




# City of Bandon


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*Bandon by the Sea*

## AGENDA REPORT

**TO:** Honorable Mayor and Members of the City Council

**FROM:** Torrey Contreras, City Manager 

**INITIATED BY:** Dana Nichols, Planning Director 

**DATE:** June 3<sup>rd</sup>, 2024

**SUBJECT:** **5.8 2024 BANDON MUNICIPAL CODE CLEAN-UP PERTAINING TO HOTEL PARKING STANDARDS, PAINT COLOR APPROVAL – OLD TOWN, COMMERCIAL DESIGN STANDARDS, AND THE REORGANIZATION OF TITLE 17.**

### BACKGROUND:

Each year, the City initiates a “code clean-up” to fix anything unclear, disorganized, or minor in scope to improve the overall functionality and applicability of the City’s zoning code. The Planning Commission voted to initiate a code clean-up at their May meeting to include the following changes: (1) modify the parking requirement for “hotels” from one parking space per two rooms to one parking space per room, (2) change the reviewing process for Certificates of Appropriateness for paint colors from a Type II approval by the Planning Commission to a Type II approval by staff with the opportunity to appeal to the Planning Commission, (3) clarify the application of the City’s commercial design standards and (4) a reorganize Title 17 to move uses and standards to tables and addition of a “Special Use” chapter to more clearly describe the standards for common development projects, such as Accessory Dwelling Units, Mobile Food Units, and Home Occupations. Currently, these standards are listed in Chapter 17.104, Supplementary Provisions, which tends to be forgotten or overlooked by applicants.

### ANALYSIS OF THE ISSUES:

#### HOTEL PARKING STANDARDS

The hotel parking requirement was brought to Staff’s attention with requests for new hotel development. Prior to the Bandon Beach Hotel application, Bandon only had motels, which require one parking space per room. The standard that hotels only have one parking space per every two rooms is likely the product of a model code that contemplated the use in a city with better access to public transportation. While some might be able to take a shuttle from a nearby airport, it is likely that many of Bandon’s guests come from distances that require a personal vehicle and thus an individual parking space.

#### PAINT COLOR APPROVAL – OLD TOWN

The City's Architectural Review Overlay Zone requires a Certificate of Appropriateness (COA) for any modification to a structure in the Old Town area. Certain actions may be administratively approved through a Type I process, such as routine maintenance, replacement of existing fixtures, landscaping, and painting for the colors are consistent with the approved color palette. Other actions are approved by Staff as well, but through a Type II process, except for paint colors. Paint colors not listed on the approved color palette require Planning Commission approval. Due to the time required to process a Type II application and align the review with the monthly Planning Commission agenda, approvals for colors are not always timely. Staff recommends allowing the Planning Director to review all Type II COAs, including for paint colors, and provide an opportunity for appeal to the Planning Commission. Additionally, the Planning Director may refer any application to the Planning Commission if the request could be deemed controversial or contentious.

#### COMMERCIAL DESIGN STANDARDS

Staff also recommended modifying the scope of the Commercial Design Standards chapter (17.94) to clarify when these standards apply. Chapter 17.94.020(A) currently states that the code applies to the following: *All commercial development in any Light Industrial (LI) zone abutting Highway 101, and in the Commercial 2 (C-2), subject also to the provisions of Subsections C, D, E, and F below.* It is somewhat unclear whether this means all commercial development in the C-2 zone or only on Highway 101. The proposed language would simply state that the code applies to all commercial development in the C-2 zone and only development in the Light Industrial (LI) zone along Highway 101 and in the bounded area described currently in BMC 17.94.020(B). The Planning Commission may also want to discuss the exemptions listed in 17.94.020(E) or determine whether the scope should be further expanded.

#### REORGANIZATION OF TITLE 17

Finally, Staff proposed a reorganization of Title 17 to list uses and standards in tables rather than individual chapters. Currently, each zone is described in detail separately, which creates a redundancy of information and makes it challenging to determine which uses are allowed in each zone without reading through many pages. The update will include two new chapters: 17.12, Zoning District Regulations and 17.16 Special Use Standards.

The Planning Commission agreed with the proposals and voted to recommend the City Council initiate the 2024 Code Clean-Up as presented above. If the Council concurs, Staff will begin noticing procedures for the hearings. State Law requires a 45-day notice to DLCD before the first evidentiary hearing. The hearing before the Planning Commission will be tentatively scheduled for July 25<sup>th</sup> and before the City Council on September 9<sup>th</sup>.

#### **FISCAL IMPACT:**

Staff time required to pursue a Type IV amendment process.

**RECOMMENDATION:**

The following is recommended to the City Council:

1. Review and discuss the information provided; and
2. Make a motion authorizing City Staff to initiate the 2024 Bandon Municipal Code Clean-Up pertaining to the following:
  - Hotel Parking Standards
  - Paint Color Approval – Old Town
  - Commercial Design Standards
  - Reorganization of Title 17