

**Exhibit A  
DRAFT  
Development Code Update  
December 14, 2020**

Prepared by:  
City of Bend Planning Division

**Note:**

Text in underlined typeface is proposed to be added

Text in ~~striketrough~~ typeface is proposed to be deleted

\*\*\*Indicates where text from the existing code has been omitted because it will remain unchanged.

**Chapter 1.2  
DEFINITIONS**

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Medical and dental laboratories mean labs designed for diagnostic testing and analysis for medical or dental purposes and the discovery, development, and manufacture of drugs and medications (pharmaceuticals).

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**Chapter 2.7  
SPECIAL PLANNED DISTRICTS, REFINEMENT PLANS, AREA PLANS AND MASTER PLANS**

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**Article XI. Juniper Ridge Overlay Zone**

**2.7.2000 Juniper Ridge Overlay Zone.**

**2.7.2010 Purpose.**

**2.7.2020 Implementation.**

**2.7.2030 Employment Sub-District.**

**2.7.2040 ~~Town Center Sub-District~~—Reserved for Future Sub-District.**

**2.7.2050 ~~Educational Sub-District~~— Reserved for Future Sub-District.**

**2.7.2060 ~~Residential Sub-District~~— Reserved for Future Sub-District.**

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## Article XI. Juniper Ridge Overlay Zone

### 2.7.200 Juniper Ridge Overlay Zone.

#### 2.7.2010 Purpose.

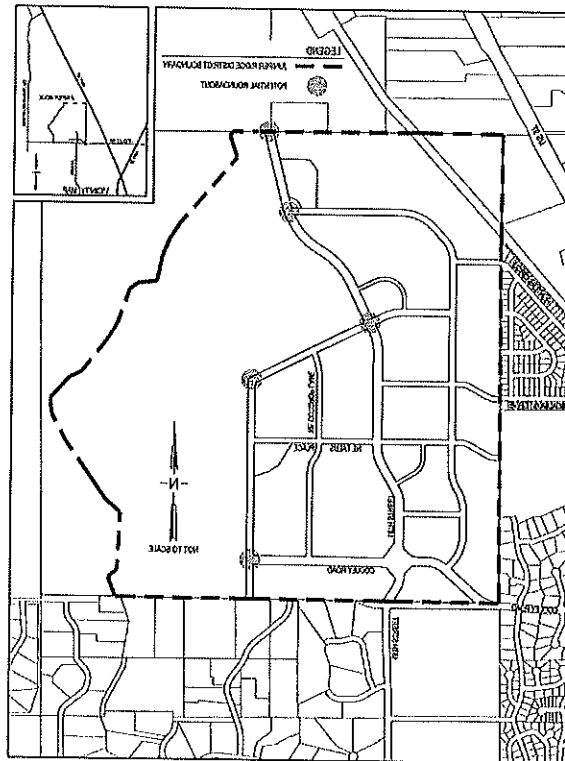
This chapter applies to all development within the Juniper Ridge Overlay Zone. The purpose of the Juniper Ridge Overlay Zone is to promote economical, sustainable, and reasonable growth in Juniper Ridge by creating a unique overlay zone consisting of sub-districts that encourage employment based commercial and industrial uses, and compatible residential, per the 2016 Bend Comprehensive Plan. ~~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.

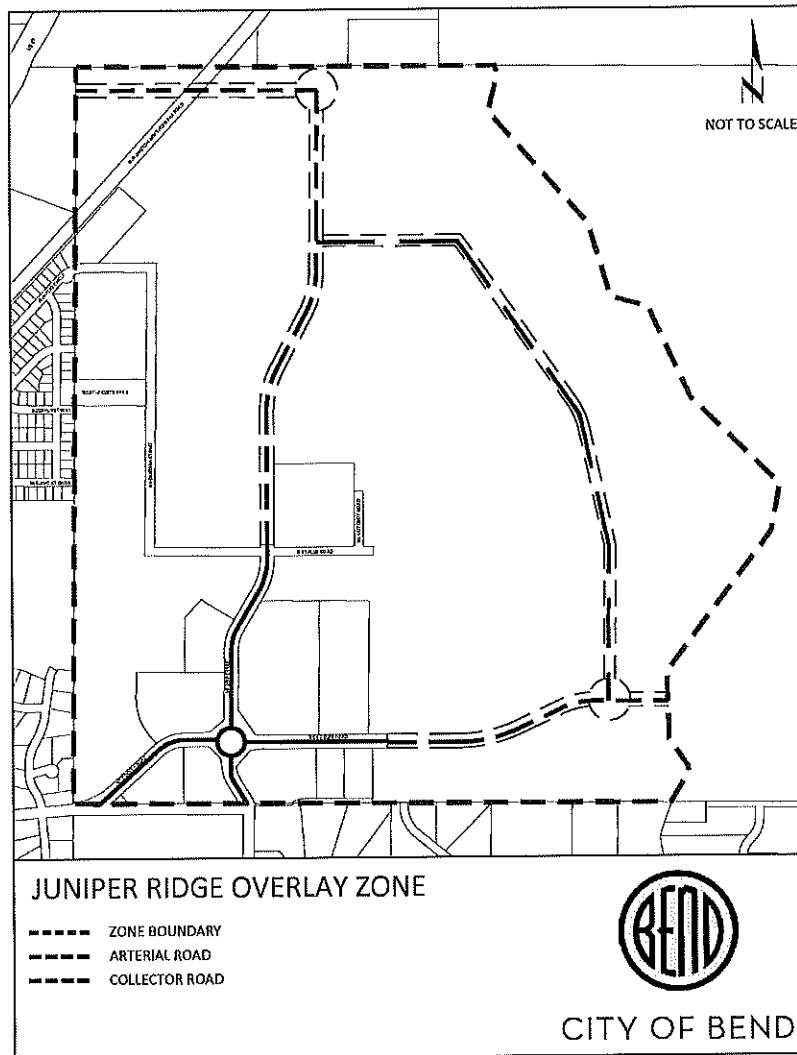
- A. The Juniper Ridge Overlay Zone consists of the area within the dashed line, approximately 500 acres in size, shown on Figure 2.7.2020, Juniper Ridge District Map.

**Figure 2.7.2020 Juniper Ridge District Map Overlay Zone Boundary Map**

Delete following figure



Add following figure



## 2.7.2030 Employment Sub-District.

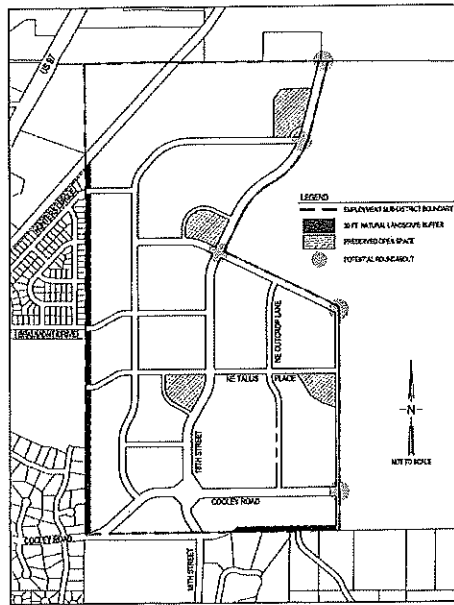
A. Purpose. The Juniper Ridge Employment Sub-District is a 306-acre area that is intended to promote economical, sustainable, and reasonable growth by allowing a mix of light industrial and commercial uses, ~~offices for research and development, corporate and regional headquarters and accessory uses to serve the needs of these primary uses~~ that support employment. 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~~ applies 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 BDC Chapter 4.7 ~~will be developed for the Employment Sub-District. All site development review applications within the Employment Sub-District that are subject to review under BDC Chapter 4.2 shall demonstrate conformance with Employment Sub-District TMA program requirements.~~
- ~~C.~~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.~~
- ~~D. G.~~ Determination of Similar Land Uses. Similar use determinations ~~shall be~~ are made in conformance with the procedures in BDC 4.1.1400, Declaratory Ruling.

**Figure 2.7.2030.A Employment Sub-District Map**

Delete following figure



Add following figure

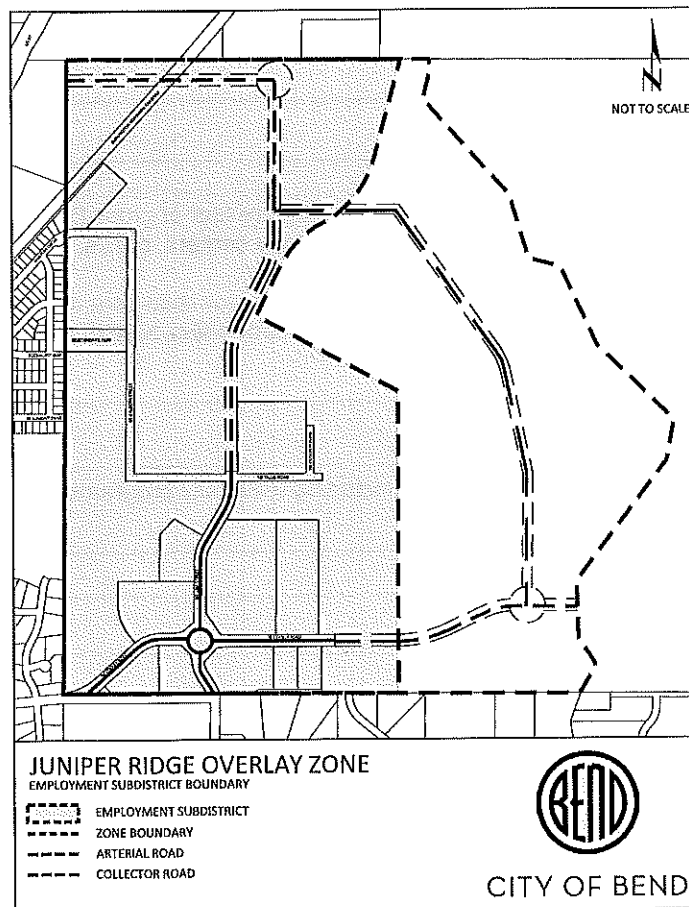


Table 2.7.2030.A Permitted Land Uses

Land Use	Employment Sub-District
Light manufacturing, fabrication, assembly and repair with incidental sales associated with a permitted use	P
Heavy manufacturing, assembly and processing of raw materials and recycling	C
Wholesale distribution, warehousing and storage	P
Industrial service (e.g., cleaning, repair)	P
Research and development facilities	P
Production office (e.g., IT support centers, biotechnology, software/hardware development, broadcast and production studios/facilities.)	P
Wholesale processing uses (e.g., dry cleaning, laundry)	C_P
Retail Fuel Outlet	P
Fuel Distribution	C
Vehicle, equipment and boat repair, rental, storage, service	P
Outdoor commercial uses (e.g., outdoor storage, building and garden supply)	P
Food and beverage processing and packaging	P
Medical and dental laboratories and veterinary clinics	P
Small-scale personal and professional services <ul style="list-style-type: none"> <li>• Within a freestanding or multi-tenant building, up to 2,500 <u>10,000</u> 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)* shall be <u>are</u> allowed</li> <li>• <del>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</del> <u>Childcare, no size limit</u></li> </ul>	P
Corporate headquarters/regional corporate office	P
Trade, vocational, technical, professional, business schools including university programs serving industrial needs	P
Offices and Clinics	P
Professional consulting services	P
Industrial and professional equipment and supply sales	P
Professional office accessory to a primary use, in the same building, up to 30% of the floor area of the primary use	P
Convention Center/Meeting Rooms	P
Hospitals	P
*Utilities (above ground)	P
Public park and <u>public</u> recreation facility (not including private open space)	C_P

Table 2.7.2030.A Permitted Land Uses

Land Use	Employment Sub-District
Recreation facility (privately owned)	P
Wireless and broadcast communication facilities	See BDC Chapter 3.7
Publicly owned buildings such as City Hall, County courthouse, administrative buildings, library, museum, fire station, public safety training facilities, and similar structures, but excluding correctional facilities	P
Government facilities where the public is generally not received (e.g., public safety, utilities, school district bus facilities, public works yards, transit and transportation, and similar facilities)	P
Residential Caretaker unit: 1 unit shall be permitted for each development	P

**Key to Permitted Uses**

P = Permitted

C = Conditional Use

\* ~~In conformance with BDC 2.4.800, Special Development Standards.~~ Special standards in conformance with BDC Chapter 3.6, Special Standards for Certain Uses.

E-H: Vehicle Trip Limit. Development within the Employment Sub-District shall be is limited to a maximum of 2,220 p.m. peak hour vehicle 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	P.M. PEAK HOUR TRIPS	MITIGATION IMPROVEMENT
1	700	Empire Avenue/18th 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 and Bowery Lane
3	580	18th 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~~will be the considered the Employment Sub-District Transportation Mitigation Plan and ~~shall~~will apply to all land use applications that propose development that will generate peak hour vehicle trips. A p.m. peak hour trip is defined as a trip occurring between 4:00 p.m. and 6:00 p.m., as further defined by the Institute of Transportation Engineers Trip Generation Manual.
2. No land use application ~~shall~~will 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 BDC 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~~must 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 BDC 4.1.1310(B).
5. Land use applications in any phase that propose development that will generate peak hour trips that (a) exceed the peak hour trip thresholds identified in Table 2.7.2030.B, Mitigation Improvements, prior to the construction of local street improvements, or (b) prior to the execution of a Cooperative Improvement Agreement for the construction of improvements on State highway facilities, or (c) 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~~will 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 Table 2.7.2030.B, Mitigation Improvements, are constructed or agreed to be constructed in Cooperative Improvement Agreement(s) or Development Agreement(s).

#### F. 4. Development Standards.

**Table 2.7.2030.C 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	0 feet (100 feet when abutting a Residential Zone)
Minimum Rear Yard Setback	0 feet (100 feet when abutting a Residential Zone)
Maximum Building Coverage	50 percent of total lot area



~~J. Additional Development Standards.~~

1. Off-Street Parking and Loading. Off-street parking and loading spaces ~~shall~~ must be provided as required in BDC Chapter 3.3, Vehicle Parking, Loading and Bicycle Parking. All off-street parking or loading areas and access drives ~~shall~~ must 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 BDC 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~~ must provide walkways or access ways in conformance with the provisions of BDC 3.1.300, Multi-Modal 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~~ must be set back at least 30 feet from the abutting residential property line and the setback area ~~shall~~ must be landscaped a minimum of 30 feet to provide a buffer along the adjoining residential property. Landscaping ~~shall~~ must be maintained by the property owner and ~~shall~~ conform to the standards in BDC 3.2.200, Landscape Conservation, and 3.2.300, New Landscaping.
4. Maintenance of Undeveloped Property. All undeveloped property on a developed site ~~shall~~ must be either left in a natural state, or landscaped and continually maintained according to the requirements and standards in BDC 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.~~
- ~~5.6. Parking and Circulation. No vehicle circulation or parking except for access driveways shall~~ is be permitted within any minimum front yard setback area.
- ~~6.7. 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 2.7.2030.C shall~~ must be applied to all street frontages. The maximum setback standard ~~shall~~ must be applied to only one of the frontages. Where the abutting streets are of different classifications, the maximum setback standard ~~shall~~ must be applied to the higher classification of street.
- ~~7.8. Fencing and Screening. The standards and exceptions set in BDC Chapter 3.2.500, Fences and Retaining Walls, apply, unless otherwise specifically stated below.~~
  - a. Perimeter Fencing. Lot perimeter fencing is only permitted within the Employment Sub-District under the conditions set forth in Table 2.7.2030.D, Fencing and Screening Conditions.

- b. Standard Fencing. Standard nondecorative fencing may be installed in areas not visible from street rights-of-way or adjoining properties within the Employment Sub-District. Standard fencing also may be used as specified in Table 2.7.2030.D. A minimum quality of standard fencing shall must be black vinyl-coated chain link.
- c. Upgraded Fencing. Upgraded fencing shall must be provided as specified in Table 2.7.2030.D. 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 must 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 must 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 must 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 must 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

Condition	Subcondition	Required Treatment (Minimum Standard)
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 Sub-District	Adjacent to residential zoned property	Standard Fencing
	Adjacent to commercial zoned property	Upgraded Fencing <u>Standard Fencing</u>
	Adjacent to permanent open space	Upgraded Fencing <u>Standard Fencing</u>
	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; <u>Upgraded Fencing</u> <u>Standard Fencing</u> if it does not interfere with shared access/parking; Architectural Screen Wall if exterior loading or storage
Property line adjacent <u>abutting</u> to a park or open space		Upgraded Fencing
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

G. K. 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 will be determined through the development review process. Alternate alignments may be approved in accordance with subsection (JF)(2) of this section, 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.

~~H.~~ L. 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.

~~I.~~ M. 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 additional access standards supersede the vehicular access management standards of BDC Chapter 3.1.

~~1. Minimum Access Spacing.~~

- ~~a. Access points on local streets shall be a minimum of 10 feet apart as measured from edge of driveway to edge of driveway.~~
- ~~b. Access points on collector streets shall be a minimum of 300 feet apart as measured from centerline of access to centerline of access.~~
- ~~c. Access points on arterial streets shall be a minimum of 300 feet apart as measured from centerline of access to centerline of access.~~

~~2. Additional Access Standards.~~

- ~~a.~~ 1. The City may require Driveways onto arterials and collectors may have directional restrictions (i.e., right-in/right-out only) for driveways onto arterials and collectors 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. Directional restrictions will be determined in compliance with BDC Chapter 4.7, Transportation Analysis.
- ~~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. 2. Only one access is permitted per street frontage (including shared access); however, lots Lots may have multiple street access points, so long as minimum access spacing requirements are met and the total number of access points does not exceed three (3).

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. 3. Shared access may be required, in order to comply with these access requirements. All access driveways on local truck roads shall must provide shared access to adjacent property to the extent practicable. The City may require shared access.

3. 4. Exceptions to the Access Standards of This Section: Alternate access may be approved by the City Engineer if operations and safety of the public road system, and AASHTO intersection sight distances are maintained as demonstrated in compliance with BDC Chapter 4.7, Transportation Analysis, 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.~~

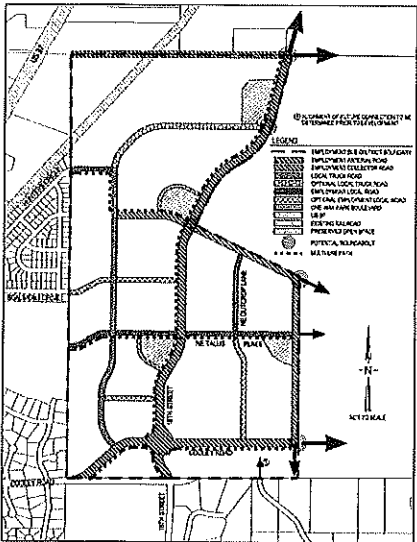
d. ~~Operations and safety of the public road system is maintained for a minimum analysis period of 15 years as demonstrated in a Transportation Impact Analysis, including an assessment for the 95 percent queue. The queuing between the proposed driveway and an intersection shall must not overlap.~~

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

Delete following figure



Add following figure

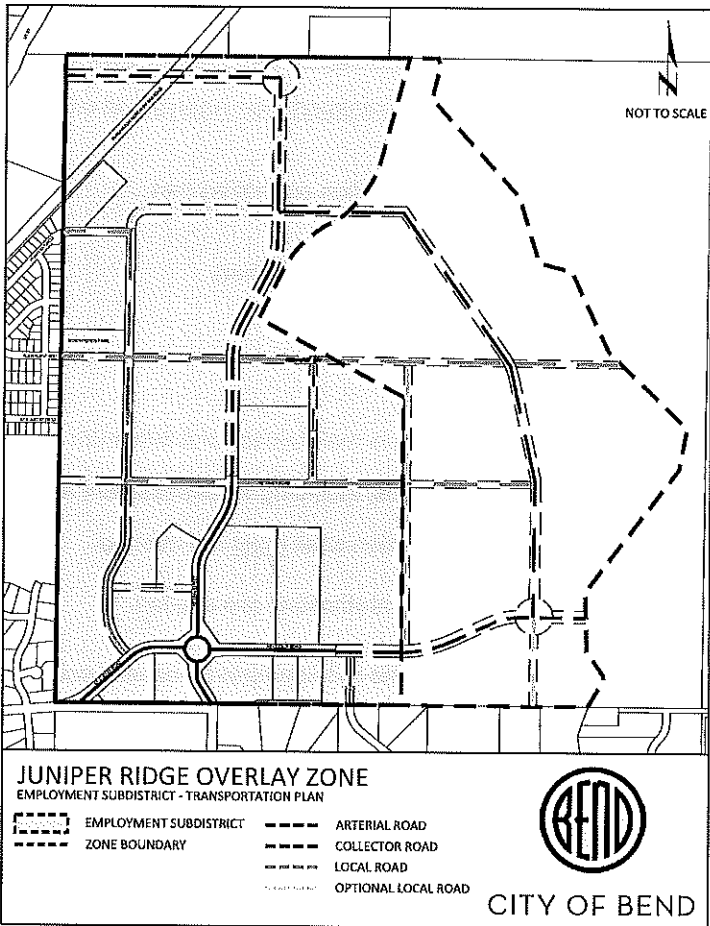
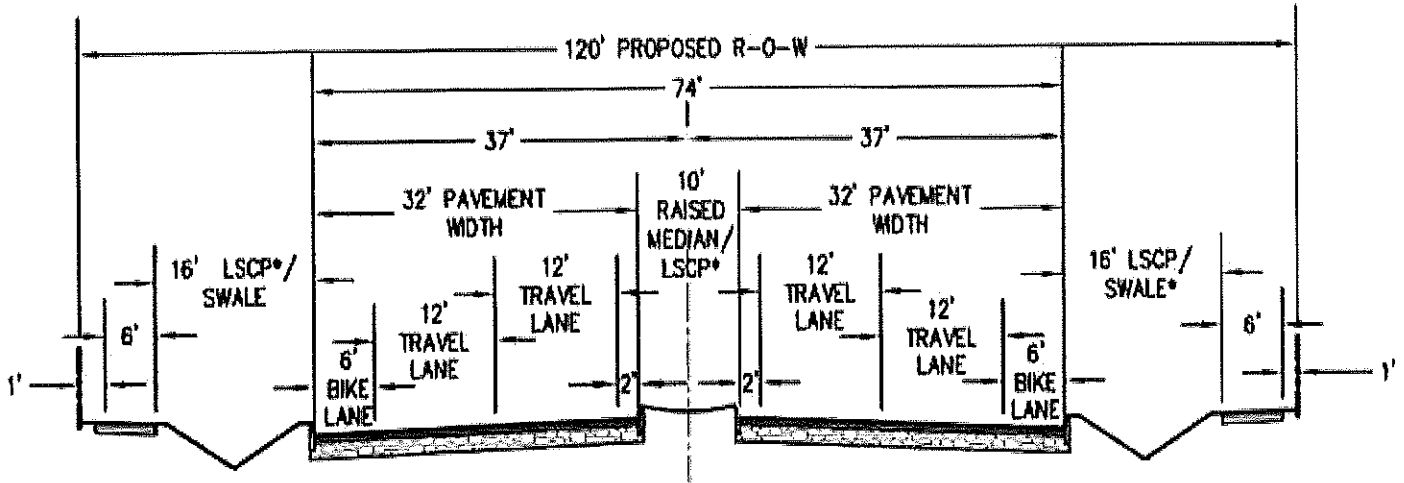


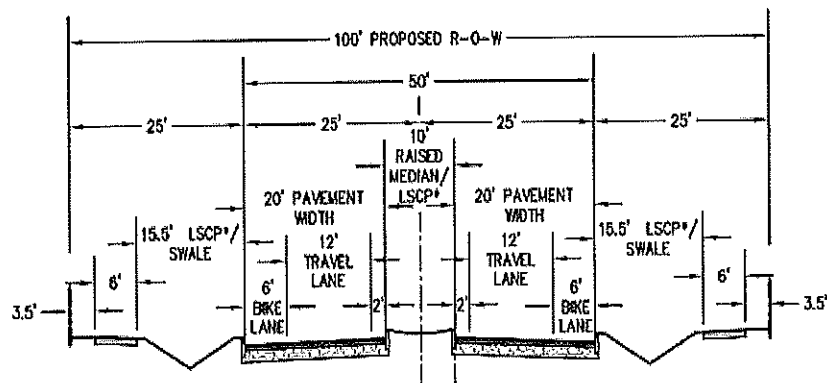
Figure 2.7.2030.C.4

Employment Sub-District Street Cross-Sections

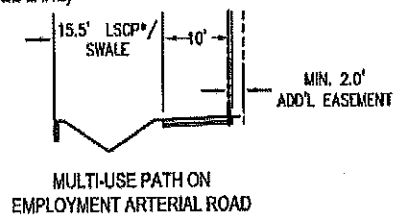
Delete following 120' proposed R-O-W cross section and Juniper Ridge Employment Sub-District Employment Arterial Road (Five Lane)



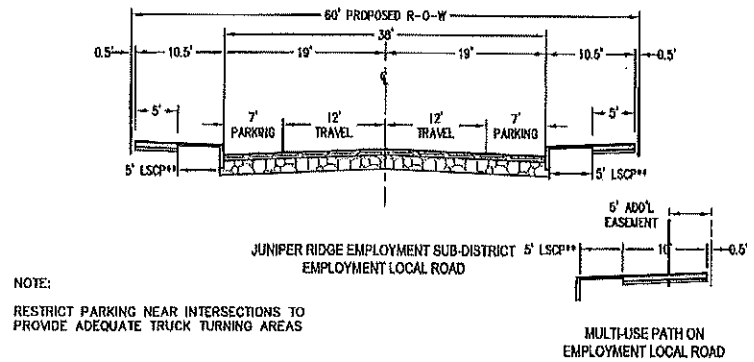
JUNIPER RIDGE EMPLOYMENT SUB-DISTRICT  
EMPLOYMENT ARTERIAL ROAD (FIVE LANE)



JUNIPER RIDGE EMPLOYMENT SUB-DISTRICT  
EMPLOYMENT ARTERIAL ROAD (THREE LANE)

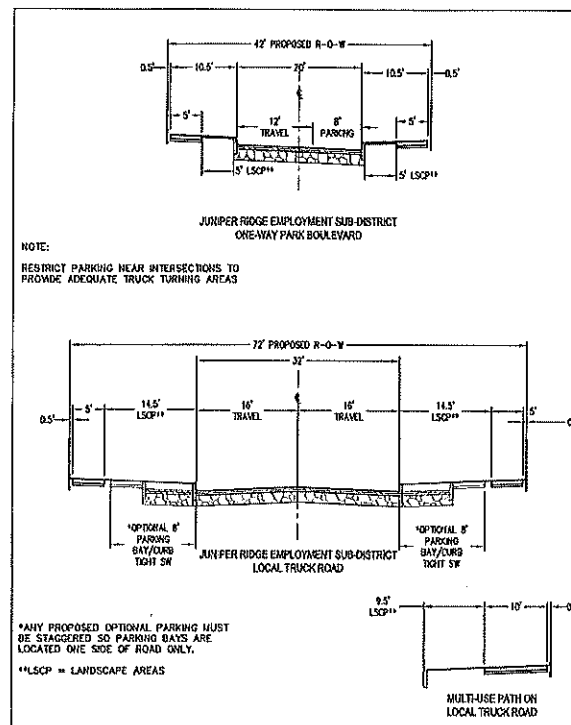


**Figure 2.7.2030.C.2**  
**Employment Sub-District Street Cross-Sections**



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

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

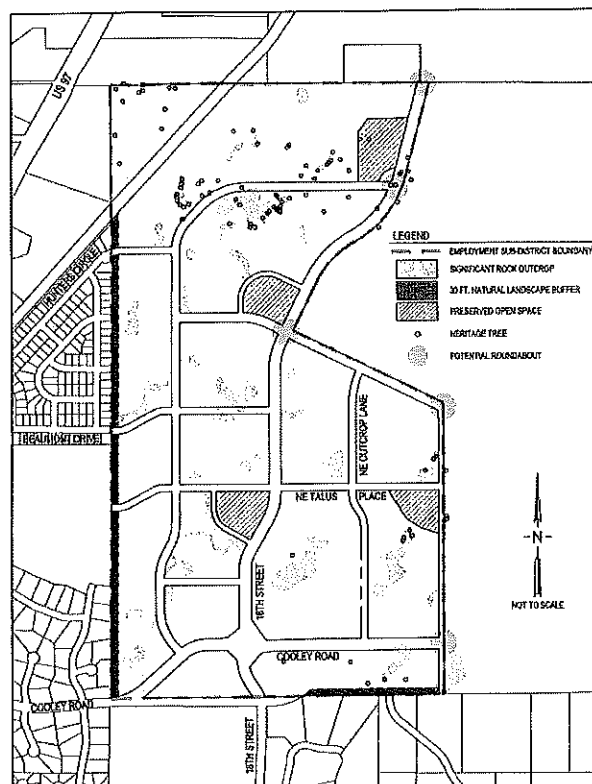




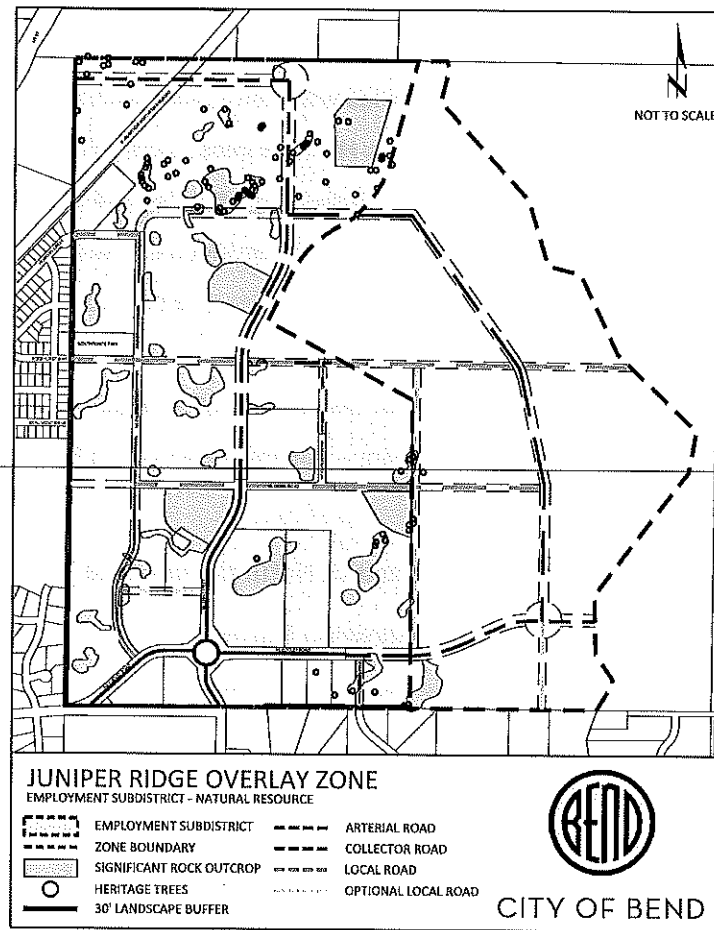
J. N. Employment Sub-District Natural Resource Areas. Heritage trees, significant rock outcrops, preserved open spaces and natural landscape buffers within the Employment Sub-District are identified in Figure 2.7.2030.D, Employment Sub-District Natural Resource Identification Map. Open space areas are required to be retained and no development will be allowed in 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 outcrops 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 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 BDC 3.2.200(D) (landscape conservation), if heritage trees and/or significant rock outcrops identified in Figure 2.7.2030.D are preserved by a proposed development. The identification of heritage trees in Figure 2.7.2030.D 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**

**Delete following figure**



**Add following figure**



**2.7.2040 ~~Town Center Sub-District~~ – Reserved for Future Sub-District.**

(This section shall will be developed and codified at a future date to be determined.)

**2.7.2050 ~~Educational Sub-District~~ – Reserved for Future Sub-District.**

(This section shall will be developed and codified at a future date to be determined.)

**2.7.2060 ~~Residential Sub-District~~ – Reserved for Future Sub-District.**

(This section shall will be developed and codified at a future date to be determined.)

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**Chapter 3.4**  
**PUBLIC IMPROVEMENT STANDARDS**

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### 3.4.200 Transportation Improvement Standards

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- F. Minimum Rights-of-Way and Street Sections. Street rights-of-way and improvements shall must be the widths defined in Street Improvement Standards Tables A through E except as identified in BDC 3.4.200(F)(3)(b) below. Additional right-of-way may be required at intersections to accommodate intersection widening and roundabouts. ***(Amended by the Planning Commission on December 14, 2020)***

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#### 3. Exceptions to Minimum Rights-of-Way Standards.

- a. Where opposite sides of the street are designated on the Bend Comprehensive Plan with different land use zones, the zone with the greater requirement for right-of-way dedication and pavement width will govern both sides of the street.
- b. The following streets and intersections are not identified for lane expansion and therefore additional right-of-way is not required: ***(Amended by the Planning Commission on December 14, 2020)***

##### West Central City:

- NW 14th Street, between Newport and Galveston avenues
- NW Newport Avenue, between 14th Street and Wall Street
- NW Galveston Avenue, between 14th Street and Riverside Avenue

##### Downtown Central City:

- NW Greenwood Avenue, between Wall Street and the Parkway
- NW Riverside Avenue, between Tumalo and Franklin avenues & NW Franklin Avenue, between Wall Street and the Parkway
- NW Wall Street, between Greenwood and Franklin avenues & NW Bond Street, between Greenwood and Franklin avenues

##### East Central City:

• NE 8th Street, between Olney/Penn and Franklin avenues

• NE Olney Avenue, between 4th and 8th streets

• NE Franklin Avenue, between 4th and 11th streets & NE Bear Creek Road (including the 111h St. extension),  
between Franklin Avenue and 15th Street

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J. Special Setbacks.

1. Purpose. The purpose of this subsection is to ensure that adequate rights-of-way will be available for the appropriate street improvements as the City grows and that there will be no conflicts with the built environment.
2. Applicability. The special setback standards ~~shall be applied~~ apply to any lot or parcel that abuts a public right-of-way.

Exception. The special setback standards do not apply to intersections or streets that are already constructed consistent with the Bend Urban Area Transportation System Plan (TSP) including streets and intersections identified by the TSP in BDC 3.4.200(F)(3)(b) as "not being ~~authorized-identified~~ for lane expansion." (*Amended by the Planning Commission on December 14, 2020*)

3. Setback.

- a. Unless waived under BDC 3.4.150, all buildings or structures ~~shall~~ must be set back from planned future rights-of-way the minimum distance established in the applicable zoning district.
- b. Unless waived under BDC 3.4.150, the special setback from existing substandard width rights-of-way ~~shall~~ must comply with Table F.

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## Chapter 4.7

### TRANSPORTATION ANALYSIS

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#### 4.7.600 Significant Impacts and Mitigation Measures.

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D. Unique Situations.

1. Development proposals within Master Planned Developments or Special Planned Areas, as described in BDC Chapter 4.5, Master Planning and Development Alternatives, where a Transportation Mitigation Plan has been approved, may exceed the operation standards at affected intersections as long as the proposed development is consistent with the approved Transportation Mitigation Plan.
2. Widening to accommodate additional travel lanes will not be permitted in the following situations:
  - a. Clear and Objective Track and Discretionary Track. Intersections and streets that are already constructed consistent with the Bend Urban Area Transportation System Plan (TSP) including streets and intersections identified by the TSP in BDC 3.4.200(F)(3)(b) as "not being authorized identified for lane expansion": ***(Amended by the Planning Commission on December 14, 2020)***
  - b. Clear and Objective Track and Discretionary Track. Intersections and streets located within or directly adjoining the City's Central Business District or historic district;
  - c. Discretionary Track. Where no physical mitigation is available to improve intersection operations to the performance standard; or
  - d. Discretionary Track. Where improvements may result in unacceptable tradeoffs to other modes of travel.

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