

## ARTICLE 33

### (BD) Beaches and Dunes Overlay

#### SECTION 3.33.000 Purpose

The Beaches and Dunes overlay classification is intended to preserve beach and dune areas containing significant natural resources and protect permitted developments in these areas from flooding, erosion and damage from moving sand. This classification provides for uses of beach and dune landforms which are consistent with these objectives.

The Beaches and Dunes designation has been applied to lands designated as Beaches and Dunes on the Comprehensive Plan, with features such as beaches, active dune forms, recently stabilized dune forms, older stabilized dune forms and interdune forms. The major portion of the lands with these features lie inside the Dune National Recreation Area (NRA). The portions outside the NRA are the Wildwood Drive vicinity, Umpqua Lighthouse State Park, the area between the two south jetties (U.S. Army Corp of Engineers), Ziolkouski Beach (Douglas County Parks Department) and a small amount of private land contiguous to the Umpqua Beach Resort.

#### SECTION 3.33.050 Permitted Uses

In the Beaches and Dunes Overlay the following uses, activities and their accessory structures are permitted subject to the general provisions and exceptions set forth in this ordinance.

1. Low intensity recreation, as defined in the Comprehensive Plan, on all beach and dune landforms.
2. High intensity recreation not requiring structures on beach, active and interdune forms.
3. Activities in support of the construction, rehabilitation and maintenance of federally authorized jetties and navigation channels on beaches and foredunes.
4. Aids to navigation on all dune forms.

#### SECTION 3.33.100 Uses Permitted With Standards

Within the Beaches and Dunes Overlay, uses, activities and their accessory structures which are permitted in the underlying zone(s) but not listed as permitted above may be permitted only on older and recently stabilized dunes subject to the standards and criteria set forth in §3.33.200. In addition, the following uses and activities are permitted subject to conformance with the below referenced standards and criteria.

1. Development activity which is of minimum value such as boardwalks, fences and temporary opensided shelters on recently stabilized and interdune forms.

Proposals to establish uses allowed by this section shall be processed as Administrative Actions pursuant to §2.060.1 and shall be subject to the provisions of §2.065.2.

### **SECTION 3.33.150 Uses Permitted Conditionally**

Uses, activities and their accessory structures which are permitted conditionally in the underlying zone(s) may be permitted on older stabilized dune forms and interdune forms free from flood hazard subject to the standards and criteria set forth in §3.33.200. Requests for approval shall be processed as Administrative Actions pursuant to §2.060.1 and subject to the provisions of §2.065.2 of this ordinance.

### **SECTION 3.33.200 Standards and Criteria**

In the Beaches and Dunes Overlay approval of uses permitted with standards or permitted conditionally shall be based on findings which show that the proposed use:

1. Complies with the policies of Beaches and Dunes Element of the Comprehensive Plan specific to the type of landform upon which the proposed use is to be located; and
2. Complies with the general policies for land use contained in the Beaches and Dunes Element of the Comprehensive Plan.