

**CITY OF BANDON  
PLANNING COMMISSION**

**THURSDAY, November 17<sup>th</sup>, 2022  
Regular Meeting – 7:00 PM**

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*MEETING WILL BE HELD IN PERSON AT THE COUNCIL CHAMBERS AT CITY HALL*

*AND OVER ZOOM:*

*Link to meeting:*

<https://us02web.zoom.us/j/2157059460>

*Meeting ID: 215 705 9460*

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- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CONSENT AGENDA**
  - 3.1 Regular Meeting Minutes – September 22<sup>nd</sup>, 2022
- 4. PUBLIC COMMENT**

Comments from the Public on any item NOT on the agenda – limited to 3 minutes each
- 5. WORK SESSION – DRAFT ORDINANCES**
  - 5.1 Structures in required setbacks
  - 5.2 Measuring Height in the Floodplain
  - 5.3 Old Town Parking
  - 5.4 Vacation Rental Dwelling Code Update
- 6. STAFF UPDATE/DISCUSSION**
  - 6.1 Planning Department Report
- 7. OPEN DISCUSSION**

Commissioner Comments
- 8. ADJOURN**

## **CONSENT AGENDA:**

3.1 Planning Commission Meeting Minutes

- Regular Meeting – September 22nd, 2022 Minutes

# **Regular Meeting of the Planning Commission at Bandon City Hall and via Zoom Meetings September 22, 2022**

## **COMMISSION:**

- ☒ Sally Jurkowski, Vice Chair
- ☒ Ed Landucci, Commissioner
- ☒ Gordon Norman, Commissioner
- ☒ Tom Orsi, Commissioner
- ☒ Catherine Scobby, Commissioner
- ☒ Gerald “Bear” Slothower, Chair
- ☐ Donald Starbuck Commissioner

## **STAFF:**

- ☐ Dan Chandler, City Manager
- ☐ Shala Kudlac, City Attorney
- ☐ June Hinojosa, City Recorder
- ☒ Dana Nichols, Planning Manager
- ☒ Kristan Liechti, Planner

## **1.0 CALL TO ORDER**

Slothower called the meeting to order at 7:02 p.m.

## **2.0 ROLL CALL**

Roll Call was taken as indicated above.

## **3.0 CONSENT AGENDA**

### **3.1 Regular Meeting Minutes – August 25, 2022**

Hearing no objection, Slothower approved the August 25, 2022, Regular Meeting Minutes.

## **4.0 PUBLIC COMMENT**

### **Lorraine Pool, 50419 Highway 101, Bandon, OR 97411**

Pool asked the Commissioners if a Grocery Outlet really was coming to Bandon.

Nichols responded that the City had received a Zoning Compliance application to site a Grocery Outlet store on Highway 101 just south of the 76 Station. She said a notice about the application would be sent to neighbors in the next couple of weeks.

Norman asked Pool if she thought that was a good thing or not.

Pool replied, “Have you bought groceries in Bandon lately? My can of dog food went up forty cents in one week. So, I’m happy.”

## **5.0 HEARINGS**

### **5.1 Type II Sign Permit for new mural at 250 1<sup>st</sup> Street SW (28S-15W-25AD, TL 1000)**

- 22-080, Request for Planning Commission approval for a new 512-square-foot mural on the side of the Old Town Marketplace Building in the Marine Commercial (C-3) Zone

Without a representative of the Port of Bandon present, Nichols provided a brief Staff Report about the Port’s application. She said the applicant was requesting to place aluminum panels with painted images on them on the Old Town Marketplace Building. Bandon Municipal Code (BMC) required murals over a specified size to receive approval from the Planning Commission. At 512 square feet, the requested mural would require a permit.

Nichols covered the relevant provisions of the City's sign code. The sign was not allowed to interfere with any vision clearance. It could not exceed 20 feet in height or the height of the building, whichever was less. The sign could not be positioned in a way that would obstruct any fire escape or building exit. It had to be securely fastened to its supporting surface and be of professional quality and well-maintained. Nichols noted that Vicki Affatati, who had created other murals around Bandon, would be painting this one.

Nichols explained that the code allowed a property in the C-3 Zone to have no more than one square foot of signage for each linear foot of street frontage. However, a mural was not counted in the overall signage allowed on a property, and Staff had recommended approval of the application with Conditions of Approval that matched the provisions of the sign code.

Nichols shared pictures of the planned mural, consisting of undersea images.

Norman inquired about the size of the aluminum pieces that would be affixed to the building.

Jurkowski located the dimensions of 32 feet horizontal and 16 feet vertical on the Sign Permit Application, and Landucci calculated that would mean four-foot by eight-foot panels.

Norman asked if the purpose of the mural was to decorate the waterfront. Nichols assumed that it was.

Landucci thought the mural would replace an existing mural on the side of the building that had faded, but Nichols thought the mural would be on the side facing the parking lot, and the application confirmed its placement on the building's east side.

Nichols reminded the Commissioners that they were making a Type II administrative decision that did not require a Public Hearing. She said the neighbors had been noticed and would have had an opportunity to provide comments and potentially appeal the Commission's decision. No public comments were received.

The Commissioners offered positive comments about the mural. Landucci stated that Affatati did "such nice work, so I think it will be compatible with the other murals in town."

Norman said he appreciated the pictures but would have like to see some kind of mock-up of what was planned.

Jurkowski made a motion to approve the request to install a new mural at 250 1<sup>st</sup> Street SW. Scobby seconded the motion.

Landucci agreed with Norman that it would be helpful in the future for the Commissioners to see a rendering of a mural before making their decision.

There was no additional discussion. A roll call vote was taken and the motion passed unanimously by those who were present (6:0:1):

AYES: Jurkowski, Landucci, Norman, Orsi, Scobby, Slothower

NAYS: None

ABSENT: Starbuck

## **6.0 WORK SESSION – DRAFT ORDINANCES**

### **6.1 Structures in Required Setbacks**

Slothower noted that Item 6.2, Measuring Height in the Floodplain, had been removed from this meeting's agenda. He reminded Commissioners that the subject of structures in required setbacks had come up in previous discussions.

Nichols said Staff had been receiving requests for certain structures within required yards, such as raised beds or potted plants, and the Commission had discussed amending the code to allow for some kinds of structures. Staff had offered several options:

- Allowing temporary or mobile structures – landscaping materials, potted plants, bird baths, etc.
- Allowing structures under 30 inches – raised beds, steps, low decks.
- Requiring allowed structures to locate five feet away from property lines.
- Allowing structures by Type II process.

Nichols had studied the codes of other cities to learn how they were handling similar requests. She found that they amended the definition of “structure” to exclude landscaping materials, which could be broadly defined, and Staff recommended amending the City’s code in a similar way.

Staff additionally recommended amending the Supplementary Provisions chapter of BMC Title 17 to add the following to 17.104.030 Projections from buildings:

Porches, decks, steps, and similar open structures not exceeding 30 inches in height may encroach into setbacks, provided they maintain a minimum five-foot setback, vision clearance requirements, and do not conflict with utilities or other easements.

Scobby agreed with the proposed changes.

Jurkowski liked Staff’s recommendations but hoped there would be no unintended consequences.

Landucci thought there was nothing in the ordinance keeping someone from putting a mural on their garage door or across the front of their house.

Nichols responded that it would be limited to under 48 square feet and would require a permit from the Planning Commission.

Norman posed a hypothetical situation in which he was going to have a house built on an open lot next to a lot where the existing home had been built two feet over the property line. Situating his house to be five feet off the property line would only leave three feet between the two houses. He wondered how to address that circumstance in terms of setbacks.

Nichols felt Norman was asking a legal question, but she offered an interpretation. She understood that when a structure was built over a property line, onto a neighboring property, and the owner of the structure established use over a long period of time, that owner would obtain a “prescriptive easement” and have the right to use the property. Nichols said there were many examples of this in Old Town, where all the property lines were off and all the buildings were located slightly onto neighboring properties. The solution was to make property line adjustments, with setbacks being measured from the amended property lines.

Landucci interjected that the prescriptive easement would occur after the status of the property line had been established for at least seven years. He suggested that it was important when buying a property to have it surveyed to clarify the property lines and easements.

Norman asked if there was a way for the code to address these prescriptive easements.

Nichols answered that it would not be addressed in the code because it was not generally allowed to happen.

Returning to the proposed code amendment, Jurkowski asked if structures would include “a container to hold building supplies and those kinds of things.”

Nichols understood that to mean structures such as storage sheds, and she clarified that the amended language only referred to structures that were under 30 inches in height. Additionally, those structures under 30 inches in height would have to be considered “open,” to reduce the likelihood of “unsightly” structures in a setback. She added that the five-foot minimum setback would still affect the placement of structures, preventing something like a deck from projecting out to the property line.

Slothower asked if any consideration was given to safety in revising the code, thinking some emergency access might be needed through a setback.

Nichols responded that the City required minimum street widths for safety, but fire safety was not generally regulated on a property. She thought the State Building Codes Division had certain distance requirements that would compensate for health and safety components that were not in the City’s zoning code.

Norman had Nichols confirm that the existing code required a minimum setback on each side of five feet, with a total side setback of 13 feet. He asked if Nichols believed the amendment would make the code more explicit, easier for Planning Staff work with, and clearer for the public.

Nichols replied that there had been an instance where an owner of a home on a corner lot made a last-second change in their plans to add a door that would open onto a required 15-foot side yard, and they would not be allowed to put stairs to that door in the setback. Also, raised beds in a front yard would not be permitted under the existing code. Nichols guessed that there were many violations of the current setback regulations around town. She indicated that the Commissioners could opt to constrain structures to front yards or back yards or any combinations they saw as appropriate.

In response to Norman’s question whether a structure had to be immobile, Nichols read the code’s existing definition:

“Structure” means that which is built or constructed; an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on the ground or which is attached to something having a location on the ground.

“It is a very broad definition of what a structure is,” Nichols observed. “It’s hard to say that a raised bed wouldn’t fit into that...because it’s artificially created and attached to the ground.”

Slothower wondered if there was a way to distinguish between what was permanent and non-permanent.

Nichols thought that type of differentiation could be included in the code language.

Slothower asked the other Commissioners whether they thought front, back, and side setbacks should all be treated the same.

Jurkowski thought it would be specific to each house, because some homes had side yards that were bigger than their back or front yards, making it difficult to come up with a consistent regulation.

Landucci believed the idea of side yards was for access, so the structures allowed in setbacks should be limited to front and back yards.

Norman thought the parameters of the code should apply to all four sides of a house.

Nichols had seen some codes that presented different parameters for each yard. In some cases, a ten-foot buffer was required between any structure in the front yard and the street.

The Commission's consensus was to hold additional discussions on this topic at the October Regular Meeting, with parameters addressing structures in different types of yards included in the proposed code language. Nichols stated that the potential ordinance regarding the height of structures in the floodplain would also come before the Commission in October.

Slothower suggested it would be helpful for the Commissioners to think about the subject of structures in required setbacks between this meeting and the next, so they would be prepared with specific discussion points.

## **7.0 STAFF UPDATE/DISCUSSION**

### **7.1 Coastal Erosion Presentation**

**Christine Shirley, Natural Hazards Planner and Coastal Resilience Planner, Oregon Department of Land Conservation and Development (DLCD)**

**Jonathan Allan, Oregon Department of Geology and Mineral Industries (DOGAMI) scientist working on coastal hazards such as earthquakes, tsunamis, and coastal change**

The two presenters introduced themselves and Nichols said they were going to talk about coastal erosion in Bandon. She noted that Bandon had adopted a Hazard Overlay Zone a number of years earlier that addressed issues along the bluff areas west of Beach Loop Drive where oceanfront development would occur. Recently, the City had been considering a view line ordinance that would establish a clear and objective method for determining a line on bluff-adjacent properties that would constrain construction of new structures to where they would not obstruct the views from the existing neighboring homes. One suggestion had been to determine a fixed distance or setback from the bluff for all structures, to help prevent coastal erosion.

Norman pointed out that there was some disagreement in Bandon as to whether any noticeable erosion was occurring.

Allan offered a presentation on "Coastal Changes in the Bandon Area." He opened with a photo of a portion of the Bandon coastline south of Coquille Point. Lines of different colors had been drawn along the coastline to help identify features in the landscape that could be used to track trends over time.

Next, Allan defined a littoral cell—an inland-bounded section of the coastline within which sand moved in flux along the beach and in onshore and offshore directions. Sand could be eroded from the exposed part of the beach and removed offshore into deeper water. In subsequent years, it might come back onto the beach to continue the cycle. Allan said the large Bandon littoral cell extended from Cape Blanco in the south to Cape Arago in the north. Bandon itself was a little north of the midway point of this littoral cell.

Features that contributed sediments to the littoral cell included the area around Blacklock Point, north of the mouth of Sixes River, where cliffs were actively eroding, supplying sand, gravel, and other sediments to the littoral system. Allan said those sediments were being transported along the beach, onshore, and offshore. Another potential source of sediment was material coming out of the Coquille River. Based on scientific studies over the years, the consensus was that the rivers and creeks along the coast probably did not contribute much sediment to the littoral system. Using a conceptual model of the mouth of a river, Allan showed where sand would move into estuaries and dunes—referred to as "sinks"—which accumulated sand over the long term and became more intertidal with more mud flats and other features exposed. Sand would come from terrigenous sources such as Blacklock Point and be transported onto the beaches and dunes. It would also move along the surf zone and it would be taken offshore in extreme storms.

In Oregon, Allan noted that efforts were made to preserve the sand to the greatest extent possible, to avoid moving sediment from the physical system. Sandmining, conducted elsewhere in the country, was no longer done in Oregon. Allan observed that losses of sand to the system could contribute to erosion. Sea level rise and large storms could erode sand from the beach and remove it to deeper water, making it harder for it to return to the beach. He told the Commissioners that there had been a number of studies in the Bandon area over the years that looked at the characteristics of sediment and the movement of sediment within the littoral system.

Addressing coastal geomorphology, Allan showed illustrations of four different shore types found within the Bandon littoral cell. The “Bandon Triangle,” abutting a series of marine terraces, was constrained in the north by the jetties at the mouth of the Coquille River estuary. That area had accumulated sand as a result of the construction of the jetties. A view toward the south from Coquille Point showed a series of tall marine terraces with well-vegetated bluffs, fronted by a broad sandy beach. A third section of the coastline, a little farther south, near the intersection of Seabird Drive and Beach Loop Drive, featured a series of dune-backed beaches where homes were built in front of a marine terrace. The last picture was of a location at the southernmost part of the Bandon coast, where it transitioned to a series of lower marine terraces that were fronted by dunes and beach.

A map of the area surrounding Bandon showed that most of the shoreline north of Bandon, reaching to just south of Fivemile Point, was dune-backed beach. From there, north to Cape Arago, the coast was characterized by bluff-backed beaches. The immediate Bandon area was dominated by bluff-backed beaches, gradually transitioning to barrier beaches to the south along the New River spit, with very dynamic features.

Coastal flood studies in the Bandon area were conducted in 2012. Data sets from the studies were plotted on graphs showing the slope of beaches, the heights of bluffs, and the expected and extreme water levels and tides at different locations along the coastline.

Slopes were steepest on beaches that were closer to the jetties, indicative of the level of sediments. Moving closer to Coquille Point, sediments transitioned to finer sands and the beach flattened out.

In the Bandon Triangle area, dune elevations ranged from 20 to 30 feet, compared to the high terraces around Coquille Point, where elevations reached up to 70 to 80 feet. South of Coquille Point, the terraces dropped lower and were fronted by dunes.

Water levels could exceed 20 feet in the Bandon Triangle area—up to 25 or 26 feet just south of the jetty—decreasing along the cliffs toward the south.

Allan presented a schematic of changes along the shorelines that resulted from building the jetties in the late 1800s. He described the Coquille estuary around 1860 as “bouncing around in response to the prevailing wave climate.” Allan said there were no constrictions other than the marine terraces to the immediate south. As the jetties were being built in the 1880s, the shoreline began to advance seaward as sand accumulated behind the jetties. That process continued until the 1930s, with the coastline advancing up to 3,000 feet in some areas.

Noting that the Bandon area was exposed to periodic extreme storms, Allan showed an aerial photograph of the shoreline south of the jetty, taken after a series of extreme storms hit the Oregon coast. A jagged line was drawn on the map to show where high wave runup overtopped the dune crest and scoured out channels behind the dune. Another line indicated the approximate location of the pre-jetty shoreline. Allan referred to this section of the Bandon coast as “pretty dynamic.”



Using a cutaway three-dimensional sketch of a typical beach, Allan described the impact of weather and waves over time:

- Daily changes reflected the effects of individual storms.
- Seasonal changes included a more energetic wave climate in the winter, coupled with higher water levels, producing increased erosion that scoured down the beach face and eroded sand from the beach and dunes, depositing it offshore to form nearshore bars.
- At intervals of seven to fifteen years, the El Niño southern oscillation effect would cause a southward shift in Pacific Northwest storm tracks, causing storms to strike the California coastline with greater intensity and higher amounts of rain, shifting the wave energy in a direction that could result in significant erosion on the Oregon coastline. This happened during major El Niño events in 1982-83 and again in 1997-98.

Allan shared aerial photos of two locations on the northern Oregon Coast—Clatsop Spit in Clatsop County, which was experiencing accretion, and Twin Rocks in Tillamook County, which illustrated erosion. Showing graphs that reflected trends at the two beaches over time, he explained that accretion caused an “over nourished” beach where the volume of sand increased and the coastline advanced seaward over time. With erosion, the coastline was “under nourished” and retreated landward. Allan stated that there could be a balanced coastline in between those two conditions, where it was generally considered stable and “sufficiently nourished.”

Next, Allan listed processes that influenced coastline changes:

- Large storm-generated waves were the most important. The north Pacific and the Oregon Coast were exposed to one of the most extreme wave climates in the world, and there was some evidence that storms were increasing in strength and frequency over time.
- High water levels were also a critical factor. They increase by about a foot between summer and winter. During El Niño years, that seasonal increase almost doubled. During individual storms, there might be storm surges with locally higher water levels that were the product of strong winds coupled with barometric pressure and other effects that super-elevated water levels. Allan emphasized that the combination of high water levels and large storms was “the major driving force behind a lot of the changes that you see on the beaches.”
- Another factor Allan had touched on previously was the alongshore movement of beach sediment, causing the migration of tidal inlets and river mouths. In a normal year, winter waves would come out of the west-southwest and would tend to drive sand northward. Waves in the summer months tended to move sand southward, leading to a net balance in sand movements over a period of years.
- In El Niño years, larger storm waves coming from the southwest result in greater erosion at the south end of the littoral cells, such as around Blacklock Point, and greater erosion at the north end, north of the Coquille River jetty. Sand would accumulate in the Bandon Triangle or further north, against Cape Arago. Allan said variations in storm movement patterns resulted in the type of waves seen along the coast, and the largest waves were produced out of the very southern quadrant and reached heights of 33 to 50 feet.
- Localized erosion was sometimes due to the presence of rip currents (“hotspot” erosion).
- Based on research conducted by the Intergovernmental Panel on Climate Change, projections had been made for a rise in the sea level over the next 50 to 100 years due to glacial melting and loss of mass in the Antarctic and Greenland ice sheets, along with increased water temperature in the oceans.

Allan covered the means scientists were using to define coastal changes:

- Aerial photos showing the “wet/dry sand line.”
- Measuring the change in distance over time from a house to the top of the nearby bluff.
- A GPS (Global Positioning System) sensor mounted on top of a vehicle that could drive along an elevation of particular interest, such as the mean high high water (MHHW) line.
- Airborne lidar, a downward-pointing laser system mounted on a plane that scanned the elevation of the bluffs and beaches and could penetrate the water near the shore.

Using these data sets, researchers extrapolated trends over time and determined which elevations experienced the greatest variability, which showed the most stability, and whether the shifts were in the landward or seaward direction, in response to storms or sudden sand influxes.

Allan presented results from an assessment of lidar data from historical shorelines, focusing on the MHHW shoreline, at an elevation of about seven feet relative to mean low low water (MLLW), and on the back of the beach at the base of the bluff, with an approximate elevation of twenty feet.

Allan showed a map of the Bandon coast that illustrated MHHW shoreline change from 1967-2016. Measurements were taken near the shoreline, an area subject to a lot of variability. He acknowledged that “one of the challenges with this type of assessment is that if you only have three or four surveys and there’s a lot of variability going on in intervening years, you could be actually missing crucial data that could actually skew these trends in one direction or another.”

The map illustrated that the area of the Bandon Triangle had slowly been accreting up to two feet per year. South of Coquille Point, the amount of accumulation had increased substantially, at a rate of six feet per year in the Johnson Creek area. Allan said the dunes that had built up in front of the marine terraces were the product of this long-term sand accumulation and were easily visible at that location.

Switching to a map that focused on the MHHW shoreline change over a shorter period of time, 1998-2016, Allan pointed out that there had generally been low to moderate erosion. It was a different picture from the longer-term record depicted previously.

Next, Allan examined what had been happening at the back of the beach, closer to the toe of the bluff. He maintained that the toe of the bluff provided a good measure of what was likely to happen in the future. While the change along the top of the bluff had been negligible over the previous 20 to 50 years—less than a half-foot per year—future change was more likely at the toe of the bluff. Along that part of the beach from 1998 to 2016, there were areas of slight recession in the Bandon Triangle and from Coquille Point to Strawberry Point. South of that stretch, mostly accretion had occurred to around Johnson Creek. South of Johnson Creek there was an area of greater erosion.

Allan believed the type of information he had just presented “should really drive a lot of the decisions and the thinking about what the expectations are for the future.” He emphasized that the changes around the toe of the bluff were rather large—in the realm of a half-foot per year. In the dune-backed beaches, which were more responsive to the effects of extreme storms, there was more variability, with some areas of significant accretion and some areas with significant erosion.

Zooming out to a view of the entire littoral cell, from Cape Arago to Blacklock Point, it was apparent that mostly accretion took place along the coast south of Bandon, while erosion was dominant to the north.

Allan plotted some of the latest future sea level change projections from scientists at NOAA (National Oceanographic and Atmospheric Administration) as they applied to the central Oregon coast. He used intermediate, high, and extreme scenarios and considered the intermediate one to be

the most pertinent to the Oregon coast. Sea level rise was predicted to be on the order of three feet above the current level by the year 2100. Allan suggested that each of the scenarios had “tremendous repercussions for coastal communities, both on the Oregon coast but obviously elsewhere around the world.”

Allan pondered the potential responses to sea level rise. He observed that the past did not necessarily represent the future and he contended that the trends in erosion rates over the previous decades did not mean the same rates would continue into the future. It would depend on the magnitude of the sea level rise. A significant increase would lead to an increased risk of overtopping and inundation, especially during big storms and high tides.

Sea level rise would cause removal of sediments along the bluff toe, which is why Allan focused on that area as a measure of potential longer-term changes that could start to have an impact on the well-vegetated slopes and begin to undercut the bluffs, leading to failure and other problems.

Additionally, a rise in sea level might lead to saltwater intrusion into groundwater supplies.

At the conclusion of his presentation, Allan fielded questions from the Commissioners.

Slothower asked about the effect that constantly dredging at the mouth of the Coquille River had on the accretion of sand.

Allan replied that there could be a variety of effects, depending on the volume of sand being removed. He explained that in the most ideal environment, any sand removed from the navigation channel would be kept within the physical system by placing it on the beach to the north or placing it in the nearshore to allow for sediment supply to the beaches to the north. Allan said typically the Corps of Engineers would dispose of the sediments in deeper water, and over the long term, sediments taken out of the navigation channel and placed in deep water represented a loss to the physical system with longer-term repercussions. However, there were places in the system like Blacklock Point that were actively eroding at significant rates and probably contributing large volumes of sand and gravel to the physical system, compensating for the removal of sand by dredging. Allan added that some of the high rates of accumulation of sand seen in the 1967-2016 studies were a product of the sand that was moving along the littoral system all the way from Blacklock Point toward Bandon, and even bypassing Bandon and going northward to Cape Arago.

Allan noted that the Corps of Engineers was mandated to dispose of the sediment in the least expensive fashion and to avoid potential effects on the dredging system.

Since Bandon was located in a subduction zone, Slothower also wanted to know how the movement of the land effected the coastline.

Allan answered that based on geodetic observations of the coastline, the Oregon coast could be divided into two general areas. In the region south of Coos Bay, the rate of tectonic uplift was exceeding the rate of sea level rise. The Bandon coastline would be described as an emerging coastline, and that was one of the reasons the coastal bluffs were not seeing the effects of extreme erosion. They remained well-vegetated and stable over the long term.

North of Coos Bay, the reverse was happening. Allan said the rate of sea level rise was exceeding the rate of tectonic uplift, so that part of the coastline was being submerged over the long term, although the rate was extremely slow—on the order of a couple of millimeters a year.

Allan expected the rate of sea level rise to exceed the rate of tectonic uplift in the Bandon area at some point in the future, causing a transition to an area subject to submergence. He said the last major earthquake happened in 1700. Based on deposits along the coast in Oregon and Washington,

the consensus was that the coastline dropped instantaneously by about three to six feet, which was much like suddenly raising the sea level. Allan thought the cliffs in the Bandon area were last activated in that 1700 event and probably for several decades thereafter. Wave cut notches in the bottoms of the cliffs offered a picture of what transpired immediately following that Cascadia Subduction Zone event.

Norman wondered how far the plate uplift south of Coos Bay extended.

Allan replied that evidence suggested the plate extended south to at least around Crescent City, California, and probably as far south as Cape Mendocino.

Norman commented that the Commissioners were concerned not wanting to approve construction on vulnerable coastal bluffs. He had heard about homes somewhere on the California coast that were near coastal bluffs and had been losing their backyards for several years. Some of the foundations had become compromised, forcing the residents to leave.

Allan was unaware of the specific situation, but he did know that issues existed on the California coastline with development too close to the cliff edge. He said the central Oregon coast faced the same problem from Yachats to Lincoln City. That area was gradually being submerged. Allan had seen homes on 40-foot-high bluffs in the Gleneden Beach area north of Newport that had lost most of their backyard in the space of 24 to 48 hours during heavy storms. In the late 1990s, homes were built on an old landslide feature near Netarts Bay, on a high bluff that appeared to be stable. During the El Niño winter of 1997-98, the mouth of the bay started to migrate northward and pushed up against the old landslide. Waves broke against the landslide and it began to erode, causing several homes to nearly lose their foundations.

Norman assumed the material that made up the bluff was also a factor, and Allan agreed. He observed that bluffs in the Bandon area were a mixture of volcanic and metamorphic rocks, but marine terraces sitting on top of those rocks were composed of sands and other more easily eroded sediments.

Norman quipped, “So you’re not suggesting we start approving building five feet from the edge—is that right?”

Allan chuckled in response, then stated that he believed John Marra had developed coastal overlays for Bandon around 2002.

Nichols thought Marra’s work was on file and may have been used at some point, but she noted that Bandon adopted a Hazard Overlay Zone (HOZ) in 2019 using either DLCD or DOGAMI data. Anyone doing oceanfront development in the HOZ was required to have a geotechnical report to meet the City’s Geologic Assessment Review (GAR) criteria. A GAR was also required wherever there was a high or very high likelihood of a landslide or liquefaction within the Bandon city limits.

Allan suggested it might be prudent for Bandon to undertake a study and reevaluate its Hazard Zones with more up-to-date information. He asserted, “Our knowledge of this coastline has changed dramatically and the data that’s available to us is an order of magnitude better than what it used to be in early 2000,” and urged the development of new hazard maps for the area.

Nichols directed a question to Shirley. In the context of Allan’s presentation and its pictures of the Jetty area, and given sea level rise, she wondered how soon the City should consider an update to its Beaches and Dunes Overlay. Nichols commented that she had been more concerned about erosion of the bluff, but Allan’s presentation suggested the Jetty was more of an area of concern.

Shirley acknowledged there could be concern about inundation, but she noted that the accretion might change as well, with more sand being pushed against the jetty.

Allan said DOGAMI would be working with Meg Reed at DLCD to develop an updated beach and dune overlay for the entire Oregon coast, using work DOGAMI did in Tillamook County as a model. He thought that project would refine their understanding of the active foredune and similar coastal features. Although it would not delve into the issue of developing hazard maps, it would integrate results from flood modeling DOGAMI conducted in the Bandon area and other newer data sets.

Nichols observed that Bandon's hazard map only took landslide susceptibility and liquefaction into account but did not consider hazards due to sea level rise, so she wanted to know at what point sea level rise should be factored into the City's planning efforts.

Shirley replied that it was a decision for Bandon to make on its own.

Nichols asked if anyone else on the Oregon coast was considering the implications of sea level rise in their hazard maps.

Shirley answered that she had not specifically seen an influence on hazard maps, but she thought people would be moving in that direction as developments that were susceptible to sea level rise damage were identified. She noted that new hazard mapping was being done in Tillamook.

Allan clarified that hazard mapping in early 2000 in Tillamook County had factored sea level rise into the mapping, but it was based on historical rates and not projected future forecasts.

Shirley stated that there were many strategies for addressing development on the bluffs. She said one would be to produce a comprehensive hazard map. Given the complexity of the situation, Shirley thought that was a robust approach. She felt relying on a geotechnical report was a less certain determinant of the health and safety of building in such areas, because of the complexity involved. Shirley added that not all geotechnical engineers would have Allan's level of knowledge or that of the scientists who built the hazard maps.

Nichols asked if Shirley would recommend updating the City's hazard map and strengthening the City's hazard code, specifically for bluff development.

Shirley gave a solid recommendation for those actions. She added that other considerations would be the actual number of undeveloped properties on the bluff and what cost/benefit there would be in doing a full-on hazard map if there were few remaining undeveloped parcels.

Slothower and Nichols responded that there were not many in the City itself.

Nichols noted that some redevelopment was occurring on bluff properties, particularly near the Sunset Motel, where two houses on the bluff had to be torn down due to erosion from poorly designed drainage.

In that case, Shirley thought drainage regulations might be worth exploring.

Slothower pointed out that builders already had to take drainage into consideration.

Nichols stated that the City required drainage control measures and the City had storm drainage facilities in place for the north half of Beach Loop Drive, but there were some drainage issues on the south half, where there was no storm drain system.

Shirley repeated a question from a member of the public who was curious about the impact of creeks that did not discharge directly to the beach or the ocean, but hugged the base of the bluff instead, potentially undercutting the toe of the bluff.

Allan responded that there were examples of the same thing happening elsewhere on the Oregon coast, causing localized erosion in those areas.

Shirley invited Planning Staff and the Commission to contact her or Reed if they wanted to explore more about how to change the City's overlays and regulations.

Nichols said Staff was working with Reed on updating the mapping on Bandon's Shoreland Overlay and probably working on the Beaches and Dunes Overlay as well. She said there had not been any plans to revisit the Hazard Overlay, but recent concerns about bluff development might lead to its being updated, too.

Shirley mentioned that she and Reed had been working on a sea level rise guide over the past couple of years, to provide a process for determining what homes, businesses, roadways, beach access points, or other assets on the coast were located in a potential sea level rise inundation area. Shirley suggested there might not appear to be much of a problem in this community, but the guide might help identify something that was at risk but was overlooked. The guide was going to be published at the end of October.

The Commissioners thanked Allan and Shirley for an excellent presentation.

## **7.2 Planning Department Report**

The Commissioners received a copy of the Planning Department Report with their meeting packets. It showed 38 single family dwelling Zoning Compliances had been processed year-to-date and there had been 17 Zoning Compliances for accessory structures. Year-to-date there had been 10 Conditional Use Permits issued. A total of 106 applications had been received through the first week in September. One application was for a five-unit housing development on 11<sup>th</sup> Street SE. Another was for a new Grocery Outlet store on Highway 101 between 15<sup>th</sup> and 17<sup>th</sup> Streets. Two land divisions were being processed—the Bandon Coastal Subdivision, consisting of 23 lots, and Ocean Trails Phase 4, encompassing 10 lots.

Nichols added that there was going to be a planning commissioner training the following week, and Orsi, Scobby, Jurkowski, and Norman had already signed up.

Nichols reported having visited Port Orford earlier in the day to learn more about the watershed there. She said an upcoming conference in North Bend was going to deal with protecting drinking water sources, and that subject might interest some Commissioners.

## **8.0 OPEN DISCUSSION**

### **Commissioner Comments**

Jurkowski said she would like to see the City pursue some of the suggestions made by the evening's guest presenters.

## **9.0 ADJOURN**

Slothower adjourned the meeting at 8:39 p.m.

Planning Commission Regular Meeting Minutes  
Submitted by Richard Taylor, Minutes Clerk

# City of Bandon

PLANNING COMMISSION AGENDA DOCUMENTATION

DATE: November 17<sup>th</sup>, 2022

**Work Session:** Structures in Required Setbacks

ITEM NO: 5.1

**Background:** At the last meeting, the Planning Commission discussed amending the code to allow for certain structures within required yards. The Commission requested an additional work session time to consider how the proposed code might be modified to consider the differences in impact between front, side, and rear yards.

Staff recommends discussing the following options:

**1. Amend the definition of a structure -**

*"Structure" means that which is built or constructed; an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner and which requires location on the ground or which is attached to something having a location on the ground. Structure does not include paved areas or vegetative landscaping materials.*

**2. Amend Supplementary Provisions to allow for other "projections" –**

*17.104.030 Projections from buildings.*

*A. Cornices, eaves, canopies, sunshades, gutters, chimneys, flues, belt courses, leaders, sills, pilasters, lintels, ornamental features and other similar architectural features shall not project more than eighteen (18) inches into a required yard.*

*A.B. Porches, decks, steps, and similar open structures not exceeding 30 inches in height may encroach into setbacks, provided they maintain a minimum five-foot setback, vision clearance requirements, and so not conflict with utilities or other easements.* (You could change the allowance for front, side, and rear setbacks)

The Commission may choose to direct staff to initiate a Type IV process to amend the Bandon Municipal Code, or may ask that additional work sessions be held to continue the discussion.

SUBMITTED BY:



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Dana Nichols, Planning Manager



## Examples





# City of Bandon

PLANNING COMMISSION AGENDA DOCUMENTATION

DATE: November 17<sup>th</sup>, 2022

**Work Session:** Measuring Height in the Floodplain

ITEM NO: 5.2

Background: Buildings located in the floodplain are required to locate their “lowest floor” at Base Flood Elevation or above. Depending on the location of the lot and the type of development, this can elevate the structure two to three feet off of the ground. Staff proposes a change to how the height of a structure is measured in the Floodplain to bring all properties in the floodplain to some common ground.

The proposed language is below for your consideration. The Commission may choose to direct staff to initiate a Type IV process to amend the Bandon Municipal Code, or may ask that additional work sessions be held to continue the discussion.

*"Height of building or structure" means the vertical distance from the native grade to the highest point of the roof. On slopes, the height of the structure shall be determined by taking the height of each side of the building measured from grade at the center of the wall to the highest point of the roof and divided by the number of measured sides.*

*For any area within a special flood hazard zone, height shall be measured from the Base Flood Elevation.*

SUBMITTED BY:



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Dana Nichols, Planning Manager

# City of Bandon

PLANNING COMMISSION AGENDA DOCUMENTATION

DATE: November 17<sup>th</sup>, 2022

**Work Session:** Old Town Parking Code

ITEM NO: 5.3

**Background:** The off-street parking regulations listed in chapter 17.96 of the Bandon Municipal Code have remained nearly unchanged since the 1990's. Old Town Bandon businesses are subject to these parking standards, though often receive variances or locate their parking within 500 feet of the building to meet code. Those that have parking lots or private spaces are limited by the amount they can further expand, as they would need to deal with the parking repercussions. The boundaries of Old Town are limited by the location of the waterfront and Highway 101, so there is little opportunity to create more parking in Old Town Bandon, except at the loss of existing structures and economic vitality.

In 2016 the Planning Department conducted a parking study in Old Town, inventorying the number of available on-street and off-street spaces and analyzing peak usage. We found that based on the square footage of existing structures in Old Town, we would need 740 off-street parking spaces to meet code, while only having 354. Knowing that this number will have to shrink in order for new development to occur, the City Council discussed the future of the Old Town Parking regulations at their last work session.

Staff proposes modifying the code to remove parking minimums for all outright permitted uses within the C-1 zone. Conditional uses may still be required to provide parking, which can then be modified by the Planning Commission during their public hearing. The Commission is asked to discuss this proposal and if appropriate, direct staff to initiate a Type IV process to amend the Bandon Municipal Code. Alternatively, the Commission may ask that additional work sessions be held to continue the discussion.

SUBMITTED BY:



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Dana Nichols, Planning Manager

# City of Bandon

PLANNING COMMISSION AGENDA DOCUMENTATION

DATE: November 17<sup>th</sup>, 2022

**Work Session:** Vacation Rental Dwelling Code Update

ITEM NO: 5.4

**Background:** Staff has prepared a draft updating regulations in the city's Vacation Rental Dwelling code to address the issues that have arisen since the 2018 rewrite. Below is the "clean" version. Attached shows additions and deletions.

- K. Vacation Rental Dwellings. Vacation rental dwellings (VRDs) are a conditional use in the CD-1, CD-2, CD-3 zones and C-3 zones, and are subject to the requirements of this chapter. Conditional use permits are a discretionary decision by the City subject to review by the Planning Commission.
1. All vacation rental dwellings shall comply with the following approval criteria:
    - a. VRDs are only allowed in single-family detached dwellings. Any dwelling proposed as a VRD shall be at least three years old, calculated from the date of issuance of a certificate of occupancy from the City of Bandon;
    - b. Less than 20% of the dwelling units within 250 feet of the subject property, and located in a zone where VRD's are allowed, are permitted, operated, or used as VRD's. For the purposes of this calculation, the numerator and the denominator shall include the subject property;
    - c. In the CD-1 zone, dwelling units proposed for VRD status may be located only in the VRD-overlay zone as indicated on the attached map. VRD's are allowed as a conditional use in all areas of the CD-2, CD- 3, and C-3 zones;
    - d. The VRD Conditional Use Permit is valid for a specific owner of a specific dwelling and is not transferable. The permit shall become null and void when the owner sells or transfers the real property. No owner shall be issued a new VRD permit who holds another VRD permit;
    - e. The applicant shall provide evidence that the VRD will be maintained at or above the level of surrounding dwellings in the neighborhood, including landscaping, signage and exterior maintenance;
    - f. VRD's with shared private beach access shall provide written permission from all persons with an interest in a shared private beach access to be used by the VRD or positive action to notify renters of the location and required use of public beach access points shall be taken;
    - g. VRD's using a joint access driveway shall provide evidence that all other owners of property utilizing the private access agree to the proposed vacation rental dwelling using the private access;

SUBMITTED BY:



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Dana Nichols, Planning Manager

- h. Occupancy of any VRD shall not exceed 3 people per bedroom up to a maximum of 10 people. The occupancy determined by the Planning Commission may be less than the maximum allowed.
- i. VRD's shall have one off-street parking space for each bedroom in the VRD, with a minimum of two off-street parking spaces. A bedroom is defined as an enclosed sleeping area with a built-in closet. Approved off-street parking areas shall be available to accommodate full occupancy of the VRD without the use of on-street parking. The Planning Commission may choose to limit the number of parking spaces allowed;
- j. Weekly solid waste collection service shall be provided during all months that the dwelling is available as a rental pursuant to this chapter. The property must provide a \_\_\_\_size receptacle for solid waste.

## 2. General Regulations

- a. There shall be an owner or designated local management person immediately available to handle complaints and problems on a 24-hour basis. Contact information of the designated local management person shall be updated annually and kept on file in the Planning Department. The owner or management person shall be available by phone and physically able to respond to the VRD within a reasonable time period;
- b. Compliance with all reporting and accounting requirements of the transient occupancy tax ordinance shall be done in accordance with the City of Bandon requirements;
- c. If the VRD activity ceases for a period of six months, or fails to be rented for more than 10 nights within a calendar year, as determined by the transient occupancy tax receipts and rental documentation, the VRD permit becomes null and void;
- d. Carbon Monoxide and smoke detectors shall be provided in all potential and actual sleeping areas, whether or not such detectors are required by the building code.
- e. No more objectionable traffic, on-street parking, noise, smoke, light, dust, litter or odor may be emitted from the VRD than a normal neighborhood dwelling;
- f. Tsunami Preparedness – all VRD's shall post the Bandon Tsunami Evacuation Route map in a conspicuous location within the dwelling;
- g. A rental permit shall be posted within the dwelling adjacent to the front door. The permit shall state the name, address, and telephone number of the contact person required by this chapter. The permit shall also identify the address of the VRD, the maximum number of occupants permitted to stay overnight, the day(s) established for solid waste collection, and non-emergency Bandon Police number.
- h. Approved Vacation Rentals shall be required to apply for a change of use or occupancy with the Building Department to Commercial Residential.

## 3. Compliance

- a. Vacation Rental Dwellings that are out of compliance with the requirements of 16.12.090(K)(2) as of the effective date of the ordinance codified in this section shall, within 120 days after said date, be brought into compliance.
- b. Violation of the requirements specified herein shall constitute grounds for revocation of the permit. Additionally, the city may institute appropriate actions or proceedings to prevent, restrain, correct, abate, or remove and unlawful location of a vacation rental dwelling in violation of this chapter. The owner(s) of a building where a violation has been committed shall be guilty of a

violation of this title and shall be subject upon conviction to a fine of \$750, per BMC 1.04. Each day under which the violation continues shall be considered a separate offense.

Add definition:

“Owner” for the purposes of this chapter, means the natural person or legal entity that owns and holds legal and/or equitable title to the property. If the owner is a natural person, or where the natural person has transferred their property to a trust where the natural person is the trustor, that person can have an ownership right, title, or interest in no more than one dwelling unit that has a VRD permit. If the owner is a business entity such as a partnership, corporation, a limited liability company, a limited partnership, a limited liability partnership or similar entity, any person who owns an interest in that business entity shall be considered an owner and such person can have an ownership right, title, or interest in no more than one dwelling unit that has a VRD permit.

K. Vacation Rental Dwellings. Vacation rental dwellings (VRDs) are a conditional use in the CD-1, CD-2, CD-3 zones and C-3 zones, and are subject to the requirements of this chapter. Conditional use permits are a discretionary decision by the City subject to review by the Planning Commission. ~~VRD's are not an outright permitted use in the CD-zones.~~

1. All vacation rental dwellings shall comply with the following ~~provisions~~approval criteria:

- a. ~~The VRDs are only allowed in~~ single-family detached dwellings ~~proposed for the VRD~~ Any dwelling proposed as a VRD shall be at least three years old, calculated from the date of issuance of a certificate of occupancy from the City of Bandon;
- b. Less than ~~20~~30% of the ~~single-family detached~~ dwelling units within 250 feet of the subject property, and located in a zone where VRD's are allowed, are permitted, operated, or used as VRD's. For the purposes of this calculation, the numerator and the denominator shall include the subject property;
- c. In the CD-1 zone, dwelling units proposed for VRD status may be located only in the VRD-overlay zone as indicated on the attached map. VRD's are allowed as a conditional use in all areas of the CD-2, ~~and~~ CD- 3, and C-3 zones;
- d. The VRD Conditional Use Permit is valid for ~~the named applicant of record a specific owner of a specific dwelling~~ and is not transferable ~~to a new applicant~~. Upon change in named applicant due to the owner's sale, transfer, or other reason, the CUP shall become null and void. A new applicant shall apply for a new conditional use permit. ~~No owner shall be issued a new VRD permit who holds another VRD permit~~;
- e. The applicant shall provide evidence that the VRD's will be maintained at or above the level of surrounding dwellings in the neighborhood, including landscaping, signage and exterior maintenance;
- f. VRD's ~~without private~~ with shared private beach access shall provide written permission from all persons with an interest in a ~~private~~ shared private beach access to be used by the VRD or positive action to notify renters of the location and required use of public beach access points shall be taken;
- g. VRD's using a joint access driveway shall provide evidence that all other owners of property utilizing the private access agree to the proposed vacation rental dwelling using the private access;
- h. Occupancy of any VRD shall not exceed 3 people per bedroom up to a maximum of 10 people. The occupancy determined by the Planning Commission may be less than the maximum allowed.
- ~~g.i.~~ VRD's shall have one off-street parking space for each bedroom in the VRD, ~~but in no case have less than~~ with a minimum of two off-street parking spaces. A bedroom is defined as an enclosed sleeping area with a built-in closet. Approved off-street parking areas shall be available to accommodate full occupancy of the

VRD without the use of on-street parking. The Planning Commission may choose to limit the number of parking spaces allowed;

- j. Weekly solid waste collection service shall be provided during all months that the dwelling is available as a rental pursuant to this chapter. The property must provide a \_\_\_\_\_ size receptacle for solid waste.  
~~Evidence shall be provided ensuring that there is regular garbage removal from the premises;~~

## 2. General Regulations

- a. There shall be an owner or designated local management person immediately available to handle complaints and problems on a 24-hour basis. ~~The name and~~ contact information of the designated local management person shall be updated annually and kept on file in the ~~Police Department and~~ Planning Department. The owner or management person shall be available by phone and physically able to respond to the VRD within a reasonable time period;
- b. Compliance with all reporting and accounting requirements of the transient occupancy tax ordinance shall be done in accordance with the City of Bandon requirements;
- c. If the VRD activity ceases for a period of ~~one year~~ six months, or fails to be rented for more than 10 nights within a calendar year, as determined by the transient occupancy tax receipts and rental documentation, the VRD permit becomes null and void ~~with no further proceedings~~;
- ~~c.d.~~ Carbon Monoxide and ~~S~~ Smoke detectors shall be provided in all potential and actual sleeping areas, whether or not such detectors are required by the building code.
- ~~d.e.~~ No more objectionable traffic, on-street parking, noise, smoke, light, dust, litter or odor may be emitted from the VRD than a normal neighborhood dwelling;
- e. Tsunami Preparedness – all VRD's shall post the Bandon Tsunami Evacuation Route map in a conspicuous location within the dwelling;
- f.
- ~~g. The Planning Commission shall determine the maximum occupancy of the VRD based upon bedrooms, parking, overall home floor plan and site plan, and other factors determined by the Commission based upon neighborhood characteristics outlined in item 6 above and others deemed significant. The occupancy determined by the Planning Commission may be less than the maximum allowed~~
- ~~h. VRD's require a conditional use permit (CUP). All criteria for a CUP must be addressed and included as part of the application materials. The applicant shall also address the surrounding neighborhood and provide information how the proposed VRD is appropriate given the specific characteristics of the neighborhood.~~

~~The applicant shall provide an annual report to the Bandon Planning Department showing compliance with all conditions and ordinance requirements. Failure to provide such report shall~~

~~result in revocation of the Conditional Use Permit.~~

~~i.g. A rental permit shall be posted within the dwelling adjacent to the front door. The permit shall state the name, address, and telephone number of the contact person required by this chapter. The permit shall also identify the address of the VRD, the maximum number of occupants permitted to stay overnight, the day(s) established for solid waste collection, and non-emergency Bandon Police number.~~

~~h. Approved Vacation Rentals shall be required to apply for a change of use or occupancy with the Building Department to Commercial Residential.~~

### 3. Compliance

- ~~a. Vacation Rental Dwellings that are out of compliance with the requirements of 16.12.090(K)(2) as of the effective date of the ordinance codified in this section shall, within 120 days after said date, be brought into compliance.~~
- ~~b. Violation of the requirements specified herein shall constitute grounds for revocation of the permit. Additionally, the city may institute appropriate actions or proceedings to prevent, restrain, correct, abate, or remove and unlawful location of a vacation rental dwelling in violation of this chapter. The owner(s) of a building where a violation has been committed shall be guilty of a violation of this title and shall be subject upon conviction to a fine of \$750, per BMC 1.04. Each day under which the violation continues shall be considered a separate offense.~~

Add definition:

“Owner” for the purposes of this chapter, means the natural person or legal entity that owns and holds legal and/or equitable title to the property. If the owner is a natural person, or where the natural person has transferred their property to a trust where the natural person is the trustor, that person can have an ownership right, title, or interest in no more than one dwelling unit that has a VRD permit. If the owner is a business entity such as a partnership, corporation, a limited liability company, a limited partnership, a limited liability partnership or similar entity, any person who owns an interest in that business entity shall be considered an owner and such person can have an ownership right, title, or interest in no more than one dwelling unit that has a VRD permit.



# City of Bandon

PLANNING COMMISSION AGENDA DOCUMENTATION

DATE: November 17<sup>th</sup>, 2022

**Planning Department Report**

ITEM NO: 6.1

SUBMITTED BY:



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Dana Nichols, Planning Manager



City of Bandon Planning Department  
Bandon, Oregon 97411  
Phone: 541-347-7922  
Email: [Planning@cityofbandon.org](mailto:Planning@cityofbandon.org)

## MEMORANDUM

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**TO:** Planning Commission  
**FROM:** Dana Nichols, Planning Manager  
**DATE:** November 17, 2022  
**RE:** Planning Department Report

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The purpose of this memorandum is to provide a summary report to the Commission about Planning Department activities, including details about on-going projects and changes to practice in the Department.

### **Planning Applications**

Received as of November 10<sup>th</sup>, 2022 (YTD):

Single Family Dwelling ZC	Accessory Structures ZC	Conditional Use Permit	Land Divisions	GAR	Other
41	21	12	6	5	35

Materials and information about pending Land Use decisions:

<https://www.cityofbandon.org/planning/page/pending-land-use-decisions>

Materials and information about recent Land Use decisions:

<https://www.cityofbandon.org/planning/page/recent-land-use-decisions>

Year-to-date the Planning Department has received 120 applications, forty-one (41) of which are for new single-family dwellings. The City has recently approved the Zoning Compliance application for a new Grocery Outlet that will be located at 1557 Oregon Ave. Of note, we have approved seven (7) accessory dwelling units this year, and have received three applications for multi-family developments.

### **Planning Fees Collected in FY22**

	FY 21-22	July	August	Sept	Oct	Total FY 22-23
Total Fees	\$128,247	\$2,085	\$10,295	\$5,375	\$4,375	\$22,130

The Planning Department has seen a slowdown of planning applications in just the last month. While this means lower revenues, it also means staff have time to work on preparing for the new year. This January, we will start using new forms that we hope are easier for the public to fill in, and easier for staff to process. We will still have a general land use application, as we do now, for all actions, but will also have supplemental forms for actions that require additional findings or information. We hope this cuts down on the amount of wasted paper used for info sheets, and helps clarify just what is necessary for each submittal.

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**City of Bandon Planning Department**

Bandon, Oregon 97411

Phone: 541-347-7922

Email: [Planning@cityofbandon.org](mailto:Planning@cityofbandon.org)

## **Project Updates**

- **HNA:** The Planning Department is still working on the Housing Needs Analysis project and has received a draft of the Housing Needs Forecast. This document lays out the need for housing over a projected 20-year timeframe. Interestingly, Bandon has grown at a faster rate than Coos County alone, and PSU population forecasts expect that we will grow by 594 new residents by 2043. The report also looks at the socioeconomic characteristics of our community. “As of year 2018 (the latest year for which data is available), 62.3% of the households in Bandon were either living in poverty or classified in the ALICE category, which is slightly above the state average of 42.6% (Exhibit 4). In light of the most recent recession that occurred during the first quarter of 2020 and the significant increase in housing costs that followed, the share of households living in poverty and in the ALICE category has likely increased.” ALICE is asset limited, income constrained, employed. Based on the population projections, the total net new housing units required to accommodate the projected increase in residents within the Bandon UGB is projected at 376 housing units plus 15 people living in group quarters. The baseline housing demand forecast includes: 231 single-family detached homes, 27 townhomes/plex units, 83 multifamily units, and 35 manufactured homes. The report will be made available to the Commission when a final draft is prepared.
  - **TSP:** We’re still waiting for the agreement to go through the necessary channels at ODOT, but may have a notice to proceed early next month. If so, Staff will begin coordinating with Parametrix, the selected consultant firm, to begin work on updating the City’s Transportation System Plan.
-