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UGB Remand Project - Public Comments

April 20, 2016

Victor Chudowsky, Chair
City of Bend UGB Steering Committee

Mr. Chairman:

I am writing on behalf of the Bend Neighborhood Coalition, Inc., an independent non-profit organized by community volunteers concerned with maintaining the quality of life in our residential neighborhoods.

Our research on best practices in more urbanized cities, suggests that Bend can grow and accommodate increased density while remaining livable. Other cities have done this through policies that minimize conflicts that would otherwise require expensive city resources, including police and code enforcement staff, to manage on an ongoing basis.

The policies proposed in the April 2016 (meeting 8) draft of the Comprehensive Plan that you will be discussing at tomorrow's meeting inadvertently build in opportunities for conflicts that would make residential life more stressful and unpleasant. This happens in two ways:

1. Neighborhood Livability is narrowly defined as being able to walk and bike to shops and services (see the figure on page 110, "Vision for Neighborhood Livability in Bend");
2. Residential Compatibility is achieved in areas where non-residential zones abut residential areas only by adjusting the physical attributes of buildings (setbacks, height, etc.) and landscaping (see policy statement 5-21 on page 115).

The Policies in Chapter 5 on Housing are an opportunity to acknowledge that livability and compatibility are also about being able to peaceably enjoy one's home with minimal intrusions and disruptions from adjacent higher-intensity zones. Commercial and mixed use zones not only have buildings in them, they have activities ("uses") that can be incompatible with residential life by creating what planners generally call "offsite impacts and nuisances" — in other words, effects that spill over the border of the residential zone.

Cities that have managed increased urbanization well have done so by establishing buffer or compatibility zones that create a transition from more-intensive to less-intensive uses. In order for Bend to do this, enabling language should be added to the policy statements, so that livability and compatibility are defined more broadly.

In particular, the following policy statements under Residential Compatibility would benefit from adding a reference to the potential for incompatible uses (suggested edits are underlined):

5-21 Of necessity, nonresidential uses may abut residentially planned and zoned areas in different parts of the community. In these instances, nonresidential uses will be subjected to special development standards such as setbacks, landscaping, sign regulations, and building design that harmonize and provide transitions consistent with the primary purposes of the adjacent zones; additionally, nonresidential uses will be limited where necessary to buffer residential areas from offsite impacts and nuisances, including noise, vibration, odor, and parking and traffic problems.

5-26 Neighborhood commercial shopping areas may be located within residential districts and have development standards and restrictions on uses that appropriately limit their scale and function and recognize their residential setting.

The Bend Neighborhood Coalition respectfully requests that staff be directed to add language like the suggestions above to allow for the creation of neighborhood compatibility zones and other methods in the code to minimize conflicts from “offsite impacts and nuisances” spilling over from non-residential zones into residential areas, often as a result of incompatible uses.

Having these policies available will allow Bend to successfully manage increased density and large developments, like the new four-year university campus, without the constant expense of enforcement that results when conflicts are allowed to be built in to the fabric of the community.

Sincerely,

Bill Bernardy
Chair, BNC Steering Committee

About the Bend Neighborhood Coalition:

Our members have been active in Bend’s civic life, participating in advisory groups, task forces, neighborhood associations, HOAs, and ad hoc committees. We have joined together because we believe that healthy, cohesive, vibrant residential neighborhoods form the backbone of a strong city, and that public policies should preserve and improve upon this great asset.

We also believe that livable residential neighborhoods encourage small businesses to locate here, creating a more diverse and sustainable economy. People are happier, more productive, and more civil when they are able to enjoy peace and quiet at home, safe streets, and the residential character of their neighborhoods. So, we embrace both smart growth and policies that protect and improve the quality of life for residents.