STAFF REPORT

Date of Report: Thursday, August 21, 2014        Appeal Deadline Friday, September 05, 2014

Type of Application: ADMINISTRATIVE CONDITIONAL USE APPLICATION

Decision: APPROVED WITH CONDITIONS

File Number: ACU-14-13       Reviewed by:   Jill Rolfe, Planning Director

II. Property Information

<table>
<thead>
<tr>
<th>Account No.</th>
<th>479100</th>
</tr>
</thead>
<tbody>
<tr>
<td>Map Numbers</td>
<td>26S122100-00800</td>
</tr>
<tr>
<td>Property Owners</td>
<td>HONGELL, JOHN L. &amp; BRANDY</td>
</tr>
<tr>
<td></td>
<td>91360 BARKLOW LN</td>
</tr>
<tr>
<td></td>
<td>COOS BAY, OR 97420-8714</td>
</tr>
<tr>
<td>Situs Address</td>
<td>No address assigned to this parcel</td>
</tr>
<tr>
<td>Acreage</td>
<td>16.00 Acres</td>
</tr>
<tr>
<td>Zoning</td>
<td>FOREST (F)</td>
</tr>
<tr>
<td>Development Considerations:</td>
<td>FOREST MIXED USE (MU)</td>
</tr>
<tr>
<td>Property Location:</td>
<td>The property is located southeast of the unincorporated community of Millington. The property is accessed off of Tangent Lane via Catching Slough Road.</td>
</tr>
<tr>
<td>Proposal:</td>
<td>The applicant is requesting a conditional use to site a forest template dwelling on the subject property.</td>
</tr>
<tr>
<td>Lawfully Created Parcel/Lot:</td>
<td>The property was created and then reconfigured through a property line adjustment. Therefore, pursuant to CCZLDO §6.1.125(2) this parcel meets the definition of a lawfully created parcel.</td>
</tr>
<tr>
<td>Prior Application Restrictions:</td>
<td>This is a reauthorization of a template dwelling. The applicants completed the conditions of approval but failed to implement the permit prior to the expiration date. Therefore, there are no restrictions other than siting standards that will apply.</td>
</tr>
</tbody>
</table>

Special Districts/Agencies:

<table>
<thead>
<tr>
<th>Sumner RFPD</th>
<th>Coos Bay School District</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dave Perry, DLCD</td>
<td>Assessor’s office</td>
</tr>
</tbody>
</table>
III. FINDINGS TO THE APPLICABLE REVIEW CRITERIA

APPLICABLE CRITERIA
Coos County Zoning and Land Development Ordinance (CCZLDO) and Coos County Comprehensive Plan (CCCP)

<table>
<thead>
<tr>
<th>CCZLDO</th>
<th>§4.8.525(B)</th>
<th>Template Dwelling</th>
</tr>
</thead>
<tbody>
<tr>
<td>CCZLDO</td>
<td>§4.8.600</td>
<td>Mandatory Siting Standards Required for Dwellings and Structures in the Forest Zone</td>
</tr>
<tr>
<td>CCZLDO</td>
<td>§4.8.700</td>
<td>Fire Siting and Safety Standards</td>
</tr>
<tr>
<td>CCZLDO</td>
<td>§4.8.750</td>
<td>Development Standards</td>
</tr>
<tr>
<td>CCZLDO</td>
<td>Chapter 7, Table 7.2</td>
<td>Roads and Streets, Minimum Standards for new Roads, Streets and Driveways.</td>
</tr>
<tr>
<td>CCZLDO</td>
<td>Chapter 10, §10.1.400</td>
<td>Off Street Parking, Number of spaces per type of use</td>
</tr>
</tbody>
</table>

Note: criteria are shown below with findings in **bold**.

**DEFINITION**

**FOREST:** The purpose of the “F” zone is to designate forest lands and protect them for forest uses, except where findings establish that certain limited non-forest uses may be allowed. Some of the areas covered by the “F” zone are exclusive forest lands, while other areas include a combination of mixed farm and forest uses.

**MIXED USE:** Mixed farm-Forest Areas “MU” areas include land which is currently or potentially in farm-forest use. Typically such lands are those with soil, aspect, topographic features and present ground cover that are best suited to a combination of forest and grazing uses. The areas generally occupy land on the periphery of large corporate and agency holdings and tent to form a buffer between more remote uplands and populated valleys. In addition, these “mixed use” areas contain ownership of smaller size than in prime forest areas. Some are generally marginal in terms of forest productivity, such as areas close to the ocean.

In certain areas of the County, these “mixed use” areas consist of extensive uplands where the lands are held predominantly by ranchers who manage their properties interchangeably between grazing and forestry depending on the economic base of each commodity at any given time. An essential management approach practiced by these ranchers is to maintain enough upland grazing acreage to sustain livestock during the winter months due to the flooding of lowland areas. Some intensive forest management is practiced on these lands, but not to the same extent as in “prime forest areas”, and grazing is in many places a co-dominant use. There are typically mixtures of farm and forest uses in these areas. Certain non-forest uses will be allowed in areas that meet the criteria of this classification as established in the zoning ordinance.

**CCZLDO** §4.8.525(B) **Template Dwelling**

Template Dwelling. A single-family dwelling on a lot or parcel located within a forest zone may be allowed as a conditional use if:
1. There are no other dwellings on the tract on which the dwelling will be sited.

**FINDING:** According to the assessment records and aerial photos there are no other dwellings on the tract on which the dwelling will be sited. Therefore, this criterion has been met.

2. There are no deed restrictions established on the lots or parcels that make up the tract which do not allow a dwelling.

**FINDING:** The deed provided (#2008-12493) does not show any restrictions for this parcel. Therefore, this criterion has been met.

3. The lot or parcel on which the dwelling is to be located is predominantly composed of soils that are capable of producing the following cubic feet per acre per year:

<table>
<thead>
<tr>
<th>Cf/Ac/Yr of Growth</th>
<th>0-49</th>
<th>50-85</th>
<th>+85</th>
</tr>
</thead>
<tbody>
<tr>
<td>Required minimum number of lots or parcels or portions thereof existing on January 1, 1993, within a 160-acre square centered on the subject tract.</td>
<td>3</td>
<td>7</td>
<td>11</td>
</tr>
<tr>
<td>Required minimum number of dwellings existing on January 1, 1993, on the lots or parcels</td>
<td>3</td>
<td>3</td>
<td>3</td>
</tr>
</tbody>
</table>

**NOTE:** Lots or parcels within urban growth boundaries shall not be used to satisfy the above requirements.

4. If the tract on which the dwelling is to be sited is 60 acres or larger and abuts a road or perennial stream, the measurement shall be made by using a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to maximum extent possible, aligned with the road or stream. If a road crosses the tract on which the dwelling will be located, at least one of the three required dwellings shall be on the same side of the road as the proposed dwelling. However, one of the three required dwellings shall be on the same side of the road or stream as the tract and:
   a. Be located within a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is, to the maximum extent possible aligned with the road or stream; or
   b. Be within one-quarter mile from the edge of the subject tract but not outside the length of the 160-acre rectangle, and on the same side of the road or stream as the tract.

5. If a tract abuts a road that existed on January 1, 1993, the measurement may be made by creating a 160-acre rectangle that is one mile long and one-fourth mile wide centered on the center of the subject tract and that is to the maximum extent possible, aligned with the road.

**FINDING:** The Oregon Department of Forestry and the Planning Department Staff have estimated the cubic foot per acre per year growth to be greater than 85. Based upon the above criteria, the template option requires 11 parcels and 3 dwellings, established prior to January 1, 1993, within a 160-acre square centered on the subject property. Using a 160-acre square template centered on the property, the Planning Department has determined there are 12 parcels and 8 dwellings that were sited prior to January 1, 1993. Therefore, the subject property meets this criterion.

6. The proposed dwelling is not prohibited by, and will comply with, the requirements of the acknowledged Comprehensive Plan and its implementing measures.
FINDING: The Comprehensive Plan conditionally allows for dwellings within the forest zone, provided all criteria can be met. This property also has an identified wet meadow wetland in the northeast corner of the property. The proposed plot plan shows the dwelling site to be out of this area but as a condition of approval the property owners will be required to maintain a 50 foot setback from the wetlands. This proposal appears to comply with comprehensive plan and ordinance provisions.

CCZLDO §4.8.600 Mandatory Siting Standards Required for Dwellings and Structures in the Forest Zone

<table>
<thead>
<tr>
<th>CCZLDO</th>
<th>§4.8.600</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Mandatory Siting Standards Required for Dwellings and Structures in the Forest Zone</strong></td>
<td></td>
</tr>
</tbody>
</table>

The following siting criteria shall apply to all dwellings, including replacement dwellings, and structures in the Forest and Forest Mixed Use zones. Replacement dwellings may be sited in close proximity to the existing developed homesite. These criteria are designed to make such uses compatible with forest operations and agriculture, to minimize wildfire hazards and risks and to conserve values found on forest lands. These criteria may include setbacks from adjoining properties, clustering near or among existing structures, siting close to existing roads and siting on that portion of the parcel least suited for growing trees, and shall be considered together with the requirements in Section 4.8.700 to identify the building site.

A. Dwellings and structures shall be sited on the parcel so that:
   1. They have the least impact on nearby or adjoining forest or agricultural lands; and
   2. The siting ensures that adverse impacts on forest operations and accepted farming practices on the tract will be minimized; and
   3. The amount of forest lands used to site access roads, service corridors, the dwelling and structures is minimized; and
   4. The risks associated with wildfires are minimized.

FINDING: The proposed dwelling is to be sited in the area that has already been cleared. The dwelling site, according to the plot plan, is about 300' from the north property boundary, 400' from the east property boundary, 700' from the west property boundary and over 250' from the south property boundary as shown below. There is an existing road so there will be only little if any modifications needed to meet County standards.
The applicants have chosen an area that has already been cleared with an existing road to access the site; therefore, adjacent property will not be impacted by the development. The already cleared dwelling site reduces the risks associated with wildfires. The dwelling site will only remove one acre from forest production. The applicants have stated in their justification that a 30-foot primary firebreak will be established around all of structures and a 100-foot secondary firebreak beyond the primary firebreak will be maintained to minimize any risks associated with wildfires. The application has met this criterion.

B. The applicant shall provide evidence that the domestic water supply is from a source authorized in accordance with the Water Resources Department’s administrative rules for the appropriation of ground water or surface water and not from a Class II stream as defined in the Forest Practices Rules. For the purposes of this Section, evidence of a domestic water supply means:

1. Verification from a water purveyor that the use described in the application will be served by the purveyor under the purveyor’s rights to appropriate water; or
2. A water use permit issued by the Water Resources Department for the use described in the application; or
3. Verification from the Water Resources Department that a water use permit is not required for the use described in the application. If the proposed water supply is from a well and is exempt from permitting requirements under ORS 537.545, the applicant shall submit the well constructor’s report to the County upon completion of the well.

FINDING: There is no permit required to take water for single or group purposes in the amount not to exceed 15,000 gallons per day. The State Watermaster has signed off on this and the record is in the permanent file.

C. As a condition of approval, if road access to the dwelling is by a road owned and maintained by a private party or by the Oregon Department of Forestry, the United States Bureau of Land Management, or the United States Forest Service, then the applicant shall provide proof of a long-term road access use permit or agreement. The road use permit may require the applicant to agree to accept responsibility for road maintenance.

FINDING: The applicants have completed this requirement and the information is located in file # ACU-09-01.

D. Approval of a dwelling shall be subject to the following additional requirements:

1. Approval of a dwelling requires the owner to plant a sufficient number of trees on the tract to demonstrate that the tract is reasonably expected to meet Department of Forestry stocking requirements at the time specified in Department of Forestry administrative rules.
2. The Planning Department shall notify the County Assessor of the above condition at the time the dwelling is approved.
3. The property owner shall submit a stocking survey report to the County Assessor and the Assessor will verify that the minimum stocking requirements have been met by the time required by Department of Forestry Rules. The Assessor will inform the Department of Forestry in cases where the property owner has not submitted a stocking survey report of where the survey report indicates that minimum stocking requirements have not been met.
4. Upon notification by the Assessor the Department of Forestry will determine whether the tract meets minimum stocking requirements of the Forest Practices Act. If the Department of Forestry determines that the tract does not meet those requirements, it will notify the owner and Assessor that the land is not being managed as forest land. The Assessor will then remove the forest land designation pursuant to ORS 321.359 and impose the additional tax pursuant to ORS 321.372.

FINDING: A copy of the notice of decision will be provided to the Assessor’s office. The applicant shall comply with the requirements of this section.
All new dwellings and permanent structures and replacement dwellings and structures shall, at a minimum, meet the following standards. The Planning Director may authorize alternative forms of fire protection when it is determined that these standards are impracticable.

The dwelling shall be located within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district. If the applicant is outside the rural fire protection district, the applicant shall provide evidence that he has contacted the Department of Forestry of the proposed development.

A. Firebreak:
   1. A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions.
      This firebreak will be a primary safety zone around all structures. Vegetation within this primary safety zone 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.
   2. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.
   3. A secondary fire break of at least 100 feet radius around the primary safety zone shall be established and maintained. Vegetation should be pruned (to at least 8 feet in height) and spaced so that fire will not spread between the crowns of trees. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees.

The primary fuel-free break and secondary break areas shall be provided and maintained on land surrounding the dwelling that is owned or controlled by the owner. A variance application will not be required if the parcel’s configuration (shape and/or size) does not allow the primary or secondary fire break to be met. (OR-98-01-002PL).

FINDING: The proposed dwelling will be able to meet the fire safety setbacks and the applicants have presented written evidence to demonstrate the set-backs will be maintained. Therefore, this criterion has been met.

B. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.

C. If a water supply exceeding 4,000 gallons is suitable and available (within 100 feet of the driveway or road) for fire suppression, then road access and turning space shall be provided for fire protection pumping units to the source during fire season. This includes water supplies such as a swimming pool, tank or natural water supply (e.g. pond).

FINDING: The dwelling shall use non-combustible or fire resistant roofing materials and must obtain Oregon State Building Codes Division approval for any buildings. The applicant should provide enough space for fire suppression equipment to access the development. These will be conditions of approval.

D. The dwelling shall not be sited on a slope of greater than 40 percent.

FINDING: The proposed home site has a grade of less than 5% and complies with this criterion.

E. If the dwelling has a chimney or chimneys, each chimney shall have a spark arrester.

FINDING: When the proposed dwelling is built, it must have spark arresters if there are to be chimneys. It is the jurisdiction of Oregon State Building Codes Division to assure this. It will be a condition of approval.

F. The dwelling shall be located upon a parcel within a fire protection district or shall be provided with residential fire protection by contract. If the dwelling is not within a fire protection district, the applicant shall provide evidence that the applicant has asked to be included within the nearest such district.

FINDING: The subject property lies within the Sumner Rural Fire Protection District.
G. Except for private roads and bridges accessing only commercial forest uses, public roads, bridges, private roads and driveways shall be constructed so as to provide adequate access for firefighting equipment.

**FINDING:** The driveway has been approved by the Coos County Road Department. It will be a condition of approval that it is adequately constructed to provide access for fire suppression equipment.

H. Access to new dwellings shall meet road and driveway standards in Chapter VII.

**FINDING:** The access and driveway has already been approved by the County Roadmaster. Therefore, the proposal meets this criterion.

| CCZLDO | §4.8.750 Development Standards |

All development and structures approved pursuant to Article 4.8 shall be sited in accordance with this Section.

A. **Minimum Lot Size:** The minimum parcels size shall be at least 80 acres. Land divisions involving a house that existed prior to June 1, 1995 see Section 4.8.800 (C). For land divisions where all resulting parcels are at least 80 acres, a conditional use is not required. However, the standards in Article 6.1 and 6.5 must be met. [OR96-06-007PL 9/4/96]

**FINDING:** The subject property is less than 80 acres; however, this parcel was approved as part of a property line adjustment as it was already below the minimum lot size for a land division. The property owners are not requesting a further land division. This criterion does not apply.

B. **Setbacks:** All buildings or structures 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 any right-of-way line, whichever is greater.

**FINDING:** The submitted plot plan shows the proposed dwelling will be set back well beyond the required 35 feet from any road right-of-way and therefore, this criterion has been met.

C. **Structure Height:** No requirement.
D. **Lot Coverage:** No requirement.
E. **Fences, Hedges and Walls:** No requirement, except for vision clearance provisions in Section 7.1.525 and Fire Siting and Safety Standards in Section 4.8.700.
F. **Off-Street Parking and Loading:** See Chapter X.

**FINDING:** The applicants will meet all of the requirements listed above.

G. **Minimum Road Frontage/Lot Width:** 20 feet.

**FINDING:** The submitted plot plan shows the subject property meets or exceeds the required 20 feet of road frontage.

H. **Minimizing Impacts:** In order to minimize the impact of dwellings in forest lands, all applicants requesting a single family dwelling shall acknowledge and file in the deed record of Coos County, a Forest Management Covenant. The Forest Management Covenant shall be filed prior to any final County approval for a single family dwelling.

**FINDING:** The applicants signed a Forest Management Covenant and recorded it at the County Clerk’s office; therefore, this requirement has been met.
I. Riparian Vegetation Protection.

1. Riparian vegetation 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 that:
   a. Trees certified by the Coos Soil and Water Conservation District, a port district or U.S. Soil Conservation Service posting an erosion or safety hazard may be removed to minimize such hazard; or
   b. Riparian vegetation may be removed to provide direct access for a water-dependent use; or
   c. Riparian vegetation may be removed in order to allow establishment of authorized structural shoreline stabilization measures; or
   d. Riparian vegetation may be removed to facilitate stream or streambank clearance projects under a port district, ODFW, BLM, Soil & Water Conservation District, or USFS stream enhancement plan; or
   e. Riparian vegetation may be removed in order to site or properly maintain public utilities and road rights-of-way; or
   f. 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.
   g. The 50’ 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 wetland, stream, lake or river than the existing structure and said addition or alteration represents not more than 100% of the size of the existing structure’s “footprint”.

FINDING: There are wetlands on the subject property. The proposed home site has been previously approved. The dwelling will be required to maintain the 50 foot riparian vegetation protection setback.

<table>
<thead>
<tr>
<th>CCZLDO</th>
<th>Chapter 7, Table 7.2.</th>
<th>Minimum Standards for New Roads, Streets, and Driveways</th>
</tr>
</thead>
<tbody>
<tr>
<td>DRIVEWAYS¹</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Typical Cross-Section Figure</th>
<th>Average Daily Traffic¹</th>
<th>Subgrade Width²</th>
<th>All-Weather Travel Surface³</th>
<th>Right-of-Way Width⁴</th>
<th>Compacted Rock Depth</th>
<th>Maximum Grade⁷</th>
<th>Centerline Maximum Degree of Curvature</th>
<th>Vertical Unobstructed Clearance</th>
</tr>
</thead>
<tbody>
<tr>
<td>--</td>
<td>--</td>
<td>--</td>
<td>12’</td>
<td>--</td>
<td>--</td>
<td>12%</td>
<td>--</td>
<td>13.5’</td>
</tr>
</tbody>
</table>

FINDING: The County Roadmaster has reviewed the plans and approved the driveway by signing a driveway confirmation.

¹ “Driveway”, pursuant to Section 2.1.200, means "a private vehicular travel surface accessing a single residence."
### CCZLDO Chapter 10 §10.1.400

**Required number of parking spaces for type of use**

<table>
<thead>
<tr>
<th>USE</th>
<th>STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>6. Residential</td>
<td></td>
</tr>
<tr>
<td>a. single-family dwelling.</td>
<td>2 spaces per dwelling unit.</td>
</tr>
</tbody>
</table>

**FINDING:** As a condition of approval, the property owners must provide two parking spaces.

### III. AGENCY COMMENTS

There have been no agency comments received as of the date of this report.

### IV. NOTIFICATION

The Planning Department mailed individual written notice of the decision to the owners of record of all property located within 750 feet of the subject property. Notice of Decision with a copy of the staff report was forwarded to Applicant(s), Owner(s) and Dave Perry, DLCD. Notice of Decision was also provided to the following: Coos County Planning Commission, The Coos County Board of Commissioners, the special districts as noted above. In addition, notice of the decision was posted at the Coos County Courthouse, Coquille Annex and North Bend Annex. All notices were mailed and posted on August 21, 2014.

### V. NOTICE OF APPEAL RIGHTS

This decision may be appealed to the Coos County Hearings Body pursuant to Article 5.8 of the Coos County Zoning and Land Development Ordinance within 15 days from the date of written notice. This means that appeals must be received in the Planning Department by **5 p.m. on Friday, September 05, 2014**, in order to be considered. This decision will not be final until the period for filing an appeal has expired. Detailed information about the appeal process, filing fees and additional information will be provided by the Planning Department upon request. The decision is based upon the submitted application, supporting evidence, facts, and findings to the criteria.

### VI. CONCLUSION AND CONDITIONS

The applicant has met the criteria for a template dwelling. The following conditions shall apply:

1. Pursuant to ORS 215.416(1), the fees charged by the Planning Department for permit applications represent the average cost of processing the application. If the actual cost of processing the application exceeds the average cost, then the applicant shall be responsible for paying the full amount.
2. A Zoning Compliance Letter (ZCL) shall be obtained from the Planning Department in order to continue with any required development permits from the Department of Environmental Quality (DEQ) or State Building Codes Agency.
3. The permit shall run with the land and may be transferred to a new landowner when the property is conveyed. However, the “seller” or “grantor” shall, by acting upon this permit, agree to notify the “buyer” or “grantee” of the terms and conditions of the permit. Pursuant to CCZCCZLDO Section 5.2.900, this permit shall remain valid for the period set forth in ORS 215.417.
4. The proposed dwelling must be located as shown on the applicants’ submitted plot plan.
5. Pursuant to the CCZCCZLDO, Section 4.8.700 requires the following:
   A. Firebreak:
      1. A firebreak shall be established and maintained around all structures, including decks, for a distance of at least 30 feet in all directions. This firebreak will be a primary safety zone around all structures.
Vegetation within this primary safety zone 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.

2. Sufficient garden hose to reach the perimeter of the primary safety zone shall be available at all times.

3. A secondary fire break of at least 100 feet radius around the primary safety zone shall be established and maintained. Vegetation should be pruned (to at least 8 feet in height) and spaced so that fire will not spread between the crowns of trees. Accumulated needles, limbs and other dead vegetation should be removed from beneath trees. The primary fuel-free break and secondary break areas shall be provided and maintained on land surrounding the dwelling that is owned or controlled by the owner.

B. All new and replacement structures shall use non-combustible or fire resistant roofing materials, as may be approved by the certified official responsible for the building permit.

C. A water supply exceeding 4,000 gallons available for fire suppression.

D. The dwelling shall not be sited on a slope of greater than 40 percent.

E. If a chimney is proposed it shall have a spark arrester.

F. Adequate road access for fire personnel.

Attachments: Applicant’s submittal
Please place a check mark on the appropriate type of review that has been requested.

☐ Administrative Review  ☐ Hearings Body Review
☐ Final Development Plan (BDR)  ☐ Variance

An **incomplete** application **will not** be processed. Applicant is responsible for completing the form and addressing all criteria. Attach additional sheets to answer questions if needed. Please indicate not applicable on any portion of the application that does not apply to your request.

**A. Applicant:**

Name: John S. Hengell  Telephone: 541 888-6001
Address: 9360 Berkley Ln  541 260-5474
City: Coos Bay  State: OR  Zip Code: 97420

**B. Owner:**

Name: John L. Hengell  Telephone: 541 888-6001
Address: 9360 Berkley Ln  541 260-5474
City: Coos Bay  State: OR  Zip Code: 97420

**C. As applicant, I am (check one): Please provide documentation.**

☐ The owner of the property (shown on deed of record);

☐ The purchaser of the property under a duly executed written contract who has the written consent of the vendor to make such application (consent form attached).

☐ A lessee in possession of the property who has written consent of the owner to make such application (consent form attached).

☐ The agent of any of the foregoing who states on the application that he/she is the duly authorized agent and who submits evidence of being duly authorized in writing by his principal (consent form attached).

**D. Description of Property:**

Township 26 S  Range RW  Section 21  Tax Lot 800

Tax Account 4791.00  Lot Size  Zoning District F

Updated 2013
E. Information (please check off as you complete)

☐ 1. Existing Use Timber Land
☐ 2. Site Address No Address Yet
☐ 3. Access Road Tangent Lane
☐ 4. Is the Property on Farm/Forest Tax Deferral No
☐ 5. Current Land Use (timber, farming, residential, etc.) Timber
☐ 6. Major Topography Features (streams, ditches, slopes, etc.) Moderate slope along North Line
☐ 7. List all lots or parcels that the current owner owns, co-owns or is purchasing which have a common boundary with the subject property on an assessment map.
☐ 8. Identify any homes or development that exists on properties identified in #7.
☐ 9. A copy of the current deed of record.
☐ 10. Covenants or deed restrictions on the property, if unknown contact title company.
☐ 11. A detailed parcel map of the subject property illustrating the size and location of existing and proposed uses, structures and roads on an 8½” x 11” paper to scale. **Applicable distances must be noted on the parcel map along with slopes.** (See example plot map)

F. Proposed use and Justification

Please attach an explanation of the requested proposed use and findings (or reasons) regarding how your application and proposed use comply with the following the Coos County Zoning and Land Development Ordinance (LDO). Pursuant to the LDO, this application may be approved only if it is found to comply with the applicable criteria for the proposed use. Staff will provide you with the criteria; however, staff cannot provide you with any legal information concerning the adequacy of the submitted findings, there is no guarantee of approval and the burden rests on the applicant. (You may request examples of a finding)

Applicable Criteria: 


G. Authorization:

Updated 2013
All areas must be initialed by all applicant(s) prior to the Planning Department accepting any application unless the statement is not applicable. If one of the statements, below is not applicable to your request indicated by writing N/A.

I hereby attest that I am authorized to make the application for a conditional use and the statements within this application are true and correct to the best of my knowledge and belief. I affirm that this is a legally created tract, lot or parcel of land. I understand that I have the right to an attorney for verification as to the creation of the subject property. I understand that any action authorized by Coos County may be revoked if it is determined that the action was issued based upon false statements or misrepresentation.

ORS 215.416 Permit application; fees; consolidated procedures; hearings; notice; approval criteria; decision without hearing. (1) When required or authorized by the ordinances, rules and regulations of a county, an owner of land may apply in writing to such persons as the governing body designates, for a permit, in the manner prescribed by the governing body. The governing body shall establish fees charged for processing permits at an amount no more than the actual or average cost of providing that service. The Coos County Board of Commissioners adopt a schedule of fees which reflect the average review cost of processing and set-forth that the Planning Department shall charge the actual cost of processing an application. Therefore, upon completion of review of your submitted application/permit a cost evaluation will be done and any balance owed will be billed to the applicant(s) and is due at that time. By signing this form you acknowledge that you are response to pay any debt caused by the processing of this application. Furthermore, the Coos County Planning Department reserves the right to determine the appropriate amount of time required to thoroughly complete any type of request and, by signing this page as the applicant and/or owner of the subject property, you agree to pay the amount owed as a result of this review. If the amount is not paid within 30 days of the invoice, or other arrangements have not been made, the Planning Department may chose to revoke this permit or send this debt to a collection agency at your expense.

I understand it is the function of the planning office to impartially review my application and to address all issues affecting it regardless of whether the issues promote or hinder the approval of my application. In the event a public hearing is required to consider my application, I agree I bear the burden of proof. I understand that approval is not guaranteed and the applicant(s) bear the burden of proof to demonstrate compliance with the applicable review criteria.

As applicant(s) I/we acknowledge that is in my/our desire to submit this application and staff has not encouraged or discouraged the submittal of this application.

[Signatures]

Applicant(s) Original Signature

Applicant(s) Original Signature

Updated 2013
Tangent Lane Property, Township 26 S, Range 12W, Section 21, Tax Lot 800, Tax Account 4791.00

The subject property described on this application will be used to build a new single family dwelling home on a forest zoned parcel that is under 80 acres.
STATE OF OREGON,
County of ____________________________ ss.

I certify that the within instrument was received for recording on ________________________, at ___________ o'clock ______ M., and recorded in book/reel/volume No. ___________ on page _______ and/or as fee/file/instrument/microfilm/reception No. ___________. Records of this County.

Witness my hand and seal of County affixed.

_____________________________________, Deputy.

By ___________________________________, Deputy.

BARGAIN AND SALE DEED – STATUTORY FORM
(INDIVIDUAL GRANTOR)

Dennis W. Cole and John E. Hongell, as tenants in common without the rights of survivorship, Grantor,

conveys to

John L. Hongell and Brandy Hongell, husband and wife, Grantee,

the following real property situated in Coos County, Oregon, to-wit:

A tract of land located in Government Lot 2 of Section 21, Township 28 South, Range 12 West of the Willamette Meridian, Coos County Oregon more particularly described as follows:

Beginning at the Northeast corner of Government Lot 2 thence West on the North line of said Lot 2 a distance of 1119.82 feet, more or less, to the Northeast corner of that parcel described in Microfilm Reel No. 88-04-0649 Coos County Deed Records; thence South a distance of 500 feet to the Southeast corner of said parcel; thence leaving boundary of said parcel S85°20'00"E a distance of 1142.10 feet, more or less, to a point on the East line of Lot 2; thence North along the said East line a distance of 600 feet, more or less, to the point of beginning.

The true consideration for this conveyance is $1,000.00. (Here, comply with the requirements of ORS 93.030.)

DATED December 17, 2008

_____________________________________

STATE OF OREGON, County of Coos ss.

This instrument was acknowledged before me on 12-17-08, by

Dennis W. Cole and John E. Hongell

APPROVED: Friday, April 25, 2009

Notary Public for Oregon

My commission expires ___________.
October 6, 2008

Dennis Cole
John Hongell
93367 Green Acres Lane
Coos Bay, OR 97420

To whom it may concern,

This letter contains the Forest Site Information that you requested for a Conditional Use Permit with the Coos County Planning Department.

The Oregon Department of Revenue has determined site conditions for much of Western Oregon’s forestland. Field checking has proven their determinations to be generally accurate. For the 13-acre parcel, Tax Lot 800, located in Section 21 Township 26 South, Range 12 West, W.M., the DOR has determined the Site Condition to be FB. This generally equates to a Forest Site Index of 170, which is the approximate height of a dominant tree at age 100 years on the parcel. Please refer to the map attached with this letter.

Using Site Class information from the USDA Technical Bulletin No. 201, an estimation of the site productivity for forestland can be made. Each acre of forestland on the Applicant’s property can be expected to yield approximately 42,800 BF (FB) and at the end of a sixty-year rotation if proper stocking levels are maintained. Cubic foot growth estimates for the site are 148 cubic feet per acre per year.

Sincerely,

Nickolus Morris
Stewardship Forester
Oregon Department of Forestry

cc: Patty Evernden, Coos County Planning Director
Soils

Approximate Acres: 12
Legal Description: T26S R12W Sec 21
TI # 800

Field Office: COQUILLE SERVICE CENTER
Agency: NRCS
Assisted By: Pat Jones, Soil Conservationist
State and County: OR, COOS

Legend

Soils Map
☐ 13D, Dement silt loam, 12 to 30 percent slopes
☐ 46E, Preacher-Bohannon loams, 30 to 60 percent slopes
☐ 54E, Templeton silt loam, 30 to 50 percent slopes

NOTE: This map was produced for general planning purposes only. Location was derived from Coos County Assessor maps provided through the on-line ORMAP system. Boundaries are approximate at the scale provided. Soils data and map provided by the ArcMap geographical information system maintained by the USDA Natural Resources Conservation Service.
Map Unit Description (Brief, Generated)

Coos County, Oregon

[Minor map unit components are excluded from this report]

Map unit: 13D - Dement silt loam, 12 to 30 percent slopes

Component: Dement (75%)

The Dement component makes up 75 percent of the map unit. Slopes are 12 to 30 percent. This component is on mountain slopes, mountains. The parent material consists of residuum and colluvium derived from sedimentary rock. Depth to a root restrictive layer, bedrock, paralithic, is 40 to 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is moderate. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 8 percent. Nonirrigated land capability classification is 4e. This soil does not meet hydric criteria.

Map unit: 46E - Preacher-Bohannon loams, 30 to 60 percent slopes

Component: Preacher (40%)

The Preacher component makes up 40 percent of the map unit. Slopes are 30 to 60 percent. This component is on mountain slopes, ridges, mountains. The parent material consists of colluvium and residuum derived from arkosic sandstone. Depth to a root restrictive layer is greater than 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is very high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 75 percent. Nonirrigated land capability classification is 8e. This soil does not meet hydric criteria.

Component: Bohannon (30%)

The Bohannon component makes up 30 percent of the map unit. Slopes are 30 to 60 percent. This component is on mountain slopes, mountains. The parent material consists of colluvium derived from arkosic sandstone and siltstone. Depth to a root restrictive layer, bedrock, paralithic, is 20 to 40 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is high. Available water to a depth of 60 inches is low. Shrink-swell potential is low. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 5 percent. Nonirrigated land capability classification is 6e. This soil does not meet hydric criteria.

Map unit: 54E - Templeton silt loam, 30 to 50 percent slopes

Component: Templeton (75%)

The Templeton component makes up 75 percent of the map unit. Slopes are 30 to 50 percent. This component is on mountains, mountain slopes. The parent material consists of colluvium and residuum weathered from sedimentary rock. Depth to a root restrictive layer, bedrock, paralithic, is 40 to 60 inches. The natural drainage class is well drained. Water movement in the most restrictive layer is moderately high. Available water to a depth of 60 inches is high. Shrink-swell potential is moderate. This soil is not flooded. It is not ponded. There is no zone of water saturation within a depth of 72 inches. Organic matter content in the surface horizon is about 12 percent. Nonirrigated land capability classification is 6e. This soil does not meet hydric criteria.
January 19, 2009

Coos County Planning Dept.

RE: Template Dwelling Application

Applicant:

John & Brandy Hongell
91360 Barklow Lane
Coos Bay, OR 97420

RE: Review Standards and Special Considerations

Section 4.8.400

A. Sititing a home on the subject tract will not force a significant change in, or significantly increase the cost of accepted forest practices on the forest lands. There are multiple parcels ranging from 1.52 acres to 77 acres with homes sited on them in the immediate vicinity of this subject parcel that are zoned Forest. By allowing the siting of a single family dwelling on this site, the parcel would conform to what already exists within the area.

B. The proposed use will not significantly increase fire hazard or significantly increase fire suppression costs or increase risks to fire suppression personnel. A maintained driveway and maintained firebreak will actually aid in fire suppression by allowing easy and fast access in the event of a fire.

Section 4.8.525

B 1) Only one residential dwelling will be sited on the subject parcel.

2) There are no deed restrictions on the subject property restricting dwellings.

3 ) The subject parcel will meet the required number of parcels (11) if the property is capable of producing +85 Cf/Ac./Yr of growth using the 160 acre square. (It was determined that there are 12 parcels within the 160 acre square that existed prior to 1993).

Section 4.8.600

A. 1. The proposed home site is located on an existing landing/ road be and is a minimum of 300 feet from any property line.

2. The proposed home site will not impact any future forest operations. The
Capability Class – Definition

Land capability classification shows, in a general way, the suitability of soils for most kinds of field crops. Crops that require special management are excluded. The soils are grouped according to their limitations for field crops, the risk of damage if they are used for crops, and the way they respond to management. The criteria used in grouping the soils do not include major and generally expensive landforming that would change slope, depth, or other characteristics of the soils, nor do they include possible but unlikely major reclamation projects. Capability classification is not a substitute for interpretations that show suitability and limitations of groups of soils for rangeland, for woodland, and for engineering purposes.

In the capability system, soils are generally grouped at three levels -- capability class, subclass, and unit. Only class and subclass are included in this dataset.

Capability classes, the broadest groups, are designated by numerals I through VIII. The numerals indicate progressively greater limitations and narrower choices for practical use. The classes are defined as follows:

Class I soils have few limitations that restrict their use.

Class II soils have moderate limitations that reduce the choice of plants or that require moderate conservation practices.

Class III soils have severe limitations that reduce the choice of plants or that require special conservation practices, or both.

Class IV soils have very severe limitations that reduce the choice of plants or that require very careful management, or both.

Class V soils are not likely to erode but have other limitations, impractical to remove, that limit their use.

Class VI soils have severe limitations that make them generally unsuitable for cultivation.

Class VII soils have very severe limitations that make them unsuitable for cultivation.

Class VIII soils and miscellaneous areas have limitations that nearly preclude their use for commercial crop production.
Irrigated and Nonirrigated Yields by Map Unit Component

Coles County, Oregon

[Yields in the "N" columns are for nonirrigated areas; those in the "I" column are for irrigated areas. Yields are those that can be expected under a high level of management. Absence of a yield indicates that the soil is not suited to the crop or the crop generally is not grown on the soil. This report shows only the major soils in each map unit]

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# Forestland Productivity with Site Index Base Age (OR)

Coo County, Oregon

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