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Land Use Consulting - Permitting Assistance - Feasibility & Project Analysis

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January 25, 2024

Re: Application AM/RZ #23-007 -Supplemental – Accessory Use

Director Rolfe,

This document is provided at your direction as an addendum to Application AM/RZ-23-007; a consolidated request to modify a 1989 rezone decision, to allow additional industrial activities on property zoned Q-IND and CREMP-INDS in Coquille, Oregon.

The applicant requests Article 3.1, Section 3.1.450(5)¹ be applied to the review process, rather than Section 3.3.510. The original consolidated application requests Conditional Use approval for TL 1000, zoned CREMP-INDS (#CR-54), through the process prescribed by Article 3.3, to allow use of this portion of the subject property for aggregate processing. Upon further review of the CCLZDO, application of Section 3.1.450(5) is the most appropriate path forward, as use of TL 1000 is wholly dependent on the proposed principal use and Conditional Use approval of TL 101.

The subject property consists of two contiguous lots in common ownership, TL 101 and TL 1000. The proposed principal use, aggregate processing, will occur on TL 101 with a portion of TL 1000 used for access, circulation, and minimal aggregate storage. Use of TL 1000 is accessory to the use of TL 101.

¹ Section 3.1.450

(5) Accessory Uses. Uses customarily accessory to the lawfully established principal use shall be allowed in all cases unless specifically prohibited or restricted:

- a. An accessory use may be located on the same lot, parcel or tract or on a contiguous lot, parcel or tract under the same ownership as the lot, parcel or tract that contains the principal use;
- b. The use complies with the definition of "Accessory Structure or Use" pursuant to this Ordinance;
- c. The noncontiguous lot, parcel or tract is in the "same ownership" as the lot, parcel or tract on which the principal use is located;
- d. The accessory use shall only be allowed subject to an administrative conditional use and findings that establish that the use is compatible with surrounding uses or may be made compatible through the imposition of conditions.[OR 91-05-006PL 7/10/91]

TL 101 is zoned Q-IND, the proposed principal use is a Conditional Use. Conditional Use approval standards for this request are addressed in the original application.

For the scope of Section 3.1.450(5)(d), the proposed use is compatible with the surrounding uses, which are comprised of existing industrial and commercial operations. Residential uses nearby, but not within close proximity, are separated by natural and built buffers (the Coquille River, Rink Creek, Highway 42, or physical distance). The proposed use does not occur outside of regular business hours and is oriented on the subject property to minimize noise, light, pollution, etc.

The applicant finds that use of TL 1000 is subordinate to the proposed use of TL 101 for the described industrial activities, and as such, is an accessory use as defined in Section 2.1.200 of the CCZLDO. Conditional Use approval of TL 1000 for aggregate processing, in conjunction with TL 101, complies with the standards set forth in Section 3.1.450(5).

Respectfully,

Megan Lawrence
Land Use Consultant