



July 26, 2021

Filed via: [phardie@bendoregon.gov](mailto:phardie@bendoregon.gov)

City of Bend Planning Commission  
c/o Pauline Hardie, Senior Planner  
710 NW Wall St.  
Bend, OR 97703

**Re: PLTEXT20210421 - HB 2001 Bend Comprehensive Plan and Development Code Amendments**

Dear Chair Winters and Planning Commissioners,

Central Oregon LandWatch (“LandWatch”) submits this letter in support of file no. PLTEXT20210421, the draft HB 2001 Bend Comprehensive Plan and Development Code Amendments (the “amendments.”) LandWatch participated on the City’s HB 2001 Stakeholder Advisory Group and while the proposed amendments include minor compromises to our preferred implementation of HB 2001, we support the amendments before the Planning Commission today.

The amendments would update the Bend Development Code to comply with HB 2001 and its implementing Oregon Administrative Rules. HB 2001 requires cities like Bend to allow duplexes on all lots and parcels that allow single family detached dwellings, and to allow middle housing types in areas zoned for residential use that allow single family detached dwellings. The amendments allow townhomes and triplexes in all of the City’s residential zoning districts<sup>1</sup>; reduce minimum lot size standards for middle housing; remove density maximums for middle housing; remove floor-area ratio standards for most middle housing types; add some design standards for triplexes, quadplexes, and townhomes; reduce off-street parking minimums for middle housing; allow only one short-term rental in a middle housing development; allow cottage cluster developments; and exempt most middle housing types from minimum development standards review.

LandWatch is a steadfast advocate for Oregon’s statewide land use planning system, created by SB 100 in 1973 and amended many times since then. The land use system requires us to balance many goals simultaneously, including economic development, natural resources protection, public participation, and provision of needed housing. As a legislative amendment to the City’s comprehensive plan and development codes, these HB 2001 code amendments must comply with the 19 statewide land use goals. ORS 197.175(2)(a). The amendments align with several

---

<sup>1</sup> The City previously in 2018 changed its code to allow duplexes and triplexes in many residential zoning districts.



bedrock features of our statewide land use planning system, and that alignment forms the basis of LandWatch's support for the amendments.

Specifically, by allowing greater opportunity for residential infill development inside the City's existing urban growth boundary (UGB), the amendments specifically further statewide land use Goals 3, 4, 5, 10, 11, 12, and 14. Goals 3, 4, and 5 protect rural resource lands (farm land and forest land) and natural resources and open space. By allowing more growth to be accommodated inside the existing UGB, the amendments will reduce pressure to expand the UGB onto rural resource lands and open space outside of the current UGB. Goal 10 requires cities to provide needed housing. Goal 10 also requires the adoption of a buildable lands inventory and a housing needs analysis that guide planning for future growth. The amendments will create new opportunities for smaller, more affordable housing types that are in short supply in Bend. Goal 11 requires orderly and efficient public facilities and services and Goal 12 requires provision of a safe, convenient, and economic transportation system. The amendments allow increased residential development in areas already served by public facilities and transportation infrastructure, reducing the need to build new expensive infrastructure on the City's outskirts and reducing reliance on the automobile for more Bend residents. Finally, Goal 14 requires and orderly and efficient accommodation of urban populations in livable communities within urban growth boundaries. By making efficient use of land already inside the UGB to accommodate residential growth, the amendments will help Bend use its land efficiently, prevent additional urban sprawl, and encourage livable and sustainable neighborhoods.

Allowance of middle housing pursuant to these amendments will help the City accommodate the growth forecast by the 2016 UGB amendment and comprehensive plan update plan. The current housing stock in Bend could be described as a "barbell" with a high concentration of low-density single-family detached housing and, at the other end of the barbell, a growing number of high-density apartment buildings. Allowing middle housing types will help even out the housing supply and spread some growth equitably across the City and without overburdening existing neighborhoods.

While LandWatch supports the amendments, we do have two concerns to bring to your attention. First, the amendments do not do enough to ensure that new middle housing will be subject to design standards resulting in walkable communities. Specifically, we recommend that the maximum street frontage for garages be reduced to 50% as called for in the Large Cities Middle Housing Model Code Chapter 3, Section (C)(4). We also recommend using the model code language for front door orientation standards found at Large Cities Middle Housing Model Code Chapter 3, Section (C)(2) which requires front doors on middle housing to be designed with neighborhood walkability in mind.

Second, the City could have provided more opportunities for public education and participation in its development of these HB 2001 code amendments. Some in our community have justifiably pointed out that Bend's outreach and public participation efforts have been less than those made by other Oregon cities in their HB 2001 code amendment processes. While the City's adoption





of these amendments is largely a ministerial action necessary for the City to comply with HB 2001, we agree that increased efforts to educate and provide opportunity for public comment would have made for a more robust public process. We hope that the City considers this in future land use planning processes.

LandWatch supports the proposed HB 2001 code amendments because they will help provide smaller, more affordable housing types inside the existing UGB, and because they further the goals of Oregon's statewide land use planning system. With a couple of small tweaks to design standards to encourage walkable communities, we urge the Planning Commission to recommend adoption of the amendments.

Thank you for your consideration of these comments.

Sincerely,

Rory Isbell  
Staff Attorney  
Central Oregon LandWatch  
2843 NW Lolo Drive, Suite 200  
Bend, Oregon 97703  
[rory@colw.org](mailto:rory@colw.org)  
541-647-2930

