



**Welcome to the Coos County  
Planning Commission Meeting and Work Session  
201 N. Adams St., Coquille Oregon  
May 7, 2026 at 7:00 p.m.**

- I. CALL MEETING TO ORDER 7:00 P.M.** – Introductions of Commissioners and Staff.
- II. MINUTES** – Approval of March 5, 2026 Meeting
- III. CITIZEN PARTICIPATION** – This is the time for brief comments from the public concerning county planning and zoning matters **not on the agenda.**
- IV. PUBLIC HEARING**

➤ **ITEM A –FILE #HBCU-25-001**

Consultant: Coos Curry Consulting – Sheri McGrath  
Account Number: 99916796  
Map Number: 24S131500-00802

Property Owner: HAUSER HILL CAMPGROUND LLC  
C/O HANKEN, PAUL

Situs Address: 68610 SANDY WAY RD NORTH BEND, OR 97459  
Acreage: 3.80 ACRES  
Zone: COMMERCIAL (C-1)  
Special Development: ARCHAEOLOGICAL AREAS (ARC)  
Consideration and Overlay: BEACHES/DUNES - LIMITED (BDL)  
NATIONAL WETLAND INVENTORY (NWI)  
NH EROSION WIND (NHERW)  
NH LIQUEFACTION (NHEQL)  
NH TSUNAMI (NHTHO)

**SUMMARY PROPOSAL:** The applicant requests approval for a 25-site Private Campground including individual and group camping areas. The proposal includes approximately 22 individual sites and 3 group sites with a maximum occupancy of approximately 57 campers.

A variance is requested to allow portable sanitation facilities in lieu of a permanent on-site septic system.

The applicant has clarified that the proposal will not include water or sewer hook-ups to individual sites and that the use is intended for short-term recreational camping only.

The application was originally scheduled for a public hearing before the Planning Commission; however, the matter was continued to allow the applicant additional time to address concerns identified in the initial staff report and to provide supplemental materials.

Following the continuance, the applicant submitted revised information and additional testimony clarifying the nature of the proposal, including modifications to the project description, removal of certain elements, and additional analysis related to site constraints and feasibility.

This staff report reflects a comprehensive review of the updated application materials, supplemental testimony, and revised site information. The analysis and recommendation contained herein are based on the complete record as supplemented following the continuance.

**APPLICABLE CRITERIA**

Section 4.3.200 – Zoning Tables for Urban and Rural Residential, Mixed Commercial-Residential, Commercial, Industrial, Minor Estuary and South Slough (118) – Private Parks and Campgrounds; 4.3.210 – Categories and Review Standards (67) – Private Parks, Campgrounds, or Trails; Section 4.11.129 Beaches and Dunes; 4.11.132 Natural Hazards; Article 5.3 Variances; Chapter VII – Road and Parking Standards

**V. OTHER BUSINESS**

**A. STAFF UPDATES**

- Urban Growth Boundary Updates
- Coos Bay Estuary Management Plan Updates
- Software Updates

**B. APPLICATION UPDATES**

**VI. PLANNING COMMISSION COMMENTS:**

This is the time and place for the Planning Commission to discuss any general comments, inquiries, or other items of business not otherwise listed on the agenda.

**VII. ADJOURNMENT**

**ADDITIONAL INFORMATION AND HEARING PROCESSES :**

For more information on any of these items please contact the Coos County Planning Department by phone at (541) 396-7770, by e-mail at [planning@co.coos.or.us](mailto:planning@co.coos.or.us), in writing to 250 N. Baxter, Coquille OR 97423 or visit us at 60 E. Second, Coquille OR 97423.

**HEARING PROCESS AND PROCEDURES:**

There are four ways to participate in this matter by phone; virtually; in person; or in writing.

- i. **Virtual or by phone:** This option is only available during the time and date the hearing is scheduled. To participate there GoToMeeting or by phone please provide an email to [planning@co.coos.or.us](mailto:planning@co.coos.or.us) with your name, address, email and phone number for the record and in case there is any technical difficulty.

**GoToMeeting Information**

**Planning Commission**

Please join my meeting at:

<https://meet.goto.com/940158709>

You can also dial in using your phone.

Access Code: 940-158-709

United States: +1 (224) 501-3412

- ii. **In Person:** The meeting can be attended in person at the time and date scheduled. The meeting will be held in the Owen Building Large Conference Room 201 N. Adams Street, Coquille OR 97423. If you require assistance to participate in the meeting, please provide 48 hours' notice to the Planning Staff to accommodate the request. [planning@co.coos.or.us](mailto:planning@co.coos.or.us) or 541-396-7770.
- iii. **In Writing: Testimony shall be submitted by the deadline provided at the hearing or the close of the record in the forms described below.**

a. **Submission of Written Testimony:** Written testimony and evidenced provided by participants that will not be attending shall be received no later than 5 pm on the day of the hearing. Although it is encouraged to submit the information well in advance to provide the Hearings Body a chance with an in-depth review. Written testimony and evidence to shall be mailed 225 N. Adams, Coquille, OR 97423, dropped off at the planning office at 60 E. Second Street, Coquille or emailed to [planning@co.coos.or.us](mailto:planning@co.coos.or.us). If the testimony is not received by the 5 pm deadline it will need to be submitted in person at the hearing or it will not be considered. **Please review the additional information regarding submission of written evidence.**

b. **Submission of Written Evidence**

- Petitions: Any party may submit a petition into the record as evidence. The petition shall be considered as written testimony of the party who submitted the petition. A petition shall not be considered to be written testimony of any individual signer. To have standing, a person must participate orally at the hearing or submit other individual written comments. Anonymous petitions or petitions that do not otherwise identify the party submitting the petition shall not be accepted as evidence.
- Required Number of Copies: Submission of written materials for consideration shall be provided in the form one original hard copy and one exact copy or one original hard copy and one electronic copy. The County may, at its sole discretion, reject any materials that do not contain the requisite number of copies. It may be requested that the County make the requisite number of copies subject to the submitter paying the applicable copy charges.
- E-mail testimony may be submitted; however, it is the responsibility of the person submitting the testimony to verify it has been received by Planning Staff by the applicable Deadline.
- All written testimony must contain the name of the person(s) submitting it and current mailing address for mailing of notice.
- The applicant bears the burden of proof that all the applicable criteria have been met; however, in the case of an appeal, the appellant bears the burden of proving the basis for the appeal, such as procedural error or that applicable criteria have not in fact been met.  
[Amended OR 08-09-009PL 5/13/09]

- iv. **General Meeting Procedure:** The Planning Commission will start the meeting at 7:00 pm unless otherwise noticed. There will be introductions of the Commissioners and Staff, Approval of Minutes if available and Request for any comments from the public on matters not related to the formal hearings scheduled or pending land use matters prior to opening the hearing. Upon opening the public hearing portion of the meeting, the Planning Staff or County Counsel will provide the procedural rules.

The Planning Commission will:

- a. Disclose the substance of any prehearing *ex parte* contacts regarding the matter at the commencement of the public hearing on the matter. The member shall state whether the contact has impaired the impartiality or ability of the member to vote on the matter and shall participate or abstain accordingly;
- b. Any actual or potential conflicts of interest (financial gain); and
- c. Any biases or reason a member will not be participating in the decision making process.

The Planning Commission will ask the audience if there are challenges to any Planning Commission members reviewing the matter. If there are challenges, they shall be brought forward with evidence to substantiate such challenge. There will be a chance for the member of the Commission to rebut the challenge or step down as the decision maker. If the member(s) does not step down the Planning Commission shall make a motion as to remove the member based on the evidence or make the statement that the evidence submitted is not sufficient to create a actual bias or conflict of interest. Once this is complete staff will present the matter and criteria and provide the Planning Commission an opportunity to ask any questions about staff's presentation or material that have been provided.

The Oral testimony will begin:

- a. Applicant's presentation (15 minutes)
- b. Proponents of the application (3 to 5 minutes)
- c. Opponents of the application (3 to 5 minutes)
- d. Rebuttal or closing by the applicant. (3 to 5 minutes)

Tips for providing effective testimony<sup>1</sup>

- a. State your name and address for the record.
- b. Begin by saying you support or oppose a particular agenda item, and briefly explain why.
- c. Use facts to verify your statements.
- d. Describe how this issue affects you personally, what you suggest as a solution and then summarize your testimony.
- e. Be sure to tell the reviewing body exactly what you wish them to do. If you are opposing, your testimony should discuss why the proposal is inconsistent with the controlling law, rules or ordinances.
- f. Do not repeat yourself or get off-topic; keep your argument concise

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<sup>1</sup>[https://www.co.coos.or.us/sites/default/files/fileattachments/planning/page/13051/tesify\\_at\\_land\\_hearing\\_brochure.pdf](https://www.co.coos.or.us/sites/default/files/fileattachments/planning/page/13051/tesify_at_land_hearing_brochure.pdf)

**COOS COUNTY PLANNING COMMISSION  
REGULARLY SCHEDULED MEETING  
MARCH 05, 2026  
OWEN BUILDING LARGE CONFERENCE ROOM  
201 N. ADAMS ST.  
COQUILLE, OREGON 97423**

**PLANNING COMMISSION**

**MEMBERS PRESENT**

Todd Buchholz, Chairman  
Todd Goergen, Commission  
Diana Schab, Commissioner

**MEMBERS ABSENT**

Joann Hansen, Commissioner

**MEMBERS PRESENT THROUGH GOTOMEETING**

Charlie Waterman, Commissioner  
Joe Aguirre, Commissioner  
Matthew Vorderstrasse, Vice Chair

**STAFF PRESENT**

Jill Rolfe, Community Development Director  
Amy Dibble, Administrative Development Manager  
Michelle Berglund, Program Assistant

**ITEM I CALL MEETING TO ORDER:**

Chair Todd Buchholz called the meeting to order at 7:00 p.m. All Commissioners and staff introduced themselves.

**ITEM II APPROVAL OF MINUTES:**

Chair Buchholz called for approval of the January 2026 meeting minutes. Commissioner Goergen moved to approve the minutes. Commissioner Schab seconded the motion. The motion carried unanimously.

**ITEM III CITIZEN PARTICIPATION:**

Chair Buchholz opened the floor for public comment regarding planning and zoning matters not on the agenda. No members of the public were present, and no comments were received. A quorum was confirmed, including Commissioners attending both in person and remotely. He mentioned that Item A on the agenda was a continuation and he enquired about the best way to handle that.

**ITEM IV – PUBLIC HEARINGS**

**Item A – File HBCU-25-001 (Hauser Hill Campground LLC)**

The Director explained that this item required opening the record and continuing the matter to the April 2, 2026 meeting. Commissioner Schab moved to continue File HBCU-25-001 to April 2, 2026. Commissioner Goergen seconded the motion. The motion carried unanimously.

**Item B – AM-25-008 / RZ-25-007 (Ordinance #26-01-001PL)**

This item was also requested to be continued to the April 2, 2026 meeting. Commissioner Goergen moved to continue the item. Commissioner Schab seconded the motion. The motion carried unanimously.

**Item C – File AM-26-001 (Ordinance 26-01-002)**

Director Rolfe presented an overview of updates to the County Parks Master Plan. She explained that the original plan was developed in the late 1980s, updated in the 1990s, and last revised around 2015. A comprehensive update was completed with assistance from a charitable organization beginning in 2023 and finalized in 2024. The update includes compliance with Goal 8 requirements and expands the inventory to include city, county, state, and federal parks. She noted that a major addition to the plan is the Whiskey Run Bike Trails and related County property improvements intended to support recreational users. The plan also updates park classifications, ranging from fully developed facilities to undeveloped natural areas, and reflects changes in ownership and usage at certain sites. Financial information has been updated using estimated figures to maintain relevance over time. The plan also identifies future pathways for improvements, including capital projects, partnerships, and grant funding opportunities. Discussion included limitations at Powers Park due to sewer capacity, the potential for additional cabins, seasonal demand impacts, and maintenance considerations such as invasive species mitigation.

Commissioners expressed support for the updated plan and the work completed.

Commissioner Schab moved to recommend approval of File AM-26-001 to the Board of Commissioners as presented. Commissioner Vorderstrasse seconded the motion.

The motion carried unanimously. Director Rolfe noted that the Board of Commissioners is scheduled to review the item on March 18, 2026, at 10:30 a.m.

**ITEM V – OTHER BUSINESS**

Director Rolfe provided updates on advisory committee recruitment, noting that applications have recently been received and positions are close to being filled. She discussed ongoing grant efforts, including a Climate Equity Grant focused on resilience, flooding, and sea level rise, in partnership with local organizations. She also reported that the department's software update is approximately 60 percent complete.

Additional updates included budget constraints, potential impacts related to timber funding, and progress on a landslide mapping grant. Director Rolfe discussed ongoing planning challenges, including limited housing availability, industrial land shortages, and the need for updated long-range planning. She also provided information on legislative efforts to secure funding for planning activities.

Discussion topics included development pressures, land use limitations, vacation rentals, and economic development needs. Director Rolfe also noted upcoming development activity in the Bandon area and discussed implementation of the local excise tax and its potential impacts.

Staff reported that current processing timelines for certain applications are approximately 90 days. Seasonal limitations affecting septic testing were discussed, along with upcoming development projects and coordination efforts.

**ITEM VI – PLANNING COMMISSION COMMENTS**

There were no additional comments from the Planning Commission.

**ITEM VII – ADJOURNMENT**

There being no further business, Chair Buchholz adjourned the meeting at 7:45 p.m.

**Next Meeting:** April 2, 2026

Meeting minutes by Michelle Berglund

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Planning Commission Chair Signature, May 7, 2026



# STAFF REPORT

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

## I. MATTER DETAILS – AGENDA ITEM IV. A

**ITEM NUMBER:** Agenda Item A

**REPORT DATE:** April 30, 2026

**FILE NUMBER:** HBCU-25-001

**HEARING DATE:** Thursday, May 7, 2026

**HEARING LOCATION:** 201 N. Adams Street, Coquille Oregon 97423

This meeting can be attended virtually at:

<https://meet.goto.com/940158709>

You can also dial in using your phone.

Access Code: 940-158-709 United States: +1 (224) 501-3412

**CONSULTANT OWNER(s)** Coos Curry Consulting – Sheri McGrath  
HAUSER HILL CAMPGROUND LLC  
C/O HANKEN, PAUL

**STAFF CONTACT:** Jill Rolfe, Community Development Director  
Phone: 541-396-7770  
Email: [planning@co.coos.or.us](mailto:planning@co.coos.or.us)

**HEARINGS BODY:** Planning Commission

### **PROPERTY INFORMATION:**

Account Number:	99916796
Map Number:	24S131500-00802
Situs Address:	68610 SANDY WAY RD NORTH BEND, OR 97459
Acreage:	3.80 ACRES
Zone:	COMMERCIAL (C-1)
Special Development Consideration and Overlay	ARCHAEOLOGICAL AREAS (ARC) BEACHES/DUNES - LIMITED (BDL) NATIONAL WETLAND INVENTORY (NWI) NH EROSION WIND (NHERW) NH LIQUEFACTION (NHEQL) NH TSUNAMI (NHTHO)

### **SUMMARY OF PROPOSAL AND DISCUSSION:**

The applicant requests approval for a 25-site Private Campground including individual and group camping areas. The proposal includes approximately 22 individual sites and 3 group sites with a maximum occupancy of approximately 57 campers.

A variance is requested to allow portable sanitation facilities in lieu of a permanent on-site septic system.

The applicant has clarified that the proposal will not include water or sewer hook-ups to individual sites and that the use is intended for short-term recreational camping only.

The application was originally scheduled for a public hearing before the Planning Commission; however, the matter was continued to allow the applicant additional time to address concerns identified in the initial staff report and to provide supplemental materials.

Following the continuance, the applicant submitted revised information and additional testimony clarifying the nature of the proposal, including modifications to the project description, removal of certain elements, and additional analysis related to site constraints and feasibility.

This staff report reflects a comprehensive review of the updated application materials, supplemental testimony, and revised site information. The analysis and recommendation contained herein are based on the complete record as supplemented following the continuance.

**APPLICABLE CRITERIA:**

Coos County Zoning and Land Development Ordinance (CCZLDO) Section 4.3.200 – Zoning Tables for Urban and Rural Residential, Mixed Commercial-Residential, Commercial, Industrial, Minor Estuary and South Slough (118) – Private Parks and Campgrounds; 4.3.210 – Categories and Review Standards (67) – Private Parks, Campgrounds, or Trails; Section 4.11.129 Beaches and Dunes; 4.11.132 Natural Hazards; Article 5.3 Variances; Chapter VII – Road and Parking Standards.

**STAFF RECOMMENDATION:**

Based on the application materials, revised site plan, supplemental testimony, agency comments, technical reports, and applicable approval criteria, the Planning Commission may find that the proposed development satisfies the requirements of the Coos County Zoning and Land Development Ordinance for a Private Campground, subject to conditions of approval.

The Planning Commission may further find that the requested variance to allow the use of portable sanitation facilities in lieu of permanent sanitation facilities satisfies the criteria of Article 5.3, based on the unique physical constraints of the property, including dune topography, limited buildable area, and the lack of feasible wastewater options.

The Planning Commission could find that, while certain elements of the proposal require additional detail, those elements do not preclude approval and may be addressed through conditions of approval and subsequent review prior to development.

Therefore, staff recommends that the Planning Commission:

1. Find that the proposed use qualifies as a Private Campground pursuant to CCZLDO Section 4.3.210(67);
2. Approve the Conditional Use application for a Private Campground, subject to conditions of approval;
3. Approve the requested variance to allow portable sanitation facilities, subject to conditions ensuring compliance with applicable health and safety standards; and
4. Require compliance with all applicable standards of the Coos County Zoning and Land Development Ordinance, as outlined in the conditions of approval below.

**CONDITIONS OF APPROVAL: All conditions of approval shall be complied with at the expense of the applicant as follows:**

#### **General Conditions**

1. Use Limitation  
The approved use shall be a Private Campground. The use shall be limited to temporary recreational occupancy and shall not operate as a Recreational Vehicle Park. No individual water or sewer hookups shall be provided to campsites.
2. Compliance with Approved Plans  
Development shall be consistent with the approved site plan and all submitted materials, except as modified by these conditions of approval.

#### **Site Design and Zoning Compliance**

3. Final Site Plan  
Prior to issuance of Zoning Compliance, the applicant shall submit a detailed final site plan demonstrating campsite, setbacks, access, circulation, parking, sanitation facilities, open space areas, and areas of disturbance and preservation.
4. Setbacks and Dimensional Standards  
All development shall comply with applicable setback and dimensional standards of the C-1 zone, as verified through the final site plan.

#### **Transportation and Access**

5. Traffic Impact Analysis (TIA)  
Prior to issuance of Zoning Compliance, the applicant shall submit a Traffic Impact Analysis prepared by a qualified professional, subject to review and approval by the County Roadmaster.
6. Access and Circulation Approval  
All access, internal circulation, parking layout, and roadway improvements shall be subject to review and approval by the County Roadmaster and shall comply with Chapter VII of the CCZLDO.

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7. Pedestrian Circulation

The final site plan shall demonstrate safe pedestrian access between campsites, restroom facilities, waste disposal areas, and common areas.

**Parking (Article 7.5)**

8. Parking Plan

A detailed parking and circulation plan shall be submitted and approved by the Roadmaster prior to development, demonstrating the number and dimensions of spaces, guest parking, maneuvering areas, and compliance with parking standards.

9. Lighting

All exterior lighting shall be shielded and directed away from adjacent residential properties.

10. Landscaping for Parking Areas

Landscaping shall be provided consistent with Article 7.5 and integrated with the overall erosion control plan.

**Sanitation and Water**

11. Portable Sanitation Facilities

Portable sanitation facilities shall be maintained under contract with a licensed provider, serviced regularly, comply with applicable regulations, and shall not result in on-site wastewater discharge.

12. Water Supply

Any water supply required shall be demonstrated in compliance with applicable state and local requirements prior to Zoning Compliance.

**Geologic Hazards and Dune Stability**

13. Geotechnical Compliance

Development shall comply with the recommendations of the submitted geotechnical report.

14. Erosion Control and Stabilization Plan

Prior to site disturbance, the applicant shall submit a plan demonstrating vegetation preservation, erosion control, sand stabilization, and long-term maintenance.

15. Certification of Compliance

Where required, certification by a qualified professional shall be provided demonstrating compliance with geotechnical recommendations at the time of building permit.

**Natural Hazards**

16. Tsunami Hazard Awareness

The applicant shall provide signage or materials identifying evacuation routes and emergency procedures and coordinate with local emergency management agencies.

**Solid Waste and Operations**

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17. Solid Waste Management

The applicant shall provide and maintain adequate waste collection and ensure regular removal to prevent nuisance conditions.

18. Occupancy Limitations

Occupancy shall comply with CCZLDO duration limits for temporary stays.

19. Fire Safety

Fire prevention measures shall be implemented in compliance with applicable fire district requirements.

**Additional Requirements**

20. Current Structures

Current structures will be removed or come into compliance with any geotechnical requirements and/or building requirements.

21. Future Structures

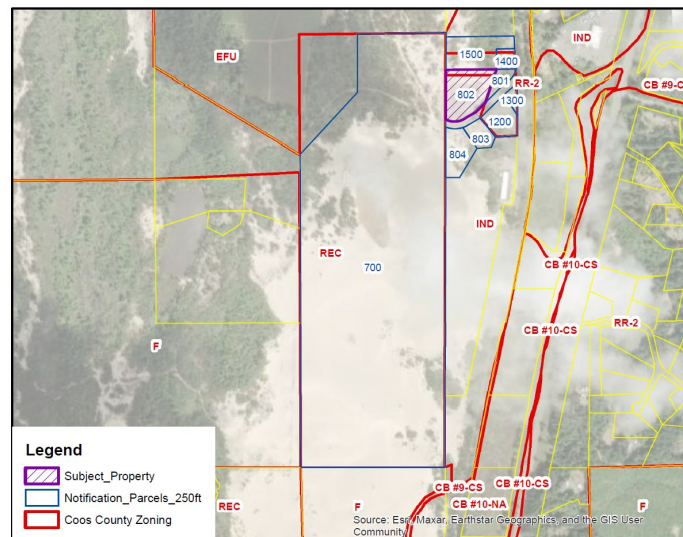
Any future structures shall require applicable permits and demonstrate compliance with building codes and hazard standards.

22. Compliance with Agency Requirements

The applicant shall comply with all applicable requirements of state and local agencies.

**LOCATION OF PROPOSAL:**

The subject property is situated in a rural area near the unincorporated Community of Hauser.



**SUBJECT PROPERTY DETAILS AND BACKGROUND:**

The property was rezoned from Industrial to Commercial on August 1, 2023. The subject property is a 3.8-acre parcel and has been cleared of vegetation. The property currently has a temporary use permit for a campground pending the results of this review. Rural Residential-2

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zoned parcels are located to the north and east of the subject property. A Recreation-zoned parcel is located to the west, and Industrial-zoned parcels are located directly south of the subject property.

The subject property was created through a partition in 2010 (County File No. P-10-005). The two-parcel partition divided Township 24, Range 13, Section 15, Tax Lot 800, which consisted of approximately 28.51 acres of Industrial-zoned land. The land division divided this area into smaller properties on the north side of road. The current acreage is 3.80 acres and is a lawfully created parcel of land.

On April 8, 2020, a pre-application meeting (PA-20-001) was held to discuss the steps required for a potential rezone of the subject property from Industrial to Recreation. On June 16, 2021, an alleged violation letter was mailed to the landowner informing them of an unlawful operation of an RV/Campground on the subject property. The property subsequently changed ownership (to current owner), and the current owner has consulted with Community Development Staff to take steps to bring the property into compliance. The property owner submitted an Amendment/Rezone application to allow recreational uses. A temporary use permit was also issued to the property owner to allow recreational use of the property on a temporary basis. The application was approved to change the zoning designation from Industrial to Commercial to accommodate a campground and more intensive accessory uses. The temporary permit was issued for camping on the property.

This site contains physical and infrastructural limitations that constrain full development of commercial uses, which were not fully explored at the time of the prior rezone. The property was previously zoned Industrial prior to its redesignation to Commercial, and at that time it was anticipated that the infrastructure available for industrial use would also support commercial development. While the property is located in proximity to a public water system, connection is not feasible due to distance, intervening infrastructure, and the need to cross a railroad corridor, which presents both logistical and regulatory challenges.

The property remains suitable for rural commercial uses, which are typically characterized by smaller-scale, lower-intensity development that does not rely on urban levels of infrastructure such as centralized water and sewer systems. In contrast, more intensive urban commercial uses generally depend on full public services, including water, sewer, and transportation infrastructure, to support higher occupancy, greater site coverage, and increased demand. Given the site's constraints and the lack of feasible utility connections, the property is more appropriately suited for rural-scale commercial activities that can function with limited services and reduced development intensity. The applicant would like to facilitate that type of development through a campground with limited services instead of a full RV park.

The applicant's record demonstrates that on-site septic development is significantly constrained by site conditions, including topography and the limited availability of suitable area, and that no feasible off-site alternative is currently available. As a result, the proposal relies on the use of

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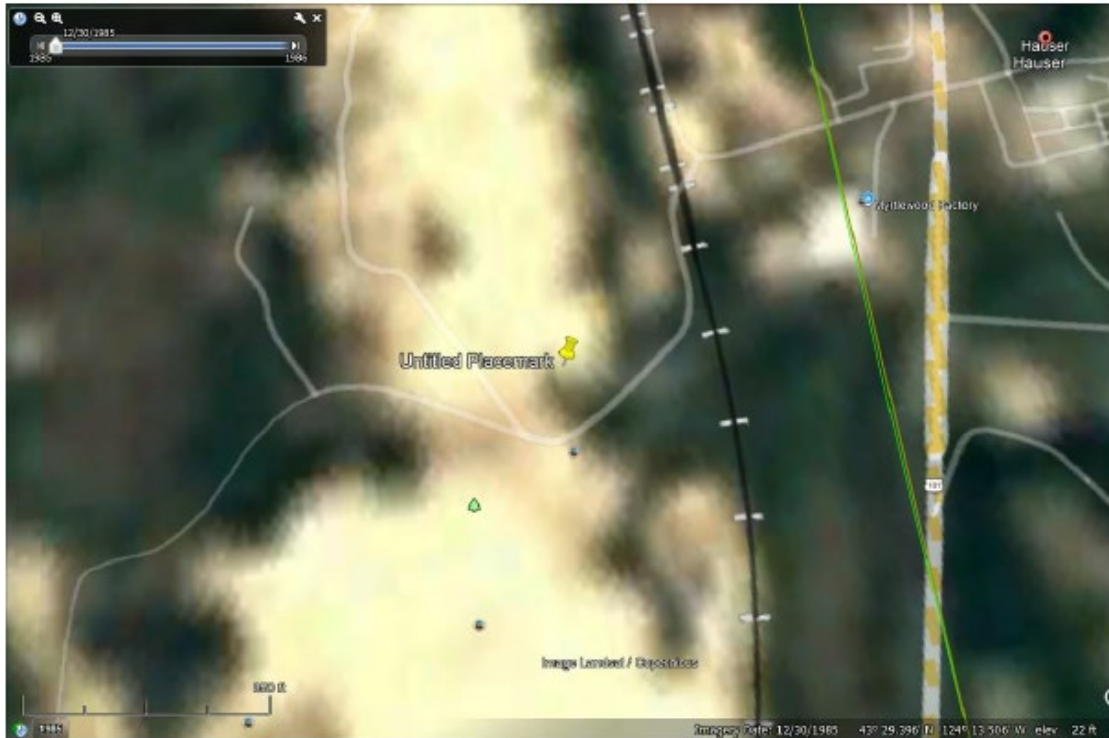
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portable sanitation facilities, which can be appropriate for a campground use when properly maintained in accordance with applicable health and safety standards.

The applicant has explained the limitation through the request for a variance and maintains that a campground is an appropriate use and categorization to maintain that rural density and meets the comprehensive plan's objective of rural commercial use.

The applicant has provided a photo history of the property and update site plan:

## Hauser Hill Photo log



**Area of interest 1985**

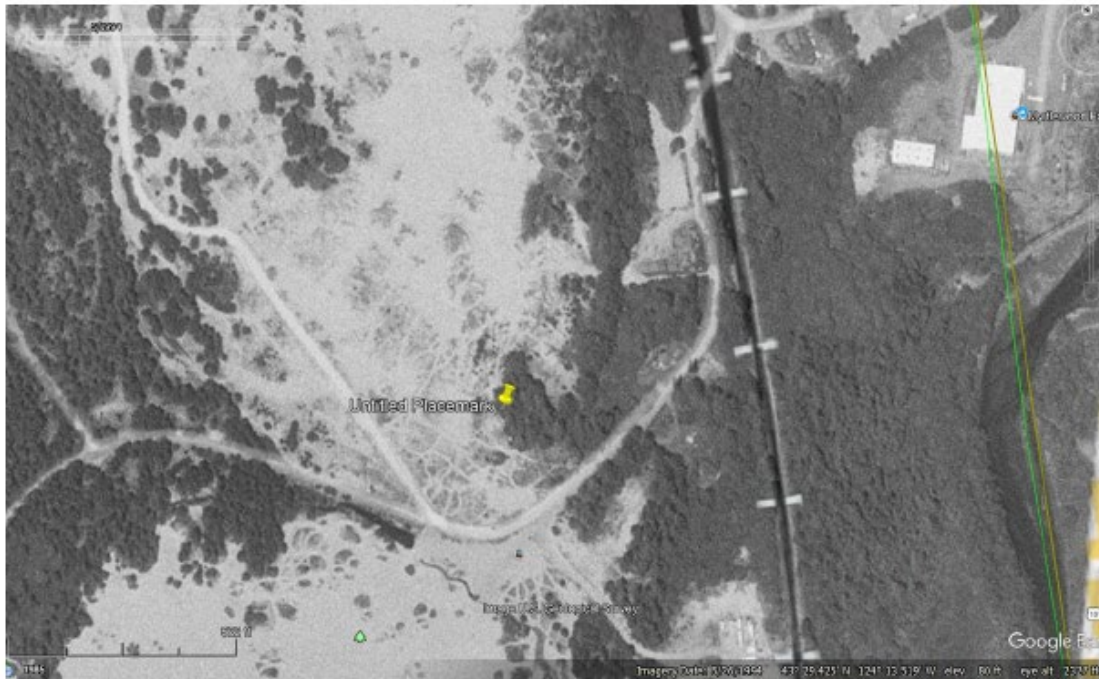
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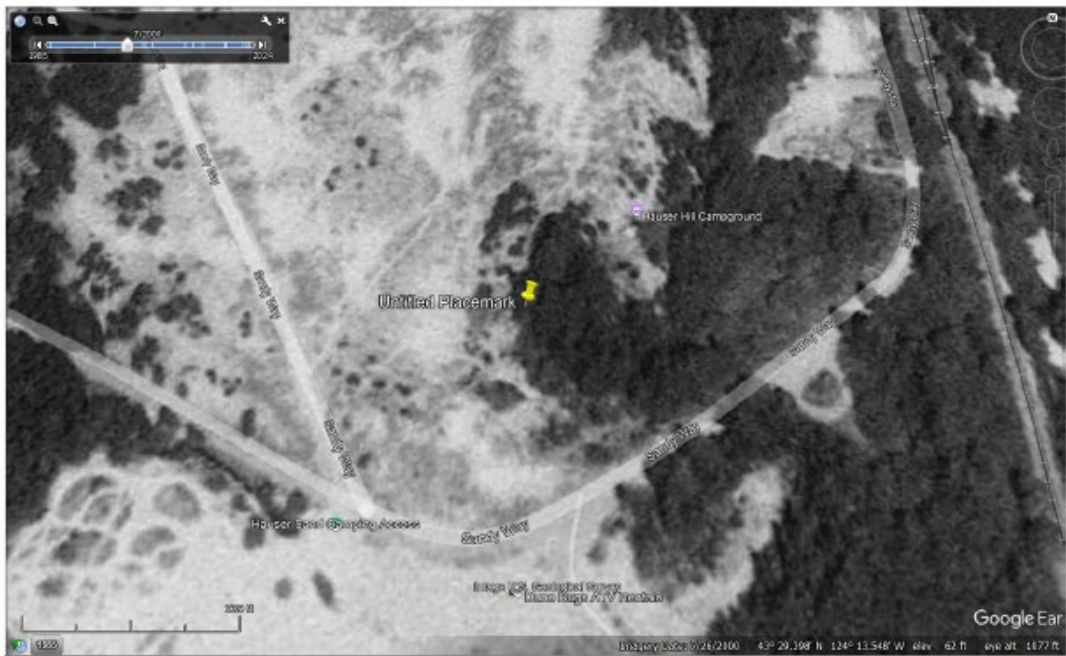
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AOI 1994



AOI 2000

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AOI 8.1.2011



AOI 2015

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AOI 2019



AOI 11.12.2022

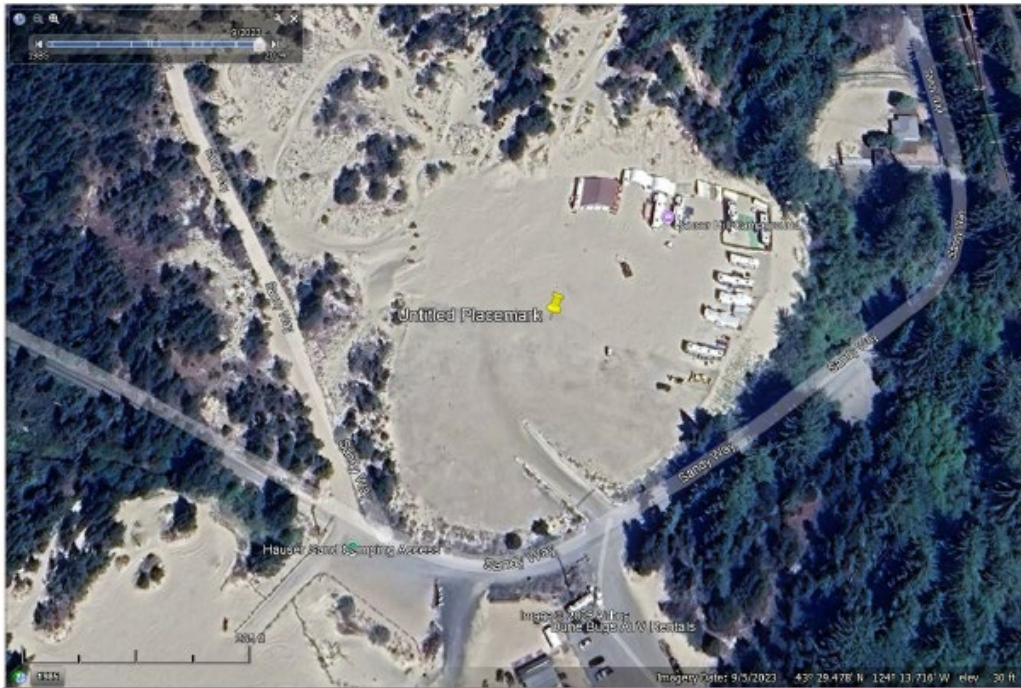
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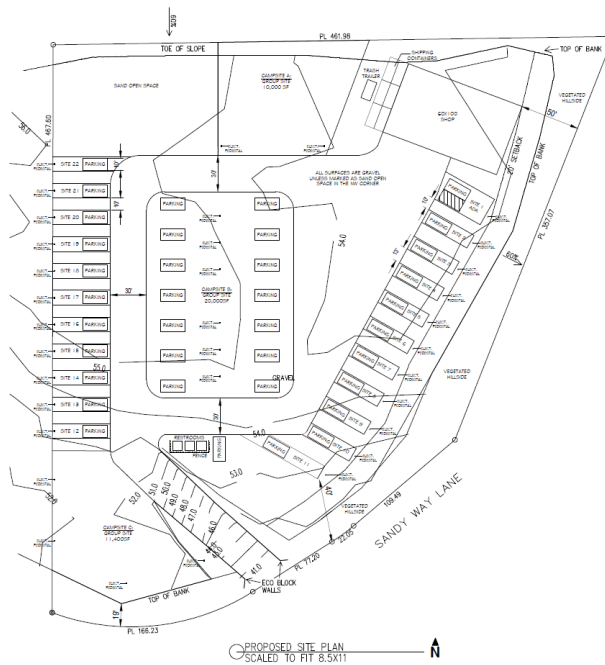


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AOI 2023

The current proposal submitted (*see plot plan below*) for approval is for a private campground.



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There is a building sited on the property will be removed and a new structure placed in the northeast portion of the property.

## STAFF ANALYSIS AND DETERMINATION OF USE

In the prior staff report, staff identified the proposal as more consistent with a Recreational Vehicle Park based on the site layout and the apparent emphasis on recreational vehicle use and associated amenities. However, the applicant has since submitted supplemental materials and testimony clarifying the intent, design, and operational characteristics of the proposed use.

The amended application must be evaluated against the applicable definitions:

- **Campground:** A lot, tract, or parcel of land under single ownership where two or more campsites are located which provide facilities for living in other than a permanent dwelling or recreational vehicle.
- **Recreational Vehicle Park (OAR 918-650-0005):** A lot, parcel, or tract of land upon which two or more recreational vehicle sites are located, established, or maintained for occupancy by recreational vehicles of the general public as temporary living quarters.
- **Recreational Vehicle Site:** A plot of ground within a recreational vehicle park designed to accommodate a recreational vehicle on a temporary basis.

The key distinction between these uses is the intensity of development and the intended primary mode of occupancy. A recreational vehicle park is characterized by a site design that is specifically intended to accommodate recreational vehicles as the primary use, typically including individual RV pads, utility connections, and infrastructure that supports a higher level of occupancy and longer stays. In contrast, a campground is intended to provide a broader range of recreational camping opportunities, including tents, camping vehicles, and recreational vehicles, typically without utility hook-ups and with a lower overall level of infrastructure.

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Based on the supplemental testimony, the applicant has clarified several key elements of the proposal:

- The proposed use will not include water or sewer hook-ups to individual sites;
- The previously proposed caretaker dwelling has been removed from the application;
- The campground is intended to accommodate a mix of camping types, including tents, trailers, and recreational vehicles;
- The use is designed to support short-term recreational occupancy associated with the Oregon Dunes National Recreation Area;
- The proposal relies on portable sanitation facilities rather than centralized infrastructure, reflecting a lower intensity of development.

Additionally, the applicant explains that the presence of recreational vehicles on-site is incidental to the recreational use of the dunes, rather than the defining characteristic of the development. The site is intended to function as a staging area for recreational users, rather than as a fully serviced destination RV facility.

While the site plan includes defined camping areas and organized circulation, these features alone do not establish the use as a recreational vehicle park. The absence of utility connections, the inclusion of group and flexible camping areas, and the overall lack of infrastructure typically associated with RV parks indicate a lower intensity use more consistent with a campground.

Furthermore, the subject property's physical constraints, including limited area for septic development and lack of feasible utility connections, inherently limit the ability to develop the site as a full-service recreational vehicle park. The proposal, as revised, aligns with those constraints by maintaining a low-impact, reduced infrastructure camping model.

Based on the amended application, supplemental testimony, and the totality of the record, the Planning Commission finds that the proposed use is most appropriately classified as a Private Campground. The proposal does not demonstrate the level of infrastructure, utility service, or intensity necessary to be considered a Recreational Vehicle Park, and instead reflects a lower-intensity recreational use consistent with the definition and intent of a campground.

<b>ZONING PURPOSE: SECTION 4.2.300 COMMERCIAL AND INDUSTRIAL</b>
--

**COMMERCIAL (C-1)**

*The intent of the Commercial designation is primarily for urban growth areas, but it is also appropriate for application in rural areas where commercial uses are already established (i.e., "committed" to commercial development). Limited infilling is allowed.*

*The purpose of the "C-1" district is:*

*To provide for needed commercial retail and service opportunities within urban growth Boundaries. To recognize existing commercial uses outside Urban Growth Boundaries.*

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*For the purpose of this ordinance small-scale, low impact commercial use is one which takes place in an urban unincorporated community in a building or buildings not exceeding 8,000 square feet of floor space, or in any other type of unincorporated community in a building or buildings not exceeding 4, 000 square feet of floor space.*

*Only the following new Commercial Uses in unincorporated communities:*

- (a) Uses authorized under Oregon Statewide Planning Goals 3 and 4;*
- (b) Small-scale, low impact uses; and*
- (c) Uses intended to serve the community and surrounding rural area or the travel needs of people passing through the area. OAR-660-022-0030(4)*

## **PUBLIC HEARING:**

The time and place for the Coos County Planning Commission to review this matter in a public hearing is March 5, 2026, at 7:00 P.M. in the Owen Building, 201 N. Adams Street, Coquille Oregon

- i. Notice Requirement:** This application requires a public hearing with a 20-day notice to all adjacent property owners and required parties under CCZLDO Section 5.0.900.1 Notice of Public Hearing.
- ii. REVIEW PERIOD:** This application was originally submitted on December 29, 2025. Pursuant to ORS 215.427 this application is subject to a 150-day timeline for review.

The application was circulated to affected agencies and interested parties. The following summarizes comments received:

## **AGENCY AND PUBLIC COMMENTS**

### ➤ **Oregon Department of State Lands (DSL)**

The Department of State Lands issued a notice indicating that unauthorized fill activity may have occurred within or near a wetland on the subject property and requested that the applicant cease any regulated activity until jurisdiction can be determined.

Subsequent coordination and review under the Wetland Land Use Notice Response indicate that:

- Wetlands are present on or near the property;
- The proposed development, as currently designed, avoids direct impacts to mapped wetlands through setbacks;
- A Removal-Fill permit is not required at this time, provided impacts are avoided.

### ➤ **Tribal Comments**

The Coquille Indian Tribe (THPO) responded and indicated that they are deferring to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians for formal comment.

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They requested:

- Notification if archaeological resources or human remains are encountered, and
- The opportunity to review any future mitigation measures.

No additional tribal comments were received at the time of this report.

➤ **Siuslaw National Forest (U.S. Forest Service)**

The Forest Service provided several comments related to adjacent federal lands:

- Encroachment: Past development activities, including structures and grading, were identified as encroaching onto National Forest lands. The applicant has been previously directed to remove these encroachments.
- Stormwater/Runoff: Existing drainage patterns from the site are impacting Forest Service roads and may cause erosion or infrastructure damage.
- Access and Easements: Sandy Way includes a federal easement, and future development may be subject to maintenance obligations and restrictions.
- Use of Federal Lands: Any use of National Forest lands for access, utilities, or recreation-related services requires separate federal authorization.

➤ **Coos County Roadmaster**

The Roadmaster provided comments identifying several deficiencies in the original submittal, including:

- Lack of detailed site plan dimensions (parking, circulation, spacing, etc.);
- Incomplete information regarding access, pedestrian circulation, and internal layout;
- Questions regarding traffic impacts and road design.

Based on the revised information, the Roadmaster has determined that a Traffic Impact Analysis (TIA) will be required to evaluate access and transportation impacts.

## **COMMENTS SUMMARY**

Agency comments generally focus on:

- Wetland protection and potential prior fill activity (DSL);
- Cultural resource coordination (Tribal);
- Encroachment, drainage, and federal land interface (Forest Service);
- Access, circulation, and traffic impacts (Roadmaster).

These comments can be addressed through conditions of approval and coordination with the applicable agencies at the time of development.

## **II. STAFF REPORT – WITH RECOMMENDATIONS AND PROPOSED FINDINGS**

### **SECTION 4.3.100 USES NOT LISTED AND COMPLIANCE WITH OTHER SECTIONS:**

*Development, Uses and Activities may be further restricted by Definitions, Review Standards, Development and Siting Criteria or Special Development Considerations and Overlays. If a use is not listed then it is prohibited unless a similar use determination is made pursuant to Article*

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5.14 or it is found to exempt from review pursuant to Section 1.1.800 Exclusions from Permit Requirements.

No structure shall be erected, converted enlarged, reconstructed, replaced, or altered, nor shall any structure or use be changed, except in accordance with the provisions of the CCZLDO. Certain uses, activities, structures or developments have been excluded from requiring a permit which is under Section 1.1.800 of the CCZLDO.

## **SECTION 4.3.200 ZONING TABLES FOR URBAN AND RURAL RESIDENTIAL, MIXED COMMERCIAL-RESIDENTIAL, COMMERCIAL, INDUSTRIAL, MINOR ESTUARY AND SOUTH SLOUGH**

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

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

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

The zoning table sets out Uses, Developments and Activities that may be listed in a zone and the type of review that is required within that zone. If there is a conflict between uses the more restrictive shall apply. Section 4.3.210 provides an explanation of the use category and the specific criteria that shall apply and if the use is identified as requiring a conditional use. Section 4.3.225 General Siting Standards apply to all regulated Uses, Developments, or Activities, but these are clear and objective standards that do not, in themselves, require a land

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use notice. Section 4.3.230 Specific Standards list specific siting standards by zones and 4.2.200 Additional Conditional Use Review and Standards for table 4.3.200 contains any additional criteria that applied to a Use, Development or Activity that has been identified by the following table as requiring.

	<i>Use</i>	<i>Zone</i>	<i>Subject To</i>
#118	Private parks and Campgrounds	C-1	(67)

**(67) PRIVATE PARKS, CAMPGROUNDS OR TRAILS -**

- a. For the purpose of this section a campground is an area devoted to overnight temporary use for vacation, recreational or emergency purposes, but not for residential purposes:
  - i. Is established on a site or is contiguous to lands with park or other outdoor natural amenity that is accessible for recreational use by the occupants of the campground; or
  - ii. Located on properties with at least 80 acres and more than three miles from an Urban Growth Boundary as described in ORS 197.732.
- b. Shall not exceed 15 campsites per acre. The park shall reserve 30% of the overall acreage for open space or 10 acres, whichever is smaller. The open space shall be known as the common area and may contain facilities (structural and nonstructural) designated to serve as accessory. Developed recreational uses such as swimming pools, tennis courts, retail stores or gas stations may be located on exception land located in the common area as long as they meet the definition of accessory use.
- c. Overnight temporary use in the same campground by a camper or camper’s vehicle shall not exceed a total of 30 days during any consecutive 6 month period. Registration shall be maintained to prove compliance with this requirement. No person shall receive mail at the site with the exception of the camp host, property owner, or watchman. The park may only have one camp host or care taker per 30 spaces. If an exception to Goal 11 has been taken to extend public services to the property or the property is served by public services (water and sewer) then ORS 197.493 prohibits placement or occupancy restriction, including any time limitation. Outside of an Urban Growth Boundary time limits may be applied.
- d. Campsites may be occupied by a tent, travel trailer or recreational vehicle.
- e. No public services (sewer and water) shall be provided to the individual site in the campground if it is located outside of an Urban Growth Boundary with the exception of electrical hookups. On site sanitation and water may be provided to the property owner’s residence, caretaker or park host.
- f. A private campground may provide yurts for overnight camping.
  - i. No more than one-third or a maximum of 10 campsites, whichever is smaller, may include a yurt.
  - ii. The yurt shall be located on the ground or on a wood floor with no permanent foundation.



- iii. *As used in this rule, “yurt” means a round, domed shelter of cloth or canvas on a collapsible frame with no plumbing, sewage disposal hook-up or internal cooking appliance.*
  - g. *If the exterior of a campground abuts a public road then screening shall be used.*  
*Landscaping and Design:*
    - i. *The landscape shall be such to minimize soil erosion and lessen the visual impact. Every Park shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planting along all boundaries of the park site abutting public roads or property lines that are common to other owners of property, except for points of ingress and egress. All open areas or common areas shall be landscaped. Landscaping shall consist of lawns and/or ornamental plantings;*
    - ii. *Any grade changes shall be in keeping with the general appearance of neighboring developed areas.*
    - iii. *The site shall be sloped to allow for proper surface drainage; however, surface waters shall not drain in a manner that would adversely affect neighboring properties, the public storm drainage system, or create environmental problems.*
    - iv. *Exposed storage areas, service areas, utility buildings and structures, and similar accessory areas and structures shall be subject to such setbacks, screen plantings, or other screening methods as shall be reasonably required to prevent their being incompatible with the existing or contemplated environment and the surrounding properties.*
  - h. *Road and parking standards of Chapter VII shall apply.*
  - i. *The plot plan for the RV Park shall provide for safe and sanitary accumulation, collection, transportation, storage and disposal, including resource recovery of wastes and solid wastes. Trash receptacles shall be provided at the minimum of one for every five spaces. The trash may be stored in an enclosed area until disposed of through a solid waste company or being hauled to a lawful transfer/landfill disposal site. Waste shall be removed from the site at least every 30 days. If the property owner chooses to haul the solid waste to a disposal facility receipt may be required to prove continued compliance with this subsection. Solid waste management shall not conflict with the requirements of Coos County Code Article Seven.*
  - j. *Sanitation facilities, including toilet, lavatory, and bathing facilities shall be required. The sanitary system shall comply with Oregon State Building Codes, Oregon Health Authority or any other health and safety regulatory agency. A water supply shall be provided to the sanitation facility and may be provided to each RV site but sewer shall not be provided to individual RV sites unless an exception is taken to Statewide Planning Goal 11 or the property is located within the Urban Growth Boundary. The camp host or caretaker may be hook to the sanitation system.*

- k. *A dwelling may be constructed for the property owner, camp host or caretaker to reside. This shall not be a rental unit and shall not count as part of the 30% of open space required.*
- l. *Fires will be permitted only in facilities which have been provided for such purposes or where open fires are allowed.*
  - i. *Fireplaces, fire pits, charcoal braziers, wood burning stoves or other cooking facilities shall be located, constructed, maintained and used to minimize fire hazard and smoke nuisance in the campground and the neighboring properties.*
  - ii. *Trees and other vegetation should be removed around area designated for fires or outdoor cooking to minimize fire hazards.*
  - iii. *Fire extinguishers shall be provided at the campground in areas that allow for ease access.*
  - iv. *Request for comments will be sent to the fire district in which the property is located within to allow for comments to ensure that fire danger is minimized.*
  - v. *Individual fires pits located at individual sites are prohibited in areas subject inventoried wildfire hazard.*
- m. *Non-motorized recreational trails located on land owned or maintained by the federal government, the State of Oregon, an Oregon municipal corporation, or other Unit of Local Government, as that term is defined in ORS 190.003, but not including any public utility, for public use or any recreational activity identified in the recreational master plan portion of the Coos County Comprehensive Plan.*

**STAFF SUMMARY AND ANALYSIS: The applicant has applied for approval of a private campground and submitted written findings addressing the applicable criteria of the Coos County Zoning and Land Development Ordinance (CCZLDO). The application was originally reviewed with concern that the use may more closely resemble a Recreational Vehicle Park based on the initial site layout, proposed amenities, and earlier supporting materials. Following the continuance of the public hearing, the applicant submitted supplemental testimony and revised information clarifying the intended use, site layout, and level of infrastructure proposed.**

**Based on the amended submittal, the Planning Commission may find that the proposal is more appropriately reviewed as a Private Campground under CCZLDO Section 4.3.210(67). The applicant has clarified that the campground is intended for temporary recreational use associated with the Oregon Dunes National Recreation Area and that the use will accommodate tents, travel trailers, camping vehicles, and recreational vehicles. The Planning Commission may further find that recreational vehicles are not the defining use of the site, but rather one type of temporary accommodation anticipated due to the nature of dune recreation and the types of vehicles commonly used by visitors to the area. Because the ordinance expressly provides that campsites may be occupied by a tent, travel trailer, or recreational vehicle, the Planning Commission could find that the presence of**



recreational vehicles does not, by itself, require the use to be classified as a Recreational Vehicle Park.

The Planning Commission may find that the subject property is located adjacent to lands with an outdoor recreational amenity accessible to campground users. The Oregon Dunes National Recreation Area provides a significant recreational resource, particularly for off-highway vehicle use, camping, and related outdoor activities. The applicant's testimony indicates that the proposed campground is intended to serve users of this recreational area, and the Planning Commission could find that the site's proximity to the dunes satisfies the location requirement under CCZLDO Section 4.3.210(67)(a).

The Planning Commission may find that the amended site plan identifies individual campsites and group camping areas, including Campsite A, Campsite B, and Campsite C, as well as open space, restroom locations, trash facilities, parking, and internal circulation. The plan identifies 22 individual sites and three group camping areas, for a total of 25 campsite areas on a 3.80-acre parcel. Based on the maximum density of 15 campsites per acre, the Planning Commission could find that the proposed number of campsites complies with the density limitation of CCZLDO Section 4.3.210(67)(b). The Planning Commission may further find that the identified open space areas, including sand open space and common areas, are intended to satisfy the 30 percent open space requirement.

The Planning Commission may find that the applicant has withdrawn the previously proposed dwelling due to the lack of water and sewer availability and the uncertainty of obtaining an easement on adjoining property for water or septic services. The Planning Commission could find that this revision reduces the overall intensity of the proposal and removes an element that previously contributed to the appearance of a more intensive recreational vehicle park or commercial use.

The Planning Commission may find that the proposal does not include sewer or water service to individual campsites. CCZLDO Section 4.3.210(67)(e) prohibits public sewer and water service to individual campground sites outside an Urban Growth Boundary, except for electrical hookups. The Planning Commission could find that the absence of individual water and sewer hookups supports the classification of the use as a lower-intensity campground rather than a full-service Recreational Vehicle Park.

The Planning Commission may find that the proposed use is temporary in nature and may be conditioned to comply with the occupancy limitations in CCZLDO Section 4.3.210(67)(c). Overnight temporary use by a camper or camper's vehicle shall not exceed 30 days during any consecutive six-month period. The Planning Commission could find that requiring registration records will ensure compliance with this requirement and that, because the site is located outside an Urban Growth Boundary and is not served by public sewer and water, application of the time limitation is appropriate.

**The Planning Commission may find that the applicant is not proposing yurts as part of this application; therefore, the provisions of CCZLDO Section 4.3.210(67)(f) do not apply. The Planning Commission could find that any future proposal to include yurts would require separate review for compliance with applicable standards.**

**The Planning Commission may find that the site is subject to landscaping, screening, erosion control, and drainage requirements. The applicant has indicated that traditional fencing may not be appropriate due to dune conditions and sand movement and has instead proposed vegetative stabilization and screening, including dune grass or similar plantings. The Planning Commission could find that alternative screening methods may be appropriate given the physical characteristics of the site, provided that a final landscaping and erosion control plan demonstrates stabilization of disturbed areas and minimizes visual and environmental impacts.**

**The Planning Commission may find that Chapter VII road and parking standards apply. The Roadmaster identified deficiencies in the original submittal and has since indicated that a Traffic Impact Analysis is required. The Planning Commission could find that these issues do not preclude approval but must be addressed through conditions requiring Roadmaster approval, completion of a Traffic Impact Analysis, and final access and circulation plans prior to development.**


**The Planning Commission may find that solid waste management is required and that the applicant has identified a general location for waste collection. The Planning Commission could find that compliance can be achieved through conditions requiring a solid waste management plan, identification of waste collection areas on the final site plan, and regular removal of waste to prevent nuisance or environmental impacts.**

**The Planning Commission may find that the applicant requests a variance from the requirement to provide permanent sanitation facilities and proposes the use of portable sanitation facilities maintained through a contracted service provider. The Planning Commission could find that the feasibility of on-site septic development is constrained by topography, slope setbacks, limited suitable area, and conflicts with open space and recreational safety, and that no feasible off-site alternative is available. The Planning Commission may find that the sanitation issue is more appropriately addressed through the variance analysis, while recognizing that sanitation facilities must be provided and maintained in compliance with applicable health and safety standards.**

**The Planning Commission may find that the proposal does not include a dwelling for the property owner, camp host, or caretaker. The Planning Commission could find that any future proposal for such a dwelling would require review for compliance with applicable standards, including limitations on occupancy and sanitation connections.**

**The Planning Commission may find that fire safety requirements apply and that fires shall be permitted only in designated areas or facilities designed to minimize fire hazards. The**

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**Planning Commission could find that compliance with applicable fire district requirements and seasonal fire restrictions will ensure protection of public safety.**

**Based on the amended submittal and the totality of the record, the Planning Commission may find that the proposal can comply with CCZLDO Section 4.3.210(67), subject to conditions of approval. The Planning Commission could find that the use is rural commercial recreational in nature, is located adjacent to a significant outdoor recreational amenity, does not include individual water or sewer hookups, provides a mix of individual and group camping areas, and is designed to function as a lower-intensity campground rather than a full-service Recreational Vehicle Park. Final compliance with road, drainage, sanitation, solid waste, landscaping, and operational standards may be required prior to issuance of Zoning Compliance and prior to operation of the campground.**

### **SECTION 4.3.220 ADDITIONAL CONDITIONAL USE REVIEW STANDARDS**

*for uses, development and activities listed in table 4.3.200*

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

*(5) **COMMERCIAL (C-1)** - The following conditional use review standards apply to all USES, ACTIVITIES and DEVELOPMENT C-1 zoning district.*

*(a) **COMPATIBILITY**: The proposed USE, ACTIVITY OR DEVELOPMENT is required to demonstrate compatibility with the surrounding properties or compatibility may be made through the imposition of conditions. Compatibility means that the proposed use is capable of existing together with the surrounding uses without discord or disharmony. The test is where the proposed use is compatible with the existing surrounding uses and not potential or future uses in the surround area.*

*(b) Within the a City Urban Growth Boundary:*

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

*(c) All parks (Recreational or Residential) shall comply with the following design criteria:*

*ii. **The landscape shall minimize soil erosion. The exterior portion of the property shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planting along all boundaries of the site abutting public roads or property lines that are common to other owners of property that are zoned for residential, except for points of ingress and egress;***

*iii. **Lighting: Any lights provided to illuminate any public or private parking area shall be so arranged as to reflect the light away from any abutting or adjacent residential district or use.***

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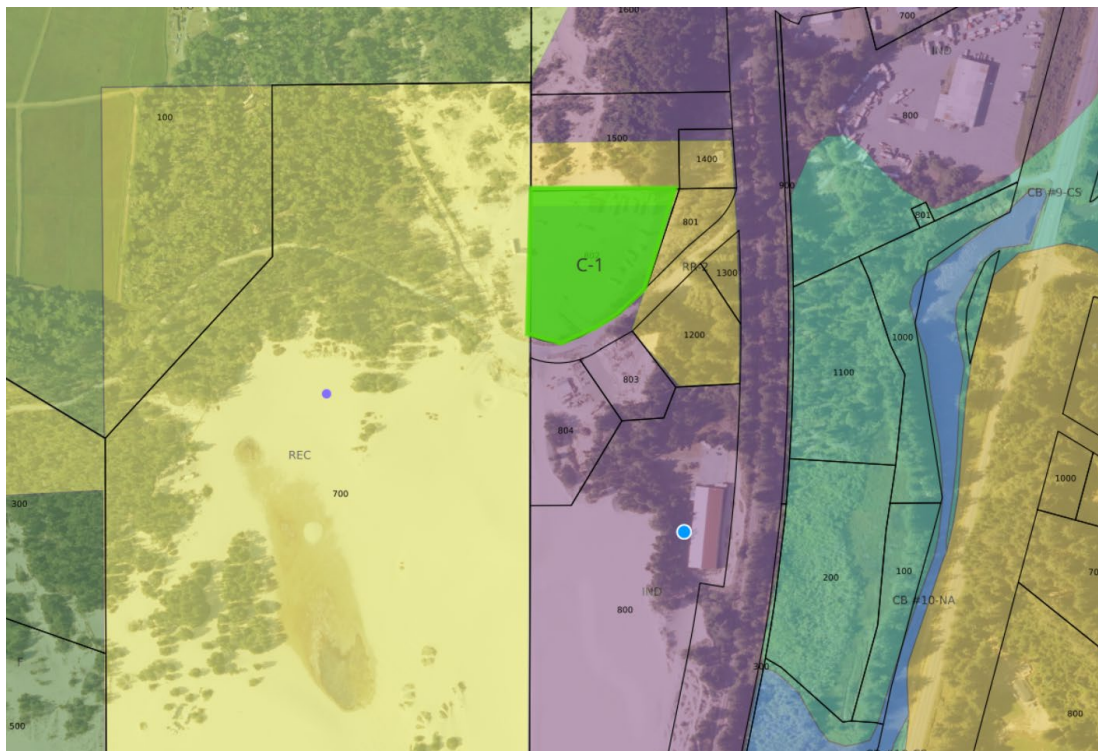


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- iv. *Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to the setbacks of the this zoning designation, screen plantings or other screening methods;*
- v. *Trash service shall be provided to the facility and the area for trash receptacle or receptacles shall be identified on the plot plan; and*
- vi. *Hours of operation may be required in areas predominantly surrounded by residential zones.*

**STAFF SUMMARY AND ANALYSIS:** The proposed campground is located within the Commercial (C-1) zoning district and is therefore subject to the conditional use review standards applicable to all uses, activities, and development within that zone. The Planning Commission may consider the amended application materials, supplemental testimony, and revised site plan in determining whether the proposal complies with these standards.

The ordinance requires that the proposed use demonstrate compatibility with surrounding properties, meaning the use is capable of existing together with surrounding uses without discord or disharmony. This evaluation is based on existing surrounding uses rather than future or potential uses.



**The subject property is bordered by a mix of residential, industrial, and recreational uses. The surrounding zoning districts and uses include:**

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- **East, North, and Southeast: Rural Residential (RR-2) zoned properties.** These areas are characterized by low-density residential development and rural residential uses.
- **South: Industrial zoning, which supports manufacturing, storage, and other industrial activities.**
- **West: Recreation zoning associated with the Oregon National Dunes Recreation Area, a regionally significant recreational resource that supports off-highway vehicle use, camping, and other outdoor recreation activities.**

**The site is located within a transitional area between the industrial corridor and the dune recreation area, with rural residential development to the north and east.**

**Based on the revised materials, the Planning Commission may find that the applicant has provided additional context regarding the surrounding area, which is characterized by a mix of recreational, industrial, and publicly owned lands, including adjacent Forest Service lands associated with the Oregon Dunes National Recreation Area. The Planning Commission could find that the proposed use is intended to serve recreational users of the dunes and is consistent with the established recreational character of the area.**

**The Planning Commission may find that the applicant has clarified that the proposal is a low-intensity private campground, rather than a fully developed recreational vehicle park. The campground will not include water or sewer hookups to individual sites and will rely on portable sanitation facilities. The Planning Commission could find that this reduces the overall intensity of use, duration of stays, and infrastructure demands when compared to a more intensive recreational vehicle park.**

**The Planning Commission may find that traffic associated with the campground is anticipated to be relatively low in frequency, as users typically arrive, remain on-site for recreational purposes, and depart at the end of their stay. The Planning Commission could find that the surrounding area already experiences significant off-highway vehicle activity associated with dune recreation, which may be greater in intensity than the proposed campground use.**

**The Planning Commission may find that the site is not readily visible from surrounding properties due to elevation differences and intervening dune topography and vegetation, which may reduce visual impacts. The Planning Commission could find that the applicant has proposed vegetative stabilization and screening measures appropriate to the dune environment, such as beach grass plantings, rather than rigid fencing that may fail due to sand movement.**

**Based on the revised record, the Planning Commission may find that the proposed campground, as conditioned, is capable of coexisting with surrounding uses without creating significant conflict and may therefore meet the compatibility standard.**

**The Planning Commission may find that the signage criterion applies only within the City of Bandon Urban Growth Boundary and that the subject property is not located within that boundary; therefore, this standard does not apply.**

**The Planning Commission may find that the C-1 zoning district requires recreational parks to comply with specific design criteria, including landscaping, screening, lighting, drainage, and waste management.**

**The Planning Commission may find that the applicant has addressed the unique dune environment and identified that traditional fencing is not appropriate due to sand movement and slope instability. The Planning Commission could find that the proposed use of vegetative stabilization methods, including beach grass or similar plantings, may serve both erosion control and screening functions appropriate to the site.**

**The Planning Commission may find that, while this approach appears appropriate given the site conditions, additional detail is necessary to ensure compliance. The Planning Commission could require a condition of approval for a final landscaping and erosion control plan demonstrating stabilization of disturbed areas, control of windblown sand and erosion, and visual buffering along property boundaries where feasible.**

**The Planning Commission may find that the subject property is bordered by a mix of rural residential, industrial, and recreational uses. The Planning Commission could find that the property functions as a transitional area between the industrial uses to the south and the recreational lands to the west, with rural residential properties located to the north and east.**

**The Planning Commission may find that the proposed campground is recreational in nature and is intended to serve visitors to the Oregon Dunes National Recreation Area, and that such uses are commonly located near natural amenities. The Planning Commission could find that the proximity of the site to public recreational land supports the proposed use and provides a logical connection between the commercial zoning designation and the recreational function of the surrounding area.**

**The Planning Commission may find that the presence of industrial zoning to the south indicates that the area is already subject to higher levels of activity, noise, and traffic than typical rural residential areas, which may reduce the likelihood of incompatibility when compared to industrial uses.**

**The Planning Commission may find that the surrounding rural residential properties to the north, east, and southeast represent the primary compatibility consideration. The Planning Commission could find that potential impacts, including traffic, off-highway vehicle activity, noise, dust, lighting, and visual impacts, may be mitigated through**

conditions of approval addressing operational management, erosion control, screening, and site design.

The Planning Commission may find that the dune environment presents unique conditions, including wind, sand movement, and limited vegetation, which may increase the potential for dust and visual impacts. The Planning Commission could find that appropriate buffering, stabilization, and operational controls may ensure compatibility with surrounding uses.

Based on the amended application materials and supplemental testimony, the Planning Commission may find that the proposal has sufficiently addressed the additional conditional use review standards of the Commercial (C-1) zoning district. The Planning Commission could find that, while certain design elements require additional detail, those elements may be adequately addressed through conditions of approval to ensure compliance with applicable standards.

### SECTION 4.3.225 GENERAL SITING STANDARDS

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

- (1) *Agricultural and Forest Covenant - Any applicant for a dwelling permit adjacent to a Forest or Exclusive Farm Zone shall sign a statement on the Compliance Determination or Zoning Clearance Letter acknowledging that: "the normal intensive management practices occurring on adjacent resource land will not conflict with the rural residential landowner's enjoyment of his or her property.*
- (2) *Fences, Hedges, and Walls: No requirement, but vision clearance provisions of Section 7.1.525 apply.*
- (3) *Limitation on uses of manufactured dwellings/structures for commercial purposes pursuant to ORS 466 et seq. Manufactured dwellings shall not be used for commercial purposes except:*
  - (a) *Where use of the manufactured dwelling for commercial purposes is authorized by the Building Codes Agency.*
  - (b) *Where used as a temporary sales office for manufactured structures; or*
  - (c) *As part of an approved home occupation. [OR-92-07-012PL]*
- (4) *New lots or parcels - Creation of lots or parcels, unless it meets the circumstances of § 5.6.130, shall meet the street frontage, lot width, lot depth and lot size. Minimum road frontage/lot width shall be met unless waived by the Planning Director in consultation with the County Surveyor and County Roadmaster due to creating an unsafe or irregular configuration:*
  - (a) *Minimum Street frontage should be at least 30 feet; and*
  - (b) *Minimum lot width and Minimum lot depth is 50 feet.*

*Minimum parcel/lot size cannot be waived or varied unless otherwise provided by a specific zoning regulation. Tax lot creation and consolidations do not change the legally created status of a lot or parcel.*
- (5) *Parking - Off-street access, parking and loading requirements per Chapter VII apply.*

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(6) Riparian -

(a) Riparian vegetation setback within 50 feet of a estuarine wetland, stream, lake or river, as identified on the Coastal Shoreland and Fish and Wildlife habitat inventory maps, shall be maintained except:

- i. Trees certified as posing an erosion or safety hazard. Property owner is responsible for ensuring compliance with all local, state and federal agencies for the removal of the tree.
- ii. Riparian vegetation may be removed to provide direct access for a water-dependent use if it is a listed permitted within the zoning district;
- iii. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures;
- iv. Riparian vegetation may be removed to facilitate stream or stream bank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan;
- v. Riparian vegetation may be removed in order to site or properly maintain public utilities and road right-of-ways;
- vi. Riparian vegetation may be removed in conjunction with existing agricultural operations (e.g., to site or maintain irrigation pumps, to limit encroaching brush, to allow harvesting farm crops customarily grown within riparian corridors, etc.) provided that such vegetation removal does not encroach further into the vegetation buffer except as needed to provide an access to the water to site or maintain irrigation pumps; or
- vii. The 50 foot riparian vegetation setback shall not apply in any instance where an existing structure was lawfully established and an addition or alteration to said structure is to be sited not closer to the estuarine wetland, stream, lake, or river than the existing structure and said addition or alteration is not more than 100% of the size of the existing structure's "footprint".

(b) Riparian removal within the Coastal Shoreland Boundary requires an Administrative Conditional Use application and review. See Special Development Considerations Coastal Shoreland Boundary.

(c) The 50' measurement shall be taken from the closest point of the ordinary high water mark to the structure using a right angle from the ordinary high water mark.

(7) Setbacks:

(a) All Development with the exception of fences shall be set back a minimum of thirty-five (35) feet from any road right-of-way centerline, or five (5) feet from the right-of-way line, whichever is greater. This setback may be greater under specific zoning siting requirements.

(b) Firebreak Setback - New or replacement dwellings on lots, parcels or tracts abutting the "Forest" zone shall establish and maintain a firebreak, for a distance of at least 30 feet in all directions. Vegetation within this firebreak may include mowed grasses, low shrubs (less than ground floor window height), and trees that are spaced with more than 15 feet between the crowns and pruned to



*remove dead and low (less than 8 feet from the ground) branches. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.*

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

**STAFF SUMMARY AND ANALYSIS: All new uses, activities, and development are subject to the general siting standards of Section 4.3.225 of the Coos County Zoning and Land Development Ordinance. Staff reviewed the submitted narrative, site plan, and supporting documentation for compliance with these standards.**

**(1) Agricultural and Forest Covenant**

**This standard applies when a dwelling permit is requested adjacent to Exclusive Farm or Forest zoning. The subject property is zoned Commercial (C-1) and is not adjacent to Exclusive Farm or Forest zones. Therefore, this criterion does not apply to the proposed campground and no covenant is required.**

**(2) Fences, Hedges, and Walls**

**There are no specific requirements under this section; however, vision clearance provisions of Section 7.1.525 apply. The applicant has not provided detailed fencing or screening plans; however, this standard may be addressed through final site plan review and applicable conditions of approval. The Planning Commission can find that this standard can be met, subject to compliance with vision clearance requirements.**

**(3) Limitation on Use of Manufactured Dwellings for Commercial Purposes**

**The proposal does not include the use of manufactured dwellings for commercial purposes. The applicant has not proposed manufactured structures except for potential accessory or caretaker uses, which would be reviewed separately under building and zoning requirements. The Planning Commission can find that this criterion does not apply to the proposed development at this time.**

**(4) New Lots or Parcels**

**The proposal does not involve the creation of new parcels or lot line adjustments. The subject property is an existing legally created parcel. Therefore, the standards related to street frontage, lot width, and depth do not apply. The Planning Commission can find that this criterion does not apply.**

**(5) Parking**

**Off-street access, parking, and loading requirements of Chapter VII apply. The applicant**

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has provided a conceptual circulation and parking layout. Final compliance will be determined through review of detailed plans and consultation with the County Roadmaster. The Planning Commission can find that this criterion can be met, subject to compliance with Chapter VII and approval of a final site plan.

**(6) Riparian**

The subject property is not located adjacent to an estuarine wetland, stream, lake, or river as identified on the applicable inventory maps. Based on available mapping and site information, the riparian vegetation setback does not apply. The Planning Commission can find that this criterion does not apply.

**(7) Setbacks**

The ordinance requires a minimum setback of 35 feet from the road right-of-way centerline or five feet from the right-of-way line, whichever is greater. The submitted site plan indicates that development will occur within the interior of the property and outside of the required setback area. Final verification of setbacks will occur at the time of site plan and building permit review. The Planning Commission can find that this criterion can be met, subject to final plan review. The firebreak setback requirement applies only to new or replacement dwellings adjacent to Forest zoning. The proposal does not include dwellings adjacent to Forest zoning. Therefore, this requirement does not apply.

**(8) Outdoor Storage in Residential Zones**

The subject property is zoned Commercial (C-1), and this section applies only to residential zoning districts. Therefore, this criterion does not apply.

Therefore, The Planning Commission may find that most of the General Siting Standards either do not apply to the proposed campground or can be met through final site plan review and compliance with applicable building, parking, and vision clearance requirements. No significant conflicts with Section 4.3.225 have been identified. However, final compliance with fencing, vision clearance, setbacks, and parking standards will be verified during detailed site plan and permit review. Conditions of approval may be applied to ensure compliance, but the prior proposed conditions capture the required information to ensure the general siting standards can be met.

**SECTION 4.3.230 ADDITIONAL SITING STANDARDS**

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

- (5) **COMMERCIAL (C-1)** - *The following siting standards apply to all USES, ACTIVITIES and DEVELOPMENT C-1 zoning district.*
  - a. *Minimum lot/parcel size* – None but general dimension requirements apply.
  - b. *Setback* - Front, side and rear setbacks are 5 feet from abutting properties that are zoned Controlled Development or residential zoning districts.

- c. Building Height - sites abutting a residential or controlled development zone shall have a max height of 35 feet plus one (1) additional foot in height for each foot of setback exceeding 5 feet (i.e. if the setback is 10 feet, the maximum building height would be 40 feet). However, spires, towers, domes, steeples, flag poles, antennae, chimneys, solar collectors, smokestacks, ventilators or other similar objects may be erected above the prescribed height limitations, provided no usable floor space above the height limits is thereby added. Such over height object shall not be used for advertising of any kind.
- d. Density or Size limits - Commercial structures shall be small-scale, low impact commercial use and be subject to the following building size limits:
  - i. No size limits inside urban growth boundary;
  - ii. For building or buildings located within an Unincorporated Community Boundary as adopted by the Coos County Comprehensive Plan Volume 1 Part 2 § 5.5 the following square foot requirements apply:
    - 1. Urban Unincorporated Community shall not exceed 8,000 square feet of floor space; or
    - 2. Rural Unincorporated Community shall not exceed 4,000 square feet of floor space.
- e. Design Standards:
  - i. The landscape shall minimize soil erosion. The exterior portion of the property shall provide an ornamental, sight-obscuring fence, wall, evergreen or other suitable screening/planting along all boundaries of the site abutting public roads or property lines that are common to other owners of property that are zoned for residential, except for points of ingress and egress;
  - ii. Lighting: Any lights provided to illuminate any public or private parking area shall be so arranged as to reflect the light away from any abutting or adjacent residential district or use.
  - iii. Exposed storage areas, service areas, utility buildings and structures and similar accessory areas and structures shall be subject to the setbacks of the this zoning designation, screen plantings or other screening methods;
  - iv. Trash service shall be provided to the facility and the area for trash receptacle or receptacles shall be identified on the plot plan; and
  - v. Hours of operation may be required in areas predominantly surrounded by residential zones.

**STAFF SUMMARY AND ANALYSIS: The proposed private campground is located within the Commercial (C-1) zoning district and is therefore subject to the additional siting standards of Section 4.3.230. The Planning Commission may consider the submitted**

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narrative, site plan, and supporting materials in determining whether the proposal complies with these standards.

**(a) Minimum Lot or Parcel Size**

The Planning Commission may find that the C-1 zoning district does not establish a minimum lot or parcel size, provided general dimensional standards are met. The subject property is an existing legally created parcel. Therefore, the Planning Commission could find that this standard is satisfied.

**(b) Setbacks**

The Planning Commission may find that the ordinance requires a minimum setback of five (5) feet from abutting properties that are zoned residential or Controlled Development. The subject property abuts Rural Residential (RR-2) zoning to the east, north, and southeast. The Planning Commission may find that the submitted site plan generally indicates that primary development areas are located within the interior of the property. However, the Planning Commission could find that the site plan does not provide sufficient detail to confirm compliance with the five-foot setback requirement for all proposed structures, campsites, accessory facilities, and screening improvements. The Planning Commission may find that this criterion can be met, subject to conditions of approval requiring submission of a detailed site plan demonstrating all structures, campsite improvements, sanitation facilities, and screening elements in relation to property lines.

**(c) Building Height**

The Planning Commission may find that the ordinance establishes a maximum building height of thirty-five (35) feet for sites abutting residential or Controlled Development zoning districts, with an allowance for additional height where setbacks exceed five feet. The Planning Commission may find that the proposed campground includes accessory structures such as sanitation facilities and potential future structures associated with campground operations. The Planning Commission could find that the application does not include detailed building elevations or height information. The Planning Commission may find that this standard can be met, subject to verification at the time of building permit review and demonstration that any structures located adjacent to RR-2 properties comply with applicable height and setback provisions.

**(d) Density or Size Limits**

The Planning Commission may find that commercial structures in unincorporated areas are limited in size. The Planning Commission could find that the proposal does not include large commercial buildings and that the anticipated accessory structures associated with campground operations are expected to be small in scale and consistent with the low-impact intent of the zoning district. The Planning Commission may find that this standard can be met, with final verification of building size occurring at the time of building permit review.

### **(e) Design Standards**

The Planning Commission may find that the ordinance requires landscaping to minimize soil erosion and screening along boundaries adjacent to public roads and residential zoning. The Planning Commission may find that the applicant has acknowledged the dune environment and sandy soils but has not provided a detailed landscaping or erosion control plan or clearly identified screening along boundaries adjacent to RR-2 properties. The Planning Commission may find that the applicant has identified that traditional fencing is not appropriate due to sand movement and slope instability and has instead proposed vegetative stabilization methods, including beach grass and similar plantings, which may serve both erosion control and screening functions appropriate to the dune environment. The Planning Commission could find that this approach is appropriate given the site conditions; however, additional detail is necessary to ensure compliance. The Planning Commission may require, as a condition of approval, a final landscaping and erosion control plan demonstrating stabilization of disturbed areas, control of windblown sand and erosion, and visual buffering along property boundaries where feasible.

Therefore, Planning Commission may find that the proposal generally complies with the dimensional and building size standards of the Commercial (C-1) zoning district. The Planning Commission could find that, while certain design and siting elements require additional detail, those elements may be adequately addressed through conditions of approval to ensure compliance with applicable standards and compatibility with adjacent residential uses.

## **ARTICLE 4.11 SPECIAL DEVELOPMENT CONSIDERATIONS AND OVERLAYS**

### **SECTION 4.11.100 PURPOSE:**

*The purpose of this Article is to prescribe special regulations for the use and development of lands situated within resource or hazard areas identified on the Plan Maps for Volume I (Balance of County<sup>1</sup>).*

### **SECTION 4.11.110 PRIORITY OF RESTRICTIONS:**

*When the restrictions imposed by the provisions of an overlay or special development consideration pertaining to a property is found to be in conflict with the primary zone the more restrictive provisions shall govern.*

### **4.11.128 HISTORICAL, CULTURAL AND ARCHAEOLOGICAL RESOURCES, NATURAL AREAS AND WILDERNESS (BALANCE OF COUNTY POLICY 5.7)**

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<sup>1</sup> Zoning is broke up by three comprehensive plan references which included 2 estuary plans (Coos Bay and Coquille) and then the rest of the zoning referred to as the Balance of County Zoning.



*The Historical/Archeological maps have inventoried the following:*

- *Historical;*
- *Area of Archaeological Concern;*
- *Botanical; and*
- *Geological Resources.*

***Purpose Statement:***

*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 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 wide-spread 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.*

**STAFF SUMMARY AND ANALYSIS: The purpose of this section is to preserve significant historical, cultural, and archaeological resources in order to sustain the County's cultural heritage. The County inventory identifies the following categories of protected resources: historical sites, areas of archaeological concern, botanical resources, and geological resources.**

**The subject property is located within an identified Area of Archaeological Concern. Consistent with County policy, site-specific information regarding archaeological resources is not publicly disclosed in order to protect the integrity of these resources.**

**The applicant's materials do not include a detailed cultural resource assessment or evaluation of potential impacts to archaeological resources. However, notice of the proposed development was provided to the appropriate federally recognized Tribes with traditional or cultural ties to the area. The Coquille Indian Tribe (THPO) responded and indicated that they are deferring to the Confederated Tribes of Coos, Lower Umpqua, and Siuslaw Indians for formal comment.**

**They requested:**

- **Notification if archaeological resources or human remains are encountered, and**
- **The opportunity to review any future mitigation measures.**

**No additional tribal comments were received at the time of this report.**

**The Planning Commission may find that the proposal may be consistent with the Historical, Cultural, and Archaeological Resources standards, provided that appropriate**

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**measures are implemented to avoid or minimize impacts to unknown or previously undiscovered resources. Conditions of approval should be imposed to ensure coordination with affected Tribes and protection of archaeological resources in the event of discovery during development.**

#### **4.11.129 BEACHES AND DUNES (POLICY 5.10)**

*The Beaches and Dunes map has inventoried the following:*

- *Beaches and Dunes*
  - *Suitable for most uses; few or no constraints (Does not require a review)*
  - *Limited Suitability; special measures required for most development*
  - *Not Suitable for Residential, commercial or Industrial Structures*

#### ***Purpose Statement:***

*Coos County shall base policy decisions for dunes on the boundaries for these areas as identified on the plan map titled “Development Potential within Ocean Shorelands and Dunes” and the boundaries delineates following specific areas "Suitable", "Limited Suitability" and "Not Suitable" areas of development potential.*

- a. *Limited Suitability: “Beach and Dune Areas with Limited Development Suitability” includes all dune forms except older stabilized dunes, active foredunes, conditionally stable foredunes that are subject to ocean undercutting or wave overtopping, and interdune areas (deflation plains) subject to ocean flooding.*

*The measures prescribed in this policy are specifically required by Statewide Planning Goal #18 for the above-referenced dune forms; and that this strategy recognizes that designated mitigation sites must be protected from other uses.*

*Implementation shall occur through an Administrative Conditional Use process, which shall include submission of a site investigation report that addresses this subsection, by a qualified registered and licensed geologist or engineer.*

- i. *Coos County shall permit development within areas designated as "Beach and Dune Areas with Limited Development Suitability" only upon the establishment of findings that consider at least:*
  - a) *The type of use proposed and the adverse effects it might have on the site and adjacent areas;*
  - b) *The need for temporary and permanent stabilization programs and the planned maintenance of new and existing vegetation;*

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- c) *The need for methods for protecting the surrounding area from any adverse effects of the development; and*
  - d) *Hazards to life, public and private property, and the natural environment which may be caused by the proposed use.*
- ii. *Further, Coos County shall cooperate with affected local, state and federal agencies to protect the groundwater from drawdown, which would lead to loss of stabilizing vegetation, loss of water quality, or intrusion of saltwater into water supplies. Coos County shall cooperate with state and federal agencies in regulating the following actions in the beach and dune areas with limited development potential:*
- a) *Destruction of desirable vegetation (including inadvertent destruction by moisture loss or root damage);*
  - b) *The exposure of stable and conditionally stable areas to erosion;*
  - c) *Construction of shore structures which modify current air wave patterns leading to beach erosion; and*
  - d) *Any other development actions with potential adverse impacts.*

**STAFF SUMMARY AND ANALYSIS: The subject property is located within the Beaches and Dunes overlay and is identified on the Coos County “Development Potential within Ocean Shorelands and Dunes” map as an area of Limited Development Suitability. Development in these areas requires additional review and the submission of a site investigation report prepared by a qualified geologist or engineer. The applicant has submitted a geotechnical evaluation addressing the physical characteristics of the site, dune stability, groundwater conditions, and development constraints.**

**The geotechnical report identifies the site as consisting of stabilized and semi-stabilized dune landforms, with localized areas of active sand movement. The report indicates that the site is not located within active foredunes, conditionally stable foredunes subject to ocean undercutting, or interdune deflation plains subject to ocean flooding. Instead, the property is characterized by dune soils that are generally stable when vegetation is maintained and appropriate stabilization measures are implemented. The Planning Commission finds that the classification of the site as an area of Limited Development Suitability is appropriate and that development may occur provided that special measures are implemented to maintain dune stability and prevent adverse impacts.**

**The proposed use is a private campground consisting of temporary and seasonal recreational occupancy. This type of use is lower in intensity than permanent residential or commercial development and involves limited structural improvements. The geotechnical report identifies the primary risks associated with development as disturbance of vegetation, localized erosion, sand migration, and potential destabilization of dune features**

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**if grading or clearing is not carefully managed. The Planning Commission finds that the proposed use can be accommodated if development is designed to minimize ground disturbance, maintain vegetation, and avoid excessive grading.**

**The geotechnical analysis emphasizes the importance of preserving existing vegetation and implementing both temporary and permanent stabilization measures. Recommendations include limiting clearing, maintaining native vegetation, replanting disturbed areas, and utilizing erosion control methods to prevent sand movement. The applicant has acknowledged the dune environment and indicated that development will occur in a manner that maintains vegetation and dune stability. However, detailed stabilization and long-term maintenance plans have not been fully developed. The Planning Commission finds that this criterion can be met through conditions of approval requiring a final erosion control and landscaping plan.**

**The geotechnical report further identifies the potential for sand migration and erosion to affect adjacent properties if stabilization measures are not implemented. The report recommends minimizing grading, controlling stormwater runoff, and maintaining buffers and vegetation to prevent impacts to surrounding areas. The Planning Commission finds that, with implementation of these measures, the proposal is not expected to create significant adverse effects on adjacent properties and that compliance can be ensured through conditions requiring erosion control, vegetation protection, and ongoing maintenance.**


**The report also evaluates hazards such as dune instability, wind erosion, and groundwater conditions. It concludes that the site does not present significant hazards to life or property, provided that recommended mitigation measures are implemented. These measures include limiting structural loads, avoiding excavation in sensitive areas, and maintaining dune vegetation. The Planning Commission finds that the proposed low-intensity campground use reduces risk when compared to more intensive structural development.**

**With respect to groundwater conditions, the report indicates that groundwater levels are not expected to be significantly affected by the proposed use. The report notes that preservation of vegetation is critical to maintaining groundwater stability and preventing adverse impacts. The Planning Commission finds that this criterion can be met, subject to conditions requiring vegetation protection and erosion control measures.**

**The record indicates that an existing unlawfully sited structure is proposed to be removed. The Planning Commission can find that removal of this structure, as identified on the applicant's plan, will further reduce site impacts and improve compliance with applicable standards.**

**The Planning Commission may find that the applicant's narrative and supplemental testimony address site conditions and design considerations relevant to dune environments, including steep slopes, active sand movement, and recreational use of adjacent dune areas.**

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**The proposal has been revised to reduce development intensity, including removal of a previously proposed dwelling and avoidance of permanent wastewater infrastructure. The applicant has also identified that traditional structural screening methods are not appropriate in this environment and has proposed vegetative stabilization measures consistent with dune conditions.**

**Based on the geotechnical report and the amended application materials, the Planning Commission may find that the proposal minimizes disturbance to the dune system by limiting structural development, avoiding placement of infrastructure in sensitive areas, and utilizing low-impact design elements. The Planning Commission further finds that compliance with Beaches and Dunes overlay requirements can be achieved through conditions of approval requiring a final erosion control and landscaping plan, as well as implementation of recommended stabilization measures.**

#### 4.11.132 NATURAL HAZARDS (BALANCE OF COUNTY POLICY 5.11)

*Coos County has inventoried the following hazards:*

- *Flood Hazard*
  - *Riverine flooding*
  - *Coastal flooding*
- *Landslides and Earthquakes*
  - *Landslide Susceptibility*
  - *Liquefaction potential*
- *Tsunamis*
- *Erosion*
  - *Riverine streambank erosion*
  - *Coastal*
    - *Shoreline and headlands*
    - *Wind*
- *Wildfire*

*Purpose Statements:*

*Coos County shall regulate development in known areas potentially subject to natural disasters and hazards, so as to minimize possible risks to life and property. Coos County considers natural disasters and hazards to include river and coastal flooding, landslides, liquefaction potential due to earthquakes, fault lines, tsunamis, river bank erosion, coastal erosion along shorelines and headlands, coastal erosion due to wind, and wildfires, including those areas affected by gorse.*

*This strategy shall be implemented by enacting special protective measures through zoning and other implementing devices, designed to minimize risks to life and property associated with new development and substantial improvements. The determination of whether a property is located in one of the above referenced potentially hazardous areas shall be made by the reviewing body*

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*(Planning Director, Planning Commission, Board of Commissioners, or any designee based upon adopted inventory mapping). A specific site may not include the characteristics for which it is mapped. In these circumstances staff shall apply § 4.11.132.ii.2m.*

*b. Landslides and Earthquakes*

*Landslides: Coos County shall promote protection to life and property in areas potentially subject to landslides. New development or substantial improvements proposed in such areas shall be subject to geologic assessment review in accordance with section 4.11.150. Potential landslide areas subject to geologic assessment review shall include all lands partially or completely within “very high” landslide susceptibility areas as mapped in DOGAMI Open File Report O-16-02, “Landslide susceptibility map of Oregon.”*

*Earthquakes: Coos County shall promote protection of life and property in areas potentially subject to earthquake hazards. New development or substantial improvements in mapped areas identified as potentially subject to earthquake induced liquefaction shall be subject to a geologic assessment review as set out in this section. **Such areas shall include lands subject to “very high” and “high” liquefaction** identified in DOGAMI Open File Report O-13-06, “Ground motion, ground deformation, tsunami inundation, co-seismic subsidence, and damage potential maps for the 2012 Oregon Resilience Plan for Cascadia Subduction Zone Earthquakes.”*

*Coos County shall continue to support Building Codes to enforce any structural requirements related to landslide and earthquakes. Staff will notify Building Codes by providing a copy of the geologic assessment report with the Zoning Compliance Letter.*

*c. Tsunamis: Coos County shall promote increased resilience to a potentially catastrophic Cascadia Subduction Zone (CSZ) tsunami through the establishment of a Tsunami Hazard Overlay Zone (THO) in the Balance of County Zoning. See Sections 4.11.260-4.11.270 for the requirements of this overlay zone.*

*d. Reserved.*

*e. Erosion: Coos County shall promote protection of property from risks associated with shoreline, headland, and wind erosion and deposition hazards.*

*Coos County shall promote protection of property from risks associated with bank erosion along rivers and streams through necessary erosion-control and stabilization measures, preferring non-structural solutions when practical.*

*Any proposed structural development within a wind erosion/deposition area, within 100 feet of a designated bank erosion area, or on a parcel subject to wave attack, including all oceanfront lots, will be subject to a geologic assessment review as set out in Section 4.11.150. There is a setback of 100 feet from any rivers or streams that have been inventoried in the erosion layer. If a variance is requested, a geologic assessment will be required.*

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**STAFF SUMMARY AND ANALYSIS:** The subject property has been reviewed using adopted Coos County hazard inventory mapping. The site is mapped within the following Special Development Considerations and Hazard Overlays: Beaches and Dunes – Limited (BDL), National Wetland Inventory (NWI), Wind Erosion (NHERW), Liquefaction Potential (NHEQL), and Tsunami Hazard Overlay (NHTHO). The applicant submitted a geotechnical report addressing site conditions, dune stability, groundwater, and development constraints. Staff evaluated the proposal for compliance with Section 4.11.132.

**Beaches and Dunes – Limited (BDL)**

The property is located in an area designated as Limited Development Suitability within the Beaches and Dunes inventory. This classification indicates that development may occur if special design, stabilization, and maintenance measures are implemented. The submitted geotechnical report identifies stabilized and semi-stabilized dune landforms and concludes that the site can support low-intensity recreational development, provided vegetation is preserved and ground disturbance is minimized.

The proposed campground or recreational vehicle park is considered a low- to moderate-intensity recreational use when compared to residential or commercial structural development. The Planning Commission can find that this hazard has been evaluated and can be mitigated through adherence to the geotechnical recommendations and vegetation preservation. The structural development will need additional review.

**National Wetland Inventory (NWI)**

The property contains mapped wetlands under the National Wetland Inventory. The application materials and site plan indicate that development will be located outside of wetland areas. According to the Statewide Wetlands Inventory this is correct. Therefore, this has been addressed.



**Wind Erosion (NHERW)**

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**The site is mapped as being subject to wind erosion and deposition hazards. The geotechnical report identifies potential risks associated with vegetation removal, grading, and sand movement. The report recommends minimizing disturbance, preserving native vegetation, and implementing erosion control and stabilization measures.**

**The proposed use includes temporary and seasonal occupancy with limited permanent structures. The Planning Commission can find that wind erosion risks can be minimized through conditions requiring vegetation preservation, stabilization, and ongoing maintenance. A vegetation management plan shall be submitted to reduce the wind erosion impact.**

### **Liquefaction Potential (NHEQL)**

**The property is located within an area mapped as having potential for earthquake-induced liquefaction. The Planning Commission may find that the submitted geotechnical report evaluates subsurface conditions and groundwater and confirms that the site is mapped as having a high liquefaction hazard based on regional mapping prepared by the Oregon Department of Geology and Mineral Industries (DOGAMI). The Planning Commission could find that this designation is generally associated with loose, semi-consolidated sandy soils common to dune environments.**


**The Planning Commission may find that liquefaction occurs when saturated sandy soils are subjected to seismic shaking, causing an increase in pore water pressure that reduces soil strength and may result in ground failure, including differential settlement or lateral spreading. The Planning Commission could find that these conditions are typically associated with shallow groundwater and unconsolidated soils.**

**The Planning Commission may find that, although the site is mapped within a high liquefaction hazard area, the geotechnical report provides a site-specific evaluation indicating that groundwater conditions appear to be deeper than ten (10) feet below ground surface and that the potential effects of liquefaction may be limited under existing conditions. The Planning Commission could find that the report does not conclude that the site is outside of a high liquefaction hazard area, but instead evaluates the degree of risk and concludes that impacts may be minimal for the proposed development.**

**The Planning Commission may find that the proposed use consists of a low-intensity private campground with limited structural development, which reduces the potential risk associated with liquefaction when compared to more intensive residential or commercial uses. The Planning Commission could find that the level of development proposed would not preclude use of the property based on the identified liquefaction conditions.**

**The Planning Commission may find that, absent certification that the site is not located within a high or very high liquefaction hazard area, a geotechnical report or formal certification is typically required. The Planning Commission could find that the submitted**

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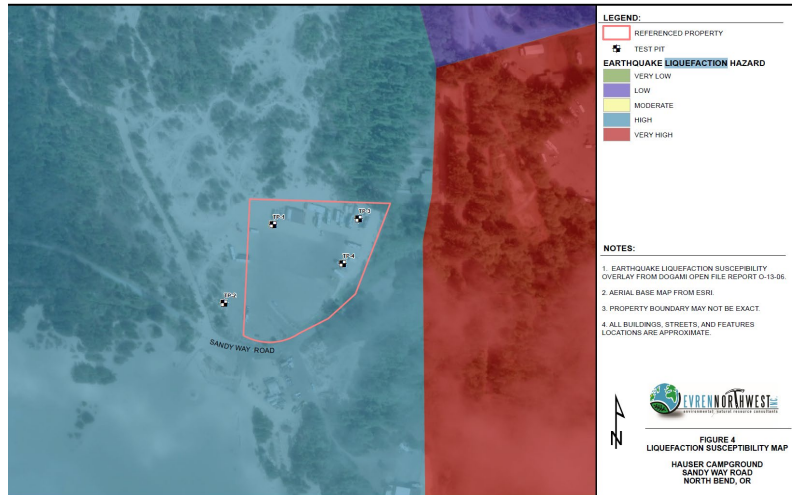
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report satisfies this requirement for purposes of land use review by providing a site-specific assessment of subsurface conditions and potential impacts.

The Planning Commission may find that detailed evaluation of liquefaction impacts, including structural design considerations and any necessary mitigation measures, can be addressed through conditions of approval at the time of building permit review, if applicable.



The subject property is located within the Tsunami Hazard Overlay. The Planning Commission may find that the proposed use includes temporary and seasonal occupancy with limited structural development. The Planning Commission could find that the applicant has not provided a detailed tsunami evacuation or hazard awareness plan.

The Planning Commission may find that the proposal can be made consistent with the overlay through implementation of appropriate conditions of approval, including visitor education, identification of evacuation routes, and coordination with local emergency management agencies.

Therefore, the Planning Commission may find that the proposed development has been evaluated for the applicable natural hazards identified on the adopted inventory maps. The Planning Commission could find that the submitted geotechnical report and available hazard data support the conclusion that the site can accommodate low-intensity recreational development, provided that stabilization, vegetation preservation, wetland avoidance, and hazard mitigation measures are implemented.

Additionally, the Planning Commission may find that additional information regarding wetland avoidance and tsunami preparedness may be required, along with further design standards addressed during the building permit phase. With appropriate conditions of

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**approval, the Planning Commission could find that the proposal can comply with Section 4.11.132 and the intent of County policy to minimize risks to life and property.**

#### **4.11.150 GEOLOGICAL HAZARDS SPECIAL DEVELOPMENT REVIEW STANDARDS**

*Applications for a geologic hazard review may be made concurrently with any other type of application required for the proposed use or activity. A review of the property must be conducted prior to any ground disturbance. All geologic hazard assessment reports shall include a description of the qualification of the licensed professional or professionals that prepared the assessment.*

*The applicant shall present a geologic hazard assessment report (geologic assessment) prepared by a qualified licensed professional competent in the practice of geosciences, at the applicant's expense, that identifies site specific geologic hazards, associated levels of risk, and the suitability of the site for the use and/or activity in view of such hazards. The geologic assessment shall include the required elements of this section and one of the following:*


- a. A statement that the use and/or activity can be accomplished without measures to mitigate or control the risk of geologic hazard to the subject property resulting from the proposed use and/or activity;*
- b. A statement that there is an elevated risk posed to the subject property by geologic hazards that requires mitigation measures in order for the use and/or activity to be undertaken safely sited on the property; or*
- c. A certification that there are no high or very high geological hazards present on site. If such is certified by a licensed professional then an Administrative Conditional Use application is not required. Coos County is not liable for any type of certification that a geological hazard is not present on site.*

#### **4.11.155 GEOLOGICAL ASSESSMENT REVIEW**

*Geologic Assessment Review: The applicant(s) shall complete the following review to determine compliance with this section. This type of review requires a conditional use application and shall follow the administrative procedures for conditional uses found in Article 5 of the CCZLDO.*

- 1. Except for activities identified in Subsection 2 of this section, as exempt, any new development or substantial improvement in an area subject to the provisions of this section shall require a Geologic Assessment Review.*
- 2. The following development activities are exempt from the requirement for a Geologic Assessment Review:*
  - a. Maintenance, repair, or alterations to existing structures that do not alter the building footprint or foundation and do not constitute substantial improvement as defined in Chapter II.*
  - b. An excavation and/or fill which is less than two feet in depth, or which involves less than twenty-five cubic yards of volume;*
  - c. Exploratory excavations under the direction of a certified engineering geologist or registered geotechnical engineer;*
  - d. Construction of structures for which a building permit is not required;*
  - e. Yard area vegetation maintenance and other vegetation removal on slopes less than 25%;*

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- f. *Forest operations subject to regulation under ORS 527 (the Oregon Forest Practices Act);*
  - g. *Maintenance and reconstruction of public and private roads, streets, parking lots, driveways, and utility lines, provided the work does not extend outside of the previously disturbed area;*
  - h. *Maintenance and repair of utility lines, and the installation of individual utility service connections;*
  - i. *Emergency response activities intended to reduce or eliminate an immediate danger to life, property, or flood or fire hazard;*
  - j. *Construction/erection of beachfront protective structures subject to regulation by the Oregon Parks and Recreation Department under OAR 736, Division 20; and*
  - k. *Any development or activity to be conducted on a site for which a certified engineering geologist has determined that there are no high or very high geologic hazards present. Coos County is not liable for any type of certification that a geologic hazard is not present on site.*
3. *Application, review and appeals for a Geologic Assessment Review shall be in accordance with the requirements for administrative conditional use review as set forth in Article 5.2. Applications for a Geologic Assessment Review may be made prior to or concurrently with any other type of application required for the proposed use or activity. Geologic Assessment Review shall be completed prior to any ground disturbance.*
4. *All applications for Geologic Assessment Review shall be accompanied by an engineering geologic report prepared by a certified engineering geologist at the applicant's expense.*

A. ENGINEERING GEOLOGIC REPORTS

1. *Engineering geologic reports required pursuant to this section shall be prepared by a certified engineering geologist licensed in the State of Oregon. Such reports shall be prepared consistent with standard geologic practices and employing generally accepted scientific and engineering principles. The content of such reports shall be generally consistent with the applicable provisions of "Guideline for Preparing Engineering Geologic Reports," 2<sup>nd</sup> Edition, 5/30/2014, published by the Oregon Board of Geologist Examiners.*
2. *Properties abutting the ocean shore that are located in a mapped regulated hazard area shall include the following additional information :*
- a. *Site description:*
    - i. *The geological history and stabilization measures of the site including any previous riprap or dune grading, erosion events, or exposed trees on the beach.*
    - ii. *Topography, including elevations and slopes on the property itself.*
    - iii. *Vegetation cover.*
    - iv. *Subsurface materials – the nature of the rocks and soils.*
    - v. *Conditions of the seaward front of the property, particularly for sites having a sea cliff.*
    - vi. *Description of streams or other drainage that might influence erosion or locally reduce the level of the beach.*
    - vii. *If the site is located on or adjacent to a estuarine water body or Coastal Lake including the Coastal Shoreland Boundary the following additional information shall be included:*



1. *Presence of drift logs or other flotsam on or within the property.*
2. *Proximity of nearby headlands that might block the longshore movement of beach sediments, thereby affecting the level of the beach in front of the property.*
3. *Description of any shore protection structures that may exist on the property or on nearby properties.*
4. *Presence of pathways or stairs from the property to the beach.*
5. *Existing development including modification of soil or vegetation on the site, particularly any which might alter the resistance to wave attack.*
6. *Average widths of the beach during the summer and winter.*
7. *Median grain size of beach sediment.*
8. *Average beach slopes during the summer and winter.*
9. *Elevations above mean sea level of the beach at the seaward edge of the property during summer and winter.*
10. *Presence of rip currents and rip embayments that can locally reduce the elevation of the fronting beach.*
11. *Presence of rock outcrops and sea stacks, either offshore or within the beach zone.*
12. *Information regarding the depth of beach sand down to bedrock at the seaward edge of the property.*

*b. Analyses of Erosion and Flooding Potential on the site:*

- i. Analysis of DOGAMI beach monitoring data for the site (if available,) all activities affecting shoreline erosion and possible mass wasting, including weathering processes, land sliding or slumping.*
- ii. Calculation of wave run-up beyond mean water elevation that might result in erosion of the sea cliff or foredune (see Stockdon, 2006).<sup>2</sup>*
- iii. Evaluation of frequency that erosion-inducing processes could occur, considering the most extreme potential conditions of unusually high water levels together with severe storm wave energy.*
- iv. For areas subject to dune-backed shorelines, use an established geometric model to assess the potential distance of property erosion, and compare the results with direct evidence obtained during site visits, aerial photo analysis, or analysis of DOGAMI beach monitoring data.*
- v. For bluff-backed shorelines, use a combination of published reports, such as DOGAMI bluff and dune hazard risk zone studies, aerial photo analysis, and fieldwork to assess the potential distance of property erosion.*
- vi. Description of potential for sea level rise, estimated for local area by combining local tectonic subsidence or uplift with global rates of predicted sea level rise.*

*c. Determination of legal restrictions of shoreline protective structures (Goal 18 prohibition, local conditional use requirements, priority for non-structural erosion control methods).*

*d. Assessment of potential reactions to erosion events, addressing the need for future*

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<sup>2</sup> Stockdon, H. F., Holman, R. A., Howd, P. A. and Sallenger, A. H., 2006, Empirical parameterization of setup, swash, and runup: Coastal Engineering, 53, p 573-588.



*erosion control measures, building relocation, or building foundation and utility repairs.*

- e. *The assessment should include recommendations:*
- i. *Use results from the above analyses to establish setbacks (beyond any minimums set by this section or the underlying zone), building techniques, or other mitigation measures to ensure an acceptable level of safety and compliance with all local requirements.*
  - ii. *Recommend a foundation design, or designs, that render the proposed structures readily moveable.*
  - iii. *Recommend a plan for preservation of vegetation and existing grade within the setback area, if appropriate.*
  - iv. *Include consideration of a local variance process to reduce the building setback on the side of the property opposite the ocean, if this reduction helps to lessen the risk of erosion, bluff failure or other hazard.*
  - v. *Recommend methods to control and direct water drainage away from the ocean (e.g. to an approved storm water system); or, if not possible, to direct water in such a way so as to not cause erosion or visual impacts.*
3. *Engineering geologic reports required by this section shall include a statement from the preparer of the report that all of the applicable content requirements of this subsection have been addressed or are not applicable to the review.*
4. *Engineering geologic reports required by this section shall be valid for a period of five years from the date of preparation of such report. No extensions to this time line shall be granted.*

#### **B. DECISIONS ON GEOLOGICAL ASSESSMENT REVIEWS**

*A decision on a Geologic Assessment Review shall be based on the following standards:*


1. *The engineering geologic report shall meet the content standards set forth in within this Section.*
2. *In approving a Geologic Assessment Review, the decision maker may impose any conditions which are necessary to ensure compliance with the provisions of this section or with any other applicable provisions of the Coos County Zoning and Land Development Ordinance.*
3. *In the event the decision maker determines that additional review of the engineering geologic report by an appropriately licensed and/or certified professional is necessary to determine compliance with this section, Coos County may retain the services of such a professional for this purpose. The applicant shall be responsible for all costs associated with the additional review. The results of that evaluation shall be considered in making a decision on the Geologic Assessment Review.*

#### **C. DEVELOPMENT STANDARDS FOR USES SUBJECT TO GEOLOGIC ASSESSMENT REVIEW**

*In addition to the conditions, requirements and limitations imposed by a required engineering geologic report, all uses subject to a geologic assessment review shall conform to the following requirements:*

1. *Historical, Cultural, and Archaeological Resources: All activities and uses subject to Geologic Assessment Reviews proposed for areas of historical, cultural, or archaeologically sensitive areas, as identified on the Coos County Comprehensive Plan Map, shall require consultation with the appropriate local Tribe prior to the commencement of any and all ground disturbing activity. Proof of this consultation shall be provided as a part of application submission.*
2. *Hazard Disclosure Statement: All applications for new development or substantial improvements subject to Geologic Assessment Review shall provide a Hazard Disclosure Statement signed by*

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*the property owner that acknowledges:*

- a. The property is subject to potential natural hazards and that development thereon is subject to risk of damage from such hazards;*
  - b. The property owner has commissioned an engineering geologic report for the subject property, a copy of which is on file with Coos County Planning Department, and that the property owner has reviewed the engineering geologic report and has thus been informed and is aware of the type and extent of hazards present and the risks associated with development on the subject property;*
  - c. The property owner accepts and assumes all risks of damage from natural hazards associated with the development of the subject property.*
- 3. Mitigation measures: If on-site structural mitigation measures are required as a condition of approval, the applicant shall, prior to the issuance of a zoning compliance letter, record on the title to the subject property a notification that includes a description of the measures or improvements and that also specifies the obligation of the property owners to refrain from interfering with such measures or improvements and to maintain them.*
  - 4. Safest site requirement: All new structures shall be located within the area most suitable for development based on the least exposure to risk from hazards as determined by an engineering geologist as part of an engineering geologic report prepared in accordance with Section 4.11.150 through 4.11.155. Notwithstanding the provisions of the underlying zone, as necessary to comply with this requirement, any required yard or setback may be reduced by up to 50% without a variance.*
  - 5. Certification of compliance: Permitted development shall comply with the recommendations in the required engineering geologic report. Certification of compliance shall be provided to the director by the applicant as follows:*
    - a. Plan Review Compliance: Building, construction or other development plans shall be accompanied by a written statement from a certified engineering geologist stating that the plans comply with the recommendations contained in the engineering geologic report for the approved Geological Assessment Review.*
    - b. Inspection Compliance: Upon the completion of any development activity for which the engineering geologic report recommends an inspection or observation by a certified engineering geologist, the applicant shall provide to the director a written statement from the certified engineering geologist indicating that the development activity has been completed in accordance with the applicable engineering geologic report recommendations.*
    - c. Final Compliance: Upon completion of development requiring an engineering geologic report, the applicant shall submit to the director:*
      - i. A written statement by a certified engineering geologist indicating that all performance, mitigation, and monitoring measures specified in the report have been satisfied; and,*
      - ii. If mitigation measures incorporate engineering solutions designed by a licensed professional engineer, a written statement of compliance by the design engineer.*

**STAFF SUMMARY AND ANALYSIS: The subject property is identified within a mapped liquefaction hazard area based on available geologic hazard mapping. The Planning Commission may find that the applicant submitted a geotechnical report prepared by a**

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**qualified professional, consistent with the requirements of Section 4.11.150, which evaluates site conditions including soil composition, groundwater depth, and overall site stability.**

**The Planning Commission may find that the report identifies the site as consisting primarily of loose to semi-consolidated dune sands, which are typically associated with liquefaction susceptibility. The Planning Commission could find that the report further indicates that groundwater conditions appear to be sufficiently deep to reduce the likelihood and severity of liquefaction impacts at this location.**

**The Planning Commission may find that the submitted geotechnical report does not provide certification that no high or very high geologic hazards are present, as described in Section 4.11.150(c). However, the Planning Commission could find that the report provides a site-specific assessment of hazard conditions and concludes that potential impacts may be limited under existing conditions.**

**The Planning Commission may find that the proposed use, as revised, is a low-intensity private campground consisting primarily of temporary recreational occupancy with limited structural development. The Planning Commission could find that the removal of the previously proposed dwelling and the absence of permanent wastewater infrastructure reduce structural loading and associated risk. As such, the Planning Commission may find that the potential impacts of liquefaction on the proposed use are less significant than would be expected for more intensive residential or commercial development.**

**The Planning Commission may find that the geotechnical report satisfies the requirement for a geologic hazard assessment for purposes of land use review, consistent with Section 4.11.155, by identifying site-specific hazards and evaluating the suitability of the site for the proposed use.**

**The Planning Commission may further find that, consistent with Section 4.11.155(C), all development shall conform to the recommendations of the engineering geologic report and that certification of compliance shall be required at the time of building permit review.**

**The Planning Commission could find that detailed engineering analysis and structural design considerations related to liquefaction, including settlement, lateral movement, and foundation performance, are appropriately addressed at the time of building permit review. Any future structures or improvements subject to building code requirements may be required to demonstrate compliance with applicable seismic and geotechnical standards, including site-specific evaluation of liquefaction hazards where required.**

**The Planning Commission may find that the geotechnical report includes recommendations related to vegetation preservation, erosion control, drainage management, and minimization of ground disturbance. The Planning Commission could find that these**

recommendations are necessary to ensure site stability and may be incorporated as conditions of approval to ensure compliance with the geologic hazard standards.

Based on the record, the Planning Commission may find that the applicant has adequately identified and evaluated liquefaction hazards for purposes of this land use decision. The Planning Commission could find that the proposed low-intensity use would not preclude development of the property, provided that geotechnical recommendations are followed and that any remaining site-specific design and mitigation measures are addressed through conditions of approval and subsequent review at the building permit stage, if applicable.

### ARTICLE 5.3. VARIANCES

#### **SECTION 5.3.100 GENERAL:**

*Practical difficulty and unnecessary physical hardship may result from the size, shape, or dimensions of a site or the location of existing structures thereon, geographic, topographic or other physical conditions on the site or in the immediate vicinity, or, from population density, street location, or traffic conditions in the immediate vicinity. Variances may be granted to overcome unnecessary physical hardships or practical difficulties. The authority to grant variances does not extend to use regulations, minimum lot sizes or riparian areas within the Coastal Shoreland Boundary.*

#### **SECTION 5.3.150 SELF-INFLICTED HARDSHIPS:**

*A variance shall not be granted when the special circumstances upon which the applicant relies are a result of the actions of the applicant, current owner(s) or previous owner(s) willful violation.*

*This does not mean that a variance cannot be granted for other reasons.*

#### **SECTION 5.3.200 VARIANCE:**

*The Planning Director shall consider all formal requests for variances for zoning and land development variances.*

#### **SECTION 5.3.350 CRITERIA FOR APPROVAL OF VARIANCES:**

*No variance may be granted by the Planning Director unless, on the basis of the application, investigation, and evidence submitted;*

1. *Both findings “a” and “b” below are made:*
  - a. *One of the following circumstances shall apply:*
    - i. *That a strict or literal interpretation and enforcement of the specified requirement would result in unnecessary physical hardship and would be inconsistent with the objectives of this Ordinance;*

- ii. *That there are exceptional or extraordinary circumstances or conditions applicable to the property involved which do not apply to other properties in the same zoning district; or*
  - iii. *That strict or literal interpretation and enforcement of the specified regulation would deprive the applicant of privileges legally enjoyed by the owners of other properties or classified in the same zoning district;*
  - b. *That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity.*
2. *That the granting of the variance will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the near vicinity.*
  3. *In addition to the criteria in (1) above, no application for a variance to the Airport Surfaces Floating Zone may be granted by the Planning Director unless the following additional finding is made: “the variance will not create a hazard to air navigation”.*
  4. *In lieu of the criteria in (1) above, an application for a variance to the /FP zone requirements shall comply with Section 4.6.227.*
  5. *Variance regulations in CCZLDO Article 5.3 shall not apply to Sections 4.11.400 through 4.11.460, Chapter VII and Chapter VIII.*

### **SECTION 5.3.360 EXPIRATION AND EXTENSION OF VARIANCES:**

Variations are not subject to expiration dates.

**STAFF SUMMARY AND ANALYSIS:** The applicant requests a variance to allow the use of portable sanitation facilities in lieu of permanent sanitation facilities required under CCZLDO Section 4.3.210(67)(j). Based on the application, supporting materials, and evidence in the record, the following findings are provided for the Planning Commission’s consideration.

The Planning Commission may find that exceptional and extraordinary circumstances apply to the subject property due to its unique physical characteristics. The property is constrained by its limited size, irregular configuration, and the presence of steep dune slopes, some approaching approximately sixty percent in grade, which significantly limit the amount of buildable area. The property is located within a dune system characterized by active and semi-stable sand movement, requiring setbacks from slopes and limiting placement of improvements. The site is also adjacent to federally managed lands with established recreational trail systems, further constraining development. In addition, the property does not have access to public water or sewer infrastructure, and the record demonstrates that the applicant explored the potential for an off-site septic easement but was unable to obtain one. Based on these factors, the Planning Commission could find that exceptional or extraordinary circumstances exist that are not typical of other properties in the same zoning district.



**The Planning Commission may further find that strict application of the requirement to install permanent sanitation facilities would result in unnecessary physical hardship. The record demonstrates that there is only one potentially feasible location for a septic system on the property, and that location is constrained by slope setbacks, required open space, and conflicts with recreational use and safety. Placement of a septic system in this location could create hazards due to proximity to dune slopes and recreational activity, including off-highway vehicle use and pedestrian use. Alternatively, installation of an above-ground sand filter system would introduce structural elements that would interfere with required open space and create additional safety concerns. The Planning Commission could find that strict enforcement of the sanitation requirement would either require development in unsafe or unsuitable locations or prevent reasonable use of the property consistent with its zoning.**

**The Planning Commission may find that granting the variance will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity. The proposed use relies on portable sanitation facilities, which are self-contained systems serviced by licensed providers and designed to prevent discharge of wastewater on-site. This method of sanitation may reduce the risk of groundwater contamination when compared to a constrained on-site septic system. The proposed use is a low-intensity private campground with temporary occupancy, which limits the scale and duration of potential impacts. The surrounding area is characterized by recreational and industrial uses, and the site's elevation and dune topography provide separation from nearby properties. The Planning Commission could find that, with appropriate conditions requiring maintenance and servicing of sanitation facilities, the proposal would not create adverse impacts to surrounding properties or the environment.**

**The Planning Commission may also find that the hardship is not self-inflicted. Although the property was rezoned by the current ownership, the hardship arises from the inherent physical characteristics of the site, including dune topography, slope limitations, and lack of feasible utility connections, rather than from any willful violation of the ordinance. Evidence in the record indicates that site disturbance dates back to at least 1985, prior to the current application, suggesting that the existing conditions are not the result of recent actions by the applicant. The Planning Commission could find that the circumstances giving rise to the hardship are inherent to the property and not self-created.**

**The Planning Commission may find that the requested variance represents the minimum necessary relief to allow reasonable use of the property. The variance applies only to the method of sanitation and does not modify the allowed use, density, setbacks, or other development standards. The proposal remains consistent with the requirements for a private campground and does not increase the intensity of use beyond what is permitted in the zone. The Planning Commission could find that no lesser adjustment would allow reasonable use of the property given the site constraints.**

**Based on the record, the Planning Commission may find that the requested variance satisfies the criteria set forth in CCZLDO Article 5.3, including Sections 5.3.100, 5.3.150, and 5.3.350, and may approve the variance subject to conditions.**

#### **SECTION 7.1.250 MATERIALS REQUIRED FOR AN APPLICATION:**

*A traffic plan (item 1) will be required for all rezones, recreational vehicle parks, campgrounds, mobile home parks, land divisions, industrial developments, commercial developments and high intensity development plans. The Roadmaster in consultation with the Planning Director will have discretion to waive items 2 through 4 based on the findings that the increase in development is diminimus to the existing development.*

1. *Traffic Plan - A parking/traffic plan shall be submitted to address all of the following:*
  - a. *Property boundaries;*
  - b. *Location of all structures on the subject property;*
  - c. *Required parking spaces;*
  - d. *Current utilities and proposed utilities;*
  - e. *Roadmaster may require drawings and specs from the Oregon Standards Specification Manual (OSSC) (current edition);*
  - f. *The location and design of bicycle and pedestrian facilities shall be indicated on the site plan if applicable;*
  - g. *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;*
  - h. *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;*
  - i. *Location of existing and proposed access point(s) on both sides of the road where applicable;*
  - j. *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;*
  - k. *Number and direction of lanes to be constructed on the road plus striping plans;*
  - l. *All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.); and*
  - m. *Parking and internal circulation plans including walkways and bikeways, in UGB's and UUC's.*
2. *Traffic Study completed by a registered traffic engineer.*
3. *Access Analysis completed by a registered traffic engineer*
4. *Sight Distance Certification from a registered traffic engineer.*

## SECTION 7.1.275 ACCESS MANAGEMENT:

**Subsection 1 Intent and Purpose:** *The intent of this ordinance is to manage access to land development while preserving the flow of traffic in terms of safety, capacity, functional classification, and level of service. Major roadways, including arterials and collectors, serve as the primary network for moving people and goods. These transportation corridors also provide access to businesses and homes and have served as the focus for commercial and residential development. If access points are not properly designed, these roadways will be unable to accommodate the needs of development and retain their primary transportation function. This ordinance is also intended to ensure that there is adequate and safe access for police, fire and other public services. This ordinance balances the right of reasonable access to private property with the right of the citizens of Coos County and the State of Oregon to safe and efficient travel. These regulations also further the orderly layout and use of land, protect community character, and conserve natural resources by promoting well designed road and access systems and discouraging the unplanned subdivision of land.*

**Subsection 2 Applicability:** *This ordinance shall apply to all arterials, collectors and local streets within Coos County and properties that abut these roadways and to all access connections.*

**Subsection 3 Conformance with Plans, Regulations, and Statutes:** *This ordinance is adopted to implement the access management policies of the county as set forth in the Transportation System Plan.*

## SECTION 7.1.300 CIRCUMSTANCES REQUIRING ROAD IMPROVEMENTS; EXTENT OF REQUIRED ROAD IMPROVEMENTS:

*Public and private road and street improvements may be required by this ordinance when new development is proposed. The road standards are found in Article 7.2. The County Roadmaster has the authority to require road improvements to meet the road standards and requirements of local fire and ambulance districts.*

*If and when public or private road improvements are required, then such improvements will be required to extend to the nearest intersection of an open road.*

*If the proposed action may affect a state transportation facility, notice shall be given to the Oregon Department of Transportation (ODOT). ODOT conditions of approval shall be incorporated into the permit conditions of approval, and ODOT shall be notified if the conditions of approval are changed.*

*Roads and Streets within an Urban Growth Boundary (UGB) or Urban Unincorporated Community (UUC) shall comply with the standards in Section 7.2, Table 7.2B at the minimum. When the development is proposed in a city's UGB that city shall be consulted with as they may have higher requirements.*

## SECTION 7.1.375 PROVISIONS FOR IMPROVEMENTS TO EXISTING

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## TRANSPORTATION FACILITIES:

*If there is an increase in development the County Roadmaster in consultation with the Planning Director, will review existing transportation data to determine whether the proposed development will have impacts on the transportation system. It is the responsibility of the applicant to provide enough detailed information for the County to make a determination. If the County cannot properly evaluate a proposed development's impacts without a more detailed study, a transportation impact study (TIS) will be required to evaluate the adequacy of the transportation system to serve the proposed development and determine proportionate mitigation of impacts. If a TIS is required, the County will provide the applicant with a checklist to be used when preparing the TIS.*

1. *If the County finds that the development proposal impacts the transportation facilities, then the County may deny, approve, or approve with appropriate conditions development proposals in order to minimize impacts and protect transportation facilities in the following circumstances:*
  - a. *Where the existing transportation system will be impacted by the proposed development, dedication of land for streets, transit facilities, sidewalks, bikeways, paths, or accessways may be required to ensure that the transportation system is adequate to handle the additional burden caused by the proposed use;*
  - b. *Where the existing transportation system is shown to be burdened by the proposed use, improvements such as paving, curbing, installation or contribution to traffic signals, traffic channelization, construction of sidewalks, bikeways, accessways, paths, or streets that serve the proposed use may be required; or*
  - c. *The County may require the development to grant a cross-over access easement(s) to adjacent parcel(s) to address access spacing standards on arterials and collector roadways or site-specific safety concerns. Construction of shared access may be required at the time of development if feasible, given existing adjacent land use. The access easement must be established by deed.*
  
2. *Rough Proportionality Determination. Improvements to mitigate impacts identified in the TIS shall be provided in rough proportion to the transportation impacts of the proposed development.*
  - a. *Net new trips - The estimated number of new trips that will be created by the proposed development within the study area.*
  - b. *Planning period trips - The estimated number of total trips within the study area within the planning period identified in the TSP.*
  - c. *Existing trips - The estimated number of existing trips within the study area at the time of TIS preparation.*
  - d. *Estimated construction cost - The estimated total cost of construction of identified improvements in the TSP.*
  - e. *The TIS shall include information regarding how the proportional share of improvements was calculated, using the ratio of development trips to growth trips and the anticipated cost of the full Coos County Transportation System Plan. The*

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*calculation is provided below:*

*Proportionate Share Contribution = [Net New Trips/(Planning Period Trips–Existing Trips)] x Estimated Construction Cost*

**STAFF SUMMARY AND ANALYSIS:** The proposed development consists of a private campground and/or recreational vehicle park. The Roadmaster reviewed the initial submitted materials and provided additional comments indicating that the applicant must complete a Traffic Impact Analysis (TIA) due to the proposed scale and intensity of development. The Planning Commission may find that the applicant has submitted a preliminary traffic and parking plan that identifies general access, circulation, and parking areas.

The Roadmaster has determined that a Traffic Impact Analysis (TIA) is required to evaluate the impacts of the proposed development. The Planning Commission may find that, while the application may not fully address these requirements at this stage, the necessary analysis and design details may be addressed through conditions of approval requiring submission and approval of a Traffic Impact Analysis and final access plan prior to the Roadmaster for final approval prior to the issuance of a Zoning Compliance Letter.

#### **ARTICLE 7.5 PARKING STANDARDS:**

##### **SECTION 7.5.100 GENERAL PROVISIONS:**

*Off-street parking and loading facilities as defined shall be subject to the general regulations and requirements of this Ordinance as well as the following provisions:*

- 1. Increase: An increase in parking spaces may be required to correspond to any enlargement or addition to any building or use.*
- 2. Change in Use: When a building or open land use changes in use, the parking requirements shall be changed to reflect the requirements of the new building or use if a greater number of spaces are required.*
- 3. Use: Parking facilities shall be used for automotive and bicycle parking only. No sales, dead storage, repair work, dismantling, or servicing of any kind shall be permitted.*
- 4. Fractional Requirements: Fractional requirements shall require one additional space.*
- 5. Staff Determination: Parking space requirements for a use not specifically mentioned shall be the same as for a use which has similar traffic-generating characteristics as determined by the Planning Director.*

##### **SECTION 7.5.125 COMMON FACILITIES FOR MIXED USES:**

- 1. Mixed Uses: In the case of mixed uses, the total requirements for off-street parking shall be the total of the individual uses except as provided in "2" below.*
- 2. Joint Use: The Planning Director may, upon application, authorize the joint use of parking facilities required by said uses and any other parking facility, provided that:*

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- a. *The applicant shows that there is no substantial conflict in the principal operating hours of the building or use for which the joint use of parking facilities is proposed, or for uses with similar hours of operation that the uses are complementary and supportive leading to lower rates of vehicle usage, and/or increasing the parking turnover rate;*
- b. *The parking facility for which joint use is proposed is not further than 600 feet from the building or use required to have provided parking; and*
- c. *The parties concerned in the joint use of off street parking facilities show evidence of an agreement for such joint use by a legal instrument.*

**SECTION 7.5.150 PARKING AREA DESIGN:**

- 1. *Ingress and Egress: In any zoning district, driveways or access ways providing ingress and egress for private/public parking areas or garages and parking spaces shall be permitted, together with any appropriate traffic control devices in any required yard or setback area.*
- 2. *Minimum Standards for Parking: All public or private parking areas and parking spaces shall be designed and laid out to conform to the minimum standards as specified in the Parking Table and Diagram. All parking lot designs shall be reviewed and approved by the County Roadmaster.*
- 3. *Service Drive: Groups of three or more parking spaces, except those in conjunction with single-family or two-family dwelling structures on a single lot, shall be served by a service drive so that no backward movement, or other maneuvering of a vehicle within a public right-of-way, other than an alley, will be required. Service drives shall be designed and constructed to facilitate the flow of traffic, provide maximum safety for ingress and egress and maximum safety of pedestrians.*
- 4. *Lighting: Any lights provided to illuminate any public or private parking area shall be so arranged as to reflect the light away from any abutting or adjacent residential district or use.*
- 5. *Landscaping: For every 10 required parking spaces, 16 square feet of landscaping will be required. Each 16 square foot area should include one tree and three one gallon shrubs or living ground cover.*
- 6. *Sign standards: All signs must comply with the current manual on uniform traffic control devices.*

**SECTION 7.5.175 REQUIRED NUMBER OF PARKING SPACES FOR TYPE OF USE:**

USE	STANDARD
Mobile home or RV park.	1 ½ spaces per mobile home or RV site.

**STAFF SUMMARY AND ANALYSIS:** The Planning Commission may consider the proposed development, consisting of a private campground, and the applicable off-street

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**parking requirements contained in Article 7.5 of the Coos County Zoning and Land Development Ordinance.**

**The Planning Commission may find that, based on the amended application materials, the proposal is more appropriately classified as a private campground rather than a Recreational Vehicle Park. The Planning Commission could find that, as a campground, the parking demand is more variable and associated with temporary recreational use, including tents, camping vehicles, and recreational vehicles, rather than fixed RV site occupancy.**

**The Planning Commission may find that the applicant has submitted a site plan identifying campsites, internal circulation, and general parking areas. The individual campsites may function to accommodate parking for associated vehicles; however, full parking compliance shall be determined by the Roadmaster and this will be reflected as a condition of approval.**

**The Planning Commission may find that Section 7.5.150 establishes minimum design standards for parking areas, including layout, maneuvering areas, and circulation. The Planning Commission may find that the submitted site plan illustrates general internal circulation but does not provide sufficient engineering detail to confirm compliance with these standards. Final design and circulation must be reviewed and approved by the County Roadmaster to ensure safe ingress, egress, and internal movement.**

**The Planning Commission may find that lighting associated with parking areas must be directed away from adjacent residential uses and that additional information or conditions of approval will be necessary to ensure compatibility with nearby Rural Residential (RR-2) properties.**

**The Planning Commission may find that landscaping is required for parking areas pursuant to Article 7.5. The Planning Commission may find that landscaping and erosion control requirements associated with the dune environment can be addressed through a consolidated landscaping and stabilization plan required by condition of approval.**

**Based on the record, the Planning Commission may find that the applicant has provided sufficient preliminary information to demonstrate that parking can be accommodated on the site. Full compliance with Article 7.5 should be achieved through conditions of approval requiring approval of a detailed parking and circulation plan prior to development or issuance of a Zoning Compliance Letter.**

## **CONCLUSION**

Based on the application materials, revised site plan, supplemental testimony, technical reports, and applicable approval criteria, the Planning Commission may find that the proposed use is more consistent with a private campground rather than a Recreational Vehicle Park. The Planning Commission may find that the amended proposal reflects a lower-intensity recreational

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use, with reduced infrastructure and temporary occupancy characteristics consistent with campground standards.

The Planning Commission may find that the requested variance to allow portable sanitation facilities in lieu of permanent sanitation facilities may be supported based on the unique physical constraints of the site, including dune topography, limited buildable area, and the lack of feasible on-site or off-site wastewater options. The Planning Commission may find that the use of portable sanitation facilities, when properly maintained and regulated, will not be detrimental to public health, safety, or welfare and represents the minimum necessary relief to allow reasonable use of the property.

The Planning Commission may find that additional information and design detail is required for final compliance with transportation, parking, access, landscaping, erosion control, and hazard mitigation standards. The Planning Commission may find that these items do not preclude approval of the land use application and may be addressed through conditions of approval and subsequent review prior to development.

Therefore, the Planning Commission may:

1. Find that the proposed use qualifies as a Private Campground.
2. Approve the Private Campground subject to conditions of approval.
3. Approve the requested variance to allow portable sanitation facilities, subject to conditions ensuring proper maintenance and compliance with applicable health standards.
4. Require submission and approval of a Traffic Impact Analysis, detailed parking and circulation plan, and final site design prior to issuance of Zoning Compliance.
5. Require compliance with geotechnical recommendations, hazard mitigation measures, and applicable development standards.

April 22, 2026

HAUSER HILL CAMPGROUND

68610 Sandy Way Rd  
North Bend, OR 97459  
24-13-15 TL 802  
Tax Account 99916796

PROPERTY OWNER

Hauser Hill Campground LLC  
C/O Paul Hanken  
4230 SE 114<sup>th</sup> Ave  
Portland, OR 97266

APPLICANT

Sheri McGrath  
Parametrix, Inc  
P.O. Box 1548  
Bandon, OR 97411  
541-982-9531  
cooscurry@gmail.com

ADDITIONAL TESTIMONY

The Applicant, Hauser Hill Campground LLC, defends the application for a Private Campground as proposed along with the Variance request. The proposed future dwelling unit is being withdrawn from the application due to the lack of water and sewer availability on the site and the unknown future potential for an easement on an adjoining property to accommodate water or septic services. The Commission will find that the provided Findings and application materials support a defensible decision, and this additional testimony provides context for why a Private Campground vs an RV Park was applied for and why it can be approved along with the Variance request.

The clear distinction between a Campground and an RV Park is the intention of the use which includes utility hook-ups at most camp sites. The provision of water and sewer in an RV Park provides a "living provision" which means the length of stay and intensity of use is far greater than a campground.

4.3.210(67) lists the criteria for a Campground. The subject site is contiguous to lands with an outdoor amenity that is accessible for recreational use by the occupants of the campground. The Oregon Dunes National Recreation Area provides a very specific recreational opportunity for off-road vehicles. As such, the proposed campground will cater to those who arrive with Toy Trailers, Trucks with Trailers and other recreational vehicles. These vehicles are accessory to the main recreational use. The subject property has a Special Use Permit to allow camping during ATV events. It has been

shown that the campsites utilize both Tent Camping and the Recreational Vehicle in which they arrive.

CCZLDO 4.3.210(67)(d) states that “campsites may be occupied by a tent, travel trailer or recreational vehicle.” The OAR only requires designation of campsites when a Combination Park is proposed (OAR 918-650-0035). An example of a Combination Park is when there are full hook-up campsites for RV’s and dry sites for Tent or other Vehicle camping. Otherwise, a Campground provides campsites that can be occupied by a tent, vehicle or recreational vehicle.

4.3.210 (70) lists the criteria for an RV Park. In order for this use to be approved, variances would have to be granted.

- (h) RV Parks require a minimum of five acres and shall not exceed 15 campsites per acre. The density of the zoning district is replaced with the density requirement of this subsection.

The subject parcel is 3.8 acres in size and does not qualify without a variance to the minimum acreage. The property does have unique circumstances; however, the hardship could be viewed as self-inflicted given the Rezone to Commercial zoning by the same owner.

- (i) RV Parks must reserve at least 30% of the total acreage for open space and common areas. Common areas may have sanitary facilities, open space, parking, roads, pathways, and recreational structures and facilities that serve the entire park.

The subject parcel does not have enough room for a septic system capable of supporting an RV Park in addition to the open space requirements. A fully developed RV Park is a substantial investment, and there would need to be a minimum number of fully developed sites to offset the investment. It is the Applicant’s opinion that the variance request would be self-inflicted because the developer does not want to meet all of the criteria and instead maximize revenue by providing the number of RV sites needed to off-set the septic installation costs. Open space would be eliminated to achieve this, and all of this assuming a septic could be approved.

A Campground is intended to have little to no infrastructure or facilities leaning into a more primitive experience of self sufficiency. There are no specific guidelines on how to accomplish that outside of providing developed campsites without utilities and on-site amenities which are often found in RV Parks.

Both RV Parks and Private Campgrounds are defined as Recreation Parks under OAR 918-650-005 and subject to the same review and plan set criteria. A full set of drawings are attached which meet the criteria for plan review and development permits.

- 918-650-0010 design and construction requirements for recreation parks
- 
- 918-650-0020 requires a permit
- 
- 918-650-0035 outlines the plan set requirements  
(4)(a)(E) only combination parks are required to show designated campsites for tent or RV
- 918-650-0045(4) drive lanes are 10' min in width and on street parking is 10' in width
- 
- 918-650-0045(9)(c)(B) trash cans in campgrounds are (1) 30 gallon per 20 occupants
- 
- 918-650-0050 toilets within 500'
- 
- 918-650-0055 spacing is 10'

OAR 918-650-005 Definitions:

(5) "Campground." See Recreation Parks.

(6) "Combination Park" means a park which includes facilities for two or more types of recreation parks or a combination of a recreation park, organizational camp or mobile home park facility.

(12) "Recreation Park" as defined by ORS 446.310 means an area designated by the person establishing, operating, managing or maintaining the same as being for picnicking or overnight camping by the general public or any segment of the public. Recreation park includes, but is not limited to, areas open to use free of charge or through payment of a tax or fee or by virtue of rental, lease, license, membership, association or common ownership. Recreation park includes, but is not limited to, areas divided into two or more lots, parcels, units or other interests for purposes of such use. As further defined in these rules, a recreation park includes, but is not limited to, a "campground," a "picnic park," or a "recreation vehicle park."

(12)(a) "Campground" means a recreation park which provides facilities and space for tents, tent vehicles or camping vehicles.

(12)(c) "Recreational Vehicle Park" means a plot of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreational or vacation purposes.

ORS 446.310 Definitions:

(2) Camping Vehicle means either a vacation trailer or a self propelled vehicle or structure equipped with wheels for highway use and that is intended for human occupancy and is being used for vacation and recreational purposes, but not for residential purposes, and is equipped with plumbing, sink or toilet.

The applicant has applied for:

1. A Private Campground as conditionally permitted under 4.3.200
2. A variance to allow the use of portable restroom facilities under a contracted maintenance agreement in lieu of constructing permanent restroom facilities with an on-site septic system

The Variance can be supported as shown in the original and additional findings. The owner has approached the neighboring parcel to the South about obtaining an easement for a septic system. That owner is not interested in encumbering their land at this time. This is the only privately owned parcel that has enough land to provide an easement; therefore, all options for off site septic have been exhausted. For this reason, the future caretaker's dwelling unit has been withdrawn. The absence of a septic easement further supports the need for the Variance.

A site visit was conducted with Paul Kennedy from Oregon Soil & Environmental (OSE) to review stormwater management, erosion control and the potential for an on-site septic system. Mr. Kennedy retired from the Department of Environmental Quality on-site program and is a certified soils professional specializing in septic feasibility, wetland determinations and soil determination. Mr. Kennedy found a location for a potential above ground sand filter system *if* the disturbed site could be reclaimed and approved by Coos County On-Site. There are several considerations regarding that location, mainly the negative effect it would have on the subject and adjoining properties and the overall use of the Dune Recreational area.

Google Earth imagery shows that the subject site was disturbed in 1985 which proves that the hardship is not self-inflicted based on recent grading. See attached Photo Log by OSE.

The Forest Service owns the adjoining properties surrounding the subject property. Tax Lot 1500 to North contains a steep sand dune with a slope of approximately 60%. On the West side of the dune is a trail system that is used by off-road vehicles. The dune itself is used by children who climb the dune and slide down and otherwise play on the dune. The toe of the dune is within a few feet of the subject property line. Anyone who plays on the dune or uses the trail crosses onto the subject property. The same is true for Tax Lot 700 to the West- the users of the Forest Service properties cross over the subject property to connect the trail system. The topography at that Western location is flat and the only location on the subject property where a slope is not located. Septic systems have a required setback from downward slopes, making this particular location the only viable option, again, *if* the disturbed site could be reclaimed and approved by Coos County On-Site.

If a septic system were to be approved, it would be an above ground sand filter with concrete walls approximately 4' tall. That system would be located near the intersection of the trail system. A concern is the impact of the overall user of the Dune Recreation area and what liability issues may arise with vehicles driving down the dune with little room for maneuvering at the base of the trail before turning west. They would be driving towards a concrete wall with little room for error.

The same concern is valid for the children who play on the dune. They would in essence be rolling down the 60% slope onto approximately 10' of flat ground before the concrete wall is encountered.

Lastly, the location of this sand filter, *if* approved, is located in the required Open Space portion of the campground. A variance to the 4.3.210(67)(b) Open Space criteria would be required in lieu of the variance for the permanent sanitation.

ORS 446.315 reads, "It is the public policy of this state to encourage construction of recreation parks by public agencies and private industry to satisfy the demand for outdoor recreation while establishing standards for recreationists and landowners so that these parks are maintained in safe and sanitary condition."

ORS 446.340 provides further guidance on sanitation:

1. The owner or operator of a recreation park or organizational camp is responsible for the sanitary condition of the park grounds and buildings.
2. If sanitary facilities are not provided in a recreation park or organizational camp for the safe disposal of sewage or other wastes from a camping vehicle, a notice shall be posted in a conspicuous place stating that camping vehicles are permitted overnight only if the vehicle's waste holding tanks are used.

This statute proves that a Variance to the sanitation requirements can be granted by providing an option to provide NO sanitation. The Applicant is proposing to provide the required toilet count found in OAR 918-650-0050 Table 3-RV for Recreation Parks. 31-60 campsites require a total of 3 unisex toilets. Sinks are not required unless flushing toilets are provided. Showers are never required. ORS 446.340 provides an option to provide no facilities.

The requirement for a Campground to provide permanent sanitation and showers is specific to the Commercial Zoning district in which the property is located. Campgrounds in the Farm and Forest zones are not required to provide permanent facilities or showers. The portable restroom approach provides a controlled, closed system where waste is contained and removed off-site. This approach is commonly used in similar recreational settings and can be managed through a service agreement to ensure ongoing maintenance.

ACU-15-050 approval granted portable restroom facilities for the campground portion of the proposed Combination Park located in the RR-2 zone. ACU-23-070/071 and ACU-21-051 were also approved with portable restroom facilities (F zone). ACU-21-062 for Commissioner Bob Main was approved without any application materials at all (F zone). These examples are not located in the Commercial Zone, yet show a strong precedence for the use of portable restroom facilities in campgrounds intended to be low in intensity and remain as natural as possible given their specific locations adjacent to natural amenities.

The applicant applied for a variance to allow the use of portable restroom facilities under a contracted maintenance agreement in lieu of constructing permanent restroom facilities with an on-site septic system for a proposed campground use.

This request is made due to physical and regulatory constraints unique to the subject property, which make installation of permanent sanitary facilities impracticable without an additional variance to 4.3.210(67)(b). This variance is based on the specific constraints of the property and is not intended to set a broader precedent.

The application addresses the variance criteria established by the Coos County Zoning and Land Development Ordinance, which generally require demonstration that:

1. Special conditions or circumstances exist that are peculiar to the property
2. Strict application of the ordinance would result in unnecessary hardship
3. The variance is the minimum necessary to afford relief
4. The variance will not be materially detrimental to public health, safety, or welfare
5. The variance is consistent with the intent and purpose of the zoning ordinance

## 1. Special Conditions and Circumstances

The subject property is constrained by several unique physical characteristics not typical of other similarly zoned properties:

- Limited acreage, restricting the overall development footprint
- Irregular parcel configuration, restricting the development footprint
- Topographic constraints, including slope setbacks affecting buildable areas
- Surrounding Forest Service ownership with existing trail systems
- The property has been previously disturbed, prior to applicant ownership, since at least 1985, resulting in altered soil and site conditions

These factors significantly limit the ability to construct a compliant septic system and permanent restroom structure.

Finding: The combination of parcel size, shape, slope, Forest Service trail systems and prior disturbance constitutes a hardship unique to the property, not self-imposed by the applicant.

## 2. Unnecessary Hardship

Strict application of the ordinance requiring permanent restroom facilities would result in unnecessary hardship:

- A compliant septic system would require:
  - Adequate drainfield area
  - Separation distances from property lines and environmental features
- Meeting these requirements would necessitate a variance to open space requirements
- A compliant septic system is not feasible without creating other issues with liability and safety for recreational dune users on adjoining properties

Finding: The property cannot reasonably accommodate permanent sanitation infrastructure without creating other issues associated with the safety of recreational dune users on adjoining properties. Even if the site were reduced in size or intensity, that limitation would still exist.

## 3. No Reasonable Conforming Alternative

There is no practical, code-compliant alternative available:

- The site cannot accommodate both:
  - Open space, and
  - Septic system infrastructure within applicable standards
- Redesign or reduction of the campground to accommodate septic facilities would:
  - Not result in a suitable septic location given slope and wetland setbacks
  - There is only one suitable location for a septic system and usable open space

Finding: The requested variance is necessary to allow reasonable use of the property consistent with its zoning designation.

#### 4. Minimum Necessary Relief

The requested variance is limited and specific:

- It applies only to the method of sanitation (portable restrooms vs. permanent facilities)
- No additional variances are requested for:
  - Density
  - Setbacks
  - Use intensity
- Portable restroom facilities will be:
  - Provided in sufficient quantity to serve site capacity
  - Maintained under a binding service agreement with a licensed provider
  - Serviced at a frequency adequate to prevent public health concerns

Finding: The variance represents the minimum necessary adjustment to allow reasonable use of the property.

#### 5. Protection of Public Health, Safety, and Welfare

The proposed portable sanitation facilities will not adversely impact public health or safety:

- Waste will be:
  - Contained in sealed units
  - Regularly removed and disposed of at approved facilities
- No on-site wastewater discharge will occur
- The system reduces risk of:
  - Groundwater contamination

- Septic system failure in constrained soils

Additionally:

- The campground will operate under standard management practices
- Refuse and gray water will be properly managed

Finding: The proposal provides a safe and controlled sanitation method, consistent with public health standards.

## 6. Consistency with Zone Intent and Surrounding Uses

- Campgrounds are a conditionally allowed use in the applicable zone
- Portable sanitation facilities are commonly used in:
  - Recreational settings
  - Coastal and dune environments with environmental constraints
  - Other campgrounds in Coos County
- The proposal maintains the low-impact character of the area

Finding: The variance is consistent with the purpose and intent of the zoning ordinance and does not alter the character of surrounding uses.

## 7. Environmental Considerations

The requested variance results in reduced environmental impact:

- Avoids installation of a septic system requiring:
  - A reduction in open space
  - An above-ground system that will block the current trail system on adjoining properties raising concerns about liability related to collisions
  - An above-ground system that is located at the base of the sand dune used by children, raising concerns about liability related to collisions
- Eliminates potential for on-site wastewater system failure
- Supports low-impact recreational development

Finding: The proposal is environmentally preferable and reduces negative impact to adjoining property owners and the dune users to the code-required alternative.

## 8. Historical Use and Site Context

- The property has experienced disturbance dating back to at least 1985 demonstrating that the hardship was not self-inflicted by recent grading
- The proposed use does not introduce impacts beyond the historical use pattern

Finding: The variance allows continued reasonable use of a previously impacted site without introducing significant new disturbance.

In conclusion, the requested variance satisfies all applicable approval criteria:

- The property is subject to unique physical constraints
- Strict application of the ordinance creates unnecessary hardship
- The request is the minimum necessary to allow reasonable use
- Public health and safety are fully protected through managed sanitation
- The proposal is consistent with zoning intent and environmentally responsible

For these reasons, approval of the variance is warranted.

The geology report provided by EvernNW has been updated and attached to reflect the Private Campground proposal vs the RV Park. This edit should have been made by the consultant, but was overlooked. The geology report was provided prior to site planning and application preparation, so the geologist used the information provided in the public record for the Rezone application proposal of an RV Park. The overall use, density and intention did not differ.

Within the prior and now edited report, the geologist provided setback recommendations for all structures and parking to be 10' from the North property line and 20' from the East property line. The report also addressed the proposed slab on grade foundation with turned down footing for the shop and how that is best for the low to moderate liquefaction of the site. They determined that although mapped in a liquefaction overlay, the site did not meet the criteria for the mapped hazard.

The Confederated Tribes of Coos, Lower Umpqua and the Siuslaw Indians have been contacted by the Applicant on three occasions. They were also contacted by the Planning Department. No comments have been received to date; therefore, an Inadvertent Discovery Plan will be on site during development. This should satisfy the recommendation that a Condition of Approval be imposed to ensure coordination with the affected Tribes.

As addressed in the Staff Report and reflected in photographs and aerial imagery, there are several temporary structures on site. The shop picture found on page 2 of the Staff Report is (2) shipping containers with a trussed roof and plywood floor on the sand. This structure is proposed to be removed upon the completion of the new shop

structure. The new shop structure is proposed to be developed as soon as permits can be issued; therefore, the Applicant is requesting a condition of approval that the temporary structure be removed after the new shop is constructed. That can be accomplished within 30 days of receiving a certificate of occupancy.

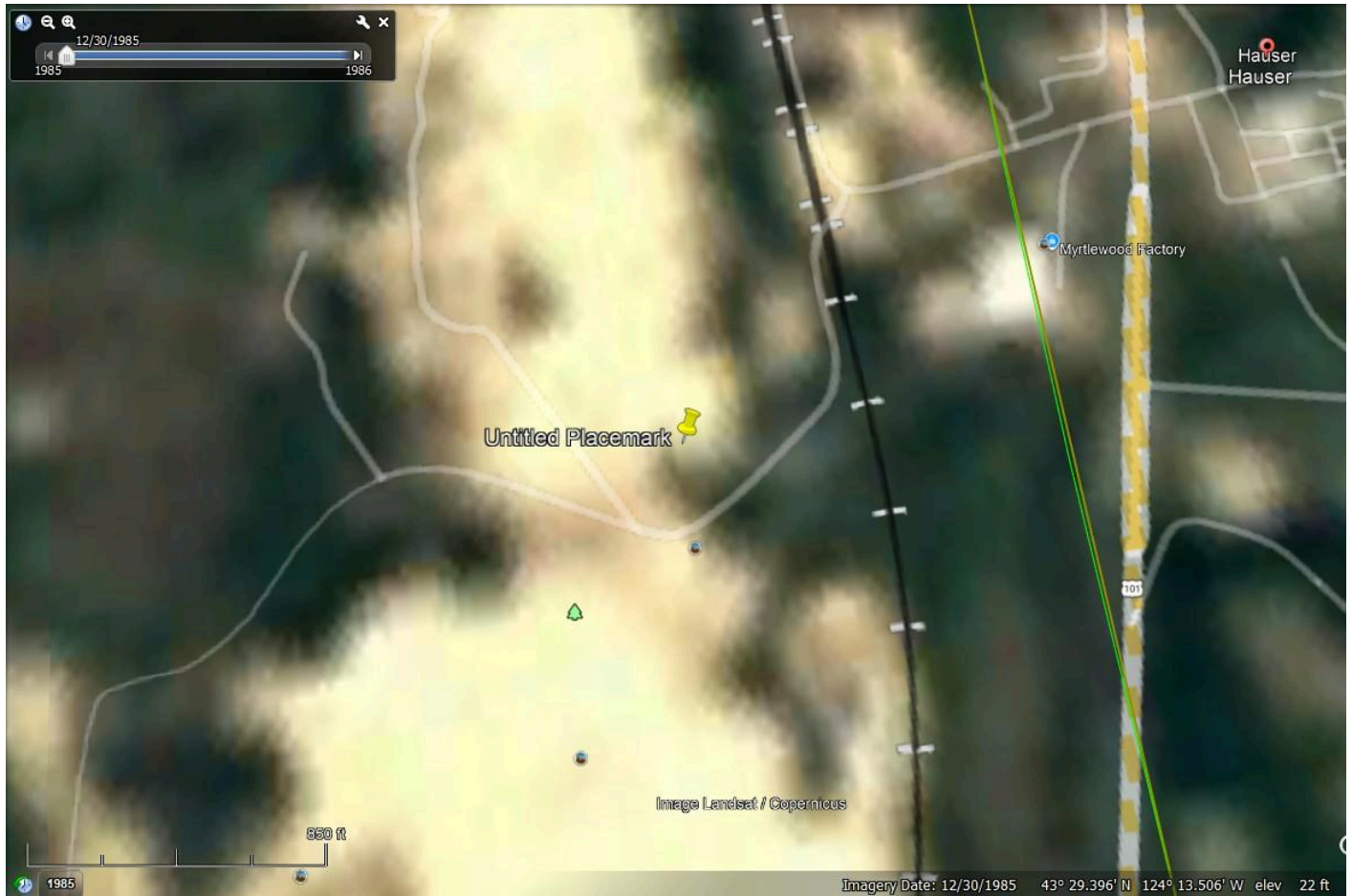
The Staff Report addressed neighborhood compatibility and outlined areas in which the Applicant did not thoroughly address compatibility. The previously provided and attached site plan shows the trash, restroom and fencing locations. The surrounding properties are zoned Industrial, Recreation and RR-2. The RR-2 zoned properties adjacent to the subject property have an elevation of 20' whereas the subject property has an elevation of 55'. The property is not visible from the road or these properties due to the existing vegetation at the 19' elevation level and 60% sloped sand dune.

Consultations with the Ecology Department and Paul Kennedy have determined that windrows of beach grass mix can be planted along the slope for screening. These grasses act as an erosion control measure by capturing windblown fine sands. A fence is not a recommended screening method for the subject site because it will result in failure- sand will build up and eventually the fence will slide down the dune and damage adjoining properties.

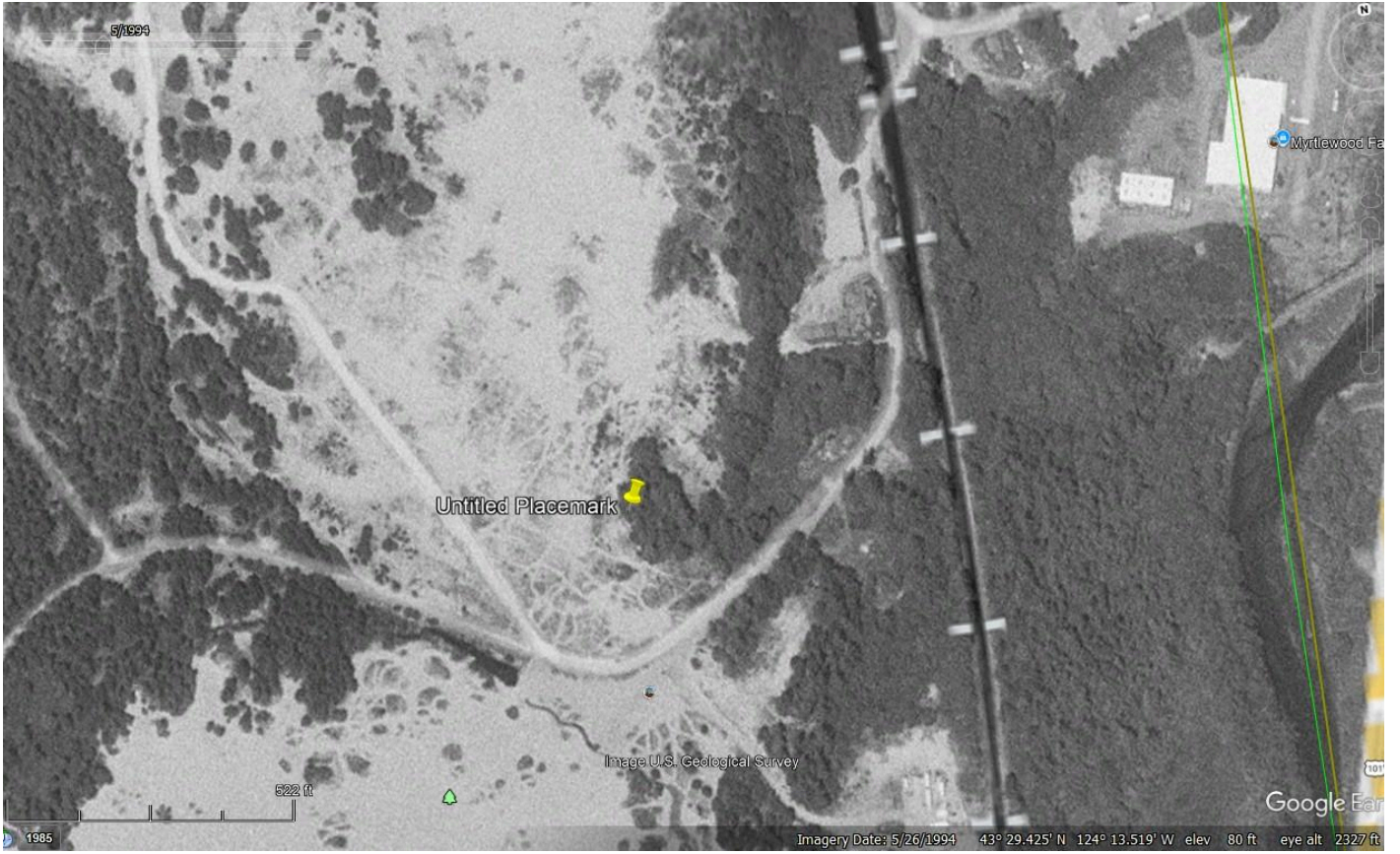
The RR-2 properties are owned by the Forest Service and one other individual who is only there on occasion for the ATV experiences. The parcels are not currently being used for residential occupancy. The Forest Service property is not suitable for development given the size, setbacks and wetland. The proposed use as a Campground appears to be compatible with these RR-2 properties given the low-intensity use, site elevation difference and additional setback from the top of slope. The east slope is not windward, so these properties should not experience adverse conditions associated with wind erosion or dust.

Sandy Way Road technically ends at the Southeast corner of the subject property. From that point it is an Easement. The Forest Service has the right to provide access to the Dune Recreational Area for the general public. Traffic along this road is primarily off-highway vehicle (OHV) traffic, unlicensed and unpermitted. These vehicles cause extreme damage to the road and create more noise, dust, pollution and traffic than the proposed campground will ever present to the neighborhood. The campground caters to the Dune experience meaning that the guest drives to the site and leaves the site only one time. The proposed campground will be lower intensity than the existing ATV use in the area, both in terms of traffic and frequency of activity.

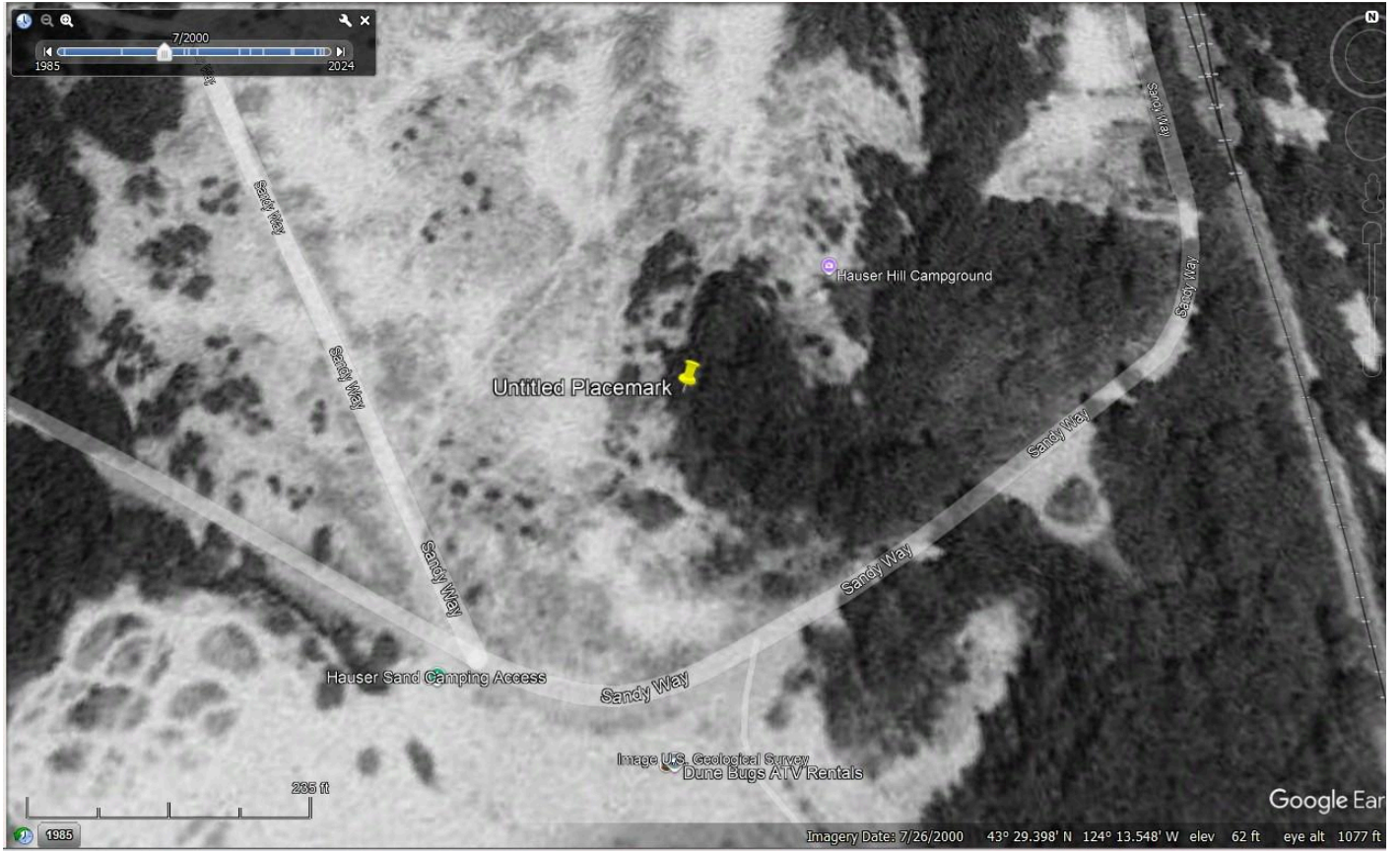
## Hauser Hill Photo log



***Area of interest 1985***



AOI 1994



AOI 2000



AOI 8.1.2011



AOI 2015



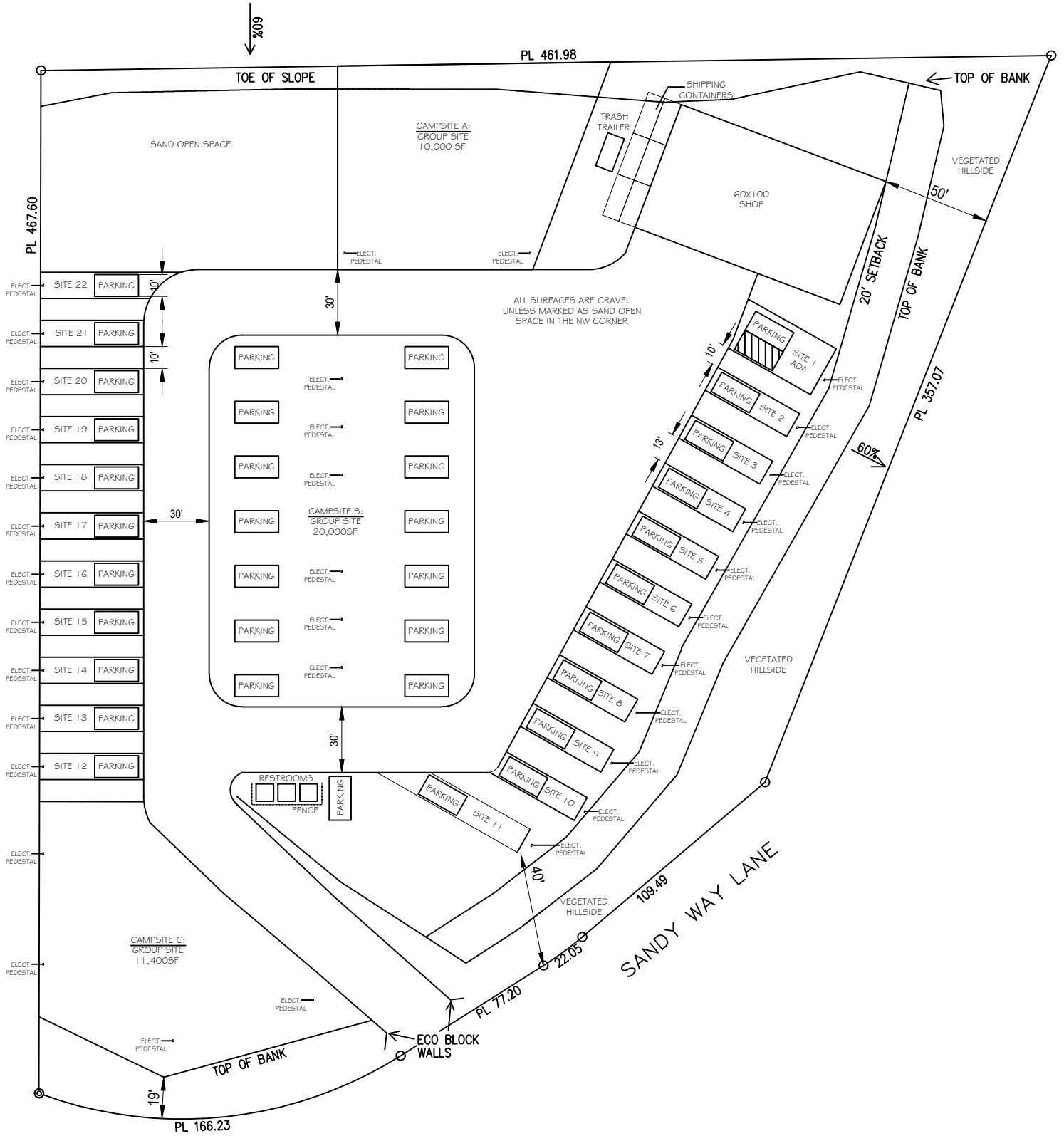
AOI 2019



AOI 11.12.2022

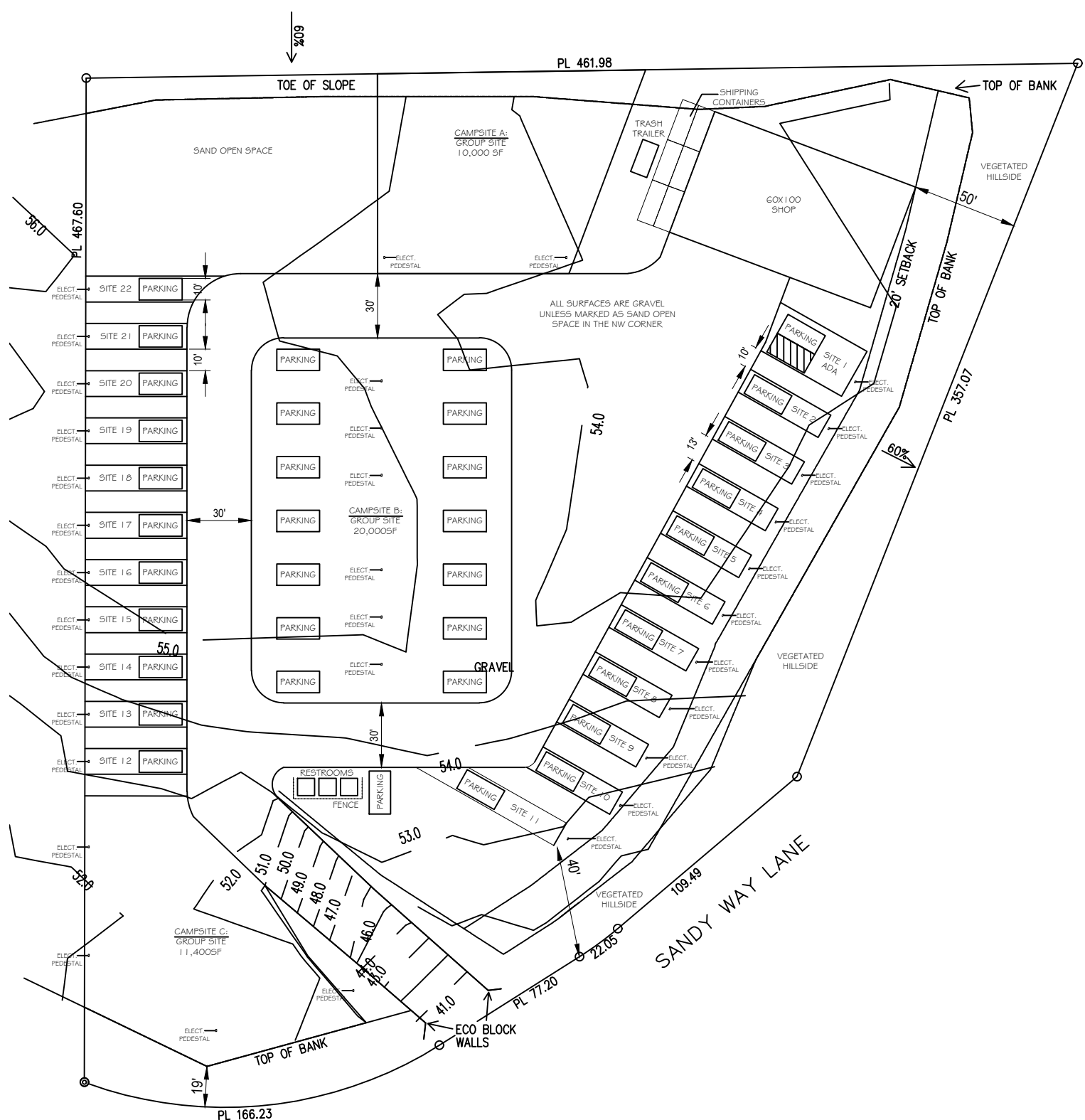


AOI 2023



PROPOSED SITE PLAN  
 SCALED TO FIT 8.5X11





PROPOSED SITE PLAN  
 SCALED TO FIT 8.5X11

