



# 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](http://www.lcd.state.or.us)

## NOTICE OF ADOPTED AMENDMENT

September 21, 2007



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

FROM: Mara Ulloa, Plan Amendment Program Specialist

SUBJECT: City of Bend Plan Amendment  
DLCD File Number 005-07

The Department of Land Conservation and Development (DLCD) received the attached notice of adoption. Copies of the adopted plan amendment are available for review at DLCD offices in Salem, the applicable field office, and at the local government office.

Appeal Procedures\*

**DLCD ACKNOWLEDGMENT or DEADLINE TO APPEAL: October 4, 2007**

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 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 DATE SPECIFIED ABOVE.**

Cc: Gloria Gardiner, DLCD Urban Planning Specialist  
Mark Radabaugh, DLCD Regional Representative  
Amanda Punton, Dlcd Natural Resource Specialist  
Amy Barry, City of Bend

<paa> ya/

PROP **2**

# DLCD

## 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 07-228**

Date of Adoption: **9/5/2007**

Date Mailed: **9/13/2007**

Was a Notice of Proposed Amendment (Form 1) mailed to DLCD? **Yes** Date: **2/2/2007**

- |  |   |
|--|---|
| <input type="checkbox"/> Comprehensive Plan Text Amendment | <input type="checkbox"/> Comprehensive Plan Map Amendment |
| <input type="checkbox"/> Land Use Regulation Amendment     | <input checked="" type="checkbox"/> Zoning Map Amendment  |
| <input type="checkbox"/> New Land Use Regulation           | <input type="checkbox"/> Other:                           |

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

Amend Ordinance No. NS-2016, by changing the zoning of 19.91 acres of land on the City of Bend Zoning Map from Residential Urban Standard Density (RS) to Residential Urban Medium Density (RM) in conformance with the Comprehensive Plan, and adopt a Master Development Plan for Sun Ranch into the Development Code, Chapter 2.7, Special Planned Districts.

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

This was previously noticed as PZ 06-750 which was resubmitted as PZ07-228 to include the master development plan with the zone change. The Master Development Plan includes allowing additional building height (42 feet rather than 35 feet), eliminates the minimum lot size requirement, and sets up the street connectivity pattern for the area.

Plan Map Changed from: \_\_\_\_\_ to: \_\_\_\_\_

Zone Map Changed from: **RS** to: **RM**

Location: **East of Alstrup Road, south of the COID Canal**

Acres Involved: **19**

Specify Density: Previous: **2.0 to 7.3**

New: **21.7 units/acre**

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 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"/> | <input type="checkbox"/> |

Was an Exception Adopted?  YES  NO

Did DLCD receive a Notice of Proposed Amendment...

*DLCD # 005-07(15963)*

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

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

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

Central Oregon Irrigation District

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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](mailto:abarry@ci.bend.or.us)

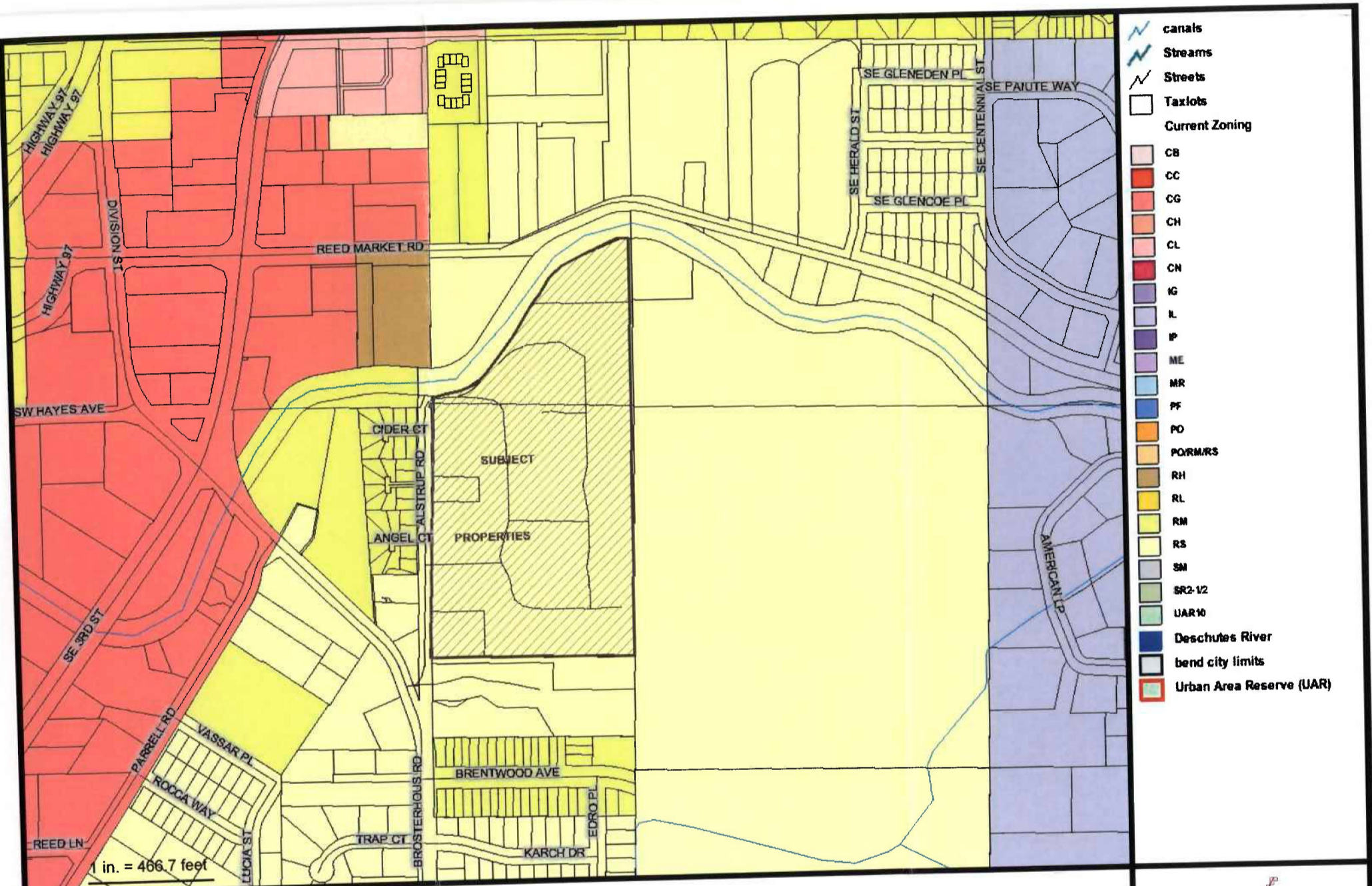
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### ADOPTION SUBMITTAL REQUIREMENTS

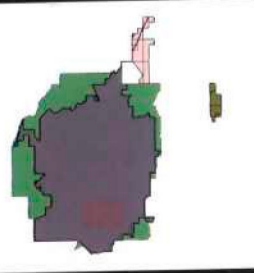
This form **must be mailed** to DLCD **within 5 working days after the final decision**  
per ORS 197.610, OAR Chapter 660 - Division 18.

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](http://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](mailto: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



Zone Map Change Residential Urban Standard Density (RS) to Residential Urban Medium Density (RM)



ORDINANCE NO. NS-2071

AN ORDINANCE TO AMEND THE CITY OF BEND DEVELOPMENT CODE AND ZONING MAP, ORDINANCE NO. NS-2016 BY ADDING SECTION 2.7.900, THE SUN RANCH MASTER DEVELOPMENT PLAN TO THE DEVELOPMENT CODE CHAPTER 2.7, SPECIAL PLANNED DISTRICTS, AND CHANGING THE ZONING DESIGNATION OF A PARCEL OF LAND TOATLING 19.91 ACRES EAST OF ALSTRUP ROAD, SOUTH OF THE COID CANAL FROM RS RESIDENTIAL URBAN STANDARD DENSITY TO RM RESIDENTIAL URBAN MEDIUM DENSITY.

THE CITY OF BEND ORDAINS AS FOLLOWS:

- Section 1. The Bend City Council has held a public hearing, considered the testimony, the record, and the Hearings Officer decision, and has found that there is a public need and benefit for the proposed Master Development Plan and zone change. The Bend City Council adopts the Hearings Officer Findings and Decision, dated July 27, 2007 file number PZ 06-749, PZ 06-751, and PZ 07-228.
- Section 2. The Bend Urban Area Zoning Map is hereby amended by changing the designation of the property shown in "Exhibit A" and described in "Exhibit B" from Residential Urban Standard Density (RS) to Residential Urban Medium Density (RM) and identifying the boundary of the Sun Ranch Master Development Plan overlay.
- Section 3. The Bend Development Code, Ordinance NS-2016, is hereby amended by adding Section 2.7.900, Sun Ranch Master Development Plan as shown in "Exhibit C" to the Development Code Chapter 2.7, Special Planned Districts.

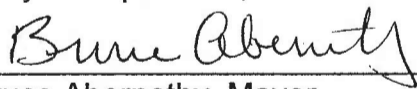
Read for the first time the 15th day of August, 2007.

Read for the second time the 5<sup>th</sup> day of September, 2007.

Placed upon its passage the 5<sup>th</sup> day of September, 2007.

YES: 7                      NO: 0

Authenticated by the Mayor the 5<sup>th</sup> day of September, 2007.

  
\_\_\_\_\_  
Bruce Abernethy, Mayor

ATTEST:   
\_\_\_\_\_  
Patricia Stell, City Recorder

EXHIBIT A



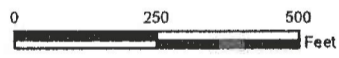
PZ 07-228 Sun Ranch Master Plan & Zone Change (RS to RM)



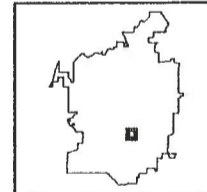
Master Plan Boundary

Zoning

- |  |    |  |    |
|--|----|--|----|
|  | RS |  | RH |
|  | RM |  | CG |



Map prepared by City of Bend, 8/7/2007.  
Aerial Imagery acquired June 2006.



## EXHIBIT B

Tracts 12, 13, and 14, plat of "Carroll Acres" (unrecorded) and other property, located in the SW one-quarter of Section 4 and the NW one-quarter of Section 9, Township 18 South, Range 12 East, Willamette Meridian, Deschutes County, Oregon, being more particularly described as follow:

**BEGINNING** at a found 1 1/2" iron pipe marking the common West 1/16 corner of Sections 4 & 9 also being the NE corner of said Tract 14; Thence North 00° 02' 38" West, 380.00 feet; Thence North 89° 57' 13" West, 360.36 feet; Thence South 33° 57' 52" West, 235.54 feet to a point of 300.00 foot radius curve to the right; Thence along said curve to the right (The center of which bears North 56° 02' 08" West, 300.00 feet) through a central angle of 61° 00' 00" an arc distance of 319.40 feet (the chord of which bears South 64° 27' 52" West, 304.52 feet); Thence North 85° 02' 08" West, 24.09 feet; Thence South 00° 38' 52" West, 45.73 feet; Thence South 89° 16' 29" East, 50.00 feet; Thence South 00° 38' 52" West, 911.71 feet; Thence South 89° 23' 00" East, 742.64 feet; Thence North 00° 34' 57" East, 910.31 feet to said **POINT OF BEGINNING**.

This description is for a master plan zone change only. It is not intended to be used in the transfer of real property.

## EXHIBIT C

### 2.7.900 Sun Ranch Master Development Plan

#### Sections:

- 2.7.910 Purpose
- 2.7.920 Sun Ranch Development Standards

#### 2.7.910 Purpose

The purpose of this section is to implement the Sun Ranch Master Development Plan and the Bend Urban Area General Plan policies regarding the Sun Ranch property. In addition, the Master Development Plan creates overlay development standards that will supersede the development standards of the underlying RM, Residential Medium Density district within the plan boundaries.

#### 2.7.920 Sun Ranch Special Development Standards

##### A. Applicability

The standards provided for the Sun Ranch Master Development Plan area shall be the applicable standards of the RM Residential Medium Density district, except those standards expressly stated below which are specific to the Sun Ranch Development.

##### B. Special Development Standards

1. Lot Area: Multi-family residences shall not be required to provide a minimum lot area.
2. Building Height: Multi-family residential buildings within the Sun Ranch Development boundaries may be up to 42 feet in height as measured from natural grade to the highest roof peak.

Figure 2.7.920 A  
Phasing Plan and Street Layout

