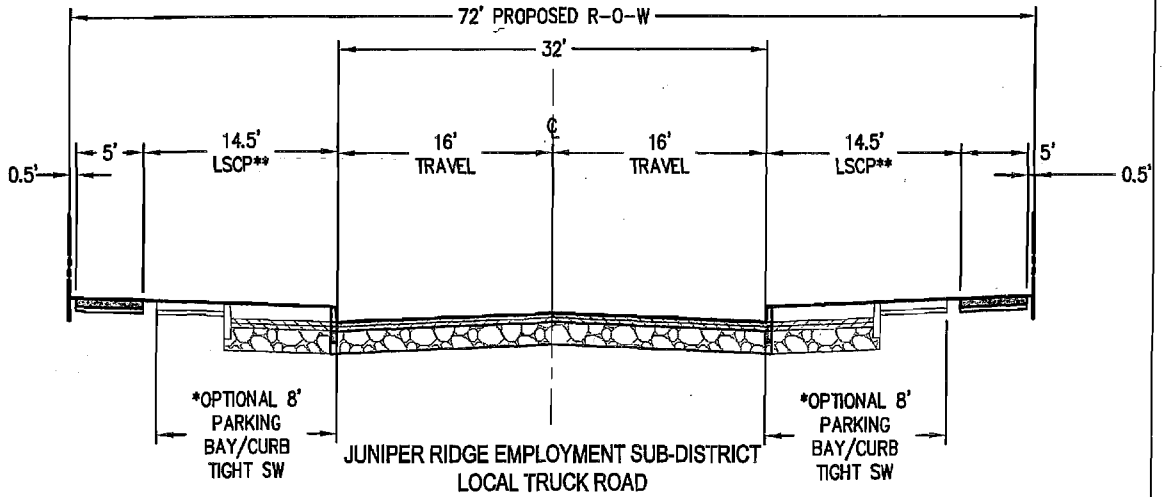
Figure 2.7.2030.C.3  
 Employment Sub-District Street Cross Sections



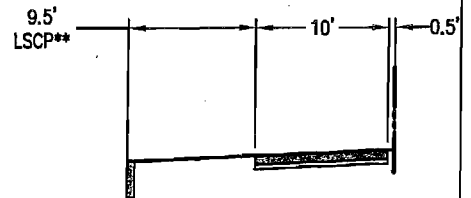
JUNIPER RIDGE EMPLOYMENT SUB-DISTRICT  
 ONE-WAY PARK BOULEVARD

NOTE:

RESTRICT PARKING NEAR INTERSECTIONS TO  
 PROVIDE ADEQUATE TRUCK TURNING AREAS



JUNIPER RIDGE EMPLOYMENT SUB-DISTRICT  
 LOCAL TRUCK ROAD



MULTI-USE PATH ON  
 LOCAL TRUCK ROAD

\*ANY PROPOSED OPTIONAL PARKING MUST  
 BE STAGGERED SO PARKING BAYS ARE  
 LOCATED ONE SIDE OF ROAD ONLY.

\*\*LSCP = LANDSCAPE AREAS

**NM. Employment Sub-District Natural Resource Areas.** Significant Heritage trees, significant rock outcroppings, preserved open spaces and natural landscape buffers areas within the Employment Sub-District are identified in Figure 2.7.2030.D, Employment Sub-District Natural Resource Identification Map. All Open Space Areas and Open Space Buffers are required to be retained and no development will be allowed in these areas them. Natural landscape buffers are required to be maintained with native landscaping or, if they are disturbed by adjacent site development, to be revegetated with native landscaping. Heritage trees and significant rock outcroppings are defined in the *Juniper Ridge Design Guidelines, Chapter 1.1, Key Site Attributes* and identified in Figure 2.7.2030.D. They are mapped solely with the intention of providing guidance to development and site design and site development, with the overall goal of preserving as many of these resources as is practicable. The City may allow one or more of the exceptions to development standards listed in Section 3.2.200.D, Landscape Conservation, if identified heritage trees and/or significant rock outcroppings identified in Figure 2.7.2030.D are preserved by a proposed development. The identification of hHeritage Ttrees identified in Figure 2.7.2030.D are is based upon the *Phase I: Juniper Ridge Ecological Site Assessment – Summary Report and Maps*, prepared by Gene Hickman and Matt Shinderman, 2007.



Figure 2.7.2030.D  
Employment Sub-District Natural Resource Identification Map

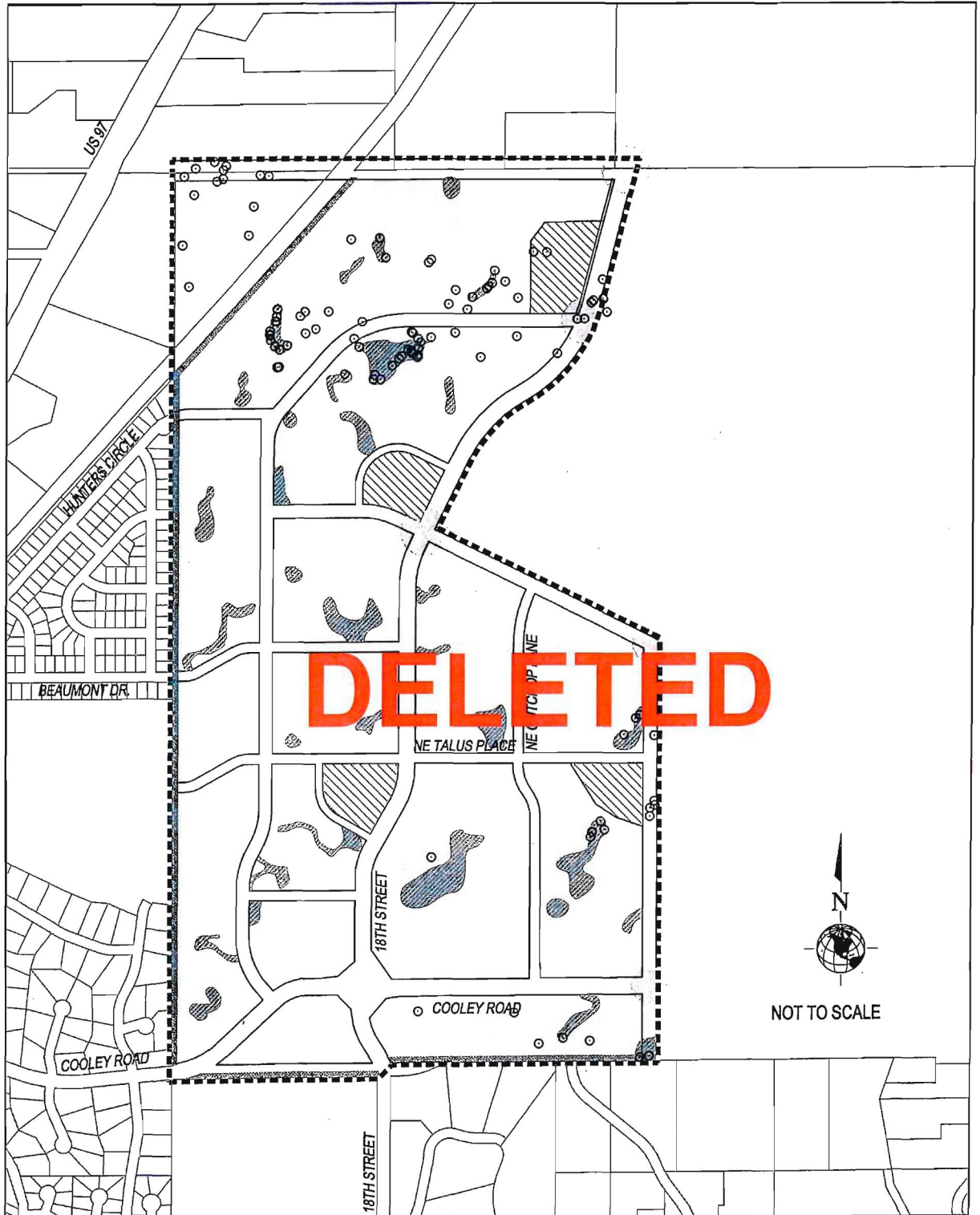
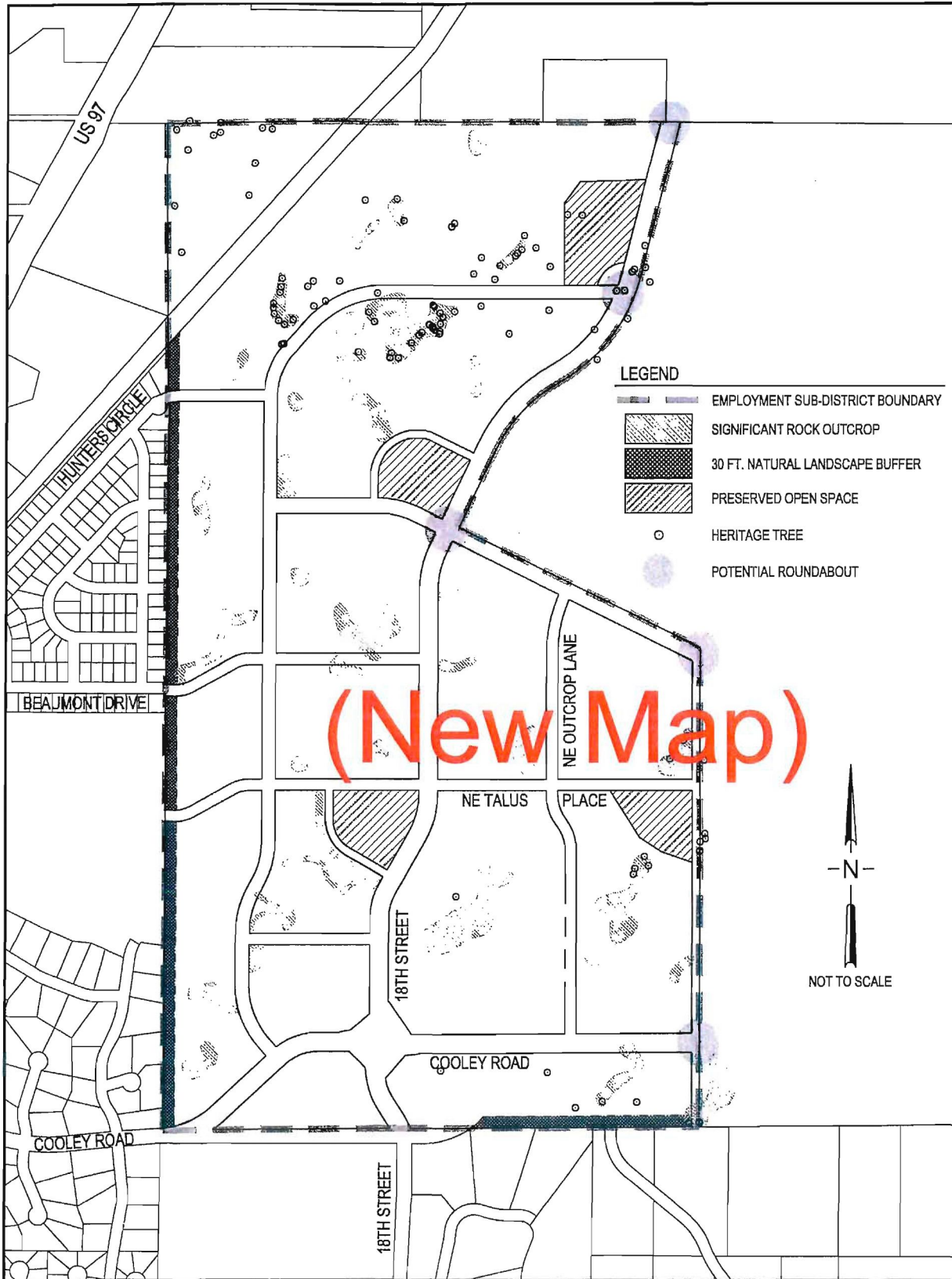


FIGURE 2.7.2030.D  
 EMPLOYMENT SUB-DISTRICT NATURAL RESOURCE IDENTIFICATION MAP



**2.7.2040 Town Center Sub-District – reserved for future**

(This subsection shall be developed and codified at a future date to be determined)

**2.7.2050 Educational Sub-District – reserved for future**

(This subsection shall be developed and codified at a future date to be determined)

**2.7.2060 Residential Sub-District – reserved for future**

(This subsection shall be developed and codified at a future date to be determined)

**CITY OF BEND PLANNING COMMISSION  
FINDINGS AND CONCLUSION**



**PROJECT NUMBER:** PZ 10-288

**PLANNING  
COMMISSION**

**HEARING DATE** October 25, 2010, 5:30 p.m.  
**TIME AND** City of Bend Council Chambers  
**LOCATION:** 710 NW Wall Street.

**CITY COUNCIL**

**HEARING DATE** November 3, 2010, 7:00 p.m.  
**TIME AND** City of Bend Council Chambers  
**LOCATION:** 710 NW Wall Street.

**APPLICANT** City of Bend  
**OWNER:** 710 NW Wall Street  
PO Box 431  
Bend, OR 97709

**LOCATION:** The 306-acre Juniper Ridge Employment Sub-District is located north of Cooley Road, west of Deschutes Market Road, and east of the Burlington Northern/Santa Fe (BNSF) railroad, at the northeast edge of the Urban Growth Boundary. Includes a portion of Tax Lot 100 and all of tax lots 101, 102, 103, 200 and 300, on Deschutes County Assessor's Map No. 17-12-10.

**REQUEST:** Type IV Legislative proposal to amend the text of Chapter 2.7.2000, Juniper Ridge Overlay Zone, Section 2.7.2030, Employment Sub-District of the Bend Development Code. The amendment includes a limit of 2,220 P.M. peak-hour vehicle trips for the sub-district which is broken into four phases and linked to future transportation improvements. Development applications will have to observe the trip limitation as the Sub District builds out. The proposed amendment will also correct several map drafting errors, and provide additional detail to the fencing and screening standards regarding fencing and screening types and locations.

**STAFF** Amy Barry, AICP, Associate Planner; (541) 693-2114;  
**REVIEWER:** abarry@ci.bend.or.us

**APPLICABLE STANDARDS, PROCEDURES AND CRITERIA:**

Bend Code Chapter 10; City of Bend Development Code  
Chapter 4.1, Land Use Review and Procedures  
Chapter 4.6, Land Use District Map and Text Amendments

## FINDINGS OF FACT:

- 1. LOCATION:** The 306-acre Juniper Ridge Employment Sub-District is located north of Cooley Road, west of Deschutes Market Road, and east of the Burlington Northern/Santa Fe (BNSF) railroad, at the northeast edge of the Urban Growth Boundary. Includes a portion of Tax Lot 100 and all of tax lots 101, 102, 103, 200 and 300, on Deschutes County Assessor's Map No. 17-12-10.
- 2. ZONING AND PLAN DESIGNATION:** A portion of the property is zoned Industrial Light (IL)/JR Overlay, while the majority of the property is zoned Urban Area Reserve (UAR). The property is designated IL on the Bend Urban Area General Plan map.
- 3. SITE DESCRIPTION & SURROUNDING USES:** The Employment Sub-district is approximately 306 acres and located at the southwestern corner of the overall parcel, commonly known as Juniper Ridge.

Most of the land to the west is zoned Residential Urban Standard Density (RS); however, the southern portion of the area to the west is zoned Residential Urban Low Density (RL).

The acknowledged General Plan Map designations of the surrounding residential areas are consistent with the current zoning. The developed land to the west includes a residential subdivision and a mobile home park. The Burlington Northern Santa Fe (BNSF) railroad tracks run diagonally across the northwestern corner of the Employment Sub-District.

The land north of the Employment Sub-District is outside the city limits and Urban Growth Boundary in Deschutes County's Multi-Use Agriculture (MUA 10) zone. The land immediately east of the Employment Sub-District is inside the city limits and inside the Juniper Ridge Overlay Zone and is designated IL but zoned UAR. The land further to the northeast, outside the city limits, is in the County's MUA 10 zone and is mostly undeveloped. The land further to the east and southeast is in the County's Exclusive Farm Use Alfalfa Subzone (EFUAL) and is mostly undeveloped. A small number of residential buildings are scattered to the east and northeast of the Employment Sub-District, outside the city limits.

The land to the south of the Employment Sub-District is inside the city limits, is zoned Public Facilities (PF) and is occupied by Lava Ridge Elementary School and Skyview Middle School. This area also is designated PF on the General Plan Map.

The land to the south of the Employment Sub-District and east of 18<sup>th</sup> Street is outside the city limits in Deschutes County's SR 2-1/2 Residential suburban Low Density zone and is occupied by large-lot residential development. The area is designated Urban Area Reserve on the Bend Urban Area General Plan Map.

Portions of the Employment Sub-District of the Juniper Ridge Overlay Zone have been developed, including Les Schwab Tire Centers' 120,000 square foot corporate headquarters (Tax Lot 200); Suterra's 76,000 square foot biotechnology manufacturing and research facility (Tax Lot 102); and a power substation (Tax Lot 101).

The topography of the Employment Sub-District is varied and undulating. The land gradually slopes down from the southwest corner of the property toward the northeast. A number of significant juniper trees – some more than 800 years old - and rock outcrops are scattered throughout the Employment Sub-District.

4. **PUBLIC NOTICE AND COMMENTS:** Notice of the proposed amendments was sent to DLCD on September 9, 2010. Notice of the public hearing was also published in The Bulletin on October 3, 2010. Notices were sent to City Departments and other affected agencies for comment. Various agency comments and recommendations are contained in the project file and were considered in the staff recommendation. No public comments were received.
5. **APPLICATION ACCEPTANCE DATE:** This Legislative Text Amendment was initiated by the City on September 9, 2010.

## **FINDINGS OF CONFORMANCE WITH APPLICABLE CRITERIA AND PROCEDURES**

### **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 Chapter 4.1, Land Use Review and Procedures and shall conform to Section 4.6.600, Transportation Planning Rule Compliance. A Legislative Amendment may be approved or denied.

**FINDING:** There currently are six lots, with four owners in the 306 acre area of the Employment Sub-District of the Juniper Ridge Overlay Zone. This application was initiated by the City as a Type IV Legislative Text Amendment.

**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;

**FINDING:** There are 19 Statewide Planning Goals which articulate Oregon's land use policies. The City of Bend has adopted a comprehensive plan – the Bend Area General Plan – to implement these policies.

The Juniper Ridge Overlay Zone was adopted by Ordinance No. NS-2134, effective November 18, 2009, and acknowledged by DLCD on December 24, 2009. It was found to be consistent with the Statewide Planning Goals and applicable goals and policies of the Bend Area General Plan.

The proposed amendments do not change that consistency. They correct several small map drafting errors; coordinate fencing and screening standards with improvements already in place in the Juniper Ridge Employment Sub-District; clarify access standards; set a limit on peak hour vehicle traffic generated in the sub-district; and require that site plan review applications observe the established trip limitation and phasing schedule.

After adoption of the proposed amendment to the Juniper Ridge Overlay Zone the owner intends to submit an application to re-zone land in the Juniper Ridge Employment Sub-District from Urban Area Reserve (UAR) to Light Industrial (IL)/JR Overlay, bringing it into conformance with the Bend Area General Plan and map.

The trip limitation language is included in the Development Code as a mitigation measure to meet the requirements of the Transportation Planning Rule and to gain ODOT's support for the upcoming rezoning of the Employment Sub-District.

**2. The request is consistent with the applicable Bend Area General Plan goals and policies;**

**FINDING:** The Juniper Ridge Overlay Zone was found to be consistent with the applicable goals and policies of the Bend Area General Plan when adopted by Ordinance No. NS-2134, effective November 18, 2009, and acknowledged by the Oregon Department of Land Conservation and Development on December 24, 2009.

The proposed amendments do not change that consistency. They correct several small map drafting errors, provide additional detail to the fencing and screening standards regarding fencing/screening types and locations and adds a cross reference to the access standards and set a limit on peak hour vehicle traffic generated in the sub-district. The proposed amendments continue to be consistent with the General Plan.

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

**FINDING:** The Burden of Proof Statement for the adopted Juniper Ridge Overlay Zone adequately demonstrated the public need and benefit of the Employment Sub-District. The proposed fence standards will provide for a more comprehensive and deliberate fencing theme throughout the Sub-District. And the vehicle trip limitation will ensure that the transportation mobility standards at affected intersections will be maintained.

**CONCLUSION:**

Based on the above findings, the Planning Commission finds that the proposed amendments to the Juniper Ridge Overlay Zone meet all applicable criteria of approval within the Development Code.





UNITED STATES POSTAGE  
HITNEY BOWES  
02 1M \$ 01.73<sup>0</sup>  
0004279490 NOV 22 2010  
MAILED FROM ZIP CODE 97701

**CITY OF BEND**  
**COMMUNITY DEVELOPMENT DEPARTMENT**  
710 NW WALL STREET  
BEND, OR 97701

TO:

DLCD  
Attn: Plan Amendment Specialist  
635 Capitol St NE, Ste 150  
Salem, OR 97301-2540