



**Memorandum:** Appeal of Application 22-030, Geologic Assessment Review Approval at "0 Beach Loop Drive" (29S-15W-01BB/TL 2000) in the City of Bandon.

Bandon Hearings Officer,

Thank you for your time and review of our application. On May 8, 2022 the City of Bandon administratively approved a Geologic Assessment Review for "0 Beach Loop Drive" (29S-15W-01BB/TL 2000), property zoned CD-1 in the City of Bandon.

In addition to its location in the CD-1 Zone, the subject property is also located in the City's Hazard Overlay Zone and a FEMA designated Floodplain. The property owner desires to build a single-family dwelling on the subject site. Although there are no high or very high landslide or liquefaction susceptibilities as shown in the DOGAMI Open File Report 0-16-02 or DOGAMI OPEN-FILE REPORT O-13-06 maps, and the property is separated from the oceanfront by a large sand dune located on a tax lot in State of Oregon ownership, approval of a Geologic Assessment Review (GAR) was required by the City to obtain Zoning Compliance, to comply with the requirements of Bandon Municipal Code (BMC) 17.78 Hazard Overlay Zone. The City no longer requires Plan Reviews (Type II decisions), on applications for 'needed housing', as defined by the State of Oregon. With the City's procedural change of eliminating discretionary review of applications related to housing, construction of a single-family dwelling in the CD-1 Zone is currently an outright permitted use and would be permitted as a Type I decision.

The consolidated Planning Permit Application for Zoning Compliance and GAR was submitted to the City on March 3<sup>rd</sup>, 2022 and contained all City of Bandon required materials, including a geotechnical report from a Certified Engineering Geologist, a pre-construction elevation certificate from a licensed professional surveyor, and drywell construction documents from a licensed Professional Engineer. Original drywell plans were calculated per the City of Bandon Public Works Department specifications, using a 10-year frequency storm, but plans were later revised to meet the 25-year frequency storm requirement of BMC 17.78.060(F)(7) *Development Standards for Uses Subject to Review, Erosion Control Measures*.

On May 19<sup>th</sup>, 2022 an appeal of the City's approval was filed by the owner of the southern neighboring property. The appellant summarizes a twelve year history of flooding and drainage concerns impacting the appellant's property, but no specific appeal of the applicable GAR criteria is presented by the appellant.

Careful consideration was given to the subject property and the proposed development by the applicant's team of professionals. Approval of the GAR was granted with conditions that follow the recommendations and best practices of the engineers of record, none of which are objectionable to the applicant. The City has found that the application requires no additional engineering and complies with all applicable criteria of BMC 17.78, which is the subject of review and appeal. We ask that you affirm the City's approval as described in the Record of Decision dated May 8, 2022.

Respectfully,

David Reed  
Wayward R Studio