

CITY OF BANDON COMPREHENSIVE PLAN

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Plan reflect the following key environmental considerations required by LCDC Goals:

- A. Disposal of dredged material in upland or ocean waters or Via proper use of flow-lane disposal was given general preference in the overall site selection process;
- B. Disposal of dredged material in estuary water is permitted in this Plan only when such disposal is consistent with state and federal law.
- C. Selected DMD sites must be protected from preemptory uses.

POLICY O: PROTECTION OF MAJOR MARSHES AND SIGNIFICANT WILDLIFE HABITATS IN COASTAL SHORELANDS:

The City shall protect major marshes and significant wildlife habitat located within the Coquille River Coastal Shorelands Boundary. Uses in these areas shall be consistent with the area's natural values.

This Policy recognizes that special protective consideration must be given to key resources in coastal shorelands over and above the protection afforded such resources elsewhere in this Plan.

POLICY P: LIMITING DREDGE AND FILL AS ESTUARINE RESTORATION

The City shall support estuarine dredge or fill actions as estuarine restoration when appropriate in areas where activities have adversely affected some aspect of the estuarine system and where such restoration would contribute to the objectives of Goal #16.

This Policy recognizes that not all estuarine dredge or fill actions may be considered estuarine restoration pursuant to LCDC Statewide Planning Goals.

POLICY Q: INTERTIDAL DREDGE MATERIAL DISPOSAL

The City shall prohibit dredged material disposal in intertidal or tidal marsh areas except where such disposal is part of an approved fill project.

This Policy shall be implemented through operation of the waterway permit process as a response to a request for comment from the Department of State Lands.

This strategy recognizes that upland disposal, flow-lane disposal, and ocean disposal are alternatives to intertidal disposal.

POLICY R: REDEVELOPMENT OF WATERFRONT AREAS

The City shall determine whether there are any existing, developed commercial/industrial waterfront areas which are suitable for redevelopment which are not designated for water-dependent uses. Plans shall be prepared for these areas which allow for a mix of water-dependent, water-related, and water oriented nondependent uses and shall provide for public access to the shoreline.

[Highlighted currently exists, italicized is proposed]

POLICY S: PUBLIC ACCESS

The City in coordination with the Parks and Recreation Division shall develop and implement a program to provide increased public access. Existing public ownerships, rights of way, and similar public easements in coastal shorelands which provide access to or along coastal waters shall be retained or replaced if sold, exchanged or transferred. Rights of way may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.

Note: Policy T, as part of the 2011 coastal resource amendments, was determined not to be needed and was removed during Goal 17, and 18 Revision, Ord. 1582.

Definitions:

For the purpose of this policy, unless otherwise specifically provided, certain words are defined as follows:

ACCESSIBILITY- *access that specifically refers to disability related needs and barrier removal processes that meet and/or exceed ADA regulation within coastal access.*

ACCESSIBILITY FEATURES FOR SIGNAGE- *include but are not limited to translation of message into languages reflective of the community, ADA color, font, and design guidelines, use of symbols, inclusion of braille and tactile (raised) letters, and placement for effective communication.*

ADA- *The Americans with Disabilities Act of 1990 or ADA is a civil rights law that prohibits discrimination based on disability and sets a baseline standard for accessibility.*

COASTAL SHORELINE PUBLIC ACCESS – *the ability of the public to have access along coastal waters of the State to reach, touch, view and enjoy coastal shorelines and waters. Public access sites may include features such as paths, trails, stairs, ramps, boardwalks, boat ramps, piers, docks, fishing platforms, and other water access and viewing amenities. Generally, public access is provided along publicly owned property, road ends, road rights-of-way, and other access easements. Other amenities associated with public access sites include parking, interpretive signage, emergency evacuation signage, restroom facilities, and accessibility features for people with accessibility challenges ranging from mobility, cognitive and sensory needs.*

COASTAL SHORELANDS- *Lands contiguous with the ocean, all estuaries, and all coastal lakes.*

COASTAL WATERS – *defined as ocean, estuary, and lakes located within the coastal zone.*

CULTURAL RESOURCE - *evidence of past human activity, which may include sites, districts, buildings, structures, and objects significant in American history, architecture, archaeology, engineering and culture.*

DUNE COMPLEX- *Various patterns of small dunes with partially stabilized intervening areas.*

DUNE, CONDITIONALLY STABLE- *A dune presently in a stable condition, but vulnerable to becoming active due to fragile vegetative cover.*

PRIMARY ACCESS SITES- *physical or visual access points that are currently developed with access amenities, these sites are open to the public.*

SECONDARY ACCESS SITES- *sites that are in public ownership but not developed with trails and access amenities, these sites are closed to the public. These Secondary sites can be developed for increased coastal public access needs.*

Goals

1. *Develop a comprehensive public access program to protect, maintain, and provide increased public access to coastal waters including ocean, estuaries, and lakes, for current and future generations.*
2. *Balance the protection of cultural and natural resources with the need for public access and recreational use of coastal waters.*

3. *Encourage equitable coastal shoreland access for all residents and visitors with a focus on marginalized communities including accessibility for those with disabilities.*
4. *Consult with local Tribal Governments for protection of archeological sites and cultural resources during planning, maintenance, and development of coastal shoreland public access sites.*

Policies

City Role/General Coordination

1. *(Coastal Shorelands) The City in coordination with Oregon Parks and Recreation Department (OPRD) shall develop and implement a program to protect, maintain and provide increased public access to coastal waters. Existing public ownerships, rights-of-way, and similar public easements for coastal shorelands that provide primary or secondary access to or along the estuary, ocean or lake, shall be retained or replaced if sold, exchanged or transferred. Rights-of-way may be vacated to permit redevelopment of shoreland areas provided public access across the affected site is retained.*
2. *(Coastal Shorelands) An inventory of current public access sites to coastal shoreland waters will be maintained and is included in this Comprehensive Plan along with a map (Map 1) showing the location of the listed access sites (Table 1). The inventory shall contain both primary and secondary access sites.*
3. *(Coastal Shorelands, Estuary, Beaches and Dunes) Identify and increase public access sites to coastal shorelands by acquiring land and easements when appropriate. New shoreland access sites must have easements for public access in place if located on private property.*
4. *(Natural Resources, Scenic and Historic Areas, and Open Spaces, Estuarine Resources, Coastal Shorelands, Beaches and Dunes) Public access programs should consider and balance negative impacts of public access on cultural and natural resources along coastal shorelands. The City shall coordinate with appropriate state or federal agencies and tribal governments including but not limited to USFWS, ODFW, and Coquille Indian Tribe, to ensure that any negative impacts from public access to cultural and natural resources along coastal shorelands are mitigated and/or avoided.*
5. *(Beaches and Dunes) Identify and maintain select public access points as emergency vehicle access and coordinate with local emergency service providers on where these entry points are located.*
6. *(Transportation) Improvements to the City's Transportation System Plan shall include a section that addresses equitable coastal shoreline access and accessibility through any public transit services offered to and from coastal shoreline access points.*
7. *Adopt implementing ordinances to protect, maintain, and enhance public access to coastal waters.*

Recreation Standards

8. *(Recreation) Development or improvement of access sites should include appropriate, adequate, and inclusive signage. Signage should be provided in languages reflective of the community and include a spectrum of accessibility features to accommodate multiple abilities and identities. Accessibility features for signage include, but are not limited to ADA color, font, and design guidelines, use of symbols, inclusion of braille and tactile (raised) letters, and placement for effective communication.*
9. *(Recreation) The City will collaborate with local tribes when developing a public access plan. The City will also consult the tribe when considering new access sites or making improvements to existing sites, and ensure that sites highlight traditional tribal knowledge, which may include archaeological and ecological expertise of the area in interpretive materials.*

10. *(Recreation) The development or improvement of public access sites shall be designed to include accessible and equitable access features with the intent to meet or exceed ADA standards. Accessible and equitable access features that strive to reduce barriers of people accessing Oregon's coastal shorelands may include features such as ADA accessible parking, restrooms, signage, pathways or docks, as well as offering seasonal mobility mats, beach wheelchairs, accessible boat ramps and fishing piers, and transportation to access sites.*
11. *(Recreation) Adequate parking, restroom and accessibility infrastructure will be provided and maintained at coastal shoreland access sites. These amenities shall be provided to the public at no or a nominal cost.*

Development Standards

12. *(Beaches and Dunes) Criteria for review of all shoreline stabilization measures shall require that necessary access to the beach is maintained. Unless public access is deemed unsafe, or public access would damage cultural or natural resources, shoreline stabilization permits will require, in addition to other requirements, that the proposed project will not restrict any primary or secondary public access sites. Shoreline stabilization projects that abut street ends and other public rights-of-way shall incorporate steps or paths or other improvements that protect or improve public access.*
13. *(Beaches and Dunes) Unless public access is deemed unsafe, or public access would damage cultural or natural resources, new public or commercial developments shall be encouraged to provide public access to coastal shorelands.*
14. *(Beaches and Dunes) Access to or through dunes areas, particularly conditionally stable dunes and dune complexes, shall be controlled and designed to maintain the integrity, vegetation, and uniformity of the dunes. Dunes provide scenic value and protect development from hazards such as coastal erosion, flooding, and wildfire.*
15. *(Estuary, Coastal Shorelands) In the design of fill projects, port and marina facilities, excavation projects, or development of waterfront areas, new public access to the estuary shall be mandatory to the extent compatible with the proposed use.*
16. *(Estuary) Community and public docks or moorages are encouraged. The City shall act to restrict the proliferation of individual single-purpose docks and piers by encouraging community facilities common to several uses and interests. The size and shape of a dock or pier shall be limited to that required for the intended use. Alternatives to docks and piers, such as mooring buoys, dryland storage, and launching ramps shall be investigated and considered.*
17. *(Transportation) The City shall consider accessibility elements when developing and amenitizing emergency evacuation (tsunami) routes.*
18. *(Natural Resources, Scenic and Historic Areas, and Open Spaces) Protect archaeological and historic resources at or near coastal shoreland public access sites, consistent with the standards of the State Historic Preservation Office (SHPO), affected tribal governments, and federal laws. Coordinate and consult with appropriate tribal governments on these issues.*

Proposed Actions

The City shall:

1. *Develop a comprehensive public access program.*
2. *Maintain and update public access inventory map and data (on a minimum of a decadal basis in partnership with DLCDC's shoreline public access inventory)*
3. *Review and strengthen implementing ordinances to protect public access sites and align with updated public access policies.*

4. *Require that all development be consistent with the priorities and policies of the Comprehensive Plan and implementing ordinances.*
5. *Update all forms, information sheets (for the public), and processes associated with the updated public access policies.*