

May 9, 2022
PLA-22-003/ACU-22-008 ADDITIONAL FINDINGS
24-13-11C TL 603
Tax Account #165204

PROPERTY OWNER

2018 Neil Family Revocable Trust
Darby Neil
1645 Quiet Oaks Drive
Arroyo Grande, CA 93420

APPLICANT

Coos Curry Consulting
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Bandon, OR 97411

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EXISTING PROPERTY CONDITIONS

The subject property is located in Hauser, found in Coos County, Oregon. The property is known as Tax Lot 603 on the Coos County Tax Assessor's Map 24-13-11C. The property is located in the C-1 zoning district and is .77 acres in size. There is not a situs address for this property, though access is off of Hauser Road.

Existing development includes two structures rented as storage units. One of the structures was approved by ACU-91-69 and is 3,840sf in size. The second structure was sited without a permit, by a previous owner, and is 1,600sf in size. Google Imagery suggests the placement of the second structure to have been between August 2003 and April 2004. The lot is primarily cleared and rocked, but there is a small vegetation buffer along the south property line that consists of native bushes and trees. The property is not used for farming or forest practices.

PROPOSED PROPERTY CONDITIONS

Development in Rural Unincorporated Communities shall not exceed 4,000 square feet of floor space, therefore the applicant is requesting a land division to create three legal parcels. A minimum of two parcels is required to bring the second structure into full compliance. Each parcel has been laid out to accomplish a minimum 5' setback to each property line from the existing foundations. Road access can be maintained to all sides of the structures through a shared access and parking easement. There is no current or proposed development for the

third parcel. Currently, that parcel is a gravel parking lot for long term storage of recreation related equipment- travel trailers, boats, etc.

Because the second structure was sited without a permit, a Conditional Use Permit application is also required for compliance. The request for a storage unit on the newly created Parcel 2 is included with this application. The applicant has requested a Consolidation of the Conditional Use Permit and the Land Division whereas the approvals are combined and a condition of approval will require the land division to be completed before issuance of the conditional use permit.

COOS COUNTY ZONING AND LAND DEVELOPMENT ORDINANCE (CCZLDO) FINDINGS OF FACT

4.11.129 The Beaches and Dunes map has inventoried lands as (1. Suitable for most uses; (2. Limited Suitability; and (3. Not Suitable. *The property is inventoried as having the Limited Suitability.*

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. IV- 154 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.

Applicant's Response: The applicant has provided a geology report which addresses the criteria outlined.

4.11.129(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;
- 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

Applicant's Response: The attached geology report concludes that there is no geologic hazards that present a threat to this site or the surrounding area.

- 4.11.129(ii) 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

Applicant's Response: The attached geology report has recommendations for stormwater runoff.

Implementation shall occur through an Administrative Conditional Use process, which shall include submission of a site investigation report by a registered civil engineer or geologist that addresses this subsection. Coos County shall permit other developments in these areas only:

- i. When specific findings have been made 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;
 - 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

Applicant's Response: The attached geology report concludes that there is not a hazard that presents a risk to other properties or to the general public.

- ii. When it is demonstrated that the proposed development:
 - a. is adequately protected from any geologic hazards, wind erosion, undercutting, ocean flooding and storm waves; or is of minimal value; and
 - b. is designed to minimize adverse environmental effects

Applicant's Response: The attached geology report concludes that there is no risk. The property is not located on an active dune and is not subject to ocean flooding or storm waves.

- iii. When breaching of foredunes is contemplated the following specific criteria has to be addressed:
- a. the breaching and restoration is consistent with sound principles of conservation, and either
 - b. the breaching is necessary to replenish sand supply in interdune areas, or
 - c. the breaching is done on a temporary basis in an emergency (e.g., fire control, cleaning up oil spills, draining farm lands, and alleviating flood hazards)

Applicant's Response: The foredunes are not breached, so this section is not applicable.

- iv. 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 IV- 156 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

The attached geology report has recommendations for stormwater runoff.

6.2.550

Improvements shall conform to these standards:

1. Proof of an adequate supply of potable water. Water supply may be accomplished with storage tanks.

Applicant's Response: There is no need for potable water for the storage units on site. There are no dwellings, existing or proposed; no water supply needed for the use; no sewer or septic, existing or proposed. The applicant requests a waiver to this criteria. If a waiver is not granted, then water storage tanks can be sited to meet this criteria.

2. Sewage disposal systems shall conform to the requirements of state law.

Applicant's Response: There is no need for sewer for the storage units on site. There are no dwellings, existing or proposed, and an onsite septic system is not proposed at this time.

3. Grading shall be performed and drainage facilities installed as is necessary to provide proper drainage within the partitioned area.

Applicant's Response: The owner maintains the existing gutters, downspouts and drainage ditch. Maintenance includes routine grading of the existing roads to ensure a slope from the buildings to the drainage ditch. No new construction is proposed at this time.

4. The installation of storm sewers may be required.

Applicant's Response: The site has adequate drainage, and a storm sewer is not needed or proposed at this time. Hauser Road does not have storm drainage installed, and the site drains to the south end where a drainage ditch exists.

5. Streets or roads shall conform to the improvement standards stated in Chapter 7. The county may deny, approve or approve with conditions a development proposal in order to minimize impacts to and protect transportation facilities. Any application that is expected to impact the state highway system must be provided to the Oregon Department of Transportation for their review and comment regarding conformance with state access management and mobility standards.

Applicant's Response: Access to the site is off of Hauser Road. The road conditions were existing at the time of initial development approval, and the road is maintained by the adjoining owners. The applicant understands that the road department may place conditions of approval on the application.

6. Sidewalks.

Applicant's Response: There are no developed sidewalks in the vicinity, so this section is not applicable.

7. When necessary to prevent erosion, all cuts and fills and graded areas shall be protected from erosion by appropriate seeding or planting.

Applicant's Response: The site was graded in approximately 1991, and no new grading is required for the partition or existing development.