



Oregon
Theodore R. Kulongoski, Governor

Department of Land Conservation and Development

635 Capitol Street, Suite 150

Salem, OR 97301-2540

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Fax (503) 378-5518

www.lcd.state.or.us



NOTICE OF ADOPTED AMENDMENT

04/16/2013

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 006-12

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.

Appeal Procedures*

DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: Tuesday, April 30, 2013

This amendment was submitted to DLCD for review prior to adoption 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
Gordon Howard, DLCD Urban Planning Specialist
Karen Swirsky, DLCD Regional Representative

<paa> YA



FORM 2

DLCD

Notice of Adoption

☐ In person ☐ electronic ☐ mailedDATE
STAMP

DEPT OF

APR 11 2013

LAND CONSERVATION
AND DEVELOPMENT

This Form 2 must be mailed to DLCD within **20-Working Days after the Final Ordinance is signed** by the public Official Designated by the jurisdiction and all other requirements of ORS 197.615 and OAR 660-018-000

Jurisdiction: **City of Bend**Local file number: **PZ 12-426**Date of Adoption: **4/3/2013**Date Mailed: **4/9/2013**Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? ☒ Yes ☐ No Date: 11/16/2012☐ Comprehensive Plan Text Amendment☐ Comprehensive Plan Map Amendment☐ Land Use Regulation Amendment☐ Zoning Map Amendment☐ New Land Use Regulation☒ Other: **Development CodeText****Amendment**

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

A text amendment to Bend Development Code Section 2.7.1000 Central Oregon Community College Planned District Overlay Zone to establish a specific Road/Drive Design Review process within the district.

Does the Adoption differ from proposal? No, no explanation is necessary

Plan Map Changed from: **N/A**to: **N/A**Zone Map Changed from: **N/A**to: **N/A**Location: **600 NW College Way 171125 01000 and 171125A 00103**Acres Involved: **201**Specify Density: Previous: **N/A**New: **N/A**

Applicable statewide planning goals:

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19
☒	☒	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Was an Exception Adopted? ☐ YES ☒ NO

Did DLCD receive a Notice of Proposed Amendment...

35-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, AICP, Associate Planner Phone: (541) 693-2114 Extension:
Address: 710 NW Wall St Fax Number: 541-388-5519
City: Bend Zip: 97759- E-mail Address: abarry@ci.bend.or.us

ADOPTION SUBMITTAL REQUIREMENTS

This Form 2 must be received by DLCD no later than 20 working days after the ordinance has been signed by the public official designated by the jurisdiction to sign the approved ordinance(s) per ORS 197.615 and OAR Chapter 660, Division 18

1. This Form 2 must be submitted by local jurisdictions only (not by applicant).
2. When submitting the adopted amendment, please print a completed copy of Form 2 on light green paper if available.
3. Send this Form 2 and one complete paper copy (documents and maps) of the adopted amendment to the address below.
4. Submittal of this Notice of Adoption must include the final signed ordinance(s), all supporting finding(s), exhibit(s) and any other supplementary information (ORS 197.615).
5. Deadline to appeals to LUBA is calculated **twenty-one (21) days** from the receipt (postmark date) by DLCD of the adoption (ORS 197.830 to 197.845).
6. In addition to sending the Form 2 - Notice of Adoption to DLCD, please also remember to notify persons who participated in the local hearing and requested notice of the final decision. (ORS 197.615).
7. Submit **one complete paper copy** via United States Postal Service, Common Carrier or Hand Carried to the DLCD Salem Office and stamped with the incoming date stamp.
8. Please mail the adopted amendment packet to:

**ATTENTION: PLAN AMENDMENT SPECIALIST
DEPARTMENT OF LAND CONSERVATION AND DEVELOPMENT
635 CAPITOL STREET NE, SUITE 150
SALEM, OREGON 97301-2540**

9. **Need More Copies?** Please print forms on 8½ -1/2x11 green paper only if available. If you have any questions or would like assistance, please contact your DLCD regional representative or contact the DLCD Salem Office at (503) 373-0050 x238 or e-mail plan.amendments@state.or.us.

ORDINANCE NO. NS-2196

AN ORDINANCE AMENDING THE BEND DEVELOPMENT CODE CHAPTER 2.7.1000 CENTRAL OREGON COMMUNITY COLLEGE (COCC) SPECIAL PLANNED DISTRICT OVERLAY ZONE TO ADD ROADWAY STANDARDS AND REVIEW PROCEDURES.

Findings

- A. The Planning Commission held a duly-noticed public hearing on January 28, 2013, to consider proposed amendments to Bend Development Code Section 2.7.1000. The Planning Commission recommended approval to the City Council, including a recommended set of findings.
- B. The Bend City Council held a public hearing on March 6, 2013 to consider the Planning Commission's recommendation.
- C. The requested Development Code amendment approved by this Ordinance is consistent with all applicable standards and criteria, including those set forth in Bend Development Code Chapter 4.6.

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The Bend Development Code Section 2.7.1000 Central Oregon Community College (COCC) - Special Planned District/Overlay Zone is amended as shown in Exhibit A.

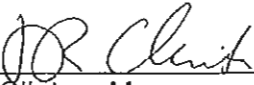
Section 2. The City Council adopts the findings in Exhibit B.

First reading: March 20, 2013.

Second reading and adoption by roll call vote: April 3, 2013.

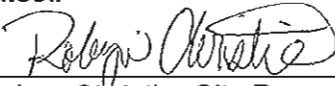
YES: Mayor Jim Clinton
Councilor Jodie Barram
Councilor Mark Capell
Councilor Scott Ramsay
Councilor Victor Chudowsky
Councilor Sally Russell

NO: Councilor Doug Knight



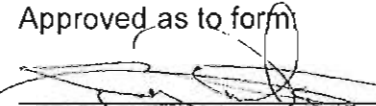
Jim Clinton, Mayor

Attest:



Robyn Christie, City Recorder

Approved as to form



Mary Winters, City Attorney

EXHIBIT A

BEND CODE – CHAPTER 10-10 DEVELOPMENT CODE

2.7.1000 Central Oregon Community College (COCC) - Special Planned District/Overlay Zone.

2.7.1001 Purpose.

The purpose of the Central Oregon Community College Special Planned District/Overlay Zone ("district") is to implement the Public Facilities (PF) General Plan designation at the Awbrey Butte campus of the Central Oregon Community College ("COCC" or "College"). The district is designed to foster an innovative mixed-use area of academic, social, residential, retail and commercial uses/activities that are accessible to students, faculty, and staff and located on lands owned by the College. The district will create a variety of different academic, social, recreational, and commercial amenities that will serve the needs of the surrounding community. The development of College owned lands within the district boundaries will provide the College with a source of financial revenue that will be utilized to provide additional educational opportunities for the benefit of the community and facilitate the long-term growth and viability of the campus.

The standards of the District implement the PF General Plan designation in a manner that will:

- Promote the long-term health, vitality, and growth of the College by strengthening the on-campus living/learning opportunities through careful development and management of the Awbrey Butte Campus.
- Provide for a financially stable college campus environment serving the educational and vocational needs of the Central Oregon community.
- Encourage coordination between the College and the City of Bend, especially in the area of land use planning and review for campus development.
- Accommodate planned Awbrey Butte Campus growth including but not limited to development of: educational, vocational, and mixed-use facilities on lands owned by the College; uses and/or structures associated with research programs; and, uses and/or structures associated with lifelong learning, basic skill development, and university transfer education.
- Ensure the compatibility of campus development with surrounding areas by allowing uses and outdoor spaces that promote interdisciplinary opportunities and the shared opportunities of study, housing, dining, services, entertaining, and sports.
- Ensure the adequacy of the public facilities and infrastructure that are needed to serve development within the boundaries of the district.
- Create additional opportunities/flexibility for COCC to develop relationships with private enterprise for the benefit of the College, its students and the community.
- Provide for zoning and land use regulations that allow COCC to rapidly respond to opportunities and changing needs in the college environment.
- Create zoning and land use regulations that allow COCC to utilize its Awbrey Butte Campus landholdings to generate revenues for the benefit of the campus, its students, and the Central Oregon community.
- Develop a fully serviced campus environment that reflects an inward focus on learning and an outward focus on community. [Ord. NS-2126, 2009; Ord. NS-2016, 2006]

2.7.1002 Definitions.

The following definitions apply to uses, building types and standards that are specified in the Central Oregon Community College (COCC) - Special Planned District/Overlay Zone:

Campus includes all of the lands owned by the College within the boundaries of its Awbrey Butte Campus as depicted on the attached Figure 1.

Core Campus Area includes all of the land depicted as the "Core Campus Area" on Figure 2.

Campus Village Area includes all of the land depicted as the "Campus Village Area" on Figure 2.

Private Roads and/or Private Drives shall include all of the specific drive or road types specified in Table 2.7.1010.

Special Planned District Boundary is depicted on Figures 2 and 3.

Transportation Demand Management Techniques (TDM) is a general term that describes various measures, strategies and policies that the College has and can implement to improve performance of transportation facilities and to reduce need for additional road capacity. Methods may include but are not limited to the use of alternative modes, ride-sharing and vanpool programs, and trip-reduction ordinances. [Ord. NS-2126, 2009; Ord. NS-2016, 2006]

2.7.1003 Applicability.

The special standards of the Central Oregon Community College- Special Planned District/Overlay Zone implement the Public Facilities (PF) General Plan designation on lands owned by the Central Oregon Community College and zoned Public Facilities within the "Special Planned District Boundary" as depicted on Figures 2 and 3. Where no special standards are provided, the applicable standards of the underlying zone shall apply. [Ord. NS-2126, 2009; Ord. NS-2016, 2006]

2.7.1004 Permitted and Conditional Land Uses.

Table 2.7.1004.A outlines those land uses that are "Permitted Outright" and that are permitted as "Conditional Uses" within the boundaries of the Special Planned District/Overlay Zone. The table specifies different land use standards for the areas designated as the "Core Campus Area" and "Campus Village Area" as designated on Figure 2. The Core Campus Area is intended to provide for more traditional College, educational and ancillary uses. The Campus Village Area designation allows a mix of educational, vocational, residential, service and commercial uses that can serve, complement and enhance opportunities in the educational core. The Campus Village Area is intended to provide development standards that are consistent with other integrated and highly successful academic institutions around the State and country.

Table 2.7.1004.A – Permitted and Conditional Land Uses

Land Use	Core Campus Area	Campus Village Area
Residential Uses		
Single-family detached housing	C*	P
Single-family courtyard housing	C*	P
Attached Single-family Townhomes	C*	P

Two-and three-family housing (duplex and triplex)	P*	P
Multi-family housing (more than 3 units)	P*	P
Residence Halls	P*	P
Overnight lodging	P*	P
Child Day Care Facility	P*	P
Adult Day Care	P*	P
Residential Care Facility (6 or more residents)	C*	P
Accessory uses and structures, including dwellings	P*	P
Public, Institutional and General Uses		
All uses permitted in the Public Facilities (PF) Zoning District	P*	P
Educational, vocational and related research buildings and/or facilities	P	P
Meeting and conference facilities	P*	P
Entertainment related facilities	P*	P
Roads, pathways and transportation systems whether public or privately owned.	P	P
Light industrial uses	P*	C*
Repair services	P*	P*
Wireless Communication Facilities and/or broadcasting facilities, production studio transmission facilities and necessary or supporting structures.	P*/C*	P/C*
Utilities (above ground)	C	C
Parks, playgrounds, play fields, athletic facilities, sports complexes, recreational facilities, trails, natural areas, open spaces (without night lighting or amplified sound)	P*	P
Places of worship	P*	C
Service and Commercial Uses		
Retail, commercial and service uses that are open to the public and available to serve students, faculty, employees and other persons associated with the College ¹ .	P*	P
Office Uses	P*	P
Food services, personal and professional services, and student shopping opportunities.	P*	P
Culinary Institute and all related and accessory uses including, but not limited to any hospitality related service operated in connection with the Culinary Institute.	P*	P
Credit unions, banks and financial service institutions that are open to public use and available to serve students, faculty, employees and other persons associated with the College	P*	P

Medical offices, health and wellness clinics that are open to public use and available to serve students, faculty, employees and other persons associated with the College	P*	P
Related Uses		
Outdoor athletic, recreational or entertainment related facilities with night lighting and/or amplified sound systems.	C*	C*
Accessory uses and buildings customarily used to support a permitted use or an approved conditional use, including parking lots/parking areas and service roads needed to serve permitted or conditional uses.	P	P
Outdoor storage provided such storage is setback at least 25- feet from the Campus boundary.	P*	P
Buildings containing a mix of uses permissible in this District.	P*	P
Other Uses		
Government offices and facilities (including but not limited to: administration, public safety, utilities, and similar uses)	P*	P
Diagnostic testing, counseling and administrative offices. Meeting, office and administrative facilities for non-profit, philanthropic, and public community service programs.	P*	P
The conversion of buildings or structures from office, commercial or retail use to classroom space or other College or educational purposes.	NA	P
Temporary activities and sales such as Christmas trees, benefit sales and activities, and other holiday products.	P	P
Arts and Crafts Studios	P*	P
Accessory and secondary uses that traditionally occur on college campuses.	P*	P

Key to Permitted Uses

P = Uses Permitted Outright

C = Conditional Uses subject to the standards outlined in Chapter 4.4.

N = Not Permitted

NA = Not applicable

* Use shall primarily serve College students, faculty, staff, and/or employees or the intended use is associated with College activities and/or programs, or the use is accessory to a permitted use.

¹ No single retail user may exceed 20,000 square feet on the first floor.

♦ See BDC Chapter 3.7, Wireless and Broadcast Communication Facilities – Standards and Process.

Table 2.7.1002.B – Development Standards

Development Standards	Core Campus	Campus Village
Lot Dimensions	None	
Front, Side, and Rear Yard Setback	None, except when abutting a Residential Zone. A 100-foot setback is required abutting residential zoned property (excluding rights of way) along the external boundary of the Campus.	None, except when adjacent to a Residential Zone. Where a residential structure abuts a lot in a Residential Zone, the yard setbacks shall be the same as the setbacks of the abutting Residential Zone. Non-residential buildings, parking areas, drives, and private roads shall be setback a minimum of 25 feet from the boundary where it abuts a Residential Zone.
Building Height	70 feet provided building is setback a minimum of 100 feet from the Campus boundary where the boundary line abuts a Residential Zoning District. Building height shall not exceed 50 feet if developed within 100 feet of the Campus boundary where the boundary line abuts a Residential Zoning District.	60 feet provided building is setback a minimum of 100 feet from the Campus boundary where the boundary line abuts a Residential Zoning District. Building height shall not exceed 50 feet if developed within 100 feet of the Campus boundary where the boundary line abuts a Residential Zoning District.
Lot Coverage	No minimum or maximum requirement	
Architectural Design Standards	All buildings within 100 feet of the Campus boundary where the boundary line abuts a Residential Zoning District are subject to the applicable design standards of BDC 2.1.900 and 2.1.1000. All other buildings are required to use architectural features such as: windows, pedestrian entrances, building offsets, projections, detailing, and, change in materials or similar features to break up and articulate large building walls greater than 80 linear feet in length. A minimum of 15% of the horizontal building façade and a minimum of 10% of all other horizontal building elevations shall contain a variety of architectural features.	
Building Entrances	Recessed entries, canopies, and/or similar features shall be used at the entries to buildings in order to create a pedestrian-scale	
Landscape Requirements	Due to the large size of the Campus, the landscaping standards of BDC Title 3 shall only apply to an area that is measured 25 feet beyond the perimeter of the footprint of proposed new development sites for buildings and/or parking lots.	

Landscape Buffer Requirement	A 25-foot landscape preservation buffer is required abutting streets along the external boundary of the Campus. A 100-foot landscape preservation buffer is required abutting residential zoned property (excluding rights-of-way) along the external Campus boundary of the Core Campus Area.
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[Ord. NS-2158, 2011; Ord. NS-2126, 2009; Ord. NS-2016, 2006]

2.7.1005 Parking.

In accordance with Table 3.3.300, a Parking Management Plan shall be formulated for the Core Campus Area and updated with each subsequent Site Plan Review application. The Campus Village Area may be included in this plan or parking in the Campus Village Area may be provided based on other uses in Table 3.3.300. The Parking Management Plan may specify alternative parking standards for the District that supersede and replace the standards contained in BDC Chapter 3.3. The Parking Management Plan shall also address the bicycle parking requirements of BDC 3.3.600 Chapter 3.3.

[Ord. NS-2126, 2009; Ord. NS-2016, 2006]

2.7.1006 Access and Circulation.

Figure 4 illustrates the location of existing buildings, structures, ~~roadways-roads, drives and trails~~ within the boundaries of the district and provides a conceptual depiction of ~~future development areas and planned access corridors~~ some of the planned future Private Roads and Private Drives within the Core Campus Area and Campus Village Area. ~~Figure 4 provides a depiction of some of the planned roadways and trail corridors within the District. Roadways and roadway connections shall be in general conformance with Figure 4. The final location of roads and roadway connections~~ The final design, location and approval of all Private Roads and Private Drives shall be established through the Site Plan review process, ~~solely through the COCC Road/Drive Design Review process (set forth in Section 2.7.1010) and shall not be subject to review under any other sections of the Development Code.~~ Due to the steep topography, existing natural features and fully integrated nature of the COCC Campus, Private Roads and Private Drives are exempted from the block length and block perimeter requirements contained in Section 3.1. Private Roads and Private Drives are not required to be designated in Figure 4 provided they are approved through the COCC Road/Drive Design Review process.

~~Due to the unique nature and use of the College property, including the steep topography of the site and existing natural features and open space, the access corridors, trail connections and block lengths have been designed in a manner that is intended to provide connectivity while minimizing conflicts between the established transportation system and existing surrounding neighborhoods. This access and circulation plan provides an interconnected transportation system consistent with the intent of BDC Chapter 3.1. Therefore, Figure 4 supersedes the block length and block perimeter requirements of BDC Section 3.1.~~ [Ord. NS-2126, 2009; Ord. NS-2016, 2006]

2.7.1007 Transportation.

Core Campus uses shall be permitted in both the Core Campus area and the Campus Village area without a limit on the number of overall trips. The number of Core Campus uses "students" shall be utilized as the independent variable in trip generation calculations. Campus Village uses shall be permitted in the Campus Village area and ~~shall be subject to a the trip threshold established as a condition of zone change approval (Ordinance NS-2127).~~

Trip reducing mitigation measures, including but not limited to a coordinated TDM plan, may be evaluated and credited in connection with each site plan development application. In accordance with BDC Chapter 4.2, applications for the development of Campus Village and Core Campus uses must demonstrate that transportation facilities have adequate capacity to serve the proposed use. [Ord. NS-2126, 2009; Ord. NS-2016, 2006]

2.7.1008 Development Not Requiring Site Plan Approval.

~~Given the size and integrated nature of the Campus, the~~ The College shall not be required to obtain Site Plan approval and Design Review under BDC Chapter 4.2 for any of the following development actions which are considered to have little or no impact on the public or surrounding properties; provided any associated structures are located outside of the setbacks identified in Table 2.7.1002.B:

- Private Roads and Private Drives as described in BDC 2.7.1006
- ~~Private roadway and/or driveway connections not shown in Figure 4 and which are not associated with a specific building proposal or approved site plan and do not intersect with a public roadway~~
- The construction and/or extension of sidewalks and trails pedestrian facilities, sidewalks, trails, bicycle facilities and multi-modal or transit facilities
- The placement and/or extension of utilities.
- ~~Installation of pedestrian and bicycle facilities.~~ [Ord. NS-2126, 2009; Ord. NS-2016, 2006]

2.7.1009 Natural Resource Plan.

In conformance with the landscape conservation requirements of BDC Chapter 3.2, an inventory of significant vegetation shall be submitted along with a preservation plan for each Site Plan application. The natural resource inventory shall include all significant vegetation by size (DBH) and species, as well as rock outcroppings, with two-foot contours shown.

2.7.1010 COCC Road/Drive Design Review.

A Purpose.

Table 2.7.1010 specifies Private Road and Private Drive standards that are adapted to the integrated nature of the District. The standards and requirements contained in this Section and Table 2.7.1010 supersede and replace any other standards and requirements set forth in the Development Code. The COCC Road/Drive Design Review process (COCC-RDR) contains the specific design standards and review process for Private Roads and Private Drives within the Core Campus Area and Campus Village Area. All Private Roads and Private Drives shall comply with the standards specified in BDC Section 2.7.1010.

B. Applicability.

BDC Section 2.7.1010 applies to Private Roads and Private Drives constructed within the Core Campus Area and Campus Village Area.

C. Review.

COCC-RDR applications are reviewed under the Type II process set forth in BDC Section 4.1.400.

D. COCC-RDR Submission Requirements.

An application for COCC-RDR shall include the following information, to the extent determined applicable by the Community Development Director, based on the size, scale and complexity of a proposed development.

1. A map showing the location, width and grade of the proposed road and/or drive and any proposed new connection to the existing road system. The map shall also depict

surrounding areas within 100 feet of the proposed road and/or drive (hereafter the "Project Site").

2. The location and width of all public or private streets, roads and/or drives within the Project Site. Aerial photographs may be used for this purpose.
3. An identification of existing natural features within the Project Site, including trees, which are proposed to be retained, removed or modified by the proposal.
4. Preliminary grading and drainage plans prepared by a registered professional engineer or registered landscape architect.

E. COCC-RDR Approval Standards.

A Private Road or Private Drive within the boundaries of the District shall be approved subject only to the standards provided below:

1. The Private Road or Private Drive is in conformance with one of the applicable Drive or Road Type standards set forth in Table 2.7.1010.
2. The Private Road or Private Drive meets the setbacks established in Table 2.7.1002B.
3. Adequate pedestrian and bicycle access is provided either in connection with the proposed road or drive or through existing or planned pedestrian/bicycle corridors located in alternative locations within the District.
4. Lighting shall be installed at locations where the road or drive intersects with a public roadway.
5. Fire Department approval shall be required for any road grades in excess of the standards contained in Table 2.7.1010.
6. All drainage shall be contained on site or within approved drainage systems.
7. Where Private Roads and/or Private Drives connect to public right-of-way, the connection point shall comply with City Standards and Specifications.

Table 2.7.1010 COCC Core Campus Area and Campus Village Area Specifications for Private Roads and Private Drives

<u>Drive or Road Type</u>	<u>Pavement width**</u>	<u>Travel lane width</u>	<u>Grade maximum*</u>	<u>Crossslope maximum***</u>	<u>Curb reveal</u>	<u>Side slopes maximum</u>
Two way	20' to 28'	10' to 12'	12%	2%	0" to 6"	Cut slopes in solid rock or cemented tuff shall not exceed a slope of 0.5:1. Otherwise, cut and fill slopes shall not exceed 2:1 except as approved by the City Engineer.
One way	8' to 15'	8' to 15'	12%	2%	0" to 6"	
Service	8' to 24'	8' to 12'	12%	2%	0" to 6"	
Fire access	20'	20'	12%	2%	0" to 6"	
Alley	15' to 20'	7.5' to 10'	12%	2%	0" to 6"	

*Grades in excess of 10% require Fire Department and City Engineer approval

**Additional paving width may be required to accommodate road grades, operations, and/or parking

***Cross slopes greater than 2% may be allowed subject to approval by the City Engineer

Legend

Audrey Butte
Campus Boundary



Audrey Butte Road

Central Oregon Community College

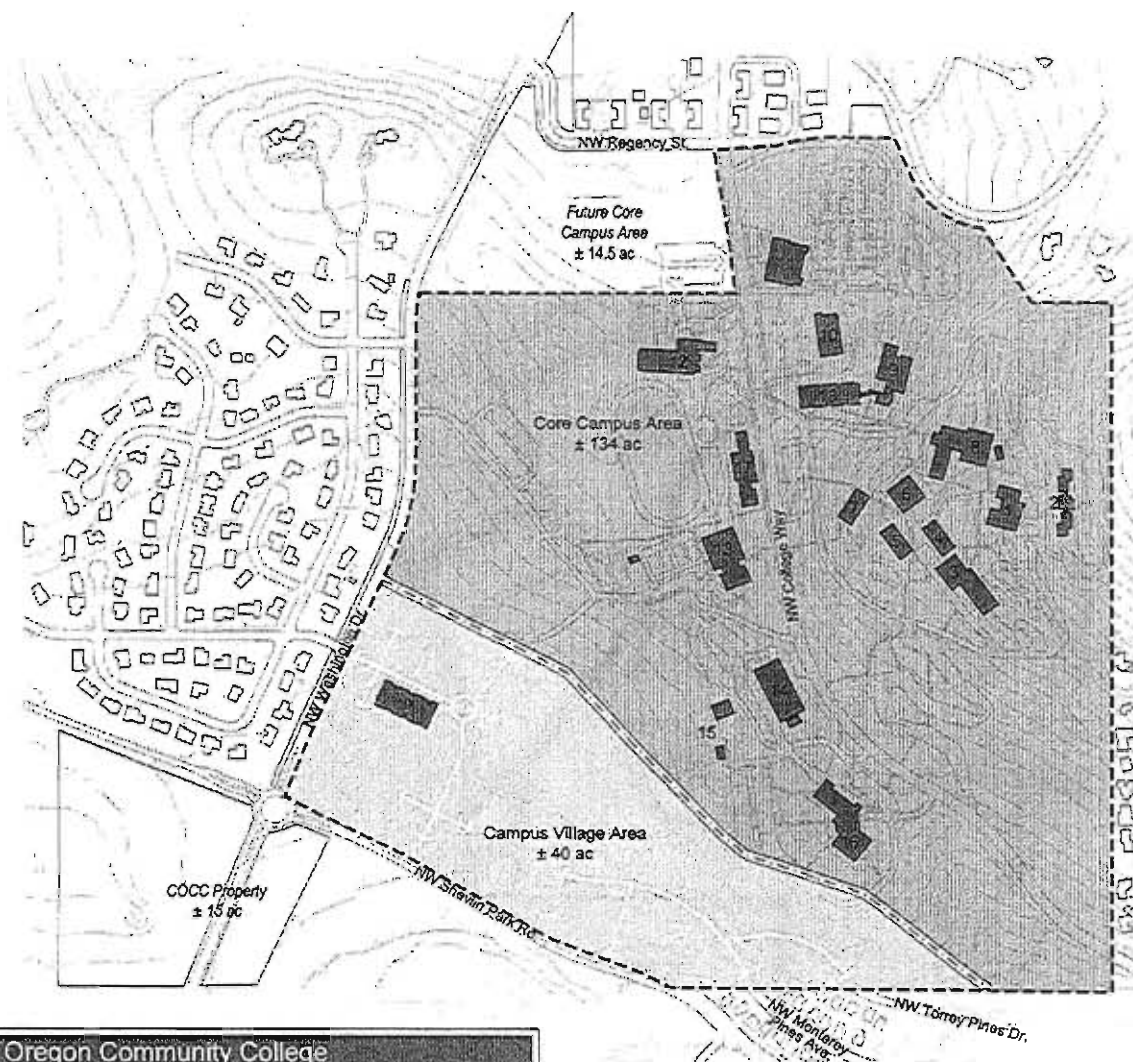
N

Legend

- Special Planned District Boundary
- Core Campus Area
- Campus Village Area



Central Oregon Community College
Special Planned District Boundary



Legend

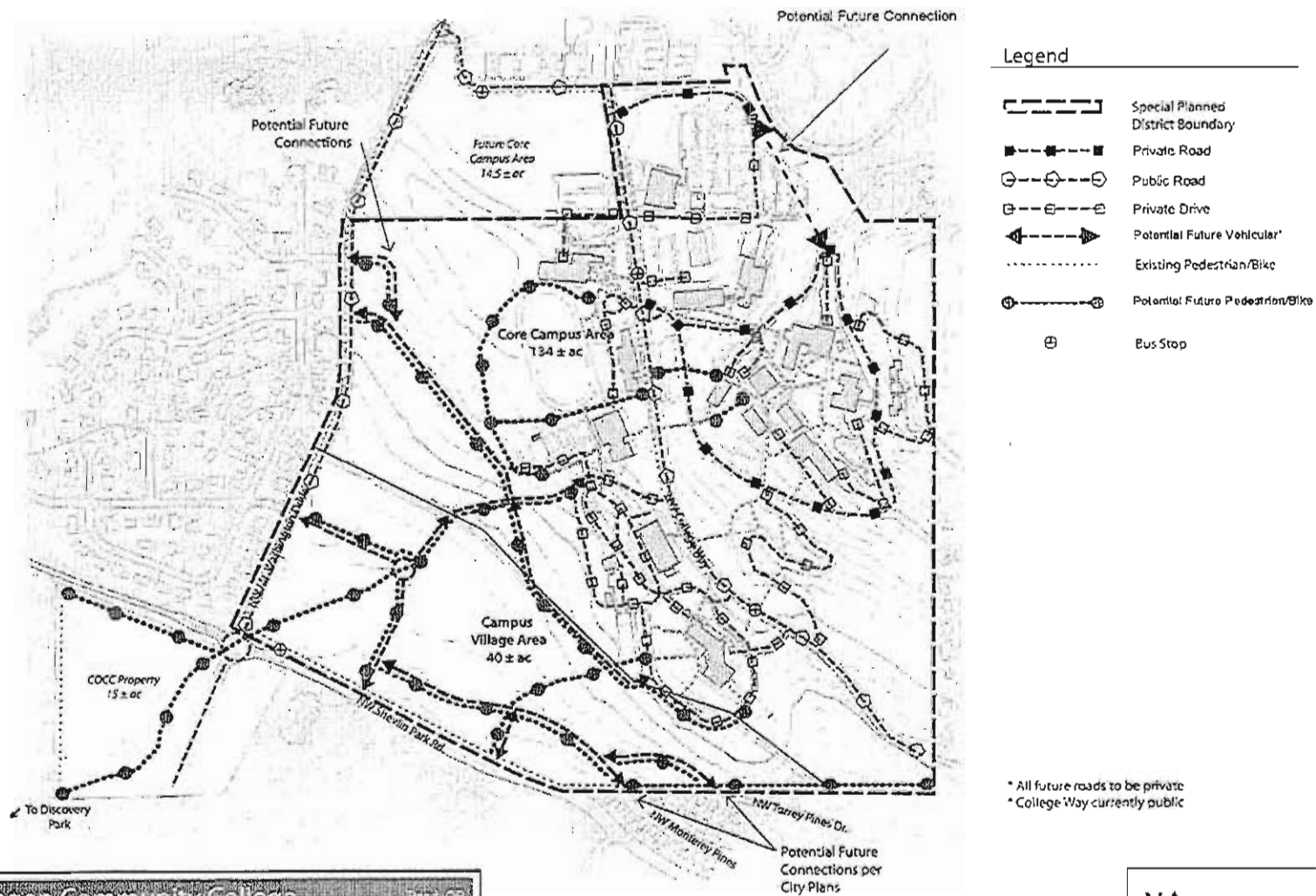
- Special Planned District Boundary
-  Core Campus Area
-  Campus Village Area
-  Existing Buildings - Core Campus Area
 - 1. Grandview
 - 2. Junior Hall
 - 3. Ponca / Pinckney Center
 - 4. Jefferson
 - 5. Deschutes
 - 6. Moxie
 - 7. Merrill
 - 8. Ochoco
 - 9. Pioneer
 - 10. Newberry Hall
 - 11. Cascade Hall
 - 12. Library
 - 13. Mazama
 - 14. Ponderosa
 - 15. Campus Maintenance
 - 16. Boyle Education Center
 - 17. Campus Center
-  Proposed Buildings
 - 18. Allied Health & Science
 - 19. Culinary Institute

Central Oregon Community College

Campus Plan - Building and Land Use

Figure - 3





Central Oregon Community College
Campus Plan - Conceptual Circulation

Revised: CP
05.26.03

Figure 4

**EXHIBIT B
FINDINGS IN SUPPORT OF
PLANNING COMMISSION RECOMMENDATION
FOR PZ 12-426**



I. APPLICABLE CRITERIA, STANDARDS & PROCEDURES:

APPLICABLE CRITERIA:

Bend Code Chapter 10, City of Bend Development Code
Chapter 2.7, Special Planned Districts
2.7.1000, COCC Special Planned District/Overlay Zone
Chapter 4.6, Land Use District Map and Text Amendments

The Bend Area General Plan

Oregon Administrative Rules
Chapter 660, Department of Land Conservation and Development

APPLICABLE PROCEDURES:

Bend Development Code, Chapter 4.1, Land Use Review and Procedures

II. PROCEDURAL FINDINGS:

PUBLIC NOTICE AND COMMENTS:

The applicant held a public meeting on the proposed amendment on October 24, 2012, prior to submittal of the application on November 8, 2012. The City sent notice of the proposed amendment to DLCD on November 16, 2012, as well as to City Departments and other affected agencies. Public notice for the Planning Commission Hearing was mailed on January 3, 2013 to all property owners within 250 feet of the COCC Special Planned District boundary, as well as to the River West, Summit West, and Awbrey Butte Neighborhood Association representatives. Notice of the hearing was published in The Bulletin on January 13, 2013. The Planning Commission conducted a public hearing to accept testimony and deliberated on the request on January 28, 2013. Testimony and comments received by the Planning Commission are included in the record.

III. FINDINGS OF CONFORMANCE WITH APPLICABLE CRITERIA AND PROCEDURES:

Chapter 4.6 Land Use District Map and Text Amendments

4.6.300 Quasi-Judicial Amendments

A. Applicability, Procedure and Authority. Quasi-judicial amendments generally refer to a plan amendment or zone change affecting a single or limited group of properties and that involves the application of existing policy to a specific factual setting. Quasi-judicial amendments shall follow the Type III procedure, as governed by Chapter 4.1, Land Use Review and Procedures using the standards of approval in Section 4.6.300.B, Criteria for Quasi-judicial Amendments below. Based on the

applicant's ability to satisfy the approval criteria, the applicant may be approved, approved with conditions, or denied.

FINDING: This application has both legislative and quasi-judicial characteristics. The application will establish development standards and criteria that impact specific property owned and managed by COCC. The application of these standards to a limited group of properties is consistent with the criteria for a quasi-judicial amendment as provided in Section 4.6.300 of the Bend Development Code. As with the original adoption of the COCC Special Planned District, the more restrictive criteria of a quasi-judicial amendment as specified in Section 4.6.300 is applied. However, because the application is an amendment to the Bend Development Code, final action is through an ordinance adopted by the City Council as required for Type IV legislative changes in Section 4.1.500.

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, approve with conditions or to deny an application for a quasi-judicial amendment shall be based on all of the following criteria:

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

FINDING: *Goal 1, Citizen Involvement*, is "To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process." The City adopted a citizen involvement program in compliance with this Goal, codified in BDC Chapter 4.1. The first step for citizen involvement is the public meeting required by BDC Section 4.1.215, which the applicant conducted on October 24, 2012. Notice of the public meeting was provided to owners of record of property located within 500 feet of the subject property and the designated representative of the Awbrey Butte and Summit West Neighborhood Associations. Public Notice for this hearing was conducted in conformance with the notice requirements of Section 4.1.515 for Type IV land use applications, which ensures that citizens are informed in four different ways about the public hearing: published notice, posted notice, individual mailed notice, and neighborhood association contact.

Goal 2, Land Use Planning, is "To establish a land use planning process and policy framework as a basis for all decision and actions related to use of land and to assure an adequate factual base for such decisions and actions." It emphasizes the importance of involving citizens and affected governments, and providing them with the opportunity to review and comment on proposed plan changes.

On January 3, 2013 the City of Bend Planning Division mailed notice of the application and the public hearing to surrounding property owners of record, as shown on the most recent property tax assessment roll, within 250 feet of the subject property. Notice of the public hearing was also published in The Bulletin on January 13, 2013. 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 also considered in this staff report.

Goals 3, 4, and 5 are not applicable because the properties do not include any agricultural land, forest land, or inventoried open spaces, scenic areas, historic resources, or natural resources.

Goal 6 is not applicable because the proposed zone change will not have any impacts to air, water and land Resources Quality. The applicant's narrative notes that the proposed amendment will provide specific private roadway standards for the COCC Campus that are designed in a manner that recognizes the steep topography of the area and the fully integrated nature of the campus environment. The alternative roadway standards will help to preserve natural vegetation, to promote natural drainage, and to minimize paved areas on the campus.

Goals 7 and 8 are not applicable because the subject properties are not within an identified natural hazard area, nor within an area identified for recreational use.

Goal 9, *Economic Development* is "To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens." Goal 9 was found to be met when the COCC Special Plan District was initially reviewed and adopted. The proposed amendment will create standards and criteria for review and approval of new private roads within the district. The proposed amendment will not impact Goal 9 Economic Development.

Goal 10, *Housing*, is to "Provide for the Housing Needs of the citizens of the State". Goal 10 was found to be met when the COCC Special Plan District was initially reviewed and adopted. The proposed amendment will create standards and criteria for review and approval of new private roads within the district. The proposed amendment will not impact Goal 10 Housing.

Goal 11, *Public Facilities and Services*, is "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."

The subject property lies within a core west side area and is currently served by all City services. The subject property is bounded by collector and arterial streets to the south and west. Primary access to the College is provided by NW College Way (the southern portion of which is designated as a Major Collector) that runs from NW Shevlin Park Road to the center of campus, connecting to Mt. Washington Drive at the northern campus boundary. As determined when the COCC Special Plan District was initially reviewed and adopted, the existing campus is served by City sewer, water and transportation infrastructure. Any new or future development within the boundaries of the subject property will be served through an extension of such services. The proposed amendment seeks to create clearer standards and criteria for new private road connections within the COCC Special Plan District.

Goal 12 *Transportation*, is "To provide and encourage a safe, convenient and economic transportation system." The proposed amendment seeks to create clearer standards and criteria for new private road connections within the COCC Special Plan District, to encourage a safe, convenient and economic transportation system within the College site to complement the existing public street system serving the Campus as a whole.

Goal 12 is implemented through the Transportation Planning Rule, OAR 660 Division 12. Compliance with this rule is addressed further on in this report.

Goal 13 *Energy*, is "To conserve energy." Goal 13 was found to be met when the COCC Special Plan District was created. The proposed amendment would establish specific standards and criteria for future private road connections within the Campus and generally will not impact Goal 13. However, additional connectivity within the Campus may reduce vehicle

trip distances which could result in a reduction in vehicle miles traveled, thus potentially conserving energy.

Goal 14 Urbanization, is "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." As noted when COCC Special Plan District was created, the existing COCC campus has long operated in this core area of the City where urban levels of services are provided. The proposed amendment will not impact Goal 14.

Goals 15 through 19 are not applicable because they only pertain to areas in western Oregon.

2. Approval of the request is consistent with the relevant policies of the Comprehensive Plan that are designated by the Planning Director or designee;

FINDING: The Bend Area General Plan is the City's Comprehensive Plan. The subject application is consistent with the applicable plan policies as identified below, from the applicant's burden of proof statement.

CHAPTER 1 – PLAN MANAGEMENT AND CITIZEN INVOLVEMENT

The transportation ↔ land use connection (Plan Goals, page 1-7)

Policies

5. The city and county 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.

COCC currently utilizes several measures to reduce vehicle trips for campus users, including partnering with Commute Options to encourage carpooling and alternative modes of transportation, providing campus shuttle service in conjunction with the City BAT bus system, and providing a system of pedestrian and bicycle walkways and paths which connect buildings and facilities throughout the campus.

As noted when the COCC Special Plan District was created, COCC is in the process of identifying additional near-term and long-term transportation demand management (TDM) strategies to further reduce travel demands. The development and expansion of TDM measures will serve to reduce the impact of future development on transportation infrastructure, consistent with the policies of the General Plan. COCC continues to refine and expand these programs, and will continue to do so with the proposed Special Planned District.

The proposed amendment would establish standards and criteria for private road connections within the Campus. The road standards are designed to facilitate additional road and pedestrian connections within an integrated campus environment characterized by steep topography. Additional street connections within the campus will help to reduce vehicle trips and vehicle miles travelled. The proposed alternative road standards will also provide flexibility needed to develop an alternative system of pedestrian/multi-modal pathways.

CHAPTER 2: NATURAL FEATURES AND OPEN SPACE

Policies (pages 2-12)

- 8. *Natural tree cover should be retained along streets in new developments to retain the natural character of Central Oregon within the urban area as the community grows.***

The proposed amendment would establish standards and criteria for private road connections within the Campus. The standards proposed seek to minimize pavement width for interior private road connections and work with existing grades to the maximum extent practical, which in turn facilitates preservation of existing trees and open spaces on campus.

CHAPTER 3: COMMUNITY CONNECTIONS

PUBLIC EDUCATION

The sections below describe the existing and planned public education facilities in the urban area.

Updated enrollment figures were addressed when the COCC Special Planned District was created. The proposed amendment will not impact the goals and policies of Chapter 3, Community Connections.

CHAPTER 4: POPULATION AND DEMOGRAPHICS

A major goal of the land use planning process is to ensure that there is sufficient land within the urban growth boundary for housing, for business and industry, for public services such as parks and schools, and an adequate transportation system to serve those needs.

Chapter 4 was addressed when the COCC Special Planned District was created. The proposed amendment will not impact the goals and policies of Chapter 4.

CHAPTER 5: HOUSING AND RESIDENTIAL LANDS

Although some housing is provided on Campus, the COCC Campus is not included in the residential lands inventory. Chapter 5 was addressed when the COCC Special Planned District was created. The proposed amendment will not impact the goals and policies of Chapter 5.

CHAPTER 6: THE ECONOMY AND LANDS FOR ECONOMIC GROWTH

Chapter 6 was addressed when the COCC Special Planned District was created. The proposed amendment will not impact the goals and policies of Chapter 6.

CHAPTER 7: TRANSPORTATION SYSTEMS

GOALS

5.0.1.2 Transportation Plan Goals

Mobility and Balance:

- ***Develop a transportation system that serves all modes of travel and reduces the reliance on the automobile.***

As stated with the original adoption of the COCC Special Planned District, the Core Campus and Campus Village areas will be integrated through a system of shared parking lots, roads, trails, and bus service that will serve alternative modes of travel and reduce reliance on vehicle travel consistent with this goal. The proposed amendment creates alternative road standards that will work in conjunction with the road separated pedestrian pathway system to provide connectivity throughout the Campus. Additional connectivity may also reduce vehicle miles travelled on campus as well.

As noted with the adoption of the COCC Special Planned District, in connection with future development of the Core Campus and Campus Village areas, the College will also evaluate how different TDM measures can be implemented to further reduce vehicle miles traveled.

Efficiency:

- ***Coordinate and design transportation improvements to assure the expenditure of resources in the most cost-effective manner.***
- ***Encourage the development of land use patterns that provide efficient, compact use of land, and facilitate a reduced number and length of trips.***

The proposed private road standards allow for narrower internal roads, utilizing the existing and proposed separated pedestrian pathway system shown on Figure 4. This reduces the cost of construction as well as a more compact use of land. The additional connectivity may also reduce the number and length of vehicle trips within the campus.

Environmental:

- ***Recognize and respect the natural features over which transportation improvements pass***
- ***Minimize the adverse impacts to the natural features when making transportation improvements for any mode.***

The future roadway and pedestrian path connections shown in Figure 4 provide adequate connectivity throughout the campus and out to the community, taking into account topography, natural features, and existing development patterns to minimize adverse impacts. The proposed design standards for the internal private road network minimize adverse impacts to natural features by providing narrower roadways and separated pedestrian pathways.

Livability:

- ***Design and locate transportation facilities to be sensitive to protecting the livability of the community***

Per the original adopted COCC Special Plan District, the existing 100 foot setback and landscape buffer abutting residential zoned property along the boundary of the Core Campus, and 25 foot landscape buffer along the boundary of the Campus Village area will help protect the livability of the community.

Safety:

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

The proposed amendment would establish internal private road standards that will ensure safe design while providing additional connectivity through the Campus. Allowing separated pedestrian pathways also allows for convenient and safe pedestrian connectivity considering the topography of the site and clustering of campus buildings internal to the site.

POLICIES

6.9.1 TRANSPORTATION AND LAND USE

- 7. 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.***

As stated with the original approval, the Special Planned District will facilitate the development of a mixed use, pedestrian friendly environment that minimizes the impact of existing and future development activities on City transportation infrastructure, allowing the development of an integrated campus environment that promotes alternative modes of transport. Figure 4 shows existing and future road and pedestrian pathway connections that fully integrate the Core Campus and Campus Village areas. Overall, the mixed use proposal will help to reduce impacts to the street system while facilitating the future growth and expansion of the College and surrounding community. The proposed amendment to establish specific private road standards helps to achieve these goals, allowing narrower private roads within the campus, while allowing for better internal connectivity and reduction of vehicle trip lengths.

6.9.4 PEDESTRIAN AND BICYCLE SYSTEMS

Policies:

- 10. Bicycle and pedestrian facilities shall be designed and constructed to minimize conflicts between transportation modes.***

The proposed amendment would establish standards for internal private drives with a separated pedestrian pathway system. Figure 4 shows the existing and planned network of pathways that are typically separated from the internal roads to provide safe, accessible and convenient bicycling and walking facilities throughout the campus.

6.9.6 STREET SYSTEM

Policies:

4. ***In order to reduce vehicle speed, avoid construction of excessive pavement, and create livable neighborhoods, the City shall adopt standards that allow for narrower streets and lane standards, on-street parking, and other pedestrian friendly design elements.***

The proposed amendment would create standards for internal private drives throughout the campus which would be narrower than a public street standard with pedestrian friendly pathways primarily separated from the internal roadways. The narrower internal roads help avoid excessive pavement and reduce vehicle speeds.

(Section 4.6.300(B) Criteria for Quasi-Judicial Amendments continued below.)

3. **The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property;**

Urban infrastructure, including sewer, water, police and fire protection, schools and transportation facilities were found to be adequate at the time the COCC Special Plan District was adopted. The proposed amendment will not create any additional impact to public facilities. The proposed standards for internal private roads allow additional internal connections to be made which may actually result in less trips or shorter trips along the public street system.

4. **Evidence of change in the neighborhood or community or a mistake or inconsistency in the comprehensive plan or land use district map regarding the property that is the subject of the application; and the provisions of Section 4.6.600; Transportation Planning Rule Compliance.**

The COCC Special Planned District was adopted in 2009. The Development Code does not have standards which would apply for private internal connecting roadways that are not streets by the Development Code definitions.

The Development Code definition of a *Street or Road* is as follows:

Street or Road means a public or private thoroughfare or right of way dedicated, deeded or condemned for use as such, other than an alley, which affords access to two or more parcels of abutting property including avenue, place, way, drive, lane, boulevard, highway, road and any other thoroughfare.

As shown in Figure 4, there are internal private roads which provide connectivity throughout the campus that do not meet the above definition of a street or road. Therefore, the public improvement standards of Chapter 3.4 would not apply to these internal road connections. There are no other standards in the Development Code which would apply to these private internal roads, other than driveway aisle widths in the Parking Standards of Chapter 3.3. With this amendment, COCC seeks to establish standards and a process of review for future internal private roads within the COCC Special Planned District Overlay Zone. The proposed amendment would thus establish consistency for review of future internal private roads.

4.6.600 TRANSPORTATION PLANNING RULE COMPLIANCE

When a development application includes a proposed comprehensive plan amendment or land use district change, or both, the proposal shall be reviewed to determine whether it significantly affects a transportation facility, in accordance with Oregon Administrative Rule (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.

The proposed text amendment seeks to establish standards and criteria for internal private roads within the COCC campus. The TPR regulates impacts to the public transportation system. The amendment itself does not add any new trips, or redistribute trips to the public street system. The proposed amendment will not significantly affect an existing or planned transportation facility as described above.

IV. CONCLUSIONS:

Based on the above Findings, the Planning Commission finds that the proposed amendment to the COCC Special Planned District Overlay Zone text meets all applicable Development Code criteria, policies of the Bend Urban Area General Plan, Oregon Statewide Planning Goals, and the Transportation Planning Rule.



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

TO:

Attention: Plan Amendment Specialist
Dept of Land Conservation & Dev
635 Capitol Street NE, Suite 150
Salem, OR 97301-2540

DEPT OF

APR 11 2013

LAND CONSERVATION
AND DEVELOPMENT