



PLAN REVIEW STAFF REPORT

Application File Name (Number):

Rowe (20-105)

Applicant's Request:

Approval of a Plan Review ("PR") and Conditional Use Permit to construct a new single-family dwelling (SFD) in the Controlled Development 2 ("CD-2") Zone with a Shoreland Overlay (SO).

Property Owner:

Vivian Rowe

Applicant:

Vivian Rowe

Lead City Staff:

Dana Nichols, Planning Manager, (541) 347-7922

Hearing Date:

December 21st, 2020

Subject Property/Location/Size:

The property is a vacant lot located on the South Jetty at the corner of 5th Street SW and Madison Avenue SW. The property is Tax Lot 7400 of Map 28-15-25BD and encompasses approximately 3,760 square feet.

Current Zone Designation:

Controlled Development 2 Zone, Shoreland Overlay

Relevant Dates:

Applications for Plan Review and a Conditional Use Permit were received by the Planning Department on October 8th, 2020 and deemed complete on November 9th, 2020.

Purpose of Staff Report:

Staff reports provide the reviewing body and community members with information regarding current land use requests and staff analysis of the application. The staff report provides only preliminary information and recommendations. The reviewing body will consider public testimony and other materials submitted to the City in writing, when making decisions on the application.



Ordinances Referenced:

(See also http://www.cityofbandon.org/sites/default/files/fileattachments/general/page/280/title_17_-_zoning-2014.pdf)

16.42	Definitions
17.24	Controlled Development 2 (CD-2) Zone
17.76	Shoreland Overlay (SO) Zone
17.92	Conditional Uses
17.104	Supplementary Provisions

Site Description & Potential Impact

The property is located on the southeast corner of the 5th Street SW and Madison Avenue SW intersection and is approximately .086 acres. The lot is a legal, but non-conforming lot due to its size. There are neighboring houses the north, west, and east with a vacant lot to the south. The property is located in the Floodplain, Shoreland Overlay, and Controlled Development 2 Zone.

Figure 1 Tax Lot Map and Designation

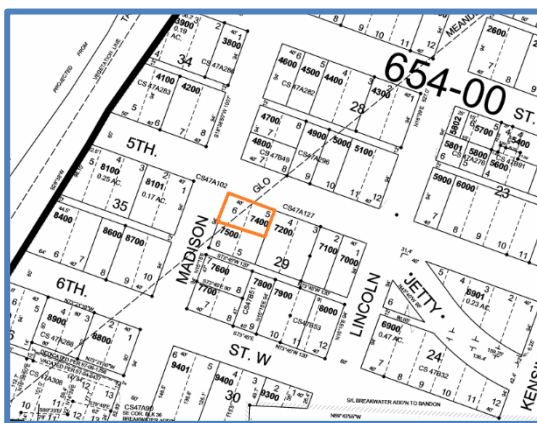
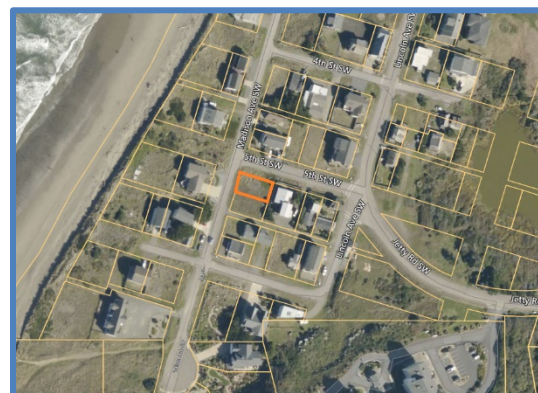


Figure 2 Aerial View of Subject Property



Procedural – Required Burden of Proof

Title 17 – Chapter 17.24 – Controlled Development 2 (CD-2) Zone

17.24.010 Purpose

The purpose of the CD-2 zone is to protect and enhance the unique character, natural resources and habitat characteristics of the Bandon Jetty and its bluff area, to provide for the development of a coastal village atmosphere, and to exclude those uses which would be inconsistent with the area’s character.

The applicant has proposed to construct a new single-family dwelling that is consistent with the neighborhood character in design, size, and access. Therefore, staff finds this criterion has been met.

17.24.020 Permitted uses



In the CD-2 Zone, the following uses are permitted outright provided that the use promotes the purpose of the zone and all other requirements of this title are met:

- A. Single-family dwellings; or manufactured dwellings as defined in Title 16*
- E. Accessory Dwelling Units*

Single-family dwellings and accessory dwelling units are outright permitted in the CD-2 zone. Staff finds this criterion has been met.

17.24.040 Limitations on use

The following are criteria from this section that are applicable to the application:

B. All new uses or structures or major exterior alternations of existing structures in the CD-2 zone shall comply with the following:

- 1. The developer shall be required to gain approval from the planning commission during a plan review in public session regarding the design and siting on the structure(s) and all other requirements of this title. The approval or denial of a proposed land use resulting from this review will occur as a limited land use decision and shall require notice to property owners in the notice area (see Section 17.120.070).*
- 2. The use of structure must conform to this chapter.*
- 3. The exterior of all structures will utilize natural wood material and be of a rustic appearance in accordance with the purpose of the zone (Section 17.24.010).*
- 4. Metal-sided buildings are prohibited*

C. Plans shall be reviewed to assess the possible presence of any geologic hazard. If any part of the subject lot is in an area designated as a moderate or severe hazard area on the Bandon Bluff Inventory Natural Hazards Map or if any geologic hazard is suspected, the planning commission shall require a report to be supplied by the developer which satisfactorily evaluates the degree of hazard present and recommends appropriate precautions to avoid endangering life and property and minimize erosion. The burden of proof is on the landowner to show that it is safe to build.

D. No structures shall be located on the identified foredunes.

F. Recreational vehicles, trailer houses, boats eighteen (18) feet in length or greater, shall not be stored in a required front yard. For the purposes of this section, limitation on the storage of recreational vehicles shall apply only to recreational vehicles six feet six inches in height or greater.

G. All homes in the CD-2 zone, including but not limited to conventionally constructed homes and manufactured homes, shall utilize at least eight of the following design features (at least 4 of the design features must be integrated on a face of the dwelling):

- 1. Garage constructed with finish materials matching the residence;*
- 2. Hip Roof*
- 3. Roof with a pitch at or greater than 3/12;*
- 4. Hip Roof;*



5. *Gables;*
6. *Mullioned Windows*
7. *Eaves with a minimum projection of six inches;*
8. *Tile or architectural grade shingles;*
9. *Dormers;*
10. *Offsets on the building face or roof of at least twelve (12) inches;*
11. *Cupolas;*
12. *Covered porch - a minimum of 25 square feet;*
13. *Recessed entry area a minimum of three feet*
14. *Pillars or posts;*
15. *Bay windows;*
16. *Window shutters;*
17. *Clerestory windows;*
18. *Horizontal lap siding on 100% of the exterior, cedar shake or shingle or shingle siding on 100% of the exterior, or combination of cedar shake or shingle siding or lap siding with stone.*

Staff provided the required notice for a Plan Review for the new structure, as required by Chapter 17.120. The applicant provided plans that show the overall site design, location of utilities, floor plan, and elevations. The applicant has proposed a structure that utilizes natural wood on the exterior and had a rustic appearance, in keeping with other homes in the area. The applicant has not proposed any metal-siding on the structure and the structure is not located on a foredune.

The applicant provided a Geotechnical Report dated November 24, 2020, prepared by Cascadia Geoservices, Inc. The soils, geology, and hydrology for the site have been investigated and specific recommendations, conclusions, and options for development have been made. Ultimately, Cascadia Geoservices confirms that the site is suitable for the proposed development given the recommendations outlined in their report. Staff finds that, with the requirements of the Geotechnical Report included as conditions of approval, this criterion has been met.

The applicant has proposed the following design features, which staff finds satisfy this criterion: Covered porch, off-set of the building face or roof of at least two (2) feet, eaves with a minimum projection of six (6) inches, recessed entry area, garage constructed with exterior finish materials that match the residence, pillars or posts, clerestory windows, and gables.

17.24.070 Yards

Except as provided in Section 17.104.060, in the CD-2 zone, yards shall be as follows:

- A. *The front yard shall be at least twenty (20) feet.*
- B. *Each side yard shall be a minimum of five feet, and the total of both side yards shall be a minimum of thirteen (13) feet, except that for corner lots, a side yard abutting a street shall be at least fifteen (15) feet.*
- C. *The rear yard shall be at least ten (10) feet, except that in such a required rear yard, storage structures (less than fifty (50) square feet), and other non-habitable structures may be built within five feet of the rear property line, provided that they are detached from the residence and the side yard setbacks are maintained. Such structures shall not be used as or converted*



for habitation, shall not be connected to any sewer system and shall not exceed sixteen (16) feet in height.

The subject property is located at the corner of 5th Street SW and Madison Avenue, with Madison as the front property line. The applicant has proposed a front setback (west) of 20 feet, a side setback (north) on 5th Street as 15 feet, a rear setback (east) of 10 feet, and the other side setback at 5 feet (south).

17.24.080 Height of Buildings and Structures

Except as otherwise permitted in 17.24.100 Exceptions to height limitations, or pursuant to 17.24.080.B (below), no portion of any building shall exceed a height of twenty-eighty (28) feet, measured as provided in 16.42.010 Definitions, "Height of building or structure." The proposed new structure is 28 feet tall, so staff finds this criterion has been met.

17.24.090 Lot coverage.

In the CD-2 zone, buildings shall not occupy more than fifty (50) percent of the lot area. The proposed buildings on this 3,760 square foot lot are approximately 960 square feet, which is equivalent to 25.5%. Staff finds this criterion has been met.

17.24.110 Fill

Except as otherwise specifically permitted, no fill or other means shall be used to elevate any land within so as to remove it from the floodplain for purposes of development, construction, or improvement and/or to remove it from being subject to any regulations applicable to land within a floodplain. This will be recommended as a condition of approval to ensure that this criterion will be met.

Title 17 – Chapter 17.76 – Shoreland Overlay (SO) Zone

17.76.010 Purpose

The purpose of the shoreland overlay zone is to implement the provisions of the shoreland management units adopted in the city's comprehensive plan. The uses for each shoreland management unit are shown in Table 17.76.130, Shoreland Uses/Activities Matrix. These management units are shown on the city's zoning map.

The requirements of this overlay zone are applied in addition to the requirements of the underlying zone. In cases where the requirements of this zone overlap or conflict with the requirements of the underlying zone, the more restrictive shall apply.

The subject property is located within the Shoreland Overlay Zone and has been included as part of this plan review to ensure compliance with the requirements of the City's Comprehensive Plan.

17.76.020 Permitted uses and activities



Permitted uses and activities are designated for each management unit in Table 17.76.130, Shoreland Uses/Activities Matrix. To resolve possible conflicts, the following rules shall apply:

- A. Uses permitted in the shoreland overlay zone but conditional uses in the underlying zone shall be conditional uses.
- B. Uses permitted in the shoreland overlay zone but not permitted in the underlying zone shall not be permitted.
- C. Activities not listed in the underlying zone shall be permitted or not permitted according to this overlay zone.

The use of this property is residential, which is outright permitted in the underlying zone and a conditional use in the Shoreland Overlay zone, per 17.76.130. Bandon Municipal Code 17.92.070 (Conditional Uses) criteria will be addressed below.

17.76.030 Conditional uses and activities

The conditional uses listed in Table 17.76.130, Shoreland Uses/Activities Matrix, may be allowed when in accordance with Chapter 17.92, applicable conditions of approval listed as footnotes on the table, and applicable policies of the comprehensive plan.

17.76.130 Shoreland uses/activities matrix

The subject property is located within Shorelands Management Unit No 2; Plan Designation is Controlled Development 2 (CD-2); the requested use is for construction of a single-family dwelling and accessory dwelling unit (this is a conditional use in the Shoreland Overlay). Staff finds that a conditional use permit application has been filed and this criterion has been met. Please refer to the shoreland uses/activities matrix in the following table:

Table 17.76.130: SHORELAND USES/ACTIVITIES MATRIX

Shorelands Mgmt Unit No.	1	2	3A	3E	4	5	6	7	8	9	10	11	12
Plan Designation	PF	CD	MC	ESWD	PF	UR	OTC	OS	CD	PF	NR	NR	CD
Residential Uses	NP	CU	P	NP	NP	P	P	NP	P	NP	NP	NP	CU

P Permitted CU Conditional Use

CD Controlled Development NP Not Permitted

The proposed use is considered conditional in the Shoreland Overlay. This use is outright permitted in the underlying Cd-2 zone and thus it is considered a conditional use, as the more restrictive applies.

Title 17 – Chapter 17.92 – CONDITIONAL USES



17.92.010 Authorization to grant or deny conditional uses

Conditional uses are those which may be appropriate, desirable, convenient or necessary in the zoning district in which they are allowed, but which by reason of their height or bulk or the creation of traffic hazards or parking problems or other adverse conditions may be injurious to the public safety, welfare, comfort and convenience unless appropriate conditions are imposed. Applications for uses designated in this title as conditional uses may be granted, granted with modifications or denied by the planning commission in accordance with the standards and procedures set forth in this chapter.)

Residential uses are considered conditional uses in Controlled Development zones with a Shoreland Overlay. The Hearings Officer may choose to approve this application as presented, approve with conditions, or deny. Staff recommendations can be found in a subsequent section of this report.

17.92.020 Authorization to impose conditions

In approving an application for a conditional use or the modification an existing and functioning conditional use, the city may impose, in addition to those standards and requirements expressly specified by this title, any additional conditions which the city considers necessary to assure that the use is compatible with other uses in the vicinity and to protect the city as a whole. These conditions may include but are not limited to:

- A. Changing the required lot size or yard dimensions;*
- B. Limiting the height of the building(s);*
- C. Controlling the location and number of vehicle access points;*
- D. Requiring additional right-of-way areas or changing the street width;*
- E. Requiring public improvements, including, but not limited to streets, sidewalks, sewer and water line extensions, and bike paths;*
- F. Changing the number of off-street parking and loading spaces required;*
- G. Limiting the number, size and location of signs;*
- H. Requiring diking, fencing, screening or landscaping to protect adjacent or nearby property;*
- I. Requiring design features which minimize environmental impacts such as noise, vibration, air pollution, glare, odor and dust;*
- J. Limiting the hours, days, place and manner of operations;*
- K. Limiting or setting standards for the location and intensity of outdoor lighting;*
- L. Setting requirements on the number, size, location, height and lighting of signs;*
- M. Requiring the protection and preservation of existing trees, soils, vegetation, watercourses, habitat areas and drainage areas.*

The Hearings Officer may choose to impose additional conditions on this application that relate to the conditions explicitly listed above. However, Staff finds the applicant has met the criteria of the above requirements (or they are not applicable to this request).

17.92.030 Existing uses



In the case of a use existing prior to the effective date of the ordinance codified in this title and which is classified in this title as a conditional use, any alteration of the structure shall conform with the requirements dealing with conditional uses. The subject property is a vacant lot.

17.92.040 Approval standards for conditional uses

The approval of all conditional uses shall be consistent with:

- A. *The comprehensive plan;*
- B. *The purpose and dimensional standards of the zone except as those dimensional standards have been modified in authorizing the conditional use permit;*
- C. *That the site size and dimensions provide adequate area for the needs of the proposed use;*
- D. *That the site size and dimensions provide adequate area for aesthetic design treatment to mitigate possible adverse effect from the use of surrounding properties and uses;*
- E. *The characteristics of the site are suitable for the proposed use considering size, shape, location, topography and natural features;*
- F. *All required public facilities and services have adequate capacity to serve the proposal, and are available or can be made available by the applicant;*
- G. *The proposed use will not 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 zoning district;*
- H. *All other requirements of this title that apply.*

The applicant has provided the following responses to the criteria:

- A. The Comprehensive Plan designation for this property is Controlled Development 2 (CD-2) zone where residential use is permitted outright. The purpose of the zone is “to protect and enhance the unique character, natural resources and habitat characteristic of the Bandon Jetty and it’s bluff area, to provide for the development of a coastal village atmosphere, and to exclude those uses which would be inconsistent with the area’s character.” A mix of uses is permitted outright provided the use promotes the purpose of the zone and all other zoning title requirements are met. These uses include single-family dwellings, residential and adult-foster care homes, and public utilities including service structures.

The proposed use is residential in nature – a single-family dwelling with an accessory dwelling unit on the west side of the 1st floor. Per Bandon Municipal Code chapter 17.24, single-family dwellings and accessory dwelling units are outright permitted uses in the zone.



- B. The property is located in the CD-2 zone in an area where the primary use is residential, specifically single-family residences. The minimum lot size in the CD-2 zone for residential use is 5400sf, with 40' minimum accessible street frontage required and a minimum required lot depth of 90'. The property is .086 acres in size with street frontage of 47', lot depth of 80', and total lot square footage of 3,760. The property exceeds the CD-2 zone requirement for accessible street frontage, however does not meet the depth or square footage requirement. Therefore, per Title 17, chapter 17.104.050, The General Exception to lot size requirements states:

"1. A parcel or lot which does not meet the current lot size requirements of the zone in which the property is located may be developed, provided that all other requirements of the zone are met."

Further, Title 17, chapter 17.108.040 regarding Non-conforming Lots states:

"A. A legally created parcel or lot which does not meet the current lot size requirements of the zone in which the property is located may be developed, provided that all other requirements of the zone are met."

- C. The parcel measures 47' X 80' for a total of 3,760sf. The parcel can accommodate the residence, the required parking spaces, mechanical equipment and landscaping desires of the owner. The total square footage of the residence and ADU, including two floors, loft and garage is 2,154sf. The first floor is 960sf, which results in 26% total lot coverage versus the 50% allowed in this zone. The proposed first floor ADU is 480sf, which is less than 650sf or 40% of the primary dwelling's floor area (1392sf X 40% = 557sf), thereby exceeding the specifications as stated in the Bandon Municipal Code 17.104.020 on General Provisions regarding accessory use.
- D. The City of Bandon requires that eight architectural features be incorporated into the aesthetic design of the proposed residence. The proposed residence contains these five features on the front elevation: gables, garage constructed with finish materials matching the residence, off sets on the building face or roof of at least twelve inches, recessed entry and eaves with a minimum projection of 6". These additional three features are found also: covered porches, clerestory windows and pillars or posts.

Additionally, the yard minimums have been increased, thus creating more of a view corridor than required by the Bandon Municipal Code. The building footprint provides additional side yard as it is 8' from the south property line rather than the 5' allowed, thus serving as a buffer to the adjacent parcel to the south. Also, the residence is sited on the north setback line to maximize westerly views by our neighbor to the east.



- E. The proposed residence fits within the allowable setbacks and allows sufficient room for parking and landscaping. The site is level and minimal grading will be required to drain water away from the foundation.
- F. The property will be served by the City of Bandon for water, sewer and electricity. Excessive demands on the city infrastructure are not likely.
- G. The proposed residential use is compatible with the surrounding residential area, and would be considered low impact given other types of uses allowed in the CD-2 zone. The proposed use will not alter the character of the surrounding area, and no negative effects on surrounding properties are anticipated.
- H. It is the understanding of the applicant that all design criteria listed in the BMC have been met or exceeded including providing a minimum of 8 architectural design features, lot coverage is less than the maximum allowed and required yards have been met. Additional criteria are not known to the applicant at this time.

Staff finds these criteria have been met.

17.92.050 Conditional use cannot grant variances

A conditional use permit shall not grant variances to the regulations otherwise prescribed by this title. A variance application may be filed in conjunction with the conditional use permit by filing an application with the city using forms prescribed for that purpose.

The applicant has not requested any variances.

17.92.060 Application for a conditional use

The applicant for a conditional use proposal shall be the recorded owner of the property or an agent authorized in writing by the owner. They may initiate a request for a conditional use permit or the modification of an existing, functioning conditional use permit by filing an application with the city using forms prescribed for that purpose. In addition, the following shall be supplied by the applicant:

- A. *Twelve (12) copies of the site development plan(s) drawn to scale and necessary data or narrative which explains how the development conforms to the standards;*
- B. *The required fee;*
- C. *The conditional use plan, data and narrative shall include the following:*
 - 1. *Existing site conditions,*
 - 2. *A site plan for all proposed improvements,*
 - 3. *A grading plan,*
 - 4. *A landscape plan,*
 - 5. *Architectural elevations of all structures,*
 - 6. *A sign plan,*



7. *A copy of all existing and proposed restrictions or covenants;*
- D. *In the case where any or all of the above are unnecessary, as in the case of a change of use in an existing structure, the planning director shall determine which items in subsection (C)(1) through (7) of this section will not be required for application. The planning commission may request additional items if they determine that these additional items are necessary to understand and make a decision on the application.*

The applicant has submitted all required materials, including copies of the site development plan and the required fees. The applicant has also submitted a narrative for the conditional use application. Items 1-7 in Section C have not all been submitted yet, but will be should the application be approved, as part of the Zoning Compliance approval. Any landscaping that will require approval of a grade and fill permit must be reviewed and approved by the City and therefore Staff finds these criteria have been met.

17.92.090 Standards governing conditional uses.

A conditional use shall comply with the standards and purpose of the zone in which it is located except as these standards may have been modified in authorizing the conditional use or as otherwise provided as follows:

- A. *Yards. In any zone, additional yard requirements may be imposed.*
- C. *Limitation on Access to Property. The planning commission may limit vehicle access from a conditional use to a street.*
- H. *Multifamily Housing. When considering a conditional use for multifamily housing, conditions shall not be placed which would exclude needed housing, unnecessarily decrease density, or allow special conditions to be attached which would have the effect of discouraging needed housing through unreasonable cost or delays.*

17.92.100 Time limitation

- A. *A conditional use permit shall become void one (1) year after approval, or after such greater or lesser time as may be specified as a condition of approval, unless within that time the required building construction, alteration or enlargement has been commenced and diligently pursued or, if no such construction, alteration or enlargement is required, unless the permit activity is being regularly conducted on the premises.*
- B. *The Planning Commission may extend a use permit for an additional period of one (1) year, subject to the requirements of this title.*
- C. *A conditional use permit shall become void if the use is discontinued for a period of one year.*

The applicant has been made aware that the conditional use permit will become void after one (1) year should construction not commence in that timeframe. If the applicant requires additional time prior to the commencement of construction, the applicant may apply for a one-time, one-year extension. The permit will become void if the use ceases for the period of one (1) year.



17.92.110 Violation of conditions

The Planning Commission, on its own motion, may revoke any conditional use permit for noncompliance with conditions set forth in the granting of said permit after first holding a public hearing and giving notice of such hearing as provided in Sections 17.120.080 through 17.120.160. The foregoing shall not be the exclusive remedy, and it shall be unlawful and punishable hereunder for any person to violate any condition imposed by a conditional use permit.

If the applicant fails to meet or adhere to any of the conditions placed on this application the Planning Commission or Hearings Officer has the authority to revoke the conditional use permit. In the event a violation to the Conditional Use occurs, the Planning Commission should request staff to proceed with the public hearing process and to give proper notice as required by Sections 17.120.080 through 17.120.160. The City also reserves the right and has the authority to prosecute any violation of this conditional use permit as allowed by the Bandon Municipal Code.

Title 17 – Chapter 17.104 – SUPPLEMENTARY PROVISIONS

17.104.020 General provisions regarding accessory uses.

B. Accessory Dwellings: Accessory Dwellings are allowed as permitted uses in the following zones: R-1, R-2, CD-1, CD-3, CD-R1, CD-R2, or anywhere a single-family dwellings are outright permitted. Accessory dwellings shall comply with all requirements of the primary use except where specifically modified by the title and shall comply with the following limitations:

- 1. Accessory Dwelling Units are prohibited from use as a Vacation Rental Dwelling in all zones. Accessory Dwelling Units are also prohibited on properties designated as Vacation Rental Dwellings.*
- 2. A detached Accessory Dwelling shall not exceed 650 square feet of floor area, or 40 percent of the primary dwelling's floor area, whichever is smaller.*
- 3. An attached or interior Accessory Dwelling shall not exceed 650 square feet of floor area, or 40 percent of the primary dwelling's floor area, whichever is smaller. However, Accessory Dwellings that result from the conversion of a level or floor (e.g., basement, attic, or second story) of the primary dwelling may occupy the entire level or floor, even if the floor area of the Accessory Dwelling would be more than 650 square feet.*
- 4. One additional off-street parking space, beyond the two required for a single-family dwelling, is required for an accessory dwelling.*
- 5. Development of an Accessory Dwelling Unit (ADU) shall require the payment of a systems development charge in rough proportionality to the amount charged for a single-family dwelling based on size. As the floor area of an ADU is limited to 40% of the floor area of the primary residence, the SDC for an ADU will be \$5,500, which is 40% of the \$13,750 charged for a single-family dwelling.*
- 6. Detached Accessory Dwelling Units shall have electric and water meters separate from the primary residence. For attached Accessory Dwelling Units, separate metering is optional.*



The applicant has proposed to construct an attached, interior Accessory Dwelling Unit on the lower floor of the residence. The primary residence is 1,392 square feet, and the proposed accessory unit is 480 square feet, which is less than 40%. Neither the primary residence, nor the ADU may be designated as Vacation Rental Dwellings. Staff is not enforcing the additional parking requirement as HB2001 established that off-street parking requirements are not “reasonable local regulations related to siting and design.” This portion of the code has not been updated to match the State requirement yet. System Development Charges and electric and water meter service will be included as part of the Zoning Compliance approval. Staff finds these criteria have been met.

Conclusions

After reviewing the applicant’s proposal, Staff finds that the development meets the standards of the CD-2 Zone, Shoreland Overlay, Conditional Uses, Floodplain Development, and Supplementary provisions. Many other properties on the Jetty have already developed in a similar fashion, meeting the requirements of the underlying zones, and providing evidence that all criteria have been met. The applicant submitted a Floodplain Development showing that Base Flood Elevation (BFE) is at 17 feet NVGD, and the proposed residential construction will be at least one foot above the BFE.

Recommendations

Staff recommends approval of the Plan Review and Conditional Use Permit with the following conditions of approval:

1. All proposals of the applicant shall become conditions of approval unless otherwise modified by the reviewing body.
2. Plan Review approval expires six months from the date of approval.
3. The applicant must adhere to all conditions and requirements set forth by the Coquille Indian Tribe, State Historic Preservation Office (SHPO) or both if required.
4. Plans submitted for Zoning Compliance shall be in substantial conformance with approvals granted herein.
5. All state, federal, and city permits associated with this approval shall be obtained by the applicant prior to construction. ***It is the property owner/applicant's responsibility to determine if additional permits from other agencies will be required. If additional permits are required, it is the responsibility of the property owner/applicant to obtain those permits.**
6. Approval of the plan is based on information submitted by the applicant. No other approvals are expressed or implied. Any changes to the approved plan shall be submitted, in writing, and approved by the Planning Department prior to implementation. ***If changes are made to any plans or documents used to make a decision, those changes must be clearly denoted with written documentation describing the need for the change. No change is considered approved unless written confirmation from the City approving the proposed**
7. The applicant shall not bring in or remove any fill in the process of construction without prior approval from the Public Works Department.



8. No preparation of the subject lot shall be allowed prior to issuance of Zoning Compliance signed by the authorizing designee of the City of Bandon.
9. All recommendations of the Soils, Geology, and Hydrology report prepared by Cascadia Geoservices Inc. shall be followed.
10. Prior to the City's first inspection of the site, the applicant shall provide an inspection report prepared by Cascadia Geoservices ensuring compliance with all recommendations.
11. The applicant shall provide the Public Works Department with a drainage plan that shall be approved prior to the first inspection. The drainage plan shall follow the specifications listed on page 11 & 12 of the geotech report prepared by Cascadia Geoservices.
12. The applicant shall submit full construction plans for Zoning Compliance approval, including a grading plan, foundation plan, elevation drawings, floor plan, and drainage plan.
13. Neither the primary residence, nor the attached interior Accessory Dwelling Unit may be used as a Vacation Rental Dwelling.