



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-22-035

Date Received: Aug 4 2022 Receipt #: 235442 Received by: YMB

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) Muldery Family Trust

Mailing address: 10768 Tabeau Rd, Pine Grove, CA 95665-9749

Phone: _____ Email: _____

Township:	Range:	Section:	¼ Section:	1/16 Section:	Tax lots:
<u>26S</u>	<u>14W</u>	<u>32</u>	<u>0</u>	<u>0</u>	<u>112</u>
Select	Select	Select	Select	Select	

Tax Account Number(s): 587305 Zone: Select Zone Forest (F)
 Tax Account Number(s) _____ Please Select _____

B. Applicant(s) Sheri McGrath

Mailing address: PO Box 1548

Phone: 541-982-9531 cooscurry@gmail.com

C. Consultant or Agent: _____

Mailing Address _____

Phone #: _____ Email: _____

Type of Application Requested

- | | | |
|--|---|---|
| <input type="checkbox"/> Comp Plan Amendment | <input checked="" type="checkbox"/> Administrative Conditional Use Review - ACU | <input type="checkbox"/> Land Division - P, SUB or PUD |
| <input type="checkbox"/> Text Amendment | <input type="checkbox"/> Hearings Body Conditional Use Review - HBCU | <input type="checkbox"/> Family/Medical Hardship Dwelling |
| <input type="checkbox"/> Map - Rezone | <input type="checkbox"/> Variance - V | <input type="checkbox"/> Home Occupation/Cottage Industry |

Special Districts and Services

Water Service Type: On-Site (Well or Spring) Sewage Disposal Type: On-Site Septic
 School District: Bandon Fire District: Bandon 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 consultant.

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. Signatures required below for application processing.



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: 88891 Sacchi Lane, Bandon, OR 97411

Type of Access: County Road Name of Access: Sacchi Lane

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 OF DRIVEWAY #1 CLOSEST TO YOUR
NEW DRIVEWAY: _____

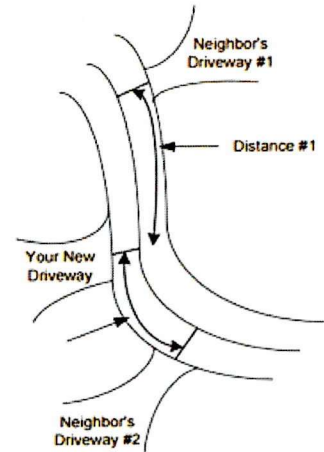
DISTANCE FROM DRIVEWAY #1 TO YOUR NEW
DRIVEWAY: _____

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: On-site septic

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:

The proposal is for a single family dwelling in the Forest zone.

Sheri McGrath, Inc
Coos Curry Consulting
P.O. Box 1548 * Bandon, Oregon 97411
cooscurry@gmail.com
541-982-9531

CONSENT FOR REPRESENTATION

I, Muldery Family Trust of 10768 Tabeau Rd, Pine Grove, CA 95665 give permission to Coos Curry Consulting to represent me on all design, permit and consulting matters concerning the property located on Coos County Tax Assessor's Map 26-14-32 TL 112. The tax account for this property is 587305. The situs address is 88891 Sacchi Lane, Bandon, OR 97411.

Sheri McGrath is the direct contact for all permit application questions, plan review comments, concerns or questions, and any other information related to the above property.

Contact information for Sheri McGrath is:

Cell: 541-982-9531
E-mail: cooscurry@gmail.com
Mailing address: P.O. Box 1548, Bandon, OR 97411

This consent automatically expires eighteen months from the date below, without requirement of notice.

DATED: July 8, 2022

COOS CURRY CONSULTING

By: SHERI MCGRATH

CLIENT

William and/or Teresa Muldery
By: WILLIAM AND/OR TERESA MULDERY

COOS County Assessor's Summary Report
Real Property Assessment Report
FOR ASSESSMENT YEAR 2022
NOT OFFICIAL VALUE

July 1, 2022 2:12:46 pm

Account # 587305	Tax Status ASSESSABLE
Map # 26S14320000112	Acct Status ACTIVE
Code - Tax # 0904-587305	Subtype NORMAL
Legal Descr See Record	
Mailing Name MULDERY FAMILY TRUST	Deed Reference # See Record
Agent MULDERY, WILLIAM H., TRUSTEE; ETAL	Sales Date/Price See Record
In Care Of	Appraiser GORDON WEST
Mailing Address 10768 TABEAU RD PINE GROVE, CA 95665-9749	
Prop Class 100 MA SA NH Unit	
RMV Class 100 01 03 CHA 11019-1	

Situs Address(s)	Situs City
ID# 88891 SACCHI LN	BANDON

Code Area		Value Summary					RMV Exception	CPR %
		RMV	MAV	AV	SAV	MSAV		
0904	Land	109,930					Land	0
	Impr.	0					Impr.	0
Code Area Total		109,930	136,820	109,930	0	0		0
Grand Total		109,930	136,820	109,930	0	0		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown				Trended RMV	
						TD%	LS	Size	Land Class		LUC
0904	10		<input checked="" type="checkbox"/>	F	Market	100	A	1.80	MV	002	109,930
Grand Total								1.80			109,930

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
Grand Total							0		0	

Exemptions / Special Assessments / Potential Liability

Code Area 0904										
FIRE PATROL:										
■ FIRE PATROL TIMBER	Amount	18.75	Acres	1.8	Year	2022				

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

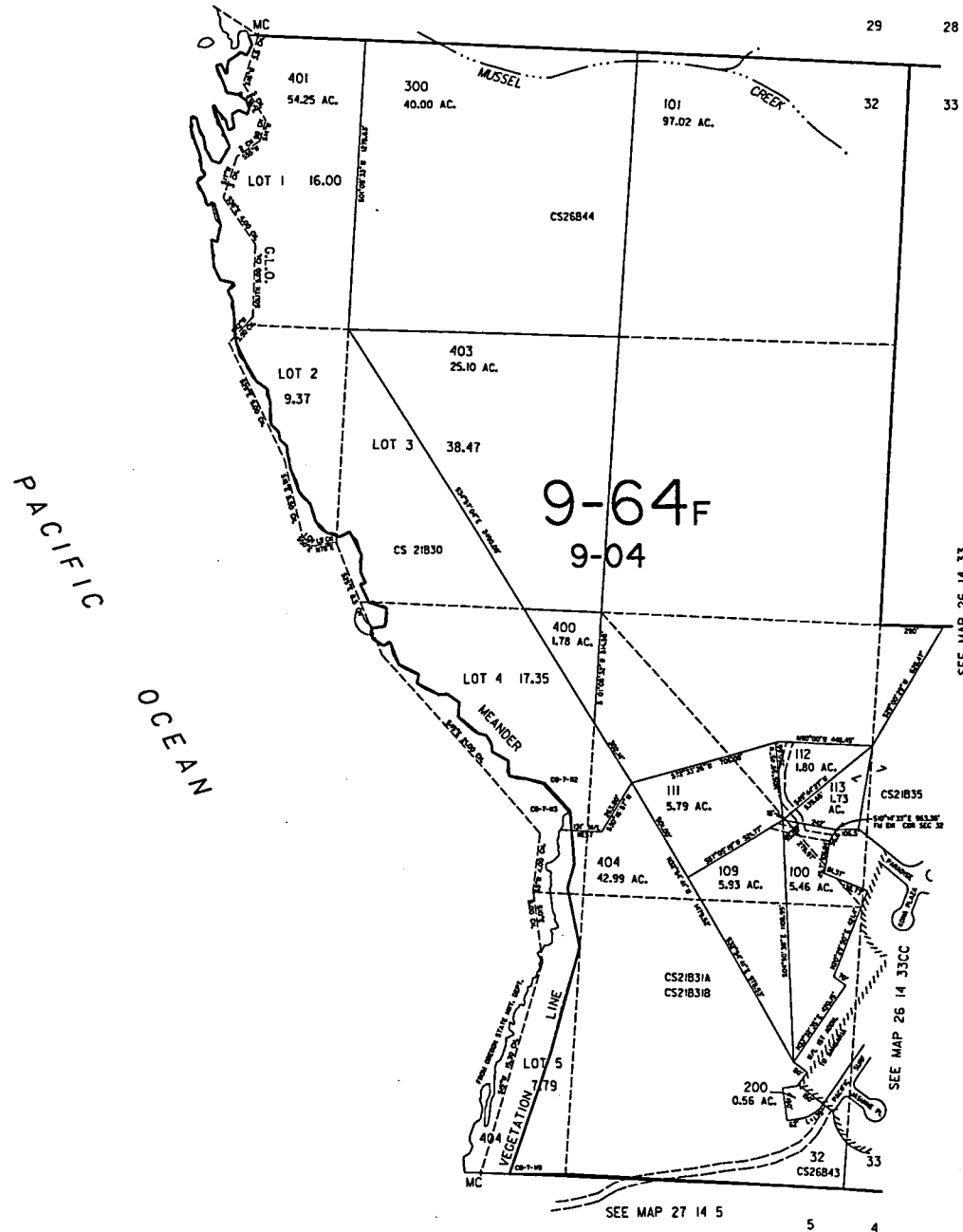
SECTION 32 T.26S. R.14W. W.M.
COOS COUNTY

1" = 400'

SEE MAP 26 14 29

26 14 32

CANCELLED
500
102
402
103
104
105
600
106
107
108
110
114
115



9-8-2004

26 14 32

August 3, 2022

APPLICATION FOR A FOREST TEMPLATE DWELLING

88891 Sacchi Lane
Bandon, OR 97411
26-14-32 TL 112
Tax Account #587305

PROPERTY OWNER

Muldery Family Trust
10768 Tabeau Road
Pine Grove, CA 95665

APPLICANT

Coos Curry Consulting
P.O. Box 1548
Bandon, OR 97411

Office Contact:

Sheri McGrath
cooscurry@gmail.com
541-982-9531

NARRATIVE

The landowner is seeking clearance from the county planning department for the construction of a Forest Template Dwelling and associated improvements. Proposed development includes a single family dwelling and garage. All other improvements have been made including a gravel driveway, a septic system, a well and electricity. The site was previously cleared at the building area, and no new clearing is required.

The subject property is located north of the city limits of Bandon, found in Coos County, Oregon. The property is known as Tax Lot 112 on the Coos County Tax Assessor's Map 26-14-32. The property is located in the Forest zoning district and is 1.8 acres in size. The situs address is 88891 Sacchi Lane, Bandon, OR 97411. The property is not being used for farm or forestry purposes.

The property is accessed from Sacchi Lane, a gravel road in a series of turns off of Seven Devils Road. From Seven Devils Road, Pacific Surf Lane is taken to Paradise Drive which leads to Sacchi Lane. A series of easements were created when the original discrete parcels were sold off into different ownerships. In 2004, the planning commission reviewed in detail the existing road and easements, and found that the road existed prior to 1993 and is considered a legally created road. This decision was acknowledged through the issuance of permit application approvals- HBCU-04-05 and HBCU-15-02.

Vegetation mostly consists of grasses and weeds with a few trees under 15' in two locations and one stand of taller trees to be removed for the primary fire safety area. The soils and weather patterns at the subject site are not conducive to forestry, not to mention the minimal size of the parcel. On March 4, 2004 in hearing the case for HBCU-04-05 the planning commission found that the subject property is "not properly designated as forest use and shall therefore not be restricted as resource land."

Enclosed are findings that support the request and address the criteria in the Coos County Zoning and Land Development Ordinances. The applicant is confident that the criteria for approval have been met, and all conditions for approval can be met without a need for a variance or exception.

ENCLOSED DOCUMENTS

Findings for the Proposed Use
Land Use Application and Fee
Template Test
NRCS Soils Report
Coos County Tax Assessor's Map 29-14-04
Coos County Tax Assessor's Summary Report
Consent Form
Proposed Plot Plan
Road Easement Documents
Warranty Deed

**Forest Template Dwelling Supplemental Application:
Coos County Zoning and Land Development Ordinance (CCZLDO)**

SECTION 4.6.100 FOREST AND FOREST MIXED USE – USE TABLES Table 1 identifies the uses and activities in the Forest (F) and Forest/Mixed Use (FMU) zone. The tables describe the use, type of review, applicable review standards. Development shall also comply with Section 4.6.140 Development and Siting Standards. All dwellings and structures are subject to the siting standards found in Section 4.6.130. Exceptions to minimum lot and parcel sizes for the purpose of land division may apply as set out in Section 4.6.145 Land Division for Open Space and Special Assessment, and Section 4.6.145 Exceptions to Minimum Parcel Size. Properties that are located in a Special Development Consideration and/or overlays shall comply with the applicable review process identified by that Special Development Consideration and/or overlay located in Article 4.11.

If a use specifically states Forest Mixed Use only it is not permitted in the Forest Zone. If land is in a zone that allows both farm and forest uses, a dwelling may be sited based on the predominate use of the tract on January 1, 1993.

SECTION 4.6.110 (OAR 660-006-0025) Uses Authorized in Forest Zones (1) Goal 4 requires that forest land be conserved. Forest lands are conserved by adopting and applying comprehensive plan provisions and zoning regulations consistent with the goals and this rule. In addition to forest practices and operations and uses auxiliary to forest practices, as set forth in ORS 527.722, the Commission has determined that five general types of uses, as set forth in the goal, may be allowed in the forest environment, subject to the standards in the goal and in this rule. These general types of uses are: (a) Uses related to and in support of forest operations; (b) Uses to conserve soil, air and water quality and to provide for fish and wildlife resources, agriculture and recreational opportunities appropriate in a forest environment; (c) Locationally dependent uses, such as communication towers, mineral and aggregate resources, etc.; (d) Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.

Use	TR	Subject to
Dwellings authorized by ORS 215.705 to 215.755; and (e) Other dwellings under prescribed conditions.		
63. Template Dwelling (Alternative forestland dwellings ORS 215.750)	ACU	(9)(B)(II), (9)(C)

(9)(B) DWELLING ON FOREST AND FOREST MIXED USE ZONES -

(II) Template Dwelling - 215.750 Alternative forestland dwellings; criteria.

- (1) In western Oregon, a governing body of a county or its designate may allow the establishment of a single family "template" dwelling authorized under ORS 215.750 on a lot or parcel located within a forest zone if the lot or parcel is predominantly composed of soils that are:
 - (a) Capable of producing zero to 49 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least three other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.
 - (b) Capable of producing 50 to 85 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least seven other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.
 - (c) Capable of producing more than 85 cubic feet per acre per year of wood fiber if:
 - (A) All or part of at least 11 other lots or parcels that existed on January 1, 1993, are within a 160-acre square centered on the center of the subject tract; and
 - (B) At least three dwellings existed on January 1, 1993 and continue to exist on the other lots or parcels.
 - (d) As used in this section, "center of the subject tract" means the mathematical centroid of the tract.

Applicant Response: The Web Soil Survey report from the USDA's Natural Resources Conservation Service indicates the soils on the property are Templeton silt loam (54D). Slopes indicated are 7%-30%.

Based on this information, the subject property needs to comply with 1(c), which is a minimum of 11 discrete parcels, with 3 dwellings, created and sited prior to January 1, 1993 with the template test. The template test was conducted by the planning department as a response to Research Request R-21-003.

This solid type has a productivity capacity of 186 cubic feet of wood fiber per acre per year which requires a minimum of 11 parcels and 3 dwellings to be in existence as of January 1, 1993 within a 160-acre square or rectangle in order to qualify for a Forest Template dwelling.

- (2) The following review standards apply to "template" dwellings approved under this rule:
 - (a) Lots or parcels within urban growth boundaries may not be used to satisfy the eligibility requirements under this rule.
 - (b) Except as provided by subsection (c) of this section, if the tract under section (1) of this rule abuts a road¹ that existed on January 1, 1993, the measurement may be

¹ The statutory definition of "public road" at ORS 368.001(5) is not applicable to approval of a forest template dwelling required by ORS 215.750(5) to be located on a tract that abuts a "road." Interpretation of a local code
Findings of Fact for 26-14-32 TL 112 2/16

made by creating a 160-acre rectangle that is one mile long and one-quarter mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.

- (c) If the:
- (A) Tract 60 acres or larger described under section (1) of this rule abuts a road or perennial stream, the measurement shall be made in accordance with subsection (b) of this section. However, one of the three required dwellings must be on the same side of the road or stream as the tract, and:
 - (i) Be located within a 160-acre rectangle that is one mile long and one-quarter mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream; or
 - (ii) Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.
 - (B) Road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling.
- (d) Notwithstanding subsection (6)(a) of this rule, if the acknowledged comprehensive plan and land use regulations of a county require that a dwelling be located in a 160-acre square or rectangle described in sections (3) and (4) of this rule or subsections (b) or (c) of this section, a dwelling is in the 160-acre square or rectangle if any part of the dwelling is in the 160-acre square or rectangle.

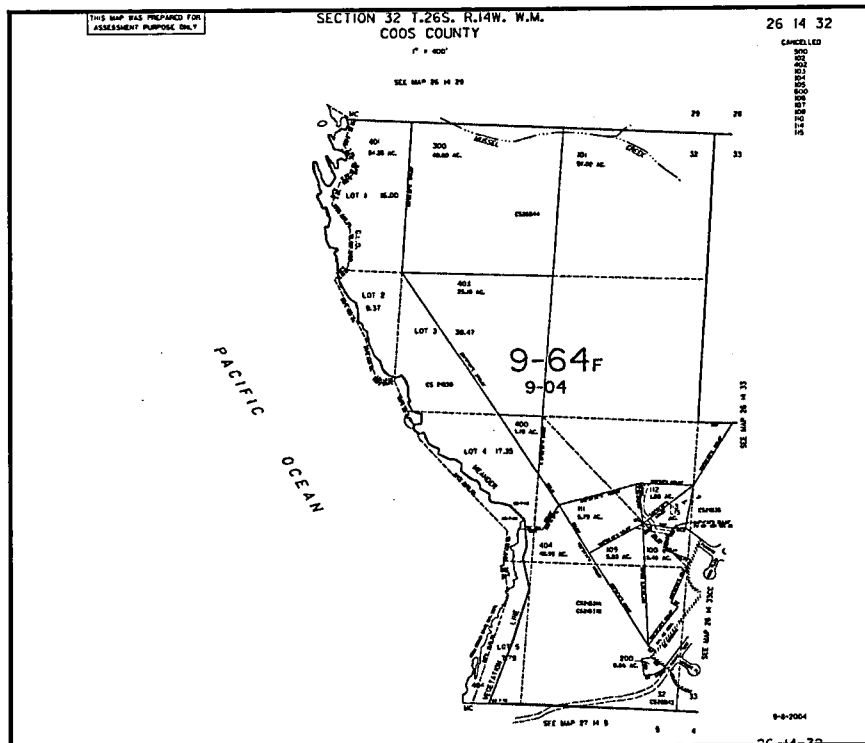
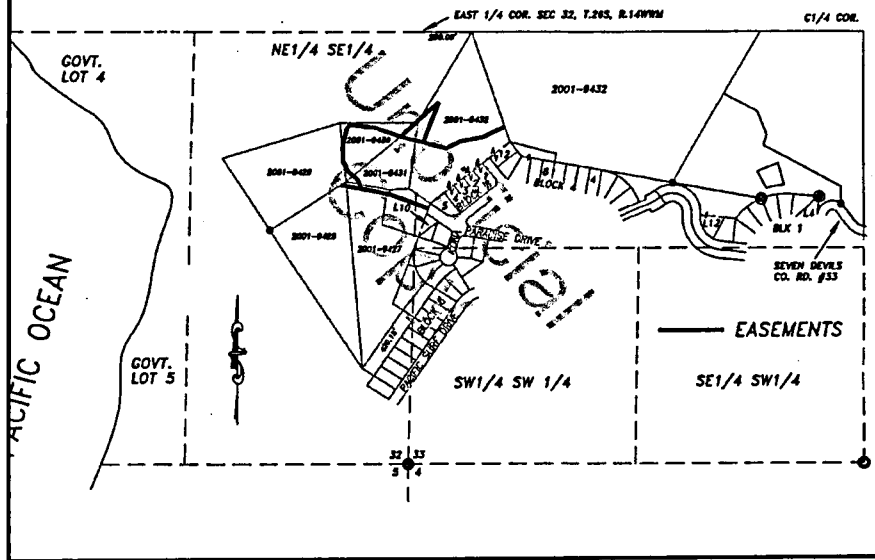
Applicant Response: There are no UGB parcels used to meet the 11 parcels requirement. There is a publicly dedicated non-County maintained road that crosses the subject property, which is identified as Sacchi Lane. This road was created prior to Jan 1, 1993.

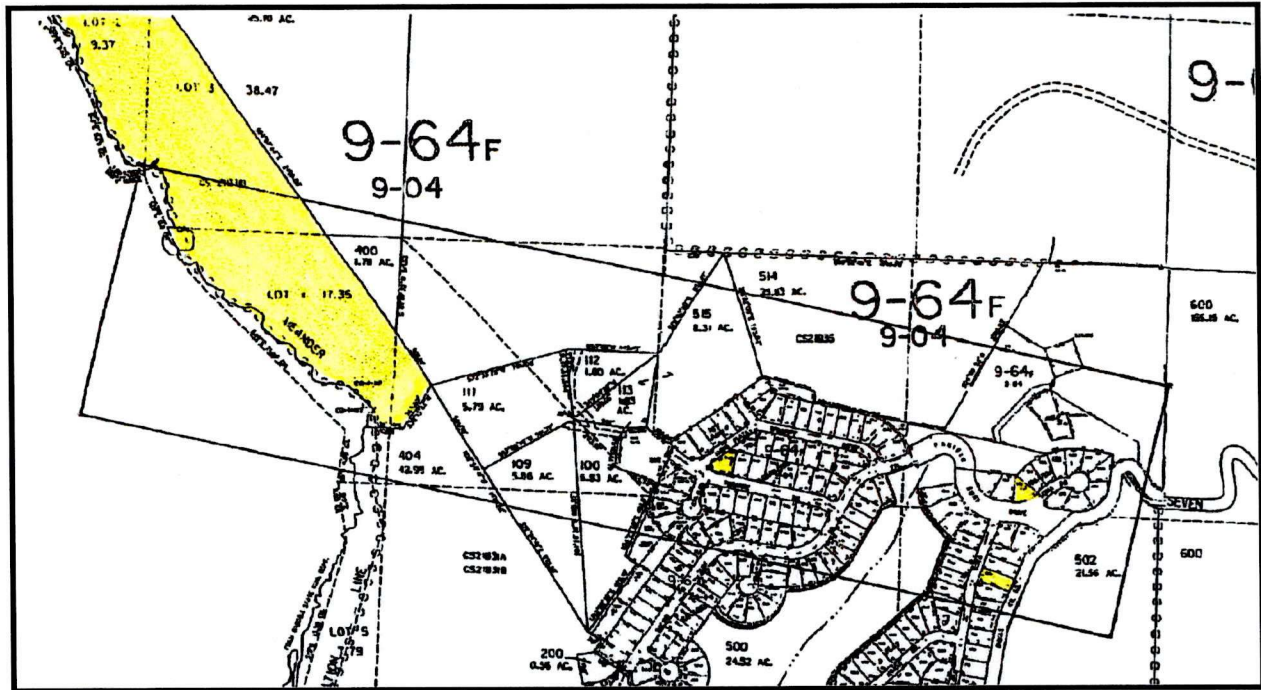
The subject property is less than 60 acres in size. The square must be aligned with the maximum extent possible of the Sacchi Lane easement. There is no requirement under Coos County Zoning and Land Development Ordinance that the required template test dwellings must be located within the 160-acre square. There are 58 discrete parcels with 3 dwellings created prior to 1993. Please see the map below indicating these parcels with the age of the dwelling.

requirement that such dwellings be located on a "public road" is controlled by local legislative intent rather than by statute. *Petersen v. Yamhill County*, 33 Or LUBA 584 (1997). The road may be public or private as long as it has been existence and continued to be in existence since January 1, 1993 and meets the following local definition: A public or private way created or intended to provide ingress or egress for persons to one or more lots, parcels, areas, or tracts of land. A road does not include: (a) driveway located exclusively on the same lot, parcel or tract of land as the use it serves; (b) a private way that is created or intended to provide ingress or egress to such land in conjunction with the use of such land exclusively for forestry, mining, or agricultural purposes.

EASEMENT EXHIBIT MAP

TOWNSHIP 26 S, RANGE 14 W.W.M. SECTIONS 32 AND 33 COOS COUNTY, OREGON





Parcels, with dwellings, creating before Jan 1, 1993 are:

26-14-32-401	Built in 1987
26-14-33CB-3300	Built in 1980
26-14-33CA-600	Built in 1968
26-14-33CD-500	Built in 1970

- (3) A proposed “template” dwelling under this rule is allowed only if:
- (a) It will comply with the requirements of an acknowledged comprehensive plan, acknowledged land use regulations, and other provisions of law;
 - (b) It complies with the requirements of OAR 660-006-0029 and 660-006-0035;
 - (c) No dwellings are allowed on other lots or parcels that make up the tract and deed restrictions established under section (5) of this rule for the other lots or parcels that make up the tract are met;
 - (d) The tract on which the dwelling will be sited does not include a dwelling.
 - (e) The lot or parcel on which the dwelling will be sited was lawfully established.
 - (f) Any property line adjustment to the lot or parcel complied with the applicable property line adjustment provisions in ORS 92.192.
 - (g) Any property line adjustment to the lot or parcel after January 1, 2019, did not have the effect of qualifying the lot or parcel for a dwelling under this section; and
 - (h) If the lot or parcel on which the dwelling will be sited was part of a tract on January 1, 2019, no dwelling existed on the tract on that date, and no dwelling exists or has been approved on another lot or parcel that was part of the tract.

Applicant Response: The proposed single-family dwelling will comply with the Coos County Comprehensive Plan, as template dwellings are allowed thru an administrative conditional use application. There are no other adjacent parcels under the same ownership, thus there is no tract. There have not been any property line adjustments on the subject property since January 1, 2019.

- (4) Subsection (1)(d) and (3)(e) through (4) of Section (II) TEMPLATE DWELLING applies:
- (a) On and after November 1, 2021 in Columbia, Coos, Curry, Deschutes, Douglas, Josephine, Linn, Marion, Washington, and Yamhill Counties with following limited exception:
 - (A) Prior to November 1, 2023, the county may allow the establishment of a single-family dwelling on a lot or parcel that was part of a tract on January 1, 2021, if;
 - (i) No more than one other dwelling exists or has been approved on another lot or parcel that was part of the tract; and
 - (ii) The lot or parcel qualifies, notwithstanding subsection (3)(h), for a dwelling under section (1) of this rule.

Applicant Response: The subject property is within Coos County. Based on Coos County Assessor records, the subject property was not part of a tract on January 1, 2019; therefore, there are no dwellings or approvals on adjacent parcels that disqualify the subject property.

- (5) When the lot or parcel on which the dwelling will be located is part of a tract, the remaining portions of the tract shall be consolidated into a single lot or parcel and a deed restriction using the form provided in OAR 660-06-027(6), "Exhibit A," shall be completed and recorded with Coos County Clerk. The covenants, conditions and restrictions in the deed restriction:
- (a) The covenants, conditions and restrictions are irrevocable, unless a statement of release is signed by an authorized representative of the county or counties where the property subject to the covenants, conditions and restrictions is located.
 - (b) Enforcement of the covenants, conditions and restrictions may be undertaken by the department or by the county or counties where the property subject to the covenants, conditions and restrictions is located.
 - (c) The failure to follow the requirements of this section shall not affect the validity of the transfer of property or the legal remedies available to the buyers of property that is subject to the covenants, conditions and restrictions required by this section.

The county planning director shall maintain a copy of the covenants, conditions and restrictions filed in the county deed records pursuant to this section and a map or other record depicting tracts do not qualify for the siting of a dwelling under the covenants, conditions and restrictions filed in the county deed records pursuant to this section. The map or other record required by this subsection shall be readily available to the public in the county planning office.

Applicant Response: The subject property is not part of a tract; therefore, these criteria are not applicable.

SECTION 4.6.130 SITING STANDARDS FOR DWELLING AND STRUCTURES IN FOREST ZONES

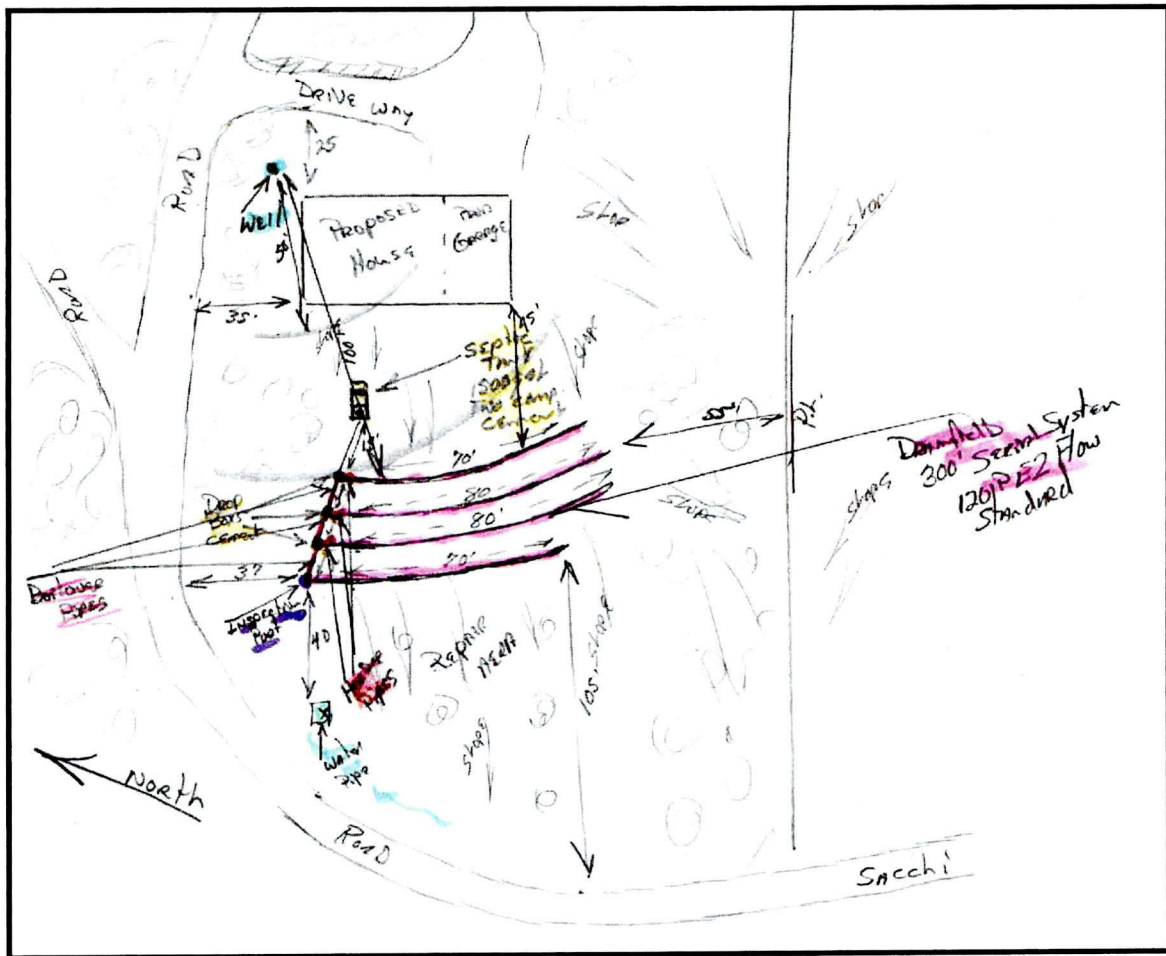
The following siting criteria or their equivalent shall apply to all new dwellings and structures in forest and agriculture/forest zones. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. A governing body shall consider the criteria in this rule together with the requirements OAR 660-0060-0035 to identify the building site:

- (1) Dwellings and structures shall be sited on the parcel so that:
 - (a) They have the least impact on nearby² or adjoining forest or agricultural lands;
 - (b) The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized;
 - (c) The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
 - (d) The risks associated with wildfire are minimized.
- (2) Siting criteria satisfying section (1) of this section may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees.

Applicant Response: Section 4.6.130(1)(a) and Section 4.6.130(1)(b) require proof of adverse impacts to the subject property and nearby farm and forest operations. The proposed homesite, existing driveway, septic, and well are located approximately in the center of the subject property, as shown on the plot plan. The subject property is 1.8 acres and is considered legally non-conforming in regard to size. Proposed and existing development is located in the only suitable building locations on the site, therefore the proposal is considered to have the least impact on adjoining forest lands. Access to adjoining properties will not be restricted.

The roads are existing, and no new road or driveway development is proposed. Risk associated with wildfire are minimized by providing low lying vegetation and spaced and limbed trees on the subject property. The roads create a buffer between the proposed building site and the adjoining forest property on the north side which was logged in 2021. The subject property, existing development and existing roads did not negatively impact the logging activity and will not limit future activity on those lands. There are no agricultural lands within the vicinity.

²



- (3) The applicant shall provide evidence to the governing body that the domestic water supply is from a source authorized in accordance with the Water Resources Department's administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices rules (OAR chapter 629). For purposes of this section, evidence of a domestic water supply means:
- (a) Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor's rights to appropriate water;
 - (b) A water use permit issued by the Water Resources Department for the use described in the application; or
 - (c) Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor's report to the county upon completion of the well.

Applicant Response: The landowner has installed a domestic well.

<p style="text-align: center;">STATE OF OREGON WATER SUPPLY WELL REPORT <small>(as required by ORS 537.765 & OAR 690-205-0210)</small></p> <p style="text-align: center;">COOS 57527</p> <p style="text-align: center;">6/27/2019</p> <p>(1) LAND OWNER Owner Well I.D. _____ First Name <u>WILLIAM & TERESA</u> Last Name <u>MULDERY</u> Company _____ Address <u>10768 TABEAU RD</u> City <u>PINE GROVE</u> State <u>CA</u> Zip <u>95665</u></p> <p>(2) TYPE OF WORK <input checked="" type="checkbox"/> New Well <input type="checkbox"/> Deepening <input type="checkbox"/> Conversion <input type="checkbox"/> Alteration (complete 2a & 10) <input type="checkbox"/> Abandonment (complete 5a)</p> <p>(2a) PRE-ALTERATION Dia + From To Gauge Stl Plstc Wld Thrd Casing: _____ Material From To Amt sacks/lbs Seal: _____</p> <p>(3) DRILL METHOD <input checked="" type="checkbox"/> Rotary Air <input type="checkbox"/> Rotary Mud <input type="checkbox"/> Cable <input type="checkbox"/> Auger <input type="checkbox"/> Cable Mud <input type="checkbox"/> Reverse Rotary <input type="checkbox"/> Other _____</p> <p>(4) PROPOSED USE <input checked="" type="checkbox"/> Domestic <input type="checkbox"/> Irrigation <input type="checkbox"/> Community <input type="checkbox"/> Industrial/ Commercial <input type="checkbox"/> Livestock <input type="checkbox"/> Dewatering <input type="checkbox"/> Thermal <input type="checkbox"/> Injection <input type="checkbox"/> Other _____</p> <p>(5) BORE HOLE CONSTRUCTION Special Standard <input type="checkbox"/> (Attach copy) Depth of Completed Well <u>212.00</u> ft. BORE HOLE SEAL sacks/lbs <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Dia</th> <th>From</th> <th>To</th> <th>Material</th> <th>From</th> <th>To</th> <th>Amt</th> <th>lbs</th> </tr> </thead> <tbody> <tr> <td>10</td> <td>0</td> <td>25</td> <td>Bentonite Chips</td> <td>0</td> <td>28</td> <td>17</td> <td>S</td> </tr> <tr> <td>6</td> <td>25</td> <td>212</td> <td></td> <td></td> <td></td> <td>Calculated</td> <td>13.5</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>Calculated</td> <td></td> </tr> </tbody> </table> How was seal placed: Method <input type="checkbox"/> A <input type="checkbox"/> B <input type="checkbox"/> C <input type="checkbox"/> D <input type="checkbox"/> E <input checked="" type="checkbox"/> Other <u>POURED</u> Backfill placed from _____ ft. to _____ ft. Material _____ Filter pack from _____ ft. to _____ ft. Material _____ Size _____ Explosives used: <input type="checkbox"/> Yes Type _____ Amount _____</p> <p>(5a) ABANDONMENT USING UNHYDRATED BENTONITE Proposed Amount _____ Actual Amount _____</p> <p>(6) CASING/LINER <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Casing</th> <th>Liner</th> <th>Dia</th> <th>+</th> <th>From</th> <th>To</th> <th>Gauge</th> <th>Stl</th> <th>Plstc</th> <th>Wld</th> <th>Thrd</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td>6</td> <td></td> <td>1.6</td> <td>51</td> <td>.250</td> <td><input checked="" type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> <tr> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td>4.5</td> <td></td> <td>8</td> <td>212</td> <td>SDR26</td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/></td> </tr> </tbody> </table> Shoe <input type="checkbox"/> Inside <input type="checkbox"/> Outside <input type="checkbox"/> Other _____ Location of shoe(s) _____ Temp casing <input type="checkbox"/> Yes Dia _____ From + _____ To _____</p> <p>(7) PERFORATIONS/SCREENS Perforations Method <u>SAW</u> Screens Type _____ Material _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Perf</th> <th>Casing/Screen</th> <th>Screen Liner</th> <th>Dia</th> <th>From</th> <th>To</th> <th>Scr/slot width</th> <th>Slot length</th> <th># of slots</th> <th>Tele/pipe size</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td>4.5</td> <td>55</td> <td>212</td> <td>25</td> <td>5</td> <td>288</td> <td></td> </tr> </tbody> </table></p> <p>(8) WELL TESTS: Minimum testing time is 1 hour <input type="checkbox"/> Pump <input type="checkbox"/> Bailor <input checked="" type="checkbox"/> Air <input type="checkbox"/> Flowing Artesian Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____ Temperature <u>52</u> °F Lab analysis <input type="checkbox"/> Yes By _____ Water quality concerns? <input type="checkbox"/> Yes (describe below) TDS amount <u>115</u> ppm From _____ To _____ Description _____ Amount _____ Units _____</p>	Dia	From	To	Material	From	To	Amt	lbs	10	0	25	Bentonite Chips	0	28	17	S	6	25	212				Calculated	13.5							Calculated		Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	6		1.6	51	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	4.5		8	212	SDR26	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Perf	Casing/Screen	Screen Liner	Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/pipe size				4.5	55	212	25	5	288		<p style="text-align: right;">Page 1 of 1</p> <p style="text-align: center;">WELL I.D. LABEL# L <u>131297</u> START CARD # <u>1043007</u> ORIGINAL LOG # _____</p> <p>(9) LOCATION OF WELL (legal description) County <u>coos</u> Twp <u>26.00</u> S N/S Range <u>14.00</u> W E/W WM Sec <u>32</u> NE 1/4 of the SE 1/4 Tax Lot <u>00112</u> Tax Map Number _____ Lot _____ Lat _____ " or _____ DMS or DD Long _____ " or _____ DMS or DD <input checked="" type="radio"/> Street address of well <input type="radio"/> Nearest address</p> <p>NO SITE ADDRESS <u>SACHEE LN</u></p> <p>(10) STATIC WATER LEVEL <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Existing Well / Pre-Alteration</th> <th>Date</th> <th>SWL (psi)</th> <th>+</th> <th>SWL (ft)</th> </tr> </thead> <tbody> <tr> <td>Completed Well</td> <td>6/4/2019</td> <td></td> <td></td> <td>45</td> </tr> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table> Flowing Artesian? <input type="checkbox"/> Dry Hole? <input type="checkbox"/> WATER BEARING ZONES Depth water was first found <u>55.00</u> <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>SWL Date</th> <th>From</th> <th>To</th> <th>Est Flow</th> <th>SWL (psi)</th> <th>+</th> <th>SWL (ft)</th> </tr> </thead> <tbody> <tr> <td>6/4/2019</td> <td>55</td> <td>56</td> <td>3</td> <td></td> <td></td> <td>45</td> </tr> <tr> <td>6/4/2019</td> <td>172</td> <td>173</td> <td>7</td> <td></td> <td></td> <td>45</td> </tr> </tbody> </table></p> <p>(11) WELL LOG Ground Elevation _____ <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Material</th> <th>From</th> <th>To</th> </tr> </thead> <tbody> <tr> <td>YELLOW BROWN CLAY</td> <td>0</td> <td>6</td> </tr> <tr> <td>BROWN CLAY</td> <td>6</td> <td>15</td> </tr> <tr> <td>BLUE GRAY CLAYSTONE</td> <td>15</td> <td>41</td> </tr> <tr> <td>BLUE SANDSTONE</td> <td>41</td> <td>172</td> </tr> <tr> <td>COAL</td> <td>172</td> <td>173</td> </tr> <tr> <td>GRAY SANDSTONE</td> <td>173</td> <td>209</td> </tr> <tr> <td>BROWN CLAYSTONE</td> <td>209</td> <td>212</td> </tr> </tbody> </table> Date Started <u>5/28/2019</u> Completed <u>6/4/2019</u> (unbonded) Water Well Constructor Certification I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief. License Number _____ Date _____ Signed _____ (bonded) Water Well Constructor Certification I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief. License Number <u>1381</u> Date <u>6/27/2019</u> Signed <u>RONALD BARRINGTON (E-filed)</u> Contact Info (optional) <u>BARRINGTON WELL DRILLING LLC. 541-269-7221</u></p>	Existing Well / Pre-Alteration	Date	SWL (psi)	+	SWL (ft)	Completed Well	6/4/2019			45						SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)	6/4/2019	55	56	3			45	6/4/2019	172	173	7			45	Material	From	To	YELLOW BROWN CLAY	0	6	BROWN CLAY	6	15	BLUE GRAY CLAYSTONE	15	41	BLUE SANDSTONE	41	172	COAL	172	173	GRAY SANDSTONE	173	209	BROWN CLAYSTONE	209	212
Dia	From	To	Material	From	To	Amt	lbs																																																																																																																																											
10	0	25	Bentonite Chips	0	28	17	S																																																																																																																																											
6	25	212				Calculated	13.5																																																																																																																																											
						Calculated																																																																																																																																												
Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd																																																																																																																																								
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	6		1.6	51	.250	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>																																																																																																																																								
<input type="checkbox"/>	<input type="checkbox"/>	4.5		8	212	SDR26	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>																																																																																																																																								
Perf	Casing/Screen	Screen Liner	Dia	From	To	Scr/slot width	Slot length	# of slots	Tele/pipe size																																																																																																																																									
			4.5	55	212	25	5	288																																																																																																																																										
Existing Well / Pre-Alteration	Date	SWL (psi)	+	SWL (ft)																																																																																																																																														
Completed Well	6/4/2019			45																																																																																																																																														
SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)																																																																																																																																												
6/4/2019	55	56	3			45																																																																																																																																												
6/4/2019	172	173	7			45																																																																																																																																												
Material	From	To																																																																																																																																																
YELLOW BROWN CLAY	0	6																																																																																																																																																
BROWN CLAY	6	15																																																																																																																																																
BLUE GRAY CLAYSTONE	15	41																																																																																																																																																
BLUE SANDSTONE	41	172																																																																																																																																																
COAL	172	173																																																																																																																																																
GRAY SANDSTONE	173	209																																																																																																																																																
BROWN CLAYSTONE	209	212																																																																																																																																																

ORIGINAL - WATER RESOURCES DEPARTMENT
 THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version:

- (4) As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the U.S. Bureau of Land Management, or the U.S. Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement which could include an easement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

Applicant Response: The applicant plans on using the existing Sacchi Lane graveled road, which is a publicly dedicated non-County maintained road. Easement documents have been included with the application.

- (5) Approval of a dwelling shall be subject to the following requirements:
- (a) Approval of a dwelling requires the owner of the tract to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in department of Forestry administrative rules;
 - (b) The planning department shall notify the county assessor of the above condition at the time the dwelling is approved;
 - (c) If the lot or parcel is more than 10 acres in western Oregon or more than 30 acres in eastern Oregon, the property owner shall submit a stocking survey report to the county assessor and the assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry rules;
 - (d) Upon notification by the assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If that department determines that the tract does not meet those requirements, that department will notify the owner and the assessor that the land is not being managed as forest land. The assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax; and
 - (e) The county governing body or its designate shall require as a condition of approval of a single-family dwelling under ORS 215.213, 215.383 or 215.284 or otherwise in a farm or forest zone, that the landowner for the dwelling sign and record in the deed records for the county a document binding the landowner, and the landowner's successors in interest, prohibiting them from pursuing a claim for relief or cause of action alleging injury from farming or forest practices for which no action or claim is allowed under ORS 30.936 or 30.937.

Applicant Response: The parcel is under 10 acres in size and has not been reforested. The applicant will not be required to submit a stocking survey to the Coos County Assessor's Office.

The applicant will record a Farm Forest Management Covenant with the Coos County Clerk's office and then submit a copy of the recorded form to the Coos County Planning Department before requesting a Zoning Compliance Letter.

SECTION 4.6.140 DEVELOPMENT AND SITING CRITERIA:

This section contains all of the development standards for uses (unless otherwise accepted out by a use review) and all of the siting standards for development.

1. Except as provided in subsection 4.6.145 of this ordinance, the following minimum lot or parcel sizes apply for land designated forestland, is at least 80 acres.

Minimum lot size will not affect approval for development unless specified in use. The size of the parcel will not prohibit development as long as it was lawfully created or otherwise required to be a certain size in order to qualify for a use.

Applicant Response: This application is for a forest template dwelling only. The parcel is a legally created pre-existing parcel. No new parcels will be created.

2. Setbacks: 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 any right-of-way line, whichever is greater.

Applicant Response: Based on the submitted plot plan, all development is farther than 35 feet from any road right-of-way centerline and five feet from any right-of-way line. A site survey will be provided prior to the issuance of Zoning Compliance to confirm the location of all structures in regard to the right of way easement setback.

3. Fences, Hedges and Walls: No requirement, except for vision clearance provisions in Section 7.1.525.

Applicant Response: There are no fences, hedges, or walls proposed by the landowner.

4. Off-Street Parking and Loading: See Chapter VII.

Applicant Response: Per section 7.5.175, the applicant will create two parking spaces for the proposed dwelling. Each parking space will be a minimum of 9 ft X 20 ft and 4 in of rock surface.

5. Minimizing Impacts: In order to minimize the impact of dwellings in forest lands, all applicants requesting a single family dwelling shall acknowledge and file in the deed record of Coos County, a Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single family dwelling.

Applicant Response: As a condition of approval, the applicant, or future landowners, will file a Forest Management Covenant on the deed of record with the Coos County Clerk's office. The applicant acknowledges this must be completed before the issuance of a Zoning Compliance Letter.

6. Riparian Vegetation Protection. Riparian vegetation within 50 feet of a wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps shall be maintained except that:
- a. 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.
 - b. Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;
 - c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;
 - d. 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;
 - e. Riparian vegetation may be removed to site or properly maintain public utilities and road rights-of-way;
 - f. 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
 - g. 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 represents not more than 100% of the size of the existing structure's "footprint".
 - h. Riparian removal within the Coastal Shoreland Boundary will require a conditional use. See Special Development Considerations Coastal Shoreland Boundary.
 - i. 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 Response: There are no riparian areas on or around the subject property, therefore the proposal meets the criteria of a 50' setback.

7. All new and replacement dwellings and permanent structures shall, at a minimum, meet the following standards.
- a. The dwelling has a fire retardant roof.

Applicant's Response: The proposed structures will have a fire retardant roof. The building plans will clearly mark the type of roofing material to be used.

- b. The dwelling will not be sited on a slope of greater than 40 percent. Slope³ will also determine additional firebreak in Section 8 Firebreak.

Applicant's Response: No structures will be placed on a slope greater than 10%.

- c. Evidence is provided that the domestic water supply is from a source authorized by the Water Resources Department and not from a Class II stream as designated by the State Board of Forestry.

Applicant's Response: A well log was included earlier in this document. Water will not be taken from a Class II Stream.

- d. The dwelling is located upon a parcel within a fire protection district or is provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant provides evidence that the applicant has asked to be included in the nearest such district or contract with a private fire protection company.
- e. For dwellings and structures outside of a fire protection district alternative forms of fire protections will apply to the development including fire sprinkling system, on-site equipment and water storage.
 - i. Water storage shall be a swimming pool, pond, lake or similar body of water that at all times contains at least 4,000 gallons or a stream that has a minimum flow of at least one cubic foot per second. Road access shall be provided to within 15 feet of the water's edge for fire-fighting pumping units, and the road access shall accommodate a turnaround for fire-fighting equipment. The access to the water source shall be marked with signs for fire water sources.

Applicant's Response: The parcel is located within the Bandon Rural Fire Protection District.

- f. If the dwelling has a chimney or chimneys, each chimney has a spark arrester.

Applicant's Response: All chimneys will have a spark arrester, and the building plans will clearly mark this requirement.

³ Slope calculations must include the primary and additional fuel-free breaks. Staff will use the slopes from the soil data found in the Soil Survey of Coos County Oregon published by United States Department of Agriculture, Soil Conservation Service, in cooperation with Oregon Agricultural Experiment Station. Staff will accept an on ground study for slope from an Registered Surveyor or other Registered Professional that is able to make calculations based on the profession licensing requirements.

- g. The owner provides and maintains primary fuel-free break and secondary break areas on land surrounding the dwelling that is owned or controlled by the owner and complies with Section 8 Firebreak.

8. Firebreak:

- a. The property owner shall maintain a primary firebreak safety zone around all structures. Vegetation within this primary safety zone 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.
- b. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
- c. The owners of the dwelling shall maintain a primary fuel-free break area surrounding all structures and clear and maintain a secondary fuel-free break on land surrounding all structures and clear and maintain a secondary fuel-free break area on land surrounding the dwelling that is owned or controlled by the owner in accordance with the provisions in "Recommended Fire Siting Standards for Dwellings and Structures and Fire Safety Design Standards for Roads" dated March 1, 1991, and published by Oregon Department of Forestry and shall demonstrate compliance with Table 1.
- d. Proof that all of these items will be met include proof of the slope to determine additional firebreak setbacks is required.

Table 1 – Minimum Primary Safety Zone

Slope	Feet of Primary Safety Zone	Feet of Additional Primary Safety Zone Down Slope
0%	30	0
10%	30	50
20%	30	75
25%	30	100
40%	30	150

Applicant’s Response: The proposed building site is considered flat, with gentle slopes along the perimeter where the septic and driveways are located. Based on the soils types, the estimated slope of the property is a maximum of 30%. The actual slope is closer to 10%. The requirement is for the dwelling to have at least an 80 ft primary fuel break, with a 100 ft secondary fuel break. The subject property is not large enough to meet a full 180’ fire safety area within the confines of the property boundary. The adjoining property contains low lying vegetation and little to no trees. The existing rounds on the south, west and north sides of the property extend the fire safety area and provide the necessary break. The applicant will maintain a ¾ inch 50 PSI garden hose with sufficient length to reach the primary safety zone.

9. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.

Applicant Response: The applicant will install a fire-retardant roof on all structures. The applicant will clearly list this criteria on the building plans.

10. Access to new dwellings shall meet road and driveway standards in Chapter VII.

Applicant Response: Table 7.2A in Section 7.2.200 identifies the minimum standards for new rural roads and driveways constructed to access new dwellings. The applicant will use the existing Sacchi Lane graveled road to access the subject property. The driveway standards for the Forest zoning district requires that all new driveways be a minimum of 14 ft sub-grade, 12 ft surface, 4-inch aggregate all-weather surface, with a maximum grade of 18%. The existing road and driveway meet these criteria. Section 7.1.400 relates to the criteria for private bridge standards which is not relevant to this application.

SECTION 4.11.128(B) HISTORICAL, CULTURAL AND ARCHAEOLOGICAL RESOURCES, NATURAL AREAS AND WILDERNESS
--

Coos County shall manage its historical, cultural and archaeological areas, sites, structures and objects so as to preserve their original resource value. This strategy recognizes that preservation IV- 152 of significant historical, cultural and archaeological resources is necessary to sustain the County's cultural heritage.

- b. Areas of Archaeological Concern: Coos County shall continue to refrain from widespread dissemination of site-specific inventory information concerning identified archaeological sites. Rather, Coos County shall manage development in these areas so as to preserve their value as archaeological resources.
 - i. This strategy shall be implemented by requiring development proposals to be accompanied by documentation that the proposed project would not adversely impact the historical and archaeological values of the project's site. "Sufficient documentation" shall be a letter from a qualified archaeologist/historian and/or a duly authorized representative of a local Indian tribe(s).
 - ii. Properties which have been determined to have an "archaeological site" location must comply with the following steps prior to issuance of a "Zoning compliance Letter" for building and/or septic permits.

1) The County Planning Department shall make initial contact with the Tribe(s) for determination of an archaeological site(s). The following information shall be provided by the property owner/agent: a) Plot plan showing exact location of excavation, clearing, and development, and where the access to the property is located; b) Township, range, section and tax lot(s) numbers; and c) Specific directions to the property.

2) The Planning Department will forward the above information including a request for response to the appropriate tribe(s).

3) The Tribe(s) will review the proposal and respond in writing within 30 days to the Planning Department with a copy to the property owner/agent. 4) It is the responsibility of the property owner/agent to contact the Planning Department in order to proceed in obtaining a "Zoning Compliance Letter" (ZCL) or to obtain further instruction on other issues pertaining to their request.

iii. In cases where adverse impacts have been identified, then development shall only proceed if appropriate measures are taken to preserve the archaeological value of the site. "Appropriate measures" are deemed to be those, which do not compromise the integrity of remains, such as:

1) Paving over the sites;

2) Incorporating cluster-type housing design to avoid the sensitive areas; or

3) Contracting with a qualified archaeologist to remove and re-enter the cultural remains or burial(s) at the developer's expense. If an archaeological site is encountered in the process of development, which previously had been unknown to exist, then, these three appropriate measures shall still apply. Land development activities found to violate the intent of this strategy shall be subject to penalties prescribed by ORS 97.745 (Source: Coos Bay Plan).

iv. This strategy is based on the recognition that preservation of such archaeologically sensitive areas is not only a community's social responsibility but is also a legal responsibility pursuant to Goal #5 and ORS 97.745. It also recognizes that historical and archaeological sites are non-renewable, cultural resources (Source: Coos Bay Plan)

Applicant's Response: The subject site is located in the archeological overlay, and the previous application from 2015 received comments from the Coquille Tribe and others. The Coquille Tribe responded that there were no objections to the proposed project, but the site was in close proximity to known cultural resources. Monitoring of site activity was not required in 2015, though the landowner will comply with all new comments received as a result of this application.



United States
Department of
Agriculture

NRCS

Natural
Resources
Conservation
Service

A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for Coos County, Oregon



Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (<http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/>) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (<https://offices.sc.egov.usda.gov/locator/app?agency=nrcs>) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD). To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Contents

Preface.....	2
How Soil Surveys Are Made.....	5
Soil Map.....	8
Soil Map.....	9
Legend.....	10
Map Unit Legend.....	11
Map Unit Descriptions.....	11
Coos County, Oregon.....	13
54D—Templeton silt loam, 7 to 30 percent slopes.....	13
References.....	14

How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

Custom Soil Resource Report

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

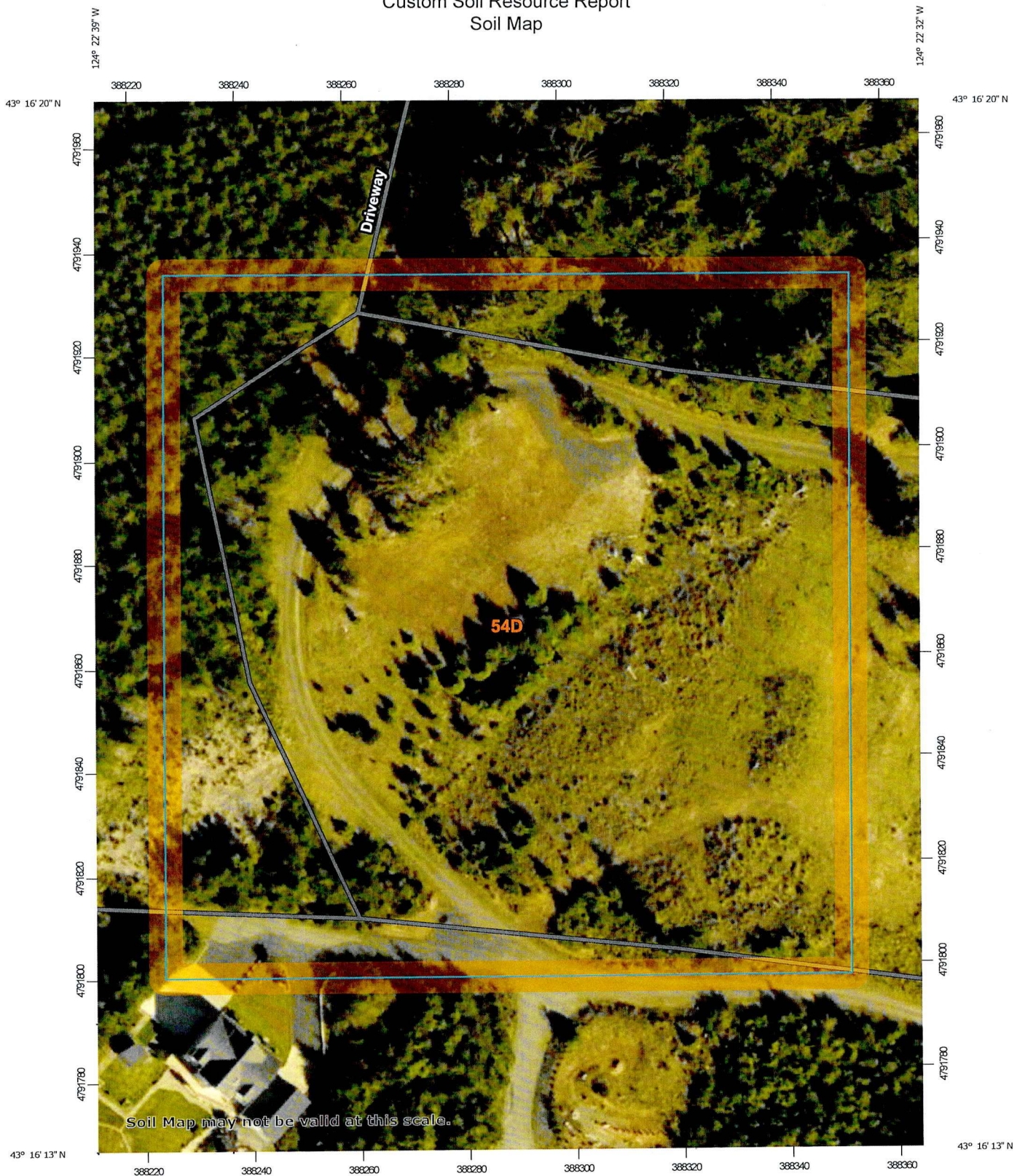
Custom Soil Resource Report

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

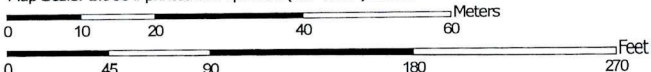
Custom Soil Resource Report
Soil Map



Soil Map may not be valid at this scale.







































Map Scale: 1:988 if printed on A portrait (8.5" x 11") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 10N WGS84

MAP LEGEND

Area of Interest (AOI)		 Spoil Area
 Area of Interest (AOI)		 Stony Spot
Soils		 Very Stony Spot
 Soil Map Unit Polygons		 Wet Spot
 Soil Map Unit Lines		 Other
 Soil Map Unit Points		 Special Line Features
Special Point Features		Water Features
 Blowout		 Streams and Canals
 Borrow Pit		Transportation
 Clay Spot		 Rails
 Closed Depression		 Interstate Highways
 Gravel Pit		 US Routes
 Gravelly Spot		 Major Roads
 Landfill		 Local Roads
 Lava Flow		Background
 Marsh or swamp		 Aerial Photography
 Mine or Quarry		
 Miscellaneous Water		
 Perennial Water		
 Rock Outcrop		
 Saline Spot		
 Sandy Spot		
 Severely Eroded Spot		
 Sinkhole		
 Slide or Slip		
 Sodic Spot		

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
 Web Soil Survey URL:
 Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Coos County, Oregon
 Survey Area Data: Version 17, Oct 27, 2021

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 5, 2019—Oct 10, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
54D	Templeton silt loam, 7 to 30 percent slopes	4.3	100.0%
Totals for Area of Interest		4.3	100.0%

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Custom Soil Resource Report

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Coos County, Oregon

54D—Templeton silt loam, 7 to 30 percent slopes

Map Unit Setting

National map unit symbol: 21q0
Elevation: 50 to 800 feet
Mean annual precipitation: 60 to 70 inches
Mean annual air temperature: 52 to 54 degrees F
Frost-free period: 200 to 240 days
Farmland classification: Not prime farmland

Map Unit Composition

Templeton and similar soils: 75 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Templeton

Setting

Landform: Mountain slopes
Landform position (two-dimensional): Backslope
Landform position (three-dimensional): Mountainflank
Down-slope shape: Convex
Across-slope shape: Convex
Parent material: Colluvium and residuum weathered from sedimentary rock

Typical profile

H1 - 0 to 16 inches: silt loam
H2 - 16 to 42 inches: silt loam
H3 - 42 to 52 inches: weathered bedrock

Properties and qualities

Slope: 7 to 30 percent
Depth to restrictive feature: 40 to 60 inches to paralithic bedrock
Drainage class: Well drained
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high
(0.57 to 1.98 in/hr)
Depth to water table: More than 80 inches
Frequency of flooding: None
Frequency of ponding: None
Available water supply, 0 to 60 inches: High (about 10.8 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 6e
Hydrologic Soil Group: B
Ecological site: F004AB404WA - Coastal Upland Warm Forest
Forage suitability group: Well Drained >15% Slopes (G004AY013OR)
Other vegetative classification: Well Drained >15% Slopes (G004AY013OR)
Hydric soil rating: No

References

American Association of State Highway and Transportation Officials (AASHTO). 2004. Standard specifications for transportation materials and methods of sampling and testing. 24th edition.

American Society for Testing and Materials (ASTM). 2005. Standard classification of soils for engineering purposes. ASTM Standard D2487-00.

Cowardin, L.M., V. Carter, F.C. Golet, and E.T. LaRoe. 1979. Classification of wetlands and deep-water habitats of the United States. U.S. Fish and Wildlife Service FWS/OBS-79/31.

Federal Register. July 13, 1994. Changes in hydric soils of the United States.

Federal Register. September 18, 2002. Hydric soils of the United States.

Hurt, G.W., and L.M. Vasilas, editors. Version 6.0, 2006. Field indicators of hydric soils in the United States.

National Research Council. 1995. Wetlands: Characteristics and boundaries.

Soil Survey Division Staff. 1993. Soil survey manual. Soil Conservation Service. U.S. Department of Agriculture Handbook 18. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_054262

Soil Survey Staff. 1999. Soil taxonomy: A basic system of soil classification for making and interpreting soil surveys. 2nd edition. Natural Resources Conservation Service, U.S. Department of Agriculture Handbook 436. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053577

Soil Survey Staff. 2010. Keys to soil taxonomy. 11th edition. U.S. Department of Agriculture, Natural Resources Conservation Service. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053580

Tiner, R.W., Jr. 1985. Wetlands of Delaware. U.S. Fish and Wildlife Service and Delaware Department of Natural Resources and Environmental Control, Wetlands Section.

United States Army Corps of Engineers, Environmental Laboratory. 1987. Corps of Engineers wetlands delineation manual. Waterways Experiment Station Technical Report Y-87-1.

United States Department of Agriculture, Natural Resources Conservation Service. National forestry manual. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/home/?cid=nrcs142p2_053374

United States Department of Agriculture, Natural Resources Conservation Service. National range and pasture handbook. <http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/landuse/rangepasture/?cid=stelprdb1043084>

Custom Soil Resource Report

United States Department of Agriculture, Natural Resources Conservation Service. National soil survey handbook, title 430-VI. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/scientists/?cid=nrcs142p2_054242

United States Department of Agriculture, Natural Resources Conservation Service. 2006. Land resource regions and major land resource areas of the United States, the Caribbean, and the Pacific Basin. U.S. Department of Agriculture Handbook 296. http://www.nrcs.usda.gov/wps/portal/nrcs/detail/national/soils/?cid=nrcs142p2_053624

United States Department of Agriculture, Soil Conservation Service. 1961. Land capability classification. U.S. Department of Agriculture Handbook 210. http://www.nrcs.usda.gov/Internet/FSE_DOCUMENTS/nrcs142p2_052290.pdf



Fidelity National Title
Company

After Recording Return To:
William H. Mulderly
Teresa J. Mulderly
10768 Tabeau Rd
Pine Grove CA 95665

**AFTER RECORDING RETURN TO
FIDELITY NATIONAL TITLE COMPANY**

Send Tax Statements To:
William H. Mulderly
Teresa J. Mulderly
10768 Tabeau Rd
Pine Grove CA 95665

Title Order No. 24-97440 /LS
Escrow No. 24-97440
Tax Account No. T26R14S32 112
A#5873.05

WARRANTY DEED
(ORS 93.850)

Heron Lakes Capital, LLC, a Limited Liability Company, Grantor, conveys and warrants to William H. Mulderly and Teresa J. Mulderly, as tenants by the entirety, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Situs address as disclosed by Coos County tax roll:

T26R14S32 112 A#5873.05, Coos County, Bandori OR 97411

See Exhibit 'A' attached hereto and by reference made a part hereof.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

The true consideration for this conveyance is \$289,000.00.

Dated this 12 day of SEPT, 2006

HERON LAKES CAPITAL, LLC

[Signature]
By: Vince Vincer, Agent

State of OR, County of WASHINGTON)ss.

This instrument was acknowledged before me on SEPTEMBER 12, 2006 by Vince Vincer, as Agent, of Heron Lakes Capital, LLC.

[Signature]
Notary Public

My commission expires: 2/14/2009



EXHIBIT 'A'Legal Description:

A parcel of land located in Section 32, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows: Beginning at a 5/8 inch iron rod per property line adjustment survey CS 21B35, Surveyor Records of Coos County, Oregon from which the East quarter corner of said Section 32 bears North 25° 23' 30" East 994.83 feet; thence North 05° 59' 45" West 350.66 feet to a 5/8 inch iron rod; thence North 90° 00' 00" East 448.45 feet to a 5/8 inch iron rod; thence South 49° 44' 27" West 539.56 feet to the point of beginning.

Together with an easement as disclosed in instrument recorded September 16, 1988, bearing Microfilm Reel Number 88-09-0998, Records of Coos County, Oregon.

Together with an easement agreement, disclosed by instrument recorded May 19, 1998, bearing Microfilm Reel Number 98-05-0767, Records of Coos County, Oregon.

Together with a private easement, disclosed by instrument recorded December 31, 2001, bearing Microfilm Reel Number 2001-15752, Records of Coos County, Oregon.

Reserving unto the seller the right to use the Private Easement for his remaining property for ingress, egress and utilities as set forth in instrument recorded December 31, 2001, bearing instrument number 2001-15752, Records of Coos County, Oregon.

Subject to:

Taxes for the fiscal year 2006-2007, a lien in an amount to be determined, but not yet payable.

The rights of the public in and to that portion of the premises herein described lying within the limits of public roads, streets and highways.

An Easement created by instrument, including the terms and provisions thereof,
Recorded: September 16, 1988
Microfilm No.: 88-09-0998
in Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,
Recorded: May 19, 1998
Microfilm No.: 98-5-0767
in Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,
For: Ingress, egress and utilities
Recorded: December 11, 2000
Microfilm No.: 2000-12885
in Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,
Recorded: December 11, 2000
Microfilm No.: 2000-12886
in Coos County, Oregon.

An Easement created by instrument, including the terms and provisions thereof,
Recorded: December 11, 2000
Microfilm No.: 2000-12887
in Coos County, Oregon.

Terms, provisions and easement as contained Warranty Deed recorded August 18, 2004 as Microfilm Reel Number 2004-11867, deed records of Coos County, Oregon.

Title No. 24-97440 Escrow No. 24-97440

An Easement created by instrument, including the terms and provisions thereof,
For: Private easement and reservation for remaining property for
ingress, egress and utilities
Recorded: December 31, 2001
Microfilm No.: 2001-15752
in Coos County, Oregon.

Effect, if any, of covenants, conditions and restrictions, but omitting covenants or restrictions, if
any, based upon race, color, religion, sex, sexual orientation, familial status, marital status,
disability, handicap, national origin, ancestry, or source of income, as set forth in applicable
state or federal laws, except to the extent that said covenant or restriction is permitted by
applicable law, imposed by instrument, including the terms and provisions thereof,

Recorded: July 22, 2004
Microfilm No: 2004-10384
In Coos County, Oregon.

Unofficial
Copy

After recording return to:
Ticor Title
131 N. 3rd St.
Coos Bay Or. 97420

77561
AFTER RECORDING
RETURN TO
Ticor Title Insurance
131 N 3rd - Box 1000
Coos Bay, OR 97420-1000

PRIVATE EASEMENT

FRANCIS L. CARRINGTON, Grantor/Grantee as owner of seven discrete parcels of land pursuant to Bargain and Sale Deed Instruments #2000-12866 and #2000-12885, and Warranty Deed Instrument #2001-12885 and subject to the subsequent Property Line Adjustment Deed Instruments #2001-9427, #2001-9428, #2001-9429, #2001-9430, #2001-9431 and #2001-9432, Records of the Coos County Clerk, does here by grant to each referenced parcel more specifically described below, perpetual, non-exclusive, appurtenant, private easements the width of which is described in the centerline descriptions below, for the purpose of ingress and egress, utilities (waterlines, power lines, telephone, cable, etc.), improvements, maintenance and repair of roadway and utilities.

A 60 foot easement lying 30 feet each side of the following described centerline:

Beginning at the end of the platted center line of Paradise Drive, Plat of First Addition to Sansaria, between Block 6 and Block 8 at the point bearing South 19°39'54" West 31.18 feet from the Southwest corner of Lot 5 Block 8 said Sansaria Plat in Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon;
Thence following an existing roadway North 69°50'48" West 246.32 feet to the Easterly boundary of the Grantors resulting parcel per Property Line Adjustment Deed 2001-9427, Records of the Coos County Clerk;
Thence North 79°04'30" West 277.54 feet, more or less, to the Southerly line of the Grantors resulting parcel per Property Line Adjustment Deed 2001-9429

A 30 foot easement lying 15 feet each side of the following described centerline with such additional widths as may be required for cuts, fills, culverts and drainage ditches:

Beginning at the end of the platted center line of Paradise Drive, Plat of First Addition to Sansaria, between Block 6 and Block 8 at the point bearing South 19°39'54" West 31.18 feet from the Southwest corner of Lot 5 Block 8 said Sansaria Plat in section 33, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon;
Thence following an existing roadway North 69°50'48" West 246.32 feet to the Easterly boundary of the Grantors resulting parcel per Property Line Adjustment Deed 2001-9427, Records of the Coos County Clerk;
Thence North 79°04'30" West 159.58 feet;
Thence North 17°36'50" West 72.06 feet;
Thence North 48°00'42" West 72.46 feet;
Thence North 28°51'33" West 71.40 feet;
Thence North 01°19'22" West 95.19 feet;
Thence North 13°47'46" East 112.17 feet;

COOS COUNTY, OREGON
TERRI TURI, CMC, COUNTY CLERK

REC \$56.00

12/31/2001 #2001-15752
01:50:30PM 1 OF 7

Thence North 54°49'04" East 22.41 feet;
Thence South 83°30'44" East 143.42 feet
Thence South 69°47'02" East 155.83 feet to a point bearing North 23°29'29" West 428.29 feet from the Southwest corner of Lot 5 Block 8 said Sansaria Plat;
Thence South 74°57'45" East 268.56 feet;
Thence North 64°37'34" East 98.66 feet;
Thence North 79°04'37" East 121.13 feet;
Thence North 63°40'34" East 141.54 feet to the West line of the Grantees resulting parcel per Instrument #2001-9432 records of the Coos County Clerk.

Also:

Beginning at a point bearing North 13°29'29" West 428.29 feet from the Southwest corner of Lot 5, Block 8, Plat of First Addition to Sansaria;
Thence following and existing road North 46°29'25" East 298.53 feet.

Also:

Beginning at a point bearing North 06°32'26" West 360.90 feet from the Southwest corner of Lot 5, Block 8, Plat of First Addition to Sansaria;
Thence following an existing road North 14°51'43" East 255.57 feet.

APPURTENANT PARCELS

Resulting Parcel per Property Line Adjustment Deed Instruments #2001-9427

A discrete parcel of land located in Sections 32 and 33 of Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, and more particularly described as follows:

Beginning at a 5/8" iron rod per property line adjustment survey CS 21B35, records of the Coos County Surveyor, from which the East Quarter corner of said Section 32, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon bears North 25°23'30" East 994.83 feet;
Thence South 04°50'38" East 1108.95 feet to a 5/8" iron rod per property line adjustment survey CS 21B31 Records of the Coos County Surveyor;
Thence North 33°32'35" East 420.15 feet to a 5/8" iron rod;
Thence North 56°30'41" West 70.23 feet to a 5/8" iron rod;
Thence North 20°29'50" East 421.26 feet to a 3/4" iron pipe at the Southwest corner of Lot 10 Block 6 Plat of First Addition to Sansaria;
Thence North 70°56'24" West 220.10 feet to a 5/8" iron rod per said CS 21B35;
Thence North 07°45'49" East 152.64 feet to a 5/8" iron rod;
Thence North 29°41'23" East 56.60 feet to a 5/8" iron rod;
Thence North 79°04'30" West 260.00 feet to the point of beginning.

Said adjusted parcel contains 5.53 acres, more or less.

Resulting Parcel per Property Line Adjustment Deed Instruments #2001-9428

A discrete parcel of land located in Sections 32 of Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, and more particularly described as follows:

Beginning at a 5/8" iron rod per property line adjustment survey CS 21B35, records of the Coos County Surveyor, from which the East Quarter corner of said Section 32, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon bears North 25°23'30" East 994.83 feet;

Thence South 04°50'38" East 1108.95 feet to a 5/8" iron rod per property line adjustment survey CS 21B31 Records of the Coos County Surveyor;

Thence North 32°54'41" West 978.53 feet to a 5/8" iron rod per said CS 21B35;

Thence North 57°05'19" East 521.77 feet to the point of beginning.

Said adjusted parcel contains 5.86 acres, more or less.

Resulting Parcel per Property Line Adjustment Deed Instruments #2001-9429

A discrete parcel of land located in Sections 32 and 33 of Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, and more particularly described as follows:

Beginning at a 5/8" iron rod per property line adjustment survey CS 21B35, records of the Coos County Surveyor, from which the East Quarter corner of said Section 32, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon bears North 25°23'30" East 994.83 feet;

Thence South 57°05'19" West 521.77 feet to a 5/8" iron rod;

Thence North 32°54'41" West 501.00 feet to a 5/8" iron rod per property line adjustment survey CS 21B31 Records of the Coos County Surveyor;

Thence North 72°33'26" East 706.08 feet to a 5/8" iron rod per said CS 21B35;

Thence South 05°59'45" East 350.66 feet to the point of beginning.

Said adjusted Parcel contains 5.78 acres, more or less.

Resulting parcel per Property Line Adjustment Deed Instruments #2001-9430

A discrete parcel of land located in Sections 32 of Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, and more particularly described as follows:

Beginning at a 5/8" iron rod per property line adjustment survey CS 21B35, records of the Coos County Surveyor, from which the East Quarter corner of said Section 32, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon bears North 25°23'30" East 994.83 feet;

Thence North 05°59'45" West 350.66 feet to a 5/8" iron rod;

Thence North 90°00'00" East 448.45 feet to a 5/8" iron rod;
Thence South 49°44'27" West 539.56 feet to the point of beginning.

Said adjusted parcel contains 1.80 acres, more or less

Resulting Parcel per Property Line Adjustment Deed Instruments #2001-9431

A parcel of land located in Sections 32 and 33 of Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, and more particularly described as follows:

Beginning at a 5/8" iron rod per property line adjustment survey CS 21B31, Records of the Coos County Surveyor, from which the East Quarter corner of Section 32, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon bears North 03°57'48" East 942.09 feet;

Thence North 07°21'32" East 393.09 feet to a 5/8" iron rod per property line adjustment survey CS 21B35, records of the Coos County Surveyor;

Thence South 49°44'27" West 539.65 feet to a 5/8" iron rod;

Thence South 79°04'30" East 260.00 feet to a 5/8" iron rod per said CS 21B31;

Thence North 85°36'03" West 106.50 feet to the point of beginning.

Said adjusted parcel contains 1.73 acres, more or less.

Resulting Parcel per Property Line Adjustment Deed Instruments #2001-9432

Lots 1, 2, 3 and 4, Block 8, Lot 12, Block 4, Plat of First Addition to Sansaria, together with parcel of land located in Sections 32 and 33 of Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, more particularly described as follows:

Beginning at a 5/8" iron rod on the North line of the Southwest Quarter of Section 33, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, per property line adjustment survey CS 21B35, Records of the Coos County Surveyor, from which the East Quarter Corner of Section 32, said Township 26, Range 14 bears North 89°55'48" West 290.00 feet;

Thence South 18°22'09" East 703.05 feet to a 3/4" iron pipe at the Northwest corner of Lot 12, Block 4, of the Plat of First Addition to Sansaria;

Thence South 51°41'40" West 479.76 feet to a 3/4" iron pipe at the westerly most corner of Lot 4, Block 8, said First Addition to Sansaria;

Thence South 51°39'14" West 99.11 feet to a 5/8" iron rod per said CS 21B31 at the Westerly most corner of Lot 5, Block 8, said First Addition to Sansaria;

Thence North 54°43'49" West 150.00 feet to a 5/8" iron rod;

Thence North 07°21'32" East 393.09 feet to a 5/8" iron rod per said CS 21B35;

Thence North 29°00'29" East 628.47 feet to the point of beginning.

Said adjusted parcel contains 8.31 acres, more or less

NON APPURTENANT PARCEL TO BE SERVED BY EASEMENTS

Resulting Parcel per Property Line Adjustment Deed Instruments #2001-9432

A parcel of land located in Sections 32 and 33 of Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, and more particularly described as follows:

Beginning at a 5/8" iron rod on the North line of the Southwest Quarter of Section 33, Township 26 South, Range 14 West of the Willamette Meridian, Coos County, Oregon, per property line adjustment survey CS 21B35, Records of the Coos County Surveyor, from which the East Quarter Corner of Section 32, said Township 26, Range 14 bears North 89°55'48" West 290.00 feet;
Thence South 89°55'48" East 1649.70 feet along said North line to a 5/8" iron rod;
Thence South 28°49'23" West 1035.23 feet to a 5/8" iron rod;
Thence North 79°24'54" West 412.77 feet to a 3/4" iron pipe at the Northeast corner of Lot 4, Block 4, Plat of First Addition to Sansaria;
Thence North 79°56'57" West 272.01 feet to a 3/4" iron pipe at the Northeast corner of Lot 8, Block 4, said First Addition to Sansaria;
Thence North 10°00'00" East 50.00 feet to a 5/8" iron rod per said CS 21B31;
Thence North 75°18'40" West 273.06 feet to a 3/4" iron pipe at the Northerly most corner of Lot 12, Block 4, said First Addition to Sansaria;
Thence North 18°22'09" West 703.05 feet to the point of beginning.

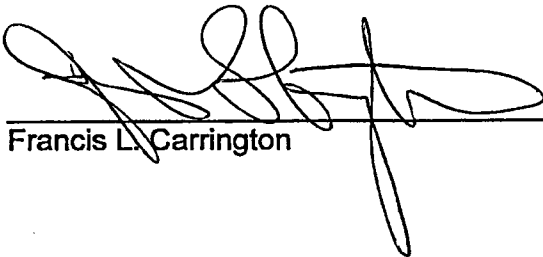
Said adjusted parcel contains 25.83 acres, more or less.

Note: Description of adjusted parcels based upon monuments set in Boundary Adjustment Survey CS 21B31 and 21B35, Records of the Coos County Surveyor.

SEE ATTACHED EASEMENT EXHIBIT MAP

The owners of all parcels described in this easement document shall be responsible for maintenance and repair of the described road system pursuant to Oregon Law or to any maintenance agreement established and acknowledged at a later date by the majority of owners of said described parcels.

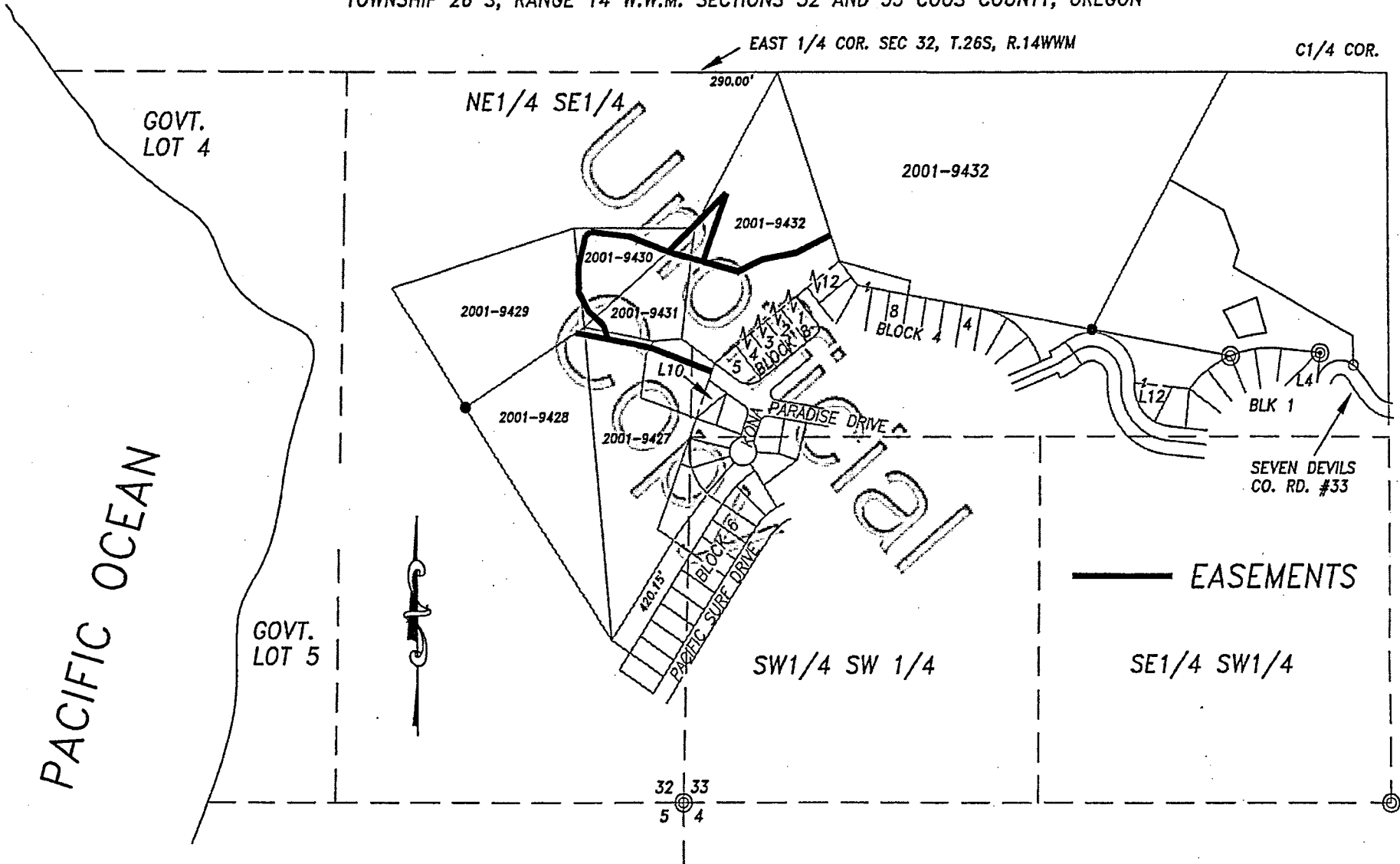
GRANTOR/GRANTEE


Francis L. Carrington

12/24/01
Date

EASEMENT EXHIBIT MAP

TOWNSHIP 26 S, RANGE 14 W.W.M. SECTIONS 32 AND 33 COOS COUNTY, OREGON



CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California }
County of Humboldt } ss.

On 12-24-01, before me, Kathy Peterson, Notary Public
Date Name and Title of Officer (e.g., "Jane Doe, Notary Public")
personally appeared Francis J. Carrington
Name(s) of Signer(s)

- personally known to me
- proved to me on the basis of satisfactory evidence

to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/hers/their authorized capacity(ies), and that by his/hers/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

Place Notary Seal Above

Kathy Peterson
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

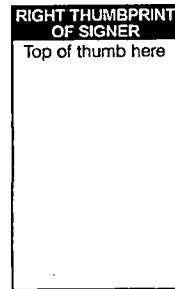
Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer

Signer's Name: _____

- Individual
- Corporate Officer — Title(s): _____
- Partner — Limited General
- Attorney in Fact
- Trustee
- Guardian or Conservator
- Other: _____

Signer Is Representing: _____



COOS COUNTY, OREGON
TERRI TURI, CMC, COUNTY CLERK

REC \$56.00

12/31/2001 #2001-15752
01:50:30PM 7 OF 7