



Bend City Council
July 2, 2007 Council Meeting

Issue Summary

Department: Community Development
Staff Member: Brian Harrington, Associate Planner

Hold a public hearing and first reading for a proposed zone change PZ 07-008 for the purpose of amending the City of Bend Zoning Map, Ordinance No. NS-2016, by changing the zoning of 2.49 acres of land located between NE 6th Street and NE 8th Street, further identified on Deschutes County Tax Assessor's Map 17-12-28CA as Tax Lot 400 from Residential Urban Standard Density (RS) to Residential Urban Medium Density (RM) in conformance with the General Plan.

Staff Review and Recommendation to Council: The City of Bend Hearings Officer recommends approval of the proposed zone change from RS to RM. Staff concurs with the recommendation based on the Hearings Officer's findings and conditions. Staff recommends that the Council conduct a first reading on an ordinance adopting the proposed zone change, and consider adoption of the Hearings Officer's findings and decision in support of the proposed zone change.

History: Presented for initial Public Hearing: July 2, 2007
Presented for First Reading: July 2, 2007

Background: The applicants, George and Jan Coyle, submitted an application for the proposed zone change on March 2, 2007. The zone change request was accompanied by a 26-lot, residential subdivision to be called "Bachelor View" (PZ 07-009). That application was reviewed administratively and approved on May 3, 2007, conditioned upon the zone change approval.

The subject property is approximately 2.49 acres in size. The property is rectangular in shape and relatively level, sloping gently down from east to west. The property is developed with a single family residence and accessory building the applicant proposes to remove. Vegetation consists of introduced landscaping as well as native trees, brush and grasses. The subject property abuts N.E. 6th Street on the west and N.E. 8th Street on the east. In 1979, the City vacated the portion of N.E. 7th Street that once ran through the subject property.

The adjacent land to the north and south between N.E. 6th and 8th Streets is zoned RS and designated RM like the subject property. Land to the east across N.E. 8th Street is zoned and designated RS. Land to the west across N.E. 6th Street is zoned and designated RM. Uses on surrounding land include single-family dwellings on parcels to the north, south and east across NE 8th Street, and an apartment complex to the west across N.E. 6th Street.

Pursuant to the City's Land Use Review and Procedures Ordinance, the City Council is required to hold a public hearing on an application for a zone change that has been recommended for approval by the Hearings Officer. In order for the zoning map to be amended, the City Council must first hold a public hearing before adopting an ordinance affecting such a change.

Discussion of the Issue and Alternatives Explored: The applicant applied for a zone change from Residential Urban Standard Density (RS) to Residential Urban Medium Density (RM). The change would bring the 2.49 acre site into conformance with its General Plan designation, thereby allowing the proposed 26 lot subdivision to develop. Denial of the requested zone change would nullify the proposed development and result in the existing RS zoning to be inconsistent with the existing RM Plan General Plan designation.

Secondary Issues: The Planning Division accepted the applications as complete on March 15, 2007. The 120 day review period ends on July 13, 2007.

Committee Review and Recommendation to Council: Hearings Officer Karen Green reviewed the applicant's proposal and issued a written decision recommending that the City Council approve the proposed zone change. Her decision document is attached for Council review. Staff concurs with the Hearings Officer's findings and decision.

Budgetary Considerations: None

ORDINANCE NO. NS-_____

AN ORDINANCE AMENDING THE BEND URBAN AREA ZONING MAP BY CHANGING THE ZONING DESIGNATION OF A PARCEL OF LAND TOTALING 2.49 ACRES BETWEEN NE 6TH STREET AND NE 8TH STREET IN THE ELLIS SUBDIVISION FROM RS RESIDENTIAL URBAN STANDARD DENSITY TO RM URBAN MEDIUM DENSITY.

THE CITY OF BEND ORDAINS AS FOLLOWS:

Section 1. The Bend City Council held a public hearing to consider the Hearings Officer's findings and record, and found that the proposal is consistent with the criteria of the Bend Development Code Section 4.6.300. The Bend City Council adopts the Findings and Decision of the Hearings Officer dated June 7, 2007, file number PZ 07-008.

Section 2. The Bend Urban Area Zoning Map is hereby amended by changing the designation of the property shown in "Exhibit A" and described in "Exhibit B" from Residential Urban Standard Density (RS) to Residential Urban Medium Density (RM).

Read for the first time the 2nd day of July, 2007.

Read for the second time the _____ day of _____, 2007.

Placed upon its passage the _____ day of _____, 2007.

YES:

NO:

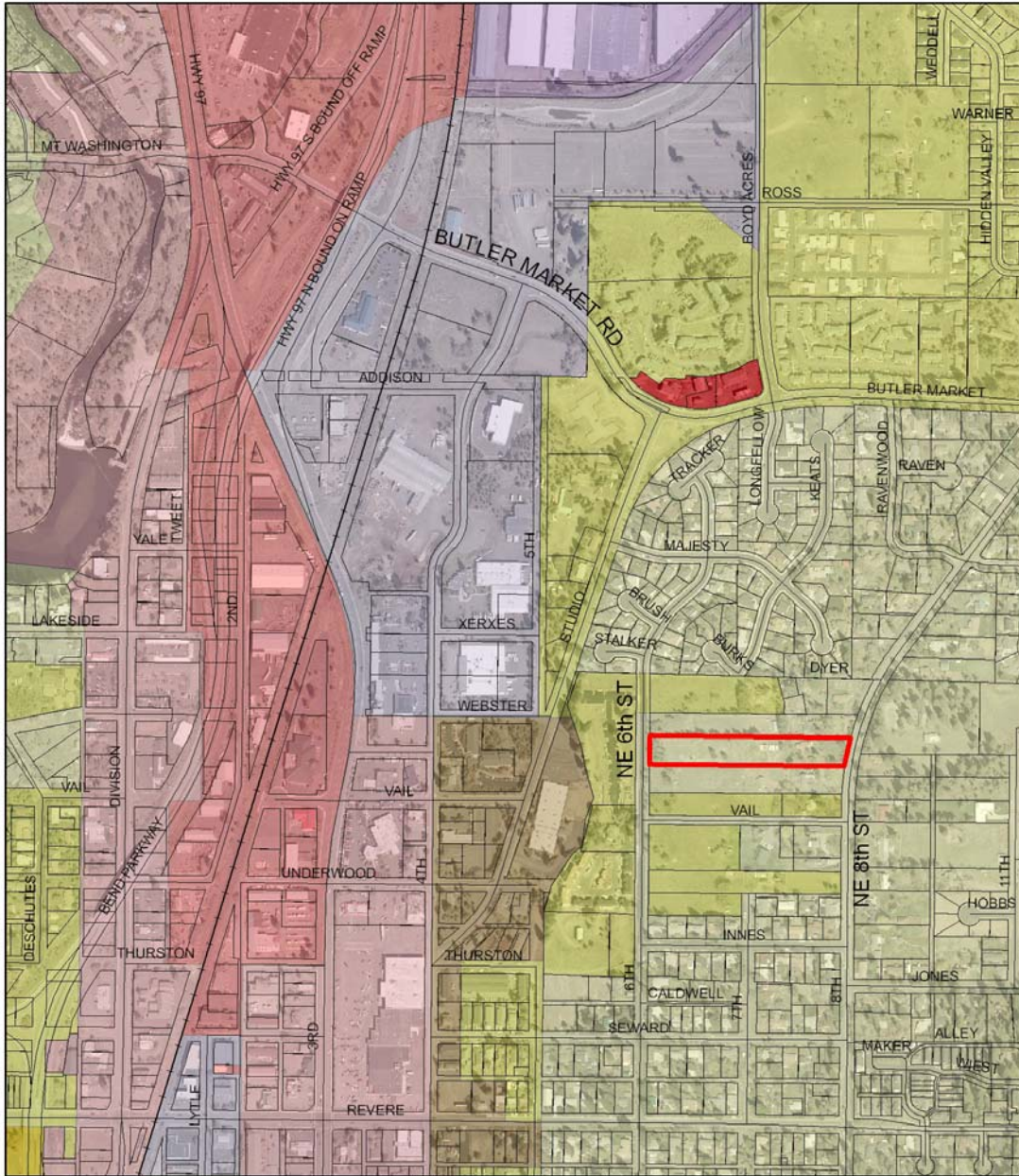
Authenticated by the Mayor the _____ day of _____, 2007.

Bruce Abernethy, Mayor

ATTEST:

Patricia Stell, City of Bend Recorder

EXHIBIT A



PZ 07-008 Zone Change - RS to RM

- RS
- RM
- RH
- Subject Property



Imagery acquired March 2004.
Map prepared June 25, 2007.



EXHIBIT B

The Northerly 75 feet of Lot Three (3), Block Four (4); the Northerly 75 feet of Lot Three (3), Block Six (6); the Southerly 50 feet of Lot Four (4), Block Four (4); and the Southerly 50 feet of Lot Four (4) in Block Six (6), all in Ellis Subdivision, Deschutes County, Oregon.