

City Council Issue Summary

Subject: Legislative public hearing on focused text amendments to the Bend Comprehensive Plan and Bend Development Code to facilitate housing development (PLTEXT20230479)

Staff Member, Department: Pauline Hardie, Senior Planner, Community and Economic Development Department

Meeting Date: 11/1/2023

Action(s) Required:

- | | | |
|--|---|--|
| <input type="checkbox"/> Consent Agenda | <input checked="" type="checkbox"/> Ordinance First Reading | <input checked="" type="checkbox"/> Public Hearing |
| <input type="checkbox"/> Information/Direction | <input type="checkbox"/> Ordinance Second Reading | <input type="checkbox"/> Resolution |
| <input checked="" type="checkbox"/> Motion | | |

Recommended Motion:

On first reading: I move for the first reading of the Ordinance amending Bend Comprehensive Plan Chapter 5, Housing and Chapter 11, Growth Management and Bend Development Code (BDC) Chapters 1.2, Definitions, 2.1, Residential Districts (UAR, RL, RS, RM-10, RM RH), 2.7, Special Planned Districts, Refinement Plans, Area Plans and Master Plans, 3.1, Lot, Parcel and Block Design, Access and Circulation, 3.6, Special Standards and Regulations for Certain Uses, and 4.3, Land Divisions and Property Line Adjustments.

On second reading: I move for the second reading and adoption by roll call vote of the Ordinance amending Bend Comprehensive Plan Chapter 5, Housing and Chapter 11, Growth Management and Bend Development Code (BDC) Chapters 1.2, Definitions, 2.1, Residential Districts (UAR, RL, RS, RM-10, RM RH), 2.7, Special Planned Districts, Refinement Plans, Area Plans and Master Plans, 3.1, Lot, Parcel and Block Design, Access and Circulation, 3.6, Special Standards and Regulations for Certain Uses, and 4.3, Land Divisions and Property Line Adjustments.



Issue / Council Decision & Discussion Points:

The following highlights the package of proposed amendments to clarify certain development standards and further facilitate housing development:

- Removing the maximum density in the High Density Residential (RH) District
- Adding single room occupancies (SRO) as a permitted use in the residential districts in compliance with House Bill (HB)3395
- Updating certain middle housing land division requirements and criteria.
- There are also minor changes throughout the Bend Development Code (BDC) for consistency and clarity.

Background:

The proposed amendments support Council's goal of Affordable Housing and Sustainable Development and strategy to optimize the housing continuum. The strategy includes an action to "explore revenue and code/policy options to increase affordable and middle-income housing." The proposed amendments remove the maximum density limitation in the High Density Residential (RH) District, add single room occupancies as a permitted use in the residential districts in compliance with HB 3395, and update certain middle housing land division application requirements and approval criteria. The proposed amendments clarify development standards and aim to remove barriers to the development of multi-unit dwellings and middle housing and create a new housing opportunity with single room occupancies. Proposed amendments include:

Bend Comprehensive Plan

Chapter 5, Housing

- Table 5-1 Residential Plan District - remove the maximum density limitation in the RH District.

Chapter 11, Growth Management

- Table 11-1, Residential Master Plan Minimum Density and Housing Mix - remove the maximum density limitation in the RH.

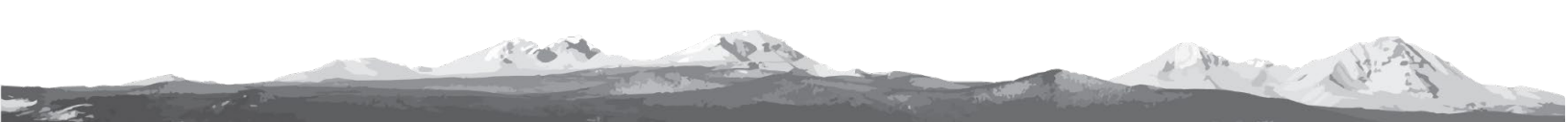
Bend Development Code (BDC)

Chapter 1.2, Definitions

- Add a definition for Single Room Occupancy (SRO).

Chapter 2.1, Residential Districts

- Remove references to maximum density standards for the RH District.
- Add single room occupancies as a permitted use in the residential districts in Table 2.1.200, Permitted and Conditional Uses.
- Clarify setbacks.
- Add lot area and dimensions for single room occupancies in Table 2.1.500, Lot Areas and Dimensions in the Residential Districts by Housing Type and Zone.
- Add maximum lot coverage standards for single room occupancies in Table 2.1.700, Residential Lot Coverage.



- Clarify building orientation standards.
- Add design standards for single room occupancies.
- Amend front door orientation standards and relocate to BDC 2.1.1100, Other Design Standards.

Chapter 2.7, Special Planned Districts, Refinement Plans, Area Plans and Master Plans

- Update use tables to include single room occupancies as a permitted use in residential districts and update applicable standards for single room occupancies.
- Update lot depth for single-unit dwellings in the Petrosa and Easton Master Plans.

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

- Update alley access requirements for single room occupancies.
- Delete vertical clearance requirements.

Chapter 3.6, Special Standards and Regulation for Certain Uses

- Add a new subsection and standards for single room occupancies in compliance with HB 3395.

Chapter 4.3, Land Divisions and Property Line Adjustments

- Add submittal requirement for proposed tracts and easements.
- Delete final plat submittal requirement for condominium plat reviews in compliance with HB 3395.
- Amend approval criteria and final plat requirements for middle housing land divisions and add a new final plat requirement for tracts and easements.

During the Planning Commission public hearing on Oct. 9, 2023, the Commission discussed applying the front door orientation standards only to the interior units of townhomes since end units may front onto common areas, shared driveways or other similar areas. The Commission recommended approval of the following amendment (in bold) to BDC 2.1.1100(E)(2) to the City Council:

(2) Standards. The following front door orientation standards are required for lots and parcels with frontage onto a street. For purposes of this section, a “street” also means a tract for mid-block developments and T-courts. For duplexes, triplexes and quadplexes, this standard is only required to be met for one of the dwelling units. **For townhome units, this standard only applies to the interior units.** For single room occupancies, this standard is only required to be met for one entrance. The front door entrance must either:

- Face the street;
- Be at an angle of up to 45 degrees from the street;
- Face a common open space that abuts the street and is abutted by dwellings on at least two sides; or
- Open onto a porch. The porch must be at least 20 square feet in area and have at least one entrance facing the street or have a roof. A covered walkway or breezeway is not a porch.



In addition, at the recommendation of staff, the Planning Commission amended BDC 2.1.1100(E)(1)(f) to clarify the front door orientation standards in this section only apply to single room occupancies with six or fewer units.

The Planning Commission voted 6-0 to recommend approval of this package of housing-related Comprehensive Plan text and BDC amendments.

Budget and Financial Impacts:

No budget or financial impacts are anticipated with these text amendments to the Bend Comprehensive Plan and Bend Development Code.

Community Outreach Process and Potential Impacts:

Staff emailed the proposed amendments to the people who have expressed an interest in the amendments, to the Bend Development Code Update Group and to the Neighborhood District's Land Use Chairs on Aug.31, 2023. A notice of the Oct. 9, 2023, Planning Commission public hearing was printed in the Bend Bulletin on Sept. 17, 2023, and mailed and emailed to the Neighborhood District Land Use Chairs on Sept. 18, 2023. A notice of the Nov. 1, 2023, City Council public hearing was printed in the Bend Bulletin on Oct. 8, 2023, and mailed and emailed to the Neighborhood Districts Land Use Chairs on Oct. 4, 2023. Public comments can be viewed in the Online Permit Center Portal. Open the Portal and select the *Application Search* link under the Planning & Historic header, then enter the project number PLTEXT20230479 in the search bar to find the project.

On Sept. 25, 2023, the Planning Commission, along with a member from the City's Affordable Housing Advisory Committee (AHAC), held a joint work session and discussed the amendments.

On Oct. 9, 2023, the Planning Commission held a public hearing and recommended that City Council approve the proposed amendments.

Department Director Review: Colin Stephens

Financial Review: Samantha Nelson

Legal Review: Ian Leitheiser

Attachments:

- Attachment A – Ordinance
 - Exhibit A – Text Amendments

- Exhibit B – Planning Commission Recommended Findings
- Attachment B – Planning Commission Recommendation

