

Chapter 17.24

CONTROLLED DEVELOPMENT 2 (CD-2) ZONE

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Ordinance History: No. 1636, 1639, 1645

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.

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 17.02;
- B. Residential care home;
- C. Public utilities, including service structures. (Editorially amended, 2003.)
- D. Accessory Dwelling Units, as allowed in 17.104.

17.24.030 Conditional uses.

In the CD-2 zone, the following uses and their accessory uses may be allowed in accordance with Chapter 16.12 and the provisions of this title:

- A. Duplex dwelling;
- B. Museums, interpretive centers, marine-oriented parks, marine-oriented outdoor recreation facilities;
- C. Commercial retail sales and services
- D. Bed and breakfast, bed and breakfast inn;
- E. Vacation rental dwellings;

F. Residential Care Facility.

17.24.40 Limitations on use.

- A. Drive-up uses are prohibited.
- B. Metal-sided buildings are prohibited.
- C. No structures shall be located on identified foredunes. Breaching of foredunes shall only be allowed on a temporary basis in a dire emergency and shall be followed immediately by replenishment of sand, structural or binding material and vegetation, to the height of the surrounding existing dune. It shall be the responsibility of the developer or the party responsible to rebuild any breach or reestablish any vegetation that is removed, displaced or damaged on any bluff, foredune, or in construction or site preparation. Such reestablishment shall begin as soon as possible after the aforementioned activity is complete. If the reestablishment is not started immediately, the city manager or designate shall require a bond in a sufficient amount to cover the costs of such rebuilding or reestablishment of vegetation.
- D. 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.
- E. 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 siding on 100% of the exterior, or combination of cedar shake or shingle siding or lap siding with stone.

17.24.050 Signs.

See Chapter 17.90 Signs

17.24.060 Lot size.

In the CD-2 zone, except as provided in Section 17.104.050, minimum lot size shall be as follows:

- A. For a single-family dwelling, a lot shall be a minimum of five thousand four hundred (5,400) square feet. For a duplex dwelling, a lot shall be a minimum of nine thousand (9,000) square feet
- B. Lots shall have a minimum of forty (40) feet of physically accessible street frontage.
- C. Lot depth shall be ninety (90) feet.

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.
- D. Where a side yard of a new commercial structure abuts a residential use, that yard shall be a minimum of fifteen (15) feet.

17.24.080 Height of Buildings and Structures.

- A. 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 17.02 Definitions, "Height of building or

structure.”

- B. With the specific approval of the Planning Commission, a building or structure may exceed a height of twenty-eight (28) feet, up to a maximum height of thirty-five (35) feet.

1. Review Criteria

In deciding whether to approve or deny a request for the additional height, the Planning Commission shall consider and require conformance with the following review criteria. It shall be the applicant’s responsibility to provide sufficiently detailed plans, data, and all other information necessary for the Planning Commission to determine whether the proposed additional height complies with the applicable review criteria.

- a. The additional height shall not negatively impact the views from surrounding properties.
- b. The additional height shall not cut off sunlight onto surrounding properties.
- c. The additional height shall not negatively impact the aesthetic character of the neighborhood.
- d. All portions of any roofs above 28 ft. shall be sloped a minimum of 3:12 and must slope down and away from the highest point of the structure.
- e. For each one (1) foot, or portion thereof, that the highest point of the structure exceeds twenty-eight (28) feet, the minimum required front, side, and rear setbacks, as defined in 17.02 Definitions, shall each be increased by one (1) foot.

2. Review Procedures and Public Notices

The review and approval of requests for additional height as provided herein shall be considered limited land use decisions, and shall be subject to the application, review, and public notice procedures as specified for limited land use decisions in Chapter 16.04.

17.24.090 Lot coverage.

In the CD-2 zone, buildings shall not occupy more than fifty (50) percent of the lot area.

17.24.100 Exceptions to building height limitations.

- A. Chimneys, provided that they do not extend more than five feet above the highest point of the proposed structure.
- B. Private, non-commercial antennas or HAM radio antennas and towers up to twenty-eight (28) feet in height, may be allowed as a Conditional Use, provided that no commercial equipment is located on or near such antennas.

17.24.110 Fill

- A. 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.