



Coos County Community Development
Mailing Address: 250 N. Baxter, Coquille, Oregon
Office Location: 60 E. Second St., Coquille OR 97423
Planning, Building and Enforcement
Phone: 541-396-7770

NOTICE OF LAND USE DECISION

You have received this notice because you are an adjacent property owner or an interested party, and this notice is required to be provided pursuant to ORS 215.416. The proposal identified in this decision will be located on the subject property. Notice to Mortgagee, Lienholder, Vendor, or Seller: ORS Chapter 215 (ORS 215.513) requires that if you receive this notice, you must promptly forward it to the purchaser.

Wednesday, September 04, 2024

Dear Recipient: This land use notice is being sent to property owner(s), applicant(s), adjacent property owners (with notice distances from the subject property determined by zone area: Urban 100 feet, Rural 250 feet, and Resource 750 feet), special taxing districts, interested agencies, and any person who has requested notice. It informs any interested party about a decision or proposed action related to the use or development of land within the specified area, as identified under the subject property information.

The purpose of this notice is to inform you about the proposal and decision, provide information on where you can obtain further details, and outline the requirements if you wish to appeal the Director's decision to the Coos County Hearings Body. Any person who is adversely affected, aggrieved, or entitled to written notice may appeal the decision by filing a written appeal in the manner and within the time period provided below, pursuant to Coos County Zoning and Land Development Ordinance (CCZLDO) Article 5.8. If you are mailing any documents to the Coos County Planning Department, the address is 250 N. Baxter, Coquille, OR 97423.

Please read all information carefully as this decision is important. (See the attached vicinity map for the location of the subject property.) This notice ensures that all affected or interested parties are aware of the decision and have an opportunity to review the details and provide any input or appeal as necessary.

File No: P-24-004
Proposal: Request for a land use authorization for a two-parcel partition.
Applicant(s): Nathan & Heather Clausen
Surveyor: Troy Rambo, Mulkins & Rambo LLC
Staff Planner: Jill Rolfe, Planning Director

Decision: Approved with Conditions. All decisions are based on the record. This decision is based on the existing record and will become final and effective at the close of the appeal period unless a complete application, along with the required fee, is submitted to the Planning Department by 5 p.m. on **Thursday, September 19, 2024**. Appeals are based on the applicable land use criteria.

Subject Property Information:

Account Number: 169301
Map Number: 24S1314BA-01200
Property Owner: CLAUSEN, NATHAN & HEATHER
PO BOX 429
NORTH BEND, OR 97459-0038
Situs Address: 93562 RANCH LN NORTH BEND, OR 97459

This notice shall be posted from September 4, 2024 to September 19, 2024

Acreage: 3.00 Acres
Zoning: EXCLUSIVE FARM USE (EFU)
RURAL RESIDENTIAL (RR-2)
Special Considerations: ARCHAEOLOGICAL AREAS (ARC)
FLOODPLAIN (FP)
NATIONAL WETLAND INVENTORY (NWI)
NH TSUNAMI (NHTHO)
RURAL UNINCORPORATED COMMUNITY (RUC)

Criteria

This decision complies with the Coos County Zoning and Land Development Ordinance (CCZLDO), specifically:

- **General Compliance:** Section 1.1.300 - Compliance with Comprehensive Plan and Ordinance Provisions, and Article 6.1 - Lawfully Created Lots or Parcels.
- **Development Standards:** Chapter I, Section 1.5.700 Split Zoning
- **Land Division Review:** Chapter VI Lots and Parcels (Survey Standards Chapter VIII)
- **Road Standards:** Chapter VII Transportation, Access and Parking
- **Special Development Considerations:** Properties within Special Development Considerations and/or overlays must comply with the applicable review process outlined in Article 4.11.

Please note that civil matters, including property disputes that fall outside the criteria listed in this notice, will not be considered. The mailing of this notice to you precludes an appeal directly to the Land Use Board of Appeals.

Mailed notices to owners of real property required by ORS 215 shall be deemed given to those owners named in an affidavit of mailing executed by the person designated by the governing body of a county to mail the notices. The failure of the governing body of a county to cause a notice to be mailed to an owner of a lot or parcel of property created or that has changed ownership since the last complete tax assessment roll was prepared shall not invalidate an ordinance. Failure of an issue to be raised in a hearing, in person or in writing, or failure to provide statements of evidence sufficient to afford the Approval Authority an opportunity to respond to the issue precludes raising the issue in an appeal to the Land Use Board of Appeals.

The application, staff report, and any conditions can be found at the following link: <https://www.co.coos.or.us/community-dev>. The application and all documents and evidence in the record, including the staff report and applicable criteria, are available for inspection at no cost in the Planning Department, located at 60 E. Second, Coquille, Oregon. Copies may be purchased for 50 cents per page. The decision is based on the application submittal and information on record.

For more information, please contact Staff at (541) 396-7770.

Reviewed by: _____

Jill Rolfe, Planning Director

Date: Wednesday, August 28, 2024

This decision is authorized by the Coos County Planning Director based on the staff's analysis of the record.

EXHIBITS

Exhibit A: Conditions of Approval

Exhibit B: Vicinity Map

The following Exhibits are only emailed or mailed to applicant, surveyor of record, representative, TRC, Planning Commission, Board of Commissioners and DLCD. Exhibit C is available upon request or on the website.

Exhibit C: Staff Report

EXHIBIT "A"
Conditions of Approval

The applicant shall comply with the following conditions of approval with the understanding that all costs associated with complying with the conditions are the responsibility of the applicants and that the applicants are not acting as an agent of the county. If the applicant fails to comply or maintain compliance with the conditions of approval the permit may be revoked as allowed by the Coos County Zoning and Land Development Ordinance. Please read the following conditions of approval and if you have any questions contact planning staff.

The applicant has met the applicable criteria, with the following conditions:

1. All necessary federal, state, and local permits shall be obtained.
2. Prior to submittal of the Final Plat the following conditions as discussed by the TRC shall be completed:
 - a. The dimensions of Ranch Lane, driveway parking and access shall be on the final plat.
 - i. At a minimum show the north side of Ranch Land along with monuments found.
 - ii. Show both measured and recorded bearings and distances between all found monuments.
 - iii. Show a basis of bearing.
 - iv. A note that there is a maintenance agreement for Ranch Lane shall be noted on the plat.
 - b. Applicant submits a traffic plan and construction drawings for any new public roads or access easements to the Roadmaster. The County Roadmaster reviews construction drawings and applicable specifications for public roads and access easements, unless the Roadmaster waives this requirement;
 - c. Applicant constructs or bonds for required improvements;
 - d. County Roadmaster inspects construction unless improvements are bonded;
 - e. Taxes shall be paid prior to final plat signature and a \$200 fee is required to be submitted to the Assessor's Office for land division review; and
 - f. There is an "S" in the last line of the title block that needs to be removed.
3. All Final Plat shall meet the requirements SECTION 6.2.800 FINAL PLAT REGULATION AND REQUIREMENTS. Planning staff shall check off the requirements at the time of submittal and if not found to comply corrections shall be made prior to moving on to the Surveyor, Roadmaster and Assessor's Office for appropriate signatures. There may be corrections through the final plat process or taxes that are required to be paid. All landowners' signatures shall be on the final plat.

EXHIBIT "B"
Vicinity Map and Tentative Partition Map
 (not to scale)

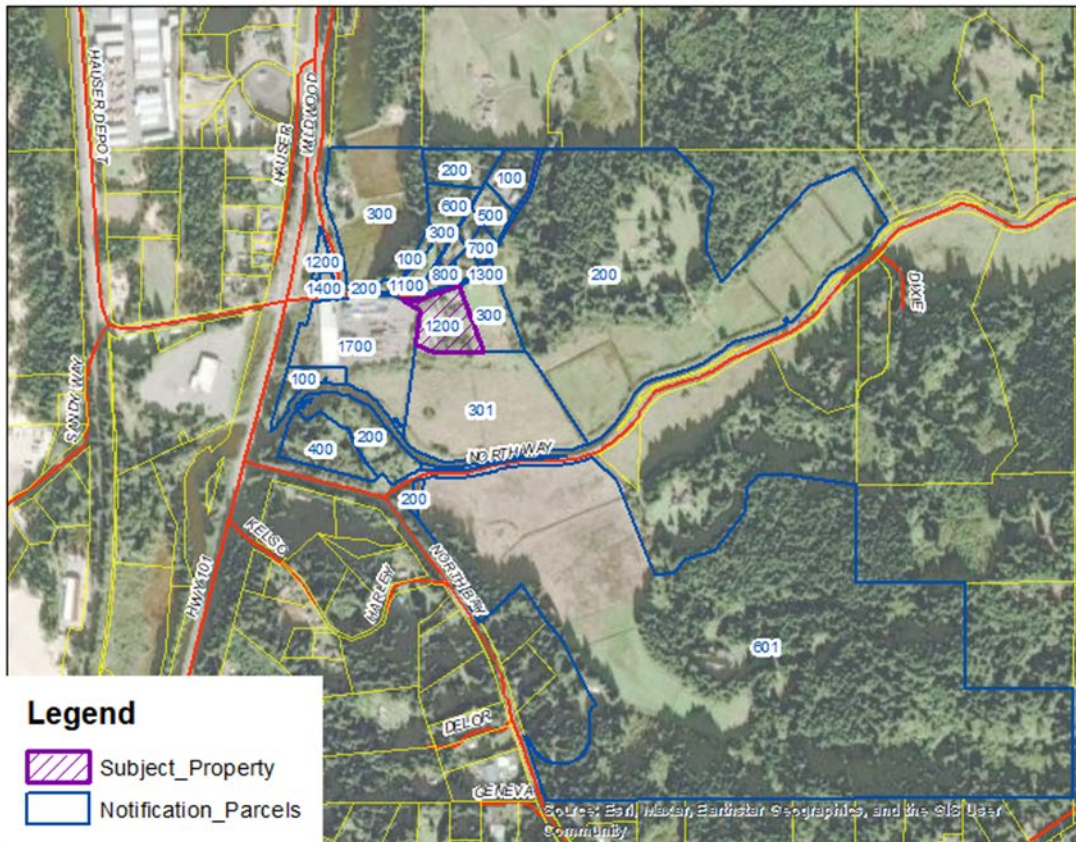


COOS COUNTY PLANNING DEPARTMENT

Mailing Address: 250 N. Baxter, Coquille, Oregon 97423
 Physical Address: 60 E. Second, Coquille Oregon
 Phone: (541) 396-7770
 TDD (800) 735-2900



File:	P-24-004
Applicant/ Owner:	CLAUSEN, NATHAN & HEATHER Troy Rambo, Surveyor
Date:	7/8/2024
Location:	Township 24S Range 13W Section 14BA TL 1200
Proposal:	Partition



TENTATIVE PARTITION
 LOCATED IN THE NE1/4 OF SECTION 14,
 T.24S..R.13W., W.M. COOS COUNTY, OREGON
 (T.L. 1200 - 24S 13W 14BAS - ACCT.# 169301 - 3.00 ACRES)

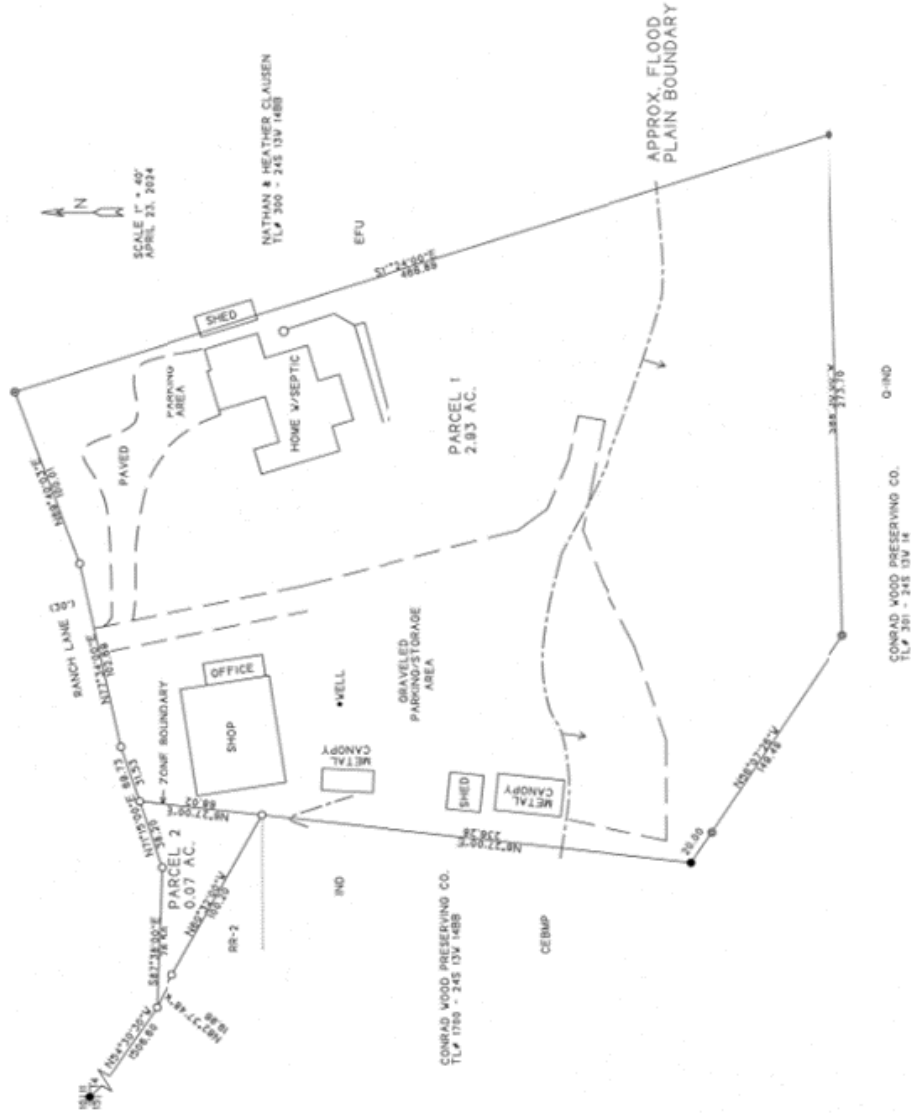
PREPARED FOR:
 NATHAN & HEATHER CLAUSEN
 93562 RANCH LANE
 NORTH BEND, OR 97459

PREPARED BY:

MULKINS & RAHBO, LLC
 P.O. BOX 809
 NORTH BEND, OR 97459

REGISTERED
 PROFESSIONAL
 LAND SURVEYOR

OREGON
 TRUST # 169301
 2565
 RENEWAL 12-31-2024



LEGEND
 ● RECORD 5/8" REBAR
 PER CS# 7852
 ○ PROPOSED CORNER

NOTE: ALL REBAR AND DISTANCES
 ARE FROM CS# 7852

NOTES
 ZONE - EFU & RR-2
 WATER - EXISTING WELL
 PARCEL 2 - NO PLANNED SYSTEM
 SEWAGE DISPOSAL - PARCEL 1 - EXISTING SYSTEM FOR HOUSE
 PARCEL 2 - NO PLANNED SYSTEM
 SETBACKS - 35 FT. FROM CENTERLINE OR 5 FT. FROM THE RIGHT
 ACCESS - RANCH LANE
 TOPOGRAPHY - VARIABLE SLOPES
 POWER, PHONE - ONSITE

PROPERTY SUBJECT TO
 WR# 81-3-2054 - EROSION MAINTENANCE AGREEMENT - RANCH LANE
 INST # 2022-08620 - TRUST DEED
 INST # 2024-00937 - MODIFICATION OF TRUST DEED

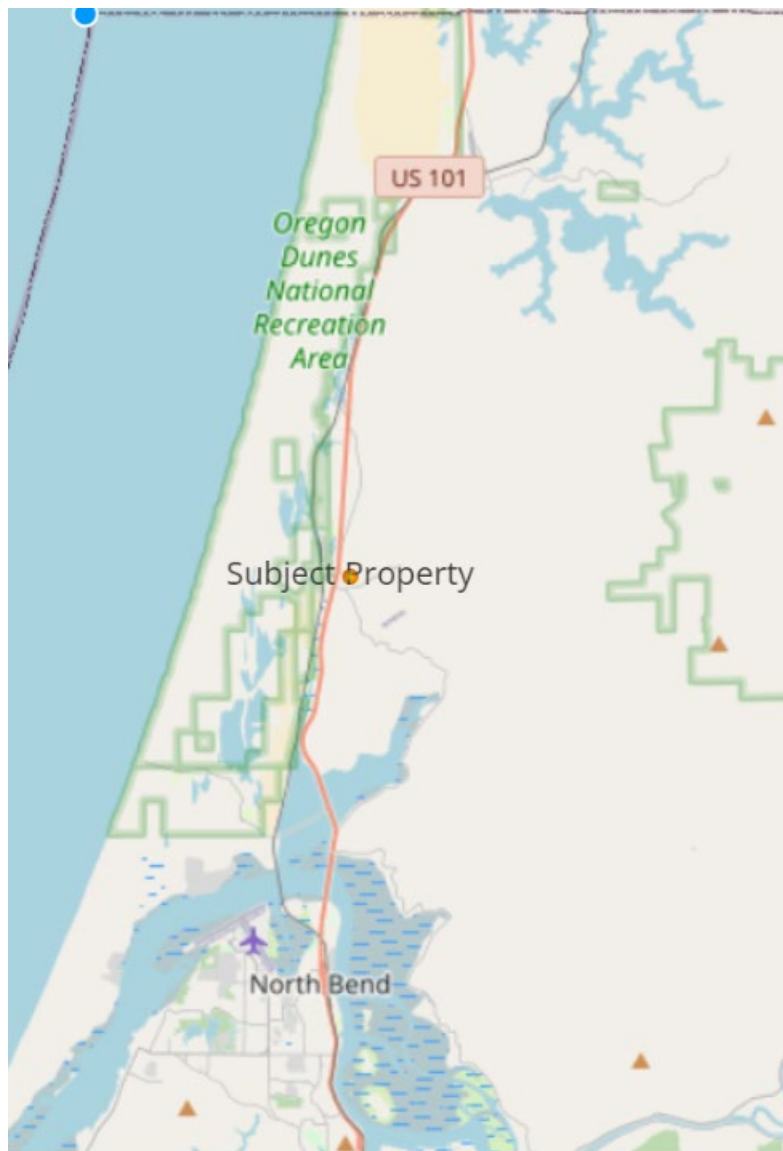
CONRAD WOOD PRESERVING CO.
 TL# 361 - 24S 13W 14

**EXHIBIT “C”
STAFF REPORT
FINDINGS OF FACT AND CONCLUSIONS**

I. PROPOSAL AND BACKGROUND/PROPERTY HISTORY INFORMATION:

- A. PROPOSAL:** The applicants' proposal is a request for Planning Director Approval for a two-parcel (2) partition, as provided by the Coos County Zoning and Land Development Ordinance (CCZLDO).

- B. LOCATION:** The subject property accessible via Ranch Lane. North of the City of North Bend with a portion located in Rural Unincorporated Community of Hauser. The property is labeled “subject property”.



C. ZONING: Rural Residential-2 Section 4.2.100

Exclusive Farm Use (EFU)

These include all inventoried "agricultural lands" not otherwise found to be needed (excepted) for other uses.

The purpose of the EFU district is to preserve the integrity and encourage the conservation of agricultural lands within Coos County and thereby comply with the provisions of ORS 215 and OAR 660. Division 33 to minimize conflicts between agricultural practices and non-farm uses by limiting any development to uses distinguished as dependent upon or accessory to supporting agricultural or forestry production and which qualify such farm lands for special tax relief pursuant to the provisions of Oregon Revised Statutes. This zone is also for the cultivation and marketing of specialty crops, horticultural crops and other intensive farm uses.

According to the Coos County Comprehensive Plan Exclusive Farm Use lands are inventoried as Agricultural Lands. The Main criterion for establishing the "Agricultural Lands Inventory" was land identified on the agricultural lands based on soils, Class I-IV soils or "other lands" suitable for agricultural use, with the following exceptions:

- 1. Committed rural residential areas and urban growth areas.*
- 2. Proposed rural residential areas as per the Exception to Goals #3 and #4.*
- 3. Proposed industrial/commercial sites.*
- 4. Existing recreation areas (e.g., golf courses) [Recreation designation]*
- 5. Isolated parcels of Class I-IV soils in upland areas, which are under, forest cover. (Forestlands designation).*
- 6. Narrow valley bottomlands where no agricultural activity is occurring anywhere in the vicinity [Forestlands designation].*

The secondary criterion for establishing the "Agricultural Lands Inventory" was the use of aerial photos used to identify additional areas without Class I-IV soils in current agricultural use which were not initially identified in the agricultural lands inventory from Assessor's Data. This situation typically occurs on benches, immediately above agricultural valleys, where grazing often takes place on non-class I-IV soils. However, if lands were zoned predominately forest it may have resulted in a Mixed Use Overlay.

Rural Residential RR

There are two RR zonings: Rural Residential-5 (RR-5) and Rural Residential-2 (RR-2). The intent of the Rural Residential Districts includes justified sites plus "committed" areas. The County's plan prescribes and allocates a finite number of rural dwelling/units/acreage. The zoning ordinance will specify permitted uses and minimum lot sizes.

The purpose of the "RR-2" and "RR-5" districts are to provide for small to medium acreage dwelling sites outside of Urban Growth Boundaries, where a moderate intensity of land development is appropriate, but where urban services and facilities may not be available or necessary.

The "RR-2" district provides for continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural and forestry uses.

The “RR-5” district provides for the orderly development of rural land so as to encourage the continued existence of rural family life and to provide a transition of densities between urban development and exclusive agricultural or forestry uses.

D. SITE DESCRIPTION AND SURROUNDING USES: The subject property encompasses a total area of 3.00 acres according to assessment records and indicated on the tentative partition plat. The property currently has a Single Family Dwelling, Shop, two (2) metal canopies and two (2) sheds according to the Tentative Plat. Surrounding uses consists of industrial, residential and farm uses.

E. COMMENTS: All comments are on file with the department. There were no comments received beyond the Technical Review Committee process. These comments are covered in that section of the report.

II. STAFF RESPONSE TO COMPLIANCE TO THE APPLICABLE CRITERIA:

- **General Compliance: Section 1.1.300 - Compliance with Comprehensive Plan and Ordinance Provisions, and Article 6.1 - Lawfully Created Lots or Parcels.**

A. COMPLIANCE PURSUANT TO SECTION 1.1.300:

It shall be unlawful for any person, firm, or corporation to cause, develop, permit, erect, construct, alter or use any building, structure or parcel of land contrary to the provisions of the district in which it is located. No permit for construction or alteration of any structure shall be issued unless the plans, specifications, and intended use of any structure or land conform in all respects with the provisions of this Ordinance, unless approval has been granted by the Hearings Body.

STAFF RESPONSE TO GENERAL COMPLIANCE: Currently, the property is not in compliance. The property has structures that were not sited with permits and is currently operating a landscaping business onsite. The property owners submitted a plan of compliance illustrating steps for compliance. The land division is the first step. The ultimate goal is to all the business to operate in compliance with the CCZLDO.

B. SECTION 6.1.125 LAWFULLY CREATED LOTS OR PARCELS:

“Lawfully established unit of land” means:

1. The unit of land was created:

- a. Through an approved or pre-ordinance plat;*
- b. Through a prior land use decision including a final decision from a higher court. A higher court includes the Land Use Board of Appeals;*
- c. In compliance with all applicable planning, zoning and subdivision or partition ordinances and regulations at the time it was created.*
- d. By a public dedicated road that was held in fee simple creating an interviewing ownership prior to January 1, 1986;*
- e. By deed or land sales contract, if there were no applicable planning, zoning or subdivision or partition ordinances or regulations that prohibited the creation.*
- f. By the claim of intervening state or federal ownership of navigable streams, meandered lakes or tidewaters. “Navigable-for-title” or “title-navigable” means that ownership of the waterway, including its bed, was passed from the federal government to the state at*

statehood. If a waterway is navigable-for-title, then it also is generally open to public use for navigation, commerce, recreation, and fisheries.

STAFF RESPONSE TO LAWFULLY CREATED LOTS AND PARCELS: This property has been lawfully established in accordance with CCZLDO §6.1.1 This property has been lawfully established in accordance with CCZLDO §6.1.125.1.e, by deed or land sales contract prior to applicable planning, zoning or partition ordinances that would have prohibited the creation (deed document 76-2972). The property achieved its current configuration through an approved Property Line Adjustment (PLA-13-05). 25.1. b, through a property line adjustment application in 2008 as explained in the background.

- **Development Standards: Exception to Minimum Parcel or Lot Size for Split Zoned Properties.**

SECTION 1.5.700 SPLIT ZONING:

Split zoning occurs when a contiguous ownership is divided into two or more zoning districts.

- 1. For the purpose of establishing uses, each portion of the total contiguous ownership within an individual zoning district may be used for any use permitted by the applicable zoning district.*
- 2. When a parcel is split-zoned contains both resource and non-resource zones, the non-resource land may be partitioned from the resource land, in accordance with the partitioning application requirements of this ordinance. The non-resource parcel is considered exception land that is irrevocable committed to uses that render the practice of farming and forestry activities impracticable, and therefore such partitioning would have no discernible effect on farming or forestry practices on the adjacent resource land; or, the resulting parcels meet the minimum parcel sizes of ORS 215.780, or the partition otherwise meets the statutory criteria for exceptions to minimum parcel sizes or resource goal exceptions. [OR-08-07-007PL]*

STAFF RESPONSE TO CRITERIA FOR PURPOSE: The subject property is a split-zoned parcel containing both resource land (Exclusive Farm Use - EFU) and non-resource land (Rural Residential-2). The non-resource portion of the parcel qualifies as "exception land," meaning it is irrevocably committed to uses that render farming and forestry activities impracticable. This portion of the land is adjacent to a large industrial use and other residentially zoned properties, further supporting its classification as non-resource land.

The EFU portion of the subject property is less than three acres in size and is developed with a Single Family Dwelling, a Shop, two metal canopies, and two sheds. Given the small size of the EFU portion and its current development, the practice of farming or forestry on this land is already impracticable. Additionally, partitioning the non-resource portion from the resource land would have no discernible effect on farming or forestry practices on the adjacent resource land, as the EFU land is minimal and already developed.

Therefore, the proposed partitioning of the non-resource land from the resource land complies with the partitioning application requirements of the ordinance. The partition would not negatively impact agricultural or forestry practices on adjacent resource lands, consistent with the criteria outlined in the ordinance.

- **Land Division Review: Chapter VI Lots and Parcels**

ARTICLE 6.2 LAND DIVISIONS

As authorized by law, including ORS Chapters 92, 197 and 215, subdivisions, land partitions and streets created for the purpose of partitioning land shall be approved in accordance with this Ordinance. This Article applies to all land within the unincorporated territory of the County. A person desiring to subdivide land, to partition land, or to create a street or a private road shall submit preliminary plans and final documents for approval as provided in this ordinance and state statutes.

- *Section 6.2.375 Review of Tentative Plan:*
 1. *Distribution to Affected Bodies. The Planning Department shall furnish a copy of the tentative plan to all affected special districts and cities which have a coordination agreement with Coos County; and*
 2. *Within twenty (20) days of postmark, each city, special district and County Department receiving a copy of the tentative plan should submit a written statement to the Planning Department with respect to any matter, information, or recommendation deemed necessary for the applicant's or public's benefit.*
 3. *The Planning Department shall make copies of all written statements available to the applicant and others interested.*
 4. *Planning Director Review. The Planning Director, after reviewing the tentative plan and comments, may approve, conditionally approve, or disapprove any application. The Planning Director shall take action within forty-five (45) days of the date the application was accepted as complete, unless additional time is deemed necessary to complete the review.*
 5. *Criteria for Approval of tentative land division plan*
 - a. *A decision on the tentative land division plan application shall be made and notices shall be processed as required in Chapter 5.0 of this ordinance.*
 - b. *The preliminary plan shall be approved if the Approving Authority finds the following:*
 - i. *The information required by this Article has been provided;*
 - ii. *The design and development standards this chapter have been met; and*
 - iii. *Applicable transportation standards in chapter VII have been or will be complied with;*
 - iv. *Minimum parcel/lot sizes and requirements have been complied with for the zoning district.*
 - v. *If the preliminary plan provides for development in more than one phase, the Approving Authority makes findings and conclusions that such phasing is necessary due to the nature of the development, and that the applicant will be able to comply with the proposed time limitations.*
 - c. *In granting tentative approval, the Approving Authority may impose conditions of approval deemed necessary to carry out the Comprehensive Plan and the provisions of this ordinance. Such conditions may include the construction of offsite public improvements, or money equivalent, deemed necessary, either immediately or in the future, as a result of the proposed development and shall be reasonably conceived to fulfill public needs emanating from the proposed development in the following respects:*

- i. Protection of the public from the potentially deleterious effects of the proposed development; or*
 - ii. Fulfillment of the need for public service demands created by the proposed development.*
- 6. Conditional Approval. The Planning Director may impose special conditions upon the approval of a tentative plan when it is established that such conditions are necessary to protect health, safety or welfare. Conditions may include but are not limited to the following:*
 - a. roadway and plat design modifications;*
 - b. utility design modifications;*
 - c. conditions deemed necessary to provide safeguards against documented geologic hazards;*
 - d. other conditions deemed necessary to implement the objectives of the Comprehensive Plan.*
- 7. Effective Date. Unless the action of the Planning Director is appealed, the action shall be effective upon the expiration of the appeal period pursuant to Article 5.8. Following approval of a tentative plan, the applicant may proceed with preparation of any required construction drawings. Development as per the tentative plan may yet be subject to approval of the supplemental information as required by Section 6.5.250(5) and approval of construction drawings as required by Section 6.5.350. [OR-92-07-012PL]*
- 8. Duration of Preliminary Subdivision Plan Approval*
 - a. Approval of a preliminary subdivision plan shall be valid for twenty-four (24) months from the date of approval of the preliminary plan, provided that if the approved preliminary plan provides for phased development, the approval shall be valid for the time specified for each phase. Each phase shall be valid for an additional twenty-four (24) months from the date of approval of the preliminary plan. For example if there were three phases each phase has 24 months from the date of the decision of the prior phase (decision of the first phase was on 10/11/13 then phase two has until 10/11/15 and phase three would have until 10/11/17 to be completed). An applicant may choose to set a lesser time limit but this represents the maximum time allowed for phasing.*
 - b. If any time limitation is exceeded, approval of the tentative plan, or of the phase of the preliminary tentative plan, and any subsequent phases, shall be void. Any subsequent proposal by the applicant for division of the property shall require new Administrative Action.*
- 9. Granting of Extensions.*
 - a. An applicant may request an extension of the validity of a tentative land division plan approval or, if the preliminary plan provides for phased development, an extension of the validity of a tentative approval with respect to the phase the applicant is then developing. Such request shall be considered a Ministerial Action and shall be submitted to the Director, in writing, prior to expiration of such approval, stating the reason why an extension should be granted.*

- b. The Director may grant an extension of up to twelve (12) months in the validity of a tentative plan approval or, if the tentative plan provides for phased development, an extension of up to twelve (12) months in the validity of a tentative plan approval with respect to the phase then being developed, if it is determined that a change of conditions, for which the applicant was not responsible, would prevent the applicant from obtaining final plat approval within the original time limitation.*

STAFF RESPONSE TO CRITERIA: The Planning Staff distributed copies of the tentative plan to all relevant special districts and cities that have a coordination agreement with Coos County as required. This ensures that all affected bodies are informed and have the opportunity to review the plan.

The Planning Department only received written statements from the County Departments within the stipulated 20-day period. These statements included necessary information, recommendations, and any other pertinent matters for the applicants.

Planning Staff provided copies of all received written statements at the Technical Review Committee meeting on July 9, 2024.

The Planning Director reviewed the tentative plan and all submitted comments, conditionally approving after the Technical Review Committee Meeting.

The Director, acting as the Approving Authority, did not find that all necessary information was provided which resulted in conditions. Therefore, special conditions were imposed where necessary to protect health, safety, and welfare, including modifications to roadway and plat design, utility design, and other safeguards against geologic hazards. These conditions aligned with the objectives of the Comprehensive Plan. All issues were raised with the applicant's Surveyor at the Technical Review Committee Meeting.

The action of the Planning Director became effective upon the expiration of the appeal period, defined in the notice of decision, unless an appeal has been filed. Following approval, the applicant proceeded with the preparation of required construction drawings and the development process as based on the tentative plan.

The approval of the preliminary subdivision plan was valid for 24 months, with specific timelines adhered to for phased developments. Any phase that exceeded the time limitation was subject to new Administrative Action as required. If a final plat cannot be completed and filed as required an extension may be granted as needed, for up to 12 months, when applicants provided valid reasons for delays beyond their control. An extension would be granted in accordance with the stipulated procedures.

The Planning Staff has adhered to all requirements of Section 6.2.375 in the review and approval process of the tentative plan. All steps were conducted in compliance with the ordinance, ensuring a thorough and lawful process.

- *SECTION 6.2.575 Land Division Technical Review Committee:*

1. *Establishment. The land division Technical Review Committee (TRC) is established to act in a technical review capacity for the Board of Commissioners, and is authorized to perform such functions as provided for in this Ordinance. The TRC shall meet within 30 days of the application being deemed complete. The TRC shall consist of the following members or their duly authorized representatives:*
 - a. *Director or Planning Staff Member, who shall serve as Chair;*
 - b. *Director – County Public Works (i.e., Roadmaster);*
 - c. *County Surveyor;*
 - d. *County Assessor;*
 - e. *County Counsel;*
 - f. *Health Department Staff (water and sanitation issues);*
 - g. *County Planning Commission Chairman;*
 - h. *Department of Environmental Quality (DEQ);*
 - i. *Oregon Department of Transportation (if access is proposed from a state facility)*
 - j. *Representative of Affected City (if located in an urban growth area); and*
 - k. *Representative of Affected Special District.*
2. *Responsibility of TRC. The TRC shall examine all tentative (preliminary) partition plats, subdivision plats, and planned unit development plats, and assist the Planning Director in rendering a decision relating to the approval, conditional approval, or disapproval of said applications. In case of a variance request, the TRC shall form a committee recommendation to the Planning Director. The applicant shall be given notice of any TRC meeting pertaining to his or her request. In the event a committee member is unable to attend the meeting written comments should be made prior the meeting.*

STAFF RESPONSE TO CRITERIA: Members of the Technical Review Committee (TRC) met on July 9, 2024, to review Sections 6.2.400 through 6.2.550. The purpose of this review was to evaluate the relevant sections in relation to the specific applications under consideration. The members present were Planning Staff, Roadmaster, County Surveyor and County Assessor’s Staff.

The TRC is responsible for examining all tentative (preliminary) partition plats, subdivision plats, and planned unit development plats. The committee assists the Planning Director in making decisions regarding the approval, conditional approval, or disapproval of these applications. In cases involving a variance request, the TRC forms a recommendation for the Planning Director.

The Planning Director has the ability to impose special conditions upon the approval of a tentative plan when it is established that such conditions are necessary to protect health, safety or welfare. Conditions may include but are not limited to the following:

- a. **Roadway and plat design modifications;**
- b. **Utility design modifications;**
- c. **Conditions deemed necessary to provide safeguards against documented geologic hazards;**
- d. **Other conditions deemed necessary to implement the objectives of the Comprehensive Plan.**

During the TRC meeting all conditions are discussed which will result in conditions of approval. Applicants are given notice of any TRC meeting that pertains to their request to ensure they have the opportunity to be informed and involved in the process. If a TRC member is unable to attend a scheduled meeting, they are encouraged to submit written comments prior to the meeting to ensure their input is considered.

Through the TRC review the plat in the following format.

- 1. Roadway and Utility design modification required.**
 - a. Access required. Each unit of land proposed to be created must have access via a county road. The reviewed access should extend back to the nearest public road, whether it is a publicly dedicated road or highway. A local¹ access road can provide this access only if it was open to public use as of January 1, 1986, and remains unrestricted. The local access road must be constructed to meet the private road standards outlined in Article VII. However, if the road will or could in the future serve more than three units of land in an urban unincorporated area or more than ten units of land in a rural residential area, the finished top surface width must be at least 18 feet, and turnouts will not be required.**
 - i. If access is to state highway then ODOT will be requested to participate.**
 - ii. If access is from a city street then City will be requested to participate.**
 - iii. Panhandles may be allowed**
 - b. Road standards in Chapter VII shall be met**
 - i. Grading shall be performed and drainage facilities installed (i.e. French drains, catch basins, etc.)**
 - ii. Street and road standards shall conform to the improvements of Chapter VII**
 - iii. Sidewalks, pedestrian and bicycle ways when required**
 - iv. Slope easements – Necessary when right-of way slope constructed extends outside of eth normal right-of-way**
 - c. Utility easements reviewed**
 - d. Road naming if required**

The Technical Review Committee (TRC) has reviewed the access and both properties front Isthmus Heights Road. The traffic plan was missing from the application and shall be submitted to the Roadmaster prior to his signing the plat. Ranch Lane appears to be an easement and the property owner has provided the easement and maintenance agreement. Ranch Lane is described in the property deed as a 30-foot road. The road is accessed from Highway 101. The road is a local residential road and is required to be 60 foot wide; however, legal access connections that was in place as of the date of adoption of this ordinance that do not conform with the standards. Non-conforming features and shall be brought into compliance with applicable standards under following conditions:

¹ “Local access road” means a public road that is not a county road, state highway or federal road. ORS 368.001

1. **When new access connection permits are requested;**
2. **A change in use or enlargements or improvements that will increase trip generation by 50% or more; or**
3. **When trips increase or the character of traffic changes on ODOT facilities.**

In this case it will not be required to be brought into compliance as the trip generation is not anticipated to increase. This will not affect the traffic on Highway 101.

The road shall be shown on the final plat along with the access and traffic plan. Resolving these issues will allow the development to proceed in compliance with established regulations. There were no grading, sides walks, pedestrian and bicycle ways or slope easements required.

2. **Plat and Design modifications needed.**
 - a. **Survey Standards (Chapter VIII)**
 - b. **Map Numbers and Easements shown**
 - c. **Lots and parcels shown to meet minimum lot standards**
 - d. **Street frontage requirements (panhandle may be allowed)**
 - e. **Urban Growth Boundary requirements**
 - f. **Dimensional Standards**
 - g. **Any legal description concerns**
 - h. **Other design and plat modifications not covered above.**

The Technical Review Committee (TRC) has completed its review of the plat and design for the proposed development and identified several necessary corrections and actions.

At a minimum show the north side of Ranch Land along with monuments found. Show both measured and recorded bearings and distances between all found monuments. Show a basis of bearing.

A note that there is a maintenance agreement for Ranch Lane shall be noted on the plat. The dimensions of the parcels and minimum lots size has been shown.

Before the Roadmaster can sign the plat, the road and access standards for land divisions need to be fully addressed. The TRC also noted that the initial point, legal description, and signature block are required to be accurately located on the final plat.

The final plat will need to be drawn to meet the standards of Section 6.2.800.

3. **Geologic hazards that need to be considered.**
 - a. **Natural Hazards platted and considered during development**
 - b. **Erosion prevention when necessary (cuts and fills for roads)**

The Technical Review Committee (TRC) has completed its review for geological hazards and the property is located in Floodplain and Tsunami Zone. The Floodplain shall be shown in the final plat and note regarding the Tsunami Zone shall be depicted. A sign shall be placed indicating the Tsunami Evacuation Route. Signs can be obtained from Coos County Emergency Management (Sheriff's Office).

There are no new cuts or fills proposed and no new proposed road improvements.

Therefore, this criterion has been addressed.

4. Other conditions

- a. Taxes**
- b. Health and safety (water and sewer)**
 - i. Required to provide proof of adequate supply of potable water (6.2.550)**
 - ii. Sewage disposal system information provided and complies with state law.**
- c. Other items necessary for approval**

The Technical Review Committee (TRC) has completed its review for other conditions and found if the tax statements have not been mailed by the time the final plat is submitted for approval, then pre-payment of taxes will still be required before the Assessor can sign the plat. There is a potential for additional tax on this property. Additionally, a processing fee of \$200.00 will be required before the Assessor signs the final plat.

Under the health and safety requirements, the applicant must demonstrate that potable water and the sewage disposal system comply with state law. Coos Health & Wellness has noted that the properties are served by Coos Bay North Bend Water Board and that meets the requirements for potable water. The DEQ records on file show compliance with sanitation.

Therefore, the TRC did not find any other issue that needed to be addressed. All final plats shall be completed in accordance with Section 6.2.800 Final Plat Regulations.

III. CONCLUSION:

After a thorough review, the land division request has been found to comply with all applicable zoning and land development standards as outlined in the Coos County Comprehensive Plan and Implementing Ordinance. The proposal meets the criteria for density, lot area, and dimensional standards of the Coos County Zoning and Land Development Ordinance and Transportation System Plan. All special development considerations and overlays have been properly identified and addressed.

The application was deemed complete following a detailed evaluation by the Technical Review Committee (TRC), and the staff has worked diligently to ensure that the process remains within statutory timelines. The final decision will be rendered by September 4, 2024, in accordance with the 150-day deadline. Following the completion of the appeal period, the applicant will be required to submit a final partition plat in compliance with Section 6.2.800.

Overall, the proposed land division aligns with county development policies and objectives subject to the conditions outlined in this report.

IV. NOTICE OF DECISION

A notice of decision will be provided to property owners within 750 feet of the subject properties and the following agencies, special district, or parties: Coos Bay North Bend Water Board, Hauser RFPD, Oregon International Port of Coos Bay, and Coos Bay School District.

The following will receive the decision and all attachments: Property Owners and Applicant; Applicant's Surveyor; Board of Commissioners; Planning Commission; Department of Land Conservation and Development; County Road Department; County Surveyor; County Assessor; and Oregon Department of Transportation.

