

## BANDON COMPREHENSIVE PLAN PERIODIC REVIEW

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The following documents are the completed chapters of the comprehensive plan periodic review.

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# Bandon Comprehensive Plan Chapter Index

Date Adopted/

Amended

<b>Chapter 1</b>	<b>Citizen Involvement</b>	<b>1991**</b>
<b>Chapter 2</b>	<b>Land Use and Population</b>	<b>1991**</b>
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<b>Chapter 5</b>	<b>Recreation and Open Space</b>	<b>1991**</b>
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<b>Chapter 7</b>	<b>Housing and Urbanization</b>	<b>1991**</b>
<b>Chapter 8</b>	<b>Public Facilities and Services</b>	<b>January 22, 2002</b>
<b>Chapter 9</b>	<b>Transportation (TSP)</b>	<b>December 4, 2000</b>
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<b>Chapter 11</b>	<b>Estuarine Resources</b>	<b>1991**</b>
<b>Chapter 12</b>	<b>Coastal Shorelands, Beaches, and Dunes</b>	<b>1991**</b>
<b>Chapter 13</b>	<b>Ocean Resources</b>	<b>January 22, 2002</b>
<b>Chapter 14</b>	<b>Amendments and Definitions</b>	<b>January 22, 2002</b>

\*\* indicates being contained in 1991 volume, which will be fully amended by 2004

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# **BANDON COMPREHENSIVE PLAN**

## **CHAPTER 1: CITIZEN INVOLVEMENT**

### **INTRODUCTION**

In a desire to ensure an effective Citizen Involvement Program (CIP), the City Council appointed an ad hoc Committee to review and evaluate the existing program and make recommendations for improvement. The Committee, working with staff and the public, thoroughly reviewed and evaluated existing policies and City practices in conjunction with the Statewide Planning Goals, and made a number of recommendations that are incorporated into this chapter.

#### **The Planning Process**

The Planning Commission is primarily responsible for making land use decisions and recommending amendments to the Comprehensive Plan and land use regulations.

The City Council is responsible for policy decisions relating to the planning process and for adopting amendments recommended by the Planning Commission. In addition, the Council is responsible for overseeing and giving direction to the Committee for Citizen Involvement (CCI) to ensure that the goal of the citizen involvement program is being met.

Citizens are responsible for participation in the planning processes, becoming educated about land use issues, and in assisting the City in its evaluation of the planning processes and the Citizen Involvement Program.

The following sections address the Committee for Citizen Involvement, the components of Statewide Planning Goal 1, and contain policy statements and measures to implement the policies. This Chapter constitutes the Citizen Involvement Program (CIP).

### **COMMITTEE FOR CITIZEN INVOLVEMENT**

#### **Membership**

The CCI shall be a Standing Committee and have 7 members. These members shall include a member of the City Council, a member of the Planning Commission, two members selected from the City's Standing Committees, and three at large members from the public. Members will be selected and serve in accordance with the Standing Committee rules.

#### **Responsibilities**

- 1)** The CCI, under the direction of the City Council, shall ensure that the Citizen Involvement Program is being implemented.
- 2)** The CCI shall make an annual written report to the City Council that assesses the effectiveness and overall implementation of the Citizen Involvement Program. Copies will be distributed to all Standing Committee members.

- 3) The CCI shall assist citizens and citizen groups in becoming aware of opportunities provided by the Citizen Involvement Program.
- 4) The CCI shall make recommendations to the City Council for improving the Citizen Involvement Program if necessary.
- 5) The CCI shall perform such other duties as directed by the City Council.

### **Meetings**

- 1) The CCI shall meet at least bi-monthly in an open public meeting, and more often if the Council or the CCI determines it is necessary.
- 2) The CCI shall conduct its proceedings in accordance with this chapter and Robert's Rules of Order.
- 3) The CCI will be staffed by the Planning Director or, in his/her absence, the City Manager.

### **TWO-WAY COMMUNICATION**

**Policy:** To provide mechanisms which will promote effective two-way communication between citizens and the policy/decision makers.

#### **Implementation Measures:**

- 1) All meetings shall be open to the public as required by State law, and as appropriate to the body.
- 2) All public meetings shall be scheduled at times which are conducive to citizen participation.
- 3) Appropriate notice of all public meetings shall be given, including the date and agenda of the meeting. Notice shall be given through advertisements in local newspapers and by posting notices in public places. In no case shall a meeting be noticed less than 24 hours before it is scheduled to occur.
- 4) The City will maintain City Bulletin Boards in public places that contain meeting agendas and other information.
- 5) The City will actively promote the City website and the City Manager's Newsletter.
- 6) The CCI will explore the feasibility of implementing a citywide questionnaire program regarding city issues. They will take into account issues such as time, cost, and overall effectiveness.

7) The City Council will host an annual Town Hall meeting to discuss selected topics of interest to the public.

8) The City will continue to develop outreach programs with service clubs, schools, and other organizations in order to provide planning information and education.

### **CITIZEN INFLUENCE**

**Policy:** To provide citizens an opportunity to be involved in the planning process

**Implementation Measures:**

1) In addition to topics scheduled for discussion, there shall be an opportunity at meetings of public bodies for the public to provide input for items which do not appear on the meeting\*s agenda.

2) Staff will hold informal, well-publicized educational workshops on proposed revisions to the Comprehensive Plan, Land Development Regulations and other planning topics that have potential widespread impact prior to the hearing. Workshops will be open to the public for participation and discussion. Questions and concerns will be conveyed to the decision-making bodies.

### **TECHNICAL INFORMATION**

**Policy:** To ensure that all documents and information which will assist citizens in effectively participating in the planning process are available to the public in an understandable form subject to the requirements of state and local laws.

**Implementation Measures:**

1) The City shall place appropriate planning documents on the website in a timely manner.

2) The City will continue to develop and implement a citywide Geographic Information System (GIS) for public use.

3) In cooperation with the Bandon Public Library, the City will ensure that planning and technical documents are available for review and checkout at the library. A list of these documents will be posted on the City website.

4) The City will continue to update planning counter materials, maps, and development pamphlets to reflect regulation and policy changes.

### **FEEDBACK MECHANISMS**

**Policy:** To ensure that the governing bodies will respond to citizens land use planning questions and concerns.

**Implementation Measures:**

- 1) The City will continue to implement established mechanisms for responding to questions at Council meetings.
- 2) All specific written questions from citizens will be responded to in writing in a timely fashion, with an initial response not to exceed 20 calendar days from the date of receipt.
- 3) The City will provide information for the public detailing how to ask questions of the Council or other decision-making body in order to ensure a response.
- 4) The rationale used by a governing body for making policy decisions shall be recorded and made available for review by the general public.

**FINANCIAL SUPPORT**

**Policy:** To ensure that there are adequate resources devoted to the Citizen Involvement Program.

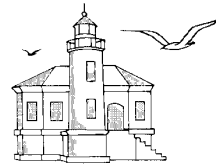
**Implementation Measures:**

- 1) The City budget shall contain a Citizen Involvement Program line item. The amount budgeted shall be recommended yearly by the CCI. The Planning Director shall include this recommendation in the Planning Department Budget.
- 2) City staff will assist the CCI in implementing the Citizen Involvement Program and will provide technical assistance to citizens.

Adopted by Ordinance 1501(BOR-142), May 5, 2003

## CHAPTER 3, Section 1

### SCENIC RESOURCES



As part of the City of Bandon's Periodic Review Work Program, the City has undertaken a Scenic Resources Inventory utilizing the Goal 5 process. For the purpose of the analysis, geographic viewsheds were identified and sites selected for their significant scenic qualities. Each site was mapped, described by its characteristics, and photographed. The results are contained in Appendix 1. Inventory

Bandon has many scenic resources due to its location on the Pacific Ocean and on the Coquille River in Coos County. Many of the views are already protected through public ownership. The challenge to the City is to determine, with assistance from citizens, which views are the most important ones for preservation. The viewsheds selected for protection should be those which define the qualities that the City chooses to maintain in perpetuity--expansive views of the Pacific Ocean, the Coquille River, the Coquille River Lighthouse, and any other views which contribute to Bandon's uniqueness as a coastal community.

There are three identified geographic viewsheds:

- + the Bluff/Beach Loop Area. While this area is known for the expansive ocean views and sea stack formations, it also includes wetland/dune areas which contain ecological resources as well as providing significant backdrops for some of the residential development along Beach Loop Drive.

- + the Coquille River and its Lighthouse viewed from the Old Town Waterfront as well as from the Jetty and from other points within the city;

- + the Beach views looking toward the City, the sea stacks, and cliffs and bluffs which make the Bandon coast spectacular.

The ESEE analysis highlights the consequences of prohibiting, limiting or fully allowing conflicting uses in the viewsheds. The potential conflicting activities and uses identified are those currently contained in the zoning ordinance as permitted or conditional uses, as well as the construction, reconstruction and enlargement of buildings and structures on the west side of Beach Loop Drive, on the Jetty, and on the Waterfront north of 1<sup>st</sup> Street. Statewide Planning Goal 5 requires the City to protect or conserve significant scenic resources.

The Goal 5 process will be completed when the City and its residents determine which viewshed sites are significant, and where conflicting uses will be limited, prohibited, or fully allowed. Alternatively, the City may conduct an ESEE analysis each time a proposal conflicts with scenic views as its existing policy requires. However, this approach is onerous and leaves too much uncertainty for landowners and citizens alike. It is proposed that this be removed entirely.

In its discussions the Planning Commission has raised, “What constitutes a taking?” What is relevant is what is constitutionally allowed as established through case law. In Bandon, the only uses promised to landowners are those identified in the zoning ordinance as permitted. Conditional uses are just what the term implies, they are “conditional”. The City has considerable discretion in determining if such uses will be approved. For example, a conditional use must first comply with the comprehensive plan. Further, the City must determine if the conditional use will alter the character of the surrounding area in a manner which substantially limits, impairs or precludes the use of surrounding properties for the permitted uses listed in the underlying zone. The purpose of the Conditional Use Permit criteria are to ensure that a proposed use is fully reviewed and assessed for conformance with applicable Comprehensive Plan and Zoning standards.

Pressures are increasing in the significant viewsheds to develop property which may substantially limit, impair or preclude the use of surrounding properties for residential uses which “fit” into existing development as encouraged in the 1991 plan. Should those pressures continue, existing views may be obstructed by larger residential structures, and more and larger tourist commercial uses. It must also be noted that the view sites identified in the Inventory are generally well protected, in public ownership, provide access to a scenic resource, and are fully utilized by the public. The purpose of this Goal 5 process is to ensure that public interests related to scenic resources quality and access are fully addressed. This process is not intended to ensure private property owners any rights or privileges beyond what is afforded in the Zoning Ordinance.

The ESEE analyses offer additional considerations for the City and its citizens to decide which scenic resources and values are so significant that conflicting uses should be limited or not be permitted.

When the scenic resources process is complete, significant resources will be protected or conserved in conformance with Goal 5 and the applicable requirements of Goals 16 and 17.



While not a potential

direct determinant of protective measures,



this preference survey process, with over 160 people participating, has illustrated the level of interest amongst citizens, has provided the public with an outlet whereby they chose the views that they deemed important, and has indicated what scenic resources are significant to the community. Sites are grouped in high, medium, and low significance categories.

## **Ranking of Significant View Sites**

### Significance

#### **HIGH**

<u>Site</u>	<u>Location</u>	<u>Votes</u>	<u>Owner</u>	<u>Over Private Property</u>
BL-1	End of 8 <sup>th</sup> St. SW west of Beach Loop	117	City	N
BL-3	Sunset Motel Overlook, west side of Beach Loop	91	City	Y
CR-6(a-d)	Boat Basin	84	Port	N
CR-15	End of Garfield Ave. overlooking the Jetty	67	City	N
CR-10	Port of Bandon Riverwalk	62	Port	N
BL-2	Coquille Point NWR	62	USFW	N
BL-7	Ocean View Care Center	56	SC Hosp. Dist.	N
CR-5a	North side of High Dock Building(facing NW)	52	Port	N
CR-12	Old Hospital site on 4 <sup>th</sup> St	48	Private	Y
CR-3a	West of present Coast Guard Building at the end of 2 <sup>nd</sup> St.	46	City	N

#### **MEDIUM**

BL-4	Face Rock Wayside State Park	44	State	N
CR-1b	East end of Jetty Road just west of Boatworks	40	County	N
CR-5b	North side of High Dock Building(facing east)	38	Port	N
CR-11	North end of Jackson overlooking Redmon Pond/Jetty	36	City	Y
BL-5	Beach Access north of Tish-a-Tang	36	City	N
CR-7	Pioneer Cemetery	34	Various	N
CR-1a	South Jetty Park	31	County	N
CR-9	West of the Coquille Lighthouse	31	USA/State	N
CR-13	Confluence of Ferry Creek and Coquille River at 1 <sup>st</sup> St.	29	City/Port	N
BL-8	Wetland/Dune on Strawberry Drive	28	Private	Y
CR-16	Bandon Fisheries Plant	26	Port/private	N
CR-5	North Side of Chicago Ave. at High Dock	22	Port	N
CR-4	Weber's Pier Parking Lot	21	Port	N
CR-4a	Oregon Ave. Walkway above Weber's Pier	21	City	N

<u>Site</u>	<u>Location</u>	<u>Votes</u>	<u>Owner</u>	<u>Over Private Property</u>
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## LOW

CR-2	Corner of Edison and Jetty Road	19	City	Y
CR-3	Coast Guard Hill at Cleveland and 2 <sup>nd</sup> St.	19	City	N
BL-6	Johnson Creek Outlet	18	City/Private	Y
CR-9a	Oyster Point	13	State/USA	N
CR-18	Caroline Ave looking west	11	City	N
CR-5c	Chicago Ave. above Old Town	10	City	N
CR-8	Bandon Marsh Refuge viewing platform	10	USFW	N
CR-19	Bandon Heights looking northwest	7	School Dist.	Y
CR-GC	Gross Creek from 4 <sup>th</sup> St. and Bandon Ave	6	City	Y
CR-14	Rear of the Old Coast Guard Building	5	Port	N
CR-17	Front of City Offices, Highway 101 north	4	City	N

## METHODS FOR CONSERVING VIEWSHEDS AND ACCESS TO VIEWSHEDS

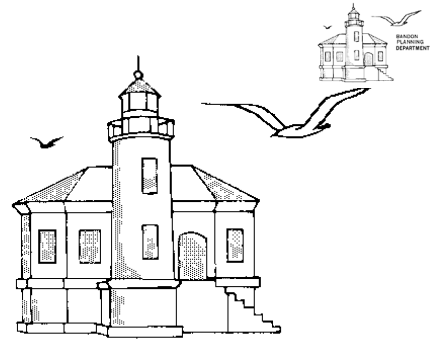
**Regulatory-** To limit or prohibit certain uses or activities and to regulate the physical characteristics of allowed uses or activities is accomplished through zoning regulations.

**Purchase/Acquisition of Property-** The acquisition of property by the City or another entity for the purpose of protecting the property from future development. Considerations: costs involved, source of funds, grant opportunities, identification of properties for acquisition, etc.

**Easements-** Easements for view access are usually voluntary and may occur between private parties or between a private party and government agency or non-profit group. May have financial benefits for grantor.

**Government Agency Coordination/Cooperation-** This approach entails strengthening communication and coordination of government agencies that own or manage property in the viewshed areas.





# ***BEACH LOOP/ BLUFF VIEWSHED***

# ***COQUILLE RIVER VIEWSHED***

# ***BEACH VIEWSHED***

# ***ECONOMIC, SOCIAL, ENVIRONMENTAL AND ENERGY (ESEE) CONSEQUENCES ANALYSIS AND CONCLUSIONS***

# CITY OF BANDON

## Scenic Resources Inventory



### Beach Loop/Bluff Viewshed

#### **Description**

The area encompassed by the Bluff/Beach Loop viewshed includes: Ocean Drive west of 4<sup>th</sup> St., which turns into 7<sup>th</sup> St SW, and the length of Beach Loop Drive from the north end south to the City Limits. The scenic nature of the area is derived from its proximity to the Pacific Ocean, and is frequented by tourists and residents alike. Beach Loop Drive runs generally north-south along or inland of the bluff, and is accessible from 4<sup>th</sup> St. SW, 8<sup>th</sup> St. SW, 11th St. SW, Seabird Dr., and at Beach Junction on Highway 101.

The uses which occur in the viewshed vary from single family homes, vacation rentals, motels, and restaurants to State and Federal park facilities to the Ocean View Care Center. There are areas of concentrated tourist oriented development in the viewshed including the intersection of 11<sup>th</sup> St. SW and Beach Loop Drive and the area immediately surrounding the Sunset Motel. In the past few years, more structures are being remodeled and enlarged, and tourist related uses are increasing.

To document the variety of scenic opportunities, eight sites, numbered BL-1 through BL-8, were inventoried to illustrate the public accessibility to and scenic values of the viewshed.

#### **Zoning and Ownership**

The area is zoned primarily Controlled Development (CD-1), except for the Federal land that makes up Coquille Point, which is zoned Natural Resources and Open Space (NR).

Property in the viewshed is mostly privately owned, with the exception of Coquille Point, Face Rock Wayside, the Ocean View Care center, and the City's parking lot and beach access, as well as all streets and rights-of-way. The beaches in the viewshed are owned by Oregonians and managed for them by the State of Oregon.

#### **Statement of Significance**

The Bluff/Beach Loop viewshed is an area of majestic views of the beaches and Pacific Ocean. It contains visual access to the coastal sea stack formations just offshore, including Face Rock, the Cat and Kittens, and Table Rock. The views of the beaches are an important element of the viewshed, and are readily accessible via a number of public access points. These factors, when taken in combination, constitute a significant scenic resource.

**Name:** *Bluff/Beach Loop Viewshed*

**Resource Type:** *Scenic*

**Bluff/Beach Loop Viewshed:** Three of the top ten views ranked as significant by residents are located along Beach Loop and the Bluff. The City and U. S. Fish and Wildlife currently protect ranked area #1 at the west end of 8th Street, and will continue to protect that resource as development is proposed. The scenic resource from the Sunset Motel to Coquille Point, accessed by the street right-of-way, was ranked as the second most significant scenic resource. The Ocean View Care Center was also ranked as having a significant view. The PUD ordinance and Policy 2 place protection on scenic values at this site.

The Council considered prohibiting, limiting and fully allowing uses which conflict with scenic resources in this area and made the following analyses:

**Economic:** Most significant views are fully protected in this viewshed. The City policy to support and assist in the formation of a land conservancy is the affordable and feasible way to acquire land or scenic resources in the future. While this policy will not preclude increasing property values, it eliminates the necessity for the City to purchase properties with scenic values. It may also help protect the City's major economic interest, tourism, as it relates to scenic resources along Beach Loop and the Bluff.

**Social:** The concept of "neighborhood" has already been impacted by tourist commercial uses in this area. It will become more homogenized as few or no low or moderate income residents can afford to live in this part of the City. This area is close to the city center, tourist commercial uses, the beach, and the community center complex and park. Scenic attractions and tourist uses will be enhanced when the master trail plan is completed and implemented. Trails, when well marked, will encourage less vehicular traffic and safer walking areas for residents as well as visitors on Beach Loop Road.

**Environmental:** The amount of lot coverage for impervious surfaces is reduced to 65%. Some lots on the west side of Beach Loop Road extend to the ocean and appear much larger than the 5400 square feet required for single family dwellings. The "buildable" portion of these lots is much less due to the ocean bluff.

**Energy:** The maintenance of walking paths which are user-friendly and the protection of the City's right of way along Beach Loop Drive could reduce some traffic and fossil fuels' use in the future. It may become useful to offer a shuttle to and from Old Town and the Coquille Point parking lot to eliminate some vehicular traffic in both areas.

## **CONCLUSIONS**

The area of primary concern in this viewshed is the west side of Beach Loop Drive. The north-south orientation of Beach Loop Drive allows access for the public at a number of sites identified in the Inventory that are publicly-owned and accessible for various ocean views. There are also secondary drive-by glimpses of the ocean and rock formations. While these secondary views contribute to the overall significance and importance of the viewshed, most occur over private property. These secondary view opportunities are partially protected by the dimensional standards required in the zone.

The preceding analysis identifies the economic, social, environmental, and energy (ESEE) consequences of fully allowing, prohibiting, and limiting conflicting uses within the viewshed. In the case of the Bluff/Beach Loop viewshed, the consequences of prohibiting conflicting

uses would entail the condemnation/purchase of property not already developed in order to ensure unobstructed views over these properties. If conflicting uses were fully allowed, the result would most likely be detrimental to the viewshed as a whole, particularly without meaningful height and setback regulations. By limiting conflicting uses, a balance of view access, preservation of the resource, and assurance of development rights, although slightly constrained, will be achieved as proposed below.



***Actions to protect and/or ensure access to the resource***

Encourage voluntary view/conservation easements, secure right of first refusal for the sale of publicly-owned property, limit street vacations, enhance existing public sites, and limit lot coverage.



***CITY OF BANDON  
Scenic Resources Inventory***

## Coquille River Viewshed

### **Description**

The Coquille River viewshed encompasses the Coquille River and areas adjacent to the river that provide for viewing of the river and its scenic attributes. The area runs from South Jetty Park, eastward to Edison St., along the waterfront on 1<sup>st</sup> St., northward on Riverside Drive and also includes Coast Guard Hill (2<sup>nd</sup> St SW), the Bandon Cemetery, located on Harlem Ave., and Gross Creek on 4<sup>th</sup> St.

One of the areas of particular interest is the waterfront north of 1<sup>st</sup> Street, which runs from the site of the former Moore Mill Truck Shop to Cleveland Street. The property is owned by the Port of Bandon, and includes commercial and recreational facilities that constitute the heart of the waterfront.

In order to document the variety of scenic opportunities, twenty sites, numbered CR-1 through CR-19, and CR-GC, were inventoried to illustrate public accessibility to and scenic values of the viewshed.

### **Zoning and Ownership**

The area encompassed by the viewshed includes a number of different zoning designations. South Jetty Park is zoned Public Facilities and Parks (PF), the area along Jetty Road is zoned CD-2 and CD-3, the area north of 1<sup>st</sup> Street is zoned Marine Commercial (C-3) with shoreland overlays, the Coast Guard Hill area is zoned CD-R2, the Moore Mill log yard is zoned CD-1, and the Bandon Cemetery is zoned R1. There are a number of private and public owners of property in the viewshed, with South Jetty Park, the Redmon Pond area, and the Waterfront and Boat Basin being examples of publicly-owned properties.

### **Statement of Significance**

The Coquille River viewshed contains varied scenic opportunities considered to be significant resource. From the Jetty to the Waterfront to the Cemetery, scenic opportunities abound in the viewshed, as the Coquille River and its Lighthouse are the dominant features on the landscape. The continued access to the River via the Port facilities and South Jetty Park are critical to maintaining the significance of the resource.

**Name:** *Coquille River Viewshed*

**Resource Type:** *Scenic*

**Coquille River Viewshed:** Three of the top ten views ranked as significant by residents are located along the Coquille River on the Waterfront. The City changed building heights and deleted some permitted and conditional uses in this zone which interfere with scenic resources. The Council considered prohibiting, limiting and fully allowing uses which conflict

with scenic resources in this area and made the following analyses.

**Economic:** The views from Old Town of the Coquille River estuary, the lighthouse, and the ocean are significant to the economic future of the Old Town area. The heights of buildings shall be limited on the Waterfront in accord with changes made in the C-3 zone. These changes reflect a balance of allowing water-dependent and water-related economic opportunities and protecting the scenic resource.

**Social:** The site of the Bandon fire is a historical resource of importance to the nation in the Oregon Coastal Conservation and Development Commission's resource inventory (9/74). While many visitors and residents do not know the history, they enjoy the accessibility of the streets and sidewalks for walking, shopping and eating while, at the same time, being able to see the river, the lighthouse, and the distant ocean.

**Environmental:** The City has reduced the number of permitted and conditional uses in the C-3 zone. The City shall protect views and footpath accessibility in this area.

**Energy:** The maintenance of user-friendly access to shops, views and restaurants will continue to reduce some traffic and fossil fuels' use in this area. A future project may be a shuttle to and from Old Town and the Coquille Point parking lot to eliminate some vehicular traffic in both areas.

## **CONCLUSIONS**

The area of primary concern in this viewshed is the waterfront from Fillmore Ave. west to Jetty Road. The north side of 1<sup>st</sup> St contains various commercial and residential buildings, the Riverwalk, boat basin, the High Dock, and the boat ramp and crabbing dock. The area is characterized by expansive vistas of the Coquille River from numerous points, primarily from facilities owned by the Port of Bandon. There are also secondary drive-by views of the river from 1<sup>st</sup> St.

The preceding analysis identifies the economic, social, environmental, and energy (ESEE) consequences of fully allowing, prohibiting, and limiting conflicting uses within the viewshed. In the case of the Coquille River viewshed, the consequences of prohibiting conflicting uses would entail the condemnation/purchase of private property not already developed and regulatory mechanisms on public property in order to ensure unobstructed views over these properties. If conflicting uses were fully allowed, the result would most likely be detrimental to the viewshed as a whole, particularly without meaningful dimensional regulations. By limiting conflicting uses, a balance of view access, preservation of the resource, and assurance of economic development opportunities, although slightly constrained, will be achieved as proposed below.

### ***Actions to protect the resource***

Limit height of buildings in the C-3 zone and require separation of buildings on the High Dock. These actions, while slightly limiting the development potential of the waterfront, still afford a variety of uses consistent with the waterfront location, especially water-dependant



and related uses and the structures required to serve these uses.



*CITY OF BANDON*  
*Scenic Resources Inventory*  
Beach Viewshed

**Description**

The Beach viewshed encompasses the beach from the South Jetty south to the city limits. The beach is comprised of both dune-backed and bluff-backed shorelines. The visual character of the bluff and dunal areas are varied, with development at the top of the bluff areas, and in some instances, below the bluff. The dunal area adjacent to South Jetty Park is developed with some residences behind the foredunes. Moving southward, the bluff area begins, with two access points to the beach from the Coquille Point Refuge. Below the north access point, looking to the bluff, there continues to be almost no development intrusion into the view. The bluffs are generally vegetated, with occasional areas of visible bedrock. The bluff continues south, past the Face Rock Wayside, until it again begins to taper into dunal formations

### **Zoning and Ownership**

The beach area itself is owned by the citizens of the State of Oregon, and is accessible to citizens pursuant to the Beach Bill. The areas of bluff and dune are owned by private landowners and public agencies, including the US Fish and Wildlife Service (Coquille Point) and the Oregon Parks and Recreation Department (Face Rock Wayside). The beach and bluff area is zoned Natural Resources (NR) from South Jetty Park south to and including Coquille Point, while the balance of the beach and bluff area moving south is zoned Controlled Development.

### **Statement of Significance**

The scenic qualities of the Beach viewshed are derived from the view of the Pacific Ocean to the west and the bluffs and dunes to the east. The perspective gained from observing both the ocean and the bluffs rising to the east is unlike the experience of the Bluff/Beach Loop viewshed or the Coquille River viewshed, and qualifies it as a significant scenic resource.

Because the beach is owned by Oregonians, it is protected under state law through the Statewide Planning Goals, #16 (Estuarine Resources), #17 (Coastal Shorelands, and #18 (Beaches and Dunes). These goals have been implemented through Oregon Administrative Rule (OAR) 660-015-0010.

City and State Law control development on the foredunes and the bluff, which is implemented through comprehensive plan policies and the zoning ordinance.

## **CONCLUSION**

**Beach Viewshed:** While users of Oregon's beaches may take them for granted, they are consistently ranked in surveys as the State's greatest resource. Their impact on tourist visits and Bandon's growth in retirees cannot be fully measured. Residents who ranked views were generally more concerned with the views from the City to the Ocean, than from the Ocean beach back to the City. While these significant scenic resources cannot be fully evaluated, the City considered them in its Goal 5 analysis.

This analysis does not separate the impacts of the ocean beaches from Bandon's current

and future economic, social, environmental and energy health. The Coquille River and the Ocean economically sustained many generations of commercial fishermen and their families, and now sustain fewer commercial fishermen but a growing recreational fishing industry. The community of Bandon was built around the River, and its future will be intricately tied to this natural resource.

People come to the ocean for rest, recreation and renewal. The energy of the Ocean has yet to be fully utilized, and continues to be an unexplored option for Bandon's economic future.

***Actions to protect the resource***

Any beach views which are determined to be of exceptional significance, and whose significance is affected by development on the foredunes and the bluff, require protection by policies and ordinance provisions adopted in compliance with the Goals and Administrative Rules. These will be reflected in policies and ordinance provisions which relate to the Beach Loop/Bluff Viewshed Area and the Coquille River Viewshed Area.

**Comprehensive Plan Policies and Implementation Measures**

**Policy 1) The City recognizes the importance of dimensional standards in the preservation of scenic resources.**

***Implementation Measure***

1) The City shall periodically review height, setback, and lot coverage requirements in the affected viewshed areas to ensure maintenance of scenic resources.

**Policy 2) The City shall encourage the appropriate clustering of development, recognizing that the residents of the City will benefit from the provision of open space and view corridors.**

***Implementation Measure***

1) The City shall periodically review and amend its Planned Unit Development regulations to ensure that the appropriate provision of open space and view corridors shall occur.

**Policy 3) The City shall develop and implement a master plan for trails within each viewshed, including mapping and signage**

***Implementation Measure***

1) As part of the Parks Master Plan, the Parks and Recreation Commission shall consider the development and implementation of viewshed trails utilizing existing trails, right-of-way, and

such private property easements as may be granted

**Policy 4) The City recognizes the importance of City-owned and managed property to accessible and unobstructed views, and shall maintain these areas for future public use and enjoyment.**

***Implementation Measures***

1) The City shall not vacate rights-of-way or sell City property when it is found that the vacation or sale would have an adverse impact on one or more of the following:

- 1) Scenic views or access to views
- 2) Wildlife
- 3) Wetlands
- 4) Storm drainage
- 5) Existing or future utilities

2) The City shall only vacate rights-of-way when there is a clear benefit to the City.

3) The City shall utilize the Transportation System Plan as a source of identification of rights-of-way to be vacated.

**Policy 5) The City shall coordinate with the Port of Bandon and other affected agencies to ensure that the property between Ferry Creek west to the Fisheries building is developed in an appropriate manner taking into account scenic resource preservation, marine uses, and economic development.**

***Implementation Measures***

1) The City shall periodically review height, setback, and horizontal building separation requirements on the waterfront to determine the adequacy of current regulations and make such changes as may be necessary.

**Policy 6) The City shall actively encourage conservation easements over private properties which have walk-by or drive-by ocean or river views.**

***Implementation Measures***

1) The City shall explore financing options for purchase of view properties and/or view

easements. This may include the potential for trading City-owned lots for view lots.

2) The City shall provide information and education to property owners regarding the importance of the City's scenic resources.

3) The City shall provide information about potential tax and other incentives derived from conservation easements, and make property owners aware of these benefits. (eg; airspace, landscape, etc.)

4) The City shall support and assist in the formation of a land conservancy by private parties to conserve view areas and open space within the City of Bandon.

**Policy 7) The City shall coordinate and cooperate with federal, state, and local agencies in order to maintain access to scenic resources and ensure high quality visual experiences for the public.**

#### ***Implementation Measures***

1) Pursuant to applicable statutes, the City of Bandon shall maintain land use jurisdiction over properties within the City Limits and uniformly apply Bandon's land use regulations to all publicly-owned property.

2) The City shall participate in land use decisions within the City's Urban Growth Boundary (UGB) if there are potential impacts on the City's identified scenic resources.

3) The City shall develop and maintain a jurisdiction map in order to show ownership of all public lands by agency.

4) The City shall supply each public agency with a current copy of the City's land development regulations and any future changes as they occur so that the agencies can comply with all applicable land use regulations.

5) The City shall seek to secure the right of first refusal from public agencies on property located in an identified viewshed.

### ***Special Policies***

**1) Coquille River Lighthouse:** The City shall encourage and assist in the preservation of the Lighthouse. This shall be accomplished through cooperation with appropriate state agencies and groups dedicated to its preservation and promotion.

**2) The Coquille Point Wildlife Refuge (Oregon Islands):** *When property within 100 feet of the Refuge boundary is proposed for development, the applicant shall demonstrate that the proposal will have no adverse impact on the function of the Refuge. This shall be accomplished by supplying detailed plans that include proposed landscaping and vegetation, shielded exterior lighting, and noise minimization. In addition, the applicant shall demonstrate how the proposal enhances an identified scenic resource.*

**3) Riverside Drive Corridor:** Riverside Drive is an important and scenic entrance into Bandon. The City shall coordinate with the County and State to designate Riverside Drive as a scenic byway or part thereof.

**4) Vegetation and Gorse Removal:** *In identified viewsheds, the City shall maintain gorse and vegetation on City-owned property at levels specified in the Bandon Municipal Code, and shall ensure other property owners perform said maintenance as well.*

(Adopted on October 6, 2003, by Ordinance 1512)

## CHAPTER 8: PUBLIC FACILITIES AND SERVICES

### INTRODUCTION

This chapter address Statewide Planning Goal 11, Public Facilities and Services. The City of Bandon is responsible for operating and maintaining public facilities and providing services for its citizens.

### PUBLIC FACILITIES

#### **Sanitary Sewer Facilities**

The City of Bandon operates a wastewater collection and treatment system to serve the residents of Bandon. The sewer treatment plant has been designed to handle 3 million gallons per day, with a current capacity of 1.2 million gallons per day. The current average flow is 300,000 to 500,000 gallons per day.

The sanitary sewer collection system is primarily gravity-fed, except for the areas which are below grade and are served by pump stations. Sewage is collected by a network of sewer main lines with four pump stations throughout the community. When the effluent reaches the plant it is run through a pre-treatment (muffin monster) and then into an aeration basin. There it is treated by the activated sludge process. Treated sewage is then run into the clarifier where it is allowed to settle and the superannate is run through a disinfection (UV) system and discharged into the Coquille River. The resulting solid sludge is pumped into the aerobic digesters and allowed to digest for at least 60 days and then is transported by tank truck to a variety of approved sites. The city's sanitary sewer system meets Oregon Department of Environmental Quality standards and discharge requirements.

One of the capacity-limiting problems associated with the sanitary sewer system is a significant amount of inflow and infiltration (I/I) within the sanitary sewer system. This means that outside water is able to enter the system through various means, such as manhole covers, private service lines, and deterioration in sewer main lines, which may be cracked or have holes. Fresh water entering a sanitary sewer system lowers its effectiveness and capacity. Thus, during large storm events or higher-than-average tides, the sewer plant may be operating at close to capacity, although the actual amount of effluent is the same.

The City's basic policy on extension of the collection system is that it shall be paid for by the developer or charged to the benefitted area through a Local Improvement District. Any extensions done by developers will be at maximum depth and through the developers property as circumstances permit. Expansion of service to the Urban Growth Area will be allowed as treatment plant capacity allows, subject to City Council approval. This issue will be treated more thoroughly in Chapter 7, Housing and Urbanization, as it deals directly with annexation issues.

Funding for the operation of the sanitary sewer facilities is provided primarily by the Sewer Fund, and is also financed by revenues collected from the sale of sewage treatment services to utility customers. The City maintains a Sewer Reserve Fund into which funds are deposited and saved until needed for major plant repairs and improvements. The revenues collected through System Development Charges

(SDC's) for new sewer installations are deposited into the Sewer SDC fund for use in various improvement projects to upgrade and expand the capacity of the sewage collection and treatment system.

## **Water Facilities**

The City of Bandon obtains its water supply from the Ferry/Geiger Creek drainage area, known as the Bandon Watershed. The watershed is currently in mixed private/public ownership and is under the jurisdiction of Coos County, although the City is a large landowner and will continue to acquire property when possible. The flow of these creeks is controlled by two small dams which store about a five-day supply of water. The creeks generally flow year-round, and produce a surplus of water. There are, however, concerns that the demand for water may outstrip supply, and the City is looking to acquire other potential water rights in the area.

Other usages on the creeks include water for the Bandon State Fish Hatchery, run by the Oregon Department of Fish and Wildlife, various cranberry growers, and homeowners in the watershed. A bypass to allow the City more water will be constructed around the hatchery to utilize water not needed by the hatchery.

The new 2-million gallon treated water storage tank and a new line into town was completed in late 1999. The old 1-million gallon tank was drained and the inside sandblasted and waterproofing reapplied. New filters were brought on line and renovation of the main treatment plant building and renovation of the clarifier was begun. All improvements of the \$5.2 million project are completed, giving the City a total of 3 million gallons of storage capacity.

The City water supply is tested as required by the Safe Drinking Water Act and a report on the results is designed to inform the public about the quality of water and services delivered to users. The four step treatment process provides water that meets or exceeds federal and state requirements.

Water system maintenance involves locating and ensuring the good condition of the main lines, repairing of water distribution lines, periodic main line and fire hydrant flushing, installing and maintaining water meters and ensuring the quality of all work, whether done by City crews or by private contractors. All work is done in compliance with Health Division regulations and is performed under the Public Works Department and includes monthly reading of all water meters for water utility billing.

Water services are funded by the Water Fund with revenues coming from the sale of water to utility customers. The City formed a Water Resources standing committee to develop and implement both water quality monitoring and watershed protection.

## **Storm Drainage**

The City adopted the Storm Drain Master Plan in 1999. It includes the analysis of existing conditions, system deficiencies, needed improvements, and financing mechanisms. The Plan was adopted without any financing mechanisms, and is hereby incorporated by reference.



## Streets

The City has completed a full evaluation of its street system, which is contained in the Transportation System Plan (TSP).

## City Parks

Parks acquisition and maintenance is recommended by the Parks and Recreation Commission. Park maintenance is performed by the Public Works Department, which includes repair, cleaning, and maintaining of various recreational facilities such as the City Park restrooms and playground equipment. Public Works also works with the Lions Club on Community Center maintenance, removing of downed trees and vegetation, and mowing City property.

Funding for capital improvements is provided from the Capital Improvements Fund, and day-to-day maintenance is provided from the General Fund and the Parks & Recreation Fund, with the Electric Fund contributing money for operation of the Summer Recreation Program.

## Electric Department

The City of Bandon operates a municipally-owned electrical utility. The Electric Department is responsible for a safe and reliable source of power to residential, commercial and industrial customers. The Bandon Electric service area includes Bandon and extends from the Coquille River south to Denmark, and from the Pacific Ocean east on Highway 42S to the Fish Hatchery, and along both sides of Highway 101.

The City purchases power from Bonneville Power Administration at a low preferential rate authorized for publicly-owned electric utilities and takes delivery at three step-down substations located at Bills Creek, Two Mile and Langlois. From these delivery points the Electric Department distributes approximately 5,000,000 KWH of power to 3,000 customers per month.

The Electric Department is charged with the maintenance of all electric lines, buildings, vehicles and apparatus used to distribute power to its customers. When the budget permits, the Department undertakes additional system upgrade work, such as replacement of overhead lines with underground lines.

The City is a member of the Oregon Public Power Agency with the cities of McMinnville and Milton-Freewater. This agency membership provides another tie-in for preferential power and the membership will help to ensure that a future source of low-cost power will be available to Bandon's electrical utility and customers.

The activities of the Electric Department are operated primarily out of the Electric Fund, and are financed by revenues collected from the sale of electric power to utility customers. The City also maintains an Electric Reserve Fund, into which funds are deposited and used for major electric system repairs and improvements.

## PUBLIC SERVICES

### **General Services**

Under the direction of the City Council, the Administration Department is responsible for the overall management, administration, financial operations, and personnel supervision activities of the City of Bandon and the Bandon Urban Renewal agency. Major activities also involve City elections, records management and public information functions, as well as grant applications, grant administration, and the intergovernmental relations of the City. The Department includes the City Manager's office, the City Recorder's office, the Economic Development department, and the contract services of the City Attorney, Municipal Judge, and Fire Department.

The Finance Department is responsible for financial planning and budget preparation; accounting; water, sewer, and electric utility billings, collections and bad-debt recovery; budget control; liens and assessments; payroll; accounts payable and accounts receivable. The "front desk" functions at City Hall, including reception, telephone answering, and utility dispatch services, are also under the direction of the Finance Department.

The Planning Department plans and manages the developmental activities of the community to achieve an optimum pattern of urban development. Control is exercised over private sector activities through various regulatory ordinances, but principally through the Zoning Ordinances and Subdivision Ordinances. Development timing and pattern is also influenced by City expenditures on the infrastructure system. The Planning Department does zoning compliance reviews for Building Codes and maintains a separate review process for zoning compliance and enforcement.

Funding for General Services is primarily provided from the General Fund, with enterprise funds (Water, Sewer, and Electric Funds) providing a reimbursement for their share of administrative activities related to the utility systems, and Urban Renewal providing reimbursement for management of those activities.

### **Library**

The purpose of the Bandon Public Library is to obtain, organize and make conveniently available to all the people of the community informational, educational and recreational materials. These materials may be books, periodicals, newspapers, microforms, audiovisual items and computer databases. It is the policy of the Bandon Library to maintain up-to-date material in all fields of knowledge as well as on current issues and items of local interest within the constraints of each year's budget realities.

The Bandon Public Library is a member of the Coos County Library Service District, which receives its funding through a dedicated tax rate. Other members of the Service District are the libraries of Coos Bay, Coquille, Dora, Lakeside, Myrtle Point, North Bend, and Powers. The District also provides for the county-wide library computer system and for shared services, such as the courier van and outreach service to the jails and nursing homes. As a member of the Service District the Bandon Library serves all Coos County residents without charge.

Funding is provided primarily out of the Library Fund, which receives most of its revenues from the Coos County Library District. Due to changes brought about by Measure 50, the District now has a permanent tax rate replacing the former tax base. The use of this money is governed by the intergovernmental agreement between the District and the City. The Library also has a memorial fund for gifts and donations.

## **Police**

The mission of the Bandon Police Department is to deliver the highest standard of law enforcement excellence in protecting life, property and human rights, and to work in a pro-active partnership with the community to solve problems, thereby enhancing the quality of life for citizens.

The Bandon Police Department is committed to criminal investigations and apprehension of offenders, selective traffic enforcement, timely response to calls for service, investigation of accidents and the traditional duties of police in the community. In addition, the Department has a commitment to pro-active patrols including vehicle, foot and in the future, bicycle patrols to enhance positive interaction with citizens and visitors. They also work with various departments, agencies and citizens in problem solving to improve the quality of life as well as the quality of service for all citizens. Continued community education efforts, a School Resource Officer, and identification of alternate resources are also part of the Police Department activities.

The City has a Chief of Police and force of full-time officers. There are also volunteer personnel associated with the department, including reserve officers.

The Police Department is operated primarily out of the General Fund, with funding coming from property tax revenue, utility taxes, transient occupancy taxes, and utility in-lieu taxes.

## **Fire Protection**

Under the direction of the City Council, the City Manager is responsible for contracting the services of the Bandon Rural Fire Protection District for fire protection within the City Limits. The Bandon Rural Fire Protection District, which consists of one paid position (Chief) and 25-35 volunteers, also provides fire protection to the rural, unincorporated areas surrounding the City.

## **Municipal Court**

The Municipal Judge is a contracted position appointed by the City Council. The focus of the Municipal Court is nuisance ordinance enforcement, zoning infractions, and other ordinance violations, as well as parking tickets, but does not process violations of State laws.

The Municipal Court is operated out of the General Fund. The Municipal Court is supported partially by revenues derived from fines and forfeits charged by the Municipal Court, but mainly by a percentage of revenues collected by District and Circuit Courts and deposited into the City's General Fund as required by State statutes.

## **NON-CITY PUBLIC FACILITIES AND SERVICES**

### **Cable TV**

Cable television is provided by a private company under franchise to the City.

### **Communication Services**

Phone service within the city is provided by franchise agreement. Radio is provided by stations primarily in the Coos Bay/Coquille area. Public radio is available from Ashland via a translator station. Newspaper coverage is supplied by the Bandon Western World, with a supplemental daily called The Coffee Break, and The World, published daily in Coos Bay. A new fiber optics system is nearing completion which will offer high speed access to the Internet if the final connection can be made.

### **Solid Waste Disposal**

Garbage collection within the City is awarded to an independent contractor via the franchise process. Solid waste disposal facilities are available at the county's Beaver Hill waste facility, which is about 7 miles north of the City Limits on Highway 101. The site is expected to be adequate for some years.

### **Health Services**

The Bandon area is served by the Southern Coos General Hospital and the Southwestern

Coos County Hospital District. The Coos County Health Department offers clinics in North Bend and Coquille. The VA Clinic in Bandon serves a large population of veterans from Bandon and the surrounding area.

### **Schools**

The Bandon School District 54 operates elementary, middle and high schools within the City. The existing facilities are adequate for foreseeable needs.

### **POLICIES:**

1. To ensure adequate public facilities and services within the City.
2. To consider future annexation while planning and constructing public facilities.
3. To ensure that the cost of infrastructure required to serve new developments is borne by the developer and benefitting properties.

4. To ensure quality infrastructure by requiring that all projects be reviewed and approved by the Public Works Director and, when required, the City Engineer.

### **IMPLEMENTATION MEASURES:**

1. The City shall ensure that all required improvements are made by a developer at the time of development, and in accordance with the City's adopted master plans.

2. The City shall develop a five-year Capital Improvement Program that is reviewed annually by the Planning Commission. The program shall address the following needs to meet future growth and maintain existing facilities and services:

water facilities

sanitary sewer facilities

stormwater drainage system

City buildings

street system

recreational facilities

The program shall specify the location, cost, and funding sources for all proposed improvements and the priority and general timing of those improvements.

3. The City shall periodically update its Master Plans for Water, Sewer, and Storm Drainage as necessary.

4. The City shall develop Annexation policies and procedures which include the future provision of facilities and services for areas in the Urban Growth Boundary.

**(Adopted by Ordinance 1472 January 22, 2002)**

**Bandon City Hall is located at 555 Highway 101 in Bandon, across from Old Town.  
Mailing address: P.O. Box 67 Bandon, OR 97411. Phone 541- 347-2437  
website by [jhswebsites](#)**

**CHAPTER 10: ENERGY CONSERVATION****INTRODUCTION**

The purpose of this chapter is to address Statewide Planning Goal 13, Energy Conservation. The City of Bandon is an energy consumer that utilizes primarily non-renewable, imported energy sources including petroleum products (gasoline), propane, and electricity. The greatest share of the energy is used for transportation and residential purposes. The consumption of gasoline by private vehicles continues to escalate, and as supplies of petroleum become scarce, the automobile will be forced to adapt to fuel sources such as solar and electricity. In addition, the City may have access to natural gas with the installation of the proposed pipeline which has been approved by the voters of Coos County.

**Electricity**

Bandon owns and operates its own electric utility, which serves both the City of Bandon and the rural area south of Bandon. The City purchases power from the Bonneville Power Administration (BPA), which is then distributed throughout the system. There is an electric supply problem in the Western US due to increasing demand and generation capacity, and as result, conservation efforts are underway to reduce the demand on the power-generating system. The amount of Kilowatt hours purchased from BPA by the City during the past decade has remained relatively steady, as illustrated in Table 1.

**Table  
1**

<b>YEAR</b>	<b>KWh</b>
1990	55,888,298
1991	59,405,813
1992	55,616,551
1993	58,278,015
1994	58,135,768
1995	54,672,249
1996	58,785,352
1997	50,601,769
1998	53,917,275
1999	57,777,967
2000	56,358,658

Source: Finance Dept.

**Conservation**

The role of conservation in the energy picture should not be underestimated. As technology develops, and awareness grows, conservation of existing resources becomes more important.

**Alternative Energy Sources**

There are a number of alternative energy sources which the City may consider for the future, including natural gas electric generation, wind and solar power, and tidal generation systems.

**POLICIES:**

1. The City shall encourage the use of alternative modes of transportation in order to minimize the use of private automobiles, thereby reducing petroleum consumption.
2. The City encourages programs and activities that seek to conserve energy.
3. The City will encourage the use of energy-efficient heating and lighting methods in residential and commercial construction, as well as the utilization of solar energy.
4. The City will continue to explore the possibilities of developing alternative sources of energy, such as wind generation, in an effort to reduce the City's reliance on non-renewable resources.
5. The City will encourage recycling.

**IMPLEMENTATION MEASURES:**

1. The City will continue to manage land uses to maximize the conservation of all forms of energy.
2. The City will direct new residential development to locations which are close to services and employment opportunities, with the goal of minimizing vehicle trips.
3. The Electric Department shall develop and implement a comprehensive conservation program which addresses a multitude of energy and resource conservation ideas.
4. The City will develop a conservation handbook for distribution to the public.

**(Adopted by Ordinance 1472 January 22, 2002)**



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## CHAPTER 13: OCEAN RESOURCES

### INTRODUCTION

The purpose of this chapter is to address Statewide Planning Goal 19, Ocean Resources, as it relates to the City of Bandon. The Pacific Ocean and its variety of resources plays an important role in the economic and social life of Bandon-by-the-Sea. The ocean attracts visitors and residents alike, provides amazing views, supports local businesses, and is an inseparable component of a coastal town like Bandon. The history of Bandon is intertwined with the ocean, and will continue to be.

While the City of Bandon has no jurisdiction over the territorial sea, the activities conducted by the City may have impacts on the waters themselves. It is generally the responsibility of state and federal agencies to regulate activities that may affect ocean resources. Although the Goal does not require the development of complete inventories, the following information provides a basis for any more intensive inventories which may be required.

### THE OCEAN AND ITS INFLUENCE

From the beginning, it is the sea which has given Bandon its distinct character. It is the only city in Coos County which is on the ocean and contains most of the privately-owned ocean view property in the County. The visual experience of the ocean from a number of points within the City is excellent. The physical setting, the biological balance, the economy, the social life, and even the weather is dominated by the presence of the Pacific Ocean.

This section, The Ocean and Its Influence, is intended to illustrate the impacts and relationships of the various features of the Pacific Ocean and the continental shelf as they affect the City of Bandon. There are brief accounts of ocean fisheries, marine mammals and birds, geology and the continental shelf, and ocean currents and tides.

These subjects are addressed because it is the ocean and its influence which set the scene. It is the ocean which turns the river into an estuary with its accompanying economic and ecological values; it is the ocean which makes the South Jetty and the Bluff such unique and desirable residential, recreational, and commercial areas.

The major impediment to waterborne transportation, as well as to offshore commercial and sport fishing, has been the often difficult and dangerous bar crossing at the channel entrance of the Coquille River. The principal difficulties are rough water during southwesterly winter storms a southerly wave set across the entrance during northwesterly storms, and annual shoaling which occurs near the seaward end of the North Jetty during periods of low river runoff and northerly storms. Channel depth is insufficient for deep-draft vessels which are used in international trade.

### Marine Mammals

There are several species of marine mammals which frequent the ocean immediately offshore. The

California Grey Whale makes its annual migration from the Arctic to Mexico in winter and back north in the spring and summer. Sightings are sometimes made from Bandon. At least 6,000 Grey Whales are estimated to make the annual migration. Other types of whales, such as Orcas, have been observed in the area.

Several species of seals and sea lions have been observed in the Bandon area. These mammals have historically been hunted for skin, blubber or bounty. As a result of protective laws their populations are beginning to recover from near extermination.

The Northern Elephant Seal, which breeds in California, migrates along the coast as far north as the Gulf of Alaska. Due to their behavioral patterns and lack of agility of back flippers, they are seldom, if ever, found on rocks. They haul out on relatively flat surfaces, such as sandy beaches. They are unable to climb up and over rocky surfaces.

Northern Elephant Seals, when away from their breeding grounds, dive day and night and, presumably, feed. The movement of these mammals while at sea feeding is not well known, as they spend most of their time under water.

The Harbor Seal inhabits the Bandon area and is often found in the Coquille estuary. These seals have a breeding area on Cat and Kittens Rocks and frequently haul out between Elephant Rock and the beach. Harbor Seals are protected by Oregon Department of Fish and Wildlife (ODF&W). The Northern, or Stellar, Sea Lion is sometimes observed in the area, though their population has suffered severe losses in recent years. Efforts are underway by ODF&W to help save this species.

## **Marine Birds**

Immediately offshore from Bandon is a group of rocks, all of which are included as a part of the Oregon Islands National Wildlife Refuge. This refuge system is administered by the United States Fish and Wildlife Service (USF&W). The refuge is dedicated to the wildlife found on it and for management of the wildlife habitat and protection and preservation of endangered or rare wildlife.

The rocks off Bandon are used by several endangered species. The California Brown Pelican appears in the area from about August to November. This species suffered a very large population loss and is now beginning to recover. Bald Eagles and Peregrine Falcons have been observed in the area. Other commonly observed species include Double Crested Cormorants, Pigeon Guillemots and the Common Murre.

The offshore rocks represent vital habitat to many seabirds who nest there. Burrow nesting species, such as Tufted Puffins and Leach's Storm Petrels, require areas that are inaccessible because their burrows are easily trampled. Human disturbances have been known to cause panic and destruction of young birds in breeding areas. For these reasons, the rock islands are off-limits to humans.

In the estuary lies a large salt marsh that is also administered by the USF&W. The Bandon Marsh is an important waterfowl and shorebird area. Waterfowl use of the estuary up to Riverton near river mile 16.3 is estimated at 39,000 waterfowl-use days per year. White Winged Scoters (Coots) are the most

abundant species. Others include American Widgeons, Pintails, Wood Ducks, American Mergansers and Surf Scooters.

Shorebirds include Sanderlings, Black Oyster Catchers, Killdeer and both Ruddy and Black Turnstones. In the late summer of 1990 a flock of Great Knots was observed at the South Jetty, which was a very unusual sighting. The above should be considered a very incomplete list. Many more species of birds, including upland species, inhabit the area.

## **Geology**

It is its setting on the western margin of the North American continent which gives Bandon its distinct character. Being on the edge of the continent also places Bandon (and the rest of the Pacific Coast) near the edge of what the geologists call the North American Plate — the slab upon which our entire continent is drifting slowly towards Japan. The North American Plate meets the Pacific Plate about 200 miles west of Bandon in a complex border zone of faults, folds and rises. There is also a subduction zone where the Juan de Fuca Plate is sliding beneath the North American Plate from Southern Oregon to Vancouver Island. This is the source of all the volcanos from Mt. Lassen through the Cascades. Recent studies indicate that strong earthquakes have occurred along the Oregon Coast about every 500 years. The most recent was approximately 300 years ago.

## **Continental Shelf**

The continental shelf, that comparatively shallow platform which surrounds the continent, is about 20 miles wide at Bandon. For the first five or six miles it has a sandy bottom - the same sand found on the local beaches and dunes. For the next six miles or so the bottom is muddy and beyond that it has patches of mud and patches of sand. The sand generally occurs from the shoreline out to about 30 fathoms and then again near the outer edge of the continental shelf. The sandy bottom indicates a regular, strong current. The Dungeness crab and English sole are common commercial species found on the sandy bottom. The muddy sand and mud found beyond the nearshore sand occurs in water over 30 fathoms and indicates less current. Commercially important fish found on the muddy bottom includes Petrale and Dover sole and Pandalid shrimp.

## **Ocean Currents**

The ocean currents affecting Bandon are complex and are of several types. These types include offshore windborne currents, local longshore currents, and vertical upwelling of cold waters at the edge of the continental shelf. Because these currents exert direct influence upon the Bandon area, they will each be discussed briefly.

Windborne currents: Windborne currents in this area are the south flowing California current and the north flowing Davidson current. The major one is the California current. It is permanent, part of the great clockwise circulation system of the Pacific Ocean. It flows from north to south some 60 to 100 miles offshore in winter. The southwest winds, which are more predominate in winter, tend to drive the California current further offshore, and it is replaced by the warm Davidson current flowing from south to north from October to May and during summer months when the northwest winds abate. Average

velocities for these currents is about .25 knots, although wind, tide, and current working together can produce surface currents as great as three or four knots.

**Vertical upwelling:** The prevailing northwest winds of the spring and summer months force the warmer surface waters out to sea where they are replaced by cold, nutrient rich waters from several hundred fathoms depth at the edge of the continental shelf. These cold waters provide some of the most productive fishing grounds on earth, as evidenced by the large foreign fishing fleets operating offshore from June through October of each year. The 1977 quota for USSR and Poland was 143,000 metric tons of Hake and 4,000 tons of Jack Mackerel. An estimated 50% of the total Hake resource is found off the southern Oregon coast. When the cold waters from this up-welling meet the warmer moist summer air it results in the heavy fog so common in Bandon on summer afternoons.

**Longshore currents:** The action of waves striking the shore at an angle results in the local longshore currents. Waves from the northwest striking a north-south beach will produce a north to south longshore current; waves from the southwest striking the same beach will produce a south to north current. It is the longshore current which moves the tons of sand from one spot on the beach to another. The movement of sand along the coast is called "littoral drift" or "longshore transport". At Bandon the rocks and headlands at Coquille Point and the jetties interrupt the flow of the longshore currents. Local eddies appear dominant in the transport of sand on the Bandon beaches. It has not been certainly established whether the net transport of sand is from north to south or if it is "0". The overall tendency is for the more violent southwest winter waves to remove sand from the beaches and for the quieter northwest summer waves to replace it.

## **Ocean Flooding**

There are three actions which create ocean flooding of the beaches, marshes, and other lowlands in the Bandon area. These are tides, storm surge, and tsunami (tidal wave).

**Tides:** Tides are the periodic rise and fall of sea level which occurs twice daily due primarily to gravitational pull of the moon and secondarily by gravitational pull of the sun. The time and height of tides is accurately predictable and can be found easily in published tide tables. Tide heights are measured from mean lower low water defined as "0" and is the base level of other tidal elevations. Mean low water, the average of all observed low tides, marks the boundary between submerged lands and tidal flats. Mean sea level is another term used to interrelate land elevations and tidal elevations. On the Oregon Coast mean sea level is considered to be 4.1 feet above mean lower low water. Thus, an eight foot tide is 3.9 feet above mean sea level. Mean high water is the average of all observed high tides and is approximately 3½ feet above mean sea level. This is approximately the level of mature marshes. The highest predicted tides are approximately six feet above mean sea level (10 foot tide).

The only estuary on the Oregon Coast where complete tidal data is collected is Yaquina Bay where the Oregon State University Marine Science Center collects and maintains records. The State Department of Geology and Mineral Industries has suggested that the Yaquina Bay figures are good approximations for Coos and Douglas Counties. A close comparison of the Yaquina Bay tidal elevations with the known tidal elevations at Bandon indicates that the Bandon high tides are about 1½ feet lower than the Yaquina Bay high tides.

Tidal actions are central to the functioning of an estuary. The tide inundates the tide flats and marshes, enhances circulation, aids navigation, helps control sedimentation, and supports much of the complex biologic activity of the estuary and ocean shore.

**Storm Surge:** Storm Surge is a rise of sea level above predicted tide levels due to low barometric pressure and wind. Storm surge is also affected by shore and bottom slope, position of the storm center relative to the coast and shape of the harbor.

The drop of barometric pressure which accompanies a storm causes a slight rise in sea level - about one foot per inch of mercury barometric drop. The maximum possible storm surge resulting directly from drop in barometric pressure is about three feet.

The winds associated with a storm retard the return of waves to the sea. This action, called wave set-up, can be 10 to 20 percent of wave height in extreme storms. Storm waves along the Oregon Coast are commonly 20 feet high near the shore. Wave set—up along beaches may thus approach two to four feet. Within the estuary, however, wave set-up is much less.

Extreme high tides are the sum of the highest predicted tide and the highest observed storm surge. The State Department of Geology and Mineral Industries has suggested an extreme high tide of 14.5 feet (10.4 feet above mean sea level) is a possibility for this area.

**Tsunami:** Tsunamis are waves generated at sea by large earthquakes or violent volcanic eruptions. They can seldom be detected at sea but as they approach land the water piles upon itself creating a wave which has been recorded as high as 120 feet (at Java in 1883). The height of any given tsunami at any given location depends upon the magnitude of the earthquake or eruption, how far away the disturbance is, and depth, shape, and slope of the bottom and shores. Tsunamis often involve many waves over a period of several hours.

The Alaska earthquake of March 27, 1964 provides the best example of the generation of a destructive tsunami along the Oregon Coast. It registered 8.3 to 8.6 on the Richter scale and involved vertical displacement of the sea floor. It coincided with high spring tides and was actually pointed toward the Oregon Coast. It generated wave heights of 4 to 14 feet above the prevailing high water in Oregon and over 20 feet high in Crescent City,

California. Downtown Bandon was temporarily flooded. There was \$700,000 in damage and four drownings on the Oregon Coast. The number of drownings would undoubtedly have been greater if it had occurred during the day in summer instead of late at night in early spring.

This tsunami can be used as an approximate measure of the highest probable tsunami in this area and indicates that flooding can be expected to elevations of 17 feet above mean sea level (21 feet above mean low water). Runup to elevations of 25 feet above mean sea level are possible on the ocean beaches. Tsunamis tend to concentrate on the headlands and should dissipate in the estuary because of the marshes and winding river. It is not known whether the comparatively shallow offshore Coquille bank tends to amplify or dissipate tsunamis but it is known that earthquakes generated off the

California Coast generally have horizontal displacement and do not normally cause tsunamis. For these reasons, the Alaska quake gives us the best indication we have of the effects of a destructive tsunami in this area (See Chapter 4, Natural Hazards, for more information on tsunamis).

### **POLICIES**

1. The City shall strive to protect and enhance Ocean Resources.
2. The City recognizes the important influence the ocean has on the economic, social, and environmental characteristics of Bandon, and will cooperate with all jurisdictions to maintain the quality of ocean resources.

### **IMPLEMENTATION MEASURES**

1. Actions which would affect the nearshore ocean shall be based upon a sound understanding of the resources and potential impacts.
2. The city will coordinate with federal, state, and local agencies to ensure that actions avoid or minimize impacts on the nearshore ocean.

**(Adopted by Ordinance 1472 January 22, 2002)**

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## CHAPTER 14: Amendments and Definitions

### AMENDING THE COMPREHENSIVE PLAN

The Comprehensive Plan reflects the desires of the community at the time it is adopted and serves as the basis for the City's planning program. It must be recognized, however, that the Plan must be revised and amended to reflect changing circumstances, new information, and changes in community desires and visions. The Plan should be reviewed every five years in order to ensure compliance with state law and changing community circumstances.

Amendments to the Bandon Comprehensive Plan, including text and/or map amendments and boundary changes, may be initiated by an individual or group, affected agency, or government body. The party who seeks the revision shall be responsible for filing an application accompanied by adequate written documentation in a format prescribed by the City. Final legislative action on amendment requests shall be based on compliance with the following factors:

1. The amendment satisfies a demonstrated need for the change in order to accommodate population trends, housing needs, or adequate employment opportunities, or other factors which may better address changing circumstances.
2. The amendment will provide for an economic and orderly provision of urban facilities and services.
3. The amendment is consistent and compatible with the other chapters of the City and/or County Comprehensive Plans.
4. The amendment is in compliance with the Statewide Planning Goals, Oregon Revised Statutes, and Oregon Administrative Rules.

#### **Procedure:**

Upon filing of the completed application, the proposed amendment will be presented to the Planning Commission, at which point the Planning Commission shall hold a public hearing in order to hear from the applicant and interested parties. Upon completion of its hearing process, the Planning Commission shall forward a written recommendation to the City Council. The City Council will then hold a public hearing, and render a decision whether or not to enact the proposed amendment. All amendments of the Comprehensive Plan shall be adopted by Ordinance and accompanied by written findings of fact supporting the decision.

### **STATEWIDE PLANNING GOALS AND GUIDELINES DEFINITIONS**

The following definitions are applied throughout the Comprehensive Plan and for issues pertaining to the Statewide Goals.



**ACCRETION:** The build-up of land along a beach or shore by the deposition of waterborne or airborne sand, sediment, or other material.

**AGRICULTURAL LAND:** See definition in Goal 3, "Agricultural Lands."

**ANADROMOUS:** Referring to fish, such as salmon, which hatch in fresh water, migrate to ocean waters to grow and mature, and return to fresh waters to spawn.

**ARCHAEOLOGICAL RESOURCES:** Those districts, sites, buildings, structures, and artifacts which possess material evidence of human life and culture of the prehistoric and historic past. (See Historical Resources definition.)

**AVULSION:** A tearing away or separation by the force of water. Land which is separated from uplands or adjacent properties by the action of a stream or river cutting through the land to form a new stream bed.

**BEACH:** Gently sloping areas of loose material (e.g., sand, gravel, and cobbles) that extend landward from the low-water line to a point where there is a definite change in the material type or landform, or to the line of vegetation.

**BENTHIC:** Living on or within the bottom sediments in water bodies.

**BRIDGE CROSSINGS:** The portion of a bridge spanning a waterway not including supporting structures or fill located in the waterway or adjacent wetlands.

**BRIDGE CROSSING SUPPORT STRUCTURES:** Piers, piling, and similar structures necessary to support a bridge span but not including fill for causeways or approaches.

**CARRYING CAPACITY:** Level of use which can be accommodated and continued without irreversible impairment of natural resources productivity, the ecosystem and the quality of air, land, and water resources.

**CITIZEN:** Any individual within the planning area; any public or private entity or association within the planning area, including corporations, governmental and private agencies, associations, firms, partnerships, joint stock companies and any group of citizens.

**CITIZEN ADVISORY COMMITTEE (CAC)** A group of citizens organized to help develop and maintain a comprehensive plan and its land use regulations,. Local governments usually establish one such group for each neighborhood in a city or each district in a county. CAC's may also be known as neighborhood planning organizations, area advisory committees, or other local terms. CAC's convey their advice and concerns on planning issues to the planning commission or governing body. CAC's also convey information from local officials to neighborhood and district residents.

**CITIZEN INVOLVEMENT ADVISORY COMMITTEE (CIAC):** A state committee appointed by the Land Conservation and Development Commission to advise that commission on matters of citizen involvement, to promote public participation in the adoption and amendment of the goals and guidelines, and to assure widespread citizen involvement in all phases of the planning process. CIAC is established in accordance with ORS 197.160.

**CITIZEN INVOLVEMENT PROGRAM (CIP):** A program established by a city or county to ensure the extensive, ongoing involvement of local citizens in planning. Such programs are required by Goal 1, "Citizen Involvement," and contain or address the six components described in that goal.

**COASTAL LAKES:** Lakes in the coastal zone that are bordered by a dune formation or that have a direct hydrologic surface or subsurface connection with saltwater.

**COASTAL SHORELANDS:** Those areas immediately adjacent to the ocean, all estuaries and associated wetlands, and all coastal lakes.

**COASTAL STREAM:** Any stream within the coastal zone.

**COASTAL WATERS:** Territorial ocean waters of the continental shelf; estuaries; and coastal lakes.

**COASTAL ZONE:** The area lying between the Washington border on the north to the California border on the south, bounded on the west by the extent of the state's jurisdiction, and in the east by the crest of the coastal mountain range., with the exception of (a) The Umpqua River basin, where the coastal zone shall extend to Scottsburg; (b) The Rogue River basin, where the coastal zone shall extend to Agness; (c) The Columbia River basin, where the coastal zone shall extend to the downstream end of Puget Island. (Formerly ORS 191.110)

**COMMITTEE FOR CITIZEN INVOLVEMENT (CCI):** A local group appointed by a governing body for these purposes: assisting the governing body with the development of a program that promotes and enhances citizen involvement in land use planning; assisting in the implementation of the citizen involvement program; and evaluating the process being used for citizen involvement. A CCI differs from a citizen advisory committee (CAC) in that the former advised the local government only on matters pertaining to citizen involvement and Goal 1. A CAC, on the other hand, may deal with a broad range of planning and land use issues. Each city or county has only one CCI, whereas there may be several CAC's.

**CONSERVE:** To manage in a manner which avoids wasteful or destructive uses and provides for future availability.

**CONSERVATION:** The act of conserving the environment.

**CONTINENTAL SHELF:** The area seaward from the ocean shore to the distance when the ocean depth is 200 meters, or where the ocean floor slopes more steeply to the deep ocean floor. The area beyond the state's jurisdiction is the OUTER Continental Shelf.

**DEFLATION PLAIN:** The broad interdune area which is wind-scoured to the level of the summer water table.

**DEVELOP:** To bring about growth or availability; to construct or alter a structure, to conduct a mining operation, to make a physical change in the use or appearance of land, to divide land into parcels, or to create or terminate rights to access.

**DEVELOPMENT:** The act, process or result of developing.

**DIVERSITY:** The variety of natural, environmental, economic, and social resources, values, benefits, and activities.

**DUNE:** A hill or ridge of sand built up by the wind along sandy coasts.

**DUNE, ACTIVE:** A dune that migrates, grows and diminishes from the effect of wind and supply of sand. Active dunes include all open sand dunes, active hummocks, and active foredunes.

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

**DUNE, OLDER STABILIZED:** A dune that is stable from wind erosion, and that has significant soil development and that may include diverse forest cover. They include older foredunes.

**DUNE, OPEN SAND:** A collective term for active, unvegetated dune landforms.

**DUNE, RECENTLY STABILIZED:** A dune with sufficient vegetation to be stabilized from wind erosion, but with little, if any, development of soil or cohesion of the sand under the vegetation. Recently stabilized dunes include conditionally stable foredunes, conditionally stable dunes, dune complexes, and younger stabilized dunes.

**DUNES, YOUNGER STABILIZED:** A wind-stable dune with weakly developed soils and vegetation.

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

**ECOSYSTEM:** The living and non-living components of the environment which interact or function together, including plant and animal organisms, the physical environment, and the energy systems in which they exist. All the components of an ecosystem are inter-related.

**ENCOURAGE:** Stimulate; give help to; foster.

**ESTUARY:** A body of water semi-enclosed by land, connected with the open ocean, and within which salt water is usually diluted by freshwater derived from the land. The estuary includes: (a) estuarine water; (b) tidelands; (c) tidal marshes; and (d) submerged lands. Estuaries extend upstream to the

head of tidewater, except for the Columbia River Estuary, which by definition is considered to extend to the western edge of Puget Island.

**ESTUARINE ENHANCEMENT:** An action which results in a long-term improvement of existing estuarine functional characteristics and processes that is not the result of a creation or restoration action.

**FILL:** The placement by man of sand, sediment, or other material, usually in submerged lands or wetlands, to create new uplands or raise the elevation of land.

**FLOODFRINGE:** The area of the floodplain lying outside of the floodway, but subject to periodic inundation from flooding.

**FLOODPLAIN:** The area adjoining a stream, tidal estuary or coast that is subject to regional flooding.

**FLOOD, REGIONAL (100-YEAR):** A standard statistical calculation used by engineers to determine the probability of severe flooding. It represents the largest flood which has a one-percent chance of occurring in any one year in an area as a result of periods of higher-than-normal rainfall or streamflows, extremely high tides, high winds, rapid snowmelt, natural stream blockages, tsunamis, or combinations thereof.

**FLOODWAY:** The normal stream channel and that adjoining area of the natural floodplain needed to convey the waters of a regional flood while causing less than one foot increase in upstream flood elevations.

**FOREDUNE, ACTIVE:** An unstable barrier ridge of sand paralleling the beach and subject to wind erosion, water erosion, and growth from new sand deposits. Active foredunes may include areas with beach grass, and occur in sand spits and at river mouths as well as elsewhere.

**FOREDUNE, CONDITIONALLY STABLE:** An active foredune that has ceased growing in height and that has become conditionally stable with regard to wind erosion.

**FOREDUNE, OLDER:** A conditionally stable foredune that has become wind stabilized by diverse vegetation and soil development.

**FOREST LANDS:** See definition of commercial forest lands and uses in the Oregon Forest Practices Act and the Forest Lands Goal.

**GEOLOGIC:** Relating to the occurrence and properties of earth. Geologic hazards include faults, land and mudslides, and earthquakes.

**HEADLANDS:** Bluff, promontories or points of high shoreland jutting out into the ocean, generally sloping abruptly into the water. Oregon headlands are generally identified in the report on Visual Resource Analysis of the Oregon Coastal Zone, OCCDC, 1974.

**HISTORICAL RESOURCES:** Those districts, sites, buildings, structures, and artifacts which have a relationship to events or conditions of the human past. (See Archaeological Resources definition.)

**HUMMOCK, ACTIVE:** Partially vegetated (usually with beach grass), circular, and elevated mounds of sand which are actively growing in size.

**HYDRAULIC:** Related to the movement or pressure of water. Hydraulic hazards are those associated with erosion or sedimentation caused by the action of water flowing in a river or streambed, or oceanic currents and waves.

**HYDRAULIC PROCESSES:** Actions resulting from the effect of moving water or water pressure on the bed, banks, and shorelands of water bodies (oceans, estuaries, streams, lakes, and rivers).

**HYDROGRAPHY:** The study, description and mapping of oceans, estuaries, rivers and lakes.

**HYDROLOGIC:** Relating to the occurrence and properties of water. Hydrologic hazards include flooding (the rise of water) as well as hydraulic hazards associated with the movement of water.

**IMPACT:** The consequences of a course of action; effect of a goal, guideline, plan or decision.

**INSURE:** Guarantee; make sure or certain something will happen.

**INTEGRITY:** The quality or state of being complete and functionally unimpaired; the wholeness or entirety of a body or system, including its parts, materials, and processes. The integrity of an ecosystem emphasizes the interrelatedness of all parts and the unity of its whole.

**INTERDUNE AREA:** Low-lying areas between higher sand landforms and which are generally under water during part of the year (See also Deflation Plain.)

**INTERTIDAL:** Between the levels of mean lower low tide (MLLT) and mean higher high tide (MHHT)

**KEY FACILITIES:** Basic facilities that are primarily planned for by local government but which also may be provided by private enterprise and are essential to the support of more intensive development, including public schools, transportation, water supply, sewage and solid waste disposal.

**LCDC:** Land Conservation and Development Commission of the State of Oregon. Seven lay citizens, non-salaried, appointed by the Governor, confirmed by the Oregon Senate; at least one commissioner from each Congressional District; no more than two from Multnomah County.

**LITTORAL DRIFT:** The material moved, such as sand or gravel, in the littoral (shallow water near shore zone) under the influence of waves and currents.

**MAINTAIN:** Support, keep, and continue in an existing state or condition without decline.

**MANAGEMENT UNIT:** A discrete geographic area, defined by biophysical characteristics and features, within which particular uses and activities are promoted, encouraged, protected, or enhanced, and others are discouraged, restricted, or prohibited.

**MINOR NAVIGATIONAL IMPROVEMENTS:** Alterations necessary to provide water access to existing or permitted uses in conservation management units, including dredging for access channels and for maintaining existing navigation but excluding fill and in-water navigational structures other than floating breakwaters or similar permeable wave barriers.

**MITIGATION:** The creation, restoration, or enhancement of an estuarine area to maintain the functional characteristics and processes of the estuary, such as its natural biological productivity, habitats, and species diversity, unique features and water quality (ORS 541.626).

**NATURAL AREAS:** Includes land and water that has substantially retained its natural character, which is an important habitat for plant, animal, or marine life. Such areas are not necessarily completely natural or undisturbed, but can be significant for the study of natural, historical, scientific, or paleontological features, or for the appreciation of natural features.

**NATURAL RESOURCES:** Air, land and water and the elements thereof which are valued for their existing and potential usefulness to man.

**OCCDC:** Oregon Coastal Conservation and Development Commission, created by ORS 191; existed from 1971 to 1975. Its work is continued by LCDC.

**OCEAN FLOODING:** The flooding of lowland areas by salt water owing to tidal action, storm surge, or tsunamis (seismic sea waves). Land forms subject to ocean flooding include beaches, marshes, coastal lowlands, and low-lying interdune areas. Areas of ocean flooding are mapped by the Federal Emergency Management Agency (FEMA). Ocean flooding includes areas of velocity flooding and associated shallow marine flooding.

**PLANNING AREA:** The air, land and water resources within the jurisdiction of a governmental agency.

**POLLUTION:** The violation or threatened violation of applicable state or federal environmental quality statutes, rules and standards.

**PRESERVE:** To save from change or loss and reserve for a special purpose.

**PROGRAM:** Proposed or desired plan or course of proceedings and actions.

**PROTECT:** Save or shield from loss, destruction, or injury or for future intended use.

**PROVIDE:** Prepare, plan for, and supply what is needed.

**PUBLIC FACILITIES AND SERVICES:** Projects, activities and facilities which the planning agency determines to be necessary for the public health, safety and welfare.

**PUBLIC GAIN:** The net gain from combined economic, social, and environmental effects which accrue to the public because of a use of activity and its subsequent resulting effects.

**QUALITY:** The degree of excellence or relative goodness.

**RECREATION:** Any experience voluntarily engaged in largely during leisure (discretionary time) from which the individual derives satisfaction. **Coastal Recreation** occurs in offshore ocean waters, estuaries, and streams, along beaches and bluffs, and in adjacent shorelands. It includes a variety of activities, from swimming, scuba diving, boating, fishing, hunting, and use of dune buggies, shell collecting, painting, wildlife observation, and sightseeing, to coastal resorts and water-oriented restaurants. **Low-Intensity Recreation** does not require developed facilities and can be accommodated without change to the area or resource. For example, boating, hunting, hiking, wildlife photography, and beach or shore activities can be low-intensity recreation. **High-Intensity Recreation** uses specially built facilities, or occurs in such density or form that it requires or results in a modification of the area of resource. Campgrounds, golf courses, public beaches, and marinas are examples of high-intensity recreation.

**RESTORE:** Revitalizing, returning, or replacing original attributes and amenities, such as natural biological productivity, aesthetic and cultural resources, which have been diminished or lost by past alterations, activities, or catastrophic events. For the purposes of Goal 16 estuarine restoration means to revitalize or reestablish functional characteristics and processes of the estuary diminished or lost by past alterations, activities, or catastrophic events. A restored area must be a shallow subtidal or an intertidal or tidal marsh area after alteration work is performed, and may not have been a functioning part of the estuarine system when alteration work began. **Active Restoration** involves the use of specific positive remedial actions, such as removing fills, installing water treatment facilities, or rebuilding deteriorated urban waterfront areas. **Passive Restoration** is the use of natural processes, sequences, and timing which occurs after the removal or reduction of adverse stresses without other specific positive remedial action.

**RIPARIAN:** Of, pertaining to, or situated on the edge of the bank of a river or other body of water.

**RIPRAP:** A layer, facing, or protective mound of stones randomly placed to prevent erosion, scour or sloughing of a structure or embankment; also, the stone so used. In local usage, the similar use of other hard material, such as concrete rubble, is also frequently included as riprap.

**RURAL LAND:** Rural lands are those which are outside the urban growth boundary and are: (a) Non-urban agricultural, forest or open space lands or; (b) Other lands suitable for sparse settlement, small farms or acreage homesites with no or hardly any public services, and which are not suitable, necessary or intended for urban use.

**SEDENTARY:** Attached firmly to the bottom, generally incapable of movement.

**SHORELINE:** The boundary line between a body of water and the land, measured on tidal waters at mean higher high water, and on non-tidal waterways at the ordinary high-water mark.

**SIGNIFICANT HABITAT AREAS:** A land or water area where sustaining the natural resource characteristics is important or essential to the production and maintenance of aquatic life or wildlife populations.

**SOCIAL CONSEQUENCES:** The tangible and intangible effects upon people and their relationships with the community in which they live resulting from a particular action or decision.

**STRUCTURE:** Anything constructed or installed or portable, the use of which requires a location on a parcel of land.

**SUBSTRATE:** The medium upon which an organism lives and grows. The surface of the land or bottom of a water body.

**SUBTIDAL:** Below the level of mean lower low tide (MLLT).

**TEMPORARY ALTERATION:** Dredging, filling, or another estuarine alteration occurring over a specified short period of time which is needed to facilitate a use allowed by an acknowledged plan. Temporary alterations may not be for more than three years and the affected area must be restored to its previous condition. Temporary alterations include: (1) alterations necessary for federally authorized navigation projects (e.g., access to dredged material disposal sites by barge or pipeline and staging areas or dredging for jetting maintenance), (2) alterations to establish mitigation sites, alterations for bridge construction or repair and for drilling or other exploratory operations, and (3) minor structures (such as blinds) necessary for research and educational observation.

**TERRITORIAL SEA:** The ocean and seafloor area from mean low water seaward three nautical miles.

**TIDAL MARSH:** Wetlands from lower high water (LHW) inland to the line of non-aquatic vegetation.

**URBAN LAND:** Urban areas are those places which must have an incorporated city. Such areas may include lands adjacent to and outside the incorporated city and may also: (a) Have concentrations of persons who generally reside and work in the area (b) Have supporting public facilities and services.

**URBANIZABLE LAND:** Urbanizable lands are those lands within the urban growth boundary and which are identified and (a) Determined to be necessary and suitable for future urban uses; (b) Can be served by urban services and facilities; (c) Are needed for the expansion of an urban area.

**WATER-DEPENDENT:** A use or activity which can be carried out only on, in, or adjacent to water areas because the use requires access to the water body for water-borne transportation, recreation,



energy production, or source of water.

**WATER ORIENTED:** A use whose attraction to the public is enhanced by a view of or access to coastal waters.

**WATER-RELATED:** Uses which are not directly dependent upon access to a water body, but which provide goods or services that are directly associated with water-dependent land or waterway use, and which, if not located adjacent to water, would result in a public loss of quality in the goods or services offered. Except as necessary for water-dependent or water-related uses or facilities, residences, parking lots, spoil and dump sites, roads and highways, restaurants, businesses, factories, and trailer parks are not generally considered dependent on or related to water location needs.

**WETLANDS:** Land areas where excess water is the dominant factor determining the nature of soil development and the types of plant and animal communities living at the soil surface. Wetland soils retain sufficient moisture to support aquatic or semi-aquatic plant life. In marine and estuarine areas, wetlands are bounded at the lower extreme by extreme low water; in freshwater areas, by a depth of six feet. The areas below wetlands are submerged lands.

**(Adopted by Ordinance 1472 January 22, 2002)**

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