



City of Bandon

555 Hwy 101, PO Box 67
Bandon, OR 97411
(541) 347-2437

Bandon by the Sea

MEETING AGENDA
CITY OF BANDON PLANNING COMMISSION
THURSDAY, APRIL 25TH, 2024 - 7:00 P.M

COUNCIL CHAMBERS, 555 HIGHWAY 101 BANDON, OR 97411
City Hall Open for Public Participation and by Zoom

TO JOIN THE MEETING VIA ZOOM:

<https://Zoom.us/Join>

MEETING ID: 215 705 9460

TO CALL INTO THE MEETING (253) 215-8782

MEETING CITY OF BANDON PLANNING COMMISSION

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. CONSENT AGENDA**
3.1 Regular Meeting Minutes – March 28th, 2024
- 4. PUBLIC COMMENT** - Comments from the Public on any item NOT on the agenda- limited to 3 minutes each.
- 5. DISCUSSION**
5.1 A request to determine if an "Amusement Arcade" is a similar use to "Commercial Retail Sales and Services" or "Recreational Facility."

5.2 FY24-25 Planning Department Work Program: Preparation for Joint Planning Commission and City Council Meeting
- 6. STAFF UPDATE**
6.1 Planning Department Report
- 7. OPEN DISSCUSSION**
Commissioner Comments
- 8. ADJOURN**

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E-Mail: planning@cityofbandon.org
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PLANNING COMMISSION CONSENT AGENDA	DATE: 04/25/2024
SUBJECT: MEETING MINUTES	ITEM NO: 3.1

BACKGROUND:

These are minutes from the following meetings:

- Regular Meeting – March 28, 2024

FISCAL IMPACT:

None.

RECOMMENDATION:

Approve the minutes as presented.

SUBMITTED BY:

Dana Nichols, Planning Director



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Bandon by the Sea

CITY OF BANDON PLANNING COMMISSION MEETING THURSDAY MARCH 28TH, 7:00 p.m.

CALL TO ORDER: 7:00 p.m. by Planning Commissioner Chair Slothower

ROLL CALL: Taken by Planning Director Dana Nichols

COMMISSIONER FREY: present
COMMISSIONER JURKOWSKI: present
COMMISSIONER NORMAN: present
COMMISSIONER ORSI: present
COMMISSIONER SCOBBY: not present, out of town
COMMISSIONER CHAIR SLOTHOWER: present
COMMISSIONER STARBUCK: present

CITY STAFF PRESENT:

DANA NICHOLS, PLANNING DIRECTOR
NICOLETTE CLINE, PLANNING ASSISTANT

3. CONSENT AGENDA

3.1 Regular Meeting Minutes January 25th, 2024

Commissioner Chair Slothower asked the Commission if they read the previous agenda minutes. All Commissioners responded with yes. Slothower asked if there were any corrections or objections. The Commissioners had no corrections or objections to the minutes.

Chair Slothower moved and approved all minutes as written.

4. PUBLIC COMMENT

None

5. PUBLIC HEARING – Opened by Chair Slothower at 7:02 p.m.

5.1 24-005; 2885 Beach Loop Drive, Request for a Conditional Use Permit to operate a Vacation Rental Dwelling in the CD-1 zone.

Chair Slothower asked if there were any members of the public who wished to challenge whether the Public Hearing should be held. There was no comment from the public. Commissioner Chair Slothower asked the Commission if anyone wished to declare *ex parte* contact, a site visit or bias to this hearing. The Commissioners stated they all did some sort of site visit but did not have a bias or prejudice. Planning Director Nichols clarified that you should state if you gained anything from the site visit and that is the only time you need to disclose. The Commissioners all stated they gained nothing from the site visit.

Planning Director Nichols provided a PowerPoint presentation and gave an overview of the proposed request to operate a Vacation Rental Dwelling (VRD). Planning Director Nichols recommended approval with conditions of approval, and asked the Commission if they had any questions.

Commissioner Norman asked about the Coos Health and Wellness Checklist and what they look for and review on these VRDs. Planning Director Nichols responded by reading some items on the checklist: are all buildings and equipment in good repair, such as decks and stairs, fire safety, surfaces are safe, and there are no building code violations. She stated the applicant would not be issued the Traveler's Accommodation License unless this entire checklist is signed off.

Commissioner Starbuck asked if we receive a report of the inspection. Planning Director Nichols stated we do not. Commissioner Starbuck asked if we could make that a condition of approval. Planning Director Nichols explained that we do not have the staff to enforce this. However, she stated that we do not allow operation of a VRD without the submittal of that Traveler's Accommodation License. The County will not sign off on that License until their checklist is complete. Therefore, we are assured that they have met all the requirements to operate the VRD.

Commissioner Norman asked how many current VRDs are there. Planning Director Nichols stated there are currently seventy (70) in City Limits.

Commissioner Frey asked about the changes to the code that state an owner cannot have ownership, rights, or interest in any other VRD inside the City Limits and wanted to know if the Planning Department or Finance Department track that. Planning Director Nichols responded that she has not seen one owner operating more than one Vacation Rental. She also stated that could be something we include in future applications for self-certification.

Commissioner Frey also asked about the local management point of contact on VRDs and if there was anywhere in our code that we require notification in a timely manner if there is a change to that contact person. Planning Director Nichols indicated there is no code provision requiring that, but this is done at a minimum once a year by the Finance Department through the Transient Occupancy Tax (TOT) that gets reported quarterly. The applicants also receive an Update Your Information Form that they would use to change any information on the management contact. Frey then asked if the Host Compliance website has the capacity to have more than one contact person. Planning Director Nichols confirmed they do.

Chair Slothower opened the Hearing to the public for comment.

- Greg Loper, applicant and owner of 2885 Beach Loop Drive: Greg and his wife Emily have a full-time residence in Bend but fell in love with Bandon and bought the house last year. His hopes are to share this town and their home with others when they are not staying there. They appreciate the helpfulness and the time Staff, and the Commission have put into this. Commissioner Norman asked Greg if he knew how frequently they would be staying at this property. Greg responded at least once a month and would rent it out when they were not there.

Chair Slothower asked for a motion to close the hearing. A motion to close the hearing was made by Commissioner Orsi.

Moved: Commissioner Orsi

Seconded: Commissioner Jurkowski

Ayes: Commissioners Frey, Jurkowski, Norman, Orsi, and Starbuck

Nayes: None

Absent: Scobby

Chair Slothower closed the hearing and opened the deliberation. Commissioner Norman wanted to express his ongoing concerns with the number of VRDs we currently have in the City, with a total now of seventy-two (72).

Commissioner Frey made a motion to approve with Conditions, Application 24-005; 2885 Beach Loop Drive, Request for a Conditional Use Permit to operate a Vacation Rental Dwelling in the CD-1 zone.

Moved: Commissioner Starbuck

Seconded: Commissioner Chair Slothower

Ayes: Commissioners Frey, Jurkowski, Norman, Orsi, and Starbuck

Nayes: None

Absent: Scobby

PUBLIC HEARING #2 – Opened by Chair Slothower at 7:24 p.m.

5.2 24-009; 375 Lincoln Ave SW, Request for a Conditional Use Permit to operate a Vacation Rental Dwelling in the CD-2 Zone.

Chair Slothower asked if there were any members of the public who wished to challenge whether the Public Hearing should be held. There was no comment from the public. Chair Slothower asked the Commission if anyone wished to declare *ex parte* contact, a site visit or bias to this hearing. Commissioner Orsi, Commissioner Starbuck, and Commissioner Frey all did site visits and had no bias.

Planning Director Nichols provided a PowerPoint presentation and gave an overview of the proposed request to operate a Vacation Rental Dwelling (VRD). Planning Director Nichols noted that a VRD application for this property had been approved in 2019, but there were

building issues that were never addressed or corrected, so the dwelling never operated as a VRD. She wanted to clarify that before operation, any building and landscaping issues will need to be addressed. She recommended approval with conditions of approval.

Commissioner Norman was unclear on what the City oversees for building issues and what the County is charged with. Planning Director Nichols clarified that items such as deteriorating decks or stairs would fall under the Coos Health and Wellness inspection, whereas the fence that is falling apart, would fall under the Planning Commissions purview.

Commissioner Starbuck referenced a letter submitted by a resident whose property abuts this VRD, and her concern regarding skunks that have access under the home (which was a concern of hers in 2019 as well). The Commission had some concerns about what the City is responsible for overseeing and what they should concern themselves with during this approval process, and what is under the purview of the County. Planning Director Nichols addressed the Commission in detail regarding this, and assured the Commission on what they can place conditions of approval on, and what the County is tasked with.

Planning Director Nichols recommended approval with conditions of approval.

Chair Slothower opened the Hearing to the public for comment.

- Sheri McGrath, P.O. Box 1548 Bandon, representing the applicant: Sheri indicated that the applicant will be performing exterior work on this home, which includes fixing the deck, the fencing, and removing the stairs. She indicated that two home inspections have been performed and mold and rodents were not an issue. The fireplace is not operable and will be closed off for use. Interior work will also be done prior to operation as a VRD.

She also wanted to address the Commissioners concerns about what is under the purview of Coos Health and Wellness, which is a local arm of the Oregon Health Authority, and not the Building Department. She went into great detail on what Rick Hallmark, the inspector for Coos Health and Wellness, checks and looks for on these inspections before signing off to operate a VRD. He also performs an annual inspection as part of the ongoing compliance, and that annual fee is \$190.

Commissioner Orsi wanted to clarify what permits are required for demolition, repair, or new construction. Sheri clarified that building permits are required for new construction, not repair or demolition.

Sheri stated that the applicants are a young family, and their main goal is to find a second home in Bandon and spend time here building memories. They currently work full-time in Bend, so they are not able to be at the home year-round. They would like the ability to offset the mortgage by renting out the home.

Chair Slothower asked if there were any other comments or questions. Planning Director Nichols wanted to speak and stated that she had found an email that referenced the deck from the Building Department. They indicated to her that they get involved when there is concern on whether a structure has been permitted or is in disrepair. The Building Department would need to sign off on that structure's compliance before the building could operate as a VRD. She thanked Sheri for her clarification on the process that goes through

Health and Safety. She also wanted to inform the Commission that the applicant did submit a Flood Plain Permit, which covers exterior work in the amount of \$50,000 and includes the deck, windows, and will have a "facelift" before operating.

Chair Slothower asked for a motion to close the hearing. A motion to close the hearing was made by Commissioner Jurkowski.

Moved: Commissioner Jurkowski

Seconded: Commissioner Starbuck

Ayes: Commissioners Frey, Jurkowski, Norman, Orsi, and Starbuck

Nays: None

Absent: Scobby

Chair Slothower closed the hearing and opened the deliberation. Slothower wanted to discuss smoke and carbon monoxide detectors. He indicated that he is a proponent of these and clarified that the applicant needs to submit plans on locations of these devices and that they get tested yearly. Planning Director Nichols confirmed that they need to be listed on the plans and that testing is done through the Oregon Health Authority.

Commissioner Orsi made a motion to approve with Conditions, Application 24-009; 375 Lincoln Ave SW, Request for a Conditional Use Permit to operate a Vacation Rental Dwelling in the CD-2 zone.

Moved: Commissioner Orsi

Seconded: Commissioner Jurkowski

Ayes: Commissioners Frey, Jurkowski, Norman, Orsi, and Starbuck

Nays: None

Absent: Scobby

6. Staff Update

6.1 Planning Department Report

Planning Director Nichols reported that Staff is working on a new streamlined Residential Development Permit and the Commission will receive a final draft when complete. Regarding project updates, Staff have been applying for grants for the Redmon Pond Walkway Design, drainage for the South Jetty Area, and the Beach Access Connector. Staff also applied for a RARE AmeriCorps member through the University of Oregon. This member would be placed in our community for eleven (11) months and funding for that has been requested. A letter to DLCD in support of an update to the Coquille River Estuary Management Plan was submitted. We are also looking to DLCD for a grant to update our Shoreland Overlay Zone. A grant was recently approved but is being delayed pending the update of our Beaches and Dunes Overlay Zone. The Transportation System Plan and Beach Access Connector will have a joint open house on April 24th at 4:00 p.m. in City Hall. Gravel Point was approved by the City Council. May 13th at 1:30 p.m. is the next joint session with the City Council.

Next month Planning Director Nichols will bring the Commission a short presentation on Host Compliance and its role regarding VRDs, as they have asked questions on the process. A color palette approval for Old Town will likely be on the agenda.

Planning Director Nichols also stated that she is waiting for feedback from the State regarding Clear and Objective Standards when it comes to approval for housing. The State requires that all housing be outright permitted. In Bandon there are certain zones that are a bit more complicated, like building in the Shoreland Overlay Zone or needing a Geologic Assessment Review, and housing is listed as a Conditional Use in these Zones.

Commissioner Norman asked about the recreational immunity status. Planning Director Nichols stated that recreational immunity was restored in the short session.

Commissioner Jurkowski asked for clarification regarding the Johnson Creek Greenway and whether it was going to be made into a Golf Course. Planning Director Nichols stated that the Mayor does have interest in bringing a golf course back, but it's designated in our Parks Master Plan as a Natural Park Greenway. It would need to go through a designation change through the City Council before any future changes. Commissioner Jurkowski also asked about the Park and Rec Commission hiatus. Planning Director Nichols clarified that it is just on hiatus right now.

7. OPEN DISCUSSIONS

7.1 Commissioner Comments

Commissioner Frey wanted to discuss at the April meeting the BMC 16.12.090, specifically the VRD section regarding the 3-year requirement to apply for VRD status. He feels that the timeframe should be extended, as his impression is that we are oversupplied with VRDs, and many stay vacant. This might help with our shortage of housing. He would also like to receive a report, if possible, from the Finance Department, regarding the average time a VRD is rented and the TOT that is being brought in for each.

Commissioner Norman discussed the film "An Oregon Story" and how it might be helpful to bring that to Bandon. Planning Director Nichols stated she also saw the movie with another staff member, and they were already working on a showing at the Sprague Theater sometime in July. She will update the Commission on the day and time. He also mentioned another film called "The Beach Bill", through the Oregon Experience, and that it is also worthy of watching.

8. ADJOURN: Chair Slothower adjourned the meeting at 8:14 p.m.

Planning Commission Meeting Minutes

Submitted by Nicolette Cline, Planning Assistant



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Bandon by the Sea

AGENDA REPORT

TO: Planning Commission

FROM: Dana Nichols, Planning Director

DATE: April 25th, 2024

SUBJECT: **5.1 A REQUEST TO DETERMINE IF "AMUSEMENT ARCADE" IS A SIMILAR USE TO "COMMERCIAL RETAIL SALES AND SERVICES" OR "RECREATIONAL FACILITY."**

BACKGROUND:

The City of Bandon received a request from a party interested in opening an amusement arcade (Attachment A). In discussion with the potential applicant, there was some question about how to process an application for this request as the use is not explicitly listed in the code. Chapter 17.04.030 of the Bandon Municipal Code allows the Planning Commission to make this determination:

The planning commission may rule that a use not specifically listed in the allowed uses of a zone shall be included among the allowed uses if the use is of the general type and is similar to the allowed uses. However, this does not authorize the inclusion in a zone where it is not listed of a use specifically in another zone or which is of the same general type and is similar to a use specifically listed in another zone. This use is not listed in any other zone.

ANALYSIS OF THE ISSUES:

The subject property is located in the Old Town Commercial (C-1) Zone. The C-1 zone permits, "Commercial Retail Sales and Services" outright, which was purposefully defined broadly to allow for a variety of commercial uses. The code also permits, "Recreational facilities, including concert halls, theaters, and convention centers," but conditionally. The applicant's request for an "Amusement Arcade" could fall under either of these categories.

In reviewing other municipal codes in Oregon to see whether these uses are generally outright permitted or conditional, staff found that "arcades" are outright permitted in commercial zones in most large cities around Portland but are excluded from most small city codes and "neighborhood commercial" zones. Staff found the following definition, which could be used to describe the proposed use: ""Entertainment centers and arcades" means a place open to minors where three or more mechanical or electronic amusement devices are located as either the primary or a secondary use."

5.1 AMUSEMENT ARCADE SIMILAR USE

APRIL 25, 2024

PAGE 2

Staff recommends the Planning Commission discuss whether an Amusement Arcade is of the same general type and similar to other uses defined in "commercial retail sales and services," such as restaurants, retail shops, bars, etc. or if it is more similar to recreation facilities such as concert halls or convention centers, which are conditional uses due to the additional potential impact they might have on the existing uses, such as parking, noise, or traffic.

RECOMMENDATION:

The following is recommended to the Planning Commission:

1. Review and discuss the information provided; and
2. Make a recommendation to City Staff to find the proposed Amusement Arcade as a similar use to "Commercial Retail Sales and Services," "Recreational Facility," or another use listed in the C-1 code.

Attachments:

- A. Request from Neal Barlow dated April 10th, 2024
- B. Old Town Commercial (C-1) Zone Code

From: [Neal Barlow](#)
To: [Dana Nichols](#)
Cc: [Dustin Michalek](#)
Subject: Amusement Arcade
Date: Wednesday, April 10, 2024 1:16:56 PM

Hello Dana

We are looking to open an amusement arcade in the Harbortown Event Center. It will be family friendly with around 45 machines of various types.

As per the Old Town Commercial Zone, would this be a permitted use as a Commercial Retail Sales and Service or conditional as a Recreational Facility?

If you need additional information let me know.

Neal

Chapter 17.40

OLD TOWN COMMERCIAL (C-1) ZONE

Sections:

17.40.010	Purpose.
17.40.020	Permitted uses.
17.40.030	Conditional uses.
17.40.040	Limitations on uses.
17.40.050	Signs.
17.40.060	Lot size.
17.40.070	Yards.
17.40.080	Height of structures.
17.40.090	Lot coverage.
17.40.100	Outside sales area.

Ordinance History: 1645

17.40.010 Purpose.

The purpose of the C-1 zone is to provide space and protection for businesses and to promote a mix of businesses that will serve residents and visitors to the area intended to exclude those uses which would detract from its appeal as an aesthetically pleasing commercial district for residents and visitors.

17.40.020 Permitted uses.

In the C-1 zone, the following uses are permitted outright provided that the use promotes the purpose of the zone, and all other requirements of this title are met:

- A. Museums, tourist information centers;
- B. Public park and recreation facility;
- C. Commercial Retail Sales and services;
- D. Publicly utilities;
- E. Community Service, including governmental, emergency service, or non-profit offices;
- F. Offices (unless defined differently elsewhere);
- G. Residential uses accessory to other non-residential conditional or permitted uses.

17.40.030 Conditional uses.

In the C-1 zone, the following uses and their accessory uses may be allowed in accordance with Chapter 16.12 and the provisions of this title:

- A. Self-service laundry;
- B. Recreational facilities, including concert halls, theaters and convention centers;

- C. Hotel, motel;
- D. Bed and breakfast or bed and breakfast inn.

17.40.040 Limitations on uses.

In the C-1 zone, the following conditions and limitations shall apply:

- A. Development activity in the Old Town area is subject to the architectural review standards as provided in Section 17.84.010.
- B. The dedication of additional street width may be required when an officially adopted street plan or the nature of the proposed development indicates the need for additional width.
- C. The use shall not be objectionable because of odor, dust, fumes, smoke, noise, glare, or the effects of vehicular traffic.
- D. Drive-up uses are prohibited.

17.40.050 Signs.

See Chapter 17.90 Signs

17.40.060 Lot size.

In the C-1 zone, lot size shall be as necessary to comply with Section 17.40.090.

17.40.070 Yards.

Except as provided in Section 17.104.060, in the C-1 zone minimum yard size shall be as follows:

- A. In the event of a common property line, a side yard abutting a residential zone shall be at least fifteen (15) feet plus one foot for each two feet by which the building exceeds twenty-eight (28) feet.
- B. The rear yard shall meet the same requirements as a side yard.

17.40.080 Height of structures.

In the C-1 zone, the permitted height limit shall be twenty-eight (28) feet, except that heights above twenty-eight (28) feet, but not exceeding thirty-five (35) feet, shall require a conditional use permit.

17.40.090 Lot coverage.

In the C-1 zone, buildings shall not occupy more than seventy-five (75) percent of the developed lot or lots.

17.40.100 Outside sales area.



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AGENDA REPORT

TO: Planning Commission

FROM: Dana Nichols, Planning Director

DATE: April 25th, 2024

SUBJECT: **5.2 FY24-25 PLANNING DEPARTMENT WORK PROGRAM:
PREPARATION FOR JOINT PLANNING COMMISSION AND CITY
COUNCIL MEETING**

BACKGROUND:

Each year the Planning Commission meets with the City Council to discuss priorities for code amendments for the following year. This year, the Joint Planning Commission and City Council meeting is scheduled for May 13th at 1:30 pm. In anticipation of this discussion, Staff requests input from the Planning Commission about what should be included in the upcoming work program. Attached is last year's adopted program with comments about each project's status, as well as a draft list of new projects that could be added.

ANALYSIS OF THE ISSUES:

Over the past year, the Planning Commission completed a number of code amendments that were programmed in last year's Planning Work Program. These included: a code clean-up that focused on residential building standards and requirements, an allowance in the Light Industrial Zone for Aquaculture, and the Public Access Inventory and Ordinance update. In addition, the Transportation System Plan and Master Planned Development projects are in process and should be completed this fiscal, or early next. The Beach and Dunes and Shoreland Mapping and Code updates have been started but stalled due to a hold-up in the grant funding.

In addition to the two projects that will roll over into next year's work program, Staff invites the Planning Commission to prioritize the provided list of new potential projects for the upcoming discussion with City Council. The projects listed in the attachment were selected by Staff because they either: (1) help solve an on-going need or clarify an on-going issue, or (2) were identified as a long-term goal that would be beneficial to the community. Other projects may be discussed and added to this list.

Please keep in mind that staffing for the Planning Department is limited, so only a few projects can be accomplished each year. Staff has indicated an expected level of effort for each project to help guide your decision. You may want to choose multiple low-effort projects, or only one high-effort project, depending on how the list is prioritized.

Alternatively, the Planning Commission might want to recommend a two-year work program to allow for additional time to complete each project.

RECOMMENDATION:

The following is recommended to the Planning Commission:

1. Review and discuss the information provided; and
2. Develop a list of prioritized projects to present to the City Council at the May 13th work session.

Attachments:

- A. Update of 23-24 Work Program and Ideas for 24-25 Work Program
- B. Resolution 23-21, Planning Department Work Program 2023-2024 Fiscal Year

LONG RANGE PLANNING WORK PROGRAM, FY 23-24 – COMMENTS ON CURRENT YEAR PROGRAM

Project	Description	Level of Effort To Complete	Staff Comments	Code Sections
23-1	Continuing Code Cleanup and Audit	2	On-going, as needed	
23-2	Housing Affordability Project	5	We did a small-scale housing update last year but did not include missing middle. The City is on a waitlist for a consultant to assist with this work. Could include adding in “missing middle” housing choices, refine process for approval, and identify better process for large-scale multi-family housing. Requires a lot of public input.	Title 17
23-3	Master Planned Development	3	Held a work session. Not complete. Useful for some of the large sites available (Woolen Mill, Moore Mill Log Yard, 17-Acres) to incentivize housing.	Titles 16 & 17
23-4	Industrial Zone Update	4	Request from Port of Bandon and property owners. Allow development of aquaculture and accessory facilities.	Title 17 & Comp Plan

*Level of effort based on a scale of 1-5

1 = Administrative (2-3 months)

2 = Public Hearing required, but relatively easy/small changes (2-3 months)

3 = Public Hearing required, staff research time, Ordinance amendment only (3-6 months)

4 = Public Hearings required, staff research time, Ordinance, map, and comp plan amendments (4-8 months)

5 = Public Outreach necessary, Public Hearing requires, staff research time, ordinance, map, and comp plan amendments (12 months)

23-5	Transportation System Plan Update	Updates Comprehensive Plan and Zoning Code. Prepared by consultant, with staff assistance.	5	Underway, and will be completed in FY 24-25	Titles 15, 16, & 17 Comprehensive Plan
23-6	Public Access Inventory and Ordinance Update	Updates Comprehensive Plan and Zoning Code. Prepared by consultant, with staff assistance.	4	Underway, and will be completed this fiscal year.	Title 17 and Comprehensive Plan
23-7	Beach and Dunes Overlay and Shoreland Overlay Mapping and Code Updates	Received grant – working with DLCD. Updates Comprehensive Plan and Zoning Code.	4	Waiting to be assigned support staff from DLCD.	Title 17 and Comprehensive Plan

*Level of effort based on a scale of 1-5

1 = Administrative (2-3 months)

2 = Public Hearing required, but relatively easy/small changes (2-3 months)

3 = Public Hearing required, staff research time, Ordinance amendment only (3-6 months)

4 = Public Hearings required, staff research time, Ordinance, map, and comp plan amendments (4-8 months)

5 = Public Outreach necessary, Public Hearing requires, staff research time, ordinance, map, and comp plan amendments (12 months)

LONG RANGE PLANNING WORK PROGRAM, FY 24-25 – IDEAS

	Project	Description	Level of Effort To Complete	Staff Comments	Code Sections
24 -1	Viewline Ordinance	Update the definition and methodology for determining “viewline” – the imaginary line drawn between homes west of Beach Loop Drive to preserve ocean views from both street and for neighboring properties.	3	This is a contentious topic, but also needs to be dealt with. Current issues include: requests for backyard fencing for animals; decks, patios, and retaining walls; stairs to beach.	Title 17
24-2	Donut Hole Master Plan	Develop an integrated land use and transportation plan for the future of the Donut Hole.	5	After Gravel Point, there have been many requests for a third connection between Beach Loop and 101. If this were to be developed, the City needs a plan to determine how this area should build out, responsibly. Staff is applying for a TGM grant for this work.	Comprehensive Plan + Titles 16 & 17
24-3	VRD Update	Update Vacation Rental Dwelling Code	3	Request from Planning Commissioner Frey to review the ordinance and make changes.	Title 16

*Level of effort based on a scale of 1-5

1 = Administrative (2-3 months)

2 = Public Hearing required, but relatively easy/small changes (2-3 months)

3 = Public Hearing required, staff research time, Ordinance amendment only (3-6 months)

4 = Public Hearings required, staff research time, Ordinance, map, and comp plan amendments (4-8 months)

5 = Public Outreach necessary, Public Hearing requires, staff research time, ordinance, map, and comp plan amendments (12 months)

24-4	Architectural Review Overlay Zone Update	Revisit design requirements in Old Town	5	Needed update to signage requirements, Architectural Review Overlay, identify accessory uses, and events.	Title 17
24-5	Home Occupations	Clarify home occupation provisions	2	Need a two-part process: Type I for occupation that has little to no impact, and Type II for uses that require parking, signage, or other discretionary decision-making. Cottage industry.	Title 17
24-5	Commercial PUD	Adopt commercial/mixed use planned development provisions	3	Additional flexibility for larger-scale commercial developments that incorporate housing.	Titles 16 & 17

*Level of effort based on a scale of 1-5

1 = Administrative (2-3 months)

2 = Public Hearing required, but relatively easy/small changes (2-3 months)

3 = Public Hearing required, staff research time, Ordinance amendment only (3-6 months)

4 = Public Hearings required, staff research time, Ordinance, map, and comp plan amendments (4-8 months)

5 = Public Outreach necessary, Public Hearing requires, staff research time, ordinance, map, and comp plan amendments (12 months)

RESOLUTION NO. 23-21

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE
CITY OF BANDON, OREGON, ADOPTING THE PLANNING DEPARTMENT WORK
PROGRAM FOR THE 2023-2024 FISCAL YEAR

WHEREAS, the Planning Department is tasked with implementing the Statewide Oregon land use planning goals by maintaining a Land Use Code and Comprehensive Plan; and

WHEREAS, the City Council and Planning Commission met on May 22nd, 2023 to discuss priorities for the 2023-2024 Planning Department Work Program, and


WHEREAS, a list of priorities was developed that describes the projects that City Staff, Council, and Commission felt were most important and reasonable to complete within a year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Bandon that the attached Work Program will guide the work of the Planning Department and Planning Commission in scheduling work tasks, meetings, and hearings in FY 23-24.

ADOPTED by the City Council this 10th day of July, 2023.


Mary Schamehorn, Mayor

Attest:


June Hinojosa
City Recorder

LONG RANGE PLANNING WORK PROGRAM, FY 23-34

	Project	Description	Level of Effort To Complete	Staff Comments	Code Sections
L1	Continuing Code Cleanup and Audit	Ongoing clarification of definitions, inconsistencies, etc. Possibly address legal lot determinations.	2	On-going, as needed	
L2	Housing Affordability Project	Consider code amendments to facilitate needed housing, including modification of ADU provisions, cottage clusters and housing types.	5	Add in “missing middle” housing choices, refine process for approval, and identify better process for large-scale multi-family housing. Requires a lot of public input.	Title 17
L3	Master Planned Development	Allow sites of a certain size to develop unique zoning with some benefit to the City	3	Useful for some of the large sites available (Woolen Mill, Moore Mill Log Yard, 17-Acres) to incentivize housing.	Titles 16 & 17
L4	Industrial Zone Update	Add uses to Heavy Industrial Zone – aquaculture, research, freight	4	Request from Port of Bandon and property owners. Allow development of aquaculture and accessory facilities.	Title 17 & Comp Plan

*Level of effort based on a scale of 1-5

1 = Administrative (2-3 months)

2 = Public Hearing required, but relatively easy/small changes (2-3 months)

3 = Public Hearing required, staff research time, Ordinance amendment only (3-6 months)

4 = Public Hearings required, staff research time, Ordinance, map, and comp plan amendments (4-8 months)

5 = Public Outreach necessary, Public Hearing requires, staff research time, ordinance, map, and comp plan amendments (12 months)

L5	Transportation System Plan Update	Updates Comprehensive Plan and Zoning Code. Prepared by consultant, with staff assistance.	5	Underway, but will likely not be completed this fiscal year.	Titles 15, 16, & 17 Comprehensive Plan
L6	Public Access Inventory and Ordinance Update	Updates Comprehensive Plan and Zoning Code. Prepared by consultant, with staff assistance.	4	Underway, and will be completed this fiscal year.	Title 17 and Comprehensive Plan
L7	Beach and Dunes Overlay and Shoreland Overlay Mapping and Code Updates	Received grant – working with DLCD. Updates Comprehensive Plan and Zoning Code.	4	Will likely not finish this fiscal year.	Title 17 and Comprehensive Plan

*Level of effort based on a scale of 1-5

1 = Administrative (2-3 months)

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Project	Description	Level of Effort To Complete	Staff Comments	Code Sections
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*Level of effort based on a scale of 1-5

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City of Bandon

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 (541) 347-2437

Bandon by the Sea

PLANNING COMMISSION AGENDA	DATE: 04/25/2024
SUBJECT: PLANNING DEPARTMENT REPORT	ITEM NO: 6.1

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 April 18th, 2024 (YTD):

Single Family Dwelling ZC	Accessory Structures ZC	CUP	Land Divisions	ADU	Other
7	3	3	1	2	5

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>

PLANNING FEES:

	LAST FY	JULY - DEC	JAN	FEB	MAR	TOTAL
Total Fees	\$61,465	\$19,011	\$4,964	\$3,291	\$4,366	\$31,830

PROJECT UPDATES:

GRANTS: The Planning Department is looking at grant opportunities to fund the following projects: the Redmon Pond Walkway, Beach Access Connector, and 11th St sidewalk improvements. In partnership with DLCD, we applied for NOAA funding to continue the pathway along Jetty Road and above Redmon Pond. We are also planning to apply for the Oregon Community Pathways grant to fund a path along Beach Loop Drive. We applied for a Transportation and Growth Management Grant (pre-application) to prepare a Master Plan for the Donut Home.

City Staff also applied for a RARE AmeriCorps member to help with projects in the Planning Department from September – July of next year. The cost of the AmeriCorps member is \$26,000; however, we have applied for grants to cover \$10,000. We have also applied for funding to contract with a grant writer to continue to take advantage of the many funding opportunities available right now.

GRAVEL POINT: The Gravel Point project was appealed to the Land Use Board of Appeals (LUBA) by the Oregon Coast Alliance (ORCA). Staff prepared the record and mailed it to LUBA on April 18th, 2024. The next step, if there are no record objections, are for the petitioner (ORCA) to prepare their brief. The applicant's attorney's have "intervened" and will provide a response to the arguments laid out by ORCA.

PROCESS UPDATE: Staff are working on an update to the Residential Development Permit that will be available at that start of the fiscal year. We are combining the Planning and Public Works permits for new single-family and duplex dwellings to create a more comprehensive, yet overall, more efficient process for those looking to build a new home. New construction will also be required to go through a review process by the City's contract engineers to review grading and drainage plans prior to construction.

SUBMITTED BY:

Dana Nichols

Dana Nichols, Planning Director