

TO	Coos County Planning Department c/o Jill Rolfe
FROM	Hailey Sheldon, Sheldon Planning on behalf of Adam Kleist
DATE	February 10, 2023
SUBJECT	Addendum to ACU-22-053 / Response to 12/14/2022 Notice of Incompleteness
ENCLOSED	12/14/2022 Notice of Incompleteness; Revised Attachment 2 to Application ACU-22-053

The enclosed 12/14/2022 Notice of Incompleteness requests:

Please address the below criteria: Section 4.6.130 Siting Standards for Dwelling and Structures in Forest Zones

(1) Dwellings and structures shall be sited on the parcel so that:

- (a) They have the least impact on nearby¹ 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.*

Please note: You need to describe nearby farm and forest operations in order to address the impacts a dwelling may have on them. There is industrial timberland (Lone Rock Timber Investments) located directly across Morrison Road from the proposed dwelling that needs to be address. There is also a major cranberry water reservoir serving hundreds of acres of cranberries located on the parcel towards the northwest.

Please accept the following information, to complete application ACU 22-053:

1) See enclosed Revised Attachment 2 Template and Notice Area Map & List, which has been amended to include two additional columns: (a) “Applicant’s Description of Nearby Farm and Forest Operations” and (b) “Applicable Siting Criteria Minimizing Impact.”

2) 4.6.130(2) states: “Siting criteria satisfying section (1) [above] 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.”

The submitted application narrative (below) describes how the applicant’s proposed site plan was drawn to meet these siting criteria. References to these criteria have been added to the enclosed Revised Attachment 2 in the column “Applicable Siting Criteria Minimizing Impact.”

¹ For the purpose of this section “Nearby” is defined as within the decision notification area as defined in Section 5.0.900(2) for farm zoned property.

“Attachment 2 includes a table which depicts and lists the properties within 750’ of subject property; the list includes the property class of each. Attachment 4 contains the assessor’s summary of each. The nearby properties are used for residential, forest (Designated Forestland and Small Tract Forestland), and farm use.

The applicant’s proposed site plan was drawn in order to have the least impact on nearby forest and farm lands, minimize adverse impacts on forest operations and accepted farming practices, minimize the amount of forest land used for non-forest-related purposes, and minimize the risk of wildfire. Alternative site plans were considered. The narrative below describes why the proposed site plan is the least impactful alternative.

The proposed dwelling, shop, and driveway are proposed to be:

1) Clustered near or among existing structures: the proposed dwelling and shop are (a) clustered together on subject property and (b) clustered with existing dwellings on adjoining properties TL 903 (~ 75’ to the north) and TL 900 (~500’ to the west).

2) Sited close to existing roads: the proposed dwelling and shop are located within 70 feet of Morrison Rd.

3) Setback from adjoining properties: the proposed dwelling and shop meet the applicable setback requirements: (a) at least 35 feet from the centerline of Morrison Rd, (b) at least 30 feet from property lines, to maintain firebreak (subject property contains no slopes greater than 10%), (c) septic drain field set back a minimum of 100 feet from wells and livestock areas (on subject property and adjacent properties), and (d) well setback minimum of 5 feet from structures and 50 feet from septic tanks and storm drain systems (on subject property and adjacent properties).

4) Sited on that portion of the parcel least suited for growing trees. The circular driveway depicted on the proposed site plan is existing (see Attachment 9 Site Photos). The proposed development is clustered around that existing driveway. The remainder of the trees on subject property will remain, as a visual buffer from surrounding dwellings.

As such, the applicant’s proposed site plan meets all siting criteria described under 4.6.130(2), and therefore satisfies 4.6.130(1).

Moreover, per Coos County’s requirements, to minimize the impact of dwellings in forest lands, the property owner will (1) file in the deed record of Coos County, a Forest Management Covenant per CCZLDO 4.6.140(5) Minimizing Impacts, (2) maintain a fire break per CCZLDO 4.6.140(10) Firebreak, and (3) maintain a water tank and hose per 4.6.140(9) Fire Siting Standards for New Dwellings.”

ATTACHMENT 2

Template and Notice Area Map & Property List

Administrative Conditional Use Permit Application for Forest Template Dwelling

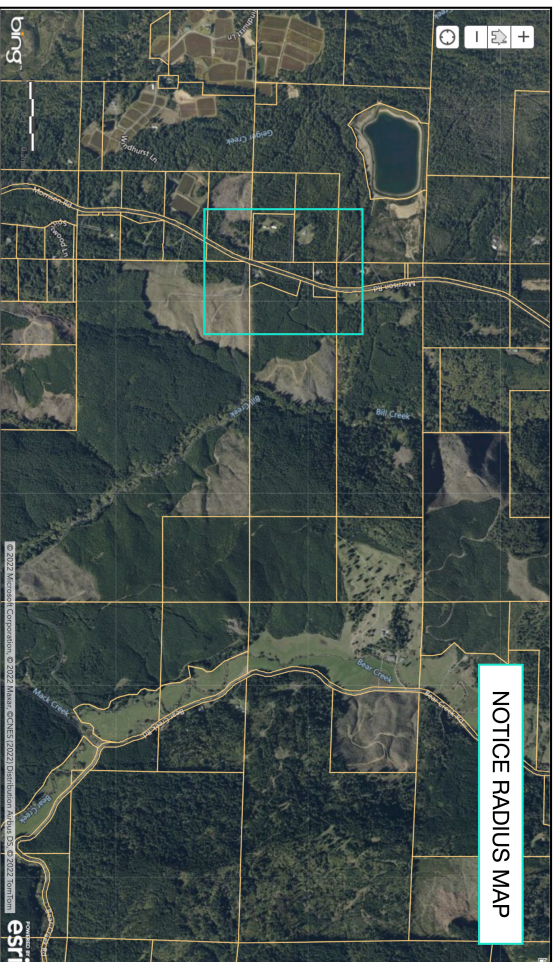
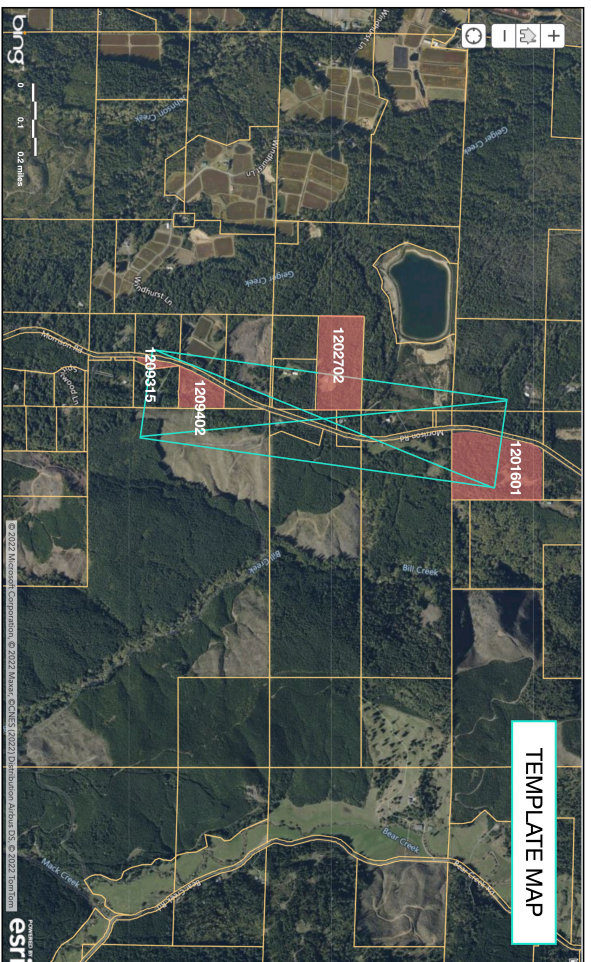
Adam R. Kleist, Jr.

Morrison Road, Bandon: 29S14W03 1100

November 2022

Revised February 10, 2023





Parcels Within 160-Acre Rectangle	Account #	Owner	Dwelling Sited Prior to 1/1/93?	"Nearby" / Within Notification Area	Property Class	Applicant's Description of Nearby Farm and Forest Operations	Applicable Siting Criteria Minimizing Impact
29S14W04 100	1202100	CLARK, RICH A & STACEY L					
29S14W03 500	1201602	WILLIAM & MARY SECHLER REV TRUST					
29S14W03 600	1201601	HORTENSE M. JOYCE TRUST	Yes - 1966				
29S14W04 700	1202400	FIVE J CRANBERRY FARMS LP	Yes		641 - IMP HIGHEST/ BEST USE F	Aerial photo shows forest. Assessment report shows designated forestland.	Distance from subject property line: ~330 feet. Distance from reservoir (on TL 800) to subject property line: ~1,300 feet. Not adjoining. Proposed dwelling is also: (a) clustered near or among existing structures, (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W03 901	1201702	RONNY O. HAGA TRUST	Yes		649 - IMPRVD TRACT- FOREST DFL W/ MHS	Aerial photo shows forest and structure. Assessment report shows designated forestland and shed.	Distance from subject property line: ~330 feet. Not adjoining. Proposed dwelling is also: (a) clustered near or among existing structures, (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W03 905	1201705	RONNY O. HAGA TRUST					
29S14W03 900	1201700	FIVE J CRANBERRY FARMS LP	Yes		641 - IMP HIGHEST/ BEST USE F	Aerial photo shows forest and structure. Assessment report shows designated forestland, feeder barn, deck.	Distance from subject property line: ~400 feet. Separated by Morrison Road. Not adjoining. Proposed dwelling is also: (a) clustered near or among existing structures, (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.

Parcels Within 160-Acre Rectangle	Account #	Owner	Dwelling Sited Prior to 1/1/93?	"Nearby" / Within Notification Area	Property Class	Applicant's Description of Nearby Farm and Forest Operations	Applicable Siting Criteria Minimizing Impact
29S14W04 900	1202702	DAVIES, ROBERT EARLE	Yes - 1975	Yes	661 - IMP/RVD TRACT-Forest STFL	Aerial photo shows forest and structure. Assessment report shows small tract forestland, dwelling, and general purpose building.	Adjoining property. Proposed dwelling clustered between dwelling on this property, 53636 Morrison (Kistner), 53487 Morrison (Strader), and 53562 Morrison (Smith). Proposed dwelling is also: (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W04 1001	1202701	THE DONALD & JEANNE SMITH REVOCABLE FAMI	Yes	Yes	640 - HIGHEST/BEST USE FOREST	Aerial photo shows forest. Assessment report shows designated forestland.	Adjoining tract. Proposed dwelling clustered between dwelling on this property, 53636 Morrison (Kistner), 53487 Morrison (Strader), and 53564 Morrison (Davies). Proposed dwelling is also: (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W04 1000	1202700	THE DONALD & JEANNE SMITH REVOCABLE FAMI	Yes	Yes	641 - IMP HIGHEST/BEST USE F	Aerial photo shows forest and structures. Assessment report shows designated forestland, dwelling, carport, machine shed, general purpose building.	Proposed dwelling is also: (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W03 903	1201704	KISTNER, DOUG & IVA	Yes	Yes	101 - RESIDENTIAL-IMP/ROVE D	Aerial photo shows forest and structures. Assessment report shows dwelling and other residential improvements.	Adjoining property. Proposed dwelling clustered between dwelling on this property, 53562 Morrison (Smith), 53487 Morrison (Strader), and 53564 Morrison (Davies). Proposed dwelling is also: (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W03 1100	1201900	KLEIST, ADAM R JR					

Parcels Within 160-Acre Rectangle	Account #	Owner	Dwelling Sited Prior to 1/1/93?	"Nearby" / Within Notification Area	Property Class	Applicant's Description of Nearby Farm and Forest Operations	Applicable Siting Criteria Minimizing Impact
29S14W03 1200	1201901	STRADER, PAUL A & VICKI L		Yes	141 - IMPROVE D RESIDENT IAL W/ FOREST	Aerial photo shows forest and structures. Assessment report shows dwelling and garage.	Adjacent parcel (directly across Morrison Rd). Proposed dwelling clustered between dwelling on this property, 53562 Morrison (Smith), 53564 Morrison (Davies), and 53636 Morrison (Kistner). Proposed dwelling is: (a) clustered near or among existing structures, (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W03 1201	1201902	LONE ROCK TIMBER INVESTMENTS MDB-LAND CO		Yes	650 - H & B USE FOREST Q	Aerial photo shows forest. Assessment report shows designated forest land.	Proposed dwelling is: (a) clustered near or among existing structures, (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W09 100	1209400	ANDERSON, SUKHEE ET AL		Yes	649 - IMPRVD TRACT- FOREST DFL W/ MHS	Aerial photo shows forest. Assessment report shows designated forest land, carport, and general purpose building.	Not adjoining property. Proposed dwelling is: (a) clustered near or among existing structures, (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W09 101	99920225	PORTER, MICHAEL L & BERNADETTE M		Yes	100 - RESIDENT IAL - UNIMPRO VED	Aerial photo shows forest. Assessment report shows new dwelling construction.	Separated by Morrison Road. Not adjoining property. Proposed dwelling is: (a) clustered near or among existing structures, (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.
29S14W10 200	1210200	BAVARIAN OLYMPUS TIMBER LLC		Yes	650 - H & B USE FOREST Q	Aerial photo shows forest. Assessment report shows designated forest land.	Separated by Morrison Road. Not adjoining property. Proposed dwelling is: (a) clustered near or among existing structures, (b) sited close to existing roads, (c) sited on that portion of the parcel least suited for growing trees.

Parcels Within 160-Acre Rectangle	Account #	Owner	Dwelling Sited Prior to 1/1/93?	"Nearby" / Within Notification Area	Property Class	Applicant's Description of Nearby Farm and Forest Operations	Applicable Siting Criteria Minimizing Impact
29S14W09 200	1209401	RICHERT, DOUG & TIFFANY					
29S14W09 201	1209402	ENDERLE, DENNIS WAYNE & ROSEMARY	Yes - 1989				
29S14W09 300	1209301	URLACHER, EDWARD & ROSALIE					
29S14W09 401	1209315	ORDONEZ, JOHN L. & ANNA R.	Yes - 1953				
29S14W09 400	1209304	MOUNT, SUZANNE					



NOTICE OF COMPLETENESS

Coos County Planning
60 E. Second.
Coquille, OR 97423
<http://www.co.coos.or.us/>
Phone: 541-396-7770

Wednesday, December 14, 2022

RE: Completeness Review for ACU-22-053

KLEIST, ADAM R JR

148050 HIGHWAY 97

LA PINE, OR 97739-9195

Dear Applicant(s):

Thank you for submitting an Administrative Conditional Use. The first step in the application process is a completeness review. The following items were required to be included in your application or determined prior to the acceptance of the application:

1. The correct and completed application form was filed. If the proposed use/activity will occur in an identified hazard area the correct reports or certifications have been included.
2. Applications shall be submitted by the property owner or a purchaser under a recorded land sale contract. "Property owner" means the owner of record, including a contract purchaser. The application shall include the signature of all owners of the property. A legal representative may sign on behalf of an owner upon providing evidence of formal legal authority to sign; a consent form may be accepted. Need Melissa Ohlhaber signature
3. One original and one exact unbound copy of the application or an electronic copy shall be provided at the time of submittal for all applications;
4. A detailed Project Proposal was provided;
5. A detailed parcel map of the subject property illustrating the size and location of existing and proposed uses, structures and roads on an 8½" x 11" paper to scale. Applicable distances must be noted on the parcel map along with slopes. (See example plot map);
6. Covenants or deed restrictions on the property were provided or were found not to exist.
7. All of the lots or parcels that are currently within the applicant's ownership, co-ownership or is purchasing which have a common boundary with the subject property on an assessment map were listed on the application;
8. A copy of the current deed of record has been provided;

9. All the applicable criteria have been addressed;
Please address the below criteria:

**SECTION 4.6.130 SITING STANDARDS FOR DWELLING AND
STRUCTURES IN FOREST ZONES**

- (1) Dwellings and structures shall be sited on the parcel so that:**
- (a) They have the least impact on nearby^[1] 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.**

Please note: You need to describe nearby farm and forest operations in order to address the impacts a dwelling may have on them. There is industrial timberland (Lone Rock Timber Investments) located directly across Morrison Road from the proposed dwelling that needs to be addressed. There is also a major cranberry water reservoir serving hundreds of acres of cranberries located on the parcel towards the northwest

- 10. The property was created legally;
- 11. All development was cited in compliance with the Coos County Zoning and Land Development Ordinance or this application will bring a use or activity into compliance; and
- 12. All road, driveway, access, parking plan or traffic impact analysis has been submitted as required by the Coos County Zoning and Land Development Ordinance.

This application has been:

- Deemed complete as of the date this letter was sent and the application has been forwarded to all applicable agencies or departments for comment; or
- Deemed incomplete due to missing information as shown by the unchecked boxes above. As the applicant for a permit or limited land use it is your responsibility to submit one of the following within 180 days from the date the application was received to the Planning Department:
 - a. All of the missing information;
 - b. Some of the missing information and written notice from the applicant that no other information will be provided; or
 - c. Written notice from the applicant that none of the missing information will be provided.

If the application is found to be incomplete and steps a, b or c are not completed within the required timeframe (180 days), then on the 181st day the application will be deemed void. If you submit material by email you are responsible to follow up with staff to ensure that information was received. On the day the department receives one of the options (a. through c.) above is the date your application will be considered complete.

^[1] For the purpose of this section "Nearby" is defined as within the decision notification area as defined in Section 5.0.900(2) for farm zoned property.

Once your application has been deemed complete staff will continue with the review process. Your application will go through the following steps (checked steps apply to your application):

<input type="checkbox"/>	1.	The first step is requesting comments from any applicable agency or department. Most agencies have 30 days to respond to comments.
<input type="checkbox"/>	2.	If this is a land division Technical Review Committee (TRC) will be scheduled once all comments have been received. Once the TRC has been completed a tentative decision is mailed out approximately six (6) weeks after. The notice of tentative decision will provide for a fifteen (15) day opportunity to appeal. If appealed it will be scheduled for hearing. The decision only becomes final after the final partition plat has been filed.
<input type="checkbox"/>	3.	If this is application requires a hearing, a notice of hearing will be provided 20 days prior to the hearing. Once the hearing is concluded a notice of decision will be mailed out within five to seven days. If this is a Planning Commission decision the notice will provide for an opportunity to appeal (15) fifteen days to the Board of Commissioners. If this is a Board of Commissioners decision there is a twenty-one (21) day appeal period to the Land Use Board of Appeals.
<input type="checkbox"/>	4.	If this is an administrative review (Administrative Conditional Use, Extension, or Variance) a notice of decision with an opportunity to appeal will be mailed out once the review has been completed. Approximately, six weeks after the application has been deemed complete. The notice of decision will provide for a fifteen (15) day opportunity to appeal. If not appealed the decision becomes final. Property line adjustment discrete parcel 12 day opportunity to appeal.
<input type="checkbox"/>	5.	If this is a limited land use notice then a notice requesting comments will be mailed as soon as the application has been deemed complete and then a review and decision will be issued. Approximately, four weeks after the comments time has expired. The notice of decision will provide for a fifteen (15) day opportunity to appeal. If not appealed the decision becomes final.

Except when an applicant requests an extension of the timelines, the governing body of the county or its designee shall take final action on an application for a permit or limited land use decision within 120 (urban zone) days or 150 (rural) days as applicable.

If you have questions about the land use process, please contact planning staff for assistance.

Thank you,

Coos County Planning Staff

C: File