REQUEST:       Amendments to the Coos County Zoning and Land Development Ordinance

STAFF CONTACT:    Jill Rolfe, Planning Director

REVIEWING BODY:    Coos County Board of Commissioners

APPLICABLE CRITERIA
Coos County Zoning and Land Development Ordinance (LDO), Coos County Comprehensive Plan (CCCP), Oregon Administrative Rule (OAR)

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<th>LDO</th>
<th>Article 1.2</th>
<th>Legislative Amendments</th>
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I.BACKGROUND

These changes are part of a work program that was put together by Staff and reviewed by the Board of Commissioners. Staff has been working needed changes to the ordinances since July of 2013. The changes have been requested from decision makers, the public, and Staff who implement the ordinances. The goal is to streamline the process (when possible), address readability and update outdated language. This amendment is specific to the creation of parcels and lots.

Once the language was completed and reviewed during work sessions with the Citizen Advisory, Planning Commission and the Board of Commissioners, Staff provided a 35-day post acknowledgment plan amendment (PAPA) notice to Department of Land Conservation and Development (DLCD). This notice is required 35 days prior to the first evidentiary hearing.

Staff was required to provide notice to all property owners that may be affected by the change, and this notice is referred to as a Measure 56 notice. In 1998, Oregon voters passed a law known as Ballot Measure 56. It requires that notices be mailed to landowners when a change in land-use laws might limit uses of property. The law requires certain language to be used in the notices but that wording doesn’t describe the likely effects from the change in land-use laws. Receiving this notice does not mean the changes affect your property or property value. The changes proposed are not authorizing any type of development or use of anyone’s property. This notice was mailed as required by CCZLDO § 5.0.900. Notice was also published in the world. However, the notice did list the wrong publishing date. The notice was published on April 23, 2014 and again on May 3, 2014 (10 days prior to each hearing) in the World Newspaper.
II. PROPOSAL

The proposal consists of a legislative amendment to Transportation, Access and Parking Ordinances in the Coos County Zoning & Land Development Ordinances (LDO). The changes are consistent with the Coos County Transportation System Plan and Statewide Planning Goal 12.

Staff has combined all the provision regarding road and access into one chapter to make it easier to navigate. The language is necessary to implement the intent and goals of the Coos County Transportation System Plan. There has been some language added to address new roads and access. The goal of the ordinance is to provide safe and adequate transportation for new development. There have been figures added to help clarify parking requirements. Some of the language has been updated to reflect current construction standards.

The proposed changes have been reviewed by the Citizen Advisory Committee, Planning Commission and Board of Commissioners in work sessions.

The Planning Commission will be taking testimony on the proposed changes and make a recommendation to the Board of Commissioners. The testimony shall address the changing to Chapter VII only.

Attached to this report are the current language and the proposed language changes for comparison.

III. COMMENTS

There have been comments received in opposition but the opponents failed to raise any objection specifically to the language changes to Chapter VII. Some of the comments seem to relate to giving up some type of right to appeal. The notice does not state anyone would be giving up any right to appeal but explains failure to raise an issue prior to the close of the evidentiary record, in person or by letter, or failure to provide statements or evidence sufficient to afford the decision makers an opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals based on that issue. This is referred to as a waive it or raise it provision. The issues raised must address relevant land use criteria in order to allow a decision maker to address those issues. The opponents have not stated which part of the language in Chapter VII (AM-14-06) they are objecting to; therefore, the Planning Commission is not going to be able to address concerns.

Some of the comments were about the language used in the Measure 56 notice regarding change in property values. This amendment is not retroactive and would only apply to any future development. Property values are not part of the criteria but the language is required to be included in the Measure 56 notice. Staff has addressed a few of the opponents concerns because they were specific.

Staff has addressed a few of the opponents concerns because they were specific.

Mark Bickett & Jenette Entwise TT’s had concerns with the notification process. Notification is sent out to all property owners at the addresses listed on the property account (current tax rolls). The notice was mailed out on 4/9/14 and their notice was received back with a sticker that said forward time had expired return to sender on 4/14/14. Staff then resent the notice as a courtesy to the forwarded address provided by the post office. It is the responsibility of the property owner to keep mailing addresses up to date with the Assessor’s Office (see attached exhibit sheet for original mailing). The other comments relate to another application.

All information pertaining to the application has been made available on the website and at the planning office. Staff can email information if requested.
There has been no issues raised pertaining to the language changes in the survey standards. Therefore, staff request that the Planning Commission recommend approval of file AM-14-07.

COOS COUNTY PLANNING DEPARTMENT

Jill Rolfe, Planning Director

Attachments: 
“A” Proposed Changes
Current language to be changed

“B” Comments received

EC: County Counsel
Dave Perry, DLCD
Attachment “A”
CHAPTER VII
TRANSPORTATION, ACCESS AND PARKING

ARTICLE 7.1 GENERAL PROVISIONS

ARTICLE 7.1.100 PURPOSE: The Coos County Transportation ordinances guide the management of existing transportation facilities and the design and implementation of future facilities. Coos County shall strive to provide and encourage a transportation system that promotes safety and convenience for citizens and travelers and that strengthens the local and regional economy by facilitating the flow of goods and services. The goal of this ordinance is to plan and develop a roadway system that links communities, neighborhoods, and businesses and addresses the existing and future transportation needs of moving both people and goods safely in and throughout the region. The ordinances are set up to facilitate and implement the overall Transportation System Plan (TSP).

TSP constitutes the transportation element of the County’s Comprehensive Plan and satisfies the requirements of the Oregon Transportation Planning Rule established by the Department of Land Conservation and Development. It identifies and prioritizes transportation projects for inclusion in the Oregon Department of Transportation’s (ODOT’s) Statewide Transportation Improvement Program (STIP).

SECTION 7.1.125 RURAL AND URBAN STREET AND ROAD PROVISIONS: Article 7.1 covers general provisions for public and private roads, as well as driveways serving a single family residence, and access standards. Detailed road standards are covered in Article 7.2.

SECTION 7.1.150 PUBLIC AND PRIVATE ROADS: For the purpose of this ordinance, streets and road shall be divided into two major types:

1. Private roads (e.g., private access easements);
2. Public roads (created by public dedication or easement, or by fee title transfer to the public);

NOTE: New public roads created pursuant to this ordinance will not become part of the Coos County road maintenance system without specific action by the Board of Commissioners adopting such new roads into the maintenance system, review by the Oregon Department of Transportation if the action may affect a state transportation facility, and verification the new public road will be consistent with all applicable Coos County Zoning and Land Development Ordinance Standards and the TSP specifically, the Roadway System Plan portion of the TSP.

SECTION 7.1.175 FUNCTIONAL CLASSIFICATION: The functional classification system for the Coos County roadway network includes arterials, major collectors, minor collectors, and local streets. Coos County recently upgraded the functional classification of a number of roadways for consistency with current uses or with state classifications.

1 This ordinance refers to the ordinance sections dealing with transportation.
The state highway system described previously serves as the arterial network within Coos County. They provide a continuous road system that distributes traffic between cities and also serves as the primary arterial corridors within cities. Although the County has no direct control over the state highways within its boundaries, the highways heavily influence traffic patterns and development.

Arterials are the highest demand roadways that carry and distribute regional traffic between cities and counties. The emphasis is on serving through traffic with better control and less frequent property accesses. The state highway system will continue to serve as the arterial network within Coos County.

Collectors are described as streets connecting residential neighborhoods with smaller community centers and facilities, as well as providing access to the arterial system. Property access is generally a higher priority for collectors while through traffic movements are served as a lower priority. The county further breaks the collector category into major and minor collectors.

Major collectors generally serve higher traffic demands. They tie federal roads, minor collectors, and local roads to the arterial system. These roads also provide access to agricultural, forest, and recreational areas. Major Collectors are listed in Table 3-2 of the TSP.

Minor collectors generally serve lower traffic demands than major collectors. They generally branch off from highway, arterial or major collector roadways and provide access to agricultural, forest, recreational areas, and residential homes. Minor collectors are identified in Table 3-3 of the TSP.

Local road primarily serve residential properties but can also serve commercial and industrial areas. Property access is the main priority; through traffic movement is not encouraged. They are designed to carry low traffic volumes.

**SECTION 7.1.200 DEFINITIONS:**

1. AASHTO - American Association of State Highway and Transportation Officials.
3. Access - A way or means of approach to provide pedestrian, bicycle, or motor vehicular entrance or exit to a property.
4. Access Classification - A ranking system for roadways used to determine the appropriate degree of access management. Factors considered include functional classification, the appropriate local government's adopted plan for the roadway, subdivision of abutting properties, and existing level of access control.
5. Access Connection - Any driveway, road, turnout or other means of providing for the movement of vehicles to or from the public roadway system.
6. Access Management - The process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity, and speed.
7. Accessway - A walkway that provides pedestrian and bicycle passage either between streets or from a street to a building or other destination such as a school, park, or transit stop. Accessways generally include a walkway and additional land on either side of the walkway, often in the form of an easement or right-of-way, to provide clearance and separation between the walkway and adjacent uses. Accessways through parking lots are generally physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include landscaping, trees, and lighting. Where accessways cross driveways, they are generally raised, paved, or marked in a manner that provides convenient access for pedestrians.


9. Base - A Course of specified material of specified thickness placed below the Pavement.

10. Bikeway - Any road, path, or way that is in some manner specifically open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are shared with other transportation modes. The types of bikeways are:
   a. Multi-use Path - A paved way that is physically separated from motorized vehicular traffic; typically shared with pedestrians, skaters, and other non-motorized users.
   b. Bike Lane - A 4 to 6-foot wide portion of the roadway that has been designated by permanent striping and pavement markings for the exclusive use of bicycles.
   c. Shoulder Bikeway - The paved shoulder of a roadway that is 4 feet or wider; typically shared with pedestrians in rural areas.
   d. Shared Roadway - A travel lane that is shared by bicyclists and motor vehicles.
   e. Multi-use Trail - An unpaved path that accommodates all-terrain bicycles; typically shared with pedestrians.

11. Safe and convenient - Bicycle and pedestrian routes that are:
   a. Reasonably free from hazards, and
   b. Provide a reasonably direct route of travel between destinations, considering that the optimum travel distance is one-half mile for pedestrians and three miles for bicyclists.

12. Clear Zone - Roadside border area, starting at the edge of the traveled way that is available for safe use by errant vehicles. Establishing a minimum width Clear Zone implies that rigid objects and certain other hazards within the Clear Zone should be relocated outside the Clear Zone, or shielded, or remodeled to make them break away on impact or be safely traversable.

13. Coarse Aggregate - Crushed Rock or crushed Gravel retained on a 1/4 inch sieve, with allowable undersize.

14. Corner Clearance: The distance from an intersection of a public or private road to the nearest access connection, measured from the closest edge of the pavement of the intersecting road to the closest edge of the pavement of the connection along the traveled way.

15. Commercial Grade Concrete - Concrete furnished according to contractor proportioning, placed in minor structures and finished as specified.

16. Cross Access - A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.
17. County Roadmaster or Road Official - The Roadmaster or designated officer by the county governing body as being responsible for administration of road activities of Coos County.
18. Easement - A grant of one or more property rights by a property owner to, or for use by, the public or another person or entity.
19. Frontage Road - A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. The frontage road provides access to private properties while separating them from the arterial street. (also known as Service Roads)
20. Functional Area (Intersection) - That area beyond the physical intersection of two roads that comprises decision and maneuver distance, plus any required vehicle storage length.
21. Functional Classification - A system used to group public roadways into classes according to their purpose in moving vehicles and providing access.
22. Joint Access (or Shared Access) - A driveway connecting two or more contiguous sites to the public street system.
23. Lot, Corner - Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees.
24. Lot, Through - (also called a double frontage lot). A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lots.
25. Lot Frontage - That portion of a lot extending along a street right-of-way line.
26. Neighborhood Activity Center - An attractor or destination for residents of surrounding residential areas. Includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops and employment areas.
27. Non-conforming Access Features - Features of the property access that existed prior to the date of ordinance adoption and do not conform with the requirements of this ordinance.
28. Opened road - A rocked or paved road which has an all-weather year-round maintained travel surface. The determination of whether a road is "opened" shall be made by the Roadmaster
30. Pavement - Asphalt concrete or portland cement concrete placed for the use of motor vehicles, bicycles, or pedestrians on roadways, shoulders, multi-use paths and parking areas.
31. Pedestrian Facilities - A general term denoting improvements and provisions made to accommodate or encourage walking, including sidewalks, accessways, crosswalks, ramps, paths, and trails.
32. Private Road: Any roadway for vehicular travel which is privately owned and maintained and which provides the principal means of access to abutting properties.
33. Public Road - A road under the jurisdiction of a public body that provides the principal means of access to an abutting property.
34. Reasonable Access - The minimum number of access connections, direct or indirect, necessary to provide safe access to and from the roadway, as consistent with the purpose and intent of this ordinance and any applicable plans and policies of the county.
35. Reasonably direct - A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.
36. Right-of-Way - Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose.
37. Rural – Outside of city limits and urban areas such as urban unincorporated and urban growth boundaries.
38. Stub-out (Stub-street) - A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.
39. Subgrade - The top surface of completed earthwork on which subbase, base, surfacing, pavement, or a course of other Material is to be placed.
40. Substantial Enlargements or Improvements - A 10 percent increase in existing square footage or 50 percent increase in assessed valuation of a structure.
42. Utility - A line, facility, or system for producing, transmitting, or distributing communications, power, electricity, heat, gas, oil, water, steam, waste, storm water not connected with highway drainage, or any other similar commodity which directly or indirectly serves the public. The term may also mean the utility company, district, or cooperative owning and operating such facilities, including any wholly-owned or controlled subsidiary.
43. Walkway - A hard-surfaced (i.e. rock, concrete, etc.) area intended and suitable for pedestrians, including sidewalks and the surfaced portions of accessways.
44. Wetlands - Areas that are inundated or saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, vegetation typically adapted for life in saturated Soil conditions. Wetlands generally include swamps, marshes, bogs, and similar areas.
45. UGB – Urban Growth Boundary also referred to as Urban Growth Areas (UGA) are areas located adjacent to a city. They are established to provide land for urban development needs and to identify and separate urban and urbanizable land from rural land.
46. UUC – Urban Unincorporated Communities are areas contain at least 150 permanent residential dwellings, mix of three or more public, commercial or industrial uses, served by a community sewer and water system. Urban standards apply.

SECTION 7.1.225 AUTHORITY & RESPONSIBILITY FOR DETERMINING COMPLIANCE WITH THIS CHAPTER: The Coos County Roadmaster has the authority to impose any conditions to a permit she or he deems necessary to meet the standards of the American Association of State Highway and Transportation Officials (AASHTO standards), or make the road safe for travel.
The Coos County Roadmaster shall be responsible for determining compliance with the provisions of this chapter. When road and driveway improvements are required by this ordinance, the Roadmaster shall provide the Planning Director with written notice when the provisions of this chapter have been satisfied with respect to an application or other matter under review.

If the proposed action may affect a state transportation facility, notice shall be given to the Oregon Department of Transportation. 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.

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.

Subsection 4 Joint and Cross Access:
1. Adjacent commercial or office properties classified as major traffic generators (e.g. shopping plazas, office parks) shall provide a cross access drive and pedestrian access to allow circulation between sites.
2. A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate all of the following:
   a. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;
   b. A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;
   c. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive; and
   d. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.
3. A reduction in required parking spaces in shared parking areas shall be permitted if peak demands do not occur at the same time periods.
4. For County road facilities, Coos County may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
   a. Joint access driveways and cross access easements are provided in accordance with this section;
b. The traffic plan incorporates a unified access and circulation system in accordance with this section;
c. The property owner enters into a written agreement with Coos County, recorded with the deed, that preexisting connections on the site will be closed and eliminated after construction of each side of the joint use driveway; and
d. The County Road Department may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.

**Subsection 5 Requirements for Phased Development Plans:** In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be reviewed as a single property in relation to the access standards of this ordinance. The number of access points may be reduced for safety purposes. All necessary easements, agreements, and stipulations shall be met. This subsection shall also apply to phased development plans.

All access must be internalized using the shared circulation system of the principal development or retail center. Driveways shall be designed to avoid queuing across surrounding parking and driving aisles.

**Subsection 6 Non-conforming Access Features:** Legal access connections that are already in place as of the date of adoption of this ordinance that do not conform with the standards herein are considered non-conforming features and shall be brought into compliance with applicable standards under following conditions:

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

**Subsection 7 Reverse Frontage:**

1. Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower average daily traffic. Where safety concerns exist, the County Roadmaster, and/or ODOT will have final authority to permit appropriate access.
2. When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road, unless otherwise constrained by topography. Access rights of these lots to the arterial shall be dedicated to the County and recorded with the deed.

**Subsection 8 Shared Access:** Subdivisions with frontage on the state highway system shall be designed into shared access points to and from the highway. A maximum of two accesses shall be allowed regardless of the number of lots or businesses served. If access off of a secondary street is possible, then access should not be allowed onto the state highway. If access off of a secondary street becomes available, then the state highway access should be closed and there should be conversion to that access.
Subsection 9 Connectivity:
1. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this Section.
2. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to access abutting properties or to logically extend the street system into the surrounding area.
3. Minor collector and local residential access streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation. Connections shall be designed to avoid or minimize through traffic on local streets.

Subsection 10 Subdivisions:
A subdivision shall conform to the following standards:
1. Each proposed lot must be buildable in conformance with the requirements of this ordinance and all other applicable regulations;
2. Each lot shall abut a local public or private street for the required minimum lot frontage for the zoning district where the lots are located; and
3. If any lot abuts a street right-of-way that does not conform to the design specifications of this ordinance, the owner may be required to dedicate to Coos County up to one-half of the total right-of-way width required by this ordinance.

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 and they may have higher requirements.

SECTION 7.1.325 PROVISIONS FOR NEW PRIVATE ROADS IN CONJUNCTION WITH A LAND DIVISION: Access to proposed land divisions in urban or rural areas shall be required to conform to all of the following:
1. The proposed private road shall be clearly designated as a private road and must be mapped along with any reservations or restrictions relating to its use. The private road (serving three or more residences) shall be named and all lots/parcels shall be addressed by the developer as required by Coos County Code § 04.08;
2. All new lots and parcels proposed to be served by any new private road shall have a non-exclusive easement covering the entire private road to be created, and this easement shall be made a part of the legal description for the new lots or parcels at the time of title transfer;
3. If an existing private road is to be used as access to the proposed land division, then the property to be divided must also enjoy a non-exclusive easement covering the entire existing private road being used to access the property being divided;
4. Road maintenance agreements are required for new private roads;
5. The following notice shall appear in legible print on the face of any proposed final plat containing a lot or parcel to be served by a private road:

"Coos County hereby gives notice to all developers, purchasers, potential purchasers and all third parties that the County disclaims any liability whatsoever for any damage which may occur as a result of the failure of the developer to construct, improve or maintain roads in this proposed land division.

In addition, and for all partitions approved after January 1, 1996, the following shall also appear on the face of any proposed final plat containing a lot or parcel to be served by a private road:

"Confirmation is required from the County Roadmaster that all road, access management and driveway requirements of the Coos County Zoning and Land Development Ordinance have been met prior to the issuance of a Zoning Compliance Letter."

The developer is required to post and provide for the maintenance of signs on the road stating that the County does not maintain the facility. Such signs shall say “Road privately maintained by property owners”.

The sign shall be placed on a 4x4 wood post or a perforated square steel tube up to 2 ½ inches. The shall be 36 inches wide and 30 inches tall with four inch lettering and one inch spaces. The bottom of the sign to the travel surface shall be seven feet. The edge of the sign should be six feet from the edge of the shoulder of the road. Should a lesser clearance be needed, a variance may be granted. Always call for an underground utility locate before you dig. The material should be white on green background and be HIP retro reflective.
6. In UGB areas the Planning Department shall consult with the affected city; and
7. The Planning Director's decision to allow or not allow creation of a private road to access proposed development is a land use action that shall be supported by written findings and subject to the notice provisions of Article 5.7. Notice of the decision shall be provided at the same time that notice is given for approval or denial of an application. If the proposed action may affect a state transportation facility, notice shall be given to the Oregon Department of Transportation to provide conditions of approval, if necessary, to account for any impacts to the state transportation system. The decision maker shall incorporate ODOT conditions of approval into the permit conditions of approval, and notify ODOT if the conditions of approval are modified.

SECTION 7.1.350 PROVISIONS FOR NEW ROADS NOT IN CONJUNCTION WITH A LAND DIVISION: If multiple lawfully created lots or parcels are found to exist but are undeveloped, a new road may be required for access purposes prior to development or when the development changes the road classification as defined by the number of trips per day.

New private roads may be created to provide access to unimproved property only when the Planning Director finds that the private road will be needed for proper development related to the proposal. The Planning Director's decision shall be made only after receiving and reviewing a written recommendation from the Roadmaster.

The Planning Director's decision to allow or not allow creation of a private road to access proposed development is a land use action that shall be supported by written findings and subject to the notice provisions of Article 5.7. Notice of the decision shall be provided at the same time that notice is given for approval or denial of an application. If the proposed action may affect a state transportation facility, notice shall be given to the Oregon Department of Transportation to provide conditions of approval, if necessary, to account for any impacts to the state transportation system. The decision maker shall incorporate ODOT conditions of approval into the permit conditions of approval, and notify ODOT if the conditions of approval are modified.

When new private roads are created to provide access to unimproved property in urban or rural areas all of the following provisions apply:

1. The proposed private road shall be clearly designated as a private road and must be mapped along with any reservations or restrictions relating to its use. The private road (serving three or more residences) shall be named and all lots/parcels shall be addressed by the developer as required by Coos County Code § 04.08;
2. All proposed parcels/lots to be served by any new private road shall have a non-exclusive easement covering the entire private road to be created. This easement shall be made a part of the legal description for the parcels/lots served by the new private road;
3. Road maintenance agreements are required for new private roads;
4. The Roadmaster may require that the new private road be dedicated;
5. In urban areas the Planning Department shall consult with the affected city; and
6. The road will be required to be brought up the applicable standard as found in tables 7.2A and 7.2B.
SECTION 7.1.375 PROVISIONS FOR IMPROVEMENTS TO EXISTING 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 mean the estimated number of new trips that will be created by the proposed development within the study area.
   b. Planning period trips means the estimated number of total trips within the study area within the planning period identified in the TSP.
   c. Existing trips means the estimated number of existing trips within the study area at the time of TIS preparation.
   d. Estimated construction cost means 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 calculation is provided below:

\[
\text{Proportionate Share Contribution} = \left[ \frac{\text{Net New Trips}}{\text{Planning Period Trips} - \text{Existing Trips}} \right] \times \text{Estimated Construction Cost}
\]
SECTION 7.1.400 BRIDGE STANDARDS:  Bridges in conjunction with required road improvements shall conform to the following design standards and requirements:

1. The travel surface width of the bridge deck shall not be less than the required travel surface width of the roadway;
2. The bridge and its support components shall be designed to meet or exceed H-20 AASHTO loading requirements;
3. A registered professional engineer shall certify that the bridge is safe and that it meets or exceeds H-20 AASHTO loading requirements. The engineer's stamp shall be placed on all designs. Design specifications for prefabricated bridges shall be presented with an engineer's stamp attached; and
4. Notwithstanding the above, other bridge designs, including railroad flatcars, may be approved by the Coos County Roadmaster when such alternative designs are found to be safe and adequate to accomplish their purpose.

SECTION 7.1.425 ACCESS CONNECTION AND DRIVEWAY DESIGN:
Requirements in this section shall apply to new driveway and access connections intersections with a County Road. When access is needed to a lot or parcel, if the legal status of a lot or parcel has not been determined, the spacing standards in this section shall apply to all contiguous land in one ownership. Any access connection and driveways that involves access to the State Transportation System shall be reviewed by the Oregon Department of Transportation for conformance with state access management standards and other applicable state standards, before the application is accepted by the County. All access measures ODOT deems necessary shall be made a condition of approval.

1. Shared access connections will be provided for adjacent properties whenever possible.
2. Driveway access will be established to minor collector or local roadways where possible rather than to arterials or major collectors.
3. Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts.
4. Driveway and access connections on County Roads shall be located where they do not create undue interference or hazard to the free movement of highway and pedestrian traffic. Locations on sharp curves, steep grades, areas of restricted sight distance or at points that interfere with the placement and proper functioning of signs, lighting, guardrail, or other traffic control devices shall not be permitted.
5. Tables 7.2A and 7.2B shall be used in determining spacing between approaches onto County Roads.
6. The application and use of traffic signals shall be guided by the principles, methods and warrants outlined in the Uniform Traffic Control Devices Manual.
7. Sight distance standards shall follow the standards set forth in the AASHTO Geometric Design for Streets and Highways.

All new development is required to have a driveway confirmation completed. Driveways for the purpose of serving a single family residence shall comply with figure 7.1.425. An application must be completed prior to obtaining a zoning compliance letter from the Coos County Planning Department. All new driveways must also have an address at the...
applicant’s expense. An address is required to be obtained in accordance with County Code §04-08 prior to the issuance of a zoning compliance letter.

DRIVEWAY STANDARDS DRAWING – SINGLE RESIDENCE

Sight Distance Requirements (at the approach entrance)
- Speed less than 35 mph – 100’ both directions
- Speed greater than 35 mph – 150’ both directions

All Weather Surface – minimum 4 – inches aggregate base or as required by Roadmaster.

Figure 7.1.425

Construct appropriate ditches to prevent water runoff from discharging from the land onto a public road under county jurisdiction. Pursuant to ORS 368.256 the creation of a road hazard prohibited.

If driveway is over 1,000 ft., a pullout is required every 600 ft.

If a driveway cannot meet the maximum 18% grade then a legal agreement may be signed and recorded at the County Clerk’s office releasing the County from any liability from such driveway development. This document must be referenced on the property deed to allow future purchasers know that the driveway does meet standard. A sign shall be placed at the bottom of the driveway to warn any users of the driveway that it is not built to standard. Proof must be filed with the Planning and Road Department that the documents have been filed and a sign has been placed. The form located on the following page must be completed, signed and recorded prior to any land use authorizations.
REQUIRED FORM

RELEASE, INDEMNIFICATION, AND HOLD HARMLESS AGREEMENT AND PROPERTY COVENANT

herein called grantor(s) are the owners of the real property

(Property Owner’s Name)
described as follow: Microfilm Reel No. 

Township ________ S, Range ________ W.W.M. Section ________ Tax Lot ________ (Subject Property)

1. Grantors, their heirs, successors and assigns hereby acknowledge that the above described property’s driveway does not meet Coos County Driveway Standards. Grantors, their heirs, successors and assigns voluntarily, willingly, and knowingly ASSUME ANY AND ALL RISKS, known and unknown, in any way associated with the siting of the driveway that will serve as ingress and egress to the property described above.

2. Grantors, their heirs, successors and assigns hereby release, indemnify and hold harmless Coos County, its officers, employees, and agents from and against any claims, demands, actions, liens, rights, subrogated or contribution interest, debts, liabilities, judgments, costs and attorney’s fees, arising out of, claimed on account of, or in any manner predicated upon the usage of the driveway, including any loss or damage to property or the personal injury or death of any person which may occur as a result of use of this driveway, even where the loss, damage, personal injury, or death is caused or contributed to, in any manner, by Coos County, its officers, employees, and agents allowing the construction of the driveway.

3. By signing this document and recording it at the Coos County Clerk’s office Grantors, their heirs, successors and assigns acknowledge the following: This driveway will never be used to serve more than one residence, which may restrict future development of the Subject Property; and this driveway may not be adequate in case of an emergency, thereby restricting emergency vehicle access.

4. This document shall be disclosed to any future purchasers and a sign shall be posted at the entrance/intersection of driveway and road of the driveway in plain sight to warn any user of the driveway. A copy of this document shall be provided to the local fire district with the understanding that emergency equipment may not be able to access the Subject Property in the event of an emergency.

IN WITNESS WHEREOF, the Grantors have executed this covenant on ____________________.

(Titleholder’s signature) (Titleholder’s signature)

STATE OF OREGON)
COUNTY OF COOS )

Personally appeared the above named ___________________ and
acknowledged the above covenant to be their voluntary act and deed.

Notary Public for Oregon Commission Expires: ____________________

This covenant is hereby accepted this ____________ day of ____________, 20______.

By the Coos County Commissioners

Chair

Vice Chair

Commissioner

RESERVED FOR RECORDER
SECTION 7.1.450 FORESTRY, MINING OR AGRICULTURAL ACCESS: A private road which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways reviewable by the County. However, forestry, mining or agricultural roads shall meet the access standards listed in this section.

Forestry, Mining or Agricultural Access Standard drawing
Sight Distance Requirements (at the approach entrance)
- Speed less than 35 mph – 100’ both directions
- Speed greater than 35 mph – 150’ both directions

All Weather Surfaces – minimum aggregate base as required by the Roadmaster
The access will be developed from the edge of the developed road.

Figure 7.1.450

Construct appropriate ditches to prevent water runoff from discharging from the land onto a road under county jurisdiction. Pursuant to ORS 368.256 creation of a road hazard is prohibited.

SECTION 7.1.475 BICYCLE AND PEDESTRIAN CIRCULATION: The Transportation Planning Rule specifies that, at a minimum, sidewalks and bikeways be provided along arterials and collectors within urban growth boundaries and unincorporated communities with pedestrian facilities being appropriate in most residential areas as well.

SECTION 7.1.500 PLAN AMENDMENTS AFFECTING THE TRANSPORTATION SYSTEM: A plan or land use regulation amendment significantly affects a transportation facility if it:
1. Changes the functional classification of an existing or planned transportation facility;
2. Changes standards implementing a functional classification system;
3. As measured at the end of the planning period identified in the adopted TSP:
a. Allow land uses or levels of development that would result in types or levels of travel or access that are inconsistent with the functional classification of an existing or planned transportation facility;
b. Reduce the performance of an existing or planned transportation facility below the minimum acceptable performance standards identified in the TSP or comprehensive plan; or
c. Deteriorate the performance of an existing or planned transportation facility that is otherwise projected to perform below the minimum acceptable performance standard identified in the TSP or comprehensive plan.

Amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and performance standard of the facility identified in the Transportation System Plan. This shall be accomplished by measures identified in OAR 660.12.60 (2-3).

SECTION 7.1.525 VISION CLEARANCE TRIANGLE: The following regulations shall apply to all intersections of streets and roads within all districts in order to provide adequate visibility for vehicular traffic. There shall be no visual obstructions over thirty-six (36) inches in height within the clear vision area established herein. In addition to street or road intersections, the provisions of this section shall also apply to: mobile home park, recreational vehicle park, and campground accesses (entrances or exists).

The clear vision area shall extend along the right-of-way of the street for a minimum of 100 feet where the speed limit is less than 35 M.P.H.; and not less than 150 feet where the speed limit is greater than 35 m.p.h. The clear vision area shall be effective from a point in the center of the access not less than 25 feet back from the street right-of-way line.
SECTION 7.1.550 MAINTENANCE OF MINIMUM REQUIREMENTS:
1. Within Urban Area: No lot area, yard, off-street parking and loading area or other open space which is required by this Ordinance for one use shall be used as the required lot area, yard or other open space for another use, such as utility easements, access easements, road and street right-of-ways or septic drain fields.
2. Outside Urban Area: No lot area, yard, off-street parking and loading area or other open space which is required by this ordinance for one use shall be used as the required lot area, yard or other open space for another use. This does not include utility easements, private road access easements or septic drain fields; but does include all public road and street right-of-ways.

ARTICLE 7.2 ROAD STANDARDS
SECTION 7.2.100 STREET HIERARCHY:
Driveway: A private vehicular travel surface accessing a single residence.
Cul-de-sac: Dead end, closed, no through road or court is a street with only one inlet/outlet limited to residential use, without possibility of extension, and a maximum length of 400 feet measured from the center of the turnaround to the right-of-way line of the street or road being intersected.
Private Streets/Roads: Primarily roads or driveways on privately-owned property, limited to the use of the owner or a group of owners who share the use and who maintain the road or driveway according to applicable standards. These types of streets/roads serve a maximum of three residences.
Local Residential Streets/Roads: Residential streets primarily function to provide access to residential uses. All residential streets are intended to accommodate relatively low traffic volumes at slow speeds in order to minimize the basic incompatibility of vehicles and the pedestrians and children who characterize residential neighborhoods. These types of streets/roads serve four or more residences.
Minor Collectors: Generally serve lower traffic demands than major collectors. They generally branch off from highway, arterial or major collector roadways and provide access to agricultural, forest, recreational areas, and residential homes. Property access is generally a higher priority for minor collectors while through traffic movements are served as a lower priority.
Major Collectors: Connect residential neighborhoods with smaller community centers and facilities, as well as providing access to the arterial system. They generally serve higher traffic demands and serve both through traffic as well as providing property access. They tie federal roads, minor collectors, and local roads to the arterial system and also serve as relief routes should an event result in the closure of one of the arterial routes. These roads also provide access to agricultural, forest, and recreational areas.
Local Commercial/Industrial: Streets that primarily provide access to commercial or industrial zones.
Arterials: The highest demand roadways that carry and distribute regional traffic between cities and counties. The emphasis is on serving through traffic will controlled and less frequent property access. The state highway system will continue to serve as the arterial network within Coos County.

SECTION 7.2.200 REQUIREMENTS FOR ALL NEW ROADS: The following standards shall apply to any proposed public road that is proposed to be created:
1. Table 7.2A is for rural standards and 7.2B is for urban standards. The requirements in § 7.2.200 apply to all.
2. Compaction: All base and finish rock shall be compacted to 95% as per "Method A", AASHTO regulations, or APWA specifications. If requested by the Roadmaster, the developer shall submit compaction test results.

3. Horizontal Curves.
   a. Centerline radii of curves, as constructed, shall be not less than the standards prescribed in the following table:

<table>
<thead>
<tr>
<th>TYPE OF PUBLIC STREET</th>
<th>CENTERLINE MAXIMUM DEGREE CURVATURE (ARC DEFINITION)</th>
<th>CENTERLINE MINIMUM RADIUS IN FEET</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterials and Major Collectors</td>
<td>24 degrees</td>
<td>238.73</td>
</tr>
<tr>
<td>Minor Collectors</td>
<td>40 degrees</td>
<td>143.24</td>
</tr>
<tr>
<td>Local and Private Streets</td>
<td>56 degrees</td>
<td>102.31</td>
</tr>
</tbody>
</table>

   However, in special circumstances a lesser standard may be acceptable with a written report from the Coos County Roadmaster and Coos County Surveyor. If there are special circumstances such as topographical issues then the applicant should contact the Roadmaster and Surveyor to review these circumstances. The Roadmaster and Surveyor may conduct an onsite visit.

   b. Conversion formulas for arc definition of curvature are:
      
      \[
      \text{Degree of curvature} = \frac{5729.58}{\text{radius}} \\
      \text{Radius} = \frac{5729.58}{\text{degree of curvature}}
      \]

   c. Each curve shall have a minimum length of 75 feet.

   d. Whenever the centerline of a road or street changes direction, the tangents of such centerline shall be connected with curves meeting the specifications of this section.

4. Vertical curves:
   a. All tangent grades shall be connected by means of vertical curves.
   b. Vertical curves shall be at least 100 feet long except as provided in this section.
   c. Vertical curves at intersections shall be at least 25 feet long and may have unequal tangents; the shortest tangent shall be at least 10 feet long.
   d. Except under special conditions, vertical curves shall begin at or outside the extended right-of-way lines of intersections.

5. Intersection Angles: New roads and streets shall be designed to intersect with existing roads and streets at angles as near to right angles (90 degrees) as practicable. Lesser angles shall be permitted where topography limitations do not allow a right angle intersection but in no case may an intersection angle less than 60 degrees be approved without a variance.

The intersection of arterial or collector roads or streets with other arterial or collector roads or streets shall have a least 50 feet of tangent adjacent to the intersection of centerlines unless topography requires a lesser distance. Intersections which are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines at the acute angle. Right-of-way at
intersections with arterial roads or streets shall have a corner radius of not less than 20 feet.

6. Dead End Roads or Streets: Dead end roads or streets, other than cul-de-sacs, shall not be approved except when such dead end roads or streets are necessary for the effective development of the area. Any approved dead end road or street shall be provided with a turnaround conforming to the provisions of this ordinance.

7. Alignment: Whenever practicable, all new roads and streets shall be in alignment with existing roads and streets by continuation of the centerlines thereof. Staggered road or street alignments resulting in "T" intersections shall leave a minimum distance of 150 feet between the centerlines of roads or street oriented in approximately the same direction.

8. Future Extension of Street or Road: Roads and streets shall be extended across property being divided when necessary to facilitate development or provide future access to adjoining property. When extensions are deemed necessary, roads and streets shall be extended to the boundary of the property being divided. The resulting dead end road or street may be approved without a turnaround, notwithstanding subsection "6", above.

9. Control strip: A "control strip" may be required or authorized, pursuant to Section 6.2.450; and

10. Road and Street Names: Except for extensions of existing roads or streets, no new road or street name shall be used which will duplicate or be confused with the name of existing roads or streets in the County. Road or street names, or numbers, shall conform to established patterns in the surrounding area (whether the area is incorporated or not) and must comply with road naming requirements set forth in the Coos County Code § 04.08.

11. Slope Easements: In addition to the minimum right-of-way standards set forth in this ordinance, slope easements may be required for cuts or fills that must necessarily extend beyond right-of-way lines.

12. Grading:
   a. Cut slopes shall be not steeper than one (1) foot vertical rise to one (1) foot horizontal run, except that if the material is blow sand, the cut slope shall be not steeper than one (1) foot vertical rise to two (2) feet horizontal run.
   b. Fill slopes shall be not steeper than one (1) foot vertical rise to one and one-half (1.5) feet horizontal run, except that if the material is below sand, the fill slope shall be not steeper than one (1) foot vertical rise to two (2) feet horizontal run.
<table>
<thead>
<tr>
<th>Classification of Roadway</th>
<th>Figure #</th>
<th>Typical Average Daily Traffic</th>
<th>Right-of-Way Width</th>
<th>Sub grade Width</th>
<th>All-Weather Travel Surface Width</th>
<th>Construction</th>
<th>Minimum Access spacing</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driveways</td>
<td>1</td>
<td>-</td>
<td>-</td>
<td>14'</td>
<td>12' (20' apron if intersects major collector or Arterial)</td>
<td>-</td>
<td>50'/200'</td>
</tr>
<tr>
<td>Roadways serving a maximum of 3 dwelling units</td>
<td>2</td>
<td>0-150</td>
<td>40'</td>
<td>16'</td>
<td>12'</td>
<td>4''</td>
<td>Optional</td>
</tr>
<tr>
<td>Local Residential serving four or more dwelling</td>
<td>3</td>
<td>0-600</td>
<td>60'</td>
<td>24'</td>
<td>20'</td>
<td>8''</td>
<td>Optional</td>
</tr>
<tr>
<td>Minor Collectors</td>
<td>4</td>
<td>500-2,500</td>
<td>60'</td>
<td>37'</td>
<td>32' paved,</td>
<td>12''</td>
<td>3''</td>
</tr>
<tr>
<td>Local Commercial/Industrial</td>
<td>5</td>
<td>0-600</td>
<td>60'</td>
<td>38'</td>
<td>32' paved,</td>
<td>12''</td>
<td>4'' Two Lifts</td>
</tr>
<tr>
<td>Major Collectors</td>
<td>5</td>
<td>&gt;2,500</td>
<td>60'</td>
<td>38'</td>
<td>32' paved,</td>
<td>12''</td>
<td>4'' Two Lifts</td>
</tr>
</tbody>
</table>

**Turnarounds**

<table>
<thead>
<tr>
<th>Type</th>
<th>-</th>
<th>-</th>
<th>60’ Radius</th>
<th>53’ Radius</th>
<th>45’ radius</th>
<th>Same as type of Road Served</th>
<th>12%</th>
<th>-</th>
<th>13.5’</th>
<th>-</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cul-de-sac</td>
<td>-</td>
<td>-</td>
<td>70’ x 50’</td>
<td>66’x44’</td>
<td>60’x40’</td>
<td>Same as type of Road Served</td>
<td>12%</td>
<td>-</td>
<td>13.5’</td>
<td>-</td>
</tr>
<tr>
<td>Hammerhead</td>
<td>-</td>
<td>-</td>
<td>50’ x 40’</td>
<td>46’x36’</td>
<td>42’x32’</td>
<td>Same as type of Road Served</td>
<td>12%</td>
<td>-</td>
<td>13.5’</td>
<td>-</td>
</tr>
</tbody>
</table>

Optional means it is at the Roadmaster discretion
## MINIMUM STANDARDS FOR NEW ROADS AND DRIVEWAYS IN URBAN TABLE 7.2B

<table>
<thead>
<tr>
<th>Classification of Roadway</th>
<th>Figure # Typical Cross-section</th>
<th>Minimum Right-of-Way Width</th>
<th>Minimum Sub grade Width</th>
<th>All Weather Travel Surface Width</th>
<th>Intersections</th>
<th>Maximum Grade</th>
<th>Sidewalks Min Width</th>
<th>Min Access Spacing</th>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td>Driveways (Figure shown in rural standards)</td>
<td>-</td>
<td>14’</td>
<td>12’ (20’ apron if intersects major collector or arterial)</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>18% Max</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>Roadways serving 2 to 3 dwellings</td>
<td>6</td>
<td>40’</td>
<td>16’</td>
<td>12’</td>
<td>60 Deg</td>
<td>50’</td>
<td>150’</td>
<td>18% Max</td>
<td>-</td>
</tr>
<tr>
<td>Local Residential serving four or more dwelling</td>
<td>7</td>
<td>40’</td>
<td>32’</td>
<td>28’</td>
<td>60 Deg</td>
<td>50’</td>
<td>150’</td>
<td>18% Max</td>
<td>6’ both sides Optional</td>
</tr>
<tr>
<td>Cul-de-Sac (Not to exceed 400’ in length)</td>
<td>-</td>
<td>40’ with 50’ radius turn-around</td>
<td>32’</td>
<td>28’</td>
<td>60 Deg</td>
<td>50’</td>
<td>150’</td>
<td>18% Max</td>
<td>6’ both sides</td>
</tr>
<tr>
<td>Minor Collectors</td>
<td>8</td>
<td>60’</td>
<td>32’</td>
<td>37’ including two, 6’ bike lanes</td>
<td>60 Deg</td>
<td>50’</td>
<td>150’</td>
<td>12%</td>
<td>6’ both sides</td>
</tr>
<tr>
<td>Major Collector/Arterial (2 one-way lanes)</td>
<td>9</td>
<td>60’</td>
<td>40’</td>
<td>36’ including two, 6’ bike lanes</td>
<td>60 Deg</td>
<td>50’</td>
<td>150’</td>
<td>12%</td>
<td>6’ both sides</td>
</tr>
<tr>
<td>Local Commercial/Industrial</td>
<td>10</td>
<td>60’</td>
<td>40’</td>
<td>36’</td>
<td>60 Deg</td>
<td>50’</td>
<td>150’</td>
<td>12%</td>
<td>6’ both sides</td>
</tr>
<tr>
<td>Major Collector/Arterial (four-lane)</td>
<td>11</td>
<td>80’</td>
<td>66’</td>
<td>62’ including two, 6’ bike lanes</td>
<td>60 Deg</td>
<td>50’</td>
<td>150’</td>
<td>12%</td>
<td>6’ both sides</td>
</tr>
</tbody>
</table>

Optional means at the discretion of the Roadmaster or to follow the current traffic/sidewalk patterns. If sidewalks are not built on connecting streets or roads the requirement may be waived by the Roadmaster.
The Roadmaster uses the Oregon Standards Specifications for Construction Manual for specs. A link to the current edition of this manual will be located on the Planning Department’s webpage.

OSSC Section 00640 is the section that shall be used by the Roadmaster for Aggregate Base and Shoulders and OSSC Section 00740 for paving specifications. Oregon Department of Transportation standards will be applied to curbs and sidewalks.

Abbreviations
- HMAC - Hot Mixed Asphalt Concrete
- NOM – Nominal which refers to type of measurement
- MHMAC- Minor Hot Mixed Asphalt Concrete
- SL – Slope which calculated as a ratio of “rise” to “run” (rise over run)
- CL- Center Lane

FIGURES

RURAL FIGURES
Driveways Single Residence Figure 1
Rural Roadways serving a maximum of three dwellings (2 to 3) Figure 2

Rural Local Residential serving more four or more dwellings Figure 3
Rural Minor Collectors Figure 4

![Diagram of Rural Minor Collectors Figure 4]

Rural Local Commercial/Industrial and Major Collectors Figure 5

![Diagram of Rural Local Commercial/Industrial and Major Collectors Figure 5]
URBAN FIGURES

Urban Roadways serving 2 to 3 dwellings Figure 6

Urban Local Residential serving four or more dwellings Figure 7
Urban Minor Collectors Figure 8

Urban Major Collector/arterial (2 one-way lanes) Figure 9
Urban Local Commercial/Industrial Figure 10

Urban Major collector/Arterial (four-lane) Figure 11
ARTICLE 7.3 VARIANCE TO ROAD AND ACCESS STANDARDS

SECTION 7.3.100 VARIANCE PROCEDURE AND CRITERIA:  In lieu of the findings required by Article 5.3 this section shall apply to any variance to road, access, or parking standards. An application for a variance from road standards must provide proof of unique or special conditions that make strict application of the provisions impractical. Variances to the road and access standards shall be reviewed as an administrative decision; however, the Planning Director may at his/her discretion forward the application onto the Planning Commission. The Planning Director in consultation with the Roadmaster shall review any road or parking variance request. If the varied standard request is in an urban area then the applicable city shall be consulted.

1. Applicants shall include proof that:
   a. Indirect access cannot be obtained;
   b. No financially reasonable engineering or construction solutions can be applied to mitigate the condition; and
   c. No alternative access is available from a street with a lower functional classification than the primary roadway.

2. No variance shall be granted where such hardship is self-created.

3. An applicant requesting an access exception must submit an access management plan. The access management plan shall explain the need for the modification and demonstrate that the modification maintains the classified function and integrity of the facility. An access management plan shall be prepared and certified by a traffic or civil engineer registered in the State of Oregon. Access connections to a state highway, are required to be coordinated through ODOT and follow state standards. An access management plan shall at minimum contain all of the following:
   a. The minimum study area shall include the length of the site’s frontage plus the distance of the applicable access spacing standard, measured from each property line or access point(s), whichever is greater;
   b. The potential safety and operational problems associated with the proposed access point. The access management plan shall review both existing and future access for all properties within the study area as defined above;
   c. A comparison of all alternatives examined. At a minimum, the access management plan shall evaluate the proposed modification to the access spacing standard and the impacts of a plan utilizing the County standard for access spacing. Specifically, the access management plan shall identify any impacts on the operations and/or safety of the various alternatives;
   d. A list of improvements and recommendations necessary to implement the proposed access modification, specifically addressing all safety and operational concerns identified; and
   e. All references to standards or publications used to prepare the access management plan.

ARTICLE 7.4 MAINTENANCE AND RIGHT OF WAY ENHANCEMENT

SECTION 7.4.100 ROUTINE ROAD MAINTENANCE

1. Notwithstanding any other Ordinance provision, and except as otherwise provided in this Article, the routine operation, maintenance, and repair of existing transportation facilities shall be permitted outright in all zones when performed by:
a. A public agency, such as the Coos County Road Department, the Oregon Department of Transportation, the U.S. Department of the Interior, or the U.S Forest Service,
b. Any person in conjunction with a forest operation allowed under an Oregon Forest Practices Act permit, or
c. Any person when allowed under an Oregon Department of State Lands or a U.S. Army Corps of Engineers fill/removal program permit.

2. As used in this Article, “transportation facilities” means any public physical facility that moves or assists in the movement of people or goods including facilities identified in OAR 660-12-020 but excluding electricity, sewage and water systems.

3. As used in this Article, “routine operation, maintenance, and repair” means:
   a. Project types identified in Section VII of the Coos County Transportation System Plan, for example surface treatments like grading, overlays and chip seal, mowing the shoulders, patching pot holes, cleaning culverts, street sweeping, and including in-kind culvert replacements or culvert upgrading.
   b. Dedications of right-of-way, authorizations of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards.
   c. Projects necessary to protect the structural integrity of a transportation facility, such as streambank stabilization and fill.

4. If a project identified in paragraph 3(c) of this Article:
   a. Will be located within the 100-year floodway, and
      i. Is designed to enhance fisheries, fish habitat, or aquatic passage, then the applicant shall either submit the project to the Planning Department for floodplain review and approval by application or comply with the following streamlined approval process:
         1. Hire a qualified professional to perform a feasibility analysis and certify that the project is designed to keep any rise in the 100-year flood level as close to zero as practically possible and that no buildings would be repetitively impacted by the potential rise;
         2. Develop a long-term maintenance program that would sustain the project over time;
         3. Submit a written report to the County Planning Department no less than 30 days prior to commencement of the project, which describes the project and includes the feasibility analysis, certifications, and maintenance plan;
         4. As used in this section, a ‘qualified professional’ means a hydraulic or hydrology professional, a professional engineer, or a similarly qualified staff member of the County or any State or Federal fisheries, natural resource, water resource, or land management agency; and
      ii. Is not designed to enhance fisheries, fish habitat, or aquatic passage, the applicant shall submit the project to the Planning Department for floodplain review and approval.
   b. Will involve riprap or other structural solutions for shoreline stabilization, the applicant shall:
      i. Make written findings that non-structural solutions would adequately protect public safety and/or public facilities;
      ii. Make written findings that the proposed structural solution has been designed to minimize adverse impacts on water flows, erosion and accretion patterns; and
iii. Submit a written report to the County Planning Department no less than 30 days prior to commencement of the project, which describes the project and sets forth these findings.

5. Nothing in this Article shall prohibit a public agency from taking action necessary to protect the public health, safety, and welfare in response to an emergency, without providing prior notice to the County Planning Department. In the event of an emergency, the written report described in paragraph 4(b)(iii) shall be provided to the County Planning Department no later than 5 days after commencement of the project along with a written explanation of why the 30-day notice requirement was not followed.

6. For a project requiring State and/or Federal fill/removal permit review, the applicant shall submit to the Planning Department all written reports required by this Article prior to or concurrent with its submittal of the fill/removal permit for consistency sign-off.

(Ordinance 02-12-012PL 2/27/03)

SECTION 7.4.200 RIGHT OF WAY ENHANCEMENT

1. Notwithstanding any other Ordinance provision, the following types of public right-of-way enhancements shall be permitted except as otherwise reviewable pursuant to Statewide Planning Goals 5, 7, 16, 17, or 18 provisions of the Comprehensive Plan or this Ordinance:
   a. Climbing and passing lanes within the right-of-way existing as of July 1, 1987;
   b. Reconstruction or modification of public roads and highways, not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result;
   c. Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed;
   d. Minor betterment of existing public roads and highway related facilities, such as maintenance yards, weigh stations and rest areas, within right-of-ways existing as of July 1, 1987, and contiguous public owned property utilized to support the operation and maintenance of public roads and highways.

2. Within EFU zones, the following types of public right-of-way enhancements shall be administrative conditional uses subject to Review Standard 15; within all non-EFU zones the following types of public right-of-way enhancements shall be administrative conditional uses subject to Review Standard 7; in addition to the above Review Standards, the following uses may be reviewable pursuant to Goals 5, 7, 16, 17 or 18 provisions of the Comprehensive Plan, or this Ordinance:
   a. Construction of additional passing and travel lanes requiring the acquisition of right-of-way but not resulting in the creation of new land parcels;
   b. Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels;
   c. Improvement of public roads and highways and related facilities such as maintenance yards, weigh stations, and rest areas, where additional property or right-of-way is required but not resulting in the creation of new land parcels.
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:
   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 devises.

SECTION 7.5.175 REQUIRED NUMBER OF PARKING SPACES FOR TYPE OF USE.

<table>
<thead>
<tr>
<th>USE</th>
<th>STANDARD</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retail store and general commercial except as provided in subsection b. of this section.</td>
<td>1 space per 200 square feet of floor area, plus 1 space per employee.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>Retail store handling bulky merchandise (furniture, appliances, automobiles, machinery, etc.)</td>
<td>1 space per 600 square feet of floor area, plus 1 space per employee.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>Bank, general office, (except medical and dental).</td>
<td>1 space per 600 square feet of floor area, plus 1 space per employee.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>Medical or dental clinic or office.</td>
<td>1 ½ space per examination room plus 1 space per employee.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>Eating or drinking establishment.</td>
<td>1 space per 200 square feet of floor area, plus 1 space for every 4 seats.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>Bowling Alley</td>
<td>5 spaces per alley plus 1 space per 2 employees.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>Dance hall, skating rink, lodge hall.</td>
<td>1 space per 100 square feet of floor area plus 1 space per 2 employees.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>Stadium, arena, theater, race track</td>
<td>1 space per 4 seats or every 8 feet of bench length or equivalent capacity if no seating is provided.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>Storage warehouse, Manufacturing establishment, or trucking freight terminal</td>
<td>1 space per employee.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>Wholesale establishment.</td>
<td>1 space per employee plus 1 space per 700 square feet of patron serving area.</td>
</tr>
<tr>
<td></td>
<td>1 Bicycle space</td>
</tr>
<tr>
<td>USE</td>
<td>STANDARD</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Welfare or correctional institution</td>
<td>1 space per 5 beds for patients or inmates, plus 1 space per employee. 1 Bicycle space</td>
</tr>
<tr>
<td>Convalescent hospital, nursing home, sanitarium, rest home, home for the aged.</td>
<td>1 space per 5 beds for patients or residents, plus 1 space per employee. 1 Bicycle space</td>
</tr>
<tr>
<td>Church, mortuary, sports arena, theater.</td>
<td>1 space for 4 seats or every 8 feet of bench length in the main auditorium. 1 Bicycle space</td>
</tr>
<tr>
<td>Library, reading room.</td>
<td>1 space per 400 square feet of floor area plus 1 space per employee. 1 Bicycle space</td>
</tr>
<tr>
<td>Preschool nursery, kindergarten.</td>
<td>2 spaces per teacher; plus off-street loading and unloading facility. 1 Bicycle space per 20 students</td>
</tr>
<tr>
<td>Elementary or junior high school.</td>
<td>1 space per classroom plus 1 space per administrative employee or 1 space per 4 seats or every 8 feet of bench length in the auditorium or assembly room whichever is greater. 1 Bicycle space per 10 students</td>
</tr>
<tr>
<td>High school</td>
<td>1 space per classroom plus 1 space per administrative employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main Auditorium, whichever is greater. 1 Bicycle space per 20 students</td>
</tr>
<tr>
<td>Other auditorium, meeting room.</td>
<td>1 space per 4 seats or every 8 feet of bench length. 1 Bicycle space</td>
</tr>
<tr>
<td>Single-family dwelling.</td>
<td>2 spaces per dwelling unit.</td>
</tr>
<tr>
<td>Two-family or multi- family dwellings.</td>
<td>1 ½ spaces per dwelling unit. 1 bicycle space per unit for buildings with 4 or more units.</td>
</tr>
<tr>
<td>Motel, hotel, rooming or boarding house.</td>
<td>1 space per guest accommodation plus 1 space per employee.</td>
</tr>
<tr>
<td>Mobile home or RV park.</td>
<td>1 ½ spaces per mobile home or RV site.</td>
</tr>
</tbody>
</table>

Parking lot standards – Using the table above to calculate the number of spaces required along with the area there is available will help determine the type of parking lot that needs to be created. The table below explains the spacing and dimensions that need to be used.
### Minimum Horizontal Parking Widths for Standard Automobiles

<table>
<thead>
<tr>
<th>Figures</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Figures</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Single row of Parking</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Aisle</td>
<td>9’</td>
<td>20’</td>
<td>22’</td>
<td>23’</td>
<td>20’</td>
</tr>
<tr>
<td>Driving Aisle</td>
<td>12’</td>
<td>16’</td>
<td>17’</td>
<td>20’</td>
<td>24’</td>
</tr>
<tr>
<td>Minimum width of module (row and aisle)</td>
<td>21’</td>
<td>36’</td>
<td>39’</td>
<td>43’</td>
<td>44’</td>
</tr>
<tr>
<td><strong>Figures #’s</strong></td>
<td>F</td>
<td>G</td>
<td>H</td>
<td>I</td>
<td>J</td>
</tr>
<tr>
<td><strong>Two Rows of Parking</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Parking Aisle</td>
<td>18’</td>
<td>40’</td>
<td>44’</td>
<td>46’</td>
<td>40’</td>
</tr>
<tr>
<td>Driving Aisle</td>
<td>12’</td>
<td>16’</td>
<td>17’</td>
<td>20’</td>
<td>24’</td>
</tr>
<tr>
<td>Minimum width of module (row and aisle)</td>
<td>30’</td>
<td>56’</td>
<td>61’</td>
<td>66’</td>
<td>64’</td>
</tr>
</tbody>
</table>

**Figure A**

![Figure A: One-Way Parallel Parking](image1)

**Figure B**

![Figure B: One-Way 30 Degrees](image2)
ARTICLE 7.6 BONDING FOR DRIVEWAY, ACCESS, ROAD AND PARKING IMPROVEMENTS

SECTION 7.6.100 REQUESTING BONDING: If the road, utility, or other improvements for a partition, subdivision, or development are to be completed on or before a specified date after recording of the plat or obtaining land use approval for a dwelling the estimated cost (See figure 7.6) of performing the work shall be prepared and approved by the County Roadmaster.

1. Bond, Surety, Cash or Other Security Deposit Requirements. The bond, surety, cash or other security deposit agreement shall:
   a. Specify the time within which the required improvements or repairs shall be completed;
   b. Be filed in the amount of 120% of the approved estimated cost, as per the sample Bond Request, Figure 7.6 for partitions and subdivisions. 100% for driveways;
   c. Be conditioned upon the final approval and acceptance of the development;
   d. Be forfeited to the County if the applicant does not complete the requirements within the agreed-upon time limit, or if the applicant has created a hazard causing imminent danger to the public health and safety within or adjacent to the development which the developer is financially unable to correct.
   e. A bond shall only be good for one year with the option to renew the bond for an additional year for a fee. If a bond expires the money will not be returned. If the amount of the bond or cash deposit exceeds the cost and expense incurred by the County, the County shall release the remainder to the rightful claimant. If the amount of the bond or cash deposit is less than the cost and expense incurred by the County, the applicant shall be liable to the County for the difference; and
   f. Cover any costs, attorney fees, and liquidation damages resulting from delay or failure to meet the deadline.

2. If an applicant decides to abandon the project and a zoning compliance letter was issued by the Planning Department there will be a processing fee to revoke the compliance letter.

3. The Roadmaster may accept estimates from a contractor in place of the bond.
FIGURE 7.6 SAMPLE BOND REQUEST
Estimate of Cost for the Construction of Streets, Structures and other Improvements

DATE: __________________

Coos County Board of Commissioners
Coos County Courthouse
Coquille, OR 97423

RE: (Exact Land Developments Name)

Township ______   Range _______  Section__________   Tax Lot(s) ___________________

Dear __________________:

Herewith is an estimate of cost for the improvements within the development for the purpose of obtaining a performance bond, said improvements to be constructed in accordance with the approved plans and specifications for said development on file with the Coos County Planning Department.

<table>
<thead>
<tr>
<th>Item</th>
<th>Item Description</th>
<th>Unit</th>
<th>Quantity (In Place)</th>
<th>Unit Price</th>
<th>Total Cost</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Excavation</td>
<td>CY</td>
<td>______</td>
<td>$______</td>
<td>$________</td>
</tr>
<tr>
<td>2</td>
<td>Culvert ____&quot; Diameter</td>
<td>LF</td>
<td>______</td>
<td>$______</td>
<td>$________</td>
</tr>
<tr>
<td>3</td>
<td>Culvert ____&quot; Diameter</td>
<td>LF</td>
<td>______</td>
<td>$______</td>
<td>$________</td>
</tr>
<tr>
<td>4</td>
<td>Curb &amp; Gutter</td>
<td>LF</td>
<td>______</td>
<td>$______</td>
<td>$________</td>
</tr>
<tr>
<td>5</td>
<td>Catch Basins</td>
<td>EA</td>
<td>______</td>
<td>$______</td>
<td>$________</td>
</tr>
<tr>
<td>6</td>
<td>Manholes</td>
<td>EA</td>
<td>______</td>
<td>$______</td>
<td>$________</td>
</tr>
<tr>
<td>7</td>
<td>Aggregate Subbase</td>
<td>TN</td>
<td>______</td>
<td>$______</td>
<td>$________</td>
</tr>
<tr>
<td>8</td>
<td>Aggregate Base</td>
<td>TN</td>
<td>______</td>
<td>$______</td>
<td>$________</td>
</tr>
<tr>
<td>9</td>
<td>Hot Mix Asphalt Concrete</td>
<td>TN</td>
<td>______</td>
<td>$______</td>
<td>$________</td>
</tr>
</tbody>
</table>

Sub Total $___________
20% Contingencies and Engineering $___________
TOTAL $___________

Yours Truly,

(Signature of Developer)

____________________________________
Authorized by Roadmaster
In order to understand the changes you will need to look at the proposed language and compare it to the current language. Staff has put all of the existing language in this document to show what it is being replaced. The proposed language will replace current Chapters VII and X.

Proposed Article 7.1 replaces current Article 7.1 and § 3.3.500. The current language is listed below.

Current language that will be replaced, removed or reformatted.

**ARTICLE 7.1 **GENERAL PROVISIONS

**SECTION 7.1.100. Rural and Urban Street and Road Provisions.** Road and street development standards shall be divided into two categories:

1. Rural standards (See Article 7.2).
2. Urban road standards (See Article 7.3).

Policy matters regarding required road improvements are set forth and summarized in Table 7.1.

**SECTION 7.1.200. Required Dedication of Streets or Roads.** When a land division is reviewed by the County, the Board of Commissioners, Hearings Body or TRC may require design and public dedication of streets or roads to ensure the development and continuance of a convenient roadway network.

**SECTION 7.1.300. Public and Private Roads.** For the purpose of this ordinance, streets and road shall be divided into two major types:

1. Private roads (i.e., private access easements);
2. Public roads (created by public dedication or easement, or by fee title transfer to the public);

Note: New public roads created pursuant to this ordinance will not become part of the Coos County road maintenance system without specific action by the Board of Commissioners adopting such new roads into the maintenance system.

**SECTION 7.1.400. New Private Roads in Conjunction with Land Divisions.** New private roads may be created to provide access to proposed land divisions in urban or rural areas only when the Planning Director finds that the private road will not be needed for proper development of the surrounding sub-area. The Planning Director's decision shall be made only after receiving and reviewing a written recommendation from the Roadmaster.

The Planning Director's decision to allow or not allow creation of a private road to access proposed new lots or parcels is a land use action that shall be supported by written findings and subject to the notice provisions of Article 5.7. Notice of the decision shall be provided at the same time that notice is given for approval or denial of
the tentative partition plat for the proposed land division related to the proposed private road.

SECTION 7.1.500. **Special Provisions for New Private Roads.** When new private roads may be created to provide access to proposed land divisions in urban or rural areas:

1. The proposed private road shall be clearly designated as a private road on any required map or plat as shall any reservations or restrictions relating to its use and, if named, the private road shall end with the designation "Lane" or "Way";
2. All new lots and parcels proposed to be served by any new private road shall have a non-exclusive easement covering the entire private road to be created, and this easement shall be made a part of the legal description for the new lots or parcels at the time of title transfer;
3. If an existing private road is to be used as access to the proposed land division, then the property to be divided must also enjoy a non-exclusive easement covering the entire existing private road being used to access the property being divided;
4. Road maintenance agreements are required for new private roads;
5. The following notice shall appear in legible print on the face of any proposed final plat containing a lot or parcel to be served by a private road: "Coos County hereby gives notice to all developers, purchasers, potential purchasers and all third parties whatsoever that the County disclaims any liability whatsoever for any damage which may occur as a result of the failure of the developer to construct, improve or maintain roads in this proposed land division." In addition, and for all partitions approved after January 1, 1996, the following shall also appear on the face of any proposed final plat containing a lot or parcel to be served by a private road: "Confirmation is required from the County Roadmaster that all road and driveway requirements of the Coos County Zoning and Land Development Ordinance have been met prior to the issuance of a Zoning Compliance Letter." Finally, the developer is required to post and provide for the maintenance of signs on the road stating that the County does not maintain the facility. Such signs might say “This road is privately maintained by surrounding property owners. All costs for roadway maintenance and upkeep are assessed to each individual property owner”.

SECTION 7.1.550  **Access Management.**

Section 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 balances the right of reasonable access to private property with the right of the citizens of the 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.

**Section 2. Applicability**

This ordinance shall apply to all arterials and collectors within the county and to all properties that abut these roadways.

**Section 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 4. Definitions**

1. **Access.** A way or means of approach to provide pedestrian, bicycle, or motor vehicular entrance or exit to a property.
2. **Access Classification.** A ranking system for roadways used to determine the appropriate degree of access management. Factors considered include functional classification, the appropriate local government's adopted plan for the roadway, subdivision of abutting properties, and existing level of access control.
3. **Access Connection.** Any driveway, street, turnout or other means of providing for the movement of vehicles to or from the public roadway system.
4. **Access Management.** The process of providing and managing access to land development while preserving the regional flow of traffic in terms of safety, capacity, and speed.
5. **Accessway.** A walkway that provides pedestrian and bicycle passage either between streets or from a street to a building or other destination such as a school, park, or transit stop. Accessways generally include a walkway and additional land on either side of the walkway, often in the form of an easement or right-of-way, to provide clearance and separation between the walkway and adjacent uses. Accessways through parking lots are generally physically separated from adjacent vehicle parking or parallel vehicle traffic by curbs or similar devices and include landscaping, trees, and lighting. Where accessways cross driveways, they are generally raised, paved, or marked in a manner that provides convenient access for pedestrians.
6. **Corner Clearance.** The distance from an intersection of a public or private road to the nearest access connection, measured from the closest edge of the pavement of the intersecting road to the closest edge of the pavement of the connection along the traveled way.
7. **Cross Access.** A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.
8. **Easement.** A grant of one or more property rights by a property owner to, or for use by, the public or another person or entity.
9. **Frontage Road.** A public or private drive which generally parallels a public street between the right-of-way and the front building setback line. The frontage road provides access to private properties while separating them from the arterial street. (see also Service Roads)
10. **Functional Area (Intersection).** That area beyond the physical intersection of two roads that comprises decision and maneuver distance, plus any required vehicle storage length.
11. Functional Classification. A system used to group public roadways into classes according to their purpose in moving vehicles and providing access.

12. Joint Access (or Shared Access). A driveway connecting two or more contiguous sites to the public street system.

13. Lot. A parcel, tract, or area of land whose boundaries have been established by some legal instrument, and which is recognized as a separate legal entity for purposes of transfer of title, has frontage upon a public or private street, and complies with the dimensional requirements of this code.

14. Lot, Corner. Any lot having at least two (2) contiguous sides abutting upon one or more streets, provided that the interior angle at the intersection of such two sides is less than one hundred thirty-five (135) degrees.

15. Lot Depth. The average distance measured from the front lot line to the rear lot line.

16. Lot, Flag. A lot not meeting minimum frontage requirements and where access to the public road is by a narrow, private right-of-way line.

17. Lot, Through. (also called a double frontage lot). A lot that fronts upon two parallel streets or that fronts upon two streets that do not intersect at the boundaries of the lots.

18. Lot Frontage. That portion of a lot extending along a street right-of-way line.

19. Non-conforming Access Features. Features of the property access that existed prior to the date of ordinance adoption and do not conform with the requirements of this ordinance.

20. Parcel. A division of land comprised of one or more lots in contiguous ownership.


22. Private Road. Any roadway for vehicular travel which is privately owned and maintained and which provides the principal means of access to abutting properties.

23. Public Road. A road under the jurisdiction of a public body that provides the principal means of access to an abutting property.

24. Reasonable Access. The minimum number of access connections, direct or indirect, necessary to provide safe access to and from the roadway, as consistent with the purpose and intent of this ordinance and any applicable plans and policies of the county.

25. Right-of-Way. Land reserved, used, or to be used for a highway, street, alley, walkway, drainage facility, or other public purpose.

26. Stub-out (Stub-street). A portion of a street or cross access drive used as an extension to an abutting property that may be developed in the future.

27. Substantial Enlargements or Improvements. A 10 percent increase in existing square footage or 50 percent increase in assessed valuation of the structure.

Section 5. Joint and Cross Access

1. Adjacent commercial or office properties classified as major traffic generators (i.e. shopping plazas, office parks) shall provide a cross access drive and pedestrian access to allow circulation between sites.

2. A system of joint use driveways and cross access easements shall be established wherever feasible and shall incorporate the following:
a. A continuous service drive or cross access corridor extending the entire length of each block served to provide for driveway separation consistent with the access management classification system and standards;

b. A design speed of 10 mph and a maximum width of 20 feet to accommodate two-way travel aisles designated to accommodate automobiles, service vehicles, and loading vehicles;

c. Stub-outs and other design features to make it visually obvious that the abutting properties may be tied in to provide cross-access via a service drive;

d. A unified access and circulation system plan for coordinated or shared parking areas is encouraged.

3. A reduction in required parking spaces in shared parking areas shall be permitted if peak demands do not occur at the same time periods.

4. For County road facilities, Coos County may reduce required separation distance of access points where they prove impractical, provided all of the following requirements are met:
   a. Joint access driveways and cross access easements are provided in accordance with this section;
   b. The parking/traffic plan incorporates a unified access and circulation system in accordance with this section;
   c. The property owner enters into a written agreement with Coos County, recorded with the deed, that pre-existing connections on the site will be closed and eliminated after construction of each side of the joint use driveway.

7. The County Road Department may modify or waive the requirements of this section where the characteristics or layout of abutting properties would make a development of a unified or shared access and circulation system impractical.

Section 6. Access Connection and Driveway Design

Driveway approaches must be designed and located to provide an exiting vehicle with an unobstructed view. Construction of driveways along acceleration or deceleration lanes and tapers shall be avoided due to the potential for vehicular weaving conflicts.

Section 7. Requirements for Phased Development Plans

1. In the interest of promoting unified access and circulation systems, development sites under the same ownership or consolidated for the purposes of development and comprised of more than one building site shall be reviewed as single properties in relation to the access standards of this ordinance. The number of access points permitted provides reasonable access to these properties, not simply the maximum available for that frontage. All necessary easements, agreements, and stipulations shall be met. This shall also apply to phased development plans.

2. All access must be internalized using the shared circulation system of the principal development or retail center. Driveways shall be designed to avoid queuing across surrounding parking and driving aisles.
Section 8. Non-conforming Access Features
Legal access connections in place as of the date of adoption of this ordinance that do not conform with the standards herein are considered non-conforming features and shall be brought into compliance with applicable standards under the following conditions:
   a. When new access connection permits are requested;
   b. Change in use or enlargements or improvements that will increase trip generation by 50% or more; or
   c. When trips increase or the character of traffic changes on ODOT facilities.

Section 9. Reverse Frontage
1. Lots that front on more than one street shall be required to locate motor vehicle accesses on the street with the lower average daily traffic. Where safety concerns exist, the County Roadmaster, and/or ODOT will have final authority to permit appropriate access.
2. When a residential subdivision is proposed that would abut an arterial, it shall be designed to provide through lots along the arterial with access from a frontage road or interior local road, unless otherwise constrained by topography. Access rights of these lots to the arterial shall be dedicated to the County and recorded with the deed.

Section 10. Shared Access
Subdivisions with frontage on the state highway system shall be designed into shared access points to and from the highway. A maximum of two accesses shall be allowed regardless of the number of lots or businesses served. If access off of a secondary street is possible, then access should not be allowed onto the state highway. If access off of a secondary street becomes available, then conversion to that access is encouraged, along with closing the state highway access.

Section 11. Connectivity
1. The street system of proposed subdivisions shall be designed to connect with existing, proposed, and planned streets outside of the subdivision as provided in this Section.
2. Wherever a proposed development abuts unplatted land or a future development phase of the same development, street stubs shall be provided to access abutting properties or to logically extend the street system into the surrounding area.
3. Minor collector and local residential access streets shall connect with surrounding streets to permit the convenient movement of traffic between residential neighborhoods or facilitate emergency access and evacuation. Connections shall be designed to avoid or minimize through traffic on local streets.

Section 12. Subdivisions
A subdivision shall conform to the following standards:
   a. Each proposed lot must be buildable in conformance with the requirements of this ordinance and all other applicable regulations;
   b. Each lot shall abut a local public or private street for the required minimum lot frontage for the zoning district where the lots are located;
If any lot abuts a street right-of-way that does not conform to the design specifications of this ordinance, the owner may be required to dedicate up to one-half of the total right-of-way width required by this ordinance.

Section 13. Review Procedures for Access Management

1. Applicants shall submit a preliminary parking/traffic plan for review by the planning department. At a minimum, the site plan shall show:
   a. Location of existing and proposed access point(s) on both sides of the road where applicable;
   b. 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;
   c. Number and direction of lanes to be constructed on the driveway plus striping plans;
   d. All planned transportation features (such as sidewalks, bikeways, auxiliary lanes, signals, etc.);
   e. Parking and internal circulation plans including walkways and bikeways, in UGBs and unincorporated communities;
   f. A detailed description of any requested variance and the reason the variance is requested.

2. Subdivision and site plan review shall address the following access criteria:
   a. All proposed roads shall follow the natural topography and preserve natural features of the site as much as possible. Alignments shall be planned to minimize grading;
   b. Access shall be properly placed in relation to sight distance, driveway spacing, and other related considerations, including opportunities for joint and cross access;
   c. The road system shall provide adequate access to buildings for residents, visitors, deliveries, emergency vehicles, and garbage collection;
   d. Within UGBs and unincorporated communities an internal pedestrian system of sidewalks or paths shall provide connections to parking areas, entrances to the development, and open space, recreational, and other community facilities associated with the development;
   e. For purposes of State-controlled facilities, driveway and roadway spacing standards shall be consistent with ODOT access management standards as contained in the Oregon Highway Plan.

3. Any application that involves access to the State Highway System shall be reviewed by the Oregon Department of Transportation for conformance with state access management standards, before the application is accepted by the County. All access measures ODOT deems necessary shall be made a condition of approval.

Section 14. Variance Standards on County Facilities

1. The granting of the variation shall be in harmony with the purpose and intent of these regulations and shall not be considered until every feasible option for meeting access standards is explored, as determined by the County.
2. Applicants for a variance from these standards must provide proof of unique or special conditions that make strict application of the provisions impractical. Applicants shall include proof that:
   a. Indirect access cannot be obtained;
   b. No financially reasonable engineering or construction solutions can be applied to mitigate the condition; and
   c. No alternative access is available from a street with a lower functional classification than the primary roadway.
3. No variance shall be granted where such hardship is self-created.

SECTION 7.1.555  Plan Amendments Affecting the Transportation System. A plan or land use regulation amendment significantly affects a transportation facility if it:

   a. Changes the functional classification of an existing or planned transportation facility;
   b. Changes standards implementing a functional classification system;
   c. Allows types or levels of land use that would result in levels of travel or access that are inconsistent with the functional classification of a transportation facility; or
   d. Would reduce the performance of the facility below the minimum acceptable standards identified in the Transportation System Plan. Amendments to the comprehensive plan and land use regulations which significantly affect a transportation facility shall assure that allowed land uses are consistent with the function, capacity, and performance standard of the facility identified in the Transportation System Plan. This shall be accomplished by one of the following:

   a. Limiting allowed land uses to be consistent with the planned function of the transportation facility; or
   **b. Amending the Transportation System Plan to ensure that existing, improved, or new transportation facilities are adequate to support the proposed land uses consistent with the requirement of the Transportation Planning Rule; or
   c. Altering land use designations, densities, or design requirements to reduce demand for automobile travel and meet travel needs through other modes; or
   d. Amending the TSP to modify the planned function, capacity and performance standards, as needed, to accept greater motor vehicle congestion to promote mixed use, pedestrian friendly development where multimodal travel choices are provided.

**Note: The Coos County Planning Commission opposes this requirement as stated in the Transportation Planning Rule.

SECTION 7.1.560  Bicycle and Pedestrian Circulation. The Transportation Planning Rule specifies that, at a minimum, sidewalks and bikeways be provided along arterials and collectors within urban growth boundaries and unincorporated communities with pedestrian facilities being appropriate in most residential areas as well.

Definitions:
1. Accessway. A walkway that provides pedestrian and bicycle passage either between streets or from a street to a building or other destination such as a school, park, or transit stop.

2. Bikeway. Any road, path, or way that is in some manner specifically open to bicycle travel, regardless of whether such facilities are designated for the exclusive use of bicycles or are shared with other transportation modes. The five types of bikeways are:
   a. Multi-use Path. A paved way that is physically separated from motorized vehicular traffic; typically shared with pedestrians, skaters, and other non-motorized users.
   b. Bike Lane. A 4 to 6-foot wide portion of the roadway that has been designated by permanent striping and pavement markings for the exclusive use of bicycles.
   c. Shoulder Bikeway. The paved shoulder of a roadway that is 4 feet or wider; typically shared with pedestrians in rural areas.
   d. Shared Roadway. A travel lane that is shared by bicyclists and motor vehicles.
   e. Multi-use Trail. An unpaved path that accommodates all-terrain bicycles; typically shared with pedestrians.

3. Pedestrian Facilities. A general term denoting improvements and provisions made to accommodate or encourage walking, including sidewalks, accessways, crosswalks, ramps, paths, and trails.

4. Neighborhood Activity Center. An attractor or destination for residents of surrounding residential areas. Includes, but is not limited to, existing or planned schools, parks, shopping areas, transit stops, employment areas.

5. Reasonably direct. A route that does not deviate unnecessarily from a straight line or a route that does not involve a significant amount of out-of-direction travel for likely users.

6. Safe and convenient. Bicycle and pedestrian routes that are:
   a. Reasonably free from hazards, and
   b. Provide a reasonably direct route of travel between destinations, considering that the optimum travel distance is one-half mile for pedestrians and three miles for bicyclists.

7. Walkway. A hard-surfaced (i.e. rock, concrete, etc.) area intended and suitable for pedestrians, including sidewalks and the surfaced portions of accessways.

Parking/Traffic Plan Elements:
1. The location and design of bicycle and pedestrian facilities shall be indicated on the parking/traffic plan.
2. Pedestrian Access and Circulation. 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.
3. All site parking/traffic plans shall clearly show how the internal pedestrian and bicycle facilities of the site connect with external existing or planned facilities or systems.
SECTION 7.1.600. **Forestry, Mining or Agricultural Access.** A private way which is created to provide ingress or egress in conjunction with the use of land for forestry, mining or agricultural purposes shall not be required to meet minimum road, bridge or driveway standards set forth in this ordinance, nor are such resource-related roads, bridges or driveways reviewable by the County. The categorical exemption provided by this section does not apply to ingress and egress to land for forestry, mining or agricultural purposes when that ingress and egress also provides access to one or more dwellings.

SECTION 7.1.700. **Bridge Standards for Roads.** Bridges in conjunction with required road improvements shall conform to the following design standards and requirements:

1. The travel surface width of the bridge deck shall not be less than the required travel surface width of the roadway.
2. The bridge and its support components shall be designed to meet or exceed H-20 AASHTO loading requirements.
3. A registered professional engineer shall certify that the bridge is safe and that it meets or exceeds H-20 AASHTO loading requirements. The engineer's stamp shall be placed on all designs. Design specifications for prefabricated bridges shall be presented with an engineer's stamp attached.
4. Notwithstanding the above, other bridge designs, including railroad flatcars, may be approved by the Coos County Roadmaster when such alternative designs are found to be safe and adequate to accomplish their purpose.

SECTION 7.1.800. **Standards for Driveways and Driveway Bridges.** When driveway improvements, including driveway bridges, are required by this ordinance, such improvements shall conform to the following design standards:

1. The provisions of Table 7.2 concerning rural driveways shall apply to both rural and urban driveways; and
2. When driveway bridges are necessary, then:
   a. The provisions of Section 7.1.700 shall apply when the subject driveway exceeds 450 feet in length; or
   b. When the subject driveway does not exceed 450 feet in length, designs shall be approved when certified by the Roadmaster to safely carry a 10-ton load.

SECTION 7.1.900 **Circumstances Requiring Road Improvements; Extent of Required Road Improvements.**

Public and private road and street improvements are required by this ordinance when the circumstances set forth in Table 7.1 exist.

If and when public or private road improvements are required, then such improvements shall be back to the intersection with an opened public road. This may include road improvements to a series of public roads or streets and private access easements.
When road improvements are required within city urban growth boundaries, including the Coos Bay Area Urban Growth Boundary, road construction shall be required to the extreme point of physical access (i.e., driveway), and not to the furthermost property line.

"Opened road," as used in this ordinance, means a rocked or paved road which has an all-weather year-round maintained travel surface. The determination of whether a road is "opened" shall be made by the Roadmaster.

SECTION 7.1.1000. Responsibility for Determining Compliance with this Chapter. The Coos County Roadmaster shall be responsible for determining compliance with the provisions of this chapter. When road and driveway improvements are required by this ordinance, the Roadmaster shall provide the Planning Director with written notice when the provisions of this chapter have been satisfied with respect to an application or other matter under review.
### TABLE 7.1 ROAD STANDARD POLICY MATRIX

<table>
<thead>
<tr>
<th></th>
<th>When a new road is created or an unopened road is opened...</th>
<th>When a legally created road already exists...</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Rural</td>
<td>City – UGBs</td>
</tr>
<tr>
<td>1. Must a road be improved in conjunction with a partition?</td>
<td>yes</td>
<td>none</td>
</tr>
<tr>
<td>A. Before a dwelling may be authorized in a partition created after 1/1/96, to what extent shall roads be improved?</td>
<td>Section 7.1.900</td>
<td>Section 7.1.900</td>
</tr>
<tr>
<td>B. Before a dwelling may be authorized in a partition created after 1/1/96, what road standards are required?</td>
<td>Table 7.2</td>
<td>Table 7.3</td>
</tr>
<tr>
<td>2. Must a road be improved in conjunction with a subdivision at the time of final plat?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>A. To what extent shall roads be improved?</td>
<td>Section 7.1.900</td>
<td>Section 7.1.900</td>
</tr>
<tr>
<td>B. What road improvement standards are required?</td>
<td>Table 7.2</td>
<td>Table 7.3</td>
</tr>
<tr>
<td>3. Must unopened roads in existing platted subdivisions be improved before a dwelling may be authorized?</td>
<td>yes</td>
<td>yes</td>
</tr>
<tr>
<td>A. To what extent shall roads be improved?</td>
<td>Section 7.1.900</td>
<td>Section 7.1.900</td>
</tr>
<tr>
<td>B. What road improvement standards are required?</td>
<td>Table 7.2</td>
<td>Table 7.3</td>
</tr>
</tbody>
</table>
SECTION 3.3.500. Maintenance of Minimum Requirements.

1. **Within Urban Growth Boundary:** No lot area, yard, offstreet parking and loading area or other open space which is required by this Ordinance for one use shall be used as the required lot area, yard or other open space for another use, such as utility easements, access easements, road and street right-of-ways or septic drainfields.

2. **Outside Urban Growth Boundary:** No lot area, yard, offstreet parking and loading area or other open space which is required by this ordinance for one use shall be used as the required lot area, yard or other open space for another use. This does not include utility easements, private road access easements or septic drainfields; but does include all public road and street right-of-ways.

The proposed language in Article 7.2 replaces language found in § 7.3.200 and 7.3.100. Current language listed below.

Current language that will be replaced, removed or reformatted. **SECTION 7.3.100 Requirements for New Roads to be Created in Conjunction with a Partition, Subdivision or Planned Unit Development.** The following standards shall apply to any proposed road that is to be created in conjunction with a land division within a City-UGB:

1. The provisions of Table 7.3 are applicable within the City-UGB or Urban Unincorporated Communities. The minimum road standards of Table 7.3 may be modified in the discretion of the County Roadmaster.
<table>
<thead>
<tr>
<th>Public or Private Road Type</th>
<th>Minimum Right-of-Way Width(^1)</th>
<th>Minimum Travel Surface Width</th>
<th>Minimum Sub-Grade Width</th>
<th>Intersections</th>
<th>Maximum Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arterial (Four-lane)</td>
<td>80’</td>
<td>62’</td>
<td>66’</td>
<td>60 degrees</td>
<td>7%</td>
</tr>
<tr>
<td>Arterial (2 one-way lanes)</td>
<td>60’</td>
<td>36’</td>
<td>40’</td>
<td>60 degrees</td>
<td>7%</td>
</tr>
<tr>
<td>Collector</td>
<td>60’</td>
<td>36’</td>
<td>40’</td>
<td>60 degrees</td>
<td>10%</td>
</tr>
<tr>
<td>Residential</td>
<td>50’</td>
<td>28’</td>
<td>32’</td>
<td>60 degrees</td>
<td>16%</td>
</tr>
<tr>
<td>Cul-de-Sac (Not to exceed 400’ in length)</td>
<td>40’ with 50’ radius turn-around</td>
<td>28’</td>
<td>32’</td>
<td>60 degrees</td>
<td>16%</td>
</tr>
<tr>
<td>Commercial/ Industrial</td>
<td>60’</td>
<td>36’</td>
<td>40’</td>
<td>60 degrees</td>
<td>12%</td>
</tr>
</tbody>
</table>

\(^1\) In addition to right-of-way, slope easements may be required.
<table>
<thead>
<tr>
<th>Public or Private Road Type</th>
<th>Sidewalks Minimum Width¹</th>
<th>Curb Width¹</th>
<th>Construction</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td></td>
<td>Base Rock</td>
<td>Finish Rock</td>
</tr>
<tr>
<td>Arterial (Four-lane)</td>
<td>5’ both sides</td>
<td>6”</td>
<td>6”</td>
</tr>
<tr>
<td>Arterial (2 one-way lanes)</td>
<td>5’ both sides</td>
<td>6”</td>
<td>6”</td>
</tr>
<tr>
<td>Collector</td>
<td>5’ both sides</td>
<td>not required</td>
<td>6”</td>
</tr>
<tr>
<td>Residential</td>
<td>5’ both sides</td>
<td>not required</td>
<td>6”</td>
</tr>
<tr>
<td>Cul-de-Sac (Not to exceed 400 ft. in length)</td>
<td>5’ both sides</td>
<td>not required</td>
<td>6”</td>
</tr>
<tr>
<td>Commercial/ Industrial</td>
<td>not required</td>
<td>not required</td>
<td>6”</td>
</tr>
</tbody>
</table>

¹ Required only if paving is required.
2. Compaction. All base and finish rock shall be compacted to 95% as per "Method A", AASHTO regulations, or APWA specifications. If requested by the Roadmaster, the developer shall submit compaction test results.

3. Horizontal Curves.
   a. Centerline radii of curves, as constructed, shall not be less than the standards prescribed in the following table:

<table>
<thead>
<tr>
<th>TYPE OF PUBLIC STREET</th>
<th>CENTERLINE MAXIMUM DEGREE CURVATURE(Arc Definition)</th>
<th>CENTERLINE MINIMUM RADIUS IN FEET</th>
</tr>
</thead>
<tbody>
<tr>
<td>ARTERIALS</td>
<td>24 degrees</td>
<td>238.73</td>
</tr>
<tr>
<td>COLLECTOR STREETS, AND ALL BUSINESS STREETS OTHER THAN ARTERIALS</td>
<td>40 degrees</td>
<td>143.24</td>
</tr>
<tr>
<td>MINOR STREETS AND CUL-DE-SACS</td>
<td>56 degrees</td>
<td>102.31</td>
</tr>
</tbody>
</table>

   b. Conversion formulas for arc definition of curvature are:

   \[
   \text{Degree of curvature} = \frac{5729.58}{\text{radius}}
   \]

   \[
   \text{Radius} = \frac{5729.58}{\text{degree of curvature}}
   \]

   c. Each curve shall have a minimum length of 75 feet.
   d. Whenever the centerline of a road or street changes direction, the tangents of such centerline shall be connected with curves meeting the specifications of this section.

4. Vertical Curves.
   a. All tangent grades shall be connected by means of vertical curves.
   b. Vertical curves shall be at least 100 feet long except as provided in this section.
   c. Vertical curves at intersections shall be at least 25 feet long and may have unequal tangents; the shortest tangent shall be at least 10 feet long.
   d. Except under special conditions, vertical curves shall begin at or outside the extended right-of-way lines of intersections.
5. Intersection Angles.

New roads and streets shall be designed to intersect with existing roads and streets at angles as near to right angles (90 degrees) as practicable. Lesser angles shall be permitted where topography limitations do not allow a right angle intersection but in no case may an intersection angle less than 60 degrees be approved without a variance.

The intersection of arterial or collector roads or streets shall have at least 50 feet of tangent adjacent to the intersection of centerlines unless topography requires a lesser distance.

Intersections which are not at right angles shall have a minimum corner radius of 20 feet along the right-of-way lines at the acute angle. Right-of-way at intersections with arterial roads or streets shall have a corner radius of not less than 20 feet.

6. Dead end Roads or Street. Dead end roads or streets, other than cul-de-sacs, shall not be approved except when such dead end roads or streets are necessary for the effective development of the area. Any approved dead end road or street shall be provided with a turnaround conforming to the provisions of this ordinance.

7. Alignment. Whenever practicable, all new roads and streets shall be in alignment with existing roads and streets by continuation of the centerlines thereof. Staggered road or street alignments resulting in "T" intersections shall leave a minimum distance of 150 feet between the centerlines of roads or streets oriented in approximately the same direction.

8. Future Extension of Street or Road. Roads and streets shall be extended across property being divided when necessary to facilitate development or provide future access to adjoining property. When extensions are deemed necessary, roads and streets shall be extended to the boundary of the property being divided. The resulting dead end road or street may be approved without a turnaround, notwithstanding subsection "6", above.
9. Road and Street Names. Except for extensions of existing roads or streets, no new road or street name shall be used which will duplicate or be confused with the name of existing roads or streets in the County. Road or street names, or numbers, shall conform to established patterns in the surrounding area (whether the area is incorporated or not) and must comply with road naming requirements set forth in the Coos County Code.

10. Slope Easements. In addition to the minimum right-of-way standards set forth in this ordinance, slope easements may be required for cuts or fills that must necessarily extend beyond right-of-way lines.

   a. Cut slopes shall be not steeper than one (1) foot vertical rise to one (1) foot horizontal run, except that if the material is blow sand, the cut slope shall be not steeper than one (1) foot vertical rise to two (2) feet horizontal run.
   b. Fill slopes shall be not steeper than one (1) foot vertical rise to one and one-half (1.5) feet horizontal run, except that if the material is blow sand, the fill slope shall be not steeper than one (1) foot vertical rise to two (2) feet horizontal run.

SECTION 7.3.200 Street Hierarchy

**Arterial:** These roads are intended to provide for high speed travel between or within communities or to and from collectors. Arterials may be four (4) or more lanes in width or two (2) one-way lanes.

**Collector:** Collector roads connect residential streets to the highway systems major and high speed arterial roads or provide access to non-residential uses and arterial streets. Collector roads are designed for higher speeds and traffic volumes than are residential streets. Because uncongested traffic flow is necessary for their effective functioning, residential uses are discouraged access to collector roads. Collector roads accommodate traffic from two (2) or more residential streets.

**Residential Streets:** Residential streets primarily function to provide access to residential uses. All residential streets are intended to accommodate relatively low traffic volumes at slow speeds in order to minimize the basic incompatibility of vehicles and the pedestrians and children who characterize residential neighborhoods.

**Cul-de-sac:** Cul-de-sacs are limited to residential use, and as local streets have only one outlet, without possibility of extension, and a maximum length of 400 feet measured from the center of the turnaround to the right-of-way line of the street or road being intersected.

**Commercial/Industrial:** Commercial/industrial streets primarily function to provide access to commercial or industrial zones.
SECTION 7.1.500. **Special Provisions for New Private Roads.** When new private roads may be created to provide access to proposed land divisions in urban or rural areas:

1. The proposed private road shall be clearly designated as a private road on any required map or plat as shall any reservations or restrictions relating to its use and, if named, the private road shall end with the designation "Lane" or "Way";
2. All new lots and parcels proposed to be served by any new private road shall have a non-exclusive easement covering the entire private road to be created, and this easement shall be made a part of the legal description for the new lots or parcels at the time of title transfer;
3. If an existing private road is to be used as access to the proposed land division, then the property to be divided must also enjoy a non-exclusive easement covering the entire existing private road being used to access the property being divided;
4. Road maintenance agreements are required for new private roads;
5. The following notice shall appear in legible print on the face of any proposed final plat containing a lot or parcel to be served by a private road: "Coos County hereby gives notice to all developers, purchasers, potential purchasers and all third parties whatsoever that the County disclaims any liability whatsoever for any damage which may occur as a result of the failure of the developer to construct, improve or maintain roads in this proposed land division." In addition, and for all partitions approved after January 1, 1996, the following shall also appear on the face of any proposed final plat containing a lot or parcel to be served by a private road: "Confirmation is required from the County Roadmaster that all road and driveway requirements of the Coos County Zoning and Land Development Ordinance have been met prior to the issuance of a Zoning Compliance Letter." Finally, the developer is required to post and provide for the maintenance of signs on the road stating that the County does not maintain the facility. Such signs might say “This road is privately maintained by surrounding property owners. All costs for roadway maintenance and upkeep are assessed to each individual property owner”.

SECTION 3.2.500. **Right of Way Enhancement.**

1. Notwithstanding any other Ordinance provision, the following types of public right-of-way enhancements shall be permitted except as otherwise reviewable pursuant to
Statewide Planning Goals 5, 7, 16, 17, or 18 provisions of the Comprehensive Plan or this Ordinance:

a. Climbing and passing lanes within the right-of-way existing as of July 1, 1987;
b. Reconstruction or modification of public roads and highways, not including the addition of travel lanes, where no removal or displacement of buildings would occur, or no new land parcels result;
c. Temporary public road and highway detours that will be abandoned and restored to original condition or use at such time as no longer needed;
d. Minor betterment of existing public roads and highway related facilities, such as maintenance yards, weigh stations and rest areas, within right-of-ways existing as of July 1, 1987, and contiguous public owned property utilized to support the operation and maintenance of public roads and highways.

2. Within EFU zones, the following types of public right-of-way enhancements shall be administrative conditional uses subject to Review Standard 15; within all non-EFU zones the following types of public right-of-way enhancements shall be administrative conditional uses subject to Review Standard 7; in addition to the above Review Standards, the following uses may be reviewable pursuant to Goals 5, 7, 16, 17 or 18 provisions of the Comprehensive Plan, or this Ordinance:

a. Construction of additional passing and travel lanes requiring the acquisition of right-of-way but not resulting in the creation of new land parcels;
b. Reconstruction or modification of public roads and highways involving the removal or displacement of buildings but not resulting in the creation of new land parcels;
c. Improvement of public roads and highways and related facilities such as maintenance yards, weigh stations, and rest areas, where additional property or right-of-way is required but not resulting in the creation of new land parcels.

SECTION 3.2.550. Routine Road Maintenance
1. Notwithstanding any other Ordinance provision, and except as otherwise provided in this Section, the routine operation, maintenance, and repair of existing transportation facilities shall be permitted outright in all zones when performed by:

a. A public agency, such as the Coos County Highway Department, the Oregon Department of Transportation, the U.S. Department of the Interior, or the U.S Forest Service,
b. Any person in conjunction with a forest operation allowed under an Oregon Forest Practices Act permit, or
c. Any person when allowed under an Oregon Department of State Lands or a U.S. Army Corps of Engineers fill/removal program permit.

2. As used in this Section, “transportation facilities” means any public physical facility that moves or assists in the movement of people or goods including facilities identified in OAR 660-12-020 but excluding electricity, sewage and water systems.

3. As used in this Section, “routine operation, maintenance, and repair” means:

a. Project types identified in Section VII of the Coos County Transportation System Plan, for example surface treatments like grading, overlays and chip seal, mowing
the shoulders, patching pot holes, cleaning culverts, street sweeping, and including in-kind culvert replacements or culvert upgrading.

b. Dedications of right-of-way, authorizations of construction and the construction of facilities and improvements, where the improvements are consistent with clear and objective dimensional standards.

c. Projects necessary to protect the structural integrity of a transportation facility, such as streambank stabilization and fill.

4. If a project identified in paragraph 3(c) of this section:
   a. Will be located within the 100-year floodway, and
      i. is designed to enhance fisheries, fish habitat, or aquatic passage, then the applicant shall either submit the project to the Planning Department for floodplain review and approval by application or comply with the following streamlined approval process:
         1. Hire a qualified professional to perform a feasibility analysis and certify that the project is designed to keep any rise in the 100-year flood level as close to zero as practically possible and that no buildings would be repetitively impacted by the potential rise;
         2. Develop a long-term maintenance program that would sustain the project over time; and,
         3. Submit a written report to the County Planning Department no less than 30 days prior to commencement of the project, which describes the project and includes the feasibility analysis, certifications, and maintenance plan.
      4. As used in this section, a ‘qualified professional’ means a hydraulic or hydrology professional, a professional engineer, or a similarly qualified staff member of the County or any State or Federal fisheries, natural resource, water resource, or land management agency.
      ii. is not designed to enhance fisheries, fish habitat, or aquatic passage, the applicant shall submit the project to the Planning Department for floodplain review and approval.
   b. Will involve riprap or other structural solutions for shoreline stabilization, the applicant shall:
      i. Make written findings that non-structural solutions would not adequately protect public safety and/or public facilities;
      ii. Make written findings that the proposed structural solution has been designed to minimize adverse impacts on water flows, erosion and accretion patterns; and
      iii. Submit a written report to the County Planning Department no less than 30 days prior to commencement of the project, which describes the project and sets forth these findings.
   iv. Nothing in this Section shall prohibit a public agency from taking action necessary to protect the public health, safety, and welfare in response to an emergency, without providing prior notice to the County Planning Department. In the event of an emergency, the written report described in paragraph 4(b)(iii) shall be provided to the County Planning Department no later than 5 days after commencement of the project along with a written explanation of why the 30-day notice requirement was not followed.
c. For a project requiring State and/or Federal fill/removal permit review, the applicant shall submit to the Planning Department all written reports required by this section prior to or concurrent with its submittal of the fill/removal permit for consistency sign-off.

**Proposed Article 7.5**

§ 7.5.100 Existing language no changes moved from 10.1.100
§ 7.5.125 Existing language no changes moved from 10.1.200
§ 7.5.150- Existing language with the addition of #6 moved from §10.1.300

§ 7.5.175 – Updates to tables. The first table is mostly formatting changes this replaces the table found in 10.1.400 the second table has been updated to current standards and graphics have been included. The second table can be found in 10.1.500.

Current language that will be replaced, removed or reformatted.

**SECTION 10.1.100. General Provisions.** Offstreet 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 10.1.200. 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:
   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 10.1.300. Parking Area Design.
1. **Ingress and Egress.** In any zoning district, driveways or access ways providing ingress and egress for private parking areas or garages, 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.

SECTION 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>1. Commercial</td>
<td></td>
</tr>
<tr>
<td>a. Retail store and general commercial except as provided in subsection b. of this section.</td>
<td>1 space per 200 square feet of floor area, plus 1 space per employee. 1 Bicycle space</td>
</tr>
<tr>
<td>b. Retail store handling bulky merchandise(furniture, appliances, automobiles, machinery, etc.)</td>
<td>1 space per 600 square feet of floor area, plus 1 space per employee. 1 Bicycle space</td>
</tr>
<tr>
<td></td>
<td>USE</td>
</tr>
<tr>
<td>---</td>
<td>--------------------------------------------------------------------</td>
</tr>
<tr>
<td></td>
<td><strong>c. Bank, general office, (except medical and dental).</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>d. Medical or dental clinic or office.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>e. Eating or drinking establishment.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td><strong>Commercial Amusement</strong></td>
</tr>
<tr>
<td></td>
<td><strong>a. Bowling Alley</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>b. Dance hall, skating rink, lodge hall.</strong></td>
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<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>c. Stadium, arena, theater, race track</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td><strong>Industrial</strong></td>
</tr>
<tr>
<td></td>
<td><strong>a. Storage warehouse, Manufacturing establishment, or trucking freight terminal</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td><strong>b. Wholesale establishment.</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td><strong>Institutional</strong></td>
</tr>
<tr>
<td></td>
<td><strong>a. Welfare or correctional institution</strong></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### Convenalescent hospital, nursing home, sanitarium, rest home, home for the aged.

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space per 5 beds for patients or residents, plus 1 space per employee.</td>
<td>1 Bicycle space</td>
</tr>
</tbody>
</table>

### Place of Public Assembly

#### a. Church, mortuary, sports arena, theater.

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space for 4 seats or every 8 feet of bench length in the main auditorium.</td>
<td>1 Bicycle space</td>
</tr>
</tbody>
</table>

#### b. Library, reading room.

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space per 400 square feet of floor area plus 1 space per employee.</td>
<td>1 Bicycle space</td>
</tr>
</tbody>
</table>

#### c. Preschool nursery, kindergarten.

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 spaces per teacher; plus off-street loading and unloading facility.</td>
<td>1 Bicycle space per 20 students</td>
</tr>
</tbody>
</table>

#### d. Elementary or junior high school.

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space per classroom plus 1 space per administrative employee or 1 space per 4 seats or every 8 feet of bench length in the auditorium or assembly room, whichever is greater.</td>
<td>1 Bicycle space per 10 students</td>
</tr>
</tbody>
</table>

#### e. High school

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space per classroom plus 1 space per administrative employee plus 1 space for each 6 students or 1 space per 4 seats or 8 feet of bench length in the main Auditorium, whichever is greater.</td>
<td>1 Bicycle space per 20 students</td>
</tr>
</tbody>
</table>

#### f. Other auditorium, meeting room.

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space per 4 seats or every 8 feet of bench length.</td>
<td>1 Bicycle space</td>
</tr>
</tbody>
</table>

### Residential


<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>2 spaces per dwelling unit.</td>
<td></td>
</tr>
</tbody>
</table>

#### b. Two-family or multi-family dwellings

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ½ spaces per dwelling unit.</td>
<td></td>
</tr>
</tbody>
</table>

#### c. Motel, hotel, rooming or boarding house.

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 space per guest accommodation plus 1 space per employee.</td>
<td></td>
</tr>
</tbody>
</table>

#### d. Mobile home or RV park.

<table>
<thead>
<tr>
<th>Use</th>
<th>Standard</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 ½ spaces per mobile home or RV site.</td>
<td></td>
</tr>
</tbody>
</table>
TABLE 10.1
PARKING AREA DESIGN STANDARDS

Parking areas shall be designed in accordance with the following chart so that good utilization of
the available space can be achieved.

<table>
<thead>
<tr>
<th>Parking Angle</th>
<th>Stall Width B</th>
<th>Curb Length Per Car C</th>
<th>Stall Depth D</th>
<th>Driveway Width E</th>
</tr>
</thead>
<tbody>
<tr>
<td>0°</td>
<td>9’-0”</td>
<td>23’-0”</td>
<td>9’-0”</td>
<td>12’-0”</td>
</tr>
<tr>
<td>20°</td>
<td>9’-0”</td>
<td>21’-8”</td>
<td>15’-3”</td>
<td>11’-0”</td>
</tr>
<tr>
<td>30°</td>
<td>9’-0”</td>
<td>18’-0”</td>
<td>17’-8”</td>
<td>11’-0”</td>
</tr>
<tr>
<td>40°</td>
<td>9’-0”</td>
<td>14’-0”</td>
<td>19’-6”</td>
<td>12’-0”</td>
</tr>
<tr>
<td>45°</td>
<td>9’-0”</td>
<td>12’-9”</td>
<td>20’-5”</td>
<td>13’-0”</td>
</tr>
<tr>
<td>50°</td>
<td>9’-0”</td>
<td>11’-9”</td>
<td>21’-0”</td>
<td>14’-0”</td>
</tr>
<tr>
<td>60°</td>
<td>9’-0”</td>
<td>10’-5”</td>
<td>21’-10”</td>
<td>16’-0”</td>
</tr>
<tr>
<td>70°</td>
<td>9’-0”</td>
<td>9’-8”</td>
<td>21’-10”</td>
<td>18’-0”</td>
</tr>
<tr>
<td>80°</td>
<td>9’-0”</td>
<td>9’-2”</td>
<td>21’-4”</td>
<td>20’-0”</td>
</tr>
<tr>
<td>90°</td>
<td>9’-0”</td>
<td>9’-0”</td>
<td>20’-0”</td>
<td>22’-0”</td>
</tr>
</tbody>
</table>

**Article 7.6**
This is new language to address bonding of driveway, access, road and parking improvements. This is new language.
Attachment

B
<table>
<thead>
<tr>
<th>Date Received</th>
<th>EXHIBIT #</th>
<th>Description</th>
<th># OF PAGES</th>
</tr>
</thead>
<tbody>
<tr>
<td>April 14, 2014</td>
<td>1</td>
<td>Written Testimony submitted by: Brian DeOs and Sherrie DeOs</td>
<td>1</td>
</tr>
<tr>
<td>April 14, 2014</td>
<td>2</td>
<td>Written Testimony submitted by: Joe Moore</td>
<td>1</td>
</tr>
<tr>
<td>April 15, 2014</td>
<td>3</td>
<td>Written Testimony submitted by: Candy Mitchell</td>
<td>1</td>
</tr>
<tr>
<td>April 18, 2014</td>
<td>4</td>
<td>Written Testimony submitted by: Marie Keith</td>
<td>1</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>5</td>
<td>Written Testimony submitted by: Elizabeth Halamka</td>
<td>1</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>6</td>
<td>Written Testimony submitted by: Wayne Everest</td>
<td>1</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>7</td>
<td>Written Testimony submitted by: Laurie Wilson and Ann Jaussi</td>
<td>2</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>8</td>
<td>Written Testimony submitted by: Ruth Adams</td>
<td>1</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>9</td>
<td>Written Testimony submitted by: Richard and Sherri Erwin</td>
<td>1</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>10</td>
<td>Written Testimony submitted by: Paul and Marcia Chantiny</td>
<td>2</td>
</tr>
<tr>
<td>Date Received</td>
<td>EXHIBIT #</td>
<td>Description</td>
<td># OF PAGES</td>
</tr>
<tr>
<td>---------------</td>
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<td>------------------------------------------------------------------------------</td>
<td>------------</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>11</td>
<td>Written Testimony submitted by: Arval Marple and Elizabeth Marple</td>
<td>1</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>12</td>
<td>Written Testimony submitted by: Dian Marple</td>
<td>2</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>13</td>
<td>Written Testimony submitted by: Mark Bickett and Jeanette Entwisle</td>
<td>2</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>13A</td>
<td>Copy of Return Envelope</td>
<td>1</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>14</td>
<td>Written Testimony submitted by: Diane Scofield</td>
<td>2</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>15</td>
<td>Written Testimony submitted by: Steven and Laurie Duff</td>
<td>1</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>16</td>
<td>Written Testimony submitted by: Joan Lynch</td>
<td>1</td>
</tr>
<tr>
<td>April 21, 2014</td>
<td>17</td>
<td>Written Testimony submitted by: Tom Younker, Julie Eldridge and Christine Keenan</td>
<td>2</td>
</tr>
<tr>
<td>April 22, 2014</td>
<td>18</td>
<td>Written Testimony submitted by: Barbara Dimitruk and Donald Dimitruk</td>
<td>1</td>
</tr>
<tr>
<td>April 22, 2014</td>
<td>19</td>
<td>Written Testimony submitted by: Darlene Shinabery-Wheeler</td>
<td>1</td>
</tr>
</tbody>
</table>
WE OBJECT TO ALL THESE PROPOSED AMENDMENTS, THAT AFFECT OUR LAND USE RIGHTS!!!!

TO: COOS COUNTY PLANNING COMMISSION, COOS COUNTY PLANNING DEPT., COOS COUNTY BOARD OF COMMISSIONERS, AND ALL OTHER GOVT'S INVOLVED.
FROM BRIAN D. DEOS, AND SHERRIE L. DEOS, OWNERS OF CODE 0939 (AC#470301) AND 0940 (AC#470391)

WE OBJECT TO ALL THE AMENDMENT CHANGES IN AM-14-03, AM-14-05, AM-14-06, AM-14-07, AND DO NOT GIVE UP OUR RIGHTS TO APPEAL ANY OF THESE CHANGES, WHICH AFFECT OUR PROPERTY, TO THE LAND USE BOARD OF APPEALS!!

IN ADDITION WE CHASTISE ALL EMIENT DOMIAN GOVT. BACK DOOR THEFTS THAT DO NOT NOTIFY AND REQUIRE THE AFFECTED LAND OWNERS SIGNATURE. SHAME ON ANYONE WHO STEALS FROM PEOPLE WHO ARE LAW ABIDING CITIZENS, AND DO SO BEHIND SECRET OR NON-NOTIFITING METHODS!!

AGAIN WE STRONGLY OBJECT TO ALL THESE AMENDMENTS THAT TAKE AWAY THE LAND OWNERS RIGHTS, AND FAVOR EMINENT DOMAIN GOVERNMENTS RUN BY POLITICIANS' HIDDEN AGENDAS. WE FEEL THE REMOVAL OF NOTIFICATION, AND LAND OWNER SIGNATURES INVITE CORRUPTION, AND MAKE THE NON-LANDOWNERS AGENAS TAKE AFFECT BEFORE THE AFFECTED LAND OWNER EVEN KNOWS WHAT HAS TAKEN PLACE. SHAME ON ALL WHO THOUGHT UP THIS CORRUPT METHOD OF LAND GRABBING, OR THEFT, SHAME!!!! THIS IS NOT JUSTICES FOR YOUR CITIZENS. IT IS NOT THE FAIR AND IMPARTIAL USE OF GOVERNMENT. THIS IS POWER GRABBING CORRUPTION AT ITS WORST, AND/OR THE ABUSE OF POWER TO BENEFIT BIG MONEY.

BRIAN D. DEOS

Sherrie DeOs
95566 Colver Lane
Cooe Bay, OR 97420

SHERRIE L. DEOS

DATE 4-10-2014

RECEIVED
APR 14 2014

COOS COUNTY PLANNING DEPARTMENT

Exhibit: 1
Date: 4/14/14
4/11/2014

To the Coos County Planning Dept.

We do not agree to any boundary changes.

J D. Morgan
Joe Ammon

RECEIVED
APR 14 2014

COOS COUNTY
PLANNING DEPARTMENT

Exhibit: 2
Date: 4/14/14
To whom it may concern;

And or Jill Rolfe,

I received a letter in the mail that could effect the value of my property. I do not like the sound of that unless of course it goes up in value. ☑

measure so notice

Thank you-
Candy Mitchell

CANDY MITCHELL
W0849 QUAIL RD
NORTH BEND, OR 97459
(541) 297-5069

RECEIVED
APR 15 2014

COOS COUNTY
PLANNING DEPARTMENT

Exhibit: 3
Date: 4/15/14
Marie Keith  
28 Briarhurst Dr.  
Gansevoort, NY 12831

Coos County Planning Dept.  
250 N Baxter St.  
Coquille, OR 97423

Reference Property Descriptions:  
30S12080000800, 30S12080000400, 30S12080000900, 30S12050001600,  
30S12080000505, 30S12070000100

4/16/2014

Dear: Coos County Planning Board:

In reference to “measure 56 notice of Coos County public land use hearings”, as a land owner that is potentially affected by this measure, I am NOT in support of this measure; or any other measures that will affect my property for public use in any way.

This property has been in our family for many years and we do NOT want to have the County divide this property for a cause, or use, that we do not believe in.

As a tax payer and property owner of a parcel that is potentially in jeopardy, I'm applaud that Coos County may exercise the power of eminent domain to achieve their goals of public use. It appears that Coos County has the intent to divide and modify our property and property lines, which will therefore decrease its overall value. This is unacceptable.

I am prepared to exercise our legal rights with litigation, as we deem necessary.

I am petitioning the Coos County planning board to release and provide any and all documentation that affects our property and forward it to me in a timely manner for my review. I would expect the planning board to submit to me in writing, all facts, figures and any changes that the planning board makes, or intends to make, that may affect my property, for my review.

I also feel that Coos County can look for other alternative areas for any type of public access.

I look forward to your response.

Thank you.

[Signature]

Marie Keith

RECEIVED

APR. 18 2014

COOS COUNTY
PLANNING DEPARTMENT

Exhibit: 4
Date: 4/18/14
04-17-2014

Planning Department
Planning Commission
250 N. Baxter
Coquille, Oregon 97423

Dear Planning Staff,

I have received a letter with the below proposed changes from Coos County Planning Department.

I am opposed to AM-14-05 as well as A-M14-03 and AM-14-06 and AM-14-07 AM-14-05 scares me the most.

File No. AM-14-03, I am opposed to any change made to current survey standards

File No. AM-14-05 I am opposed to removing the public from any notification of what the governmental entities or entities with the power of eminent domain to submit any land change without proper notification to land owner and due process. This is wrong and government should not have this power in any way shape of form to remove the public of what it is doing.

File No. AM-14-06 I am opposed to any change made to help File No. AM-14-03.

File No. AM-14-07 I am opposed to any change made to help File No. AM-14-03.

Sincerely,

[Signature]

Elizabeth Halamka
69238 Caleb Rd
North Bend Oregon 97459

RECEIVED
APR 21 2014
COOS COUNTY
PLANNING DEPARTMENT

Exhibit: 5
Date: 4/21/14
DATE: 4-19-14

To whom it may concern;

This is in regards to the letter I received from the Coos County Planning Dept about four amendments AM-14-03, 05, 06 and 07 addressing private property rights. As a private property owner I have concerns about the letter and the process used to notify.

#1. I feel adequate time was not give to the property owner to properly educate and respond to the planning department with concerns we might have with the amendments, given the complexity of the issues and the ability for a lay person to understand those issues.

#2. AM-14-05. In a time when personal rights and property owner rights are being infringed upon from a lot of different directions, I feel this takes away more rights of the property owner. When governmental entities can apply to alter or infringe on private property without notification to the property owner that is wrong!

#3. AM-14-07 Any time water is mentioned in any way, red flags go up, and with limited time to read and understand how the wording of these amendments fit into the law, than how are we as property owners to feel good that these amendments are in our best interests.

In closing, what is the rush? Why was there such short notice? What is the true intent of these amendments? Why does government need to be so complex, KIS= Keep It Simple!

Sincerely, Wayne Everest

Wayne Everest

Address: 45748 Hwy 101, Bandon, Or. 97411

RECEIVED
APR 21 2014
COOS COUNTY PLANNING DEPARTMENT

Exhibit: 0
Date: 4/21/14
21 April 2014

Coos County Planning Commission
250 N. Baxter
Coquille, OR 97423

Dear Commission Members,

We appreciate notification of proposed changes to Coos County Planning regulations in accordance with Measure 56. Nevertheless, we have a few concerns and want to go on record.

- We don’t believe the notification is sufficient to determine exactly what will be changed and what will remain. The intent of the changes doesn’t provide sufficient information. While we are required to comment on the changes in writing 10 days before the scheduled hearings, we won’t actually know specifically what changes are proposed until seven days before the hearings. One of the biggest problems with making legislative changes is unintended consequences. Unless we know what the specific wording changes will be—what will be added, what will be deleted, what will be changed and where—we cannot determine if there will be consequences from those changes that were not intended, but become reality because no one really thought about them. It is common for a body like the planning commission to be so focused on what they are trying to accomplish for good, that they fail to recognize the full ramification of their actions and actually create a problem that was unintended but harmful nonetheless.

- File No. AM-14-05 amending text on land use entities is of concern. Although we understand the necessity of responsible use of eminent domain, submitting a land use application for our land without our signatures means it could be submitted without our knowledge. Surely the county is not suggesting that others should be able to propose a use of our land that we wouldn’t know about until after the process was complete, effectively forbidding us a voice in the process. While it might be vastly more convenient for government to decide what to do with private property without the input and objection of the owners of that property, it hardly seems appropriate in a nation based on the voice of the people and strong values of private ownership. In fact, we would even question the constitutionality of such a regulatory change. Again, until we actually know what wording changes are being proposed, it is difficult to assess the unintended consequences of such a change.

- File No. AM-14-06 seems vague in terms of intention. The cryptic description leaves us wondering if it will allow the county to take an acre of our land as a
parking lot for construction equipment and staging, or to expand the easement to increase the width of county road right-of-ways. Again, the intent seems to be to give the right to the county to take any portion of our land without our voices being heard in the process, or without appropriate compensation for our loss. Such actions dramatically affect the resale value of property.

- File No. AM-14-07 is of concern in terms of ramifications. What ramifications are there of “property line adjustments” and of “addressing water requirements?” Being surrounded by cranberry growers already, we are concerned about water even though our parents established their home on this property long before it became surrounded by cranberry bogs. Now will we be required to go to additional expense to satisfy water requirements because the aquifer is threatened by overuse when we haven’t been the ones overusing it?
- The Measure 56 notice concludes that “these amendments may affect the permissible uses of your property. . .and may change the value of your property.” Yet the notice has not given us sufficient information to determine whether or not the changes will actually affect us. How can we possibly comment and “provide evidence” without really knowing the impact the changes will have because we don’t really know what the changes are!

Essentially, you are saying to us “trust us.” But history has shown that government is only truly honest and fair when citizens keep a watchful eye. Knowledge is the basis for that watchfulness. You have not given us the information and knowledge we need to be watchful, responsible citizens, and that certainly doesn’t engender our trust. While civic servants must surely get tired of the time consuming process of informing citizens and involving them in decision-making, we hope you will have the respect for the citizens of the county and our democratic system of government to not be hasty in your effort to make changes, and to fully involve the private property owners in a meaningful way to get diverse viewpoints on the impact your actions will have on the lives and livelihoods of the citizens and taxpayers you serve.

Sincerely,

Laurie J. Wilson                      Ann Jaussi
Trustee                               Trustee
A&L Trust                             A&L Trust
Owners of the home and property at 87229 Davis Creek Lane, Bandon, Oregon, 97411

Mailing Address: 1101 Eagle Ridge Circle, Sandy, UT 84094
Comments Re: Notice that Coos County has proposed a land use that may affect the permissible uses of property and other properties.

Statement found on internet.

The proposed text amendment does not allow the government, or anyone else, to "use someone else's land." It allows the filing and processing of a land use application without landowner consent, but in order to actually use that land, the applicant will need to either get the consent of the landowner or else acquire the property rights necessary to make use of the land (for example, temporary or permanent easement, or fee title). Neither the government nor a private entity with eminent domain authority can obtain property rights without paying just compensation, either through a negotiated purchase or through a court award in a condemnation action.

So someone can file an application on someone else's land without their consent or knowledge. Sounds kinda backwards to me.

Chapter VI

Reading and trying to understand chapter VI has left me very confused as to the accuracy of documents received from county records at time of purchase. Are they accurate or will be subjected to new survey requirements?

I am expressing my concerns so as not to preclude my right to appeal should I need to in the future.

Ruth Adams

96315 Sunlake Lane, Lakeside, Oregon 97449

RECEIVED
APR 21 2014
COOS COUNTY
PLANNING DEPARTMENT
Concerning the proposed changes:

File No. AM-14-03
Question, Does this mean the county will use GPS to adjust existing lines? Existing lines should stand. Property was purchased with existing lines.

File No. AM-14-05
Property owners and lien holders have the right to know if governmental entities or entities with the power of eminent domain plan to use their property for a project during the planning stages.
Question: Does no signature mean no notification? If so then this proposal is wrong. Land owners need to know, especially when plans could change land owners options for said property.

File No. AM-14-06
Question: Does the county intend, consider, plan to expand current right-of-ways on existing roads? If so which roads, and how much of expansion. Property owners need to know what the county is planning before decision is made, particularly when their property is effected.

This is our formal objection to the proposed changes. Please answer our questions in writing.

Richard & Sherri Erwin
18423 Sitkum Lane
Myrtle Point, OR 97458

[Signature]
Sherri Erwin
April 14, 2014

Coos County Planning Department  
250 N. Baxter  
Coquille, OR 97423  
Attn: Jill Rolfe Planning Director

RE: Measure 56

We are concerned about the language in File No. AM-14-05, the proposed amendment allowing governmental entities or entities with the power of eminent domain to submit land use applications without the property owners signature.

Please be aware any attempts by any governmental entities or entities with power of eminent domain to seize private property (either above or below ground) without mutual consent of the property owner will be met with stiff and determined resistance.

Sincerely,
Paul and Marcia Chantiny

[Signatures]

We agree with the comments above:

Name: Linda & Wayne Wingert  
Address: 95034 N. Way Lane  
North Bend, OR 97459

Name: Wayne Wingert  
Name: James Schroeder

Name: Kenneth B. Ede  
Name: Greg Buxum

Address: 68978 Covenant Rd  
North Bend, OR 97459

Address: 93699 Bay Park Lane  
B5, Big. One, 97420

Address: 95554 Northway Ln.  
North Bend, OR 97459

Exhibit: 10  
Date: 4/21/14

[Signatures]
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jared Reeves</td>
<td>94791 North Way Lane North Bend OR 97459</td>
</tr>
<tr>
<td>Colleen Reeves</td>
<td>94790 North Way Lane North Bend OR 97459</td>
</tr>
<tr>
<td>Jeff Reeves</td>
<td>94790 N Way Lane North Bend OR 97459</td>
</tr>
<tr>
<td>Bonnie Bolle</td>
<td>95032 North Way Ln North Bend OR 97459</td>
</tr>
<tr>
<td>Carl Faris</td>
<td></td>
</tr>
</tbody>
</table>
April 20, 2014

Coos County Planning Department
250 N. Baxter
Coquille, OR 97423

As real property owners in Coos County, we are concerned about the Measure 56 Notice of Coos County Public Land Use Hearings we received last week.

Due to a prior commitment out of state, we will be unable to attend the May 1st public hearing. However, we would like to know if there is any provision for compensation to landowners if the value of their property is reduced due to any of the proposed land uses mentioned in the notice.

One of the proposed amendments will allow any governmental entity to submit a land use application, whether or not they have power of eminent domain. This does not seem right at all!

Also, when the phrase “without the property owner’s signature” is used, is it possible that it could mean that the property owner may not even be made aware of the land use application submitted for his own land? Hopefully not!

Respectfully,

Arval D. Marple

Elizabeth A. Marple
P.O. Box 87
Langlois, OR 97450

RECEIVED
APR 21 2014
COOS COUNTY PLANNING DEPARTMENT
April 20, 2014

Coos County Planning Department
250 N Baxter
Coquille OR 97423

RE: COMMENTS TO AND OBJECTIONS CONCERNING
MEASURE 56 NOTICE OF COOS COUNTY PUBLIC LAND USE HEARINGS

TO: Coos County Planning Commission:

I am an owner of real property in Coos County, and I received a MEASURE 56 NOTICE OF
COOS COUNTY PUBLIC LAND USE HEARINGS in the mail. As provided in the above-
referenced notice, please consider this letter as my comments about and objections to
proposed language of the amendments:

- I strongly object to the adoption of any legislative amendment or other amendment
  that would restrict the permissible uses of or reduce the value of my real property.
  "The County has determined that adoption of one or more of these amendments may
  affect the permissible uses of your property and other properties in the affected
  zone(s), and may change the value of your property."

- I strongly object to the adoption of File No. AM-14-05 amending text in §5.0.150
  Application Requirements in the CCZLDO. That amendment would allow any
  governmental entity to submit a land use application without my signature, without
  my knowledge, and apparently without any compensation to me, the real property
  owner, for the use of, misuse of, destruction of, or deliberate theft of my real
  property. How can the Coos County Planning Commission and the Coos County Board
  of Commissioners even entertain such a flagrant misuse of governmental power?

- I object to the adoption of File No. AM-14-03 amending the text in Chapter VIII
  (Survey Standards) of the CCZLDO. Modern survey standards are being used
  regardless of whether or not the language in the chapter is modernized or not. The
  proposed changes are unnecessary.

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APR 21 2014
COOS COUNTY
PLANNING DEPARTMENT

Exhibit: 12
Date: 4/21/14
Coos County Planning Department  
April 20, 2014

Page 2.

- I object to the adoption of File No. AM-14-06 to amend the text in Chapter VII (Transportation, Access and Parking) of the CCZLDO. The current language concerning traffic, access and parking regulation, routine road maintenance and rights-of-way are more than adequate and should not be changed to restrict any future development or to restrict the use of any of my real property.

- I object to the adoption of File No. AM-14-07 to amend text in Chapter VI (Land Division) of the CCZLDO. The Coos County Planning Commission is making the application process for a simple division of real property, property line adjustments, roadways, etc. so complicated, it makes one wonder why.

With this letter, I have raised my issues “prior to the close of the evidentiary record and provided a statement or evidence sufficient to afford the decision makers an opportunity to respond to the issue.” Therefore, I may appeal any issue to the Land Use Board of Appeals.

Respectfully submitted,

[Signature]

DIAN MARPLE
PO Box 103
Langlois OR 97450
To: Coos County Planning Dept.

Coos County Courthouse Annex
250 N. Baxter Coos County Courthouse
Coquille, OR 97423

From: Mark Bickett & Jeanette Entwisle  

April 17, 2014

Having just received (this day), your **Measure 56 Notice of Coos County Public Land Use Hearings**:

I object to having less than 4 days to give a written response and providing 19 copies for my public comment. I do not receive the newspaper or watch TV. Please allow at least 2 weeks notice mailed out for a public comment. Your Postmarked envelope enclosed as proof.

My Public Comment:

Re: Legislative amendments to the Coos County Zoning and Land Development Ordinance  
   File No. AM-14-05 that amends text in 5.0.150 Application Requirements in the CCZLDO.

I particularly must object to the changes as stated in **File No. AM-14-05**, amending the eminent domain rights which would allow public entities to cross above or below my land and use it for their purposes **without my signature**.

As a land owner I reserve and demand the legal right as to how my land is used; with or without my permission, and/or signature. Please strike this amendment out and let property owners retain the use of their property as they see fit. I do not want a public access road or utility running across my land without my signature and permission.

Mark Bickett & Jeanette Entwisle TTs  
Seven Hounds Trust 1-5-2012

Mark Bickett  
Jeanette Entwisle

1047 Newport Ave. SW  
Bandon, OR 97411  
Tel: 541-329-0371

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**RECEIVED**  
APR 21 2014  
COOS COUNTY  
PLANNING DEPARTMENT
To the staff of the Coos County Planning Department:

We received your notice regarding land use proposals. I have some concerns I would like to express regarding the amendments you are proposing.

Firstly, please consider the fact that Psalm 24:1 states “The earth is the Lord’s and the fullness thereof; the world, and they that dwell therein.” God’s plan is for the earth He made to be inhabited. Isaiah 45:18 says “For thus saith the LORD that created the heavens; God himself that formed the earth and made it; he hath established it, he created it not in vain, he formed it to be inhabited: I am the LORD, and there is none else. Also Psalm 115:16 says “The heaven, even the heavens, are the LORD’s: but the earth hath he given to the children of men.”

When God brought the children of Israel into the promised land, He was careful to be sure the land was divided into portions for each of the tribes of Israel. Each tribe then divided up their inheritance into portions of inheritance for each family unit. These were very well guarded by the families. If their land was sold, it was to be redeemed at the year of jubilee, so each family would retain their inheritance. Joshua 13:14,33; Ezekiel 44: 15, 23, 24, 28; Joshua 13, 14, 38; Numbers 36:2,7. God was the inheritance of the tribe of Levi. They had cities scattered throughout the other tribes. They were priest and temple servants. Princes and rulers were not to oppress the people nor seize their inheritance. When King Ahab of Israel wanted to buy the vineyard of Naboth, he would not sell it to him because it was the inheritance of his fathers. “And Naboth said to Ahab, The LORD forbid it me that I should give the inheritance of my fathers unto thee.” 1 Kings 21:3. King Ahab’s wife, Jezebel, arranged for the murder of Naboth, and the stealing of his vineyard. King Ahab then went to possess the vineyard which had been obtained by robbery and murder. The prophet Elijah was sent by God to meet him and pronounce to Him God’s judgement on his actions. “And thou shalt speak unto him, saying, Thus saith the LORD, Hast thou killed, and also taken possession? And thou shalt speak unto him, saying, Thus saith the LORD, In the place where dogs licked the blood of Naboth shall dogs lick thy blood, even thine.” 1 Kings 21:19

Ezekiel 46:18 says, “Moreover the prince shall not take of the people’s inheritance by oppression, to thrust them out of their possession; but he shall give his sons inheritance out of his own possession: that my people be not scattered every man from his possession.”

Ezekiel 45:7-10 says, “And a portion shall be for the prince on the one side and on the other side of the oblation of the holy portion, and of the possession of the city, before the oblation of the holy portion, and before the possession of the city, from the west side westward, and from the east side eastward: and the length shall be over against one of the portions, from the west border unto the east border. In the land shall be his possession in Israel: and my princes shall no more oppress my people; and the rest of the land shall they give to the house of Israel according to their tribes. Thus saith the Lord GOD: Let it suffice you, O princes of Israel: remove violence and spoil, and execute judgment and justice, take away your exactions from my people, saith the Lord GOD. Ye shall have just balances, and a just ephah, and a just bath.”

April 18, 2014
I am concerned that the policies you are proposing are violating the principle of private property ownership which is an established principle of the Creator God. Can you take the private property of people and use it for utility lines, roads, or any other use without the signature and consent of the owners? Is this not stealing the land of the people? Can you take their land for parking, roads, and your own uses, or affect the way they may use their property and the value of their property without this being an oppression of the people? Will not God see this? I encourage you to have a healthy fear of the LORD, the Creator, for your own sakes.

In addition to this, the 5th amendment of the Bill of Rights states”... nor private property be taken for public use without just compensation.” Certainly just compensation of any kind must needs include foreknowledge and consent to the use of the property by the owners of that property.

Thank you for taking the time to read my letter. As public servants answerable to God for the stewardship of your public office, I urge you to consider these principles for the benefit of yourselves, and those you serve.

Sincerely,

Diane D. Scofield
Mrs. Diane Scofield
87111 Croft Lake Lane
Bandon, Oregon 97411
Coos County Planning Commission,

We received a letter informing us of the upcoming hearing about Coos county public land use on May 1st and since we will be out of town and unable to attend to voice our concerns we are submitting our concerns in writing. Under the second bullet point referring to file no. AM-14-05, we strongly oppose this text being amended. We feel this gives the county and other government entities power that they are not entitled to. As property owners who pay property taxes and a mortgage, we have the right to be involved in any discussions or decisions that would affect our property rights or value. There are already easements for utilities so it is not necessary for you to use eminent domain for future utility projects. As far as the language "The proposed amendment allows governmental entities or entities with the power of eminent domain to submit a land use application without the property owners signature" this should not be allowed to be added to the CCZLDO. This takes away the rights of property owners in Coos county. No one should have the right to take property or do something that affects some ones property without their signature and consent.

Steven Duff  Laurie Duff

Steven and Laurie Duff
58650 Fernwood Rd.
Coquille, OR 97423
April 21, 2014

Coos County Planning Department
250 N. Baxter
Coos County Courthouse
Coquille, Oregon 97423

To Whom It May Concern:

Let it be known I am against your proposed Measure 56 on the basis of it being a violation against the 5th Amendment of the United States Constitution.

I further state that Measure 56 is a violation against Chapter 195 — Local Government Planning Coordination - as noted in the State of Oregon Revised Statues. Noted sections are:

JUST COMPENSATION FOR LAND USE REGULATION
sections 195.300 to 195.336. Highlighting sections 195.305, 195.310

Further notice is given to ORS Chapter 35 – Eminent Domain: Public Acquisition of Property, section 35.220 specifically, which clearly states:

Precondemnation entry on real property. (1) Subject to the requirements of this section, a condemner may enter upon, examine, survey, conduct tests upon and take samples from any real property that is subject to condemnation by the condemner. A condemner may not enter upon any land under the provisions of this section without first attempting to provide actual notice to the owner or occupant of the property...

I question the ulterior motives of this measure and ask what are your intentions?

I respectfully submit this and request it be read at the hearing.

Sincerely,

Joan Lynch
88034 Dew Valley Lane
Bandon, OR 97411

RECEIVED
APR 21 2014
COOS COUNTY PLANNING DEPARTMENT
Coos County Planning Department
250 N. Baxter
Coos County Courthouse
Coquille, Oregon 97423

April 21, 2014 4:36 pm

RE: Measure 56 – Notice of Coos County Public Land Use Hearings
RE: Property potentially affected;
Younker Family
61584 Daniels Creek Road, Coos Bay, OR
Tax Account number 473400 – NE Qtr. Sec. 15, T. 26S, R 12W

Dear Planning Department,

We received your letter on April 12, 2014 regarding Measure 56 informing us that you will be conducting a public hearing on May 1st to review legislative text changes with one additional date for specific topics scheduled for May 13th.

The notice states that if we cannot attend the hearings, we can send in a letter regarding our concerns by Monday April 21st. Although Lynn Jones said that the April 21st date was not a hard cut off, we are faxing this letter to you today, April 21st to give the decision makers ample time to understand and respond to our concerns and every effort will be made to attend the hearing.

Having spent considerable time trying to understand the changes, we are still not at all clear as to the repercussions these changes may have on our property. We attempted to hire a local attorney to read the letter and the related materials on the website to inform us of any items that may affect our property in any way. The timeline was simply too tight to get legal guidance on such an important matter. (Note: We contacted Coos Bay Attorney Larry Finneran and spoke with
Tracy in Attorney Andy Combs office as he was not available last week due to mediation.

After speaking with Lynn Jones, Debby Darling, and Chris Hood we have been assured that these changes are “merely housekeeping” to make the codes easier for home owners to find and understand while researching information regarding their own private party. However, the letter uses some fairly threatening language with regard to property lines, “eminent domain... without property owner signature” and “may affect the permissible uses of your property and other properties.”

Given that this property has been in our family since 1960 we are quite concerned about any intentional, or unintentional consequences these “mere housekeeping” updates may have on our property. We are specifically concerned about the loss of current permissible uses and preservation of our right to split our 160 acres into two 80 acre lots, both with adequate access. Additionally, we are concerned about intention for any entity to demand property for easements for any reason what so ever. We are raising these issues, and any other issue that may affect our property, prior to the close of the evidentiary record and are giving this notice in sufficient time to afford the decision makers an opportunity to respond to the issue therefore establishing a basis to appeal to the Land Use Board of Appeals at some future date if necessary.

Regards,

Younker Enterprises Inc.

Tom Younker  Thomas E. Younker
Julie Eldridge  Julie Eldridge
Christine Keenan  Chula Keenan

206-856-9106 (call to arrange payment for 19 copies of this letter)
mailing address
3749 SW 171st Street

Burien, WA 98166
Coos County Planning Department

RE: Proposed Legislative Text Changes To The Following

File No AM-14-03
File No-AM-14-05
File No AM-14-06
File No-AM-14-07

Please consider this a formal objection to any change to the above listed File No's as we object to any changes that may effect the usages or value of the mixed used commercial/residential property, the building, access, right aways, and/or it's business at: 47074 Hwy 101 South, Bandon, OR. 97411

Please keep us informed in writing to both the property address in Bandon and the tax bill mailing address at 411 Kelly Lane, Santa Cruz, CA. 95060.

Regards,

Barbara Dimitruk
Donald Dimitruk

Barbara Dimitruk
First American Title
Marketing and Business Development Manager
Office: 831-460-3280
Cell: 831-818-0660
Bdimitruk@firstam.com

RECEIVED

APR 22 2014

COOS COUNTY
PLANNING DEPARTMENT

Exhibit: 18
Date: 4/22/14
April 22, 2014, 8:48 AM
Darlene Una Wheeler
63195 Shinglehouse Rd
Coos Bay, Or 97420

Dear Coos County Planning Department;

I received your letter on the public hearing to be held May 1 @ 7pm but I will be working and cannot attend. I am concerned, however of how this effects my property. I don’t desire any changes but am unaware of any power I have. If the changes are to be law.

Respectfully,
Darlene Shinabery-Wheeler