



Coos County Land Use Permit Application
SUBMIT TO COOS COUNTY PLANNING DEPT. AT 60 E. SECOND STREET OR MAIL
TO: COOS COUNTY PLANNING 250 N. BAXTER, COQUILLE OR 97423. EMAIL
PLANNING@CO.COOS.OR.US PHONE: 541-396-7770

FILE NUMBER: ACU-24-001

Date Received: 1/17/2024 Receipt #: 149572507 Received by: C. Carr

This application shall be filled out electronically. If you need assistance please contact staff.
If the fee is not included the application will not be processed.
(If payment is received on line a file number is required prior to submittal)

LAND INFORMATION

A. Land Owner(s) Ocean Pines Communities, LLC

Mailing address: P.O. Box 44716, Boise, ID, 83711

Phone: (503)345-2686

Email: matt@bisonproperties.com

Table with 6 columns: Township (24S), Range (13W), Section (11), 1/4 Section (B), 1/16 Section (A), Tax lots (1000). Row 2: 24S, 13W, 2, C, D, 1400. Row 3: 24S, 13W, 11, Select, Select, 300.

Tax Account Number(s): 164700

Zone: Select Zone Rural Center

Tax Account Number(s) 159504, 164800

Industrial

B. Applicant(s) Ocean Pines Communities, LLC

Mailing address: P.O. Box 44716, Boise, ID, 83711

Phone: (503)345-2686

matt@bisonproperties.com

C. Consultant or Agent: Atwell, LLC

Mailing Address 9755 SW Barnes Road, Suite 150, Portland, OR, 97225

Phone #: (503)334-8962

Email: bberry@atwell-group.com

Type of Application Requested

- Comp Plan Amendment, Text Amendment, Map - Rezone, Administrative Conditional Use Review - ACU, Hearings Body Conditional Use Review - HBCU, Variance - V, Land Division - P, SUB or PUD, Family/Medical Hardship Dwelling, Home Occupation/Cottage Industry

Special Districts and Services

Water Service Type: On-Site (Well or Spring)

Sewage Disposal Type: Community or Commerical System

School District: North Bend

Fire District: Coos Bay RFPD

Please include the supplement application with request. If you need assistance with the application or supplemental application please contact staff. Staff is not able to provide legal advice. If you need help with findings please contact a land use attorney or contulant.

Any property information may be obtained from a tax statement or can be found on the County Assessor's webpage at the following links: Map Information Or Account Information

D. ATTACHED WRITTEN STATEMENT. With all land use applications, the “burden of proof” is on the applicant. It is important that you provide information that clearly describes the nature of the request and indicates how the proposal complies with all of the applicable criteria within the Coos County Zoning and Land Development Ordinance (CCZLDO). You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete. A planner will explain which sections of the Ordinance pertain to your specific request. The information described below is required at the time you submit your application. The processing of your application does not begin until the application is determined to be complete. An incomplete application will postpone the decision, or may result in denial of the request. Please mark the items below to ensure your submittal is complete.

Application Check List: Please make off all steps as you complete them.

- I. A written statement of intent, attached to this application, with necessary supporting evidence which fully and factually describes the following:
 - 1. A complete explanation of how the request complies with the applicable provisions and criteria in the Zoning Ordinance. A planner will explain which sections of the Ordinance pertain to your specific request. You must address each of the Ordinance criteria on a point-by-point basis in order for this application to be deemed complete.
 - 2. A description of the property in question, including, but not limited to the following: size, vegetation, crops grown, access, existing buildings, topography, etc.
 - 3. A complete description of the request, including any new structures proposed.
 - 4. If applicable, documentation from sewer and water district showing availability for connection.
- II. A plot plan (map) of the property. Please indicate the following on your plot plan:
 - 1. Location of all existing and proposed buildings and structures
 - 2. Existing County Road, public right-of-way or other means of legal access
 - 3. Location of any existing septic systems and designated repair areas
 - 4. Limits of 100-year floodplain elevation (if applicable)
 - 5. Vegetation on the property
 - 6. Location of any outstanding physical features
 - 7. Location and description (paved, gravel, etc.) of vehicular access to the dwelling location
- III. A copy of the current deed, including the legal description, of the subject property. Copies may be obtained at the Coos County Clerk's Office.

I certify that this application and its related documents are accurate to the best of my knowledge. I am aware that there is an appeal period following the date of the Planning Director’s decision on this land use action. I understand that the signature on this application authorizes representatives of the Coos County Planning Department to enter upon the subject property to gather information pertinent to this request. If the application is signed by an agent, the owner's written authorization must be attached.

If this application is refereed directly to a hearings officer or hearings body I understand that I am obligated to pay the additional fees incurred as part of the conditions of approval. I understand that I/we are not acting on the county’s behalf and any fee that is a result of complying with any conditions of approval is the applicants/property owner responsibility. I understand that conditions of approval are required to be complied with at all time and an violation of such conditions may result in a revocation of this permit.

DocuSigned by:

1A5ECFD4CDCE483...

ACCESS INFORMATION

The Coos County Road Department will be reviewing your proposal for safe access, driveway, road, and parking standards. There is a fee for this service. If you have questions about these services please contact the Road Department at 541-396-7660.

Property Address: 69262 Wildwood Road, North Bend, OR, 97459

Type of Access: County Road Name of Access: Wildwood Road

Is this property in the Urban Growth Boundary? No

Is a new road created as part of this request? No

Required parking spaces are based on the use of the property. If this is for a residential use two spaces are required. Any other use will require a separate parking plan submitted that is required to have the following items:

- Current utilities and proposed utilities;
- Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition).
- The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if this is a parking plan;
- Location of existing and proposed access point(s) on both sides of the road where applicable;
- Pedestrian access and circulation will be required if applicable. Internal pedestrian circulation shall be provided in new commercial, office, and multi-family residential developments through the clustering of buildings, construction of walkways, landscaping, accessways, or similar techniques;
- All plans (industrial and commercial) shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems;
- Distances to neighboring constructed access points, median openings (where applicable), traffic signals (where applicable), intersections, and other transportation features on both sides of the property;
- Number and direction of lanes to be constructed on the road plus striping plans;
- All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and
- Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.

Additional requirements that may apply depending on size of proposed development.

- a. Traffic Study completed by a registered traffic engineer.
- b. Access Analysis completed by a registered traffic engineer
- c. Sight Distance Certification from a registered traffic engineer.

Regulations regarding roads, driveways, access and parking standards can be found in Coos County Zoning and Land Development Ordinance [\(CCZLDO\) Article 7](#).

By signing the application I am authorizing Coos County Roadmaster or designee to enter the property to determine compliance with Access, Parking, driveway and Road Standards. Inspections should be made by calling the Road Department at 541-396-7660

Coos County Road Department Use Only

Roadmaster or designee: _____

Driveway Parking Access Bonded Date: Receipt # _____

File Number: DR-21-

ADDRESS APPLICATION INFORMATION

FILE NUMBER: AD-

ADDRESS OF DRIVEWAY #1 CLOSEST TO YOUR NEW DRIVEWAY: _____

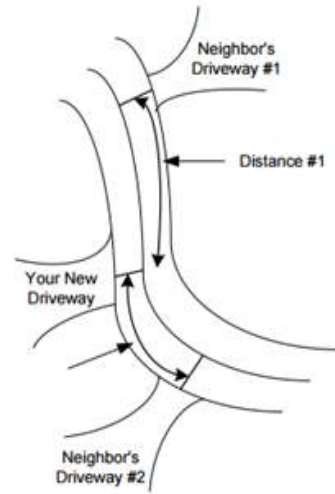
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW DRIVEWAY: _____

Is this driveway on the same side of the road as your Driveway: Select

ADDRESS OF DRIVEWAY #2 CLOSEST TO YOUR NEW DRIVEWAY: _____

DISTANCE FROM DRIVEWAY #2 TO YOUR NEW DRIVEWAY: _____

Is this driveway on the same side of the road as your Driveway: Select



The distance information is important from your new driveway to the closest driveways on either side of you (doesn't matter which side of the road) and what the addresses are to those two driveways. This information is important to include in the formula used to calculate the correct address.

Staff from the County Road Department will place the stake and once the driveway stake has been placed, it must not be moved. If your stake is removed or damaged you may purchase replacements.

Additional Notes or directions:

This application is not required.

SANITATION INFORMATION

If this is a request for a recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering Coos Health and Wellness, Environmental Health Staff will be reviewing the proposal to ensure the use meets environmental health standards for sanitation and water requirements to serve the facility. If the proposal indicates that you are using a community water system a review may be required. A fee is charged for this service and shall be submitted with the application \$83.00. If you have questions about regulations regarding environmental health services please call 541-266-6720. This form is required to be signed off for any type of subdivision, recreational, commercial, industrial, vacation rental, manufactured home park, mass or small gathering.

Water Service Type: On-site Well

Sewage Disposal Type: Shared/Community System

Please check if this request is for industrial, commercial, recreational or home base business use and complete the following questions:

- How many employees/vendors/patrons, total, will be on site?
- Will food be offered as part of the an on-site business?
- Will overnight accommodations be offered as part of an on-site business?
- What will be the hours of operation of the business?

Please check if the request is for a land division.

Coos County Environmental Health Use Only:

Staff Reviewing Application: _____

Staff Signature: _____

- This application is found to be in compliance and will require no additional inspections
- This application is found to be in compliance but will require future inspections
- This application will require inspection prior to determining initial compliance. The applicant shall contact Coos Health and Wellness, Environmental Heath Division to make an appointment.

Additional Comments:

Coos County, Oregon

Coos County Planning Department

Application For:

**Ocean Pines RV Park Reconfiguration/
Expansion**

Map & Tax Lots: T24S R13W Section 2CD, Tax Lot 1400
T24S R13W Section 11, Tax Lot 300
T24S R13W Section 11BA, Tax Lot 1000

Prepared For:

Owner/Applicant:

Ocean Pines Communities, LLC.

P.O. Box 44716

Boise, ID 83711

Contact: Matt Williams

Phone: (503) 345.2686

[*matt@bisonproperties.com*](mailto:matt@bisonproperties.com)

Prepared By:

Owner's Representative:

Atwell, LLC.

9755 SW Barnes Road, Suite 150

Portland, Oregon 97225

Contact: Brady Berry, Associate Director

Phone: (971) 334.8962

[*bberry@atwell-group.com*](mailto:bberry@atwell-group.com)

Initial Submittal - December 2023

Section A – Introduction

1. Development Team Members A-1
2. Property and Zoning Summary..... A-2
3. Project Summary A-2
4. Prior Land Use Approvals..... A-3
5. Land Use Reviews Requested A-3
6. Application Fee Calculations..... A-4

Section B - Applicable Code Narrative

Article 4.2 – Zoning Purpose and Intent

Section 4.2.100 - Residential *This Section is not Applicable to this Application.*
Section 4.2.200 - Mixed Commercial-Residential
Section 4.2.300 - Commercial and Industrial.....
Section 4.2.400 - Open Space and Natural Resource *This Section is not Applicable to this Application.*
Section 4.2.500 - Resource Zones *This Section is not Applicable to this Application.*
Section 4.2.600 - Bandon Due Resort (BDR) *This Section is not Applicable to this Application.*.....

Article 4.3 Balance of County Zoning Tables

Section 4.3.100 - Uses Not Listed and Compliance with Other Sections.....
Section 4.3.200 - Zoning Tables for Urban and Rural Residential, Mixed Commercial-Residential,
Commercial, Industrial, Minor Estuary and South Slough.....
Section 4.3.210 - Categories and Review Standards.
Section 4.3.220 - Additional Conditional Use Review Standards for uses, development and activities listed
in table 4.3.200.....
Section 4.3.225 - General Siting Standards.
Section 4.3.230 - Additional Siting Standards.

Article 5.0 Administration and Application Review Provisions

Section 5.0.100 - Pre-Application Conference
Section 5.0.150 - Application Requirements.....
Section 5.0.175 - Application Made by Transportation Agencies, Utilities or Entities *This Section is not
Applicable to this Application.*.....
Section 5.0.200 - Application Complete (ORS 215.427).....
Section 5.0.250 - Timetable for Final Decisions (ORS 215.427)
Section 5.0.300 - Findings Require [ORS 215.416(9)-(10)].....
Section 5.0.350 - Conditions of Approval.....
Section 5.0.400 - Consolidated Applications
Section 5.0.450 - Coordination with Division of State Lands (DSL) State/Federal Waterway Permits Reviews.
Section 5.0.500 - Inconsistent Applications *This Section is not Applicable to this Application.*.....
Section 5.0.550 - Hearings Body Review of Administrative Decisions *This Section is not Applicable to this
Application.*
Section 5.0.600 - Board of Commissioners Review of Applications and Appeals *This Section is not
Applicable to this Application.*.....
Section 5.0.900 - Notice Requirements (ORS 197.763).....
Section 5.0.950 - Failure to Receive Notice *This Section is not Applicable to this Application.*

Article 5.2 Conditional Uses

Section 5.2.100 - Conditional Uses.
Section 5.2.400 - Process for Conditional Uses.....
Section 5.2.500 - Criteria for Approval of Applications.
Section 5.2.600 - Expiration and Extension of Conditional Uses.
Section 5.2.700 - Development Transferability *This Section is not Applicable to this Application.*

Article 5.4 Vested Right

Article 5.6 Non-Conforming

Section 5.6.100 - Nonconforming Uses.
Section 5.6.105 - Exceptions to Restoration or Replacement of Nonconforming Uses *This Section is not Applicable to this Application.*.....
Section 5.6.110 - Interruption or Abandonment of Nonconforming Uses *This Section is not Applicable to this Application.*.....
Section 5.6.115 - Surface Mining *This Section is not Applicable to this Application.*.....
Section 5.6.120 - Alterations, Repairs or Verification
Section 5.6.125 - Criteria for Decision
Section 5.6.130 - General Exceptions to Minimum Property Size *Requirements This Section is not Applicable to this Application.*

Article 5.10 Compliance Determinations and Reviews

Section 5.10.100 - Compliance Determinations.
Section 5.10.200 - Application Requirements.....
Section 5.10.250 - Review for Balance of County Zoning Districts.
Section 5.10.300 - Review for Uses and Activities in an Estuary Management Plan Zone *This Section is not Applicable to this Application.*.....
Section 5.2.400 - Notification.

Article 6.3 Property Line Adjustments

Section 6.3.100 - Property Line Adjustments.....
Section 6.3.125 - Procedure.....
Section 6.3.150 - Easements and Access.
Section 6.3.175 - Mapping and Filing Requirements.....

Section C - Exhibit Drawings

C000 Overall Existing Conditions.....
C050 Property Line Adjustment (*Preliminary*)
C100 Overall Site Plan (*Preliminary*)
C200 Grading Plan (*Preliminary*)
C300 Utility Plan (*Preliminary*).....

Section D - Appendices

Appendix 1 Preliminary Title Report (Ticor Title Company).....
Appendix 2 Assessors Tax Map (Coos County).....

Appendix 3 Zoning Map (Coos County)

Appendix 4 Pre-Application Meeting Request (Atwell, LLC)
Appendix 5 Pre-Application Meeting Summary Notes (Coos County)

Appendix 6 Statewide Wetland Inventory (Division of State Lands).....
Appendix 7 Wetland Delineation (PBS Engineering and Environmental, Inc.).....

Appendix 8 Geotechnical Report and Infiltration Report.....

Appendix 9 Wastewater Permit (DEQ)

Appendix 10 Historical Aerial Photographs (Google Maps)

Appendix 11 Property Map within 250 feet (Ticor Title Company)
Appendix 12 Mailing Labels (Ticor Title Company).....

A.
Introduction

1. **Development Team Members**
2. **Property and Zoning Summary**
3. **Project Summary**
4. **Prior Land Use Approvals**
5. **Land Use Reviews Requested**
6. **Application Fee Calculation**

1. Development Team Members:

Listed below is a summary of the development team members for the ***Ocean Pines RV Park*** request.

Owner/Applicant:

Ocean Pines Communities, LLC.

P.O. Box 44716
Boise, ID 83711
Contact: Matt Williams
Telephone: (503) 345.2686
Email: matt@bisonproperties.com

Applicant's Representative:

ATWELL, LLC.

9755 SW Barnes Road, Suite 150
Portland, OR 97225
Telephone: (971) 334.8962
Contact: Brady Berry, Associate Director
Email: bberry@atwell-group.com

Civil Engineering:

ATWELL, LLC.

9755 SW Barnes Road, Suite 150
Portland, OR 97225
Telephone: (971) 334.8962
Contact: Brady Berry, Associate Director
Email: bberry@atwell-group.com

Planning:

ATWELL, LLC.

9755 SW Barnes Road, Suite 150
Portland, OR 97225
Telephone: (971) 334.8962
Contact: Brady Berry, Associate Director
Email: bberry@atwell-group.com

Surveying:

Stuntzner Engineering and Forestry, Inc.

705 South 4th Street
Coos Bay, OR 97420
Telephone: (541) 267.2872
Contact: Douglas McMahan, PLS
Email: doug@stuntzner.com

Environmental:

PBS Engineering and Environmental, Inc.

1325 SE Tech Center Dr., Suite 140
Vancouver, WA 98683
Telephone: (360) 695.3488
Contact: Brian Bieger, PWS
Email: Brian.Bieger@pbsusa.com

2. Property and Zoning Summary

Legal Description:	Township 24 South Range 13 West: <ul style="list-style-type: none">• Section 11BA Tax Lot 1000• Section 2CD Tax Lot 1400• Section 11 Tax Lot 300
Parcel Size: (Per Tax Map)	Tax Lot 1000 - 18.20 Acres Tax Lot 1400 - 3.93 Acres Tax Lot 300 - 7.77 Acres
Zoning:	Tax Lot 1000 – Rural Center (RC) Tax Lot 300 – Industrial (IND) Tax Lot 1400 – Industrial (IND)

3. Project Summary

The subject property consists of three (3) parcel described as follows: 1) Township 24 South, Range 13 West Section 11B, Tax Lot 1000; 2) Township 24 South, Range 13 West Section 2CD, Tax Lot 1400; and Township 24 South, Range 13 West Section 11B, Tax Lot 300. (*refer to Appendix 2*).

Based on the City's Zoning Map, tax lot 1000 is zoned Rural Center (RC) and parcels 1400 & 300 are zoned Industrial (IND) (*refer to Appendix 3*).

The Owner/Applicant would like to adjust the property line between Tax lot 300 and tax lot 1000 in order to incorporate the non-conforming uses located into the existing RV Park.

In addition, on tax lot 1000, which is zoned Rural Center (RC), the Owner/Applicant is requesting approval to reconfigure the existing park layout with additional spaces provided to the existing RV Park for a total of 120 units, the maximum allowed under current DEQ approvals for existing sewer facilities.

On tax lot 1400, zoned Industrial (IND), the Owner/Applicant is requesting approval to add outdoor RV/Boat storage.

The proposed project would be completed as described below:

- Reconfiguration of existing RV Park on tax lot 1000 and development of 27 RV/Boat storage spaces on tax lot 1400.

Existing wetlands on site will not be impacted by any of the proposed development.

The table of contents of this application outlines all the application criteria, exhibit drawings and appendices submitted for review and approval. Please refer to the application text and drawings for more detailed information regarding the proposed application.

4. Prior Land Use Approvals

Below is a list of prior land use approvals affecting the subject properties.

Reference Number	Tax Lot	Type	Jurisdiction
NA	Township 24 South Range 13 West: Section 11BA Tax Lot 1000	Pre-Dates Coos County Zoning and Land Development Ordinance	Coos County
HBCU -90-16	Township 24 South Range 13 West: Section 11BA Tax Lot 1000	Hearings Body Conditional Use (60 New RV Sites)	Coos County
ACU -92-59	Township 24 South Range 13 West: Section 11BA Tax Lot 1000	Administrative Conditional Use (Extension)	Coos County
PA-21-007	Township 24 South Range 13 West: Section 11BA Tax Lot 1000, Section 2CD Tax Lot 1400, Section 11 Tax Lot 300	Pre-Application	Coos County

5. Land Use Reviews Requested

The Coos County Zoning And Land Development Ordinance (Chapters 4, 5 & 6) identifies various procedural reviews based upon the type of land use action being requested. For this application, the Contract Purchaser/Applicant is requesting the following review:

Land Use Request	Type
Property Line Adjustment (PLA)	II
Administrative Conditional Use (ACU)	II
Compliance Determination (CD)	I

6. Fee Calculations:

The proposed project is required to follow County's standards and procedures. The applicable fees associated with the applications are as follows:

Fees	Fee
Property Line Adjustment (PLA)	\$1,200.00
Administrative Conditional Use (ACU)	\$1,600.00
Compliance Determination (CD)	\$320.00
Total	\$3,120.00

Business Registry Business Name Search

[New Search](#)

Business Entity Data

12-06-2023 14:25

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
2190612-98	DLLC	ACT	OREGON	11-01-2023	11-01-2024	
Entity Name		OCEAN PINES COMMUNITIES, LLC				
Foreign Name						

[New Search](#)

Associated Names

Type	PPB		PRINCIPAL PLACE OF BUSINESS		Country	UNITED STATES OF AMERICA
Addr 1	69262 WILDWOOD ROAD					
Addr 2						
CSZ	NORTH BEND	OR	97459		Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	11-01-2023	Resign Date
Of Record	911399-99	FWW SERVICES INC.			
Addr 1	121 SW MORRISON STREET				
Addr 2	SUITE 600				
CSZ	PORTLAND	OR	97204		Country UNITED STATES OF AMERICA

Type	MAL	MAILING ADDRESS	Country	UNITED STATES OF AMERICA
Addr 1	121 SW MORRISON STREET			
Addr 2	SUITE 600			
CSZ	PORTLAND	OR	97204	Country UNITED STATES OF AMERICA

Type	MGR	MANAGER	Resign Date
Name	MATT	WILLIAMS	
Addr 1	PO BOX 44716		
Addr 2			
CSZ	BOISE	ID	83711 Country UNITED STATES OF AMERICA

Type	MGR	MANAGER	Resign Date
Name	LONNY	HUTCHISON	
Addr 1	PO BOX 44716		
Addr 2			
CSZ	BOISE	ID	83711 Country UNITED STATES OF AMERICA

[New Search](#)

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
OCEAN PINES COMMUNITIES, LLC	EN	CUR	11-01-2023	

Please read before ordering [Copies](#).

[New Search](#)

Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ARTICLES OF ORGANIZATION	11-01-2023		FI	Agent	

COOS COUNTY
 PLANNING DEPARTMENT
 LAND USE FEE SCHEDULE
 EFFECTIVE 4/1/22
 Order # 22-03-019L

FEE DESCRIPTION	FEE
Hourly Rate	\$160.00
Rebilling for invoices that are 30 days past due	\$25.00
Appeals of	
Administrative Decision - ORS 215.416(11)(b)	\$250.00
Planning Commission (HBCU)	\$2,560.00
Board of Commissioner (Public Hearings)	\$2,560.00
Conditional Use *	
Administrative Conditional Use (ACU), Variance (V) and Site Plan Review (SP)	\$1,600.00
Hearings Body Conditional Use (HBCU)	\$2,560.00
Modification of Conditions for ACU	\$1,120.00
Modification of Conditions for HBCU	\$2,240.00
Plan modification prior to a decision	\$360.00
Reconsideration of ACU Decision (within the appeal period)	\$500.00
Reconsideration of Board Decision (within the appeal period)	\$1,280.00
Remand Hearing	\$3,520.00
<p>*For reviews, unless otherwise deferred to the Planning Commission or called-up by the Board of Commissioners, the base fee will be charged at the time the application is filed. The applicant is responsible for actual cost of that review. If the Board of Commissioners appoints a hearings officer the applicant shall be billed for actual time of planning services, materials and hearings officer cost.</p>	
Compliance Determination (CD)	\$320.00
Comprehensive Plan Amendments	
Map/Text Amendment	\$3,520.00
Cost of M56 notice will be billed to applicant in addition to standard fee	
EFU to F/MU or F/MU to EFU	\$2,600.00
Cottage Industry/Home Occupation	
Requiring an ACU	\$1,500.00
Not requiring an ACU	\$320.00
Requiring only a Zoning Compliance Letter	\$160.00
Yearly Renewal	\$80.00
Lawfully Created Units of Land Review (Discrete Parcel) three or less units	\$600.00
Lawfully Created Units of Land Review (Discrete Parcel) more that three units (this will require a road/access inspection)	\$900.00
Extension Request	
Not requiring a land use notice of decision	\$320
Requiring a land use notice of decision	\$640
Flood Hazard Applications	
Floodplain Review not requiring a notice of decision	\$500.00
Requiring a notice of decision	\$875.00
Floodplain Review with a Conditional Use	\$480.00

Land Divisions	
Partitions (three parcels or less)	\$1,600.00
Subdivision (four or more lots)	\$1,900.00
Planned Unit Developments	\$2,000.00
Medical/ Family Hardship Dwelling	
Requiring an ACU	\$875.00
Not Requiring an ACU	\$320.00
Two year renewal	\$100.00

Multiple Request	30% of highest application fee
Pre-application Meetings	
Pre-application Meeting / With outside agencies	\$600.00
With County Staff based on hourly rate (\$160.00) charges are not applied if the meeting is fifteen minutes or less. Research cost may apply.	
30 minutes	\$80.00
45 minutes	\$120.00
60 minutes/1 Hour	\$160.00
Property Line Adjustment	
Property Line Adjustment Requiring a notice of decision	\$1,200.00
Not Requiring Notice	\$700.00
Research Request	\$160.00/hr
First hour paid upfront and all money paid prior to release of information unless otherwise approved.	
Road Naming	
Road Naming Application (plus County Road Sign fee)	\$640.00
Appeal of Road Name to the Board of Commissioners	\$960.00
Rural Address	\$220.00
Replacement of Address Stake	\$30.00
Sign offs	
Land Use Compatibility, Federal or State Forms	\$320.00
Grant Forms	\$160.00
Non-regulated agricultural grant projects (irrigation, fencing and planting)	No Charge
Renewal (prior signed off Federal or State Forms)	\$80.00
Vacations of platted streets, alleys and street plugs	
Requires a hearing for a Road Vacation or Street Plug (Planning portion of fee is \$1500)	\$3,186.24
Requires a hearing for an Alleyway (Planning portion of fee is 1280)	\$2,966.49
Not requiring a hearing (Planning portion \$960.00)	\$1,901.21
Zoning Compliance Letter	
Zoning Compliance Letter (new)	\$160.00
Zoning Compliance Letter Renewal (prior to expiration)	\$100.00
Miscellaneous:	
Copies:	\$0.50 per page
Ordinance Interpretation subject to hourly rate, plus County Counsel's Hourly Rate, payable prior to the release of the interpretation	
Postage and Handling on Mailed Request	\$1.00 plus postage
Records Request (Hourly Rate for Actual Cost of Time Plus Materials.)	\$160.00/hr

Road Department Fees	
Driveway Permit	\$153.00
Land Division Review Fee	\$255.00
Road Sign off County Road	\$120.00
Replacement Address Stake	\$30.00

Applicable Coos County Code Narrative

The following information responds to applicable Coos County Development Code Standards for the **Ocean Pines RV Park Expansion** request. The applicant’s comments to individual sections are highlighted in bold for each applicable standard or regulation. Sections addressed include:

Article 4.2 – Zoning Purpose and Intent

- Section 4.2.100 - Residential *This Section is not Applicable to this Application.*
- Section 4.2.200 - Mixed Commercial-Residential
- Section 4.2.300 - Commercial and Industrial
- Section 4.2.400 - Open Space and Natural Resource *This Section is not Applicable to this Application.*
- Section 4.2.500 - Resource Zones *This Section is not Applicable to this Application.*
- Section 4.2.600 - Bandon Due Resort (BDR) *This Section is not Applicable to this Application.*

Article 4.3 Balance of County Zoning Tables

- Section 4.3.100 - Uses Not Listed and Compliance with Other Sections
- Section 4.3.200 - Zoning Tables for Urban and Rural Residential, Mixed Commercial-Residential, Commercial, Industrial, Minor Estuary and South Slough
- Section 4.3.210 - Categories and Review Standards.
- Section 4.3.220 - Additional Conditional Use Review Standards for uses, development and activities listed in table 4.3.200.
- Section 4.3.225 - General Siting Standards.
- Section 4.3.230 - Additional Siting Standards.

Article 5.0 Administration and Application Review Provisions

- Section 5.0.100 - Pre-Application Conference.
- Section 5.0.150 - Application Requirements.
- Section 5.0.175 - Application Made by Transportation Agencies, Utilities or Entities *This Section is not Applicable to this Application.*
- Section 5.0.200 - Application Complete (ORS 215.427).
- Section 5.0.250 - Timetable for Final Decisions (ORS 215.427).
- Section 5.0.300 - Findings Require [ORS 215.416(9)-(10)].
- Section 5.0.350 - Conditions of Approval.
- Section 5.0.400 - Consolidated Applications
- Section 5.0.450 - Coordination with Division of State Lands (DSL) State/Federal Waterway Permits Reviews.
- Section 5.0.500 - Inconsistent Applications *This Section is not Applicable to this Application.*
- Section 5.0.550 - Hearings Body Review of Administrative Decisions *This Section is not Applicable to this Application.*
- Section 5.0.600 - Board of Commissioners Review of Applications and Appeals *This Section is not Applicable to this Application.*
- Section 5.0.900 - Notice Requirements (ORS 197.763).
- Section 5.0.950 - Failure to Receive Notice *This Section is not Applicable to this Application.*

Article 5.2 Conditional Uses

- Section 5.2.100 - Conditional Uses.
- Section 5.2.400 - Process for Conditional Uses.
- Section 5.2.500 - Criteria for Approval of Applications.
- Section 5.2.600 - Expiration and Extension of Conditional Uses.

Section 5.2.700 - Development Transferability *This Section is not Applicable to this Application.*

Article 5.4 Vested Right

Article 5.6 Non-Conforming

Section 5.6.100 - Nonconforming Uses.

Section 5.6.105 - Exceptions to Restoration or Replacement of Nonconforming Uses *This Section is not Applicable to this Application.*

Section 5.6.110 - Interruption or Abandonment of Nonconforming Uses *This Section is not Applicable to this Application.*

Section 5.6.115 - Surface Mining *This Section is not Applicable to this Application.*

Section 5.6.120 - Alterations, Repairs or Verification

Section 5.6.125 - Criteria for Decision

Section 5.6.130 - General Exceptions to Minimum Property Size Requirements *This Section is not Applicable to this Application.*

Article 5.10 Compliance Determinations and Reviews

Section 5.10.100 - Compliance Determinations.

Section 5.10.200 - Application Requirements.....

Section 5.10.250 - Review for Balance of County Zoning Districts.

Section 5.10.300 - Review for Uses and Activities in an Estuary Management Plan Zone *This Section is not Applicable to this Application.*

Section 5.2.400 - Notification.

Article 6.3 Property Line Adjustments

Section 6.3.100 - Property Line Adjustments.....

Section 6.3.125 - Procedure.....

Section 6.3.150 - Easements and Access.

Section 6.3.175 - Mapping and Filing Requirements.....

Article 4.2 Zoning Purpose and Intent

Section 4.2.100 Residential *This Section is not Applicable to this Application.*

Section 4.2.200 Mixed Commercial-Residential

Rural Center (RC)

The intent of the Rural Center Designation "committed" rural nodes is to provide residential, commercial, and public/semi-public uses.

The purpose of the "RC" is to provide for the development of rural commercial, tourist commercial, residential and services facilities, necessities, convenience and supplies ancillary to nearby agricultural, forestry, recreational and rural residential uses and activities and to conserve energy by providing for needed commercial outlets in rural areas already "committed" as residential/commercial nodes.

New commercial uses that are consistent with the objectives of the "RC" district are those uses which are needed for the convenient shopping needs of the nearby rural population.

Only one Primary Use can exist, and any other use must be subordinate in size and nature. Pursuant to OAR-660-022-003 Commercial building or buildings in a rural unincorporated community shall not exceed 4,000 square feet of floor space.

Applicant's Response: *The subject property consists of three (3) parcels, one of which is designated as Rural Center (RC) (i.e. Tax lot 1000 of section 11BA, Township 24 South, Range 13 West). This parcel contains 18.20 acres.*

The Applicant understands that the purpose of the "RC" is to provide for the development tourist commercial and residential and services facilities to recreational and rural residential uses. The reconfiguration and/or expansion of the existing RV Park would on this parcel would satisfy this requirement and provide tourist commercial facilities as well as rural residential opportunities.

Section 4.2.300 Commercial and Industrial

Industrial (IND)

The intent of the Industrial designation applies to sites potentially needed for industrial development. Use of the designation is not restricted to urban growth areas.

The purpose of the "IND" district is to provide an adequate land base necessary to meet industrial growth needs and to encourage diversification of the area's economy accordingly. The "IND" district may be located without respect to Urban Growth Boundaries, as consistent with the Comprehensive Plan. The "IND" designation is appropriate for industrial parcels that are needed for development, as consistent with the Comprehensive Plan.

Applicant's Response: *The remaining two (2) parcels are designated as Industrial (IND) (i.e. tax lot 1400 of section 2CD, Township 24 South, Range 13 West and tax lot 300 of section 11, Township 24 South, Range 13 West). These parcels contains 3.93 acres (3.83 on tax assessors map) and 7.77 acres respectively.*

The Applicant understands that the purpose of the "IND" district is to provide an adequate land base to meet industrial growth needs. The provision of outdoor storage facilities (i.e. RV/Boat Storage) on the two (2) parcels would satisfy this requirement.

Section 4.2.400 Open Space and Natural Resource *This Section is not Applicable to this Application.*

Section 4.2.500 Resource Zones *This Section is not Applicable to this Application.*

Section 4.2.600 Bandon Due Resort (BDR) *This Section is not Applicable to this Application.*

Article 4.3 Balance of County Zoning Tables

Section 4.3.100 Uses Not Listed and Compliance with Other Sections

Section 4.3.200 Zoning Tables for Urban and Rural Residential, Mixed Commercial-Residential, Commercial, Industrial, Minor Estuary and South Slough

The table indicates the type of review process that is required. Remember that CU is a conditional use review and the letter prior explain what level of conditional use is required (A = administrative and H=Hearing)

As used in the zoning tables the following abbreviations are defined as:

- *“P” permitted and requires no review from the Planning Department. No review is required but other agencies may have requirements.*
- *“CD” compliance determination review (permitted with standards) with clear and objective standards (Staff review usually referred to as Type I process or ministerial action). These uses are subject to development standards in sections 4.3.22, 4.3.230 and notices requesting comments may be provided to other agencies as result. The process takes a minimum of 30 days to complete. Industrial zones may require additional review. All structures and uses shall meet the applicable Development and Siting Criteria or Special Development Considerations and Overlays for the zoning district in which the structure will be sited.*
- *“ACU” Administrative Conditional Use (Planning Director’s Decision usually referred to as a Type II Process)*
- *“HBCU” Hearing Body Conditional Use (Planning Commission, Board of Commissioner or Hearings Officer Decision usually referred to as a Type III Process)*
- *“PLA” Property Line Adjustments subject to standards found in Chapter 6.*
- *“P”, “SUB”, “PUD” = Partition, Subdivision, Planned Unit Development that require Land Division Applications subject to standards found in Chapter 6.*
- *The “Subject To” column identifies any specific provisions of Section 4.3.210 to which the use is subject.*
- *“N” means the use is not allowed.*

The zoning table sets out Uses, Developments and Activities that may be listed in a zone and the type of review that is required within that zone. If there is a conflict between uses the more restrictive shall apply. Section 4.3.210 provides an explanation of the use category and the specific criteria that shall apply and if the use is identified as requiring a conditional use. Section 4.3.225 General Siting Standards apply to all regulated Uses, Developments, or Activities, but these are clear and objective standards that do not, in themselves, require a land use notice. Section 4.3.230 Specific Standards list specific siting standards by zones and 4.2.200 Additional Conditional Use Review and Standards for table 4.3.200 contains any additional criteria that applied to a Use, Development or Activity that has been identified by the following table as requiring.

#	Use	Zones												Subject To:	
		UR-1	UR-2	UR-M	RR-2	RR-5	CD	RC	C-1	IND	AQ	REC	SS		MES
81	Storage Facility and Units including parking facilities	N	N	N	N	N	HBCU	HBCU	ACU	CD	ACU	N	N	N	(79)
121	Recreational Vehicle Park	N	N	N	N	N	HBCU	HBCU	HBCU	N	N	ACU	N	N	(70)
128	Property Line Adjustments	Property Line Adjustments are subject to Article 6.3, Chapter VII and applicable development standards of the primary zones. If the purpose of the property line adjustment is to correct an encroachment it is not a discretionary decision and is exempt from certain standards as explained within Section 6.3.125.3.													

Applicant's Response: *The Applicant is requesting three (3) land use approvals. Each of these is described below:*

- 1) Compliance Determination (CD) to allow an outdoor storage facility on each of the parcels zoned for industrial use.**
- 2) Administrative Conditional Use (ACU) to allow the alteration and/or expansion of an existing non-conforming use (originally approved through a hearings body conditional use); and**
- 3) Property Line Adjustment (PLA) to modify the western boundary of the RV Park in order to include the entire waste water treatment facility.**

Section 4.3.210 – Categories and Review Standards

(70) Recreational Vehicle Park -

- (a) Must be a lot, parcel or tract of land upon which two (2) or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.*
- (b) The park shall contain recreational vehicle sites. Recreational vehicle sites are a plat of ground within the park designed to accommodate a recreational vehicle on a temporary basis.*
- (c) Shall include the submittal of a preliminary plot plan drawn as specified by OAR Division 650.*
- (d) Landscaping and Design:*
 - (i) The landscape shall be such to minimize soil erosion and lessen the visual impact. Every park shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planning along all boundaries of the park site abutting public roads or property lines that are common to other owners of property, except for points of ingress and egress.*

All open areas or common areas shall be landscaped. Landscaping shall consist of lawns and/or ornamental plantings;

- (ii) Any grade changes shall be in keeping with the general appearance of neighboring developed areas.*
- (iii) The site shall be sloped to allow for proper surface drainage; however, surface waters shall not drain in a manner that would adversely affect neighboring properties, the public storm drainage system, or create environmental problems.*
- (iv) Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to such setbacks, screen plantings or other screening methods as shall be reasonably required to prevent their being incompatible with the existing or contemplated environment and the surrounding properties.*
- (e) Walls or fences shall be six feet in height except in the area of ingress and egress. This area shall be subject to Section 7.1.525. Evergreen planting shall not be less than five feet in height, and shall be maintained in a healthy living condition for the life of the RV Park. All walls, fences and evergreen planting shall be approved by the Planning Commission.*
- (f) A parking plan must be signed off by the Roadmaster. Regulation for parking can be found in Chapter VII.*
- (g) The plot plan for the RV Park shall provide for safe and sanitary accumulation, collection, transportation, storage and disposal, including resource recovery of wastes and solid wastes. Trash receptacles shall be provided at the minimum of one for every five spaces. The trash may be stored in an enclosed area until disposed of through a solid waste company or a hauled to a lawful transfer/landfill disposal site. Waste shall be removed from the site at least every 30 days. If the property owner chooses to haul the solid waste to a disposal facility receipts may be required to prove continued compliance with this subsection. Solid waste management shall not conflict with the requirements of Coos County Code Article Seven.*
- (h) **RV Parks require a minimum of five acres and shall not exceed 15 campsites per acre.** The density of the zoning district is replaced with the density requirement of this subsection.*
- (i) RV Parks must reserve at least 30% of the total acreage for open space and common areas. Common areas may have sanitary facilities, open space, parking, roads, pathways, and recreational structures and facilities that serve the entire park.*
- (j) RV Park pads shall not be closer than 15 feet to another vehicle or structures.*
- (k) Sanitation facilities including toilet, lavatory, and bathing facilities shall be required. The sanitary system shall comply with Oregon State Building Codes, Oregon Health Authority or any other health and safety regulatory agency. A water supply shall be provided to the sanitation facility and may be provided to each RV site but sewer shall not be provided to individual RV sites unless an exception is taken to Statewide Planning Goal 11 or the property is located within the Urban Growth Boundary. The camp host or caretaker may be hook to the sanitation system.*
- (l) **RV Parks approved after January 1, 2019 shall not allow tenants to stay within the park more than 30 consecutive days within a six month period.** Registration shall be maintained to prove compliance with this requirement. No person shall receive mail at the site with the exception of the camp host, property owner or watchman. The park may only have one camp host or care taker per 30 spaces. If an exception to Goal 11 to extend public services to the property or the*

property is served by public services (water and sewer) then ORS 197.493 prohibits placement or occupancy restriction including any time limitation. Outside of an Urban Growth Boundary time limits may be applied.

- (m) A dwelling may be constructed for the property owner, camp host or caretaker to reside. This shall not be a rental unit and shall not count as part of the 30% of open space required in subsection (h) above.
- (n) Fires will be permitted only in facilities which have been provided for such purposes or where open fires are allowed.
 - (i) Fireplaces, fire pits, charcoal braziers, wood burning stoves or other cooking facilities shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance in the campground and the neighboring properties.
 - (ii) Trees and other vegetation should be removed around area designated for fires or outdoor cooking to minimize fire hazards.
 - (iii) Fire extinguishers shall be provided at the camp in areas that allow for ease access.
 - (iv) Request for comments will be sent to the fire district in which the property is located within to allow for comments to ensure that fire danger is minimized.
 - (v) Individual fires pits located at the RV site areas prohibited in areas subject inventoried wildfire hazard.
- (79) Storage Facilities and Units – The category includes warehouse, mini-storage, parking lots or parking structures.

Applicant's Response: Staff has indicated that the current uses within the RV Park do not conform to the standards listed above and are consequently considered a non-conforming use. In order to alter and/or expand of the existing RV Park it would require an Administrative Conditional Use (ACU).

Staff also has indicated that warehouses, mini-storage and parking lots are permitted uses within the Industrial District and required a Compliance Determination (CD).

Section 4.3.220 Additional Conditional Use Review Standards for uses, development and activities listed in table 4.3.200.

- (4) **Rural Center-** The following **conditional use review standards apply to all USES, ACTIVITIES and DEVELOPMENT within the RC zoning district.**
 - (a) Compatibility: The proposed USE, ACTIVITY OR DEVELOPMENT is required to demonstrate compatibility with the surrounding properties or compatibility may be made through the imposition of conditions. Compatibility means that the proposed use is capable of existing together with the surrounding uses without discord or disharmony. The test is where the proposed use is compatible with the existing surrounding uses and not potential or future uses in the surround area.

Applicant's Response: Tax lot 1000 of section 11BA, Township 24 South, Range 13 West is currently being used for a Recreational Vehicle (RV) Park. The project consists reconfiguring the existing facility and a future expansion. Therefore, it is assumed that the proposed use is capable of existing together with the surrounding uses without discord or disharmony.

- (b) All parks (Recreational or Residential) shall comply with the following design criteria:
- i. The **landscape shall minimize soil erosion**. The exterior portion of the property shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planting along all boundaries of the site abutting public roads or property lines that are common to other owners of property that are zoned for residential, except for points of ingress and egress;
 - ii. Lighting: Any lights provided to illuminate any public or private parking area shall be so **arranged as to reflect the light away from any abutting or adjacent residential district or use**.
 - iii. **Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to the setbacks of the zoning designation, screen plantings or other screening methods;**
 - iv. **Trash service shall be provided to the facility and the area for trash receptacle or receptacles shall be identified on the plot plan;** and
 - v. Hours of operation may be required in areas predominantly surrounded by residential zones.

Applicant's Response: In accordance with this section, RV Park will also comply with the standards identified above:

- 1) Landscaping: The exterior perimeter of the property will provide sight-obscuring evergreen screen along all boundaries of the site abutting public roads or along property lines zoned for residential use.***
- 2) Lighting: All lighting will be directed away from abutting residential uses.***
- 3) Storage Areas and Utility Buildings: These uses will be subject to the Rural Center (RC) setbacks and be screened using plantings or other screening methods.***
- 4) Trash: Trash service will continue to be provided to the facility and the areas identified for trash receptacle will be identified on the site plan.***

(6) **Industrial (IND)** and Airport Operations (AO)

(a) Industrial developments within an Unincorporated Community Boundary:

- i. shall not occupy more than 8,000 square feet of floor space in any building or combination of buildings within an Urban Unincorporated Community Boundary; or

ii. shall not occupy more than 4,000 square feet of floor space in any building or combination of buildings in a Rural Unincorporated Community Boundary.

Applicant's Response: This criterion is not applicable since no structures are proposed.

(b) Industrial development within an Urban Growth Boundary is not subject to floor square foot limitation but a notice to the city is required as described in subsection (c)(v) below.

Applicant's Response: This criterion is not applicable since no structures are proposed.

(c) Industrial developments on land planned and zoned for industrial uses as of January 1, 2004, located outside of an urban growth boundary when exceeding the size limits of subsections (a) above:

- i. Location: A qualifying site must be located outside of a city Urban Growth Boundary (UGB), and may not be closer than three (3) miles from a UGB of a city containing a population of 20,000 or more.
- ii. Building Size: Subject to building permit approval process; there shall be no limitation on the size or type of industrial buildings authorized.
- iii. Sewer Facilities: Subject to DEQ approval, on-site sewer facilities may be allowed to serve authorized industrial development on qualifying lands, but shall be limited in size to meet only the needs of the authorized industrial use.
- iv. Other uses not permitted: On qualifying lands, retail, commercial and non-accessory residential development is prohibited.
- v. Notice to cities: At least 21 days prior to taking action, notice of pending industrial development (including sewer facilities serving the development) under this section shall be sent to any city within an urban growth boundary within ten (10) miles of the subject site. If the city objects to the pending development, the city and the County shall negotiate to establish conditions of approval, or changes in the development to mitigate concerns raised by the city. If the city requests conditions of approval a notice of decision will be sent to allow an opportunity for a public hearing.

Applicant's Response: This criterion is not applicable since no structures are proposed.

(d) The following standards apply to any land identified as an abandoned or diminished mill site regardless of current zoning:

- i. On property outside of an Urban Growth Boundary. An "abandoned or diminished mill site" is a former or current wood products mill site that was closed after January 1, 1980, or has been operating at less than 25% of capacity since January 1, 2003, and contains, or contained, permanent buildings used in the production or manufacturing of wood products. The County shall identify and determine the

boundaries of abandoned or diminished mill sites (the boundary may only include those areas that were improved for the processing or manufacturing of wood products).

- ii. Location: The site must be located outside of a city UGB.
- iii. Building Size: Subject to the building permit approval process; there shall be no limitations on the size or type of industrial buildings authorized for lands that qualify under this section.
- iv. Sewer facilities: Subject to DEQ approval, on-site sewer facilities, or the extension of sewer facilities from a city UGB or County urban unincorporated area, may be allowed to serve authorized industrial development on qualifying lands, but shall be limited in size to meet only needs of the authorized industrial use. The presence of the sewer facilities may not be used to justify an exception to statewide land use planning goals protecting agricultural lands or forestlands or relating to urbanization.
- v. The governing body of a county or its designee shall determine the boundary of an abandoned or diminished mill site. For an abandoned or diminished mill site that is rezoned for industrial use under this section, land within the boundary of the mill site may include only those areas that were improved for the processing or manufacturing of wood products.
- vi. A permit may be approved on an abandoned or diminished mill site as defined in ORS 215.402 or 227.160 for industrial development and accessory uses subordinate to such development on the mill site. The governing body or its designee may not approve a permit for retail, commercial or residential development on the mill site.
- vii. For land that on June 10, 2003, is zoned under statewide land use planning goals protecting agricultural lands or forestlands and that is rezoned for industrial, the governing body of the county or its designee may not later rezone the land for retail, commercial or other non-resource use, except as provided under the statewide land use planning goals or under ORS 197.732.

Applicant's Response: Not Applicable to this Application

- (e) Regionally Significant Industrial Areas – See Special Development Considerations and Overlays.

Applicant's Response: Not Applicable to this Application

- (f) Conditional Use Review Criteria - The following criteria only apply to Use, Activity or Development identified as a conditional uses in the zoning table:
 - i. COMPATIBILITY: The proposed USE, ACTIVITY OR DEVELOPMENT is required to demonstrate compatibility with the surrounding properties or compatibility may be made through the imposition of conditions. Compatibility means that the proposed

use is capable of existing together with the surrounding uses without discord or disharmony. The test is where the proposed use is compatible with the existing surrounding uses and not potential or future uses in the surround area.

ii. Within a City Urban Growth Boundary:

f. Signage – This category does not apply to address markers/stakes, County Road signs, or State or Federal Highway signs. This requirement only applies in the City of Bandon Urban Growth Boundary.

a) All signs must be located on the same property on which the activity to which the sign refers is located. Signs attached to a building, which are allowed by a temporary right-of-way permit to extend into the right-of-way, are not considered off-site signs.

b) No sign shall interfere with the required vision clearance area.

c) Signs placed on or affixed to vehicles and/or trailers which are parked in the public right-of-way, public property, or private property so as to be visible from a public right-of-way where the apparent purpose is to display the sign are prohibited.

d) The area of a sign shall be the area of the smallest rectangle required to encompass the outside of all words, numbers, letters, logos and symbols.

e) Electronic displays or readerboards are prohibited.

f) Manually changed readerboards are prohibited except the following:

i. Gas station price signs;

ii. An eating and drinking establishment may have one erasable sign, provided that it does not exceed six square feet in area and it does not intrude into the right-of-way.

iii. A church may have a bulletin board not exceeding ten (10) square feet in area, provided it has been approved by the Planning Commission as part of the Conditional Use.

iv. When the angle of a double-sided sign is less than 10 degrees, only one side will be calculated in the sign area.

g) Signs, except as otherwise specifically allowed herein, are prohibited in the public right-of-way.

h) No freestanding sign shall exceed a height of fifteen (15) feet, measured from existing grade to the highest point of the sign.

- i) No sign attached to any building shall exceed twenty (20) feet in height, or the height of the building, whichever is less.
- j) No single sign shall exceed forty eight (48) square feet in size.
- k) Except as otherwise allowed in this chapter, all signs shall comply with the building setback requirements.
- l) No sign projecting from a structure or mounted on a pole shall be less than eight feet above the ground at its lowest point.
- m) No freestanding signs shall be permitted in the public right-of-way, except as otherwise specifically allowed in this Chapter.
- n) Signs attached to a building and projecting into a public right-of-way shall require a temporary right-of-way permit approved by County Road Department or ODOT depending on the type of road.
- o) No sign, or portion thereof, shall be so placed as to obstruct any fire escape or human exit from any portion of a building.
- p) The total exterior sign area for a building shall not be affected by the number of businesses located in the building. The building owner is ultimately responsible for allocating this allowed area to the businesses located therein and for insuring compliance of sign area limitations in the case of multiple businesses being located on a property.
- q) Nuisances or Hazardous Conditions prohibited:
 - i. The illumination of signs shall be designed to eliminate negative impacts on surrounding right-of-way and properties.
 - ii. No sign or light source shall create a distraction, hazard, or nuisance.
 - iii. Signs shall not be used at a location or in a manner so as to be confused with, or construed to be, traffic control devices.
 - iv. All signs shall be securely fastened to their supporting surface or structure.
- r) An eating and drinking establishment may attach to a window a menu, identical to those distributed to customers. Such a menu will not be used in the calculation of total sign area allowed.
- s) Incidental signs displayed strictly for a direction, safety, or the convenience of the public, including but not limited to signs that identify restrooms, public telephones, parking area entrances, and exits are allowed. Individual

signs in this category shall not exceed two square feet in area, and shall not be considered in calculating the total sign area allowed.

iii. Design Standards:

1. The landscape shall minimize soil erosion. The exterior portion of the property shall provide an ornamental, sight-obscuring fence, wall, evergreen or other screening/planting along all boundaries of the site abutting public roads or property lines that are common to other owners of property that are zoned for residential, except for points of ingress and egress;
2. Lighting: Any lights provided to illuminate any public or private parking area shall be so arranged as to reflect the light away from any abutting or adjacent Urban Residential, Rural Residential or Controlled Development district.
3. Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to the setbacks of the zoning designation, screen plantings or other screening methods;
4. Trash service shall be provided to the facility and the area for trash receptacle or receptacles shall be identified on the plot plan; and
5. Hours of operation may be required in areas predominantly surrounded by residential zones.

Applicant's Response: Not Applicable to this Application

Section 4.3.225 General Siting Standards

All new USES, ACTIVITIES and DEVELOPMENT are subject to the following siting standards:

- (1) Agricultural and Forest Covenant - Any applicant for a dwelling permit adjacent to a Forest or Exclusive Farm Zone shall sign a statement on the Compliance Determination or Zoning Clearance Letter acknowledging that: "the normal intensive management practices occurring on adjacent resource land will not conflict with the rural residential landowner's enjoyment of his or her property.

Applicant's Response: Not Applicable to this Application

- (2) **Fences, Hedges, and Walls: No requirement, but vision clearance provisions of Section 7.1.525 apply.**

Applicant's Response: In accordance with this section, any proposed fence, hedge or wall will meet the vision clearance provisions.

Refer to Section C – Exhibit Drawings, Sheet C100 – Overall Site Plan for additional information.

- (3) Limitation on uses of manufactured dwellings/structures for commercial purposes pursuant to ORS 466 et seq. Manufactured dwellings shall not be used for commercial purposes except:
- (a) Where use of the manufactured dwelling for commercial purposes is authorized by the Building Codes Agency.
 - (b) Where used as a temporary sales office for manufactured structures; or
 - (c) As part of an approved home occupation. [OR-92-07-012PL]
- (4) New lots or parcels - Creation of lots or parcels, unless it meets the circumstances of § 5.6.130, shall meet the street frontage, lot width, lot depth and lot size. Minimum road frontage/lot width shall be met unless waived by the Planning Director in consultation with the County Surveyor and County Roadmaster due to creating an unsafe or irregular configuration:
- (a) Minimum Street frontage should be at least 30 feet; and
 - (b) Minimum lot width and Minimum lot depth is 50 feet.

Minimum parcel/lot size cannot be waived or varied unless otherwise provided by a specific zoning regulation. Tax lot creation and consolidations do not change the legally created status of a lot or parcel.

Applicant's Response: Not Applicable to this Application

(5) Parking - Off-street access, parking and loading requirements per Chapter VII apply.

Applicant's Response: In accordance with this Section 7.5, one and one-half parking spaces are required per RV space. No spaces are required for storage. Each RV unit will have one parking stall and the remaining stalls have been distributed around the site to provide the code required parking.

Refer to Section C – Exhibit Drawings, Sheet C100 – Overall Site Plan

- (6) Riparian -
- (a) Riparian vegetation setback within 50 feet of an estuarine wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except:
 - i. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree
 - ii. Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;

- iii. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;
 - iv. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;
 - v. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;
 - vi. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or
 - vii. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration is not more than 100% of the size of the existing structure's "footprint".
- (b) Riparian removal within the Coastal Shoreland Boundary requires an Administrative Conditional Use application and review. See Special Development Considerations Coastal Shoreland Boundary.
- (c) The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.

Applicant's Response: The property is outside the Estuarine Coastal Shorelands Boundary shown on the Fish & Wildlife Habitat – Map II and designated as wetlands formerly in agricultural use. The draft Ocean Pines Wetland Delineation prepared by PBS designates the wetlands as Palustrine and therefore isolated from streams or water bodies. Therefore the 50-foot setback does not apply to the wetlands on this property.

(7) Setbacks:

- (a) All Development with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from the right-of-way line, whichever is greater. This setback may be greater under specific zoning siting requirements.**
- (b) Firebreak Setback - New or replacement dwellings on lots, parcels or tracts abutting the "Forest" zone shall establish and maintain a firebreak, for a distance of at least 30 feet in all directions. Vegetation within this firebreak may include mowed grasses, low

shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to remove dead and low (less than 8 feet from the ground) branches.

Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.

Applicant's Response: As required, the proposed development will maintain a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from the right-of-way line, whichever is greater.

- (8) Outdoor Storage in Residential Zones (a) Boats and trailers, travel trailers, pick-up campers or coaches, motorized dwellings, and similar recreation equipment may be stored on a lot but not used as an accessory use; (b) Automotive vehicles or trailers of any kind or type without current license plates, where required, and which are not in mechanical working order, shall not be parked or stored on any residentially zoned property other than in completely enclosed buildings; (c) One operating truck may be stored on the lot of a truck driver provided it is accessory to the main use of the property. Additional trucks shall not be allowed.

Applicant's Response: The proposed development is not located in a residential zone.

Section 4.3.230 Additional Siting Standards

This section has specific siting standards and criteria set by the zoning district for USES, ACTIVITIES and DEVELOPMENT:

- (4) Rural Center (RC) - The following siting standards apply to all USES, activities and development within the RC zoning district.
- (a) Minimum lot size - The minimum parcel/lot size in RC zoning district is one acre.

Applicant's Response: The subject property consists of three (3) parcels, one of which is designated as Rural Center (RC) (i.e. Tax lot 1000 of section 11BA, Township 24 South, Range 13 West). This parcel contains 18.20 acres. This exceeds the minimum lot size.

- (b) Density or Size limits -
- (1) Dwelling density shall be no more than one dwelling per lawfully created parcel unless otherwise provided for by this ordinance.
- (2) If lawfully created parcels are less than one acre in size and not served by a public sewer then Department of Environmental Quality, State Building Codes and Oregon Department of Water Resources should be consulted by the developer prior to seeking a land use authorization to construct a dwelling as there may be development limitations.

Applicant's Response: Not Applicable to this application since no dwellings are proposed.

- (c) Setbacks – No additional setback requirements.

Applicant's Response: Not Applicable to this Application

(d) Building Height – No additional Requirements.

Applicant's Response: Not Applicable to this Application

Article 5.0 Administration and Application Review Provisions

Section 5.0.100 Pre-Application Conference

The purpose of a pre-application conference is to familiarize the applicant with the provisions of this Ordinance and other land use laws and regulations applicable to the proposed development.

A pre-application is strongly recommended prior to submission of plan or ordinance amendment application or rezone application. For other types of applications an applicant may request a pre-application conference under this Ordinance.

A pre-application conference shall be requested by filing a written request along with the applicable fee to the Planning Department. The written request should identify the development proposal, provide a description of the character, location and magnitude of the proposed development and include any other supporting documents such as maps, drawings, or models.

The Planning Department will schedule a pre-application conference after receipt of a written request and the appropriate fee. The Planning Department will notify agencies and persons deemed appropriate to attend to discuss the proposal. Following the conference, the Planning Department will prepare a written summary of the discussion and send it to the applicant.

Applicant's Response: The original Applicant, Foreal Development, LLC submitted for a pre-application meeting on November 5, 2021. The actual meeting was scheduled and held on December 15, 2021. This application recognizes the discussions notes from this meeting.

Section 5.0.150 Application Requirements

Applications for development or land use action shall be filed on forms prescribed by the County and shall include sufficient information and evidence necessary to demonstrate compliance with the applicable criteria and standards of this Ordinance and be accompanied by the appropriate fee. An application shall not be considered to have been filed until all application fees have been paid. All applications shall include the following:

- 1. Applications shall be submitted by the property owner or a purchaser under a recorded land sale contract.** "Property owner" means the owner of record, including a contract purchaser. The application shall include the signature of all owners of the property. A legal representative may sign on behalf of an owner upon providing evidence of formal legal authority to sign.

Applicant's Response: The application is being submitted by the Owner, Ocean Pines Communities, LLC.

2. An application for a variance to the requirements of the Airport Surfaces Overlay zone may not be considered unless a copy of the application has been furnished to the airport owner for advice as to the aeronautical effects of the variance. If the airport owner does not respond to the application within twenty (20) days after receipt, the Planning Director may act to grant or deny said application.

Applicant's Response:

3. **One original and one exact unbound copy of the application or an electronic copy shall be provided at the time of submittal for all applications.**

An application may be deemed incomplete for failure to comply with this section

Applicant's Response: As required, one original and an electronic copy will be provided at the time of submittal.

Section 5.0.175 Application Made by Transportation Agencies, Utilities or Entities *This Section is not Applicable to this Application.*

Section 5.0.200 Application Complete (ORS 215.427):

1. **An application will not be acted upon until it has been deemed complete by the Planning Department.** In order to be deemed complete, the application must comply with the requirements of Section 5.0.150, and all applicable criteria or standards must be adequately addressed in the application. If the County Road Department recommends traffic impact analysis (TIA) the application will not be deemed complete until it is submitted.

Applicant's Response: The Owner/Applicant understands that the application will not be acted upon until it has been deemed complete by the Planning Department.

2. For land within an urban growth boundary and applications for mineral aggregate extraction, the governing body of a county or its designee shall take final action on an application for a permit, limited land use decision, including resolution of all appeals under ORS 215.422 (Review of decision of hearings officer or other authority), within 120 days after the application is deemed complete unless an application has been deemed incomplete, voided or extended as discussed in this section . The governing body of a county or its designee shall take final action on all other applications for a permit, limited land use decision or zone change, including resolution of all appeals under ORS 215.422 (Review of decision of hearings officer or other authority), within 150 days after the application is deemed complete, unless an application has been deemed incomplete, voided or extended as provided for in this section.

Applicant's Response: This criterion is not applicable to this application because it is not located within the urban growth boundary.

3. **If an application for a permit or limited land use decision is incomplete, the governing body or its designee shall notify the applicant in writing of exactly what information is missing within 30 days of receipt of the application and allow the applicant to submit the missing**

information. The application shall be deemed complete for the purpose of subsection 2 upon receipt by the governing body or its designee of:

- a. All of the missing information;
- b. Some of the missing information and written notice from the applicant that no other information will be provided; or
- c. Written notice from the applicant that none of the missing information will be provided.

Applicant's Response: Acknowledged.

4. **If the application was complete when first submitted or the applicant submits additional information, as described in Subsection 3, within 180 days of the date the application was first submitted** and the county has a comprehensive plan and land use regulations acknowledged under ORS 197.251 (Compliance acknowledgment), approval or denial of the application shall be based upon the standards and criteria that were applicable at the time the application was first submitted.

Applicant's Response: Acknowledged.

5. If the application is for industrial or traded sector development of a site identified under Section 11 below, chapter 800, Oregon Laws 2003, and proposes an amendment to the comprehensive plan, approval or denial of the application must be based upon the standards and criteria that were applicable at the time the application was first submitted, provided the application complies with Section 4 above.

Applicant's Response: Acknowledged.

6. On the 181st day after first being submitted, the application is void if the applicant has been notified of the missing information as required under subsection (3) of this section and has not submitted:
 - a. All of the missing information;
 - b. Some of the missing information and written notice that no other information will be provided; or
 - c. Written notice that none of the missing information will be provided.

Applicant's Response: Acknowledged.

7. The period set in Subsection 2 of this section may be extended for a specified period of time at the written request of the applicant. The total of all extensions, except as provided in Section 12 of this section for mediation, may not exceed 215 days.

Applicant's Response: Acknowledged.

8. The period set in Section 2 of this section applies:
 - a. Only to decisions wholly within the authority and control of the governing body of the county; and
 - b. Unless the parties have agreed to mediation as described in Section 11 of this section or ORS 197.319(2)(b) (Procedures prior to request of an enforcement order)

Applicant's Response: Acknowledged.

9. Timelines as described in this section do not apply to a decision of the county making a change to an acknowledged comprehensive plan or dependent on the approval of a comprehensive plan amendment.

Applicant's Response: Acknowledged.

10. Except when an applicant requests an extension of the timelines, if the governing body of the county or its designee does not take final action on an application for a permit, limited land use decision or zone change within 120 days or 150 days, as applicable, after the application is deemed complete, the county shall refund to the applicant either the unexpended portion of any application fees or deposits previously paid or 50 percent of the total amount of such fees or deposits, whichever is greater. The applicant is not liable for additional governmental fees incurred subsequent to the payment of such fees or deposits. However, the applicant is responsible for the costs of providing sufficient additional information to address relevant issues identified in the consideration of the application.

Applicant's Response: Acknowledged.

11. A county may not compel an applicant to waive the period set in ORS 215.429 (Mandamus proceeding when county fails to take final action on land use application within specified time) as a condition for taking any action on an application for a permit, limited land use decision or zone change except when such applications are filed concurrently and considered jointly with a plan amendment.

Applicant's Response: Acknowledged.

12. The periods set forth in this section may be extended by up to 90 additional days, if the applicant and the county agree that a dispute concerning the application will be mediated. [1997 c.414 §2; 1999 c.393 §§3,3a; enacted in lieu of 215.428 in 1999; 2003 c.800 §30; 2007 c.232 §1; 2009 c.873 §15; 2011 c.280 §10]

Applicant's Response: Acknowledged.

Section 5.0.250 Timetable for Final Decisions (ORS 215.427):

1. For lands located within an urban growth boundary, and all applications for mineral or aggregate extraction, the County will take final action within 120 days after the application is

deemed complete. For land divisions within the urban growth boundary or lands designated as Regionally Significant Industrial Areas (RSIA) see Article 5.12 for processing and time tables.

Applicant's Response: Acknowledged.

- 2. For all other applications, the County will take final action within 150 days after the application is deemed complete.**

Applicant's Response: Acknowledged.

3. These time frames may be extended upon written request by the applicant.

Applicant's Response: Acknowledged.

4. Time periods specified in this Section shall be computed by excluding the first day and including the last day. If the last day is a Saturday, Sunday, legal holiday or any day on which the County is not open for business, the time deadline is the next working day. [OAR 661-010-0075]

Applicant's Response: Acknowledged.

5. The period for expiration of a permit begins when the appeal period for the final decision approving the permit has expired and no appeals have been filed, or all appeals have been exhausted and final judgments are effective.

Applicant's Response: Acknowledged.

Section 5.0.300 Findings Require [ORS 215.416(9)-(10)]:

Approval or denial of an application shall be in writing, based upon compliance with the criteria and standards relevant to the decision, and include a statement of the findings of fact and conclusions related to the criteria relied upon in rendering the decision.

Applicant's Response: Acknowledged.

Section 5.0.350 Conditions of Approval:

1. Conditions of approval may be imposed on any land use decision when deemed necessary to ensure compliance with the applicable provisions of this Ordinance, Comprehensive Plan, or other requirements of law. Any conditions attached to approvals shall be directly related to the impacts of the proposed use or development and shall be roughly proportional in both the extent and amount to the anticipated impacts of the proposed use or development.

Applicant's Response: Acknowledged.

2. An applicant who has received development approval is responsible for complying with all conditions of approval. Failure to comply with such conditions is a violation of this ordinance, and may result in revocation of the approval in accordance with the provisions of Section 1.3.300.

Applicant's Response: Acknowledged.

3. At an applicant's request, the County may modify or amend one or more conditions of approval for an application previously approved and final. Decisions to modify or amend final conditions of approval will be made by the review authority with the initial jurisdiction over the original application using the same type of review procedure in the original review.

Applicant's Response: Acknowledged.

Section 5.0.400 Consolidated Applications

1. **Applications for more than one land use decision on the same property may be submitted together for concurrent review.** If the applications involve different review processes, they will be heard or decided under the higher review procedure. For example, combined applications involving an administrative review and hearings body reviews, will be subject to a public hearing.

Applicant's Response: The Applicant is requesting three (3) land use approvals. Each of these is described below:

- 1) ***Compliance Determination (CD) to allow an outdoor RV/boat storage facility on each of the parcels zoned for industrial use.***
 - 2) ***Administrative Conditional Use (ACU) to allow the alteration and/or expansion of an existing non-conforming use (originally approved through a hearings body conditional use); and***
 - 3) ***Property Line Adjustment (PLA) to modify the western boundary of the RV Park in order to include the entire waste water treatment facility.***
2. Applications that are paired with a Plan Amendment and/or Rezone application shall be contingent upon final approval of the amendment by the Board of Commissioners. If the Board denies the amendment, then any other application submitted concurrently and dependent upon it shall also be denied.

Applicant's Response: This criterion is not applicable to this application.

Section 5.0.450 Coordination with Division of State Lands (DSL) State/Federal Waterway Permits Reviews

If the County is notified by DSL that a state or federal permit has been requested for a use or activity requiring County review, the County shall:

1. If the applicant has received prior County review (pursuant to this Article) for a use or activity requiring a state or federal waterway permit, Coos County shall notify DSL that the project was or was not found to be consistent with this Ordinance;

Applicant's Response: Acknowledged.

2. If the applicant has not received prior County review for a state or federal waterway permit, and if Coos County is notified by DSL requesting County comment on a proposed project, Coos County shall respond to DSL and the applicant within 3 working days. Said notification shall state that local authorization is required pursuant to the Coos County Comprehensive Plan or this Ordinance;

Applicant's Response: Acknowledged.

3. Notice shall be provided to the Division of State Lands, the applicant and owner of record within 5 working days for any permit or approval required under this ordinance for the following developments within wetlands as shown on the National Wetland Inventory Map:
 - a. Subdivision or planned unit developments;
 - b. New Structures;
 - c. **Conditional use permits or variances that involve physical alterations to the land or construction of new structures.**

Applicant's Response: In accordance with this section, the notice of the application will be provided to Division of State Lands.

Section 5.0.500 Inconsistent Applications *This Section is not Applicable to this Application.*

Section 5.0.550 Hearings Body Review of Administrative Decisions *This Section is not Applicable to this Application.*

Section 5.0.600 Board of Commissioners Review of Applications and Appeals *This Section is not Applicable to this Application.*

Section 5.0.900 Notice Requirements (ORS 197.763):

All applications that receive a notice shall follow this section except for land divisions within the urban growth boundary or lands designated as Regionally Significant Industrial Areas (RSIA). See Article 5.12 for processing and time tables.

1. Notice Public Hearing :
 - a. The Planning Department shall forward a copy of the application to any affected city or special district pursuant to applicable provisions of this Ordinance;
 - b. The Planning Department shall mail a copy of the staff report to the city, special district, applicant and Hearings Body at least seven (7) days prior to the scheduled public hearing.
 - c. Notice shall be mailed at least twenty days prior to the hearing, or ten before the first evidentiary hearing if there will be two or more hearings. Notice shall:

- i. Describe the nature of the application and the proposed use or uses that could be authorized;
 - ii. Set forth the address or other easily understood geographical reference to the subject property;
 - iii. Include the name of the local government representative to contact and a telephone number where additional information may be obtained;
 - iv. State that a copy of the application, all documents and evidence relied upon by the applicant, and applicable criteria are available for inspection at no cost, and will be provided at reasonable cost;
 - v. List the applicable criteria that apply to the application;
 - vi. State the date, time, and location of the hearing;
 - vii. State that failure of an issue to be raised, in person or in writing, or failure to provide statements or evidence sufficient to afford the decision maker an opportunity to respond to the issue precludes appeal to the Land Use Board of Appeals based on that issue;
 - viii. State that a copy of the staff report will be available for inspection at no cost at least seven days prior to the hearing and will be provided at reasonable cost; and
 - ix. Include a general explanation of the requirements of submission of testimony and the procedure for the conduct of the hearings.
 - x. The Planning Director shall cause notice of the hearing to be mailed to, the applicant and to all neighborhood or community organizations recognized by the County and whose boundaries include the site and to the owners of record of property on the most recent property tax assessment roll where such property is located:
 - 1) Within 100 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is wholly or in part within an urban growth boundary;
 - 2) Within 250 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is outside an urban growth boundary and not within a farm or forest zone;
 - 3) Within 500 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is within a farm or forest zone
- d. Notice of the decision shall be afforded to the applicant and those persons participating in the public hearing.

Applicant's Response: Acknowledged.

2. Notice of Administrative Decisions

a. Notice of an Administrative Decision will be provided to the following:

- i. The applicant and the owners of the subject property, affected cities, special districts, Hearings Body members and other parties requesting notification;
- ii. The owners of record of property as described in ORS 215.416(11)(c), the applicant and to all neighborhood or community organizations recognized by the County and whose boundaries include the site and to the owners of record of property on the most recent property tax assessment roll where such property is located:
 - a. Within 100 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is wholly or in part within an urban growth boundary;
 - b. Within 250 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is outside an urban growth boundary and not within a farm or forest zone;**
 - c. Within 750 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is within a farm or forest zone.
- iii. Notice of an Administrative Decision shall:
 - 1) Describe the nature of the application and the proposed use or uses that could be authorized;
 - 2) Set forth the address or other easily understood geographical reference to the subject property;
 - 3) Include the name of the local government representative to contact and a telephone number where additional information may be obtained;
 - 4) State that a copy of the application, all documents and evidence relied upon by the application, and applicable criteria are available for inspection at no cost and will be provided at reasonable cost;
 - 5) State that any person who is adversely affected or aggrieved or who is entitled to notice under (i) may appeal the decision by filing a written appeal within fifteen days of the date the Notice was mailed;
 - 6) State that the decision will not become final until the fifteen day period for filing an appeal has expired; and

- 7) State that a person who is mailed written notice of the decision cannot appeal the decision directly to the Land Use Board of Appeals under ORS 197.830.

Applicant's Response: In accordance with this section, notice of decision will be issued to owners of record of property located within 250 feet of the exterior boundaries of the contiguous property ownership outside an urban growth boundary.

3. Plan Map Amendment/Rezone

- a. If the application includes an exception to a goal, notice shall comply with ORS 197.732. The notice shall be published at least 20 days prior to the date of the hearing. All notice requirements in "1" of this Section shall apply.
- b. At least 35 days prior to the initial hearing, notice shall be provided as required by ORS 197.610. [OR 04 12 013PL 2/09/05]
- c. Notice of decision shall be afforded to the applicant and those participating in the process. Notice of the decision shall also be afforded to any witness participating in the public hearing and requesting such notification.
- d. Requirements for hearings on a rezone of property containing a mobile home park shall be provided pursuant to ORS 215.223(7).
- e. Special notice requirements for zone changes within the environs of public use airports shall be provided pursuant to ORS 215.223(4), (5), and (6).

Applicant's Response: This criterion is not applicable to this application.

4. Legislative Amendment

- a. The Board of Commissioners shall conduct one or more public hearings with 10 days advance published notice of each of the hearings.
- b. The public notice shall state the time and place of the hearing and contain a statement describing the general subject matter of the ordinance under consideration. (ORS 215.060 & ORS 215.223)
- c. Notice to DLCD shall be provided 35 days prior to the initial hearing per ORS 197.610. Notice of adoption is subject to ORS 197.615. [OR 04 12 013PL 2/09/05]
- d. Notice to Cities and Districts.

Applicant's Response: This criterion is not applicable to this application.

5. For conditional use applications within Urban Growth Boundaries and Areas of Mutual Interest, the Planning Department shall comply with the notice requirements contained in the Urban Growth Management and Special Districts Coordination Agreements.

Applicant's Response: This criterion is not applicable to this application since the conditional use request is outside the urban growth boundary.

6. The following agencies shall be notified of all Conditional Use determinations involving waterway permits:
 - a. State Agencies:
 - Department of State Lands
 - Department of Fish & Wildlife-Charleston, OR
 - Department of Environmental Quality
 - Department of Forestry
 - South Slough Estuarine Sanctuary Commission
 - b. Federal Agencies:
 - Army Corps of Engineers
 - National Marine Fisheries Service
 - U.S. Fish & Wildlife Service
 - c. Other Notification:
 - State Water Resource Department (uses including appropriation of water only)
 - State Department of Geology and Mineral Industries (mining and mineral extraction only)
 - State Department of Energy (generating and other energy facilities only)
 - Department of Economic Development (docks, industrial and port facilities, and marinas only)
 - Coquille Tribe Confederated Tribes of Coos, Lower Umpqua & Siuslaw Indians

Applicant's Response: Acknowledged.

Section 5.0.950 Failure to Receive Notice *This Section is not Applicable to this Application.*

Article 5.2 Conditional Uses

Section 5.2.100 Conditional Uses

Conditional uses are discretionary reviews that involve judgment or discretion in determining compliance with the approval requirements. The review is discretionary because not all of the approval requirements are objective. That is, they are not easily definable or measurable. The amount of discretion and the potential impact of the request vary among different reviews. Some have less discretion or impact, such as the reduction of a garage setback for a house on a hillside. Others may involve more discretion or potential impacts, such as the Discretionary reviews that must provide opportunities for public involvement by either a public hearing or the right to appeal. All conditions that are placed on an application shall be completed at the cost of the applicant. There are different application types that are considered conditional uses but below are the three most common types of conditional use applications.

1. Hearings Body Conditional Uses (HBCU or C). A Hearings Body conditional use is a use or activity which is basically similar to the uses permitted in a district but which may not be entirely compatible with the permitted uses. An application for a conditional use requires review by the Hearings Body to insure that the conditional use is or may be made compatible with the permitted uses in a district and consistent with the general and specific purposes of this Ordinance.
2. **Administrative Conditional Uses (ACU). An Administrative Conditional use is a use or activity with similar compatibility or special conservation problems. An application for an administrative conditional use requires review by the Planning Director to insure compliance with approval criteria.**
3. Variance (V). Practical difficulty and unnecessary physical hardship may result from the size, shape, or dimensions of a site or the location of existing structures thereon, geographic, topographic or other physical conditions on the site or in the immediate vicinity, or, from population density, street location, or traffic conditions in the immediate vicinity. The authority to grant variances does not extend to use regulations, minimum lot sizes or riparian areas within the Coastal Shoreland Boundary.

Discretionary reviews contain approval criteria. Approval criteria are listed with a specific review and findings must be made to address such criteria. The criteria set the bounds for the issues that must be addressed by the applicant and which may be raised by the City or affected parties. A proposal that complies with all of the criteria will be approved. A proposal that can comply with the criteria with mitigation measures or limitations will be approved with conditions. A proposal that cannot comply with the criteria outright or cannot comply with mitigation measures will be denied.

Approval criteria have been derived from, and are based on the Comprehensive Plan, Statute, Rule and/or Oregon Statewide Planning Goals or any combination thereof. The Coos County Comprehensive Plan has been acknowledged by the Department of Land Conservation and Development. The identified enforceable policies have been incorporated into the Coos County Zoning and Land Development Ordinance. The county shall use the review criteria set forth in the Coos County Zoning and Land Development Ordinance unless otherwise

specified. Fulfillment of all requirements and approval criteria means the proposal is in compliance with the Comprehensive Plan and the implementing ordinance.

When approval criteria refer to the request meeting a specific threshold, such as adequacy of services or no significant detrimental environmental impacts, the review body will consider any proposed improvements, mitigation measures, or limitations proposed as part of the request when reviewing whether the request meets the threshold. All proposed improvements, mitigation measures, and limitations must be submitted for consideration prior to a final decision by a review body.

Applicant's Response: The proposed development within the Rural Center (RC) zone consists of an reconfiguration and expansion of an existing non-conforming use. Since the proposed modifications are of similar compatibility, Coos County staff indicated that it would be review as an Administrative Conditional Use (ACU).

Section 5.2.400 Process for Conditional Uses

A conditional use may be initiated by filing an application with the Planning Department using forms prescribed by the Department.

Upon receipt of a complete application, the Planning Department may take action on a conditional use request by issuing an **administrative decision** or scheduling a public hearing as determined by the applicable zoning.

The Planning Director, may at his or her discretion, refer any administrative conditional use to the Hearings Body. If such a referral is made the process for review and decision shall be the same as a conditional use otherwise reviewed by the Hearings Body.

Applicant's Response: Again, Coos County staff indicated that it would be review as an Administrative Conditional Use (ACU).

Section 5.2.500 Criteria for Approval of Applications

An application for a conditional use or an administrative conditional use shall be approved only if it is found to comply with this Article and the applicable review standards and special development conditions set forth in the zoning regulations and any other applicable requirements of this Ordinance.

Applicant's Response: IN accordance with this section, an application for an administrative conditional use will be approved only if it is found to comply with this Article and the applicable review standards and special development conditions set forth in the zoning regulations and any other applicable requirements.

Section 5.2.600 Expiration and Extension of Conditional Uses

1. Permits approved under ORS 215.416 for a proposed residential development on agricultural or forest land outside of an urban growth boundary under ORS 215.010 to 215.293 or 215.317 to 215.438 or under county legislation or regulation, the permit is valid for four years.

- a. Extensions for Residential Development as provided for under ORS 215.213 (3) and (4), 215.284, 215.317, 215.705 (1) to (3), 215.720, 215.740, 215.750 and 215.755 (1) and (3) shall be granted as follows:
 - i. First Extension - An extension of a permit for “residential development” as described in Subsection (1) above is valid for two (2) years.
 - 1. The applicant shall submit an application requesting an extension to the County Planning Department prior to expiration of the final decision. See Section 5.0.250 for time lines for final decisions. Untimely extension requests will not be processed.
 - 2. Upon the Planning Department receiving the applicable application and fee, staff shall verify that the application was received within the deadline and if so issue an extension.
 - 3. An extension of a permit as described in this section is not a land use decision as defined in ORS 197.015.
 - ii. Additional Extensions - A county may approve no more than five additional one-year extensions of a permit if:
 - 1. The applicant submits an application requesting the additional extension prior to the expiration of a previous extension;
 - 2. The applicable residential development statute has not been amended following the approval of the permit; and
 - 3. An applicable rule or land use regulation has not been amended following the issuance of the permit, unless allowed by the county, which may require that the applicant comply with the amended rule or land use regulation.
 - 4. An extension of a permit as described in this section is not a land use decision as defined in ORS 197.015.

Applicant’s Response: This criterion is not applicable to this application since the project does not include any residential development.

- 2. Permits approved under ORS 215.416, except for a land division and permits described in Subsection (1)(a) of this section, for agricultural or forest land outside an urban growth boundary under ORS 215.010 to 215.293 and 215.317 to 215.438, or under county legislation or regulation adopted pursuant thereto, are void two years from the date of the final decision if the development action is not initiated in that period.
 - a. Extensions for Non-Residential Development as described in Subsection (2) above may be granted if:

- i. The applicant submits an application requesting an extension to the County Planning Department prior to expiration of the final decision. See Section 5.0.250 for time lines for final decisions.
 - ii. The Planning Department receives the applicable application and fee, and staff verifies that it has been submitted within the deadline;
 - iii. The applicant states reasons that prevented the applicant from beginning or continuing development within the approval period; and
 - iv. The county determines that the applicant was unable to begin or continue development during the approval period for reasons for which the applicant was not responsible.
- b. An extension of a permit as described in this section is not a land use decision as defined in ORS 197.015.
 - c. Additional one-year extensions may be authorized where applicable criteria for the original decision have not changed, unless otherwise permitted by the local government.

Applicant's Response: *This criterion is not applicable to this application since the project does not include any agricultural or forest land outside an urban growth boundary.*

3. On lands not zoned Exclusive Farm, Forest and Forest Mixed Use:

- a. All conditional uses for residential development including overlays shall not expire once they have received approval.
- b. All conditional uses for nonresidential development including overlays shall be valid for period of five (5) years from the date of final approval.**
- c. Extension Requests:**
 - i. All conditional uses subject to an expiration date of five (5) years are eligible for extensions so long as the subject property has not been:**
 - 1. Reconfigured through a property line adjustment that reduces the size of the property or land division; or**
 - 2. Rezoned to another zoning district in which the use is no longer allowed.
- d. Extensions shall be applied for on an official Coos County Planning Department Extension Request Form with the fee.**
- e. There shall be no limit on the number of extensions that may be applied for and approved pursuant to this section.**
- f. An extension application shall be received prior the expiration date of the conditional use or the prior extension. See section 5.0.250 for calculation of time.**

Applicant's Response: The conditional use approval is valid for period of five (5) years from the date of final approval for nonresidential development. All conditional uses subject to an expiration date of five (5) years are eligible for extensions. There shall be no limit on the number of extensions that may be applied for and approved. An extension can be applied for by submitting an official Coos County Planning Department Extension Request Form with the fee to Coos County.

4. Changes or amendments to areas subject to natural hazards ^[2] do not void the original authorization for a use or uses, as they do not determine if a use can or cannot be sited, but how it can be sited with the least amount of risk possible. Overlays and Special Development Considerations may have to be addressed to ensure the use can be sited with an acceptable level risk as established by Coos County.

Section 5.2.700 Development Transferability *This Section is not Applicable to this Application.*

Article 5.4 Vested Right

A parcel shall be considered vested for completion of the construction of a nonconforming use when an administrative conditional use is granted, based on findings establishing:

1. The good faith of the property owner in making expenditures to lawfully develop his property in a given manner;
2. The amount of reliance on any prior zoning classification in purchasing the property and making expenditures to develop the property;
3. The extent to which the expenditures relate principally to the use of an applicant claims is vested, rather than to ancillary improvements, such as but not limited to roads, driveways, which could support other uses allowed as of right;
4. The extent of the purported vested use as compared to the uses allowed in the subsequent zoning ordinances;
5. Whether the expenditures made prior to existing zoning regulations show that the property owner has gone beyond mere contemplated use and has committed the property to the purported vested use which would in fact have been made on the subject property but for the passage of the existing zoning regulation; and
6. The ratio of the prior expenditures to the total cost of the proposed use.

Applicant's Response: *In accordance with this section, a parcel will be considered vested for completion of the construction of a nonconforming use when an administrative conditional use is granted.*

Article 5.6 Non-Conforming

Section 5.6.100 Nonconforming Uses

The lawful use of any building, structure or land at the time of the enactment or amendment of this zoning ordinance may be continued. **Alteration of any such use may be permitted subject to Sections 5.6.120 and 5.6.125.** Alteration of any such use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. Except as provided in ORS 215.215 (Reestablishment of nonfarm use), a county shall not place conditions upon the continuation or alteration of a use described under this Section when necessary to comply with state or local health or safety requirements, or to maintain in good repair the existing structures associated with the use. A change of ownership or occupancy shall be permitted.

As used in this Section, alteration of a nonconforming use includes:

1. A change in the use of no greater adverse impact to the neighborhood; and
2. **A change in the structure or physical improvements of no greater adverse impact to the neighborhood.**

Applicant's Response: *A non-conforming use is a use of the land that may not comply with current zoning ordinance but may continue since it was lawfully approved when it was originally constructed. Furthermore, alterations of a non-conforming use may be permitted subject to specific approval criteria.*

The Owner/Applicant is proposing to alter and expand the existing RV park. In accordance with this section, a non-conforming use may have a change in the physical improvements if there is no greater adverse impact to the neighborhood.

The existing neighborhood consists of Highway 101 to the west, a commercial operation to the north, residential properties to the east and south. The proposed alterations will be confined to the proximity of the existing RV use on parcel 1400. The large, wooded area to the south is not being altered with this proposal. Additionally, the existing wooded and fenced buffer to the east will maintain the buffer screening from the adjacent residential uses.

The existing RV park will continue to function as it historically has. Facility management and posted park rules will maintain quiet hours and maintain decorum at the facility, therefore there will be no greater adverse impact to the neighborhood.

Section 5.6.105 Exceptions to Restoration or Replacement of Nonconforming Uses ***This Section is not Applicable to this Application.***

Section 5.6.110 Interruption or Abandonment of Nonconforming Uses *This Section is not Applicable to this Application.*

Section 5.6.115 Surface Mining *This Section is not Applicable to this Application.*

Section 5.6.120 Alterations, Repairs or Verification

Alterations, repairs or verification of a nonconforming use requires filing an application for a conditional use (See CCZLDO Article 5.2). All such applications shall be subject to the provisions of Section 5.6.125 of this ordinance and consistent with the intent of ORS 215.130(5)-(8). Alteration of any nonconforming use shall be permitted when necessary to comply with any lawful requirement for alteration in the use. The County shall not condition an approval of a land use application when the alteration is necessary to comply with State or local health or safety requirements, or to maintain in good repair the existing structures associated with the use.

Applicant's Response: *In accordance with this section, in order to alter a non-conforming use, a conditional use application, Coos County requires the Applicant to file a new conditional use application.*

Section 5.6.125 Criteria for Decision

When evaluating a conditional use application for alteration or repair of a nonconforming use, the following criteria shall apply:

1. The change in the use will be of no greater adverse impact to the neighborhood;
- 2. The change in a structure or physical improvements will cause no greater adverse impact to the neighborhood; and**
- 3. Other provisions of this ordinance, such as property development standards, are met.**

For the purpose of verifying a nonconforming use, an applicant shall provide evidence establishing the existence, continuity, nature and extent of the nonconforming use for the 10-year period immediately preceding the date of the application, and that the nonconforming use was lawful at the time the zoning ordinance or regulation went into effect. Such evidence shall create a rebuttable presumption that the nonconforming use lawfully existed at the time the applicable zoning ordinance or regulation was adopted and has continued uninterrupted until the date of the application.

Applicant's Response: *In order to evaluate conditional use application for alteration or repair of a nonconforming use, the Coos County requires the proposal to comply with the following criteria:*

- 1) Change in the use will be of no greater adverse impact to the neighborhood: The existing use has been in existing for over 30 years. No change in use is proposed and, as a result, there will be no greater adverse impact to the neighborhood.***
- 2) Change in a structure or physical improvements will cause no greater adverse impact to the neighborhood: Again, the use has been in existing***

for many years. The alternation to existing layout of the existing RV Park will not have any adverse impacts to the adjoining neighborhood as described above. Similarly, through the expansion of the additional RV spaces, no adverse impacts are anticipated.

- 3) *Development standards: As part of the alterations and/or expansion, the County's development standards will be satisfied.*

The Applicant has furnished historical aerial photos documenting that the existing use has been in continually in existence for the 10-year period immediately preceding the date of the application

Section 5.6.130 General Exceptions to Minimum Property Size Requirements *This Section is not Applicable to this Application.*

Article 5.10 Compliance Determinations and Reviews

Section 5.10.100 Compliance Determinations

An application for Compliance Determination (CD) are required to be submitted to the Planning Department with the elements described in §5.10.200. Once the application is received the Planning Staff will review the CD against the applicable zoning district to determine if additional reviews or notifications are required.

If the application requires any type of discretionary analysis or interpretation, findings of compatibility or conditions of approval, then the application will be treated as an administrative conditional use and is subject to notice requirements of §5.10.400. If a conditional use is required the applicant is responsible for an additional fees and satisfying the criteria. If the application simply requires a check-off of clear and objective development standards, no administrative conditional use is required and a zoning compliance letter will be issued.

A compliance determination is not required in the following circumstances:

1. If the compliance letter is needed for a sewage disposal system permits or evaluation; or
2. If a final land uses decision covering the property or site has been issued and is still valid.
3. If a compliance determination has previously been completed for the subject property and the request is an Accessory Activity, Use or Structure to that activity and/or use.

There are two types of compliance determinations: **one for Balance of County** and the other for Estuary Plans.

Applicant's Response: The Compliance Determination (CD) is necessary to allow storage facilities to be placed on the two (2) industrial properties.

Section 5.10.200 Application Requirements

The application form must be completed with a plot plan attached and include the following:

- 1. If this is for an industrial or commercial use a parking plan is required (see Article 7.5).**
2. If this is bare land and a driveway has not be completed a driveway confirmation form is required to be completed by the Roadmaster (see Article 7.6 for bonding options).
3. If this is bare land and the request is for a dwelling an address is required.
4. If this is for an estuary zoned property as defined in Chapter III then applicable zoning district standards and policies must be addressed.

Applicant's Response: In accordance with this section, the Compliance Determination (CD) application is required to contain a parking plan.

Each site provided for a parking space and additional parking areas are distributed throughout the site to cover the additionally required parking.

Refer to Section C – Exhibit Drawings, Sheet C100 – Overall Site Plan for an illustration of the parking to be provided on the property.

Section 5.10.250 Review for Balance of County Zoning Districts

- 1. Compliance determinations will be reviewed based on the zoning district requirements and any applicable special development considerations for permitted uses.**
2. If it is determined that other land use reviews are required, staff will prepare a letter explaining what applications and criteria are required to be submitted. If other land use reviews are required, this application will automatically be upgraded to an administrative conditional use review and deemed incomplete until such time the application requirements for an administrative conditional use have been satisfied. Once a final land use decision is issued, then a zoning compliance letter will be issued.
3. If a compliance determination application is received for a use or activity that is not listed, a denial will be issued as a final land use decision (see § 5.10.400 for notification, unless the proposed use is subject to § 4.1.190 Uses Not Listed).
4. If no other reviews are required and discretion was used to make the determination of compliance then a final land use decision will be issued and notice under § 5.10.400.

All new and replacement developments, with the exception of sewage disposal system permits, require a driveway confirmation and must be obtained as part of this review unless one has been completed. **Industrial and Commercial development will require a parking plan and access plan in lieu of a driveway confirmation. Parking plans, driveways and accesses will be reviewed by the County Roadmaster in conjunction with the CD application.**

Applicant's Response: In accordance with this section, compliance determinations (CD) will be reviewed based on the zoning district requirements and any applicable special development considerations. For industrial properties, proposed developments require a parking plan and/or access plan. Parking plans, driveways and accesses will be reviewed by the County Roadmaster in conjunction with the CD application.

Section 5.10.300 Review for Uses and Activities in an Estuary Management Plan Zone *This Section is not Applicable to this Application.*

Section 5.2.400 Notification

If the property is located within in an area that requires a notification to other agencies for comments that notification shall be mailed out for comments once the review of the Compliance Determination begins. Staff will review special development consideration maps and overlay maps to determine if a notice is required.

If the property is located in an area that requires one of the following notifications, the final land use decision will not be issued until the comment period has expired.

- Oregon Department of Fish and Wildlife has 10 days to comment.
- Local Tribes have 30 days to comment.
- **Department of State Lands (DSL) has 30 days to comment.**
- Oregon Department of Aviation has 30 days to comment, unless notice has been submitted to FAA for comment.
- **Review the files to see if a driveway confirmation has been completed by the Road Department.**
 - o **Driveway confirmations are required for replacement and new dwellings. Driveways may be bonded to allow for all development to be completed.**
 - o **If the development is commercial or industrial a parking plan will be required to be reviewed by the Roadmaster for compliance with parking standards.**

If the Compliance Determination is to serve as a final land use decision then there will be a notice of the decision mailed to the applicant and to all neighborhood or community organizations recognized by the County and whose boundaries include the site and to the owners of record of property on the most recent property tax assessment roll where such property is located:

1. Within 100 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is wholly or in part within an urban growth boundary;
2. **Within 250 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is outside an urban growth boundary and not within a farm or forest zone;**
3. Within 750 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is within a farm or forest zone.

If appealed the process in Article 5.8 will be followed. If a use is permitted outright the use may not be the subject of appeal unless discretion was used to determine if a standards or policies have been met then the decision may be appealed. Compliance determinations are only valid for a two year period. However, a two year extensions may be provided so long as the project has not changed which would requiring additional review.

Applicant's Response: The subject property contains wetlands as identified on the National Wetland Inventory and delineated by PBS Environmental, Inc. Due to the presence of wetlands on the subject properties, the Department of State Lands is entitled to receive notification and have the ability to comments once the review of the Compliance Determination begins.

Furthermore, notice of the decision mailed to all neighborhood or community organizations recognized by the County and to the owners of record of property within 250 feet of the exterior boundaries of the property.

Article 6.3 Property Line Adjustments

Section 6.3.100 Property Line Adjustments

As set forth in ORS 92.190(3), the common boundary line between lots or parcels may be adjusted in accordance with this section without the replatting procedures in ORS 92.180 and 92.185 or the vacation procedures in ORS Ch. 368. Once a lot or parcel line has been adjusted, the adjusted line shall be the boundary or property line, not the original line. The Director has authority to approve a single property line adjustment as a ministerial action and a multi (more than one-line adjustment) as an Administrative Action.

Applicant's Response: In accordance with this section, common boundary line between parcels may be adjusted without the replatting procedures.

The Owner/Applicant is proposing to modify the western boundary of the RV Park in order to include the entire waste water treatment facility. This would require a moving a common boundary between tax lot 1000 and tax lot 300.

Section 6.3.125 Procedure

1. An application for a line adjustment or elimination shall be filed by the owners of all lots or parcels affected. The application shall be accompanied by an appropriate fee and contain the following information:
 - a. **Reason for the line adjustment;**
 - b. **Vicinity map** locating the proposed line adjustment or elimination in relation to adjacent subdivisions, partitions, other units of land and roadways;
 - c. **A plot plan** showing the existing boundary lines of the lots or parcels affected by the line adjustment and the approximate location for the proposed adjustment line. The plot plan shall also show the approximate location of all structures within ten (10) feet of the proposed adjusted line;
 - d. **A current property report** (less than 6 months old) indicating any taxes, assessment or other liens against the property, easements, restrictive covenants and rights-of-way, and ownerships of the property of the proposed development. A title report is acceptable. The Planning Director may waive any portion of this requirement if the property is large and does not have a lien holder.
 - e. A notice of application and decision will be provided to any and all lien holders of record for the property that will be affected by the proposed adjustment. Applicants should consult with any and all such lien holders prior to submittal of an application.

Applicant's Response: *In order to initiate a property line adjustment, Coos County requires the submittal of an application and fee containing the following:*

- 1) Reason for the Property Line Adjustment (PLA):** *The PLA is required to modify the western boundary of the RV Park in order to include the entire waste water treatment facility that serves the development.*
- 2) Vicinity Map:** *A vicinity map showing the general location of the PLA is located on the application materials. Refer to Section C – Exhibit Drawings, Sheet C000 – Overall Existing Conditions for more information.*
- 3) Plot Plan:** *A plot plan showing the affected properties is located on the application materials. Refer to Section C – Exhibit Drawings, Sheet C050 – Property Line Adjustment for more information.*
- 4) Current Property Report:** *A current title report is located on the application materials. Refer to Section D – Appendices, Appendix 1 – Preliminary Title Report for more information.*

2. A line adjustment is permitted only where an additional unit of land is not created and where the lot or parcel reduced in size by the adjustment complies with the requirements of the applicable zone except that a line adjustment for the purpose of exchange or transfer of land between resource land owners shall be allowed so long as:

- a. No parcel is reduced in size contrary to a condition under which it was formed;
- b. The resulting parcel sizes do not change the existing land use pattern meaning:
 1. Two conforming parcels must remain conforming;
 2. Two non-conforming parcels may remain non-conforming; and,
 3. Two parcels, one conforming and one non-conforming, may remain as such regardless of which parcel is non-conforming after the exchange or transfer).

Applicant's Response: *No additional parcels of land are being created through the property line adjustment (PLA). Both resulting parcels will conform to the Coos County code.*

3. An encroachment of existing or planned structures will not be created within required setbacks as a result of the line adjustment.

Applicant's Response: *None of the existing or future development will be located within the required setbacks.*

4. All parcels will retain any on-site septic system and associated repair area on the parcel it serves;

Applicant's Response: *The reason for the Property Line Adjustment (PLA) is to conform with this requirement. Once approved, the existing waste water treatment facility will be located on the parcel it serves.*

5. In resource lands, a unit of land containing a dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling.
 - a. A resource unit of land less than 160 acres and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160-acre dwelling;
 - b. A resource unit of land 160 acres or greater and containing a (preexisting) dwelling, or approved for construction of a dwelling, cannot be adjusted below 160 acres with a vacant resource unit of land for the purpose of qualifying the vacant unit for a 160- acre dwelling;
 - c. A resource unit of land 160 acres or greater and containing a dwelling approved as a 160-acre dwelling, or approved for construction of a 160-acre dwelling, cannot be reduced below 160 acres for the purpose of qualifying the vacant unit for a 160-acre dwelling.

Applicant's Response: This criterion is not applicable to this application. The subject properties are not located within resources lands.

6. **The adjustment will not create a split-zoned unit of land that does not comply with the standards for creation of a parcel in each zone unless the property owner provides for the recording of a restrictive covenant in the deed records for the subject property that prohibit the property from being partitioned along the zoning boundary until such time as each parcel would comply with the minimum standards for the creation of a unit of land (meeting the criteria for land division) in each zone.** If a split-zone unit of land is created it shall not be used to justify a rezone in the future.

Applicant's Response: In accordance with this section, the resulting boundary modification will create a split zoning on tax lot 1000. As necessary, the Owner/Applicant record of a restrictive covenant in the deed records for the subject property that prohibit the property from being partitioned along the zoning boundary until such time as each parcel would comply with the minimum standards.

7. Applications for multiple (more than one-line adjustment) are subject to a twelve (12) day appeal period. If appealed, this will be treated as a Planning Director's decision and the procedures in Article 5.8 will be followed. A notice of the decision will be mailed to the applicant and to all neighborhood or community organizations recognized by the County and whose boundaries include the site. Notice of the decision will also be mailed to the owners of record of property on the most recent property tax assessment roll where such property is located:
 - a. Within 100 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is wholly or in part within an urban growth boundary;
 - b. Within 250 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is outside an urban growth boundary and not within a farm or forest zone;

- c. Within 750 feet of the exterior boundaries of the contiguous property ownership which is the subject of the notice if the subject property is within a farm or forest zone.

Applicant's Response: The application only includes one (1) Property Line Adjustment (PLA).

8. **Single Property Line Adjustments are subject to mapping requirements and recording requirements** but are not subject to a notice of decision as described in Subsection 7 above.

Applicant's Response: The application consists of a single Property Line Adjustment. As such, the application is not subject to noticing requirements, but still is required to comply with mapping and recording requirements.

Section 6.3.150 Easements and Access

A line adjustment shall have no effect on existing easements or access. Access shall not be eliminated through a property line adjustment process. If an access is potentially affected then an easement may be created for access to comply with this criterion.

Applicant's Response: No easements and/or accesses will be affected by the proposed Property Line Adjustment (PLA) application.

Section 6.3.175 Mapping and Filing Requirements

1. Map and Monuments Required:
 - a. **For any resulting lot or parcel ten acres or less, a survey map that complies with ORS 209.250 shall be prepared;**
 - b. **The survey map shall show all structures within ten (10) feet of the adjusted line;**
 - c. **The survey shall establish monuments to mark the adjusted line.**
 - d. The Coos County Surveyor reserves the right to require monumentation and mapping on parcels greater than ten acres in size.

Applicant's Response: In accordance with this section, a survey map is required showing all structures within 10 feet of the adjusted line and establish monuments of the adjusted line.

2. Approval and Filing Requirements:
 - a. Upon determination that the requirements of this section have been met, the Director shall advise the applicant in writing that the line adjustment is tentatively approved;
 - b. Within one year from the date of tentative approval, the applicant shall prepare and submit to the Director any map required by Section 6.2.800(4) and Section 6.2.800(5) if a survey is required. If no map is required, the applicant shall submit proof that the requirements of the tentative approval have been met. The Director shall indicate final approval by

endorsement upon the map, if any, or if no map is required the Director shall advise the applicant in writing that final approval has been granted;

- c. Once endorsed by the Director, the map shall then be submitted to the County Surveyor. When the map is filed, the County Surveyor shall indicate the filing information on the map;
- d. A line adjustment shall be effective when the map is filed by the County Surveyor and an instrument (e.g. deed or covenant) is recorded with the County Clerk. If no map is required, then the line adjustment shall be effective when final approval is granted by the Director and an instrument is recorded with the County Clerk;
- e. If a survey is required, the Deed shall be recorded and the Survey Map shall be filed simultaneously. The survey map, with the signature of the Coos County Planning Director shall be submitted to the County Surveyor along with the required filing fee. The survey map will be given a filing number which will be added to the Property Line Adjustment deed. The deed will then be recorded whereupon the recording number for said deed will be added to the face of the survey map. Said map will then be filed with the County Surveyor, completing the process.
- f. The property line adjustment deed must be submitted on the exact format found in the provided figure.

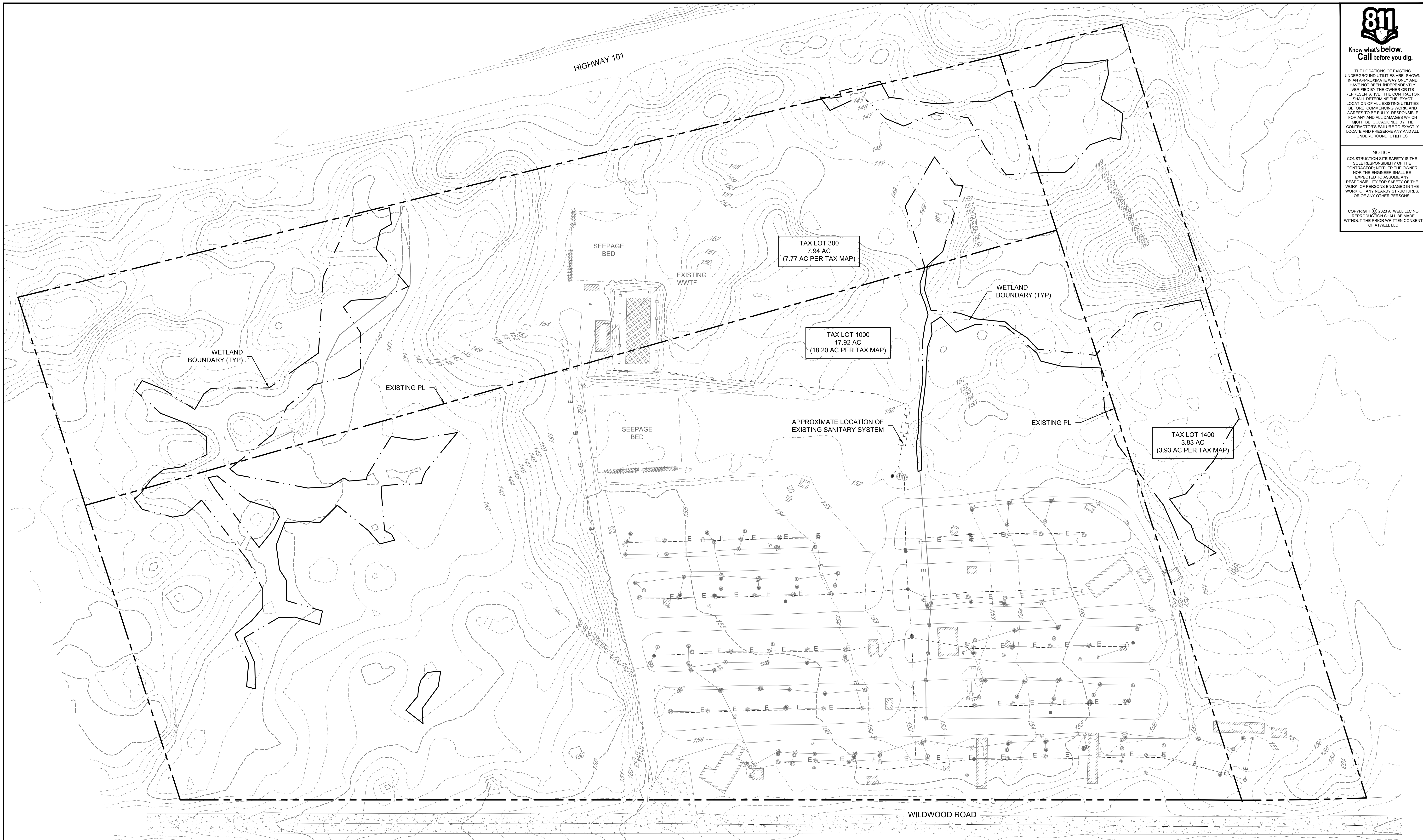
Applicant's Response: When appropriate, the Owner/Applicant will record the Deed Survey Map simultaneously.

C.
Exhibit Drawings

The following exhibit drawings illustrate the proposed plan for the ***Ocean Pines RV Park Reconfiguration/Expansion*** request.

Exhibit drawings contained in this section include:

C000	Overall Existing Conditions.....
C050	Property Line Adjustment (<i>Preliminary</i>)
C100	Overall Site Plan (<i>Preliminary</i>)
C200	Grading Plan (<i>Preliminary</i>)
C300	Utility Plan (<i>Preliminary</i>)



811
Know what's below.
Call before you dig.

THE LOCATIONS OF EXISTING UNDERGROUND UTILITIES ARE SHOWN IN AN APPROXIMATE WAY ONLY AND HAVE NOT BEEN INDEPENDENTLY VERIFIED BY THE OWNER OR ITS REPRESENTATIVE. THE CONTRACTOR SHALL DETERMINE THE EXACT LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK AND AGREES TO BE FULLY RESPONSIBLE FOR ANY AND ALL DAMAGES WHICH MIGHT BE OCCASIONED BY THE CONTRACTOR'S FAILURE TO EXACTLY LOCATE AND PRESERVE ANY AND ALL UNDERGROUND UTILITIES.

NOTICE: CONSTRUCTION SITE SAFETY IS THE SOLE RESPONSIBILITY OF THE CONTRACTOR. NEITHER THE OWNER NOR THE ENGINEER SHALL BE EXPECTED TO ASSUME ANY RESPONSIBILITY FOR SAFETY OF THE WORK, OF PERSONS ENGAGED IN THE WORK, OF ANY NEARBY STRUCTURES, OR OF ANY OTHER PERSONS.

COPYRIGHT © 2023 ATWELL LLC. NO REPRODUCTION SHALL BE MADE WITHOUT THE PRIOR WRITTEN CONSENT OF ATWELL LLC.

ATWELL
866.850.4200 www.atwell-group.com
9755 SW BARNES ROAD, SUITE 150
PORTLAND, OR 97225
253.447.2000

OCEAN PINES COMMUNITIES, LLC
PO BOX 44716
BOISE, ID 83711
503.345.2886
MATT WILLIAMS

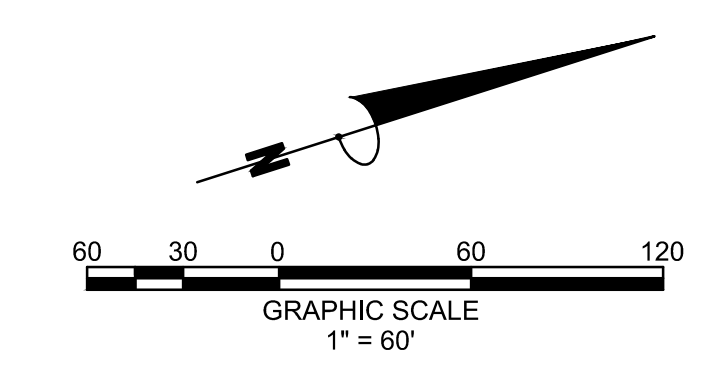
CLIENT: OCEAN PINES COMMUNITIES, LLC
OCEAN PINES RY PARK RECONFIGURATION
69262 WILDWOOD ROAD
NORTH BEND, OR
PRELIMINARY PLANS
OVERALL EXISTING CONDITIONS

DATE: 12/15/2023

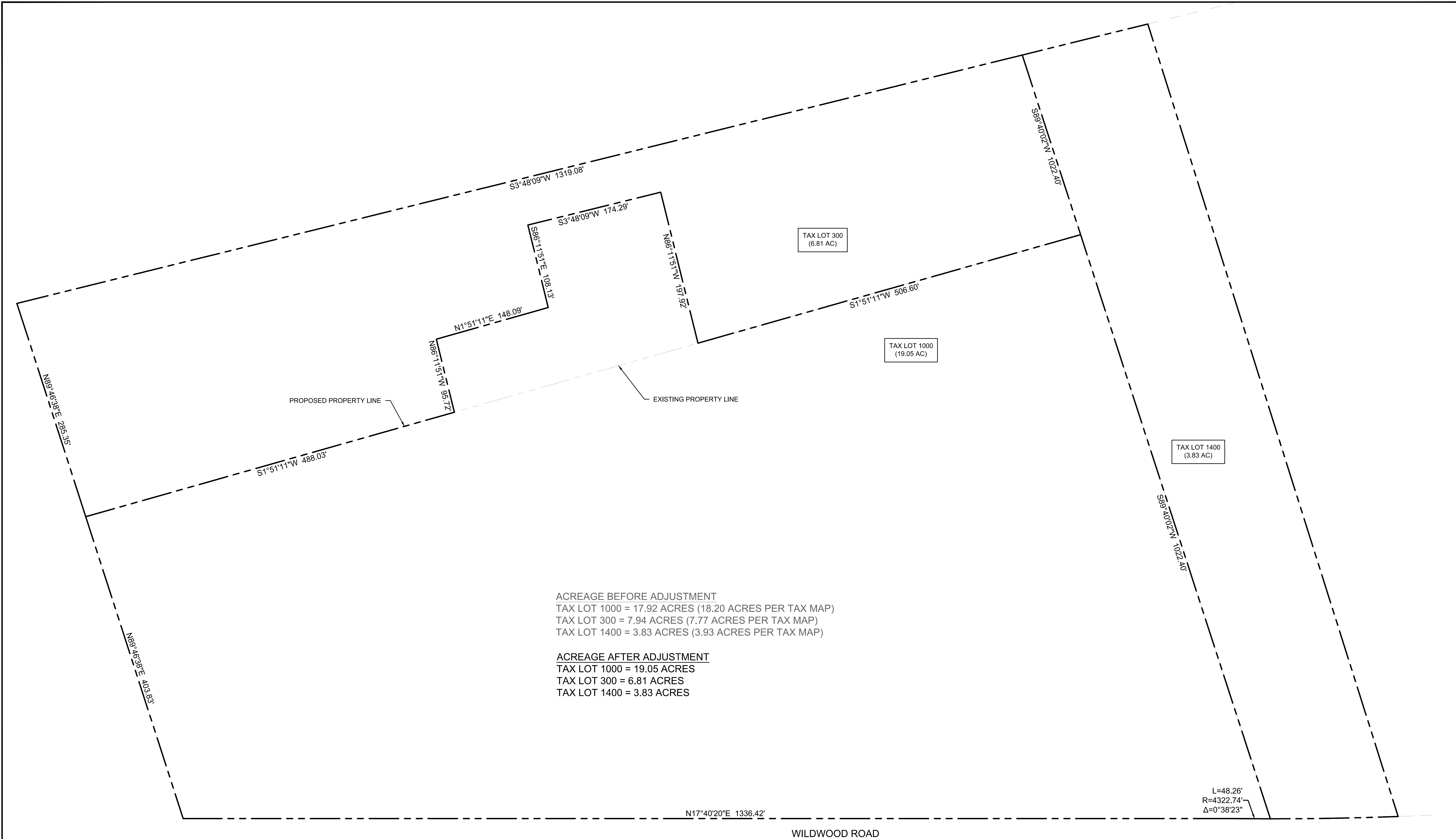
REVISIONS

REGISTERED PROFESSIONAL ENGINEER
14,913
OREGON
BRADY L. BERRY
25, 1998
EXP. 12/31/25

DR. SIM CH. BLB
P.M. BRADY BERRY
JOB 23007693
SHEET NO. C000

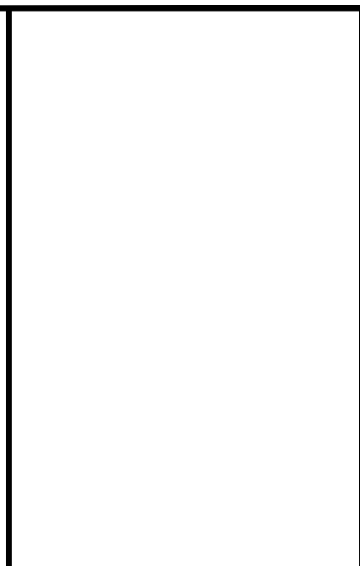


CAD FILE: 23007693-OVAL-EXIST-SITE.DWG



ACREAGE BEFORE ADJUSTMENT
 TAX LOT 1000 = 17.92 ACRES (18.20 ACRES PER TAX MAP)
 TAX LOT 300 = 7.94 ACRES (7.77 ACRES PER TAX MAP)
 TAX LOT 1400 = 3.83 ACRES (3.93 ACRES PER TAX MAP)

ACREAGE AFTER ADJUSTMENT
 TAX LOT 1000 = 19.05 ACRES
 TAX LOT 300 = 6.81 ACRES
 TAX LOT 1400 = 3.83 ACRES

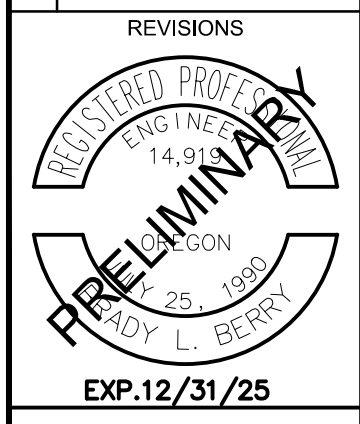


OCEAN PINES COMMUNITIES, LLC
 PO BOX 44716
 BOISE, ID. 83711
 503.345.2886
 MATT WILLIAMS

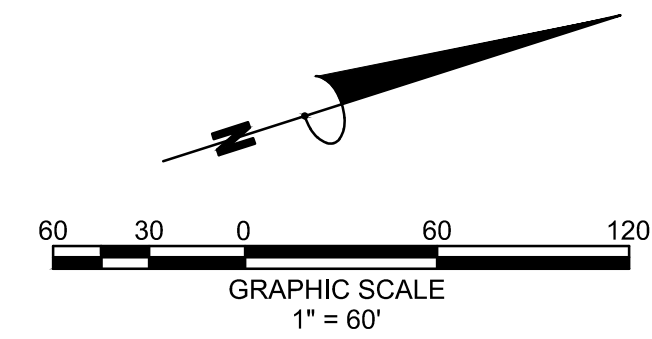
CLIENT
 OCEAN PINES COMMUNITIES, LLC
 OCEAN PINES RY PARK RECONFIGURATION
 69262 WILDWOOD ROAD
 NORTH BEND, OR
 PRELIMINARY PLANS
 PROPERTY LINE ADJUSTMENT

DATE
 12/15/2023

REVISIONS

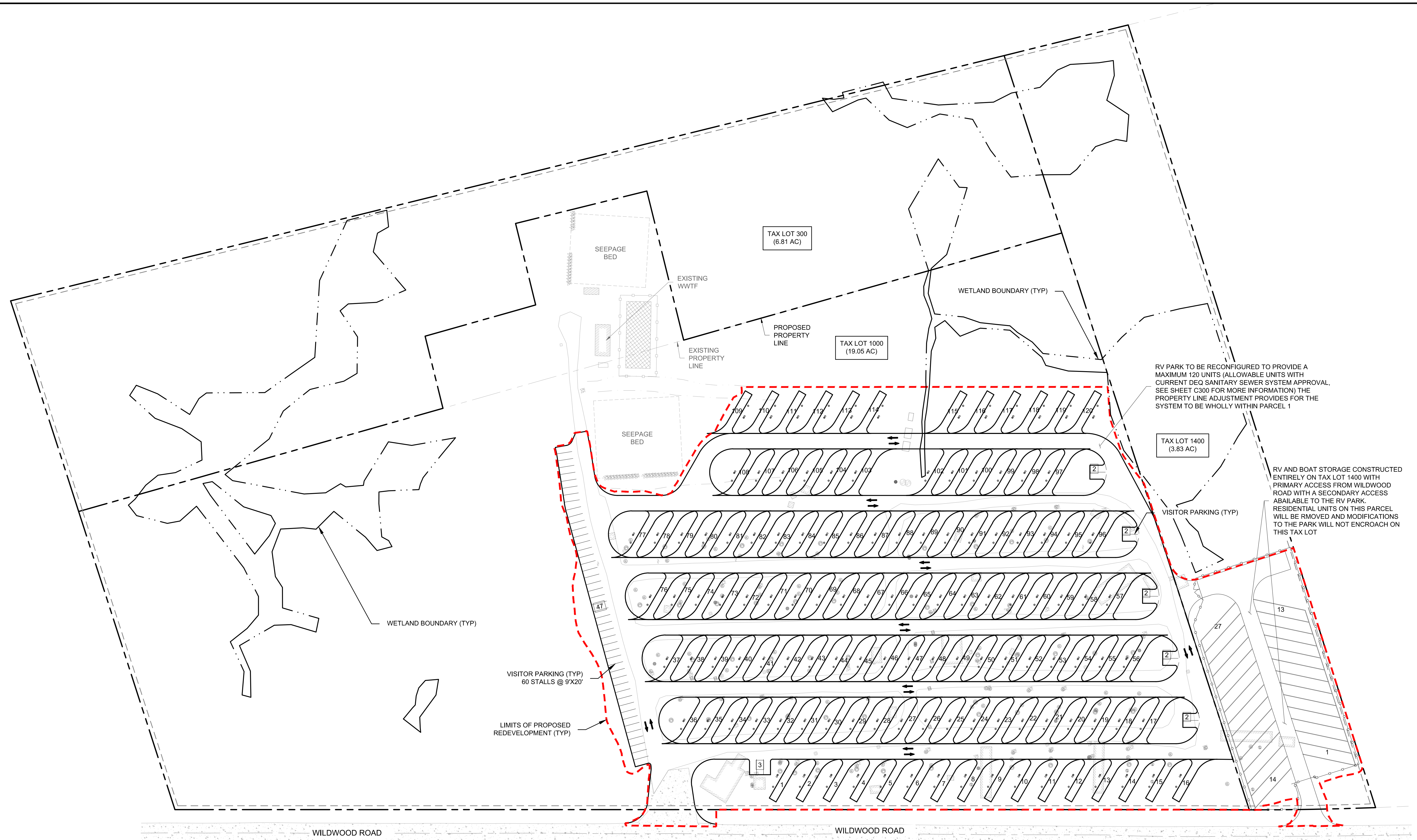


DR. SIM CH. BLB
 P.M. BRADY BERRY
 JOB 23007693
 SHEET NO. C050



K:\23007693 - OCEAN PINES COMMUNITIES, LLC - PRELIMINARY SITE RECONFIGURATION\23007693-01\VAL-SITE-PROP-LINE.DWG 12/15/2023 10:51:58 AM JSAZ, MCGRAW

CAD FILE: 23007693-01\VAL-SITE-PROP-LINE.DWG



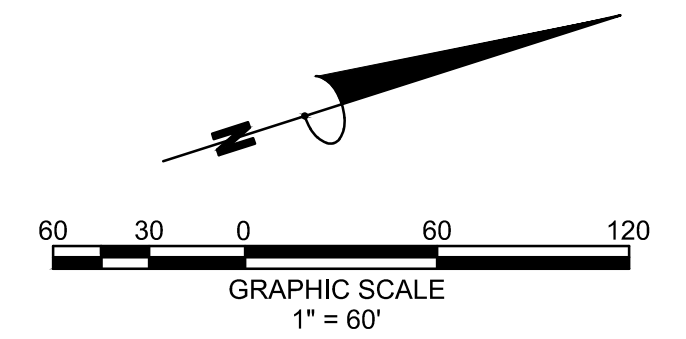
RV PARK TO BE RECONFIGURED TO PROVIDE A MAXIMUM 120 UNITS (ALLOWABLE UNITS WITH CURRENT DEQ SANITARY SEWER SYSTEM APPROVAL. SEE SHEET C300 FOR MORE INFORMATION) THE PROPERTY LINE ADJUSTMENT PROVIDES FOR THE SYSTEM TO BE WHOLLY WITHIN PARCEL 1

RV AND BOAT STORAGE CONSTRUCTED ENTIRELY ON TAX LOT 1400 WITH PRIMARY ACCESS FROM WILDWOOD ROAD WITH A SECONDARY ACCESS AVAILABLE TO THE RV PARK. RESIDENTIAL UNITS ON THIS PARCEL WILL BE REMOVED AND MODIFICATIONS TO THE PARK WILL NOT ENCROACH ON THIS TAX LOT

PARKING PLAN
 PER COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE CHAPTER 7, ONE AND ONE HALF PARKING SPACES ARE REQUIRED PER RV SPACE. FOR 120 RV SPACES, 180 PARKING SPACES ARE REQUIRED.

PARKING COUNTS
 1 STALL PER RV SPACE = 120
 VISITOR STALLS = 60
 TOTAL PARKING STALLS = 180

UNIT COUNTS
 PULL THROUGH = 92
 BACK-IN = 28
 RV/BOAT STORAGE = 27



OCEAN PINES COMMUNITIES, LLC
 PO BOX 44716
 BOISE, ID. 83711
 503.345.2886
 MATT WILLIAMS

CLIENT: OCEAN PINES COMMUNITIES, LLC
 PROJECT: OCEAN PINES RV PARK RECONFIGURATION
 69262 WILDWOOD ROAD
 NORTH BEND, OR
 PRELIMINARY PLANS
 OVERALL SITE PLAN

DATE: 12/15/2023



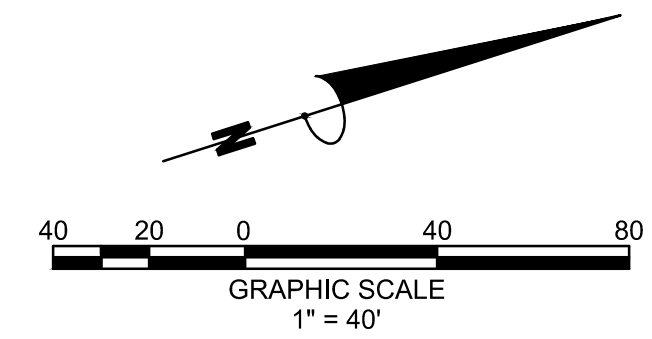
DR. SIM CH. BLB
 P.M. BRADY BERRY
 JOB: 23007693
 SHEET NO.: C100

K:\23007693 - OCEAN PINES COMMUNITIES, LLC\PROJECTS\23007693\23007693_01\23007693_01_121523_100_P18AC_S180.DWG

CAD FILE: 23007693-OVAL-SITE.DWG



TAKE-OFF QUANTITIES
 CUT = 5,748 CY
 FILL = 5,754 CY
 NET = 6 CY (FILL)



OCEAN PINES COMMUNITIES, LLC
 PO BOX 44716
 BOISE, ID 83711
 503.345.2886
 MATT WILLIAMS

CLIENT OCEAN PINES COMMUNITIES, LLC
 OCEAN PINES RV PARK RECONFIGURATION
 69262 WILDWOOD ROAD
 NORTH BEND, OR
 PRELIMINARY PLANS
 GRADING PLAN

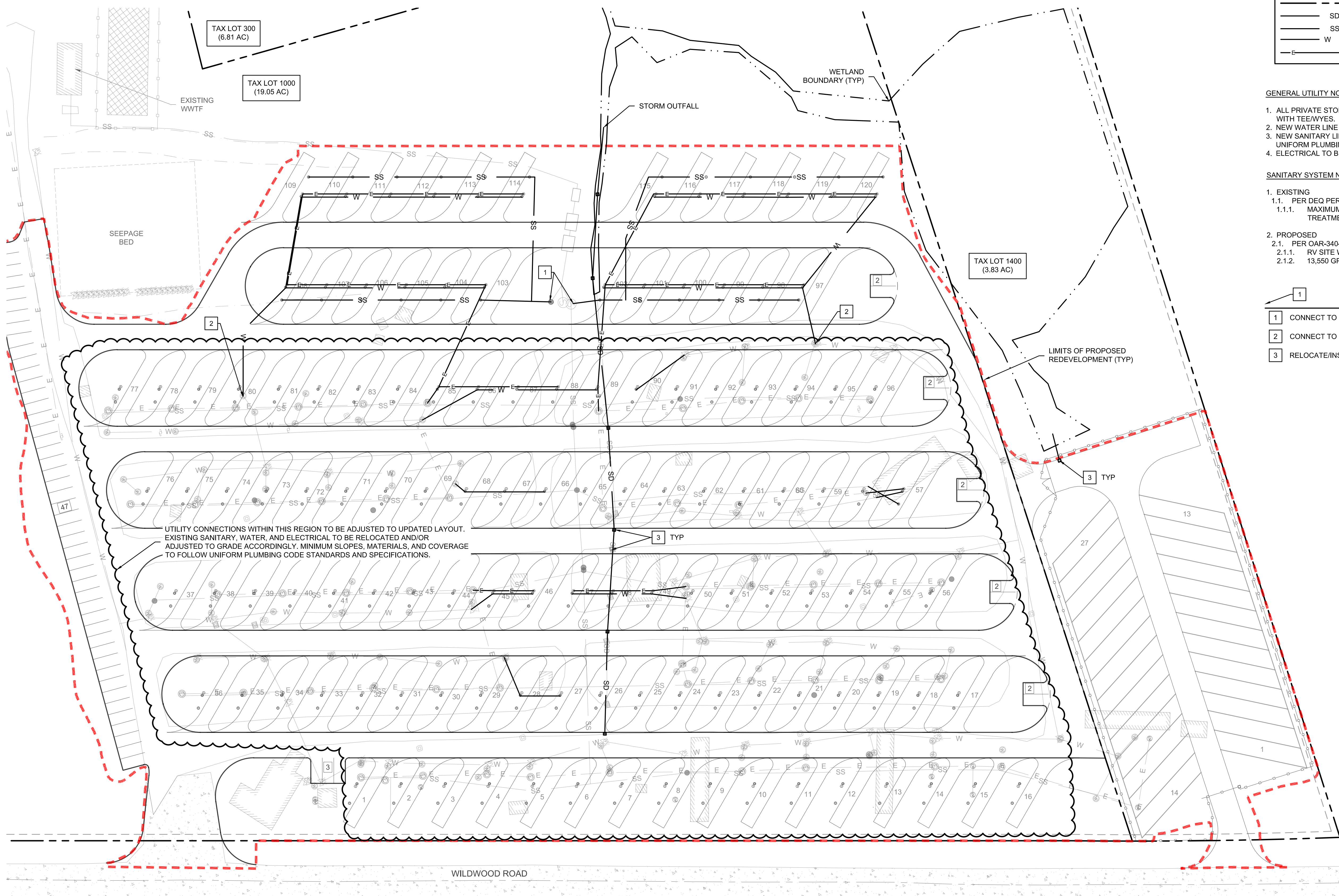
DATE 12/15/2023



DR. SIM CH. BLB
 P.M. BRADY BERRY
 JOB 23007693
 SHEET NO. C200

12/20/2023 - OCEAN PINES COMMUNITIES, LLC - PRELIMINARY GRADING PLAN - 12/20/23 10:11 PM BRADY BERRY

CAD FILE 23007693-GRAD.DWG



UTILITY CONNECTIONS WITHIN THIS REGION TO BE ADJUSTED TO UPDATED LAYOUT. EXISTING SANITARY, WATER, AND ELECTRICAL TO BE RELOCATED AND/OR ADJUSTED TO GRADE ACCORDINGLY. MINIMUM SLOPES, MATERIALS, AND COVERAGE TO FOLLOW UNIFORM PLUMBING CODE STANDARDS AND SPECIFICATIONS.

LEGEND

---	PROPERTY BOUNDARY
---	PROPOSED STORM
---	PROPOSED SANITARY
---	PROPOSED WATER
---	PROPOSED ELECTRICAL

- GENERAL UTILITY NOTES:**
- ALL PRIVATE STORM AND SANITARY CONNECTIONS TO BE MADE WITH TEEWYES.
 - NEW WATER LINE TO BE PVC OR PEX 1" MINIMUM
 - NEW SANITARY LINE TO BE 4" PVC @ MINIMUM 1.25% SLOPE PER UNIFORM PLUMBING CODE
 - ELECTRICAL TO BE INSTALLED PER ELECTRICAL CONTRACTOR

- SANITARY SYSTEM NOTES:**
- EXISTING
 - PER DEQ PERMIT FILE NO. 108389
 - MAXIMUM ALLOWABLE SEWAGE FLOW TO EXISTING TREATMENT FACILITY = 13,550 GPD
 - PROPOSED
 - PER OAR-340-071-0220 TABLE 2
 - RV SITE WITH TWO PERSONS PER SITE = 100 GPD
 - 13,550 GPD / 100 GPD/UNIT = 135 MAX ALLOWABLE UNITS

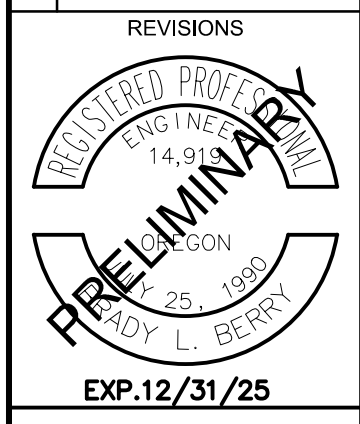
- UTILITY KEYNOTES**
- CONNECT TO EXISTING SANITARY MANHOLE/TANK
 - CONNECT TO EXISTING WATER MAIN
 - RELOCATE/INSTALL AREA DRAIN



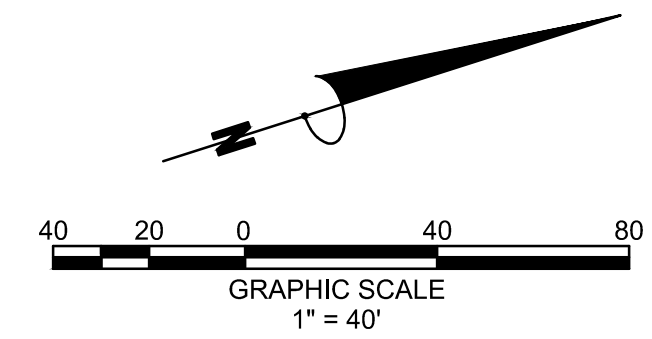
OCEAN PINES COMMUNITIES, LLC
 PO BOX 44716
 BOISE, ID 83711
 503.345.2886
 MATT WILLIAMS

CLIENT: OCEAN PINES COMMUNITIES, LLC
 OCEAN PINES RY PARK RECONFIGURATION
 69262 WILDWOOD ROAD
 NORTH BEND, OR
 PRELIMINARY PLANS
 UTILITY PLAN

DATE: 12/15/2023



DR. SIM CH. BLB
 P.M. BRADY BERRY
 JOB: 23007693
 SHEET NO. C300



K:\23007693 - OCEAN PINES COMMUNITIES, LLC - PRELIMINARY PLANS - UTILITY PLAN - 12/15/2023 - 1:00 PM - BRADY BERRY

CAD FILE: 23007693-UTL.DWG

D.
Appendices

The following appendices provide background documentation and technical data that support the **Ocean Pines RV Park Reconfiguration/Expansion** request. These include following:

<i>Appendix 1</i>	<i>Preliminary Title Report (Ticor Title Company).....</i>
<i>Appendix 2</i>	<i>Assessors Tax Map (Coos County).....</i>
<i>Appendix 3</i>	<i>Zoning Map (Coos County)</i>
<i>Appendix 4</i>	<i>Pre-Application Meeting Request (Atwell, LLC)</i>
<i>Appendix 5</i>	<i>Pre-Application Meeting Summary Notes (Coos County)</i>
<i>Appendix 6</i>	<i>Statewide Wetland Inventory (Division of State Lands).....</i>
<i>Appendix 7</i>	<i>Wetland Delineation (PBS Engineering and Environmental, Inc.).....</i>
<i>Appendix 8</i>	<i>Geotechnical Report and Infiltration Testing (GEO Consultants Northwest, Inc.)</i>
<i>Appendix 9</i>	<i>Wastewater Permit (DEQ)</i>
<i>Appendix 10</i>	<i>Historical Aerial Photographs (Google Maps)</i>
<i>Appendix 11</i>	<i>Property Map within 250 feet (Ticor Title Company)</i>
<i>Appendix 12</i>	<i>Address List (Ticor Title Company).....</i>
<i>Appendix 13</i>	<i>Mailing Labels (Ticor Title Company).....</i>