

Minutes for Land Use Chair Networking Group Meeting

December 15, 2022 (ZOOM)

Attendees:

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|------------------------|-------------------------|
| Jeff Conrad (ABNA) | Robbie Silverman (SCNA) |
| Lisa Mushel (CWNA) | Karon Johnson (OFNA) |
| David Knitowski (SWNA) | Karen Harding (OBNA) |
| Judy Clinton (SBNA) | Danielle Powell (ODNA) |
| Mike Walker | |

1. Here are links to resources and topics from our last meeting:
Past minutes and linked materials can be found [here](#).
[Land Use Chair Guide](#)
2. **No new attendees**
3. **Open Microphone - a quick overview of what happening in our neighborhoods for land use:**
 - **OCNA - Danielle.**
 - Annual meeting was postponed.
 - Monthly Yacht Club meeting was held (1st Monday of the month at 5:30. Local night discount of \$1 on beverage supplemented with another \$1 by OCNA for first timers.) Event has between 2 to 12 first-timers attending. ODNA was asked about Neighborhood Watch. LUCNG members noted this organization is a large entity and charges a fee. [Here is a link](#). OCNA uses mailchimp, a newsletter and website to get the word out.
 - **ABNA - Jeff:**
 - ABNA has lost two board members. The remaining board members are working to better define board member roles. Also, they have created a list of potential acquaintances to contact to recruit replacements.
 - Jeff attended the City Club meeting on homelessness. The intent of this forum was to create an interactive discussion between presenters and the audience. Jeff felt the meeting didn't cover any new ground. He did get to meet with Cheyenne and she said she was willing to meet with us.
 - It would be wise to review her latest strategy report first. [Here it is](#).
 - Lisa warned everyone that Cheyenne's time could be gobbled up with numerous "get-to-know" presentations. It might be more efficient for Cheyenne to present to interested NA's in a combined zoom meeting format.
 - **CWNA - Lisa.**
 - Not a lot of activity in CWNA.

- The Bachelor View project is asking for a variance on street width. There were a number of concerns mentioned about the potential impact of this request.
- Lisa mentioned “Council Goal Setting” is coming up after the first of the year. Apparently, Councilor Melanie has sent out a form for each NA to use.
 - Jeff said ABNA has received a [city form](#) which asks for the NA to submit only their top issue. **[more on this subject under new business below.]**
- **OFNA - Karon.**
 - A public meeting was held on a 41-unit townhouse project on Parrell Road and Rae Road. The project is very dense with no “open space” and removal of most, if not all, existing trees.
 - Karon is seeking to be appointed to the soon-to-be-open Council seat when Melanie is officially the Mayor.
- **SBNA - Judy.**
 - A project in her NA made the front page because the land owner removed all of the property’s trees in advance of an application. Ian, an attorney with the city, made a presentation at the NLA meeting. NLA members were not given the opportunity to ask questions or comments to his presentation. Judy was very disappointed with Ian’s presentation for multiple reasons.
 - Judy is helping NART draft a letter to the new Council which includes,
 - Calling for compliance with the 2016 Community Climate Action Plan. Here is a link to a seven-page [summary of the CCAP](#) and a second link to the [entire CCAP](#).
 - Calling for the Council to get familiar with other planning efforts such as the Transportation System Plan.
- **SWNA - David.**
 - David mentioned SWNA trouble in recruiting and retaining board members. His board has only 4 officers. Their Bylaws call for between 7 to 12. Also, their Bylaws call for an annual meeting a minimum of one per 18 months. His board is trying to appoint more officers prior to the annual meeting.
 - Jeff mentioned ABNA’s ongoing similar problem. **[There probably is not a single NA which has a complete board. Is this the kind of problem which NART should tackle?]**
 - David mentioned the [article](#) that he sent out on “parking mandates.” **[This topic is listed under “new Business” and I have reported on this topic discussion later in these minutes.]**
- **SCNA - Robbie**
 - A public meeting was held on the master plan for the 33-acre “Kor-Pine.” This is a very large project. [The city will surely designate this as a “climate friendly area” and apply the many 2022 OAR rules to govern its development.]

- About 1600 residential units including some senior housing.
 - Hotel, office and retail components.
 - Presentation included a lot of detail on transportation improvements
 - There was a big turnout with many attendees expressing traffic concerns.
 - No transportation analysis was provided (but was asked for).
 - Parking provided will be in compliance with existing BDC for the “core area.” **[Please be aware the “core area” parking requirements are substantially below the requirements for all other areas in Bend.]**
 - Housing won’t come online until 2026
 - **[I tried to find a link to information posted on the City’s “Community Development Data Explorer” site, but none exists. Apparently, there was no “pre-application” nor any other applications opened yet.]**
 - Robbie is looking into “Areas of Special Interest (ASI). Apparently, every odd numbered year, the community can nominate new ASI properties for consideration.
 - Currently ASI are along the Deschutes or rock outcroppings. Here are the relevant documents. These BDC sections outline how to nominate new properties.
 - Comprehensive plan policy 2-3
 - Comprehensive map (River ASI and Uplands ASI)
 - Bend Development Code
 - River ASI 7.7.630
 - Uplands ASI 7.7.700
- **OBNA - Karen**
 - Karen thanked Robbie for her report on this large project which borders OBNA.
 - She is concerned the project will have minimal parking.
 - She is concerned that much of the traffic will be directed to OBNA streets which are “local” residential streets, but will be expected to handle the traffic volume equivalent to a collector.
 - Karen is very concerned about the impact on OBNA with the elimination of parking mandates. She hopes to convince the Council to create an overlay district with parking requirements to avoid the potential severe overflow on on-street parking in this residential neighborhood.
 - Mike noted that OBNA is surrounded with adjacent uses which leads to overflow parking into OBNA (Drake Park, McKay Park, Downtown, employees from retail to the south.)
 - A portion of OBNA adopted the second parking district in Bend. Time will tell if a parking district provides acceptable management of the inadequate off-street parking.

4. **Old Business: Updates were provided for four topics.**

- Unsanctioned camps regulations adopted.

- Development Code amendments recommendations approved by the Planning Commission for action by the City Council.
- Mandatory Energy Assessment adopted by City Council.
- Homelessness Office of Coordination strategy linked to above..

5. New Business

- **Land Use Education Tool of the Month:** Mike gave a heads up on the intention of city staff (Brenna) to update the land use tools. This will be an opportunity to apply what we have learned about land use to make the tools more layperson friendly.
- **Impact of election discussion:** No actual discussion held. Instead, a warning was given to the group that the previous Council and Planning Commission had a poor record on considering community input and the new Council is not likely to change this practice.
- **Upcoming Council Goal setting:** This subject was discussed in some detail under “open microphone.” [I have added a few additional questions and links your consideration.]
 - NA’s need to fill out the [city form](#) provide
 - [Will NA’s survey their members to document what issues are important to their members before filling out the form?]
 - [Will NA’s list only be the top issue?]
 - Will NA’s take advantage of the **January 19th Council listening session** on goal setting to make presentations?
 - Will NA’s try to hold the Council to set goals based on community input or will Councilors decide what is important?
 - Will NA’s try to hold the Council to act on all the adopted Council goals?
 - Here is a [link to the presentation](#) to the 2021-23 community statistically valid survey on important community issues.
 - Here is a [press release](#) about the kick off for the next community survey. Some individuals will receive phone calls. However, anyone can take the survey below. Will this survey be a statistically valid survey?
 - Here is a link to go to the [2023-25 community survey](#) included in the press release that anyone can take online.
- **Parking Code amendments to comply with new OAR rules.**
 - Planning Commission adopted recommendations for Council on December 7th.
 - City Council will likely take steps to adopt the new code in January 2023.
 - **[There was a lengthy discussion on parking at several points in the meeting and I attempted to present only the key points, plus a few additional comments for clarity.]**

Parking Overview

1. In March 2020, Governor Brown signed executive order 20-04 to “reduce emissions” after the legislature failed to agree on an emission reduction plan. This act empowered

the Department of Land Conservation and Development (DLCD) to create a long list of “prescriptive rules” (Oregon Administrative Regulations (OAR)). Here are some links to refresh your memory of the new OARs.

[Overview](#)

[Key rules](#)

[DLCD website](#)

2. Frankly, what the state has done is now moot. The city has taken the following steps.
 - a. Staff held work sessions with the Council to seek direction on how to proceed with BDC amendments. Council directed staff to eliminate parking minimums and add low parking maximums.
 - b. The Planning Commission adopted the proposed amendments with few, if any, changes to staff’s proposal. (Jeff Payne said their hands were tied based on Council direction.)
 - c. The Council completed the first reading of the proposed code changes. Here is a link to the [code amendments](#).

3. We need to read these amendments to seek just what the impact will be.
 - a. Most parking minimums were eliminated.
 - b. Most parking maximums were lowered.
 - c. However, ADA parking space requirements were retained.

4. David’s comments paraphrased and my responses.
 - a. *Removal of parking minimums will be a problem for residential uses, but not commercial.* [I respectfully disagree with his lack of concern for commercial uses. I have 17 years of experience as a commercial developer/landlord in Bend and have attended nearly all the meetings on the 2016-17 Bend parking studies and over 15 DLCD/LCDC meetings on these OARs. I have been on the downtown parking advisory committee for over four years.]

 - b. *Does Old Mill District have different parking requirements? It seems to have high utilization versus other areas in Bend.* [Parking is not one of those one-size-fits-all analyses. There are a lot of factors to consider before accurate comparisons are made. The bottom line is this line of comments is a moot issue. The code will be adopted in January. The train has left the station.]

 - c. *David talked about an article by the American Planners Association.* This article is one of many articles produced by professional organizations and advocates who often just regurgitate the work of academics like Donald Shoop. Bill, Ted and I researched online articles 21 months ago when Melanie asked for a work session on eliminating parking mandates. The authors of the articles glossed or completely overlooked important facts. We created a website to highlight these

errors and the findings have been posted under “Hot Topics” after the original website was retired. Here are several key findings

- Articles of this type like to rely on photographs of empty parking lots with a total lack of detail about the site’s tenants. What was the code at the time of the construction? What were the use(s) proposed at the time of construction. Their examples are often out of date. Many cities have “right-sized” their parking rates in the last two decades.
- Bend’s 2017 citywide study concluded the existing parking rates were reasonable (“right-sized”).
- There is a lot of evidence that reductions or complete elimination of mandates created overflow into surrounding residential neighborhoods or in adjacent businesses’ parking lots.
- There is no documentation that elimination of parking mandates led to lower vehicle ownership which is the DLCDC’s stated goal.
- A lot of the energy behind this trend is based on a false premise. Donald Shoop claimed the cost of parking increases the cost of a product (commercial) or higher residential rents. In 2021, I interviewed over 15 residential property managers and I have over 30 years of working with commercial brokers. Rents are not based on costs. It is based on the market. Landlords set rents based on what the market will pay. Produce price is a function of supply and demand.

Next LUCNG Meeting:

January 12, 2023, 4PM - 5:30PM

Join Zoom Meeting: <https://us02web.zoom.us/j/88613098403>