



CITY OF COOS BAY PLANNING COMMISSION MEETING

**Tuesday, January 11, 2022 - 6:00 PM
City Council Chambers - 500 Central Ave.
Coos Bay, Oregon**

- 1. LIVE VIDEO LINK**
 - a. LIVE VIDEO LINK**
- 2. CALL TO ORDER**
- 3. CCI/PUBLIC COMMENTS**
 - a. CCI/PUBLIC COMMENTS**
- 4. WORKSHOP**
 - a. Front Street Blueprint Project presentation #3**
- 5. PUBLIC HEARING**

ITEM A: Amendments to CBMC chapter 17.345 - Annexations
- 6. COMMISSION COMMENTS**
- 7. STAFF COMMENTS**
- 8. ADJOURNMENT**

CITY OF COOS BAY PLANNING COMMISSION

Agenda Staff Report

MEETING DATE January 11, 2022	AGENDA ITEM 1.a.	PROJECT NUMBER: ADDRESS:
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**APPLICANT/APPLICANT
REPRESENTATIVE:**

FROM:

APPROVED BY:

SUBJECT:

<https://www.youtube.com/watch?v=mBoDpERayto>

RECOMMENDATION/MOTION:

BACKGROUND AND SUMMARY:

ISSUES:

ATTACHMENTS:

No Attachments Available

CITY OF COOS BAY PLANNING COMMISSION

Agenda Staff Report

MEETING DATE January 11, 2022	AGENDA ITEM 3.a.	PROJECT NUMBER: ADDRESS:
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**APPLICANT/APPLICANT
REPRESENTATIVE:**

FROM:

APPROVED BY:

SUBJECT:

RECOMMENDATION/MOTION:

BACKGROUND AND SUMMARY:

ISSUES:

ATTACHMENTS:

Public Comment Form



City of Coos Bay PUBLIC COMMENT FORM

The City of Coos Bay values our citizen's input and participation in our various councils, boards, and commissions. In an effort to encourage access to participation, we have established a process by which the public can provide written comments in advance which allows for potential timely addition to the agenda topics of interest to the public. Each council meeting provides for a public comment period, as well as when a public hearing is held. Public comment is an opportunity to share information or concern with the council. Public comment is limited to three (3) minutes, per individual.

If you wish to provide public comment at an upcoming meeting, please fill out this form and submit to publiccomment@coosbay.org. You may also mail or hand deliver your completed form to 500 Central Avenue, Coos Bay, OR 97420; fax to 541-267-5912; or leave in the drop box at the front doors at City Hall. Completed forms must be received by 1:00 pm the day of the meeting to be added to Public Comment List.

Public Comment Rules:

- Public Comment Form must be completed before speaking.
- Limited to three (3) minutes per speaker.
- Coos Bay residents and business will be given preference for addressing the council during the time allotted for public comment.
- Speakers may not convey/donate their time to another speaker.
- Council cannot engage in question/answer conversations with the speaker.
- Questions/concerns about operations should be handled by city staff during regular business hours.
- The presiding officer has responsibility of enforcement of these rules, and may alter the order of speakers for efficiency.

Name: _____

Address: _____

Phone: _____ Email: _____

I wish to speak to the City Council on the following agenda item/issue:

I have previously addressed the City Council on this issue.

In lieu of speaking, I request the City Recorder to include my written comments into the public record (comment area provided on page two).

By signing below, I acknowledge the above public comment rules. Pursuant to ORS 192.420, this document is considered a public record and disclosure may be required upon request.

SIGNATURE REQUIRED

DATE

Written Public Comment Area

CITY OF COOS BAY PLANNING COMMISSION

Agenda Staff Report

MEETING DATE January 11, 2022	AGENDA ITEM 4.a.	PROJECT NUMBER: 187-20-000049-PLNG ADDRESS:
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APPLICANT/APPLICANT REPRESENTATIVE: City of Coos Bay

FROM: Carolyn Johnson, Community Development Administrator

APPROVED BY: Carolyn Johnson, Community Development Administrator

SUBJECT:

Presentation of Front Street Blueprint consultant recommended preferred facility design for the Front Street Corridor.

RECOMMENDATION/MOTION:

Accept consultant presentation (attached) from DEA project manager Jim Hencke, accept comments from the public and provide Commissioner feedback.

BACKGROUND AND SUMMARY:

In May of 2021, Jim Hencke with David Evans and Associates outlined for the Commission and the public the history of Front Street's community vision work, the area's existing conditions and key issues for public improvements.

Funded by ODOT, the work on this project has included meetings with the Front Street Advisory committee to evaluate how the challenges and opportunities of the existing street scape can be transformed into improvements reflective of the communities vision. Work has also been underway reaching out to project stakeholders.

On November 9, 2021, the Planning Commission heard Mr. Hencke's presentation on transportation options for the Front Street corridor. Since that time work has been underway with the Advisory committee. Commission review of Memorandum #5 will be provided by Mr. Hencke identifying refinement of the project options with a recommended alternative, discussion regarding future Front Street improvement work and potential costs for improvements. Capital improvement funding options are also identified.

ISSUES:

A variety of issues will be presented as noted in the attached.

ATTACHMENTS:

Draft memo #5 Front Street Blueprint preferred design alternative

MEMORANDUM #5 (DRAFT)

Date: December 28, 2021

To: Carolyn Johnson | Community Development Administrator | City of Coos Bay
Virginia Elandt | Planner | ODOT Region 3
Front Street Blueprint Advisory Committee | City of Coos Bay

From: James (Jim) Hencke, PLA | David Evans and Associates, Inc.
Rachel Wells | David Evans and Associates, Inc.
Cameron Grile | David Evans and Associates, Inc
Andrew Mortensen | David Evans and Associates, Inc.
Gigi Cooper, AICP | David Evans and Associates, Inc.
Emily Picha | ECONorthwest
Nicole Underwood | ECONorthwest
Alice Hodge | JLA

Subject: **Front Street Blueprint | Preferred Facility Design**

Purpose

This memorandum describes the consultant recommended Preferred Facility Design (PFD) for future conditions of the Front Street corridor, between Market Avenue and Ivy Street, in Coos Bay, Oregon. The PFD advances concepts from prior tasks, incorporates stakeholder and public feedback, and represents high priority opportunities to achieve the Vision and Objectives for the Study Area.

Blueprint Vision

As described in the 2017 Front Street Action Plan (FSAP), the vision for the corridor is:

“Front Street will be a more bustling, vibrant, and inviting district with a mix of waterfront-related industrial employment, commercial, and limited residential uses. The area’s amenities and transportation facilities are more safely and easily accessible to pedestrians and cyclists, making connections to the rest of the City seamless. The continuation of the Coos Bay Boardwalk will serve as an attraction and provide for the enjoyment of the revitalized waterfront.”

Design Objectives

Project design objectives, identified previously in the FSAP, include:

Bicycle and Pedestrian Safety: Improve the existing network by accommodating bicyclists, pedestrians, and transit users. Provide additional connections and fill in gaps.

Access / Intersection Improvements: Increase safety, reduce congestion, and improve driver expectancy. Consider reducing the number of driveways, driveway consolidation for single parcels, and relocation of poorly placed driveways, traffic calming, and speed reduction at intersections (tighter curb radii, curb extensions, truck aprons, speed cameras).

Wayfinding and Public Art: Provide guidance and direction to major attractions and significant historical locations. Identify locations for public art that will enhance user experience.

Pedestrian Pathways and Overlooks: Provide pedestrian access to the waterfront and public overlooks along the east side of Front Street.

Circulation / Connectivity Improvements: Support a balanced and well-connected transportation network for all modes, including safe connections from downtown Coos Bay across Highway 101. Encourage transportation choices and reduce reliance on automobile travel within and through the Study Area.

Parking: Provide a range of parking with consideration of shared parking, metered parking, increased capacity of publicly owned facilities, overflow parking, and investment by the City in land for parking.



South Gateway Montage: Using elements from the existing Coos Bay Boardwalk, the Front Street Blueprint recommends signage, monumentation, paving, and planting enhancements.

Online Open House Comment Summary

The survey closed on Monday, Dec. 13 at 8 a.m.

Responses: 149

Completion rate: 81%

Priorities Ranked

Access and Mobility and *Corridor Safety* were the top priorities for participants.

1. Access and Mobility
2. Corridor Safety
3. Minimizing Environmental Impact and Supporting Resiliency
4. On- and Off- Street Parking
5. Encouraging Private Investment
6. Minimizing Cost
7. Supporting Land Use, District Vibrancy, and Flexibility

Preferred Alternative

Most participants preferred the Multi-Use Path alternative.

- Multi-use Path (66%)
- Parking + Path (34%)

Key Themes from Open Ended Comments

72 participants wrote in their own comments. Overall, the comments are more general and “big-idea” oriented; there are no mentions of specific parking or business concerns.

- Concern about the railroad particularly about safety and promoting tourism.
- Desire and support for promoting economic development through local businesses and tourism.
- Desire and support for site furnishings, tree plantings and street art, particularly related to local Tribes.
- Mixed responses to angled and side street parking over parallel parking – some like the idea, others do not.
- Support for a boardwalk.
- Concern for existing businesses.
- Concern about bike/ped/ADA safety when accessing the project area (crossing Highway 101, etc.) and in the project area.
- References to Bandon and Florence as examples.
- Mixed responses to one-way traffic – some like the idea, others do not.

See Appendix for full Open House Summary.

Preferred Facility Design

The following pages provide an Overall Plan Orientation View, four Enlargement Plans, and four Street Sections illustrating changes in configuration of streetscape, landscaping, pedestrian improvements, wayfinding, travel lanes, bicycle facilities, and other elements within the Study Area, addressing:

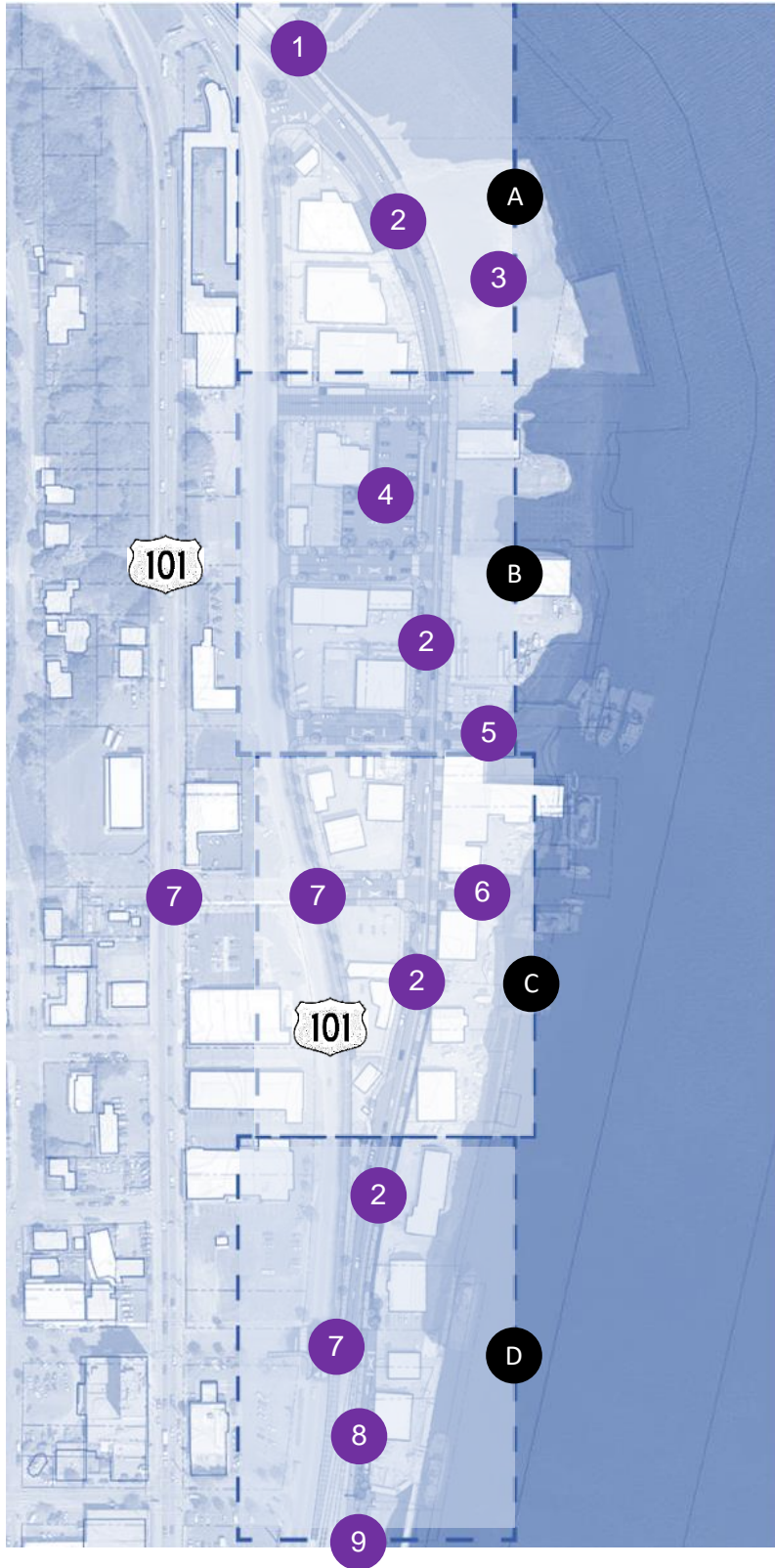
- how the design is accommodated within the right-of-way and at street intersections
- rail safety improvement opportunities
- locations for wayfinding and public art
- locations of pedestrian pathways and overlooks
- alteration of existing public and private approaches (driveways) and parking locations.

The Enlargement Plans have opaquely rendered proposed improvements on top of an aerial photo (that has been slightly faded to emphasize what is new or modified).



Birch Avenue Curb-less Street and Public Overlook Montage: Business and pedestrian access need not be mutually exclusive. Access to public overlooks can be achieved with simple materials, human-scale detailing, and stakeholder partnership. Existing and new infrastructure can be part of public art and wayfinding programs.

OVERALL PLAN ORIENTATION VIEW



REFER TO:

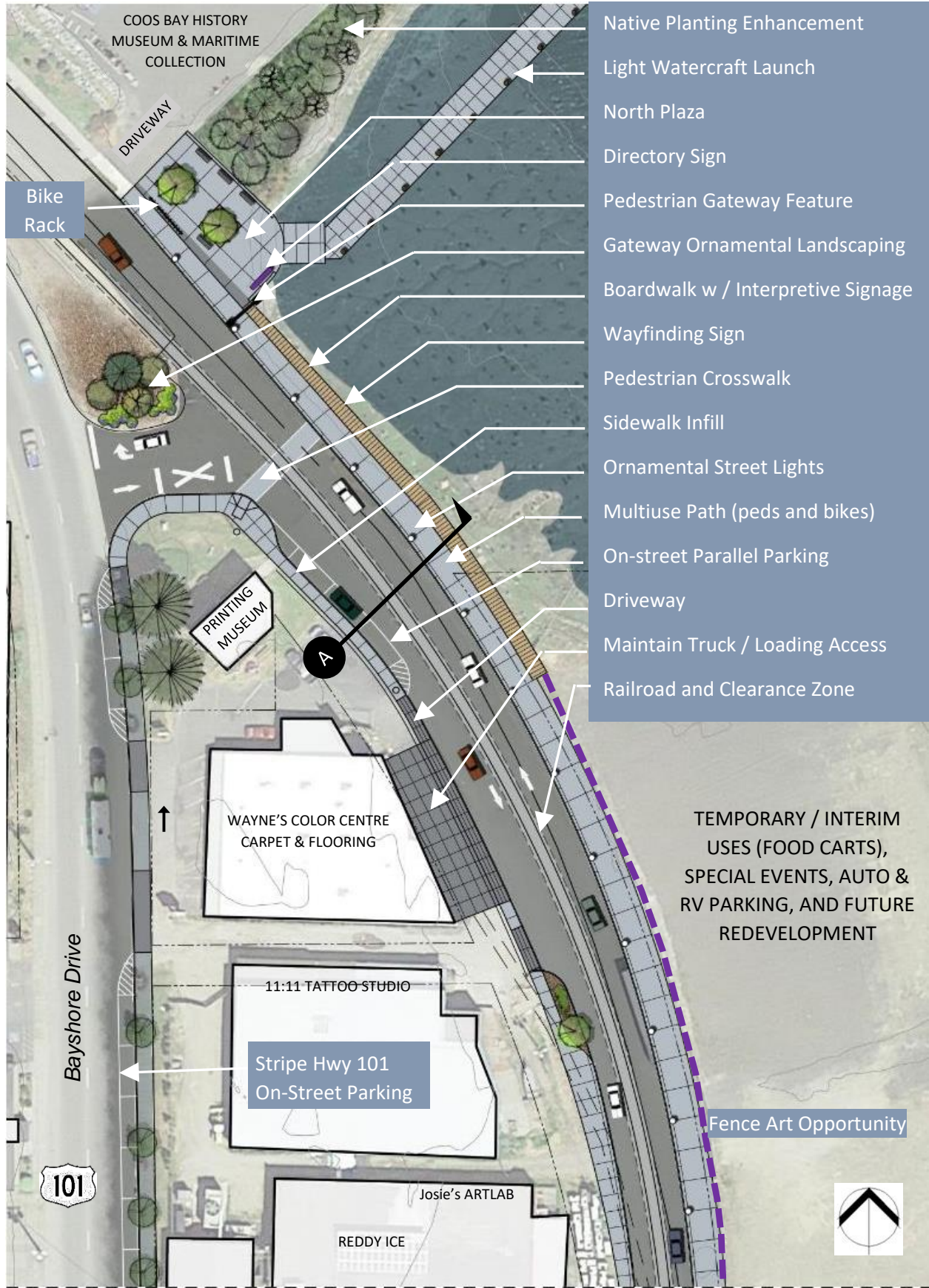
- A** ENLARGEMENT PLAN A
- B** ENLARGEMENT PLAN B
- C** ENLARGEMENT PLAN C
- D** ENLARGEMENT PLAN D

MAJOR FEATURES:

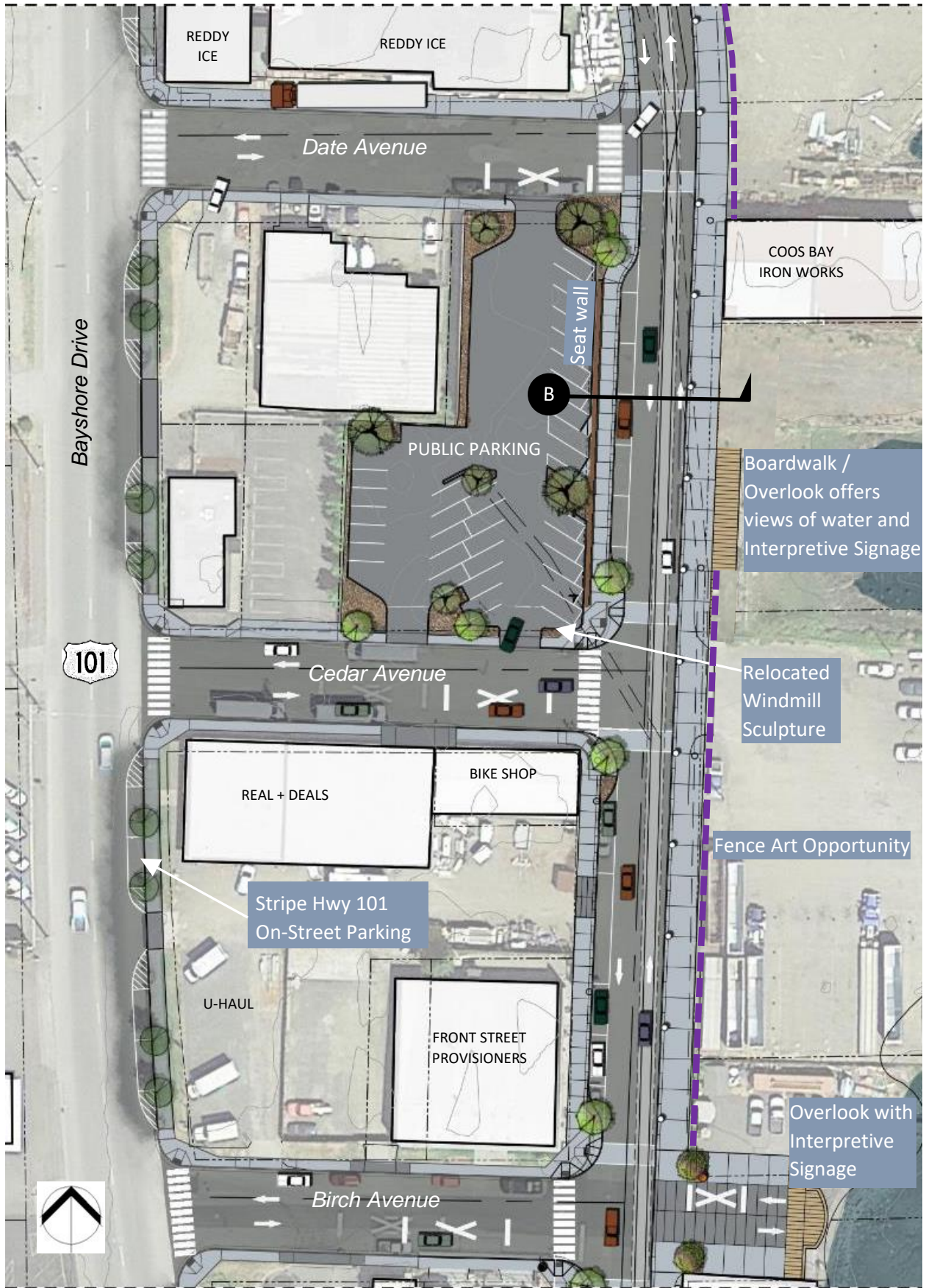
- 1** North Plaza, Pedestrian/Bike Gateway, Light Watercraft Launch and Directory Sign
- 2** N/S Corridor Streetscape Improvements, Multiuse Path, Sidewalk Infill
- 3** Vacant Lot Temporary Use
- 4** City Parking Lot 2022
- 5** Birch Ave Curb-less Street and Public Overlook
- 6** Alder Ave Curb-less Street and Public Overlook
- 7** Highway 101 Pedestrian Crossing Improvements
- 8** South Front Street Curb-less Connection
- 9** South Plaza, Pedestrian/Bike Gateway, and Directory Sign



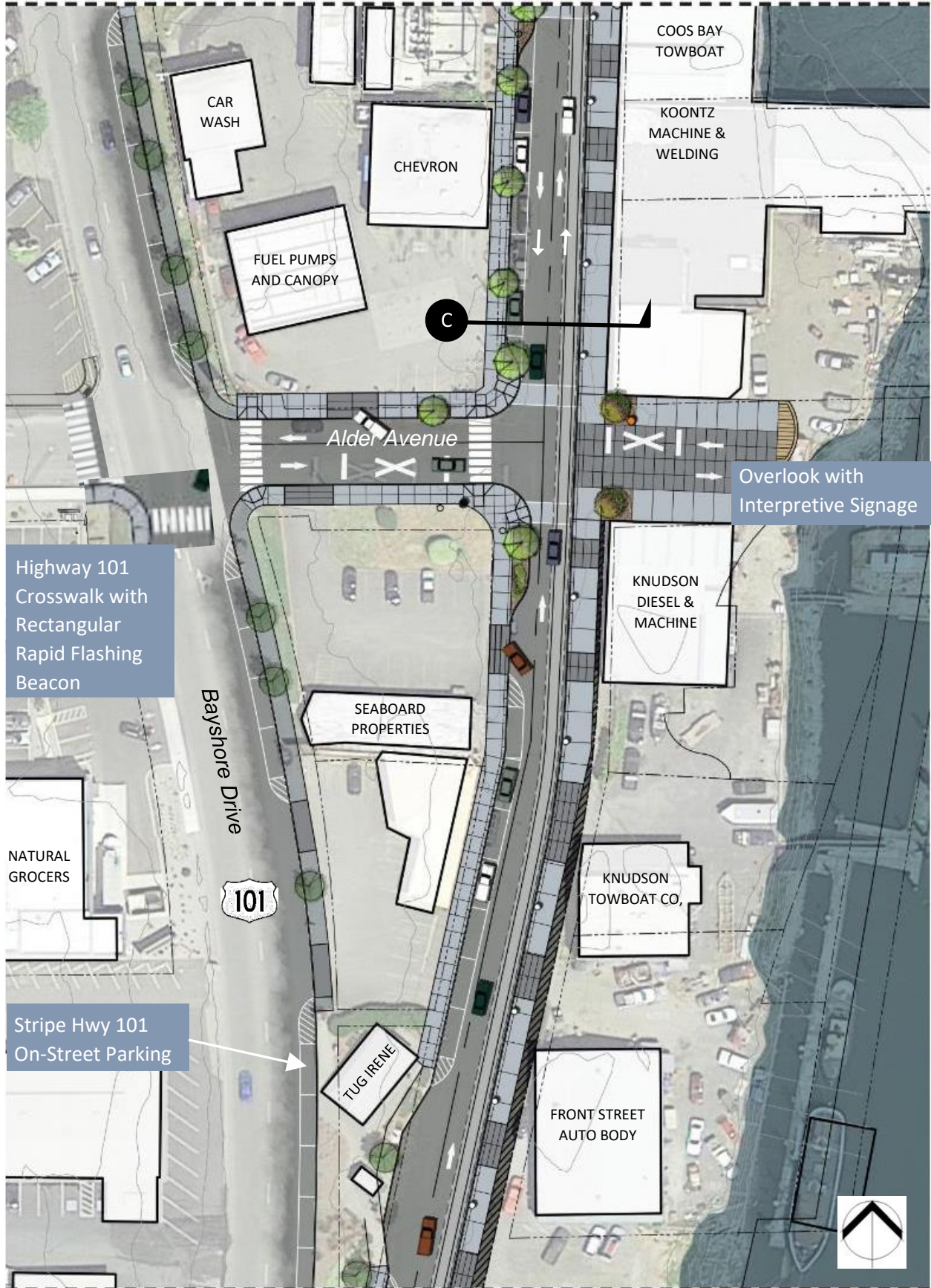
ENLARGEMENT PLAN A



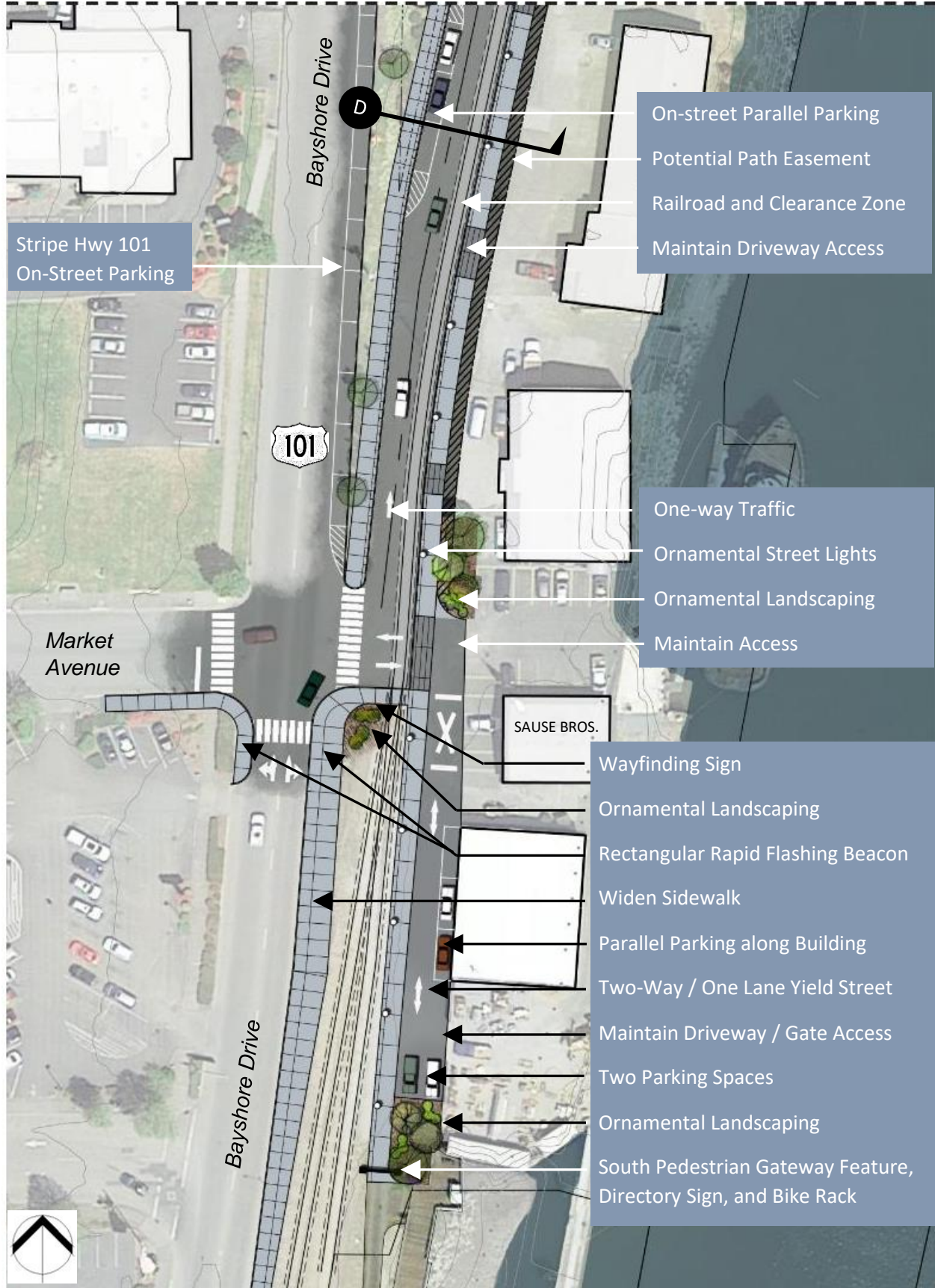
ENLARGEMENT PLAN B



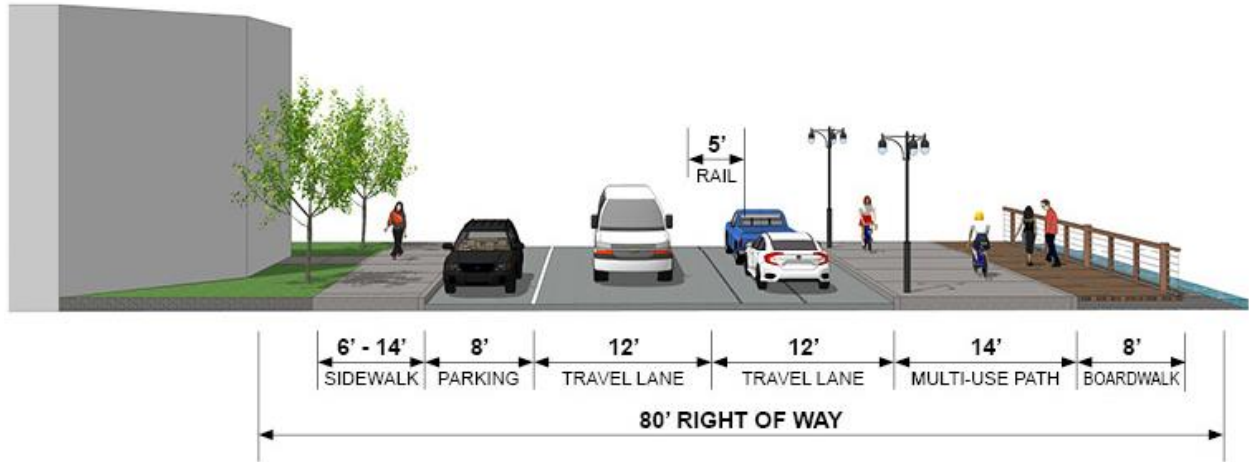
ENLARGEMENT PLAN C



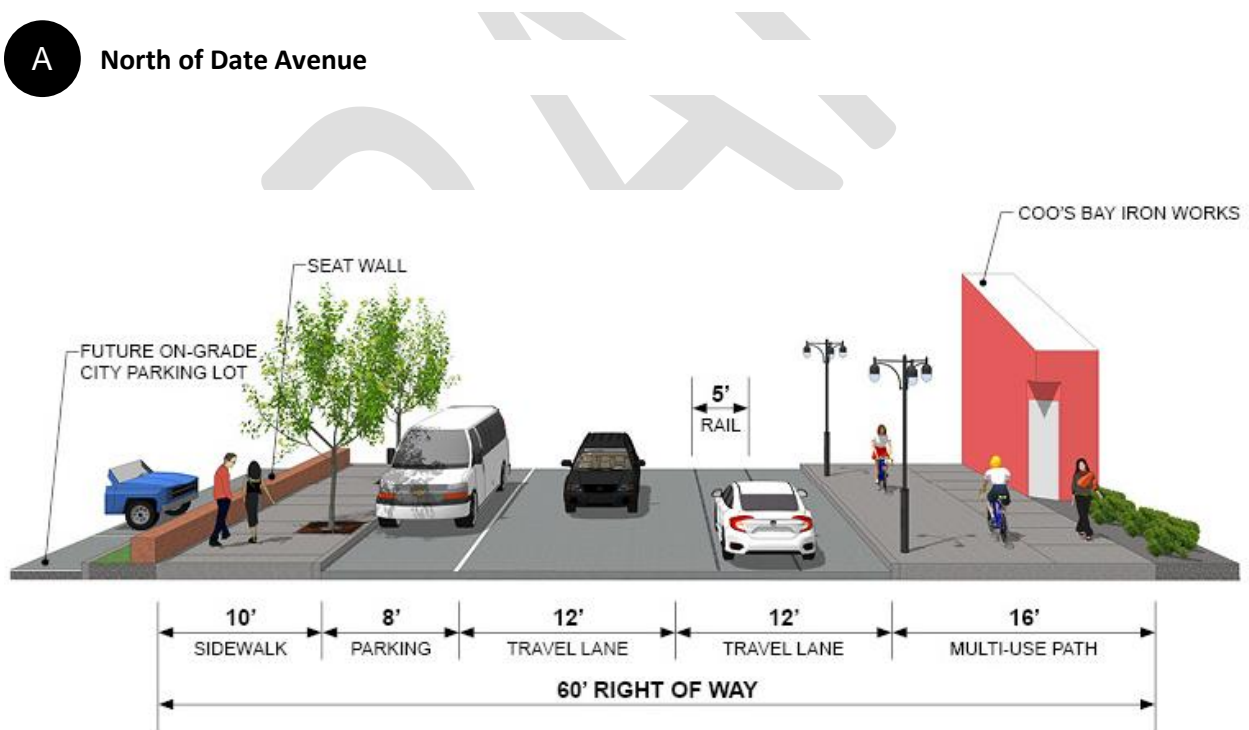
ENLARGEMENT PLAN D



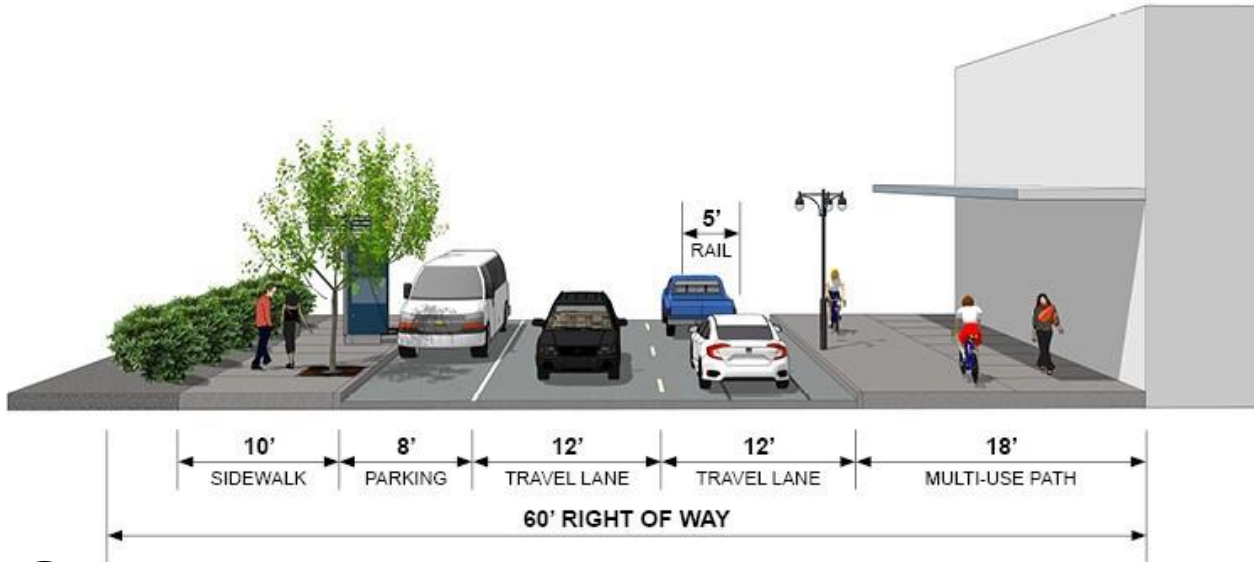
PROPOSED STREET SECTIONS



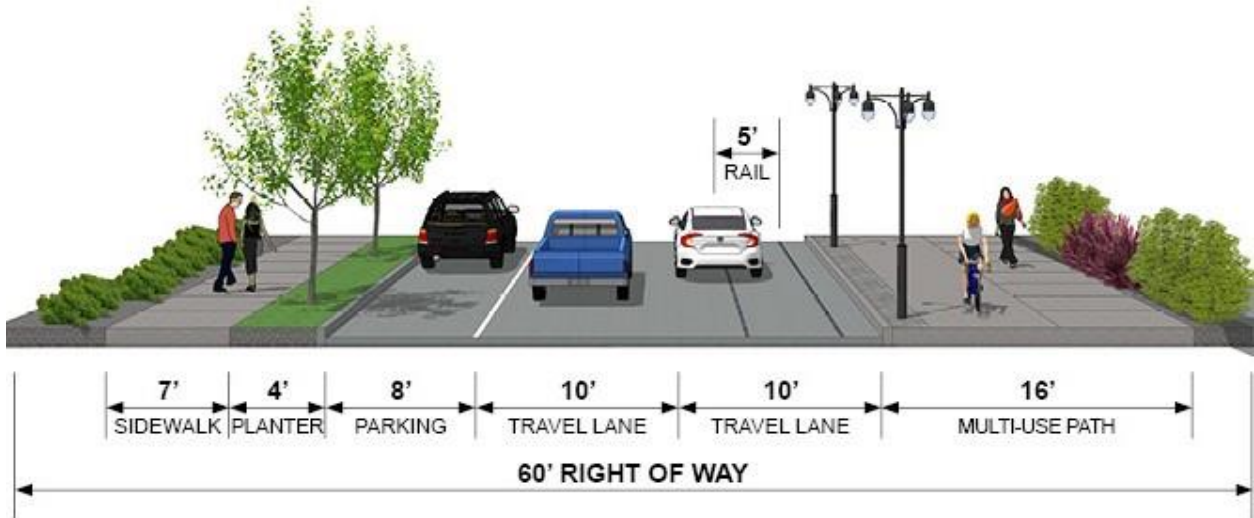
A North of Date Avenue



B Date Avenue to Cedar Avenue



C Cedar Avenue to Alder Avenue



D Alder Avenue to Market Avenue

Rail Safety Opportunities

The Preferred Facility Design will help improve rail operation safety by removing on-street parking along the eastern edge of Front Street, reducing the level of rail-vehicle and rail-pedestrian conflicts and improving motorist and pedestrian sight lines of center-running railroad operations at crossings. The Preferred Facility Design includes the following rail crossing safety measures:



- (1) posting of new intersection and rail crossing signs (stop sign and cross-buck signs) on the east legs of Alder and Birch Streets, that mirror existing signs on the west leg of each intersection; and
- (2) resurfacing the intersections and rail crossing on Front Street at Alder and Birch Streets, to include contrasting pavement material to enhance motorist and pedestrian presence and visibility.

US 101 (Northbound) Pedestrian Crossing at Market Street

The south leg of the US 101/Market street intersection should be re-fitted with new features to encourage more direct and safer pedestrian crossings, and a more direct connection between Front Street and downtown Coos Bay. The following measures will help improve pedestrian circulation and safety at this and (potentially) other crossings:



- Curb extensions (or “bulb-outs”) that extend curbing outward from the existing US 101 curb lines to narrow the pedestrian crossing width.
- A Front Street gateway entrance treatment, along with other physical and textural changes within the US 101 streetscape, helps increase motorist awareness of the pedestrian crossing and provides identity to the connecting Front Street area.
- High contrast paint and/or textured crosswalks can also improve the safety of the pedestrian crossings. Use of pavers or other materials to demarcate the crosswalk will alert motorists that they are entering a pedestrian-friendly intersection area.
- Rectangular Rapid Flashing Beacon (RRFB) signs are pedestrian-actuated and are often solar-powered. RRFB can result in greater motorist yield rates to pedestrian crossing activity, and directly compliment the curb extension and texturized crosswalk features.



Rectangular Rapid Flashing Beacon

Public Art

A variety of corridor opportunities exist to visually enhance and incorporate public art within the study area. These features are described below and labelled on the Enlargement Plans.



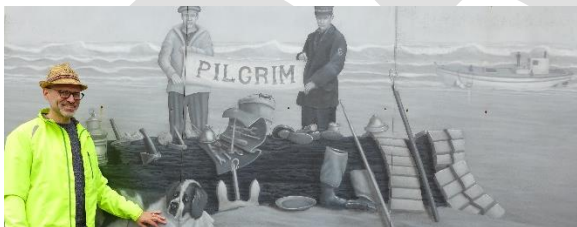
Colorful Crosswalks: Streetbond and paint offer **low-cost** ways to brighten up pavement.



Enhance Existing Chain-link Fences: A **low-cost** way to brighten up utilitarian barriers.



Murals: Blank walls may provide **low-cost** visual interest and historic references.



Potential Overhead Displays: Suspended features could provide **higher cost** definition and animation of use areas.



Sculpture: New and/or relocated art can provide **moderate cost** ways to reflect local culture and history, such as the preserved windmill proposed to be located adjacent to the new city public parking lot.

Wayfinding

A variety of features are proposed to assist users in their ability to navigate the study area. These features are described below and labelled on the Enlargement Plans.



Gateway Monuments: An architectural way to define and welcome users to the corridor. The Blueprint recommends anchoring both the north and south ends with a gateway.



Directory Signs: Combined with Gateway Monuments, these signs provide an area introduction and overview. The Blueprint recommends anchoring both the north and south ends of the corridor with a Directory Sign.



Directional Signs: Connecting with Directory Sign guidance, intermediate Directional Signs allow users to complete their journey to their destination.



Interpretive Signs: Continuation of Coos Bay Boardwalk interpretive signs will attract tourists and promote awareness of the local environment, culture, and history.

Public Parking

A cursory analysis of publicly available parking within the study area was performed to quantify the potential change between existing and future Preferred Facility Design conditions (summarized below). It should be noted that the study area contains significant amounts of off-street surface parking on private property which is envisioned to be maintained and is not included in as part of this quantification analysis.

EXISTING ON-STREET (2021)

• Eastside Front Street	56 spaces
• Westside Front Street	30 spaces
• Side Streets (Date, Cedar, Birch, Alder)	20 spaces
• Eastside Bayshore Drive	39 spaces
TOTAL	145 spaces

PREFERRED FACILITY DESIGN

• Westside Front Street	30 spaces
• Side Streets (Date, Cedar, Birch, Alder)	20 spaces
• Eastside Bayshore Drive	39 spaces
• City Parking Lot (2022)	40 spaces
• Vacant Lot Gravel Parking	0 - 60 spaces
TOTAL	129 - 189 spaces

It is estimated that the Preferred Facility Design may result in a slight reduction (-20 spaces) or potentially increase the amount (up to +44 spaces) of publicly available parking. When private off-street parking is added to publicly available total amount, there would remain a significant (and higher) amount of total parking in the study area.

Some recommended parking related actions:

- Stripe on-street parking along Highway 101
- Sign and stripe on-street parking throughout study area as individual projects unfold (such as city efforts to create side street sidewalks, and when the north / south pedestrian and bicycle multiuse path is constructed).
- Pursue use of the large vacant waterfront parcel in the northeast of the study area as temporary parking for automobiles and RVs.

Implementation Strategy and Investment Framework

What – Investment Vision

The Front Street Blueprint envisions the development of a cohesive, multi-modal connection along Front Street, which will enhance the economic development potential and safety of the area. Six investment categories are in alignment with the design objectives and, along with potential project components, are summarized and described below.

Investment Categories and Potential Project Components Summary

#	Investment Category	Potential Project Components
1	North / South Bicycle and Pedestrian Improvements	Improvements to the transportation network for bicyclists and pedestrians by filling in multimodal gaps in the network and providing additional connections, including safe connections from downtown Coos Bay across Highway 101.
2	Circulation, Connectivity, and Intersection Improvements	Improvements that increase safety, reduce congestion, and improve driver expectancy including rethinking driveway locations and speed reductions at intersections.
3	Public Overlooks and Amenities	Public overlooks along the east side of Front Street and other human scale amenities.
4	Wayfinding and Public Art	A wayfinding system to major attractions and significant historical locations throughout the Study Area. Public art locations to enhance aesthetics and the user experience.
5	Development and Business Continuity	Programs / projects that remove barriers to development, improve overall business continuity, and enhance visitor experience throughout the study area.
6	Parking	Signing and striping on-street spaces plus the potential use of vacant parcels as temporary (gravel) parking lots for automobiles and/or RVs.

Who – Funding Partners

Successful implementation will require time and energy from a variety of partners, but the City of Coos Bay must lead by pursuing funding, providing coordination, and carrying out most of the required actions. Since some projects can be completed by others, the City must coordinate and work with key partners and track progress toward the goals identified in this plan. The following list (taken from the Front Street Action Plan) provides an initial listing of relevant partners.

PRIVATE PARTNERS

- **Front Street Property Owners:** Work with City to assess environmental conditions and coordinate necessary infrastructure (stormwater, transportation) improvements. The City could work with the proprietors to work out a lease agreement or easement for the boardwalk continuation.
- **Local brokers and Development Financers:** Promote Front Street opportunities to potential developers and tenants.

COMMUNITY PARTNERS

- **Bay Area Chamber of Commerce:** Help City coordinate with local businesses on economic development projects.
- **Coos Art Museum and Supporters** (e.g., Oregon Arts Commission, Oregon Cultural Trust): Provide funding or in-kind labor for waterfront public art.
- **Coos Waterfront Walkway:** Continue to generate support.
- **South Coast Development Council:** Work with City to develop brand and approach to wayfinding signage.
- **Coos History Museum:** Participate in efforts to build programming along boardwalk in effort to attract anchor restaurant or brewery to Front Street.
- **Marshfield Sun Printing Museum:** Historical building used for producing and printing a weekly newspaper, *The Marshfield Sun*.
- **Coos Bay Downtown Association:** Help consider Front Street's role in current signature events to find ways to attract new visitors to the waterfront.
- **Brownfield Advisory Committee:** Provide an ongoing oversight and advisory role.
- **Coos Bay-North Bend Visitor and Convention Bureau:** Work with City to help develop a brand and approach to wayfinding signage.

PUBLIC SECTOR PARTNERS: LOCAL

- **City Public Works Department.** Coordinate the alignment and construction of the new pedestrian pathway, along with restriping and repaving of Front Street.
- **Oregon International Port of Coos Bay and Rail Link.** Work with the City to provide the requirements for utilities within the rail rights-of-way. Work with City to understand what measures are required to design for pedestrian safety, given that the boardwalk will be directly adjacent to 18' railroad clearance area.
- **Coos Bay-North Bend Water Board.** Confirm the improvements are in accordance with planning and construction guidelines.
- **Urban Renewal Agency.** Work with other partners to appropriate funding for needed infrastructure improvements.

PUBLIC SECTOR PARTNERS: STATE AND FEDERAL

- **Oregon Department of Transportation (ODOT).** Work with the City on the Front Street realignment and other transportation access and safety projects.
- **Oregon Department of Environmental Quality (DEQ).** Work with City to help facilitate any necessary remediation required as part of open space and/or boardwalk projects.
- **Travel Oregon.** May provide grants for historical wayfinding projects.
- **Oregon Department of State Lands.** Oversee permitting for storm drain improvements.
- **U.S. Environmental Protection Agency (EPA).** Provide grant funding for environmental assessment and remedial planning work.

The consultant team will continue funding conversations with the Coos Bay City Manager as part of the development of this project's final report.

When/Where – Phasing

Because limited public funds are available for capital projects and programs, it is necessary to prioritize investments with a phased approach to implementation. Key questions and phasing considerations are included below. This phasing approach will be refined as specific projects and project costs are identified and as City and community priorities are refined through discussions of the following key questions:

Phase 1: Early Wins (2022). Community members have called for “connecting the boardwalks” and increasing public access to the waterfront for over a decade. Even though funding for large-scale capital investments might not be available, the City can show its seriousness about fulfilling the project goals by making key investments in “tactical urbanism” in the area. These projects can provide public benefit for the low amount of effort for activating the waterfront, enhancing economic potential, and ensuring safety. Key projects include:

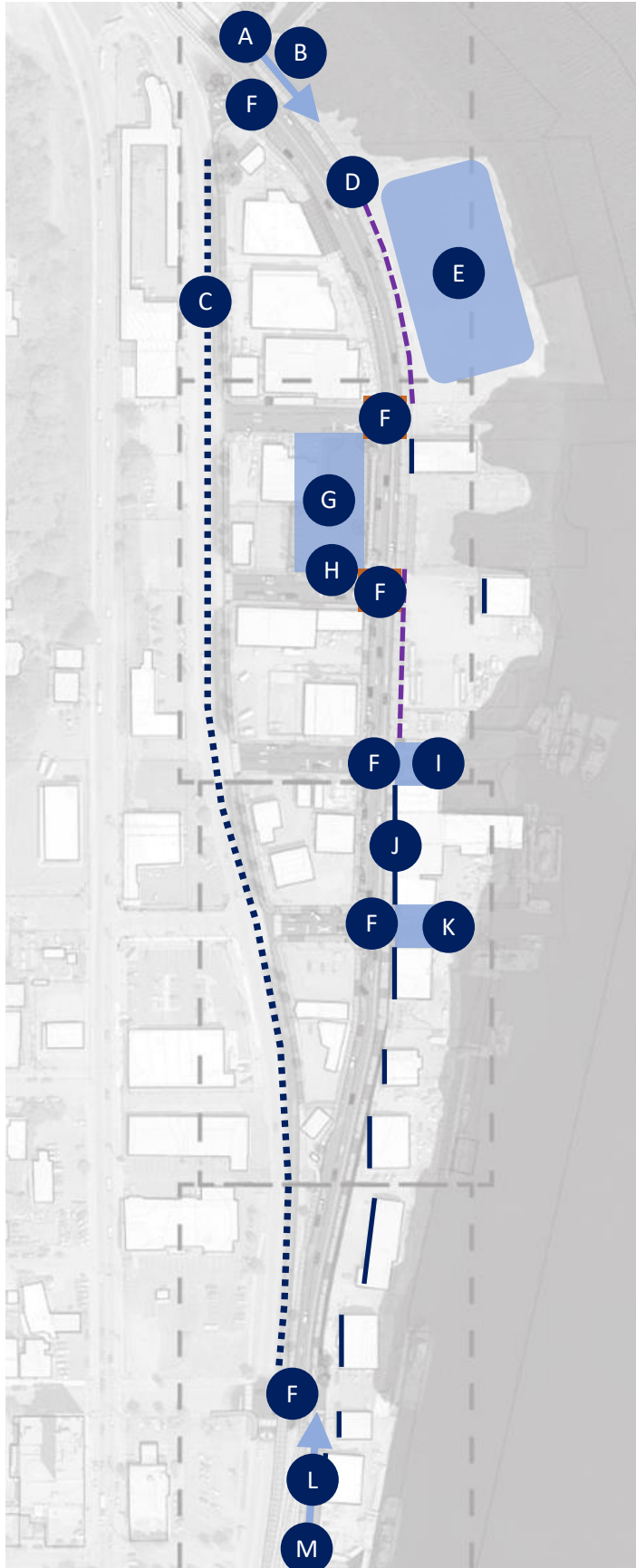
- ***Birch and Alder Overlooks:*** The City would provide either permanent or seasonal public access to the water at these key overlooks, using a low-cost approach that includes signage, gravel, and paint. The City would need to work with business owners to limit impacts to adjacent businesses and look for partnership opportunities.
- ***Interim Light Watercraft Launch.*** The boat launch would include signage and a trail connection to the water.
- ***Signage / Maps:*** The City would add key wayfinding signage to show bicyclists and pedestrians how to move through the area. This could also include public art and historical interpretation approaches.
- ***Public Events:*** The City and downtown partners could sponsor public events that show a commitment to activating the area.
- ***Façade Improvements:*** The URA would work with businesses to partner on façade improvements on Front Street.

Phase 2: North / South Pedestrian Connection and Supportive Amenities (2023-25). Achieving a safe, pleasant connection through Front Street is the goal of this phase. In this phase, the City would actively identify local match funds and potential grant opportunities to support the full north/south multi-use connection. Key projects include:

- ***North / South Pathway.*** In addition to the pathway, the project would include amenities like lighting, street furniture, and trees.
- ***US 101 Crossing at Market and Alder.*** The project envisions two new bike/ped crossings to link Front Street with downtown.
- ***Public Art and Wayfinding.*** Public art, historic interpretation, and wayfinding would all be included in tandem with the capital investments in the North/South connection.

Phase 3: Permanent Amenity Investments. This phase includes enhanced versions of the tactical investments made in earlier phases, once funding is available. It also includes enhancements to railroad crossings in the area - which may take longer to negotiate, and fund, given the partnership that may be needed with the railroad.

PHASE ONE : EARLY WINS



KEY NOTES

- A** Temporary North Gateway, Directory Sign, Bike Rack
- B** Interim Light Watercraft Launch (gravel)
- C** Highway 101 On-Street Parking Striping (paint)
- D** Chain-link Fence Art (recycled plastic and/or natural fibers)
- E** Flexible Use of Vacant Lot (food carts, temporary events and parking, swap meet, craft fair, etc.)
- F** Crosswalks (paint)
- G** City Parking Lot 2022 (construction)
- H** Windmill Sculpture (relocated)
- I** Birch Ave Weekend / Demonstration Public Overlook (gravel, signs, seating)
- J** Eastside Façade Improvements (paint and/or lighting)
- K** Alder Ave Weekend / Demonstration Public Overlook (gravel, signs, seating)
- L** South Front Street Pedestrian / Bike Connection (paint)
- M** South Gateway, Directory Sign, Bike Rack

Early Wins

To build excitement for the project, the City can invest in near-term investments that allow for better access to the waterfront and provide a more interesting experience for Front Street visitors. The City would consider these projects for funding in FY 2022/2023 (following Blueprint adoption).

Exhibit 1 provides an overview of early win ideas generated to date. Cost estimates reflect a wide range and are meant to provide the City a menu of options to choose from given a varying budget. The minimum of \$50,000 was chosen to ensure that there is funding to complete at least a few improvements at the same time which will help generate excitement in this plan and demonstrate the City’s commitment to longer term improvements.

Exhibit 1: Potential Early Wins

INVESTMENT CATEGORY	EARLY WINS FY 2022/23	COST ESTIMATE AND POTENTIAL SOURCES
North / South Bicycle and Pedestrian Improvements	Front St. bicycle facilities (e.g., two racks, one bike maintenance station)	\$15,000 <i>URA, sponsors</i>
Circulation, Connectivity and Intersection Improvements	Crosswalk striping (up to 15 locations) South Front Street Ped / Bike Connection (paint)	\$15,000 (\$1,000 ea) \$1,000
Public Overlooks and Visitor Amenities	Interim public overlooks for seasonal use May-Sept. (gravel, fence removal, signage) Interim Light Watercraft Launch (gravel)	\$15,000 - 50,000 ea. <i>URA</i> \$15,000
Wayfinding and Public Art	Public art (parking lot walls, chain link fence enhancement, murals) Windmill Sculpture	\$5,000 - 20,000 each \$35,000 <i>URA, sponsors, general fund</i>
	Wayfinding signage/maps for pedestrians, cyclists, and motorists, including to public parking lot; Gateways	\$10,000 – 50,000 <i>URA, sponsors</i>
Development Incentives and Programs to Support Front Street Businesses	URA commitment of specific dollars for Front Street building improvements through the Building Improvement program. Public events on public ROW on the waterfront (Sunday Parkways, 5k run, birdwatching, etc.)	<i>URA</i> \$10,000-\$100,000+ <i>Sponsors, Downtown Assoc., general fund</i>
Parking	Highway 101 On-Street Parking Striping.	\$1,500 <i>ODOT</i>
	Gravel parking lot on vacant property.	\$40,000
TARGET EARLY WINS BUDGET		\$50,000 – \$300,000

Near-Term and Long-Term Projects

Exhibit 2 provides an overview of near-term and long-term investment priorities to implement the project vision. Near-term projects are slated for FY 2023-2025 (pending funding) and later phase projects would occur thereafter.

Exhibit 2: Near-Term and Long-Term Projects

Investment Category	Phase 1: Early Wins (2022)	Phase 2: Near Term FY 2022/2023 and FY 2024/2025	Phase 3: Later Phase 2025/2026 and onward
North/South Bicycle & Pedestrian Improvements	<ul style="list-style-type: none"> • Front St. bicycle facilities (e.g., racks, bike maintenance station) 	<ul style="list-style-type: none"> • Pedestrian and cyclist north-south multiuse path and sidewalk infill along Front St. 	<ul style="list-style-type: none"> • Railroad crossing pedestrian improvements at Coos Bay boardwalk
Circulation, Connectivity, & Intersection Improvements	<ul style="list-style-type: none"> • Crosswalk striping • South Front Street ped / bike connection (paint) 	<ul style="list-style-type: none"> • Improved pedestrian/cyclist crossings across US 101 (<i>RRFB signal with narrowed crossing, textured crosswalk and gateway at Market Street and a crossing at Alder</i>) 	<ul style="list-style-type: none"> • Improved rail crossing safety measures at Alder Street and Birch Street
Public Overlooks and Visitor Amenities	<ul style="list-style-type: none"> • Alder and Birch Overlooks (tactical) • Interim Light Watercraft Launch (<i>tactical, improved pathway and sign</i>) 		<ul style="list-style-type: none"> • Alder and Birch Overlooks (enhanced) • Light Watercraft Launch (enhanced) • Public restrooms • North and South Plazas
Wayfinding & Public Art	<ul style="list-style-type: none"> • Public art (parking lot walls, chain link fence enhancement, murals) • Install Windmill sculpture at city parking lot • Wayfinding signage/maps for pedestrians, cyclists, and motorists incl. to public parking, temp. gateways 	<ul style="list-style-type: none"> • Remaining wayfinding elements • Public Art Master Plan • Public art, gateways, and other installations 	
Development Incentives and Programs to Support Front Street Businesses	<ul style="list-style-type: none"> • URA commitment to specific dollars for Front Street building improvements through the Building Improvement program. • Public events on public ROW on the waterfront 	<ul style="list-style-type: none"> • Downtown Association programs with key businesses 	
Parking	<ul style="list-style-type: none"> • Explore use of vacant lot north of Coos Bay Iron Works for temporary and/or RV parking • Stripe Highway 101 on-street parking • Complete off-street parking lot between Date and Cedar 		

Why/How: Investment Criteria

The City should review the list of Blueprint projects noted in Exhibit 1 against a set of criteria to determine potential phasing of those improvements, and the magnitude and timing of impact that the investment might have. The following evaluation criteria for project investments is a starting place that we can refine as we move through the implementation plan process.

Alignment with Project Objectives

The Project will address objectives for development of a cohesive, multi-modal loop through the Study Area that will enhance the economic development potential and safety of the corridor.

- Address the public's interest in parking, wayfinding, and waterfront improvements.
- Include strategies to implement access, circulation and connectivity improvements within the Study Area.
- Create a safe, balanced and efficient multimodal transportation system that offers transportation choices.
- Reflect the historic and cultural significance of the Study Area through public art and streetscape improvements.

Alignment with Design Objectives

- Enhance bicycle and pedestrian safety
- Advance access/intersection improvements
- Improves sense of place through wayfinding and Public Art
- Promotes/improves pedestrian Pathways and Overlooks
- Enhances/improves circulation/Connectivity
- Promotes parking management

Planning-Level Opinion of Construction Cost (Total)

#	DESCRIPTION	QTY	UNIT	UNIT PRICE	COST
A Site Preparation					
1	Mobilization	1	LS	\$ 25,000.00	\$ 25,000.00
2	Construction Survey	1	LS	\$ 40,000.00	\$ 40,000.00
3	Erosion Control	1	LS	\$ 20,000.00	\$ 20,000.00
4	Demolition of existing pavement	79,000	SF	\$ 0.50	\$ 39,500.00
B Multiuse Path (16' Width)					
1	Concrete walk and base	39,440	SF	\$ 12.00	\$ 473,280.00
2	Curb and gutter	2,465	LF	\$ 20.00	\$ 49,300.00
C Concrete Sidewalk Infill					
1	Pedestrian rated	2,716	SF	\$ 12.00	\$ 32,589.00
2	Vehicular rated	905	SF	\$ 18.00	\$ 16,294.50
D Other Surfacing					
1	Boardwalk	6,526	SF	\$ 90.00	\$ 587,340.00
2	Curb Extension Treatments	16	EA	\$ 500.00	\$ 8,000.00
3	Enhanced Plaza Paving	15,609	SF	\$ 20.00	\$ 312,180.00
4	Light Watercraft Launch	1	EA	\$ 250,000.00	\$ 250,000.00
5	Asphalt repair	8,135	SF	\$ 70.00	\$ 569,415.00
E Lighting and Furnishings					
1	Ornamental Streetlight	46	EA	\$ 10,000.00	\$ 460,000.00
2	Switching, Conduit, and Wiring	3,700	LF	\$ 50.00	\$ 185,000.00
3	Seat wall	160	LF	\$ 110.00	\$ 17,600.00
4	Pedestrian Gateway Feature	2	EA	\$ 10,000.00	\$ 20,000.00
5	Interpretive signage	1	ALLOW	\$ 6,000.00	\$ 6,000.00
6	Art to enhance existing fence	1	ALLOW	\$ 5,000.00	\$ 5,000.00
7	Bike Rack	2	EA	\$ 2,500.00	\$ 5,000.00
8	Basalt Benches	4	EA	\$ 2,000.00	\$ 8,000.00
9	Railing (around north plaza)	238	LF	\$ 250.00	\$ 59,500.00
F Landscape					
1	Street Tree	21	EA	\$ 250.00	\$ 5,250.00
2	Gateway Ornamental Landscaping	3	EA	\$ 3,500.00	\$ 10,500.00
3	Native Planting Enhancement	1	EA	\$ 7,500.00	\$ 7,500.00
G Signage and Striping					
1	Parallel Parking Striping	3,135	LF	\$ 0.15	\$ 470.25
2	Rectangular Rapid Flashing Beacon	2	EA	\$ 35,000.00	\$ 70,000.00
3	Cross Buck Sign	2	EA	\$ 600.00	\$ 1,200.00
4	Concrete Crosswalks	9	EA	\$ 6,600.00	\$ 59,400.00
5	Crosswalk striping	9	EA	\$ 1,000.00	\$ 9,000.00
6	Other Striping / Pavement Markings	1	ALLOW	\$ 10,000.00	\$ 10,000.00
7	Pedestrian Rail Crossing	9	EA	\$ 50,000.00	\$ 450,000.00
8	Wayfinding Sign	4	EA	\$ 1,000.00	\$ 4,000.00

9	Traffic signs	1	ALLOW	\$ 3,000.00	\$ 3,000.00
H	Utilities				
1	Stormwater (catch basin adjustment/relocation/addition)	1	ALLOW	\$ 20,000.00	\$ 20,000.00
2	Adjusting meter/valve/vault lids	1	ALLOW	\$ 10,000.00	\$ 10,000.00
Subtotal					\$ 3,849,318.75
<i>Contingency</i>				25%	\$ 962,329.69
Total					\$ 4,811,648.44

Assumptions

- Any earthwork is incidental to the sidewalk/paving/etc.
- No water quality/quantity control is needed.
- Utility pole relocation usually paid for by the utility on a public project.

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Potential Funding Sources

To build out a phased funding strategy, ECONorthwest is working on identifying a set of currently available revenue sources and potential future tools. The following is an initial list of funding sources that Coos Bay could explore to fund Front Street improvements. This initial list will be enhanced and then refined through additional research and conversations with staff to include only the most promising funding sources and tools which this project will rely on to implement projects.

Urban Renewal

TIF revenues are generated by the increase in total assessed value in an urban renewal district, from the time the district is first established. When investments in the district are made, property values increase in the district, and the increase in total property taxes are used to fund projects in the district or to pay off bonds (taken out to pay for specific projects in the area). The City's existing Downtown Urban Renewal Area (adopted in 1988) could provide some funding for investments in the area. The project investments must adhere to the project categories that have already been identified in the urban renewal plan.

The **waterfront projects** within and relevant to the Blueprint are:

- Pedestrian access across Southern Pacific Railroad tracks at two points in the downtown core area. Access anticipated to include automatic crosswalks with control gates.
- Observation deck with connecting walkway to shore and interpretive displays located somewhere along the waterfront between city limits at the north and the downtown core.
- Development of parking structure.
- Reconstruction of Front Street from Market to Hemlock.
- Acquisition of property and construction of a boat ramp in the Cedar area along Front Street.

Most of the streets and infrastructure projects were on US 101. The **streets and infrastructure projects** relevant to the Blueprint study area objectives are:

- Develop and or maintain existing streets as recommended by Bay Area transportation study and overlay plan.
- Rebuild Front Street from Market Avenue to Hemlock Avenue.

The Urban Renewal Plan establishes the circumstances in which the Urban Renewal Agency may acquire land without amendment to the Plan: for right-of-way, for public uses such as parks and parking, and for health and safety.

In January 2022, ECONorthwest will review updates from the urban renewal plan and note remaining maximum indebtedness and priorities for funding as they relate to Front Street.

Other Government Funds

- Local Improvement District
- Tourism/Lodging Tax Proceeds
- Oregon Watershed Enhancement Board
- EDA Funding
- AJP, ARP Funding

Bond/Levy

- GO Bond
- Block Chain Infrastructure Bonds

Grants

Because currently available funding sources are limited, grants are likely to play an important role in project implementation. Grant monies are not typically included in funding forecasts because they are too project-specific and uncertain to predict. However, if the City is successful in receiving grant money, the Downtown Urban Renewal Area can use its funds as matching funding to leverage additional grant dollars. ECONorthwest will research applicable regional, state, federal, and foundation-based grant programs that the City of Coos Bay could consider pursuing for eligible projects on the riverfront.

Potential grants include:

- ODOT grants
- Oregon Parks and Recreation grants
- Private/Nonprofit grants

Philanthropic Resources

Residents and organizations in Coos Bay may be passionate about investing in the community and have the financial means to do so. To gauge the community's willingness to support projects in the study area, the City could consider asking for financial support to implement key projects which resonate with the community.

Fundraising options include:

- Traditional capital fundraising campaign
- Crowdfunding campaign
- Business or corporate sponsorship program
- Naming rights and legacy gift program
- In-kind donations requests

Funding Packages

Exhibit 3 provides an overview of potential funding tools, and whether we recommend additional analysis on them. and applicable projects. The Appendix provides a first look at potential funding tools and the basis for recommendation of additional analysis.

Exhibit 3: Funding Tool Suitability for Front Street Blueprint Project Categories

	Applicability	N/S Bike & Pedestrian Improvements	Circulation, Connectivity, Intersection Improvements	Public Overlooks and Visitor Amenities	Wayfinding and Public Art	Development Incentives and Programs
Locally Controlled Public Sector Funding Sources						
Urban Renewal Funding (TIF)	YES	■	■	■	□	■
General Fund Allocation	YES	□	□	□	□	■
General Obligation Bond	YES	■	■	■	■	□
Transient Lodging Tax	YES	?	?	■	?	
Reimbursement District	NO	■	■	□		□
Special District	NO	■	■	■		
Revenue Bond	NO	■	■	■	■	□
Local Improvement District	NO	■	■	■	■	□
User Fees						
Parking Fees	YES			■	■	□
Development-Driven Sources						
Systems Development Charges	?	■	■	□	□	
Other Sources						
Advertising/ Naming Rights	YES	□		■	■	
Crowdfunding	YES	□		■	■	
State or other Grants/Loans	YES	■	■	■	■	■

- Most suitable
- Somewhat Suitable
- ? Need to discuss

APPENDIX A

Fall 2021 Public input - Online Survey Summary

Prepared by JLA Public Involvement, December 2021

Survey Overview

In the fall of 2021, the City of Coos Bay launched an online survey to help determine the community's priorities and preferences for the two alternative transportation design concepts for the Front Street corridor, between Market Avenue and Ivy Street. Front Street is a part of downtown and has a direct connection to the bay front with pedestrian, bicycle and vehicle access to the downtown commercial core, visitor amenities and proximity to Highway 101. Over time the area has changed and grown but the community's vibrant waterfront Front Street vision remains.

The goal of the survey was to help the project team understand which alternative transportation design concepts best meet the community's priorities and needs. The survey included project background information, design criteria, a look at Front Street today, and an in-depth look at two alternative transportation design concepts: "Multi-Use Path" and "Parking + Path." The survey then asked participants to rank their priorities for the future of Front Street and to choose which design concept they prefer. Participants were also given an opportunity to provide general feedback.

Input from this survey will help inform decisions by the City on a preferred design concept to recommend to City Council in 2022.

Outreach Overview

A three-question survey was open from **Oct. 28 to Dec. 12, 2021**. The survey was advertised through:

- The project website
- Planning Commission Meeting #2 publicity materials
- City newsletter

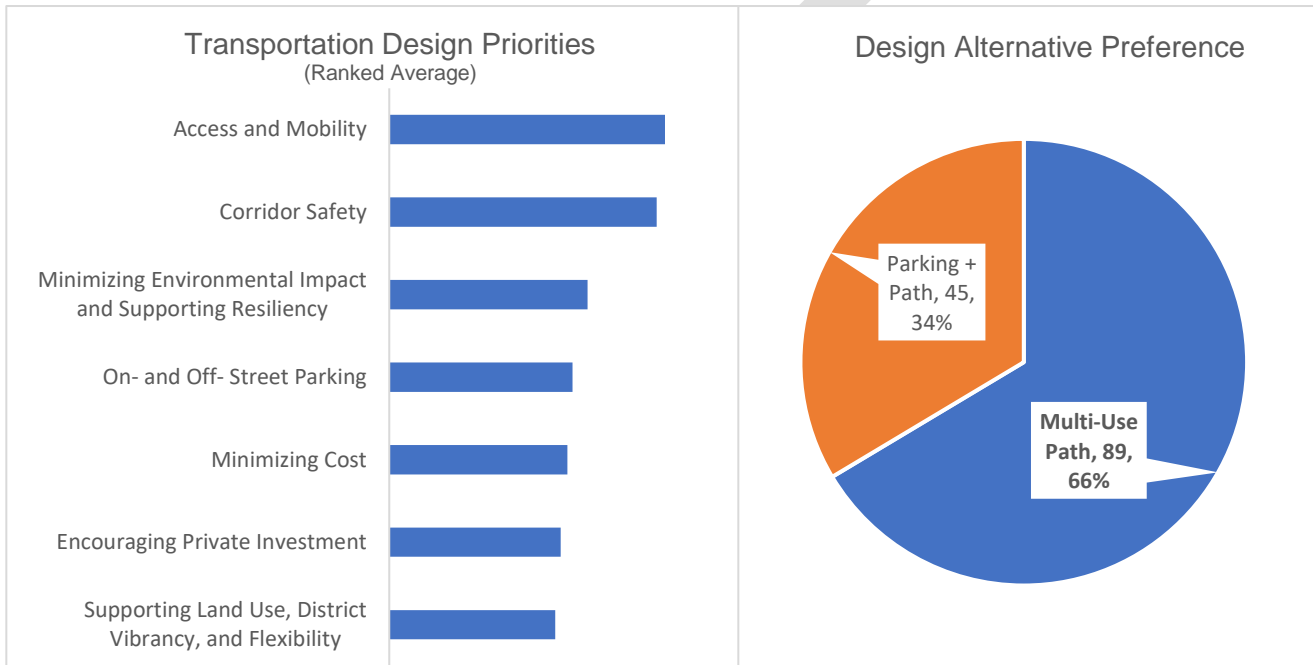
During this time, the survey received **149 total responses** with an **81% completion rate**.

Key Takeaways

149 surveys and 72 comments were submitted through the online survey.

- The top priorities for the future of transportation on Front Street are **access and mobility** and **corridor safety**.
- Most prefer the **multi-use path** alternative design.

Feedback in open-ended comments is in line with previous community outreach efforts. Top themes expressed by participants include **support for existing industrial businesses, economic growth**, and a **multi-use pathway** along the waterfront, and **better access and connections** to the project corridor.

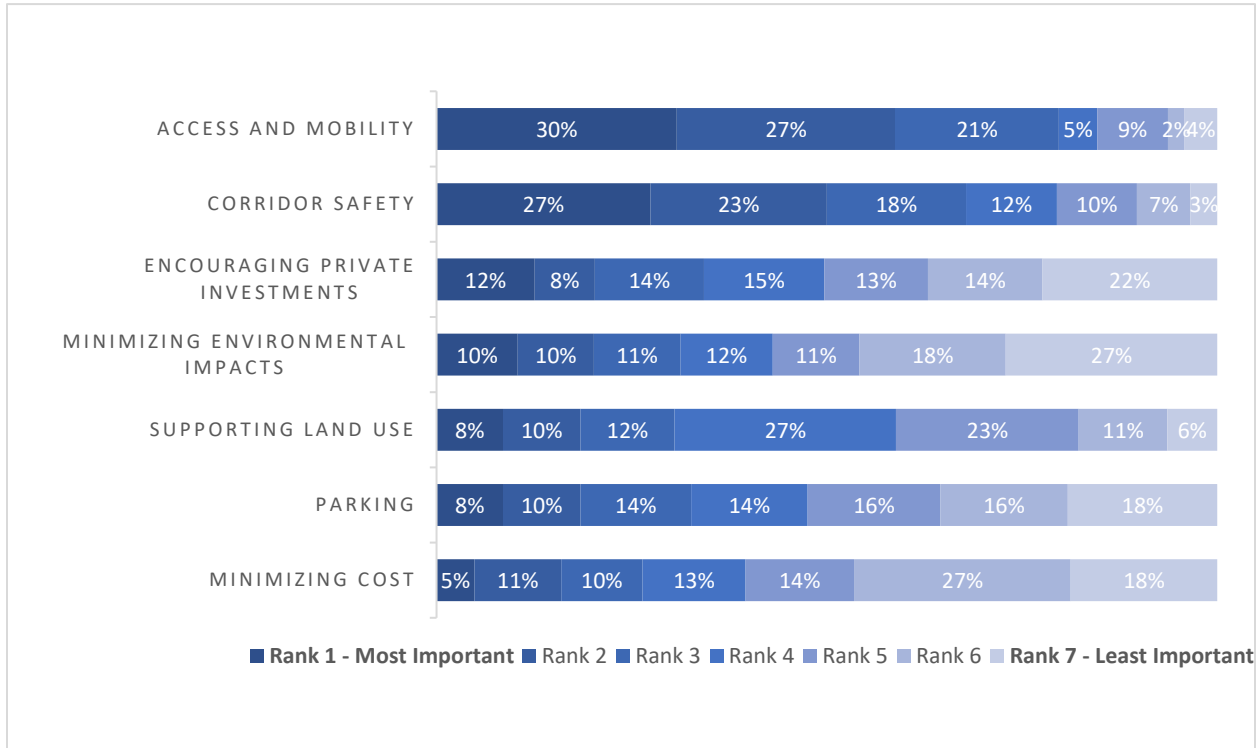


Key themes from the open-ended comments.

Survey Questions

A total of 149 surveys was submitted through the online survey. No questions required answers, so the number of responses will not total 149 for each question.

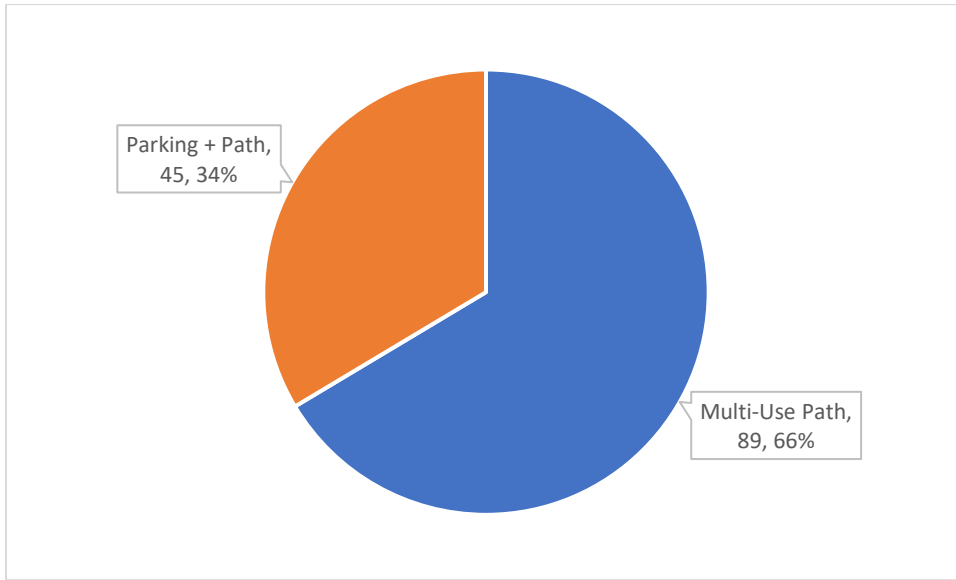
What is most important to you for the future of travel on Front Street? Rank the following with 1 as your top priority and 7 your lowest priority.



Participants were asked to rank seven priorities for the future of Front Street. The most common answer selected for the top priority (“Rank 1”) was “Access and mobility,” chosen by 44 (30%) participants; followed by “Corridor safety,” chosen by 40 (27%) participants. The most common answer for the lowest priority (Rank 7) was “Minimizing environmental impacts,” chosen by 39 (27%) participants; followed by “Encouraging private investments,” chosen by 32 (22%).

“Access and mobility” was the most common selection for the top three ranking positions.

Which transportation design concept do you prefer?



Participants were asked to select which transportation design concept they prefer. Most participants selected “Multi-Use Path,” which was selected by 89 (66%) participants, compared to “Parking + Path,” which was selected by 45 (34%) of participants.

Is there anything you’d like to tell us about the transportation design concepts or your vision for the future of Front Street?

72 participants wrote in their own comments. Themes from these comments are below.

Write-In Themes

- Focusing on maintaining existing businesses, attracting new small businesses, keeping industrial businesses, and safe access to businesses. (19)
- A desire for a multiuse path or walkway that extends along the corridor. (17)
- Better access and connections or extension of multiuse paths. (16)
- Improving safety for pedestrians and bicyclists, especially on roadways. (16)
- How to effectively mitigate parking in ways which promote access to the waterfront and businesses. (14)
- Safety related to traffic and speeding along Highway 101, including traffic calming and safe crossings for pedestrians and bikes. (10)
- Ways to attract tourism. (8)
- A focus on maintaining scenic views for residents and visitors. (7)
- Safety related to current trains, removing unused rail, and interest in getting the rail line running again. (7)
- Access for boats and watersports along the waterfront. (4)
- Clear markings and signage, including speed limit signs and wayfinding. (4)
- Incorporation of art and other aesthetics, including Indigenous culture. (3)
- Mitigating houseless issues. (3)

APPENDIX B

Funding Tool Evaluation

The following table identifies and summarizes the funding tools considered for the Front Street Blueprint project. It presents a description, a brief evaluation, and a final suitability judgement for each tool. The funding tools with were highlighted in green, yellow, and red to emphasize their potential suitability and/or utility (red are considered not suitable for additional evaluation, yellow offers some potential, and green are likely to be most useful).

Funding Tool Evaluation Summary (Source: ECONorthwest)

Funding Tool	Description	Potential Revenue	Political Feasibility	Suitability
Locally Generated, Public Sector Funding Sources				
Urban Renewal (TIF)	Urban renewal is a locally controlled program, authorized under state law, to improve specific areas of a city or county that are not achieving local land use and development objectives. These areas can have old, deteriorated buildings, streets, and utilities or they can lack buildings, streets, utilities altogether. Public facilities in these areas may be inadequate. The statutes refer to these areas as “blighted areas.” Urban renewal diverts property tax revenues from growth in assessed value inside an urban renewal area (URA) for investment in capital projects within the URA to alleviate blight.	Financial capacity of Coos Bay’s existing urban renewal area (Downtown URA) was approximately \$X million in 2020.	Coos Bay has an already established TIF area, which the Front Street area is located within.	Transportation enhancement projects along Front Street projects are currently identified in the Coos Bay Downtown Urban Renewal Plan and are likely to receive funding.

Funding Tool	Description	Potential Revenue	Political Feasibility	Suitability
General Fund Allocation	<p>Jurisdictions can allocate monies from the General Fund flexibly to cover capital or operations / maintenance costs. The general fund is not actually a funding source, but an account that all local governments have, where a variety of unrestricted revenue sources are collected. Typically, the largest source of general fund revenues are property taxes generated by permanent levy rates. General funds tend to be the primary funds for city operations.</p>	<p>Substantive funding allocation to Front Street projects would require equivalent cuts to other programs.</p>	<p>The City of Coos Bay relies heavily on general fund revenues to fund all types of critical services, such as police and fire. The City already has insufficient general fund revenues to fund these core services at their desired levels.</p>	<p>Could be used in limited cases to support early wins or limited investments in project elements.</p>
Reimbursement District	<p>A reimbursement district is a cost sharing mechanism, typically initiated by a developer. The purpose is to reimburse the developer of an improvement that benefits multiple properties or an entire area through fees paid by benefitted property owners at the time those other properties develop. A developer applies to create a Reimbursement District by demonstrating benefit to properties beyond their own. In addition, the size of the improvement must be measurably greater than would otherwise be ordinarily required for the initial development.</p>	<p>Financial capacity is based on the project cost(s) in which the district applies. Properties only become subject to assessments if they connect to the project. Because these districts have a limited duration period, if benefiting properties do not connect to the project within an established time, then the district expires and the initial developer who paid upfront costs loses out on the reimbursements.</p>	<p>They generally work best when a developer or property owner would be highly motivated to construct a particular segment of infrastructure, for example, when one segment of infrastructure serves a large development parcel or parcels, and that infrastructure is necessary to allow development to occur.</p>	<p>Not applicable to this project given small parcels and long-time users in this area, in addition to the large amount of capital investments needed that benefit a much broader geographical area.</p>

Funding Tool	Description	Potential Revenue	Political Feasibility	Suitability
Special District	A type of special assessment district which improves or operates infrastructure within the district boundaries. Boundaries may transcend a city, cities, or county. Special districts operate using property tax monies and fees. Districts are fiscally responsible for the revenues they collect. Special districts are administered by a governance board (a minimum of three board members is required).	Revenue capacity is more of a political question than a technical question. If a special district covered a large area, and was imposed at a high rate, then it could generate substantial revenue. The willingness of local property owners to pay, limits the revenue capacity.	The general public typically supports the use of special districts, as the tax is not assessed citywide, but only on those properties benefiting the most. Support from individual property owners varies depending on the perceived benefit of the project relative to the costs.	Likely not enough political momentum and need for a special district, and the existing urban renewal district can provide the much-needed local funding.
Transient Lodging Tax	Transient lodging taxes (TLT) are fees charged to customers for overnight lodging, generally for periods of less than 30 consecutive days. The fee is a percentage of lodging charges incurred by the customer, though some jurisdictions levy a flat fee per room night. A certain share of revenues must be used to support tourism; the balance is discretionary.	The City of Coos Bay currently imposes a TLT at X%, which generated approximately X.	TLTs are paid primarily by out-of-town visitors. This may make the tax more politically acceptable, as local voters are not the ones paying the tax.	Are TLT funds already claimed for other projects? Would increasing the TLT rate to increase revenue potential be politically feasible at this time?
General Obligation Bond	General obligation (GO) bonds are a temporary increase in property tax rates. Proceeds from GO bonds can only be used for capital projects. State law allows local governments to issue general obligation debt for infrastructure improvements. GO bond levies typically last for 20 to 30 years and must be approved by a public vote.	Varies.	The League of Oregon Cities found that the continued high passage rate of bonds suggests that voters are generally supportive of city tax increases when necessary to pay for services and capital construction.	The Advisory Committee should discuss the viability of this tool.

Funding Tool	Description	Potential Revenue	Political Feasibility	Suitability
Revenue Bond	Revenue bonds allow a public body (including: City, County, local service district, special government body) to issue debt to fund public projects. It is one of two kinds of municipal bonds (the other is the general obligation bond). Revenue bonds must be paid back by an identified revenue source.	Varies.	There is not a likely revenue source to repay this bond that would not impact revenue for another capital or programmatic use.	Unlikely to be a suitable tool for Front Street Blueprint.
Local Improvement District	A type of special assessment district where property owners opt into being assessed a temporary tax to pay for capital improvements (which will directly benefit the property owners) in a defined boundary.	Revenue capacity is more of a political question than a technical question. If LIDs covered enough assessed value, and had high enough rates, then they could generate tremendous revenue. But, due to political acceptability, LIDs tend to be fairly humble.	LIDs usually require extensive political outreach, to garner support from property owners asked to pay for the improvement. If property owners do not believe they will receive tangible benefits from the improvement, then political acceptability is relatively low.	This tool is unlikely, given the distance of the project improvements to major property owners in downtown Coos Bay.
Local Option Levy	Local option levies are temporary property tax increases, approved by voters, to fund operations of local government services. Local option levies cannot exceed five years (10 years for capital projects), though they can be reviewed and extended indefinitely at six-year intervals, if the public continues to vote in favor of the levies.	Revenue capacity is dependent on the rate imposed. In addition, voter-approved local option levies are the first to be impacted by compression.	The League of Oregon Cities found that the continued passage of local options suggests voters are generally supportive of city tax increases when necessary to pay for services and capital projects that they believe in.	Residents are not likely to be supportive of an increased property tax rate, even if it is temporary.
User Fees				
Parking Fees	Parking revenues can be raised from both operations (e.g., parking meters or publicly owned parking lots) and fines. There are no restrictions on what parking revenues can be used for.	It is likely infeasible to impose parking rates to a high enough level to make a meaningful contribution to projects in the study area, but they money could be used for ongoing programs (e.g., events)	Parking fees/fines are widely used by cities and are politically acceptable. However, large increases in rates and adding parking meters/ fees to areas that had free parking is likely to meet resistance.	The City is considering charging for parking at its Front Street lot, and could consider higher fees during peak demand times.

Funding Tool	Description	Potential Revenue	Political Feasibility	Suitability
Local, Development Driven Sources				
Construction Excise Tax (CET)	A CET is a local tax assessed on new construction. The tax is assessed as a percent of the value of the improvements for which a building permit is sought, unless the project is exempted from the tax.	Dependent upon the rate imposed. There are some restrictions on use of funds.	Should the City impose a CET, revenues would likely be targeted to fund affordable housing projects and programs.	The City has considered implementing a CET; however, they do not want this project to lead evaluation of this tool as use of funds would likely be targeted to housing programs and projects rather than Riverfront projects.
Systems Development Charges (SDCs)	SDCs, including parks SDCs and transportation SDCs, are fees paid by land developers which are assessed on new development and must be used to fund growth-related capital improvements. SDCs are intended to reflect the increased capital costs incurred by a municipality as a result of the development.	The City of Coos Bay does not currently charge SDCs.	Adding SDCs can be met with resistance from developers. SDCs could disincentivize development.	Additional conversations needed.
Other Funding Sources				
Advertising / Naming Rights	A financial transaction and form of advertising whereby a corporation or other entity purchases the right to name a facility or event, typically for a defined period of time. Historically, the selling of naming rights to people or organizations that make a donation for a capital improvement was most common for large organizations, such as universities or hospitals; however, selling naming rights has become more common among smaller organizations.	Revenue from advertising is generally relatively small and not likely to contribute meaningfully to projects.	Some jurisdictions prefer to have a more polished or specific look, without advertisement.	Limited naming rights/sponsorships could support visitor amenities like benches, lighting, and public art.

Funding Tool	Description	Potential Revenue	Political Feasibility	Suitability
Crowdfunding	The practice of funding a project or venture by raising many small amounts of money from a large number of people, typically via the internet.	Varies.	Crowdfunding campaigns can be politically acceptable as they offset the need to impose new fees and taxes of Coos Bay residents and businesses.	The City could work with philanthropic donors and partners to offset the need to impose new fees and taxes of Coos Bay residents and businesses. This could be especially useful for public art projects.
State or Other Grants / Loans	Jurisdictions can apply for and receive grants/loans from private, state, and/or federal sources for specific capital projects. ECONorthwest will do a more in-depth review of potential grant opportunities in January 2022.	Dependent on program. Many grants are competitive and could require a match.	Grants can be politically acceptable as they offset the need to impose new fees and taxes on Coos Bay residents and businesses.	The City has some grant writing capacity to pursue transportation, recreation, public health, and tourism grants that could help to fund project elements

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CITY OF COOS BAY PLANNING COMMISSION

Agenda Staff Report

MEETING DATE January 11, 2022	AGENDA ITEM 5.A:	PROJECT NUMBER: 187-22-000001-PLNG ADDRESS: Citywide
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APPLICANT/APPLICANT REPRESENTATIVE: City of Coos Bay

FROM: Carolyn Johnson, Community Development Administrator

APPROVED BY: Carolyn Johnson, Community Development Administrator

SUBJECT:

Amendments to Coos Bay Municipal Code section 17.345 Annexations.

RECOMMENDATION/MOTION:

- Accept oral report from staff
- Review amendment alternatives
- Open public hearing
- Upon conclusion of public hearing, discuss
- Provide a recommendation for Council consideration

BACKGROUND AND SUMMARY:

On December 28, 2021, Council directed Planning Commission review of amendments to Coos Bay Municipal Code section 17.345 Annexations. This matter was brought to Council's attention as a result of:

- 1) The 2020 update of the City's Housing Needs assessment (HNA) and discussion about urban growth boundary changes. Another HNA update will begin in January and conclude in July. The HNA results will lay the groundwork for determining future UGB expansion and annexation applications.
- 2) A 2021 unsuccessful urban growth boundary expansion application. Processing of that application revealed a lack of required specific information in the Zoning regulations for the City's assessment of applications value.

The Commission's review and comment are needed for compliance with CBMC Section 17.130.020 (d) which states: *A Type IV process is a decision-making process in which the planning commission reviews the application and forwards a recommendation to the city council, which holds a public hearing and makes a final decision. The Type IV process includes public notice and public hearings before the planning commission and city council prior to the final decision. The city council decision is the final local decision.*

ISSUES:

CBMC Title 17 (Development Code) lacks annexation application requirements, notification requirements specific to annexations, criteria for City consideration of annexations, information on the effective annexation dates, specified requirements of state law, and definitions.

For Commission review, each information segment noted is addressed in the attachments with a track-changes version of amendments noting all changes, and a clean version without changes specified.

ATTACHMENTS:

17.345.amendments.draft.clean

17.345.amendments.draft.trackchanges

Chapter 17.345 ANNEXATION

Sections:

- 17.345.010 Purpose.
- 17.345.020 Initiation.
- 17.345.025 Application Requirements.
- 17.345.030 Notice.
- 17.345.035 Annexation Criteria.
- 17.345.040 Council Decision and Final Action.
- 17.345.045 Conditions
- 17.345.050 Effective Date and Filing of Approved Annexation
- 17.345.055 Definitions

17.345.010 Purpose.

Annexation procedures are meant to facilitate the orderly expansion of the city and the efficient extension of public facilities and services. They are also intended to provide adequate public review and establish a system for measuring the physical, environmental, and related social impacts of a proposed annexation. [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.010].

17.345.020 Initiation.

In accordance with state law, initiation of an annexation may be made by a majority vote of the City Council or by initiation methods of property owner(s) in the area proposed for annexation. [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.020].

17.345.025 Application Requirements.

An annexation application shall include information required by CBMC 17.130.040 and the following:

a. A list of all owners, including partial holders of owner interest, within the affected territory, indicating for each owner:

- (1) Affected tax lots, including the township, section and range numbers.
- (2) Street or site addresses within the affected territory identified by Coos County.
- (3) List of all eligible electors registered at addresses within the affected territory.
- (4) For property owner-initiated annexation(s), a signed petition as specified in 17.345.025(b)

b. Written consent on City-approved petition forms that are:

- (1) Completed and signed, in accordance with ORS 222.125, by:
 - (i) All of the owners within the affected territory; and
 - (ii) Not less than 50 percent of the eligible electors, if any, registered within the affected territory; or
- (2) Completed and signed, in accordance with ORS 222.170, by:
 - (i) More than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property

therein representing more than half the assessed value of all real property in the contiguous territory; or

(ii) A majority of the electors registered in the territory proposed to be annexed and a majority of the owners of more than half the land.

(3) Publicly owned rights-of-way can be added to annexations initiated by these two methods without any consents.

c. A City Council resolution to initiate a boundary change, including but not limited to rights-of way.

d. In lieu of a petition form described in 17.345.025(b), an annex form that has not yet expired as specified in ORS 222.173.

e. Verification of Property Owners signed by the Coos County Assessor.

f. An ORS 195.305 waiver form signed by each owner within the affected territory.

g. A statement of consent signed by each owner within the affected territory as allowed by ORS 222.173; statements filed within any one-year period shall be effective, unless a separate written agreement waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city.

h. A legal description of the affected territory proposed for annexation consistent with ORS 308.225 that will include contiguous or adjacent right-of-way to ensure contiguity as required by ORS 222.111.

j. A map identifying the property territory and its relationship to the city limits, including but not limited to size, shape, configuration of the property, how the property would connect to city services, bearings and distances and the boundaries of parcels, lots, and tracts of land.

k. A vicinity map.

l. A list of the special districts providing services to the affected territory and evidence of communication with districts advising of application for annexation.

m. A utility plan describing how the proposed affected territory can be served by city facilities and services.

n. The distribution, location and extent of the proposed uses of the land within the annexation territory, including open space;

o. Standards for density, land use and building intensity proposed for area proposed to be annexed.

- p. Proposed parks, open space, and conservation of natural resources;
- q. The proposed distribution, location, phasing and extent of major components of traffic circulation, wastewater collection and treatment, water sources, drainage, schools, and other public services and facilities appropriate to serve development within the annexation territory.
- r. Facilities and Services capacity analysis. Funded by the applicant, analysis of the city's capacity to provide facilities and services. The study shall assess the ability of the City to provide the various municipal facilities and services that will be necessary to accommodate the proposed annexation and planned development therein. These should include: wastewater collection and treatment; storm-water management; water supply and distribution; streets and circulation; fire protection; police services; parks; and others as appropriate.
- s. Proposed standards and criteria for future development.
- t. Annexation Study. Funded by the applicant and including city administrative costs, an Annexation study shall be prepared by a third-party consultant selected by mutual agreement between the City and the applicant to complete a comprehensive study of fiscal impacts of the proposed annexation to the City. The Study shall address the full range of revenues and expenditures anticipated for annexation of property into the City, including one-time capital costs of facilities and recurring operating costs and revenues over a 20-year period.
- u. A study of fiscal effects on other governmental entities/tax agreements, funded by the applicant, shall be prepared and submitted by a third-party consultant selected by mutual agreement between the City and the applicant. As applicable, the third-party consultant shall also prepare, at the applicant's expense, proposed tax-sharing agreements.
- v. A written narrative addressing the proposal's consistency with the criteria approval criteria specified in 17.345.035.
- w. Land use amendment applications for Comprehensive Plan designation and related mapping and applicable policies and Zoning map and text changes consistent with the requirements of 17.360.
- x. Annexation Agreement. Funded by the applicant, a draft Annexation Agreement shall be submitted noting potential fiscal impacts upon the City caused by the proposed annexation and how the fiscal impacts would be resolved. The draft Agreement shall address, at a minimum, connection to and extension of public facilities and services. Connection to public facilities and services shall be at the discretion of the City, unless otherwise required by ORS. Where public facilities and services are available and can be extended, the applicant shall be required to do so.

17.345.030 Notice.

In addition to the requirements of 17.130.110(2), the following are also required for annexation applications:

- 1) Mailed Notice. Notice of the annexation application shall be mailed to:
 - a. The applicant, property owner and active electors in the affected territory;
 - b. Owners and occupants of properties located within 300 feet of the perimeter of the affected territory;
 - c. Affected special districts and all other public utility providers; and
 - d. Coos County Planning Department, and Coos County Board of Commissioners.
- 2) Posted Notice. Notice of the public hearing at which an annexation application will be considered shall be posted in two public places in the City for one week prior to the public hearing date.

17.345.035 Annexation Criteria.

An annexation application may be approved only if the City Council finds that the proposal conforms to the following criteria:

- a. The affected territory proposed to be annexed is within the City's urban growth boundary, and is:
 - (1) Contiguous to the City limits; or
 - (2) Separated from the City only by a public right-of-way or a stream, lake or other body of water.
- b. The proposed annexation is consistent with applicable policies in the Coos Bay Comprehensive Plan.
- c. The proposed annexation will result in a boundary in which key services can be provided.
- d. Where applicable, fiscal impacts to the City have or can be mitigated through an Annexation Agreement or other mechanism approved by the City Council.
- e. The proposed annexation has a positive or neutral fiscal impact to the City.
- f. The proposed annexation complies with existing Comprehensive Plan policies.
- g. The City has, or will have capacity with financial resources provided by the annexed area, services and infrastructure to accommodate future development of the annexation.

17.345.040 Council Decision and Final action

- a. The City Council shall review the recommendation of the planning commission as specified in 17.130.110 (3) specific to the requirements of 17.345. The Planning Commission shall make a recommendation to the city council, based on substantial evidence in the record, consideration of the requirements and criteria of 17.345 and whether the proposed annexation is consistent with the comprehensive plan or that substantial changes in conditions have occurred which render the comprehensive plan inapplicable to the annexation. The council shall conduct a public hearing prior to adoption of an annexation ordinance, consistent with this title and applicable state law after review the planning commission recommendation and either affirm, alter, or remand the annexation proposal back to the planning commission consistent with ORS 220.111 through 220.183.

b. Council action on the annexation shall be determined by ordinance and include adoption of an annexation agreement that includes but is not limited to a comprehensive plan designation and zoning of the annexed areas and annexation conditions. [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.040].

17.345.045 Conditions.

The planning commission may recommend and the city council may impose special conditions necessary to mitigate potential social, environmental, and physical impacts resulting from the annexation and/or to facilitate the provision of public facilities and services. Council imposition of annexation conditions will be included in the Annexation agreement between the City and applicant when the annexation is proposed by a property owner(s). [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.050].

17.345.050 Effective Date and Filing of Approved Annexation.

a. The effective date of an approved annexation shall be set in accordance with ORS 222.040, 222.180 or 222.465.

b. Filing of Approved Annexation.

(1) Not later than 10 working days after the passage of an Ordinance approving an annexation, the City shall:

(i) Send by certified mail a notice to public utilities (as defined in ORS 757.005), electric cooperatives, and telecommunications carriers (as defined in ORS 133.721) operating within the City; and

(ii) Mail a notice of the annexation to the Secretary of State, Department of Revenue, Coos County Clerk, Coos County Assessor, affected districts, and owners and electors in the affected territory. The notice shall include:

(aa) A copy of the Ordinance approving the annexation;

(bb) A legal description and map of the annexed territory;

(cc) The findings; and

(dd) Each site address to be annexed as recorded on Coos County assessment and taxation rolls. The notice to the Secretary of State will also include copies of the petitions signed by electors and/or owners of the affected territory as required in this Section.

(2) If the effective date of an annexation is more than one year after the City Council passes the Ordinance approving it, the City shall mail a notice of the annexation to the Coos County Clerk not sooner than 120 days and not later than 90 days prior to the effective date of the annexation.

17.345.055 Definitions

1) **Affected District.** Each special district named in a petition that contains or would contain territory for which a boundary change is proposed or ordered. Affected district also means a district or districts, named in a petition, for which a boundary change is proposed or ordered.

2) **Affected Territory.** Territory described in a petition. Affected territory also means an area within the urban growth boundary of a city that is otherwise eligible for annexation to a city where there exists an actual or alleged danger to public health as defined in ORS 222.

- 3) **Annexation.** The attachment or addition of territory to, or inclusion of territory in, an existing city or district.
- 4) **Annexation Agreement.** A written agreement between the City and owners of land requesting annexation that states the terms, conditions and obligations of the parties to mitigate fiscal and service impacts to the City associated with the annexation and future development of the property. The agreement may be used to ensure annexation consistent with the Comprehensive Plan.
- 5) **Boundary Change.** An action by the City Council duly authorized by ORS 222 that results in the adjustment of the City limits or the boundary of a special district.
- 6) **Contiguous.** Territory that abuts the City limits at any point along the property's exterior boundary or separated from the City limits by a public right of way or a stream, bay, lake, or other body of water.
- 7) **Effective Date of Annexation.** The effective date of the boundary changes as prescribed in ORS 222.040, 222.180, or 222.465.
- 8) **Elector.** An active registered voter at an address within the affected territory.
- 9) **Filing.** The submittal of materials to initiate a boundary change process.
- 10) **Initiation Methods.** Any of the following descriptions of participants and documentation necessary for commencement of City annexation process:
 - a. All of the owners of land in the territory proposed to be annexed, and not less than 50 percent of the electors, if any, residing in the territory proposed to be annexed, have consented in writing to the annexation and file a statement of their consent to annexation with the City;
 - b. More than half of the owners of land in the territory proposed for annexation who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation and file a statement of their consent to annexation with the City;
 - c. A majority of the electors registered in the territory proposed to be annexed and owners of more than half of the land in that territory consent in writing to the annexation and file a statement of their consent to annexation with the City;
- 11) **Legal Description.** As defined in ORS 308.225(2), which states: the legal description of the boundary change shall consist of a series of courses in which the first course shall start at a point of beginning and the final course shall end at that point of beginning. Each course shall be identified by bearings and distances and, when available, refer to deed lines, deed corners, and other monuments, or, in lieu of bearings and distances, be identified by reference to:
 - a. Township, range, section, or section subdivision lines of the U.S. Rectangular survey system.
 - b. Survey centerline or right-of-way lines of public roads, streets or highways.
 - c. Ordinary high water or ordinary low water of tidal lands.
 - d. Right-of-way lines of railroads.
 - e. Any line identified on the plat of any recorded subdivision defined in ORS 92.010.

- f. Donation land claims.
- g. Line of ordinary high water and line of ordinary low water of rivers and streams, as defined in ORS 274.005, or the thread of rivers and streams.

In lieu of the requirements of the above, boundary change areas conforming to areas of the U.S. Rectangular survey may be described by township, section, quarter-section or quarter-quarter section, or if the areas conform to subdivision lots and blocks, may be described by lot and block description.

12) **Notice.** An ordinance, resolution, order, or other similar matter providing notice authorized or required to be published, posted, or mailed.

13) **Owner.** The legal owner of record according to the latest available Coos County tax assessment roll or, where there is an existing recorded land contract that is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land, each consenting owner is counted as a fraction to the same extent as the interest of the other owners and the same fraction is applied to the parcel's land mass and assessed value for purposes of consent petition. If a corporation owns land in the affected territory, the corporation must be considered the individual owner of that land.

14) **Petition.** Any document such as signature sheets, resolutions, orders, or articles of incorporation, required for initiating an annexation, withdrawal, or provision of extraterritorial services. In the case of a petition initiated by property owners, the person signing on behalf of a corporation or business must provide evidence showing that person is authorized to sign legal documents for the firm.

15) **Proposal.** The set of documents required to initiate proceedings for a boundary change.

16) **Special District.** Any of the districts identified in ORS 198.

17) **Urban Growth Boundary.** A site-specific line, delineated on a map or by written description that separates urban and urbanizable land from rural lands, that is part of a Comprehensive Plan.

Chapter 17.345 ANNEXATION

Sections:

- 17.345.010 ~~General Purpose.~~
- 17.345.020 Initiation.
- 17.345.025 Application Requirements.
- 17.345.030 Notice.
- 17.345.035 Annexation Criteria.
- ~~17.345.030 Hearing.~~
- 17.345.040 Council Decision and Final Action. ~~Decision.~~
- 17.345.045~~50~~ ~~_ Conditions.~~ Conditions
- ~~17.345.060 Zoning of annexed area.~~
- 17.345.0570 Effective Final action. Date and Filing of Approved Annexation
- 17.345.055 Definitions

17.345.010 Purpose. General.

Annexation procedures are meant to facilitate the orderly expansion of the city and the efficient extension of public facilities and services. They are also intended to provide adequate public review and establish a system for measuring the physical, environmental, and related social impacts of a proposed annexation. [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.010].

17.345.020 Initiation.

In accordance with state law, initiation of an annexation may be made by a majority vote of the City Council or by initiation methods of the petition of a property owner(s) in the area proposed for annexation. ~~or by a majority vote of the city council.~~ [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.020].

17.345.025 Application Requirements.

An annexation application shall include information required by CBMC 17.130.040 and the following:

a. A list of all owners, including partial holders of owner interest, within the affected territory, indicating for each owner:

- (1) Affected tax lots, including the township, section and range numbers.
- (2) Street or site addresses within the affected territory identified by Coos County.
- (1)(3) List of all eligible electors registered at addresses within the affected territory.
- (4) For property owner-initiated annexation(s), a signed petition as specified in 17.345.025(b)

b. Written consent on City-approved petition forms that are:

- (1) Completed and signed, in accordance with ORS 222.125, by:
 - (i) All of the owners within the affected territory; and
 - (ii) Not less than 50 percent of the eligible electors, if any, registered within the affected territory; or

- (2) Completed and signed, in accordance with ORS 222.170, by:
- (i) More than half the owners of land in the territory, who also own more than half the land in the contiguous territory and of real property therein representing more than half the assessed value of all real property in the contiguous territory; or
 - (ii) A majority of the electors registered in the territory proposed to be annexed and a majority of the owners of more than half the land.
- (3) Publicly owned rights-of-way can be added to annexations initiated by these two methods without any consents.

c. A City Council resolution to initiate a boundary change, including but not limited to rights-of way.

b-d. In lieu of a petition form described in 17.345.025(b), an annex form that has not yet expired as specified in ORS 222.173.

e. Verification of Property Owners signed by the Coos County Assessor.

f. An ORS 195.305 waiver form signed by each owner within the affected territory.

g. A statement of consent signed by each owner within the affected territory as allowed by ORS 222.173; statements filed within any one-year period shall be effective, unless a separate written agreement waiving the one-year period or prescribing some other period of time has been entered into between an owner of land or an elector and the city.

h. A legal description of the affected territory proposed for annexation consistent with ORS 308.225 that will include contiguous or adjacent right-of-way to ensure contiguity as required by ORS 222.111.

j. A map identifying the property territory and its relationship to the city limits, including but not limited to size, shape, configuration of the property, how the property would connect to city services, bearings and distances and the boundaries of parcels, lots, and tracts of land.

k. A vicinity map.

l. A list of the special districts providing services to the affected territory and evidence of communication with districts advising of application for annexation.

m. A utility plan describing how the proposed affected territory can be served by city facilities and services.

n. The distribution, location and extent of the proposed uses of the land within the annexation territory, including open space;

o. Standards for density, land use and building intensity proposed for area proposed to be annexed.

p. Proposed parks, open space, and conservation of natural resources;

q. The proposed distribution, location, phasing and extent of major components of traffic circulation, wastewater collection and treatment, water sources, drainage, schools, and other public services and facilities appropriate to serve development within the annexation territory.

r. Facilities and Services capacity analysis. Funded by the applicant, analysis of the city's capacity to provide facilities and services. The study shall assess the ability of the City to provide the various municipal facilities and services that will be necessary to accommodate the proposed annexation and planned development therein. These should include: wastewater collection and treatment; storm-water management; water supply and distribution; streets and circulation; fire protection; police services; parks; and others as appropriate.

s. Proposed standards and criteria for future development.

t. Annexation Study. Funded by the applicant and including city administrative costs, an Annexation study shall be prepared by a third-party consultant selected by mutual agreement between the City and the applicant to complete a comprehensive study of fiscal impacts of the proposed annexation to the City. The Study shall address the full range of revenues and expenditures anticipated for annexation of property into the City, including one-time capital costs of facilities and recurring operating costs and revenues over a 20-year period.

u. A study of fiscal effects on other governmental entities/tax agreements, funded by the applicant, shall be prepared and submitted by a third-party consultant selected by mutual agreement between the City and the applicant. As applicable, the third-party consultant shall also prepare, at the applicant's expense, proposed tax-sharing agreements.

v. A written narrative addressing the proposal's consistency with the criteria approval criteria specified in 17.345.035.

w. Land use amendment applications for Comprehensive Plan designation and related mapping and applicable policies and Zoning map and text changes consistent with the requirements of 17.360.

x. Annexation Agreement. Funded by the applicant, a draft Annexation Agreement shall be submitted noting potential fiscal impacts upon the City caused by the proposed annexation and how the fiscal impacts would be resolved. The draft Agreement shall address, at a minimum, connection to and extension of public facilities and services. Connection to public facilities and services shall be at the discretion of the City, unless

otherwise required by ORS. Where public facilities and services are available and can be extended, the applicant shall be required to do so.

17.345.030 Notice.

In addition to the requirements of 17.130.110(2), the following are also required for annexation applications:

- 1) Mailed Notice. Notice of the annexation application shall be mailed to:
 - a. The applicant, property owner and active electors in the affected territory;
 - b. Owners and occupants of properties located within 300 feet of the perimeter of the affected territory;
 - c. Affected special districts and all other public utility providers; and
 - d. Coos County Planning Department, and Coos County Board of Commissioners.
- 2) Posted Notice. Notice of the public hearing at which an annexation application will be considered shall be posted in two public places in the City for one week prior to the public hearing date.

17.345.035 Annexation Criteria.

An annexation application may be approved only if the City Council finds that the proposal conforms to the following criteria:

- a. The affected territory proposed to be annexed is within the City's urban growth boundary, and is:
 - (1) Contiguous to the City limits; or
 - (2) Separated from the City only by a public right-of-way or a stream, lake or other body of water.
- b. The proposed annexation is consistent with applicable policies in the Coos Bay Comprehensive Plan.
- c. The proposed annexation will result in a boundary in which key services can be provided.
- d. Where applicable, fiscal impacts to the City have or can be mitigated through an Annexation Agreement or other mechanism approved by the City Council.
- e. The proposed annexation has a positive or neutral fiscal impact to the City.
- f. The proposed annexation complies with existing Comprehensive Plan policies.
- g. The City has, or will have capacity with financial resources provided by the annexed area, services and infrastructure to accommodate future development of the annexation.

17.345.030 Hearing.

Upon initiation of an annexation, the council shall set a date for a public hearing to be held before the planning commission in accordance with all provisions of this chapter to determine whether the proposed annexation complies with the comprehensive plan. [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.030].

17.345.040040 _____ Council Decision and Final action.

a. The City Council shall review the recommendation of the planning commission as specified in 17.130.110 (3) specific to the requirements of 17.345. The Planning Commission shall make a recommendation to the city council, based on substantial evidence in the record, consideration of the requirements and criteria of 17.345 and , whether the proposed annexation is consistent with the comprehensive plan or that substantial changes in conditions have occurred which render the comprehensive plan inapplicable to the annexation. The council shall conduct a public hearing prior to adoption of an annexation ordinance, consistent with this title and applicable state law after review the planning commission recommendation and recommendation of the planning commission and either affirm, alter, or remand the annexation proposal back to the planning commission consistent with ORS 220.111 through 220.183.

b. Council action on the annexation shall be determined by ordinance and include adoption of an annexation agreement that includes but is not limited to a comprehensive plan designation and zoning of the annexed areas and annexation conditions. [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.040].

17.345.004550 _____ Conditions.

The planning commission may recommend and the city council may impose special conditions necessary to mitigate potential social, environmental, and physical impacts resulting from the annexation and/or to facilitate the provision of public facilities and services. Council imposition of annexation conditions will be included in the Annexation agreement between the City and applicant when the annexation is proposed by a property owner(s). [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.050].

17.345.060 — Zoning of annexed area.

~~Zoning regulations applicable to an area prior to its annexation shall continue to apply in accordance with state law unless at the time of annexation or at a subsequent time the city council rezones the annexed parcel consistent with the comprehensive plan and this title. The annexation ordinance shall expressly provide for the zoning of the annexed area. [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.060].~~

17.345.070 — Final action.

~~The city council shall conduct a public hearing prior to adoption of an annexation ordinance, consistent with this title and applicable state law. [Ord. 503 § 1 (Exh. B), 2018; Ord. 473 § 3 (Exh. A), 2016. Formerly 17.342.070].~~ **17.345.050**

Effective Date and Filing of Approved Annexation.

a. The effective date of an approved annexation shall be set in accordance with ORS 222.040, 222.180 or 222.465.

b. Filing of Approved Annexation.

(1) Not later than 10 working days after the passage of an Ordinance approving an annexation, the City shall:

(i) Send by certified mail a notice to public utilities (as defined in ORS 757.005), electric cooperatives, and telecommunications carriers (as defined in

ORS 133.721) operating within the City; and

(ii) Mail a notice of the annexation to the Secretary of State, Department of Revenue, Coos County Clerk, Coos County Assessor, affected districts, and owners and electors in the affected territory. The notice shall include:

(aa) A copy of the Ordinance approving the annexation;

(bb) A legal description and map of the annexed territory;

(cc) The findings; and

(dd) Each site address to be annexed as recorded on Coos County assessment and taxation rolls. The notice to the Secretary of State will also include copies of the petitions signed by electors and/or owners of the affected territory as required in this Section.

(2) If the effective date of an annexation is more than one year after the City Council passes the Ordinance approving it, the City shall mail a notice of the annexation to the Coos County Clerk not sooner than 120 days and not later than 90 days prior to the effective date of the annexation.

17.345.055 Definitions

1) **Affected District.** Each special district named in a petition that contains or would contain territory for which a boundary change is proposed or ordered. Affected district also means a district or districts, named in a petition, for which a boundary change is proposed or ordered.

2) **Affected Territory.** Territory described in a petition. Affected territory also means an area within the urban growth boundary of a city that is otherwise eligible for annexation to a city where there exists an actual or alleged danger to public health as defined in ORS 222.

3) **Annexation.** The attachment or addition of territory to, or inclusion of territory in, an existing city or district.

4) **Annexation Agreement.** A written agreement between the City and owners of land requesting annexation that states the terms, conditions and obligations of the parties to mitigate fiscal and service impacts to the City associated with the annexation and future development of the property. The agreement may be used to ensure annexation consistent with the Comprehensive Plan.

5) **Boundary Change.** An action by the City Council duly authorized by ORS 222 that results in the adjustment of the City limits or the boundary of a special district.

6) **Contiguous.** Territory that abuts the City limits at any point along the property's exterior boundary or separated from the City limits by a public right of way or a stream, bay, lake, or other body of water.

7) **Effective Date of Annexation.** The effective date of the boundary changes as prescribed in ORS 222.040, 222.180, or 222.465.

8) **Elector.** An active registered voter at an address within the affected territory.

9) **Filing.** The submittal of materials to initiate a boundary change process.

10) **Initiation Methods.** Any of the following descriptions of participants and documentation necessary for commencement of City annexation process:

a. All of the owners of land in the territory proposed to be annexed, and not less than 50 percent of the electors, if any, residing in the territory proposed to be

annexed, have consented in writing to the annexation and file a statement of their consent to annexation with the City;

b. More than half of the owners of land in the territory proposed for annexation who also own more than half of the land in the contiguous territory and of real property therein representing more than half of the assessed value of all real property in the contiguous territory consent in writing to the annexation and file a statement of their consent to annexation with the City;

c. A majority of the electors registered in the territory proposed to be annexed and owners of more than half of the land in that territory consent in writing to the annexation and file a statement of their consent to annexation with the City;

11) **Legal Description.** As defined in ORS 308.225(2), which states: the legal description of the boundary change shall consist of a series of courses in which the first course shall start at a point of beginning and the final course shall end at that point of beginning. Each course shall be identified by bearings and distances and, when available, refer to deed lines, deed corners, and other monuments, or, in lieu of bearings and distances, be identified by reference to:

a. Township, range, section, or section subdivision lines of the U.S. Rectangular survey system.

b. Survey centerline or right-of-way lines of public roads, streets or highways.

c. Ordinary high water or ordinary low water of tidal lands.

d. Right-of-way lines of railroads.

e. Any line identified on the plat of any recorded subdivision defined in ORS 92.010.

f. Donation land claims.

g. Line of ordinary high water and line of ordinary low water of rivers and streams, as defined in ORS 274.005, or the thread of rivers and streams.

In lieu of the requirements of the above, boundary change areas conforming to areas of the U.S. Rectangular survey may be described by township, section, quarter-section or quarter-quarter section, or if the areas conform to subdivision lots and blocks, may be described by lot and block description.

12) **Notice.** An ordinance, resolution, order, or other similar matter providing notice authorized or required to be published, posted, or mailed.

13) **Owner.** The legal owner of record according to the latest available Coos County tax assessment roll or, where there is an existing recorded land contract that is in force, the purchaser thereunder. If there is a multiple ownership in a parcel of land, each consenting owner is counted as a fraction to the same extent as the interest of the other owners and the same fraction is applied to the parcel's land mass and assessed value for purposes of consent petition. If a corporation owns land in the affected territory, the corporation must be considered the individual owner of that land.

14) **Petition.** Any document such as signature sheets, resolutions, orders, or articles of incorporation, required for initiating an annexation, withdrawal, or provision of extraterritorial services. In the case of a petition initiated by property owners, the person signing on behalf of a corporation or business must provide evidence showing that

person is authorized to sign legal documents for the firm.

15) **Proposal.** The set of documents required to initiate proceedings for a boundary change.

16) **Special District.** Any of the districts identified in ORS 198.

17) **Urban Growth Boundary.** A site-specific line, delineated on a map or by written description that separates urban and urbanizable land from rural lands, that is part of a Comprehensive Plan.