

Fisheries Building Parking Lot and Landscaping

Project Narrative and Proposed Findings of Compliance

APN: 28S-15W-25AD Tax Lot 1000

ADDRESS: 250 First Street SW, Bandon, OR 97411

OWNER: Port of Bandon
P.O. Box 206
Bandon, OR 97411

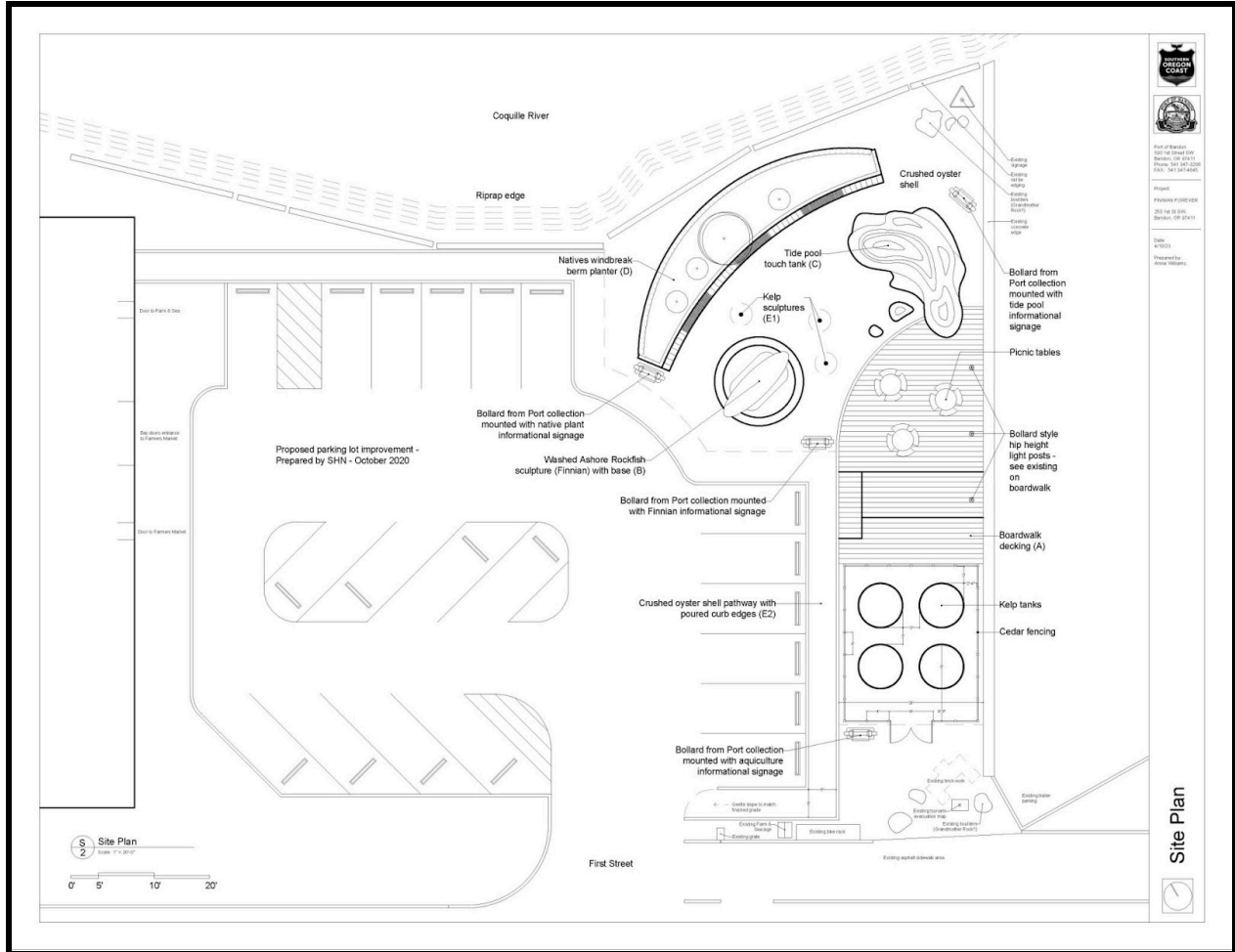
APPLICANT'S REPRESENTATIVE:
Sheri McGrath
PO Box 1548
Bandon, OR 97411

PROJECT NARRATIVE

The subject property is located in the C-3 Zone, adjacent to the Coquille River waterfront. It includes a two story structure that contains a year round marketplace in the Fisheries Building. The proposal consists of a paved parking lot and landscaping. Approval for the parking lot was granted in 2021 (21-038), though construction was stalled. The Port is requesting a renewal of the Zoning Compliance for construction of the parking lot this year. The landscape portion is added to the review, and is considered accessory, or complementary, to the Fisheries Building and associated uses.

In 2023 the Port developed the Finnian Forever Landscape Design Project with Annie Williams. The project provides an interactive park with a Tide Pool Touch Tank, a Native Plant berm planter, Kelp Tanks, Kelp Sculptures and A permanent base for "Finnian" the Washed Ashore Rockfish sculpture currently on site. The landscaping will provide open space along the Coquille River providing view access and preservation of the scenic resource.

As required by the City of Bandon, compliance with each of the approval standards of the Bandon Municipal Code is required for approval of this request. The following findings outline how the proposed use complies with all of those approval standards and how this is a beneficial proposal for the entire community of Bandon.



PROPOSED PARKING LOT AND LANDSCAPE PLAN

COMPLIANCE WITH APPROVAL STANDARDS FOR C-3 MARINE COMMERCIAL ZONE (BMC 17.48)

17.48.010 Purpose.

The purpose of the C-3 zone is to provide areas suitable for uses which depend upon, or are benefitted by, a waterfront location, and to retain adequate areas for these uses.

Applicant’s Response: There are no proposed changes to the existing use of the Marketplace, and no new structures are proposed. The proposal is for a paved parking lot with a landscaped park design. The use is considered permitted as long as all other portions of the BMC can be met as demonstrated below. The proposed use does provide an educational experience for Aquaculture which is a permitted use in the zone.

**COMPLIANCE WITH APPROVAL STANDARDS FOR ARCHITECTURAL REVIEW
OVERLAY ZONE (BMC 17.84)**

The AR Zone is intended to promote *“the general welfare of the public through the preservation, restoration, protection and regulation of the buildings, structures, appurtenances, sites, places and elements of Old Town Bandon, and to achieve a visual atmosphere of a coastal village of long ago. Specifically this chapter is meant to aid in the following:”*

1. Stabilize and improve property values in the district;

The proposed parking lot and landscaping are considered accessory to the existing and approved use of the Marketplace located in the Fisheries Building. The uses will improve property values in the district by providing a park within the Old Town district of Bandon. In 2022, the National Recreation and Park Association studied the economic impact of parks throughout the United States. As shown on page 9 of their report below, they outlined five critical impacts that public parks have on a community. They list Health and Wellness, Conservation and Resiliency, Property Values, Economic Development and Visitor Spending.

They report that “Economic Research has demonstrated consistently that homes and properties located near parklands have higher values than those located farther away. Higher home values not only benefit the owners of these properties, but also add to the tax base of local governments. Four in five respondents to the 2021 Engagement with Parks survey indicated that they seek high-quality parks and recreation amenities when choosing a place to live.”

Finnian Forever Landscape Design Project is considered a park in that it provides recreational opportunities along the Coquille River. The park will provide an opportunity for the community to learn about our local area including Aquaculture, Native Plants, Landscape Materials and Washed Ashore. The park will be a place to explore, to picnic, to learn and to enjoy the Coquille River and Old Town in an innovative way. It is considered landscaping as it enhances the parking lot project and provides a buffer between the two parking lots- Fisheries and the Vehicular Trailer parking to the East.

Your Local Park and Recreation Agency Generates Additional Economic Benefits

While the figures presented in this report are significant, they represent only one aspect of the economic benefits of public parks. Indeed, the conclusions of this report are conservative estimates of parks and recreation's full economic benefits.

Beyond the impact of local park and recreation agency spending, other critical economic impacts from public parks include:

- *Health and wellness:* Parks and recreation promotes improved physical and mental health. This not only helps people feel better, but also can help lower medical and insurance costs for those people taking advantage of those facilities and activities. An [NRPA-commissioned literature review](#) demonstrates how parks and recreation supports healthy, productive lives and resilient, cohesive communities. Ninety-three percent of U.S. adults responding to the [June 2021 NRPA Park Pulse](#) poll indicated that their mental health was improved by services offered by local park and recreation professionals and agencies. Further, an [Oregon State University](#) study found that Oregon residents' engagement in one of 30 outdoor recreation activities in 2018, resulted in a savings of \$735 million to \$1.416 billion accrued to health insurers, providers and participants.
- *Conservation and resiliency:* Park and recreation agencies' protection of land, water, trees, open spaces and wildlife improves air and water quality in communities. Through effective land management methods and green infrastructure investments, parks and recreation makes communities more resilient to natural disasters, reducing disaster recovery and insurance costs. Ninety-three percent of respondents to NRPA's [2019 Engagement with Parks](#) survey indicated it is essential that their local government acquire, construct and maintain local parks, trails and green spaces near bodies of water to protect natural resources in their community. Six in seven U.S. adults responding to an [April 2021 NRPA Park Pulse](#) poll expressed support for their local park and recreation agency's environmental initiatives.
- *Property values:* Economic research has demonstrated consistently that homes and properties located near parklands have higher values than those located farther away. Higher home values not only benefit the owners of these properties, but also add to the tax base of local governments. Four in five respondents to the [2021 Engagement with Parks](#) survey indicated that they seek high-quality parks and recreation amenities when choosing a place to live.
- *Economic development:* Parks and recreation improves the quality of life in communities and benefits the local economic development of a region. Eighty-two percent of corporate executives responding to a [2022 Area Development](#) survey rated quality-of-life features as an important factor when choosing a location for a headquarters, factory or other company facility. Further, 94 percent of adults responding to the [March 2020 NRPA Park Pulse](#) poll expressed support for their local government investing in infrastructure improvements that promote economic activity in their community.
- *Visitor spending:* Many local park and recreation agency amenities spur tourism to their respective locales, generating significant economic activity, including (but not limited to) increased sales at local restaurants/bars and hotels. An [August 2017 NRPA Park Pulse](#) poll found that people seek out park and recreation amenities — such as beaches, parks, trails and secluded and relaxing places — when choosing a vacation destination. An [August 2021 NRPA Park Pulse](#) poll noted that more than nine in 10 U.S. adults find park and recreation summer activities create fond memories.

NRPA 2022 “THE ECONOMIC IMPACT OF LOCAL PARKS”
[2022economicimpactreport_v3.pdf \(nrpa.org\)](#)

2. Foster civic pride in the beauty and accomplishments of both the past and present;

The Fisheries Building is part of Bandon history. In or around 1978 Bandon Fisheries moved to this current location after the business outgrew their original location on the High Dock. The expansion of the Seasonal Market to a Year Round Marketplace has revitalized the Waterfront district by providing daily activities, events, food service and groceries. As predicted in the application for the expanded use (22-106), it has proven to be a step into our future as a sustainable waterfront community offering a variety of options to our residents and visitors and providing space for a small business venture to begin and grow without the risk of financial loss with a brick and mortar venture. Creating a parking lot and a park setting will further foster civic pride in our community and the accomplishments we have seen over the last several years.

3. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry;

The NRPA report states that Visitor Spending increases when parks and recreation amenities are present. Those amenities can be a main reason to choose a vacation destination.

4. Strengthen the economy of the city;

Parks and recreational opportunities bring tourists to our community. Further, providing an amenity in Old Town will provide the local community with an opportunity to recreate within the community. The park will bring locals to Old Town where they will be more likely to spend money in the local businesses.

5. Promote the use of the historical district, its landmarks and scenic areas for the education, pleasure and welfare of Bandon citizens.

The Fisheries Building is a landmark in historic Old Town Bandon, a place that provides scenic views not accessible elsewhere. The Marketplace provides education, pleasure and welfare of the citizens by offering workshops, tastings, live music, and access to the waterfront. The addition of the aquaculture tanks, picnic tables, garden and sculptures will provide even more education and pleasure to our citizens. The proposed parking lot will have delineated parking spaces to provide parking with Accessible Parking spaces and pathways. This provides additional opportunity for people with disabilities to enjoy our waterfront district and specifically the Fisheries property with its expansive view of the Coquille River.

17.84.030 Certificate of appropriateness (COA)

- A. No buildings or structures shall be erected, reconstructed, altered, restored or painted, within the AR overlay zone; and no sign, light, fence, wall or other appurtenant fixture hereinafter called "appurtenant fixtures" shall be erected or displayed within the AR overlay zone on any lot or visible from the exterior of any building or structure, and no landscaping or plantings shall be located unless an application of a Certificate of Appropriateness (COA) has been approved in accordance with this chapter. Further, no zoning compliance or other permit shall be granted for any such purpose in the Architectural Review Overlay Zone until a COA has been issued.*

Applicant's Response: The proposed landscaping requires COA and is the reason for these findings.

17.84.060 Standards and Guidelines

The following criteria shall be considered appropriate to the proposed improvement before a certificate of appropriateness shall be approved.

A. Landscaping

- 1. Planting Material. Removal of mature trees and shrubs is discouraged and should not be done unless there is no alternative. Care should be taken to select plants appropriate to the landscaping requirement (shade, groundcover, screening, etc.). Consideration should be given to the future care and maintenance of all plant material.*

Applicant's Response: The subject site is clear of vegetation, so removal of mature trees and shrubs is not applicable. The proposed landscape plan shows a native plant berm with a proposed planting list consisting of Wax Myrtles, Shore Pines, Yarrow, Hairgrass and Pollinator flowers. Therefore this criterion has been met.

Plant Pallet

All of the below chosen species are native to the Southern Oregon Coast. They are adapted to the climate, prove to be low maintenance, and can be sourced locally. The three perennial flower species (pictured right) have also proven they can thrive in planter conditions as seen in my recent pocket park design in Gold Beach.



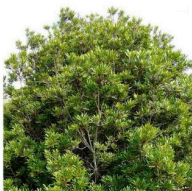
Pinus contorta var. contorta

Few are as well adapted to the harsh winds of our area as the Shore Pine. It provides year round greenery and shelter from the elements.



Lupinus littoralis

Shore Lupine is hardy but elegant. It helps stabilize slopes and enriches the soil through nitrogen fixation. Purple to blue showy flowers throughout the warmer seasons.



Myrica californica

Pacific Wax Myrtles are also evergreen and very hardy. They are a common and excellent landscape screen choice to block wind and rain.



Gaillardia aristata

Blanket Flower boasts impressive flowers blooming throughout the summer and even observed into the fall. It is an important pollinator species and attractive to beneficial insects.



Deschampsia cespitosa

Tufted Hairgrass is a soil stabilizer and salt tolerant. When pruned appropriately, it offers beautiful new growth and delicate flower heads.



Achillea millefolium

Yarrow offers a silvery leaf and fun textures in addition to its flowers and hardy character. Although outspread by the two above, it holds its own when it comes to covering bare soils quickly.

PROPOSED PLANT PALLET

2. Landscape Continuity. Plants and other landscaping elements (fences, walls, steps, etc.) should be used to create continuity among buildings, especially along the street edge and front yards.

Applicant's Response: The proposed landscaping provides a park-like setting between the two parking lots. This will provide continuity between the Fisheries Building and the High Dock facilities. A pathway is provided around the perimeter of the parking lot and connects to the Landscaped area. Therefore this criterion has been met.

B. Fences. The height and design of fences should relate to their intended use and to the principal structure on the lot. Where fences are used, they should be of wood, iron, stone or plant material. Chain link or similar metal fences, plastic, fiberglass or plywood fences are discouraged.

Applicant's Response: The proposed landscaping shows a cedar cable fence around the aquaculture tanks. The maximum fence height will be 6' at the 20'

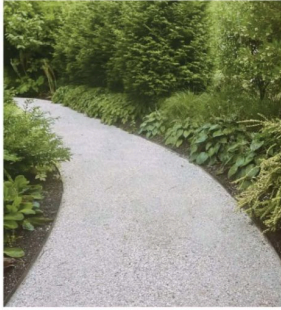
First Street setback from the property line. If the platform is located less than 20', the fence height will be 4' maximum in height. The cables will protect the scenic resource and provide security around the tanks. The criterion appears to be met.

C. Sidewalks and Driveways. Where walkways and driveways are necessary, asphalt should be avoided. Brick and other materials indigenous to the area are appropriate for walkways. Aggregate concrete or gravel are appropriate for driveways.

Applicant's Response: The proposed parking lot will be finished with asphalt. The walkways on the West, North and East sides of the parking lot will be a hard surface. The Plan shows concrete, though the finish stamp and color will be chosen on site to match existing walkways. The proposed landscape area has a variety of materials proposed including crushed oyster shell and concrete, boardwalk decking and stained concrete. Therefore this criterion has been met.


Materials Pallet

All of the below materials were chosen to compliment the existing aesthetic of the surrounding landscape and help to create a cohesive waterfront space.




Crushed oyster shell


Locally sourced crushed oyster shell is becoming a popular and more sustainable alternative to gravel. These surfaces are low maintenance, drain well, and have a natural binding agent that becomes even stronger over time.




Stained concrete



Oyster shell concrete



Boardwalk decking



Cable fencing

PROPOSED MATERIAL PALLET

D. Building Design.

Applicant's Response: No changes to the building are proposed at this time.

E. Architectural Features.

Applicant's Response: No changes to the building are proposed at this time.

F. Materials.

1. *Type. The type of materials used should be selected from those acceptable materials already present in the area. An effort should be made to maintain the spectrum of materials already historically present.*
2. *Pattern. The pattern created by the unit size of the material (bricks, siding, shingles, etc.) and the method of application should be similar to those already present in the area.*
3. *Texture. The texture of materials (both visual and tactile) should be similar to those of materials present in the area.*
4. *Color. The color of the materials should be natural wood or muted tones which are compatible with surrounding structures.*

Applicant's Response: The proposed materials for the landscaped area are consistent with the type of materials located along the waterfront. Patterns, textures and colors will be consistent with the area, and will be chosen to compliment the waterfront development. Therefore the criterion will be met as a condition of approval before the permit is closed.

G. Utilities and Mechanical Equipment.

2. *Exterior Lighting. All lighting should be appropriate to the building and its surroundings in terms of style, scale and intensity of illumination. Low voltage systems are recommended, and site lighting will be considered on an individual case by case basis.*

Applicant's Response: The proposed lighting in the landscaped area will match the existing lighting along the High Dock. The existing lighting has continued to show compatibility with the surrounding uses, so the proposed lighting appears to meet the criteria.

COMPLIANCE WITH APPROVAL STANDARDS FOR SIGNS (BMC 17.90)

17.02 Definitions.

"Sign" means any notice or advertisement, pictorial or otherwise, used as an outdoor display for the purpose of advertising a property or the establishment of enterprise, including goods and services, upon which the signs are exhibited. This definition shall not include official notices issued by a court or public body or officer, or directional, warning or information signs or structures required by or authorized by the law or by federal, state, county or city authority.

"Sign": all or part of any object, structure or device intended to be viewed by the public for advertisement or identification of a business, location, object, person, institution; organization, product, service or event by means including words, pictures, logos, symbols, colors, motion, illumination or projected images.

Applicant’s Response: The proposed plan shows interpretive panels explaining the various aspects of the park. Signage as defined by the BMC is for the advertisement of a business, location, object, etc. as listed above. The park will have aquaculture tanks, a native plant berm and sculptures. These items will be described on interpretative panels, so that the landscaped area serves as a recreational and educational designation.

COMPLIANCE WITH APPROVAL STANDARDS FOR OFF-STREET PARKING AND LOADING (BMC 17.96)

17.96.020 Off-street parking.

At the time a new structure is erected or enlarged, or the use of an existing structure is changed, off-street parking spaces shall be provided as set forth in this section unless greater requirements are otherwise established. If parking space has been provided in connection with an existing use or is added to an existing use, the parking space shall not be eliminated if it would result in less space than is required by this title.

Applicant’s Response: The Port of Bandon currently has 155 parking spaces, 111 are allocated. The proposed High Dock office will remove 9 spaces from the inventory and will allocate 3 parking spaces for the office use. That lowers the total number of parking spaces to 146 and a total surplus of 32 parking spaces.

17.96.040 General provisions for off-street parking and loading.

A. The provision and maintenance of off-street parking and loading spaces is a continuing obligation of the property owner. No building or other permit shall be issued until plans are presented which show property that is and will remain available for exclusive use as off-street parking and loading space. The subsequent use of property for which the building permit is issued shall be

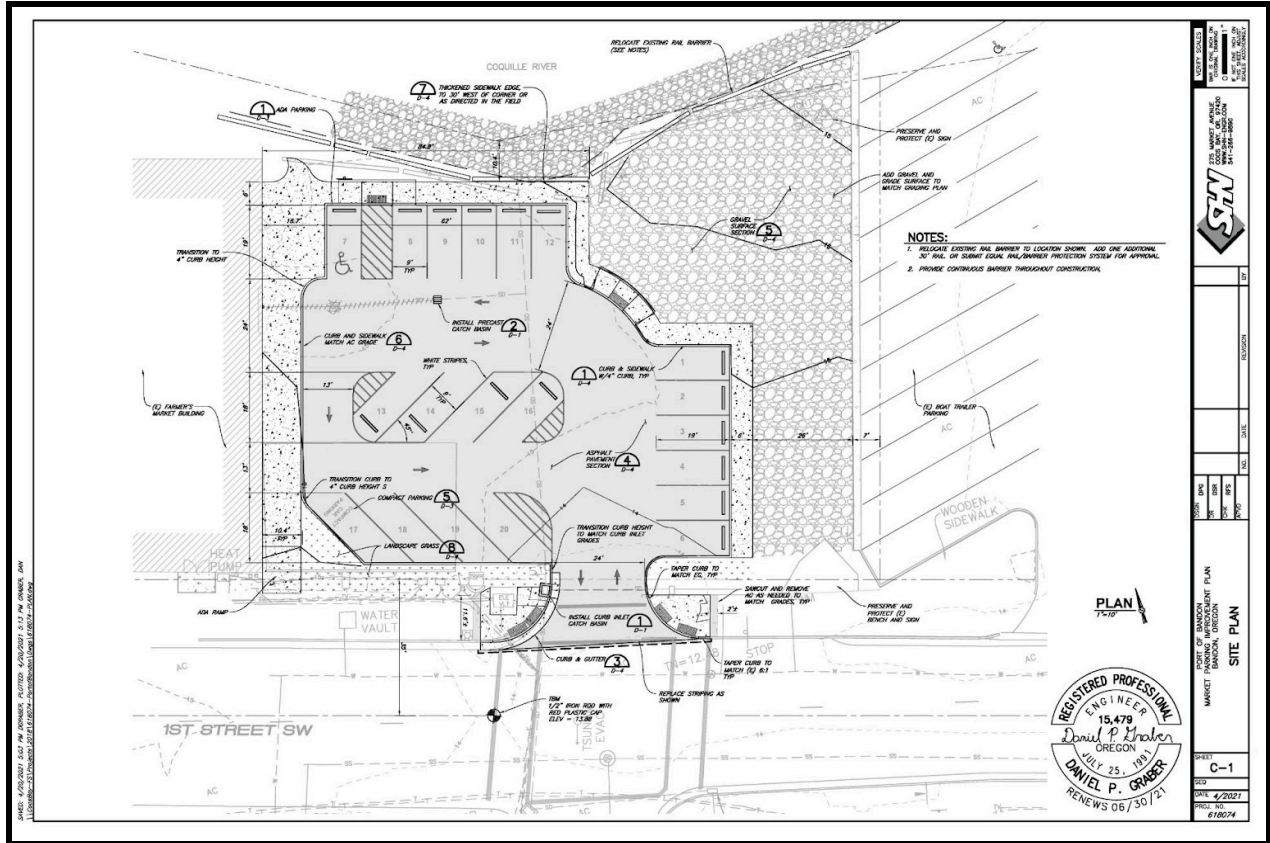
conditional upon the unqualified continuance and availability of the amount of parking and loading space required by this title. Should the owner or occupant of any lot or building change the use to which the lot or building is put, thereby increasing off-street parking or loading requirements, it shall be a violation of this title to begin or maintain such altered use until such time as the increased off-street parking or loading requirements are complied with.

Applicant's Response: An engineered plan showing delineated and designated parking spaces has been submitted with these findings. The Port of Bandon will continue to maintain their parking lots. Therefore this criterion has been met.

H. A plan, drawn to scale, indicating how the off-street parking and loading requirements are to be met shall accompany any application for a building permit. The plan shall show all elements necessary to indicate that the requirement is being met, including the following:

- 1. Delineation of individual parking and loading spaces;*
- 2. Circulation area necessary to serve space;*
- 3. Access to streets and property to be served;*
- 4. Curb cuts;*
- 5. Dimensions, continuity and substance of screening;*
- 6. Grading, drainage, surfacing and subgrading details;*
- 7. Delineation of obstacles to parking and circulation in finished parking areas;*
- 8. Specifications as to signs and bumper guards;*
- 9. Other pertinent details.*

Applicant's Response: An engineered plan showing delineated and designated parking spaces has been submitted with these findings. The above items are addressed in the stamped engineered plans. Additionally added is the landscape design aspect. Therefore this criterion has been met.



PROPOSED PARKING LOT

17.96.050 Design requirements for parking lots.

- A. Areas used for parking vehicles and for maneuvering shall have durable and dustless surfaces maintained adequately for all weather use and so drained as to avoid flow of water across sidewalks.

Applicant's Response: The proposed parking lot will be paved with asphalt and is considered a durable and dustless surface. Therefore this criterion has been met.

- B. Except for parking in connection with dwellings, parking and loading areas adjacent to or within residential zones or adjacent to dwellings shall be designed to minimize disturbance of residents by the erection between the uses of a sight-obscuring fence or not less than five nor more than six feet in height, except where vision clearance is required.

Applicant's Response: The parking lot does not abut a residential zone, therefore this criterion has been met.

- C. Parking spaces along the outer boundaries of a parking lot shall be contained by a bumper rail or by a curb which is at least four inches high,

and which is set back a minimum of four and one-half feet from the property line.

Applicant's Response: The proposed plans show a concrete curb detail for each parking space. The spaces will be 4'-6" setback from the property lines. Therefore this criterion has been met.

D. Artificial lighting which may be provided shall be so deflected as not to shine or create glare in any residential zone or on any adjacent dwelling.

Applicant's Response: The parking lot will not have lighting. The lighting in the landscaped park area will match the other lighting on the High Dock. The property does not abut a residential zone and there are no dwellings affected by the proposed lighting. Therefore this criterion has been met.

E. A standard parking space shall be eight and one-half feet by nineteen (19) feet.

Applicant's Response: The plan shows a parking space dimension of 9'x19' for the standard parking spaces. Therefore this criterion has been met.

F. Except for single-family and duplex dwellings, groups of more than two parking spaces shall be so located and served by a driveway that their use will require no backing movements or other maneuvering within a street right-of-way other than an alley.

Applicant's Response: The proposed parking lot does not require backing movements or maneuvering within a street. Therefore this criterion has been met.

G. Service drives to off-street parking areas shall be designed and constructed to facilitate the flow of traffic, provide maximum safety of traffic access and egress and maximum safety of traffic and vehicular traffic on the site. The number of service drives shall be limited to the minimum that will allow the property to accommodate and service anticipated traffic. In no case shall access point of service drives to a street be less than one hundred (100) feet apart, measured from center to center. Service drives shall be clearly and permanently marked and defined through the use of rails, fences, walls or other barriers or markers on street frontage not occupied by service drives.

Applicant's Response: There is no service drive proposed. Therefore this criterion has been met.

H. Driveways shall have a minimum vision clearance area formed by the

intersection of the driveway center line, the street right-of-way line and straight line joining said lines through points thirty (30) feet from their intersection.

Applicant's Response: The vision clearance area can be met or exceeded due to the absence of fencing, hedges and structures near the driveway approach to First Street. Therefore this criterion has been met.

- I. *All parking lots will meet requirements of the Americans with Disabilities Act.*

Applicant's Response: The proposed plan shows a compliant ADA parking space near the entrance to the market and facing the Coquille River. Therefore this criterion has been met.

- J. *For standards not specifically cited in this title, additional dimensional standards for parking lot features shall be consistent with the most recent edition of Architectural Graphic Standards.*

Applicant's Response: The engineered plan is consistent with the Architectural Graphics Standards for parking lot construction. Therefore this criterion has been met.

- K. *For uses other than residential uses, one third of the required spaces may be compact spaces. Compact spaces shall be eight feet by sixteen (16) feet.*

Applicant's Response: The proposed plan shows one compact parking space. This is less than one third of the total spaces, therefore this criterion has been met.

- L. *For parking lots for motels, restaurants or retail businesses of more than twenty (20) spaces, five percent of the total number of spaces will be R.V. spaces at least ten (10) feet wide by thirty (30) feet long.*

Applicant's Response: The proposed parking lot has 20 parking spaces, so RV spaces are not required. Therefore this criterion has been met.

17.96.060 Completion time for parking lots.

Required parking spaces shall be improved as required and made available for use before the final inspection is completed by the building inspector. If the parking space is not required for immediate use, an extension of time may be granted by the building inspector, providing a performance bond or its equivalent is posted equaling the cost to complete the improvements as estimated by the building inspector. If the improvements are not completed within one year's time,

the bond or its equivalent shall be forfeited and the improvements constructed under the direction of the city.

Applicant's Response: The proposed parking lot is an improvement to an existing parking lot. The required parking for the Marketplace is already provided, so a performance bond is not required for this project. Therefore this criterion has been met.

17.96.070 Vehicle access points.

To promote public safety, the number of vehicle access points to arterial roads and highways shall be kept to a minimum. In reviewing applications for land divisions and discretionary permits, the Planning Commission shall limit the number of vehicular access points by requiring shared access, reserve strips, eliminating circle drives (with two access points) and taking other actions consistent with the directives of this chapter.

Applicant's Response: The proposed parking lot will have one vehicle access point on First Street, therefore this criterion has been met.

COMPLIANCE WITH APPROVAL STANDARDS FOR SUPPLEMENTARY PROVISIONS (BMC 17.104)

17.104.025 Fence and wall standards

- A. Front yard. A fence or wall located in a required front yard shall not be more than four (4) feet tall measured from curb elevation. When no curb elevation has been established, the height shall be measured from the established centerline grade of the street abutting the yard concerned.*
- B. Rear yard. A rear yard fence or wall shall not be more than eight (8) feet tall.*
- C. Side yard. A side yard or wall shall not be more than six (6) feet.*
- D. Height measurement. Fence or wall height is measured from the ground to the top of the highest part of the fence or wall, including posts, caps or other projections, but not including gates or arbors.*
- E. Retaining wall. These standards do not apply to a device used to buttress earth, such as a retaining wall or riprap.*
- F. Fences and walls are deemed accessory uses which serve the purpose of enclosing unroofed areas outside buildings. Any fence, wall or hedge must comply with vision clearance requirements. In a commercial or industrial district, notwithstanding the yard requirements, a fence, wall, hedge or other like screening device may be required by the City as a condition of the approval of a*

proposed improvement on a lot abutting, or across the street or alley from, an adjacent property in a residential district if the City finds that such screening is necessary to prevent an unreasonable interference with the use and enjoyment of the residential lot.

G. Gates are prohibited on public or private streets, which serve more than two lots, parcels, or dwellings.

Applicant's Response: The proposed fencing in the landscape area will not exceed the heights listed for the Side, Rear and Front yards. There is a 20' setback off of First Street for a fence height of 6'. Any fencing within the front yard setback will be limited to 4' in height. There are no retaining walls or gates proposed. This criterion has been met.

17.104.090 Vision clearance area.

No vision clearance area shall contain planting, walls, structures or temporary or permanent obstructions exceeding two and one-half feet in height measured from the top of the curb or, where no curb exists, grade at the property line.

B. Commercial driveways shall have a minimum vision clearance area formed by the intersection of the driveway center line, the street right-of-way line and a straight line joining said lines through points thirty (30) feet from their intersection. This measurement will form a triangle which will be used to calculate the vision clearance area.

Applicant's Response: The driveway meets the vision clearance standard now and after development. There are no fences, hedges or structures along First Street that are blocking the view.

COMPLIANCE WITH APPROVAL STANDARDS FOR FLOODPLAIN DEVELOPMENT (BMC 15.28)

15.28.020 Purpose.

The purpose of this chapter is to establish the eligibility of city residents in the National Flood Insurance Program, to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed:

- A. To protect human life and health;*
- B. To minimize expenditure of public money and costly flood control projects;*
- C. To minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;*
- D. To minimize prolonged business interruptions;*
- E. To minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in*

- areas of special flood hazard;
- F. To help maintain a stable tax base by providing for the sound use and development of areas of special flood hazard so as to minimize future flood blight areas;
 - G. To ensure that potential buyers are notified that property is in an area of special flood hazard; and ensure that those who occupy the areas of special flood hazard assume responsibility for their actions; and
 - H. Assume responsibility for their actions; and To ensure that new construction in the floodplain meets the standards of the National Flood Insurance program and 44CFR.

Applicant's Response: The proposed landscaping plan shows sculptures and aquaculture tanks. These are required to be constructed to meet the wind, seismic and floodplain requirements for a structure. Properly secured development will protect human life, minimize costs associated with flood control and rescue and relief. A secured structure minimizes damage to public facilities during a 100 year flood event.

15.28.040 Methods of reducing flood loss.

In order to accomplish its purposes, this chapter includes methods and provisions for:

- A. Restricting or prohibiting uses which are dangerous to health, safety and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;*
- B. Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;*
- C. Controlling the alteration of natural flood plains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;*
- D. Controlling filling, grading, dredging and other development which may increase flood damage; and*
- E. Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.*
- F. Coordinating and supplementing the provision of State Building Codes Division with local land use and development ordinances.*

Applicant's Response: The proposed parking lot with landscaped park area is located within the 100-year floodplain. The uses are considered to be low risk for development within the floodplain. The issue with all development in the floodplain is to properly secure and flood proof materials that could be dislodged during an event and cause damage to surrounding properties, utilities and development.

15.28.050 Definitions.

Structure: for floodplain management purposes, a walled and roofed building, including a gas or liquid storage tank, that is principally above ground, as well as a manufactured

home. *Structure, for insurance purposes, means:*

1. *A building with two or more outside rigid walls and a fully secured roof, that is affixed to a permanent site;*
2. *A manufactured home (“a manufactured home,” also known as a mobile home, is a structure: built on a permanent chassis, transported to its site in one or more sections, and affixed to a permanent foundation); or*
3. *A travel trailer without wheels, built on a chassis and affixed to a permanent foundation, that is regulated under the community’s floodplain management and building ordinances or laws. For the latter purpose, “structure” does not mean a recreational vehicle or a park trailer or other similar vehicle, except as described in paragraph (3) of this definition, or a gas or liquid storage tank.*

Applicant’s Response: The proposed work cannot be defined as a structure in regard to floodplain development; however, securing the sculptures and the tanks is in the best interest of the Port of Bandon.

15.28.110 Development permit required.

A Floodplain Development permit shall be required before construction or development begins within any area of special flood hazard established in Section 15.28.070. The permit shall be for all structures including manufactured homes, as set forth in the definitions, and for all other development including fill and other activities, also set forth in the definitions.

Applicant’s Response: The proposed work cannot be defined as a structure in regard to floodplain development; however, securing the sculptures and the tanks is in the best interest of the Port of Bandon. A floodplain development permit is not required.