

ORDINANCE NO. NS-2537

AN ORDINANCE OF THE CITY COUNCIL AMENDING CHAPTER 2.7 OF THE BEND DEVELOPMENT CODE TO AMEND THE OSU-CASCADES MASTER PLAN TO MODIFY THE BOUNDARIES OF THE FOUR CAMPUS SUBDISTRICTS, AMEND THE INNOVATION DISTRICT STANDARDS TO ALLOW INCREASED BUILDING HEIGHT AND MANUFACTURING USES WITHOUT A RETAIL COMPONENT, MODIFY LANDSCAPE STANDARDS TO ALLOW A MORE NATURAL LANDSCAPE, REALIGN INNOVATION WAY, AND CLARIFY SPECIFIC STREET SECTIONS.

Recitals

- A. On February 11, 2025, the State of Oregon, on behalf of Oregon State University - Cascades, submitted a Type III Quasi-judicial application for a Bend Development Code text amendment to the Oregon State University - Cascades Overlay Zone.
- B. On March 24, 2025, the Planning Commission held a public hearing and issued a recommendation that the City Council adopt an ordinance to amend Chapter 2.7 of the Bend Development Code to modify the boundaries of the four campus subdistricts, amend the Innovation District standards to allow increased building height and manufacturing uses without a retail component, modify landscape standards to allow a more natural landscape, realign innovation way, and clarify specific street sections.
- C. Public notice for the City Council hearing was provided in accordance with the requirements of Bend Development Code 4.1.423-4.1.425. On April 4, 2025, notice was mailed by the Planning Division to surrounding owners of record and addresses of property within 750 feet of the subject properties and to the designated representative of the representatives of the River West, Century West and Southern Crossing Neighborhood Districts. On April 4, 2025, a "Proposed Development" sign was also posted at each property frontage of the campus, visible from the adjacent rights-of-way of Century Drive, Chandler Avenue, Mt. Washington Drive and Simpson Avenue.
- D. The Bend City Council held a public hearing on April 16, 2025, to consider the Planning Commission recommendation.
- E. The Type III quasi-judicial Bend Development Code text amendments approved by this Ordinance meet all applicable Development Code criteria, policies of the Bend Area Comprehensive Plan, and Oregon Statewide Planning Goals.

Based on these findings, THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. Chapter 2.7 of the Bend Development Code is amended to modify the Oregon State University – Cascades Overlay Zone as shown on the

attached Exhibit A, and as recommended by the Planning Commission with the following revisions/conditions:

- A. Delete 1.3 from Figure 2.7.3560.A but keep the 1.3 cross section in BDC 2.7.3560.
- B. Add an illustrative figure to BDC 2.7.3540.C.1. visually depicting the applicability of the exception in this code section.

Section 2. In addition to the findings set forth above, the City Council adopts and incorporates the findings in Exhibit B.

Section 4. If any provision, section, phrase, or word of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

Section 5. All other provisions of the Bend Development Code remain unchanged by this ordinance and remain in effect.

First Reading Date: August 20, 2025

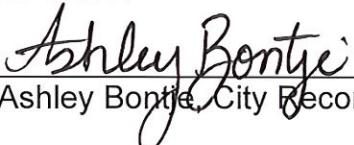
Second Reading and adoption by roll call vote: September 3, 2025

YES: Kebler, Franzosa, Norris, Perkins, Platt, Riley
NO:



Melanie Kebler, Mayor

ATTEST:



Ashley Bontje, City Recorder

Approved as to form:



Ian Leitheiser, City Attorney

EXHIBIT A

Article XVII. Oregon State University – Cascades Overlay Zone

2.7.3500 Oregon State University – Cascades

2.7.3510 Purpose and Applicability.

- A. The purpose of the Oregon State University – Cascades (OSU-C) Overlay Zone is to establish the OSU-C Master Plan and implement the relevant Bend Comprehensive Plan policies regarding the Century Drive Area opportunity area. The overlay standards will:
 - 1. Provide areas within the overlay district for a four-year, 5,000-student university and graduate school.
 - 2. Identify areas within the overlay district for traditional mixed-use development.
 - 3. Provide transportation options for students, staff and employees and reduce reliance on the automobile.
 - 4. Provide opportunities for a variety of housing options, including traditional student dormitories, staff housing, and multi-unit dwellings available to the community.
 - 5. Encourage pedestrian-friendly development that is supportive of transit.
 - 6. Create an economically successful mixed-use center.
 - 7. Provide opportunities for university-related research and development.
- B. The area regulated by the OSU-C Overlay Zone is approximately 128 acres of land and includes the areas on Figure 2.7.3520, Campus Districts.

2.7.3520 Definitions.

The following definitions apply to uses, building types and standards that are specific to the OSU-C Overlay Zone:

- A. “OSU-C campus” means the area identified as the “OSU-C Campus” on Figure 2.7.3520, which includes the Innovation District, Core Campus District, Recreation District and Residential District.
- B. “Innovation District” means the area identified as the “Innovation District” on Figure 2.7.3520.
- C. “Core Campus District” means the area identified as the “Core Campus District” on Figure 2.7.3520. The Core Campus District includes the existing 10-acre campus approved in 2014 under PZ 14-0210.
- D. “Recreation District” means the area identified as the “Recreation District” on Figure 2.7.3520.
- E. “Residential District” means the area identified as the “Residential District” on Figure 2.7.3520.

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FIGURE 2.7.3520 CAMPUS DISTRICTS

2.7.3530 Permitted, Conditional and Accessory Uses.

- A. Permitted and Conditional Uses. All permitted uses in the MU Zone are permitted uses in the OSU-C Overlay Zone. All conditional uses in the MU Zone are conditional uses in the OSU-C Overlay Zone.
 1. Within the Innovation District, manufacturing uses are allowed with or without a retail component, and up to 25,000 square feet per tenant space.
- B. Accessory Uses. In addition to accessory uses permitted in the MU Zone, the following accessory uses are permitted in the OSU-C Overlay:
 1. Central Utility Plant;
 2. Alternative energy system(s) to serve university energy needs;
 3. Stormwater and wastewater management systems/facilities;
 4. Parks, playgrounds, play fields, athletic facilities, sports complexes, recreational facilities, trails, natural areas, open spaces;
 5. Uses and structures that are of a nature customarily incidental and subordinate to a permitted use or an approved conditional use, including, but not limited to, parking lots/parking areas and service roads needed to serve permitted or conditional uses;

6. Outdoor storage provided the storage is set back at least 25 feet from the OSU-C campus boundary and is screened from the public right-of-way per BDC 3.2.300.E.3.c.;
7. Facilities yard (maintenance vehicles, equipment and similar uses);
8. Public safety facilities.

2.7.3540 Special Development Standards.

- A. Applicability. The special development standards of the OSU-C Overlay Zone supersede the standards of the underlying zone and BDC Title 3 where they vary. Where no special standards are provided, the applicable standards of the underlying zone apply.
- B. Front Setback.
 1. Minimum Front Setback. A minimum 25-foot setback applies to the Recreational and Core Campus Districts along Simpson Avenue and Mt. Washington Drive. No parking is allowed within this front setback.
 2. Maximum Front Setback. There is no maximum front setback; however, where a building is set back more than 10 feet from a public right-of-way, one or more of the following treatments must be included in the setback area between the building and the street:
 - a. Sidewalks or multi-use paths 10 feet or wider;
 - b. Improved plazas and pedestrian areas;
 - c. Outdoor dining and/or gathering areas;
 - d. Specialty landscaping, including water treatment-oriented landscaping;
 - e. Native landscaping, woodland forest areas;
 - f. Traditional campus greens, quadrangle or park areas.
- C. Architectural Standards. The “street walls” required to meet the architectural standards of BDC [2.3.500](#) are generally those that face streets external to the campus: Chandler Way, Century Drive, Mount Washington Drive, and Simpson Avenue, as shown in Figure 2.7.3540.A. Buildings constructed prior to the adoption of the OSU-Cascades Overlay Zone (prior to July 2018) as shown on Figure 2.7.3540.A., including additions and alterations, are exempted from these requirements.

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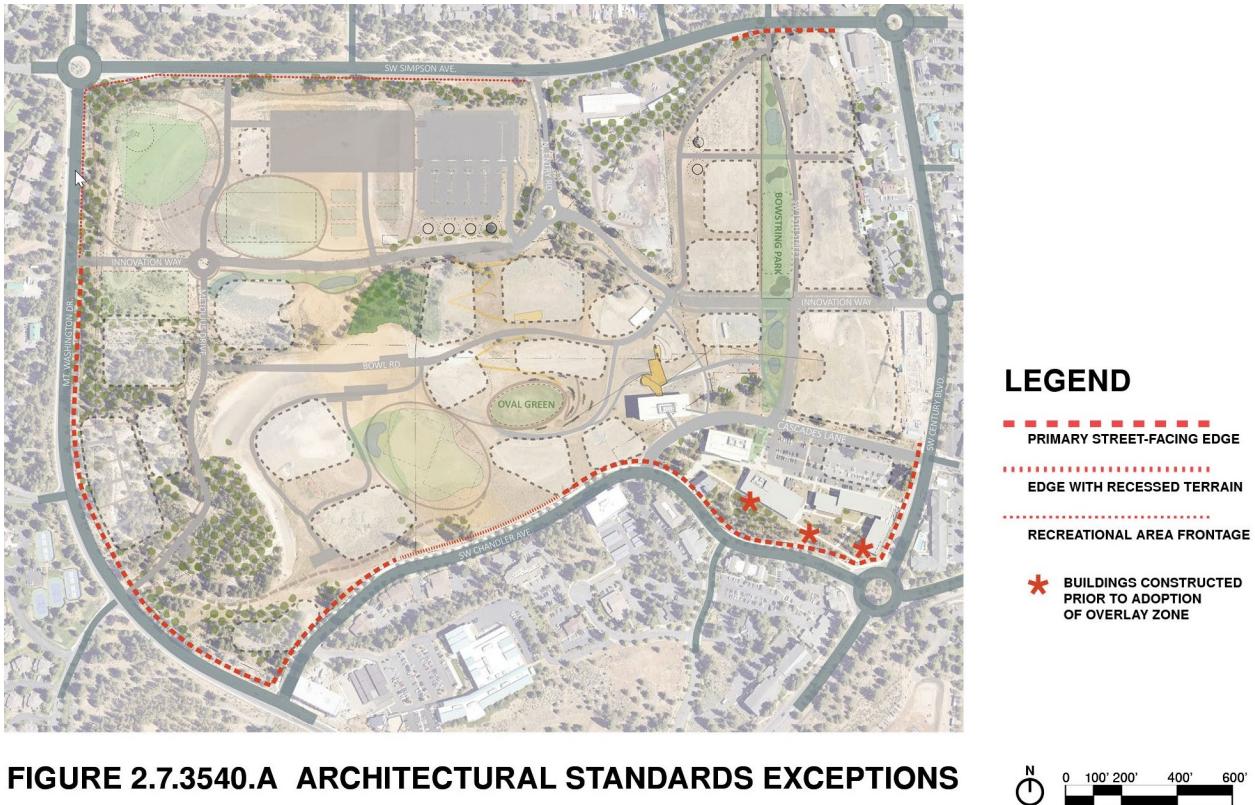


FIGURE 2.7.3540.A ARCHITECTURAL STANDARDS EXCEPTIONS

Exceptions:

- Buildings in the Recreation District are exempt from the architectural standards if they are set back at least 80 feet from the public rights-of-way of the streets abutting the campus. This area is shown as "Recreational Area Frontage" in Figure 2.7.3540.A.
- Buildings between Chandler Way and the "Bowl", shown in Figure 2.7.3540.A as "Edge with Recessed Terrain", are exempt from the architectural standards unless the building:
 - Is within 80 feet of the edge of the Chandler Way right of way, and
 - Has a pedestrian entry from the Chandler Way frontage. The floor level with the pedestrian entry from Chandler Avenue is considered the ground floor level for purposes of BDC 2.3.500, as shown in Figure 2.7.3540.B.

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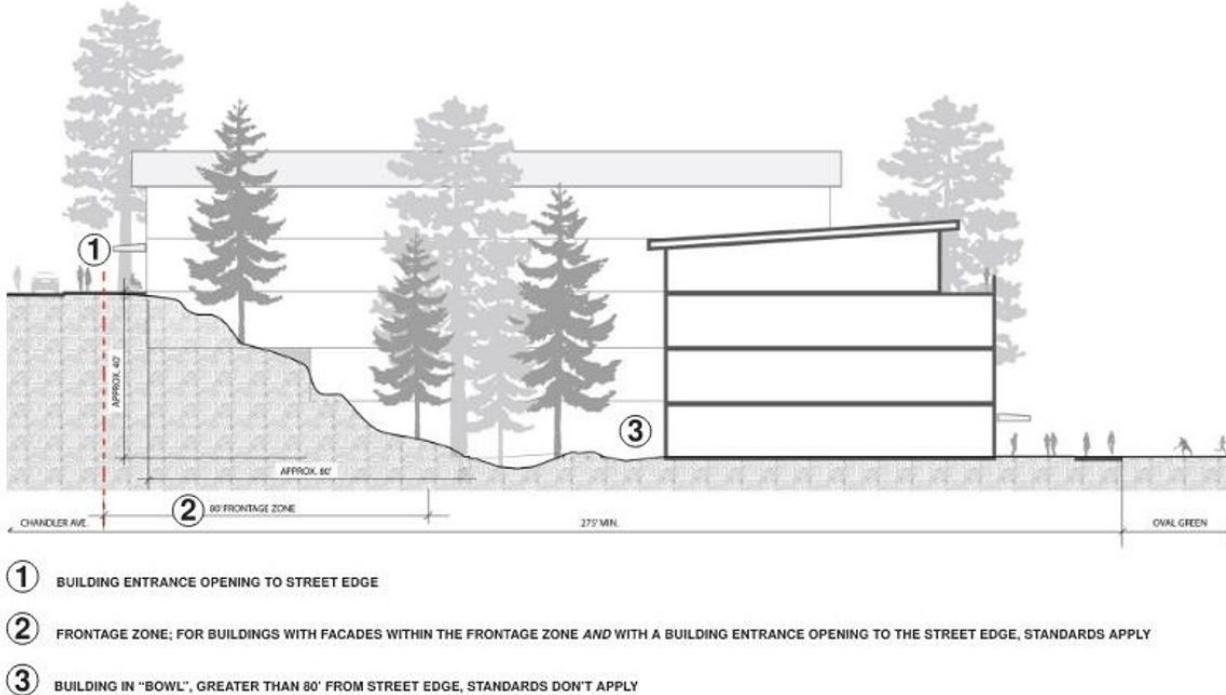


FIGURE 2.7.3540.B ARCHITECTURAL STANDARDS EXCEPTIONS, RECESSED ZONE

D. Block Lengths. Maximum block length and perimeters in BDC 3.1.200 are not applicable within the OSU-C Overlay Zone. Block length and perimeters are generally depicted on Figure 2.7.3560.A, Vehicular Network.

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E. Landscape Requirements.

1. The landscaping standards of BDC 3.2.300, New Landscaping, apply with the following exceptions:
 - a. 3.2.300.D.4, Tree Size
 - b. 3.2.300.D.5, Shrub Size
 - c. 3.2.300.D.6, Ground Cover Location and Size
 - d. 3.2.300.E.1..ii, landscape islands are not required to be planted with trees
 - e. Deciduous trees are not required to meet the landscaping requirements in BDC 3.2.300.
2. Required Landscaping Area.

- a. Only the area measured 25 feet beyond the perimeter of the footprint of proposed new development sites for buildings and parking lots must be landscaped.
- b. A 25-foot native landscape buffer is required abutting Simpson Avenue and Mt. Washington Drive in the Recreational District and Campus Core District.

Exceptions – the following uses and activities may be located in the identified buffer area:

- i. Regrading when required as part of the overall campus reclamation and remediation process. After regrading, disturbed areas are to be reestablished with native plants.
- ii. Multi-use path.
- iii. Routing of underground utilities.
- iv. Campus signage consistent with approved signage permit.
- v. A community-facing entry plaza to the recreational field at the northwestern corner of the campus.

- 3. Native Landscaping. Required landscape areas must include native plant species from the OSU-Cascades Landscape Standards plant list. Where feasible, the re-establishment of native landscaping may be incorporated into the landscape design.

- H. Building Height. The maximum building height of the MU zone applies, except within the Innovation District, where the maximum building height is 85 feet.

2.7.3550 Parking and Loading.

- A. Parking areas must comply with the following:

- 1. Parking in the Core Campus District may be provided in the Core Campus District, the Recreation District or a combination of both.
- 2. Parking in the Innovation District may be provided in the Innovation District or in the eastern portion of the Core Campus District.
- 3. Parking in any other district must be located in the same district consistent with the requirements of BDC Chapter 3.3.

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- B. Parking and Maneuvering Areas. Parking and maneuvering areas must not be located between a public street abutting the campus, shown in Figure 2.7.3540.A and any building that is within 80 feet of those streets.

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- C. Bicycle Parking Standards.

1. Location and Timing. The required number of bicycle parking spaces may be located in areas subject to a prior site plan review approval provided that the applicant demonstrates that the alternate location will better serve the OSU-C campus population.
- D. Loading and Service Standards. Loading and service areas are permitted at buildings on the campus and in the Innovation District, except as follows:
 1. Between a public street abutting the campus, shown in Figure 2.7.3540.A. and a building that is within 80 feet of those streets.
 2. Buildings in the Innovation District are limited to a maximum of 1 loading dock per 10,000 square feet of building floor area or three loading docks per building, whichever is less.

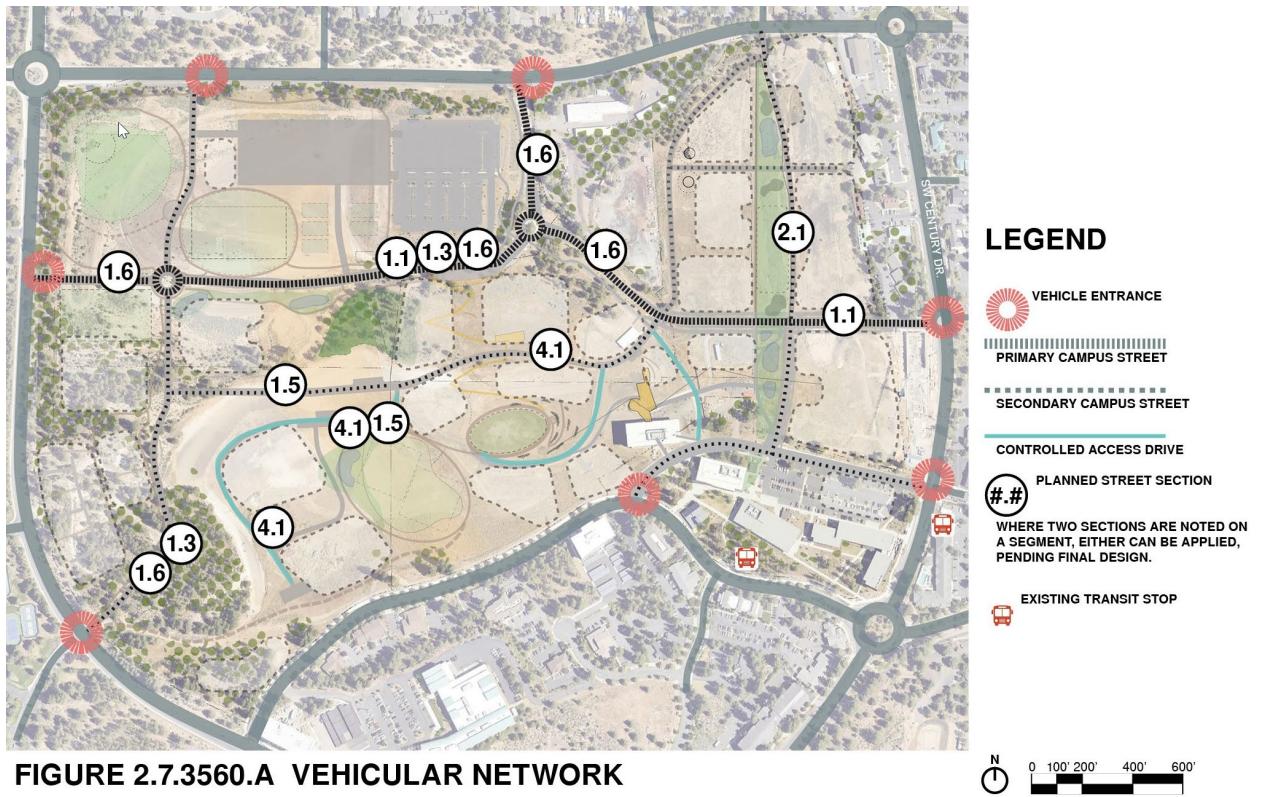
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2.7.3560 Special Street Standards.

- A. Figure 2.7.3560.A depicts the street type, street location and alignment within the OSU-C Overlay Zone. The associated typical street cross sections are below.
 1. Primary campus street sections must comply with the standards for private streets found in BDC Chapter 3.4, or be selected from the typical sections 1.1 to 1.5, as shown below.
 2. Secondary campus street sections must comply with the standards for private streets found in BDC Chapter 3.4, or be selected from the typical sections 2.1 to 2.3, as shown below.
 3. Shared use campus street sections must comply with the standards for private streets found in BDC Chapter 3.4, or meet the standards of typical section 3.1 shown below.
 4. Controlled access drive sections must comply with the standards for private streets found in BDC Chapter 3.4, or meet the standards of typical section 4.1 shown below. Gates, bollards or barriers restricting vehicular access may be allowed upon City review.

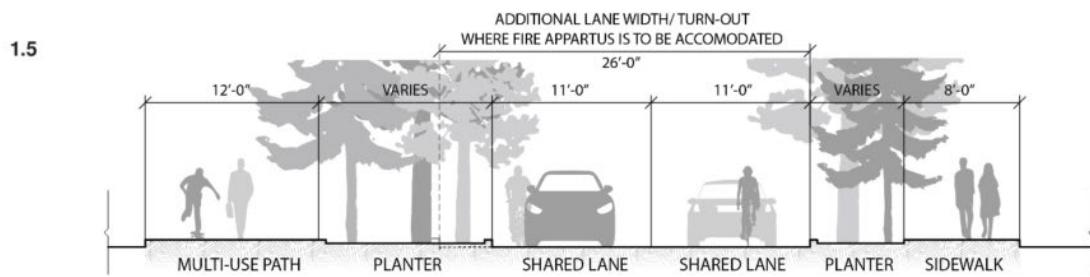
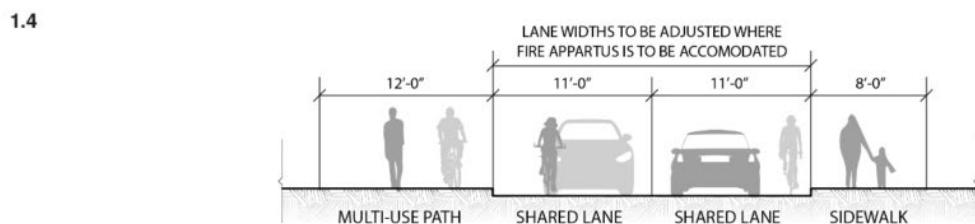
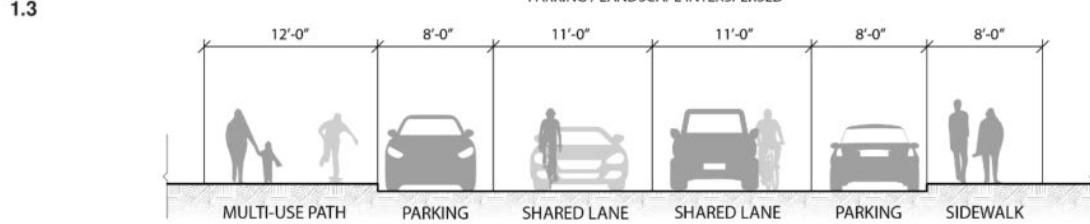
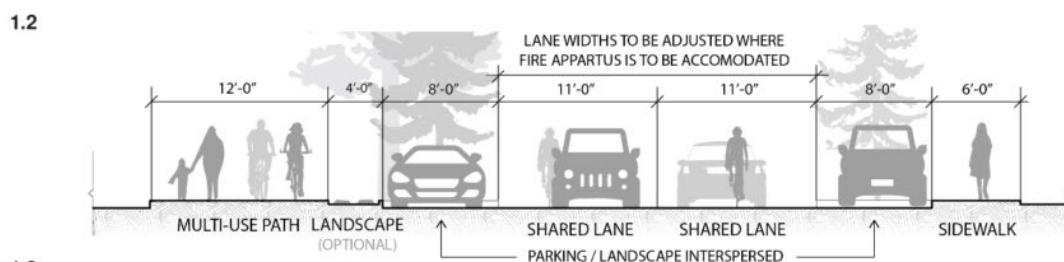
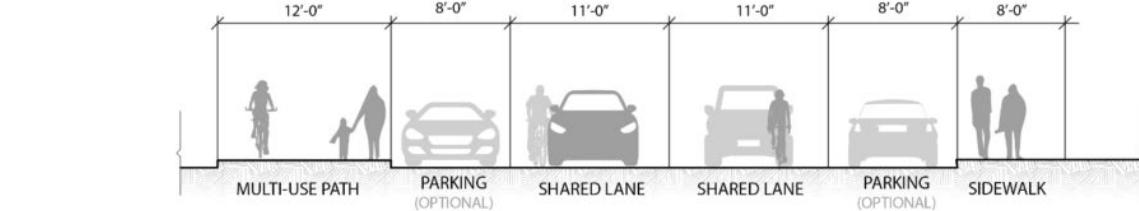
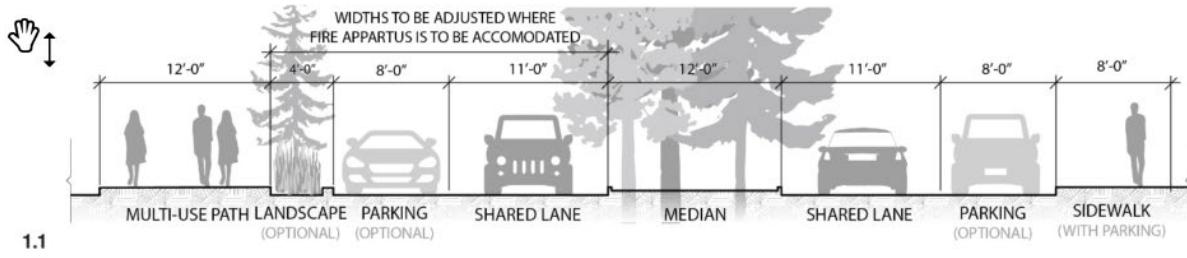
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- B. Any City street standard adopted after the effective date of the ordinance codified in this chapter, which permits a lesser street standard to be applied citywide, may be applied in the OSU-C Overlay Zone.
- C. Local Streets. Local streets within the OSU-C Overlay Zone may be public or private streets. All private streets must comply with the standards for private streets found in BDC Chapter 3.4, or as set forth in Figure 2.7.3560.A and the associated typical sections.

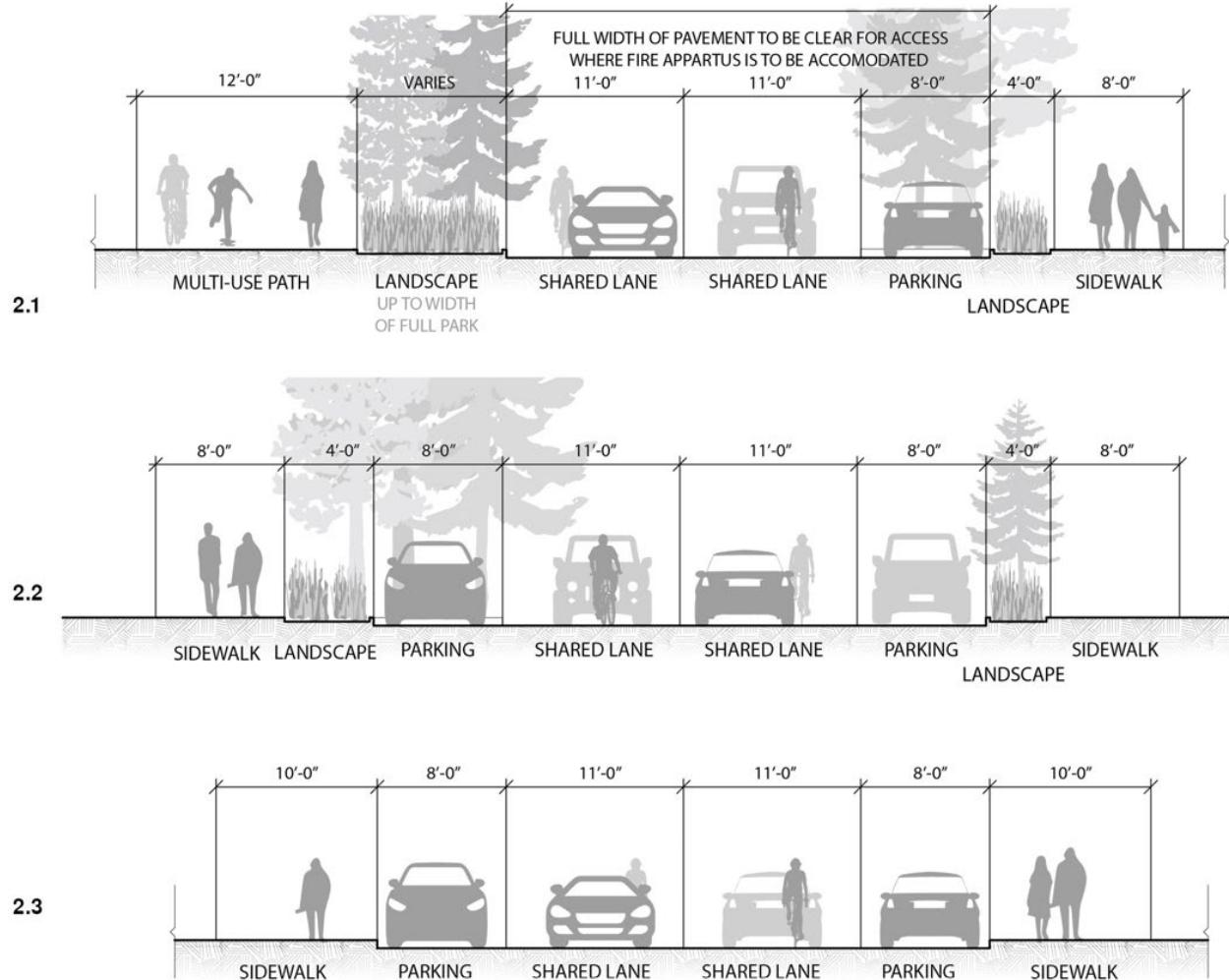
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TYPICAL STREET SECTIONS N.T.S.
PRIMARY CAMPUS STREET (PRIVATE)
 ALL INDICATED WIDTHS ARE MINIMUMS UNLESS NOTED OTHERWISE

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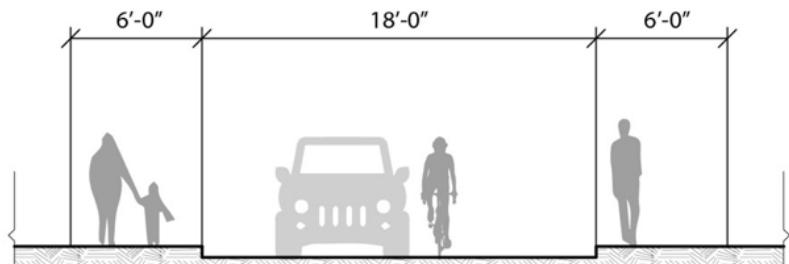


SECONDARY CAMPUS STREET (PRIVATE)

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3.1

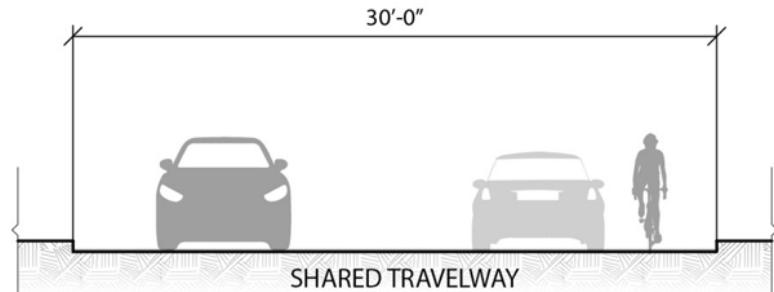


SHARED USE CAMPUS STREET

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4.1



CONTROLLED ACCESS DRIVE

TYPICAL STREET SECTIONS N.T.S.

ALL INDICATED WIDTHS ARE MINIMUMS UNLESS NOTED OTHERWISE **2.7.3570 Transportation**

Mitigation Plan.

- A. Applicability. The following Transportation Mitigation Plan applies to all development within the Oregon State University – Cascades Overlay Zone. The Transportation Mitigation Plan is adopted and implemented pursuant to BDC 4.7.600.D(1).
- B. Alternate Transportation Design Standards. Transportation facilities within the Oregon State University – Cascades Overlay Zone must comply with the standards set forth in BDC 2.7.3560 and Figure 2.7.3560.A.
- C. Development Limitations. In order to ensure consistency with the traffic impact analysis prepared for the Oregon State University – Cascades Master Plan and to mitigate impacts to the City's transportation system, the following traffic generating uses within the Oregon State University – Cascades Overlay Zone are limited to the thresholds in Table 2.7.3570.D.
- D. Transportation Mitigation. The following transportation mitigation measures must be constructed pursuant to the phasing schedule in Table 2.7.3570.D prior to Certification of Occupancy for any building in the phase.

Table 2.7.3570.D

Phase	Proposed buildings (with traffic impact)	Proposed buildings (no traffic impact)	Mitigation requirements
Phase 1A	<ul style="list-style-type: none"> • 55,000 gsf academic building • 55,000 gsf of Innovation District facilities 		<ul style="list-style-type: none"> • Non-mountable single lane roundabout at SW Colorado Avenue and SW Columbia Street • Portion of a 10-foot-wide sidewalk and curb on south side of Simpson Avenue between the Mt. Washington roundabout east to the existing sidewalk fronting 339 SW Century Drive (portions of the sidewalk may be pushed to future phases as long as the existing path remains functional)
Phase 1B		<ul style="list-style-type: none"> • 22,500 gsf student success center (phase one of building) • 166-bed student residence 	<ul style="list-style-type: none"> • Dedication of right-of-way (ROW) along Simpson Avenue to provide 50 feet of ROW from the ROW centerline • Westbound left-turn lane at SW Simpson Avenue and OSU-C main entrance • Marked pedestrian crossing with refuge island at SW Simpson Avenue and main OSU-C entrance
Phase 2	<ul style="list-style-type: none"> • 55,000 gsf academic building • 40,000 assembly building • 142,000 gsf of Innovation District facilities plus middle market housing (72 units) 	<ul style="list-style-type: none"> • 249-bed student residences • Central utility plant • 40,000 gsf recreation facility (phase one of building) 	<ul style="list-style-type: none"> • Non-mountable single lane roundabout at SW Columbia Street and SW Simpson Avenue (if not already constructed by others) • Mountable single lane roundabout at SW Century Drive and OSU-C main entrance • Sidewalk connection on the south side of SW Simpson Avenue between SW Columbia Street and the Safeway site at 320 SW Century Drive • Taylor Drive from Century Drive to the site • Westbound left-turn lane at SW Simpson Avenue and 15th Street • Pedestrian crossing at SW Simpson Avenue and SW 15th Street
Phase 3	<ul style="list-style-type: none"> • 110,000 gsf of additional academic space • 52,800 gsf early learning center • 42,000 gsf of Innovation District facilities plus middle market housing (42 units) 	<ul style="list-style-type: none"> • 18,000 gsf dining facility • student residences with 265 additional beds 	<ul style="list-style-type: none"> • Southbound left-turn lane at SW Mt. Washington Drive and OSU-C entrance • Marked pedestrian crossing of SW Mt. Washington Drive at OSU-C access point • Marked pedestrian crossing of SW Simpson Avenue at West OSU-C access • 10-foot sidewalk along east side of Mt. Washington from existing sidewalk at Chandler Ave to the Simpson roundabout • Curb along property frontage on Mt. Washington from existing curb south of Metolius intersection to existing curb at Chandler Avenue

Phase	Proposed buildings (with traffic impact)	Proposed buildings (no traffic impact)	Mitigation requirements
			<ul style="list-style-type: none"> Dedication of ROW along Mt. Washington to provide 50 feet of ROW from the ROW centerline Remainder of a 10-foot-wide sidewalk on south side of Simpson Avenue if not already constructed
Phase 4A	<ul style="list-style-type: none"> 110,000 gsf of additional academic space 55,000 gsf expansion of recreation facility (phase two of building) 141,000 gsf of Innovation District facilities plus middle 	<ul style="list-style-type: none"> 35,000 gsf student success center (phase two of building) 661-bed student residences 	<ul style="list-style-type: none"> Southbound left-turn lane at SW Mt. Washington Drive and SW Metolius Drive Marked pedestrian crossings on SW Mt. Washington Drive at Metolius Drive access point
Phase 4B	<ul style="list-style-type: none"> 45 units of middle market housing 30,000 gsf mixed-use partner 	<ul style="list-style-type: none"> 30,000 gsf of research space 345-bed student residences 	

E. Modifications to Transportation Mitigation Plan. If the applicant proposes modifications to the OSU – Cascades Master Plan pursuant to BDC 4.5.100(F) which result in an increase of more than 15 percent in the aggregate square footage of the traffic impact producing buildings, or an increase of more than 15 percent in the number of residential units identified in Table 2.7.3570.D, the site plan review application for such building must include a supplemental traffic analysis utilizing the transportation impact analysis prepared for the OSU Cascades Master Plan to determine whether the increase in building square footage or residential units would require one or more off-site operational improvements identified in Table 2.7.3570.D to be constructed prior to the time identified in Table 2.7.3570.D. If the supplemental traffic analysis determines that the mitigation requirements identified in Table 2.7.3570.D are required prior to the time identified in Table 2.7.3570.D, the applicant must construct the mitigation requirements at the time identified in the supplemental traffic analysis.

2.7.3580 Transportation and Parking Demand Management Plan.

- A. Applicability. The following Transportation and Parking Demand Management Plan (TPDM Plan) applies to all development within the Oregon State University – Cascades Overlay Zone.
- B. Trip and Parking Reduction Measures. The TPDM Plan may include any measures identified in Table 4.8.500, Trip Reduction Measures, if such additional measures are adopted through site plan approvals, consistent with BDC 4.8.800.
- C. Ongoing Participation, Monitoring and Reporting. The applicant is required to commit to ongoing participation in the TPDM plan in its deeds, tenant leases, codes, covenants and restrictions and is subject to ongoing monitoring and tracking of the activities undertaken to implement the approved measures and their results.

2.7.3590 Future Capacity Reservation.

- A. The OSU-Cascades Master Plan reserves infrastructure capacity (sewer, water, and transportation) through and including 2034, for all site plan review applications filed pursuant to the phasing plan through 2034. Site plan review applications submitted after 2034 will be subject to new utility and transportation analyses.
- B. Student Population. The OSU-Cascades campus is designed to accommodate a 5,000 student on-campus population. Concurrent with submission of site plan applications prior to December 31, 2034, for the final two academic buildings, the applicant must demonstrate that the current on-campus student population, together with the on-campus student population to be supported by the final academic buildings, will not exceed 5,000 students. If the combined student population exceeds 5,000 students, the site plan applications must include traffic impact, water and sewer analyses accounting for any combined student population in excess of 5,000 students.

EXHIBIT B

CITY OF BEND PLANNING COMMISSION FINDINGS



COMMUNITY
DEVELOPMENT

PROJECT NUMBER: PLTEXT20250071 (Text Amendment)

HEARING DATE: March 24, 2025 at 5:30 p.m.
City of Bend Council Chambers (hybrid)
710 NW Wall Street, Bend, OR 97703

REPORT DATE: March 12, 2025

OWNER: State of Oregon
3015 SW Western Blvd
Corvallis, OR 97333

AGENT: Jarrod Penttila
Oregon State University - Cascades
1500 SW Chandler Ave
Bend, OR 97703

AGENT: Eric Ridenour
SRG + CannonDesign
621 SW Columbia St
Portland, OR 97201

PROJECT LOCATION: OSU-Cascades campus; 1500 SW Chandler Ave, 1435, 1757, 19745 & 19795 SW Simpson Avenue; Tax Lots 1812060001000, 181101D012300, 181101A004300, 181206C000100, 181206C002100, 1812060000111, and 18120600110

REQUEST: Quasi-judicial Development Code Text Amendment of Article XVII, Oregon State University - Cascades Overlay Zone, to amend the boundaries of the four campus subdistricts, specific Innovation District standards, landscape standards, the Innovation Way street alignment, and specific street sections (Type III Quasi-Judicial Review with Planning Commission recommendation to City Council).

**STAFF
REVIEWERS:** Karen Swenson, Senior Planner
(541) 388-5567; kswenson@bendoregon.gov

Joe Giannetto, Engineering Associate
(541) 323-8553; jgiannetto@bendoregon.gov

I. APPLICABLE CRITERIA, STANDARDS, AND PROCEDURES:

Bend Development Code (BDC)

Approval Criteria

Chapter 4.6, Land Use District Map and Text Amendments

Chapter 4.5, Master Plans

Standards

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

Article XVII, Oregon State University – Cascades Overlay Zone

Section 4.5.300, Institutional Master Plan

Procedures

Chapter 4.1, Development Review and Procedures

Bend Comprehensive Plan Policies

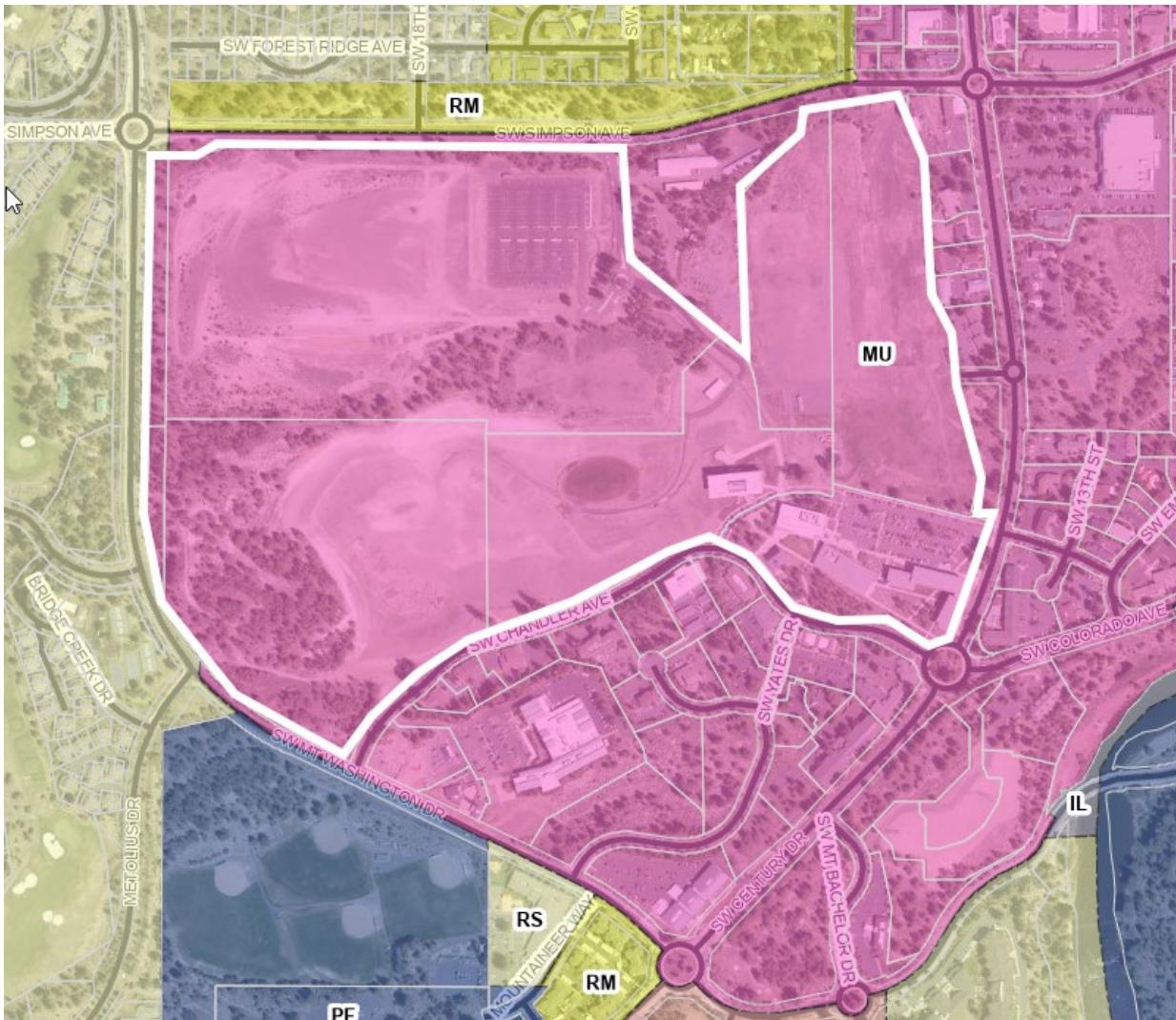
Chapter 11, Growth Management

Oregon Administrative Rules

Chapter 660, Division 15, Statewide Planning Goals

II. FINDINGS OF FACT:

- LOCATION:** The primary address for the subject property is 1500 SW Chandler Avenue and is further identified as Tax Lots 110, 111, and 1000 on the Deschutes County Assessor's Map 18-12-06, Tax Lots 100 and 2100 on the Deschutes County Assessor's Map 18-12-06C, Tax Lot 4300 on the Deschutes County Assessor's Map 18-11-01A, and Tax Lot 12300 on the Deschutes County Assessor's Map 18-11-01D.
- ZONING AND PLAN DESIGNATION:** The subject property is zoned Mixed-Use Urban (MU) and designated MU on the City of Bend Comprehensive Plan. The property is also identified as being in the Oregon State University – Cascades Overlay Zone and in the Central Westside/Century Drive “Opportunity Area” in Chapter 11 of the Bend Comprehensive Plan.



3. SITE DESCRIPTION AND SURROUNDING USES: The Oregon State University –

Cascades (OSU-Cascades) campus encompasses 128 acres occupying most of the block bounded by Century Drive on the east, Simpson Avenue on the north, Mount Washington Drive on the west and Chandler Avenue on the south. Within the overall block that contains the campus, there is a strip of non-university parcels between the west side of SW Century Drive and the OSU-Cascades campus, and Bend Parks & Recreation District's maintenance yard along SW Simpson Avenue.

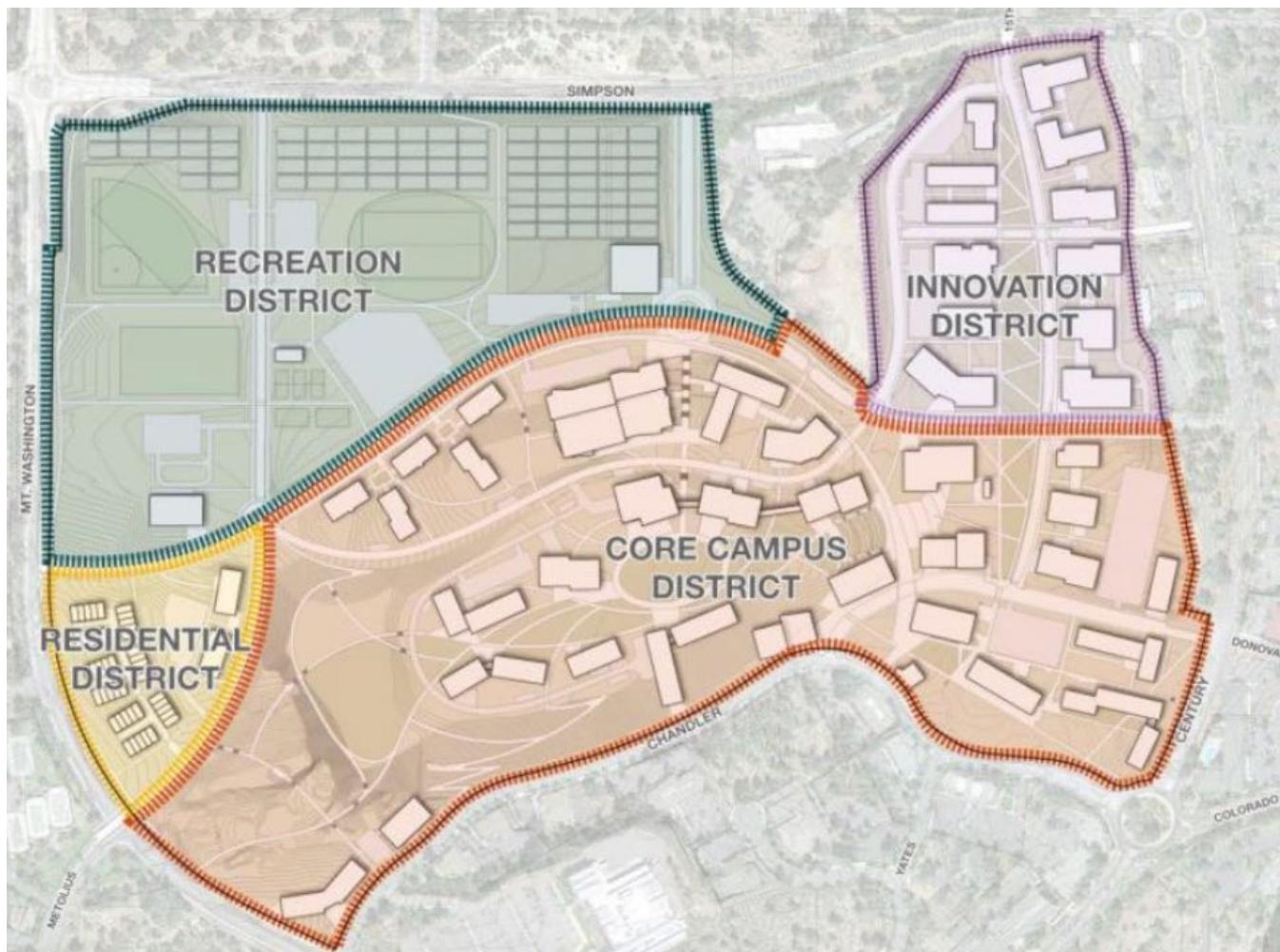
The southern portion of the campus is a former pumice quarry that is being reclaimed. This process is elevating the base of the area and reducing the slope of the bounding walls. The northern portion of the campus lands is a former landfill for construction and demolition debris. This area is undergoing remediation, with fill material being extracted, sorted, and ground. These two processes are combined in a series of phased “Reclamation and Remediation” projects – and result in a blend of recovered material and native site material that is reintroduced as structural fill supporting future facility development.

To the north and west of the campus lies primarily residential uses, zoned Medium Density Residential (RM) and Standard Density Residential (RS) respectively. Office and

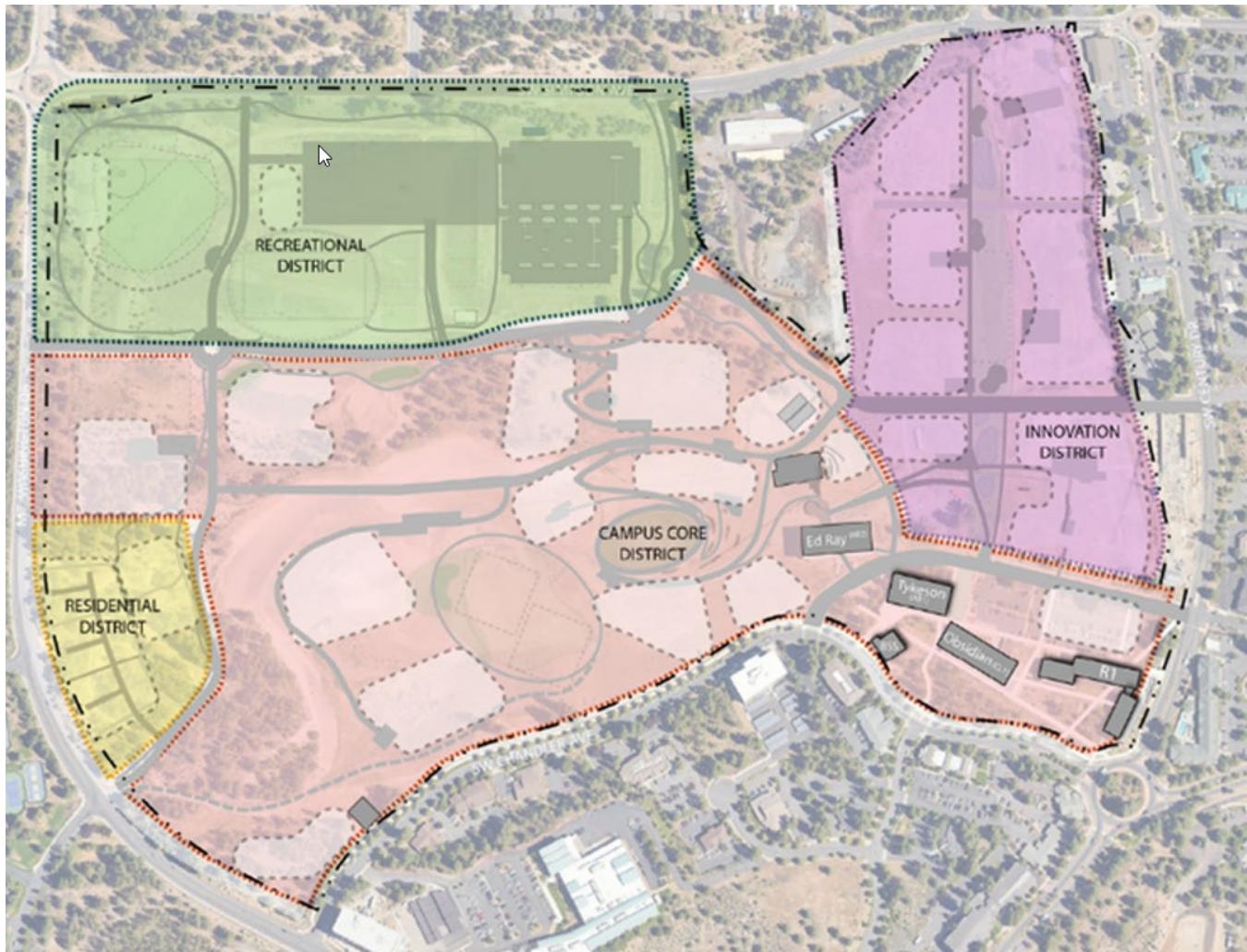
commercial retail uses lie to the south and east, also zoned MU.

4. **PROPOSAL:** The applicant proposes a Quasi-judicial Development Code Text Amendment of Article XVII, Oregon State University - Cascades Overlay Zone, to modify the boundaries of the four campus subdistricts, amend the Innovation District standards to allow increased building height and manufacturing uses without a retail component, modify landscape standards to allow a more natural landscape, realign Innovation Way, and clarify specific street sections (Type III Quasi-Judicial Review with Planning Commission recommendation to City Council).

The Innovation District is proposed to extend south to Cascades Lane (the northern boundary of the original 2014 campus). The Recreation District will remain north of Innovation Way (east-west transportation corridor) and the area between the realigned Innovation Way and the Residential District will be designated the Core Campus District.



Existing Campus Districts (Figure 2.7.3520)



Proposed Campus Districts (Figure 2.7.3520)

5. BACKGROUND: In 2014, a Site Plan Review application was approved, and confirmed upon appeal, for a college campus comprising three buildings on 10.44 acres bounded on the south by Chandler Avenue and the east by Century Drive (PZ-14-0210). In June 2018, the Bend City Council adopted the OSU-Cascades Overlay Zone as an Institutional Master Plan (Ordinance 2309) for 128 acres including the original 10.44-acre campus, a pumice mine to the west and a construction demolition landfill to the north and northwest.

The OSU-Cascades Master Plan/Overlay identifies four campus districts: the Core Campus District comprising the southern portion of the campus, the Innovation District comprising the east/northeast portion of the campus, the Recreation District comprising the northwest portion of the campus and a small Residential District along the western boundary on Mt. Washington Drive.

6. PUBLIC NOTICE AND COMMENTS: In accordance with BDC 4.1.215, the applicant held a virtual neighborhood public meeting via Zoom on January 9, 2025. Four people attended in addition to the applicant team. Concerns raised by an abutting property owner included the impact of increased building height on the solar facilities on abutting buildings, dust

from construction and possible future entrance from Century Drive noted on previous plans. Another adjacent property to the north expressed concerns about parking lots closer to Simpson Avenue and the heat island effect of these lots; trees as a buffer along Simpson Avenue were suggested.

On March 3, 2025, the Planning Division mailed notice of the Planning Commission public hearing to surrounding owners of record as shown on the most recent property tax assessment roll and to the addresses of property (based on the City's current addressing record) within 500 feet of the site, and to the designated representatives of the Century West, River West and Southern Crossing Neighborhood Districts. A "Proposed Development" sign was also posted on the site on March 3, 2025. Notices were also sent to participating City Departments and other affected agencies for comment. The Bend Parks and Recreation District (BPRD) submitted an agency comment letter regarding continuing access to their property located south of Simpson Avenue and east of the OSU-Cascades northern access road. An existing public access easement over this private northern entrance road does not extend to the BPRD property line. The easement recorded by OSU-Cascades is one foot shy of the shared property line, potentially limiting continued access to the BPRD property as access to Simpson Avenue is not feasible due to topography nor desired by the City since Simpson Avenue is an arterial road. The submittal letter is contained in the project file.

The required notice to the Department of Land Conservation and Development (DLCD) was provided on February 14, 2025, more than the required 35 days prior to the first public hearing.

As of the date of this report, two public comment letters from the Bend Parks and Recreation District (BPRD) have been received by the Planning Division. A representative of BPRD also submitted oral comments at the Planning Commission public hearing.

- 7. APPLICATION ACCEPTANCE DATE:** This application was submitted on February 11, 2025 and deemed complete on February 25, 2025. This application for a quasi-judicial Development Code text amendment is not subject to the 120-day statutory time limitation for review.
- 8. RECORD:** The documents in CityView for PLTEXT20250071 are made part of the record and are placed before the Planning Commission for consideration during the proceedings on the amendments. The documents are available for review and can be viewed in the Online Permit Center Portal at www.permitcenter.bendoregon.gov on the City of Bend website by opening the portal and selecting the Application Search link under the Planning & Historic header, and entering the project number PLTEXT20250071 in the search bar to find the project.

III. APPLICATION OF APPROVAL CRITERIA:

BDC 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 BDC*

Chapter 4.1, Development Review and Procedures, using the standards of approval in subsection (B) and/or (C) of this section, as applicable. Based on the applicant's ability to satisfy the approval criteria, the applicant may be approved, approved with conditions, or denied.

FINDING: This application is for a text amendment to certain Bend Development Code (BDC) sections in Chapter 2.7 and does not include an amendment to the Bend Comprehensive Plan text or map or a zone change. The text amendment involves the application of existing policy to a specific factual setting, affecting a limited group of properties, specifically the Oregon State University – Cascades Overlay Zone, which is codified in BDC Chapter 2.7, establishing unique standards for the overlay zone.

The BDC requires this application be considered through a Type III quasi-judicial procedure, pursuant to BDC 4.1.426(A), for two reasons. First, although the application amends the text of the BDC, the City's acknowledged land use regulations, the amendment applies narrowly, only to the areas within the Oregon State University – Cascades Overlay Zone. Second, BDC 4.5.100(D) provides that master plans and amendments of this type are processed as quasi-judicial applications and not legislative applications. Therefore, the following criteria from BDC 4.5.300.E. for Institutional Master Plans are addressed for this quasi-judicial text amendment application.

4.5 Master Plans

4.5.300 Institutional Master Plan.

E. Approval Criteria. The City may approve, approve with conditions, or deny the proposed institutional master plan application based on meeting all of the following criteria:

- 1. The proposed land uses within the institutional master plan must be consistent with the Bend Comprehensive Plan Map designations. If rearranging the plan designation locations and/or zoning are proposed as part of the major institutional master plan application, the major institutional master plan must retain the same total area of all plan designations on the subject site or within one percent of the same total acreage consistent with the allocations prescribed by the existing plan designations. Any other changes to the Comprehensive Plan Map designations require a Comprehensive Plan and zoning map amendment to be processed concurrently in accordance with BDC Chapter 4.6, Land Use District Map and Text Amendments.**

FINDING: The requested amendment does not change the underlying Comprehensive Plan Pap designations or zoning of Mixed Use – Urban (MU). The boundaries of the subdistricts within the OSU-Cascades Overlay Zone are being slightly modified. This criterion is met.

- 2. The applicant has demonstrated that the standards and zoning district requirements contained in BDC Title 2, Land Use Districts, and BDC Title 3, Design Standards, are capable of being met during site plan or land division review, except as proposed to be modified by the applicant as part of a major institutional master plan. Where the applicant has proposed deviations to the**

above standards and/or zoning district requirements as part of a major institutional master plan, the applicant has demonstrated:

FINDING: The proposal includes the following modifications to the standards in BDC Titles 2 and 3, which will be applicable only within the OSU-Cascades Overlay Zone.

Building Height. This amendment proposes an increased height for buildings in the Innovation District from sixty-five feet (65') allowed in the base zone (MU-Urban) to eighty-five feet (85').

Manufacturing Uses. The MU zone allows manufacturing uses only if accompanied by a retail component. This amendment allows manufacturing uses in the Innovation District of the OSU-Cascades Overlay Zone up to 25,000 square feet per tenant space and to allow these uses with or without a retail component.

Loading Docks. The amendment also establishes a limit on the location and number of loading docks to limit the potential for large truck volumes.

Architectural Standards. Rather than including a detailed figure in the BDC showing the exceptions for MU Zone architectural standards on individual campus buildings that may be shifted in the future, the exceptions for MU Zone architectural standards would apply throughout the interior of the campus. In general, the architectural standards would only apply to buildings within 80 feet of the exterior public streets.

Landscaping Standards. To emphasize restoration of the landscape using native species, amendments to the landscaping standards remove the requirement for deciduous trees in some areas and waives the requirement for minimum plant sizes and spacing requirements. Amended standards also acknowledge the large size of the campus and limit required landscaping to areas within 25 feet of each building.

Street sections. The OSU-Cascades Overlay included a selection of street cross sections that could apply to a variety of internal campus streets. A revised figure identifies where specific cross-sections will be applied and provides an additional specific cross section for Innovation Way.

- a. ***That granting a deviation to the BDC standards and/or zoning district requirements will equally or better meet the purpose of the regulation proposed to be modified; or***

FINDING: The proposed modifications to the BDC Title 2 and 3 standards equally or better meet the purpose of the regulations proposed to be modified, as described below.

Building Height. This amendment proposes an increased height for buildings in the Innovation District from sixty-five feet (65') allowed in the base zone (MU-Urban) to eighty-five feet (85'). The proposed change in height limit is a reflection of the applicant's preliminary outreach to potential private development partners for this district. This proposed height is intended to allow for uses in the Innovation District including ground and second floor labs which require a taller floor to floor height. The increased height is limited to the east side of campus (the Innovation District) to create a dynamic mixed-use corridor along SW Century Drive with an urban feel.

The increased building height is in alignment with the maximum height under consideration for the Climate Friendly Areas Study for Bend. The City must designate one or more Climate Friendly Areas (CFAs) in the next year or so¹, identifying areas for walkable, mixed-use development and high-quality pedestrian, bicycle and transit infrastructure. The Central Westside Study Area, of which the OSU-Cascades campus is a component, has been identified as one of five potential CFAs.² The MU zone is the zone closest to meeting Primary CFA requirements, which must be 25 acres in size and include the most intensive development standards.³

OSU analyzed the impact of the increased building height on shading of surrounding properties and existing view corridors. OSU's analysis demonstrates that the additional height allowed would not have any additional impact on view corridors from existing neighboring and nearby properties when compared to the existing maximum height for the MU zone. With regard to shading, OSU-Cascades prepared diagrams that model the general impact of shading from buildings on the Innovation District buildings on nearby neighboring buildings. Buildings to the east and northeast of the Innovation District would be somewhat shaded by buildings in the district. It is common with solar shading studies to focus on the middle part of the day, with 10:00 am to 2:00 pm being a primary timeframe; in this period of the day, the sun is at its highest in any given season. This analysis showed that the difference in the amount of adjacent properties shaded at an average time – 2:00 pm on the equinoxes – would be about 5-10 feet longer shadows at the higher maximum; at noon, the shadows would not be expected to significantly shade adjacent off-campus properties.

¹ OAR 660-012-0012(4)((c) and (5)(b) and (c)

² <https://www.bendoregon.gov/government/departments/growth-management/climate-friendly-and-equitable-communities/climate-friendly-areas>

³ <https://www.bendoregon.gov/home/showpublisheddocument/57705/638387568641930000>

**Shading at 2:00 pm
Equinoxes (March 21, September 21)**



Innovation District Building Height: 65 ft.



Innovation District Building Height: 85 ft.

Manufacturing Uses. The MU zone allows manufacturing uses only if accompanied by a retail component, which is intended to promote vibrant mixed-use centers with an emphasis on retail and entertainment centers at the street level. This amendment allows manufacturing uses in the Innovation District of the OSU-Cascades Master Plan up to 25,000 square feet per tenant space and to allow these uses with or without a retail component. This refinement to the light industrial uses allowed in the Innovation District clarify that the uses in this area are intended to align with OSU's educational programs, while also limiting the scale of industrial usage.

Loading Docks. This amendment places a maximum number of loading docks, rather than a minimum as imposed under BDC 3.3.400.A., to limit the potential for large truck volumes generated by manufacturing uses in the Innovation District. The amendment also specifies that loading docks also may not be placed within 80 feet from the exterior public streets bordering the campus.

Architectural Standards. Refinements to the architectural standards for the overlay zone, primarily related to building facades facing streets and requirements for ground-floor windows

and weather protection, maintain the intent for a pedestrian-friendly campus, while recognizing that campus facilities may be sited in relation to campus open spaces and pedestrian networks, as well as internal streets. The specific requirements of the base zone will remain in place on all edges of the campus facing the larger community.

Landscaping Standards. OSU-Cascades' development plan emphasizes restoration of the landscape, using native species and implementation strategies that help ensure plant stability and reduced dependence on irrigation beyond the period of establishment for plants. Consistent with this landscaping plan, the amendment removes the requirement of deciduous trees, which are not native to the high desert. Removal of the requirements for minimum plant sizes allows OSU-Cascades to introduce younger plants from local nurseries providing those plants the opportunity to establish over a longer period of time. The flexibility to diverge from plant spacing requirements also allows a more natural variation in spacing and plant species mixes. Due to the large size of the campus and the parcels that comprise it, required landscaping for new development is limited to areas within 25 feet of each building and parking lot. To mitigate the impact of this reduced landscaping requirement, a 25-foot native landscape buffer must be retained along Simpson Avenue and Mt. Washington Avenue in the Recreation District and Core Campus District that are adjacent to residentially zoned areas.

Street Cross-sections. The street sections adopted in the existing overlay zone have been updated, providing variations on those originally approved, allowing for variable widths for landscaped areas along streets, and clarifying where overall street widths may be adjusted to accommodate emergency vehicles. They also provide flexibility in siting of the campus path network relative to the street system.

- b. That granting a deviation to the BDC standards and/or zoning district requirements is necessary due to topographical constraints or other unique characteristics of the property or specific development type proposed by the master plan; and***

FINDING: The OSU-Cascades university campus is a unique blend of university-related research and development and traditional mixed-use development. It also lies on a unique landform created by human-related disturbance, namely a pumice mine and a construction demolition landfill. The resulting topography places some areas in the southern portion of the campus below the surrounding public street level. The large size of the campus (125 acres) justifies special standards limiting the application of required landscaping around new buildings and along public streets adjacent to residential development. These unique characteristics require deviations to the standard requirements to allow the types of development envisioned for the public-private partnerships in the Innovation District as well as how development will occur along the edges of the campus boundary.

- c. That any impacts resulting from the deviation are mitigated to the extent reasonably practical.***

FINDING: As described above, the proposed deviations from the standard requirements in BDC Titles 2 and 3 do not create impacts that require mitigation. Implementation of the remaining code requirements of the MU Zone ensure that development will occur harmoniously with the surrounding vicinity.

4.5.300 Institutional Master Plan.

E. Approval Criteria. (continued from page 7)

- 3. The institutional master plan complies with BDC Chapter 4.7, Transportation Analysis, and meets all the approval criteria in BDC Chapter 4.8, Transportation and Parking Demand Management (TPDM) Plan.**

FINDING: The adopted OSU-Cascades master plan included a traffic analysis (City file BP 17-5592 TFRA) which outlined specific transportation mitigation measures triggered at certain levels of development as the campus develops. With implementation of these mitigation measures (codified in BDC 2.7.3570) as campus development continues, sufficient capacity will exist in the surrounding transportation system. As noted in BDC 2.7.3590, the OSU-Cascades master plan reserves infrastructure capacity through the year 2034 and up to an on-campus population of 5,000 students. The amendments to the OSU-Cascades Overlay Zone do not change the overall quantity of development; thus no additional vehicle trips are anticipated. The additional building height that would be allowed in the Innovation District does not increase the overall square footage of development anticipated in this area, only the types of buildings that could be constructed. This amendment also does not propose any changes to the previously approved transportation mitigation program and the TPDM Plan.

This amendment does propose revised street sections which are variations on the sections previously adopted in the overlay zone and allow for variable widths for landscaped areas along streets, and clarifying where overall street widths may be adjusted to accommodate emergency vehicles. These street sections will continue to carry the same vehicle capacity as the originally approved street types. They also provide flexibility in siting of the campus path network relative to the street system. The proposed amendments continue to comply with the standards of BDC Chapters 4.7 and 4.8.

- 4. Existing water and sewer facilities have adequate capacity to serve the proposed development in compliance with the Collection Systems Master Plan and the Water System Master Plan, latest editions, or adequate facilities will be installed prior to occupancy or use.**

FINDING: The adopted OSU-Cascades master plan included a water and sewer analysis (Exhibit 5 of PZ-18-0004; SWA 17-5655) which determined that sufficient capacity exists for domestic water and fire flow demand and sufficient capacity exists in the sewer system for the anticipated flows from proposed level of development upon full buildout of the campus. As noted in BDC 2.7.3590, the OSU-Cascades master plan reserves infrastructure capacity through the year 2034 and up to an on-campus population of 5,000 students⁴. The proposed amendments to the OSU-Cascades Overlay Zone do not change the overall quantity of development; thus no additional impact on water and sewer facilities are anticipated. This criterion is met.

- 5. The institutional master plan provides multimodal connections on site in compliance with the City of Bend Transportation System Plan (TSP) and the Bend Parks and Recreation District Parks, Recreation, and Green Spaces**

⁴ The water & sewer analysis assumes 40% of students living on campus (2,000 beds).

Comprehensive Plan, latest editions, and existing and planned trail systems adjacent to the institutional master plan are continued through the entire institutional master plan.

FINDING: The proposed revisions to the street cross sections provide flexibility in siting of the campus path network relative to the street system. The proposed amendments do not change the compliance of the adopted master plan with this criterion, specifically the provision of a low-stress network through the campus from north to south and east to west and around the borders of the campus. This criterion is met.

- 6. The institutional master plan must provide and maintain a minimum of 10 percent of the gross area as open space in compliance with subsection (D)(5) of this section.***

FINDING: The adopted Master Plan includes significantly greater than the minimum 10 percent of gross area as open space. The Recreation District includes approximately 50% open space. The Innovation District includes approximately 45% open space. The Core Campus District includes approximately 55% open space. The Residential District includes approximately 50% open space. The total campus includes approximately 50% open space. The proposed amendments do not change the compliance of the adopted master plan with this criterion.

- 7. The institutional master plan, when located in an opportunity area and includes residential designated land, complies with the density and housing mix in BDC 4.5.200(E)(3).***

FINDING: As stated in the purpose section of the adopted master plan (BDC 2.7.3510.A.4.), the campus will “provide opportunities for a variety of housing options, including traditional student dormitories, staff housing, and multi-unit housing available to the community.” The proposed amendments do not alter or preclude achieving this stated purpose.

- 8. In lieu of the approval criteria in BDC 4.6.300, Quasi-Judicial Amendments, major institutional master plan applications that do not propose a Bend Comprehensive Plan amendment must demonstrate compliance with the following:***

- a. Approval of the request is consistent with the relevant Statewide planning goals that are designated by the Planning Director or designee; and***

FINDING: The amendments are consistent with the applicable State land use law. In particular, they satisfy Statewide Planning Goals 1, 2, 5, 6, and 8-14. Statewide Planning Goals 3, 4, 7, and 15-19 do not apply.

Goal 1, Citizen Involvement

To develop a citizen involvement program that insures the opportunity for citizens to be involved in all phases of the planning process.

FINDING: The City’s acknowledged citizen involvement program for quasi-judicial amendments is codified in BDC Chapter 4.1. The first step for citizen involvement is the public meeting required by BDC 4.1.215. The applicant held a neighborhood public meeting on

January 9, 2025. Notice was provided by the applicant to property owners located within 500 feet of the subject properties, as well the River West, Century West and Southern Crossing Neighborhood Districts, in compliance with BDC 4.1.215. The required City form for Verification of Compliance of Neighborhood Meeting, as well as documentation of the mailing of notices were included in the submittal. Type III land use applications are also noticed by the City pursuant to BDC 4.1.400, which ensures that citizens are informed of the opportunity to participate in a public hearing. The requirements of this goal have been met.

Conformance with Goal 1 is further achieved through compliance with Title 4 of the Bend Development Code, Applications and Review Procedures. Section 4.6.300 of the Development Code establishes that quasi-judicial amendments must follow a Type III procedure as governed by Chapter 4.1.

An initial public hearing before the Planning Commission will precede a second public hearing before the City Council. The public involvement procedures identified in the Development Code are being followed, which will ensure compliance with Statewide Planning Goal 1.

Goal 2, Land Use Planning

To establish a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions.

FINDING: The proposed text amendments are within a Development Code that has been crafted to be consistent with the Bend Comprehensive Plan policies specific to the subject property, BCP 11-36. The Bend Comprehensive Plan was acknowledged by the Oregon Department of Land Conservation and Development (DLCD). The proposed text and associated figure amendments serve to implement the applicable BCP Policies and do not alter the administration of the code or the established requirements which ensure a factual base for all decisions.

The City will review and process this application consistent with the procedures detailed in the BDC Chapter 4.1, including consideration of any agency and public comments received regarding the application. Therefore, consistency with this Statewide Planning Goal is established.

Goal 3, Agricultural Lands

To preserve and maintain agricultural lands.

Goal 4, Forest Lands

To conserve forest lands by maintaining the forest land base and to protect the state's forest economy by making possible economically efficient forest practices that assure the continuous growing and harvesting of forest tree species as the leading use on forest land consistent with sound management of soil, air, water, and fish and wildlife resources and to provide for recreational opportunities and agriculture.

FINDING: There are no designated agricultural or forest lands within the project area. Therefore, Goals 3 and 4 do not apply.

Goal 5, Natural Resources, Scenic and Historic Areas, and Open Spaces

To protect natural resources and conserve scenic and historic areas and open spaces.

FINDING: In the 2016 UGB expansion decision, the Bend City Council found that the subject properties do not include any of the following Goal 5 resources: riparian corridors, wetlands, Federal Wild and Scenic Rivers, State Scenic Waterways, groundwater resources, approved Oregon Recreation Trails, natural areas, wilderness areas, mineral and aggregate resources, energy sources and cultural areas. Those findings note that the City relied on the inventory included in the Deschutes County Comprehensive Plan and available information from State and Federal sources to make this determination. For areas within the Bend UGB, the Bend Development Code includes regulations for Areas of Special Interest (ASI), which has been acknowledged by the Department of Land Conservation and Development. An Upland Area of Special Interest (ASI) is identified in the southwest portion of the campus; this amendment does not change its status or allow for development in that area. For the above reasons, the requirements of Goal 5 are met.

Goal 6, Air, Water and Land Resources Quality

To maintain and improve the quality of the air, water and land resources of the state.

FINDING: Air and water quality are regulated by the Oregon Department of Environmental Quality. For areas within the Bend UGB, the Bend Development Code includes regulations for the Waterway Overlay Zone (WOZ), which has been acknowledged by the Department of Land Conservation and Development. The subject properties are not located within the WOZ. Maintaining or improving the quality of the community's air, water and land resources will be assured through enforcement of state and local regulations. Noise levels will not exceed DEQ noise regulations.

OSU-Cascades has continued to develop its pioneering approach to remediation and restoration of the campus lands, as well as water resource management practices that will reduce potable water consumption and pilot strategies for the region.

Since the Overlay Zone was adopted, approximately 65 acres of former pumice mine and landfill have been remediated and reclaimed. These lands are now in use by the campus and available for future campus uses. OSU-Cascades has also conducted additional analysis of water systems to be implemented as the campus grows. Landscaping within the campus is focused on creating a restorative approach, planting and establishing species that are appropriate to the increasingly arid climate of the region. This approach helps stabilize the land and reduces water needed for irrigation. Therefore, Goal 6 is satisfied.

Goal 7, Areas Subject to Natural Hazards

To protect people and property from natural hazards.

FINDING: No 100-year floodplains or mapped landslide areas are located within these subject properties. The development of the campus to date has reduced several sources of risk that were inherent in the site when OSU took ownership. Reclamation of the former pumice mine

has included re-grading of most of the surrounding slopes to stabilize them while creating buildable land areas. Similarly, the phased remediation of the former Deschutes County landfill for construction and demolition debris is reducing hazards from that prior land use. Therefore, Goal 7 is satisfied.

Goal 8, Recreational Needs

To satisfy the recreational needs of citizens of the state and visitors and, where appropriate, to provide for the siting of necessary recreational facilities including destination resorts..

FINDING: The City adopted the Bend Comprehensive Plan and the Department of Land Conservation and Development has acknowledged that Plan. Chapter 2 of the Bend Comprehensive Plan establishes Goals and Policies which address Natural Features and Open Space needs within the City of Bend and prescribes responsibilities of both the City and the Bend Park and Recreation District (BPRD), via Policy 2-2.

This amendment does not propose changes to OSU-Cascade's plans for recreational uses on the campus. Active and passive recreational facilities for the campus population are part of the overall development plan for the campus. The slight change of the southern boundary of the Recreational District with the realignment of Innovation Way does not reduce the number of fields or open space area anticipated with the original adoption of the OSU-Cascades master plan.

Because the proposal is consistent with the adopted Bend Development Code, and the acknowledged Bend Comprehensive Plan, it is also consistent with this Statewide Planning Goal. Therefore, Goal 8 is satisfied.

Goal 9, Economic Development

To provide adequate opportunities throughout the state for a variety of economic activities vital to the health, welfare, and prosperity of Oregon's citizens.

FINDING: The Innovation District within the OSU-Cascades campus is intended to specifically address economic development goals, which is also stated in the purpose section of the master plan: "create an economically successful mixed-use center" (BDC 2.7.3510.A.6). This amendment proposes revisions to the Overlay Zone to support its successful development. The proposed revisions to permitted uses and building height in the Innovation District are based on preliminary engagement by OSU-Cascades with potential development partners and alignment with OSU's educational programs. Therefore, Goal 9 is satisfied.

Goal 10, Housing

To provide for the housing needs of the citizens of the state.

FINDING: The adopted OSU-Cascades Master Plan accomplishes this goal by providing multi-family "middle market" housing and student housing on property that the City of Bend has not allocated a minimum housing density. By providing both student housing and a sizeable amount of multi-family "middle market" housing, the OSU-Cascades Master Plan is consistent with Goal 10's requirement to "provide for the housing needs of citizens of the state." The

middle market housing provided within the OSU Master Plan further supports the City achieving the housing mix identified in the City's adopted 2016 Housing Needs Analysis. The proposed amendments to the OSU-Cascades master plan do not change how housing needs will be fulfilled. Therefore, Goal 10 is satisfied.

Goal 11, Public Facilities and Services

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.

FINDING: As noted in the original adoption of the OSU-Cascades Master Plan, all needed public facilities and services are available to the subject property. Water and sanitary sewer service is available via existing City infrastructure located in the adjacent streets and capacity exists within these two systems. An established network of streets surrounds the property. The OSU-Cascades Traffic Impact Analysis identified traffic mitigation measures to address impacts to the surrounding transportation system as the campus develops. Emergency services are available through the City of Bend Fire and Police Departments. The subject property is also located within the Bend-LaPine School District. No amendments were required to the City's adopted water, sewer collection, and transportation public facility plans to support the OSU-Cascades campus development.

The proposed amendments to the OSU-Cascades Overlay Zone do not change the overall quantity of development; thus no additional impact on public facilities and services are anticipated. Therefore, Goal 11 is satisfied.

Goal 12, Transportation

To provide and encourage a safe, convenient and economic transportation system.

FINDING: Goal 12 is implemented by OAR 660-012-0060, which in turn is implemented by the Bend Comprehensive Plan (including the Transportation System Plan) and BDC Chapter 4.7. The OSU-Cascades Master Plan included a Traffic Impact Analysis and a Transportation Demand Management program, which resulted in a Transportation Mitigation Plan incorporated into the master plan code (BDC 2.7.3570). These mitigation measures are triggered at specific levels of development as the campus builds out.

This amendment to the OSU-Cascades Overlay Zone does not change the overall quantity of development; thus no additional vehicle trips are anticipated. This amendment also does not propose any changes to the previously approved transportation mitigation program.

This amendment does propose revised street sections which are variations on the sections previously adopted and more accurately reflect OSU-Cascades' intent to allow for variable widths for landscaped areas along streets, and clarify where overall street widths may be adjusted to accommodate emergency vehicles. They also provide flexibility in siting of the campus path network relative to the street system. These street sections will continue to carry the same vehicle capacity as the originally approved street types. Therefore, Goal 12 is satisfied.

Goal 13, Energy Conservation

Land and uses developed on the land shall be managed and controlled so as to maximize the conservation of all forms of energy, based upon sound economic principles.

FINDING: Goal 13 generally imposes obligations on local governments to develop plans and implementing measures that conserve energy. In 2016, Council found that the 2016 UGB expansion satisfied Goal 13 because it was designed to conserve energy by directing more growth in housing and employment to opportunity areas inside the existing UGB, considering energy in the evaluation and arrangement of land uses in the UGB expansion areas, and ensuring that the areas added to the UGB are well connected to the transportation system.

Since adoption of the OSU-C Overlay Zone in 2018, OSU-Cascades prepared a Campus Energy Study and plan that recommended an open loop geo-exchange-based district energy system with nodal distribution. The first phases of the campus energy system have been developed, including a well pair that extracts ground water and returns it to the aquifer, after passing it through heat exchangers which allow for extraction or rejection of heat, depending on campus demand. This system now provides the heating and cooling services for the two newest buildings on campus. This system is pivotal in supporting the campus net-zero energy goals. Therefore, Goal 13 is satisfied.

Goal 14, Urbanization

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.

FINDING: During the City's 2016 UGB expansion process, the City demonstrated a need to amend the UGB to accommodate future urban population and job growth within the Bend UGB, through several analyses, including the Urbanization Report and the UGB Scenario Evaluation Report. The City inventoried its buildable lands for both housing and employment and forecasted future needs for housing and employment based on the 20-year population forecast, determining that a UGB expansion was necessary. This UGB expansion was adopted in 2016.

OSU's commitment to restoring this site through reclamation and remediation and creation of the campus is a key factor in creating a more compact urban area in the Century Drive corridor and Central Westside generally. The OSU-C campus development plan has been developed to align with City goals to concentrate planned development in Opportunity Areas, as discussed further in the following section addressing the Comprehensive Plan policies and designation. As such, the proposal is consistent with Goal 14.

Goal 15, Willamette River Greenway

Goal 16, Estuarine Resources

Goal 17, Coastal Shorelands

Goal 18, Beaches and Dunes

Goal 19, Ocean Resources

FINDING: Goals 15 through 19 are not applicable to the proposed amendments because the subject properties do not include any of the noted features and are not located within the coastal or Willamette Valley regions.

(CONTINUED from page 13)

- 8. *In lieu of the approval criteria in BDC 4.6.300, Quasi-Judicial Amendments, major institutional master plan applications that do not propose a Bend Comprehensive Plan amendment must demonstrate compliance with the following:***
 - b. 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 “goals” established in the Comprehensive Plan express the desires of the residents of Bend as the City progresses into the future. The “goals” are generally carried out through “policies,” which are statements of public policy. The following Policies are applicable:

Chapter 11, Growth Management

Policy 11-2 *The City will encourage infill and redevelopment of appropriate areas within Bend’s Central Core, Opportunity Areas and transit corridors (shown on Figure 11-1).*

“Opportunity Areas: During the UGB Remand planning process (2014 to 2016), the City evaluated the efficient use of existing urban land through the lens of “opportunity areas”. Opportunity areas are locations within the City that are appropriate to focus new growth due to their location, zoning (existing or planned), amount of vacant or underdeveloped land, and/or proximity to urban services. Each opportunity area will serve a unique role in the City’s future – some are vacant land and will develop primarily through private sector initiative; others are redevelopment opportunities and will require a partnership of private sector investment and City support or investment.

...

“Century Drive Area – a key part of the Central Westside Plan, the siting of OSU’s new four-year Cascades campus offers an opportunity to create a new mixed-use center anchored and supported by the new institutional employment district.”

FINDING: The changes proposed in this OSU-Cascades Overlay Zone Amendment, particularly the allowed uses and increased building height in the Innovation District, are in alignment with the goals of defined Opportunity Area.

Policy 11-36 *“The City has identified a need for a special site for a university as part of the Urban Growth Boundary Process. At this time, Oregon State University is developing plans for a Bend campus. If OSU’s plans are approved by the City, their campus will meet this identified need. The campus site currently being developed is between Century Drive, Mt. Washington*

OSU Master Plan Text Amendment

PLTEXT20250071

Page 19 of 20

Drive and Simpson Avenue (see Figure 11-6). Further expansions of the university within this area of the City are also being considered. Such a designation for this area does not preclude land uses other than institutional."

FINDING: The 2018 approval of the OSU-Cascades Overlay Zone and accompanying mitigation measures represents the approval referred to in this Policy. Campus development is proceeding in accordance with its designation as a special site, as well as with the goals of Century Drive Opportunity Area and the Mixed Use-Urban zoning designation. OSU-Cascades provides periodic updates to the City to document campus developments.

IV. RECOMMENDATION: Based on the plans and supporting documents submitted by the applicant, and the findings of fact in this staff report which are based on the applicant's burden of proof narrative addressing the relevant criteria for approval, the Planning Commission recommends the Bend City Council adopt an ordinance to amend the OSU-Cascades Overlay District, as proposed, with the following revisions/conditions:

- A. Delete 1.3 from Figure 2.7.3560.A, but keep the 1.3 cross section in BDC 2.7.3560.
- B. Add an illustrative figure to BDC 2.7.3540.C.1. visually depicting the applicability of the exception in this code section.
- C. That the issue of access to the Bend Parks and Recreation District (BPRD) property from the internal road system be resolved.